

1 NICHOLAS A. SALICK, ESQ. (SBN 236583)
2 SALICK FAMILY LAW GROUP, APLC
3 9595 WILSHIRE BLVD., SUITE 900
4 BEVERLY HILLS, CA 90212
5 (310) 492-4324 – Telephone
6 (310) 492-4325 – Facsimile

7 Attorney for Petitioner,
8 REED RANDOY

FILED
Superior Court of California
County of Los Angeles

JUL 17 2015

Sheri R. Carter, Executive Officer/Clerk
By Carmen Mehaffie, Deputy
Carmen Mehaffie

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

11 In re Marriage of:

Case No. BD621137

12
13 Petitioner: REED RANDOY

**DECLARATION OF
REED RANDOY IN SUPPORT OF
CALIFORNIA BEING THE MINOR
CHILD'S HOME STATE**

14 and

15 Respondent: MARIEKE RANDOY

DATE: July 31, 2015
TIME: 8:30 a.m.
DEPT: 22
JUDGE: Hon. Tamara E. Hall

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DECLARATION OF REED RANDOY

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2 I, REED RANDOY, declare as follows:

3 1. I am the Petitioner in this matter and am over the age of eighteen (18) years. I
4 have firsthand knowledge that the facts stated herein are true, except where I state "based
5 on information and belief," in which case I believe those facts to be true. If called upon as a
6 witness, I could and would testify competently thereto pursuant to Sections 2009 and 2015.5
7 of the *California Code of Civil Procedure*; Rule 5.113 of *California Rules of Court*, *Reifler v.*
8 *Superior Court*, 39 Cal.App.3d 479 (1974); and *In re Marriage of Stevenot*, 154 Cal.App.3d
9 105 (1984).
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11 2. I am submitting this declaration in support of my RFO Re: Child Custody,
12 Visitation, and Determination of California As Hunter's Home State.
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14 **FACTS IN SUPPORT OF CALIFORNIA AS OUR MINOR SON'S HOME STATE**

15 3. Respondent, MARIEKE RANDOY (hereinafter referred to as "Marieke") and I
16 met online on April 11, 2010. We were both living in Los Angeles County. We had a great
17 relationship in the beginning, she was fun and full of energy and beautiful. We talked about
18 getting married and starting a family right away. In fact that was one of the things we both
19 agreed upon— we were not even going to be involved with each other if we did not want a
20 family. At the time I lived in Venice and she lived in Hollywood. She was spending more and
21 more time with me and was trying to convince me to cut my expenses and move with me to
22 my boat to save money. I eventually agreed mostly due to her enthusiasm about living on a
23 boat. I gave notice at my apartment and we moved in together on my boat in Redondo
24 Beach. I also had 2-dogs who lived with us. A friend of mine had a 3-bedroom townhouse
25 that she was renting out in Redondo Beach so I moved us into it.
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1 4. At that time, Marieke wanted to start trying to get pregnant since she thought it
2 would take her some time and I agreed. We were also planning our wedding so we could be
3 married before our baby was born. At that time, Marieke's mother, who suffered from severe
4 mental illness, lived in Belgium and was going through some major issues. Marieke traveled
5 to Belgium to help her mother (e.g., sorting out her finances, making sure the hospital was
6 taking proper care of her). Unfortunately, when Marieke came back home to Los Angeles
7 County she miscarried – we just thought she had a really bad period that month, but we later
8 found out that she had been pregnant. Soon we tried and Marieke got pregnant again.

9
10 5. Once we were pregnant, Marieke's 'nesting instinct' kicked in. She wanted me
11 to sell everything I owned and all my things and find a better place to live closer to her friends
12 and sister in Hollywood. Marieke's friend found home for my 2-dogs, and while I struggled
13 with the idea of giving them up, I went along with it so long as they went to a good home,
14 which they did. I tried to comply with Marieke's insistence that I sell my belongings like my
15 pool table, tools, vehicles, etc., but I chose not to sell my truck or my boat, both of which I
16 acquired prior to meeting her.

17
18 6. As we got further along with the pregnancy, she went to get her tests done and
19 the first ultrasound was not covered by her insurance. Marieke told me we had to get
20 married or this pregnancy was going to cost us thousands of dollars. I have great insurance
21 through my work, and since we planned on getting married anyway, we got legally married in
22 Long Beach on the first day off of work I had. While it was not the picture-perfect wedding
23 ceremony we hoped to have, it made economic sense to have my insurance cover most of
24 the pregnancy costs.
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1 7. Soon thereafter, Marieke again persisted that we move closer to Hollywood and
2 that I sell all of my remaining possessions (boat, truck), that we buy her a nicer car (she was
3 driving a Mercedes but it kept breaking down), that we get a smaller place, etc. I gave notice
4 to my friend and we moved closer to my work and into a 1-bedroom apartment which was
5 closer to her sister who lived in Beverly Hills and who was going to help us with the baby.
6 Marieke and I planned on having a home birth so we were finding a doula and started
7 preparing for that as well.
8

9 8. Marieke's labor was intense as she was in labor for 36-hours, and once her
10 water broke we rushed to the hospital in an abundance of caution. The baby was not coming
11 out and the doula was not comfortable with how things were progressing. Our son, Hunter
12 Rando, was born on April 10, 2012 by emergency C-Section and was happy and healthy.
13

14 9. After a few days in the hospital, we came home. It was very difficult at first, but
15 after helping care for Hunter and Marieke I eventually went back to work and earned enough
16 money to repay my parents and pay our bills.
17

18 10. We eventually bought Marieke a 2002 Toyota Prius which she still has today
19 (this is the car shipped to Vancouver, B.C.). Marieke's mother passed away and left Marieke
20 and her brother and sister approximately €120K (approximately \$130K USD) in an account
21 that she had saved over 30-years while in the mental hospital.
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23 **FACTS SURROUNDING MARIEKE'S TEMPORARY MOVE TO VANCOUVER**

24 11. About the time Hunter turned 2-years old, Marieke had been helping a friend of
25 hers, Lucianna Carro ("Luci"), work on her auditions. Luci was getting callback after callback,
26 and attributed it to Marieke's acting coaching. Luci told Marieke that if she was to move to
27 Vancouver like she had done, she was sure to have as much success. This is when Marieke
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1 got the idea to try out acting in Canada. Marieke figured that once she knew all the casting
2 directors and had auditioned for them and booked, she would be able to come back to Los
3 Angeles to go on auditions here, and whenever a job opportunity arose in Canada she could
4 audition via videotape.

5 12. Luci had just finished working on the TV show *Helix* which was shot in Canada
6 and told Marieke that she could probably book a role on a similar TV show just like Luci had
7 done. Marieke decided that she had to move to Canada to try to pursue acting there, and we
8 discussed her taking Hunter with her because due to my work schedule we could save on
9 childcare by having Marieke watch Hunter. Marieke and I discussed that since she was a
10 Canadian citizen, she had a better opportunity to be cast in the smaller roles of TV shows
11 shot in Canada just like Luci had done, and that once she booked a few roles she would be
12 able to come back to Los Angeles and audition via 'tape', just like Luci had done. I
13 reluctantly agreed after she told me that if I did not support her in doing this, it meant that I
14 did not love her or Hunter, and that I did not care about my family's well-being. Of course I
15 loved and cared for them, so I agreed to the temporary Canadian plan.

16 13. The Canadian plan consisted of signing a 1-year lease for an apartment in
17 Vancouver (signed in April 2014), having Marieke audition and meet all the casting directors,
18 and then book a show as a series regular. We agreed that once she could replace my
19 income in Los Angeles, I would even be able to move to Vancouver temporality as well, to
20 audition and gain acting credits. Once we both had sufficient résumés we could come back
21 home to Los Angeles and become working actors in film and TV. We thought that the
22 Canadian angle of her being a dual citizen would give us an edge that we could take
23 advantage of, and that once we both had 10-20 credits on TV and film, we would be able to
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1 audition for the premium rolls back in Los Angeles and send our 'taped' auditions to
2 Vancouver as 'local actors' whenever prime opportunities arose. The entire 'Temporary
3 Canadian Plan' was to always come back to Los Angeles and raise our son in the Hollywood
4 film industry with us. We gave up our apartment in Los Angeles since we would be able to
5 save even more money by me living on my boat.

6
7 14. I flew up to Vancouver every 3- or 4-weeks to see them after I had worked a
8 bunch of days to make sure I could afford it. Over the year between April 2014 and about
9 April 2015, our fights got worse and worse with Marieke telling me to send her more money
10 and accusing me of not caring about her or Hunter. In the last few months she refused me
11 sexually and would tell me to get a hooker and that she did not care who I slept with (I never
12 did, and did not even want to in the first place). During the last trip in April 2015 for Hunter's
13 3rd birthday, as soon as I arrived Marieke left me and Hunter alone in the apartment. I took
14 Hunter to Seattle where my mother and sister had planned a big birthday party with all my
15 family. Marieke was invited but did not come.

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18 15. Marieke had been saying she wanted a divorce ever since Hunter came home
19 from the hospital. Every time we would get into a fight, she would fire off that she wanted a
20 divorce, but I would just let it go in one ear and out the other. I finally filed for divorce in Los
21 Angeles County on May 19, 2015, and Marieke was personally served on May 21, 2015.

22
23 16. During her trip to Los Angeles starting on April 25, 2015 through the time that
24 she took Hunter and flew back to Vancouver on May 28, 2015 (*after being served with the*
25 *Summons in Los Angeles*), I told her that the whole 'Temporary Canada Plan' was not
26 working since she failed to achieve any success booking any acting roles, and that I really
27 needed to be in Hunter's life whenever I was not working. Marieke responded that I was
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1 "trying to control her and that I couldn't dictate where and what she did." This is evidenced
2 in the text messages I filed with my Ex Parte RFO on June 5, 2015 and those attached to the
3 Notice of Lodging I filed on July 16, 2015. JUDICIAL NOTICE IS RESPECTFULLY
4 REQUESTED OF MY REQUEST FOR ORDER FILED ON JUNE 5, 2015. I cared for Hunter
5 each long weekend in May while Marieke hung out with Luci (the actress) and her other
6 friend David Dorfman (a Hollywood writer). Every time I would have to go back to work and
7 she would pick up Hunter, there would be more complaining and more discussion about her
8 going back to Canada and how *this time* she was going to be successful. Marieke insisted
9 that she was going back to Canada to work as an actress and there was not anything I could
10 do to stop her. I kept telling her that I was not trying to control anything, I just wanted my son
11 close to me and she could still audition in Los Angeles. I offered many times to help support
12 them if we were not going to be married anymore. All I was focused on was keeping Hunter
13 close to me. After all, the 'Temporary Canadian Plan' did not work, but Marieke did not want
14 to accept that.

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18 17. While in Los Angeles in April/May 2015, Marieke said to me that she wanted a
19 divorce 'in the next 10 days, before [she] went back to Vancouver.' This is evidenced in the
20 Exhibits attached to my June 5, 2015 Ex Parte RFO. Thus I filed for divorce in Los Angeles
21 County. When Marieke was served with the divorce papers she was ecstatic, literally
22 laughing and jumping up and down. Her attitude changed though once I told her she could
23 not take Hunter back to Canada until the divorce was final. Marieke immediately started in
24 with more threats and telling me that she was going to divorce me in Vancouver and take all
25 my paychecks, garnish my wages, take my pension and make me sell my boat and my truck.
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1 18. Attached hereto as **EXHIBIT "A"** and incorporated herein by this reference is a
2 text message that Marieke sent to me on May 22, 2015. In it, she wrote the following:

3 a. "I'm not moving back so you can pick up hunter for a few hours here and
4 there when you feel like it..."

5 b. "Asking me to pack up and move back to la so you can see hunter four
6 days a month is not fair."

7 c. "I want to move back to LA. Make no mistake!!! I have every intention of
8 moving back to California. I just need a bunch of credits on my resume first.. I need all the
9 casting directors up in a Vancouver to know me first and cast me in something.. That way I
10 can move back to LA and put myself on tape for everything in Vancouver like Luciana does."
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13 This text message is proof of the existence of our Temporary Canadian Plan – she
14 repeatedly wrote about moving "back" to Los Angeles, and wrote "I want to move back to
15 LA. Make no mistake!!!" This is proof that the move to Canada was temporary and that
16 the plan was for Hunter and her to move back to Los Angeles once she got acting credits.
17

18 19. On Thursday, May 28, 2015 Marieke defied the ATROs and took Hunter from
19 my mom and friend (Jim Campbell) where he was being cared for while I was at work and
20 fled the country – Marieke lied about wanting to take Hunter to the park to get Hunter alone
21 and away from my mom and Jim (this is detailed in my June 5, 2015 Ex Parte RFO). She
22 told me to give her even more money than I had been giving her and that I would never see
23 Hunter again. She said that since she was a dual Canadian citizen, the US court system
24 could not tell her or Hunter what to do. Then she told me to send her \$2,300 bi-weekly and to
25 pay the rent. She also threatened to call the IRS on me, call my work and call my family and
26 tell them I was neglecting my family and they needed to give her money. She does not listen
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1 to anything I say nor does she want to realistically look at our situation, and does not seem to
2 be thinking about Hunter's best interest.

3 20. Since Hunter was born, I had been with him just about every day until Marieke
4 and I agreed that she temporarily move to Vancouver to get acting credits. After the move to
5 Canada I would try to Facetime or Skype Hunter every day to say goodnight and tell him that
6 I love him. Sometimes when Marieke and I were fighting, she would not allow me to call
7 Hunter or when I did, she would set the iPad in front of him with the TV on and he would be
8 distracted.
9

10 21. Since Hunter has been with me after our July 1, 2015 hearing, our lives have
11 been great. I see him every day and he gets to bed at a proper hour and has a set schedule
12 with me. My sitter, Jim and/or Jim's wife cares for him while I am working. We live in a great
13 neighborhood with parks and kids, and we are close to the beach. There are numerous
14 daycare facilities and kindergartens for Hunter to start when he is of age and fully potty-
15 trained.
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17 22. If it is found that California has jurisdiction over Hunter and he is allowed to stay
18 here in California, I have great options to raise him in a happy and healthy environment,
19 surrounded by his friends and a large group of my adult friends, many of whom have kids his
20 age. I have a great union job with full benefits and am able to pay for all of Hunter's needs.
21

22 23. Although Marieke appears on the outside to be a good mother to Hunter, I have
23 no idea what she does when I am not there. When Marieke took Hunter to Vancouver after
24 being served with the Summons, she did not let me have any contact with him. It was only
25 until this Court stepped in and ordered Marieke to bring Hunter to Court on July 1, 2015 that I
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1 saw him, meaning I had no contact with him between May 28, 2015 and July 1, 2015. I do
2 know that often he is still awake at 11:00 p.m. at night while in Marieke's custody.

3 24. Hunter has only been in Canada on a temporary basis during the period from
4 April 2014 through April 2015 when Marieke brought him back to Los Angeles. Los Angeles
5 County is where Hunter was born and raised. It is where Marieke and I planned on raising a
6 family. Our roots are here. Canada was a temporary situation and was solely for Marieke to
7 earn acting credits so she could then return to Los Angeles County. It was never intended to
8 be a permanent move. It was only when the 1-year trial period expired that Marieke
9 suddenly decided that Vancouver was her and Hunter's home.
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CONCLUSION

Based on this Declaration, the attached pleadings, and any further argument and evidence presented at the hearing, I respectfully request this Court grant my requested relief, including but not limited to, making a determination that California is our minor child's home state for jurisdictional purposes, and allow this divorce case to proceed in Los Angeles County.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct. Executed on July 17th, 2015 at Los Angeles, California.

**SEE ATTACHED
FACSIMILE SIGNATURE**

REED RANDOY, Petitioner

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I understand that you want us to move back to California, but you would not see your son every weekend.

You didn't see him

Every weekend when we lived here the first two

Years of his life. And being newly single and having always kept your social life exactly the same-/ there is no way you would actually give up your weekends and have your son with you.

A much better and more realistic situation would be where you visit him every three weeks for a long weekend of father son bonding without distractions of friends and sports on TV etc.

It's quality versus quantity.

You want to be able to go on dates and have girls over. You don't want an apartment. You like your three boats and three cars and storage lifestyle. You spend your 15 free days a month hanging out on your boat and smoking cigars -- you've been doing that for years. That's never gonna change.

I'm not moving back so you can pick up hunter for a few hours here and there when you feel like it when it's convenient for you when you don't have baseball or a date or work or anything else more important on your schedule.

I understand that you want to see him more often and I agree that you should. I think realistically you want your social life so once every three weeks would be twice as much as you've seen him this past year.

And if you flew up to vancouver you would have a clean place to stay that is Hunters home environment. It's easy.. No carting all his stuff around or worrying about germs or eating McDonald's every weekend.

And every 9 weeks we could fly down to la.

We would schedule the weekends in advance so you could book work around these weekends and plan your life around your son.. Basically make him a priority.

Asking me to pack up and move back to la so you can see hunter four days a month is not fair.

I need to become financially self supporting, and we have a furnished home in Vancouver. Hunter has his own room, and his parents are far enough away from each other he doesn't have to see them fight with each other.

Also, being so close to Seattle it's very convenient to see your side of the family in Seattle -- so when you fly up think about spending time with your dad and Karen and your sister and your best buddy Lionel. And I think your blonde you were flirting with on New Years moved up there too. And that other one.. Oh there are so many!!

Point is, I'm in Vancouver for my career. To ask me to move back to LA just so you can see Hunter for a few days a month in LA is unreasonable.

It's not your current lifestyle, your past lifestyle and even while we have been here you haven't seen him on all your days off-/ -- you wouldn't give up your social life. And I would expect you to.

So don't expect me to give up my career.

I want to move back to LA.

Make no mistake!!! I have every intention of moving back to California. I just need a bunch of credits on my resume first.. I need all the casting directors up in a Vancouver to know me first and cast me in something.. That way I can move back to LA and put myself on tape for everything in Vancouver like Luciana does. She can only do that because they KNOW HER.

EXHIBIT

A