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April 15, 2022

Via Email: jennifer@frendle.com

Jennifer Frendle
P.O. Box 117507
Carrollton, Texas 75011

**Re: In the Interest of R.B.P.
Cause No. 15-10574-211
In the 211th Judicial District Court of Denton County**

Dear Ms. Frendle:

On March 18, 2022, Thomas Purcell's prior counsel, Chrysandra Bowen, sent you a written request for all records created to date pertaining to your court appointment in the above-referenced case.

In your correspondence responding to said request, you state that you are denying the request in its entirety because quote "*all of the appropriate records used to formulate the child custody evaluation were either attached to the report filed with the Court and attorneys of record, or reviewed and summarized in the case.*" You obviously do not have the right to withhold records just because you allege to have properly reviewed and accurately summarized them in your report and/or elsewhere.

I am going to refer you to the Second Amended Order for Child Custody Evaluation, which states in relevant part as follows (section highlighted is for emphasis):

*"14. IT IS ORDERED that following the preparation of the report, the child custody evaluator, at the written request of any Court-ordered guardian ad-litem, Court-appointed attorney ad-litem, Court-appointed amicus attorney, or attorney of record in the case shall make available for inspection and copying all records collected, including but not limited to the following: Copies of the Evaluator's notes, any written communications, writings, records, memoranda, summaries, data, correspondence, test results, videos, photographs, tape recordings, and other tangible records or documents obtained by or created by the Evaluator **in connection with or in any way related to the evaluation ordered herein.** The costs of copying the records shall be borne by the requesting party, should that party desire copies of any portion of the records to be made."*

The Court order does not allow you to deny my client's request for records. Nor is there any provision in the Court order that my client's request for records is restricted to only records you label "appropriate" and attached to the report. Your claim to have the authority to withhold records simply because you allege to have properly reviewed and accurately summarized them in your report and/or elsewhere would be laughable if the issue at hand, a young child's fate for the next eight to nine years, weren't so very serious.

Excluding only: A) records you provided with your report of January 21, 2022, and B) records provided to you by Thomas Purcell, Chrysandra Bowen, or myself, please provide all records that have a connection with or are in any way related to the evaluation you performed in this case (**regardless of whether created before, on, or after 1/21/2022**), including but not limited to the following: *Copies of the Evaluator's notes, any written communications, writings, records, memoranda, summaries, data, correspondence, test results, videos, photographs, tape recordings, and other tangible records or documents obtained by you or created by you, the Evaluator.*

To be clear, this request includes but is not limited to:

- 1) all written communications between you and opposing counsel, Amanda Coffey, or any member of her staff,
- 2) all written communications between you and the opposing party, Michelle Eiland, or any member of Mrs. Eiland's family,
- 3) all written communications between you and one or more officials of the Northwest Independent School District,
- 4) all written communications between you and one or more law enforcement officials,
- 5) all written communications created by you or received by you in which there is no recipient name stated.

A proper response to the first request sent on Mr. Purcell's behalf on March 18, 2022, is already overdue. If I do not receive the records described in this reiteration of the original Request for Records by Friday, April 22, then my client and I will have no choice but to address with the Court your continued flagrant violation of my client's rights and the clear-cut Court order stated on the previous page.

Sincerely,



Patrick A. Wright
Attorney and Counselor at Law

PAW/am
Enc. as stated

cc: Amanda Coffey
Attorney for Petitioner

cc: Client