

## **Lucille Ball: Dangers of Being the First to Die**

Lucille Ball was the queen of television comedy to an older generation of Americans. Today, more than 70 years after *I Love Lucy* premiered, reruns still air on late-night networks, making it the longest broadcasted TV show of all time and endearing Ball to a new generation of fans.

Rankings of the best *I Love Lucy* episodes can be found across the web. There are also real-life lessons to learn from Ball, including from a lesser-known episode involving her daughter and her widower's second wife that provides important estate planning lessons about remarriage.

### **How Some of Lucille Ball's Prized Possessions Ended Up at Auction**

Ball had two children with her first husband, actor Desi Arnaz: Lucie Arnaz and Desi Arnaz Jr. The beneficiaries of the Lucille Ball Estate, estimated at \$40 million when she died in 1989, were her two children and her second husband, Gary Morton<sup>1</sup>

But it is what Lucy's daughter Lucie did not end up inheriting that sparked a fierce legal battle between her and Susie McAllister, whom Gary Morton later married after Lucy's death.

Morton died in 1999, and in 2010, more than 10 years after Morton's death, McAllister consigned several items to Heritage Auction Galleries, including love letters between Ball and Morton, photos of the couple, a Rolls Royce, and some of Ball's personal items like an address book, backgammon boards, and lifetime achievement awards<sup>2</sup>

When Lucie learned about the auction, she demanded some of the items be returned, threatening legal action against McAllister to stop the sale. According to a countersuit filed by McAllister against Lucie

seeking a judge's ruling to let the auction proceed, Ball left the personal effects in question to Lucie in her estate plan—but Lucie never claimed them from the estate. They then passed to Morton and eventually to McAllister from her late husband.

The judge ultimately ruled in favor of Lucie and said that the auction could be stopped if she posted a \$250,000 bond, but Lucie unfortunately could not afford it. Not all was lost, though, as her legal team reached an agreement with the auction house to have the lifetime achievement awards returned. The other items were auctioned off.<sup>3</sup>

### **Estate Planning Lessons from the Ball Auction Debacle**

An attorney representing Lucie had strong words about the auction, saying it was insulting to Ball's legacy and contravened her "express desire that these items were to belong to her daughter after her death."<sup>4</sup>

One of the stranger and unexplained aspects of the Lucille Ball auction saga is why Lucie would have forfeited the items that ended up being offered for sale. While McAllister contends they were never collected, both women agreed that Ball left them to her daughter in her will.

Assuming this is true, it means that Lucie made a mistake by not claiming the property she was gifted. Typically, unclaimed inheritances pass to the next beneficiary in line—presumably in this case Gary Morton.

However, in leaving the unclaimed heirlooms to McAllister, Morton may also have erred. It is plausible he did not know that Ball wanted Lucie to inherit the personal effects. But he probably should have known that they were better off with his stepdaughter than with McAllister, to whom they could not possibly have had any sentimental value. Put yourself in McAllister's position: she lived with reminders of the couple's life together for more than ten years out of respect for them and finally parted with the items as she remodeled her house and sought a fresh start.

The entire situation between McAllister and Lucie might have been avoided if Morton had asked himself why McAllister would want the old love letters, photos, and awards. So the second lesson that can be learned from this legal drama is that if you inherit property from a previous spouse and later remarry, you need to think carefully about who should inherit it.

### **Fitting the Small Details into the Big Picture of Your Estate Plan**

Whether you are on the giving or the receiving end of an estate plan, we have your needs covered.

If you were named as an estate beneficiary and are not sure how to claim the accounts or property gifted to you or need to take action to protect your beneficiary rights, our estate administration attorneys can help. We can also assist with the often complicated estate planning decisions that come with remarriage and blended families.

Thoughtful, proactive action is the key to successful estate planning. To discuss your estate plan goals and concerns, schedule a meeting with our attorneys.

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- 1 Neetha K, Lucille Ball: Life, Death & Money: What Was “I Love Lucy” Star's Net Worth at the Time of Her Death?, Meaww (Jan. 9, 2021), <https://meaww.com/lucille-ball-life-death-money-i-love-lucy-star-networth-at-death-reelz-documentary-estate-heirs-war>.
  - 2 Lucille Ball Memorabilia from the Estate of Gary Morton—Including Love Letters, Rolls Royce, Awards and Artwork—at Auction in Beverly Hills, Heritage Auctions (July 6, 2010), <https://news.cision.com/heritage-auctions/r/lucille-ball-memorabilia-from-the-estate-of-gary-morton---including-love-letters--rolls-royce--awards-and-artwork---at-auction-in-beverly-hills,g502294>.
  - 3 Jason Pham, Here’s Where Lucille Ball’s Kids Are Now & How Much They Inherited after Their Mom’s Death, Yahoo! Fin. (Mar. 7, 2022), <https://finance.yahoo.com/news/where-lucille-ball-kids-now133309434.html>.
  - 4 Catherine Saunders-Watson, Heirs Spar over Upcoming Auction of Lucille Ball Items, LiveAuctioneers (July 15, 2010), <https://www.liveauctioneers.com/news/top-news/crime-and-litigation/heirs-spar-over-auction-of-lucille-ball-items>.