

Beth L. Beucher

[REDACTED]  
Email: [REDACTED]

June 21, 2022

Hon. Paul G. Gardephe  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York NY 10007

*Re: Barbara Ann Hartke v. Bonham's & Butterfield's  
Auctioneers Corp., and Catholic University of America,  
Defendants 1:22-cv-03571- PGG, and*

*Re: Petition for Abbreviated Probate to Re-Open the  
Estate of Gilbert V. Hartke  
1988 ADM 001663 and Appointment of Barbara Ann  
Hartke as Successor Personal Representative in the  
Superior Court of the District of Columbia Probate Division*

Dear Judge Gardephe:

We, the undersigned, are some of the many descendants of Father Gilbert V. Hartke, a Dominican Priest who worked at Catholic University of America for his entire career. We are among the other Hartke Descendants not disclosed to this Court by Barbara Ann Hartke who is both Plaintiff and Petitioner in the above referenced matters. We come before your Honor of our own volition, and not at the urging of any of the Defendants, or their attorneys, in the lawsuit currently pending before you.

We come before you out of great concern arising from the false, incorrect and inaccurate statements made by the Plaintiff and her attorneys in the above matters and out of concern that Plaintiff's lawsuit before you, as well as the Petition pending in the Superior Court of the District of Columbia Probate Division, will cause decisions and court orders to be rendered that are material to the interests and legal rights of other Hartke Descendants, and that these decisions and court orders may be adverse to their interests and legal rights.

We wish to bring to the Court's attention that Barbara Hartke, as Plaintiff and Petitioner in the above matters, does not represent the interests and legal rights of any other Descendants of Father Gilbert V. Hartke. Barbara Hartke represents only her own interests in these two matters. Barbara Hartke speaks only for herself and does not have the permission, nor the legal authority, to speak for other Hartke Descendants.

Furthermore, we believe it is both relevant and important for this Court to know and acknowledge that other Hartke Descendants do not agree with or support the claims and allegations made by Plaintiff and Petitioner Barbara Hartke in the above matters. In fact, the undersigned Hartke Descendants strongly reject Barbara Hartke's claims and allegations as truthful, oppose her claims and allegations in their entirety, and deny the legal viability of those claims and allegations.

To this point in time, we have withheld taking any action to intervene in Barbara Hartke's pending lawsuit. We were hopeful that this Court would deny Plaintiff's injunction motion to stop the auction of The Dorothy Dress on May 24, 2022 without any involvement on our part. But due to recent steps taken by Barbara Hartke and her attorneys, we now feel forced to take legal action to protect our interests and legal rights as Hartke Descendants. We believe our interests and rights will not be fairly, independently and objectively represented without becoming involved in Plaintiff's lawsuit and Probate Petition. Her recently filed Petition in the Probate Court demonstrates once again that Barbara Hartke does not intend to represent all Hartke Descendants, but only her own interests. By failing to give proper notice to all Hartke descendants in the above two matters, Barbara Hartke intentionally excludes the participation of all other Hartke Descendants from her lawsuit and Probate Petition.

We wish to bring to the Court's attention, that Barbara Hartke is not the "only living niece" and heir of Father Gilbert V. Hartke as she alleges in her lawsuit against Catholic University of America and the auctioneers Bonham's & Butterfield's regarding the ownership and disposition of a dress worn in the movie *The Wizard of Oz* by actress Judy Garland, (herein after referred to as "The Dorothy Dress".) We also wish to bring to this Court's attention that Barbara Hartke has not correctly identified all currently surviving heirs and Hartke Descendants in her Probate Petition regarding the Estate of Father Gilbert V. Hartke. Moreover, she incorrectly identified one other Hartke Descendant by misspelling that person's last name, and misinformed the Probate Court that that person, Inez Kuipers Beucher was "Unknown – Possibly Deceased".

In actual fact, Barbara Ann Hartke is not "the only living niece" or "closest living heir" of Father Gilbert V. Hartke. Inez Kuipers Beucher is the oldest living niece and heir of Father Hartke.

Father Hartke was one of seven children of Emil and Lillian Regina Ward Hartke. Inez Mercedes Hartke was the oldest sister and sibling to Father Gilbert Hartke. Inez Mercedes Hartke and Clarence Kuipers were married and had four children: Rita, Robert, Inez, and James. Their daughter, Inez Mercedes Kuipers Beucher, was born on

December 29, 1925, and is still alive. The other three Kuipers siblings are deceased.

Inez Kuipers Beucher is 96 years of age. She is in good health and is of sound mind and memory. She resides in Illinois and has children of her own. Barbara Hartke's allegation that she is "the oldest living niece" and "closest living heir" of Father Hartke is false and cannot be cured through an amendment of any facts in her lawsuit.

Plaintiff and Petitioner Barbara Hartke, and her attorneys, have failed to do the most minimal due diligence in bringing her claims before this Court and the Probate Court. At no time has Barbara Hartke, or her attorneys, contacted other Hartke Descendants to inform them of her claims and allegations. Without any permission of other Hartke Descendants, Barbara Hartke relies on her unfounded assumption and allegation that by simply claiming she is the "oldest living niece of Father Hartke," therefore she has the legal standing and authority to act as the sole representative of all Hartke descendants.

Since Barbara Hartke has failed to have any contact with us as Hartke Descendants, we can only surmise, through her comments in news stories or in her Affidavit filed in this matter, as to her motives in bringing this lawsuit against defendants Catholic University and the auctioneers regarding who is the legal owner of The

Dorothy Dress and who has the legal right to sell or otherwise dispose of the dress.

Unlike many other Hartke Descendants, and based upon her statements to the media and in her Affidavit, it appears that Barbara Hartke had very little involvement with the extended Hartke family, and in particular, had little direct involvement with Father Hartke throughout his lifetime and during his many years of service at Catholic University.

In direct contrast to the Plaintiff claims, Inez Kuipers Beucher had lifelong involvement with Father Hartke as an uncle, beloved family member, sponsor and teacher while attending several summer programs at Catholic University during her high school and college years. Within his role as a Dominican Priest, Father Hartke served as the official celebrant of the sacrament of marriage between Inez Mercedes Kuipers and George A. Beucher in 1950. Throughout the remainder of Father Hartke's lifetime, Inez and George Beucher entertained Father Hartke and his student "Players" at their home on many occasions. They also donated to many of Father Hartke's fundraising programs at Catholic University, including the Hartke Theater. Upon Father Hartke's death in February 1986, Inez Kuipers Beucher traveled to Washington DC to participate in the funeral and celebration of her Uncle Gib's life and service.

The experiences of Inez Kuipers Beucher with Father Gib were not uncommon among many of the Hartke relatives. Many Hartke Descendants had similar experiences with Father Gib during holidays, summer vacations, and family weddings and funerals.

Based upon the pleadings, affidavits and motions filed by Plaintiff and Defendants in the pending lawsuit, we believe Barbara Hartke's lawsuit and probate action are meritless and ultimately will be unsuccessful. Therefore, we implore Barbara Hartke to voluntarily dismiss her lawsuit and Probate Petition. The continued prosecution of these matters by Plaintiff is unjust and costly not only to other Hartke family Descendants and the two Defendants, but is also a waste of the courts' time and resources. Should Plaintiff insist on continuing to prosecute these matters, and we are forced to incur legal costs to defend our interests and legal rights, we wish to inform her now that we will seek reimbursement from her directly for these unnecessary costs.

Instead of continuing to pursue these matters, we invite Barbara Hartke to join with the rest of Father Hartke's family and descendants to work with Catholic University to ensure the fulfilment of his legacy by allowing the fundraising plan to proceed by auctioning off The Dorothy Dress. Father Hartke was a prolific fundraiser for many projects in his lifetime, but he was a particularly successful fundraiser for the Drama Department at Catholic

University which he created and built over many, many years. The proceeds of the auction would provide necessary funding to allow Catholic University's Drama Department to evolve and compete in the future as was Father Hartke's dream and legacy

Barbara Hartke had little contact or involvement with Father Gilbert Hartke during his lifetime, as both a person and a Dominican priest. By seeking personal monetary gain, we believe Plaintiff Barbara Hartke, and her attorneys' actions do great harm and disservice to the honor of Father Hartke. He sacrificed much throughout his life by taking very seriously his vows of chastity, poverty, and obedience as a Dominican priest and by adhering to those vows throughout his lifetime. He worked tirelessly, but with great joy, to see that his drama students at Catholic University succeeded as persons. Personal monetary gain was never something that Father Hartke sought for himself or that he thought should be at the forefront of his students endeavors. We believe Barbara Hartke's actions to undertake this lawsuit, and the probate action, run counter to everything Father Hartke worked for and stood for his entire life. We find it appalling that Barbara Hartke would try to use Father Hartke, and his estate, as a tool for her own financial gain. Plaintiff's actions stand in stark contrast to everything that was so admirable about Father Gilbert Hartke.



We hope that her lawsuit is dismissed by this Court pursuant to the motions to dismiss filed on behalf of Defendants Catholic University and Bonham and Butterfield's or voluntarily dismissed by the Plaintiff herself without delay.

Respectfully submitted,

Descendants of Inez Mercedes Hartke Kuipers, oldest sibling to Father Gilbert Hartke:

Inez Kuipers Beucher (oldest living niece) and family  
Beth L. Beucher (grand niece)  
Joanne Beucher Wandell (grand niece)  
Joy Beucher White (grand niece)

Rita Kuipers Stauffacher (niece) and family  
David Stauffacher (grand nephew)  
Anne Stauffacher Friesma (grand niece)  
Kathy Stauffacher Goff (grand niece)

Robert Kuipers (nephew) and family  
Tom Kuipers (grand nephew)

Descendants of J. Ward Hartke, (nephew) sibling to Father Gilbert Hartke:

Betty Ann Hartke Josephson (niece) and family

Mary Lou Hartke Carper (niece) and family  
Margo Carper (grand niece)  
Madeline Carper Schaffer (grand niece)  
Molly Carper Kelly (grand niece)

Jeanne Hartke Powell (niece) and family  
Catherine Powell Miles (grand niece)  
Joseph Powell (grand nephew)  
Joan Powell Missimer (grand niece)

Joan Hartke Maddox (niece) and family  
Cathy Maddox Blum (grand niece)

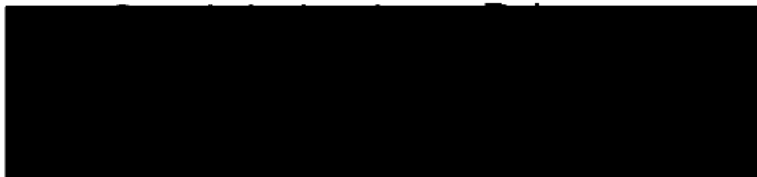
Descendants of Virginia Hartke Whittingham, sibling to  
Father Gilbert Hartke:

Chuck Whittingham (nephew) and family  
Beth Whittingham Goehring (grand niece)

Richard Whittingham (nephew) and family  
Paige Whittingham (grand niece)  
Amy Whittingham Chase (grand niece)  
David Whittingham (grand nephew)

CC:

Barbara A. Hartke



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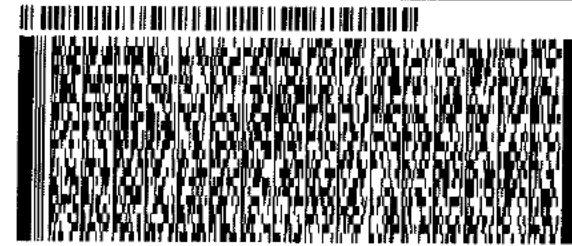
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