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SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF KING

In re the Matter of
THE SHARON M. HAROLD
IRREVOCABLE TRUST DATED
NOVEMBER 12, 2004,

a Trust.

DAVID M. PAICE,

Case No. 22-4-08326-1 KNT

DECLARATION OF AMY HAROLD SMALL, RESIDUAL BENEFICIARY

I, Amy Jane Small, declare as follows:

Petitioner-Trustee.

- 1. I am a Residual Beneficiary of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 ("Trust"). I have personal knowledge of the facts set forth herein. I make this declaration in support of the Joint Objection to Verified Petition for Approval of Interim Account; For Discharge of Successor Trustee; and For Appointment of Successor Trustee ("Objection").
- 2. At all relevant times herein, the documents attached hereto were obtained by me either under power of attorney or express permission granted by Sharon Harold, my mother and Grantor.
- 3. Trustee David Paice ("David" or "Trustee") is my nephew by marriage to my niece Brieana Paice. Trustee's attorney mailed a packet to me on August 9, 2022

DECLARATION OF AMY HAROLD - 1

CHARLES A. HAROLD, IN PRO SE, et al. 1455 N. TOMAHAWK ROAD APACHE JUNCTION, AZ 85119 (818) 652-6400; EMAIL: CHUCKHAROLD@GMAIL.COM

which contained Trustee's Accounting of Trust.

- 4. As part of my review of my mother's accounting records, I discovered a check dated March 29, 2010 for \$2,000. When I attempted to reconcile this check with Trustee's accounting, I discovered that Trustee listed this check on Schedule J as being written for \$8,000. A true and correct copy of this check and the related Schedule J is attached hereto as Exhibit 1.
- 5. I found in my mother's records a series of checks from the BECU trust account written between April 2010 and April 2020. I noticed that some of these checks were issued to Grantor for monthly disbursements and/or expenses. These checks were all signed by Trustee. I also noticed that there were no endorsement signatures on the backs, but "for deposit only" had been written by someone other than Grantor. The handwriting, printing and capitalization varied on these checks, and the scanned images were cut off so information was missing. True and correct copies of these checks are collectively attached hereto as Exhibit 2.
- 6. I located a signature card for my mother's USAA checking and savings accounts signed by Trustee and her, which granted Trustee power of attorney for her two USAA accounts. A true and correct copy of which is attached hereto as Exhibit 3.
- 7. I found a check dated April 24, 2014 from Trustee drawn from Northern Trust, and not the trust account, in payment of my mother's monthly disbursement. In the corresponding BECU trust account statement, this transaction was characterized as an "External Withdrawal SHARON HAROLD-ONLINE PMT". However, on Trustee's Schedule J, it was categorized as a wire transfer. A true and correct copy of the check, statement and Schedule J is collectively attached hereto as Exhibit 4.
- 8. On November 2, 2021, I found another monthly disbursement check from Trustee for Grantor from a Wells Fargo account, not the trust account. This time this check listed Trustee's name and his personal home address. When I tried to reconcile this payment on Trustee's Schedule J, I discovered that this transaction was not listed. A true and correct copy of the Wells Fargo check and the corresponding

Schedule J is collectively attached hereto as Exhibit 5.

- 9. My mother received a letter from LPL Financial dated January 20, 2023, entitled "Duplicate Confirmation/Trade confirmation for 1/12/23" and states that a sell order was placed against the fidelity advisor Strategic CLA account in the amount of \$17,000. I have never seen a notification like this in my mother's records before. A true and correct copy of this letter is attached hereto as Exhibit 6.
- 10. While reviewing my mother's records, I came across a letter she wrote to David Llewellyn requesting information regarding her accounts because she could not get the information from Trustee. A true and correct copy of that letter is attached hereto as Exhibit 7.
- 11. On April 27, 2022, at my mother's request, I sent a letter to Trustee requesting a full accounting with supporting documents. A true and correct copy of this letter is attached hereto as Exhibit 8.
- 12. My mother had Trustee removed from her USAA checking and savings accounts in October, 2022. USAA is confirming this removal by letter, which I have not received as yet.
- 13. On November 1, 2021, Trustee called Amy on the phone. During that phone conversation, he told me that he had concerns about my mother's mental health, and that he no longer wished to continue as trustee. He also stated that there was not enough money for moving my mother to a health care facility.
- 14. On March 6, 2022, my brother texted me and informed me that my mother had fallen and suffered a severe head injury requiring hospitalization. A true and correct copy of the pictures sent to me is attached hereto as Exhibit 10.
- 15. Despite Trustee's constant assurance that there is not enough money in the trust account for moving my mother to a health care facility, I received a letter from Trustee's former attorney, Jeanne Kvale, dated May 23, 2022, in which she writes, "there are adequate current trust assets to provide for [Grantor's] health and support needs for the foreseeable future." A true and correct copy of this letter is attached

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hereto as Exhibit 11.

- 16. I wrote a letter to Ms. Kvale on May 27, 2022 telling her about the November 1, 2021 telephone discussion I had with Trustee in which he discussed my mother's declining health and his refusal to provide any information regarding the trust account, among other things. A true and correct copy of this letter is attached hereto as Exhibit 12.
- 17. On May 30, 2022, my mother rescinded my power of attorney. I never received or even saw the documents I requested from Trustee. He and his lawyer used the revocation of my power of attorney to deny my requests for documents which I had been seeking for many years.
- 18. On May 31, 2022, I notified Ms. Kvale via letter of my mother's accident on March 6, 2022, resulting in injuries. A true and correct copy of the May 31 letter is attached hereto as Exhibit 13.
- 19. My letter to Ms. Kvale dated May 27 (Ex. 12 herein) included a spoilation of data request. I also sent a spoliation of data letter to Trustee's new counsel, Aleksander Shilbach, on July 6, 2022. A true and correct copy of that letter is attached hereto as Exhibit 14.
- 20. My mother provided me with copies of letters she e-mailed and wrote to Trustee in which she requests that he cease using her trust funds to pay for his legal fees, and also requested copies of all legal bills from his previous attorney, Ms. Kvale, and his current counsel, Mr. Schilbach. This letter was also e-mailed to Ms. Kvale and Mr. Schilbach. There was no response from Trustee, Ms. Kvale nor Mr. Schilbach. A true and correct copy of this e-mail is attached hereto as Exhibit 15.

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

Executed this 24 day of January 2023, at Graegle California.

AMY JANE SMALL

DECLARATION OF AMY HAROLD - 4

CHARLES A. HAROLD, IN PRO SE, et al. 1455 N. TOMAHAWK ROAD APACHE JUNCTION, AZ 85119 (818) 652-6400; EMAIL: CHUCKHAROLD@GMAIL.COM

4 5 6 SUPERIOR COURT OF THE STATE OF WASHINGTON 7 FOR THE COUNTY OF KING 8 9 In re the Matter of Case No. 22-4-08326-1 KNT 10 THE SHARON M. HAROLD **GR 17 DECLARATION RE** 11 IRREVOCABLE TRUST DATED **ELECTRONIC DOCUMENTS** NOVEMBER 12, 2004, 12 a Trust. 13 14 DAVID M. PAICE. 15 Petitioner-Trustee. 16 17 18 I, Charles A. Harold, declare under penalty of perjury under the laws of the 19 State of Washington as follows: 20 1. I am a Respondent in pro se, located at 1455 North Tomahawk Road, 21 Apache Junction, Arizona, and make this declaration pursuant to GR 17(a)(2). 22 2. I received the foregoing electronic signature page of Amy Jane Small 23 and attached it to the document entitled Declaration of Amy Jane Small to which this 24 declaration is attached via electronic mail at the following 25 chuckharold@gmail.com. 26 3. I have personally examined the electronic documents and confirm that 27 they are complete and legible images.

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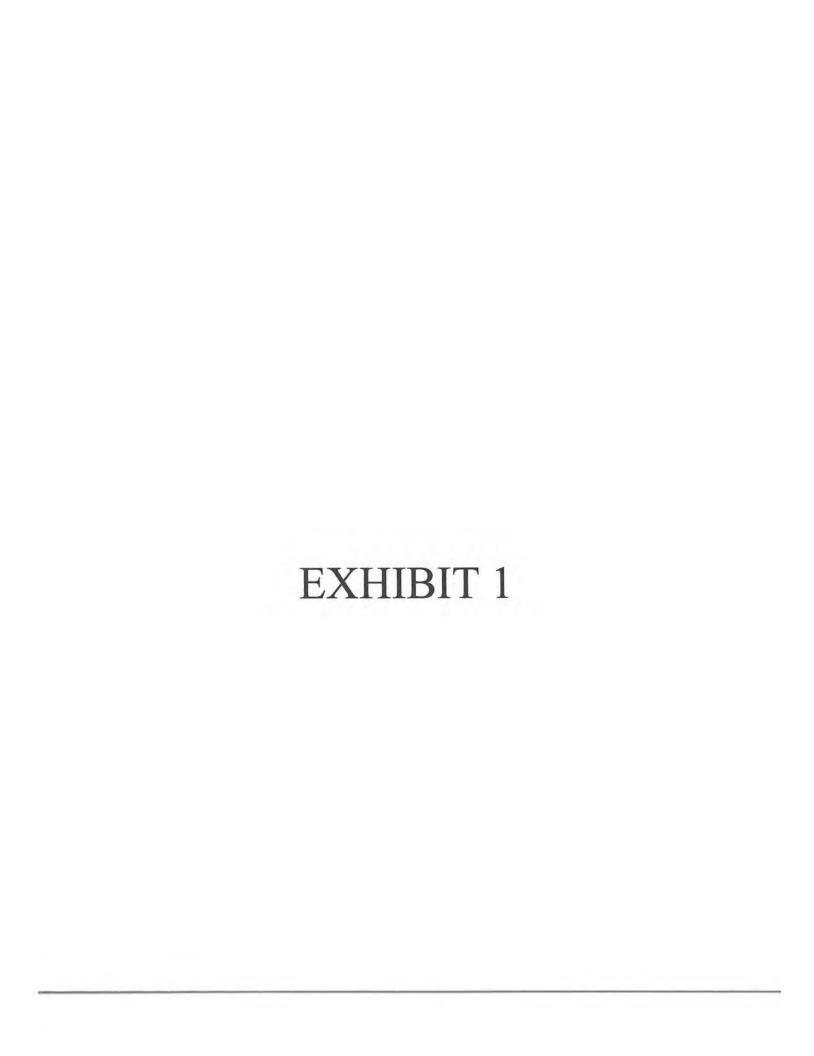
GR 17DECLARATION RE ELECTRONIC DOCUMENTS - 3

CHARLES A, HAROLD, JR., IN PRO SE, et al. 1455 N. TOMAHAWK ROAD APACHE JUNCTION, AZ 85119 (818) 652-6400 EMAIL: CHUCKHAROLD@GMAIL.COM

address:

(818) 652-6400

EMAIL: CHUCKHAROLD@GMAIL.COM



OFFICIAL CHECK more than Bust money B David Paice Cashbox: 11029-2063917 P.O. Box 97050, Seatile, WA 98124-9700 206-436-5700 Toll Pres 900-233-2325 Date: 03-29-2010 Sharan Harold DOLLARS \$2,000.00 Drawer Boring Employees' Credit Union PAY TO Sharon Flarold THE ORDER OF April 2010 Expenses Issed By: Money Gram payment systems, inc. P.O. Sox 9476 MINNEAPOLIS MN 53480 Driver: PREFERRED BANK LOS ANGELES, CA. tops "42059872" (122042205):0160010356058"

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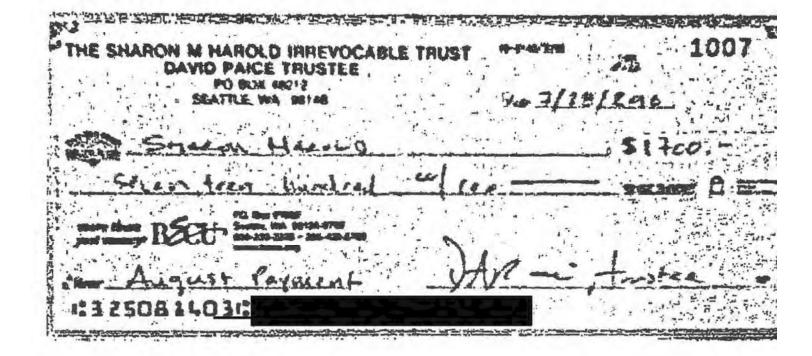
SHARON M HAROLD IRREVOCABLE TRUST Accounting of Trustee For Period March 10, 2010 to December 31, 2010

SCHEDULE J - DISTRIBUTIONS TO BENEFICIARY

Date of Payment	Check No.	Name		Amount
3/29/2010	CASHIERS	Sharon Harold - Distribution (Note 1)	\$	8,000.00
4/25/2010	1003	Sharon Harold - Distribution		2,000.00
5/27/2010	1004	Sharon Harold - Distribution		1,700.00
6/27/2010	1005	Sharon Harold - Distribution		1,700.00
6/30/2010	1006	Sharon Harold - Distribution		500.00
7/18/2010	1007	Sharon Harold - Distribution		1,700.00
8/17/2010	1008	Sharon Harold - For expenses incurred		3,500.00
8/23/2010	1010	Sharon Harold - Distribution		1,700.00
9/12/2010	1011	Sharon Harold - Distribution		300.00
10/1/2010	1012	Sharon Harold - Distribution		2,100.00
10/30/2010	1013	Sharon Harold - Distribution		2,100.00
11/30/2010	1014	Sharon Harold - Distribution		2,100.00
12/21/2010	1015	Oregon Imaging Center - Medical Exp Sharon		714.00
12/29/2010	1016	Sharon Harold - Distribution		2,100.00
TOTAL				\$30,214.00
			-	

Note I Documentation for cashiers check for \$8,000 on 3/29/2010 is pending.





THE SHARON M HAROLD IRREVOCABLE TRUST

DAVID PAICE TRUSTEE

PO BOX 48212

SEATTLE, WA 98148

SEATTLE, WA 98148

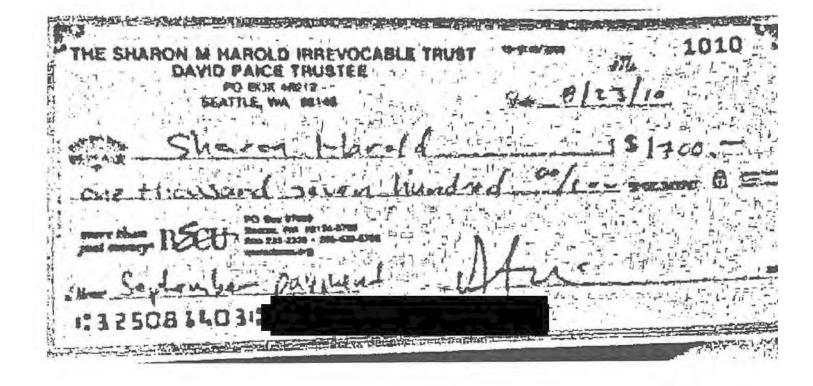
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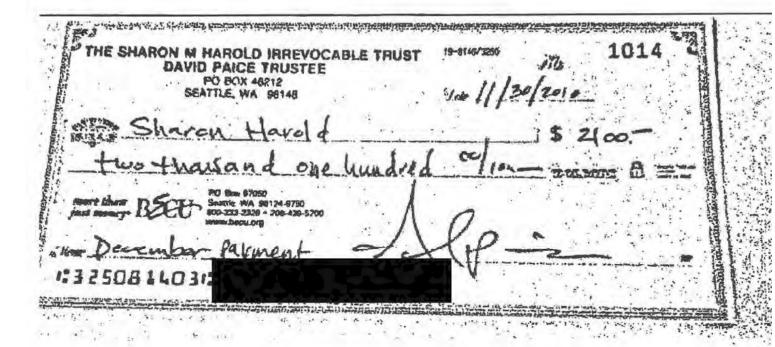
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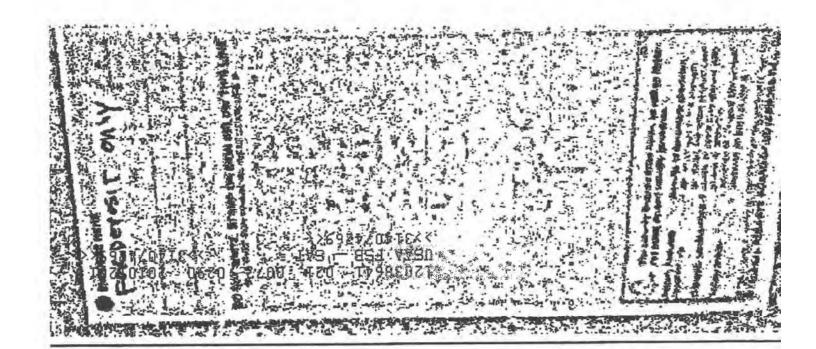
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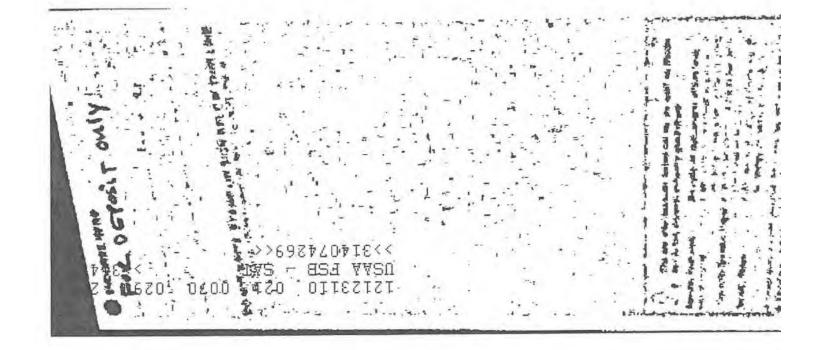
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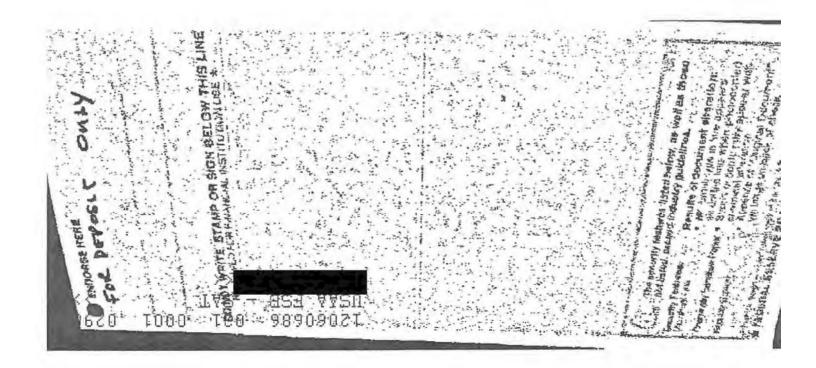
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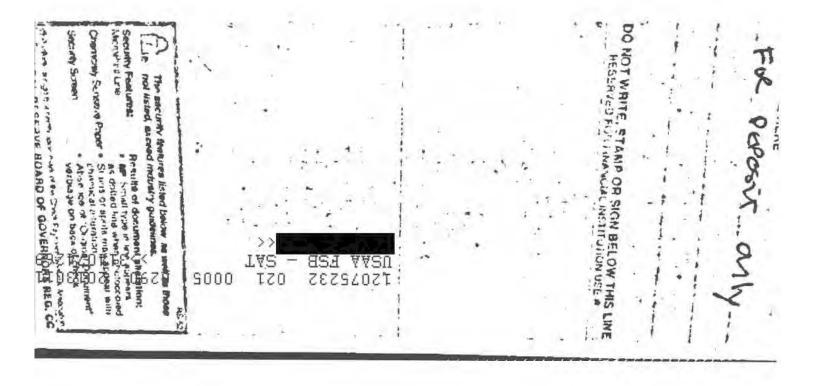
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SHARON M HAROLD IRREVOCABLE TRUST Accounting of Trustee For Period March 10, 2010 to December 31, 2010

SCHEDULE J - DISTRIBUTIONS TO BENEFICIARY

	Date of Payment	Check No.	Name		Amount
	2/20/2010	CACHIERO	Charan Llareld Distribution (Note 1)	•	8 000 00
		CASHIERS	Sharon Harold - Distribution (Note 1)	\$	8,000.00
	4/25/2010	1003	Sharon Harold - Distribution		2,000.00
	5/27/2010	1004	Sharon Harold - Distribution		1,700.00
	6/27/2010	1005	Sharon Harold - Distribution		1,700.00
	6/30/2010	1006	Sharon Harold - Distribution		500.00
	7/18/2010	1007	Sharon Harold - Distribution		1,700.00
	8/17/2010	1008	Sharon Harold - For expenses incurred		3,500.00
	8/23/2010	1010	Sharon Harold - Distribution		1,700.00
	9/12/2010	1011	Sharon Harold - Distribution		300.00
	10/1/2010	1012	Sharon Harold - Distribution		2,100.00
	10/30/2010	1013	Sharon Harold - Distribution		2,100.00
	11/30/2010	1014	Sharon Harold - Distribution		2,100.00
	12/21/2010	1015	Oregon Imaging Center - Medical Exp Sharon		714.00
	12/29/2010	1016	Sharon Harold - Distribution		2,100.00
1	OTAL				\$30,214.00

EXHIBIT 3

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Name Change	Add/Change Be	neficiary (P.O.D.)	Change to Trust/Custodial	AMTUTA
Add Account Holder(s)	Change S.S. No	/Tax ID Number	Remove Beneficiary/Agent	/POA
X Add Agent or POA	Voluntary Remo	val of Account Holder		
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EXHIBIT 4

PLEASE POST THIS PAYMENT FOR OUR MUTUAL CUSTOMER Account: PAYMENT \$2,500.00 Please Direct Any Questions To 70-2382/719 877-248-7923 Payment Processing Center P.O. Box 1029 Hickory, NC 28603-1029 0001910820 DAVID PAICE PO BOX 48212 SEATTLE, WA 98148 April 24, 2014 NORTHERN TRUST Pay TWO THOUSAND FIVE HUNDRED AND 00/100 ---DOLLARS Depreted 25 Ope 2014 *****2,500.00 TO SHARON HAROLD REMITTANCE VOID IF NOT CASHED WITHIN 90 DAYS 100 RIVER BEND RD SPC 103 THE ORDER REEDSPORT, OR 97467-1385 Haladadadadadadbaladadadadadadadadadada OF AUTHORIZED SIGNATURE "BSPPOLEEOO ::858E5P170: "05801P1000"

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SHARON M HAROLD IRREVOCABLE TRUST Accounting of Trustee For Period January 1, 2013 to December 31, 2014

SCHEDULE J - DISTRIBUTIONS TO BENEFICIARY

Date of			10.00
Payment	Check No.	Name	Amount
1/13/2013	1055	Sharon Harold - Distribution	\$ 2,500.00
1/9/2013	1063	Sharon Harold - Distribution	8,000.00
2/27/2013	1056	Sharon Harold - Distribution	2,500.00
3/29/2013	1059	Sharon Harold - Distribution	2,500.00
4/27/2013	995002	Sharon Harold - Distribution	2,500.00
5/27/2013	995007	Sharon Harold - Distribution	2,500.00
5/22/2013	1064	Sharon Harold - Distribution	200.00
6/25/2013	wire	Sharon Harold - Distribution	2,500.00
7/25/2013	wire	Sharon Harold - Distribution	2,500.00
9/1/2013	1026	Sharon Harold - Distribution	2,500.00
9/25/2013	1060	Sharon Harold - Distribution	2,500.00
10/25/2013	wire	Sharon Harold - Distribution	2,500.00
10/31/2013	wire	Sharon Harold - Distribution	1,250.00
11/26/2013	wire	Sharon Harold - Distribution	2,500.00
12/27/2013	wire	Sharon Harold - Distribution	2,500.00
1/19/2014	1066	Sharon Harold - Distribution	3,250.00
3/4/2014	1041	Sharon Harold - Distribution	2,500.00
3/25/2014	wire	Sharon Harold - Distribution	2,500.00
4/24/2014	wire	Sharon Harold - Distribution	2,500.00
5/22/2014	wire	Sharon Harold - Distribution	3,000.00
7/2/2014	1047	Sharon Harold - Distribution	3,000.00
7/23/2014	wire	Sharon Harold - Distribution	3,000.00
8/4/2014	wire	Sharon Harold - Distribution	900.00
8/22/2014	wire	Sharon Harold - Distribution	2,500.00
9/22/2014	wire	Sharon Harold - Distribution	2,500.00
10/24/2014	wire	Sharon Harold - Distribution	2,500.00
11/24/2014	wire	Sharon Harold - Distribution	2,500.00
12/19/2014	wire	Sharon Harold - Distribution	5,000.00
TOTAL			\$75,100.00



STATEMENT OF ACCOUNTS

NEW Business Payment Processing Solutions Accept payments anytime, anyway and anywhere. Learn more at www.becumerchantservices.com.

The Sheron M Harold Irrevocable Trust PO Box 48212 Seattle, WA 98148-0212

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Statement Period: 04/12/2014 - 05/09/2014

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	Account ()	Beginning Belance	Withdrawals/ Feed*	Deposits	Dividends/ Interest	Ending Balance
Member Advantage Savings	1333	30.21	montputs, here a common	mark tradit of the	0.09	30.30
Mernber Advantage Checking		23,043.73	(2,840.00)	1,967.33	2.36	22,173.42
Including the following Fees	Statement Period Tot	a)	2014 Year-to-Date 7	Fotal	-1.	进行法
Overdraft Fees	0.0	00	The state of the s	0.00	A STREET STREET, W. STREET, W. ST.	foliation of the state of the
Non-sufficient Funds (NSF) Fees	0.0	00		0.00		

Deposit Account Activity

Membyr Advantage Savings

If your account converted to Member Advantage during the statement period, you earned the rate effective for the Member Share Savings Account up to the date of conversion:

3 95% Annual Percentage Yield Earned for 28 day period Average Daily Belance: \$30.21 Year-to-date dividends: \$0.47

Deposits

Date

Amount

Transaction Description

05/09

0.09

Dividend/Interest

Member Advantage Checking -

If your account converted to Member Advantage during the statement period, you earned the rate effective for the Checking Account up to the date of conversion

0.14% Annual Percentage Yield Earned for 28 day period Average Dally Balance: \$22,152.97 Year-to-date dividends: \$12.31

Deposits

Date 05/02 Amount

Transaction Description

05/02

1,967.33

Externel Deposit LPL - CREDIT

05/09

2.36

Dividend/Interest

Page 1 of 2

Federally insured by NCCA



Direct inquiries to: Boeing Employees' Credit Union PO Box 97050, Scattle, Washington 98124-9750 206-439-5700 | 800-233-2328 | beca.org

Deposit Account Activity (continued)

Withdrawals

Date Amount

Transaction Description

04/24 (2,500,00)

External Withdrawal SHARON HAROLD - ONLINE PMT

Checks Pald

1043

Check# Date

Amount 340.00

Check#

Amount

Check#

Date

Amount

(* next to number indicates skipped numbers)

05/08

Point of Sale cleared checks are displayed in the Checking Withdrawals section above.

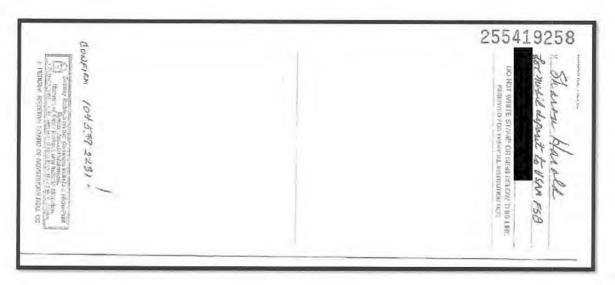
Computation of Annual Percentage Yield Earned (APYE) and Interest/Dividend Pald

APYE is the annualized rate calculation based on the amount of interest/dividends earned (not credited) and the average daily balance in the account during the statement period. Interest/dividends are credited at the end of the account's crediting period as reflected in the activity column on the periodic statement.

Date







SHARON M HAROLD IRREVOCABLE TRUST Accounting of Trustee For Period January 1, 2021 to December 31, 2021

SCHEDULE J - DISTRIBUTIONS TO BENEFICIARY

Date of Payment	Check No.	Name	Amount
1/23/2021	wire	Sharon Harold - Distribution	\$ 3,500.00
2/25/2021	wire	Sharon Harold - Distribution	2,500.00
3/23/2021	wire	Sharon Harold - Distribution	2,500.00
4/26/2021	wire	Sharon Harold - Distribution	2,500.00
5/11/2021	wire	Sharon Harold - Distribution	2,500.00
5/29/2021	wire	Sharon Harold - Distribution	2,500.00
6/24/2021	wire	Sharon Harold - Distribution	2,500.00
7/23/2021	wire	Sharon Harold - Distribution	2,500.00
8/24/2021	wire	Sharon Harold - Distribution	2,500.00
8/30/2021	wire	Sharon Harold - Distribution	929.00
8/30/2021	wire	Sharon Harold - Distribution	2,948.00
9/29/2021	wire	Sharon Harold - Distribution	4,000.00
10/25/2021	wire	Sharon Harold - Distribution	2,500.00
11/24/2021	wire	Sharon Harold - Distribution	2,500.00
12/21/2021	wire	Sharon Harold - Distribution	3,500.00
TOTAL			\$39,877.00
	Payment 1/23/2021 2/25/2021 3/23/2021 4/26/2021 5/11/2021 5/29/2021 6/24/2021 7/23/2021 8/30/2021 8/30/2021 9/29/2021 10/25/2021 11/24/2021	Payment Check No. 1/23/2021 wire 2/25/2021 wire 3/23/2021 wire 4/26/2021 wire 5/11/2021 wire 5/29/2021 wire 6/24/2021 wire 8/24/2021 wire 8/30/2021 wire 8/30/2021 wire 9/29/2021 wire 10/25/2021 wire 11/24/2021 wire 12/21/2021 wire	1/23/2021 wire Sharon Harold - Distribution 2/25/2021 wire Sharon Harold - Distribution 3/23/2021 wire Sharon Harold - Distribution 4/26/2021 wire Sharon Harold - Distribution 5/11/2021 wire Sharon Harold - Distribution 5/29/2021 wire Sharon Harold - Distribution 6/24/2021 wire Sharon Harold - Distribution 6/24/2021 wire Sharon Harold - Distribution 7/23/2021 wire Sharon Harold - Distribution 8/24/2021 wire Sharon Harold - Distribution 8/30/2021 wire Sharon Harold - Distribution 8/30/2021 wire Sharon Harold - Distribution 9/29/2021 wire Sharon Harold - Distribution 9/29/2021 wire Sharon Harold - Distribution 10/25/2021 wire Sharon Harold - Distribution 11/24/2021 wire Sharon Harold - Distribution 11/24/2021 wire Sharon Harold - Distribution 11/24/2021 wire Sharon Harold - Distribution 12/21/2021 wire Sharon Harold - Distribution



PO Box 509050 San Diego, CA 92150-9050

Member FINRA/SIPC

PRESORTED FIRST-CLASS MAIL U.S. POSTAGE PAID LPL Firancial

LPL Financial

4707 Executive Drive, San Diego, CA 92121-3091 75 State Street, 22nd Floor, Boston, MA 02109-1827 (858) 587-5352 DUPLICATE CONFIRMATION

Trade Confirmation for 01/12/2023

Account Number: 2000x-4662

Mail to:

0015083 01 MB 0.512 01 TR 00062 LPCNDD12 9E6B BMID: HAGN SHARON HAROLD 100 RIVERBEND RD #103 REEDSPORT OR 97467

For the Account of:

THE SHARON M HAROLD IRREVOCABLE TRUST OTO 11-12-04 DAVID A PAICE TTEE 16644 MARNIE VIEW DR SW BURIEN WA 98166

ETPS, MUTUAL FUNDS, EXCHANGE-TRADED CLOSED-END FUNDS AND INTERVAL FUNDS

Trade Date/ Bought Transaction	Account 5	AND SECURITY STATES	Cusip	Security Description	Quantity: Price	Principal	Commission	Charge	Rate	Fee	\$17,000.00
Settlement Sold Type 81/12/2023 Sell 06 81/13/2023	Type 1 FSTAN	315920850	FIDELITY ADVISOR STRATEGIC INCOME	1,539.855 11.04	17,000.00	0.00	0.00	074	0.00	***************************************	

Additional Information: SOLICITED, SONDINCRETIONARY TRADE



Monday 9 may 2022

David Llewellyn accountancy

Dear David,

Sometime in 2019, after looking over the investments of asked David Paice (who referred me to Brian Loake)

to get hid af the following investments which of matisced had a minus signed beside them for at least a year: (FEIAX) - FSTAX - FFRAX - FFRAX FGAMX.

He did so with some of the investments improved '

Anticed in lan 2021 FATAX was back still in the - minus.

In March 2020 FATAX is back - No minus

FSTAX still a minus.

Savid, I know NOTHING about The market het seems from Jan 2019 - Jan 2022 There has been an increase of 137,892.

I noticed some that I asked Break Liche to remove are back of no longer in the hed.

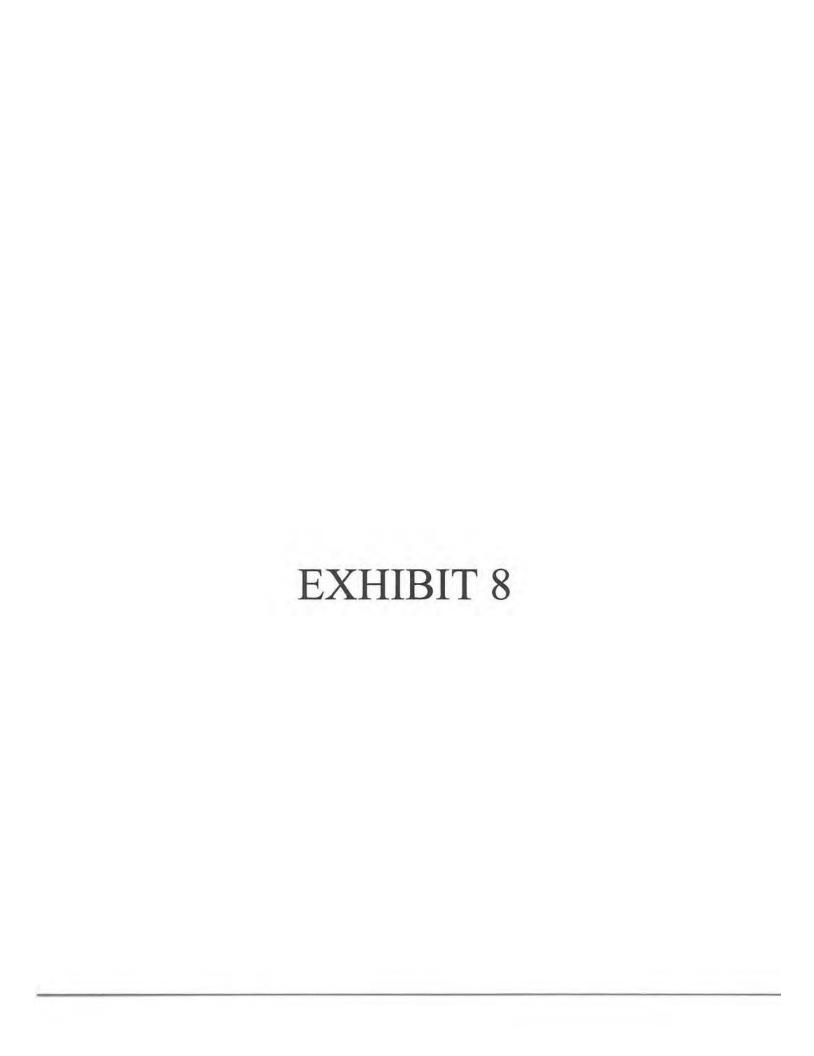
- Lave placed these statements in The Law up-side down (2011 is on the Gattom) Jan-Mar 2022 on Top.

Bill David Frice for the audit of send me a copyof have asked him SEVERAL Times for an accounting of have never received one since 2011. I also asked to see the aheak Book another negative.

Instead of David P writing akecks for my morthly encome of \$ 2500 he now dose a direct deposit to my USAA checking warm Regards

Sharan Only Haralk

PS-These are my only copies!



Amy Jane Small PO Box 352 Graeagle, CA 96103 (805) 827.0051 aj.harold9@gmail.com



April 27, 2022

David Allen Paice 16644 Marine View Dr Sw, Burien, WA 98166-3210 (206) 331.2150

Subject: The Sharon M. Harold Irrevocable Trust dated 11/12/2004

Dear David.

The intent of this letter is to request a full accounting of The Sharon M. Harold Irrevocable Trust dated 11/12/2004 for the sole purpose of establishing an end-of-life plan for my mother, Sharon M. Harold so the financial burden does not fall to all or any of her children, of which many cannot afford. Therefore, I need to have a complete & transparent accounting of her finances so that quality decisions can be made on her behalf and in her best interests. In all of the years that you have been Trustee [since early 2009, according to some of my mother's paperwork], none of the Beneficiaries have received any accountings ... ever. When asked over the years for any information regarding the trust, by myself as well as some other of my siblings, you have stated that we are not entitled to that information and we have to go through our mother for it.

The controlling law of The Sharon M. Harold Irrevocable Trust dated 11/12/2004 is the state of California, as stated on page 13 in the Trust paperwork.

I. CALIFORNIA LAW

This trust has been accepted by the Trustee in the State of California, and unless otherwise provided in this instrument, or required by the laws of another state where property is situated, its validity, construction and all rights hereunder shall be governed by the laws of California. This Paragraph shall apply regardless of any change of residence of the Trustee or any beneficiary, or appointment or substitution of a Trustee residing in another state.

According to California Probate Code sec. § 16062, the Trustee is required to render accounts at least annually for any trusts created after June 30, 1987.

Therefore, I am requesting all documents from each year that they have not been provided, per the above stated code. The documents I am requesting include, but are not limited to, those listed below

Account Statements

- Including those showing the Principal Balance of the trust the day you became
 Trustee and what the Principal Balance is as of the most recent statement.
- ALL movements of any monies to and from the trust. This includes:
 - Wire/Electronic Transfers of funds to all /any accounts. I know for a fact that my mother's monthly distribution goes into her USAA account of which she is the ONLY owner of and it has no co-signers. This is the only account that her distributions should be going into and directly from the trust account. If any funds have ever or are currently being transferred into or from any account(s) other than the two stated above, I am requesting the Institution name, account number(s), owner(s) &/or co-signer(s) on those accounts so it can be validated that no trust laws have been, or are currently, being violated according to:
 - California Probate Code § PC 16062-16069
 - Checks copies of all checks written, accompanied by all supporting documentation such as a bill or ledger stating the purpose for the check.
- Person(s) and Company(ies), Corporations(s) or Firm(s) [current & prior] making the trust investments along with all of their business contact information; job titles, phone numbers, emails, etc. This includes any employees of BECU and its affiliates that have been involved in the management or investments of the trust in any way.
- All investment statements showing gains, losses, dividends, etc. In other words the Trusts Income.
- Trust tax documents
- Charitable donations this includes all organizations whether non-profit or otherwise, businesses, personal investments or contributions, personal gifts or school tuitions and anything else that my mother has considered 'charitable'.
- Miscellaneous Lien holds, loans (personal or business) for anyone regardless of relationship, any monies distributed to Sharon or anyone else that is outside of Sharon's standard and regular monthly distribution to be accompanied by a ledger or other documentation stating the reason why the additional funds were needed &/or requested with any applicable receipts, etc.

Over the past few months my mother has been in & out of the emergency room at least 2-3 times. She is a danger to herself and continues to decline. Decisions need to be made quickly and it is impossible to do any proper planning without knowledge of what the trust can afford for my mother's care. Thank you in advance for your urgent attention & prompt response to this request.

I respectfully request all above documents be provided to me no later than 30 days from the date of this letter. If not received with-in the 30 days, my next step will be to obtain them through the legal process of retaining an attorney, petitioning the court as well as consideration of all other options available to me.

Lastly, I am requesting that all communication regarding The Sharon M. Harold Irrevocable Trust dated 11/12/2004 be done in writing via either U.S Certified Mail or email.

- Mailing address: Amy Jane Small PO Box 352 Graeagle, CA 96103
- Email address: aj.harold9@gmail.com

Regards

Amy Jane Small

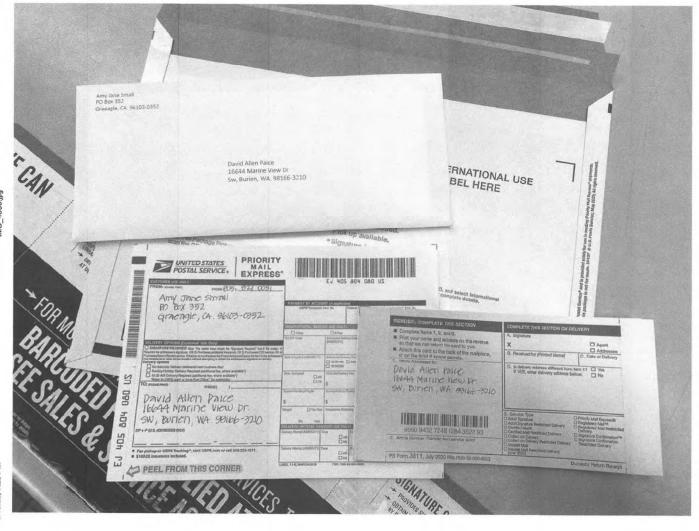
CC: Charles A. Harold, Jr.

John J. Harold

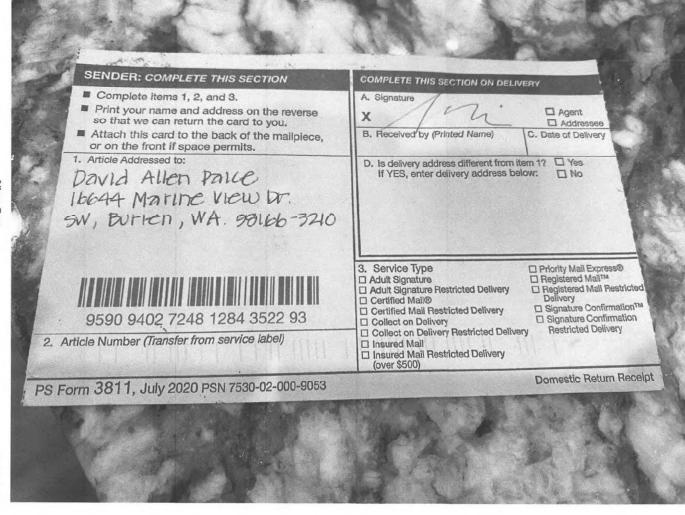
Jennifer F. Sawyer

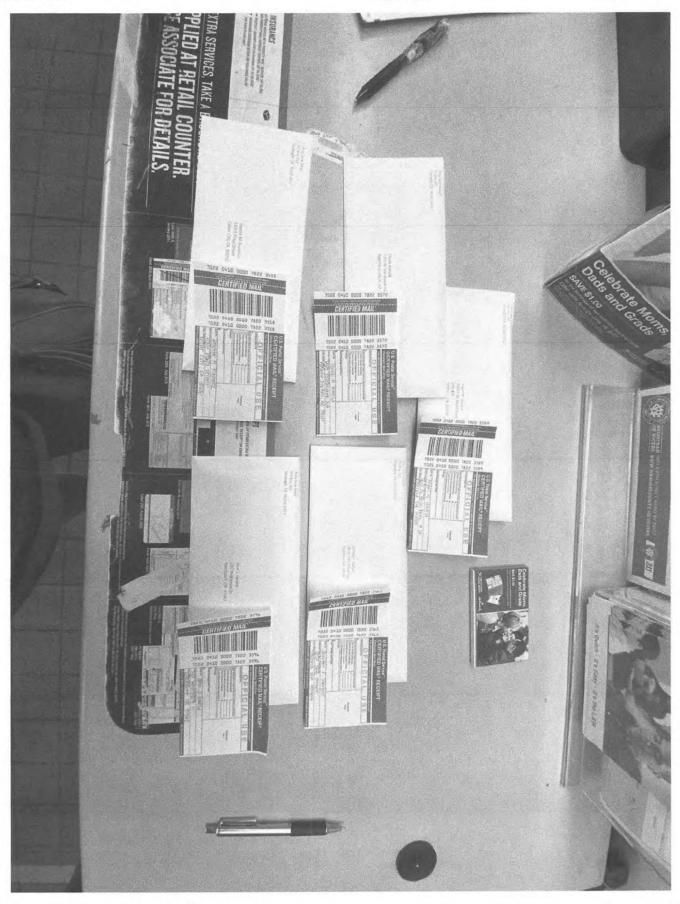
Angel M. Harold

Josette M. Ramirez



https://mail.google.com/mail/u/0/#label/For+Lawyer?projector=1





https://mail.google.com/mail/u/0/#label/For+Lawyer?projector=1



INTENTIONALLY

LEFT

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EXHIBIT 10

Amy Jane Small PO Box 352 Graeagle, CA 96103 (805) 827.0051 aj.harold9@gmail.com

May 27, 2022

Jeanne M. Kvale
The Hathaway Law Firm, LLP
5450 Telegraph Road
Ventura, CA. 93006
Via Email - <u>Idillard@hathawaylawfirm.com</u> (Secretary to Jeanne M. Kvale)

Subject: The Sharon M. Harold Irrevocable Trust dated November 12, 2004

Dear Ms. Kvale,

On November 1, 2021 @ 4:44pm I received a phone call from David Paice that lasted for a total of 26 minutes. David stated that he was calling because he was very concerned about my mother, Sharon M. Harold's current mental state and capabilities. His concerns went from my mom being unable to remember simple things to verbally combative behavior.

One example David gave was he provided additional funds to Sharon she claimed he never sent the money and she never received it. Another example was more extreme. Mom constantly requested additional funds for unnecessary items such as mattresses, recliners, etc. all which she had purchased multiple times, over a short period of time. David said she kept returning items over and over again, spending more money because she was never happy with any of her purchases.

I told David to simply say no and not provide additional funds for such unnecessary items. David replied that if he doesn't give her the money, Sharon becomes hostile, harassing, persistent & sends never-ending texts and voicemails, almost to a point of verbally abusive behavior. He stated that he would prefer not to continue to be Trustee. I suggested to David that if he feels that way, he should simply tell Sharon that he would like to resign as Trustee, as that is his right. To date, David has done no such thing even though he personally told me that he no longer wanted the responsibility.

I asked David why he was calling me about this. David stated that he was calling me specifically due me being Sharon's Power of Attorney. He stated that he wasn't sure how to handle her, was concerned about her progressing mental decline and her inability to manage her own affairs.

I explained to David that my mother had made it very clear to me over the past few years, since she appointed me Power of Attorney on June 21st, 2018, that she had no desire to reside with any of her children or grandchildren and would like to go into a care facility. I told her I would help her look for something that met her current needs and would be able to accommodate a transition to assisted care as well if that ever became necessary. I explained to David that I would not consider any care facilities for my mother that were less than \$5,500 per month, as the research I did to date appeared that anything less would be subpar care.

David stated immediately that my mother's trust did not have enough money to support that sort of monthly payment for her care. I found that statement to be of concern and quite alarming to be frank. I said, "What do you mean there is not enough money for that? What is the balance of the Trust?" David replied, "I can't tell you that". I reminded him that I have P.O.A so I believe I am entitled to know that. David stated that if I wanted to know that information, I would have to ask my mother. To recap; David wanted me to get the information from my mother, even though he just told me 20 minutes prior that he was concerned her mental state was in decline. (This was the whole point of my request for an accounting on May 27th, 2022).

In addition, my mother has told me personally and most of my other siblings, that she and David have a joint bank account. David himself told 1 or more of my other siblings that he transfers from 3-6 months of distributions into that account at one time, because "It's easier to pay your mother that way." David has also told other family members that his 'boss' at the credit union where he works 'advises' him about 'investments' for my mothers' money. Isn't this a conflict of interest?

On Wednesday May 4th, 2022 @ 11:47am I spoke to my mother for 15 minutes. She thanked me for requesting a full accounting of the Trust and stated that all she ever gets from David are the occasional investment statements, which as you are aware are only snapshots in time of account balances, not an accounting as required by California law. Mom stated that for the past couple of years she has asked David specifically for the banking documents for the Trusts account as well as the joint one she and David have together. My mother stated during the conversation that David had not, to date, provided them to her as she had requested.

My mother has taken David and his family on vacations and fully paid for them with money from the Trust. A couple of examples are a trip to Canada and a trip to Disneyland of which each trip was an approximate cost in the ballpark of \$10,000 each.

As you can see, we have a reasonable dispute about the state of my mother's finances, her trust and her mental health.

In order for both us to make a fair, impartial and accurate calculation of her trust and mental state, at some point I will need to analyze the records that reside on the various computer systems that are under David's control and the control of his various co-workers. Taking the words of my mother

with impaired mental ability is not going to get to the facts of the matter. Math is math and that is all we need here to know what is going on,

I have records that I need to prove my demands, but I do not have all of the records. David has some records, his employers have some records and your firm no doubt has some. I have first-hand knowledge of this because of what David has told me and other family members personally, and I have seen limited documents about my mother's investments.

While I am hopeful that we can resolve this dispute, it does not seem likely since David has failed to provide this information to my mother. It is also unlikely we can resolve this matter amicably because of the overwhelming and objective evidence that my mother's memory is poor at best and therefore her mental capacity makes her incapable of making rational decisions about her well-being. This is exactly why she appointed me her power of attorney; so, when this day came, I could provide her the care she needs. That day has arrived.

Therefore, anticipating a third-party resolution, you have an obligation under the law to preserve evidence and prevent the spoilation of the data in question.

The data and information I am asking be preserved will protect my mother's interest, David's interest, the interest of his employer and your firm's interest as well and may in fact lend credibility to your recent claims that the trust finances have enough monies to pay for my mother's declining health issues.

Therefore, in anticipation of the possibility that we cannot resolve this dispute in a timely and professional manner and may need seek third-party resolution, in the interest of fairness, please immediately and without delay preserve evidence and prevent the spoilation of the following data files and sources, including any deleted data files.

DAVID PAICE

- 1. David Paice's office computer hard drive
- 2. David Paice's office laptop hard drive
- 3. David Paice's home computer hard drive
- 4. David Paice's company network share drives
- 5. Brieana Paice's home computer hard drive
- 6. Brieana Paice's home laptop hard drive
- 7. David Paice's 'flash' or other portable hard drives
- David Paice's banking documents from the shared account my mother, Sharon Harold, stated they have together.
- David Paice's emails between Sharon Harold, Brieana Paice and family members and his
 employer and investment advisors regarding any information or conversations about my
 mother's trust as well as any third-parties involved with investments for my mother's trust.

- 10. David Paice's text messages and/or text messaging apps between Sharon Harold, Brieana Paice and family members, his employer and investment advisors regarding any information or conversations about my mother's trust as well as any third-parties involved with investments for my mother's trust.
- 11. David Paice's phone records between Sharon Harold, Brieana Paice and family members, his employer and investment advisors regarding any information or conversations about my mother's trust as well as any third-parties involved with investments for my mother's trust.
- All receipts documenting the purchases, products or services using monies from The Sharon M. Harold Irrevocable Trust dated November 12, 2004.

BECU CREDIT UNION

- The computer hard drives of any BECU employee(s) that have advised David, made investments for, transferred funds to or from and in any way taken any part in my mother's trust investments.
- The laptop hard drives of any BECU employee(s) that have advised David, made investments for, transferred funds to or from and in any way taken any part in my mother's trust investments.
- The company network share drives involving investments and bank accounts related to my mother and/or her trust.
- All banking statements from any accounts that are associated (via transfers in or out) with The Sharon M. Harold Irrevocable Trust dated 11/12/2004 or personal accounts in Sharon's name.

In as much as your law firm has represented my mother, Sharon M. Harold, in the past or currently, please immediately and without delay preserve and prevent the spoilation of the following data files and sources, including any deleted data files regarding any communication between The Hathaway Law Firm, LLP. & Sharon M. Harold.

- 1. Office computer hard drive(s)
- 2. Office laptop hard drive(s)
- 3. 'flash' or other portable hard drives
- Emails between The Hathaway Law Firm and Sharon M. Harold regarding any information or conversations about my mother's trust.
- 5. Text messages and/or text messaging apps between The Hathaway Law Firm and Sharon M. Harold regarding any information or conversations about my mother's trust.
- Phone records between The Hathaway Law Firm and Sharon M. Harold regarding any information or conversations about my mother's trust.

There will be data in your possession that is covered by attorney client privilege or attorney work product, however my mother has breached that privilege on several occasions by discussing what she discusses with your firm, by telling some of those conversations with her children, including how she hired and paid your firm to represent David out of her trust money. With my mother and her memory problems, who knows what is true. It will be an interesting discovery to find out what is true with my mother, which of course is the point of this entire exercise.

In closing, I have attached all of my Power of Attorney paperwork that went into effect on June 21, 2018, was in effect when I wrote my letter to David on May 27th, 2022 and to the best of my knowledge is currently still in effect.

As you know, my request to preserve evidence has nothing to do with the current status of my Power of Attorney, therefore, excluding any other demands you may disagree with, you are required as an officer of the court to proceed with my request to preserve evidence.

Please advise if I will be receiving my original request which is a full accounting of The Sharon M. Harold Irrevocable Trust dated November 12, 2004 so I will know how to proceed.

Regards,

Amy Jane Small

Amy Jane Small

Amy Jane Small PO Box 352 Graeagle, CA 96103 (805) 827.0051 aj.harold9@gmail.com

May 31, 2022

Jeanne M. Kvale
The Hathaway Law Firm, LLP
5450 Telegraph Road
Ventura, CA. 93006
Via Email – <u>ldillard@hathawaylawfirm.com</u> (Secretary to Jeanne M. Kvale)

Subject: The Sharon M. Harold Irrevocable Trust dated November 12, 2004

Dear Ms. Kvale,

My plan was to write to you today and confirm that you received my email and documents that I sent of Friday May 27th, 2022 if I had not received confirmation, of which I have not. However, that confirmation will not be necessary as I found out from other parties that my email was received by your office.

I know that because I emailed you ONLY (via idilllard) and cc'd myself. However on Friday May 27th, 2022 my brother, John, witnessed my mother's cell phone ring while they were eating Chinese food at a restaurant together sometime around 4:00pm - 5:000pm. This was an invitation from my mother to John earlier in the day sometime after Noon while he was at her house so she could address an envelope for him, as he is disabled and unable to write nor speak due to his condition (M.S.A Multiple Symptom Atrophy). Upon the phone ringing during their dinner, my mother looked at her caller id and announced to John that it was David calling. She then answered the phone while at the table with my brother sitting there. She asked David 'what's up?' and informed him that she was sitting down eating Chinese food for dinner. My brother stated that he could hear David tell Sharon that he felt sick and then his voice became very, very quiet after that. After David's voice became quiet my brother could only hear my mother's replies to whatever David was saying on the other end of the line which was, "What letter? From who? Read it! ... Who has Power of Attorney!? Amy?! ... No, no, no that's not true ... Jeni has POA for my healthcare and Amy has to distribute my property in

my house after I die ... What is wrong with Amy? Why is she doing this? No, no David I know you're not stealing from me... I know, I'm sorry this is making you so sick ... Please don't worry about it. I promise you it will all work out in the end ... You take care of yourself ... goodbye."

- I find this information concerning for the following reasons.
 - 1. In your initial letter to me, it stated that you are representing David Allen Paice. The letter made no mention that you are representing Sharon M. Harold. Are you also representing my mother? If not, should David be discussing his case with Sharon or was David in violation of Attorney/Client privilege on Friday May 27th, 2021 when he called my mother to discuss this?
 - 2. My mother claims to not recall appointing me Power of Attorney in June of 2018. In fact, she called me an told me that she was going to change her POA and put me on it and remove my sister Jeni which is who was POA, according to my mother, at that time. I never once called or asked to be her POA, she solicited me because she became upset with Jeni and had gotten into an argument with her so decided to remove her. My phone was on speaker phone that day my mother called and my husband was with me and witnessed the entire phone call with my mom telling me what she was going to do. If my mother does not recall any of this, then her mental state has severely declined which mean she is also not of sound mind to make decisions in retaining an attorney. If she claims to be of sound mind with no limits to her mental state than the only other answer would be that she is not being honest in her claims of not knowing.
 - 3. Why were David and my mother discussing 'stealing'? I have never mentioned or suggested in any of my communication via mail, email or otherwise the act or stealing or anything close. I have simply requested a full accounting of The Sharon M. Harold Irrevocable Trust dated November 12. 2004 based on a statement David made to me over the phone on November 1, 2021 which was that my mother's Trust did not have enough money in it to support a care facility payment of \$5,500 per month.

Earlier in the day on Friday May 27th, 2021 when sometime around or after 12:30pm, my brother John showed up at my mom's house to have him address an envelope for him (as stated above). Upon his entry my mother said, "What's up? Are you here about the Trust?" My brother grunted/motioned 'No'. While he was taking

a look at my mom's phone, per her request regarding an issue she was having with the ringer, he noticed her walk over to and begin shuffling through a pile of papers she has. As he attempted to get her attention again so she could address his envelope for him, he watch as she pulled out a paper and began to read it. She appeared to be speaking to herself out loud in a quiet whisper like voice and said "Why is Angel's name on my house title? That means she can sell my home. I need to change that. I'm going to need that money to take care of me."

- · I find this information concerning for the following reasons;
 - 1. My mother claims to not recall putting my sister's name on her house. In fact, she mentioned she had done this prior at the time she called and informed me that she was going to change her POA to me. This happened during the same conversation. Again, my phone was on speaker phone that day my mother called and my husband was with me and witnessed the entire phone call. If my mother does not recall any of this, then her mental state has severely declined which means she is also not of sound mind to make decisions in retaining an attorney. If she claims to be of sound mind with no limits to her mental state, then the only other answer would be that she is not being honest in her claims of not knowing.
 - 2. Most concerning was my mother's comment that she is going to need any monies from the house for her future care. If the Trust has plenty of money to support my mother's care of which her and David are now claiming (which is in direct contrast to what David told me over the phone on November 1, 2021) why is she concerned about needing that money(ies) to take care of herself?

My brother John reached out to me on Friday evening with this information as a concern for my mother's well-being. As she made comments that claimed she had no idea of changes she herself made and my brother also was aware of those changes, because she had told him previously. His concern is that our moms memory is continuing to decline.

I believe it is important for you to know that though my mother is very aware of my brother's condition and that it will continually get worse and he will eventually die from it, she still calls him when she has an emergency. Not sure how familiar you are with his condition (M.S.A) but if you know anything about Parkinson's, it is similar. The main difference is that where Parkinson's has to do with ones nerves, M.S.A has to do with ones mucles (ALL muscles such as legs, arms, tongue,

swallowing, etc.). The point being that he already has trouble swallowing, walking, writing, standing, bending over and can no longer play the piano, talk, write, etc, and will only continue to worsen he is already disabled and barely able to care for himself yet she calls him in an emergency rather than 911.

On Sunday March 6, 2022 @ 4:36pm I received a text message from my brother, John, with a picture of a lot of blood on what appeared to be a floor. When I asked what happened, John stated that he received a call from my mother stating that she has fallen and could not get up and asked him to come over and help her. Upon arrival my brother found my mother on the kitchen floor covered in blood with a 4" to 5" gash on her skull. Being disabled and barely having enough muscles to sustain himself, he could be of absolutely no help to getting her off of the floor. The best he could do was stand there and watch her figure out how to struggle to get off the floor and drive her to the hospital once she got up. This was a horrible accident and had it been any worse my mother may not have survived because my brother cannot be of any physical assistance to her nor can he really explain what was happening had he needed to call 911 due to his difficulty of speech because of his condition. The point to this is that my mother had taken a very bad fall, was laying in a pool of her own blood, knew that my brother is disabled and can be of no assistance yet chooses to call him rather than 911 as she lay surrounded by blood with her skull exposed and blood running down her face. She had no forethought that this was a real emergency. No person in their right mind would have made the decision my mother did. This is highly concerning. I have attached photos of her injury to this email so you have a better understanding of the severity of the situation at this time the accident happened.

Another example of how I know your office received my letter received my letter on Friday May 27, 2022 is because on my drive home from work today, I reached out to my sister, Angel, via phone because I had a missed call from her on Saturday and was able to get back to her over the weekend due to being busy so was just returning her call. She stated that she was just calling to ask me if I sent another letter because my mother was complaining via phone and text to her that, "... half the shit Amy said in that letter was inaccurate"... "Do you realize that this crap with Amy has 3 Attorneys and an accountant involved and it is wasting money I don't have." My sister stated that she received a copy of the letter that I sent dated April 27, 2022 and did not recall seeing anything as inaccurate. My mom stated that she was not referring to the original request letter but rather the '5-page letter' I sent. I only sent 1 letter that was 5-pages and it was sent to you (via idillard) ONLY and cc'd myself. I never sent a copy of that email to my mother. After

disclosing to my sister that there are three Attorneys and one Accountant working on this, she then tells her that she cannot discuss this with anyone. She just did discuss it with my sister!

- If you represent David only and David is honoring his Attorney/Client privilege and not discussing this with anyone how then did my mother get a copy of the letter?
- Are you also representing my mother and is they why she received a copy of the letter? If yes, could you please notify my formerly that you are representing her so I have documentation?
- Could you please advise who the other 2 Attorneys are that are working on this and who they are representing? I have only been notified by you that you are representing David Allen Paice.
- I am assuming that the Account working on this case is David Llewellyn.
- If my mother and David state that the trust has plenty of money, why did my mother state this was costing her money she did not have?

As an update to this letter that I wrote yesterday May 31, 2022; something happened since that I thought you should be aware of.

- Upon waking up and checking my emails (work and personal), I received an email from David Paice that was sent via Google docs stating Sharon has verified her Power of Attorney as current and approved providing access to documents (my mother is also copied on the email) which I find to be curious being that you are representing him and I would assume any communication would come from you. Based on this, I have not accepted the invitation to the docs as of yet and will not until I hear from you formerly confirming you are aware of this.
- · I will include screenshots of the email I am referring to, for reference.

Regardless of my mother's opinion or anger towards me about this situation I will continue to take my Power of Attorney assignment seriously and in the best interest of my mother and her well-being now and in the future which is why she appointed me in the first place. I have never borrowed or asked to borrow any monies from my mother and my only interest in the Trust account balance is so that I can work on getting her exactly what she wants, which is to be in a care facility or her choice and the absolute best one that the Trust monies can afford her. The main reason for the Trust is for my mother and her care and now that she has retained an attorney and is paying for David's representation, she will not be

afforded the end-of-life care that she so rightfully deserves because it will all be sucked up on legal fees. Once again, my goal is the same as it has always been which is to get a full accounting of the Trust so that decisions can be made for my mother's care. That is all this has ever been about.

Regards,

Amy Jane Small

Amy Jane Small



paice.da@gmail.com shared a folder



paice.da@gmail.com has invited you to view the following shared folder:

Sharon has confirmed that the Power of Attorney is the most current and also given her approval to provide access to the documents.

Please confirm access.



≪ ∨ Reply to All

Re: Confirmation



David Paice

Jun 6

To smharold7@gmail.com and You

Amy,

Can you confirm that you have access to the documents for the trust that were shared with you last week?

thanks,

David



You

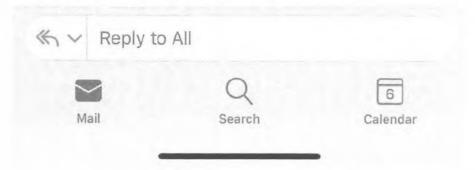
Jun 6

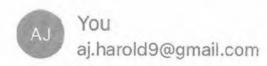
To David Paice, Jeanne Kvale, +2

...

Hi David,

You retained an attorney (Ms. Jeanne Kvale). My Mother has 2 retained two additional attorneys.





To: David Paice paice.da@gmail.com

Jeanne Kvale jkvale@hathawaylawfirm.com

Lisa Dillard Idillard@hathawaylawfirm.com

Cc: Mom smharold7@gmail.com Monday, June 6, 9:03 PM

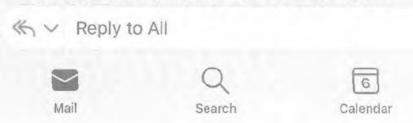
Hi David,

You retained an attorney (Ms. Jeanne Kvale). My Mother has 2 retained two additional attorneys.

All communication from you to me or from you to my mom should be coming directly from your attorney.

When I receive your first email, I sent an email to Jeanne asking if she was aware you were communicating with me directly.

I have not received a reply from her letting



you were communicating with me directly.

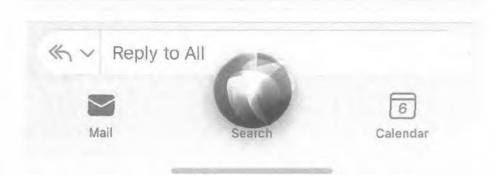
I have not received a reply from her letting me know it is okay for me to accept your documents. I will not be accepting any documents from you unless they come directly from your attorney.

Please let her know that I am waiting for her reply and in the future please communicate with me through your attorney so we have proper documentation of all our interactions.

Sincerely,

Amy

Get Outlook for iOS





Jun 9

David,

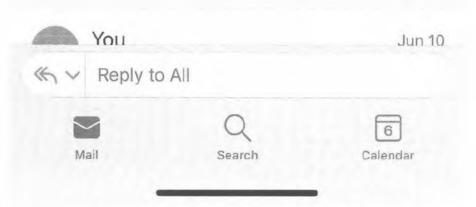
Upon receiving Jeanne's letter the other day I went on to open the folder you shared. Access was denied.

Please advise if the folder is still available and if the documents in there are indeed the documents I requested in my original letter dated <u>April 27th</u> so I will know how to proceed.

Sincerely,

Amy Small

Get Outlook for iOS





Jun 10

...

Good Afternoon David,

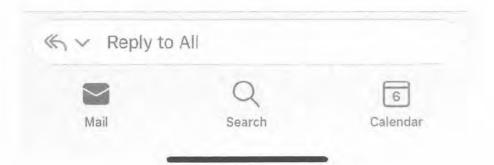
I am following up on the email I sent you on Thursday June 9, 2022 @ 11:05am regarding the Google drive folder.

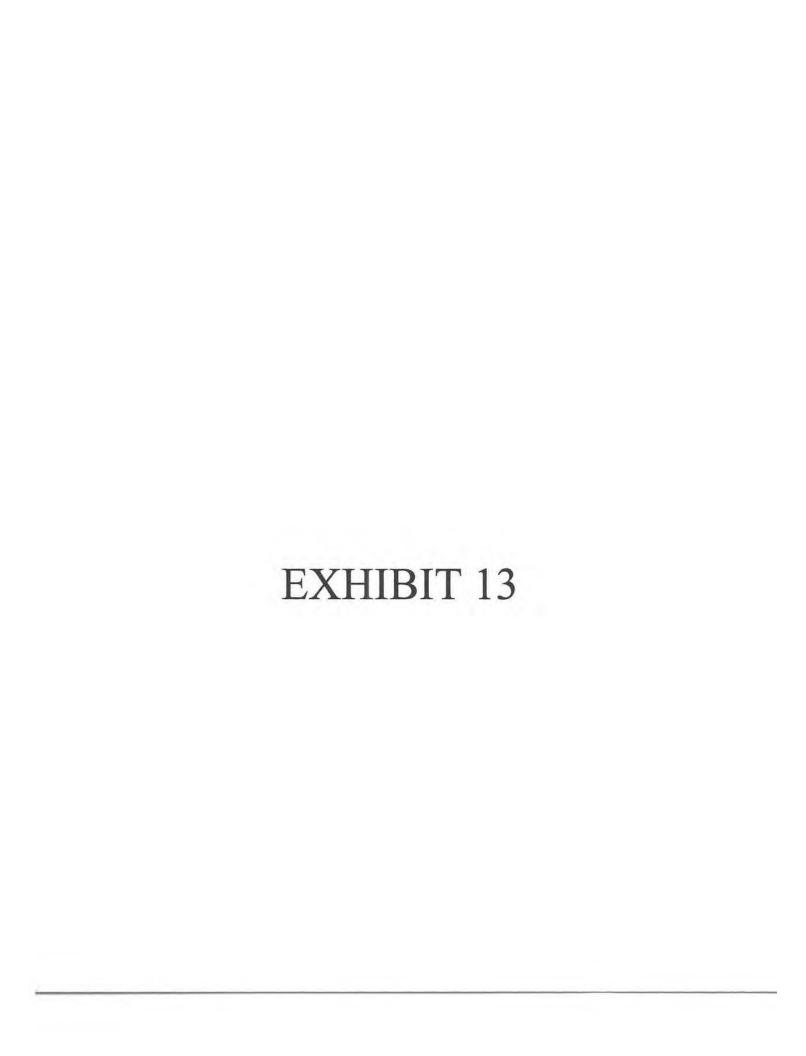
I have not heard back from you as to why I cannot get Into the folder containing the supposed Trust Accounting documents you made available to me. This is my second and last request for status.

If no response is received, I will have no other option than to send a Spoliation letter to the B.E.C.U Credit Union requesting preservation of data regarding anything related to my mother's trust.

Sincerely,

Amy Small





Amy Jane Small PO Box 352 Graeagle, CA 96103 (805) 827.0051 aj.harold9@gmail.com

May 31, 2022

Jeanne M. Kvale
The Hathaway Law Firm, ILP
5450 Telegraph Road
Ventura, CA. 93006
Via Email — Idillard@hathawaylawfirm.com (Secretary to Jeanne M. Kvale)

Subject: The Sharon M. Harold Irrevocable Trust dated November 12, 2004

Dear Ms. Kvale,

My plan was to write to you today and confirm that you received my email and documents that I sent of Friday May 27^{th} , 2022 if I had not received confirmation, of which I have not. However, that confirmation will not be necessary as I found out from other parties that my email was received by your office.

I know that because I emailed you ONLY (via idilllard) and co'd myself. However on Friday May 27^{th} , 2022 my brother, John, witnessed my mother's cell phone ring while they were eating Chinese food at a restaurant together sometime around 4:00pm-5:000pm. This was an invitation from my mother to John earlier in the day sometime after Noon while he was at her house so she could address an envelope for him, as he is disabled and unable to write nor speakdue to his condition (M.S.A. Multiple Symptom Atrophy). Upon the phone ringing during their dinner, my mother looked at her caller id and announced to John that it was David calling. She then answered the phone while at the table with my brother sitting there. She asked David 'what's up?' and informed him that she was sitting down eating Chinese food for dinner. My brother stated that he could hear David tell Sharon that he felt sick and then his voice became very, very quiet after that. After David's voice became quiet my brother could only hear my mother's replies to whatever David was saying on the other end of the line which was, "What letter? From who? Read it! ... Who has Power of Attorney!? Amy?! ... No, no, no that's not true ... Leni has POA for my healthcare and Amy has to distribute my property in my house after I die ... What is wrong with Amy? Why is she doing this? No, no David I know you're not

stealing from me...I know, I'm sorry this is making you so sick...Please don't worry about it. I promise you it will all work out in the end ...You take care of yourself ...goodbye."

- I find this information concerning for the following reasons.
 - 1. In your initial letter to me, it stated that you are representing David Allen Paice. The letter made no mention that you are representing Sharon M. Harold. Are you also representing my mother? If not, should David be discussing his case with Sharon or was David in violation of Attorney/Client privilege on Friday May 27th, 2021 when he called my mother to discuss this?
 - 2. My mother claims to not recall appointing me Power of Attorney in June of 2018. In fact, she called me an told me that she was going to change her POA and put me on it and remove my sister Jeni which is who was POA, according to my mother, at that time. I never once called or asked to be her POA, she solicited me because she became upset with Jeni and had gotten into an argument with her so decided to remove her. My phone was on speaker phone that day my mother called and my husband was with me and witnessed the entire phone call with my mom telling me what she was going to do. If my mother does not recall any of this, then her mental state has severely declined which mean she is also not of sound mind to make decisions in retaining an attorney. If she claims to be of sound mind with no limits to her mental state than the only other answer would be that she is not being honest in her claims of not knowing.
 - 3. Why were David and my mother discussing 'stealing'? I have never mentioned or suggested in any of my communication via mail, email or otherwise the act or stealing or anything close. I have simply requested a full accounting of The Sharon M. Harold Irrevocable Trust dated November 12. 2004 based on a statement David made to me over the phone on November 1, 2021 which was that my mother's Trust did not have enough money in it to support a care facility payment of \$5,500 per month.

Earlier in the day on Friday May 27th, 2021 when sometime around or after 12:30pm, my brother John showed up at my mom's house to have him address an envelope for him (as stated above). Upon his entry my mother said, "What's up? Are you here about the Trust?" My brother grunted/motioned 'No'. While he was taking a look at my mom's phone, per her request regarding an issue she was having with the ringer, he noticed her walk over to and begin shuffling through a pile of papers she has. As he attempted to get her attention again so she could address his envelope for him, he watch as she pulled out a paper and began to read it. She appeared to be speaking to herself

out loud in a quiet whisper like voice and said "Why is Angel's name on my house title? That means she can sell my home. I need to change that. I'm going to need that money to take care of me."

- I find this information concerning for the following reasons;
 - 1. My mother claims to not recall putting my sister's name on her house. In fact, she mentioned she had done this prior at the time she called and informed me that she was going to change her POA to me. This happened during the same conversation. Again, my phone was on speaker phone that day my mother called and my husband was with me and witnessed the entire phone call. If my mother does not recall any of this, then her mental state has severely declined which means she is also not of sound mind to make decisions in retaining an attorney. If she claims to be of sound mind with no limits to her mental state, then the only other answer would be that she is not being honest in her claims of not knowing.
 - 2. Most concerning was my mother's comment that she is going to need any monies from the house for her future care. If the Trust has plenty of money to support my mother's care of which her and David are now claiming (which is in direct contrast to what David told me over the phone on November 1, 2021) why is she concerned about needing that money(ies) to take care of herself?

My brother John reached out to me on Friday evening with this information as a concern for my mother's well-being. As she made comments that claimed she had no idea of changes she herself made and my brother also was aware of those changes, because she had told him previously. His concern is that our moms memory is continuing to decline.

I believe it is important for you to know that though my mother is very aware of my brother's condition and that it will continually get worse and he will eventually die from it, she still calls him when she has an emergency. Not sure how familiar you are with his condition (M.S.A) but if you know anything about Parkinson's, it is similar. The main difference is that where Parkinson's has to do with ones nerves, M.S.A has to do with ones mucles (ALL muscles such as legs, arms, tongue, swallowing, etc.). The point being that he already has trouble swallowing, walking, writing, standing, bending over and can no longer play the piano, talk, write, etc, and will only continue to worsen he is already disabled and barely able to care for himself yet she calls him in an emergency rather than 911.

On Sunday March 6, 2022 @ 4:36pm I received a text message from my brother, John, with a picture of a lot of blood on what appeared to be a floor. When I asked what happened, John stated that he received a call from my mother stating that she has fallen and could not get up and asked him to come over and help her. Upon arrival my brother found my mother on the kitchen floor covered in blood with a 4" to 5" gash on her skull. Being disabled and barely having enough muscles to sustain

himself, he could be of absolutely no help to getting her off of the floor. The best he could do was stand there and watch her figure out how to struggle to get off the floor and drive her to the hospital once she got up. This was a horrible accident and had it been any worse my mother may not have survived because my brother cannot be of any physical assistance to her nor can he really explain what was happening had he needed to call 911 due to his difficulty of speech because of his condition. The point to this is that my mother had taken a very bad fall, was laying in a pool of her own blood, knew that my brother is disabled and can be of no assistance yet chooses to call him rather than 911 as she lay surrounded by blood with her skull exposed and blood running down her face. She had no forethought that this was a real emergency. No person in their right mind would have made the decision my mother did. This is highly concerning. I have attached photos of her injury to this email so you have a better understanding of the severity of the situation at this time the accident happened.

Another example of how I know your office received my letter received my letter on Ptiday May 27, 2022 is because on my drive home from work today, I reached out to my sister, Angel, via phone because I had a missed call from her on Saturday and was able to get back to her over the weekend due to being busy so was just returning her call. She stated that she was just calling to ask me if I sent another letter because my mother was complaining via phone and text to her that, "...half the shit Amy said in that letter was inaccurate"... "Do you realize that this crap with Amy has 3 Attorneys and an accountant involved and it is wasting money I don't have." My sister stated that she received a copy of the letter that I sent dated April 27, 2022 and did not recall seeing anything as inaccurate. My mom stated that she was not referring to the original request letter but rather the '5-page letter' I sent. I only sent 1 letter that was 5-pages and it was sent to you (via idillard) ONLY and cc'd myself. I never sent a copy of that email to my mother. After disclosing to my sister that there are three Attorneys and one Accountant working on this, she then tells her that she cannot discuss this with anyone. She just did discuss it with my sister!

- If you represent David only and David is honoring his Attorney/Qient privilege and not discussing this with anyone how then did my mother get a copy of the letter?
- Are you also representing my mother and is they why she received a copy of the letter? If yes, could you please notify my formerly that you are representing her so I have documentation?
- Could you please advise who the other 2 Attorneys are that are working on this and who they
 are representing? I have only been notified by you that you are representing David Allen
 Paice.
- I am assuming that the Account working on this case is David Llewellyn.

 If my mother and David state that the trust has plenty of money, why did my mother state this was costing her money she did not have?

As an update to this letter that I wrote yesterday May 31, 2022; something happened since that I thought you should be aware of.

- Upon waking up and checking my emails (work and personal), I received an email from David Paice that was sent via Google docs stating Sharon has verified her Power of Attorney as current and approved providing access to documents (my mother is also copied on the email) which I find to be curious being that you are representing him and I would assume any communication would come from you. Based on this, I have not accepted the invitation to the docs as of yet and will not until I hear from you formerly confirming you are aware of this.
- · I will include screenshots of the email I am referring to, for reference.

Regardless of my mother's opinion or anger towards me about this situation I will continue to take my Power of Attorney assignment seriously and in the best interest of my mother and her well-being now and in the future which is why she appointed me in the first place. I have never borrowed or asked to borrow any monies from my mother and my only interest in the Trust account balance is so that I can work on getting her exactly what she wants, which is to be in a care facility or her choice and the absolute best one that the Trust monies can afford her. The main reason for the Trust is for my mother and her care and now that she has retained an attorney and is paying for David's representation she will not be afforded the end of life care that she so rightfully deserves because it will all be sucked up on legal fees. Once again, my goal is the same as it has always been which is to get a full accounting of the Trust so that decisions can be made for my mother's care. That is all this has ever been about.

Regards,

Army Jane Small

Amy Jane Small



Amy Jane Small PO Box 352 Graeagle, CA. 96103-0352 805.827.0051 <u>aj.harold9@gmail.com</u>

July 6, 2022

Aleksander Shilbach
Lane Powell
1420 Fifth Avenue, Suite 4200
Seattle, WA. 98101-2375
Via Email – SchilbachA@LanePowell.com & WebbS@LanePowell.com

Subject: The Sharon M. Harold Irrevocable Trust dated November 12, 2004

Mr. Schilbach.

Based on the letter from you dated June 10, 2022, it appears that you may have only been provided the initial letter dated April 27, 2022 that I sent directly to David Paice, requesting a full accounting of my mother's trust. I believe this to be the case based on some of your comments. Please thoroughly read and review all attached material and prior communication to Ms. Kvale, so you have a full understanding other than the limited information you have only been given.

There is and has been no threat to the Trustee or his employer. As you can see in prior communication to Ms. Kvale, I had requested preservation of data. I simply requested preservation of data in writing to Ms. Kvale, as David's attorney at the time.

As you can see in the attachments, on May 31, 2022, David communicated with me directly (during the time Ms. Kvale was his attorney) and sent me supposed accountings of the trust. You will also see that I replied that he should not be communicating directly with me and I would not open the document unless and until Ms. Kvale acknowledged that she was aware of his correspondence with me.

On June 7, 2022 I received a letter from Ms. Kvale informing me that she was no longer representing my mother or David. Only at that time did I reach out to David directly and attempt to open his documents. I simply made a statement reminding him that I would most likely have to request the preservation of data since he no longer had an attorney.

Now that you made me aware as of on June 10, 2022 that you are representing David, I will make the same request to preserve data to you that I had done so of his prior attorney.

As you can see, we have a reasonable dispute about the state of my mother's finances and her mental health.

In order for both of us to make a fair, impartial and accurate calculation of her trust and mental state, at some point I will need to analyze the records that reside on the various computer

systems that are under David's control and the control of his various co-workers. Taking the words of my mother, with impaired mental ability, is not going to get to the facts of the matter.

I have records that I need to prove my demands, but I do not have all of the records. David has some records and his employer has some records. I have first-hand knowledge of this because of what David has told me and other family members personally, and I have seen limited documents about my mother's investments.

While I am hopeful that we can resolve this dispute, it does not seem likely since David has failed to provide my mother any proper accounting(s) over the years, as required by the trust document as well as per my mother's own statement to me. It is also unlikely we can resolve this matter amicably because of the overwhelming and objective evidence that my mother's memory is poor at best and therefore her mental capacity makes her incapable of making rational decisions about her well-being. This is exactly why she appointed me her Power of Attorney; so when this day came, I could provide her the care she needs. That day has arrived.

The data and information I am requesting to be preserved will protect my mother's interest, David's interest, the interest of his employer and your firm's interest as well and may in fact lend credibility to David's recent claims that the trust finances have enough funds to pay for my mother's declining health issues.

Therefore, in anticipation of the possibility that we cannot resolve this dispute and that the accounting that is being worked on will not include everything exactly as I requested in my letter dated April 27, 2022 and may need to seek third-party resolution; in the interest of fairness, please immediately and without delay preserve evidence and prevent the spoliation of the following data files and sources, including any deleted data files.

DAVID PAICE

- 1. David Paice's office computer hard drive
- 2. David Paice's office laptop hard drive
- David Paice's home computer hard drive
- David Paice's company network share devices
- 5. Brieana Paice's home computer hard drive
- 6. Brieana Paice's home laptop hard drive
- 7. Paice's 'flash' or other portable devices
- 8. David Paice's banking documents from the shared account my mother, Sharon Harold, stated they have together.
- David Paice's emails between Sharon Harold, Brieana Paice and family members and his employer and investment advisors regarding any information or conversations about my mother's trust as well as any third parties involved with investments for my mother's trust.
- 10. David Paice's text messages and/or text messaging apps between Sharon Harold, Brieana Paice and family members, his employer and investment advisors regarding any conversations about my mother's trust and any third parties involved with investments for my mother's trust.
- 11. David Paice's phone records between Sharon Harold, Brieana Paice and family members, his employer and investment advisors regarding any information or conversation about my mother's trust as well as any third parties involved with investments for my mother's trust.

- 12. All receipts documenting the purchases, products or services using monies from The Sharon M. Harold Irrevocable Trust dated November 12, 2004.
- 13. All receipts documenting the purchase and or lease of the Paice Family recreational vehicle/camper, watercraft, or other luxury items. Please preserve all documents/evidence pertaining the origins of income used to purchase or lease these items.
- 14. All receipts documenting the purchase of David's current residence, 16644 Marine View Dr Sw, Burien, WA, 98166, including all documents/evidence pertaining the origins of income used to purchase or lease these items.
- 15. All receipts documenting the remodeling of David's current residence, 16644 Marine View Dr Sw, Burien, WA, 98166, including all labor and materials and all documents/evidence pertaining the origins of income used to pay for the remodeling.
- 16. All receipts documenting money paid and spent, including labor and materials pertaining to David's wife Brieana's home remodeling business, registered in Washington State as BEK Bath And Kitchen, Llc, Filing Number #604803913.

BECU CREDIT UNION

- 1. The computer hard drives of any BECU employee(s) that have advised David made investments for, transferred funds to or from and in any way taken any part in my mother's trust investments.
- The laptop hard drives of any BECU employee(s) that have advised David made investments for, transferred funds to or from and in any way taken any part in my mother's trust investments.
- 3. The computer network share drives involving investments and back accounts related to my mother and/or her trust.
- 4. All banking statements from any accounts that are associated (via transfers in or out) with The Sharon M. Harold Irrevocable Trust dated November 12, 2004 or personal accounts in Sharon's name.

As you know, my request to preserve evidence has nothing to do with the current status of my Power of Attorney, therefore, excluding any other demands you may disagree with, you are required as an officer of the court to proceed with my request to preserve evidence.

I assume the accountant you are using is David Llewelllyn. I sent him my accounting request, dated April 27, 2022, and all of my Power of Attorney paperwork in May. David Llewellyn stated that he had requested all 12 years of banking statements from David Paice to complete the accounting, as per my specific requests. If my request is already being handled by the trust accountant and the trust will pay for that accounting, why does David Paice need an attorney?

If David chooses to retain you for whatever reason, my mother's trust will not be paying for that. I am directing you to stop billing my mother's trust for your services. I am not approving your fees.

Any fees pertaining to your representation of David Paice should be paid directly from David Paice's personal finances or through his Trustee Errors & Omissions Insurance. If David has not obtained E & O Insurance, it is not the responsibility of my mother nor her trust to pay for you to represent him. I do not approve this. If you continue to bill the trust for your services to represent David, I will contest those charges in court and seek reimbursement for any charges already incurred.

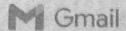
In closing, your firm and David are billing my mother's estate, using up what little money she has left (according to your client). Your firm and David are knowingly billing an elderly woman with known mental, memory and physical limitations (as stated to me by your own client). My mother is asking for the legally required estate/trust accounting, through me with power of attorney. I am not understanding why providing the accountings have taken so long. Surely there should be previous years accountings, as required per the trust document, that should be readily available. Has David failed to do any accounting for 12 years as he is required to provide in both law and as the fiduciary? You and your firm are therefore defending David, my mother's own Trustee, against who, herself?

Regards,

Amy Jane Small

Amy Jane Small

EXHIBIT 15



cease and desist

Sharon Harold <smharold7@gmail.com>
To: David Paice <paice@outlook.com>

Tue, Oct 11, 2022 at 7:38 PM

Dear David,

Attached is a letter that I sent to your lawyers last week and to date have not received any acknowledgement of receipt so I am now sending it to you in the event they have not forwarded it to you or made you aware.

I have also not received any acknowledgement of the email that I sent to your lawyers on October 5th, 6th & 7th, 2022 revoking my release and approval of the accounting. I am informing you of this as well, in the event that they have failed to inform you of this also. I do not approve the accounting from you and David LLewellyn and will be having an independent forensic accounting performed.

In addition to the items on the attachment I am also requesting you immediately send me all detailed bills submitted to the trust from the Chrisman/Kvale Law Firm along with supporting documents showing payment(s) made.

I am also requesting you immediately send me all bills submitted to the trust from the Lane Powell Law Firm along with supporting documents showing payment(s) made.

To date I have absolutely no knowledge how much of my trust money has been spent on all these different attorneys, as you have to date not provided me any information. I do not want a total, I want the actual statements and canceled checks and receipts.

Until my independent accounting and review is complete, I do not authorize any further monies from my trust to be used for your legal representation. I am the Trustor and do not agree with the accounting therefore you have no need to retain an attorney.

Respectfully,

Sharon M. Harold

From: Sharon Harold <smharold7@gmail.com>

Date: Sun, Oct 9, 2022 at 6:54 PM

- Forwarded message -

Subject: cease and desist

To: Schilbach, Aleksander <SchilbachA@lanepowell.com>, Webb, Silvia <WebbS@lanepowell.com>, Ohainle, Paul

<OhainleP@lanepowell.com>

Please confirm receipt via email

Cease and Desist from Sharon M.pdf 72K

OFFICIAL STAMP
Amy Turner
NOTARY PUBLIC-OREGON
COMMISSION NO. 1001244
MY COMMISSION EXPIRES JUNE 21, 2024

Douglas County, Oregon
10-12-22 Amy Turker
exp. June 21, 2024

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