FILE
ENDOWMENT -
CURR.

March 16, 1976

Musick, Peeler & Garrett
One Wilshire Boulevard
Suite 2000
Los Angeles, California 90017

Attention: James D. Devine

Re: Scheller Endowment

Dear Mr. Devine:

Enclosed is a copy of the Affidavit signed March 15 by Marie Scheller Mogan (Mrs. Richard F.), and notarized by Sister Louise Marie.

She is very pleased to know that the endowment is still intact (contrary to the erroneous information she received some years ago) and will continue to provide for needy patients.

An appropriate plaque will be placed outside one of the patient rooms, the wording of which she also approved. ✓

Although we did not include the earlier restriction on mental, alcoholic or chronic incurable cases in the Affidavit, we will include this in our procedure for application of these funds. Mrs. Mogan did not feel these restrictions were necessary, except to the extent that she (and presumably her mother) did not wish to support long term patients, which is how I interpret chronic incurable.

Please let me know what further action is necessary to implement the revised purpose. Thank you.

Very truly yours,

Sister Marjorie
Assistant Administrator

SM:mw

Enclosure

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

AFFIDAVIT OF MARIE SCHELLER MOGAN

I, the undersigned, Marie Scheller Mogan say that:

I am the sole surviving child of Agnes O. Scheller, the party of the first part in that certain agreement dated November 16, 1929, between the said Agnes O. Scheller and St. Vincent's Hospital, a California corporation, which agreement provides for the endowment of a room at St. Vincent's Hospital for the purposes specified therein.

I am also the wife of Dr. Richard F. Mogan specified in said agreement as a person empowered to designate the persons for whom said room shall be made available.

I know from conversations with my mother, Agnes O. Scheller that it was always her intention in creating said endowment that the room in St. Vincent's Hospital be used exclusively to care for the needy poor.

I understand that under modern hospital procedures, it is no longer possible, practical, or desirable to limit said endowment to one specified room, rather the room should be located in that portion of said hospital which provides the care the particular patient requires.

I support, and request St. Vincent's Hospital to seek, such modifications to said endowment agreement as are necessary to carry out the intent of its creator, Agnes O. Scheller, namely, that said endowment fund be used to guarantee that a room will be made available at all times at said hospital for the sole purpose of providing charity

care to a needy patient, and the location of that room will depend upon the care which the particular patient requires.

I further support such modification to said endowment agreement as may be necessary to enable care to be provided under said agreement by such members of the hospital's staff of doctors and other medical personnel as the administration of said hospital shall determine appropriate in the particular case.

It is my belief that these modifications are necessary in view of the change in circumstances since the creation of said endowment and in order to carry out my mother's intentions.

Marie Scheller Mogan

Marie Scheller Mogan

Subscribes and sworn to before me
~~July~~ March 15, 1976.

Louise Marie Juengerman

Notary Public in and for the County
of Los Angeles, State of California

OFFICIAL SEAL
Louise Marie Juengerman
NOTARY PUBLIC CALIFORNIA
PRINCIPAL OFFICE IN
LOS ANGELES COUNTY
My Commission Expires Nov. 14, 1978

FILE

November 10, 1975

Mrs. Richard F. Mogan
445 South Mansfield Avenue
Los Angeles, California
90036

Dear Mrs. Mogan:

You are no doubt wondering why you have not heard from us in some time, and what is the present status of our request.

As you know, Sister Louise Marie and I planned to pay you a visit, bringing the proposed affidavit and a sample of the commemorative plaque which will be erected. Unfortunately, Sister was ill for a considerable period and we were unable to fulfill our promise.

Sister is now in good health and will be making her annual retreat this week (also postponed due to her illness), but when she returns, I will call and make a definite appointment with you.

I apologize for not informing you of this sooner and thank you for your patience.

Since you were also concerned about the Hancock and Bixby endowments, I can also tell you that these are taken care of, and will also have plaques erected.

We extend our prayers and best wishes for your health and happiness.

Sincerely,

Sister Marjorie
Assistant Administrator

SM:mw

cc: Sister Louise Marie

FILE

July 11, 1975

Mrs. R. F. Mogan 934-4727
445 South Alandale Avenue
Los Angeles, California

Dear Mrs. Mogan:

Enclosed is a proposed Affidavit to clarify the intent of the Scheller Endowment, as we discussed a few days ago.

I have also enclosed a copy of the letter from our attorney sent with it, in order to call your attention to the remaining restrictions which we, of course, intend to honor.

You should also know the procedure we follow for approving charity cases. By written policy, Sister Louise Marie and I are delegated by the Board of Trustees the responsibility of reviewing and approving all requests for charity. A report of this activity is provided to the Board each month.

Sister Louise Marie, in addition to being our Ombudsman (Patient Representative) is also a Notary Public.

When you have had a chance to review the Affidavit, and if you approve its wording, Sister and I would like to pay you a visit, at which time we could obtain your signature and notarize it.

Perhaps you could give me a call at your convenience and we can arrange whatever is needed. You may call direct to my office at 484-5514.

Again, I wish to confirm that the Scheller Endowment of $25,000.00 is, has been, and will always be held intact as stipulated, and also to assure you of our continuing gratitude to you and your mother for this generous assistance to our charitable care program.

Sincerely,

Sister Marjorie
Assistant Administrator

SM:mw

cc: Sister Louise Marie

Enclosure

MUSICK, PEELER & GARRETT
ATTORNEYS AT LAW
ONE WILSHIRE BOULEVARD
LOS ANGELES, CALIFORNIA 90017
TELEPHONE (213) 629-3322

JOSEPH D. PEELER
JOHN M. ROBINSON
DAVID P. EVANS
JAMES E. LUDLAM
GERALD G. KELLY
JESSE R. O'MALLEY
BRUCE E. CLARK
BRUCE A. BEVAN, JR.
RALPH E. ERICKSON
CHARLES F. FORBES
THOMAS J. REILLY
RICHARD T. APEL
THOMAS M. COLLINS
DONALD J. DREW
RICHARD D. DEAR
LEONARD E. CASTRO
J. PATRICK WHALEY
MICHAEL W. CONLON
MICHAEL M. MURPHY
WILLIAM J. EMANUEL
EDWARD A. LANDRY
JOHN R. BROWNING
JOSEPH A. SAUNDERS
RONALD G. TRAYNER
HARRY R. STANG
ROGER B. BAYMILLER
THOMAS J. KELLEY, JR.
JAMES D. DEVINE
LARRY A. CURTIS
FREDERICK T. GUCKENBERGER
FRANK H. SMITH, JR.
LAWRENCE E. STICKNEY
GERALD A. COLLIER
JAMES B. BERTERO
JAMES L. SEAL
ROBERT D. GIRARD
TERRENCE J. WALLOCK
JEFFREY A. BERMAN
ALFRED KLEIN
GARY F. OVERSTREET
MICHAEL W. BORDERS
WILLIAM S. MILLER
WILLIAM L. NEAL
BARBARA A. HINDIN
JERIEL C. SMITH
GEORGE R. HARTLEY

ELVON MUSICK
1890-1968
LEROY A. GARRETT
1906-1963

CABLE "PEELGAR"
TELEX 67-7451
TELECOPIER
624-1376

OF COUNSEL
FRANCIS F. QUITTNER
MELVIN D. WILSON

July 9, 1975

St. Vincents Medical Center
2131 West Third Street
Los Angeles, California 90057

Attention: Sister Marjorie
Assistant Administrator

Re: Scheller Endowment

Dear Sister Marjorie:

Enclosed is a proposed affidavit prepared for the signature of Marie Scheller Mogan. If you believe this reflects both the hospital's desires and those of Mrs. Mogan, you should meet with Mrs. Mogan, discuss the affidavit with her and have her execute it before a Notary Public.

You will note the affidavit provides in general terms that Mrs. Scheller's purpose in creating the endowment was to provide charity care to needy patients. You may wish to call to Mrs. Mogan's attention, the restriction "that no mental, alcholic or chronic incurable case be considered eligible for occupancy of said room". It seems clear that this restriction could continue to be imposed without unduly limiting the use of the endowment funds. This clearly was Mrs. Scheller's intention and I recommend that we make no attempt to change this restriction.

I will be on vacation from July 14th to July 28th. If you have any questions in my absence, please contact Chuck Forbes.

Very truly yours,

James D. Devine
for MUSICK, PEELER & GARRETT

JDD:lm
Enclosure
CC: Charles F. Forbes

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

AFFIDAVIT OF MARIE SCHELLER MOGAN

I, the undersigned, Marie Scheller Mogan say that:

I am the sole surviving child of Agnes O. Scheller, the party of the first part in that certain agreement dated November 16, 1929, between the said Agnes O. Scheller and St. Vincent's Hospital, a California corporation, which agreement provides for the endowment of a room at St. Vincent's Hospital for the purposes specified therein.

I am also the wife of Dr. ~~R.~~ Richard F. Mogan specified in said agreement as a person empowered to designate the persons for whom said room shall be made available.

I know from conversations with my mother, Agnes O. Scheller that it was always her intention in creating said endowment that the room in St. Vincent's Hospital be used exclusively to care for the needy poor.

I understand that under modern hospital procedures, it is no longer possible, practical, or desirable to limit said endowment to one specified room, rather the room should be located in that portion of said hospital which provides the care the particular patient requires.

I support, and request St. Vincent's Hospital to seek, such modifications to said endowment agreement as are necessary to carry out the intent of it~~s~~ creator, Agnes O. Scheller, namely, that said endowment fund be used to guarantee that a room will be made available at all times at said hospital for the sole purpose of providing charity care to a needy patient, and the location of that room will depend upon the care which the particular patient requires.

I further support such modification to said endowment agreement as may be necessary to enable care to be provided under said agreement by such members of the hospital's staff of doctors and other medical personnel as the administration of said hospital shall determine appropriate in the particular case.

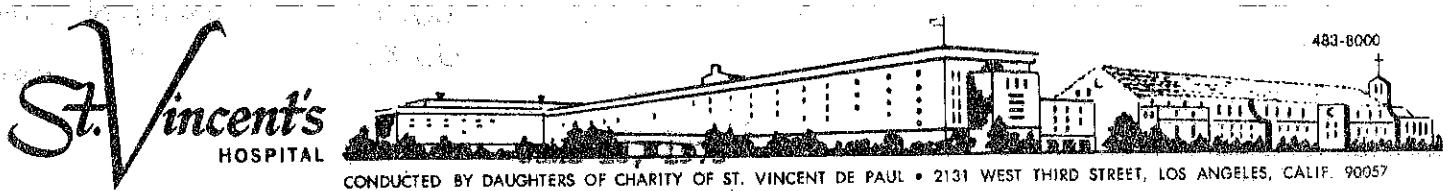
It is my belief that these modifications are necessary in view of the change in circumstances since the creation of said endowment and in order to carry out my mother's intentions.

_____
Marie Scheller Mogan

Subscribed and sworn to before me
July _____, 1975.

_____
Notary Public in and for the County
of Los Angeles, State of California

FILE



6/18/75

Charles F. Forbes
Musick, Peeler & Garrett
One Wilshire Boulevard, Suite 2000
Los Angeles, California 90017

Re: Endowment Restrictions - Bixby, Scheller

Dear Mr. Forbes:

On December 13, 1974, I wrote to you requesting a review and recommendation on the above endowments. Copies of the agreements were enclosed with this request.

Your December and January billings for this review totalled $378.00.

To date I have received no response to my letter, nor have we been billed for further review.

May I ask what the status is on this matter? Thank you.

Very truly yours,

Sister Marjorie
Assistant Administrator

SM:mw

cc: Vincent F. Guinan

June - $108.00
July - 144.00