

EX PARTE DEPARTMENT
Hearing Date: Friday, May 5, 2023
Hearing Time: 3:30 p.m.

**SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF KING**

CHARLES A. HAROLD, JR., on behalf of
Vulnerable Adult SHARON M. HAROLD,

Petitioner,

vs.

DAVID ALLEN PAICE,

Respondent.

Case No. 23-2-03980-7 KNT

**OBJECTION TO NOTICE OF
PRESENTATION OF DENIAL ORDER
DENYING PETITION FOR
PROTECTIVE ORDER AND MOTION
TO STAY PROCEEDINGS**

TO: DAVID ALLEN PAICE, Respondent and his counsel of record

Petitioner Charles A. Harold, Jr. on behalf of Protected Party Sharon M. Harold, a vulnerable adult, objects to the specially set hearing date of May 5, 2023 at 3:30 p.m. for the Notice of Presentation of Denial Order Denying Petition for Protective Order. The instructions given by this Court were for Petitioner and Respondent to agree on a date for a special-set hearing. Counsel for Respondent was informed of the unavailability of Petitioner, Protected Party Sharon M. Harold and Amy Jane Small, co-attorney-in-fact for Protected Party, during the week of May 1 through May 5, 2023, the dates provided by this Court to Respondent's counsel. The date chosen for this hearing was unilaterally selected by Respondent's counsel without consultation with Petitioner nor consideration of the new medical status of Protected Party. If the hearing is held on Friday, May 5, 2023, Protected Party will not be represented at that

1 hearing nor will she attend the hearing pursuant to her doctor's instructions.

2 Respondent's counsel was also informed via e-mail on April 28, 2023 at 1:11
3 p.m. of the medical request issued by Protected Party's doctor. (Declaration of Charles
4 A. Harold and Ex. A thereto.) Due to the physical and emotional distress that these
5 proceedings are causing Protected Party, her doctor requested a reprieve of 90 days
6 in order for low grade medical intervention. Petitioner sent Mr. Schilbach a stipulation
7 agreement at 1:42 p.m., asking him to agree to the reprieve requested by Protected
8 Party's doctor. (*Id.*, Ex. B.) At 1:46 p.m., without acknowledging Petitioner's emails or
9 further conferring with Petitioner, Mr. Schilbach sent this Court a request for a May 5
10 hearing date even though his email auto reply previously informed Petitioner that he
11 was out of the office attending a conference.

12 At 3:17 p.m. on April 28, 2023, Respondent's response to Petitioner was to file
13 the Notice of Presentation of Denial Order Denying Petition for Protective Order.

14 Petitioner hereby requests that this Court honor the medical advice given by
15 Protected Party's physician and grant a stay of no more than 90 days. Petitioner
16 contends that Protected Party has a right to actively control, participate in and
17 contribute to her defense and personal protection in this matter. As attorney-in-fact,
18 Petitioner serves at the direction and benefit of Protected Party Sharon M. Harold.
19 Therefore, Petitioner respectfully urges this Court to grant the 90-day, or less, stay of
20 this proceeding.

21 On May 3, 2023, Protected Party was taken to the emergency room because
22 she was having trouble breathing. There is no further information available at the time
23 of the filing of this document. This episode demonstrates the urgent need for the
24 requested reprieve.

25 Respectfully submitted,

26 DATED: May 3, 2023

27 s/Charles A. Harold, Jr.
Charles A. Harold, Jr.
28 Petitioner.