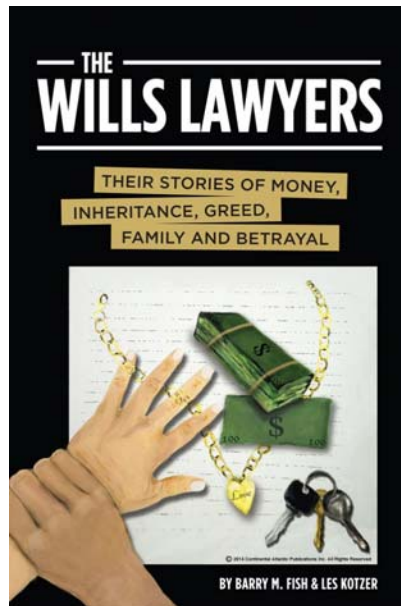


## Where there's a will, there's a waiter:

### Greed, betrayal and humour in will lawyers' tales

By Sharon Hill  
Windsor Star



Toronto lawyer Les Kotzer, co-authored *The Wills Lawyers: Their Stories of Money, Inheritance, Greed, Family and Betrayal*.

Rich Uncle Fred appeared so deaf his nephews and nieces began to openly chat in front of him about what they would get when he finally kicked the bucket.

One would say, "Uncle Fred, I'm getting the big screen TV when you die" while another would comment how boring the Sunday visits had become.

He never responded until his 90th birthday when he announced: "I'm not deaf and I never have been deaf. And Bill you're not getting the big screen TV and Mary if you really think it's a pain in the bum coming here, just don't come."



Toronto lawyer Les Kotzer, co-author of *The Wills Lawyers: Their Stories of Money, Inheritance, Greed, Family and Betrayal*.

The crafty uncle based his will on the unguarded dialogue and gave the bulk of his estate to a well-spoken niece who passed on the most unusual will planning method Toronto lawyer Les Kotzer has ever heard.

Sometimes Kotzer thinks he might have heard it all in the 26 years he's been a wills and estates lawyer since graduating from the University of Windsor.

Good thing he hasn't because the 59-year-old lawyer is on his fourth book co-written with his partner Barry Fish including two books with stories on horrifying to humorous wills. The latest book, *The Wills Lawyers: Their Stories of Money, Inheritance, Greed, Family and Betrayal*, has 79 tales.

"There's a lot of greed and I see it over and over and over and it's sad," Kotzer said earlier this week.

Where there's a will, there's a waiter.

Everybody knows one but Kotzer wasn't given a word for it until a well-dressed client arrived at his office in a sports car in 2008. The man and his wife lived in ritzy Rosedale but their house was heavily mortgaged. The sports car was leased. The man didn't have a job and the lavish lifestyle made no sense to Kotzer even when the man's wife said, "Harry's not going to tell you this but he's a waiter."

Kotzer asked what restaurant.

"She said no, not that kind of waiter. He's waiting for his mom to pass so he gets the inheritance."

Kotzer said the waiter is usually a baby boomer burdened with debt but still buying the \$6 lattes their penny-pinching parents wouldn't dream of drinking.

"Sometimes the person who may rip you off may not be a stranger." Kotzer warns. "It may be your own child."

His 27-year-old daughter Michelle Kotzer is a University of Windsor grad who has joined the Toronto practice and has seen the same greed but in a younger generation. She said people are waiting for grandparents to die. They want the easy way out, she said.

"They don't want to have to work the long hours and this and that. They want to just have a check. Here's \$2 million. It's like winning the lottery basically for some people."

Her dad Les said waiters often do win but not always.

Take the nieces and nephews of a woman with no children who needed heart surgery. She left a house key by her hospital bed in case she died and told her beloved niece Janine about it. The aunt lived and was looking for a pill she dropped one day when she spied a yellow sticky note under her dining room table. It said Janine. There were sticky notes all over her house.



Michelle Kotzer

"I only wish for one thing," Kotzer said the woman told him for her new will. "That I could be looking down after I die and seeing the faces of these greedy little kids and realizing it all went to a charity."

On the flip side, Kotzer tells the story of how another woman gave the bulk of her \$4-million estate to one nephew, the only one who called her in the year after her husband's death making a birthday and Christmas call worth at least \$1.5-million each.

The latest book is available at [thewillslawyers.com](http://thewillslawyers.com) as a digital download for \$9.99 and includes a free book or by calling 1-877-439-3999 to order a hard copy for \$18.95.

In case you have a waiter in your family, here are some tips from Kotzer:

1. Be wary of giving a child power of attorney or a joint bank account while you're living because they may not wait to take your money. Be careful about loaning a relative money and if you do document it. Kotzer heard from a mother working two jobs in her 70s because her son said a \$150,000 loan was a gift and he wouldn't help her.
2. Make a will and make it very clear. Don't use words like memorabilia or antiques which can mean different things to different people.
3. Don't depend on the goodwill of others and leave money specifically to the person you want to have it. If one of your children is your caregiver don't leave money equally in your will to all the children thinking they will reward the caregiver, he advised.