

Additionally, Therieau has collected \$4,000 as attorney for the Estate of Lawrence J. Bow for what appear to be the same services for which the \$50,000 fee was awarded.

In other words, Therieau claimed and received two fees in this estate for the same services, one as part of the \$50,000 "commission" and another as attorney for the guardian.

The fifth Indian estate concerned appealed the lower court's order directing that it pay a proportionate share of the \$50,000 fee. The appellate court, on June 22, 1966, ruled that the order granting the fee, as well as subsequent orders concerning payment thereof, were improper and illegal. In re Guardianship of the Estate of Prieto, supra. By the time the appellate decision was issued, the Senci lease had been terminated and the remaining four estates had already paid \$21,627.20 in fees to Dunlevie Associates and Therieau.

Subsequently, the guardians of three of the estates concerned filed a petition with the Superior Court in Indio asking that the prior payments to Dunlevie Associates and Therieau be returned.

After preliminary hearings on the petitions to ratify, it appeared to us that Judge Brown could not be relied upon to be entirely impartial in the matter. It was, therefore, decided that the United States should intervene on behalf of the Indians to obtain standing to challenge the judge and appeal if necessary.