

## UNITED STATES DISTRICT COURT

for the

District of Utah

Central Division

FILED IN UNITED STATES DISTRICT  
COURT, DISTRICT OF UTAH

FEB 25 2020

BY D. MARK JONES, CLERK  
DEPUTY CLERKBrett L Eliason, Agent and Trustee for the Estates of  
Max D Eliason ("ME") and Joyce S Eliason et al. (See  
Attached)

Plaintiff(s)

*(Write the full name of each plaintiff who is filing this complaint.  
If the names of all the plaintiffs cannot fit in the space above,  
please write "see attached" in the space and attach an additional  
page with the full list of names.)*

-v-

The Corporation of The President of The Church of  
Jesus Christ of Latter-Day Saints; The Law Offices of  
Kirton McConkie et al. (See Attached)

Defendant(s)

*(Write the full name of each defendant who is being sued. If the  
names of all the defendants cannot fit in the space above, please  
write "see attached" in the space and attach an additional page  
with the full list of names.)*

Case No.

Case: 1:20-cv-00024  
Assigned To : Parrish, Jill N.  
Assign. Date : 2/25/2020  
Description: Eliason et al v.  
Corporation of the President of the  
Church of Jesus Chris of Latter-Day  
Saints, The et al

## COMPLAINT AND REQUEST FOR INJUNCTION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Brett L Eliason
Street Address	634 Ridge Top Lane
City and County	North Salt Lake, Davis
State and Zip Code	Utah 84054
Telephone Number	801-949-0080
E-mail Address	brett.eliason1@gmail.com

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

## Defendant No. 1

Name	The Corporation of the President of the LDS Church
Job or Title <i>(if known)</i>	"Principal"
Street Address	50 East North Temple
City and County	Salt Lake City, Salt Lake
State and Zip Code	Utah 84111
Telephone Number	1-801-240-1000
E-mail Address <i>(if known)</i>	

## Defendant No. 2

Name	Kirton McConkie P.C.
Job or Title <i>(if known)</i>	'Agent'
Street Address	50 East South Temple
City and County	Salt Lake City, Salt Lake
State and Zip Code	Utah 84111
Telephone Number	1-801-328-3600
E-mail Address <i>(if known)</i>	clientservices@kmclaw.com

## Defendant No. 3

Name	Dallin H Oaks, Individually
Job or Title <i>(if known)</i>	High Managerial Agent; Pres of The Q12 of the LDS Church
Street Address	50 East North Temple
City and County	Salt Lake City, Salt Lake
State and Zip Code	Utah 84111
Telephone Number	1-801-240-1000
E-mail Address <i>(if known)</i>	

## Defendant No. 4

Name	Mr. Lee Wright
Job or Title <i>(if known)</i>	President of KMC Law
Street Address	50 East South Temple
City and County	Salt Lake City, Salt Lake
State and Zip Code	Utah 84111
Telephone Number	1-801-328-3600
E-mail Address <i>(if known)</i>	lwright@kmclaw.com

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

18 U.S. Code CHAPTER 96—RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* N/A, is a citizen of the State of *(name)*.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)*, is incorporated under the laws of the State of *(name)*, and has its principal place of business in the State of *(name)*.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, *(name)* N/A, is a citizen of the State of *(name)*. Or is a citizen of *(foreign nation)*.

## b. If the defendant is a corporation

The defendant, (name) N/A, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.  
 Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

## 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

## A. Where did the events giving rise to your claim(s) occur?

The events associated with the corruption that has led to the complete embezzlement of the Estates of Max and Joyce Eliason have taken place primarily in Utah as part of the Estate Planning Process of Kirton McConkie Law Offices. It should be noted however that tens of millions of oil properties found within Texas, Utah, Wyoming, and Colorado, have all been stolen as well.

## B. What date and approximate time did the events giving rise to your claim(s) occur?

My Parents Max and Joyce Eliason were introduced to Craig McCullough, Sr Partner of KMC Law on June 20<sup>th</sup>, 2013 with the understanding that he was their attorney and that he and the Agent KMC Law and the Principial LDS Church owed Max and Joyce Eliason all of the respective Fiduciary Duties involved in an attorney/client relationship.

Tom Mecham of KMC Law stated to Brett L Eliason that KMC Law had an "undisclosed conflict of interest" on February 11<sup>th</sup>, 2019 with Plaintiff's CPA Brother-In-Law Bryan Stephens and Plaintiff's sister Lisa Stephens. All evidence proves that the Defendants used Fraudulent Misrepresentation to secure the Estate Planning relationship and told me that I needed to secure outside legal counsel for both myself and my father and his and my mother's estates since they never had any intention of protecting the estates they were paid to protect.

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

The attached complaint that had previously been provided for the Third District Court provides a detailed description of the majority of actions which clearly show "Conspiracy to Commit Aggravated Abuse and Exploitation of Vulnerable Adults and Children" which have been ongoing to this day with the offices of Dallin H Oaks and The Law Office of Kirton McConkie abusing their power as Fiduciaries in Gross Violation of the General Assembly 40/34.

Nobody within the Judicial System thus far has attempted to intervene despite the desperate cries from the innocent victims that the Defendants are ruthlessly committing ongoing "Conspiracy to Commit Aggravated Obstruction of Justice and Aggravated Retaliation against Victims and their Family"

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#### IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

It is impossible to describe the damages associated with something so horrific and heinous as to wake up after taking care of my dying mother for five years and to realize the "God and Religion" I have worshiped my entire life had targeted my parents for "assimilation" via bribes and had turned and assaulted my parents, my daughters, and my own lives for the past seven years with the clear intention of "eliminating the bodies and evidence".

This submission to the Federal Court is the last chance for the US Constitution and the Bill of Rights to be upheld and those who have been involved in this extensive display of Corruption and apparent "Deep State" activities stopped and held accountable for their respective involvement which may have countless other victims under fire as this case is being reviewed.

The Defendants have refused to respond to one of the approximate 50 criminal allegations and has not provided one statement as to the location of the approximate \$200 Million Estates which went missing prior to the death of Joyce S Eliason on May 21<sup>st</sup>, 2018 and before the death of Max D Eliason who is still alive and was competent the day his wife died meaning all assets should still be held within the Marital Trust of the A/B Trust Estate Plan.

Plaintiff pled with President Lee Wright and President Dallin Oaks for mercy and for reverence for the desecrated sacred estates which had been destroyed; and instead Plaintiff and his father have been assaulted in an unprecedented manner of retaliation against victims with Max Eliason being deemed "incompetent" and put on "house arrest" from seeing his youngest son and Plaintiff who has been the target of Felony Defamation of Character among various Courts and Adult Protective Services and has been accused of abusing and exploiting his father instead of them admitting their guilt and making one attempt to show good faith.

I have been unable to visit my father Max D Eliason since April 17<sup>th</sup>, 2019 when I told KMC Law that Max D Eliason was their client and that they sat in felony waters knowing that they had intentionally breached their Fiduciary Duties to those that paid them to protect their sacred estates.

Plaintiff's role of Co-Trustee and Beneficiary and Personal Representative have all been illegally dismissed and his life has been completely destroyed as has his possibility to ever recover the life he once knew nor that of his daughters who are being tortured along with the other victims. Every Civil Right provided by the Bill of Rights of the Constitution has been violently deprived of Plaintiff's and every Fiduciary involved in protecting this family has been "bought, threatened, or lost their sense of integrity".

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**V. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 02/25/2020

Signature of Plaintiff

Printed Name of Plaintiff

BRETT L ELIASON

KYLE M ELIASON, BRITTNI L ELIASON,  
VERONIQUE ELIASON.

**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

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Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address