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**Appendix to Petition for a Writ of Certiorari and Emergency Stay
Application**

Appendix	Document
1. A	California Court of Appeal opinion, No. G066603, filed May 7, 2026
2. B	San Diego County Superior Court co-trustee removal minute order, No. 37-2008-00152252-PR-TR-CTL, August 13, 2024
3. C	California Court of Appeal order denying rehearing, No. G066603, filed May 20, 2026
4. D	Supreme Court of California order denying review, No. S296952, August 19, 2026
5. E	Pertinent portions of March 19, 2024 file-stamped co-trustee opposition in joint trust case No. 37-2008-00152252-PR-TR-CTL
6. F	Court-issued Notice of Hearing-“Petition for Removal (Trusts) , No. 37-2024-00002995-PR-TR-CTL, (Hearing Date: April 26, 2024, Dept. 502, before Judge John B. Scherling)
7. G	Court Minute Order (Dated: April 26, 2024) – Consolidating Special Needs Trust Case No. 37-2024-00002995-PR-TR-CTL with Lead Conservatorship Case No. 37-2008-00152628-PR-CP-CTL and Continuing All Pending Petitions Before Judge Olga Alvarez
8. H	Pertinent excerpt of the August 13, 2024, removal-hearing reporter’s transcript

Appendix**Document**

- 9. I** Pertinent Trust pages of the First Amendment to the Edmund and Helen Mansueto Joint Living Trust -Pertinent Provisions Specifying Successor Trustees and Mandating Joyce Mansueto's Care and Right to Residence
- 10. J** Second Amendment to the Edmund and Helen Mansueto Joint Living Trust, May 11, 2008, including the provision granting life estates to Robert Mansueto and Susan Brown.
- 11. K** San Diego County Superior Court Probate Examiner Notes, Generated September 2, 2026, for the Trust Enforcement Petition (ROA No. 421), Subsequently Continued to May 26, 2027
- 12. L** Signed Personal Declaration of Robert F. Mansueto Authenticating Photographic Exhibits of Trust Residence Interior and Exterior Physical Destruction (Photos Taken February 2026 and August 2026)

APPENDIX A

California Court of Appeal, Fourth Appellate District,
Division Three, Opinion in No. G066603
(Filed May 7, 2026)

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION THREE**

SUSAN J. BROWN, as Trustee, etc.,

Respondent,

v.

ROBERT F. MANSUETO,

Appellant.

G066603

(Super. Ct. No. 37-2008-00152252)

O P I N I O N

Appeal from an order of the Superior Court of San Diego County,
Olga Alvarez, Judge. Affirmed. Motion for sanctions. Denied. Requests for
judicial notice. Denied.

Robert F. Mansueto, in pro. per., for Appellant.

Buchalter, Robert M. Dato, Greenberg Traurig, LLP and
Catherine Swafford for Respondent.

Appellant Robert F. Mansueto (Brother) appeals from an order granting the petition of respondent Susan J. Brown (Sister) and removing him as cotrustee of their parents' trust. We conclude the trial court permissibly found Brother waived any objection to the petition by failing to file an objection and instead merely opposing an ex parte application. Accordingly, we affirm.

FACTS

The parties to this case are siblings whose parents died in 2006 and 2008. The parties settled previous litigation over their parents' trust by agreeing to serve as cotrustees of the trust and permitting Brother to live in their parents' former home with his family so long as he complied with the agreement. Brother further agreed to pay \$400,000 to Sister by January 2014, secured by the parents' former home.¹

Over the years, Brother made various payments but as the due date approached, more than half the total remained outstanding. The parties agreed to extend the time for payment to January 2019. Brother made more

¹ Brother requests we take judicial notice of the 2010 settlement agreement, the order granting entry of stipulated judgment against him and in Sister's favor, Brother's opposition to Sister's ex parte application, a notice of hearing, an April 9, 2024 minute order authorizing Sister to evict Brother and sell the property, and the order challenged by this appeal. That request is denied, as these documents are either already a part of the record on appeal or are irrelevant to the appeal. Brother also separately requests we take judicial notice of excerpts from the underlying trust and 2010 settlement agreement. That request is also denied for the same reasons we denied the first request. Brother also requests we take judicial notice of certain orders entered by the trial court after the order that is the subject of this appeal. That request is also denied, as those orders have no relevance to the dispute in this appeal. Shortly before oral argument, Brother also filed a Notice of Subsequent Developments Relevant to Pending Appeal. This document does not include a request for any sort of relief; we take no action in response to it.

payments but did not pay the full amount by the due date, at which time \$66,778.23 remained due. At that point, interest and late fees began accruing according to the terms of the agreement. By February 2024, Brother owed Sister \$111,297.04.

Sister filed a new petition seeking orders removing Brother as cotrustee of the parents' trust, authorizing Sister to evict any occupants of their parents' former home, and awarding attorney fees.

Sister filed an ex parte application seeking suspension of Brother's trustee powers in February 2024, though the application itself is not in the record. Brother opposed the ex parte, arguing his parents did not want the house to be sold, that he needed to live in the home to care for the parties' disabled sister (not a party to this case),² that the underlying settlement should be set aside, that Sister violated the settlement agreement, and that there was no emergency justifying ex parte relief. The trial court granted the application and suspended Brother's cotrustee powers.

At a May 2024 initial hearing on the petition, the trial court noted no written objections to the petition had yet been filed and warned Brother that "if he fail[ed] to serve and file a timely objection or response by 08/01/2024, the Court may deem such objection or response waived." The court continued the hearing for nearly three months.

At the August 2024 hearing, the trial court found Brother failed to file a written objection. The court told the parties it had previously set a deadline for written objections and had not received a written objection. Brother asked for a continuance, explaining he believed he had filed

² The record shows the parties' disabled sister presently lives in a managed care facility, but Brother also contended she should be moved to live in the home with him.

objections in the body of a separate petition he had previously filed against Sister, describing it as "excusable neglect" on his part. He denied understanding that there was a deadline for the filing of written objections. The trial court then placed Brother under oath and asked him why he did not file timely written objections. Brother responded that he was overwhelmed by his various responsibilities relating to the trust and the parties' disabled sister. The trial court found there was no mistake, inadvertence, surprise, or excusable neglect, and deemed the objections waived.

Accordingly, the trial court granted Sister's petition, removed Brother as cotrustee of the trust, permitted Sister to evict any remaining occupants of the parents' former home, and awarded attorney fees to Sister in an amount to be determined.

DISCUSSION

Orders removing a trustee are reviewed for abuse of discretion. (*Trolan v. Trolan* (2019) 31 Cal.App.5th 939, 957.) Regardless of the standard of review, we presume the trial court's decision is correct; it is the appellant's burden to demonstrate via an adequate record that the trial court erred. (*Jameson v. Desta* (2018) 5 Cal.5th 594, 608-609 (*Jameson*).) If the record on appeal is inadequate to evaluate the merits of an issue raised by the appellant, "the appellant defaults and the decision of the trial court should be affirmed." (*Id.* at p. 609.)

Objections to petitions in probate court are governed by Probate Code section 1043. Subdivision (b) of that section allows objections to be raised orally at the initial hearing and allows the trial court to grant a continuance for the purpose of allowing an objection to be made in writing. "If the court continues a matter to allow a written objection or response to be made, and the responding or objecting party fails to serve and file a timely

objection or response, the court may deem the objections or responses waived." (Cal. Rules of Court, rule 7.801.) That is what happened here.

We disagree with Brother's claim that he effectively objected to the petition by opposing the ex parte application. He cites no authority for this proposition and we find none. An opposition to an ex parte application in probate court is not the same as an opposition to the underlying petition, in the same way that an opposition to a request for a temporary restraining order is not a substitute for an answer to the underlying complaint. Brother's opposition is unambiguously and expressly directed to Sister's ex parte application, not to the petition.

Moreover, the timeline does not support appellant's version of events. Brother filed his opposition to the ex parte application in March 2024. The trial court informed Brother that he had not filed an objection to the petition on May 21, 2024, and set a deadline for him to do so, warning him of the consequences of failing to meet it: "the Court may deem such objection or response waived." Had Brother believed his opposition adequately objected to the petition, he could have said so at that time. The court even continued the hearing on the petition from May to August. Yet at the final hearing, Brother still did not assert his opposition was a sufficient objection, instead suggesting that his objection was contained in a separate petition he filed against Sister (a contention he has not raised before this court) and requesting a further continuance to fix this "defect," which he argued was the result of his being "overwhelmed" by responsibilities relating to the trust and

his disabled sister.³ The trial court acted well within its authority by "deem[ing] the objections or responses waived." (Cal. Rules of Court, rule 7.801.)

Briefly in the "Introduction" section of his opening brief, Brother asserts the parties' disabled sister will be adversely affected by the trial court's ruling, potentially in violation of one or more trust provisions. He neither raised this below nor supports it with a meaningful legal basis and citations to the record. (See *Jameson*, *supra*, 5 Cal.5th at p. 609.)

The only remaining issue is Sister's motion for sanctions. Sanctions for a frivolous appeal are appropriate where either "it is prosecuted for an improper motive—to harass the respondent or delay the effect of an adverse judgment—or when it indisputably has no merit—when any reasonable attorney would agree that the appeal is totally and completely without merit." (*In re Marriage of Flaherty* (1982) 31 Cal.3d 637, 650.) These two standards buttress each other; for example, "the total lack of merit of an appeal is viewed as evidence that [the] appellant must have intended it only for delay." (*Id.* at p. 649.)

Sister argues this appeal meets either standard for a frivolous appeal. She points out that Brother was expressly directed to file a proper opposition by a date certain, was warned that failure to do so might lead to the trial court granting her petition, and yet now appeals anyway. Sister also points to Brother's repeated petitions for supersedeas, all of which were

³ For the same reasons, we disagree with Brother's contention that the trial court violated either his due process rights under the Fourteenth Amendment to the United States Constitution and Article I, section 7 of the California Constitution, or Probate Code sections 15642 and 17200.

denied, as evidence of appellant's subjective intent to utilize the appellate process for the illegitimate purpose of delay.

This is a close call, but we decline to impose sanctions. We see a genuine effort by Brother to overturn the trial court's decision that confuses procedural devices but is not wholly unreasonable. Similarly, any inference of delay from Brother's repeated supersedeas petitions is rebutted by his motion for calendar preference—a request to *speed up* this proceeding.

DISPOSITION

The trial court's order is affirmed.

Respondent shall recover her costs on appeal.

SCOTT, J.

WE CONCUR:

SANCHEZ, ACTING P. J.

GOODING, J.

APPENDIX B

San Diego Superior Court

In re the Edmund and Helen Mansueto Joint Living Trust

Case No. 37-2008-00152252-PR-TR-CTL

Co-Trustee Removal Minute Order

August 13, 2024

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL

MINUTE ORDER

DATE: 08/13/2024

TIME: 9:00 AM

DEPT: 503

JUDICIAL OFFICER: Olga Alvarez

CLERK: Bianca Leon-Alvarez

REPORTER/ERM: Amanda Valenzuela;
14196

BAILIFF/COURT ATTENDANT:

CASE NO: 37-2008-00152252-PR-TR-CTL CASE INIT DATE: 09/25/2008

CASE TITLE: In re the Edmund Mansueto and Helen Mansueto Joint Living Trust, dated August 31,
1999, as amended [IMAGED]

CASE CATEGORY: Probate

CASE TYPE: Trust Proceedings

HEARING TYPE: Miscellaneous Hearing

MOVING PARTY: Robert Frank Mansueto

APPEARANCES

Attorney Catherine Swafford appearing in person on behalf of Objector, Susan Brown, present via
video.

Robert Mansueto, self represented Petitioner, present in person.

Clerk's note: The Court takes ROA#144 off calendar upon all parties agreeing to the request by
Mr. Masueto to take matter off calendar.

ROA#144 Petition to Compel Co-Trustee to Transfer Property to Beneficiaries in Order to Finalize
Payment Per Prior Court Order, Distribute Sole Trust Asset to Remainder Beneficiaries filed by Robert
Frank Masueto on 09/11/2023 is off calendar.

IT IS SO ORDERED.

Olga Alvarez

Judge Olga Alvarez

CASE TITLE: In re the Edmund Mansueto and Helen
Mansueto Joint Living Trust, dated August 31, 1999, as
amended [IMAGED]

CASE NO: 37-2008-00152252-PR-TR-CTL

-
4. Robert Mansueto is removed as co-trustee of the Edmund Mansueto and Helen Mansueto Joint Living Trust, dated August 31, 1991.
 5. Susan Brown, as trustee of the Edmund Mansueto and Helen Mansueto Joint Living Trust, dated August 31, 1991, may take all steps necessary to effectuate an unlawful detainer or eviction of occupants of the real property of the Trust, including specifically the real property located at 57 Tunapuna Lane, Coronado, California 92118, as part of the Court's prior order that Susan Brown be permitted to sell the real property;
 6. Susan Brown is awarded attorneys' fees and costs against Robert Mansueto, individually, in an amount to be determined by the Court
 7. Alternatively, Susan Brown is awarded attorneys' fees and costs from the Edmund Mansueto and Helen Mansueto Joint Living Trust, dated August 31, 1991, in an amount to be determined by the Court.

IT IS SO ORDERED.

Olga Alvarez

Judge Olga Alvarez

APPENDIX C

California Court of Appeal

Fourth Appellate District, Division Three

Brown v. Mansueto, No. G066603

Order Denying Rehearing

Filed May 20, 2026

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

SUSAN J. BROWN, as Trustee, etc.,

Respondent,

v.

ROBERT F. MANSUETO,

Appellant.

G066603

(Super. Ct. No. 37-2008-00152252)

ORDER DENYING PETITION
FOR REHEARING

The petition for rehearing is DENIED.

SCOTT, J.

WE CONCUR:

SANCHEZ, ACTING P. J.

GOODING, J.

APPENDIX D

Supreme Court of California order denying review,
No. S296952, August 19, 2026

Court of Appeal, Fourth Appellate District, Division Three - No. G066603

S296952

IN THE SUPREME COURT OF CALIFORNIA

En Banc

SUSAN J. BROWN, as Trustee, etc., Respondent,

v.

ROBERT F. MANSUETO, Appellant.

SUPREME COURT
FILED

AUG 19 2026

Jorge Navarrete Clerk

Deputy

The petition for review is denied.

GUERRERO

Chief Justice

Appellate Courts Case Information

Supreme Court

Change court



Case Summary

Docket

Briefs

Disposition

Parties and Attorneys

Lower Court

Disposition

BROWN v. MANSUETO

Division SF

Case Number S296952

Only the following dispositions are displayed below: Orders Denying Petitions, Orders Granting Rehearing and Opinions. Go to the Docket Entries screen for information regarding orders granting review.

Case Citation: none

Date	Description
08/19/2026	Petition for review denied

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California

APPENDIX E

Pertinent Portions of Filed Stamped

March 19, 2024, Opposition to Trustee Removal

1 ROBERT F MANSUETO
2 57 TUNAPUNA LANE
3 CORONADO, CA 92118
4 T: 619) 884-5352
5 E-Mail: robertfmansueto@gmail.com

FILED
Clerk of the Superior Court.

MAR 19 2024

By: A. Arellano-Bell

In Pro Per

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

In the Matter of

EDMUND MANSUETO AND HELEN
MANSUETO JOINT LIVING TRUST

Case # 37-2008-00152252-PR-TR-CTL
ASSIGNED FOR AL PURPOSES
HON. OLGA ALVAREZ
DEPT. 502

CO-TRUSTEE ROBERT MANSUETO
OPPOSITIN TO EX PARTE APPLICATION
FOR REMOVAL AS CO TRUSTEE

Judge: Hon. Olga Alvarez
Dept: 503
Date: April 9, 2024
Time: 10:30 a.m.

TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

Plaintiff ROBERT F. MANSUETO ("Plaintiff") submits this opposition to the Ex Parte Application ("Application" or "Ap") of Defendants Susan J Brown that was scheduled a full month in advance, for a mere few weeks before a Case Management conference set by Judge Alvarez over two months ago for May 6, 2024.

There are a myriad of issues now before two judges, with previously concealed evidence that resurfaced that include the firm desires of Trustor Helen Mansueto stated in Amendment dated May 11, 2008 and video of session with her Attorney Robert Plumb of signing of said Amendment stating her firm wishes that her home not be sold and that it stay in the family, that was concealed from this court by Defendant, which is now before Judge Alvarez requesting Instructions on concealed Amendment by Helen Mansueto on May 11, 2008, (EXHIBIT 1) with video recording at direction of

1 Attorney Robert Plumb (EXHIBIT 2) attached flash drive, with Helen Mansueto) is critical
2 evidence as to the validity of previously obtained settlement agreement obtained under false
3 pretense at a minimum, and possibly fraudulent concealment, depending on a ruling and
4 guidance requested in a Petition before Honorable Judge Alvarez currently (set for hearing on
5 May 21, 2024). Transcription of Helen Mansueto's video is attached
6 (EXHIBIT 3). The court can hear from Helen Mansueto herself, her wishes and desires reviewed
7 in advance with Attorney Plumb and stated in Amendment dated May 11, 2008. Also on same
8 flash drive is disabled sister Joyce Mansueto video testimony.

9 Attached recent video testimony by disabled sister Joyce Mansueto (also on EXHIBIT 2 flash
10 drive) and Transcription of same (EXHIBIT 4) states in her own words, how Defendant has
11 ignored her disabled sister and forced her to stay in undesirable situations and also states her
12 desire to move back home, which was the desire of Grantors Helen and Edmund Mansueto, as
13 would any parent for their child. The moaning of a critically ill patient 4 feet away from
14 disabled sister on the other side of a curtain can be heard through Joyce Mansueto's video
15 testimony, demonstrating how inappropriate it is for Joyce Mansueto, a moderately mentally
16 disabled person, to be forced to stay in these types of facilities, when she belongs at the family
17 home with a caring family member, who has looked after her since 1976.

18 This second critical issues before Judge Scherling that is inextricably linked to our parents
19 Family Trust, are the clear and firm desires of grantors to provide long term residence and
20 care for disabled sister Joyce Mansueto, daughter of Helen and Edmund Mansueto, that is the
21 topic of Special Needs Trust Petition before Honorable Judge John Scherling with a hearing
22 scheduled on 4/26/24 (EXHIBIT 5).

23 Defendant further attempted to extort Plaintiff via email on Christmas Eve morning
24 (EXHIBIT 6) with further action by California Dental Board Personnel if he filed a
25 Special Need Trust Petition when she learned that a petition was being prepared. This
26 information and extortion attempt is also before Judge Scherling.

27 Defendant characterizes the need to properly look after disabled sister as "Frivolous Filing"
28 when in fact it was prompted by repeated cruelty and indifference by Defendant, towards
disabled sister in what appears to be her desire to control finances allocated to this Trust.
Petition before Judge Scherling requests immediate removal of Susan Brown as sole conservator
and Trustee, and requests a court appointed receiver and interim conservator to assess assets of
Special Needs Trusts, order an audit of assets, income and expenses of Special Need Trust,
concealed from any outside party to date, and request to move disabled sister to family home
which is in her best interest as soon as possible, versus her being forced by Defendant to be
warehoused in various inappropriate facilities that has been downright cruel, when the family
home is where her long term wellbeing would best be served, with her brother (Plaintiff) and a
caretaker assisting, which was her parents' wishes stated to him over the years. Online

1 reviews of last Skilled nursing facility disabled sister was forced to stay in by Defendant for
2 many months in Lemon Grove, has horrible reviews online (EXHIBIT 7) that Plaintiff agrees
3 with, yet disabled sister was forced to stay there for prolong time by Defendant without any
4 medical necessity, with Defendant stating that Insurance pays for it", so "Don't Call me
5 anymore" I'm blocking your calls...I'll let you know if I need your help".

6 Plaintiff, a dental surgeon and reconstructive dentist of over 40 years. Former Naval Officer
7 (Dentist) , honorably discharged (EXHIBIT 8) extremely fluent in pharmacology and medicine,
8 in practice with Medical doctors in Tijuana, where he is a licensed dental surgeon for many
9 years (EXHIBIT 9) after a 30 year career in California including as a dentist in the U.S. Navy,
10 yet he has been precluded from interacting with disabled sisters medical doctors who change
11 often, as "he is not her conservator

12 Any new medical provider cannot possibly ascertain 50 plus years of complex medical history,
13 past drug toxicity issues and syndromes, in a short interview of a moderately schizophrenic
14 individual such as Joyce Mansueto, who gets along with and cooperates well with her brother
15 (Plaintiff), who both desire she move back into the family home with him. And a caretaker,
16 likely the same person, Patty Ramirez seen in video who looked after Helen and Edmund
17 Mansueto for many years.)

18 Defendant also obtained Trusteeship and conservatorship in a dubious manner (as Plaintiff
19 was previously named as disabled Sisters trustee (EXHIBIT 10): Certification page of Special
20 Needs Trust and EIN # from the IRS) naming Plaintiff, Robert Mansueto, as Joyce
21 Mansueto's Trustee months before Defendant somehow assumed this position without
22 Plaintiff's knowledge or consent. Plaintiff had looked after his disabled sister since 1976, a
23 block away from her and his parents, whereas Defendant is 500 miles away, has no medical or
24 pharmacology background nor ability to provide medical providers with the complex medical
25 and prescription drug history, including toxicity and undesirable syndromes induced from
26 certain medications, yet she continues to direct the needs of disabled sister from 500 miles
27 away, without seeing nor being present, which has caused unnecessary emotional and physical
28 harm to disabled sister, to remain in control of funds coming in Special Needs trust our
Fathers U.S. Retirement Survivor Benefits and Social Security Disability income.

Plaintiff has tried to ameliorate terrible circumstances thrust upon his disabled sister by
Defendant from 500 miles away, only to have his efforts and communications blocked by
Defendant who makes decisions not based on what best serves disabled sisters needs and
wellfare, but rather to retain and embellish Defendant's financial control of Trust assets, that to
date have been concealed. Defendant Susan Brown, is the same person that did not even attend
her own Fathers funeral nor visit her own mother in her
last few months of life. For any rational person to believe that Defendant who rarely visits her
disabled sister, somehow cares about her the best welfare for her disabled sister or does what is
in her best interest, is just not believable.

1 Based on information and belief, Defendant worked with Dental Board Enforcement
2 Personnel in 2016, at a time when Plaintiffs wife was in critical condition which she did in fact
3 pass away from in August 2016, to assist in causing Plaintiff to be arrested for driving patients
4 to Mexico for dental care, being charged with unlawful practice in California when dental care
5 was provided in Mexico, where Plaintiff has been legal since 2010.

6 Defendant had previously filed complaint against Plaintiff (her brother) with California
7 dental Board (5 years after he left practice in California) without having any capacity as she
8 was never a patient of his. Defendant worked in State Government in Sacramento her entire
9 working career and contributed to charges being sought against her brother from Dental
10 Board enforcement personnel in Sacramento, to encourage he be arrested and jailed for
11 providing dental services in Mexico, because he drove patients from San Diego to Tijuana
12 and back. She was successful with this endeavor.

13 The malice and deceit of Defendant towards all other family members, including her own
14 brother, (Plaintiff) her disregard for her own parents, and disabled sister are truly deplorable.
15 Plaintiff did in fact share his incarceration at the hands of the California Dental Board with
16 this court, for driving patients to and from Mexico, but treaded lightly on Defendants
17 involvement. Defendants attempt to inflict any possible harm, apparently to facilitate her long
18 standing desire to sell her parents' home by any means, and gain unconscionable undue
19 enrichment.

20 Plaintiff had just unexpectedly lost his wife in 2016, a mere few years after the suicide of his
21 first son Bobby Jr, and was psychologically compromised and heavily medicated at the time
22 when he was talked into pleading to something her was not guilty of, in 2018, with a promise
23 by counsel of "no time would likely be given" which was patently false.

24 There is no emergency here in this Petition. There is no declaration of good cause, and no
25 potential irreparable harm to Defendant, no immediate danger, nor any statutory basis for
26 granting ex parte relief of the myriad of complex matters presented by Defendant now before
27 two judges in San Diego Probate Court. New evidence presented to the court in April 2024,
28 just prior to this current ex parte application, should very likely invalidate the prior
settlement agreement made in 2010 in its entirety and cause all payments made by Plaintiff
(\$333,222 paid in good faith out of \$400,000 thought to be owed) to be returned at a minimum,
as they were obtained by settlement obtained under false pretenses and at a minimum.

The Special Needs trust Petition before Honorable Judge Scherling is inextricably linked
to the parent Trust proceeding as Grantor's intended disabled sister to, always be
cared for by Special Needs Sub Trust and by her brother, with the family home always to be
there for her as well to live in. Defendant does not want the truth exposed, so submitting a
250-(two hundred fifty) pages of mostly irrelevant material to the court to review for an ex
parte hearing appears to be an attempt to short circuit and quickly end

1 this dispute in favor of Defendant for her own financial gain. Granting such relief at an ex
2 parte hearing that would completely ignore and take away wishes of Trust Grantor Helen
3 Mansueto, while also taking away all beneficial interest of all other family members involved,
4 (including a 74 year old moderately disabled sister for which trust property was always
5 intended by Grantors to be a safe haven for her (as well as all other family members including
6 grandchildren, who lived with both their grandparents for a couple years and moved in as a
7 family with their grandmother for several years after their Grandfather passed away)
8 Disabled sister could not directly named as beneficiary other than via Special Needs trust.

9 Further to above, if prior settlement agreement was valid, Defendants' non-cooperation with
10 court ordered bank financing from 2010 by simple assumption of credit line in place of
11 residence was available from existing Bank of America Credit Line in place
12 (EXHIBIT 11) but Defendant refused co-operation from 2010 to present with any "signing of
13 any papers" as ordered by this court to be used for 50% of settlement in 2010, until "I am paid
14 in full". It now appears that nothing was rightfully owed her at all.

15 A more recent loan approval from a private finance company for up to \$150,000 was provided
16 to defendants counsel in December 2023, (EXHIBIT 12) along with verbal offer to settle, which
17 was ignored and not responded to by defendants counsel. An approximate \$67,000 was thought
18 to be owed, with \$110,000 at maximum but for Defendants long standing breach which
19 prompted initial petition. A full price, all cash offer was presented to Defendants Counsel in
20 letter dated 02/02/2024, in an effort to keep peace in the family, and not responded to
21 (EXHIBIT 13). All attempts to get co-operation on financing were blocked by Defendant from
22 2010 to present. Multiple offers including multiple full price all cash offers were made and
23 either refused or not responded to by Defendant or her counsel, in a long standing pattern of
24 bad faith and malice.

25 The facts and circumstances surrounding this dispute have not yet been heard nor seen by
26 Judge Alvarez, and the entire landscape has now changed since the reappearance of concealed
27 Amendment by Helen Mansueto executed on May 11, 2008 that include video of this session
28 with her attorney Robert Plumb who is also willing to testify before the court, as to the validity
of Helen Mansueto's wishes and her competent state of mind at the time.

Defendants ex parte Application must be also denied because it is procedurally
improper. The California Rules of Court, rule 3.1202 (c) requires an ex parte applicant to file a
declaration showing good cause for ex parte relief, and Defendant has failed to provide one.
The declaration of Susan Brown filed in support of their Application is full
of misstatements and fails to acknowledge that Defendant has been in constant breach of
Settlement agreement that in and of itself, was obtained under false pretenses and or
concealment (possibly fraudulent concealment) that Plaintiff made payments totaling
approximately 90-% (ninety percent) of settlement agreement now in doubt, without any
cooperation from Defendant with any Bank financing and "signing of any needed

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Verification:

I declare under penalty of perjury under the laws of the State of California, that the above submission in opposition to Ex Parte Application is true and correct to the best of my ability.

Signed this 18th day of March, 2024


Robert F. Mansueto, In Pro Per

APPENDIX F

Court-issued Notice of Hearing-“Petition for Removal (Trusts),
Case No. 37-2024-00002995-PR-TR-CTL, (Hearing Date:
April 26, 2024, Dept. 502, before Judge John B. Scherling)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO	
STREET ADDRESS: 1100 Union St.	
MAILING ADDRESS: 1100 Union St.	
CITY AND ZIP CODE: San Diego, CA 92101	
BRANCH NAME: Central	
TELEPHONE NUMBER: (619) 844-2052	
PLAINTIFF(S)/PETITIONER(S)/APPELLANT(S): Robert Frank Mansueto	
DEFENDANT(S)/RESPONDENT(S):	
In re the Trust of: In The Matter of The Joyce Mansueto Special Needs Living Trust [IMAGED]	
NOTICE OF HEARING	CASE NUMBER: 37-2024-00002995-PR-TR-CTL

Notice is given that the above-entitled case has been set for the reason listed below and at the location shown above. All inquiries regarding this notice should be referred to the court listed above.

TYPE OF HEARING

Petition for Removal (Trusts)

DATE

04/26/2024

TIME

09:00 am

DEPT

502

JUDGE

John B Scherling

Court appearances may be made either in person or virtually, unless otherwise ordered by the Court. Virtual appearances must be made using the department's Microsoft Teams ("MS Teams") video link; or by calling the department's MS Teams conference phone number and using the assigned conference ID number. The MS Teams video conference links and phone numbers can be found at www.sdcourt.ca.gov/ProbateHearings.

ROA#1-Petition for Removal of Trustee filed by Mansueto, Robert Frank on 01/24/2024

APPENDIX G

Pertinent minute order of Judge John B. Scherling

In related proceeding,

Dated April 26, 2024

Preview Document

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL

MINUTE ORDER

DATE: 04/26/2024

TIME: 9:00 AM

DEPT: 502

JUDICIAL OFFICER: John B. Scherling

CLERK: Lorena Alvarez

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT:

CASE NO: 37-2024-00002995-PR-TR-CTL CASE INIT DATE: 01/24/2024

CASE TITLE: In The Matter of The Joyce Mansueto Special Needs Living Trust [IMAGED]

CASE CATEGORY: Probate

CASE TYPE: Trust Proceedings

HEARING TYPE: Petition for Removal

MOVING PARTY: Robert Frank Mansueto

APPEARANCES

Robert Frank Mansueto, self represented Petitioner, present in person.

Attorney Courtney Bravo appearing in person on behalf of Objector, Susan Brown, present in person.

ROA#1 - PETITION FOR REMOVAL OF SUSAN BROWN AS TRUSTEE OF THE JOYCE MANSUETO SPECIAL NEEDS TRUST, AN ACCOUNTING, AND APPOINTMENT OF RECEIVER OR TEMPORARY TRUSTEE Filed: 01/24/2024 is continued pursuant to party's motion to 7/30/2024 at 09:00 AM before Judge Alvarez, Olga.

The Court orders as follows:

1. The Court orders the following cases consolidated for all purposes:

37-2008-00152628-PR-CP-CTL (Conservatorship of Joyce L. Mansueto) and 37-2024-00002995-PR-TR-CTL (The Matter of The Joyce Mansueto Special Needs Living Trust). The Court designates 37-2008-00152628-PR-CP-CTL (Conservatorship of Joyce L. Mansueto) as the lead case and all further documents must be filed under the case number and caption of the lead case.

IT IS SO ORDERED.

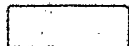
John B. Scherling

Judge John B. Scherling

DATE: 04/26/2024

MINUTE ORDER

Page 1



APPENDIX H

Pertinent excerpt of the August 13, 2024, removal-hearing
Reporter's Transcript

DISTRICT COURT OF APPEALS OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

DEPARTMENT 503 HON. OLGA ALVAREZ, JUDGE
SUSAN J. BROWN, as Trustee, etc.,)
Respondent.)
v.) CASE No. 37-2008
) 00152252-PR-TR-CTL
ROBERT F. MANSUETO,) COA No. D085004
Appellant.)

REPORTER'S APPEAL TRANSCRIPT
AUGUST 13, 2024
VOLUME 1 of 1

PAGES 1 THROUGH 24
so that way Ms. Brown can hear you.

Is there anyone else on Microsoft Teams present
for this matter, other than Ms. Brown?

All right. So let's see where we are. I have
a few notes to myself on this. So it looks like -- I'm
going to go through it a bit methodically because I've
got three petitions before me.

I've got ROA 201; it looks like there was an
objection deadline. I did not receive that objection
deadline by you, Mr. Mansueto. ~~It doesn't~~ have it. The
Court's inclination this morning on ROA 201 is to grant,
just given where that is.

The next matter before the Court is ROA 144,

55

APPENDIX I

Excerpts of the First Amendment to the Edmund and Helen
Mansueto Joint Living Trust –
Provisions Specifying Successor Trustees and Mandating Joyce
Mansueto's Care and Right to Residence

EXHIBIT I

**OCTOBER 30, 2003, RESTATEMENT AND
AMENDMENT OF**

**The Edmund Mansueto and Helen Mansueto
Joint Living Trust Dated August 31, 1999**

RESTATEMENT AND AMENDMENT OF INTER VIVOS REVOCABLE TRUST

029

NAMES OF SETTLORS: EDMUND MANSUETO AND HELEN MANSUETO

DATE TRUST RESTATEMENT SIGNED: OCTOBER 30, 2003

NAME OF TRUST: EDMUND MANSUETO AND HELEN MANSUETO JOINT LIVING TRUST, dated August 31, 1999

NAMES OF INITIAL TRUSTEES: EDMUND MANSUETO and HELEN MANSUETO

NAMES OF SUCCESSOR TRUSTEES: SEE "ARTICLE SIXTH"

PLEASE READ, IMPORTANT INFORMATION:

It is important to remember that assets will not be distributed according to this trust unless the assets are transferred into the trust. Therefore, do not forget to have the title to all of your assets in the name of the trust. At the time you acquire another asset be sure to title it in the name of the trust. The title of your assets transferred into the trust should have the following name:

"EDMUND MANSUETO AND HELEN MANSUETO AS TRUSTEES OF EDMUND MANSUETO AND HELEN MANSUETO JOINT LIVING TRUST, dated August 31, 1999"

During the life times of the Trustors (if the Trustor is also the Trustee) there is no requirement for the trust to obtain a special tax identification number. Also, the trust does not have to file a separate income tax return during the lifetime of the Trustor. DO NOT WRITE ON OR CHANGE THIS TRUST AGREEMENT WITHOUT THE HELP OF AN ATTORNEY.

Should you sign a document transferring the assets of the trust, such as a check, deed or other document it must be signed as follows:

"EDMUND MANSUETO AND HELEN MANSUETO AS TRUSTEES OF EDMUND MANSUETO AND HELEN MANSUETO JOINT LIVING TRUST, dated August 31, 1999"

This trust was prepared by:

SECKELMAN & ASSOCIATES
ATTORNEYS AT LAW
5190 GOVERNOR DRIVE, SUITE 208
SAN DIEGO, CALIFORNIA 92122-2849
Telephone: (858) 535-1879
E-mail: jb.legal@irsflaw.org

THIS PAGE IS NOT A PART OF THE TRUST

either Susan Brown
- or -

Alfredo my interest
Why needed?

041

appraise the settlors' residence. The parties may, if so inclined, agree in writing upon the fair market value to be used for the house without an appraisal. Once fair market value is determined, by appraisal or written agreement, ROBERT MANSUETO shall have the opportunity to purchase the interest in the settlors' residence which would otherwise be distributed to SUSAN BROWN under the terms of this trust, taking into account, if the residence is the principal trust asset, that portion which will be required to support JOYCE MANSUETO. Such purchase by ROBERT MANSUETO may be through a sub-trust or another separate trust specially created for this purpose, with the residence remaining inside the trust or sub-trust so created. Should ROBERT MANSUETO exercise any right of disclaimer of interest in the trust or sub-trust the interest so disclaimed shall be distributed to the children of ROBERT MANSUETO according to the terms of this trust.

What if
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disagrees
on
Sale of
the
property

SIXTH: The following provisions shall apply to the trust estate and to each trust under this agreement:

SECTION 1: If income or discretionary amounts of principal become payable to a minor or to a person under legal disability or to a person who, by reason of illness or mental or physical disability, is in the opinion of the trustee unable properly to manage his or her affairs, then that income or principal shall be paid or expended only in such of the following ways as the trustee deems best: (a) directly to the beneficiary or his or her attorney in fact; (b) to the legally appointed guardian or conservator of the beneficiary; (c) to a custodian for the beneficiary under a Uniform Transfers or Gifts to Minors Act; (d) by the trustee directly for the benefit of the beneficiary; (e) to an adult relative or friend in reimbursement for amounts properly advanced for the benefit of the beneficiary.

SECTION 2: The interests of beneficiaries in principal or income shall not be subject to the claims of any creditor, any spouse for alimony or support, or others, or to legal process, and may not be voluntarily or involuntarily alienated or encumbered. This provision shall not limit the exercise of any power of appointment.

The rights of beneficiaries to withdraw trust property are personal and may not be exercised by a guardian, conservator, attorney in fact or others.

SECTION 3: Income received after the last income payment date and undistributed at the termination of any estate or interest shall, together with any accrued income, be paid by the trustee as income to the persons entitled to the next successive interest in the proportions in which they take that interest, except that upon the death of the deceased settlor the

What about
disclaimers
Robert owns
or
property?

\$140,000

What if
Mom is
- Dad is
- intent

substantially impair accomplishment of the purposes of the trust. The trustee shall terminate and forthwith distribute any trust created hereby, or by exercise of a power of appointment hereunder, and still held 21 years after the death of the last to die of the settlors and the beneficiaries in being at the death of the deceased settlor. Distribution under this section shall be made to the persons then entitled to receive or have the benefit of the income from the trust in the proportions in which they are entitled thereto, or if their interests are indefinite, then in equal shares.

SECTION 10: Any trustee may resign at any time by written notice to the settlors during their joint lifetime and thereafter to each beneficiary then entitled to receive or have the benefit of the income from the trust.

In the event one settlor should become unwilling or unable to act as trustee, the remaining settlor may act as sole trustee, without any further action required on his or her part, with all the powers given the originally named trustees.

In the event both settlors should become unwilling or unable to act as trustees, the following named individuals shall become trustees, with all the powers given the originally named trustees, in the order hereinafter, as follows: ✓

First Successor Trustee: ROBERT MANSUETO

Second Successor Trustee: SUSAN BROWN

In case of the resignation, refusal or inability to act of any successor trustee acting or appointed to act hereunder, the settlors during their joint lifetime and thereafter the beneficiary or a majority in interest of the beneficiaries then entitled to receive or have the benefit of the income from the trust shall appoint as successor trustee a bank or trust company qualified to accept trusts.

Every successor trustee shall have all the powers given an originally named trustee. No successor trustee shall be personally liable for any act or omission of any predecessor. With the approval of the settlors during their joint lifetime and thereafter of the beneficiary or a majority in interest of the beneficiaries then entitled to receive or have the benefit of the income from the trust, a successor trustee may accept the account rendered and the property received as a full and complete discharge to a predecessor trustee without incurring any liability for so doing, except that a successor to a settlor as trustee shall without approval accept the assets delivered to the successor trustee as constituting all of the property to which

respect to any part or all of his or her separate property.

(c) The settlors, acting jointly, may amend this agreement in whole or in part.

After the death of the first to die of the settlors, this agreement shall not be subject to amendment or revocation, except that the surviving settlor may amend or revoke the Survivor's Trust in whole or in part during his or her lifetime.

This agreement may be amended or revoked only by instrument in writing (other than a will) delivered to the trustee. The trust property to which any revocation relates shall be conveyed to the settlors and each of them in accordance with their ownership thereof. The power to amend or revoke is personal to a settlor and may not be exercised by his or her conservator, attorney in fact or others.

IN WITNESS WHEREOF EDMUND J. MANSUETO and HELEN MANSUETO, husband and wife, individually as settlors, and EDMUND J. MANSUETO and HELEN MANSUETO, as trustees of the EDMUND MANSUETO AND HELEN MANSUETO JOINT LIVING TRUST, dated August 31, 1999, have signed this restatement of the trust agreement on October 30, 2003.

Edmund J. Mansueto
EDMUND J. MANSUETO, individually as Settlor

Edmund J. Mansueto
EDMUND J. MANSUETO, as Trustee of
the EDMUND MANSUETO AND HELEN MANSUETO JOINT LIVING TRUST

Helen Mansueto
HELEN MANSUETO, individually as Settlor

Helen Mansueto
HELEN MANSUETO, as Trustee of
the EDMUND MANSUETO AND HELEN MANSUETO JOINT LIVING TRUST

The foregoing instrument, consisting of 26 pages (including this page, the notary page, and the pages of the schedules), was signed, published and declared by the Settlers to be their Restated Trust Agreement in our presence and in the presence of each other and we, at the Settlers' request and in the Settlers' presence and in the presence of each other, have hereunto subscribed our hands as witnesses on October 30, 2003, at San Diego, California.

[Signature]
J. D. [Signature]
 Printed Name

5190 Governor Drive, Suite 208
 San Diego, California 92122

[Signature]
Susan DePriest
 Printed Name

5190 Governor Drive, Suite 208
 San Diego, California 92122

[Signature]
Helen Mansueto
 Printed Name

5190 Governor Drive, Suite 208
 San Diego, California 92122

Oct. 20, 2003

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

STATE OF CALIFORNIA
 COUNTY OF SAN DIEGO

On October 30, 2003, before me,

Susan DePriest, a Notary Public, personally appeared EDMUND J. MANSUETO and HELEN MANSUETO, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public: [Signature]



APPENDIX J

Second Amendment to the Edmund and Helen Mansueto Joint
Living Trust, Dated May 11, 2008, Including the provision
granting Life Estates to Robert Mansueto and Susan Brown

EXHIBIT II

**AMENDMENT NO. 2
OF THE RESTATED EDMUND MANSUETO AND HELEN
MANSUETO JOINT LIVING TRUST DATED AUGUST 31, 1999**

Pursuant to the rights reserved by and to the Settlor under the terms of ARTICLE IX of the EDMUND MANSUETO AND HELEN MANSUETO JOINT LIVING TRUST, dated August 31, 1999, surviving Settlor HELEN MANSUETO amend the Trust, and First Amendment of the Restated Edmund Mansueto and Helen Mansueto Joint Living Trust dated May 7, 2004, as follows:

FOURTH: SECTION 4: Shall be terminated and replaced by the following:

Upon the death of the surviving settlor, Helen Mansueto, this Declaration shall be irrevocable, and the Trust Estate shall be held, administered and distributed as follows:

A. Any property of the trust estate, except the real property commonly know as 57 Tunapuna Lane, City of Coronado, County of San Diego, State of California and any furnishing and furniture therein, shall be divided equally between my children, Robert Mansueto and Susan Mansueto Brown, without any trust.

B. If the real property commonly known as 57 Tunapuna Lane, City of Coronado, County of San Diego, State of California, is part of the estate at the time of the Settlor's death, along with any furnishing and furniture therein, is to be held in trust for the settlor's children, Robert and Susan, and grandchildren under the following terms:

1) The Settlor's children, ROBERT MANSUETO and SUSAN MANSUETO BROWN, shall receive a life estate in the property.

2) Either Robert or Susan or both may reside in the property during their life. Who ever resides in the property, shall pay all costs of the property, which includes any mortgage(s), property taxes, insurance or other expenses as the trustee(s) may require.

3) If neither of my children wish to or do not reside in the property, the trustee(s) may rent the property or allow any of my grandchildren to reside in the property. Any Rental income shall be used to cover all expenses, including taxes. Additionally, the trustees shall establish a reserve fund for maintenance on the property. If, in the opinion of trustee(s) there is sufficient reserve, any excess rental income shall be used to reimburse any child or grandchild that contributed to the preservation of the real property as described herein.

AMENDMENT NO. 2
OF THE RESTATED EDMUND MANSUETO AND
HELEN MANSUETO JOINT LIVING TRUST DATED AUGUST 31, 1999

H
P.R.
[Signature]

4) Any payments by either of my children or any grandchild, for costs of maintenance, mortgage or other expenses, when they are not residing in the property at any time during that calendar year, shall be refunded to them, if and when the property is sold or there is excess funds from rental income.

5) After the death of both Robert and Susan, my grandchildren that survive them shall have the right to reside in the property, as agreed between all of the surviving grandchildren under the same terms as Children in section B. 2) above. Upon the death of all the grandchildren, the property shall be sold and the proceeds divided equally to the issue of my grandchildren, by right of representation.

6) If after the Death of my children, Robert and Susan, no grandchildren wish to reside in the property, either full time or part time, the trustees may sell the property and divide the proceeds as stated herein.

In all other aspects I reconfirm the EDMUND MANSUETO AND HELEN MANSUETO JOINT LIVING TRUST, dated August 31, 1999, and all amendments thereto.

Dated: May 11, 2008

HELEN MANSUETO, Trustee and Trustor of the
EDMUND MANSUETO AND HELEN MANSUETO JOINT
LIVING TRUST, dated August 31, 1999

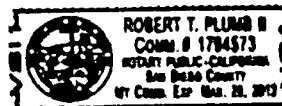
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS

On May 11, 2008, before me Robert T. Plumb, II, notary public, personally appeared HELEN MANSUETO who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person 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.

AMENDMENT NO. 2
OF THE RESTATED EDMUND MANSUETO AND
HELEN MANSUETO JOINT LIVING TRUST DATED AUGUST 31, 1999



APPENDIX K

San Diego Superior Court Probate Examiner Notes, Generated
September 2, 2026, for the Trust Enforcement Petition (ROA No.
421), Subsequently Continued to May 26, 2027

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
PROBATE NOTES

Hearing Date: 09/18/26

Hearing Time: 8:45AM

Dept: 503

Judicial Officer: ALVAREZ, OLGA

Case Title: In re the Edmund Mansueto and Helen Mansueto Joint Living Trust, dated August 31, 1999, as amended [IMAGED]

Case No: 37-2008-00152252-PR-TR-CTL Case Type: Trust Proceedings

Hearing Type: Miscellaneous Hearing

09/16/2026

RELATED CASE(S): 37-2008-00152628-PR-CP-CTL., Conservatorship of Joyce L. Mansueto

ROA #421

PETITION TO ENFORCE TRUST DIRECTIVES CONCERNING CARE OF JOYCE L. MANSUETO; FOR ACCOUNTING AND INFORMATION CONCERNING TRUST ADMINISTRATION AND DISPOSITION OF TRUST PROPERTY; FOR DETERMINATION OF RIGHTS AND INSTRUCTIONS; AND FOR RELATED RELIEF

Filed: 04/10/2026

Examiner: Melanie Gonzalez

FUTURE HEARINGS:

05/06/2027, 8:45AM, Dept. 503, - Susan Brown's Notice of Motion and Motion for Sanctions (ROA #432)

PARTIES:

Petitioner: _____ / Robert F. Mansueto – **see defect #4**

ATTORNEY: JAMES L. ARRAMISTH & KENNETH M'BALE (substitution of attorney filed 01/27/2026)

Trustee: Susan Brown

ATTORNEY: CATHERINE SWAFFORD

Conservatee/Beneficiary: Joyce Mansueto – **see examiner comment #6**

GUARDIAN AD LITEM: MARGARET HERRING

DEFECTS:

1. NEED: Proof of 30 days' *mailing* of Notice of Hearing (DE-120) to trustee. (Prob. Code 17203) Proof of service filed 08/19/2026 (ROA #453) is insufficient as DE-120 is a mandatory judicial council form and must be filed. (CRC, rules 1.31, 1.37 & 7.101 & SCLR 4.3.4)

//Court should review items 8 & 9 of Supplemental Response to Probate Notes filed 09/11/2026 (ROA #456)

2. NEED: Proof of 30 days' *mailing* of Notice of Hearing (DE-120) to all trust beneficiaries. (Prob. Code 17203) Proof of service filed 08/19/2026 (ROA #453) is insufficient as DE-120 is a mandatory judicial council form and must be filed. (CRC, rules 1.31, 1.37 & 7.101 & SCLR 4.3.4)

//Court should review items 8 & 9 of Supplemental Response to Probate Notes filed 09/11/2026 (ROA #456)

3. NEED: Caption of petition to include all relief sought as set forth in prayer. (CRC, rule 7.102)
// Supplemental Response to Probate Notes filed 09/11/2026 (ROA #456) does not clear defect. Does not clearly and completely reflect all relief sought as set forth in amended prayer.

4. NEED: Clarification re Petitioner's standing as beneficiary as alleged. (Prob. Code 17200(a)) Per order of the 01/16/2026 hearing: the Court finds that Mr. Robert Mansueto is not authorized to act on behalf of the Edmund and Helen Mansueto Joint Living Trust ("Trust"). The Court further finds that Mr. Robert Mansueto does not have an interest nor is a beneficiary of the said trust.
// Court should review Section III of Supplemental Response to Probate Notes filed 09/11/2026 (ROA #456).

6. NEED: Petition to include names, addresses and relationships to Trustor of all persons entitled to notice, including persons who have submitted Requests for Special Notice. Must also include identification of all trustees and trust beneficiaries. (SDLR 4.5.1 & 4.20.3)
// Supplemental Response to Probate Notes filed 09/11/2026 (ROA #456) does not clear defect as no addresses have been set forth.

9. NEED: Guardian-Ad-Litem report. (Prob. Code 1003 & SDLR 4.15.13)

10. NEED: Supplemental Response to Probate Notes filed 09/11/2026 (ROA #456) verified by Petitioner. (CRC, rule 7.104)

11. NEED: Proof of 30 days mailing of notice of Supplemental Response to Probate Notes filed 09/11/2026 (ROA #456). (CRC, rule 7.53) **Appears to be an amendment as relief sought has changed. Proof of service attached to Supplemental Response to Probate Notes is insufficient as less than 30 days notice provided. 7 days notice given. Additionally, unable to determinize sufficiency of notice until defect #6 is addressed.**

EXAMINER COMMENTS:

1. (ROA #179) Order Granting Ex Parte Application for Entry Of Stipulated Judgment; For Order Regarding Sale Of Property; For Suspension Of Co-Trustee; For Removal Of Co-Trustee; and For Attorneys' Fees And Costs, filed 12/08/2023.

2. Per order of the 08/13/2024 hearing (ROA #252), Robert Mansueto was removed as co-trustee. Susan Brown, as trustee, was authorized to take all steps necessary to effectuate an unlawful detainer or eviction of occupants of the real property of the Trust, including specifically the real property located at 57 Tunapuna Lane, Coronado, California 92118, as part of the Court's prior order that Susan Brown be permitted to sell the real property.

3. Notice of Related Case filed 03/26/2025 (ROA #295)

4. Pre-Filing Order- Vexatious Litigant filed 07/22/2025 (ROA #344). Substitution of Attorney filed 01/27/2026 (ROA #412)

5. Per order of the 01/16/2026 hearing (ROA #408):

6. *The Court finds that Mr. Robert Mansueto is not authorized to act on behalf of the Edmund and Helen Mansueto Joint Living Trust ("Trust"). The Court further finds that Mr. Robert Mansueto does not have an interest nor is a beneficiary of the said trust.*

6. (ROA #409) Order Granting Petition for Orders Confirming Lease is Null and Void; To Return Possession of Residence and Quiet Title of Residence; and for a Constructive Trust, filed 01/16/2026. Item 9 of order states: *That Robert F. Mansueto, John F. Steel IV, and Joyce L. Mansueto have no beneficial interest, no ownership interest, and no other interest of any kind whatsoever in the real property located at 57 Tunapuna Lane, Coronado, California 92118, A.P.N. 615-180-02-25...*

7. (ROA #425) Declaration of Robert F. Mansueto in Support of Petition and Exhibit List (ROA #426), filed 04/16/2026. **– Court should review.**

9. Decline at the present probate-notes hearing to adjudicate the validity of the January 11, 2010 Settlement Agreement or April 20, 2010 order absent an appropriate pleading, notice to all interested persons, and an adequate record;

10. Preserve all rights of all parties concerning pending appellate proceedings and the effect, if any, of those proceedings upon matters before this Court; and

11. Grant such other and further relief as the Court determines just and proper.

RELEVANT INFO:

Settlors:

Edmund Mansueto DOD: 4/10/2006

Helen Mansueto DOD: 5/27/2008

(ROA #387) Confidential Trust Coversheet, filed 11/06/2025:

Ex. 1: The Edmund Mansueto and Helen Mansueto Joint Living Trust dated 8/31/1991, as restated on 10/30/2003.

Ex. 2: Amendment of The Edmund Mansueto and Helen Mansueto Joint Living Trust dated 8/31/1991, as restated on 10/30/2003, dated 5/7/2004.

(ROA #406) Confidential Trust Coversheet, filed 01/14/2026:

Edmund Mansueto and Helen Mansueto Joint Living Truste Dated August 30, 1999, as Restated and Amended on October 30, 2003

GUARDIAN AD LITEM REPORT:

Filed:

Concerns:

Recommendations:

Fees: \$<> - <>hrs @ \$<>/hr

Costs: \$

Total Fees & Costs: \$

Paid by: Estate / County / Not addressed

Discharge: Requested / Not Requested

SUMMARY:

Petitioner alleges the acting Trustee, Susan J. Brown, has failed to administer the Trust in accordance with its terms and in conformity with her fiduciary duties under California law.

Appendix L

Signed Personal Declaration of Robert F. Mansueto

Authenticating Photographic Exhibits of Trust Residence

Interior and Exterior Physical Destruction (Photos Taken

February 2026 and August 2026)

**DECLARATION OF ROBERT F. MANSUETO
REGARDING PHYSICAL ALTERATION OF TRUST RESIDENCE**

I, Robert F. Mansueto, declare:

1. I am the Applicant in the accompanying Emergency Application for Stay. I am expressly named First Successor Trustee under the May 7, 2004 First Amendment to the Edmund and Helen Mansueto Joint Living Trust. I have personal knowledge of the matters stated in this declaration.
2. Exhibit 1 fairly and accurately depicts the rear patio before demolition, at approximately February 2026, including its landscaping, vegetation, raised masonry retaining/planter walls, and patio improvements.
3. On August 15, 2026, I personally observed the same rear patio from an area open to public access and took the photograph attached as Exhibit 2. By then, the retaining/planter walls and landscaping shown in Exhibit 1 had been removed. Exhibit 2 fairly and accurately depicts the altered condition I observed.
4. Exhibits 3 and 5 fairly and accurately depict the completed kitchen and bathroom before demolition. They show the cabinetry, granite counters, tile, appliances, plumbing fixtures, glass shower enclosure, bathtub, and other interior finishes that existed before the work shown in the later photographs.
5. On August 15, 2026, from the same publicly accessible area and through open rear doors, I personally observed and photographed extensive demolition inside the residence. Exhibits 4 and 6 fairly and accurately depict the interior condition I observed that day.
6. The interior demolition included removal of kitchen cabinetry, counters, fixtures, flooring, and finishes, and the opening or removal of portions of walls and ceilings, exposing framing, wiring, plumbing, ductwork, and insulation. The demolition also affected the bathroom areas. Before this demolition, the kitchen and bathrooms had been remodeled relatively recently.
7. I make this declaration to authenticate Exhibits 1 through 6 and document the physical changes I personally observed. I do not state who performed or authorized the work.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on SEPT. 25, 2026, at SAN DIEGO,
California.

Robert F. Mansueto

Robert F. Mansueto

EXHIBIT 1
Rear Patio Before Demolition
Approximately February 2026



EXHIBIT 2
Rear Patio After Removal of Retaining/Planter Walls and Landscaping
August 15, 2026



EXHIBIT 3

Kitchen Before Demolition



EXHIBIT 4

Kitchen Area After Extensive Demolition
Photographed August 15, 2026



EXHIBIT 5

Bathroom Before Demolition

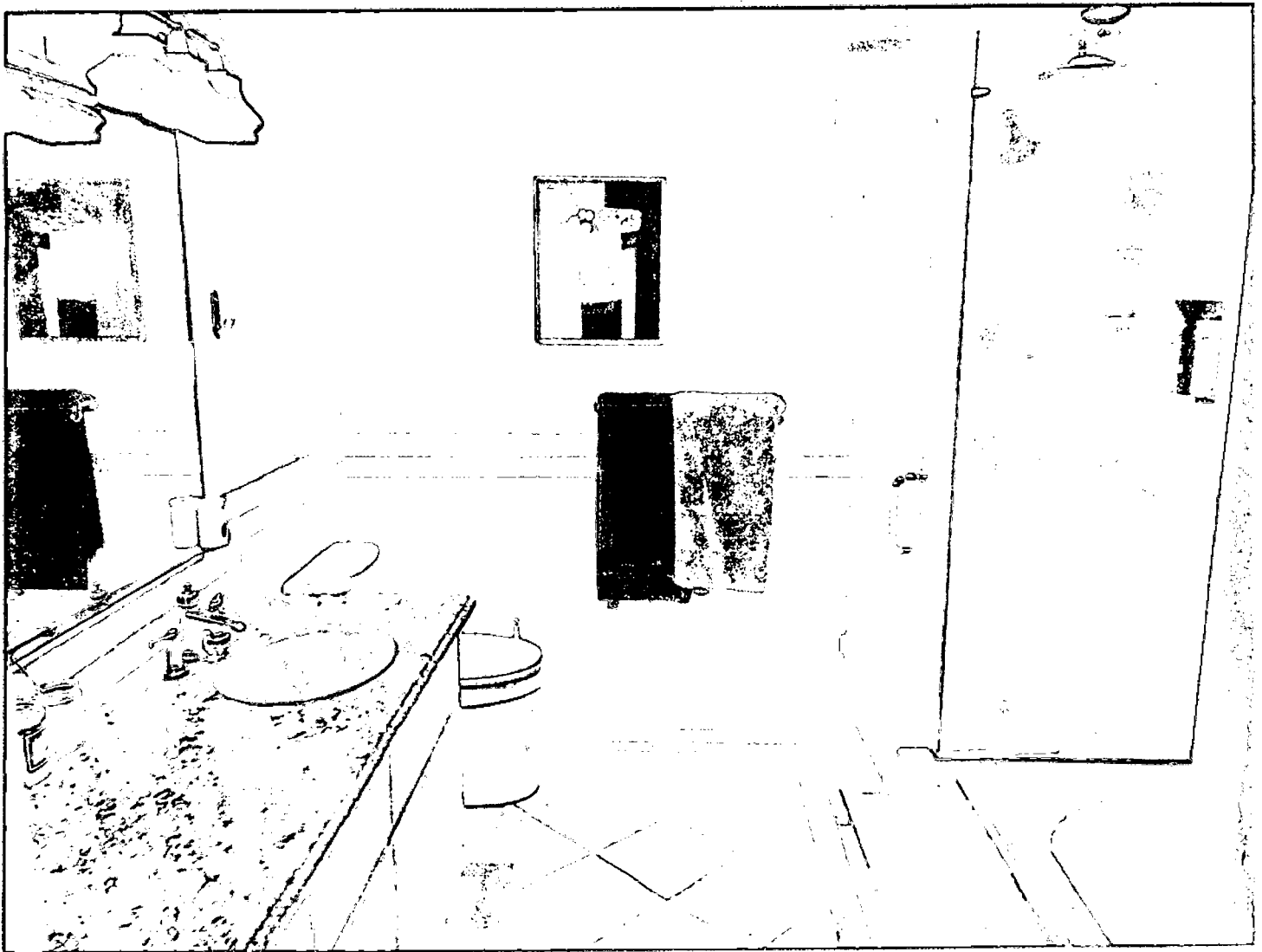


EXHIBIT 6

**Master Bathroom During Demolition - Vanity, Counter, and Fixtures
Removed
Photographed August 15, 2026**

