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ATTORNEY IMPRISONED FOR NOT TELLING WHERE TRUST'S \$50,000 WENT

Author: Cynthia Mayer, Inquirer Staff Writer

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When Maud Harrison Gibbs died in 1973, she took care to provide her daughter with a house in Rosemont, with enough security to pay for a gardener and a maid. She also left a large trust to be administered by Philadelphia lawyer Jordan L. Peiper.

The house in Rosemont is still standing, but this week Peiper, 55, was in prison, sentenced to six months for refusing to explain what happened to about \$50,000 of the estate.

A judge jailed the Center City attorney for contempt of court, saying Peiper had "dragged his feet" in producing a full accounting of the estate for almost a year and a half.

"He asked for 24 hours more at the last hearing, but I told him that proved to me he was in contempt," said President Judge Francis J. Catania of the Delaware County Court. "If he could have it in 24 hours, then he could have had it months earlier."

Peiper could not be reached for comment yesterday, and his attorney refused to comment. But according to court papers, he and the Gibbs family have been wrangling over the estate for almost a year and a half, with Gibbs' daughter, Sarah Gibbs McClure, trying to get a full accounting of the estate, while Peiper asked for more time.

Neither side can agree on whether money is missing, and both have hired accountants. No criminal charges have been filed.

But according to court papers filed by the Gibbs family, Peiper admitted that he had deposited some of the estate money in his own escrow account, where it was mingled with funds from other estates Peiper was administering.

An accountant hired by McClure has testified that almost \$290,000 in securities and interest are

unaccounted for. But there are also deposits that have not been accounted for, and the total shortfall amounts to about \$50,000, said Michael Solomon, the accountant.

McClure first became "suspicious," according to court papers, after she discovered that taxes on her mother's large Rosemont home had not been paid.

Paying the taxes was Peiper's responsibility, according to McClure, because they were to be paid out of the trust.

In June 1988, McClure fired Peiper and demanded an accounting of the estate funds. For the next 16 months, Peiper repeatedly asked for extra time - once saying that a fire in his home had delayed the work, according to court documents.

Peiper, a general-practice lawyer with offices in the Land Title Building, has administered the estate since 1973.

In court papers, he denies wrongdoing, saying no funds are missing, and says that he has supplied as full an accounting as possible considering some documents have disappeared over 16 years.

Finally, in August, Catania ordered Peiper to show cause why he should not pay about \$35,000 in apparently missing funds to Delaware County's Register of Wills. Peiper did not pay the money, and at a hearing Oct. 12, Catania sentenced him to six months in Delaware County Prison for contempt of court.

He will be held there until he provides a full accounting, according to Catania.

McClure would not comment on the case, other than to say, "It's not a pleasant situation. . . . The lawyer is paying his dues, which doesn't make me particularly happy, but I think he deserves it."

At Peiper's Center City office, his law partner said he was unaware that his associate had been jailed.

"He's been out ill for the last 10 days with a virus," said Daniel Gelber. When asked whether he had tried to phone Peiper at home, he said, "Oh no. I wouldn't disturb him at home."

Memo:

CLEARING THE RECORD, PUBLISHED OCTOBER 25, 1989, FOLLOWS:

A story in yesterday's Inquirer on the imprisonment for contempt of court of Center City lawyer Jordan L. Peiper stated incorrectly that he is a law partner of Daniel Gelber. The two share offices but are not partners.

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