

STATE OF MICHIGAN  
IN THE PROBATE COURT  
FOR THE COUNTY OF MARQUETTE

IN THE MATTER OF: MARY V. MARTINDALE (and JAMES L. MARTINDALE)  
Declaration of Trust, dated March 12, 1982,  
as amended May 4, 1989 and December 7, 1993

FILE NUMBER: 09-31585-TV

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**ORDER REGARDING CASE EVALUATION AND CONTINUED SUPERVISION**

This matter was before the court on January 10, 2011. The parties had submitted their respective claims to a case evaluation panel. On November 30, 2010, the panel issued a unanimous evaluation. Both parties accepted the evaluation, and checks drawn on the trust were submitted to both parties. Petitioner received \$5000, but has not negotiated the check.

Petitioner asserts that Respondent has previously received more than the amount awarded by the case evaluation panel, and has asked that the court enforce the agreement. Respondent has objected.

Before issuing a ruling, the court has directed that the parties file copies of the material presented to the case evaluation panel. Pending the receipt and review of that material:

IT IS ORDERED THAT

1.) Respondent and any successor trustee shall not pay any attorney fees, or fiduciary fees.

2.) Respondent or any successor trustee shall not make any distributions of trust income or assets.

3.) Respondent shall file an accounting for the period from the inception of the trust to November 30, 2010. The original of that accounting shall be filed by January 31, 2011, and a copy of the accounting shall be served on petitioner's attorney.

4.) Pending further proceedings, the trust will continue to be supervised until further order of the court.

DATED:

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HON. MICHAEL J. ANDEREGG      P10166  
Probate Court Judge