

**IN THE CIRCUIT COURT OF FAIRFAX
COUNTY,**

**LEGAL FILING WITH COURT
SUPPLEMENT SUPPORTING FRAUD
UPON THE COURT WITH EXHIBITS A, B
AND C AND D: AND THE REMAINING
EXHIBITS TO BE FILED HEREAFTER IN
COURT SUPPLEMENT FOR
COMPLETION OF THE 2022 FRAUD
UPON THE JULY 2022 COURT
HEARINGS COURT AMENDMENT FOR
JULY 2022-2025 RETRACTIONS OF ALL
ALLEGATIONS WRONGLY MADE
AGAINST LYNN KAY**

LYNN KAY, Petitioner, v. PHILIP KAPUSTA, Respondent. .

JULY 29, 2025

2025 Case No.: CL-2018-11871

**RE: CRIMINAL FALSIFICATION OF FABRICATING CARE
MANAGER REPORTS AND 2021-2025 FIDUCIARIES
DEFYING 9 DOCTORS ORDERS OF WHICH DR. CUSUMANO
REQUESTED SUBPOENA WILL EASILY CONFIRM ALONG
WITH "ALL MATERIAL FACTS OF "CMINAL ELDER CRUELTY
COMMITTED"**

7-29-25-COURT SUPPLEMENT-CRIMINAL EVIDENCE:

COUNT 1-CRIMINAL FRAUD UPON THE COURT BY THE CONCEALMENT OF CRIMINAL ACTS OF ELDER CRUELTY CRIMES-CRIMINAL FALSIFICATION AND CRIMINAL CONCEALMENT OF 3+ DOCUMENTS AND CONCEALING MEDICAL RECORDS

COUNT 2-MALICIOUS PROSECUTION-CRIMINAL THREATS TO LIFE AND HEALTH AND HOME AND WELL-BEING BY CRIMINAL CONCEALMENT OF CRIMES CRIMINALLY CONCEALED FOR 3 YEARS-(2022-2025)

COUNT 3-CRIMINAL ABDUCTION-VIOLATION OF RIGHTS-"THE CRIMINAL TAKEOVER OF OUR LIVES-(2022-2025)

COUNT 4-CRIMINAL FRAUDULENT BREACH OF CONTRACT BY CRIMINAL CONCEALMENT OF ELDER CRUELTY CRIMES COMMITTED AND CRIMINALLY CONCEALED FOR 3 YEARS-(2022-2025)

COUNT 5-DEFAMATION BY CRIMINAL CONCEALMENT OF CRIMES COMMITTED AND CONCEALED-(2022-2025)

COUNT 6-**BREACH OF FIDUCIARY DUTY OF CARE-FAILURE TO PROVIDE AND ENSURE CARE-(ELDER CRUELTY-18.2-369-B

COUNT 7-**BREACH OF ~~CIVIL DUTY~~ 63.2-1606 TO PROTECT AND REPORT ELDER NEGLECT AND ABUSE AND EXPLOITATION AS "FIDUCIARIES AS MANDATED REPORTERS"

=====

**EXHIBIT A-CRIMINAL FRAUD UPON THE
COURT-CRIMINALLY FALSIFIED CONCEALED SEALED
RECORDS- 2022-2025.pdf**

***5-22-25-RED-PAGED SEALED-DISCOVERED
9-22-22-SEALED Exhibits.pdf**

***6-8-22-SHIFFLETT-CRIMINALLY FALSIFIED AND
CONCEALED CARE MANAGER REPORT USED FOR
CONCEALED 7-5-22 EMERGENCY PETITION.pdf**

***6-30-22-SHIFFLETT-22 DETAILED COMMENTS-
(PREMIER CARE PLANNING)-CONCEALED
CRIMINALLY FALSIFIED DEFAMATORY REPORT-DOES
NOT MATCH FACTS AND IS MEDICALLY INCORRECT-
Pages from Exhibits.pdf**

***7-5-22-FALSIFIED EMERGENCY PETITION-
CONCEALED BOGUS JULY 2022-WITH COURT
SUPPLEMENTAL FILING FOR JUDICIAL REVIEW FOR
RULING OF FRAUD UPON THE COURT-OVERTURNING
AND VACATING AND EXPUNGING ALL 2020-2025
COURT JUDGMENTS.pdf**

***10-12-22-DEFAMATION AND BREACH OF CONTRACT
BY FRAUDULENT MEANS-SEALED-
CL-2018-11871-GAL Report.pdf**

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From: "Stephanie Knight" <notify@egnyte.com>

To: "tweeter7@yahoo.com"

<tweeter7@yahoo.com>

Sent: Thu, May 22, 2025 at 3:26 PM

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CL-2018-11871



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FAIRFAX, VA

**FILED UNDER SEAL PURSUANT
TO VA. CODE § 64.2-2002**

*****CRIMINALLY CONCEALED FALSIFIED AND FABRICATED PREMIER LIFE PLANNING CARE MANAGEMENT 1ST REPORT OF ABSOLUTE LIES TO ATTEMPT TO CRIMINALLY CONCEAL CRIMINAL MEDICAL ELDER NEGLECT*****

Callie Bailey

From: Liz Shifflett <l.shifflett@premierlifeplanning.com>
Sent: Wednesday, June 8, 2022 6:13 PM
To: Cary Cucinelli; Callie Bailey
Cc: Suzanne Hanas
Subject: EK 6.8.22

6.8.22
Elaine Kapusta
VA Heart Arlington Office
F/u for fatigue symptoms

6-8-22-SHIFFLETT-"CRIMINALLY FALSIFIED AND CRIMINALLY CONCEALED CARE MANAGER REPORT USED FOR FALSIFICATION OF THE ALSO CONCEALED 7-5-22 EMERGENCY PETITION AND HEARING"

Presentation:

Elaine was ready to go when I arrived today dressed in a pink turtleneck, brown pants, and slippers. We went to see Dr. Vlacancich cardiologist to assess increased fatigue that Lynn has observed in her mother. Elaine appeared at her baseline. She did the stairs, walked, and transferred into my car with no difficulty. Jack also reported they had a great session on Monday that she tolerated well. I have also discussed the fatigue with Dr. Lessin. His office has suggested trying a medication called Mybetriq which can help with overactive bladder that could allow her to sleep better by reducing the overnight trips to the bathroom. However, Lynn will not allow any new medications.

Assessment this visit:

- Cardio/pulmonary; mild shortness of breath with exertion at baseline, no dizziness, edema at baseline (4+) right greater than left (3+). Good color. Lungs clear to auscultation. Rhythm is rate controlled atrial fibrillation via office EKG
- Vitals; blood pressure 122/55, heart rate 68, respirations 18, weight 151.
- Mood; pleasantly confused. The doctor noted that she "just talks nonsense" and is "out of it"
- Personal care; Griswold cannot staff and aide for 2 hours in the time frame of 11-4. Lynn would like to ask Care with Love if they have any providers for private duty since they know Elaine
- GI/GU; Elaine used the bathroom while we were out to urinate and needed considerable cuing and physical assistance
- Pain; Denied
- Rehab; Jack is now coming every Monday. He has added yard work into the plan of care since Elaine likes to sweep the deck. He would like to plant some small flowers in empty flowers with her to work on motor planning, coordination, transfers, and functional mobility.
- Envt; the front lawn is still quite over grown. The back yard could also use mowing. It is getting very tall in the back with weeds.
- Supplies; I ordered a knee sleeve brace recommended by Jack
- Lynn is still upset about her allowance and the rising foods costs

**6/8/22-LYNN KAY
TEXT REQUESTED
SED RATE-IGNORED
BY SHIFFLETT
INCOMPETENCE**

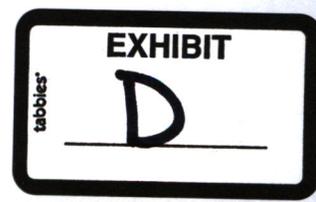
Interventions this this visit:

- VA Heart appt completed
- *CBC, CMP, BNP, TSH, T4 ordered and done in lab downstairs at Labcorp
- *no medication changes; encourage Lasix every day
- *Elaine is not a candidate for ANY invasive testing or to look aggressively for potential issues since they would not be treated due to comorbidities
- *fatigue is a normal part of aging and any intervention is not worth the risk
- Eliquis refill picked up from CVS
- Dexascan showed osteopenia
- *take Vitamin D3 2000u every day
- *consume 1200mg of Calcium per day
- *engage in 30 minutes of walking 3x a week

THE COMPLETE DISREGARD OF MY MOM* FOR "NO ONE TO EVER DO ANY PROPER DIAGNOSTIC TESTING" IS BEYOND SHOCKING ALLOWING MY MOM TO SUFFER INSTEAD OF BEING PROPERLY DIAGNOSED AND TREATED-FAILURE BY VIRGINIA HEART ALSO DIRECTLY CAUSED 6/30/22 HOSPITALIZATION AS INTERVENTION AND PROPER DIAGNOSTIC TESTING WAS IMPERATIVE AND EVERYONE FAILED TO CARE! CMP AND SED. RATE AND U/A IF DONE WOULD HAVE SHOWN U.T.I.-UROSEPSIS!

**X
LIE**

FALSE STATEMENT! NO BNP OR TSH OR T4 OR CMP WAS SHOWN TO HAVE BEEN DONE ON 6/8/22



5/10/22-CONCERNING ELEVATED SED RATE AND LOW PLATELETS CONCERN BY DR. LESSIN**-STATED 1 MONTH FOLLOWUP OR P.R.N. SOONER AS NEEDED**

Lynn wants her mom to get the Shingles vaccine; Dr. Lessin has approved it. I will provide a CDC fact sheet to Lynn as it is sometimes not well tolerated

Plan:

- Monitor CP status
- Monitor edema
- Monitor personal care
- Monitor mood and cognition
- Monitor medication mgmt

Next Steps:

- F/u with Care with Love re: an aide for 1x a week
- F/u on labs
- F/u on shingles vaccine
- Get a few small plants for Jack to work with Elaine
- F/u on front lawn

Liz Shifflett, RN/MPH/CCM

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Liz Shifflett, RN/MPH/CCM
Premier RN Geriatric Care
VP of Nursing Services
1300 Crystal Dr, #309
Arlington, VA 22202
571-214-7378

6/30/22-STATEMENTS MADE BY LIZ SHIFFLETT "DO NOT MATCH FACTS* AS SHOWN BY NESTCAM VIDEOS AND ALSO *DOES NOT MATCH MEDICAL FACTS* AND *ENTIRELY FAILED TO INFORM THAT LIZ SHIFFLETT PREMIER CARE PLANNING FAILED TO SEEK CARE FOR ELAINE SINCE 5/18/22* WHEN *LYNN 1ST STATED THAT HER MOM WAS NOT WELL* BY DOCUMENTED TEXT. AND 30 MORE TEXTS THEREAFTER *INFORMING OF HER MOM'S HEALTH AND HER NEEDS THAT SOMETHING WAS WRONG*.

Callie Bailey

From: Liz Shifflett <l.shifflett@premierlifeplanning.com>
Sent: Thursday, June 30, 2022 10:35 PM
To: Cary Cucinelli; Callie Bailey
Cc: Suzanne Hanas
Subject: FK 6.30.22

THIS "CRIMINALLY FALSIFIED REPORT" WAS ALSO "CRIMINALLY CONCEALED TO LYNN KAY FOR 3 YEARS"

ELAINE MAE KAPUSTA ALMOST DIED BECAUSE OF "LIZ SHIFFLETT BEING SO INCOMPETENT AND UNCARING AS A NURSE CARE MANAGER"-**("SHE IS A DEADLY DANGEROUS PERSON"- "CRIMINALLY FALSIFYING REPORTS") LIZ SHIFFLETT FAILED TO EVER INFORM THAT NEGLECT BY CARE MANAGER-(HERSELF) NEGLIGENT ACTIONS BEGAN EVEN PRIOR TO 5/18/22 AND ENTIRELY CAUSED 1 YEARS OF SUFFERING BY ELAINE NOT RECEIVING PROPER MEDICAL CARE AS WAS "MEDICALLY PROPERLY REQUESTED BY ONLY LYNN SINCE 6/2/22 KNOWING WHAT WAS "MEDICALLY ASTUTELY CORRECT" AS ELAINE RECEIVED EVERYTHING "LYNN WAS WRONGFULLY CONDEMNED AND DEFAMED FOR "MEDICALLY PROPERLY REQUESTING AND ONLY LYNN DOING/REQUESTING EVERYTHING THAT THE HOSPITAL DID EVERYTHING REQUESTED BY LYNN WITH THE HOSPITAL THEN CONSULTING WITH LYNN ON 7/4/22 CALLING LYNN TO

6.30.22
Elaine Kapusta
4136 North River Street, Mclean
ER admission

Presentation:

I received a call from Lynn yesterday requesting I take Elaine to the ER since she was "going downhill, delirious, not eating, and not sleeping." She also said she "must have IV fluids and vitamin injections to be fixed." When I arrived today at 12:15, Elaine appeared mostly at baseline, but slightly more tired. Her blood pressure was 155/86, heart rate 68, and respirations 18. She was sitting in a chair dressed in brown pants, a pink turtleneck, and slippers. I observed her walk at baseline. Elaine was eating and drinking, but less than usual. She was also voiding in the bathroom on her own. Elaine was calling out for more help at night, and it was keeping Lynn up.

CARE MANAGER INCOMPETENCE DISREGARDING SINCE 5/18/22 UNWELLNESS

Lynn appeared distraught and visibly upset. She stated she herself only slept 4 hours in the last 5 days. Lynn was irrational and not receptive to feedback that her mother was not in an emergent situation. I had spoken to VA Heart earlier in the day who reported the last set of labs were all good, but we could re-check a TSH and T4. I had an order for home labs. It was also directed we could start the Ramipril which was already ordered by Dr. Lessin. They also reiterated that Elaine is older and will be tired as was stated at the last appt. Lynn did not want to hear any of this. She also reported that she on her own accord stopped giving Elaine the Lasix on Sunday

THE DISREGARD TO DIAGNOSE BY 2 DOCTORS WAS SHOCKING!

We started to discuss that Lynn cannot make medication changes on her own. We also started discussing that Lynn appears to need more help at the house or Elaine needs a higher level of care. Lynn began yelling and said she was going to hit and smack me several time. She was not receptive to diffusion or my removing myself from the home. She yelled for me to come back and chased after me agitating Elaine who started to cry and begged me not to leave creating a near incident on the stairs.

NESTCAM VIDEOS DO NOT MATCH STATEMENTS MADE BY SHIFFLETT CONCEALMENTS

SHIFFLETT FAILED TO INFORM IN HER ELDER NEGLECT CONCEALED

I expressed concern for Elaine being alone with Lynn and called 911. EMS and the police were called to the home. I spoke with officers MF Colorado and E Kisiel and EMS at the house. Elaine was taken to VHC. Lynn did not accompany her.

SO INCOMPETENT TO CALL THE POLICE FOR HER DISREGARD OF 1 1/2 MONTHS OF MOM'S PHYSICAL SUFFERING AFTER CALLING ME CRAZY FOR SEEKING EMERGENT CARE

6/30/22-**E.R. STATES-NO EDEMA**

Assessment at the hospital: 5-6pm

Dr. Charles, Molly LCSW, Khalil pharmacist (all in collaboration)

- Cardio/pulmonary; no shortness of breath, no chest pain, 4 + edema bilaterally right greater than left
- Vitals; blood pressure 186/111, heart rate 97, respirations 20, pulse ox 95% on room air, afebrile
- Mood; at baseline confusion. Trying to get out of the gurney. They were going to put on the mittens before I arrived
- Medications; reviewed with the pharmacist. There was a 1x order for Benadryl 12.5mg by mouth x1 for sedation since she was restless in an unfamiliar environment

X LIE

X LIES

-Labs; CBC, CMP, sed rate, TSH, T3, and urine collected and all normal. No dehydration. IV fluids of 0.9NS at maintenance were only given to appease Lynn-there was no clinical need. Iv in the right forearm which is at risk of being pulled out

"GROSSLY ABNORMAL LABS" ON MEDICAL REPORTS SINCE 6/30/22

- Tests; venous doppler to right leg and head CT scan ordered
- GI/GU; Elaine was hooked up to Purewick suction to collect urine

ACTIONABLE DEFAMATION FOR 3 YEARS CONCEALED IN COURT FILED-SEALED FILING-INFORMATION USED. FOR DESTROYING ELAINE'S AND LYNN'S LIFE FOR "3 HORRIFIC YEARS OF MOM AND I SUFFERING" FROM **ALL FIDUCIARIES CRIMINAL ELDER NEGLECT CRIMINALLY CONCEALED SINCE 6/30/22



THIS "FELONIOUS AND DEFAMATORY REPORT" IS **ENTIRELY FULL OF LIES AND "SEEKS TO DEFLECT THE CARE MANAGER NEGLIGENCE AWAY FROM SHIFFLETT BY STATING ALL LIES"**

-Pain; No apparent distress

-Functional; Lynn requested the doctor give her mom "a catheter, IV medication to sleep, vitamins in the IV, and IV fluids to fix her before she comes home". The doctor said she was not going to do that and asked if more support was need at home. Lynn responded no and the above was only needed.

MOM RECEIVED ALL OF LYNN'S REQUESTS WITHIN 2 DAYS

Misc: The doctor said Elaine would be able to be released if it not for the social services need to admission for placement given that episode that happened at the house corroborating behavior Lynn exhibited on the phone to Dr. Charles

****LYNN KAY'S GOOD JUDGMENT-MEDICAL ASTUTENESS PROVEN ON DAY 1 AND 2 BY "GROSSLY ABNORMAL LABS"*****
interventions this this visit.

-EMS and police called for unsafe situation at the home

-ER report and history provided

*detailed concern of neglect and placement needed for a safe discharge

-Contacted Silverado; no beds and has a wait list

-Placed APS referral

-Put PT/OT on hold per placement

ONLY LYNN KAY STATED EVERYTHING "MEDICALLY PROPERLY BEFORE ELAINE WENT TO E.R.AND RECEIVED ALL STATED BY LYNN

Plan:

Provide for safe discharge plan

F/u on guardianship

Next Steps:

F/u on hospitalization

Find memory care facility; The Kensington

Consider staffing private duty at hospital if Elaine is continued agitated

THERE WAS NO JUSTIFICATION TO CALL THE POLICE-LIZ SHIFFLETT FAILED TO INFORM THAT SHE ENTIRELY DISREGARDED ELAINE'S PHYSICAL UNWELLNESS PROGRESSING AND THAT SHE CALLED LYNN "CRAZY MULTIPLE TIMES-(NESTCAM VIDEOS) AS "LYNN WAS THE ONLY ONE WHO MEDICALLY CORRECTLY REQUESTED EVERYTHING THAT ELAINE, IN FACT, RECEIVED IN THE HOSPITAL FROM DAY 1 AS MEDICAL FACTUALLY DOCUMENTED

Liz Shifflett, RN/MPH/CCM

FALLACIOUS AND "CRIMINALLY FALSELY MISLEADINGLY UNTRUE- "DEFAMATION"-FALSIFIED LIZ SHIFFLETT

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Liz Shifflett, RN/MPH/CCM
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LIZ SHIFFLETT-(PREMIER CARE PLANNING) DOCUMENTED BY TEXTS NEGLIGENCE AND LNEGLECT OF ELAINE MAE KAPUSTA DESPITE BEING "MEDICALLY PROPERLY INFORMED BY LYNN DOING AND REQUESTING EVERYTHING MEDICALLY CORRECT" AND "NEVER NEGLECTING HER MOM"-SHIFFLETT NEGLECT DIRECTLY CAUSED 3 YEARS OF HELL FOR "ELAINE AND LYNN BOTH BEING REMOVED FROM THEIR OWN LIVES SINCE 6/30/22" AND SUFFERING EVER SINCE AS A DIRECT RESULT OF ALL FIDUCIARIES LIES TOLD BY ALL OF THEM WITH NO EVIDENCE OF PROOF OF ANY ALLEGATIONS MADE AGAINST LYNN, EVER, AS THE HOSPITAL DID EVERYTHING EXACTLY AS LYNN DID AND REQUESTED FOR HER MOM. ONLY LYNN "MEDICALLY CORRECTLY" STATED EVERYTHING NEEDED EVEN BEFORE ELAINE WENT TO THE HOSPITAL."MEDICALLY CORRECTLY"

6-30-22-SHIFFLETT REPORTING "DEFAMATORY LIES TO CONCEAL" SHIFFLETT CARE MANAGEMENT ELDER NEGLECT SINCE 5/18/22

*****LIZ SHIFFLETT AND CARY CUCINELLI BOTH LIED TO THE COURT FILING AN ENTIRELY BASELESS EMERGENCY PETITION TO CONCEAL THEIR ELDER NEGLECT AND ABUSE AND NOT ONLY CONCEALED THIS FROM LYNN-THEY LEFT ELAINE ABANDONED TO DIE IN HOSPITAL WITHOUT RECEIVING ANTIBIOTICS FOR 8 ADDITIONAL DAYS-(SINCE 5/18/22-UNWELLNESS)--AND AFTER 15 DAYS IN HOSPITAL-ELAINE WAS SO BADLY NEGLECTED AND ABUSED-7/14/22-ELAINE WAS LEFT UNABLE TO WALK UPON HOSPITAL DISCHARGE-NEEDING TO RELEARN HOW TO WALK

VIRGINIA:

FILED
CIVIL PROCESSING

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

2022 JUL -5 @ 3:33

PHILIP KAPUSTA,
Plaintiff,

v.

ELAINE MAE KAPUSTA,
Respondent,

LYNN KAY,
Defendant

6/30/22-LIZ SHIFFLETT IGNORED MOM'S UNWELLNESS SINCE 5/18/22. THEN DISRESPECTFULLY DISREGARDED MOM'S AND MY CONCERNS AND CALLED ME "CRAZY" AND JUST ENTIRELY WALKED AWAY FROM MY MOM IN DANGER OF DEATH FROM UROSEPSIS.

MOM WOKEUP CRYING AND SCARED SHE WAS DYING AND SHE WAS!

Case No. CL 2018-11871

JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

AFTER MY CONTINUALLY BEING CALLED "CRAZY" IN MY SEEKING CARE FOR MY MOM, I GOT "RIGHTEOUSLY ANGRY" FROM 1 1/2 MONTHS OF MY MOM SUFFERING WITHOUT RECEIVING PROPER CARE

CONSEALED IN SEALED COURT FILING

7/5/22-SECRETIVELY HELD

EMERGENCY PETITION FOR CHANGE OF GUARDIAN

COME NOW, Cary Z. Cucinelli, Esq. ("Ms. Cucinelli"), and Valerie B. Geiger, Esq.

("Ms. Geiger"), Co-Conservators for the Estate of Elaine Mae Kapusta and Co-Trustees for the Elaine Mae Kapusta Revocable Trust ("the Trust"), who respectfully request that this Honorable Court terminate the appointment of Lynn Kay as Guardian for Elaine Mae Kapusta and appoint another person to serve as Guardian for Elaine Mae Kapusta, pursuant to Virginia Code § 64.2-2012, based upon the following:

1. Lynn Kay ("Lynn") was appointed to serve as Guardian for Elaine Mae Kapusta ("Mrs. Kapusta") by this Court's July 31, 2020, Order ("the Order"), a copy of which is attached as **Exhibit A**.
2. Pursuant to this Court's order and the plan of care described therein, professional care managers were retained "to ensure sufficient assistance to allow [Mrs. Kapusta] to safely

THIS WAS ENTIRELY CONCEALED FROM LYNN KAY BY ALL FIDUCIARIES-NEVER INFORMED LYNN KAY OF THE EMERGENCY PETITION HEARING OR THE PETITION

5/18/22-ELAINE MAE KAPUSTA'S UNWELLNESS INFORMED LIZ SHIFFLETT-LIZ SHIFFLETT IGNORED ALL UNWELLNESS-NEVER INFORMING DR. LESSIN

live in her house until the care manager believes that living in the home, with 24/7 care provided by [Lynn], is no longer safe or appropriate.” (See Paragraph 12. of the Order.)

3. For almost two (2) years, Suzanne Hanas, RN, BSN and Liz Shifflett, RN, MPH, CCM of Premier RN Geriatric Care LLC have been providing care management services to Mrs. Kapusta.

4. On June 29, 2022, Liz Shifflett (“Liz”) received a call from Lynn who requested that Liz take Mrs. Kapusta to the Emergency Room and who communicated that Mrs. Kapusta was “delirious”, was not eating nor sleeping, and needed intravenous fluids and “vitamin injections.”

LYNN'S MEDICAL ASTUTENESS AND CARE FOR HER MOM- STATED BEFORE GOING TO HOSPITAL EVERYTHING ELAINE NEEDED AND RECEIVED WITHIN 1ST 2 DAYS OF HOSPITALIZATION

5. On June 30, 2022, Liz visited Lynn and Mrs. Kapusta at the home they share in McLean.

LIZ SHIFFLETT IGNORED UNWELLNESS AND CALLED LYNN "CRAZY" AND WALKED AWAY

6. While Mrs. Kapusta appeared to be well, Lynn appeared distraught and visibly upset. Despite Liz’s confirmation that Mrs. Kapusta’s vitals were satisfactory, Lynn demanded that her mother needed emergency care.

14 DAYS HOSPITALIZED AND SO BADLY NEGLECTED AND ABUSED AND LEFT ABANDONED TO DIE-7/14/22- WAS DISCHARGED UNABLE TO WALK

7. Lynn reported that her mother was calling out for assistance during the night and Lynn was not able to sleep. Lynn also reported that she stopped giving her mother medication (Lasix) prescribed to reduce extra fluid in the body.

FUROSEMIDE-LASIX CORRECTLY DISCONT'D ALSO BY VHC-LAST DAY-7/1/22

6/30/22-VHC- NO EDEMA

8. Lynn was not receptive to feedback that her mother was not in an emergent situation and, when Liz suggested that Lynn needs to bring in additional caregiving staff for Mrs.

14 DAYS HOSPITALIZED

Kapusta, Lynn began yelling at Liz and threatening to hit Liz.

LYNN, AFTER BEING CALLED "CRAZY MULTIPLE TIMES AND SHIFFLETT WALKING AWAY-LYNN EXASPERATED BY HAVING TO BEG FOR EMERGENCY CARE FOR MY OWN MOM, STATED-"I AM ABOUT TO SMACK YOU"-BECAUSE I AM GETTING TIRED OF NO ONE LISTENING TO ME!-MOM WAS DYING OF UROSEPSIS AND SHIFFLETT DID NOT CARE SINCE 5/18/22!

MOM WAS CRYING SCARED!

9. Concerned that Mrs. Kapusta was not safe in the home with Lynn, Liz called 911 and EMS and Fairfax County Police were called to the home.

REBUTTAL EVIDENCIARY PROOF: NESTCAM VIDEOS, TEXT MESSAGES, VIRGINIA HOSPITAL REPORTS

REBUTTAL EVIDENCIARY PROOF: NESTCAM VIDEOS, TEXT MESSAGES, VIRGINIA HOSPITAL REPORTS

10. Mrs. Kapusta was transported to Virginia Hospital Center, admitted as a patient, and remains there today.

11. Lynn has not left the McLean home in almost two (2) years and has not visited her mother at Virginia Hospital Center.

24/7/365 MOM CARE BY LYNN AT HOME DURING 2 YEAR COVID PANDEMIC

12. Lynn has spoken with her mother's doctors at Virginia Hospital Center and has requested the doctor give Mrs. Kapusta "a catheter, intravenous medication to sleep, vitamins in the IV, and intravenous fluids to fix her before she comes home". Mrs. Kapusta's doctors have denied her requests, as the interventions requested are unnecessary.

THE E.R. DR. WAS WRONG

MOM RECEIVED ALL OF THAT IN FIRST 2 DAYS

13. Despite repeated recommendations that private caregiving support be brought into the home to support Mrs. Kapusta, Lynn has refused all efforts to engage private caregivers.

14. Lynn has failed to address Mrs. Kapusta's needs for personal hygiene and incontinence care.

MOM REFUSED BATH AND AIDE-1 HR DAY WAS SCHEDULED-MOM WAS SUFFERING UROSEPSIS IGNORED BY LIZ SHIFFLETT

LIZ SHIFFLETT WAS INFORMED LASIX WAS CAUSING MOM PROBLEMS AND VHC ALSO DISCONT'D AFTER 7/1/22

15. Lynn withholds prescribed medications and changes heart medications without physician approval.

16. Lynn withheld Ramipril, a medication to control high blood pressure, from her mother and, as a result, her mother's edema worsened.

6/30/22-VHC-NO EDEMA

17. Lynn Kay believes that she is uniquely qualified to determine what her mother needs and refuses to comply with her mother's physician's and care managers' care recommendations.

10/3/22-LIZ SHIFFLETT-(PREMIER CARE PLANNING WAS FIRED FOR HER 2 YEARS OF INCOMPETENCE AND ELDER NEGLECT CAUSING MOM'S ALMOST DEMISE

18. Lynn's irrational behavior, lack of judgement, and refusal to participate in her mother's care plan are detrimental and dangerous to her mother's wellbeing.

19. Mrs. Kapusta cannot speak up for herself nor understand how to help herself, due to her advanced dementia.

ALL LIES BY CARY CUCINELLI CONCEALMENTS

REBUTTAL EVIDENCIARY PROOF: NESTCAM VIDEOS, TEXT MESSAGES, VIRGINIA HOSPITAL REPORTS

ALL STATED LIES IN ORDER TO CONCEAL ALL ELDER NEGLECT BY ALL FIDUCIARIES DEPIVATION OF CARE

20. Mrs. Kapusta needs round-the-clock care and Lynn Kay is not able to provide the necessary care for her mother.

LYNN HAS COMPETENTLY CARED FOR HER MOM SINCE 2006-24/7

21. Mrs. Kapusta's professional care managers' assessment is that Mrs. Kapusta cannot safely live in her home with 24/7 care provided by Lynn Kay.

LIZ SHIFFLETT WAS FOUND TO BE A DANGER TO ELAINE AND LYNN AND WAS FIRED-10/3/22

22. Lynn Kay should be removed as Guardian for Mrs. Kapusta and another individual should be appointed to serve as Guardian.

LIES BY FIDUCIARIES TO CONCEAL ELDER NEGLECT

WHEREFORE, Cary Z. Cucinelli, Esq., and Valerie B. Geiger, Esq., respectfully request that this Court enter an Order terminating the appointment of Lynn Kay as Guardian for Elaine Mae Kapusta and appoint another individual to serve as Guardian for Elaine Mae Kapusta, pursuant to Virginia Code § 64.2-2012, and for such other relief as the Court may deem appropriate.

Respectfully submitted,

Cary Z. Cucinelli, VSB No. 72102
Valerie B. Geiger, VSB No. 82133
Cucinelli Geiger Thompson Wildhack, PC
4084 University Drive, Suite 202A
Fairfax, Virginia 22030
phone: 703-481-6464
fax: 703-991-0609

Co-Conservators for Elaine M. Kapusta

LIES TOLD BY ALL FIDUCIARIES IN ORDER TO CONCEAL THEIR ELDER NEGLECT AND ABUSE AND ABANDONMENT LEAVING MY MOM TO DIE IN THE HOSPITAL AND UNABLE TO WALK UPON 15 DAY HOSPITALIZATION AND DISCHARGED UNABLE TO WALK-NEEDING TO RELEARN HOW TO WALK

DEFAMATION AND THREATS TO OUR LIVES-CARY CUCINELLI LYING TO THE COURT TO CONCEAL ELDER NEGLECT AND ABUSE AND MEDICAL ABANDONMENT OF MOM-ALMOST KILLED BY CUCINELLI DENYING MEDICAL AND DENTAL CARE WITH LIZ SHIFFLETT

BREACH OF THE 2020 GUARDIANSHIP SETTLEMENT AGREEMENT COURT ORDER

FILED IN COURT
10-12-2022

VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

PHILIP KAPUSTA
Plaintiff

v.

ELAINE MAE KAPUSTA
Respondent

and

LYNN KAY,
Defendant

BREACH OF 2020-GUARDIANSHIP AGREEMENT BY "FRAUDULENTLY TERMINATING" USING "CRIMINALLY FALSIFIED CARE MANAGER REPORTS CONCEALED TO LYNN KAY FOR 3 YEARS OF SUFFERING INJUSTICE

Civil Case No. 2018-11871

DEFAMATION BY WILDHACK STATING I AM NOT APPROPRIATE AS GUARDIAN

GUARDIAN AD LITEM REPORT

COMES NOW the Guardian *ad Litem* ELIZABETH L. WILDHACK, Esq., re-appointed pursuant to an Agreed Order entered September 9, 2022 by this Court and for her Report states as follows:

1. On July 8, 2022, after a hearing on an emergency petition to modify the guardianship, this Court entered a Temporary Order of Appointment of Successor Co-Guardians, temporarily appointing the Co-Conservators, Cary Cucinelli and Valerie Geiger to serve as Ms. Kapusta's temporary Co-Guardians in place of Ms. Kay, without prejudice, pending further order of the Court.

2. Having served as Guardian *ad litem* in the original proceeding in 2019 and 2020, I am well familiar with the family members, counsel, and the currently serving co-conservators in this matter. Although dismissed in the 2020 Order, I was re-appointed as Guardian *ad litem* pursuant to an Agreed Order entered September 9, 2022 by this Court.

3. Mrs. Kapusta continues to reside in her home of more than 40 years at 4136 North

River St., McLean, Virginia 22101.

4. Mrs. Kapusta is widowed and has two adult children, namely son PHILIP KAPUSTA and daughter LYNN KAY.

5. In the original guardianship action, I met and served Mrs. Kapusta on October 29, 2018 at her home in the presence of her counsel, Ms. Kirkland. During that meeting with Mrs. Kapusta, I paraphrased the Petition to her, and she had many questions.

6. Sadly, Mrs. Kapusta's mental faculties have declined substantially over the last three years. Mrs. Kapusta clearly continues to need the aid and protection of both guardians and conservators.

7. After many, many hours of communication with all of the parties and players in this matter, I strongly believe that the instant matter was primarily caused both by the isolation of the COVID pandemic and a serious breakdown in the relationship and communications between Lynn Kay and the care manager who has coordinated Mrs. Kapusta's healthcare for the last several years. The disfunction in that care management relationship eventually resulted in calls to 911 and the emergency petition for to remove Lynn Kay as guardian of the person of Mrs. Kapusta.

8. After conversations with Lynn Kay and counsel, it became clear that, from Lynn Kay's point of view, the care manager who was "responsible for" her mother's healthcare was NOT listening to or taking seriously her reports of her mother's health issues and change in condition.

9. It became very apparent during my several visits that Mrs. Kapusta is at her best and most comfortable when daughter Lynn is in her physical presence and line of site and at her worst when Lynn is not present. It is important to note that until the July Emergency Hearing, Lynn had been Mrs. Kapusta's sole physical caregiver 24 hours a day, seven days a week

exclusively since the beginning of the pandemic.

10. During the first of my recent meetings with Mrs. Kapusta at her home at which Ms. Kirkland and I asked Lynn to stay inside so that we could meet privately with Mrs. Kapusta and the then service care manager, Mrs. Kapusta was physically and mentally agitated. She repeatedly and plaintively cried out for her now long deceased parents. She didn't know who we were and remained very agitated until her daughter Lynn joined. This pattern of Mrs. Kapusta becoming calm and content when Lynn was at her side continued in each of our subsequent meetings..

11. After the July 8, 2022 hear, Lynn lost access to her mother's protected health information and she believes that health care providers were instructed by the old care manager that they should speak with Lynn Kay at all. This loss of access to actual information sent Lynn deep into the internet for hundreds of hours to attempt to interpret and self-diagnose conditions based on her understanding of symptoms and led to increasing demands that certain medications be discontinued. There were strong concerns that Lynn was ensuring that her mother discontinued certain medications without professional medical advice.

12. As soon as I was re-appointed and got into the middle of the situation, I immediately advocated for a change of the care management team. All parties readily agreed and I arranged for an interview between Elder Tree Care Management, Mrs. Kapusta, Lynn Kapusta and her counsel, Mr. Stein. The interview went very well and all parties agreed to move forward with the change.

13. Elder Tree Care Management has been engaged by Ms. Cucinelli as Conservator and Temporary Guardian and has been providing services for more than a week. Elder Tree will soon implement additional in home services for Mrs. Kapusta including Occupational, Speech, and Physical Therapy as well as Recreational Therapy.

14. Likewise, the new care team was able to assist in engaging an experienced house-call physician, Dr. Alan Dappen. Dr. Dappen has already examined Mrs. Kapusta and adjusted her medications. Lynn Kay and Dr. Dappen have reportedly developed a warm relationship.

15. Immediately following the July hearing, the new Temporary Co-Guardians implemented having certified nursing assistants provide 24/7 physical care for Mrs. Kapusta in her home. After a period of adjustment, all parties, including Lynn Kay, agree that this was a change for the better and should continue.

CARE GIVERS WERE NOT NECESSARY AND CAUSED TREMENDOUS HARM

16. I believe, and all parties have agreed, that Lynn Kay should have restored access to her mother's health information as well as the ability to speak to her mother's health care providers, which was seemingly denied to her, whether intentionally or not, since the Emergency Hearing in July.

17. It also became clear to me over these last weeks that Lynn Kay alone does not have the depth of experience and familiarity with, or trust of, the healthcare or guardianship system to effectively protect and implement Mrs. Kapusta's health care. I believe that the appointment of a professional and experienced Co-Guardian is necessary and appropriate.

18. Accordingly, I have recommended GEORGE W. DODGE, Esq., who is well known to this Court as an experienced guardian, to serve as Co-Guardian to protect Mrs. Kapusta's best interests, ensure that all caregivers are appropriately implementing care, and to advocate for Mrs. Kapusta's health and dignity with all persons with whom she comes into contact.

19. Mr. Dodge met with me, Mrs. Kapusta, Lynn and her counsel, as well as Elder Tree representatives at the Kapusta home and agreed to serve. The parties have all agreed to a division of duties and authorities between Mr. Dodge and Ms. Kay as Co-Guardians. Co-Guardian George W. Dodge, Esq. and Co-Guardian Lynn Kay each shall be designated Elaine Kapusta's "personal

BREACH OF CONTRACT AND DEFAMATION

DEFIED COURT ORDER BY TERMINATING MYCHART
ACCESS SINCE 7/8/22 TO CONCEAL ELDER NEGLECT

representative” and “treated as the individual” for purposes of disclosure, receipt, and inspection of any medical records and health information, including the ability to discuss Ms. Kapusta’s health conditions with her health care provider while Mr. Dodge alone will have full and plenary authority as guardian on healthcare decisions and placement.

20. It is my hope that with proper supports and an experienced team of guardians, conservators, care managers and physicians, Mrs. Kapusta will have a comfortable, anxiety free remainder of her life.

21. I recommend a status review in approximately three (3) months.

Respectfully submitted,

ELIZABETH L. WILDHACK, Esq.
Guardian *ad Litem* for Elaine Mae Kapusta



ELIZABETH L. WILDHACK, ESQ. [VSB 43300]
MWM Legal Group, PLLC
200 N. Glebe Road, Suite 1000
Arlington, VA 22203

(703) 237-0027
(703) 237-0082 fax
Elizabeth@MWMLegalGroup.com

CERTIFICATE OF SERVICE

I hereby certify that I delivered the foregoing Report of Guardian ad Litem this 11th day of October, 2022 via email to:

Jean Galloway Ball, VSB No. 19280

jgball@halebball.com

Justin B. Berger, VSB No. 87314

jberger@halebball.com

HALE BALL

10511 Judicial Drive

Fairfax, Virginia 22030

Telephone: 703-591-4900

Facsimile: 703-491-5082

Counsel for Petitioner Philip Kapusta

Stephen J. Stine, Esq.

stine@stinelaw.com

THE STINE LAW FIRM, PLLC

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Counsel for Proposed Guardian Lynn Kay

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lkirkland@bklawva.com

BLANKINGSHIP & KEITH, P.C.

4020 University Drive, 3rd Floor

Fairfax, Virginia 22030

Telephone: 703-691-1235

Facsimile: 703-691-3913

Counsel for Respondent Elaine Kapusta

Cary Z. Cucinelli, VSB No. 72102

cary@cucinelliger.com

Valerie B. Geiger, VSB No. 82133

valerie@cucinelliger.com

CUCINELLI GEIGER PC

4084 University Drive, Suite 202A

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Telephone: 703-481-6464

Facsimile: 703-991-0609

Co-Conservators and Co-Trustees for Elaine Kapusta

George W. Dodge, Esq.

gdodge@georgedodgelaw.com

2300 Clarendon Blvd., Suite 607

Arlington, Virginia 22201

Proposed Co-Guardian for Ms. Kapusta



Elizabeth L. Wildhack, Esq.

Elizabeth@MWMLegalGroup.com

EXHIBIT B: FRAUD UPON THE COURT-BREACH OF CONTRACT- DEFAMATION: 6/9/25-EMAILED DOCUMENTS FOR RETRACTIONS OF 2022-2025 COURT FILINGS

ATTACHMENTS:

*6-9-25-EMAILED THE JULY 2022 CRIMINALS.pdf

*6-17-25-EMAIL TO ALEXIS AND ALL JULY 2022
CRIMINALS.pdf

*URGENT LETTER TO JUDGE TRAN-NEWLY DISCOVERED
LIZ SHIFFLETT-2022 CRIMINAL EVIDENCE-FRAUD UPON
THE COURT-JULY 2022 LEGAL MISCONDUCT AND
CONCEALMENTS WITH THREATS TO OUR LIVEjs.pdf

*LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI
GEIGER FOR COURT AMENDMENT WITH FALSE
ALLEGATIONS RETRACTION-EMAILED.pdf

*CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF
GROSS MALFEASANCE-2020-2025EMAILED.pdf

*COURT AMENDMENT FOR JULY 2022-2025 RETRACTIONS
OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN
KAY-PAGED-EMAILED.pdf

COURT SUPPLEMENT-

VIRGINIA CIRCUIT COURT OF FAIRFAX COUNTY-VIRGINIA

LYNN KAY, Plaintiff,

v.

LIZ SHIFFLETT, SUZANNE HANAS, PREMIER LIFE PLANNING CARE, CARY CUCINELLI, VALERIE GEIGER, ELIZABETH WILDHACK, LAURIE KIRKLAND, JUSTIN BERGER, and PHILIP KAPUSTA, Defendants PARTIES

Case No.: CL-2018-11871

(6/9/25)-EMAILED INFORMING ALL NAMED OF FRAUD UPON THE COURT COMMITTED BY "CRIMINALLY FALSIFIED JUNE 2022 CARE MANAGER REPORTS

****ALL NAMED* ENTIRELY IGNORED DEMAND LETTER ALMOST 2 MONTHS AGO SINCE 6/9/25**

URGENT LETTER TO JUDGE TRAN-NEWLY DISCOVERED LIZ SHIFFLETT-2022 CRIMINAL EVIDENCE-FRAUD UPON THE COURT-JULY 2022 LEGAL MISCONDUCT AND CONCEALMENTS WITH THREATS TO OUR LIVES.pdf

LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION- EMAILED.pdf

CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025EMAILED.pdf

COURT AMENDMENT FOR JULY 2022-2025 RETRACTIONS OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN KAY-PAGED-EMAILED.pdf

← **FW: Re: COURT AMENDMENT FOR...**

**

----- Original message -----

From: Lynn Kay <tweetery7@yahoo.com>

Date: 6/9/25 6:36 PM (GMT-05:00)

To: Cary Cucinelli <cary@cucinelligeiger.com>,
Valerie Geiger <valerie@cucinelligeiger.com>,
Elizabeth Wildhack

<elizabeth@mwmlegalgroup.com>, Laurie

Kirkland <lkirkland@bklawva.com>, Liz Shifflett

<l.shifflett@premierlifeplanning.com>,
suzanne.hanas@premierlifeplanning.com

Cc: philipkapusta@gmail.com, "Justin B. Berger"

<jberger@haleball.com>, Lynn Kay

<tweetery7@yahoo.com>, "lynnkay7@gmail.com"

<lynnkay7@gmail.com>

Subject: Re: COURT AMENDMENT FOR JULY
2022-2025 RETRACTIONS OF ALL ALLEGATIONS
WRONGLY MADE AGAINST LYNN KAY-1.pdf AND
ATTACHED: LETTER TO JUDGE TRAN-JULY 2022
LEGAL MISCONDUCT AND FELONIOUS
CONCEALMENTS WITH THREATS TO OUR
LIVES.pdf AND CUCINELLI GEIGER-NOTARIZED
AFFIDAVIT ADMISSION OF GROSS
MALFEASANCE-2020-2025.pdf AND LYNN KAY
DEFAMATION-DEMAND LETTER TO
CUCINELLI^LJ GEIGER FOR COURT AMENDMENT
WITH FALSE ALLEGATIONS RETRACTION-
1(1).pdf

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: tweetery7 <tweetery7@yahoo.com>

Date: 6/17/25 8:51 AM (GMT-05:00)

To: Cary Cucinelli <cary@cucinelligeiger.com>, Valerie Geiger <valerie@cucinelligeiger.com>, Elizabeth Wildhack <elizabeth@mwmlegalgroup.com>, Laurie Kirkland <lkirkland@bklawva.com>, Liz Shifflett <l.shifflett@premierlifeplanning.com>, suzanne.hanas@premierlifeplanning.com, Alexis Smith <alexis.smith@fairfaxcounty.gov> tweetery7@yahoo.com, "lynnkay7@gmail.com" <lynnkay7@gmail.com>
Cc: philipkapusta@gmail.com, "Justin B. Berger" <jberger@haleball.com>, Elizabeth Wildhack <elizabeth@mwmlegalgroup.com>

Subject: Re: COURT AMENDMENT FOR JULY 2022-2025 RETRACTIONS OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN KAY-1.pdf AND ATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS CONCEALMENTS WITH THREATS TO OUR LIVES.pdf AND CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf

**ALEXIS SMITH, PLEASE KINDLY CONFIRM THESE 4 PDFS WERE GIVEN TO JUDGE TRAN.

AS THIS IS A MATTER OF URGENCY!

=====

ATTACHMENTS:

URGENT LETTER TO JUDGE TRAN-NEWLY DISCOVERED LIZ SHIFFLETT-2022 CRIMINAL EVIDENCE-FRAUD UPON THE COURT-JULY 2022 LEGAL MISCONDUCT AND CONCEALMENTS WITH THREATS TO OUR LIVES.pdf

LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION- EMAILED.pdf

COURT AMENDMENT FOR JULY 2022-2025 RETRACTIONS OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN KAY-PAGED-EMAILED.pdf

CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025EMAILED.pdf

**

----- Original message -----

From: Lynn Kay <tweetery7@yahoo.com>

Date: 6/9/25 6:36 PM (GMT-05:00)

To: Cary Cucinelli <cary@cucinelligeiger.com>, Valerie Geiger <valerie@cucinelligeiger.com>, Elizabeth Wildhack <elizabeth@mwmlegalgroup.com>, Laurie Kirkland <lkirkland@bklawva.com>, Liz Shifflett <l.shifflett@premierlifeplanning.com>, suzanne.hanas@premierlifeplanning.com

Cc: philipkapusta@gmail.com, "Justin B. Berger" <jberger@haleball.com>, Lynn Kay <tweetery7@yahoo.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>

Subject: Re: COURT AMENDMENT FOR JULY 2022-2025 RETRACTIONS OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN KAY-1.pdf AND ATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS CONCEALMENTS WITH THREATS TO OUR LIVES.pdf AND CUCINELLI GEIGER-NOTARIZED

6/9/25-CUPDATED WITH SPELLING AND DATE CORRECTIONS AND ADDED PAGE NUMBERS AND EMAILED TO ALL NAMED PERSONS ON 6/9/25

On Sunday, June 8, 2025 at 06:06:33 PM EDT, Lynn Kay <tweetery7@yahoo.com> wrote:

COURT AMENDMENT FOR JULY 2022-2025 RETRACTIONS OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN KAY-1.pdf AND ATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS CONCEALMENTS WITH THREATS TO OUR LIVES.pdf AND CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf

SEE ATTACHED:

COURT AMENDMENT FOR JULY 2022-2025 RETRACTIONS OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN KAY-1.pdf

----- Forwarded Message -----

From: "Lynn Kay" <tweetery7@yahoo.com>
To: "Cary Cucinelli" <cary@cucinelligeiger.com>, "Valerie Geiger" <valerie@cucinelligeiger.com>, "Lynn Kay" <tweetery7@yahoo.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>
Sent: Sat, Jun 7, 2025 at 11:06 AM
Subject: ATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS CONCEALMENTS WITH THREATS TO OUR LIVES.pdf AND CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf

ATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS CONCEALMENTS WITH THREATS TO OUR LIVES.pdf AND CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf

ATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS CONCEALMENTS WITH THREATS TO OUR LIVES.pdf

----- Forwarded Message -----

From: "Lynn Kay" <tweetery7@yahoo.com>
To: "Cary Cucinelli" <cary@cucinelligeiger.com>, "Valerie Geiger" <valerie@cucinelligeiger.com>
Sent: Fri, Jun 6, 2025 at 9:06 PM
Subject: CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf

CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf

ATTACHED: .

CUCINELLI GEIGER NOTARIZED AFFIDAVIT OF ADMISSION OF GROSS MALFEASANCE AND "BREACH OF FIDUCIARY DUTY OF CARE" AND "MATERIAL BREACH OF THE 2020 LYNN KAY GUARDIANSHIP SIGNED AGREEMENT CONTRACT" -(2020-2025)

CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf

----- Forwarded Message -----

From: "Lynn Kay" <tweetery7@yahoo.com>
To: "Cary Cucinelli" <cary@cucinelligeiger.com>, "Valerie Geiger" <valerie@cucinelligeiger.com>, "Lynn Kay" <tweetery7@yahoo.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>
Sent: Fri, Jun 6, 2025 at 6:11 PM
Subject: LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf

LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf

PLEASE SEE ATTACHED

FURTHER ATTACHMENTS WILL FOLLOW TODAY/TOMORROW

Immediately now file an "amended pleading retracting all of the defamatory allegations in full in your listing each individual statement allegation as being (VERIFIABLY FALSE AND MISLEADING BASED ON FACTUAL AND VERIFIED DOCUMENTATION").

SEE www.wearefightingforourlives.org

WHERE YOU WILL FIND ALL DISPROVING EVIDENCE OF ALL JULY 2022 ALLEGATIONS AGAINST LYNN KAY IS NOW POSTED FOR YOUR REVIEW FOR YOUR IMMEDIATELY RETRACTING ALL FALSE AND MISLEADING ALLEGATIONS.

----- Original message -----From: Lynn Kay <tweeter7@yahoo.com> Date: 6/9/25 6:36 PM (GMT-05:00) To: Cary Cucinelli <cary@cucinelligieger.com>, Valerie Geiger <valerie@cucinelligieger.com>, Elizabeth Wildhack <elizabeth@mwmlegalgroup.com>, Laurie Kirkland <kirkland@bklawva.com>, Liz Shifflett <l.shifflett@premierlifeplanning.com>, suzanne.hanas@premierlifeplanning.com Cc: philipkapusta@gmail.com, "Justin B. Berger" <jberger@haleball.com>, Lynn Kay <tweeter7@yahoo.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com> Subject: Re: COURT AMENDMENT FOR JULY 2022-2025 RETRACTIONS OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN KAY-1.pdf AND ATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS CONCEALMENTS WITH THREATS TO OUR LIVES.pdf AND CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf

6/9/25-CUPDATED WITH SPELLING AND DATE CORRECTIONS AND ADDED PAGE NUMBERS AND EMAILED TO ALL NAMED PERSONS ON 6/9/25

On Sunday, June 8, 2025 at 06:06:33 PM EDT, Lynn Kay <tweeter7@yahoo.com> wrote:

COURT AMENDMENT FOR JULY 2022-2025 RETRACTIONS OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN KAY-1.pdf AND ATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS CONCEALMENTS WITH THREATS TO OUR LIVES.pdf AND CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdfSEE ATTACHED:COURT AMENDMENT FOR JULY 2022-2025 RETRACTIONS OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN KAY-1.pdf ----- Forwarded Message ----- From: "Lynn Kay" <tweeter7@yahoo.com> To: "Cary Cucinelli" <cary@cucinelligieger.com>, "Valerie Geiger" <valerie@cucinelligieger.com>, "Lynn Kay" <tweeter7@yahoo.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com> Cc: Sent: Sat, Jun 7, 2025 at 11:06 AM Subject: ATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS CONCEALMENTS WITH THREATS TO OUR LIVES.pdf AND CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf ATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS CONCEALMENTS WITH THREATS TO OUR LIVES.pdf AND CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdfATTACHED: LETTER TO JUDGE TRAN-JULY 2022 LEGAL MISCONDUCT AND FELONIOUS

CONCEALMENTS WITH THREATS TO OUR LIVES.pdf ----- Forwarded Message ----- From: "Lynn Kay" <tweetery7@yahoo.com> To: "Cary Cucinelli" <cary@cucinelligeiger.com>, "Valerie Geiger" <valerie@cucinelligeiger.com> Cc: Sent: Fri, Jun 6, 2025 at 9:06 PM Subject: CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf AND LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdfATTACHED: .CUCINELLI GEIGER NOTARIZED AFFIDAVIT OF ADMISSION OF GROSS MALFEASANCE AND "BREACH OF FIDUCIARY DUTY OF CARE" AND "MATERIAL BREACH OF THE 2020 LYNN KAY GUARDIANSHIP SIGNED AGREEMENT CONTRACT" -(2020-2025) CUCINELLI GEIGER-NOTARIZED AFFIDAVIT ADMISSION OF GROSS MALFEASANCE-2020-2025.pdf ----- Forwarded Message ----- From: "Lynn Kay" <tweetery7@yahoo.com> To: "Cary Cucinelli" <cary@cucinelligeiger.com>, "Valerie Geiger" <valerie@cucinelligeiger.com>, "Lynn Kay" <tweetery7@yahoo.com>, "lynnkay7@gmail com" <lynnkay7@gmail.com> Cc: Sent: Fri, Jun 6, 2025 at 6:11 PM Subject: LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdf LYNN KAY DEFAMATION-DEMAND LETTER TO CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-1(1).pdfPLEASE SEE ATTACHEDFURTHER ATTACHMENTS WILL FOLLOW TODAY/TOMORROWImmediately now file an "amended pleading retracting all of the defamatory allegations in full in your listing each individual statement allegation as being (VERIFIABLY FALSE AND MISLEADING BASED ON FACTUAL AND VERIFIED DOCUMENTATION)". SEE www.wearefightingforourlives.org WHERE YOU WILL FIND ALL DISPROVING EVIDENCE OF ALL JULY 2022 ALLEGATIONS AGAINST LYNN KAY IS NOW POSTED FOR YOUR REVIEW FOR YOUR IMMEDIATELY RETRACTING ALL FALSE AND MISLEADING ALLEGATIONS.

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

June 17, 2025- 1 ST EMAILED

CASE #2018-11871-ELAINE MAE KAPUSTA

RE: 5/22/25-NEWLY DISCOVERED CONCEALED CRIMINAL EVIDENCE OF ALL FIDUCIARIES AND PHILIP KAPUSTA COMMITTING FRAUD UPON THE COURT ALONG WITH SUPPORTING MALICIOUS PROSECUTION WITH THREATS TO LYNN KAY'S AND ELAINE MAE KAPUSTA'S LIFE, HEALTH AND HOME-THESE CONCEALED AND FRAUDULENTLY FALSIFIED CRIMINAL EVIDENCE ENTIRELY OVERTURNS ALL 2022-2025 COURT JUDGMENTS TAINTED BY CONCEALED FRAUDULENT AND CONCEALED FIDUCIARIES CRIMINAL ACTS IN 2022****

URGENT LETTER TO JUDGE TRAN:

15 PAGES

RE: Request for an URGENT EMAILED UNDER SEAL Court Review Based on Newly Discovered Concealed Falsified and Felonious Evidence DOCUMENTS and 2020 Malfeasance and Fiduciary Misconduct and Legal Misconduct of FRAUD UPON THE COURT AND MALICIOUS PROSECUTION WITH THREATS TO LIFE, HEALTH AND HOME WITH FORCED ABDUCTIONS AND "ARMED CRIMINAL KIDNAPPING OF MY MOM FROM HER HOME" IN ORDER "FOR ALL INVOLVED FIDUCIARIES TO CONTINUE TO CONCEAL 3 ONGOING YEARS OF "CRIMINAL DEPRIVATION OF CARE" TO BE JUDICIALLY REVIEWED TO BE DECLARED WITH "CONCEALED CRIMINAL EVIDENCE" OCCURRING ONGOING CONTINUALLY BEING CONCEALED IN ALL LEGAL PROCEEDINGS SINCE JULY 2022

Dear Honorable Judge Tran,

I am writing this letter with deep urgency and sincerity to request the Court's immediate attention to **A PATTERN OF GROSS FIDUCIARY MISCONDUCT AND CONCEALED CRIMINAL EVIDENCE** that has caused irreversible harm to my mom, Elaine Mae Kapusta, and me. What began as a guardianship agreement in 2020 intended to provide care and protection has instead spiraled into almost five years of **CONTINUAL FIDUCIARY MISCONDUCT** and **UNIMAGINABLE TRAUMA AND LITERAL THREATS TO OUR LIVES FOR MY MOM AND I, DEPRIVATION OF BASIC DENTAL AND MEDICAL CARE FOR MY MOM SINCE 2021 BEGINNING, DEFYING 7 DOCTORS WRITTEN ORDERS AND FELONIOUS CONCEALMENTS AND GROSS FINANCIAL AND PROCEDURAL INJUSTICE.**

I have exhausted all other channels—legal, ethical, and professional—without immediate urgent resolution. I now bring these facts directly before the Court, not only for me to once again further seek to properly protect my mom's life and dignity but also to correct a 5 year long conservatorship nightmare and "grave miscarriages of justice directly resulting from the July 2022 concealed from me filings and the systemic failure to serve or notify me properly".

This is not simply a request for reconsideration based on fiduciaries fraudulent acts; it is a plea to restore our once perfect lives by truth and fairness, dignity, and lawful oversight after years of life-altering harm caused by all involved persons "deliberate criminal concealments", neglect and abuse, and intimidation and umpteen threats to our lives being fully supported by all fiduciaries and lawyers and by Philip Kapusta.

**My lawyer, JC LAW is no longer cooperating or communicating with me, with there not being any communication response to me as had also previously occurred, so I am submitting this letter for myself and for my mom. So that fairness finally occurs based on facts and no longer being based on false statements and opinions."

So, based on **newly discovered feloniously concealed criminal evidence and serious legal misconduct that I believe has "detrimentally affected the fairness of all proceedings from 2022 to the present in the above-captioned matter".**

This letter is not submitted as a formal motion but as a notice, given the Court's prior guidance regarding motion limitations, and with the understanding that this information warrants urgent immediate review and action from the Court.

BASED ON THE FOLLOWING:

The "NEWLY DISCOVERED CRIMINAL EVIDENCE INFORMATION OF THESE CONCEALED FALSIFIED DOCUMENTS WERE USED TO FALSELY ACCUSE LYNN KAY IN THE EMERGENCY PETITION ON 7/5/22 WHICH WAS ALSO

CONCEALED FROM LYNN KAY- these documents includes conjectural opinions and statements all verifiably false and misleading allegations and with THE COMPLETE OMISSIONS OF MATERIAL FACTS which FACTS ENTIRELY DISPROVES EVERY SINGLE ALLEGATION MADE AGAINST LYNN KAY.

THESE FRAUDULENTLY WRITTEN FALSIFIED LIZ SHIFFLETT-PREMIER CARE PLANNING-CARE MANAGER REPORTS HAVING BEEN FALSIFIED AARE NOW "CRIMINAL EVIDENCE OF ELDER CRUELTY NEGLECT AND NEGLIGENCE BY DEPRIVATION OF AND DENIAL OF CARE TO ELAINE MAE KAPUSTA"

WHICH CARE MANAGER REPORTS ARE ENTIRELY DISPROVEN BY MATERIAL FACTS OF ALL OF THE MEDICAL RECORDS AND TEXTS AND EMAILS THAT WERE ALSO ALL CONCEALED FROM THIS COURT-THESE CARE MANAGER REPORTS WERE FALSIFIED IN ORDER TO ATTEMPT TO PROTECT LIZ SHIFFLETT AND ALL INVOLVED FIDUCIARIES FROM CRIMINAL ELDER NEGLECT CRUELTY WARRANT INVESTIGATION FOR ARREST FOR THE ALMOST DEMISE OF MY MOM-VIRGINIA ELDER CRUELTY NEGLECT AND ABUSE CRIMES-18.2-369-B.

THESE ENTIRELY FRAUDULENTLY FALSIFIED REPORTS ARE "REPORTS OF OUTRIGHT LIES TO DEFLECT THE BLAME AWAY FROM FIDUCIARIES ELDER NEGLECT A.P.S. INVESTIGATION OF PREMIER CARE PLANNING"

THESE ACTS OF FRAUDULENTLY PREPARING FALSIFIED CARE MANAGER REPORTS NOW DEMANDS ADULT PROTECTIVE SERVICES AND THE POLICE INVOLVEMENT TO URGENTLY FULLY INVESTIGATE THESE CRIMES COMMITTED WHICH LEFT MY MOM GRAVELY INJURED AND THE FALSIFICATION OF THESE REPORTS HAS ALTERED OUR LIVES FOREVER!

THIS IS OUTRIGHT FRAUD UPON THE COURT BY SUBMITTING OR USING FRAUDULENTLY FALSIFIED DOCUMENTS IN WRITTEN FORM ACCUSE AND THREATEN LYNN KAY'S LIFE AND ELAINE MAE KAPUSTA'S LIFE BY FRAUDULENT MEANS. FOR 3 UNCEASING HORRIFICLY DECIMATEDLY DESTROYING YEARS OF OUR LIVES STOLEN FROM MOM AND I DESSERVES PRISON TIME FOR ALL PERSONS INVOLVED FOR NOW 3 YEARS.

THE FACTUAL MEDICAL RECORDS DISPROVES THE FALSIFIED CARE MANAGER REPORTS AND IN TURN DISPROVES EVERY SINGLE ALLEGATION MADE AND CONCEALED AGAINST ME.

DEMANDS:

I NOW RIGHTFULLY DEMAND THAT NOW ALL 2022-2025 COURT JUDGMENTS BE ENTIRELY VACATED AND OVERTURNED AND EXPUNGED FROM THE RECORDS.

I DEMAND THAT LIZ SHIFFLETT BE CRIMINALLY INVESTIGATED ALONG WITH CARY CUCINELLI AS THEY BOTH COMMITTED ILLEGAL ACTS OF ELDER CRUELTY BY DEPRIVATION OF CARE IN 2022 ALMOST CAUSING THE DEMISE OF MY MOM AND LEAVING HER GRAVELY INJURED BY THEIR FRAUDULENT ACTS THEN AND TO PRESENT DAY FOR ALL FIDUCIARIES COMMITTING CONTINUAL ACTS OF FRAUD UPON THE COURT BY CONCEALMENTS OF ALL OF THEIR ELDER CRUELTY CRIMES AND AIDING AND ABETTING.

I DEMAND THAT ALL 2022 FIDUCIARIES ARE NOW SANCTIONED AND CHARGED WITH PERJURY BY CONCEALMENT AND DISBARRED FOR 3 YEARS OF CONCEALMENTS AND FAILURE TO DO ANY DUE DILIGENCE AND FOR DESTROYING OUR LIVES BY THEIR 3 CONTINUAL YEARS OF FRAUDULENT ACTS BEING COMMITTED AND BY THEIR SUPPORTING THE WRITTEN THREATS TO OUR LIVES WHICH FRAUDULENTLY STRIPPED AWAY MY GUARDIANSHIP AND MY SALARY FOR "3 HORRIFIC YEARS OF OUR HELL SUFFERED AND HAS PSYCHOLOGICALLY SCARRED MOM AND I FOR 3 YEARS OF OUR LIVES BEING STOLEN AWAY FROM MOM AND I BY ALL OF THE CRIMINALLY FRAUDULENT FIDUCIARIES AND BY PHILIP KAPUSTA.

I DEMAND THE IMMEDIATE RIGHTFUL DISSOLUTION OF CONSERVATORSHIP WITH MY ONCE AGAIN HAVING "PLENARY GUARDIANSHIP AND FULL CONTROL OVER OUR LIVES AND THE ESTATE" WHICH I HELD COMPETENTLY WITH NO FLAWS FOR 8 YEARS OF MOM AND I THRIVING.

MY MOM HAS LOST LIKELY 5 YEARS OF HER LIFE EXPECTANCY AS HER BROTHER IS 91 YEARS OLD.

THESE CONCEALED MEDICAL RECORDS ARE DISPROVING every allegation against me shown in being entirely baseless and without any merit. Specifically the 6/8/22 and 6/30/22 Liz SHIFFLETT reports are entirely felonious pieces of "CRIMINAL EVIDENCE" which was CRIMINALLY FRAUDULENTLY FABRICATED TO CONCEAL THE TRUTH OF HER "CRIMINAL MEDICAL NEGLIGENCE" AND TO DEFLECT BLAME FROM HERSELF BY STATING UNTRUTHS.

FRAUD UPON THE COURT – DELIBERATE DECEPTION (OR RECKLESS NEGLIGENCE IN VERIFYING FACTS) TAINTS JUDGMENTS AND CAN JUSTIFY OVERTURNING THEM, REGARDLESS OF INTENT. COURTS MUST JUDICIALLY VACATE ALL FRAUDULENT RULINGS, WHENEVER FRAUD UPON THE COURT WITH EVIDENCE HAS BEEN BROUGHT FORTH.

AND

Attorney Misconduct – Lawyers have a duty to verify claims before filing. Failure to do so can be negligence or, if intentional, fraudulent misconduct, violating ethics rules (VA Rules of Professional Conduct).

Fraudulent or negligent misrepresentations invalidate court judgments. Notion to vacate under § 8.01-428.

Overturing Orders Due to Fraud/Malicious Prosecution – Courts must vacate judgments obtained through fraud upon the court (a deliberate scheme to deceive, not just simple perjury). This is an equitable remedy with no strict time limit.

Key factors:

Proof of intentional fraud (e.g., fabricated evidence, concealed filings).

Malicious prosecution (showing the legal action was baseless and intended to harass/threaten and take control of our lives by fraudulent and criminal means).

UMPTEN THREATS FOR 3 UNCEASING YEARS OF HARRASSMENT AND MALFEASANCE COMMITTED BY ALL PERSONS and 7/14/22-6/6/23-(24/7 FORCED HOME INVASION ABDUCTION OF OUR LIVES AND HAVING LEFT MOM UNABLE TO WALK UPON HOSPITAL DISCHARGE ON 7/14/22 AND ARMED ABDUCTION AND REMOVAL FROM HOME WITH NO LEGAL JUSTIFICATION on 6/6/23) strengthen the argument.

On 7/8/22-all 2020 signers materially breached the 2020 court ordered agreement with no just cause by committing fraud upon the court-concealments of all false and misleading allegations concealed to Lynn Kay in July 2022 until present day and then all persons supported the unwarranted threats to mom's and my life in order for them to all continue to conceal all of their legal misconduct, along with their Elder Neglect Crimes.

All signers filing and supporting an entirely baseless and meritless 7/5/22 Emergency Petition with there being absolutely NO FACTUAL DOCUMENTS OF MATERIAL FACT TO SUPPORT ANY OF THE CONCEALED FALSE AND MISLEADING ALLEGATIONS. And also DELIBERATELY CONCEALING FROM THE COURT FOR 3 YEARS TO PRESENT DAY ALL OF "THE DISPROVING MATERIAL MEDICAL FACTS BY DELIBERATE CONCEALMENT OF MYCHART ACCESS TO MEDICAL RECORDS HEALTH INFORMATION ACCESS FOR 4 MONTHS AGAINST COURT ORDER" WHILE MY MOM'S LIFE AND MY LIFE WERE BOTH BEING PHYSICALLY THREATENED BY AN ILLEGAL "24/7 FORCED HOME INVASION" BEING "IN THE MIDDLE OF THE COVID PANDEMIC" FOR ALMOST A YEAR ENTIRELY "CRIMINALLY VIOLATING OUR RIGHTS TO LIVE IN PEACE AND SAFETY AND NOT LIVING UNDER THREAT OR DANGER UNDER AN UNLAWFUL CONFINEMENT AND IMPRISONMENT OF UNLAWFUL CONTROL OF MY MOM".

Background and Summary of New Evidence

On 5/22/25, I requested from Court Records Sealed documents and received by email copies of documents that had previously been entirely concealed from me, including the July 5, 2022 emergency petition and related filings in which I was falsely accused, without any notice or opportunity to be heard. I was never served, notified, or made aware of the allegations in the July 5, 2022 Petition for Emergency Hearing by any of the fiduciaries for 3 years. These concealed filings were foundational to multiple judgments issued over the past three years, which has detrimentally harmed my mom-Elaine Mae Kapusta and I.

These concealed and falsified filings were submitted and or used in the Emergency Petition by attorneys and fiduciaries who had a duty of "due diligence to confirm with documented material facts and they all failed to ever do so, thereby committing unforgivable "legal misconduct by negligence and changing the course of OUR now destroyed lives by tainting the Court.

They also had a duty to give proper and assured notification to me along with the duty of full disclosure and forthrightness which evidentially also did not ever occur".

Being that our lives have been irreparably entirely detrimentally upended and irreparably harmed for 3 years by these baseless and felonious 2022 filings and **FRAUDULENTLY FALSIFIED REPORTS BY CARE MANAGER**, this **REQUEST FOR VACATING OF ALL 2022-2025 JUDGMENTS** now needs to occur and declaring **LEGAL MISCONDUCT AND MALICIOUS PROSECUTION WITH DOCUMENTED WRITTEN, PHYSICAL AND VERBALLY RECORDED THREATS TO OUR LIVES AND UNCEASING HARRASSMENT BY ALL FIDUCIARIES REMAINING SILENT AS MANDATED REPORTERS REGARDING THEIR HAND IN THESE ELDER NEGLECT "CRIMES" WHICH HAS OCCURRED FOR 3 CONTINUAL YEARS ONLY DUE TO ALL OF THE FIDUCIARIES DOCUMENTED 3 YEARS OF DOCUMENTED FAILURES AND BASELESS OPINIONATED AND WRONG ASSUMPTIONS OF BOTH MY MOM AND I AND BEING WITH NO JUST CAUSE.**

AND BASED ON THE FACTUAL MEDICAL RECORDS EVIDENCE FOR THERE TO BE ALSO DECLARED THE MATERIALLY BREACHING OF THE 2020 GUARDIANSHIP CONTRACT" ALSO IS BEING REQUESTED TO BE DECLARED BY THIS CASE REVIEW WITH EVIDENCE ALONG WITH BREACH OF FIDUCIARY DUTY OF CARE BY ALL FIDUCIARIES SHIRKING THEIR RESPONSIBILITIES TO PROTECT MY MOM FROM NEGLIGENCE, ABUSE AND EXPLOITATION.

The concealment of these filings and felonious and falsified reports used as evidence not only deprived me of my receiving proper due process, but I believe that they have all also clearly entirely misled the Court and tainted and have influenced rulings that have drastically changed the course of our lives due only to those entirely baseless and misleading unwarranted July 2022 concealed filings by "legal misconduct" of all fiduciaries and by Philip Kapusta causing only harm to both of our lives since 2017, with there being no merit to any of the 2022-2025 filings by all of the parties, concealing "all material facts". As there would have never been any Legal Proceedings ever, if not for the baseless and unwarranted July 2022 concealed Court filings.

And Steve Stine, my lawyer who I hired for Material Breach of the 2020 Court-Ordered Agreement failed to ever investigate by never seeking the unknown concealed documents in July 2022.

Being that my mom was in the hospital and that our lives were threatened in written and physical form, 3 times documented on July 8, 2022 and I was concealed from being made aware of all concealed information, I am rightfully now seeking the proper judicial review of all of the concealed to me documents to be presented for the request of "Overturning All 2022-2025 Court Judgments" and the "Rightful Restoration of Lynn Kay Guardianship for Elaine Mae Kapusta with "fully and permanently dissolving this entirely disastrous and "deadly dangerous" Conservatorship in its entirety" as all signed fiduciaries and Philip Kapusta have all collectively negligently entirely breached the Original Settlement Agreement since 1/7/20. And the terms I had agreed to, then drastically changed in the July 2020 Court Order giving me no full custody over my mom's life and health and well-being as Guardianship as I previously held control over all things WITH MY surrendered Legal P.O.A. and Advance Medical Directive held COMPETENTLY with no flaws in any way for 8 years of Protection of our lives from the malfeasant unceasing and unwarranted actions taken by Philip Kapusta.

I NEVER AGREED TO MY MOM BEING A VICTIM OF ELDER NEGLECT AND ELDER ABUSE AND ELDER CRUELTY AND MEDICALLY ABANDONED BY INCOMPETENT AND UNCARING AND INHUMANE FIDUCIARIES AND CARE MANAGERMENTS AND INCOMPETENT AND UNCARING DOCTORS AND "DEPRIVATION OF CARE AND DENIAL OF CARE FOR MY MOM" AS IS WHAT HAS OCCURRED SINCE 2021-2025 WITH THERE BEING NO SEEKING BEST INTERESTS AND NO SEEKING ANY FULL HEALTH RESTORATION AND ALL FIDUCIARIES DEFYING 7 DOCTORS ORDERS SINCE 2021.

AS WHAT I AGREED TO IN 2020, FOR OUR PROTECTION, WAS NEVER EVER RECEIVED AS ALL TERMS WERE BREACHED AND OUR LIVES WERE DOCUMENTEDLY THREATENED AND DESTROYED FOR ALMOST NOW 5 CONTINUAL YEARS OF FIDUCIARIES MALFEASANCE AND HAS NOW ENTIRELY LEFT MOM AND I DECIMATEDLY DESTROYED BY ALL FIDUCIARIES AND BY PHILIP KAPUSTA'S MALFEASANT INVOLVEMENT IN OUR ONCE PREVIOUSLY PERFECT AND THRIVING LIVES FOR 17 YEARS.

**JUDGE TRAN, THIS INFORMATION WITH "NEWLY DISCOVERED FRAUDULENCE OF FRAUD UPON THE COURT COMMITTED", WHICH IS NOW BEING STATED BELOW IN GREAT DETAIL.

THIS BEING NOW FOR THE VERY 1ST TIME EVER BROUGHT FORWARD TO THE COURT'S ATTENTION EVER.

NOW BEING BROUGHT FORWARD FOR THIS URGENT COURT REVIEW ON THE FOLLOWING GROUNDS OF ALL PAST CONCEALED NEWLY DISCOVERED ENTIRELY DAMNING PREVIOUSLY UNKNOWN EVIDENCE ENTIRELY RESPONSIBLE FOR THE TAINTING OF THE COURT IN JULY 2022-2025 ONGOING.

THIS JUST BEING RECENTLY DISCOVERED AT THE END OF MAY 2025 FOR LYNN KAY NOW RIGHTFULLY REQUESTING THE 3 YEARS OF PROPERLY OVERTURNING OF ALL 2022-2025 COURT JUDGMENTS BASED UPON THE COURT NEVER BEING MADE AWARE OF THE FOLLOWING LEGAL MISCONDUCT AND THE TRUTH WITH MATERIAL FACTS HAVING NEVER EVER HAVING BEEN PRESENTED EVER AS ALL WAS CONCEALED BY ALL PARTIES:

1. AN ENTIRELY FALSE AND FRAUDULENT AND UNWARRANTED COURT FILING OF AN ENTIRELY BASELESS EMERGENCY PETITION WAS FILED ON 7/5/22 BY CARY CUCINELLI.
2. THIS WAS ENTIRELY CONCEALED MORE THAN 3 YEARS AGO ON 7/5/22 WITHOUT THERE BEING ANY PROPER NOTIFICATION ENTIRELY DENYING ME "DUE PROCESS TO EVER SEEK TO DEFEND MYSELF AGAINST "CONSPIRED LIES BY ALL FIDUCIARIES."
3. ENTIRELY PROVEN FALSE ALLEGATIONS STATED AND ENTIRELY CONCEALED TO LYNN KAY.
4. BEING MERELY OPINION ONLY, WITH NO FACTS OF TRUTH, AT ALL EVER SHOWN, AS NOTHING EXISTING CORROBORATES ANY OF THE PREVIOUSLY CONCEALED "FALSE ALLEGATIONS".
5. THERE BEING NO MATERIAL FACTS TO BACK UP ANY OF THE OPINIONS ALL BEING SHOWN TO BE ONLY "CONJECTURAL OPINION ONLY"
6. ALL INVOLVED AND SUPPORTIVE PARTIES FAILING TO EVER DO ANY "DUE DILIGENCE" TO EVER SEEK TO VERIFY ANY OF THESE STATEMENTS WITH ANY SUPPORTIVE PROOF OF EVIDENCE.
7. ALL PARTIES "COMMITTING NOW DEFINED FRAUDULENT ACTS OF HARM UPON BOTH ELAINE MAE KAPUSTA-MY MOM AND I- LYNN KAY FOR SEEKING OUR HARM AND CONTROL AND WITH ALL FIDUCIARIES ENTIRELY DECEIVING THIS COURT FOR 3 YEARS" IN ORDER FOR ALL FIDUCIARIES TO CONCEAL MALFEASANCE.
8. ALL OF THEIR MALFEASANT ACTIONS AND INACTIONS PERPETRATED PRIOR TO AND DURING THIS TIME WHICH CAUSED ELAINE MAE KAPUSTA TO BE NEEDING TO BE HOSPITALIZED.
9. DUE TO THESE FRAUDULENT ACTS OF CONCEALMENT, WHICH WAS NOT BROUGHT FORWARD BY ANY FORTHRIGHTNESS BY FIDUCIARIES, CAUSED HOSPITALIZATION UNDER FIDUCIARIES CARE.
10. ELAINE WAS LEFT ENTIRELY ABANDONED TO DIE IN THE VIRGINIA HOSPITAL BY CONCEALMENT FOR ELAINE NOT RECEIVING PROPER ANTIBIOTICS FOR 8 SUFFERED DAYS.
11. AS A DIRECT RESULT OF MALFEASANCE BY FIDUCIARIES DECEIVING THE COURT, ELAINE WAS GRAVELY INJURED AND WAS LEFT UNABLE TO WALK UPON HOSPITAL DISCHARGE.
12. ALL HARM OCCURRED TO ELAINE MAE KAPUSTA AS A DIRECT RESULT OF MALFEASANT ACTIONS AND INACTIONS BY ALL INVOLVED PARTIES ATTEMPTING TO CONCEAL THEIR ELDER NEGLECT BY FRAUDULENT MEANS OF DECEIVING THE COURT BY CONSPIRING TO CONCEAL MALFEASANCE COMMITTED IN 2022. WHICH UNCEASINGLY HAS NEVER CEASED AS FIDUCIARIES MALFEASANCE AND FRAUD UPON THE COURT HAS CONTINUED AT EVERY COURT HEARING AND WITH EVERY COURT FILING IN "CONCEALING ALL MATERIAL FACTS" JUST AS WHAT OCCURRED IN JULY 2022 FOR "CRIMINAL CONCEALMENTS TO SHIELD FROM CRIMINAL WARRANTS BEING ISSUED FOR 18.2-369-B. ALL OF WHICH ALL FIDUCIARIES HAVE COMMITTED AND OR AIDED AND ABETTED AS MAJOR CRIMES BUREAU IS DIRECTLY RECEIVING ALL CRIMINAL EVIDENCE IN PDFS FORM.
13. NEWLY DISCOVERED CARE MANAGER MALFEASANCE EVIDENCE OF HOW THIS UNDISCOVERED CONCEALMENT CONSPIRACY BEGAN ARE 2 FALSIFIED AND FRAUDULENTLY STATED CARE MANAGER REPORTS-(6/8/22 & 6/30/22) WHICH DO NOT IN ANY WAY MATCH THE FACTS IN ANY WAY.
14. THESE "REPORTS OF LIES" WAS ALSO ENTIRELY CONCEALED TO ME AND LACKS ANY TRUTH, WHATSOEVER.
15. "ALL FACTUAL DOCUMENTED MATERIAL FACTS CONCEALED BY ALL FIDUCIARIES" ENTIRELY DISPROVE EVERY SINGLE ALLEGATION MADE AGAINST ME IN THE 7/5/22 EMERGENCY PETITION OF WHICH I WAS ENTIRELY UNAWARE OF HAVING EVEN BEING STATED OF EXISTING AS I WAS NEVER PROVIDED WITH ANY COURT FILINGS ON 7/5/22 OR PREVIOUS.

16. THESE 6/8/22 AND 6/30/22 FRAUDULENTLY FALSIFIED CARE MANAGER REPORTS WERE BOTH NEVER VERIFIED BY THE FACTUAL DOCUMENTED MEDICAL RECORD FACTS EVER BY ANYONE IN 2022 OR THEREAFTER TO PRESENT DAY AS I HAVE NOW PAINSTAKENINGLY NOW DONE WITH MY HAVING PREVIOUSLY BEEN ENTIRELY UNAWARE BY ALL FIDUCIARIES CONSPIRING TO CONCEAL THESE DOCUMENTS FROM ME SO THAT I COULD NOT DISPROVE THEM.
17. THESE FRAUDULENT CARE MANAGER REPORTS WERE ENTIRELY USED TO FILE THE BASELESS AND CONCEALED BY THERE BEING ABSOLUTELY NO MATERIAL FACTS IN THE EMERGENCY PETITION NEVER BEING PROVIDED TO ME.
18. THE ACTIONS TAKEN TO NOT ONLY CONCEAL THE EMERGENCY PETITION FROM LYNN KAY AND THE FRAUDULENT ACTIONS ALSO TAKEN BY THE CARE MANAGER TO FRAUDULENTLY PRESENT "FALSIFIED UNTRUTHS" NOW CLEARLY IS AN EXAMPLE WHICH DEFINITELY SHOWS THE CONTINUED MALFEASANCE THAT ALL INVOLVED PARTIES HAVE CONTINUALLY PRACTICED THIS SAME CONTINUED DECEPTION BY CONCEALMENT OF FACTS ALONG WITH PHILIP KAPUSTA AS HE ALSO SUPPORTED A BASELESS EMERGENCY PETITION WITH THERE BEING NO NOTICE OF ANY KIND TO LYNN KAY.
19. LYNN KAY DISCOVERED IN LATE MAY 2025, THESE FRAUDULENT CARE MANAGER'S REPORTS BY ACCIDENT AFTER REQUESTING SEALED DOCUMENTS TO BE EMAILED TO HER-BEING MYSELF THESE UNKNOWN SEALED DOCUMENTS EXISTING.
20. THAT THERE WAS NEVER ANY TRUTH TO ANYTHING STATED IN THESE 3 CONCEALED DOCUMENTS, COMMITTING AN INFRACTION OF PERJURY BY FALSE REPRESENTATION OF THE TRUTH" BEING USED IN COURT FILINGS.
21. THIS IS NOT JUST A LEGAL CASE, THESE ARE 2 LIVES OF MOM AND I BEING ENTIRELY UPENDED AND DESTROYED SINCE 6/30/22 BY FALSE STATEMENTS MADE IN JUNE AND JULY 2022 IN WRITTEN DOCUMENTS FRAUDULENTLY PREPARED.
22. I PREPARED A DEMAND LETTER SOON AFTERWARDS FOR ALL PARTIES BEING INFORMED BY EVIDENCE OF THESE MISTRUTHS TO IMMEDIATELY FILE THE COURT AMENDMENT AND THERE WAS NO RESPONSE SO I AM NOW INFORMING THE COURT OF THIS CLEARLY DEFINED "FRAUD UPON THE COURT COMMITTED AND CONCEALED.
23. AUTOMATIC SANCTIONS AGAINST LAWYERS REFUSING TO RETRACT VERIFIABLY PROVEN FALSE STATEMENTS.
24. THIS FRAUD UPON THE COURT WAS THEN FOLLOWED BY "MALICIOUS PROSECUTION" THREATS TO LIFE AND HEALTH AND HOME IN THE BEGINNING OF "THE CRIMINAL TAKEOVER OF BOTH OF OUR LIVES BY FRAUDULENT MEANS" WHICH HAD "CRIMINALLY SPIRALED INTO "A 6/6/23 CRIMINAL ARMED ABDUCTION BY FORCED KIDNAPPING TO ALSO CONCEAL ALL FIDUCIARIES ELDER CRUELTY NEGLECT" AND THEIR ALL KNOWINGLY DEFYING 7 CLEARLY STATED DR'S WRITTEN ORDERS FOR BASIC DENTAL AND MEDICAL CARE REQUIRED".
25. THE CONSERVATOR IMMEDIATELY BY ONLINE TERMINATION DELIBERATELY THEN TOOK THE MALFEASANT ACTIONS FOR HIDING/CONCEALING AGAINST COURT ORDER MOM'S MEDICAL INFORMATION FROM ME.
26. THIS CONCEALMENT WAS SO THAT THE CONSERVATOR COULD ATTEMPT TO ENTIRELY HIDE MOM'S VIRGINIA HOSPITAL HEALTH CONDITION BY SEVERING MYCHART ONLINE VIRGINIA HOSPITAL ACCESS ON 7/8/22 FOR 4 MONTHS OF CONCEALMENT WITH MY DELIBERATELY BEING NOT ALLOWED ANY ACCESS.
27. STATED IN THE 7/8/22 COURT ORDER AT THE TOP OF PAGE 5 IS: ORDERED that Philip Kapusta, Lynn Kay, and any care manager for Elaine Kapusta shall be continue to have a right of access to Elaine Kapusta's protected health information and medical records;
28. THIS IMMEDIATE DEFIANCE OF COURT ORDERS IN DIRECT CONTEMPT ON THE VERY FIRST DAY WAS SO THAT I COULD NOT SEE THAT ALL OF THE ALLEGATIONS AGAINST ME WERE BASELESS AND FALSE AND MISLEADING ALONG WITH MY NEVER EVEN BEING AWARE OF THESE ALLEGATIONS AS THE 7/5/22 EMERGENCY PETITION FILINGS WERE NEVER PROVIDED TO ME EVER. THE CONSERVATOR ENTIRELY PRETENDED AS THOUGH NOTHING PRIOR EXISTED TO ATTEMPT TO CONCEAL FIDUCIARY CRIMES AND MALFEASANCE TO SHIELD THEMSELVES FROM CRIMINAL WARRANT OF ELDER CRUELTY COMMITTED IN MAY 2022-JULY 2022 ELDER NEGLECT AND NEGLIGENCE OF CARE.
29. THE FRAUDULENCE COMMITTED AND CONCEALED WITH FALSIFIED CARE MANAGER REPORTS NOW DEMANDS THE IMMEDIATE OVERTURNING OF ALL 2022-2025 COURT JUDGMENTS HAVING ALL BEEN TAINTED SINCE 2022-2025 BY ALL INVOLVED PARTIES FOR 3 CONTINUAL YEARS RESULTING SINCE 2022.
30. ANY ORDER CAN AND MUST JUDICIALLY BE OVERTURNED WHEN PROVEN THAT FRAUD UPON THE COURT HAS OCCURRED ALONG WITH RESULTING "MALICIOUS PROSECUTION WITH THREATS" OCCURRING SOON THEREAFTER, AS A DIRECT RESULT REGARDLESS OF WHEN IT IS BROUGHT TO THE COURT'S ATTENTION.

LEGAL BASIS FOR THIS COURT TO URGENTLY TAKE ACTION BASED ON ALL OF THE ABOVE:

1. Perjury by False Representation – Knowingly filing and providing false and falsified documents and unverified statements of allegations in court whether on purpose or by “attorney negligence” of failing to verify (written or oral) and failing to correct these false statements with a Court Amendment when informed of these proven by evidence false statements thereafter constitutes perjury (§ 18.2-434 Virginia Code) if made under oath or penalty of perjury.
2. Concealed or fraudulent filings deceives all persons and this Court is now today being made aware of the documented factual truth.
3. THIS REMAINS A FRAUD UPON THE COURT WHICH OCCURRED WITH FALSE AND FRAUDULENT ACTS OCCURRING AND OF CONCEALMENT AND FRAUDULENCE COMMITTED BY DELIBERATE FALSIFICATION AND THEREFORE OCCURRING WITH NO LEGAL JUSTIFICATION.
4. This immediately therefore JUDICIOUSLY PROPERLY OVERTURNS ALL COURT JUDGMENTS AS A DIRECT RESULT OF THERE HAVING BEEN FRAUDULENCE AND DECEPTION WITH CONCEALMENT INVOLVED BY 1 OR ALL OF THE PARTIES OCCURRING BY PARTIES, KNOWINGLY OR UNKNOWINGLY.
5. FAILING TO DO DUE DILIGENCE IS NOT ANY EXCUSE AS THIS IS LEGAL MISCONDUCT COMMITTED UPON THE COURT AND THE AFFECTED HARMED PARTIES, RENDERING ALL COURT JUDGMENTS TO BE ENTIRELY VACATED AND OVERTURNED AND EXPUNGED AS NO LONGER EXISTING FROM COURT RECORDS.
6. FAILURE TO EVER SEEK TO VERIFY STATEMENTS FILED IN COURT IS “ATTORNEY NEGLIGENCE” AND “LEGAL MISCONDUCT DEFINED AS FRAUD UPON THE COURT COMMITTED AS A DIRECT RESULT OF PRESENTING UNTRUTHS AND IN TURN DECEIVING THE COURT IN “TAINTING THE COURT DECISION FOR JUDGMENTS MADE” AS THE COURT IS TASKED WITH ENSURING THEY ARE MAKING WELL-INFORMED COURT DECIDED JUDGMENTS BASED ON FACTS AND STATEMENTS PRESENTED.
7. THIS COURT WAS NOT BEING MADE AWARE OF ANY OF THE “CONCEALED MATERIAL FACTS OF CONCEALED TRUTH” FOR LYNN KAY NOW SEEKING AFTER 3 YEARS SUFFERED TO PRESENT THESE GATHERED EVIDENCE OF PROOF OF FRAUD UPON THE COURT.
8. LYNN KAY TODAY REQUESTS PERMISSION TO EMAIL ALL DOCUMENTS FOR BEING PLACED UNDER SEAL FOR COURT REVIEW BY JUDGE TRAN WITH LYNN KAY REQUESTING PERMISSION TO EMAIL ALL PDF DOCUMENTS TO JUDGE TRAN WITH LYNN HAVING NO LAWYER TO PRESENT THE CASE FOR ALL OF THE CRIMINAL EVIDENCE TO BE URGENTLY ADJUDICATED TO FINALLY BE DECLARED AS FRAUD UPON THE COURT WITH MALICIOUS PROSECUTION COMMITTED THEREAFTER WITH A CRIMINAL ABDUCTION OF OUR LIVES HAVING BEGUN ON 7/8/22 WHEN MY GUARDIANSHIP AGREEMENT BREACHED BY MY UNLAWFUL TERMINATION.
9. LYNN KAY SHOULD NOT BE PUNISHED FOR ALL OTHER PARTIES LEGAL MISCONDUCT AND CRIMES COMMITTED ALSO HAVING OCCURRED ALSO WHEN LYNN ALSO HAD NO LAWYER AND THEREAFTER STEVE STINE ENTIRELY FAILED TO EVER INVESTIGATE OR CHALLENGE AN ENTIRELY UNKNOWN TO LYNN KAY 7/5/22 EMERGENCY PETITION FILING.

A PROVEN FALSE STATEMENT OF FACT IN A COURT FILING MEANS AN ERROR OR A LIE STATED. THAT FACTS DO NOT IN ANY WAY MATCH WHAT IS STATED

In Virginia, when a lawyer is informed with evidence that a court petition contains factual errors, they must file a retraction or correction through an amended court filing to fix the untrue statement.

Lawyers cannot knowingly let false statements remain in past or present court filings, regardless of consequences, or they risk sanctions or discipline.

Overturning Orders Due to Fraud/Malicious Prosecution – Courts must vacate all judgments obtained through fraud upon the court (a deliberate scheme to deceive, not just simple perjury). This is an equitable remedy with no strict time limit.

Key factors:

Proof of intentional fraud (e.g., fabricated false evidence being presented bearing no truth in fact, concealed filings).

Malicious prosecution (showing the legal action was baseless and intended to harass/threaten and to take control without legal justification to ever do so).

**IN THE 7/8/22 COURT ORDER AGAIN AT THE TOP OF PAGE 8 AND HIGHLIGHTED CONTAINED THIS 2ND WRITTEN THREAT TO OUR LIVES WHICH WAS FRAUDULENTLY OBTAINED THROUGH FRAUDULENT MEANS: futther ORDERED that Lynn Kay shall cooperate with any decision by the Co-Guardians and Co-Conservators to provide 24/ 7 access for caregivers to Ms. Kapusta's residence for so long as Ms. Kapusta is able to continue living in her home with professional care, and that Ms. Kay's obstruction of any care to be provided to Ms. Kapusta in her home or her failure to abide by this Order in any other way shall result in her loss of any privilege or permission to reside in Ms. Kapusta's house; and it is further..

AND IN THE EMAIL OF WHICH THIS COURT ORDER WAS SENT WAS WRITTEN THREAT #1 WAS THIS THREAT ATTACHED READ THIS MALICIOUS THREAT TO OUR LIVES: We have authorized Liz Shifflet and Suzanne Hanas to contact the police, should you fail to cooperate and obstruct your mother's caregivers in their duties.

AND PREVIOUS TO THIS WAS MY 1ST EVER PHYSICAL THREAT #1 TO MY LIFE AND MY WELL-BEING AS A DIRECT RESULT OF THE LEGAL MISCONDUCT BY CARY CUCINELLI COMMITTED SINCE JULY 2022 CONCEALMENTS OF HER ELDER CRUELTY CRIMES CONCEALED. STATED ON 7/8/22-Nursing Note by Nurse Haley J at 7/8/2022 12:39 PM: While rounding on pt, this RN found that pt's daughter, Lynn, at bedside. Guardianship hearing is scheduled for today at 1pm, no visitors can be present during meeting. Pt's daughter asked to leave, refused. Security called and escorted pt's daughter out of hospital.

The ONGOING TO PRESENT DAY THREATS TO OUR LIVES OF ALL 3 YEARS OF UNCEASING prevailing threats and control obtained through "fraudulent means" shows the true intent of the concealments COMMITTED against the Court as the coercion and illegal control of both of our lives sought thereafter since the Court Judgment occurring on 7/8/22 strengthen the argument of "impure motives for fraud upon the Court committed and concealed for 3 long-suffered years".

JUDGE TRAN, SINCE 2020, THERE HAS BEEN A DOCUMENTED ORCHESTRATED **CRIMINAL TAKEOVER OF OUR LIVES AND ALL FIDUCIARIES HAVE BEEN DIRECTLY INVOLVED IN REMAINING SILENT OF WHICH ALL FIDUCIARIES MUST FACE CRIMINAL CHARGES WHICH I HAVE SOUGHT WITH DETECTIVE AT MAJOR CRIMES BUREAU.**

THIS BEGAN WITH THIS STATEMENT ADDED WITHOUT MY PREVIOUS SIGNED 1/7/20 FULL AND SOLE GUARDIANSHIP AGREEMENT ASSUMED TO OCCUR.

THIS STATEMENT WHICH WAS DECEPTIVELY ADDED TO THE 1/7/20 SIGNED SETTLEMENT AGREEMENT IN JULY 2020 HAS ALTERED OUR LIVES AND UNJUSTIFIABLY OPENED THE DOOR TO **"THIS NOW ONGOING CRIMINAL TAKEOVER OF OUR LIVES"**

THE STATEMENT ADDED WAS:

ORDERED that the Guardian, shall, only after consultation with the Conservator and any care manager hired by the Conservator, **have the power and discretion to exercise complete control and custody of the person of Elaine Kapusta, to provide for her admission or retention, even if contrary to her expressed wishes, to any nursing facility, convalescent home, continuing care community, adult care residence, private home, or any other residential or therapeutic placement, in any jurisdiction; and it is further ORDERED that any and all durable powers of attorney, health care powers of attorney, and advance medical directives executed by Elaine Kapusta are hereby terminated and no longer in effect pursuant to Virginia Code section 64.2-1606(B);** and it is further ORDERED that Cary Z. Cucinelli, Esq. is hereby appointed the Conservator of Elaine Kapusta, with all powers granted, and duties conferred upon a Conservator pursuant to Virginia

**THIS STATING THAT BASICALLY I HAD NO MEDICAL CONTROL OVER MY MOM'S HEALTH AND LIFE AND THIS WAS SO VERY WRONG IN ALL WAYS AND HAS DIRECTLY LED TO 15+ PEOPLE COMMITTING DOCUMENTED CRIMES IN 5 YEARS UNDER CONSERVATORSHIP.

THIS FRAUD UPON THE COURT WAS THE 1ST AND EVERY COURT JUDGMENT THEREAFTER HAS DOCUMENTEDLY CONTINUED IN THE SAME WAY OF THE FALSIFICATION OR FABRICATED OR OPINIONATED ALLEGATIONS WITHOUT EVER REVEALING "THE MATERIAL FACTS AS ALL LAWYERS AND FIDUCIARIES ARE ALSO GUILTY OF THIS AS IS ALSO PHILIP KAPUSTA AIDING AND ABETTING IN THE CONSPIRING TO CONCEAL ALL 3 YEARS OF ELDER CRUELTY CRIMES BEING CONTINUING SINCE MAY 2022 WHICH BEGAN AS DEPRIVATION OF CARE AND CONTINUES NOW ADDING ARMED ABDUCTION AND KIDNAPPING AND ELDER ABUSE AND IMPRISONMENT AND ISOLATION AND MEDICAL ABANDONMENT DEPRIVATION OF CARE TO CONCEAL.

THIS HAS BEEN BECAUSE MY MOM WAS MILD DEMENTIA AND ACTUALLY IT HAS BEEN DETERMINED THAT IT WAS DRUG-INDUCED DEMENTIA FROM MULTIPLE HARMFUL DRUGS BEING TAKEN AS IS STATED BY THE ALZHEIMERS ASSOCIATION AS MIMICING DEMENTIA.

THE 3 YEARS OF DEPRIVATION OF CARE BY ALL FIDUCIARIES REMAINING SILENT HAS BEEN FOR FINANCIAL EXPLOITATION CRIMES OF ELDER CRUELTY TO FORCE PHYSICAL INCAPACITATION BY "DEPRIVATION OF CARE" SO THAT MY ONCE "HIGHLY FUNCTIONAL" AND "ENERGIZER BUNNY MOM WHO WAS ALWAYS HAPPY" HAS NO POSSIBILITY TO REGAIN CAPACITY FOR PUTTING ALL OF THEM OUT OF A JOB. AND MY MOM IS NOW BEING ENTIRELY SILENCED AND CONTROLLED AND SLOWLY MURDERED BY "FORCED DEADLY DANGEROUS FDA-UNAPPROVED MEDICATIONS BLACK-BOXED WARNING NOT FOR ELDERLY AND NOT FOR CARDIAC PATIENTS AT RISK OF DEATH OF HEART ATTACK AND STROKE" AS ALL

"CRIMINAL FIDUCIARIES SIMPLY DO NOT CARE AND THIS ATTEMPTED MURDER BY DEADLY AGENTS BEGAN DURING THW 7/14/22-CRIMINAL ABDUCTION OF OUR LIVES IN 2022 ONCE AGAIN BY FRAUDULENT MEANS OF FRAUD UPON THE COURT WITJ MALICIOUS PROSECUTION -BEGAN **THE CRIMINAL TAKEOVER OF OUR LIVES"**

WHY WOULD 15+ FIDUCIARIES-MANDATED REPORTERS-(63.2-1606) REMAIN SILENT OF ELAINE MAE KAPUSTA BEING DENIED 681 DAYS OF QUARTERLY DENTAL CLEANINGS AND 883 DAYS DEPRIVED OF DENTAL X-RAYS WHILE SUFFERING SEPTICEMIA DENTAL GUM ABSCESS SINCE 2022 NOT RECEIVING 3 DOCTOR ORDERED ROOT CANALS.

THERE ARE UMPTEEN MORE THREATS FOR 3 UNCEASING HORRIFIC YEARS OF BOTH OF OUR LIVES WHICH OCCURRED ONLY DUE TO FIDUCIARIES AND PHILIP KAPUSTA COMMITTING FRAUD UPON THE COURT ONGOING SINCE JULY 2022 TAINTING ALL COURT JUDGMENTS TO PRESENT DAY.

AND WRITTEN THREAT #3 ON 8/17/22- STATED BY CARY CUCINELLI: Ms. Kay's actions are disruptive and must immediately cease. Your client's behavior will lead directly to her removal from her mother's home.

AND ON 10/2/22 THESE THREATS TO MY LIFE AND MY WELL-BEING WERE REALIZED WITH PHYSICAL THREAT #2 BY POLICE BEING CALLED AS I CALLED 911 TO SEEK EMERGENCY CARE FOR MY DYING OF SEPTICEMIA MOM BEING DIAGNOSED WITH UROSEPSIS FOR THE 3RD TIME SINCE JUNE 2022.

JUDGE TRAN, YOU HAVE NO IDEA HOW OUR LIVES HAVE BEEN IN DANGER BY ALL OF THESE "CRIMINAL FIDUCIARIES" AS THIS JULY 2022 FRAUD UPON THE COURT IS A SMALL TASTE OF WHAT THEY ARE ALL CRIMINALLY CAPABLE OF DOING, INCLUDING PHILIP KAPUSTA.

5 DOCUMENTED CRIMES HAVE BEEN COMMITTED OF WHICH CRIMINAL WARRANTS ARE NOW BEING SOUGHT FOR ALL INVOLVED CRIMINAL FIDUCIARIES BY MY CURRENTLY HAVING A TEXT CHAT WITH OFFICERS AND THE MAJOR CRIMES BUREAU DETECTIVE AND 1 OTHER PARTY. I HAVE BEEN TEXTING WITH MY SENDING THE PDFS TO EVERYONE FOR PROVIDING ALL OF THE CRIMINAL EVIDENCE DOCUMENTED FOR EASILY SENDING PDFS.

Timing – While statutes of limitations apply to some claims (fraud upon the court can be raised at any time because it undermines judicial integrity. See Rule 1:1(d) of Virginia Supreme Court Rules for post-final-judgment relief.

The written threats to our lives were allowed due to this judicial concealment, and the ongoing for 3 years medical neglect and abuse and Elder Cruelty Crimes unceasingly continues and has been the result of "the unchallenged legal misconduct occurring ongoing UNCEASINGLY since 7/5/22".

The concealed and falsified filings.

Proof the guardianship revocation relied on fraud committed by filing fraudulently false Care Manager reports to conceal and protect fiduciaries from criminal blame and criminal investigation as being the motives to commit fraudulent acts now discovered.

Documentation of threats/coercion (e.g., the "police involvement with threats to life and well-being realized as a direct result of the fraudulence committed by fiduciaries".

The threats, concealment, and medical neglect as evidence, includes:

The concealed false filings.

Proof the guardianship revocation relied on fraud.

§ 8.01-428-(D)-Setting aside default judgments; clerical mistakes; independent actions to relieve party from judgment or proceedings; grounds and time limitations.

D. Other judgments or proceedings. This section does not limit the power of the court to entertain at any time an Independent action to relieve a party from any judgment or proceeding, or to grant relief to a defendant not served with process as provided in § 8.01-322, or to set aside a judgment or decree for fraud upon the court.

A judge must act if fraud upon the court is proven.

All fiduciaries collectively disastrously breaching all terms of my Court-Ordered Guardianship Agreement and have only caused harm to my mom, myself and "The Estate" all decimatedly destroyed by Fiduciary malfeasance and 5 documented crimes committed since beginning in 2022 and prior malfeasance and have all failed in their duty to protect Elaine Mae Kapusta from 3 continual years of "DEPRIVATION OF CARE" as none of the last 3 YEARS of "DETRIMENTAL AND LIFE-ALTERING HARM" would have ever occurred had I been properly served and with there being "absolutely no due diligence by all lawyers prior to filing" and with then Cary Cucinelli entirely disregarding being informed by emails from me with my stating on 7/7/22 and 7/8/22 and providing the proof that there was Care Manager Neglect causing the entire 6/30/22 incident to ever occur."

Cary Cucinelli's complete disregard and failing to ever inform the Court of documented and informed Care Manager Neglect" changed the course of both my mom's and my life forever altered by Cary Cucinelli's unceasing gross malfeasance and her and all involved persons ongoing and unceasing gross malfeasance and legal misconduct.

This disregard of the facts by Cary Cucinelli and all fiduciaries and Philip Kapusta has "detrimentally caused 3 continual years of "horrific detrimental harm to my mom and I for 3 years of our simply requesting and begging for basic dental and medical care for mom now having been documentedly fully now deprived begging for lifesaving proper restorative care and this all being wrongfully denied since mid-2021.

Also, as has also now been DOCUMENTEDLY stated under penalty of perjury in Notarized Affidavit as stated by Dr. Edward Mallory-(Medical Expert Notarized Affidavit)-2/7/25 stating that "based on deteriorating lab values since 10/24/22 and 1/25/23 and 6/5/23, from "CONTINUAL DEPRIVATION OF AND DENIAL OF CARE, my mom has only deteriorated away from home and away from Lynn's care".

All informed fiduciaries for 3 continual years as Mandated Reporters have failed their duty to Elaine Mae Kapusta and have all DOCUMENTEDLY concealed all 3 continual years of "Deprivation of Care since May 2022".

Efforts to Now Begin To Criminally Investigate and Report Criminal Misconduct:

I have submitted a formal complaint to the Virginia State Bar, which includes supporting documents detailing this misconduct. I have also contacted the Major Crimes Bureau for the Fairfax County Police Case #2025-0550131 filed on 2/24/25 and #2025-1620267 newly reported Criminal Armed Abduction and Forced Kidnapping For Seeking Concealment from Criminal Elder Neglect and Criminal Fraud being committed by ALL FIDUCIARIES AIDING AND ABETTING ALONG WITH PHILIP KAPUSTA ALSO for Fairfax County Police Case # for being referred to the Detective as Major Crimes Bureau Text Chat has been initiated with others for Supplying all 2022-2025 Criminal Evidence. And I I have also sought to meet with his supervisor along with the head of Adult Protective Services who was called and also emailed with detailed, documented allegations of ELDER CRUELTY-NEGLECT AND ABUSE-(18.2-369-B), FRAUD UPON THE COURT-(8.01-428), AIDING AND ABETTING AND CONCEALMENT-(18.2-18), OBSTRUCTION OF JUSTICE-(18.2-460), PERJURY-(18.2-434), ABDUCTION AND KIDNAPPING BY "PRIVATE ARMED GUARDS WITH GUNS-(18.2-47)" AND FINANCIAL EXPLOITATION-(18.2-178.2) AND IMPRISONMENT AND ISOLATION AND ABANDONMENT IN PLACE OF PROVIDING RESTORATIVE LIFESAVING DENTAL AND MEDICAL CARE AND TREATMENT-(18.2-369-B) AND ALL FIDUCIARIES FAILING AS MANDATED REPORTERS-(63.2-1606)-IN DEFYING 4 YEARS OF 7 DOCTORS ORDERS INSTRUCTING TO PROVIDE ELAINE WITH LIFESAVING RESTORATIVE CARE AND TREATMENTS DENIED BY ALL 2022-2025 FIDUCIARIES TO PRESENT DAY-(18.2-369-B) SINCE 2021.

And Judge Tran, this all occurred because of July 2022 BREACH OF FIDUCIARY DUTY AND MATERIAL BREACH OF GUARDIANSHIP AGREEMENT which was all based on the 6/8/22 and 6/30/22 CARE MANAGER'S FELONIOUSLY AND FALSIFIED AND FRAUDULENT STATEMENTS IN WRITTEN REPORTS AND GROSSLY NEGLIGENT ACTIONS TAKEN BY LIZ SHIFFLETT-THE NURSE CARE MANAGER-(PREMIER CARE PLANNING) WHO WRONGLY HAD FULL SAY OVER THE OVERSEEING AND PROVIDING OF DENTAL AND MEDICAL CARE ALLOWED FOR MY MOM.

Elaine Mae Kapusta being removed from our home of her 45 years lived where she had thrived with only me for 17 continual years with no legal justification to have ever removed my mom and by "Private Armed Guards With Guns" in our own home removed "Against My Mom's Will"-(NESTCAM VIDEO RECORDINGS OF THE SAVED SCARED MOM SCREAMING OCCURRING IN THE REMOVAL), and deprivation of care along with all fiduciaries as mandated reporters failing to ever report these "ELDER CRUELTY CRIMES AND DEPRIVATION OF CARE SINCE 2022," concerning my mom.

Elaine Kapusta even being entirely abandoned by all fiduciaries in the hospital on 6/30/22 without ever "medically properly on Day 1 to be receiving ANTIBIOTICS and this did not happen FOR 8 DAYS with my mom being left to die and suffer because of all fiduciaries failure to provide and assure receiving the proper dental and medical care since 2021.

All medical reports state and clearly show that all allegations against me were never qualified with any factual documents.

And my mom was so badly neglected and abused for those 2 months of suffering neglect-(MAY 2022-JULY 2022) that my mom was discharged from the hospital UNABLE TO WALK-NEEDING TO RELEARN HOW TO WALK.

NONE OF THE LAST 3 YEARS OF OUR HORRIFIC SUFFERINGS WOULD HAVE EVER OCCURRED IF THOSE JULY 2022 UNWARRANTED AND BASELESS CONCEALED COURT FILINGS HAD NEVER BEEN FILED OR IF I HAD BEEN ALLOWED TO BE INFORMED OF THOSE CONCEALED FACTUALLY INACCURATE FILINGS .

And this further involving multiple further malfeasant fiduciaries in 2022 that never should have ever occurred in our lives as the July 2022-2025 misconduct has caused further "collateral damage by other NEGLIGENT AND UNCARING FIDUCIARIES professionals" who also continued the same "DEPRIVATION OF CARE AND DEFYING ALL DOCTORS ORDERS SINCE BEGINNING AGAIN IN OCTOBER 2022".

Immediate Relief Sought And Information:

Based on this newly discovered felonious concealed and falsified evidence, I respectfully request the Court consider the following:

1. That the Court allow me to submit a sealed supplemental filing with full documentation of the concealed emergency petition and related communications and "MATERIAL FACTUAL DOCUMENTS EVIDENCE" for disproving all "FALSE ALLEGATIONS AGAINST ME" via emailed PDFS.

2. That the Court consider vacating or revisiting all judgments and rulings entered between “2022 and 2025”, which were all directly impacted by false and misleading and concealed “material facts” information, being concealed willfully by all fiduciaries and by Philip Kapusta. Including the Court evaluate the filed 8/17/22 Reappointment of My Guardianship for My Mom which entirely unjustified denial caused the 2022 continued Deprivation of Care since October 2022.

3. And in this 8/17/22 Court filing, in #9-10, Steve Stine states: FALSE AND UNWARRANTED

****10.** This brief June 30 incident and argument between Ms. Kay and the care manager forms the basis of the conservator’s emergency motion to be named the temporary guardian. That motion was heard on July 8. Ms. Kay was provided notice of the motion on July 7, less than 24 hours before the hearing. Unfortunately, she had no counsel of record at the time. Ms. Kay was extremely concerned with her mother’s condition who had, in fact been hospitalized on June 30 and was eating and drinking very little. Ms. Kay was staying with her as much as possible throughout the day and evenings, and made the decision to be with her mother rather than attend the court hearing on July 8. The unopposed July 8 emergency motion was granted. It should be noted that Ms. Kay wrote several detailed emails to the conservator prior to the July 8 hearing and provided the conservator with her communications to the care manager in June that were mostly unanswered. To Ms. Kay’s knowledge, the conservator made no attempt to contact her to discuss the matter, or to take any perspective into account other than the care manager’s, leading to the ****drastic and unwarranted emergency motion to terminate Ms. Kay’s guardianship.****

****LYNN KAY ONLY RECEIVED THE JULY 7 PETITION, NOT THE 7/5/22 EMERGENCY PETITION AS CARY CUCINELLI ENTIRELY CONCEALED THIS IN HER ENTIRELY PRETENDING THAT IT DID NOT EXIST.**

****BASED ON THAT STATEMENT BY STEVE STINE DIRECTLY AND CLEARLY SHOWS HOW INSTRUMENTAL THOSE NOW RECENTLY DISCOVERED FRAUDULENTLY FALSIFIED CARE MANAGER REPORTS WERE ENTIRELY COPIED INTO TO BE USED FOR THE “UNWARRANTED CONCEALED FROM LYNN KAY EMERGENCY PETITION”.**

I, HEREBY NOW REQUEST THAT:

1. THE 7/5/22 EMERGENCY PETITION AND THE CARE MANAGERS FALSE REPORTS BE ENTIRELY COMPARED TO “THE MATERIAL MEDICAL FACTS TO BE PROVIDED UNDER SEAL” ALL TO BE PROVIDED TO JUDGE TRAN IN A SEALED FILING BY EMAILS FOR THE PROPER JUDICIAL REVIEW WHICH HAS NEVER BEEN PRESENTED EVER AS IT ALL WAS ENTIRELY CONCEALED.

2. That a **COURT-APPOINTED UNIFIED LAWYER BE FINALLY NOW APPOINTED, as none ever was in 2020 to fully assure the “protection of my mom, myself and the estate. 5 YEARS OF ALL FIDUCIARIES CRIMES OCCURRED DUE TO THERE BEING ABSOLUTELY NO COURT OR STATE OVERSIGHT OF ALL CRIMINAL FIDUCIARIES.**

3. That the Court postpone or cancel ongoing trial dates to allow for full review of this July 2022 false and felonious concealed evidence and the court to uphold my 6/16/25 demand letter emailed for all 2022 responsible and involved in July 2022 persons for the full retraction of all “proven by existing 2022 evidenced false and misleading stated allegations” with no proof provided ever by the “opposing parties” of such being clearly shown by proof to be “mere disrespectful opinionated disrespectful statements” never even being factually true and to seek sanctions and DISBARMENTS against all of the parties involved in this deliberate legal misconduct altering our lives forever and leaving mom and I DECIMATEDLY destroyed for 3 years of our fighting crimes committed by ALL FIDUCIARIES BEING CLASS 4 FELONY ELDER CRUELTY CRIMES-(18.2-369-B) ALONG WITH AIDING AND ABETTING-(18.2-18) AND FORCED ABDUCTION AND KIDNAPPING-(18.2-47) FOR 3 UNCEASING YEARS OF CONCEALMENTS BY ALL 2022-2024 PARTIES TO ALL BE HELD FINANCIALLY AND LEGALLY AND CRIMINALLY HELD ACCOUNTABLE FOR DECIMATEDLY DESTROYING OUR LIVES. INCLUDING PHILIP KAPUSTA AND ALL REPRESENTING LAWYERS AIDING AND ABETTING IN THE CRIMINAL CONCEALMENTS ONGOING TO PRESENT DAY.

4. That the Court restore the matter to its procedural status prior status of my 2020 GUARDIANSHIP appointment since 2020 AS LYNN KAY AND ELAINE MAE KAPUSTA ARE THE HARMED PARTIES FOR 5 CONTINUAL YEARS NOW AND for ENTIRELY DISSOLVING THIS DETRIMENTAL “DEADLY DANGEROUS” CONSERVATORSHIP RIGHTFULLY AND PERMANENTLY RESTORING MY FULL AND SOLE LEGAL P.O.A. AND ADVANCED MEDICAL DIRECTIVE AS FULL AND SOLE GUARDIANSHIP WITH NO CONSERVATORSHIP NEEDED EVER AS I HAD FLAWLESSLY HELD PREVIOUSLY FOR 8 YEARS OF MOM AND I AND THE ESTATE ALL THRIVING AND HEALTHY AND HAPPY AND SAFE TOGETHER with there being no flaws in my care for my mom or The Estate prior to 2020 and thereafter being opinions and not facts.

5. The request for my FULL AND SOLE RIGHTFUL PLENARY GUARDIANSHIP without any need for a Conservatorship and without any fiduciaries as there never was prior to the 2020 Court Ordered Agreement which was already breached in 2020 by my receiving no guardianship annual salary ever and all of the other breaches of the Court Order occurring and then with the unwarranted 7/8/22 “The Material Breach of Guardianship Agreement” due to the unfactual concealed emergency petition filing with “FALSE ALLEGATIONS CONCEALED TO ME” and resulting restrictions to guardianship orders imposed based on that “unwarranted by facts” filing. AS THERE HAS BEEN 25+ PERSONS UNNECESSARILY INVOLVED IN OUR NOW DESTROYED LIVES FOR 5 YEARS BY ALL

FIDUCIARIES AND LAWYERS AND PHILIP KAPUSTA FAILING TO EVER CARE ABOUT THE TRUTH, THE FACTS, DOCUMENTED EVIDENCE, CRIMES, THE LAW AND OUR OWN LIVES.

6. That the Court take under consideration my formal report to the Bar and initiate any inquiry the Court deems appropriate into the misconduct of the attorneys who knowingly concealed the July 2022 filings and failed to ever do any "due diligence" prior to or after the July 2022 petition and all threats to our lives and all contributed to the 3 continual years of unceasing ongoing procedural and life-altering physical and psychological harm with umpteen threats to our lives which never would have ever occurred as George W. Dodge only began harming mom and I in October 2022 along with Elder Tree and Dr. Dappen and all other continual harm directly only due to the fiduciaries and Philip Kapusta's also entirely unwarranted Court Filings in July 2022 also having never notifying me ever properly. And this "collateral damage" occurring only due to the July 2022 unwarranted Concealed Court Filings.
7. REQUEST THAT FRAUD UPON THE COURT IS DECLARED AFTER FINDING THAT THE JULY 2022 BASELESS UNWARRANTED COURT FILING WITH DOCUMENTED WRITTEN AND PHYSICAL THREATS TO OUR LIVES TAINTED ALL COURT JUDGMENTS AND CAUSED "3 YEARS OF DETRIMENTAL AND IRREPARABLE AND INEXCUSABLE LIFE-ALTERING HARM TO BOTH MY MOM AND I" AT THE HANDS OF ALL MALFEASANT FIDUCIARIES AND PHILIP KAPUSTA.
8. I AM REQUESTING THAT FRAUD UPON THE COURT NOW BE DECLARED BASED ON THE NEWLY DISCOVERED CONCEALED EVIDENCE OF LIZ SHIFFLETT'S FRAUDULENTLY FALSIFIED AND FELONIOUS STATEMENTS WHICH WERE DIRECTLY USED AS ALLEGATIONS AGAINST ME WITH NO PROOF.
9. FOR NOW DUE TO THIS 5/22/25 SEALED DISCOVERY OF FURTHER CONCEALED AND FALSIFICATIONS FRAUDULENCE FOR MY BASIS TO REQUEST EXTENDING THE STATUTE TO 5 YEARS FOR A NOW 2027 STATUTE FOR COURT FILINGS BEING ALLOWED FOR MY MOM AND I SEEKING FULL AND RIGHTFUL JUSTICE FOR ALL OF THE UNWARRANTED LIFE-ALTERING HARM CAUSED TO OUR LIVES BY ALL INVOLVED MALFEASANCES OF ALL INVOLVED 2020-2025 PARTIES.
10. Further requests for full compensatory and maximum punitive damages from all involved parties will be filed hereafter with this requested Court Declaration of the "Fraud Upon the Court with Malicious Prosecution" with life-altering 3 years of threats and psychological scarring occurring to both my mom and I as a direct result of the July 2022 entirely unwarranted baseless Court filings finally being declared as legal misconduct of fraud upon the Court and Malicious Prosecution with THREATS TO LIFE AND HEALTH AND HOME committed by all parties involved occurring.
11. I did not attend the July 2022 Emergency Petition Hearing because I was never notified until days afterwards and I was never provided with any of the July 2022 Emergency Petition Hearing or documents filed and or used for that Emergency Petition Hearing entirely denying my **"DUE PROCESS TO DEFEND MYSELF AGAINST FALSE OPINIONATED DISRESPECTFUL STATEMENTS OF OPINIONS AND NOT FACTUALLY TRUE ALLEGATIONS"**. Specifically the 6/30/22 Report from Liz SHIFFLETT that is "VERIFIABLY OPINIONATED AND FRAUDULENTLY FALSIFIED AND DOCUMENTEDLY FALSE AND DISRESPECTFUL CONJECTURAL STATEMENTS NOT MATCHING ANY OF THE "MATERIAL DOCUMENTED FACTS" AND THESE DOCUMENTS ARE CRIMINAL EVIDENCE OF CRIMINAL CONCEALMENT OF CRIMINAL FELONIOUS EVIDENCE OF MEDICAL NEGLIGENCE AND CRIMINAL CONCEALMENT OF CRIMINAL MEDICAL ELDER NEGLECT-18.2-369-B.
12. This "6/30/22 Opinion" was concealed as it is entirely "A REPORT OF LIES" for concealing Liz Shifflett's documented months/year of failing to provide proper dental and medical care to my mom as per 2 doctor's orders.
13. Please also keep in mind that my mom wouldn't have suffered almost demise 3 times and left now gravely injured each time from the documented neglect and abuse for unceasing physical and mental suffering from documented "cruelly inhumane deprivation of care" if there had ever been a "unified lawyer appointed in 2020 to fully assure the "protection of my mom, myself and the estate," but there was none and this "detrimental court oversight" left my mom and I fighting for our lives from all criminal fiduciaries and also Philip Kapusta knowingly and willfully AIDING AND ABETTING IN ELDER CRUELTY CRIMES OF DEPRIVATION OF CARE for "3 long horrifically suffered years" which has decimatedly destroyed our lives from umpteen now clearly shown corrupt fiduciaries seeking only harm and "the deprivation of basic dental and medical care for my mom being physically incapacitated by this deprivation in failing to provide care and all fiduciaries for 3 continual years" as has been also documented with Dr. Edward Mallory attesting to all of "THE CRIMINAL EVIDENCE OF EMAILS REQUESTING "THE PROPER MEDICAL STANDARD OF CARE" CONTINUALLY IGNORED BY ALL FIDUCIARIES AND ALSO IGNORED NEGLIGENCE INFORMED AND IN EMAILS AND BEING KNOWN BY PHILIP KAPUSTA ALSO BEING WELL-INFORMED AND HIM TOO ALSO SIMPLY NOT EVER CARING AND FURTHER THREATENING OUR LIVES WITH FURTHER WRITTEN AND PHYSICAL THREATS SUFFERED BY BOTH MOM AND I OF WHICH NEVER WOULD HAVE OCCURRED IF JULY 2022 HAD NEVER OCCURRED."
14. Had I ever been properly informed of this EMERGENCY PETITION AND HEARING occurring, as I never was, then none of the last "3 horrific years of our sufferings" would have ever occurred.

15. STRONG PROOF AND MOTIVES FOR ALL FIDUCIARIES CONCEALING THEIR DOCUMENTED ELDER CRUELTY NEGLECT AND ABUSE CRIMES CAUSING ALMOST DEMISE OF MY MOM ON 3 SEPARATE OCCASIONS AND EACH TIME LEAVING HER GRAVELY INJURED AND UNABLE TO WALK AS A RESULT. THIS CONCEALMENT FOR 3 UNCEASING YEARS OF FRAUD UPON THE COURT HAS BEEN DOCUMENTEDLY COMMITTED DURING EACH LEGAL PROCEEDING BEING SOLELY DONE TO PROTECT THEMSELVES FROM A.P.S. AND POLICE CRIMINAL INVESTIGATION.

I will be providing all relevant documents—including the demand letter which was emailed to ALL PARTIES ON OR AROUND 6/9/25 and further emailed evidence being submitted to the Bar—to the Court and parties. If there is no voluntary compliance as Requested in the Demand Letter, voluntary compliance for my receiving the filed by Cary Cucinelli COLLECTIVELY SIGNED COURT AMENDMENT requested to be emailed to me by June 16, 2025, for all parties collectively signing the included provided emailed Court Amendment for their all “properly retracting all “now entirely proven baseless opinionated False Allegations Made Unwarrantedly” being “entirely now proven as all being baseless” and “false and misleading statements of mere opinion” and “not based on “any material facts” with factual evidenced documents” now sent by email to all July 2022 involved parties, for their all reviewing MY FRONTPAGE WEBSITE OF www.wearefightingforourlives.org where I have posted all criminal SUPPORTIVE evidence to fiduciaries malfeasance regarding the concealed July 2022 Emergency Petition and Hearing also concealed to me. See attached email with the demand letter, and the Court Amendment to be signed by all 2022 involved parties entirely retracting all allegations and the entire Emergency Petition in its entirely being recognized as baseless and without any merit. Signing the provided by me Court Amendment either separately or all together for finally ending this charade of concealed gross malfeasance.

I will respectfully then submit the full evidence for the Court’s sealed review, if all of the parties having already having been emailed prior to or on 6/9/25 do not sign the requested attached Court Amendment for their judicially and properly entirely retracting all of the entire Emergency Petition as recognized now as being baseless and meritless and admitting that it was fully unwarranted and wrongly concealed to me and FULLY RESTORING my full and sole guardianship with there now being no Conservatorship with my fully and solely and rightfully once again having all power over our now fully destroyed lives. With my rightfully fully and solely holding Guardianship with Advance Medical Directive and Legal P.O.A.-and my once again having full custody and control over my mom and the entire estate as I previously surrendered this for the disastrous LIFE-ALTERING irreparably harmed conservatorship.

I am now being so egregiously wronged for 5 CONTINUAL years seeking our full recovery of our destroyed lives with our being “the egregiously wronged parties for 5 years of “horrific unceasing suffering” with breached Agreement since 2020” for 5 continual years”.

And as documented evidence disproves all “false and all misleading allegations”. And the failure to receive a Court-Ordered Annual Guardianship Salary breached the Agreement in 2020, along with all of the other breaches by all 2020 parties.

Lynn Kay is now once again rightfully seeking Dissolution of Conservatorship for documented physical, financial and psychological harm done to both my mom and I which has been directly caused only due to CONSERVATORSHIP for 5 detrimental years of harm done to mom, myself and to “The Estate” having been fully being depleted day by day by Gross Financial Mismanagement and Malfeasance of Crimes COMMITTED THEREAFTER WORSENING DAILY TO PRESENT DAY

Judge Tran, I deeply appreciate the Court’s attention to these serious matters and submit this letter in good faith, with the goal of finally restoring fairness and truth to these proceedings which all of the last 3 years of Court Proceedings and Judgments never should have ever occurred, ever, if July 2022 Legal Misconduct and Fiduciary Misconduct had never occurred.

Once again, my lawyer, JC LAW has been no longer cooperating, with any communication response to me since his partner unexpectedly left the firm at the end of April 2025, as no substantial communication occurred previous also, so I am submitting this for myself. So that fairness occurs based on facts and no longer being based on all persons false and misleading statements and opinions, while all persons for the last almost 3 years willfully and knowingly deliberately concealing all “material facts from the Court.”

In closing, Judge Tran, I respectfully ask the Court to view this letter not only as a record of wrongful actions but as a mother and daughter’s desperate attempt to reclaim their previously once entirely perfect lives and bring to light a truth that has been silenced for far too long. **OUR LIVES HAVE BEEN STOLEN FROM US BY 15+ MALFEASANT PERSONS SINCE 2020 AND THE CALLOUS DISREGARD OF MY MOM’S LIFE AND WELL-BEING BY ALL FIDUCIARIES AND ALSO BY PHILIP KAPUSTA.**

The documents I have email attached with this URGENT Letter for Judge Tran’s Urgent Attention includes the 6/9/25 EMAILED DEMAND LETTER EMAILED TO ALL 2022 INVOLVED PARTIES AND THE EMAILED COURT AMENDMENT TO BE SIGNED BY ALL INVOLVED 2022 PARTIES FOR THEIR ALL TOGETHER OR SEPARATELY NOW PROPERLY JUDICIALLY RETRACTING ALL PROVEN BY DOCUMENTATION ALL FALSE ALLEGATIONS AGAINST ME TO BE COMPLIED TO WITHIN 1 WEEK OF 6/9/25 ON OR BEFORE 6/16/25. ALONG WITH ALSO INCLUDED IS THE REQUESTED CUCINELLI GEIGER NOTARIZED AFFIDAVIT OF ADMISSION OF GROSS MALFEASANCE-(2020-2025) FOR THE LYNN KAY REQUEST FOR THE RESIGNATIONS OF ALL FIDUCIARIES CAUSING 5 YEARS OF UNCEASING SUFFERINGS SINCE 2020 AS IS ALL STATED IN THIS ATTACHED.

THIS COURT AMENDMENT AND CARY CUCINELLI AND VALERIE GEIGER'S NOTARIZED CONSERVATORSHIP RESIGNATION AFFIDAVIT OF ADMITTANCE OF MALFEASANCE FOR THE COMPLETE 2022 RETRACTIONS OF THE 2022 EMERGENCY PETITION WAS NOT AS LYNN KAY REQUESTED TO BE PROPERLY FILED TOGETHER ON OR BEFORE 6/16/25, BY CUCINELLI GEIGER.

WITH ALL REQUESTED SIGNATURES, THEN I WOULD LIKE TO THEN PROCEED WITH FILING EVERYTHING UNDER SEAL BY EMAILING FOR YOUR URGENT REVIEW IN MY ONCE AGAIN "MEDICALLY PROPERLY" SEEKING TO PROVIDE LIFESAVING RESTORATIVE CARE FOR MY MOM-DEPRIVED FOR NOW 3 CONTINUAL HORRIFIC YEARS OF MY MOM SUFFERING SO INHUMANELY.

WITH MY NOW PROPERLY SAFELY HAVING MY MOM BACK HOME WITHBME FINALLY-

2 YEARS AGO MY MOM WAS FILMED BY NESTCAM VIDEO BEING ILLEGALLY AND UNJUSTIFIABLY REMOVED ON 6/6/23 UNJUSTIFIABLY AND ILLEGALLY BEING "CRIMINALLY ABDUCTED WITH AN AN ARMED KIDNAPPING BY CRIMINAL FIDUCIARIES" WHILE DEPRIVED OF NOW 3 YEARS OF PROPER DENTAL AND MEDICAL CARE AND HUMANITY FOR MY MOM.

TO ONCE AGAIN, HAVING THE COURT ORDER FOR MOM TO BE SOLELY ONCE AGAIN UNDER MY RIGHTFUL FULL AND SOLE COMPLETE CARE OF PROTECTION AND FULL CUSTODY OF HER LIFE AND HER WELL-BEING WITH THE NOW DEMANDED REQUESTED FULL AND PERMANENT DISSOLUTION OF CONSERVATORSHIP AND GUARDIANSHIP ALONG WITH THE PERMANENT REMOVAL OF PHILIP KAPUSTA WHO HAS BEEN DIRECTLY RESPONSIBLE FOR ALLOWING MY MOM TO SO INHUMANELY KNOWINGLY AND WILLFULLY CAUSING MY MOM AND I TO HORRENDOUSLY SUFFER WITH BOTH OF OUR LIVES ENTIRELY DESTROYED FOR OUR SIMPLY BEGGING FOR BOTH BASIC DENTAL AND MEDICAL RESTORATIVE LIFESAVING CARE FOR MY CONTINUALLY PHYSICALLY NEGLECTED AND ABUSED AND ABANDONED TO DIE AND SUFFERING AND SCARED AND LONELY MOM NOW BEING ILLEGALLY IMPRISONED AGAINST HER WILL AND AGAINST HER BEST INTERESTS IN A LIFE THAT SHE NEVER WOULD HAVE EVER CHOSEN FOR HERSELF, EVER. AS MY MOM HAS ONLY EVER CHOSEN HER HOME AND MYSELF CARING FOR MY MOM IN OUR HOME TOGETHER SINCE 2006 WHERE ON 10/24/22 AS DR. MALLORY HAS ATTESTED TO MY MOM WAS HEALTHY NORMAL AND SHE HAS NEVER RECOVERED TO HER THEN BEING AS HEALTHY NORMAL AS ME EVER SINCE DUE TO DOCUMENTED TO AND ATTESTED TO VIRGINIA CRIMINAL ELDER CRUELTY-18.2-369-B OF WHICH HAS BEEN "CRIMINALLY CONCEALED BY ALL CRIMINAL FIDUCIARIES OF WHICH ALL MUST RESIGN AND BEING PERMANENTLY REMOVED AND PROSECUTED FOR THEIR CRIMES.

ALL CRIMINAL FIDUCIARIES AND PHILIP KAPUSTA CHOSE THE INHUMANE CRUELTY SUFFERED BY MY MOM FOR NOW 3 YEARS!

My rightful request for my emailing all PDF DOCUMENTS for being placed Under seal will be all newly uncovered felonious criminal evidence and previously concealed "FACTUALLY UNTRUE EVIDENCE OF CRIMINAL CONCEALMENTS" documents, expert affidavit and other affidavit of 1/4/24-Emergency Petition fiduciaries malfeasance with further information for disproving ALL FALSE ALLEGATIONS AND DOCUMENTS.

The absence of my due process by all fiduciaries misconduct and concealments, paints a chilling picture of systemic negligence and crimes of neglect and abuse and all other crimes committed against my mom for now 4 years ongoing since 2021.

I understand the gravity of my request to vacate years of judgments and dissolve the Conservatorship, but I also know that had the July 2022 emergency petition not been wrongfully filed—and deliberately concealed—none of our daily suffering would have occurred for 3 more continual years of 5 total years of all concealed fiduciary malfeasance suffered only by my mom and I being under a "grossly malfeasant Predatory Conservatorship, with all fiduciaries and Philip Kapusta DOCUMENTEDLY seeking and causing only "detrimental harm to our lives since 2020".

I submit this letter and attachments in good faith and ask the Court to grant me the opportunity to present the full truth under seal and with the respect that my mom and I have long been denied any justice at all, ever, as all "CRIMINAL FIDUCIARIES" have all attempted their continued "criminal concealments of all material facts" in order to protect themselves from criminal investigations under Virginia Criminal Law Section 18.2-369-B-(CLASS 4 FELONY)!

Let this finally be the moment when truth replaces assumption, facts replace opinions, and justice replaces the silence of all fiduciaries and Philip Kapusta for the permanent removal of all malfeasant criminal persons and to cease all further harm to my mom and I as we have only suffered, for now almost 5 years of all persons unceasing progressively worsening decimating malfeasance and crimes.

IN SUMMARY:

THE PROOF AND MOTIVES FOR THE FIDUCIARIES CONCEALMENTS

It is alleged that the care managers' reports were fraudulently authored and deliberately concealed, containing materially false statements, with the intent to obstruct or evade lawful investigation into allegations of neglect, thereby constituting potential criminal misconduct.

I have offered substantial evidence and can establish probable motive indicating that the fiduciaries willfully concealed documented instances of neglect, which directly contributed to the severe physical deterioration and eventual almost demise of my mother 3 times-(2022,2023,2024), including grave injuries and rendering her non-ambulatory upon hospital discharge on 7/14/22. Such concealment appears to have been undertaken with the intent to shield themselves from potential criminal investigation and liability by Adult Protective Services and law enforcement authorities.

I conclude with this powerful statement:

A person's "statements of mere opinion" should not ever hold any power over "the truth and factual documents". As "mere opinion is not facts"!

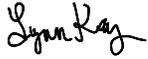
“Only facts are facts” and for 8 years of mom and I suffering and being under suspicion, has never ever been based on “any facts”-merely opinion only. Which opinions have all now been proven as being entirely “false”.

Judge Tran, I am requesting for my mom and I to be judged only upon facts, not on opinions.

As opinions can be entirely skewed and swayed by corrupt persons for their criminally protecting their own interests, as they all have been. For now 8 continual years of our sufferings experienced, since 2017 and facts do not ever change.

Dated: June 17, 2025

Respectfully,



Lynn Kay

NOTICE OF SERVICE

I hereby certify that on the below date of 6/17/25, a copy of this was EMAILED TO ALL 2022 PERSONS AND ALSO TO ALEXIS SMITH-ALONG WITH emailed attachments only being EMAILED to ALL INVOLVED 2022 PERSONS FILING AND CONTRIBUTING TO THE JULY 2022 UNWARRANTED CONCEALED FALSIFIED COURT FILINGS.

****ALEXIS SMITH, PLEASE CONFIRM THESE PDFS WERE GIVEN TO JUDGE TRAN. AS THIS IS A MATTER OF URGENCY!****

OR DO I NEED TO BRING THEM TO JUDGE'S CHAMBERS?

Dated: June 17, 2025

Respectfully,



Lynn Kay

ATTACHMENTS:

LYNN KAY DEFAMATION-DEMAND LETTER TO

CUCINELLI^LJ GEIGER FOR COURT AMENDMENT WITH FALSE ALLEGATIONS RETRACTION-EMAILED.pdf

COURT AMENDMENT FOR JULY 2022-2025

RETRACTIONS OF ALL ALLEGATIONS WRONGLY MADE AGAINST LYNN KAY-PAGED-EMAILED.pdf

OTHER PERSONS CC

Date: 6/9/25

To: Cucinelli, Esq., Valerie Geiger, Esq., (CARY CUCINELLI, VALERIE GEIGER ELIZABETH WILDHACK, LAURIE KIRKLAND AND PHILIP KAPUSTA AND LIZ SHIFFLETT AND SUZANNE HANAS-PREMIER PLANNING

RE: DEMAND FOR A COURT FILED RETRACTION AND A COURT FILED AMENDMENT OF DEFAMATORY FALSE ALLEGATIONS STATEMENTS IN ALL COURT FILINGS SIGNED BY ALL INVOLVED PARTIES, ALONG WITH FULL AND SOLE RIGHTFUL GUARDIANSHIP RESTORATION OF LYNN KAY FOR HER MOTHER AS PER THE 2020 COURT ORDER BREACHED BY THE REMOVAL OF LYNN KAY-(MYSELF) WITH NO LEGAL JUST CAUSE AND THE IMMEDIATE RESIGNATION OF CUCINELLI GEIGER AND ALL CURRENT FIDUCIARIES RESIGNATIONS FOR THE FULL AND PERMANENT CONSERVATORSHIP DISSOLUTION FOR 5 YEARS BREACHING THE COURT ORDERED TERMS AND CAUSING 5 YEARS OF DETRIMENTAL LIFE-ALTERING HARM TO BOTH ELAINE MAE KAPUSTA AND LYNN KAY AND "THE ESTATE" SINCE 2020

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Dear Ms. Cucinelli and Ms. Geiger,

I am writing to formally demand all involved parties for performing the immediate retraction and court amendment of "all verifiably false and misleading and defamatory allegations statements" in the continued character assassination occurring of which your law firms and all parties made and supported about Lynn Kay-(myself) in the July 2022 court filed Emergency Petition and all related court filings submitted and or supportively collectively signed under your names.

These statements, presented as factual, are categorically false and contradicted by verifiable documentation.

Their continued presence in the public record constitutes libel under Virginia law, which defines defamation as the publication of a false statement of fact to a third party that causes reputational harm.

1. For over three years, Lynn Kay has been repeatedly defamed through assumptions and conjecture presented as fact since July 2022.
2. These statements of allegations have not only damaged the good name and good character reputation of Lynn Kay, but have also caused significant personal and professional harm.
3. The failure to amend or correct these filings, despite the availability of the attached evidence disproving the allegations, further compounds the injury.

Accordingly, I demand that you:

1. Immediately, all parties involved in supporting all of those false and misleading allegations must now be forthright to inform the court that "ALL OF THE JULY 2022 ALLEGATIONS AGAINST LYNN KAY WERE MADE IN ERROR AND ARE ALL "VERIFIABLY FALSE AND ARE UNSUPPORTED BY ANY EVIDENCE."
2. Immediately now file an "amended pleading retracting all of the defamatory allegations in full in your listing each individual statement allegation as being (VERIFIABLY FALSE AND MISLEADING BASED ON FACTUAL AND VERIFIED DOCUMENTATION)". SEE www.wearefightingforourlives.org WHERE YOU WILL FIND ALL DISPROVING EVIDENCE OF ALL JULY 2022 ALLEGATIONS AGAINST LYNN KAY IS NOW POSTED FOR YOUR REVIEW FOR YOUR IMMEDIATELY RETRACTING ALL FALSE AND MISLEADING ALLEGATIONS.
3. Confirm in writing that these steps have been taken within seven (7) days of this letter..
4. In addition, you must request that this "unwarranted and wrongly filed Emergency Petition must be expunged after being Entirely Amended AS ALL BEING FALSE AND MISLEADING STATEMENTS MADE" stating "THIS COURT FILING CONTAINING ALL OF THESE FALSE AND ENTIRELY MISLEADING ALLEGATIONS MADE AGAINST LYNN KAY ARE NOW BEING ENTIRELY WITHDRAWN AS HAVE ALL BEEN FOUND TO BE VERIFIABLY FALSE AND MISLEADING WITH NO FACTUALITY ON ...DATE" AND "THESE STATEMENTS WERE ONLY ASSUMED AND NONE OF THESE ALLEGATIONS WERE EVER VERIFIED BY OUR FAILURE TO EVER DO ANY DUE DILIGENCE PRIOR TO FILING"
5. You must immediately also state in your AMENDED COURT FILING-"THESE FALSE ALLEGATIONS MADE HAS CAUSED LYNN KAY AND ELAINE MAE KAPUSTA EXTENSIVE AND IRREPARABLE LIFE-ALTERING HARM OF WHICH WAS DIRECTLY CAUSED BY OUR UNWARRANTED AND NEGLIGENT AND ENTIRELY RECKLESS ACTIONS TAKEN. WE TAKE FULL RESPONSIBILITY FOR OUR ACTIONS.
6. IMMEDIATELY EMAIL YOUR RETRACTION IN A COURT FILING TO JUDGE TRAN AND ALL PARTIES FOR STATING "THE JULY 2022 EMERGENCY PETITION ALLEGATIONS AGAINST LYNN KAY HAVE BEEN VERIFIABLY FOUND TO ALL BE FALSE AND MISLEADING AS NO DUE DILIGENCE WAS EVER DONE IN CONFIRMING OR VERIFYING ANY OF THESE STATEMENTS PRIOR TO OR AFTER THE JULY 2022 EMERGENCY PETITION WAS FILED.
7. THIS SIGNED BY ALL PARTIES LISTED PROVIDED ATTACHED COURT AMENDMENT MUST ACCOMPANY THIS ACKNOWLEDGED DEMAND LETTER AND "THE NOTARIZED AFFIDAVIT OF ADMISSION OF GROSS MALFEASANCE-(2020-2025) SIGNED NOTARIZATION OF CARY CUCINELLI AND VALERIE GEIGER EXPLAINING TO JUDGE TRAN WHAT HAS OCCURRED AND HOW YOU BOTH IGNORED THE REPORTED BY LYNN KAY 7/7/22-7/8/22 EMAILS AND SNAPSHOTS OF TEXTS TO LIZ SHIFFLETT-CARE MANAGEMENT NEGLECT. AND THE UNWARRANTED THREATS TO MY LIFE ON 7/8/22 TO PRESENT DAY BY ALL OF THE CONTINUAL CONCEALMENTS BY ALL FIDUCIARIES OF "ALL MATERIAL FACTS TO PRESENT DAY FAILING TO REPORT AS MANDATED REPORTERS THE CRIMINAL ELDER NEGLECT AND ABUSE AND ABDUCTION AND KDNAPPING AND IMPRISONMENT AND MEDICAL ABANDONMENT OF CARE ONGOING SINCE 2022 AND ALL FIDUCIARIES DEFYING 7 DOCTORS ORDERS CAUSING 3 HOSPITALIZATIONS IN 2022-2024 ALSO CONCEALED TO ALL AUTHORITIES AND TO THE COURT.

WE, CARY CUCINELLI AND VALERIE GEIGER, AND ALL OTHER SIGNERS AS PARTIES INVOLVED ARE HEREBY PROPERLY FILING AN AMENDED COURT FILING-COURT AMENDMENT FOR JUDICIOUSLY PROPERLY WITHDRAWING ALL ALLEGATIONS AGAINST LYNN KAY.

SHE HAS PROVIDED US THE VERIFIABLE INFORMATION FOR THIS RETRACTION OF "ALL FALSE AND MISLEADING ALLEGATIONS WHICH WERE ASSUMED AND WRONGFLY NEVER EVER VERIFIED AS BEING TRUE", AS ALL ALLEGATIONS AGAINST LYNN KAY ARE DOCUMENTEDLY VERIFIABLY FALSE AND MISLEADING WITH ABSOLUTELY NO MERIT TO ANY OF THESE "FALSE AND MISLEADING ALLEGATIONS AGAINST LYNN KAY"

WE NOW HEREBY REQUEST THAT ALL OF THE JULY 2022-2025 COURT FILINGS AND COURT JUDGMENTS ALL BE ENTIRELY WITHDRAWN AND VACATED AND TO ALL JUDGMENTS TO ALL BE EXPUNGED FROM THE RECORDS AND TO IMMEDIATELY RESTORE LYNN KAY TO FULL AND SOLE GUARDIANSHIP WITH ONLY LYNN KAY ONCE AGAIN HOLDING LEGAL P.O.A. AND ADVANCE MEDICAL DIRECTIVE FOR ELAINE MAE KAPUSTA AS IT HAS BEEN DETERMINED THAT LYNN KAY NEVER SHOULD HAVE EVER BEEN TROUBLED BY OUR "UNWARRANTED EMERGENCY PETITION" COURT FILING AND WE TAKE FULL RESPONSIBILITY FOR OUR ACTIONS CAUSING "HORRENDOUS HARM FOR ALMOST 3 YEARS SINCE JULY 2022. AND WE HEREBY NOW IMMEDIATELY RESIGN AS CONSERVATORS OF ELAINE MAE KAPUSTA DUE TO OUR OUTLINED NOTARIZED AFFIDAVIT OF ADMISSION OF GROSS MALFEASANCE-(2020-2025) CAUSING TREMENDOUS HORRIFIC LIFE-ALTERING HARM TO BOTH ELAINE MAE KAPUSTA AND LYNN KAY AND TO "THE ESTATE OF ELAINE MAE KAPUSTA SINCE 2020-2025"

IN ADDITION, THIS JULY 2022 EMERGENCY PETITION WAS FURTHER NOT DISCOVERED BECAUSE WE TOOK THE WRONGFUL ACTION IN TERMINATING THE MYCHART ACCESS TO LYNN KAY FOR 4 MONTHS AGAINST THE 7/8/22 COURT ORDER AND WE REGRET TAKING THIS ACTION IN "CONCEALING ALL OF THE MEDICAL RECORDS FROM LYNN KAY AS SHE HAD THIS COURT-ORDERED RIGHT TO HAVE ACCESS TO ALL OF HER MOM'S MEDICAL RECORDS AND HEALTH INFORMATION AS PER THE 7/8/22 COURT ORDER AND ACCORDING TO THE 2020 COURT ORDER WHICH WAS MATERIALLY BREACHED ON 7/8/22 WITH NO JUST CAUSE FOR THE BREACH.

Additionally, you must clearly state that the Emergency Petition was never served to Lynn Kay, further raising concerns about procedural fairness and transparency. And that Cary Cucinelli and Valerie Geiger were informed on both 7/7/22 and 7/8/22 that care manager neglect was occurring and we wrongly disregarded this entirely.

Please be advised that failure to comply within 7 business days, with there being no emailed to me compliance being prior to or on 6/16/25 will result in immediate notification to the court for potential sanctions under applicable rules of professional conduct and judicial procedure with the also attachedvLETTER TO THE JUDGE.

ALL OF THE FOLLOWING PERSONS WERE INVOLVED IN JULY 2022 IN THIS FILING OF AN UNWARRANTED AND BASELESS AND MERITLESS EMERGENCY PETITION AND ALL OF THE WRONGFUL ACTIONS TAKEN FOR THE LYNN KAY GUARDIANSHIP REMOVAL FOR ALL PERSONS TO NOW BE REQUIRED TO ALSO SIGN THE ATTACHED PROVIDED COURT AMENDMENT :

CARY CUCINELLI & VALERIE GEIGER-(CONSERVATORS)

ELIZABETH WILDHACK-(G.A.L.)

LAURIE KIRKLAND-(MOM'S LAWYER)

PHILIP KAPUSTA-(SON)

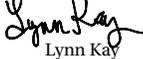
JUSTIN BERGER-(LAWYER OF PHILIP KAPUSTA)

LIZ SHIFFLETT AND SUZANNE HANAS-(PREMIER PLANNING)

Furthermore, this letter does not waive Lynn Kay's right to pursue civil actions for legal misconduct for fraud upon the court, and malicious prosecution with threats to our lives and defamation, violation of rights, etc. including damages for the harm caused by these knowingly false and uncorrected statements.

Virginia, legal misconduct, such as failing to be forthright or filing false allegations that taints the judicial process, can be declared fraud upon the court under Virginia Code § 8.01-428(D). This voids all affected judgments, even if the misconduct occurred nearly three years ago, as there is no strict statute of limitations for such claims. In Virginia, the statute of limitations for fraud is 5 years under Va. Code § 8.01-243(B).

Sincerely,


Lynn Kay

6/9/25

I HEREBY ATTEST TO EMAILING ALL PERSONS NAMED ABOVE O9 6/6/25

LYNN KAY
6/9/25

CUCINELLI GEIGER NOTARIZED AFFIDAVIT OF ADMISSION OF GROSS MALFEASANCE AND "BREACH OF FIDUCIARY DUTY OF CARE" AND "MATERIAL BREACH OF THE 2020 LYNN KAY GUARDIANSHIP SIGNED AGREEMENT CONTRACT" -(2020-2025)

AS LAWYERS BEING "OFFICERS OF THE COURT" WITH OUR HAVING A DUTY TO BE FORTHRIGHT.

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As officers of the court, attorneys licensed in the Commonwealth of Virginia bear a solemn and continuous duty to uphold the integrity of the judicial process by acting with honesty, candor, and forthrightness in all matters before the court. Pursuant to the Virginia Rules of Professional Conduct, a lawyer is not merely an advocate for their client but also a public citizen with a special responsibility for the quality of justice.

This includes a duty to avoid misrepresentation, to disclose material facts when necessary to avoid assisting a client in a criminal or fraudulent act, and to refrain from conduct involving dishonesty, fraud, deceit, or misrepresentation. The lawyer's obligation to the court and the legal system transcends personal or client interests, ensuring that justice is pursued with transparency and ethical fidelity at all times.

UNDER OATH NOTARIZATION OF CARY CUCINELLI AND VALERIE GEIGER- (CONSERVATORS) BEING AT RISK OF PENALTY OF PERJURY:

We, Cary Cucinelli and Valerie Geiger, hereby declare under oath to all of the following:

1. WE, WRONGFULLY, FAILED TO DO ANY DETAILED QUARTERLY FINANCIAL REPORTS FOR FINANCIALLY PROPERLY AND TRANSPARENTLY ACCOUNTING FOR EVERY SINGLE PENNY SPENT AND RECEIVED.
2. WE, WRONGFULLY FAILED TO PAY LYNN KAY HER ANNUAL GUARDIANSHIP SALARY IN 2020, 2021, 2022-(1/2 YEAR PAID SALARY DEDUCTING TAXES), AND WRONGFULLY PAID NOTHING TO LYNN KAY IN 2023 AND 2024 AND 2025 CAUSING LYNN UNDUE DETRIMENTAL FINANCIAL HARM TO LYNN'S FUTURE SOCIAL SECURITY RATE AND LYNN'S SAVINGS AND INVESTMENT FUNDS AND LYNN'S TAXES
3. **LYNN RECEIVED AN ESTATE GIFT OF \$180,000 IN LATE 2022 FOR HER AGREED UPON \$90,000 ANNUAL GUARDIANSHIP SALARY FOR YEARS 2020 AND 2021*
4. WE, WRONGFULLY SUED LYNN KAY FURTHER BURDENING LYNN IN 2020-2021 FOR AN ALREADY ONGOING 4134 NEIGHBOR LAWSUIT WHICH WAS THE ESTATE'S RESPONSIBILITY AND NOT LYNN'S AS THIS WAS OCCURRING SINCE 2018 PRIOR TO CONSERVATORSHIP AND LYNN WAS AT NO FAULT, WHATSOEVER, FOR ANYTHING AND SHOULD NOT, IN ANY WAY, HAVE BEEN BURDENED BY OUR WRONGFUL MERITLESS LAWSUIT AGAINST LYNN KAY.
5. WE, FAILED TO DO REAL ESTATE APPRAISALS.
6. WE, WRONGFULLY AND UNNECESSARILY SOLD 6 LONG HELD RENTAL PROPERTIES LOSING MULTI-MILLIONS IN ESTATE VALUE FROM UNNECESSARY TAX LOSSES, LOSS OF 5+ YEARS OF FUTURE RENTAL INCOME-(\$1,000,000/3 YEARS) AND FOREVER LOST REAL ESTATE VALUE EQUALLING MULTI-MULTI MILLIONS IN THE GROSS FINANCIAL MISMANAGEMENT OF THE ENTIRELY UNNECESSARY LIQUIDATION AND GROSS FINANCIAL MISMANAGEMENT CAUSING THE DETRIMENTAL DEPLETION OF ESTATE FUNDS. **LYNN KAY HAD STATED IN 2020 THAT SHE WANTED THOSE ARLINGTON PROPERTIES AS HER INHERITANCE AS SHE HAD MORE THAN 20 YEARS INVESTMENT OF HER TIME AND MONEY IN THOSE PROPERTIES SINCE HER CHILDHOOD-THE 1960'S.**
7. WE, FAILED TO EVER REPLACE THE 4136 BROKEN POWER GENERATOR
8. WE, FAILED TO PAY FOR 4136 WINDOW AND DOOR BLINDS AND FAILED TO DO ANY YEARLY ONGOING 4136 MAINTENANCE WORK AND FAILED TO PAY STANLEY STEEMER FOR STEAMCLEANING THE FLOORTILES.
9. WE, FAILED TO EVER FOR 5 YEARS DO ANY FINISHING WORK AT THE 4136 ESTATE HOME AND FAILED TO EVER PROVIDE FUNDS FOR CLEANING AND FOR THE UPKEEPING OF THE 4136 ESTATE HOME, BOTH INSIDE AND OUTSIDE ENTIRELY FAILING TO PROVIDE PROPER MAINTENANCE OF THE ESTATE HOME FOR THE ENTIRETY OF 2020-2025..

10. WE, FAILED TO EVER NOTIFY LYNN KAY OF THE JULY 2022 EMERGENCY PETITION FILINGS AND THE EMERGENCY PETITION COURT HEARING WITH OUR WRONGFULLY ONLY NOTIFYING LYNN KAY 2 DAYS LATER ON THE LATE AFTERNOON OF 7/7/22.

11. WE, ALSO FAILED TO NEVER PROVIDE LYNN KAY WITH ANY OF THE 7/5/22 EMERGENCY PETITION FILINGS.

12. WE, FAILED TO EVER CALL LYNN KAY TO DO ANY PROPER "DUE DILIGENCE" FOR VERIFICATION OF ALLEGATIONS IN JULY 2022 PRIOR TO FILING AN UNWARRANTED EMERGENCY PETITION WHICH WE ENTIRELY FAILED TO EVER NOTIFY LYNN OF THIS OCCURRING, ENTIRELY DENYING LYNN HER RIGHT FOR DUE PROCESS TO DEFEND HERSELF WITH THE ESTABLISHED AND DOCUMENTED TRUTH.

13. WE, FAILED TO PAY ATTENTION TO LYNN KAY'S 7/7/22 & 7/8/22 EMAILED INFORMATION DOCUMENTING LIZ SHIFFLETT'S CARE MANAGER NEGLIGENCE SINCE MAY 2022. CARE MANAGER NEGLIGENCE HAVING DIRECTLY CAUSED ELAINE'S NEED FOR "EMERGENT HOSPITALIZATION FOR 15 DAYS-(6/30/22-7/14/22)"

14. WE, BY NEGLIGENT NEGLIGENCE CAUSED ELAINE TO SUFFER BY NOT ASSURING THAT SHE RECEIVED PROPER MEDICAL CARE PRIOR TO AND IN THE 6/30/22-7/14/22 VIRGINIA HOSPITAL CENTER-(VHC) IN OUR ENTIRELY ABANDONING HER WHILE UNKNOWINGLY SUFFERING UROSEPSIS AEROCOCCUS KIDNEY INFECTION WITH ELAINE'S ORGANS ALREADY BECOMING DAMAGED AND SHUTTING DOWN ON DAY 1 AND ALL BEING IGNORED BY ALL FIDUCIARIES, EXCEPT FOR LYNN.

15. WE, FAILED TO AS "MANDATED REPORTERS" TO EVER PROPERLY INFORM AUTHORITIES AND THE COURT REGARDING THIS DOCUMENTED CARE MANAGER AND FIDUCIARIES NEGLIGENCE AND DEPRIVATION OF CARE AND MEDICATION ABUSE OF ELAINE MAE KAPUSTA IN 2022-2025

16. WE, NOW ACKNOWLEDGE THAT BASED ON THE PROVIDED "VHC MEDICAL RECORDS", FACTUAL DOCUMENTATION PROVIDED BY LYNN KAY ON HER 1ST WEBPAGE ON HER WEBSITE www.wearefightingforourlives.org, LYNN SHOWED "AMAZING MEDICAL ASTUTENESS AND GOOD JUDGMENT" IN HER KNOWING HER MOM BETTER THAN EVEN THE NURSE CARE MANAGER AND THE DOCTORS FOR LYNN KAY "MEDICALLY PROPERLY" STATING AND DOING EVERYTHING "MEDICALLY PROPER FOR HER MOM" EVEN PRIOR TO 6/30/22 AS "ALL TEXTS TO LIZ SHIFFLETT AS NURSE/ CARE MANAGER AND AS ALL MEDICAL RECORDS INDICATE THAT *THE VIRGINIA HOSPITAL CENTER-(VHC) ENTIRELY FOLLOWED ALL OF "LYNN'S 6/29/22 & 6/30/22 MEDICALLY ASTUTE INSTRUCTIONS" FOR "PROVIDING ALL OF THE PROPER REQUESTED CARE FOR HER MOM".**

17. WE, ADMIT THAT *WE WERE WRONG TO STATE THAT LYNN SHOWED "IRRATIONAL BEHAVIOR AND LACK OF JUDGMENT, ETC." HAVING NOW ALL BEEN PROVEN FALSE BY "MATERIAL FACTS AS ALL ALLEGATIONS ARE FOUND TO ALL BE "FALSE AND MISLEADING STATED ALLEGATIONS OF OPINION ONLY" WITH "ABSOLUTELY NO MERIT TO ANY OF THE 7/5/22 CONCEALED EMERGENCY PETITION ALLEGATIONS EVEN BEING TRUE".

18. WE, ALLOWED ELAINE TO SUFFER FROM NEGLIGENCE AND ABUSE BY CARE MANAGER AND VIRGINIA HOSPITAL CAUSING ELAINE TO BE UNABLE TO WALK UPON HOSPITAL DISCHARGE ON 7/14/22 WITH ELAINE NEEDING TO RELEARN HOW TO WALK CAUSING WEEKS OF SUFFERING PHYSICAL INCAPACITATION DUE TO NEGLIGENCE CAUSED UNDER OUR CARE.

19. WE, WRONGFULLY SUPPORTED AND APPROVED THE UNJUST REMOVAL BY "PRIVATE ARMED GUARDS WITH GUNS" FORCING THE UNJUST AND WRONGFUL REMOVAL ABDUCTION AND KIDNAPPING OF ELAINE MAE KAPUSTA FROM HER OWN HOME OF 45 YEARS ON 6/6/23 WITH HER BEING PROPERLY CARED FOR BY LYNN 24/7/365 FOR 17 YEARS SINCE 2006. ELAINE AND LYNN WERE BOTH TRAUMATICALLY AFFECTED AS WE WRONGFULLY REMOVED ELAINE WITH THERE BEING NO LEGAL JUST CAUSE WHILE ELAINE WAS BEING DENIED BOTH DENTAL AND MEDICAL CARE FOR 8+ MONTHS SINCE 9/20/22. WHILE CAUSING HORRENDOUS LIFE-ALTERING HARM TO ELAINE SUFFERING FROM "DELIBERATE DEPRIVATION OF CARE BY ALL FIDUCIARIES NEGLIGENCE IN FAILING TO PROTECT ELAINE FROM NEGLIGENCE AND ABUSE AND EXPLOITATION" SINCE 2022.

20. WE, THEREAFTER FAILED TO PAY THE 2023-2025 4136 HOME UTILITIES AS WE WRONGFULLY BURDENED LYNN WITH THIS.

21. WE, DENIED AND FAILED TO PROVIDE AND FAILED TO REPORT THAT ELAINE HAD BEEN DEPRIVED OF 883 DAYS OF DENTAL X-RAYS-(3/2/22-8/1/24) AND 681 DAYS OF QUARTERLY DENTAL CLEANINGS-(9/20/22-8/1/24) WHILE ELAINE WAS DOCUMENTEDLY SUFFERING "SEVERE GUM DISEASE AND TEETH PAIN" SINCE 3/2/22 AND NEEDING DOCTOR-ORDERED ROOT CANALS WHICH WERE WRONGFULLY DENIED IN PART OR IN WHOLE TO ELAINE SINCE 2021.

22. WE, CONCEALED TO THE AUTHORITIES AND TO THE COURT THAT ELAINE ALMOST DIED ON 8/2/24 AS SHE NEEDED TO BE REVIVED BY 911 PARAMEDICS AS SHE WAS ONCE AGAIN FOR 3 YEARS WRONGFULLY BEING GIVEN FDA-UNAPPROVED ANTIPSYCHOTICS CAUSING ENLARGED HEART-(QT PROLONGATION) AND LYNN HAD PREVIOUSLY INFORMED TO STOP GIVING HER MOM ANTIPSYCHOTICS CONTINUALLY WARNING OF DEATH AND ALL FIDUCIARIES IGNORED LYNN'S WISDOM SINCE 2022 IN ALL FIDUCIARIES AND PHILIP KAPUSTA CONDEMNING LYNN AND SUPPORTING THE THREATENING OF LYNN KAY, INSTEAD OF RESPECTFULLY AND PROPERLY LISTENING TO LYNN.

23. WE, WRONGFULLY NEVER DID ANY DUE DILIGENCE TO EVER SEEK TO VERIFY ANY OF THE CARE MANAGER'S ALLEGATIONS AGAINST LYNN KAY IN JULY 2022 AS "WE ASSUMED AND DID NOT EVER SEEK TO VERIFY" THAT THERE WAS ANY "MATERIAL CORROBORATING FACTS TO BACKUP ANY OF THE ALLEGATIONS. NOW DETERMINING ALL ALLEGATIONS WERE OPINIONS AND NOT FACTUAL.

24. WE, NOW BEING ATTESTED TO HAVING NOW BY FACTUAL DOCUMENTATION PROVIDED BY LYNN KAY ON HER 1ST WEBPAGE ON HER WEBSITE www.wearefightingforourlives.org HAVE NOW DETERMINED THAT ALL ALLEGATIONS AGAINST LYNN KAY BEING FALSE AND MISLEADING ALLEGATIONS WITH "THERE BEING NO MATERIAL FACTS" TO SUPPORT ANY OF THE JULY 2022 EMERGENCY PETITION FALSE AND MISLEADING STATEMENTS OF "MERE CONJECTURAL OPINION" STATED AND REPORTED IN THE "CRIMINALLY FALSIFIED 6/8/22 & 6/30/22 LIZ SHIFFLETT REPORTS" WHICH WE ENTIRELY FAILED TO EVER VERIFY AND ENTIRELY CONCEALED THIS FROM LYNN ALONG WITH THE 7/5/22 EMERGENCY PETITION COURT FILING.

25. WE, NOW, HEREBY PROPERLY RETRACT ALL ALLEGATIONS AGAINST LYNN KAY AND SEEK BASED ON THIS THAT ALL 2022-2025 COURT JUDGMENTS AGAINST LYNN KAY ALL BE OVERTURNED AND VACATED AND EXPUNGED FROM THE COURT RECORDS AS ALL BEING FALSE ALLEGATIONS WITH "THERE BEING "NO MATERIAL FACTS", AT ALL TO SUPPORT ANY OF THE FALSE AND MISLEADING ALLEGATIONS AS WE ADMIT NOW THAT LYNN DID NOTHING WRONG.

26. WE, WRONGFULLY THREATENED BOTH ELAINE'S AND LYNN'S LIFE SINCE 2022 BY OUR WRONFFUL ACTIONS OF FAILING TO ASSURE ELAINE THE PROVISION TO PROVIDE ELAINE WITH PROPER AND TIMELY DENTAL AND MEDICAL CARE AND FAILED TO ASSURE THE FOLLOWING OF 7 DOCTOR'S ORDERS OF DR. HU-(MCLEAN DENTAL-2021) AND DR. LESSIN-(5/10/22 & 12/13/22) AND DR. CUSUMANO-(9/20/22 AND 5/8/23 AND 1/4/24) AND DR. DOKI-(5/22/23).

27. WE, THREATENED LYNN'S LIFE ON 7/8/22 BY UNDUE WRONGFUL WRITTEN AND PHYSICAL THREATS REALIZED CAUSING UNDUE PSYCHOLOGICAL HARM TO LYNN UNJUSTLY FOR 3 CONTINUAL YEARS DUE DIRECTLY TO OUR WRONGFUL ACTIONS IN JULY 2022.

28. WE, WRONGFULLY CAUSED THE 24/7 FORCED HOME INVASION IN THE MIDDLE OF THE COVID PANDEMIC ENDANGERING BOTH ELAINE'S AND LYNN'S LIVES AND ENTIRELY VIOLATING THEIR RIGHTS TO NOT FEEL THREATENED AND BEING IN DANGER IN THEIR OWN HOME-(7/14/22-6/6/23).

29. WE, AS TEMPORARY CO-GUARDIANS AND LATER AS CONSERVATORS WRONGFULLY ALLOWED ELAINE TO RECEIVE FDA-UNAPPROVED ANTIPSYCHOTICS OF ZYPREXA AND SEROQUEL THAT ARE EBLACK-BOXED WARNING NOT FOR ELDERLY AND NOT FOR CARDIAC PATIENTS AS STATED AT RISK OF DEATH OF HEART ATTACK AND STROKE AS LYNN HAD WARNED SINCE JULY 2022 THAT THEY WERE DESTROYING HER MOM AND WE WRONGLY AND UNCARINGLY JUST SIMPLY IGNORED IT ALL

30. WE, WRONGFULLY TERMINATED MYCHART ACCESS AGAINST COURT ORDER ON 7/8/22 FOR 4 MONTHS. THE TERMINATION OF MYCHART ACCESS TO MEDICAL RECORDS PREVENTED THE DISPROVING EVIDENCE FROM BEING SEEN AND WE ADMIT THIS WRONGLY CAUSED HARM TO BOTH ELAINE AND LYNN.

31. WE, CONCEALED AS MANDATED REPORTERS ON 1/17/23 THAT GEORGE W. DODGE AND JEANNE BLUE AND ELDER TREE AND DR. ALAN DAPPEN AND ALL FIDUCIARIES HAD ALL DENIED ELAINE DENTAL AND MEDICAL CARE WHILE ELAINE WAS SUFFERING AND BEGGING FOR CARE. FOR 3 MONTHS-(10/10/22-1/17/23 TO PRESENT DAY BY "DEPRIVATION OF LIFESAVING RESTORATIVE DENTAL AND MEDICAL CARE" AS LYNN HAS "MEDICALLY PROPERLY BEEN BEGGING FOR 3 YEARS FOR HER MOM-ELAINE MAE KAPUSTA AND WE HAVE IGNORED IT ALL CAUSING GRAVE INJURIES AND DISEASE TO ELAINE BY ALL FIDUCIARIES AND PHILIP KAPUSTA ALSO IGNORING IT ALL IN FAILING TO EVER CARE.

32. WE, ALSO AGAIN FAILED TO REPORT THE NEGLIGENCE AND NEGLECT ON BOTH 1/4/24-EMERGENCY PETITION HEARING AND 10/23/24-CALENDAR CONTROL 9+ MONTHS AGO WHEN IT WAS WRONGLY CONCEALED FROM THE COURT THAT ELAINE WAS IN DESPERATE NEED OF CARE AND WE REMAINED SILENT AND AS ALL FIDUCIARIES ALSO DID, FULLY CONCEALED FROM LYNN THE ALMOST DEMISE OF ELAINE-(LYNN'S MOM) ON 8/2/24.

33. WE, HAVE FAILED TO PROTECT ELAINE AND LYNN AND THE ESTATE FROM HARM AND HAVE CAUSED THEM BOTH "LIFE-ALTERING IRREPARABLE HARM" UNDER OUR NEGLIGENT CONSERVATORSHIP FOR 5 CONTUNUAL YEARS SINCE 2020 BREACHING OUR FIDUCIARY DUTY OF CARE.

34. WE, NOW CLEARLY RECOGNIZE THAT OUR GROSS MALFEASANT ACTIONS SINCE 2020 HAVE CAUSED TREMENDOUS LIFE-ALTERING IRREPARABLE HARM TO BOTH ELAINE AND LYNN AND ALSO TO THE ESTATE.

35. WE, RECOMMEND THE REINSTATEMENT OF LYNN KAY AS FULL GUARDIANSHIP AND ALSO TO HER PRIOR POSITION OF FULLY AND SOLELY HOLDING LEGAL P.O.A. AND ADVANCE MEDICAL DIRECTIVE-(2013-2020) AS WE ACKNOWLEDGE, WITH NO JUST CAUSE, THAT WE NEGLIGENTLY ENTIRELY HAVE MATERIALLY BREACHED THE CONSERVATORSHIP/GUARDIANSHIP COURT ORDERED AGREEMENT SINCE 2020 IN DEFYING ALL COURT-ORDERED TERMS, GIVING LYNN THE RIGHTFUL PRIOR POSITION OF FULL CUSTODY OF HER MOM AND THE ESTATE WITH NO FIDUCIARIES INVOLVEMENT AT ALL.

36. WE, HAVE ENTIRELY, IN ALL WAYS, BEEN RESPONSIBLE AS CONSERVATORS FOR THE BREACH OF OUR FIDUCIARY DUTY OF CARE TO ELAINE MAE KAPUSTA SINCE 2020-2025 AND AS SIGNER AS FIDUCIARY

HAVE ALSO WRONGLY “MATERIALLY BREACHED THE 2020 LYNN KAY GUARDIANSHIP SIGNED AGREEMENT CONTRACT” –(2020-2025), WITH THERE BEING NO JUST CAUSE.

WE, CARY CUCINELLI AND VALERIE GEIGER, NOW HEREBY RESIGN AS CONSERVATORS IMMEDIATELY FOR OUR NOW PROPERLY FULLY RECOGNIZING ALL OF “THE HORRIFIC HARM CAUSED TO THE ELAINE MAE KAPUSTA ESTATE AND PERSONALLY TO BOTH ELAINE MAE KAPUSTA AND TO LYNN KAY UNDER OUR NEGLIGENCE AND GROSS MALFEASANCE ACTIONS TAKEN SINCE JULY 2020.”

I, affirm under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

CARY CUCINELLI

VALERIE GEIGER

Notary Signature

DATE: _____

Notary: Subscribed and sworn to before me On this _____ day of June 2025

CASE #2018-11871
RE: ELAINE MAE KAPUSTA

Civil Case No. 2018-11871

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

Lynn Kay, Petitioner
v.

ALL NAMED JULY 2022 INVOLVED PERSONS

CARY CUCINELLI & VALERIE GEIGER-(CONSERVATORS) AND
ELIZABETH WILDHACK-(G.A.L.) AND LAURIE KIRKLAND-(MOM'S LAWYER) AND
PHILIP KAPUSTA-(SON)
AND JUSTIN BERGER-(LAWYER OF PHILIP KAPUSTA) AND
LIZ SHIFFLETT AND SUZANNE HANAS-(PREMIER PLANNING)

RE: COURT AMENDMENT AND FULL RETRACTIONS RELATED TO THE LYNN KAY GUARDIANSHIP MATTER OF ELAINE MAE KAPUSTA AND THE IMMEDIATE RESIGNATION OF ALL CURRENT FIDUCIARIES IN THE IMMEDIATE FULL AND PERMANENT DISSOLUTION OF CONSERVATORSHIP AND GUARDIANSHIP DUE TO FRAUD UPON THE COURT AND WITH MALICIOUS PROSECUTION-(2022-2025)
COURT AMENDMENT FOR ACKNOWLEDGING THE CONCEALED FROM LYNN KAY JULY 2022 COURT FILED EMERGENCY PETITION-"ALL ALLEGATIONS HAVE BEEN ENTIRELY FOUND IN BEING "ENTIRELY FALSE AND MISLEADING ALLEGATIONS AGAINST LYNN KAY" FOR THE AGREED UPON IMMEDIATE OVERTURNING OF ALL COURT JUDGMENTS-(2022-2025)-7 PAGES

COMES NOW the undersigned parties, and jointly submit this Amendment and Retraction concerning the entirely concealed Emergency Petition filed in July 2022, which resulted in the wrongful removal of Lynn Kay as full and sole guardian for her mother 3 years ago "with no just cause" in wrongfully depriving Lynn of her rights previously surrendered in July 2020.

We, the signatories, state the following:

The Emergency Petition of July 2022 contained false, misleading, and baseless allegations that were not supported by any material facts, and were instead based on subjective opinions and speculation and fraudulent care manager reports which we failed to verify prior to and after filing an "unwarranted Emergency Petition Court filing along with supportive court filings for 3 years".

Upon further review, reflection, and consideration of available evidence and circumstances, we all together hereby retract all prior and current allegations against Lynn Kay which were 1st presented in support of the July 2022 Emergency Petition.

We further acknowledge that the removal of Lynn Kay as guardian was unjustified and without cause and directly fraudulently contradicted the terms and spirit of the Court's 2020 Signed Settlement Agreement and Guardianship Order.

We affirm and support the full restoration of Lynn Kay as the sole legal guardian of her mother, consistent with the original Settlement Agreement of 1/7/20 and the Court Order of 2020, and request the Court to immediately reinstate her full and sole rights and responsibilities accordingly and also holding prior Legal P.O.A. AND ADVANCE MEDICAL DIRECTIVE court appointment in 2020 which Lynn Kay surrendered Legal P.O.A. and Advance Medical Directive which was the protection for their lives and well-being for the CONSERVATORSHIP GUARDIANSHIP AGREEMENT which has failed in epic proportions.

COURT AMENDMENT FOR THE CONCEALED FROM LYNN KAY JULY 2022 COURT FILED EMERGENCY PETITION- "ALL BEING ACKNOWLEDGED BY ALL PERSONS SIGNATURE TO STATE THESE WERE ALL FALSE AND MISLEADING ALLEGATIONS AGAINST LYNN KAY WITH NO FACTUAL DOCUMENTS OF THESE ALLEGATIONS EVER EVEN BEING TRUE AND THE EMERGENCY PETITION AND HEARING WERE ENTIRELY CONCEALED FROM LYNN KAY".

THIS COURT AMENDMENT PRESENTED NOW BEING SIGNED FOR ENTIRELY PROPERLY RETRACTING ALL OF THE JULY 2022 COURT FILINGS AS ALL SIGNERS ARE ACKNOWLEDGING AS BEING "FALSE AND MISLEADING AND BEING OF NO MERIT".

AS SIGNERS RECOGNIZING THIS FAULT WAS AS EVIDENCED ENTIRELY CAUSED BY GROSS FIDUCIARY CARE MANAGEMENT NEGLIGENCE IN FAILING TO PROVIDE PROPER CARE TO ELAINE MAE KAPUSTA AS LYNN KAY HAD "MEDICALLY PROPERLY REQUESTED FOR THE CARE MANAGER TO DO SINCE JUNE 2022" AND WAS IGNORED CAUSING HORRENDOUS HARM TO ELAINE MAE KAPUSTA AND TO LYNN KAY FOR 3 CONTINUAL YEARS AS A DIRECT RESULT OF CARE MANAGER AND ALL FIDUCIARIES NEGLIGENCE AND NEGLIGENCE.

THEREFORE, WE ARE JUDICIOUSLY PROPERLY SEEKING THE IMMEDIATE RIGHTFUL RESTORATION OF LYNN KAY AS ONCE AGAIN HOLDING THE RIGHTFUL FULL AND SOLE GUARDIANSHIP OF HER MOM WHICH WAS WRONGLY TERMINATED ON 7/8/22 "WITH NO JUST CAUSE" AND WAS AS EVIDENCED WAS CAUSED BY GROSS FIDUCIARY CARE MANAGEMENT NEGLIGENCE FAILING TO PROVIDE PROPER CARE TO ELAINE MAE KAPUSTA AS LYNN HAD "MEDICALLY PROPERLY REQUESTED THE CARE MANAGER TO DO AND WAS IGNORED CAUSING HORRENDOUS HARM TO ELAINE MAE KAPUSTA.

LYNN KAY IS TO NOW RESUME PRIOR PROTECTIVE POSITION OF FULL AND SOLE GUARDIANSHIP WITH NO CONSERVATORSHIP-(LYNN KAY SOLELY HOLDING DURABLE POWER OF ATTORNEY FOR THEIR PROTECTION OF THEIR LIVES, THEIR HOME AND "THE ESTATE". ALL THAT WERE THREATENED AND DESTROYED FOR 5 UNCEASING YEARS OF WRONGS DONE BY FIDUCIARIES AND BY PHILIP KAPUSTA.

ONLY LYNN KAY HAD PREVIOUSLY SOLELY HELD FULL LEGAL P.O.A. AND FULL AND SOLE ADVANCE MEDICAL DIRECTIVE HELD PREVIOUSLY ONLY BY LYNN KAY-(2013-2020) PRIOR TO THE 2020 NOW BREACHED GUARDIANSHIP AGREEMENT WHICH WAS WRONGLY TERMINATED ON 7/8/22 "WITH THERE BEING NO JUST CAUSE" THEREBY "MATERIALLY BREACHING THE ENTIRE COURT-ORDERED GUARDIANSHIP AGREEMENT" FOR LYNN KAY NOW RIGHTFULLY BEING COURT REAPPOINTED FOR HER BEING AUTOMATICALLY AND IMMEDIATELY BEING FULLY RESTORED TO HER PREVIOUS COURT-ORDERED POSITION HELD FROM 2013-2020.

This Court-filed Amendment and Retraction is filed in the interest of justice, truth, and to correct the public and legal record, and we hereby consent to its full inclusion in the case file.

ALL FIDUCIARIES AND PHILIP KAPUSTA ALL COLLECTIVELY COMMITTING AND OR SUPPORTING AND OR CONCEALING FOR 3 YEARS-FRAUD UPON THE COURT AND MALICIOUS PROSECUTION WITH THREATS TO BOTH ELAINE MAE KAPUSTA AND LYNN KAY'S LIFE AND HEALTH AND HOME AND THEIR WELL-BEING-(2022-2025)

PRESENTED NOW BEING ENTIRELY PROPERLY FOR THE EMERGENCY PETITION-7/5/22 BEING FULLY ENTIRELY RETRACTED AS BEING ACKNOWLEDGED AS BEING "ENTIRELY FALSE AND MISLEADING AND BASELESS ALLEGATIONS AGAINST LYNN KAY"

AND SEEKING THE IMMEDIATE RIGHTFUL RESTORATION OF LYNN KAY AS ONCE AGAIN HOLDING THE RIGHTFUL FULL AND SOLE GUARDIANSHIP, ALONG WITH DURABLE POWER OF ATTORNEY WITH FULL AND SOLE LEGAL P.O.A. AND ADVANCE MEDICAL DIRECTIVE DUE TO THE 2020 COURT-ORDERED AGREEMENTS BEING ENTIRELY BREACHED IN ALL WAYS SINCE 2020 FOR NOW BEING DECLARED THE IMMEDIATE DISSOLUTION OF CONSERVATORSHIP.

THE ENTIRE 2020 GUARDIANSHIP AGREEMENT UNDER CONSERVATORSHIP BEING WRONGLY PERMANENTLY TERMINATED ON 7/8/22 "WITH NO JUST CAUSE"

ALL OF THE FOLLOWING PERSONS WHO ARE NOW SIGNING THIS COURT AMENDMENT WERE INVOLVED IN JULY 2022 IN THIS FILING OF "AN ENTIRELY NOW PROVEN BASELESS AND MERITLESS FRAUDULENTLY FILED EMERGENCY PETITION" AND ALL NAMED BELOW PERSONS COLLECTFUL "WRONGFUL ACTIONS TAKEN FOR THE LYNN KAY PERMANENT GUARDIANSHIP TERMINATION IN JUNE AND JULY 2022 TO PRESENT DAY"

ALL BELOW NAMED PERSONS ARE ALL COLLECTIVELY NOW HEREBY ACKNOWLEDGING THESE WRONGFUL ACTIONS WHICH WERE TAKEN AGAINST LYNN KAY FOR 3 YEARS OF LYNN KAY GUARDIANSHIP TERMINATION.

THIS COURT AMENDMENT REGARDING THE CONCEALED FROM LYNN KAY JULY 2022 COURT FILINGS "ALL NOW BEING FOUND TO BE ENTIRELY FALSE AND MISLEADING ALLEGATIONS AGAINST LYNN KAY" WITH NO FACTUAL DOCUMENTS OF THESE ALLEGATIONS EVEN EVER BEING TRUE AND THE EMERGENCY PETITION AND THE HEARING WAS ENTIRELY CONCEALED FROM LYNN KAY" WITH HER NEVER BEING PROPERLY SERVED OR NOTIFIED.

WE, ARE IN PROPERLY SIGNING THIS COURT AMENDMENT FOR THE IMMEDIATE FULL AND PERMANENT DISSOLUTION OF THIS PRESENT CONSERVATORSHIP/GUARDIANSHIP OF 2023 DUE TO ALL OF OUR WRONGFUL ACTIONS COLLECTIVELY TAKEN AGAINST LYNN KAY AND ELAINE MAE KAPUSTA FOR 3 YEARS FOR OUR COLLECTIVE WRONGFUL ACTIONS:

(Filed in Support of Demand Letter) and the CUCINELLI GEIGER NOTARIZED AFFIDAVIT OF ADMITTANCE OF GROSS MALFEASANCE-(2022-2025)

3 YEARS OF OUR DESTROYED LIVES

LYNN KAY IS NOW RIGHTFULLY SEEKING RIGHTFUL FULL AND SOLE GUARDIANSHIP RESTORATION WITH FULL AND PERMANENT DISSOLUTION OF CONSERVATORSHIP BASED ON 3 YEARS OF CONCEALED FRAUD UPON THE COURT WITH MALICIOUS PROSECUTION WITH UNCEASINGLY 3 YEARS OF THREATS AND HARRASSMENTS BY ALL FIDUCIARIES AND BY PHILIP KAPUSTA SUPPORTING ALL OF THESE THREATS TO OUR LIVES AND OUR WELL-BEING!

LYNN KAY RIGHTFULLY SEEKING HOLDING RIGHTFUL FULL CONTROL FOR THE PROTECTION OF OUR LIVES AND ONCE AGAIN HOLDING GUARDIANSHIP OF ELAINE MAE KAPUSTA WITH FULL AND SOLE DURABLE POWER OF ATTORNEY- WITH LEGAL P.O.A. AND ADVANCE MEDICAL DIRECTIVE FOR THE RIGHTFUL PROTECTION OF BOTH ELAINE MAE KAPUSTA, LYNN KAY AND "THE ESTATE"

THIS NOW COURT FILED RETRACTION IN A COURT FILED AMENDMENT HAS BEEN FILED FOR RETRACTING ALL DEFAMATORY AND FALSE STATEMENTS MADE IN ALL 2022-2025 COURT FILINGS AND HAS BEEN AGREED TO AND SIGNED BY ALL INVOLVED NAMED PARTIES THAT ARE HEREBY ALL COLLECTIVELY RETRACTING 2022-2025 COURT FILINGS AND ALL PREVIOUSLY SUPPORTIVE COURT FILINGS-(2022-2025) AS ALL BEING BASELESS AND MERITLESS AS ALL STATEMENTS IN ALL COURT FILINGS HAVE ALSO ALL COLLECTIVELY BEEN "FALSE AND MISLEADING WITH THE KNOWING CONCEALMENTS OF ALL MATERIAL FACTUAL INFORMATION SINCE JULY 2022".

THESE RETRACTIONS OF ALL STATEMENTS MADE AGAINST LYNN KAY ARE NOW ALL SIGNED PERSONS BEING NOW PROPERLY ACKNOWLEDGING THIS FOR IMMEDIATELY LYNN KAY'S REAPPOINTMENT FOR THE FULL AND SOLE RIGHTFUL GUARDIANSHIP AND FOR PROTECTION WITH THE COURT ORDERED APPOINTMENT FOR LYNN KAY TO ONCE AGAIN NOW HOLD FULL AND SOLE DURABLE POWER OF ATTORNEY WITH ADVANCE MEDICAL DIRECTIVE AND LEGAL P.O.A. PROTECTION HELD PRIOR TO CONSERVATORSHIP FOR ELAINE MAE KAPUSTA'S AND LYNN KAY'S PROTECTION FROM ALL FURTHER HARM.

RESTORATION OF LYNN KAY FOR HER MOTHER AS PER THE 2020 COURT ORDER WHICH HAS BEEN WRONGLY BREACHED BY THE WRONGFUL AND UNJUSTIFIED REMOVAL OF LYNN KAY WITH THERE BEING ABSOLUTELY NO JUST CAUSE TO HAVE EVER DONE SO.

AS ALL ALLEGATIONS WERE FILED BASED ON OPINION AND ABSOLUTELY "NO MATERIAL FACTS OF PROOF OF THESE WRONGFULLY STATED MISLEADING AND VERIFIABLY FALSE AND WRONGLY CONCEALED ALLEGATIONS AGAINST LYNN KAY".

For three unbearable years, of gross injustice, Elaine Mae Kapusta and Lynn Kay- an innocent mother and an innocent daughter have been forced to beg for their lives to be restored and have received no help from anyone, not even the authorities who are supposed to "SERVE AND PROTECT".

Elaine Mae Kapusta and Lynn Kay have endured the unimaginable horrors causing irreparable physical and financial and psychological harm from relentless threats to their safety, and with Elaine's profound medical neglect and abuse and abandonment and imprisonment against her will and against the best interests of Elaine Mae Kapusta—while all fiduciaries who were entrusted with care instead weaponized their positions, concealed material facts for years, suppressed court-ordered access and subjected an innocent mother and daughter simply begging for dental and medical care for Elaine to not suffer unceasing and ongoing trauma, criminally separated from each other more than 2 years ago on 6/6/23 after 17 years of documented devoted and sacrificial care solely by Lynn Kay for her mom.

And this "traumatic and illegal abduction and kidnapping by force" was by all fiduciaries supporting George W. Dodge's and all fiduciaries to attempt to conceal their "ongoing elder cruelty crimes".

This occurred "without their being any legal justification" in being forcefully removed by "private armed guards with guns" by a "traumatically forced criminal abduction and kidnapping" for all 2023 fiduciaries and Philip Kapusta supporting this "criminal abduction to conceal criminal elder neglect for 8 months" on 6/6/23.

"Elaine Mae Kapusta was Criminally and Illegally by force with no legal just cause, abducted and kidnapped" from ELAINE MAE KAPUSTA'S home of 45 years by George W. Dodge and Jeanne Blue and Rachelle Dornan and Dr. Alan Dappen and Dr. Doki all collectively refusing to provide basic DOCTOR-ORDERED dental and medical care for 8 months-(9/20/22 which did not occur for 681-883 days later on 8/1/24 in

collectively all "FIDUCIARIES AS MANDATED REPORTERS SIMPLY DID NOT CARE ABOUT THE LIFE AND HEALTH AND WELL-BEING OF ELAINE MAE KAPUSTA," in their all collectively inhumanely for now defying 7 doctors orders instructing to provide care since 2021-2024.

This 3 YEARS LYNN KAY GUARDIANSHIP TERMINATION AND DAMAGES TO LIFE AND HEALTH AND WELL-BEING all stemming from knowingly false allegations of June 30, 2022 and a concealed Emergency Petition on July 5, 2022.

These fiduciaries continued fraud and the complete disregard for humanity by not ever as fiduciaries assuring and providing doctor-ordered medical needs, and the absolute failure to act in good faith now demands not only the immediate full and permanent dissolution of conservatorship, but also the immediate freezing of the conservator's bond for all civil damages sustained by both Elaine Mae Kapusta and Lynn Kay wronged for 5 unending years since the 2020 Conservatorship disastrously began."

WE, CARY CUCINELLI AND VALERIE GEIGER, AND ALL OTHER SIGNERS AS PARTIES INVOLVED ARE HEREBY PROPERLY FILING AN AMENDED COURT FILING-COURT AMENDMENT FOR JUDICIOUSLY PROPERLY WITHDRAWING ALL ALLEGATIONS AGAINST LYNN KAY. SHE HAS PROVIDED US WITH THE VERIFIABLE INFORMATION FOR THIS RETRACTION OF "ALL FALSE AND MISLEADING ALLEGATIONS WHICH WERE ASSUMED AND WRONGFULLY NEVER EVER VERIFIED AS BEING TRUE", AS ALL ALLEGATIONS AGAINST LYNN KAY ARE DOCUMENTEDLY VERIFIABLY FALSE AND MISLEADING WITH ABSOLUTELY NO MERIT TO ANY OF THESE "FALSE AND MISLEADING ALLEGATIONS AGAINST LYNN KAY."

WE NOW HEREBY REQUEST THAT ALL OF THE JULY 2022-2025 COURT FILINGS AND COURT JUDGMENTS ALL BE ENTIRELY WITHDRAWN AND ENTIRELY VACATED AND OVERTURNED FOR ALL JUDGMENTS TO ALL BE ENTIRELY EXPUNGED FROM THE COURT RECORDS AND TO IMMEDIATELY TODAY RESTORE LYNN KAY TO FULL AND SOLE GUARDIANSHIP WITH ONLY LYNN KAY ONCE AGAIN HOLDING LEGAL P.O.A. AND ADVANCE MEDICAL DIRECTIVE FOR ELAINE MAE KAPUSTA AS WAS PREVIOUSLY SURRENDERED BY LYNN KAY FOR THE 2020 GUARDIANSHIP AGREEMENT FOR ELAINE MAE KAPUSTA NOW HAVING BEEN BREACHED DUE TO ALL OF OUR WRONGFUL ACTIONS.

IT HAS NOW BEEN ENTIRELY DETERMINED THAT LYNN KAY NEVER SHOULD HAVE EVER BEEN TROUBLED FOR THE LAST 3 YEARS BY OUR "UNWARRANTED EMERGENCY PETITION" COURT FILING AND WE TAKE FULL RESPONSIBILITY FOR OUR ACTIONS CAUSING "HORRENDOUS HARM CAUSED DIRECTLY BY ALL OF OUR WRONGFUL ACTIONS FOR ALMOST 3 YEARS SINCE JULY 2022.

AND WE HEREBY ALL AS CURRENT SIGNING FIDUCIARIES NOW HEREBY ALL IMMEDIATELY RESIGN AS CONSERVATORS AND FIDUCIARIES OF ELAINE MAE KAPUSTA DUE TO THE OUTLINED NOTARIZED AFFIDAVIT OF ADMISSION OF GROSS MALFEASANCE-(2020-2025) CAUSING TREMENDOUS HORRIFIC LIFE-ALTERING HARM TO BOTH ELAINE MAE KAPUSTA AND LYNN KAY AND TO "THE ESTATE OF ELAINE MAE KAPUSTA SINCE 2020-2025."

IN ADDITION, THE JULY 2022 EMERGENCY PETITION FALSE ALLEGATIONS WAS FURTHER NOT DISCOVERED BECAUSE WE TOOK THE WRONGFUL ACTION IN TERMINATING THE MYCHART ACCESS TO LYNN KAY FOR 4 MONTHS AGAINST THE 7/8/22 COURT ORDER AND WE REGRET TAKING THIS ACTION IN "CONCEALING ALL OF THE MEDICAL RECORDS FROM LYNN KAY AS SHE HAD THIS COURT-ORDERED RIGHT TO HAVE ACCESS TO ALL OF HER MOM'S MEDICAL RECORDS AND HEALTH INFORMATION AS PER THE 7/8/22 COURT ORDER AND ACCORDING TO THE 2020 COURT ORDER WHICH WAS MATERIALLY BREACHED ON 7/8/22 WITH NO JUST CAUSE FOR THE GUARDIANSHIP AGREEMENT CONTRACT BREACH.

The 7/8/22 Emergency Petition was never served to Lynn Kay and Cary Cucinelli and Valerie Geiger were informed on both 7/7/22 and 7/8/22 by multiple emails from Lynn Kay that care manager neglect was occurring since May 2022 and this was wrongly entirely disregarded and never reported to any of the authorities or to the Court as all fiduciaries are "MANDATED REPORTERS"-VIRGINIA CRIMINAL LAW 63.2-1606.

The Emergency Petition was never served to Lynn Kay, further raising concerns about procedural fairness and transparency.

And Cary Cucinelli and Valerie Geiger were email informed on both 7/7/22 and 7/8/22 that care manager neglect was occurring since May 2022 and we wrongly disregarded this entirely.

ALL OF THE FOLLOWING PERSONS WERE ALL DIRECTLY INVOLVED IN JULY 2022 IN THIS FILING OF "AN UNWARRANTED AND BASELESS AND MERITLESS EMERGENCY PETITION" AND ALL OF THE WRONGFUL ACTIONS TAKEN FOR THE LYNN KAY WRONGFUL GUARDIANSHIP TERMINATION REMOVAL FOR ALL PERSONS TO NOW BE REQUIRED TO SIGN THIS COURT AMENDMENT FOR RETRACTIINS OF ALL 2022-2025 COURT JUDGMENTS BEING OVERTURNED AND VACATED AND EXPUNGED FROM THE COURT RECORDS ENTIRELY.

ALL NAMED PERSONS ARE ALL HEREBY ACKNOWLEDGING THIS WRONGFUL LYNN KAY GUARDIANSHIP TERMINATION IN PROPERLY SIGNING THIS COURT AMENDMENT :

CARY CUCINELLI & VALERIE GEIGER-(CONSERVATORS) AND
ELIZABETH WILDHACK-(G.A.L.) AND LAURIE KIRKLAND-(MOM'S LAWYER) AND
PHILIP KAPUSTA-(SON)
AND JUSTIN BERGER-(HALE BALL LAWYER OF PHILIP KAPUSTA) AND
LIZ SHIFFLETT AND SUZANNE HANAS-(PREMIER PLANNING)

This COURT AMENDMENT does not waive Lynn Kay's or Elaine Mae Kapusta's legal right to pursue civil actions for legal misconduct for fraud upon the court, and malicious prosecution with threats to our lives and defamation, violation of rights, breach of contract by all named persons, etc., including damages for the harm caused by these knowingly false and uncorrected statements.

Virginia, legal misconduct, such as failing to be forthright or filing false allegations that taints the judicial process, can be declared fraud upon the court under Virginia Code § 8.01-428(D). This voids all affected judgments, even if the misconduct occurred nearly three years ago, as there is no strict statute of limitations for such claims.

IN ADDITION, THE JULY 2022 EMERGENCY PETITION WAS FURTHER CONCEALED AND NOT DISCOVERED BY LYNN KAY BECAUSE OF THE WRONGFUL ACTION IN FAILING TO PROVIDE THIS TO LYNN KAY AND IN THE TERMINATING OF THE MYCHART ACCESS TO LYNN KAY FOR 4 MONTHS AGAINST THE 7/8/22 COURT ORDER AND WE AS THE RESPONSIBLE PARTIES REGRET TAKING THIS ACTION IN "CONCEALING ALL OF THE MEDICAL RECORDS FROM LYNN KAY AS SHE HAD THIS COURT-ORDERED RIGHT TO HAVE ACCESS TO ALL OF HER MOM'S MEDICAL RECORDS AND HEALTH INFORMATION AS PER THE 7/8/22 COURT ORDER AND ACCORDING TO THE 2020 COURT ORDER WHICH WAS MATERIALLY BREACHED BY ALL OF US BY OUR WRONGFUL ACTIONS TAKEN IN JULY 2022 AND ON 7/8/22 WITH THERE BEING ABSOLUTELY NO JUST CAUSE FOR THE BREACH OR THE TERMINATION OF LYNN KAY AS DEVOTED DAUGHTER AND GUARDIAN FOR HER MOM-(ELAINE MAE KAPUSTA) SINCE 2006 AND WE REGRET THIS OCCURRING 3 YEARS AGO.

ALL OF THE FOLLOWING PERSONS WHO ARE SIGNING WERE INVOLVED IN JULY 2022 IN SUPPORTING THIS FILING OF AN ENTIRELY UNWARRANTED AND BASELESS AND MERITLESS EMERGENCY PETITION WITHOUT ANY OF THEM EVER DOING ANY DUE DILIGENCE PRIOR TO FILINGS AND ALL OF THE WRONGFUL ACTIONS TAKEN FOR THE LYNN KAY GUARDIANSHIP WRONGFUL TERMINATION AND HER PERMANENT REMOVAL-FOR ALL PERSONS RESPONSIBLE TO NOW BE REQUIRED TO SIGN THE ATTACHED PROVIDED COURT AMENDMENT.

WE, AS BEING CURRENT FIDUCIARIES OF ELAINE MAE KAPUSTA ARE HEREBY RESIGNING DUE TO THE ATTACHED DETAILED OUTLINED NOTARIZED AFFIDAVIT OF ADMISSION OF GROSS MALFEASANCE -(2020-2025) DETAILING ALL OF OUR COLLECTIVELY UNJUSTLY CAUSING TREMENDOUS HORRIFIC LIFE-ALTERING HARM TO BOTH ELAINE MAE KAPUSTA AND LYNN KAY AND TO "THE ESTATE OF ELAINE MAE KAPUSTA" BREACHING OUR FIDUCIARY DUTY OF CARE AND BREACHING THE SIGNED 2020 GUARDIANSHIP SETTLEMENT AGREEMENT OF LYNN KAY.

WE ALL ACKNOWLEDGE THAT ALL OF THE FOLLOWING PERSONS WHO ARE SIGNING WERE INVOLVED IN JULY 2022 IN SUPPORTING THIS FILING OF AN ENTIRELY UNWARRANTED AND BASELESS AND MERITLESS EMERGENCY PETITION WITHOUT ANY OF THEM EVER DOING ANY DUE DILIGENCE PRIOR TO FILINGS AND ALL OF THE WRONGFUL ACTIONS TAKEN FOR THE LYNN KAY GUARDIANSHIP WRONGFUL TERMINATION AND HER PERMANENT REMOVAL-FOR ALL PERSONS RESPONSIBLE TO NOW BE REQUIRED TO SIGN THE ATTACHED PROVIDED COURT AMENDMENT :

WE, CARY CUCINELLI AND VALERIE GEIGER, AND ALL OTHER BELOW SIGNERS AS PARTIES INVOLVED ARE HEREBY PROPERLY FILING AN AMENDED COURT FILING-COURT AMENDMENT FOR JUDICIOUSLY PROPERLY WITHDRAWING ALL ALLEGATIONS AGAINST LYNN KAY. SHE HAS PROVIDED US THE VERIFIABLE INFORMATION FOR THIS RETRACTION OF "ALL FALSE AND MISLEADING ALLEGATIONS WHICH WERE ASSUMED AND WRONGFULLY NEVER EVER VERIFIED AS BEING TRUE", AS ALL ALLEGATIONS AGAINST LYNN KAY ARE DOCUMENTEDLY VERIFIABLY FALSE AND MISLEADING WITH THERE BEING ABSOLUTELY NO MERIT TO ANY OF THESE "FALSE AND MISLEADING ALLEGATIONS AGAINST LYNN KAY"

Furthermore, we acknowledge that the signing of this Court Amendment does not absolve any of us , we are acknowledging being responsible for damages and the signing also does not waive Lynn Kay's right, in any way, to pursue civil actions against all named responsible parties for legal misconduct for fraud upon the court, and malicious prosecution with threats to our lives and defamation, violation of rights, etc. . including damages for the harm caused by these knowingly false and uncorrected statements for 3 years of Elaine Mae Kapusta and Lynn Kay "horrendously suffering for 3 years of tremendous loss".

In Virginia, legal misconduct, such as failing to be forthright or filing false allegations that taints the judicial process, can be declared as fraud upon the court under Virginia Code § 8.01-428(D). This voids all affected judgments, even if the misconduct occurred nearly three years ago, as there is no strict statute of limitations for such claims.

CARY CUCINELLI AND VALERIE GEIGER WHO FILED THE FRAUDULENT EMERGENCY PETITION COURT FILING ON 7/5/22 IS NOW FULLY RESPONSIBLE FOR ASSURING THAT ALL SIGNATURES ARE ON THIS COURT AMENDMENT TO ALL BE RECEIVED AND COMPLETED WITH THE FILING OF THIS AMENDMENT ON OR BY 6/16/25 FOR CARY CUCINELLI FILING THIS SIGNED BY ALL PARTIES COURT AMENDMENT

[Signatures of all involved parties]

Cary Cucinelli

Valerie Geiger

Elizabeth Wildhack

Laurie Kirkland

Philip Kapusta

Justin Berger

Liz Shifflett

Suzanne Hanas

LYNN KAY STATEMENT:

THIS CRIMINAL TAKEOVER OF OUR LIVES BEGAN MALFEASANCE IN 2020.

3 YEARS OF CONCEALMENTS, 3 YEARS OF PHYSICAL, WRITTEN AND VERBAL THREATS AND UNCEASING HARRASSMENTS TO OUR LIVES, 3 YEARS OF "LYNN KAY" BEING CONDEMNED FOR 3 UNCEASING YEARS OF BEING "MEDICALLY ASTUTE TO KNOW EVERYTHING HER MOM NEEDED TO SAVE HER LLIFE, 3 YEARS OF CONDEMNATION AND 3 YEARS OF MY DESTROYED NAME AND CHARACTER AND 3 YEARS OF MY MOM AND I TORTUROUSLY SUFFERING BECAUSE "CRIMINALLY CORRUPT AND INHUMANE FIDUCIARIES WERE APPOINTED TO BE FIDUCIARIES IN 2020".

2 YEARS OF OUR "ILLEGAL SEPARATION" WITH NOW 19 YEARS OF MY SACRIFICING MY LIFE FOR MY MOM'S SINCE 2006.

3 YEARS OF OUR LIVES ENTIRELY STOLEN AWAY FROM US!

TIME IS NOT REPLACEABLE!

CONCEALED 7/5/22 EMERGENCY PETITION AND CONCEALED "6/30/22-CARE MANAGER REPORT OF LIES" FOR 3 YEARS OF MY MOM AND I FIGHTING FOR OUR LIVES WITH NO PROTECTION FROM ANYONE.

MY MOM AND I NOW SEEK THE IMMEDIATE FREEZING OF THE CONSERVATORS BOND FOR THE HORRENDOUS PHYSICAL, FINANCIAL AND PSYCHOLOGICAL DAMAGES THAT WE HAVE BOTH "PROFOUNDLY SUFFERED" BEING DIRECTLY CAUSED UNDER THIS PREDATORY CONSERVATORSHIP SINCE 2020.

EVEN THOUGH THE 2023 COURT ORDER WRONGLY ALLOWED MY MOM TO BE INVOLUNTARILY REMOVED AGAINST HER WILL FROM HER HOME, THERE WAS ABSOLUTELY NO LEGAL JUSTIFICATION TO EVER DO SO. AND IF THE REMOVAL WAS EVER PROPERLY CHALLENGED BY THE FIDUCIARIES DOING THEIR COURT-APPOINTED MANDATED REPORTERS AS FIDUCIARIES DUTY TO PROTECT ELAINE MAE KAPUSTA FROM CRIMINAL ELDER NEGLECT AND ABUSE HAD EVER DONE THEIR COURT-APPOINTED DUTY, THIS NEVER WOULD HAVE EVER HAPPENED.

CONCEALING ELDER NEGLECT IS "NOT A LEGAL JUSTIFICATION FOR AN ARMED ABDUCTION AND KIDNAPPING AND ABANDONMENT AND IMPRISONMENT AGAINST ELAINE MAE KAPUSTA'S WILL AND BEST INTERESTS".

AND LYNN KAY WILL ALSO BE SEEKING CRIMINAL AIDING AND ABETTING ELDER CRUELTY CRIMES AND KIDNAPPING CHARGES AGAINST ALL RESPONSIBLE PERSONS FOR THIS GRAVE INJUSTICE TO THE LIFE OF ELAINE MAE KAPUSTA.

THE COLOSSAL FAILURE OF ALL FIDUCIARIES AND THE FRAUD CONSPIRED AND PERPETRATED BY UMPTEEN FIDUCIARIES AND PHILIP KAPUSTA ALSO AIDING AND ABETTING IS BEYOND SHOCKING!

TIME AND HEALTH CANNOT BE RECOVERED ONCE DESTROYED!

MY MOM AND I WANT OUR LIVES BACK!



LYNN KAY

Date: 6/8/25

NOTICE OF SERVICE:

ALL NAMED PERSONS WERE EMAILED THIS COURT AMENDMENT FOR THEIR SIGNATURES ON 6/9/25

CARY CUCINELLI AND VALERIE GEIGER WHO FILED THE FRAUDULENT EMERGENCY PETITION IS NOW RESPONSIBLE FOR ASSURING THAT THAT ALL SIGNATURES ON THIS COURT AMENDMENT ARE RECEIVED BY 6/16/25 FOR CARY CUCINELLI FILING THIS SIGNED BY ALL PARTIES COURT AMENDMENT.

6/9/25-UPDATED WITH SPELLING AND DATE CORRECTIONS AND ADDED PAGE NUMBERS AND EMAILED TO ALL NAMED PERSONS ON 6/9/25



LYNN KAY

**EXHIBIT C: CRIMINAL FRAUD
UPON THE COURT- CRIMINAL
MALICIOUS PROSECUTION WITH
THREATS- (CRIMINAL
ABDUCTION-VIOLATION OF
RIGHTS)-DEFAMATION: TEXTS
AND EMAILS TO
FIDUCIARIES-MAY -OCTOBER
2022**

ATTACHMENTS:

THE-FIRED-ONES-TEXTS-MAY-JUNE-2022.pdf

7-7-22-7-8-22-THE LIES OF CARY CUCINELLI.pdf

7-7-22-7-8-22-CUCINELLI CORRUPTION.pdf

3044	Me	AM GOING TO TRY GETTING HER IN THE WALK-IN SHOWER, BUT SHE IS IN A LOT OF PAIN AND I AM MOVING HER IN THE SIT DOLLY THING UPSTAIRS. GOING TO STAY UPSTAIRS.
3045	Me	PURCHASED YEARS AGO. WORKING WELL. NEEDS TO HAVE NO WEIGHT ON HER KNEE RIGHT NOW Medline Premium Empower Rollator Walker with Seat, Comfort Handles and Thick Br
3046	Me	GOING TO DO PROP TIME IN BED WATCHING TV TO SEE IF THAT HELPS HER FEEL BETTER. WILL KEEP YOU UPDATED. BUT BEST, I THINK, WILL BE TO CANCEL MAMMO TOMORROW. D
3047	Me	YOU CAN STOP BY TOMORROW AT 1:30/2 PM TO DO B.P. & LUNGS & 02 WOULD BE GOOD UPSTAIRS TOMORROW.
3048	Me	PLEASE ORDER THIS. IT LOOKS LIKE I COULD SLIP IT ON HER EVERY MORNING WHILE SHE IS ON THE TOILET TO SEE IF IT HELPS, TOO. https://knee.getcompressa.com/blog/c
3049	Me	TOMORROW, METROPROLOL AND BUY A BOTTLE OF ZINC VITAMINS, TOO.
3050	Me	PLEASE ALSO HIRE SOMEONE TO HELP ME ENCOURAGE MOM TO GET HER WEEKLY WASH IN THE SHOWER EACH WEEK AND ALSO CAN HAVE THAT PERSON TO WASH HER HAIR ONCE FOR A HAIR APPT ANYMORE. TODAY, SHE REFUSED TO ALLOW ME TO UNTIL SHE FINALLY GIVES IN. IT TOOK 1 HR WAITING TO DO IT TODAY. ALL SHE GOT WAS 1/2 OF A SPONGE BAT
3051	Me	THE WALK-IN TUB IS JUST TOO DIFFICULT FOR HER TO GET IN AND OUT OF BECAUSE OF HER KNEE PAIN AND HAVING TO PUT HER WEIGHT ON THE KNEE TO GET IN. BEST IS TO HAVI
3052	Me	IF YOU HAVEN'T CANCELLED THE MAMMO YET, DON'T. CAN YOU HELP ME WITH THE SHOWER AFTER YOU RETURN WITH MOM TOMORROW?
3053	Me	CVS JUST CALLED ME REGARDING METROPROLOL. ANY WORD FROM THE DR. YET? I JUST TRIED AND IT IS AFTER 4 PM NOW.
3054	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I left a message for the eliquis
3055	Me	METROPROLOL?
3056	Me	VIRGINIA HEART?
3057	Me	MAYBE IF YOU TAKE THE BOTTLE WITH YOU TOMORROW, CVS CAN GIVE YOU A WEEK'S SUPPLY. THEY HAVE DONE THAT BEFORE FOR ME.
3058	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I haven't call about the metoprolol. Is it ready?
3059	Me	DIDN'T YOU GET MY MULTIPLE TEXTS FROM CVS? DR ISN'T RESPONDING. IS DR. ON VACATION?
3060	Me	TEXT MSGS HAVE LOW SPACE SO NOT SURE WORKING TODAY
3061	Me	5/16/22-(MON)-11:42 AM CVS Pharmacy: Elaine, Your Dr has not responded to approve a refill for ME. **Please call your Dr. for more information.** WILL YOU BE CALLING THE DR? I HAV
3062	Me	MAMMO TOMORROW?
3063	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I only saw those for eliquis. The whole text does not come through. It just says ME
3064	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I only left a message for the eliquis. I can call again tomorrow and bring the bottle
3065	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Yes. I have her on for mammogram tomorrow
3066	Me	OK, B.P. ON BED AT 1:30 PM TOMORROW?
3067	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Yes.

5/18/22

3068	Me	OK, I WILL LEAVE GARAGE OPEN FOR YOU AND WILL HAVE MOM UPSTAIRS TO BE READY FOR YOU
3069	Me	AFTER WAITING ON PHONE 20 MIN W/ VA. HEART CONTINUOUS VOICEMAIL RECORDING TRYING TO REACH A HUMAN TO CALL IN A REFILL FOR METROPROLOL. SAID IT WAS CAED I
3070	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Ok. I also left a message this morning too. It usually takes 20-30 mins on hold
3071	Me	CALLING CVS NOW TO CHECK ON METROPROLOL RX IF THEY RECEIVED IT.
3072	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Ask about the eliquis too
3073	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I had been leaving messages about that too
3074	Me	DON'T NEED ELIQUIS OR FUROSEMIDE. CVS SAYS THEY WILL CALL VA. HEART TO CONFIRM DOSAGE CONFLICTING INSTRUCTIONS.
3075	Me	I CANCELLED BOTH FOR NOW THEY MAY BE ABLE TO GIVE YOU A 3 DAYS SUPPLY OF METROPROLOL LATER TODAY/TOMORROW
3076	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	But you need the prior authorization for the eliquis. Va heart should do them both so it is done
3077	Me	MOM SAID SHE'S NOT FEELING WELL. SHE IS UPSTAIRS ELEVATING HER FEET. HAD B'FST & PILLS. GOT B.P. STUFF UPSTAIRS TO BE REASMMDY FOR YOU AT 1:30 PM. TEXT ME AND I
3078	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I will be there on a few mins
3079	Me	OK, WE ARE UPSTAIRS. OPENING GARAGE NOW
3080	Me	LET'S TRY B.P. NEXT TIME WITH MOM SITTING INBTHE COMFY BACKED SOFA CHAIR TO SEE WHAT HER RESTING B.P. IS NEXT WEEK.
3081	Me	THIS WAS THE BEST I COULD FIND FOR MOM'S B.P.. BUT USED THE ARM CUFF THAT DOESN'T WORK ANYMORE WITH AN ERROR MSG THAT I HAVE NO IDEA WHERE THE INSTRUCTION
3082	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We have been stuck almost dead stop traffic for 20 mins on 66. accident with all sorts of ambulances and police and fire trucks passing us. I called the imaging center. They know we will
3083	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Your mom is taking it well
3084	Me	OK, HOPE IT GOES WELL WHEN YOU DO TRY TO DOVTHE MAMMO. IS SHE TALKATIVE ABOUT ALL OF THE COMMOTION HAPPENING AROUND YOU?
3085	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	A little bit.
3086	Me	ASK HER ABOUT WORKING FOR THE CIA AND GOING TO GERMANY AND SWITZERLAND TO SEE IF SHE REMEMBERS ANYTHING.
3087	Me	ABLE TO MAKE IT THERE FOR MAMMO? LET'S HOPE THEY WILL STILL ALLOW THE APPT EVEN THOUGH LATE.
3088	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Did she have breast cancer
3089	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	They are trying to decide if they can work her in since we got here an hour late

3090	Me	NO, BUT I DID AND HER SISTER DID
3091	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Ok that is what I thought
3092	Me	SHE HASN'T HAD A MAMMO FOR AT LEAST THINK5-6 YEARS. SINCE SHE REFUSED IT 3-4 YRS AGO WHEN I TRIED. GOOD LUCK!
3093	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We have to reschedule
3094	Me	YEP, I FIGURED. ARE YOU GOING TO CVS? SHOULD I CALL THEM TO SEE IF METROPROLOL IS AVAILABLE FOR PICKUP? I FORGOT TO GIVE YOU THE BOTTLE.
3095	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Can you call them to see if it is ready? They won't give me anything if there was a discrepancy with the prescription
3096	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We are in the bathroom now
3097	Me	I AM ON THE PHONE NOW WITH CVS. THEY TRIED EARLIER, BUT COULDN'T REACH THEM. THEY ARE CALLING AGAIN NOW WHILE I AM ON WITH CVS..
3098	Me	VA. HEART CLOSES AT 4 PM, SO WE WILL KNOW SOON IF THEY ARE REACHABLE TODAY.
3099	Me	CALL YOU SEE IF YOU CAN COMBINE MAMMO WITH DEXATRAN TEST FOR OSTEOPOROSIS SAME DAY WOULD BE GOOD.
3100	Me	I WOULD SAY OSTEO TEST SHOULD BE 1ST BECAUSE SHE WILL PROBABLY SHUT DOWN SAYING SHE DOESN'T WANT TO DO ANYTHING AFTER THE PAINFUL MAMMO.
3101	Me	CVS GOT THROUGH TO VA HEART. GOOD NEWS! THEY ARE TALKING NOW.
3102	Me	VA. HEART IS SENDING APPROVAL NOW TO CVS.
3103	Me	HOPING IT WILL GET SENT RIGHT AWAY. HE IS CHEKING. NOTHING YET.
3104	Me	I SPOKE WITH HAZAM, SAYS HE WILL CALL ME WHEN RX IS RECEIVED.
3105	Me	JUST HEARD FROM HAZAM AT CVS. 4:20 PM WILL BE READY. ASK FOR HAZAM.
3106	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We will back on 5 mins. I am going to drop her back first
3107	Me	WHY?
3108	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We are just in just about to turn in the neighborhood
3109	Me	THOUGHT YOU WERE GOING TO HELP ME WITH HER SITTING SHOWER WASH.
3110	Me	ARE YOU GOING TO CVS AFTER SHOWER?
3111	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Yes I would rather her home and settled before going to the pharmacy
3112	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	In case there is a wait. Scripts are never ready on time

3113	Me	OK
3114	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We are back
3115	Me	SHOULD SHE EAT DINNER WHILE YOU GO TO CVS? THEN SHOWER AFTERWARDS?
3116	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	No let's do it now
3117	Me	4:31 PM CVS Pharmacy: Elaine, Your Rx ME is available for pickup at 4709-A LEE HIGHWAY, ARLINGTON. Questions? 703-522-0011. Reply 'HELP' for help
3118	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I'm back
3119	Me	P.T.-JACK-3:30 PM-BACKYARD DECK
3120	Me	FOR THE DEXASCAN SHE DOESN'T NEED TO SWALLOW ANYTHING? DOES SHE?
3121	Me	5/27/22-DEXASCAN APPT-VA. HEART
3122	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	No nothing
3123	Me	OK, THAT'S GOOD, BECAUSE SHE WILL REFUSE.
3124	Me	WHAT TIME FOR 5/27/22-(FRI) DEXASCAN APT?
3125	Me	WHAT DAYS/TIMES FOR MAMMO & DEXASCAN APPT TIMES? EACH DAY PRIOR TO LEAVING FOR APPT PLEASE DO RELAXED SOFA SITTING B.P. CHECKS
3126	Me	NOT SURE WHAT HAPPENED TO MOM'S BLUE MASK AFTER WE TOOK IT OFF FOR HER SHOWER. SO CAN YOU PLEASE BRING ANOTHER NEW ONE FOR MOM TOMORROW AFTERNOON
3127	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Dexascan is Tuesday 5/31 at 245 MAMMO is Wednesday 6/1 at 1245 I will bring a mask today
3128	Me	5/31/22-(TUE) ?1:45-2 PM-B.P. RELAXED ON SOFA 2:45 PM-DEXASCAN APPT-VA. HEART -?HAIR APPT
3129	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Hair this friday 1230
3130	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We can try the bp relaxes today provided I get there early. I am coming from another appt and time might be right. If not, we can do Friday
3131	Me	5/27/22-(FRI)-?NOON PICKUP B.P. 12:30 PM-HAIR APPT ===== 5/31/22-(TUE)-? PM PICKUP ?1:45-2 PM-B.P. RELAXED ON SOFA 2:45 PM-DEXASCAN APPT-VA. HEART ===== 6/1/22-(WED
3132	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Be there in a few mins
3133	Me	OK, BUT MOM IS EATING LUNCH NOW
3134	Me	SOMETIME FRIDAY, PLEASE SNAP PIC OF THE BACKYARD LEANING TREE-ITS BRANCHES NEED TO BE PROFESSIONALLY TREE TRIM CHOPPED OFF ON THE BACKYARD DECK AND MA
3135	Me	BEST IF THE AID COMES ON A NON-RAINY DAY TO START GAINING MOM'S TRUST BY HELPING SWEEP THE DECK. THEN BATH AFTERWARDS. NEEDS TO BUILD UP TRUST BEFORE BAT

3136	Me	SHE LOVES ALL VARIETIES AND ALL COLORS OF FLOWERS!!!
3137	Me	IT COULD BE MORE, THIS IS JUST AN ESTIMATE BASED ON MY MEASUREMENTS BEING TOLD THEM OVER THE PHONE.
3138	Me	GOING TO HAVE THEM START IN BASEMENT KITCHENETTE AND LAUNDRY ROOM IN BASEMENT. THEN WILL DO ALL OF THE UPSTAIRS BATHROOMS. WILL SAVE THE FRONT HALLWA
3139	Me	WOULD YOU BE ABLE TO GO SHOPPING FOR CLOTHES FOR MOM AFTER HER DEXASCAN APPT? OR RESCHEDULE HAIR APPT TO 5/31/22?
3140	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	The hair lady does not work on Tuesday. So I can't do it that day
3141	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	But I could take her shopping for clothes on the 31st?
3142	Me	OK, HOW EARLY CAN YOU ARRIVE 5/31? NOON-5 PM IS A TIMEFRAME ARRIVAL. SHOULD I ASK IF THEY CAN DO AN EARLIER TIMEFRAME ON 5/31?
3143	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I need to leave your house by 5 on Monday though, so I can take her for clothes before the appt
3144	Me	MOM CAN BE KEPT AWAY FROM THEM FOR UPSTAIRS FBATHROOMS. AND IN BASEMENT, TOO, THEY CAN ENTER THROUGH BASEMENT AREA.
3145	Me	CAN YOU BE HERE AT 1 PM 5/31-TUE?
3146	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I can make 1pm work
3147	Me	5/31/22-(TUE)-8 AM-1 PM SCHEDULED STANLEY STEEMER EARLIER SO GOOD TO GO.
3148	Me	THANKS, SO GLAD THEY COULD MAKE IT EARLIER.
3149	Me	5/31-TUE, NOT MONDAY
3150	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Yes Monday is a holiday
3151	Me	1 WEEK FROM TODAY
3152	Me	PERFECT!
3153	Me	CAN I FORWARD YOU THE PERFECT-FIT ESTIMATE SO YOU CAN PRINTOUT TO BRING WITH YOU? IT IS HARD LOOKING AT A TINY SCREEN TO REVIEW EVERYTHING.
3154	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Yes
3155	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	How are you going to pay for Stanley steamer ?
3156	Me	YOU WILL NEED TO PAY VISA.
3157	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I don't have access to a visa not authorized to pay for anything that is not for healthcare. You need to call Cary about it
3158	Me	SHE NEEDS TO INCREASE THE MONTHLY VISA BY \$2,500 FOR THIS MONTH.

3159	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	You need to talk to her directly. You have her phone number and email, yes?
3160	Me	MOM'S HOME IS FALLING APART, BOTH INSIDE AND OUTSIDE NEEDING UPTEEN MULTIPLE THINGS DONE. THE CONSERVATOR NEEDS TO GET HER ACT TOGETHER. I WILL BEGIN TAKI
3161	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	They want to do a home inspection with you
3162	Me	ABSOLUTELY NOT. GET THESE THINGS DONE THAT ARE URGENT LIKE SOD AND FLOWERS AND WINDOW SHADES TO KEEP THE HOUSE COOLER AND REPLAVE THE GENERATOR. OUTS
3163	Me	5/27/22-(FRI)- ?NOON PICKUP-THUNDRTSTORM! ?12:30 PM-HAIR APPT
3164	Me	PLEASE RESCHEDULE HAIR APPT. THUNDERSTLRMS TOMORROW.
3165	Me	PLEASE CONFIRM YOU HAVE CANCELLED MOM'S HAIR APPT. FOR TODAY FORECASTING SEVERE DANGEROUS THUNDERSTORMS/ TORNADO WATCH THIS MORNING/AFTERNOON I D
3166	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Yes I canceled it
3167	Me	OK, LIKELY TO LOSE POWER TODAY. NO GENERATOR POWER STILL!!!
3168	Me	GEESH!
3169	Me	ALARMS ARE GOING CRAZY OVER HERE NOW!
3170	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Are we doing regular pick up today 2pm?
3171	Me	NOON IS BETTER. STANLEY STEEMER IS HERE NOW. GOING TO DO LOWER PORTION BASEMENT THEN UPSTAIRS WITH FRONT ENTRY AND KITCHEN LAST
3172	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Oh ok. I'm not going to be able to pay them
3173	Me	HAIR APPT TODAY?
3174	Me	NOON PICKUP TO ALLOW THEM TO WORL W/O MOM INTERFERENCE
3175	Me	PLEASE MAKE A 12:30 PM APPT FOR TODAY FOR MOM'S SHAMPOO & DEEP CONDITION & BLOW DRY PRIOR TO DEXASCAN
3176	Me	THE MCLEAN HAIR CUTRERY IS FINE. WOULD BE GOOD TO DO TODAY, INSTEAD OF CLOTGES SHOPPING.
3177	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I had planned on clothes today and hair tumors
3178	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Tomorrow
3179	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	But I had 1pm on my calendar
3180	Me	LIKELY MOST OF THE HOUSE WILL BE DONE BY NOON. LAST WILL BE THE FRONT ENTRY WITY HOSES OUT THE FRONT DOOR.
3181	Me	YOU HAD SAID NOON.

3182	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I said 1pm
3183	Me	WELL 1 PM THEY MAY BE DONE. WE'LL SEE. WILL LET YOU KNOW. PLEASE BRING MOM'S LABS & PERFECT-FIT ESTIMATE, TOO, TODAY OR TOMORROW.
3184	Me	THEY ALREADY STARTED. DIFFICULT TO COORDINATE BECAUSE THEY NEED THEIR HOSES TO CONNECT TO OUR OUTSIDE HOSE SPIGOTS.
3185	Me	YOU MAY NEED TO PICKUP MOM FROM THE BACKYARD DECK, DUE TO KITCHEN FLOOR NOT BEING FINISHED.
3186	Me	WILLET YOU KNOW. AND 2 PM MIGHT BE BETTER OK, FOR PICKUP, SINCE MOM IS GETTING HAIR DONE TODAY
3187	Me	ISN'T GETTING HAIR DONE UNTIL TOMORROW
3188	Me	MOM IS ACCEPTING ALL OF THE COMMOTION SO FAR. THEY ARE MOVING UPSTAIRS NOW TO DO ALL OF THE UPSTAIRS 3RD FLOOR BATHROOMS NOW.
3189	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Do you want me get her some new clothes? I can order Alfred Dunner pants online. I can take her to get tops or I can pick some out?
3190	Me	DON'T NEED ANY PANTS. HAS 4 GREY & 4 TAN. SHE WON'T WEAR ANY OF THE BLACK, NAVY BLUE OR WHITE SLACKS. JUST NEED LIGHT-COLORED AND THIN LONG-SLEEVES TURTLE
3191	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	What size? Medium? Or large
3192	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I can also take half of the pants this weeks and half next week to get them hemmed. I mean the pants she already has
3193	Me	LIKELY LARGE. WILL GIVE YOU THE PINK TURTLENECK TODAY FOR AA EXAMPLE. BUT SHE WILL LIKELY NEED TO TRY ON THE NEW TURTLENECKS TO BE SURE THEY FIT. DON'T THINK
3194	Me	NO NEED TO HEM ANY OF THE PANTS. SHE JUST EASILY ROLLS THEM UP. THEY DON'T INTERFERE WITH HER WALKING AT ALL.
3195	Me	FLOORS ARE LOOKING BEAUTIFUL! HOPE THE KITCHEN WILL ALSO.
3196	Me	MOM WILL BE SO HAPPY!
3197	Me	2 OF EACH LIGHT COLOR TURTLENECK THAT SHE LIKES. SHE CAN TRY ON THE LARGE OR EXTRA LARGE. SIZES THEN SHE CAN PICKOUT ALL OF THE COLORS SHE LIKES. GET 2 OF EA
3198	Me	PLEASE GET AT LEAST 7 NEW TURTLENECKS MIX OF COLORS.
3199	Me	1 PM OR SOONER WOULD BE GOOD FOR MOM PICKUP
3200	Me	1 PM PICKUO PLEASE. BECAUSE IT WILL BE REALLY HARD TO CONTAIN HER AWAY FROM THE GUYS WHEN THEY START ON THE MAIN FLOOR.
3201	Me	WILL NEED THE 1 PM PICKUP TO BE THROUGH THE BACKYARD DECK DOORS
3202	Me	SHE'S GOING TO BE REALLY HUNGRY SO MIGHT BE BEST TO WAIT TO GO CLOTHES SHOPPING UNTIL ANOTHER DAY, MAYBE. JUST COME HOME AFTER THE DEXASCAN.
3203	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I was going to do the shopping first
3204	Me	YOU LIKELY WON'T HAVE ENOUGH TIME. MOM MOVES REALLY SLOW.
3205	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I'm going to push her in the wheelchair

3206	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I'm on my over now
3207	Me	THEY ARE ENTIRELY ON THE MAIN FLOOR NOW. WE ARE BOTH IN THE LARGE FAMILY TV ROOM FOR EXITING THROUGH DOUBLE DOORS. MOM LAST PEED AT 12:30 PM.
3208	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Be there ðŸ”œ
3209	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Will come through the back
3210	Me	JUST FORWARDED THE STANLEY STEEMER BILL. PLEASE ALSO PRINTOUT STANLEY STEEMER RECEIPT, ALONG WITH THE PERFECT-FIT RECEIPT AND ALSO MOM'S LABS TO BRING W
3211	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I have her labs today
3212	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We also got 4 tops today
3213	Me	TURTLENECKS?
3214	Me	WOW! SHOCKED YOU HAD ENOUGH TIME TO MAKE IT FOR THE DEXASCAN
3215	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	No, turtle necks are not in season. We were lucky to get what we got. If wants turtle necks we will have to order them online
3216	Me	OK, DID SHE TRY THEM ON? DOES SHE LIKE THEM?
3217	Me	I PUT EVERYTHING BACK WHERE IT WAS, SO GARAGE ENTRANCE IS FINE FOR DROPOFF
3218	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Ok the way back now
3219	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We are back
3220	Me	PLEASE GET 1 LARGE TO SEE IF IT FITS MOM Amazon Hanes Womenâ€™s Perfect-T Long Sleeve T-shirt https://www.amazon.com/dp/B01121GX7W/ref=cm_sw_r_apan_i_NEVYEJHMCY
3221	Me	NOON PICKUP TOMORROW?
3222	Me	5/31/22-(TUE)-1:15-4 PM PICKUP 9 AM-2:15 PM-STANLEY STEEMER MOM BLOUSE SHOPPING 2:45 PM-DEXASCAN APPT-VA. HEART =====
3223	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Yes noon pick up
3224	Me	6/1/22-(WED)-NOON PICKUP 12:45 PM-MAMMO HAIR APPT-SHAMPOO & DEEP CONDITION
3225	Me	PLEASE CHECK ON THE LITHIUM BATTERIES & NEST PROTECTS AND ALSO THE TOILET PAPER. WHEN DID YOU ORDER EVERYTHING?
3226	Me	YOU MAY HAVE ALOT OF PROBLEMS GETTING MOM TO COOPERATE TODAY. SHE IS REALLY REALLY TIRED!
3227	Me	SHE HAD MOST OF HER BREAKFAST AND JUST PEED SO IS READY, BUT IS REALLY DRAGGING. NOT SURE YOU SHOULD PUSH HER TODAY FOR MAMMO. MAYBE JUST DO HAIR.
3228	Me	I CANNOT SEE MOM WILLINGLY COOPERATING FOR THE MAMMO FROM MY PAST EXLERIENCES WITH MOM YEARS AGO.

3229	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We will try
3230	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I'm pulling in now
3231	Me	IF IT DOESN'T ALL WORKOUT, TRY FOR HAIR ON FRIDAY OR NEXT WEEK. ARE THERE ANY JUNE APPTS SCHEDULED FOR MOM SO I CAN UPDATE MOM'S SCHEDULE.
3232	Me	6/1/22-(WED)-166/84-B.P. MOM IS EXHAUSTED AND REALLY DRAGGING! CONCERNED ALL OF THIS OUTSIDE ACTIVITY IS REALLY GETTING TO BE TOO MUCH. HOPEFULLY CAN SLOW I
3233	Me	UH OH! Car Crash Closes Multiple Lanes On I-495 In Fairfax County: Police 21 mins ago
3234	Me	Crash I-495/Beltway Outer Loop after I-66 (#49), stay alert on right side by the crash. Reported: 06/01/2022 at 11:52am Updated: 06/01/2022 at 12:35pm
3235	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We took back roads. Waze routed us around the accident
3236	Me	OK, THAT'S GOOD. HAVE NEVER USED WAZE.
3237	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We are waiting to be seen. She perked up and doing well. Will assess how she is doing when are done to see about if hair is a good idea or not today
3238	Me	PLEASE KEEP ME INFORMED IF SHE COOPERATES WITH MAMMO.
3239	Me	WHEN IS DEXASCAN RESULTS RETURNED?
3240	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	48 hours
3241	Me	OK, WILL THEY CALL DR LESSIN TOMORROW?
3242	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	It gets sent directly to him
3243	Me	ON THE PHONE WITH VA HEART NOW ABOUT ELIQUIS
3244	Me	5/26/22: 2:01 PM: CVS Pharmacy: Elaine, Insurance approval for your Rx ELI has not been received. Please call your Dr. for more information. Reply HELP for help ===== 2:06 PM: Your Rx
3245	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We got a limited MAMMO done
3246	Me	WHAT DOES THAT MEAN? LIMITED?
3247	Me	SHE DIDN'T COOPERATE?
3248	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	They could not get all of the images, but they got enough for an exam
3249	Me	3D MAMMO?
3250	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Where was the last one done so they can compare
3251	BHIFFLET T ELIZA- (MOM'S N.	Tyson's location of what?

	N. C. -N. T. B. T.)	
3252	Me	OK, NO IDEA, BECAUSE IT NEVER HAPPENED YEARS AGO.
3253	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Oh they did not get any images ?
3254	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	And she never had one before anywhere?
3255	Me	IF WAS DONE PRIOR TO 2018, I AM NOT AWARE. DR.LESSIN MAY KNOW.
3256	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Oh ok thanks
3257	Me	LEESBURG PIKE WAS IN 2018/ 2019, I THINK.BDR. LESSIN ORDERED IT OR HER GYNO.
3258	Me	I WILL SEARCH TO TRY TO FIND MORE INFO ON MY PHONE
3259	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	But no images were taken, right?
3260	Me	MOM REFUSED THE MAMMO WITH ME. NOT SURE WHEN ANYMORE
3261	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Ok
3262	Me	CALLING DR. LESSIN TO SEE IF THEY HAVE ANY MAMMO. I ASSUME IT WAS LESSIN WHO GAVE ME THE MAMMO ORDER FOR MOM YEARS AGO.
3263	Me	RESCHEDULE: 1/8/19-(TUE)-2:15 PM-MOM'S MAMMOGRAM-(IMPLANTS) LAST MAMMOGRAM 1/7/15
3264	Me	STILL ON HOLD FOR LESSIN. WILL CONFIRM IF LAST WAS IN 2015
3265	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	If is ok. This mammogram was ok from why they saw
3266	Me	DR. LESSIN FILE SAYS THEY DON'T SHOW WHEN HER LAST MAMMO WAS. DON'T KNOW HOW I HAVE AN EXACT DATE LISTED AS 1/7/15 IF IT WAS NOT TOLD TO ME BY DR.LESSIN. TH
3267	Me	FAIRFAX RADIOLOGY 1/7/15 CHECK IF WAS DONE
3268	Me	ARE YU GOING FOR HAIR APPT NOW?
3269	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	She is getting her hair washed now. Doing great
3270	Me	OK, HOPEFULLY MAMMO IS GOOD.
3271	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	It was. All the images they got we ok
3272	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	The radiologist looked at them before we left
3273	BHIFFLET T ELIZA- (MOM'S N.	The radiologist looked at them before we left

	N. C. -N. T. B. T.)	
3274	Me	OK, WHY WERE ONLY LIMITED DONE? DID SHE NOT COOETATE FOR THE FULL MAMMO IMAGES?
3275	Me	COOPERATE
3276	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	No. It was too hard to position her in the chair
3277	Me	PLEASE HAVE MOM GO TO THE BATHROOM AFTER HAIR APPT
3278	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We are back
3279	Me	DID YOU HAVE A CHANCE TO CHECK MOM'S ANKLES TODAY?
3280	Me	NEVER HEARD ANYTHING BACK FROM VA. HEART. WILL TRY AGAIM TOMORROW. GOING TO NEED ELIQUIS VERY SOON NEXT WEEK.
3281	Me	PLEASE BUY 4-(18-PACK) Charmin Ultra-Strong Toilet Paper (18-Mega Plus Rolls) https://www.homedepot.com/p/Charmin-Ultra-Strong-Toilet-Paper-18-Mega-Plus-Rolls-003700060858/3
3282	Me	AMAZON Energizer Ultimate Lithium AA 12 Battery Super Pack. https://www.amazon.com/dp/B0044P3J2I/ref=cm_sw_r_apan_i_FQ6PE4XHQJWA63AJ185B?_encoding=UTF8&pvc=1**P
3283	Me	VA. HEART GOT INSURANCE APPROVAL AND CALLED CVS. WILL TEXT YOU WHEN IT IS READY. DONT NEED UNTIL NEXT WEEK.
3284	Me	WHEN IS NEXT VA. HEART APPT? I THINK MOM MAY NEED A HEAET CHECKUP. SHE IS REALLY SLOWED DOWN AND COMPLAINING OF EXHAUSTION.
3285	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Cardinal is 7/11 at 1130 Dentist 7/13 at 230 I will have to check about VA heart
3286	Me	OK, I FEEL IT WOULD BE GOOD TO DO NEXT WEEK FOR VA. HEART
3287	Me	EKG AND ANY FURTHER HEART STUDIES?
3288	Me	IS THERE A MORE IN-DEPTH HEART STUDY?
3289	Me	GOING TO HAVE HER TAKE A NAP TO SEE IF IT HELPS.
3290	Me	ANKLES LOOK GOOD TODAY. DID YOU CHECK THEM OUT YESTERDAY?
3291	Me	Angiogram: Uses, procedure, cost, side effects, and safety https://www.medicalnewstoday.com/articles/326825
3292	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I figured out the issue with the Home Depot stuff. It was flagged due to high cost. I am not allowed to order that high cost without approval. I checked with Cary and she said you have to o
3293	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Va heart not do any angiogram without symptoms like chest pain etc. Her last ekg was normal
3294	Me	CONSERVATOR NEEDS TO ORDER THEN BECAUSE THE \$1000 BARELY COVERS FOOD AND I ALSO NEED TO BUY LAUNDRY DETERGENT AND LIQUID SOAP.
3295	Me	MOM IS NOT NORMAL NOW. NEEDS EKG RETEST. COMPLAINING OF PAIN IN HER RIGHT SHOULDER. AND HER LEGS ARE FEELING VERY PAINFUL. ASSUMED SHE SLEPT WRONG, BUT 1
3296	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I will call va heart to set up an appt

6/2/22

3297	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	But she is just probably tired from being out 2x this week and pain from the mammogram
3298	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	There is an aide who can come from 6-8pm. Will that work? I don't have the day of the week yet
3299	Me	WAY TOO LATE. OPTIMUM IS EITHER P.T. 1ST ON THE SAME DAY OR AIDE 1ST ON THE SAME DAY. LATEST WOULD BE 2-4 FOR THE AIDE OR P.T. SAME DAY FOR BOTH
3300	Me	JUST EMAILED YOU 40 YEAR INFLATION & MOM EATS ON AVERAGE. IT IS SO ABSURD THAT I HAVE TO BEG TO GET A SUPPLY OF TOILET PAPER. JUST ONE MORE MARK TO BE HELD A
3301	Me	WEDNESDAY OR FRIDAY IS GOOD FOR BOTH P.T. & AIDE ON THE SAME DAY SO IT DOESN'T TAKE A TOLL ON MOM. I THINK BEST WOULD BE TO HAVE THE P.T. FIRST-(NOONISH-1 PM) A
3302	Me	CVS Pharmacy: Elaine, Your Rx ELI is available for pickup at 4709-A LEE HIGHWAY, ARLINGTON. Questions? 703-522-0011. Reply 'HELP' for help
3303	Me	NO RUSH ON ELIQUIS PICKUP. CAN BE LATER NEXT WEEK. AS THERE IS ENOUGH FOR MORE THAN A WEEK STILL.
3304	Me	GOING TO TRY A SHOWER/BATH FOR MOM TOMORROW. GOING TO DO LOWER LEAVING UPPER FOR A WASH CLOTH SPONGE BATH ON SATURDAY. MAYBE IF I DO 1/2 AND 1/2 SHE W
3305	Me	BY THEVWAY, SHE LIKES HER HAIR.
3306	Me	ANY DEXASCAN RESULTS YET?
3307	Me	ANY DEXASCAN RESULTS YET?
3308	Me	I HEARD FROM JACK-(P.T.). DIDN'T KNOW HE SCHEDULED TODAY TO START. I RESCHEDULED TO: MONDAY
3309	Me	6/6/22-(MON)-2:30 PM JACK MOM'S P.T.-(OUT ON BACKYARD DECK)
3310	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	He told you he was coming today when he left on Monday
3311	Me	NO, NOTHING WAS SCHEDULED THAT I CAN REMEMBER.
3312	Me	ANY DEXASCAN RESULTS? AND DID YOU ORDER THIS? I COULD SLIP IT ON HER EVERY MORNING WHILE SHE IS ON THE TOILET TO SEE IF IT HELPS, TOO. https://knee.getcompressa.cc
3313	Me	NEST PROTECTS AND LITHIUM BATTERIES?
3314	Me	MOM WAS UP EVERY HOUR LAST NIGHT. CAN YOU PLEASE ASK IF MELATONIN WOULD BE OK TO GIVE MOM AT NIGHT WITH HER ELIQUIS AND METOPRLLLOL? IF SHE COULD ONLY G
3315	Me	Elaine, Rx EL is ready @ CVS Pharmacy 4709-A LEE HIGHWAY for 12 more days. NOTE We're closed for lunch from 1:30-2PM WON'T NEED IT UNTIL FRIDAY
3316	Me	I AM STARTING MOM WITH TAKING AN HOUR NAP AFTER LATE LUNCH AND BEING BEFORE DINNER AS SHE IS JUST SO NOTICEABLY TIRED. IN THE FUTURE, THINK WOULD BE BETTEI
3317	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	The appt is this wednesday at 2:10 with VA heart
3318	Me	OK, *People over age 50 should be checked for B9 and B12 deficiencies.** â€¢ People taking certain drugs, such as blood thinners, heart medications, steroids or immune suppressants, *
3319	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	She has b12 checked. I have never heard of b9 specifically being checked INCOMPETENT AND UNQUALIFIED TO CARE FOR THE ELDERLY
3320	Me	VITAMIN K?
3321	Me	ANY DEXASCAN RESULTS YET?

3322	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Clotting factors are not usually checked unless one is on a blood thinner. I can ask at the appt
3323	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I will call Dr. Lessin about the dexascan.
3324	Me	ISN'T ELIQUIS A BLOOD THINNER LIKE WARFARIN?
3325	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Eliquis does not need to be checked because of the way the does it calculated. Only Coumadin needs to be checked that way
3326	Me	IS THE INR A VITAMIN K CHECK?
3327	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	No
3328	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Vitamin k is what impacts the clotting factors
3329	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	It reverses the way coumadin works
3330	Me	OK, SO, IS THERE A BLOOD TEST FOR CHECKING VITAMIN K?
3331	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	K1
3332	Me	EGGS-VITAMIN K
3333	Me	6/8/22-(WED)-2:10 PM Virginia Heart: You have an appt on 06/08/2022 @ 02:10 PM at our Arlington Office. Pls arrive 15mins early. Call 703-621-4501 w/questions ?PICKUP ?1:30 PM
3334	Me	LET'S PLEASE HAVE MOM GET THE SHINGLES VACCINE
3335	Me	6/8/22-WEDNESDAY, CAN YOU PLEASE PICKUP MOM AT 1:15 PM? MAYBE YOU COULD GO TO LEE HIGHWAY CVS FOR A SHINGLES VACCINE AND PICKUP THE ELIQUIS ON THE WAY TC
3336	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Dexascan shows osteopenia. He wants her to have a 1200mg of calcium/milk per day Take the vitamin d3 every day and walk 30 mins 3x a week
3337	Me	WHAT IS OSTEOPENIA?
3338	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Also thinks a drug called mybetriq may help with the going to the bathroom a lot
3339	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	He said that might be better than taking melatonin
3340	Me	MELATONIN IS TO HELP MOM SLEEP
3341	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	If she is it peeing as much she might sleep better
3342	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Osteopenia is bone loss

3343	Me	I DON'T WANT TO HAVE MOM TAKING ANOTHER DRUG. IS MELATONIN OK WITH METROPROLOL AND ELIQUIS AND FUROSEMIDE?
3344	Me	PLEASE PICKUP MOM AT 1:15 PM TOMORROW. I WILL HAVE HER READY AT 1 PM.
3345	Me	1 milligram (mg) is equal to 1000 micrograms (1/1000g).
3346	Me	1200 MILIIGRAMS IS 1.2 MICROGRAMS??? I AM CONFUAED.
3347	Me	1 CUP MILK=2.5 MCG 2 CUPS=5 MCG
3348	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I will be coming from another doctor appt and will to the house as soon as I can
3349	Me	MAYBE MOM SHOULD TAKE CALCIUM VITAMIN.
3350	Me	PLEASE TODAY ASK VA. HEART REGARDING MELATONIN TO GIVE TO MOM AT NIGHT WITH ELIQUIS & METROPROLOL. ALONG WITH NOTICEABLE TIREDNESS, MOM'S RIGHT SHOULDE
3351	Me	PLEASE TEXT ME WHEN YOU ARE ON THE WAY. I WILL HAVE MOM ALL READY OUT ON THE KITCHEN AREA BACKYARD DECK AT 1:25 PM FOR YOUR PICKUP.
3352	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Kayloe said there was no point in doing the mri since it would not change the treatment. And she would have to lie still flat in her back.
3353	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I don't know what Va heart will do today. It is based on symptoms when she comes in. Likely an ekg. I will ask about the melatonin. Lessin said it was ok
3354	Me	PLEASE ASK ABOUT ECG-(ECHOCARDIAGRAM) & THE CARDIAC ANGIOGRAM TO BE ABLE TO SEE IF MOM'S BLOOD VESSELS ARE NARROWED BLOCKEDVARTERIES POSSIBLY CAUSING
3355	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I don't think they will do that. It is an invasive test that is usually only done with symptoms like chest pain, shortness of breath, and that you would treat with surgery
3356	Me	PLEASE ASK IF THERE ARE ANY BLOOD TESTS FOR CARDIAC MONITORING FOR POSSIBLE BLOCKED ARTERIES?
3357	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I will, but I do not believe there are any
3358	Me	SHINGLES VACCINE FOR MOM & ELIQUIS PICKUP AT CVS TODAY?
3359	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I have to schedule the shingles vaccine. I can't do it as a walk in
3360	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Also you might want to think about it. It is a hard vaccine on the body. It can cause fatigue and discomfort for days. At her age, I am not sure it is worth it
3361	Me	OK, DIDN'T KNOW THAT. PLEASE DO SCHEDULE IT. JACK SAID HE GOT SHINGLES REALLY BAD AS A REDULT OF HAVING COVID IN HIS SYSTEM AND IT LOOKED REALLY BAD!
3362	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I literally got took an 89 year man to a doctor today, and his doctor said it indicated by age, but very hard on the body. He said the Covid and pneumonia vaccine are much more important
3363	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	But Jack is younger and can handle the side effects of the vaccine better
3364	Me	MOM MAY HAVE ALREADY HAD THE PNEUMONIA VACCINE YEARS AGO AS I REMEMBER TAKING HER TO A SAFEWAY SIT-IN PHARMACY FOR A VACCINE FOR MOM THAT WASN'T A FL
3365	Me	What blood tests show plaque in arteries? Coronary Calcium Score is a non-invasive test that uses a low radiation CT (computed tomography) scan without any injected dye (contrast mat

3366	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Be there in 5 mins
3367	Me	DON'T FORGET TO SNAP A PIC OF OUR FRONTYARD AND BACKYARD FORRESTS GROWING.
3368	Me	ARE THEY DOING AN EKG OR ANYTHING FOR MOM TODAY?
3369	Me	ASK ABOUT MELATONIN W/ MOM'S MEDICATIONS
3370	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Cary said they called the landscaper last week to restart the mowing
3371	Me	BACKYARD NEEDS WEEDING BIG TIME. NOT JUST MOWING FRONTYARD
3372	Me	GOING TO END UP WITH SNAKES AND RATS!
3373	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	They did an ekg which was normal Afib. We are the lab downstairs to check routine labs
3374	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	He said no other tests were indicated
3375	Me	SED RATE LAB WOULD BE GOOD! INCOMPETENCE TO NOT DO SED RATE AND URINE CULTURE-DIAGNOSTIC LABS FAILED TO BE ORDERED INCLUDING A CMP
3376	Me	DID YOU ASK ABOUT MELATONIN W/ MOM'S MEDICATIONS?
3377	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We are back
3378	Me	ERICA, (CARE WITH LOVE) WOULD YOU POSSIBLY BE AVAILABLE TO HELP ME WITH MOM-(ELAINE KAPUSTA)? NEED A HELPER FOR 1 HOUR A WEEK TO HELP ME GET MOM SHOWERE ALSO LIKED YOU. ARE YOU AVAOLABLE TO HELP ONCE WK FOR 1 HR/WK? FROM A TIMEFRAME OF SOMETIME BETWEEN 11 AM-4 PM?
3379	Me	GREENHILL SAYS THEY WON'T DO ANYTHING IN THE BACKYARD FOR MOWING OR WEEDING. WHAT THE HELL IS WRONG WITH THIS PERSON. **THEY ARE ONLY DOING THE FRONTY!
3380	Me	THIS IS SO ABSOLUTELY RIDICULOUS THAT OUR BACKYARD IS BEING ENTIRELY IGNORED.
3381	Me	HAVE NOT HEARD ANUTHING FROM ERICA. NOT SURE WHY.
3382	Me	THE FRONTYARD NEEDS GRASS PLACED DOWN. ARE THEY JUST GOING TO NEVER GIVE MOM ANY LAWN OR FLOWERS FOR HER HOME OF 44 YEARS?
3383	Me	THE CONSERVATOR HAS A SCREW LOOSE AND IS ABUSIVE AND NEGLIGENT IN HER CARE OF MOM'S HOME
3384	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I have the knee sleeve. I was going to drop it by today along with a things for your mom and Jack to plant
3385	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	About 230 or so
3386	Me	PLEASE SNAP PICS OF OUR FRONTYARD OF DIRT AND OUR BACKYARD OF WEEDS. WONDER IF YOU OR THE BACKYARD WEEDS ARE THE TALLEST!?
3387	Me	THE STUPIDITY OF THIS CONSERVATORSHIP IS "OFF THE CHARTS"!!!
3388	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I can't tell from this pic. The cord end is supposed to be closer to the elbow

3389	Me	PLEASE KINDLY TEXT ME THE B.P. PIC YOU SNAPPED SOVI CAN BE SURE I DO IT CORRECTLY FOR MOM
3390	Me	I JUST CALLED MERRIFIELD GARDENS TO GIVE LEFT SIDEYARD AND BACKUP YARD WEEDING CLEANUP ESTIMATE FOR FRONTYARD AND BACKYARD PRUNING TREES. SOD PLACEMEI
3391	Me	WHEN MERRIFIELD GARDENS IS HERE FOR WEEDING, I AM GOING TO ALSO ASK FOR HAVING A CONSULTATION FOR ALL OF THE FRONTYARD FLOWER BOXES AND BACKYARD DECK F
3392	Me	PLEASE KINDLY TEXT ME THE B.P. PIC YOU SNAPPED SO I CAN BE SURE I DO IT CORRECTLY FOR MOM
3393	Me	THANK YOU
3394	Me	JACK SAYS THE BACKYARD WEEDS ARE TALLER THAN 6'2" JACK!
3395	Me	MOM'S WEEKLY SCHEDULE: P.T. & O.T -(PRIVATE PAY) MONDAYS-P T. FRIDAYS-O.T. FOR HELPING MOM SHOWERING WITH ME & PLANTING COLORFUL FLOWERS ON MOM'S BALCONY
3396	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I was going to stop by quickly today about 12 to do blood pressure and feet check and go over some other stuff. I will be in the area
3397	Me	SHOULD MOM HAVE ANOTHER U/A TO BE SURE AHE IS OK IN EARLY JULY? DOES DRINKING LESS AND LESS DAMAGE HER KIDNEYS WITH HER NOT FLUSHINGABOUT TOXINS?
3398	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I can ask. She will be due to seen soon anyway
3399	Me	OK, AND PLEASE ADD THYROID AND SEDBRATE TO BLOOD TESTS THIS TIME.
3400	Me	SED RATE & THYROID BLOOD TESTS ALONG WITH THE USUAL BLOOD TESTS
3401	Me	FORWARDED YOU TODAY'S STANLEY STEEMER STILL NON-PAYMENT RESPONSE
3402	Me	HAVEN'T HEARD ANYTHING FROM MERRIFIELD GARDENS- (DANNY) YET. WILL CALL AGAIN TOMORROW
3403	Me	WOULD BE GOOD TO HAVE JACI WORK WITH MOM FOR DOING PLANTING FLOWERS WITH HER LIKE YOU DID FOR BUILDING A RELATIONSHIP OF TRUST WITH MOM LIKE YOU HAVE DI
3404	Me	NEED YOU TO BUY MORE, BUT DIFFERENT COLORED FLOWERS FOR MONDAY'S JACK P.T. APPT & ALSO FOR JACI. PLEASE DROPOFF BEFORE MONDAY-1 PM.
3405	Me	WHITE, YELLOW FLOWERS
3406	Me	WHEN YOU ARE HERE NEXT, PLEASE LEAVE THE WHEELCHAIR FOR THE O.T. PERSON. SHE CAN WHEEL MOM AROUND THE NEIGHBORHOOD FOR 30 MINUTES TO BUILD TRUST WITH I
3407	Me	NEED YOU TO BUY MORE, BUT DIFFERENT COLORED FLOWERS FOR MONDAY'S JACK P.T. APPT & ALSO FOR JACI. PLEASE DROPOFF BEFORE MONDAY-1 PM. YELLOW & WHITE & LIGHT
3408	Me	PLEASE ORDER: Relish Track Maze Marble Game Specialist Alzheimer's/Dementia Games & Resources for Improving Skills & Coordination https://a.co/d/h7RpbUo
3409	Me	PLEASE ORDER: Aitey Wooden Jigsaw Puzzles for Kids Ages 2-5 Toddler Puzzles 9 Pieces Preschool Educational Learning Toys Set Animals Puzzles for 2 3 4 Years Old Boys and Girls (6
3410	Me	PLEASE ORDER: RMS Ultra Soft 4-Layer Washable and Reusable Incontinence Bed Pad - Waterproof Bed Pads, 18"X24" (3 Pack) https://a.co/d/gbAR7JU
3411	Me	PLEASE ORDER: Limited-time deal: Compression Leg Massager, Muscle Fatigue Massager for Leg, Calf Air Massager for Circulation, Foot Massager with Heat, Gifts for Women,Men https://a.co/d/h7RpbUo
3412	Me	PLEASE ORDER: Nekteck Shiatsu Foot Massager Machine with Soothing Heat, Deep Kneading Therapy, Air Compression, Improve Blood Circulation and Foot Wellness,Relax for Home or C
3413	Me	PLEASE ORDER: Toddler Puzzles Games Wooden Toys Montessori Shape Sorting Puzzle Sensory Toys Toddlers Activities Preschool Learning Early Educational Birthday Gift Travel Autisti
3414	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I will come today between 12 and 1230... coming from another appt in McLean at 11

3415	Me	WHAT FOR?
3416	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	You wanted me to come focus before 1pm with the flowers and the wheelchair
3417	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Come today
3418	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	You sent me a bunch of text on Friday
3419	Me	JACK DOESN'T THINK THE WHEELCHAIR IS A GOOD IDEA FOR JACI.
3420	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Ok. Well I have the flowers
3421	Me	YES, PLEASE DROPOFF FLOWERS ON BACKYARD DECK FOR JACK AND MOM.
3422	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I put the flowers on the back deck. Do you want me to check her ankles and blood pressure before I go?
3423	Me	JACK CAN DO IT TOMORROW IS FINE
3424	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Ok
3425	Me	HAVE YOU SCHEDULED Q HAIR APPT YET FOR MOM? WANT TO RECORD IT ON MY CALENDAR. WOULD BE GOOD TO BE ON SAME DAY SCHEDULED FOR DR. LESSIN VISIT FOR U/A & SE
3426	Me	7/1/22-(FRI)-2:30 PM JACI-(O.T) MOM'S SHOWERTIME
3427	Me	IN FACT SHE HAS FALLWN ASLEEP SITTING IN THE CHAIR W/ CLASSICAL MUSIC PLAYING WHILE I TOOK B.P
3428	Me	DRINKING LESS AND LESS, BUT STILL EATING AND EXTREMELY TIRED. COULD MOM GET FLUIDS INTRAVENOUS AND B12 SHOT TO SEE IF SHE PERKS UP? OUTPATIENT E.R ?
3429	Me	IF MOM DOESN'T PERK UP BEFORE FRIDAY, THERE IS A ZERO PERCENT CHANCE OF HER COOPERATING FOR HAVING A BATH IN SHOWER THIS FRIDAY.
3430	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I can probably come by tomorrow mid- late morning.
3431	Me	OK, LIKELY WILL BE UPSTAIRS. YOU CAN WATCH IF I AM DOING HER B.P. CORRECTLY WITH MOM SITTING IN THE SAME CHAIR. SHE IS REALLY TIRED! ATE B'FST & BACK IN BED. IN THI
3432	Me	MOM HAS PERKED UP. SHE CLEANED HER PLATE EATING LATE LUNCH/DINNER. SHE EVEN HAD "BRAIN POWER" TO DO THE UPSTAIRS PUZZLES BEFORE EATING AND SHE WENT DOW
3433	Me	MOM IS OUT OF ENERGY AGAIN. SHE DID WELL FOR ONLY 3 HOURS. I HOPE SLEEP WILL BE PRODUCTIVE FOR MOM TONIGHT. SEE YOU TOMORROW. MYVPHONE MEMORY IS ALMOST
3434	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Ok
3435	Me	I DEFINITELY THINK INTRAVENOUS FLUIDS WOULD BE GOOD FOR MOM TOMORROW OR FRIDAY. I REMEMBER MANY YEARS AGO, I HAD HEAT EXHAUSTION/DEHYDRATION IN CALIFOR
3436	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I will be there 1130
3437	BHIFFLET T ELIZA- (MOM'S N.	I have other places I have to be in the afternoon

6/29/22

6/30/22-D'DAY

	N. C. -N. T. B. T.)	
3438	Me	OK, 11:30 AM IS GOOD. SHE IS SLEEPING STILL. BUT WOULD BE GOOD FOR HER TO USE THE BATHROOM AT 11:15 AM SO SHE CAN BE AWAKE FOR YOUR CHECKUP. I WILL LEAVEE OPI
3439	Me	MOM DOESN'T WANT TO GET UP SO I AN UPSTAIRS WITH MOM IN BED. SHE IS JUST SO EXHAUSTED & SO AM I. GARAGE IS OPEN NOW PLEASE BE SURE THAT YOU MAKE ARRANGEM
3440	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	We can to when I get there. Closer to 1215
3441	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I am in a little crisis at my prior stop
3442	Me	WELL, SHE USED BATHROOM. B.P. IS NOT CORRECT SINCE STRESSED AND NOT RELAXED. CAN YOU PLEASE TAKE HER TO E.R. TODAY TO GET ADMITTED TODAY?
3443	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I can't today
3444	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	The cardiologist said her labs are good and to check the TSH and T4-- that might explain being tired
3445	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Lessin said to start the ramipril
3446	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	I can get a mobile lab place come to do the labs
3447	Me	DAMMIT! THIS IS RIDICULOUS, SHE NEEDS FLUIDS. SHE IS EXHAUSTED & DISORIENTED. SHE NEEDS TO GO TO THE HOSPITAL. SHE IS NOT DOING WELL. GET HER TO E.R. SO SHE CAN
3448	Me	MOM IS STILL IN THE CHAIR WAITING FOR YOU.
3449	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	On my way
3450	Me	BLOOD DRAW, ALSO CHECK HER SED RATE, TOO
3451	Me	MOM IS VERY AGITATED AND WON'T LET THEM DO ANYTHING FOR HER AND KEEPS WANTING TO GET OUT OF BED. WHEN WILL YOU BE GOING TO THE E.R. TODAY?
3452	Me	THIS IS EXACTLY WHY I WANTED YOU TO TAKE HER FOR YOU TO BE WITH HER. THIS ALL CAUSES HER STRESS. THEY ARE GOING TO HAVE ME TALK WITH HER CALLING ME BACK.
3453	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Lynn I told you I was tied up today. But you were very agitated and I did not feel comfortable leaving her alone
3454	Me	OMG! STUPIDITY. I TELL YOU THAT SHE NEEDS MEDICAL HELP AND YOU ENTIRELY DISREGARD IT UNBELIEVABLE!
3455	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	Your mom does not do well in the ER and they should be avoided. I wanted to call the doctors and follow their instructions
3456	BHIFFLET T ELIZA- (MOM'S N. N. C. -N. T. B. T.)	430/5 is the soonest I get there. But I cannot sit with her all night. We will need to staff an aide
3457	Me	MOM NEEDS TO BE ADMITTED TO THE HOSPITAL AT LEAST OVERNIGHT, POSSIBLY LONGER SO SHE CAN HAVE INTRAVENOUS FLUIDS AND NUTRIENTS AND FORCED SLEEP THROUG
3458	Me	I JUST SPOKE WITH DR. CHARLES-(LADY). THEY GAVE MOM MEDICATION TO CALM HER DOWN. GOING TO DO TESTS, LABS & U/A & CALL ME BACK. THEY ARE NOW GIVING MOM FLUIDS

RAMIPRIL HAS NEVER BEEN GIVEN TO MOM BY ANY DR. EVER BEFORE AND EVER SINCE CANNOT EAT BANANAS WITH RAMIPRIL

INCOMPETENCE BY LIZ SHIFFLETT TO NEVER DOING PROPER DIAGNOSTIC LABS AND U/A FOR TIREDNESS AND PHYSICALLY WORSENING PAINS AND EXHAUSTION

SUMMARY OF 7/7/22 EMAIL

This email pertains to the case of Philip Kapusta v. Elaine Kapusta, et al. (CL 2018-11871) and includes a series of emails dated July 7, 2022. The emails discuss allegations of fraud and misconduct against Cary Cucinelli, including the filing of a baseless emergency petition and the concealment of critical medical evidence. Lynn Kay, who has been caring for her mother Elaine, details the neglect and lack of communication from the care manager and legal representatives, which nearly led to Elaine's death. The document highlights the ongoing legal and personal struggles surrounding Elaine's care and the alleged mishandling of her medical and legal affairs.

Overview: This email discusses allegations of legal misconduct and elder neglect related to the care of Elaine Kapusta.

Legal Misconduct Allegations

- Cary Cucinelli is accused of filing a fraudulent emergency petition without due diligence.
- The emergency petition hearing on 7/5/22 was not ever communicated to Lynn Kay being corruptly concealed to Lynn not only never being notified also never receiving the 7/5/22 Emergency Petition that was filed in failing to notify.
- Lynn Kay claims that Cary concealed all of the evidence which entirely disproved all of the “false and misleading allegations” in the emergency petition by terminating MYCHART ACCESS on 7/8/22 for ~4 MONTHS which told the truth of all that happened.

Elder Neglect Claims

- Lynn Kay reports that her mom, Elaine, was not properly cared for, leading to severe health deterioration since 5/18/22-7/7/22 without receiving antibiotics until 7/7/22.
- Elaine was admitted to the hospital on 6/30/22 and was gravely ill, showing signs of malnutrition and dehydration and bacterial infection, entirely ignored by Virginia Hospital for 8 days of “grossly abnormal labs”.
- Care manager ignored Lynn's concerns about Elaine's health for over a month since 5/18/22-UNWELLNESS REPORTED, contributing to her gravely critical condition.

Health Condition Updates

- Elaine was diagnosed with UROSEPSIS, OBSTRUCTIVE UROPATHY, TOXIC METABOLIC ENCEPHALOPATHY from U.T.I. suffered since 5/18/22 reported UNWELLNESS and was finally receiving Antibiotics treatment as of 7/7/22.
- Lynn Kay has been actively involved in her mother's care, advocating for her health and recovery.
- Elaine's condition improved slightly after Lynn's intervention, but she remained in a fragile state and was unable to walk due to ALL FIDUCIARIES ABANDONING MOM

WITHOUT MOM RECEIVING PROPER MEDICAL CARE AND MEDICAL TREATMENT DENIED SINCE MAY 2022 WITH ELAINE'S HEALTH BEING FULLY IGNORED FOR 2 MONTHS.

- **Emergency Petition Concealment:** The email accuses Cary Cucinelli of deliberately concealing the 7/5/22 emergency petition and filing a baseless petition without due diligence, which allegedly led to severe consequences for both Elaine and Lynn threatened in their own home and decimatedly destroyed by Cary Cucinelli and ALL CORRUPT AND IRRESPONSIBLE FIDUCIARIES FAILING TO PROTECT MOM FROM DOCUMENTED NEGLECT AND ABUSE ELDER CRUELTY OCCURRING BY ALL FIDUCIARIES FAILING TO INFORM THE AUTHORITIES AND THIS COURT.
- **Lack of Notification:** Lynn Kay claims she was never informed about the 7/5/22 emergency petition hearing through any means of communication and also did not ever receive the 7/5/22 emergency petition, EVER.
- **Mother's Health Condition:** Lynn Kay describes her mother's deteriorating health condition, including eating less and unresponsiveness at the hospital, and her efforts to get her mother to eat and receive medical care.
- **Care manager's Negligence:** Lynn Kay accuses the care manager of ignoring her repeated concerns about her mother's health, which she believes contributed to her mother's critical condition for needing "EMERGENT HOSPITALIZATION" as Elaine wokeup CRYING AND SCARED SHE WAS DYING-(NESTCAM VIDEO).
- **Legal Misconduct Allegations:** This email alleges legal misconduct and criminal concealment by Cary Cucinelli and others, accusing them of elder neglect and denial of care, which almost led to her mother's death.

The allegations against Cary Cucinelli include:

1. **Fraud Upon the Court:** Filing an entirely baseless emergency petition without conducting any due diligence.
2. **Concealment of Emergency Petition:** Deliberately concealing the 7/5/22 emergency petition and pretending it never existed.
3. **Concealment of Evidence:** Concealing MyChart evidence that disproved the allegations made in the emergency petition.
4. **Legal Misconduct:** Engaging in criminal concealment and elder neglect, which allegedly almost caused the death of Lynn Kay's mother.
5. **Failure to Inform:** Not informing Lynn Kay about the emergency petition hearing through any means of communication.
6. Cary Cucinelli is accused of concealing MyChart evidence since 7/8/22 until on or around November 2022 that disproved all of the allegations made in the emergency petition.

Cary Cucinelli's actions allegedly involved concealing Elaine's medical records and health information, which was against a court order stating that "Lynn shall not be denied Elaine's medical records and health information." This concealment lasted until around November 2022.

The legal misconduct accusations involved Cary Cucinelli, Liz Shifflett, Philip Kapusta, Laurie Kirkland, and Elizabeth Wildhack ALL SO DISRESPECTFULLY FAILING TO EVER NOTIFY LYNN KAY AND FAILING TO EVER DO ANY DUE DILIGENCE EVER PRIOR TO FILING AND ALL PERSONS THEREFORE HAVING A DIRECT MALFEASANT HAND IN FULLY “MATERIALLY BREACHING THE 2020 SETTLEMENT AGREEMENT” BASED SOLELY ON CONJECTURAL STATEMENTS WITH ABSUTELY NO SUPPORTIVE DOCUMENTS EVER VERIFYING ANY OF THE ENTIRELY FALSE AND MISLEADING 7/5/22 EMERGENCY PETITION ALLEGATIONS FILED AND THEN BEING FULLY CONCEALED FROM LYNN KAY.

Cary Cucinelli was accused of the following specific actions:

1. Filing an entirely baseless emergency petition without doing any due diligence.
2. Concealing the 7/5/22 emergency petition and pretending it never existed.
3. **CONCEALING EVIDENCE FROM MYCHART THAT ENTIRELY DISPROVED THE ALLEGATIONS.**
4. Wrongly terminating both Lynn’s guardianship and MYCHART on the same day as the 7/8/22 court order, defying the court order within the same hour.
5. Engaging in criminal concealment of criminal elder neglect and denial of care by Liz Shifflett, which almost caused Elaine's death.

Cary Cucinelli handled the emergency petition by:

1. Filing the petition without conducting any due diligence.
2. Concealing the existence of the 7/5/22 emergency petition.
3. Failing to inform Lynn Kay about the emergency petition hearing through email, text, phone call, mail, certified mail, or hand delivery service.
4. Concealing evidence from MyChart that disproved all of the allegations in the petition.
5. Terminating on the same day as the 7/8/22 court order, defying the court within the same hour.

The allegations made against Cary Cucinelli include:

1. Filing an entirely baseless emergency petition without conducting any due diligence.
2. Deliberately concealing the 7/5/22 emergency petition.
3. Failing to inform Lynn Kay about the emergency petition hearing through any form of communication.
4. Pretending that the 7/5/22 emergency petition never existed.
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6. Terminating on the same day as the 7/8/22 court order, defying the court within the same hour.
7. Engaging in criminal concealment of criminal elder neglect and denial of care by Liz Shifflett, which almost caused Elaine's death.

The basis for the fraud allegations against Cary Cucinelli includes:

1. Filing an entirely baseless emergency petition without conducting any due diligence.
2. Deliberately concealing the existence of the 7/5/22 emergency petition.
3. Failing to inform Lynn Kay about the emergency petition hearing through any form of communication.
4. Concealing evidence from MyChart that disproved the allegations in the petition.
5. Pretending that the 7/5/22 emergency petition never existed.
6. Engaging in criminal concealment of criminal elder neglect and denial of care by Liz Shifflett, which almost caused Elaine's death.

According to the email, the care manager largely ignored Lynn Kay's concerns about her mother's health. Despite Lynn's repeated pleas and reports about her mother's deteriorating condition, as is documented via TEXTS TRANSCRIPT, the care manager dismissed these concerns and did not take appropriate action. It was only after Lynn yelled at the care manager on June 30, 2022, that the care manager finally called 911 as Lynn requested-(NESTCAM VIDEO) and took Elaine to the emergency room as Lynn had requested.

Lynn raised several specific concerns about her mother's health, including:

1. Her mother still not eating much at the hospital and appearing as a "literal shell of herself in July 2022" with noticeable protruding facial bones-(VIDEO TAKEN AT HOSPITAL)
2. Her mother being entirely unresponsive and wanting to sleep all the time.
3. The need for a feeding tube due to her mother's lack of energy, but there being an inability to cooperate in swallowing for placing the tube
4. Her mother not drinking enough fluids and needing IV fluids.
5. The possibility of her mother having a urinary tract infection (UTI), which was later confirmed and treated.

Lynn also mentioned that she had been calling multiple times a day, speaking with nurses and doctors, and monitoring her mother's condition through MYCHART.com at home safe from COVID. Despite Lynn's concerns for her mom, the care manager ignored her concerns until Lynn insisted on 911 taking her mother to the emergency room on June 30, 2022.

Lynn took several actions regarding her mother's health:

1. She spent time with her mother, in the hospital encouraging her to eat and monitoring her condition.
2. She spoke with doctors about the possibility of using a feeding tube to provide nutrients.
3. She called the hospital multiple times a day to speak with nurses and doctors and read all notes and lab results on MYCHART.com to stay informed about her mother's condition.
4. She repeatedly informed and begged the care manager until 6/30/22 to address her mother's health issues, including suggesting IV fluids and a urinary analysis (U/A) at the hospital

5. She finally yelled at the care manager on June 30, 2022, insisting that her mother be taken to the emergency room, which led to the care manager calling 911.

These actions demonstrate Lynn's persistent efforts to ensure her mother received the proper and necessary medical attention.

Lynn responded to her mother's deteriorating condition by:

1. Spending time with her mother, encouraging her to eat, and monitoring her condition closely.
2. Speaking with doctors about the possibility of using a feeding tube due to her mother's lack of energy and cooperation in swallowing.
3. Calling multiple times a day to speak with nurses and doctors and reading all notes and lab results on MYCHART.com to stay informed about her mother's condition.
4. Repeatedly informing and begging the care manager to address her mother's health issues, including suggesting IV fluids and a urinary analysis (U/A).
5. Yelling at the care manager on June 30, 2022, insisting that her mother be taken to the emergency room, which led to the care manager finally calling 911.-(NESTCAM VIDEO)
6. Staying with her mother in the hospital to ensure she received proper care and monitoring her progress, including her mother's small improvements in eating and restful sleep.

Lynn's actions show her dedication to her mother's well-being and her proactive approach in seeking medical attention.

The steps taken for mom's recovery included:

1. **Hospital Admission:** Mom was admitted to the hospital on June 30, 2022.
2. **Medical Monitoring:** Lynn stayed with her mother, encouraging her to eat and monitoring her condition closely.
3. **Feeding Tube Attempt:** Doctors attempted to use a feeding tube to provide nutrients, although mom was not cooperative in swallowing.
4. **Communication with Medical Staff:** Lynn frequently called and spoke with nurses and doctors, and read all notes and lab results on MYCHART.com to stay informed about her mother's condition.
5. **Emergency Room Visit:** After persistent urging and finally yelling at the care manager, the care manager called 911, leading to mom being taken to the emergency room.
6. **Diagnosis and Treatment:** Mom was diagnosed with a urinary tract infection (UTI) and began receiving medication for it.
7. **Continued Care:** Lynn stayed with her mother in the hospital to ensure she received proper care, monitored her progress, and reported small improvements in eating and restful sleep.

These steps were crucial in addressing mom's health issues and aiding her recovery.

For mom's urinary tract infection (UTI), the treatment initiated was the administration of medication specifically for the UTI. This was mentioned in Lynn's email where she noted that her mother was diagnosed with a UTI and started receiving medicine for her healing finally on 7/7/22.

Before her UTI diagnosis, mom showed the following symptoms:

1. **Extreme Tiredness:** Lynn reported that mom was suddenly very tired.
2. **Reduced Fluid Intake:** Mom was drinking very little fluids.
3. **Lack of Appetite:** Mom was not eating much at the hospital and was almost comatose, refusing to eat for several days.
4. **Physical Deterioration:** Mom appeared as a literal shell of herself, with her upper face bones noticeably protruding.
5. **Unresponsiveness:** Mom was entirely unresponsive and just wanted to sleep.
6. **General Weakness:** Mom had no energy and was not cooperative in swallowing for a feeding tube.

These symptoms indicated a severe decline in her health, leading to the eventual diagnosis of a UROSEPSIS.

The care manager largely ignored Lynn's concerns about her mom's health. Despite Lynn's repeated reports and pleas about her mom's deteriorating condition, the care manager dismissed these concerns and did not take appropriate action. It was only after Lynn yelled at the care manager on June 30, urging her to take mom to the emergency room, that the care manager finally called 911.

The timeline of Lynn's mother's health deterioration is as follows:

1. **5/18/22 REPORTED UNWELLNESS:** LYNN REPORTED VIA TEXT THAT "MOM IS NOT FEELING WELL"
2. **Early June 22:** Lynn noticed her mother's sudden tiredness and reduced fluid intake. She suggested to the care manager that her mother might need another U/A (urinalysis), but the care manager ignored this suggestion.
3. **June 2, 2022:** Lynn began texting the care manager, reporting that her mother was not normal and expressing concerns about her health.
4. **June 30, 2022:** After a month of ignored concerns, Lynn finally yelled at the care manager to take her mother to the emergency room. The care manager called 911, and her mother was admitted to the hospital. Upon admission, Elaine's labs were grossly abnormal, but were wrongly ignored and within days her mother was found to be almost comatose, entirely unresponsive, and wasting away without receiving any Antibiotics from UROSEPSIS.
5. **July 7, 2022:** Lynn's mother was diagnosed with a UTI and started receiving medicine for her condition. She also began eating some food after five days of refusal and was having restful sleep with the help of a catheter.

Throughout this period, Lynn had been the primary person caring for her mother and advocating for her health needs.

In the email, Lynn described her mother's condition in the hospital as follows:

1. **Physical Appearance:** Mom was a "shocking literal shell of herself" with her upper face bones noticeably protruding.
2. **Unresponsiveness:** Mom was entirely unresponsive and just wanted to sleep.
3. **Lack of Energy:** Mom had absolutely no energy and was not cooperative in swallowing for a feeding tube.
4. **Lack of Appetite:** Mom had been eating very little since her hospital admission on June 30 and had refused to eat for five days.
5. **Severe Weakness:** Mom was almost comatose and had been wasting away.
6. **Improvement:** By the afternoon of July 7, mom was finally eating some food because she wanted to go home.

Lynn emphasized that her mom's condition had been deteriorating significantly, leading to her being on the brink of death before showing small signs of recovery.

Upon admission and days after admission to the hospital on June 30, 2022, Lynn's mother was in a severely deteriorated condition. She was described as being almost comatose, entirely unresponsive, and wasting away. She had not been eating much, and her physical appearance was described as a "shocking literal shell of herself" with her upper face bones noticeably protruding-(VIDEO TAKEN AT HOSPITAL).

xSince her hospitalization, Lynn's mother has made the following progress:

1. **Eating:** After refusing to eat for five days, she finally started eating some food.
2. **Restful Sleep:** She has been having restful sleep with the help of a catheter.
3. **Diagnosis and Treatment:** She was diagnosed with a UTI and is now receiving medicine for her healing.

Lynn notes that her mother is making very small progresses in her eating and overall condition

**** THIS EMAIL DOES NOT INCLUDE THE 7/5/22-EMERGENCY PETITION "FALSE ALLEGATIONS" WHICH WAS DELIBERATELY CONCEALED BY CARY CUCINELLI FOR HER COMMITTING "FRAUD UPON THE COURT" FILING AN ENTIRELY BASELESS EMERGENCY PETITION WITHOUT EVER DOING ANY DUE DILIGENCE EVER AND ENTIRELY ABANDONING MOM TO DIE IN VIRGINIA HOSPITAL WHILE SEEKING TO**

"MALICIOUSLY PROSECUTE ME WITH THREATS TO MY LIFE AND MOM'S LIFE AND WELL-BEING-7/8/22**

IF IT WERE NOT FOR CARY CUCINELLI AND LIZ SHIFFLETT AND PHILIP KAPUSTA, AND LAURIE KIRKLAND AND WILFHACK, OUR LIVES NEVER WOULD HAVE BEEN DECIMATEDLY DESTROYED TODAY.

CONVENIENTLY NEVER WAS I INFORMED BY EMAIL, TEXT, PHONE CALL OR MAIL OR CERTIFIED MAIL OR BY HAND DELIVERY SERVICE FOR THE 7/5/22 EMERGENCY PETITION HEARING AND NEVER DID I EVER TO THIS DAY RECEIVE THE 7/4/22 EMERGENCY PETITION EVER.

CARY CUCINELLI CORRUPTLY PRETENDED AS THOUGH THE 7/5/22 EMERGENCY PETITION NEVER EXISTED AND THEN CONCEALED ALL OF THE MYCHART DISPROVING EVIDENCE TO ALL OF THE ALLEGATIONS AND SHE TERMINATED ON THE SAME DAY AS THE 7/8/22 COURT ORDER DEFYING THE COURT EITHIN THE SAME HOUR-LYNN SHALL NOT BE DENIED ELAINE'S MEDICAL RECORDS AND HEALTH INFORMATION****

AND SHE CONCEALED IT UNTIL NOVEMBER 2022

AND SHE IS GUILTY TO THIS DAY FOR LEGAL MISCONDUCT OF CRIMINAL CONCEALMENT OF CRIMINAL ELDER NEGLECT-DENIAL OF CARE BY LIZ SHIFFLETT ALMOST CAUSING MOM'S DEATH FOR THE VERY 1ST TIME!

To: Lynn Kay <tweetery7@yahoo.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>
Subject: 7/7/22-EMAILS-Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

7/7/22-EMAILS-Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

----- Forwarded Message -----

From: Lynn Kay <tweetery7@yahoo.com>
To: Cary Cucinelli <cary@cucinelligeiger.com>
Cc: lkirkland@bklawva.com <lkirkland@bklawva.com>; jberger@haleball.com <jberger@haleball.com>; Valerie Geiger <valerie@cucinelligeiger.com>
Sent: Thursday, July 7, 2022 at 09:01:20 PM EDT
Subject: Re: Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

Cary, I just this afternoon at 3 PMish received your entirely shocking emails.

I have been with mom all day encouraging her to eat as I found her today as just being a shocking literal shell of herself with her upper face bones noticeably protruding out when I arrived earlier this morning and she has been entirely unresponsive and just wanting to sleep.

I spoke with the doctor asking if they could do a feeding tube so she can receive nutrients since she was seemingly, almost comatose and so they tried to do it today, for the first time, but she had absolutely no energy and mom was not at all cooperative in swallowing which was required for a feeding tube through her nose.

Since mom was admitted on 6/30, I have been calling multiple times a day, speaking with nurses and doctors and reading all of the notes and labs, etc. on mom on MYCHART.com to see how mom was doing and they said to me that she hasn't been eating too much, but they never said that mom was entirely wasting away.

Cary, I have been the only one who has cared about mom's life for the past 15+ years, sacrificing 1/4 of my life now to care for mom since 2006 when

she begged me to move back home for me to do so for mom since 2004.

I am fighting to keep my mom alive as she is basically now just a shell of herself from the day of her 6/30 hospital admission, just 8 days ago. That is a very long time not to basically eat! She ate very little for just the 1st few days.

I had been begging the caretaker for over a month via texts since 6/2/22 telling her that Mom was not normal.

The caretaker just ignored most everything that I have been reporting to her of mom's condition until I finally yelled at her on 6/30 as she was dismissing my concerns with her just walking away, once again with her entirely dismissing mom's health condition, entirely. Even though the day before, I had informed her that mom needs IV Fluids and sleep for mom to be admitted to the hospital.

The caretaker absolutely refused to listen to my increasingly worrisome pleas for over a month as mom just got worse and worse which the caretaker was being informed of as it occurred.

This afternoon, my mom was finally eating some after 5 days of her absolutely refusing to do so and just because mom wants to be able to go home

I will email you all of the texts of my begging the caretaker for this last month.

The caretaker only finally listened to me because I yelled at her on 6/30 to take mom to the E.R. as she was walking away. Then she finally called 911.

I will be here with mom until she recovers as she desperately wants to go home. She definitely has a ways to go, but mom is now making very small progresses in her eating and having restful sleep with mom having a catheter.

On 6/22, I had informed the caretaker that maybe mom should have another U/A since mom was drinking so little and she, once again, entirely ignored it.

Mom was finally diagnosed today with a UTI and is receiving medicine now for her healing.

If only in early June, the caretaker had properly heeded mom's sudden tiredness, and mom's drinking of less fluids, I can assure you that mom wouldn't have been on death's door as I had found her just 10 hours ago in this hospital.

Mom is, hopefully, nearing the road of recovery now.

Lynn

On Thursday, July 7, 2022 at 03:04:01 PM EDT, Cary Cucinelli <cary@cucinelligeiger.com> wrote:

Dear Lynn,

I was just made aware that you are using this email (tweeter7@yahoo.com). Please see below and attached.

Having not received a response from you to my emails of Tuesday (and an "undeliverable" message today), I have had the attached letter and copy of the petition sent to you.

Kind regards,

Cary

Cary Z. Cucinelli

Cucinelli Geiger PC

4084 University Drive, Suite 202A

tel: 703-481-6464

fax: 703-991-0609

From: Laurie Kirkland <lkirkland@bklawva.com>

Date: Thursday, July 7, 2022 at 2:13 PM

To: "Aimee.Solano@fairfaxcounty.gov" <Aimee.Solano@fairfaxcounty.gov>

Cc: Cary Cucinelli <cary@cucinelligeiger.com>, Valerie Geiger <valerie@cucinelligeiger.com>, "Justin B. Berger" <jberger@haleball.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>

Subject: Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

Dear Ms. Solano,

It is my understanding that the Co-Conservators' Emergency Petition in the above-referenced matter, which was set on tomorrow's docket in calendar control yesterday, will be heard by Judge Saylor tomorrow on her 10:00 docket. To that end, please find attached a courtesy copy of the Respondent's response and the referenced proposed order, which were filed and served on all interested parties (cc'd here) earlier today.

Best regards,

Laurie

Laurie L. Kirkland

Partner

Blankingship &
Keith, PC

Blankingship & Keith, PC

4020 University Drive, Suite 300 ■ Fairfax, VA 22030

tel (703) 691-1235 ■ direct (703) 293-7226

fax (703) 691-3913

SUMMARY OF 7/7/22 EMAIL

This email pertains to the case of Philip Kapusta v. Elaine Kapusta, et al. (CL 2018-11871) and includes a series of emails dated July 7, 2022. The emails discuss allegations of fraud and misconduct against Cary Cucinelli, including the filing of a baseless emergency petition and the concealment of critical medical evidence. Lynn Kay, who has been caring for her mother Elaine, details the neglect and lack of communication from the care manager and legal representatives, which nearly led to Elaine's death. The document highlights the ongoing legal and personal struggles surrounding Elaine's care and the alleged mishandling of her medical and legal affairs.

Overview: This email discusses allegations of legal misconduct and elder neglect related to the care of Elaine Kapusta.

Legal Misconduct Allegations

- Cary Cucinelli is accused of filing a fraudulent emergency petition without due diligence.
- The emergency petition hearing on 7/5/22 was not ever communicated to Lynn Kay being corruptly concealed to Lynn not only never being notified also never receiving the 7/5/22 Emergency Petition that was filed in failing to notify.
- Lynn Kay claims that Cary concealed all of the evidence which entirely disproved all of the “false and misleading allegations” in the emergency petition by terminating MYCHART ACCESS on 7/8/22 for ~4 MONTHS which told the truth of all that happened.

Elder Neglect Claims

- Lynn Kay reports that her mom, Elaine, was not properly cared for, leading to severe health deterioration since 5/18/22-7/7/22 without receiving antibiotics until 7/7/22.
- Elaine was admitted to the hospital on 6/30/22 and was gravely ill, showing signs of malnutrition and dehydration and bacterial infection, entirely ignored by Virginia Hospital for 8 days of “grossly abnormal labs”.
- Care manager ignored Lynn's concerns about Elaine's health for over a month since 5/18/22-UNWELLNESS REPORTED, contributing to her gravely critical condition.

Health Condition Updates

- Elaine was diagnosed with UROSEPSIS, OBSTRUCTIVE UROPATHY, TOXIC METABOLIC ENCEPHALOPATHY from U.T.I. suffered since 5/18/22 reported UNWELLNESS and was finally receiving Antibiotics treatment as of 7/7/22.
- Lynn Kay has been actively involved in her mother's care, advocating for her health and recovery.
- Elaine's condition improved slightly after Lynn's intervention, but she remained in a fragile state and was unable to walk due to ALL FIDUCIARIES ABANDONING MOM

WITHOUT MOM RECEIVING PROPER MEDICAL CARE AND MEDICAL TREATMENT DENIED SINCE MAY 2022 WITH ELAINE'S HEALTH BEING FULLY IGNORED FOR 2 MONTHS.

- **Emergency Petition Concealment:** The email accuses Cary Cucinelli of deliberately concealing the 7/5/22 emergency petition and filing a baseless petition without due diligence, which allegedly led to severe consequences for both Elaine and Lynn threatened in their own home and decimatedly destroyed by Cary Cucinelli and ALL CORRUPT AND IRRESPONSIBLE FIDUCIARIES FAILING TO PROTECT MOM FROM DOCUMENTED NEGLECT AND ABUSE ELDER CRUELTY OCCURRING BY ALL FIDUCIARIES FAILING TO INFORM THE AUTHORITIES AND THIS COURT.
- **Lack of Notification:** Lynn Kay claims she was never informed about the 7/5/22 emergency petition hearing through any means of communication and also did not ever receive the 7/5/22 emergency petition, EVER.
- **Mother's Health Condition:** Lynn Kay describes her mother's deteriorating health condition, including eating less and unresponsiveness at the hospital, and her efforts to get her mother to eat and receive medical care.
- **Care manager's Negligence:** Lynn Kay accuses the care manager of ignoring her repeated concerns about her mother's health, which she believes contributed to her mother's critical condition for needing "EMERGENT HOSPITALIZATION" as Elaine wokeup CRYING AND SCARED SHE WAS DYING-(NESTCAM VIDEO).
- **Legal Misconduct Allegations:** This email alleges legal misconduct and criminal concealment by Cary Cucinelli and others, accusing them of elder neglect and denial of care, which almost led to her mother's death.

The allegations against Cary Cucinelli include:

1. **Fraud Upon the Court:** Filing an entirely baseless emergency petition without conducting any due diligence.
2. **Concealment of Emergency Petition:** Deliberately concealing the 7/5/22 emergency petition and pretending it never existed.
3. **Concealment of Evidence:** Concealing MyChart evidence that disproved the allegations made in the emergency petition.
4. **Legal Misconduct:** Engaging in criminal concealment and elder neglect, which allegedly almost caused the death of Lynn Kay's mother.
5. **Failure to Inform:** Not informing Lynn Kay about the emergency petition hearing through any means of communication.
6. Cary Cucinelli is accused of concealing MyChart evidence since 7/8/22 until on or around November 2022 that disproved all of the allegations made in the emergency petition.

Cary Cucinelli's actions allegedly involved concealing Elaine's medical records and health information, which was against a court order stating that "Lynn shall not be denied Elaine's medical records and health information." This concealment lasted until around November 2022.

The legal misconduct accusations involved Cary Cucinelli, Liz Shifflett, Philip Kapusta, Laurie Kirkland, and Elizabeth Wildhack ALL SO DISRESPECTFULLY FAILING TO EVER NOTIFY LYNN KAY AND FAILING TO EVER DO ANY DUE DILIGENCE EVER PRIOR TO FILING AND ALL PERSONS THEREFORE HAVING A DIRECT MALFEASANT HAND IN FULLY “MATERIALLY BREACHING THE 2020 SETTLEMENT AGREEMENT” BASED SOLELY ON CONJECTURAL STATEMENTS WITH ABSUTELY NO SUPPORTIVE DOCUMENTS EVER VERIFYING ANY OF THE ENTIRELY FALSE AND MISLEADING 7/5/22 EMERGENCY PETITION ALLEGATIONS FILED AND THEN BEING FULLY CONCEALED FROM LYNN KAY.

Cary Cucinelli was accused of the following specific actions:

1. Filing an entirely baseless emergency petition without doing any due diligence.
2. Concealing the 7/5/22 emergency petition and pretending it never existed.
3. **CONCEALING EVIDENCE FROM MYCHART THAT ENTIRELY DISPROVED THE ALLEGATIONS.**
4. Wrongly terminating both Lynn’s guardianship and MYCHART on the same day as the 7/8/22 court order, defying the court order within the same hour.
5. Engaging in criminal concealment of criminal elder neglect and denial of care by Liz Shifflett, which almost caused Elaine's death.

Cary Cucinelli handled the emergency petition by:

1. Filing the petition without conducting any due diligence.
2. Concealing the existence of the 7/5/22 emergency petition.
3. Failing to inform Lynn Kay about the emergency petition hearing through email, text, phone call, mail, certified mail, or hand delivery service.
4. Concealing evidence from MyChart that disproved all of the allegations in the petition.
5. Terminating on the same day as the 7/8/22 court order, defying the court within the same hour.

The allegations made against Cary Cucinelli include:

1. Filing an entirely baseless emergency petition without conducting any due diligence.
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3. Failing to inform Lynn Kay about the emergency petition hearing through any form of communication.
4. Pretending that the 7/5/22 emergency petition never existed.
5. Concealing evidence from MyChart that disproved the allegations in the petition.
6. Terminating on the same day as the 7/8/22 court order, defying the court within the same hour.
7. Engaging in criminal concealment of criminal elder neglect and denial of care by Liz Shifflett, which almost caused Elaine's death.

The basis for the fraud allegations against Cary Cucinelli includes:

1. Filing an entirely baseless emergency petition without conducting any due diligence.
2. Deliberately concealing the existence of the 7/5/22 emergency petition.
3. Failing to inform Lynn Kay about the emergency petition hearing through any form of communication.
4. Concealing evidence from MyChart that disproved the allegations in the petition.
5. Pretending that the 7/5/22 emergency petition never existed.
6. Engaging in criminal concealment of criminal elder neglect and denial of care by Liz Shifflett, which almost caused Elaine's death.

According to the email, the care manager largely ignored Lynn Kay's concerns about her mother's health. Despite Lynn's repeated pleas and reports about her mother's deteriorating condition, as is documented via TEXTS TRANSCRIPT, the care manager dismissed these concerns and did not take appropriate action. It was only after Lynn yelled at the care manager on June 30, 2022, that the care manager finally called 911 as Lynn requested-(NESTCAM VIDEO) and took Elaine to the emergency room as Lynn had requested.

Lynn raised several specific concerns about her mother's health, including:

1. Her mother still not eating much at the hospital and appearing as a "literal shell of herself in July 2022" with noticeable protruding facial bones-(VIDEO TAKEN AT HOSPITAL)
2. Her mother being entirely unresponsive and wanting to sleep all the time.
3. The need for a feeding tube due to her mother's lack of energy, but there being an inability to cooperate in swallowing for placing the tube
4. Her mother not drinking enough fluids and needing IV fluids.
5. The possibility of her mother having a urinary tract infection (UTI), which was later confirmed and treated.

Lynn also mentioned that she had been calling multiple times a day, speaking with nurses and doctors, and monitoring her mother's condition through MYCHART.com at home safe from COVID. Despite Lynn's concerns for her mom, the care manager ignored her concerns until Lynn insisted on 911 taking her mother to the emergency room on June 30, 2022.

Lynn took several actions regarding her mother's health:

1. She spent time with her mother, in the hospital encouraging her to eat and monitoring her condition.
2. She spoke with doctors about the possibility of using a feeding tube to provide nutrients.
3. She called the hospital multiple times a day to speak with nurses and doctors and read all notes and lab results on MYCHART.com to stay informed about her mother's condition.
4. She repeatedly informed and begged the care manager until 6/30/22 to address her mother's health issues, including suggesting IV fluids and a urinary analysis (U/A) at the hospital

5. She finally yelled at the care manager on June 30, 2022, insisting that her mother be taken to the emergency room, which led to the care manager calling 911.

These actions demonstrate Lynn's persistent efforts to ensure her mother received the proper and necessary medical attention.

Lynn responded to her mother's deteriorating condition by:

1. Spending time with her mother, encouraging her to eat, and monitoring her condition closely.
2. Speaking with doctors about the possibility of using a feeding tube due to her mother's lack of energy and cooperation in swallowing.
3. Calling multiple times a day to speak with nurses and doctors and reading all notes and lab results on MYCHART.com to stay informed about her mother's condition.
4. Repeatedly informing and begging the care manager to address her mother's health issues, including suggesting IV fluids and a urinary analysis (U/A).
5. Yelling at the care manager on June 30, 2022, insisting that her mother be taken to the emergency room, which led to the care manager finally calling 911.-(NESTCAM VIDEO)
6. Staying with her mother in the hospital to ensure she received proper care and monitoring her progress, including her mother's small improvements in eating and restful sleep.

Lynn's actions show her dedication to her mother's well-being and her proactive approach in seeking medical attention.

The steps taken for mom's recovery included:

1. **Hospital Admission:** Mom was admitted to the hospital on June 30, 2022.
2. **Medical Monitoring:** Lynn stayed with her mother, encouraging her to eat and monitoring her condition closely.
3. **Feeding Tube Attempt:** Doctors attempted to use a feeding tube to provide nutrients, although mom was not cooperative in swallowing.
4. **Communication with Medical Staff:** Lynn frequently called and spoke with nurses and doctors, and read all notes and lab results on MYCHART.com to stay informed about her mother's condition.
5. **Emergency Room Visit:** After persistent urging and finally yelling at the care manager, the care manager called 911, leading to mom being taken to the emergency room.
6. **Diagnosis and Treatment:** Mom was diagnosed with a urinary tract infection (UTI) and began receiving medication for it.
7. **Continued Care:** Lynn stayed with her mother in the hospital to ensure she received proper care, monitored her progress, and reported small improvements in eating and restful sleep.

These steps were crucial in addressing mom's health issues and aiding her recovery.

For mom's urinary tract infection (UTI), the treatment initiated was the administration of medication specifically for the UTI. This was mentioned in Lynn's email where she noted that her mother was diagnosed with a UTI and started receiving medicine for her healing finally on 7/7/22.

Before her UTI diagnosis, mom showed the following symptoms:

1. **Extreme Tiredness:** Lynn reported that mom was suddenly very tired.
2. **Reduced Fluid Intake:** Mom was drinking very little fluids.
3. **Lack of Appetite:** Mom was not eating much at the hospital and was almost comatose, refusing to eat for several days.
4. **Physical Deterioration:** Mom appeared as a literal shell of herself, with her upper face bones noticeably protruding.
5. **Unresponsiveness:** Mom was entirely unresponsive and just wanted to sleep.
6. **General Weakness:** Mom had no energy and was not cooperative in swallowing for a feeding tube.

These symptoms indicated a severe decline in her health, leading to the eventual diagnosis of a UROSEPSIS.

The care manager largely ignored Lynn's concerns about her mom's health. Despite Lynn's repeated reports and pleas about her mom's deteriorating condition, the care manager dismissed these concerns and did not take appropriate action. It was only after Lynn yelled at the care manager on June 30, urging her to take mom to the emergency room, that the care manager finally called 911.

The timeline of Lynn's mother's health deterioration is as follows:

1. **5/18/22 REPORTED UNWELLNESS:** LYNN REPORTED VIA TEXT THAT "MOM IS NOT FEELING WELL"
2. **Early June 22:** Lynn noticed her mother's sudden tiredness and reduced fluid intake. She suggested to the care manager that her mother might need another U/A (urinalysis), but the care manager ignored this suggestion.
3. **June 2, 2022:** Lynn began texting the care manager, reporting that her mother was not normal and expressing concerns about her health.
4. **June 30, 2022:** After a month of ignored concerns, Lynn finally yelled at the care manager to take her mother to the emergency room. The care manager called 911, and her mother was admitted to the hospital. Upon admission, Elaine's labs were grossly abnormal, but were wrongly ignored and within days her mother was found to be almost comatose, entirely unresponsive, and wasting away without receiving any Antibiotics from UROSEPSIS.
5. **July 7, 2022:** Lynn's mother was diagnosed with a UTI and started receiving medicine for her condition. She also began eating some food after five days of refusal and was having restful sleep with the help of a catheter.

Throughout this period, Lynn had been the primary person caring for her mother and advocating for her health needs.

In the email, Lynn described her mother's condition in the hospital as follows:

1. **Physical Appearance:** Mom was a "shocking literal shell of herself" with her upper face bones noticeably protruding.
2. **Unresponsiveness:** Mom was entirely unresponsive and just wanted to sleep.
3. **Lack of Energy:** Mom had absolutely no energy and was not cooperative in swallowing for a feeding tube.
4. **Lack of Appetite:** Mom had been eating very little since her hospital admission on June 30 and had refused to eat for five days.
5. **Severe Weakness:** Mom was almost comatose and had been wasting away.
6. **Improvement:** By the afternoon of July 7, mom was finally eating some food because she wanted to go home.

Lynn emphasized that her mom's condition had been deteriorating significantly, leading to her being on the brink of death before showing small signs of recovery.

Upon admission and days after admission to the hospital on June 30, 2022, Lynn's mother was in a severely deteriorated condition. She was described as being almost comatose, entirely unresponsive, and wasting away. She had not been eating much, and her physical appearance was described as a "shocking literal shell of herself" with her upper face bones noticeably protruding-(VIDEO TAKEN AT HOSPITAL).

xSince her hospitalization, Lynn's mother has made the following progress:

1. **Eating:** After refusing to eat for five days, she finally started eating some food.
2. **Restful Sleep:** She has been having restful sleep with the help of a catheter.
3. **Diagnosis and Treatment:** She was diagnosed with a UTI and is now receiving medicine for her healing.

Lynn notes that her mother is making very small progresses in her eating and overall condition

** THIS EMAIL DOES NOT INCLUDE THE 7/5/22-EMERGENCY PETITION "FALSE ALLEGATIONS" WHICH WAS DELIBERATELY CONCEALED BY CARY CUCINELLI FOR HER COMMITTING "FRAUD UPON THE COURT" FILING AN ENTIRELY BASELESS EMERGENCY PETITION WITHOUT EVER DOING ANY DUE DILIGENCE EVER AND ENTIRELY ABANDONING MOM TO DIE IN VIRGINIA HOSPITAL WHILE SEEKING TO

"MALICIOUSLY PROSECUTE ME WITH THREATS TO MY LIFE AND MOM'S LIFE AND WELL-BEING**-7/8/22

IF IT WERE NOT FOR CARY CUCINELLI AND LIZ SHIFFLETT AND PHILIP KAPUSTA, AND LAURIE KIRKLAND AND WILFHACK, OUR LIVES NEVER WOULD HAVE BEEN DECIMATEDLY DESTROYED TODAY.

CONVENIENTLY NEVER WAS I INFORMED BY EMAIL, TEXT, PHONE CALL OR MAIL OR CERTIFIED MAIL OR BY HAND DELIVERY SERVICE FOR THE 7/5/22 EMERGENCY PETITION HEARING AND NEVER DID I EVER TO THIS DAY RECEIVE THE 7/4/22 EMERGENCY PETITION EVER.

CARY CUCINELLI CORRUPTLY PRETENDED AS THOUGH THE 7/5/22 EMERGENCY PETITION NEVER EXISTED AND THEN CONCEALED ALL OF THE MYCHART DISPROVING EVIDENCE TO ALL OF THE ALLEGATIONS AND SHE TERMINATED ON THE SAME DAY AS THE 7/8/22 COURT ORDER DEFYING THE COURT EITHIN THE SAME HOUR-**LYNN SHALL NOT BE DENIED ELAINE'S MEDICAL RECORDS AND HEALTH INFORMATION**

AND SHE CONCEALED IT UNTIL NOVEMBER 2022

AND SHE IS GUILTY TO THIS DAY FOR LEGAL MISCONDUCT OF CRIMINAL CONCEALMENT OF CRIMINAL ELDER NEGLECT-DENIAL OF CARE BY LIZ SHIFFLETT ALMOST CAUSING MOM'S DEATH FOR THE VERY 1ST TIME!

To: Lynn Kay <tweetery7@yahoo.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>
Subject: 7/7/22-EMAILS-Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

7/7/22-EMAILS-Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

----- Forwarded Message -----

From: Lynn Kay <tweetery7@yahoo.com>
To: Cary Cucinelli <cary@cucinelliger.com>
Cc: lkirkland@bklawva.com <lkirkland@bklawva.com>; jberger@haleball.com <jberger@haleball.com>; Valerie Geiger <valerie@cucinelliger.com>
Sent: Thursday, July 7, 2022 at 09:01:20 PM EDT
Subject: Re: Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

Cary, I just this afternoon at 3 PMish received your entirely shocking emails.

I have been with mom all day encouraging her to eat as I found her today as just being a shocking literal shell of herself with her upper face bones noticeably protruding out when I arrived earlier this morning and she has been entirely unresponsive and just wanting to sleep.

I spoke with the doctor asking if they could do a feeding tube so she can receive nutrients since she was seemingly, almost comatose and so they tried to do it today, for the first time, but she had absolutely no energy and mom was not at all cooperative in swallowing which was required for a feeding tube through her nose.

Since mom was admitted on 6/30, I have been calling multiple times a day, speaking with nurses and doctors and reading all of the notes and labs, etc. on mom on MYCHART.com to see how mom was doing and they said to me that she hasn't been eating too much, but they never said that mom was entirely wasting away.

Cary, I have been the only one who has cared about mom's life for the past 15+ years, sacrificing 1/4 of my life now to care for mom since 2006 when

she begged me to move back home for me to do so for mom since 2004.

I am fighting to keep my mom alive as she is basically now just a shell of herself from the day of her 6/30 hospital admission, just 8 days ago. That is a very long time not to basically eat! She ate very little for just the 1st few days.

I had been begging the caretaker for over a month via texts since 6/2/22 telling her that Mom was not normal.

The caretaker just ignored most everything that I have been reporting to her of mom's condition until I finally yelled at her on 6/30 as she was dismissing my concerns with her just walking away, once again with her entirely dismissing mom's health condition, entirely. Even though the day before, I had informed her that mom needs IV Fluids and sleep for mom to be admitted to the hospital.

The caretaker absolutely refused to listen to my increasingly worrisome pleas for over a month as mom just got worse and worse which the caretaker was being informed of as it occurred.

This afternoon, my mom was finally eating some after 5 days of her absolutely refusing to do so and just because mom wants to be able to go home

I will email you all of the texts of my begging the caretaker for this last month.

The caretaker only finally listened to me because I yelled at her on 6/30 to take mom to the E.R. as she was walking away. Then she finally called 911.

I will be here with mom until she recovers as she desperately wants to go home. She definitely has a ways to go, but mom is now making very small progresses in her eating and having restful sleep with mom having a catheter.

On 6/22, I had informed the caretaker that maybe mom should have another U/A since mom was drinking so little and she, once again, entirely ignored it.

Mom was finally diagnosed today with a UTI and is receiving medicine now for her healing.

If only in early June, the caretaker had properly heeded mom's sudden tiredness, and mom's drinking of less fluids, I can assure you that mom wouldn't have been on death's door as I had found her just 10 hours ago in this hospital.

Mom is, hopefully, nearing the road of recovery now.

Lynn

On Thursday, July 7, 2022 at 03:04:01 PM EDT, Cary Cucinelli <cary@cucinelligeiger.com>

wrote: CARY CUCINELLI LIED TO THE COURT AS SHE NEVER NOTIFIED ME EVER WITH THE EMERGENCY PETITION-SHE HAD MY PHONE NUMBER AND 1 MONTH EARLIER TEXTED AND CALLED ME AND SENT 1 MONTH EARLIER A CERTIFIED MAIL. AND NEVER DID ANY "DUE DILIGENCE" BEFORE FILING BASELESS EMERGENCY PETITION OF ALL KNOWN FALSE ALLEGATIONS AS SHE CONCEALED THE TRUTH-THIS WAS FRAUD LYING TO THE COURT IN ORDER TO ILLEGALLY SEEK PREDATORY CONTROL OVER OUR LIVES TO CAUSE FORCED INCAPITATION WITH DEPRIVATION OF CARE"

Dear Lynn,

I was just made aware that you are using this email (tweeter7@yahoo.com). Please see below and attached.

Having not received a response from you to my emails of Tuesday (and an "undeliverable" message today), I have had the attached letter and copy of the petition sent to you.

Kind regards,

Cary

Cary Z. Cucinelli

Cucinelli Geiger PC

4084 University Drive, Suite 202A

tel: 703-481-6464

fax: 703-991-0609

From: Laurie Kirkland <lkirkland@bklawva.com>

Date: Thursday, July 7, 2022 at 2:13 PM

To: "Aimee.Solano@fairfaxcounty.gov" <Aimee.Solano@fairfaxcounty.gov>

Cc: Cary Cucinelli <cary@cucinelligeiger.com>, Valerie Geiger <valerie@cucinelligeiger.com>, "Justin B. Berger" <jberger@haleball.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>

Subject: Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

Dear Ms. Solano,

It is my understanding that the Co-Conservators' Emergency Petition in the above-referenced matter, which was set on tomorrow's docket in calendar control yesterday, will be heard by Judge Saylor tomorrow on her 10:00 docket. To that end, please find attached a courtesy copy of the Respondent's response and the referenced proposed order, which were filed and served on all interested parties (cc'd here) earlier today.

Best regards,

Laurie

Laurie L. Kirkland

Partner

Blankingship &
Keith, PC

Blankingship & Keith, PC

4020 University Drive, Suite 300 ■ Fairfax, VA 22030

tel (703) 691-1235 ■ direct (703) 293-7226

fax (703) 691-3913

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Subject: 7/7/22-EMAILS-Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

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----- Forwarded Message -----

From: Lynn Kay <tweetery7@yahoo.com>
To: Cary Cucinelli <cary@cucinelligeiger.com>
Cc: lkirkland@bklawva.com <lkirkland@bklawva.com>; jberger@haleball.com <jberger@haleball.com>; Valerie Geiger <valerie@cucinelligeiger.com>
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Lynn

On Thursday, July 7, 2022 at 03:04:01 PM EDT, Cary Cucinelli <cary@cucinelligeiger.com> wrote:

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Kind regards,

Cary

Cary Z. Cucinelli

Cucinelli Geiger PC

4084 University Drive, Suite 202A

tel: 703-481-6464

fax: 703-991-0609

From: Laurie Kirkland <lkirkland@bklawva.com>

Date: Thursday, July 7, 2022 at 2:13 PM

To: "Aimee.Solano@fairfaxcounty.gov" <Aimee.Solano@fairfaxcounty.gov>

Cc: Cary Cucinelli <cary@cucinelligeiger.com>, Valerie Geiger <valerie@cucinelligeiger.com>, "Justin B. Berger" <jberger@haleball.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>

Subject: Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

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Best regards,

Laurie

Laurie L. Kirkland

Partner

Blankingship &
Keith, PC

Blankingship & Keith, PC

4020 University Drive, Suite 300 ■ Fairfax, VA 22030

tel (703) 691-1235 ■ direct (703) 293-7226

fax (703) 691-3913

C UCINELLI LEGAL MISCONDUCT EVIDENCE-****FRAUD UPON THE COURT****-****MATERIAL BREACH OF CONTRACT AND "MALICIOUS PROSECUTION WITH THREATS TO OUR LIVES****-CRIMINAL

Fw: FIGHTING FOR MOM'S LIFE & FUTURE

1 message

Lynn Kay <tweeter7@yahoo.com>

Sun, Jan 26, 2025 at 11:50 AM

To: Lynn Kay <tweeter7@yahoo.com>, lynnkay7@gmail.com
<lynnkay7@gmail.com>

7/8/22-CARY CUCINELLI LIED TO THIS COURT TO REMOVE ME AS GUARDIAN W/ "NO JUST CAUSE"-THIS EMAIL SHOWS SHE WAS INFORMED THAT THE CARE MANAGER MEDICALLY NEGLECTED MY MOM- CUCINELLI CRIMINALLY CONCEALED THE MEDICAL NEGLECT. I STAYED UP ALL NIGHT SENDING EMAILS W/ TEXTS SHOWING SHIFFLETT MEDICAL ABANDONMENT & SHE "FAILED TO DISCLOSE"-***LYING BY OMISSO*** & THEN ****MALICIOUSLY THREATENED OUR LIVES****

----- Forwarded Message -----

From: Cary Cucinelli <cary@cucinelligeiger.com>

To: tweeter7 <tweeter7@yahoo.com>

Cc: Valerie Geiger <valerie@cucinelligeiger.com>; Callie Bailey

<callie@cucinelligeiger.com>; Liz Shifflett <l.shifflett@premierlifeplanning.com>; Suzanne Hanas <suzanne.hanas@premierlifeplanning.com>

Sent: Friday, July 8, 2022 at 01:11:37 PM EDT

Subject: Re: FIGHTING FOR MOM'S LIFE & FUTURE

Lynn,

A copy of the Court's order of this morning is attached here.

Please note the highlighted language on page 5.

As communicated earlier, Liz Shifflet and Suzanne Hanas will be engaging professional caregivers to provide care to your mother in her home.

care.

CUCINELLI COMMITTED "FRAUD UPON THE COURT" BY
KNOWINGLY CONCEALING MEDICAL ELDER NEGLECT

We have authorized Liz Shifflet and Suzanne Hanas to contact the police, should you fail to cooperate and obstruct your mother's caregivers in their duties.

Please call or email with any questions.

Kind regards,

Cary

Cary Z. Cucinelli

Cucinelli Geiger PC

4084 University Drive, Suite 202A

Fairfax, Virginia 22030

tel: 703-481-6464

fax: 703-991-0609

This email and its attachments are intended only for the individual or entity who is the intended recipient and may contain information that is privileged, confidential and exempt from disclosure or any type of use under applicable law. If the reader of this e-mail is not the intended recipient, or the employee, agent or representative responsible for delivering the e-mail to the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this e-mail is strictly prohibited. If you have received this e-mail in error, please reply immediately to the sender.

From: tweetery7 <tweetery7@yahoo.com>

Date: Friday, July 8, 2022 at 11:04 AM

To: Cary Cucinelli <cary@cucinelligeiger.com>

Subject: Re: FIGHTING FOR MOM'S LIFE & FUTURE

Cary, I received EVERYTHING at 3 PM yesterday via email for my being notified.

Cary, there is absolutely no legal justification for any of this and you now absolutely know it.

I have served as Mom's Legal Guardian, etc, officially or unofficially above and beyond for more than 15 years. And I had held LEGAL P.O.A..

There has been, absolutely, no wrongdoing or any negligence or any abuse or any neglect of mom, whatsoever, on my part.

Mom was absolutely more than thriving prior to June 2022.

I have been an entirely dutiful daughter in full-time caring for mom since 2011, when mom basically gave up on everything. And my helping mom since November 2006 when I entirely sacrificed my life now for almost 16 years for mom in moving back home as she had continuously been begging me to do after dad died in late 90's-(1998/1999) not sure anymore. Think it was 1998.

As all of yesterday's emails from me to you and all of the snaps of the caretaker being informed of everything in regards to mom do state and factually document, all of mom's health concerns in June 2022 prior to the 6/30 hospitalization were entirely dismissed by the caretaker, and even up to the very last moment when she walked away and both mom and I begged her to come back to take mom to the E.R. And my concerns about mom were also, shockingly, not even expressed to the E.R. doctor by the caretaker when in the evening-4-5 hours later the caretaker arrived to the E.R.

And, you, Cary, you have the entire burden of proof to prove of anything otherwise. As you now have seen, the caretaker is entirely gravely at fault for mom's spiraling demise.

Mom has been constantly entirely dismissed by everyone, including even her "DEADBEAT" son, except for me. I just hope now that she can be saved and can, once again, thrive.

I am fighting with all of my time and strength and energy for saving mom's life today and thereafter, and until further notice I will be by my mom's bedside.

I was with mom for 10 hours yesterday until I was kicked out at 8:15 PM. And again am today now.

I just hope that all of the recent misdeeds of dismissals of the caretaker will not cause mom's premature death.

I hope that mom will eat more today and I am, once again, begging for mom to be given fluids as last time was, shockingly, 7/4!

I am by mom's bedside.

Lynn

571-421-6813

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Cary Cucinelli <cary@cucinelligeiger.com>

Date: 7/8/22 9:14 AM (GMT-05:00)

To: tweetery7 <tweetery7@yahoo.com>

Subject: Re: FIGHTING FOR MOM'S LIFE & FUTURE

Lynn, please let me know whether you plan to appear and/or participate in this morning's hearing.

Cary Z. Cucinelli

Cucinelli Geiger PC

4084 University Drive, Suite 202A

Fairfax, Virginia 22030

tel: 703-481-6464

fax: 703-991-0609

This email and its attachments are intended only for the individual or entity who is the intended recipient and may contain information that is privileged, confidential and exempt from disclosure or any type of use under applicable law. If the reader of this e-mail is not the intended recipient, or the employee, agent or representative responsible for delivering the e-mail to the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this e-mail is strictly prohibited. If you have received this e-mail in error, please reply immediately to the sender.

From: tweetery7 <tweetery7@yahoo.com>

Date: Friday, July 8, 2022 at 4:58 AM

To: Cary Cucinelli <cary@cucinelligeiger.com>

Subject: FIGHTING FOR MOM'S LIFE & FUTURE

7/8/22-THE CRIMINAL
FIDUCIARY-CARY
CUCINELLI WAS INFORMED
ON BOTH 7/7/22 AND 7/8/22
WITH EVIDENCE OF
CRIMINAL ELDER NEGLECT
BY CARE MANAGER AND
HAS CRIMINALLY
CONCEALED IT ALL FOR 3
YEARS WHILE
UNCEASINGLY
THREATENING THE LIVES
OF BOTH LELAINE MAE
KAPUSTA AND YNN KAY

I HAD INFORMED THE CARETAKER FOR MORE THAN A MONTH BEGINNING ON 6/2/22 THAT MOM WAS NOTICEABLY, ALL OF A SUDDEN, DRASTICALLY SLOWING DOWN AND THE CARETAKER SUMMED IT UP TO MOM BEING TIRED BECAUSE OF THE MULTIPLE DR. APPTS. IN EARLY JUNE.

ON 6/2, I TOLD THE CARETAKER THAT "MOM IS NOT NORMAL." IN ADDITION TO THE NOTICEABLE FATIGUE/EXHAUSTION THAT MOM WAS SHOWING, SOON THEREAFTER, I HAD INFORMED THE CARETAKER THAT MOM WAS ALSO NOT DRINKING AS MUCH AS SHE USED TO AND THAT SHE WAS ALSO COMPLAINING OF HAVING PAIN IN HER RIGHT ARM/SHOULDER. MY 1ST THOUGHT WAS HEART PROBLEMS AND SO MOM WENT FOR A VA. HEART APPT AT MY INSISTENCE TO THE CARETAKER FOR THE CARETAKER

MAKING A 6/8 APPT, WHICH MOM WAS SEEN.

THE CARETAKER SAID THE RIGHT SHOULDER/ARM PAIN WAS LIKELY DUE TO CONTORTIONING MOM DURING THE 6/1 MAMMO. I ACCEPTED THAT MAYBE WAS POSSIBLE, BUT THE PAIN CONTINUED.

THEN IN THE LAST WEEK PRIOR TO 6/30, SHE BEGAN NOTICEABLY EATING LESS IN NOT HAVING MUCH OF AN APPETITE AS SHE USUALLY HAD AND NOT SLEEPING WHILE IN BED AT NIGHT THROUGH THE EARLY A.M. AND ALSO WAKING ME UP.

SHE WAS CONTINUALLY GETTING UP MULTIPLE TIMES TO PEE AND GETTING VERY LITTLE SLEEP AND WHICH ALSO WOKE ME UP DUE TO ALL OF THIS AS I HAVE BEEN MONITORING MOM ALL NIGHT WITH THE NESTCAM ALL NIGHT TO SEE HOW SHE IS SLEEPING OR NOT SLEEPING, SO I COULD HEAR WHEN SHE GOT UP MULTIPLE TIMES THROUGH THE LATE NIGHT/A.M.

IT WENT ON FOR MULTIPLE NIGHTS, WHICH WAS ENTIRELY DRAGGING MOM DOWN MORE AND MORE EACH DAY.

I HAD INFORMED THE CARETAKER OF EVERYTHING AND SHE ENTIRELY DISREGARDED EVERYTHING.

ON 6/29, I TOLD THE CARETAKER THAT MOM NEEDS IV FLUIDS, MOM NEEDS SLEEP. I TOLD HER THAT MOM IS EATING, BUT IS VERY FATIGUED.

THEN ON 6/30, THE CARETAKER CONTINUED TO REFUSE TO LISTEN TO ME OR TO LISTEN TO MOM'S CRYING BEGGING ON THE NESTCAM FOOTAGE FOR MOM TO GO TO THE HOSPITAL.

THIS CARETAKER NEEDS TO BE IMMEDIATELY ENTIRELY REMOVED AS SHE HAS CONTINUALLY PROVEN TO BE ENTIRELY DISMISSIVE OF MOM'S HEALTH ISSUES AS I HAVE REPORTED EVERYTHING TO THIS CARETAKER AND SHE IS UNCARING AND NEGLIGENT IN CARING FOR MOM AND SHE SHOULD NOT BE ALLOWED TO CONTINUE TO EVER CARE FOR MOM AGAIN AS SHE, ABSOLUTELY, DOESN'T HAVE MOM'S BEST INTERESTS AT HEART AS SHE HAS CONTINUALLY AND ENTIRELY DISREGARDED THE PLEAS OF HELP FROM BOTH MOM AND I, ON MY ADVOCATING ON BEHALF OF MOM.

ON 6/30, THE CARETAKER WAS CONTINUING TO BE DISMISSIVE OF MY DIRE CONCERNS FOR MOM'S HEALTH AND SHE STARTED TO LEAVE, UNTIL I YELLED AT HER THAT MOM IS ABSOLUTELY BEGGING FOR HELP AND THEN THE CARETAKER FINALLY CALLED 911 TO HAVE MOM GET HOSPITALIZED TO GO TO THE E.R.

AT THE HOSPITAL, THEY GAVE MOM FLUIDS AND SEDATED MOM SO THAT SHE COULD GET SOME SLEEP AND THE HOSPITAL ALSO TOOK MOM ENTIRELY OFF OF THE FUROSEMIDE, LIKELY ALSO DUE TO MOM NOT BEING ABLE TO REST RAISING HER

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THE DR.S AT THE HOSPITAL FINALLY LISTENED TO MY PLEAS FOR THEM TO DO EVERYTHING THAT I HAD SOUGHT FOR MOM, INCLUDING HAVING A CATHETER. AND THEY ALSO DIDN'T DO FORCED IV NUTRIENTS, WHICH I BELIEVE IS STILL NECESSARY FOR MOM AS SHE IS STILL NOT EATING VERY MUCH WHICH IS NOT GOOD. AND IS DRINKING JUST SIPS OF FLUID THROUGHOUT THE DAY.

THE HOSPITAL ALSO PUT MOM ON ANOTHER BLOOD PRESSURE MEDICINE CALLED NORVASC WHICH SEEMS TO NOW BE WORKING IN SUCCESSFULLY LOWERING MOM'S BLOOD PRESSURE. BUT IT IS A TABLET THAT IS CRUSHED UP AND PUT IN APPLESAUCE.

IF MOM DOESN'T EAT, SHE DOESN'T GET THIS MEDICINE FOR HIGH BLOOD PRESSURE.

I HAVE FOUGHT FOR MOM FOR 15 YEARS, ENTIRELY SACRIFICING MY LIFE TO MOVE HOME FROM CALIFORNIA AFTER 21 YEARS OF MY LIVING IN CALIFORNIA, JUST TO CARE FOR MY MOM, AS SHE HAD BEGUN BEGGING FOR ME TO DO IN 2004.

I AM ONCE AGAIN FIGHTING FOR MY MOM AND HER FUTURE WELL-BEING.

I HAVE BEEN FORCED TO BECOME MOM'S ADVOCATE IN FIGHTING FOR MOM'S LIFE AND MOM'S FUTURE COMFORT AND WELL-BEING.

MOM WILL DIE IF SHE IS PUT INTO A NURSING HOME. MOM NEEDS TO LIVE IN HER HOME OF 44 YEARS-(1978). SHE HAS EVERYTHING THAT SHE NEEDS AT OUR HOME WITH ME CARING FOR MOM.

MOM HAS A WONDERFUL HOME WITH MY CARING FOR HER AND MOM IS VERY CAPABLE IN ALSO CARING FOR HERSELF, BESIDES PREPARING ALL OF THE MEALS FOR MOM WHICH I DO AND BATHING MOM WHICH I HAD ASKED FOR HELP BECAUSE MOM BEGAN REALLY FIGHTING IT IN THE LAST MONTH FOR HER HAVING TO TAKE A BATH/SHOWER, AS THE CARETAKER ALSO HAD EXPERIENCED THIS WHEN TRYING TO GET MOM INTO THE SHOWER, WITH ME, SO I HAVE BEEN DOING THE LAST MONTH SPONGE BATHS.

I IMPLORE YOU TO NOT THROW MOM'S LIFE AWAY BY SENTENCING MOM TO A NURSING HOME, SHE WILL DIE. IT WILL ABSOLUTELY KILL HER!

MOM HAS BEEN ABSOLUTELY THRIVING AT HOME WITH ME UNTIL THIS PAST MONTH WHEN SHE STARTED NOT FEELING GOOD. AND STILL HAS NOT BEEN DETERMINED WHY? EXCEPT UTI.

I HAD NO IDEA IF I DARE TO ASK FOR MEDICAL HELP FOR MOM'S WELL-BEING THAT

SHE COULD THEN BE PERMANENTLY PUT INTO A NURSING HOME, ENTIRELY AGAINST MOM'S WISHES.

MOM NEEDS TO COME BACK HOME TO HER COMFY HOME OF CARE AND EASE SO THAT SHE CAN FULLY RECOVER AT HER HOME, AFTER SHE IS STABLE AND EATING AND THE UTI HAS CLEARED UP.

IF SHE NEEDS TO GO TO A NURSING HOME FOR HER TO CONTINUE TO RECOVER, IT NEEDS TO BE THE CHERRYDALE HEALTH AND REHAB NURSING HOSPITAL IN CHERRYDALE, ARLINGTON, WHICH SHE HAS BEEN AT BEFORE AFTER HER 3 DIFFERENT SURGERIES MANY YEARS AGO.

Sent from my Verizon, Samsung Galaxy smartphone

**** THIS EMAIL DOES NOT INCLUDE THE 7/5/22-EMERGENCY PETITION "FALSE ALLEGATIONS" WHICH WAS DELIBERATELY CONCEALED BY CARY CUCINELLI FOR HER COMMITTING "FRAUD UPON THE COURT" FILING AN ENTIRELY BASELESS EMERGENCY PETITION WITHOUT EVER DOING ANY DUE DILIGENCE EVER AND ENTIRELY ABANDONING MOM TO DIE IN VIRGINIA HOSPITAL WHILE SEEKING TO**

"MALICIOUSLY PROSECUTE ME WITH THREATS TO MY LIFE AND MOM'S LIFE AND WELL-BEING-7/8/22**

IF IT WERE NOT FOR CARY CUCINELLI AND LIZ SHIFFLETT AND PHILIP KAPUSTA, AND LAURIE KIRKLAND AND WILFHACK, OUR LIVES NEVER WOULD HAVE BEEN DECIMATEDLY DESTROYED TODAY.

CONVENIENTLY NEVER WAS I INFORMED BY EMAIL, TEXT, PHONE CALL OR MAIL OR CERTIFIED MAIL OR BY HAND DELIVERY SERVICE FOR THE 7/5/22 EMERGENCY PETITION HEARING AND NEVER DID I EVER TO THIS DAY RECEIVE THE 7/4/22 EMERGENCY PETITION EVER.

CARY CUCINELLI CORRUPTLY PRETENDED AS THOUGH THE 7/5/22 EMERGENCY PETITION NEVER EXISTED AND THEN CONCEALED ALL OF THE MYCHART DISPROVING EVIDENCE TO ALL OF THE ALLEGATIONS AND SHE TERMINATED ON THE SAME DAY AS THE 7/8/22 COURT ORDER DEFYING THE COURT EITHIN THE SAME HOUR-LYNN SHALL NOT BE DENIED ELAINE'S MEDICAL RECORDS AND HEALTH INFORMATION****

AND SHE CONCEALED IT UNTIL NOVEMBER 2022

AND SHE IS GUILTY TO THIS DAY FOR LEGAL MISCONDUCT OF CRIMINAL CONCEALMENT OF CRIMINAL ELDER NEGLECT-DENIAL OF CARE BY LIZ SHIFFLETT ALMOST CAUSING MOM'S DEATH FOR THE VERY 1ST TIME!

To: Lynn Kay <tweetery7@yahoo.com>, "lynnkay7@gmail com" <lynnkay7@gmail.com>
Subject: 7/7/22-EMAILS-Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

7/7/22-EMAILS-Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

----- Forwarded Message -----

From: Lynn Kay <tweetery7@yahoo.com>
To: Cary Cucinelli <cary@cucinelligeiger.com>
Cc: lkirkland@bklawva.com <lkirkland@bklawva.com>; jberger@haleball.com <jberger@haleball.com>; Valerie Geiger <valerie@cucinelligeiger.com>
Sent: Thursday, July 7, 2022 at 09:01:20 PM EDT
Subject: Re: Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

Cary, I just this afternoon at 3 PMish received your entirely shocking emails.

I have been with mom all day encouraging her to eat as I found her today as just being a shocking literal shell of herself with her upper face bones noticeably protruding out when I arrived earlier this morning and she has been entirely unresponsive and just wanting to sleep.

I spoke with the doctor asking if they could do a feeding tube so she can receive nutrients since she was seemingly, almost comatose and so they tried to do it today, for the first time, but she had absolutely no energy and mom was not at all cooperative in swallowing which was required for a feeding tube through her nose.

Since mom was admitted on 6/30, I have been calling multiple times a day, speaking with nurses and doctors and reading all of the notes and labs, etc. on mom on MYCHART.com to see how mom was doing and they said to me that she hasn't been eating too much, but they never said that mom was entirely wasting away.

Cary, I have been the only one who has cared about mom's life for the past 15+ years, sacrificing 1/4 of my life now to care for mom since 2006 when

she begged me to move back home for me to do so for mom since 2004.

I am fighting to keep my mom alive as she is basically now just a shell of herself from the day of her 6/30 hospital admission, just 8 days ago. That is a very long time not to basically eat! She ate very little for just the 1st few days.

I had been begging the caretaker for over a month via texts since 6/2/22 telling her that Mom was not normal.

The caretaker just ignored most everything that I have been reporting to her of mom's condition until I finally yelled at her on 6/30 as she was dismissing my concerns with her just walking away, once again with her entirely dismissing mom's health condition, entirely. Even though the day before, I had informed her that mom needs IV Fluids and sleep for mom to be admitted to the hospital.

The caretaker absolutely refused to listen to my increasingly worrisome pleas for over a month as mom just got worse and worse which the caretaker was being informed of as it occurred.

This afternoon, my mom was finally eating some after 5 days of her absolutely refusing to do so and just because mom wants to be able to go home.

I will email you all of the texts of my begging the caretaker for this last month.

The caretaker only finally listened to me because I yelled at her on 6/30 to take mom to the E.R. as she was walking away. Then she finally called 911.

I will be here with mom until she recovers as she desperately wants to go home. She definitely has a ways to go, but mom is now making very small progresses in her eating and having restful sleep with mom having a catheter.

On 6/22, I had informed the caretaker that maybe mom should have another U/A since mom was drinking so little and she, once again, entirely ignored it.

Mom was finally diagnosed today with a UTI and is receiving medicine now for her healing.

If only in early June, the caretaker had properly heeded mom's sudden tiredness, and mom's drinking of less fluids, I can assure you that mom wouldn't have been on death's door as I had found her just 10 hours ago in this hospital.

Mom is, hopefully, nearing the road of recovery now.

Lynn

On Thursday, July 7, 2022 at 03:04:01 PM EDT, Cary Cucinelli <cary@cucinelligeiger.com> wrote:

Dear Lynn,

I was just made aware that you are using this email (tweeter7@yahoo.com). Please see below and attached.

Having not received a response from you to my emails of Tuesday (and an "undeliverable" message today), I have had the attached letter and copy of the petition sent to you.

Kind regards,

Cary

Cary Z. Cucinelli

Cucinelli Geiger PC

4084 University Drive, Suite 202A

tel: 703-481-6464

fax: 703-991-0609

From: Laurie Kirkland <lkirkland@bklawva.com>

Date: Thursday, July 7, 2022 at 2:13 PM

To: "Aimee.Solano@fairfaxcounty.gov" <Aimee.Solano@fairfaxcounty.gov>

Cc: Cary Cucinelli <cary@cucinelligeiger.com>, Valerie Geiger <valerie@cucinelligeiger.com>, "Justin B. Berger" <jberger@haleball.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>

Subject: Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

Dear Ms. Solano,

It is my understanding that the Co-Conservators' Emergency Petition in the above-referenced matter, which was set on tomorrow's docket in calendar control yesterday, will be heard by Judge Saylor tomorrow on her 10:00 docket. To that end, please find attached a courtesy copy of the Respondent's response and the referenced proposed order, which were filed and served on all interested parties (cc'd here) earlier today.

Best regards,

Laurie

Laurie L. Kirkland

Partner

Blankingship &
Keith, PC

Blankingship & Keith, PC

4020 University Drive, Suite 300 ■ Fairfax, VA 22030

tel (703) 691-1235 ■ direct (703) 293-7226

fax (703) 691-3913

C UCINELLI LEGAL MISCONDUCT EVIDENCE-****FRAUD UPON THE COURT****-****MATERIAL BREACH OF CONTRACT AND "MALICIOUS PROSECUTION WITH THREATS TO OUR LIVES****-CRIMINAL

Fw: FIGHTING FOR MOM'S LIFE & FUTURE

1 message

Lynn Kay <tweeter7@yahoo.com>

Sun, Jan 26, 2025 at 11:50 AM

To: Lynn Kay <tweeter7@yahoo.com>, lynnkay7@gmail.com
<lynnkay7@gmail.com>

7/8/22-CARY CUCINELLI LIED TO THIS COURT TO REMOVE ME AS GUARDIAN W/ "NO JUST CAUSE"-THIS EMAIL SHOWS SHE WAS INFORMED THAT THE CARE MANAGER MEDICALLY NEGLECTED MY MOM- CUCINELLI CRIMINALLY CONCEALED THE MEDICAL NEGLECT. I STAYED UP ALL NIGHT SENDING EMAILS W/ TEXTS SHOWING SHIFFLETT MEDICAL ABANDONMENT & SHE "FAILED TO DISCLOSE"-***LYING BY OMISSO*** & THEN ****MALICIOUSLY THREATENED OUR LIVES****

----- Forwarded Message -----

From: Cary Cucinelli <cary@cucinelligeiger.com>

To: tweeter7 <tweeter7@yahoo.com>

Cc: Valerie Geiger <valerie@cucinelligeiger.com>; Callie Bailey

<callie@cucinelligeiger.com>; Liz Shifflett <l.shifflett@premierlifeplanning.com>; Suzanne Hanas <suzanne.hanas@premierlifeplanning.com>

Sent: Friday, July 8, 2022 at 01:11:37 PM EDT

Subject: Re: FIGHTING FOR MOM'S LIFE & FUTURE

Lynn,

A copy of the Court's order of this morning is attached here.

Please note the highlighted language on page 5.

As communicated earlier, Liz Shifflet and Suzanne Hanas will be engaging professional caregivers to provide care to your mother in her home.

care.

CUCINELLI COMMITTED "FRAUD UPON THE COURT" BY
KNOWINGLY CONCEALING MEDICAL ELDER NEGLECT

We have authorized Liz Shifflet and Suzanne Hanas to contact the police, should you fail to cooperate and obstruct your mother's caregivers in their duties.

Please call or email with any questions.

Kind regards,

Cary

Cary Z. Cucinelli

Cucinelli Geiger PC

4084 University Drive, Suite 202A

Fairfax, Virginia 22030

tel: 703-481-6464

fax: 703-991-0609

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From: tweetery7 <tweetery7@yahoo.com>

Date: Friday, July 8, 2022 at 11:04 AM

To: Cary Cucinelli <cary@cucinelligeiger.com>

Subject: Re: FIGHTING FOR MOM'S LIFE & FUTURE

Cary, I received EVERYTHING at 3 PM yesterday via email for my being notified.

Cary, there is absolutely no legal justification for any of this and you now absolutely know it.

I have served as Mom's Legal Guardian, etc, officially or unofficially above and beyond for more than 15 years. And I had held LEGAL P.O.A..

There has been, absolutely, no wrongdoing or any negligence or any abuse or any neglect of mom, whatsoever, on my part.

Mom was absolutely more than thriving prior to June 2022.

I have been an entirely dutiful daughter in full-time caring for mom since 2011, when mom basically gave up on everything. And my helping mom since November 2006 when I entirely sacrificed my life now for almost 16 years for mom in moving back home as she had continuously been begging me to do after dad died in late 90's-(1998/1999) not sure anymore. Think it was 1998.

As all of yesterday's emails from me to you and all of the snaps of the caretaker being informed of everything in regards to mom do state and factually document, all of mom's health concerns in June 2022 prior to the 6/30 hospitalization were entirely dismissed by the caretaker, and even up to the very last moment when she walked away and both mom and I begged her to come back to take mom to the E.R. And my concerns about mom were also, shockingly, not even expressed to the E.R. doctor by the caretaker when in the evening-4-5 hours later the caretaker arrived to the E.R.

And, you, Cary, you have the entire burden of proof to prove of anything otherwise. As you now have seen, the caretaker is entirely gravely at fault for mom's spiraling demise.

Mom has been constantly entirely dismissed by everyone, including even her "DEADBEAT" son, except for me. I just hope now that she can be saved and can, once again, thrive.

I am fighting with all of my time and strength and energy for saving mom's life today and thereafter, and until further notice I will be by my mom's bedside.

I was with mom for 10 hours yesterday until I was kicked out at 8:15 PM. And again am today now.

I just hope that all of the recent misdeeds of dismissals of the caretaker will not cause mom's premature death.

I hope that mom will eat more today and I am, once again, begging for mom to be given fluids as last time was, shockingly, 7/4!

I am by mom's bedside.

Lynn

571-421-6813

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Cary Cucinelli <cary@cucinelligeiger.com>

Date: 7/8/22 9:14 AM (GMT-05:00)

To: tweetery7 <tweetery7@yahoo.com>

Subject: Re: FIGHTING FOR MOM'S LIFE & FUTURE

Lynn, please let me know whether you plan to appear and/or participate in this morning's hearing.

Cary Z. Cucinelli

Cucinelli Geiger PC

4084 University Drive, Suite 202A

Fairfax, Virginia 22030

tel: 703-481-6464

fax: 703-991-0609

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From: tweetery7 <tweetery7@yahoo.com>

Date: Friday, July 8, 2022 at 4:58 AM

To: Cary Cucinelli <cary@cucinelligeiger.com>

Subject: FIGHTING FOR MOM'S LIFE & FUTURE

I HAD INFORMED THE CARETAKER FOR MORE THAN A MONTH BEGINNING ON 6/2/22 THAT MOM WAS NOTICEABLY, ALL OF A SUDDEN, DRASTICALLY SLOWING DOWN AND THE CARETAKER SUMMED IT UP TO MOM BEING TIRED BECAUSE OF THE MULTIPLE DR. APPTS. IN EARLY JUNE.

ON 6/2, I TOLD THE CARETAKER THAT "MOM IS NOT NORMAL." IN ADDITION TO THE NOTICEABLE FATIGUE/EXHAUSTION THAT MOM WAS SHOWING, SOON THEREAFTER, I HAD INFORMED THE CARETAKER THAT MOM WAS ALSO NOT DRINKING AS MUCH AS SHE USED TO AND THAT SHE WAS ALSO COMPLAINING OF HAVING PAIN IN HER RIGHT ARM/SHOULDER. MY 1ST THOUGHT WAS HEART PROBLEMS AND SO MOM WENT FOR A VA. HEART APPT AT MY INSISTENCE TO THE CARETAKER FOR THE CARETAKER

MAKING A 6/8 APPT, WHICH MOM WAS SEEN.

THE CARETAKER SAID THE RIGHT SHOULDER/ARM PAIN WAS LIKELY DUE TO CONTORTIONING MOM DURING THE 6/1 MAMMO. I ACCEPTED THAT MAYBE WAS POSSIBLE, BUT THE PAIN CONTINUED.

THEN IN THE LAST WEEK PRIOR TO 6/30, SHE BEGAN NOTICEABLY EATING LESS IN NOT HAVING MUCH OF AN APPETITE AS SHE USUALLY HAD AND NOT SLEEPING WHILE IN BED AT NIGHT THROUGH THE EARLY A.M. AND ALSO WAKING ME UP.

SHE WAS CONTINUALLY GETTING UP MULTIPLE TIMES TO PEE AND GETTING VERY LITTLE SLEEP AND WHICH ALSO WOKE ME UP DUE TO ALL OF THIS AS I HAVE BEEN MONITORING MOM ALL NIGHT WITH THE NESTCAM ALL NIGHT TO SEE HOW SHE IS SLEEPING OR NOT SLEEPING, SO I COULD HEAR WHEN SHE GOT UP MULTIPLE TIMES THROUGH THE LATE NIGHT/A.M.

IT WENT ON FOR MULTIPLE NIGHTS, WHICH WAS ENTIRELY DRAGGING MOM DOWN MORE AND MORE EACH DAY.

I HAD INFORMED THE CARETAKER OF EVERYTHING AND SHE ENTIRELY DISREGARDED EVERYTHING.

ON 6/29, I TOLD THE CARETAKER THAT MOM NEEDS IV FLUIDS, MOM NEEDS SLEEP. I TOLD HER THAT MOM IS EATING, BUT IS VERY FATIGUED.

THEN ON 6/30, THE CARETAKER CONTINUED TO REFUSE TO LISTEN TO ME OR TO LISTEN TO MOM'S CRYING BEGGING ON THE NESTCAM FOOTAGE FOR MOM TO GO TO THE HOSPITAL.

THIS CARETAKER NEEDS TO BE IMMEDIATELY ENTIRELY REMOVED AS SHE HAS CONTINUALLY PROVEN TO BE ENTIRELY DISMISSIVE OF MOM'S HEALTH ISSUES AS I HAVE REPORTED EVERYTHING TO THIS CARETAKER AND SHE IS UNCARING AND NEGLIGENT IN CARING FOR MOM AND SHE SHOULD NOT BE ALLOWED TO CONTINUE TO EVER CARE FOR MOM AGAIN AS SHE, ABSOLUTELY, DOESN'T HAVE MOM'S BEST INTERESTS AT HEART AS SHE HAS CONTINUALLY AND ENTIRELY DISREGARDED THE PLEAS OF HELP FROM BOTH MOM AND I, ON MY ADVOCATING ON BEHALF OF MOM.

ON 6/30, THE CARETAKER WAS CONTINUING TO BE DISMISSIVE OF MY DIRE CONCERNS FOR MOM'S HEALTH AND SHE STARTED TO LEAVE, UNTIL I YELLED AT HER THAT MOM IS ABSOLUTELY BEGGING FOR HELP AND THEN THE CARETAKER FINALLY CALLED 911 TO HAVE MOM GET HOSPITALIZED TO GO TO THE E.R.

AT THE HOSPITAL, THEY GAVE MOM FLUIDS AND SEDATED MOM SO THAT SHE COULD GET SOME SLEEP AND THE HOSPITAL ALSO TOOK MOM ENTIRELY OFF OF THE FUROSEMIDE, LIKELY ALSO DUE TO MOM NOT BEING ABLE TO REST RAISING HER

BLOOD PRESSURE WITH HER CONTINUALLY GETTING UP TO PEE AND NOT BEING ABLE TO REST.

THE DR.S AT THE HOSPITAL FINALLY LISTENED TO MY PLEAS FOR THEM TO DO EVERYTHING THAT I HAD SOUGHT FOR MOM, INCLUDING HAVING A CATHETER. AND THEY ALSO DIDN'T DO FORCED IV NUTRIENTS, WHICH I BELIEVE IS STILL NECESSARY FOR MOM AS SHE IS STILL NOT EATING VERY MUCH WHICH IS NOT GOOD. AND IS DRINKING JUST SIPS OF FLUID THROUGHOUT THE DAY.

THE HOSPITAL ALSO PUT MOM ON ANOTHER BLOOD PRESSURE MEDICINE CALLED NORVASC WHICH SEEMS TO NOW BE WORKING IN SUCCESSFULLY LOWERING MOM'S BLOOD PRESSURE. BUT IT IS A TABLET THAT IS CRUSHED UP AND PUT IN APPLESAUCE.

IF MOM DOESN'T EAT, SHE DOESN'T GET THIS MEDICINE FOR HIGH BLOOD PRESSURE.

I HAVE FOUGHT FOR MOM FOR 15 YEARS, ENTIRELY SACRIFICING MY LIFE TO MOVE HOME FROM CALIFORNIA AFTER 21 YEARS OF MY LIVING IN CALIFORNIA, JUST TO CARE FOR MY MOM, AS SHE HAD BEGUN BEGGING FOR ME TO DO IN 2004.

I AM ONCE AGAIN FIGHTING FOR MY MOM AND HER FUTURE WELL-BEING.

I HAVE BEEN FORCED TO BECOME MOM'S ADVOCATE IN FIGHTING FOR MOM'S LIFE AND MOM'S FUTURE COMFORT AND WELL-BEING.

MOM WILL DIE IF SHE IS PUT INTO A NURSING HOME. MOM NEEDS TO LIVE IN HER HOME OF 44 YEARS-(1978). SHE HAS EVERYTHING THAT SHE NEEDS AT OUR HOME WITH ME CARING FOR MOM.

MOM HAS A WONDERFUL HOME WITH MY CARING FOR HER AND MOM IS VERY CAPABLE IN ALSO CARING FOR HERSELF, BESIDES PREPARING ALL OF THE MEALS FOR MOM WHICH I DO AND BATHING MOM WHICH I HAD ASKED FOR HELP BECAUSE MOM BEGAN REALLY FIGHTING IT IN THE LAST MONTH FOR HER HAVING TO TAKE A BATH/SHOWER, AS THE CARETAKER ALSO HAD EXPERIENCED THIS WHEN TRYING TO GET MOM INTO THE SHOWER, WITH ME, SO I HAVE BEEN DOING THE LAST MONTH SPONGE BATHS.

I IMPLORE YOU TO NOT THROW MOM'S LIFE AWAY BY SENTENCING MOM TO A NURSING HOME, SHE WILL DIE. IT WILL ABSOLUTELY KILL HER!

MOM HAS BEEN ABSOLUTELY THRIVING AT HOME WITH ME UNTIL THIS PAST MONTH WHEN SHE STARTED NOT FEELING GOOD. AND STILL HAS NOT BEEN DETERMINED WHY? EXCEPT UTI.

I HAD NO IDEA IF I DARE TO ASK FOR MEDICAL HELP FOR MOM'S WELL-BEING THAT

SHE COULD THEN BE PERMANENTLY PUT INTO A NURSING HOME, ENTIRELY AGAINST MOM'S WISHES.

MOM NEEDS TO COME BACK HOME TO HER COMFY HOME OF CARE AND EASE SO THAT SHE CAN FULLY RECOVER AT HER HOME, AFTER SHE IS STABLE AND EATING AND THE UTI HAS CLEARED UP.

IF SHE NEEDS TO GO TO A NURSING HOME FOR HER TO CONTINUE TO RECOVER, IT NEEDS TO BE THE CHERRYDALE HEALTH AND REHAB NURSING HOSPITAL IN CHERRYDALE, ARLINGTON, WHICH SHE HAS BEEN AT BEFORE AFTER HER 3 DIFFERENT SURGERIES MANY YEARS AGO.

Sent from my Verizon, Samsung Galaxy smartphone

SUMMARY OF 7/7/22 EMAIL

This email pertains to the case of Philip Kapusta v. Elaine Kapusta, et al. (CL 2018-11871) and includes a series of emails dated July 7, 2022. The emails discuss allegations of fraud and misconduct against Cary Cucinelli, including the filing of a baseless emergency petition and the concealment of critical medical evidence. Lynn Kay, who has been caring for her mother Elaine, details the neglect and lack of communication from the care manager and legal representatives, which nearly led to Elaine's death. The document highlights the ongoing legal and personal struggles surrounding Elaine's care and the alleged mishandling of her medical and legal affairs.

Overview: This email discusses allegations of legal misconduct and elder neglect related to the care of Elaine Kapusta.

Legal Misconduct Allegations

- Cary Cucinelli is accused of filing a fraudulent emergency petition without due diligence.
- The emergency petition hearing on 7/5/22 was not ever communicated to Lynn Kay being corruptly concealed to Lynn not only never being notified also never receiving the 7/5/22 Emergency Petition that was filed in failing to notify.
- Lynn Kay claims that Cary concealed all of the evidence which entirely disproved all of the “false and misleading allegations” in the emergency petition by terminating MYCHART ACCESS on 7/8/22 for ~4 MONTHS which told the truth of all that happened.

Elder Neglect Claims

- Lynn Kay reports that her mom, Elaine, was not properly cared for, leading to severe health deterioration since 5/18/22-7/7/22 without receiving antibiotics until 7/7/22.
- Elaine was admitted to the hospital on 6/30/22 and was gravely ill, showing signs of malnutrition and dehydration and bacterial infection, entirely ignored by Virginia Hospital for 8 days of “grossly abnormal labs”.
- Care manager ignored Lynn's concerns about Elaine's health for over a month since 5/18/22-UNWELLNESS REPORTED, contributing to her gravely critical condition.

Health Condition Updates

- Elaine was diagnosed with UROSEPSIS, OBSTRUCTIVE UROPATHY, TOXIC METABOLIC ENCEPHALOPATHY from U.T.I. suffered since 5/18/22 reported UNWELLNESS and was finally receiving Antibiotics treatment as of 7/7/22.
- Lynn Kay has been actively involved in her mother's care, advocating for her health and recovery.
- Elaine's condition improved slightly after Lynn's intervention, but she remained in a fragile state and was unable to walk due to ALL FIDUCIARIES ABANDONING MOM

WITHOUT MOM RECEIVING PROPER MEDICAL CARE AND MEDICAL TREATMENT DENIED SINCE MAY 2022 WITH ELAINE'S HEALTH BEING FULLY IGNORED FOR 2 MONTHS.

- **Emergency Petition Concealment:** The email accuses Cary Cucinelli of deliberately concealing the 7/5/22 emergency petition and filing a baseless petition without due diligence, which allegedly led to severe consequences for both Elaine and Lynn threatened in their own home and decimatedly destroyed by Cary Cucinelli and ALL CORRUPT AND IRRESPONSIBLE FIDUCIARIES FAILING TO PROTECT MOM FROM DOCUMENTED NEGLECT AND ABUSE ELDER CRUELTY OCCURRING BY ALL FIDUCIARIES FAILING TO INFORM THE AUTHORITIES AND THIS COURT.
- **Lack of Notification:** Lynn Kay claims she was never informed about the 7/5/22 emergency petition hearing through any means of communication and also did not ever receive the 7/5/22 emergency petition, EVER.
- **Mother's Health Condition:** Lynn Kay describes her mother's deteriorating health condition, including eating less and unresponsiveness at the hospital, and her efforts to get her mother to eat and receive medical care.
- **Care manager's Negligence:** Lynn Kay accuses the care manager of ignoring her repeated concerns about her mother's health, which she believes contributed to her mother's critical condition for needing "EMERGENT HOSPITALIZATION" as Elaine wokeup CRYING AND SCARED SHE WAS DYING-(NESTCAM VIDEO).
- **Legal Misconduct Allegations:** This email alleges legal misconduct and criminal concealment by Cary Cucinelli and others, accusing them of elder neglect and denial of care, which almost led to her mother's death.

The allegations against Cary Cucinelli include:

1. **Fraud Upon the Court:** Filing an entirely baseless emergency petition without conducting any due diligence.
2. **Concealment of Emergency Petition:** Deliberately concealing the 7/5/22 emergency petition and pretending it never existed.
3. **Concealment of Evidence:** Concealing MyChart evidence that disproved the allegations made in the emergency petition.
4. **Legal Misconduct:** Engaging in criminal concealment and elder neglect, which allegedly almost caused the death of Lynn Kay's mother.
5. **Failure to Inform:** Not informing Lynn Kay about the emergency petition hearing through any means of communication.
6. Cary Cucinelli is accused of concealing MyChart evidence since 7/8/22 until on or around November 2022 that disproved all of the allegations made in the emergency petition.

Cary Cucinelli's actions allegedly involved concealing Elaine's medical records and health information, which was against a court order stating that "Lynn shall not be denied Elaine's medical records and health information." This concealment lasted until around November 2022.

The legal misconduct accusations involved Cary Cucinelli, Liz Shifflett, Philip Kapusta, Laurie Kirkland, and Elizabeth Wildhack ALL SO DISRESPECTFULLY FAILING TO EVER NOTIFY LYNN KAY AND FAILING TO EVER DO ANY DUE DILIGENCE EVER PRIOR TO FILING AND ALL PERSONS THEREFORE HAVING A DIRECT MALFEASANT HAND IN FULLY “MATERIALLY BREACHING THE 2020 SETTLEMENT AGREEMENT” BASED SOLELY ON CONJECTURAL STATEMENTS WITH ABSUTELY NO SUPPORTIVE DOCUMENTS EVER VERIFYING ANY OF THE ENTIRELY FALSE AND MISLEADING 7/5/22 EMERGENCY PETITION ALLEGATIONS FILED AND THEN BEING FULLY CONCEALED FROM LYNN KAY.

Cary Cucinelli was accused of the following specific actions:

1. Filing an entirely baseless emergency petition without doing any due diligence.
2. Concealing the 7/5/22 emergency petition and pretending it never existed.
3. **CONCEALING EVIDENCE FROM MYCHART THAT ENTIRELY DISPROVED THE ALLEGATIONS.**
4. Wrongly terminating both Lynn’s guardianship and MYCHART on the same day as the 7/8/22 court order, defying the court order within the same hour.
5. Engaging in criminal concealment of criminal elder neglect and denial of care by Liz Shifflett, which almost caused Elaine's death.

Cary Cucinelli handled the emergency petition by:

1. Filing the petition without conducting any due diligence.
2. Concealing the existence of the 7/5/22 emergency petition.
3. Failing to inform Lynn Kay about the emergency petition hearing through email, text, phone call, mail, certified mail, or hand delivery service.
4. Concealing evidence from MyChart that disproved all of the allegations in the petition.
5. Terminating on the same day as the 7/8/22 court order, defying the court within the same hour.

The allegations made against Cary Cucinelli include:

1. Filing an entirely baseless emergency petition without conducting any due diligence.
2. Deliberately concealing the 7/5/22 emergency petition.
3. Failing to inform Lynn Kay about the emergency petition hearing through any form of communication.
4. Pretending that the 7/5/22 emergency petition never existed.
5. Concealing evidence from MyChart that disproved the allegations in the petition.
6. Terminating on the same day as the 7/8/22 court order, defying the court within the same hour.
7. Engaging in criminal concealment of criminal elder neglect and denial of care by Liz Shifflett, which almost caused Elaine's death.

The basis for the fraud allegations against Cary Cucinelli includes:

1. Filing an entirely baseless emergency petition without conducting any due diligence.
2. Deliberately concealing the existence of the 7/5/22 emergency petition.
3. Failing to inform Lynn Kay about the emergency petition hearing through any form of communication.
4. Concealing evidence from MyChart that disproved the allegations in the petition.
5. Pretending that the 7/5/22 emergency petition never existed.
6. Engaging in criminal concealment of criminal elder neglect and denial of care by Liz Shifflett, which almost caused Elaine's death.

According to the email, the care manager largely ignored Lynn Kay's concerns about her mother's health. Despite Lynn's repeated pleas and reports about her mother's deteriorating condition, as is documented via TEXTS TRANSCRIPT, the care manager dismissed these concerns and did not take appropriate action. It was only after Lynn yelled at the care manager on June 30, 2022, that the care manager finally called 911 as Lynn requested-(NESTCAM VIDEO) and took Elaine to the emergency room as Lynn had requested.

Lynn raised several specific concerns about her mother's health, including:

1. Her mother still not eating much at the hospital and appearing as a "literal shell of herself in July 2022" with noticeable protruding facial bones-(VIDEO TAKEN AT HOSPITAL)
2. Her mother being entirely unresponsive and wanting to sleep all the time.
3. The need for a feeding tube due to her mother's lack of energy, but there being an inability to cooperate in swallowing for placing the tube
4. Her mother not drinking enough fluids and needing IV fluids.
5. The possibility of her mother having a urinary tract infection (UTI), which was later confirmed and treated.

Lynn also mentioned that she had been calling multiple times a day, speaking with nurses and doctors, and monitoring her mother's condition through MYCHART.com at home safe from COVID. Despite Lynn's concerns for her mom, the care manager ignored her concerns until Lynn insisted on 911 taking her mother to the emergency room on June 30, 2022.

Lynn took several actions regarding her mother's health:

1. She spent time with her mother, in the hospital encouraging her to eat and monitoring her condition.
2. She spoke with doctors about the possibility of using a feeding tube to provide nutrients.
3. She called the hospital multiple times a day to speak with nurses and doctors and read all notes and lab results on MYCHART.com to stay informed about her mother's condition.
4. She repeatedly informed and begged the care manager until 6/30/22 to address her mother's health issues, including suggesting IV fluids and a urinary analysis (U/A) at the hospital

5. She finally yelled at the care manager on June 30, 2022, insisting that her mother be taken to the emergency room, which led to the care manager calling 911.

These actions demonstrate Lynn's persistent efforts to ensure her mother received the proper and necessary medical attention.

Lynn responded to her mother's deteriorating condition by:

1. Spending time with her mother, encouraging her to eat, and monitoring her condition closely.
2. Speaking with doctors about the possibility of using a feeding tube due to her mother's lack of energy and cooperation in swallowing.
3. Calling multiple times a day to speak with nurses and doctors and reading all notes and lab results on MYCHART.com to stay informed about her mother's condition.
4. Repeatedly informing and begging the care manager to address her mother's health issues, including suggesting IV fluids and a urinary analysis (U/A).
5. Yelling at the care manager on June 30, 2022, insisting that her mother be taken to the emergency room, which led to the care manager finally calling 911.-(NESTCAM VIDEO)
6. Staying with her mother in the hospital to ensure she received proper care and monitoring her progress, including her mother's small improvements in eating and restful sleep.

Lynn's actions show her dedication to her mother's well-being and her proactive approach in seeking medical attention.

The steps taken for mom's recovery included:

1. **Hospital Admission:** Mom was admitted to the hospital on June 30, 2022.
2. **Medical Monitoring:** Lynn stayed with her mother, encouraging her to eat and monitoring her condition closely.
3. **Feeding Tube Attempt:** Doctors attempted to use a feeding tube to provide nutrients, although mom was not cooperative in swallowing.
4. **Communication with Medical Staff:** Lynn frequently called and spoke with nurses and doctors, and read all notes and lab results on MYCHART.com to stay informed about her mother's condition.
5. **Emergency Room Visit:** After persistent urging and finally yelling at the care manager, the care manager called 911, leading to mom being taken to the emergency room.
6. **Diagnosis and Treatment:** Mom was diagnosed with a urinary tract infection (UTI) and began receiving medication for it.
7. **Continued Care:** Lynn stayed with her mother in the hospital to ensure she received proper care, monitored her progress, and reported small improvements in eating and restful sleep.

These steps were crucial in addressing mom's health issues and aiding her recovery.

For mom's urinary tract infection (UTI), the treatment initiated was the administration of medication specifically for the UTI. This was mentioned in Lynn's email where she noted that her mother was diagnosed with a UTI and started receiving medicine for her healing finally on 7/7/22.

Before her UTI diagnosis, mom showed the following symptoms:

1. **Extreme Tiredness:** Lynn reported that mom was suddenly very tired.
2. **Reduced Fluid Intake:** Mom was drinking very little fluids.
3. **Lack of Appetite:** Mom was not eating much at the hospital and was almost comatose, refusing to eat for several days.
4. **Physical Deterioration:** Mom appeared as a literal shell of herself, with her upper face bones noticeably protruding.
5. **Unresponsiveness:** Mom was entirely unresponsive and just wanted to sleep.
6. **General Weakness:** Mom had no energy and was not cooperative in swallowing for a feeding tube.

These symptoms indicated a severe decline in her health, leading to the eventual diagnosis of a UROSEPSIS.

The care manager largely ignored Lynn's concerns about her mom's health. Despite Lynn's repeated reports and pleas about her mom's deteriorating condition, the care manager dismissed these concerns and did not take appropriate action. It was only after Lynn yelled at the care manager on June 30, urging her to take mom to the emergency room, that the care manager finally called 911.

The timeline of Lynn's mother's health deterioration is as follows:

1. **5/18/22 REPORTED UNWELLNESS:** LYNN REPORTED VIA TEXT THAT "MOM IS NOT FEELING WELL"
2. **Early June 22:** Lynn noticed her mother's sudden tiredness and reduced fluid intake. She suggested to the care manager that her mother might need another U/A (urinalysis), but the care manager ignored this suggestion.
3. **June 2, 2022:** Lynn began texting the care manager, reporting that her mother was not normal and expressing concerns about her health.
4. **June 30, 2022:** After a month of ignored concerns, Lynn finally yelled at the care manager to take her mother to the emergency room. The care manager called 911, and her mother was admitted to the hospital. Upon admission, Elaine's labs were grossly abnormal, but were wrongly ignored and within days her mother was found to be almost comatose, entirely unresponsive, and wasting away without receiving any Antibiotics from UROSEPSIS.
5. **July 7, 2022:** Lynn's mother was diagnosed with a UTI and started receiving medicine for her condition. She also began eating some food after five days of refusal and was having restful sleep with the help of a catheter.

Throughout this period, Lynn had been the primary person caring for her mother and advocating for her health needs.

In the email, Lynn described her mother's condition in the hospital as follows:

1. **Physical Appearance:** Mom was a "shocking literal shell of herself" with her upper face bones noticeably protruding.
2. **Unresponsiveness:** Mom was entirely unresponsive and just wanted to sleep.
3. **Lack of Energy:** Mom had absolutely no energy and was not cooperative in swallowing for a feeding tube.
4. **Lack of Appetite:** Mom had been eating very little since her hospital admission on June 30 and had refused to eat for five days.
5. **Severe Weakness:** Mom was almost comatose and had been wasting away.
6. **Improvement:** By the afternoon of July 7, mom was finally eating some food because she wanted to go home.

Lynn emphasized that her mom's condition had been deteriorating significantly, leading to her being on the brink of death before showing small signs of recovery.

Upon admission and days after admission to the hospital on June 30, 2022, Lynn's mother was in a severely deteriorated condition. She was described as being almost comatose, entirely unresponsive, and wasting away. She had not been eating much, and her physical appearance was described as a "shocking literal shell of herself" with her upper face bones noticeably protruding-(VIDEO TAKEN AT HOSPITAL).

xSince her hospitalization, Lynn's mother has made the following progress:

1. **Eating:** After refusing to eat for five days, she finally started eating some food.
2. **Restful Sleep:** She has been having restful sleep with the help of a catheter.
3. **Diagnosis and Treatment:** She was diagnosed with a UTI and is now receiving medicine for her healing.

Lynn notes that her mother is making very small progresses in her eating and overall condition

** THIS EMAIL DOES NOT INCLUDE THE 7/5/22-EMERGENCY PETITION "FALSE ALLEGATIONS" WHICH WAS DELIBERATELY CONCEALED BY CARY CUCINELLI FOR HER COMMITTING "FRAUD UPON THE COURT" FILING AN ENTIRELY BASELESS EMERGENCY PETITION WITHOUT EVER DOING ANY DUE DILIGENCE EVER AND ENTIRELY ABANDONING MOM TO DIE IN VIRGINIA HOSPITAL WHILE SEEKING TO

"MALICIOUSLY PROSECUTE ME WITH THREATS TO MY LIFE AND MOM'S LIFE AND WELL-BEING**-7/8/22

IF IT WERE NOT FOR CARY CUCINELLI AND LIZ SHIFFLETT AND PHILIP KAPUSTA, AND LAURIE KIRKLAND AND WILFHACK, OUR LIVES NEVER WOULD HAVE BEEN DECIMATEDLY DESTROYED TODAY.

CONVENIENTLY NEVER WAS I INFORMED BY EMAIL, TEXT, PHONE CALL OR MAIL OR CERTIFIED MAIL OR BY HAND DELIVERY SERVICE FOR THE 7/5/22 EMERGENCY PETITION HEARING AND NEVER DID I EVER TO THIS DAY RECEIVE THE 7/4/22 EMERGENCY PETITION EVER.

CARY CUCINELLI CORRUPTLY PRETENDED AS THOUGH THE 7/5/22 EMERGENCY PETITION NEVER EXISTED AND THEN CONCEALED ALL OF THE MYCHART DISPROVING EVIDENCE TO ALL OF THE ALLEGATIONS AND SHE TERMINATED ON THE SAME DAY AS THE 7/8/22 COURT ORDER DEFYING THE COURT EITHIN THE SAME HOUR-**LYNN SHALL NOT BE DENIED ELAINE'S MEDICAL RECORDS AND HEALTH INFORMATION**

AND SHE CONCEALED IT UNTIL NOVEMBER 2022

AND SHE IS GUILTY TO THIS DAY FOR LEGAL MISCONDUCT OF CRIMINAL CONCEALMENT OF CRIMINAL ELDER NEGLECT-DENIAL OF CARE BY LIZ SHIFFLETT ALMOST CAUSING MOM'S DEATH FOR THE VERY 1ST TIME!

To: Lynn Kay <tweetery7@yahoo.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>
Subject: 7/7/22-EMAILS-Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

7/7/22-EMAILS-Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

----- Forwarded Message -----

From: Lynn Kay <tweetery7@yahoo.com>

To: Cary Cucinelli <cary@cucinelligeiger.com>

Cc: lkirkland@bklawva.com <lkirkland@bklawva.com>; jberger@haleball.com <jberger@haleball.com>; Valerie Geiger <valerie@cucinelligeiger.com>

Sent: Thursday, July 7, 2022 at 09:01:20 PM EDT

Subject: Re: Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

Cary, I just this afternoon at 3 PMish received your entirely shocking emails.

I have been with mom all day encouraging her to eat as I found her today as just being a shocking literal shell of herself with her upper face bones noticeably protruding out when I arrived earlier this morning and she has been entirely unresponsive and just wanting to sleep.

I spoke with the doctor asking if they could do a feeding tube so she can receive nutrients since she was seemingly, almost comatose and so they tried to do it today, for the first time, but she had absolutely no energy and mom was not at all cooperative in swallowing which was required for a feeding tube through her nose.

Since mom was admitted on 6/30, I have been calling multiple times a day, speaking with nurses and doctors and reading all of the notes and labs, etc. on mom on MYCHART.com to see how mom was doing and they said to me that she hasn't been eating too much, but they never said that mom was entirely wasting away.

Cary, I have been the only one who has cared about mom's life for the past 15+ years, sacrificing 1/4 of my life now to care for mom since 2006 when

she begged me to move back home for me to do so for mom since 2004.

I am fighting to keep my mom alive as she is basically now just a shell of herself from the day of her 6/30 hospital admission, just 8 days ago. That is a very long time not to basically eat! She ate very little for just the 1st few days.

I had been begging the caretaker for over a month via texts since 6/2/22 telling her that Mom was not normal.

The caretaker just ignored most everything that I have been reporting to her of mom's condition until I finally yelled at her on 6/30 as she was dismissing my concerns with her just walking away, once again with her entirely dismissing mom's health condition, entirely. Even though the day before, I had informed her that mom needs IV Fluids and sleep for mom to be admitted to the hospital.

The caretaker absolutely refused to listen to my increasingly worrisome pleas for over a month as mom just got worse and worse which the caretaker was being informed of as it occurred.

This afternoon, my mom was finally eating some after 5 days of her absolutely refusing to do so and just because mom wants to be able to go home

I will email you all of the texts of my begging the caretaker for this last month.

The caretaker only finally listened to me because I yelled at her on 6/30 to take mom to the E.R. as she was walking away. Then she finally called 911.

I will be here with mom until she recovers as she desperately wants to go home. She definitely has a ways to go, but mom is now making very small progresses in her eating and having restful sleep with mom having a catheter.

On 6/22, I had informed the caretaker that maybe mom should have another U/A since mom was drinking so little and she, once again, entirely ignored it.

Mom was finally diagnosed today with a UTI and is receiving medicine now for her healing.

If only in early June, the caretaker had properly heeded mom's sudden tiredness, and mom's drinking of less fluids, I can assure you that mom wouldn't have been on death's door as I had found her just 10 hours ago in this hospital.

Mom is, hopefully, nearing the road of recovery now.

Lynn

On Thursday, July 7, 2022 at 03:04:01 PM EDT, Cary Cucinelli <cary@cucinelligeiger.com> wrote:

Dear Lynn,

I was just made aware that you are using this email (tweeter7@yahoo.com). Please see below and attached.

Having not received a response from you to my emails of Tuesday (and an "undeliverable" message today), I have had the attached letter and copy of the petition sent to you.

Kind regards,

Cary

Cary Z. Cucinelli

Cucinelli Geiger PC

4084 University Drive, Suite 202A

tel: 703-481-6464

fax: 703-991-0609

From: Laurie Kirkland <lkirkland@bklawva.com>

Date: Thursday, July 7, 2022 at 2:13 PM

To: "Aimee.Solano@fairfaxcounty.gov" <Aimee.Solano@fairfaxcounty.gov>

Cc: Cary Cucinelli <cary@cucinelligeiger.com>, Valerie Geiger <valerie@cucinelligeiger.com>, "Justin B. Berger" <jberger@haleball.com>, "lynnkay7@gmail.com" <lynnkay7@gmail.com>

Subject: Philip Kapusta v. Elaine Kapusta, et al. CL 2018-11871 - Courtesy Copies

Dear Ms. Solano,

It is my understanding that the Co-Conservators' Emergency Petition in the above-referenced matter, which was set on tomorrow's docket in calendar control yesterday, will be heard by Judge Saylor tomorrow on her 10:00 docket. To that end, please find attached a courtesy copy of the Respondent's response and the referenced proposed order, which were filed and served on all interested parties (cc'd here) earlier today.

Best regards,

Laurie

Laurie L. Kirkland

Partner

Blankingship &
Keith, PC

Blankingship & Keith, PC

4020 University Drive, Suite 300 ■ Fairfax, VA 22030

tel (703) 691-1235 ■ direct (703) 293-7226

fax (703) 691-3913

**EXHIBIT D: CRIMINAL FRAUD
UPON THE COURT-CRIMINAL
MALICIOUS PROSECUTION
WITH THREATS TO LIFE AND
HEALTH AND HOME-CRIMINAL
ABDUCTION AND THE
CRIMINAL TAKEOVER OF OUR
LIVES BY CRIMINAL FRAUD
COMMITTED**

**7-8-22-THREATS TO LIFE AND HEALTH AND
HOME.pdf**

Note From Your Admission on 06/30/22

Nursing Note by Nurse Haley J at 7/8/2022 12:39 PM

While rounding on pt, this RN found that pt's daughter, Lynn, at bedside. Guardianship hearing is scheduled for today at 1pm, no visitors can be present during meeting. Pt's daughter asked to leave, refused. Security called and escorted pt's daughter out of hospital.

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PHYSICAL THREAT #1

**MENTAL AND
PHYSICAL
TORMENTATION**

WRITTEN THREAT #2

ORDERED that Philip Kapusta, Lynn Kay, and any care manager for Elaine Kapusta shall be continue to have a right of access to Elaine Kapusta's protected health information and medical records;

ORDERED that the Co-Guardians, shall have the power and discretion to exercise complete control and custody of the person of Elaine Kapusta, to provide for her admission or retention, even if contrary to her expressed wishes, to any nursing facility, convalescent home, continuing care community, adult care residence, private home, or any other residential or therapeutic placement, in any jurisdiction; and it is further

ORDERED that Lynn Kay shall cooperate with any decision by the Co-Guardians and Co-Conservators to provide 24/7 access for caregivers to Ms. Kapusta's residence for so long as Ms. Kapusta is able to continue living in her home with professional care, and that Ms. Kay's obstruction of any care to be provided to Ms. Kapusta in her home or her failure to abide by this Order in any other way shall result in her loss of any privilege or permission to reside in Ms. Kapusta's house; and it is further

"CUCINELLI LIES" AND CONCEALMENTS OF "MEDICAL ELDER NEGLECT" WITH "MALICIOUS THREATS" TO MY LIFE AND MY WELL-BEING AND MOM'S LIFE AND MOM'S WELL-BEING- *24/7 FORCED HOME INVASION-(7/14/22-6/6/23)

ORDERED that the Co-Guardians and the Co-Conservators shall (i) to the extent feasible, encourage Respondent to participate in decisions, to act on her own behalf, to develop or regain the capacity to manage her own affairs, and, (ii) take into consideration the express desires and personal values of Ms. Kapusta, and it is further

ORDERED that given the nature of Elaine Kapusta's disability, and following appropriate consideration of the factors specified in Virginia Code section 64.2-2007, the Court does not deem appropriate any limitations on this guardianship or conservatorship other than as herein provided; and it is further

MENTAL AND
PHYSICAL
TORMENTATION

7/8/22-2025-LYNN KAY & ELAINE MAE
KAPUSTA "WRITTEN AND PHYSICAL AND
VERBAL THREATS TO OUR LIVES" AND
"UNCEASING MENTAL TORMENTATIONS
AND MENTAL TRAUMATIZATIONS" BEGAN
ON 6/30/22

----- Forwarded Message -----

From: Cary Cucinelli <cary@cucinelligeiger.com>

To: tweetery7 <tweetery7@yahoo.com>

Cc: Valerie Geiger <valerie@cucinelligeiger.com>; Callie Bailey <callie@cucinelligeiger.com>; Liz Shifflett <l.shifflett@premierlifeplanning.com>; Suzanne Hanas <suzanne.hanas@premierlifeplanning.com>

Sent: Friday, July 8, 2022 at 01:11:37 PM EDT

Subject: Re: FIGHTING FOR MOM'S LIFE & FUTURE

Lynn, **THE CUCINELLI THREAT TO OUR LIVES AND THE CRIMINAL TAKEOVER OF OUR LIVES!**

A copy of the Court's order of this morning is attached here.

Please note the highlighted language on page 5.

As communicated earlier, Liz Shifflett and Suzanne Hanas will be engaging professional caregivers to provide care to your mother in her home.

care.  **CUCINELLI/GEIGER/SHIFFLETT COMMITTED "FRAUD UPON THE COURT" BY KNOWINGLY CONCEALING MEDICAL ELDER NEGLECT**

We have authorized Liz Shifflett and Suzanne Hanas to contact the police, should you fail to cooperate and obstruct your mother's caregivers in their duties.

Please call or email with any questions.

WRITTEN THREAT #1

Kind regards,

Cary **MENTAL AND PHYSICAL TORMENTATION BY FIDUCIARIES AND PHILIP KAPUSTA**

Cary Z. Cucinelli

Cucinelli Geiger PC



CUCINELLI
GEIGER

CUCINELLI DANGER TO OUR LIVES

WRITTEN THREAT #3

August 16, 2022

MOM WAS SUFFERING UROSEPSIS AGAIN IGNORED FOR THE 2ND TIME BY ALL FUDUCIARIES AND MY LIFE WAS THREATENED FOR THE 4TH TIME IN 2 MONTHS BY "CRIMINAL FIDUCIARIES SEEKING CRIMINAL TAKEOVER OF OUR LIVES* BY CRIMINAL FRAUDULENT MEANS OF CRIMINAL CONCEALMENT OF ELDSR CRUELTY CRIMES SINCE 2022

VIA EMAIL AND FIRST CLASS MAIL

Stephen J. Stine, Esq.
The Stine Law Firm, PLLC
3900 Jermantown Rd., Suite 300
Fairfax, VA 22030-4900
stine@stinelaw.com

Dear Steve,

This letter follows what I trust you will agree was an unnecessarily chaotic situation created by your client last week.

On Thursday afternoon, August 11, 2022, I received a telephone call from Dr. Bruce Lessin, Elaine Kapusta's primary care physician. Per Dr. Lessin, Lynn Kay attempted to have him order a urinalysis for Ms. Kapusta. Aware that Ms. Kay is no longer serving as guardian for her mother, Dr. Lessin denied your client's request.

Undeterred, Ms. Kay collected a sample of her mother's urine - likely contaminated, given Ms. Kay's failure to use proper technique for ensuring a clean specimen - and took the sample to Old Dominion Urgent Care. Due only to the fact that your client used her mother's TrueLink card to pay for the testing were we made aware that your client took this unauthorized action.

Ms. Kay's belief that she alone is uniquely qualified to manage her mother's care is creating chaos and an unreasonably difficult environment in Ms. Kapusta's home. Ms. Kay's actions are disruptive and must immediately cease. Your client's behavior will lead directly to her removal from her mother's home.

Sincerely,

Cary Z. Cucinelli

MENTAL AND
PHYSICAL
TORMENTATION

NOTICE OF SERVICE

I hereby certify that on the below date OF 7/29/25, a copy of this was emailed to all persons including counsel for George W. Dodge. ALEXIS SMITH WAS ALSO EMAILED THIS IN THE SAME EMAIL AND A COPY OF THIS WAS ALSO BROUGHT TO JUDGE'S CHAMBERS AFTER BEING FILED ON 7/29/25.

=====

EMAILED.pdf

Respectfully,



LYNN KAY
TWEETERY7@YAHOO.COM
7/29/25

571-421-6813

7/7/25