No. 91267-0

SUPREME COURT
OF THE STATE OF WASHINGTON

No. 71018-4

COURT OF APPEALS, DIVISION I
OF THE STATE OF WASHINGTON

In re the Marriage of:

VIKAS LUTHRA,

Petitioner,

vs.

ARADHNA LUTHRA,

Respondent.

PETITION FOR REVIEW

Respectfully Presented by

VIKAS LUTHRA (Pro Se).

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A. Identity of Petitioner

Vikas Luthra, respondent in the Superior Court and Appellant in the Court of Appeals, asks this Court to accept review of the Court of Appeals decision(s) terminating review designated in Part B of this petition.

B. *Court of Appeals Decision*

Division One's decision was filed on November 17, 2014. Copy of that Decision is in Appendix A. A Motion for Reconsideration of the Opinion filed by this Appellant was denied by Division One on December 17, 2014 – copies of that decision is attached as Appendix B.

C. Issue Presented For Review

1. Can a Parent (Vikas Luthra) not physically present at a Family Law trial court hearing being held **specifically** to hear a *MOTION TO REINSTATE MID-WEEK VISITATION AND FOR ORDER ALLOWING VACATION* (CP 24), have been reasonably presumed to have given "express" authority to their Attorney to enter into a Stipulation (per provisions of CR 2A) on their behalf to

completely Modify the Parties Parenting Plan because of unrelated issues that arose anew (VR 25, Line 3-25) during the course of such a hearing?

2. Did the Trial Court make a reversible and prejudicial error when it failed to confirm with Luthra's Counsel if she indeed had Luthra's express approval (without overreaching) to legally bind her client into a Stipulation (**per CR 2(A) & limitations of RCW 2.44.010**) to entirely Modify the Parenting Plan without complying with provisions of **RCW 26.09.260** and thereby deny Luthra his right to due-process as guaranteed under the Fifth & Fourteenth Amendment to the United States Constitution and under article 1, section 3 of the Constitution of the State of Washington?

3. Disregarding the overwhelming testimony (CP 1, 4, 8, 10, 13, 16, 18) supporting Luthra's normalcy (despite his OCD affliction) available in sworn affidavits in the Court Record per RCW 26.09.182, and current Medical Testimony (CP 62-65, 66-69, 71-73) presented to the trial court regarding Luthra's progress in treatment and current OCD diagnosis in **June 2013**, did the trial court abuse it's discretion in relying "verities" on its original findings of facts from **July 8th, 2010** regarding the (supposed) extent of the

mental health disability of Luthra when entering the Amended Parenting Plan on **September 9th, 2013** per RCW 26.09.260? Do the limitations then imposed on Luthra's parental rights (because of his mental health disability) in the Parenting Plan Final Order (Amended) on 9/9/2013 cause disparate impact on Luthra's Constitutional Rights guaranteed under both the United States Constitution and Article 1, Section 7 of the Washington State Constitution?

4. Is the burden placed on Luthra (in Parenting Plan Section 3.2) to reinstate midweek visitation with his Son by the language in the Amended Parenting Plan from September 9th, 2013, which required "**court approval**":

"*The father's mid-week visits will stop until the father is in compliance with the court's orders regarding treatment, the father's therapist provides a status report to counsel and to Judge Fleck (or any successor Judge or Commissioner if no successor Judge is assigned) that affirmatively reports on the father's commitment to and progress in treatment,* ***and the court approves*** *the start of midweek visits." (CP 297)*

Equivalent or analogous to the burden placed on him by the "**self-effecting**" language to reinstate mid-week visitation in the Original Parenting Plan from July 8th, 2010 which stated:

"When school begins, the father's mid week visits will stop until the father's therapist provides a status report to counsel and to me that affirmatively reports on the father's commitment to and progress in treatment. When the therapist reports that the father is engaged in and making progress in intensive therapy, the father may also spend time with Akshay in West Seattle on Wednesdays from after school until 7:00 pm...." (CP 35)

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5. Does Luthra's reliance on evaluation and assessment of his progress in therapy for OCD by qualified mental health specialists (Dr. Triet Ngueyn (DO), Ms. Rhonda Griffin (LMHC) and Ms. Nancy Eveleth (LMHC) support the trial court finding him intransigent in bringing his motion to reinstate mid-week visitation? Or, did the trial court abuse it's discretion by substituting its own (contradictory to current and qualified medical evidence before it) assessment of Luthra's OCD diagnosis in June 2013 when finding Luthra intransigent in bringing his motion and assessing him fees?

6. Does a trial court abuse it's discretion or make a reversible error when it substitutes its own (mis)understanding of educational and statutory requirements (per Washington Administrative Law for Medical Licensing) (VR 15, Line 7-12) in disqualifying or diminishing the ability of Qualified Washington State Department of Health Licensed Medical Professionals, as the court

did in this case?

7. Does a trial court make a reversible error when it's orders contradict the Statutory provisions & limitations imposed by WA RCW 26.09.187 (1) to order Alternative Dispute Resolution via Arbitration (as it did in this case) when it also finds limiting factors under RCW 26.09.191 apply in a Parenting Plan? (CP 349)

8. Did the trial court err and violate the Provisions of RCW. 26.09.182, 26.09.184 (b) & (c), 26.09.187, and 26.09.191 in modifying without basis or making (current) express findings to support their necessity, the language of Section 6.2 (Telephone Access) of the Parenting Plan Final Order (PP) Amended on 9/9/2013 by restricting the father from communication with the child through "other media, including but not limited to e-mail, Facetime, chat rooms, and other web based communication," when no such restrictions existed in the original Parenting Plan Final Order dated 7/8/2010 (CP 41. 342)

D. Statement of the Case

Appellant Vikas Luthra and respondent Aradhna Forrest are the parents of Akshay, age 11, who was born in July 2003. (CP 48)

After a five-day trial to dissolve the parties' marriage, the trial court entered a parenting plan that designated Ms. Forrest as the primary residential parent. (CP 38) The original parenting plan provided Mr. Luthra with residential time with Akshay on every alternating weekend (bi-weekly two overnights) during the school year. (CP 35) During summer break, Mr. Luthra's residential time with Akshay increased to four out of fourteen overnights, plus two weeks of vacation that can be taken as two one-week segments or one two-week segment. (CP 36)

Under a temporary parenting plan that was in effect prior to trial, Mr. Luthra had residential time with Akshay one evening per week, in addition to alternating weekends. After the trial, the trial court suspended Luthra's mid-week evening residential time during the school year based on limitations it found under RCW 26.09.191(3)(b),(e),(g). (CP 35) The basis for limitations found by the trial court was that Mr. Luthra suffers from Obsessive/Compulsive Disorder (OCD) (CP 35, 48) related to cleanliness.

Major Decisions relating to Non-Emergency Health Care and Religious Upbringing for the Child were designated in Section 4.2 of

the Parenting Plan as "Joint". (CP 40) To accommodate for Akshay's young age (6 years old) (CP 48) at the time of the Parenting Plan entry and to help address Luthra's complaint during the trial that Forrest repeatedly failed to have Akshay call his father despite temporary court orders requiring the same in affect at that time, the Trial Court went on to order specific times when the Residential Parent was to facilitate phone calls between the Child and the Non-Residential Parent. (CP 41)

Subsequent to the trial, Luthra seeked medical advice from Dr. Triet Nguyen (DO) – Psychiatrist and from Ms. Nancy Eveleth (Licensed Mental Health Counselor) at Valley Medical Center's Psychiatry and Counseling Clinic in Renton, Washington regarding treatment options for managing his OCD affliction per the Court's order.

Based on the professional medical opinion of (Washington State Department of Health Licensed) Dr. Nguyen (CP 71-73) and Ms. Eveleth (CP 66-69,) Luthra started seeing Rhonda Griffin (LMHC) at the Psychiatry and Counseling Clinic at Valley Medical Center for treating his OCD per the Court's Orders.

Luthra believed that the language (quoted below) of the Parenting Plan regarding mid-week visitation was self-executing after he participated and made progress in OCD therapy and his therapists affirmatively reported the same to the Court and Opposing Counsel.

> *"When School begins, the father's mid-week visits will stop until the father's therapist provides a status report to counsel and to me that affirmatively reports on the father's commitment to and progress in treatment. When the therapist reports that the father in engaged in and making progress in intensive therapy, the father may also spend time with Akshay in West Seattle on Wednesdays from after school until 7:00 pm..."* (CP 35)

On October 19th, 2011, Luthra's Counsel at that time – Patrice Johnston submitted a letter to the Court of Judge Deborah Fleck (CP 136 attached as Appendix C herein) informing her of Luthra's participation in OCD therapy with Ms. Griffin, and the medical reasoning for the same along with supporting letters from Dr. Nguyen and Ms. Eveleth. (CP 137 attached as Appendix C herein.)

Luthra continued to work with Dr. Nguyen, Ms. Griffin and Ms. Eveleth on a regular basis, and on several occasions requested Forrest to let him visit with Akshay on Wednesday evenings without success. Luthra also tried to get intervention of Dr. Naomi Oderberg (the parties co-parenting therapist appointed

by order of Judge Deborah Fleck on June 6th, 2011 (CP 22) to get compliance from Ms. Forrest without success. Unable to get co-operation from Forrest, on May 22nd, 2013 – Luthra through his new Counsel – Andrea Seymour filed a MOTION TO REINSTATE MID-WEEK VISITATION AND FOR ORDER ALLOWING VACATION and noted it for a hearing on June 5th, 2013. (CP 24)

The trial court entered interlocutory orders denying Luthra's Motion to Reinstate Mid-Week Visitation and Order Allowing Vacation, (CP 167-171) and also went on to modify the Parties Parenting Plan, and entered a PARENTING PLAN FINAL ORDER (PP) AMENDED ON 9/9/13. (CP 296)

Division One affirmed, holding that "Luthra fails to demonstrate that the trial court erred or abused its discretion" when it modified the parenting plan without first finding a substantial change, and by awarding attorney fees for intransigence. (Appendix A, Page 1)

E. Argument Why This Court Should Accept Review

1. **The Court Of Appeals Decision Conflicts With Other Court Of Appeals Decisions Holding That A Parenting Plan Can Only Be Modified Under RCW 26.09.260.** (RAP 13.4(b)(2))

This Court should grant review because the decision of the Court of Appeals affirming the trial court's order modifying the Parenting Plan and imposing new restraints and burdens on the father's contact with the child and to reinstate his midweek visitation, and assessing him fees is inconsistent with other Court of Appeals decisions that hold that "after a trial court enters a final parenting plan, and neither party appeals it, the plan can be modified only under RCW 26.09.260." **Marriage of Coy**, *160 Wn. App. 797, 804, ¶ 13, 248 P.3d 1101 (2011);* see also **Marriage of Watson**, *132 Wn. App. 222, 230, ¶ 21, 130 P.3d 915 (2006);* **Marriage of Tomsovic**, *118 Wn. App. 96, 103, 74 P.3d 692 (2003); RAP 13.4(b)(2).*

Luthra was not physically present at the hearing on June 5th, 2013, and did not have an ability to be aware in advance of the possibility that the trial court would propose that Luthra and Forrest enter into a Stipulation (VR 23, Line 16-17) allowing the Court to Modify the Parties Parenting Plan. Luthra's Counsel at best overreached her authority (per RCW 2.44.010) in signing to the

Stipulation to Modify the Parenting Plan, and the Trial Court abused its discretion in assuming that Luthra would be agreeable to such a Stipulation.

It was incumbent upon the Trial Court, as part of due-process to confirm that the parties fully appreciated the terms of the Stipulation. The Verbatim Report of the proceedings offer no evidence that the Court indulged in this simple, but critical validation/confirmation. (VR) Without evidence in the record showing Luthra was fully apprised of the settlement terms immediately before his attorney agreed to them in open court, the Court made a reversible error.

In *Graves v. PJ Taggares Co.*, 616 P.2d 1223, 94 Wash. 2d 298 (1980).

"As an attorney, he is impliedly authorized to enter into stipulations and waivers concerning procedural matters to facilitate the hearing. However, in his capacity as attorney, he has no authority to waive any substantial right of his client. Such waiver, to be binding upon the client, must be specially authorized by him. As stated in Wagner v. Peshastin Lumber Co., 149 Wash. 328, 337, 270 P. 1032 (1928), "It will be readily admitted that an attorney without special authority has no right to stipulate away a valuable right of his client." This rule is also stated elsewhere. Linsk v. Linsk, 70 Cal.2d 272, 449 P.2d 760, 74 Cal. Rptr. 544 (1969); Jackson v. United States, 221 F.2d 883 (D.C. Cir.1955); De Long v. Owsley's Executrix, 308 Ky. 128, 213 S.W.2d 806 (1948); Fresno City High

*School Dist. v. Dillon, 34 Cal. App.2d 636, 94 P.2d 304*304 86 (1939); Laurent v. Costa, 61 A.2d 804 (D.C. Mun. Ct. App. 1948); 1 E. Thornton, Attorneys at Law, §§ 258, 263 (1914)."*

To the extent that the Court was unclear on Luthra's agreement with the Stipulation, it should have found Luthra's statement to the court in his "DECLARATION OF VIKAS LUTHRA" submitted on 7/9/2013 as alarming and needing clarification:

"I believe the imposition of a new form of dispute resolution is outside the scope of such a clarification and respectfully request that it be resolved via the filing of a Motion for Modification and it's associated due process." (See Appendix D)

Without the existence of a valid Stipulation, the Trial Court's authority to modify a permanent parenting plan is limited by RCW 26.09.260 and its due process provisions. The Trial Court clearly exceeded its remand, and improperly modified the parties Parenting Plan. This Court should grant review of the Court of Appeals decision under RAP 13.4(b)(2) because it is inconsistent with other decisional law that prohibit modification of a Parenting Plan without first following the statutory procedure of RCW 26.09.260.

2. **The Court of Appeals Decision Too Broadly Interprets the authority of a Trial Court to make Medical Decisions on behalf of a Citizen of the State of Washington.**

In discarding the medical opinion of Dr. Triet Nguyen, Ms Rhonda Griffin and Ms. Nancy Eveleth in determining that Luthra did not participate in "intensive" OCD therapy to moderate his OCD symptoms, the trial court exceeded its authority in a manner inconsistent with the design of the statutes governing Medical Practice and Licensing in other fundamental respects. The trial court incorrectly attempted to substitute its own biased judgment of Luthra's medical diagnosis without any medical evidence to support it's position.

***In Plummer v. Apfel*, 186 F.3d 422 (3d Cir. 1999). The United States Court of Appeals, Third Circuit Opined**

*"In addition, an ALJ is not free to employ her own **expertise** against that of a physician who presents competent **medical** evidence. Ferguson, 765 F.2d at 37 (1985). ... The ALJ must consider all the evidence and give some reason for **discounting** the evidence she rejects"*

In Morgan v. Astrue, Dist. Court, ED Pennsylvania 2009

*"ALJ may reject a treating physician's opinion outright only on the basis of contradictory **medical** evidence, but may afford a treating*

physician's opinion more or less weight depending upon the extent to which supporting explanations are provided"

In Foley v. Barnhart, 432 F. Supp. 2d 465 - Dist. Court, MD Pennsylvania 2005

In choosing to reject the treating physician's assessment, an ALJ may not make "speculative inferences from ***medical*** *reports and may reject a treating physician's opinion outright only on the basis of contradictory* ***medical*** *evidence and not due to his or her own credibility judgments, speculation or lay opinion."*

Barring contradictory qualified medical testimony before the court indicating Luthra's OCD was not adequately being treated by the therapists and doctor at Valley Medical, the Court exceeded its authority and entered an order in stark contradiction to numerous State and Federal Court Decisions defining the validity and adequacy of Medical Opinion in matters before the court. This court should grant review of this case because the orders affirmed by the Appellate Court contradict these established case laws.

3. The Court Of Appeals Decision Too Narrowly Interprets The Function And Purpose Of Parenting Plan By Elevating It To A De Facto Protection Order. (RAP 13.4(b)(4))

This Court should also grant review because the Court of

Appeals decision affirmed a Modified parenting plan that effectively acts as a protection order prohibiting contact between a parent and child except for those days and times specifically described in the plan [and] nothing beyond those times and places, is an issue of substantial public interest. Restricting a father to only communicate via telephone voice calls with his Child, who he routinely spends unsupervised overnights with defies logic and is in violation of established principles of Constitutional Guaranteed rights of United States Citizens. RAP 13.4(b)(4). Such a narrow interpretation of the purpose and function of a parenting plan unnecessarily elevates the parenting plan to a protection order by prohibiting all contact except as outlined in the plan.

The Court of Appeals affirming the trial court's decision restraining the father from being "in the presence" of his child except during times specifically spelled out in the parenting plan exceeds the *Parens Patriae* powers upon which the State and Judiciary obtains its power to adjudicate Parenting Plans. Such a narrow interpretation of the function of parenting plan is contrary to the intended purpose of parenting plans as defined by RCW 26.09.184 (1) regarding Objectives of a Parenting Plan.

Our Legislature has repeatedly stated that "the best interests of the child is ordinarily served when the existing pattern of interaction between a parent and child is altered only to the extent necessitated by the changed relationship of the parents or as required by to protect the child from physical, mental, or emotional harm." RCW 26.09.002.

The Court of Appeals decision does the greatest disservice to non-primary residential parents, who under the Court of Appeals decision are prohibited from volunteering at a child's school, coaching a child's sports team, attending the child's plays or sporting events, or even visiting the child in the hospital, unless it happens to be during the parent's residential time under the parenting plan. "Under the domestic relations law of this State, the best interests of the child must be the paramount concern of the court. As important as this consideration is, however, it must nevertheless be balanced against a parent's fundamental right to be a parent. This right is of constitutional magnitude and cannot be restricted without a rational reason for doing so." ***Marriage of Cabalquinto,*** 100 Wn.2d 325, 330-31, 669 P.2d 886 (1983).

While RCW 26.09.191 allows the court to limit a parent's residential time with the child, "any limitation or restriction placed on a parent's conduct or contact with their child must be "specifically tailored to the presenting problem." 20 Kenneth W. Weber, Washington Practice: Family and Community Property Law § 33.25, at 100 (Pocket Part, 2010); RCW 26.09.191(m)(i) ("the limitations imposed by the court under (a) or (b) of this subsection shall be reasonably calculated to protect the child from the physical, sexual, or emotional abuse or harm that could result if the child has contact with the parent requesting residential time."). An absolute restraint on the father being in the "presence" of the child is not "reasonably calculated" to protect the child from the father's OCD or the abusive use of conflict, which was the basis for the trial court's RCW 26.09.191 findings.

There is no finding or allegation that the child in unsafe in the father's presence. Thus, the trial court erred in imposing a renew restraint that effectively limits the father's freedom of movement by requiring the father to immediately vacate a location if the child also happened to be present. ***State v. J.D.***, 86 Wn. App. at 508 (freedom of travel and movement is a fundamental right and any

limitation must be narrowly tailored to promote a compelling state interest).

The trial court's order restraining the father from being in the "presence of the child" effectively served as a *de facto* protection order, prohibiting contact with the child without adequate Due Process.

This Court should grant review of the Court of Appeals decision and clarify that a parenting plan does not serve as a *de facto* protection order prohibiting contact between a parent and child except for those times specifically set out in the parenting plan.

F. *Conclusion*

This Court should grant review of the Court of Appeals decision and reverse the restraints imposed on the father.

Dated this 16th day of January, 2015.

By:_____
Vikas Luthra (pro se)

APPENDIX A

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

In the Matter of the Marriage of:	
ARADHNA FORREST (f/k/a Luthra),	DIVISION ONE
Respondent,	No. 71018-4-I
and	UNPUBLISHED OPINION
VIKAS LUTHRA,	
Appellant.	FILED: November 17, 2014

DWYER, J — Vikas Luthra appeals from an amended final parenting plan. He contends that the trial court erred in modifying the parenting plan without first finding a substantial change, by awarding attorney fees for intransigence, and by accepting a stipulation entered into by his attorney and conducting proceedings consistent therewith. Because Luthra fails to demonstrate that the trial court erred or abused its discretion, we affirm.

I

The procedural history of this parenting dispute is convoluted and is summarized here only to the extent necessary to address the issues on appeal. Vikas Luthra and Aradhna Forrest dissolved their marriage in 2010. The couple have one son, who is currently 10.

Following a five-day trial, the court entered a final parenting plan on July 9, 2010. The court found that Luthra suffers from "[severe obsessive-compulsive disorder (OCD)], which is a lifelong condition that cannot be cured" and that the condition "has had a profound impact on the family." The court directed Luthra to

> immediately engage in intensive, home-based therapy for his OCD, which is likely to include both exposure response prevention and cognitive behavioral therapy, as recommended by Dr. Hastings. This therapy should be undertaken with a therapist highly experienced in intensive OCD treatment.

The parenting plan included restrictions based on Luthra's OCD and abusive use of conflict. See RCW 26.09.191(3). The court conditioned reinstatement of Luthra's mid-week residential visits on compliance with the treatment order.

Luthra did not appeal the trial court's findings or the restrictions based on statutory factors. In In re Marriage of Luthra, noted at 165 Wn. App. 1032 (2012), this court affirmed the trial court's subsequent order enforcing Luthra's compliance with the final parenting plan and reversed an order imposing additional restrictions on his contact with Forrest.

On May 22, 2013, Luthra moved to reinstate his mid-week residential visits. Following a hearing on June 5, 2013, the court found that Luthra had failed to comply with the court's treatment requirements and denied the motion. The court also denied Luthra's request to take his son on a three-week vacation to India.

During the course of the hearing, the court observed that the parties might benefit from clarification or modification of the parenting plan in "areas of conflict between the parents." Counsel for both parties stipulated to the proposal. The court and counsel then agreed on the procedure to follow and on a list of specific issues that the court could consider. The court incorporated the list into its June 5, 2013 order.

After considering the parties' submissions, the court entered an amended parenting plan on September 9, 2013. Forrest filed a timely motion for reconsideration on the issue of dispute resolution, which the trial court granted on October 21, 2013. The court also awarded Forrest attorney fees based on Luthra's intransigence in pursuing his motion to reinstate mid-week residential visits.

II

Luthra contends that the amended parenting plan constitutes an improper modification because the trial court failed to conduct an "adequate cause" hearing or enter a finding of a "substantial change." See RCW 26.09.270, .260. But the amended parenting plan was based on stipulations and agreements by both parties at the June 5, 2013 hearing. See In re Marriage of Christel & Blanchard, 101 Wn. App. 13, 22, 1 P.3d 600 (2000) (permanent parenting plan may be changed by petition to modify, temporary order, and by agreement); RCW 26.09.260(2)(a).

Both counsel expressly agreed that the parties would benefit from clarification and modification "in areas of conflict" and worked with the court to identify the issues that the court would consider. The June 5 order recited that the parties, "through counsel, have stipulated to have the court clarify or, as necessary, modify the parenting plan" and specified the issues.

Luthra argues that his counsel's stipulation was invalid because he was not physically present at the hearing and had no opportunity to agree to the stipulation. He cites no relevant authority to support this contention.

Generally, "[o]nce a party has designated an attorney to represent the party in regard to a particular matter, the court and the other parties to an action are entitled to rely upon that authority until the client's decision to terminate it has been brought to their attention." Engstrom v. Goodman, 166 Wn. App. 905, 916, 271 P.3d 959, review denied, 175 Wn.2d 1004 (2012). This principle controls the resolution of this claim of error.

Luthra's reliance on Graves v. P.J. Taggares Co., 94 Wn.2d 298, 616 P.2d 1223 (1980), is misplaced. In that case, the court recognized the validity of the general rule, but held that an attorney may not surrender "'a substantial right of a client'" without express authority from the client. Graves, 94 Wn.2d at 303 (quoting 30 A.L.R.2d 944, 947, § 3 (1953)). But the court in Graves acknowledged that it was considering an "extraordinary" series of events, including the party's attorney's failure to respond to the opposition's summary

judgment motion, failure to appear at the summary judgment hearing, unauthorized withdrawal of a jury demand, failure to present any evidence at trial, and failure to advise his clients of a $131,200 memorandum order entered against them. The trial court was not involved with any of the disputed conditions or stipulations. Graves, 94 Wn.2d at 301. Under the circumstances, the court concluded that the attorney's client was entitled to vacate the adverse summary judgment and ultimate judgment. Graves, 94 Wn.2d at 303.

No comparable egregious circumstances are present here. Counsel for both sides agreed to the stipulation in open court, and the court then incorporated the stipulation into the June 5 order. Luthra did not appeal or seek discretionary review of the June 5 order, raise an objection, or file a motion to vacate. Rather, he participated in the subsequent clarification and modification process with the same counsel. Nothing in the record suggests that the court erred by accepting the stipulation and conducting proceedings consistent therewith. Similarly, nothing in the record demonstrates that Luthra's attorney breached any duty to him by entering into the stipulation.

III

Luthra next contends that the trial court erred by imposing restrictions in the amended final parenting plan based on RCW 26.09.191(3). The precise nature of this claim is unclear. The provision in the amended parenting plan setting forth the statutory limiting factors is identical to the provision in the original

parenting plan. Luthra's arguments appear to rest on the mistaken assumption that the trial court was required to review the evidence de novo and enter new findings to support the amended parenting plan. Luthra cites no authority to support this assumption.

Essentially, Luthra asks this court to review the findings of fact and restrictions in the original parenting plan. But he did not appeal or seek review of those findings and statutory limiting factors and cannot do so now. See Detonics ".45" Assocs. v. Bank of Cal., 97 Wn.2d 351, 353, 644 P.2d 1170 (1982) (failure to appeal the trial court's legal ruling on preemption makes that ruling the law of the case).

IV

Luthra next contends that even if the stipulation was valid, the trial court's modification of the mid-week residential provision was invalid because it was not part of the agreement. He claims that the court modified the provision by imposing an "additional burden."

Luthra offers no coherent argument to support his conclusory claim. The language in both the 2010 parenting plan and the 2013 amended parenting plan clearly provides that the mid-week visits will resume only when the court deems Luthra in compliance with the court's treatment orders. Luthra fails to demonstrate that the amended parenting plan imposed any new requirements. To the extent that the trial court clarified the parenting plan, Luthra fails to

demonstrate any abuse of discretion. See Rivard v. Rivard, 75 Wn.2d 415, 419, 451 P.2d 677 (1969) (appellate court reviews clarification of a parenting plan for an abuse of discretion).

V

Luthra next contends that the trial court erred in awarding $5,895 in attorney fees for intransigence following the hearing on his motion for reinstatement of mid-week residential visits. The trial court found that Luthra had engaged in intransigent conduct "including, but not limited to, seeking reinstatement of his midweek residential time despite his clear failure to comply with specific court orders regarding treatment."

The determination of intransigence necessarily rests on the specific facts of each case, but may involve "foot-dragging," obstruction, the filing of unnecessary or frivolous motions, a refusal to cooperate with the opposing party, refusal to comply with discovery requests, and any other conduct that makes the proceeding unduly difficult or costly. In re Marriage of Greenlee, 65 Wn. App. 703, 708, 829 P.2d 1120 (1992) (quoting Eide v. Eide, 1 Wn. App. 440, 445, 462 P.2d 562 (1969)). We review an award of attorney fees based on intransigence for an abuse of discretion. In re Marriage of Bobbitt, 135 Wn. App. 8, 29-30, 144 P.3d 306 (2006).

Following the dissolution trial, the court entered unchallenged findings that Luthra suffers from "severe OCD, which is a lifelong condition that cannot be

cured" and directed that he engage "in intensive, home-based therapy . . . with a therapist highly experienced in intensive OCD treatment." The court conditioned reinstatement of Luthra's mid-week residential visits on compliance with the court's treatment order.

At the June 5 hearing, the court found that, on its face, Luthra's motion failed to demonstrate compliance with the clear requirements of the treatment order. Luthra conceded that he was not participating in home-based OCD therapy and had not done so. He also failed to submit any evidence to establish that his current therapists were "highly experienced in intensive OCD treatment" or to support his claim that he could not find or afford home-based therapy. On appeal, Luthra cites no evidence in the record to the contrary. His assertion that his therapists are properly licensed is irrelevant. Under the circumstances, Luthra fails to demonstrate that the trial court abused its discretion in awarding attorney fees for intransigence.

Luthra also contends that the evidence fails to support the amount of the fee award. But he fails to address the trial court's findings supporting the award or the evidence that the court considered. We therefore decline to consider Luthra's challenge. See Saunders v. Lloyd's of London, 113 Wn.2d 330, 345, 779 P.2d 249 (1989) (appellate court will decline to consider issues unsupported by cogent legal argument and citation to relevant authority).

VI

In a related argument, Luthra asserts that the trial court erred in making an oral "finding" at the June 5 hearing that his therapists were "unqualified." But the court made no such "finding." Rather, the court correctly determined that Luthra failed to submit any evidence that his therapists were "highly experienced in intensive OCD treatment," as required by the treatment order. Moreover, as already indicated, Luthra's recitation of the licensing requirements for a mental health counselor provides no support for his claim that he complied with the court's treatment order.

VII

Luthra next contends that the trial court erred in imposing additional restrictions on his ability to contact his son. He argues that there is no "nexus" between his OCD and the restrictions on his mode of communication.

At the June 5 hearing, the parties stipulated that the trial court could consider clarifying the parenting plan with "[g]uidelines regarding child-father communication through various technologies." The amended parenting plan specified that "[t]he designated form of contact between father and child when the child is not with the father shall be by telephone with audio only" and prohibited communication "through other media, including but not limited to e-mail, Facetime, chat rooms and other web-based communication."

Contrary to Luthra's suggestion, the restrictions were a clarification, not a modification of the parenting plan. A modification occurs "when a party's rights are either extended beyond or reduced from those originally intended." Christel, 101 Wn. App. at 22. A clarification is "merely a definition of the rights which have already been given and those rights may be completely spelled out if necessary." Rivard, 75 Wn.2d at 418.

The original parenting plan provided that the child would not have his own cell phone, and included detailed procedures regulating telephone contact with the child. Those provisions are largely incorporated into the amended parenting plan.

The unchallenged findings established Luthra's long-term impairment, the adverse effect of his conduct on the child's best interest, and his ongoing abusive use of conflict that created a danger of serious damage to the child's psychological development. The trial court later enforced the original parenting plan by prohibiting the parties from sending text messages "to each other for any purpose, including the Father sending messages to the child."

Permitting Luthra to have unlimited and unregulated communication with the child via social media would be inconsistent with the unchallenged evidence and findings supporting restrictions and effectively negate the court's detailed procedures regulating telephone contact in the original parenting plan. Under the circumstances, the restrictions in the amended parenting plan were a

clarification, not a modification. Luthra fails to demonstrate that the trial court abused its discretion by restricting the mode of communication during non-residential periods.

VIII

Finally, Luthra contends that the trial court lacked authority to enter an order on reconsideration modifying the amended parenting plan because his appeal was already pending in this court. See RAP 7.2(e). Luthra fails to note, however, that Forrest filed a motion seeking this court's permission for entry of the trial court's order. See RAP 7.2(e). A commissioner ruled that this court's permission was unnecessary under the circumstances. Luthra did not move to modify the commissioner's ruling. We decline to revisit the issue.

IX

Forrest requests an award of attorney fees based on the filing of a frivolous appeal or intransigence in this court. We decline to award attorney fees on these grounds. However, an award of attorney fees for expenses incurred in responding to Luthra's appeal of the trial court's award of attorney fees is warranted. See In re Marriage of Mattson, 95 Wn. App. 592, 606, 976 P.2d 157 (1999) (awarding attorney fees on appeal based on party's "intransigence at trial and his appeal of that outcome"). Accordingly, we award Forrest attorney fees reasonably incurred in responding to Luthra's appeal of the trial court's fee

award. Upon compliance with RAP 18.1(d), a commissioner of this court will enter an appropriate order.

Affirmed.

We concur:

RICHARD D. JOHNSON,
Court Administrator/Clerk

The Court of Appeals
of the
State of Washington

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

APPENDIX B

December 17, 2014

Janet Marie Helson
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Vikas Luthra
12624 SE 83rd Ct.
Newcastle, WA. 98056
vluthra@dotzoo.net

CASE #: 71018-4-I
In re the Marriage of: Aradhna Forrest (fka Luthra), Res. and Vikas Luthra, App.
King County No. 09-3-04289-0 KNT

Counsel:

Enclosed please find a copy of the order denying motion for reconsideration entered in the above case.

Within 30 days after the order is filed, the opinion of the Court of Appeals will become final unless, in accordance with RAP 13.4, counsel files a petition for review in this court. The content of a petition should contain a "direct and concise statement of the reason why review should be accepted under one or more of the tests established in [RAP 13.4](b), with argument." RAP 13.4(c)(7).

In the event a petition for review is filed, opposing counsel may file with the Clerk of the Supreme Court an answer to the petition within 30 days after the petition is served.

Sincerely,

Richard D. Johnson
Court Administrator/Clerk

khn

Enclosure

c: The Hon. Deborah Fleck
Reporter of Decisions

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

In the Matter of the Marriage of:	)	
	)	DIVISION ONE
ARADHNA FORREST (f/k/a Luthra),	)	
	)	No. 71018-4-I
Respondent,	)	
	)	
and	)	ORDER DENYING MOTION
	)	FOR RECONSIDERATION
VIKAS LUTHRA,	)	
	)	
Appellant.	)	
	)	

The appellant, Vikas Luthra, having filed a motion for reconsideration herein, and a majority of the panel having determined that the motion should be denied; now, therefore, it is hereby

ORDERED that the motion for reconsideration be, and the same is, hereby denied.

Dated this 17th day of December, 2014.

FOR THE COURT:

Judge

APPENDIX C

LAW OFFICES OF
PATRICE M. JOHNSTON PLLC

7016 - 35th Avenue NE
Seattle, WA 98115-5917
(206) 527-4100
(206) 522-4001 FAX
patjohnston@seanet.com

October 19, 2011

Judge Deborah Fleck
King County Superior Court
Regional Justice Center
401 – 4th Avenue North
Kent, WA 98032

Re: Marriage of Luthra and Forrest – King County Cause No. 09-3-04289-0 KNT

Dear Judge Fleck:

The Parenting Plan entered by the court on July 8, 2010 (copy enclosed), provides at par. 3.2 that:

> When school begins, the father's mid-week visits will stop until the father's therapist provides a status report to counsel and to me that affirmatively reports on the father's commitment to and progress in treatment. When the therapist reports that the father is engaged in and making progress in intensive therapy, the father may also spend time with Akshay in West Seattle on Wednesdays from after school until 7:00 p.m., where he can participate in activities at one or both of the West Seattle Y facilities, at the Hiawatha Community Center, at parks and other similar locations, as well as share a meal with Akshay. The father shall return Akshay to the mother at the Metropolitan Market on Admiral Way. Once begun, this mid-week schedule will place the burden of travel for the visit on the father, not on Akshay, and should also reduce the level of exhaustion for the child, while giving him an opportunity to spend time with his father.

In compliance with this provision, along with the court's other orders in this matter, we have enclosed a letter from Rhonda Griffin, LMHC, who is providing intensive OCD treatment for Mr. Luthra. We have also enclosed letters from Mr. Luthra's psychiatrist, Dr. Nguyen, and his therapist, Ms. Eveleth, discussing why Ms. Griffin was chosen and how the three of them are working together to provide the best possible treatment for Mr. Luthra.

Copies of these letters are also being provided to Ms. Forrest's attorney, James Sable, and the co-parenting therapist, Dr. Oderberg. We do not believe that any action is needed by the court at this time; however, if the parties are not able agree on how to proceed in consultation with Dr. Oderberg, we may seek further guidance from the court in the future.

Very truly yours,

Pat Johnston

Patrice M. Johnston

PMJ/me
Enclosures
cc: Vikas Luthra
James Sable
Dr. Naomi Oderberg

Valley Medical Center

To: October 18,2011

Honorable Judge Deborah Fleck,

King County Courthouse

Reference: Vikas Luthra

I am licensed Psychotherapist in the State of Washington and have been in Professional Practice since 1986. I have been Mr. Luthra's psychotherapist for approximately 10 years. As such I am very aware of his OCD behaviors and resulting issues. I've read the Parenting Plan and other Court documents regarding the dissolution of his marriage and custody arrangements signed into Order by the Court on July 8, 2010.

In consultation with his Psychiatrist (Dr. Triet Nguyen), I referred Mr. Luthra to Rhonda Griffin, LMHC, for therapy to address his OCD symptoms that were raised as cause for concern by the Parenting Evaluator & during the divorce trial in this case. Mr. Luthra had interviewed and met with several other therapists and psychiatrists in an attempt to find an OCD expert to work with per the Court's Orders. Of the therapists that do this type of work, many independent practitioners are not covered by his insurance plan, which would make the cost of therapy (as a self pay patient) unaffordable to him. It has also been my experience in helping him through this process, that very few (if any) therapists in or near King County offer the home-based therapy that the court had ordered.

Valley Medical Center

Rhonda Griffin is a very experienced and highly regarded therapist who recently joined our Clinic. I consulted with her about Mr. Luthra's case and his need for intensive OCD therapy as ordered by the Court. She agreed to provide OCD therapy to him, separately from the work I already do with him. She brought a different treatment modality based on her work experience, and was confident that she would be a good fit for the needed therapy. I also felt that Rhonda's personality would also be a great match as she is outgoing, has strong boundaries, tough in her approach, and has had documented success in the work she does. While the treatment she is providing isn't "home-based", I am confident that Mr. Luthra is getting excellent care – care that aggressively confronts his OCD and helps moderate his symptoms adequately to allow him to function as a great father to his son Akshay.

Additionally, by having all of Mr. Luthra's mental health treatment provided in one clinic – Dr. Nguyen (as his Psychiatrist for Medical Management,) Rhonda (for his OCD symptoms) and I (for helping him manage life stressors) – we are all able to collaborate on his case extensively, which makes for a very effective treatment approach.

Sincerely,

Nancy Eveleth

Nancy Eveleth, MA LMHC (WA License Number LH 00003999)

Valley Medical Center • 400 S 43rd St • PO Box 50010 • Renton, WA 98058-5010
main 425.228.3450 • *fax* 425.656.4202 • www.valleymed.org

Valley Medical Center

October 18, 2011

King County Superior Court

Dear Sir/Madam:

I am a Licensed Mental Health Counselor in the state of Washington. I have been in private practice for 16 years and have experience treating patients with OCD. Mr. Luthra was referred to me by his psychiatrist, Dr. Triet Nguyen and psychotherapist, Nancy Eveleth, for intensive treatment of OCD consistent with the orders entered in his divorce case.

I have reviewed Dr. Hastings' report and the court's orders requiring Mr. Luthra to receive intensive treatment for his OCD and that such treatment include in home therapy.

I employ Cognitive Behavioral Therapy and Lifespan Integration Therapy modalities. Cognitive Behavioral Therapy is a fairly common therapy. Lifespan Integration was developed from the EMDR (Eye Movement Desensitization and Reprocessing) modality which has considerable research and substantiates positive results in the treatment of anxiety and phobias. Lifespan Integration interrupts the anxiety process by activating memories of the client's life and stimulating alternate brain pathways, thereby changing the automatic associations of anxiety produced by the OCD sufferer's thoughts. Both modalities are common and successful in the treatment of OCD.

I do not use Exposure and Ritual Prevention Therapy that employs in home therapy, as I have found the modalities mentioned prior as sufficient and effective in my practice. Mr. Luthra has researched other therapist who do provide in home treatment and the availability of such therapists is very limited. Although the order calls for "home-based therapy", I do not believe it necessary at this time for the following: 1) Mr. Luthra has reached a level of comfort and confidence with this therapist, 2) Mr. Luthra is very motivated and committed to his OCD treatment, 3) All of his mental health providers are located in this clinic and can provide him coordinated care and increase his accountability and 4) Mr. Luthra has demonstrated progress in reduction of symptoms of his OCD.

I am confident that continued therapy with me will be of benefit to Mr. Luthra and satisfy the recommendation as outlined by Dr. Hastings.

Sincerely,

Rhonda Griffin

Rhonda Griffin, LMHC

Cc: Nancy Eveleth, LMHC, Triet Nguyen, M.D.

PSYCHIATRY & COUNSELING CENTER
Valley Medical Center

Honorable Judge Deborah Fleck,

King County Courthouse

Reference: Vikas Luthra, (DOB 06/05/1971) 10/18/2011

I am Board Certified Osteopathic Physician in Psychiatry and have been in Professional Practice since 2005. I have been Mr. Luthra's Psychiatrist for approximately 3 years. I am responsible for prescribing medications to him to manage his OCD symptoms. I've also read the Parenting Plan and Findings of Facts signed into Order by the Court on July 8, 2010 in his case.

I along with Valley Medical's Psychiatry and Counseling Centers Medical Team, in close consultation with Nancy Eveleth recommended that Mr. Luthra work with Rhonda Griffin, LMHC, for intensive therapy to address his OCD symptoms that were raised as concerns in the Parenting Evaluation & during the divorce trial in his case.

In his office visits with me over the years, based on my interactions with Mr. Luthra (in managing his medication,) and based on feedback from Rhonda and Nancy, I feel confident that his OCD symptoms are being adequately addressed by his participation in our recommended therapy approach. I recognize that the Court had expressed concerns about his ability to participate appropriately as a father to his son, and seeing his progress over the time he has been in my care, I am confident in recommending that there exists no need for any limitations in allowing Mr. Luthra weekly visitation with his son Akshay, volunteer at the child's school, participate in any age appropriate activity/outing etc.

By having all of Mr. Luthra's mental health treatment provided in one clinic – I (as his Psychiatrist,) Rhonda (for his OCD therapy) and Nancy Eveleth (for helping him manage other stressors) – we are all able to collaborate on his case extensively, and provide him very effective treatment.

Rhonda Griffin is a licensed LMHC in WA, is experienced and highly regarded in the therapist community. Considering there is no easily accessible treatment Program in the Puget Sound Area which could offer in-home therapy as ordered by the court, the treatment approach adopted by our clinic is the best Medically Recommended fit for the OCD issues the court is concerned about. I am confident that Mr. Luthra is getting excellent care – care that aggressively confronts his OCD and helps moderate his symptoms to allow him to function as a great father to his son Akshay.

Sincerely,

Triet M. Nguyen, DO WA
License Number OP00001920

Psychiatry & Counseling Center • 4445 Talbot Rd S • Renton, WA 98055
phone 425.656.4055 • *toll-free* 800.469.3979 • *fax* 425 656 5425 • www.valleymed.org

APPENDIX D

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

In re the Marriage of: ARADHNA FORREST (f/k/a Luthra) Petitioner, and VIKAS LUTHRA, Respondent.	Case No. 09-3-04289-0 KNT DECLARATION OF VIKAS LUTHRA

Respondent, Vikas Luthra, submits this declaration regarding his preferences for clarifications of the Parenting Plan.

1. Dispute Resolution

While the Court has acknowledged that Aradhna and I would benefit from clarifications of the Parenting Plan and that some of these clarifications are technically modifications, I believe that the imposition of an entirely new form of dispute resolution is

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outside of the scope of such a clarification and respectfully request that it be resolved via the filing of a Motion for Modification and it's associated due process.

There is currently no functioning dispute resolution process in place. The current Parenting Plan mandates that the parties resolve disputes through co-parenting therapy. Aradhna's refusal to work with our co-parenting therapist, Dr. Oderberg, is a blatant violation of the parenting plan. While the parties and Dr. Oderberg agreed co-parenting therapy was not effective because Dr. Oderberg lacked decision-making authority to actually resolve disputes, Aradhna did not seek the Court's approval or request another form of dispute resolution before unilaterally electing not to participate. Aradhna has also misrepresented Dr. Oderberg reasons for agreeing to not see Aradhna. I have continued to see Dr. Oderberg out of respect for this Court's orders and a genuine desire to improve our situation for Akshay's sake.

Dr. Oderberg should be given decision-making authority to resolve disputes. Dr. Oderberg is intimately familiar with our history and the Court's orders in our case. She works well with both parties, and has, on numerous occasions, asked us both to modify our behavior. As an example, Dr. Oderberg was able to work with me on controlling the anger and frustration in my emails to Aradhna. Since my working with Dr. Oderberg on this in December, there have been no inappropriate emails. Any more drastic changes for this process should be resolved via a modification process.

I have spent thousands of dollars (via insurance and co-pays) making a good faith effort to comply with the Court's requirements for ADR. I simply cannot financially afford a process where we submit motions to the Court every time a dispute arises. Alternatively, I

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would like the Court to appoint a mutually agreed upon arbitrator to make decisions that resolves our disputes in an efficient and cost-effective manner.

2. Reordering of Priorities

I do not request the Court change the priorities at this time.

3. Three-Day Weekends

I request that any holiday not specifically listed in the Parenting Plan be given to whichever parent happens to have Akshay on that weekend to minimize confusion and unnecessary back and forth.

4. School Breaks

I welcome suggestions from Aradhna on how to resolve this issue in the best interests of our child.

5. First/Third or Every Other Weekend

I request that the contradiction between the Parenting Plan and Findings be resolved with the "every other" weekend language. Aradhna has in the past used the first/third language to deny me of successive weekends when the first or third weekend falls on a holiday of Aradhna's. As an example, in February of this year, I did not get to see my son for an entire month, because Aradhna insisted on the 1st/3rd weekend interpretation despite Dr. Oderberg's recommendation that she allow Akshay and I at least a short visit during this substantial length of time.

6. Notice

As a father, I have a right to know where I can find my child in the event of an

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emergency. I love my son deeply and feel this is a completely reasonable parental right and expectation. I request that the Court clarify that the notification requirement is triggered whenever Akshay will be away from home for more than two nights, whether or not he is with a parent or left in someone else's care.

7. Failure to Respond to an Email

I request that either party's failure to respond to an email regarding pressing scheduling matters within a reasonable time be deemed acquiescence.

8. Diwali

Diwali is a very important holiday in my East Indian culture. Hindu religious prayers *after sunset* are an important part of celebrating this holiday. In the past, Aradhna has insisted I return Akshay by 7 p.m. I had hoped Aradhna and I would at some point be able to resolve this issue amicably. However, I am currently unable to involve Akshay in some of the most important Hindu religious activities as they are normally practiced. I request that my residential time with Akshay this day be extended until 9 p.m.

9. Opportunities for Father at School

Pursuant to the Parenting Plan, I am allowed to attend one cultural event and one school field trip. Our Parenting Plan does not define "cultural," so Aradhna and I have disputed what constitutes "cultural." A strict definition of the word, "cultural," is basically an empty provision because the school does not routinely have "cultural" events. I request that the court instead allow me to attend one miscellaneous school event that Aradhna does not attend.

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I also request that each party be given field trip choice priority in alternating years. This past school year, I planned to attend one school field trip. After confirming with his teacher, I asked Aradhna if she intended to participate in this field trip via email and said that I would otherwise be chaperoning it. She never responded to me nor Dr. Oderberg. A day before the trip, Aradhna abruptly decided she wanted to attend this field trip. Having coordinated via email with Akshay's teacher, I was left with no other choice but to request the principal get clarification from Aradhna to avoid an embarrassing situation on the day of the trip. If Aradhna had actually participated in Co-Parenting Counseling as ordered by this Court, such a situation would have never occurred and an unnecessary and embarrassing email exchange between numerous uninvolved people could have been avoided.

10. Thanksgiving

I request the Thanksgiving holiday run from Thursday at 9 a.m. until Sunday evening at 7 p.m. to prevent unnecessary shuffling back and forth and allow for travel opportunities in the future. If there are any other non-school days that week (this is only likely to be the case until Akshay graduates from elementary school), they should be split 50/50 as any other break would.

11. Therapy

Aradhna failed to have Akshay evaluated for counseling as required by the Court in the Findings of Fact until two years after the order. I think all parties agree Akshay would benefit from counseling. I respectfully request that our co-parenting therapist provide suggestions for a counselor. If Aradhna and I are unable to mutually agree on a counselor, I

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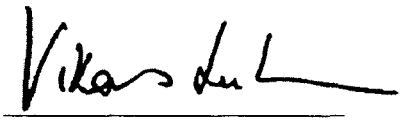
believe our co-parenting therapist should be granted the authority to choose. Once a counselor is selected, I request that Aradhna be required to begin the counseling by the end of August.

12. Communication

Aradhna has, on numerous occasions, missed the scheduled phone times. In light of this and all the other restrictions on my time with Akshay, I request that the court clarify that phone time may include face time and other forms of "video chat.." A restriction on video chatting is unfair to Akshay, who lives in a digital age, and prevents him from interacting with his parents in what is a now regularly accepted and often preferred form of communication.

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

Dated this _____ day of July, at _____.



Vikas Luthra

WEITZ LAW FIRM, PLLC
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Kirkland, WA 98033
P: 425.889.9300 F: 425.307.6593

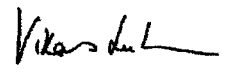
DECLARATION OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

That on ___January 16th_____, 2015, I arranged for service of the foregoing Petition of Review to the Washington State Supreme Court to the court and to the parties to this action as follows:

Office of Clerk King County Superior Court Kent Regional Justice Center 401 4th Avenue No., Room 2C Kent, WA 98032	_X_ E-Filed ___ Messenger ___ U.S. Mail ___ Hand Delivered
WA Court of Appeals – Div 1 600 University St One Union Square Seattle, WA 98101-1176 Fax: 206-464-7750	___ Facsimile ___ Messenger _X__E-filed ___ Hand Delivered
Patricia Novotny 3418 NE 65th Street, Suite A Seattle, WA 98115 (206) 525-0711	___ Facsimile ___ Messenger _X_ U.S. Mail ___ Hand Delivered
Janet M. Helson Attorney at Law Skellenger Bender, P.S. 1301 – Fifth Avenue, Suite 3401 Seattle, WA 98101 (206) 623-6501	___ E-Mail ___ Messenger _X_ U.S. Mail ___ Hand Delivered

DATED at NewCastle, Washington this 16th day of January, 2015



Vikas Luthra (Pro Se)

VIKAS LUTHRA

January 16, 2015 - 4:57 PM

Transmittal Letter

Document Uploaded: 710184-Petition for Review~2.pdf

Case Name: In Re Marriage of Aradhna Forrest and Vikas Luthra
Court of Appeals Case Number: 71018-4

Party Respresented: Vikas Luthra
Is this a Personal Restraint Petition? ○ Yes ◉ No
Trial Court County: ____ - Superior Court # ____

The document being Filed is:

- ○ Designation of Clerk's Papers ☐ Supplemental Designation of Clerk's Papers
- ○ Statement of Arrangements
- ○ Motion: ____
- ○ Answer/Reply to Motion: ____
- ○ Statement of Additional Authorities
- ☐ Affidavit of Attorney Fees
- ○ Cost Bill
- ○ Objection to Cost Bill
- ○ Affidavit
- ○ Letter
- ○ Copy of Verbatim Report of Proceedings - No. of Volumes: ____
  Hearing Date(s): _____
- ○ Personal Restraint Petition (PRP)
- ○ Response to Personal Restraint Petition
- ○ Reply to Response to Personal Restraint Petition
- ◉ Petition for Review (PRV)
- ○ Other: _____

Comments:

No Comments were entered.

Sender Name: Vikas Luthra - Email: vluthra@dotzoo.net