

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA

PROBATE DIVISION

CASE NO.: 50-2023-CA-00245-XXXX-MB

IN RE:

GUARDIANSHIP OF
PATRICIA A.. SAHM

An Incapacitated Person

**MOTION FOR SANCTIONS AGAINST GUARDIAN AND GUARDIAN ATTORNEYS
FOR EXCLUDING PATTY SAHM, JR, DAUGHTER OF WARD FROM PURPORTED**

AGREED ORDER AND

**MOTION TO COMPEL ACCOUNTING AND PRODUCTION OF TRUST
DOCUMENTS**

Patricia A. Sahm, Jr., by and through the undersigned, files this Motion for Sanctions Against Guardian and Guardian's Attorney for Excluding Patty Sahm, Jr., daughter of Ward, from Purported Agreed Order, for Unilaterally cancelling this hearing with no notice and Motion to Compel Accounting of Trust and production Trust Documents, as follows:

1. On July 2, 2025, the guardian unilaterally and without including the Ward's attorney Laura Burkhalter, Esq. set a hearing for 7/8/25. Ms. Burkhalter was out of county and filed a notice of unavailability.
2. Due to the improper notice to all interested parties, The Court specially reset the hearing for today at 3:30 p.m. so "all interested parties" could be at the hearing.
3. The undersigned just discovered from Ms. Burkhalter that the Guardians' lawyer made a unilateral choice to enter into an agreed order and cancel this hearing with no notice to the undersigned.
4. The attorneys for Guardian refuse to provide a copy of the proposed order to the undersigned, claiming that Patty Sahm, Jr. has no standing. The guardian decided to be

the Judge and jury in this matter and make a judicial determination that the daughter of ward, Paty Sahm, Jr. is not an interested party; although she has been included in every other matter in this case.

5. This is sanctionable conduct and was done twice in a row now on this matter to release funds from a frozen bank account. The undersigned filed the relevant trust documents for this court for evidence for this hearing so the court could determine where the funds go – to the trust or to the guardian's restricted account for the benefit of the ward. The trustee of the trust is the other sister Joanna Sahm, who is believed to be mismanaging the trust and paying the guardian and other lawyers without court order or authority, as well as other potential misuse of funds and refusal to comply with transparency laws to the heirs, including the Ward.
6. An accounting of the trust has been requested numerous times and Eileen O'Malley, attorney trustee Joanna Sahn refuses to give even a basic accounting to the Ward or to Patty Sahm, Jr. and it is unknown if the guardian is involved in this or not.
7. A lawsuit is being filed for an accounting, and we believe this court has jurisdiction to also compel the accounting be provided to the beneficiaries which include the Ward Patricia Sahm, Sr., and her daughter Patricia Sahm, Jr. The trust documents were filed in this matter yesterday for this court to consider.
8. Laura Burkhalter, attorney for the Ward, is not included as an attorney for sanctions as she has not been provided with the trust documents either.

WHEREFORE, it is requested the court order the funds to remain in the restricted guardian account pending further court orders, to compel the accounting and copies of all relevant documents in relation to the trust and its use to pay any attorneys or costs not

directly benefiting the ward or without proper court order, and to provide to the ward and to Patty Sahm, Jr. copies of all trust documents, expenditure and accountings, as well as provide it to this court. We would like an evidentiary hearing related to the use of proceeds, as well as sanctions for this conduct against the guardian and his attorneys, and for any other relief deemed fit and proper. Further, it is requested the court forthwith to determine if any inappropriate attorneys' fees and costs, expenses, or use of proceed has been had by the Guardian and the trustee Joanna Sahm, and for any other relief deemed fit and proper.

Respectfully submitted,

By: /s/ Inger M. Garcia
Inger M. Garcia, Esquire
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Counsel for Patricia Sahm, Jr.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true copies of the foregoing document were filed electronically with the Clerk of Court through the Florida Courts e-filing Portal, which shall serve an electronic copy by e-mail on counsel of record this eighth day of July 31, 2025.

By: /s/ Inger M. Garcia

Inger M. Garcia, Esquire