

1 Geo. E. McCalip
1100 Elm Ave. # 102
2 Long Beach, CA 90813

3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE CENTRAL DISTRICT OF CALIFORNIA

5 United States of America,

Case No.: CV 10-5856-JHN(PLAx)

6 Plaintiff,

DECLARATION OF
GEO. EDWARD MCCALIP

7 v.

8 Gwenn Wycoff and Frank Ozak,

9 Defendants

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11 DECLARATION OF GEO. EDWARD MCCALIP

12 I, GEO. EDWARD MCCALIP, do hereby make the following sworn declaration. All matters contained herein are of
13 my personal knowledge unless stated as based on information and belief.

- 14 1. I served as Trustee for The Kenzington Fund Trust from May of 2004 until the dissolution of the Trust in
15 early 2008. I continued in my capacity as Trustee from that point forward strictly to wrap up the loose ends
16 of closing down the Trust.
- 17 2. My final act as Trustee was a meeting with Revenue Officer Jess De Legarret, ID No. 95-02939, in the
18 Glendale, CA office of the IRS at the end of October 2008.
- 19 3. At that meeting I gave Revenue Officer De Legarret a copy of the Affidavit Regarding Dissolution of The
20 Kenzington Fund Trust (attached), and documentation that the Affidavit had been filed with the Los
21 Angeles County Recorder's Office. I also supplied a Form 433B stating that the Trust had no assets.
- 22 4. Contrary to the court's finding (#1) in the ORDER GRANTING PRELIMINARY INJUNCTION, Mr.
23 Ozak does not act a General Manager of the Kenzington Fund Trust, and has not since February 2008, as
24 the Trust was dissolved at that point. The IRS has Known this since October 2008.
- 25 5. Contrary to the court's finding (#5), the Defendants did not create the Kenzington Fund Trust. It was
26 created by Scott Steinmann. This is a matter of record on file with the IRS, on the first page of the
27 indenture filed when the Trust received its EIN. It was reiterated in the Affidavit they received in October
28 2008.

DECLARATION OF
GEO. EDWARD MCCALIP

1 6. Contrary to the courts finding (#5) I do not serve as a Trustee for The Kenzington Fund Trust, and have not
2 done so since 2008. The IRS is aware of this fact, and has been since 2008.

3 7. Contrary to the court's finding (#17) neither Defendant had exclusive access to any trust bank account. All
4 trust bank accounts required two signatures and I am unaware of any account on which both Defendants
5 had signatory power.

6 8. My personal experience directly contradicts the court's finding in number 22. The "Oath of Privacy" was
7 reviewed by IRS Chief Counsel, SBSE, Kathryn Meyer in a meeting with Revenue Agent Susan Lee and
8 other IRS employees. After the review, Chief Counsel Meyer informed the IRS employees present that I
9 would not be able to answer certain questions. During the questioning by Agent Lee and the others, I
10 invoked the Oath as I saw necessary and Chief Counsel Meyer asked the agents to either rephrase their
11 question or ask a different question. On at least two occasions I actually answered by asking the Agent to
12 please rephrase the question and suggested a rephrasing that I believed would let me give them the
13 information they needed without violating the Oath.

14 9. I believe that, Agent Lee, having been present at the meeting, and having been instructed on more than one
15 occasion by Chief Counsel Meyer, is aware that my claims regarding the Oath are not false.

16 10. Given the above, I believe that the court acted in good faith on documents provided by the Plaintiff and has
17 been the victim of a fraud on the court.

18 I, Geo. Edward McCalip, do hereby swear under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct.

20 Executed this the 19th day of March 2011, Long Beach, California.

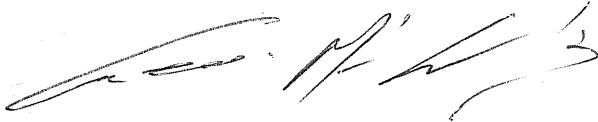
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DECLARATION OF
GEO. EDWARD MCCALIP

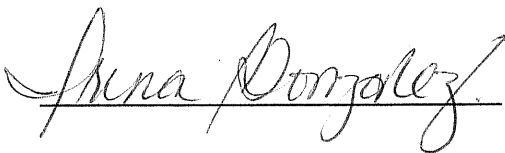
**Affidavit Regarding Dissolution of
The Kenzington Fund Trust**

1. My name is Geo. Edward McCalip. I am 56 years old and currently reside at 454 E. 247th Street, Carson, California.
2. I became a Trustee of The Kenzington Fund Trust on May 5, 2004.
3. The Kenzington Fund Trust was established by Scott Steinmann on September 15, 1997.
4. The Kenzington Fund Trust educated and assisted people regarding irrevocable trusts.
5. Due to bad investments the Trust had lost almost all of its assets by 2006.
6. The IRS took the remaining assets of the Trust when they levied the two checking accounts (i.e., US Bank and Wells Fargo).
7. The Kenzington Fund Trust has no accounts and no assets; it is no longer conducting any business.



Geo. McCalip
454 E. 247th St.
Carson, CA 90745
State of California, County of Los Angeles

Subscribed and sworn to before me on this the 29th day of October, 2008, by Geo. Edward McCalip, proven to me on the basis of satisfactory evidence to be the person who appeared before me.



Notary Public Irina Gonzalez

