

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

**Probate Division  
Stanley Mosk Dept. - 4**

**19STPB11168**

**In re: The Tony & Lanny Sugiono Trust dated February 5, 2018, The Tony & Lanny Sugiono Trust dated February 5, 2018**

**August 31, 2021**

**9:30 AM**

Honorable Brenda J. Penny, Judge

Anthony Esparza, Judicial Assistant

Joseph Pereyra, Court Services  
Assistant

Susan Schaeffer (#11727), Court  
Reporter

---

**NATURE OF PROCEEDINGS:** Ex Parte - Opposition (\$435) filed on June 3, 2021 by Paul Sugiono, Peter Sugiono.

The following parties are present for the aforementioned proceeding:

Lorenzo Stoller, Attorney

The matter is called for hearing.

The Court takes testimony.

The Court authorizes the petitioner to give notice by publication.

The Court continues the matter for notice to be given.

The Court finds that additional evidence by supplemental declaration or additional documentation is required to grant the matter on calendar this date based upon the reading of the moving papers and consideration of all presented evidence.

The Ex Parte - Opposition (\$435) filed by Paul Sugiono, Peter Sugiono on June 3, 2021 is continued to Tuesday, November 9, 2021 at 9:30 AM in this department.

The 10/18/2021 Trust 17200 Hearing is advanced to this date and is continued to Tuesday, November 9, 2021 at 9:30 AM in this department.

The Court orders the Petitioner to give notice.

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: <b>Michael J. Ryan</b> FIRM NAME: <b>STEARNS KIM STEARNS &amp; RYAN</b> STREET ADDRESS: <b>3424 Carson Street, Suite 670</b> CITY: <b>Torrance</b> STATE: <b>CA</b> ZIP CODE: <b>90503</b> TELEPHONE NO.: <b>(310) 424-1424</b> FAX NO.: EMAIL ADDRESS: <b>mryan@sksrllawyers.com</b> ATTORNEY FOR (name): <b>Paul Sugiono and Peter Sugiono, Petitioners</b>	STATE BAR NUMBER: <b>162603</b>	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>LOS ANGELES</b> STREET ADDRESS: <b>111 North Hill Street</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>Los Angeles 90012</b> BRANCH NAME: <b>Stanley Mosk</b>		
<input checked="" type="checkbox"/> ESTATE OF (name): <input type="checkbox"/> IN THE MATTER OF (name): The Tony & Lanny Sugiono Trust dated February 5, 2018 <input type="checkbox"/> DECEDENT <input checked="" type="checkbox"/> TRUST <input type="checkbox"/> OTHER		
<b>NOTICE OF HEARING—DECEDENT'S ESTATE OR TRUST</b>		CASE NUMBER: <b>19STPB11168</b>
<i>This notice is required by law. You are not required to appear in court, but you may attend the hearing and object or respond if you wish. If you do not respond or attend the hearing, the court may act on the filing without you.</i>		

1. NOTICE is given that (name): **Peter Sugiono & Peter Sugiono** (fiduciary or representative capacity, if any): **Petitioners** has filed a petition, application, report, or account (specify complete title and briefly describe):\*  
**Petition for (1) Confirmation of Removal of Tony Sugiono as Initial Trustee of the Purported Trust; and (2) Appointment of Successor, or Special Trustee Due to Vacancy, or Alternatively, Appointment of a Guardian Ad Litem.**

PLEASE TAKE NOTE THAT THIS IS A NOTICE OF CONTINUANCE OF HEARING FROM AUGUST 31, 2021 to NOVEMBER 9, 2021

The filing is a report of the status of a decedent's estate administration made under Probate Code section 12200. See the NOTICE below.

Please refer to the filed documents for more information about the case. (Some documents filed with the court are confidential.)

2. A HEARING on the matter described in 1 will be held as follows:

<b>Hearing Date</b>	Date: <b>11/9/2021</b>	Time: <b>9:30 A.M.</b>	Name and address of court, if different from above:
	Dept.: <b>4</b>	Room:	

#### NOTICE

If the filing described in 1 is a report of the status of a decedent's estate administration made under Probate Code section 12200,  
**YOU HAVE THE RIGHT TO PETITION FOR AN ACCOUNTING UNDER SECTION 10950 OF THE PROBATE CODE.**



#### Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)

\* Do not use this form to give notice of a petition to administer an estate (see Prob. Code, § 8100, and use form DE-121), notice of a hearing in a guardianship or conservatorship case (see Prob. Code, §§ 1511 and 1822, and use form GC-020), or notice of a hearing on a petition to determine a claim to property (see Prob. Code, § 851, and use form DE-115/GC-015).

<input checked="" type="checkbox"/> ESTATE OF (name):	<input type="checkbox"/> IN THE MATTER OF (name): The Tony & Lanny Sugiono Trust dated February 5,	CASE NUMBER: 19STPB11168
<input type="checkbox"/> DECEDENT	<input checked="" type="checkbox"/> TRUST	<input type="checkbox"/> OTHER

## CLERK'S CERTIFICATE OF POSTING

- I certify that I am not a party to this cause.
- A copy of the foregoing *Notice of Hearing—Decedent's Estate or Trust*
  - was posted at (address):
  - was posted on (date):

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

## PROOF OF SERVICE BY MAIL\*

- I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
- My residence or business address is (specify):  
3424 Carson Street, Suite 670  
Torrance, CA 90503
- I served the foregoing *Notice of Hearing—Decedent's Estate or Trust* on each person named below by enclosing a copy in an envelope addressed as shown below AND
  - depositing the sealed envelope on the date and at the place shown in item 4 with the U.S. Postal Service with the postage fully prepaid.
  - placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service in a sealed envelope with postage fully prepaid.
- Date mailed: September 28, 2021
  - Place mailed (city, state): Torrance, California
- I served with the *Notice of Hearing—Decedent's Estate or Trust* a copy of the petition or other document referred to in item 1 of the Notice.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: September 28, 2021

Jamaica Wakefield

(TYPE OR PRINT NAME)



(SIGNATURE)

## NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

	Name	Address (street & number, city, state, zip code)
1.	Lorenzo C. Stoller, THE PROBATE HOUSE	3424 W. Carson Street , Suite 320 Torrance, CA 90503
2.	Connie Sugiono Wesson	890 Lagasca Place Chula Vista, CA 91910
3.	Tony Sugiono	Rt.10 RW.03 Dusun Jegong Desa Jambangan Kec: Dampit Kab: Malang Jatim, 65181
4.	LANNY SUGIONO	Rt.10 RW.03 Dusun Jegong Desa Jambangan Kec: Dampit Kab: Malang Jatim, 65181
5.	Karen Goldman, GOLDMAN SEEGER	11260 Wilbur Avenue, Suite 102 Porter Ranch, CA 91326

- Continued on an attachment. (You may use Attachment to Notice of Hearing Proof of Service by Mail, form DE-120(MA)/GC-020(MA), for this purpose.)

\* Do not use this form for proof of personal service. You may use form DE-120(P) to prove personal service of this Notice.

<input checked="" type="checkbox"/> ESTATE <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> MATTER OF (Name): The Tony & Lanny Sugiono Trust dated February 5 , 2018	CASE NUMBER:  <p style="text-align: center; font-weight: bold;">19STPB11168</p>
--	---

**ATTACHMENT TO NOTICE OF HEARING PROOF OF SERVICE BY MAIL**

*(This Attachment is for use with forms DE-120 and GC-020.)*

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

<u>No.</u>	<u>Name of person served</u>	<u>Address (number, street, city, state, and zip code)</u>
<u>6</u>	Peter Sugiono	3424 W. Carson Street , Suite 670 Torrance, CA 90503
<u>7</u>	Paul Sugiono	3424 W. Carson Street , Suite 670 Torrance, CA 90503
<u>8</u>		
<u>9</u>		
<u>10</u>		
<u>11</u>		
<u>12</u>		
<u>13</u>		
<u>14</u>		
<u>15</u>		
<u>16</u>		
<u>17</u>		

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: <b>Michael J. Ryan</b> FIRM NAME: <b>STEARNS KIM STEARNS &amp; RYAN</b> STREET ADDRESS: <b>3424 Carson Street, Suite 670</b> CITY: <b>Torrance</b> TELEPHONE NO.: <b>(310) 424-1424</b> EMAIL ADDRESS: <b>mryan@sksrllawyers.com</b> ATTORNEY FOR (name): <b>Paul Sugiono and Peter Sugiono, Petitioners</b>	STATE BAR NUMBER: <b>162603</b> STATE: <b>CA</b> ZIP CODE: <b>90503</b> FAX NO.:	<b>FOR COURT USE ONLY</b>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>LOS ANGELES</b> STREET ADDRESS: <b>111 North Hill Street</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>Los Angeles 90012</b> BRANCH NAME: <b>Stanley Mosk</b>		
<input checked="" type="checkbox"/> ESTATE OF (name): <input type="checkbox"/> IN THE MATTER OF (name): The Tony & Lanny Sugiono Trust dated February 5, 2018 <input type="checkbox"/> DECEDENT <input checked="" type="checkbox"/> TRUST <input type="checkbox"/> OTHER		
<b>NOTICE OF HEARING—DECEDENT'S ESTATE OR TRUST</b>		CASE NUMBER: <b>19STPB11168</b>
<b>This notice is required by law. You are not required to appear in court, but you may attend the hearing and object or respond if you wish. If you do not respond or attend the hearing, the court may act on the filing without you.</b>		

1. NOTICE is given that (name): **Peter Sugiono & Peter Sugiono**  
(fiduciary or representative capacity, if any): **Petitioners**  
has filed a petition, application, report, or account (specify complete title and briefly describe):\*  
[AMENDED] PETITION: (1) TO INVALIDATE PURPORTED TRUST DOCUMENT DUE TO UNDUE INFLUENCE, DURESS, LACK OF CAPACITY, FRAUD, AND/OR MISTAKE OF FACT; (2) FOR QUIET TITLE; (3) FOR FRAUD IN THE INCEPTION; (4) TO VOID, NULLIFY, AND/OR CANCEL GRANT DEED DATED FEBRUARY 5, 2018, DUE TO UNDUE INFLUENCE, DURESS, LACK OF CAPACITY, FRAUD, AND/OR MISTAKE OF FACT; (5) TO ENJOIN SALE OF REAL PROPERTY LOCATED AT 6224 OCEAN TERRACE DRIVE, RANCHO PALOS VERDES, CA90275; (6) FOR DECLARATORY RELIEF; (7) FOR APPOINTMENT OF GUARDIAN AD LITEM; AND (8) FOR APPROVAL OF PAYMENT OF ATTORNEY FEES AND COSTS

PLEASE TAKE NOTE THAT THIS IS A NOTICE OF CONTINUANCE OF HEARING FROM OCTOBER 18, 2021 to NOVEMBER 9, 2021

The filing is a report of the status of a decedent's estate administration made under Probate Code section 12200. See the NOTICE below.

Please refer to the filed documents for more information about the case. (Some documents filed with the court are confidential.)

2. A HEARING on the matter described in 1 will be held as follows:

<b>Hearing Date</b>	Date: <b>11/9/2021</b>	Time: <b>9:30 A.M.</b>	Name and address of court, if different from above:
	Dept.: <b>4</b>	Room:	

#### NOTICE

If the filing described in 1 is a report of the status of a decedent's estate administration made under Probate Code section 12200,  
**YOU HAVE THE RIGHT TO PETITION FOR AN ACCOUNTING UNDER SECTION 10950 OF THE PROBATE CODE.**



#### Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)

\* Do not use this form to give notice of a petition to administer an estate (see Prob. Code, § 8100, and use form DE-121), notice of a hearing in a guardianship or conservatorship case (see Prob. Code, §§ 1511 and 1822, and use form GC-020), or notice of a hearing on a petition to determine a claim to property (see Prob. Code, § 851, and use form DE-115/GC-015).

<input checked="" type="checkbox"/> ESTATE OF (name):	<input type="checkbox"/> IN THE MATTER OF (name): The Tony & Lanny Sugiono Trust dated February 5,	CASE NUMBER: <b>19STPB11168</b>
<input type="checkbox"/> DECEDENT	<input checked="" type="checkbox"/> TRUST	<input type="checkbox"/> OTHER

**CLERK'S CERTIFICATE OF POSTING**

1. I certify that I am not a party to this cause.
2. A copy of the foregoing *Notice of Hearing—Decedent's Estate or Trust*
  - a. was posted at (address):

b. was posted on (date):

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy


**PROOF OF SERVICE BY MAIL\***

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (specify):  
3424 Carson Street, Suite 670  
Torrance, CA 90503
3. I served the foregoing *Notice of Hearing—Decedent's Estate or Trust* on each person named below by enclosing a copy in an envelope addressed as shown below AND
  - a.  depositing the sealed envelope on the date and at the place shown in item 4 with the U.S. Postal Service with the postage fully prepaid.
  - b.  placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service in a sealed envelope with postage fully prepaid.
4. a. Date mailed: September 28, 2021  
b. Place mailed (city, state): Torrance, California
5.  I served with the *Notice of Hearing—Decedent's Estate or Trust* a copy of the petition or other document referred to in item 1 of the Notice.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: September 28, 2021

Jamaica Wakefield  
(TYPE OR PRINT NAME)

  
(SIGNATURE)

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

	Name	Address (street & number, city, state, zip code)
1.	Lorenzo C. Stoller, THE PROBATE HOUSE	3424 W. Carson Street , Suite 320 Torrance, CA 90503
2.	Connie Sugiono Wesson	890 Lagasca Place Chula Vista, CA 91910
3.	Tony Sugiono	Rt.10 RW.03 Dusun Jegong Desa Jambangan Kec: Dampit Kab: Malang Jatim, 65181
4.	LANNY SUGIONO	Rt.10 RW.03 Dusun Jegong Desa Jambangan Kec: Dampit Kab: Malang Jatim, 65181
5.	Karen Goldman, GOLDMAN SEEGER	11260 Wilbur Avenue, Suite 102 Porter Ranch, CA 91326

Continued on an attachment. (You may use Attachment to Notice of Hearing Proof of Service by Mail, form DE-120(MA)/GC-020(MA), for this purpose.)

\* Do not use this form for proof of personal service. You may use form DE-120(P) to prove personal service of this Notice.

<input checked="" type="checkbox"/> ESTATE <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> MATTER OF (Name): The Tony & Lanny Sugiono Trust dated February 5, 2018	CASE NUMBER:  <p style="text-align: center; font-weight: bold;">19STPB11168</p>
---	---

**ATTACHMENT TO NOTICE OF HEARING PROOF OF SERVICE BY MAIL**

*(This Attachment is for use with forms DE-120 and GC-020.)*

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

<u>No.</u>	<u>Name of person served</u>	<u>Address (number, street, city, state, and zip code)</u>
<u>6</u>	Peter Sugiono	3424 W. Carson Street, Suite 670 Torrance, CA 90503
<u>7</u>	Paul Sugiono	3424 W. Carson Street, Suite 670 Torrance, CA 90503
<u>8</u>		
<u>9</u>		
<u>10</u>		
<u>11</u>		
<u>12</u>		
<u>13</u>		
<u>14</u>		
<u>15</u>		
<u>16</u>		
<u>17</u>		

Received: 6/3/2021 8:51 AM

1 RYAN E. STEARNS, State Bar No. 165262  
[rstearns@skslawyers.com](mailto:rstearns@skslawyers.com)  
2 MICHAEL J. RYAN, State Bar No. 162603  
[rstearns@skslawyers.com](mailto:rstearns@skslawyers.com)  
3 STEARNS KIM STEARNS & RYAN  
4 3424 W. Carson Street, Suite 670  
5 Torrance, California 90503-5717  
Telephone: (310) 793-9570  
Facsimile: (310) 793-9575

6 Attorneys for Petitioners and Interested Persons,  
Paul Sugiono and Peter Sugiono

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES-CENTRAL DISTRICT

11	In the Matter of:	)	Case No. 19STPB11168
12	THE TONY & LANNY	)	[EX PARTE] PETITION FOR:
13	SUGIONO TRUST DATED	)	
14	FEBRUARY 5, 2018	)	(1) CONFIRMATION OF REMOVAL OF
15	PAUL SUGIONO, an individual, and	)	TONY SUGIONO AS INITIAL TRUSTEE
16	PETER SUGIONO, an individual,	)	OF THE PURPORTED TRUST; AND
17	Plaintiffs,	)	(2) APPOINTMENT OF SUCCESSOR, OR
18	vs.	)	SPECIAL, TRUSTEE DUE TO VACANCY,
19	TONY SUGIONO, an individual, and as	)	OR ALTERNATIVELY, APPOINTMENT
20	purported Trustee of the purported Tony	)	OF A GUARDIAN AD LITEM
21	& Lanny Sugiono Trust dated February	)	
22	5, 2018, and DOES 1-10,	)	[California Probate Code §§ 1003, 15642, 15660,
23	Defendants.	)	17200 <u>et seq.</u> ]
24		)	Date: June 4, 2021
25		)	Time: 8:30 a.m.
26		)	Room: 260
27		)	Dept.: 04
28		)	Judge: Hon. Brenda J. Penny

23 Pursuant to California Probate Code (“P.C.”) §§ 1003, 15642, 15660, and 17200 et seq.,  
24 Petitioners Peter Sugiono (“Peter”) and Paul Sugiono (“Paul”)(collectively “Peter and Paul”), in their  
25 respective capacities as interested persons under the purported *Tony & Lanny Sugiono Trust* dated  
26 February 5, 2018, as amended (collectively the “Purported Trust”), hereby respectfully submit the



1 following [EX PARTE] PETITION FOR: (1) CONFIRMATION OF REMOVAL OF TONY  
2 SUGIONO AS INITIAL TRUSTEE OF THE PURPORTED TRUST; AND (2) APPOINTMENT OF  
3 SUCCESSOR, OR SPECIAL, TRUSTEE DUE TO VACANCY, OR ALTERNATIVELY,  
4 APPOINTMENT OF A GUARDIAN AD LITEM (the “Petition”), and allege as follows:

5 **1. Jurisdiction and Venue**

6 This Court can exercise subject matter jurisdiction over trust matters on any basis not  
7 inconsistent with the state and federal constitutions (i.e. to the limits set by federal due process law).  
8 See, P.C. §17004 (confirming broad reach of personal jurisdiction in trust proceedings), citing  
9 California Code of Civil Procedure (“CCP”) §410.10. Under U.S. Supreme Court cases, personal  
10 jurisdiction is proper where a defendant has “minimum contacts” with the state such that the lawsuit  
11 “does not offend traditional notions of fair play and substantial justice.” International Shoe Co. v  
12 Washington (1945) 326 US 310, 316. See also, Daimler AG v Bauman (2014) 571 US 117.

13 The Court has exclusive jurisdiction of proceedings concerning the internal affairs of  
14 trusts. P.C. §17000, subd. (a). The Court also has concurrent jurisdiction of actions and proceedings  
15 to determine the existence of trusts, actions and proceedings by or against creditors or debtors of  
16 trusts, and other actions and proceedings involving trustees and third persons. P.C. §17000, subd. (b).  
17 Once the Court has acquired jurisdiction over parties to a trust, jurisdiction continues over the parties  
18 and the subject of the proceeding, notwithstanding the removal from the state of a person or trust  
19 property, until the conclusion of the action or proceeding concerning the trust. [CCP§ 410.50, subd.  
20 (b); Law Revision Commission Comments to Prob. Code, § 17004]. Similarly, in proceedings  
21 involving an inter vivos trust, a California court may enter judgment in personam against trustees over  
22 whom it has obtained jurisdiction, although it has no jurisdiction over the trust res. McElroy v.  
23 McElroy (1948), 32 Cal. 2d 828.

24 Van Buskirk v. Van Buskirk (2020) 53 Cal.App.5th 523, shows the “long arm”  
25 jurisdictional reach of California courts in trust litigation. California courts may adjudicate and hear  
26 disputes even when nonresident parties would prefer to litigate in a foreign (non-California)

1 jurisdiction. Id. A three-part test governs what is referred to as “case-linked” jurisdiction. California  
2 (and federal) authorities are absolutely clear in that case-linked jurisdiction is proper when: (a)  
3 defendants have “purposefully availed” themselves of forum benefits; (2) the controversy relates to  
4 the defendants' contacts with the forum; and (3) the exercise of jurisdiction comports with “fair play  
5 and substantial justice.” Id. Thus, even assuming arguendo that the Respondent is no longer within  
6 California’s jurisdiction, and purportedly eliminated the Purported Trust’s California Real Property  
7 (infra.) holdings, the claims, and the requested relief, that is the subject of this Petition can be heard  
8 and adjudicated by the Court.

9 In this matter, the Purported Trust originated in California (i.e. it was purportedly  
10 created and executed in Los Angeles County pursuant to California law); it was administered here in  
11 this California from the date of its purported execution (i.e. February 2018) through and including  
12 (March 2021); and the Purported Trust held interests in California real estate (i.e. the Real Property  
13 [infra.] which is the subject of the Amended Petition) until March 2021. Additionally, all of the  
14 alleged unlawful conduct and actions that are the subject of the Amended Petition, and this Petition,  
15 before this Court occurred within Los Angeles County in the State of California; and Tony (infra.) and  
16 Lanny (infra.) were continuous residents of Los Angeles County, State of California, for over thirty-  
17 five (35) years before leaving California’s jurisdiction in or around late 2019/early 2020 (again in an  
18 attempt to evade this Court’s supervision of the matter in favor of a tribunal that would not afford the  
19 same legal protections and rights as a U.S. Court of law). Based on the foregoing, this Court has both  
20 personal and subject matter jurisdiction over the Trust Proceeding and this Petition.

21 **2. Introduction and Summary of Requested Relief**

22 Peter and Paul seek to confirm the removal of Respondent Tony Sugiono (“Tony”) as  
23 the sole purported remaining Initial Trustee of the Purported Trust, due to his incapacity and/or  
24 substantially inability to manage the Purported Trust’s affairs (including but not limited to the  
25 beneficial interests held therein), or to resist fraud or undue influence. Respondent Lanny Sugiono  
26 (“Lanny”) purportedly resigned as the Initial Co-Trustee of the Purported Trust in or around July

1 2019, so there is no need to independently confirm her resignation. To fill vacancy, the Petition  
2 requests the appointment of Peter or Paul as Successor Trustee, consistent with the terms of the  
3 Purported Trust<sup>1</sup>. To the extent that the Court will not appoint Peter or Paul as Successor Trustee of  
4 the Purported Trust, the Petition respectfully requests that this Court immediately suspend Tony's  
5 powers and appoint a third party from the Court's panel of attorneys as a Special, or Interim,  
6 Successor Trustee of the Purported Trust with the limited authority to access the financial, legal,  
7 and/or accounting records of Purported Trust, but with no authority to access or marshal Purported  
8 Trusts funds or interests, pending further Court order(s). Alternatively, the Petition requests the  
9 appointment of a Guardian Ad Litem ("GAL"), from the Court's panel of attorneys, who shall have  
10 the authority to access the financial, legal, and/or accounting records of Purported Trust.

11 **3. Relevant Procedural History**

12 A. Original and Amended Petitions: On November 26, 2019, Peter and Paul filed  
13 a verified petition with the Los Angeles Superior Court (the "Original Petition") in the legal  
14 proceeding entitled THE TONY & LANNY SUGIONO TRUST DATED FEBRUARY 5, 2018, Los  
15 Angeles Superior Court Case No. 19STPB11168 (the "Trust Proceeding"). The Original Petition  
16 sought the following relief: (1) removal of Tony as Trustee of the Purported Trust, or alternatively,  
17 suspension of Tony's powers as Trustee of the Purported Trust and the appointment of an interim  
18 trustee(s) pending further Court order; (2) compelling an accounting by Tony in his capacity as  
19 Trustee of the Purported Trust; (3) breach of fiduciary duty and surcharge (i.e. damages) against Tony;  
20 (4) transfer of all Purported Trust assets, including the Real Property (infra.), to Tony and Lanny,  
21 Husband and Wife as Community Property; (5) enjoinder of the sale of the real property located at  
22 6224 Ocean Terrace Drive, Rancho Palos Verdes, CA 900275 (the "Real Property"); (6) declaratory  
23 relief; (7) appointment of a Guardian Ad Litem (GAL) to represent the rights and interests of subject  
24 person, Lanny; and (8) for approval of payment of attorney's fees and costs. The Original Petition was

---

26 <sup>1</sup> Peter is the first named first Successor Trustee and Paul is the second name Successor Trustee.



1 March 3, 2021, the Court denied the Motion to Dismiss (“Ruling on Motion to Dismiss”) and found  
2 that Peter and Paul had standing, and that the Court has jurisdiction to hear the Amended Petition. As  
3 a result, the Court continued the hearing on the Amended Petition to May 24, 2021, at 8:30 a.m. in  
4 Department 4 of the above-entitled Court, which has since been continued to October 18, 2021, at 8:30  
5 a.m. in Department 4 of the above-entitled Court.

6 **4. Relevant Statement of Facts**

7 A. Summary of Amended Petition and Requested Relief: The underlying action  
8 seeks to invalidate or void the purported *Tony and Lanny Sugiono Trust* dated February 5, 2018 (the  
9 “Purported Trust”), on the basis of lack of capacity, undue influence, fraud, duress, and/or mistake of  
10 fact. Peter and Paul, who are the children (heirs-at-law) of the Purported Trust Settlers (Tony and  
11 Lanny) and named contingent remainder beneficiaries under the Purported Trust, are contesting the  
12 validity of the instrument itself, as a matter of law, alleging it fails to satisfy the statutory requirements  
13 of a valid trust instrument; and that it was otherwise procured by, and through, unlawful means.  
14 Contemporaneously, Peter and Paul’s action seeks to invalidate the transfer of any asset(s) into the  
15 Purported Trust, and/or invalidate the ownership of any asset held or titled in the Purported Trust,  
16 including the real property located at 6224 Ocean Terrace Drive, Rancho Palos Verdes, CA 90275 (the  
17 “Real Property”), or any net proceeds derived from the sale thereof. Peter and Paul allege that the  
18 Purported Trust was invalid/void, as a matter of law, *ab initio*; and therefore, the Purported Trust could  
19 not (at any relevant time herein) hold title or ownership to any asset, including the Real Property. This  
20 is the primary crux of the action, in addition to the fraud and other tort-based claims that the Peter and  
21 Paul have plead, including but not limited to breach of an intervivos life estate interest in the Real  
22 Property resulting in damages.

23 B. Sale of Real Property: Following the Ruling on the Motion to Dismiss, on  
24 March 16, 2021, a Grant Deed purportedly conveying and transferring all of the Purported Trust’s  
25 interests in the Real Property to an individual identified as “Vincente Zarate,” who took title as a  
26 married man, as his sole and separate property (the “Grant Deed”) was recorded with the Los Angeles

1 County Recorder's Office. A true and correct copy of the Grant Deed is attached as **Exhibit 1**<sup>2</sup>. The  
2 purported sale date was November 20, 2019 ,with a purported gross sales price of four million two  
3 hundred and fifty-thousand dollars (\$4,250,000.00). It is unknown to either Paul or Peter what the net  
4 proceeds were from the purported sale of the Real Property, or where said proceeds are currently  
5 located. To the extent that the Real Property has been sold, the net proceeds from the sale of the Real  
6 Property would now be the subject interests, or beneficial assets, of the Amended Petition. Tony has  
7 filed verified documents in the Trust Proceeding alleging those proceeds are now in Indonesia (or  
8 Southeast Asia) although there is no independent document, or other evidence, that has been produced  
9 to confirm Tony's representations. Peter and Paul maintain that all net proceeds from the purported  
10 sale of the Real Property are community property assets that properly belong to Tony and Lanny, as  
11 Husband and Wife, with no right of survivorship. Peter and Paul, along with their sister Connie  
12 Sugiono Wesson ("Connie"), are the sole heirs-at-law of Tony's and Lanny's respective estate(s).

13           C.     Incapacity of Tony Sugiono and Lanny Sugiono: Upon information and belief,  
14 at present, Tony and Lanny each lack testamentary capacity, or at a minimum, each are both in a  
15 cognitively compromised state to such an extent that they are unable to properly provide for their  
16 personal needs (including physical health, food, clothing, and shelter) and/or substantially manage  
17 their financial resources; and they are the subject of, or at a minimum, each of them is highly  
18 susceptible to fraud and/or undue influence. Tony has judicially admitted to Lanny's incapacity during  
19 the course of the Trust Proceeding. Moreover, Tony has recently filed, or caused to be filed, verified  
20 documents, or sworn statements, in the Trust Proceeding that highlight his cognitive issues and his  
21 inability to properly handle his affairs, including legal or financial. Most recently, Tony, by and  
22 through his counsel, has further indicated his inability to attend a deposition due to his cognitive and  
23 physical state. On that basis, Peter and Paul allege and maintain that neither Tony nor Lanny can serve  
24 as purported Initial Trustees of the Purported Trust and, as a result, there is now a vacancy in the  
25

---

26           <sup>2</sup> All Exhibits are fully incorporated herein by their respective reference.

1 office of trusteeship, requiring the appointment of a successor trustee of the Purported Trust.

2 **4. Standing**

3 Peter and Paul are “interested persons” under the Purported Trust. Therefore, pursuant  
4 to California Probate Code §§ 48,17200 et seq., and Drake v. Pinkham (App. 3 Dist. 2013) 158 Cal.  
5 Rptr. 3d 115, 218 Cal.App.4th 400, Peter and Paul, and each of them, having standing to bring this  
6 Petition.

7 **5. Notice**

8 Pursuant to California Probate Code Section 17203, and the California Rules of Court,  
9 notice of this Petition will be provided to the following interested persons, as required by law:

10 <u>NAME AND ADDRESS</u>	<u>AGE/RELATIONSHIP</u>
11 1. Tony Sugiono [Address Unknown]	Respondent
12 2. Lanny Sugiono 13 [Address Unknown]	Interested Person
14 3. Paul Sugiono 6224 Ocean Terrace Drive, 15 Rancho Palos Verdes, CA 90275	Interested Person
16 4. Peter Sugiono 6224 Ocean Terrace Drive, 17 Rancho Palos Verdes, CA 90275	Interested Person
18 5. Connie Sugiono Wesson 890 Lagasca Place, 19 Chula Vista, CA 91910	Interested Person
20 6. Stephen E. Hyam, Esq. CLARK & TREVITHICK 21 445 South Figueroa Street, 18 <sup>th</sup> Floor Los Angeles, California 90071	Attorneys for Tony Sugiono
22 7. Karen Goldman, Esq. 23 GOLDMAN SEEGER 11260 Wilbur Avenue, Suite 102, 24 Porter Ranch, CA 91326	Attorneys for Connie Sugiono Wesson

25 **6. Request for Special Notice**

26 No Request for Special has been filed in the Trust Proceeding.

1 (I) CONFIRMATION OF REMOVAL AND (II) APPOINTMENT OF SUCCESSOR, OR  
2 SPECIAL, TRUSTEE; ALTERNATIVELY, APPOINTMENT OF A GUARDIAN AD

3 LITEM

4 7. Authority for Cause of Action

5 This cause of action is based upon the following statutory authority:

6 (a) Pursuant to P.C. §15642(a), this court has power to remove a trustee on its own  
7 motion. In addition, a settlor, co-trustee, or beneficiary may initiate a removal action by filing a  
8 petition under California Probate Code §17200.

9 (b) Pursuant to P.C. §15642(b), the grounds for removal of trustee include but are  
10 not limited to: (1) breach of trust; (2) unfitness to administer the trust; (3) substantial inability to  
11 manage the trust's resources or properly execute the duties of the office, due to lack of mental  
12 capacity; (4) substantial inability to resist fraud or undue influence; and (5) other good cause.

13 (c) Pursuant to P.C. §15642(e), if it appears to the court that trust property or the  
14 interests of a beneficiary may suffer loss or injury pending a decision on a petition for removal of a  
15 trustee and any appellate review, the court may, on its own motion or on petition of a cotrustee or  
16 beneficiary, compel the trustee whose removal is sought to surrender trust property to a cotrustee or  
17 to a receiver or temporary trustee. The court may also suspend the powers of the trustee to the extent  
18 the court deems necessary.

19 (d) P.C. §15660 governing the appointment of a new trustee following a vacancy.  
20 P.C. §15660(b) states that the vacancy should be filled as provided in the trust instrument, if practical.  
21 If the trust instrument is silent, the vacancy may be filled by a trust company on agreement of all adult  
22 beneficiaries. P.C. §15660(c). If the trust instrument is silent about choosing a successor trustee and  
23 the vacancy is not filled by a trust company through agreement of the adult beneficiaries, an interested  
24 person or a person named as trustee in the trust instrument may petition the court to appoint one. Prob  
25 C §15660(d). Alternatively, a beneficiary or trustee may petition to appoint a successor under P.C.



1 §17200(b)(10), when there is language in the trust instrument but the beneficiaries cannot agree.

2 (e) P.C. §1003 provides for the appointment of a guardian ad litem for an  
3 incapacitated person "if the court determines that representation of the interest otherwise would be  
4 inadequate."

5 **8. Facts Relevant to Request for Order Confirming Resignation of Tony Sugiono**  
6 **and the Appointment of a Special, or Interim, Successor Trustee or Guardian**  
7 **Ad Litem**

8 Petitioner incorporate Paragraphs 1 through 7 above.

9 As noted, Peter and Paul maintain, and on that basis alleged thereon, that Tony lacks  
10 testamentary capacity, or at a minimum, that he is in a cognitively compromised state where he is  
11 unable to properly provide for his personal needs (including physical health, food, clothing, and  
12 shelter) and/or substantially manage his financial resources; and upon information and belief, Tony  
13 is the subject of, or at a minimum, he is presently highly susceptible to fraud and/or undue influence.  
14 Moreover, Tony has recently filed, or caused to be filed, verified documents, or sworn statements, in  
15 the Trust Proceeding that highlight his cognitive issues and his inability to properly handle his affairs,  
16 including legal or financial. Most recently, Tony, by and through his counsel, has further indicated his  
17 inability to attend a deposition due to his cognitive and physical state. Accordingly, it is evident and  
18 clear that Tony is unfit and otherwise unable to carry out any purported action on behalf of the  
19 Purported Trust, and a vacancy in the office of initial trusteeship has now resulted. On that basis Peter  
20 and Paul respectfully request the confirmation of Tony's removal as the Initial Co-Trustee of the  
21 Purported Trust and the appointment of a successor trustee.

22 To that end, the immediate appointment of a Special, or Interim, Trustee, or  
23 alternatively a GAL, is wholly appropriate and critically necessary to gain vital access to Purported  
24 Trust records and documents to verify and trace where the sale proceeds from the Real Property are  
25 currently held, so the community property, and beneficial, interests that are the subject of the Trust  
26 Proceeding can be properly protected and preserved. Tony has filed verified documents in the Trust

1 Proceeding alleging those proceeds are now in Indonesia (or Southeast Asia), although there is no  
2 independent document, or other evidence, that has been produced to confirm Tony's representations.  
3 There is reason to believe those proceeds may still be located in the Southern California area (or  
4 within the jurisdiction of the United States). There are also strong concerns that Tony is the subject  
5 of undue influence and that the subject funds, wherever they may be held, are now under the  
6 unauthorized control, and management, of a third party, or parties, who are unlawfully taking  
7 advantage of Tony and misappropriating the subject funds. Accordingly, Peter and Paul respectfully  
8 request the immediate appointment of a Special, or Interim, Successor Trustee of the Purported Trust,  
9 or alternatively a GAL, with the limited authority to access the financial, legal, and/or accounting  
10 records of Purported Trust, but with no authority to access or marshal Purported Trusts funds or  
11 interests, pending further Court order(s), to properly protect those interests which are the subject of  
12 the Trust Proceeding.

13 **WHEREFORE, Petitioner prays for an order of this Court as follows:**

14 1. Confirming the removal of Tony Sugiono as purported Initial Co-Trustee of the Tony  
15 and Lanny Sugiono Trust dated February 5, 2018.

16 2. Confirming the appointment of Peter Sugiono as the Successor Trustee of the Tony and  
17 Lanny Sugiono Trust dated February 5, 2018. alternatively confirming the appointment of Paul  
18 Sugiono as the Successor Trustee of the Tony and Lanny Sugiono Trust dated February 5, 2018; or  
19 alternatively confirming the appointment of a Special, or Interim, Trustee of the Tony and Lanny  
20 Sugiono Trust dated February 5, 2018, to be selected from the Los Angeles Superior Court's panel  
21 of attorneys.


22 3. The Court-appointed Successor Trustee shall only have the limited authority to access  
23 the financial, legal, and/or accounting records of Purported Trust, but no authority to access or marshal  
24 Purported Trusts funds or interests, or take any other action on behalf of the Purported Trust, pending  
25 further Court order(s).

26 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

4. For such other orders and further relief as the Court deems just and proper.

STEARNS KIM STEARNS & RYAN

By:   
Michael Ryan, Esq., Attorneys for  
Petitioners Peter Sugiono and Paul  
Sugiono

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am an interested party under the purported Tony and Lanny Sugiono Trust dated February 5, 2018. I make and have read the foregoing "[Ex Parte] Petition For: (1) Confirmation of Removal of Tony Sugiono as Initial Trustee of the Purported Trust; and (2) Appointment of Successor. or Special. Trustee Due to Vacancy. or Alternativelv. Appointment of a Guardian Ad Litem."

and know its contents.

CHECK APPLICABLE PARAGRAPHS

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am an Officer a partner a of

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.

I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on June 1, 2021, at TORRANCE, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

PETER SUGIONO TYPE OR PRINT NAME

SIGNATURE

PROOF OF SERVICE 1013a (3) CCP Revised 2004

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of, State of California.

I am over the age of 18 and not a party to the within action; my business address is:

On, I served the foregoing document described as

on in this action

by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:

by placing the original a true copy thereof enclosed in sealed envelopes addressed as follows:

BY MAIL

I deposited such envelope in the mail at, California.

The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at

California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on, at, California.

(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on, at, California.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

TYPE OR PRINT NAME

SIGNATURE

(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)

(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am an interested party under the purported Tony and Lanny Sugiono Trust dated February 5, 2018. I make and have read the foregoing "[Ex Parte] Petition For: (1) Confirmation of Removal of Tony Sugiono as Initial Trustee of the Purported Trust; and (2) Appointment of Successor, or Special Trustee, Due to Vacancy, or Alternatively, Appointment of a Guardian Ad Litem."

and know its contents.

CHECK APPLICABLE PARAGRAPHS

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am an Officer a partner of

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.

I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on June 1, 2021, at TORRANCE, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

PAUL SUGIONO TYPE OR PRINT NAME

SIGNATURE (Handwritten signature)

PROOF OF SERVICE 1013a (3) CCP Revised 2004

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of State of California.

I am over the age of 18 and not a party to the within action; my business address is:

On, I served the foregoing document described as

on in this action

by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list; by placing the original a true copy thereof enclosed in sealed envelopes addressed as follows:

BY MAIL

I deposited such envelope in the mail at California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on, at California.

(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on, at California.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

TYPE OR PRINT NAME

SIGNATURE

(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)

(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

# **EXHIBIT 1**

# **EXHIBIT 1**

This page is part of your document - DO NOT DISCARD



**20210415725**



Pages:  
0004

Recorded/Filed in Official Records  
Recorder's Office, Los Angeles County,  
California

03/16/21 AT 08:00AM

FEES:	28.00
TAXES:	4,675.00
OTHER:	0.00
<hr/> PAID:	<hr/> 4,703.00



LEADSHEET



202103161030003

00020104750



011952458

SEQ:

02

SECURE - 8:00AM



THIS FORM IS NOT TO BE DUPLICATED

6443382

RECORDING REQUESTED BY:  
First American Title Company

AND WHEN RECORDED MAIL TO:

Vicente Zarate  
9024 Charloma Drive  
Downey, CA 90240

THIS SPACE FOR RECORDER'S USE ONLY:

Title Order No.: 6443382

Escrow No.: 011604-TC

**GRANT DEED**

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT THE  
**COUNTY DOCUMENTARY TRANSFER TAX IS \$4,675.00 AND THE CITY TRANSFER TAX IS \$0.00**

Computed on the full value of the property conveyed, or

Computed on the full value less the value of any liens or encumbrances remaining at the time of sale.

Unincorporated Area  City of **Rancho Palos Verdes**

OR This Transfer is EXEMPT from tax for the following reason:

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**Tony Noto Sugiono, Trustee of The Tony & Lanny Sugiono Trust, U/A dated February 5, 2018**

hereby GRANT(s) to:

**Vicente Zarate, a Married Man, as His Sole and Separate Property**

all that real property situated in the City of **Rancho Palos Verdes**, County of **Los Angeles**, State of **California**,  
and described as follows:

**Legal Description as per EXHIBIT "A" attached hereto and made a part hereof.**

This property is commonly known as **6224 Ocean Terrace Drive, Rancho Palos Verdes, CA 90275**

**A.P.N.: 7581-020-022**

**Dated: November 20, 2019**

**Signature Page attached hereto  
and made a part hereof**

MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS SHOWN ABOVE:



Title Order No.: 6443382

Escrow No.: 011604-TC

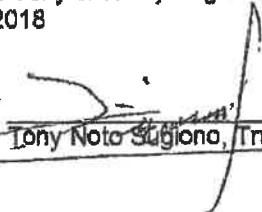
A.P.N.: 7581-020-022

**SIGNATURE PAGE**

**Title of Document: Grant Deed**

**Date of Document: November 20, 2019**

The Tony & Lanny Sugiono Trust, U/A dated February 5, 2018

By:  Tony Noto Sugiono, Trustee Tony Noto Sugiono, Trustee

**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

On November 20, 2019  
before me, Kim Roshun Nevils-Wilson,

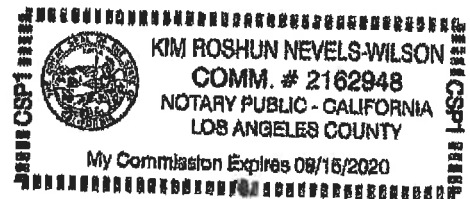
a Notary Public, personally appeared Tony Noto Sugiono, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity(ies), and that by ~~his~~ ~~her~~ ~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kim R. Wilson

(Seal)



## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

Real property in the City of Rancho Palos Verdes, County of Los Angeles, State of California, described as follows:

LOT 25 OF TRACT NO. 31617, IN THE CITY OF RANCHO PALOS VERDES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 888 PAGES(S) 4 TO 8 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES BELOW A DEPTH OF 500 FEET FROM THE SURFACE THEREOF, BUT WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN DEED RECORDED JUNE 6, 1980, AS INSTRUMENT NO. 80-552770, OFFICIAL RECORDS.

APN: 7581-020-022