

FILED
SUPREME COURT
STATE OF WASHINGTON
7/8/2022 12:54 PM
BY ERIN L. LENNON
CLERK

No. 101000-1
SUPREME COURT
OF THE STATE OF WASHINGTON

In re the Marriage of:
CLAIRE REILLY-SHAPIRO,
Respondent,
v.
ANTHONY S. LOMBARDO,
Petitioner.

ANSWER TO PETITION FOR REVIEW

SMITH GOODFRIEND, P.S.

By: Valerie Villacin
WSBA No. 34515

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Seattle, WA 98109
(206) 624-0974

Attorneys for Respondent

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A. Introduction.

The Court of Appeals properly dismissed review of a parenting plan, entered more than 15 months ago, when petitioner repeatedly failed to comply with the Court's multiple orders requiring the report of proceedings be filed by a date certain. While petitioner blames the transcriptionist and her failure to timely prepare the report of proceedings, it is petitioner's own lack of diligence and willful violation of the Court's orders that caused the Court of Appeals to exercise its discretion to dismiss review.

The Court of Appeals' exercise of its discretionary authority to dismiss review for petitioner's failure to follow the Court's orders provides no basis for this Court's review. The Court of Appeals decision enforcing its own orders "to secure the fair and orderly review of a case" under RAP 7.3, and sanctioning a party under RAP 18.9 by dismissing an appeal, does not involve an "issue of substantial public interest," does not conflict with any appellate court

decisions, and does not raise a significant question of law under the constitution. RAP 13.4(b).

B. The Court of Appeals Decision.

Petitioner is seeking review of the Court of Appeals' decision denying his motion to modify the commissioner's ruling dismissing his appeal for his failure to timely file the report of proceedings. (App. 1-2) Prior to dismissal, the petitioner was granted multiple extensions, and was expressly warned on December 17, 2021 that if "the report of proceedings is not filed by December 30, 2021, this case will be dismissed without further notice of this Court." (App. 68)

Despite this warning, the report of proceedings was not filed on December 30, 2021, and the petitioner took no action in his appeal for more than five weeks, finally causing the commissioner to "consider this case abandoned" and dismissing his appeal. (App. 1) Even after the commissioner dismissed his appeal, petitioner took no

action until March 7, 2022, when he filed his motion to modify the commissioner's ruling, which the Court of Appeals properly denied. (App. 2)

C. Restatement of the Case.

The following procedural history shows the lack of diligence exercised by petitioner in his pursuit of review of the final parenting plan for the parties' young sons, and his failure to comply with the Court's orders that finally caused the Court of Appeal to dismiss his appeal:

On March 15, 2021, after a 7-day trial, the trial court entered a final parenting plan for the parties' young sons, then ages 2 and 3, providing petitioner with four out of fourteen overnights, after the trial court found that petitioner has a history of domestic violence and engaged in the abusive use of conflict. (App. 22-23, 25) Notwithstanding the petitioner's self-serving description of his parental role (Petition 4), the trial court found that during the marriage the respondent was the "primary

parent when she was not at work. Even when at work, she performed primary parent duties.” (App. 43) The trial court also rejected petitioner’s complaints about respondent’s parenting that petitioner repeats in this Court (Petition 4, 8), finding that “the father obsessively and unreasonabl[y] complained about the mother’s conduct as it related to COVID-19 precautions.” (App. 42) The trial court further found that “the mother exercises appropriate judgment with the children, whereas the father has not always exercised appropriate judgment.” (App. 43)

If petitioner wished to appeal the parenting plan, he was required to file his notice of appeal in the trial court by April 14, 2021. RAP 5.1(a); RAP 5.2(a). Petitioner did not file a notice of appeal in the trial court until June 2, 2021—49 days after it was required to be filed under RAP 5.2(a). (App. 3) Even though petitioner had been instructed by the Court of Appeals to file a motion for extension to file his untimely notice, petitioner waited 22 days before filing the

motion. Over respondent's objection, and due to the COVID-19 public health emergency, the Court of Appeals granted petitioner's motion to enlarge the time to file a notice of appeal on June 30, 2021. (App. 63)

On July 30, 2021, petitioner filed his statement of arrangements. Petitioner then filed an amended statement of arrangements on August 11, 2021. Based on the earlier filed statement, the report of proceedings had to be filed with the Court by September 28, 2021, pursuant to RAP 9.5(a). However, petitioner did not pay the transcriptionist until after September 8, 2021, even though the transcriptionist stated she would not start work until paid. (See Petition Appendix, September 8, 2021 email)

After the transcriptionist was paid, petitioner sought, and was granted multiple extensions to file the report of proceedings, on October 4, 2021 (App. 64); October 20, 2021 (App. 65); and November 3, 2021. (App. 66) The Court's ruling on November 3, 2021, required petitioner to

file the report of proceedings by November 12, 2021, stating that there will be “[n]o further extensions.” (App. 66) The report of proceedings was not filed by November 12, 2021, nor in its place did petitioner request an extension or provide any written reason for the report of proceedings not being filed when ordered.

When the report of proceedings was not filed on November 12, 2021, the Court issued a ruling on November 29, recognizing both petitioner and the transcriptionist’s obligation to comply with its orders, noting that “[n]either Appellant Anthony Lombardo nor Transcriptionist Julie Thompson has provided any explanation for the failure to comply with their previously requested extension of time.” (App. 67) The Court ruled that if “the report of proceedings or a proper motion for extension based on good cause is not filed by December 3, 2021, sanctions of \$250 may be imposed against Thompson and/or Lombardo.” (App. 67) The report of proceedings was not filed by December 3,

2021, nor did petitioner file a “proper motion for extension of time based on good cause,” as ordered.

On December 15, 2021, respondent filed a motion to dismiss the appeal for petitioner’s failure to timely prosecute his appeal. In response to this motion, petitioner requested his purported fourth and “final transcription extension request,” requesting until December 30, 2021 to file the report of proceedings.

On December 17, 2021, the Court again noted both petitioner and the transcriptionist’s obligation to comply with its orders, stating that “neither Lombardo nor Thomson identifies any good cause for their failure to at a minimum file a motion for extension by December 3, 2021.” (App. 68) The Court ruled that if “the report of proceedings is not filed by December 30, 2021, this case will be dismissed without further notice of this Court.” (App. 68)

Despite this warning, petitioner did not seek court intervention when the transcriptionist failed to file the report of proceedings by December 30, 2021. Five weeks passed before the Court, on February 7, 2022, finally dismissed the appeal, considering it “abandoned.” (App. 1) Even after the Commissioner dismissed his appeal on February 7, 2022—as petitioner was warned would happen—petitioner waited until March 7, 2022 to file a motion to modify. A panel of judges of the Court of Appeals denied petitioner’s motion on May 3, 2022. (App. 2) Thirty-five days later, petitioner filed his petition for review in this Court.

D. Argument Why Review Should Be Denied.

This Court should deny review of the Court of Appeals decision dismissing petitioner’s appeal. The Court’s decision enforcing its own orders “to secure the fair and orderly review of a case” under RAP 7.3, and sanctioning a party under RAP 18.9 by dismissing an

appeal, does not involve an “issue of substantial public interest,” and does not raise a significant question of law under the constitution. RAP 13.4(b). This Court should deny review.

1. The Court of Appeals properly exercised its discretion to dismiss the appeal as a sanction for petitioner’s disregard of its orders.

The Court of Appeals has inherent authority to manage their calendar and docket, including the power to dismiss a case as a sanction for violations of court rules, orders, and calendar settings. *See State v. Ralph Williams’ N. W. Chrysler Plymouth, Inc.*, 87 Wn.2d 298, 310, 553 P.2d 423 (1976) (“we note that an appellate court possesses the inherent power to dismiss an appeal when a party disobeys certain trial court order”).

In addition, appellate courts have express authority to dismiss an appeal for failure to comply with the court’s orders. RAP 7.3 authorizes appellate courts to make orders “to secure the fair and orderly review of a case,” including

conditioning “a party’s right to participate further in the review on compliance with terms of an order or ruling.” RAP 18.9(a); *see also* RCW 2.28.010 (“every court of justice has power . . . to provide for the orderly conduct of proceedings before it . . . to compel obedience to its judgments, decrees, orders and process”). If a party fails to comply with the court’s orders, RAP 18.9(b) grants the court authority to dismiss the appeal.

Whether to dismiss an appeal ordinarily “rests within the sound discretion of the court hearing the motion.” *State v. Ashbaugh*, 90 Wn.2d 432, 439, 583 P.2d 1206 (1978); *see also Apostolis v. City of Seattle*, 101 Wn. App. 300, 304, 3 P.3d 198 (2000) (“dismissing a case for noncompliance with court orders or rules is reviewed for abuse of discretion”). A reviewing court should be wary of “unwarranted interference” with the lower court’s functions in managing its own docket. *State ex rel. Frank v. Bunge*, 16 Wn.2d 358, 361, 133 P.2d 515 (1943).

Here, after granting multiple extensions of time for petitioner to file the report of proceedings, the Court of Appeals properly exercised its discretion to dismiss petitioner's appeal for failure to comply with its orders. RAP 18.9(b). Even though it is the transcriptionist who must ultimately complete transcription of the report of proceedings for it to be filed, petitioner maintained his own obligation to comply with its orders.

By simply ignoring court-ordered deadlines, allowing them to pass, and only taking action when forced to do so, petitioner willfully violated the Court's orders. See *Magana v. Hyundai Motor Am.*, 167 Wn.2d 570, 584, ¶ 25, 220 P.3d 191 (2009) ("A party's disregard of a court order without reasonable excuse or justification is deemed willful"). As the Court of Appeals recognized, the petitioner also violated its orders by failing to "at a minimum file a motion for extension" (App. 68) or "provide any written explanation for the delay" (App. 1) by the date the report of

proceedings was ordered to be filed. Petitioner's simple disregard of the Court's order by taking no action is itself a violation.

For instance, when the report of proceedings was not filed by October 22, 2021 (his second requested extension), petitioner did nothing, waiting 11 days before requesting his purported "final transcription deadline request." When the report of proceedings was not filed by November 12, 2021 (his third requested extension), petitioner again did nothing, waiting 34 days, until December 16, 2021, before requesting another purported "final transcription deadline request." Even then, petitioner only acted *after* the Court already found that he had failed to "provide[] any explanation for the failure to comply with their previously requested extension of time to November 12, 2021." (*See* App. 67)

When the report of proceedings was still not filed by December 30, 2021 (his fourth requested extension),

petitioner again did nothing during the five weeks between the date the report of proceedings was ordered to be filed and February 7, 2022, when the Court finally dismissed his appeal. As the Court stated, “[a]s of this ruling (February 7, 2022), neither the report of proceedings or any written explanation for the delay has been filed since the December 17 ruling.” (App. 1)

Because petitioner failed to comply with the Court’s orders, and made only the minimal effort to maintain his appeal, the Court of Appeals properly exercised its discretion under the express authority given it under RAP 18.9(b), and dismissed the appeal. The only issue of “substantial public interest” implicated by the Court’s decision is the one that recognizes that “extended litigation can be harmful to children,” and “the emotional and financial interests” affected by parenting decisions are “best served by finality.” *Parentage of Jannot*, 149 Wn.2d 123, 127, 65 P.3d 664 (2003). By dismissing the appeal

when it has unnecessarily been dragged out by petitioner's failure to comply with the Court's orders, the Court provided the parties' young sons the "finality" they deserve.

2. The Court of Appeals did not deprive the petitioner of access to the courts.

The Court of Appeals did not violate petitioner's constitutional rights by dismissing his appeal. While a *criminal* defendant has a constitutional right to appeal, requiring "any waiver of that right via the alleged abandonment of an appeal . . . be knowing, intelligent, and voluntarily," *Ashbaugh*, 90 Wn.2d at 438-39 (Petition 10), this is a *civil* case. No comparable constitutional right to appeal in civil cases exists. *City of Bremerton v. Spears*, 134 Wn.2d 141, 148, 949 P.2d 347 (1998).

Due process requires notice, a reasonable right of access to the courts, or a meaningful opportunity to be heard. *Bryant v. Joseph Tree, Inc.*, 119 Wn.2d 210, 224, 829 P.2d 1099 (1992); *Yurtis v. Phipps*, 143 Wn. App. 680, 694, ¶ 34, 181 P.3d 849, *rev. denied*, 164 Wn.2d 1037

(2008). However, “an implicit requirement of access to the court system is that the litigation must proceed in good faith and comply with the court rules.” *Yurtis*, 143 Wn. App. at 694, ¶ 35. Therefore, even if petitioner had a constitutional right to appeal, the Court of Appeals did not abridge that right when it provided petition with notice in its December 17, 2021 ruling that his appeal would be dismissed if the report of proceeding was not filed by December 30, 2021. Further, petitioner has exercised his right of access to the courts and his opportunity to be heard on multiple occasions.

Just as a pro se litigant cannot “excuse his non-compliance of the rules by claiming ignorance of them” *State v. Sullivan*, 143 Wn.2d 162, 187, 19 P.3d 1012 (2001), petitioner here cannot excuse his non-compliance with the Court’s orders by claiming ignorance when specifically warned of the repercussions for such non-compliance. By failing to comply with the Court’s orders, petitioner did not

act in good faith, and the Court of Appeals properly dismissed his appeal.

E. Conclusion.

This Court should deny review.

I certify that this brief is in 14-point Georgia font and contains 2,402 words, in compliance with the Rules of Appellate Procedure. RAP 18.17(b).

Dated this 8th day of July, 2022.

SMITH GOODFRIEND, P.S.

By: /s/ Valerie A. Villacin
Valerie A. Villacin
WSBA No. 34515

Attorneys for Respondent

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 July 8, 2022, I arranged for service of the foregoing Answer to Petition for Review, to the Court and to the parties to this action as follows:

Office of Clerk Washington Supreme Court Temple of Justice P.O. Box 40929 Olympia, WA 98504-0929	<input type="checkbox"/> Facsimile <input type="checkbox"/> Messenger <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-File
Lucia R. Levias DuBois Cary Law Group PLLC 927 N Northlake Way, Suite 210 Seattle WA 98103 8871 Lucia@duboislaw.net	<input type="checkbox"/> Facsimile <input type="checkbox"/> Messenger <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-Mail
Anthony S. Lombardo 420 25th Avenue E Seattle WA 98112 alombardo4640@gmail.com	<input type="checkbox"/> Facsimile <input type="checkbox"/> Messenger <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-Mail

DATED at Seattle, Washington this 8th day of July,
2022.

/s/ Andrienne E. Pilapil
Andrienne E. Pilapil

No. 101000-1
SUPREME COURT
OF THE STATE OF WASHINGTON

In re the Marriage of:
CLAIRE REILLY-SHAPIRO,
Respondent,
v.
ANTHONY S. LOMBARDO,
Petitioner.

APPENDIX TO ANSWER TO PETITION FOR REVIEW

SMITH GOODFRIEND, P.S.

By: Valerie Villacin
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Attorneys for Respondent

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*The Court of Appeals
of the
State of Washington*

LEA ENNIS
Court Administrator/Clerk

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

February 7, 2022

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Case #: 827227

Claire Reilly-Shapiro, Respondent v. Anthony Lombardo, Appellant
King County Superior Court No. 19-3-09930-9

Counsel:

The following notation ruling by Commissioner Masako Kanazawa of the Court was entered on February 7, 2022, regarding failure to file Report of Proceedings:

The report of proceedings has been overdue since September 2021 despite multiple extensions. By ruling of November 24, 2021, Commissioner Jennifer Koh noted that neither appellant Anthony Lombardo nor Transcriptionist Julie Thompson had provided any explanation for the failure to comply with their previously requested extension of time to November 12, 2021. The November 24 ruling stated that if the report of proceedings or a proper motion for extension based on good cause is not filed by December 3, 2021, sanctions of \$250 might be imposed against Thompson or Lombardo or both. But neither the report of proceedings nor a motion for extension was filed by December 3, 2021. By ruling of December 17, 2021, I addressed respondent Claire Reilly-Shapiro's motion to dismiss as sanctions for Lombardo's failure to comply with this Court's ruling and his prior delays in pursuing this appeal affecting the parties' young children. Lombardo filed a response to the motion to dismiss with Thompson's motion for a further extension until December 30, 2021. I granted the request but warned Lombardo: "If the report of proceedings is not filed by December 30, 2021, this case will be dismissed without further notice of this Court."

As of this ruling (February 7, 2022), neither the report of proceedings or any written explanation for the delay has been filed since the December 17 ruling. I consider this case abandoned. Pursuant to the December 17, 2021 ruling, this case is dismissed.

Sincerely,



Lea Ennis
Court Administrator/Clerk

THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

In the Matter of the Marriage of
CLAIRE REILLY-SHAPIRO,

Respondent,

and
ANTHONY S. LOMBARDO,

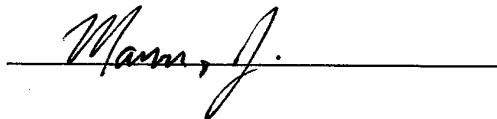
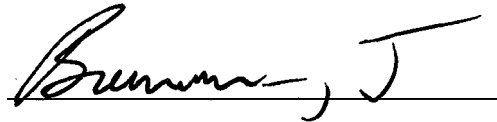
Appellant.

No. 82722-7-I

ORDER DENYING MOTION
TO MODIFY

Appellant, Anthony Lombardo, moves to modify the commissioner's February 7, 2022 ruling dismissing his appeal for failure to timely perfect the record. We have considered the motion, Respondent Claire Reilly-Shapiro's response, and Lombardo's reply under RAP 17.7 and have determined that the motion should be denied.¹ Now, therefore, it is

ORDERED that the motion to modify is denied.



¹ Because the Rules of Appellate Procedure do not authorize any filing in support of a motion to modify beyond a reply, see RAP 17.4(e), Lombardo's April 7, 2022 supplement to his reply has been placed in the file without action.

Form 1. Notice of Appeal
Family Law Final Orders,
GEG FAWP AEGVHGHUT
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SUPERIOR COURT OF WASHINGTON FOR [King] COUNTY

Claire Reilly Shapiro,)	
Petitioner,)	Case No. 19-3-09930-9 SEA
)	Notice of Appeal to
v.)	Court of Appeals
)	
Anthony Lombardo,)	
Respondent.)	

Anthony Lombardo Respondent, seeks review by the designated appellate court of final order, Section 14 and 20 of the Findings & Conclusions of Marriage entered 3/15/21, and all subsequent orders that are affected, ie, parenting plan, child support.

A copy of the decision is attached to this notice.
3/15/21

Signature

Anthony Lombardo
Respondent Pro Se

Lucia Levias, WSBA #39324:
Counsel for Petitioner

Superior Court of Washington, County of King

In re the Marriage of:

Petitioner:

CLAIRE REILLY-SHAPIRO

And Respondent:

ANTHONY STEPHEN LOMBARDO

No. 19-3-09930-9 SEA

Child Support Order

Final (ORS)

Clerk's action required: WSSR, 1

Child Support Order

1. Money Judgment Summary

No money judgment is ordered.

➤ ***Findings and Orders***

2. The court orders child support as part of this family law case.

This is a final order.

3. The *Child Support Schedule Worksheets* attached or filed separately are approved by the court and made part of this Order.

4. Parents' contact and employment information

Each parent must fill out and file with the court a *Confidential Information* form (FL All Family 001) including personal identifying information, mailing address, home address, and employer contact information.

Important! If you move or get a new job any time while support is still owed, you must:

- Notify the Support Registry, and
- Fill out and file an updated *Confidential Information* form with the court.

Warning! Any notice of a child support action delivered to the last address you provided on the *Confidential Information* form will be considered adequate notice, if the party trying to serve you has shown diligent efforts to locate you.

5. Parents' Income

Parent: Claire Reilly-Shapiro	Parent: Anthony Lombardo
Net monthly income: \$ <i>(line 3 of the Worksheets)</i>	Net monthly income: \$ 8,029.87 <i>(line 3 of the Worksheets)</i>
<input checked="" type="checkbox"/> This income is this parent's actual income <i>(after any exclusions approved below)</i> .	This income is imputed to this parent. <i>(Skip to 6.)</i>
Does this parent have income from overtime or a second job? <input checked="" type="checkbox"/> No.	Does this parent have income from overtime or a second job? <input checked="" type="checkbox"/> No.

6. Imputed Income

To calculate child support, the court may **impute** income to a parent:

- whose income is unknown, or
- who the court finds is unemployed or under-employed by choice.

Imputed income is not actual income. It is an assigned amount the court finds a parent could or should be earning. (RCW 26.19.071(6))

Parent: Claire Reilly-Shapiro	Parent: Anthony Lombardo
<input checked="" type="checkbox"/> Does not apply. This parent's actual income is used.	<input type="checkbox"/> Does not apply. This parent's actual income is used.
	<input checked="" type="checkbox"/> This parent's monthly net income is imputed because <i>(check one)</i> : <input checked="" type="checkbox"/> this parent is voluntarily under-employed. Other <i>(specify)</i> : <u>The parties income includes spousal maintenance through August 2021</u> The imputed amount is based on the information below: <input checked="" type="checkbox"/> Full-time pay based on incomplete or irregular information about past earnings, and rental income in the amount of \$2,500/mo. <input checked="" type="checkbox"/> Other <i>(specify)</i> : The father did not provide a justification for the cost of goods sold as a business deduction pursuant to RCW 26.09.171(5)(h).

7. Limits affecting the monthly child support amount

Combined Monthly Net Income over \$12,000. Together the parents earn more than \$12,000 per month (*Worksheets* line 4). The child support amount:

is the presumptive amount from the economic table.

8. Standard Calculation

Worksheet A: March 1, 2021 through August 31, 2021.

<i>Parent Name</i>	<i>Standard calculation worksheets Line 17</i>
Claire Reilly-Shapiro	\$ 1024.82
Anthony Lombardo	\$ 1,355.18

Worksheet B: Beginning September 1, 2021.

<i>Parent Name</i>	<i>Standard calculation worksheets Line 17</i>
Claire Reilly-Shapiro	\$ 1,243.79
Anthony Lombardo	\$ 1,136.21

Other calculation (*specify method and attach Worksheet/s*): There are two child support worksheets that reflect standard support. One includes spousal maintenance through August 2021 and one without spousal maintenance beginning on September 2021. These are referenced as Worksheet A and Worksheet B signed and filed separately.

9. Deviation from standard calculation

Should the monthly child support amount be different from the standard calculation?

No – The monthly child support amount ordered in section 10 is the **same** as the standard calculation listed in section 8 because:

Neither parent asked for a deviation from the standard calculation.

10. Monthly child support amount (transfer payment)

After considering the standard calculation in section 8, and whether or not to apply a deviation in section 9, the court orders the following monthly child support amount (transfer payment).

Anthony Lombardo must pay child support to Claire Reilly-Shapiro each month as follows for the children listed below (*add lines for additional children if needed*):

Worksheet A: March 1, 2021 through August 31, 2021.

	Child's Name	Age	Amount
1.	Anthony Ben Lombardo	3y	\$ 677.59
2.	Nicholas Lombardo	2y	\$ 677.59
Total monthly child support amount:			\$ 1,355.18

Worksheet B: Begins September 1, 2021.

	Child's Name	Age	Amount
3.	Anthony Ben Lombardo	3y	\$ 568.11
4.	Nicholas Lombardo	2y	\$ 568.10
Total monthly child support amount:			\$ 1,136.21

Other: The parent ordered to pay child support may not withhold any portion of the monthly child support amount (transfer payment) for any reason.

11. Starting date and payment schedule

The monthly child support amount must be paid starting (*month, year*): March 1, 2021 on the following payment schedule:

in one payment each month by the 1st day of the month.

12. Step Increase (for modifications or adjustments only)

Does not apply.

13. Periodic Adjustment

Child support may be changed according to state law.

The parties shall exchange tax returns each year at the time of filing.

14. Payment Method (*check either Registry of Direct Pay*)

Registry. Send payment to the Washington State Support Registry. The Division of Child Support (DCS) will forward payments to the person owed support and keep records of all payments.

Address for payment: Washington State Support Registry
PO Box 45868, Olympia, WA 98504

Phone number/s: 1 (800) 922-4306 or 1 (800) 442-5437

Important! If you are ordered to send your support payments to the Washington State Support Registry, and you pay some other person or organization, you will not get credit for your payment.

DCS Enforcement (*if Registry is checked above*):

DCS will **enforce** this order because (*check all that apply*):

one of the parties has already asked DCS for services.

one of the parties has asked for DCS services by signing the application statement at the end of this order (above the *Warnings*).

15. Enforcement through income withholding (garnishment)

DCS or the person owed support can collect the support owed from the wages, earnings, assets, or benefits of the parent who owes support, and can enforce liens against real or personal property as allowed by any state's child support laws without notice to the parent who owes the support.

*If this order is **not** being enforced by DCS and the person owed support wants to have support paid directly from the employer, the person owed support must ask the court to sign a separate wage assignment order requiring the employer to withhold wages and make payments. (Chapter 26.18 RCW.)*

Income withholding may be delayed until a payment becomes past due if the court finds good reason to delay.

The court finds good reason to delay income withholding at this time because there is no history of late payments.

16. Temporary reduction if incarcerated (abatement)

Does not apply.

17. End date for support

Support must be paid for each child until:

The child turns 18 or is no longer enrolled in high school, whichever happens last, unless the court makes a different order in section 18.

Other (*specify*): In the event of the death of the parent ordered to pay child support, any outstanding child support obligation at the time of the parent's death shall be secured by a lien against the parent's estate.

18. Post-secondary educational support (for college or vocational school)

Reserved – A parent or non-parent custodian may ask the court for post-secondary educational support at a later date without showing a substantial change of circumstances by filing a *Petition to Modify Child Support Order* (form FL Modify 501). The *Petition* must be filed *before* child support ends as listed in section 16.

19. Tax issues

Important! Although personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.

The parties have the right to claim the children as their dependents for purposes of personal tax exemptions and associated tax credits on their tax forms as follows (*check one*):

[X] Alternating – Petitioner/Mother has the right to claim the children for (*check one*):
 even odd years. The other parent has the right to claim the children for the opposite years.

Other: The parent ordered to pay child support must be current on his/her child support obligation in order to claim a child as a dependent in any tax year.

20. Medical Support

Important! Read the Medical Support Warnings at the end of this order. Medical Support includes health insurance (both public and private) and cash payments towards premiums and uninsured medical expenses.

Private health insurance ordered. (Name): Claire Reilly-Shapiro must pay the premium to provide health insurance coverage for the children. The court has considered the needs of the children, the cost and extent of coverage, and the accessibility of coverage.

[X] The other parent must pay his/her proportional share* of the premium paid. Health insurance premiums (*check one*):

[X] are included on the *Worksheets* (line 14). No separate payment is needed.

* *Proportional share is each parent's percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.*

21. Health insurance if circumstances change or court has not ordered

If the parties' circumstances change, or if the court is not ordering how health care coverage must be provided for the children in section 20:

- A parent, non-parent custodian, or DCS can enforce the medical support requirement.
- If a parent does not provide proof of accessible health care coverage (coverage that can be used for the children's primary care), that parent must:
 - Get (or keep) insurance through his/her work or union, unless the insurance costs more than 25% of his/her basic support obligation (line 19 of the *Worksheets*),
 - Pay his/her share of the other parent's monthly premium up to 25% of his/her basic support obligation (line 19 of the *Worksheets*), or
 - Pay his/her share of the monthly cost of any public health care coverage, such as Apple Health or Medicaid, which is assigned to the state.

22. Children's expenses not included in the monthly child support amount

Uninsured medical expenses – Each parent is responsible for a share of uninsured medical expenses as ordered below. Uninsured medical expenses include premiums, co-pays, deductibles, and other health care costs not covered by health care coverage.

Children's Expenses for:	Parent	Parent:	Make payments to:	
	Claire Reilly-Shapiro pays monthly:	Anthony Lombardo pays monthly:	Person who pays the expense	Service Provider
Uninsured medical expenses	<input checked="" type="checkbox"/> Proportional Share*	<input checked="" type="checkbox"/> Proportional Share*	[]	<input checked="" type="checkbox"/>

* *Proportional Share is each parent's percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.*

** *If the percentages ordered are different from the Proportional Share, explain why:*

Other: **Proportional share will change based on referenced worksheets. There are two child support worksheets that reflect standard support. One with spousal maintenance through August 2021 and one without spousal maintenance beginning on September 2021. These are referenced as Worksheet A and Worksheet B signed and filed separately.**

Other shared expenses:

The parents will share the cost of the expenses listed below (*check all that apply*):

Children's Expenses for:	Parent	Parent:	Make payments to:	
	Claire Reilly-Shapiro pays monthly:	Anthony Lombardo pays monthly:	Person who pays the expense	Service Provider
Work-related child care:	<input checked="" type="checkbox"/> Proportional Share*	<input checked="" type="checkbox"/> Proportional Share*	[]	<input checked="" type="checkbox"/>
Education:	<input checked="" type="checkbox"/> Proportional Share*	<input checked="" type="checkbox"/> Proportional Share*	[]	<input checked="" type="checkbox"/>
Agreed extracurricular and other organized activities	<input checked="" type="checkbox"/> Proportional Share*	<input checked="" type="checkbox"/> Proportional Share*	[]	<input checked="" type="checkbox"/>

* *Proportional Share is each parent's percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.*

** *If any percentages ordered are different from the Proportional Share, explain why:*

Other: Proportional share will change based on referenced worksheets. There are two child support worksheets that reflect standard support. One with spousal maintenance through August 2021 and one without spousal maintenance beginning on September 2021. These are referenced as Worksheet A and Worksheet B signed and filed separately.

If one parent advances the payment of a child's expense, then the other party shall reimburse that parent within 15 days of request for reimbursement.

A person receiving support can ask DCS to collect:

- expenses owed directly to them.
- reimbursement for expenses the person providing support was ordered to pay.
- an order for a money judgment from the court.

23. Past due child support, medical support and other expenses

This order does not address any past due amounts or interest owed.

23. Overpayment caused by change

Does not apply.

24. Other Orders

All the *Warnings* below are required by law and are incorporated and made part of this order.

Ordered.

	▶	
<i>Date</i>		<i>Judge or Commissioner</i>

Petitioner and Respondent or their lawyers fill out below:

This order is presented by me.
 This order may be signed by the court without notice to me.

This order is presented by me.
 This order may be signed by the court without notice to me.

 Lucia Levias, WSBA # 39324
 Attorney for Petitioner

 Anthony Lombardo
 Respondent

This order may be signed by the court without notice to me.

 Claire Reilly-Shapiro
 Petitioner

Parent or Non-Parent Custodian applies for DCS enforcement services:

I ask the Division of Child Support (DCS) to enforce this order. I understand that DCS will keep \$35 each year as a fee if DCS collects more than \$550, unless I ask to be excused from paying this fee in advance. *(You may call DCS at 1-800-442-5437. DCS will not charge a fee if you have ever received TANF, tribal TANF, or AFDC.)*

▶ _____

Parent or Non-Parent Custodian signs
here (lawyer cannot sign for party)

Print name

Date

All the warnings below are required by law and are part of the order. Do not remove.

Warnings!

If you don't follow this child support order...

- DOL or other licensing agencies may deny, suspend, or refuse to renew your licenses, including your **driver's license and business or professional licenses**, and
- Dept. of Fish and Wildlife may suspend or refuse to issue your fishing and hunting licenses and you may not be able to get permits. (RCW 74.20A.320)

If you receive child support...

You may have to:

- Document how that support and any cash received **for the children's health care was spent**
- Repay the other parent for any day care of special **expenses included in the support if you didn't** actually have those expenses. (RCW 26.19.080)

Support Abatement Warnings!

The Division of Child Support (DCS), the person required to pay support, the payee under this order, or the person entitled to receive support may ask the court or DCS to temporarily reduce child support to \$10 per month when the person required to pay support is in jail, prison, or a correctional facility for at least six months, or serving a sentence of more than six months.

There is a rebuttable presumption that an incarcerated person cannot pay child support. DCS, the payee under this order, or the person receiving the support may overcome the presumption by showing that the person required to pay support has income or other assets available to pay support.

When a request for abatement is made, DCS will review its records and other available information, and decide if abatement is appropriate. DCS will send notice of the decision to the person required to pay support, and to the payee **under this order or the person entitled to receive support. Any of those persons may object to DCS's decision.**

If at any point during the period of incarceration, a person or DCS later learns of income or other assets available to pay support, a request to terminate or reverse the abatement may be made through DCS or the Office of Administrative Hearings.

Medical Support Warnings!

The parents must keep the Support Registry informed whether they have access to health care coverage for the children at a reasonable cost and to provide the policy information for any such coverage.

If you are ordered to provide **children's health care coverage...**

You have 20 days from the date of this order to send:

- proof that the children are covered, or
- proof that health care coverage is not available as ordered.

Send your proof to the other parent or to the Support Registry (if your payments go there).

If you do not provide proof of health care coverage:

- The other parent or the support agency may contact your employer or union, without notifying you, to ask for direct enforcement of this order (*RCW 26.18.170*), and
- The other parent may:
 - Ask the Division of Child Support (DCS) for help,
 - Ask the court for a contempt order, or
 - File a Petition in court.

Don't cancel your employer or union health insurance for your children unless the court approves or your job ends, and you no longer qualify for insurance as ordered in section 20.

If an insurer sends you payment for a medical provider's service:

- you must send it to the medical provider if the provider has not been paid; or
- you must send the payment to whoever paid the provider if someone else paid the provider; or
- you may keep the payment if you paid the provider.

If the children have public health care coverage, the state can make you pay for the cost of the monthly premium.

Always inform the Support Registry and any parent if your access to health care coverage changes or ends.

King County Superior Court
Judicial Electronic Signature Page

Case Number: 19-3-09930-9
Case Title: REILLY-SHAPIRO VS LOMBARDO
Document Title: ORDER FOR SUPPORT

Signed By: Steve Rosen
Date: March 15, 2021



Judge: Steve Rosen

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 3A5A378CBB717D2B5AF48ED9AB7F4ED8BDFB8C30
Certificate effective date: 1/3/2017 2:40:51 PM
Certificate expiry date: 1/3/2022 2:40:51 PM
Certificate Issued by: C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,
O=KCDJA, CN="Steve Rosen:
SggbXanx4xGO/SMAH11GsA=="

Superior Court of Washington, County of King

In re the marriage of:

Petitioner:
CLAIRE REILLY-SHAPIO

And Respondent:
ANTHONY LOMBARDO

No. 19-3-09930-9 SEA
Final Divorce Order (Dissolution Decree)
(DCD)

Clerk's action required: **1, 2, 6, 13, 14, 16**

Final Divorce Order

1. Money Judgment Summary

Summarize any money judgments from sections 6 or 14 in the table below.

Judgment for	Debtor's name <i>Anthony Lombardo</i>	Creditor's name <i>Claire Reilly-Shapiro</i>	Amount	Interest
Money Judgment (section 6)				
Attorney Fees (section 14)	Anthony Lombardo	Claire Reilly-Shapiro	\$35,000	\$
Other: GAL Costs – reimbursement to Petitioner (section 14)	Anthony Lombardo	Claire Reilly-Shapiro	\$8,300*	\$
Yearly Interest Rate: ___% (12% unless otherwise listed)				
Lawyer (name):	Lucia Levias	represents (name):	Claire Reilly-Shapiro	
Lawyer (name):		represents (name):		
*Per the findings entered on today's date, the mother is ordered to pay only \$10,000 of the \$35,100 total GAL fees. The mother already paid \$18,300 towards the GAL fees and therefore is owed a reimbursement from Anthony Lombardo in the amount of \$8,300.				

2. Summary of Real Property Judgment (land or home)

Summarize any real property judgment from section 7 in the table below.

Grantor's name <i>(person giving property)</i>	Grantee's name <i>(person getting property)</i>	Real Property <i>(fill in at least one)</i>	
		Assessor's property tax parcel or account number:	Legal description of property awarded <i>(lot/block/plat/section, township, range, county, state)</i>
Claire Reilly-Shapiro	Anthony Lombardo	501600217506	LOT 14, BLOCK 23, MADISON STREET ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGE 85, RECORDS OF KING COUNTY, WASHINGTON
Lawyer <i>(name)</i> :	Lucia Levias	represents <i>(name)</i> :	Claire Reilly-Shapiro
Lawyer <i>(name)</i> :		represents <i>(name)</i> :	



➤ **The court has made Findings and Conclusions in this case and now Orders:**

3. Marriage

This marriage and any domestic partnerships or civil unions are dissolved. The Petitioner and Respondent are divorced.

4. Name Changes

Neither spouse asked to change his/her name.

5. Separation Contract

The spouses must comply with the terms of CR2A signed on December 29, 2020 regarding Assets/Debt and Spousal Maintenance.

This contract is:

filed with the court under seal as a separate document and is incorporated by reference.

6. Money Judgment (summarized in section 1 above)

Does not apply. See Section 14 below.

7. Real Property (land or home) (summarized in section 2 above)

The real property is divided according to the separation contract described in 5 above.

The real property is divided as explained below:

Real Property Address	Tax Parcel Number	Given to which spouse as his/her separate property?
420 25 th Avenue East, Seattle, WA 98112	501600217506	<input checked="" type="checkbox"/> Respondent

The spouse giving up ownership must sign a Quit Claim Deed and Real Estate Excise Tax Affidavit to transfer the real property to the other spouse per the parties' CR2A.

8. Petitioner's Personal Property (possessions, assets or business interests of any kind)

The personal property that Petitioner now has or controls is given to Petitioner as his/her separate property. No transfer of property between Petitioner and Respondent is required.

The personal property listed as Petitioner's in the CR2A described in 5 above is given to Petitioner as his/her separate property.

9. Respondent's Personal Property (possessions, assets or business interests of any kind)

The personal property that Respondent now has or controls is given to Respondent as his/her separate property. No transfer of property between Petitioner and Respondent is required.

The personal property listed as Respondent's in the CR2A described in 5 above is given to Respondent as his/her separate property.

10. Petitioner's Debt

The Petitioner must pay debts as required by the CR2A described in 5 above.

11. Respondent's Debt

The Respondent must pay debts as required by the CR2A described in 5 above.

12. Debt Collection (hold harmless)

If one spouse fails to pay a debt as ordered above and the creditor tries to collect the debt from the other spouse, the spouse who was ordered to pay the debt must hold the other spouse harmless from any collection action about the debt. This includes reimbursing the other spouse for any of the debt he/she paid and for attorney fees or costs related to defending against the collection action.

13. Spousal Support (maintenance/alimony)

The (*check one*): Petitioner Respondent must pay spousal support as follows:

Amount: \$1,300 each month	Start date: <i>December 1, 2020</i> <i>Date 1st payment is due</i>	End date: August 1, 2021 (Last Payment) (if any)	Payment schedule: 1 st of the month
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Whether or not there is an end date, as a matter of law, spousal support will end when either spouse dies, or the spouse receiving support gets married or registers a new domestic partnership, unless expressly stated below. (RCW 26.09.170(2).)

Other (specify): _____

Make all payments to (check one):

the other spouse directly by (check one):

direct deposit/transfer to a bank account identified by the receiving party.

The receiving party must notify the paying party of any address or account change.

14. Fees and Costs (Summarize any money judgment in section 1 above.)

The court orders a money judgment for fees and costs as follows:

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
<input checked="" type="checkbox"/> lawyer fees	Anthony Lombardo	Claire Reilly-Shapiro	\$35,000	\$
<input checked="" type="checkbox"/> guardian ad litem (GAL) fees to be reimbursed to Petitioner	Anthony Lombardo	Claire Reilly-Shapiro	\$8,300	\$
<input type="checkbox"/> court costs			\$	\$
<input type="checkbox"/> other fees and expenses (specify):			\$	\$

The **interest rate** is 12% unless another amount is listed below.

15. Protection Order

No one requested an *Order for Protection*.

16. Restraining Order

Approved – The request for a *Restraining Order* is approved. The *Restraining Order* is filed separately.

Check this box if the court previously signed a *temporary Restraining Order* and is signing a *final Restraining Order* in this case. Also check the “Clerk’s action required” box in the caption on page 1.

Name of law enforcement agency where the Protected Person lived when the *Restraining Order* was issued: Seattle Police Department

17. Children

This court has jurisdiction over the children as explained in the *Findings and Conclusions* for this case.

18. Parenting Plan

The court signed the final *Parenting Plan* filed separately today or on (date): _____.

The guardian ad litem (GAL) is discharged.

19. Child Support

Court Order – The court signed the final *Child Support Order* and *Worksheets* filed separately today or on (date): _____.

Tax issues and post-secondary (college or vocational school) support are covered in the Child Support Order.

20. Other Orders (if any):

The Petitioner and Respondent shall promptly execute any instrument required to effectuate the award of personal property set forth in this order (for example, the transfer of vehicle titles).

The *Automatic Temporary Order Setting Financial Restraints* entered by the Court on November 6, 2019 is hereby terminated effective immediately and shall no longer remain in effect.

Ordered.

Date

▶ _____
Judge Steven Rosen

This order is presented by me.
 This order may be signed by the court without notice to me.

This order may be signed by the court without notice to me.

Lucia Levias, WSBA # 39324
Attorney for Petitioner

Anthony Lombardo
Respondent

This order may be signed by the court without notice to me.

Claire Reilly-Shapiro
Petitioner

King County Superior Court
Judicial Electronic Signature Page

Case Number: 19-3-09930-9
Case Title: REILLY-SHAPIRO VS LOMBARDO
Document Title: DECREE OF DISSOLUTION

Signed By: Steve Rosen
Date: March 15, 2021



Judge: Steve Rosen

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 3A5A378CBB717D2B5AF48ED9AB7F4ED8BDFB8C30
Certificate effective date: 1/3/2017 2:40:51 PM
Certificate expiry date: 1/3/2022 2:40:51 PM
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O=KCDJA, CN="Steve Rosen:
SggbXanx4xGO/SMAH11GsA=="

Superior Court of Washington, County of King

In re the Marriage of:

Petitioner:

CLAIRE REILLY-SHAPIO

And Respondent:

ANTHONY LOMBARDO

No. 19-3-09930-9 SEA

Final Parenting Plan
(PPP / PPT / PP)

Clerk's action required: **1.**

Parenting Plan

1. This parenting plan is a *(check one)*:

- Court order** signed by a judge after a trial. This is a *(check one)*:
- Final order. (PP)

2. **Children** – This parenting plan is for the following children:

Child's name	Age
1. Anthony Benjamin Lombardo	3y
2. Nicholas Alexander Lombardo	2y

3. **Reasons for putting limitations on a parent** (under RCW 26.09.191)

- a. Abandonment, neglect, child abuse, domestic violence, assault, or sex offense.**
(If a parent has any of these problems, the court must limit that parent's contact with the children, the right to make decisions for the children, and may not require dispute resolution other than court.)

A parent has one or more of these problems as follows *(check all that apply)*:

Domestic Violence – (Parent’s name): Anthony Lombardo (or someone living in that parent’s home) has a history of domestic violence as defined in RCW 26.50.010.

b. Other problems that may harm the children’s best interests. (If a parent has any of these problems, the court may limit that parent’s contact with the children and right to make decisions for the children.)

Abusive use of conflict – (Parent’s name): Anthony Lombardo uses conflict in a way that endangers or damages the psychological development of a child listed in 2.

4. Limitations on a parent

- Limited contact as shown in the Parenting Time Schedule (sections 8 – 11) below.
- Other limitations or conditions during parenting time (specify): See Section 14.

5. Decision-making

When the children are with you, you are responsible for them. You can make day-to-day decisions for the children when they are with you, including decisions about safety and emergency health care. Major decisions must be made as follows

a. Who can make major decisions about the children?

Type of Major Decision	Joint <i>(parents make these decisions together)</i>	Limited <i>(only the parent named below has authority to make these decisions)</i>
School/ Educational	[]	<input checked="" type="checkbox"/> (Name): <u>Claire Reilly-Shapiro</u>
Health care (not emergency)	[]	<input checked="" type="checkbox"/> (Name): <u>Claire Reilly-Shapiro</u>
Other: Activities	[]	<input checked="" type="checkbox"/> (Name): <u>Claire Reilly-Shapiro</u>
Other: Child-care	[]	<input checked="" type="checkbox"/> (Name): <u>Claire Reilly-Shapiro</u>
Other:	[]	[] (Name):

b. Reasons for limits on major decision-making, if any:

- Major decision-making **must** be limited because one of the parents has problems as described in 3. a. above.
- Major decision-making **should** be limited because (check all that apply):
 - One of the parents does not want to share decision-making and this is reasonable because of:
 - problems as described in 3. b. above.

6. Dispute Resolution – If you and the other parent disagree:

From time to time, the parents may have disagreements about shared decisions or about what parts of this parenting plan mean. To solve disagreements about this parenting plan, the parents will go to a dispute resolution provider or court. The court may only require a dispute resolution provider if there are no limitations in 3a.

a. The parents will go to (*check one*):

Court.

Mediation Option. The parties may propose mediation, but the mother is not required to agree to mediation before going to court. If the father proposes mediation, the mother has 96 hours (4 days) to respond to the proposal. If the parties agree to mediation, then the parties shall mediate with Dan Williams or Judge William Downing (Ret.).

If a dispute resolution provider is not named above, or if the named provider is no longer available, the parents may agree on a provider or ask the court to name one.

Important! Unless there is an emergency, the parents must participate in the dispute resolution process listed above in good faith, before going to court. This section does **not** apply to disagreements about money or support.

b. If mediation, arbitration, or counseling is required, one parent must notify the other parent by (*check one*): other (*specify*): In writing via Our Family Wizard

The parents will pay for the mediation, arbitration, or counseling services as follows (*check one*):

: 50/50

What to expect in the dispute resolution process:

- Preference shall be given to carrying out the parenting plan.
- If you reach an agreement, it must be put into writing, signed, and both parents must get a copy.
- If the court finds that you have used or frustrated the dispute resolution process without a good reason, the court can order you to pay financial sanctions (penalties) including the other parent's legal fees.
- You may go back to court if the dispute resolution process doesn't solve the disagreement or if you disagree with the arbitrator's decision.

7. **Custodian**

The custodian is (*name*): Claire Reilly-Shapiro solely for the purpose of all state and federal statutes which require a designation or determination of custody. Even though one parent is called the custodian, this does not change the parenting rights and responsibilities described in this plan.

(Washington law generally refers to parenting time and decision-making, rather than custody. However, some state and federal laws require that one person be named the custodian. The custodian is the person with whom the children are scheduled to reside a majority of their time.)

➤ **Parenting Time Schedule (Residential Provisions)**

Check one:

Complete the parenting time schedule in sections 8 - 11.

8. **School Schedule**

a. **Children under School-Age**

The schedule for children under school-age is the same as for school-age children except for the vacation schedule as follows:

Each party may opt to take vacation with the children quarterly. Each party can take up to 7 consecutive overnights for vacation.

The parents should give notification of vacation time thirty (30) days' advance notice of vacation time. In the event of conflict in proposed days, the Mother's selection of days has precedence in EVEN years and the Father's selection of days has precedence in ODD years.

Once Anthony Benjamin enters Kindergarten, vacations should coincide with the school holiday and summer schedule.

b. **School-Age Children**

This schedule will apply (*check one*): *Immediately.*

The children are scheduled to live with (*name*): Claire Reilly-Shapiro, except when they are scheduled to live with (*name*): Anthony Lombardo on :

Every other weekend from Friday from release from daycare/school (or 5:00 p.m. if no daycare/preschool) until Monday return to daycare/school (or 9:00 a.m. if no daycare/school).

In addition, Thursday of the week following the Father's weekend from release from daycare/ preschool (or 5:00 p.m. if no daycare/preschool) until Friday return to daycare/preschool (or 9:00 a.m. if no daycare/preschool). The intent of this paragraph is that the Father will have every other Thursday night.

9. **Summer Schedule**

Summer begins and ends as follows: June 1 through Labor Day until the oldest child reaches Kindergarten. When the oldest child reaches Kindergarten then summer begins and ends according to the school calendar.

The Summer Schedule is the **same** as the School Schedule **except** as follows:

The parties shall notify each other of vacation days by May 1 each year.

Once Nicholas reaches age 5, each party is entitled to up to 10 consecutive overnights with the children of summer vacation maximum.

Once Nicholas reaches age 8, each party is entitled to up to 14 consecutive overnights with the children of summer vacation maximum. In the event of conflict in proposed summer vacation days, the Mother's selection of days has precedence in EVEN years and the Father's selection of days has precedence in ODD years.

10. **Holiday Schedule (includes school breaks)**

This is the Holiday Schedule for all children school-age children only:
(Put one parent's name in each column and fill out when the children will be with that parent for holidays and school breaks.)

Holiday	Children with (name): Claire Reilly-Shapiro	Children with (name): Anthony Lombardo
Martin Luther King Jr. Day	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____
	[X] With the parent who has the children for the attached weekend	
Presidents' Day	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____
	[X] With the parent who has the children for the attached weekend until Anthony Benjamin enters Kindergarten. Then follow the mid-winter break schedule.	
Mid-winter Break (applies when AB starts Kindergarten)	[] Odd Years [X] Even Years [] Every Yr. Begin day/time: <u>Release from school</u> End day/time: <u>Return to school</u>	[X] Odd Years [] Even Years [] Every Yr. Begin day/time: <u>Release from school</u> End day/time: <u>Return to school</u>

Holiday	Children with (name): Claire Reilly-Shapiro	Children with (name): Anthony Lombardo
Spring Break <small>(applies when AB starts Kindergarten)</small>	<input checked="" type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: <u>Release from school</u>	<input type="checkbox"/> Odd Years <input checked="" type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: <u>Release from school</u>
	End day/time: Return to school	End day/time: Return to school
Mother's Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input checked="" type="checkbox"/> Every Yr. Begin day/time: <u>Sunday at 9:00 a.m.</u>	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____
	End day/time: <u>Return to school on Monday</u>	End day/time: _____
	<input type="checkbox"/> Other plan: _____	
Memorial Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____
	End day/time: _____	End day/time: _____
	<input checked="" type="checkbox"/> With the parent who has the children for the attached weekend.	
Father's Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input checked="" type="checkbox"/> Every Yr. Begin day/time: <u>Sunday at 9:00 a.m.</u>
	End day/time: _____	End day/time: <u>Return to school on Monday</u>
	<input type="checkbox"/> Other plan: _____	
Fourth of July	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____
	End day/time: _____	End day/time: _____
	<input checked="" type="checkbox"/> Follow the Summer Schedule in section 9.	
Labor Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____
	End day/time: _____	End day/time: _____
	<input checked="" type="checkbox"/> Other plan: With the parent who has the children for the attached weekend	
Thanksgiving	<input checked="" type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr.	<input type="checkbox"/> Odd Years <input checked="" type="checkbox"/> Even Years <input type="checkbox"/> Every Yr.

Holiday	Children with (name): Claire Reilly-Shapiro	Children with (name): Anthony Lombardo
Day / Break	Begin day/time: 9:00 a.m. Thanksgiving Day	Begin day/time: 9:00 a.m. Thanksgiving Day
	End day/time: 9:00 a.m. Day after Thanksgiving	End day/time: 9:00 a.m. Day after Thanksgiving
Winter Break	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____
	[X] Other plan: Once the oldest child starts Kindergarten each parent has the children for one half (1/2) of the break. The Mother shall have the first half of break in EVEN years from release from school on Friday (or 3:00 p.m. if no school) until Sunday at 7pm of the middle weekend. The Father shall have the second half of break in EVEN years from Sunday at 7 pm of the middle weekend until return to school on Monday (or 9:00 a.m. if no school). The Father shall have the first half of break in ODD years from release from school on Friday (or 3:00 p.m. if no school) until Sunday at 7pm of the middle weekend. The Mother shall have the second half of the break in ODD years from Sunday at 7pm of the middle weekend until return to school on Monday (or 9:00 a.m. if no school).	
Christmas Eve	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____
	[X] Follow the Winter Break schedule above when Anthony Benjamin reaches Kindergarten. [X] Other plan: Until Anthony Benjamin reaches Kindergarten, the Mother shall have the children on Christmas Eve in ODD years from 12/23 at 9:00 a.m. until 12/24 at 7:00 p.m. and the Father shall have the children on Christmas Eve in EVEN years from 12/23 at 9:00 a.m. until 12/24 at 7:00 p.m.	
Christmas Day	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____

Holiday	Children with (name): Claire Reilly-Shapiro	Children with (name): Anthony Lombardo
	<p>[X] Follow the Winter Break schedule above once Anthony Benjamin reaches Kindergarten. [X] Other plan: Until Anthony Benjamin reaches Kindergarten, the Mother shall have the children on Christmas Day in EVEN years from 12/24 at 7:00 p.m. until 12/25 at 7:00 p.m. and the Father shall have the children on Christmas Day in ODD years from 12/24 at 7:00 p.m. until 12/25 at 7:00 p.m.</p>	
New Year's Eve / New Year's Day <i>(odd/even is based on New Year's Eve)</i>	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<p>[X] Follow the Winter Break schedule above once Anthony Benjamin reaches Kindergarten. [X] Other plan: Until Anthony Benjamin reaches Kindergarten, the Father shall have the children on New Year's Eve in EVEN years at 9:00 a.m. until New Year's Day at 7:00 p.m. The mother shall have the children on New Year's Eve in ODD years at 9:00 a.m. until New Year's Day at 7:00 p.m.</p>	
Children's Birthdays	<input type="checkbox"/> Odd Years <input checked="" type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input checked="" type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
All three-day weekends not listed elsewhere	<p><i>(Federal holidays, school in-service days, etc.)</i> [X] Once Anthony Benjamin starts Kindergarten, the children shall spend any unspecified holiday or non-school day with the parent who has them for the attached weekend.</p>	
Other occasion important to the family: Halloween	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<p>[X] Other plan: The parties shall alternate Halloween every year. The Mother shall have the children in EVEN years from after school (or 3:00 p.m. if no school) until November 1st at 9:00 a.m. The Father shall have the children in ODD years from after school (or 3:00 p.m. if no school) until November 1st at 9:00 a.m.</p>	
Other occasion important to the family:	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____

Holiday	Children with (name): Claire Reilly-Shapiro	Children with (name): Anthony Lombardo
Easter	Other plan: The parties shall alternate Easter every year. The Father shall have the children in EVEN years from the day before Easter at 9:00 a.m. until Easter Day at 7:00 p.m. The Mother shall have the children in ODD years from the day before Easter at 9:00 a.m. until Easter Day at 7:00p.m. Once Anthony Benjamin enters Kindergarten, if Easter is included in Spring Break per the school schedule, then the parties shall follow the Spring Break Schedule for Easter.	
Father's Birthday	The father shall have the children on his birthday every year from 9:00 a.m. on his birthday until return to the mother the next day at 9:00 a.m.	
Mother's Birthday	The mother shall have the children on her birthday every year from 9:00 a.m. on her birthday until the next day at 9:00 a.m.	

11. **Conflicts in Scheduling**

The Holiday Schedule must be observed over all other schedules. If there are conflicts within the Holiday Schedule (*check all that apply*):

Named holidays shall be followed before school breaks.

Other (*specify*): School holidays/vacations shall be followed before parent birthdays.____

12. **Transportation Arrangements**

The children will be exchanged for parenting time (picked up and dropped off) at:

school or daycare when in session

other location (*specify*): parent's home.

Who is responsible for arranging transportation?

The **picking up** parent – The parent who is about to **start** parenting time with the children must arrange to have the children picked up.

The **dropping off** parent – If school or daycare is not in session and a parent-to-parent transfer is required, then the parent whose parenting time is **ending** must arrange to have the children dropped off.

Other details (if any): Neither party shall enter the other party's home. Transfers of the children shall take no longer than 4 minutes. The 4 minutes starts upon opening of the dropping off parent's car door until the child enters the receiving parent's home. If the transfer occurs via walking or biking, the 4 minutes starts when the dropping off parent arrives on the property of the receiving parent until the dropping off parent walks/bikes off the receiving parent's property. The parties shall limit the transfer time to 4 minutes regardless of whether a child is crying. The parties shall not engage in any discussion whatsoever at a transfer. Both parties are prohibited from recording each other except for a fixed security camera on the exterior of the home. Each parent must provide his or her own appropriate car seats if transportation will occur by car and other safety measures (such as helmets) if transportation will occur by bike or other type of vehicle.

13. **Moving with the Children (Relocation)**

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children **must notify** every other person who has court-ordered time with the children.

Move to a different school district

If the move is to a different school district, the relocating person must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

Exceptions:

- If the relocating person could not reasonably have known enough information to complete the form in time to give 60 days' notice, s/he must give notice within **5 days** after learning the information.
- If the relocating person is relocating to a domestic violence shelter or moving to avoid a clear, immediate and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A relocating person who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the relocating person wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice*.

Move within the same school district

If the move is within the *same* school district, the relocating person still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

Warning! If you do not notify...

A relocating person who does not give the required notice may be found in contempt of court. If that happens the court can impose sanctions. Sanctions can include requiring the relocating person to bring the children back if the move has already happened, and ordering the relocating person to pay the other side's costs and lawyer's fees.

Right to object

A person who has court-ordered time with the children can object to a move to a different school district and/or to the relocating person's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the relocating person and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

Right to move

During the 30 days after the *Notice* was served, the relocating person may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the relocating person may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the relocating person may move with the children **pending** the final hearing on the *Objection unless*:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the relocating person. (However, the relocating person may ask the court for an order allowing the move even though a hearing is pending if the relocating person believes that s/he or a child is at unreasonable risk of harm.)

The court may make a different decision about the move at a final hearing on the *Objection*.

Parenting Plan after move

If the relocating person served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

Forms

You can find forms about moving with children at:

- The Washington State Courts' website: www.courts.wa.gov/forms,
- The Administrative Office of the Courts – call: (360) 705-5328,
- Washington LawHelp: www.washingtonlawhelp.org, or
- The Superior Court Clerk's office or county law library (for a fee).

(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)

14. **Other**

- a. Except in cases of emergency, the only communication between the parties permitted is via Our Family Wizard (OFW). The communication is limited to 4 messages per week from each parent and limited to 100 words per message.
- b. Although there is a finding of domestic violence, Domestic Violence perpetrator treatment program is contraindicated and not recommended because father has a lack of acceptance or acknowledgement of his domestic violence.
- c. The father shall participate in a parenting class, grounded in "Love and Logic" or "Positive Discipline," aimed at children under age 5 to increase his knowledge of children's developmental stages and repertoire of parenting skills. The father shall attend the class at Sweetie Pie Parenting or Puget Sound Adlerian Society. The father shall enroll and participate in individual therapy with a licensed psychologist for a period of two years from date of entry of this order. Upon commencement of therapy, he shall provide the therapist a copy of the GAL report, psychological test results of the father by Dr. Gary Weider, and a copy of the Parenting Plan. The father shall sign waiver and other documents required by the therapist to release the attendance record of therapy to the mother and her attorney. The therapist may not disclose any other information to the mother or her attorney except for specific dates/times of his attendance at therapy.
- d. Neither parent shall show up unexpectedly at the other parent's home for any reason. Neither party may enter either party's home and all transfer must occur outside the home as set forth in Section 12.
- e. The father shall not consume any non-prescribed drugs, alcohol, or marijuana while he has the children in his care or for the 12 hours preceding his visitation. Should the mother suspect usage, she may request an observed 5 panel UA with ETG via OFW, and the father must submit to this request within 24 hours. If the test is dilute or not taken within 24 hours, it shall be deemed positive. If the test result is negative, the mother shall reimburse the father. Father must provide mother with the testing facility's name, address, and phone number within 24 hours of taking the test. Within 24 hours of taking the test, father must also send mother, via OFW, a signed release of information allowing the mother or her attorney to get the test results directly from the facility. If the father has two consecutive negative test results, the mother may not request another test that calendar year. If the test is positive, then the father's time with the children shall be professionally supervised at father's expense until further court order.
- f. Neither parent shall record, knowingly or unknowingly, the other parent, the other parent's home, the other parent with the children, or the children, or threaten to do so, for the purpose of litigation or potential use in litigation. The only exception is that the parties are permitted to record the other party via fixed home security camera for his/her home.
- g. Neither parent shall make disparaging remarks about the other parent, their family, or the other parent's significant other in the children's presence, nor should they allow others to do so, nor should they encourage the children to do so.
- h. Both parents should be able to attend the children's special activities, such as school events, performances, practices, and games, keeping a respectable distance and shall not engage in any communication at the events. Parents can coach children's teams.

- i. Each parent shall be responsible for keeping themselves advised of school, athletic, and social events in which the children participate. The parent who registers a child for an event or activity should initially provide the other parent with all the necessary contact information so the other parent can then assume responsibility for staying informed.
- j. Each parent should have the authority to confer with doctors, counselors, schools and other programs with regard to the progress of each child. Each parent should have access to the children's records as well. Except in case of emergency, father may only attend children's medical appointments with Mother's permission.
- k. The parents shall not be entitled to make-up time. The parties will make every effort to exchange the children on time. In the event that one transfer is late, that shall not result in the subsequent transfer being late. Trades are discouraged; however, should either parent want to make a trade for the purpose of a special event, he/she shall initiate a Round Robin process as follows: (1) The parent seeking trade shall notify the other parent at least 7 days in advance of his/her proposed change. (2) The other parent shall respond, either agreeing, disagreeing or proposing a different solution. (3) The parent seeking a trade shall either accept or propose an alternative solution. (4) The other parent shall respond, and if at this response there is no agreement, then the party may bring a motion to the court.
- l. Neither parent shall have right of first refusal for residential time that a parent cannot exercise.
- m. Neither party may use corporal punishment.
- n. The Court's oral ruling is incorporated by reference.

15. **Proposal**

Does not apply. This is a court order.

16. **Court Order**

This is a court order (if signed by a judge or commissioner below).

Findings of Fact – Based on the pleadings and any other evidence considered:

The Court adopts the statements in section 3 (Reasons for putting limitations on a parent) as its findings.

The Court makes additional findings which are:

contained in the Findings of Facts entered at the same time as this *Parenting Plan*.

Conclusions of Law – This *Parenting Plan* is in the best interest of the children.

Order – The parties must follow this *Parenting Plan*.

Date

▶ _____
Judge Steven Rosen

Warning! If you don't follow this Parenting Plan, the court may find you in contempt (RCW 26.09.160). You still have to follow this Parenting Plan even if the other parent doesn't. Violation of residential provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or 9A.40.070(2). Violation of this order may subject a violator to arrest.

If this is a court order, the parties and/or their lawyers (and any GAL) sign below.

This order is presented by me.

This order may be signed by the court without notice to me.

This order is presented by me.

This order may be signed by the court without notice to me.

Lucia R. Levias, WSBA # 39324
Attorney for Petitioner

Anthony Lombardo, PRO SE
Respondent

This order may be signed by the court without notice to me.

Claire Reilly-Shapiro
Petitioner

This order may be signed by the court without notice to me.

Jodie Nathan
Guardian ad Litem

King County Superior Court
Judicial Electronic Signature Page

Case Number: 19-3-09930-9
Case Title: REILLY-SHAPIRO VS LOMBARDO
Document Title: PARENTING PLAN (FINAL ORDER)

Signed By: Steve Rosen
Date: March 15, 2021



Judge: Steve Rosen

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 3A5A378CBB717D2B5AF48ED9AB7F4ED8BDFB8C30
Certificate effective date: 1/3/2017 2:40:51 PM
Certificate expiry date: 1/3/2022 2:40:51 PM
Certificate Issued by: C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,
O=KCDJA, CN="Steve Rosen:
SggbXanx4xGO/SMAH11GsA=="

Superior Court of Washington, County of King

In re the marriage of:

Petitioner:

CLAIRE REILLY-SHAPIO

And Respondent:

ANTHONY LOMBARDO

No. 19-3-09930-9 SEA

Findings and Conclusions about a Marriage
(FNFL)

Findings and Conclusions about a Marriage

1. Basis for findings and conclusions (check all that apply):

Trial commencing on February 1, 2021, where the following people were present (*check all that apply*):

- Petitioner
- Respondent
- Jodie Nathan, GAL
- Dr. Marsha Hedrick, Petitioner's expert
- Petitioner's lay witnesses
- Respondent's lay witnesses
- Petitioner's lawyer

➤ ***The Court makes the following findings of fact and conclusions of law:***

2. Notice:

The Respondent signed a *Service Accepted* which was filed with the court.

3. Jurisdiction over the marriage and the spouses (check all that apply):

At the time the *Petition* was filed, the Petitioner and the Respondent lived in Washington State.

The Petitioner and Respondent may have conceived a child together in this state.

Conclusion: The court **has** jurisdiction over the marriage.
The court **has** jurisdiction over the Respondent.

4. Information about the marriage

The spouses were married on August 28, 2010 at San Diego, California.

5. Separation Date

The marital community ended on October 23, 2019. The parties stopped acquiring community property and incurring community debt on this date.

6. Status of the marriage

Divorce – This marriage is irretrievably broken, and it has been 90 days or longer since the *Petition* was filed and the *Summons* was served or the Respondent joined the *Petition*.

Conclusion: The Petition for divorce, legal separation or invalidity (annulment) should be approved.

7. Separation Contract

The spouses signed a CR2A on (date) December 29, 2020 on Asset/Debts and Spousal Support only.

Conclusion: The parties should be ordered to comply with the terms of the contract.

The CR2A shall be filed under seal.

8. Real Property (land or home)

The spouses' real property is listed in the separation contract described in 7.

The spouses' real property is listed below:

Real Property Address	Tax Parcel Number	Community or Separate Property
420 25 TH Avenue East, Seattle, WA 98112	501600217506	[X] community property

Conclusion: The division of real property described in the final order is fair (just and equitable).

9. Community Personal Property (possessions, assets or business interests of any kind)

The community personal property has already been divided fairly between the spouses. Each spouse should keep any community personal property that s/he now has or controls.

Conclusion: The division of community personal property described in the final order is fair (just and equitable).

10. Separate Personal Property (possessions, assets or business interests of any kind)

The separate personal property has already been divided fairly between the spouses. Each spouse should keep any separate property that s/he now has or controls.

The spouses' separate personal property is listed in the separation contract described in 7.

Conclusion: The division of separate personal property described in the final order is fair (just and equitable).

11. Community Debt

The spouses' community debt is listed in the separation contract described in 7.

Conclusion: The division of community debt described in the final order is fair (just and equitable).

12. Separate Debt

The spouses' separate debt is listed in the separation contract described in 7.

Conclusion: The division of separate debt described in the final order is fair (just and equitable).

13. Spousal Support (maintenance/alimony)

Spousal support was requested.

Conclusion: Spousal support should be ordered for a short duration per CR2A.

14. Fees and Costs

The court finds that the Respondent has not acted in good faith and finds intransigence.

The GAL fees in this case were much higher than the average high conflict case. A typical high conflict case may result in GAL fees of \$20,000; but here, the GAL fee was \$35,100. The mother requests a reallocation of the GAL fees with the father paying the larger share. The mother's attorney submitted an attorney fee declaration and redacted invoices alleging that approximately \$54,000 in fees were attributed to the father's intransigence.

The court finds that the father was intransigent in the following manner: (1) the father pursued false claims of abuse/neglect against the mother without real basis. One parent making claims against another parent to CPS without real basis is the definition of intransigence per Washington case law.; (2) the father refused to follow court orders regarding the temporary residential schedule and violated the restraining order against

him, including entering the mother’s home, stalking and monitoring her, peeping into her windows, causing mother to file motions; (3) the father refused to cooperate with GAL requests including refusal and delay to submit to psychological testing, provide signature to requested forms such as the Release of Information for Seattle Police Department; (4) and the father overprovided information unsolicited information to the GAL for review. All of the aforementioned examples required the mother’s counsel and/or the GAL to take action, thereby unnecessarily increasing the mother’s attorney and GAL fees.

The court orders reallocation of the GAL fees as follows: Petitioner is responsible for \$10,000 of the GAL fees and the Respondent shall be responsible for the remainder. As Petitioner paid \$18,300 to the GAL, Respondent shall reimburse the Petitioner \$8,300. The Respondent’s intransigence, including delay and foot dragging, caused Petitioner to incur unnecessary attorney fees. Respondent shall pay the Petitioner \$35,000 in attorney fees. The court finds that the amount ordered is reasonable.

15. Protection Order

No one requested an *Order for Protection* in this case.

16. Restraining Order

Approved – The request for a *Restraining Order* is approved. The *Restraining Order* is filed separately.

Check this box if the court previously signed a temporary Restraining Order and is signing a final Restraining Order in this case. Also check the “Clerk’s action required” box in the caption on page 1.

Name of law enforcement agency where the Protected Person lived when the *Restraining Order* was issued: Seattle Police Department

To the Clerk: Provide a copy of this Order to the agency listed above within one court day.

17. Pregnancy

Neither spouse is pregnant.

18. Children

The spouses have the following children together who are still dependent (*only list children the spouses have together, not children from other relationships*):

Child’s name (<i>first, last</i>)	Age
1. Anthony Ben Lombardo	3y
2. Nicholas Lombardo	2y

19. Jurisdiction over the children (RCW 26.27.201 – .221, .231, .261, .271)

The court can approve a *Parenting Plan* for the children the spouses have together because (*check all that apply*):

Home state jurisdiction – Washington is the children’s home state because (*check all that apply*):

- The children lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children were less than 6 months old when the case was filed, they had lived in Washington with a parent or someone acting as a parent since birth.
- The children do not have another home state.

20. Parenting Plan

The court signed the final *Parenting Plan* filed separately today or on (*date*): _____.

In determining a final parenting plan, the court first decides whether any RCW 26.09.191 factors apply to the case.

Domestic Violence Allegations: The court finds that the Petitioner/mother testified credibly. She testified to a number of different acts of domestic violence. She testified that the Respondent shattered a locked glass door to their baby’s nursery to get to the mother after she had retreated to the room to get peace from the Respondent, causing the mother fear. The court finds that the father’s testimony that he shattered the glass door out of concern for the mother/baby was not credible because he had other options available to him at the time, such as calling CPS or the police to request a welfare check. This is an act of domestic violence. The court finds that the father engaged in acts of domestic violence on another occasion when he blocked the Petitioner’s exit from the home and assaulted her with an unwanted “bear hug,” pinning her arms, causing her concern, fear and a loss of control. On another occasion, he followed her home from a restaurant in Victoria, then chased her, causing her to arm herself. The court finds there were times that the father prevented the Petitioner from calling for help by hiding her cell phone/keys and cutting off the internet to the home. These are signs of the father’s attempt to isolate her and exert control over the mother. The court finds that the father kept her under surveillance and testified to doing that secretly, by recording her without her knowledge, which violates the Washington Privacy Act. After separation, the father entered her mudroom without her permission, in violation of a court order, and peeked into the interior of her home.

The court does not find credible the father’s testimony that the mother was not afraid of the father because there was no conflict in public places such as exchanges at parks. It is well understood that most domestic violence occurs in private, not in public settings. It is unlikely the father would have behaved badly in a public location such as the park. The court finds the father did not deny many of the instances of domestic violence described by the mother, such as breaking the glass door, but he purported a different version of events.

The court finds that the Respondent has committed acts of domestic violence as described by statute and should be restricted under RCW 26.09.191.

The father alleged domestic violence against the mother, but the court does not find that the mother engaged in acts of domestic violence per RCW 26.09.191 against the father when she threw an exercise bar or broke a computer. The court finds these actions by the

mother were largely reactive to the father who would not leave her alone when she tried to escape him. These two instances were incredibly isolated with one occurring 12 years ago and another in 2019. They do not demonstrate a pattern of domestic violence and the court finds no basis to restrict the mother under RCW 26.09.191 or RCW 26.50.

Abusive Use of Conflict Allegations: There are also allegations of abusive use of conflict by both parents. There is credible evidence that the father coached the children on what to say to other people and routinely told the children that it was the mother's fault that his residential time was ending. There is undisputed evidence that the father called CPS on the mother because the child fell. The father continued to pursue motions related to the fall even after CPS indicated that the allegations were unfounded. The father further engaged in abusive use of conflict by falsely reporting to others and the court that the mother suffered from post-partum depression and used it in a way to induce conflict.

The court also finds that the father obsessively and unreasonably complained about the mother's conduct as it related to COVID-19 precautions. The court does not find that the mother was taking any unreasonable risks, and the father's complaints were unreasonable especially in light of the mother's profession as a nurse where she is well aware of the health risks. The father used this issue to control the mother.

The father recorded the mother in an abusive and illegal manner in order to create conflict. He memorialized interactions illegally and his own testimony confirms that he has an inability to communicate with the mother in a reasonable manner for a reasonable length of time with a limited number of words, which has all created conflict.

The court finds that the father very clearly engaged abusive use of conflict that is likely to create a danger of serious danger to the children's psychological development. The court finds that the father has a lack of insight or accountability for his own behavior and commits extreme violations of social norms at certain times and the cumulative effect this has on others, particularly his wife and children.

The court finds that the mother has not acted appropriately 100% of the time. For example, she threw the bar and she also went to the father's home at his request during his residential time. The court finds that the mother at times bends too far towards the will of the father and capitulates to his requests which are repeated and somewhat overwhelming. These actions by the mother do not amount to abusive use of conflict. However, the mother should immediately refuse all requests from the father to spend time with the children together. A clean break is required.

The court finds that in most cases the court desires that the parties engage in positive co-parenting and work together to attend children's events together; but in this case, that is not possible or advisable. For the medium-range future, both parties should abandon the idea of engaging with the children together because there is significant risk that the children will be exposed to conflict and manipulation which is not in their best interest.

Parenting Factors: RCW 26.09.187(3) sets forth the following factors to determine a residential schedule, which in this case weigh in favor of the children primarily residing with the mother as follows:

(i) The relative strength, nature, and stability of the child's relationship with each parent;

The children have a strong relationship with each parent. The court finds that the mother was the primary parent when she was not at work. Even when at work, she performed primary parent duties such as scheduling child doctor appointments and enrolling the children in activities. It was undisputed that the mother tended to the children when they were sick, and she was expected to leave work to tend to the children when they were sick. The children are strongly bonded to the mother and their relationship is stable. The court finds that the father has a similar, strong relationship with the children as the caregiver for the children when the mother worked, although the father had a lot of caregiver help when the mother worked. He was present for the children. The father's bond with the children has been stable.

(ii) The agreements of the parties, provided they were entered into knowingly and voluntarily;

The court finds that there are no agreements between the parties, so this factor is neutral and does not favor either party.

(iii) Each parent's past and potential for future performance of parenting functions as defined in RCW 26.09.004(2), including whether a parent has taken greater responsibility for performing parenting functions relating to the daily needs of the child;

The court finds that both parents are good at meeting the basic daily needs of the children. The court has no concerns that the parents are able to physically care for the children. The court does not find that the father's interest in engaging the children in intellectual activities such as "philosophy square" or chemistry words is in anyway detrimental to the children.

The court finds that part of meeting the developmental needs of the children includes their education. The children in this case are too young for formal education, but education also comes from other places that teaches them how the world works and how to function in life. The father's testimony supported his position that the children should spend most of their time with him, but the court finds that the mother's approach will allow the children a better education by permitting them to spend time with other people, including at a daycare or with a nanny.

The court finds that the mother exercises appropriate judgment with the children, whereas the father has not always exercised appropriate judgment, particularly with respect to childhood injuries. The parties' child fell and broke a tooth, which is a predictable childhood injury. The father's response to such a childhood injury was not appropriate. It is anticipated that further normal childhood injuries like a broken arm, leg, collarbone, poke in the eye, or the child getting into a fight at school could occur throughout childhood. While not fun for any parent to endure, an appropriate response and use of judgment with regard to such childhood injuries is needed so that children can learn and take some risks.

This factor favors the mother. She has the greater past and potential for future performance of parenting functions.

(iv) The emotional needs and developmental level of the child;

With respect to the children's emotional needs, the court finds that they are normally developing children. The children will need good behavior modeled from the parents as well as positive social interactions with others. This factor weighs in favor of the mother.

(v) The child's relationship with siblings and with other significant adults, as well as the child's involvement with his or her physical surroundings, school, or other significant activities;

The children are strongly bonded to the maternal grandparents and to each other as siblings, but this factor does not weigh in favor of either party.

(vi) The wishes of the parents and the wishes of a child who is sufficiently mature to express reasoned and independent preferences as to his or her residential schedule;

The court has considered the wishes of both parents and reviewed their proposed parenting plans.

(vii) Each parent's employment schedule, and shall make accommodations consistent with those schedules.

The court takes the parents' employment schedule into account in the final parenting plan.

In giving the first factor the greatest weight, weighing all the other relevant factors, and in light of the RCW 26.09.191 findings against the father for domestic violence and abusive use of conflict, the court finds that the father's time should be limited from what it is now, but not eliminated. The children should reside primarily with the mother.

The court finds that the father's residential time and decision-making should be limited per RCW 26.09.191 and RCW 26.09.187(c)(i) due to the domestic violence and abusive use of conflict, which creates a risk of serious emotional harm to the children. The mother should have primary residential time and sole-decision making regarding education, non-emergency health care, work related child care, and activities. Neither party should offer right of first refusal. Both parents should arrange for appropriate child-care during his/her respective residential time. The court finds that a case manager will not be effective in this case, as a case manager may be further used to continue more conflict and drive up fees and costs for the parties; thus, the court declines to order a case manager.

21. Child Support

The dependent children should be supported according to state law.

The court signed the final *Child Support Order* and *Worksheets* filed separately today or on *(date)*: _____.

22. Other findings or conclusions (if any)

The *Automatic Temporary Order Setting Financial Restraints* entered by the Court on November 6, 2019 should be terminated and no longer remain in effect.

The Petitioner and Respondent should promptly execute any instrument required to effectuate the award of personal property set forth in the *Final Divorce Order* (for example, the transfer of vehicle titles).

The GAL is discharged.

Date

▶ _____
Judge Steven Rosen

Petitioner and Respondent or their lawyers fill out below:

This order is presented by me.

This order is presented by me.

This order may be signed by the court without notice to me.

This order may be signed by the court without notice to me.

Lucia Levias, WSBA # 39324
Attorney for Petitioner

Attorney for Respondent

This order may be signed by the court without notice to me.

This order may be signed by the court without notice to me.

Claire Reilly-Shapiro
Petitioner

Anthony Lombardo
Respondent

King County Superior Court
Judicial Electronic Signature Page

Case Number: 19-3-09930-9
Case Title: REILLY-SHAPIO VS LOMBARDO
Document Title: FINDINGS OF FACT AND CONCLUSIONS OF LAW
Signed By: Steve Rosen
Date: March 15, 2021



Judge: Steve Rosen

This document is signed in accordance with the provisions in GR 30.

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Certificate Issued by: C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,
O=KCDJA, CN="Steve Rosen:
SggbXanx4xGO/SMAH11GsA=="

WORKSHEET A

Washington State Child Support Schedule Worksheets

[] Proposed by []

[] State of WA (CSWP)

Or, [] Signed by the Judicial/Reviewing Officer. (CSW)

County KING

Case No.

Child/ren and Age/s: Anthony Lombardo, 3; Nicholas Lombardo, 2

Parents' names: Claire Reilly-Shapiro
(Column 1)

Anthony Lombardo
(Column 2)

	Claire	Anthony
Part I: Income (see Instructions, page 6)		
1. Gross Monthly Income		
a. Wages and Salaries Imputed for Anthony	\$9,916.66	-
b. Interest and Dividend Income	-	-
c. Business Income	-	-
d. Maintenance Received	-	\$1,300.00
e. Other Income	-	\$2,500.00
f. Imputed Income	-	\$6,250.00
g. Total Gross Monthly Income (add lines 1a through 1f)	\$9,916.66	\$10050.00
2. Monthly Deductions from Gross Income		
a. Income Taxes (Federal and State) Tax Year: 2021	\$1,051.41	\$1,350.75
b. FICA (Soc.Sec.+Medicare)/Self-Employment Taxes	\$758.62	\$669.38
c. State Industrial Insurance Deductions	-	-
d. Mandatory Union/Professional Dues	-	-
e. Mandatory Pension Plan Payments	-	-
f. Voluntary Retirement Contributions	\$416.67	-
g. Maintenance Paid	\$1,300.00	-
h. Normal Business Expenses	-	-
i. Total Deductions from Gross Income (add lines 2a through 2h)	\$3,526.70	\$2,020.13
3. Monthly Net Income (line 1g minus 2i)	\$6,389.96	\$8,029.87
4. Combined Monthly Net Income (add both parents' monthly net incomes from line 3)		\$14,419.83
5. Basic Child Support Obligation Number of children: 2 x \$1190.00 per child (enter total amount in box →)		\$2,380.00
6. Proportional Share of Income (divide line 3 by line 4 for each parent)	.443	.557

WSCSS-Worksheets – Mandatory (CSW/CSWP) 01/2019 Page 1 of 5

	Claire	Anthony
Part II: Basic Child Support Obligation (see Instructions, page 7)		
7. Each Parent's Basic Child Support Obligation without consideration of low income limitations (Each parent's Line 6 times Line 5.)	\$1,054.34	\$1,325.66
8. Calculating low income limitations: Fill in only those that apply.		
Self-Support Reserve: (125% of the federal poverty guideline for a one-person family.)		\$1,329.00
a. <u>Is combined Net Income Less Than \$1,000?</u> If yes, for each parent enter the presumptive \$50 per child.	-	-
b. <u>Is Monthly Net Income Less Than Self-Support Reserve?</u> If yes, for that parent enter the presumptive \$50 per child.	-	-
c. <u>Is Monthly Net Income equal to or more than Self-Support Reserve?</u> If yes, for each parent subtract the self-support reserve from line 3. If that amount is less than line 7, enter that amount or the presumptive \$50 per child, whichever is greater.	-	-
9. Each parent's basic child support obligation after calculating applicable limitations. For each parent, enter the lowest amount from line 7, 8a - 8c, but not less than the presumptive \$50 per child.	\$1,054.34	\$1,325.66
Part III: Health Care, Day Care, and Special Child Rearing Expenses (see Instructions, page 8)		
10. Health Care Expenses		
a. Monthly Health Insurance Premiums Paid for Child(ren)	\$53.00	-
b. Uninsured Monthly Health Care Expenses Paid for Child(ren)	-	-
c. Total Monthly Health Care Expenses (line 10a plus line 10b)	\$53.00	-
d. Combined Monthly Health Care Expenses (add both parents' totals from line 10c)		\$53.00
11. Day Care and Special Expenses		
a. Day Care Expenses	-	-
b. Education Expenses	-	-
c. Long Distance Transportation Expenses	-	-
d. Other Special Expenses (describe)		
	-	-
	-	-
	-	-
e. Total Day Care and Special Expenses (Add lines 11a through 11d)	-	-
12. Combined Monthly Total Day Care and Special Expenses (add both parents' daycare and special expenses from line 11e)		-
13. Total Health Care, Day Care, and Special Expenses (line 10d plus line 12)		\$53.00
14. Each Parent's Obligation for Health Care, Day Care, and Special Expenses (multiply each number on line 6 by line 13)	\$23.48	\$29.52
Part IV: Gross Child Support Obligation		
15. Gross Child Support Obligation (line 9 plus line 14)	\$1,077.82	\$1,355.18

	Claire	Anthony
Part V: Child Support Credits (see Instructions, page 9)		
16. Child Support Credits		
a. Monthly Health Care Expenses Credit	\$53.00	-
b. Day Care and Special Expenses Credit	-	-
c. Other Ordinary Expenses Credit (describe)	-	-
	-	-
	-	-
d. Total Support Credits (add lines 16a through 16c)	\$53.00	-
Part VI: Standard Calculation/Presumptive Transfer Payment (see Instructions, page 9)		
17. Standard Calculation (line 15 minus line 16d or \$50 per child whichever is greater)	\$1,024.82	\$1,355.18
Part VII: Additional Informational Calculations		
18. 45% of each parent's net income from line 3 (.45 x amount from line 3 for each parent)	\$2,875.48	\$3,613.44
19. 25% of each parent's basic support obligation from line 9 (.25 x amount from line 9 for each parent)	\$263.58	\$331.42
Part VIII: Additional Factors for Consideration (see Instructions, page 9)		
20. Household Assets (List the estimated present value of all major household assets.)		
a. Real Estate	-	-
b. Investments	-	-
c. Vehicles and Boats	-	-
d. Bank Accounts and Cash	-	-
e. Retirement Accounts	-	-
f. Other: (describe)	-	-
	-	-
	-	-
	-	-
21. Household Debt (List liens against household assets, extraordinary debt.)		
a.	-	-
b.	-	-
c.	-	-
d.	-	-
e.	-	-
f.	-	-
22. Other Household Income		
a. Income Of Current Spouse or Domestic Partner (if not the other parent of this action)		
Name	-	-
Name	-	-
b. Income Of Other Adults in Household		
Name	-	-
Name	-	-

	Claire	Anthony
c. Gross Income from overtime or from second jobs the party is asking the court to exclude per Instructions, page 8	-	-
d. Income Of Child(ren) (if considered extraordinary)		
Name	-	-
Name	-	-
e. Income From Child Support		
Name	-	-
Name	-	-
f. Income From Assistance Programs		
Program	-	-
Program	-	-
g. Other Income (describe)		
	-	-
	-	-
23. Non-Recurring Income (describe)		
	-	-
	-	-
24. Monthly Child Support Ordered for Other Children		
Name/age: Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	-	-
Name/age: Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	-	-
Name/age: Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	-	-
25. Other Child(ren) Living In Each Household (First name(s) and age(s))		
26. Other Factors For Consideration		

Other Factors For Consideration (continued) (attach additional pages as necessary)

Signature and Dates

I declare, under penalty of perjury under the laws of the State of Washington, the information contained in these Worksheets is complete, true, and correct.

Parent's Signature (Column 1)

Parent's Signature (Column 2)

Date

City

Date

City

Judicial/Reviewing Officer

Date

**This Worksheet has been certified by the State of Washington Administrative Office of the Courts.
Photocopying of the worksheet is permitted.**

King County Superior Court
Judicial Electronic Signature Page

Case Number: 19-3-09930-9
Case Title: REILLY-SHAPIO VS LOMBARDO
Document Title: ORDER RE CHILD SUPPORT WORKSHEET
Signed By: Steve Rosen
Date: March 15, 2021



Judge: Steve Rosen

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 3A5A378CBB717D2B5AF48ED9AB7F4ED8BDFB8C30
Certificate effective date: 1/3/2017 2:40:51 PM
Certificate expiry date: 1/3/2022 2:40:51 PM
Certificate Issued by: C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,
O=KCDJA, CN="Steve Rosen:
SggbXanx4xGO/SMAH11GsA=="

WORKSHEET B

Washington State Child Support Schedule Worksheets

[] Proposed by []

[] State of WA (CSWP)

Or, [] Signed by the Judicial/Reviewing Officer. (CSW)

County KING

Case No.

Child/ren and Age/s: Anthony Lombardo, 3; Nicholas Lombardo, 2

Parents' names: Claire Reilly-Shapiro
(Column 1)

Anthony Lombardo
(Column 2)

	Claire	Anthony
Part I: Income (see Instructions, page 6)		
1. Gross Monthly Income		
a. Wages and Salaries Imputed for Anthony	\$9,916.66	-
b. Interest and Dividend Income	-	-
c. Business Income	-	-
d. Maintenance Received	-	-
e. Other Income	-	\$2,500.00
f. Imputed Income	-	\$6,250.00
g. Total Gross Monthly Income (add lines 1a through 1f)	\$9,916.66	\$8,750.00
2. Monthly Deductions from Gross Income		
a. Income Taxes (Federal and State) Tax Year: 2021	\$1,051.41	\$1,350.75
b. FICA (Soc.Sec.+Medicare)/Self-Employment Taxes	\$758.62	\$669.38
c. State Industrial Insurance Deductions	-	-
d. Mandatory Union/Professional Dues	-	-
e. Mandatory Pension Plan Payments	-	-
f. Voluntary Retirement Contributions	\$416.67	-
g. Maintenance Paid	-	-
h. Normal Business Expenses	-	-
i. Total Deductions from Gross Income (add lines 2a through 2h)	\$2,226.70	\$2,422.13
3. Monthly Net Income (line 1g minus 2i)	\$7,689.96	\$6,327.87
4. Combined Monthly Net Income (add both parents' monthly net incomes from line 3)		\$14,419.83
5. Basic Child Support Obligation Number of children: 2 x \$1190.00 per child (enter total amount in box →)		\$2,380.00
6. Proportional Share of Income (divide line 3 by line 4 for each parent)	.533	.467

WSCSS-Worksheets – Mandatory (CSW/CSWP) 01/2019 Page 1 of 5

	Claire	Anthony
Part II: Basic Child Support Obligation (see Instructions, page 7)		
7. Each Parent's Basic Child Support Obligation without consideration of low income limitations (Each parent's Line 6 times Line 5.)	\$1,268.54	\$1,111.46
8. Calculating low income limitations: Fill in only those that apply.		
Self-Support Reserve: (125% of the federal poverty guideline for a one-person family.)		\$1,329.00
a. <u>Is combined Net Income Less Than \$1,000?</u> If yes , for each parent enter the presumptive \$50 per child .	-	-
b. <u>Is Monthly Net Income Less Than Self-Support Reserve?</u> If yes , for that parent enter the presumptive \$50 per child .	-	-
c. <u>Is Monthly Net Income equal to or more than Self-Support Reserve?</u> If yes , for each parent subtract the self-support reserve from line 3. If that amount is less than line 7, enter that amount or the presumptive \$50 per child, whichever is greater.	-	-
9. Each parent's basic child support obligation after calculating applicable limitations. For each parent, enter the lowest amount from line 7, 8a - 8c, but not less than the presumptive \$50 per child.	\$1,268.54	\$1,111.46
Part III: Health Care, Day Care, and Special Child Rearing Expenses (see Instructions, page 8)		
10. Health Care Expenses		
a. Monthly Health Insurance Premiums Paid for Child(ren)	\$53.00	-
b. Uninsured Monthly Health Care Expenses Paid for Child(ren)	-	-
c. Total Monthly Health Care Expenses (line 10a plus line 10b)	\$53.00	-
d. Combined Monthly Health Care Expenses (add both parents' totals from line 10c)		\$53.00
11. Day Care and Special Expenses		
a. Day Care Expenses	-	-
b. Education Expenses	-	-
c. Long Distance Transportation Expenses	-	-
d. Other Special Expenses (describe)		
	-	-
	-	-
	-	-
e. Total Day Care and Special Expenses (Add lines 11a through 11d)	-	-
12. Combined Monthly Total Day Care and Special Expenses (add both parents' daycare and special expenses from line 11e)		-
13. Total Health Care, Day Care, and Special Expenses (line 10d plus line 12)		\$53.00
14. Each Parent's Obligation for Health Care, Day Care, and Special Expenses (multiply each number on line 6 by line 13)	\$28.25	\$24.75
Part IV: Gross Child Support Obligation		
15. Gross Child Support Obligation (line 9 plus line 14)	\$1,296.79	\$1,136.21

	Claire	Anthony
Part V: Child Support Credits (see Instructions, page 9)		
16. Child Support Credits		
a. Monthly Health Care Expenses Credit	\$53.00	-
b. Day Care and Special Expenses Credit	-	-
c. Other Ordinary Expenses Credit (describe)	-	-
	-	-
	-	-
d. Total Support Credits (add lines 16a through 16c)	\$53.00	-
Part VI: Standard Calculation/Presumptive Transfer Payment (see Instructions, page 9)		
17. Standard Calculation (line 15 minus line 16d or \$50 per child whichever is greater)	\$1,243.79	\$1,136.21
Part VII: Additional Informational Calculations		
18. 45% of each parent's net income from line 3 (.45 x amount from line 3 for each parent)	\$3,460.48	\$3,028.44
19. 25% of each parent's basic support obligation from line 9 (.25 x amount from line 9 for each parent)	\$317.14	\$277.87
Part VIII: Additional Factors for Consideration (see Instructions, page 9)		
20. Household Assets (List the estimated present value of all major household assets.)		
a. Real Estate	-	-
b. Investments	-	-
c. Vehicles and Boats	-	-
d. Bank Accounts and Cash	-	-
e. Retirement Accounts	-	-
f. Other: (describe)	-	-
	-	-
	-	-
	-	-
21. Household Debt (List liens against household assets, extraordinary debt.)		
a.	-	-
b.	-	-
c.	-	-
d.	-	-
e.	-	-
f.	-	-
22. Other Household Income		
a. Income Of Current Spouse or Domestic Partner (if not the other parent of this action)		
Name	-	-
Name	-	-
b. Income Of Other Adults in Household		
Name	-	-
Name	-	-

	Claire	Anthony
c. Gross Income from overtime or from second jobs the party is asking the court to exclude per Instructions, page 8	-	-
d. Income Of Child(ren) (if considered extraordinary)		
Name	-	-
Name	-	-
e. Income From Child Support		
Name	-	-
Name	-	-
f. Income From Assistance Programs		
Program	-	-
Program	-	-
g. Other Income (describe)		
	-	-
	-	-
23. Non-Recurring Income (describe)		
	-	-
	-	-
24. Monthly Child Support Ordered for Other Children		
Name/age: Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	-	-
Name/age: Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	-	-
Name/age: Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	-	-
25. Other Child(ren) Living In Each Household (First name(s) and age(s))		
26. Other Factors For Consideration		

Other Factors For Consideration (continued) (attach additional pages as necessary)

Signature and Dates

I declare, under penalty of perjury under the laws of the State of Washington, the information contained in these Worksheets is complete, true, and correct.

Parent's Signature (Column 1)

Parent's Signature (Column 2)

Date

City

Date

City

Judicial/Reviewing Officer

Date

**This Worksheet has been certified by the State of Washington Administrative Office of the Courts.
Photocopying of the worksheet is permitted.**

King County Superior Court
Judicial Electronic Signature Page

Case Number: 19-3-09930-9
Case Title: REILLY-SHAPIRO VS LOMBARDO
Document Title: ORDER RE CHILD SUPPORT WORKSHEET
Signed By: Steve Rosen
Date: March 15, 2021



Judge: Steve Rosen

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 3A5A378CBB717D2B5AF48ED9AB7F4ED8BDFB8C30
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Certificate Issued by: C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,
O=KCDJA, CN="Steve Rosen:
SggbXanx4xGO/SMAH11GsA=="

Superior Court of Washington, County of King

In re the Marriage of:

Petitioner:

CLAIRE REILLY-SHAPIO

And Respondent:

ANTHONY LOMBARDO

No. 19-3-09930-9 SEA

Restraining Order

Temporary (TRO)

Final (RSTO)

(ORWPNP)

Clerk's action required: **6, 7**

Restraining Order

This order replaces all earlier Restraining Orders with the same Restrained Person issued under this case number. Use a separate order for each restrained person.

1. **This Order restrains (name):**

Anthony Lombardo

Restrained Party's distinguishing features:

Restrained Party's Identifiers

Sex	Race	Hair
Male	White	Brown
Height	Weight	Eyes
6'3"	175	Brown

Caution: Access to weapons: yes no unknown

2. **This Order protects (name/s):** Claire Reilly-Shapiro
and the following children, who are under 18 (if any)

Child's name	Age	Child's name	Age
1. Anthony Ben Lombardo	3y	4.	
2. Nicholas Lombardo	2y	5.	
3.		6.	

3. **To the Restrained Person listed in 1 :**

This Order starts immediately, and ends in **24** months or on *(date)*: _____

Warning! You must obey this order. Violation of this order with actual notice of its terms is a **criminal offense** under Chapter 26.50 RCW and will subject the violator to arrest (*RCW 26.09.060*). This order is enforceable in all 50 U.S. states, the District of Columbia, and U.S. territories and tribal lands (*18 U.S.C. § 2265*).

4. **Findings**

Authority: The court has jurisdiction over the parties, the children listed in 2, and the subject matter.

Notice: The Restrained Person had reasonable notice and an opportunity to be heard. The Restrained Person [X] was present at the trial.

[X] The Restrained Person had actual notice because he was present at the trial.

[X] other (*specify*): The parties testified at trial and the court found that the Respondent engaged in acts of domestic violence.

Credible Threat: The Restrained Person represents a credible threat to the physical safety of the Protected Person.

Intimate Partner: The Restrained Person and the Protected Person are/were intimate partners because they are (*check all that apply*):

[X] current or former spouses or domestic partners, or parents of a child-in-common.

5. **Court Orders to the Restrained Person listed in 1 :**

Warning! You **must** obey this order until it ends. If you know about this order but do not obey, you may be arrested and charged with a crime.

[X] **Do not disturb**

The Restrained Person must not disturb the peace of the Protected Person or of any child listed in 2.

6. **Service:**

Fill out a *Law Enforcement Information Sheet* (form All Cases 01.0400) and give it to the clerk. (*Check one*):

The other party does not have to be served because the other party or their lawyer signed this order, or was at the hearing when this order was made.

7. **To the clerk:**

Provide a copy of this Order and the *Law Enforcement Information Sheet* to the agency listed below within one court day. The law enforcement agency must enter this Order into the state's database.

Name of law enforcement agency where the Protected Person lives: Seattle, WA.

The restrained person's information will be removed from the state's database when this Order ends unless the court signs a new Order or extends the end date of this Order.

Ordered.

		▶
<i>Date</i>	<i>Time</i>	<i>Judge or Commissioner</i>

This order is presented by me.
 This order may be signed by the court without notice to me.

This order is presented by me.
 This order may be signed by the court without notice to me.

Lucia Levias, WSBA # 39324
Attorney for Petitioner

Anthony Lombardo
Respondent

This order may be signed by the court without notice to me.

Claire Reilly-Shapiro
Petitioner

King County Superior Court
Judicial Electronic Signature Page

Case Number: 19-3-09930-9
Case Title: REILLY-SHAPIRO VS LOMBARDO
Document Title: ORDER RE RESTRAINING ORDER

Signed By: Steve Rosen
Date: March 15, 2021



Judge: Steve Rosen

This document is signed in accordance with the provisions in GR 30.

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O=KCDJA, CN="Steve Rosen:
SggbXanx4xGO/SMAH11GsA=="

*The Court of Appeals
of the
State of Washington*

LEA ENNIS,
Court Administrator/Clerk

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

June 30, 2021

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Valerie A Villacin
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valerie@washingtonappeals.com

CASE #: 82722-7-1

Claire Reilly-Shapiro, Respondent v. Anthony Lombardo, Appellant

Counsel:

The following notation ruling by Commissioner Masako Kanazawa of the Court was entered on June 30, 2021, regarding appellant's motion for extension of time to file notice of appeal:

"Pursuant to the Supreme Court's order No. 25700-B-659 suspending RAP 18.8(b) as to all notices of appeal effective December 1, 2020, the motion to enlarge the time to file a notice of appeal is granted."

Sincerely,



Lea Ennis
Court Administrator/Clerk

SSD

LEA ENNIS
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

October 4, 2021

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Anthony Lombardo
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valerie@washingtonappeals.com

Case #: 82722-7
Claire Reilly-Shapiro, Respondent v. Anthony Lombardo, Appellant
King County Superior Court No. 19-3-09930-9

Counsel:

The following notation ruling by Court Administrator/Clerk Lea Ennis of the Court was entered on October 4, 2021, regarding extension of time to file verbatim report until October 18, 2021:

“Granted.”

Sincerely,



Lea Ennis
Court Administrator/Clerk

ssd

LEA ENNIS
Court Administrator/Clerk

*The Court of Appeals
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October 20, 2021

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Case #: 82722-7
Claire Reilly-Shapiro, Respondent v. Anthony Lombardo, Appellant
King County Superior Court No. 19-3-09930-9

Counsel:

The following notation ruling by Commissioner Jennifer Koh of the Court was entered on October 15, 2021 regarding appellant's motion for extension of time to file verbatim report of proceedings to October 22, 2021:

"Granted."

Sincerely,



Lea Ennis
Court Administrator/Clerk

ssd

LEA ENNIS
Court Administrator/Clerk

*The Court of Appeals
of the
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November 3, 2021

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Case #: 82722-7
Claire Reilly-Shapiro, Respondent v. Anthony Lombardo, Appellant
King County Superior Court No. 19-3-09930-9

Counsel:

The following notation ruling by Commissioner Jennifer Koh of the Court was entered on November 2, 2021 regarding motion for extension of time to file verbatim report of proceedings to November 12, 2021:

“Granted. No further extensions.”

Sincerely,



Lea Ennis
Court Administrator/Clerk

ssd

LEA ENNIS
Court Administrator/Clerk

*The Court of Appeals
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November 29, 2021

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Case #: 82722-7

Claire Reilly-Shapiro, Respondent v. Anthony Lombardo, Appellant
King County Superior Court No. 19-3-09930-9

Counsel:

The following notation ruling by Commissioner Jennifer Koh of the Court was entered on November 24, 2021:

“The verbatim report of proceedings is overdue. Neither Appellant Anthony Lombardo nor Transcriptionist Julie Thompson has provided any explanation for the failure to comply with their previously requested extension of time to November 12, 2021. If the report of proceedings or a proper motion for extension of time based on good cause is not filed by December 3, 2021, sanctions of \$250 may be imposed against Thompson and/or Lombardo.”

Sincerely,



Lea Ennis
Court Administrator/Clerk

ssd

LEA ENNIS
Court Administrator/Clerk

*The Court of Appeals
of the
State of Washington*

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December 17, 2021

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Case #: 82722-7

Claire Reilly-Shapiro, Respondent v. Anthony Lombardo, Appellant
King County Superior Court No. 19-3-09930-9

Counsel:

The following notation ruling by Commissioner Masako Kanazawa of the Court was entered on December 17, 2021, regarding respondent's motion for dismissal:

"The report of proceedings has been overdue after multiple extensions. By ruling of November 24, 2021, Commissioner Jennifer Koh noted that neither appellant Anthony Lombardo nor Transcriptionist Julie Thompson had provided any explanation for their failure to comply with the deadline of November 12, 2021 set after three extensions. Commissioner Koh stated that if the report of proceedings or a proper motion for extension supported by good cause is not filed by December 3, 2021, sanctions of \$250 might be imposed against "Thompson and/or Lombardo." Neither the report of proceedings nor a motion for extension was filed by December 3, 2021.

On December 15, 2021, respondent Claire Reilly-Shapiro filed a motion to dismiss as sanctions for appellant Lombardo's failure to comply with this Court's ruling and his prior delays in pursuing this appeal affecting the parties' young children. Lombardo filed a response to the motion to dismiss with transcriptionist Thompson's motion for a further extension until December 30, 2021.

Neither Lombardo nor Thomson identifies any good cause for their failure to at minimum file a motion for extension by December 3, 2021. Pursuant to the November 24 ruling, sanctions of \$250 are imposed against appellant Lombardo. If the report of proceedings is not filed by December 30, 2021, this case will be dismissed without further notice of this Court."

SMITH GOODFRIEND, PS

July 08, 2022 - 12:54 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 101,000-1
Appellate Court Case Title: In the Matter of the Marriage of Claire Reilly-Shapiro and Anthony Lombardo

The following documents have been uploaded:

- 1010001_Affidavit_Declaration_20220708125303SC516970_4877.pdf
This File Contains:
Affidavit/Declaration - Other
The Original File Name was 2022 07 08 Declaration of Reilly Shapiro.pdf
- 1010001_Answer_Reply_20220708125303SC516970_0151.pdf
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Answer/Reply - Answer to Petition for Review
The Original File Name was 2022 07 08 Answer to Petition for Review.pdf
- 1010001_Other_20220708125303SC516970_2100.pdf
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Other - Answer to Motion for Extension
The Original File Name was 2022 07 08 Answer to Extension re Petition.pdf

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Filing on Behalf of: Valerie A Villacin - Email: valerie@washingtonappeals.com (Alternate Email: andrienne@washingtonappeals.com)

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