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5 Attorneys for [REDACTED] BANK,
6 a national banking association,
as Trustee of the [REDACTED] TRUST
7

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

10
11 In Re The Matter of the)
12 [REDACTED] TRUST, dated)
June 25, 1949)
13 [REDACTED],)
14)
Petitioner)
15 v.)
16 [REDACTED] BANK, a)
17 national banking association,)
as Trustee of the [REDACTED])
18 [REDACTED], dated June 25,)
19 1949,)
Respondent)
20

CASE NO. [REDACTED]
TRUSTEE'S RESPONSE TO
PETITIONER'S IN LIMINE MOTION
FOR AN ORDER SETTING MODE OF
TRIAL TO BE INQUISITORIAL
RATHER THAN ADVERSARIAL
DATE: March 20 and 21, 1995
TIME: 1:30 P.M.
DEPARTMENT: 11

21
22 [REDACTED] Bank, a national banking association, as
23 Trustee of the [REDACTED] Trust, dated June 25, 1949, hereby
24 responds to [REDACTED] PETITIONER'S IN LIMINE MOTION FOR
25 AN ORDER SETTING MODE OF TRIAL TO BE INQUISITORIAL RATHER THAN
26 ADVERSARIAL as follows:

- 27 1. The California Code of Civil Procedure and rules of
28 the Probate Court set forth the rules for conducting a trial in

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1 California. These rules anticipate both parties represented by
2 counsel and parties representing themselves. As the rules already
3 take into consideration the fact that a represented party may be
4 adverse to an unrepresented party, there is no reason to depart
5 from these rules for the conduct of this trial.

6 2. The rules of the Probate Court take into account
7 the nature and subject matter of proceedings before the Probate
8 Court. Accordingly, there is no reason for the court to deviate
9 from these rules based upon the subject matter of this proceeding.

10 3. The discretion and authority vested in the Probate
11 Court judge adequately allow the judge to take whatever steps the
12 judge deems necessary to resolve the issues of law and fact in a
13 case. For this reason, it is not necessary for the judge to issue
14 an order to provide for any steps that may be necessary in the
15 judge's review of the case.

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[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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2
3 **PROOF OF SERVICE BY MAIL**

4 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

5 I am employed in the county aforesaid; I am over the age of 18 years and not a party
6 to the within action; my business address is 300 South Grand Avenue, 29th Floor,
7 Los Angeles, California 90071.

8 On February 27, 1995 I served the within TRUSTEE'S RESPONSE TO
9 PETITIONER'S IN LIMINE MOTION FOR AN ORDER SETTING MODE OF TRIAL TO
10 BE INQUISITORIAL RATHER THAN ADVERSARIAL on interested parties in this action
11 by placing a true copy thereof in this firm's outgoing mail box, enclosed in a sealed envelope
12 with postage thereon fully prepaid at Los Angeles, California addressed as follows:

13 SEE ATTACHED

14
15 I am readily familiar with this firm's practice of collection and processing
16 correspondence for mailing. It is deposited with U.S. postal service on that same day in the
17 ordinary course of business. I am aware that on motion of party served, service is presumed
18 invalid if postal cancellation date or postage meter date is more than 1 day after date of
19 deposit for mailing in affidavit.

20 Executed on February 27, 1995 at Los Angeles, California.

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