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

Charles A. Harold, Jr., Petitioner,  v.  David Allen Paice, Respondent.	No. 23-2-03980-7 KNT  <input checked="" type="checkbox"/> Petitioner Exhibits  <input type="checkbox"/> Respondent Exhibits  Code: WEXL
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**ELECTRONIC EXHIBIT LIST – PROTECTION ORDER**

<b>Exhibit No.</b>	<b>Offered By</b>	<b>Title/Description of Exhibit</b>
13	Petitioner	Letters from Aleksander Schilbach, Esq. to Sharon M. Harold and Beneficiaries threatening to spend trust money if release of liability not signed
14	Petitioner	Chronology of Events Justifying Protective Order
15	Petitioner	Reedsport Police Department Report dated 9/4/22
16	Petitioner	Sharon M. Harold Phone Log for 6/7/22 through 7/12/22
17	Petitioner	BECU Policy for Opening a Trust Account (p. 11 only)

# Exhibit 13



PAUL OHAINLE  
206.225.8383  
[OHAINLEP@LANEPOWELL.COM](mailto:OHAINLEP@LANEPOWELL.COM)  
ALEKSANDER SCHILBACH  
206.436.9909  
[SCHILBACHA@LANEPOWELL.COM](mailto:SCHILBACHA@LANEPOWELL.COM)

September 8, 2022

**VIA U.S. MAIL & ELECTRONIC MAIL – [smharold7@gmail.com](mailto:smharold7@gmail.com)**

Ms. Sharon Harold  
100 River Bend Road, #103  
Reedsport, OR 97467

**RE:** *The Sharon M. Harold Irrevocable Trust dated November 12, 2004*  
Release and Discharge of David Paice, as Trustee

Dear Ms. Harold,

We are writing on behalf of our client, Mr. David Paice (“David”), as trustee of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 (“Trust”). We recently sent you a copy of the Trust’s accountings for 2010 through 2021 and asked you to contact our office with any questions related to the Trust or the Trust’s accountings. We understand that you have reviewed and approved the accountings. Accordingly, we ask that you review and sign the enclosed Release and Discharge of Trustee (“Release”) to approve the actions taken by David as disclosed in the accountings and release him for the actions as disclosed in the accountings. We recommend that you seek counsel to review the Release for you before you sign it. Once you have signed it, please send the executed original Release to our office in the enclosed self-addressed stamped envelope at your earliest convenience.

Once we have received the Release we will ask the Trust’s residual beneficiaries (your children and grandchild) to execute a release. If we do not obtain executed releases from **all** of the residual beneficiaries, then David will need to file a petition to approve the Trust’s accountings with the court. David would strongly prefer not to incur these additional legal and administrative expenses, but he reserves the right to do so if we do not receive an executed release from each beneficiary.

As you know, David, as trustee, retained our office to assist him after you daughter, Amy, demanded an accounting and threatened to contact David’s employer. Now, after receiving the accounting, your son Chuck Harold has retained an attorney, and Chuck’s attorney has demanded to see the underlying financial documentation that the accountant prepared the accountings from. Given’s Chuck’s request and the family dynamics toward David’s trusteeship generally, we must now incur additional time and expense to respond to Chuck’s

Ms. Sharon Harold  
September 8, 2022  
Page 2

attorney regarding his request for additional documentation. Please understand that the fees and costs David incurs in responding to Chuck's attorney and other requests from other residual beneficiaries, as well as all costs associated with obtaining court approval of the accountings, will be paid out of the Trust.

As we wrote before, if you are represented by an attorney, then please forward this letter to your attorney and ask your attorney to contact us so that we may direct any future communications to him or her.

Please contact us with any questions regarding the Trust accountings or this letter.

Very truly yours,

LANE POWELL PC



Paul Ohainle

Aleksander Schilbach

Enclosures: Release and Discharge of Successor Trustee  
Letter from Edgar

134455.0001/9119229.2

**RELEASE AND DISCHARGE OF SUCCESSOR TRUSTEE OF  
THE SHARON M. HAROLD IRREVOCABLE TRUST  
DATED NOVEMBER 12, 2004**

I am the grantor and current beneficiary of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 ("Trust").

David Paice ("David") is the current trustee of the Trust. David has served as trustee of the Trust from on or around March 1, 2010 to the present.

David provided me with full and complete accountings for the Trust for the period from January 2010 to December 2021 ("Accountings").

I have had the opportunity to review the Accountings and to seek additional information from David regarding the administration of the Trust.

I, on behalf of my marital community, heirs, and as virtual representative, as applicable, hereby (a) waive any and all objections related to the Accountings; (b) approve the administration, acts, and accounts of David as trustee of the Trust; and (c) release, discharge, and forever acquit David, both individually and as trustee of the Trust, and his successors, employees, employers, spouse, heirs, directors, agents, attorneys, affiliates, and assigns, from any and all claims, demands, actions, causes of actions, judgments, rights, fees, damages, debts, obligations, liabilities, and expenses of any kind whatsoever, whether known or unknown, arising from, or in any way related to the Trust, the Trust's assets, and David's actions as Trustee of the Trust as reflected in the Accountings.

I have been advised to have this Release reviewed and explained to me by counsel of my own choosing prior to my signing, and I have had a sufficient and reasonable amount of time to do so.

---

SHARON M. HAROLD, individually and as grantor-  
beneficiary of the Sharon M. Harold Irrevocable Trust  
dated November 12, 2004

---

DATE:

EDGAR SAENZ, Esq.  
Certified Estate Planning, Trust & Probate Law Specialist  
by State Bar of California Board of Legal Specialization



LAW OFFICE OF  
EDGAR SAENZ

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September 1, 2022

By Mail and E-mail: [Schilbach@LanePowell.com](mailto:Schilbach@LanePowell.com)

Aleksander Schilbach, Esq.  
LanePowell  
1420 Fifth Avenue, Suite 4200  
Seattle, WA 98101-2375

Re: Sharon M. Harold Irrevocable Trust; Request for Information

Dear Mr. Schilbach:

I represent Chuck Harold, a beneficiary under the Sharon M. Harold Irrevocable Trust and son of the settlor, Sharon Harold. This requests information from the trustee relating to the administration of the trust.

We thank you for providing eight trust accountings covering the period from January 2010 to December 2021. The accountings, provided to my client on or about August 9, 2022, were prepared by the Llewellyn Accountancy Corporation at the behest of the trustee following written requests made by beneficiary Amy Jane Small.

Llewellyn's cover letters, dated June 8, 2022, to each of account contains the following explicit warning:

*The Trustee has elected to omit substantially all of the disclosures required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the trust's financial statements. Accordingly, the financial statements are not designed for those who are not informed about such matters.*

WILLS, TRUSTS & PROBATE

*Letter to Aleksander Schilbach*

The disclaimer is unprecedented in my experience. The accountant's disclaimer gives us concern regarding the accuracy of the accounts. "*The financial statements are not designed for those who are not informed about such matters.*" My client is among "those who are not informed about such matters." But he would like to be thus informed.

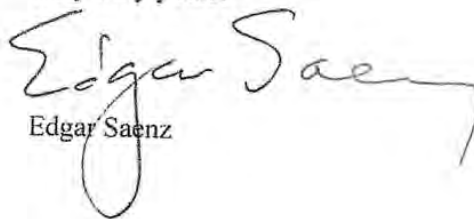
Accordingly, this requests, pursuant to California Probate Code section 16061, that the trustee provide my client with the relevant "disclosures" and information, including but not limited to:

- statements for LPL Trust account nos. 2602-4662 and 2601-4662 from 2010 through December 31, 2021;
- an answer to the question whether the trustee transferred funds from trust accounts to his personal accounts at any time;
- supporting documents evidencing the alleged "wire" distributions to Sharon Harold during the period;
- supporting documents evidencing the source of the wires; and
- supporting documents evidencing dividends and interest earned by LPL Financial accounts.

Note that Mr. Harold is a "beneficiary," as defined under California law. (See Prob. Code § 24(c) ("As it relates to a trust, means a person who has any present or *future interest*, vested or *contingent*.")) As such, he has standing to request administration information. (See Prob. Code § 16061; Esslinger v Cummins (2006) 144 CA4th 517 (future beneficiary entitled to obtain trust account under general duty of trustee to provide information on reasonable request).)

We look forward to your cooperation. Please do not hesitate to call if you believe that would help bring this matter to a mutually amicable conclusion.

Very truly yours,

  
Edgar Saenz

Cc: Mr. Chuck Harold





ALEKSANDER SCHILBACH  
206.436.9909  
[SCHILBACH@LANEPOWELL.COM](mailto:SCHILBACH@LANEPOWELL.COM)

October 13, 2022

**VIA FEDERAL EXPRESS & ELECTRONIC MAIL – [smharold7@gmail.com](mailto:smharold7@gmail.com)**

Ms. Sharon Harold  
100 River Bend Road, #103  
Reedsport, OR 97467

**RE:** *The Sharon M. Harold Irrevocable Trust dated November 12, 2004*  
Response to "Cease & Desist" Letter dated October 9, 2022

Dear Ms. Harold:

We are writing on behalf of our client, Mr. David Paice ("Trustee"), the Trustee of the Sharon M. Harold Irrevocable Trust dated November 12, 2004, regarding the "Cease & Desist" Letter dated October 9, 2022 ("Letter"). We understand that although the Trustee has tried to speak with you over the telephone about the Trust and the Letter, you have not answered his calls. Although you and the Trustee have always communicated cordially and professionally during his trusteeship, your refusal to speak with Mr. Paice now, in addition to your accusations of wrongdoing, is an abrupt reversal in your behavior and communications. Accordingly, from now on, please direct all communications, whether written or oral, including e-mails and letters, to me, as counsel for Mr. Paice, and not to Mr. Paice himself.

**A. Any impersonation of Ms. Sharon M. Harold in communications with Mr. Paice and this office is unlawful and carries serious legal consequences.**

We do not believe that you (Ms. Sharon Harold) wrote the Letter or the recent e-mails to Mr. Paice and to our office or to Mr. Paice.<sup>1</sup> We have reason to believe that one or more of your children have gained access to your e-mail account and are impersonating you and ghostwriting correspondence under your name and signature. If you are willingly allowing this, we would like you to confirm that verbally and directly to me. However, if these suspicions are correct, and you are not authorizing these communications that purport to be from you, then the behavior of others is unlawful, unfair to you and raises a serious concern for the Trustee. This letter is directed to you, as the primary lifetime beneficiary of the Trust, and not to any of your children, although of course you are free to share it with them. To the extent that someone is

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<sup>1</sup> E-mails dated October 5, 6, 7, and 11.



impersonating you or communicating on your behalf without full disclosure to you, that behavior is unlawful and carries serious legal consequences under Washington law.

Under Washington law, you are entitled to be free from “personal exploitation,” the “act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.” Personal exploitation constitutes “abuse” that may subject an individual to a vulnerable adult protection order. RCW 7.105.010(2)(c). *See also* ORS 124.100(3) (providing that “trustee for a trust on behalf of the trustor . . . who is a vulnerable person” may bring an action under Oregon’s law protecting vulnerable adults); ORS 124.110(1)(a) (allowing action to be brought for financial abuse against person who wrongfully appropriates money or property of vulnerable person).

We are concerned about your abrupt decision to rescind your Release and Discharge of Successor Trustee, which you executed on September 24, 2022 and mailed to our office two days later. To us, this raises suspicions that you may be being “personally exploited” by one or more of your children. Your recent actions are sharply inconsistent with your relevant past behavior and representations. Before October 5th, for example, you had represented multiple times that you were unaware of any discrepancies with the Trust’s accountings or the Trustee’s management of Trust property and that you were willing to release the Trustee for his actions as reflected in the accountings without reservation. The Release and Discharge that you signed confirmed you had “been advised to have this Release reviewed and explained to [you] by counsel of [your] own choosing prior to [your] signing.” Consistent with your representations to the Trustee and to me that you fully and unequivocally approved the Trust’s accountings, you executed the Release and Discharge on September 24 and mailed it to this office on September 26. Additionally, in a telephone call with me on October 5, you said that you found “discrepancies” with the accounting but could not identify any “discrepancies” in the accountings that caused you to rescind your Release and Discharge. You also told me that “you felt you were being pulled in five different directions by your children.” These statements and behavior strongly indicate that you may be the victim of personal exploitation.

**B. Under the terms of the Trust, the Trustee is not obligated to comply with many of the demands made on him in the Letter.**

The Letter of October 9, 2022 makes many demands of the Trustee. However, under the terms of the irrevocable Trust, the Trustee is not obligated to comply with most of these demands. Also, unfortunately, responding to these demands in the Letter and the accusatory e-mails will cause the Trustee to incur legal fees for our response.

**1. The Trustee’s Contact with Counsel**

The Letter demanded that “David Paice shall stop using my trust money to pay his attorney fees” and that you were “directing David Paice and his attorneys to discontinue all

conversations about regarding my trust.” The Letter also demanded that the “Lane Powell law firm and [the Trustee] shall return any balance of a retainer you received from my trust money for David Paice's attorney fees, costs or any other reason.”

First, as an initial matter, the Letter's demand—that the Trustee “stop using my trust money to pay his attorney fees”—reflects a serious misunderstanding of the Trust, the Trust estate, and Mr. Paice's role as Trustee. Although you are the Grantor of the Trust and a beneficiary of the Trust, you no longer own the Trust property because you gave complete title and control to the Trustee when you established the Trust. The first paragraph of the Trust explains that you have “transferred, without consideration,” the property in the Trust estate to the trustee of the Trust, of which Mr. Paice is the successor Trustee, to be governed in accordance with the terms of the Trust instrument. *See* Trust at 1. Please review the Trust.

Second, the Trust expressly allows the Trustee to hire counsel to advise him in the administration of the Trust estate and to defend the Trustee in “any matters pertaining thereto.” It also states that expenses related to the Trustee's representation will be borne by the Trust:

**F. POWERS OF THE TRUSTEE**

To carry out the purposes of the Trust, and subject to any limitation stated elsewhere herein, the Trustee **and any successor Trustee** are hereby vested with the following powers and discretions, in addition to those now or hereafter conferred by law:

....

10. All property taxes, assessments, fees, charges and other expenses incurred by the Trustee in the administration or protection of this Trust, including the compensation of the Trustee, shall be a charge upon the Trust Estate and shall be paid by Trustee in full out of the principal or in full out of the income of the Trust Estate, or partially out of each of them, in such manner and proportions as the Trustee in Trustee's absolute discretion may determine to be advisable, prior to the final distribution of the Trust property; and the determination of Trustee with respect to all such matters shall be conclusive upon all persons howsoever interested in this Trust.

11. **To employ counsel to assist and advise in the management, preservation and administration of the Trust Estate; and to compromise, arbitrate, settle, or litigate any matters pertaining thereto.** The Trustee shall pay reasonable compensation therefor, and the same shall be charged against income and/or principal in such manner as the Trustee shall deem just and equitable.

Trust at Art. IV, § D, ¶¶ 10-11 (emphasis added). Accordingly, under the terms of the Trust, the Trustee will not cease contact with his counsel or stop paying counsel from the Trust. If the Trust allows the Trustee to hire counsel to advise him, then it necessarily follows that he may also communicate with his counsel regarding matters pertinent to the representation. Indeed, given recent accusations and the concerning behavior discussed above, the Trustee is even more unlikely to cease contact with counsel at this time.

In response to your request for the total amount of legal expenses incurred by the Trust, the Trustee has incurred approximately \$48,044 in billed legal fees through the end of August 2022. To date, the unbilled fees for September and through the date of this letter are approximately \$16,000.

## **2. Demand to Limit the Trustee's Duties**

The Letter also requested that the Trustee “is to limit his duties to one thing, my monthly trust disbursement until further notice by me or unless at my direction for a specific need I have”; that he “direct any/all persons making investment decisions, transferring money, or doing anything regarding the money in any of my bank accounts or investment accounts until further notice by me”; and that he “stop talking to or corresponding with anyone about the status or management of my trust including David's employer, investment account managers, fund managers, attorneys, friends or family.”

The Trust provides that the Trustee has absolute discretion to “maintain, manage, invest, and reinvest any and all property belonging to the Trust Estate as in the judgment and discretion of the Trustee may seem most advantageous to the Trust Estate and the beneficiaries thereof.” Trust at Art. IV, § D, ¶¶ 1, 18. The Trustee cannot “limit his duties to one thing” as the Letter requests. The Trustee will also not “stop talking to or corresponding with anyone about the status or management of [the] Trust.” The power to manage the Trust necessarily includes the power to engage people, including lawyers, accountants, investment advisors, or agents, in the management of the Trust.

## **3. Demand for Bank Statements**

As a beneficiary, you are absolutely entitled to the Trust's bank statements. The Trustee has e-mailed and mailed the accountings that were prepared by Mr. David Llewellyn, CPA, to you on July 21, 2022.<sup>2</sup> Many of the statements state on their face that you have been copied on them. *See* LPL Financial Statements (stating that “[c]opies of this statement were sent to Sharon Harold”). Despite what it says in the Letter, you have represented to Mr. Paice and me multiple times over the telephone that you never questioned the accountings prepared by Mr. Llewellyn or any of the underlying financial information related to the Trust. In fact, you have

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<sup>2</sup> The accountings were inadvertently mailed to your old address. The oversight was caught, and the accountings were mailed to your current address.

told the Trustee and his counsel that you have always completely trusted Mr. Paice in his actions as Trustee and that you have never had any reason to believe that he has breached the Trust or his fiduciary duties to you. To the contrary, your concerns regarding the Trust, in fact, were over your children, Mr. Harold and Ms. Small, subverting the Trustee or you and trying to challenge the accountings prepared by Mr. Llewellyn, which is what appears to be happening now. During Mr. Paice's tenure as trustee, you have met periodically with Mr. Llewellyn and Mr. Paice to review the Trust's financial statements, investments, and accounting information. You and the Trustee even had an understanding that informal meetings to review the Trust's financial and investment information substituted for formal annual accountings.

The Trustee has already sent you and the residuary beneficiaries the bank statements via a secure link but he will make them available to you again in response to your request. Please note, however, that the expense of printing and mailing the statements will be borne by the Trust.

The Letter requested that the Trustee "shall immediately send me all bank records for any and all bank accounts besides the 5 accounts, he has transferred my trust money to or from." This request is unclear. Please specify which specific transactions (including the dates, relevant account numbers that funds were transferred to or from, and amounts transferred) you believe were transfers "to or from" the Trust so that the Trustee can investigate and provide the requested information.

#### **4. Acknowledgement of Rescission of Release and Discharge**

Although I acknowledged your request to rescind your Release and Discharge during our telephone conference together on October 5, 2022, the Letter and e-mails continue to demand that the Trustee "acknowledge" that you wish to "no longer accept [Mr.] Llewellyn's accounting." The Trustee acknowledges your request and position.

#### **C. The Trustee will seek Court approval of the accountings, a release and discharge, and the appointment of a corporate successor trustee.**

Given your recent statements that your release of the Trustee has been revoked by you, your apparent distrust of the Trustee, and your false accusations of improper actions taken by him, the Trustee no longer wishes to serve as trustee of the Trust. He intends to move forward expeditiously with obtaining the Court's approval of the accountings, a release and discharge, and the appointment of a corporate successor trustee for the Trust. Please be advised that the expenses incurred in these court proceedings will be borne by the Trust.

In closing, if you are represented by your own attorney, then please forward this letter to him or her. If you are not represented by your own attorney, then we respectfully recommend that

Ms. Sharon Harold  
October 13, 2022  
Page 6

you obtain your own attorney to advise you in this matter. Please direct all future correspondence to our office.

Please contact our office with any additional questions.

Very truly yours,

LANE POWELL PC



Gail E. Mautner

Aleksander Schilbach

CC: David Paice (via e-mail)

134455.0001/9148989.2





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October 3, 2022

**VIA U.S. MAIL & ELECTRONIC MAIL – [Edgar@EdgarSaenz.com](mailto:Edgar@EdgarSaenz.com)**

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Canyon Country, CA 91387

Nicole Loomis  
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Tonasket, WA 98855

Jenifer Sawyer  
1819 74th St E  
Tacoma, WA 98404

Amy Jane Small  
P.O. Box 352  
Graeagle, CA 96103

**RE:** Sharon M. Harold Irrevocable Trust: Release and Discharge of David Paice, as Trustee

Dear Mr. Edgar Saenz, Mr. John Harold, Ms. Angel Harold, Ms. Josette Harold Ramirez, Ms. Jenifer Sawyer, Ms. Nicole Loomis and Ms. Amy Jane Small:

We are writing on behalf of our client, Mr. David Paice ("Trustee"), as trustee of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 ("Trust"). To follow up on our letter of September 20, 2022, enclosed please find a Release and Discharge of Successor Trustee of The Sharon M. Harold Irrevocable Trust Dated November 12, 2004 ("Release").

Ms. Sharon M. Harold, the primary lifetime beneficiary of the Trust, has already released the Trustee for actions as disclosed in the accountings, and we have enclosed a copy of Ms. Harold's executed Release and Discharge for your information.

We respectfully request that each of you review and sign the enclosed Release to approve the actions taken by the Trustee as disclosed in the accountings, which have previously been provided to you. Please send the executed original of the Release to our office by October 28,



Edgar Saenz, Esq. et al  
October 3, 2022  
Page 2

2022. For your convenience, we have enclosed a self-addressed stamped envelope to return the signed Release.

The alternative to obtaining a Release from each of you by October 28 is for the Trustee to file a petition seeking court approval of the accountings. All costs associated with such a filing will be paid from the assets of the Trust. While the Trustee would strongly prefer not to incur these additional legal and administrative expense, we reserve the right to do so if we do not receive the fully executed Releases from all beneficiaries. We look forward to receiving your executed Releases no later than October 28, 2022.

Your immediate attention to this matter would be appreciated. Please let us know if you have any questions or concerns.

Very truly yours,

LANE POWELL PC



Paul Ohainle  
Aleksander Schilbach

PO/AS/scw  
Enclosures as stated

cc: Sharon Harold (via e-mail, w/o encl.)  
134455.0001/9135399.1

**RELEASE AND DISCHARGE OF SUCCESSOR TRUSTEE OF  
THE SHARON M. HAROLD IRREVOCABLE TRUST  
DATED NOVEMBER 12, 2004**

I am the grantor and current beneficiary of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 ("Trust").

David Paice ("David") is the current trustee of the Trust. David has served as trustee of the Trust from on or around March 1, 2010 to the present.

David provided me with full and complete accountings for the Trust for the period from January 2010 to December 2021 ("Accountings").

I have had the opportunity to review the Accountings and to seek additional information from David regarding the administration of the Trust.

I, on behalf of my marital community, heirs, and as virtual representative, as applicable, hereby (a) waive any and all objections related to the Accountings; (b) approve the administration, acts, and accounts of David as trustee of the Trust; and (c) release, discharge, and forever acquit David, both individually and as trustee of the Trust, and his successors, employees, employers, spouse, heirs, directors, agents, attorneys, affiliates, and assigns, from any and all claims, demands, actions, causes of actions, judgments, rights, fees, damages, debts, obligations, liabilities, and expenses of any kind whatsoever, whether known or unknown, arising from, or in any way related to the Trust, the Trust's assets, and David's actions as Trustee of the Trust as reflected in the Accountings.

I have been advised to have this Release reviewed and explained to me by counsel of my own choosing prior to my signing, and I have had a sufficient and reasonable amount of time to do so.

Sharon M. Harold (Sh Harold)

SHARON M. HAROLD, individually and as grantor-beneficiary of the Sharon M. Harold Irrevocable Trust dated November 12, 2004

24 September 2022

DATE:

**RELEASE AND DISCHARGE OF SUCCESSOR TRUSTEE OF  
THE SHARON M. HAROLD IRREVOCABLE TRUST  
DATED NOVEMBER 12, 2004**

I am a residual beneficiary under the Sharon M. Harold Irrevocable Trust dated November 12, 2004 ("Trust").

David Paice ("David") is the current trustee of the Trust. David has served as trustee of the Trust from on or around March 1, 2010 to the present.

David provided me with full and complete accountings for the Trust for the period from January 2010 to December 2021 ("Accountings").

I have had the opportunity to review the Accountings and to seek additional information from David regarding the administration of the Trust.

I, on behalf of my marital community, heirs, and as virtual representative, as applicable, hereby (a) waive any and all objections related to the Accountings; (b) approve the administration, acts, and accounts of David as trustee of the Trust; and (c) release, discharge, and forever acquit David, both individually and as trustee of the Trust, and his successors, employees, employers, spouse, heirs, directors, agents, attorneys, affiliates, and assigns, from any and all claims, demands, actions, causes of actions, judgments, rights, fees, damages, debts, obligations, liabilities, and expenses of any kind whatsoever, whether known or unknown, arising from, or in any way related to the Trust, the Trust's assets, and David's actions as Trustee of the Trust as reflected in the Accountings.

I have been advised to have this Release reviewed and explained to me by counsel of my own choosing prior to my signing, and I have had a sufficient and reasonable amount of time to do so.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date:



PAUL OHAINLE  
206.225.8383  
[OHAINLEP@LANEPOWELL.COM](mailto:OHAINLEP@LANEPOWELL.COM)  
ALEKSANDER SCHILBACH  
206.436.9909  
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September 15, 2022

**VIA U.S. MAIL & ELECTRONIC MAIL – [Edgar@EdgarSaenz.com](mailto:Edgar@EdgarSaenz.com)**

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Canyon Country, CA 91387

Nicole Loomis  
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Tonasket, WA 98855

Jenifer Sawyer  
1819 74th St E  
Tacoma, WA 98404

Amy Jane Small  
P.O. Box 352  
Graeagle, CA 96103

**RE:** *The Sharon M. Harold Irrevocable Trust dated November 12, 2004*  
Request for Information by Charles Harold, remainder beneficiary

Dear Mr. Edgar Saenz, Mr. John Harold, Ms. Angel Harold, Ms. Josette Harold Ramirez, Ms. Jenifer Sawyer, Ms. Nicole Loomis, and Ms. Amy Jane Small:

Edgar, thank you for taking the time to speak with me on September 8, 2022 regarding the Sharon M. Harold Irrevocable Trust ("Trust"). We are writing to follow up on our conversation regarding the Trust's accountings for 2010-2021 ("Accountings"), which have already been provided to Sharon Harold, the current beneficiary, and your client and the other remainder beneficiaries of the Trust. Please note that we are not sending this letter to your client directly or giving him access to the secure link below but we will do so at your direction.

We are providing a secure link by e-mail for you (on behalf of your client) to access the LPL statements from April 2011 to December 2021 and the bank account statements from March 2010 to December 2021. If any other remainder beneficiary would like access to these statements, please e-mail Silvia Webb ([webbs@lanepowell.com](mailto:webbs@lanepowell.com)) and me ([ohainlep@lanepowell.com](mailto:ohainlep@lanepowell.com)) and we will provide you with access to these documents.

As a follow-up to our call, the Accountings were prepared by a Certified Public Accountant ("CPA"), Mr. David Llewellyn of McCord and Llewellyn Accountancy Corporation. Mr. Llewellyn prepared the Accountings based on his review of the underlying financial statements. You asked about the "no assurance" disclaimer included by the accountant with the accountings. As we discussed, the disclaimer language is standard. After our call, however, I found some helpful information from the CEB, specifically Margaret Hand's materials for the 38th Annual UCLA-CEB Estate Planning Institute, where she discusses this issue at length based on the Statements on Standards for Accounting and Review Services ("SSARS"). The footnote includes an excerpt from the materials.<sup>1</sup>

As also discussed during our call, Mr. Paice wants to move forward with this matter. We have prepared releases regarding the Accountings for the remainder beneficiaries to sign. If your client (or any other remainder beneficiaries of the Trust ) is disinclined to execute a release, then please let us know at your earliest convenience so that we can determine whether it will be necessary to petition the court to approve the Accountings.

As for future accountings, please note that the case that you cited in your letter, *Esslinger v. Cummins* made clear that California law does not provide a remainder beneficiary of a trust, such as your client, with a statutory right to an account: "A remainder beneficiary does not have a right to an accounting under Probate Code section 16062." 144 Cal. App.4th 517, 526 (2006). Here, Mr. Paice has already provided accountings to **all** remainder beneficiaries of the Trust and has responded to your request for underlying financial information.

Given the current climate, however, Mr. Paice is strongly considering naming a successor neutral trustee and resigning as trustee as soon as we can move forward with a review and approval of his actions.

---

<sup>1</sup> From Ms. Hand's materials:

The CPA engaged to prepare a fiduciary accounting under SSARS No. 21, §70, Preparation of Financial Statements, must state that no assurance is provided and should not weaken that statement with comments that readers would find reassuring. The CPA could not offer such reassurances without sacrificing the independence and objectivity that is the hallmark of their professionalism.

Edgar Saenz, Esq. et al  
September 15, 2022  
Page 3

Thank you again, for your time on September 8. We look forward to your continued cooperation.

Very truly yours,

LANE POWELL PC

A handwritten signature in black ink, appearing to read "P. Ohainle", written over the printed name.

Paul Ohainle  
Aleksander Schilbach

Enclosures: Harold Trust LPL Financial Statements from April 2011 to December 2021  
Harold Trust BECU Bank Statements from March 2010 to December 2021

CC: Sharon Harold (via email and regular mail)

134455.0001/9125932.3





PAUL OHAINLE  
206.225.8383  
[OHAINLE@LANEPOWELL.COM](mailto:OHAINLE@LANEPOWELL.COM)  
ALEKSANDER SCHILBACH  
206.436.9909  
[SCHILBACH@LANEPOWELL.COM](mailto:SCHILBACH@LANEPOWELL.COM)

September 8, 2022

**VIA U.S. MAIL & ELECTRONIC MAIL – [smharold7@gmail.com](mailto:smharold7@gmail.com)**

Ms. Sharon Harold  
100 River Bend Road, #103  
Reedsport, OR 97467

**RE:** *The Sharon M. Harold Irrevocable Trust dated November 12, 2004*  
Release and Discharge of David Paice, as Trustee

Dear Ms. Harold,

We are writing on behalf of our client, Mr. David Paice (“David”), as trustee of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 (“Trust”). We recently sent you a copy of the Trust’s accountings for 2010 through 2021 and asked you to contact our office with any questions related to the Trust or the Trust’s accountings. We understand that you have reviewed and approved the accountings. Accordingly, we ask that you review and sign the enclosed Release and Discharge of Trustee (“Release”) to approve the actions taken by David as disclosed in the accountings and release him for the actions as disclosed in the accountings. We recommend that you seek counsel to review the Release for you before you sign it. Once you have signed it, please send the executed original Release to our office in the enclosed self-addressed stamped envelope at your earliest convenience.

Once we have received the Release we will ask the Trust’s residual beneficiaries (your children and grandchild) to execute a release. If we do not obtain executed releases from **all** of the residual beneficiaries, then David will need to file a petition to approve the Trust’s accountings with the court. David would strongly prefer not to incur these additional legal and administrative expenses, but he reserves the right to do so if we do not receive an executed release from each beneficiary.

As you know, David, as trustee, retained our office to assist him after you daughter, Amy, demanded an accounting and threatened to contact David’s employer. Now, after receiving the accounting, your son Chuck Harold has retained an attorney, and Chuck’s attorney has demanded to see the underlying financial documentation that the accountant prepared the accountings from. Given’s Chuck’s request and the family dynamics toward David’s trusteeship generally, we must now incur additional time and expense to respond to Chuck’s

Ms. Sharon Harold  
September 8, 2022  
Page 2

attorney regarding his request for additional documentation. Please understand that the fees and costs David incurs in responding to Chuck's attorney and other requests from other residual beneficiaries, as well as all costs associated with obtaining court approval of the accountings, will be paid out of the Trust.

As we wrote before, if you are represented by an attorney, then please forward this letter to your attorney and ask your attorney to contact us so that we may direct any future communications to him or her.

Please contact us with any questions regarding the Trust accountings or this letter.

Very truly yours,

LANE POWELL PC



Paul Ohainle

Aleksander Schilbach

Enclosures: Release and Discharge of Successor Trustee  
Letter from Edgar

134455.0001/9119229.2

**RELEASE AND DISCHARGE OF SUCCESSOR TRUSTEE OF  
THE SHARON M. HAROLD IRREVOCABLE TRUST  
DATED NOVEMBER 12, 2004**

I am the grantor and current beneficiary of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 ("Trust").

David Paice ("David") is the current trustee of the Trust. David has served as trustee of the Trust from on or around March 1, 2010 to the present.

David provided me with full and complete accountings for the Trust for the period from January 2010 to December 2021 ("Accountings").

I have had the opportunity to review the Accountings and to seek additional information from David regarding the administration of the Trust.

I, on behalf of my marital community, heirs, and as virtual representative, as applicable, hereby (a) waive any and all objections related to the Accountings; (b) approve the administration, acts, and accounts of David as trustee of the Trust; and (c) release, discharge, and forever acquit David, both individually and as trustee of the Trust, and his successors, employees, employers, spouse, heirs, directors, agents, attorneys, affiliates, and assigns, from any and all claims, demands, actions, causes of actions, judgments, rights, fees, damages, debts, obligations, liabilities, and expenses of any kind whatsoever, whether known or unknown, arising from, or in any way related to the Trust, the Trust's assets, and David's actions as Trustee of the Trust as reflected in the Accountings.

I have been advised to have this Release reviewed and explained to me by counsel of my own choosing prior to my signing, and I have had a sufficient and reasonable amount of time to do so.

\_\_\_\_\_  
SHARON M. HAROLD, individually and as grantor-  
beneficiary of the Sharon M. Harold Irrevocable Trust  
dated November 12, 2004

\_\_\_\_\_  
DATE:



PAUL OHAINLE  
206.225.8383  
[OHAINLEP@LANEPOWELL.COM](mailto:OHAINLEP@LANEPOWELL.COM)  
ALEKSANDER SCHILBACH  
206.436.9909  
[SCHILBACHA@LANEPOWELL.COM](mailto:SCHILBACHA@LANEPOWELL.COM)

July 21, 2022

VIA U.S. MAIL & ELECTRONIC MAIL – [AJ.HAROLD9@GMAIL.COM](mailto:AJ.HAROLD9@GMAIL.COM)

Ms. Amy Jane Small  
P.O. Box 352  
Graeagle, CA 96103

Dear Ms. Small:

On behalf of Mr. David Paice (“Trustee”), as trustee of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 (“Trust”), we are writing in response to your e-mail of July 20, 2022 regarding the status of the Trust’s accountings and your earlier letter (“Letter”).<sup>1</sup> If you are represented by an attorney, then please forward this letter to your attorney and ask your attorney to contact us so that we may direct any future communications to your attorney.

Your Status as Ms. Sharon Harold’s Attorney-in-Fact

Your Letter references the fact that you are or have been acting in your capacity as Ms. Sharon Harold’s Attorney-in-Fact and that you requested certain information related to the Trust based on your status as Ms. Harold’s Attorney-in-Fact. We understand, however, that you are no longer Ms. Harold’s Attorney-in-Fact. *See* Exhibit A. Accordingly, we understand that your requests for information are now based on your status as a residual beneficiary of the Trust.

Status of Accountings

We have received the Trust accountings from Mr. David Llewellyn of the Llewellyn Accountancy Corporation and provided the accountings to Ms. Harold for her review. Please note that you are not authorized to receive a copy of the Trust accountings pursuant to the Trust agreement or as a residual beneficiary under California law. Nevertheless, we have requested Ms. Harold’s permission to share the accountings with you in response to your request for an accounting. Upon receiving Ms. Harold’s permission to share the accountings with you, we will provide the accountings to you and the other residual beneficiaries. If the accountings are not provided, we will provide you with the information you are entitled to under the California

---

<sup>1</sup> This Letter was not e-mailed to my correct e-mail address. My correct e-mail address is [schilbacha@lanepowell.com](mailto:schilbacha@lanepowell.com).



Ms. Amy Jane Small  
July 21, 2022  
Page 2

Probate Code. In the event you do not have a copy of the Trust, we have included a copy as Exhibit B.

Unsubstantiated Allegations of Improper Conduct

Lastly, your Letter includes numerous unsubstantiated allegations and insinuations related to Mr. Paice's actions as Trustee. Please understand that the Trust allows the Trustee to employ counsel on behalf of the Trust to respond to such allegations. Although responding to your allegations is not the best use of the Trust's resources, we will be forced to continue to respond if you continue to make these allegations. We look forward to your continued cooperation as Ms. Harold reviews the Trust's accountings.

Very truly yours,

LANE POWELL PC



Paul Ohainle  
Aleksander Schilbach

Enclosures: Exhibit A: Letter dated June 22, 2022 from Mr. Roger Gould, Esq. to Ms. Small;  
Exhibit B: Sharon M. Harold Irrevocable Trust dated November 12, 2004

cc: Sharon Harold, Trustor of the Sharon M. Harold Irrevocable Trust dated  
November 12, 2004

PO/AS/scw

134455.0001/9051283.2

# Exhibit A





PAUL OHAINLE  
206.225.8383  
[OHAINLE@LANEPOWELL.COM](mailto:OHAINLE@LANEPOWELL.COM)  
ALEKSANDER SCHILBACH  
206.436.9909  
[SCHILBACH@LANEPOWELL.COM](mailto:SCHILBACH@LANEPOWELL.COM)

June 10, 2022

VIA ELECTRONIC MAIL – [AJ.HAROLD9@GMAIL.COM](mailto:AJ.HAROLD9@GMAIL.COM)

Ms. Amy Jane Small  
P.O. Box 352  
Graegle, CA 96103

Dear Amy,

We are reaching out in response to your recent e-mails to our client, David Allen Paice, successor trustee ("Trustee") of the Sharon M. Harold Irrevocable Trust dated November 12, 2004 ("Trust"). As you are aware, the Trustee was previously represented by Ms. Kvale. Our office now represents the Trustee.

We understand that you have requested that all communications related to the Trust come through the Trustee's attorneys. Accordingly, please direct all communications regarding the Trust to us going forward. If you are represented by counsel, then please forward this letter to your attorney for a response.

First, please immediately stop threatening to contact the Trustee's employer. That is unnecessary, harassing, and unproductive. Please be aware that if you proceed with contacting the Trustee's employer, the Trustee will seek recourse and may hold you personally responsible for any adverse consequences that may result.

Second, we are working with our client and the accountant to finalize the Trust's accountings. The accountings will be provided to those individuals who are authorized to receive them under California law, and the Trustee may decide to send them to all beneficiaries. Please be aware that we may also seek court approval of the accountings, trustee's fees, and attorneys' fees, all of which will be expenses borne by the Trust.

Third, we are working with our client to gather and provide any additional information that has been requested by the residual beneficiaries of the Trust. This information will be provided in due course.

Finally, we have enclosed a copy of the Trust instrument for your information.

STREET ADDRESS: 1420 FIFTH AVENUE, SUITE 4200 | SEATTLE WA 98101-2375 P 206.223.7000 F 206.223.7107 [LANEPOWELL.COM](http://LANEPOWELL.COM)  
MAILING ADDRESS: P.O. BOX 91302 | SEATTLE WA 98111-9402  
A PROFESSIONAL CORPORATION

Ms. Amy Jane Small  
June 10, 2022  
Page 2

Thank you for anticipated cooperation. We look forward to working with you, Ms. Sharon Harold, and the other residual beneficiaries of the Trust in a cooperative and productive manner.

Very truly yours,

LANE POWELL PC



Paul Ohainle  
Aleksander Schilbach

cc: Sharon Harold, Trustor of the Sharon M. Harold Irrevocable Trust dated November 12, 2004

PO/AS/scw  
Enclosure

134455.0001/8999335.1

# Exhibit 14

## **CHRONOLOGY OF THE ABOVE EVENTS**

In support of the opening statements in this petition, I prepared a summary of how and why we are now before the Court asking for protection and relief. I have not had time to attach all the exhibits supporting my chronology but they will be available if requested by the Court or law enforcement.

- 1) In March of 2010, Respondent accepted a questionable appointment of Trustee to the Sharon M. Harold Irrevocable Trust dated November 4, 2004. (Further details will be discussed later in this brief). (EXHIBIT )
- 2) In 2018, the Protected Party, anticipating health related aging issues, appointed her daughter Amy Jane (Harold) Small (Amy) administrator of her will and gave her durable power of attorney with disability planning. (EXHIBIT )
- 3) Between 2018 and 2022 the members of Protected Party's family witnessed a decline in her health and well being. Protected Party was self aware of this and asked Respondent to move her to a family member home or an assisted living facility in Arizona. (EXHIBIT )
- 4) Amy and other family members had discussions with Respondent about this wherein he always replied that Protected Party did not have enough money for that. In fact, the Protected Party had approximately \$700,000 in her Trust fund. (EXHIBIT )
- 5) In April 2022, Amy asked Respondent for an accounting of the trust (AOT) to so she could verify and understand Respondent's false statement that there was not enough money to move Protected Party to Arizona, and to continue with disability planning for Protected Party. Respondent's first attorney said there were adequate funds, yet Respondent did not work with the family to place Protected Party in assisted living. (EXHIBIT )
- 6) After further asking for an AOT, it was discovered that Respondent had not provided an annual accounting of the Trust in the entire 12 years he was Trustee, as he was required to do under CA Probate Code 16062. (a) (EXHIBIT )
- 7) Instead of simply providing an AOT required by law, Respondent used between \$65,000 and \$102,000 in Trust money to hire an attorney to defend his

personal breach of fiduciary duties, some of which rose to the level of probable cause for criminal activity. (EXHIBIT )

8) After several months, Respondent compiled a 12 year AOT and with Protected Party's consent, released it to Amy and the other Trust beneficiaries. The AOT did not comply with CA Probate Code 16063. (a) as to content or CA Probate Code § 1060 (2018) as to structure and form. The AOT contained no back-up documentation supporting the calculations as required by code. (EXHIBIT )

9) The AOT was prepared by David Llewellyn, a CPA and former Trustee of Protected Party's Trust. For each year of the AOT Llewellyn included this language on the cover page which supported violations of CA Probate Code 16063. (a) and CA Probate Code § 1060 (2018); "The accompanying financial statements . . . were not subjected to an audit, review, or compilation engagement by us and we do not express an opinion, conclusion, nor provide any assurance on them. The Trustee has elected to omit substantially all of the disclosures required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the trust's financial statements, Accordingly, the financial statements are not designed for those who are not informed about such matters." (EXHIBIT )

10) 9/24/2022, Protected Party signed a "Release and Discharge of Successor Trustee" waiver from Respondent's attorney which provided Respondent, his wife, and his minor daughter immunity for the AOT (EXHIBIT )

11) On October 3, 2022, the beneficiaries of the Trust received a "Release and Discharge of Successor Trustee" waiver form Respondent's attorney which would provide Respondent, his wife, and his minor daughter immunity. In order to receive back-up documentation for the AOT, Respondent required Beneficiaries to sign this waiver first. (EXHIBIT )

12) At the same time, Respondent's attorney threatened Protected Party and beneficiaries with spending more Trust money on legal fees if they did not sign the waiver. (EXHIBIT )

13) Beneficiaries refused to sign the waiver before they could analyze the accounting and back-up documentation.

14) Beneficiaries did their own review of the accounting and found Respondent committed numerous breaches of fiduciary duties including; Duty to Keep Trust Assets Separate; Duty Not to Delegate; Duty of Disclosure; Duty of Impartiality; Duty to Avoid Conflicts of Interest and the Duty of Loyalty. (EXHIBIT )XX see Objection

15) On October 5, 2022, Protected Party reviewed the AOT more closely and after finding major discrepancies revoked her waiver of the AOT as was allowed under CA Prob. Code § 16064 and CA Prob. Code § 16068. xx

16) After Protected Party and Beneficiaries pointed out these breaches, Respondent's attorney admitted to many of them but tried to justify them as inadvertent or unintentional acts. (EXHIBIT )

17) Since Beneficiaries refused to sign the waiver for the AOT, Respondent then filed a frivolous TEDRA motion, one he could not be reasonably expected to win, using Protected Party's Trust funds to pay for legal representation. CA Prob. Code §

18) Respondent consistently refused requests by Protected Party to release funds to her so she could hire an attorney to defend herself in the TEDRA hearing. (EXHIBIT )

19) Protected Party paid \$18,000 on her credit cards to hire an attorney initially, then ran out of money. Her children then pitched in to help her file an Objection to Respondent TEDRA petition, Pro Sec, spending close to \$10,000 of their own money in the process.

20) Respondent's request for relief in the TEDRA motion was not granted and the judge referred the matter to trial. (EXHIBIT )

21) Protected Party has no attorney, no money to pay for one, and Respondent's attorney will be filing a motion to push the trial date to November 2023.

22) We anticipate Respondent will spend another \$200,000 of Trust money to defend his numerous, defenseless and possibly criminal breaches of fiduciary duty.



23) This will result in irreputable financial harm to Protected Party and leave her with no money for her end of life planning. If Protected Party's Trust accounts are not frozen, Respondent will leave her with insufficient funds to pay for her long-term healthcare, which is the entire stated purpose of the Trust.

# Exhibit 15

## Detailed Report - Call #2205395

## Call Detail

Call Date 09/04/2022 14:51:22	Address [REDACTED]	Apartment 103	Zip 97467	Mile Post
City REEDSPORT	SubGrid - Grid (District) REEDSPORT	Disposition CLEARED NO REPORT	Call Type WELFARE CHECK	Priority
How Reported PHONE	Call Taker CTHOMPSON	Location RIVERBEND MOBILE RESORT	Status	

## Common Place Information

Common Place RIVERBEND MOBILE RESORT	Coordinates (Lat, Long) nullnull	Notes
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## Additional Information

## Involved Information (BAUGH, SHARON LEE)

Name BAUGH, SHARON LEE	Type RPTG PARTY	DOB [REDACTED]	Phone [REDACTED]	OLN
Address [REDACTED]	Apt [REDACTED]	City REEDSPORT	State OR	

## Involved Information (HAROLD, SHARON)

Name HAROLD, SHARON	Type OTHER INV	DOB 6/14/37	Phone (541) 662-1937	OLN
Address 100 RIVER BEND RD	Apt 103	City REEDSPORT	State OR	

## Vehicle Information

License Plate AVC3333	State WA	VIN 3GYFNJE40AS624009	Make CADI	Model SRX
Style UTILITY VEHICLE	Year 2010	Color BLK	Owner	

## Units Dispatched to Call

Unit	Activity	Started	Ended	Time	Location
★709		09/04/2022 15:26:34	09/04/2022 17:29:51	29.2	
	DISPATCHED	09/04/2022 15:26:34	09/04/2022 15:26:35	0.02	
	ENROUTE	09/04/2022 15:26:35	09/04/2022 15:26:35	0.00	
	ARRIVED	09/04/2022 15:26:35	09/04/2022 15:26:36	0.02	
	CLEARED	09/04/2022 15:26:36	09/04/2022 15:26:36	0.00	
	DISPATCHED	09/04/2022 17:08:54	09/04/2022 17:08:55	0.02	
	ENROUTE	09/04/2022 17:08:55	09/04/2022 17:19:12	10.28	
	ARRIVED	09/04/2022 17:19:12	09/04/2022 17:29:51	10.65	
	CLEARED	09/04/2022 17:29:51	09/04/2022 17:29:51	0.00	
716		09/04/2022 17:21:40	09/04/2022 17:29:53	29.2	
	DISPATCHED	09/04/2022 17:21:40	09/04/2022 17:21:41	0.02	
	ENROUTE	09/04/2022 17:21:41	09/04/2022 17:22:48	1.12	
	ARRIVED	09/04/2022 17:22:48	09/04/2022 17:29:53	7.08	
	CLEARED	09/04/2022 17:29:53	09/04/2022 17:29:53	0.00	

## Call Notes

09/04/2022 14:54:16 (CTHOMPSON) Modified by CTHOMPSON

Neighbor in 103 a female possibly a relative came over this morning and they were fighting all morning saying things like "I hate you" and "I want you dead" and then left a while ago in a vehicle gray small pc unk LP. PR does not know her neighbors name but is concerned about her welfare she is still not home.

09/04/2022 15:27:17 (CTHOMPSON)  
709/ saw a gray car with WA plates there this morning

09/04/2022 15:27:29 (CTHOMPSON)  
709 will drive by shortly

09/04/2022 17:09:00 (HBREWSTER)  
709/ enr to space 103

09/04/2022 17:19:51 (HBREWSTER)  
709/ out at spc. 103. the subjects car is gone. veh at location is: WA AVC3333

09/04/2022 17:21:14 (HBREWSTER)  
709/ neg contact. now at [REDACTED]

09/04/2022 17:29:27 (HBREWSTER)  
709/ both units clear. code 4

09/04/2022 17:33:59 (HBREWSTER)  
709/ just contacted the subject of the welfare check. she is code 4

09/04/2022 17:36:25 (HBREWSTER) Modified by HBREWSTER  
709/ called and advised the PR.



Printed 2023-1-4 13:59:42

# Exhibit 16

6/7/2022 15:14	Sharon & David Paice RESPONDENT's attorney Jeanne Kvale sent Amy a letter stating they no longer represent Sharon of David Paice RESPONDENT.					
6/9/2022 12:31	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	WIFI	2
6/9/2022 12:46	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	WIFI	1
6/9/2022 13:56	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	WIFI	4
6/10/2022 15:40	SHARON HAROLD TO/FROM	ESQ Lane Powell Office	206.223.6117	Incoming, CL	WIFI	1
6/10/2022 16:03	Silvia Webb of Lane Powell law firm sends Sharon an email with a letter attached. The letter is addressed to Amy Jane (Harold) Small, Sharon's POA. The letter tells Amy that David is now represented by Lane Powell and closes with; "Thank you for anticipated cooperation. We look forward to working with you, Ms. Sharon Harold, and the other residual beneficiaries of the Trust in a cooperative and productive manner." Sharon Harold was NOT represented by Lane Powell or any other attorney at the time.					
6/10/2022 16:03	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	WIFI	9
6/13/2022 16:13	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Multimedia messaging	
6/13/2022 17:56	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Incoming, CL	WIFI	15
6/13/2022 19:18	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	WIFI	28
6/13/2022 20:06	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Incoming, CL	WIFI	1



6/13/2022 20:07	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	WIFI	3
6/13/2022 20:35	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/14/2022 11:43	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	WIFI	1
6/14/2022 11:48	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Incoming, CL	WIFI	4
6/14/2022 12:49	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	WIFI	6
6/14/2022	2:00 PM	Sharon Harold's calendar shows an appointment to see Esq. Roger Gould				
6/14/2022 14:00	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	SDDV	3
6/14/2022 14:02	Sharon arrives at Gould Law Firm - Verified by Sharon's Google Map History					
6/14/2022 14:30	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	SDDV	3
6/14/2022 14:43	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	SDDV	15
6/14/2022 14:44	Sharon leaves Gould Law Firm - Verified by Sharon's Google Map History. She calls David Paice RESPONDENT - Trustee & Sharon's grandson-in-law as she is leaving and speaks for 15 minutes					
6/14/2022 17:31	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	WIFI	6

6/15/2022 15:59	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Incoming, CL	WIFI	11
6/16/2022 13:54	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Incoming, CL	SDDV	5
6/16/2022 16:30	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Incoming, CL	WIFI	2
6/20/2022 17:10	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	WIFI	1
6/20/2022 19:17	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566		Text / instant messaging	
6/21/2022 9:30	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	WIFI	5
6/21/2022 9:43	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Call Wait	WIFI	5
6/22/2022 9:02	Silvia Webb of Lane Powell sends Sharon an email with a letter attached from David's attorney Aleksander Schilbach. The letter is addressed to Amy Jane (Harold) Small, Sharon's daughter. The letter states: We are writing to update you on the accountings for the Sharon M. Harold Irrevocable Trust dated November 12, 2004 ("Trust"). We have now obtained drafts of the trust accountings from the accountant and are in the process of reviewing the accountings and providing the accountant with our comments for finalizing them. We anticipate that the accountings will be completed either later this week or next week. Once we have the accountings completed, we will send the accountings to you and to those individuals authorized to receive them under California law." at the time this was sent, Lane Powell and David already knew Amy had been removed from POA that day					
6/22/2022 0:00	Attorney Roger Gould signs letter revoking Amy's power of attorney					



6/23/2022 9:50	Attorney Roger Gould mails Amy Jane (Harold) Small the revocation of power of attorney letter. She does not receive it until July 7th.					
6/23/2022 20:31	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	WIFI	4
6/24/2022 9:28	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Multimedia messaging	
6/24/2022 10:45	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Multimedia messaging	
6/24/2022 13:11	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Multimedia messaging	
6/24/2022 13:12	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/24/2022 13:22	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	WIFI	1
6/24/2022 13:28	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/24/2022 17:11	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/24/2022 17:11	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/24/2022 17:12	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/25/2022 11:53	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Seattle, WA	WIFI	14

6/25/2022 12:10	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Incoming, CL	WIFI	3
6/26/2022 12:36	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/27/2022 6:10	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Multimedia messaging	
6/27/2022 6:10	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Multimedia messaging	
6/27/2022 6:10	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/27/2022 8:38	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/27/2022 8:39	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/27/2022 9:32	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/27/2022 10:11	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Multimedia messaging	
6/27/2022 13:11	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	WIFI	2
6/27/2022 15:04	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150		Text / instant messaging	
6/28/2022 9:26	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	SDDV	2

6/28/2022 14:54	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	WIFI	2
6/29/2022 9:15	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	WIFI	2
6/29/2022 9:16	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	WIFI	2
6/29/2022 10:38	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Incoming, CL	WIFI	3
6/29/2022 11:38	SHARON HAROLD TO/FROM	ESQ Roger Gould	541.269.5566	Coos Bay, OR	SDDV	1
7/7/2022 10:16	SHARON HAROLD TO/FROM	David Paice RESPONDENT	206.331.2150	Call Wait	WIFI	5
7/7/2022 12:22	Amy pickes up her letter revoking her power of attorney. This could have been emailed to her but it was not.					
7/7/2022 14:16	In a phone conversation with Roger Gould on 2-24-23, Roger Gould told Charlie Harold that he only met with Sharon Harold once, on July 7th in the afternoon.					
7/7/2022 0:00	Sharon M. Harold's handwritten not on her calendar for this ady states, "Jeni, Joie only access to medical, changed to Charlie Amy later date."					
7/12/2022 16:33	SHARON HAROLD TO/FROM	David Paice RESPONDENT	David Paice RESPONDE	Incoming, CL	WIFI	8
7/12/2022 17:14	SHARON HAROLD TO/FROM	David Paice RESPONDENT	David Paice RESPONDE	Seattle, WA	WIFI	4
7/12/2022 18:29	SHARON HAROLD TO/FROM	David Paice RESPONDENT	David Paice RESPONDE	Seattle, WA	SDDV	2

# Exhibit 17





## REQUEST TO OPEN REVOCABLE OR IRREVOCABLE TRUST ACCOUNTS

A trust is an agreement between parties in which the trustee manages property on behalf of the trust for the benefit of the named beneficiaries. Generally, there are two types of trusts: revocable (also called revocable living) and irrevocable. A revocable trust is usually created to manage assets during the trustor/trustee's lifetime. An irrevocable trust provides for the ongoing management of assets for the trust for the benefit of a named beneficiary.

### HELP US TO QUICKLY PROCESS YOUR REQUEST TO OPEN OR CONVERT EXISTING ACCOUNTS TO TRUST ACCOUNTS BY PROVIDING A FEW THINGS TO GET STARTED:

- ☐ Print and complete the Trust Application located on [becu.org](https://becu.org).
- ☐ Gather the required documents and information (see below).

### DOCUMENTS REQUIRED:

- ☐ Trust Account Application
- ☐ BECU Certification of Trust

### IMPORTANT INFORMATION ABOUT OPENING A TRUST ACCOUNT:

- The Social Security number (SSN) is required for the acting trustee(s) and the Taxpayer Identification number (TIN) is required for the Trust.
- BECU is generally able to convert personal accounts to Revocable Trust accounts with the exception of Member Share Savings and Member Advantage Savings.
- Personal Member Share Savings accounts cannot be closed if there are existing loans. Other conditions may apply.
- Account types that are available for trusts: Member Share Savings, Savings, Checking, Money Market, and Certificate of Deposit (CD).
- If a revocable trust is being established for a Home Equity Line of Credit (HELOC), please call BECU at **800-233-2328** or visit a BECU location near you for more information.
- Trust accounts are not eligible for Member Advantage.