

FIFTH DIVISION
September 30, 2011

No. 1-11-0335

ANDREW M. FAVILLE and WILLIAM A.)	Appeal from the
FAVILLE, JR.,)	Circuit Court of
)	Cook County.
Plaintiffs-Appellants,)	
)	
v.)	No. 10 CH 3428
)	
MARTIN H. BURNS, JR., Individually)	
and as Trustee of the Martin H. Burns,)	
Sr. Trust,)	Honorable
)	Kathleen M. Pantle,
Defendant-Appellee.)	Judge Presiding.

JUSTICE HOWSE delivered the judgment of the court, with opinion.

Presiding Justice Epstein and Justice McBride concurred in the judgment and opinion.

OPINION

¶ 1 Plaintiffs Andrew Faville and William Faville filed an amended complaint for declaratory and injunctive relief against defendant Martin Burns in the circuit court, alleging plaintiffs should be deemed descendants of Barbara Burns Faville for purposes of determining their rights under the terms of a trust agreement. Plaintiffs also requested the circuit court remove defendant as trustee of the trust agreement based on a conflict