

**FILED**

MAR 29 2019

Clerk of the Napa Superior Court  
By: [Signature]  
Deputy

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SUPERIOR COURT OF CALIFORNIA  
NAPA COUNTY

6 THOMAS SCHOENBERGER,  
7 Petitioner,  
8 vs.  
9 STEPHEN P. SHOENBERGER,  
10 Respondent

Case No.: 18 PR 000 275

AMENDED CONTEST OF TRUST  
AND  
PETITION FOR  
(I) DECLATORY JUDGMENT  
(II) TRUST ACCOUNTING  
(III) TRUST INFORMATION

**COUNT I: DECLARATORY JUDGMENT**

13 1. Petitioner, Thomas S. Schoenberger, seeks a declaration that the Trust of his mother, Elspeth  
14 Schoenberger, is declared null and void due to undue influence and fraud by oppression. The petitioner claim that  
15 Elsebeth was subjected to Undue Influence by his brother, Stephen P. Schoenberger, the Respondent. The Petitioner  
16 maintains that his Mother was pressured to respond to her son Stephen's demands, hiding aspects of her life and  
17 making life decisions as he was taking unfair advantage over her. Circumstantial evidence will paint a picture of  
18 Elspeth as the victim of her son Stephen P. Schoenberger's control and grossly oppressive behavior. Her distress  
19 caused Elspeth to place the responsibility of her Trust in the hands of her oppressor.

20 2. The Definition of Undue Influence used within this Contest of Trust and the methods of proof provided  
21 are within the boundaries of the following codes and statutes:

22 1. California Probate Code Section 86 and California Welfare and Institutions Code Section  
23 15610.70

24 2. California Civil Code §1575, Undue Influence

25 a. The use, by one in whom a confidence is reposed by another, or who holds real or  
26 apparent authority over him, of such confidence or authority for the purpose of obtaining  
27 an unfair advantage over him;

28 AMENDED CONTEST OF TRUST AND PETITION FOR(I) DECLATORY JUDGMENT(II) TRUST  
ACCOUNTING(III) TRUST INFORMATION - 1

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NAPA SUPERIOR COURT



1 grandchildren, Max and Wolfgang Schoenberger, and two step-grandchildren from her son Stephen's wife Terre. In  
2 her last decade on earth, Elsebeth met Louis Kaplan, fell in love and married. They traveled, entertained and had a  
3 delightful time together.

4  
5 **INTRODUCTION:**

6 4. The Petitioner, Thomas Schoenberger, seeks to prove that his brother, Steve, engaged in undue influence  
7 in order to control the estate of T.L. and Elsebeth Schoenberger. Events and evidence of communication will  
8 demonstrate that Thomas had a continued relationship with his parents, T.L. and Elsebeth, along with later forming a  
9 bond with Lou, Elsebeth's husband and companion in her last few years. The history of family dynamics presented  
10 is a window into time where Steve continues to batter relations and serve himself through a pattern of aggressive,  
11 controlling, and greedy behavior. Early on, as a teenager, Steve was physically abusive toward his mother, Elsebeth.  
12 In adulthood, Steve held back physically, but he had mastered his ability to deceive and manipulate his family  
13 members. His self-serving hunger for material possessions found Steve sneakily removing artwork and other  
14 possessions from his mother's home both the day she died and during the memorial thrown by her late husband,  
15 Lou. So set on not being disrupted in these acts, Steve managed to manipulate Thomas's son and ex-wife, Faranak,  
16 into stealing the last moments of goodbye that he could ever share with his mother Elsebeth. From feigning stories  
17 to provoke his parents to oppose his brother, Thomas, to forcefully grabbing control of the estate via intimidation of  
18 his mother, and finally, taking those precious moments of goodbye away from Thomas and Elsebeth, permanently,  
19 Steve shows that his actions involving the Trust left to he and his family members were lacking integrity. With the  
20 fragility of Elsebeth when it came to men in her life and the aggressive nature of the Respondent, there is no  
21 evidence that Elsebeth made changes to her will via her own free will.

22 **5. Adult History of Family Relationship and Character:** Between 1989 and 2009, Thomas states that his  
23 relationship with his parents was very good. I spent time socializing with them, as did his wife, Faranak Shahroozi  
24 (herein referred to as "Faranak,"), whom he married in 1998. Thomas says that his parents loved Faranak and were  
25 thrilled when she gave birth to his son, Wolfgang, in 2000. Wolfgang was doted on by his grandparents and  
26 especially had a great time playing with his grandfather.

1           6. Thomas and Faranak invited his parents to their parties and hosted his father's 80th birthday party at  
2 Neibaum Coppola, an upscale winery in Rutherford California, in May of 2003. Thomas's cousins and uncle  
3 attended. Thomas's thriving event planning company allowed him to run into his Mother often in her role as a tour  
4 guide. T.L. and Elsebeth were world travelers. In 2003, they even went to Egypt. As children, the two boys  
5 accompanied their parents to Europe for long periods of time. They were able to visit with family that lives there,  
6 even today.

7           7. In 2005, Thomas met his parents in Vienna and introduced them to Bruce Cooper Clarke, former Deputy  
8 Director of the CIA. Bruce was Wolfgang's Godfather and a close personal friend of Thomas. Bruce never told  
9 them exactly who he was, but they developed a close friendship.

10           8. When Elsebeth had heart problems in 2006, Thomas was there, as a responsible son should be, to take to  
11 the doctors. Thomas had dinner with his parents at least once a week during that time. By 2008, Thomas was taking  
12 on the duty of going to the house to mow the yard. That was also the year that T.L. started to slow down he and  
13 Elsebeth's socializing pace. Elsebeth was then complaining to her friends, including Nancy Brennan, that her  
14 husband was forgetful and at times confused. Elsebeth spoke to Thomas about this and Stephen also said that he  
15 noticed the issues. Stephen said then that his dad called him Tom.

16           **9. Evidence Pointing to Financial Issues with Respondent.** T.L. was becoming forgetful in the late  
17 afternoon. Thomas was concerned about this and T.L.'s use of Ambien. Thomas and Faranak were worried for about  
18 6 months by Saturday July, 4th 2009. Thomas was at home that day, with Faranak, Wolfgang, and his friend Richard  
19 Aldag, enjoying the pleasure of coffee and Faranak's work on a new piece of music when a knock came on the door.  
20 It was T.L. and he was in a furious state. T.L. came into the house, still shaken, looked directly at Thomas and said  
21 he wanted his 100k back. Thomas was shocked. He did not borrow 100k from his father. T.L. continued rambling  
22 on, accusing Thomas of stealing his mother's jewelry. Faranak immediately said, " Pop,are you ok?" T.L. was mean  
23 to her and told Faranak to stay out of it. Thomas tried to calm his father down and explain that he did not owe the  
24 money. T.L. responded, calling Thomas, "Steve," repeatedly. T.L. left and Faranak phoned Elsebeth to see what  
25 could be going on.

26           10. Thomas picked up the other line to listen as Elsebeth explained that the Oliver jewelry, that was in the  
27 family safe was missing. She said to Faranak that this was jewelry she has spent a lifetime collecting and she was



1 despondent at losing the jewels. Thomas instructed Elsebeth to call the police, but she refused to do so in her  
2 distressed condition. T.L. showed up again to Thomas's home, the next day, Sunday, July 5th 2009, Faranak and  
3 Thomas were there with Wolfgang at about 10:30 a.m. Faranak, still in her pajamas, offered make him coffee. T.L.  
4 replied angrily, "I don't want any of your goddamn coffee!" He hadn't been mean to Faranak until these two events  
5 occurred. T.L. looked at Thomas and said, "I want my goddamn \$70,000 Steve." Thomas replied, saying that he was  
6 Tom. T.L. was even more enraged then. He was shaking and sweating and he left very upset. These new discoveries  
7 of T.L. yelling that Steve should pay him back, made Thomas realize, he better get Elsebeth to hurry up and phone  
8 the police to fingerprint the crime scene of the jewelry theft. Thomas wanted to go to the house, but Elsebeth  
9 cautioned him not to. The remarkably crazy thing was that Steve suddenly called Thomas to accuse him.

10 11. Understandably, Thomas was pretty upset with Steve and told him that their father had been fading  
11 mentally for the last 6 months. Thomas told Steve that T.L. had falsely accused him of borrowing \$70,000 from him.  
12 Steve expressed that he understood and that their father was old, but that jewelry was apparently missing.12.

13 12. Thomas responded that they needed to contact the police. Steve replied that that the jewelry was  
14 probably just misplaced and to give it a day or two. He told Thomas that he would keep an eye out on the situation.  
15 Over the next 3 months, nothing Thomas tried to do in order to calm his father down worked. By October, T.L.  
16 started to speak to Thomas again, but seemed unusually forgetful.

17 13. Thomas separated from his wife on August 2nd 2009, but kept a schedule of visitation with Wolfgang  
18 and maintained a friendly relationship with Faranak. In early March of 2010, Thomas received a phone call from his  
19 father, accusing Faranak of doing drugs. She was never a drug user. On April 28th, 2010, during a visit to see  
20 Faranak, she told Thomas she was moving out and had found a place in Los Gatos. She informed me that she had  
21 Spoken with Elsebeth and that she was cold to her. Faranak said that Elsebeth told her that Stephen and his wife  
22 were divorcing, and that Georgia, Stephen's wife, was a drug user.

23 14. On May 1<sup>st</sup> of 2010, Thomas went to his old house to pick up photographs and items in the garage  
24 before Faranak finished moving. He filled up his car at Beacon gas on a Imola Avenue, and ran into his father. T.L.  
25 started to rant about Georgia, Steve's wife, and said she was a drug addict and a thief. He hugged Thomas and told  
26 him he was a renaissance man. Thomas met his lady friend at the Chinese restaurant on Imola right after that. When  
27 he went outside to have a smoke, he saw his father, T.L., again. Oddly, T.L. walked up as if he hadn't seen Thomas

1 in years, even though they'd hugged goodbye just 15 minutes earlier. He again called Thomas a renaissance man  
2 and praised him. Thomas inquired whether T.L. might like to meet his lady friend, Julie. T.L. said he had to run.  
3 Thomas went back into the restaurant and told Julie about the strange happening, noting that it seemed his father  
4 was truly fading.

5 15. On August 21st 2010, Thomas received a phone call from Elsebeth proclaiming that a miracle had  
6 happened and the missing jewelry was found behind the safe. She said that T.L., in his mental deterioration, drama  
7 had probably misplaced the jewelry there. Thomas still didn't feel right about it. He told Elsebeth that she should  
8 have called the police to begin with and that he had been attacked repeatedly for something that he had not done.  
9 She confessed that Steve had convinced her that Thomas was guilty of the crime. Thomas tried to call and confront  
10 Steve about it, leaving a voicemail, but never got a reply.

11 16. On August 25th of 2010 Thomas received yet another strange phone call. T.L. said that he had cancer  
12 and that Steve did not want T.L. to tell Thomas about his life threatening condition! T.L. said he could not lie to  
13 Thomas and invited him to come over and discuss what happens next. Thomas saw T.L., Elsebeth, and Steve that  
14 afternoon and things were very tense between the two brothers. Thomas accused Steve of trying to hide their father's  
15 illness from him. Steve simply looked at Thomas and said, "you're no longer in charge."

16 17. Thomas had conversations with Elsebeth and Steve over the next couple days with surgeons the Queen  
17 of the Valley Hospital. The surgeons informed the three that T.L. could live a year pain free without surgery, but  
18 they recommended that he go under the knife. Steve, a PhD, but not an MD, interacted with the surgeons. Steve said  
19 that Elsebeth and Thomas should meet with him at the house and they did. Thomas argued that the surgery was too  
20 dangerous and with three different cancers, T.L., at 87 years of age, should be given a good last year and not be  
21 subjected to radical surgery. Steve responded, forcefully, that T.L. was going to have a surgery whether Thomas  
22 liked it or not. He then turned to Elsebeth and demanded an answer to whether she was backing him. Elsebeth  
23 started to stutter, her nervous habit, and Steve became aggressive, telling her she had to speak up like she promised.  
24 Elsebeth turned her face away as she said, "let's do the surgery."

25 18. T.L. underwent surgery and unbeknownst to Thomas, Steve had already picked out the Skilled Nursing  
26 Facility he was later to go to. The facility was not highly regarded, and Thomas confronted Steve about making  
27 decisions without him. Three months later, T.L. was gone. He died on November 10, 2010. The three months prior

1 to T.L.'s death were compounded by all sorts of medical complications. Thomas spent several hours each day  
2 visiting with his father and sharing deep conversations. Steve had not been around much between T.L.'s surgery and  
3 death, leaving the care and companionship of his father in the hands of Elsebeth, Thomas, Faranak, and Wolfgang.

4 19. T.L. wandering in and out of clarity and confusion was pleased with the CD player and classical music  
5 Thomas brought him. Wracked with worry, he admitted on November 5, 2010, to writing Thomas out of the will, in  
6 a rash mistake. T.L. was rushed back to the hospital with infections and thought he had only hours to live. Thomas  
7 told T.L. to get better and fix it later. T.L. said, "no," and when he was back at the hospital 2 days before he died, he  
8 ensured that Elsebeth would reinstate Thomas fully in the will in case he did not make it. T.L. was scheduled to be  
9 transferred home as of Nov 11, 2010. Elsebeth underwent drastic changes, becoming very pale and disoriented in the  
10 last days of T.L.'s life.

11 20. On the day that T.L. died, Steve and Thomas had a major blowout. Once again displaying a tendency to  
12 be aggressive and controlling, Steve told Thomas that he was now in charge and planned to take over the entire  
13 estate. Adding insult to Thomas's despair at losing his father, Steve stated on the day his dad died, that T.L. had  
14 been a horrible human being. Steve told Thomas he was disinherited and Thomas replied, "only because you stole  
15 the jewelry and blamed me." Thomas became very upset with Steve and told him, "you helped kill my father by  
16 playing God." Elsebeth came in as her sons were arguing and Thomas told Steve they would deal with it later. Steve  
17 muttered to his mother, as he left, "I told you we should have done this without him." Thomas asked his mother  
18 what Steve meant and she replied that Steve had wanted Thomas to be out of the picture from the beginning of  
19 T.L.'s diagnosis and his attempt to urge his parents to keep the news quiet. Elsebeth reassured Thomas that he had  
20 been kicked out of the will by mistake and everything would be made right. Thomas was unaware then that it was a  
21 trust and not a will. Upon visiting his mother, the next day, Thomas found that Steve had already helped himself to  
22 T.L.'s watch and coin collection, which were both promised to Wolfgang. Thomas called Steve to demand he return  
23 the objects and Steve refused saying they belonged to him now and T.L. promised them to him months ago.  
24 Faranak is a witness to T.L. repeatedly showing Wolfgang his coin collection and promising him his coin collection.  
25 Then, in late November, just a week after T.L. died, Steve ended up with T.L.'s car, despite Elsebeth offering it to  
26 Thomas right after T.L. died. Elsebeth told Thomas that his brother had never had the attention or love from T.L.  
27 that Thomas had received. Thus, she felt guilty and gave in when Steve begged her for the car.



1           21. Thomas visited Elsebeth every few days, bringing her groceries, and keeping her company. Elsebeth  
2 told Thomas that upon her death, he would get the piano. A logical decision, with Thomas being a professional  
3 pianist and Steve not being around.

4           22. On Valentine's day 2011, Thomas went to see Elsebeth to give her a card and some chocolate. He had  
5 been contacted by the Pentagon for an operation in Afghanistan. Thomas told Elsebeth that Faranak might also be  
6 going. Thomas indicated that he could not discuss details with her, but asked if Elsebeth could take care of  
7 Wolfgang for a week, if necessary. Elsebeth agreed to watch her grandson. Although Thomas cannot provide details  
8 of his assignment, both Faranak and his friend, well known movie producer, Warren Zide, were involved, and can  
9 testify to that fact. Faranak interacted with two other members of the team and was given a green light to join the  
10 operation. A week later, Elsebeth contacted Thomas, angry. She claimed that Thomas was, "making the whole thing  
11 up." Thomas was shocked and in wonder that Elsebeth did not sound like the mother he knew. Elsebeth admitted to  
12 talking with Steve, whom convinced her Thomas was crazy.

13           23. Thomas called Steve, after months without contact. Steve was cruel to Thomas, calling him a "grafter."  
14 Steve told Thomas that he told their cousins and uncle this same thing. Thomas confirmed this with their uncle later  
15 that day. In 2015, Steve ended up with Elsebeth's piano. Thomas inquired with Elsebeth why she would give away  
16 what she had promised to him and she said she was redecorating and that Steve told her Thomas said he did not  
17 want the piano. This was a falsehood from Steve and the two had hardly spoken since T.L.'s death.

18           24. Strained Relations Between Lou and Steve. In 2013, Elsebeth met a man named Lou Kaplan and she  
19 was very happy with him. Elsebeth told Thomas that Steve hated Lou. In 2015, Elsebeth informed Thomas that she  
20 had cloped with Lou in Mexico. Thomas was delighted for his mother. Elsebeth made another declaration, to both  
21 Thomas and Wolfgang, in early 2014, that Steve did not like Lou. Elsebeth told Thomas, during this period, that  
22 Steve called Lou a "grafter." Thomas replied that Steve called him that, as well.

23           25. Mid-2013, Thomas moved away from Napa and saw his mother, Elsebeth, less frequently. However,  
24 they did talk and sometimes shared emails. Lou seemed to be good for Elsebeth. The couple seemed vcrly happy.

25           26. In December 2014, Elsebeth called Thomas, upset. Seeking answers as to why, Thomas found that  
26 Steve told Elsebeth that Thomas called him and told him Elsebeth was an idiot for dating Lou. Steve also told  
27 Elsebeth that Thomas hated her book, "Bridgette's War." Thomas was confounded at Steve's slanderous comments



1 as they had not maintained contact for years. Elsebeth said, " Lou is good to me," and Thomas replied, " I am so  
2 relieved he is in your life." Elsebeth replied, "Then why are you badmouthing him to your brother?" Elsebeth then  
3 began telling Thomas that T.L. had been a manipulative, controlling man. Thomas agreed with Elsebeth that T.L.  
4 was controlling, but noted that he was always honest.

5           27. Sometime in 2015, Elsebeth called and told Thomas she had eloped with Lou in Mexico. Faranak  
6 reported that Elsebeth told her the same thing. Elsebeth called Thomas up around Thanksgiving to tell him that  
7 Steve had met her in Napa and had "blown up" at her. Elsebeth said not to tell Lou or Lou would get angry and my  
8 brother could become violent toward Lou. Elsebeth said she could never forgive herself if that occurred. Thomas  
9 was worried. In 2016, Thomas made it a point to call Elsebeth every 2-3 weeks and sharing some nice  
10 conversations. Faranak and Wolfgang also kept in touch. Since they were up in Napa more often, Faranak and  
11 Wolfgang saw Elsebeth routinely. Elsebeth formed a close bond with Thomas's son, Wolfgang.

12           **28. More Fear of Steve's Reactions.** Around Christmas 2017, Elsebeth again called Thomas, rattled. She  
13 said if Steve contacted Thomas, he should not say she is married to Lou. Thomas said, "Mom, relax." He told  
14 Elsebeth that she should write her new book and he would write some music for it. Elsebeth and Thomas agreed to  
15 make it simple. Thomas, still concerned that his mother was so shaken by Steve, asked Elsebeth if she wanted him to  
16 contact Steve, himself. She replied, "God, no."

17           **29. Elsebeth's Final Months.** On June 8th, 2018, Elsebeth drove down to Wolfgang's graduation.  
18 Elsebeth, Thomas, and Wolfgang were at Faranak's house and Thomas noticed that Elsebeth looked very frail.  
19 Elsebeth asked Thomas to step outside. Elsebeth said that she had made some terrible mistakes and she was sorry.  
20 Thomas, perplexed, asked Elsebeth what she was sorry for, and she just said, "I will fix things." Elsebeth told  
21 Thomas she was taking stock of her life and that Lou was the only man who had not intimidated her. She then  
22 added, "and you as well, Thomas. And Carl (Thomas's cousin)." Sunday, July 22nd, 2018, Elsebeth emailed  
23 Thomas to inform him she ran into Kaya Lucas, a mutual friend.

24           **30. Thomas Robbed of Goodbye by Steve.** August 16th 2018, Thomas had terrible dreams believing  
25 someone close was dying. Highly upset, Thomas called my Faranak repeatedly, worrying about she and Wolfgang.  
26 Thomas left a series of messages and received no response. Thomas also called Wolfgang and received no response.

1           31. On August 17th, 2018, Thomas received a return call from Wolfgang, whom indicated that Elsebeth  
2 had died. Wolfgang informed Thomas that Steve notified he and Faranak that Elsebeth was sick two days before and  
3 that Thomas was not to be told. Wolfgang and Faranak were able to say goodbye to Elsebeth, but Steve stole the  
4 final goodbye to their mother right away from Thomas. Like the claws of greed, Steve was controlling the estate and  
5 their family just like he'd hissed at Thomas years before. Thomas was confused as to why he would not be allowed  
6 to see his mother, Elsebeth, before she passed away when the opportunity was present. It seemed quite strange since  
7 Thomas was on good terms with Elsebeth and had just seen her on June 8<sup>th</sup>, 2018 at Wolfgang's graduation. Thomas  
8 intends to provide evidence and witness testimony that his brother placed his dying mother into a position of  
9 responding to a recorded demand to state that she did not want her son, Thomas, to be present.

10           **32. Evidence of Respondent's Greed.** Thomas will provide evidence and witness testimony to actions and  
11 statements that indicate Steve was immediately planning to take control of the estate and utilize the material gain for  
12 his personal gain, despite any harm to the grieving family members.

13           33. On Friday, August 24th, Lou held a memorial for his wife, Elsebeth. Elsebeth's friends were present.  
14 Thomas, Faranak, Wolfgang, and Max spoke at the memorial. Steve's ex-wife Georgia was there and she told  
15 Thomas that Steve had been "greedy" with her. Later, after the memorial, Thomas learned that Steve had skipped the  
16 memorial to raid the house for possessions once again. Steve sent an email to a number of Lou's children prior to the  
17 service, in which he castigated Lou to his own children (see exhibits XXX attached SPS1-2-4-5 and 7 PNG).

18           34. Lou informed Thomas that on December 14, 2018, Steve had taken a loan out from their father, T.L., in  
19 2009. The loan amount Steve took from T.L. was \$70,000, matching the amount T.L. had accused Thomas of  
20 borrowing in 2009. T.L. had refused to loan Steve money when he asked for loans in 2004, 2005, 2006, 2007, and  
21 2008. Steve was only successful in securing a loan from T.L. as he became disoriented due to his medical health  
22 dwindling and affecting his ability to think clearly. Thomas has since learned, from Lou, that Steve made 2 house  
23 payments which were applied to the loan amount.

24           35. Steve has enlisted the services of the estate attorney, whom charges 700 per hour. Mr. Kaplan informed  
25 Thomas that in the last month or so, Steve's attorney informed Thomas that Elsebeth had amended her will  
26 numerous times and each time, there was an event tied to Steve that proceeded the amendment. Steve put the utilities  
27 of the Napa home in his name, rather deal directly with Mr. Kaplan. The estate is estimated to be valued anywhere

1 between 2.7 to 3 million dollars. Elsebeth told Thomas me in 2015 that the art she collected was worth well over  
2 half a million dollars. Thomas is aware that Elsebeth had savings and other investment vehicles. Thomas was  
3 informed by the attorney of Steve that Elsebeth was unmarried, which is factually incorrect. Thomas was told to  
4 accept \$25,000 and promised not to contest the will.

5 36. Thomas has informed Lou that Elsebeth repeatedly stated that Lou could stay in the property until he  
6 dies. Elsebeth also told Thomas, on more than one occasion, she would be paying for Wolfgang's college education,  
7 and had been saving for years to do so. The day following Elsebeth's death, Wolfgang and Faranak told Thomas that  
8 within a 24-hour period, Steve had offhandedly said he could take care of some of Wolfgang's educational needs,  
9 after 4 years of college. After that was the point in which Steve bragged that he was going to get three  
10 Lamborghinis, Steve told Wolfgang and Faranak that he had total control and could do what he wanted.

11 37. The Trust documents signed indicated that she was unmarried. Further financial information, undue  
12 influe used by the Respondent, and possible fraud may be found in discovery. Elsebeth's final moments on Earth  
13 was spent in dfense of that lie. We must find out why. Thomas bclieves his mother, Elsebeth, was being influenced  
14 and was living in fear of Steve until her dying day.

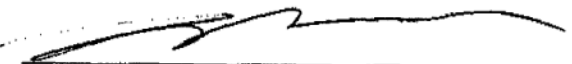
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16 **COUNT II AND III: ACCOUNTING AND TRUST INFORMATION**

17 38. Petitioner seeks a full accounting and all information pertaining to the trust, it's distributions changes and all  
18 other existing records related to its creation, alterations or executions performed under it.

19  
20 **JURISDICTION OF TRUST ACTION AND PROCEEDINGS**

21 . 39. Per California Probate Code, actions and proceedings for Trusts should take place within the Venue of the  
22 Superior Court. Jurisdiction is proper in Napa County as that is the primary place of Administration of the Trust.

23  
24  
25 Dated this 28th day of March, 2018.

26  
27   
Thomas Schoenberger, PRO SE

28 AMENDED CONTEST OF TRUST AND PETITION FOR(I) DECLATORY JUDGMENT(II) TRUST  
ACCOUNTING(III) TRUST INFORMATION - 11

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AMENDED CONTEST OF TRUST AND PETITION FOR(I) DECLATORY JUDGMENT(II) TRUST  
ACCOUNTING(III) TRUST INFORMATION - 12



**VERIFICATION**

FORM No. 2

Verification of Pleading (Code Civ. Proc., § 446)  
Declaration under Penalty of Perjury Form (Code Civ. Proc., §§ 446, 2015.5)

by Party

CASE TITLE SCHÖENBERGER VS SCHÖENBERGER

I, THOMAS SCHÖENBERGER, declare:  
(Name)

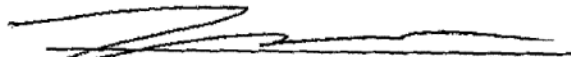
I am the PLAINTIFF in the above-entitled matter.

I have read the foregoing  
(pleading, e.g., complaint) and know the contents thereof.

The same is true of my own knowledge, except as to those matters which are  
therein stated on information and belief, and, as to those matters, I believe it to be true.

Executed on MARCH 25<sup>TH</sup>, 2018 at 2:00 PM  
LOS ANGELES County, California.

I declare (or certify) under penalty of perjury that the foregoing is true and correct.

  
(Signature of Party)

*Please see attached California Notary*

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

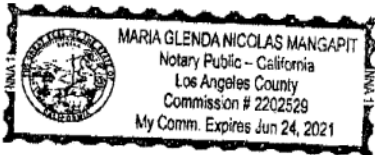
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not to the truthfulness, accuracy, or validity of that document.

State of California }  
County of Los Angeles } ss.

On March 28, 2018, before me, Maria Glenda Nicolas Mangapit Notary Public,  
personally appeared Thomas Andrew Schoenberger

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.

Maria Glenda Nicolas Mangapit

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Verification for Petition Trust and Wills

Document Date: March 28, 2019 Number of Pages: 13

Signer(s) Other Than Named Above: \_\_\_\_\_