

QUESTION 8 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK III

Dennis Davis was out in the woods hunting when he was accidentally shot by a fellow hunter. After spending several days on life support, Dennis died. Dennis was divorced, and had an estate worth approximately \$1,000,000 after his debts and expenses were paid. No testamentary documents were found among his personal effects.

Surviving Dennis are his two siblings--his half brother Paul and his brother Scott. Dennis is also survived by Timmy Taylor, a 15-year old developmentally disabled foster child who has lived with Dennis since the age of two. Lastly, after reading Dennis' obituary, Ed Ermine appeared, claiming to be Dennis' biological father.

DNA testing ordered by the probate judge administering the Estate of Dennis verified that Ed Ermine is Dennis and Scott's biological father. Paternity had not previously been established. Scott claims that neither he nor Dennis ever knew Ed or knew that he was their biological father. Rather, the boys were raised by their stepfather, who was Paul's father. Both Paul and Scott claim that Ed neither visited nor supported Dennis and Scott during their childhood. Scott also claims that Paul is entitled to a lesser share of the estate because Paul and Dennis have only one parent in common.

Using Michigan law, discuss what claims the following parties would have to the estate of Dennis: (1) Timmy, (2) Ed, (3) Paul and Scott.

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