

M

5

COMMONWEALTH OF MASSACHUSETTS
PROBATE AND FAMILY COURT DEPARTMENT

ESSEX DIVISION

Docket No. ES15E0085QC

_____)
Sally Ann Cormier,)
<i>Plaintiff,</i>)
v.)
Ronald Koning, Jr. and)
Jon Koning,)
as co-Trustees of the Koning Family)
Irrevocable Business Trust and)
Individually, and)
Ronald Koning, Jr.,)
as Trustee of the Ronald Koning, Sr.)
Life Insurance Trust)
<i>Defendants.</i>)
_____)

JUDGMENT

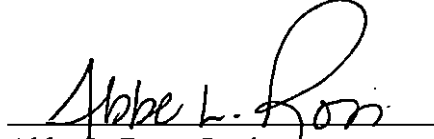
(on Plaintiff's Equity Complaint filed on August 13, 2015 as amended June 15, 2016)

This matter came before the Court (Ross, J.) for trial on December 12, 13, and 15, 2017. Plaintiff, Sally Ann Cormier was present and represented by Attorney Kurt S. Kusiak and Attorney Kate Billman-Golemme. Defendants, Ronald Koning Jr. and Jon Koning were present and represented by Attorney Leo Cushing and Attorney Miranda Patton. Seven (7) witnesses testified and forty-nine (49) exhibits were entered into evidence. After due consideration of all the credible evidence, the testimony of the witnesses, review of exhibits and all reasonable inferences therefrom, it is hereby ORDERED AND ADJUDGED:

1. Count I alleging breach of fiduciary duty of the Business Trust is DISMISSED.
2. Count II is alleging breach of trust of the Business Trust is DISMISSED.
3. Count III alleging breach of fiduciary duty of the Life Insurance Trust is DISMISSED.
4. Count IV alleging breach of trust of the Life Insurance Trust is DISMISSED.
5. Count V seeking a declaratory judgment is DENIED.

6. Count VI seeking preliminary and permanent injunctive relief is DENIED.
7. Count VII seeking preliminary and permanent injunctive relief is DENIED.
8. Count VIII seeking preliminary and permanent injunctive relief is DENIED.
9. Count IX seeking removal of the Trustees of the Business Trust and related sub-trusts is DENIED.
10. Count X seeking removal of the Trustees of the Life Insurance Trust and related sub-trusts is DENIED.
11. Count XI alleging conversion is DISMISSED.
12. Count XII alleging promissory estoppel as to Jennifer is DISMISSED.
13. The Court declines to award attorneys' fees or costs to any party. Each shall be responsible for their own attorney's fees and costs incurred in connection with this action.

Date: 5/15/18



Abbe L. Ross, Justice
Essex Probate and Family Court