



pending in the Third Judicial District, (Case # 040915857), (Case # 040918237) and Fifth Judicial District Court (Case # 050500723).

The Petitioner has requested its temporary relief by invoking the power of the Court under Utah Code Ann. § 75-7-1001(2) and Rule 65A Utah R. Civ. P.. The Court notes that the Petition has been joined by persons who claim a private interest in the assets of the United Effort Plan Trust ("UEP Trust" or "Trust").

Upon review of the evidence, the Court finds sufficient evidence that the current trustees have committed a breach of trust by failing to administer the trust with reasonable care, taking steps to defend claims against the Trust, and to take reasonable steps to protect Trust property. See Utah Code Ann. §§ 75-7-804, 75-7-807, 75-7-809 and 75-7-811.

The Court takes judicial notice of the Trustee's failure to defend the tort actions filed in the Third Judicial District. The Court also takes judicial notice of the Fraudulent Transfer Complaint filed in the Fifth Judicial District against the Trust. The Court has also reviewed the affidavit of Richard Holm indicating a current pattern of liquidation of the Trust assets