

# In re Trust of Tuttle

## Additional Case Names

@ 2:30pm

## Case Number

A-19-0841)

A-19-0842)

## Court Number

York

## Call Date

June 9, 2020

## Case Time

1:00 PM

## Case Audio

Download Audio

## Case Summary

A-19-0841 & 19-0842, In the Matter of the Trust of Gale E. Tuttle, Harshman Land Co. v. B & B Family Farms, LLC (appellant)

York County Court, Judge Linda Caster Senff

Attorney for Appellant: Kelly M. Thomas (Svehla Law Offices, P.C.)

Attorney for Appellee: Timothy L. Moll (Rembolt Ludtke LLP)

Civil Action: Modification of a trust

Action Taken by Trial Court: The county court denied B & B Family Farms' petition for order of trust administration which sought modification of the trust and granted Harshman Land Co.'s petition requiring retention of Harshman Land Co. as farm manager.

Assignments of Error on Appeal: B & B Family Farms assigns that the county court erred in (1) finding that the statutory requirements for amending the trust were not met, (2) finding that the consents of the known beneficiaries to amend the trust agreement did not represent the interests of all future beneficiaries, (3) finding that the proposed amendment was inconsistent with a material term of the trust, and (4) granting Harshman's petition and ordering the trust to retain Harshman as manager of the agricultural property held by the trust.

## Case Location

Lincoln

## Court Type

County Court

## Schedule Code

A2

## Panel Text

Moore, Chief Judge, Riedmann, and Arterburn, Judges

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