

1 CASE NUMBER: BD621137  
2 CASE NAME: REED RANDOY, PETITIONER VS.  
3 MARICKE RANDOY, RESPONDENT  
4 LOS ANGELES, CALIFORNIA FRIDAY, JUNE 26, 2015  
5 DEPARTMENT CE 22 HON. TAMARA HALL, JUDGE  
6 REPORTER: BARBARA A. KING, CSR NO. 8347  
7 TIME: 11:05 A.M.

8 APPEARANCES:

9 THE PETITIONER, REED RANDOY,  
10 PRESENT WITH COUNSEL, NICHOLAS A. SALICK,  
11 ATTORNEY AT LAW; THE RESPONDENT,  
12 MARICKE RANDOY, PRESENT IN PROPRIA  
13 PERSONA

14 -OOO-

15  
16 THE COURT: NUMBER 21, RANDOY VERSUS RANDOY,  
17 APPEARANCES PLEASE.

18 MR. SALICK: GOOD MORNING, YOUR HONOR, NICOLAS SALICK FOR  
19 THE PETITIONER REED RANDOY, WHO IS PRESENT AT COUNSEL TABLE.

20 THE RESPONDENT: MARICKE RANDOY.

21 THE COURT: THANK YOU. IF WE COULD SWEAR THE PARTIES.

22 THE CLERK: PLEASE RAISE YOUR RIGHT HAND.

23 DO YOU SOLEMNLY STATE THE TESTIMONY YOU MAY GIVE IN  
24 THE CAUSE NOW PENDING BEFORE THIS COURT SHALL BE THE TRUTH, THE  
25 WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP YOU GOD?

26 THE PETITIONER: I DO.

27 THE RESPONDENT: I DO.

28 THE COURT: OKAY. SO EVERYONE MAY HAVE A SEAT IF YOU

1 WISH.

2 WE'RE HERE TODAY REGARDING AN EX PARTE THAT WAS FILED  
3 ON JUNE 5TH, 2015 BY THE PETITIONER. THE COURT REVIEWED THE  
4 EX PARTE AND GRANTED TEMPORARY SOLE LEGAL AND SOLE PHYSICAL  
5 CUSTODY OF THE MINOR CHILD HUNTER RANDOY TO THE PETITIONER WITH  
6 NO VISITATIONS TO THE RESPONDENT PENDING THIS COURT HEARING TO  
7 GIVE THE RESPONDENT AN OPPORTUNITY TO BE HEARD. AND -- JUST ONE  
8 MOMENT.

9 THE COURT HAS REVIEWED THE RESPONDENT'S  
10 DECLARATION -- RESPONSIVE DECLARATION FILED JUNE 17TH, 2013 AND  
11 THE ATTACHED EXHIBITS, AND NO REPLY WAS FILED -- NO LATER THAN  
12 JUNE 19TH, 2015.

13 SO I WILL FIRST HEAR FROM THE MOVING PARTY, AND THEN  
14 MA'AM, YOU'LL BE ABLE TO ADDRESS ANY POINTS THAT THEY MAKE  
15 AFTERWARD, OKAY.

16 COUNSEL, YOU MAY BE HEARD.

17 MR. SALICK: THANK YOU, YOUR HONOR.

18 FIRST AND FOR -- I WANT TO GO THROUGH THE PROCEDURAL  
19 ISSUES THAT I SEE -- THAT WE SEE. FIRST AND FOREMOST, THE COURT  
20 SHOULD KNOW THAT PETITIONER HAS -- DOES NOT HAVE CUSTODY OF  
21 HUNTER. THE RESPONDENT NEVER RETURNED HUNTER TO THE PETITIONER.  
22 AND THE TRAVEL DOCUMENTS WEREN'T RETURNED, AND SHE CONCEALED  
23 HUNTER FROM PETITIONER AND RECENTLY BLOCKED PETITIONER'S  
24 TELEPHONE ACCESS TO HER ON HER PHONE AND BLOCKED HIS ACCESS TO  
25 THE MINOR CHILD ON FATHER'S DAY.

26 REGARDING -- WITH RESPECT TO -- FIRST OF ALL, THE  
27 RESPONSIVE DECLARATION OR THE SPECIAL APPEARANCE RESPONSIVE  
28 DECLARATION WASN'T FILED ON THE MANDATORY FL-320 JUDICIAL

1 COUNSEL FORM. ALSO, IT WAS FILED AND SERVED LATE, BECAUSE PER  
2 THE EX PARTE ORDERS IT WAS SUPPOSED TO BE FILED -- ACTUALLY IT  
3 SAYS SERVED, BUT -- SERVED BY JUNE 15TH. IT WAS FILED  
4 JUNE 19TH --

5 THE COURT: 17TH.

6 MR. SALICK: -- JUNE 17TH AND THEN MY OFFICE RECEIVED IT  
7 JUNE 22ND WHICH WAS WHY THERE WAS NO REPLY, BECAUSE WE DIDN'T  
8 HAVE ANYTHING TO REPLY TO UNTIL WE ACTUALLY PHYSICALLY GOT IT ON  
9 JUNE 22ND.

10 WITH RESPECT TO THE CHALLENGES TO THIS COURT'S  
11 JURISDICTION, THAT'S MOOT, AND IT WAS MADE MOOT BY RESPONDENT  
12 WHEN SHE FILED HER RESPONSE TO THE PETITION FOR DISSOLUTION,  
13 ESSENTIALLY ACCEPTING AND AGREEING TO THIS COURT'S JURISDICTION  
14 OVER BOTH THE DIVORCE CASE AND HUNTER.

15 I DON'T -- WE DON'T TAKE IT VERY LIGHTLY THE FACT  
16 THAT SHE'S IN VIOLATION OF EVERY ORDER THIS COURT HAS MADE THAT  
17 WAS MADE EX PARTE ON JUNE 5TH, AND IN RESPONSE SHE'S ASKING FOR  
18 HER OWN RELIEF. SHE'S ASKING FOR VARIOUS TYPES OF RELIEF. SHE  
19 DOES NOT WANT THE COURT TO HAVE JURISDICTION OVER THE CASE. SHE  
20 WANTS SOLE CUSTODY. SHE WANTS PERMISSION TO MOVE. SHE WANTS  
21 FORMAL -- A COURT ORDER ALLOWING HER TO STAY UP IN VANCOUVER  
22 WITH HUNTER. I MEAN WITHOUT -- I COULD GO INTO THE SUBSTANCE OF  
23 THAT, BUT THAT'S NOT WHY WE'RE HERE. IT'S NOT A JURISDICTION  
24 HEARING.

25 BUT, AGAIN, THE PROPER PROCEDURAL MANNER TO CONTEST  
26 JURISDICTION IS BY FILING A MOTION TO QUASH WITHIN THE 30 DAYS  
27 AFTER BEING SERVED WITH THE SUMMONS OF PETITION. INSTEAD SHE  
28 CHOSE TO FILE A RESPONSE. SHE DIDN'T FILE A MOTION TO QUASH,

1 AND SHE RESPONDED.

2 THE -- I DON'T KNOW IF THE COURT READ ANY OF THE  
3 DOCUMENTS THAT WERE FILED TODAY --

4 THE COURT: NO, BECAUSE THEY WERE LATE.

5 MR. SALICK: OKAY.

6 THE COURT: I DIDN'T RECEIVE THEM. THEY WERE LATE.

7 MR. SALICK: OKAY. SO I THINK FIRST AND FOREMOST, I MEAN,  
8 WE NEED ADDRESS THE FACT WHY RESPONDENT IS NOT COMPLYING WITH  
9 THIS COURT'S EX-PARTE ORDERS.

10 THE COURT: OKAY. WISH TO RESPOND ON WHY YOU FAILED TO  
11 COMPLY WITH THE JUNE 5TH, 2015 COURT ORDERS?

12 THE RESPONDENT: YOUR HONOR, I WANTED TO BE HERE FOR THAT  
13 HEARING. I DID MY VERY BEST TO GET HERE TO THAT HEARING, BUT MY  
14 HUSBAND WHO CONTROLS THE BANK ACCOUNTS HAS CUT ME OFF  
15 FINANCIALLY. I HAVE EVIDENCE TO SHOW FROM TEXT MESSAGES THAT I  
16 PLEADED WITH HIM TO LET ME AND HUNTER GET ON A PLANE THE NIGHT  
17 BEFORE TO GET HERE, AND HE -- THE -- THE EXTRA DOCUMENTS THAT I  
18 SUBMITTED THIS MORNING -- AND I APOLOGIZE FOR THEM BEING LATE.  
19 I'M SELF REPRESENTED. I HAVE NO MONEY. HE'S CUT ME OFF  
20 COMPLETELY. THE DAY THAT I WAS NOTIFIED OF THE EX PARTE IS LESS  
21 THAN 24-HOURS NOTICE, AND -- BUT I WAS ABLE TO CALL THE FAMILY  
22 LAW HELP CENTER AND THE FOLLOWING WEEK I WAS ABLE TO FIND OUT  
23 WHAT ACTUALLY HAPPENED AT THE HEARING AND RESPOND TO IT AS  
24 QUICKLY AS I COULD. IT WASN'T COMPLETE BECAUSE IT WASN'T ENOUGH  
25 TIME FOR ME TO DO IT, BUT I HAVE SINCE GIVEN JUST OVERWHELMING  
26 EVIDENCE THAT -- THAT THE PETITIONER IS MISLEADING THE COURT.

27 I'LL JUST START WITH THE FACT THAT ON THE ORIGINAL  
28 DIVORCE PETITION WHEN HE FIRST SERVED ME ON MAY 21ST, HE STATES

1 OUR ADDRESS, OUR HOME ADDRESS AS BEING VANCOUVER CANADA FOR OVER  
2 A YEAR, AND THAT THE THREE OF US LIVED THERE. DO YOU NEED TO  
3 KNOW WHERE THAT IS?

4 THE COURT: NO.

5 THE RESPONDENT: OKAY. HE ALSO STATES THAT HIS ADDRESS --  
6 HE MISLEADS THE COURT BY SAYING THAT HIS ADDRESS IS ACTUALLY A  
7 U.P.S. MAILBOX, BUT WHAT'S IMPORTANT TO NOTE IS THAT HE STATES  
8 THAT THE CHILD LIVES THERE AT -- HAS LIVED THERE FOR THE PAST  
9 YEAR AT THIS U.P.S. MAILBOX, WHEN IN FACT WHEN WE FIRST CAME  
10 DOWN TO VISIT ON APRIL 25TH, HUNTER, OUR SON, HAD NOT BEEN TO  
11 CALIFORNIA IN OVER A YEAR.

12 IN APRIL OF 2014, WE MOVED TO VANCOUVER AS A FAMILY.  
13 WE GAVE UP OUR APARTMENT HERE. WE SOLD ALL OF OUR FURNITURE,  
14 GAVE EVERYTHING AWAY, PUT EVERYTHING IN STORAGE. I HAVE AMPLE  
15 EVIDENCE TO SHOW YOU THAT I DID GIVE TO MY HUSBAND'S COUNSEL,  
16 THAT THEY WERE ABLE TO REVIEW, AND I'M SO SORRY THAT YOU DIDN'T  
17 GET A CHANCE TO REVIEW IT. I APOLOGIZE, BUT I HAVE OVERWHELMING  
18 EVIDENCE TO PROVE THAT CALIFORNIA DOESN'T HAVE JURISDICTION.  
19 BECAUSE MY SON -- AND ACTUALLY MY HUSBAND KNOWS THAT, AND THAT  
20 IS WHY -- SORRY -- CALIFORNIA DOESN'T HAVE JURISDICTION BECAUSE  
21 THE CHILD HAS TO BE IN THE STATE AT LEAST SIX MONTHS PRIOR TO  
22 THE BEGINNING OF THE PROCEEDINGS, AND MY HUSBAND KNOWS THAT.

23 FOR THE PAST YEAR, ANY TIME WE'VE EVER GOTTEN INTO AN  
24 ARGUMENT --

25 THE COURT: BEFORE YOU GO ON --

26 THE RESPONDENT: I APOLOGIZE.

27 THE COURT: THE COURT IS NOT GOING TO ADDRESS THE ISSUE OF  
28 JURISDICTION. THE COURT HAS JURISDICTION. THE PETITION WAS

1 FILED; THE RESPONSE HAS FILED; SO THE TIME HAS COME AND PAST FOR  
2 YOU TO FILE A MOTION TO QUASH CHALLENGING THE COURT'S  
3 JURISDICTION. SO THE COURT HAS JURISDICTION.

4 I'M MORE CONCERNED THAT COUNSEL STATED THAT ON  
5 JUNE 5TH, 2015, THE COURT MADE ORDERS FOR YOU TO RETURN TO THE  
6 UNITED STATES WITH THE CHILD AND TO RELEASE THE CHILD'S PASSPORT  
7 AND THE VISA TO THE PETITIONER AND TO RETURN THE CHILD TO THE  
8 PETITIONER.

9 NOW, I JUST HEARD YOU SAY THAT YOU DID NOT SEE, IN  
10 YOUR OPINION, ADEQUATE NOTICE OF THIS COURT DATE, SO YOU COULD  
11 NOT BE HERE ON JUNE 5TH, 2015; BUT MY QUESTION TO YOU IS, WHEN  
12 DID YOU RECEIVE NOTICE OF THE COURT'S ORDERS THAT IT MADE, AND  
13 WHY DIDN'T YOU COMPLY?

14 THE RESPONDENT: WHEN I ASKED MY HUSBAND WHAT HAPPENED AT  
15 THE HEARING, HE SAID IT'S NOT GOOD, AND YOU'LL FIND OUT. YOU'RE  
16 IN A LOT OF TROUBLE. HE NEVER TOLD ME WHAT HAPPENED.

17 THE COURT: OKAY. SO WHEN DID YOU FIND OUT?

18 THE RESPONDENT: I FOUND OUT --

19 THE COURT: DID YOU GET A COPY OF THE COURT'S ORDER?

20 THE RESPONDENT: I FOUND OUT WHEN I CAME TO CALIFORNIA  
21 LAST WEEK AND WORKED WITH THIS -- THE -- THIS NONPROFIT. THEY  
22 WENT TO THE COURT. THEY PULLED THE FILE TO FIND OUT WHAT  
23 HAPPENED BECAUSE MY HUSBAND DID NOT WANT ME TO COME TO THIS  
24 HEARING. I NEEDED TO COME HERE AND FIND OUT WHAT HAPPENED.

25 THE COURT: OKAY. SO YOU CAME TO COURT AND YOU -- THAT'S  
26 WHEN YOU FOUND OUT THE ORDERS THAT THE COURT MADE?

27 THE RESPONDENT: YES.

28 THE COURT: AND WHAT DATE, AROUND WHAT DATE DID THAT TAKE

1 PLACE?

2 THE RESPONDENT: THAT WOULD HAVE BEEN LAST -- SO OVER A  
3 WEEK AGO TUESDAY WHEN I GOT HERE.

4 THE COURT: SO JUNE 9TH OR JUNE 16TH.

5 THE RESPONDENT: WHEN DID I RESPOND? BECAUSE I DID IT AS  
6 QUICKLY AS --

7 THE COURT: YOUR RESPONSE IS FILE STAMPED JUNE 17TH.

8 THE RESPONDENT: THEN IT WOULD HAVE BEEN THE DAY BEFORE.

9 THE COURT: OKAY.

10 THE RESPONDENT: WHAT DATE IS THAT? WHATEVER THE TUESDAY  
11 WAS.

12 THE COURT: SO JUNE 16TH. SO THAT'S WHEN YOU FOUND OUT  
13 THE COURT'S ORDERS, JUNE 16TH?

14 THE RESPONDENT: YES.

15 THE COURT: OKAY. AND YOU FOUND OUT BY WAY OF TALKING TO  
16 THE PETITIONER, AND HE SAID YOU WILL FIND OUT, AND THEN YOU HAD  
17 TO FLY HERE AND --

18 THE RESPONDENT: YES.

19 THE COURT: -- DO THE RESEARCH YOURSELF? OKAY.

20 COUNSEL WISH TO RESPOND REGARDING NOTIFICATION OF  
21 WHEN THE RESPONDENT RECEIVED NOTICE OF THE COURT'S JUNE 5TH,  
22 2015 ORDERS?

23 MR. SALICK: YES, YOUR HONOR. IMMEDIATELY -- THE EX-PARTE  
24 ORDERS THAT WE RECEIVED WERE ON FRIDAY JUNE 5TH, AND MY CLIENT  
25 IMMEDIATELY MADE ARRANGEMENTS TO GO TO VANCOUVER WITH THE --  
26 WITH THE ORIGINAL ORDER. ARRANGEMENTS WERE PRELIMINARY -- OR  
27 WERE MADE. HE DID CONTACT LAW ENFORCEMENT UP THERE AND WAS  
28 UNDER THE BELIEF THAT HE WOULD BE ABLE TO GO UP THERE TO

1 VANCOUVER AND MEET UP WITH AN OFFICER. AND AN OFFICER DID  
2 ACTUALLY MEET HIM AT THE TRAIN STATION.

3 THE PETITIONER: TRAIN STATION.

4 MR. SALICK: BUT THEN APPARENTLY A SUPERVISOR SAID THAT HE  
5 WOULD NEED TO ESSENTIALLY DOMESTICATE THE ORDER THERE FOR  
6 VANCOUVER POLICE DEPARTMENT TO ENFORCE IT.

7 SO I -- I KNOW THAT A PROCESS SERVER WAS ATTAINED.  
8 SERVICE ATTEMPTS WERE MADE, BUT THEY WERE -- EVEN THOUGH THERE  
9 WAS VERIFICATION SHE WAS HOME, SERVICE WAS NOT MADE, AND SO MY  
10 CLIENT WENT TO THE VANCOUVER COURT ON MONDAY, JUNE 8TH, AND  
11 BASICALLY IT SOUNDED AS IF EVERYONE WAS TELLING HIM THAT YOU  
12 NEEDED AN ATTORNEY TO GO THROUGH THE PROCEDURES TO DOMESTICATE  
13 THE ORDER, AND SO I JUST SAID THAT WE NEED TO SERVE. SO WE  
14 SERVED BY E-MAIL -- AND I FILED A PROOF OF SERVICE OF THAT --  
15 LET'S SEE. IT WAS FILED JUNE 10TH, 2015. WE E-MAILED  
16 RESPONDENT, AND ALSO SERVICE WAS MADE ON JUNE 10TH, THE EX-PARTE  
17 DOCUMENTS AND THE NECESSARY BLANK FORMS WAS SERVED ON  
18 MARICKE RANDOY AT 668 CITADEL PARADE, NUMBER 2006, VANCOUVER,  
19 B.C. CANADA. V, AS IN VICTOR, 6 B AS IN BOY 1W6. IT WAS  
20 E-MAILED, AND I ALSO BELIEVE IT WAS -- IT WAS SENT REGULAR MAIL  
21 AS WELL. THAT WAS JUNE 10TH.

22 THE COURT: OKAY.

23 MR. SALICK: AND SHE -- I DID E-MAIL RESPONDENT. LET ME  
24 FIND OUT WHEN, AND SHE DID RESPOND TO ME.

25 THE COURT: OKAY. SO ESSENTIALLY SHE RECEIVED NOTICE  
26 AFTER YOUR CLIENT ATTEMPTED TO GO DIRECTLY TO CANADA AND  
27 EFFECTUATE THIS ORDER?

28 MR. SALICK: YES, HE DID GO TO CANADA, CORRECT.



1 THE COURT: OKAY. AND IT WAS AFTER THAT THAT THE  
2 RESPONDENT RECEIVED NOTICE OF THE ORDERS?

3 MR. SALICK: YES. WE -- YES, BUT AGAIN WITH THE  
4 UNDERSTANDING THAT HE WENT UP THERE WITH THE INTENTION AND  
5 ADVICE TO HAVE HER SERVED PERSONALLY.

6 THE COURT: OKAY. OKAY.

7 MR. SALICK: BUT THEN THE POLICE WOULDN'T DO IT BECAUSE IT  
8 WASN'T REGISTERED IN CANADA. THE PROCESS SERVER WAS THEN  
9 RETAINED, BUT HE WAS UNSUCCESSFUL. SO WE DID THE NEXT BEST  
10 THING, I GUESS, WHICH IS E-MAIL AND MAIL.

11 THE COURT: AND WERE YOU AWARE THAT HE WAS IN CANADA AT  
12 THAT TIME?

13 THE RESPONDENT: NO.

14 THE COURT: OKAY. SO -- AND THEN YOU LEARNED -- THEN YOU  
15 CAME TO CALIFORNIA, AND YOU LEARNED OF THE COURT'S ORDERS, AND  
16 THEN THAT'S WHEN YOU FILED YOUR RESPONSE.

17 OKAY. SO NOW I UNDERSTAND -- AND I UNDERSTAND WHY  
18 THE RESPONDENT DID NOT COMPLY. OKAY.

19 MR. SALICK: WELL, I'M SORRY, YOUR HONOR, THAT -- IT ONLY  
20 EXPLAINS WHY RESPONDENT DIDN'T COMPLY UNTIL JUNE 16TH WHEN SHE  
21 FINALLY GOT KNOWLEDGE OF THE ORDERS. SHE'S IN LOS ANGELES.  
22 PETITIONER IS IN LOS ANGELES. I'M ASSUMING HUNTER --

23 THE COURT: SO THERE IS STILL NO COMPLIANCE?

24 MR. SALICK: YEAH, THERE'S BEEN NO COMPLIANCE AT ALL.  
25 THAT'S WHAT I'M SAYING. FIRST AND FOREMOST, THAT'S THE BIG  
26 ISSUE HERE -- THAT'S ONE OF THE BIG ISSUES HERE. THAT'S THE  
27 BIGGEST PROBLEM. SHE'S HERE APPARENTLY SINCE JUNE 16TH  
28 PRESUMABLY WITH HUNTER AND WITH KNOWLEDGE OF THE ORDERS AND IS

1 COMING TO COURT TODAY ASKING FOR AFFIRMATIVE RELIEF WHILE NOT IN  
2 COMPLIANCE WITH ANY OF THE COURT'S ORDERS.

3 THE COURT: SO ON JUNE 16TH WHEN YOU LEARNED OF THE  
4 COURT'S ORDERS, IS THERE ANY REASON WHY YOU DIDN'T COMPLY  
5 AT THAT TIME?

6 THE RESPONDENT: I RESPONDED AS QUICKLY AS I COULD,  
7 BECAUSE I KNOW THERE WAS -- THAT WAS THE DUE DATE I THINK,  
8 THE 16TH, FOR ME TO REPLY, WAS THE LAST MOMENT THAT I COULD. SO  
9 THAT'S WHEN I DID.

10 MY SON -- I DID NOT WANT MY SON TO BE CAUGHT IN THE  
11 MIDDLE OF THIS. I TRIED -- I HAVE TEXT MESSAGES TO SHOW THAT IF  
12 HE REALLY WANTED TO SEE HIS SON, I WANTED TO GET ON A PLANE. HE  
13 COULD HAVE SEEN HIM A FEW HOURS LATER.

14 THE POINT IS HE DIDN'T WANT ME TO COME TO THIS  
15 EX-PARTE HEARING THE NEXT DAY. HE DID NOT WANT ME TO COME.  
16 I'VE HAD \$200 FROM HIM THIS WHOLE ENTIRE MONTH. HE'S FROZEN ME  
17 OUT, NO MONEY, NOTHING.

18 HE -- HE HAS BEEN -- THIS IS PURE HARASSMENT. HE  
19 SAYS -- HE SAYS THAT I FLED TO VANCOUVER. I WENT HOME. WE LIVE  
20 IN VANCOUVER. I COULD GIVE YOU -- LIKE, WE HAVE ESTABLISHED A  
21 RESIDENCE THERE. IN FACT, IT'S THE ONLY RESIDENCE WE HAVE. HE  
22 LIVES ON A BOAT. WHEN I WAS HERE --

23 THE COURT: A BOAT IN VANCOUVER OR A BOAT HERE?

24 THE RESPONDENT: IN MARINA DEL REY. THERE IS NO SUITABLE  
25 PLACE FOR US TO STAY. IN FACT, FOR THE TIME THAT I WAS DOWN  
26 HERE, HE CONTINUED TO SAY -- THIS IS BEFORE HE SERVED ME -- IF  
27 YOU -- IF YOU GO BACK TO VANCOUVER, I WILL CHARGE YOU WITH  
28 KIDNAPPING. MY SON WAS VERY SICK, SO I -- I MEAN, I STAYED. I

1 COULDN'T EVEN GET ON A PLANE BECAUSE THE FIRST WEEKEND THAT HE  
2 WAS WITH HIS FATHER, HE GOT ROTAVIRUS. I WAS STAYING WITH MY  
3 FRIEND -- WE HAD NO PLACE TO STAY, SO I WAS STAYING WITH MY  
4 FRIEND LEJANNA (PHONETIC SPELLING), BASICALLY JUST SLEEPING ON A  
5 COUCH. DURING THE WEEK I NURSED MY SON BACK TO HEALTH, GAVE HIM  
6 BACK TO HIS FATHER, AND HE GOT REINFECTED. HE DOESN'T BATH HIM.  
7 THREE WEEKENDS IN A ROW MY SON WAS SICK AS A DOG FOR A MONTH.  
8 IT WAS SO STRESSFUL TO HAVE MY SON -- I COULDN'T EVEN GET -- WE  
9 WERE HOUSEBOUND, I COULDN'T TAKE HIM ANYWHERE.

10 BUT HE KNEW AS SOON AS HUNTER WAS GOING TO BE OKAY, I  
11 WAS GOING TO GO BACK HOME. BUT HE ON THE THIRD -- BY -- EXCUSE  
12 ME, BY THREE-AND-A-HALF WEEKS HE SERVED ME RIGHT WHEN HE WAS  
13 GOING TO TAKE HUNTER FOR THE FOLLOWING WEEKEND. I'VE NEVER  
14 DENIED ACCESS. IN FACT, I WANT TO SORT THIS OUT AS QUICKLY AS  
15 POSSIBLE, BECAUSE I WANT HIM TO BE ABLE TO SEE HIS SON, BUT IT  
16 HAS TO BE SUPERVISED VISITATION BECAUSE THE LAST TIME HE CAME TO  
17 VISIT. THERE WAS AN ALTERCATION, AND HE WAS VIOLENT, AND I HAVE  
18 PHOTOS, AND I FEAR -- I'M VERY FEARFUL OF HIM.

19 HE IS INCREDIBLY CONTROLLING AND MANIPULATIVE. I  
20 HAVE TEXT MESSAGES DAYS BEFORE I WENT BACK TO VANCOUVER  
21 SAYING -- AND I EVEN E-MAILED HIS COUNSEL BEGGING HIM TO PLEASE  
22 TALK TO MY HUSBAND AND LET HIM KNOW THAT THREATENING ME AND  
23 EVERYTHING ELSE IS INAPPROPRIATE WHEN WE'RE GOING THROUGH A  
24 DIVORCE.

25 YOU KNOW THERE IS NO EMERGENCY. THIS IS THE WHOLE  
26 THING, FOR AN EX PARTE THERE HAS TO BE AN EMERGENCY, AND THERE  
27 WAS NO EMERGENCY. HE WAS USING OUR SON AS A LITTLE PAWN, AND HE  
28 WAS INCREDIBLY VINDICTIVE AND ABUSIVE, AND HE PUT ME IN A

1 POSITION WHERE I -- I HAD TO DO WHAT WAS BEST FOR MY SON. I  
2 ALWAYS PUT HIM FIRST, AND THIS MONTH ALL I'VE BEEN DOING IS  
3 TRYING TO OBEY COURT ORDERS BUT ALSO NOT BE TRICKED BY THIS GUY.  
4 BECAUSE HE TELLS ME ABOUT A HEARING WITH LESS THAN 24 HOURS  
5 NOTICE, BUT THEN WON'T LET ME GET ON A PLANE.

6 AND THEN I'VE GOT SOMEONE KNOCKING ON MY DOOR, AND  
7 I'M LIKE, WELL, OKAY, A DECISION HAPPENED IN COURT, BUT I DIDN'T  
8 EVEN GET TO BE THERE TO DEFEND MYSELF, DO YOU KNOW WHAT I'M  
9 SAYING? AND THEN ALL OF A SUDDEN -- AND I DON'T KNOW WHAT IT'S  
10 GOING TO BE -- AM I GOING TO BE ARRESTED? LIKE, HE WON'T REPLY,  
11 HE WON'T REPLY. IT'S AN INTIMIDATION TACTIC. HE'S BEEN USING  
12 IT FOR OVER A YEAR NOW, EVERY TIME WE HAVE A FIGHT, HE WILL  
13 BRING THAT OUT. AND I HAVE PLENTY OF DOCUMENTATION TO PROVE IT.

14 HE'S USING THIS EX PARTE THING BECAUSE IT'S THE ONLY  
15 WAY THAT HE COULD GET OUT OF THE FACT THAT CALIFORNIA WOULDN'T  
16 NORMALLY HAVE JUST -- WOULDN'T NORMALLY HAVE JURISDICTION,  
17 BECAUSE WE LIVE IN VANCOUVER. BUT HE WANTS THE JURISDICTION TO  
18 BE HERE, SO HE CREATED THIS THING. AND IT HAS BEEN JUST AN  
19 ABSOLUTE NIGHTMARE. AND I'VE TRIED MY VERY BEST TO PUT MY CASE  
20 TOGETHER, AND I ENLISTED THE HELP OF MY FRIENDS TO TAKE CARE OF  
21 HUNTER AND GIVE HIM A GOOD SUMMER, AND I'M JUST TRYING TO  
22 PROTECT HIM FROM ALL OF THIS NONSENSE BECAUSE, YOUR HONOR, I  
23 WANT TO DIVORCE THIS MAN.

24 THERE WAS NO EMERGENCY. THERE IS NO DIRECT REASON  
25 WHY HE HAD TO TAKE HUNTER RIGHT AWAY. I WANTED TO GO THROUGH A  
26 DIVORCE. IF HE HAD ANY ISSUES WITH ANYTHING LIKE THAT, IF I WAS  
27 SUPPOSED TO COME BACK TO CALIFORNIA, THEN YOU, YOUR HONOR, WOULD  
28 HAVE TOLD ME SO AT THE REGULAR HEARING. BUT TO THROW AN

1 EX-PARTE HEARING, JUST IMMEDIATELY, IT WAS -- IT WAS JUST A WAY  
2 TO BE CONTROLLING, BE MANIPULATIVE, AND INTIMIDATE ME AND CAUSE  
3 ME GREAT HARDSHIP AND STRESS. JUST UNTOLD STRESS.

4 AND I HAVE TRIED TO -- TO RECOGNIZE THE COURT, AND  
5 YOU KNOW, I PUT A LOT OF WORK INTO THIS CASE TO DEFEND MYSELF  
6 BECAUSE, YOU KNOW, BEING CHARGED WITH A FELONY, IT'S VERY  
7 SERIOUS. THAT'S -- YOU KNOW, KIDNAPPING IS A FELONY. AND I'M  
8 VERY UPSET THAT MY HUSBAND WOULD GO THAT FAR TO TRY TO FORCE ME  
9 TO MOVE BACK TO CALIFORNIA AND THAT HE IS USING OUR LITTLE SON  
10 AS A PAWN. AND IT'S -- IT'S COMPLETELY UNNECESSARY.

11 THE COURT: THANK YOU. WISH TO RESPOND?

12 MR. SALICK: THANK YOU, YOUR HONOR. SO ON MAY 21ST, 2015,  
13 RESPONDENT WAS PERSONALLY SERVED IN LOS ANGELES COUNTY WITH THE  
14 SUMMONS PETITION. THERE WAS AN EXHIBIT OR TWO THAT WAS ATTACHED  
15 TO THE EX PARTE, THE JUNE 5TH EX PARTE WHICH SHOWS THAT SHE  
16 ACKNOWLEDGED RECEIPT AND SHE UNDERSTOOD -- SHE UNDERSTOOD THE  
17 STANDARD FAMILY LAW RESTRAINING ORDER.

18 THE PETITIONER LAST SAW HUNTER ON MAY 26TH,  
19 TUESDAY -- THE LAST TIME HE PHYSICALLY SAW HUNTER. MAY 28TH  
20 APPROXIMATELY -- IT WAS EITHER ON OR IMMEDIATELY AFTER,  
21 RESPONDENT THEN LEFT TO CANADA.

22 IT WAS EITHER THE RESPONSIVE DECLARATION OR  
23 MEMORANDUM OF AUTHORITIES THAT WAS FILED TODAY. SHE ADMITS THAT  
24 PETITIONER WOULD NOT SIGN A TRAVEL AUTHORIZATION ALLOWING HUNTER  
25 TO GO TO CANADA, BUT SHE DID IT ANYWAY, SO THERE WAS NO CONSENT  
26 FOR HUNTER TO GO.

27 SHE ADMITTED THAT SHE HEARD A KNOCK ON THE DOOR, AND  
28 SHE SAID SHE WAS AFRAID OF THE RESULTS OF THE HEARING. SO I --

1 AND IMPLORE THE COURT TO DRAW AN INFERENCE OF THAT, THAT SHE WAS  
2 EVADING SERVICE.

3 WHAT I'M HEARING FROM RESPONDENT, IT'S ALL ABOUT  
4 RESPONDENT. IT'S ALL ABOUT RESPONDENT. IT'S NOT ABOUT HUNTER.  
5 IT'S ALL ABOUT RESPONDENT. IT'S NOT ABOUT WHAT THIS COURT  
6 ORDERED. YOU JUST HEARD RESPONDENT TELL THE COURT THAT, LOOK, I  
7 WILL DO WHATEVER THIS COURT SAYS AS LONG AS IT ORDERS IT. AND  
8 THEN WHEN THE COURT DOES AN EX-PARTE ORDER, WELL, THE RESPONDENT  
9 DOESN'T WANT TO COMPLY WITH THAT BECAUSE IT WASN'T AN EMERGENCY.  
10 SHE WANTED THE ORDER TO COME FROM THIS COURT AT A REGULARLY SET  
11 HEARING.

12 IT'S BEEN OVER A MONTH SINCE PETITIONER HAS BEEN  
13 ALLOWED TO SEE HUNTER. WE DIDN'T EVEN KNOW IF SHE WOULD SHOW UP  
14 TO TODAY'S HEARING. SHE'S BEEN HERE FOR OVER A WEEK, AND IF  
15 SEIZE SO CONCERNED ABOUT PETITIONER SEEING THEIR SON, I WOULD  
16 THINK THAT SOME EFFORT WOULD HAVE BEEN MADE TO CONNECT THE TWO,  
17 BUT IT WAS NOT.

18 THE COURT: OKAY.

19 MR. SALICK: UNLESS THE COURT WANTS ME TO ADDRESS ANY  
20 OTHER --

21 THE COURT: I DO. ON APRIL 1, 2014, DID THE PETITIONER  
22 LEASE AN APARTMENT FOR HIM AND FOR THE RESPONDENT TO  
23 COHABITATE (SIC) WITH THEIR SON IN VANCOUVER, BRITISH COLUMBIA?  
24 YES OR NO.

25 THE PETITIONER: YES.

26 THE COURT: OKAY. AND THAT WAS WHILE THE RESPONDENT  
27 PURSUED A CAREER IN ARTS IN CANADA?

28 THE PETITIONER: YES, WE HAD --

1 THE COURT: OKAY. AND WAS IT YOUR PLAN, THE TWO OF YOU,  
2 FOR YOU TO SELL YOUR BELONGINGS AND PROPERTY IN THE STATE SO  
3 THAT YOU ALL COULD MOVE TO CANADA?

4 THE PETITIONER: IF SHE WAS TO HAVE ANY SUCCESS AT WHAT WE  
5 WERE DOING.

6 THE COURT: SO THAT'S A "YES".

7 THE PETITIONER: SHE NEEDED TO TAKE MY -- YEAH. SHE  
8 NEEDED TO REPLACE MY INCOME. SO THAT WAS A YES; THAT WAS A PLAN  
9 TO MOVE TO CANADA.

10 MR. SALICK: NO, WELL --

11 THE COURT: COUNSEL, I COULD HEAR.

12 MR. SALICK: THAT'S FINE.

13 THE COURT: I HEARD HIS TESTIMONY.

14 MR. SALICK: AS THIS COURT KNOWS --

15 THE COURT: COUNSEL, I COULD HEAR. I'M ASKING THE  
16 QUESTIONS.

17 SO DID YOU GUYS AGREE TOGETHER -- IT WAS A MUTUAL  
18 DECISION TO RELOCATE TO CANADA?

19 THE PETITIONER: YOUR HONOR, IT WAS A TEMPORARY BASIS SO  
20 SHE COULD BUILD CREDITS AS AN ACTOR AND COME RIGHT BACK TO  
21 LOS ANGELES WHERE THE HOLLYWOOD INDUSTRY IS. SHE JUST WANTED --  
22 SHE THOUGHT BECAUSE SHE WAS A CANADIAN CITIZEN, SHE HAD BETTER  
23 OPPORTUNITIES TO BUILD A RESUME.

24 THE COURT: SO YOU DID AGREE TO MOVE TO CANADA FOR  
25 TEMPORARY OR UNTEMPORARY (SIC), YOU DID AGREE TO RELOCATE TO  
26 CANADA?

27 THE PETITIONER: YES.

28 THE COURT: OKAY. ON JANUARY 5TH, 2015, DID YOU IMPORT

1 THE RESPONDENT'S CAR TO CANADA?

2 THE PETITIONER: WE STARTED THE PROCESS, BECAUSE  
3 WITHOUT -- IN CANADA THEY'LL IMPOUND YOUR CAR. IF IT'S THERE  
4 FOR MORE THAN I THINK A MONTH WITHOUT -- BECAUSE IT HAS  
5 CALIFORNIA PLATES. SO WE DECIDED EITHER WE SELL THE CAR AND BUY  
6 ANOTHER CAR, OR WE COULD JUST IMPORT THE CAR FOR A FEW HUNDRED  
7 DOLLARS, AND THERE WAS -- IT'S A TWO-STEP PROCESS, SO I DID THE  
8 FIRST STEP, AND THEN SHE WAS GOING TO DO THE SECOND STEP, AND  
9 SHE DIDN'T DO IT. SO IT'S TECHNICALLY NOT OFFICIALLY IMPORTED.  
10 IT STILL HAS CALIFORNIA PLATES.

11 THE COURT: THE POINT I'M ASKING, SIR, IS YOU INITIATED  
12 THAT PROCESS.

13 THE PETITIONER: YES, BECAUSE SHE NEEDED A CAR THAT WASN'T  
14 GOING TO GET IMPOUNDED.

15 THE COURT: NOW, ON APRIL 10TH, 2012, DID YOU AND THE  
16 RESPONDENT OBTAIN A CERTIFICATE OF CANADIAN CITIZENSHIP FOR YOUR  
17 SON?

18 THE PETITIONER: I DID NOT HAVE ANYTHING TO DO WITH THAT,  
19 BUT SHE SAID IT WAS GOOD FOR HUNTER FOR TRAVEL PURPOSES. SO I  
20 WENT ALONG WITH WHATEVER THE MOTHER WAS THINKING WAS GOOD FOR MY  
21 SON.

22 THE COURT: OKAY.

23 MR. SALICK: YOUR HONOR, THIS --

24 THE COURT: COUNSEL, PLEASE.

25 MR. SALICK: OKAY.

26 THE COURT: I'M INQUIRING.

27 NOW ON OR BEFORE APRIL 26TH, 2015, DID YOUR SON IN  
28 FACT BECOME ILL?



1 THE PETITIONER: HE HAD DIARRHEA. HE WAS COMPLETELY HAPPY  
2 AND NORMAL. IT'S JUST THAT HE HAD DIARRHEA, WHICH IS APPARENTLY  
3 THIS ROTAVIRUS THING.

4 THE COURT: AND DID THE -- DID THE RESPONDENT ALSO BECOME  
5 ILL DURING THAT TIME?

6 THE PETITIONER: NO, IT WAS JUST HUNTER.

7 THE COURT: OKAY. AND WAS HE HERE IN LOS ANGELES WHEN HE  
8 BECAME ILL?

9 THE PETITIONER: YES.

10 THE COURT: OKAY. AND ONCE HE WAS -- ONCE HE RECOVERED,  
11 DID HE GO TO CANADA WITH HIS MOTHER?

12 THE PETITIONER: WHEN SHE TOOK HIM, YES. SHE -- I HAD  
13 MY -- MY MOTHER AND MY FRIEND WERE HERE -- MY MOTHER WAS HERE  
14 BABYSITTING FOR ME, BECAUSE WHEN I WOULD GO TO WORK, NORMALLY I  
15 WOULD -- WE WOULD TRADE. SHE WOULD COME AND PICK UP HUNTER AND  
16 BE WITH HUNTER WHILE I WAS WORKING. I WORK IN THE FILM  
17 BUSINESS. MY HOURS ARE REALLY LONG.

18 THE COURT: SO IN APRIL HUNTER WAS SICK. HE GOT WELL, AND  
19 THEN HE AND THE MOTHER WENT BACK TO CANADA?

20 THE PETITIONER: IN MAY. THEY WERE HERE THE ENTIRE MONTH  
21 OF MAY.

22 THE COURT: OKAY. SO WHEN DID THEY RETURN TO CANADA?

23 THE PETITIONER: WHEN SHE TOOK HIM FROM MY MOTHER ON  
24 THE 28TH --

25 THE COURT: I DIDN'T ASK WHAT SHE DID. I ASKED WHEN DID  
26 SHE TAKE HIM TO CANADA? DO YOU KNOW WHAT DATE?

27 THE PETITIONER: IT WAS -- I BELIEVE IT WAS THE 28TH. I  
28 THINK THEY WENT RIGHT TO THE AIRPORT.

1 THE COURT: WHAT DATE DID YOU GO TO CANADA?

2 THE RESPONDENT: THE 28TH.

3 THE COURT: MAY 28TH, 2015, YES?

4 MR. SALICK: THERE WERE DECLARATIONS OF JAMES CAMPBELL AND  
5 ELAINE DOTTS (PHONETIC SPELLING) --

6 THE COURT: COUNSEL, I READ EVERYTHING. I'M ASKING  
7 SPECIFIC QUESTIONS FOR SPECIFIC THINGS. I DON'T NEED  
8 ASSISTANCE. I'VE HEARD FROM BOTH, NOW I'M INQUIRING. OKAY.  
9 THANK YOU.

10 MR. SALICK: OKAY.

11 THE COURT: SO WERE YOU AWARE THAT SHE WENT TO CANADA?

12 THE PETITIONER: I WAS NOT AWARE UNTIL SHE ADMITTED IT  
13 ON -- I THINK IT WAS A SATURDAY OR A SUNDAY -- BECAUSE THE VERY  
14 NEXT DAY -- OR THE SAME DAY ONCE MY -- ONCE MY MOM TOLD ME THAT  
15 SHE HAD COME, AND SHE WAS SUPPOSED TO TAKE HUNTER TO THE PARK  
16 AND SHE NEVER CAME BACK, THEY SAID SHE DIDN'T COME BACK.

17 SO I STARTED TEXTED HER ASKING HER WHERE SHE WAS,  
18 WHERE IS HUNTER. THE NEXT DAY I WAS OFF, SO I WOULD TAKE HIM  
19 FOR THE WEEKEND AGAIN, AND SHE DIDN'T TELL ME UNTIL I THINK IT  
20 WAS SATURDAY OR SUNDAY THAT SHE WAS IN VANCOUVER.

21 AND ONE OF THE REASONS I TOLD MY FRIEND --

22 THE COURT: DID YOU PAY HER RENT IN VANCOUVER.

23 THE PETITIONER: I DID. I PAID IT FOR THIS LAST MONTH OF  
24 JUNE. I ALSO GAVE NOTICE TO OUR APARTMENT BECAUSE IT WAS A  
25 TEMPORARY BASIS SO --

26 THE COURT: SO YOU --

27 THE PETITIONER: EXCUSE ME.

28 THE COURT: SO YOU'RE ASSUMING I'M ASKING ALL THAT OTHER

1 INFORMATION.

2 THE PETITIONER: OKAY.

3 THE COURT: SO YOU PAID RENT IN THE APARTMENT THAT THE TWO  
4 OF YOU SHARED IN CANADA IN JUNE OF 2015?

5 THE PETITIONER: YES.

6 THE COURT: OKAY. AND YOU HAD KNOWLEDGE THAT SHE WAS  
7 THERE AT THAT TIME?

8 THE PETITIONER: YES.

9 THE COURT: OKAY. AND IS IT TRUE THAT THE RESPONDENT  
10 RELIES UPON YOU FINANCIALLY?

11 THE PETITIONER: YES.

12 THE COURT: OKAY. SO AFTER YOU PAID THE RENT, DID YOU CUT  
13 HER OFF FROM THE -- CUT HER OFF FINANCIALLY, HER ACCESS TO THE  
14 FINANCES?

15 THE PETITIONER: NO, YOUR HONOR. I GAVE HER SOME MORE  
16 MONEY FOR FOOD AND EXPENSES, AND I TOLD HER THAT WAS THE LAST  
17 MONTH THAT I WAS GOING TO PAY FOR THE APARTMENT BECAUSE SHE  
18 NEEDED TO COME BACK HERE. I ALSO SAID THAT WE WOULD GET HER AN  
19 APARTMENT HERE. IT'S JUST AN APARTMENT. IT'S NOT LIKE IT'S A  
20 BUNCH OF REAL ESTATE THAT WE NEED TO SELL. WE'LL JUST GET A NEW  
21 APARTMENT. SHE JUST NEEDED TO COME BACK HERE BECAUSE I NEEDED  
22 TO BE WITH MY SON.

23 THE COURT: ONCE YOU GAVE HER NOTICE OF THE EX PARTE, DID  
24 SHE ASK YOU TO ASSIST HER FINANCIALLY IN BEING IN COURT?

25 THE PETITIONER: SHE DID NOT. SHE SAID --  
26

27 (DISCUSSION HELD OFF THE RECORD  
28 BETWEEN THE PETITIONER HIS ATTORNEY.)

1 THE PETITIONER: WELL, IF I COULD RESPOND TO THAT. WHEN  
2 SHE SAID I DIDN'T GIVE HER MONEY FOR A TICKET, I DID. I SAID  
3 "OKAY, I'LL GET YOU A TICKET." THIS IS ALL VIA TEXT MESSAGES,  
4 SO I HAVE ALL OF THE TEXT FROM IT.

5 AND THEN SHE SAID, "HOLD ON. I MAY NOT NEED IT."  
6 YOU KNOW, SHE WAS GOING TO GET SOMEBODY TO COME IN HER STEAD OR  
7 SOMETHING. I SAID, "MARICKE, LOOK, IT'S A PLANE TICKET. IT'S  
8 EXPENSIVE. IT'S MONEY. SO IT'S YES OR NO." I SAID, "YOU COULD  
9 GET YOUR OWN PLANE TICKET." SHE OBVIOUSLY GOT HER OWN PLANE  
10 TICKET TO GO BACK TO VANCOUVER, BECAUSE I DIDN'T GIVE HER MONEY  
11 FOR THAT. I DIDN'T WANT MY SON LEAVING. SO WHEREVER SHE GOT  
12 THE MONEY TO GO THERE, SHE COULD GET THE MONEY TO COME BACK.

13 SHE ALSO SAID --

14 THE COURT: I'M NOT ASKING ANY QUESTIONS. THERE IS NO  
15 QUESTION THAT THE COURT WAS ASKING AT THIS TIME.

16 THE PETITIONER: OH, I'M SORRY, YOUR HONOR.

17 THE COURT: SO, SIR, CURRENTLY WHERE DO YOU RESIDE?

18 THE PETITIONER: I STAY ON MY BOAT IN MARINA DEL REY, AND  
19 I ALSO HAVE A ONE-BEDROOM APARTMENT THAT I STAY AT MY FRIEND'S  
20 HOUSE. WHEN I -- IT'S BETWEEN THOSE TWO PLACES.

21 THE COURT: WHEN YOU SAY A ONE BEDROOM WITH YOUR FRIEND,  
22 SO THE TWO OF YOU SHARE THE BEDROOM?

23 THE PETITIONER: NO, HE HAS A GUEST HOUSE. HE DOESN'T  
24 CHARGE ME RENT. BUT I DON'T WANT TO TAKE ADVANTAGE OF STAYING  
25 THERE ALL OF THE TIME. MY BOAT IS -- ONE OF THE THINGS THAT  
26 EXPLAINED WHEN I AGREED TO GO TO CANADA, I SAID, WELL, I DON'T  
27 NEED MUCH BECAUSE MY FAMILY HAS IT. SO MY FAMILY HAS THE  
28 APARTMENT. I'LL JUST CRASH ON MY BOAT. AND WHEN I WORK, I WORK

1 18 TO 20 DAYS. SO REALLY ALL I NEED TO DO IS SLEEP AND THERE IS  
2 A SHOWER AND A BATHROOM AND EVERYTHING IN THE FACILITIES -- THE  
3 BOATER'S FACILITIES. THAT WAS ALSO TO CUT EXPENSES SO I COULD  
4 AFFORD TO DO IT ALL. I COULD AFFORD TO SUPPORT THEM AND MYSELF.

5 THE COURT: SO WHERE IS HUNTER NOW?

6 THE RESPONDENT: HE'S WITH MARKEY LA PIERRE (PHONETIC  
7 SPELLING), WHO IS OUR BABYSITTER.

8 THE COURT: IS HE IN THE STATES?

9 THE RESPONDENT: HE'S IN CANADA AT HOME. HE'S BEEN HIS  
10 BABYSITTER FOR THE WHOLE TIME.

11 THE COURT: IS THERE ANY REASON WHY YOU DID NOT COMPLY  
12 WITH THE -- ONCE YOU REALIZED THAT THE ORDER WAS SOLE LEGAL AND  
13 PHYSICAL CUSTODY TO THE FATHER, IS THERE ANY REASON WHY YOU DID  
14 NOT COMPLY WITH THAT, ONCE YOU REALIZED IT?

15 THE RESPONDENT: BECAUSE -- THIS -- BECAUSE I BEGGED HIM  
16 TO COME TO THE HEARING. I BEGGED HIM TO COME TO THE HEARING. I  
17 WANTED TO COME TO THE HEARING. HE COULD HAVE SEEN HIS SON  
18 WITHIN HOURS, BUT BECAUSE HE DID NOT WANT ME TO GO TO THE  
19 HEARING, HE WANTED TO SET ME UP, AND HE DID VERY WELL. I DID  
20 NOT WANT TO PUT MY SON IN THE MIDDLE. HE LIVES ON A BOAT. WHEN  
21 HE WAS WITH HIM FOR THE TIME WE WERE HERE, HE GOT INCREDIBLY  
22 SICK. MY HUSBAND DOES NOT KNOW HOW TO CARE FOR A SMALL CHILD.  
23 HE'S CLUELESS, AND FOR THE TINY LITTLE TIME IN BETWEEN -- THAT  
24 TEN DAYS, BY THE TIME I GOT BACK --

25 THINK ABOUT THIS -- FIRST OF ALL, I DON'T HAVE ENOUGH  
26 MONEY, BUT IF I WERE TO DO THAT, I WOULD HAVE HAD TO GET THE  
27 MONEY SOMEHOW -- BUT I -- I WANTED TO DO IT THE WEEK EARLIER.  
28 DO YOU SEE WHAT I'M SAYING? HE JUST -- I JUST DIDN'T WANT TO

1 PUT MY SON IN THE MIDDLE OF THIS BECAUSE THIS IS OBVIOUSLY  
2 VINDICTIVE. HE COULD HAVE SEEN HIS SON THAT NIGHT. I WANTED TO  
3 COME TO THE HEARING, AND SO HE WAS PLAYING GAMES WITH ME AND  
4 INTIMIDATING ME, AND KEPT SAYING, "WELL, YOU SHOULD HAVE THOUGHT  
5 OF THAT. YOU SHOULD HAVE THOUGHT OF THAT. I'VE GOT YOUR ARMS  
6 AND LEGS NOW," YOU KNOW.

7 SO FOR ME, IT'S LIKE, OH, NO, NO, NO, I NEED TO GET  
8 TO COURT. I NEED TO SEE THIS JUDGE AND TELL HER MY SIDE OF THE  
9 STORY BEFORE I'M GOING TO BE, YOU KNOW, HANDING MY SON OVER,  
10 CROSSING THE BORDER, AND HE'S GOING TO BE, LIKE, "WHAT'S GOING  
11 ON MOMMY. I DON'T UNDERSTAND." BECAUSE I'VE TAKEN CARE OF OUR  
12 SON EVER -- A HUNDRED PERCENT RESPONSIBILITY FOR OUR SON SINCE  
13 THE DAY HE WAS BORN.

14 MY HUSBAND WORKS 18 HOURS A DAY WHEN HE WORKS. HE  
15 WORKS 15 DAYS A MONTH, AND HE HAS FIVE RECOVERY DAYS, BECAUSE  
16 THERE IS SO LITTLE TURN AROUND FOR WHEN HE SLEEPS. SO  
17 HE -- AND HE HAD NO PLAN. I MEAN, I PLEADED WITH HIM BEFORE,  
18 WELL, HAVE A PLAN, IF YOU WANT TO VISIT -- IF YOU WANT TO HAVE A  
19 50/50, WHATEVER YOU WANT TO DO, BUT WE'LL -- WE'LL -- WE CAN  
20 MEDIATE. I HAVE NEVER WANTED TO HAVE ATTORNEYS.

21 THE COURT: SO HUNTER IS THREE YEARS OLD?

22 THE RESPONDENT: YES, HE'S THREE YEARS OLD.

23 THE COURT: WHERE WAS HE BORN?

24 THE RESPONDENT: HE WAS BORN HERE IN LOS ANGELES.

25 THE COURT: ON APRIL 10TH, 2012.

26 THE RESPONDENT: UH-HUH.

27 THE COURT: YES.

28 THE RESPONDENT: YES.

1 THE COURT: OKAY. AND YOU ALL MOVED TO CANADA WHEN?

2 THE RESPONDENT: APRIL 14TH, 2014. HE WAS TWO YEARS OLD.

3 THE COURT: SO FOR HIS FIRST TWO YEARS, HE LIVED IN THE  
4 UNITED STATES?

5 THE RESPONDENT: YES.

6 THE COURT: HE WAS A UNITED STATES CITIZEN.

7 THE RESPONDENT: YES. HE IS NOW A DUAL CITIZEN.

8 THE COURT: OKAY. COUNSEL WISH TO RESPOND? ANYTHING  
9 FURTHER?

10 MR. SALICK: I -- I DO WANT TO APOLOGIZE FOR INTERRUPTING  
11 THE COURT BEFORE.

12 PETITIONER -- I WANT TO REITERATE PETITIONER'S  
13 POSITION THAT THE PLAN TO MOVE TO CANADA WAS TEMPORARY. IT WAS  
14 TO SEE IF RESPONDENT COULD SUCCEED IN HER CAREER UP THERE, AND  
15 IF NOT, MY UNDERSTANDING THE PLAN WAS TO COME BACK HERE. THAT'S  
16 WHY MY CLIENT DIDN'T SELL HIS BOAT -- HE DIDN'T SELL ALL OF HIS  
17 POSSESSIONS. THERE ARE STILL A COUPLE OF AUTOMOBILES, AND THERE  
18 IS OTHER PERSONAL PROPERTY THAT'S HERE.

19 WITH RESPECT TO -- JUST THE LAST POINT -- WITH  
20 RESPECT TO COMING TO THE EX-PARTE HEARING, I SAW THE  
21 COMMUNICATIONS BETWEEN THE PARTIES, AND THE PETITIONER TESTIFIED  
22 TO IT, THAT RESPONDENT DID ASK FOR AIRFARE, AND THEN SAID --  
23 THEN CHANGED HER MIND AND THEN SAID NEVER MIND AND THEN SAID SHE  
24 WOULD BE SENDING SOMEONE. SO WHEN WE CAME HERE ON JUNE 5TH, WE  
25 WERE EXPECTING AN ATTORNEY TO SHOW UP, BUT THERE WAS NO  
26 ATTORNEY. THERE WAS NO CALL TO THE COURT OR TO PETITIONER.

27 AND SO -- SO IT SEEMS AS IF NOTHING HAS CHANGED  
28 REALLY SINCE THE JUNE 5TH EX PARTE, WHICH IS FRUSTRATING TO ME,

1 AND I CAN'T EVEN IMAGINE HOW FRUSTRATING IT IS TO THE  
2 PETITIONER.

3 MY CLIENT WANTED TO JUST POINT OUT THAT THE ONE  
4 BEDROOM APARTMENT THAT'S AVAILABLE TO HIM, THAT'S WHERE -- IF  
5 SLASH WHEN HUNTER IS IN HIS CUSTODY, THAT'S WHERE THEY WOULD  
6 RESIDE. BUT IT SOUNDS AS IF THE HOUSE BOAT -- IS IT A HOUSE  
7 BOAT --

8 THE PETITIONER: IT'S JUST A BOAT.

9 MR. SALICK: THE REASON WHY THE ONE BEDROOM APARTMENT WAS  
10 MADE AVAILABLE -- IS MADE AVAILABLE IS SO -- IS SO THERE COULD  
11 BE A SUITABLE ENVIRONMENT FOR HUNTER.

12 THE COURT: OKAY. WELL, I'M GLAD THE MOTHER DID COME TO  
13 COURT TODAY, BECAUSE THERE IS A LOT THAT HAS CHANGED. I MEAN,  
14 THE WAY THE PAPERS WERE WRITTEN IN THE EX PARTE, IT JUST SEEMS  
15 LIKE SHE JUST TOOK A PLANE, TOOK THE KID FOR NO REASON AT ALL,  
16 AND YOUR CLIENT WAS LEFT TOTALLY IN THE DARK. HOWEVER, AS THE  
17 OLD SAYING GOES, THERE ARE TWO SIDES TO EVERY STORY, AND IT  
18 DOESN'T MATTER THE LENGTH OF THE TIME, BUT IN READING HER  
19 DECLARATION, THEY ESTABLISHED RESIDENCY IN BRITISH, COLUMBIA.  
20 THEY WERE THERE TOGETHER AS A FAMILY. HE STARTED THE PROCESS BY  
21 IMPORTING HER CAR. THE REASON WHY -- AND GAVE REASONS WHY THEY  
22 STARTED A FAMILY THERE, SO IT'S -- IT JUST -- HER STORY BALANCES  
23 THE ENTIRE PICTURE, IF YOU WILL.

24 I MEAN, UNFORTUNATELY, WHEN THE COURT IS GIVEN AN  
25 EX PARTE AND THERE IS NO RESPONSE -- I UNDERSTAND WHY THERE WAS  
26 NO RESPONSE -- THE COURT IS LEFT TO BELIEVE WHAT IS WRITTEN IN  
27 THE EX PARTE, BECAUSE THE COURT'S FIRST AND CHIEF CONCERN IS  
28 WHAT IS IN BEST INTEREST OF THE CHILD. AND HOW THE EX PARTE WAS



1 WRITTEN, THE COURT MADE ORDERS BASED ON THAT.

2           HOWEVER, NOW THAT THE MOTHER IS PRESENT, AND THE  
3 COURT HAS HER RESPONSE, I MEAN THE -- IF SHE WAS PRESENT IF THE  
4 COURT RECEIVED THE RESPONSE ON -- HAD RECEIVED A RESPONSE ON  
5 JUNE 5TH, THE COURT MIGHT HAVE RULED IN A DIFFERENT WAY. SO  
6 THAT HAS CHANGED. SHE IS HERE EXPLAINING WHAT HAPPENED AND HER  
7 REASONS WHY. SO I'M NOT CONDONING THOSE REASONS, BUT  
8 EXPLAINING -- IT GIVES AGAIN A FULLER CONTEXT OF THE PICTURE.

9           NOW, REGARDING KIDNAP SEEMS A BIT HARSH OF A WORD.  
10 THAT IS A VERY STRONG WORD, BECAUSE IT'S AN ENVIRONMENT. SHE  
11 WENT AS SHE STATED AND THE EVIDENCE SUPPORTS THAT SHE WENT HOME  
12 TO A HOME WHERE THE PETITIONER -- THE RESPONDENT AND THE CHILD  
13 RESIDED. AND HE WAS FULLY AWARE THAT'S WHERE THEY LIVED. SO  
14 IT'S NOT KIDNAP IN THE SENSE OF SHE JUST DECIDED TO GO TO CHINA  
15 OR SOMEWHERE UNKNOWN.

16           HOWEVER, THAT BEING SAID, YOUR REQUEST, MA'AM, TO  
17 TERMINATE THE RESTRAINING ORDER, THE COURT CANNOT DO THAT, THE  
18 SUMMONS -- THESE ARE CALLED ATROS, IT'S AN AUTOMATIC RESTRAINING  
19 ORDER. ONCE A PETITION HAS BEEN FILED -- THE PETITION FOR  
20 DISSOLUTION OF MARRIAGE WAS FILED ON MAY 19TH, 2015, AND THAT  
21 THE ATROS ALL PARTIES ARE BOUND TO, AND AGAIN IT'S SOMETHING  
22 THAT THE COURT CANNOT DISMISS. IT ESSENTIALLY STATES THAT  
23 IMMEDIATELY -- STARTING IMMEDIATELY YOU AND YOUR SPOUSE OR  
24 DOMESTIC PARTNER ARE RESTRAINED FROM, ONE, REMOVING THE MINOR  
25 CHILD OF THE PARTIES FROM THE STATE OR APPLY FOR A NEW OR  
26 REPLACEMENT PASSPORT FOR THE MINOR CHILDREN WITHOUT THE PRIOR  
27 CONSENT OF THE OTHER PARTY OR AN ORDER OF THE COURT.

28           SO WHEN YOU LEFT, AFTER THE PETITION WAS FILED ON

1 MAY 19TH, 2015, YOU WERE IN VIOLATION OF THE ATROS BECAUSE YOU  
2 HAD NOTICE THERE ON THE SUMMONS -- YOU HAD NOTICE THAT YOU WERE  
3 NOT ALLOWED TO DO THAT.

4 THE RESPONDENT: YOUR HONOR, I SUBMITTED A MEMORANDUM OF  
5 POINTS AND AUTHORITIES, AND I KNOW YOU DIDN'T GET A CHANCE TO  
6 LOOK AT IT, BUT IT'S -- IT'S -- I HAVE A LOT OF REASONS WHY I  
7 BELIEVE THE COURTS CAN REJECT JURISDICTION, AND IF I MAY --

8 THE COURT: BUT BEFORE WE GO THERE, MA'AM, I'M EXPLAINING  
9 TO YOU THAT ONCE HE FILED THE PETITION, YOU WERE GIVEN NOTICE OF  
10 THE ATROS.

11 THE RESPONDENT: I'M SORRY.

12 THE COURT: THE ATROS, THE AUTOMATIC TEMPORARY RESTRAINING  
13 ORDERS THAT ARE PART OF THIS SUMMONS, THAT YOU CANNOT REMOVE A  
14 CHILD OUTSIDE OF THE STATE OF -- IT STATES HERE, REMOVING THE  
15 MINOR CHILD OF THE PARTIES FROM THE STATE OR APPLYING FOR A NEW  
16 OR REPLACEMENT PASSPORT FOR THE MINOR CHILDREN WITHOUT THE PRIOR  
17 WRITTEN CONSENT OF THE COURT OR THE MOVING PARTY.

18 I UNDERSTAND YOUR ARGUMENT, BUT WHAT YOU DID IS A  
19 VIOLATION OF THE COURT ORDER. WE'RE NOT EVEN AT THE EX-PARTE  
20 ORDERS. BUT ONCE HE FILED THE PETITION FOR THE DISSOLUTION OF  
21 MARRIAGE AND YOU RECEIVED NOTICE OF THAT, YOU WERE IN VIOLATION  
22 OF THAT. SO YOU WERE NOT SUPPOSED TO REMOVE YOUR SON FROM THE  
23 STATE OF CALIFORNIA.

24 THE RESPONDENT: YOUR HONOR, IF I MAY, I -- I -- I BELIEVE  
25 THAT STATE -- THE DEFINITION OF STATE -- OF HOME STATE,  
26 ACCORDING TO SUBCHAPTER C --

27 THE COURT: LET ME STOP YOU RIGHT THERE, MA'AM --

28 THE RESPONDENT: I'M SORRY.

1 THE COURT: IT IS VERY CLEAR. IT IS BLACK-AND-WHITE. IT  
2 DOES NOT NEED TO BE EXPLAINED ANY FURTHER. IT SIMPLY STATES  
3 WHEN A PETITION FOR DISSOLUTION IS FILED --

4 THE RESPONDENT: YES.

5 THE COURT: YOU WERE SERVED -- AUTOMATICALLY RESTRAINED  
6 FROM REMOVING THE CHILD OF THE PARTIES FROM THE STATE OR  
7 APPLYING FOR A NEW OR REPLACEMENT -- OF THE STATE -- THE STATE  
8 IS CALIFORNIA. THERE IS NO NEED TO INTERPRET THAT. OKAY. SO  
9 YOU WERE IN VIOLATION WHEN YOU REMOVED THE CHILD OF THE ATROS.

10 SO YOU HAVE -- YOU HAVE AN ISSUE FOR YOUR -- YOU'RE  
11 CONTESTING JURISDICTION, I UNDERSTAND THAT IT --

12 THE RESPONDENT: YOUR HONOR --

13 THE COURT: YES.

14 THE RESPONDENT: -- I THOUGHT THAT THE LAW STATES THAT THE  
15 CHILD MUST BE IN THE STATE FOR AT LEAST SIX MONTHS PRIOR TO THE  
16 PROCEEDINGS IN ORDER FOR CALIFORNIA TO HAVE JURISDICTION.

17 THE COURT: WE'RE TALKING ABOUT TWO DIFFERENT THINGS.

18 THE RESPONDENT: THAT'S WHAT I WAS UNDER THE IMPRESSION  
19 OF. WITH THE FIRST ONE -- THE VERY FIRST ONE -- AND ALSO THE  
20 VERY FIRST ONE --

21 THE COURT: LET ME STOP YOU THERE, MA'AM, BECAUSE I'M NOT  
22 GOING TO ARGUE WITH YOU REGARDING WHAT THE LAW IS. IT IS VERY  
23 CLEAR ON THE SUMMONS. YOU'RE TALKING ABOUT JURISDICTION. I'M  
24 TALKING ABOUT THE PETITION. WHEN HE FILED THE PETITION FOR THE  
25 DIVORCE, IT STOPS ALL PARTIES FROM DOING CERTAIN THINGS THAT  
26 SOME PEOPLE WILL DO. ONE IS REMOVING THE CHILD FROM THE STATE;  
27 TWO, IT'S TRANSFERRING MONIES OUT OF BANK ACCOUNTS THAT BOTH  
28 PARTIES HAD WHILE THEY WERE MARRIED, AND NOW ALL OF A SUDDEN

1 THEY'RE TRANSFERRING THEM TO A SEPARATE ACCOUNT. THAT IS THE  
2 FIRST THING THAT HALTS EVERYTHING. IT FREEZES THE PICTURE.

3 THEN YOU RAISE YOUR ISSUE OF JURISDICTION. SO WHAT I  
4 AM EXPLAINING TO YOU IS WHEN HE FILED THE PETITION FOR  
5 DISSOLUTION OF MARRIAGE ON MAY 19TH, 2015, YOU LEFT CALIFORNIA  
6 WITH YOUR SON AFTERWARD, YOU WERE IN VIOLATION OF THE ATROS.

7 SO I'M EXPLAINING TO YOU, AND I KNOW YOU UNDERSTAND,  
8 BECAUSE YOU'RE VERY INTELLIGENT AND YOU WROTE ALL OF THIS --  
9 WHAT I'M EXPLAINING TO YOU IS YOUR REQUEST TO ASK THE COURT TO  
10 TERMINATE THE RESTRAINING ORDER, THAT CANNOT HAPPEN BECAUSE IT  
11 IS SOMETHING THAT'S AUTOMATIC. OKAY.

12 THE RESPONDENT: OKAY.

13 THE COURT: SO THAT BEING SAID, THE COURT DOES NOT FIND --  
14 IN HEARING FROM BOTH SIDES, THE COURT DOES NOT FIND THAT THERE  
15 WAS AN EMERGENCY FOR THIS EX PARTE, SO THE COURT IS GOING TO  
16 MODIFY THE ORDERS THAT IT MADE ON JUNE 5TH, 2015.

17 YOU NEED A LAWYER. THAT'S ALL I COULD TELL YOU.  
18 THAT'S ALL I COULD SAY.

19 THE RESPONDENT: I KNOW, I'M TRYING TO GET ONE.

20 THE COURT: I CAN'T GIVE YOU ANY ADVICE BECAUSE THIS IS  
21 THE BEGINNING OF A VERY CONTENTIOUS -- I COULD SEE A VERY  
22 CONTENTIOUS SITUATION BETWEEN THE TWO OF YOU. HOWEVER, YOU ARE  
23 IN VIOLATION OF THE ATROS, AND YOU ARE GOING TO HAVE TO RETURN  
24 YOUR SON BACK TO THE STATE OF CALIFORNIA. NOW, THE ISSUE  
25 BECOMES WHAT IS IN THE BEST INTEREST OF THE CHILD. WHERE WILL  
26 HE LIVE IF HE'S RETURNED TO THE STATE OF CALIFORNIA. HE CAN'T  
27 LIVE ON A BOAT. YOU JUST SAID THAT YOUR FRIEND LET YOU LIVE IN  
28 HIS ONE-BEDROOM APARTMENT, BUT YOU DON'T WANT TO IMPOSE ON YOUR

1 FRIEND BECAUSE YOU DON'T WANT TO TAKE ADVANTAGE OF THAT, BUT  
2 LIVING THERE FOR FREE WITH A CHILD IS THE -- THAT'S -- THAT  
3 WOULD TRULY BE TAKING ADVANTAGE. SO WHAT FACILITY -- NOT  
4 FACILITY -- WHAT HOME CAN YOU PROVIDE FOR HUNTER WHO IS THREE  
5 YEARS OLD? BECAUSE HE'S NOT LIVING ON A BOAT.

6 THE PETITIONER: RIGHT, CAN I RESPOND TO THAT?

7 THE COURT: YES.

8 THE PETITIONER: I HAVE A TWO-BEDROOM APARTMENT LINED UP  
9 FOR JULY 1ST. A TWO-BEDROOM APARTMENT.

10 THE COURT: OKAY.

11 THE PETITIONER: I HAVE A NANNY, A LIVE-IN NANNY LINED UP  
12 TO HELP ME WHEN I WORK. I WASN'T SURE IF HE WAS GOING TO COME  
13 BACK OR NOT, I THOUGHT SHE WAS GOING -- SHE SAID TO ME BEFORE  
14 I'M STAYING IN VANCOUVER WITH OR WITHOUT HUNTER. SO I HAVE TO  
15 ASSUME THE WORST THAT SHE'S NOT GOING TO COME BACK. I TOLD HER  
16 FROM THE VERY BEGINNING OF THIS WHOLE DIVORCE PROCESS, JUST COME  
17 BACK, AND YOU COULD GET SETUP JUST LIKE YOU WERE IN CANADA.

18 THE COURT: OKAY.

19 THE PETITIONER: YOU COULD -- HUNTER COULD STAY WITH YOU,  
20 I'LL STAY ON MY BOAT TO SAVE MONEY AGAIN. BUT AT LEAST I'LL GET  
21 TO SEE HIM ON THE WEEKENDS, I'LL GET TO SEE HIM EVERY SINGLE  
22 WEEKEND AND EVERY TIME I'M OFF AND BECAUSE MY WORK SCHEDULE IS  
23 SO SPORADIC. I WORK TWO DAYS ON AND ONE DAY OFF; TWO DAYS ON  
24 AND THREE DAYS OFF. I'LL BE ABLE TO SEE HIM ON MY DAYS OFF.  
25 BUT WHEN HE'S IN CANADA, I CAN'T DO IT. I CAN'T FLY UP.

26 THE COURT: SO THE COURT'S TEMPORARY ORDERS -- THE COURT'S  
27 ORDERS THAT THE COURT IS MAKING TODAY, I UNDERSTAND WHAT YOU'RE  
28 SAYING THAT YOU HAVE LINED UP AND WHAT YOU'RE GOING TO DO, BUT

1 THE COURT HAS TO BASE ITS RULINGS ON THE EVIDENCE PRESENTED  
2 TODAY.

3 THE COURT IS GOING TO MODIFY THE ORDERS, AND WITH  
4 RESPECT TO LEGAL -- STRIKE THAT -- WITH RESPECT TO LEGAL  
5 CUSTODY, THE COURT IS GOING TO MODIFY, AND IT IS JOINT LEGAL  
6 CUSTODY BETWEEN THE PARTIES. PHYSICAL CUSTODY, THE COURT IS  
7 GOING TO -- AND COUNSEL, YOU COULD FILE A REQUEST -- A  
8 SUBSEQUENT REQUEST FOR ORDER -- YOU COULD FILE A SUBSEQUENT  
9 MODIFIED REQUEST FOR ORDER, BUT AT THIS TIME, BASED ON THE  
10 EVIDENCE BEFORE IT, THE COURT IS GOING TO -- DO YOU HAVE  
11 SOMEWHERE TO LIVE IN CALIFORNIA?

12 THE RESPONDENT: NO.

13 THE COURT: OKAY. SO -- AND YOU DON'T HAVE ANYTHING LINED  
14 UP AS OF TODAY?

15 THE PETITIONER: I HAVE -- I HAVE TWO PLACES LINED UP. I  
16 HAVE THE ONE-BEDROOM APARTMENT WHICH -- BEFORE I HAD MY SON, I  
17 JUST DIDN'T WANT TO --

18 THE COURT: I'M NOT CONSIDERING THE APARTMENT -- IT'S NOT  
19 YOURS. IT'S YOUR FRIENDS.

20 THE PETITIONER: BUT HE ALREADY SAID I COULD MOVE IN. I  
21 JUST NEED MY SON. WITHOUT MY SON, I DON'T WANT TO MOVE IN.

22 THE COURT: OKAY.

23 THE PETITIONER: BUT HE'S ALREADY SAID YOU COULD HAVE THIS  
24 APARTMENT. STAY AS LONG AS YOU NEED TO. AND IT WOULD BE ONLY  
25 AS LONG AS I NEEDED TO GET MY TWO-BEDROOM APARTMENT AND GET MY  
26 HELP. IT'S LINED UP. I JUST HAVE TO PAY THE MONEY. IT'S  
27 JUST -- PAY THE DEPOSIT AND THE MOVE-IN MONEY BY JULY 1ST, YES.

28 THE COURT: OKAY. SO THIS IS WHAT WE'RE GOING TO DO:

1 PRIMARY PHYSICAL CUSTODY OF THE CHILD WILL REMAIN WITH THE  
2 MOTHER. THAT IS THE COURT'S ORDER AT THIS TIME. AND IT IS IN  
3 THE BEST -- IT IS IN HIS BEST INTEREST AT THIS TIME. AT THIS  
4 TIME THE FATHER DOES NOT HAVE ADEQUATE LIVING ARRANGEMENTS FOR  
5 THE CHILD. HE IS THREE YEARS OLD, AND BASED ON WHAT COURT HAS  
6 HEARD, THE COURT IS NOT GOING TO MAKE AN ORDER ALLOWING THE  
7 CHILD TO LIVE ON A BOAT WITH HIS FATHER OR IN OTHER ARRANGEMENTS  
8 THAT HAVE NOT COME TO FRUITION. SO --

9 THE PETITIONER: YOUR HONOR, I NEVER WANTED THEM TO LIVE  
10 ON A BOAT. JUST -- I WANT TO MAKE THAT CLEAR.

11 THE COURT: THE COURT IS MAKING ITS ORDER. PLEASE DON'T  
12 ARGUE BACK WITH THE COURT. PLEASE DON'T.

13 THE PETITIONER: I'M SORRY.

14 THE COURT: PLEASE DON'T.

15 SO, MA'AM, YOU HAVE TO UNDERSTAND THAT THIS IS  
16 TEMPORARY, AND YOU ARE GOING TO HAVE TO RETURN BACK TO  
17 CALIFORNIA WITH YOUR SON, AND YOU ARE GOING TO HAVE TO FIGHT  
18 THIS CASE HERE. AND YOU ARE -- YOU'RE IN NEED OF A LAWYER SO  
19 THAT YOU COULD -- ALL OF YOUR ISSUES -- SO THAT YOU COULD  
20 ADDRESS YOUR ISSUES AND HAVE SOMEONE WHO COULD ADDRESS YOUR  
21 ISSUES -- YOUR LEGAL ISSUES, THAT'S WHAT I MEAN WHEN I SAY  
22 "ISSUES."

23 SO THE COURT IS GOING TO GRANT THE FATHER VISITATIONS  
24 WITH THE SON EVERY WEEKEND, COMMENCING THIS WEEKEND, JUNE 27TH,  
25 2015, AND THOSE ARE THE ORDERS AT THIS TIME. AND FILE A REQUEST  
26 FOR ORDER FOR MODIFICATION, AND GIVE NOTIFICATION -- THIS IS  
27 REGULAR NOTICE, AND GIVE NOTIFICATION TO THE OTHER SIDE SO THAT  
28 YOU COULD RESPOND.

1 MR. SALICK: CAN YOUR HONOR DEFINE THE WEEKENDS, FRIDAY TO  
2 SUNDAY -- FRIDAY TO MONDAY, FRIDAY TO SUNDAY.

3 THE COURT: FRIDAY TO MONDAY -- FRIDAYS -- HE'S THREE  
4 YEARS OLD, SO HE'S NOT IN SCHOOL.

5 THE RESPONDENT: NO, AND MAY I ASK A QUESTION?

6 THE COURT: JUST ONE MOMENT. I'M MAKING AN ORDER.

7 THE RESPONDENT: SORRY.

8 THE COURT: SO FRIDAYS 3 P.M. UNTIL MONDAY AT 8 P.M.  
9 COMMENCING THIS WEEKEND.

10 OKAY. YES.

11 THE RESPONDENT: DURING THE WEEKENDS, BECAUSE IT'S  
12 VISITATION, HE WOULDN'T HAVE -- HE WOULDN'T BE GOING TO WORK AND  
13 HAVING A NANNY; RIGHT?

14 THE COURT: I DON'T KNOW. I JUST MADE THE ORDER FOR  
15 VISITATIONS. I DON'T KNOW WHAT HE'S GOING TO DO DURING HIS  
16 VISITS.

17 THE RESPONDENT: BECAUSE WITH THE NATURE OF HIS WORK, WHEN  
18 HE DOES A THREE-DAY JOB, TO HAVE SOMEONE TAKE CARE OF HUNTER, HE  
19 WOULD HAVE TO HAVE 96 HOURS STRAIGHT OF CHILDCARE. HE GETS UP  
20 AT 3:00 IN THE MORNING, AND GETS HOME AT 11:00 AT NIGHT.

21 THE COURT: MA'AM, I DON'T KNOW IF HE'S GOING TO CHANGE  
22 HIS TIME SCHEDULE. THE COURT MAKES THE ORDERS, AND THE PARTIES  
23 THEY ARRANGE THEIR LIVES ACCORDINGLY TO SUIT THE ORDER SO THAT  
24 THEY COULD COMPLY WITH THE ORDER. SO I UNDERSTAND WHAT YOU'RE  
25 SAYING, BUT I'M NOT GOING TO HOLD THAT AGAINST HIM. OKAY.

26 MR. SALICK: I'M SORRY. JUST GIVEN THE CONTENTIOUS NATURE  
27 OF THIS CASE, I WANT IT MAKE SURE THAT WHEN I WRITE UP THE  
28 ORDERS, I'M ASSUMING THAT I'M GOING TO WRITE IT UP SO THAT IT'S



1 VERY CLEAR.

2 REGARDING TRAVEL ARRANGEMENTS, ITINERARY, PAYMENT TO  
3 TRAVEL, AND IF PETITIONER IS ORDERED TO PAY 100 PERCENT, CAN WE  
4 RESERVE THE RIGHT -- OR CAN THE COURT RESERVE THE RIGHT TO  
5 REALLOCATE AT THE TIME OF TRIAL?

6 THE COURT: YES.

7 MR. SALICK: AND AS FAR AS -- I JUST WANT TO CONFIRM  
8 REGARDING ITINERARIES AND COMMUNICATION BETWEEN THE PARTIES, I  
9 WOULD JUST LIKE TO GET IT ON THE RECORD BOTH PARTIES E-MAIL  
10 ADDRESS IF E-MAIL IS SUFFICIENT. AGAIN, I DON'T WANT ANY  
11 CONFUSION. THE E-MAIL I HAVE FOR MR. RANDOY IS REED RANDOY.  
12 ALL ONE WORD. R-E-E-D --

13 THE COURT: YOU KNOW WHAT, IT'S 12:05. WHAT WE'RE GOING  
14 TO DO IS WE ARE GOING TO CONTINUE THIS MATTER TO JULY 1, 2015.

15 MR. SALICK: OKAY.

16 THE COURT: OKAY.

17 MR. SALICK: WE'RE CONTINUING THIS MATTER TO JULY 1, 2015.

18 THE RESPONDENT: YOUR HONOR, BECAUSE YOU DIDN'T GET A  
19 CHANCE TO SEE MY -- TO SEE THIS -- WHAT I GAVE YOU THIS MORNING.  
20 CAN I SUBMIT IT PROPERLY TO THE COURT?

21 THE COURT: NO.

22 THE RESPONDENT: OKAY.

23 THE COURT: IT'S FILED LATE AND COUNSEL DID NOT HAVE AN  
24 OPPORTUNITY TO RESPOND, AND THE COURT IS GOING TO MAKE ITS  
25 ORDERS ON WHAT'S BEFORE ME. THESE ARE TEMPORARY ORDERS, BUT  
26 WE'RE GOING TO CONTINUE THIS MATTER TO JULY 1, 2015.

27 MR. SALICK: SO IF MY CLIENT PAYS FOR THE TRAVEL FOR THIS  
28 WEEKEND, COULD HE STILL SEE HUNTER THIS WEEKEND?

1 THE COURT: WELL, YES.

2 MR. SALICK: OKAY.

3 THE RESPONDENT: AND WHO PICKS HIM UP AND TAKES HIM BACK?  
4 BECAUSE I'M -- I HAVE NO MONEY. I MEAN -- I DON'T KNOW --

5 THE COURT: THE ORDER IS THAT THE PETITIONER IS  
6 RESPONSIBLE FOR THE EXPENSES.

7 THE RESPONDENT: OKAY.

8 THE COURT: SO HE CAN GO AND FLY THERE AND PICK UP HUNTER,  
9 AND IF HE WANTS TO TRAVEL WITH HUNTER TO CALIFORNIA AND VISIT  
10 HIM HERE AND RETURN HIM, THEN HE COULD DO SO.

11 THE RESPONDENT: YOUR HONOR, I'M ASKING FOR A RESTRAINING  
12 ORDER AGAINST HIM.

13 THE COURT: THERE IS NO --

14 THE RESPONDENT: IN VANCOUVER, I'M -- I ALREADY FILED FOR  
15 DIVORCE IN VANCOUVER, AND I'M -- BECAUSE I DON'T -- I CANNOT BE  
16 ANYWHERE CLOSE TO HIM. THE LAST TIME HE WAS WITH ME --

17 THE COURT: LET ME STOP YOU THERE. THERE IS NO ORDER  
18 BEFORE THIS COURT.

19 THE RESPONDENT: OKAY.

20 THE COURT: REQUESTING -- NO REQUEST FOR A RESTRAINING  
21 ORDER. WHAT YOU'VE DONE IN VANCOUVER, IT HAS NO BINDING IN THIS  
22 COURT HERE. I CANNOT JUST BECAUSE YOU ASKED FOR IT GRANT A  
23 DOMESTIC VIOLENCE RESTRAINING ORDER. OKAY.

24 MR. SALICK: AND LAST QUESTION, ON JULY 1ST IS IT 8:30 OR  
25 1:30?

26 THE COURT: IT'S 8:30.

27 THE RESPONDENT: AND CAN I REQUEST THAT HE -- THAT HE BE  
28 NOT AT MY HOME?

1 THE COURT: SO ON THAT DAY, MA'AM, YOU'RE ORDERED TO  
2 RETURN BACK TO THIS COURT AT 8:30 A.M.

3 THE RESPONDENT: YES.

4 THE COURT: AND YOU'RE ORDERED TO RETURN TO THIS COURT  
5 WITH YOUR SON.

6 THE RESPONDENT: OKAY.

7 THE COURT: OKAY. AND, SIR, YOU ARE ORDERED TO PAY FOR  
8 THE EXPENSES OF YOUR SON'S TRAVEL EXPENSES FROM CANADA TO  
9 LOS ANGELES CALIFORNIA ON JULY 1 -- FOR JULY 1, 2015, IF THE  
10 MOTHER CANNOT AFFORD THE EXPENSES. DO YOU UNDERSTAND THAT?

11 THE PETITIONER: UH-HUH. AND WILL HE STAY HERE THEN?

12 THE COURT: WE ARE GOING TO -- THAT IS THE COURT'S ORDER.  
13 OKAY.

14 THE RESPONDENT: CAN I ASK ONE MORE QUESTION?

15 THE COURT: YES.

16 THE RESPONDENT: AND ABOUT SUPPORT, BECAUSE HE'S  
17 COMPLETELY CUT ME OFF.

18 THE COURT: THAT'S NOT BEFORE THE COURT, SO THE COURT  
19 CAN'T MAKE ORDERS ON MATTERS THAT ARE NOT BEFORE THE COURT. SO  
20 YOU WOULD HAVE TO FILE WHAT'S CALLED A REQUEST FOR ORDER  
21 REQUESTING CHILD SUPPORT, SPOUSAL SUPPORT, THINGS OF THAT  
22 NATURE.

23 THE RESPONDENT: CAN I DO THIS FROM VANCOUVER BECAUSE I  
24 HAVE AN ATTORNEY IN VANCOUVER?

25 THE COURT: EVERYTHING IS HERE. EVERYTHING IS HERE. THIS  
26 IS A CALIFORNIA CASE. THIS IS A CALIFORNIA COURT, AND THIS  
27 COURT CONTROLS WHAT HAPPENS IN THIS COURT. SO YOU CAN'T FILE  
28 SOMETHING IN VANCOUVER. TWO DIFFERENT COUNTRIES.

1           SO YOU NEED A LAWYER HERE. IF YOU CANNOT -- IF  
2 YOU'RE REPRESENTING YOURSELF, WE COULD GIVE YOU A REFERRAL TO  
3 SELF-HELP, AND AT THAT TIME SOMEONE THERE WILL ASSIST YOU IN THE  
4 DOCUMENTATION THAT YOU NEED TO FILE, OKAY. THANK YOU.

5           SO THIS MATTER IS CONTINUED UNTIL JULY 1, 2015. THE  
6 TEMPORARY ORDERS THAT THE COURT HAS MADE TODAY IS EFFECTIVE  
7 UNTIL THAT DATE. THANK YOU.

8           MR. SALICK: THANK YOU, YOUR HONOR. SHALL I PREPARE THE  
9 ORDER AFTER HEARING?

10          THE COURT: YES.

11          MR. SALICK: THANK YOU.

12  
13                   (PROCEEDINGS IN THE ABOVE-ENTITLED  
14 ACTION WERE CONCLUDED.)

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 FOR THE COUNTY OF LOS ANGELES

3 DEPARTMENT NO. CE 22

HON. TAMARA HALL, JUDGE

4  
5 REED RANDOY,

PETITIONER,

7 VS.

8 MARICKE RANDOY,

RESPONDENT.

)  
)  
)  
) CASE NO. BD621137  
) REPORTER'S  
) CERTIFICATE  
)  
)  
)  
)  
)  
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11  
12 I, BARBARA A. KING, OFFICIAL REPORTER OF THE SUPERIOR  
13 COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES,  
14 DO HEREBY CERTIFY THAT THE FOREGOING PAGES 1 THROUGH 36,  
15 INCLUSIVE, COMPRISE A FULL, TRUE AND CORRECT TRANSCRIPT OF THE  
16 TESTIMONY AND PROCEEDINGS TAKEN IN THE ABOVE-ENTITLED MATTER ON  
17 JUNE 26, 2015.

18 DATED THIS 19TH DAY OF MAY, 2016.

19  
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21  
22  
23 \_\_\_\_\_  
24 BARBARA A. KING, CSR NO. 8347  
25 OFFICIAL REPORTER  
26  
27  
28

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 FOR THE COUNTY OF LOS ANGELES

3 DEPARTMENT NO. CE 22

HON. TAMARA HALL, JUDGE

4 REED RANDOY, )

5 )  
6 PETITIONER, )

7 VS. )

CASE NUMBER BD621137

8 MARICKE RANDOY, )

9 )  
RESPONDENT. )  
\_\_\_\_\_ )

10  
11 REPORTER'S TRANSCRIPT OF PROCEEDINGS

12 FRIDAY, JUNE 26, 2015

13  
14  
15 APPEARANCES:

16 FOR THE PETITIONER:

NICHOLAS A. SALICK,  
ATTORNEY AT LAW

17  
18  
19 FOR THE RESPONDENT:

IN PROPRIA PERSONA

20  
21  
22  
23  
24  
25  
26  
27 BARBARA A. KING, CSR. NO. 8347  
28 OFFICIAL REPORTER