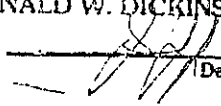


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**FILED**  
San Francisco County Superior Court

SEP 13 1984

DONALD W. DICKINSON, Clerk  
BY  Deputy Clerk

8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

9  
10 RICHARD BERBERIAN,

11 Plaintiff,

CASE NUMBER: 813484

12 vs.

AMENDMENT TO THE  
SECOND AMENDED  
COMPLAINT

13 HAIG BERBERIAN, as an individual  
14 and a general partner, et al.,

15 Defendants.

16 FIFTH CAUSE OF ACTION

17 V

18 The breach of its fiduciary duty by defendant WELLS FARGO  
19 BANK, acting as Trustee, as herein alleged, was not discovered  
20 by plaintiff until on or about September 2, 1980, a date  
21 within four years for the commencement of this action. Plain-  
22 tiff could not with due diligence discover the breach of  
23 fiduciary duty by defendant WELLS FARGO BANK until on or about  
24 this date because co-defendants HAIG BERBERIAN, ISABEL BERBERIAN  
25 CORP., and HAIG BERBERIAN CORP., acting as general partners,  
26 concealed their activities from plaintiff. On or about  
27 September 2, 1980, plaintiff saw a memorandum pertaining to  
28 the sale of the assets of the HAIG BERBERIAN limited partnership

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to PET, INC., and on September 2, 1980, realized that defedant  
WELLS FARGO BANK had breached its fiduciary duty to manage  
the trust corpus with reasonable skill, prudence, and diligence.

SIXTH CAUSE OF ACTION

XII

Plaintiff repleads and realleges as though set forth  
in full herein paragraph V of his Fifth Cause of Action.

DATED: August 14, 1984

LAW OFFICES OF  
BELLI, DRIVON & BAKERINK

By   
LAURENCE E. DRIVON

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