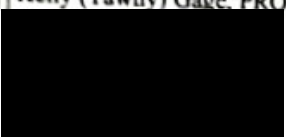


1 Kelly (Tawny) Gage, PRO SE

"Drop off REVIEW ONLY"



4 SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

5 STANLEY MOSK COURTHOUSE

6 111 NORTH HILL STREET, LOS ANGELES, CA 90012

7 IN THE MATTER OF CARL M. GAGE LIVING TRUST

8 KELLY TAWNY MARIE GAGE,

9 Plaintiff,

10 vs.

11 KAREN ROPER, TRUSTEE FOR THE CARL M GAGE  
12 LIVING TRUST


13 Defendant

Case No.: 18STPB03846

**EX PARTE MOTION TO DISQUALIFY ATTORNEYS  
PIERRE RODNUNSKY AND ALLISON LOEVNER AND  
PIERRE RODNUNSKY AND ASSOCIATES, LEGAL  
REPRESENTATIVES FOR THE DEFENDANT, KAREN  
M. ROPER FOR THE FOLLOWING REASONS:  
ATTORNEY AS WITNESS, MORAL TURPITUDE,  
ORCHESTRATING AN ILLEGAL LITIGATION IN BAD  
FAITH, OBSTRUCTION OF JUSTICE AND FRAUD ON  
THE COURT FOR, PERSONAL GAIN, IN COLLUSION  
WITH AND/OR ON BEHALF OF THE TRUSTEE,  
KAREN ROPER FOR HER PERSONAL GAIN.**

17 EX PARTE MOTION TO DISQUALIFY PIERRE RODNUNSKY AND ALLISON LOEVNER  
18 AND PIERRE RODNUNSKY AND ASSOCIATES, ATTORNEYS FOR THE DEFENDANT

19 Dated this 22 of DECEMBER, 2020

20   
21 Kelly TAWNY GAGE PRO SE 12/22/20

22  
23  
24  
25  
26 EX PARTE MOTION TO DISQUALIFY ATTORNEYS PIERRE RODNUNSKY AND ALLISON LOEVNER  
27 AND PIERRE RODNUNSKY AND ASSOCIATES, LEGAL REPRESENTATIVES FOR THE DEFENDANT,  
28 KAREN M. ROPER FOR THE FOLLOWING REASONS: ATTORNEY AS WITNESS, MORAL TURPITUDE,  
ORCHESTRATING AN ILLEGAL LITIGATION IN BAD FAITH, OBSTRUCTION OF JUSTICE AND FRAUD  
ON THE COURT FOR, PERSONAL GAIN, IN COLLUSION WITH AND/OR ON BEHALF OF THE TRUSTEE,  
KAREN ROPER FOR HER PERSONAL GAIN. - 1

1 Kelly (Tawny) Gage, PRO SE



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21 \_\_\_\_\_  
TAWNY GAGE PRO SE

26 EX PARTE MOTION TO DISQUALIFY ATTORNEYS PIERRE RODNUNSKY AND ALLISON LOEVNER  
27 AND PIERRE RODNUNSKY AND ASSOCIATES, LEGAL REPRESENTATIVES FOR THE DEFENDANT,  
28 KAREN M. ROPER FOR THE FOLLOWING REASONS: ATTORNEY AS WITNESS, MORAL TURPITUDE,  
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ON THE COURT FOR, PERSONAL GAIN, IN COLLUSION WITH AND/OR ON BEHALF OF THE TRUSTEE,  
KAREN ROPER FOR HER PERSONAL GAIN. - 1

1 **Motion to disqualify** opposing attorney **Pierre Rodnunsky and Allison Loevner**,  
2 as **Officers of the Court** and current legal representation on court record for  
3 the defendant, **Trustee, Karen Roper**, and the legal firm, **Pierre Rodnunsky and**  
4 **Associates** (heretofore referred to as **PRA**) for the following reasons,  
5 including but not limited to, **Attorney as Witness, Gross Misconduct, Gross**  
6 **Negligence, Moral Turpitude, Breach of Fiduciary Duty, Assisting the Trustee,**  
7 **Karen Roper in theft** of non-trust and trust assets, **defrauding the**  
8 **Beneficiary, Kelly Tawny-Marie Gage**, (heretofore referred to as **Tawny Gage**) a  
9 **disabled beneficiary with brain trauma under the trustor's custodial care at**  
10 **time of death , Fraud on the Carl Gage Trust , knowingly orchestrating an**  
11 **illegal litigation in bad faith, Abuse of Court, Abuse of discovery,**  
12 **Obstruction of justice** and **FRAUD ON THE COURT** for personal gain in collusion  
13 with and/or on behalf of the **Trustee, Karen Roper** for her personal gain.

14  
15 **Factual Evidence that Tawny Gage is disabled from brain trauma and was under**  
16 **the custodial care of her father, Carl Gage, the trustor, at the time of**  
17 **death and is still disabled by verification of the Federal Social Security**  
18 **Disability Dept.**

19 **EXHIBIT 1** shows documentation from Tawny Gage's Neurologist as well as  
20 official notification of her disability status from the Social Security  
21 Office that **Tawny Gage**, has brain trauma from a hemorrhagic stroke and was  
22 under the custodial care of her father, **Carl M. Gage**, the **trustor, at the**  
23 **time of his death. EXHIBIT 2** shows that **Karen Roper**, the **successor trustee**  
24 upon the death of the **Trustor, Carl Gage**, was aware of **Tawny Gage's** existing  
25 brain trauma and disability status and that Tawny Gage was under the  
26 **Trustor's** custodial care prior to and at the time of his death on March 24,  
27 2017. **Karen Roper** was also aware that the **Trustor** was supplementing **Tawny**  
28 **Gage's** fixed disability income with \$100.00 per month to cover her bills.

**EXHIBIT 3** shows that **Pierre Rodnunsky** was aware of the beneficiary's brain

1 trauma and existing disability status through the **Trustee, Karen Roper's**  
2 proven advisement in this motion, as well as personal notification in writing  
3 directly to **PRA** from the beneficiary, **Tawny Gage in (Exhibit 3)** forwarded  
4 during administration in an ignored plea for expected care of the  
5 beneficiary.

6 **Summary**

7 All attorneys involved in this case, for the plaintiff and the defendant, are  
8 aware of the evidence provided above and below and are aware and are expected  
9 to be aware, that all of the evidence that proves Pierre Rodnunsky and  
10 Allison Loevner's criminal acts upon the trust and the Court are already in  
11 the Court's possession and have refused to protect the beneficiary or to  
12 protect the Courts for their own personal benefit, by remaining silent  
13 regarding the Fraud on the Court, knowing Pierre Rodnunsky was the  
14 administrator of the trust on behalf of the trustee and was therefore, and by  
15 extensive communications by PRA during administrations, was the only witness  
16 in all matters of this litigation and pending trial. The trustee refused to  
17 speak to me directly or be in my presence for the entire administration.

18  
19 Please understand my lack of ability to write a proper motion or understand  
20 or retain the details of the court rules myself. However, both attorneys  
21 that represented the beneficiary Tawny Gage, in this case, refused to advise  
22 the court that the documents provided in the motions submitted by PRA and the  
23 defendant to the court literally prove the violations of law and the  
24 Professional ethics codes that disqualify PRA according to the laws of  
25 California. Both attorneys are aware that Pierre Rodnunsky directly lied to  
26 the Court to hide these facts and refused to advise the court.

27 No attorney will take my case after seeing the provided evidence in this  
28 motion that shows collusion to defraud the court and obstruct justice by  
several officers of the court and do not want to get involved.

1 The opposing attorney, Pierre Rodnunsky was delegated the duty to administer  
2 the trust on behalf of the trustee and as the "**First and Last Accounting**"  
3 plainly shows in the body, was paid **\$71,161.46** directly from the trust to do  
4 so. The trust explicitly prohibits the delegation of administration of the  
5 trust by the trustee. It also specifically prohibits the payment of  
6 litigation by the trust, for intentional breach of duty in bad faith. Pierre  
7 Rodnunsky misrepresented his attorney fees as **\$17,652.15** on the preface of  
8 the Accounting and on court notes and also listed the trustee's fees at  
9 **\$9203.47**, the maximum amount allowed by law to also pay the trustee for the  
10 administration of the trust.

11 Pierre Rodnunsky and PRA were my only contacts during administration of the  
12 trust and the letters that prove that PRA was the main place of  
13 administration and only contact are included in the "**petition to force the**  
14 **trustee to account**" though my attorney, Pete Grossman said nothing about his  
15 administration being illegal and a breach of fiduciary duty or did he advise  
16 the court of the illegal litigation, the misrepresentation of attorney fees  
17 on the First and Last Accounting or court notes or the extensive illegalities  
18 of the Accounting, prepared by Pierre Rodnunsky that required a court order  
19 to uphold the laws he is bound by and obligated to uphold with integrity and  
20 complete honesty.

21  
22 Pierre Rodnunsky and PRA were still administering the trust on behalf of the  
23 trustee when he refused to account to me and my attorney of record, Pete  
24 Grossman, knowing that the law specifically states on probate code **16062 e)**  
25 **Any limitation or waiver in a trust instrument of the obligation to account**  
26 **is against public policy and shall be void.** By his acceptance of  
27 administration of the trust, he is the one obligated to in fact provide an  
28 accounting to the beneficiary.

1 When an attorney is administering a trust on behalf of a trustee, he has a  
2 duty to protect the trust and is under obligation to uphold the fiduciary  
3 duty of the trust. The argument can be made that the beneficiaries of the  
4 trust are in fact his clients by extension. Instead, Pierre Rodnunsky  
5 advised me to get my own counsel at the beginning of the administration, when  
6 he withheld the trust information and existence of the trust as well as  
7 keeping it from me for the max amount of time allowed by law, which is to be  
8 used when a trustee does not know the beneficiary or the beneficiary's  
9 location. They used this law to their advantage to keep the trust from the  
10 Trustor's only next of kin. They have manipulated the laws to cause confusion  
11 and blur the lines of responsibility and to intentionally defraud the court  
12 in bad faith while using the illegal litigation to defraud the trust further  
13 directly under the supervision of the court.

14  
15 Pierre Rodnunsky advised me he was a *neutral party* and would distribute the  
16 trust according to the trust terms. No trust attorney hired by me, prior to  
17 or during litigation advised me that Pierre Rodnunsky was intentionally  
18 breaking the law by administrating the trust on behalf of the trustee and  
19 Pierre Rodnunsky successfully hid that fact from the Court, while including  
20 all evidence directly in the body of his motions, while misleading the court  
21 as to what was attached, knowing that the courts depend on the integrity and  
22 laws that govern the officers of the court to be forthcoming and honest, but  
23 was able to hide his illegal acts with the assistance of attorneys for the  
24 plaintiff.

25  
26 Pierre Rodnunsky and his non-attorney staff had full access and control of  
27 trust assets without trustee supervision or monitor. PRA also was very  
28 involved in the sale of the real property and took a payment directly from  
the sale of the property, included in escrow expenses as seen directly in the

1 accounting provided to the court. Pierre Rodnunsky had the key to the  
2 property and valuable trust assets as shown in the trustee's reimbursements  
3 showing a fedex charge of \$36.00 to mail the key directly to non-attorney  
4 staff at PRA at the beginning of administration.

5  
6 Pierre Rodnunsky and the trustee allowed 2 non-attorney personnel from his  
7 office to solely supervise the move of the trust property prior to any  
8 complete inventory taking place and were the only persons that made the  
9 supposed distributions without documentation of any kind. Neither the  
10 trustee nor Pierre Rodnunsky were present at the time of any distributions or  
11 the moving and packing of the trust assets. The extent of Pierre Rodnunsky  
12 and PRA's intentional illegal administration and intentional criminal acts  
13 and those of my attorneys before and during litigation is available to the  
14 court and/or criminal prosecutor, in great detail as all of my communications  
15 are on email form as I have much trouble communicating verbally in addition  
16 to the need to read and re-read things for a clear understanding and later  
17 became necessary for evidence of the outrageous lies and obstruction of  
18 justice by the attorneys involved.

19  
20 Again, I am disabled from brain trauma and needed assistance with the writing  
21 of this motion from non-attorney associates to provide complete sentences,  
22 proper grammar and correct spelling as to spare the court my normal  
23 nonsensical writing and repetitive information because I cannot remember what  
24 I wrote on the paragraph or page before, thus making this extremely  
25 challenging for me, to understate the difficulty and time it took to gather  
26 evidence that has been submitted to the court already that clearly proves  
27 this motion. Therefore, as I understand the information provided is  
28 undisputed evidence for the Court, because the evidence and testimony has  
been provided by PRA and their attorneys themselves.

1 However, the false information provided to the Court by them was continually  
2 pleaded by me with my attorneys to correct for the court record as well as  
3 pleas to advise the court that the opposing attorney was the only witness  
4 once I was able to find this information in the laws, but I was told by **Matt**  
5 **Stidham** that the false information provided by the attorney about the extent  
6 of his role in the administration and a witness, was a matter for trial, also  
7 on an email communication. A trial that was intended to never happen by the  
8 colluded efforts of the officers of the court in their attempt to frustrate  
9 me and literally caused me to be bankrupt, therefore preventing any  
10 acceptance of their responsibilities and preventing justice for the  
11 beneficiary.

12  
13 Again, not one trust attorney would agree to inform the court of this illegal  
14 litigation in bad faith and inform the court of the deliberate criminal acts  
15 of fraud by Pierre Rodnunsky and the trustee, and not one attorney would take  
16 my case after seeing the evidence of fraud by officers of the court.

17 However, many told me that the information **must** be provided to the court  
18 immediately, though they all refused to take my case. Matt Stidham advised  
19 me on email that he was not obligated to advise the court of the illegal  
20 orchestration of the litigation, that PRA was my only contact during  
21 administration and had complete access to the trust assets, was the only  
22 witness for alleged distributions, accepted responsibility for all non-  
23 delegable duties of the trustee and that the court had intentionally  
24 incorrect information regarding the attorney's fees and advised me that it  
25 was a matter for trial. This is evident by his failure to advise the court  
26 of any of these matters to date. Pete Grossman and Neda Firouzi also had  
27 this information, all are expected to have this information and all were  
28 required to advise the Court of criminal actions occurring by another officer  
of the court.



1 Therefore, I beg for the court's understanding of my condition that prevents  
2 focus, causes temporary memory loss and temporary confusion during extreme  
3 stress, inhibits effective verbal and written communication and is the reason  
4 I cannot represent myself effectively.

5 Also please note that the Court denies any self-help to self-represented  
6 litigants in trust litigation and all other law assistance groups follow the  
7 courts lead on that decision. Though self-help is available to every other  
8 self-represented litigant in every other court but the Probate court. The  
9 use of the law library is of little help to a person who cannot focus or  
10 retain information and the pandemic has done me no favors.

11  
12 The information provided in the motion evidence below is mostly in the  
13 court's possession already and has taken me months to somewhat effectively  
14 review and re-review several times a day and months to write and re-rewrite  
15 the information I have now been able to provide to the court myself, because  
16 no attorney would do it for me.

17  
18 However, I do not know the legality of providing information to the court not  
19 yet proven, but I am following the lead of the opposing attorney to provide  
20 emails directly from PRA and the trustee to and from the beneficiary and to  
21 and from other attorneys that have been accepted in his motions previously.  
22 Though one email he claims came from me but has no email heading or any  
23 evidence as coming from me, and did in fact **not** come from me, on the 164 page  
24 objection to the emergency request to force the trustee to distribute, and I  
25 advised my attorneys of record on more than one occasion that it did not come  
26 from me, yet no attorney agreed to remove the untruthful testimony provided  
27 by the attorney and trustee, from the record. I have only provided proof of  
28 emails with attached headings coming directly from and to the people of  
record, provided to show the direct intentions and additional acts of fraud

1 by Pierre Rodnunsky and his firm, the trustee and also proves the attorneys  
2 of record are in fact directly involved in corruption of the court and  
3 obstruction of justice for personal gain, and that they intentionally hid the  
4 illegal crimes of Pierre Rodnunsky, PRA and the trustee from the Tribunal.

5  
6 The **Trustee, Karen Roper**, has not distributed *any monetary* distributions or  
7 any items of monetary value or sentimental value to the beneficiary, **Tawny**  
8 **Gage** since the date of death, March 24, 2017, almost four years after death.  
9 This is evident on the "**First and Final Account and Report of Trustee**" court  
10 document number **1755665841**, submitted to the Court under a Court Order, on  
11 October 4, 2018 by **Pierre Rodnunsky**, the attorney representing the defendant,  
12 **Karen Roper** as **Trustee** of the **Carl M. Gage Trust**.

13 The Trustee, Karen Roper is not related to the trustor by blood or marriage.  
14 The beneficiary, **Tawny Gage** is the only child of the trustor and was under  
15 his custodial care at the time of death.

16 The trustor was an unmarried man, living alone at the time of death. The  
17 **First and Final Account on page 26 article 1.1 and 1.2**

18  
19 **The complete copy of the Carl Gage Trust is included on pages 17-77 in the**  
20 **First and Final Accounting**

21  
22 **Proof that the attorney for the defendant is the only witness in this**  
23 **litigation by his own design and is guilty of illegal acts against the trust,**  
24 **the disabled beneficiary and the Court, on behalf of the trustee to defraud**  
25 **the trust and the beneficiary, by taking advantage of her disability and**  
26 **inability to protect herself, to successfully defraud her and the trust, with**  
27 **the assistance of attorneys for the beneficiary deliberately colluding with**  
28 **PRA and the trustee for their own benefit.**

1 **Attorney as Witness**

- 2 1. Attorney, Pierre Rodnunsky of PRA was knowingly illegally hired by the  
3 trustee, Karen Roper, to administrate the Carl Gage Trust, on Karen  
4 Roper's (trustee) behalf, and the act was known to both as being in  
5 direct fiduciary breach to the trust, illegal and carried out at GREAT  
6 cost to the Carl Gage Trust and his only child, Tawny Gage.

7  
8 The attached **EXHIBIT 5** shows that **Pierre Rodnunsky** advised the decedent's  
9 only child, **Tawny Gage** on **April 18, 2017**, prior to releasing the trust  
10 documents to the **beneficiary**, that he was in fact hired to administrate Carl  
11 Gage's Estate on behalf of **Karen Roper**, despite the trust instructions that  
12 prohibit the trustee from delegating administration or her trustee duties.

13 **EXHIBIT 6** shows additional emails from **PRA** for further evidence that the  
14 administration of the trust was in fact being handled by **PRA** on the Trustees  
15 behalf, also advised to two separate attorneys hired by the beneficiary,  
16 **Tawny Gage**, during administration of the trust and prior to the litigation.  
17 Both attorneys refused to prevent the known or expected to be known  
18 violations of the law being committed by PRA that was known to be a criminal  
19 act.

- 20 a. The Trust specifically prohibits trustee delegation of trustee duties  
21 as in accordance with the Laws of California

22  
23 *(In The First and Final Accounting on page 45) The trust specifically states*  
24 *in section 13.19 that "the trustee may hire agents to advise or assist the*  
25 *Trustee in the performance of his or her duties and obligations. The Trustee*  
26 *may grant discretionary authority to such persons but MAY NOT delegate either*  
27 *the administration of the trust or acts that are not delegable except as*  
28 *expressly provided in this declaration of trust."*

1 (In the First and Final Accounting page 57) The trust states in Section 19.1,  
2 under definitions states that "Administer to mean: to hold, manage,  
3 administer, allocate and distribute."

4 Probate code 16012.

5 (a) The trustee has a duty not to delegate to others the performance of acts  
6 that the trustee can reasonably be required personally to perform and may not  
7 transfer the office of trustee to another person nor delegate the entire  
8 administration of the trust to a cotrustee or other person.

9 (b) In a case where a trustee has properly delegated a matter to an agent,  
10 cotrustee, or other person, the trustee has a duty to exercise general  
11 supervision over the person performing the delegated matter.

12 Cal. Prob. Code §381

13 The trustee shall adhere to the words of the trust and attorney must act  
14 within the fiduciary duty when administering a trust. Section 381. (Enacted  
15 by Stats. 1990, Ch. 79.)

16 Cal. Prob. Code §16000.

17 The right of delegation does not exist to the extent the court determines  
18 that powers to be delegated are purely personal to the original fiduciary.

19  
20 **Pierre Radnunsky's** disregard for the law by informing the Beneficiary of his  
21 (now known by the beneficiary to be illegal) administration, documenting that  
22 he was unclear about the exact document that allowed him to administrate the  
23 estate or allowed **Karen Roper, a friend not related by blood or marriage to**  
24 **the trustor**, her authority to have taken illegal confiscation of the body or  
25 the estate and allowed her to delegate administration of the estate at the  
26 expense of the estate, though as a specialized trust attorney knows or is  
27 expected to know that the delegation of administration is illegal according  
28 the the trust terms and the laws of California.

1 Additionally only much later did **Pierre Rodnunsky** send the (incomplete) copy  
2 of the trust, a non-delegable duty of the **Trustee**, and further exploited his  
3 disrespect for the law by hiding the existence of the trust, refusing to give  
4 a full copy of the trust and withholding the entire trust for 60 days after  
5 death, (**Exhibit 5**) after many requests for production of the document to  
6 **Karen Roper**, beginning two days after death, was denied by her as shown in  
7 **EXHIBIT 7**, and also withholding the existence of any **Trust** by insinuating  
8 that the documents held by her was a will.

9  
10 **b. In the First and Final Accounting prepared, by Pierre Rodnunsky, he**  
11 **includes an acceptance of Trusteeship by Karen Roper dated April 18,**  
12 **2017 on page 79. He also includes another acceptance of Trusteeship**  
13 **dated October 04, 2018 on page 15 .**

14  
15 The acceptance of Trusteeship on **April 18, 2017** proves that the attorney was  
16 intentionally deceptive in his email also dated **April 18, 2017** to the  
17 beneficiary, Tawny Gage on (**Exhibit 5**) where he withholds the existence of  
18 the trust by claiming he does not know the name of or date of the document  
19 that he has been hired by Karen Roper to administrate. In response to the  
20 repeated inquiries by Tawny Gage requesting the name and date of the estate  
21 document he was administrating, Pierre Rodnunsky replied on **April 19, 2017**  
22 also on (**Exhibit 5**), "I have estate planning documents, wills, trusts and  
23 amendments" and "I have not had the chance to be sure I have complete  
24 documents and will be able to review them next week" and " I am reviewing  
25 all of the estate documents and determining the nature of the assets" all  
26 included in (**Exhibit 5**), all written **after** the acceptance of the trusteeship  
27 by **Karen Roper** on **April 18, 2017**. These deliberate acts of deception by  
28 Pierre Rodnunsky clearly document his willing and active involvement, in  
violation of California trust laws, criminal laws and the professional ethics

1 codes of California, from the beginning of his involvement, intended to  
2 defraud the Trust and the beneficiary in collusion with the Trustee, **Karen**  
3 **Roper**.

4  
5 In **Pierre's** email (**Exhibit 5**) he also stated to **Tawny Gage** that he was a  
6 *neutral party*, that he wanted to distribute the trust quickly and according  
7 to the trust. He also refers to the trustee as *his client* and advises the  
8 beneficiary to get her own counsel if she should have any further questions.  
9 As a specialized trust attorney administering the trust on behalf of the  
10 Trustee, he has an obligation to the fiduciary duties of the Trust which  
11 means he has a fiduciary duty to the beneficiaries and to protect the trust  
12 and it's intentions according to the trust laws of California. It can also  
13 be argued that the beneficiaries are his clients by extension.

14  
15 **c. Pierre Rodnunsky** further disregards the basic trust laws by omitting  
16 the **Trustee's** address or phone number, who lives in Ventura County as  
17 well as the trustor that lived in Ventura County at the time of death,  
18 when he gave *only the PRA office address, phone number and email as the*  
19 *contact for the main place of administration* of the trust and only  
20 contact for the beneficiary in direct violation with the laws of  
21 California. **EXHIBIT 8.** (This information was taken directly from the  
22 court submitted **petiton to instruct trustee to account** on court  
23 document number **1736623492 on Exhibit 6 on pages 67-70**)

24 **Probate code 16061.7. (a) A trustee shall serve a notification by the trustee**  
25 **as described in this section in the following events:**

26 **(1) When a revocable trust or any portion thereof becomes irrevocable because**  
27 **of the death of one or more of the settlors of the trust, or because, by the**  
28 **express terms of the trust, the trust becomes irrevocable within one year of**

1 the death of a settlor because of a contingency related to the death of one  
2 or more of the settlors of the trust.

3 (2) Whenever there is a change of trustee of an irrevocable trust.

4 (3) Whenever a power of appointment retained by a settlor is effective or  
5 lapses upon death of the settlor with respect to an inter vivos trust which  
6 was, or was purported to be, irrevocable upon its creation. This paragraph  
7 shall not apply to a charitable remainder trust. For purposes of this  
8 paragraph, charitable remainder trust means a charitable remainder annuity  
9 trust or charitable remainder unitrust as defined in Section 664(d) of the  
10 Internal Revenue Code.

11 (4) The duty to serve the notification by the trustee pursuant to this  
12 subdivision is the duty of the continuing or successor trustee, and any one  
13 cotrustee may serve the notification.

14 (b) The notification by the trustee required by subdivision (a) shall be  
15 served on each of the following:

16 (1) Each beneficiary of the irrevocable trust or irrevocable portion of the  
17 trust, subject to the limitations of Section 15804.

18 (2) Each heir of the deceased settlor, if the event that requires  
19 notification is the death of a settlor or irrevocability within one year of  
20 the death of the settlor of the trust by the express terms of the trust  
21 because of a contingency related to the death of a settlor.

22 (3) If the trust is a charitable trust subject to the supervision of the  
23 Attorney General, to the Attorney General.

24 (c) A trustee shall, for purposes of this section, rely upon any final  
25 judicial determination of heirship, known to the trustee, but the trustee  
26 shall have discretion to make a good faith determination by any reasonable  
27 means of the heirs of a deceased settlor in the absence of a final judicial  
28 determination of heirship known to the trustee.

1 (d) The trustee need not provide a copy of the notification by trustee to any  
2 beneficiary or heir (1) known to the trustee but who cannot be located by the  
3 trustee after reasonable diligence or (2) unknown to the trustee.

4 (e) The notification by trustee shall be served by mail to the last known  
5 address, pursuant to Section 1215, or by personal delivery.

6 (f) The notification by trustee shall be served not later than 60 days  
7 following the occurrence of the event requiring service of the notification  
8 by trustee, or 60 days after the trustee became aware of the existence of a  
9 person entitled to receive notification by trustee, if that person was not  
10 known to the trustee on the occurrence of the event requiring service of the  
11 notification. If there is a vacancy in the office of the trustee on the date  
12 of the occurrence of the event requiring service of the notification by  
13 trustee, or if that event causes a vacancy, then the 60-day period for  
14 service of the notification by trustee commences on the date the new trustee  
15 commences to serve as trustee.

16 (g) The notification by trustee shall contain the following information:

17 (1) The identity of the settlor or settlors of the trust and the date of  
18 execution of the trust instrument.

19 (2) The name, mailing address and telephone number of each trustee of the  
20 trust.

21 (3) The address of the physical location where the principal place of  
22 administration of the trust is located, pursuant to

23 d. As you have seen in (exhibit 5, exhibit 6, exhibit 7 and exhibit 8) and  
24 will continue to see throughout this motion that I have provided  
25 undeniable and undisputed proof that the attorney **Pierre Rodnunsky** of  
26 **PRA** and his firm including non-attorney employees on **Pierre Rodnunsky's**  
27 behalf did in fact complete the non-delegable **Trustee** duties on behalf  
28 of the **Trustee**, delegated directly by the trustee and paid directly  
from the Trust assets, in direct violation of the Terms of the trust



1 and the laws of California and included but were not limited to, acts  
2 that the law states the trustee must do **herself** and included an  
3 unreasonable amount of acts that the trustee **could** reasonably do  
4 herself as the law determines her duties to include.

5  
6 Cal. Prob. Code §381

7 *The trustee shall adhere to the words of the trust and attorney must act*  
8 *within the fiduciary duty when administrating a trust. Section 381. (Enacted*  
9 *by Stats. 1990, Ch. 79.)*

10 CA Prob Code § 16012 (2017)

11 *(a) The trustee has a duty not to delegate to others the performance of acts*  
12 *that the trustee can reasonably be required personally to perform and may not*  
13 *transfer the office of trustee to another person nor delegate the entire*  
14 *administration of the trust to a cotrustee or other person.*

15 *(b) In a case where a trustee has properly delegated a matter to an agent,*  
16 *cotrustee, or other person, the trustee has a duty to exercise general*  
17 *supervision over the person performing the delegated matter.*

18 Cal. Prob. Code §16000.

19 *The right of delegation does not exist to the extent the court determines*  
20 *that powers to be delegated are purely personal to the original fiduciary.*

21  
22 e. Both attorneys hired by the beneficiary, Tawny Gage during  
23 administration and prior to litigation, **Julie Berkus** (assigned the case  
24 after specifically hiring **Justin Gold**) and **David Esquibias** both had a  
25 copy of the Trust prior to accepting my retainers and neither attorney  
26 nor any attorney since (Pete Grossman and The Legacy Lawyers' Matt  
27 Stidham or Neda Firouzi) has objected to **PRA** illegally administering  
28 the trust or being the *ONLY* witness in regard to information provided  
or withheld to the beneficiary on behalf of the Trustee, illegal

1 actions, clear breach of fiduciary duty performed directly by **Pierre**  
2 **Rodnunsky** and **PRA on behalf of the trustee and is** proven to be direct  
3 fraud on the trust and the beneficiary on behalf of the trustee and in  
4 violation of trust laws and professional ethics laws. No attorney has  
5 attempted to protect the beneficiary according to the laws of  
6 California or has offered or agreed to file the extensive breaches  
7 performed directly by Pierre Rodnunsky, **PRA** or the trustee with direct  
8 intentions to defraud the court by assisting them to conceal this  
9 information provided directly to the courts or advise them of the  
10 illegal fraud on the court by allowing **PRA** to represent the trustee in  
11 the litigation of breach of fiduciary duty to provide an accounting as  
12 required by law, knowing that PRA illegally acted as the administrator  
13 of the trust on behalf the trustee for the entirety of the trust  
14 administration and was therefore legally obligated to provide the  
15 beneficiary with annual accounting as the law requires.

16  
17 **f. Pierre Rodnunsky** deliberately acted illegally in collusion with the  
18 **Trustee** to hide the existence of the **Trust**, withhold the **Trust** for the  
19 longest period allowed by law, knowing that **Karen Roper** had no legal  
20 right to the estate or Carl Gage's body without showing his next of  
21 Kin, (by California next of kin Laws) the documents that gave her  
22 authority to do so and that gives the next of Kin the right to examine  
23 and confirm the validity of such documents.

24  
25 **g.** The job of administration is to protect the trust property and trust  
26 assets while adhering to the trust instruction and doing all things for  
27 the benefit of every beneficiary.

28 Although the job of administration is legally the trustee's alone, the  
attorney colluded with the trustee and knowingly illegally accepted the

1 delegation of administration and illegally acted on behalf of the Trustee and  
2 her non-delegable duties in direct violation of the trust and the laws of  
3 California.

4 However, by accepting this delegation, he and PRA were responsible for all  
5 fiduciary duties of the trust and those required by law.

6 Every breach of fiduciary duty that the attorney knowingly colluded with the  
7 trustee to defraud the trust and defraud Tawny Gage is equally his  
8 responsibility according to the laws of California and the professional  
9 ethics codes of California.

10 In literal terms, an argument can be made that Tawny Gage was a client by  
11 extension as he accepted and acted on the illegally delegated administration  
12 and accepted the responsibilities of the main duties of the Trustee, and  
13 therefore had a fiduciary duty to protect the beneficiaries and the trust.

14  
15 **2. Pierre Rodnunsky and PRA assisted the Trustee in taking illegal control**  
16 **of the Trustor's estate and the Trustors body**

17 The **Trustee** lied to the police and informed them that she was the next of  
18 kin and showed them a Power of Attorney to take possession of my father's  
19 body as shown on the coroner's report on **EXHIBIT 9**. **Karen Roper** did not  
20 advise his only child, **Tawny Gage** until **TWO DAYS** after death, by sending  
21 Tawny an email that asked her to call the trustee shown in **EXHIBIT 10 sent**  
22 **the day after his death on** March 25, 2017 at 8:52 am with a blank email and  
23 in the subject, "Please call me now or tonight. It's important". No phone  
24 call was made to me, not even a text. Claiming her reason for the delay was  
25 that she was busy. When Tawny Gage read the email the day after it was sent,  
26 on March 26<sup>th</sup>, she called the Trustee who told her that she was too busy to  
27 talk and had to call her back. In the meantime, Tawny Gage read about her  
28 father's death on Facebook in a message documented by a person who claimed to  
have heard the news from the trustee's close friend, (the trustee's bridge

1 partner). Tawny Gage then called her father's cell phone, only to get Karen  
2 Roper answering her father's phone and advising her yet again that she was  
3 busy and would have to call Tawny back and hung up. Later when the **Karen**  
4 finally found the time to call **Tawny** back, **Karen** confirmed the death of her  
5 father happening two days prior and then proceeded to inform **Tawny** that **Tawny**  
6 had been disinherited by her father and that she, **Karen Roper**, was the only  
7 beneficiary and the executor of his estate. **Karen's** response on an admission  
8 discovery shows that she responded to the admission of "Did Karen tell the  
9 beneficiary that she was the only beneficiary and executor" carelessly and  
10 irresponsibly worded by Matt Stidham but known to be referring to her  
11 statement that **Tawny Gage** had been disinherited by her father and that **Karen**  
12 **Roper** was the only beneficiary, a sarcastic and intentionally misinterpreted  
13 response to the admission Karen testified "**No, Karen Roper** did not tell **Tawny**  
14 **Gage** that **Tawny Gage** was the only beneficiary and executor", clearly showing  
15 her sarcasm and callousness and lack of concern for her crimes. **Karen Roper**  
16 told at least two other people that repeated to Tawny Gage that they heard  
17 directly from **Karen Roper** that **Tawny Gage** had been disinherited by her father  
18 that same day as she told me. These two people told **Tawny Gage** that **Karen**  
19 **Roper** had also told them, as she said to Tawny Gage personally, that she,  
20 **Karen Roper**, "**was** going to do the right thing and pay off Tawny's mortgage,  
21 even though her father left her nothing. However, because Tawny hung up on  
22 her during the notification of the death of father, she would no longer be  
23 willing to do the right thing by paying off her mortgage and that was too bad  
24 because they could have worked something out." Please note that the payoff  
25 of my mortgage at the time of death was less than 1/10 of the **reported** value  
26 of the estate that I was in fact entitled to 50% of the entire estate,  
27 proving that any concern for the doing the right thing or concern for the  
28 beneficiary is horrifically disingenuous coming from Karen Roper. Her only  
concern is for her own financial benefit. Karen refused to advise his next

1 of kin, Tawny, where his body was located or allow her access to his body and  
2 refused to show Tawny any evidence of her authority to do so.

3  
4 On March 27, 2017, Tawny Gage went to her father's home and found that  
5 valuables were missing from the property including his wallet, money clip,  
6 jewelry, computers, phone, keys to his four automobiles, files and valuable  
7 instruments.

8 Tawny Gage informed Karen Roper that she was at her father's property on an  
9 email **EXHIBIT 12** and demanded the return of his valuables to his home or show  
10 proof of the documentation that allowed her to take control of his estate and  
11 body and that disinherited his only child. Karen Roper almost immediately  
12 came to the property and refused to speak to Tawny or show her any documents,  
13 but instead called the Simi Valley Police Dept to report Tawny Gage for  
14 trespassing and stealing trust property. Upon the arrival of the Police,  
15 Karen Roper told the police that Tawny Gage was a drug addict, mentally  
16 disturbed and estranged from her father who hated her and that she came to  
17 the house to steal, because she was angry about being disinherited. Tawny  
18 informed the police of her disability and that she had a stroke. Karen told  
19 them in response, "That is what she tells people'" rolled her eyes and  
20 laughed. My photo was in every room of my father's house and there were  
21 three photos of me directly above my head while sitting in his recliner at  
22 the time. Karen informed the police that she was the legal next of kin and  
23 had legal authority to his estate and that Tawny Gage was bitter because she  
24 had none. Karen also worked in that she was married to Sgt. Herb Roper of  
25 Simi Valley Sheriff's dept. She told the police that the neighbors had  
26 called her to report a break-in to the property and she came as soon as she  
27 could. However, she had no documents that proved her authority to claim the  
28 control of the estate with her. Tawny showed the police her original court  
stamped, witnessed and notarized copy of the will, that made her sole heir to

1 her father's estate. The police asked Karen to produce her documents and so  
2 she went home to retrieve them and returned with the documents over 90  
3 minutes later, though she lives approximately 6 minutes away from my father's  
4 home. Upon her return she told the police that she had just been on the  
5 phone with her attorney's office and confirmed with a paralegal Connie, that  
6 Tawny Gage was not permitted to see or have access to the documents for a  
7 minimum of 60 days by law. One policeman read over her shoulder and blurted  
8 out that Karen Roper had lied and that he saw that Tawny Gage (Kelly Gage)  
9 was the beneficiary and said "She is the beneficiary, Kelly, you are the  
10 beneficiary" which is how her lie about me being disinherited was in fact  
11 discovered. They believed Karen Ropers reported information from her  
12 attorney and refused to show me the documents that she held. They allowed  
13 her to confiscate my original court stamped will and only copy, stating cause  
14 to be valid as her documents were dated after mine and were therefore no  
15 longer valid and believing Karen Roper's insistence that the documents could  
16 be confiscated by law as advised by her attorney. Tawny Gage's person was  
17 searched, purse was searched and car searched for possible theft of property.  
18 Tawny was told to leave and returned briefly to ask for her belongings she  
19 left there and was met at the door by the Police who shouted 6 inches from  
20 her face "Listen you were asked to leave! Your father did not care about  
21 you!! I'm sorry to have to be the one to tell you this but this nice lady has  
22 been trying to tell you and you won't listen!!!" Tawny was paralyzed by the  
23 violent outburst of the police and with tears in her eyes looked at Karen who  
24 was standing behind them with a broad smile on her face.

25 Tawny Gage was then escorted from the estate at the threat of arrest and  
26 warned not to return. The police returned to the condo for approximately 15  
27 minutes while she sat in her car crying hysterically not knowing what to do.  
28 When they came out of the residence where Karen Roper still was, they knocked  
on Tawny's car window and asked her to roll it down, while she was then

1 talking to a friend who had heard about her father's death from her estranged  
2 half-brother whom she does not speak to, to offer his condolences. The  
3 police demanded to know who Tawny was speaking to and that the call be put on  
4 speakerphone. Then demanded that she hang up and remove her vehicle from the  
5 property immediately and then followed her for several miles until she was  
6 able to pull into a parking lot to compose herself, so she could drive safely  
7 home.

8 No attorney hired by the beneficiary **Tawny Gage** has had any problem with that  
9 illegal injustice and have all advised Tawny Gage that the acts during the  
10 days surrounding death were legal in their eyes and of no importance to my  
11 case or relevance to the administration of the trust. That the trustee had  
12 just made a mistake.

13 I requested a copy of both police reports (date of death and the day I was  
14 removed from property) from Simi Valley Police Dept. using the public  
15 information act and as seen on **EXHIBIT 13** the police refused to comply with  
16 the public information act. My written request to city hall was also refused  
17 to comply with the public information act as well as my documented requests  
18 to city hall, the assistant city attorney, the city attorney and the mayor  
19 were advised of the failure to comply with the public information act  
20 delivered to each individually via registered mail as is documented in the  
21 exhibit.

22       a. My request to my attorney **Matt Stidham**, to assist in retrieving  
23       the police reports that were denied illegally, was denied by him  
24       and I was told by him to hire another attorney specializing in  
25       civil law to assist me, and that it had no bearing on my case.

26       b. Note the trustee's email to me on the day before she called the  
27       police to report me for trespassing, that states "After I read the  
28       ¾ inch stack of documents (starting tomorrow) I will update you on  
      what I find. We need that information. If I am not the executor,

1 I will pass the responsibility on to whoever that is" on **EXHIBIT**  
2 **14** dated March 26,2017. This was two days after she took control  
3 of the body and removed valuables from his home and told me that I  
4 could not have access or control of the body or know where the  
5 body was located.

6 **c.** The **Trustee, Karen Roper** had my father's body cremated, without an  
7 autopsy, over a month prior to **Tawny Gage**, his next of kin, ever  
8 receiving any estate documents or even learning that he had a  
9 trust rather than a will, being locked out of his home at threat  
10 of arrest if she returned. Shown on **Exhibit 9**

11  
12 The above information regarding the Trustee **Karen Roper's** actions before,  
13 after and around the time of death was provided to the court to show clear  
14 intent by the Trustee to defraud the beneficiary and shows that **Pierre**  
15 **Rodnunsky and Associates'** had a clear involvement prior to April 18, 2017.

16  
17 **d.** The trust explicitly documents that the trustee and the  
18 administrator are to be one in the same person and insists that  
19 the successor Trustee named in the trust must be the only person  
20 to administer the **Trust**. The attorney, **Pierre Rodnunsky**, was  
21 responsible for reviewing the **Trust** and specifically documents in  
22 his email to the beneficiary, **Tawny Gage**, (**exhibit 5**) that he in  
23 fact reviewed or was in the process of reviewing all documents  
24 thoroughly in (**exhibit 5**) and is obligated by the laws of  
25 California to act with legal responsibility and the utmost  
26 integrity as an Officer of the Court and was under legal  
27 obligation to deny his services in the interest of justice and by  
28 not doing so proves to be in undeniable collusion with the **Trustee**  
blatantly and with direct intention of defrauding the **Trust** and



1 the beneficiary, **Tawny Gage**, and they both intentionally broke  
2 the law with malicious intent. Both acted using the beneficiary's  
3 disability to defraud her consistently.

4  
5 **3. Fraud on the Court**

6 **Deliberate and intentional Fraud on the Court by deliberately lying to and**  
7 **misleading the Tribunal in an effort to hide the fact that he was defrauding**  
8 **the trust by representing the trustee in an illegal litigation that was**  
9 **orchestrated by Pierre Rodnunsky, with the assistance of the attorneys of the**  
10 **Plaintiff to conceal the fact that he was knowingly guilty of violating the**  
11 **Attorney as Witness laws.**

12  
13 **a. THE COURT NOTES.**

14 Mr. Rodnunsky deliberately misrepresented his attorney fees as being  
15 **\$17,652.15 (taken directly from The first and Final accounting on page 6 line**  
16 **14)** when the accounting specifically and clearly reflects attorney fees at  
17 **\$71,161.46** as evident on **the First and Final Accounting on pages 96-97 and**  
18 **pages 105-106 and from the court noted directly from the court website.**

19 These court notes are used by the Judge to determine the facts of the case  
20 during every hearing held throughout the litigation and ultimately the trial  
21 if any should take place. If the Tribunal is advised of untrue information or  
22 omission of facts, the court cannot rule on the facts of the case impartially  
23 and within their judicial duty to provide impartiality and is an intentional  
24 obstruction of justice by the attorney, Pierre Rodnunsky. The failure to  
25 bring this error to the court's attention by opposing attorneys is a  
26 deliberate collusion in fraud upon the court.

27  
28 **Pages 96-97 and pages 105-106 of The First and Final Accounting of the Carl**  
**Gage Trust**, shows that the attorney, **Pierre Rodnunsky** took payments knowingly

1 to be illegal, directly from the trust for the illegally accepted delegation  
2 of the duties of administration of the Trust in an amount totaling  
3 **\$71,161.46**, and withholding that information from the court by misleading the  
4 Tribunal and directly lying to the **Court**.

5 **Page 105 of The First and Final Accounting the** attorney also listed the  
6 maximum amount allowed by law to be paid to the **Trustee** for the duties of  
7 Administration in the amount of **\$9203.47**.

8 The attorney also directly lies on the Accounting, calling it calculated as  
9 1% which makes either *this* statement untrue or the *total of Trust untrue*.

10 The total of the trust, the information provided and omitted on the Court  
11 Ordered Accounting prepared by **Pierre Rodnunsky**, an Officer of the Court, is  
12 proven to be by the information provided, is intentionally fraudulent and  
13 illegal and in violation of all Probate codes that govern a court ordered  
14 Accounting. **Again, the job of the trustee is to literally administer the**  
15 **trust**. Paying an attorney to administer the trust for an amount of over  
16 \$70,000.00 and then paying herself for the same job at an additional sum over  
17 9,000.00 as shown in the liabilities and expenses of the First and Last  
18 accounting, is deliberate fraud in collusion with an officer of the court.

19  
20 **b. THE DOCKET NOTES**

21 Mr. Rodnunsky deliberately misinformed the court that financial statements  
22 were submitted with the accounting as noted on the docket on **EXHIBIT 16,**  
23 **taken directly from the court website**. No statements were ever included with  
24 the 116 page First and Final accounting and is documented as such by my  
25 previous attorney Pete Grossman in the following email included in **exhibit**  
26 **16**, indicating that no statements were ever provided to him and he only  
27 received the 116 page accounting.

1       **4. Orchestrating illegal litigation to further defraud the trust using**  
2       **Fraud on the Court as a tool**

3  
4       a. The attorney, Pierre Rodnunsky was still employed by the trust as  
5       the administrator when an annual accounting was requested  
6       directly to **Pierre Rodnunsky** by my attorney Scott Grossman  
7       **EXHIBIT 17**, where he stated that the trustee was not required to  
8       account in accordance with the trust terms, when my requests to  
9       **Pierre Rodnunsky** for an accounting went completely ignored.

10 As paid administrator for the trust on *behalf of the trustee*, paid by the  
11 trust directly, **Pierre Rodnunsky** is essentially the **administrator** that is  
12 **required by law** to Account to the beneficiary. He refused to account though  
13 aware or expected to be aware that the law requires an annual accounting from  
14 the trustee/administrator. He claimed that the trust wording of the trust  
15 denies my right to an accounting, knowing that the law specifically states  
16 that the wording is against public policy. Scott Grossman did not advise me  
17 that he was acting illegally by administering the trust nor did he advise the  
18 court that Pierre Rodnunsky was the administrator of the trust acting on  
19 behalf of the trustee and therefore guilty of intended fraud on the court.

20 ***Probate Code 16062.***

21 ***(a) Except as otherwise provided in this section and in Section 16064, the***  
22 ***trustee shall account at least annually, at the termination of the trust, and***  
23 ***upon a change of trustee, to each beneficiary to whom income or principal is***  
24 ***required or authorized in the trustee's discretion to be currently***  
25 ***distributed.***

26 ***(b) A trustee of a living trust created by an instrument executed before July***  
27 ***1, 1987, is not subject to the duty to account provided by subdivision (a).***

28 ***(c) A trustee of a trust created by a will executed before July 1, 1987, is***  
***not subject to the duty to account provided by subdivision (a), except that***

1 if the trust is removed from continuing court jurisdiction pursuant to  
2 Article 2 (commencing with Section 17350) of Chapter 4 of Part 5, the duty to  
3 account provided by subdivision (a) applies to the trustee.

4 (d) Except as provided in Section 16064, the duty of a trustee to account  
5 pursuant to former Section 1120.1a of the Probate Code (as repealed by  
6 Chapter 820 of the Statutes of 1986), under a trust created by a will  
7 executed before July 1, 1977, which has been removed from continuing court  
8 jurisdiction pursuant to former Section 1120.1a, continues to apply after  
9 July 1, 1987. The duty to account under former Section 1120.1a may be  
10 satisfied by furnishing an account that satisfies the requirements of Section  
11 16063.

12 \*(e) Any limitation or waiver in a trust instrument of the obligation to  
13 account is against public policy and shall be void

14 All exceptions and qualifications do not merit a waiver.

15 b. The **Trust** instrument specifically states in section 19.21, (page  
16 59-60 of **The First and Final Accounting** that the probate codes  
17 referred to are those of California and amendments to and  
18 corresponding provisions of any subsequent California laws.

19  
20 c. Pierre Rodnunsky and PRA's failure to act within the law was a  
21 direct and intentionally criminal act and recklessly negligent of  
22 his obligations as an officer of the court, shamelessly making  
23 light of his intentional crimes showing no concern for the  
24 consequences or concern for the beneficiary, **Tawny Gage**, in his  
25 effort to defraud the trust, the beneficiary and the **Court** by  
26 requiring a court order for an accounting from the beneficiary,  
27 **Tawny Gage**, causing knowingly unnecessary and very damaging  
28 financial harm to the beneficiary, **Tawny Gage** who **Pierre**  
**Rodnunsky** and the **Trustee, Karen Roper**, are very aware is trying

1 to survive on a fixed disability income that does not cover her  
2 monthly bills and is burdened with health problems and brain  
3 trauma.

4 **Pierre Rodnunsky and Karen Roper** did this with the direct criminal intention  
5 of defrauding the trust further by using their ability and expertise of the  
6 attorney to manipulate the laws of California for his personal benefit and by  
7 embarrassing the court with his abuse of the court under the supervision of  
8 the court only successful by the collusion of other trust attorneys for their  
9 own personal financial gain at great cost and irreparable financial and  
10 emotional damage to the disabled beneficiary, **Tawny Gage**.

11  
12 **5. Pierre Rodnunsky and the Trustee colluded and succeeded in Illegally**  
13 **preventing trust distributions to the beneficiary by using fraud and**  
14 **abuse of the court to do so.**

15 On the **164 page "Objection to instruct the Trustee to distribute"** Court  
16 **document number 1781758314** Pierre Rodnunsky and the beneficiary successfully  
17 used the fraud on the court to prevent distributions to the beneficiary,  
18 though the duty to distribute is not a matter of whether a beneficiary needs  
19 the money or if it is an emergency, it is a legally binding fiduciary duty.  
20 ***The law of trust distributions is straightforward.***

21 ***Under Probate Code section 16000, the trustee must follow the trust terms.***

22 ***In Leader v. Cords (182 Cal. App. 4th 1588(2010)), the California Appellate***  
23 ***Court held that the duty to account is inseparable from the duty to***  
24 ***distribute. In other words, a trustee must make a distribution of trust***  
25 ***assets in order to meet their duty to administer the trust according to its***  
26 ***terms.***

27  
28 The **order denying the distribution** is on **Court document number 1781817812**  
that denies the distribution on the basis of "Not an emergency" Though it was

1 and still is and emergency as the disabled beneficiary has been denied any  
2 distributions from the trustee for nearly 4 years, is on a fixed disability  
3 income and this illegal and unnecessary litigation has caused extensive  
4 irreparable financial damage to the beneficiary and prohibited my ability to  
5 pay counsel to protect me, even if I could find a trust attorney with  
6 integrity and willing to expose the corruption happening in the Probate  
7 Court. The additional claims in the emergency request have also caused  
8 extensive damage to my credit, my home, my quality of life and ability to  
9 survive without any assistance.

10 6. Pierre Rodnunsky additionally intentionally misleads and directly lied  
11 to the court/tribunal on the following court filed documents  
12 specifically:

13 On the First and last accounting of the Carl Gage Trust document number  
14 1755665841

15 a. Page 2 line 11-13 "On April 18, 2017 respondent formally accepted  
16 her appointment as Trustee of the Trust. Attached hereto as  
17 Exhibit E and incorporated herein by reference is a true and  
18 correct copy of as Acceptance of Trusteeship executed by  
19 Respondent on April 18, 2017." Though not mentioned in his  
20 statement, this attachment is located on page number 79 of the  
21 Accounting. You will also find another Acceptance of Trusteeship  
22 signed by Karen Roper dated October 4<sup>th</sup>, 2018 on page number 15  
23 the Accounting.

24 The attorney listed the acceptance of trusteeship of the respondent but  
25 neglected to mention that he was employed by the trust as the administrator  
26 acting on behalf of the trustee as noted in exhibit 5.

27 b. Page 2 line 14-15 "The decedent transferred title to some of his  
28 assets, including his residence into the trust."

1 The residence was the ONLY documented asset to be transferred into the trust.  
2 His wording that *some* of his assets, including the residence is misleading  
3 and insinuates that there were more assets transferred to the trust before  
4 death.

5 c. Page 2 Line 15-18 "However, inadvertently, the decedent did not  
6 formally transfer various financial accounts and vehicles to the  
7 Trust, notwithstanding his clear intent that they be deemed  
8 assets of the Trust since they were either specifically  
9 identified on the Schedule A to the Trust and/or generally  
10 assigned to the trust by way of as Assignment document."

11 **The Heggstad petition located on page 82-83 of the First and Final**  
12 **accounting**, showed evidence only of assets that were identified in Schedule A  
13 and no assets were "generally assigned to the trust by way of Assignment  
14 document".

15 d. **PRA** directly lied to the beneficiary, in their (illegally)  
16 designated administration, and acceptance of the **Trustees** duty to  
17 inform the beneficiary (also illegal) when they officially  
18 notified the beneficiary, **Tawny Gage**, of the trust assets. They  
19 deliberately and deceptively informed the beneficiary as well as  
20 the beneficiary's counsel on several occasions on **Exhibit 6** that  
21 the Ameritrade, Etrade and Ally accounts were part of the trust  
22 assets prior to receiving or petitioning for a Heggstad order.  
23 PRA also stated that the four automobiles were also trust assets  
24 prior to any order or petition for a Heggstad order. They  
25 omitted the fact that they had to get an order to make them trust  
26 assets, and directly refused to answer the beneficiary when she  
27 asked if any court proceedings were intended by the attorney or  
28 trustee.

1 My legal counsel at the time failed to investigate the legitimacy of the  
2 trust assets and had evidence provided directly from PRA that the assets were  
3 trust assets, prior to the heggstad petition being filed or approved and  
4 allowed the illegal acts by PRA, refusing to expose PRA's illegal crimes  
5 against the beneficiary and the trust.

6 e. Page 3 line 5-9 of the First and Last Accounting: "On about  
7 January 16, 2018, Respondent presented a small estate affidavit,  
8 pursuant to probate code 13100, to Ally Bank, requesting that  
9 certain certificate of deposit accounts having an aggregate value  
10 of \$45,146.01 be paid, transferred, or delivered to Respondent as  
11 trustee of the trust. On or about January 31, 2018, Ally Bank  
12 paid said accounts totaling \$45146.91 to Respondent as trustee of  
13 the trust.

14 **Ally Bank** was **NOT EVER** deemed a trust asset nor was it included in the  
15 petition for a Heggstad order as shown in **pages 83 -83 of the First and Last**  
16 **Accounting** on the Heggstad order or included in the Court Order making non  
17 trust assets, trust assets. **PRA** was aware of the vesting of every account as  
18 they marshalled the financial accounts as the administrator for the trust **PRA**  
19 lied to the beneficiary to assist the trustee in the theft of non-trust  
20 assets. The **trustee**, Karen Roper requested that the transfer be made to the  
21 name of the **Carl Gage Trust**, which was an illegal and fraudulent transaction  
22 by the trustee with direct involvement by the attorney firm **PRA**. Had I known  
23 that the Ally account was not part of the trust, I would have claimed the  
24 assets myself as his only child and nearest next of kin which he would know  
25 that only I could do that if he did not have a beneficiary listed or included  
26 it in the trust. **This is proven in the First and Last Accounting on page 3**  
27 **lines 5-9** shows that the Ally account was the personal property of the  
28 decedent and not part of the trust when the trustee withdrew the accounts  
illegally and fraudulently and had the check made to the name of the trust.



1 Continuing Pierre Rodnunsky's direct lies and misrepresentation of facts on  
2 The First and Final accounting of the Carl Gage Trust Court document number  
3 1755665841

4 f. Page 3 line 17-20 "The trustee makes the following allegations  
5 pursuant to probate code 1063 that estimated market value of the  
6 assets on hand as of the end of the accounting period See Exhibit  
7 G schedule E"

8 As shown in page 100-103, there are no current market values for any assets  
9 listed in schedule E as required by law.

10 g. Page 3 line 17 on the First and Final Accounting "Allegations  
11 pursuant to Probate code 1063 n/a"

12 There were no allegations to the business that my father owned called CGA  
13 Carlton Gage and Associates. An active business with current customers for  
14 website creation and maintenance. The business had a bank account held at  
15 Premier America Credit Union with a tax id number and a separate business tax  
16 filing every year. The account or proceeds from this business are not  
17 mentioned or how the business was liquidated or if taxes for 2017 were filed  
18 for the business. The trustee states in her trustee hours submitted in  
19 discovery that the taxes are payable by the beneficiary of the account which  
20 is not legally true as to the business and it's filed taxes. It is only true  
21 of the remaining funds left in the account that are distributed to the  
22 beneficiary and have nothing to do with the assets earned from the business  
23 or the taxes filed for the business.

24 h. Page 4 line 4 - 6 on the First and Final Accounting " a. There  
25 were no sales, purchases, changes in the form of assets or other  
26 transactions occurring during the period of account that are not  
27 otherwise readily understandable from the detailed allegations  
28 presented herein"

1 The statement is untrue in every respect as to all of the information  
2 provided directly in the accounting.

3 The inventory list does not have any values on 80% of the list. It has zero  
4 current market values on all of the inventory as shown on **page 100-103**.

5 During discovery the attorney provided a computer cd of electronic picture  
6 files of more than 900 pictures of extremely valuable inventory (documented  
7 as being taken 6 months after the date of death) that were not accounted for  
8 or listed in the account inventory or as part of the value of the Trust.

9 They also refused to account for these valuable items in discovery claiming  
10 that they were not wanted by the beneficiary, Tawny Gage so their disposition  
11 was not of any consequence to the Trust or the trust value.

12 Items pictured on the CD, by mere common sense, **far** exceed the value of items  
13 that are listed in the inventory in the First and Final Accounting of Carl  
14 Gage Trust.

15       *i.* Specifically, the inventory consists of a common change jar they  
16       have listed as inventory by individually listing each individual  
17       coin (quarter, dime etc...) to show a large number of distributions  
18       to the beneficiary, **Tawny Gage**. There is no picture of this  
19       change jar in any of the pictures taken of the inventory. They  
20       included things in the Accounting like a box of various  
21       miscellaneous items, a plastic soap dish, plastic table cloth  
22       clamps, a tiny crock pot, a plastic bag filled with other plastic  
23       bags etc...shown on **pages 100 -103**, but failed to list the Assets  
24       photographed on the CD submitted in discovery including but not  
25       limited to two large flat screen televisions, soundbars,  
26       expensive stereo equipment, Bose surround sound system, a climate  
27       controlled wine locker that contained 350 bottles of fine wine  
28       collected over forty years or more, audio recording equipment,  
      several quality microphones and stands, amps, expensive software,

1 2 desktop computers, several laptops, several flat screens  
2 monitors, valuable color laser printer, quality headphones, music  
3 stands, several guitar stands, keyboards, drum kit, a very  
4 valuable harmony mixer still in the box, several cell phones,  
5 several laptops, hard drives, harmonicas, several expensive boom  
6 boxes, over 600 cds, expensive video equipment, valuable  
7 furniture, a telescope on a tripod, Callaway titanium golf clubs,  
8 a large collection of tools, power tools, not to mention the  
9 omission of my Gage family heirlooms that only some are pictured  
10 but some of those previously advised to me that they could not  
11 locate them, solid oak furniture, a brand new electric reclining  
12 couch and separate recliner, over 300 valuable vinyl records and  
13 45's collected from the 1950s to the 1990's, an original 1960  
14 fender amp worth thousands, Very valuable complete set of china  
15 and crystal purchased by my grandparents in the 1950's in  
16 England, my great uncles typewriter from the beginning of the  
17 1900's, my great grandfather's pocket watch, my fathers Army Dog  
18 Tags, a detailed genealogy report of the Gage Family History that  
19 included my ancestors photographs dating back to the 1700's, most  
20 notably my father's ashes are not listed in the inventory...etc  
21 etc...

- 22 j. Many items are valued at approximately or above \$1,000.00 and are  
23 not accounted for, but admitted to the existence of these items  
24 in Discovery while refusing to offer any explanation of why they  
25 were intentionally withheld from the Accounting or the Trust  
26 value. They also do not reflect the stolen items that they will  
27 not admit were in the house at the time of death.

28 All assets pictured in the computer cd that was provided to Scott Grossman  
are unequivocally of far more value that the items listed in the Accounting

1 inventory, proving the **trustee's** and **PRA's** intent to defraud the trust and  
2 the beneficiary and kept the true value of the trust intentionally hidden  
3 through fraud.

4 **k.** Documented on **page 109** the First and Final Accounting showing that  
5 the Trustee sent a key to the Trust Property to a **non-attorney** employee  
6 of **PRA, Connie Lee** in June of 2017 and the email evidence in my  
7 possession shows that it was used more than three times, without the  
8 Trustee's supervision or ability to monitor access.

9 **Additionally my** extensive email evidence from **PRA** proves that they advised  
10 the beneficiary of all trust business including but not limited to several  
11 promises to take inventory, documentation of trust assets requested by the  
12 beneficiary being given to non-beneficiaries using trustee discretion,  
13 notification the trust property is in non-trustee and non-administrator  
14 possession without documentation, that non-attorney personnel at PRA have  
15 unsupervised access to trust property, Tawny Gage was being charged for the  
16 entire amount of the moving and storage of trust property and it was being  
17 taken out of her half of the distribution, trustee/administrator conditions  
18 were placed on the beneficiary to receive distributions, refusal to give the  
19 beneficiary information about the trust business happening, PRA involvement  
20 in the sale of the property etc....

21 **Trust property in Pierre Rodnunsky and Associates personal possession.**

22 **1. EXHIBIT 18** shows the extensive amount of trust assets that the  
23 attorney, **Pierre Rodnunsky and PRA** claims to have **in their personal**  
24 **possession** that includes **cash and gold coins**.

25 **Pierre Rodnunsky and Allison Loevner** failed to follow the professional  
26 code of ethics laws that obligate the attorney to correctly identify  
27 the assets held by the attorney and the intended beneficiary along with  
28 descriptions and values and the location and security of the assets  
held by the attorney. **Neda Firouzi and Matt Stidham** of The Legacy

1           Lawyers never protected me by requiring PRA to follow the Professional  
2           code of ethics despite my repeated requests for them to do so.

3 ***Rule 1.15 Safekeeping Funds and Property of Clients and Other Persons (Rule***  
4 ***Approved by the Supreme Court, Effective November 1, 2018)***

5 ***(d) A lawyer shall:***

6 ***(1) promptly notify a client or other person\* of the receipt of funds,***  
7 ***securities, or other property in which the lawyer knows\* or reasonably should***  
8 ***know\* the client or other person\* has an interest; (2) identify and label***  
9 ***securities and properties of a client or other person\* promptly upon receipt***  
10 ***and place them in a safe deposit box or other place of safekeeping as soon as***  
11 ***practicable; 2 (3) maintain complete records of all funds, securities, and***  
12 ***other property of a client or other person\* coming into the possession of the***  
13 ***lawyer or law firm;\* (4) promptly account in writing\* to the client or other***  
14 ***person\* for whom the lawyer holds funds or property; (5) preserve records of***  
15 ***all funds and property held by a lawyer or law firm\* under this rule for a***  
16 ***period of no less than five years after final appropriate distribution of***  
17 ***such funds or property; (6) comply with any order for an audit of such***  
18 ***records issued pursuant to the Rules of Procedure of the State Bar; and (7)***  
19 ***promptly distribute, as requested by the client or other person,\* any***  
20 ***undisputed funds or property in the possession of the lawyer or law firm\****  
21 ***that the client or other person\* is entitled to receive. (e) The Board of***  
22 ***Trustees of the State Bar shall have the authority to formulate and adopt***  
23 ***standards as to what "records" shall be maintained by lawyers and law firms\****  
24 ***in accordance with paragraph (d) (3). The standards formulated and adopted by***  
25 ***the Board, as from time to time amended, shall be effective and binding on***  
26 ***all lawyers.***

27 ***(2) A lawyer shall, from the date of receipt of all securities and other***  
28 ***properties held for the benefit of client or other person\* through the period***  
***ending five years from the date of appropriate disbursement of such***

1 securities and other properties, maintain a written\* journal that specifies:  
2 (a) each item of security and property held; (b) the person\* on whose behalf  
3 the security or property is held; (c) the date of receipt of the security or  
4 property; (d) the date of distribution of the security or property; and (e)  
5 person\* to whom the security or property was distributed. Comment [1] Whether  
6 a lawyer owes a contractual, statutory or other legal duty under paragraph  
7 (a) to hold funds on behalf of a person\* other than a client in situations  
8 where client funds are subject to a third-party lien will depend on the  
9 relationship between the lawyer and the third-party, whether the lawyer has  
10 assumed a contractual obligation to the third person\* and whether the lawyer  
11 has an independent obligation to honor the lien under a statute or other law.  
12 In certain circumstances, a lawyer may be civilly liable when the lawyer has  
13 notice of a lien and disburses funds in contravention of the lien. (See  
14 Kaiser Foundation Health Plan, Inc. v. Aguiluz (1996) 47 Cal.App.4th 302 [54  
15 Cal.Rptr.2d 665].) However, civil liability by itself does not establish a  
16 violation of this rule. (Compare Johnstone v. State Bar of California (1966)  
17 64 Cal.2d 153, 155-156 [49 Cal.Rptr. 97] [""When an attorney assumes a  
18 fiduciary relationship and violates his duty in a manner that would justify  
19 disciplinary action if the relationship had been that of attorney and client,  
20 he may properly be disciplined for his misconduct.""] with Crooks v. State  
21 Bar (1970) 3 Cal.3d 346, 358 [90 Cal.Rptr. 600] [lawyer who agrees to act as  
22 escrow or stakeholder for a client and a third-party owes a duty to the  
23 nonclient with regard to held funds].

24  
25 m. Because the items in the inventory on the First and Final Accounting  
26 are not described in detail any item can be replaced for less valuable  
27 inventory. The criminal actions of **Karen Roper** and **Pierre Rodnunsky**  
28 **and PRA** listed thus far, confirm the likelihood of this and the  
intention of the illegally missing documentation and values on the

1 Accounting clear. Because none of the inventory is detailed one  
2 computer could be a useless 30 year old computer or it could be a state  
3 of the art lightning fast very valuable computer, and their intentional  
4 omission of this information leaves me with little recourse as there  
5 are no values listed on the majority of inventory items.

6 Most notably in this effort is my constant request for my father's Army  
7 Dog Tags that are of sentimental value to me, and no value to the  
8 trustee, that are intentionally listed in the Inventory as being a  
9 "chain with a pendant" rather than identifying it as my Father's Dog  
10 Tags.

11 Among the other property missing in inventory is an **H&K Revolver Model 649**  
12 that is registered to **Carl Gage serial number AT815285**, not listed in  
13 inventory or value of the Trust or in the pictures provided to the  
14 beneficiary in the first discovery.

15 An unbelievably valuable **1928 Martin D28 Guitar serial number 268464** that the  
16 Trustee will not verify the serial number to but was asked to in discovery in  
17 2018. They included a serial number of other guitars but intentionally left  
18 out this item due to its excessive value being misrepresented in the First  
19 and Last Accounting.

20 **PLEASE NOTE: PRA claims to have this valuable and sentimental heirloom in**  
21 **their personal possession** and if not kept at the right humidity or  
22 conditioned it renders the guitar valueless. Though the Trustee documents  
23 the value at 2500.00, the value has been determined to be over \$60,000.00 in  
24 the condition it was in at the time of death.

25 The guitar was noted as being given to non-trustees later identified as Gary  
26 and Kathy Lynch of Moorpark, California, to hold for the trustee for safety  
27 reasons, however, she had over \$85,000.00 in gold coins in her possession and  
28 a valuable Lexus 500 in her driveway. Then PRA advised my attorney that he

1 now had possession of this valuable and sentimental guitar, being my father's  
2 favorite and most used guitar on a daily basis.

3 Though the guitar has been documented as being delegated to be distributed to  
4 me in the First and Final Accounting, it has been cruelly kept from me for  
5 nearly four years along with all other distributions and been recklessly and  
6 irresponsibly exposed to damage and theft through the Trustees lack of  
7 concern for the safety of this item, knowing it is of incredible emotional  
8 value to me. The mere fact that the trustee would give this item to non-  
9 beneficiaries and given to a criminal attorney to hold rather than  
10 distributing it to me in the last four years is evident of her cruelty and  
11 disrespect and disregard for her fiduciary duty or her respect for the laws  
12 of California. Pierre Rodnunsky's refusal to distribute the trust assets in  
13 his possession for over 3 years, is evident of his criminal behavior and  
14 efforts to collude with the trustee to prevent any distributions to the  
15 beneficiary.

16  
17 Please see Pages 88-92 in the 164 page Objection to distribute where Pierre  
18 Rodnunsky specifically advises my previous counsel that he is illegally  
19 withholding and/or advising the trustee to illegally withhold distributions  
20 to the beneficiary based on his feigned insult from my attorney. This is in  
21 direct violation of the law, fiduciary duty and the terms of the trust.

22 n. Also, my Father's ashes and all items of monetary and sentimental  
23 value have all been kept from me and transferred to multiple non-  
24 trustees and non-beneficiaries rather than be distributed to me in 4  
25 years as they use the illegal litigation to justify their refusal to  
26 distribute anything to me.

27 **California Probate code**

28 16000.



1 On acceptance of the trust, the trustee has a duty to administer the trust  
2 according to the trust instrument and, except to the extent the trust  
3 instrument provides otherwise, according to this division.

4 (Enacted by Stats. 1990, Ch. 79.)

5 16002.

6 (a) The trustee has a duty to administer the trust solely in the interest of  
7 the beneficiaries.

8 (Enacted by Stats. 1990, Ch. 79.)

9 16003.

10 If a trust has two or more beneficiaries, the trustee has a duty to deal  
11 impartially with them and shall act impartially in investing and managing the  
12 trust property, taking into account any differing interests of the  
13 beneficiaries.

14 (Amended by Stats. 1995, Ch. 63, Sec. 1. Effective January 1, 1996.)

15 16004.

16 (a) The trustee has a duty not to use or deal with trust property for the  
17 trustee's own profit or for any other purpose unconnected with the trust, nor  
18 to take part in any transaction in which the trustee has an interest adverse  
19 to the beneficiary.

20 16006.

21 The trustee has a duty to take reasonable steps under the circumstances to  
22 take and keep control of and to preserve the trust property.

23 (Enacted by Stats. 1990, Ch. 79.)

24  
25 7. Cash and Gold illegally listed in tangible assets and in direct  
26 violation of the Trust Instrument with a proven false claim of  
27 appraisal:

28 The tangible inventory also contains cash and gold coins that are strictly  
prohibited from being listed as tangible property in the trust.

1 They have the bouillon listed as being **appraised**, the only item to claim to  
2 have been appraised in the inventory of the accounting, **at face value of**  
3 **\$100.00. First and Final Accounting on page 101**

4 If this information is true, and a qualified commodities broker appraised the  
5 coins at face value, that means that the expert swore with his name and  
6 reputation that the price of gold has not fluctuated at all, up or down,  
7 since 1999 when my father purchased the coins. Because we know that gold  
8 does fluctuate in value and does so daily at a substantial amount, this  
9 information is intentionally fraudulent and represents direct fraud by the  
10 trustee and the attorney.

11 8. Page 4 lines 7 - 18 of the First and Last accounting " b. There are  
12 no unusual items appearing in this account, with the exception of the  
13 following: This trust administration has proved extremely challenging  
14 and difficult as s result of the belligerent and hostile behavior of  
15 the beneficiary, KELLY MARIE GAGE, also known as TAWNY GAGE  
16 {hereinafter "Tawny"}. Throughout this trust administration, TAWNY has  
17 hired at least three different law firms to represent her as a  
18 beneficiary. Accordingly, the Trustee's attorney was compelled to deal  
19 with three different attorneys representing TAWNY. TAWNY has also  
20 legally represented herself, in pro per, for those periods of time in  
21 which she was unrepresented. Both TAWNY and her many prior attorneys  
22 have sent countless communications and requests for information to the  
23 Trustees attorney. This required the Trustees attorney to respond to  
24 those communications and accumulated well beyond what was originally  
25 anticipated at the onset."

26  
27 First, the attorney was the main contact and the designated main  
28 administrator of the trust by the trustee. Communications were only allowed  
to go through his firm, PRA.

1 Second, the beneficiary, **Tawny Gage**, had never represented herself, in pro  
2 per, prior to the accounting, where he makes this statement. The beneficiary  
3 represented herself as a 50% outright beneficiary, legally entitled to  
4 information about the trust business. No litigation prior to the order for  
5 an accounting had taken place requiring the beneficiary, Tawny Gage to  
6 represent herself in pro per. The attorney began the trust as a legal fight  
7 rather than representing the trust or the laws of California. Administered  
8 the trust illegally to cause the beneficiary harm on behalf of the trustee  
9 rather than just stealing from her without the additional emotional abuse and  
10 personal financial harm to the beneficiary. Their constant arrogance and  
11 cruelty knowing that I do not have the mental ability to create a motion on  
12 my own to advise the court of their illegal acts and fraud upon the court. I  
13 cannot maintain effective communication and temporarily forget facts and  
14 stutter in verbal communications.

15 **PRA** did not respond to any attorney within the law and orchestrated the need  
16 for attorneys with direct intention to defraud the beneficiary with the  
17 assistance of fellow trust attorneys who failed to protect their client, the  
18 beneficiary or ever point out any of the illegal acts performed by **PRA**. As  
19 trust attorneys, they all had knowledge of his illegal acts and refused to  
20 act within the law.

21 This is a proven additional lie in the attorneys First and last accounting.  
22 There was no need for an attorney involved to provide the entitled by law  
23 information to the beneficiary, if **PRA** or the trustee, **Karen Roper**, had  
24 followed any of the trust laws of California or the instructions of the  
25 trust.

26 The illegal actions are specifically listed in detail below with  
27 corresponding evidence showing the undeniable need for legal representation  
28 and the corresponding communications of my legal counsel to PRA, From PRA and  
to the beneficiary, Tawny Gage, their client that unequivocally shows each

1 one of their collusion in the fraud and failure to protect Tawny Gage, the  
2 beneficiary as their obligation to the professional code of ethics demands of  
3 them and without concern for Tawny Gage's interest.

4 **Tawny Gage** was in fact forced to hire two attorneys prior to **Scott Goldman**,  
5 who was hired to file a petition to have the court order an Accounting,  
6 required by law, that the trustee and administrator in this case, **Pierre**  
7 **Rodnunsky**, an officer of the court, the Trustee **Karen Roper** and the employees  
8 of **PRA** refused to respect the laws of California and act accordingly to their  
9 legal obligations not only did so with shameless moral turpitude and lack of  
10 integrity but unnecessary and excessive cruelty to the **beneficiary, Tawny**  
11 **Gage**.

12 They failed to provide correct and true information about the Trust or the  
13 Trust business to the beneficiary, **Tawny Gage** during administration or treat  
14 her fairly or respectfully during the illegal administration or the gross  
15 misconduct of **Pierre Rodnunsky** and **Karen Roper** was so incredibly criminal and  
16 illegal, even if they were not just in constant gross breach of their  
17 respective fiduciary duties.

18 Actions of the attorney **Pierre Rodnunsky** and **PRA** on behalf of the Trustee,  
19 **Karen Roper**, that forced the beneficiary to hire legal representation  
20 included but was not limited to the following acts:

21 Among one of the most horrific and criminal acts by the attorney **Pierre**  
22 **Rodnunsky** and **PRA** on behalf of the Trustee, **Karen Roper** is when the **Trustee,**  
23 **Karen Roper**, forwarded *non-trust related* communications from the beneficiary,  
24 directly to the trust attorney, **Pierre Rodnunsky**, and also gave him my  
25 personal banking history , held by the **Trustor, Carl Gage**, acting as  
26 custodian for his disabled only child, **Tawny Gage'**

27  
28 9. Pierre Rodnunsky and PRA acted in an abhorrent scheme to directly  
harass the beneficiary and cause direct and intentional financial and

1 emotional harm to the fragile and distraught beneficiary by illegally  
2 withholding her personal banking history from her for 6 months, not  
3 returned to the beneficiary immediately when recovered from my fathers  
4 property.

5 Tawny Gage begged the trustee to return her personal banking history and  
6 instead the trustee forwarded them to Pierre Rodnunsky who refused to give  
7 them to Tawny Gage after several requests and even hiring an attorney to  
8 retrieve them from PRA, they were finally returned to me in August of 2017,  
9 via electronic format on an email directly from PRA.

10  
11 10. Page 4 line 26-28 of The First and Final Accounting

12 "e.) During the period of this account, the Trustee has kept all cash in her  
13 possession in interest bearing accounts or in investments authorized by law  
14 or the governing instrument, except for an amount of cash that is reasonably  
15 necessary for the orderly administration of the estate."

16 The Accounting only shows one account that the trust assets are being held in  
17 at Union Bank in non-interest bearing checking account. No interest on any  
18 monies held in the trust for almost two years prior to the court ordered  
19 accounting shown in any schedule on the Accounting.

20 Please note that the Attorney, Pierre Rodnunsky Opened the bank account at  
21 Union Bank with his own personal funds. Shown on the The First and Last  
22 accounting on page 93

23 That he accepted deposits to the trust to be made to the trust account. On  
24 page 93

25 And that no trust expenses were paid directly from the trust account on pages  
26 107=113

27 The total of the house sale was not distributed to the trust account because  
28 Pierre Rodnunsky took a payment of \$45082.34 directly from the sale, listed  
under Escrow expenses as seen on The First and Final Accounting page 96.

1 Note: The union bank statements have been deliberately kept from the  
2 beneficiary, by Matt Stidham  
3 Along with the Ally Bank small estate forms.

4  
5 Page 5 lines 1-6 "

6 Page 5 lines 7-8 "

7 Page 5 line 10-15 "

8 11. Page 5, line 18-28 and page 6, lines 1-7 "a. gifts of tangible  
9 personal property and Vehicles/motor home Section 4.1 (a) and Article 5  
10 of the trust (as amended by the Third Amendment, see Exhibit D) sets  
11 forth the following distributions of tangible personal property:

12 "Upon my death...the following distribution shall be made by Trustee from the  
13 trust estate: Gift of Vehicles and Motorhome shall be equally distributed as  
14 follows:

15 a. All vehicles and Motor Homes that I own shall be equally distributed to  
16 Kelly Marie Gage and Karen Roper outright.....ll my interest in my  
17 tangible personal property, not effectively disposed of above, together  
18 with any insurance on each property, shall be equally distributed by  
19 the Trustee outright to Kelly Marie Gage and Karen M. Roper outright.

20 b. Balance of trust estate section 4.1 (e) of the Trust (as amended by the  
21 Third Amendment; see Exhibit D) sets for the following distributions of  
22 the balance of the Trust estate "The balance of the trust estate shall  
23 be allocated as follows Fifty percent (50%) to Kelly Marie Gage,  
24 outright and fifty percent (50%) to Karen Roper, outright"

25 If no complete inventory was taken as proven above in and no pictures taken  
26 until six months after death, while several non-trustees had access to the  
27 assets without trustee supervision and the majority of assets were not listed  
28 in the court ordered Accounting or accounted for in the trust value, no  
complete inventory was taken while the trustee admittedly removed several car

1 loads, truck loads and boxes from the trust property over six months while  
2 only listing invaluable items on the very short inventories given in  
3 administration, admittedly gave undocumented valuable assets to "Friends to  
4 hold" and gave away very valuable assets to non-beneficiaries without  
5 complete descriptions or values prior to distributions being made to the  
6 other beneficiary and that Tawny Gage was first allowed to be distributed  
7 items in an outright spit. The Trustee/administrator gave items of value  
8 documented as being items that the beneficiary wanted prior to a complete  
9 value of the trust or inventory to non-beneficiaries. If no interest on any  
10 trust financial assets are shown on the Accounting and every probate code  
11 that governs the court ordered accounting and no bank statements provided to  
12 the beneficiary, theft of non-trust property and the excessive billing of  
13 illegal administration of the Trust.

14 With all of this, it is proven that the **Trustee Karen Roper** with the  
15 assistance of **Pierre Rodnunsky**, deliberately omitted items of great value and  
16 chose to list only items at zero value. The methods used to find the value  
17 of the assets were intentionally without any effort or need for true value.  
18 Pages from discovery that shows the trustee offered the extent of her search  
19 for true value with "I asked a friend, and he said it's worth about a  
20 100.00." No mention who this friend was or how or if he was qualified to  
21 make such a guess. No further efforts were made. No appraisals were done  
22 and no physical descriptions or serial numbers given to verify. If the  
23 estate to be divided outright and items that are not accounted for or valued,  
24 showing deliberate intention to dishonestly by listing items with zero value  
25 on the inventory and providing pictures of exceedingly valued items as shown  
26 in the pictures submitted in discovery. Not to mention the Trustee fails to  
27 show pictures of the most valuable items such as the China and crystal that  
28 my grandparents purchased in England in the 1950's. The photos show pictures  
of plastic champagne glasses as evidence of the valuable china and crystal.

1 This type of disrespectful and immature criminal behavior is evident of the  
2 Trustees lack of interest in her fiduciary duty and only interested in her  
3 personal gain.

4 On the dates of the move, two non-attorney personnel of **PRA, Connie Lee,**  
5 paralegal and **Gabriella Sarceno,** office staff, were paid by the trust to  
6 supervise the move that consisted of two full days, two 28 foot trucks, 14  
7 moving company employees of **QRS moving company** that packed the trust assets.  
8 At which time no inventory was being taken or accounted for while two 28 foot  
9 trucks were being simultaneously loaded at the trust property. The partially  
10 full trucks were held by the moving company with only their access to the  
11 trucks overnight before both trucks were returned in the morning for another  
12 full day of packing and only **ONE** of those trucks was delivered to the  
13 beneficiary Tawny Gage, without documentation of the items, signature of  
14 receipt and only in the supervision of two non-attorney personnel from **PRA**  
15 **without the presence of the Trustee or the attorney at the packing, moving or**  
16 **delivery to the beneficiary Tawny Gage of supposed distributions.**

17 Therefore, the Trustee **Karen Roper** or attorney **Pierre Rodnunsky** cannot  
18 personally verify what was distributed to the beneficiary or in what  
19 condition.

20 **CA Prob Code § 11751 (2017)**

21 ***The personal representative shall obtain the receipt of the distributee for***  
22 ***property in the estate distributed by the personal representative. In the***  
23 ***case of real property, the personal representative shall record the court***  
24 ***order for distribution or the personal representative's deed or both in the***  
25 ***county in which the real property is located. Recordation of the order or***  
26 ***deed is deemed to be a receipt of the distributee for the property.***

27 ***(Enacted by Stats. 1990, Ch. 79.)***



12. Page 6 line 8-13 "Reserve Requested Respondent requests authorization to withhold \$10,000.00 in cash as a reserve for closing expenses , for income taxes and tax preparation fees, for future compensation the Trustee, for future attorney fees and costs to Trustees attorney and for any liabilities that may be determined to be due from the Trust estate. Any unexpended portion of the reserve will be distributed as part of the balance of the Trust estate, to the beneficiaries set forth in paragraph 18(b) below.

The mere title of the document being "The first and Final Accounting of the Carl Gage trust" not only insinuates but declares with definition that Trust administration is **complete**. The only future attorney fees and costs to the Trustees attorney can only be determined to be his intent to continue illegal Fraud on the Trust, fraud on the beneficiary **Tawny Gage** and intended continuance of illegal Fraud on the Court.

The declaration that the trust administration has ended, and the maximum trustee fees already delegated in Disbursements and Liabilities of the trust, declares the **Trustees** intention to continue to defraud the trust and beneficiary **Tawny Gage** while defrauding the **Court**.

The billing for the preparation of the Final Trust income taxes already completed are *plainly* listed in the expenses of the Trust.

The cost for liabilities due to the Trust are excessive, but clearly not an expense to the trust, but a personal expense to the **Trustee**.

The **Trustees** proven criminal behavior and fraud on the trust and the beneficiary **Tawny Gage**, as well as her refusal to take her fiduciary duty seriously, failure to distribute any trust funds to the beneficiary **Tawny Gage** and her clear continuance of her criminal acts suggests that the **Trustee** has no intention of distributing any part of any illegally taken reserve.

Please note on **Page 105 and 106 of The First and Final Accounting**, the **Trustee** and **Attorney** have already made their intentions clear by leaving

1 blank amounts marked "TBD" for future fees to them included in the  
2 Liabilities of the trust.

3 **13. Discovery Abuse**

4 **a.** The discovery abuse was extensive and orchestrated illegally to  
5 prolong the litigation and frustrate and bankrupt the  
6 beneficiary.

7 The hundreds of pages provided by the Trustee and the Administrator included  
8 intentional cut off copies of evidence, pages of useless and unrequested  
9 information that had no bearing on the proof that was requested, incomplete  
10 information and the illegal refusal of multiple discoveries legally entitled  
11 to the beneficiary to verify the information provided on the First and Last  
12 Accounting, claiming the information was being withheld for use in the Trial.  
13 A trial that had not yet been scheduled and would not be necessary if the  
14 Trustee and her attorney, acting as administrator of the trust provided a  
15 legally required by law annual accounting, completed it within the law and  
16 offered the burden of proof that is owned by them according to the laws of  
17 California. Pete Grossman refused to compel the discovery requested. Pete  
18 Grossman also refused to subpoena any evidence regarding the First and Last  
19 Accounting.

20 **b.** The **Trustee** and her attorney **Pierre Rodnunsky** propounded over **170**  
21 **discoveries upon the beneficiary** indicating that she was  
22 responsible for the burden of proof to provide evidence for their  
23 case that is in litigation strictly for the failure to act with  
24 integrity and on their fiduciary to provide an accounting that  
25 they refused to do and the litigation is based on their failure  
26 to provide a competent or legal Accounting and the litigation was  
27 to be used to prove the information they provided was true and  
28 correct. The beneficiary has no fiduciary duty to provide  
information regarding the administration business handled solely

1 by the Trustee/administrator. The extensive discoveries  
2 propounded on the beneficiary cost more than ten thousand dollars  
3 to the beneficiary to complete by The Legacy Lawyers and the  
4 compel for discovery was issued PRIOR to receiving the last two  
5 discoveries, collected directly by **Matt Stidham**.

6 **c.** Ultimately the court sanctioned me \$1900.00 in addition to their  
7 abuse. Please see **Pierre Rodnunsky's** claim that the **TRUSTEE**,  
8 **"Karen Roper has not yet received the \$1900.00 sanction due to**  
9 **her that was sanctioned by the court in his 164 page objection to**  
10 **exparte distribution on Page 4**

11  
12 The legal fees are being paid **directly from the trust** as seen in Allison's  
13 email on **EXHIBIT 19**.

14 No judgement by the judge was found according to court rules that specifies  
15 that the sanctions be identified in detail documenting the specific  
16 accumulated total of the sanction of \$1900.33, however the judge did ask  
17 these sanctions be made to the moving party as I understand it and as Pierre  
18 Rodnunsky explained explicitly that the moving party is Karen Roper. Though  
19 the costs that were sanctioned were paid directly by the Carl Gage Trust  
20 according to Allison Loevner as shown above.

#### 21 **In Closing**

22 My exhaustive and time-consuming searches for honest trust attorneys in the  
23 Los Angeles area who will file the motion that exposes the corruption in the  
24 Probate Court by officers of the court has been unsuccessful. Funding the  
25 officers of the court hired by me, only to assist **Pierre Rodnunsky**, his **firm**  
26 and the **trustee** in illegally defrauding the Court while defrauding me for  
27 their personally financial benefit has effectively financially ruined me and  
28 caused great harm to my already fragile health condition and my emotional  
stability. Not to mention the damage done to the Trust assets in the past 3

1 years of wasting the Court's time and its resources to house the corruption  
2 and the direct theft of the taxpayers money that has been used to house their  
3 corruption.

4 This corruption by attorneys and officers of the court, to defraud innocent  
5 people of their trusts appears to be an effortless collusion, to defraud the  
6 US Justice system by intentionally obstructing justice for their personal  
7 financial benefit.

8 These crimes were able to be uncovered by a disabled and mentally impaired  
9 victim of their crimes. Though I have been very vocal about my findings but  
10 lied to about the laws and prevented from receiving quick justice by the  
11 colluded and practiced efforts, without fear of being exposed.

12 This is not meant to embarrass the court but to make the court aware of how  
13 the officers of their court have been able to embarrass the court by  
14 manipulating the law and taking advantage of the bench's need to have faith  
15 in the integrity of their officers of the court and depend on them to police  
16 each other. They have taken that trust and used it to embarrass the court  
17 and defraud the court and the taxpayers as a tool to defraud the trusts they  
18 specialize in and defraud the beneficiaries with the assistance of other  
19 officers of the court and the assistance of the trustee who allow it for  
20 their own personal gain.

21 By not making the much-needed effort to police the officers of the court as  
22 attorneys are infamous for their lack of integrity and greed. The trust that  
23 the Court has placed on them to be above integrity is unfounded and frankly  
24 inexcusable because if the Court does not oversee the actions taking place in  
25 their Court, then what service does the bench provide and what justice does  
26 it ensure, if the authority of the justice system has been placed willingly  
27 in the hands of corruption directly under their watch.

28 Every victim cannot be expected to police the Court and its officers, only to  
have their motions to protect themselves dismissed from the attorneys

1 experienced ability to manipulate the law, the court and the impartiality of  
2 the justice system for their own personal gain and their desire to remain  
3 unexposed.

4 The expectation of trust in the officers of the court must be governed by the  
5 court. The corruption of the court has been allowed to flourish proving that  
6 the attorneys have clearly made the bench an unnecessary facet of the Justice  
7 system and used only for the authority that the bench possess to avoid  
8 exposure, proven by the fact that these actions have been done without fear  
9 of consequences by both the officers of the court and the trustee directly,  
10 because whatever punishment that has been ordered by the courts in the past  
11 at the Judge's discretion has been too lenient thus far and not enough to  
12 distract any defendants or officers of the court inside of the Probate court  
13 from committing these deplorable crimes against the justice system, the  
14 trusts and the beneficiaries for personal gain.

15 I pray that an example is made of the Trustee and every Officer of the Court  
16 that allowed the fraud on the Court, contributed to obstruction of justice,  
17 abused the Court or the Discovery laws or legal representatives that merely  
18 kept silent. Including but not limited to the attorneys that reviewed the  
19 case for the beneficiary and refused to accept the case but knew about the  
20 fraud and obstruction of justice was occurring in the court and kept it from  
21 the beneficiary and the Court by not getting involved and keeping silent.

22 With all of this in mind, **Tawny Gage** begs the court again to give great  
23 liberty to her in the lack of proper preparation of this motion. My brain  
24 trauma condition prevents focus, the ability to communicate concisely,  
25 temporary memory loss and of temporary confusion during times of great  
26 stress, has frequent debilitating migraines that last up to two days,  
27 outburst of emotions, and excessive depression. My own existence is often  
28 punishment enough without the responsibility to expose the clear corruption  
of the Justice system.

1 Instead, I ask the court to concentrate on the corruption happening in the  
2 court and instead of refusing or burying my motion as the attorneys that  
3 defrauded the court thus far are anticipated to do, that the Court instead  
4 might focus their attention on the punishment to the criminals and the needed  
5 investigation of the corruption that has been allowed to continue thus far  
6 and concentrate their efforts solely to end the corruption rather than punish  
7 the victim by penalizing her for not following exact protocol of the Courts.  
8 The way this evidence was presented to you by a brain trauma victim that made  
9 every effort to find appropriate legal representation to do so, should not be  
10 your focus.

11  
12 All attorneys involved in this case, for the defendant and the plaintiff,  
13 are aware of all information provided in this motion and not only refused to  
14 alert the Court, as the Professional Code of Ethics obligates them to, but  
15 each contributed to the illegal acts in bad faith and with gross misconduct  
16 and moral turpitude and allowed and contributed to the fraud on the court.  
17 Extensive proof of their undeniable involvement in criminal acts will be  
18 available to the District Attorney and the Bar Association when the necessary  
19 investigation takes place as the Court is obligated to inform both offices of  
20 the criminal acts, conspiracy and collusion to obstruct justice while  
21 defrauding the Court as is documented with proof already in the courts  
22 possession and pointed out in this motion.

23 The evidence included in this motion, are only some of the documented facts  
24 that directly prove the reasons the beneficiary was unable and literally  
25 prohibited from protecting herself in accordance with the laws of California  
26 due to collusion of Officers of the court.

1 **I pray that the court:**

- 2 1. Immediately disqualifies Pierre Rodnunsky and Allison Loevner and  
3 Pierre Rodnunsky and Associates from this case and punishes them on the  
4 record and penalize them to the extent that the law allows.  
5
- 6 2. Dismisses the case and all rulings as is required by law for successful  
7 disqualifications of an attorney.  
8
- 9 3. Reports Pierre Rodnunsky and Associates to the Bar Association  
10 including but not limited to Pierre Rodnunsky, Allison Loevner, Pete  
11 Grossman of Pete Grossman law firm, Matt Stidham and Neda Firouzi of  
12 The Legacy Lawyers who were all involved directly in the Fraud upon the  
13 Trust, fraud upon the beneficiary and ultimately the Fraud on the Court  
14 and are on record as being attorneys of record and officers of the  
15 Court.  
16
- 17 4. Immediately refers the case to the District Attorney to conduct a  
18 criminal investigation of Fraud in a conspiracy to collude in  
19 obstructing justice while Defrauding the Court for personal gain,  
20 including but not limited to **Karen Roper**, the attorneys and officers of  
21 the court, paralegals, non-attorney personnel including but not limited  
22 to real estate agents, escrow companies, moving companies, notaries,  
23 Simi Police Dept, Simi Valley city Hall and employees of the Probate  
24 court that may or may not have assisted, acted or colluded in any way  
25 to the Fraud on the court and fraud on the trust by direct involvement  
26 or by consent communicated by silence or who are proven to be  
27 participants and guilty of additional acts that colluded or  
28 participated in fraud on the trust, the beneficiary Tawny Gage, a  
disabled beneficiary, and The Court by either direct action with gross

1 misconduct, gross negligence and gross moral turpitude or by consent  
2 communicated with silence.

3  
4 5. A summary judgment that Immediately removes the Trustee, Karen Roper  
5 and the illegally hired Administrator, Pierre Rodnunsky and Associates  
6 from the trust and all authority held by a either party or parties that  
7 acted as agents of the trust.

8  
9 6. That the Court Conducts a forensic audit of the Trust, at **Karen Roper's**  
10 personal expense, by a court appointed forensic auditor to find the  
11 extent of the crimes committed by the attorney and the Trustee to  
12 determine the correct amount to charged back to the Trustee, preferably  
13 under the direct supervision of the court or District Attorney.

14  
15 7. That the Court demands that ALL attorney fees illegally withdrawn  
16 directly from the Trust by or on behalf of **Pierre Rodnunsky** and  
17 **Associates** be immediately returned to the Trust either by **Pierre**  
18 **Rodnunsky** directly or directly paid back to the trust personally by  
19 **Karen Roper** with interest at the maximum allowed by the court.

20  
21 8. That the court demands all withdrawals by the former Trustee taken from  
22 the trust, if not proven a direct legal trust expense, be returned to  
23 the Trust immediately with the maximum amount of interest allowed by  
24 law.

25  
26 9. That the **cash and gold** illegally held in the tangible assets and in  
27 both the trustee, **Karen Roper's** and the attorney, **Pierre Rodnunsky's**  
28 possession, be immediately collected to be appropriately appraised and



1 placed in a safety deposit box held in the successor Trustees **Tawny**  
2 **Gage's** supervision.

3  
4 10. That the Court orders the **Trustee, Karen Roper** and **Pierre**  
5 **Rodnunsky** to immediately return all **Trust assets** to the successor  
6 trustee, **Tawny Gage**, with required written documentation and physical  
7 descriptions, serial numbers and current photos of the trust assets  
8 accompanied with it and verified by a signed receipt by the Successor  
9 **Trustee, Tawny Gage** for each item being returned **individually** by the  
10 **Trustee** and the **Administrator** attorney whom both have documented  
11 valuable assets in each of their **separate possession** either by evidence  
12 in the **Accounting inventory** or by **written documents** to my personal  
13 attorneys and on the computer **CD containing over 900 pictures**,  
14 available to the court by request of the beneficiary **Tawny Gage** and  
15 also available by subpoena to attorney Pete Grossman who accepted the  
16 CD in discovery.

17  
18 11. That the Court allows a small distribution from the Trust to  
19 **Tawny Gage** or an amount deemed fair by the Court or collected from  
20 penalties directly from **Karen Roper** or her attorneys or by reimbursed  
21 fees from **The Legacy Lawyers**, to assist the beneficiary with the losses  
22 incurred from the required sale of the beneficiary's personal property  
23 to fund the then unknown horrific abuse of the Courts and abuse and  
24 fraud to me. To pay for the extensive damages to the beneficiary's home  
25 that resulted from unrepaired damage and late fees that incurred on  
26 hospital bills and the beneficiary's reliance only on a fixed  
27 disability income, the total loss to her savings left to her by her  
28 father separately outside of the trust that was depended on to  
subsidize the lack of income to feed her pets and herself as well as

1 provide in times of unexpected expenses, that was requested and refused  
2 to the beneficiary by the Court by denying her right to a distribution  
3 of the trust while the court was being misinformed about the details of  
4 the case. The irreparable damage to the beneficiary's 401k and the  
5 loss of tax free investments in an amount of over \$75,000.00 as well as  
6 the extensive penalties for pre-retirement withdrawal and state and  
7 federal tax penalties for pre-retirement age withdrawal. Additionally,  
8 extensive state and federal tax penalties resulting from the illegal  
9 act of harassment by the attorney and the trustee, **Karen Roper** by  
10 withholding my personal banking history caused during the 5 months that  
11 they refused to return it to me. (March 24,2017 to August 10, 2017.)

12 12. That the Court provides or refers an attorney of integrity for  
13 the beneficiary to represent her interests and assist in the final  
14 charge backs to the trustee, the review of findings of the forensic  
15 audit by the court and any needed action against the trustee from her  
16 illegal acts or Pierre Rodnunsky's illegal acts that occurred under  
17 their illegal shared trusteeship and the duties of administration of  
18 the trust. Again, my exhaustive efforts to find an honest trust  
19 specialized attorney in Los Angeles County has been fruitless, and no  
20 attorney yet on record has been driven by the corruption of justice in  
21 our courts, the defrauding of a disabled beneficiary or the theft of  
22 trust assets or has yet proven to be above the corruption for their own  
23 personal financial gain.

24  
25 13. that the court punishes the trustee on the record and penalizes  
26 the trustee at the extent that the law allows.  
27  
28

1           14.           And finally, that the court assists in handing down punishments  
2                   and penalties that the beneficiary is not aware of that are applicable  
3                   in this situation to discourage further corruption of the court by  
4                   officers of the court and to discourage trustee theft through trickery  
5                   and manipulation of the law by the trustee and their attorneys.

6  
7 Bottom line, I do not know the legal procedure or the legality of praying  
8 anything on the court. I cannot find a single trust attorney that will  
9 represent me while involved in exposing this corruption, so I am asking the  
10 court to assist me in handing out the appropriate punishments and penalties  
11 due to the guilty parties and do so at the absolute extent that the law  
12 allows.

13 I do not know how to ask for a summary judgement or the legal way to do that,  
14 I don't have the mental ability to act as an attorney or compete with the  
15 experienced lawyers who studied law and chose to use it to manipulate the  
16 court's for their own financial benefit, so I am hoping my request is not  
17 necessary in this case.

18 What I do know is that if the court does have the ability of finding the  
19 information in the documents and testimony that has already been provided to  
20 the court, my need to pray upon you to enforce the laws of Justice should not  
21 be necessary. The officers of the court who ignored it and allowed it should  
22 be punished, not the disabled beneficiary who was a victim of their crimes.

23 The corruption of the officers of the court has prevented justice and wasted  
24 years of the taxpayer's money and the resources of the Probate court and it  
25 is up to you, the tribunal to stop it and not let it continue in this court.

26 There is a need to protect our justice system and expose corruption on the  
27 Court, obstruction of justice by officers of the court that have allowed them  
28 to destroy the impartiality of the courts by colluding to prevent justice

1 while allowing them to steal from trusts as they destroy lives for personal  
2 financial gain.

3 Officials of this court should be outraged and embarrassed and the need for  
4 appropriate harsh action on their part should not have to be requested, but  
5 there it is.

6 My unqualified but clear inherent necessity to expose corruption and the  
7 destruction of the justice system which is currently under the control of  
8 criminals posing as officers of the court, should end here.

9 My necessary involvement in policing the officers of the court should be  
10 complete at this point and the responsibility placed directly on the Probate  
11 Court, on the Bar Association and mostly the criminal prosecutor's office of  
12 the District Attorney.

13 I thank the court for the liberties given in the requirement of this motion  
14 and the assistance of advising what additional forms must be made. I do not  
15 know how to advise the parties in this motion as every effort made to advised  
16 them of anything has been returned as Not within legal format or they refused  
17 to respond or verify the receipt.

18

19

20

21

22

23

24

25

26

27

28

# EXHIBIT 1

**NORTHRIDGE NEUROLOGICAL CENTER**

**Northridge Neurological Medical Group, Inc.**  
18251 Roscoe Boulevard, Suite 101, Northridge, CA 91325  
Phone: 818-349-2503 FAX: 818-349-4724

Neurology    Epilepsy    Nerve and Muscle Diseases    Pain Management    Brain Injury  
Multiple Sclerosis    Alzheimer/Dementia    Stroke    Sleep Disorders  
EMG/Nerve Conduction    EEG    Evoked Potentials    ENG    Physical Therapy

**Wei Mi, M.D. M.S.**  
Dipl., Am. Bd. of Psych. & Neurology  
Dipl., Am. Bd. of Clinical Neurophysiology

**Lawrence A. Weinberg, M.D.**  
Dipl., Am. Bd. of Psych. & Neurology

December 22, 2017


Re: Kelly Tawny Gage  
DOB: 11/13/1969

To Whom It May Concern:

Ms. Gage has been treated in our office since 04/03/2013 for embolic CVA (Cerebral Vascular Accident) and primary Hypercoagulable state with heterozygous Factor V defect. She suffered a stroke on 03/11/2013 which was due to the factor V defect and smoking combination.

If there should be any further question or concerns, please call the office.

Sincerely,

  
Wei Mi, M.D., M.S.



## Social Security Administration

CARL GAGE FOR  
KELLY T GAGE  
310-C COUNTRY CLUB DR  
SIMI VALLEY CA 93065-7638

Date: April 10, 2017  
Claim Number: XXX-XX-6413A

You asked us for information from your record. The information that you requested is shown below. If you want anyone else to have this information, you may send them this letter.

### **Information About Current Social Security Benefits**

Beginning April 2017, the full monthly Social Security benefit before any deductions is \$0.00.

We deduct \$0.00 for medical insurance premiums each month.

The regular monthly Social Security payment is \$0.00.  
(We must round down to the whole dollar.)

Social Security benefits for a given month are paid the following month. (For example, Social Security benefits for March are paid in April.)

Your Social Security benefits are paid on or about the third of each month.

Benefits were suspended beginning April 2017.

### **Information About Past Social Security Benefits**

From December 2016 to March 2017, the full monthly Social Security benefit before any deductions was \$1,846.10.

We deducted \$0.00 for medical insurance premiums each month.

The regular monthly Social Security payment was \$1,846.00.  
(We must round down to the whole dollar.)

### **Type of Social Security Benefit Information**

You are entitled to monthly disability benefits.

### **Date of Birth Information**

The date of birth shown on our records is November 13, 1969.

### **Medicare Information**

You are entitled to hospital insurance under Medicare beginning April 2016.

You are entitled to medical insurance under Medicare beginning April 2016.

### **Suspect Social Security Fraud?**

Please visit <http://oig.ssa.gov/r> or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

### **If You Have Questions**

We invite you to visit our web site at [www.socialsecurity.gov](http://www.socialsecurity.gov) on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local office at 888-397-4811. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY  
SUITE 110  
322 E THOUSAND OAKS BL  
THOUSAND OAKS, CA 91360

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

*Social Security Administration*



**Transfer to a fixed-rate Premier Privileges MasterCard.  
No balance transfer fee!**

CARL M GAGE, REPRESENTATIVE PAYEE FOR  
KELLY T GAGE  
310 COUNTRY CLUB DR UNIT C  
SIMI VALLEY CA 93065-7638

Get extra holiday cash!  
No auto loan payments for 90 days!

SUMMARY OF DEPOSIT ACCOUNTS		SUMMARY OF LOAN ACCOUNTS	
DEPOSITS		LOANS	
Kelly - SSDI	\$1,063.49		
TOTAL DEPOSITS	\$1,063.49	TOTAL LOANS	\$0.00

Kelly - SSDI \*\*\*\*67401

SUMMARY OF DEPOSITS:		
Deposits / Transfers	1	\$1,840.00
Other Credits	0	\$0.00
SUMMARY OF WITHDRAWALS:		
Withdrawals / Transfers	2	\$2,090.00
Checks Paid	0	\$0.00
Other Debits	0	\$0.00

SUMMARY OF THIS SHARE ACCOUNT:	
PREVIOUS BALANCE	\$1,313.49
Total Deposits	\$1,840.00
Total Withdrawals	\$2,090.00
NEW BALANCE	\$1,063.49

Activity	DATE	DESCRIPTION	AMOUNT
	03-Nov-16	SSA TREAS 310 XXSOC SEC PAYEE: CARL GAGE FOR BENEFICIARY: KELLY GAGE SSN:	\$1,840.00
	07-Nov-16	TRANSFER TO CK XXXXXXXX4456	\$1,840.00-
	14-Nov-16	KELLY GAGE RECEIVER	\$250.00-

# EXHIBIT 2



---

## RE: Disability Income, Medi-Cal status

1 message

---

**tawny.gage** <tawny.gage@att.net>  
To: KAREN ROPER <roperk@usa.net>

Mon, Apr 10, 2017 at 9:01 AM

I need death certificate as i told you previously to change it

----- Original message -----

From: KAREN ROPER <roperk@usa.net>  
Date: 4/10/17 6:56 AM (GMT-08:00)  
To: Tawny Gage <tawny.gage@att.net>  
Subject: Disability Income, Medi-Cal status

At some point in time, Carl's role as intermediary between the source of your disability income and you will need to be filled by someone else.

You also need to consider how your Medi-Cal status may be impacted when, and possible how, you receive your inheritance.

I was not involved with these situations, and only know what little Carl told me. If you want my thoughts or help with these, let me know.

Karen

----- Original message -----

From: KAREN ROPER <roperk@usa.net>  
Date: 04/10/2017 1:26 PM (GMT-08:00)

Subject: RE: Disability Income, Medi-Cal status

This is the first request I've received from you for a death certificate. What do you intend to change? Give me their information and I will talk to them.

Karen

----- Original Message -----

Received: 09:02 AM PDT, 04/10/2017

From: "tawny.gage" <[REDACTED]>  
To: KAREN ROPER <[REDACTED]>

Subject: RE: Disability Income, Medi-Cal status

I need death certificate as i told you previously to change it

----- Original message -----From: KAREN ROPER <roperk@usa.net> Date: 4/10/17 6:56 AM (GMT-08:00) To: Tawny Gage <tawny.gage@att.net> Subject: Disability Income, Medi-Cal status

At some point in time, Carl's role as intermediary between the source of your disability income and you will need to be filled by someone else.

You also need to consider how your Medi-Cal status may be impacted when, and possible how, you receive your inheritance.

I was not involved with these situations, and only know what little Carl told me. If you want my thoughts or help with these, let me know.

Karen

**We'll make your first payment when you finance a vehicle or refinance an auto loan! See PremierAmerica.com/FirstMonthFree for details.**

Get \$100 for every new member you refer to Premier America. Visit PremierAmerica.com/100k for requirements.

CARL M GAGE OR  
KAREN M ROPER  
310 COUNTRY CLUB DR UNIT C  
SIMI VALLEY CA 93065-7638

**SUMMARY OF DEPOSIT ACCOUNTS**

DEPOSITS	
CARL-KAREN	\$2,009.00
<b>TOTAL DEPOSITS</b>	<b>\$2,009.00</b>

**SUMMARY OF LOAN ACCOUNTS**

LOANS	
<b>TOTAL LOANS</b>	<b>\$0.00</b>

**CARL-KAREN \*\*\*\*74456**

**SUMMARY OF DEPOSITS:**

Deposits / Transfers	1	\$1,840.00
Other Credits	0	\$0.00

**SUMMARY OF WITHDRAWALS:**

Withdrawals / Transfers	5	\$1,829.07
Checks Paid	0	\$0.00
Other Debits	0	\$0.00

**SUMMARY OF THIS SHARE ACCOUNT:**

PREVIOUS BALANCE	\$1,998.07
Total Deposits	\$1,840.00
Total Withdrawals	\$1,829.07
<b>NEW BALANCE</b>	<b>\$2,009.00</b>

**Activity**

DATE	DESCRIPTION	AMOUNT
04-Apr-16	TRANSFER TO CK XXXXXXXX9084	\$324.99-
04-Apr-16	WILLOW GARDENS H ONLINE PMT	\$265.00-
04-Apr-16	PREMIERAMERICACU ONLINE PMT	\$278.00-
04-Apr-16	QUICKEN LOANS ONLINE PMT	\$859.74-
13-Apr-16	STATE FARM RO 27 SFPP	\$101.34-
22-Apr-16	Monthly transfer from SSDI	\$1,840.00

Premier America (Sub-account)

Account Name : CARL-KAREN  
 Account Number : 11040-9594874456  
 Date Range : 11/01/2015-06/16/2017

Transaction Date	Description	Memo	Amount Debit	Amount Credit	Balance	Check Num
2017051700	5/17/2017 TRNSFER FRM CK *****0088	(FROM KAREN'S CHECKING)		29	0	
2017051000	5/10/2017 RET CHG QUICKEN LOANS RETRY PYMT		-29		-29	
2017050900	5/9/2017 TRNSFER FRM SV *****0011	(FROM KAREN'S SAVINGS)		630	0	
2017050800	5/8/2017 EOD NSF FEE		-29		-630	
2017050800	5/8/2017 EOD NSF FEE		-29		-601	
2017050800	5/8/2017 RET CHG QUICKEN LOANS ONLINE PMT		-29		-572	
2017050800	5/8/2017 PREMIER AMERICA ONLINE PMT		-278		-543	
2017050800	5/8/2017 WILLOW GARDENS H ONLINE PMT		-265		-265	
2017050300	5/3/2017 TRANSFER TO CK *****0088	(FROM KAREN'S CHECKING)	-2036.32		0	
2017050100	5/1/2017 TRANSFER TO CK *****9084	(TO TAWNY'S CHECKING)	-2200		2036.32	
2017043000	4/30/2017 KTG Disability Inc substitute	(FROM KAREN)		2200	4236.32	
2017041200	4/12/2017 STATE FARM RO 27 SFPP		-102.31		2036.32	
2017040800	4/8/2017 TRANSFER TO CK *****9084	(TO TAWNY'S CHECKING)	-334.68		2138.63	
2017040700	4/7/2017 QUICKEN LOANS ONLINE PMT		-859.74		2473.31	
2017040700	4/7/2017 PREMIER AMERICA ONLINE PMT		-278		3333.05	
2017040700	4/7/2017 WILLOW GARDENS H ONLINE PMT		-265		3611.05	
2017040700	4/7/2017 SSDI to Distribution Acct			1846	3876.05	
2017031400	3/14/2017 STATE FARM RO 27 SFPP		-102.31		2030.05	

3/24/17  
 POP →

# EXHIBIT 3



---

## Fwd: Statements

1 message

---

tawny gage <[REDACTED]>  
To: Julie S. Berkus <jberkus@OCLSLAW.COM>

Wed, Jul 5, 2017 at 4:56 PM

This is the email that i sent karen regarding statements as we discussed.  
Now my medicare payments are being taken from my disability, leaving me with not enough to pay my bills.  
I don't want to wind up in foreclosure.  
The lawyers, irs, ssdi, the additional fees and finding and funding an accountant....the stress is killing me.....  
Thank you so much Julie. Hopefully you asking will get her to send the statements asap.

Also, it seems that this type of thing are her personal actions and should not be billed by Pierre to the estate and out of my 50%.  
That is definitely outlined specifically in the trust.

Being sure time is appropriately billed and paid for from the trust is a concern of mine.  
She has at least 5 x more money than my dad ever did and no heirs. She is 74, unwell and her money is going strictly to charity.  
She only wants to hurt me or hurt my dad thru me.  
Its a control, vengeance and embarrassment issue as well as not being able to further engage in more nonsense issue.

She knows I will have to sue her if I want my fees reimbursed. More nonsense.  
I want to eliminate as many errors as I can to make a small claims lawsuit unnecessary.

She is very smart and vengeful if not in total control or is outed for her nonsense and currently very angry.

I have no desire to or intention of hurting her, but I won't take her nonsense laying down.

Thank you Julie.

—— Original message ——

From: tawny gage <[REDACTED]>  
Date: 6/25/17 5:03 PM (GMT-08:00)  
To: Karen Roper <roperk@usa.net>  
Subject: Statements

Please. 2nd request.

I need the statements for any accounts that held my ssdi income that were not in my name.

\*I am being audited

\*I have no insurance

\*I legally have right to them

\*I can confirm money was YOURS and not dads that I should pay back

\*I have a deadline coming up quickly that I have to respond to THREE different parties that takes me to time to complete.



If I have to get my lawyer to subpoena them it will cost you the fees along with the penalties incurred and any medical costs in mean time. I do have a legal right to them. I don't want to needlessly cost you money and both of us time wasted and me additional stress for no other reason than your need for control. They have control now. I am paying the price for more actions that weren't mine or in my control. No need for you to as well. Just please send the statements. I now have little time and will need to hire someone to help me as it is now. Don't make it impossible for anyone to help me.  
Please.  
Thank you.

That's all. Be smart.  
Love you

----- Original message -----

From: Connie Lee <connie.lee@rodnunskylaw.com>

Date: 8/10/17 8:08 PM (GMT-08:00)

To: "tawny.gage" [REDACTED]

Cc: Pierre Rodnunsky <pierre.rodnunsky@rodnunskylaw.com>

Subject: RE: Premier America "Carl-Karen" Account Statements

Dear Ms. Gage:

Per your request, attached please find copies of Premier America Credit Union statements for the "Carl-Karen" sub-account from November 30, 2015 to July 31, 2017.

As our office and the Trustee stated many times before, your father gave the Trustee limited access to the Premier America sub-account called "Carl-Karen", which your monthly bills were getting paid from. Because he was the primary account owner, he was the only one that had access and was able to download statements. The Trustee was only able to setup your auto-pays, bill pays, pay and manage your monthly bills, and download only the transaction history. You requested 4-5 months of statements from the Trustee on September 22, 2016. The Trustee was not able to provide those statements to you back then, so your father provided them to you instead on September 22, 2016.

Please keep in mind that it has been difficult for the Trustee to try to obtain these statements for you. She was denied access to the "Carl-Karen" account when she initially went to Premier America shortly after your father's passing. She was denied again on June 19, 2017, when she went back to follow-up with your email request on June 16, 2017. Our office tried reaching out to various people at Premier America and after various attempt, we were finally able to get a hold of a branch manager who was able to guide us. The branch manager confirmed that although the "Carl-Karen" account was held jointly with your father and the Trustee, she had limited access and would not have been able to obtain statements. There is a process which involves providing and reviewing specific documents, removing your father's name, and switching the primary account holder name to the Trustee's name. After many attempts, the Trustee was finally able to get her name on the sub-account and retrieve the statements that you have been requesting.

Additionally, according to the branch manager, the Trustee cannot get access to the Premier America "Fiduciary" account. She is not a designated beneficiary nor is she a joint account holder for this account. We are assuming you were the person who went into Premier America and emptied out the funds in this account using signature cards, which you never

confirmed to us whether that was you or not. If that was you, then only you can obtain statements for this fiduciary account since you are supposedly the designated beneficiary. You can do this by reaching out to a branch manager to request the statements.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

Connie

**Connie Lee**

**Legal Assistant**

**Rodnunsky & Associates**

**5959 Topanga Canyon Blvd., Suite 220**

**Woodland Hills, CA 91367**

**Ph: 818-737-1090**

**Fax: 818-737-1089**

**Email: [connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)**

**[www.rodnunskylaw.com](http://www.rodnunskylaw.com)**

 RA logo

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Thank you for statements.

This was clearly very possible with minimal effort. Just a simple inquiry.

It is my legal right to have my banking history.

It is not part of trust business. It was Dad involved, but not actually a part of his trust. It is very separate. Not his money. You are joint account holder.

It could have and WAS handled by you without a need for attorney or involvement with trust.

Being a joint owner, I was told only YOU could get the statements.

I have confirmation that it was a joint tenancy account with right to survivorship and not BANK restricted in any way.

Either you have the logon and password or you don't.

There isn't a way for them to restrict your access to certain things on line.

You ARE NOT ABLE to have access to online transfers and NOT ALSO have access to the online statements.

It isn't possible even if they wanted to.

It's not my fault you and Dad illegally and thoughtlessly put it into an account that didn't have my name on it and have caused problems for me in addition to the time your bitter and vengeful refusal to do this simple thing has caused.

It cost me \$3800.00 in legal fees to beg you to relinquish them at YOUR insistence by allowing only legal correspondence.

In addition to moneys lost for months of lowered ssdi payments, late fees, credit damage and fines.

At 200.00 more an hour, for 3 1/2 additional months of emails, phone calls and meetings, I wonder how much your attorney charged the trust for this VERIFIED non-trust business? This of course will be one of the items that you will have to pay for personally and separately and cannot be taken from the trust.

Your attorney will only be paid for the allowable amount as per California probate court. You will be responsible for the balance.

All of this and your refusal to speak to me, be honest about the rest of trust, fair with your decisions or legal with your actions has left me very few choices.

I'm here if you want to talk. It's not too late today.  
It isn't worth it.

**From:** tawny.gage [mailto: [REDACTED]]  
**Sent:** Sunday, August 06, 2017 4:00 PM  
**To:** Connie Lee <connie.lee@rodnunskylaw.com>  
**Cc:** Pierre Rodnunsky <pierre.rodnunsky@rodnunskylaw.com>  
**Subject:** RE: Accounting inventory terms 5th request

So you see the account listed that she calls a sub account in her own writing?

The account my bills were paid from.

And Karen did transfers in and out of after his death.

If she had access to download she has access to statements. On pay website marked tab statements.

Sent via the Samsung Galaxy S@ 6, an AT&T 4G LTE smartphone

----- Original message -----

**From:** Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>  
**Date:** 8/2/17 8:06 PM (GMT-08:00)  
**To:** "tawny.gage" [REDACTED]  
**Cc:** Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>  
**Subject:** RE: Accounting inventory terms 5th request

Dear Ms. Gage:

As requested, this email shall serve as a report of the trust, its administration, and its assets.

With respect to your request for the terms of the trust, The Carl M. Gage Living Trust and all amendments thereto were previously sent to you. Therefore, you should be in possession of all of the terms of the trust.

Regarding the assets of the trust, the Trustee is informed and believes that the following are the assets of the trust: (1) The condominium located at 310 Country Club Drive, Unit C, Simi Valley, California 93065; (2) Tangible personal property located within the aforementioned condominium; (3) TD Ameritrade account; (4) E\*Trade account; (5) Ally Bank account; and (6) Four automobiles.

The Trustee is currently in the process of listing the condominium for sale. We have previously on many occasions requested a moving date from you to move out all the tangible personal property located within the condominium. However, to date, we have yet to receive a moving date from you. Please provide us with a moving date as soon as possible.

Concerning the other assets of the trust, the Trustee is currently in the process of marshaling those assets.

Finally, our office is making a third attempt with Premier America in trying to obtain the statements that you have been requesting from the Trustee. We will keep you posted on the statements.

Sincerely,

Connie

**Connie Lee**

**Legal Assistant**

**Rodnunsky & Associates**

**5959 Topanga Canyon Blvd., Suite 220**

**Woodland Hills, CA 91367**

**Ph: 818-737-1090**

**Fax: 818-737-1089**

Email: [connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)

[www.rodnunskylaw.com](http://www.rodnunskylaw.com)

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**From:** tawny.gage [redacted]  
**Sent:** Sunday, July 30, 2017 8:20 AM  
**To:** Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>  
**Subject:** Accounting inventory terms 5th request

PLEASE provide:

1. Accounting and inventory
2. Terms of trust

FIFTH AND FINAL REQUEST.

OVER A MONTH FROM THE DATE OF MY FIRST REQUEST.

THIS IS ILLEGAL TO BE WITHHELD FOR ANY REASON.

You must provide immediately upon request to beneficiary.

Thank you,  
Tawny Gage

Sent via the Samsung Galaxy S® 6, an AT&T 4G LTE smartphone

----- Original message -----

From: Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>

Date: 7/27/17 6:04 PM (GMT-08:00)

To: "tawny.gage" [REDACTED]

Subject: RE: Gage - Karen Roper personal - statements

Dear Ms. Gage:

We would like to have a conference call with you discuss your requests and any other outstanding items regarding the trust administration of your father's estate. It would be greatly appreciated if you could please provide me with some available dates and times that works best for your schedule. Thank you very much.

Sincerely,

Connie

**Connie Lee**

**Legal Assistant**

**Rodnunsky & Associates**



**5959 Topanga Canyon Blvd., Suite 220**

**Woodland Hills, CA 91367**

**Ph: 818-737-1090**

**Fax: 818-737-1089**

**Email: [connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)**

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**From:** tawny.gage [mailto:████████████████████]  
**Sent:** Wednesday, July 26, 2017 9:17 PM  
**To:** Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>  
**Subject:** RE: Gage - Karen Roper personal - statements

And terms of trust as required by law.

Sent via the Samsung Galaxy S® 6, an AT&T 4G LTE smartphone

----- Original message -----

From: "tawny.gage" [REDACTED]

Date: 7/26/17 9:13 PM (GMT-08:00)

To: Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>

Subject: RE: Gage - Karen Roper personal - statements

Please provide accounting and inventory as required immediately by law.

Fourth request.

Sent via the Samsung Galaxy S® 6, an AT&T 4G LTE smartphone

# EXHIBIT 4



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----- Original message -----From: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)> Date: 4/19/17 4:46 PM (GMT-08:00) To: "tawny.gage" [REDACTED] Cc: Davina Rojo <[davina.rojo@rodnunskylaw.com](mailto:davina.rojo@rodnunskylaw.com)>, Dimitri Saroukos <[dimitri.saroukos@rodnunskylaw.com](mailto:dimitri.saroukos@rodnunskylaw.com)>, Greg Lederman <[greg.lederman@rodnunskylaw.com](mailto:greg.lederman@rodnunskylaw.com)> Subject: Estate of Carl Gage

Ms. Gage,

My office has been retained by Karen Roper to administer your father's estate. I am reviewing all of the estate documents and determining the nature of the assets. I will be forwarding the documents for your review shortly. In the meantime, if you have any questions, please do not hesitate to call or e-mail my office. Thank you for your anticipated patience in this matter.

Pierre

Pierre J. Rodnunsky, Esq.

Rodnunsky & Associates  
5959 Topanga Canyon Blvd., Suite 220

Woodland Hills, CA 91367

Ph: 818-737-1090

Fax: 818-737-1089

Email:

[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)

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---

tawny gage <[REDACTED]>

Thu, May 4, 2017 at 7:26 PM

To: Pierre Rodnunsky <pierre.rodnunsky@rodnunskylaw.com>

Cc: Davina Rojo <davina.rojo@rodnunskylaw.com>, Dimitri Saroukos <dimitri.saroukos@rodnunskylaw.com>, Greg Lederman <greg.lederman@rodnunskylaw.com>, Karen Roper <roperk@usa.net>

You said you would be sending documents soon. Then when asked what specific documents, you said "estate planning documents, wills, trusts and amendments", but you weren't sure if you had complete documents yet and would have time in 4 or 5 days to review and send, so you couldnt specify the name of documents or how it pertained to me.

It's now been 3 weeks.

Do you no longer represent Ms Roper?

You said you would be sending documents soon. Then when asked what specific documents, you said "estate planning documents, wills, trusts and amendments", but you weren't sure if you had complete documents yet and would have time in 4 or 5 days to review and send, so you couldnt specify the name of documents or how it pertained to me.It's now been 3 weeks.

Do you no longer represent Ms Roper?

[Quoted text hidden]

---

**Pierre Rodnunsky** <pierre.rodnunsky@rodnunskylaw.com>

Thu, May 4, 2017 at 9:01 PM

To: tawny gage <[REDACTED]>

Cc: Davina Rojo <davina.rojo@rodnunskylaw.com>, Dimitri Saroukos <dimitri.saroukos@rodnunskylaw.com>, Greg Lederman <greg.lederman@rodnunskylaw.com>, Karen Roper <roperk@usa.net>

Hi Tawny,

We sent the documents for your review via certified mail. Please let me know if you do not receive these documents by tomorrow. They were sent out a few days ago. Thank you for your follow-up.

Pierre

Pierre J. Rodnunsky, Esq.

Rodnunsky & Associates

5959 Topanga Canyon Blvd., Suite 220

Woodland Hills, CA 91367

Ph: 818-737-1090

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---

**From:** tawny gage <[REDACTED]>  
**Sent:** Thursday, May 4, 2017 7:26 PM  
**To:** Pierre Rodnunsky  
**Cc:** Davina Rojo; Dimitri Saroukos; Greg Lederman; Karen Roper  
**Subject:** RE: Estate of Carl Gage

You said you would be sending documents soon. Then when asked what specific documents, you said "estate planning documents, wills, trusts and amendments", but you weren't sure if you had complete documents yet and would have time in 4 or 5 days to review and send, so you couldnt specify the name of documents or how it pertained to me.

It's now been 3 weeks.

Do you no longer represent Ms Roper?

----- Original message -----

**From:** Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>  
**Date:** 4/19/17 4:46 PM (GMT-08:00)  
**To:** "tawny.gage" <[REDACTED]>

Cc: Davina Rojo <[davina.rojo@rodnunskylaw.com](mailto:davina.rojo@rodnunskylaw.com)>, Dimitri Saroukos  
<[dimitri.saroukos@rodnunskylaw.com](mailto:dimitri.saroukos@rodnunskylaw.com)>, Greg Lederman  
<[greg.lederman@rodnunskylaw.com](mailto:greg.lederman@rodnunskylaw.com)>  
Subject: Estate of Carl Gage

Ms. Gage,

My office has been retained by Karen Roper to administer your father's estate. I am reviewing all of the estate documents and determining the nature of the assets. I will be forwarding the documents for your review shortly. In the meantime, if you have any questions, please do not hesitate to call or e-mail my office. Thank you for your anticipated patience in this matter.

Pierre

Pierre J. Rodnunsky, Esq.  
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Yeah, it was a mistake for me to borrow so much money to protect my Dad's estate. Obviously.

----- Original message -----

From: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>

[Quoted text hidden]

[Quoted text hidden]

----- Original message ----- From: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)> Date: 5/4/17 9:00 PM (GMT-08:00) To: tawny gage [REDACTED] Cc: Davina Rojo <[davina.rojo@rodnunskylaw.com](mailto:davina.rojo@rodnunskylaw.com)>, Dimitri Saroukos <[dimitri.saroukos@rodnunskylaw.com](mailto:dimitri.saroukos@rodnunskylaw.com)>, Greg Lederman <[greg.lederman@rodnunskylaw.com](mailto:greg.lederman@rodnunskylaw.com)>, Karen Roper <[roperk@usa.net](mailto:roperk@usa.net)> Subject: Re: Estate of Carl Gage

Hi Tawny,

We sent the documents for your review via certified mail. Please let me know if you do not receive these documents by tomorrow. They were sent out a few days ago. Thank you for your follow-up.

Pierre

Pierre J. Rodnunsky, Esq.

Rodnunsky & Associates  
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Why is attention to detail so absent at your office?

Above all, the letter from Ms. Walgren does not in any way answer the questions that I pointed out that you should have noticed in your review.

It doesn't at all mention why there are missing, omitted or added paragraphs in the ORIGINAL trust.

Why is attention to detail so absent at your office?

[Quoted text hidden]



---

## RE: Estate of Carl Gage

4 messages

---

tawny gage [REDACTED]

Mon, May 1, 2017 at 2:19 PM

Draft To: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>

I did not receive the documents.

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—— Original message ——

From: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>

Date: 4/19/17 4:46 PM (GMT-08:00)

To: "tawny.gage" [REDACTED]

Cc: Davina Rojo <[davina.rojo@rodnunskylaw.com](mailto:davina.rojo@rodnunskylaw.com)>, Dimitri Saroukos <[dimitri.saroukos@rodnunskylaw.com](mailto:dimitri.saroukos@rodnunskylaw.com)>, Greg Lederman <[greg.lederman@rodnunskylaw.com](mailto:greg.lederman@rodnunskylaw.com)>

Subject: Estate of Carl Gage

Ms. Gage,

My office has been retained by Karen Roper to administer your father's estate. I am reviewing all of the estate documents and determining the nature of the assets. I will be forwarding the documents for your review shortly. In the meantime, if you have any questions, please do not hesitate to call or e-mail my office. Thank you for your anticipated patience in this matter.

Pierre

Pierre J. Rodnunsky, Esq.  
Rodnunsky & Associates

5959 Topanga Canyon Blvd., Suite 220

Woodland Hills, CA 91367

Ph: 818-737-1090

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Email: [pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)

[www.rodnunskylaw.com](http://www.rodnunskylaw.com)

I was questioned by police without information, intentionally slandered, subject to personal search, vehicle search, personal property search, provided no proof to see myself and forced off property warned not to return. I was humiliated, embarrassed and berated by police as they screamed in my face, "Your father didnt care about you! She tried to tell you, but you wouldn't listen! Get it through your head! Your father didn't care about you!!!"

Karen smiled at me while this horrible thing was happening to me while grieving for my father, confused and unconvinced of her authority.

4. She stated even days after, she had not read the 'will' in conversation with my family member saying she was told by my father she was 100% executrix and beneficiary but never read the contents of will.

She certainly should have read it before asserting her disgusting and unnecessary, abusive display of power.

5. Ignored all requests I made to be included in arrangements and only advised after body had been cremated and still even refuses to date to advise of disposition or location of ashes.

6. I asked her to allow me to advise my family members of his death, as her control was belligerent, in first call. She then began to call MY relatives known and unknown and I was told later she made derogatory comments about me while notifying my relatives. I made sarcastic comment about her notifying my relatives after I explicitly asked her not to and expressed my anger and disappointment. After this, she continued to call the rest of my family without apology.

7. Non disclosure of trust pertains only while estate owner is alive.

Disclosure of existence of trust and any clauses stating powers of trust was not disclosed to beneficiary

upon his death.

Trust should have been given immediately and not withheld as to be fair and she should have been honest about facts of will to avoid suspicion of wrong doing and acting in good faith.

Trustee gave beneficiary no choice but to possibly act in non- accordance with trust deeming her uninherited but not legal without disclosure of trust, knowing she is on disability and could not afford attorneys.

For more than a month, several requests were ignored in bad faith for name or copy of trust, not acting in best interest or in color of trust or law to the only other beneficiary and not only the one living relative but only child.

12. Trustee refused to provide documents such as death certificate or even name of mortuary to assist me with ssdi transfers, my only financial income in custodian of father's name and accounts.

12. Trustee only offered to assist financially and demanded proof of receipt of email, after I acted alone, with financial difficulties getting death certificate and advised trustee of getting documents despite her attempt to withhold all options to help me after several requests and I refused her demand to handle MY ssdi by her insistence on calling them and providing documents directly to them or nothing.

13. Trustee transferred my ssdi balance illegally to her account without proper titles AFTER my fathers death, so that ssdi was unable to collect my funds and redistribute to my account.

All funds have yet to be retrieved to the best of my knowledge.

14. Only offered help financially to provide a loan until ssdi funds were reinstated, AFTER ssdi account was closed and she was advised the ssdi HAD BEEN reinstated to my accounts. Demanded confirmation of receipt of offer as if it was genuine or mattered but useful only in a lawsuit if it had been before she attempted to delay or confiscate my income or was BEFORE she knew it was

reinstated.

15. Trustee refuses to provide me with beneficial information she is in possession of, only advising me directly of one non-estate related fund that she was 50% beneficiary on and knew I would find out she knew about, but not the others she found and confirmed with them directly she had no claim to and I was sole beneficiary. She is actively acting in her benefit but deliberately withholding any information in my interest.

16. Will not release family heirlooms to me, being the only child and known recipient or documents specifically denying my right to them.

17. Removed valuable heirlooms from home and left in a non-relatives care.

17. I was told nothing financially, physically or otherwise including trust documents would be released for 60 days which probate law and trust show NO reason to not make immediate disclosure when whereabouts of beneficiary are known or when beneficiary requests copy of trust.

18. It appears through carbon copy of emails, that Karen has retained multiple attorneys beyond the scope of trust attorney, possibly at expense of trust which is excessive and again not in best interest of trust.

19. An incomplete copy of trust was forwarded to me 3 weeks after attorney advised of trust. Attorney said trust was mailed a few days before May 4th. It was mailed the evening before on May 3 and received May 5.

Left two messages for attorney May 5th but have yet to receive a return call as of today, May 17, 2017.



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## RE: Carl Gage trust

2 messages

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tawny gage <[REDACTED]>

Fri, Jun 16, 2017 at 10:57 AM

To: Pierre Rodnunsky <pierre.rodnunsky@rodnunskylaw.com>

Cc: Karen Roper <roperk@usa.net>, Connie Lee <connie.lee@rodnunskylaw.com>

"We understand your concerns, however we disagree with your assessment of the "breaches" committed by the Trustee. We do not believe that any actions were done with the intentions you are implying."

What honest, good intentions did she have when she Intentionally lied, misrepresented facts, intentionally omitted facts, intentionally ILLEGALLY removed funds from an account she had no authority to, intentionally lied to police, slandered me to police after calling to have me arrested after not responding to my SEVERAL messages that she had any objection to me going there?

I didn't IMPLY anything!!!

**I stated facts.**

Please enlighten me to the nature of her intentions that every one else is clearly too stupid to see.

Thank you for once again speaking to me like I am a complete idiot.

ARE YOU REPRESENTING THE TRUST OR KAREN ROPER?

Clearly you are not representing the trust.

You are defending the heinous actions of Karen ROPER, without a single real honest comprehensible actual explanation.

Please be honest and do not insult everyone's intelligence by misrepresenting your intentions or your loyalties.

Her actions are heinous, dishonest and reprehensible.

"We understand your concerns, however we disagree with your assessment of the "breaches" committed by the Trustee. We do not believe that any actions were done with the intentions you are implying."

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----- Original message -----

From: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>

Date: 5/26/17 6:47 PM (GMT-08:00)

To: tawny gage <[REDACTED]>

Cc: Karen Roper <[roperk@usa.net](mailto:roperk@usa.net)>, Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>

Subject: RE: Carl Gage trust

Dear Tawny:

Please see our responses in **BLUE** font below:

First of all I have been told by three probate lawyers that I do indeed absolutely have the right to the complete trust, including the documents you now have forwarded to me. Thank you. I am having trouble with the validity of the trust and why sections would be missing or added and have been told that it is definitely not normal and should be verified. You said you were reviewing to see if you had complete documents. Did you not question any of the missing or added information? No copy was in a database somewhere? Held with a lawyer? She had ONLY copy??

**As I previously stated, we were not the drafting attorneys for Mr. Gage's living trust and any amendments drafted thereafter. For the purpose of verifying the copies of the trust documents that were given to us by the Trustee, our office has contacted and requested certain information from Ms. Lonnie Walgren, the Legal Document Assistant who originally met with Mr. Gage and drafted his documents. Attached please find a copy of a response letter received by our office from Ms. Walgren today, May 26, 2017, setting forth details regarding Mr. Gage's living trust dated April 24, 2014, and the changes that he requested to make on October 14, 2014, January 3, 2015, and June 29, 2015.**

Second, please re-read my second concern. I am not and did not imply in any way that I am contesting the trust.

However, according to the TRUST, if the trustee acts in breach of trust, by acts or omissions, committed intentionally, with gross negligence, in bad faith, or with reckless indifference to the interests of beneficiaries, she can be removed.

The trustee intentionally lied about trust, omitted important information, acted in bad faith with reckless indifference when she told me she was 100% beneficiary and executrix,

withholding information for my benefit, withholding trust documents and its existence and all other claims in previous email as well as she has my possessions kept at his house, admittedly told to her directly by my father was mine including keys and combo to my home safe, items in garage, a lock box etc...

Above all else, my father would not want his DAUGHTER being treated like dirt, dismissed, ignored and set up to be arrested without knowledge of anyone having objection to me being in his home, while she knew I was going there. I understand may not be valid cause, but shows the intention of causing me direct harm or injustice using lies and withholding information in bad faith.

**We understand your concerns, however we disagree with your assessment of the "breaches" committed by the Trustee. We do not believe that any actions were done with the intentions you are implying.**

The trust allows for the trustee to be removed if acts and omissions are intentionally committed in breach of trust is what I said. Not contesting trust, but abiding by the contents of trust. Something my father would have been livid over and explicitly states in the trust

However, the validity of the documents should be verified as the obvious exclusions and additions were possibly never questioned or verified as your response implied.

If that's the case, how do you know an amendment or revised or omitted article isn't imperative to the trust's integrity?

If you are acting as a neutral in best interest of trust, these concerns should be addressed, not dismissed.

Furthermore my family heirlooms and father's personal possessions, he had considered her trustworthy enough to be sure those items would be handed over to me without resistance or fight. I am his only child. She is not related to us.

If you are handling his trust, my family heirlooms and his personal possessions not being sold for pennies to add to her bounty, should be released to me asap to prevent damage or theft during the rape from unknown persons of his home and vehicles to expedite the sale for her award. As is a vehicle not listed in will, purchased later.

Please be sure your comprehension of my email is as written, as to not dismiss my pleas with direction to irrelevant articles with erroneous assumptions of my intentions.

My concerns are valid and worthy of review, regardless of Ms. Roper's negligence, bitterness, anger and controlling regard to my Fathers personal effects. Again, she is not related, not a spouse and has no right to his personal belongings, MY belongings in his home, or MY heirlooms from generations or my Fathers instruments and personal recordings extremely sentimentally valuable to me. She has taken possession of what she was admittedly told by my father personally was mine and withheld items I kept at his house.

My father would have expected nothing less than her willingness to hand over these items willingly, promptly and consult with me on others. Unfortunately the relationship between Ms. Roper and my father and me was strained in the last several months before his death. Her anger has controlled her unnecessary display of power and ugliness to punish me or him or both This is unacceptable and anything you can do to assist in my requests for personal items, his and mine, would be greatly appreciated.

**Distributions of tangible personal property will occur in accordance with the terms of the trust. With respect to the specific gifts of tangible personal property set forth in the trust, those gifts will occur in the course of the trust administration. Regarding the balance of the tangible personal property not specifically disposed of in the trust, such property will be distributed by the Trustee to the beneficiaries according to the discretion of the Trustee. However, please be advised that no trust distributions will be**



made until the statutory contest period of 120 days has passed so that the Trustee is not wrongfully distributing assets potentially belonging to another.

If you believe that an additional response is needed from my office, I strongly advise and urge you to retain an attorney and have your attorney contact my office.

Pierre

Pierre J. Rodnunsky, Esq.  
Rodnunsky & Associates

5959 Topanga Canyon Blvd., Suite 220

Woodland Hills, CA 91367

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 RAlogo

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**From:** tawny gage [mailto:████████████████████]  
**Sent:** Thursday, May 25, 2017 8:52 AM  
**To:** Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>  
**Cc:** Karen Roper <[roperk@usa.net](mailto:roperk@usa.net)>; Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>  
**Subject:** RE: Carl Gage trust

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----- Original message -----

From: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>

Date: 5/19/17 12:00 PM (GMT-08:00)

To: tawny gage <[REDACTED]>

Cc: Karen Roper <[roperk@usa.net](mailto:roperk@usa.net)>, Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>

Subject: RE: Carl Gage trust

Dear Tawny:

I am sorry to hear about the misunderstandings between you and the Trustee, but please note that our firm has been retained as a neutral party to facilitate an expeditious administration of this Trust. While we represent the Trustee, it is our goal to complete the administration of this Trust without conflict or delay. Our firm did not prepare this Trust or any other documents associated therewith. We have fulfilled the Trustee's duty to provide you with all documents in her possession. Your allegations against the Trustee are meritless. I would urge you to review Article 16 on Page 27 of the Trust dealing with the "No Contest" clause prior to initiating any litigation in this matter.

Additionally, please see our responses in **BLUE**:

1. Article 8.3 and 8.4 are omitted from copy of trust given to beneficiary. **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.**

2. Article 9.3, 9.4, 9.5, 9.6 and 9.7 have been added to trust not in table of contents. **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents**

were sent based on how we received them from the Trustee.

3. Article 10.8 has been added not in table of contents **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.**

4. Article 11.9 , 11.10, 11.11, 11.12, 11.13 have been added not listed in table of contents **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.**

5. Article 12.12, 12.13 and 12.14 have been added not in table of contents **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.**

6. Article 13.15, 13.16, 13.17 13.18, 13.19, 13.20, 13.21, 13.22, 13.23 have been added not in table of contents **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.**

7. Article 15.15 thru 15.23 have been added not in table of contents **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.**

8. Article 17.6 has been added not in table of contents **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.**

9. Article 18. 7 and 18.8 have been added not in table of contents **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.**

10. Article 19.9 thru 19.29 have been added not in table of contents **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.**

11. Pages 1 thru 37 are accountable but do not match the table of contents in names of articles or in accordance of each article. **We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.**

12. Trust or amendments have not been witnessed **Trusts and/or any amendments to the Trust may be notarized, instead of being witnessed. Trusts are executed before a Notary Public to ensure that the person who is executing the Trust is in fact the person who is creating the Trust. The Declaration of Trust for the Carl M. Gage Living Trust dated April 28, 2014, First Amendment to the Declaration of Trust for the Carl M. Gage Living Trust dated October 14, 2014, Second Amendment to the Declaration of Trust for the Carl M. Gage Living Trust dated January 3, 2015, and the Third Amendment to the Declaration of Trust for the Carl M. Gage Living Trust dated June 29, 2015, all have been notarized. The production of the Pour-Over Will is not required under the Probate code.**

13. No pour over will was attached with documents **Although the production of the Pour-Over Will is not required under the Probate code, attached please find the Will of Carlton McIntosh Gage executed and witnessed on April 28, 2014.**

14. No other attachments were included as noted in trust or otherwise. **Pursuant to your request, attached please find Schedule "A" executed and notarized on April 28, 2014, and Schedule "B" referenced in The Carl M. Gage Living Trust dated April 28, 2014.**

If you any questions, please do not hesitate to call or e-mail my office.

Pierre

Pierre J. Rodnunsky, Esq.  
Rodnunsky & Associates

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**From:** tawny gage [mailto: [REDACTED]]  
**Sent:** Wednesday, May 17, 2017 5:57 PM  
**To:** Pierre Rodnunsky <pierre.rodnunsky@rodnunskylaw.com>  
**Cc:** Karen Roper <roperk@usa.net>  
**Subject:** Carl Gage trust

As beneficiary I have the right to a complete set of trust documents.

What you sent after 6 weeks after his death, is not a complete copy.

You specifically noted the items included were the only ones required by law. But the complete copy of trust is required by law, regardless of the probate code you quote.

Please provide COMPLETE trust documents and accounting thus far immediately to me.

Besides which the trust enclosed was NOT even the whole document claimed to be included. The first glance at trust sent to me includes the following discrepancies and inconsistencies:

1. Article 8.3 and 8.4 are omitted from copy of trust given to beneficiary.
2. Article 9.3, 9.4, 9.5, 9.6 and 9.7 have been added to trust not in table of contents
3. Article 10.8 has been added not in table of contents
4. Article 11.9 , 11.10, 11.11, 11.12, 11.13 have been added not listed in table of contents
5. Article 12.12, 12.13 and 12.14 have been added not in table of contents

6. Article 13.15, 13.16, 13.17 13.18, 13.19, 13.20, 13.21, 13.22, 13.23 have been added not in table of contents

7. Article 15.15 thru 15.23 have been added not in table of contents

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12. Trust or amendments have not been witnessed

13. No pour over will was attached with documents

14. No other attachments were included as noted in trust or otherwise.

The reluctance to give trust documents, then eventual sending of incomplete or altered trust without documents showing changes, as well as the infractions listed below are in accordance with the removal of current trustee Karen M. Roper as indicated by trust documents and by laws referred to in trust for trustee to abide by.

1. Intentionally lied about being sole executor and beneficiary of latest will but refused to provide proof.

If Karen read the single page amendment that named her trustee, she knew at that time that I was beneficiary.

2. Intentionally said executor instead of trustee and will instead if trust.

Did not correct omissions or words at any time until I was given partial documents 40 days later.

3. Without advising beneficiary of existence of trust, the beneficiary was removed from her Fathers house by police without her given any information, asking her to leave or any conversation directly with beneficiary who was unaware of trust or her needing permission to be in father's house. Karen was told I would be at his house in several ignored emails and after confirming she read them, did not mention my request and gave no indication of disapproval.

When trustee found me there, she without words, called police to have me arrested. Trustee told police she was sole executor and beneficiary and was ordered by police to produce paperwork.

She continued to refer to as a will.

Police advised the document she showed was a will and showed her as executrix and 50% beneficiary with me.

I showed copies of will I had, trustee confiscated my copy but refused to show me her documents showing authority to do so or even tell me name and date of will she had and never said the word trust.

Told me at that time Betty was included in will but omitted fact of betty being amended from will. Insinuated her control was to remove betty as beneficiary.

An intentional lie as the amendment removing Betty appointed her trustee.

She claimed she hadn't read trust, but Betty is only mentioned in original trust, not any amendments after.

I was told by police that Karen told them I was a drug addict, mentally unstable, violent, a thief and estranged from my father. All unnecessary slander.

I was questioned by police without information, intentionally slandered, subject to personal search, vehicle search, personal property search, provided no proof to see myself and forced off property warned not to return. I was humiliated, embarrassed and berated by police as they screamed in my face, "Your father didnt care about you! She tried to tell you, but you wouldn't listen! Get it through your head! Your father didn't care about you!!!"

Karen smiled at me while this horrible thing was happening to me while grieving for my father, confused and unconvinced of her authority.

4. She stated even days after, she had not read the 'will' in conversation with my family member saying she was told by my father she was 100% executrix and beneficiary but never read the contents of will.

She certainly should have read it before asserting her disgusting and unnecessary, abusive display of power.



5. Ignored all requests I made to be included in arrangements and only advised after body had been cremated and still even refuses to date to advise of disposition or location of ashes.

6. I asked her to allow me to advise my family members of his death, as her control was belligerent, in first call. She then began to call MY relatives known and unknown and I was told later she made derogatory comments about me while notifying my relatives. I made sarcastic comment about her notifying my relatives after I explicitly asked her not to and expressed my anger and disappointment. After this, she continued to call the rest of my family without apology.

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Disclosure of existence of trust and any clauses stating powers of trust was not disclosed to beneficiary upon his death.

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Trustee gave beneficiary no choice but to possibly act in non- accordance with trust deeming her uninherited but not legal without disclosure of trust, knowing she is on disability and could not afford attorneys.

For more than a month, several requests were ignored in bad faith for name or copy of trust, not acting in best interest or in color of trust or law to the only other beneficiary and not only the one living relative but only child.

12. Trustee refused to provide documents such as death certificate or even name of mortuary to assist me with ssdi transfers, my only financial income in custodian of father's name and accounts.

12. Trustee only offered to assist financially and demanded proof of receipt of email, after I acted alone, with financial difficulties getting death certificate and advised trustee of getting documents despite her attempt to withhold all options to help me after several requests and I refused her demand to handle MY ssdi by her insistence on calling them and providing documents directly to them or nothing.

13. Trustee transferred my ssdi balance illegally to her account without proper titles AFTER my fathers death, so that ssdi was unable to collect my funds and redistribute to my account.

All funds have yet to be retrieved to the best of my knowledge.

14. Only offered help financially to provide a loan until ssdi funds were reinstated, AFTER ssdi account was closed and she was advised the ssdi HAD BEEN reinstated to my accounts. Demanded confirmation of receipt of offer as if it was genuine or mattered but useful only in a lawsuit if it had been before she attempted to delay or confiscate my income or was BEFORE she knew it was reinstated.

15. Trustee refuses to provide me with beneficial information she is in possession of, only advising me directly of one non-estate related fund that she was 50% beneficiary on and knew I would find out she knew about, but not the others she found and confirmed with them directly she had no claim to and I was sole beneficiary. She is actively acting in her benefit but deliberately withholding any information in my interest.

16. Will not release family heirlooms to me, being the only child and known recipient or documents specifically denying my right to them.

17. Removed valuable heirlooms from home and left in a non-relatives care.

17. I was told nothing financially, physically or otherwise including trust documents would be released for 60 days which probate law and trust show NO reason to not make immediate disclosure when whereabouts of beneficiary are known or when beneficiary requests copy of trust.

18. It appears through carbon copy of emails, that Karen has retained multiple attorneys beyond the scope of trust attorney, possibly at expense of trust which is excessive and again not in best interest of trust.

19. An incomplete copy of trust was forwarded to me 3 weeks after attorney advised of trust. Attorney said trust was mailed a few days before May 4th. It was mailed the evening before on May 3 and received May 5.

Left two messages for attorney May 5th but have yet to receive a return call as of today, May 17, 2017.

Trustee acted in bad judgement of authority in breach of trust

Intentionally lied several times, omitted facts, intentionally mislead and withheld facts from beneficiary, not cooperative in assisting beneficiary with ssdi, illegally moved funds out of reach of ssdi and myself, only responding when threatened of ssdi investigation and acted not in best interest of trust and beneficiary.

Acted with gross negligence, intentional dishonesty, improper acts of authority, intentional disregard, horrible treatment and slander of his only child and beneficiary causing great emotional distress continually to date. Actions appear suspect at best and I, the beneficiary, am greatly concerned as any one of these actions is cause for removal but the consistency of impropriety and abuse of power personally and legally is overwhelming.

Kelly M. Tawny Gage

----- Original message ----- From: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)> Date: 5/26/17 6:47 PM (GMT-08:00) To: tawny gage [REDACTED] Cc: Karen Roper <[roperk@usa.net](mailto:roperk@usa.net)>, Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)> Subject: RE: Carl Gage trust

Dear Tawny:

Please see our responses in BLUE font below:

First of all I have been told by three probate lawyers that I do indeed absolutely have the right to the complete trust, including the documents you now have forwarded to me. Thank you. I am having trouble with the validity of the trust and why sections would be missing or added and have been told that it is definitely not normal and should be verified. You said you were reviewing to see if you had complete documents. Did you not question any of the missing or added information? No copy was in a database somewhere? Held with a lawyer? She had ONLY copy??

As I previously stated, we were not the drafting attorneys for Mr. Gage's living trust and any amendments drafted thereafter. For the purpose of verifying the copies of the trust documents that were given to us by the Trustee, our office has contacted and requested certain information from Ms. Lonnie Walgren, the Legal Document Assistant who originally met with Mr. Gage and drafted his documents. Attached please find a copy of a response letter received by our office from Ms. Walgren today, May 26, 2017, setting forth details regarding Mr. Gage's living trust dated April 24, 2014, and the changes that he requested to make on October 14, 2014, January 3, 2015, and June 29, 2015.

Second, please re-read my second concern. I am not and did not imply in any way that I am contesting the trust.

However, according to the TRUST, if the trustee acts in breach of trust, by acts or omissions, committed intentionally, with gross negligence, in bad faith, or with reckless indifference to the interests of beneficiaries, she can be removed.

The trustee intentionally lied about trust, omitted important information, acted in bad faith with reckless indifference when she told me she was 100% beneficiary and executrix, withholding information for my benefit, withholding trust documents and its existence and all other claims in previous email as well as she has my possessions kept at his house, admittedly told to her directly by my father was mine including

keys and combo to my home safe, items in garage, a lock box etc...

Above all else, my father would not want his DAUGHTER being treated like dirt, dismissed, ignored and set up to be arrested without knowledge of anyone having objection to me being in his home, while she knew I was going there. I understand

may not be valid cause, but shows the intention of causing me direct harm or injustice using lies and withholding information in bad faith.

We understand your concerns, however we disagree with your assessment of the "breaches" committed by the Trustee. We do not believe that any actions were done with the intentions you are implying.

The trust allows for the trustee to be removed if acts and omissions are intentionally committed in breach of trust is what I said. Not contesting trust, but abiding by the contents of trust. Something my father would have been livid over

and explicitly states in the trust

However, the validity of the documents should be verified as the obvious exclusions and additions were possibly never questioned or verified as your response implied.

If that's the case, how do you know an amendment or revised or omitted article isn't imperative to the trust's integrity?

If you are acting as a neutral in best interest of trust, these concerns should be addressed, not dismissed. Furthermore my family heirlooms and father's personal possessions, he had considered her trustworthy enough to be sure those items would be handed over to me without resistance or fight. I am his only child. She is not related to us.

If you are handling his trust, my family heirlooms and his personal possessions not being sold for pennies to add to her bounty, should be released to me asap to prevent damage or theft during the rape from unknown persons of his home and

vehicles to expedite the sale for her award. As is a vehicle not listed in will, purchased later.

Please be sure your comprehension of my email is as written, as to not dismiss my pleas with direction to irrelevant articles with erroneous assumptions of my intentions.

My concerns are valid and worthy of review, regardless of Ms. Roper's negligence, bitterness, anger and controlling regard to my Fathers personal effects. Again, she is not related, not a spouse and has no right to his personal belongings,

MY belongings in his home, or MY heirlooms from generations or my Fathers instruments and personal recordings extremely sentimentally valuable to me. She has taken possession of what she was admittedly told by my father personally was mine and withheld items

I kept at his house.

My father would have expected nothing less than her willingness to hand over these items willingly, promptly and consult with me on others. Unfortunately the relationship between Ms. Roper and my father and me was strained in the last

several months before his death. Her anger has controlled her unnecessary display of power and ugliness to punish me or him or both This is unacceptable and anything you can do to assist in my requests for personal items, his and mine, would be greatly appreciated.

Distributions of tangible personal property will occur in accordance with the terms of the trust. With respect to the specific gifts of tangible personal property set forth in the trust, those gifts will occur in the course of the trust administration. Regarding the balance of the tangible personal property not specifically disposed of in the trust, such property will be distributed by the Trustee to the beneficiaries according to the discretion of the Trustee.

However, please be advised that no trust distributions will be made until the statutory contest period of 120 days has passed so that the Trustee is not wrongfully distributing assets potentially belonging to another.

If you believe that an additional response is needed from my office, I strongly advise and urge you to retain an attorney and have your attorney contact my office.

Pierre

Pierre J. Rodnunsky, Esq.

Rodnunsky & Associates  
5959 Topanga Canyon Blvd., Suite 220

Woodland Hills, CA 91367  
Ph: 818-737-1090  
Fax: 818-737-1089  
Email:  
[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)  
[www.rodnunskylaw.com](http://www.rodnunskylaw.com)

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From: tawny gage [mailto:████████████████████]  
Sent: Thursday, May 25, 2017 8:52 AM  
To: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>  
Cc: Karen Roper <[roperk@usa.net](mailto:roperk@usa.net)>; Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>  
Subject: RE: Carl Gage trust

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withholding information for my benefit, withholding trust documents and its existence and all other claims in previous email as well as she has my possessions kept at his house, admittedly told to her directly by my father was mine including  
keys and combo to my home safe, items in garage, a lock box etc...

Above all else, my father would not want his DAUGHTER being treated like dirt, dismissed, ignored and set up to be arrested without knowledge of anyone having objection to me being in his home, while she knew I was going there. I understand  
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If you are handling his trust, my family heirlooms and his personal possessions not being sold for pennies to add to her bounty, should be released to me asap to prevent damage or theft during the rape from unknown persons of his home and  
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My father would have expected nothing less than her willingness to hand over these items willingly, promptly and consult with me on others. Unfortunately the relationship between Ms. Roper and my father and me was strained in the last

several months before his death. Her anger has controlled her unnecessary display of power and ugliness to punish me or him or both This is unacceptable and anything you can do to assist in my requests for personal items, his and mine, would be greatly appreciated.

----- Original message -----

From: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>

Date: 5/19/17 12:00 PM (GMT-08:00)

To: tawny gage < >

Cc: Karen Roper <[roperk@usa.net](mailto:roperk@usa.net)>, Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>

Subject: RE: Carl Gage trust

Dear Tawny:

I am sorry to hear about the misunderstandings between you and the Trustee, but please note that our firm has been retained as a neutral party to facilitate an expeditious administration of this Trust. While we represent the Trustee, it is our goal to complete the administration of this Trust without conflict or delay. Our firm did not prepare this Trust or any other documents associated therewith. We have fulfilled the Trustee's duty to provide you with all documents in her possession. Your allegations against the Trustee are meritless. I would urge you to review Article 16 on Page 27 of the Trust dealing with the "No Contest" clause prior to initiating any litigation in this matter.

Additionally, please see our responses in BLUE:

1. Article 8.3 and 8.4 are omitted from copy of trust given to beneficiary. We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.
2. Article 9.3, 9.4, 9.5, 9.6 and 9.7 have been added to trust not in table of contents. We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.
3. Article 10.8 has been added not in table of contents. We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.
4. Article 11.9, 11.10, 11.11, 11.12, 11.13 have been added not listed in table of contents. We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.
5. Article 12.12, 12.13 and 12.14 have been added not in table of contents. We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.
6. Article 13.15, 13.16, 13.17, 13.18, 13.19, 13.20, 13.21, 13.22, 13.23 have been added not in table of contents. We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.
7. Article 15.15 thru 15.23 have been added not in table of contents. We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.
8. Article 17.6 has been added not in table of contents. We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.
9. Article 18.7 and 18.8 have been added not in table of contents. We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.



10. Article 19.9 thru 19.29 have been added not in table of contents

We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.

11. Pages 1 thru 37 are accountable but do not match the table of contents in names of articles or in accordance of each article.

We are not the drafting attorneys for Mr. Gage's living trust and any amendments created thereafter. All documents were sent based on how we received them from the Trustee.

12. Trust or amendments have not been witnessed

Trusts and/or any amendments to the Trust may be notarized, instead of being witnessed. Trusts are executed before a Notary Public to ensure that the person who is executing the Trust is in fact the person who is creating the

Trust. The Declaration of Trust for the Carl M. Gage Living Trust dated April 28, 2014, First Amendment to the Declaration of Trust for the Carl M. Gage Living Trust dated October 14, 2014, Second Amendment to the Declaration of Trust for the Carl M. Gage

Living Trust dated January 3, 2015, and the Third Amendment to the Declaration of Trust for the Carl M. Gage Living Trust dated June 29, 2015, all have been notarized. The production of the Pour-Over Will is not required under the Probate code.

13. No pour over will was attached with documents

Although the production of the Pour-Over Will is not required under the Probate code, attached please find the Will of Carlton McIntosh Gage executed and witnessed on April 28, 2014.

14. No other attachments were included as noted in trust or otherwise.

Pursuant to your request, attached please find Schedule "A" executed and notarized on April 28, 2014, and Schedule "B" referenced in The Carl M. Gage Living Trust dated April 28, 2014.

If you any questions, please do not hesitate to call or e-mail my office.

Pierre

Pierre J. Rodnunsky, Esq.

Rodnunsky & Associates  
5959 Topanga Canyon Blvd., Suite 220

Woodland Hills, CA 91367

Ph: 818-737-1090

Fax: 818-737-1089

Email:

[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)

[www.rodnunskylaw.com](http://www.rodnunskylaw.com)

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completeness of the information contained in this electronic message. Certain assumptions may have been made in the preparation of this material as of this date, and are subject to change without notice. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this email and any attachment(s) is strictly prohibited. If you receive this email in error, please contact the sender and remove all copies of this message and any attachments from your system.

From: tawny gage [mailto:████████████████████]

Sent: Wednesday, May 17, 2017 5:57 PM

To: Pierre Rodnunsky <[pierre.rodnunsky@rodnunsky.com](mailto:pierre.rodnunsky@rodnunsky.com)>

Cc: Karen Roper <[roperk@usa.net](mailto:roperk@usa.net)>

Subject: Carl Gage trust

As beneficiary I have the right to a complete set of trust documents.

What you sent after 6 weeks after his death, is not a complete copy.

You specifically noted the items included were the only ones required by law. But the complete copy of trust is required by law, regardless of the probate code you quote.

Please provide COMPLETE trust documents and accounting thus far immediately to me.

Besides which the trust enclosed was NOT even the whole document claimed to be included. The first glance at trust sent to me includes the following discrepancies and inconsistencies:

1. Article 8.3 and 8.4 are omitted from copy of trust given to beneficiary.

2. Article 9.3, 9.4, 9.5, 9.6 and 9.7 have been added to trust not in table of contents

3. Article 10.8 has been added not in table of contents

4. Article 11.9 , 11.10, 11.11, 11.12, 11.13 have been added not listed in table of contents

5. Article 12.12, 12.13 and 12.14 have been added not in table of contents

6. Article 13.15, 13.16, 13.17 13.18, 13.19, 13.20, 13.21, 13.22, 13.23 have been added not in table of contents

7. Article 15.15 thru 15.23 have been added not in table of contents

8. Article 17.6 has been added not in table of contents

9. Article 18. 7 and 18.8

have been added not in table of contents

10. Article 19.9 thru 19.29 have been added not in table of contents

11. Pages 1 thru 37 are accountable but do not match the table of contents in names of articles or in accordance of each article.

12. Trust or amendments have not been witnessed

13. No pour over will was attached with documents

14. No other attachments were included as noted in trust or otherwise.

The reluctance to give trust documents, then eventual sending of incomplete or altered trust without documents showing changes, as well as the infractions listed below are in accordance with the removal of current trustee Karen M. Roper as indicated by trust documents and by laws referred to in trust for trustee to abide by.

1. Intentionally lied about being sole executor and beneficiary of latest will but refused to provide proof.

If Karen read the single page amendment that named her trustee, she knew at that time that I was beneficiary.

2. Intentionally said executor instead of trustee and will instead if trust.

Did not correct omissions or words at any time until I was given partial documents 40 days later.

3. Without advising beneficiary of existence of trust, the beneficiary was removed from her Fathers house by police without her given any information, asking her to leave or any conversation directly with beneficiary who was unaware of trust or her needing permission to be in father's house. Karen was told I would be at his house in several ignored emails and after confirming she read them, did not mention my request and gave no indication of disapproval.

When trustee found me there, she without words, called police to have me arrested. Trustee told police she was sole executor and beneficiary and was ordered by police to produce paperwork.

She continued to refer to as a will.

Police advised the document she showed was a will and showed her as executrix and 50% beneficiary with me.

I showed copies of will I had, trustee confiscated my copy but refused to show me her documents showing authority to do so or even tell me name and date of will she had and never said the word trust.

Told me at that time Betty was included in will but omitted fact of betty being amended from will. Insinuated her control was to remove betty as beneficiary.

An intentional lie as the amendment removing Betty appointed her trustee.

She claimed she hadn't read trust, but Betty is only mentioned in original trust, not any amendments after.

I was told by police that Karen told them I was a drug addict, mentally unstable, violent, a thief and estranged from my father. All unnecessary slander.

I was questioned by police without information, intentionally slandered, subject to personal search, vehicle search, personal property search, provided no proof to see myself and forced off property warned not to return. I was humiliated, embarrassed and berated by police as they screamed in my face, "Your father didnt care about you! She tried to tell you, but you wouldn't listen! Get it through your head! Your father didn't care about you!!!"

Karen smiled at me while this horrible thing was happening to me while grieving for my father, confused and unconvinced of her authority.

4. She stated even days after, she had not read the 'will' in conversation with my family member saying she was told by my father she was 100% executrix and beneficiary but never read the contents of will.

She certainly should have read it before asserting her disgusting and unnecessary, abusive display of power.

5. Ignored all requests I made to be included in arrangements and only advised after body had been cremated and still even refuses to date to advise of disposition or location of ashes.

6. I asked her to allow me to advise my family members of his death, as her control was belligerent, in first call. She then began to call MY relatives known and unknown and I was told later she made derogatory comments about me while notifying my relatives. I made sarcastic comment about her notifying my relatives after I explicitly asked her not to and expressed my anger and disappointment. After this, she continued to call the rest of my family without apology.

7. Non disclosure of trust pertains only while estate owner is alive.

Disclosure of existence of trust and any clauses stating powers of trust was not disclosed to beneficiary

upon his death.

Trust should have been given immediately and not withheld as to be fair and she should have been honest about facts of will to avoid suspicion of wrong doing and acting in good faith.

Trustee gave beneficiary no choice but to possibly act in non- accordance with trust deeming her uninherited but not legal without disclosure of trust, knowing she is on disability and could not afford attorneys.

For more than a month, several requests were ignored in bad faith for name or copy of trust, not acting in best interest or in color of trust or law to the only other beneficiary and not only the one living relative but only child.

12. Trustee refused to provide documents such as death certificate or even name of mortuary to assist me with ssdi transfers, my only financial income in custodian of father's name and accounts.

12. Trustee only offered to assist financially and demanded proof of receipt of email, after I acted alone, with financial difficulties getting death certificate and advised trustee of getting documents despite her attempt to withhold all options to help me after several requests and I refused her demand to handle MY ssdi by her insistence on calling them and providing documents directly to them or nothing.

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All funds have yet to be retrieved to the best of my knowledge.

14. Only offered help financially to provide a loan until ssdi funds were reinstated, AFTER ssdi account was closed and she was advised the ssdi HAD BEEN reinstated to my accounts. Demanded confirmation of receipt of offer as if it was genuine or mattered but useful only in a lawsuit if it had been before she attempted to delay or confiscate my income or was BEFORE she knew it was

reinstated.

15. Trustee refuses to provide me with beneficial information she is in possession of, only advising me directly of one non-estate related fund that she was 50% beneficiary on and knew I would find out she knew about, but not the others she found and confirmed with them directly she had no claim to and I was sole beneficiary. She is actively acting in her benefit but deliberately withholding any information in my interest.

16. Will not release family heirlooms to me, being the only child and known recipient or documents specifically denying my right to them.

17. Removed valuable heirlooms from home and left in a non-relatives care.

17. I was told nothing financially, physically or otherwise including trust documents would be released for 60 days which probate law and trust show NO reason to not make immediate disclosure when whereabouts of beneficiary are known or when beneficiary requests copy of trust.

18. It appears through carbon copy of emails, that Karen has retained multiple attorneys beyond the scope of trust attorney, possibly at expense of trust which is excessive and again not in best interest of trust.

19. An incomplete copy of trust was forwarded to me 3 weeks after attorney advised of trust. Attorney said trust was mailed a few days before May 4th. It was mailed the evening before on May 3 and received May 5.

Left two messages for attorney May 5th but have yet to receive a return call as of today, May 17, 2017.



Trustee acted in bad judgement of authority in breach of trust

Intentionally lied several times, omitted facts, intentionally mislead and withheld facts from beneficiary, not cooperative in assisting beneficiary with ssdi, illegally moved funds out of reach of ssdi and myself, only responding when threatened of ssdi investigation and acted not in best interest of trust and beneficiary.

Acted with gross negligence, intentional dishonesty, improper acts of authority, intentional disregard, horrible treatment and slander of his only child and beneficiary causing great emotional distress continually to date. Actions appear suspect at best and I, the beneficiary, am greatly concerned as any one of these actions is cause for removal but the consistency of impropriety and abuse of power personally and legally is overwhelming.

Kelly M. Tawny Gage

---

tawny gage - [REDACTED]

Mon, Jun 19, 2017 at 6:28 AM

To: Pierre Rodnunsky <pierre.rodnunsky@rodnunskylaw.com>

Cc: Karen Roper <roperk@usa.net>, Connie Lee <connie.lee@rodnunskylaw.com>

Above all, the letter from Ms. Walgren does not **in any way** answer the questions that I pointed out that you should have noticed in your review.

It doesn't **at all** mention why there are missing, omitted or added paragraphs in the ORIGINAL trust.

Why is attention to detail so absent at your office?

Above all, the letter from Ms. Walgren does not in any way answer the questions that I pointed out that you should have noticed in your review.

It doesn't at all mention why there are missing, omitted or added paragraphs in the ORIGINAL trust.

Why is attention to detail so absent at your office?

[Quoted text hidden]

# EXHIBIT 5

From: Julie S. Berkus [<mailto:jberkus@OCLSLAW.COM>]  
Sent: [Monday, July 10, 2017 1:55 PM](#)  
To: Connie Lee <[connie.lee@rodnunsky.com](mailto:connie.lee@rodnunsky.com)>  
Subject: RE: Estate of Carl M. Gage

Please see attached. I am waiting to hear about the removal of personal property.

Thanks,  
Julie

---

From: Connie Lee [<mailto:connie.lee@rodnunsky.com>]  
Sent: [Thursday, July 06, 2017 3:45 PM](#)  
To: Julie S. Berkus  
Cc: Pierre Rodnunsky  
Subject: Estate of Carl M. Gage

Dear Ms. Berkus:

I am one of Pierre Rodnunsky's assistants, who is assisting him with the Trust Administration of Mr. Carl Gage's estate. Our client, Karen Roper, who is the Successor Trustee of Mr. Gage's estate, received a Claim for Reassessment Exclusion for Transfer Between Parent and Child form regarding the property located at 310 Country Club Drive, Unit C, Simi Valley, California 93065, from the Ventura County Assessor's office. Ms. Roper filled out the form herself, but will need Ms. Kelly Gage's signature, mailing address, and contact information to finalize the form.

Attached please find the Claim for Reassessment Exclusion for Transfer Between Parent and Child form. It would be greatly appreciated if you could please coordinate with Ms. Gage in obtaining her signature and information at your earliest convenience. She would need to sign the form as "Kelly Marie Gage" and fill out the section where highlighted in yellow on Page 2. Please email or fax the finalized form to our office for our further handling. *Please note that this form must be submitted to the Ventura County Assessor's office before or by [Friday, July 14, 2017](#) to avoid reassessment.*

Additionally, after our walk through with Ms. Gage on [June 22, 2017](#), Ms. Gage stated she would be getting a storage unit and moving trucks to move her father's tangible personal property. Is there a specific date and time as to when she would want to do this? It would be greatly appreciated if you could let our office know.

Thank you very much. If you have any questions, please do not hesitate to contact our office.

Sincerely,  
Connie Lee

Connie Lee  
Legal Assistant  
Rodnunsky & Associates  
5959 Topanga Canyon Blvd., Suite 220  
Woodland Hills, CA 91367  
Ph: [818-737-1090](tel:818-737-1090)  
Fax: [818-737-1089](tel:818-737-1089)  
Email: [connie.lee@rodnunsky.com](mailto:connie.lee@rodnunsky.com)  
[www.rodnunsky.com](http://www.rodnunsky.com)

 RAlogo

6 / 7



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---

## [FWD: Estate of Carl Gage]

7 messages

<dae@trustandfamilylaw.com>

Tue, Sep 26, 2017 at 12:25 PM

To: tawny.gage <[REDACTED]>

Please see the following email and advise me of your opinion.

David A. Esquibias, Attorney at Law  
Certified Specialist Estate Planning, Trust and Probate Law  
2625 Townsgate Road Suite 330  
Westlake Village, CA 91361  
Telephone (805) 267-1141  
Facsimile (805) 267-1140  
Email: [dae@trustandfamilylaw.com](mailto:dae@trustandfamilylaw.com)  
Website: [www.trustandfamilylaw.com](http://www.trustandfamilylaw.com)

---

----- Original Message -----

Subject: Estate of Carl Gage

From: Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>

Date: Tue, September 26, 2017 11:49 am

To: "dae@trustandfamilylaw.com" <[dae@trustandfamilylaw.com](mailto:dae@trustandfamilylaw.com)>

Cc: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>, Gabriella Sarceno <[gabriella.sarceno@rodnunskylaw.com](mailto:gabriella.sarceno@rodnunskylaw.com)>

Dear Mr. Esquibias:

I am one of Pierre Rodnunsky's assistants, who is assisting him with the Trust Administration of Mr. Carl's Gage estate. Please see below for our response to your correspondence dated September 11, 2017.

First, regarding the assets of the trust, the Trustee is informed and believes that the following are the assets of the trust:

1. The condominium located at 310 Country Club Drive, Unit C, Simi Valley, California 93065;
  - The real estate broker has provided our office with a Broker's Price Opinion valuing the condo at \$460,000 as of Mr. Gage's death, March 24, 2017.
  
2. Tangible personal property located within the property:

- Our office will provide you with a list of tangible personal property that the Trustee would like to keep for herself and/or to be given to Carl's relative(s) as soon as it is updated and provided to our office.
  - Our office will provide you with a list of tangible personal property that the Trustee is currently safekeeping as soon as it is updated and provided to our office.
3. TD Ameritrade account with a date of death value of approximately \$145,000.
  4. E\*Trade account with a date of death value of approximately \$30,500.
  5. Ally Bank account with a date of death value of approximately \$44,600.
  6. Four automobiles:
    - 1998 Winnebago Motorhome
    - 1993 Toyota Pickup Truck
    - 2006 Chrysler PT Cruiser
    - 2007 Lexus 4-Door

Second, a Heggstad Petition has been filed with the court. The hearing has been set for December 4, 2017 at 8:30am at Los Angeles Superior Court, Central District, in Department 11. Our office will provide you with requisite notice when we get closer to the hearing date. The TD Ameritrade and E\*Trade accounts along with the four vehicles are the subjects of the Heggstad Petition that we filed with the court. Please note that no action will be taken with respect to any of the vehicles until after court approval. It is our understanding that the Lexus automobile will be distributed to Tawny at a later time.

Third, the following is our response to the items located in the decedent's primary residence that your client has great interest in:

1. **Carl's ashes.** Our client is currently in possession of Carl's ashes because she was Carl's health care agent. Our client wanted to come to an agreement on how to handle the ashes with Tawny. However, if both parties cannot come to an agreement, then our client would like to evenly split his ashes.
2. **Carl's musical instruments.** Our client is currently in possession of all musical instruments for safekeeping. She agreed to give Tawny the musical instruments separately on the day of the move. She will drop them off at our office and Tawny may pick them up from our office on the day of the move or at her convenience. The musical items will not be packed by the processional packers and movers. As of today, our client

notified our office that she may want to keep 1 out of the 2 Ukuleles and the electric guitar.

3. **Carl's gold coins collection.** The Trustee believes that this collection totals up to about \$20,000-\$30,000. Our client will be obtaining an appraisal for the gold coins collection. She plans on splitting this collection 50/50 between herself and Tawny.
4. **Carl's box of private photographs.** Our client and our office do not know where this item is located inside the primary residence. However, as you had stated in our conference call, the box contains nude photographs of Carl's ex-girlfriends. Our client and our office do not plan on giving this to Tawny for privacy and legal reasons.
5. **A ring that contains a photograph of Carl's Great Aunt.** Our client and our office do not know where this item is located inside the primary residence. However, if Tawny plans on coming to the residence on packing day, then she can show me where this ring is located at. The Trustee has agreed to let Tawny keep this item.
6. **An old typewriter.** Our client and our office do not know where this item is located at inside the primary residence. Again, if Tawny knows where this is located inside the residence, then she may take it as well.
7. **Carl's wallet.** As we had told Tawny in prior emails, the Trustee is responsible for safekeeping all of the decedent's personal information, including, but not limited to, all items inside Carl's wallet, passport, computer/laptop, cell phone, etc. until the trust administration is over. She needs certain information to file Carl's final 2017 tax returns.
8. **Cans with loose coins.** The Trustee has agreed to give this to Tawny.

-

Fourth, Tawny has informed me in a prior email that these are the items that she wants to keep. Please confirm, and provide me with any changes to the list:

#### Music

- Martin guitar
- Ukulele – \*\* Please note that our client wants to keep one of the two Ukuleles.

- Electric guitar -- \*\* Please note that our client wants to keep this instrument for sale.
- Harmonicas
- Banjo
- Keyboard
- Drum pads
- Tuning equipment
- Cases and mounts
- Recording equipment
- Fender amp
- Song lyrics
- Lyrics copyrights
- CD's
- Vinyl albums
- Music books
- Recording on computer
- Personal recordings

#### Furniture

- Mattress and box spring
- Dressers/nightstands
- Curio and contents
- Dining room table and chairs
- Patio furniture
- Table/desk lamps

#### Office

- File cabinet
- All elect/comp/printer from office
- All paper files/loose papers
- Lawyers bookcase

#### Kitchen

- Refrigerator
- Champagne flutes Lenox
- Personalized wine glasses
- 10 pc Calphalon set
- Dishes/glasses
- Utensils
- Serve ware
- Wine glasses
- Wine -- \*\*Please note that there are about 6 bottles of wine that our client wants to keep.
- Wustoff knives in block
- Wine locker
- Washer/dryer



- BBQ grill
- Bar contents above and below
- Cutlery set

#### Electronics

- 2 televisions
- DVD players
- Stereo
- Speakers
- Computer – \*\*Please note that our client is going to hold onto Carl's computer for now.
- Hard Drive back up
- Phones household
- Telescope
- Cell phone – – \*\*Please note that our client is going to hold onto Carl's cell phone for now.
- Laptop -- \*\*Please note that our client is going to hold onto Carl's laptop until she files his final tax returns next year.
- All software

#### Other

- Miniatures
- Grandmothers painting
- Typewriter
- Stained glass dart board
- Army dog tags
- Jewelry
- Black ring with picture
- Poker chips
- BB Guns
- Pictures
- Wallet -- \*\*Please note that our client is going to hold onto for now.
- Cash and valuables – \*\*Our office will find out more information regarding any cash if any were found inside the property.
- Cork Table
- Golf Clubs
- Club Rewards
- Gage family history
- Carving set boxed
- Toilet seat hand carved
- Framed pic of great grandparents
- Carl Gage Ashes – \*\*Please note that our client was Carl's health care agent. She is safekeeping his ashes for now.
- Personal documents like divorce and marriage documents
- Tawny files with personal info and memories

- Key and combo to Tawny's safe -- \*\*Our office will find out more information from our client.
- Samsonite luggage
- Portable safe
- Christmas ornaments
- Mementos
- All wall pictures and framed
- All tools
- All contents of garage
- All contents of hall closet and linen and office closet
- Pillows and sheets
- All contents of all drawers and cupboards
- All personal items left
- Coin collection -- \*\*Please note that our client will be obtaining an appraisal for the value of the gold coins collection. She plans on splitting this 50/50 with Tawny.

Fifth, Tawny has informed me in a prior email that these are the certain items that she no longer wants. Please confirm, and provide me with any changes to the list:

- Couch
- Reclining chair in the living room
- Headboard in the bedroom
- Other bookcase or desk in the office
- Office chair
- Large folding table
- Brass bakers rack on patio
- 3 wooden tables in the living room (excluding all personal items in the room or on/inside the tables)
- Stereo cabinet

Sixth, it would be greatly appreciated if your client could please provide our office with tangible personal **property** that she has personally taken from the residence. Our client will provide you with a list of items that she is currently safekeeping as well as a list of items that she is going to want to keep.

As you know, the packers will coming to the residence this Wednesday, September 27<sup>th</sup>, around 8:30-9:00am. The moving will occur this Thursday, September 28<sup>th</sup>. We will provide you with the exact time once we confirm with the movers. **Please let our office know whether Tawny will be present during these times. Also, please confirm that Tawny will be at her residence located on DeSoto Avenue to open the doors for the movers to unload all items.** We will take pictures of all personal items that Tawny elects to not take. Our client

might possibly donate, or sell if there are any valuable items that are left, or even throw away.

Finally, the following is the link to download all the pictures that we have taken inside the property. Please let me know if you are having any trouble opening any of the pictures.

[https://netorg524320-my.sharepoint.com/personal/connie\\_lee\\_rodunskylaw\\_com/\\_layouts/15/guestaccess.aspx?folderid=050394eba963347fa8b8591fb18d2cdd1&authkey=AZMM62u0YOb9PLRHpj2Xr4E](https://netorg524320-my.sharepoint.com/personal/connie_lee_rodunskylaw_com/_layouts/15/guestaccess.aspx?folderid=050394eba963347fa8b8591fb18d2cdd1&authkey=AZMM62u0YOb9PLRHpj2Xr4E)

It would be greatly appreciated if you could please let us know of any changes by the end of today. If you have any questions, please do not hesitate to contact our office.

Sincerely,  
Connie

**Connie Lee**  
**Legal Assistant**  
**Rodnunsky & Associates**  
**5959 Topanga Canyon Blvd., Suite 220**  
**Woodland Hills, CA 91367**  
**Ph: 818-737-1090**  
**Fax: 818-737-1089**  
**Email: [connie.lee@rodunskylaw.com](mailto:connie.lee@rodunskylaw.com)**  
**[www.rodunskylaw.com](http://www.rodunskylaw.com)**



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<dae@trustandfamilylaw.com>

To: tawny.gage <[REDACTED]>

Tue, Sep 26, 2017 at 4:33 PM

FYI

Do you have any response?

David A. Esquibias, Attorney at Law  
Certified Specialist Estate Planning, Trust and Probate Law  
2625 Townsgate Road Suite 330  
Westlake Village, CA 91361  
Telephone (805) 267-1141  
Facsimile (805) 267-1140  
Email: [dae@trustandfamilylaw.com](mailto:dae@trustandfamilylaw.com)  
Website: [www.trustandfamilylaw.com](http://www.trustandfamilylaw.com)

----- Original Message -----

Subject: RE: Estate of Carl Gage

From: Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>

Date: Tue, September 26, 2017 4:18 pm

To: "dae@trustandfamilylaw.com" <[dae@trustandfamilylaw.com](mailto:dae@trustandfamilylaw.com)>

Cc: Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>, Gabriella Sarceno <[gabriella.sarceno@rodnunskylaw.com](mailto:gabriella.sarceno@rodnunskylaw.com)>

Dear Mr. Esquibias:

I wanted to provide you with a quick update. Our client wants to hold onto these items for the following reasons:

1. 1 out of the 2 Ukuleles (I will notify you once our client notifies me) – our client plans on gifting this instrument to a family member, Sal;
2. An electric guitar – our client plans on gifting this instrument to a family member, Tracy. I previously stated that she was planning on keeping this instrument to sell, but please note that this is not the case.

Additionally, our office received a call from our moving company. They plan on arriving at the property between 8-8:30am for packing and moving days. Please let me know if Tawny plans on being present at the property on both of those days.

Thank you,  
Connie

**Connie Lee**

**Legal Assistant**  
**Rodnunsky & Associates**  
**5959 Topanga Canyon Blvd., Suite 220**  
**Woodland Hills, CA 91367**  
**Ph: 818-737-1090**  
**Fax: 818-737-1089**  
**Email: [connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)**  
**[www.rodnunskylaw.com](http://www.rodnunskylaw.com)**



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**From:** Connie Lee  
**Sent:** Tuesday, September 26, 2017 11:47 AM  
**To:** '[dae@trustandfamilylaw.com](mailto:dae@trustandfamilylaw.com)' <[dae@trustandfamilylaw.com](mailto:dae@trustandfamilylaw.com)>  
**Cc:** Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>; Gabriella Sarceno <[gabriella.sarceno@rodnunskylaw.com](mailto:gabriella.sarceno@rodnunskylaw.com)>  
**Subject:** Estate of Carl Gage

[Quoted text hidden]

---

**tawny.gage** <[tawny.gage@att.net](mailto:tawny.gage@att.net)>  
To: [dae@trustandfamilylaw.com](mailto:dae@trustandfamilylaw.com)

Tue, Sep 26, 2017 at 4:55 PM

I am reading and responding now. Sorry, I wasn't available earlier. Shortly...  
I am reading and responding now. Sorry, I wasn't available earlier. Shortly...

[Quoted text hidden]

----- Original message ----- From: [dae@trustandfamilylaw.com](mailto:dae@trustandfamilylaw.com) Date: 9/26/17 4:33 PM (GMT-08:00) To: "tawny.gage" [REDACTED] > Subject: [FWD: RE: Estate of Carl Gage]

FYI

Do you have any response?

David A. Esquibias, Attorney at Law Certified Specialist Estate Planning, Trust and Probate Law 2625  
Townsgate Road Suite 330 Westlake Village, CA 91361 Telephone (805) 267-1141 Facsimile (805) 267-  
1140 Email: [dae@trustandfamilylaw.com](mailto:dae@trustandfamilylaw.com) Website: [www.trustandfamilylaw.com](http://www.trustandfamilylaw.com)

# EXHIBIT 6



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## Re: Tawny's List

1 message

---

**KAREN ROPER** <roperk@usa.net>

Mon, Apr 10, 2017 at 1:30 PM

To: tawny.gage [REDACTED], KAREN ROPER <roperk@usa.net>

Do you remember the name of the life insurance company? I have not yet found any information. If you remember and give it to me, I will call and find out whose life was insured and what has to be done about it.

Karen

----- Original Message -----

Received: 06:45 AM PDT, 04/10/2017

From: "KAREN ROPER" <roperk@usa.net>

To: "tawny.gage" [REDACTED]

Subject: Tawny's List

Hi Tawny,

I am very sorry for your loss.

A copy of the documents will be sent to you within 60 days of 3/24. Your lists of things you want will be addressed later than that.

Karen

----- Original Message -----

Received: 02:12 AM PDT, 04/10/2017

From: "tawny.gage" [REDACTED]

To: KAREN ROPER <roperk@usa.net>

Subject: RE: Sabina Figueroa

1. I need my life insurance information, separate from estate. Something he paid into quarterly or bi annually since I was a baby. I paid it when he was in jail.

2. I would like his instruments

3. A copy of his will

4. Wine

----- Original message -----From: KAREN ROPER <roperk@usa.net> Date:

4/5/17 7:03 AM (GMT-08:00) To: "tawny.gage" [REDACTED] > Subject:

RE: Sabina Figueroa

Oh thank you so much. I thought she should know.

Is there anything you need now? This process may take months.

Karen

----- Original Message -----

Received: 02:36 AM PDT, 04/05/2017

From: "tawny.gage" <[REDACTED]>

To: KAREN ROPER <[roperk@usa.net](mailto:roperk@usa.net)>

Subject: RE: Sabina Figueroa

I notified her immediately 2 or 3 days later.

----- Original message -----From: KAREN ROPER <[roperk@usa.net](mailto:roperk@usa.net)> Date:

4/2/17 9:17 AM (GMT-08:00) To: Tawny Gage <[REDACTED]> Subject:

Sabina Figueroa

Could you either send me Sabina's telephone number or notify her of Carl's passing so she doesn't come out there to clean. I think she cleans there the

first week of the month.

Please let me know if you can help.

Thank you,

Karen



# EXHIBIT 7



Woodland Hills • Long Beach • Orange • San Mateo

5959 Topanga Canyon Blvd., Suite 220 • Woodland Hills, CA 91367  
Phone: 888-818-4063 • 818-737-1090 • Fax: 818-737-1089  
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Dimitris A. Saravkos Christian J. Ziegler  
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Roseanne T. Jen\* Lisa D. Tondoc  
Shannon M. Grube Frances F. Kyrleze

400 Occingate Avenue, Suite 700  
Long Beach, CA 90802  
Phone: 562-216-2955  
Fax: 562-216-2956  
333 City Boulevard West, 17th Floor  
Orange, CA 92660  
Phone: 714-938-3831  
Fax: 714-938-3255  
2000 Alameda de los Poigos, Suite 154  
San Mateo, CA 94401  
Phone: 650-288-5400  
Fax: 650-285-5404

\* Certified Specialist, Estate Planning, Trust & Probate Law  
+ Certified Specialist, Family Law  
+ Professional Corporation

May 3, 2017

VIA U.S. CERTIFIED MAIL  
WITH RETURN RECEIPT  
(Article No. 7017 0530 0000 3235 7610)



Re: Notification Pursuant to California Probate Code section 16061.7

Dear Ms. Gage:

As required by law, you are hereby provided with notice of the following information regarding the Carl M. Gage Living Trust (the "Trust"):

1. The name of the Trust is the Carl M. Gage Living Trust.
2. The name of the Trustor of the Trust is Carl M. Gage.
3. The Trust was executed on April 28, 2014.
4. The Trust was amended on October 14, 2014, amended on January 3, 2015, and further amended on June 29, 2015.
5. The name, address, and telephone number of the current Trustee of the Trust is:

Karen M. Roper  
c/o Rodnunsky & Associates  
5959 Topanga Canyon Boulevard, Suite 220  
Woodland Hills, California 91367  
Telephone #: (818) 737-1090

Kelly Marie Gage (a.k.a Tawny Gage)

May 3, 2017

Page 2

6. Pursuant to Probate Code section 17002, the address of the principal place of administration of the Trust is:

Rodnunsky & Associates  
5959 Topanga Canyon Boulevard, Suite 220  
Woodland Hills, California 91367

7. The Trustee requests that correspondence relating to the Trust be directed to her at the following address:

Karen M. Roper  
c/o Rodnunsky & Associates  
5959 Topanga Canyon Boulevard, Suite 220  
Woodland Hills, California 91367

8. You are entitled to request from the Trustee a true and complete copy of the "Terms of the Trust," as that term is defined in Probate Code section 16060.5. However, the Trustee has elected to enclose with this Notification true and complete copies of: (1) Declaration of Trust for the Carl M. Gage Living Trust dated April 28, 2014 (2) First Amendment to the Declaration of Trust for the Carl M. Gage Living Trust dated October 14, 2014; (3) Second Amendment to the Declaration of Trust for the Carl M. Gage Living Trust dated January 3, 2015; and (4) Third Amendment to the Declaration of Trust for the Carl M. Gage Living Trust dated June 29, 2015.

**WARNING: YOU MAY NOT BRING AN ACTION TO CONTEST THE TRUST MORE THAN 120 DAYS FROM THE DATE THIS NOTIFICATION BY THE TRUSTEE IS SERVED UPON YOU OR 60 DAYS FROM THE DATE ON WHICH A COPY OF THE TERMS OF THE TRUST IS MAILED OR PERSONALLY DELIVERED TO YOU DURING THAT 120-DAY PERIOD, WHICHEVER IS LATER.**

Very truly yours,

**RODNUNSKY & ASSOCIATES**



PIERRE J. RODNUNSKY



**Rodnunsky & Associates**

Woodland Hills • Long Beach • Orange • San Mateo

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Dimitrios A. Saroukos Christian J. Ziegler  
Shannon M. DeBlaze\* Young H. Bae  
Rosanna T. Jen\* Lisa D. Yandoc  
Shannon M. Grube Frances F. Kyrleza

400 Ocean Gate Avenue, Suite 700  
Long Beach, CA 90802  
Phone: 562-216-2955  
Fax: 562-216-2956

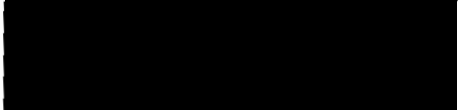
333 City Boulevard West, 17th Floor  
Orange, CA 92668  
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Phone: 650-285-5400  
Fax: 650-285-5404

\* Certified Specialist, Estate Planning, Trust & Probate Law  
\* Certified Specialist, Family Law  
† Professional Corporation

May 3, 2017

**VIA U.S. CERTIFIED MAIL**  
**WITH RETURN RECEIPT**  
**(Article No. 7017 0530 0000 3235 7610 )**



Re: Administration of the Carl M. Gage Living Trust

Dear Ms. Gage:

Please accept our condolences on the death of Carl M. Gage. As part of his estate plan, Carl M. Gage, established a living trust called the Carl M. Gage Living Trust.

Pursuant to Section 16061.7 of the California Probate Code, you are entitled to notice of certain information. Enclosed is the notification required under California Probate Code section 16061.7.

Very truly yours,  
**RODNUNSKY & ASSOCIATES**

PIERRE J. RODNUNSKY

PJR/dr  
Enclosures

# EXHIBIT 8

# Case Report

## GAGE, Carlton (0371-17)

Ventura County Medical Examiner Office  
805-641-4400

### Case Administration

This case is currently assigned to the county of: **Ventura** as a **ME/C Case**

**Information hold:** No  
**Restricted:** No  
**Disposition:** Jurisdiction Declined - No Autopsy  
**Description:** Residential death  
**Authorized by:** Zeb Dunn  
**Signed by:** Primary Care Physician  
**Full Name:** Dr. Osmonov  
**License number:** C51756  
**Address 1:** 5601 De Soto Ave  
**City:** Woodland Hills  
**State:** California  
**Zip:** 91365

**ME/C Approved for:** Cremation

### Investigator

---

**Name:** Zeb Dunn  
**Agency:** Ventura County Medical Examiner Office  
**Address 1:** 3291 Loma Vista Road  
**City:** Ventura  
**State:** California  
**Zip Code:** 93003  
**Phone:** 805-641-4400  
**Fax:** 805-641-4410  
**Email:** zeb.dunn@ventura.org

**911 Call Received:** 2017-03-24 00:00  
**Investigator notified:** 2017-03-24 17:58  
**Notified by:** Officer Haidet  
**Date investigated:** 2017-03-24 17:58

### Pathologist

---

**Name:** Lawrence L. Nguyen, MD  
**Agency:** Ventura County Medical Examiner Office  
**Address 1:** 3291 Loma Vista Road  
**City:** Ventura  
**State:** California  
**Zip Code:** 93003

**Phone:** 805-641-4400

## Identification

<b>MDILog # :</b>		<b>Sex:</b>	Male
<b>Case number:</b>	0371-17	<b>Race:</b>	White
<b>UBC:</b>	No	<b>Ethnicity:</b>	Non-Hispanic
<b>Status:</b>	Identified	<b>Date of birth:</b>	1943-03-11
<b>Method a:</b>	Visual (Witness)	<b>Date of death:</b>	2017-03-24
<b>Last name:</b>	GAGE	<b>Time of death</b>	16:57
<b>First name:</b>	Carlton	<b>Pronounced:</b>	2017-03-24 16:57
<b>Country:</b>	United States	<b>Pronounced by:</b>	Firefighter Burris
<b>Address 1:</b>	310 Country Club Drive #C	<b>Age:</b>	74 years 0 months 13 days
<b>City:</b>	Simi Valley	<b>Registered donor:</b>	No
<b>State:</b>	California	<b>SSN:</b>	527-56-8323
<b>County:</b>	Ventura	<b>Birth country:</b>	United States
<b>Zip:</b>	93065	<b>Birth state:</b>	California
<b>Inside city limits:</b>	Yes	<b>Marital status:</b>	Divorced
		<b>Education level:</b>	High School Graduate or GED Completed
		<b>Veteran status:</b>	Yes

## Circumstances of Death

<b>Jurisdiction:</b>	Local
<b>Scene investigated by law enforcement:</b>	Yes
<b>Agency</b>	Simi Valley Police Department
<b>Incident #</b>	17-12699
<b>Officer</b>	Haidet
<b>Scene investigated by C/ME:</b>	No
<b>Investigation type:</b>	Phone Release
<b>Date investigated:</b>	2017-03-24 17:58:00
<b>Reason for reporting:</b>	Natural/Sudden/Unexpected Death
<b>Related to partner violence:</b>	No
<b>Decedent in custody:</b>	No
<b>Police involved shooting:</b>	No
<b>Decedent has minor child?</b>	No
<b>Drugs involved:</b>	No
<b>Alcohol evidence:</b>	No
<b>Suspected suicide:</b>	No
<b>Hospice:</b>	No
<b>Indian Reservation:</b>	No

## Investigator Narrative

74 year old male, that died at his residence. Medical history consists of congestive heart failure, hypothyroid, chronic obstructive pulmonary disease, spinal stenosis, chronic kidney disease, atrial fibrillation, hypertension, right diastolic dysfunction, skin cancer and erectile dysfunction. Durable power of attorney present with Simi Valley Police. Found unresponsive by friends after unable to get ahold of him.

On 03/24/2017 at about 1758 hours, I received a call from Officer Haidet with the Simi Valley Police Department. He reported a residential death and provided the following information. The decedent had medical history of congestive heart failure, hypothyroid, chronic obstructive pulmonary disease, spinal stenosis, chronic kidney disease, atrial fibrillation, hypertension, right diastolic dysfunction, skin cancer and erectile dysfunction. The decedent's friend stated that he had not heard from him and became concerned. The friend, Gary Lynch, went to his residence and found the decedent unresponsive and not breathing. 911 was called and the decedent was pronounced dead at 1657 hours by Paramedic Burris with the Ventura County Fire Department. No signs of trauma, foul play or neglect were associated with the death. No prior history with Adult Protection Service. The decedent was under the care of Dr. Osmonov.

## Postmortem Scene Observations

## Secondary Party 1 of 1

**Last name:** Roper  
**First name:** Karen  
**Mobile phone:** 805-492-9704

**Suspect:** No  
**Relationship:** Power of Attorney  
**Identified decedent:** Yes  
**Witness:** Yes  
**Point of contact:** Yes

### Address 1

---

**Category:** Primary Residence  
**Address 1:** 1453 Mabrey Ct  
**City:** Thousand Oaks  
**State:** California  
**Zip:** 91360

## Location 1 of 2

**Final disposition:** Yes

### Final Disposition Details

---

**Funeral name:** Pierce Brother Valley Oaks Memorial Park -  
Westlake Village, CA  
**Funeral phone:** 818-889-0902

## Location 2 of 2

**Description:** Decedent Residence  
**Address 1:** 310 Country Club Drive #C  
**City:** Simi Valley  
**State:** California  
**County:** Ventura  
**Zip:** 93065

**Body found:** Yes  
**Scene:** Yes  
**Death location:** Yes

### Scene Location Details

---

**Scene investigated:** 03/24/2017 00:00  
**Police agency:** Simi Valley Police Department  
**Police incident #:** 17-12699  
**Officer:** Haidet  
**Police on scene:** Yes

### Location of Death Details

---

**Location of death:** Decedent Residence

## Medical History

### Information Source(s)

---

Friend

### Diseases/Disorders

---

COPD  
Diabetes  
Hypertension  
Hypothyroidism

### Cancer(s)

---

Cancer

### Cardiac/Cardiovascular

---

Cardiac  
Atrial fibrillation  
Congestive heart failure  
Coronary Artery Disease



**Health Care Provider**

---

**Physician name:** Dr. Osmonov**Address:** 5601 De Soto Ave**City:** Woodland Hills**State:** California

# EXHIBIT 9

----- Original message -----From: KAREN ROPER <[roperk@usa.net](mailto:roperk@usa.net)> Date:  
3/26/17 11:43 AM (GMT-08:00) To: "tawny.gage" [REDACTED] Subject:  
RE: Please call me now or tonight. It's important.  
I am not ignoring you. I am very sad, exhausted and very busy.

What I told you on the phone was what Carl told me. After I read the 3/4  
inch  
stack of documents (starting tomorrow), I will update you on what I find.  
We  
need that information. If I am not the executor, I will pass this  
responsibility on to whoever is.

When I said you don't have to anything does not mean you can't do anything.  
I  
also meant "at this time". It was in response to you crying and saying you  
didn't know what to do.

I am calling the mortuary tomorrow to make an appointment to speak with them.

I will find out what can be done for you to see him and report back to you.

I am heading out now but will be home tonight.  
Karen

----- Original Message -----  
Received: 10:18 PM PDT, 03/25/2017

From: "tawny.gage" [REDACTED] >  
To: KAREN ROPER <[roperk@usa.net](mailto:roperk@usa.net)>

Subject: RE: Please call me now or tonight. It's important.

I guess your ignoring me is your answer.

----- Original message -----From: KAREN ROPER <[roperk@usa.net](mailto:roperk@usa.net)> Date:  
3/25/17 8:52 AM (GMT-08:00) To: Tawny Gage [REDACTED] > Subject:  
Please call me now or tonight. It's important.

**EXHIBIT 10**



---

**RE: Please call me now or tonight. It's important.**

1 message

---

tawny.gage [REDACTED]  
To: tawny.gage [REDACTED] >

Mon, Mar 27, 2017 at 11:51 AM

You know karen i never thought you were out to hurt me.  
Point is, you have to know how equally hurtful it is to be treated like you have done to me.  
You have ignored every request i have asked. Excluded ignored and disregarded me.  
First i asked three times to let me in dads house. I had a desperate need to be near him. Neither you or gary and kathy would answer me.  
I then asked that you let me tell my relatives. Ignored. You called them anyway.  
Told joan who told donna who told chuck who called everyone before i ever heard less than 24 hours later.  
Several People messaged me by the time i woke up to call you right away.  
Then, i knew. I had to eat so i had something to throw up.  
You told me you were the executor and beneficiary of his will and i wasnt needed. Shocking, hurtful and unnecessary.  
I begged you to let me in.  
sick, i called people to be told they already talked to you or chuck the day before. People were numb and unaffected, i felt like an idiot.  
You ignored me claiming to be too busy to answer, and then still ignored me and my every request.  
Talked down to me as if ignoring me was understandable and acceptable.  
Claimed you were exhausted and sad as if i would have been less affected while being ignored at the se time. My opinion or requests and feelings were secondary to your agenda.  
You were in charge and i was insignificant.  
Hes my father!!!!  
I am his only child!!!  
You think because you say youre in charge, thats it.  
I havent seen anything. Wills ate subject to probate and always awarded to next of kin.  
You think i believe dad would have left me with nothing and given everything to you?  
Wanted you to treat me like insignificant shit and let you "give" me my heirlooms out of the goodness of your heart?  
Wanted you to make me believe i was left nothing while you added to your fortune?  
Hurt then Ignored and disregarded in shock and despair?  
Left out of every decision with no recourse?????  
That that was his wishes?????  
lie or withhold what you know or have???

I know better.  
This says more about you then him or me.

First, everything is mine not yours or your decision. You have a certain amount of time to give "documents" to his next of kin, and time for them to resond BEFORE you do ANYTHING by LAW. Give any access by which you have to possessions or accounts BEFORE YOU ACT ON AN AGREEMENT YOU THINK YOU HAVE BY LAW.  
Claim you arent even sure whos in charge but acted like an ass anyway?

I have legally accessed MY fathers home.

Request you surrender any info or possessions you have including accounts, wills, phone, wallet, keys, jewelry etc..

Perhaps we could have "worked something out" if you had not felt the need to disregard me, exclude me and control everything despite legal allowances. The reason i hung up on you.

You can let me know what you want and i will do my best to oblige with compassion, love, understanding and appreciation.

Not with charitable, deaf control, like you have shown me.

I have had enough of this nastiness, theft, greed and self righteous indignation fueled by lies and control by deception from this family.

He is MY FATHER. i am his ONLY HEIR.

You can spew "his wishes" all you want to attempt control of me or him.

It wont work.

I know you feel protective, are in pain and think maybe your actions arent as offensive or justified. I understand and forgive. I love you. I know you think if you have control of his things, he isnt gone. Why youre treating me like the enemy is unfair and hurtful.

He was all we both had. I know that.

Im sorry. Im angry too. Im scared too. Ive been scared a long time and hurt, ignored, taken advantage of, disregarded, spoken ill of, alone and scared enough to take my own life and shunned by people that were supposed to love me.

Please dont let our anger and fear seperate us again. We're all we have.

But i have to stop being rail roaded and controlled by people who want to hurt me. If people cant support me on that, believe in me or want me to give in to dishonest hurtful people like gordon or sal excusing their behavior or think they can treat me the same, lie to me about their opinions that fuel their actions assumptions not facts.

3

—— Original message ——

From: "tawny.gage" [REDACTED]

Date: 3/26/17 6:51 PM (GMT-08:00)

To: "tawny.gage" [REDACTED] Karen Roper <roperk@usa.net>

Subject: RE: Please call me now or tonight. It's important.

—— Original message ——

From: "tawny.gage" [REDACTED]

Date: 3/26/17 6:50 PM (GMT-08:00)

To: "tawny.gage" [REDACTED]

Subject: RE: Please call me now or tonight. It's important.

No please go ahead and notify everyone what a disgusting bitch you are

—— Original message ——

From: "tawny.gage" [REDACTED]

Date: 3/26/17 6:31 PM (GMT-08:00)

To: KAREN ROPER <roperk@usa.net>

Subject: RE: Please call me now or tonight. It's important.

You want my inheritance?

You gonna give me some of things of his instead?

You were never married, split for 15 yrs, wanted nothing to do with him while in jail, told me i was on my own then.

Now you made sure you were beneficiary and full of help now that hes dead.

Wont share docs, and lie about what you know and not be forthright of what you do know?.

Tell me we could have worked something out if i didn't hang up on you?

So now what? Youre keeping my inheritance? Its yours?

Sorry evil bitch

I have a police order and a legal hold.

Trying to take advantage of the stroke dummy? Deny her inheritance?

Keep it all for yourself? Like when you said you wanted sals money.

# EXHIBIT 11





2 COPY

# CITY OF SIMI VALLEY

Home of The Ronald Reagan Presidential Library

February 14, 2020

Ms. Kelly Marie-Tawny Gage



Re: Public Records Act request dated January 21, 2020

Dear Ms. Tawny Gage,

The City of Simi Valley City Clerk's Office is in receipt of your California Public Records Act request dated January 21, 2020 seeking a copy of two Simi Valley Police Department Incident Report Nos. 2017-13071 and 2017-12699.

The City Attorney's Office reviewed your request against the provisions of the California Public Records Act (CPRA) Government Code §6250 et seq. and has determined that certain records being requested are exempt from disclosure under GC §6254(f) and §6255. A determination regarding the legal validity of this exemption in this matter was rendered by Assistant City Attorney David Caceres.

The City Clerk's Office will consider your Public Records Act request closed at this time. Should you have any questions, please feel free to contact the City Clerk's Office at (805) 583-6748.

Respectfully,

Julia Fritz, CMC  
Deputy City Clerk

cc: David Caceres, Assistant City Attorney

SIMI VALLEY  
2020 JUN 21 PM 5:00

CITY OF SIMI VALLEY  
REQUEST FOR PUBLIC RECORDS

OFFICE CITY CLERK  
BY *Jenna Strickland*

To ensure a proper response to your request, it is preferred, but not mandatory that you provide in the space below the name of the document or documents you are requesting.

We will make every effort to provide the documents requested in a reasonable time. However, please be aware that under CALIFORNIA GOVERNMENT CODE §6250 ET SEQ., the City has ten (10) calendar days after you submit this form to determine whether the records you have requested are subject to disclosure under the CALIFORNIA PUBLIC RECORDS ACT. After the City has made this determination, you will be immediately notified of the determination and reasons therefore. If the City determines that the documents you have requested are subject to disclosure, they will be produced within a reasonable time thereafter.

**Please Note:** The City's current fee resolution sets forth specific copy costs for certain documents. Costs for electronic records may include the cost to construct a record and the cost of programming and computer services necessary to produce a copy of the record. Payment will be made in advance and must include cost for postage, if requested to be mailed.

NAME: *Kelley Marie-Juanita Gage*  
DAYTIME PHONE NO.: *818-425- [REDACTED]*  
MAILING ADDRESS: [REDACTED]

WILL PICK UP       PLEASE MAIL       PLEASE EMAIL  
(please include email address)

DESCRIPTION OF THE REQUESTED DOCUMENT(S): *I have waited 2 months to place charges*  
*2017-13071 Police Report*  
*2017-12699 Police Report expedite necessary. Please*

*Went to Police Dept Simi Valley M. Trevino records refused to allow records based on cc 6254 I am not entitled. I explained I am not suing Police Dept I am trying to place Criminal charges on person who gave info or document*  
*[Signature]*  
Date *June 21, 2020*

PLEASE SUBMIT THIS FORM TO: OFFICE OF THE CITY CLERK, CITY OF SIMI VALLEY  
2929 TAPO CANYON ROAD, SIMI VALLEY, CA 93063 TEL (805) 583-6748 • FAX (805) 526-2489

*Simi PD 1/21/20 3:00 pm to 4:15 pm*  
*City Hall 4:30 pm to 4:59 pm*

File Edit Related Help

OK Back Home Copy Cut Paste Modify Add Delete Preview Find Mail First Previous Next Last Help

General Offense Report Dispatches Entities History Remarks Officer/Unit Activity Text Attachments Update Rep

CAD Call

Call # 2017-12699 Police call Call relation Combined call #  
Status C Date received Mar-24-2017 Time In 16:47:35  
Call type DEATH DEATH INVESTIGATION Priority 2 Class L

Location

310 COUNTRY CLUB DR Apt C Ring

Place

Municipality SIMI VALLEY County History Y Flags N

District Beat 2 Grid 217

Initial Call Remarks

R/P'S FRIEND, 74 YRS, LYING ON BATHROOM FLOOR FACE DOWN. Modify

Priority remarks

Caller Related Info Times Units Clearance Info

Report Y Founded Y Report number 2017-12699

Reporting officers 459 Study code

Cleared by N Final call type DEATH DEATH INVESTIGATION

Clear remarks DEATH INVEST. RPT Modify

Other Related Information

Dispatches 4 Remarks 1 Entities 0 Related event(s) Y Texts 0 Attachments N Change logs 4

Create report using this Call's information  
retrieve report enter call number

CONTROLLED DOCUMENT

This Copy Not To Be Duplicated

To: Kelly Gage

By: [Signature]

Date: 11/01/20

Simi Valley Police Department

File Edit Related Help

OK Back Home Copy Cut Paste Modify Add Delete Preview Find Mail First Previous Next Last Help

General Offense Report Dispatches Entities History Remarks Officer/Unit Activity Text Attachments Update Rep

CAD Call

Call # 2017-13071 Police call Call relation Combined call #  
Status C Date received Mar-27-2017 Time In 12:10:39  
Call type TRES1 TRESPASS IN PROGRESS Priority 2 Class P

Location

310 COUNTRY CLUB DR Apt C Ring

Place

Municipality SIMI VALLEY County History Y Flags N

District Beat 2 Grid 217

Initial Call Remarks

RP CONT AT 310 COUNTRY CLUB UNIT B REF THE DAUGHTER OF THE MALE THAT PASSED AWAY AT THE ABOVE ON THE 24TH OF MARCH IS TRYING TO TAKE PROPERTY OUT OF THE RESI..DP IS A TAWNY GAGE 47 YOA WEARING JEANS..RP ADV

Priority remarks

Caller Related Info Times Units Clearance Info

Report N Founded Y Report number 2017-13071

Reporting officers 244 Study code

Cleared by N Final call type TRES1 TRESPASS IN PROGRESS

Clear remarks PEACE KEPT FOR NOW - BOTH ADVISED RE WILL AND EXECUTOR RESPONSIBILITIES

Other Related Information

Dispatches 2 Remarks 1 Entities 0 Related event(s) N Texts 0 Attachments N Change logs 5

Create report using this Call's information retrieve a report Enter call number

CONTROLLED DOCUMENT  
This Copy Not To Be Duplicated  
To: Kelly Gage  
By: [Signature]  
Date: 3/21/20  
Simi Valley Police Department



## Kelly Gage CPRA

1 message

Thu, Feb 6, 2020 at 6:57 PM

tawny gage <[REDACTED]>  
Reply-to: tawny.gage@att.net <[REDACTED]>  
To: mtrevett@simivalley.org <mtrevett@simivalley.org>  
Cc: tawny gage <[REDACTED]>

Dear Ms. Trevett,

My name is Kelly Gage. I requested police records from you on January 21, 2020. The email where you asked me to send the coroners report is below.

I am the only child of Carl M. Gage, an unmarried man who lived alone at 310 -C Country Club Drive Simi Valley, Ca. on the dates of both reports.

I am directly involved in one report and should have been directly involved in the other.

These police records on 3/24/17 and 3/27/17 are public information and no law under 6254 or public information act limits public information to be given to next of kin only.

They are public records.

I requested reports from Simi Valley City Hall on January 21, 2020 and they referred me back to you.

The purpose of my request is not allowed for consideration under the public information act.

They are public records.

Civil or criminal clarification is not required under the public information act.

By not releasing them, you are obstructing justice.

You have no information that legally on the date of each report did or possibly could legally exclude me from being his next of kin.

A trust that lists a trustee or a will that lists an executor does not in any way legally say who someone's next of kin is.

It only nominates a person to distribute his belongings to his beneficiary. That beneficiary normally being his next of kin.

I would be listed as his only child on any such document. I showed the police my original court filed will showing me as his only child of an unmarried man. He had not married anyone since my mother in 1965 up to the date of his death.

There will be no record of any of marriages on public file.

A power of attorney does not in any way legally exclude or designate his next of kin, it only allows someone certain powers of signature.

A power of attorney was the only information on record given to the coroner to release the body by the Simi Police Dept.

A heath directive does not exclude anyone or designate the next of kin.

No papers were ever collected that legally designate or exclude who his next of kin is. No such papers exist. I have confirmed this with the state and local entities.

The public information code 6254 lists no exclusion for public information to only be received by next if kin.

"Public information" is in itself defined by which the police reports are considered.

It is not called "next of kin information."

I could not find the words "next of kin" anywhere in the public information act.

If I have missed the particular code that limits "public information" to be given only to next of kin, please reply with that specific code as listed in the law so I may jump that hurdle as well.

If you have another code you would like to use to deny me public information and personal justice, please let me know specifically what law or code you're using to exclude these reports from public information in writing.

## Secondary Party 1 of 1

Last name: Roper  
First name: Karen  
Mobile phone: 805-492-9704

Suspect: No  
Relationship: Power of Attorney  
Identified decedent: Yes  
Witness: Yes  
Point of contact: Yes

### Address 1

---

Category: Primary Residence  
Address 1: 1453 Mabrey Ct  
City: Thousand Oaks  
State: California  
Zip: 91360

## Location 1 of 2

Final disposition: Yes

### Final Disposition Details

---

Funeral name: Pierce Brother Valley Oaks Memorial Park -  
Westlake Village, CA  
Funeral phone: 818-889-0902

## Location 2 of 2

Description: Decedent Residence  
Address 1: 310 Country Club Drive #C  
City: Simi Valley  
State: California  
County: Ventura  
Zip: 93065

Body found: Yes  
Scene: Yes  
Death location: Yes

### Scene Location Details

---

Scene investigated: 03/24/2017 00:00  
Police agency: Simi Valley Police Department  
Police incident #: 17-12699  
Officer: Haidet

Police on scene: Yes

### Location of Death Details

---

Location of death: Decedent Residence

## Medical History

### Information Source(s)

---

Friend

### Diseases/Disorders

---

OPD  
diabetes  
hypertension  
hypothyroidism

### Cancer(s)

---

Cancer

### Cardiac/Cardiovascular

---

Cardiac  
atrial fibrillation  
congestive heart failure  
Coronary Artery Disease

## Identification

<b>MDILog # :</b>		<b>Sex:</b>	Male
<b>Case number:</b>	0371-17	<b>Race:</b>	White
<b>UBC:</b>	No	<b>Ethnicity:</b>	Non-Hispanic
<b>Status:</b>	Identified	<b>Date of birth:</b>	1943-03-11
<b>Method a:</b>	Visual (Witness)	<b>Date of death:</b>	2017-03-24
<b>Last name:</b>	GAGE	<b>Time of death:</b>	16:57
<b>First name:</b>	Carlton	<b>Pronounced:</b>	2017-03-24 16:57
<b>Country:</b>	United States	<b>Pronounced by:</b>	Firefighter Burris
<b>Address 1:</b>	310 Country Club Drive #C	<b>Age:</b>	74 years 0 months 13 days
<b>City:</b>	Simi Valley	<b>Registered donor:</b>	No
<b>State:</b>	California	<b>SSN:</b>	527-56-8323
<b>County:</b>	Ventura	<b>Birth country:</b>	United States
<b>Zip:</b>	93065	<b>Birth state:</b>	California
<b>Inside city limits:</b>	Yes	<b>Marital status:</b>	Divorced
		<b>Education level:</b>	High School Graduate or GED Completed
		<b>Veteran status:</b>	Yes

## Circumstances of Death

<b>Jurisdiction:</b>	Local
<b>Scene investigated by law enforcement:</b>	Yes
<b>Agency</b>	Simi Valley Police Department
<b>Incident #</b>	17-12699
<b>Officer</b>	Haidet
<b>Scene investigated by C/ME:</b>	No
<b>Investigation type:</b>	Phone Release
<b>Date investigated:</b>	2017-03-24 17:58:00
<b>Reason for reporting:</b>	Natural/Sudden/Unexpected Death
<b>Related to partner violence:</b>	No
<b>Decedent in custody:</b>	No
<b>Police involved shooting:</b>	No
<b>Decedent has minor child?</b>	No
<b>Drugs involved:</b>	No
<b>Alcohol evidence:</b>	No
<b>Suspected suicide:</b>	No
<b>Toxicology:</b>	No
<b>Indian Reservation:</b>	No

## Investigator Narrative

74 year old male, that died at his residence. Medical history consists of congestive heart failure, hypothyroid, chronic obstructive pulmonary disease, spinal stenosis, chronic kidney disease, atrial fibrillation, hypertension, right diastolic dysfunction, skin cancer and erectile dysfunction. Durable power of attorney present with Simi Valley Police. Found unresponsive by friends after unable to get ahold of him.

On 03/24/2017 at about 1758 hours, I received a call from Officer Haidet with the Simi Valley Police Department. He reported a residential death and provided the following information. The decedent had medical history of congestive heart failure, hypothyroid, chronic obstructive pulmonary disease, spinal stenosis, chronic kidney disease, atrial fibrillation, hypertension, right diastolic dysfunction, skin cancer and erectile dysfunction. The decedent's friend stated that he had not heard from him and became concerned. The friend, Gary Lynch, went to his residence and found the decedent unresponsive and not breathing. 911 was called and the decedent was pronounced dead at 1657 hours by Paramedic Burris with the Ventura County Fire Department. No signs of trauma, foul play or neglect were associated with the death. No prior history with Adult Protection Service. The decedent was under the care of Dr. Osmonov.

## Postmortem Scene Observations

**Health Care Provider**

---

**Physician name:** Dr. Osmonov

**Address:** 5601 De Soto Ave

**City:** Woodland Hills

**State:** California



# EXHIBIT 12

# EXHIBIT 13

**PAST HEARINGS**

**Department LA Dept. 99    Court Convened at: 8:30 AM 4/29/2019**

**Honorable Robert S. Wada**

18STPB03846    1003    Carl M. Gage Living Trust

**Accounting Hearing**

**Petitioner(s):** Roper, Karen M.

**Attorney(s):** Rodnunsky, Pierre Joseph

**Continuance Number: 2    Continuance From:** Friday, December 28, 2018

**Last Date Changed:** Friday, April 19, 2019 1:34:10 PM

**Last Note Changed By:** PDOYLE

To clear probate notes, documents must be filed or submitted at least three court days prior to the hearing. You may contact the Probate Attorney or Probate Examiner whose E-Mail address appears at the end of these notes, subject to compliance with all conditions governing the use of Interactive E-Mail. E-mail Rules are available on the Court's web site at [www.LACourt.org](http://www.LACourt.org).

Final account filed 10/4/18 by Karen Roper, attorney Pierre Rodnunsky

PRIOR ORDERS; Cont To 4/29/19; Cont to 12/28/18 objections to be filed NLT 12/17/18 or deemed waived;

**SUMMARY**

Petr is Succr Tee

1st & final acct acct period 3/24/17 - 7/6/18

30 day ntc to bene Tawny gage ok

**MATTERS TO BE CLEARED**

N/A

\*\*\*\*\*

**OBJECTIONS FILED 12/17/18**

**OBJECTOR; Tawny Gage**

**ATTY FOR OBJTR: Scott Grossman**

\*\*\*\*\*

Objector is a beneficiary; verified & served

alleges that not all assets of trust have been accounted for, including musical equipment, recordings, household items, etc.,

Alleges that objector offered to purchase r/p from trust for 500,000, yet trustee sold to a 3rd

party for 470,000, thus causing a loss to the trust. Objects to trustees apparent failure to maintain cash in interest bearing accounts; objects to attorneys fees paid on basis that insufficient information was provided to permit a determination that fees were reasonable.

RELIEF

o/w ARA; trustee fees 9,203.48; reimb petnr 23,888.72; atty fees 17,652.15; reserve 10,000; dist ok

PAS COMMENTS; T/T re: status of discovery

pdoyle@lacourt.org

PYD 11/7 12/14 4/19

---

**Recommended Disposition:**

**Related Items:**

**Is Contested:** False

## CASE INFORMATION

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

**Case Number:** 18STPB03846

CARL M. GAGE LIVING TRUST

**Filing Courthouse:** Stanley Mosk Courthouse

**Filing Date:** 04/24/2018

**Case Type:** Trust (General Jurisdiction)

**Status:** Statistical Disposition 07/06/2018

[Click here to access document images for this case](#)

If this link fails, you may go to the [Case Document Images](#) site and search using the case number displayed on this page

## FUTURE HEARINGS

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

**08/27/2019** at 8:30 AM in Probate Department 99 at 111 North Hill Street, Los Angeles, CA 90012

Accounting Hearing

## PARTY INFORMATION

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

CARL M. GAGE LIVING TRUST - Trust

GAGE TAWNY - Petitioner

GROSSMAN SCOTT MARSHALL - Attorney for Petitioner

RODNUNSKY PIERRE JOSEPH - Attorney for Respondent

ROPEIR KAREN M. - Respondent

## DOCUMENTS FILED

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

### Documents Filed (Filing dates listed in descending order)

**08/14/2019** Proof of Service (Proof of Service of Motion )

Filed by Attorney

**08/06/2019** Order

**08/01/2019** Petition Granted (Motion to be Relieved filed on June 11, 2019 by Tawny Gage. )

**08/01/2019** Minute Order

**06/20/2019** Notice (Notice of Assignment of Hearing Date on Notice of Motion and Motion to be Relieved as Counsel )

Filed by Attorney

**06/11/2019** Proof of Service

Filed by Attorney

**06/11/2019** Declaration

Filed by Attorney

06/11/2019 Declaration (Declaration in Support of Attorney's Motion to be Relieved as Counsel )  
Filed by Attorney

06/11/2019 Motion (Notice of Motion and Motion to be Relieved as Counsel )  
Filed by Attorney

04/29/2019 Minute Order

12/28/2018 Minute Order

12/17/2018 Objection - Trust Petition (To First And Final Account )  
Filed by Attorney

11/16/2018 Minute Order

11/16/2018 Minute Order

10/12/2018 Notice - Hearing (Notice of Hearing )  
Filed by Respondent

10/04/2018 Confidential Bank Statements Received  
Filed by Attorney

10/04/2018 Account - Final or Waiver (First and Final Account and Report of Trustee )  
Filed by Attorney

09/17/2018 Order (Order Instructing Trustee to Account )  
Filed by Petitioner

07/06/2018 Petition Granted (Petition - Trust/Pursuant Prob Code Sec 17200 (Initial) filed on April 24, 2018 by Tawny Gage.  
)

07/06/2018 DISP: Granted-Initial Petition-After Crt Hrg/Trial

07/06/2018 Minute Order

06/01/2018 Notice - Hearing  
Filed by Attorney

04/24/2018 Petition - Trust/Pursuant Prob Code Sec 17200 (Initial) (Petition to Instruct Trustee to Account )  
Filed by Attorney

04/24/2018 Cover Sheet - Initial (PRO 010) (Probate Case Coversheet (Initial/Subsequent) )

## PROCEEDINGS HELD

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

### Proceedings Held (Proceeding dates listed in descending order)

08/01/2019 in Probate Department 99, Christian, Deborah L., Presiding  
Motion Hearing - **Held - Motion Granted**

04/29/2019 in Probate Department 99, Christian, Deborah L., Presiding  
Accounting Hearing - **Held - Continued**

12/28/2018 in Probate Department 99, Juarez, Daniel, Presiding  
Accounting Hearing - **Held - Continued**

11/16/2018 in Probate Department 99, Wada, Robert S, Presiding  
Trust 17200 Hearing - **Not Held - OSC Off-Calendar**

11/16/2018 in Probate Department 99, Wada, Robert S, Presiding  
Accounting Hearing - **Held - Continued**

07/06/2018 in Probate Department 99, Wada, Robert S, Presiding  
Trust 17200 Hearing - **Held**

## REGISTER OF ACTIONS

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

### Register of Actions (Listed in descending order)

08/14/2019 Proof of Service (Proof of Service of Motion )  
Filed by Attorney

08/06/2019 Order

08/01/2019 in Probate Department 99, Christian, Deborah L., Presiding  
Motion Hearing - **Held** - **Motion Granted**

08/01/2019 Minute Order

08/01/2019 Petition Granted (Motion to be Relieved filed on June 11, 2019 by Tawny Gage. )

06/20/2019 Notice (Notice of Assignment of Hearing Date on Notice of Motion and Motion to be Relieved as Counsel )  
Filed by Attorney

06/11/2019 Proof of Service  
Filed by Attorney

06/11/2019 Motion (Notice of Motion and Motion to be Relieved as Counsel )  
Filed by Attorney

06/11/2019 Declaration  
Filed by Attorney

06/11/2019 Declaration (Declaration in Support of Attorney's Motion to be Relieved as Counsel )  
Filed by Attorney

04/29/2019 in Probate Department 99, Christian, Deborah L., Presiding  
Accounting Hearing - **Held** - **Continued**

04/29/2019 Minute Order

12/28/2018 in Probate Department 99, Juarez, Daniel, Presiding  
Accounting Hearing - **Held** - **Continued**

12/28/2018 Minute Order

12/17/2018 Objection - Trust Petition (To First And Final Account )  
Filed by Attorney

11/16/2018 in Probate Department 99, Wada, Robert S, Presiding  
Accounting Hearing - **Held** - **Continued**

11/16/2018 in Probate Department 99, Wada, Robert S, Presiding  
Trust 17200 Hearing - **Not Held** - **OSC Off-Calendar**

11/16/2018 Minute Order

11/16/2018 Minute Order

10/12/2018 Notice - Hearing (Notice of Hearing )  
Filed by Respondent

10/04/2018 Account - Final or Waiver (First and Final Account and Report of Trustee )  
Filed by Attorney

**10/04/2018** Confidential Bank Statements Received

Filed by Attorney

**09/17/2018** Order (Order Instructing Trustee to Account )

Filed by Petitioner

**07/06/2018** in Probate Department 99, Wada, Robert S, Presiding

Trust 17200 Hearing - **Held**

**07/06/2018** Minute Order

**07/06/2018** DISP: Granted-Initial Petition-After Crt Hrg/Trial

**07/06/2018** Petition Granted (Petition - Trust/Pursuant Prob Code Sec 17200 (Initial) filed on April 24, 2018 by Tawny Gage.  
)

**06/01/2018** Notice - Hearing

Filed by Attorney

**04/24/2018** Cover Sheet - Initial (PRO 010) (Probate Case Coversheet (Initial/Subsequent) )

**04/24/2018** Petition - Trust/Pursuant Prob Code Sec 17200 (Initial) (Petition to Instruct Trustee to Account )

Filed by Attorney



# SG NO STATEMENTS EMAIL

Add label



**Tawny Gage** Feb 13

to Matthew ^



From Tawny Gage • [REDACTED]  
To Matthew Stidham • matts@thelegacylawyers.com  
Date Feb 13, 2020, 3:00 PM  
[View security details](#)

I also sent this to Pierre when I was representing myself, and asked him for the statements he filed with account.

He of course did not respond.



**RE: 18STPB03846**

1 message

Tawny [REDACTED]  
To: sgrossman@grossmanlaw.net

Wed, Jul 31, 2019 at 2:05 PM

I understand that you received the accounting on 10/04/18 and with it you received confidential bank statements.



sgnostatmn...STPB03846



The court notes showed "confidential bank statements" provided with the court ordered account on October 4th, to the court and that my attorney said he did not receive with the account or at anytime since, is not really a discovery item, correct?

Also, the incorrect court notes on file giving incorrect totals or not giving full disclosure of attorney fees, aren't discovery either, correct?

I understand the questions afterward are discovery or don't apply to trustee.

When I tried to find the appropriate procedure to collect statements and correct notes, I was told by the court to notify the attorney for these.

My attorney ignored my notification of incorrect notes for 10 months and denied any knowledge of any account statements given with court ordered account on Oct.4th, 2018.

I don't know where else to go to get a different answer. I guess I will try the court again if you say they are in fact discovery items.



---

## !!LASC probate notes are incorrect

1 message

---

Tawny [REDACTED] >

Thu, Jun 13, 2019 at 10:12 PM

To: sgrossman@grossmanlaw.net

Cc: rgarcia@grossmanlaw.net

Please see probate notes attached.

All of the information at the bottom regarding attorney fees, trustee fees etc....is INCORRECT.

Please see that the totals reflect what is on the actual accounting.

**ALL THE FEES**, please.

No wonder the judge isn't aware. You either gave no real info or never verified the info was correct.

Please correct immediately.

---

 LASC - Probate Notes

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[Quoted text hidden]

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**Tawny** <[REDACTED]>  
Draft To: sgrossman@grossmanlaw.net

Wed, Jul 24, 2019 at 12:15 AM

Please confirm that notes were corrected with the correct totals notified to you in November 2017 and asked about several times with no response. When I finally found a way to verify the notes the judge sees, I confirmed with you they were VERY wrong on the attached email in June.

Did you correct? This gives the opposing counsel an very large edge created by giving the judge knowingly incorrect information. Its your duty to correct it when I told you almost a year ago.

Also, please provide the order given by the judge for mediation and the name of mediator in Ventura and la cty.

This is my third request for both questions that you have ignored.  
The 5th time I have asked what information the judge has, that you have also ignored.



---

## !!LASC probate notes are incorrect

1 message

---

Tawny [REDACTED]  
To: sgrossman@grossmanlaw.net  
Cc: rgarcia@grossmanlaw.net

Thu, Jun 13, 2019 at 10:12 PM

Please see probate notes attached.

All of the information at the bottom regarding attorney fees, trustee fees etc....is INCORRECT.

Please see that the totals reflect what is on the actual accounting.

**ALL THE FEES**, please.

No wonder the judge isn't aware. You either gave no real info or never verified the info was correct.

Please correct immediately.

---

 **LASC - Probate Notes**



---

## !!LASC probate notes are incorrect

4 messages

---

Tawny <[REDACTED]>  
To: sgrossman@grossmanlaw.net  
Cc: rgarcia@grossmanlaw.net

Thu, Jun 13, 2019 at 10:12 PM

Please see probate notes attached.

All of the information at the bottom regarding attorney fees, trustee fees etc....is INCORRECT.

Please see that the totals reflect what is on the actual accounting.  
**ALL THE FEES**, please.

No wonder the judge isn't aware. You either gave no real info or never verified the info was correct.

Please correct immediately.

---

 **LASC - Probate Notes**

---

Tawny <[REDACTED]>  
To: sgrossman@grossmanlaw.net

Thu, Jun 13, 2019 at 10:27 PM

Also! Not only did the trustee not put in interest bearing accounts

THEY did not include the interest earned for the year accounts were in high yield stock accounts or cd's  
Nor any interest since.

The truth can be found from Subpeonas for all financial accounts before and after because they are clearly not honest.

Not to mention the first sale of property for 491k. That I gave you info for.  
Plus estimates over 500k that emailed to you last year. Previously mentioned in prior emails.

Detailed Attorney fees have yet to be submitted for discovery.  
If he calls it client attorney priveledge, then he is saying that she is personally paying his fees and they are not coming from trust.  
They should be removed from the accounting.

If he is billing the trust, then I have a right to discovery.

If I do not here from you regarding the incorrect info to the court, I will be advising the court myself.

[Quoted text hidden]

Tawny [REDACTED]  
To: sgrossman@grossmanlaw.net

Thu, Jun 13, 2019 at 11:26 PM

The following case justifies my refusal to pay trustee fees.

The evidence I gave you supports the failure of her trustee duties and failure to Marshall assets.

Also, the failure of attorney to provide a written statement of receipt of trust assets that the trustee claims has been in their possession since September 2017.

The attorney Also billed fraudulently to trust

The attorney misappropriated funds

Attempts to receive discovery complete that the trustee must already have by law is still a challenge.

Also, this supporting claim that a revised accounting should be submitted.

If you can not audit this accounting properly, which you clearly can or will not, please have an accountant do it.

Who can I hire in addition to the probate attorney that is supposed to audit it, to effectively audit this accounting for my benefit?? With correct information that I am not qualified to catch in addition to all that I have caught and you have ignored?

*Gray v. Jewish Federation of Palm Springs and Desert Area*

### **Just the Facts, Jack**

Laura Gray ("Gray") was the sole income beneficiary of her friend Ed Cantor's Trust. Cantor

set up a Net Income Charitable Remainder UniTrust ("NICRUT"), which annually paid Gray the Trust's net income and at her death would pay the remainder to three charities. Cantor would have received income tax, gift tax and/or estate tax deductions from the arrangement. But in these sorts of situations there is an inherent conflict between the lifetime income beneficiary and the charitable remainder beneficiary as to who bears which financial obligations related to the trust property.

The main charitable beneficiary of Cantor's Trust was the Jewish Federation of Palm Springs and the Desert Area ("Jewish Federation"). The primary asset of the Trust was a piece of commercial rental property in Las Vegas. Gray was a trustee of the Trust along with a rotating cast of co-trustees.

In 2007, the trustees prepared an accounting to which the Jewish Federation objected based on the allocation of certain disbursements between income and principal. Over the course of the next three-or-so years the trustees filed seven amended accountings in response to repeated objections. At some point a petition was filed by Gray that the probate court called "bogus," there was an appeal, more amendments to the accounting were prepared, and then there was another trial. This appellate decision arises from that second trial, which the Court of Appeal seems to have viewed as little more than finger pointing: the attorneys blamed the accountants who blamed the trustees who blamed the attorneys.

At the end of trial, Riverside County Judge James Cox said that in 16 years he had "seen few trust accounting proceedings wherein the trustees have so obstinately refused to address the sustained objections to the filed accounts..." Although the judge approved the seventh amended accounting, he ordered Gray to pay \$14,000 in damages related to the faulty accounting, \$28,000 for a portion of



the Jewish Federation's attorneys' fees, and \$12,500 in trustee fee reimbursement.

*Coaching Point:* The Court held the trustees to task for their failure to act in accordance with their duties under the Probate Code. A trustee has a serious job to do and must not take the job lightly. This is true even if the trustee does not have a financial or legal background. The Probate Code requires even inexperienced family trustees to hold themselves to a fiduciary standard. If you become a trustee, you should be sure to keep detailed financial records and document the time and effort you spend fulfilling your duties.

### **The Unpublished Portion**

While the Court only designated its discussion of income vs. principal for publication, parts of the unpublished portion are interesting:

- The trial court required Gray to pay \$28,000 for bad faith and unreasonable responses to Jewish Federation's objections to accountings. Per Probate Code section 17211(b), if a beneficiary or a trustee acts in bad faith and without reasonable cause related to an objection to an accounting, the Court may require the bad actor to pay its adversary's fees. Among other things, Gray failed to produce paper duplicate records that she had in her garage after telling the Court she could not produce any records because her computer had crashed.

*Coaching Point:* This is not 1993 and computer operating systems are more stable than before. Plus, hardly anything really goes away when you delete it or have computer trouble. A forensic computer expert can often find it. Don't expect the crashing computer excuse to get you too far in hotly contested litigation, especially if you have paper copies of everything in your garage!

- The Court of Appeal also upheld a denial of Gray's trustee fees under California Rule of Court, rule 7.776. The trial court found that the trustee had been so "deficient, improper, in breach of her duty of impartiality, and outrageous delays of performance of her duties" that she was entitled to zero, zilch, nada, nothing in trustee fees. The Court of Appeal ruled that it was in the discretion of the trial court to completely strip the trustee of any fees.

*Coaching Point:* Per my January 4, 2016 post, trustee fees are often a hotly contested issue in trust and estate disputes, and the court may stiff a trustee who falls down on the job



Filter docket entries

# CARL M. GAGE LIVING TRUST

18STPB03846 | California State, Los Angeles County, Superior Court

Division Stanley Mosk Courthouse

Filed April 24, 2018

Judges Daniel Juarez, Deborah L. Christian, and Robert S Wada

Case Type Trust (General Jurisdiction)

Status Statistical Disposition 07/06/2018

Last Update: 1 week, 6 days ago. Update

<input type="text" value="Search for cases..."/>	
Filter docket entries	
	<a href="#">Notice - Hearing - Notice of Hearing</a> 2 pgs
10/4/2018	<a href="#">Account - Final or Waiver - First and Final Account and Report of Trustee</a> 116 pgs
10/4/2018	Confidential Bank Statements Received Filed by Attorney
10/4/2018	Account - Final or Waiver (First and Final Account and Report of Trustee ) Filed by

# EXHIBIT 14



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**RE: 18STPB03846**

1 message

**Scott Grossman** <[sgrossman@grossmanlaw.net](mailto:sgrossman@grossmanlaw.net)>

Wed, Jul 31, 2019 at 4:01 PM

To: Tawny <[REDACTED]>

Tawny,

I did not receive confidential bank statements along with the first account. The first account and the exhibits attached to it total 116 pages. I have provided you with everything I received.

As for the documents we received in discovery, we have sent you everything provided by the trustee.

I will be sending you the entire file.

Sincerely,

Scott Grossman

The Grossman Law Firm, A.P.C.

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6370 Magnolia Ave., Ste. 320

Riverside, CA 92506

Phone: (951) 683-3704

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San Diego Office:

11440 West Bernardo Court, Ste. 300

San Diego, CA 92127

Phone: (619) 344-0600

Fax: (619) 764-4091

Temecula Office:

43537 Ridge Park Drive

Temecula, CA 92590

Phone: (951) 331-3282

Fax: (951) 443-6590

**From:** Tawny [REDACTED]  
**Sent:** Wednesday, July 31, 2019 2:06 PM  
**To:** [sgrossman@grossmanlaw.net](mailto:sgrossman@grossmanlaw.net)  
**Subject:** 18STPB03846

I understand that you received the accounting on 10/04/18 and with it you received confidential bank statements.

Those statements were not included with my copy not did you advise me of receiving them when I asked if any back up documentation was included with accounting when I finally received it on 10/18/18.

In fact, I asked for them in discovery and you never mentioned having them.

They were submitted incomplete and blacked out. You also did not compel them to admit discovery in complete or by refusal using ridiculous laws that aren't relevant in this case.

Please forward copies of bank account statements documented in LASC court record that you on 10/4/2018.

Please forward any other documents or information you received in regard to my case and did not forward to me or advise of existence.

Thank you

Tawny Gage

# EXHIBIT 15

Pierre J. Rodnunsky      Of Counsel  
Donald J. Sweet        Peter C. Richards+  
Tomara S. Fong         Robert S. Milas+  
Gal Z. Elfenbein       Gregory J. Lederman\*+  
Dimitrios A. Saroukas    Christion J. Ziegler  
Shannon M. DeBiase<sup>o</sup>    Lisa D. Tandoc  
Shannon M. Vener       Frances F. Kyriozis  
Roxanne T. Jen\*         Helen H. Na  
Michael J. Vener         Young H. Bae  
Victoria R.D. Campbell    Mark Punzalon+

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<sup>o</sup> Certified Specialist, Family Law

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Orange, CA 92868  
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Fax: 714-938-3255

2000 Alameda de las Pulgas, Suite 154  
San Mateo, CA 94401  
Phone: 650-285-5400  
Fax: 650-285-5404

March 9, 2018

**VIA U.S. MAIL & E-MAIL: [sgrossman@grossmanlaw.net](mailto:sgrossman@grossmanlaw.net)**

Scott Grossman, Esq.  
The Grossman Law Firm, A.P.C.  
6370 Magnolia Avenue, Suite 320  
Riverside, CA 92506

Re:    **The Carl M. Gage Living Trust**  
Trustee's Report of Information to Beneficiary

Dear Mr. Grossman:

As you may already know, the Carl M. Gage Living Trust ("Trust") waives the requirement of an account by the Trustee to the beneficiaries of the Trust (please see Section 11.8 of the Trust). Notwithstanding the fact that the Trust waives an account, my client, Karen M. Roper, as the Trustee of the Trust, hereby provides the following report of requested information relating to the administration of the Trust.

**I. TRUSTEE'S REPORT OF INFORMATION TO BENEFICIARY**

**A. Current Assets of the Trust.** The following are the current assets of the Trust:

1. Cash held in a trust bank account in the approximate sum of \$436,800, as of February 27, 2018;
2. TD Ameritrade Account with a date-of-death value of approximately \$145,000;
3. E\*Trade Account with a date-of-death value of approximately \$30,500;
4. 1998 Winnebago Motorhome;



5. 2006 Chrysler PT Cruiser Automobile;
6. 2007 Lexus 4-Door Automobile;
7. Cash of \$556 contained in an envelope; and
8. Various items of tangible personal property, including, but not limited to, musical instruments, coins, and miscellaneous items.

B. **Actions Taken by Trustee from November 2017 to Current.** The Trustee took the following actions for the period from November 2017 to current:

1. On or about November 9, 2017, the condominium located at 310 Country Club Drive, Unit C, Simi Valley, California 93065 was sold and the sale proceeds of approximately \$390,600 were deposited in the trust bank account;
2. On December 12, 2017, an *Order on Petition Confirming That Financial Accounts and Vehicles are Trust Assets* was filed with the Los Angeles Superior Court confirming the following as assets of the Trust:
  - E-Trade Account;
  - TD Ameritrade Account;
  - 1998 Winnebago Motorhome;
  - 1993 Toyota SR-5 Pickup Truck;
  - 2006 Chrysler PT Cruiser Automobile; and
  - 2007 Lexus 4-Door Automobile;
3. On or about January 16, 2018, a small estate affidavit pursuant to Probate Code § 13100 was furnished to Ally Bank for the payment, transfer, and delivery of the funds held in two accounts with an aggregate value of approximately \$45,146. The funds in the approximate sum of \$45,146 were received from Ally Bank and deposited in the trust bank account;
4. On or about March 1, 2018, the 1993 Toyota SR-5 Pickup Truck was sold for \$3,000; and
5. Several refund checks totaling approximately \$1,133 were received and deposited in the trust bank account.

Scott Grossman, Esq.  
March 9, 2018  
Page 3

- C. **Current Status of Trust Administration.** The Trustee is currently in the process of taking the following actions:
1. Transferring the E\*Trade account to a trust account and liquidating the account. On January 19, 2018, documents requesting the transfer of the account were sent to E\*Trade. E\*Trade has already transferred the account into a trust account and is currently processing a liquidation request;
  2. Transferring the TD Ameritrade account to a trust account and liquidating the account. In mid-February 2018, documents requesting the transfer of the account were sent to TD Ameritrade. TD Ameritrade is currently in process of transferring the account to a trust account;
  3. Selling the 1998 Winnebago Motorhome and the 2006 Chrysler PT Cruiser Automobile; and
  4. Compiling information for the accountant's preparation and filing of the decedent's final individual income tax return and a 2017 trust income tax return.

If you have any questions or wish to discuss the foregoing, please do not hesitate to contact my office.

Very truly yours,

**RODNUNSKY & ASSOCIATES**



PIERRE J. RODNUNSKY

PJR:te/cl

Pierre J. Rodnunsky      Of Counsel  
Donald J. Sweet        Peter C. Richards +  
Tomara S. Fong        Robert S. Miles +  
Gal Z. Effenbein       Gregory J. Lederman +  
Dimitrios A. Saraukos   Christian J. Ziegler  
Shannon M. DeBiase<sup>o</sup>   Lisa D. Tandoc  
Shannon M. Vener      Frances F. Kyriazis  
Roxanne T. Jen\*        Helen H. Na  
Michael J. Vener        Young H. Bae  
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2000 Alameda de los Pulgos, Suite 154  
San Mateo, CA 94401  
Phone: 650-285-5400  
Fax: 650-285-5404

June 1, 2018

**VIA U.S. MAIL & E-MAIL: [sgrossman@grossmanlaw.net](mailto:sgrossman@grossmanlaw.net)**

Scott Grossman, Esq.  
The Grossman Law Firm, A.P.C.  
6370 Magnolia Avenue, Suite 320  
Riverside, CA 92506

Re: **The Carl M. Gage Living Trust**  
Trustee's Supplement to Report of Information to Beneficiary

Dear Mr. Grossman:

On March 9, 2018, my client, Karen M. Roper, as Trustee of the Carl M. Gage Living Trust ("Trust"), provided you with a report of requested information relating to the administration of the Trust. My client hereby provides the following supplement to her report in order to inform you of (1) the actions taken by my client, as Trustee, from March 9, 2018 to current, (2) the proposed distribution of trust assets, (3) the proposed reserve withheld, and (4) the waiver of account.

**I. TRUSTEE'S SUPPLEMENT TO REPORT OF INFORMATION TO BENEFICIARY**

**A. Actions Taken by Trustee from March 9, 2018 to Current.** The Trustee took the following actions for the period from March 9, 2018 to current:

1. On March 18, 2018, proceeds in the sum of \$30,314.60 were received from E\*Trade, as a result of the Trustee's prior liquidation request, and deposited in the trust bank account.
2. On March 27, 2018, proceeds in the sum of \$213,176.78 were received from TD Ameritrade, as a result of the Trustee's prior liquidation request, and deposited in the trust bank account.

Scott Grossman, Esq.

June 1, 2018

Page 2

3. On or about April 30, 2018, the 1998 Winnebogo Motorhome was sold for \$6,900 and the sale proceeds were subsequently deposited in the trust bank account.
4. On May 21, 2018, the 2006 Chrysler PT Cruiser Automobile was sold for \$2,200 and the sale proceeds were deposited in the trust bank account.

**B. Proposed Distribution of Trust Assets.** In accordance with the terms of the Trust, the Trustee proposes to distribute the assets of the Trust as follows:

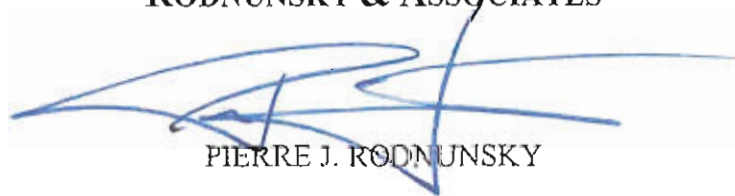
1. **Tangible Personal Property.** Pursuant to Article 5 of the Trust, all tangible personal property is to be equally distributed by the Trustee outright to my client and to your client. As you know, the overwhelming majority of the tangible personal property located inside the Country Club Drive condominium has already been distributed to your client. The remaining items to be distributed and the proposed distributees are set forth on **Attachment B(1)** attached hereto and incorporated herein by reference.
2. **2007 Lexus 4-Door Automobile.** The Trustee proposes to distribute this vehicle to your client. Please note that the vehicle requires a smog check and the registration fees need to be paid by July 2, 2018.
3. **Ashes of Carl M. Gage, Deceased.** Pursuant to his Advance Health Care Directive, Carl M. Gage designates my client as his Agent with the authority to direct the disposition of his remains. My client proposes that the final disposition of the decedent's ashes take place somewhere between Los Angeles County and Ventura County (such as Pierce Brothers Valley Oaks-Griffin Cemetery in Westlake Village, California). Additionally, my client proposes that a publication of the decedent's obituary be made in both Los Angeles County and Ventura County. The cost for the final disposition of the decedent's ashes could be as high as \$9,000.00 and the cost for the obituary publications will be approximately \$1,100.00.
4. **Cash.** Pursuant to the terms of the Trust, the Trustee proposes to distribute all cash, after payment of remaining expenses of administration, less the amount of \$20,000.00 withheld as a reserve (as described below), plus any interest and accumulations to date of distribution, outright to my client and to your client, in equal shares.

- C. **Proposed Reserve Withheld.** In the year 2019, the Trustee will need to file a 2018 IRS Form 1041 Trust Income Tax Return. There also may be a supplemental/escape assessment due the Ventura County Assessor. Additionally, as described above, the Trustee proposes that the Trust cover the expenses of the final disposition of the decedent's ashes and the publications of the decedent's obituary. As such, the Trustee proposes to withhold \$20,000.00 as a reserve for remaining expenses of administration, for any income taxes and tax preparation fees, for the costs of the final disposition of the decedent's remains and of the obituary publications, and for any liabilities that may hereafter be determined to be due from the Trust. Any unexpended portion of the reserve will be distributed outright to my client and to your client, in equal shares.
- D. **Waiver of Account.** Pursuant to Section 11.8 of the Trust, the Trust waives the requirement of an account by the Trustee to the beneficiaries. As you know, due to your client's extremely persistent aggressions in the past, and due to the need to deal with several of your client's previous attorneys, the Trust has incurred a significant amount of legal fees. At this time, the Trustee wishes to avoid incurring the accounting costs required in the preparation of an account. If your client feels the same, then the Trustee wishes to proceed towards making final distributions. If your client still requests an account by the Trustee, then my office will present your client's request to the Trustee, who will make the final decision on whether to furnish an account.

If you have any questions or wish to discuss the foregoing, please do not hesitate to contact my office.

Very truly yours,

**RODNUNSKY & ASSOCIATES**



PIERRE J. RODNUNSKY

**ATTACHMENT B(1)**

PROPOSED DISTRIBUTION OF REMAINING ITEMS OF  
TANGIBLE PERSONAL PROPERTY

<u>Item of Tangible Personal Property</u>	<u>Distributee</u>
<b>Musical Items:</b>	
Fender FB-54 Banjo with Topanga Bank Fiddle Contest Head	Tawny Gage
Kala KA-PWTE Ukelele	Tawny Gage
Takamine 12-string Guitar	Tawny Gage
Martin D-28 Guitar	Tawny Gage
Yamaha F-310 6-String Guitar	Tawny Gage
Epiphone Masterbilt 6-String Guitar	Tawny Gage
Smeck Ukulele & Empty cardboard Ukelele box	Karen Roper
Electric Guitar	Karen Roper
<b>Money:</b>	
Cash of \$556 in an envelope	Tawny Gage
166 gold coins (appraised at \$100 each)	83 coins to Tawny Gage 83 coins to Karen Roper
A white can containing the following coins:	Tawny Gage
10 Silver One Dollar coins	Tawny Gage
47 Silver Half Dollar coins	Tawny Gage
2 Silver One Dollar coins (Canadian currency)	Tawny Gage
Quarters worth \$10 in a coin roll	Tawny Gage
<b>Miscellaneous Items:</b>	
Various bottles of supplements	Tawny Gage
A personal black safe containing the following:	Tawny Gage
1998 Physician Desk Reference Book	Tawny Gage
A black laptop bag containing the following:	Tawny Gage
9 rings in ring holder	8 rings to Tawny Gage 1 green/blue ring to Karen Roper
1 Lumix inside a Panasonic case	Tawny Gage
1 Samsung camera inside a Samsung case	Tawny Gage
Camera chargers inside a Crown Royal yellow bag	Tawny Gage
Panasonic camera case	Tawny Gage
Sony Radio	Tawny Gage
2 Casio watches - black and gold	Tawny Gage

**ATTACHMENT B(1)**

PROPOSED DISTRIBUTION OF REMAINING ITEMS OF  
TANGIBLE PERSONAL PROPERTY

<u><i>Item of Tangible Personal Property</i></u>	<u><i>Distributee</i></u>
Small lantern	Karen Roper
Soap dish	Karen Roper
Table cloth clamps	Karen Roper
Cellphone	Karen Roper
Computer	Karen Roper
China and Crystal	Karen Roper
Christmas Cactus	Karen Roper
Dark Grey Sweater	Karen Roper
1 Garden Pruners (2 pruners have been distributed to Tawny Gage)	Karen Roper
Hammock	Karen Roper
House coat	Karen Roper
Knitted Afghan	Karen Roper
Knitted Hat	Karen Roper
Peuter Goblets	Karen Roper
Portable Oven	Karen Roper
Record Player	Karen Roper
Three fabric Bags	Karen Roper
Tiny Crock Pot	Karen Roper

The following wine bottles:

1 Bottle of Wine - Chateau Ste Michelle Cabernet Sauvignon (1 Bottle has been distributed to Tawny Gage)	Karen Roper
1 Bottle of Wine - Marlborough NZ Sauvignon Blanc (1 Bottle has been distributed to Tawny Gage)	Karen Roper
2 Bottles of Wine - Nobile Sauvignon Blanc (4 Bottles have been distributed to Tawny Gage)	Karen Roper
2 Bottles of Wine - R Mondavi Fume Blanc (5 Bottles have been distributed to Tawny Gage)	Karen Roper

**EXHIBIT 16**



**THE LEGACY LAWYERS**  
Professional Corporation  
21515 Hawthorne Boulevard, Suite 226  
HAWTHORNE, CALIFORNIA 90503  
Telephone (310) 426-8987  
Facsimile (310) 601-8974



December 17, 2019

[By Email and U.S. Mail]

Kelly T. Gage



Re: Gage, Carl-Trust (19-187)  
List of assets currently in Karen's possession

Dear Ms. Gage:

Please find an email from Ms. Lovner granting an extension for our response to her meet and confer letter. If Ms. Loevner files a motion to compel further discovery, I will file a motion for sanctions due to the unwarranted oppression and harassment caused by their method of discovery.

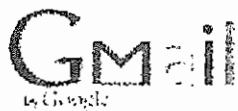
Ms. Loevner provided a list of trust property that is currently being held on to Karen as trustee. Do you see any personal property that was not distributed to you or missing from this list?

Please do not hesitate to contact me with any questions. (310) 241- 4088.

Very truly yours,

THE LEGACY LAWYERS, P.C.  
Neda Firouz, Esq.

Enclosure: Email from Ms. Loevner.



Neda Firouzi &lt;nfirouzi@thelegacylawyers.com&gt;

---

## Meet and Confer

---

Allison Loevner &lt;allison.loeovner@rodnunskylaw.com&gt;

Mon, Dec 16, 2019 at 5:19 PM

To: Neda Firouzi &lt;nfirouzi@thelegacylawyers.com&gt;

Cc: Connie Lee &lt;connie.lee@rodnunskylaw.com&gt;, Mariana Abrego &lt;mariana.abrego@rodnunskylaw.com&gt;

Hi Neda,

In response to your meet and confer letter from December 13, 2019, we agree to the extension for your client's responses to be due December 20, 2019, but we request an extension in turn for Respondent's deadline to file motions to compel. Currently, Respondent's deadline is December 23, 2019. Can we agree to extend Respondent's deadline to file her Motions to Compel further responses to Respondent's Form Interrogatories, Special Interrogatories, and Request for Admissions to Friday January 3, 2020?

Additionally, below is a list of items that are currently held by Rodnunsky & Associates and the Trustee:

### TANGIBLE PERSONAL PROPERTY THAT R&A IS SAFEKEEPING:

- Black laptop bag
- Cash of approximately \$500
- 2 Casio watches – black and gold
- 2 Empty instrument cases – 1 box and 1 Ukulele case
- Epiphone Masterbilt 6-String Guitar
- Fender FB-54 Banjo with Topanga Bank Fiddle Contest Head
- Gold coins (Total was 166 – Karen took 83 coins – 83 left for Tawny)
- Kala KA-PWTE Ukulele
- Martin D-28 Guitar
- Black Personal safe
- 19989 Physician Desk Reference Book
- 9 Rings in a box (1 to Karen – 8 to Tawny)
- Various bottles of supplements
- Takamine 12-String Guitar
- Small pieces of paper inside empty Ukulele case
- Various coins:
  - 14 Silver One Dollar coins
  - 55 Silver Half Dollar coins
  - Quarters worth \$10 in a coin roll
  - 2 Gold One Dollar coins
  - 1 Gold Five Dollar coin
  - 2 Silver One Dollar coins (Canadian currency)
  - 1 Twenty-Five Cents coin (Canadian currency)
  - 1 Five Dollar coin (Hong Kong currency)
  - 1 Fifty Cents coin (Hong Kong currency)
  - 1 Ten Cents coin (Brazil currency)
  - 2 Twenty Cents coins (Pesos)
  - 1 Five Cents coin (Pesos)
  - 1 Circus Circus coin (from Las Vegas)
- Various items:
  - Panasonic Lumix battery charger
  - Samsung camera inside a Samsung case
  - Various camera chargers inside a Crown Royal yellow bag
  - Panasonic camera bag
  - Sony radio

12/17/2019

The Legacy Lawyers Mail - Meet and Confer

- o Sunglasses
- o Glasses
- o J&S glasses case, which includes the following items:
  - 2 Pocket knives
  - Silver pendent
  - 2 Rings – 1 brass and 1 gold colored rings
  - 1 Morro Bay copper coin
  - Silver necklace without any pendent
  - Black ring with picture of relative
  - 7 small pins
  - Old motorcycle registration
  - J&S business card
- Yamaha F-310 6-String Guitar

**TANGIBLE PERSONAL PROPERTY THAT TRUSTEE, KAREN ROPER, IS SAFEKEEPING:**

- Roy Smeck Ukulele
- Electric Guitar
- Camping Anorak Poncho
- Camping Canopy
- Camping Collapsible Bowls
- Camping Heater Propane
- Camping Solar Panel
- A few dollar bills, coins, and some change
- Hamilton Beach Oven
- Knitted Afghan
- Knitted Hat
- Various bottles of supplements
- Bag filled with plastic bags
- Camping battery
- Camping BBQ
- Camping fan 12-volt
- Garden Pruner
- Various miscellaneous items:
  - o Small fan
  - o Mini water spray
  - o Small lanterns
  - o Table cloth clamps
  - o Soap dish
- Silver sunshade for car
- Tiny crockpot
- Bag of rope
- Lenox Crystal glasses
- House coat
- Cell phone
- Christmas cactus
- Lenovo laptop in color black
- Turntable (inside package)
- Approximately 4 wine bottles
- Decedent's wallet
- Decedent's cremated ashes

Please let me know if you have any questions as well as if you agree to the extension.

Sincerely,

Allison R. Loevner, Esq.

Rodnunsky & Associates

12/17/2019

The Legacy Lawyers Mail - Meet and Confer

5959 Topanga Canyon Blvd., Suite 220

Woodland Hills, CA 91367

Ph: 818-737-1090

Fax: 818-737-1089

Email: [allison.loevner@rodnunskylaw.com](mailto:allison.loevner@rodnunskylaw.com)

[www.rodnunskylaw.com](http://www.rodnunskylaw.com)



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## Fwd: Estate of Carl Gage - Remaining Items of Tangible Personal Property for Distribution

5 messages

---

David <dae@trustandfamilylaw.com>  
To: tawny. gage [REDACTED]

Thu, Sep 28, 2017 at 8:53 PM

FYI

David A Esquibias  
Attorney at Law  
Certified Specialist Estate Planning Trust and Probate Law  
[www.trustandfamilylaw.com](http://www.trustandfamilylaw.com)  
Telephone 805-267-1141  
Cell 323-273-4912  
Email [dae@trustandfamilylaw.com](mailto:dae@trustandfamilylaw.com)

Begin forwarded message:

**From:** Connie Lee <[connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)>  
**Date:** September 28, 2017 at 8:00:24 PM PDT  
**To:** "dae@trustandfamilylaw.com" <dae@trustandfamilylaw.com>  
**Cc:** Pierre Rodnunsky <[pierre.rodnunsky@rodnunskylaw.com](mailto:pierre.rodnunsky@rodnunskylaw.com)>, Gabriella Sarceno <[gabriella.sarceno@rodnunskylaw.com](mailto:gabriella.sarceno@rodnunskylaw.com)>  
**Subject:** Estate of Carl Gage - Remaining Items of Tangible Personal Property for Distribution

Dear Mr. Esquibias:

Attached please find a list of the remaining items of tangible personal property for distribution to our client and to your client. The non-highlighted items will be distributed to our client. The highlighted items will be distributed to your client, with the exception of the gold coins which is to be distributed equally between our client and your client.

Towards the end of the move today, your client agreed to meet tomorrow, September 29, 2017 at 2:00pm to pick up the highlighted items. Please confirm that your client will come to our office to pick up the items at 2:00pm tomorrow. Alternatively, if your office would like to send a messenger to pick-up the highlighted items from our office, please let us know and we can coordinate a time.

Sincerely,

Connie

**Connie Lee**

**Legal Assistant**

**Rodnunsky & Associates**

**5959 Topanga Canyon Blvd., Suite 220**

**Woodland Hills, CA 91367**

**Ph: 818-737-1090**

**Fax: 818-737-1089**

**Email: [connie.lee@rodnunskylaw.com](mailto:connie.lee@rodnunskylaw.com)**

**[www.rodnunskylaw.com](http://www.rodnunskylaw.com)**

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---

**2 attachments**

 **image002.jpg**  
4 KB

 **List of Remaining Items of TPP for Distribution 09-28-2017.pdf**  
19 KB

---

**tawny.gage** <[REDACTED]>  
To: David <dae@trustandfamilylaw.com>

Fri, Sep 29, 2017 at 10:35 AM

I have none of those items.

Item	Distributee	Details, Comments
Bag filled with plastic bags	Karen	
Banjo	Tawny	
Camping Anorak Poncho	Karen	
Camping Battery	Karen	
Camping BBQ	Karen	
Camping Canopy	Karen	
Camping Collapsible Bowls	Karen	
Camping Fan 12 volt	Karen	
Camping Heater Propane	Karen	
Camping Misc stuff	Karen	Personal fans, tiny lantern, soap dish, table cloth clamps
Camping Solar Panels	Karen	
Car Shades	Karen	Currently being used, available when vehicles distributed.
Cash of \$556 in envelope	Tawny	
Cell phone, Computer	Karen	Until Karen no longer needs it.
China and Crystal	Karen	China and Crystal to be sent to Carl's half sister Tracy.
Christmas Cactus	Karen	
Coffee Can	Tawny	
Coffee Can & Supplements	Tawny	
Dark Grey Sweater	Karen	
Darts, tungsten	Karen	If found, Karen wants them to give to Carl's stepson Sal.
Electric Guitar	Karen	Electric Guitar to be given to Carl's stepson Sal.
Garden Pruners	Karen	1 of 3.
Gold coins	Karen & Tawny	To be split equally between Karen and Tawny.
Guitars (4)	Tawny	
Hammock	Karen	
J+S Glass Case	Tawny	Include 3 rings, one w/photo, coins, folding knife
Knitted Afghan	Karen	
Knitted Hat	Karen	
Misc stuff	Tawny	
More coins	Tawny	
Personal Safe	Tawny	
Peuter Goblets	Karen	
Physician Desk Ref 1998	?	Does Tawny want it?
Portable Oven	Karen	
Record Player	Karen	To be given to Carl's stepson Sal.
Rings in ring holder	Karen	1 of 9
Rings in ring holder	Tawny	8 of 9
Smeck Ukulele	Karen	Smeck Ukulele to be returned to Carl's half sister Tracy.
Three fabric Bags	Karen	
Tiny Crock Pot	Karen	
Two Cameras, 1 radio	Tawny	
Two Watches	Tawny	
Wine Chateau St Mich Cab	Karen	1 bottle of 2
Wine Marborough NZ Sauv	Karen	1 bottle
Wine Nobile Sauv Blanc	Karen	2 bottles of 6
Wine R Mondavi Fume Blc	Karen	2 bottles of 7

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{mso-style-priority:99;  
color:#0563C1;  
text-decoration:underline;}  
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{mso-style-type:personal-compose;  
font-family:"Arial",sans-serif;  
color:windowtext;}  
.MsoChpDefault  
{mso-style-type:export-only;  
font-family:"Calibri",sans-serif;}  
@page WordSection1  
{size:8.5in 11.0in;  
margin:1.0in 1.0in 1.0in 1.0in;}  
div.WordSection1  
{page:WordSection1;}  
-->  
[Quoted text hidden]

tawny.gage [REDACTED]  
To: David <dae@trustandfamilylaw.com>

Fri, Sep 29, 2017 at 10:53 AM

She said shesgiving them away so she obviously doesn't want. They must be given to me. They are my family heipoms.  
The typewriter was with my dad for fifty years. It was there in December. She didnit take inventory at all so she list or gage a way items  
Please don't say there is nothing we can do.  
File for immediate probate !!  
This can't be legal to be so cruel  
The amount of money she spent on that move to pay 8 men to move items and take to castaic lake!!  
I have no items she said I have. She agrees the. Changes her mind.  
She does nothing!!  
She pays lawyer fees to pick up items from her house from Encino 30 miles and and deliver to me.  
The amount if money she us spending is insane!  
She pays two paralegals to supervise move. She wouldn't be there, oversee take inventory, nothing!  
I had to move out food, chemicals etc taking 2 trips. I'm disabled but she said if I didn't I wouldn't.get my heirlooms! Then she changes her mind once done????  
She's evil and hates me! No must be would excuse her behavior! She is spending so much to leave me with nothing! She already said so!!!  
Please help me!!!!

She said shesgiving them away so she obviously doesn't want. They must be given to me. They are my family heipoms.The typewriter was with my dad for fifty years. It was there in December. She didnit take inventory at all so she list or gage a way items Please don't say there is nothing we can do.File for immediate probate !!This can't be legal to be so cruelThe amount of money she spent on that move to pay 8 men to move items and take to castaic lake!! I have no items she said I have. She agrees the. Changes her mind.She does nothing!! She pays lawyer fees to pick up items from her house from Encino 30 miles and and deliver to me. The amount if money she us spending is insane! She pays two paralegals to supervise move. She wouldn't be there, oversee take inventory, nothing! I had to move out food, chemicals etc taking 2 trips. I'm disabled but she said if I didn't I wouldn't.get my heirlooms! Then she changes her



mind once done???? She's evil and hates me! No must be would excuse her behavior! She is spending so much to leave me with nothing! She already said so!!! Please help me!!!!

----- Original message -----

From: "tawny.gage" [REDACTED]

Date: 9/29/17 10:37 AM (GMT-08:00)

To: David <dae@trustandfamilylaw.com>

Subject: Re: Fwd: Estate of Carl Gage - Remaining Items of Tangible Personal Property for Distribution

I have none of those items.

SHE CANNOT give his give his guitar to someone not a beneficiary!!!!

It is my heirloom!!!!

The typewriter SHE HAS!

THE CHAMPAGE FLUTES SHE HAS!

MY GRANDPARENTS CHINA IS MY FAMILY HEIRLOOM!

SHE AGREED IN PRIOR EMAILS TO GIVE ME CHINA AND ALL INSTRUMENTS!

CAN SHE DO THIS????

----- Original message -----From: "tawny.gage" [REDACTED] > Date: 9/29/17 10:37 AM (GMT-08:00) To: David <dae@trustandfamilylaw.com> Subject: Re: Fwd: Estate of Carl Gage - Remaining Items of Tangible Personal Property for Distribution

[Quoted text hidden]

---

tawny.gage [REDACTED] >

Fri, Sep 29, 2017 at 10:58 AM

To: David <dae@trustandfamilylaw.com>

The valuable 11 bottles of wine she said she left me were NOT THERE I. Vault or anywhere in house .

The valuable 11 bottles of wine she said she left me were NOT THERE I. Vault or anywhere in house .

[Quoted text hidden]

---

tawny.gage [REDACTED] >

Fri, Sep 29, 2017 at 2:37 PM

To: David <dae@trustandfamilylaw.com>

Rest of list:

•Wallet is not on list.

•11 bottles of wine said were none were not in vault or in house.

☆Dog tags were not on list or received

☆None of items in glass were received

☆The ukelele is my heirloom! She must give to me. A prior email said she wanted to sell the electric guitar and ukelele. Now she is giving the electric guitar away and keeping ukelele? Right.

□what about the contents of my personal safe???

□my personal home safe and key that my father kept for safety is NOT on list or received.

☆The contents of coffee can are not listed. My father kept valuable collectable coins in coffee can.

☆the China also has a crystal set of my grandparents

- The turntable is missing and not on this list. She may not give away.
- ☆the last list had 6 rings. This list miraculously has 10. The heirloom with one with my great great aunt's picture on ring is not listed.
- ☆The typewriter is very valuable. My dad had for more than forty years, it was there in December and march after his death but is conveniently missing.
- I asked for tray table set to be delivered to me several times with paid paralegals and movers. It was not.
- yes I want the physicians desk ref
- ☆My mothers picture is not on list
- My documents in my safe box.
- ☆my father's marriage and divorce papers to my mother not on list or received
- hand carved toilet seat not on list or received
- ☆heirloom hand carved carving set she said she has is not on list or received.
- The 600.00 knife set they said was packed in boxes is not in any kitchen boxes.
- expensive pans (other than calphalon) she said I could have were not in any boxes or listed.
- my father's wine opener is not on list or received
- ☆several items always displayed on bar were not listed or received
- ☆an expensive desk computer and hard drive back up were missing from his office and not on the list. It was there in march after his death.
- 10 electronic tablets were not on her list but there in march after his death
- an expensive video camera was there in march after his death but not on list
- several bottles of valuable wine there in march after his death are not on list and missing.
- ☆his recordings and videos on computer were not on list or received
- ☆my life insurance documents my father started for me as a baby are not on list
- ☆The Lenox champagne flutes (6) Are not on list

Does this list look 50/50 to you?

There are hundreds of items not on the list or received.

Items marked ☆ are my family heirlooms

I was told the dog tags, toilet seat were in a certain stack of boxes. I went through all 27 boxes. Not there.

I'm stressed, sore from two days of doing trustees job, mentally exhausted from none of it being documented and trying to keep track, migraines keep me from being productive, I am on the verge of a stroke from her treatment, abuse and leaving me with nothing.

She certainly didn't list 200 boxes or more of things and the valuable things she TOOK but didn't list all on inventory.

The paralegal did not show up to deliver my heirlooms as promised in the letter you forwarded from their office. I have been home all day.

I guess that's why they said not to go to office. I haven't received any of the things she listed here on this list as mine.

Please let me know about removing her as trustee and/or probate.

They have a court date in December for haggstad or whatever it's called for non trust assets. Probate has an option to remove trustee. Can we file probate, re move her as trustee because there are items not in trust?

Rest of list:

•Wallet is not on list.

•11 bottles of wine said were none were not in vault or in house. ☆Dog tags were not on list or received

☆None of items in glass were received

☆The ukelele is my heirloom! She must give to me. A prior email said she wanted to sell the electric guitar and ukelele. Now she is giving the electric guitar away and keeping ukelele? Right.

□what about the contents of my personal safe???

□my personal home safe and key that my father kept for safety is NOT on list or received.

☆The contents of coffee can are not listed. My father kept valuable collectable coins in coffee can.

☆the China also has a crystal set of my grandparents

•The turntable is missing and not on this list. She may not give away.

☆the last list had 6 rings. This list miraculously has 10. The heirloom with one with my great great aunt's picture on ring is not listed.

☆The typewriter is very valuable. My dad had for more than forty years, it was there in December and march after his death but is conveniently missing.

•I asked for tray table set to be delivered to me several times with paid paralegals and movers. It was not.

•yes I want the physicians desk ref

☆My mothers picture is not on list

•My documents in my safe box.

☆my father's marriage and divorce papers to my mother not on list or received •hand carved toilet seat not on list or received

☆heirloom hand carved carving set she said she has is not on list or received.

•The 600.00 knife set they said was packed in boxes is not in any kitchen boxes.

•expensive pans (other than calphalon) she said I could have were not in any boxes or listed.

•my father's wine opener is not on list or received

☆several items always displayed on bar were not listed or received

☆an expensive desk computer and hard drive back up were missing from his office and not on the list. It was there in march after his death.

•10 electronic tablets were not on her list but there in march after his death

# EXHIBIT 17

**Subject** RE: Please confirm immediately  
**To:** [tawny gage - [REDACTED]]  
**From** Allison Loevner <allison.loevner@rodnunskylaw.com>  
**Cc:** [Pierre Rodnunsky <pierre.rodnunsky@rodnunskylaw.com>, Connie Lee <connie.lee@rodnunskylaw.com>]  
**Date** Fri, Dec 18, 2020 at 2:13 PM

Tawny,

The Trust is being billed for legal fees. Pursuant to the terms of the trust, the Trustee "is authorized to pay to the attorneys and accountants retained by the Trustee to advise him or her in the administration of the trust those amounts for fees and costs as the Trustee shall determine in his or her discretion."

Allison

Allison R. Loevner, Esq.

Rodnunsky & Associates

5959 Topanga Canyon Blvd., Suite 220

Woodland Hills, CA 91367

Ph: 818-737-1090

Fax: 818-737-1089

Email: [allison.loevner@rodnunskylaw.com](mailto:allison.loevner@rodnunskylaw.com)

[www.rodnunskylaw.com](http://www.rodnunskylaw.com)



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**From:** tawny gage <tawny.gage@att.net>

**Sent:** Tuesday, December 15, 2020 7:07 PM

**To:** Allison Loevner <allison.loevner@rodnunskylaw.com>

**Subject:** Please confirm immediately

Please confirm that legal fees for the entirety of this litigation thus far are being billed to the trust directly.

Please confirm whether or not legal fees have been paid to your firm for this litigation directly from trust assets.

**Subject** RE: Please confirm immediately  
**To:** [ <allison.loevner@rodnunskylaw.com>, Allison Loevner <allison.loevner@rodnunskylaw.com>]  
**From** tawny gage [REDACTED]  
**Cc:** [Pierre Rodnunsky <pierre.rodnunsky@rodnunskylaw.com>, Connie Lee <connie.lee@rodnunskylaw.com>]  
**Date** Fri, Dec 18, 2020 at 3:26 PM

Please note where the trust says the trustee may NOT delegate the administration of the trust or her non delegable duties .

Probare code 16012 and 16000 etc etc.

Then see the 300 emails where pra said we are administering the trust on behalf of the trustee. Had access to trust assets without trustee supervision, and was the only witness to informing the beneficiary, only witness to non trustee supervised "distributions" and without documentation, and only witness to advising the beneficiary of trust business. The lies, harassment, theft, abuse and all on behalf of the trustee who is required by law to supervise all actions by agents of the trust.

See where pra refused to account while paid to advise the trustee and knowing refusing to account is a violation of law and is an intentional breach of fiduciary duty and California law.

See where pra charges the trust over 70 k to administer the trust.

See where the trust says it will NOT pay litigation for intentional breaches of fiduciary duty.

But thanks for your very informative and intentionally misleading answer that intentionally omits the terms of the trust that directly incriminate the trustee and the officers of the court who illegally administered the trust on her behalf and whom refused to account as law requires and who both committed fraud on the trust, the disabled beneficiary and the court for personal gain.

I will definitely forward your answer to the court.

You are a lawyer, right? An officer of the court? You did read the entire trust right? Well, by law you have to, so I guess so. That's unfortunate.

But hey, good luck getting your nonsense through the criminal courts.

You have been extremely helpful. Thank you so much.

[Sent from AT&T Yahoo Mail on Android](#)

On Fri, Dec 18, 2020 at 2:13 PM, Allison Loevner <allison.loevner@rodnunskylaw.com> wrote:

Tawny,

The Trust is being billed for legal fees. Pursuant to the terms of the trust, the Trustee "is authorized to pay to the attorneys and accountants retained by the Trustee to advise him or her in the administration of the trust those amounts for fees and costs as the Trustee shall determine in his or her discretion."

Allison

ALLISON

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Woodland Hills, CA 91367  
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