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IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

IN THE MATTER OF THE UNITED
EFFORT PLAN TRUST, (Dated November
9, 1942, Amended April 10, 1946, and
Amended and Restated on November 3,
1998); and its TRUSTEES, including known
trustees TRUMAN BARLOW, WARREN
JEFFS, LEROY JEFFS, WINSTON
BLACKMORE, JAMES ZITTING and
WILLIAM E. JESSOP a/k/a WILLIAM E.
TIMPSON AND DOES TRUSTEES I
THROUGH IX.

MOTION TO DISQUALIFY THE COURT
AND MOTION TO DISQUALIFY THE
SPECIAL FIDUCIARY AND COUNSEL
FOR THE SPECIAL FIDUCIARY

Case No. 053900848
(Judge Denise P. Lindberg)

Pursuant to Rule 63 of the Utah Rules of Civil Procedure, Movants herein move to disqualify the Honorable Denise P. Lindberg from further proceedings in this Trust probate matter. This motion is made based upon actual and perceived bias, prejudice, and/or conflict of interest and is supported by the memorandum of points and authorities and the Declaration of James C. Bradshaw submitted contemporaneously herewith. This motion is also being made within 20 days on the date wherein counsel herein learned of grounds upon which this motion is based in part. Movants assert that an immediate order of disqualification must be issued.

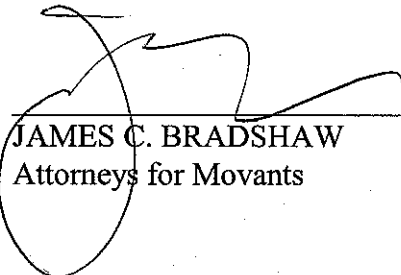
Additionally, the Movants move to disqualify the Special Fiduciary and counsel for the Special Fiduciary overseeing and administering the Trust in this case based upon conflicts of interest and ethical violations. Again, this motion is supported by the memorandum of points and

authorities and Declaration of James C. Bradshaw submitted contemporaneously herewith. This motion is also being made within 20 days on the date wherein counsel herein learned of grounds upon which this motion is based in part.

CERTIFICATE OF GOOD FAITH FILING

Pursuant to Utah Rule of Civil Procedure 63 (b), counsel herein certifies that this motion for disqualification is being filed in good faith and based upon grounds that warrant independent review in this matter.

DATED this 17 day of November 2008.



JAMES C. BRADSHAW
Attorneys for Movants

CERTIFICATE OF SERVICE

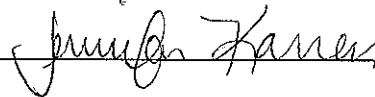
I hereby certify that on the 17th day of November 2008, a true and correct copy of the foregoing Motion to Disqualify the Court and Motion to Disqualify the Special Fiduciary and Counsel for the Special Fiduciary was delivered via hand delivery or electronic mail to:

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A handwritten signature in cursive script, appearing to read "J. Karen", is written over a horizontal line.