

5/4/16

1 Name of Person Asking for Protection:
(See Form DV-100, item 1):
 Reed Randoy

2 Your Name:
 Marieke Randoy
 Your lawyer in this case *(if you have one):*
 Name: Anat Resnik State Bar No.: 192047
 Firm Name: Law Offices of Anat Resnik, APC
 Address *(If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):*
 Address: 15760 Ventura Boulevard, Suite 1160
 City: Encino State: CA Zip: 91436
 Telephone: (818) 990-1405 Fax: (818) 475-5320
 E-mail Address: anat@anatresnik.com

Clerk stamps date here when form is filed.

FILED
 Superior Court of California
 County of Los Angeles

APR 28 2016

By Sherri R. Carter, Executive Officer/Clerk
 Cesar Lio. Palos, Deputy

Fill in court name and street address:
 Superior Court of California, County of Los Angeles
 111 N. Hill Street
 111 N. Hill Street
 Los Angeles, 90012
 Central District

Court fills in case number:
Case Number:
 BD621137

- 3 Use this form to respond to the Request for Domestic Violence Restraining Order (Form DV-100)**
- Fill out this form and take it to the court clerk.
 - Have the person in 1 served by mail with a copy of this form and any attached pages. (See Form DV-250, *Proof of Service by Mail.*)
 - For more information, read Form DV-120-INFO, How Can I Respond to a Request for Domestic Violence Restraining Order?

The judge will consider your Response at the hearing.
 Write your hearing date, time, and place from Form DV-109, *Notice of Court Hearing*, item 3 here:

Hearing Date → Date: May 4, 2016 Time: 8:30 a.m.
 Dept.: 22 Room: _____

You must obey the orders in Form DV-110, Temporary Restraining Order, until the hearing. At the hearing, the court may make restraining orders against you that could last up to 5 years and could be renewed.

- 4 Relationship to Person Asking for Protection**
- a. I agree to the relationship listed in item 4 on Form DV-100.
 - b. I do not agree that the other party and I have or had the relationship listed in item 4 on Form DV-100.
(Specify your reasons in item 24, page 4, of this form.)
- 5 Other Protected People**
- a. I agree to the order requested.
 - b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*
- 6 Personal Conduct Orders**
- a. I agree to the orders requested.
 - b. I do not agree to the orders requested. *(Specify your reasons in item 24, page 4, of this form.)*

This is not a Court Order.

- 7 **Stay-Away Order**
- a. I agree to the order requested.
 - b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 8 **Move-Out Order**
- a. I agree to the order requested.
 - b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 9 **Guns or Other Firearms or Ammunition**
- If you were served with Form DV-110, Temporary Restraining Order, you must turn in any guns or firearms in your immediate possession or control. You must file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received Form DV-110.*
- a. I do not own or have any guns or firearms.
 - b. I ask for an exemption from the firearms prohibition under Family Code section 6389(h) because *(specify):* _____
 - c. I have turned in my guns and firearms to law enforcement or sold them to, or stored them with, a licensed gun dealer. A copy of the receipt showing that I turned in, sold, or stored my firearms *(check all that apply):*
 is attached has already been filed with the court.

- 10 **Record Unlawful Communications**
- a. I agree to the order requested.
 - b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 11 **Care of Animals**
- a. I agree to the order requested.
 - b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 12 **Child Custody and Visitation**
- a. I agree to the order requested.
 - b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*
 - c. I am not the parent of the child listed in Form DV-105, *Request for Child Custody and Visitation Orders*.
 - d. I ask for the following custody order *(specify):* _____
 - e. I do I do not agree to the orders requested to limit the child's travel as listed in Form DV-108, *Request for Order: No Travel With Children*.

You and the other parent may tell the court that you want to be legal parents of the children (use Form DV-180, Agreement and Judgment of Parentage).

- 13 **Child Support** *(Check all that apply):*
- a. I agree to the order requested.
 - b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*
 - c. I agree to pay guideline child support.

Whether or not you agree to pay support, you must fill out, serve, and file Form FL-150, Income and Expense Declaration, or FL-155, Financial Statement (Simplified).

This is not a Court Order.

- 14 **Property Control**
- a. I agree to the order requested.
- b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 15 **Debt Payment**
- a. I agree to the order requested.
- b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 16 **Property Restraint**
- a. I agree to the order requested.
- b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 17 **Spousal Support**
- a. I agree to the order requested.
- b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*
- Whether or not you agree, you must fill out, serve, and file Form FL-150, Income and Expense Declaration.*

- 18 **Insurance**
- a. I agree to the order requested.
- b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 19 **Lawyer's Fees and Costs**
- a. I agree to the order requested.
- b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*
- c. I request the court to order payment of my lawyer's fees and costs.
- Whether or not you agree, you must fill out, serve, and file Form FL-150, Income and Expense Declaration.*

- 20 **Payments for Costs and Services**
- a. I agree to the order requested.
- b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 21 **Batterer Intervention Program**
- a. I agree to the order requested.
- b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 22 **Other Orders** *(see item 22 on Form DV-100)*
- a. I agree to the order requested.
- b. I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 23 **Out-of-Pocket Expenses**
- I ask the court to order payment of my out-of-pocket expenses because the temporary restraining order was issued without enough supporting facts. The expenses are:
- Item: _____ Amount: \$ _____ Item: _____ Amount: \$ _____
- You must fill out, serve, and file Form FL-150, Income and Expense Declaration.*

This is not a Court Order.

24 **Reasons I Do Not Agree to the Orders Requested**

Explain your answers to each of the orders requested (*give specific facts and reasons*):

Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "DV-120, Reasons I Do Not Agree" as a title.

I respectfully request that Petitioner's Request for Domestic Violence Protection Orders must be denied as Petitioner has not satisfied his burden of proof.

In addition, this Court does not have jurisdiction to issue any child custody and/or visitation orders due to the currently pending Hague Convention proceeding, as reflected in the attached April 11, 2016 letter from Jackie Lacey, District Attorney of the Los Angeles County District Attorney's Office, Bureau of Specialized Prosecutions Child Abduction Section. Attached hereto as Exhibit "A" and incorporated herein by this reference is a copy of the April 11, 2016 letter.

25 Number of pages attached to this form, if any: _____

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


Date: _____

Marieke Randoy
Type or print your name

▶ See attached telefax signature
Sign your name

Date: 4/26/16

Anat Resnik, Esq.
Lawyer's name, if you have one

▶ 
Lawyer's signature

This is not a Court Order.

24 **Reasons I Do Not Agree to the Orders Requested**

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currently pending Hague Convention proceeding, as reflected in the attached April 11, 2016 letter from Jackie
Lacey, District Attorney of the Los Angeles County District Attorney's Office, Bureau of Specialized Prosecutions
Child Abduction Section. Attached hereto as Exhibit "A" and incorporated herein by this reference is a copy of the
April 11, 2016 letter

25 Number of pages attached to this form, if any: _____

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

Date: April 26, 2016

Marieke Randoy
Type or print your name

▶ Marieke Randoy
Sign your name

Date: _____

Anat Resnik, Esq.
Lawyer's name, if you have one

▶ _____
Lawyer's signature

This is not a Court Order.







**LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF SPECIALIZED PROSECUTIONS
CHILD ABDUCTION SECTION**

JACKIE LACEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
JOSEPH P. ESPOSITO • Assistant District Attorney

DAVID E. DEMERJIAN • Director

April 11, 2016

The Honorable Judge Tamara Hall
Judge of the Superior Court of California, County of Los Angeles
Department P
12720 Norwalk Blvd.
Norwalk, California 90650

RE: REED RANDOY vs. MARIEKE RANDOY
Case No. BD621137

Dear Judge Hall:

HUNTER RANDOY, date of birth April 10, 2012, is currently the subject of a proceeding relating to custody before your court. You should therefore be aware that an application for the return of HUNTER RANDOY to Canada under the 1980 Hague Convention on the Civil Aspects of International Child Abduction (Convention) has been received by the United States Department of State, which serves as the Central Authority for the Convention. A Petition for the Return of the child will be filed in the Superior Court of the State of California in Los Angeles. No court date has been set. This fact may affect your administration of the custody proceeding before you.

Article 16 of the Convention provides that, having received notice of a child's wrongful removal to or retention in a country belonging to the Convention (a "Contracting State"), such as the United States:

"the judicial or administrative authorities of the Contracting State to which the child has been removed or in which it has been retained shall not decide on the merits of rights of custody until it has been determined that the child is not to be returned under this Convention, or unless an application under the Convention is not lodged within a reasonable time following receipt of the notice."

(Emphasis added.)

The Convention has the force of law in the United States pursuant to Articles II and VI of the U.S. Constitution, and was implemented in the United States by the International Child Abduction Remedies Act, 22 U.S.C. §9001-9011 (ICARA). ICARA established a judicial procedure in the United States for resolving requests for return. Specifically, Section 9003(a) of ICARA provides that federal and state courts have concurrent original jurisdiction of actions arising under the Convention. A person seeking to initiate judicial proceedings under the Convention for the return of a child may do so by

780 Hall of Records
320 West Temple Street
Los Angeles, CA 90012
(213) 974-5985

Honorable Tamara Hall
April 11, 2016
Page two

filing a petition for return in any court which has jurisdiction and which is authorized to exercise its jurisdiction in the place where the child is located at the time the petition is filed as provided in section 9003(b). Pursuant to Section 9006 of ICARA, the President designated the Department of State as the United States Central Authority for the Convention. It is the responsibility of the applicant for return of children, however, to initiate return proceedings in an appropriate state or federal court under Section 9003 of ICARA within a reasonable time.

In sum, Article 16 requires that when a court considering custody of children receives notice that an application for return of children under the Convention has been received, it should defer any decision on the merits of rights of custody until an appropriate federal or state court has determined that the children are not to be returned under the Convention. The applicant, the applicant's counsel, or the District Attorney's Office should be able to keep you informed of the status of the petition for return of the child.

This letter should not be construed as constituting an opinion of the United States or the Department of State, or the Los Angeles County District Attorney's Office regarding the merits of custody or any other matter before the Superior Court of California, Los Angeles County. The sole purpose of this letter is to give the court notice that the United States Central Authority has received an application under the Convention and to draw the court's attention to relevant federal law, including the requirements of Article 16. Should you have any questions or need additional information, please do not hesitate to contact Deanne Castorena, Deputy-in-Charge of the Los Angeles County District Attorney's Office Child Abduction Section at 213) 257-2211 or via email at dcastore@da.lacounty.gov.

For your convenience, I am enclosing a copy of Article 16 of the Convention and of Section 9004 of ICARA.

Very truly yours,

JACKIE LACEY
District Attorney

BY

DEANNE CASTORENA, Deputy-in-Charge
District Attorney's Office Child Abduction Section

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