

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 Tel.: (310) 492-4324
6 Fax: (310) 492-4325

7 Attorney for Petitioner,
8 REED RANDOY

7-31
C
(15)
FILED
Superior Court of California
County of Los Angeles

JUL 29 2015 S

Sherri R. Carter, Executive Officer/Clerk
By Shirley Lee, Deputy

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

11 In re the Marriage of:) CASE NO. BD621137
12 REED RANDOY,)
13) PETITIONER'S OBJECTION AND
14) MOTION TO STRIKE PORTIONS OF
15) THE DECLARATION OF RESPONDENT,
16) MARIEKE RANDOY, DATED JULY 19,
17) 2015
18)
19) Date: July 31, 2015
20) Time: 8:30 a.m.
21) Dept.: 22
22) Judge: Honorable Tamara Hall
23)
24)
25)
26)
27)
28)

18 Petitioner, REED RANDOY, makes the following evidentiary objections and requests
19 that this Court strike certain portions of Respondent's Declaration dated July 19, 2015 based
20 upon the evidentiary objections set forth below.

21 1. Attached hereto as **EXHIBIT "A"** and incorporated by reference as though fully
22 set forth herein is a "haec verba" reproduction of the relevant portions of Respondent's
23 Declaration with a line drawn through the objectionable portions followed by the grounds for
24 each objection.

25 2. Attached hereto as **EXHIBIT "B"** and incorporated by reference as though fully
26 set forth herein is a copy of Respondent's Declaration for the Court's convenience.

27 ///

28 ///

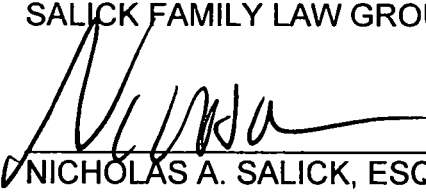
1 3. Filed concurrently herewith under separate cover is the [Proposed] Court's
2 *Ruling on Petitioner's Objection and Motion to Strike.*

3
4 Respectfully submitted:

5
6 Dated: July 28, 2015

SALICK FAMILY LAW GROUP, APLC

7
8 By:


NICHOLAS A. SALICK, ESQ.
Attorney for Petitioner,
REED RANDOY



BLUEBIRDOnline.com (888) 477-0700



®

EXHIBIT A

DECLARATION OF MARIEKE RANDOY

I, MARIEKE RANDOY, hereby declare:

I am the Respondent in this matter. I am filing this Declaration in support of my Request for Order filed June 15, 2015, and in opposition to Petitioner's Request for Order filed June 5, 2015. If called upon to testify, I could and would testify competently to the following facts, which are all within my personal knowledge. I offer my declaration in lieu of personal testimony pursuant to Sections 2009 and 2015.5 of the California Code of Civil Procedure, Rule 5.118, California Rules of Court, Reifler v. Superior Court (1994) 39 Cal.App.3d 479, and Marriage of Stevenot (1984) Cal.App.3d 1051.

BACKGROUND/PROCEDURAL BACKGROUND

Petitioner and I were married on September 27, 2011, and separated on May 20, 2015. There is one minor child of the marriage, Hunter Randoy born April 10, 2012, age 3 years (hereinafter, "Hunter"). Petition of Dissolution and Petitioner's Declaration under Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA") were filed May 19, 2015. I was served with the Petition for Dissolution on May 21, 2015. For reasons and circumstances explained below, on or about May 28, 2015, Hunter and I flew to Vancouver, Canada, to our home, with Petitioner's knowledge.

At the June 5, 2015 hearing on Petitioner's Ex Parte Request for Order seeking sole legal and sole physical custody of the minor child, at which I was not present, this Court made the following temporary orders pending hearing on June 26, 2015: Sole legal and sole physical custody of the minor child to Petitioner; No visitations to Marieke; Marieke shall forthwith return the minor child to Petitioner; Marieke shall forthwith release the minor child's American and Canadian passports to Petitioner's counsel. A copy of the June 5, 2015 Minute Order is attached hereto as **Exhibit "A"** and incorporated herein by this reference. A copy of the Temporary Emergency Court Orders are attached hereto as **Exhibit "B"** and incorporated herein by this reference. I was never served with notice of the Court's June 5, 2015 orders.

Response in this action was filed on June 17, 2015, attached hereto as **Exhibit "C"** and incorporated herein by this reference. My Declaration under UCCJEA was filed on June 18, 2015,

attached hereto as **Exhibit "D"** and incorporated herein by this reference.

On June 26, 2015, I initiated a dissolution action in Canada, Case No. E151794 in the Supreme Court of British Columbia ("Canadian Family Law Action"). A copy of Notice of Family Claim is attached hereto as **Exhibit "E"** and incorporated herein by this reference. Petitioner was personally serviced with the Notice of Family Law Claim on July 6, 2015. A copy of the Affidavit of Personal Service is attached hereto as **Exhibit "F"** and incorporated herein by this reference.

At the June 26, 2015 hearing on Petitioner's Request for Order filed June 5, 2015, this Court modified the June 5, 2015 temporary orders and made the following temporary orders pending a continued hearing on July 1, 2015: Joint legal custody of the minor child; Sole physical custody of the minor child to Marieke; Visitation to Petitioner with the minor child every weekend from Friday at 3:00 p.m. to Monday at 8:00 p.m.; Petitioner shall pay travel expenses relating to visitations, subject to reallocation. A copy of the June 26, 2015 Minute Order is attached hereto as **Exhibit "G"** and incorporated herein by this reference.

At the July 1, 2015 continued hearing on Petitioner's Request for Order filed June 5, 2015, this Court vacated the June 26, 2015 orders, and continued the hearing to July 31, 2015. The Court further ordered me to provide the Court and opposing counsel with information from the Canada court proceedings including the name of the Judge assigned to her case, no later than July 10, 2015. A copy of the July 1, 2015 Minute Order is attached hereto as **Exhibit "H"** and incorporated herein by this reference.

On July 6, 2015, I amended the dissolution action in Canada so as to strike the Canadian Court's jurisdiction with respect to marital status, spousal support, and division of assets and debts. A copy of the Amended Notice of Family Law Claim is attached hereto as **Exhibit "I"** and incorporated herein by this reference.

On July 13, 2015, I filed an Ex Parte Request for Order, which was denied. The Court indicated that the Court must determine the issues of jurisdiction and my removal of the minor child in violation of the Automatic Temporary Restraining Orders. A copy of the Court's Order of July 15, 2015 and Minute order are collectively attached hereto as **Exhibit "J"** and incorporated herein by this

reference.

As part of my Ex Parte Request for Order filed July 13, 2015, for the following day, I submitted to this Court, three copies, one for opposing counsel, with exhibits documenting the initiation of the Canadian Family Law Action (Exhibit "D"), as well as an email from my Canadian counsel explaining the Canadian procedural process for assignment of judges (Exhibit "C").

On July 15, 2015, my Ex Parte Request for Order seeking sole legal and sole physical custody of the minor child, permission to remove the minor child from California to Vancouver Canada, the return of the minor child's U.S. Passport to Marieke, etc. filed July 15, 2015 for the the following day, was denied and set for hearing on July 31, 2015. A copy of the Court's Order of July 15, 2015 is attached hereto as **Exhibit "K"** and incorporated herein by this reference.

On July 16, 2015, this Court denied Petitioner's Ex Parte Request for Domestic Violence Protection Act Restraining Orders, and continued the matter to July 31, 2015. That same date, this Court denied my Ex Parte Request for Domestic Violence Protection Act Restraining Orders.

MY REQUESTED RELIEF

I request the following relief: (1) That the Court make a finding that the "home state" for purposes of custody jurisdiction is Vancouver, British Columbia; (2) Sole legal and sole physical custody of the minor child to me, pending hearing in the Canadian Family Law Action; (3) Order allowing me to remove Hunter from California and return to Vancouver, British Columbia; (4) That Petitioner return to me forthwith Hunter's US Passport; (5) Reasonable visitation to Petitioner with Hunter in Vancouver, British Columbia, pending hearing in the Canadian Family Law Action; (6) That Petitioner be ordered to pay me the sum of \$20,000 as and for sanctions.

Since Hunter's return to California on or about July 1, 2015, Petitioner has taken Hunter and has refused to allow me any custodial time, with the exception of two (2) one-hour visits on July 6, 2015 and July 12, 2015. Petitioner has also not facilitated any of my requests for information about Hunter's exact location at any given time, who is caring for Hunter while Petitioner works 18 hours a day, and only allowed a few very short phone calls before completely depriving me of all communication and access to my son. I have been unable to Facetime with Hunter as requested.

I have been a stay-at-home mother to Hunter and responsible for him at all times since his birth. Since April 2014, when Hunter and I moved to Vancouver, I have essentially been a single parent, Hunter's only parent, and we have not been away from each other for any extended period of time. The past 3 weeks have been the longest period of time, by far, that Hunter and I have been separated since he was born.

The current de facto custodial arrangement wherein Petitioner has "custody" of Hunter is not in Hunter's best interest. I am the parent that is primarily bonded with Hunter; I have at all times been Hunter's primary caretaker; Hunter is only three years old, and unable to understand why I am not with him. Further, it is traumatic for Hunter to be cared for by strangers. Petitioner works and must rely on third parties to care for Hunter. Hunter is not familiar with any of Petitioner's friends in Los Angeles, as we moved to Vancouver more than one year ago.

"HOME STATE" JURISDICTION

Hunter has lived with me in Vancouver, British Columbia, Canada since April 2014, more than six consecutive months immediately before the commencement of the instant proceeding (initiated on May 19, 2015). My Declaration under UCCJEA filed June 18, 2015 accurately reflects that the minor child has resided with me in Vancouver, British Columbia since April 2014.

On or about April 2014, Hunter and I permanently moved to Vancouver, British Columbia, with the promise from Petitioner that he would follow. To facilitate this move, Petitioner entered into a lease for a condominium located at 668 Citadel Parade, Unit 2006, Vancouver, British Columbia, Canada ("Canadian Residence") for a term of one-year and one-half month, commencing May 15, 2014 and ending May 30, 2015 ("Lease"). A copy of the Lease is attached hereto as **Exhibit "L"** and incorporated herein by this reference. On the lease application for the Canadian Residence, Petitioner states, as his reason for moving, that he is "relocating to Canada to work in the Entertainment business." A copy of the lease application is attached hereto as **Exhibit "M"** and incorporated herein by this reference.

Petitioner sold all of his furniture and many belongings in Los Angeles in preparation for his relocation to Canada. On April 27, 2014, Petitioner emailed family and friends notifying them that the official residence for Hunter and me is Vancouver, Canada, and that he intends to join us. A copy

of this email is attached hereto as **Exhibit "N"** and incorporated herein by this reference.

During marriage, after Hunter and I permanently moved to Canada, Petitioner intermittently traveled between California and Canada for purposes of visiting Hunter and me. Until filing the instant action, Petitioner was, at all times in agreement that Hunter and I would continue to reside in Canada. On or about January 5, 2015, Petitioner even imported my vehicle to Canada. Copies of documentation confirming the importation of vehicle to Canada are attached hereto as **Exhibit "O"** and incorporated herein by this reference.

On or about April 2015, prior to the parties' separation, I negotiated with the landlord of the Canadian Residence to extend the Lease for a one-year term. I notified Petitioner of this extension. Petitioner was also notified of this extension by the landlord for the Canadian Residence on or about May 26, 2015, during the course of Petitioner's attempt to terminate the Lease after our separation, despite my informing Petitioner that Hunter and I will remain residing in Canada. A copy of email communications between the landlord and Petitioner is attached hereto as **Exhibit "P"** and incorporated herein by this reference.

Hunter and I have remained, at all times, residents of Canada since April 2014. It was at all times our intention to remain in Canada, and await Petitioner. Hunter and I visited California for the first time more than a year after we moved to Vancouver, and it was for purposes of facilitating Petitioner's visitation with Hunter and for me to see my doctor and dentist. On or about April 26, 2015, Hunter and I travelled to Los Angeles to visit Petitioner, and to see my doctor and dentist, with the expectation that we would return to Canada after a short visit in Los Angeles. During this trip, Hunter became sick with Rotavirus, causing him to vomit and have diarrhea. As a result, I postponed Hunter's and my return to Canada, which return was further delayed due to Hunter's continued illness. During this delayed stay in California, Petitioner initiated and served me with the instant action.

Petitioner has committed a fraud on this Court by claiming, on his Declaration under UCCJEA filed May 19, 2015, that Hunter has resided with Petitioner, from April 2014 through present, at 13428 Maxella Avenue, #559, Marina Del Rey, California. A copy of Petitioner's Declaration under UCCJEA filed May 19, 2015 is attached hereto as **Exhibit "Q"** and incorporated

herein by this reference. The 13428 Maxella Avenue, #559, Marina Del Rey, California address is not Petitioner's residence; it is a post office box that Petitioner has maintained for purposes of receiving his mail. A copy of Google Maps and UPS website information confirming that the aforementioned Maxella Avenue address is, in fact, the location of a UPS store is attached hereto as **Exhibit "R"** and incorporated herein by this reference. Clearly, Petitioner has never resided at this address with Hunter, for purposes of conferring on this Court "home state" jurisdiction.

On his Declaration under UCCJEA, Petitioner admits that Hunter has lived at the Canadian Residence, albeit he claims with both parents. Given that Hunter never resided at a UPS store with Petitioner, Canada has been Hunter's only residence of the minor child from April 2014 through the commencement of this action. Further, as reflected herein, Petitioner never resided with Hunter and me at the Canadian Residence, despite ongoing promises that he would also relocate to Canada. Instead, Petitioner would travel intermittently to visit Hunter and me in Canada, and on one occasion, Hunter and I travelled to California, on or about April 26, 2015, for purposes of visiting Petitioner.

Canada has "home state" jurisdiction over the issues of custody and visitation in the Canadian Family Law Action. As explained in the Declaration of Brent Ellingson of Varty & Company, my attorney in Canada, filed concurrently herewith, the Supreme Court of British Columbia has not declined to exercise jurisdiction; in fact, a Judge will be assigned to the Canadian Family Law Action at the first hearing in the action, after Petitioner herein files his Response in the Canadian Family Law Action. To date, despite having been served, Petitioner has yet to file his Response to the Canadian Family Law Action. Petitioner's delay in filing a Response in the Canadian Family Law Action has caused a delay in the assignment of a Judge.

NO EMERGENCY JURISDICTION

Petitioner misled the Court when he alleged, at his Ex Parte Request for Order filed June 5, 2015, that I kidnapped or abducted Hunter. I never abducted Hunter. Petitioner was, at all times, aware of my intent to return to Canada and Hunter's whereabouts with me at the Canadian Residence.

On May 25, 2015, after initiation of this action, Petitioner emailed the landlord of the Canadian Residence notifying him that, "If Marieke chooses to stay in Canada and not move back

to LA with her son, she'll be paying [rent]. That is something you are welcome to take up with her." A copy of this email is attached hereto as **Exhibit "S"** and incorporated herein by this reference. Further, on May 26, 2015, I emailed Petitioner and his counsel notifying them, among other things, that Hunter and I permanently reside in Canada and Hunter cannot be removed from his home in Canada. A copy of this email is attached hereto as **Exhibit "T"** and incorporated herein by this reference. Accordingly, I did not abduct the minor child as claimed by Petitioner in his Ex Parte Request for Order filed June 5, 2015.

I did not violate the Automatic Restraining Orders which I understand to mean that the minor child cannot be removed from the state in which he has been a resident for 6 months preceding the initiation of the action. I returned our son to his "home state" where he has been residing with me since April 2014. Petitioner is attempting to forum shop by initiating a custody action in California, when there is no basis for California to have jurisdiction over custody.

Further, our son and I could not remain in Los Angeles because Petitioner was financially choking me by refusing to provide me with any financial support since commencement of the instant action. I did not have the financial ability to remain in Los Angeles given Petitioner's continued refusal to provide me any financial support. As of the date of our separation on May 21, 2015, I had a negative balance in my bank account; Petitioner refused to provide me with any financial support while in Los Angeles; I am a stay-at-home mother who is the minor child's primary caretaker; I intermittently worked as an actress but have nominal income and no assets; I am financially dependent on Petitioner, who was the breadwinner during marriage. Copies of my Wells Fargo Bank account ending 8372 for the period of May 11, 2015 through June 9, 2015 is attached hereto as **Exhibit "U"** and incorporated herein by this reference.

During my stay in Los Angeles, after I was served with the Petition, I slept on various friends' couches and cheap motels, without any financial support from Petitioner, I could not provide Hunter with an appropriate living situation in Los Angeles; at the same time, Petitioner was living on a boat, a dangerous environment for Hunter, who is 3 year old and not a skilled swimmer. With no financial support from Petitioner, as the primary caretaker of Hunter since his birth, I returned to Vancouver, Canada, our son's habitual residence since April 2014, and our

son's "home" state. Vancouver is where Hunter has his custom bedroom that I made to look like a treehouse, all his toys and friends, playground and swimming pool in our condo building, drop in day care, and where I have beautiful home, my car and my support system of family and friends, my agent and where I'm building my career.

Upon receiving notice on June 4, 2015 of Petitioner's Ex Parte Request for Order seeking sole legal and sole physical custody of the minor child, I attempted to purchase airline tickets to Los Angeles to appear at the Ex Parte hearing. With only approximately \$18 in my bank account, I begged and demanded that Petitioner deposit funds into my bank account so as to allow me and Hunter to fly to Los Angeles. Copies of text communications between Petitioner and me confirming Petitioner's refusal to provide me with any funds to travel to Los Angeles for the hearing are attached hereto as **Exhibit "V"** and incorporated herein by this reference. My bank account statement for this period was previously attached as Exhibit "U" and incorporated herein by this reference. As a result, I could not afford to appear at the June 5, 2015 hearing.

I have complied with all of this Court's orders. I returned Hunter to California. And I gave Hunter's US Passport to Petitioner. I have no intention of violating any of this Court's orders. However, given the above, I request that the Court find that Vancouver, Canada is our son's "home" state, deny Petitioner's requested relief, and grant my requested relief.

I request that the Court sanctions Petitioner for his conduct in this action and order him to pay to me the sum of \$20,000 forthwith. I have been forced to borrow in excess of \$30,000 from family and friends to litigate this action in Los Angeles, including travelling between California and Canada. I do not have the ability to continue incurring such costs while Petitioner continues to misrepresent the facts to this Court. Petitioner's lies and misrepresentations to the Court have caused the issues of custody to be unnecessary litigated in California, when the facts

\\

\\

\\

\\

\\

clearly show that Canada is our son's "hoe state". Petitioner is using his financial means to gain an tactical advantage with the expectation that I would not have had the financial ability to oppose his requests. His conduct is egregious and must be sanctioned. Further, Petitioner's abuse of the legal system is depriving me of any physical contact with our son since July 1, 2015 is demonstrative of Petitioner's true colors, and motivation with the instant custody litigation.

I declare, under penalty of perjury of the laws of the State of California that the foregoing is true and correct. Executed this 19TH day of July 2015, at Vancouver, British Columbia.

See Attached telefax signature
MARIEKE RANDOY

clearly show that Canada is our son's "hoe state". Petitioner is using his financial means to gain an tactical advantage with the expectation that I would not have had the financial ability to oppose his requests. His conduct is egregious and must be sanctioned. Further, Petitioner's abuse of the legal system is depriving me of any physical contact with our son since July 1, 2015 is demonstrative of Petitioner's true colors, and motivation with the instant custody litigation.

I declare, under penalty of perjury of the laws of the State of California that the foregoing is true and correct. Executed this 19TH day of July 2015, at Vancouver, British Columbia.

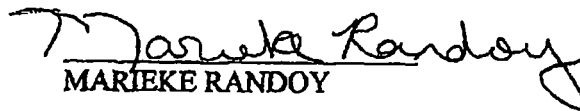

MARIEKE RANDOY

EXHIBIT B

DECLARATION OF MARIEKE RANDOY

I, MARIEKE RANDOY, hereby declare:

I am the Respondent in this matter. I am filing this Declaration in support of my Request for Order filed June 15, 2015, and in opposition to Petitioner's Request for Order filed June 5, 2015. If called upon to testify, I could and would testify competently to the following facts, which are all within my personal knowledge. I offer my declaration in lieu of personal testimony pursuant to Sections 2009 and 2015.5 of the California Code of Civil Procedure, Rule 5.118, California Rules of Court, Reifler v. Superior Court (1994) 39 Cal.App.3d 479, and Marriage of Stevenot (1984) Cal.App.3d 1051.

BACKGROUND/PROCEDURAL BACKGROUND

Petitioner and I were married on September 27, 2011, and separated on May 20, 2015. There is one minor child of the marriage, Hunter Randoy born April 10, 2012, age 3 years (hereinafter, "Hunter"). Petition of Dissolution and Petitioner's Declaration under Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA") were filed May 19, 2015. I was served with the Petition for Dissolution on May 21, 2015. For reasons and circumstances explained below, on or about May 28, 2015, Hunter and I flew to Vancouver, Canada, ^{#1: LACKS FOUNDATION;} ~~to our home, with~~
 SPECULATION; ASSUMES FACTS NOT IN EVIDENCE
 Petitioner's knowledge.

At the June 5, 2015 hearing on Petitioner's Ex Parte Request for Order seeking sole legal and sole physical custody of the minor child, at which I was not present, this Court made the following temporary orders pending hearing on June 26, 2015: Sole legal and sole physical custody of the minor child to Petitioner; No visitations to Marieke; Marieke shall forthwith return the minor child to Petitioner; Marieke shall forthwith release the minor child's American and Canadian passports to Petitioner's counsel. A copy of the June 5, 2015 Minute Order is attached hereto as **Exhibit "A"** and incorporated herein by this reference. A copy of the Temporary Emergency Court Orders are attached hereto as **Exhibit "B"** and incorporated herein by this reference. I was never served with notice of the Court's June 5, 2015 orders.

Response in this action was filed on June 17, 2015, attached hereto as **Exhibit "C"** and incorporated herein by this reference. My Declaration under UCCJEA was filed on June 18, 2015,

attached hereto as **Exhibit "D"** and incorporated herein by this reference.

On June 26, 2015, I initiated a dissolution action in Canada, Case No. E151794 in the Supreme Court of British Columbia ("Canadian Family Law Action"). A copy of Notice of Family Claim is attached hereto as **Exhibit "E"** and incorporated herein by this reference. Petitioner was personally serviced with the Notice of Family Law Claim on July 6, 2015. A copy of the Affidavit of Personal Service is attached hereto as **Exhibit "F"** and incorporated herein by this reference.

At the June 26, 2015 hearing on Petitioner's Request for Order filed June 5, 2015, this Court modified the June 5, 2015 temporary orders and made the following temporary orders pending a continued hearing on July 1, 2015: Joint legal custody of the minor child; Sole physical custody of the minor child to Marieke; Visitation to Petitioner with the minor child every weekend from Friday at 3:00 p.m. to Monday at 8:00 p.m.; Petitioner shall pay travel expenses relating to visitations, subject to reallocation. A copy of the June 26, 2015 Minute Order is attached hereto as **Exhibit "G"** and incorporated herein by this reference.

At the July 1, 2015 continued hearing on Petitioner's Request for Order filed June 5, 2015, this Court vacated the June 26, 2015 orders, and continued the hearing to July 31, 2015. The Court further ordered me to provide the Court and opposing counsel with information from the Canada court proceedings including the name of the Judge assigned to her case, no later than July 10, 2015. A copy of the July 1, 2015 Minute Order is attached hereto as **Exhibit "H"** and incorporated herein by this reference.

On July 6, 2015, I amended the dissolution action in Canada so as to strike the Canadian Court's jurisdiction with respect to marital status, spousal support, and division of assets and debts. A copy of the Amended Notice of Family Law Claim is attached hereto as **Exhibit "I"** and incorporated herein by this reference.

On July 13, 2015, I filed an Ex Parte Request for Order, which was denied. The Court indicated that the Court must determine the issues of jurisdiction and my removal of the minor child in violation of the Automatic Temporary Restraining Orders. A copy of the Court's Order of July 15, 2015 and Minute order are collectively attached hereto as **Exhibit "J"** and incorporated herein by this

reference.

As part of my Ex Parte Request for Order filed July 13, 2015, for the following day, I submitted to this Court, three copies, one for opposing counsel, with exhibits documenting the initiation of the Canadian Family Law Action (Exhibit "D"), as well as an email from my Canadian counsel explaining the Canadian procedural process for assignment of judges (Exhibit "C").

On July 15, 2015, my Ex Parte Request for Order seeking sole legal and sole physical custody of the minor child, permission to remove the minor child from California to Vancouver Canada, the return of the minor child's U.S. Passport to Marieke, etc. filed July 15, 2015 for the the following day, was denied and set for hearing on July 31, 2015. A copy of the Court's Order of July 15, 2015 is attached hereto as **Exhibit "K"** and incorporated herein by this reference.

On July 16, 2015, this Court denied Petitioner's Ex Parte Request for Domestic Violence Protection Act Restraining Orders, and continued the matter to July 31, 2015. That same date, this Court denied my Ex Parte Request for Domestic Violence Protection Act Restraining Orders.

MY REQUESTED RELIEF

I request the following relief: (1) That the Court make a finding that the "home state" for purposes of custody jurisdiction is Vancouver, British Columbia; (2) Sole legal and sole physical custody of the minor child to me, pending hearing in the Canadian Family Law Action; (3) Order allowing me to remove Hunter from California and return to Vancouver, British Columbia; (4) That Petitioner return to me forthwith Hunter's US Passport; (5) Reasonable visitation to Petitioner with Hunter in Vancouver, British Columbia, pending hearing in the Canadian Family Law Action;

(6) That Petitioner be ordered to pay me the sum of \$20,000 as and for sanctions.

~~# 2 : LACKS FOUNDATION; ASSUMES FACTS NOT IN EVIDENCE ; ARGUMENTATIVE~~

~~[Since Hunter's return to California on or about July 1, 2015, Petitioner has taken Hunter~~

~~and has refused to allow me any custodial time, with the exception of two (2) one-hour visits on~~

~~July 6, 2015 and July 12, 2015. [Petitioner has also not facilitated any of my requests for~~

~~information about Hunter's exact location at any given time, who is caring for Hunter while~~

~~Petitioner works 18 hours a day, and only allowed a few very short phone calls before completely~~

~~depriving me of all communication and access to my son. [I have been unable to Facetime with~~

~~Hunter as requested.]~~

I have been a stay-at-home mother to Hunter and responsible for him at all times since his birth. ~~Since April 2014, when Hunter and I moved to Vancouver, I have essentially been a single parent, Hunter's only parent, and we have not been away from each other for any extended period of time.~~ The past 3 weeks have been the longest period of time, by far, that Hunter and I have been separated since he was born.

~~#5: CONCLUSION; ASSUMES FACTS NOT IN EVIDENCE; ARGUMENTATIVE~~

~~[The current de facto custodial arrangement wherein Petitioner has "custody" of Hunter is not in Hunter's best interest.] I am the parent that is primarily bonded with Hunter; I have at all~~

~~LACKS FOUNDATION~~

~~times been Hunter's primary caretaker; Hunter is only three years old, and unable to understand~~

~~#6: LACKS FOUNDATION; SPECULATION; ASSUMES FACTS NOT IN EVIDENCE~~

~~#7: CONCLUSION; ASSUMES FACTS NOT IN EVIDENCE~~

~~#8: LACKS FOUNDATION; SPECULATION; ASSUMES FACTS NOT IN EVIDENCE~~

~~#9: LACKS FOUNDATION; SPECULATION; ASSUMES FACTS NOT IN EVIDENCE~~

~~#10: LACKS FOUNDATION; SPECULATION~~

~~Petitioner's friends in Los Angeles, as we moved to Vancouver more than one year ago.]~~

"HOME STATE" JURISDICTION

Hunter has lived with me in Vancouver, British Columbia, Canada since April 2014, more than six consecutive months immediately before the commencement of the instant proceeding (initiated on May 19, 2015). My Declaration under UCCJEA filed June 18, 2015 accurately reflects that the minor child has resided with me in Vancouver, British Columbia since April 2014.

~~#11: LACKS FOUNDATION; VAGUE AND AMBIGUOUS; HEARSAY~~

~~[On or about April 2014, Hunter and I permanently moved to Vancouver, British Columbia, with the promise from Petitioner that he would follow.]~~ To facilitate this move, Petitioner entered into

a lease for a condominium located at 668 Citadel Parade, Unit 2006, Vancouver, British Columbia, Canada ("Canadian Residence") for a term of one-year and one-half month, commencing May 15,

2014 and ending May 30, 2015 ("Lease"). A copy of the Lease is attached hereto as Exhibit "L" and

incorporated herein by this reference. ~~#12: HEARSAY~~

~~[On the lease application for the Canadian Residence, Petitioner states, as his reason for moving, that he is "relocating to Canada to work in the Entertainment~~

~~business." #13: EXHIBIT CONTAINS HEARSAY~~

~~A copy of the lease application is attached hereto as Exhibit "M" and incorporated herein by this reference.]~~

~~#14: LACKS FOUNDATION; SPECULATION~~

~~Petitioner sold all of his furniture and many belongings in Los Angeles in preparation for his relocation to Canada.]~~

~~#15: HEARSAY; LACKS FOUNDATION~~

~~[On April 27, 2014, Petitioner emailed family and friends notifying them that the official residence for Hunter and me is Vancouver, Canada, and that he intends to join us.]~~

#16: EMAIL IS HEARSAY

~~of this email is attached hereto as Exhibit "N" and incorporated herein by this reference.]~~

During marriage, after Hunter and I permanently moved to Canada, Petitioner intermittently traveled between California and Canada for purposes of visiting Hunter and me. ~~Until filing the~~ ^{#17:} ~~LACKS FOUNDATION; SPECULATION; ASSUMES FACTS NOT IN EVIDENCE; CONCLUSION~~ ~~instant action, Petitioner was, at all times in agreement that Hunter and I would continue to reside in~~ ~~Canada.]~~ On or about January 5, 2015, Petitioner even imported my vehicle to Canada. Copies of documentation confirming the importation of vehicle to Canada are attached hereto as Exhibit "O" and incorporated herein by this reference.

On or about April 2015, prior to the parties' separation, I negotiated with the landlord of the Canadian Residence to extend the Lease for a one-year term. I notified Petitioner of this extension. Petitioner was also notified of this extension by the landlord for the Canadian Residence on or about May 26, 2015, during the course of Petitioner's attempt to terminate the Lease after our separation, despite my informing Petitioner that Hunter and I will remain residing in Canada. ^{#18: EMAILS} ~~A copy of email~~ ~~communications between the landlord and Petitioner is attached hereto as Exhibit "P" and~~ ~~incorporated herein by this reference.]~~

#19: ASSUMES FACTS NOT IN EVIDENCE; CONCLUSION

~~Hunter and I have remained, at all times, residents of Canada since April 2014.]~~ It was at all times our intention to remain in Canada, and await Petitioner. Hunter and I visited California for the first time more than a year after we moved to Vancouver, and it was for purposes of facilitating Petitioner's visitation with Hunter and for me to see my doctor and dentist. On or about April 26, 2015, Hunter and I travelled to Los Angeles to visit Petitioner, and to see my doctor and dentist, with the expectation that we would return to Canada after a short visit in Los Angeles. During this trip, Hunter became sick with Rotavirus, causing him to vomit and have diarrhea. As a result, I postponed Hunter's and my return to Canada, which return was further delayed due to Hunter's continued illness. During this delayed stay in California, Petitioner initiated and served me with the instant action.

#20: LACKS FOUNDATION; CONCLUSION; ASSUMES FACTS NOT IN EVIDENCE;

~~Petitioner has committed a fraud on this Court by claiming, on his Declaration under~~ ~~ARGUMENTATIVE~~ ~~UCCJEA filed May 19, 2015, that Hunter has resided with Petitioner, from April 2014 through~~ ~~present, at 13428 Maxella Avenue, #559, Marina Del Rey, California.]~~ A copy of Petitioner's Declaration under UCCJEA filed May 19, 2015 is attached hereto as Exhibit "Q" and incorporated

~~#21: LACKS FOUNDATION; SPECULATION~~
 herein by this reference. ~~[The 13428 Maxella Avenue, #559, Marina Del Rey, California address is not Petitioner's residence; it is a post office box that Petitioner has maintained for purposes of receiving his mail.]~~ A copy of Google Maps and UPS website information confirming that the aforementioned Maxella Avenue address is, in fact, the location of a UPS store is attached hereto as Exhibit "R" and incorporated herein by this reference. ~~#22: CONCLUSION; LACKS FOUNDATION~~
~~[Clearly, Petitioner has never resided at this address with Hunter, for purposes of conferring on this Court "home state" jurisdiction.]~~

On his Declaration under UCCJEA, Petitioner admits that Hunter has lived at the Canadian Residence, albeit he claims with both parents. ~~#23: CONCLUSION; LACKS FOUNDATION;~~
~~[Given that Hunter never resided at a UPS store with~~
~~Petitioner, Canada has been Hunter's only residence of the minor child from April 2014 through the~~
~~commencement of this action.]~~ ~~#24: CONCLUSION; ASSUMES FACTS NOT IN EVIDENCE~~
~~[Further, as reflected herein, Petitioner never resided with Hunter and~~
~~me at the Canadian Residence, despite ongoing promises that he would also relocate to Canada.]~~
 Instead, Petitioner would travel intermittently to visit Hunter and me in Canada, and on one occasion, Hunter and I travelled to California, on or about April 26, 2015, for purposes of visiting Petitioner.

~~#25: CONCLUSION; LACKS FOUNDATION~~
~~[Canada has "home state" jurisdiction over the issues of custody and visitation in the Canadian~~
~~Family Law Action.]~~ ~~#26: LACKS FOUNDATION; SPECULATION; MISSTATES DECLARATION~~
~~[As explained in the Declaration of Brent Ellingson of Varty & Company, my~~
~~attorney in Canada, filed concurrently herewith, the Supreme Court of British Columbia has not~~
~~declined to exercise jurisdiction; in fact, a Judge will be assigned to the Canadian Family Law Action~~
~~at the first hearing in the action, after Petitioner herein files his Response in the Canadian Family Law~~
~~Action.]~~ To date, despite having been served, Petitioner has yet to file his Response to the Canadian Family Law Action. ~~#27: LACKS FOUNDATION; SPECULATION; ASSUMES FACTS NOT IN EVIDENCE~~
~~[Petitioner's delay in filing a Response in the Canadian Family Law Action has~~
~~caused a delay in the assignment of a Judge.]~~

NO EMERGENCY JURISDICTION

~~#28: LACKS FOUNDATION; CONCLUSION~~
~~[Petitioner misled the Court when he alleged, at his Ex Parte Request for Order filed June~~
~~5, 2015, that I kidnapped or abducted Hunter.]~~ I never abducted Hunter. ~~#29: LACKS FOUNDATION;~~
~~[Petitioner was, at all~~
~~SPECULATION; ASSUMES FACTS NOT IN EVIDENCE~~
~~times, aware of my intent to return to Canada and Hunter's whereabouts with me at the Canadian~~
~~Residence.]~~

~~#30: HEARSAY~~
~~[On May 25, 2015, after initiation of this action, Petitioner emailed the landlord of the~~
~~Canadian Residence notifying him that, "If Marieke chooses to stay in Canada and not move back~~

to LA with her son, she'll be paying [rent]. That is something you are welcome to take up with her." ~~# 31: EMAIL IS HEARSAY~~ [A copy of this email is attached hereto as Exhibit "S" and incorporated herein by this reference.] ~~# 32: HEARSAY; CONCLUSION; LACKS FOUNDATION~~ [Further, on May 26, 2015, I emailed Petitioner and his counsel notifying them, among other things, that Hunter and I permanently reside in Canada and Hunter cannot be removed from his home in Canada.] ~~# 33: EMAIL IS HEARSAY~~ [A copy of this email is attached hereto as Exhibit "T" and incorporated herein by this reference.] Accordingly, I did not abduct the minor child as claimed by Petitioner in his Ex Parte Request for Order filed June 5, 2015.

I did not violate the Automatic Restraining Orders which I understand to mean that the minor child cannot be removed from the state in which he has been a resident for 6 months preceding the initiation of the action. ~~# 34: CONCLUSION; ASSUMES FACTS NOT IN EVIDENCE~~ [I returned our son to his "home state" where he has been residing with me since April 2014.] ~~# 35: LACKS FOUNDATION; SPECULATION; CONCLUSION~~ [Petitioner is attempting to forum shop by initiating a custody action in California, when there is no basis for California to have jurisdiction over custody.] ~~# 36: ARGUMENTATIVE; LACKS FOUNDATION; CONCLUSION~~ [Further, our son and I could not remain in Los Angeles because Petitioner was financially choking me by refusing to provide me with any financial support since commencement of the instant action.] ~~# 37: ARGUMENTATIVE; LACKS FOUNDATION; CONCLUSION~~ [I did not have the financial ability to remain in Los Angeles given Petitioner's continued refusal to provide me any financial support.] As of the date of our separation on May 21, 2015, I had a negative balance in my bank account; ~~# 38: LACKS FOUNDATION; ARGUMENTATIVE~~ [Petitioner refused to provide me with any financial support while in Los Angeles.] ~~# 39: CONCLUSION; ASSUMES FACTS NOT IN EVIDENCE~~ [I am a stay-at-home mother who is the minor child's primary caretaker.] I intermittently worked as an actress but have nominal income and no assets; I am financially dependent on Petitioner, who was the breadwinner during marriage. Copies of my Wells Fargo Bank account ending 8372 for the period of May 11, 2015 through June 9, 2015 is attached hereto as Exhibit "U" and incorporated herein by this reference.

During my stay in Los Angeles, after I was served with the Petition, I slept on various friends' couches and cheap motels, without any financial support from Petitioner, I could not provide Hunter with an appropriate living situation in Los Angeles; ~~# 40: LACKS FOUNDATION; SPECULATION; ASSUMES FACTS NOT IN EVIDENCE; ARGUMENTATIVE~~ [at the same time, Petitioner was living on a boat, a dangerous environment for Hunter, who is 3 year old and not a skilled swimmer.] ~~# 41: LACKS FOUNDATION; CONCLUSION; ASSUMES FACTS NOT IN EVIDENCE; ARGUMENTATIVE~~ [With no financial support from Petitioner, as the primary caretaker of Hunter since his birth, I returned to Vancouver, Canada, our son's habitual residence since April 2014, and our

~~son's "home" state.~~ Vancouver is where Hunter has his custom bedroom that I made to look like a treehouse, all his toys and friends, playground and swimming pool in our condo building, drop in day care, and where I have beautiful home, my car and my support system of family and friends, my agent and where I'm building my career.

Upon receiving notice on June 4, 2015 of Petitioner's Ex Parte Request for Order seeking sole legal and sole physical custody of the minor child, I attempted to purchase airline tickets to Los Angeles to appear at the Ex Parte hearing. ~~With only approximately \$18 in my bank account, I begged and demanded that Petitioner deposit funds into my bank account so as to allow me and Hunter to fly to Los Angeles.~~ ~~Copies of text communications between Petitioner and me confirming Petitioner's refusal to provide me with any funds to travel to Los Angeles for the hearing are attached hereto as Exhibit "V" and incorporated herein by this reference.~~ My bank account statement for this period was previously attached as Exhibit "U" and incorporated herein by this reference. As a result, I could not afford to appear at the June 5, 2015 hearing.

I have complied with all of this Court's orders. I returned Hunter to California. And I gave Hunter's US Passport to Petitioner. I have no intention of violating any of this Court's orders. However, given the above, I request that the Court find that Vancouver, Canada is our son's "home" state, deny Petitioner's requested relief, and grant my requested relief.

I request that the Court sanctions Petitioner for his conduct in this action and order him to pay to me the sum of \$20,000 forthwith. I have been forced to borrow in excess of \$30,000 from family and friends to litigate this action in Los Angeles, including travelling between California and Canada. I do not have the ability to continue incurring such costs while Petitioner continues to misrepresent the facts to this Court. ~~Petitioner's lies and misrepresentations to the Court have caused the issues of custody to be unnecessary litigated in California, when the facts~~

||

||

||

||


||

IN RE MARRIAGE OF RANDOY

BD621137

~~clearly show that Canada is our son's "home state".~~ ^{#45: LACKS FOUNDATION; SPECULATION;} ~~Petitioner is using his financial means to gain an~~
~~ARGUMENTATIVE; CONCLUSION~~
~~tactical advantage with the expectation that I would not have had the financial ability to oppose his~~
~~requests.~~ ^{#46: LACKS FOUNDATION;} His conduct is egregious and must be sanctioned. ^{Further, Petitioner's abuse of the legal}
~~ASSUMES FACTS NOT IN EVIDENCE; CONCLUSION; ARGUMENTATIVE; SPECULATION~~
~~system is depriving me of any physical contact with our son since July 1, 2015 is demonstrative of~~
~~Petitioner's true colors, and motivation with the instant custody litigation.~~

I declare, under penalty of perjury of the laws of the State of California that the foregoing is true and correct. Executed this 19TH day of July 2015, at Vancouver, British Columbia.


MARIEKE RANDOY

PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 11111 Santa Monica Blvd., Suite 1700, Los Angeles, CA 90025. On **July 29, 2015**, I served the document described as: **PETITIONER'S OBJECTION AND MOTION TO STRIKE PORTIONS OF THE DECLARATION OF RESPONDENT, MARIEKE RANDOY, DATED JULY 19, 2015** on the interested party(ies) in this action at the following address, fax number, or email address:

Anat Resnik, Esq.
LAW OFFICES OF ANAT RESNIK
15760 Ventura Blvd., Suite 1160
Encino, CA 91436
anat@anatresnik.com

☐ (BY CERTIFIED MAIL RETURN RECEIPT REQUESTED) I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and placed the envelope for collection and mailing, following our ordinary business practices. I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

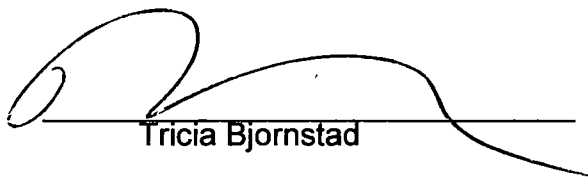
☐ (BY OVERNIGHT DELIVERY) I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

XX (BY EMAIL) I caused the documents to be sent to the persons at the email addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ (BY PERSONAL SERVICE) I personally delivered the documents to the person or at the person's office by leaving the documents in an envelope or package clearly labeled to identify the person being served with a receptionist or an individual in charge of the office.

EXECUTED on **July 29, 2015**, at Los Angeles, California

XX (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.


Tricia Bjornstad

NICHOLAS A. SALICK, ESQ. (SBN 236583)
SALICK FAMILY LAW GROUP, APLC
9595 WILSHIRE BLVD., SUITE 900
BEVERLY HILLS, CA 90212
TEL.: (310) 492-4324
FAX: (310) 492-4325

Attorney for Petitioner,
REED RANDOY

FILED
Superior Court of California
County of Los Angeles

JUL 24 2015

Sherri R. Carter, Executive Officer/Clerk
By Nanette Lopez, Deputy

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

In re the Marriage of:

REED RANDOY,

Petitioner,

and

MARIEKE RANDOY,

Respondent.

CASE NO. BD621137

**PETITIONER'S OBJECTION AND
MOTION TO STRIKE RESPONDENT'S
BRIEF DATED JULY 20, 2015**

Date: July 31, 2015

Time: 8:30 a.m.

Dept.: 22

Judge: Honorable Tamara E. Hall

Petitioner, REED RANDOY, hereby objects to Respondent, MARIEKE RANDOY's, Brief dated July 20, 2015, a copy of which (excluding declarations and exhibits) is attached hereto as **EXHIBIT "A"** and incorporated herein by this reference for the Court's convenience, and respectfully requests that this Court strike the Brief in its entirety based upon the grounds for the objections set forth below.

California *Rules of Court* Rule 3.1113 states in pertinent part:

(a) Memorandum in support of motion:

A party filing a motion, except for a motion listed in rule 3.1114, must serve and file a supporting memorandum. The court may construe the absence of a memorandum as an admission that the motion or special demurrer is not meritorious and cause for its denial and, in the case of a demurrer, as a waiver of all grounds not supported.

1 (b) Contents of memorandum:

2 The memorandum must contain a statement of facts, a concise
3 statement of the law, evidence and arguments relied on, and a
4 discussion of the statutes, cases, and textbooks cited in support
5 of the position advanced.

6 (c) Case citation format:

7 A case citation must include the official report volume and page
8 number and year of decision. The court must not require any
9 other form of citation.

10 (d) Length of memorandum:

11 Except in a summary judgment or summary adjudication motion,
12 **no opening or responding memorandum may exceed 15**
13 **pages.** In a summary judgment or summary adjudication motion,
14 no opening or responding memorandum may exceed 20 pages.
15 No reply or closing memorandum may exceed 10 pages. The
16 page limit does not include exhibits, declarations, attachments,
17 the table of contents, the table of authorities, or the proof of
18 service.

19 (e) Application to file longer memorandum:

20 **A party may apply to the court ex parte** but with written notice
21 of the application to the other parties, **at least 24 hours before**
22 **the memorandum is due, for permission to file a longer**
23 **memorandum. The application must state reasons why the**
24 **argument cannot be made within the stated limit.**

25 (f) Format of longer memorandum:

26 **A memorandum that exceeds 10 pages must include a table**
27 **of contents and a table of authorities. A memorandum that**
28 **exceeds 15 pages must also include an opening summary of**
argument.

(g) Effect of filing an oversized memorandum:

A memorandum that exceeds the page limits of these rules
must be filed and considered in the same manner as a late-
filed paper.

[Emphasis added.]

///

///

///

///

1 Respondent's Brief dated July 20, 2015 is a total of 134-pages in length, including a
2 Memorandum of Points and Authorities, a Declaration of Marieke Randoy, and 22-exhibits.
3 The Memorandum of Points and Authorities is 21-pages in length excluding all exhibits,
4 declarations, attachments, tables, and the proof of service, thereby exceeding the permitted
5 page limit prescribed by section of Rule 3.1113(d). Additionally, Respondent's Memorandum
6 does not include a table of contents, a table of authorities, or an opening summary of
7 argument as required by subsection of Rule 3.1113(f). Petitioner has not received any notice
8 of application by Respondent to the Court to file a longer memorandum as required by
9 subsection Rule 3.1113(e), and Respondent did not submit an application to the Court as to
10 why her argument cannot be made within the stated limit of the court rules. No justification
11 for her failure to adhere to this Rule is apparent. Respondent should be held to the same
12 court rules to which Petitioner is subject. Respondent's Memorandum of Points and
13 Authorities clearly violates numerous sections of Rule 3.1113.

14 In light of Respondent's oversized memorandum, lacking a table of contents, a table
15 of authorities, and an argument summary, any probative value is outweighed by the
16 probability that its submission will necessitate an undue consumption of the Court's time.
17 Rule 3.1113 includes language that is mandatory, *not permissive*, concerning strict
18 limitations on form and content. Further prejudicing Petitioner is the fact that he lacks the
19 opportunity to file/serve a Reply Brief. Thus, Respondent's Brief must be considered in the
20 same manner as a late filed paper and stricken in its entirety.

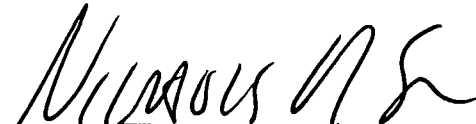
21 Filed concurrently herewith under separate cover is the [Proposed] Court's Ruling on
22 Petitioner's Objection and Motion to Strike Respondent's Brief Dated July 20, 2015.

23 Respectfully submitted:

24 Dated: July 24, 2015

SALICK FAMILY LAW GROUP

25
26 By:



27 NICHOLAS A. SALICK, ESQ.
28 Attorney for Petitioner,
REED RANDOY



BLUEBIRDOnline.com (888) 477-0700



In Re Marriage of Randoy

Case No. BD621137

Law Offices of Anat Resnik
Anat Resnik, CFLS, SBN 192047
15760 Ventura Boulevard, Ste. 1160
Encino, California 91436
Phone: (818) 990-1405
Fax: (818) 475-5320

Attorneys for Respondent

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

In re the Marriage of:	)	Case No. BD621137
)	
Petitioner: REED RANDOY	)	BRIEF RE JURISDICTION, ETC.;
	)	REQUEST FOR SANCTIONS
and)	
	)	RFO:
Respondent: MARIEKE RANDOY	)	Date: July 31, 2015
	)	Time: 8:30 a.m.
	)	Dept: "22"
)	
	)	HON. TAMARA HALL

Respondent, Marieke Randoy (hereinafter, Marieke"), submits the following Brief re Jurisdiction, etc., and Request for Sanctions. At issue is whether California has jurisdiction for purposes of making any child custody determination in this action.

I. BACKGROUND/PROCEDURAL BACKGROUND

The parties were married on September 27, 2011, and separated on May 20, 2015. There is one minor child of the marriage, Hunter Randoy born April 10, 2012, age 3 years (hereinafter, "minor child").

Petition of Dissolution and Petitioner's Declaration under Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA")

1 were filed May 19, 2015.

2 Marieke was served with the Petition for Dissolution on May
3 21, 2015. For reasons and circumstances explained below, on or
4 about May 28, 2015, Marieke and the minor child flew to Vancouver,
5 Canada, with Petitioner's knowledge.

6 At the June 5, 2015 hearing on Petitioner's Ex Parte Request
7 for Order seeking sole legal and sole physical custody of the minor
8 child, at which Marieke was not present, this Court made the
9 following temporary orders pending hearing on June 26, 2015:

10 1. Sole legal and sole physical custody of the minor child
11 to Petitioner;

12 2. No visitations to Marieke;

13 3. Marieke shall forthwith return the minor child to
14 Petitioner;

15 4. Marieke shall forthwith release the minor child's
16 American and Canadian passports to Petitioner's counsel.

17 A copy of the June 5, 2015 Minute Order is attached hereto as
18 Exhibit "A" and incorporated herein by this reference. A copy of
19 the Temporary Emergency Court Orders are attached hereto as Exhibit
20 "B" and incorporated herein by this reference. Marieke received
21 service of Petitioner's Ex Parte Request for Order filed June 5,
22 2015 and the Court's June 5, 2015 orders, only by mail, on or about
23 June 17, 2015.

24 Response in this action was filed on June 17, 2015, attached
25 hereto as Exhibit "C" and incorporated herein by this reference.
26 Marieke's Declaration under UCCJEA was filed on June 18, 2015,
27 attached hereto as Exhibit "D" and incorporated herein by this
28 reference.

1 On June 26, 2015, Marieke initiated a dissolution action in
2 Canada, Case No. E151794 in the Supreme Court of British Columbia
3 ("Canadian Family Law Action"). A copy of Notice of Family Claim is
4 attached hereto as Exhibit "E" and incorporated herein by this
5 reference. Petitioner was personally serviced with the Canadian
6 Family Law Action on July 6, 2015. A copy of the Affidavit of
7 Personal Service is attached hereto as Exhibit "F" and incorporated
8 herein by this reference.

9 At the June 26, 2015 hearing on Petitioner's Request for Order
10 filed June 5, 2015, this Court modified the June 5, 2015 temporary
11 orders and made the following temporary orders pending a continued
12 hearing on July 1, 2015:

- 13 1. Joint legal custody of the minor child;
- 14 2. Sole physical custody of the minor child to Marieke;
- 15 3. Visitation to Petitioner with the minor child every
16 weekend from Friday at 3:00 p.m. to Monday at 8:00 p.m.;
- 17 4. Petitioner shall pay travel expenses relating to
18 visitations, subject to reallocation.

19 A copy of the June 26, 2015 Minute Order is attached hereto as
20 Exhibit "G" and incorporated herein by this reference.

21 At the July 1, 2015 continued hearing on Petitioner's Request
22 for Order filed June 5, 2015, this Court vacated the June 26, 2015
23 orders, and continued the hearing to July 31, 2015. The Court
24 further ordered Marieke to provide the Court and opposing counsel
25 with information from the Canada court proceedings including the
26 name of the Judge assigned to her case, no later than July 10,
27 2015. A copy of the July 1, 2015 Minute Order is attached hereto
28 as Exhibit "H" and incorporated herein by this reference.

1 On July 6, 2015, Marieke amended her dissolution action in
2 Canada so as to strike the Canadian Court's jurisdiction with
3 respect to marital status, spousal support, and division of assets
4 and debts, leaving only the issues of custody and visitation. A
5 copy of the Amended Notice of Family Law Claim is attached hereto
6 as Exhibit "I" and incorporated herein by this reference.

7 On July 13, 2015, Marieke's Ex Parte Request for Order filed
8 July 13, 2015 was denied. The Court indicated that the Court must
9 determine the issues of jurisdiction and Marieke's removal of the
10 minor child in violation of the Automatic Temporary Restraining
11 Orders. A copy of the Court's Order of July 13, 2015 and Minute
12 Order of July 13, 2015 are collectively attached hereto as Exhibit
13 "J" and incorporated herein by this reference.

14 As part of Marieke's Ex Parte Request for Order filed July 13,
15 2015, Marieke submitted to this Court, and served opposing counsel,
16 with exhibits documenting the initiation of the Canadian Family Law
17 Action (Exhibit "D"), as well as an email from Marieke's Canadian
18 counsel explaining the Canadian procedural process for assignment
19 of judges (Exhibit "C").

20 On July 15, 2015, Marieke's Ex Parte Request for Order seeking
21 sole legal and sole physical custody of the minor child, permission
22 to remove the minor child from California to Vancouver Canada, the
23 return of the minor child's U.S. Passport to Marieke, etc. filed
24 July 15, 2015 was denied and set for hearing on July 31, 2015. A
25 copy of the Court's Order of July 15, 2015 is attached hereto as
26 Exhibit "K" and incorporated herein by this reference.

27 On July 16, 2015, this Court denied Petitioner's Ex Parte
28 Request for Domestic Violence Protection Act Restraining Orders,

1 and continued the matter to July 31, 2015. That same date, this
2 Court denied Marieke's Ex Parte Request for Domestic Violence
3 Protection Act Restraining Orders.

4
5 II. PETITIONER BEARS THE BURDEN OF PROVING CALIFORNIA'S UCCJEA
6 JURISDICTION

7 The party initiating a California custody proceeding bears
8 the burden of establishing California's UCCJEA jurisdiction. In
9 re Baby Boy M. (2006) 141 CA4th 588, 599, 46 CR3d 196, 203.

10 Jurisdiction over child custody and/or visitation may be
11 exercised in the proceeding only when jurisdictional conditions
12 established by the Federal Parental Kidnapping Prevention Act
13 (FPKPA, 28 USC section 1738A) and Uniform Child Custody
14 Jurisdiction and Enforcement Act (UCCJEA, Family Code section
15 3400 et seq.) are satisfied at the time the custody/visitation
16 determination is sought. Family Code section 3421 et seq.

17 The aforementioned Acts identify the state with exclusive
18 jurisdiction to make an initial custody/visitation determination
19 and ensure that only one state will have exclusive, continuing
20 jurisdiction to modify a child custody/visitation once made.

21 III. CALIFORNIA DOES NOT HAVE "HOME STATE" JURISDICTION FOR
22 PURPOSES OF MAKING A CHILD CUSTODY DETERMINATION IN THIS
23 ACTION

24 Family Code section 3421(a)(1) provides, inter alia:

25 "Except as otherwise provided in Section 3424, a court of
26 this state has jurisdiction to make an initial child custody
27 determination only if...This state is the home state of the
28 child on the date of the commencement of the proceeding, or
was the home state of the child within six months before the
commencement of the proceeding and the child is absent from
this state but a parent or person acting as a parent
continues to live in this state."

1 Family Code section 3402(g) defines "home state" as
2 follows:

3 "Home state" means the state in which a child lived with a
4 parent or a person acting as a parent for at least six
5 consecutive months immediately before the commencement of a
6 child custody proceeding...A period of temporary absence of
any of the mentioned persons is part of the period."

7 The Declaration under UCCJEA gives absolute priority
8 jurisdiction to the child's home state in all initial custodial
9 adjudications. There cannot be "concurrent" UCCJEA jurisdiction.
10 See, *Marriage of Nurie* (2009) 176 CA4th 478, 497-498; 98 CR3d
11 200, 217-218 (citing text). The minimum six-month forum state
12 residence must exist at the time the custody petition is filed.

13 In the case at hand, the minor child has lived with Marieke
14 in Vancouver, British Columbia, Canada for at least six
15 consecutive months immediately before the commencement of the
16 instant proceeding on May 19, 2015 (when the Petition of
17 Dissolution was filed). Accordingly, Marieke's Declaration under
18 UCCJEA filed June 18, 2015 accurately reflects that the minor child
19 has resided with her in Vancouver, British Columbia since April
20 2014.

21 On or about April 2014, Marieke and the minor child
22 permanently moved to Vancouver, British Columbia, with the promise
23 from Petitioner that he would follow. To facilitate this move,
24 Petitioner entered into a lease for a condominium located at 668
25 Citadel Parade, Unit 2006, Vancouver, British Columbia, Canada
26 ("Canadian Residence") for a term of one-year and one-half month,
27 commencing May 15, 2014 and ending May 30, 2015 ("Lease"). A copy
28

1 of the Lease is attached hereto as Exhibit "L" and incorporated
2 herein by this reference. On the lease application for the
3 Canadian Residence, Petitioner states, as his reason for moving,
4 that he is "relocating to Canada to work in the Entertainment
5 business." A copy of the lease application is attached hereto as
6 Exhibit "M" and incorporated herein by this reference.

7 Petitioner sold all of his belongings in Los Angeles in
8 preparation for his move to Canada. On April 27, 2014, Petitioner
9 emailed family and friends notifying them that the Marieke and the
10 minor child are officially in Vancouver, Canada, and that he
11 intends to join them. A copy of this email is attached hereto as
12 Exhibit "N" and incorporated herein by this reference.

13 During marriage, after Marieke and the minor child permanently
14 moved to Canada, Petitioner intermittently traveled between
15 California and Canada for purposes of visiting Marieke and the
16 minor child. Until filing the instant action, Petitioner was, at
17 all times in agreement that Marieke and the minor child would
18 continue to reside in Canada. This is evidenced by Petitioner
19 importing Marieke's car to Canada on or about January 5, 2015.
20 Copies of documentation confirming the importation of Marieke's car
21 to Canada are attached hereto as Exhibit "O" and incorporated
22 herein by this reference. Interestingly, Petitioner claims on his
23 Petition for Dissolution, that the parties' date of separation is
24 December 31, 2014, yet Petitioner exported Marieke's vehicle from
25 California to Canada after this purported separation.

26 On or about April 2015, prior to the parties' separation in
27 May of 2015, Marieke discussed with the landlord of the Canadian
28 Residence the extension of the Lease on the Canadian Residence for

1 a one-year term. Petitioner only objected to this extension after
2 serving Marieke with the Petition of Dissolution and, in a clear
3 attempt to force Marieke and the minor child out of their home in
4 Canada, Petitioner attempted to terminate the Lease. A copy of
5 email communications between the landlord of the Canadian Residence
6 and Petitioner is attached hereto as Exhibit "P" and incorporated
7 herein by this reference.

8 Marieke and the minor child have remained, at all times,
9 residents of Canada since April 2014. Both Marieke and the minor
10 child are citizens of Canada. All of Marieke and the minor child's
11 belongings are in Canada. Marieke's vehicle was exported to Canada.
12 Marieke and the minor child only visited California for purposes of
13 facilitating Petitioner's visitation with the minor child on one
14 occasion. Specifically, on or about April 26, 2015, Marieke and the
15 minor child travelled to Los Angeles to visit Petitioner, with the
16 expectation that they would return to Canada after a short visit.
17 During this trip to Los Angeles, the minor child became sick with
18 Rotavirus, causing him to vomit and have diarrhea. As a result,
19 Marieke postponed her and the minor child's return to Canada, which
20 return was further delayed due to the minor child's continued
21 illness. During this delayed stay in California, Petitioner
22 initiated and served Marieke with the instant action.

23 Petitioner has committed a fraud on this Court by claiming, on
24 his Declaration under UCCJEA filed May 19, 2015, that the minor
25 child has resided with Petitioner, from April 2014 through present,
26 at 13428 Maxella Avenue, #559, Marina Del Rey, California. A copy
27 of Petitioner's Declaration under UCCJEA filed May 19, 2015 is
28 attached hereto as Exhibit "Q" and incorporated herein by this

1 reference. The 13428 Maxella Avenue, #559, Marina Del Rey,
2 California address is not Petitioner's residence, and certainly not
3 where Petitioner has "resided" with the minor child; it is a post
4 office box that Petitioner has maintained at a UPS Store for
5 purposes of receiving his mail. A copy of Google Maps and UPS
6 website information confirming that the aforementioned Maxella
7 Avenue address is, in fact, the location of a UPS store is attached
8 hereto as Exhibit "R" and incorporated herein by this reference.
9 Clearly, the minor child has never resided at a UPS Store nor had
10 any residence in California for purposes of conferring on this
11 Court "home state" jurisdiction.

12 On his Declaration under UCCJEA, Petitioner admits that the
13 minor child has lived at the Canadian Residence, albeit he claims
14 with both Petitioner and Marieke. Given that the minor child never
15 resided at a UPS store with Petitioner, this is the only residence
16 of the minor child from April 2014 through the commencement of this
17 action. Further, as described herein and admitted to by Petitioner
18 in his declaration in support of his Ex Parte Request for Order
19 filed June 5, 2015, Petitioner never resided with Marieke and the
20 minor child at the Canadian Residence, but only intermittently
21 visited the minor child in Canada.

22 Despite ongoing promises that Petitioner would also relocate
23 to Canada, Petitioner never did. Nevertheless, this does not
24 diminish the permanent relocation of Marieke and the minor child to
25 Canada, and the intention of the parties to move to Canada.

26 Based on the foregoing, this Court does not have "home state"
27 jurisdiction for making any child custody determination in this
28 action. The Court in the Canadian Family Law Action has exclusive

"home state" jurisdiction over issues of custody and visitation.

IV. CALIFORNIA DOES NOT HAVE "ALTERNATIVE BASIS FOR JURISIDIXTION" FOR PURPOSES OF MAKING A CHILD CUSTODY DETERMINATION IN THIS ACTION

Family Code section 3421(a) provides, inter alia:

"Except as otherwise provided in Section 3424, a court of this state has jurisdiction to make an initial child custody determination only if...

(2) A court of another state does not have jurisdiction under paragraph (1), or a court of the home state of the child has declined to exercise jurisdiction on the grounds that this state is the more appropriate forum under Section 3427 or 3428, and both of the following are true:

(A) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence.

(B) Substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships.

(3) All courts having jurisdiction under paragraph (1) or (2) have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under Section 3427 or 3428.

(4) No court of any other state would have jurisdiction under the criteria specified in paragraph (1), (2), or (3).

In the case at hand, as delineated above, the Canadian Family Law Action has "home state" jurisdiction over the issues of custody and visitation. As explained in the Declaration of Brent Ellingson of Varty & Company, Marieke's attorney in Canada, filed concurrently herewith, the Supreme Court of British Columbia has not declined to exercise jurisdiction; in fact, a Judge will be assigned to the Canadian Family Law Action at the first hearing in

1 the action, after Reed Randoy, Petitioner herein, files his
2 Response in the Canadian Family Law Action. To date, despite
3 having been served, Petitioner has yet to file his Response to the
4 Canadian Family Law Action. Petitioner's delay in filing a Response
5 in the Canadian Family Law Action has caused a delay in the
6 assignment of a Judge. Accordingly, the requirements of Family
7 Code section 3421(a)(2), (3) and (4) have not been satisfied for
8 purposes of conferring the California Court with an alternative
9 basis for jurisdiction to make a child custody determination.

10 V. THIS COURT DOES NOT HAVE TEMPORARY EMERGENCY JURISDICTION TO
11 MAKE A CHILD CUSTODY DETERMINATION PER PETITIONER'S REQUEST

12 Family Code section 3424 provides, inter alia:

13 "(a) A court of this state has temporary emergency
14 jurisdiction if the child is present in this state and the child
15 has been abandoned or it is necessary in an emergency to protect
16 the child because the child, or a sibling or parent of the child,
17 is subjected to, or threatened with, mistreatment or abuse."

18 The finding of an "emergency" to support the exercise of
19 Family Code section 3424 jurisdiction cannot be based on
20 unsubstantiated allegations; nor should it be made "in a rush to
21 judgment." A "full and fair evidentiary hearing on the issue is
22 required. *Marriage of Fernandez-Abin & Sanchez* (2011) 191 CA4th
23 1015, 1042, 120 CR3d 227, 247 (emphasis added); *In re C.T.* (2002)
24 100 CA4th 101, 107-108, 121 CR2d 897, 904.

25 Petitioner misled the Court when he alleged, in his Ex
26 Parte Request for Order filed June 5, 2015, that Marieke
27 kidnapped or abducted the minor child. Marieke did not abduct
28 the minor child to Canada, nor did Marieke violate the Automatic

1 Restraining Orders. Petitioner was, at all times, aware of
2 Marieke's intent to return to Canada, the child's "home state"
3 where the child has been residing for more than one year.
4 Petitioner was, at all times, aware of the minor child's
5 whereabouts at the Canadian Residence, the rent for which
6 Petitioner had paid.

7 Marieke returned to the Canadian Residence with the minor
8 child with the clear understanding that British Columbia, Canada
9 is the minor child's "home state". Petitioner cannot now claim
10 that his fraudulent attempt to claim California as the minor
11 child's "home state" would prohibit Marieke from returning the
12 minor child to the real "home state" of Canada per the Automatic
13 Restraining Orders.

14 On May 25, 2015, after initiation of this action,
15 Petitioner emailed the landlord of the Canadian Residence
16 notifying him that "If Marieke chooses to stay in Canada and not
17 move back to LA with her son, she'll be paying [rent]. That is
18 something you are welcome to take up with her." A copy of this
19 email is attached hereto as Exhibit "S" and incorporated herein
20 by this reference. Further, on May 26, 2015, Marieke emailed
21 Petitioner and his counsel notifying them that she and the minor
22 child permanently reside in Canada and the minor child cannot be
23 removed from his home in Canada. A copy of this email is attached
24 hereto as Exhibit "T" and incorporated herein by this reference.
25 Accordingly, Marieke did not abduct the minor child nor violate
26 the Automatic Restraining Orders as alleged by Petitioner.

27 Further, Petitioner did not have the financial ability to
28 remain in Los Angeles given Petitioner's continued refusal to

1 provide her any financial support. A copy of Marieke's Wells
2 Fargo Bank statement for the period of May 11, 2015 through June
3 6, 2015 is attached hereto as Exhibit "U" and incorporated herein
4 by this reference. As of the date of the parties' separation on
5 May 20, 2015, Marieke had a negative balance in her bank account,
6 and Petitioner refused to provide her with any financial support
7 in a clear attempt to financially choke her while she and the
8 minor child are in Los Angeles; Marieke is a stay-at-home mother
9 who is the minor child's primary caretaker; Marieke
10 intermittently worked as an actress but has nominal income and no
11 assets; Marieke is financially dependent on Petitioner, who was
12 the breadwinner of the family throughout the parties' marriage.

13 During her stay in Los Angeles, after the parties'
14 separation, Marieke slept on various friends' couches; without
15 any financial support, Marieke could not provide the minor child
16 with an appropriate living situation in Los Angeles; at the same
17 time, Petitioner was living on a boat, a dangerous environment
18 for the minor child who is not a skilled swimmer. With no
19 financial support from Petitioner, Marieke, as the primary
20 caretaker of the minor child since his birth, Marieke and the
21 minor child returned to the Canadian Residence as soon as the
22 minor child was well after his illness with Rotovirus.

23 Upon receiving ex parte notice on June 4, 2015 of the June 5,
24 2015 hearing on Petitioner's Ex Parte Request for Order seeking
25 sole legal and sole physical custody of the minor child, Marieke
26 attempted to purchase airline tickets to Los Angeles so that she
27 may appear at the Ex Parte hearing. With only approximately \$18 in
28 Marieke's bank account, Marieke begged Petitioner to deposit funds

1 into her bank account so as to allow her to appear at the hearing.
2 Copies of text communications between Petitioner and Marieke
3 confirming Petitioner's refusal to give Marieke any funds to travel
4 to Los Angeles are attached hereto as Exhibit "V" and incorporated
5 herein by this reference. Petitioner never provided Marieke with
6 any funds so as to ensure that she could not participate in the
7 June 5, 2015 hearing. Petitioner also never informed this Court
8 that Marieke did not have the funds to appear at the hearing,
9 despite her repeated requests that Petitioner deposit funds so that
10 she could afford the flight to Los Angeles for the hearing.
11 Instead, Petitioner misled the Court into believing that Marieke
12 was refusing to return to California.

13 Family Code section 3424(d), provides:

14 "A court of this state that has been asked to make a child
15 custody determination under this section, upon being informed
16 that a child custody proceeding has been commenced in, or a child
17 custody determination has been made by, a court of a state having
18 jurisdiction under Sections 3421 to 3423, inclusive, shall
19 immediately communicate with the other court. A court of this
20 state which is exercising jurisdiction pursuant to Sections 3421
21 to 3423, inclusive, upon being informed that a child custody
22 proceeding has been commenced in, or a child custody
23 determination has been made by, a court of another state under a
24 statute similar to this section shall immediately communicate
25 with the court of that state to resolve the emergency, protect
26 the safety of the parties and the child, and determine a period
27 for the duration of the temporary order.

28 Pursuant to Family Code section 3424(d), even if the Court
exercised proper emergency temporary jurisdiction at the June 5,
2015 hearing, temporary emergency jurisdiction only confers the
Court with the power to "resolve the emergency, protect the
safety of the parties and child, and determine a period for the
duration of the temporary order." Thereafter, once the emergency

1 is resolved, the issue of custody and visitation must be
2 adjudicated by the Court with "home state" jurisdiction.

3 In the case at hand, Petitioner's claim that Marieke
4 violated the Automatic Restraining Orders by removing the minor
5 child to Canada as grounds for this Court's temporary emergency
6 jurisdiction pursuant to Family Code section 3424 does not confer
7 on this Court continuing temporary emergency jurisdiction once
8 the "emergency" has been resolved with the return of the minor
9 child to California.

10 Pursuant to the Court's June 5, 2015 order, the minor child
11 was returned to California by Marieke, and the minor child's US
12 Passport is currently in the possession of Petitioner's counsel.
13 Accordingly, the purported "emergency" was resolved. Marieke at
14 all times communicated with Petitioner that she would comply with
15 all Court orders. Therefore, this Court no longer has temporary
16 emergency jurisdiction to issue any custody/visitation orders
17 requested by Petitioner.

18 VI. MARIEKE DID NOT VIOLATE THE AUTOMATIC RESTRAINING ORDERS

19 As explained hereinabove, there was no basis for
20 Petitioner's false allegation that Marieke abducted the minor
21 child. Similarly, there is no basis for Petitioner's claim that
22 Marieke violated the Automatic Restraining Orders.

23 The Automatic Restraining Orders set forth in the Summons
24 prohibits the parties from "removing the minor child from the
25 state".
26
27
28

1 Family Code section 3405(a) provides, inter alia:

2 "A court of this state shall treat a foreign country as if
3 it were a state of the United States for purpose of applying this
chapter and Chapter 2 (commencing with section 3421)."

4 Family Code section 3405(a) which treats Canada as if it
5 were a state of the United States coupled with Family Code
6 section 3421(a) which defines "home state" as the state in which
7 the minor child was living for the 6 months preceding the
8 commencement of the custody proceeding render Marieke's conduct
9 in returning the minor child to Canada where the minor child
10 clearly was residing for the 6 months prior to commencement of
11 this action as a non-violation of the Automatic Restraining
12 Orders.

13 Further, Marieke's conduct in returning the minor child to
14 Canada is in compliance with The Hague Convention on the Civil
15 Aspects of International Child Abduction ("Hague Convention")
16 which provides for the immediate return of children who are
17 wrongly taken from their country of "habitual residence" just
18 before the abduction. The Hague Convention is not concerned with
19 substantive custody questions or even with jurisdiction; its
20 purpose is to send children back to their primary residence,
21 where they came from. "Habitual residence" is not considered to
22 need a definition, nor does it require six months' residency, as
23 the UCCJA's "home state" standard does. A child is "wrongfully
24 removed or retained" only if: (1) the child's "habitual
25 residence" just before the abduction was in a ratifying country;
26 and (2) the child was removed from a person that had and was
27 exercising lawful custody rights, or that would have been
28 exercising but for the removal. It does not mean, or require,

1 conduct that is illegal or immoral. It is a term of art, defined
2 as a breach of custody rights that were being exercised, or that
3 would have been were it not for the abduction or retention.
4 "Custody rights" under the Hague Convention is a broadly defined
5 term and applies even if there are no custody orders in effect.
6 Both United States of America and Canada are signatories to the
7 Hague Convention.

8 The purpose of the Hague Convention is to eliminate
9 tactical advantages parties might obtain in a custody dispute by
10 absconding with a child to a more favorable forum. See, *Holder v.*
11 *Holder* (9th Circuit 2002) 392 F3d 1009, 1014; *Marriage of*
12 *Witherspoon* (2007) 155 CA4th 963, 971, 66 CR3d 586, 591; *Marriage*
13 *of Forrest & Eaddy* (2006) 144 CA4th 1202, 2110, 51 CR3d 172, 177.

14 In the instant case, the habitual residence of the minor
15 child is Vancouver, Canada. Accordingly, Marieke returned the
16 minor child to his habitual residence of Vancouver, Canada in
17 compliance with the Hague Convention and the "home state" of the
18 minor child in compliance with the UCCJEA. It is Petitioner who
19 is now attempting to gain a tactical advantage by litigating
20 issues of custody and visitation in California when the facts
21 clearly indicate that Vancouver, British Columbia is the "home
22 state" of the minor child and "habitual residence" of the minor
23 child. Further, it is Petitioner who violated the Hague
24 Convention by retaining the minor child in California, when
25 Vancouver, British Columbia is the minor child's "habitual
26 residence".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VII. MARIEKE'S REQUESTED RELIEF

Since Marieke returned the minor child to California, Petitioner has taken custody of the minor child and has refused to allow Marieke any custodial time with the minor child, with the exception of two (2) one-hour visits with the minor child, on July 6, 2015 and July 12, 2015. Petitioner has also not facilitates any of Marieke's requests for Facetime communication with the minor child. Marieke is unaware at this time of the exact location of the minor child, as Petitioner has refused to provide her with any such details. The past 3 weeks have been the longest period of time that Marieke and the minor child have been separated.

The current de facto custodial arrangement wherein Petitioner has "custody" of the minor child with no visitations to Marieke is not in the minor child's best interest. Marieke is the parent that is primarily bonded with the minor child; she has at all times been the minor child's primary caretaker; the minor child is of tender age and unable to understand why Marieke has not been able to spend any quality time with him.

Marieke requests the following relief, pending the hearing on custody and visitation in the Canadian Family Law Action, as delineated in her Ex Parte Request for Order filed July 15, 2015:

1. Sole legal and sole physical custody of the minor child;
2. Order allowing Marieke to remove the minor child from California to Vancouver, British Columbia.
3. That Petitioner return to Marieke the minor child's US Passport forthwith.

1 4. Reasonable visitation with the minor child to
2 Petitioner in Vancouver, British Columbia.

3 VIII. MARIEKE'S APPEARANCE IN THIS ACTION CANNOT CURE DEFECTIVE
4 SUBJECT MATTER JURISDICTION

5 Subject matter jurisdiction over the issue of custody and
6 visitation affects the court's fundamental authority to hear and
7 decide a particular cause. The power is exclusively dependent
8 upon legislative grant of authority and thus may not be conferred
9 by the parties consent, waiver or estoppel. *Marriage of Arnold &*
10 *Cully* (1990) 222 CA3d 499, 503, 271 CR624, 626. *Marriage of*
11 *Sareen* (2007) 153 CA4th 371, 376, 62 CR3d 687, 691; see also,
12 *Harding v. Harding* (2002) 99 CA4th 626, 636, 121 CR2d 450, 458,
13 cert. den. (2003) 537 US 1234.

14 Whether the forum court satisfies applicable subject matter
15 jurisdiction standards is tested as of the time the action is
16 commenced, i.e., when the first pleading is filed. *Marriage of*
17 *Sareen*, supra, 153 CA4th at 376, 62 CR3d at 691. Subject matter
18 jurisdiction either exists or does not exist at the time the
19 action is commenced. *In re S.W.* (2007) 148 CA4th 1501, 1508, 56
20 CR3d 665, 669. Accordingly, even a party's general appearance
21 cannot cure defective subject matter jurisdiction.

22 In the case at hand, Marieke's filing of the Response in
23 this action, pursuant to which she avails herself to personal
24 jurisdiction in this action, does not grant the Court subject
25 matter jurisdiction over the issue of custody and visitation.
26 Marieke cannot consent to subject matter jurisdiction that does
27 not exist at the time the action is commenced.

IX. MARIEKE'S REQUEST FOR SANCTIONS

Family Code section 271 provides, inter alia:

"Notwithstanding any other provision of this code, the court may base an award of attorney's fees and costs on the extent to which the conduct of each party or attorney furthers or frustrates the policy of the law to promote settlement of litigation and, where possible, to reduce the cost of litigation by encouraging cooperation between the parties and attorneys. An award of attorney's fees and costs pursuant to this section is in the nature of a sanction."

Marieke requests that the Court order Petitioner to pay the sum of \$20,000 to Marieke as sanctions pursuant to Family Code section 217. Petitioner's attempt to defraud the Court by claiming that California has "home state" jurisdiction, by using a Marina Del Rey UPS Store address as his residence for the minor child, as well as misleading the Court that Marieke "abducted" the minor child when she returned with the minor child to their only home in Canada, the whereabouts of which Petitioner was aware, is egregious conduct that warrants sanctions. Despite Marieke's attempt to resolve this matter amicably, through Petitioner and his counsel, Petitioner's litigiousness has forced Marieke to incur attorney fees by retaining the Law Offices of Anat Resnik.

On or about May 26, 2015, prior to Marieke incurring any attorney fees and costs, Marieke wrote to Petitioner and his counsel explaining that Canada is the primary residence of the minor child and that any attempt to keep the minor child from Canada is a violation of the law. Marieke requested Petitioner to consider an amicable divorce. A copy of this email was previously attached as Exhibit "T" and incorporated herein by this reference. Despite this email, Petitioner continued on his campaign to force

1 Marieke to litigate the issues of custody in California, retain
2 legal counsel in California, and travel back and forth between
3 California and Canada in connection with the various hearing in
4 this action to date.

5 Marieke has been forced to borrow money from family and
6 friends to pay for her attorney fees, and living expenses while
7 Petitioner has refused to financially contribute toward any of
8 Marieke's or the minor child's expenses. Petitioner's conduct is
9 egregious and warrants sanctions as requested.

10 X. CONCLUSION

11 For the reasons set forth herein, the Court is respectfully
12 requested to find that the "home state" of the minor child is
13 Canada, deny Petitioner's requested relief, and award Marieke her
14 requested relief as reflected above.

15 Respectfully submitted:

16 DATED: July 20, 2015

LAW OFFICES OF ANAT RESNIK

17 BY: 

18 ANAT RESNIK

19 Attorneys for Respondent

PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 11111 Santa Monica Blvd., Suite 1700, Los Angeles, CA 90025. On **July 24, 2015**, I served the document described as: **PETITIONER'S OBJECTION AND MOTION TO STRIKE RESPONDENT'S BRIEF DATED JULY 20, 2015** on the interested party(ies) in this action at the following address, fax number, or email address:

Anat Resnik, Esq.
LAW OFFICES OF ANAT RESNIK
15760 Ventura Blvd., Suite 1160
Encino, CA 91436
Anat@anatresnik.com

☐ (BY CERTIFIED MAIL RETURN RECEIPT REQUESTED) I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and placed the envelope for collection and mailing, following our ordinary business practices. I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

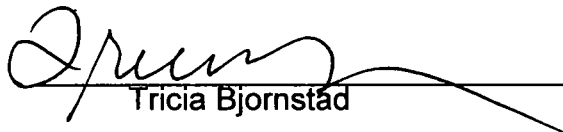
☐ (BY OVERNIGHT DELIVERY) I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ (BY FACSIMILE) I faxed the documents to the persons at the fax numbers listed above. No error was reported by the fax machine I used. A copy of the report confirming the fax transmissions, which I printed out, is attached.

XX (BY EMAIL) I caused the documents to be sent to the persons at the email addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

EXECUTED on July 24, 2015, at Los Angeles, California

XX (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.


Tricia Bjornstad

In Re Marriage of Randoy

Case No. BD621137

Law Offices of Anat Resnik
Anat Resnik, CFLS, SBN 192047
15760 Ventura Boulevard, Ste. 1160
Encino, California 91436
Phone: (818) 990-1405
Fax: (818) 475-5320

Attorneys for Respondent

FILED
Superior Court of California
County of Los Angeles

JUL 28 2015

Sherr R. Carter, Esq., Clerk/Clerk
By Armida M. Gutierrez, Deputy
Armida Gutierrez

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

In re the Marriage of:	)	Case No. BD621137
)	
Petitioner: REED RANDOY)	
	)	BRIEF RE JURISDICTION, ETC.;
and	)	REQUEST FOR SANCTIONS
)	
	)	RFO:
Respondent: MARIEKE RANDOY	)	Date: July 31, 2015
	)	Time: 8:30 a.m.
	)	Dept: "22"
)	
	)	HON. TAMARA HALL

Respondent, Marieke Randoy (hereinafter, "Marieke"), submits the following Brief re Jurisdiction, etc., and Request for Sanctions. At issue is whether California has jurisdiction for purposes of making any child custody determination in this action.

I. BACKGROUND/PROCEDURAL BACKGROUND

The parties were married on September 27, 2011, and separated on May 20, 2015. There is one minor child of the marriage, Hunter Randoy born April 10, 2012, age 3 years (hereinafter, "minor child").

Petition of Dissolution and Petitioner's Declaration under Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA")

1 were filed May 19, 2015.

2 Marieke was served with the Petition for Dissolution on May
3 21, 2015. For reasons and circumstances explained below, on or
4 about May 28, 2015, Marieke and the minor child flew to Vancouver,
5 Canada, with Petitioner's knowledge.

6 At the June 5, 2015 hearing on Petitioner's Ex Parte Request
7 for Order seeking sole legal and sole physical custody of the minor
8 child, at which Marieke was not present, this Court made the
9 following temporary orders pending hearing on June 26, 2015:

10 1. Sole legal and sole physical custody of the minor child
11 to Petitioner;

12 2. No visitations to Marieke;

13 3. Marieke shall forthwith return the minor child to
14 Petitioner;

15 4. Marieke shall forthwith release the minor child's
16 American and Canadian passports to Petitioner's counsel.

17 A copy of the June 5, 2015 Minute Order is attached hereto as
18 Exhibit "A" and incorporated herein by this reference. A copy of
19 the Temporary Emergency Court Orders are attached hereto as Exhibit
20 "B" and incorporated herein by this reference. Marieke received
21 service of Petitioner's Ex Parte Request for Order filed June 5,
22 2015 and the Court's June 5, 2015 orders, only by mail, on or about
23 June 17, 2015.

24 Response in this action was filed on June 17, 2015, attached
25 hereto as Exhibit "C" and incorporated herein by this reference.
26 Marieke's Declaration under UCCJEA was filed on June 18, 2015,
27 attached hereto as Exhibit "D" and incorporated herein by this
28 reference.

1 On June 26, 2015, Marieke initiated a dissolution action in
2 Canada, Case No. E151794 in the Supreme Court of British Columbia
3 ("Canadian Family Law Action"). A copy of Notice of Family Claim is
4 attached hereto as **Exhibit "E"** and incorporated herein by this
5 reference. Petitioner was personally serviced with the Canadian
6 Family Law Action on July 6, 2015. A copy of the Affidavit of
7 Personal Service is attached hereto as **Exhibit "F"** and incorporated
8 herein by this reference.

9 At the June 26, 2015 hearing on Petitioner's Request for Order
10 filed June 5, 2015, this Court modified the June 5, 2015 temporary
11 orders and made the following temporary orders pending a continued
12 hearing on July 1, 2015:

- 13 1. Joint legal custody of the minor child;
- 14 2. Sole physical custody of the minor child to Marieke;
- 15 3. Visitation to Petitioner with the minor child every
16 weekend from Friday at 3:00 p.m. to Monday at 8:00 p.m.;
- 17 4. Petitioner shall pay travel expenses relating to
18 visitations, subject to reallocation.

19 A copy of the June 26, 2015 Minute Order is attached hereto as
20 **Exhibit "G"** and incorporated herein by this reference.

21 At the July 1, 2015 continued hearing on Petitioner's Request
22 for Order filed June 5, 2015, this Court vacated the June 26, 2015
23 orders, and continued the hearing to July 31, 2015. The Court
24 further ordered Marieke to provide the Court and opposing counsel
25 with information from the Canada court proceedings including the
26 name of the Judge assigned to her case, no later than July 10,
27 2015. A copy of the July 1, 2015 Minute Order is attached hereto
28 as **Exhibit "H"** and incorporated herein by this reference.

1 On July 6, 2015, Marieke amended her dissolution action in
2 Canada so as to strike the Canadian Court's jurisdiction with
3 respect to marital status, spousal support, and division of assets
4 and debts, leaving only the issues of custody and visitation. A
5 copy of the Amended Notice of Family Law Claim is attached hereto
6 as Exhibit "I" and incorporated herein by this reference.

7 On July 13, 2015, Marieke's Ex Parte Request for Order filed
8 July 13, 2015 was denied. The Court indicated that the Court must
9 determine the issues of jurisdiction and Marieke's removal of the
10 minor child in violation of the Automatic Temporary Restraining
11 Orders. A copy of the Court's Order of July 13, 2015 and Minute
12 Order of July 13, 2015 are collectively attached hereto as Exhibit
13 "J" and incorporated herein by this reference.

14 As part of Marieke's Ex Parte Request for Order filed July 13,
15 2015, Marieke submitted to this Court, and served opposing counsel,
16 with exhibits documenting the initiation of the Canadian Family Law
17 Action (Exhibit "D"), as well as an email from Marieke's Canadian
18 counsel explaining the Canadian procedural process for assignment
19 of judges (Exhibit "C").

20 On July 15, 2015, Marieke's Ex Parte Request for Order seeking
21 sole legal and sole physical custody of the minor child, permission
22 to remove the minor child from California to Vancouver Canada, the
23 return of the minor child's U.S. Passport to Marieke, etc. filed
24 July 15, 2015 was denied and set for hearing on July 31, 2015. A
25 copy of the Court's Order of July 15, 2015 is attached hereto as
26 Exhibit "K" and incorporated herein by this reference.

27 On July 16, 2015, this Court denied Petitioner's Ex Parte
28 Request for Domestic Violence Protection Act Restraining Orders,

and continued the matter to July 31, 2015. That same date, this Court denied Marieke's Ex Parte Request for Domestic Violence Protection Act Restraining Orders.

II. PETITIONER BEARS THE BURDEN OF PROVING CALIFORNIA'S UCCJEA JURISDICTION

The party initiating a California custody proceeding bears the burden of establishing California's UCCJEA jurisdiction. In *re Baby Boy M.* (2006) 141 CA4th 588, 599, 46 CR3d 196, 203.

Jurisdiction over child custody and/or visitation may be exercised in the proceeding only when jurisdictional conditions established by the Federal Parental Kidnapping Prevention Act (FPKPA, 28 USC section 1738A) and Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA, Family Code section 3400 et seq.) are satisfied at the time the custody/visitation determination is sought. Family Code section 3421 et seq.

The aforementioned Acts identify the state with exclusive jurisdiction to make an initial custody/visitation determination and ensure that only one state will have exclusive, continuing jurisdiction to modify a child custody/visitation once made.

III. CALIFORNIA DOES NOT HAVE "HOME STATE" JURISDICTION FOR PURPOSES OF MAKING A CHILD CUSTODY DETERMINATION IN THIS ACTION

Family Code section 3421(a)(1) provides, inter alia:

"Except as otherwise provided in Section 3424, a court of this state has jurisdiction to make an initial child custody determination only if...This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state."

1 Family Code section 3402(g) defines "home state" as
2 follows:

3 "Home state" means the state in which a child lived with a
4 parent or a person acting as a parent for at least six
5 consecutive months immediately before the commencement of a
6 child custody proceeding..A period of temporary absence of
any of the mentioned persons is part of the period."

7 The Declaration under UCCJEA gives absolute priority
8 jurisdiction to the child's home state in all initial custodial
9 adjudications. There cannot be "concurrent" UCCJEA jurisdiction.
10 See, *Marriage of Nurie* (2009) 176 CA4th 478, 497-498, 98 CR3d
11 200, 217-218 (citing text). The minimum six-month forum state
12 residence must exist at the time the custody petition is filed.

13 In the case at hand, the minor child has lived with Marieke
14 in Vancouver, British Columbia, Canada for at least six
15 consecutive months immediately before the commencement of the
16 instant proceeding on May 19, 2015 (when the Petition of
17 Dissolution was filed). Accordingly, Marieke's Declaration under
18 UCCJEA filed June 18, 2015 accurately reflects that the minor child
19 has resided with her in Vancouver, British Columbia since April
20 2014.

21 On or about April 2014, Marieke and the minor child
22 permanently moved to Vancouver, British Columbia, with the promise
23 from Petitioner that he would follow. To facilitate this move,
24 Petitioner entered into a lease for a condominium located at 668
25 Citadel Parade, Unit 2006, Vancouver, British Columbia, Canada
26 ("Canadian Residence") for a term of one-year and one-half month,
27 commencing May 15, 2014 and ending May 30, 2015 ("Lease"). A copy
28

1 of the Lease is attached hereto as **Exhibit "L"** and incorporated
2 herein by this reference. On the lease application for the
3 Canadian Residence, Petitioner states, as his reason for moving,
4 that he is "relocating to Canada to work in the Entertainment
5 business." A copy of the lease application is attached hereto as
6 **Exhibit "M"** and incorporated herein by this reference.

7 Petitioner sold all of his belongings in Los Angeles in
8 preparation for his move to Canada. On April 27, 2014, Petitioner
9 emailed family and friends notifying them that the Marieke and the
10 minor child are officially in Vancouver, Canada, and that he
11 intends to join them. A copy of this email is attached hereto as
12 **Exhibit "N"** and incorporated herein by this reference.

13 During marriage, after Marieke and the minor child permanently
14 moved to Canada, Petitioner intermittently traveled between
15 California and Canada for purposes of visiting Marieke and the
16 minor child. Until filing the instant action, Petitioner was, at
17 all times in agreement that Marieke and the minor child would
18 continue to reside in Canada. This is evidenced by Petitioner
19 importing Marieke's car to Canada on or about January 5, 2015.
20 Copies of documentation confirming the importation of Marieke's car
21 to Canada are attached hereto as **Exhibit "O"** and incorporated
22 herein by this reference. Interestingly, Petitioner claims on his
23 Petition for Dissolution, that the parties' date of separation is
24 December 31, 2014, yet Petitioner exported Marieke's vehicle from
25 California to Canada after this purported separation.

26 On or about April 2015, prior to the parties' separation in
27 May of 2015, Marieke discussed with the landlord of the Canadian
28 Residence the extension of the Lease on the Canadian Residence for

1 a one-year term. Petitioner only objected to this extension after
2 serving Marieke with the Petition of Dissolution and, in a clear
3 attempt to force Marieke and the minor child out of their home in
4 Canada, Petitioner attempted to terminate the Lease. A copy of
5 email communications between the landlord of the Canadian Residence
6 and Petitioner is attached hereto as **Exhibit "P"** and incorporated
7 herein by this reference.

8 Marieke and the minor child have remained, at all times,
9 residents of Canada since April 2014. Both Marieke and the minor
10 child are citizens of Canada. All of Marieke and the minor child's
11 belongings are in Canada. Marieke's vehicle was exported to Canada.
12 Marieke and the minor child only visited California for purposes of
13 facilitating Petitioner's visitation with the minor child on one
14 occasion. Specifically, on or about April 26, 2015, Marieke and the
15 minor child travelled to Los Angeles to visit Petitioner, with the
16 expectation that they would return to Canada after a short visit.
17 During this trip to Los Angeles, the minor child became sick with
18 Rotavirus, causing him to vomit and have diarrhea. As a result,
19 Marieke postponed her and the minor child's return to Canada, which
20 return was further delayed due to the minor child's continued
21 illness. During this delayed stay in California, Petitioner
22 initiated and served Marieke with the instant action.

23 Petitioner has committed a fraud on this Court by claiming, on
24 his Declaration under UCCJEA filed May 19, 2015, that the minor
25 child has resided with Petitioner, from April 2014 through present,
26 at 13428 Maxella Avenue, #559, Marina Del Rey, California. A copy
27 of Petitioner's Declaration under UCCJEA filed May 19, 2015 is
28 attached hereto as **Exhibit "Q"** and incorporated herein by this

1 reference. The 13428 Maxella Avenue, #559, Marina Del Rey,
2 California address is not Petitioner's residence, and certainly not
3 where Petitioner has "resided" with the minor child; it is a post
4 office box that Petitioner has maintained at a UPS Store for
5 purposes of receiving his mail. A copy of Google Maps and UPS
6 website information confirming that the aforementioned Maxella
7 Avenue address is, in fact, the location of a UPS store is attached
8 hereto as Exhibit "R" and incorporated herein by this reference.
9 Clearly, the minor child has never resided at a UPS Store nor had
10 any residence in California for purposes of conferring on this
11 Court "home state" jurisdiction.

12 On his Declaration under UCCJEA, Petitioner admits that the
13 minor child has lived at the Canadian Residence, albeit he claims
14 with both Petitioner and Marieke. Given that the minor child never
15 resided at a UPS store with Petitioner, this is the only residence
16 of the minor child from April 2014 through the commencement of this
17 action. Further, as described herein and admitted to by Petitioner
18 in his declaration in support of his Ex Parte Request for Order
19 filed June 5, 2015, Petitioner never resided with Marieke and the
20 minor child at the Canadian Residence, but only intermittently
21 visited the minor child in Canada.

22 Despite ongoing promises that Petitioner would also relocate
23 to Canada, Petitioner never did. Nevertheless, this does not
24 diminish the permanent relocation of Marieke and the minor child to
25 Canada, and the intention of the parties to move to Canada.

26 Based on the foregoing, this Court does not have "home state"
27 jurisdiction for making any child custody determination in this
28 action. The Court in the Canadian Family Law Action has exclusive

"home state" jurisdiction over issues of custody and visitation.

IV. CALIFORNIA DOES NOT HAVE "ALTERNATIVE BASIS FOR JURISIDICTION" FOR PURPOSES OF MAKING A CHILD CUSTODY DETERMINATION IN THIS ACTION

Family Code section 3421(a) provides, inter alia:

"Except as otherwise provided in Section 3424, a court of this state has jurisdiction to make an initial child custody determination only if...

(2) A court of another state does not have jurisdiction under paragraph (1), or a court of the home state of the child has declined to exercise jurisdiction on the grounds that this state is the more appropriate forum under Section 3427 or 3428, and both of the following are true:

(A) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence.

(B) Substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships.

(3) All courts having jurisdiction under paragraph (1) or (2) have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under Section 3427 or 3428.

(4) No court of any other state would have jurisdiction under the criteria specified in paragraph (1), (2), or (3).

In the case at hand, as delineated above, the Canadian Family Law Action has "home state" jurisdiction over the issues of custody and visitation. As explained in the Declaration of Brent Ellingson of Varty & Company, Marieke's attorney in Canada, filed concurrently herewith, the Supreme Court of British Columbia has not declined to exercise jurisdiction; in fact, a Judge will be assigned to the Canadian Family Law Action at the first hearing in

the action, after Reed Randoy, Petitioner herein, files his Response in the Canadian Family Law Action. To date, despite having been served, Petitioner has yet to file his Response to the Canadian Family Law Action. Petitioner's delay in filing a Response in the Canadian Family Law Action has caused a delay in the assignment of a Judge. Accordingly, the requirements of Family Code section 3421(a)(2), (3) and (4) have not been satisfied for purposes of conferring the California Court with an alternative basis for jurisdiction to make a child custody determination.

V. THIS COURT DOES NOT HAVE TEMPORARY EMERGENCY JURISDICTION TO MAKE A CHILD CUSTODY DETERMINATION PER PETITIONER'S REQUEST

Family Code section 3424 provides, inter alia:

"(a) A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to, or threatened with, mistreatment or abuse."

The finding of an "emergency" to support the exercise of Family Code section 3424 jurisdiction cannot be based on unsubstantiated allegations; nor should it be made "in a rush to judgment." A "full and fair evidentiary hearing on the issue is required. *Marriage of Fernandez-Abin & Sanchez* (2011) 191 CA4th 1015, 1042, 120 CR3d 227, 247 (emphasis added); *In re C.T.* (2002) 100 CA4th 101, 107-108, 121 CR2d 897, 904.

Petitioner misled the Court when he alleged, in his Ex Parte Request for Order filed June 5, 2015, that Marieke kidnapped or abducted the minor child. Marieke did not abduct the minor child to Canada, nor did Marieke violate the Automatic

1 Restraining Orders. Petitioner was, at all times, aware of
2 Marieke's intent to return to Canada, the child's "home state"
3 where the child has been residing, for more than one year.

4 Petitioner was, at all times, aware of the minor child's
5 whereabouts at the Canadian Residence, the rent for which
6 Petitioner had paid.

7 Marieke returned to the Canadian Residence with the minor
8 child with the clear understanding that British Columbia, Canada
9 is the minor child's "home state". Petitioner cannot now claim
10 that his fraudulent attempt to claim California as the minor
11 child's "home state" would prohibit Marieke from returning the
12 minor child to the real "home state" of Canada per the Automatic
13 Restraining Orders.

14 On May 25, 2015, after initiation of this action,
15 Petitioner emailed the landlord of the Canadian Residence
16 notifying him that "If Marieke chooses to stay in Canada and not
17 move back to LA with her son, she'll be paying [rent]. That is
18 something you are welcome to take up with her." A copy of this
19 email is attached hereto as **Exhibit "S"** and incorporated herein
20 by this reference. Further, on May 26, 2015, Marieke emailed
21 Petitioner and his counsel notifying them that she and the minor
22 child permanently reside in Canada and the minor child cannot be
23 removed from his home in Canada. A copy of this email is attached
24 hereto as **Exhibit "T"** and incorporated herein by this reference.
25 Accordingly, Marieke did not abduct the minor child nor violate
26 the Automatic Restraining Orders as alleged by Petitioner.

27 Further, Petitioner did not have the financial ability to
28 remain in Los Angeles given Petitioner's continued refusal to

1 provide her any financial support. A copy of Marieke's Wells
2 Fargo Bank statement for the period of May 11, 2015 through June
3 6, 2015 is attached hereto as Exhibit "U" and incorporated herein
4 by this reference. As of the date of the parties' separation on
5 May 20, 2015, Marieke had a negative balance in her bank account,
6 and Petitioner refused to provide her with any financial support
7 in a clear attempt to financially choke her while she and the
8 minor child are in Los Angeles; Marieke is a stay-at-home mother
9 who is the minor child's primary caretaker; Marieke
10 intermittently worked as an actress but has nominal income and no
11 assets; Marieke is financially dependent on Petitioner, who was
12 the breadwinner of the family throughout the parties' marriage.

13 During her stay in Los Angeles, after the parties'
14 separation, Marieke slept on various friends' couches; without
15 any financial support, Marieke could not provide the minor child
16 with an appropriate living situation in Los Angeles; at the same
17 time, Petitioner was living on a boat, a dangerous environment
18 for the minor child who is not a skilled swimmer. With no
19 financial support from Petitioner, Marieke, as the primary
20 caretaker of the minor child since his birth, Marieke and the
21 minor child returned to the Canadian Residence as soon as the
22 minor child was well after his illness with Rotovirus.

23 Upon receiving ex parte notice on June 4, 2015 of the June 5,
24 2015 hearing on Petitioner's Ex Parte Request for Order seeking
25 sole legal and sole physical custody of the minor child, Marieke
26 attempted to purchase airline tickets to Los Angeles so that she
27 may appear at the Ex Parte hearing. With only approximately \$18 in
28 Marieke's bank account, Marieke begged Petitioner to deposit funds

1 into her bank account so as to allow her to appear at the hearing.
2 Copies of text communications between Petitioner and Marieke
3 confirming Petitioner's refusal to give Marieke any funds to travel
4 to Los Angeles are attached hereto as Exhibit "V" and incorporated
5 herein by this reference. Petitioner never provided Marieke with
6 any funds so as to ensure that she could not participate in the
7 June 5, 2015 hearing. Petitioner also never informed this Court
8 that Marieke did not have the funds to appear at the hearing,
9 despite her repeated requests that Petitioner deposit funds so that
10 she could afford the flight to Los Angeles for the hearing.
11 Instead, Petitioner misled the Court into believing that Marieke
12 was refusing to return to California.

13 Family Code section 3424(d), provides:

14 "A court of this state that has been asked to make a child
15 custody determination under this section, upon being informed
16 that a child custody proceeding has been commenced in, or a child
17 custody determination has been made by, a court of a state having
18 jurisdiction under Sections 3421 to 3423, inclusive, shall
19 immediately communicate with the other court. A court of this
20 state which is exercising jurisdiction pursuant to Sections 3421
21 to 3423, inclusive, upon being informed that a child custody
22 proceeding has been commenced in, or a child custody
23 determination has been made by, a court of another state under a
24 statute similar to this section shall immediately communicate
25 with the court of that state to resolve the emergency, protect
26 the safety of the parties and the child, and determine a period
27 for the duration of the temporary order.

28 Pursuant to Family Code section 3424(d), even if the Court
exercised proper emergency temporary jurisdiction at the June 5,
2015 hearing, temporary emergency jurisdiction only confers the
Court with the power to "resolve the emergency, protect the
safety of the parties and child, and determine a period for the
duration of the temporary order." Thereafter, once the emergency

1 is resolved, the issue of custody and visitation must be
2 adjudicated by the Court with "home state" jurisdiction.

3 In the case at hand, Petitioner's claim that Marieke
4 violated the Automatic Restraining Orders by removing the minor
5 child to Canada as grounds for this Court's temporary emergency
6 jurisdiction pursuant to Family Code section 3424 does not confer
7 on this Court continuing temporary emergency jurisdiction once
8 the "emergency" has been resolved with the return of the minor
9 child to California.

10 Pursuant to the Court's June 5, 2015 order, the minor child
11 was returned to California by Marieke, and the minor child's US
12 Passport is currently in the possession of Petitioner's counsel.
13 Accordingly, the purported "emergency" was resolved. Marieke at
14 all times communicated with Petitioner that she would comply with
15 all Court orders. Therefore, this Court no longer has temporary
16 emergency jurisdiction to issue any custody/visitation orders
17 requested by Petitioner.

18 VI. MARIEKE DID NOT VIOLATE THE AUTOMATIC RESTRAINING ORDERS

19 As explained hereinabove, there was no basis for
20 Petitioner's false allegation that Marieke abducted the minor
21 child. Similarly, there is no basis for Petitioner's claim that
22 Marieke violated the Automatic Restraining Orders.

23 The Automatic Restraining Orders set forth in the Summons
24 prohibits the parties from "removing the minor child from the
25 state".
26
27
28

1 Family Code section 3405(a) provides, inter alia:

2 "A court of this state shall treat a foreign country as if
3 it were a state of the United States for purpose of applying this
4 chapter and Chapter 2 (commencing with section 3421)."

5 Family Code section 3405(a) which treats Canada as if it
6 were a state of the United States coupled with Family Code
7 section 3421(a) which defines "home state" as the state in which
8 the minor child was living for the 6 months preceding the
9 commencement of the custody proceeding render Marieke's conduct
10 in returning the minor child to Canada where the minor child
11 clearly was residing for the 6 months prior to commencement of
12 this action as a non-violation of the Automatic Restraining
13 Orders.

14 Further, Marieke's conduct in returning the minor child to
15 Canada is in compliance with The Hague Convention on the Civil
16 Aspects of International Child Abduction ("Hague Convention")
17 which provides for the immediate return of children who are
18 wrongly taken from their country of "habitual residence" just
19 before the abduction. The Hague Convention is not concerned with
20 substantive custody questions or even with jurisdiction; its
21 purpose is to send children back to their primary residence,
22 where they came from. "Habitual residence" is not considered to
23 need a definition, nor does it require six months' residency, as
24 the UCCJA's "home state" standard does. A child is "wrongfully
25 removed or retained" only if: (1) the child's "habitual
26 residence" just before the abduction was in a ratifying country;
27 and (2) the child was removed from a person that had and was
28 exercising lawful custody rights, or that would have been
exercising but for the removal. It does not mean, or require,

1 conduct that is illegal or immoral. It is a term of art, defined
2 as a breach of custody rights that were being exercised, or that
3 would have been were it not for the abduction or retention.

4 "Custody rights" under the Hague Convention is a broadly defined
5 term and applies even if there are no custody orders in effect.
6 Both United States of America and Canada are signatories to the
7 Hague Convention.

8 The purpose of the Hague Convention is to eliminate
9 tactical advantages parties might obtain in a custody dispute by
10 absconding with a child to a more favorable forum. See, *Holder v.*
11 *Holder* (9th Circuit 2002) 392 F3d 1009, 1014; *Marriage of*
12 *Witherspoon* (2007) 155 CA4th 963, 971, 66 CR3d 586, 591; *Marriage*
13 *of Forrest & Eaddy* (2006) 144 CA4th 1202, 2110, 51 CR3d 172, 177.

14 In the instant case, the habitual residence of the minor
15 child is Vancouver, Canada. Accordingly, Marieke returned the
16 minor child to his habitual residence of Vancouver, Canada in
17 compliance with the Hague Convention and the "home state" of the
18 minor child in compliance with the UCCJEA. It is Petitioner who
19 is now attempting to gain a tactical advantage by litigating
20 issues of custody and visitation in California when the facts
21 clearly indicate that Vancouver, British Columbia is the "home
22 state" of the minor child and "habitual residence" of the minor
23 child. Further, it is Petitioner who violated the Hague
24 Convention by retaining the minor child in California, when
25 Vancouver, British Columbia is the minor child's "habitual
26 residence".
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VII. MARIEKE'S REQUESTED RELIEF

Since Marieke returned the minor child to California, Petitioner has taken custody of the minor child and has refused to allow Marieke any custodial time with the minor child, with the exception of two (2) one-hour visits with the minor child, on July 6, 2015 and July 12, 2015. Petitioner has also not facilitates any of Marieke's requests for Facetime communication with the minor child. Marieke is unaware at this time of the exact location of the minor child, as Petitioner has refused to provide her with any such details. The past 3 weeks have been the longest period of time that Marieke and the minor child have been separated.

The current de facto custodial arrangement wherein Petitioner has "custody" of the minor child with no visitations to Marieke is not in the minor child's best interest. Marieke is the parent that is primarily bonded with the minor child; she has at all times been the minor child's primary caretaker; the minor child is of tender age and unable to understand why Marieke has not been able to spend any quality time with him.

Marieke requests the following relief, pending the hearing on custody and visitation in the Canadian Family Law Action, as delineated in her Ex Parte Request for Order filed July 15, 2015:

1. Sole legal and sole physical custody of the minor child;
2. Order allowing Marieke to remove the minor child from California to Vancouver, British Columbia.
3. That Petitioner return to Marieke the minor child's US Passport forthwith.

1 4. Reasonable visitation with the minor child to
2 Petitioner in Vancouver, British Columbia.

3
4 VIII. MARIEKE'S APPEARANCE IN THIS ACTION CANNOT CURE DEFECTIVE
5 SUBJECT MATTER JURISDICTION

6 Subject matter jurisdiction over the issue of custody and
7 visitation affects the court's fundamental authority to hear and
8 decide a particular cause. The power is exclusively dependent
9 upon legislative grant of authority and thus may not be conferred
10 by the parties consent, waiver or estoppel. *Marriage of Arnold &*
11 *Cully* (1990) 222 CA3d 499, 503, 271 CR624, 626. *Marriage of*
12 *Sareen* (2007) 153 CA4th 371, 376, 62 CR3d 687, 691; see also,
13 *Harding v. Harding* (2002) 99 CA4th 626, 636, 121 CR2d 450, 458,
14 cert. den. (2003) 537 US 1234.

15 Whether the forum court satisfies applicable subject matter
16 jurisdiction standards is tested as of the time the action is
17 commenced, i.e., when the first pleading is filed. *Marriage of*
18 *Sareen*, supra, 153 CA4th at 376, 62 CR3d at 691. Subject matter
19 jurisdiction either exists or does not exist at the time the
20 action is commenced. *In re S.W.* (2007) 148 CA4th 1501, 1508, 56
21 CR3d 665, 669. Accordingly, even a party's general appearance
22 cannot cure defective subject matter jurisdiction.

23 In the case at hand, Marieke's filing of the Response in
24 this action, pursuant to which she avails herself to personal
25 jurisdiction in this action, does not grant the Court subject
26 matter jurisdiction over the issue of custody and visitation.
27 Marieke cannot consent to subject matter jurisdiction that does
28 not exist at the time the action is commenced.

IX. MARIEKE'S REQUEST FOR SANCTIONS

Family Code section 271 provides, inter alia:

"Notwithstanding any other provision of this code, the court may base an award of attorney's fees and costs on the extent to which the conduct of each party or attorney furthers or frustrates the policy of the law to promote settlement of litigation and, where possible, to reduce the cost of litigation by encouraging cooperation between the parties and attorneys. An award of attorney's fees and costs pursuant to this section is in the nature of a sanction."

Marieke requests that the Court order Petitioner to pay the sum of \$20,000 to Marieke as sanctions pursuant to Family Code section 217. Petitioner's attempt to defraud the Court by claiming that California has "home state" jurisdiction, by using a Marina Del Rey UPS Store address as his residence for the minor child, as well as misleading the Court that Marieke "abducted" the minor child when she returned with the minor child to their only home in Canada, the whereabouts of which Petitioner was aware, is egregious conduct that warrants sanctions. Despite Marieke's attempt to resolve this matter amicably, through Petitioner and his counsel, Petitioner's litigiousness has forced Marieke to incur attorney fees by retaining the Law Offices of Anat Resnik.

On or about May 26, 2015, prior to Marieke incurring any attorney fees and costs, Marieke wrote to Petitioner and his counsel explaining that Canada is the primary residence of the minor child and that any attempt to keep the minor child from Canada is a violation of the law. Marieke requested Petitioner to consider an amicable divorce. A copy of this email was previously attached as Exhibit "T" and incorporated herein by this reference. Despite this email, Petitioner continued on his campaign to force

1 Marieke to litigate the issues of custody in California, retain
2 legal counsel in California, and travel back and forth between
3 California and Canada in connection with the various hearing in
4 this action to date.

5 Marieke has been forced to borrow money from family and
6 friends to pay for her attorney fees, and living expenses while
7 Petitioner has refused to financially contribute toward any of
8 Marieke's or the minor child's expenses. Petitioner's conduct is
9 egregious and warrants sanctions as requested.

10 X. CONCLUSION

11 For the reasons set forth herein, the Court is respectfully
12 requested to find that the "home state" of the minor child is
13 Canada, deny Petitioner's requested relief, and award Marieke her
14 requested relief as reflected above.

15 Respectfully submitted:

16 DATED: July 20, 2015

LAW OFFICES OF ANAT RESNIK

17 BY: 
18

19 ANAT RESNIK

20 Attorneys for Respondent

DECLARATION OF MARIEKE RANDOY

I, MARIEKE RANDOY, hereby declare:

I am the Respondent in this matter. I am filing this Declaration in support of my Request for Order filed June 15, 2015, and in opposition to Petitioner's Request for Order filed June 5, 2015. If called upon to testify, I could and would testify competently to the following facts, which are all within my personal knowledge. I offer my declaration in lieu of personal testimony pursuant to Sections 2009 and 2015.5 of the California Code of Civil Procedure, Rule 5.118, California Rules of Court, Reifler v. Superior Court (1994) 39 Cal.App.3d 479, and Marriage of Stevenot (1984) Cal.App.3d 1051.

BACKGROUND/PROCEDURAL BACKGROUND

Petitioner and I were married on September 27, 2011, and separated on May 20, 2015. There is one minor child of the marriage, Hunter Randoy born April 10, 2012, age 3 years (hereinafter, "Hunter"). Petition of Dissolution and Petitioner's Declaration under Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA") were filed May 19, 2015. I was served with the Petition for Dissolution on May 21, 2015. For reasons and circumstances explained below, on or about May 28, 2015, Hunter and I flew to Vancouver, Canada, to our home, with Petitioner's knowledge.

At the June 5, 2015 hearing on Petitioner's Ex Parte Request for Order seeking sole legal and sole physical custody of the minor child, at which I was not present, this Court made the following temporary orders pending hearing on June 26, 2015: Sole legal and sole physical custody of the minor child to Petitioner; No visitations to Marieke; Marieke shall forthwith return the minor child to Petitioner; Marieke shall forthwith release the minor child's American and Canadian passports to Petitioner's counsel. A copy of the June 5, 2015 Minute Order is attached hereto as **Exhibit "A"** and incorporated herein by this reference. A copy of the Temporary Emergency Court Orders are attached hereto as **Exhibit "B"** and incorporated herein by this reference. I was never served with notice of the Court's June 5, 2015 orders.

Response in this action was filed on June 17, 2015, attached hereto as **Exhibit "C"** and incorporated herein by this reference. My Declaration under UCCJEA was filed on June 18, 2015,

attached hereto as **Exhibit "D"** and incorporated herein by this reference.

On June 26, 2015, I initiated a dissolution action in Canada, Case No. E151794 in the Supreme Court of British Columbia ("Canadian Family Law Action"). A copy of Notice of Family Claim is attached hereto as **Exhibit "E"** and incorporated herein by this reference. Petitioner was personally serviced with the Notice of Family Law Claim on July 6, 2015. A copy of the Affidavit of Personal Service is attached hereto as **Exhibit "F"** and incorporated herein by this reference.

At the June 26, 2015 hearing on Petitioner's Request for Order filed June 5, 2015, this Court modified the June 5, 2015 temporary orders and made the following temporary orders pending a continued hearing on July 1, 2015: Joint legal custody of the minor child; Sole physical custody of the minor child to Marieke; Visitation to Petitioner with the minor child every weekend from Friday at 3:00 p.m. to Monday at 8:00 p.m.; Petitioner shall pay travel expenses relating to visitations, subject to reallocation. A copy of the June 26, 2015 Minute Order is attached hereto as **Exhibit "G"** and incorporated herein by this reference.

At the July 1, 2015 continued hearing on Petitioner's Request for Order filed June 5, 2015, this Court vacated the June 26, 2015 orders, and continued the hearing to July 31, 2015. The Court further ordered me to provide the Court and opposing counsel with information from the Canada court proceedings including the name of the Judge assigned to her case, no later than July 10, 2015. A copy of the July 1, 2015 Minute Order is attached hereto as **Exhibit "H"** and incorporated herein by this reference.

On July 6, 2015, I amended the dissolution action in Canada so as to strike the Canadian Court's jurisdiction with respect to marital status, spousal support, and division of assets and debts. A copy of the Amended Notice of Family Law Claim is attached hereto as **Exhibit "I"** and incorporated herein by this reference.

On July 13, 2015, I filed an Ex Parte Request for Order, which was denied. The Court indicated that the Court must determine the issues of jurisdiction and my removal of the minor child in violation of the Automatic Temporary Restraining Orders. A copy of the Court's Order of July 15, 2015 and Minute order are collectively attached hereto as **Exhibit "J"** and incorporated herein by this

reference.

As part of my Ex Parte Request for Order filed July 13, 2015, for the following day, I submitted to this Court, three copies, one for opposing counsel, with exhibits documenting the initiation of the Canadian Family Law Action (Exhibit "D"), as well as an email from my Canadian counsel explaining the Canadian procedural process for assignment of judges (Exhibit "C").

On July 15, 2015, my Ex Parte Request for Order seeking sole legal and sole physical custody of the minor child, permission to remove the minor child from California to Vancouver Canada, the return of the minor child's U.S. Passport to Marieke, etc. filed July 15, 2015 for the the following day, was denied and set for hearing on July 31, 2015. A copy of the Court's Order of July 15, 2015 is attached hereto as **Exhibit "K"** and incorporated herein by this reference.

On July 16, 2015, this Court denied Petitioner's Ex Parte Request for Domestic Violence Protection Act Restraining Orders, and continued the matter to July 31, 2015. That same date, this Court denied my Ex Parte Request for Domestic Violence Protection Act Restraining Orders.

MY REQUESTED RELIEF

I request the following relief: (1) That the Court make a finding that the "home state" for purposes of custody jurisdiction is Vancouver, British Columbia; (2) Sole legal and sole physical custody of the minor child to me, pending hearing in the Canadian Family Law Action; (3) Order allowing me to remove Hunter from California and return to Vancouver, British Columbia; (4) That Petitioner return to me forthwith Hunter's US Passport; (5) Reasonable visitation to Petitioner with Hunter in Vancouver, British Columbia, pending hearing in the Canadian Family Law Action; (6) That Petitioner be ordered to pay me the sum of \$5,000 as and for sanctions.

Since Hunter's return to California on or about July 1, 2015, Petitioner has taken Hunter and has refused to allow me any custodial time, with the exception of two (2) one-hour visits on July 6, 2015 and July 12, 2015. Petitioner has also not facilitated any of my requests for information about Hunter's exact location at any given time, who is caring for Hunter while Petitioner works 18 hours a day, and only allowed a few very short phone calls before completely depriving me of all communication and access to my son. I have been unable to Facetime with Hunter as requested.

reference.

As part of my Ex Parte Request for Order filed July 13, 2015, for the following day, I submitted to this Court, three copies, one for opposing counsel, with exhibits documenting the initiation of the Canadian Family Law Action (Exhibit "D"), as well as an email from my Canadian counsel explaining the Canadian procedural process for assignment of judges (Exhibit "C").

On July 15, 2015, my Ex Parte Request for Order seeking sole legal and sole physical custody of the minor child, permission to remove the minor child from California to Vancouver Canada, the return of the minor child's U.S. Passport to Marieke, etc. filed July 15, 2015 for the the following day, was denied and set for hearing on July 31, 2015. A copy of the Court's Order of July 15, 2015 is attached hereto as **Exhibit "K"** and incorporated herein by this reference.

On July 16, 2015, this Court denied Petitioner's Ex Parte Request for Domestic Violence Protection Act Restraining Orders, and continued the matter to July 31, 2015. That same date, this Court denied my Ex Parte Request for Domestic Violence Protection Act Restraining Orders.

MY REQUESTED RELIEF

I request the following relief: (1) That the Court make a finding that the "home state" for purposes of custody jurisdiction is Vancouver, British Columbia; (2) Sole legal and sole physical custody of the minor child to me, pending hearing in the Canadian Family Law Action; (3) Order allowing me to remove Hunter from California and return to Vancouver, British Columbia; (4) That Petitioner return to me forthwith Hunter's US Passport; (5) Reasonable visitation to Petitioner with Hunter in Vancouver, British Columbia, pending hearing in the Canadian Family Law Action; (6) That Petitioner be ordered to pay me the sum of \$20,000 as and for sanctions.

Since Hunter's return to California on or about July 1, 2015, Petitioner has taken Hunter and has refused to allow me any custodial time, with the exception of two (2) one-hour visits on July 6, 2015 and July 12, 2015. Petitioner has also not facilitated any of my requests for information about Hunter's exact location at any given time, who is caring for Hunter while Petitioner works 18 hours a day, and only allowed a few very short phone calls before completely depriving me of all communication and access to my son. I have been unable to Facetime with Hunter as requested.

I have been a stay-at-home mother to Hunter and responsible for him at all times since his birth. Since April 2014, when Hunter and I moved to Vancouver, I have essentially been a single parent, Hunter's only parent, and we have not been away from each other for any extended period of time. The past 3 weeks have been the longest period of time, by far, that Hunter and I have been separated since he was born.

The current de facto custodial arrangement wherein Petitioner has "custody" of Hunter is not in Hunter's best interest. I am the parent that is primarily bonded with Hunter; I have at all times been Hunter's primary caretaker; Hunter is only three years old, and unable to understand why I am not with him. Further, it is traumatic for Hunter to be cared for by strangers. Petitioner works and must rely on third parties to care for Hunter. Hunter is not familiar with any of Petitioner's friends in Los Angeles, as we moved to Vancouver more than one year ago.

"HOME STATE" JURISDICTION

Hunter has lived with me in Vancouver, British Columbia, Canada since April 2014, more than six consecutive months immediately before the commencement of the instant proceeding (initiated on May 19, 2015). My Declaration under UCCJEA filed June 18, 2015 accurately reflects that the minor child has resided with me in Vancouver, British Columbia since April 2014.

On or about April 2014, Hunter and I permanently moved to Vancouver, British Columbia, with the promise from Petitioner that he would follow. To facilitate this move, Petitioner entered into a lease for a condominium located at 668 Citadel Parade, Unit 2006, Vancouver, British Columbia, Canada ("Canadian Residence") for a term of one-year and one-half month, commencing May 15, 2014 and ending May 30, 2015 ("Lease"). A copy of the Lease is attached hereto as **Exhibit "L"** and incorporated herein by this reference. On the lease application for the Canadian Residence, Petitioner states, as his reason for moving, that he is "relocating to Canada to work in the Entertainment business." A copy of the lease application is attached hereto as **Exhibit "M"** and incorporated herein by this reference.

Petitioner sold all of his furniture and many belongings in Los Angeles in preparation for his relocation to Canada. On April 27, 2014, Petitioner emailed family and friends notifying them that the official residence for Hunter and me is Vancouver, Canada, and that he intends to join us. A copy

of this email is attached hereto as **Exhibit "N"** and incorporated herein by this reference.

During marriage, after Hunter and I permanently moved to Canada, Petitioner intermittently traveled between California and Canada for purposes of visiting Hunter and me. Until filing the instant action, Petitioner was, at all times in agreement that Hunter and I would continue to reside in Canada. On or about January 5, 2015, Petitioner even imported my vehicle to Canada. Copies of documentation confirming the importation of vehicle to Canada are attached hereto as **Exhibit "O"** and incorporated herein by this reference.

On or about April 2015, prior to the parties' separation, I negotiated with the landlord of the Canadian Residence to extend the Lease for a one-year term. I notified Petitioner of this extension. Petitioner was also notified of this extension by the landlord for the Canadian Residence on or about May 26, 2015, during the course of Petitioner's attempt to terminate the Lease after our separation, despite my informing Petitioner that Hunter and I will remain residing in Canada. A copy of email communications between the landlord and Petitioner is attached hereto as **Exhibit "P"** and incorporated herein by this reference.

Hunter and I have remained, at all times, residents of Canada since April 2014. It was at all times our intention to remain in Canada, and await Petitioner. Hunter and I visited California for the first time more than a year after we moved to Vancouver, and it was for purposes of facilitating Petitioner's visitation with Hunter and for me to see my doctor and dentist. On or about April 26, 2015, Hunter and I travelled to Los Angeles to visit Petitioner, and to see my doctor and dentist, with the expectation that we would return to Canada after a short visit in Los Angeles. During this trip, Hunter became sick with Rotavirus, causing him to vomit and have diarrhea. As a result, I postponed Hunter's and my return to Canada, which return was further delayed due to Hunter's continued illness. During this delayed stay in California, Petitioner initiated and served me with the instant action.

Petitioner has committed a fraud on this Court by claiming, on his Declaration under UCCJEA filed May 19, 2015, that Hunter has resided with Petitioner, from April 2014 through present, at 13428 Maxella Avenue, #559, Marina Del Rey, California. A copy of Petitioner's Declaration under UCCJEA filed May 19, 2015 is attached hereto as **Exhibit "Q"** and incorporated

herein by this reference. The 13428 Maxella Avenue, #559, Marina Del Rey, California address is not Petitioner's residence; it is a post office box that Petitioner has maintained for purposes of receiving his mail. A copy of Google Maps and UPS website information confirming that the aforementioned Maxella Avenue address is, in fact, the location of a UPS store is attached hereto as **Exhibit "R"** and incorporated herein by this reference. Clearly, Petitioner has never resided at this address with Hunter, for purposes of conferring on this Court "home state" jurisdiction.

On his Declaration under UCCJEA, Petitioner admits that Hunter has lived at the Canadian Residence, albeit he claims with both parents. Given that Hunter never resided at a UPS store with Petitioner, Canada has been Hunter's only residence of the minor child from April 2014 through the commencement of this action. Further, as reflected herein, Petitioner never resided with Hunter and me at the Canadian Residence, despite ongoing promises that he would also relocate to Canada. Instead, Petitioner would travel intermittently to visit Hunter and me in Canada, and on one occasion, Hunter and I travelled to California, on or about April 26, 2015, for purposes of visiting Petitioner.

Canada has "home state" jurisdiction over the issues of custody and visitation in the Canadian Family Law Action. As explained in the Declaration of Brent Ellingson of Varty & Company, my attorney in Canada, filed concurrently herewith, the Supreme Court of British Columbia has not declined to exercise jurisdiction; in fact, a Judge will be assigned to the Canadian Family Law Action at the first hearing in the action, after Petitioner herein files his Response in the Canadian Family Law Action. To date, despite having been served, Petitioner has yet to file his Response to the Canadian Family Law Action. Petitioner's delay in filing a Response in the Canadian Family Law Action has caused a delay in the assignment of a Judge.

NO EMERGENCY JURISDICTION

Petitioner misled the Court when he alleged, at his Ex Parte Request for Order filed June 5, 2015, that I kidnapped or abducted Hunter. I never abducted Hunter. Petitioner was, at all times, aware of my intent to return to Canada and Hunter's whereabouts with me at the Canadian Residence.

On May 25, 2015, after initiation of this action, Petitioner emailed the landlord of the Canadian Residence notifying him that, "If Marieke chooses to stay in Canada and not move back

to LA with her son, she'll be paying [rent]. That is something you are welcome to take up with her." A copy of this email is attached hereto as **Exhibit "S"** and incorporated herein by this reference. Further, on May 26, 2015, I emailed Petitioner and his counsel notifying them, among other things, that Hunter and I permanently reside in Canada and Hunter cannot be removed from his home in Canada. A copy of this email is attached hereto as **Exhibit "T"** and incorporated herein by this reference. Accordingly, I did not abduct the minor child as claimed by Petitioner in his Ex Parte Request for Order filed June 5, 2015.

I did not violate the Automatic Restraining Orders which I understand to mean that the minor child cannot be removed from the state in which he has been a resident for 6 months preceding the initiation of the action. I returned our son to his "home state" where he has been residing with me since April 2014. Petitioner is attempting to forum shop by initiating a custody action in California, when there is no basis for California to have jurisdiction over custody.

Further, our son and I could not remain in Los Angeles because Petitioner was financially choking me by refusing to provide me with any financial support since commencement of the instant action. I did not have the financial ability to remain in Los Angeles given Petitioner's continued refusal to provide me any financial support. As of the date of our separation on May 21, 2015, I had a negative balance in my bank account; Petitioner refused to provide me with any financial support while in Los Angeles; I am a stay-at-home mother who is the minor child's primary caretaker; I intermittently worked as an actress but have nominal income and no assets; I am financially dependent on Petitioner, who was the breadwinner during marriage. Copies of my Wells Fargo Bank account ending 8372 for the period of May 11, 2015 through June 9, 2015 is attached hereto as **Exhibit "U"** and incorporated herein by this reference.

During my stay in Los Angeles, after I was served with the Petition, I slept on various friends' couches and cheap motels, without any financial support from Petitioner, I could not provide Hunter with an appropriate living situation in Los Angeles; at the same time, Petitioner was living on a boat, a dangerous environment for Hunter, who is 3 year old and not a skilled swimmer. With no financial support from Petitioner, as the primary caretaker of Hunter since his birth, I returned to Vancouver, Canada, our son's habitual residence since April 2014, and our

son's "home" state. Vancouver is where Hunter has his custom bedroom that I made to look like a treehouse, all his toys and friends, playground and swimming pool in our condo building, drop in day care, and where I have beautiful home, my car and my support system of family and friends, my agent and where I'm building my career.

Upon receiving notice on June 4, 2015 of Petitioner's Ex Parte Request for Order seeking sole legal and sole physical custody of the minor child, I attempted to purchase airline tickets to Los Angeles to appear at the Ex Parte hearing. With only approximately \$18 in my bank account, I begged and demanded that Petitioner deposit funds into my bank account so as to allow me and Hunter to fly to Los Angeles. Copies of text communications between Petitioner and me confirming Petitioner's refusal to provide me with any funds to travel to Los Angeles for the hearing are attached hereto as **Exhibit "V"** and incorporated herein by this reference. My bank account statement for this period was previously attached as Exhibit "U" and incorporated herein by this reference. As a result, I could not afford to appear at the June 5, 2015 hearing.

I have complied with all of this Court's orders. I returned Hunter to California. And I gave Hunter's US Passport to Petitioner. I have no intention of violating any of this Court's orders. However, given the above, I request that the Court find that Vancouver, Canada is our son's "home" state, deny Petitioner's requested relief, and grant my requested relief.

I request that the Court sanctions Petitioner for his conduct in this action and order him to pay to me the sum of \$20,000 forthwith. I have been forced to borrow in excess of \$30,000 from family and friends to litigate this action in Los Angeles, including travelling between California and Canada. I do not have the ability to continue incurring such costs while Petitioner continues to misrepresent the facts to this Court. Petitioner's lies and misrepresentations to the Court have caused the issues of custody to be unnecessary litigated in California, when the facts

\\

\\

\\

\\

\\

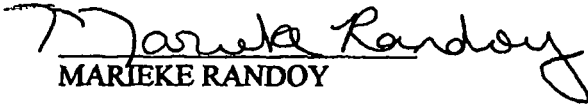
clearly show that Canada is our son's "hoe state". Petitioner is using his financial means to gain an tactical advantage with the expectation that I would not have had the financial ability to oppose his requests. His conduct is egregious and must be sanctioned. Further, Petitioner's abuse of the legal system is depriving me of any physical contact with our son since July 1, 2015 is demonstrative of Petitioner's true colors, and motivation with the instant custody litigation.

I declare, under penalty of perjury of the laws of the State of California that the foregoing is true and correct. Executed this 19TH day of July 2015, at Vancouver, British Columbia.

See Attached telefax signature
MARIEKE RANDOY

clearly show that Canada is our son's "home state". Petitioner is using his financial means to gain an tactical advantage with the expectation that I would not have had the financial ability to oppose his requests. His conduct is egregious and must be sanctioned. Further, Petitioner's abuse of the legal system is depriving me of any physical contact with our son since July 1, 2015 is demonstrative of Petitioner's true colors, and motivation with the instant custody litigation.

I declare, under penalty of perjury of the laws of the State of California that the foregoing is true and correct. Executed this 19TH day of July 2015, at Vancouver, British Columbia.


MARIEKE RANDOY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date	06-05-15			Dept: CE22
Honorable	TAMARA E. HALL	Judge	NICK YOUNG	Deputy Clerk
Honorable		Judge Pro Tem	CARMEN MEHAFFIE	Court Assistant
#16	MARKETTE OLIVER	Deputy Sheriff	NOT REPORTED	Reporter

8:30 am

BD621137

Reed Randoy (X)

VS.

Marieke Randoy (NP)

Counsel For
Petitioner:

Salick Family Law Group, APLC
by Nicholas A. Salick (X)

Counsel For
Respondent:

NATURE OF PROCEEDINGS: PETITIONER'S EX PARTE APPLICATION FOR CHILD CUSTODY AND OTHER

The court finds notice has been given to the respondent.

The court reads and considers the ex parte application in chambers.

The court grants the ex parte application.

The court grants temporary sole legal and physical custody of the minor child Hunter Randoy (DOB 4/10/12) to the petitioner with no visitation to the respondent pending the hearing date below.

The respondent is ordered to forthwith return the above named minor child to the petitioner and to forthwith release the minor child's American and Canadian passports to the petitioner's counsel.

The respondent's responsive declaration is to be served and filed no later than June 15, 2015, and the petitioner's reply declaration, if any, is to be served and filed no later than June 19, 2015.

The matter is set for hearing on June 26, 2015, at 8:30 a.m. in Department 22.

The petitioner is to give notice forthwith.

PETITIONER/PLAINTIFF: Reed Cindoy
 RESPONDENT/DEFENDANT: Mariëké Randoy
 OTHER PARENT/PARTY:

FILE NUMBER
 BD621137

TEMPORARY EMERGENCY COURT ORDERS
 Attachment to Request for Order (FL-300)

The court makes the following orders, which are effective immediately and until the hearing:

1. ☐ PROPERTY RESTRAINT

- a. ☐ Petitioner ☐ Respondent ☐ Claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
☐ The other party is to be notified of any proposed extraordinary expenditures, and an accounting of such is to be made to the court.
- b. ☐ Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor child or children.
- c. ☐ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

2. ☐ PROPERTY CONTROL

- a. ☐ Petitioner ☐ Respondent is given the exclusive temporary use, possession, and control of the following property that the parties own or are buying (specify):
- b. ☐ Petitioner ☐ Respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|-------------|--------------------------|---------------|
|-------------|--------------------------|---------------|

3. ☒ MINOR CHILDREN

- a. ☒ Petitioner ☐ Respondent will have the temporary physical custody, care, and control of the minor children of the parties ☒ subject to the other party's rights of visitation as follows:
No visits to Respondent
- b. ☐ Petitioner ☒ Respondent must not remove the minor child or children of the parties
 (1) ☒ from the State of California.
 (2) ☒ from the following counties (specify): *U.S.A.*
 (3) ☒ other (specify): *Los Angeles County*
- c. ☐ Child abduction prevention orders are attached (see form FL-341(B)).
- d. (1) Jurisdiction: This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with section 3400).
 (2) Notice and opportunity to be heard: The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.
 (3) Country of habitual residence: The country of habitual residence of the child or children is
☒ the United States of America ☐ other (specify):
 (4) Penalties for violating this order: If you violate this order, you may be subject to civil or criminal penalties or both.

4. ☒ OTHER ORDERS (specify): *Immediate return of minor*

☐ Additional orders are listed on Attachment 4. to U.S.A. into

Date: *6-5-15*

*② Release of minor's passport and
 OR visits to the Petitioner's counsel.*

JUDGE OF THE SUPERIOR COURT

5. The date of the court hearing is (insert date when known): *6-26-15*

TAMARA HALL

CLERK'S CERTIFICATE

[SEAL]

I certify that the foregoing is a true and correct copy of the original on file in my office.

Date:

Clerk, by _____, Deputy

Page 1 of 1

FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)

Marieke Randoy, IN PRO PER
 668 Citadel Parade #2006
 Vancouver, BC Canada V6B1W6

TELEPHONE NO 604 818 2549

FAX NO

E-MAIL ADDRESS ~~write to marika~~ write to marika@icloud.com

ATTORNEY FOR (Name)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS 111 N. Hill St.

MAILING ADDRESS 111 N. Hill St.

CITY AND ZIP CODE Los Angeles, CA 90012

BRANCH NAME CENTRAL DISTRICT

PETITIONER REED RANDOY

RESPONDENT MARIEKE RANDOY

COPIES FOR
 ORIGINALS
 COURT USE ONLY

JUN 15 2015

SHRIMP...
 H. DISTRICT

RESPONSE

☐ AND REQUEST FOR☐ AMENDED

CASE NUMBER

BD 621137

- ☒ Dissolution (Divorce) of: ☒ Marriage ☐ Domestic Partnership
☐ Legal Separation of: ☐ Marriage ☐ Domestic Partnership
☐ Nullity of: ☐ Marriage ☐ Domestic Partnership

1. LEGAL RELATIONSHIP (check all that apply).

- a. ☒ We are married.
 b. ☐ We are domestic partners and our domestic partnership was established in California.
 c. ☐ We are domestic partners and our domestic partnership was NOT established in California.

2. RESIDENCE REQUIREMENTS (check all that apply):

- a. ☒ Petitioner ☐ Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this Petition. (For a divorce, at least one person in the legal relationship described in items 1a and 1c must comply with this requirement)
 b. ☐ We are the same sex and were married in California but are not residents of California. Neither of us lives in a state or nation that will dissolve the marriage. This case is filed in the county in which we married
 Petitioner's residence (state or nation): Respondent's residence (state or nation):
 c. ☐ Our domestic partnership was established in California. Neither of us has to be a resident or have a domicile in California to dissolve our partnership here.

3. STATISTICAL FACTS

- a. ☒ (1) Date of marriage (specify): 09/27/11 (2) Date of separation (specify): 05/20/15
 (3) Time from date of marriage to date of separation (specify): 3 Years 7 Months
 b. ☐ (1) Registration date of domestic partnership with the California Secretary of State or other state equivalent (specify below):
 (2) Date of separation (specify):
 (3) Time from date of registration of domestic partnership to date of separation (specify). Years Months

4. MINOR CHILDREN (children born before (or born or adopted during) the marriage or domestic partnership):

- a. ☐ There are no minor children.
 b. ☒ The minor children are:

Child's name	Birthdate	Age	Sex
HUNTER RANDOY	04/10/2012	3	M

- (1) ☐ continued on Attachment 4b.
 (2) ☐ a child who is not yet born

c. If there are minor children of Petitioner and Respondent, a completed Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (form FL-105) must be attached.

d. ☐ Petitioner and Respondent signed a voluntary declaration of paternity. A copy ☐ is ☐ is not attached.

Page 1 of 3

~~MARIEKE~~ RANDOY, MARIEKE

EXHIBIT "C"

PETITIONER: REED RANDOY
RESPONDENT: MARIEKE RANDOY

CASE NUMBER

BD021137

Respondent requests that the court make the following orders:

5. LEGAL GROUNDS (Family Code sections 2200-2210; 2310-2312)

- a. ☐ Respondent contends that the parties never legally married or registered a domestic partnership
b. ☐ Respondent denies the grounds set forth in item 5 of the petition.
c. ☒ Respondent requests
(1) ☒ divorce ☐ legal separation of the marriage or domestic partnership based on
(a) ☒ irreconcilable differences (b) ☐ permanent legal incapacity to make decisions.
(2) ☐ nullity of void marriage or domestic partnership based on
(a) ☐ incest (b) ☐ bigamy.
(3) ☐ nullity of voidable marriage or domestic partnership based on
(a) ☐ respondent's age at time of registration of domestic partnership or marriage. (d) ☐ fraud.
(b) ☐ prior existing marriage or domestic partnership (e) ☐ force
(c) ☐ unsound mind. (f) ☐ physical incapacity.

6 CHILD CUSTODY AND VISITATION (PARENTING TIME)

- | | Petitioner | Respondent | Joint | Other |
|--|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Legal custody of children to | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation (parenting time) be granted to | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

As requested in: ☒ form FL-311 ☐ form FL-312 ☐ form FL-341(C)
☐ form FL-341(D) ☐ form FL-341(E) ☐ Attachment 6c(1)

- d. ☐ Determine the parentage of children born to Petitioner and Respondent before the marriage or domestic partnership.

7 CHILD SUPPORT

- a. If there are minor children born to or adopted by Petitioner and Respondent before or during this marriage or domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party.
b. An earnings assignment may be issued without further notice
c. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.
d. ☐ Other (specify):

8. SPOUSAL OR DOMESTIC PARTNER SUPPORT

- a. ☒ Spousal or domestic partner support payable to ☐ Petitioner ☒ Respondent
b. ☐ Terminate (end) the court's ability to award support to ☐ Petitioner ☐ Respondent
c. ☐ Reserve for future determination the issue of support payable to ☐ Petitioner ☐ Respondent
d. ☐ Other (specify):

9. SEPARATE PROPERTY

- a. ☐ There are no such assets or debts that I know of to be confirmed by the court.
b. ☒ Confirm as separate property the assets and debts in ☐ Property Declaration (form FL-160) ☐ Attachment 9b
☒ the following list Item Confirm to

The Full nature and extent of the parties' separate property are unknown at this time. Respondent reserves the right to amend this Petition upon ascertaining the same or at trial.

PETITIONER: REED RANDOY
RESPONDENT: MARIEKE RANDOY

CASE NUMBER

BD621137

10. COMMUNITY AND QUASI-COMMUNITY PROPERTY

- a. ☐ There are no such assets or debts that I know of to be divided by the court.
b. ☒ Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
☐ in Property Declaration (form FL-180) ☐ in Attachment 10b.
☒ as follows (specify):

The full nature and extent of the parties community and quasi-community assets and debts are unknown at this time. Respondent reserves the right to amend this Petition upon ascertaining the same or at trial.

11. OTHER REQUESTS

- a. ☒ Attorney's fees and costs payable by ☒ Petitioner ☐ Respondent
b. ☒ Respondent's former name be restored to (specify) VEKEMANS
c. ☒ Other (specify):

I respectfully request this court order that Canada is the appropriate jurisdiction for this matter because the minor child and I have resided in Canada since April 14, 2014.

☐ Continued on Attachment 11c.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 06/18/2015

MARIEKE RANDOY, IN PROPER

(TYPE OR PRINT NAME)

Marieke Randoy

(SIGNATURE OF RESPONDENT)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY FOR RESPONDENT)

NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child, spousal or partner support.

NOTICE—CANCELLATION OF RIGHTS: Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner or spouse as beneficiary of the other partner's or spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions. Some changes may require the agreement of your partner or spouse or a court order

The original response must be filed in the court with proof of service of a copy on Petitioner.

PETITIONER/PLAINTIFF REED RANDOY	CASE NUMBER BD621137
RESPONDENT/DEFENDANT: MARIEKE RANDOY	

CHILD CUSTODY AND VISITATION APPLICATION ATTACHMENT

- TO ☒ Petition, Response, Application for Order or Responsive Declaration ☐ Other (specify):
☐ To be ordered now and effective until the hearing

1. ☐ Custody. Custody of the minor children of the parties is requested as follows.

Child's Name

Date of Birth

Legal Custody to

(person who makes decisions about health, education, etc.)

Physical Custody to

(person with whom the child lives)

HUNTER RANDOY 04/10/2012 MARIEKE RANDOY MARIEKE RANDOY

2. ☒ Visitation.

- a. ☒ Reasonable right of visitation to the party without physical custody (not appropriate in cases involving domestic violence)
 b. ☐ See the attached _____-page document dated (specify date):
 c. ☐ The parties will go to mediation at (specify location):
 d. ☐ No visitation
 e. ☐ Visitation for the ☐ petitioner ☐ respondent will be as follows.

- (1) ☐ Weekends starting (date).

(The first weekend of the month is the first weekend with a Saturday.)

☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of the month

from _____ at _____ ☐ a.m. ☐ p.m.
 (day of week) (time)

to _____ at _____ ☐ a.m. ☐ p.m.
 (day of week) (time)

- (a) ☐ The parents will alternate the fifth weekends, with the ☐ petitioner ☐ respondent having the initial fifth weekend, which starts (date).

- (b) ☐ The petitioner will have fifth weekends in ☐ odd ☐ even months.

- (2) ☐ Alternate weekends starting (date):

The ☐ petitioner ☐ respondent will have the children with him or her during the period

from _____ at _____ ☐ a.m. ☐ p.m.
 (day of week) (time)

to _____ at _____ ☐ a.m. ☐ p.m.
 (day of week) (time)

- (3) ☐ Weekdays starting (date):

The ☐ petitioner ☐ respondent will have the children with him or her during the period

from _____ at _____ ☐ a.m. ☐ p.m.
 (day of week) (time)

to _____ at _____ ☐ a.m. ☐ p.m.
 (day of week) (time)

- (4) ☐ Other (specify days and times as well as any additional restrictions):

☐ See Attachment 2e(4).

Page 1 of 2

RANDOY, MARIEKE

PETITIONER: REEP RANDOY	CASE NUMBER:
RESPONDENT: MARIELE RANDOY	BD621137

- 3 ☒ **Supervised visitation.**
 I request that (name) **TBD** have supervised visitation with the minor children according to the schedule set out on page 1 and that the visits be supervised by (name).
 who is a ☒ professional ☐ nonprofessional supervisor. The supervisor's phone number is (specify): **TBD**

I request that the costs of supervision be paid as follows. petitioner: **100%** percent, respondent: **0** percent.

If item 3 is checked, you must attach a declaration that shows why unsupervised visitation would be bad for your children. The judge is required to consider supervised visitation if one parent is alleging domestic violence and is protected by a restraining order.

4. ☐ **Transportation for visitation and place of exchange.**
 a. ☐ Transportation to the visits will be provided by (name):
 b. ☐ Transportation from the visits will be provided by (name):
 c. ☐ Drop-off of the children will be at (address):
 d. ☐ Pick-up of the children will be at (address):
 e. ☐ The children will be driven only by a licensed and insured driver. The car or truck must have legal child restraint devices.
 f. ☐ During the exchanges, the parent driving the children will wait in the car and the other parent will wait in his or her home while the children go between the car and the home.
 g. ☐ Other (specify):
5. ☐ **Travel with children.** The ☐ petitioner ☐ respondent ☐ other (name):
 must have written permission from the other parent or a court order to take the children out of
 a. ☐ the state of California.
 b. ☐ the following counties (specify):
 c. ☐ other places (specify):
6. ☐ **Child abduction prevention.** There is a risk that one of the parents will take the children out of California without the other parent's permission. I request the orders set out on attached form FL-312.
7. ☐ **Children's holiday schedule.** I request the holiday and visitation schedule set out on the attached ☐ form FL-341(C)
☐ other (specify):
8. ☐ **Additional custody provisions.** I request the additional orders regarding custody set out on the attached
☐ form FL-341(D) ☐ other (specify):
9. ☐ **Joint legal custody provisions.** I request joint legal custody and want the additional orders set out on the attached
☐ form FL-341(E) ☐ other (specify):
10. ☐ **Other.** I request the following additional orders (specify):

RANDOY, MARIELE

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Street address, telephone number and address) MARIEKE RANDOY, IN PRO PER MARIEKE RANDOY 668 Citadel Parade #2006 Vancouver, BC V6B 1W6 CANADA TELEPHONE NO. 604.818.2549 FAX NO. (Optional) E-MAIL ADDRESS (Optional) ATTORNEY FOR (Name)	FOR COURT USE ONLY CONFIRMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles 2015 Sheriff/Recorder/County Clerk By _____ Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS 111 N. Hill St. MAILING ADDRESS 111 N. Hill St. CITY AND ZIP CODE Los Angeles, CA 90012 BRANCH NAME CENTRAL DISTRICT (This section applies only to family law cases) PETITIONER: REED RANDOY RESPONDENT: MARIEKE RANDOY OTHER PARTY:	CASE NUMBER BD621137
(This section applies only to guardianship cases) GUARDIANSHIP OF (Name) _____ Minor _____ DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	

1. I am a party to this proceeding to determine custody of a child.
2. ☐ My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): **ONE (1)** minor children who are subject to this proceeding, as follows:
 (Insert the information requested below. The residence information must be given for the last FIVE years.)

a Child's name HUNTER RANDOY	Place of birth LOS ANGELES, CA	Date of birth 04/10/2012	Sex M
Period of residence 04/2014 to present	Address 668 Citadel Parade #2006 <input type="checkbox"/> Confidential Vancouver BC	Person child lived with (name and complete current address) MARIEKE RANDOY <input type="checkbox"/> Confidential	Relationship MOTHER
BIRTH to 04/2014	Child's residence (City, State) 5359 San Vicente Blvd. CANADA #111 L.A. CA 90019	Person child lived with (name and complete current address) MARIEKE + REED RANDOY	MOTHER FATHER
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
b Child's name	Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a (If NOT the same, provide the information below)			
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) <input type="checkbox"/> Confidential	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	

- c ☐ Additional residence information for a child listed in item a or b is continued on attachment 3c.
- d ☐ Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.)

Page 1 of 2

EXHIBIT "D"

SHORT TITLE

CASE NUMBER

IN RE MARRIAGE OF RANDOYBO621137

- 4 Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?

☐ Yes ☒ No (If yes, attach a copy of the orders (if you have one) and provide the following information):

Proceeding	Case number	Court (name, state, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state, location)
d. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency		
e. <input type="checkbox"/> Adoption		

5. ☐ One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State	Case number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case? ☐ Yes ☒ No (If yes, provide the following information):

<p>a. Name and address of person</p> <p><input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights</p> <p>Name of each child</p>	<p>b. Name and address of person</p> <p><input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights</p> <p>Name of each child</p>	<p>c. Name and address of person</p> <p><input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights</p> <p>Name of each child</p>
--	--	--

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 06/18/2015

MARIEKE RANDOY

(TYPE OR PRINT NAME)

Marieke Randoy

(SIGNATURE OF DECLARANT)

- 7 ☐ Number of pages attached.

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address) Marieke Randoy 668 Citadel Parade #2006 Vancouver, BC, Canada V6B1W6		FOR COURT USE ONLY CONFIRMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles JUN 18 2015 SISTER COURT CASE NO. 15-0012/CLC BY HONORABLE JUDGE	
TELEPHONE NO _____ E-MAIL ADDRESS (Optional) _____ ATTORNEY FOR (Name): Respondent, IN PRO PER	FAX NO (Optional) _____		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS 111 North Hill Street MAILING ADDRESS SAME CITY AND ZIP CODE Los Angeles 90012 BRANCH NAME Central District			
PETITIONER/PLAINTIFF REED RANDOY RESPONDENT/DEFENDANT MARIEKE RANDOY OTHER PARENT/PARTY _____		CASE NUMBER BD621137	
PROOF OF SERVICE BY MAIL		(If applicable provide) HEARING DATE _____ HEARING TIME _____ DEPT _____	

NOTICE: To serve temporary restraining orders you must use personal service (see form FL-330).

- I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.
- My residence or business address is:
 205 South Broadway, #500
 Los Angeles, California 90012
- I served a copy of the following documents (specify):
 FL-120, FL-311, FL-105

by enclosing them in an envelope AND

- ☒ depositing the sealed envelope with the United States Postal Service with the postage fully prepaid.
 - ☐ placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
- The envelope was addressed and mailed as follows.
 - Name of person served: **Nicholas A. Salick Esq.**
 - Address: **11111 Santa Monica Blvd, Suite 1700**
Los Angeles, CA 90025
 - Date mailed: _____
 - Place of mailing (city and state) **Los Angeles, California**
 - ☐ I served a request to modify a child custody, visitation, or child support judgment or permanent order which included an address verification declaration. (Declaration Regarding Address Verification—Postjudgment Request to Modify a Child Custody, Visitation, or Child Support Order (form FL-334) may be used for this purpose.)
 - I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

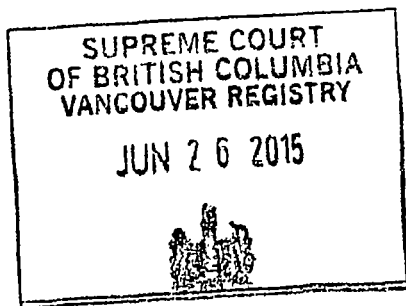
Date: **6/18/2015**

Jose Alvarez

(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON COMPLETING THIS FORM)

Page 1 of 1



**FORM F3
(RULE 4-1 (1))**

-E151794
No.
Vancouver Registry

In the Supreme Court of British Columbia

Claimant: Marieke Petra Randoy

Respondent: Reed Philip Randoy

NOTICE OF FAMILY CLAIM

This family law case has been started by the claimant(s) for the relief set out in section 4 below.

If you intend to respond to this family law case, you or your lawyer must

- (a) file a response to family claim in Form F4 in the above-named registry of this court within 30 days after the date on which this copy of the filed notice of family claim was served on you, and
- (b) serve a copy of the filed response to family claim on the claimant.

If you intend to make a counterclaim, you or your lawyer must

- (a) file a response to family claim in Form F4 and a counterclaim in Form F5 in the above-named registry of this court within 30 days after the date on which this copy of the filed notice of family claim was served on you, and
- (b) serve a copy of the filed response to family claim and counterclaim on the claimant and on any new parties named in the counterclaim.

Orders, including orders granting the relief claimed, may be made against you if you fail to file the response to family claim within the 30 day period referred to above.

1 Information about the parties

The claimant, Marieke Petra Randoy, is the wife of the respondent

The respondent, Reed Philip Randoy, is the husband of the claimant

2 Spousal relationship history

EXHIBIT "E"

[Complete this section if a claimant and a respondent are or have been married or are or have been in a marriage-like relationship.]

[Check the correct box(es) and complete the required information.]

The claimant, Marieke Randoy
(name of claimant)

, and the respondent, Reed Randoy
(name of respondent)

- ☒ began to live together in a marriage-like relationship on 01/Aug/2011
(dd/mm/yy)
- ☒ were married on 27/Sep/2011
(dd/mm/yyyy)
- ☒ separated on 21/May/2015
(dd/mm/yyyy)
- ☐ were divorced from each other by order made on _____
(dd/mm/yyyy)

3 Prior court proceedings and agreements

[Check the correct box(es) and complete the required information.]

- ☐ There is no prior agreement, court order or court proceeding relating to any of the claims made in this notice of family claim

[OR]

- ☒ One or more of the following relates to claims made in this notice of family claim
- ☐ a written agreement dated _____
(dd/mm/yyyy)
- ☒ a court order dated 05/Jun/2015
(dd/mm/yyyy)
- ☒ a prior court proceeding: Court File Number: BD621137
Court Registry County of Los Angeles, California, Central Dist

4 The Claimant's Claims

[Check the correct box(es) and complete and attach the required Schedules.]

- ☒ An order for divorce – *[complete and attach Schedule 1]*
- ☒ An order respecting child(ren) – *[complete and attach Schedule 2]*
- ☒ An order for spousal support – *[complete and attach Schedule 3]*
- ☒ An order relating to family property and family debt – *[complete and attach Schedule 4]*
- ☒ Another order – *[complete and attach Schedule 5]*
- ☒ An order for costs

5 Place of trial will be: Vancouver Law Courts

[name of registry,

6 The address of the registry is Vancouver Registry, 800 Smithe Street, Vancouver, British Columbia

7 The Claimant's address for service is

[Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]

Address for service:	Brent Ellingson Varty & Company, Barristers and Solicitors 900-555 Burrard St. Vancouver, BC V7X 1M8
Fax number address for service (optional):	(604) 443-5201
E-mail address for service (optional):	bellingson@smartt.com

Date: 25/Jun/2015

[dd/mm/yyyy]



Signature of

☐ Claimant

☒ Lawyer for claimant

Brent Ellingson

[type or print name]

If in this family law case a claim is made under the Family Law Act and the claimant is represented by a lawyer, the lawyer must complete the following certificate.

LAWYER'S CERTIFICATE (FAMILY LAW ACT, s. 8(2))

I, Brent Ellingson

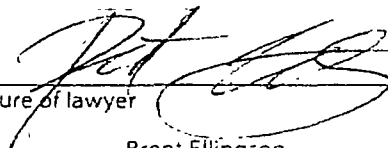
, lawyer for Marieke Randoy

certify that, in accordance with section 8 (2) of the *Family Law Act*, I have

(a) discussed with the party the advisability of using various types of family dispute resolution to resolve the matter, and (b) informed the party of the facilities and other resources, known to me, that may be available to assist in resolving the dispute.

Date: 25/Jun/2015

[dd/mm/yyyy]



Signature of lawyer
Brent Ellingson
[type or print name]

**FORM F3
(RULE 4-1 (1))**

In the Supreme Court of British Columbia

No. _____

Vancouver Registry

Claimant: Marieke Petra Randoy

Respondent: Reed Philip Randoy

SCHEDULE 1 – DIVORCE

THIS IS SCHEDULE 1 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM

1 Personal Information

	Claimant	Respondent
Birthdate (dd/mmm/yyyy):	25/Oct/1976	04/Aug/1970
Ordinarily resident in British Columbia since [dd/mmm/yyyy]:	14/Apr/2014	Not ordinarily resident
Surname at birth.	Vekemans	Randoy
Surname immediately before marriage.	Vekemans	Randoy
Marital status immediately before marriage:	divorced	never married
Place of marriage: [city or town; province or state, country]	City: Long Beach <input type="checkbox"/> Canada <input checked="" type="checkbox"/> USA <input type="checkbox"/> Other State: California	USA

2 Grounds for the claimant's claim for divorce

<input checked="" type="checkbox"/> The claimant asks for an order for divorce on these grounds:
[if divorce is claimed as a result of having lived separate and apart, <u>complete paragraph (1)</u>]
<input checked="" type="checkbox"/> Divorce is claimed as a result of having lived separate and apart.
<input type="checkbox"/> Divorce is claimed on grounds other than having lived separate and apart

Divorce claimed as a result of having lived separate and apart.

- (i) ☒ The claimant and his or her spouse have lived separate and apart since 21/May/2014
(dd/mm/yyyy)

AND

[Check whichever one of the following boxes is correct and complete the required information]

- ☒ the claimant and his or her spouse have not lived together since then
- ☐ the claimant and his or her spouse have lived together again during the following period(s), in an unsuccessful attempt to reconcile:

From: _____ to: _____

[if more space is required - attach page and state "See Attached"]

3 The claimant confirms that:

[The claimant seeking an order for divorce must check both of the following boxes]

- ☒ There is no possibility of reconciliation
- ☒ There has been no collusion, as defined in section 11 (4) of the *Divorce Act* (Canada), in relation to this claim for divorce

4 Proof of marriage

[Check whichever one of the following boxes is correct and complete any required information]

- ☒ A certificate of marriage or of registration of marriage _____ has been filed
(and translation,
- ☐ A certificate of marriage or registration of marriage is not being filed with this notice of family claim because _____
(state the reason)
- and the certificate will be filed before this claim is set down for trial or an application is made for an order of divorce
- ☐ It is impossible to obtain a certificate of marriage or registration of marriage because _____

(state the reason)

5 Children

[Check whichever one of the following boxes is correct and complete any required information.]

☐ There are no children of the marriage as defined by the *Divorce Act* (Canada)

[OR]

☒ The children of the marriage are.

Child's Full Legal Name (Surname, First Second Third)	Birth Date	Resides with
Randoy, Hunter Samson	10/Apr/2012	Randoy, Marieke

[if more space is required - attach page and state "See Attached"]

Date: 25/Jun/2015

[dd/mm/yyyy]

Signature of

☐ Claimant

☒ Lawyer for claimant

Brent Ellingson

[type or print name]

The following certificate must be completed for each party to a divorce claim who is represented by a lawyer

LAWYER'S CERTIFICATE (DIVORCE ACT (CANADA), S. 9)

I, Brent Ellingson

, lawyer for Marieke Randoy

[name of party]

certify that I have complied with section 9 of the *Divorce Act* (Canada), which says:

- 9 (1) It is the duty of every barrister, solicitor, lawyer or advocate who undertakes to act on behalf of a spouse in a divorce proceeding
- (a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses, and
 - (b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to him or her that might be able to assist the spouses to achieve a reconciliation, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so
- (2) It is the duty of every barrister, solicitor, lawyer or advocate who undertakes to act on behalf of a spouse in a divorce proceeding to discuss with the spouse the advisability of negotiating the matters that may be the subject of a support order or a custody order and to inform the spouse of the mediation facilities known to him or her that might be able to assist the spouses in negotiating those matters

Date: 25/Jun/2015

[dd/mm/yyyy]

Signature of lawyer

Brent Ellingson

[type or print name]

**FORM F3
(RULE 4-1 (1))**

In the Supreme Court of British Columbia

No. _____
Vancouver Registry

Claimant: Marieke Petra Randoy

Respondent: Reed Philip Randoy

SCHEDULE 2 – CHILDREN

THIS IS SCHEDULE 2 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM

1 Identification of child(ren)

The claimant is asking for an order in respect of the following child or children

Child's Full Legal Name	Child's Birth Date [dd/mm/yyyy]	Child's Relationship to the Claimant	Child's Relationship to the Respondent	Child habitually resident in BC since [dd/mm/yyyy]	Child now living with
Randoy, Hunter Samson	10/Apr/2012	natural child	natural child	14/Apr/2014	Randoy, Marieke

(if more space is required - attach page and state "See Attachment")

2 Orders sought

The claimant is asking for the following order(s) (Check the correct box(es) and complete the required information)

- (a) ☒ an order respecting arrangements for parenting for a child or children
(Complete sections 3 and 4 below.)
- (b) ☒ an order for child support (Complete sections 5 to 7 below)

3 Current parenting arrangements

Current arrangements for parenting are:

Child has lived with Claimant in Vancouver, BC from April 2014 to present. Respondent has travelled to Vancouver from Los Angeles, USA for contact with child every 6-8 weeks for 3-4 days per visit.

4 Proposed arrangement parenting

The claimant proposes the following arrangements for parenting:

(set out terms of proposed order sought in relation to arrangements for parenting including custody, guardianship, parenting arrangements or contact with child)

The Claimant proposes that she have sole custody and sole guardianship of the child and that the child live permanently with her in Vancouver and that the Respondent have only, professional, supervised contact with the child.

☒ the *Divorce Act* (Canada) ☒ the *Family Law Act*

Current child support arrangements are:

6 Income of person being asked to pay child support

☐ The claimant does not know the income of the person being asked to pay child support.

☒ The claimant believes that the income of the person being asked to pay child support is \$ 166,416 based on these facts: Prior to separation the respondent informed the claimant that his average income was \$11,250 USD (\$13,868 CAD) per month net.

[Check the correct box(es) and complete the required information]

☒ support in the amount set out in the child support guidelines table for the following child or ren
Hunter Samson Randoy [names]

☒ special or extraordinary expenses in accordance with section 7 of the child support guidelines for the following child(ren):
Hunter Samson Randoy *[names]*

☐ by consent, an order for support in an amount different than the amount set out in the child support guidelines table for the following child(ren):

[dd/mm/yy]

☐ Cle:mant

☒ Lawyer for claimant:

Brent Ellingson

התאריך: 10/10/2019

Note to Claimant AND Respondent: you must file **financial information** (Form F8) if.

- there is a claim against you for support of a child, OR
- you are claiming child support **unless all** of the following conditions apply
 - (a) you are making no claim for any other kind of support,
 - (b) the child support is for children who are not stepchildren;
 - (c) none of the children for whom child support is claimed is 19 years of age or older,
 - (d) the income of the party being asked to pay child support is under \$150 000 per year;
 - (e) you are not applying for special expenses under section 7 of the child support guidelines,
 - (f) you are not applying for an order under section 8 of the child support guidelines,
 - (g) you are not applying for an order under section 9 of the child support guidelines,
 - (h) you are not making a claim based on undue hardship under section 10 of the child support guidelines

If you do not file the financial information that is required, the court may attribute an amount of income to you, and make a support award against you, based on that amount

**FORM F3
(RULE 4-1 (1))**

In the Supreme Court of British Columbia

No. _____
Vancouver Registry

Claimant: Marieke Petra Randoy

Respondent: Reed Philip Randoy

SCHEDULE 3 – SPOUSAL SUPPORT

THIS IS SCHEDULE 3 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM

1 Current arrangements for spousal support

Current spousal support arrangements are:

The respondent sent the claimant \$5000.00 USD per month in unspecified support until May, 2015. As of the date of this Notice of Family Claim, the respondent has sent the claimant \$200.00 USD in support in the month of June 2015. The Respondent has not responded to the Claimant's requests for further support for herself and the child.

2 Proposed spousal support arrangements

[Check the correct box(es) and complete the required information.]

☒ The claimant is asking for an order for spousal support as follows:

Mid-range spousal support as indicated by the Spousal Support Advisory Guidelines

[Set out terms of proposed order sought in relation to spousal support.]

☒ The claimant is asking for an order for spousal support under:

[Check one or both of the following boxes, as applicable.]

☒ the Divorce Act (Canada)

☒ the Family Law Act

3 Income of claimant and respondent

The claimant's gross annual income is \$ 2,500

[Check whichever one of the following boxes is correct and complete any required information.]

- ☐ The claimant does not know what the claimant's spouse's income is
- ☒ The claimant believes that the claimant's spouse's gross annual income is \$ 166,416
based on these facts: Prior to separation the respondent informed the claimant that his average income was \$11,250 USD (\$13,868 CAD) per month net.

Date: 25/Jun/2015

[dd/mm/yyyy]

Signature of

☐ Claimant

☒ Lawyer for claimant

Brent Ellingson

[type or print name]

Note to Claimant AND Respondent: you must file **financial information** (Form F8) if there is a claim by you or against you for spousal support

If you do not file the financial information that is required, the court may attribute an amount of income to you and make a support award against you, based on that income.

SCHEDULE 4 – PROPERTY

THIS IS SCHEDULE 4 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM

No. _____

Vancouver Registry

Claimant: Marieke Petra Randoy

Respondent: Reed Philip Randoy

1 The claimant's claims

A Property and debt claims under the *Family Law Act*

[Check whichever one of the following boxes is correct and complete any required information in relation to family property and family debt, as those terms are defined in the Family Law Act.]

The claimant is asking for an order for:

- ☒ equal division of family property and family debt
☐ unequal division of family property and family debt

[Set out details of proposed unequal division and the grounds on which it is made]

The address and legal description of any real property in which the claimant claims an interest as a family asset is

B Other property claims

The claimant claims:

[Check the correct box(es) and complete the required information.]

- ☐ an order for compensation instead of an interest in the property described as

[identify every property for which compensation is claimed and if compensation is claimed for real property, provide the address and legal description of that real property]

on the following grounds:

[set out the grounds on which any claim under this paragraph for interest or compensation is based]

2 Certificate of Pending Litigation

☐ The claimant is applying for a Certificate of Pending Litigation to be registered against the following real property:

[provide the legal description of every real property against which a Certificate of Pending Litigation is to be registered]

Date 25/Jun/2015

[dd/mm/yyyy]

Signature of

☐ Claimant

☒ Lawyer for claimant

Brent Ellingson

[type or print name]

SCHEDULE 5 – OTHER ORDERS

THIS IS SCHEDULE 5 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.

No. _____

Vancouver Registry

Claimant:

Marieke Petra Randoy

Respondent:

Reed Philip Randoy

The claimant is asking for the following orders:

<input type="checkbox"/>	an order under the <i>Name Act</i> that my name be changed <div style="text-align: center;"><small>(current full legal name)</small></div> <table border="0" style="width: 100%;"><tr><td style="width: 25%; text-align: center;">Surname</td><td style="width: 25%; text-align: center;">First Name</td><td style="width: 25%; text-align: center;">Second Name</td><td style="width: 25%; text-align: center;">Third Name</td></tr><tr><td colspan="4">from: _____</td></tr><tr><td colspan="4" style="text-align: center;"><small>(current full legal name)</small></td></tr><tr><td colspan="4">to: _____</td></tr></table>	Surname	First Name	Second Name	Third Name	from: _____				<small>(current full legal name)</small>				to: _____			
Surname	First Name	Second Name	Third Name														
from: _____																	
<small>(current full legal name)</small>																	
to: _____																	
<input checked="" type="checkbox"/>	the following orders under the <i>Family Law Act</i> <small>[using numbered paragraphs, set out any orders sought under the Family Law Act that are not referred to in Schedules 1 to 4 and the sections of that Act under which those orders are sought]</small>																
1	Order respecting protection, Family Law Act, s. 183. An order that the respondent be restrained from directly or indirectly communicating with or contacting the claimant, attending at the residence of or any place of business of the claimant, and from following the claimant.																
2	Order respecting protection, Family Law Act, s. 183. An order that the respondent be restrained from contact with the child except under professional supervision.																
<input type="checkbox"/>	other orders <small>[using numbered paragraphs, set out terms of other proposed orders and the authority under which those orders are sought]</small>																
1																	
Date: 26/Jun/2015	<div style="text-align: center;"> _____ Signature of <input type="checkbox"/> Claimant <input checked="" type="checkbox"/> Lawyer for claimant Brent Ellingson</div>																

**FORM F15
(RULE 6-6 (1))**

No. E151794
Vancouver Registry

In the Supreme Court of British Columbia

Claimant/
Petitioner: Marieke Petra Randoy
Respondent: Reed Philip Randoy

AFFIDAVIT OF PERSONAL SERVICE

I, Anthony Bayani Rodriguez of 24417 Wasatch Ct.
Professor Corona, CA 92883
(name) (address)
(occupation)

SWEAR (OR AFFIRM) THAT:

1 On 6 July 2015 at 7:45 pm
(dd/mm/yyyy) (time of day)

I served Reed Philip Randoy

(name of person served)

with the Notice of Family Claim

(type of document, e.g. notice of family claim, petition, etc.)

in this family law case, a copy of which is attached to this affidavit and marked as Exhibit A, by handing it to

and leaving it with that person at 4162 Wade St, Los Angeles, CA, USA
(city and country)

[In the case of service of a notice of family claim or counterclaim in which a divorce is claimed, check whichever one of the following boxes is correct and complete the required information.]

☒ 2 I know the person served because

I am the fiance of Marieke Randoy's friend Luciana Cicciaccaro

I have met Reed Rando at social events.

[set out the means of knowledge]

[OR]

☐ 2 I know the person served because

[set out the means of knowledge]

and attached to this affidavit and marked as Exhibit B is a photograph that is a true likeness of the person I served.

[OR]

☐ 2 I do not know the person served and *[State the means by which the person who was served was identified by checking one or both of the following boxes and providing the required information.]*

☐ the person I served produced the following identification containing a photograph that was a true likeness of the person I served:

[specify form of identification produced – e.g. "B.C. Drivers License No. XXX"]

☐ attached to this affidavit and marked as Exhibit B is a photograph that is true likeness of the person I served. *[If this box is checked, there must be filed an affidavit that exhibits the same photograph and confirms that the person shown in the photograph is the person identified in section 1 of this affidavit as the person served]*

SWORN (OR AFFIRMED) BEFORE ME

at

California, USA

on

[dd/mm/yyyy]

A commissioner for taking affidavits for

California, USA

[print name or affix stamp of commissioner]

**See Attached
NOTARIZED Paperwork**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 8
day of July, 2015, by Anthony Bayani Rodriquez

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature A Palmer

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date	06-26-15		Dept: Dept. CE 22 [CE22]
Honorable	TAMARA HALL	Judge	Deputy Clerk
Honorable		Judge Pro Tem	Court Assistant
21	M. OLIVER	Deputy Sheriff	Reporter

M. GOODE
C. MEHAFFIE
B. KING #8347

8:30 am

BD621137

Reed Randoy (X)

Counsel For
Petitioner:

Nicholas Salick (X)

VS.

Marieke Randoy (X)

Counsel For
Respondent:

In Pro Per (X)

NATURE OF PROCEEDINGS: PETITIONER'S EX PARTE APPLICATION FOR CHILD CUSTODY AND OTHER

The matter is called for hearing.

The parties are sworn and the matter is argued.

The Court modifies the order may on June 5, 2015 as follows:

The Court grants Joint Legal Custody of the minor Hunter Randoy (DOB 4/10/12) to both parents and Sole Physical/Primary Physical Custody of the minor to the Respondent.

The Court grants the Respondent visits with the minor every weekend from Friday at 3:00 p.m. to Monday at 8:00 p.m.

The Petitioner is to pay any travel expenses related to the visitations. The Court reserves the right to reallocate the expenses.

Should read
RESPONDENT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date 06-26-15

Honorable TAMARA HALL

Honorable

21 M. OLIVER

Judge

M. GOODE

Judge Pro Tem

C. MEHAFFIE

Deputy Sheriff

B. KING #8347

Dept: Dept.

CE 22

[CE22]

Deputy Clerk

Court Assistant

Reporter

8:30 am

BD621137

Reed Randoy (X)

VS.

Marieke Randoy (X)

Counsel For
Petitioner:

Nicholas Salick (X)

Counsel For
Respondent:

In Pro Per (X)

The matter is continued to July 1, 2015 at 8:30 a.m. in this department.

The orders are temporary and are to remain in effect until the next hearing.

The Petitioner is to pay any of the minor's travel expenses to the July 1, 2015 hearing.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date	07-01-15				Dept: Dept. CE 22 [CE22]
Honorable	TAMARA HALL	Judge	M. GOODE		Deputy Clerk
Honorable		Judge Pro Tem	C. MEHAFFIE		Court Assistant
24	M. OLIVER	Deputy Sheriff	B. KING #8347		Reporter

8:30 am

BD621137

Reed Randoy (X)

Counsel For
Petitioner:

Nicholas Salick (X)

VS.

Marieke Randoy (X)

Counsel For
Respondent:

In Pro Per (X)

NATURE OF PROCEEDINGS: PETITIONER'S EX PARTE APPLICATION FOR CHILD CUSTODY AND OTHER

The matter is called for hearing.

The parties are sworn.

The Court continues the matter on its own motion to July 31, 2015 at 8:30 a.m. in this department.

The Court vacates the orders made on June 26, 2015.

The Respondent is ordered to provide the Court with the information from the Canada court proceedings including the named of the Judge assigned to hear the case. The Respondent is to provide the information to the Court and opposing counsel no later than July 10, 2015.

The Court authorizes each party to submit a declaration regarding the issue of why California or Canada should have jurisdiction for the proceedings.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date	07-01-15			Dept: Dept.
				CE 22
				[CE22]
Honorable	TAMARA HALL	Judge	M. GOODE	Deputy Clerk
Honorable		Judge Pro Tem	C. MEHAFFIE	Court Assistant
24	M. OLIVER	Deputy Sheriff	B. KING #8347	Reporter

8:30 am

BD621137

Reed Randoy (X)

Counsel For
Petitioner:

Nicholas Salick (X)

VS.

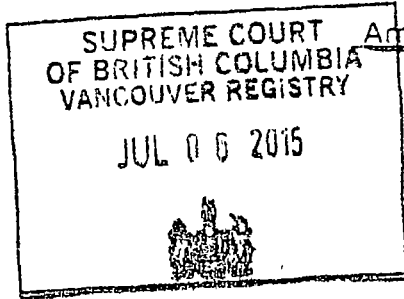
Marieke Randoy (X)

Counsel For
Respondent:

In Pro Per (X)

Each party stipulates that they will accept e-mail service from the opposing side.

Notice is waived.



Amended pursuant to Family Rule 8-1(1)(a)

Original version filed June 26, 2015

**FORM F3
(RULE 4-1 (1))**

EXHIBIT A

No. E151794
Vancouver Registry

In the Supreme Court of British Columbia

Claimant: Marieke Petra Randoy

Respondent: Reed Phillip Randoy

AMENDED NOTICE OF FAMILY CLAIM

This family law case has been started by the claimant(s) for the relief set out in section 4 below.

If you intend to respond to this family law case, you or your lawyer must

- (a) file a response to family claim in Form F4 in the above-named registry of this court within 30 days after the date on which this copy of the filed notice of family claim was served on you, and
- (b) serve a copy of the filed response to family claim on the claimant

If you intend to make a counterclaim, you or your lawyer must

- (a) file a response to family claim in Form F4 and a counterclaim in Form F5 in the above-named registry of this court within 30 days after the date on which this copy of the filed notice of family claim was served on you, and
- (b) serve a copy of the filed response to family claim and counterclaim on the claimant and on any new parties named in the counterclaim.

Orders, including orders granting the relief claimed, may be made against you if you fail to file the response to family claim within the 30 day period referred to above.

1 Information about the parties

The claimant, Marieke Petra Randoy	is the wife of the respondent
The respondent, Reed Philip Randoy	, is the husband of the claimant

2 Spousal relationship history

EXHIBIT "I"

[Complete this section if a claimant and a respondent are or have been married or are or have been in a marriage-like relationship.]

[Check the correct box(es) and complete the required information.]

The claimant, Marieke Randoy

[name of claimant]

, and the respondent, Reed Randoy

[name of respondent]

☒ began to live together in a marriage-like relationship on 01/Aug/2011

[dd/mm/yyyy]

☒ were married on 27/Sep/2011

[dd/mm/yyyy]

☒ separated on 21/May/2015

[dd/mm/yyyy]

☐ were divorced from each other by order made on _____

[dd/mm/yyyy]

3 Prior court proceedings and agreements

[Check the correct box(es) and complete the required information.]

☐ There is no prior agreement, court order or court proceeding relating to any of the claims made in this notice of family claim

[OR]

☒ One or more of the following relates to claims made in this notice of family claim:

☐ a written agreement dated _____

[dd/mm/yyyy]

☒ a court order dated 05/Jun/2015

[dd/mm/yyyy]

☒ a prior court proceeding: Court File Number BD621137

Court Registry: County of Los Angeles, California, Central Dist

4 The Claimant's Claims

[Check the correct box(es) and complete and attach the required Schedules.]

- ☒ An order for divorce ~~[complete and attach Schedule 1]~~
- ☒ An order respecting child(ren) – [complete and attach Schedule 2]
- ☒ An order for spousal support ~~[complete and attach Schedule 3]~~
- ☒ An order relating to family property and family debt ~~[complete and attach Schedule 4]~~
- ☒ Another order – [complete and attach Schedule 5]
- ☒ An order for costs

5 Place of trial will be: Vancouver Law Courts

(name of registry)

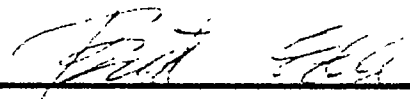
6 The address of the registry is Vancouver Registry, 800 Smithe Street, Vancouver, British Columbia

7 The Claimant's address for service is

[Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]

Address for service:	Brent Ellingson Varty & Company, Barristers and Solicitors 900 - 555 Burrard St. Vancouver, BC V7X 1M8
Fax number address for service (optional):	(604) 443-5001
E-mail address for service (optional):	bellingson@smarrtt.com

Date: ~~25/Jun/2015~~ 05/Jul/2015



Signature of

☐ Claimant ☒ Lawyer for claimant
Brent Ellingson

If in this family law case a claim is made under the Family Law Act and the claimant is represented by a lawyer, the lawyer must complete the following certificate.

LAWYER'S CERTIFICATE (FAMILY LAW ACT, s. 8(2))

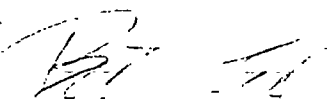
I, Brent Ellingson

, lawyer for Marieke Randoy

certify that, in accordance with section 8 (2) of the Family Law Act, I have

(a) discussed with the party the advisability of using various types of family dispute resolution to resolve the matter, and (b) informed the party of the facilities and other resources, known to me that may be available to assist in resolving the dispute.

Date: ~~25/Jun/2015~~ 05/Jul/2015



Signature of lawyer

Brent Ellingson

~~FORM F3~~
~~(RULE 4-1(1))~~

~~In the Supreme Court of British Columbia~~

~~No~~

~~Vancouver Registry~~

~~Claimant:~~

~~Marieke Petra Randoy~~

~~Respondent:~~

~~Reed Philip Randoy~~

~~SCHEDULE 1 - DIVORCE~~

~~THIS IS SCHEDULE 1 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.~~

~~1 Personal Information~~

	Claimant	Respondent
Birthdate (dd/mm/yyyy):	25/Oct/1976	01/Aug/1970
Ordinarily resident in British Columbia since (dd/mm/yyyy):	14/Apr/2014	Not ordinarily resident
Surname at birth	Velkenmans	Randoy
Surname immediately before marriage	Velkenmans	Randoy
Marital status immediately before marriage	divorced	never married
Place of marriage:	City: Long Beach	
(city or town, province or state, country):	<input type="checkbox"/> Canada <input checked="" type="checkbox"/> USA <input type="checkbox"/> Other	
	State: California	USA

~~2 Grounds for the claimant's claim for divorce~~

<input checked="" type="checkbox"/> The claimant asks for an order for divorce on these grounds:
(if divorce is claimed as a result of having lived separate and apart, complete paragraph)
<input checked="" type="checkbox"/> Divorce is claimed as a result of having lived separate and apart.
<input type="checkbox"/> Divorce is claimed on grounds other than having lived separate and apart.

~~Divorce claimed as a result of having lived separate and apart~~

~~(i) ☒ The claimant and his or her spouse have 21/May/2014
lived separate and apart since~~

~~(dd/mm/yy)~~

~~AND~~

~~(Check whichever one of the following boxes is correct and complete the required information.)~~

~~☒ the claimant and his or her spouse have not lived together since then~~

~~☐ the claimant and his or her spouse have lived together again during the following period's
in an unsuccessful attempt to reconcile.~~

~~From: _____ to: _____~~

~~(if more space is required attach page and state "See Attached")~~

~~3 The claimant confirms that:~~

~~(The claimant seeking an order for divorce must check both of the following boxes)~~

~~☒ There is no possibility of reconciliation.~~

~~☒ There has been no collusion, as defined in section 11 (1) of the Divorce Act (Canada), in relation to
this claim for divorce.~~

~~4 Proof of marriage~~

~~(Check whichever one of the following boxes is correct and complete any required information)~~

~~☒ A certificate of marriage or of registration of marriage _____ has been filed
_____ (and translation)~~

~~☐ A certificate of marriage or registration of marriage is not being filed with this notice of family claim
because _____~~

~~(state the reason)~~

~~and the certificate will be filed before this claim is set down for trial or on application, as to
order of divorce.~~

~~☐ It is impossible to obtain a certificate of marriage or registration of marriage because _____~~

~~(state the reason)~~

~~5 Children~~

~~(Check whichever one of the following boxes is correct and complete any required information.)~~

☐ ~~There are no children of the marriage as defined by the Divorce Act (Canada)~~

~~(OR)~~

☒ ~~The children of the marriage are:~~

Child's Full Legal Name (Surname, First Second Third)	Birth Date	Resides with
Randoy, Hunter Samson	10/Apr/2012	Randoy, Marleke

~~(if more space is required attach page and state "See Attached")~~

~~Date: 25/Jun/2015~~

~~(dd/mm/yyyy)~~

~~Signature of~~

☐ ~~Claimant~~

☒ ~~Lawyer for claimant~~

~~Brent Ellingson~~

~~(type or print name)~~

~~The following certificate must be completed for each party to a divorce claim who is represented by a lawyer~~

~~LAWYER'S CERTIFICATE (DIVORCE ACT (CANADA), S. 9)~~

~~I, Brent Ellingson~~

~~lawyer for Marleke Randoy~~

~~(name of party)~~

~~certify that I have complied with section 9 of the Divorce Act (Canada), which says:~~

~~9 (1) It is the duty of every barrister, solicitor, lawyer or advocate who undertakes to act on behalf of a spouse in a divorce proceeding~~

~~(a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses; and~~

~~(b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to him or her that might be able to assist the spouses to achieve a reconciliation, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so.~~

~~(2) It is the duty of every barrister, solicitor, lawyer or advocate who undertakes to act on behalf of a spouse in a divorce proceeding to discuss with the spouse the advisability of negotiating the matters that may be the subject of a support order or a custody order and to inform the spouse of the mediation facilities known to him or her that might be able to assist the spouses in negotiating those matters~~

~~Date: 25/Jun/2015~~

~~(dd/mm/yyyy)~~

~~Signature of lawyer~~

~~Brent Ellingson~~

~~(type or print name)~~

**FORM F3
(RULE 4-1 (1))**

In the Supreme Court of British Columbia

No. _____
Vancouver Registry

Claimant: Marieke Petra Randoy

Respondent: Reed Philip Randoy

SCHEDULE 2 – CHILDREN

THIS IS SCHEDULE 2 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM

1 Identification of child(ren)

The claimant is asking for an order in respect of the following child or children

Child's Full Legal Name	Child's Birth Date [dd/mm/yyyy]	Child's Relationship to the Claimant	Child's Relationship to the Respondent	Child habitually resident in BC since [dd/mm/yyyy]	Child now living with
Randoy, Hunter Samson	10/Apr/2012	natural child	natural child	14/Apr 2014	Randoy, Marieke

(if more space is required - attach page and state "See Attached")

2 Orders sought

The claimant is asking for the following order(s): *(Check the correct boxes and complete the required information)*

(a) ☒ an order respecting arrangements for parenting for a child or children.
[Complete sections 3 and 4 below]

(b) ☒ an order for child support *[Complete sections 5 to 7 below]*

3 Current parenting arrangements

Current arrangements for parenting are:

Child has lived with Claimant in Vancouver, BC from April 2014 to present. Respondent has traveled to Vancouver from Los Angeles, USA for contact with child every 6-8 weeks for 3-4 days per visit.

4 Proposed arrangement parenting

The claimant proposes the following arrangements for parenting:

[Set out terms of proposed order sought in relation to arrangements for parenting, including custody, guardianship, parenting arrangements or contact with child.]

The Claimant proposes that she have sole custody and sole guardianship of the child, that the child continue to live permanently with her in Vancouver, and that the Respondent have only professionally supervised contact with the child.

The claimant is asking for an order under
[Check one or both of the following boxes, as applicable.]

☒ the Divorce Act (Canada) ☒ the Family Law Act

5 Current child support arrangements

Current child support arrangements are:

~~The respondent sent the claimant \$5000.00 USD per month in unspecified support until May 2015. As of the date of this Notice of Family Claim, the respondent has sent the claimant \$200.00 USD in support in the month of June 2015. The Respondent has not responded to the Claimant's requests for further support for herself and the child.~~

6 Income of person being asked to pay child support

[Check whichever one of the following boxes is correct and complete any required information.]

☐ The claimant does not know the income of the person being asked to pay child support.

☒ The claimant believes that the income of the person being asked to pay child support is \$ ~~166,116~~

~~based on these facts: Prior to separation the respondent informed the claimant that his average income was \$11,250 USD (\$13,868 CAD) per month net.~~

7 Proposed child support arrangements

[Check the correct box(es) and complete the required information.]

The claimant is asking for:

☒ support in the amount set out in the child support guidelines table for the following child(ren):

~~Hunter Samson Randoy~~

☒ special or extraordinary expenses in accordance with section 7 of the child support guidelines for the following child(ren):

~~Hunter Samson Randoy~~

☐ by consent, an order for support in an amount different than the amount set out in the child support guidelines table for the following child(ren):

Date: ~~25/Jun/2015~~ 05/Jul/2015

Signature of

☐ Claimant

☒ Lawyer for claimant:

Brent Ellingson

~~Note to Claimant AND Respondent: you must file financial information (Form FS) if~~

- ~~there is a claim against you for support of a child; Or~~
- ~~you are claiming child support unless all of the following conditions apply:~~
- ~~(a) you are making no claim for any other kind of support;~~
- ~~(b) the child support is for children who are not stepchildren;~~
- ~~(c) none of the children for whom child support is claimed is 19 years of age or older;~~
- ~~(d) the income of the party being asked to pay child support is under \$150,000 per year;~~
- ~~(e) you are not applying for special expenses under section 7 of the child support guidelines;~~
- ~~(f) you are not applying for an order under section 8 of the child support guidelines;~~
- ~~(g) you are not applying for an order under section 9 of the child support guidelines;~~
- ~~(h) you are not making a claim based on undue hardship under section 10 of the child support guidelines.~~

~~If you do not file the financial information that is required, the court may attribute an amount of income to you, and make a support award against you based on that amount.~~

~~FORM F3~~
~~(RULE 4-1(1))~~

~~In the Supreme Court of British Columbia~~

~~No~~

~~Vancouver Registry~~

~~Claimant: Marieke Petra Randoy~~

~~Respondent: Reed Philip Randoy~~

~~SCHEDULE 3 SPOUSAL SUPPORT~~
~~THIS IS SCHEDULE 3 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM~~

~~1 Current arrangements for spousal support~~

~~Current spousal support arrangements are~~
~~The respondent sent the claimant \$5000.00 USD per month in spousal support until May 2015. At the date of this Notice of Family Claim, the respondent has sent the claimant \$600.00 USD per month of June 2015. The Respondent has not responded to the claimant's request for spousal support for the child.~~

~~2 Proposed spousal support arrangements~~

~~(Check the correct box(es) and complete the required information.)~~

- ☒ ~~The claimant is asking for an order for spousal support as follows:~~
~~Mid-range spousal support as indicated by the Spousal Support Advisory Guidelines.~~
~~I ask the court to order the respondent to provide spousal support.~~
☒ ~~The claimant is asking for an order for spousal support under~~
☒ ~~(check one or both of the following boxes as applicable)~~
☒ ~~the Divorce Act (Canada)~~ ☒ ~~the Family Law Act~~

~~3 Income of claimant and respondent~~

~~The claimant's gross annual income is \$ 2,500~~

~~(Check whichever one of the following boxes is correct and complete any required information.)~~

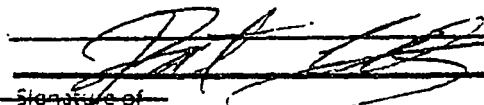
☐ ~~The claimant does not know what the claimant's spouse's income is~~

☒ ~~The claimant believes that the claimant's spouse's gross annual income is \$ 166,416~~

~~based on these facts: Prior to separation the respondent informed the claimant that his average income was \$11,250 USD (\$13,868 CAD) per month net.~~

~~Date: 25/Jun/2015~~

~~(dd/mm/yyyy)~~



Signature of

☐ ~~Claimant:~~ ☒ ~~Lawyer for claimant~~

~~Brent Ellingson~~

~~(Type or print name)~~

~~Note to Claimant AND Respondent: you must file financial information Form 78 if there is a claim for or against you for spousal support.~~

~~If you do not file the financial information that is required, the court may attribute an amount of income to you and make a support award against you, based on that income~~

~~SCHEDULE 4 - PROPERTY~~

~~THIS IS SCHEDULE 4 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.~~

~~No~~

~~Vancouver Registry~~

~~Claimant:~~

~~Marieke Petra Randoy~~

~~Respondent:~~

~~Reed Philip Randoy~~

~~1 The claimant's claims~~

~~A Property and debt claims under the Family Law Act~~

~~(Check whichever one of the following boxes is correct and complete any required information in relation to family property and family debt, as those terms are defined in the Family Law Act.)~~

~~The claimant is asking for an order for~~

☒ ~~equal division of family property and family debt~~

☐ ~~unequal division of family property and family debt~~

~~Set out details of proposed unequal division and the grounds on which it is made.~~

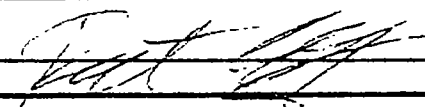
~~The address and legal description of any real property in which the claimant claims an interest as a family asset is~~

~~B Other property claims~~

~~The claimant claims:~~

~~(Check the correct box(es) and complete the required information.)~~

☐ ~~an order for compensation instead of an order dividing property, as set out in~~

(Identify every property for which compensation is claimed and if compensation is claimed for real property provide the address and legal description of that real property) on the following grounds:	
(Set out the grounds on which any claim under this paragraph for interest or compensation is based)	
2 Certificate of Pending Litigation	
<input type="checkbox"/> The claimant is applying for a Certificate of Pending Litigation to be registered against the following real property:	
(provide a legal description of every real property against which a Certificate of Pending Litigation is to be registered)	
Date: <u>25/Jun/2015</u> (dd/mm/yyyy)	<div style="text-align: center;">  Signature of: <input type="checkbox"/> Claimant <input checked="" type="checkbox"/> Lawyer for claimant Brent Ellingson (type or print name) </div>

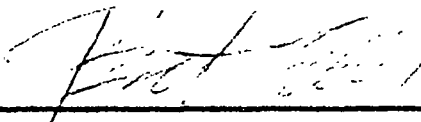
SCHEDULE 5 - OTHER ORDERS
THIS IS SCHEDULE 5 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.

No _____
Vancouver Registry

Claimant: Marieke Petra Randoy

Respondent: Reed Philip Randoy

The claimant is asking for the following orders:

<input type="checkbox"/> an order under the <i>Name Act</i> that my name be changed				
<i>[current full legal name]</i>				
Surname	First Name	Second Name	Third Name	
from:	_____	_____	_____	
<i>[current full legal name]</i>				
to:	_____	_____	_____	
<input checked="" type="checkbox"/> the following orders under the <i>Family Law Act</i> <i>[using numbered paragraphs, set out any orders sought under the Family Law Act that are not referred to in Schedules 1 to 4 and the sections of that Act under which those orders are sought]</i>				
1 Order respecting protection, Family Law Act, s. 183. An order that the respondent be restrained from directly or indirectly communicating with or contacting the claimant, attending at the residence of or any place of business of the claimant, and from following the claimant.				
2 Order respecting protection, Family Law Act, s. 183. An order that the respondent be restrained from contact with the child except under professional supervision.				
<input type="checkbox"/> other orders <i>[using numbered paragraphs, set out terms of other proposed orders and the authority under which those orders are sought]</i>				
1				
Date 25/Jun/2015 05/Jul/2015		 _____ Signature of		
		<input type="checkbox"/> Claimant <input checked="" type="checkbox"/> Lawyer for claimant Brent Ellingson		

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date 07-13-15

Honorable TAMARA HALL

Honorable

ex M. OLIVER

Judge

M. GOODE

Judge Pro Tem

C. MEHAFFIE

Deputy Sheriff

Not Reported

Dept: Dept.

CE 22

[CE22]

Deputy Clerk

Court Assistant

Reporter

8:30 am

BD621137

Reed Randoy (N/A)

Counsel For
Petitioner:

VS.

Marieke Randoy (X)

Counsel For
Respondent:

In Pro Per (X)

NATURE OF PROCEEDINGS: RESPONDENT'S EX PARTE APPLICATION RE:
IMMEDIATE RETURN OF THE MINOR HUNTER RANDOY TO HIS HOME OF
HABITUAL RESIDENCE.

The matter is not held.

The Court reviews the ex-parte request in chambers and
denies the request.

The Court finds that it must first determine the
jurisdiction issue before it can make a child custody order.
In the interim the ATROS prevail and Respondent's removal of
the child was in violation of the ATROS.

The Respondent is given a copy of the Court's ruling in open
court.

Moplain.doc

Page 1 of 1

Dept.
DEPT: CE 22
[CE22]

MINUTES ENTERED
07-13-15
COUNTY CLERK

EXHIBIT 'J'

ORIGINAL FL-300

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Marieke Randoy 668 Citadel Parade #2006 Vancouver, British Columbia V6B1W6 CANADA Respondent, In Pro Per TELEPHONE NO 7787880660 FAX NO (Optional) E-MAIL ADDRESS (Optional): writetomarike@icloud.com ATTORNEY FOR (Name):		FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles JUL 13 2015 Sherri R. Carter, Executive Officer/Clerk By <u>Mark Goode</u> Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS 111 N. Hill St. MAILING ADDRESS 111 N. Hill St. CITY AND ZIP CODE Los Angeles, CA 90012 BRANCH NAME Central District		
PETITIONER/PLAINTIFF: Reed Randoy RESPONDENT/DEFENDANT: Marieke Randoy OTHER PARENT/PARTY:		
REQUEST FOR ORDER <input checked="" type="checkbox"/> Child Custody <input type="checkbox"/> Child Support <input type="checkbox"/> Attorney Fees and Costs <input checked="" type="checkbox"/> MODIFICATION <input type="checkbox"/> Visitation <input type="checkbox"/> Spousal Support <input type="checkbox"/> Temporary Emergency Court Order <input checked="" type="checkbox"/> Other (specify): Ex Parte, See #8		CASE NUMBER BD621137

1. TO (name): Petitioner, Reed Randoy
2. A hearing on this Request for Order will be held as follows: If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or at the same time as the hearing (see item 7.)

a. Date:	Time:	<input checked="" type="checkbox"/> Dept..	<input checked="" type="checkbox"/> Room.:
----------	-------	--	--

b. Address of court ☒ same as noted above ☐ other (specify):

3. Attachments to be served with this Request for Order:
- a. A blank Responsive Declaration (form FL-320)
 - b. ☐ Completed Income and Expense Declaration (form FL-150) and a blank Income and Expense Declaration
 - c. ☐ Completed Financial Statement (Simplified) (form FL-155) and a blank Financial Statement (Simplified)
 - d. ☒ Points and authorities
 - e. ☒ Other (specify): Respondent's Declaration

Date: 07/10/2015
Marieke Randoy
(TYPE OR PRINT NAME)

Marieke Randoy
(SIGNATURE)

☐ COURT ORDER

4. ☐ YOU ARE ORDERED TO APPEAR IN COURT AT THE DATE AND TIME LISTED IN ITEM 2 TO GIVE ANY LEGAL REASON WHY THE ORDERS REQUESTED SHOULD NOT BE GRANTED.
5. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):
6. Any responsive declaration must be served on or before (date):
7. The parties are ordered to attend mandatory custody services as follows

8. ☐ You are ordered to comply with the Temporary Emergency Court Orders (form FL-305) attached.
9. ☒ Other (specify): Marieke Randoy must

Date: 7.13.15 of child in violation of Atty's

CIT/CASE: BD621137
LEAD/DEF#:
RECEIVED:
DATE PAID: 07/13/15
PAYMENT: \$60.00
CHECK:
CASH:
CHANGE:
CARD:
JUDICIAL OFFICER: Reed

To the person who received this Request for Order: If you wish to respond to this Request for Order, you must file a Responsive Declaration to Request for Order (form FL-320) and serve a copy on the other parties at least nine court days before the hearing date unless the court has ordered a shorter period of time. You do not have to pay a filing fee to file the Responsive Declaration to Request for Order (form FL-320) or any other declaration including an Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155).

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and
 Marieke Randy

668 Citadel Parade, #2006
 Vancouver, BC Canada V6B 1W6

TELEPHONE NO. 17787880660

FAX NO. (Optional)

E-MAIL ADDRESS (Optional): writetomarike@icloud.com

ATTORNEY FOR (Name): In Pro Per

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS: 111 N. Hill St.

MAILING ADDRESS: 111 N. Hill St.

CITY AND ZIP CODE: Los Angeles, CA 90012

BRANCH NAME: Central District

PETITIONER/PLAINTIFF: Reed Randy

RESPONDENT/DEFENDANT: Marieke Randy

OTHER PARENT/PARTY:

REQUEST FOR ORDER

☐ Child Custody
☐ Child Support
☐ Attorney Fees and Costs

☒ MODIFICATION
☐ Visitation
☐ Spousal Support

☒ Temporary Emergency Court Order
☒ Other (specify):
 modify ATROS/ return home

CASE NUMBER:
 BD621137

FILED
 Superior Court of California
 County of Los Angeles
 JUL 15 2015
 Sherri R. Carter, Executive Officer/Clerk
 Mark Goode

FILED
 Superior Court of California
 County of Los Angeles
 JUL 15 2015
 Sherri R. Carter, Executive Officer/Clerk
 Doty Ward

1. TO (name): Reed Randy

2. A hearing on this Request for Order will be held as follows: If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or at the same time as the hearing (see item 7.)

a. Date: Time: 8:30 AM Dept.: 22 Room.: 519

b. Address of court ☐ same as noted above ☐ other (specify):

3. Attachments to be served with this Request for Order:

a. A blank Responsive Declaration (form FL-320)

b. ☐ Completed Income and Expense Declaration (form FL-150) and a blank Income and Expense Declaration

c. ☐ Completed Financial Statement (Simplified) (form FL-155) and a blank Financial Statement (Simplified)

d. ☒ Points and authorities

e. ☒ Other (specify):
 Declaration of Marieke Randy/ Respondent

Date: July 15, 2014

Marieke Randy

(TYPE OR PRINT NAME)

Marieke Randy
 (SIGNATURE)

COURT ORDER

4. ☐ YOU ARE ORDERED TO APPEAR IN COURT AT THE DATE AND TIME LISTED IN ITEM 2 TO GIVE ANY LEGAL REASON WHY THE ORDERS REQUESTED SHOULD NOT BE GRANTED.

5. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):

6. Any responsive declaration must be served on or before (date):

7. The parties are ordered to attend mandatory custody services as follows:

8. ☐ You are ordered to comply with the Temporary Emergency Court Orders (form FL-305) attached.

9. ☒ Other (specify): denied. Mylar will be

Date: 7/15/15

hand on date Alamy set!

JUDICIAL OFFICER

To the person who received this Request for Order: If you wish to respond to this Request for Order, you must file a Responsive Declaration to Request for Order (form FL-320) and serve a copy on the other parties at least nine court days before the hearing date unless the court has ordered a shorter period of time. You do not have to pay a filing fee to file the Responsive Declaration to Request for Order (form FL-320) or any other declaration including an Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155).

RECEIPT #: FIN182957008
 DATE PAID: 07/15/15
 PAYMENT: \$60.00
 RECEIVED:
 CHECK:
 CASH:
 CHANGE:
 CARD:
 \$60.00

CASE#: BD621137
 LER/DEF#:

Legal Dimensions 1973
(00 93 275)



Residential Tenancy Branch

Residential Tenancy Agreement

Important Notes:

#RTB-1

The Residential Tenancy Branch (RTB) is of the opinion that this Residential Tenancy Agreement accurately reflects the Residential Tenancy Act (RTA) and accompanying regulations. The RTB makes no representations or warranties regarding the use of this Agreement. A landlord and tenant may wish to obtain independent advice regarding whether this agreement satisfies their own personal or business needs. For the rental of a manufactured home and a manufactured home site under a single tenancy agreement, use this agreement form. For the rental of a manufactured home site use the Manufactured Home Site Tenancy Agreement.

The words **tenant** and **landlord** in this tenancy agreement have the same meaning as in the Residential Tenancy Act (RTA), and the singular of these words includes the plural. In this tenancy agreement, the words **residential property** have the same meaning as in the RTA. **Residential property** means a building, a part of a building or related group of buildings, in which one or more rental units or common areas are located; the parcel or parcels on which the building, related group of buildings or common areas are located; the rental unit and common areas and any other structure located on the parcel or parcels.

HOW TO COMPLETE THIS FORM ELECTRONICALLY: If you are accessing this agreement form from the B.C. Government Web site, it can be printed and completed by hand (*print clearly, using dark ink*) or filled out while at the computer workstation—simply type your responses in the boxes. If you cannot complete all the sections at the computer right away, you can print off what you have completed and fill in the remaining fields by hand. Note, you *cannot* save the completed form to your computer, therefore, after you complete the form, make sure you review the form for accuracy and print the number of copies you require *before* you leave the document or shut down the program/computer.

IF ADDITIONAL SPACE IS REQUIRED TO LIST ALL PARTIES, complete and attach Schedule of Parties (#RTB-26)

RTB-26 used & attached: ☐

RESIDENTIAL TENANCY AGREEMENT between: (use full, correct legal names)

the **LANDLORD(S)**: (if entry for landlord is a business name, use the 'last name' field box to enter the full legal business name)

CRAN	DANIEL
last name	first and middle name(s)
last name	first and middle name(s)

and the **TENANT(S)**:

RANDOLPH	MARIELE VELEMANIS
last name	first and middle name(s)
RANDOLPH	FRANK, PHILIP
last name	first and middle name(s)

ADDRESS OF PLACE BEING RENTED TO TENANT(S) (called the 'rental unit' in this agreement):

2006	668 CITADEL PARADE	VANCOUVER	B.C.	V6B-1W6
unit	address	city	province	postal code

ADDRESS FOR SERVICE of the ☐ landlord ☐ landlord's agent:

unit	address	city	province	postal code
604	770-8626	624	653-5519	
daytime phone number		other phone number		fax number for service

EXHIBIT "L"

4. SECURITY DEPOSIT AND PET DAMAGE DEPOSIT

A. Security Deposits

The tenant is required to pay a security deposit of \$ 825.

by 28 April 2014
day month year

B. Pet Damage Deposit ☒ not applicable

The tenant is required to pay a pet damage deposit of \$

by
day month year

1) The landlord agrees

- a) that the security deposit and pet damage deposit must each not exceed one half of the monthly rent payable for the residential property,
- b) to keep the security deposit and pet damage deposit during the tenancy and pay interest on it in accordance with the regulation, and
- c) to repay the security deposit and pet damage deposit and interest to the tenant within 15 days of the end of the tenancy agreement, unless
 - i) the tenant agrees in writing to allow the landlord to keep an amount as payment for unpaid rent or damage, or
 - ii) the landlord applies for dispute resolution under the Residential Tenancy Act within 15 days of the end of the tenancy agreement to claim some or all of the security deposit or pet damage deposit.

2) The 15 day period starts on the later of

- a) the date the tenancy ends, or
- b) the date the landlord receives the tenant's forwarding address in writing.

3) If a landlord does not comply with subsection (1), the landlord

- a) may not make a claim against the security deposit or pet damage deposit, and
- b) must pay the tenant double the amount of the security deposit, pet damage deposit, or both.

4) The tenant may agree to use the security deposit and interest as rent only if the landlord gives written consent.

5. PETS

Any term in this tenancy agreement that prohibits, or restricts the size of, a pet or that governs the tenant's obligations regarding the keeping of a pet on the residential property is subject to the rights and restrictions under the Guide Animal Act.

6. CONDITION INSPECTIONS

- 1) In accordance with sections 23 and 35 of the Act [condition inspections] and Part 3 of the regulation [condition inspections], the landlord and tenant must inspect the condition of the rental unit together
 - a) when the tenant is entitled to possession,
 - b) when the tenant starts keeping a pet during the tenancy, if a condition inspection was not completed at the start of the tenancy, and
 - c) at the end of the tenancy.
- 2) The landlord and tenant may agree on a different day for the condition inspection.
- 3) The right of the tenant or the landlord to claim against a security deposit or a pet damage deposit, or both, for damage to residential property is extinguished if that party does not comply with section 24 and 36 of the Residential Tenancy Act [consequences if report requirements not met]

7. PAYMENT OF RENT

- 1) The tenant must pay the rent on time, unless the tenant is permitted under the Act to deduct from the rent. If the rent is unpaid, the landlord may issue a notice to end a tenancy to the tenant, which may take effect not earlier than 10 days after the date the tenant receives the notice.
- 2) The landlord must not take away or make the tenant pay extra for a service or facility that is already included in the rent, unless a reduction is made under section 27 (2) of the Act.
- 3) The landlord must give the tenant a receipt for rent paid in cash.
- 4) The landlord must return to the tenant on or before the last day of the tenancy any post-dated cheques for rent that remain in the possession of the landlord. If the landlord does not have a forwarding address for the tenant and the tenant has vacated the premises without notice to the landlord, the landlord must forward any post-dated cheques for rent to the tenant when the tenant provides a forwarding address in writing.

1. APPLICATION OF THE RESIDENTIAL TENANCY ACT

- 1) The terms of this tenancy agreement and any changes or additions to the terms may not contradict or change any right or obligation under the Residential Tenancy Act or a regulation made under that Act, or any standard terms. If a term of this tenancy agreement does contradict or change such a right, obligation or standard term, the term of the tenancy agreement is void.
- 2) Any change or addition to this tenancy agreement must be agreed to in writing and initialed by both the landlord and the tenant. If a change is not agreed to in writing, is not initialed by both the landlord and the tenant or is unconscionable, it is not enforceable.
- 3) The requirement for agreement under subsection (2) does not apply to:
 - a) a rent increase given in accordance with the Residential Tenancy Act,
 - b) a withdrawal of, or a restriction on, a service or facility in accordance with the Residential Tenancy Act, or
 - c) a term in respect of which a landlord or tenant has obtained a dispute resolution officer's order that the agreement of the other is not required.

2. LENGTH OF TENANCY (please fill in the dates and times in the spaces provided)

This tenancy starts on:

15 MAY 2014
day month year

Length of tenancy: (please check a, b or c and provide additional information as requested)

This tenancy is:

☐ a) on a month-to-month basis

☒ b) for a fixed length of time: 1 year (12 months) ending on: 30 May 2015
length of time day month year

At the end of this fixed length of time: (please check one option, i or ii)

☒ i) the tenancy may continue on a month-to-month basis or another fixed length of time

☐ ii) the tenancy ends and the tenant must move out of the residential unit
If you choose this option, both the landlord and tenant must initial in the boxes to the right.

Landlord's
Initials

Tenant's
Initials

☐ c) other periodic tenancy as indicated below:

☐ weekly ☐ bi-weekly ☐ other: _____

3. RENT (please fill in the information in the spaces provided)

a) Payment of Rent:

The tenant will pay the rent of \$ 1650 each (check one) ☐ day ☐ week ☒ month to the landlord on the first day of the rental period which falls on the (due date, e.g., 1st, 2nd, 3rd, 31st) 1st day of each (check one) ☐ day ☐ week ☒ month subject to rent increases given in accordance with the RTA.

The tenant must pay the rent on time. If the rent is late, the landlord may issue a Notice to End Tenancy to the tenant, which may take effect not earlier than 10 days after the date the notice is given.

b) What is included in the rent: (Check only those that are included and provide additional information, if needed.)

The landlord must not terminate, or restrict a service or facility that is essential to the tenant's use of the rental unit as living accommodation, or that is a material term of the tenancy agreement.

<input checked="" type="checkbox"/> Water	<input checked="" type="checkbox"/> Stove and Oven	<input checked="" type="checkbox"/> Window Coverings	<input type="checkbox"/> Storage
<input type="checkbox"/> Electricity	<input checked="" type="checkbox"/> Dishwasher	<input type="checkbox"/> Cablevision	<input checked="" type="checkbox"/> Garbage Collection
<input type="checkbox"/> Heat	<input checked="" type="checkbox"/> Refrigerator	<input type="checkbox"/> Laundry (free)	<input type="checkbox"/> Parking for <input type="checkbox"/> vehicle(s)
<input checked="" type="checkbox"/> Furniture	<input type="checkbox"/> Carpets	<input type="checkbox"/> Sheets and Towels	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Additional Information: 2 FBS/KETS			

17. ADDITIONAL TERMS

- a) Write down any additional terms which the tenant and the landlord agree to. Additional terms may cover matters such as pets, yard work, smoking and snow removal. Additional pages may be added.
- b) Any addition to this tenancy agreement must comply with the Residential Tenancy Act and regulations, and must clearly communicate the rights and obligations under it. If a term does not meet these requirements, or is unconscionable, the term is not enforceable.
- c) Attached to this tenancy agreement, there ☐ is ☐ is not an Addendum

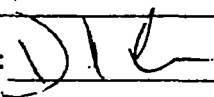
If there is an Addendum attached, provide the following information on the Addendum that forms part of this tenancy agreement:

Number of pages of the Addendum:

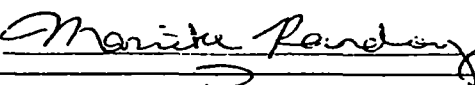

Number of additional terms in the Addendum:

By signing this tenancy agreement, the landlord and the tenant are bound by its terms.

LANDLORD(S): (if entry for landlord is a business name, use the 'last name' field box to enter the full legal business name)

last name CHAN	first and middle name(s) DANIEL
Signature: 	Date: April 27/2014
last name	first and middle name(s)
Signature: _____	Date: _____

TENANT(S):

last name RANDOY	first and middle name(s) MARIEKE VERENANS
Signature: 	Date: April 27, 2014
last name Randoy	first and middle name(s) Marieke Verenans
Signature: 	Date: April 27, 2014

General Information about Residential Tenancy Agreements

Important Legal Document – This tenancy agreement is an important legal document. Keep it in a safe place.

Additional Terms – Any additional terms cannot contradict or change any right or duty under the RTA or this tenancy agreement.

Amendment of the RTA – The RTA or a regulation made under the RTA, as amended from time to time, take priority over the terms of this tenancy agreement.

Condition Report – The landlord and tenant are required to inspect the residential unit together at the beginning and end of the tenancy and complete a written condition report. If the landlord allows the tenant to have a pet after the start of the tenancy, an inspection report must be done on the day the tenant starts keeping a pet or on another day mutually agreed to by the landlord and tenant, unless the tenancy started on or after January 1, 2004, and a condition inspection report was completed at that time. A report may describe any damage, how clean each room is, and the general condition of the residential unit including: the floors, carpets, appliances, and paint on the walls. The report must be signed and dated by both the landlord and the tenant who made the inspection, and each should keep a copy.

Change of Landlord – A new landlord has the same rights and duties as the previous one and must follow all the terms of this agreement unless the tenant and new landlord agree to other terms.

Resolution of Disputes – If problems or disagreements arise, the landlord and tenant should try to talk to each other to find a solution. If they still cannot agree, either may contact the Residential Tenancy Branch for clarification of their rights and responsibilities or an intervention. If no agreement is reached, a landlord or a tenant may apply for a dispute resolution to get a decision. Many, but not all, kinds of disagreements can be decided by dispute resolution.

FOR MORE INFORMATION

RTB Website: www.rto.gov.bc.ca

Public Information Lines: 1-800-665-8779 (toll free) 604-660-1020 250-387-1602



Protection Property Marketing
& Management Realty Ltd.(Jde)
214 - 1888 Thompson Avenue, Port of Spain, Trinidad
604 328 2900 (T) - 1 866 542 5270 (F)
info@protecpm.com / www.protecpm.com

APPLICATION FOR TENANCY

OFFICE USE

Reference #	Suite#	Address of Rental
	2009	602 Citadel Parade

Term (in months)	Included in rent	Occupancy Desired
1 year	Water, appliances	

APPLICANT

First Name	Last Name	Middle	Date of Birth (dd/mm/yyyy)	Drivers license #
Reed	Randoy	P	8/4/70	CA-A8920827
House Phone	Work Phone	Cell #	Email Address	
	323-960-9191	310-739-0335	reedrandoy@yahoo.com	

CURRENT ADDRESS

5359 San Vicente Blvd, #111			City	Prov.	
			Los Angeles	CA	
From Date	To Date	Contact	Phone #	Term (in months)	Rental amount
1/1/12	4/22/14	Joe	323-931-3232	1 yr	1435.00

Do you want us to call this reference if not please explain. Y / N ☒ ☐

Reason for moving Relocating to Canada to work in the Entertainment buisness.

Have you ever been late with your rent- Y / N if Yes, please explain ☐ ☒

PREVIOUS ADDRESS (if you lived at your current address less than 3 yrs)

2016 Vanderbilt Ave, #3			City	Prov.	
			Redondo Beach	CA	
From Date	To Date	Contact	Phone #	Term (in months)	Rental amount
1/1/08	12/31/11	Micki Olsen	310-874-8131	1yr	2400.00

Do you want us to call this reference if not please explain. Y / N ☒ ☐

Reason for moving Relocating

Have you ever been late with your rent- Y / N if Yes, please explain ☐ ☒

EXHIBIT "M"

From: **Reed Randoy** reedrandoy@yahoo.com
Subject: **New Vancouver digs!**
Date: **April 27, 2014 at 9:39 PM**
To: **Elaine Dotts** WETravel@elainedotts.com, **Heidi Conahan** heidiishome@msn.com, **Karen Phillips** kepwoman@aol.com, **Randi Freidig** rfreidig@comcast.net, **Tom L. Olsen** tomlolsen@sbcglobal.net, **Bobby Randoy** rmandoy@comcast.net, **David & Carolyn Layton** laytondc@comcast.net, **Bob & Beverly Randoy** randoyb@shaw.ca, **Britta Swansen** britta@swansen.com, **Kari Kristine Hammon** kkhammon@msn.com, **Kari & Glenn Edwards** kgedwards@sbcglobal.net, **Jacqueline Hopkins** jhop66@gmail.com, **Jon Randoy** jnrando@primus.ca, **Stephen Randoy** SRandoy@aol.com, **Dale Freidig** dale@freidig.com, **Dee Freidig** Freidig2@q.com, **Dan & Michelle Layton** layton.md@gmail.com

Emailed version In case you didn't get text!

The new-new Vancouver digs as if
5/15/14!

668 Citadel Place #2006
Vancouver BC V6B1W6
Canada

And just in case yawl still don't know the dealeo....Marieke and Hunter are officially in Van now, with me to follow as soon as we get up and running on a show or film acting wise! There's 96 shows right now filming in Van that need Marieke to co star in and the same for Me! Ha!

Send the good vibes our way and soon you'll be seeing us on the tele!

Aaaaand we're super close to family!

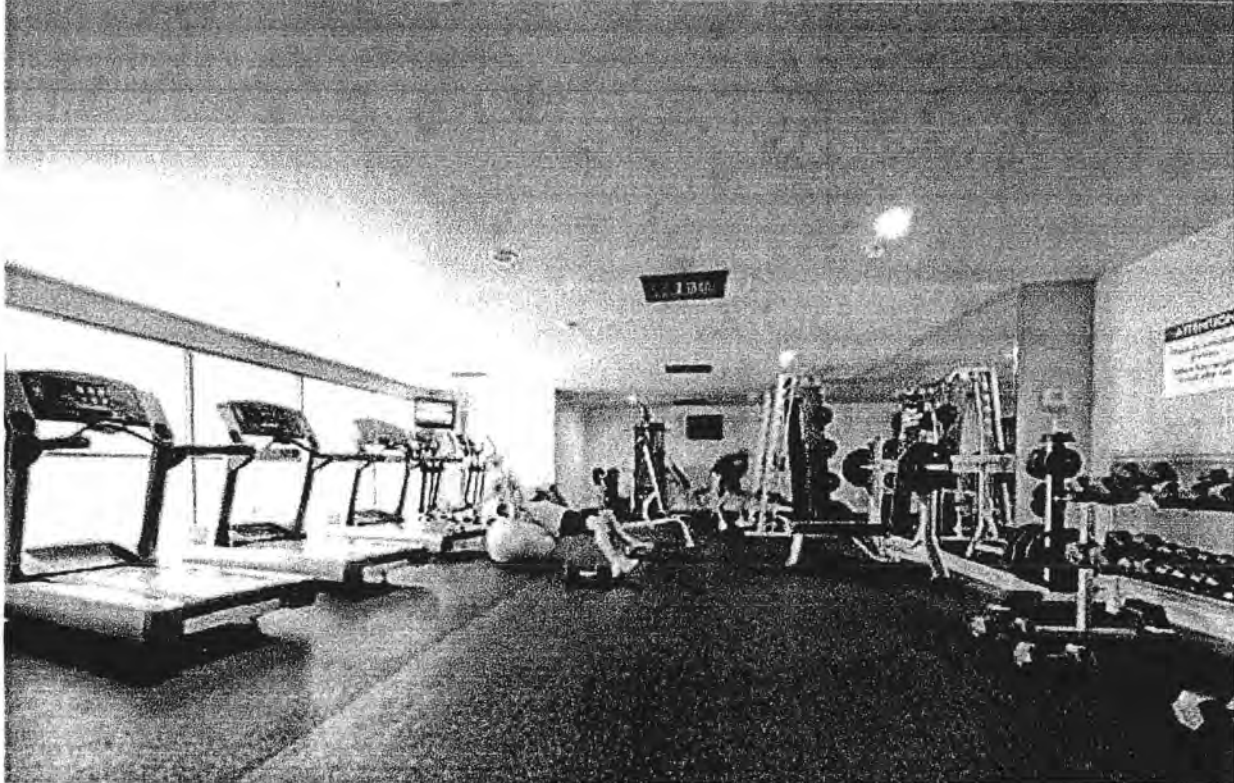
Whoohoo!



The window looks out into the balcony and you get to the balcony from the living room

EXHIBIT "N"









Reed
SAG/AFTRA-399

310-739-0335

"Ninety feet between bases is perhaps as close as man ever come to perfection." Red Smith

!pura vida!

"When would 'now' be a good time to start making your dreams come true?"



Canada Border Services Agency
Agence des services frontaliers du Canada

PROTECTED A when completed
PROTÉGÉ A une fois rempli

Page 1 of/de 1

Duty paid stamp - Timbre de droits acquittés

CASUAL GOODS ACCOUNTING DOCUMENT

DÉCLARATION EN DÉTAIL DES MARCHANDISES OCCASIONNELLES

CBSA/ASFC

2015/01/05

PAID/PAYÉ

Douglas 220 Hwy 99
Surrey B.C. V3S 9N7

Acct. Per./Pér. Compt.: 0008658

Date: 2015/01/05

Time/Heure: 19:27

Importer's name - Nom de l'importateur

RANDOY, Reed

Reference NO. - N° de référence

Importer's address - Adresse de l'importateur

668 Citadel Parade
Vancouver

Country of export - Pays
d'exportation
UWA

Exchange rate - Taux de
change
1.172800

BRITISH COLUMBIA V6B1W6

Accounting document No. - N° de la déclaration en détail

P#840039319 T

Quantity Quantité	Description of goods Désignation des marchandises	Classification No. N° de classement	Value for duty (CAN dollars) Valeur en douane (Dollars CAN)	TT	Rate of duty Taux de droit	E.T. rate Taux de T.A.	GST/HST rate-Taux de TPS/TVH	PST rate Taux de TVP	Duty Droit	Excise tax Taxe d'accise	Provincial liquor mark-up/Fee Frais/Majoration prov. sur l'alcool	Provincial tobacco tax Taxe provinciale sur le tabac	GST/HST TPS/TVH	Provincial sales Taxe de provinciale
1.0000	Vehicle with A/C	8703.90.00.90	21081.759.20	10	0.00000	100.0000	0.0000	0.0000	\$0.00	\$100.00	\$0.00	\$0.00	\$92.96	\$0.00
1.0000	Vehicle with A/C		0.00000		0.00000		0.0000				\$0.00			
Import of 2002 Toyota Prius VIN#JT2BK180620065284 Subject offered 90 days to import vehicle purchased on credit and must settle up loan or get notice from credit agency to allow import) Must import on or before 05APR2015														

CBSA/ASFC DOUGLAS
220 HWY 99 DOUGLAS P O E
SURREY, BC V3S9N7
8004619999
MID: 1732271688
T#: 0000000000000000

SALE

Visa

Exp: 1/1/11
Striped

61/05/2015 15:28:02 Inv#: 39315
Record#: 120643 Batch#: 005001
Retrieval#: 00000048

Total:

\$192.96

Auth Code 085777

Customer copy

Summary - Sommaire

Duty Droit	\$0.00
Excise tax Taxe d'accise	\$100.00
GST/HST TPS/TVH	\$92.96
Provincial liquor mark-up/Fee Frais/Majoration provincial sur l'alcool	\$0.00
GST/HST on provincial liquor fee TPS/TVH sur les frais provinciaux sur l'alcool	\$0.00
Provincial tobacco tax Taxe provinciale sur le tabac	\$0.00
Provincial sales tax Taxe de vente provinciale	\$0.00

Money tendered - Argent présenté

Cash - CAN Comptant - CAN	\$0.00
Cash - U.S. Comptant - É.-U.	\$0.00
U.S. exchange Taux de change É.-U.	0.000000
VISA - POS / EDD	\$192.96
TOTAL	\$192.96

20383

Page No. / Border services officer - N° d'inspecteur / Agent des services frontaliers

From: Reed Philip Randoy reedrandoy@yahoo.com
Subject: Royal Finance CAN Letter
Date: March 21, 2015 at 6:51 PM
To: Reed Randoy reedrandoy@me.com

10/15/2010 08 53

45006 P 002/002

ROYAL FINANCE GROUP

**15720 Ventura Blvd., Suite # 511
Encino, CA. 91436
Tel: (818)995-0988
Fax: (818)385-0221**

**HEAD QUARTERS
1200 S. Hope St., Suite #100
Los Angeles, CA 90015
BY APPOINTMENT ONLY**

March 16, 2015

To Whom It May Concern:

Our records show that Mr. Reed P. Randoy has an open account with us with the following details

Year: 2002 Make: TOYOTA Model: PRIUS VIN #: JT2BK18U620065284

As long as Royal Finance Group retains legal Ownership of the above referenced vehicle until time in which the car is paid in full and is listed as loss payee on all insurance documents we will allow the vehicle to be imported.

If you have any questions, please do not hesitate to call us.

Thank You,


Erica Joesting
Office Manager

Reed. Right now I'm afraid of you. I'm afraid of what you're trying to do to me and Hunter. I'm afraid for my safety. I do not feel safe alone with you. I haven't for a while now, but now that you have lied about not having an attorney, and spent the last 5 days intimidating me, threatening me, and now with this letter to Daniel, I cannot trust your word.

Only your actions can inform me whether or not we can work this out amicably.

I'm trying to remain focused on the big picture and on the positive end result I know we both want.

Please take some time today to think about this.

Go to a psychiatrist who deals with rage. Please. Before things get completely out of control and Hunter lands in foster care.

I would never forgive you if you made that happen.

Sent from my iPhone

On May 25, 2015, at 8:33 AM, Reed Randoy <reedrandoy@yahoo.com> wrote:

Daniel,

I'm sure you are aware that I am the one paying the lease and I am the one on the lease. Marie lived there with me and I traveled back and forth to LA to work. So she can't resign a lease for she signed my name! You have legal notice required, however, and will be able to show the proof of time.

If Marieke chooses to stay in Canada and not move back to LA with her son, she'll be paying. That's something you are welcome to take up with her.

Thank you.

Reed

From: Chan, Daniel <DChan@wm.com>;
To: Reed Randoy <reedrandoy@yahoo.com>;
Cc: Nicholas "Nick" Salick <nas@gillespiesalick.com>;
Subject: RE: 30 day Notice
Sent: Mon, May 25, 2015 3:23:59 PM

Reed,

I just spoken with Marika a few weeks ago and she signed another year lease so I am confused by the need to speak with her either way because if she is moving out end of June, then I need to arrange with show potential tenants the condo to rent out.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, number, and address) REED RANDOY, IN PRO PER REED RANDOY 13428 MAXELLA AVE., #559 MARINA DEL REY, CA 90292 TELEPHONE NO 310-739-0335 FAX NO (Optional) E-MAIL ADDRESS (Optional) ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS 111 N. HILL ST. MAILING ADDRESS 111 N. HILL ST. CITY AND ZIP CODE LOS ANGELES, CA 90012 BRANCH NAME CENTRAL DISTRICT (This section applies only to family law cases.) PETITIONER: REED RANDOY RESPONDENT: MARIEKE RANDOY OTHER PARTY: (This section applies only to guardianship cases.) GUARDIANSHIP OF (Name) Minor DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court Of California County Of Los Angeles MAY 9 2015 HERRI R. CAMERON P. MARTINEZ CASE NUMBER BD621137
---	--

1. I am a party to this proceeding to determine custody of a child.
2. ☐ My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): ONE (1) minor children who are subject to this proceeding, as follows:
 (Insert the information requested below. The residence information must be given for the last FIVE years.)

a. Child's name HUNTER RANDOY	Place of birth LOS ANGELES, CA	Date of birth 4/10/2012	Sex M
Period of residence 4/2014 to present	Address 668 CITADEL PARADE, #2006 <input type="checkbox"/> Confidential VANCOUVER, B.C.	Person child lived with (name and complete current address) REED & MARIEKE RANDOY <input type="checkbox"/> Confidential	Relationship FATHER & MOTHER
4/2014 to PRESENT	Child's residence (City, State) 13428 MAXELLA AVE., #559, MARINA DEL REY, CA 90292	Person child lived with (name and complete current address) REED RANDOY	FATHER
BIRTH to 4/2014	Child's residence (City, State) 5359 SAN VICENTE BLVD., #111, L.A., CA 90019	Person child lived with (name and complete current address) REED & MARIEKE RANDOY	FATHER & MOTHER
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
b. Child's name	Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a (If NOT the same, provide the information below)			
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) <input type="checkbox"/> Confidential	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	

- c. ☐ Additional residence information for a child listed in item a or b is continued on attachment 3c
- d. ☐ Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.)

EXHIBIT "Q"

SHORT TITLE:

IN RE MARRIAGE OF RANDOY

NUMBER:

4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?

☐ Yes ☒ No (If yes, attach a copy of the orders (if you have one) and provide the following information):

Proceeding	Case number	Court (name, state, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state, location)
d. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency		
e. <input type="checkbox"/> Adoption		

5. ☐ One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State	Case number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case? ☐ Yes ☒ No (If yes, provide the following information):

<p>a. Name and address of person</p> <p><input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights</p> <p>Name of each child</p>	<p>b. Name and address of person</p> <p><input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights</p> <p>Name of each child</p>	<p>c. Name and address of person</p> <p><input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights</p> <p>Name of each child</p>
--	--	--

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 05/18/2015

REED RANDOY

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

7. ☐ Number of pages attached: _____

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

Street View



Add a missing business

Images

Street View Photo Sphere See Inside
Click highlighted areas to see images

Map data ©2015 Google 100 ft

EXHIBIT "R"

PRODUCTS & SERVICES ABOUT OUR STORE TRACK A PACKAGE



Menu

ABOUT OUR STORE

PRODUCTS & SERVICES

TRACK A PACKAGE

The UPS Store

13428 MAXELLA AVE
MARINA DEL REY, CA 90292

The UPS Store #774

13428 Maxella Avenue
Marina del Rey, CA 90292

M - F 9 am - 7 pm
Sat. 9 am - 5 pm, Sun. closed
310.827.4000 Tel
310.306.3139 Fax
store0774@theupsstore.com

theupsstorelocal.com/0774

#559



The UPS Store

EXHIBIT "R"

The UPS Store #774

**13428 Maxella Avenue
Marina del Rey, CA 90292**

M - F 9 am - 7 pm

Sat. 9 am - 5 pm, Sun. closed

310.827.4000 Tel

310.306.3139 Fax

store0774@theupsstore.com

theupsstorelocal.com/0774



Reed. Right now I'm afraid of you. I'm afraid of what you're trying to do to me and Hunter. I'm afraid for my safety. I do not feel safe alone with you. I haven't for a while now, but now that you have lied about not having an attorney, and spent the last 5 days intimidating me, threatening me, and now with this letter to Daniel, I cannot trust your word.

Only your actions can inform me whether or not we can work this out amicably.

I'm trying to remain focused on the big picture and on the positive end result I know we both want.

Please take some time today to think about this.

Go to a psychiatrist who deals with rage. Please. Before things get completely out of control and Hunter lands in foster care.

I would never forgive you if you made that happen.

Sent from my iPhone

On May 25, 2015, at 8:33 AM, Reed Randoy <reedrandoy@yahoo.com> wrote:

Daniel,

I'm sure you are aware that I am the one paying the lease and I am the one on the lease. Marie lived there with me and I traveled back and forth to LA to work. So she can't resign a lease for I signed my name! You have legal notice required, however, and will be able to show the proof of time.

If Marieke chooses to stay in Canada and not move back to LA with her son, she'll be paying. That's something you are welcome to take up with her.

Thank you.

Reed

From: Chan, Daniel <DChan@wm.com>;
To: Reed Randoy <reedrandoy@yahoo.com>;
Cc: Nicholas "Nick" Salick <nas@gillespiesalick.com>;
Subject: RE: 30 day Notice
Sent: Mon, May 25, 2015 3:23:59 PM

Reed,

I just spoken with Marika a few weeks ago and she signed another year lease so I am confused by the need to speak with her either way because if she is moving out end of June, then I need to arrange with show potential tenants the condo to rent out.

Nicholas Salick

From: Marieke Randoy <mariekevrandoy@icloud.com>
Sent: Tuesday, May 26, 2015 3:46 AM
To: Nicholas Salick; Reed Randoy
Subject: Fwd: Child protective services

Hi Nick,

Please advise my soon to be ex husband so that he does not destroy his family.

Reed this will unfortunately cost you money because it takes time to read this.. But I think it's important that your attorney give you some good advice right now. And he needs a little more information from my side to help you. You need to be honest about the things you have been threatening me with the last 5 days. I do not want to call on my friends and borrow money to pay for a fancy attorney who will then petition the court to have you pay for my legal bills as part of a divorce settlement. Please see someone about your anger before you continue. You will only destroy our family if you don't figure out some better tools to communicate and manage your anger.

We need to divorce amicably. That cannot happen if you do nothing but threaten, intimidate, harass, and try to coerce me into submission by putting me out on the street and taking our son.

Just like you cannot make any new crazy purchases, close accounts, hide money, withdraw large sums of money, you cannot STOP supporting us the way you have for the past 4 years.

You can take up your complaints with a judge but you cannot prevent me from being able to pay my rent and bills.

It says so right in the restraining order that you served me -- we both have the same obligations.

What you are doing is the equivalent of closing bank accounts and freezing assets and putting a lock on our front door, and wiping out our accounts.

Make no mistake Reed, what you are doing is against the law. I think you need to sit down with your attorney and have him advise you about how you are to conduct yourself so that this divorce doesn't get nasty and our son doesn't end up hurt.

Hunter and I live in Vancouver and you do not have my permission to take him from our home, and keep him outside of BC Canada.

Hunter is a dual citizen and we both agreed about moving to Canada. You have paid the rent for a year up there directly to our landlord. You have given me 5k a month for all my expenses up there including rent. Our standard of living is exactly the same as it was in LA.

You chose to buy a new boat and car and to spend 20k in 4 months just on boats and cars (3 of each now) and not visit your son last summer.

I have all the bank records I know where every penny went in the last 3 years. I know that you are fudging the paperwork to get away with not paying the right amount of taxes.

Your LLC won't protect you and it won't enable you to get away with not paying child support etc.

I don't need to subpoena your bank records. I have them. I can show a judge exactly where your money actually went.

I'm not asking for anything more than what you have been providing so that I can stay home and take care of our son. Paying a sitter 16-24 dollars an hour while I go to work somewhere makes no logical sense when you earn 750 a day, take home -- \$11250 a month and only from working 15 days a month!

In addition to the 100 percent responsibility for our son 24/7/365 since he was born and for the next 18 years, I am following through with the plan we both agreed to do so that I can build by acting career and become completely financially self supporting. Vancouver is the place for me to do that. There are only 10 casting directors up there and tons of series and TV shows. I need to book a bunch of small roles to bolster my resume and so I can return to California and put myself in tape for auditions in Vancouver once the casting directors know who I am and I've booked with them. I already booked a job in January.

I am obligated as your soon to be ex wife to do everything I can to ensure that I can support myself as soon as possible. I cannot raise Hunter and work a regular job while paying a sitter 16-24 an hour. The only work that makes sense is the work I am trained for which is acting. That is the work that will also pay me the kind of money that you are currently making per day you work.. And that's just for starters. My profession has a union and a health plan and once I've earned a certain amount per year I will be able to get health benefits for myself and Hunter -- much like the ones you have as a Teamster.

This past year in Vancouver has been extremely stressful with all the arguments and threats that always lead to you threatening to take away Hunter and put me out on the street. The stress has taken a huge toll on me emotionally and had affected my health.

The never ending threats and controlling me by not allowing me access to our finances so I can pay our bills on time has made it nearly impossible to focus on my career. Being broke constantly -- having you close our joint account and destroy my credit by allowing all my medical bills to go to collections.. By you controlling my cash flow and literally making me beg for every dollar you transfer into my account.. I've come to my wits end.

I don't want to have to bounce one more check, pay One more late fee and INSUFFICIENT Funds fee.. And have my card declined at the grocery store --

A family of 3 that has a household income of 135k cash take home, should not have these financial problems. We should not be living from pay check to pay check and be three years behind paying taxes.. and have every bill go to collections..

I have tried everything to set you straight financially but you refuse to change anything about the way you manage the finances.

In the next few days I will be writing up agreements that I would like you to sign and look over with your attorney if you wish.. Once they have received their retainer since they won't do anything without the assurance that they will get paid.

One of the agreements has to do with visiting Hunter once a month and scheduling your work around that time with him..

Another will be about rules for hunters safety, like no drinking alcohol when you are caring for him.. EVER. Doesn't matter is your buddy Jim is driving. You do not drink. Nor do you smoke while you are caring for him.. At all. And no pocket knives, and no junk in the truck that would kill our son if you should have to slam on the brakes for any reason..

son has been plagued with while in your care.

If you decide to go forward with these attorneys I will be calling one myself and this will get hella expensive.
Cost you far more in the end than what you are fighting me over right now.

Let me know how you wish to proceed. I want this to be as inexpensive and amicable as possible and for us to have a relationship where we can remain cooperative and respectful so we can raise Hunter without him having to endure any more stress and unhappiness.

Marieke

Sent from my iPhone

Begin forwarded message:

From: Marieke Randoy <mariekevrandov@icloud.com>
Date: May 26, 2015 at 2:15:59 AM PDT
To: Reed Randoy <reedrandoy@me.com>, Reed Randoy <reedrandov@yahoo.com>
Subject: Child protective services

Sent from my iPhone

Begin forwarded message:

From: Marieke Randoy <mariekevrandov@icloud.com>
Date: May 26, 2015 at 2:08:39 AM PDT
To: "reed@cowboypictures.biz" <reed@cowboypictures.biz>
Subject: Re: 30 day Notice

So you have an attorney cc'd on this letter?

You have an attorney.
Good to know. You didn't want to involve attorneys.

Hmmm.

Is this your way of telling me I need to lawyer up?

You are using an attorney to intimidate me and our landlord. You are trying to put me out on the street.

I will bring this to the attention of a judge if necessary. Don't take it necessary.

Who works for this law firm? Who is your attorney?

If this person is a friend of yours and not an actual attorney you are paying, I will be sure to include them in my complaint against you for harassment and child abduction if necessary.

If anyone is involved with your attempts to take my son from his home, and allows you to use their name or if they do anything else to assist you in any attempt to take Hunter away from me, and harass me I will be sure to include them as accessories in the police report and should I be put in a position where I must press charges.

If you try to enlist the help of anyone in your plan and you at any time fail to disclose where Hunter is, I will go to the police and that person or people will be charged.

I'm giving you fair warning Reed. Show this email to whoever is trying to help you take Hunter away from me and take him from his home.

Right now you have broken so many laws. I could have you arrested, however, since you are completely irrational and you don't have the tools necessary to communicate properly, I'm trying to tread carefully and approach you and this whole situation with empathy.

I know that the only emotion you have when faced with something that doesn't go your way, is RAGE.

And you cannot think clearly when you are enraged. You make bad choices and bad decisions that will only make an already bad situation so much worse.

Reed. If we do not start communicating properly we risk creating a situation where you will fly into a rage and things will escalate to the point where authorities get involved.

If that were to happen you would create a situation where the police would decide that things are too volatile and unsafe for Hunter and they would bring in child protective services and put our son in foster care.

The person you are getting advice from doesn't know anything about your temper and what you are capable of saying and doing when you are in a blind rage.

Any attempts to discredit me to the authorities in order to "win" .. Will put Hunter in foster care. Immediately.

You are unstable - the things you say are inflammatory and since Hunter is just a tiny child they won't take any chances.

We will have to go to court to get him back.

Reed. Right now I'm afraid of you. I'm afraid of what you're trying to do to me and Hunter. I'm afraid for my safety. I do not feel safe alone with you. I haven't for a while now, but now that you have lied about not having an attorney, and spent the last 5 days intimidating me, threatening me, and now with this letter to Daniel, I cannot trust your word.

Only your actions can inform me whether or not we can work this out amicably.

I'm trying to remain focused on the big picture and on the positive end result I know we both want.

Please take some time today to think about this.

Go to a psychiatrist who deals with rage. Please. Before things get completely out of control and Hunter lands in foster care.

I would never forgive you if you made that happen.

Sent from my iPhone

On May 25, 2015, at 8:33 AM, Reed Randoy <reedrandoy@yahoo.com> wrote:

Daniel,

I'm sure you are aware that I am the one paying the lease and I am the one on the lease. Marie lived there with me and I traveled back and forth to LA to work. So she can't resign a lease for I signed my name! You have legal notice required, however, and will be able to show the proof of time.

If Marieke chooses to stay in Canada and not move back to LA with her son, she'll be paying. That's something you are welcome to take up with her.

Thank you.

Reed

From: Chan, Daniel <DChan@wm.com>;
To: Reed Randoy <reedrandoy@yahoo.com>;
Cc: Nicholas "Nick" Salick <nas@gillespiesalick.com>;
Subject: RE: 30 day Notice
Sent: Mon, May 25, 2015 3:23:59 PM

Reed,

I just spoken with Marika a few weeks ago and she signed another year lease so I am confused by the need to speak with her either way because if she is moving out end of June, then I need to arrange with show potential tenants the condo to rent out



Wells Fargo Business Online®

Account Activity

CHECKING XXXXXX8372

Account Balance Day of Exparte Hearing:

Activity Summary

Current Posted Balance	\$18.15
Pending Withdrawals/ Debits	-\$14.26
Pending Deposits/ Credits	\$0.00
Available Balance	\$3.89

\$18.15

Day Before:
\$56.93

The Available Balance shown above reflects the most up-to-date information available on your account. The balances shown below next to the last transaction of each day do not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when the transaction posted. If you had insufficient available funds when the transaction posted to your account, fees may have been assessed.

Transactions

Show for Date Range 05/11/15 to 06/09/15

Date	Description	Deposits / Credits	Withdrawals / Debits	Ending Daily Balance
Pending Transactions Note: Debit card transaction amounts may change				
06/09/15	ONLINE TRANSFER REF #BEGCC6LHB		\$6.00	
06/09/15	PURCHASE SHOPPERS DRU VANCOUVER BC CARD 5723		\$8.26	
Posted Transactions				
06/05/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$5.00	\$18.15
06/05/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 06/04 1099 88 W PENDE9205 1099 VANCOUVER CD 00585156140129918 ATM ID SE450391 CARD 5723		\$33.78	
06/04/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$5.00	\$56.93
06/04/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 06/03 TD BANK TORONTO DO Vancouver CD 00465155084478899 ATM ID TD9151 CARD 5723		\$244.73	
06/03/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$5.00	\$306.66
06/03/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 06/02 VAN BC ABM OPS-RBC ROYAL VANCOUVER CD 00465154073030627 ATM ID VK98 CARD 5723		\$50.95	
06/03/15	ONLINE TRANSFER FROM RANDOY M SAVINGS XXXXXX9077 REF #IBEXTJXVZR ON 06/02/15	\$4.05		
06/03/15	DEPOSIT MADE IN A BRANCH/STORE #921472706	\$300.00		
06/01/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$5.00	\$58.56
06/01/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 05/31 TD BANK TORONTO DO Vancouver CD 00465152117750670 ATM ID TD9151 CARD 5723		\$195.85	
06/01/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$5.00	
06/01/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 05/29 TD BANK TORONTO DO Vancouver CD 00465150103156971 ATM ID TD9151 CARD 5723		\$244.21	
05/29/15	DEPOSIT MADE IN A BRANCH/STORE #930947466	\$500.00		\$508.82
05/28/15	ATM WITHDRAWAL AUTHORIZED ON 05/28 3110 SEPULVEDA BLVD MANHATTAN BCH CA 0003993 ATM ID 0810B CARD 5723		\$60.00	\$8.62
05/28/15	PURCHASE AUTHORIZED ON 05/27 HOTELS.COM12270387 800-246-8357 NV S385147241878364 CARD 5723		\$221.76	
05/28/15	PURCHASE AUTHORIZED ON 05/27 WHOLEFDS RDB 10 405 N REDONDO BEACH CA P00305148155993248 CARD 5723		\$16.04	
05/26/15	ATM WITHDRAWAL AUTHORIZED ON 05/25 10911 VENTURA BLVD STUDIO CITY CA 0002743 ATM ID 6855C CARD 5723		\$200.00	\$308.42
05/22/15	DEPOSIT MADE IN A BRANCH/STORE #930462821	\$500.00		\$506.42
05/20/15	PURCHASE WITH CASH BACK \$ 20.00 AUTHORIZED ON 05/19 RALPHS 12921 MAGNOLIA VAN NUYS CA P00385140153661826 CARD 5723		\$48.13	\$6.42
05/20/15	PURCHASE AUTHORIZED ON 05/19 HARVEST MOON KITCH VALLEY VILLAG CA		\$33.26	

EXHIBIT "U"

S165139653620883 CARD 5723

06/20/15	INTERNATIONAL PURCHASE TRANSACTION FEE		\$1.88	
05/20/15	PURCHASE INTL AUTHORIZED ON 05/19 SNB - FREDERICTON FREDERICTON CD S085139445768058 CARD 5723		\$62.88	
05/19/15	PURCHASE AUTHORIZED ON 05/18 STARBUCKS #05839 N North Hollywo CA S385139088708883 CARD 5723		\$14.10	\$152.57
05/19/15	PURCHASE AUTHORIZED ON 05/18 BEVERLY HILLS DENT BEVERLY HILLS CA S585139018170458 CARD 5723		\$391.90	
05/19/15	PURCHASE AUTHORIZED ON 05/18 ESI MAIL PHARMACY 800-332-5455 MO S385135614812931 CARD 5723		\$25.00	
05/19/15	PURCHASE AUTHORIZED ON 05/18 STARBUCKS #05447 S Studio City CA S305138604293612 CARD 5723		\$7.60	
05/19/15	PURCHASE AUTHORIZED ON 05/15 HORTON&CONVERSE RX SANTA MONICA CA S585135844560658 CARD 5723		\$63.07	
05/18/15	PURCHASE WITH CASH BACK \$ 10.00 AUTHORIZED ON 05/18 7-ELEVEN LOS ANGELES CA P0000000341876335 CARD 5723		\$22.39	\$654.24
05/18/15	ATM WITHDRAWAL AUTHORIZED ON 05/15 10911 VENTURA BLVD STUDIO CITY CA 0000671 ATM ID 6855C CARD 5723		\$220.00	
05/18/15	PURCHASE AUTHORIZED ON 05/15 PALMIRA ASSOCIA LOS ANGELES CA P0000000346047164 CARD 5723		\$40.00	
05/18/15	PURCHASE AUTHORIZED ON 05/15 RALPHS 12921 MAGNOLIA VAN NUYS CA P00585136052625215 CARD 5723		\$60.35	
05/18/15	PURCHASE AUTHORIZED ON 05/15 WALGREENS.COM #582 877-250-5823 AZ S465135816333842 CARD 5723		\$2.57	
05/18/15	DEPOSIT MADE IN A BRANCH/STORE #921680771	\$500.00		
05/18/15	eDeposit in Branch/Store 05/18/15 09:38:13 AM 12900 VENTURA BLVD STUDIO CITY CA 5723	\$70.00		
05/15/15	PURCHASE AUTHORIZED ON 05/14 STARBUCKS #05734 S Studio City CA S585134692656741 CARD 5723		\$7.60	\$429.55
05/14/15	PURCHASE WITH CASH BACK \$ 20.00 AUTHORIZED ON 05/14 WALGREENS 5224 COLDWAT VAN NUYS CA P00585134856195267 CARD 5723		\$76.32	\$437.15
05/14/15	PURCHASE AUTHORIZED ON 05/14 CSI-202037/1738 SIMI VALLEY CA P00305134659908152 CARD 5723		\$3.83	
05/14/15	PURCHASE AUTHORIZED ON 05/13 HOTELS.COM12243363 800-246-8357 NV S305132836717359 CARD 5723		\$126.21	
05/14/15	PURCHASE AUTHORIZED ON 05/13 IKEA BURBANK BURBANK CA S385133890651458 CARD 5723		\$14.14	
05/14/15	PURCHASE AUTHORIZED ON 05/12 THE COOP STUDIO CITY CA S005132797864683 CARD 5723		\$10.00	
05/14/15	DEPOSIT MADE IN A BRANCH/STORE #916167978	\$500.00		
05/13/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$2.50	\$167.65
05/13/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 05/13 427 N. CRESENT COLKER'S U BEVERLY HILLS CA 00385133824211317 ATM ID LK116392 CARD 5723		\$42.50	
05/13/15	PURCHASE AUTHORIZED ON 05/13 IKEA - USA BURBANK CA P00465133723508180 CARD 5723		\$20.68	
05/13/15	PURCHASE AUTHORIZED ON 05/12 HOTELS.COM12241665 800-246-8357 NV S465132132975485 CARD 5723		\$155.92	
05/13/15	PURCHASE AUTHORIZED ON 05/12 LA CITY PARKING ME LOS ANGELES CA S385132779507336 CARD 5723		\$2.00	
05/12/15	PURCHASE AUTHORIZED ON 05/11 BEVERLY HILLS DENT BEVERLY HILLS CA S485131834691851 CARD 5723		\$180.20	\$391.25
05/11/15	PURCHASE AUTHORIZED ON 05/10 RALPHS 12921 MAGNOLIA VAN NUYS CA P00465131063863694 CARD 5723		\$70.01	\$571.45
05/11/15	RECURRING PAYMENT AUTHORIZED ON 05/09 UBER TECHNOLOGIES 866-576- 1039 CA S585128064729901 CARD 5723		\$24.49	
05/11/15	PURCHASE AUTHORIZED ON 05/09 METAMORIS INTERNAT 818-275-1091 CA S085129841320139 CARD 5723		\$25.47	
05/11/15	ATM WITHDRAWAL AUTHORIZED ON 05/09 12160 VICTORY BLVD N HOLLYWOOD CA 0003790 ATM ID 0639A CARD 5723		\$200.00	

2

05/11/15	PURCHASE AUTHORIZED ON 05/08 VALLEY PLAZA 6 NORTH HOLLYWO CA S305129188513821 CARD 5723		\$10.25	
05/11/15	PURCHASE AUTHORIZED ON 05/08 AVA MD SANTA MONIC SANTA MONICA CA S485128701247132 CARD 5723		\$30.00	
05/11/15	PURCHASE AUTHORIZED ON 05/07 MAC USA #6200 LOS ANGELES CA S585128017677057 CARD 5723		\$17.44	
05/11/15	PURCHASE AUTHORIZED ON 05/07 DR ARKADY STERN LOS ANGELES CA S085127764239324 CARD 5723		\$360.00	
05/11/15	ONLINE TRANSFER FROM RANDOY M SAVINGS XXXXXX9077 REF #BE2QV6TYF ON 05/11/15	\$245.00		
Totals		\$2,619.05	\$3,679.27	

3

Deposit products offered by Wells Fargo Bank, N.A. Member FDIC Wells Fargo Bank, N.A. is a banking affiliate of Wells Fargo & Company.

Equal Housing Lender

© 1995 - 2015 Wells Fargo. All rights reserved

●●●● T-Mobile LTE

10:19 AM

100% 

Personal Hotspot: 1 Connection

< Messages (5) **Marieke**

Details

~~the completely separate~~
so you better be able to show
the court that you have it all
figured out and that it's in
Hunters best interest.

Today 9:56 AM

So how am I supposed to fly to
California with hunter when
you have closed our joint
account?

How am I supposed to show
up with 24 hours notice with
no money?

Again. Abusive. Extreme. You
have no home for hunter. You
have never cared for him. You
are just doing this to intimidate
and harass me.

I could have helped you in LA.
Now you broke the law and are
substantially

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, the undersigned, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 15760 Ventura Boulevard, Suite 1160, Encino, California 91436.

On July 20, 2015, I served the foregoing document described as: **BRIEF RE JURISDICTION, ETC; REQUEST FOR SANCTIONS**, by placing the true copies thereof enclosed in a sealed envelope addressed as follows:

Nicholas A. Salick, Esq.
Salick Family Law Group, APLC
9595 Wilshire Blvd., Suite 900
Beverly Hills, CA 90212

___ BY MAIL. I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage fully prepaid thereon. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business.


___ OVERNIGHT DELIVERY. I served such envelope or package to be delivered on the same day to an authorized courier or driver authorized by the express service carrier to receive documents, in an envelope or package designated by the express service carrier.

___ BY PERSONAL SERVICE. I caused such envelope to be delivered by hand to the offices of the addressee.

XX BY ELECTRONIC MAIL. I caused such document to be telefaxed to the offices of the addressee at nas@salickfamilylaw.com. The telefax machine used complied with Rule 2.301(3) and no error was reported by the machine. Pursuant to Rule 2.306, I caused the machine to print a transmission record of the transmission.

XX (STATE). I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED on July 20, 2015, at Encino, California.


Theresa Pavon