

**Sheinberg, Samuel I.**

**From:** HSRHelp  
**Sent:** Tuesday, March 26, 2024 11:05 AM  
**To:** Walsh, Kathryn E.; Berg, Karen E.; Musick, Vesselina; Sheinberg, Samuel I.; Six, Anne; Williams, Tora; Fetterman, Michelle; Burdon, June; Larson, [REDACTED]  
**Subject:** FW: Trust - shared [REDACTED]

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**From:** Shaffer, Kristin <kshaffer@ftc.gov>  
**Sent:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** HSRHelp <HSRHelp@ftc.gov>  
**Subject:** RE: Trust - shared right to remove/replace trustee with spouse

[REDACTED]

We agree that the trust would be its own UPE, based on the facts you presented.  
Best regards,  
Kristin

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**From:** [REDACTED]  
**Sent:** Monday, March 25, 2024 5:35 PM  
**To:** Shaffer, Kristin <kshaffer@ftc.gov>  
**Cc:** HSRHelp <HSRHelp@ftc.gov>  
**Subject:** RE: Trust - shared right to remove/replace trustee with spouse

[REDACTED]

Hi Kristin:  
The trust I am looking at is an irrevocable trust of which both Spouse A and Spouse B are settlors. Spouse A and Spouse B currently serve as trustees. Spouse A is a beneficiary of the trust nor has a reversionary interest in the trust. Spouse B is a beneficiary of the trust nor has a reversionary interest in the trust. Spouse B also gives a shared right to remove and replace the trustees to both Spouse A and Spouse B. Spouse B can individually remove and replace the trustees.  
Given the facts above and Interpretation 210405, it seems that the trust would be its own UPE. Spouse A and Spouse B have a shared right to remove and replace the trustees.

[REDACTED]

[Redacted]

From: Shaffer, Kristin <kshaffer@ftc.gov>  
Sent: Monday, March 27, 2017 2:11 PM  
To: [Redacted]  
Cc: HSRHelp <HSRHelp@ftc.gov>  
Subject: RE: Trust - shared right to remove/replace trustee  
EXT - kshaffer@ftc.gov

[Redacted]

That information describes a complicated fact pattern. If you have questions about a proposed set of facts, please provide them.

Best regards,

Kristin

Kristin Shaffer

Attorney

Premier Notification Office

Federal Trade Commission

202-326-2388 | [kshaffer@ftc.gov](mailto:kshaffer@ftc.gov)

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From: [Redacted]  
Sent: Monday, March 27, 2017 10:57 AM  
To: HSRHelp <HSRHelp@ftc.gov>  
Subject: Trust - shared right to remove/replace trustee with spouse

Dear PNO:

I wanted to check in on Interp. 1.1. I believe that a trust is irrevocable and the settlor does not retain a right to remove or replace a trustee. Thanks very much in advance.

Best

[Redacted]

[Redacted]

[Redacted]

