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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

In Re the Matter of:

Case No. 22-4-08326-1 KNT

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

**ORDER DENYING MOTION FOR
APPOINTMENT OF A GUARDIAN
AD LITEM FOR SHARON M.
HAROLD**

This matter came before the Court on the Motion for Appointment of a Guardian Ad Litem for Sharon M. Harold filed by Petitioner David A. Paice, Trustee of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 ("Harold Trust"). In making this Order, the Court has reviewed and considered the records and pleadings on file with the Court as well as the following pleadings:

1. Motion for Appointment of a Litigation Guardian Ad Litem for Sharon M. Harold;
2. Declaration of David A. Paice, Trustee, in Support of Motion for Appointment of a Litigation Guardian Ad Litem for Sharon M. Harold, and the exhibit thereto;
3. Declaration of Aleksander R. Schilbach in Support of Motion for Appointment of a Litigation Guardian Ad Litem for Sharon M. Harold, and the exhibit thereto;
4. Opposition of Respondents to Motion of Petitioner for Appointment of a Litigation Guardian Ad Litem for Sharon M. Harold;
5. Declaration of Charles A. Harold, Jr. in Support of Opposition of Respondents to Motion of Petitioner for Appointment of a Litigation Guardian Ad Litem for Sharon M. Harold

ORDER DENYING MOTION FOR APPOINTMENT OF A
LITIGATION GUARDIAN AD LITEM FOR SHARON M. HAROLD -

1 and the exhibit thereto; and

2 6. Reply in Support of Motion for Appointment of a Litigation Guardian Ad Litem
3 for Sharon M. Harold.

4 Being fully informed, the Court hereby enters the following Finding of Fact and
5 Conclusions of Law:

6 1. The sworn declarations executed and offered by Ms. Harold's former attorney, raise
7 concerns regarding Ms. Harold's mental capacity.

8 2. Allegations of wrongdoing have been made by Petitioner against Respondent and
9 by Respondent against the Petitioner. These allegations include each party acting against the
10 interest of Ms. Harold.

11 3. Although the Court has reasonable questions as to Ms. Harold's competency, based
12 on the limited evidence before the Court, the Court cannot find that Ms. Harold is in fact an
13 incapacitated person pursuant to RCW 4.08.060. Therefore, Petitioner's Motion for Appointment
14 of a Guardian Ad Litem is DENIED at this time.

15 4. Petitioner alternatively motions the Court to appoint a guardian ad litem for the
16 limited purpose of ascertaining Ms. Harold's competency; however, the alternative motion is
17 absent any legal authority to support this request. Therefore, Petitioner's alternative motion for
18 appointment of a limited purpose guardian ad litem for ascertaining Ms. Harold's competency is
19 DENIED WITHOUT PREJUDICE.

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21 SO ORDERED this 17th day of March 2023.

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24 JUDGE WYMAN YIP
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ORDER DENYING MOTION FOR APPOINTMENT OF A
LITIGATION GUARDIAN AD LITEM FOR SHARON M. HAROLD -

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No. 22-4-08326-1 KNT

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