Petitioner's Exhibits

DeKalb County Superior Court

Greenberg v. Smithson

Case: 12CV8813-7, 10-04-2023

- I. Father's efforts to comply with the 2018 Final Order then bring Cheri to the table to begin reunification--timeline 2018 to 2022; Cheri rejecting by ignoring the process.
- II. Cheri's Reunification Coaching and Sabotage examples.
- III. DeKalb CPH Investigated Cheri for Child Neglect of Emmett in 2018/2019.
- IV. Cheri's Facebook posts from November 2018 decrying Emmett, his half-sister, and Cheri were abused by his step father, "throughout their [six-year] marriage."

I. Efforts to comply with the 2018 Final Order then bring Cheri to the table to begin reunification 2018 to 2022:

A. Cheri and I exchanged email about reunification therapy within days of receiving our copies of the Final Order, June 2018. These first two emails are four days after the release of the Final Order. The first email is Cheri mentioning her choice of Susan Boyan. My reply state I'd began my search. It took me 10 months to secure a reunification therapist to do the work. I had two sessions with Marsha Schechtman who understood clearly that if Cheri rejected her she and Cheri's choice would choose a third therapist—as written in the final order. It then took another two months for Cheri's choice, Susan Boyan, to contact me back. Ms. Boyan stated she was never contacted by Cheri and she would not have done the work if she had. That was December 2019.





Mark Greenberg < greenbergmarkl@gmail.com>

Family Reunification therapist

messages

Mark Greenberg <greenbergmarkl@gmail.com>
To: cherismithson <cherismithson@yahoo.com>

Mon. Oct 28, 2019 at 10:49 AM

Hi Cheri.

Marsha Schechtman is a veteran family reunification therapist. A fresh, neutral therapist would be in Emmett's best interest. I respect your choice, and I would go with Susan Boyan otherwise. Please let me know by today. Thank you.

Mark

Mark Greenberg <greenbergmarkl@gmail.com>
To: cherismithson <cherismithson@yahoo.com>

Sun, Nov 10, 2019 at 5:17 PM

Hi Cheri,

In an email you stated that you chose Susan Boyan for a reunification therapist. Two weeks ago I emailed my choice. Please refer to the judge's outcomes on the last page of the Final Order, and know that my choice for family reunification therapist will be contacting Susan. Thank you. Please tell Emmett I love him.

Regards

Mark

[Quoted text hidden]

9/29/23, 10:29 PM

Gmail - No response from either party..



Mark Greenberg < greenbergmarkl@gmail.com>

No response from either party...

messages

Mark Greenberg greenbergmarkl@gmail.com>
To: Marsha Schechtman MarshaSchechtman@atlantanpc.com>

Fri, Nov 8, 2019 at 2:11 PM

Good Afternoon Marsha,

I have had no reply back from either Cheri, Emmett's mom, or the former child therapist from the custody case who Cheri chose as her pick for reunification therapy. I can fill out and submit to you a generic release with Susan Boyan's information stating that I give you permission to discuss all aspects of the case and the third therapist choice that would come from you both. My suspicion is that Cheri never contacted Ms. Boyan. Also, Susan always seemed to be changing her email address and phone during the time she was the therapist. That is not a criticism, though she stated that she had not returned calls or emails during that time as I had the wrong contact information. Do you have any thoughts on compliance to the order if neither of them are responding? Regardless, I'll print, sign, and email a release form for Ms. Boyan. And, I'll sign and return the Informed Consent and release form you sent. Thanks again,

Regards,

Mark (678) 851-4343

Marsha Schechtman <marshaschechtman@atlantanpc.com>
To: Mark Greenberg <greenbergmarkl@gmail.com>

Sun, Nov 10, 2019 at 2:50 PM

Sorry, I cannot assist you, except to have you contact Susan Boyan and ask her to respond to you. My recommendation for a Co-Parenting specialist would be either Peter Thomas or Kim Oppenheimer Marsha

Marsha Schechtman, LCSW 900 Old Roswell Lakes Pkwy Suite 340 Roswell, GA 30076 Tel: 770.753.4911 Fax: 678.205.0337

Divorce doesn't have to be a dirty word. Collaborative Practice is a respectful, non-adversarial way to find solutions for divorcing couples. Email me for more information @ MarshaSchechtman@atlantanpc.com or visit the Atlanta Collaborative Divorce Alliance, www.atl-divorce.com

CONFIDENTIALITY NOTICE: This message is intended only for the use of the person(s) "intended recipient" to whom it is addressed. It may contain information that is privileged and confidential. If you are not the intended recipient, please contact the sender as soon as possible and delete the message without reading it or making a copy. Any dissemination, distribution, copying, or other use of this message or any of its content by any person other than the intended recipient is strictly prohibited. Marsha Schechtman, LCSW has taken precautions to screen this message for viruses, but we cannot guarantee that it is virus free nor are we responsible for any damage that may be caused by this message.

B. The next two emails are the last Cheri discussed anything about Emmett and reunification until the October 2021 Contempt Citation.

Cheri Smithson <cherismithson@yahoo.com Sun, Nov 10, 2019 at 6:50 PM Reply-To: "cherismithson@yahoo.com" <cherismithson@yahoo.com> To: "greenbergmarkl@gmail.com" <greenbergmarkl@gmail.com> Cc: Susan Boyan <cpiandfamilysolutions@gmail.com> Emmett is seeing a therapist (who is not Susan) to help him process your decision to permanently and irreparably estrange yourself from him by not responding to the judge's order for therapy since June 2018. In addition, therapy is helping him deal with your harassing behavior when you contacted DFCS to allege he was not As a reminder, you have not made any monthly legal fee reimbursements payments since March 2019 and several child support payments were not made this summer Thank you Cheri Smithson On Sun, Nov 10, 2019 at 5:17 PM, Mark Greenberg <greenbergmarkl@gmail.com> wrote [Quoted text hidden] Mark Greenberg < greenbergmarkl@gmail.com> Sun, Nov 10, 2019 at 8:20 PM To: "cherismithson@yahoo.com" <cherismithson@yahoo.com> https://mail.google.com/mail/u/0/?ik=73c7af5f76&view=pt&search=all&permthid=thread-a:mmiai-r25796986433469916&simpl=msg-a:s:-82428092651... 1/3 Cc: "Witte, Steve" <switte@emory.edu> Bcc: greenbergmarkl < greenbergmarkl@gmail.com> Hi Cheri, Emmett is my heart and soul--there's no other reality. Compliance with Judge Coursey's Final Order has been my priority since the day I received it, and I have a dozen people, professionals and friends who know that's the only truth. The program director of DeKalb CPS signed a letter, entered into evidence in the trial, stating that they found no evidence of abuse or history of abuse as reported to them in May 2014. That was my only contact with DFCS CPS. I never reported you to DFCS. I want you in Emmett's life just as much as I need to be in Emmett's life. He needs both of us. We had two years of successful co-parenting during which I went back to working with you at Eureka daily, along with the 17 months after the visitation hearing: 5/5, 2/2 the whole time without any conflict. And, I look forward to co-parenting again--for Emmett's sake. He and I have always had a deeply loving relationship that you and I did not have with our dad's: adopted biological, or stepdads Who is the familiy reunification therapist you chose that Marsha Schechtman will speak with? Or, are you saying you want her to be the reunification therapist? She's a neutral professional, a veteran, who would only have Emmett's best interest in mind, not mine. Regards, Mark [Quoted text hidden]

- **C.** I then reached out to Families First an established, well respected family focused nonprofit. My goal was to use their parent mediation and case management services to bring Cheri back on track with the reunification therapy mandated in the final order. The case manager, Christopher Igbokwe, a six-year veteran of Families First, reached out weekly to Cheri without reply from February 2020, when his calls began, to July 2020.
- D. Only after years of nonconfrontational efforts did I have to resort to bringing it back to DeKalb court.

II. Cheri's Reunification Coaching and Sabotage:

The following are excerpts of reunification session between the therapist and I, and dual session with Emmett and I with the therapist. The information Emmett relayed could have only come from one source, Cheri. The session between the therapist and I discusses the texts that Cheri sent to me on 07-22-2022 regarding Emmett finding my biological father and my half siblings. The excerpts are in the subsequent pages. The themes of these excerpts are:

A. From **EXCERPT 4**: Emmett was told repeatedly that I stalked him and his mom during the March for Our Lives protest in 2018. He was told repeatedly by his mom that I was dangerous and there was a Protective Order in place. This lie lasted at least from 2018 through when he brought this up as a question on 12-15-2022. There was never a protective order in place, not prior to or after the November 2017 custody trial or after the Final Order was published. The details of my randomly seeing them from behind and backing away at the very end of the 32,000 person march is documented in the excerpt. As I state, I worked as a photojournalist for 14 years for top tier photojournalism agencies like AP and Sygma, both here and overseas. I photographed every protest march in Atlanta from 2016 on.

4. No protective order, no stalking

- a. Emmett's belief: he mentions "stalking" he and his mom at the March for Lives 2019 in spite of a protective order.
- b. Fact: I worked as a photojournalist for 14 years and had photographed all the marches from 2016 on. I randomly saw them and did not interact. There had never been a protective order and there was none in 2019. He could have only got this idea from his mom.

Emmett, Me, Eleecia 12-15-2022...ersation (No Protective Order_

SUMMARY KEYWORDS

work, photograph, mentioned, grounding, year, respect, mom, continue, prefer, contacted, adhering, telling, hope, questions, judge, mark, happened, life, blog, reunification

SPEAKERS

Emmett, Eleecia, Mark Greenberg

Eleecia 32:08

Well, just let me know if you need my assistance.

Emmett 32:10

Of course. There's a particular incident. I'm sure you were aware of the march for lives event back in I believe 2019. Well, I recall being at the event and during a protective order, you got pretty close to me and I must admit I felt quite uncomfortable then. Would you care to explain that?

Mark Greenberg 32:46

Yeah. And if you look on Facebook, you'll see that I photographed all the marches from 2016. So all the Black Lives Matter marches. And then the march for our lives marches and the women's marches I even went to Chicago and photographed the Women's March there. And so I was I still, you know, shoot I don't have time as much now because of grad school to go do documentary projects and all that but you know, as I was a news photographer, I mean, I worked for top agencies in the world, you know, for 14 years. Course. And so I was photographing the march and write it.

Emmett 33:32

Say something Yeah. I got an aneurysm very large event. And the fact that you were quite literally right behind me is not exactly. Happy about even today.

Mark Greenberg 33:50

Let me let me finish the story. It's a short story. And I want to respect I want to talk about what you just said. I want to finish my story. So you understand the context. Please. I'm almost done, I swear. So I was photographing the end of the March and we were coming up towards the Capitol building. And I rounded about and I thought, you know, speakers are usually in that, whatever. It's called Freedom Plaza. And so I walked in the back of freedom Plaza, and I had my camera around my neck and my camera bag on my shoulder. And I was looking through the lens and I was, you know, photographing, you know, seeing that there was anything to photograph and then I was looking through my camera lens like, Oh my God, that's me. And I was just like, I was I and so, in my mind, I thought, You know what, I'm gonna photograph you're sitting on that cement, round like that. Tall, you know, whatever it's called. And I think your mom was with you and you're holding a sign. And I'm just gonna take one photograph. And then when you didn't see me, I walked about five feet further and took another photograph. But I just told myself, right when I realized it was you and your mom I said, I'm not going to get close, because I'm going to respect the fact that I'm not. You know, we haven't seen each other in a while and I don't want it to be at Splunk spontaneous event. We ended up seeing each other about what later that year when I was on a date at the Emory gamelan ensemble over at Emory. You know, we talked for a second and but I took those photographs and that was exactly what I said to myself. There's no way I'm gonna go walk up to them and say, Oh, I didn't know I didn't see you guys at all. I've never seen you in person except for that time. And during that, that date, I was on I was waiting inside your mom and then you came walking in and I knelt down to talk with you for a few minutes and at the Emory gamelog thing so So real quick, sorry. And I went so I went out of the stadium, and I got when set over the sidewalk had capital to get away from the office. I didn't know whether you saw me or not, I didn't know. And then I saw your mom and you kind of walk out of the exit. I didn't follow you. I didn't I just, we were done. I just randomly saw you in a march. I was very proud of you that you were there with a sign. I was very proud of you. But I can tell you that there was no protective order at all at that point. I can't tell you that. And I have the pieces that there was none. And I can tell I have all the pieces of paper that show that I have every document that there has ever been for 10 years and eight, certainly eight years. So I just want you to know that there was no protective order in place at that time that protective order had had ended. And at that point, it was done. And entities like Nora tried to get it extended. The judge refused to do that in court. They did he didn't even entertain it at all. And they tried, they tried to make it permanent. And so there was no protective order in place, and I have lots of evidence to show them. So just so you know that I'm not trying to count or anything. And I realized that

7

some of the things I'm saying might be things that you might believe otherwise, but I just know that I have every document that shows what I'm saying is the absolute truth. And so I really did not want to approach you I just happen to randomly see, I took two photographs because I was really proud of it. And I kept I kept from the back I didn't come around to the side or looking because I didn't want to startle you and your mom, you know at all. And I really kept my distance intentionally. I mean, I just randomly saw it right there at the end. I had no idea you guys were there at all. I mean, I don't follow you. I don't follow your mom. I don't stalk you know, I'm not interested in that. I don't I'm not that kind of a person at all. I don't I'm not capable. Of that. That's fearful behavior, and I don't. Anyway, sorry to go on about it and appreciate it. Let me kind of press it a little bit. I just want you to know the context of that. And I can back it up. For sure.

Eleecia 38:04

So I want to intervene and just saying can we just do like a grounding exercise whether it would you that individually just give you like, you know, 20 seconds to do a grounding exercise, and then equally do some back reading them I can just do that alright

38:45

okay you guys thinking Thank you Thank you

- **B.** From **EXCERPT 2**: Emmett was told by Cheri that she reached out to me regarding his investigation into our biological history using the DNA site 23&Me. Cheri sent text messages to me, the first in ten years and anonymous at first from a work telephone number. In the text messages she states:
- 1. "I simply wanted you to have this information in the event communications slowed down or stopped." Reunification therapy had not yet begun. This is a preemptive comment on her part.
- 2. "All of the information gathered came through conversations I was having with Holly and Chris bc [sic] Emmett is still a minor" Cheri has a long history of stalking behavior toward me and those near to me. Cheri was creating a foundation to get ahead of the message she wants to control for Emmett about me. I haven't been able to be linked on social media to my significant other due to her physical and cyberstalking my longtime girlfriend, the history professor, who loves and still asks about Emmett.
- 3. My reply to Cheri is in the excerpt text attachment: "Tell Emmett thank you very, very much and I love him with all my heart and I can't wait to see him. He can call any time." Cheri, according to Eleecia in two different sessions, stated that Emmett thought I would be more enthusiastic. But even as I went into further detail in one of the letters sent through Eleecia as part of the reunification sessions, Emmett heard that I became confrontational toward Cheri for sending the texts. This is a lie as you can see from the unedited texts. His mom told him this as well.

2. 23 & Me Negative Reinforcement

- a. Emmett believes that I did not care about him finding my biological father on 23 & Me and that I became angry with his mom when she informed me.
- b. FACT: I was amazed and expressed that to him in a letter. His mom anonymously, at first, and without Emmett's knowledge, sent me texts with photos stating she was sending you these in case something happens with reuniting with Emmett. She contacted two siblings, who I didn't know of, or my biological father, stating she had "extensive conversations" with them online and by phone. Cheri used this as leverage and later stated to Emmett that I was belligerent that she sent the information. This was the first direct communication Cheri had with me in eight years.

EXCERPT 1:

Cheri negative coaching affect...lo session 08-17-2022 clip (1)

Sat, Sep 23, 2023 10:07PM • 1:33

SUMMARY KEYWORDS

incident, emmett, mom, letter, confusion, brings, mark, happened, enthusiastic, thought, steps, played, iron

SPEAKERS

Eleecia, Mark Greenberg

Eleecia 00:08

And I guess the last thing would be the incident in regards to 23 and being more recently it that brought more confusion to him as well. Which is why I wanted to kind of get your perspective and iron out what happened so I can communicate to him

Transcribed by https://otter.ai

Mark Greenberg 00:31

will tell but what did happen like what what exactly happened that was negative? Like I don't understand.

Eleecia 00:40

So Emmett didn't really tell me, Emmett didn't really tell me specifically what happened but he was just saying like, he thought that you would be more enthusiastic.

Mark Greenberg 00:53

Oh my god, I just go into so much detail on my letter when he came in, but he didn't back when, when it came from mom and that for me. (MARK) Why didn't you read my letter?

Eleecia 01:06

But he talked to mom first before you talk to me.

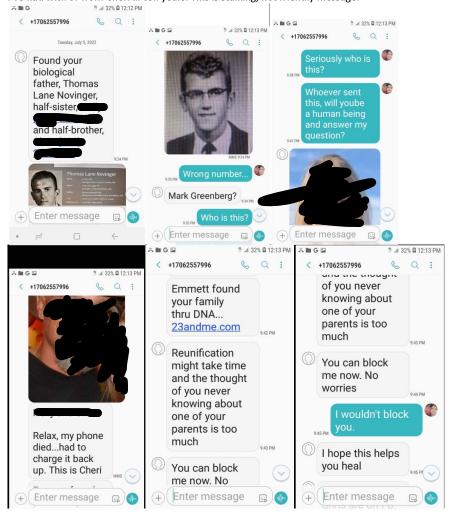
Mark Greenberg 01:09

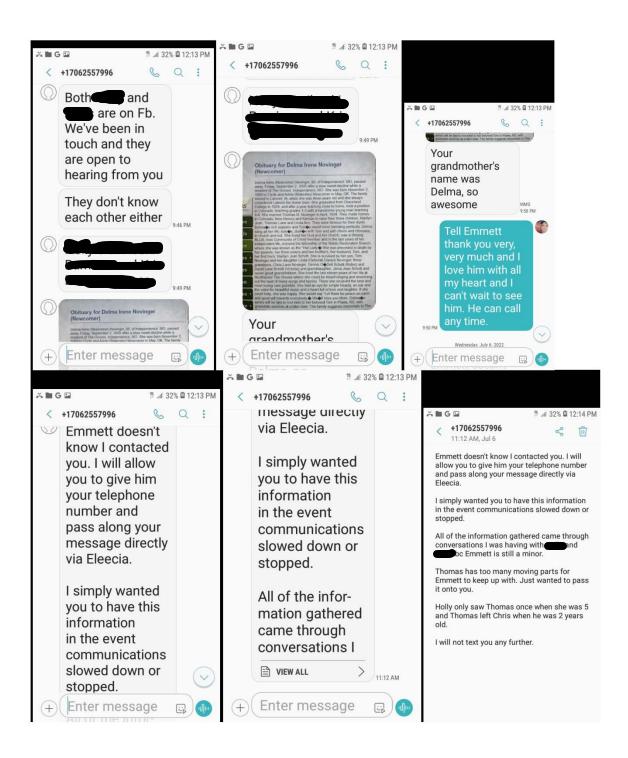
Oh, and then what did what is his mom say?

Eleecia 01:13

I don't that's the part that I don't know in which I that's what brought brings confusion to me. Because I had everything kind of played out within this incident came bringing this back to steps him. (MARK) Yeah, I'll email you the text at some point.

Cheri text, Emmett's DNA mapping information, "extensive conversations online and by phone with our potential relatives before I knew of this and without telling Emmett. This is the first text communication I've had with or from Cheri in ten years. This is stalking, not friendly message.





c. From EXCERPT 3: Emmett asked me a rhetorical question in one of our sessions about my relationship with my dad "at age 16 or 17". In this portion of our conversation he's implying that I had no relationship with my dad at the age he's at now. My reply was to correct him, telling him the truth that I worked at my dad's restaurant during those summers as I'd done since I was 13. My dad and I had a great relationship when I was Emmett's age. This myth was perpetuated by his mom in order to diminish my parenting and fatherhood in my son's heart and mind. This myth has a double edge in that it's also meant to normalize having no father or the need for a father or two parents. I won't get into it here, but this myth was Cheri's reality in her family, but not mine.

3. Unfounded Belief About Grandfather

- a. Emmett stated unfounded claim I had no relationship with my adopted dad at his current age; this could have only come from his mom.
- b. FACT: I had a good relation with my dad at 17 and worked for him at his restaurant every summer from age 13.

Emmett Eleecia Me 04-06-2023 last one for now

SUMMARY KEYWORDS

feel, talking, mom, love, court, refer, open, judge, promise, parents, word, mark, mentioned, happened, dad, asked, good, question, reunification, earlier

SPEAKERS

Mark Greenberg, Eleecia, Emmett

Emmett 39:38

Did you want to have anything to do with your dad your age? i Sorry, I meant at my age. (MARK)The first picture I ever saw. My dad was when

Mark Greenberg 39:58

that person who texted me who happens to live in the same you know how do you get around? That so you know I was I was texted a picture of talking about your biological father.

- 1 -

Emmett 40:06

Transcribed by https://otter.ai

I'm not talking about your biological father. I'm talking about the one who raised you. (MARK) What do you know about him? (EMMETT) I would like to repeat my question. What did you want to have to do with him with when you were 17 going on 18?

Mark Greenberg 40:23

Well, it wasn't that I didn't. That person who was my adopted dad didn't want to have anything to do with me. (EMMETT) What did you want to do with him? At 17 Everything. I mean, I worked in his restaurant, you know in the summers at 17. When I saw him 15,13; at 13 years old I worked at his restaurant in a great restaurant live music seven nights a week. The nicest gourmet restaurant in Tulsa, Oklahoma. And

41:00

the dads I refer

Mark Greenberg 41:01

to the parents I refer to are my friends who are great parents and always have been so I modeled when before you were born. I talked with all about what books do you recommend, you know what told me some stories about coming up and and you know, all of these things that I knew like they were all they are all still great parents, all of them. They're great. They're great kids and you know that's wonderful. And so I relied on their good information guidance. You know

41:40

that's why you know, that's why I could

Mark Greenberg 41:45

that's why I could change our diaper with one hand in the back of my backseat of my car. That's why when if you were taking a nap before I was dropping me off at daycare at Georgia State before class, for instance, if you were sleeping, I get in the backseat with you and I'd study until you woke up I would never wake you up. So and then I drop you off at daycare. Or go to class come pick you back up that sort of thing.

- 2 -

Transcribed by https://otter.ai

III. Cheri DeKalb CPH Investigated her for Child Neglect of Emmett in 2018/2019.

In 2018, Cheri's landlords, an older couple in Candler Park who rented Cheri their basement apartment to her, and a neighbor who is a social worker reported her to DeKalb Child Protective Services because she was leaving Emmett alone for unusually extended periods of time. DeKalb CPS investigated her for Child Neglect. In this short email exchange, she tries to blame me for reporting her. Also in the email she tries to blame-shift regarding therapy. Her choice for reunification Therapist, Susan Boyan never received a call from Cheri asking to do the work. She stated this after However, I had no idea what she was talking about, where they lived, or that these people were her landlords. I randomly met the husband when I bought Emmett an upgraded bicycle from the his local online ad. The couple told me everything. Emmett could have had my love and support allowing Cheri to deal with her social life or whatever led to the child neglect charge. However, she chose otherwise. The landlord/ husband is Norm Bielowicz, 335 Connecticut Avenue, NE 30307, 404-784-0780.

Cheri Smithson <cherismithson@vahoo.com> Sun, Nov 10, 2019 at 6:50 PM Reply-To: "cherismithson@yahoo.com" <cherismithson@yahoo.com> To: "greenbergmarkl@gmail.com" <greenbergmarkl@gmail.com> Cc: Susan Boyan <cpiandfamilysolutions@gmail.com> Emmett is seeing a therapist (who is not Susan) to help him process your decision to permanently and irreparably estrange yourself from him by not responding to the judge's order for therapy since June 2018. In addition, therapy is helping him deal with your harassing behavior when you contacted DFCS to allege he was not being cared for properly As a reminder, you have not made any monthly legal fee reimbursements payments since March 2019 and several child support payments were not made this summer Cheri Smithson On Sun, Nov 10, 2019 at 5:17 PM, Mark Greenberg <greenbergmarkl@gmail.com> wrote [Quoted text hidden] Mark Greenberg <greenbergmarkl@gmail.com> Sun. Nov 10. 2019 at 8:20 PM To: "cherismithson@yahoo.com" <cherismithson@yahoo.com> https://mail.google.com/mail/u/0/?ik=73c7af5f76&view=pt&search=all&permthid=thread-a:mmiai-r25796986433469916&simpl=msg-a:s:-82428092651... 1/3 Cc: "Witte, Steve" <switte@emorv.edu> Bcc: greenbergmarkl < greenbergmarkl@gmail.com> Emmett is my heart and soul--there's no other reality. Compliance with Judge Coursey's Final Order has been my priority since the day I received it, and I have a dozen people, professionals and friends who know that's the only truth. The program director of DeKalb CPS signed a letter, entered into evidence in the trial, stating that they found no evidence of abuse or history of abuse as reported to them in May 2014. That was my only contact with DFCS CPS. I never reported you to DFCS I want you in Emmett's life just as much as I need to be in Emmett's life. He needs both of us. We had two years of successful co-parenting during which I went back to working with you at Eureka daily, along with the 17 months after the visitation hearing: 5/5, 2/2 the whole time without any conflict. And, I look forward to co-parenting again--for Emmett's sake. He and I have always had a deeply loving relationship that you and I did not have with our dad's: adopted biological, or stepdads. Who is the familiy reunification therapist you chose that Marsha Schechtman will speak with? Or, are you saying you want her to be the reunification therapist? She's a neutral professional, a veteran, who would only have Emmett's best interest in mind, not mine. Regards. Mark [Quoted text hidden]

IV. Cheri let Emmet be abused by his step father instead of complying with the Final Order and Reunification.

In November 2018, a former coworker of mine and a facebook friend of Cheri's who I had not seen or talked with in 19 years contacted me on Facebook about images that Cheri had posted. They images were regarding abuse toward Emmett, his half-sister, and Cheri from her then second husband, Emmett's stepfather. She added captions that describe abuse from her then second husband to family photos of her, the second husband, Emmett and his half-sister. She blurred the second husband's face. They married in March 2012. The images are from November 2018.

