



Weather
Tonight: Mostly clear, Low 60.
Saturday: Mostly sunny. Highs
near 90. Lows near 60.



Sports
Reeves Corp. Mustang team
wins again at Zone
Tournament.



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Today
In the King City

Alexander yanked from Brehm estate

By APRIL TOLER
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MT. VERNON — A judge ruled on Tuesday to remove Michael Alexander, after years of court battles, as executor and trustee of the Carol Brehm Estate.

Based on several allegations from Carol Brehm's daughter, Stacey Tate, Associate Judge

Robert W. Lewis ordered Alexander, president of the First National Bank, to be removed from his duties as executor of the family's multimillion-dollar trust.



Alexander

Judge Lewis' order lists a number of reasons for Alexander's removal, but ruled "it is not necessary for all the grounds alleged to be established before removal is proper."

Among the allegations are that Alexander used \$930,000 of trust funds to float a business

see ESTATE

5A

U.S. Bank: Where's the numbers?

By GREGORY NORFLEET
and APRIL TOLER
Register-News

MT. VERNON — Since being asked to serve as co-trustee of the Carol B. Brehm Estate three months ago, U.S. Bank says it cannot figure out when and how \$4.5 million in loans were paid

back the Insurance Trust over a 10-year period.

U.S. Bank filed a petition Thursday stating it had reviewed the financial records of the Insurance Trust and can only find vague references that suggest a total of \$400,000 was paid back

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loan contrary to provisions of the Insurance Trust, put thousands of dollars of trust money into his bank without paying any interest to the trust and stopped providing beneficiaries with information on how the money was being spent.

Alexander and his lawyer, Ben Mitchell, did not return several phone calls seeking comment as of press time.

The order also alleges Alexander failed to put money into the Generation-Skipping Trust until April 2005, although funds were available

before that date; that he failed to file estate inventories and accountings until Petitions for Removal were filed in 1999; and that he permitted funds to be held in accounts with balances in excess of the FDIC insurance limits.

The legal battle began in 2000, when Alexander's attorney, Ben Mitchell, filed a plea in the Jefferson County Circuit Court asking for the court's interpretation of how certain estate monies should be spent. Alexander was appointed executor of the Carol B. Brehm estate and co-trustee of the Carol Brehm Revocable Trust on Nov. 7, 1994. Brehm died

Nov. 1, 1994, in Houston, Texas.

Brehm was preceded in death by her husband, Clarence E. Brehm, and had three children, — Stacey Tate and the late John Brehm, and Clarence Brehm.

Boatman's Trust Company of Belleville was also named co-trustee but declined to serve due to the nature of assets involved, leaving Alexander as sole trustee.

On Feb. 7, 2000, Stacey Tate asked the court to remove Alexander as executor of the estate. Tate alleged Alexander had paid himself approximately \$400,000 for services without approval of beneficiaries of

the estate and had not produced records of services rendered.

Tate also claimed Alexander placed in excess of \$1.5 million in a NOW account at his bank for an extended period of time earning 2.6 percent annual interest for the trust and beneficiaries, but failed to account for the benefits he received for having the money in his bank.

Tate's lawyer, Edward Blake Jr., said he will not comment on whether Tate plans to seek any future money from Alexander or who will possibly replace Alexander as executor. He also said he is unsure of the exact value of the estate at this time.

BANK

continued from 1A

through two years of quarterly payments and possibly another \$1.5 million was paid back in a lump sum.

And there seems to have been no interest charged on the loans, according to the filing.

Brehm's will allowed executor Michael Alexander to make loans from the Insurance Account to the Carol Brehm Estate, but only with the understanding that they be paid back with interest.

U.S. Bank's filing says that the principal seems to have been paid back, but it has no records that explain when most of the

payments were made and for how much.

The bank is asking the court to demand that Alexander provide a full accounting of the funds in the trust and explain apparent discrepancies.

The bank says the confusing accounting took place between Nov. 1, 1994, when Brehm died, and Dec. 31, 2004.

On Aug. 1, 1995, two loans from the Insurance Account — in the amount of \$2 million and \$2.5 million — were designated as "loan for taxes."

The bank also filed on Thursday a motion to "sever" claims made by beneficiaries against Alexander concerning another lawsuit, in order for a

motion to consolidate the two cases.

In May 2004, Joseph Baldwin and Brenda Baldwin filed a complaint against the Carol Brehm Insurance Trust, Sylvia Brehm Neal and Karen Brehm Henrichson, claiming they were owed payment stemming from the purchase of the Brehm building on Illinois 37.

According to court documents, the Baldwins entered into an "Agreement for Sale of Real Property," with the Brehm Estate on March 22, 2002. In the agreement, the owners of the property had 30 days to remove items from the premises or they would have to pay the Baldwins \$500 a day until it was removed.

Then, in September 2004, a motion to intervene was made by the Tate children, to file a cross claim against Alexander for indemnity and monetary damages arising from the Baldwin lawsuit.

The Tate children claim Alexander agreed to the penalty provision without the knowledge, consent or approval of the Tate children.

Stacey Tate also filed a motion to intervene in September 2004.