

FILED  
2022 DEC 05 09:00 AM  
KING COUNTY  
SUPERIOR COURT CLERK  
E-FILED  
CASE #: 22-4-08326-1 KNT

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

In re the Matter of

Case No.

THE SHARON M. HAROLD  
IRREVOCABLE TRUST DATED  
NOVEMBER 12, 2004,

**DECLARATION OF DAVID A.  
PAICE, TRUSTEE**

a Trust.

I, David A. Paice, declare as follows:

1. I am the Trustee of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 ("Trust" or "Harold Trust"). I have personal knowledge of the facts set forth herein. I make this declaration based in support of the Verified Petition for Approval of Interim Account; For Discharge of Successor Trustee; and For Appointment of Successor Trustee ("Petition").

2. Relationship with Sharon M. Harold, Trustor of the Harold Trust. Sharon Harold, the trustor of the Harold Trust, is my wife's grandmother, and I have known her for over 20 years. Over the years Sharon and I have enjoyed a positive relationship. As a contributing member of Sharon's extended family, I have always tried to assist her with various things she needed help with. For example, even before I accepted the appointment as successor trustee of the Trust, I would answer Sharon's basic financial questions that she came to me with.

3. Acceptance of Trusteeship of the Harold Trust. Sometime in early 2010, Sharon asked me if I would be willing to serve as successor trustee of the Trust, and I agreed to serve. I accepted the appointment to become successor trustee of the Harold Trust in late February or early March 2010. The Acceptance of David Allen Paice to Act as Successor Trustee of the Sharon M.

DECLARATION OF DAVID A. PAICE, TRUSTEE - 1

LANE POWELL PC  
1420 FIFTH AVENUE, SUITE 4200  
P.O. BOX 91302  
SEATTLE, WASHINGTON 98111-9402  
206.223.7000 FAX: 206.223.7107

Harold Irrevocable Trust dated November 12, 2004 (“Acceptance”), a true and correct copy of which is attached as **Exhibit B** to the Petition, was undated, but I know that I opened bank accounts for the Trust at Boeing Employees’ Credit Union (“BECU”) in early March 2010.

4. Service as Successor Trustee of the Harold Trust. I have taken my fiduciary duties as trustee of the Harold Trust extremely seriously for the entire time that I have served as Trustee. When I first became Trustee I opened separate bank accounts at BECU in the name of the Trust and held all of the Trust’s funds in those accounts. As explained further below, at no time did I ever purposefully comingle funds belonging to the Trust with my own personal funds. In March 2010, I initially opened four accounts in the name of the Trust:

Harold Trust Accounts		
No.	Account	Type
1	BECU Account Ending x-9232	Savings
2	BECU Account Ending x-9349	Checking
3	BECU Account Ending x-9307	Money Market
4	LPL Financial Account Ending x-4662 <sup>1</sup>	Investment

On February 15, 2014, I closed the BECU Account Ending x-9349 and the remaining funds in that account (\$260.48) were deposited into the Trust’s BECU Account Ending x-9307. *See Ex. C* to Petition. During my time as Trustee, the Trust’s assets increased in value. When I took over as Trustee of the Harold Trust, for example, the Trust Estate was \$537,029.59, *see Ex. C*, but as of December 31, 2021, the Trust Estate totaled \$708,055.19. Although I understand the Harold Trust entitles the Trustee to receive compensation, I have never taken ***any compensation*** from the Trust.

5. I Kept Sharon Harold Informed About the Trust From the Beginning of My Trusteeship Through the Present. Until recently, I did not consult any attorney about the duties of a trustee. For this reason, I was not familiar with Washington statutes regarding trustee accounting

<sup>1</sup> Because the LPL Financial Account Ending x-4662 holds a mixture of cash and investments, the Trust Accountings list the LPL Financial Account ending x-4662 as having both a “Cash Account” component and an “Investments” account component, even though there is one LPL Financial Account Ending x-4662.

1 duties. Nonetheless, throughout the duration of my trusteeship, I have kept Sharon fully and  
2 completely informed to the best of my abilities as to the Trust's assets and liabilities. Sharon and  
3 I spoke at least once every month by telephone about the assets in the Trust. As the account  
4 statements for the LPL Financial Account Ending x-4662, which is the Trust's investment account  
5 that held the bulk of the Trust's assets, specifically state, Sharon received copies of those  
6 statements at least beginning in November 2014, (see notation on each statement: "Copies of this  
7 statement were sent to SHARON HAROLD").

8 6. Examples of Types of Information Shared. Sharon paid attention to what securities  
9 the Trust invested in and she would often ask me about them. For example, I recall that she was  
10 very interested in knowing whether the Trust's investment portfolio held stock in 3M; I recall she  
11 asked me about this during our monthly telephone conversations. Sharon and I rarely, if ever,  
12 communicated via e-mail. Sharon preferred speaking to me over the telephone or through text  
13 about the Trust.

14 7. Regular and Additional Distributions. During our frequent telephone calls, Sharon  
15 and I also discussed whether her monthly financial needs and distributions from the Trust.  
16 Normally, the Trust distributed \$2,500 per month to Sharon. Depending on Sharon's need for  
17 additional money, which she and I would talk about during our telephone calls, during certain  
18 months I distributed more than \$2,500 to Sharon. Other times, I would make one-off distributions  
19 to Sharon if she needed more than \$2,500. For example, she would often request additional  
20 distributions around the Thanksgiving and Christmas holidays for gift purchases and expenses.  
21 When I first became Trustee, I made the distributions to Sharon via checks. Over time, however,  
22 it became more convenient for me and for her to make distributions electronically to Sharon's own  
23 personal bank account from the Trust. During my time as trustee of the Harold Trust I have never  
24 missed making any monthly distribution to Sharon even though I was deployed with the Coast  
25 Guard three times and experienced the death of my child.

26  
27 8. Trips with Sharon Harold; Reimbursement of Funds Advanced for Disneyland

1 Trip. Sharon enjoys traveling with her children and grandchildren. She would often go on trips  
2 with various family members, including, sometimes, my wife, Bricana (Sharon's granddaughter);  
3 my wife's mother (Sharon's daughter), and my children. In April 2016, for example, Sharon  
4 wanted to take a trip to Disneyland in California with my wife, her mother, and my daughter.  
5 Sharon, however, has mobility issues, and she was concerned about staying at a hotel some  
6 distance away from Disneyland that would have required her to travel farther to and from  
7 Disneyland. As an active-duty member of the armed forces (Petty Officer Second Class in the  
8 United States Coast Guard), I am eligible for travel discounts when I purchase travel and show my  
9 military identification card. At Sharon's express direction, and in order to make it so that Sharon  
10 would not have as far to walk while at Disneyland, I used my military discount to purchase Sharon  
11 and the other travelers' travel and hotel accommodations at a Disneyland hotel and was reimbursed  
12 from the Trust. Accordingly, the Trust Accountings show \$2,049.03 in "Disneyland" distributions.

13 9. Reimbursement for Additional Expense Advanced to Sharon. In August 2017,  
14 Sharon took a road trip with my family to Canada. At the time, my wife and I had a critically ill  
15 child (who has since passed away), and we drove to Canada in our van to ensure we had everything  
16 we needed for our late child's medical needs. Sharon drove from her home in Reedsport, Oregon,  
17 to our home in Seattle, and we all drove together to Canada in our family van. When we returned  
18 to Seattle, Sharon was too tired to drive herself back to her home in Reedsport and so she asked  
19 me to drive her back. Accordingly, I drove Sharon to Reedsport in her car back and then flew back  
20 to Seattle from Oregon. At Sharon's direction, the Trust reimbursed me for the airfare back to  
21 Seattle (\$248).

22 10. Suspicious of Improper Conduct by Sharon's Children, Who Are Residuary  
23 Beneficiaries. Although Sharon and I have enjoyed a positive and collaborative relationship from  
24 the beginning of my time as Trustee, I understand that some of Sharon's children, who are  
25 residuary beneficiaries under the Harold Trust, are suspicious of me. I understand that the  
26 following concerns have been raised:

27 (a) ***Alleged Comingling of My Personal Funds with the Trust's Funds.*** I understand

1 that residuary beneficiaries believe I have comingled my personal funds with the Trust's assets.  
2 They point to \$2,500 transferred from me and my wife's personal checking account to Sharon as  
3 proof. This allegation of comingling is not true. I have never purposefully comingled any of my  
4 or my wife's personal funds with the Trust's assets. In May 2021, Sharon sent my wife a check  
5 for \$2,500 as a gift for graduating from college. Attached as **Exhibit A** is a true and correct copy  
6 of a check from Sharon in the amount of \$2,500 dated May 15, 2021 ("Check from Sharon"). The  
7 Check from Sharon states that it was "for" "B DAY[,] GRADUATION[,] VACATION." Id. My  
8 wife cashed the check, but on November 2, 2021, my wife and I returned the money to Sharon  
9 because I knew that Sharon was on a very limited income and my wife and I felt uncomfortable  
10 about accepting Sharon's money. Attached as **Exhibit B** is a true and correct confirmation of a  
11 transfer of \$2,500 from my and my wife's personal checking account ending x-2739 to Sharon. In  
12 addition, on July 26, 2020, I inadvertently transferred \$1,000 from the Harold Trust's BECU  
13 Account Ending x-9307 to my personal checking account ending x-2739—but upon recognizing  
14 the error I immediately transferred \$1,000 from my personal checking account ending x-2739 back  
15 to the Trust's BECU Account Ending x-9307. Accordingly, the Trust Accountings for January 1,  
16 2019 to December 31, 2020 show a payment of \$1,000 to me (along with a footnote explaining  
17 the inadvertent transfer) and the transfer of \$1,000 back to the Trust. *See Ex. C* to Petition  
18 (Schedules E and G to Period January 1, 2019 to December 31, 2020).

19           **(b) My Name Appears on Sharon's Personal Bank Checks.** I understand that certain  
20 beneficiaries of the Trust believe that I have comingled my personal funds with Sharon's Trust's  
21 funds because my name happens to appear on checks for Sharon's bank account at USAA (account  
22 ending x-2019). In mid-June 2022, I discovered that Sharon had, *without my knowledge or*  
23 *consent*, put my name on her personal checks at her personal bank account held at USAA. Attached  
24 as **Exhibit C** is a true and correct copy of a photo of one of Sharon's checks that lists my name on  
25 it. On the top of the check it states:

26                   Sharon M. Harold or  
27                   **David Paice**  
                      100 River Bend Rd Spc 103

DECLARATION OF DAVID A. PAICE, TRUSTEE - 5

LANE POWELL PC  
1420 FIFTH AVENUE, SUITE 4200  
P.O. BOX 91302  
SEATTLE, WASHINGTON 98111-9402  
206.223.7000 FAX: 206.223.7107

1 Reedsport, OR 97467-1385

2 *Id.* (emphasis added). Upon learning of my name being on Sharon's checks, I called USAA Bank  
3 to confirm that I did not have access to these accounts and that I was not listed as an owner of these  
4 accounts, which USAA confirmed. In years past, however, I have accessed Sharon's USAA mobile  
5 app at her request and with her express permission and login credentials (username and password)  
6 she provided me with. Back before I was able to make distributions via electronic transfers from  
7 the Harold Trust's BECU accounts to Sharon's personal bank account, Sharon would ask me to  
8 deposit the distribution check for her in her personal USAA account so that she would not have to  
9 wait to receive the distribution check from the Harold Trust in the mail. In order to avoid waiting  
10 for the check in the mail, Sharon would ask me to deposit her checks from the Trust for her by  
11 logging into the USAA mobile app on my phone with her login credentials, which she would  
12 provide me with, and depositing the check. Since I never saved Sharon's login credentials, she  
13 would provide me with her login credentials monthly so that I could deposit the check for her. To  
14 the best of my recollection, Sharon and I stopped doing this in approximately mid-2014 after I was  
15 able to electronically transfer the disbursement directly to Sharon's bank account without having  
16 to write her a check. Apart from depositing certain checks at Sharon's request, I never accessed  
17 Sharon's personal bank account. I did not store Sharon's login credentials to her bank account and  
18 do not know how to access her personal bank account. I also did not ask Sharon to put my name  
19 on her checks for her personal USAA bank account and I do not understand why she did this. After  
20 I learned that my name was listed on her checks, even though I do not have any ownership or  
21 access to her personal account, I called her and asked her to remove my name from the checks,  
22 which she agreed to do. I do not know if she did, in fact, remove me from her personal bank  
23 account checks.

24 (c) ***Alleged Secret P.O. Box Address for the Harold Trust Maintained with Convicted***  
25 ***Felon.*** I also understand that some of the Trust's beneficiaries believe that I have a P.O. Box  
26 where I receive "confidential trust paperwork and statements at," and that a convicted felon named  
27 "Serena Crisamore," along with me and my wife, is listed as the owner of this P.O. Box. Further,

1 I understand that certain beneficiaries of the Trust believe that Ms. Crisamore has stolen Sharon's  
2 identity because Ms. Crisamore has a social security number similar to that of Sharon's.  
3 Apparently, certain of Sharon's family members believe this narrative is proof of alleged improper  
4 actions by me with regard to the Harold Trust. *These allegations, however, are absolutely false.*  
5 First, I do not know—and have never met—anyone by the name of “Serena Crisamore.” Second,  
6 I do not maintain a P.O. Box. Since 2017 I have used my home address for all mailings, statements,  
7 and accounts related to the Trust. Although my wife and I did maintain a P.O. Box before we  
8 moved to our current home, I no longer have this P.O. Box. The BECU Statements reflect this  
9 change in my mailing address. See BECU Statement for Period January 14, 2017 to February 10,  
10 2017 (listing P.O. Box 48212 as mailing address; BECU Statement for Period February 11, 2017  
11 to March 10, 2017 (listing my current home mailing address). To the extent that the allegations  
12 relate to the P.O. Box that I no longer use or maintain, I have no knowledge of who now uses that  
13 P.O. Box or what activities that P.O. Box may be used for currently. Third, I have not—and would  
14 never—scheme or concoct a plan to defraud Sharon or steal her identity. I have worked closely  
15 with Sharon to administer the Harold Trust for over a decade, and she and I are extended family  
16 by virtue of the fact that she is my wife's grandmother. I donated my time and effort to serving as  
17 Trustee not for personal gain, but to assist my wife's grandmother with the administration of her  
18 Trust. As stated above, I never received a penny in compensation from the Trust even though the  
19 Trust entitles the Trustee to receive compensation. Any allegation that I would actively seek to  
20 defraud Sharon, or work in concert with another person to defraud Sharon, is absolutely meritless,  
21 preposterous, and deeply hurtful.

22 11. Accusations Made Against Me as Trustee. In addition to the above accusations  
23 made against me, I have received distressing text messages from anonymous numbers. I believe  
24 that these texts were sent by one or more of the residuary beneficiaries. Attached as **Exhibit D** are  
25 true and correct copies of screenshots of text messages that were received on Sunday, November  
26 13, 2022. The limited liability company shown in the text messages has nothing to do with the  
27 Harold Trust, the administration of the Trust, or the Trust's funds. Attached as **Exhibit E** is a true

1 13, 2022. The limited liability company shown in the text messages has nothing to do with the  
2 Harold Trust, the administration of the Trust, or the Trust's funds. Attached as **Exhibit E** is a true  
3 and correct copy of a screenshot of another text message from an anonymous number that I  
4 received. Given the false accusations made against me, I understood these texts to relate to my  
5 service as Trustee even though they do not expressly reference the Trust.

6 12. Resignation as Trustee of the Harold Trust. I wish to resign as Trustee of the Harold  
7 Trust and respectfully request that the Court enter an order approving my accounting of the last  
8 12 years of transactions, accepting my resignation and granting me a full release and discharge for  
9 my actions as Trustee of the Harold Trust. I respectfully ask that the Court appoint a new successor  
10 trustee.

11 I declare under penalty of perjury under the laws of the State of Washington that the  
12 foregoing is true and correct to the best of my knowledge.

13 Executed on this 1st day of December, 2022, at Seattle, Washington.

14  
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16 \_\_\_\_\_  
17 David A. Paice  
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27



1  
2  
3  
4  
5  
6  
7 SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

8 Lauret Schreier

9 Petitioner,

10 v.

11 Janet Reiner Brice,

12 Respondent.  
13

Case No. 22-2-03060-2

GR 17 DECLARATION RE  
ELECTRONIC DOCUMENT

14 I, Aleksander Schilbach, declare under penalty of perjury under the laws of the State of  
15 Washington as follows:

16 1. I am an attorney with the law offices of Lane Powell PC located at 1420 Fifth  
17 Avenue, Suite 4200, Seattle, Washington 98101, attorneys for Trustee David A. Paice, and make  
18 this declaration pursuant to GR 17(a)(2).

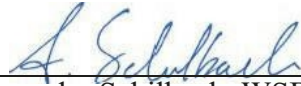
19 2. I received the foregoing electronic signature page and attached to the document  
20 entitled *Declaration of David A. Paice, Trustee* to which this declaration is attached via electronic  
21 mail at the following address: [schilbacha@lanepowell.com](mailto:schilbacha@lanepowell.com).

22 3. I have personally examined the electronic document and confirm that it is a  
23 complete and legible image.

24 4. The electronic document consists of ten (10) pages including this declaration.  
25  
26  
27

1 Dated at Seattle, Washington on December 2, 2022.

2 LANE POWELL PC

3 By   
4 Aleksander Schilbach, WSBA No. 51693

# Exhibit A

PETS ARE FOR LIFE

THE HUMANE SOCIETY  
OF THE UNITED STATES

1341

30-7426/2140

15 May 2021  
Date

SHARON M HAROLD OR  
DAVID PAICE  
100 RIVER BEND RD SPC 103  
REEDSPORT, OR 97467-1385

Pay to the Order of Bruce Paice \$ 2500.00  
Twenty five hundred and 00/100 Dollars

USAA FEDERAL SAVINGS BANK  
10780 MOOREMOTT Fwy  
SAN ANTONIO, TEXAS 78260-0544  
(210) 436-8000 1-800-432-3724

For Army Vacation

Signature

4 26 91

26278022

1341

325081403<  
BECU SEATTLE, WA

Security Features exceed industry standards and meet or exceed 21/2021 0000-0000  
R0051 B0067 S204720

- Microprint® Microprint® pattern and check number
  - On back front of check
  - Microprint® Microprint® pattern and check number
  - The Security Features pattern on back designed to deter fraud
  - Microprint® Microprint® pattern on front and back
  - The words "SECURITY DOCUMENT" across the back
  - Plastic Safe Deposit® label on front and back
- Do not cash if:
- Any of the features listed above are missing or appear altered
  - Figure 1341 on back looks grey or has disappeared
  - Brown stains and colored spots appear on both front and back

CHECK HERE IF MOBILE OR REMOTE DEPOSIT  
AT (DIRECT DEPOSIT ONLY)

For deposit only  
not for cash

# Exhibit B



Processed



Sharon Harold

Check 52340973 was mailed to Sharon Harold for receipt by Nov 2, 2021.  
Money was withdrawn from your joint checking \*2739 account on Info Not Available.

**Pay From** joint checking \*2739**Amount** \$2,500.00CHECK 

PROCESSED

**Nov  
2**

(Estimated)

**Confirmation** S2VD7-Y9BWK

# Exhibit C



*Sharon M Harold or  
David Paice  
100 River Bend Rd Spc 103  
Reedsport, OR 97467-1385*

*Pay to  
the order of* \_\_\_\_\_



**USAA FEDERAL SAVINGS BANK**

10750 McDERMOTT FWY

SAN ANTONIO, TEXAS 78288-0544

(210) 456-8000 1-800-832-3724



# Exhibit D

10:35



< +1 (206) 607-9854 >

Type	PROFIT - WA LIMITED LIABILITY COMPANY
Category	Limited Liability Regular
Record Status	Voluntarily Dissolved
Incorporation State	WASHINGTON
Incorporation Date	2021-09-02
Expiration Date	2022-09-30
Dissolution Date	2022-08-14



So you dissolved your LLC  
5 days after the  
accounting? Why would  
you do that? What about  
the accounting biz?

What about your  
photography biz?

You need to do the right  
thing before it is too late  
to do the right thing.



Text Message



# Exhibit E

12:55



+1 (206) 531-3271 >

Text Message  
Today 12:12 PM

"Whoever is careless with the truth in small matters cannot be trusted with important matters."  
Albert Einstein

"It is better to offer no excuse than a bad one."  
George Washington

"Honesty is the first chapter in the book of wisdom." -Thomas Jefferson

"A half truth is a whole lie." ~  
Yiddish Proverb

"Every lie is two lies, the lie we tell others and the lie we tell ourselves to justify it." --Robert Brault

"Integrity is telling myself the truth. And honesty is telling the truth to other people."  
— Spencer Johnson

"Honesty is the best policy. If I



Text Message

