The probate court allowed only five hearings, two on fee motions,[37] two involving appointment of a temporary administrator[38] and one hearing on illegal wiretap recordings.[39] The "Emergency" Motion for Protective Order involving illegal wiretap recordings [ROA.17-20360.560] was used as an artifice to displace summary judgement [ROA.17-20360.1472] and trial, in effort to prevent resolution on the merits. An examination of the wiretap hearing transcript [ROA.17-20360.670] reveals no witness testimony and no facts placed in evidence. Moreover, no trust related findings of fact or conclusions of law after hearing have ever been entered in the enterprise court, because no facts have ever been introduced into evidence. Meanwhile, all of this theatrical posturing over fees, while addressing nothing material, has generated an enormous amount of fees.

It only took nine days for Jill Willard Young to get a hearing, while Plaintiff Curtis' request for resetting of summary judgement hearings [ROA.17-20360.1405] in "Curtis v Brunsting" was relegated to a "status conference", where the court abjectly refused to set substantive hearings actually dispositive of the Trust controversy.[40] Scheduling hearings is an administrative function, not an act

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[37] Feb 15, 2015, Dec 9, 2014
[38] July 21, 2015, September 10, 2015, A transcript of the September 10, 2015 hearing has not been made available despite the vast improvement of the reporting technology since the 2006 Senate hearings.
[39] Aug. 3, 2015 [ROA.17-20360.670]
[40] See Transcript of March 9, 2016 [ROA.17-20360.1406]

undertaken in a judicial capacity. The unresolved dispositive motions Curtis could not get set for hearing are telling, and begin on pages [ROA.17-20360.243, 252, 623, and 714].

Defendants make numerous fact claims but fail to attach exhibits or point to the record where any of these facts have been judicially determined. They do not because they cannot! After more than five years, usurpers continue to occupy the office of Trustee[41] while absolutely refusing to meet any fiduciary obligations. There has been no attempt to meet the fiduciaries' burden of proof. There is no alleged 8/25/2010 QBD in evidence and there have been no substantive hearings or rulings resolving even one relevant issue. There has been no full true and complete accounting and no compliance with affirmative orders in the preliminary federal injunction. [ROA.17-20360.1667]

Doctrines of Immunity

The doctrine of "absolute judicial immunity", has become an anachronism as of *Pulliam v Allen 466 U.S. 522 (1984)*. Citing to *Pierson v. Ray, 386 U. S. 547 (1967)*, the Pulliam Court found no indication of affirmative congressional intent to insulate judges from the reach of the injunctive remedy Congress provided in 42 U.S.C. § 1983. Congress' express purpose for the Organized Crime Control Act of

[41] See Certificate of Interested Persons in Appellants Opening Brief on Appeal in No. 12-20164