

QUESTION 8 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK III
OR IN EXAMPLIFY ANSWER SCREEN 8

Approximately six years ago, Benjamin Berry at age 55 prepared the following document entirely in his own handwriting, except for the signature of the witness:

This is my last will and testament dated December 12, 2012. I give all of my possessions and assets to my lovely daughter Freda when I leave this earth. She is my heart and soul.

Signed: Benjamin Berry
Printed: Benjamin Berry
Witness Signature: Tyler Brown

Benjamin legally adopted Freda 25 years ago when she was five years old and her biological parents could not properly care for her. Freda's biological father is Benjamin's brother, Fred Berry. Benjamin died in late 2018. He was survived by only Freda and Fred. There were no other writings regarding distribution of Benjamin's assets, which are valued at \$300,000. Fred challenges the validity of the will. Fred claims that because the will is invalid, he is entitled to Benjamin's entire estate because Freda is an adopted child of Benjamin, and her status as Benjamin's biological niece does not allow her to share in the assets ahead of Fred as his sibling.

Applying Michigan law, fully explain:

1. Whether the will is valid.
2. Assuming the will is not valid, how Benjamin's assets would be distributed.

*****THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK III*****
OR IN EXAMPLIFY ANSWER SCREEN 8