

# **NOTICE AND ORDER FOR HEARING**

**Pursuant to Minn.  
Stat. § 501C.0203**

STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
FOURTH JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No.: 27-TR-CV-18-42  
In The Matter of the Dale W. Iversen  
Supplemental Needs Trust and  
the Ebba D. Kral Revocable Trust  
Agreement dated July 7, 2004

Bojay Iversen

Petitioner,

v.

Stephen Salmon, Jr., individually  
and as trustee, Deron Puro, Jeffrey  
Salmon, and Christine Swanson.

Respondents.

IT IS ORDERED AND NOTICE  
IS GIVEN that a Petition to Contest  
Trust, Require Accounting, Remove  
Trustee, Appoint Successor Trust-  
ee, Impose a Constructive Trust,  
and Require Return of Trust Assets  
Pursuant to Minnesota Statutes  
sections 501C.0202, signed by  
Bojay Iversen dated April 9, 2018,  
has been filed with the Court. The  
Petition requests an order relat-  
ing to the Ebba D. Kral Revocable  
Trust Agreement ("Kral Trust") and  
the Dale W. Iversen Supplemental  
Needs Trust ("Iversen Trust") dated  
July 7, 2004, for the following relief:

1. Finding that Petitioner and his  
siblings each have a recognizable  
interest in the income and principal  
of the Trusts or in assets held or  
previously held in the Trusts;
2. Granting the Petition;
3. Finding that the transfer of  
Mr. Iversen's property to the Trust  
is invalid, that the Trust is invalid, or  
that the Trust requires modification  
to properly reflect the beneficiaries  
of Mr. Iversen's property and/or the  
Trust's obligations to maintain the  
property for Mr. Iversen and his  
children;
4. Requiring Respondent Ste-  
phen Salmon, Jr. to provide a full  
and complete accounting of the  
Ebba D. Kral Revocable Trust  
Agreement dated July 7, 2004 and the  
Dale W. Iversen Supplemental  
Needs Trust;
5. Requiring Respondents to provide a full and complete ac-  
counting of all inter vivos transfers  
of Dale Iversen's assets since Jan-  
uary 1, 2004;
6. Requiring Respondent Ste-  
phen Salmon, Jr. to provide a full  
and complete accounting of all  
actions taken by Stephen Salmon,  
Jr. as a trustee of the Ebba D. Kral  
Revocable Trust Agreement dated  
July 7, 2004 and the Dale W. Iversen  
Supplemental Needs Trust;
7. Removing Respondent Ste-  
phen Salmon, Jr. as trustee;
8. Imposing a constructive trust  
to safeguard all assets of Dale  
Iversen or distributions from the  
Trusts, until the claims herein are  
resolved;
9. Appointing a successor trust-  
ee;
10. Requiring Respondents to return to the constructive trust all  
assets improperly distributed from  
the Trusts that reflect the value of  
assets that were owned by Dale  
Iversen and constructively held for  
his benefit;
11. Directing that Dale Iversen's  
property, or the value of such prop-  
erty if sold or destroyed, be distrib-  
uted to his children;
12. Awarding damages to Mr.  
Iversen's children or estate and/or  
Ms. Kral's estate equal to three  
times the amount of compensatory  
damages resulting from financial  
exploitation;
13. Requiring Respondent Ste-  
phen Salmon, Jr. to pay Petitioner's  
costs, attorneys' fees, disburse-  
ments, and expenses incurred  
herein; and

IT IS ORDERED, that the Peti-  
tion will be heard on May 16, 2018,  
at 2:15 (p.m.) by this Court at 300  
South Sixth Street C-556, Minne-  
apolis, Minnesota.

1. Notice shall be given to all  
persons named in the Petition as  
having or as claiming an interest in  
the Trust, at their last known address  
by U.S. Postal Service at least 15  
days prior to the hearing date, and  
by publishing this Notice and Order  
for Hearing one time at least  
20 days prior to the hearing date  
in a legal newspaper of Hennepin  
County, Minnesota.

Dated: April 10, 2018

BY THE COURT

By: /s/ Elizabeth Cutter

Judge of District Court

Attorney for Petitioner

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