

FILED
04-27-2023
Walworth County
Register in Probate
2020PR000058

DATE SIGNED: April 26, 2023

Electronically signed by Phillip A. Koss
Circuit Court Judge

STATE OF WISCONSIN	CIRCUIT COURT	WALWORTH COUNTY
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In the Matter of the Estate of: Ernest Gary Gygax, Sr.	Case No. 2020 PR 58
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ORDER ADMITTING WILL TO PROBATE

This matter was before the Court on April 19, 2023, and April 20, 2023, for trial on the Petition for Probate of the Estate of Ernest Gary Gygax, Sr. filed by Petitioner, Lucion Gygax, and the Objection to Probate subsequently filed by the surviving spouse, Gail Carpenter Gygax. The Honorable Phillip A. Koss presided. Jennifer M. Gorn, Warshafsky, Rotter, Tarnoff & Bloch, S.C., appeared in person for Petitioner. Attorney Theodore N. Johnson, Godfrey Leibsle Blackbourn & Howath, S.C., appeared in person on behalf of the objecting party, Gail Carpenter Gygax. Attorney Steven A. Koch, Seymour, Kremer, Koch, LLC, appeared in person as personal representative of the Estate of Ernest Gary Gygax, Sr.

WHEREAS, following the presentation of evidence by the parties, the Court, for the reasons stated on the record, hereby makes the following Orders:

1. The Petition for Probate of the Estate of Ernest Gary Gygax, Sr., is granted.
2. The value of the Estate of Ernest Gary Gygax, Sr. exceeded \$50,000.00 at the time of the decedent's death in March 2008.

3. The 2006 Last Will and Testament of Ernest Gary Gygax, Sr., is valid and admitted for probate.
4. The 1990 Last Will and Testament of Ernest Gary Gygax, Sr is void because it is superseded by the 2006 Last Will and Testament of Ernest Gary Gygax, Sr.
5. The 1986 Property Transfer is void.
6. The 1994 Trige Agreement is void and did not transfer of ownership of the decedent's intellectual property, but instead was a licensing agreement revoked by the decedent by the terms of the 2006 Last Will and Testament of Ernest Gary Gygax, Sr.
7. All tangible personal property of the decedent, including but not limited to property included in 'the collection," inventoried by Paul Stormberg, is included in the Estate and subject to probate.
8. All intangible personal property of the decedent, including but not limited to all copyrights and trademarks, regardless of formal registration, as well as ownership or use of the famous name or likeness of the decedent, is included in the Estate and subject to probate.
9. Gail Carpenter Gygax is disqualified from acting as personal representative of the Estate of Ernest Gary Gygax, Sr.
10. Attorney Steven A. Koch, Seymour, Kremer, Koch, LLC, shall remain appointed as personal representative of the Estate of Ernest Gary Gygax, Sr. and be granted all statutory powers associated therewith.
11. As personal representative, Attorney Koch is authorized to liquidate such Estate assets as necessary to fund the Estate for the purposes of paying, on a

temporary basis, the necessary costs and expenses of administration, including all attorney's fees associated with this action.

12. The Court reserves its ruling as to who shall ultimately be responsible for the costs and fees of this action, including actual attorneys' fees.

13. The personal representative is to prepare an inventory and accounting of the Estate's assets and shall advise the Court of the status of same by letter within ninety (90) days of appointment.

Drafted by:
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