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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF INYO

In 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 PB 12-53232

NOTICE OF APPEAL

Petitioner David Hitz, acting on behalf of the Board of Trustees of the L.L. Nunn Trust ("Petitioner"), hereby appeals from the "Ruling and Order on Respondents' Motion for Reimbursement from L. L. Nunn Trust of Attorney's Fees and Litigation Expenses," filed on July 13, 2015.

Pursuant to California Rule of Court 8.124(a)(1), Petitioner elects to use an appendix in lieu of the Clerk's Transcript.

Dated: September 3, 2015

BAKER MANOCK & JENSEN, PC
CHRISTOPHER L. CAMPBELL
JEFFREY A. JAECH
DIRK B. PALOUTZIAN

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By:
LISA HILL FENNING

Attorneys for David Hitz, acting on behalf of the Board of Trustees of the L.L. Nunn Trust

PROOF OF SERVICE

1. I am over eighteen years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 777 S. Figueroa St., #4400, Los Angeles, CA 90017.

2. On September 4, 2015, I served the following document(s):

☑ **NOTICE OF APPEAL**

☐ The document(s) served are included in the attached List of Documents.

3. ☑ I served the document(s) on the following person(s):

Christopher L. Campbell Dirk B. Paloutzian Baker Manock & Jenson, PC 5260 N. Palm Ave., 4th Floor Fresno, CA 93704	Eric M. George Ira Bibbero Browne George Ross, LLP 2121 Avenue of the Stars, Suite 2400 Los Angeles, CA 90067
Joseph C. Liburt Orrick, Herrington & Sutcliffe, LLP 1000 Marsh Road Menlo Park, CA 94025	Jon Michaelson Kilpatrick Townsend & Stockton LLP 1080 Marsh Road Menlo Park, CA 94025

☐ The names, addresses, and other applicable information about the persons served is included in the attached Service List.

4. The documents were served by the following means:

☑ **By U.S. mail**. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) at the address(es) in Item 3 and **(check one)**:

☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☑ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am employed in the county where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California.

☐ **By Overnight Delivery/Express Mail**. I enclosed the documents and an unsigned copy of this declaration in a sealed envelope or package designated by _____ addressed to the persons at the address(es) listed in Item 3, with _____ prepaid or provided for. I placed the sealed envelope or package for collection and delivery, following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for express delivery. On the same day the correspondence is collected for delivery, it is placed for collection in the ordinary course of business in a box regularly maintained by _____ or delivered to a courier or driver authorized by _____ to receive documents.

☐ **By Messenger Service**. I served the documents by placing them in an envelope or package addressed to the persons at the address(es) listed in Item 3 and providing them to a professional messenger service for service. (*See* Declaration of Messenger below.)

☐ **By Facsimile Transmission**. Based on an agreement between the parties to accept service by facsimile transmission, which was confirmed in writing, I faxed the document(s) and an unsigned copy of this declaration to the person(s) at the facsimile numbers listed in Item 3 on [type date], at [type time]. The transmission was reported as complete without error by a transmission report issued by the facsimile machine that I used immediately following the transmission. A true and correct copy of the facsimile transmission report, which I printed out, is attached hereto.

☐ **By Electronic Service (E-mail)**. Based on a court order or an agreement of the parties to accept service by electronic transmission, I transmitted the document(s) and an unsigned copy of this declaration to the person(s) at the electronic notification address(es) listed in Item 3 on **[type date]** before 5:00 p.m. PST. **(add, as applicable)**

☐ The transmission of the document was reported as complete and without error by electronic receipt of a delivery confirmation, a true and correct copy of which is attached hereto.

☐ I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☑ **STATE**: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☐ **FEDERAL**: I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Dated: September 4, 2015.

Signature: Jean F. Kellett

Type or Print Name: Jean F. Kellett

DECLARATION OF MESSENGER

☐ **By personal service**. I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in Item 3. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package, which was clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office or in a conspicuous place in the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening. At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding. I served the envelope or package, as stated above, on [type date].

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

Dated: _____

Signature: _____

Type or Print Name: _____