

OŠÖÖ
 GEGHAT OÜ/ÄI ÄJKEÄET
 SÖÖ/ÖUWÞVY
 ÛWÚÖÜQÜÄÖUWÜVÄÖŠÖÜS
 ÖÖŠÖÖ
 ÖÖÜÖÄKÖGEGHÜI EÄ ÄSPV
**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

Exhibit No.	Offered By	Title/Description of Exhibit
18	Petitioner	BECU Check and corresponding Accounting of Trustee showing discrepancy
19	Petitioner	Email string between Petitioner and CPA David Llewellyn
20	Petitioner	Signature card for USAA account of Sharon M. Harold signed by David A. Paice, dated 2/2/11
21	Petitioner	Missing Checks Chart
22	Petitioner	Duplicate Checks Chart
23	Petitioner	Chart of Investment Statements showing where mailed from 2010-2022
24	Petitioner	Pertinent California Probate Code Statutes

Exhibit 18

THIS DOCUMENT IS AN OFFICIAL RECORD OF THE STATE OF CALIFORNIA. IT IS A PUBLIC RECORD AND MUST BE KEPT FOR THE USE OF THE STATE OF CALIFORNIA.

more than just money **BEET** Purchaser: David Pace

OFFICIAL CHECK 16-4220 **42059872**
1220

Cashbox: 11029-2063917
Date: 03-29-2010

P.O. Box 57000, Seattle WA 98124-5700
206-426-8700 Toll Free 800-235-2225

Sharon Harold Trust

Two Thousand and 00/100 *****
DOLLARS \$2,000.00

PAY TO Sharon Harold
THE
ORDER OF

Driver Moving Employees Local Union
Kathleen Elden
Sybil

April 2010 Expenses
Issued By: MOUNT VERNON PAYMENT SYSTEMS INC. P.O. BOX 9478 MOUNTAIN VIEW, WA 98001
Branch: PRITTSFORD BANK LOS ANGELES, CA

⑈42059872⑈ ⑆122042205⑆0160010356058⑈

ENDORSE CHECK HERE

Sharon Harold

For deposit only to USAA FSB

Acct # 16278022

DO NOT SIGN/POSTSTAMP/ENTER TPMS LINE
FOR FINANCIAL INSTITUTION USAGE ONLY

1.000000 RESERVE FUND OF GOVERNORS REG 02

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

SCHEDULE J - DISTRIBUTIONS TO BENEFICIARY

<u>Date of</u> <u>Payment</u>	<u>Check No.</u>	<u>Name</u>	<u>Amount</u>
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			<u><u>\$30,214.00</u></u>

Note 1 Documentation for cashiers check for \$8,000 on 3/29/2010
is pending.

Exhibit 19

1/10/23, 7:34 AM

Gmail - Re: Checks 2) thru 6)

In light of this newly discovered information below, does this in anyway alter your opinion on what is going on with David's accounting of Mom's trust?

I just found this check issued to me by David Paice on July 22, 2021. He reimbursed me for ammunition we used to go shooting during his visit to our home in Arizona.

I checked the image of the original Wells Fargo check I sent you, where David paid Mom her monthly disbursement from her trust. The account numbers are the same as this check to me.

I called the number on the check. It was an auto answer that said, "Thank you for calling web bill pay support." I was able to enter the check number, amount, date etc. into the auto menu and the system transferred me to an operator. I then hung up.

David told me and Silvia (my wife) during his visit with us in 2021, that mom is very difficult to deal with so he takes money from the trust once a year and deposits it to his account then pays mom monthly because it is "easier" that way.


It seems that your cover page statements for each accounting year are even more appropriate now because I am really not "informed about such matters."

"The Trustee has elected to omit substantially all of the disclosures required by accounting principles generally accepted in the United States of America. If 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."

"We are not independent with respect to the Sharon M. Harold Irrevocable Trust."

Cordially,

Charlie

 image.png

On Thu, Dec 22, 2022 at 11:16 AM Chuck Harold <chuckharold@gmail.com> wrote:
Thank you David!

Do you happen to have any paperwork wherein you resigned as Trustee and passed it along to David Paice? I think it went from Mr. McCord, to his wife to you?

I am trying to establish a timeline and seem to be missing some info.

Thanks again for your help.

Charlie

On Thu, Dec 22, 2022 at 11:07 AM David Llewellyn <llewellyncpa@yahoo.com> wrote:
Chuck,

I have reviewed the documentation you sent to me. It appears there may have been some comingling and transfers from David Paice's personal account.

Doesn't appear any funds are unaccounted for, except, the \$8,000 cashiers check which needs additional support to verify the funds actually made it to Sharon's account.

Thank you,

Llewellyn Accountancy Corporation
1150 Foothill Blvd., Suite G
La Canada, CA 91011
Tel. 818-952-1040

Exhibit 20

USAA FEDERAL SAVINGS BANK SIGNATURE CARD AMENDMENT

- | | | |
|--|--|--|
| <input type="checkbox"/> Name Change | <input type="checkbox"/> Add/Change Beneficiary (P.O.D.) | <input type="checkbox"/> Change to Trust/Custodial/TUTMA Account |
| <input type="checkbox"/> Add Account Holder(s) | <input type="checkbox"/> Change S.S. No./Tax ID Number | <input type="checkbox"/> Remove Beneficiary/Agent/POA |
| <input checked="" type="checkbox"/> Add Agent or POA | <input type="checkbox"/> Voluntary Removal of Account Holder | |

SECTION A ACCOUNT INFORMATION

Account Styling: SHARON M HAROLD
DAVID PAICE

Account #: 0026278922, 0026278014USAA #: 015806888SSN/Tax ID #: 566-48-8062DOB: 6/14/1937Agent/POA Name: DAVID PAICE - POA

SECTION B ALL ACCOUNT HOLDER AUTHORIZED SIGNATURES

The undersigned acknowledges receipt of a copy of the USAA Federal Savings Bank Depository Agreement, and agree to all the terms contained therein. The laws of the State of Texas shall govern all matters pertaining to this Account. Account information may be shared with other USAA affiliates. If this is a joint Account, each Accountholder agrees that they own this Account as joint tenants with rights of survivorship.

FAX AUTHORIZATIONS

If this document is being faxed, the sender sends this document to the recipient by transmission from one fax machine to another. The sender adopts as the sender's original signature appearing as reproduced by the fax machine receiving this transmission. Each of: (1) the paper fed into the sending fax machine and (2) the print out from the receiving machine (including any complete photocopy thereof) is a counterpart original document which is in the possession of the sender.

SUBSTITUTE W-9 FORM

Under Penalty of Perjury, I certify that (1) the number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and (2) I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and (3) I am a U.S. person (including a U.S. resident alien). (Note: You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding.) I understand that the IRS does not require my consent to any provisions of this document other than the certifications required to avoid backup withholding.

X Sharon M Harold
 Authorized Signature SHARON M HAROLD

Date

SSN/Tax ID #: 566-48-8062

X David Paice
 Authorized Signature DAVID PAICE - POA

Date

XXXXXXXXXXXXXXXXXXXX

Authorized Signature

Date

X XXXXXXXXXXXXXXXXXXXX
 Authorized Signature

Date

XXXXXXXXXXXXXXXXXXXX

Authorized Signature

Date

Note: There is a maximum of five account holders.

SECTION C ACCOUNT HOLDER/ST INFORMATION

FOR OFFICE USE ONLY
Approval CodeFOR OFFICE USE ONLY
Approval Code

POA

USAA #: 017189460Name: DAVID PAICE

SSN/Tax ID #: _____

DOB: _____

Address: _____

 _____Order Card: None

USAA #: _____

Name: _____

SSN/Tax ID #: _____

DOB: _____

Address: _____

Order Card: _____

Exhibit 21

All Missing Check Numbers From
David A. Paice Accounting
From 2010-2022

38 Missing Checks

Date	Check#	Schedule To or For	\$ Amount
	1009	Missing Check# - Not recorded on Any Schedules	
	1022	Missing Check# - Not recorded on Any Schedules	
	1065	Missing Check# - Not recorded on Any Schedules	
	1067	Missing Check# - Not recorded on Any Schedules	
	1068	Missing Check# - Not recorded on Any Schedules	
	1069	Missing Check# - Not recorded on Any Schedules	
	1070	Missing Check# - Not recorded on Any Schedules	
	1071	Missing Check# - Not recorded on Any Schedules	
	1072	Missing Check# - Not recorded on Any Schedules	
	1073	Missing Check# - Not recorded on Any Schedules	
	1074	Missing Check# - Not recorded on Any Schedules	
	1075	Missing Check# - Not recorded on Any Schedules	
	1076	Missing Check# - Not recorded on Any Schedules	
	1077	Missing Check# - Not recorded on Any Schedules	
	1078	Missing Check# - Not recorded on Any Schedules	
	1079	Missing Check# - Not recorded on Any Schedules	
	1080	Missing Check# - Not recorded on Any Schedules	
	1081	Missing Check# - Not recorded on Any Schedules	
	1082	Missing Check# - Not recorded on Any Schedules	
	1083	Missing Check# - Not recorded on Any Schedules	
	1084	Missing Check# - Not recorded on Any Schedules	
	1085	Missing Check# - Not recorded on Any Schedules	
	1086	Missing Check# - Not recorded on Any Schedules	
	1087	Missing Check# - Not recorded on Any Schedules	
	1088	Missing Check# - Not recorded on Any Schedules	
	1089	Missing Check# - Not recorded on Any Schedules	
	1090	Missing Check# - Not recorded on Any Schedules	
	1091	Missing Check# - Not recorded on Any Schedules	
	1092	Missing Check# - Not recorded on Any Schedules	
	1093	Missing Check# - Not recorded on Any Schedules	
	1094	Missing Check# - Not recorded on Any Schedules	
	1095	Missing Check# - Not recorded on Any Schedules	
	1096	Missing Check# - Not recorded on Any Schedules	
	1097	Missing Check# - Not recorded on Any Schedules	
	1098	Missing Check# - Not recorded on Any Schedules	
	1099	Missing Check# - Not recorded on Any Schedules	
	1100	Missing Check# - Not recorded on Any Schedules	
	1102	Missing Check# - Not recorded on Any Schedules	
			\$0.00

Exhibit 22

Duplicate Check Numbers Found in the David A. Paice Accounting

From 2011-2018 Sharon Harold Distribution

Date	Check#	Sch Description	To or For	\$ Amount
02/12/2012	1041	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
03/24/2014	1041	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
03/29/2012	1042	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
03/22/2014	1042	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$219.00
04/17/2012	1043	Schedule G - Dis	Llewellyn Accountancy - Tax Preparation DUPE Chec	\$1,075.00
04/30/2014	1043	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$340.00
04/27/2012	1044	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
04/30/2014	1044	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$744.91
05/29/2012	1045	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
04/30/2014	1045	Schedule G - Dis	Llewellyn Accountancy - Tax Preparation DUPE Chec	\$550.00
05/29/2012	1046	Schedule G - Dis	voided DUPE Check#	\$0.00
06/10/2014	1046	Schedule G - Dis	Llewellyn Accountancy - Tax Preparation DUPE Chec	\$340.00
05/29/2012	1047	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$1,143.00
07/02/2014	1047	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$3,000.00
06/13/2012	1048	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$560.00
09/15/2014	1048	Schedule G - Dis	Llewellyn Accountancy - Tax Preparation DUPE Chec	\$340.00
06/29/2012	1049	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
04/13/2015	1049	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$1,304.00
07/29/2012	1050	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
06/08/2015	1050	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$670.00
08/29/2012	1051	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
06/08/2015	1051	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$670.00
09/29/2012	1052	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
06/08/2015	1052	Schedule G - Dis	Llewellyn Accountancy - Tax Preparation DUPE Chec	\$560.00
10/31/2012	1053	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
09/25/2015	1053	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$670.00
02/27/2013	1056	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$2,500.00
12/28/2017	1056	Schedule J - Dist	Sharon Harold - Distribution DUPE Check#	\$5,800.00
03/20/2013	1057	Schedule G - Dis	United States Treasury - Taxes	\$1,473.00
03/25/2018	1057	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$2,002.00
03/20/2013	1058	Schedule G - Dis	Llewellyn Accountancy - Tax Preparation	\$540.00
06/25/2018	1058	Schedule G - Dis	United States Treasury - Taxes DUPE Check#	\$685.95
32 checks				\$50,186.86

Exhibit 23

YEAR	FINANCIAL STATEMENT ACCOUNT	SHARON M. HAROLD ADDRESS USED ON FINANCIAL STATEMENTS	ACTUAL MONTHS SHARON M. HAROLD ADDRESS USED ON FINANCIAL STATEMENTS IN STATED YEAR	NO. OF MONTHS SHARON M. HAROLD ADDRESS USED ON STATEMENT IN STATED YEAR	DAVID A. PAICE & BRIEANA M. PAICE PERSONAL PO BOX ADDRESS USED ON FINANCIAL STATEMENTS	ACTUAL MONTHS DAP & BMP PERSONAL PO BOX ADDRESS USED ON FINANCIAL STATEMENTS IN YEAR	NO. OF MONTHS DAP & BMP PERSONAL PO BOX USED ON STATEMENT IN YEAR	DAVID A. PAICE & BRIEANA M. PAICE PERSONAL HOME ADDRESS USED ON FINANCIAL STATEMENTS	ACTUAL MONTHS DAP & BMP PERSONAL HOME ADDRESS USED ON FINANCIAL STATEMENTS IN YEAR	NO. OF MONTHS DAP & BAP PERSONAL HOME ADDRESS USED ON STATEMENT IN YEAR
2010	BECU TRUST ACCOUNT				The Sharon M. Harold Irrevocable Trust PO Box 48218 Seattle, WA 98148-0212	MAR, APR, MAY, JUN, JUL, AUG, SEPT, OCT, NOV, DEC	10			
2010	BECU INVESTMENT SERVICES LPL FINANCIAL				The Sharon M. Harold Irrevocable Trust DTD 11-12-04 David A. Paice TTEE PO Box 48218 Seattle, WA 98148	MAR, APR, MAY, JUN, JUL, AUG, SEPT, OCT, NOV, DEC	10			
2011	BECU TRUST ACCOUNT				The Sharon M. Harold Irrevocable Trust PO Box 48218 Seattle, WA 98148-0212	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12			
2011	BECU INVESTMENT SERVICES LPL FINANCIAL				The Sharon M. Harold Irrevocable Trust DTD 11-12-04 David A. Paice TTEE PO Box 48218 Seattle, WA 98148	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12			

2012	BECU		The Sharon M. Harold Irrevocable Trust PO Box 48218 Seattle, WA 98148-0212	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12			
2012	BECU INVESTMENT SERVICES LPL FINANCIAL		The Sharon M. Harold Irrevocable Trust DTD 11-12-04 David A. Paice TTEE PO Box 48218 Seattle, WA 98148	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12			
2013	BECU TRUST ACCONT		The Sharon M. Harold Irrevocable Trust PO Box 48218 Seattle, WA 98148-0212	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12			
2013	BECU INVESTMENT SERVICES LPL FINANCIAL		The Sharon M. Harold Irrevocable Trust DTD 11-12-04 David A. Paice TTEE PO Box 48218 Seattle, WA 98148	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12			
2014	BECU TRUST ACCONT		The Sharon M. Harold Irrevocable Trust PO Box 48218 Seattle, WA 98148-0212	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12			

2014	BECU INVESTMENT SERVICES LPL FINANCIAL	Sharon Harold 100 Riverbend Rd. #103 Reedsport, OR 97467	NOV, DEC	2	The Sharon M. Harold Irrevocable Trust DTD 11-12-04 David A. Paice TTEE PO Box 48218 Seattle, WA 98148	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT	10			
2015	BECU TRUST ACCOUNT				The Sharon M. Harold Irrevocable Trust PO Box 48218 Seattle, WA 98148-0212	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12			
2015	BECU INVESTMENT SERVICES	Sharon Harold 100 Riverbend Rd. #103 Reedsport, OR 97467	FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	11						
2016	BECU				The Sharon M. Harold Irrevocable Trust PO Box 48218 Seattle, WA 98148-0212	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12			
2016	BECU INVESTMENT SERVICES LPL FINANCIAL	100 Riverbend Rd. #103 Reedsport, OR 97467	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12						

2017	BECU TRUST ACCONT				The Sharon M. Harold Irrevocable Trust PO Box 48218 Seattle, WA 98148-0212	JAN	1	The Sharon M. Harold Irrevocable Trust 16444 Marine View Dr. SW Burien, WA 98166-3210	FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	11
2017	BECU INVESTMENT SERVICES	Sharon Harold 100 Riverbend Rd. #103 Reedsport, OR 97467	JAN, FEB, MAR, APR, MAY, JUN, AUG, SEP, OCT, NOV, DEC	11				The Sharon M. Harold Irrevocable Trust 16444 Marine View Dr. SW Burien, WA 98166-3210	JUL	1
2018	BECU TRUST ACCONT							The Sharon M. Harold Irrevocable Trust 16444 Marine View Dr. SW Burien, WA 98166-3210	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12
2018	BECU INVESTMENT SERVICES	Sharon Harold 100 Riverbend Rd. #103 Reedsport, OR 97467	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12						
2019	BECU TRUST ACCONT							The Sharon M. Harold Irrevocable Trust 16444 Marine View Dr. SW Burien, WA 98166-3210	JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC	12

2022	BECU TRUST ACCONT							The Sharon M. Harold Irrevocable Trust 16444 Marine View Dr. SW Burien, WA 98166-3210	MAR	12
2022	BECU INVESTMENT SERVICES LPL FINANCIAL	Sharon Harold 100 Riverbend Rd. #103 Reedsport, OR 97467	APR, MAY, JUN, JUL, AUG, SEP, DEC	7				The Sharon M. Harold Irrevocable Trust DTD 11- 12-04 David A. Paice TTEE 16444 Marine View Dr. SW Burien, WA 98166	JAN, FEB, MAR, OCT, NOV	5

Exhibit 24

CA Prob. Code § 16060.

The trustee has a duty to keep the beneficiaries of the trust reasonably informed of the trust and its administration.

CA Prob. Code § 16061.

Except as provided in Section 16069, on reasonable request by a beneficiary, the trustee shall report to the beneficiary by providing requested information to the beneficiary relating to the administration of the trust relevant to the beneficiary's interest.

CA Prob. Code § 16061.7.

(a) A trustee shall serve a notification by the trustee as described in this section in the following events: (2) Whenever there is a change of trustee of an irrevocable trust. (4) The duty to serve the notification by the trustee pursuant to this subdivision is the duty of the continuing or successor trustee, and any one cotrustee may serve the notification. (b) The notification by the trustee required by subdivision (a) shall be served on each of the following: (1) Each beneficiary of the irrevocable trust or irrevocable portion of the trust, subject to the limitations of Section 15804

CA Prob. Code § 16061.9.

(a) A trustee who fails to serve the notification by trustee as required by Section 16061.7 on a beneficiary shall be responsible for all damages, attorney's fees, and costs caused by the failure unless the trustee makes a reasonably diligent effort to comply with that section

CA Prob. Code § 16062.

(a) Except as otherwise provided in this section and in Section 16064, the trustee shall account at least annually, at the termination of the trust, and upon a change of trustee, to each beneficiary to whom income or principal is required or authorized in the trustee's discretion to be currently distributed. (e) Any limitation or waiver in a trust instrument of the obligation to account is against public policy and shall be void as to any sole trustee who is either of the following: (1) A disqualified person as defined in former Section 21350.5 (as repealed by

Chapter 620 of the Statutes of 2010). (2) Described in subdivision (a) of Section 21380, but not described in Section 21382.

CA Prob. Code § 16063.

(a) An account furnished pursuant to Section 16062 shall contain the following information: (1) A statement of receipts and disbursements of principal and income that have occurred during the last complete fiscal year of the trust or since the last account. (2) A statement of the assets and liabilities of the trust as of the end of the last complete fiscal year of the trust or as of the end of the period covered by the account. (3) The trustee's compensation for the last complete fiscal year of the trust or since the last account. (4) The agents hired by the trustee, their relationship to the trustee, if any, and their compensation, for the last complete fiscal year of the trust or since the last account. (5) A statement that the recipient of the account may petition the court pursuant to Section 17200 to obtain a court review of the account and of the acts of the trustee. (6) A statement that claims against the trustee for breach of trust may not be made after the expiration of three years from the date the beneficiary receives an account or report disclosing facts giving rise to the claim. (b) All accounts filed to be approved by a court shall be presented in the manner provided in Chapter 4 (commencing with Section 1060) of Part 1 of Division 3.

CA Prob. Code § 16064.

The trustee is not required to account to a beneficiary as described in subdivision (a) of Section 16062, in any of the following circumstances: (a) To the extent the trust instrument waives the account, except that no waiver described in subdivision (e) of Section 16062 shall be valid or enforceable. Regardless of a waiver of accounting in the trust instrument, upon a showing that it is reasonably likely that a material breach of the trust has occurred, the court may compel the trustee to account. (b) As to a beneficiary who has waived in writing the right to an account. A waiver of rights under this subdivision may be withdrawn in writing at any time as to accounts for transactions occurring after the date of the written withdrawal. Regardless of a waiver of accounting by a beneficiary, upon a showing that it is reasonably likely that a material breach of the trust has occurred, the court may compel the trustee to account. (c) In any of the circumstances set forth in Section 16069.

CA Prob. Code § 16064

CA Prob. Code § 16068. Any waiver by a settler of the obligation of the trustee of either of the following is against public policy and shall be void: (a) To provide the terms of the trust to the beneficiary as required by Sections 16060.7 and 16061.5. (b) To provide requested information to the beneficiary as required by Section 16061.

CA Prob. Code § 21120.

The words of an instrument are to receive an interpretation that will give every expression some effect, rather than one that will render any of the expressions inoperative. Preference is to be given to an interpretation of an instrument that will prevent intestacy or failure of a transfer, rather than one that will result in an intestacy or failure of a transfer.” (Amended by Stats. 2002, Ch. 138, Sec. 28. Effective January 1, 2003.)

CA Prob. Code § 21122

All parts of an instrument are to be construed in relation to each other and so as, if possible, to form a consistent whole. If the meaning of any part of an instrument is ambiguous or doubtful, it may be explained by any reference to or recital of that part in another part of the instrument. (Amended by Stats. 2002, Ch. 138, Sec. 29. Effective January 1, 2003.)

CA Prob. Code § 21121.

The words of an instrument are to be given their ordinary and grammatical meaning unless the intention to use them in another sense is clear and their intended meaning can be ascertained. Technical words are not necessary to give effect to a disposition in an instrument. Technical words are to be considered as having been used in their technical sense unless (a) the context clearly indicates a

contrary intention or (b) it satisfactorily appears that the instrument was drawn solely by the transferor and that the transferor was unacquainted with the technical sense. (Amended by Stats. 2002, Ch. 138, Sec. 30. Effective January 1, 2003.)