

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

In re .)
)
) NO.
KONTUM HOSPITAL FUND, INC.)
)
) PETITION FOR ORDER APPROVING
)
 A Corporation) TRANSFER OF ASSETS FROM
)
) KONTUM HOSPITAL FUND, INC. TO
)
) VARIOUS CHARITABLE ORGANIZATIONS

9 Comes now the petitioner, trustees of Kontum Hospital Fund,
10 Inc., a nonprofit corporation, and herewith petitions the above
11 entitled court for an order authorizing the trustees to transfer
12 the remaining assets of the Kontum Hospital Fund, Inc. bank
13 accounts to various charities in accordance with their right to
14 do so under the original bylaws of the corporation, which are
15 attached hereto as an exhibit to this petition, pursuant to the
16 last paragraph of section II of said bylaws.

17 This petition is directed to the above entitled court for the
18 reason that the corporation was originally founded to assist Dr.
19 Pat M. Smith in promoting public interest in the operation of
20 Minh Quy Hospitals and/or Clinics in Kontum Province, South Viet
21 Nam. Since the takeover of Viet Nam by the North Vietnamese gov-
22 ernment, the purposes of this corporation have now ceased, and in
23 conformity with the bylaws previously mentioned herein, the
24 Board of Trustees at its meeting on October 23, 1975, elected to
25 distribute the remaining assets of the corporation, after paying
26 the final administrative and legal expense in dissolving the
27 corporation, in percentage shares to the following named chari-
28 table organizations:

29	Catholic Relief Services	20%
	Catholic Medical Mission Board	15%
30	CARE	25%
	Mennonite Organization	10%
31	Milwaukee Children's Hospital	15%
	Children's Orthopedic Hospital	15%

32 Petition for Order Approv.
Trans. of Assets from Kontum
Hosp. Fund to Var. Char. Org. p.1

GRAHAM FITCH
LAWYER
4104 THE BANK OF CALIFORNIA CENTER
SEATTLE, WASHINGTON 98164
(206) 522-8888

1 There was concern among the trustees and concern by Dr. Pat
2 M. Smith that the vote of the trustees was an improper use of
3 the funds, as Dr. Smith wanted to return part of the money in the
4 corporation's account to some of the donors who had placed it
5 there. The trustees felt that in accordance with the bylaws
6 their only alternative on the disposition of the funds under
7 their control was to follow the bylaws and disburse the funds
8 as mentioned herein. This petition, therefore, is made at this
9 time with a request for court approval to affirm the acts of
10 the board of trustee at a final hearing, with notice being given
11 to all trustees, Dr. Smith, any other people Dr. Smith feels
12 should be entitled to notice, the various charitable organizations
13 who will be the recipients of percentage shares of the remaining
14 assets of the corporation and to anyone else any trustee desires
15 to have notified of this board action. Notice of this proposed
16 petition will further be published in the Daily Journal of
17 Commerce of Seattle, Washington, and your petitioner requests
18 that anyone having any interest or making any claim to any of the
19 assets of this corporation by virtue of being a donor or any
20 other person claiming a vested interest should contact the
21 attorney for said Kontum Hospital Fund, Inc., to-wit, Graham
22 Fitch, 4104 Bank of California Center, Seattle, WA 98164 (206)
23 622-8888.

24 Dated: December 1, 1975

5 Timothy H. Harn, Jr.
Timothy H. Harn, Jr., President
Kontum Hospital Fund, Inc.

31 Petition for Order Approv.
Trans. of Assets from Kontum
32 Hosp. Fund to Var. Char. Org. p.2

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4 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

5 In re) NO.

6 KONTUM HOSPITAL FUND, INC.,) NOTICE OF HEARING

7 A Corporation)

8

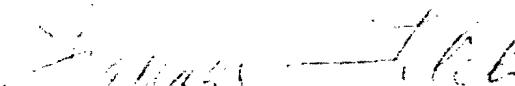
9 YOU ARE HEREBY NOTIFIED that at 9 a.m. on Tuesday, January 6,
10 1976, a hearing will be held in King County Courtroom E 942,
11 or such other courtroom to which it is assigned, based on a
12 petition filed by Mr. Timothy H. Harn, Jr., President of Kontum
13 Hospital Fund, Inc., requesting court approval of the Board of
14 Trustees recommended disbursal of the treasury of Kontum Hospital
15 Fund, Inc.

16 Should you have any questions, inquiry or objections to the
17 recommended disposal of said treasury, you should contact the
18 undersigned with your formal objections which will either be filed
19 with the court, or in the alternative you may appear at the
20 scheduled hearing and give oral testimony in support to any ob-
21 jections you have.

22 Legal representatives of the charitable organizations which
23 are to be the recipients of the fund may wish to appear and
24 defend their clients position and right to receive these funds
25 in accordance with the Board of Trustees meeting of October 23,
26 1975.

27 Copies of the petition and the minutes of the October 23, 1975
28 meeting have been attached hereto for your review.

29 RESPECTFULLY SUBMITTED,

30 
31 GRAHAM FITCH

32 GRAHAM FITCH, Attorney for Kontum
Hospital Fund, Inc.

33 Notice of Hearing

34 GRAHAM FITCH
35 LAWYER
36 4104 THE BANK OF CALIFORNIA CENTER
37 SEATTLE, WASHINGTON 98164
38 (206) 522 3803

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6 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

7 In re)
8 KONTUM HOSPITAL FUND, INC.,) NO. 805678
9) AFFIDAVIT OF SERVICES RENDERED
10 A corporation.)
_____)

11 STATE OF WASHINGTON))
12) ss.
13 COUNTY OF KING)

14 I, the undersigned Wallace C. Mahoney, after being duly
15 sworn upon oath, state that at my regular hourly charge I have
16 incurred \$630 in services in preparing final tax returns, final
17 accounting, and in counseling with both state and federal taxing
18 authorities relative to the dissolution of Kontum Hospital Fund,
19 Inc. and I herewith make a request to the above-entitled court
20 for the approval of a fee in the amount of \$630.

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Wallace C. Mahoney

SUBSCRIBED AND SWORN to before me this 29th day of
March, 1976.

Notary Public in and for the state
of Washington, residing at

Affidavit of Services Rendered

GRAHAM FITCH
LAWYER
4104 THE BANK OF CALIFORNIA CENTER
SEATTLE, WASHINGTON 98164
(206) 422-8988

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6 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY
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8 In re) NO. 805678
9 KONTUM HOSPITAL FUND, INC.,)
10 A corporation.) AFFIDAVIT OF SERVICES RENDERED
11

12 STATE OF WASHINGTON)) ss.
13 COUNTY OF KING)
14

15 I the undersigned Graham Fitch, being first duly sworn
16 upon oath, state that I have incurred 39-3/4 hours with an
17 estimate of 5 additional hours for final wind up for the legal
18 services rendered in the Kontum Hospital Fund, Inc. and at my
19 regular hourly charge of \$50 per hour my claim for legal services
20 rendered is the sum of \$2,237.50, together with costs expended
in the amount of \$53.64, for a total sum due of \$2,291.14.
21
22
23

24 _____
25 Graham Fitch
26

27 SUBSCRIBED AND SWORN to before me this _____ day of
28 _____, 1976.
29

30 Notary Public in and for the state
31 of Washington, residing at
32 _____

Affidavit of Services Rendered

GRAHAM FITCH
LAWYER
4104 THE BANK OF CALIFORNIA CENTER
SEATTLE, WASHINGTON 98154
(206) 622-8888

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6 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

7 In re)
8 KONTUM HOSPITAL FUND, INC.,) NO. 805678
9 A corporation.) ORDER APPROVING TRANSFER OF ASSETS
10) FROM KONTUM HOSPITAL FUND, INC. TO
11) VARIOUS CHARITABLE ORGANIZATIONS

12 THIS MATTER having come on for hearing before the under-
13 signed Commissioner of the above-entitled court on the petition
14 of the Trustees of Kontum Hospital Fund, Inc. for an order auth-
15 orizing them to transfer the remaining assets of the charitable
16 corporation to various charities in accordance with their rights
17 to do so under the original bylaws of the corporation which are
18 part of this file and the court having reviewed the file, and
19 having examined the Minutes of the Special Meeting of the Board
20 of Trustees of Kontum Hospital Fund, Inc. which are attached to
21 this order as an exhibit, and having determined that the Trustees
22 by and through their legal representative have published notice
23 of their intent to make distribution and having continued the
24 hearing on distribution on several occasions to give everyone an
25 opportunity to fully express their views on distribution, and now
26 at the time designated in the notice of hearing filed herein
27 there being no opposition to the entry of this order, now, therefore

28 IT IS ORDERED, ADJUDGED AND DECREED that the Trustees of
29 Kontum Hospital Fund, Inc., by and through their attorney of
30 record Graham Fitch, 4104 The Bank of California Center, Seattle,
31 Washington 98164, be and hereby are authorized to wind up the
32 affairs of the corporation, pay reasonable expenses incurred in

1 | the process of dissolving this corporation which are as follows:

1. Wallace C. Mahoney, accounting services, \$630, (see attached affidavit)
2. Legal fees, \$2,237.50 (see attached affidavit)
3. Filing fee, \$32 (see attached receipt)
4. Notice of publication in newspaper, \$7.81 (see attached receipt)
5. Telephone bill for office, \$12.55
6. Light bill, \$1.28

9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that after
10 payment of the foregoing expenses, the remaining funds on hand
11 shall be distributed by percentage to the following listed
12 charitable organizations in the percentages listed after their
13 names:

14	Catholic Relief Services	15%
15	Catholic Medical Mission Board	12-1/2%
16	CARE	20%
17	American Auxiliary of Paris Foreign Mission	20%
18	Milwaukee Children's Hospital	12-1/2%
19	Children's Orthopedic Hospital	12-1/2%
20	Mennonite Organization	7-1/2%

Upon filing receipts showing the designated beneficiaries
have been paid and the attorney and accountant have received their
fees, the above file shall be closed without necessity of further
appearance in court.

26 | DONE IN OPEN COURT this 1ST day of APRIL, 1976.

1st COMMISSIONER DIRECTOR
Court Commissioner

Presented by:

31 151 GRAHAM
Graham Fitch
20 Attorney for Kontum Hospital Fund, Inc.

Order Approving Transfer
of Assets ... - 2

Daily Journal of Commerce

Scans
MEMBER UNITED PRESS INTERNATIONAL
83 COLUMBIA ST. (622-8272) SEATTLE, WASH. 98104

Ad No. 8412

Date Dec 16, 1975

Graham Fitch, Atty
4104 Bank of Calif Center
City 98164

Statement and Proof

A copy of your publication is attached to the reverse of this form.

Notice of hearing petition

7.81

CASE

805678 Kontum Hospital Fund

PUBLISHED

Dec 16, 1975

PAID
DAILY JOURNAL OF COMMERCE
THANK YOU

Should you wish a receipted bill please forward this statement together with your check and it will be receipted and promptly returned.

NOTICE:

For your convenience the affidavit of publication in this case will be filed in the King County Courthouse. We appreciate your patronage of Washington's only court paper. Call 622-8272 for prompt publication of your next legal notice.



Seattle City Light

ACCOUNT NUMBER

PRESENT
READING DATE

PREVIOUS
READING DATE

6103	237103	12/31/75	12/15/75
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METER NO.	METER READINGS	MULTIPLIER	KWH USED	Demand (kw)	*	RATE	AMOUNT
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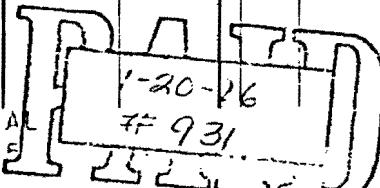
METER NO.	PRESENT	PREVIOUS	MULTIPLIER	KWH USED	Demand (kw)	*	RATE	AMOUNT
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8435 8271 8271 01 00 144 128

CLOSING BILL

Name
and
Service
Address

KON TUM HOSPITAL
911 WESTERN PMF



E.... Estimated Reading	12/31/75	TOTAL AMOUNT
* Code: M.... Minimum Charge	12/31/75	1 28
X.... Meter Exchange	12/31/75	

206 622 8341F 500— SEATTLE 29 163

Date Mo/Day	Place called or collect call	To or from Telephone	Class of call—See reverse	Amount
		At Number	From place	
1204	TACOMA	WASH	6272082	Q 138
1204	TACOMA	WASH	6272082	Q 19
1209	TACOMA	WASH	6272082	Q 393
1210	TACOMA	WASH	6272082	Q 19
1212	TACOMA	WASH	5976730	Q 19
1212	TACOMA	WASH	5976730	Q 19
1216	TACOMA	WASH	5976730	Q 104
1218	TACOMA	WASH	5976730	Q 53
1218	SPOKANE	WASH	5093263535	Q 130
1222	SEDRWHOOLY	WASH	8566086	Q 27
1222	SEDRWHOOLY	WASH	8566086	Q 427

LONG DISTANCE

OTHER CHARGES AND CREDITS

TAX

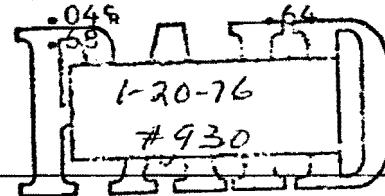
—CITY
—US TAX

14.71

2.80%

9999

KONTUM HOSPITAL FND INC
% GRAHAM FITCH
BK OF CAL CNTR RM 4104
SEATTLE WA 98164



FINAL BILL

12.55 ← Total

JAN 12 76 ← Bill Date

← Payment Due

01.12.76 41045 CCNP 805673 Civ—L S 32.00

01.12.76 41045 CCNP 805673 Civ—L S 32.00