

## STATEMENT OF FACTS

As the District Court correctly noted, Curtis has always maintained that the claims raised below are civil torts for personal injury, seeking monetary damages from Defendants in personam.

By Affidavit [18-31] in support of her complaint Curtis states that she has never received a true and complete accounting, has not received copies of trust documents relating to any now-existing trust in which she has a beneficial interest, has not received prior notice of actions affecting her beneficial interests, and has made the requisite written demands upon the fiduciary defendants prior to bringing court action.

All of the information necessary to the protection of Plaintiff's rights and beneficial interest is uniquely in the possession and under the control of Defendants.

“Silence can only be equated with fraud when there is a legal duty to speak, or when an inquiry left unanswered would be intentionally misleading... We cannot condone this shocking conduct.... If that is the case we hope our message is clear. This sort of deception will not be tolerated and if this is routine it should be corrected immediately.” *U.S. v. Tweel, 550 F2nd 997, 299-300.*

Amy and Anita have the obligation to provide material information that they have secreted or otherwise withheld Curtis has the equitable right to demand the information from the Defendants, Amy and Anita. Amy and Anita have the equitable duty to disclose and to account, and have no lawful reason for