

No. 71053-2-I

THE COURT OF APPEALS  
OF THE STATE OF WASHINGTON  
DIVISION I

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BRITTANY L. FROMBACH, APPELLANT

v.

DYLAN FROMBACH, RESPONDENT

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REPLY BRIEF OF APPELLANT

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Brittany L. Frombach  
25049 235<sup>th</sup> Ct SE  
Maple Valley, WA 98038

  
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## INTRODUCTION

Unfortunately the respondent, Mr. Frombach, continues his smear campaign of the appellant, Ms. Frombach, in his brief. Of course the case was initiated by Ms. Frombach as she had just been put in jail by the premeditated acts of Mr. Frombach. She could not go back to the home as she feared for her life due to the controlling and hateful nature of her husband. When she went to the house to retrieve her belongings, all of her files and her car were missing. Mr. Frombach can state all he wants that they were there 6 months later, they were not on the premises at that time. There was no reason for him to take the car as he already had a car and never drove Ms. Frombach's.

Ms. Frombach only knew about the counseling sessions after they took place. She was only agreeing to the kids' participation in them after the fact. She was never consulted initially. Mr. Frombach was following his insidious playbook to ultimately win custody of the kids and collect child support.

Mr. Frombach's assertion that he was the primary caregiver for the children when he wasn't working is laughable. He may have been staying home and not working, but he was pawing the kids off at his mother's house. She essentially took care of the kids and

made their meals while he worked on his motorcycles and music. After a hard days work at the office, Ms. Frombach had to make the kids' dinner time meals and get them ready for bed. He did not perform these duties.

Yes, Ms. Frombach has taken medications for some emotional issues, but these issues were due the fact that Mr. Frombach was a controlling, manipulative, and abusive husband. Since the separation and divorce, these issues for Ms. Frombach have disappeared and she is no longer living in fear.

## **ARGUMENT**

**1. The court erred by admitting biased, unfair testimony.**

Ms. Frombach agreed that the counseling could continue as the children had already been attending sessions. What she disagrees with is that the original sessions were done without her knowledge or consent and were lorded over by the father. Ms. Paul had already formed her opinions about Ms. Frombach due to these sessions and therefore her testimony was biased and unfair.

**2. The court erred by accepting allegations, recommendations, and testimony from one side of the case without the consent or knowledge of the other.**

Ms. Brewer's testimony and recommendations were tainted as she had already spoken with Ms. Paul and heard about her recommendations and beliefs from Mr. Frombach. She may have not heard Ms. Paul's court testimony before making her recommendation, but she surely had contact and formed preconceived notions regarding Ms. Frombach.

As far as Ms. Brewer's finding regarding Ms. Frombach, the mother was arrested for domestic violence because she was defending herself as Mr. Frombach was backing her into a corner and threatening violence. Ms. Frombach discontinued her mediation as it was no longer needed as she was not being subjected to Mr. Frombach's daily mental and physical abuse.

Ms. Frombach replied no to the question regarding continued sessions for the children because the question asked was pointed to more sessions with Ms. Paul. She testified that continuing sessions with another counselor would be good.

**3. The court erred by ruling there was sufficient evidence the father was the primary care giver.**

Mr. Frombach may have stayed home and not worked but the record and testimony shows that he passed off the care giving duties to his mother and father-in-law. Ms. Frombach even had to make the children's dinner after working for 8 hours and get them ready for bed as Mr. Frombach was busy working on his motorcycles or music. He was a "stay at home dad" in name only not in action.

**4. The court erred in the Parenting Plan Final Order by giving the father sole discretion in educational, medical, and non-emergency health care decisions.**

As with any parent (including Mr. Frombach), Ms. Frombach has made mistakes and regrets some early decisions. These are things she has learned from and has grown as a parent through them.

Mr. Frombach intimating that she does not have the best interests of the children at heart because she wants to move them to Maple Valley is simply not true. She wants to move them to a city that has better schools, less crime, a sense of community, and most important: the children's two cousins. The bond that has developed between Ms. Frombach's children and their cousins is unmistakable. They live in the same neighborhood and spend so much time together playing and learning. The sense of camaraderie between the kids is compelling. Moving the children to Maple Valley would be the best thing for them in the long run and that is all Ms. Frombach wants is what's best for her girls.

Ms. Frombach agreed that the counseling could continue as the children had already been attending sessions. What she disagrees with is that the original sessions were done without her knowledge or consent and were lorded over by the father. Ms.

Paul had already formed her opinions about Ms. Frombach due to these sessions and therefore her testimony was biased and unfair.

## CONCLUSION

Mr. Frombach implies that the family home is more stable, cleaner, and calmer now that Ms. Frombach is no longer there. That is simply not true. He has his 23 year old girlfriend living at the family home. She is just old enough to be the kids' sister. This is the second "woman" that the kids did not know that has been invited into their family home by Mr. Frombach. Before the girlfriend, he had an aunt live with them whom the girls barely knew. Ms. Frombach may have not been in the home for two years but she has heard first hand about the living conditions.

It's curious that Mr. Frombach finds his own name a disparaging remark. It goes to show his own lack of awareness. Yes, the children are in the Gifted and Talented Program at their school and that is terrific. The city that Ms. Frombach lives in, has the 2<sup>nd</sup> ranked school district in the state (per School Digger – which is a respected and often used ranking site when comparing schools and districts within Washington). The district the children are in now is the 128<sup>th</sup> ranked out of 219. Also, the elementary school the children attend is ranked #640 out of 1,023 elementary schools while the school they would attend if they lived with Ms. Frombach is ranked

#91. The high schools rankings also show the discrepancy between the two districts. Tahoma H.S. is #20 out of 439 and Federal Way H.S. is #317. This clearly shows the children would receive a much better education in Maple Valley. The city of Maple Valley has also been on many top ten lists of great cities to raise children (Family Circle, U.S. News, NerdWallet to name a few). Federal Way is constantly on the list of cities with the most crime.

Again, we are not asking that the children not see their father and not spend equal time with him. We just ask for the children's sake that they reside with Ms.Frombach in a great city and share a 50/50 split with Mr. Frombach.

Respectfully submitted,

A handwritten signature in black ink that reads "Brittany L. Frombach". The signature is written in a cursive style with a large, circular initial "B".

Brittany L. Frombach  
25049 235<sup>th</sup> Ct SE  
Maple Valley, WA 98038  
Appellant