Additional Trustee Discretion. Notwithstanding any other provision of this Trust, if the Trustee determines in the Trustee’s sole discretion it would not be in the best interest of a beneficiary to receive all or any part of a discretionary or mandatory distribution under this Trust, whether because of financial, medical, dependency, emotional, mental or other problems, or because of a perceived inability of the beneficiary to properly handle his or her own financial affairs, then such Trust property may be withheld by the Trustee for continued administration under the Trust. When the Trustee, in exercising the Trustee’s sole discretion, determines that the beneficiary can properly handle and use all or any portion of the Trust Estate that has been withheld, the Trustee may then make a direct distribution of such property to the beneficiary, free of trust. Examples where the Trustee should consider withholding or postponing distributions include:

1. The likely diversion or dissipation of the assets intended for the beneficiary because of any judgment involving the beneficiary, the beneficiary being involved in litigation, bankruptcy or insolvency proceedings, or the beneficiary’s financial, matrimonial or personal circumstances including, but not limited to, a terminal illness of the beneficiary or the acute or chronic alcohol, drug or substance abuse or dependency of the beneficiary.

2. A beneficiary’s physical, mental and/or emotional inability to administer properly and responsibly the assets to be distributed.

3. A beneficiary’s living under a form of government or other condition making it highly likely that the assets to be distributed would be subject to confiscation or appropriation.

4. A beneficiary’s current failure: (i) to seek and maintain regular, gainful employment; (ii) to adopt and adhere to a financial plan suitable for the beneficiary; (iii) to maintain a budget and foreseeable expenditures at or below the level of reasonably anticipated receipts; or (iv) to maintain reasonable progress toward the attainment of formal education, all commensurate with such beneficiary’s skills, abilities, circumstances and potential.

5. The possibility that any such payment would jeopardize or reduce any financial assistance or other benefits to or for which the beneficiary otherwise would be entitled from any federal, state, county or municipal agency, department or other governmental entity or program because of any mental or physical handicap or disability of the beneficiary, or relating to the beneficiary’s admission or continued residency, proposed or actual, in any medical, nursing, residential care or similar facility.

6. The possibility of serious disadvantageous tax consequences resulting to the beneficiary or to his or her Estate from the distribution.

7. The Trustee believes the beneficiary is using illegal drugs, abusing legal drugs, or abusing alcohol or other substances. In such an event, the Trustee may, in the Trustee’s sole discretion, use the funds of the Trust to pay for the hospitalization, rehabilitation or other programs the objective of which is to rehabilitate the beneficiary. In addition, the Trustee will have the sole and absolute discretion to request random drug testing of any beneficiary, and to withhold distributions of income and principal of any trust to any beneficiary who refuses to take the random drug test. Finally, if a beneficiary is denied benefits hereunder and subsequently is shown to be free of drugs for not less than two random drug tests in any consecutive twelve month period, the Trustee will restore such beneficiary’s benefits under the trust.

8. The beneficiary has no prenuptial or post-nuptial agreement or other arrangement which protects the beneficiary’s assets if there is a divorce.

In exercising the discretion granted herein, the determination whether a beneficiary’s circumstances fall within any of the above categories will be in the sole and absolute discretion of the Trustee, who may rely conclusively and solely upon any discussion the Trustee has with the beneficiary or others. It is not the Grantors’ intent to require the Trustee to pursue any larger investigation regarding the same. The Trustee is released from all liability regarding any such determination made by the Trustee.