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Kinch Hoekstra and Edward Keonjian, Trustees of the
L.L. Nunn Trust

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF INYO

In re the Matter of the

L.L. Nunn Trust for the benefit of Deep Springs College under the Deed of Trust dated November 5, 1923

Case No. SI CV PM 1253232

RESPONDENTS' NOTICE OF MOTION AND MOTION FOR JUDGMENT ON THE PLEADINGS OR, IN THE ALTERNATIVE, MOTION IN LIMINE

DATE: September 24, 2013
TIME: 8:30 AM
DEPT: 4
JUDGE: Hon. Dean T. Stout

ACTION FILED: February 6, 2012

TO PETITIONERS AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on September 24, 2013, at 8:30 a.m. or soon thereafter as the matter may be heard, before the Honorable Dean Stout, Department 4, Inyo County Superior Court, 301 West Line Street, Bishop, California, objector/respondents Kinch Hoekstra and Edward Keonjian ("Respondents"), Trustees of the L.L. Nunn Trust, will and hereby do move for an order granting their Motion for Judgment on the Pleadings or, in the alternative, Motion In Limine.

This motion in made on the grounds that the following theories for modification of the trust cannot apply to this proceeding as a matter of law: (a) statutory equitable deviation under Probate Code section 15409, (b) common law equitable deviation, and (c) consent of the beneficiaries under Probate Code 15403. The motion is based on this Notice, the Memorandum of Points and Authorities filed herewith, the papers on file in this action, any matter of which the Court may or must take judicial notice, oral argument at the hearing, and any other matter which the Court deems appropriate.

Dated: August 5, 2013

JOSEPH C. LIBURT
Orrick, Herrington & Sutcliffe LLP

By: Joseph C. Liburt
JOSEPH C. LIBURT
Attorneys for Objectors/Respondents
Kinch Hoekstra and Edward Keonjian,
Trustees of the L.L. Nunn Trust