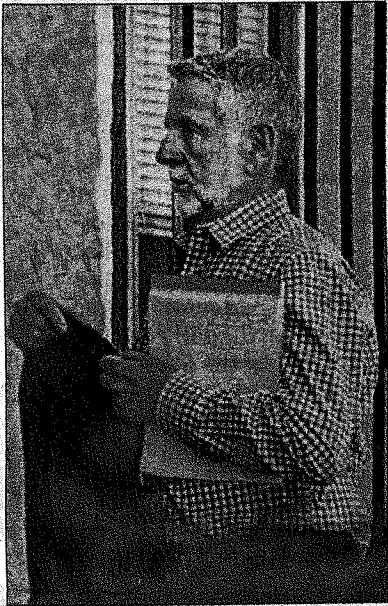


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STEVE MALONE / NEWS-PRESS FILE

John "Jack" LeBouef

Court rules LeBouef actions 'suggest criminal culpability'

By **SCOTT STEEPLTON**
NEWS-PRESS CITY EDITOR

A California appeals court has in terms harsh and unwavering rejected a former attorney's contention that he did nothing wrong in the handling of the disputed will of a former client and acquaintance, the late designer John Patton of Santa Barbara.

At the same time, the 2nd District Court of Appeal has ordered its opinion upholding Santa Barbara County Superior Court Judge Colleen Sterne's finding against John "Jack" LeBouef in a civil matter brought by Mr. Patton's heirs be forwarded to the state bar and Santa Barbara County District Attorney's

Mr. LeBouef appealed Judge Sterne's ruling on a variety of grounds, including that she allowed improper evidence at the non-jury trial.

"The trial court factual findings are disturbing, fatal to appellant's contentions, and suggest criminal culpability," wrote Justice Kenneth Yegan, with Justice Steven Perren and Presiding Justice Arthur Gilbert concurring.

"An ethical estate planning attorney will plan for his client, not for himself," according to the opinion, obtained by the News-Press.

"As we shall explain, the factual findings of the trial court compel the conclusion that (Mr. LeBouef) used his license to take advantage of an elderly and mentally infirm person to enrich himself."

Plaintiffs in the trial before Judge Sterne were two of Mr. Patton's nieces and a longtime friend who were named as beneficiaries of Mr. Patton's \$5 million plus estate.

They sued Mr. LeBouef over changes to the Patton will purportedly leaving the majority of the estate to Mr. LeBouef.

A document expert hired by the heirs testified that Mr. LeBouef likely patterned the Patton changes after estate documents he'd prepared for other clients -- documents that resulted in Mr. LeBouef and his longtime partner or his friends receiving

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Justice Kenneth Yegan

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the windfall of those estates.

Mr. LeBouef's appeal rested on the contention the prior acts should not have been allowed into evidence.

The appeals court let stand the multimillion dollar judgment in favor of the heirs, and let stand more than \$1.2 million in attorney fees owed the heirs. Claims for reimbursement and trustee fees for Mr.

LeBouef were denied.

District attorney Joyce Dudley told the News-Press late Monday that her office had not yet received a copy of the appeals court opinion.

The heirs were represented before the appeals court by John Derrick.

Their lead attorney before Judge Sterne was Monty Amyx, with assistance from Andrea Hurd and Greg Merrill.

"After five years of delays and obstruction from LeBouef and his

counsel, it is refreshing to see the appellate court affirm our trial court's decision so eloquently and promptly," they said in a statement to the News-Press on Monday.

"Financial elder abuse has become an epidemic, and we are hopeful that this case creates awareness in our community. We could not be happier that justice has finally been obtained for our clients in this matter."

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