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COURT OF APPEALS DIVISION I OF THE STATE OF WASHINGTON

Theresa Ibrahim Gohar

Appellant,

VS.

No. 69920-2-1

Samir Aziz Gohar

Appellant brief

Respondent.

Appellant Theresa Gohar had filed a brief with the Appeal court on September 3, 2013 but it was stricken by the appeal court DIV 1 in Seattle WA because it's length was more than 50 pages so Theresa had to refile her brief again to be 50 pages or less. Appellant brief filed on April 11, 2014 was returned because the font size was less than 12.

Theresa's brief is referring to the (CP numbers) clerk's papers of the case by the docket sub numbers for the divorce case #12-3-00776-6 and Catherine's protection case # 12-2-01394-1 in Snohomish county superior court in Everett, WA.

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Assignments of Errors of the law in the trial court:

1- violation of RCW 7.69A.030 (9)(10) On October 30, 2012 Catherine's protection case # 12-2-01394-1 in Snohomish county superior court in Everett, WA where Commissioner Susan Gaer violated the Rights of child victims and witnesses and ordered Catherine's mother to stay in the court room while the GAL Martha Wakenshaw from the divorce case get Catherine alone and interview her alone without any other witness with her, claiming "the court finds

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her reports trustworthy". 2- Violation of RCW 70.125.060 on October 30, 2012 Commissioner Susan Gaer violated the law that Personal representative may accompany victim during treatment or proceedings. 3- Violation of RCW 9A.72.040 the GAL Martha E. Wakenshaw violated the law by false swearing: ["her reporting she said two times dad touched her between the legs on her clothing"] ["there was a very leading question, did dad touch you? The child said yes"] ["Catherine had tears in her eyes and had been through a lot including a pelvic exam"] ["she also said that her mother told her about my report, that she might be living with her father. And then when - after that was shared, she then disclosed this information"]. ["Ms. Patricia Bundy, commissioner Gaer's clerk was called out to help and eventually had to call security who cleared the area"] ["It appeared that the mother had greatly influenced the child"] ["security had to be called because they were within earshot of the child saying I was a liar."] ["abusive use of conflict to involve the child in reading court documents"] ["Because the mother has not taken the For Kids' Sake seminar and has engaged in abusive use of conflict, the children spend more residential time with the father"]. 4- Violation of RCW 26.12.175 the GAL Martha E. Wakenshaw violated the law by not filing her report at least 60 days before the trial instead she filed it at the trial day in open court on November 5, 2012. And she failed to represent the best interest of the Two children Catherine Gohar and Mathew Gohar instead she represented the best interest of the children's father Samir Gohar that molested his daughter Catherine sexually when she had visits and sleepover with him at his resident during the divorce process. 5- Violation of WAC 388-15-009 the trial court violated the law and denied that the intentional sexual touching either directly or through the clothing is an abuse for children. 6- Violation of RCW 26.44.180 the trial court violated the law and the Investigations of child sexual abuse, Protocols, Documentation of agencies' roles. The trial court ignored the law enforcement and Child protective services investigations that were in process and exposed Catherine to her father that sexually molested her, the trial court dismissed Catherine's protection case on October 30, 2012

and on November 8, 2012 the trial court ordered Catherine's custody and sole decisions over her to be made only by her father that molested her sexually and to date Catharine still under her father custody. 7- Violation of RCW 74.13.031 the trial court violated the Duties of department, Child welfare services, Children's services advisory committee and that there shall be every reasonable effort made by law enforcement agencies, prosecutors, and judges to assure that child victims and witnesses are afforded the rights. 8- Violation of RCW 26.44.010 the trial court violated that protective services shall be made available in an effort to prevent further abuses, and to safeguard the general welfare of such children. When determining whether a child and a parent, custodian, or guardian should be separated during or immediately following an investigation of alleged child abuse, the safety of the child shall be the department's paramount concern. 9- Violation of RCW 26.10.160 Visitation rights Limitations. The court violated the law and allowed and approved Catherine to visit and later live primary with her father that molested her sexually ignoring the sexual assault by him and ignoring the law enforcement and CPS investigations that were in process, on October 30, 2012 Catherine protection case was dismissed and on November 8, 2012 the trial court ordered Catharine's custody to the father that molested her sexually with sole decisions over her made by him only. 10- Violation of RCW 9A.44.083 Child molestation in the first degree Snohomish county police report case # 12-17928 (CP 296 attached). The trial court did not wait for the law enforcement to finish their investigations and report first, on October 30, 2012 Catherine protection case was dismissed and on November 8, 2012 the trial court ordered Catharine's custody to the father that molested her sexually with sole decisions over her made by him only before the police and CPS finish their investigations. 11- Violation of RCW 70.125.020. The trial court violated the law that Sexual assault is a serious crime. The trial court did not protect Catherine from further sexual abuse by the father and exposed her to him and ordered her to live only with him only and the sole decisions over her made by him only. 12- Violation of RCW 10.46.080, the court failed in not granting a trial continuance when needed,

the trial court denied Theresa's motions for trial continuance. 13- The trial court claimed that the GAL Martha E. Wakenshaw report was filed but it was not filed until November 5, 2012 at the trial day in the open court by her. 14- Samir's polygraph test that was admitted as evidence at trial is not valid because inside the test there were no answers to the most important questions "identity" of the person doing the test. Also a question inside the test if Samir had done anything illegal that he could be arrested for, in the test result it shows he told the truth and he didn't do anything illegal while the real truth is the opposite that he was illegal resident in the USA and he bought a duplex and a business while he was illegal resident in the USA and he could have been arrested for that. \*Samir did the polygraph test on November 3, 2012 right before the trial on November 5, 2012 and before the law enforcement interviewed him. Samir hired an attorney named Anna Goyman and she told the police of Samir's rights to remain silent. The law enforcement never interviewed Samir and Samir and his lawyer did the polygraph test and gave it to the police as proof and the police transferred his case to the prosecutor's office. 15- Violation of RCW 26.09.080, the trial court awarded Samir with the total purchase price of the business don's restaurant and its land during marriage that is worth \$1,015,000 in WA State, the court awarded Samir with the house that is worth \$400,000 in WA State, the court awarded Samir with the \$ 282,500 assets from selling the duplex and the business in MA State during the parties' marriage for seven years before moving to WA State, the court awarded Samir with the children's college funds that is worth more than \$28,000 and the trial court failed in not allowing the children's to keep their college funds for them instead the court ordered the children's college funds to the father, the trial court awarded Samir with it all and approved all his requests while Theresa's requests were all denied. 16- [RCW 26.19.071] the court violated the law and based on Samir's self-prepared piece of paper given to the trial judge as his income (trial exhibit 12 in CP 295) the court calculated the wife alimony and final child support. Child support and wife alimony calculation should be based on the parties' tax return and the tax return was filed with the court (CP

66). The court considered Samir's self-prepared papers as evidence of his income while his real true income from all sources is \$1,536,233 in his income tax return (CP 66). 17-The court irregularity in proceeding in rejecting Theresa's exhibit #20 after it had been admitted at trial for no reason (CP 295 attached). 18-on November 8, 2012 the trial judge violated Theresa's Freedom of speech by law: State Constitution Art. 1 § 5, Theresa had the right to speak and expose the GAL Martha E. Wakenshaw lies. 19- On November 8, 2012 the trial judge ordered both children to go to mental therapy based on the GAL Martha E. Wakenshaw recommendations and false claims and not based on any doctor evaluation. 20- Violation of RULE CR 59 and RCW 26.09 for a NEW TRIAL. The irregularity in the proceedings of the court, any order of the court, and abuse of discretion, by which such party was prevented from having a fair trial, on January 9, 2013 the trial court failed in not granting a new trial. 21- Violation of RCW 26.09.090, the trial court failed in not ordering reasonable wife maintenance for Theresa's education and living expenses and for her to live the same level as before the divorce. Theresa was a full time mom for 11 years with limited education and work experience. The trial court claimed that Theresa is voluntarily unemployed and the fact that is not true it was agreed by both parties that she stay at home mom. The amount in the imputed income for Theresa by the trial court is amplified, if Theresa got a job she will be only earning the minimum wages and not as it stated in the imputed income for Theresa. The trial court failed in not ordering a fair wife alimony amount and duration for Theresa to be able to live the same live style as before the divorce. 22- Violation of RCW 26.09.070 and RCW 26.09.170, the court violated the law and failed in ordering the wife alimony to be non-modified at trial on November 8, 2012, the trial judge adopted Samir's wife alimony proposal and ordered wife alimony for two and a half years in the amount of \$2,500 for six months, \$2,000 for six months, \$1,500 for six months, \$1,000 for six months, \$500 for six months then a \$0 maintenance for Theresa. The trial judge ordered \$ 300 child support Theresa has to bay to Samir every month and it can be taken from her alimony amount

given to her every month. 23- Violation of RCW 26.09.181, RCW 26.09.182, RCW 26.09.184, RCW 26.09.187 and RCW 26.09.191, the court violated the law by only approving Samir's proposed parenting plan while Theresa's parenting plan was ignored (CP 142). The court ignored that the father have a history of domestic violence (CP 143) and a sexual molestation to his own daughter (CP 188, CP 296) before entering the final parenting plan. The court ordered the children's custody to the sexually abusive father with sole decision made by him only. The court ignored [chapter 26.50 RCW] domestic violence prevention and [chapter 26.44 RCW] abuse of children.

Argument:

There are two main issues: #1 the custody of the children:

1- Custody was in the favor of the father Samir even though the father abandon and abused the children while the mother took 100% care of them (CP 148,188,142, 296). 2- Was the GAL Martha Wakenshaw report true with evidence and documents provided on all her claims or was it only on her own opinion and words without any evidence provided to the court? 3- Did the court look at all facts for custody before ruling or did the court only considered the GAL report and testimony the court claimed "she is well known to the court"? 4- Did the court considered that there was a law enforcement and a CPS investigations that were in process in the ruling or did the court only considered the GAL testimony and report? 5- Did the GAL Martha E. Wakenshaw represented the best interest of Catherine in this case when Catherine told her about the sexual behavior and the molestation by her father Samir or did she represent the best interest of Samir and recommended Catharine to be under her father custody only and he molested her sexually? 6- Did the GAL report to the court what Catherine really said to her or did she simply not believe Catherine and told her own opinion and words instead? 7- Was there another witness when the GAL Martha Wakenshaw interviewed Catherine or was it just the GAL, her own words and false claims? 8- Did any other witness reported that Theresa is abusive to the children or was it only the GAL and her false claims? 9- Did the GAL

represent the best interest of the children or did she represent the best interest of the sexually molested father? 10- Did the court order the children to go to mental therapy based on a doctor request and recommendation or was it based on the GAL recommendation and she is not a doctor? (CP 148). 11- When the court ordered the children custody to the father did the court consider the fact that the father has a history of domestic violence and sex abuse with evidence and documents provided to the court (CP 188, 143, 296) or did the court only considered the GAL recommendation? 12- Did the court considered in custody ruling the fact that the mother was a full time mom to her children since birth and the only one who cared for them when their father abandon them in 2011 or did the court ignored this fact? 13- Did the court consider the fact that the children were awarded with honor certificates from Their Schools Theresa's care while their father abandoned them? (CP 148).

14- Did the court considered in custody ruling other witness's declarations like the children school's teachers, children's doctors, and Theresa's therapist or did the court only considered the GAL Martha Wakenshaw and ignored all other witness in the children's life? (CP 43, 147, 148, 177, 296).

#2 all financials matters: All financial matters were in the favor of Samir due to lack of evidence, wrong information given and information not provided. 1- Was the child support calculation and wife alimony amount based on the parties' tax return income or was it based on a self-prepared paper by Samir? 2- For the properties and assets division, did the court have certified documents for financial matters or was it just self-prepared papers by Samir? 3- Did the court made assets and properties division ruling based on evidence and proofs or was based on self-prepared papers by Samir and Samir's brokers? 4- Was the properties owned by the parties professionally evaluated or was it based on a personal estimate from Samir's brokers? 5- Did the trial court give Theresa a fair amount of alimony and duration that allow her to live the same life style as before the divorce or was it based on Samir's request? 6- Did the court considered Theresa's requests or was it all denied? (CP 141,142) 7- Did the court give a fair

division of the businesses, properties and assets owned or was it all rewarded to Samir?

8- Did Theresa and her children receive a fair trial?

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Statement of Facts:

The trial court denied Theresa's motion for a trial continuance on October 19, 2012 judge (Michael T. Downes) because of the GAL Martha E. Wakenshaw report (CP 137). On October 19, 2012 motion hearing transcript case # 12-3-00776-6 (CP 290) page 2 lines 17-20 Samir's attorney testified: ["We asked the Guardian ad litem if she had received a paper for this and then we then went ahead and send it to her. She wasn't available to come today"]. (CP 290) page 3 lines 23-24& page 4 lines 9-12 Theresa testified: ["I had no lawyer to help me with the evaluations and financial stuff "] [" we have a house that's is not evaluated yet"] ["my husband own a business and the evaluator is in the middle of the process"]. (CP 290) page 7 lines 6-11 the judge told Theresa: [" I realize that you have posited that you have believes that don't allow for dissolution but this is a court of law and under Washington state law dissolution is allowable and this matter need to proceed okay so you need to get yourself ready to go.."]. (CP 290) page 6 lines13-21 the judge testified that the GAL report is filed: ["your motion to postpone the trial is denied. There's been ample time to get things together. my understanding also is that you're asking for a new guardian ad litem apparently because you don't like the old guardian ad litem report which is adverse to you ".] ["it has been filed and there certainly should be a copy available"]. The fact that the GAL report was not filed as the judge claimed and Theresa did not see it at that time but heard what is in it from the opposing attorney declarations filed. The court denied granting trial continuance to have the time to motion a different GAL and the time to finish with the evaluation of the

house and the business owned and to investigate on the cash money distributions Samir took out from some accounts owned and to give Theresa time to find an attorney to help her in the case, But her motion was denied based on the GAL report that was not filed with the court until the trial day in open court on November 5, 2012. The trial court erred in not granting a trial continuance when needed. Please review [Clerk's papers] CP111,112,113,115,116,117, 121, 122, 132, 133,136,137 and CP 290 October 19, 2012 transcript.

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On October 23, 2012 (CP 291) Theresa's motion hearing to change the GAL Martha Wakenshaw was denied by Commissioner Susan C. Gaer , the commissioner failed in not granting a change of the GAL Martha Wakenshaw when needed. The GAL was served with the motion by Samir's attorney and was aware of the hearing time and did not come. October 23, 2012 transcript case # 12-3-00776-6 (CP 291) page 3, lines 11-16 Samir's attorney testified: ["I sent it to her. The petitioner didn't send it to her -- or the moving party did not send it to her, but I did"] [" As soon as we got it"].\_ Commissioner Susan Gaer denied Theresa's motion based on the GAL Martha Wakenshaw was not served with the motion but she was served by Samir's attorney same day they got the motion. (CP 291) page 8 lines 7-21, Theresa asked Commissioner Susan Gaer as follow: ["so if there is anyone else, can the court like appoint to my kids right now to talk to my kids and know what is happening?"]. Commissioner Gaer said: [" no. and quite frankly, ma'am, I did review the guardian ad litem report, there is a lot of concern about the children being too involved in this"]. [" Ma'am, stop talking to the kids about this case"]. The fact that the GAL did not file her report with the court or send it to Theresa's house, and it seems that commissioner Susan Gaer got it from Samir's attorney because it was not filed until trail day on November 5, 2012. There was no court written order of the denial but there is a digitally recorded document for the hearing (CP140). Commissioner Susan Gaer denial to

hear a contempt motion against Samir in violation of the court order to return the children's college funds he liquidated and also he did not pay the support for Theresa and her children. Please review Motions filed on October 9, 2012, CP 112,113,115,116,117,121,132,140 and CP 291 October 23, 2012 transcript.

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On October 30, 2012 (CP 292) Catherine protection case # 12-2-01394-1 (Appeal # 70594-6-1), Commissioners Susan C. Gaer dismissed Catherine Mary Gohar's protection case before the law enforcements and child protective services finish their investigations on Catherine's sexual abuse by her father. A protection order was in place since October 25, 2012 based on the recommendation of the law enforcements and Child protective services and their investigations that were in process. The hearing was set to be on November 8, 2012 for the investigations to be finished first but Samir's attorney went to an ex parte motions court room to commissioner Arden Bedle to shorten the hearing time to be on October 30, 2012 without the knowledge of Theresa and it was approved by commissioner bedle and later Theresa found the commissioner order to shorten the time sticking on her home door. The protection case # 12-2-01394-1 for Catherine Mary Gohar in Snohomish county superior court in Everett, WA (CP 188) was dismissed by Commissioner Susan C. Gaer because of a false testimony from the GAL Martha E. Wakenshaw. Commissioner Susan Gaer dismissed the protection case and its order ignoring the law enforcement and child protective services investigations that were in process and was not finished yet and the Child protective services written recommendations in front of her dated October 30, 2012 (CP 188) for the protection order to stay in place for the children's safety but commissioner Gaer ignored their recommendations, also Theresa did provide commissioner Susan Gaer with some documents regarding Samir's sexual behavior (CP188), the documents was about Samir seeking sex and role play with girls as young as 18 years old as the web site allowed him in the year of 2011, also his declarations of abusing Theresa sexually in the of year 2009, Theresa was keeping those documents as a secret but when it comes that he

might be abusing his own daughter Catherine the 11 years old, Theresa had to reveal it to the court. The GAL Martha Wakenshaw was present because Samir's lawyer notified her. October 30, 2012 protection case hearing transcript (CP 292) page 7 lines 21-23 and page 8 lines 8-19 The GAL Martha Wakenshaw claimed: ["to me the allegations that the mother are bringing, the child disclosed to her seem a bit vague to me"], ["the mother's mental health, I have concern about"], ["she found fault with many professionals including wanting to dismiss me off the case. I'm just speaking to her mental health. It's very unstable. She has not taken for the kid's sake seminar. It's really concerning. So I don't feel the father should be restrained at this point"]. The fact that the GAL Martha E. Wakenshaw was telling her own opinion that the father shouldn't be restrained but what about Catherine's safety and that was supposed to be her job, instead of her job is Catherine and her safety she is on Samir's side and that was even before she talks to Catherine about the abuse by her father and the fact that Theresa did take for the kid's sake seminar and it was filed with the court on July 23, 2012 (CP 92) & trial Exhibit 4 (CP 295) attached and not as the GAL Martha E. Wakenshaw falsely claimed about Theresa. About Theresa's mental health, the GAL is not a doctor to diagnose Theresa with mental health problems and her job is the children and their safety and not to diagnose the parents or the children with mental health illnesses and the fact that Theresa's therapist Regina Hugo declaration filed (CP 147 attached) and Theresa's Mental evaluation filed (CP 177, 196 attached) shows Theresa do not suffer from mental illnesses as the GAL Martha Wakenshaw claimed. October 30, 2012 protection case hearing transcript (CP 292) page 9 lines 18-25 and page 10 lines 1-5 Commissioner Susan Gaer asked Theresa: ["where is your daughter now?"] Theresa said: ["she's with my mom in the car outside"] ["I have an officer interview for my daughter for the investigation they needed to talk to her about the situation. I had the appointment at 1:30pm. But obviously we are late until now and I am late for the interview"]. The fact that the first time ever Catherine goes inside the court house was by an oral order from Commissioner Susan C. Gaer that ordered the

GAL Martha E. Wakenshaw to bring Catherine from the car outside the court house and take her testimony in a small room alone on October 30, 2012. Catherine was with her grandmother waiting for her mother outside the court for her interview appointment with the police officer right after the court hearing. (CP 292) page 10 lines 10-19, COMMISSIONER Susan GAER asked the GAL Martha E. Wakenshaw: [" would it be possible for you to talk with the child now"] ["Well, my concern is, is I would like you to interview her before mother has the time to go out and tell you -- tell her that she is coming in to interview"]. The commissioner ordered Theresa to stay in the court room until the GAL Martha E. Wakenshaw goes out the court house and gets Catherine from her Grandmother car outside the court and interview her alone. The commissioner violated the law for victims and witnesses rights that judges to assure that child victims and witnesses are afforded the rights to allow an advocate to be present in court while the child testifies in order to provide emotional support to the child. To provide information to the court as to the need for the presence of other supportive persons at the court proceedings while the child testifies in order to promote the child's feelings of security and safety. Commissioner Susan Gaer on October 30, 2012 Violated RCW 7.69A.030 Rights of child victims and witnesses, In addition to the rights of victims and witnesses provided, there shall be every reasonable effort made by law enforcement agencies, prosecutors, and judges to assure that child victims and witnesses are afforded the rights enumerated in this section. Child victims and witnesses have the following rights: (9) to allow an advocate to be present in court while the child testifies in order to provide emotional support to the child. To provide information to the court as to the need for the presence of other supportive persons at the court proceedings while the child testifies in order to promote the child's feelings of security and safety. (10) To allow law enforcement agencies the opportunity to enlist the assistance of other professional personnel such as child protection services, victim advocates or prosecutorial staff trained in the interviewing of the child victim. Commissioner Susan Gaer on October 30, 2012 Violated RCW 70.125.060, Personal

representative may accompany victim during treatment or proceedings. If the victim of a sexual assault so desires, a personal representative of the victim's choice may accompany the victim to the hospital or other health care facility, and to proceedings concerning the alleged assault, including police and prosecution interviews and court proceedings. (CP 292) page 11 lines 11-18 Theresa requested: ["Can there be another witness with the Gaurdian ad litem?"] ["She says stuff not right"], commissioner Susan Gaer said: ["Ma'am, the court finds her reports trustworthy, so that's why I want her to talk to the child"]. The commissioner only wants to believe what the GAL claims without any evidence or witness to the truth of her testimony, the fact that there are a lot of errors and false claims in the GAL report and testimony. (CP 292) page 13 lines 8-11 The GAL Martha Wakenshaw claimed: ["so this was at the end of the interview and Catherine had tears in her eyes and had been through a lot including a pelvic exam"]. The fact this is false it never happen all the doctor did on October 29, 2012 attached is looked at Catherine private area from outside only not like the GAL claimed "a pelvic exam" is false. (CP 292) page 13 line 18 The GAL Martha E. Wakenshaw claimed about Catherine: ["she had a lot of inconsistencies in her reporting she said two times dad touched her between the legs on her clothing"]. The GAL on October 30, 2012 (CP 292) claimed that Catherine told her, her father touched her in between the legs but later (CP 294) on November 5, 2012 at trial the real truth came out that Catherine told The GAL Martha E. Wakenshaw she was touched in her private area by her Father Samir and there were bleeding from her genital area. At trial transcript (CP 294) page 16 lines 4-15 the GAL testified: ["she disclosed that she was touched by her father inappropriately down there"] ["she said it happened twice"] [" she said there was bleeding from her genital area"] [" and she told her mother"]. Trial transcript (CP 294) page 18 lines 17-22, the GAL said: ["the timing of this came after the mother tried to have me dismissed as the guardian ad litem. And then these allegations came forth. Again, I want to emphasize the child told the mother about those allegations, then the mother sought a restraining order. This

was how the thing got started”]. On October 30, 2012 protection case transcript (CP 292) page 13 line 14, the GAL claimed: [“there was a very leading question, did dad touch you? The child said yes”]. The GAL Martha E. Wakenshaw violated the law RCW 9A.72.040 false swearing. The GAL testimony is misleading and false. At the trial the GAL testified that Catherine told her mother about Samir’s behavior but at Catherine’s protection case hearing the GAL accused Theresa of a leading question. The GAL at the protection case hearing claimed that Catherine told that her that her dad touched her between the legs but later at trial the truth came out that Catherine told her she was touched her in her genital area and there was bleeding from her genital area. In the Police report (CP 296) (after the kids were in their father custody already by court order on November 8, 2012) the GAL Martha E. Wakenshaw written statement to the police dated November 9, 2012: [“on past interview Catherine had disclosed that her mother has shown her the court documents. She did say that her mother now has stopped doing that and she hadn’t read my GAL report”]. On October 30, 2012 at Catherine’s protection case hearing transcript (CP 292) page14 lines 3-6, the GAL claims were different: [“and she also said that her mother told her about my report, that she might be living with her father. And then when - after that was shared, she then disclosed this information”]. In police report (CP 296 attached) false written statement from the GAL Martha Wakenshaw dated 11-9-2012 as follow:[“Ms. Patricia Bundy, commissioner Gaer’s clerk was called out to help and eventually had to call security who cleared the area”]. but at trial on November 5, 2012 (CP 294) transcript page 30 line 14-18 the GAL was asked: [“did you see any security”]. She said: [“I didn’t see any”].

The GAL Martha E. Wakenshaw violated the law RCW 9A.72.040 False swearing, a person is guilty of false swearing if he or she makes a false

statement, which he or she knows to be false, under an oath required or authorized by law. False swearing is a gross misdemeanor. The fact that Catherine is in her father custody now since November 8, 2012 because of the GAL Martha E. Wakenshaw testimony, report and recommendations and this is injustice to force Catherine to live only with her father that molested her sexually and the court gave him sole decisions over her and dismiss the protection case that was protecting her. The trial court only approved the GAL Martha E. Wakenshaw testimony and own words without any proof provided and the court ignored all other facts, documents and witnesses that were in the case. The fact that the police report (CP 296) came out after the parties went to the trial and the children were under their father custody already by court order on November 8, 2012 and because the trial court refused to wait for the law enforcement and child protective services investigations that were in process and only approved the GAL Martha E. Wakenshaw own words without a proof. The police video recorded the interview with Catherine and took her testimony with the help of another specialist. But with the GAL Martha E. Wakenshaw there was no recording of Catherine's testimony, no evidence provided to the court, and no witnesses with her in the interview with Catharine, it was only the GAL Martha E. Wakenshaw own words and false claims. The police report is attached and was not finished yet when the protection case for Catherine was dismissed and was not finished yet also at trial when Catherine was forced by court order on November 8, 2012 to be only under her father custody the molested her sexually. In the police report (CP 296 attached) on October 24, 2012 the written testimony of Catherine's middle school consoler Nancy beck: [" she said her daughter told her last night that dad has been touching her breasts and last night tried to touch her lower private area". "I called down Catherine and she reported to me everything her mother had reported. Catherine said her father on occasion has wanted her to sleep in his bed. She reported that she always goes back to her bunk bed. she said she became more frighten when she found a knife and a small bottle marked poison"]. Catherine was at school already when Theresa

went for help. Catherine was not aware that her mother going to be at school and as you can see there was no leading question as the GAL Martha E. Wakenshow claimed, it was a surprise to Catherine and Catherine told the same reporting she told her mother to the school consoler. The trial court only considered the GAL Martha E. Wakenshow false claims. The trial court said "her report is trustworthy" and "she is well known to the court" and ignored the truth and facts and other witnesses that were involved. The trial court did not protect Catherine from further abuse by her father and that was an error. In the police report (CP 296) Snohomish county police victim statement as follow: ["Catherine said her dad touches her in some places not very nice. Catherine said it happened twice. She was watching TV and sitting in the couch with him and he started to touch her in her private area. Catherine said it made her feel uncomfortable and she moved to another chair. Catherine said that second time that something happened, her dad asked her to sleep in the bed with him. Catherine said no, and went to her own room to sleep. Catherine said that she waked up in her dad bed and did not know what happened. Catherine said that the next day, she started bleeding from her private parts into her underwear"].

Is Catherine is safe now in the custody of her father that molested her sexually?

Error of the law by the trial court, WAC 388-15-009 The intentional touching, either directly or through the clothing, of the sexual or other intimate parts of a child or allowing, permitting, compelling, encouraging, aiding, or otherwise causing a child to engage in touching the sexual or other intimate parts of another for the purpose of gratifying the sexual desire of the person touching the child, the child, or a third party. Sexual exploitation includes, but is not limited to, such actions as allowing, permitting, compelling, encouraging, aiding or otherwise causing a child to engage in prostitution; sexually explicit, obscene or pornographic activity to be photographed, filmed, or electronically reproduced or

transmitted; sexually explicit, obscene or pornographic activity as part of a live performance or for the sexual gratification of another person.

Error of the law by the trial court RCW 26.44.180 Investigation of child sexual abuse, Protocols, Documentation of agencies' roles. The department and local law enforcement agencies may include other agencies and systems that are involved with child sexual abuse victims in the multidisciplinary coordination. The protocol shall address the coordination of child sexual abuse investigations between the prosecutor's office, law enforcement, children's protective services, children's advocacy centers, where available, local advocacy groups, community sexual assault programs, as defined in RCW 70.125.030, and any other local agency involved in the criminal investigation of child sexual abuse. The protocol shall be developed by the prosecuting attorney with the assistance of the agencies referenced in this subsection.

Error of the law by the trial court RCW 26.44.010 The state is justified in emergency intervention based upon verified information; and therefore the Washington state legislature hereby provides for the reporting of such cases to the appropriate public authorities. It is the intent of the legislature that, as a result of such reports, protective services shall be made available in an effort to prevent further abuses, and to safeguard the general welfare of such children. When determining whether a child and a parent, custodian, or guardian should be separated during or immediately following an investigation of alleged child abuse or neglect, the safety of the child shall be the department's paramount concern.

Error of the law by the trial court RCW 26.10.160 Visitation rights — Limitations.

Visitation with the child shall be limited if it is found that the parent seeking visitation has engaged in any of the following conduct: Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions; physical, sexual, or a pattern of emotional abuse of a child; a history of acts of domestic violence as defined in RCW 26.50.010 or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.

Error of the law in the trial court RCW 9A.44.083 Child molestation in the first degree (the police report CP296).

Error of the law in the trial court RCW 70.125.020, Findings. The legislature hereby finds and declares that: Sexual assault is a serious crime in society

On November 5, 6, 8, 2012 trial transcript (CP 294) page 179 line 2-3 Judge Richard Okrent adopted commissioner Susan Gaer's findings by dismissing the protection case for Catherine and adopted the GAL Martha E. Wakenshaw report and recommendations of switching the custody of the children from their mother Theresa that took care of them all their life to their father Samir that abounded them and abused Catherine sexually and Catherine was forced by court order on November 8, 2012 to be under her father custody that molested her sexually and Theresa was ordered to be under supervised visits only with her children and Samir to the power to choose who will supervise the visits for Theresa and her children. The trial court erred in dismissing the protection case for Catherine on October 30, 2012 and erred in ignoring the law enforcement and Child protective services recommendations and their investigations that were in process and erred in switching the custody of the children to the abusive father. The court erred in not protecting Catherine from further abuse her by father and forced her to live only with him and gave him total control over her. Please review CP 188 (protection case # 12-2-01394-1) and the transcript of proceeding on October 30, 2012 (CP 292) , trial transcript on November, 5, 6, 8, 2012 (CP 294) and The police report (CP 296).

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On November 5, 2012 case # 12-3-00776-6 Judge Michael t. Downes denied Theresa's motion for trial continuance (CP 150) Theresa's motion for trial continuance was based on the CPS and the police investigations that were in

process and the need to wait for the investigations to be done first before we go to trial. At the hearing Samir's attorney MS Katherine Peterson threatened that if the trial continued she will do a motion in front of a commissioner in the ex parte court room same day and take the children from their mother Theresa based on commissioner Susan Gaer dismissal of Catherine's protection case and based on the GAL Martha E. Wakenshaw recommendation and report. Samir's attorney MS. Katherine Peterson in November 5, 2012 motion hearing for trial continuance transcript (CP 293) page 7 lines 8-11 said as follow: ["I'm going to have to go in front of commissioner Arden Bedle today, do a motion, then, you know, get it set out properly in front of commissioner Gaer"]. On November 5, 2012 motion for trial continuance hearing transcript (CP 293) page 5 lines 17-23 the GAL Martha E. Wakenshaw claimed: ["I interviewed the daughter and found her statement to be very inconsistent about the allegations. It appeared that the mother had greatly influenced the child. I also would like the court –commissioner Gaer lifted the order restraining the father from seeing the children"]. The fact the GAL Martha E. Wakenshaw own opinion and words found to be not true in the police report victim statement (CP 296) Catherine said: ["my mom told me to tell the truth"]. November 5, 2012 motion for trial continuance hearing transcript (CP 293) page 6 lines 4-6 The GAL Martha E. Wakenshaw claimed: ["security had to be called because they were within earshot of the child saying I was a liar"]. But on November 5, 6, 8, 2012 trial transcript page 30 line 18 the GAL Martha E Wakenshaw testified: ["I didn't see any, but I was informed of security being"]. In the Police report on November 9, 2012 (CP 296) the GAL Martha E. Wakenshaw false written statement to the police: ["Ms. Patricia Bundy, commissioner Gaer's clerk was called out to help and eventually had to call security who cleared the area"]. The GAL Martha Wakenshaw continued to lie and lied to the police officer. Motion for trial continuance hearing on November 5, 2012 in front of

Judge Michael t. Downes was denied based on the GAL Martha E. Wakenshaw testimony and based on the finding of commissioner Gaer by dismissing Catherine's protection case. Please review CP 145, 147, 148, 149, 150, and CP 292 October 30, 2012 transcript, CP 293 motion for trial continuance hearing transcript on November 5, 2012, and CP 294 trial transcript on November 5, 6, 8, 2012 and the police report CP 296.

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The 3 days trial duration with Judge Richard T. Okrent on November 5, 6, 8, 2012 (CP 294). (CP 294) page 2 line 23-25, Samir's attorney MS. Katherine Peterson claimed: ["we've had a guardian ad litem report, The guardian ad litem report was changing custody from the mother to my client based mostly upon her extreme abusive use of conflict"]. The fact that the GAL Martha E. Wakenshaw did not file her report with the court and she only gave it at the trial day on November 5, 2012, the fact that the GAL report should have been done at least 60 days before trial date as court ordered (CP 95), The fact that the GAL sent her report to Theresa by mail at end of October, 2012 and right before trial days in November 5, 6, 8, 2012, the fact that the GAL did not follow up with Theresa's interview. (CP 294) page 3 lines 9-11, Samir's attorney claimed: ["And then finally, as a last ditch effort, the wife has made allegations of inappropriate sexual touching by my client of their 11-year-old daughter"]. The fact that this was proven false when you review the police report victim statement (CP 296), Catherine said: ["my mom told me to tell the truth"] ["Catherine said her dad touches her in some places not very nice. Catherine said it happened twice. She was watching TV and sitting in the couch with him and he started to touch her in her private area. Catherine said it made her feel uncomfortable and she moved to another chair. Catherine said that second time that something happened, her dad asked her to sleep in the bed with him. Catherine said no, and went to her

own room to sleep. Catherine said that she waked up in her dad bed and did not know what happened. Catherine said that the next day, she started bleeding from her private parts into her underwear”]. Plus (CP 294) page 16 the GAL Martha E. Wakenshaw herself testified: [“she disclosed that she was touched by her father inappropriately down there” “she said it happened twice” “she said there was bleeding from her genital area” “and she told her mother”], also (CP 294) page 18 lines 19-22 the GAL Martha E. Wakenshaw said [“I want to emphasize the child told the mother about those allegations, then the mother sought a restraining order. This was how the thing got started”]. (CP 294) page 9 lines 14-16, Samir’s attorney asked the GAL Martha E Wakenshaw: [“did you complete an investigation on this – in this particular case?”]. And the GAL said [“Yes, I did”]. The fact is that the GAL saw Theresa only once at her house and she was supposed to follow up with her but the GAL did not follow up with her. (CP 294) page 10 lines 17-24, Samir’s attorney asked the GAL: [“When you recommended a psychological evaluation for both parents, what’s the basis of your recommendation?”]. The GAL answered: [“Basis was the father presented with some mild depression and was taking medications and I felt that it would be prudent to have him evaluated. The mother presented with significant anxiety and depression from my observations”]. The fact that the GAL Martha E. Wakenshaw claims were false about Theresa as it shows in Theresa’s mental evaluation (CP 177, 196) and Theresa’s therapist declaration filed (CP 147) and the fact that Theresa does not take any medications and her mental evaluation and her therapist declaration to the court prove that the GAL Martha E. Wakenshaw claims are false. (CP 294) page 11 lines 23-24 and page 12 lines 5-7 & lines 21-23 The GAL Martha E. Wakenshaw was asked: [“the issues that caused you to make the recommendations that you did?”]. She answered: [“Sure. I was concerned that the mother did not cooperate with appointments

with me and missed an appointment and didn't call"] ["I was struck by her desire to stay in the marriage all the way up until this last hearing with Commissioner Gaer last week."] ["abusive use of conflict to involve the child in reading court documents"]. (CP 294) page 26 lines 20-22 the GAL Martha E. Wakenshaw was asked: ["Did you ask the children whether or not he (Samir) had talked to them (the children) about the case?"]. The GAL answered: ["I don't recall if I did or not."]. The GAL Martha E. Wakenshaw claims she does not remember if she questions the children about the father and if he involves them in the dissolution case and use abusive use of conflict with them. Her recommendations were based on her false claims that Theresa involves the children in the dissolution case and that is abusive use of conflict, but what about the father she did not ask? (CP 294) page 16 line 25 and page 17 line 1 the GAL Martha E. Wakenshaw said: ["I asked her if she had been privy to any more court documents and she said no, her mother had stopped doing that"]. So if the mother had stopped showing Catherine court document and stopped using abusive use of conflict then why the GAL Martha E. Wakenshaw still insists on her recommendations that Theresa be under supervised visits only when the original reason as she falsely claims does not exist anymore? (CP 294) page 18 lines 17-22 the GAL Martha E. Wakenshaw said: ["the timing of this came after the mother tried to have me dismissed as the guardian ad litem. And then these allegations came forth. Again, I want to emphasize the child told the mother about those allegations, then the mother sought a restraining order. This was how the thing got started"]. The fact that the mother wanted to change the GAL Martha E. Wakenshaw since September 7, 2012 a month before she write her report and recommendations. The court strike Samir's pleadings on August 15, 2012 for not paying the GAL fees as the court ordered him (CP 98-99), Samir's lawyer filed a motion to reinstate Samir's pleading (CP 101) and Theresa had a

new lawyer named Andrew Hay at that time and he came in the hearing with her (CP 103) and Theresa wanted to change the GAL and oppose reinstate the father pleading. Her lawyer was supposed to file her response to the motion on September 7, 2012 but her lawyer did not file it as he testified at the hearing that he did (CP 103). It was never filed and as soon as Theresa knew about it she fired her lawyer Andrew Hay and filed it by herself and did a declaration on the situation (CP103, 113,115,116,117,121). Theresa did write a declaration that she wanted a different GAL than Martha E. Wakenshaw for her case and for her children's sake, but even though it was not filed with the court as promised by her lawyer Andrew hay, Her lawyer Andrew Hay sent it to Samir's attorney on September 7, 2012(CP 116,121) and the next day on September 8, 2012 the GAL Martha E. Wakenshaw wrote her declaration in the favor of the father and to reinstate his pleading and her request to stay in the case (CP117), the court reinstated Samir's pleading and Theresa called the GAL Martha Wakenshaw and made appointment with her and saw her only once on September 22, 2012 and the GAL Martha E. Wakenshaw said she will call Theresa and follow up with her but she did not. The GAL Martha E. Wakenshaw wrote her report on October 1, 2012(CP154) in the favor of the father and the GAL never filed her report with the court until the trial day in an open court on November 5, 2012 (CP154). It is not clear if the GAL Martha E. Wakenshaw behavior, testimony, report, and recommendations was because of Theresa's wanted to change her and remove her from the case. (CP 294) page 22 lines 11-15 the GAL Martha E. Wakenshaw was asked: ["And that's taking into account you speaking to Catherine regarding these allegations of inappropriate sexual touching, you still are recommending that Mr. Gohar be awarded custody of these children?"]. She said: ["I am"].

So instead of protecting Catherine from further abuse by her father, the GAL Martha E. Wakenshaw recommended the 11 years old daughter Catherine live primary with her dad that molested her sexually allowing a possible of future abuse to happen to her from her father, GAL recommended Theresa be under supervised visits only. (CP 294) Page 23 line 9-11 the GAL Martha E. Wakenshaw was asked: ["In your interview with Catherine, she did say that her father had touched her did you say twice?"]. The GAL said: ["yes"]. (CP 294) Page 28 line 7-23, the GAL Martha E. Wakenshaw was asked about her report : ["Because the mother has not taken the For Kids' Sake seminar and has engaged in abusive use of conflict, the children spend more residential time with the father to ensure their emotional safety." Is that an accurate reading?"]. The GAL said: ["That's an accurate reading, yes"]. The fact that Theresa did take For Kids' Sake seminar (CP 295 trial exhibit # 4) and (CP 92) Theresa's certificate that was filed with the trial court on July 23, 2012. (CP 294) page 30 lines 14-18 the GAL Martha E. Wakenshaw was asked: ["you said security was called. Did you see any security guards come and approach my client or the family in any way?"]. She answered: ["I didn't see any"]. The fact that security was never called as the GAL claimed. The GAL testimony and report is misleading and false. Her report and all her recommendations were approved by the trial judge on November 8, 2012 (CP 294). Please review CP 148 (reply to the GAL report attached) you will see up to date health and dental checkups and letters from the children school teachers, the children school awards in the mother care specially Catherine Gohar that got an award from the president of the united states and she was advanced in her education under Theresa's care while the father Samir abandon both children and moved out of the house seeking his sexual desires with girls as young as 18 years old as the web sites allowed him and he was 44 years old and also his declaration in the year of 2009 of abusing his wife Theresa sexually (CP143). (CP 294) page 35 lines 9-10 Samir was asked: ["What did she accuse you of?"]. He answered: ["Having affairs, including her own sister"]. The fact that Samir ruined the relationship between Theresa and her own family to

make her his only victim and now he ruined the relationship between Theresa and her children and now the children is his only victims and Theresa cannot help them because of the court orders against her. (CP 294) Page 41 lines 18-20 Samir said: ["I left the house she start telling the kids that I'm Having an affair, even though I don't live with her any more, and it was not true, absolutely"]. The fact this is false claims from Samir, Theresa did not tell the children about their father sexual behavior and did not tell Samir that she knows about his sexual behavior and she kept it a secret but after she knew about his sexual behavior with his own daughter Catharine the 11 years old, Theresa couldn't keep it a secret anymore and had to protect her daughter and expose his sexual behavior to the court to protect Catherine from him (CP142, 143, 188). (CP 294) page 42 lines 7-12 Samir was asked: ["So why did you ask me to request a guardian ad litem be appointed in this case? What was your point?"]. Samir answered: ["I wanted to bring the mental state of my ex-wife to the court. That was my first -- the same day we ordered -- asked for the school thing, we asked for a mental evaluation. That was the thing"]. The fact that the GAL Martha E. Wakenshaw was appointed by Samir's request and the reason was not for the best interest of the children but to bring the mental state of Theresa to the court? (CP 294) page 46 lines10- 14 Samir said about the son incident at church: ["We found Matthew crying in the church, not outside, inside the church building with one of the other mothers. And she said, I found him crying and said he got lost. So I said, Are you okay, Matthew?" He stopped crying. I am fine"]. The fact that the father did not believe his son and what he said happened at the church which was a sexual behavior from a teen in St. Mary church in Lynnwood, WA. Matthew do not remember anything about this now because it happened when he was about three years old and both parents do not talk about it anymore and Theresa decided to go to another church for her son's safety, but Now Matthew goes to that church by force since he was placed in the father custody on November 8, 2012 and Theresa cannot help him if he need help. At trial (CP 294) page 56 lines 17-19 Theresa's lawyer never saw Samir polygraph test before it was

presented during the trial hearing and if you review inside the polygraph test that was admitted as evidence (trial Exhibit 5 attached) (CP 295), questions about the identity of the person doing the polygraph test but there was no answers or respond to all of the test "identity" questions: Exam 1/ chart 1, also on exam 1/ chart 2, and Exam 1 chart 3 as follow:

["Is your name Samir?"]. There was No answer.

["Do you live in south Everett?"]. There was no answer.

["Were you born in 1968?"]. There was no answer.

["Do you believe me when I promise you I will not ask a surprise question on the test?"]. There was No answer.

["Regarding whether you have ever touched your daughter Catherine genitals for a sexual reason, do you intend to answer truthfully each question about that?"]. There was No answer.

It says in the polygraph text exam 1 and it is not clear if there were more tests done and was not provided to the court. The test is not valid and there was no answer to the most important questions "identity". Question inside the test chart as follow: ["have you ever touched Catherine's genitals for your own sexual gratification?"]. Is that means there is a possibility to touch for someone else sexual gratification? WAC 388-15-009

Another question inside Samir's polygraph test which is very interesting as follow: ["During the first 40 years of your life, did you ever do anything you could have been arrested for that you got away with?"]. The fact that Samir was illegal resident in the USA for years and he could've been arrested for and got away with, the fact that Samir did bought a duplex and a business in MA State while he was an illegal resident in the USA that he could've been arrested for and got away with, the fact after years of Samir been illegal resident in the USA he married Theresa in the year of 1999 and got the green card and citizenship through her. Samir polygraph test shows that he did not lie in that Question, the polygraph test is not valid. It is false. The fact that Samir did the polygraph test by himself with the help of his attorney named Anna Goyman before the police

investigate and interview with him and was given at trial on November 5, 6, 8 2012 as evidence (CP 295 trial exhibit # 5) and also Samir's polygraph test was given later to the police officer in Catherine's protection case after the father got the custody already. The police did not investigate or talk with Samir because Samir's hired a lawyer and his lawyer told the officer that Samir has the right to remain silent and she sent the officer Samir's polygraph test they did by themselves and that he passed the polygraph test and the GAL Martha E. Wakenshaw gave her report to the police and her written false statement in police report 11-9- 2012 GAL Martha Wakenshaw claimed:[“Ms. Patricia Bundy, commissioner Gaer's clerk was called out to help and eventually had to call security who cleared the area”], but the fact that at the trial transcript the GAL was asked: [“did you see any security”] she said: [“I didn't see any”]. (CP 294) page 57 Samir was asked: [“Samir was it your intent at the beginning of this separation and these legal proceedings back in February to go for full custody of your children, was that what you had planned to do?”]. He answered: “No. No, not at all”]. The fact that Samir did threaten in the beginning of the separation if Theresa did not took mental medications as he wishes, he will seek full custody of the children (CP 9). (CP 294) page 63 line 23 the total purchase of the business don's restaurant owned and its land during marriage is \$1,015,000 (\$750,000 for the land and \$265,000 for the business owned). Samir said he did put 15% down \$190,000 in 2008 with SBA loan. The balance of the loan as of October 2012 is \$ 768,366 (CP 295 trial Exhibit # 9). Samir did a personal evaluation with a broker he knows and gave a market price for the business and its land at \$ 862,530 (CP 295 trial exhibit #10) a personal evaluation without any professional certified evaluation is not valid. Professionally business evaluation evaluated the business only without the land or the building at \$319,000 (CP 295 trial exhibit # 11). Samir testified that the officer wages which is for himself as employee in his business at \$48,000 (trial transcript page 68 line1) without providing his tax return income as evidence, this amount Samir claimed is not valid the fact if you review Samir's 2011 tax return that was filed sealed with the

trial court (CP 66) Samir's gross income in form 8879 is \$1,519,559. His wages as employee in form 1040 is \$101,674. Foreign tax credit form 1116 shows a gross income from all sources at \$ 1,591,376. In tax return 2011 form 4562 it shows a property of \$2,000,000 and a business income of \$145, 531 Samir did not say anything about and it was during the parties' marriage in 2010 and 2011 and that is a community property bought during Marriage.

2011 Samir's federal income tax summary shows :

Wages for Samir at \$101,674.

Income from Rent at \$142,967.

Other income earned at \$ 1,294,525.

Samir's total income at \$1,536,233 a year.

The court erred in not applying Samir's tax return as proof of Samir's income instead the trial court through judge Richard Okrent only approved the self-prepared papers by Samir as his income and the income tax filed with the court CP 66 was ignored and the trial Judge approved Samir's proposal wife alimony amount for Theresa's based on the self-prepared paper by Samir that he claimed he only makes between \$10,000 to \$12,000 which is not true if you review his tax return (CP 66) shows the real truth of his income. (CP 294) page 68 lines 16-17 Samir's income as he claimed is between \$10,000 to \$12,000 (CP 295 Samir's Exhibit #12 at trial) is not valid as of his tax return in 2011(CP 66) shows Samir's real income. (CP 294) page 69 lines18-20 Samir testified That the home purchased during marriage in 2008 is \$400,000 and he put down \$80,000. The house was not professionally evaluated due to Theresa's motions for trial continuance denials by the trial court. Samir got a personal broker evaluation by him for the house (CP 295 Samir's exhibit #13 at trial) evaluating the house at \$370,000. This evaluation is not valid. It is not a professional evaluation. (CP 294) page 71 line 2-3, Samir claimed the total of the mortgage of the house is at \$277,000 without providing the mortgage statement it is not valid. Samir said he withdrew money from the children college funds (CP 294 page 73 line 3). (CP 294) page 74 line 25 Samir Said Wife car has been paid off and Samir estimated

it without a proof at \$12,000 is not valid. Samir's Exhibit # 15 at trial (CP 295) Samir's retirement account at \$35, 571 from June, 2012 to September, 2012 only. Samir's Exhibit 16 at trial (CP 295) Samir's retirement account at \$17,132 from June, 2012 to September, 2012 only. The fact that Samir liquidated some accounts owned other than the children's funds and Theresa requested a trial continuance to have all financial issue resolved and discovered before the trial but the trial court denied all Theresa's motions for trial continuance, so now there is a lot of missing pieces financially not discovered as example Samir owned a cash account (CMA) in the year of 2011 value at \$97,661 and a security sale of \$200,788 and that is community property during marriage. Samir's Exhibit 17 at trial (CP 295) Samir's car on loan at \$ 14,852 in October, 2012.. Samir Exhibit 18 at trial (CP 295) child support worksheet is not valid because the income figure Samir wrote is totally different than the real true income he makes if you looked at his tax return in 2011 (CP 66). Also the amount for the health insurance at \$377.00 is not right if you look at CP 13. (CP 294) page 80 lines 19-24 Samir was asked: ["But you said to her (Theresa) more than one time that she was paranoid or crazy?"]. He answered: ["Not from nothing. When she accused me of having an affair, and when she insisted no matter how long it will convince her it didn't happen, my last, last effort to stop the conversation and the argument is you're sick"]. (CP 294) page 81 lines 9-12 Samir was asked: ["And then in October of 2011 you put advertisements looking for new companionship?"]. And he answered: ["That's right"]. The fact that Samir accuses Theresa that she is sick, crazy and mentally ill in all his declarations filed and the fact that his sexual actions in 2011 shows that he is having an affair, despite being married (CP 143). Theresa's exhibit # 20 (CP 295) Samir's letter to Theresa with a list of requirement she has to do on in order for him to go back to the family. Samir admitted he wrote the letter on November 5, 6, 8, 2012 trial transcript (CP 294) page 85 lines 19-20, in Samir's letter he request Theresa do as follow: ["you go to doctor every week take medication no excuses"] ["you cannot ask me any questions about whom I see touch or talk to personally or on the phone"] ["You

have to get a job any job or go back to school as soon as Possible”] [“You have to support any action I take with Matthew to make him behave and go to any church without asking any questions”] [“ I can take the kids to any church alone in my car any time any day any church I want”]. The trial court said exhibit # 20 (CP 295) is admitted on November 5, 6, 8, 2012 transcript (CP 294) page 86 lines 6 and 22 but then at the end of trial it got rejected. It is not clear why the trial court after Samir admits he wrote the letter and the court said it is admitted and then it gets rejected, for no reason? (CP 295 Theresa exhibit # 20 at trial attached). (CP 294) page 91 lines 17-20 the court asked Samir: [“Under what conditions do you believe we could move to unsupervised visitation?”]. Samir said: [“Have her go to psychiatrist. Have her take medications on regular basis. I think Dr. Schau is a great doctor”]. The fact that Theresa did the mental evaluation with Dr. Schau (CP 177, 196) and it shows she is normal do not need medications as Samir wanted her to take plus her therapist declarations(CP 147 ). Theresa’s testimony on November 5, 6, 8, 2012 trial transcript (CP 294) pages 106 to 160 is attached. (CP 294) page 162 lines 17-22 Samir’s attorney MS. Katherine Peterson falsely claimed: [“the mother did everything she could to interfere with that interview. She was in the room. She wouldn’t leave the room. It required the commissioner’s clerk in order to remove her and her mother from the room in order to allow the guardian ad litem to speak to the child about this abuse”]. The fact is the mother did not interfere with the GAL Martha E. Wakenshaw or go inside the interview room. The fact is this is a way to try convince the judge that Theresa is a bad person when she is not, accusing her falsely without a proof and make her look bad in front of the judges. Sadly it did work and the judges somehow believe what was said about Theresa without any evidence. (CP 294) page 164 lines 2-3 Samir’s attorneys MS. Katherine Peterson claimed: [“She didn’t pay her portion of the mediation fees”]. The fact there was no court order for Theresa to pay. (CP 294) page 164 lines 6-7 Samir’s attorney MS. Katherine Peterson claimed: [“in her last possible attempt to stall this dissolution out, she invented these false charges against the father”]. The

fact that was found not true what Samir's lawyer claimed about Theresa, Theresa did not invent anything in the police report (CP 296) victim statement Catherine said: ["my mom told me to tell the truth"]. The police video recorded the interview with Catherine and took her testimony with the help of another specialist. But with the GAL Martha E. Wakenshaw there was no recording of Catherine's testimony, no evidence provided to the court, and no witnesses was with the GAL Martha E. Wakenshaw in the interview with Catharine, it was only the GAL Martha E Wakenshaw own words and false claims. The police report is attached and was not finished yet when the protection case for Catherine was dismissed and was not finished yet when Catherine was forced by a court order on November 8, 2012 to be only under her father custody the molested her sexually. In the police report (CP 296 attached) on October 24, 2012 the written testimony of Catherine's middle school consoler Nancy beck: [" she said her daughter told her last night that dad has been touching her breasts and last night tried to touch her lower private area". "I called down Catherine and she reported to me everything her mother had reported. Catherine said her father on occasion has wanted her to sleep in his bed. She reported that she always goes back to her bunk bed. she said she became more frighten when she found a knife and a small bottle marked poison"]. (CP 294) page 16 the GAL Martha E. Wakenshaw testified: ["she disclosed that she was touched by her father inappropriately down there"] ["she said it happened twice"] ["she said there was bleeding from her genital area"] ["and she told her mother"]. (CP 294) page18 lines 17-22, the GAL Martha E. Wakenshaw said: ["the timing of this came after the mother tried to have me dismissed as the guardian ad litem. And then these allegations came forth. Again, I want to emphasize the child told the mother about those allegations, then the mother sought a restraining order. This was how the thing got started"].

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On November 8, 2012 the trial Judge Richard Okernt made a decision and oral order as follow: Error 1- (CP 294) page176 line 17 the trial judge said: ["They

separated September 20, 2011”]. The fact that the parties separated on September 19, 2012 (CP141). Error #2- (CP 294) page176 lines 21-22 the judge said: [“I find that the wife did not request her maiden name be restored”]. The fact that the wife did request it (CP141). Error #3- (CP 294) page 177 lines 4-5 the trial judge said: [“she refused to engage in mediation when ordered by the court”]. The fact that Theresa did go to mediation when she was ordered by court as the testimony of the Samir’s attorney testified herself (CP 294) page 164 line 2: [“She refused to cooperate in mediation until ordered to by Judge Downes”]. Error #4- (CP 294) page177 lines 6-8 the trial judge continue to say: [“On March 19, 2012 there was an agreed order on visitation and financial issues. At that time there was no mention of any abuse on the part of Ms. Gohar.”]. The fact there was no agreed court order filed on March 19, 2012.

Error # 5- (CP 294) page 177 lines 9-13 the trial judge continue to say: [“On 3-27 there was the first temporary hearing that was requested by Ms. Gohar. The order indicated that there would be another continuance on April 17th. The father was to have visitation. The mother was to be the temporary custodial parent”]. The fact that the hearing was requested by Samir’s attorney and it was a hearing for a restraining order against Theresa and the visitation order was not her choice, it was the commissioner own order. (CP 294) page #177lines #17-18, the trial judge says: [“Ms. Gohar was to make sure that happened and that there would be no excuses”]. The fact that the commissioner did not say that, he said to provide a note when the children are absent from school (CP 28 in CP 307).

Error # 6- (CP 294) Page 178 lines 2-12 the trial judge told Theresa as follow: [“There was a guardian ad litem appointed. The mother’s position is that the guardian ad litem was a liar, therefore she should not be followed. Ms. Gohar believes everything the guardian ad litem said was wrong and that she was right. Let me point something out to Ms. Gohar. When the court appoints a guardian ad litem, it’s like appointing me to do the investigation. When you call the guardian ad litem a liar, you are calling the court a liar, when you refuse to cooperate with the guardian ad litem, when you interfere with her investigation”]. The fact that

the trial judge attacked Theresa with his words and denied her right of speech and telling the truth about the GAL Martha Wakenshaw with the evidence provided, as an example for the kids' sake seminar she claimed Theresa did not take and it was false (CP 295 trial Exhibit #4 and CP 92). The trial judge violated the law, The First Amendment of the United States Constitution, protects the right to freedom of religion and freedom of expression from government interference. Freedom of speech: State Constitution Art. 1 § 5. (CP 294) page 187 line 13 Theresa said: ["I didn't interfere"]. Error #7- (CP 294) page 178 lines 17-20 the judge continue and say: ["in May of 2012 we then had a further order. The guardian ad litem report comes out. The guardian ad litem decides that there needs to be a change in the residential provisions."]. The fact the GAL was not appointed until July 27, 2012 and her report should have been done at least 60 days before trial (CP 95). The fact that the GAL report was not filed until the trial day on November 5, 2012 when she given it to the trial judge as an exhibit (CP 295 trial exhibit # 3). Exhibit 3 (CP 295) the GAL Martha E. Wakenshaw report has a lot of errors and false claims when you review CP 148, 177, 147, 296. Error #8 – (CP 294) page 178 lines 21-25 and page 179 lines 1-3 the trial judge said: ["There was a domestic violence accusation of sexual abuse. Procedurally that case was heard by Commissioner Gaer. After the hearing and reading the declarations and reviewing the record, Commissioner Gaer found that there was no reason for a domestic violence hearing. She found the sexual abuse allegations to be false and she dismissed the petition. The court adopts Commissioner Gaer's"]. The fact that there was a protection order in place since October 25, 2012 and there was a Child protective services and police recommendation in front of commissioner SUSAN GAER on October 30, 2012 hearing to keep the protection case for the children's safety until the investigations are done but commissioner Susan Gaer ignored CPS and police investigations and considered only what the GAL Martha E. Wakenshaw claimed only ignoring other witnesses and facts and dismissed the case. The fact that the police investigations were not finished even after the trial days on November

5,6,8, 2012 and it was still in process (please see CP 307 attached public record police report requests by Theresa shows that the police report was not finished and she had to wait for it). Error of the law: RCW 26.44.180 Investigation of child sexual abuse, Protocols, Documentation of agencies' roles. The department and local law enforcement agencies may include other agencies and systems that are involved with child sexual abuse victims in the multidisciplinary coordination. The protocol shall address the coordination of child sexual abuse investigations between the prosecutor's office, law enforcement, children's protective services, children's advocacy centers, where available, local advocacy groups, community sexual assault programs, as defined in RCW 70.125.030, and any other local agency involved in the criminal investigation of child sexual abuse. The protocol shall be developed by the prosecuting attorney with the assistance of the agencies referenced in this subsection.

Error #9 – (CP 294) page 179 lines 14-21 the trial judge says: [“Following the October 30, 2012 hearing, Ms. Gohar went to CPS to start an investigation because, as she testified in court, she was not satisfied with the court's rulings, so she tried to go further. On the day of trial she further indicated that she was not satisfied and that she believed that CPS should trump any ruling that I make. That is not the law in the State of Washington. I'm not interested in CPS's investigation”]. The fact that the judge ruling based on his opinion that he is not interested in the CPS investigations but there was also a law enforcement investigations going on in the case and that was not finished yet also. Error of the law, RCW 26.44.180 Investigation of child sexual abuse, Protocols, Documentation of agencies' roles. Error of the law, RCW 74.13.031 Duties of department — Child welfare services — Children's services advisory committee Error of the law, RCW 9A.44.083 Child molestation in the first degree Error of the law, RCW 74.13.031 Child abuse, investigation. Error #10 – (CP 294) page 180 lines 1-4 the trial judge continue to say: [“He sold his restaurant and land together with the house, shortly after the marriage to his current wife, moved to Washington State, purchased a house in Marysville, and purchased Don's

Restaurant in Marysville as well”]. The fact that the parties married in 1999 in MA state and Samir testified he sold the property in MA state in the year of 2007 in the sum of \$212,500.00 for the duplex (CP 295 trial exhibit 7) and the business in the sum of \$70,000 in 2007 and that is not shortly, that means the business and duplex property in MA State is a community property for seven years before the parties move to WA State in 2007 (CP 295 trial exhibit 7).

Furthermore (CP 295 trial exhibit 8) which is the sale of the business in MA State (owned by Samir and his brother) was just an agreement and is not an actual document of sale. It is not clear if SAMIR sold his business in MA as he claimed, as he only provides a personal agreement between him and his brother without a certified document. Furthermore the parties bought in WA State a sum of \$1,415,000 during marriage (don’s restaurant business, its building and land in Marysville, and a house in Lynnwood in the years of 2007-2008 and that is a community property bought during marriage. The court awarded Samir with it all. Error # 11 - (CP 294) page 180 line13-18 the trial judge says: [“I will also point out that Ms. Gohar is unwilling to take on the debt as well as the asset structure of that business. I don’t think she’s capable of running the business, and in response by her attorney when he was asked, “Is she willing to take on the debt,” it was clear that’s not happening here”]. The fact that Theresa personally was never asked at trial if she is willing to take the debt plus there are no debt owned. There are loans the business income pays for it. Theresa wanted the ownership of the property of the business don’s restaurant that will allow her to have an income from the rent (CP141). Samir’s 2011 tax return that was filed (CP 66) Samir’s gross income in form 8879 is \$1,519,559. His wages as employee in form 1040 is \$101,674. Foreign tax credit form 1116 shows a gross income from all sources at \$ 1,591,376. In 2011 form 4562 tax return it shows a property of \$2,000,000 and a business income of \$145, 531. Samir did not say anything about and it was during the parties’ marriage in 2010 and 2011 and that is a community property. Error #12 - (CP 294) page 181 lines 14-18 The trial judge said: [“With respect to the property distribution, recognizing this is a 12-year

marriage, this is what I'm going to do: Don's Restaurant is the sole property of Mr. Gohar and will not be part of this distribution. He owns it outright. It is his"]. The fact that the court erred in not given an equal division for the parties. Plus the judge only talked about the business restaurant and ignored that there is a land and building of that business that is also owned. The business restaurant bought for \$265,000 (CP 294 trial transcript page 66 line 12) and the land and building of the restaurant bought for \$750,000 (CP 294 trial transcript page 66 line 5-6) and Theresa wanted the ownership of the property of the restaurant to provide an income for her (CP141). The judge approved all Samir's requests, the amount of wife alimony he wanted to pay, the ownership of the business, its building and its land, the house, the children college funds, and the children custody, the assets owned from MA state in the parties marriage. He rewards him with it all. Error #13 – (CP 294) page181 line 19 trial's judge order the house ownership to Samir ignoring Theresa's lawyer request to have the house. Error #14- (CP 294) page181 lines 22-25 the trial judge order Theresa to have Samir's retirement account which she did not request plus Samir has emptied accounts owned and we do not know where this money went as an example a cash money account (CMA) Samir owned in 2011net portfolio value at \$97,661 and a security sale of \$200,788 and that is community property during marriage. Error #15 - (CP 294) page182 lines 7-12 trial judge awarded Samir with the children's college funds and put it at his side. Trial judge erred in not allowing the children to keep their college funds for them. Error #16 - Wife alimony was based on the request of the husband and was approved, the fact that Theresa request (CP141) was denied. The fact that the judge ordered the wife maintenance to be reduced by \$500 every six months until it is \$0 plus to take \$300 from the wife maintenance for the child support paid to Samir. The fact that Theresa was full time mom for the past 12 years of marriage and with only a high school certificate from her country as education and minimal work experience. The court erred in not giving the wife a fair alimony to allow her to live the same life style as before divorce, and the court ordered the wife maintenance to be non-modified.

Error of the law RCW 26.09.070 Separation contracts.(7) When the separation contract so provides, the decree may expressly preclude or limit modification of any provision for maintenance set forth in the decree. Terms of a separation contract pertaining to a parenting plan for the children and, in the absence of express provision to the contrary, terms providing for maintenance set forth or incorporated by reference in the decree are automatically modified by modification of the decree. RCW 26.09.090 Maintenance orders for either spouse or either domestic partner — Factors. (b) The time necessary to acquire sufficient education or training to enable the party seeking maintenance to find employment appropriate to his or her skill, interests, style of life, and other attendant circumstances; (c) The standard of living established during the marriage or domestic partnership; (d) The duration of the marriage or domestic partnership;(f) The ability of the spouse or domestic partner from whom maintenance is sought to meet his or her needs and financial obligations while meeting those of the spouse or domestic partner seeking maintenance. Error #17 – (CP 294) page 184 lines1-6 and page185 lines 2-4 the trial judge say: [“Ms. Gohar indicates that she should be the custodial parent. Mr. Gohar originally agreed with that and shifted his position as the case continued, but as a result of Ms. Gohar’s behavior he chose a new direction. Mr. Gohar claims that Ms. Gohar has mental illness”. “I find that the mother’s mental health issues and the father’s frustration over that probably contributed to it”]. The fact is that found not true in Theresa mental evaluation (CP 177, 196) and the declarations from Theresa’s therapist filed with the court that Samir’s claims about Theresa’s mental health in his declarations filed is false (CP 43, 147). The fact that Theresa only wanted to protect her daughter Catherine when she knew about Samir’s behavior with her and the fact that Samir is diagnosed with depression and was put on the highest dose of medications from his family doctor and in Samir’s mental evaluation shows he is diagnosed with depression and taking medications. Error #18- (CP 294) page 185 lines 11-12 the trial judge testified: [“She is well known to the court. I find that her reports were credible”]. So because the GAL Martha E.

Wakenshaw is well known to the court, the trial judge find her report credible without any evidence than her own words and claims. The judge kept reading the GAL report in page 185 to 187. (CP 294) page 185 lines 15 -19, page 187 line 23-25 and page 188 lines 1-3 The trial judge told Theresa: ["You don't talk to your children about the case. You don't let your family talk to the children about the case. You don't make your children your confidants because then you're trying to use your children as pawns You're trying to gain advantage", "All of these things are essential if you want to retain custody of your child. You cannot simply refuse, call somebody a liar, scream and yell that someone has abused you and think that it's going to be believed by the officers of the court. Simple outrage will not make your case"]. (CP 294) page 188 lines 8-13 The trial judge continue to say: ["In reviewing Ms. Gohar's testimony, particularly her cross examination, which I found very interesting, it was clear that she was avoiding the answers. It was clear that she was faking her responses by indicating to the court that she could not remember or she was confused or she was frustrated. That is the language of deception. That is not the language of truth"]. Theresa's testimony CP 294 pages 106 to 160 is attached, the judge believed the GAL Martha E. Wakenshaw twisted testimony, lies and false report and did not believe the real truth. What Theresa couldn't remember is the dates only. Attached CP 307 is the proof of the dates Theresa couldn't remember but she did take her daughter to the ER as she testified. Samir's attorney only provided visits in group health services but Theresa took her daughter to an ER for the sexual abuse outside of Group health and she couldn't remember the dates only. Error # 19- CP 294 page # 189 lines # 4-13 the trial judge said: ["This took place after a visit allegedly on October 23rd. There was no contact with CPS on October 23rd. There was no contact with law enforcement on October 23rd. There was no trip to the emergency room on October 23rd. There was no running into court on October 23rd by her seeking an ex-parte or immediate temporary restraining order until the 24th when the mother decided that the child should talk to the school counselor, who may or may not have advised her as a mandatory reporter

to go seek out CPS, law enforcement, and so forth”]. The fact that on October 23, 2012 at night after Catherine came back from her dad house, Catherine told her mother Theresa about her father Samir sexually touching her in her private area and that she does not like it. On October 24, 2012 Theresa went to Catherine school to see if there is a counselor that can talk to Catherine and advise her on what to do with her father behavior. The school counselor talked with Catherine and recommended we should call the CPS and the police. The fact that Theresa did not know what is CPS and that the police need to be involved in this situation but with the help and advice of the school counselor that was worried about Catherine’s safety and took action right away to protect her which was the right thing to do, the CPS and police told Theresa she need to file a protection order for the two children not just Catherine. They made a plan with Theresa and give her some documents to file with the petition and so she did. (CP 294) page 189 lines 15- 20, the trial judge say: [“On 10-26 the mother takes the child to the doctor for a routine medical visit. That was the examination for a sore throat. I was confused. At that time I would have expected a report from a mandated report, i.e., the doctor, that the mother had told him about the sexual abuse, and he, as a mandated reporter”]. The fact that there was a protection order in place on October 25, 2012 (CP 188) and Catherine was safe from her father, CPS and the police was working on the investigations. Theresa made an appointment scheduled on October 29, 2012 (CP 307). for Catherine with a lady doctor for the bleeding Catherine had the night she came back from her dad sleep over, Theresa thought it was Catherine’s period but it was not, it did not come the following month plus Catherine telling her mother about Samir’s sexual behavior with her, Catherine could be injured by her father in the sleepover! Please review the victim testimony in the police report (CP 296), the notes Catherine wrote about her dad abusing her CP 307 attached. (CP 294) page 190 lines 9-12 & lines 14-16, the judge continue to say: [“No spontaneous statements made here. Three days afterwards, October 26th, and I haven't got a spontaneous statement, nobody gave me a spontaneous statement, and I don't

expect to see one ever”] [“October 29th, kid goes to the doctor, nothing. The doctor doesn't see any evidence of sexual abuse because the child makes no mention of it. Nothing happens”]. The fact that the judge was aware that there is a CPS and police investigations that was not finished yet, the fact the Catherine told the doctor on October 29, 2012 and I am attaching the visit summery (CP 307). (CP 294) page 190 lines 24-25 and page 191 lines1-4, the trial judge say: [“Who takes a child who's been sexually abused to a courthouse? Somebody who wants to have that child talk to somebody probably the court. It's called showing the flag in tactical terms. As lawyers, we know when a parent wants to push the abuse card they show the flag. They take the child around so that the court will believe them”]. The fact that Theresa never brought the children in the court house, the fact that Catherine was waiting outside with her grandmother because she had an interview already scheduled with the police officer on October 30, 2012 before Samir's attorney go to ex parte commissioner Arden bedle and change the protection hearing from November 8, 2012 to October 30, 2012 at 1:30 pm right before the police interview with Catherine, the fact that Theresa went to ex parte to change the protection hearing time Samir's attorney made and commissioner Arden bedle denied it (CP 294)Theresa testimony in trial transcript page 114 lines 21-25 and page115 lines 1-8) also please review the police report and his testimony (CP 296). (CP 294) page 191 line 25 and page 192 lines 1-9) the trial judge say: [“I find the mother suffers from depression, anxiety, and OCD as defined by her counselor. I find that she is in need of psychological services. I find that she has attempted to falsely accuse the father of sexual abuse, and I reiterate that I incorporate by reference the findings of the court commissioner. I request that a transcript be sent to CPS of my findings so there will be no doubt as to the court record. The recommendations of the guardian ad litem compose what will be the current parenting plan”]. The fact that the father have a depression and on the highest doze of medications, the fact that Theresa therapist provided declarations about Theresa's mental health to the court that Theresa has issue that she is in thereby

for caused by her husband behavior with her and she is a good devoted mother and take good care of the children (CP 147 & 43), the fact that the trial exhibit # 20 (CP 295 ) that the court rejected it after it has been admitted for no reason shows with evidence Samir manipulate Theresa to do whatever he wishes, and his declaration filed with the court that he did abuse Theresa sexually and also evidence of the father sexual behavior seeking sex with girls as young as 18 YRS and he is 44 YRS as the web site allowed him (CP sub 143). The trial judge erred in not looking at all the facts before ruling and he only adopted dismissing the protection case as evidence and the GAL Martha E. Wakenshaw false testimony and her report with errors as evidence. The trial judge adopted all of the recommendations in the GAL report without any facts or proofs the GAL provides to the court other than her own words and opinion. Error #20- (CP 294) page 192 lines 8-13, the judge oral order the father as follow: ["The recommendations of the guardian ad litem compose what will be the current parenting plan. First of all, Mr. Gohar will be the primarily residential parent. I'm ordering that he pick up his children today after school. In fact, he may go to the school immediately after this is over and pick them up"]. The fact is that the judge fail to write a court order, Judge Richard t. okrent oral order the father to take the children Matthew Gohar and Catherine Gohar to his custody on November 8, 2012 without any court written order, The children were taken by force from their schools on November 8, 2012 without any court written order and the written order was not entered until December 3, 2012 and that is 26 days of the two children been in their father custody without an actual court written order.

Error # 21- (CP 294) page 192 lines 17- 19 the Judge ordered: ["Ms. Gohar will have residential time with the children twice a week supervised by Mr. Gohar's designee"]. The fact the trial judge ordered Samir to choose the supervisor for Theresa's visits with her children, the judge gives the abusive father a total control over Catherine the victim by him and ordered the protective mother Theresa supervised visits only and order the father to choose who supervise the visits! Furthermore the judge ordered: ["Ms. Gohar will come to the visitation

alone. There will be no family members at the supervised visitation”]. The fact that the judge prevents even grandparents and family members to visit the children, the children is to be left alone with the control of the abusive father with a court order? The court erred in not protecting Catherine from future abuse that can happen to her from her father and exposed her to more than molestation to happen to her. Error of the law, RCW 26.10.160 Visitation rights — Limitations. Visitation with the child shall be limited if it is found that the parent seeking visitation has engaged in any of the following conduct: (i) Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions; (ii) physical, sexual, or a pattern of emotional abuse of a child; (iii) a history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault which causes grievous bodily harm or the fear of such harm. Error of the law, WAC 388-15-009 The intentional touching, either directly or through the clothing, of the sexual or other intimate parts of a child or allowing, permitting, compelling, encouraging, aiding, or otherwise causing a child to engage in touching the sexual or other intimate parts of another for the purpose of gratifying the sexual desire of the person touching the child, the child, or a third party. Error # 22- (CP 294) page 193 lines 7-8 the trial judge ordered according to the GAL Martha E. Wakenshaw recommendation: [“Both children will be placed into therapy within 30 days with a state-approved therapist”]. The fact that the GAL is not a doctor to put the children to mental thereby and her claims that the children suffer from depression and anxiety is false and the fact that her claims about Theresa need of mental evaluation and follow with medications recommended was false as Theresa’s mental evaluation shows that she does not suffer from what the GAL Martha E. Wakenshaw claims and there was no recommended medications (CP 177, 196) (CP 147 & 307). The children’s teachers from school that see the children everyday wrote declarations about the children (CP 148) and that they have no behavior problems and that they are good children especially Catherine Mary Gohar she was an excellent student in her academy educations with the school honors of excellent education plus

Catherine received an honor certificate from the president of the united states in Theresa's care alone (CP 148 attached) after Samir abandon the children and moved out of the house on September 19, 2011 and not like the GAL Martha Wakenshaw claimed about them, It is not clear why the GAL lied in her report and testimony about Theresa and her children. The fact that Catherine Gohar dropped in her education level after the trial court switched the custody from her mother Theresa to her father Samir on November 8, 2012 and since then she is below grade level of education at her school and that is due to forcing her to live with her father that abuse her, since November 8, 2012 oral order custody to the father to date Catherine is still under her father custody that molested her sexually and her grade at school are below grads levels to date compared to her advanced grades under Theresa's care see CP148. Teachers from the children school declared in writing that the children are happy kids do not suffer from what the GAL Martha E. Wakenshaw claimed and it was filed with the court (CP 148), especially Catherine the GAL Martha E Wakenshaw said false claims about her. How can an excellent student and talented awarded student, one of the top school students in her grads have a depression or mental problem like the GAL claimed and recommends for both children go to mental thereby and it was approved by the court without evaluation from any doctor is an error. (CP 294) page 59 lines 22-25 and page 60 lines 1-2, The father also approved that his children go to mental thereby: ["We followed the recommendation of the guardian ad litem. You know, I have full custody of the kids. I should be responsible for the medical decisions, everything. And I'm planning to do exactly what the guardian ad litem, a very heavy psychological therapy for my kids so they can get over all of this as soon as possible"]. The fact that the father did the same with Theresa he requested her to go to mental therapy during marriage, he told her there is something wrong with her to cover up his actions and later he claims that Theresa have a mental illnesses in court declarations which was proven false by her mental evaluation, the fact that Samir tried to manipulate Theresa and take her to mental therapy against her wishes and take her to doctors to medicate her

for his own cover up. Please look at the trial exhibit # 20 (CP 295 attached) Samir's letter to Theresa. Error #23 (CP 294) page 194 lines 13-22, the Judge said: ["I'm going to hand down a child support worksheet. I find that the father's gross income to be \$10,430. The mother's gross income by averaging the maintenance, basically the 2,500 and the 2,000, comes to \$2,350. That leaves nets of \$5,931.13 for the father, \$2,108 for the mother. Child support proportionate share is 74 percent rounding for the father, 26 percent for the mother. Child support calculation, given the fact that the father is paying the monthly health insurance of \$377, the gross child support calculation is \$547.84. I will order the child support be in the amount of \$300 from the mother to the father, deviating down \$247 because the mother is not employed at this time"]. The fact that Samir's income in the federal worksheets tax return in 2011 in a total of \$ 1,591,376 from all sources. The trial judge finding is unclear. The worksheet is based on Samir's trial exhibit 18 (CP 295) child support worksheet but Samir's income tax returns shows his actual earning as evidence and not just as Samir claims (Samir's 2011 tax return CP 66). Furthermore in the child support work sheet the judge provided Theresa's alimony received is not accurate. The judge ordered was \$2,500 to Theresa and take \$300 every month from the alimony as child support to give to Samir giving a total of \$2,200 to Theresa as alimony, plus the amount of alimony to be decreased by \$500 every six months until Theresa's alimony total is \$0 but in the work sheet it said \$2,350 is not right and also in other amounts entered in the mother sections in the worksheet is not right. The child support entered on December 3, 2012 is not based on evidence and not based on the tax return of the parties in 2011 but was based on self-prepared paper by Samir as his income given to the trial judge. The judge ordered tax exemptions to mother to have Catherine's and the father have Matthew's giving Samir 4 years longer tax exemption than Theresa in final order of child support entered December 3, 2012 (CP 162). The trial judgments were all in the favor of Samir in all ways and not a fair trial to Theresa or her children.

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On January 9, 2013 hearing for a new trial, Judge Richard T. Okrent erred in not granting a new trial. RULE CR 59 NEW TRIAL, RECONSIDERATION, AND AMENDMENT OF JUDGMENTS Irregularity in the proceedings of the court, jury or adverse party, or any order of the court, or abuse of discretion, by which such party was prevented from having a fair trial. That there is no evidence or reasonable inference from the evidence to justify the verdict or the decision, or that it is contrary to law; Error in law occurring at the trial and objected to at the time by the party making the application; or That substantial justice has not been done. On January 9, 2013 transcript (CP 297) page 2 lines 16-20 and page 3 lines 3- 10 & lines 18-22. Theresa's lawyer stated: ["this motion is brought pursuant to CR 59 and for either reconsideration or a new trial. Ms. Gohar simply feels that given the totality of the issues, that a reconsideration would be wholly insufficient to address the issues that she's raised in her motion. We think that there was an irregularity in the trial and that related to counsel's representation of Ms. Gohar, the information that was presented to this court, and more importantly, the information that wasn't presented. We've enumerated those in the motion. The lack of information on the financial issues didn't give this court the information it needed to make sufficient findings to warrant the rulings that were ultimately made. For instance, when we talk about Mr. Gohar's income, the exhibit summary demonstrates that the only information provided this court was a two-page profit and loss statement self-prepared by Mr. Gohar"], ["This court's calculation of child support and spousal maintenance is a direct reflection of the income you ultimately were given. There were no tax returns submitted, so there is no foundation for that order or the findings of income"]. On January 9, 2013 transcript (CP 297) page 6 lines 11-14 Theresa's attorney stated: ["So given the totality of issues, given the information that was missed, we simply feel that reconsideration is an inadequate tool and we're asking this court to provide a new trial"]. On January 9, 2013 transcript (CP 297) page 7 lines 1-2 and lines 8-9

and page 8 lines 8-10 Samir's attorney claimed: ["my client has complied with the court's orders. He's complied with all of the processes", "Ms. Gohar has continually refused to do anything that's been required of her by the court", "refused to sign the waiver allowing the guardian ad litem access to her mental health records"]. The fact that Samir was ordered by court to put the children's college funds he withdrew back to their accounts (CP 81), and the fact that he did not comply with the court order. The order was entered on June 12, 2012 and the parties went to trial on November 5, 6, 8, 2012 and Samir did not put the Children's College funds back as he was ordered by court, but Theresa did comply with all court orders and it is not her fault the behavior of the GAL Martha E. Wakenshaw in not following up with her and denying her phone calls and then surprise her with the report she made with its false claims that is proven false with the evidence provided. On January 9, 2013 transcript (CP 297) page 11 lines 19-20 and page 12 lines 14-16 the judge order: ["I have two issues in front of me both based on Court Rule 59. One is a request for a new trial. At this point, having reviewed the record and looked at the files, I'm not going to grant a new trial in this matter"]. The court erred in not granting a new trial. The court allowed the wife maintenance to be modified instead of non-modified and that was it in the amended decree of dissolution, the decree of dissolution entered December 3, 2012 stated wife maintenance awarded is non-modifiable - error of the law RCW26.09.090. The court did not consider other facts in Theresa's motion (CP167). The court erred in not granting a new trial when needed. The motion for a new trial was based on the three trial days November 5, 6, 8, 2012 and the final orders entered, the decree of dissolution, final parenting plan, final order of child support, and finding of facts and conclusions of the law. The court did not reconsider other facts. The fact that the income figure was given at trial is just a self-prepared paper by Samir and is not an actual earning or a tax return and the judge made the ruling based on that piece of paper given. The child support worksheet and the wife alimony amount were based on that self-prepared paper given by Samir as his income (CP 295 trial exhibit 12).

The tax return for Samir was filed (CP 66) it shows the actual earning for Samir and it is totally different than the self-prepared paper Samir gave at trial. Samir's total income from all sources in 2011 federal worksheets page 7 at \$1,591,376. Samir claimed he makes \$10,000 to \$12,000 at trial. The court did not reconsider the spousal maintenance amount given to the wife that was based on Samir's request at trial and erred not to allow Theresa to live same life style as before divorce and until she finds an income source that will allow her to live same life style. The court erred in not modifying the wife alimony amount. The court did not reconsider the property and assets division, all properties and businesses owned was given to Samir ownership only. The court did not reconsider that the finding was based on personal self-prepared paper by Samir not his tax return income and the properties evaluations was based on Samir's personal brokers' evaluations and not professionally evaluated. The children's custody ruling was based on the GAL Martha E. Wakenshaw false claim, testimony and report that Theresa be under supervised visits and Samir that molested his daughter Catherine sexually be her primary parent and have sole decisions made by him only. How can that be? What will happen to this girl in her sexually molested father custody and sole decision made by him only? How can the court give the children to the abusive father and allow of possible abuse that can happen to them in the future? All the children life the mother is the one who cared in everything for them. The mother Theresa is the one who was there for them when their Samir left the house in 2011 and abandons them. The domestic violence and sexual behavior Samir did even before Catherine tell about his behavior with her and it was filed with the court (CP143 and 188). It was an error from the court to take only the GAL Martha E. Wakenshaw own words and false and twisted claims as evidence and ignore all other important facts that Samir molested Catherine sexually, Catherine said she is not comfortable with her dad behavior plus the bleeding she had she could be injured by him and after that the court give her away to him. So where is the human rights and the protection of

children from been abused, instead the court sent Catherine to her dad custody and sole decision by him only and to be more abused with no one help her? Please review October 30, 2012 and November 5, 6, 8, 2012 declarations in the beginning of this brief, (CP 297) January 9, 2013 transcript and the motion for a new trial (CP167). And the police report (CP 296).

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TABLE OF AUTHORITIES: RULE 6.1, RCW 26.44.180, RCW 9A.44.083, RCW 26.50.030, RCW 26.50.010, RCW 26.50.020, RCW 26.50.050, RCW 74.13.031, RCW 26.44.010, RCW 26.50.070, RCW 26.10.160, RCW 7.69A.030, RCW 70.125.060, RCW 70.125.020, RCW 9A.72.040, RCW 26.44.150, RCW 9A.44.120, Freedom of speech: State Constitution Art. 1 § 5, RCW 26.44.180, RCW 74.13.031, Chapter 26.44 RCW , RCW 26.44.056, RCW 26.09.090, RCW26.09.090, RULE CR 59.

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Conclusion:

1- Appellant Theresa seeks granting a new fair trial for both parties due to complex of the financial issue. Appellant seeks a new trial granted to be in a different court than Snohomish county superior court in Everett WA due to the continuance of injustice at that court.

2- Appellant Theresa seeks to transfer her case from Snohomish county superior court in Everett, WA to another court due to the continuance of injustice at that court and also the GAL Martha E. Wakenshaw that is well known to the court as its been told by judges and commissioners and it is in the transcripts very clear said also to ensure a fair trial and proceedings for Theresa and her children without the court conflicts and complexity.

3- Appellant Theresa seeks lifting the supervised visits for the mother and Grant Theresa her children custody back and grant supervised visits to the father.

4- Appellant Theresa seeks an immediate involvement from the child protective services or similar community services for the children's safety and well-being

and to report on any abuse have happened to the children under the father Samir Gohar custody.

5- Appellant Theresa seeks to re-open the protection case for the children and transfer the protection case to another court other than Snohomish county superior court due to the court conflict.

6-Appellant Theresa would like not to deal with a GAL and its better if the court allows the involvement of community services like the CPS, police or similar community and human services for children due to the court conflict and complexity.

7-Appellant Theresa seeks an immediate increase in the wife alimony amount and duration based on the parties' tax return income. Appellant seeks \$4,000 in alimony a month for 10 years duration or until Theresa have a source of income that will allow her to live the same live stile as before the divorce.

8- Appellant Theresa seeks a reimbursement of the wife alimony given to her from November 2012 to date in the amount of \$4,000 alimony a month. The amount of alimony Theresa already received a month to date will be subtracted from the reimbursement amount of \$4,000.

9- Appellant Theresa wants the ownership of the property of the business don's restaurant that will allow her to have an income from the rent (CP141).

10- Approve Theresa's requests in CP 142 attached, CP141 attached, CP 167 motion for a new trial.

11- Immediate switch of the custody of the two children to their mother Theresa.

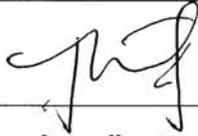
12- Appellant Theresa seeks the court order Samir Gohar to provide his tax return for the year of 2012 and 2013 for the wife alimony and child support modifications and calculation.

Attached:

Theresa's testimony at trial on November 5, 2012.(CP 294), CP 307, CP 28, Trial exhibit # 5 Samir's polygraph test (CP 295), Trial exhibit # 20 Samir's letter to Theresa (CP 295), Police report (CP 296), Theresa psychological evaluation (CP 177), Theresa's therapist declaration (CP 147), Theresa's declaration about the GAL Martha w. Wakenshaw report (CP 148), Theresa's for the kids' sake seminar certificate (CP 92, 295), Catherine's protection case # 12-2-013941 (CP 188), Propose parenting plan by Theresa Gohar filed on October 30, 2012 (CP 142), Theresa Gohar response to Samir's amended petition for dissolution filed on October 30, 2012 (CP 141), The GAL Martha E.Wakenshaw report filed in open court on November 5, 2012 (CP154).

Dated this May 27, 2014

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'T. Gohar', written over a horizontal line.

Appellant,

Theresa Gohar

Address: 2515 Colby Ave apt# 503 Everett, WA 98201

Phone number: 425-953-6121

Theresa Gohar testimony at trial on November 5, 2012

CP (294)

1 She just included me in her talk. I thought maybe I would  
2 like the judge to know about.

3 MS. PETERSON: No further questions.

4 THE WITNESS: Thank you.

5 THE COURT: Any redirect? 03:01

6 MR. DABLING: No.

7 THE COURT: Thank you, sir. You may be excused. Thank  
8 you for your testimony.

9 Next witness, counsel?

10 MR. DABLING: At this time I'd like to call Theresa  
11 Gohar. 03:01

12 THE COURT: Very good.

13

14 THERESA GOHAR, witness herein, after being  
15 duly sworn, was examined  
and testified as follows: 03:02

16

17 THE COURT: Please be seated and adjust the microphone  
18 because you're soft spoken. We need to hear what you have  
19 to say so my court reporter can take down your testimony.

20

03:02

21

**DIRECT EXAMINATION**

22 **BY MR. DABLING:**

23 Q. Originally when all of this began happening, you had said  
24 repeatedly in your declarations that you didn't want a  
25 divorce. Why is that? 03:02

1 A. Because I was still in love with my husband and I wanted  
 2 him to come back to the family.

3 Q. Is it still your desire to remain married to Samir?

4 A. No.

5 Q. And why is that? 03:03

6 A. That happened after my daughter told me about his touching  
 7 her in the private area, and that also brought up his  
 8 behavior with her before even touching. He was telling  
 9 her stuff to turn her emotion down. Like she -- since the  
 10 kids started to see him by court order, the kids weren't 03:03  
 11 happy about being there with him. They would cry and  
 12 Catherine was complaining a lot. Since she went to her  
 13 dad's, she's complaining that he's telling her she's sick.  
 14 He told her she's paranoid. He told her there is  
 15 something wrong with her. He told her that she -- her 03:03  
 16 mind is good and she's like her mother.

17 And the daughter will come to me and one time from this  
 18 abuse every time he tell her this stuff every time she go  
 19 to him in his house. And I wish my daughter can come here  
 20 and just say because the guardian won't say this stuff. 03:04

21 But like this was hard and my husband used to do that to  
 22 me. He used to tell me I'm sick. He used to tell me I'm  
 23 paranoid. I feel he's doing the same thing to my  
 24 daughter. When she told me he started to touch her  
 25 sexually, that's when alert comes to me that this is not 03:04

1	right. I need to protect my daughter. I don't want her	
2	to suffer. She's just a girl. She have a chance to live	
3	her life, to have a happy life, to have a good husband	
4	lead her in her life, not to be abused sexual or physical	
5	or emotional like me. I don't want him to do the same	03:04
6	thing to my girl and it's alerted me that he's doing that.	
7	Q. So you resisted the divorce in the first part because of	
8	your religion?	
9	A. Not just the religion.	
10	Q. Not just the religion. Why?	03:05
11	A. I still have feelings for my husband. Despite what he	
12	does, I'm kind of still attached to him in the beginning.	
13	But this cut off when my daughter told me about what's	
14	happening. And also when I started to think about what	
15	she also was used to tell me about her emotional abuse,	03:05
16	that made me feel that this is alert, this is kind of	
17	stuff he's doing it to her just like me, and I don't want	
18	my children to suffer.	
19	Q. Okay. Theresa, what's your highest level of education?	
20	A. High school.	03:05
21	Q. Is that in the United States?	
22	A. No, high school was in Egypt.	
23	Q. Do you have any education after that?	
24	A. I graduated from high school and then I had -- I had	
25	choice to be either go to lawyer college or go to a social	03:08

1 worker college. So I choose social worker college and I  
2 went to there. I spent like months and then my mom and my  
3 dad told me we have to move to America. So I didn't have  
4 a chance to -- it was nice when I was in college, but I  
5 didn't have a chance to finish my study.

03:06

6 Q. Do you have any education in the United States, any  
7 classes?

8 A. Before I know Samir, I had some English classes, ESL, and  
9 I had computer a little bit of how to type. Of course I  
10 forgot that. And when I married him I used to work with  
11 him in his restaurant. And I used to go to community  
12 college to study English as ESL. And I used to study -- I  
13 think I got a little bit of algebra and math. The  
14 beginning of the stuff. I didn't really go into like  
15 degree or something. I had to take English and math  
16 because this is stuff I'm not good at.

03:06

03:07

17 Q. So you don't have any -- otherwise any other career  
18 training?

19 A. The only thing I have is when I used to work in Taco Bell  
20 as a cook and as a cashier. And I used to work with my  
21 husband in his last restaurant in Massachusetts. I used  
22 to work with him.

03:07

23 Q. What kind of salary did you make while you were working  
24 for his restaurant in Massachusetts?

25 A. I didn't take any money. I don't expect to take money

03:07

1 from husband. I want to help him. I want to be a wife.  
2 I want to study. I wanted to make him happy. I work as  
3 much as he want. There was no money.

4 Q. For a time you worked at Walmart. What were you making at  
5 Walmart?

03:08

6 A. Walmart I started as a cashier, and then because I was  
7 good they raised me to be customer service, and I used to  
8 take like \$8. I started like 7 something, and then I  
9 ended up I think taking I think 8. That was before I have  
10 my second son, my second child.

03:08

11 Q. Describe the home that you live in now.

12 A. My home is a five-bedroom home. It has two living area  
13 and kitchen. It has a backyard. It has garage.

14 Q. Do you like the house you're living in now?

15 A. It's a good house.

03:08

16 Q. It was suggested that perhaps you would be able to move in  
17 with your parents if you were not allowed to keep the  
18 house. Would that be a better situation for you, better  
19 situation for you?

20 A. I don't think I can live with my family, no. After I've  
21 been -- after I left them years ago and started to have my  
22 husband and my family back in Massachusetts, I had my own  
23 house, I had my own car. I had my own like living. I  
24 don't want -- I didn't have someone to live with me and  
25 it's going to be very hard to live with my family, very

03:09

03:09

1 hard. Especially my family, I don't know if my family  
2 want me to live with them because I didn't ask them. It's  
3 their choice. They accept me to be with them or not  
4 because I know my dad wanted me to be independent.

5 Q. Were you at all ordered to find employment by any of the 03:10  
6 judges that you've seen so far?

7 A. Huh?

8 Q. Were you ordered to find employment? Samir said you were  
9 ordered --

10 A. I wasn't ordered. That wasn't the guardian. 03:10

11 Q. Now, when the guardian ad litem had asked you to see  
12 Dr. Schau, I don't know how to say his name, but why  
13 didn't you desire to see Dr. Schau?

14 A. Huh?

15 Q. You didn't see Dr. Schau. Why didn't you go to the doctor 03:10  
16 that the guardian ad litem recommended?

17 A. Well, I -- the first thing I saw the guardian was in -- at  
18 the end of September, and she came to my house one time.  
19 I only saw her one time. That's it. She didn't see me  
20 again. I called her on the phone. I tried to tell her 03:10  
21 let's do it. I wanted to know what's going to happen next  
22 on this stuff. So please call me. She never called me.

23 And then later I saw in my e-mail when I opened it, I  
24 saw my husband sent me an e-mail that she's requesting the  
25 school stuff from him and other stuff. I'm not sure if I 03:11

1 send that. I think I sent it to the court.

2 So she didn't talk to me, and I keep calling her,  
 3 calling her to try to tell her let's do this. She said  
 4 going to call my Monday. She saw me on Saturday, and then  
 5 on Monday she said she's going to call me and we can make 03:11  
 6 an appointment and she's going to help me. She's -- she  
 7 understand the kids doesn't like to live -- sleep over  
 8 with their dad, and she said she was going to help me with  
 9 that, and that's not fair for the kids to live with their  
 10 dad if they don't want to. And then I don't know what she 03:11  
 11 was doing. I don't know why she's doing that.

12 Q. The guardian ad litem had told you that your kids said  
 13 they didn't want to sleep over --

14 A. The kids in front of me, in front of the grandmother, in  
 15 front of the guardian, they told the guardian that they 03:12  
 16 want to live with the mom. They told them we definitely  
 17 don't want to sleep over, both of them. I'm not sure why  
 18 she's not saying what my kids saying. I have requested  
 19 with the courts that I need a change of guardian ad litem  
 20 and they deny it because I did a mistake. I didn't send 03:12  
 21 her a paper and it didn't have a lawyer. So I didn't have  
 22 a chance to even request another guardian.

23 Q. At any time have you told your children to say those words  
 24 to the guardian ad litem?

25 A. What words? 03:12

1 Q. The words that they say, you said, that they didn't want  
2 to be with their father?

3 A. No, she was sitting with me at the table. How am I going  
4 to tell them something?

5 Q. So you didn't prepare them for that?

03:12

6 A. They just said it. They just said it. They were talking  
7 and they were playing dominos and in the middle she would  
8 have asked stuff and then the kids will say it to her.

9 Q. And did she include this in her report?

10 A. I'm not sure if she did include that. I'm not sure. Did  
11 she? I don't think she did.

03:13

12 Q. Now, there is a Child Protective Services investigation  
13 ongoing for your husband and do you know what this is  
14 about?

15 A. Yeah. This is about the touching, and when I went to get  
16 help from the school because I know my family doesn't  
17 notice stuff. And so I went to the school, I told them  
18 there is a counselor for kids that can help kids. I want  
19 someone to help my daughter and what to do because I'm not  
20 sure how to help her, too.

03:13

03:13

21 So I went to the counselor and I told her my daughter  
22 told me this last night and I don't know what to do. And  
23 then the counselor told me the stuff is not good and you  
24 have to take action for it, if this really happened. And  
25 she brought my -- my daughter was already at school and

03:14

1 she was doing classes. She brought my daughter from that  
 2 class and she talked with her and she called -- after she  
 3 talked with my daughter and know everything from her, she  
 4 calls the child services and she calls the police.

5 The police came and I had to go back to pick up my son  
 6 and then I came back. And then there was child services  
 7 there and the police. The police didn't want to talk to  
 8 my daughter because they said she's too young and they  
 9 can't talk to her. So we're going to have to wait later  
 10 to have someone else interview her and then the police  
 11 will make, I don't know, a report or whatever they do.

12 And the child services made a plan with me. I didn't  
 13 know how to do stuff. They made a plan with me. They  
 14 gave me a paper that says I need to do kind of a  
 15 protection order, and I have to do it as fast as I can.

16 So I went the second day with the court. I didn't have  
 17 a lawyer. I went to the court. I went to Room 125 to get  
 18 some help how do this stuff, and they gave me a paper to  
 19 fill. I filled it and I got the protection from the  
 20 commissioner.

21 And then I did that on the 25th, and on Saturday  
 22 outside of my home door I found a paper sticking to my  
 23 door. It says that my hearing for my protection has been  
 24 moved from November 8th. I have to go to have the  
 25 hearing. And the same time I had an appointment with

03:14

03:14

03:15

03:15

03:15

1 officer for investigation at the same day at 1:30 instead  
 2 of one. I have the hearing at one. The officer that was  
 3 going to interview my daughter and know everything had one  
 4 series. So I went to the court and I told them, look, I  
 5 can't do this. I have the investigation for my daughter. 03:16  
 6 And I talked to Commissioner Bedle. I went there. I  
 7 walked in and talked to him. I sent him the paper and so  
 8 he told me you have to come. And I went --

9 Q. So you weren't able to get all of the information you  
 10 would have liked for the hearing? 03:16

11 A. I wanted to help my daughter. I don't know how. I was  
 12 hoping that the court will help me and I have this child  
 13 services that will help my daughter and I end up here  
 14 doing the divorce and I don't know what's going to happen  
 15 to my daughter. 03:16

16 Q. You tell us briefly how you found out about the alleged  
 17 touching? How did your daughter tell you about it?

18 A. She visited her dad on Tuesday and Thursday and she goes  
 19 every other weekend to sleep over with her dad. Both of  
 20 the kids, not just her. 03:17

21 On Tuesday the 23rd, yeah, Tuesday the 23rd, she was  
 22 having a visit with her dad for three hours from five to  
 23 eight and then she went home like usual. She was very sad  
 24 that day. She was very, very sad, and she started to --  
 25 after she come back from her dad's she will come and be 03:17

1 very sad and she will talk with very low voice and she  
2 never tell me what's wrong. All I can do for her is try  
3 to cheer her up, do something fun in the house, go out,  
4 doing something to make her change her feeling after her  
5 visit. But on the 23rd we did what I usually do to make 03:18  
6 her happy and at night we laid in the bed because we were  
7 just talking about mother and daughter like about -- I  
8 don't even remember what we were talking about. I don't  
9 really exactly remember. But what I remember that in the  
10 middle of her talk to me she said that, "Momma, I don't 03:18  
11 like it when dad touch me down there." And she squished  
12 her body like while she's laying down. I told her, "Are  
13 you sure?" I never imagined he can do that because I  
14 don't know how a father can do that. But she told me he  
15 touched me. I told her, "Are you sure?" She said, "Yes." 03:18  
16 I didn't believe her, and I asked her a couple of times  
17 like, "Where did he touch you? Is it in your tummy?" She  
18 said, "Down there in her pee pee."

19 So I felt kind of scared and I didn't know what to do,  
20 so I didn't talk to her. I let her go to sleep. And 03:18  
21 second day I went to the school for help.

22 Q. Do you believe your daughter?

23 A. I do believe my daughter. What made me believe her is  
24 when we went to the school for help, I was there at the  
25 beginning when my daughter came to the office and my 03:19

1 daughter told the counselors that dad touched me there.  
2 And the counselor asked her, "Is this the first time?" My  
3 daughter says, "No." And that's when I was shocked  
4 because she didn't tell me anything before. This was the  
5 first time. 03:18

6 So I think she was scared to say stuff and I do believe  
7 my daughter. She said he touched her. She saw him  
8 Tuesday and she told the counselor also he also touched  
9 her down there the same spot also on the weekend, the  
10 weekend on the 20th and 21st where she slept over with 03:19  
11 him.

12 And also when I go back with my memory, okay, I'm going  
13 to have to say this. On the 6th and the 7th of -- on the  
14 6th and the 7th of October, last month, I had my period  
15 and she went to her dad, and when she came back from her 03:20  
16 dad on the 7th, it was Sunday, she came back from her  
17 dad's home, and I had my period at that time for me as a  
18 woman. And then when she came back from her dad's she  
19 went to her room and was there like in her room, and then  
20 when she take off her clothes, she took off her underwear 03:20  
21 and underwear was having blood.

22 She started a period, that's fine. I told her, "What  
23 is this blood for?" And I didn't think of anything  
24 negative. But now when I think about it, I'm not sure if  
25 its her period because now I have the end of my period and 03:20

1 she doesn't have any blood. So I'm not sure what was the  
2 blood for. I'm concerned about my daughter.

3 Q. Do you believe that the Child Protective Services  
4 investigation should continue?

5 A. Yes, they should. They should know what happened to my  
6 daughter. Why does she have blood in her underwear? And  
7 if it doesn't happen -- like it didn't happen again like  
8 me every month, so I'm concerned.

03:21

9 Q. Did the guardian ad litem interview Catherine and ask her  
10 about the touching?

03:21

11 A. The guardian ad litem, I only saw her in my house. And  
12 the kids told me they saw her twice with their dad. Once  
13 they talked with her, and one she just went to -- she  
14 didn't talk to them.

15 Q. With regard to the interview the guardian ad litem had  
16 downstairs with Catherine, did you interfere with the  
17 guardian ad litem during that interview?

03:21

18 A. No. During the interview I was upset. I did get upset  
19 because my daughter was sitting in the car because I had  
20 my mom to help me because I have the officer interview at  
21 1:30 and I had to go to the hearing for the protection  
22 order at one. So I had to run from the hearing after it  
23 was done, to run to the officer to do the investigation  
24 for my daughter. So I told my mom to come and take care  
25 of the kids until I'm done, and then I will take my

03:22

03:22

1 daughter to the officer for the interview.

2 I was shocked when the commissioner asked for my  
3 daughter from the car to bring her to the court and ask  
4 her about stuff. So I was surprised. I was hoping that  
5 child services going to do that and the police, not the  
6 guardian ad litem. 03:22

7 And they also told me this is a different case than the  
8 divorce, that when I filed for the protection order, the  
9 child services, when she told me, I told her does this  
10 belong to the divorce? She said no. It's a separate -- 03:22  
11 it's a separate case. So I did a separate case. And I  
12 didn't know the guardian would be here. I was surprised  
13 and I know she didn't say this stuff because of the  
14 opposing counsel give me a motion saying that she said  
15 stuff that's not true, and I received her report at the 03:23  
16 end of October.

17 Q. Apart from the alleged touching, do you know if Samir has  
18 abused the children in any other way?

19 A. Emotionally, he's been abusing his daughter emotionally  
20 since she started going to his place in Washington before 03:23  
21 I know the touching. He used to tell her she's sick.  
22 Every time she go to him she will come back to me and tell  
23 me, "Momma, my dad told me this." I told her, "Catherine,  
24 this is not true. You're advanced at school. You're a  
25 good girl. The teachers love you. Don't worry about what 03:23

1 your dad say." Every time she goes to him he keep telling  
2 her this stuff, that's she sick, she's not normal, her  
3 mind will get screwed, and he's making her feel this way.  
4 She come to me, she doubts herself. "Momma, do you think  
5 this is right?"

03:24

6 And one time the school send a letter from middle  
7 school saying that my daughter is advanced. She's above  
8 level. And then I went to my daughter I told her, "Look,  
9 this is saying that you are perfect. You're advanced at  
10 your school. Don't listen to your dad."

03:24

11 So I think my husband is abusing her emotionally and  
12 then will use her sexually or physically and I don't want  
13 this to happen. I would like the court to protect my  
14 daughter.

15 Q. Has Samir abused you in any way?

03:24

16 A. Yes, he did. He did the same thing. Since I started --  
17 since I married him -- and the engagement, when we were  
18 engaged for one year, he used to be this loving man,  
19 romantic man, holding hands, he was very nice. He said he  
20 loved God. He's a virgin. He never touch any woman  
21 before. He was the perfect man. I felt like he's my  
22 soulmate.

03:25

23 After I married him, he's a different person. He  
24 started to abuse me emotionally. Even though I work with  
25 him, he didn't like how I work with him. He want me to do

03:25

1 like other girl's work in this restaurant. "Look at this  
2 girl. Look how she work. You should work like her."  
3 "I'm doing my best. I'm trying to help you. I'm trying  
4 to be a good wife." He was never satisfied.

5 So he used to abuse me emotionally and tell me that I'm 03:25  
6 not good enough for him. And then when I was pregnant  
7 with my daughter, I was in the middle of my pregnancy, and  
8 he came from his work at night, 11 or ten, and he came to  
9 the house. He -- he came to the house. He asked me about  
10 a box. He gave it to me after work. I worked with him 03:25  
11 when I was pregnant. He asked me about a box he gave to  
12 me that was full of towels that was wet and it was too  
13 heavy. He brought it from the restaurant for me to wash  
14 this stuff. I couldn't hold it. I was waiting for him to  
15 come. So when he come home, he told me did you wash that 03:26  
16 stuff? I told him no, I didn't wash it. And then he  
17 pulled me from my hair out in the rain where we used to  
18 live in Massachusetts. He pulled me from my hair barefoot  
19 in the rain in his car, take the box from the car, put it  
20 on my head and take it back it -- let me walk with it to 03:28  
21 the house to wash it at the basement downstairs, and that  
22 was the first physical abuse he did to me.

23 And the second abuse after my daughter was born, he  
24 came also from the work and he came from the kitchen. The  
25 kitchen garbage bag was full, and he was upset that the 03:26

1 garbage bag was full. And he takes the garbage, my  
 2 daughter was on the floor in the kitchen and I was next to  
 3 her, he takes the garbage, put it over my head. It fall  
 4 on me, it fall on my daughter. I called the police that  
 5 time. I didn't report it. I didn't want anything bad too 03:27  
 6 my husband, even though he was abusive.

7 Q. In 2009 did he --

8 A. In 2009 he start to abuse me sexually. Despite the  
 9 emotional before, he started to abuse me sexually since we  
 10 moved to that new house. Since 2009 he started abuse me 03:27  
 11 sexually every time we make love or sleep together, and  
 12 sometime he'll use his hands. I'll just say whatever. I  
 13 know this is not appropriate, but I'll say it for my  
 14 daughter's sake. He can use his hand sometimes down there  
 15 and I'll bleed from his hand, or he can use his thing and 03:27  
 16 I get hurt down there.

17 Q. Did he promise to stop hurting you this way?

18 A. He promised and he wrote it down that he's not going to do  
 19 it. He's trying to stop, but he never stopped. And I  
 20 just told my family. My family said -- my family said -- 03:28  
 21 I showed my mom where I was hurt from him, and my mom told  
 22 me he's not supposed to do that to you and this -- he's  
 23 not supposed to go in this area where I was hurt and she  
 24 couldn't help me. So I just took it quietly and sometimes  
 25 he will come to make love to me and I get hurt and I don't 03:28

1 know what to do. And he also used to tell me, "You're  
2 sick, you're sick. I didn't hurt you. I didn't do  
3 anything. It's all in your head." And then he see blood  
4 in his hand and say, "I didn't do anything. I didn't do  
5 anything." And I didn't know -- I didn't know what to do.  
6 But now I'm aware that my daughter is injured and I don't  
7 want her to be in danger.

03:28

8 Q. So in the past, moving on to some of the property, did  
9 Samir have you sign real estate documents?

10 A. He was buying Don's Restaurant and he took me to an  
11 office. I don't know. He drive me to an office and they  
12 had this document to sign, and they asked him what I'm  
13 going to sign on. Of course, my English was bad, and now  
14 my English is a little bit better from the divorce case.  
15 At that time I didn't know anything. I was just a  
16 homemaker and no education or nothing.

03:29

03:29

17 I said, "Just explain to me what it is." He said, "I  
18 don't know what it is. Just sign it." I asked the person  
19 at the desk, "Can you help me, tell me what does that  
20 mean?" She said, "I don't know." And then I stand there  
21 looking at the words and I didn't know what to do, so I  
22 just signed it. I didn't know what to do.

03:29

23 Q. He didn't explain to you what they were for?

24 A. It's for buying the restaurant. It was supposed to be for  
25 buying the restaurant.

03:30

1 Q. What were these things he had you sign?

2 A. I didn't know. No one told me what it meant.

3 Q. Do you know now what it is?

4 A. Now I know. I look it up in the internet later. After he  
5 left the house and started the divorce, I looked like what  
6 do we have, and I notice in public records that I did sign  
7 a quitclaim deed, and I gave it to Ms. Elizabeth and I  
8 told her I can get out of that.

03:30

9 Q. Do you have an explanation for why he would have you sign  
10 a quitclaim deed?

03:30

11 A. I don't know. But I know since I married him he doesn't  
12 want me to be involved in anything. Like when I used to  
13 work with him at his old restaurant I wanted to be just  
14 like him. I wanted to work and even help him with  
15 everything. And he will kind of have this paperwork from  
16 the restaurant and he will just take it away from me,  
17 "Don't read it, don't read it." He didn't want me to be  
18 involved. Maybe that's why he didn't want me to be  
19 involved.

03:31

20 Q. As far as your day-to-day finances, did he try to involve  
21 you in the finances?

03:31

22 A. I asked him I want to help him, if I can help him the  
23 restaurant paperwork. Since I'm not working I can help  
24 him with that, yeah.

25 Q. Were you aware of the investment accounts that your

03:31

1 husband had for retirement?

2 A. No. I didn't even know he had the retirement for me. No,  
3 I didn't know anything. I didn't know anything.

4 Q. Now, tell us about the jewelry.

5 A. My husband left on September 19, 2011. He left the house 03:31  
6 and then he went to live in a hotel for about three weeks.  
7 And I was trying to contact him and tell him to come back  
8 to the house, that we need him, and he will never call or  
9 anything. And he would come to the house sometime, even  
10 when I'm not in the house, he would come to the house 03:32  
11 sometime. One time he came to the house and left, and  
12 then I opened the door in my bedroom where it has all my  
13 jewelry and put it in one drawer and it wasn't there. The  
14 second time he came to the house I was there and I asked  
15 him, "I can't find my jewelry. Like do you think someone 03:32  
16 could have stole it from the house? I can't find it."  
17 And he said he took it and he said he sold some of it. He  
18 couldn't sell everything because some of it is Egyptian  
19 gold. He said he sold some of it, and he sold it to  
20 gamble with it. 03:33

21 Q. About how much would you value the jewelry at that was  
22 taken?

23 A. I don't know about numbers, but it could be like 30,000,  
24 or maybe 30,000, because I look at jewelry stores. They  
25 have like the jewelry I had. It's very expensive. I'm 03:33

1 papers I have, she's going to read it? She just has that  
2 little brain just for her education. It doesn't make  
3 sense.

4 Q. So you didn't encourage her to read anything for the court  
5 at all? 03:35

6 A. No.

7 Q. Did you discuss the case with your son Matthew?

8 A. No, my son, no. My son is too little to even ask him  
9 about words like that, no.

10 Q. And has Matthew said anything to make you think that Samir  
11 has? 03:35

12 A. My son, one time it was time for him to go to his dad's,  
13 and then he told me, "Momma, we have to hurry up. We  
14 don't want to be late for that." I tell him why? And he  
15 said, "Because if we're going to be late for that, you're  
16 going to be into trouble." I told him, "How do you know  
17 that? Why do you think that? I'm not going to be in  
18 trouble." He said his dad told him that if he didn't come  
19 to me, your mom will be in trouble at court. You have to  
20 come to me or your mom going to be in trouble. And the  
21 boy was very scared when he feel that we're going to be  
22 late five minutes or that momma is going to get into  
23 trouble. 03:35

24 And also the kids, both of them, both of them claim to  
25 me, told me that their dad at his house while they are 03:36

1 living with him, he keep telling him that they both have  
2 to listen to him, to whatever he say, and if they didn't  
3 listen to him, the mom going to be into trouble. And he's  
4 kind of brainwashed them somehow that I'm going to be in  
5 trouble because the kids love me so much. They say, 03:36  
6 "Momma, we don't want you to be in trouble. We're going  
7 to do what daddy say." I feel this is not good. I don't  
8 want my kids to be treated like that.

9 Q. Have you ever tried to commit suicide?

10 A. No. That's definitely not. Actually my husband is the 03:36  
11 one who tried to commit suicide in about 2009 or 2010 and  
12 did it in front of the kids. I kids don't forgive him for  
13 that.

14 Q. Can you explain that a little more?

15 A. Around 2009, 2010 after we moved to the new house we have, 03:37  
16 my husband did kind of this weird action. I wasn't --  
17 didn't know why he did it. I came -- he went to the  
18 kitchen and he opens the door of the kitchen and he got  
19 the biggest knife in the drawer and he hold it and he came  
20 to me at my face, he told me -- he told me, "Take the 03:37  
21 knife and kill me." I told him, "No, I'm not going to  
22 kill you. Why would I do that?" He said, "Take it and  
23 kill me."

24 And then he take the biggest knife we have and he throw  
25 it next to me, and the kids witnessed that and they were 03:37

1 very frightened. I didn't call the police. I promised  
2 not to call the police on my husband because my priest in  
3 Massachusetts, he told me if you call the police for your  
4 husband, this is going to ruin your marriage and that's  
5 how like the house can get broken if the police got 03:38  
6 involved. He's the one that have been calling the police  
7 for no reason.

8 Q. Has your therapist or any other mental health professional  
9 diagnosed you with any problems?

10 A. I've been diagnosed with depression and anxiety, yeah. 03:38

11 Q. Has your therapist said that your anxiety, depression or  
12 OCD were debilitating in any way?

13 A. No, they said -- I have those problems. I have  
14 depression. I have anxiety. I worry about stuff. But  
15 it's not severe and it can be dealt with -- 03:38

16 MS. PETERSON: Objection. Hearsay.

17 THE COURT: Goes to her state of mind. Objection is  
18 overruled.

19 THE WITNESS: What's hearsay mean?

20 THE COURT: Hearsay is an out-of-court statement made 03:38  
21 to prove the truth of the matter asserted. In other  
22 words, you can't tell me what somebody else said. That  
23 person has to come and say it. But there are certain  
24 exceptions to that. For example, you can tell me your  
25 opinion of what your mental health is. 03:39

1 THE WITNESS: I can't say about someone else --

2 THE COURT: You can say I was diagnosed with X, I'll  
3 let you do that, because that's your opinion of your state  
4 of mind. But how much value I put on that, that's for me  
5 to decide. You're not a doctor; right? 03:39

6 THE WITNESS: They told me.

7 THE COURT: I understand. Let's move on to the next  
8 question.

9 Q. BY MR. DABLING: Did your therapist give you any reason to  
10 believe that you were incapable or unable to take good 03:39  
11 care of your children?

12 A. My therapist right now that helped me, she said I'm -- I'm  
13 a very good mom, despite the depression. She said I do  
14 have like -- I do suffer from depression and anxiety, but  
15 despite that I've been taking care of my kids and I've 03:40  
16 been helping them with any problems they had since their  
17 dad left us 2011.

18 Q. What are some of the ways that you handle your depression  
19 and anxiety?

20 A. I have seen a psychiatrist before to take medication and 03:40  
21 he told me that we tried antidepressants because  
22 antidepressants does help with depression and anxiety, but  
23 he told me we tried that and didn't work. So the only way  
24 to help is to get out of the house, do activities, go to  
25 the park and do stuff. That's how I deal with it because 03:40

1 if I'm not feeling good or because of this divorce stuff,  
2 I just take the kids out. We go have fun at Chuck E.  
3 Cheese, the park, I take them to the lake to swim. So I  
4 kind of deal --

5 Q. Have your children ever been in danger or trouble because 03:41  
6 of your depression or anxiety?

7 A. No, never. No. Actually I still help them even though I  
8 have this problem. My son had a problem at his school and  
9 I didn't stop until he got help, and now he's in a better  
10 position at school and he loves school now. 03:41

11 Q. Tell us a bit more about your son having problems at  
12 school?

13 A. Well, after my husband left the house in September, my  
14 kids were all at school and my son -- of course, I was  
15 overwhelmed with my husband, he left me, and also I have 03:41  
16 to take care of the kids alone. My son had trouble at  
17 school. He was complaining to me in the beginning that he  
18 doesn't like school, the other kids bother him, and he  
19 started to say that there is a girl in his class pulls his  
20 ears and he doesn't like it. And also she started to 03:42  
21 shake his body and talk to him in his face and bother him.

22 So I went to the school and talked to the teacher. She  
23 said she was going to talk to the girl, but it happened  
24 again. So I started to volunteer in his class to see  
25 what's happening, to see what's going on. I don't know. 03:42

1 I'm at home. So I start to volunteer and also to see  
2 what's happening with my son.

3 So what I saw in my son's class that he wasn't being  
4 cared for. Like the teacher would be talking and he will  
5 have this paper he has to fill in front of him, and the 03:42  
6 paper he will just do scribble a little and leave the  
7 whole paper empty, and I was there watching this. And  
8 each day it happened, every time I go to Frontier it  
9 happened, and my kid was kind of sad. He wasn't happy.  
10 Plus whatever was like bully or they were at school, I 03:42  
11 didn't really see it. At the time I was volunteering, but  
12 he told me that it happened at other times.

13 So I went to the principal and I told her what  
14 happened. I told her, listen, I went to his class. I  
15 volunteer. I think my son is not happy in his class. He 03:43  
16 doesn't do any work. The teacher, when I went for the  
17 first conference, when I go to the teacher and they show  
18 you your son or daughter, what they did at the class and  
19 stuff, she gave me zero. Like she gave me nothing with  
20 his writing, and that I saw with my eyes, too, when I went 03:43  
21 to volunteer. Obviously this is not good.

22 So afterwards I told her, listen, I saw this, plus the  
23 bullies, like the kids bother him, and I would like to  
24 change his class. And I stayed because my husband at the  
25 same time I was doing this he did send a restraining order 03:43

1 to the school. He sent it to the school. I can't do  
2 anything and the son has to be in his class.

3 They say, I'm sorry, we can't move your son from the  
4 class because of this stuff. We got to wait until this  
5 problem with you and your husband be done. I told them 03:44  
6 but my son is not going to wait until my problem is done.  
7 I need my son to be moved to a different class so he can  
8 be happy, so he could improve in his education. I don't  
9 want my son to say he hates school. Every time he have to  
10 go to school, he cry and he hate it. And I think this is 03:44  
11 alert for me.

12 And they didn't really listen because of the  
13 restraining order he sent, but I kept going because my son  
14 every day he will cry and doesn't want to go. I will go  
15 with him and tell them, look, he's not happy. You have to 03:44  
16 do something. The restraining order is not going to  
17 prevent you to move my son.

18 So they decide they're going to do the help and they  
19 moved him to a different class, to a different teacher,  
20 different kids. He started not to complain. He smiled. 03:45  
21 He go to school every day happy. And this year he's  
22 having no problems at all. He has the best teacher and  
23 he's not complaining. Actually he takes his backpack and  
24 he run to the school bus before I even take him.

25 Q. Now, in a similar situation your son had problems with the 03:45

1 dentist?

2 A. Also with a problem with dentist and I had to help him,  
3 yes.

4 Q. Can you tell us how you helped your son with the dentist?

5 A. My son, he was about three, maybe less than three years  
6 old, and he had cavities in his teeth. I wasn't aware  
7 that he have cavities, but I took him to his doctor and  
8 they said he has a lot of decay in his teeth. And they  
9 had to do restore for the mouth.

03:45

10 I went to three doctors. The first doctor I went alone  
11 to help my son. My husband was working at that time. I  
12 went to the first doctor. She said he's going to have to  
13 take off all four teeth. It was a lady doctor. She said  
14 she going to have to take off his front top teeth and  
15 she's going to put metal crowns and metal filling or other  
16 filling. So mostly his mouth would be full of metal. And  
17 she also gave a paper that declares that she going to do  
18 this stuff.

03:46

03:46

19 And I told my husband. He took the kid to the -- he  
20 took -- because I was upset about what she said, that he  
21 going to have metal teeth in his mouth and how is he going  
22 to eat with metal teeth? If it's me, I'm not going to  
23 like it. I went to my husband for help and I told him I  
24 don't like that. He said no, we're going to go for it and  
25 it's -- we're going to do it. And the lady want him to

03:46

03:47

1 sign that my son has -- that says he can die from this  
2 procedure because they're going to put him down, plus  
3 they're going to take four of the teeth out and all of the  
4 other teeth was going to be metal.

5 My husband was happy and he wanted him to go to that 03:47  
6 doctor, but I took him, without him, I took my son to a  
7 different doctor which he told me he going to have to  
8 take, I don't remember, three teeth or four teeth from the  
9 top out, and he's going to put white crowns. And I wasn't  
10 really satisfied with that because he also when he smiled 03:47  
11 he's going to have no teeth on top and that will look kind  
12 of not good because he's going to go to school too.

13 So I went to the third doctor, which he told me he's  
14 going to save all of his teeth. He's going to put crowns  
15 on the teeth that the other doctor is going to take out, 03:48  
16 he's put white crowns, and the rest will be filling, no  
17 metal crowns. It will be all white and it will be  
18 natural.

19 I was happy that I find that choice, but I was still  
20 scared that they're still put him down and he's going to 03:48  
21 have to sleep in this procedure. He's the same doctor my  
22 kids see now, both of them.

23 Q. So do you regret having gone through all of the trouble  
24 with the dentist?

25 A. No, I do whatever makes my kids happy. 03:48

- 1 Q. The guardian ad litem said that you would keep the  
2 children out of school for having a cold or not feeling  
3 good. Could you explain this?
- 4 A. Yeah. My kids sometime have trouble when they have like a  
5 tummy ache. In the winter a lot they have runny nose. 03:48  
6 When they have runny nose, I feel they are safe. They're  
7 going to -- the other kids are going to have runny nose,  
8 too. I will let them stay in the house until they have no  
9 runny nose or tummy ache. Sometimes they will have tummy  
10 ache in the morning. I let them sit in the house and then 03:49  
11 when their tummy ache feel better, I'll take that back to  
12 school which is count as tardy.
- 13 Q. Do you ever keep them home from school just because they  
14 don't want to go to school?
- 15 A. No. I want to get my kids to love school and go to 03:49  
16 school.
- 17 Q. Apart from the bullying with your son, have your children  
18 had any other problems at school?
- 19 A. It was only me before I complain about the bully, but it's  
20 over now. 03:49
- 21 Q. Have they done well in school?
- 22 A. He's been doing really good and the teacher wrote a letter  
23 about him and I file it with the court.
- 24 Q. Your daughter as well?
- 25 A. My daughter is advanced at school and all the school know 03:49

1 her by name.

2 Q. Do the teachers complain about bad behavior?

3 A. No. My daughter's advanced. She's been volunteer to stop  
 4 bullying at her school, and I also filed that with the  
 5 court. My son is very good boy and very happy boy and the 03:60  
 6 teacher also wrote a letter about him and how he's  
 7 behaving. And she actually pointed him to the class, my  
 8 son Matthew, she pointed him to the whole class to make  
 9 the whole class copy him. She say he has a good attitude.

10 Q. What kind of activities do you take your children to? 03:50

11 A. In the summer, when the summer was there, I used to take  
 12 them to the lake to swim. I take them to outdoor pool. I  
 13 take them to the park. They can go to Chuck E. Cheese.  
 14 We can walk on the trails.

15 Q. Now, does your house ever get messy? 03:51

16 A. It does get messy because my daughter, she's 11, she don't  
 17 make a mess, but my son does make a mess. My son is --  
 18 was six and now he's turning seven. He does make a mess.  
 19 He will have the toy box flip over in the house and we  
 20 have to clean it up, yes. With the toys, yes, it does 03:51  
 21 make mess.

22 Q. Is your house filthy?

23 A. No. If there is mess, it will be with his toys that he  
 24 play with, and I don't want to prevent him from playing.

25 Q. He said that you don't have the children change their 03:51

1 clothes on a daily basis; is this true?

2 A. Who said that? My husband said that? No, they do change  
3 their clothes.

4 Q. How often?

5 A. Every day. They go to school every day. They have to  
6 change their clothes. 03:51

7 Q. The guardian ad litem had recommended taking your children  
8 to a therapist. Do you have any objection to --

9 A. Yes, I do. My children doesn't need this. My daughter is  
10 advanced. She doesn't have any depression. She doesn't  
11 have any behaviors that the school tell me. Like if there  
12 is a bad kid at school, you're going to know. As a  
13 parent, you come, you have to take your kid. Your kid is  
14 doing that. My kids, both of them are very cheerful and  
15 very nice, and I don't believe they need the stuff. 03:52

16 I don't know why she's accusing my kids of having -- I  
17 read in the report she's accusing my kids, they have  
18 depression, anxiety and anxious, and she also say this  
19 about me, I have depression. I think that's what she  
20 wrote. And anxiety and anxious. So she's kind of  
21 relating me to the kids. The kids totally depend on me.  
22 The kids are -- maybe I don't have enough education, maybe  
23 I was suffering with my husband, abused, but my kids are  
24 very good at school. They don't have this kind of stuff.

25 So I don't believe my kids have it. I don't know where 03:53

1 she got it from. And she only saw them like twice. But  
2 the school sees them every day. The school sees both of  
3 my children every day. They didn't say they have  
4 depression. And I asked my son's teacher, do you think my  
5 Matthew having depression? Do you think he's sad? What 03:53  
6 do you think about my son? She said your son is happy.  
7 He's very happy. He had a good attitude. He participants  
8 in the class. I told her can you write me a letter of  
9 that, of your opinion, and she he did wrote a letter about  
10 my son. 03:53

11 Also, my daughter, she's advanced and she volunteer in  
12 the bully. So don't know what else to get to prove that  
13 my kids are fine. But now my daughter, maybe she's needs  
14 therapy for the abuse, yes. I don't know how she feel  
15 right now with what happened with her dad, so I think she 03:54  
16 need help with that.

17 Q. Do you ever tell your children that their father does not  
18 love them?

19 A. No, I don't. I was surprised with his behavior, but I  
20 don't tell them that he's bad, no. 03:54

21 Q. Have you searched for employment recently?

22 A. I was searching for employment and also -- I did search  
23 for employment. They told me I have to work from seven to  
24 like three or something. My kids, one of them goes out at  
25 7:40, and the other one has to go out at 8:20. And my son 03:54

1 come back from school at 2:30, and my daughter come back  
 2 at like 3:15. So it's going to be very difficult to be  
 3 there for them.

4 So I'm thinking I want -- I would like to study for  
 5 now. I went to the community college and I would like to 03:56  
 6 go back to study and have a good career so I could be  
 7 independent.

8 Q. But at this time, barring future education, what kind of  
 9 employment do you think you could get?

10 A. Right now it's the same as before. I can work as a 03:55  
 11 cashier, if I can work. But this is going to affect like  
 12 the time of me picking up the kids and dropping them off,  
 13 since I was living with them, and they don't like anyone  
 14 else to pick them up or wait for them but me. They want  
 15 me to be there for them. 03:55

16 Q. How do you believe that the main property should be  
 17 shared?

18 A. The properties? The house and stuff?

19 Q. The house, for instance.

20 A. I would like to have my house. The wife should have half 03:56  
 21 of everything from the husband. So I would like to have  
 22 my half as a wife, half of everything. Half of everything  
 23 he owns, and I think I have the right of that. I was a  
 24 good wife to him and I don't deserve this.

25 MR. DABLING: No further questions at this time. 03:56

1 THE COURT: Thank you. Cross examination.

2

3 CROSS EXAMINATION

4 BY MS. PETERSON:

5 Q. So, Theresa, on October 23rd is the day that Catherine 03:56  
6 told you about her -- the alleged sexual touching, and  
7 then on October 24th you went to the school and talked to  
8 the school counselor --

9 A. Yes.

10 Q. -- is that correct? 03:57

11 A. I have no other choice. This is what I thought of, yes.

12 Q. And then you -- and then the school counselor contacted  
13 CPS and the sheriff; is that right?

14 A. Yes.

15 Q. And when did you take Catherine to the doctor? 03:57

16 A. My daughter has this bleeding on the 7th and --

17 Q. Had the bleeding on October 7th?

18 A. October 7th she had bleeding. I thought it was the period  
19 because I have my period and all that came in my mind was  
20 a period. So I made appointment with her doctor already 03:57  
21 from that 7th on Monday, which is the 8th. I called the  
22 doctor office -- and I called the doctor office and I made  
23 an appointment, and the first available was a lady doctor  
24 was on the 29th, and that was for just that she having a  
25 period, as I thought. 03:57

- 1 Q. So you already had an appointment set for 29th. You  
2 didn't call and make an appointment to have her checked  
3 for this sexual abuse? You didn't make a doctor's  
4 appointment for that?
- 5 A. Say that again. 03:58
- 6 Q. As soon as you found out about the sexual abuse, as soon  
7 as she told you were --
- 8 A. On the --
- 9 Q. -- on the 23rd did you call the doctor and make an  
10 appointment at that time? Did you call the doctor and 03:58  
11 tell him about it?
- 12 A. I already have appointment with the doctor on the 29th.
- 13 Q. You already had an appointment, so you didn't think you --  
14 CPS didn't tell you to take her to the doctor? The  
15 sheriff office didn't tell you to take her to the doctor? 03:58
- 16 A. No, there was no bleeding and she said he touch her in her  
17 pee pee with clothes on.
- 18 Q. And with her clothes on?
- 19 A. Yeah.
- 20 Q. And so nobody told you that she needed to go see the 03:58  
21 doctor?
- 22 A. The CPS.
- 23 Q. Uh-huh. Did the CPS worker tell you to take her to the  
24 doctor?
- 25 A. No. 03:58

1	Q.	Did the sheriff tell you to take her to the doctor?	
2	A.	No, they didn't.	
3	Q.	Did the counselor tell you to take her to the doctor?	
4	A.	No. The counselor told me that I can have counseling for	
5		my daughter, and the counselor told me I should take her	03:59
6		to the emergency room, and I did.	
7	Q.	You took her to the emergency room? When?	
8	A.	That was after they told me I have to.	
9	Q.	When did you take her to the emergency room?	
10	A.	I did take her to the emergency room on the end of -- I	03:59
11		don't remember the date exactly. I took her once because	
12		the school told me that she had a tummy ache, and I said	
13		maybe I should take her to the emergency. And also I	
14		mentioned that, like they advised me. So I went to the	
15		emergency room. I can give the date at a later time, the	03:59
16		exact date. I took her to Providence Hospital emergency.	
17		You can look at the record.	
18	Q.	So you took her to Providence Colby for a tummy ache?	
19	A.	But I also mentioned that they advised me I should.	
20	Q.	What did they do when you had told them about that?	03:59
21	A.	They said they're going to call a nurse. There is a team	
22		of nurses that come and help kids in these cases and	
23		discuss it with them, and they already called the nurses	
24		but they said they're not available. So I -- so they	
25		treated her tummy, but they didn't do anything about the	04:00

1	sexual. But I had to go to another emergency room and	
2	that's where I saw the nurses finally.	
3	Q. Okay. So I'm confused. So you found out about this on	
4	the 23rd. You talked the school counselor, CPS, and the	
5	sheriff on the 24th. And then in between that and the	04:00
6	doctor's appointment on the 29th, you went in for another	
7	emergency room visit? In between there was the emergency	
8	room visit; is that correct?	
9	A. Let me think.	
10	Q. I'm confused.	04:00
11	A. Let me think. I can get the date. I don't remember. I	
12	don't remember exactly. Let me think. I'm overwhelmed	
13	with this and I was trying to get as much help I can since	
14	the court cancelled the protection. I don't remember	
15	exactly the date.	04:01
16	Q. No, this would have been before the court cancelled the	
17	protection order because she definitely was seen by the	
18	doctor on the 29th, which was the date before the court	
19	cancelled the protection order. She was seen on the 29th.	
20	When did she go to the emergency room?	04:01
21	A. Let me think. That -- I think that was after, after the	
22	hearing.	
23	Q. It was after -- you didn't take her to the emergency --	
24	A. No, that was before. They told me after the hearing,	
25	because after the hearing the commissioner cancelled the	04:01

1 protection and I felt my daughter going to be in danger  
2 and she's not protected, so I went for help. Someone  
3 help.

4 Q. And you went and took her to the emergency room at that  
5 point to be checked? 04:01

6 A. No, I went for help. Can someone help me? The court  
7 cancelled the protection order and my daughter is supposed  
8 to see her dad. Can someone help me?

9 Q. I'm just trying to get -- understand what you did for  
10 help. I'm just confused. 04:01

11 A. Someone told me --

12 Q. So you took her to the emergency room at that point? So  
13 you had taken her to her regular doctor on the 29th to be  
14 checked out, which is an appointment you already had --

15 A. Since she -- 04:02

16 Q. -- for the period?

17 A. But it wasn't the period. She doesn't have it now.

18 Q. And when you talked on the doctor on the 29th about her  
19 starting her period, you also talked -- you also talked to  
20 the doctor about this other issue? 04:02

21 A. Yes.

22 Q. Okay.

23 A. The doctor says, I told her can you tell if my husband  
24 touch her in a way or can you tell if she's still virgin  
25 or not? And she said we can't tell, we can't tell. And 04:02

1 she said -- she didn't do anything else.

2 Q. That's all she did?

3 A. She gave me a number to call.

4 Q. I have here Catherine's medical records from this time,  
5 and if you look at the top, you look on the Monday,  
6 October 29th, we have an office visit with Dr. Pepper.

04:03

7 A. Yeah, that's her doctor, the lady doctor.

8 Q. And then we also have an emergency visit on Friday,  
9 October 26th?

10 A. I took her, yeah. I forgot, yeah.

04:03

11 Q. But if you turn the page, the reason that she was taken in  
12 on the 26th was actually for a sore throat and there is  
13 nothing mentioned anywhere on this doctor visit about  
14 sexual abuse by her father.

15 A. So, yeah.

04:03

16 Q. So you took her on the 26th, but you didn't mention  
17 anything to the doctor but this?

18 A. Because no one told me I should say. I was looking for  
19 the child services.

20 Q. CPS worker, the school counselor, the sheriff, none of  
21 them told you to take her to the doctor?

04:03

22 A. No, I did take her after I was advised. I was trying to  
23 follow whatever advice they give me because I need to  
24 protect my daughter. If I say the date wrong, I don't  
25 know. She did have a sore throat, yes. I don't think I

04:04

- 1 told them that. They know. It was after the hearing. It  
2 was after the hearing.
- 3 Q. Okay. You've said several times that you have not been  
4 diagnosed with paranoia or delusions or anything. Have  
5 you -- did you sign a release for the guardian ad litem to 04:04  
6 access your medical records or your psychiatric records?
- 7 A. The guardian ad litem I saw only once at my home. I tried  
8 to call her. She didn't answer me.
- 9 Q. Did you sign the release?
- 10 A. She didn't ask for a release. All she mentioned at my 04:04  
11 house that she need to talk with my counselor, but she  
12 never follow-up with me. She said -- she never say  
13 anything about medical records. Do you have a document?
- 14 Q. She says right here, yes. In the guardian ad litem's  
15 report it says -- 04:05
- 16 A. No. Do you have proof that she asked me for that? She  
17 never asked me for that.
- 18 Q. All right. I'll find it in a minute. Okay. So you  
19 stated in your testimony that your children had not missed  
20 too much school, they had only missed it when they were 04:05  
21 sick, and it hadn't been an issue; is that correct?
- 22 A. What was that?
- 23 Q. That your children haven't missed too much school?
- 24 A. They did miss school.
- 25 Q. Did the school threaten to invoke the Becca bill? 04:05

1 A. No.

2 Q. So is the guardian ad litem lying in that situation in her  
3 report?

4 A. About what?

5 Q. She said the school threatened to invoke the Becca bill?

04:05

6 A. That's not true.

7 Q. Is the guardian ad litem lying?

8 A. Lying about what?

9 Q. In her report she states the school threatened to invoke  
10 the Becca bill. Is that a lie? It's right here in the  
11 guardian ad litem's report. It says the school threatened  
12 to invoke the Becca bill.

04:05

13 A. It says the mother didn't like the school's curriculum, to  
14 invoke the -- to invoke the Becca bill. The school never  
15 did. You can contact the school. I don't mind.

04:06

16 Q. So that's a lie? Okay. On page 4 of the guardian ad  
17 litem's report, the guardian ad litem, Martha Wakenshaw,  
18 says that you did not allege physical abuse or any abuse  
19 of the children by the father, but said that he neglects  
20 their feeling and doesn't understand them. Is that a lie  
21 in the guardian ad litem's report?

04:06

22 A. I need -- can I have a copy?

23 Q. Page 4. See on Page 4, the fifth paragraph, right here.  
24 Is that a lie by the guardian ad litem?

25 A. What's "alleges" means?

04:07

1 Q. That you stated that -- basically stated, accused Samir of  
2 physical abuse. She says you do not accuse him of it.

3 A. She said -- does that mean I didn't?

4 Q. You did not accuse him; correct.

5 A. She didn't talk to me much anyway. It was only one time.  
6 So I didn't tell her about everything. I was going to --  
7 I told her that he tell me that I am sick and he abused me  
8 emotionally, yes, I did. So what's the question?

04:08

9 Q. Did you tell her that he abused the children emotionally  
10 or physically?

04:08

11 A. I did. I think I did, yeah.

12 Q. You did?

13 A. Actually the kids did, too.

14 Q. So this is also not true in her report?

15 A. Yes.

04:08

16 Q. Okay. And then she goes on in the next paragraph, she  
17 says Ms. Gohar and paternal grandmother both talked about  
18 the court case in front of the children at the home visit  
19 until the GAL interrupted them and asked them to stop. Is  
20 that true?

04:08

21 A. My mom told my kids to go upstairs, yes.

22 Q. But were you talking about the court case in front of the  
23 children before you --

24 A. The guardian ad litem started to talk, yes, about the  
25 court.

04:08

1 Q. So it was the guardian ad litem that was talking about the  
2 court case in front of the children, not you?

3 A. We were all sitting at a table and my son was playing with  
4 his toys on the floor.

5 Q. Okay. So she was the one that was talking about him and 04:09  
6 you were telling them to leave?

7 A. My mom said she told her, yes. She told the kids to go  
8 upstairs. I don't know where she --

9 Q. Okay. On Page 5, on the third paragraph from the bottom,  
10 the guardian ad litem says that Catherine denies any abuse 04:09  
11 of any kind from her father or mother. Is that -- is that  
12 not true?

13 A. Where is that?

14 Q. Page 5, right here. This sentence right here. Is that  
15 sentence -- 04:09

16 A. Catherine denies any abuse from her father or mother?

17 Q. Uh-huh.

18 A. She probably deny from me because I never abuse her, but  
19 she did say about the father.

20 Q. She told the guardian ad litem that the father abused her 04:10  
21 in front of you?

22 A. She mentioned that she doesn't like her dad and she  
23 doesn't want to go with him. I'm not sure about what she  
24 told her alone, yeah. But she told me stuff about her  
25 dad. 04:10

- 1 Q. On Page 8, she states right here, she says that the  
 2 guardian ad litem says that, quoting Matthew, she says mom  
 3 is frustrated about court stuff. Do you believe that  
 4 that's true? That that's a true quote --
- 5 A. You want me to talk about only this phrase or the whole 04:11  
 6 thing?
- 7 Q. Just that phrase.
- 8 A. Just that phrase. Mom is frustrated with court stuff.  
 9 She just frustrated and nervous. My son said that?
- 10 Q. Uh-huh. 04:11
- 11 A. I am kind of frustrated, yeah.
- 12 Q. And you think Matthew would know that you're frustrated  
 13 about --
- 14 A. I'm sorry?
- 15 Q. You think that Matthew would know that you are frustrated 04:11  
 16 about the court stuff?
- 17 A. I'm not sure. Sometime I have to go to court and I have  
 18 to leave them with mom. So I'm not happy that the kids  
 19 have to suffer in this situation. But I didn't tell him  
 20 that I'm frustrated. He might saw it in my face or the 04:11  
 21 way I have to run to the court for hearing or something  
 22 and they have to go to their grandmother.
- 23 Q. Okay.
- 24 A. So, yeah.
- 25 Q. Okay. Will you look at the top of Page 9. First sentence 04:11

- 1 there, right there. Matthew reported that mom's house is  
2 dirty. Do you think that that's the truth, that Matthew  
3 would have said that?
- 4 A. No. You're only giving me pieces. Matthew brought up  
5 that mom's house is dirty. Well, it's dirty with toys. 04:12  
6 It gets dirty, yeah. So I have kids. And his dad doesn't  
7 put him in his room like his mom. Sometime when he behave  
8 bad, I tell him to go to his room and think about that,  
9 but not a lot like she claims, yeah.
- 10 Q. And you've stated that you haven't spoken to Catherine 04:12  
11 about this court case, except for just to tell her that  
12 when she had to go see her dad; is that correct?
- 13 A. Uh-huh.
- 14 Q. That's the only time you talked to Catherine about the  
15 court case? 04:12
- 16 A. Sometime I talk to her and ask her how he treat her, or  
17 what he does with her, yeah.
- 18 Q. Have you talked to her about that?
- 19 A. I ask how is it at your dad's house? She says she doesn't  
20 like it. 04:12
- 21 Q. Have you talked to her about the court case?
- 22 A. The court case, I tell her when she -- like if she have to  
23 go to her dad's, yes.
- 24 Q. That's the only thing you talk about?
- 25 A. Or any other stuff involved like she going to have to go 04:13

1 anyway now.

2 Q. So on the bottom of Page 9, this paragraph here, the  
 3 guardian ad litem said when asked what she thought court  
 4 is, given the fact that Catherine said her mother had told  
 5 her all about it, she answered mom told me court is 04:13  
 6 supposed to sort out problems, or if there is a criminal,  
 7 to catch him. Court is trying to sort out the divorce.  
 8 They already take \$4,500 each month from my dad. My mom  
 9 was supposed to get a job, but she's sleeping a lot, which  
 10 is sad because she missed job calls. My mom doesn't have 04:13  
 11 a job. Do you think that's a lie, too?

12 A. This is all -- my daughter wouldn't say -- my daughter say  
 13 4500? How does she know a number like that? This doesn't  
 14 make sense. I know my daughter. She doesn't say this  
 15 stuff. This is from the guardian. This is definitely not 04:14  
 16 my daughter because I know her and I'm living with her.  
 17 I'm not sure where she got that from.

18 Q. Do you believe that your daughter is fearful and so  
 19 worried that she's worried that the guardian ad litem is  
 20 going to take her away and put her in foster care? 04:14

21 A. I'm not sure where this came from, no.

22 Q. You don't think she's afraid of that?

23 A. She's with me.

24 Q. You don't think she's afraid of foster care?

25 A. Foster care for what when I'm their mother? How is that 04:14

1 going to happen? Unless the guardian wants to do that.  
2 Q. She told the guardian ad litem that she was afraid of  
3 being put into foster care.  
4 A. No. You know, I wasn't there.  
5 Q. It's in the guardian ad litem -- 04:14  
6 A. I don't believe the guardian. She says stuff about me and  
7 it's not true.  
8 Q. Did you tell your therapist about the abuse from Samir to  
9 you? Did you tell your therapist about Samir's abuse of  
10 you? 04:15  
11 A. I told her, yeah.  
12 Q. Okay. She just didn't put it in her report, her  
13 declaration?  
14 A. I didn't -- what do you mean?  
15 Q. It's not in her declaration -- 04:15  
16 A. The thing she wrote to the court? It was just a general  
17 declaration because I told her -- I went to her one time  
18 to her office as a visit and I told her my husband  
19 claiming that I have paranoia and I'm mentally ill, can  
20 you please tell me what do I have. When I go to her, she 04:15  
21 was telling me I don't have anything and you're fine. But  
22 when I asked her specifically what kind of -- like what do  
23 I have, like what problem do I have? Do I really have  
24 this stuff my husband claim? She said you do have  
25 problem. She said I have a depression and anxiety. 04:15

1	Q. Okay. And when the guardian ad litem was trying to	
2	interview Catherine in the courthouse downstairs last week	
3	I guess it was, did you walk in the room where the	
4	guardian ad litem was with Catherine?	
5	A. In the room?	04:16
6	Q. Uh-huh.	
7	A. No, I didn't.	
8	Q. Did your mother?	
9	A. I saw my mother go inside. I don't know why, yeah.	
10	Q. Did the court clerk have to come out and remove your guys	04:16
11	from --	
12	A. No. The clerk came out but she talked. She didn't remove	
13	us. She talked to me.	
14	Q. She didn't tell you to leave the room and let the guardian	
15	ad litem do the report or do the interview?	04:16
16	A. She didn't tell me that, no. She didn't say that.	
17	Q. Okay.	
18	A. You mean she tell me that? I was out already.	
19	Q. And she did not tell you to leave the space, let the	
20	guardian ad litem have the time with Catherine? She	04:16
21	was -- she did not ask you to back up, nothing?	
22	A. No, she didn't say nothing. I know my mom is not supposed	
23	to be in the room. I don't know why my mom went inside.	
24	I know this happen, yeah.	
25	Q. When Matthew -- when you got a restraining order to stop	04:17

1 moving Matthew's classroom around and school around, you  
2 stated in your testimony earlier that then you continued  
3 to try to change his class around.

4 A. Yeah, I do whatever for my son's sake.

5 Q. So you just ignored the court order? 04:17

6 A. I didn't ignore the court order. The court is not there.  
7 The court doesn't see my son and this is not the court  
8 order. This is what my husband want. The court doesn't  
9 know anything about my children.

10 Q. Okay. Have you read the entire guardian ad litem report? 04:17

11 A. I did read it, but I didn't read it before I come.

12 Q. And you stated that you did not -- there was no court  
13 order requiring to try to start becoming self-supporting  
14 and try to move toward finding work; is that correct?

15 A. There was a court order to go to -- there was a long time 04:17  
16 ago when my husband first filed it, Commissioner Bedle,  
17 yes, told me to go to a place called -- what is it called?  
18 There is a place for women that doesn't have jobs, doesn't  
19 have husband, doesn't have any money, that they go to that  
20 place and they help them get job and be able to survive. 04:18

21 I called them and they told me are you poor? You don't  
22 have money? I told them no, I do have money. I'm living  
23 in a house. I have my husband's restaurant. They told me  
24 we only have people that can't survive. They told me we  
25 have classes for you, but if you can afford, you should go 04:18

1 to community college, which I will.

2 Q. Okay.

3 MS. PETERSON: Nothing further.

4 THE COURT: It is ten to 4:30. I think what I'm going  
5 to do, rather than have ten minutes of redirect, I think  
6 we'll recess for the day and start again tomorrow at 9:00  
7 o'clock. We'll be in recess.

04:18

8 (Evening recess taken.)

9

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EVERETT, WASHINGTON, TUESDAY, NOVEMBER 6, 2012

MORNING SESSION

--oo0oo--

THE COURT: The next thing we're going to do is resume the trial. Ms. Gohar, you're back on the stand. 09:12

MR. DABLING: I have no further questions for Ms. Gohar at this time.

THE COURT: You have no further redirect? Hang on just a second. The record should reflect at this point that the mother has no further questions -- there is no further questions for Ms. Gohar. 09:12

Counsel, do you have any further witnesses?

MR. DABLING: No, not at this time, Your Honor.

THE COURT: So you're resting at this time? 09:13

MR. DABLING: Yes.

THE COURT: Counsel?

MS. PETERSON: Your Honor, I have two short questions for Ms. Gohar. Can I ask them?

THE COURT: You may ask her those questions. Ms. Gohar, why don't you get back on the stand. You're still under oath. 09:13

///  
///  
///

09:13

1 Q. BY MS. PETERSON: I just have two questions on the  
2 guardian ad litem report. The guardian ad litem states  
3 that you adamantly insisted that Matthew was sexually  
4 abused at church when he was three years old by the Sunday  
5 school teacher's son. Is that true?

09:13

6 A. She keeps saying stuff like "insist." I don't know what  
7 she means. I didn't insist anything. I just told her my  
8 son told me what happened. I didn't insist anything like  
9 she claim.

10 Q. And then my other question is the guardian ad litem also  
11 stated that Matthew likes dad better. Do you believe  
12 that's true?

09:13

13 A. That's not true. If someone else asks my son, that will  
14 be different. I'm not sure why she states. That's why I  
15 asked for a different person to talk to my kids.

09:14

16 MS. PETERSON: Nothing further.

17 THE COURT: Any redirect based on what you heard?

18

19 **REDIRECT EXAMINATION**

20 **BY MR. DABLING:**

09:14

21 Q. Has Matthew given you any indication that he would prefer  
22 to live with his father?

23 A. He actually says he can see his father, but he want to  
24 live with me. That's what he keep telling me.

25 Q. Has he expressed that he feels sad or depressed to you?

09:14

1 A. He feels sad and depressed?

2 Q. Has he ever said he feels sad or depressed because he  
3 lives with you?

4 A. He feels sad when I leave him because I come here or his  
5 grandma picks him up because I'm not around as much as  
6 before.

09:15

7 MR. DABLING: No further questions.

8 THE COURT: Thank you. Any further cross examination?

9 MS. PETERSON: No, thank you.

10 THE COURT: Ms. Gohar, you may return to your seat.  
11 Once again, counsel for Ms. Gohar, you have rested; is  
12 that correct?

09:15

13 MR. DABLING: Correct.

14 THE COURT: Any rebuttal witnesses?

15 MS. PETERSON: No, Your Honor.

09:15

16 THE COURT: Ready for closing argument?

17 MS. PETERSON: Yes.

18 THE COURT: Let's begin.

19 MS. PETERSON: Mr. Gohar entered into this custody  
20 battle reluctantly. He did not intend at the beginning of  
21 the separation to pursue custody. He was hopeful that his  
22 wife's mental health would improve and he was hopeful that  
23 her parenting would be adequate and good for these  
24 children. He eventually came to the conclusion that he  
25 needed to get the guardian ad litem appointed, which he

09:15

09:15

## CP 307

- Theresa's requests of the police report
- Catherine's visit summary on October 29, 2012 in Group Health
- Crime victims application form
- Catherine's notes about her father abusing her
- Providence emergency visit declaration dated November 5, 2012
- Swedish medical center emergency sexual assault visit on November 4, 2012
- Theresa Gohar Group health mental evaluation dated 2/27/2013
- Law office of mark Podrasky mediation attendance



**FILED**

2013 SEP -4 PM 3: 25

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

**Superior court of Snohomish county in the state of washington**

**Samir Aziz Gohar**

petitioner,

No. 12-3-00776-6

**VS.**

**Theresa Ibrahim Gohar**

**Cover sheet**

Respondent.

**Attachment**

**By: Theresa Gohar**

307



**SNOHOMISH COUNTY SHERIFF'S OFFICE**

*Pride In Service to Our Community*

**John Lovick**

*Sheriff*

DATE: November 19, 2012

TO: Theresa Gohar  
14521 Meridian Place W.  
Lynnwood, WA 98037

RE: PUBLIC RECORDS REQUEST – SCSO TRACKING # 12-17928

Dear Madam:

Your request for a copy of report number SO12-17928 has been received by this office and is being processed. Due to the large amount of requests received daily by this office, our current manpower and the upcoming holiday schedule, we estimate the completion of this request to be approximately December 18, 2012.

We will inform you of any changes in the status of your request as soon as possible.

C. King  
Law Enforcement Technician  
SCSO – Public Records Unit

M/S #606 • 3000 Rockefeller Ave. • Everett, WA 98201 • Phone: (425) 388-3393 • Fax: (425) 388-3885

Hours of Operation are Monday through Friday 09:00 to 5:00 with the exception of Weekends and Holidays



**SNOHOMISH COUNTY SHERIFF'S OFFICE**

*Pride In Service to Our Community*

**John Lovick**

*Sheriff*

*Cohan, Theresa*

**Acknowledgment of Request for Public Records  
(Including requesting a copy of a Case Report)**

Your request for public records from the Snohomish County Sheriff's Office, has been received in writing on the date/time stamped below at the Snohomish County Sheriff's main office, fourth floor of the courthouse. Your request will be forwarded to the Snohomish County Sheriff's Office Public Disclosure Unit, 425-388-3769. If you have additional questions regarding your request, please contact the Public Disclosure Unit.

A copy of the statements of understanding from the written request form are hereby provided for you.

- By state regulation RCW 42.56.520, we have **five (5) business days from the date your request is received in our office to respond to your request.** This may or may not include the delivery of your requested information. The response may include notification of the status of your request or notification that your request has been completed.
- Fees are charged per **RCW 36.18.040.** The fee for paper copies is \$.15 per page for any documents containing over 10 pages. If a document contains 10 pages or under, it will be available free of charge. The fee for a CD is \$4.25. Checks, money orders and cash are accepted.
- If a list of individuals is provided to you by the Snohomish County Sheriff's Office, it will neither be used to promote the election of an official or promote or oppose a ballot proposition as prohibited by RCW 42.17.130 nor for commercial purposes or give or provide access to material to others for commercial purposes as prohibited by RCW 42.56.070(9).

*Notice of optional means to obtain a collision report: Washington State Patrol (WSP) now offers a new on-line service for providing collision reports, Washington Requests for Electronic Collision Reports (WRECR) (see their website for cost information). This new website allows fast and convenient access to collision reports for the involved parties. The link for this website is [www.sheriff.sncoco.org](http://www.sheriff.sncoco.org) (click on sheriff services, how do I, request a copy of a police report, request a copy of an accident report, WSP collision reporting) OR you may search for the following key words via the Internet: WSP WRECR. With this option, you may now purchase a copy of your report from our office or on line at the WSP collision repository.*

**Thank you for your patronage.**

17-13941

Date/time request for public records received

EVERETT, WASHINGTON  
SHERIFF, SNOH. COUNTY  
JOHN LOVICK

2012 NOV 15 PM 3:07

RECEIVED



**SNOHOMISH COUNTY SHERIFF'S OFFICE**  
INTEGRITY · DIGNITY · COMMITMENT · PRIDE

**John Lovick, Sheriff**

DATE: November 2, 2012

TO: Theresa Gohar  
14521 Meridian Pl. W.  
Lynnwood, WA. 98087

RE: Public Disclosure Request – Report# SO12-17928 Tracking#12-07514

Dear Sir/Madam:

This report is still under investigation and will not be released at this time. They are records in an active investigation compiled by law enforcement, the non-disclosure of which is essential to law enforcement. RCW 42.56.240(1); Newman v. King County, 133 Wn.2d 565 (1997).

This case is assigned to Deputy Quick. Please direct any questions to him at (425)388-6376.

If you wish to re-submit your request once the case has been closed, you may do so by re-sending your written request to Snohomish County Sheriff's Office via mail, fax, or email. Once your request has been re-submitted, we will review the matter and respond within the statutorily required five business days.

By: Christina Braden C4280  
Law Enforcement Technician  
Snohomish County Sheriff's Office  
Public Records Unit



**SNOHOMISH COUNTY SHERIFF'S OFFICE**

*Pride in Service to Our Community*

**John Lovick**

*Sheriff*

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(Including requesting a copy of a Case Report)**

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A copy of the statements of understanding from the written request form are hereby provided for you.

- By state regulation RCW 42.56.520, we have **five (5) business days from the date your request is received in our office to respond to your request.** This may or may not include the delivery of your requested information. The response may include notification of the status of your request or notification that your request has been completed.
- Fees are charged per **RCW 36.18.040.** The fee for paper copies is \$.15 per page for any documents containing over 10 pages. If a document contains 10 pages or under, it will be available free of charge. The fee for a CD is \$4.25. Checks, money orders and cash are accepted.
- If a list of individuals is provided to you by the Snohomish County Sheriff's Office, it will neither be used to promote the election of an official or promote or oppose a ballot proposition as prohibited by RCW 42.17.130 nor for commercial purposes or give or provide access to material to others for commercial purposes as prohibited by RCW 42.56.070(9).

*Notice of optional means to obtain a collision report. Washington State Patrol (WSP) now offers a new on-line service for providing collision reports, Washington Requests for Electronic Collision Reports (WRECR) (see their website for cost information). This new website allows fast and convenient access to collision reports for the involved parties. The link for this website is [www.sheriff.snoco.org](http://www.sheriff.snoco.org) (click on sheriff services, how do I, request a copy of a police report, request a copy of an accident report, WSP collision reporting) OR you may search for the following key words via the internet: WSP WRECR. With this option, you may now purchase a copy of your report from our office or on line at the WSP collision repository.*

**Thank you for your patronage.**

Date/time request for public records received

03/18/13 08:11:00 AM

03/18/13 08:11:00 AM

03/18/13 08:11:00 AM

### After-Visit Summary

This is a confidential summary of your visit. It also may include additional information, such as a list of any upcoming lab tests.

### Visit Information

#### Appointment Information

Date	Time	Department	Provider
10/29/2012	4:20 PM	EVM PEDIATRICS	Lindsey Ann Pepper, MD

If you have questions or need further information, call this department at 425-261-1500 or send a secure message to your provider.

#### PCP and Location

PCP	Location
Lindsey Ann Pepper, Physician	GROUP HEALTH EVERETT MED CTR

#### Vitals

Blood Pressure	Pulse	Respirations	Height	Weight	Body Mass Index
98/62	84	20	4' 9.25" (1.45 m)	84 lb 12.8 oz (38.47 kg)	18.19

#### Reason for Visit

Vaginal Bleeding

#### Allergies as of 10/29/2012

No Known Allergies

#### Goals (2 Years of Data) as of 10/29/2012

None

### Patient Information and Follow-up

#### Patient Instructions

##### Child Abuse: After Your Child's Visit

##### Your Care Instructions

Child abuse is any act that harms a child. Nobody wants to think that a child might be abused. We want to believe that adults or older children who have power over children will only do what is right. But, child abuse happens. If you think that a child is in danger of abuse, you can do something about it.

Child sexual abuse is any sexual act with a child done by an adult or by an older child. Sexual abusers often are people who are loved and respected by the children. It may be a family member, group leader, or another person with authority. A child who is sexually abused seldom shows physical signs. Many times child victims are scared to speak about the abuse.

Child physical abuse is any contact with a child that results in bruises, burns, broken bones, or internal damage like head and abdominal injuries. If a child is hurt repeatedly by an adult or caregiver, he or she may come to expect it. A child who is not cared for or given love also suffers from neglect and emotional abuse. Children may not understand that child abuse is wrong. They often think that they have done something wrong and that they deserved the abuse. You may suspect that a child is being abused or is in danger of being abused. Watch for changes in how the child acts or looks. If a child says anything to you about abuse, take it



# CRIME VICTIMS APPLICATION FOR BENEFITS Injury Form

Language Preference (check one)  
 English  Spanish  Russian  Korean  Chinese  Vietnamese  Laotian  Cambodian  Other: \_\_\_\_\_

Claim # (reserved for CVCP)

1. Victim's Name (First-Middle-Last) 4521 MARIAN W. 2. Birthdate 07-18-01 01252001

4. Social Security Number \_\_\_\_\_ 5. Home phone # (425) 512-7720 6. Sex (check one)  
 Male  Female

13. Dependent Children: Include unborn, estimate birthdate. Benefits will be based in part on number of legally dependent children. If you don't have custody, complete item 14.

7. Home address 4521 MARIAN W. 8. Message phone # (425) 512-7720

9. Family Status (check one)  
 Married  Widowed  
 Separated  Single

10. Mailing address (if different from home address) \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

11. Spouse's name \_\_\_\_\_ Relationship to victim \_\_\_\_\_

12. Name of person making application (if different) MARIA SA

14. Name of children's legal guardian \_\_\_\_\_ Address of children's legal guardian \_\_\_\_\_

16. Do you have a disability? (check one)  YES  NO

17. Who referred you to our program? (check one)  
 Police  Victim Witness  Other:  
 Prosecutor's Office  Hospital

18. What kind of benefits are you applying for? (check all that apply)  
 Medical/Dental  Mental Health Treatment  Griev Counseling  
 Victim's Loss of Income  Funeral Expenses  Other: \_\_\_\_\_

19. Date claimed employed From \_\_\_\_\_ To \_\_\_\_\_ 20. Last day worked \_\_\_\_\_

21. Rate of pay at this job (check one)  
Write \$ amount \_\_\_\_\_  Hour  Week  Day  Month

22. Additional earnings (check all that apply)  
Hours per day \_\_\_\_\_  Piecework  Tips  
Days per week \_\_\_\_\_  Commission  Bonus

24. Were you employed on date of your injury? (check one)  YES  NO

25. Have you returned to work? If yes, date returned (check one)  YES  NO

26. Was sick leave or disability insurance paid? (check one)  YES  NO

27. Was your employer providing your family's medical/dental and/or vision insurance on the day you were injured? (check one)  YES  NO

28. Business name of employer \_\_\_\_\_ Employer representative's phone \_\_\_\_\_

29. Your provider must bill your primary insurance first. All insurance resources must be listed. This includes health, auto (victim & offender's), life, workers compensation, dental, medicare, SSI/SSA, Indian health, public assistance (Medicaid), burial benefits. CVCP can only pay benefits after your insurance(s) have paid.

Insurance company name FC GROUP HEALTH ALIANT PLUS Phone number \_\_\_\_\_ Policy holder name SAMIR Policy number 03237704 SSI # of Policy holder (For ID only) \_\_\_\_\_

30. Date crime happened 1-12 31. Approximate time AM PM 32. Was the crime reported to a police agency? (check one)  YES  NO

33. Location of crime: Address \_\_\_\_\_ County NO TOWNSHIP State WA ZIP \_\_\_\_\_

34. Name of enforcement agency reported to: (check one)  
 Police  WSP  Sheriff  Tribal

35. Officer's name \_\_\_\_\_ Report number \_\_\_\_\_

36. Civil commitment of a sexual predator \_\_\_\_\_ 37. Date you were contacted about proceedings \_\_\_\_\_

38. Contacted by (name) \_\_\_\_\_ Contact's phone # \_\_\_\_\_

39. Type of crime (check one)  
 Assault  Sexual assault  Murder  Domestic violence  
 Vehicular assault  DUI vehicular crime  Vehicular homicide  
 Other (if not listed above)

40. Weapon used \_\_\_\_\_ 41. Area of body injured \_\_\_\_\_

42. Offender's name (if known) SAMIR GHAR 43. Was the offender living with you when the incident occurred? (check one)  YES  NO

44. Have you filed or do you intend to file a civil suit? (check one)  YES  NO

45. Brief description of the crime: CONCERN FOR CIVIL SUIT RISK

46. Please have your provider fill out this section if you have received treatment for this crime injury. Are you certifying time loss (check one)  YES  NO # of days \_\_\_\_\_

47. I declare that these statements are true and to the best of my knowledge and belief. In signing this form, I permit all providers, hospitals, clinics, employer and any and all insurance companies to release information to the Crime Victims Compensation Program. This includes HIV and other STD testing, alcohol, drug treatment (Note: CVCP is payer of last resort).

VICTIM INFORMATION

CRIME INFORMATION

PROVIDER

NOTE - READ LEGAL NOTICES ON LAST PAGE

Signature X

Today's date

NOTES

• I figured out that I can't sleep at dad's house for some reason and now I am going to have to

• I am now buying things for when I grow up so I entered a fundraiser.

• I also got a book called "The secret of family history".

• It's actually - real.

• ok, back to the point, I have to live with my dad by force!

read

NOTES

my dad is now abusing me  
and saying I am sc-scavenging like  
my mom and I will never be  
a fortune teller.

did I say I was a ~~scavenger~~ /?  
can tell future

read



November 5, 2012

Dale Fukura MN, RN  
Forensic Nurse Examiner  
Providence Intervention Center for Assault and Abuse  
1509 California Street  
Everett, WA 98201  
425-297-5770

To Whom It May Concern,

This is to confirm that Catherine Gohar DOB 7/28/01 was seen at the emergency department on November 4, 2012 by Lori Moore, Forensic Nurse Examiner through Providence Intervention Center for Assault and Abuse for assessment of concern of sexual assault.

It is the policy of the Providence Intervention Center for Assault and Abuse not to release medical records except to law enforcement and/or Child Protective Service during an open investigation. If you have further questions or I can be of assistance to you, please don't hesitate to contact me at 425-297-5776.

I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct according to the best of my knowledge.

Respectfully,  
  
Dale Fukura MN, RN



Mill Creek Emergency Department  
13020 Meridian Avenue South  
EVERETT WA 98204  
Phone: 425-357-3910  
Fax: 425-357-3990

---

## After Visit Instructions for Catherine M Gohar's visit on 11/4/2012

---

### Diagnosis

Sexual assault

You were seen by Miner, Frederick G, PA-C.

---

---

### Discharge Instructions

## Sexual Assault, Child

Your child has been the victim of sexual assault. If you know that your child is being abused, it is important to **get them to a place of safety**. Abuse happens if your child is forced into activities without concern for their well being or rights. A child is sexually abused if they have been forced to have sexual contact of any kind (vaginal, oral, or anal). **It is up to you to protect your child**. If this assault has been caused by a family member or friend, it is still necessary to overcome the guilt you may feel and take the needed steps to prevent it from happening again.

The physical dangers of sexual assault include catching a sexually transmitted disease. Another concern is that of pregnancy. Your caregiver may recommend a number of tests that should be done following a sexual assault. Your child may be treated for an infection even if no signs are present. This may also be true even if tests and cultures for disease do not show signs of infection. Medications are also available to help prevent pregnancy if this is desired. All of these options can be discussed with your caregiver.

**A sexual assault is a very traumatic event. Most children will need counseling to help them cope with this.**

#### STEPS TO TAKE IF A SEXUAL ASSAULT HAS HAPPENED

- > Take your child to an area of safety. This may include a shelter or staying with a friend. Stay away from the area where your child was attacked. A large percentage of sexual assaults are carried out by a friend, relative or associate. **It is up to you to protect your child.**
- > **If medications were given by your caregiver, give them as directed** for the full length of time prescribed. If your child has come in contact with a sexual disease, find out if they are to be tested again. If your caregiver is concerned about the HIV/AIDS virus, they may require your child to have continued testing for several months. Make sure you know how to obtain test results. It is **your responsibility** to obtain the results of all testing done. Do not assume everything is OK if you do not hear from your caregiver.
- > File appropriate papers with authorities. This is important in all assaults, even if it has been done

by a family member or friend.

➤ Only give your child over-the-counter or prescription medicines for pain, discomfort, or fever as directed by your caregiver.

**SEEK MEDICAL CARE IF:**

- There are new problems because of injuries.
- Your child seems to have problems that may be because of the medicine they are taking (such as rash, itching, swelling, or trouble breathing).
- There is *abdominal* (belly) pain, *nausea* (feeling sick to your stomach), vomiting, or your child begins to run a temperature.
- Your child may need supportive care or referral to a rape crisis center. These are centers with trained personnel who can help your child and you get through this ordeal.

**SEEK IMMEDIATE MEDICAL CARE IF:**

- You or your child are afraid of being threatened, beaten, or abused; or call 911 or 0 (operator) for help.
- You or your child receive new injuries related to abuse.

Document Released: 10/19/2005 Document Re-Released: 06/05/2009  
ExitCare® Patient Information ©2011 ExitCare, LLC.

**Follow-up Information**

**Follow up with Abuse, Sane Providence Intervention Ctr For Assault &. Schedule an appointment as soon as possible for a visit in 1 week.**

Contact information:

Primary Address:  
1509 California St  
Everett Washington 98201  
425-297-5785

**Tests & Procedures performed during your visit**

**CHLAMYDIA/GC NAAT  
URINALYSIS WITH CULTURE IF INDICATED**

**STATEMENT**

I certify that I have received a copy of the above after-care instructions; that these instructions have been explained to me; and that all of my questions pertaining to these instructions have been answered in a satisfactory manner.

Patient or Rep. Signature: \_\_\_\_\_

Nursing Signature: \_\_\_\_\_

11/4/2012 20:58



GroupHealth

**Group Health Cooperative**

Everett Medical Center  
2930 Maple Street  
Everett, WA 98201

425-261-1500  
800-422-2844 toll free  
www.ghc.org

2/27/2013

To Whom It May Concern,

I have been asked by Theresa Gohar to provide a written statement detailing her recent psychiatric evaluation. I initially met with Theresa on 2/1/13 for a psychiatric evaluation. Theresa has a history of Major Depressive Disorder and Obsessive Compulsive Disorder both of which have been in remission. At time of my evaluation, she denied depressed mood. She denied anxiety and symptoms of Obsessive Compulsive Disorder. On further psychiatric evaluation, she denies past or present symptoms of mania or psychosis. She denied drug and alcohol use. I met with Theresa on 2/17/13 and she continued to present as stable without ongoing depressive symptoms or symptoms consistent with Obsessive Compulsive Disorder. In review of her medical chart, I only saw evidence indicating past treatment for depression and OCD. There was no indication of past symptoms or complaints of psychosis or mania. She does not have a psychotic disorder nor does she have bipolar disorder.

If you have questions, please contact Dr. Megan Gary, MD, at 425-261-1776.

Sincerely,

A handwritten signature in black ink that reads "Megan Gary, MD".

Megan C Gary, MD

## LAW OFFICE OF MARK PODRASKY

3301 Hoyt Avenue, Everett, WA 98201

Phone: (425) 263-9798

Fax: (425) 263-9978

October 26, 2012

Katherine Peterson  
Attorney at Law  
2722 Colby Avenue  
Everett, WA 98201

Theresa Gohar  
14521 Meridian Pl. W  
Lynnwood, WA 98087

**Re: Settlement Location Change: GOHAR Mediation**

Dear Counsel/Ms. Gohar:

The location for the Gohar Mediation scheduled for Wednesday, October 31, 2012 has been changed. The new location for the settlement conference will be at Mark Podrasky's office located at 3301 Hoyt Avenue, Everett, WA 98201. The start time will remain at 9 a.m.

Please advise in the event that you have any questions, comments, or concerns. I look forward to working with the both of you to conclude this matter.

Sincerely,

MARK PODRASKY  
Attorney at Law

MP:blm

---

3301 Hoyt Avenue, Everett, WA 98201 ••• email: markpodrasky@earthlink.net

CP 28

Order Theresa to provide a note from the children's doctors when the children absent from school



CL15167705

FILED

2012 MAR 27 PM 3: 54

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SNOHOMISH

SAMIR A. GOHAR )  
PLAINTIFF / PETITIONER )

and )  
THERESA GOHAR )  
DEFENDANT / RESPONDENT )

NO. 12-3-00776-6

ORDER

IT IS HEREBY ORDERED: this matter is continued to April 17, 2012. Father shall have visitation every Tuesday and Thursday from 5:00 pm to 8:00 p.m.; Saturday March 31 and April 14 from 9:00 am to 8:00 pm; Sunday April 8, from 9:00 am to 8:00 pm. Children shall not be transferred from their current school before the next hearing. The children shall be in school and on time every day. If not the mother shall

DONE IN OPEN COURT this date: 3/27/12

Presented By:

JUDGE / COURT COMMISSIONER

Copy Received:

6/01 page 1 of 2

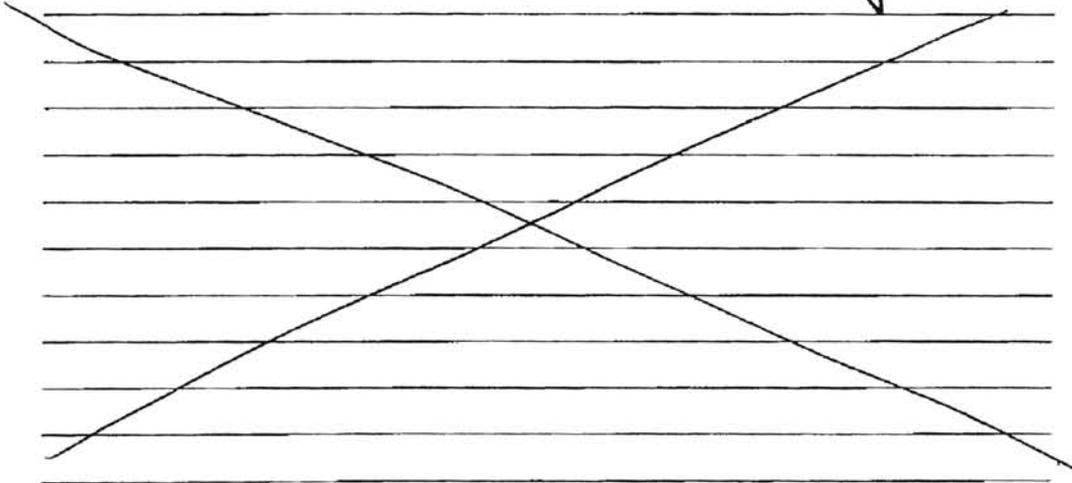
1084-4

ORIGINAL

Case Name Gohar Case No. \_\_\_\_\_

provide a note to the school and father's attorney. If the children are not in school for 2 days or more the mother shall provide a note from their doctor. If father has ~~the mother~~ to work he will give mother 24 hours notice that he will not visit.

The mother shall contact the Displaced Homemakers program and Snohomish County Legal Services and shall provide written proof she has done so, within 70 days.



DONE IN OPEN COURT this date: 3/27/12

Presented By:

[Signature]

[Signature]

JUDGE / COURT COMMISSIONER

Copy Received:

Theresa Gohar

Trial exhibit # 5 Samir's polygraph test dated November 3, 2012 (CP 295)



## Ball & Gillespie Polygraph

190 West Dayton, Suite 103  
Edmonds, Washington 98020  
Ofc: (425) 775-9015; Fax: (425) 776-0381  
E-Mail: [tjball@ie2me.net](mailto:tjball@ie2me.net)



November 3, 2012

Anna Goykhman  
Bank of America Building  
1604 Hewitt Avenue, Suite 301  
Everett, Washington 98201

Re: Polygraph Examination of **Samir Gohar**

Ms. Goykhman,

This letter will serve as a report regarding a Psychophysiological Detection of Deception (PDD) examination given to Mr. Gohar on November 3, 2012 at our offices in Edmonds, Washington. The purpose of this examination was to verify or refute whether he has ever touched his daughter Catherine's genitals for a sexual reason. All of the information used to formulate the relevant questions was provided by your office and Mr. Gohar.

The following relevant questions were administered using a DoDPI Zone of Comparison (ZOC) format. Mr. Gohar's responses are noted.

5. Other than for hygiene and medical purposes, have you ever deliberately touched Catherine's genitals? **NO**

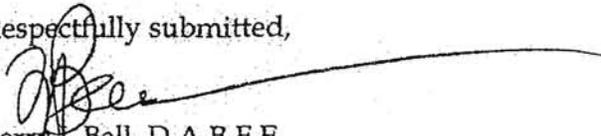
7. Have you ever deliberately touched Catherine's genitals for a sexual reason? **NO**

An Axciton computerized polygraph was used for this examination and the physiological responses were evaluated using a program developed by the Applied Physics Laboratory at Johns Hopkins University. Conclusions reached from this examination are a result of standard numerical scoring, in addition to the computer analysis.

Mr. Gohar failed to exhibit a significant, consistent physiological reaction to all of the questions listed above. Based upon a numerical evaluation of the polygrams produced, it is the opinion of this examiner that he was not attempting deception to these questions.

During the interview and examination, Mr. Gohar was pleasant and cooperative. He related no physical or emotional condition which might have precluded a valid test. If you have any questions, please don't hesitate to call.

Respectfully submitted,

  
Terry V. Ball, D.A.B.F.E.  
Nationally Certified Polygraph Examiner

**No Deception Indicated--  
Probability of Deception is Less Than .01**

Zone/MGQT Zone/MGQT Zone/MGQT

**Charts Used**

EXAMI\CHART1-- samir 2012/11/03 13:33 Samir Gohar (System) (91, 92; 11, 69, 2.7)  
 EXAMI\CHART2-- samir 2012/11/03 13:33 Samir Gohar (System) (97, 89; 12, 69, 1.9)  
 EXAMI\CHART3-- samir 2012/11/03 13:33 Samir Gohar (System) (84, 93; 9, 70, 1.6)

**Spot/Vertical Scores**

0.80 R5 Other than for hygiene and medical purposes, have you ever touched Catherine's genitals?  
 0.35 R5 Other than for hygiene and medical purposes, have you ever deliberately touched Catherine's genitals?  
 0.13 R7 Have you ever touched Catherine's genitals for your own sexual gratification?

**Approximate Signal Weights**

Blood Volume +0.33  
 Pulse +0.31  
 Electrodermal +0.30  
 Respiration -0.07

**Signal Quality Indices**

Electrodermal	Cardiovascular	
91 Useable	92 Useable	EXAMI\CHART1-- samir 2012/11/03 13:33 Samir Gohar (System) (91, 92; 11, 69, 2.7)
97 Useable	89 Useable	EXAMI\CHART2-- samir 2012/11/03 13:33 Samir Gohar (System) (97, 89; 12, 69, 1.9)
84 Useable	93 Useable	EXAMI\CHART3-- samir 2012/11/03 13:33 Samir Gohar (System) (84, 93; 9, 70, 1.6)

EXAMI\CHART1-- samir 2012/11/03 13:33 Samir Gohar (System) (91, 92; 11, 69, 2.7)

-- X The Test is about to begin!  
 N1 Is your first name Samir?  
 S2 Do you believe me when I promise you I will not ask a surprise question on this test?  
 SR3 Regarding whether you have ever touched your daughter Catherine's genitals for a sexual reason, do you intend to answer truthfully each question about that?  
 0.72 C C4 During the first 40 years of your life, while masturbating, did you ever think about participating in a deviant or unusual sexual act?  
 0.80 R R5 Other than for hygiene and medical purposes, have you ever touched Catherine's genitals?  
 0.56 C C6 During the first 40 years of your life, did you ever participate in a sexual act you are so ashamed of you must keep it secret from the court?  
 0.99 R R7 Have you ever touched Catherine's genitals for your own sexual gratification?  
 0.12 C C8 During the first 40 years of your life, did you ever do anything you could have been arrested for that you got away with?  
 -- XX That's the end of the Test!

EXAM1\CHART2-- samir 2012/11/03 13:33 Samir Gohar (System) (97, 89; 12, 69, 1.9)

- X The Test is about to begin!
- N2 Were you born in 1968?
- SR3 Regarding whether you have ever touched your daughter Catherine's genitals for a sexual reason, do you intend to answer truthfully each question about that?
- 0.19 C C4 During the first 40 years of your life, while masturbating, did you ever think about participating in a deviant or unusual sexual act?
- 0.16 R R7 Have you ever touched Catherine's genitals for your own sexual gratification?
- 0.73 C C8 During the first 40 years of your life, did you ever do anything you could have been arrested for that you got away with?
- 0.60 R R5 Other than for hygiene and medical purposes, have you ever deliberately touched Catherine's genitals?
- 0.75 C C6 During the first 40 years of your life, did you ever participate in a sexual act you are so ashamed of you must keep it secret from the court?
- S9 Even though I promised you I would not, are you afraid I'll ask a surprise question on this test?
- S2 Do you believe me when I promise you I will not ask a surprise question on this test?
- XX That's the end of the Test!

EXAM1\CHART3-- samir 2012/11/03 13:33 Samir Gohar (System) (84, 93; 9, 70, 1.6)

- X The Test is about to begin!
- N3 Do you live in South Everett?
- S2 Do you believe me when I promise you I will not ask a surprise question on this test?
- SR3 Regarding whether you have ever touched your daughter Catherine's genitals for a sexual reason, do you intend to answer truthfully each question about that?
- 0.74 C C4 During the first 40 years of your life, while masturbating, did you ever think about participating in a deviant or unusual sexual act?
- 0.76 R R5 Other than for hygiene and medical purposes, have you ever deliberately touched Catherine's genitals?
- 0.24 C C8 During the first 40 years of your life, did you ever do anything you could have been arrested for that you got away with?
- 0.10 R R7 Have you ever touched Catherine's genitals for your own sexual gratification?
- 0.60 C C6 During the first 40 years of your life, did you ever participate in a sexual act you are so ashamed of you must keep it secret from the court?
- XX That's the end of the Test!

Identifi v6.17 Results  
P.O.Box 5729  
Lafayette, IN 47904  
(765) 423-1505 or (800) 428-7545

**SUBJECT:**

Examiner: Terry Ball

Analysis Time and Date: 13:48:11 11-03-2012

Examination: Zone Comparison Technique

Scale: Strongest Adjacent Comparison Tracing - 7 Point Scale

**Relevant Questions**

R5 Other than for hygiene and medical purposes, have you ever touched Catherine's genitals

R7 Have you ever touched Catherine's genitals for your own sexual gratification

**Charts, Question Labels and Scores**

An E indicates excluded data.

Chart 1:	N1	S2	C4	R5	C6	R7	C8
Respiration				-1		-3	
Electrodermal				1		1	
Cardio				0		1	
SUM				0		-1	

Chart 2:	N2	C4	R7	C8	R5	C6	S9	S2
Respiration			3		3			
Electrodermal			1		1			
Cardio			1		1			
SUM			5		5			

Chart 3:	N3	S2	C4	R5	C8	R7	C6
Respiration				-3		-2	
Electrodermal				1		1	
Cardio				1		1	
SUM				-1		0	

Spot Scores	N1	S2	C4	R5	C6	R7	C8
				4		4	

EXAMINATION TOTAL: 8

Software Opinion: NO DECEPTION INDICATED

Examination Reliability: 99.86 Percent

Ask the examiner if any labels were changed.

Identifi v6.0, Copyright 2000-2006. All Rights Reserved.  
Use by other than the licensee is a violation of the License Agreement.

**Lafayette Instrument Company**  
**Objective Scoring System - Version 3**  
 By Raymond Nelson, Mark Handler and Donald Krapohl (2007)

Result **No Significant Reactions** (Without Visual Inspection)  
 Description p-value: 0.011 - Probability this result was produced by a deceptive person  
 Exam Type Event Specific/Single Issue (Zone)  
 Scoring Method OSS-3 Two-stage (Senter 2003)  
 Test of Proportions None - No significant differences in artifact distribution  
 PF Name Gohar, Samir  
 Report Date Saturday, November 03, 2012  
 Subject Samir Gohar  
 Examiner

Spot Scores			Decision Alpha (1 tailed) <small>Cumulative normal distribution (Barland 1985)</small>		Components	
ID	p-value	Result	Setting	Value	Component	Weight
R5	0.027		NSR	0.100	Pneumo	0.19
R7	0.004		SR	0.050	EDA	0.63
			Bonferroni corrected alpha	0.025	Cardio	0.28
			Test of Proportions (1 tailed)	0.050		

Relevant Questions		
Exam 1 Chart 1		
R5	Other than for hygiene and medical purposes, have you ever touched Catherine's genitals?	No
R7	Have you ever touched Catherine's genitals for your own sexual gratification?	No
Exam 1 Chart 2		
R7	Have you ever touched Catherine's genitals for your own sexual gratification?	No
R5	Other than for hygiene and medical purposes, have you ever deliberately touched Catherine's genitals?	No
Exam 1 Chart 3		
R5	Other than for hygiene and medical purposes, have you ever deliberately touched Catherine's genitals?	No
R7	Have you ever touched Catherine's genitals for your own sexual gratification?	No

Charts Scored			
Exam	Chart	Date	Time
1	1	11/3/2012	1:33 PM
1	2	11/3/2012	1:38 PM
1	3	11/3/2012	1:43 PM

Remarks

Measurements (Kircher and Rasikin 1988)					
Exam 1 Chart 1					
	C4	R5	C6	R7	C8
P1	354	357	371	317	305
P2	0	0	0	0	0
EDA	158	123	39	128	80
Cardio	15	22	29	21	15
A1	109	102	103	91	102
Exam 1 Chart 2					
	C4	R5	C6	R7	C8
P1	309	220	264	237	378
P2	0	0	0	0	0
EDA	32	41	36	50	88
Cardio	18	12	43	4	23
A1	96	89	110	86	115
Exam 1 Chart 3					
	C4	R5	C6	R7	C8
P1	257	265	437	282	360
P2	0	8	0	0	4
EDA	114	66	58	16	116
Cardio	43	22	68	23	27
A1	68	72	111	83	105

Channel Contributions						
Component	Proportion	Area	Chart	Proportion	ID	Proportion
Pneumo	0.106	0.188	Exam 1 Chart 1	0.299	R5	0.458
EDA	0.519	0.580	Exam 1 Chart 2	0.285	R7	0.544
Cardio	0.375	0.653	Exam 1 Chart 3	0.416		

Standardized Lognormal Ratios		
Exam 1 Chart 1		
	R5	R7
P	0.72	-0.39
EDA	-0.54	-0.62
Cardio	-0.68	-0.44
WMean	-0.34	-0.52
Mean	-0.43	
Exam 1 Chart 2		
	R5	R7
P	-3.00	-2.36
EDA	0.24	-0.16
Cardio	3.00	3.00
WMean	0.39	0.30
Mean	0.35	
Exam 1 Chart 3		
	R5	R7
P	-2.27	-1.69
EDA	0.79	3.00
Cardio	3.00	3.00
WMean	0.82	2.10
Mean	1.46	

Results		
Weighted Mean		
	0.29	0.63
Grand Total Mean		
	0.46	

Advanced Options - OSS-3 v1.6.1	
<b>General Scoring Settings</b>	
Delete all zero measurements	Yes
Zero Threshold value	1
Allow a single CQ to score result (not for DLST)	No
Replace missing values with mean values	No
<b>Alpha Values (one-tailed)</b>	
Kruskal-Wallis	0.1
Non-Significant Response (NSR)	0.1
Significant Response (SR)	0.05
<b>Test of Proportions</b>	
Test of Proportions alpha value (two-tailed)	0.1
Use Test of Proportions	Yes
Allow significant reaction result	Yes
Use all questions	No
Score neutral questions as control	No
<b>Event Specific/Single Issue (Zone)</b>	
Use Bonferroni	Yes
Use Kruskal-Wallis	No
Minimum number of useable presentations for RQs	2
<b>Measurement Periods</b>	
P1	10
P2	10
EDA	15
Cardio	15
All other	15

Trial exhibit # 20 Samir's letter to Theresa (CP 295)

RECEIVED

APR 30 2012

ELIZABETH A. MICHELSON  
ATTORNEY



Hi Theresa

Please read every thing make sure you understand it  
If you do not learn how to trust me you will never do this

I will come back home from tomorrow if you do this

1-you go to doctor every week take medication no excuses

2-I'm not going any where with you together until I feel safe and  
free from your sick control over me specially to the church [ who  
do I talk to who do I touch what did I talk about who do I visit  
etc.....]

3-I can visit any family or friends any time any where no questions  
asked

4-I can take the kids to any church alone in my car any time any  
day any church I want

5-you can not ask me any questions about whom I see touch or talk  
to personally or on the phone

6- You have to support any action I take with Matthew to make  
him behave and go to any church without asking any questions or  
tell him any crazy idea about bad people want to do bad stuff to  
him

7- You have to keep the bird in a cage all the time keep the house  
clean all the time take care of Catherine hair all the time

8- You have to get a job any job or go back to school as soon as  
possible

9- I still have 6 month left on my apartment lease I will go back  
home to my family like you ask me and if you did all that I will  
cancel the lease for ever

12 3 00776 6

Case No. ....

~~Plt's~~ Exhibit No. 20  
~~Def's~~ .....

Marked for Identification

Admitted

Rejected

ANDREW DEASEN ..... Deputy Clerk

*nb*

The police report Snohomish county Case # 12-17928

(CP 296)

# STATE OF WASHINGTON UNIFORM INCIDENT REPORT

SNOHOMISH COUNTY SHERIFF'S OFFICE		<input type="checkbox"/> Officer Safety <input type="checkbox"/> Officer Assault	Responding to: 1	Assignment 1	Reporting Area SO3210	Beat C1	Report Number SO 12-17928							
Type Report <input checked="" type="checkbox"/> Report	<input type="checkbox"/> Persons <input type="checkbox"/> Property <input type="checkbox"/> Information	<input type="checkbox"/> Vehicle <input type="checkbox"/> Arrest <input type="checkbox"/> Phone Report	<input type="checkbox"/> Juvenile <input checked="" type="checkbox"/> Child Abuse <input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Hate/Bias <input type="checkbox"/> Gang Related <input type="checkbox"/> Other	<input type="checkbox"/> Computer Used <input type="checkbox"/> Drug Related <input type="checkbox"/> Alcohol Related									
Incident Classification <b>CHILD</b>			Offense Codes A C    A C    A C    A C    A C											
Address/Location of Incident 2721 116 <sup>TH</sup> ST SE #A				Premise Type/Name DUPLEX		Code 2 04-Apartment/Condo								
REPORTED ON		OCCURRED ON OR FROM				OCCURRED TO								
Month 10	Day 24	Year 2012	Time 1000	DOW WED	Month 10	Day 23	Year 2012							
					Time 1700	DOW TUE	Month 10							
							Day 23							
							Year 2012							
							Time 2000							
							DOW TUE							
Add'l on Supplemental: <input type="checkbox"/> Persons <input type="checkbox"/> Vehicles <input type="checkbox"/> Collision Report		CODES V - Victim W - Witness O - Others B - Victim Business			C - Complainant G - Parent/Guardian D - Deceased RO - Registered Owner			TYPE VICTIM CODES I - Individual B - Business F - Financial						
		G - Government R - Religious S - Society/Public			P - Police O - Other U - Unknown									
No. G-1	Non-Disc. <input type="checkbox"/>	NAME (Last, First, Middle) GOHAR, THERESA I			Race 3 W	Eth 3 N	Sex F	DOB 12/15/78	AGE	HGT 5-0	WGT 150	HAIR BLK	EYES BRO	
Street Address 14521 MERIDIAN PL W				Apt #	City LYNNWOOD		State WA	ZIP 98087	Res. Status: 4 Full time					
Residence Phone: 425-582-9987		Business Phone:		Employment/Occupation/School UNK			Type Victim 5	Type Injury 6	Victim of OFNS#    OFNDR#		Relationship 7 Mother			
No. V-1	Non-Disc. <input checked="" type="checkbox"/>	NAME (Last, First, Middle) GOHAR, CATHERINE M			Race 3 W	Eth 3 N	Sex F	DOB 07/28/01	AGE 11	HGT	WGT	HAIR BLK	EYES BRO	
Street Address 14521 MERIDIAN PL W				Apt #	City LYNNWOOD		State WA	ZIP 98087	Res. Status: 4 Full Time					
Residence Phone: 425-582-9987		Business Phone:		Employment/Occupation/School VOYAGER MIDDLE SCHOOL			Type Victim 5 Individual	Type Injury 6	Victim of OFNS#    OFNDR#1		Relationship 7 Child of...			
No. of Suspects/Arrested Persons in this Incident: 1				Suspect Codes: A - Arrest, R - Runaway, S - Suspect, M - Missing, I - Institutional (Mental/Detox), X - Other										
No. S-1	NAME (Last, First, Middle) GOHAR, SAMIR A			Race 3 W	Eth 3 N	Sex M	DOB 09/01/68	AGE	HGT 5-6	WGT 210	HAIR BLK	EYES BRO		
Alias Name(s)				Identifiers										
Street Address 2721 116 <sup>TH</sup> ST SE #A				Apt #	City EVERETT		State WA	ZIP 98208	Res. Status: Full time		Residence Phone: 425-446-1576			
Employment / Occupation / School RESTAURANT OWNER/MRYSVLE				Business Phone		SSN	Driver's Lic/D Card No.			State:				
IBR Arrest Offense No.	Booked / Where			Booking #			Charges		Citation/Warrant		Bail			
Arrest Date:	Location of Arrest:						1. _____		_____		_____			
Affiliation		On View Arrest <input type="checkbox"/>	Cited <input type="checkbox"/> Yes <input type="checkbox"/> No	Statement <input type="checkbox"/> Oral <input type="checkbox"/> Written		Charges <input type="checkbox"/> Admitted <input type="checkbox"/> Denied		Arrestee Armed with		Identification No.		Multi Clear <input type="checkbox"/>		
Juvenile Parent/Guardian Notified <input type="checkbox"/> Yes <input type="checkbox"/> No	Name/Relationship of Person Notified				Date/Time Notified		Notified by		Disposition of Juvenile <input type="checkbox"/> H <input type="checkbox"/> R 8					
VEHICLE CODES: <input type="checkbox"/> Stolen # <input type="checkbox"/> Recovered #		<input type="checkbox"/> Located <input type="checkbox"/> Impounded <input type="checkbox"/> Evidence / Impounded		<input type="checkbox"/> Seized/Narc <input type="checkbox"/> Abandoned		<input type="checkbox"/> Damaged/Vandalized <input type="checkbox"/> Other		<input type="checkbox"/> Victim's Vehicle <input type="checkbox"/> Suspect's Vehicle		<input type="checkbox"/> Hold For who:				
No.	License Number	State	Vin / Hull No.	Year	Make	Model	Style							
Color	Special Features / Description			Value \$	Driver is: <input type="checkbox"/> R/O <input type="checkbox"/> Person #		Registered Owner's name							
Vehicle Disposition <input type="checkbox"/> Left at Scene <input type="checkbox"/> Driven Away <input type="checkbox"/> Impounded				Tow Company/Address/Phone				Registered Owner's Address						
Locked	Keys in Vehicle	Delinquent Payment	Victim Consent	Theft Ins.	Drive able	Damage to Vehicle	Specify damage by Shading damaged area <input type="checkbox"/> Top <input type="checkbox"/> Underside		7	5	3	1	Damage Est. \$	
									8	6	4	2		
<p>MAKING FALSE REPORTS TO PUBLIC OFFICERS: (1) A PERSON COMMITS THE CRIME OF MAKING A FALSE REPORT IF HE/SHE WILLFULLY MAKES ANY UNTRUE, MISLEADING OR EXAGGERATED STATEMENT IN ANY REPORT TO A POLICE OR FIRE DEPT. (2) MAKING A FALSE REPORT IS A MISDEMEANOR. IF PROPERTY CRIME: I DID NOT GIVE ANYONE PERMISSION TO ENTER MY PREMISES AND/OR TAKE/REMOVE/DAMAGE MY PROPERTY/VEHICLE. IF FOUND PROPERTY, I HAVE BEEN ADVISED OF CHAPTER 63 OF THE R.C.W. AND ( ) I DO NOT WISH TO CLAIM THE PROPERTY IF THE TRUE OWNER CANNOT BE FOUND.</p> <p>( ) I ACCEPT LIABILITY FOR TOWING AND STORAGE IF IT IS RECOVERED AND I AM NOT IMMEDIATELY AVAILABLE TO CLAIM IT.</p> <p>( ) THE NAMED JUVENILE IS PRESENTLY A RUNAWAY</p> <p>( ) THE NAMED PERSON IS PRESENTLY MISSING</p> <p>( ) I AGREE TO HOLD HARMLESS AND DEFEND SNOHOMISH COUNTY FROM ANY AND ALL CLAIMS RESULTING FROM THE RELEASE OF THE VEHICLE TO ME.</p> <p>( ) I RELEASED PROPERTY TO _____</p> <p>( ) I HAVE READ, UNDERSTAND AND AGREE TO THE ABOVE (Signature of person/date) _____</p>														
Officer Name/Number B. BECKNER #1421				Court code		Approved by: [Signature] 1231			Assigned					
IBR Clearance: (one) <input type="checkbox"/> ARR/A <input type="checkbox"/> ARR/C <input type="checkbox"/> EXCA <input type="checkbox"/> EXCU <input type="checkbox"/> INSUFF/CLO <input type="checkbox"/> OTHER/CLO <input type="checkbox"/> UNF				Copies made for: <input type="checkbox"/> PA <input type="checkbox"/> CPS <input type="checkbox"/> JUN <input type="checkbox"/> Court <input type="checkbox"/> PAT <input type="checkbox"/> DSHS <input type="checkbox"/> MH <input checked="" type="checkbox"/> Detectives <input type="checkbox"/> Other: 1				10-26-12		DATA ENTRY				
REV / 12-8-03														

REPORT NUMBER  
SO 12-17928

**ADDITIONAL WITNESSES / VICTIMS**



SNOHOMISH COUNTY SHERIFF'S OFFICE			INCIDENT CLASSIFICATION CHILD				Report Number SO 12-17928						
Add'l on Supplemental: <input type="checkbox"/> Persons <input type="checkbox"/> Vehicles <input type="checkbox"/> Collision Report		CODES V - Victim W - Witness O - Others B - Victim Business			C - Complainant G - Parent/Guardian D - Deceased RO - Registered Owner			I - Individual B - Business F - Financial		TYPE VICTIM CODES G - Government R - Religious S - Society/Public		P - Police O - Other U - Unknown	
No. W-1	Non-Disc. <input type="checkbox"/>	NAME (Last, First, Middle) BECK, NANCY E			Race 3 W	Eth 3 N	Sex F	DOB 08/11/53	AGE	HGT	WGT	HAIR	EYES
Street Address 11711 4 <sup>TH</sup> AVE W		Apt #	City EVERETT			State WA		ZIP 98204		Res. Status: 4 Full time			
Residence Phone:		Business Phone: 425-366-5332		Employment/Occupation/School COUNSELOR/VOYAGER			Type Victim 5	Type Injury 6	Victim of OFNS# OFNDR#		Relationship 7		
No. O-1	Non-Disc. <input type="checkbox"/>	NAME (Last, First, Middle) SOLBERJ, HEATHER			Race 3 W	Eth 3 N	Sex F	DOB	AGE	HGT	WGT	HAIR	EYES
Street Address		Apt #	City LYNNWOOD			State WA		ZIP		Res. Status: 4 Full time			
Residence Phone:		Business Phone: 425-673-3101		Employment/Occupation/School			Type Victim 5	Type Injury 6	Victim of OFNS# OFNDR#		Relationship 7		
Add'l on Supplemental: <input type="checkbox"/> Persons <input type="checkbox"/> Vehicles <input type="checkbox"/> Collision Report		CODES V - Victim W - Witness O - Others B - Victim Business			C - Complainant G - Parent/Guardian D - Deceased RO - Registered Owner			I - Individual B - Business F - Financial		TYPE VICTIM CODES G - Government R - Religious S - Society/Public		P - Police O - Other U - Unknown	
No.	Non-Disc. <input type="checkbox"/>	NAME (Last, First, Middle)			Race 3	Eth 3	Sex	DOB	AGE	HGT	WGT	HAIR	EYES
Street Address		Apt #	City			State		ZIP		Res. Status: 4 Full time			
Residence Phone:		Business Phone:		Employment/Occupation/School			Type Victim 5	Type Injury 6	Victim of OFNS# OFNDR#		Relationship 7		
No.	Non-Disc. <input type="checkbox"/>	NAME (Last, First, Middle)			Race	Eth	Sex	DOB	AGE	HGT	WGT	HAIR	EYES
Street Address		Apt #	City			State		ZIP		Res. Status: 4 Full time			
Residence Phone:		Business Phone:		Employment/Occupation/School			Type Victim 5	Type Injury 6	Victim of OFNS# OFNDR#		Relationship 7		
Add'l on Supplemental: <input type="checkbox"/> Persons <input type="checkbox"/> Vehicles <input type="checkbox"/> Collision Report		CODES V - Victim W - Witness O - Others B - Victim Business			C - Complainant G - Parent/Guardian D - Deceased RO - Registered Owner			I - Individual B - Business F - Financial		TYPE VICTIM CODES G - Government R - Religious S - Society/Public		P - Police O - Other U - Unknown	
No.	Non-Disc. <input type="checkbox"/>	NAME (Last, First, Middle)			Race 3	Eth 3	Sex	DOB	AGE	HGT	WGT	HAIR	EYES
Street Address		Apt #	City			State		ZIP		Res. Status: 4 Full time			
Residence Phone:		Business Phone:		Employment/Occupation/School			Type Victim 5	Type Injury 6	Victim of OFNS# OFNDR#		Relationship 7		
No.	Non-Disc. <input type="checkbox"/>	NAME (Last, First, Middle)			Race	Eth	Sex	DOB	AGE	HGT	WGT	HAIR	EYES
Street Address		Apt #	City			State		ZIP		Res. Status: 4 Full time			
Residence Phone:		Business Phone:		Employment/Occupation/School			Type Victim 5	Type Injury 6	Victim of OFNS# OFNDR#		Relationship 7		
Add'l on Supplemental: <input type="checkbox"/> Persons <input type="checkbox"/> Vehicles <input type="checkbox"/> Collision Report		CODES V - Victim W - Witness O - Others B - Victim Business			C - Complainant G - Parent/Guardian D - Deceased RO - Registered Owner			I - Individual B - Business F - Financial		TYPE VICTIM CODES G - Government R - Religious S - Society/Public		P - Police O - Other U - Unknown	
No.	Non-Disc. <input type="checkbox"/>	NAME (Last, First, Middle)			Race 3	Eth 3	Sex	DOB	AGE	HGT	WGT	HAIR	EYES
Street Address		Apt #	City			State		ZIP		Res. Status: 4 Full time			
Residence Phone:		Business Phone:		Employment/Occupation/School			Type Victim 5	Type Injury 6	Victim of OFNS# OFNDR#		Relationship 7		
No.	Non-Disc. <input type="checkbox"/>	NAME (Last, First, Middle)			Race	Eth	Sex	DOB	AGE	HGT	WGT	HAIR	EYES
Street Address		Apt #	City			State		ZIP		Res. Status: 4 Full time			
Residence Phone:		Business Phone:		Employment/Occupation/School			Type Victim 5	Type Injury 6	Victim of OFNS# OFNDR#		Relationship 7		



**ORIGINAL**

**NARRATIVE**

AGENCY NAME <b>SNOHOMISH COUNTY SHERIFF'S OFFICE</b>	INCIDENT CLASSIFICATION <b>CHILD</b>	INCIDENT NUMBER <b>SO 12-17928</b>
NAME OF ORIGINAL VICTIM(S) <b>GOHAR, CATHERINE M</b>		REPORT DATE <b>10/24/12</b>

I told Nancy to bring Theresa into one of the available offices so I could speak with her. I asked her what her daughter had disclosed and she shared the same information above. She also told me that she and her husband are going through a divorce and in a custody battle.

I verified the address of the father via Theresa and then called Sgt. Rinta from Special Investigations Unit to advise of the case. He told me that I should call CPS and work out a plan so that they would place the child with the mother and then put a safety plan in place so that the child remains away from the father until the investigation is over. He also advised that they would do any interviewing of the 11 year old and mother, and to provide the initial case report to them so they could follow up.

I called CPS worker Lewis at intake back and explained what I had heard. He told me that he would refer it to the Lynnwood office for assignment to a case worker. Shortly after, social worker Heather Solberj called me. She advised that she would be enroute to the school so she could meet with the mother and daughter to complete the safety plan.

SW Solberj arrived at the school and we discussed the case. She talked with the mother, explaining the safety plan to keep the child away from the father, to get a restraining order, and to not discuss the case with her daughter any further until detectives interview her.

Case is forwarded to SIU for follow up.

**ATTACHMENT:**

Statement

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

OFFICER NAME/NUMBER <b>PELLEY</b>	APPROVED BY
IIR CLEARANCE : <input type="checkbox"/> INSUFF/ CLO <input type="checkbox"/> COURT: CAS / EVG / SOUTH / EVT <input type="checkbox"/> ARR/A <input type="checkbox"/> EXC/A <input type="checkbox"/> OTHER/ CLO <input type="checkbox"/> DET: PREC/ CTH / SIU <input type="checkbox"/> ARR/J <input type="checkbox"/> EXC/J <input type="checkbox"/> UNF <input type="checkbox"/> OTHER:	COPIES MADE FOR: <input type="checkbox"/> PA <input type="checkbox"/> CPS <input type="checkbox"/> JUV <input type="checkbox"/> DSHS <input type="checkbox"/> MH
DATA ENTRY	



# Snohomish County Sheriff's Office Statement Form

ORIGINAL

Incident # 12-17928

First Name: Nancy M: E Last: Beck DOB: 08/11/2012  
 Race: W Sex: F Hgt:      Wgt:      Eyes: B Hair:      Drivers License #:      State:       
 Home Address: Voyager 11711 4th Ave N City: Everett State: WA Zip: 98204  
 Place Statement Taken:      City:      State:      Zip:       
 Employer: Mukilteo Public Schools City: Everett Best Number to Call:  Home  Cell   
 Work Phone: (      ) Cell Phone: (      ) Work Phone: (425) 366-5331  
 E-Mail Address: BeckNE@mukilteo.wednet.edu

STATEMENT: Theresa Gohar stopped by Voyager around 10:00 requesting info on her daughter's grades etc. When we got to my office, she said she needed other help. She said her daughter told her last night that Dad has been touching her breasts and last night tried to touch her lower private area. Mom appears very frightened sharing this with me. She asked me many times if this is private or can the family get help.

I called CPS and intake worker Lewis told me to share this info with Officer Beckne. Next I called down Catherine and she reported to me everything her mother had reported. Catherine said her father, on occasion, has wanted her to sleep in his bed. She reported that she always goes back to her bunk bed. She said she became more frightened when she found a knife and a small bottle marked POISON.

I have read each page of this statement consisting of 1 page(s). I certify (or declare) under penalty of perjury, under the laws of the State of Washington, that the entire statement is true and correct. (Initial) NGB

Deputy Signature: [Signature] Victim/Witness Signature: Nancy Beck

Date: 10/24/12 Time: 1418 Place Signed: VOYAGER MS Page 1 of 1

ORIGINAL <sup>DI</sup> 12-17928



CHILDREN'S ADMINISTRATION  
Safety Plan

- In-Home Safety Plan
- Out-of-Home Safety Plan
- No Safety Plan Required

A Safety Plan is required for all children where there is a safety threat(s) indicated on the Safety Assessment. The Safety Plan is a written arrangement between a family and Children's Administration that identifies how safety threats to a child will be immediately controlled and managed. Note: When creating an In-Home Safety Plan the following criteria in the Safety Plan Analysis must be present.

- There is at least one parent/caregiver or adult in the home.
- The home is calm enough to allow safety providers to function in the home.
- The adults in the home agree to cooperate with and allow an In-Home Safety Plan.
- Sufficient, appropriate, reliable resources are available and willing to provide safety services/tasks.

CASE NAME GOHAR, THERESA	CASE NUMBER 1755765
SOCIAL WORKER NAME SOHLBERG, HEATHER, L.	TELEPHONE NUMBER (425)673-3100
<b>SAFETY PLAN PARTICIPANTS</b>	<b>DATE OF BIRTH</b>
GOHAR, SAMIR (101164697)	09/01/1968
GOHAR, THERESA (101164698)	12/15/1978
GOHAR, MATTHEW (101164699)	08/08/2005
GOHAR, CATHERINE (101164700)	07/28/2001
<b>SAFETY ACTIVITIES/TASKS</b>	
Identified Safety Threat(s): 17. Child sexual abuse is suspected, has occurred, or circumstances suggest sexual abuse is likely to occur.	
Activities/Tasks: Child Focused Activity	START DATE: 10/24/2012      TARGET END DATE: 10/31/2012
What will be done: (Describe activities/tasks that will be done to manage the child's safety, how the plan will work, etc.) The mother will not allow any contact between the father and the children until Snohomish County Sheriff has completed their investigation and approved contact.	
By Whom: mother	
Frequency: (What times, days of the week, etc. Include all those times the threat is likely to occur) until Snohomish County Sheriff has completed their investigation and approved contact.	
Identified Safety Threat(s): 17. Child sexual abuse is suspected, has occurred, or circumstances suggest sexual abuse is likely to occur.	
Activities/Tasks: Child Focused Activity	START DATE: 10/24/2012      TARGET END DATE: 10/31/2012
What will be done: (Describe activities/tasks that will be done to manage the child's safety, how the plan will work, etc.) The mother will not discuss the allegations with her children and will make no negative comments about the father while	

**ORIGINAL**

Snohomish County Sheriff investigation is in process.

By Whom:  
mother

Frequency: (What times, days of the week, etc. Include all those times the threat is likely to occur)  
until Snohomish County Sheriff has completed investigation

Identified Safety Threat(s):  
17. Child sexual abuse is suspected, has occurred, or circumstances suggest sexual abuse is likely to occur.

Activities/Tasks:	START	TARGET
Other	DATE: 10/24/2012	END DATE: 11/29/2012

What will be done: (Describe activities/tasks that will be done to manage the child's safety, how the plan will work, etc.)  
The mother will request a temporary restraining order between the children and their father through Snohomish County Superior Court, pending outcome and recommendations of Snohomish County Sheriff investigation

By Whom:  
mother

Frequency: (What times, days of the week, etc. Include all those times the threat is likely to occur)  
until investigation has been completed

COMMENTS: Document pertinent safety related information regarding: Conditions for Return Home, Trial Return Home, reunification with a non-custodial parent, etc...

**Reporting Concerns: In case of Emergency or immediate safety threats, call 911.**

For questions or concerns regarding the Safety Plan, participants should contact the Social Worker at the telephone number at the top of this plan or **Central Intake at 1-866-363-4276** evenings or on weekends and holidays.

Failure to comply with this agreement may result in the filing of a dependency petition and recommendation that the child or children be placed out of the home.

**SIGNATURES**

SIGNATURE <i>M.P.</i>	DATE 10/24/2012	SIGNATURE	DATE
SIGNATURE <i>Deborah S. Kelley</i>	DATE 10/24/12	SIGNATURE	DATE
SIGNATURE	DATE	SIGNATURE	DATE

**ORIGINAL**

Page 1 of 6

**FOLLOW UP REPORT**

SNOHOMISH COUNTY SHERIFF'S OFFICE		INCIDENT CLASSIFICATION <b>Child Molestation 1st Degree</b>		CASE NUMBER <b>SO 12-17928</b>	
NAME OF ORIGINAL VICTIM(S) <b>Gohar, Catherine M.</b>				REPORT DATE <b>10/26/2012</b>	
TYPE OF ORIGINAL REPORT <b>CHILD</b>		ORIGINAL DATE <b>10/24/2012</b>	RECLASSIFY TO <b>--</b>	CONNECTING REPORT NUMBER(S) <b>--</b>	

**Origin:**

- **Victim-** Gohar, Catherine M. (07/28/2001)
- **Subject-** Gohar, Samir A. (09/01/1968)
- **Incident Location-** 2721 116 ST SE #A, Everett WA, in Unincorporated Snohomish County.
- **Report of sexual contact with a child.**
- **Injuries-** none.

On 10/25/2012, Sergeant Rinta assigned me this case for further investigation and provided me with a copy of Deputy B. Beckner's initial case report. I reviewed the report and it contained the following information:

On 10/24/2012 at about 1000 hours Theresa I. Gohar (12/15/1978) came to the counseling office at Voyager Middle School to report that her daughter, Catherine M. Gohar (07/28/2001), had made a disclosure of sexual abuse. Theresa told counselor Nancy Beck that Catherine's father, Samir A. Gohar (09/01/1968), had touched Catherine's vagina. Theresa reported that she also needed school records for an upcoming court hearing. Theresa told Nancy that the prior night, Catherine had disclosed that Samir touched her vagina with his hand, over the top of her clothing. Catherine had disclosed that this happened at Samir's residence, which is located at 2721 116<sup>th</sup> ST SE #A, Everett WA.

Nancy called Catherine to the office and Catherine disclosed to Nancy that Samir had touched her vagina with his hand, over the clothes. The School Resource Officer B. Beckner responded and obtained a written statement from Nancy. In Nancy's written statement, she reported that Theresa had told Nancy that Catherine's father had been touching her (Catherine's) breasts. Furthermore, Nancy stated that Theresa reported to her that Catherine's father tried to touch her "lower private area" the previous night.

Nancy notified Child Protective Services (CPS) of Catherine's disclosure.

See Deputy Beckner's report, which is attached for further information. Included in Deputy Beckner's report was a document from CPS which indicated that the assigned social worker was Heather Sohlberg.

**Investigation:**

On 10/26/2012 at about 1405 hours I contacted Theresa via phone. We spoke at length about the investigation and process (IE Child Forensic Interview, Counseling, etc.). Theresa stated she understood and we scheduled a Child Forensic Interview on 10/30/2012 at 1330 hours with Child Forensic Interview Specialist Razi Leptich.

*I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.*

DEPUTY NAME / NUMBER <b>T. Quick #1456</b>		APPROVED BY 			
IBR CLEARANCE: ( ) ARR/A ( ) EXC/A ( ) ARR/J ( ) EXC/J	( ) INSUFF/ CLO ( ) OTHER/ CLO ( ) UNF	COPIES MADE FOR: ( ) PA ( ) CPS ( ) JUV ( ) PAT ( ) DSHS ( ) MH	( ) COURT: CAS / EVG / SOUTH / EVT ( ) DET. PREC / CTH / SPEC ( ) OTHER:	DATA ENTRY	

000008

## FOLLOW UP REPORT

SNOHOMISH COUNTY SHERIFF'S OFFICE		INCIDENT CLASSIFICATION <b>Child Molestation 1st Degree</b>	CASE NUMBER <b>SO 12-17928</b>
NAME OF ORIGINAL VICTIM(S) <b>Gohar, Catherine M.</b>		REPORT DATE <b>10/26/2012</b>	
TYPE OF ORIGINAL REPORT <b>CHILD</b>	ORIGINAL DATE <b>10/24/2012</b>	RECLASSIFY TO <b>--</b>	CONNECTING REPORT NUMBER(S) <b>--</b>

**Investigation (continued):**

On 10/26/2012 at about 1425 hours I contacted CPS Social Worker Heather Sohlberg via phone. I identified myself and informed her of the scheduled child interview. Heather told me that she had been assigned to the case and that she would be present for the child interview.

On 10/26/2012 at about 1432 hours I received a voicemail from Samir. Samir provided me with his phone number and asked me to call him.

On 10/30/2012 at about 0600 hours I received a faxed document from Snohomish County Superior Court. The document indicated that a court hearing involving Theresa and Samir Gohar had been scheduled for that date (10/30) at 1300 hours.

On 10/30/2012 at about 1120 hours I received a voicemail from CPS Social Worker Heather Sohlberg. Heather requested that I call her. At about 1122 hours I attempted to contact Heather via phone. No one answered, so I left a message. In my message I identified myself and requested that she call me. At about 1130 hours I received a phone call from Heather. Heather told me that Theresa was required to be at court for a hearing that day at 1300 hours. Heather said that Theresa had Catherine with her and would have to reschedule the child interview.

On 10/31/2012 at about 0600 hours I received a voicemail from Theresa. She requested that I call her and informed me that the Temporary Protection Order had been thrown out in court the previous day.

On 10/31/2012 at about 0600 hours I received a voicemail from Heather. Heather requested that I call her.

On 10/31/2012 at about 0655 hours I received in my mailbox a letter from the Law Office of Anna Goykhman. The letter was addressed to the Snohomish County Sheriff's Office and Prosecuting Attorney's Office, and it was dated October 30, 2012. In the letter, Anna stated that she had been retained by Samir Gohar and was representing him on this case. Anna said that Samir would cooperate with the investigation, however he was invoking his right to silence.

On 10/31/2012 at about 0740 hours I received a phone call from Theresa. She told me that yesterday she appeared in court for a Temporary Protection Order hearing with Samir. Theresa said that during the hearing, the Commissioner ordered a guardian ad litem to interview Catherine right then, in order to determine whether or not Catherine had been inappropriately touched by her father. Theresa told me that after the guardian ad litem interviewed Catherine, the Commissioner ruled that the Temporary Protection Order was no longer in effect. Theresa requested to reschedule the forensic child interview. We rescheduled for 11/6/2012 at 1230 hours.

*I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.*

DEPUTY NAME / NUMBER <b>T. Quick #1456</b> 		APPROVED BY 
IBR CLEARANCE: <input type="checkbox"/> ARR/A <input type="checkbox"/> EXC/A <input type="checkbox"/> INSUFF/ CLO <input type="checkbox"/> ARR/J <input type="checkbox"/> EXC/J <input type="checkbox"/> OTHER/ CLO <input type="checkbox"/> UNF	COPIES MADE FOR: <input type="checkbox"/> PA <input type="checkbox"/> CPS <input type="checkbox"/> JUV <input type="checkbox"/> PAT <input type="checkbox"/> DSHS <input type="checkbox"/> MH	<input type="checkbox"/> COURT: CAS / EVG / SOUTH / EVT <input type="checkbox"/> DET: PREC / CTH / SPEC <input type="checkbox"/> OTHER: DATA ENTRY

## FOLLOW UP REPORT

SNOHOMISH COUNTY SHERIFF'S OFFICE		INCIDENT CLASSIFICATION <b>Child Molestation 1st Degree</b>		CASE NUMBER <b>SO 12-17928</b>	
NAME OF ORIGINAL VICTIM(S) <b>Gohar, Catherine M.</b>				REPORT DATE <b>10/26/2012</b>	
TYPE OF ORIGINAL REPORT <b>CHILD</b>		ORIGINAL DATE <b>10/24/2012</b>	RECLASSIFY TO <b>--</b>	CONNECTING REPORT NUMBER(S) <b>--</b>	

### Investigation (continued):

On 10/31/2012 at about 1000 hours I attempted to contact Heather via phone. No one answered, so I left a message. In my message, I identified myself and requested that she call me.

On 11/1/2012 at about 1000 hours I attempted to contact Heather via phone. No one answered, so I left a message. In my message, I identified myself and requested that she call me.

On 11/6/2012 at about 0740 hours I received a voicemail from Heather. She requested that I call her.

### Victim Statement (Catherine M. Gohar):

On 11/6/2012 at about 1230 hours Catherine and Theresa arrived as scheduled and Razi Leptich and I met them in the Lobby. We introduced ourselves and escorted Catherine to the Interview area. Catherine presented as a clean, well-nourished and intelligent female.

Razi showed Catherine the interview room, viewing room and recording equipment. Catherine consented to video and audio recording the interview. Razi went over ground rules for the interview, and Catherine promised to tell the truth. The DVD recording is the best reference for detail, however, the following is a brief synopsis of Catherine's disclosure. It should be noted that it is paraphrased, except where indicated by quotations.

Catherine said that "dad wants to take me in this court thing." Catherine disclosed that her dad "kind of touches me in some places not very nice." Catherine said that it happened two times.

Catherine disclosed that the first time occurred at her dad's house. She was watching the television with her dad and her younger brother Matthew was in a different room. Catherine said that she and her dad were sitting on the couch in the living room. Catherine disclosed that her dad started touching "over here." Catherine pointed at her genital area when she said "over here." Catherine said that it made her feel uncomfortable and she moved to another chair. Catherine said that "he only touched me that one time."

Catherine said that she was "paralyzed" by the television and did not know exactly what happened. Catherine identified the part of her body that her dad touched as her "pee pee." Catherine said that she uses that part of the body "to pee." Catherine described the touching as "pressing on" her genital area. Catherine said that both her and her dad had all their clothes on. Catherine said that he did not say anything and acted like he had not touched her.

*I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.*

DEPUTY NAME / NUMBER <b>T. Quick #1456</b> 		APPROVED BY 			
IBR CLEARANCE: ( ) ARR/A ( ) EXC/A ( ) OTHER/ CLO ( ) ARR/J ( ) EXC/J ( ) UNF		COPIES MADE FOR: ( ) PA ( ) CPS ( ) JUV ( ) PAT ( ) OSHS ( ) MH		COURT: CAS / EVG / SOUTH / EVT DET: PREC / CTH / SPEC OTHER:	
					DATA ENTRY

## FOLLOW UP REPORT

SNOHOMISH COUNTY SHERIFF'S OFFICE		INCIDENT CLASSIFICATION <b>Child Molestation 1st Degree</b>	CASE NUMBER <b>SO 12-17928</b>
NAME OF ORIGINAL VICTIM(S) <b>Gohar, Catherine M.</b>		REPORT DATE <b>10/26/2012</b>	
TYPE OF ORIGINAL REPORT <b>CHILD</b>	ORIGINAL DATE <b>10/24/2012</b>	RECLASSIFY TO —	CONNECTING REPORT NUMBER(S) —

### Victim Statement (Catherine M. Gohar) continued:

Catherine said that the second time that something happened, her dad asked her to sleep in the bed with her. Catherine said that she said no, and went to her own room to sleep. Catherine said that she woke up in her dad's bed and she did not know what happened.

Catherine said that the next day, she started bleeding from her private parts into her underwear. Catherine said that the bleeding lasted for about a week. Catherine said that she did not know if it was a period or if her dad had touched her while she was asleep and she did not know it. While she was talking to her mom about her bleeding, Catherine's mom asked her if Samir had touched her inappropriately. Catherine said she disclosed to her mom what had happened.

Catherine said that she tried to tell a lady from the court what had happened. Catherine said that she told her that her dad touched her "between the legs." Catherine said that the lady "got something wrong" in the court. Catherine identified the lady that she talked to as "Martha."

Catherine said that no one helped her with what to say during the interview. Catherine said that her mom did not tell her what to say, but told her to tell the truth.

Razi later provided me with her report, an Original DVD and a copy DVD. See interview DVD, which is attached for further information. I then made an additional copy of the DVD and later booked the Original DVD and a copy into Evidence at the main Property Room. See Evidence Report, which is attached for further review.

After the interview was concluded I escorted Catherine to her mother and they departed.

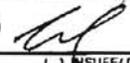
### Investigation (continued):

On 11/6/2012 at about 1405 hours I contacted Heather via phone. I provided her with an update of the case and Catherine's disclosure during the child interview.

On 11/7/2012 at about 1145 hours I attempted to contact Kathy Haggerty, who oversees the Snohomish County Superior Court Guardian ad Litem program, via phone. No one answered, so I left a message. In my message, I identified myself and requested to know the identity of the guardian ad litem that interviewed Catherine.

On 11/7/2012 at about 1200 hours I received a phone call from Attorney Anna Goykhman. Anna identified herself as Samir's attorney. Anna asked me what was happening with the investigation, and I told her that it was still an

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DEPUTY NAME / NUMBER <b>T. Quick #1456</b> 		APPROVED BY 	
IBR CLEARANCE: <input type="checkbox"/> ARR/A <input type="checkbox"/> EXC/A <input type="checkbox"/> INSUFF/ CLO <input type="checkbox"/> ARR/J <input type="checkbox"/> EXC/J <input type="checkbox"/> UNF	COPIES MADE FOR: <input type="checkbox"/> PA <input type="checkbox"/> CPS <input type="checkbox"/> JUV <input type="checkbox"/> PAT <input type="checkbox"/> DSHS <input type="checkbox"/> MH	COURT: CAS / EVG / SOUTH / EVT DET: PREC / CTH / SPEC OTHER:	DATA ENTRY

## FOLLOW UP REPORT

SNOHOMISH COUNTY SHERIFF'S OFFICE		INCIDENT CLASSIFICATION <b>Child Molestation 1st Degree</b>	CASE NUMBER <b>SO 12-17928</b>
NAME OF ORIGINAL VICTIM(S) <b>Gohar, Catherine M.</b>		REPORT DATE <b>10/26/2012</b>	
TYPE OF ORIGINAL REPORT <b>CHILD</b>	ORIGINAL DATE <b>10/24/2012</b>	RECLASSIFY TO --	CONNECTING REPORT NUMBER(S) --

**Investigation (continued):**

open investigation. Anna told me that Samir had passed a polygraph examination. I requested a copy of the exam results be sent to me for inclusion in the case file. Anna agreed, and she said that she would fax me a copy.

On 11/7/2012 at about 1310 hours I attempted to contact Heather Sohlberg via phone. No one answered, so I left a message. In my message, I identified myself and requested to know the identity of the guardian ad litem that interviewed Catherine.

**Review of Samir Gohar's Polygraph Exam:**

On 11/7/2012 at about 1315 hours I received a faxed copy of a report from Ball & Gillespie Polygraph. The report was dated November 3, 2012, and documented the examination of Samir Gohar. I reviewed the report and observed that it contained the following information:

- The polygraph examiner asked Samir, "Other than for hygiene and medical purposes, have you ever deliberately touched Catherine's genitals?" Samir responded, "No."
- The polygraph examiner asked Samir, "Have you ever deliberately touched Catherine's genitals for a sexual reason?" Samir responded, "No."
- No deception was detected in the exam.

See the Ball & Gillespie report, which is attached for further information.

**Investigation (continued):**

On 11/7/2012 at about 1430 hours I received a voicemail message from Heather. She identified the guardian ad litem as Martha Wakenshaw, and provided me with Martha's phone number. I asked Heather if she had a copy of Martha's report to the court. Heather said that she did, and I requested that she fax me a copy.

On 11/8/2012 at about 0745 hours I attempted to contact Martha via phone. No one answered, so I left a message. In my message, I identified myself and I requested that she call me.

On 11/8/2012 at about 1147 hours I received a faxed copy of Martha Wakenshaw's Guardian ad litem report. It is attached for review. The report is dated October 1, 2012 and it has no information about the alleged sexual abuse of Catherine. Martha's recommendation in her report was that Samir be given full custody. See Martha's report, which is attached for further review.

On 11/8/2012 at about 1500 hours I contacted Martha via phone. I identified myself and asked her if she would tell me about the interview that she had with Catherine. Martha told me that she was the guardian ad litem assigned to

*I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.*

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IBR CLEARANCE: <input type="checkbox"/> ARR/A <input type="checkbox"/> EXC/A <input type="checkbox"/> ARR/J <input type="checkbox"/> EXC/J	<input type="checkbox"/> INSUFF/ CLO <input type="checkbox"/> OTHER/ CLO <input type="checkbox"/> UNF	COPIES MADE FOR: <input type="checkbox"/> PA <input type="checkbox"/> CFS <input type="checkbox"/> JUV <input type="checkbox"/> PAT <input type="checkbox"/> DSHS <input type="checkbox"/> MH	<input type="checkbox"/> COURT: CAS / EVG / SOUTH / EVT <input type="checkbox"/> DET: PREC / CTH / SPEC <input type="checkbox"/> OTHER: .
			DATA ENTRY

## FOLLOW UP REPORT

SNOHOMISH COUNTY SHERIFF'S OFFICE		INCIDENT CLASSIFICATION <b>Child Molestation 1st Degree</b>	CASE NUMBER <b>SO 12-17928</b>
NAME OF ORIGINAL VICTIM(S) <b>Gohar, Catherine M.</b>			REPORT DATE <b>10/26/2012</b>
TYPE OF ORIGINAL REPORT <b>CHILD</b>	ORIGINAL DATE <b>10/24/2012</b>	RECLASSIFY TO --	CONNECTING REPORT NUMBER(S) --

Catherine Gohar, and was present at a Protection Order hearing on 10/30/2012. Martha said that Commissioner Susan Gaer was hearing the arguments from Theresa and Samir. During the hearing Theresa reported that Catherine was present, waiting out in the car with her grandmother. Commissioner Gaer ordered Martha to go out to Theresa and interview her there at the courthouse. Martha told me that she interviewed Catherine privately. Martha told me that she was not properly trained in Washington State Child Interviewing protocols, however, she had received training in child interviewing from the American Professional Society on the Abuse of Children (APSAC). Martha told me that she had not audio or video recorded the child interview. Martha said that she asked "open ended questions" and as an example she said "Did Samir touch you one time or two times?" Martha told me that during the interview, Theresa was standing outside of the door and shouting that Martha was a "liar." Martha told me that Theresa had to be forcibly removed by courtroom security because she refused to leave the area. Martha told me that Catherine's disclosure was "inconsistent" because she said that it happened about "a week ago," and then also said that it happened "a month ago." Martha told me that Catherine disclosed that Samir had touched her "down there." Martha said that she communicated what Catherine had disclosed to Commissioner Gaer. Martha said that Commissioner Gaer ruled that Catherine's disclosure "did not have the ring of truth about it," and she canceled the existing Temporary Protection Order against Samir. I requested that Martha provide a sworn statement about what happened and about what Catherine had disclosed. Martha agreed, and requested an electronic witness statement form. I obtained Martha's email address and later emailed her the form for completion.

On 11/9/2012 at about 0600 hours I received a voicemail from Theresa. She requested that I call her.

On 11/9/2012 at about 0742 hours I attempted to contact Theresa via phone. No one answered, so I left a message. In my message, I identified myself and requested that she call me. At about 0750 hours I received a phone call from Theresa. Theresa informed me that the divorce trial had concluded with Judge Richard Okrent. Judge Okrent had awarded full custody to Samir and that Theresa was given supervised visits. Theresa asked me what she could do. I told her that she would need to consult an attorney and that I could not assist her with her child custody matters. I provided Theresa with an update on the investigation.

**Recommendation:**

I am forwarding this report to the Prosecutor's Office for review.

End of Report.

11/13/12 EVERETT, WA

(Date and Place)



(Signature and Number)

*I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.*

DEPUTY NAME / NUMBER <b>T. Quick #1456</b>	APPROVED BY 
IBR CLEARANCE: ( ) INSUFF / CLO ( ) ARR/A ( ) EXC/A ( ) OTHER / CLO ( ) ARR/J ( ) EXC/J ( ) UNF	COPIES MADE FOR: ( ) PA ( ) CPS ( ) JUV ( ) PAT ( ) DSHS ( ) MH
( ) COURT: CAS / EVG / SOUTH / EVT ( ) DET: PREC / CTH / SPEC ( ) OTHER:	DATA ENTRY

**ORIGINAL**

**Dawson Place**  
**CHILD ADVOCACY CENTER**  
*transforming hurt . . . to hope*

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Date: 11/6/12  
Case # SO12-17928  
Investigator: E. Quick  
Agency: SC.S.O.  
Forensic Interviewer: Razi Leptich  
Child Interviewed: Catherine Gonar

The contents of my interview with Catherine Gonar, age 11, are documented on two DVD recordings. The interview was conducted at the Dawson Place Child Advocacy Center, on 11/6/12, at the request of Detective Quick of the Snohomish Co. Sheriff's office. Theresa Gonar sat in the family room inside Dawson Place. \_\_\_\_\_ was the Advocate who was present. During the interview I told Catherine that while we spoke, we were being video recorded, and the Detective was watching.

The DVD recording equipment was started before our conversation, and continued to record until after the interview was over. Two copies of the DVD interviews were given to Detective Quick of the SCSO.

Razi Leptich, M.Ed. with  
Child Interview Specialist  
Dawson Place Child Advocacy Center

# EVIDENCE REPORT ORIGINAL

USE FOR EVIDENCE / PROPERTY BOOKED INTO EVIDENCE ROOM

<b>SNOHOMISH COUNTY SHERIFF'S OFFICE</b> <b>REGIONAL EVIDENCE DIVISION</b>		TYPE OF OFFENSE of a Child		AGENCY ID SCSO	AGENCY CASE NUMBER SO12- 17928
<input checked="" type="checkbox"/> VIC <input type="checkbox"/> SUS <input type="checkbox"/> WIT <input type="checkbox"/> COMP		DOB 07/28/2001	<input type="checkbox"/> VIC <input checked="" type="checkbox"/> SUS <input type="checkbox"/> WIT <input type="checkbox"/> COMP		DOB 09/01/1968
Gohar, Catherine M.		Gohar, Samir A.		DATE / TIME OF ORIGINAL REPORT 10/26/2012 1000 Hours	
BROUGHT TO <input checked="" type="checkbox"/> PROPERTY ROOM <input type="checkbox"/> PRECINCT <input type="checkbox"/> OTHER		COLLECTING OFFICER: NAME # QUICK #1456 DATE 11/6/2012 TIME 1400 Hours SIGNATURE: <i>[Signature]</i>		TRANSPORTING OFFICER NAME SAME DATE 11/6/2012 TIME 1545 Hours SIGNATURE: <i>[Signature]</i>	
DRUG ANALYSIS <input type="checkbox"/> ITEM(S) # _____ BLOOD ALCOHOL <input type="checkbox"/> ITEM(S) # _____ FILM <input type="checkbox"/> QUANTITY _____ EACH FINGERPRINTING <input type="checkbox"/> ITEM(S) # _____		ACTION NUMBER: 3 - EVIDENCE; 5 FOUND; 10 - SAFEKEEPING			
EVIDENCE -- WILL BE HELD UNTIL COURT DISPOSITION OR AUTHORIZATION FROM OFFICER FOUND AND SAFEKEEPING -- WILL BE HELD FOR 60 DAYS OR 60 DAYS PAST OWNER NOTIFICATION EXCEPT FOR ITEM(S) ENTERED BY COURT ORDER					
ITEM # 1	ITEM Child Forensic Interview DVD	SERIAL / OAN	SCSO EVIDENCE  289932		STORAGE LOCATION Dm
ACTION# 3	MODEL / CALIBER		WHERE FOUND		
FURTHER DESCRIPTION (IF WEAPON, INDICATE BARREL LENGTH, ACTION, FINISH) Original, Victim Catherine M. Gohar		WEIGHT - PROPERTY RM ONLY			
OWNER'S NAME Detective Tyler Quick #1456	ADDRESS	CITY	ZIP	PHONE #	SCSO EVIDENCE  289933
OTHER REMARKS / ADDITIONAL INFORMATION / SPECIAL INSTRUCTIONS Copy Included					YES HERE
ITEM #	ITEM	SERIAL / OAN	BRAND NAME	STORAGE LOCATION	
ACTION#	MODEL / CALIBER	WHERE FOUND			
FURTHER DESCRIPTION (IF WEAPON, INDICATE BARREL LENGTH, ACTION, FINISH)		WEIGHT - PROPERTY RM ONLY			
OWNER'S NAME	ADDRESS	CITY	ZIP	PHONE #	BAR CODE GOES HERE
OTHER REMARKS / ADDITIONAL INFORMATION / SPECIAL INSTRUCTIONS					
ITEM #	ITEM	SERIAL / OAN	BRAND NAME	STORAGE LOCATION	
ACTION#	MODEL / CALIBER	WHERE FOUND			
FURTHER DESCRIPTION (IF WEAPON, INDICATE BARREL LENGTH, ACTION, FINISH)		WEIGHT - PROPERTY RM ONLY			
OWNER'S NAME	ADDRESS	CITY	ZIP	PHONE #	BAR CODE GOES HERE
OTHER REMARKS / ADDITIONAL INFORMATION / SPECIAL INSTRUCTIONS					
ITEM #	ITEM	SERIAL / OAN	BRAND NAME	STORAGE LOCATION	
ACTION#	MODEL / CALIBER	WHERE FOUND			
FURTHER DESCRIPTION (IF WEAPON, INDICATE BARREL LENGTH, ACTION, FINISH)		WEIGHT - PROPERTY RM ONLY			
OWNER'S NAME	ADDRESS	CITY	ZIP	PHONE #	BAR CODE GOES HERE
OTHER REMARKS / ADDITIONAL INFORMATION / SPECIAL INSTRUCTIONS					
ITEM #	ITEM	SERIAL / OAN	BRAND NAME	STORAGE LOCATION	
ACTION#	MODEL / CALIBER	WHERE FOUND			
FURTHER DESCRIPTION (IF WEAPON, INDICATE BARREL LENGTH, ACTION, FINISH)		WEIGHT - PROPERTY RM ONLY			
OWNER'S NAME	ADDRESS	CITY	ZIP	PHONE #	BAR CODE GOES HERE
OTHER REMARKS / ADDITIONAL INFORMATION / SPECIAL INSTRUCTIONS					

**EVIDENCE CONTROL USE ONLY:**

TRANSPORTED BY: *[Signature]* RECEIVED BY EVIDENCE CONTROL: *[Signature]* NGIC/WACIC  DATE \_\_\_\_\_  
 PERSONNEL # *411* NAME # *411* NGIC/WACIC +  DATE \_\_\_\_\_ CAD/RMS CHECKED   
 DATE: *11/11* DATE/TIME *11/7/12 1100* NGIC/WACIC -  DATE \_\_\_\_\_  
 INPUT DATE: *11-9-12* LETTER SENT  DATE: \_\_\_\_\_ FINAL UPDATE  DATE \_\_\_\_\_

SH-238 Rev 07/03 *4059 TF*

ORIGINAL TO EVIDENCE CONTROL  
000018

ORDER-5

AGENCY CASE NUMBER 50 12-17928

# EVIDENCE REPORT ORIGINAL

USE FOR EVIDENCE / PROPERTY BOOKED INTO EVIDENCE ROOM

<b>SNOHOMISH COUNTY SHERIFF'S OFFICE</b> <b>REGIONAL EVIDENCE DIVISION</b>	TYPE OF OFFENSE of a Child	AGENCY ID SCSO	AGENCY CASE NUMBER SO12- 17928
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<input checked="" type="checkbox"/> VIC <input type="checkbox"/> SUS <input type="checkbox"/> WIT <input type="checkbox"/> COMP Gohar, Catherine M.	DOB 07/28/2001	<input type="checkbox"/> VIC <input checked="" type="checkbox"/> SUS <input type="checkbox"/> WIT <input type="checkbox"/> COMP Gohar, Samir A.	DOB 09/01/1968	DATE / TIME OF ORIGINAL REPORT 10/26/2012 1000 Hours
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BROUGHT TO <input checked="" type="checkbox"/> PROPERTY ROOM <input type="checkbox"/> PRECINCT <input type="checkbox"/> OTHER	COLLECTING OFFICER: NAME # QUICK #1456 DATE 11/6/2012 TIME 1400 Hours SIGNATURE <i>[Signature]</i>	TRANSPORTING OFFICER NAME SAME DATE 11/6/2012 TIME 1545 Hours SIGNATURE <i>[Signature]</i>	DRUG ANALYSIS <input type="checkbox"/> ITEM(S) # _____ BLOOD ALCOHOL <input type="checkbox"/> ITEM(S) # _____ FILM <input type="checkbox"/> QUANTITY _____ EACH FINGERPRINTING <input type="checkbox"/> ITEM(S) # _____
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ACTION NUMBER: 3 - EVIDENCE; 5 FOUND; 10 - SAFEKEEPING

EVIDENCE -- WILL BE HELD UNTIL COURT DISPOSITION OR AUTHORIZATION FROM OFFICER  
FOUND AND SAFEKEEPING - WILL BE HELD FOR 60 DAYS OR 60 DAYS PAST OWNER NOTIFICATION EXCEPT FOR  
ITEM(S) ENTERED BY COURT ORDER

ITEM # 1	ITEM Child Forensic Interview DVD	SERIAL / OAN	BRAND NAME	STORAGE LOCATION
ACTION# 3	MODEL / CALIBER	WHERE FOUND		
	FURTHER DESCRIPTION (IF WEAPON, INDICATE BARREL LENGTH, ACTION, FINISH) Original Victim Catherine M. Gohar		WEIGHT - PROPERTY RM ONLY	

OWNER'S NAME Detective Tyler Quick #1456	ADDRESS	CITY	ZIP	PHONE #	BAR CODE GOES HERE
OTHER REMARKS / ADDITIONAL INFORMATION / SPECIAL INSTRUCTIONS Copy Included					

ITEM #	ITEM	SERIAL / OAN	BRAND NAME	STORAGE LOCATION
ACTION#	MODEL / CALIBER	WHERE FOUND		
	FURTHER DESCRIPTION (IF WEAPON, INDICATE BARREL LENGTH, ACTION, FINISH)		WEIGHT - PROPERTY RM ONLY	

OWNER'S NAME	ADDRESS	CITY	ZIP	PHONE #	BAR CODE GOES HERE
OTHER REMARKS / ADDITIONAL INFORMATION / SPECIAL INSTRUCTIONS					

ITEM #	ITEM	SERIAL / OAN	BRAND NAME	STORAGE LOCATION
ACTION#	MODEL / CALIBER	WHERE FOUND		
	FURTHER DESCRIPTION (IF WEAPON, INDICATE BARREL LENGTH, ACTION, FINISH)		WEIGHT - PROPERTY RM ONLY	

OWNER'S NAME	ADDRESS	CITY	ZIP	PHONE #	BAR CODE GOES HERE
OTHER REMARKS / ADDITIONAL INFORMATION / SPECIAL INSTRUCTIONS					

ITEM #	ITEM	SERIAL / OAN	BRAND NAME	STORAGE LOCATION
ACTION#	MODEL / CALIBER	WHERE FOUND		
	FURTHER DESCRIPTION (IF WEAPON, INDICATE BARREL LENGTH, ACTION, FINISH)		WEIGHT - PROPERTY RM ONLY	

OWNER'S NAME	ADDRESS	CITY	ZIP	PHONE #	BAR CODE GOES HERE
OTHER REMARKS / ADDITIONAL INFORMATION / SPECIAL INSTRUCTIONS					

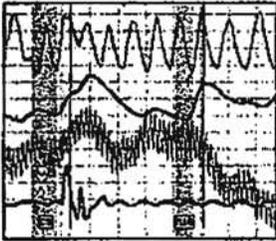
ITEM #	ITEM	SERIAL / OAN	BRAND NAME	STORAGE LOCATION
ACTION#	MODEL / CALIBER	WHERE FOUND		
	FURTHER DESCRIPTION (IF WEAPON, INDICATE BARREL LENGTH, ACTION, FINISH)		WEIGHT - PROPERTY RM ONLY	

OWNER'S NAME	ADDRESS	CITY	ZIP	PHONE #	BAR CODE GOES HERE
OTHER REMARKS / ADDITIONAL INFORMATION / SPECIAL INSTRUCTIONS					

**EVIDENCE CONTROL USE ONLY:**

TRANSPORTED BY: PERSONNEL #:	RECEIVED BY EVIDENCE CONTROL NAME# _____ # _____	NCIC/WACIC <input type="checkbox"/> DATE _____	CAD/RMS CHECKED <input type="checkbox"/>
DATE: _____	DATE/TIME _____	NCIC/WACIC + <input type="checkbox"/> DATE _____	
INPUT <input type="checkbox"/> DATE: _____	LETTER SENT <input type="checkbox"/> DATE: _____	NCIC/WACIC - <input type="checkbox"/> DATE _____	
		FINAL UPDATE <input type="checkbox"/> DATE _____	

AGENCY CASE NUMBER SO 12-17928



## Ball & Gillespie Polygraph

190 West Dayton, Suite 103  
Edmonds, Washington 98020  
Ofc: (425) 775-9015; Fax: (425) 776-0381  
E-Mail: [tjball@lie2me.net](mailto:tjball@lie2me.net)

12-17828

COPY

November 3, 2012

Anna Goykhman  
Bank of America Building  
1604 Hewitt Avenue, Suite 301  
Everett, Washington 98201

Re: Polygraph Examination of Samir Gohar

Ms. Goykhman,

This letter will serve as a report regarding a Psychophysiological Detection of Deception (PDD) examination given to Mr. Gohar on November 3, 2012 at our offices in Edmonds, Washington. The purpose of this examination was to verify or refute whether he has ever touched his daughter Catherine's genitals for a sexual reason. All of the information used to formulate the relevant questions was provided by your office and Mr. Gohar.

The following relevant questions were administered using a DoDPI Zone of Comparison (ZOC) format. Mr. Gohar's responses are noted.

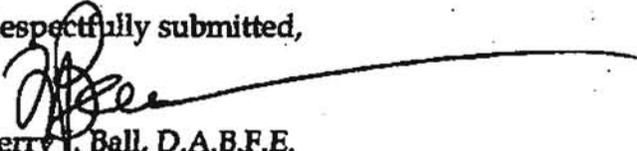
5. Other than for hygiene and medical purposes, have you ever deliberately touched Catherine's genitals? NO
  
7. Have you ever deliberately touched Catherine's genitals for a sexual reason? NO

An Axciton computerized polygraph was used for this examination and the physiological responses were evaluated using a program developed by the Applied Physics Laboratory at Johns Hopkins University. Conclusions reached from this examination are a result of standard numerical scoring, in addition to the computer analysis.

Mr. Gohar failed to exhibit a significant, consistent physiological reaction to all of the questions listed above. Based upon a numerical evaluation of the polygrams produced, it is the opinion of this examiner that he was not attempting deception to these questions.

During the interview and examination, Mr. Gohar was pleasant and cooperative. He related no physical or emotional condition which might have precluded a valid test. If you have any questions, please don't hesitate to call.

Respectfully submitted,

  
Terry J. Ball, D.A.B.F.E.  
Nationally Certified Polygraph Examiner

COPY 12-17828



State of Washington  
DEPARTMENT of SOCIAL and HEALTH SERVICES  
DIVISION of CHILDREN and FAMILY SERVICES  
Lynnwood Office • MS: N52-2 • 20311 52<sup>nd</sup> Ave W Ste 201 • Lynnwood WA 98036  
Office - (425) 673-3100 • Toll Free - 1-800-877-3229 • TDD - (425) 673-3102  
Fax - (425) 673-3101

TELEFAX TRANSMITTAL COVER SHEET

Date: 11/9/12  
To: Detective Quack  
Fax: 425-388-6300  
From: Heather Sohlberg  
Phone: (425)673-3270  
Fax: (425)673-3101  
Re: GAL Report - GOMAR CATHERINE

The information we are sending has 12 pages plus this cover sheet.

Urgent  For Review  Please Comment  Please Reply



CL15788564

RECEIVED COPY FILED 12-17828

2012 OCT 29 PM 2:37

12 OCT 26 PM 4:02

JOHN LOVICK  
SHERIFF, SNOH. COUNTY  
EVERETT, WASHINGTON

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SNOHOMISH

Theresa GOTAR )  
PLAINTIFF / PETITIONER )  
and )  
DEFENDANT / RESPONDENT )  
Samir A. GOTAR )

NO. 12-2-01394-1  
ORDER

JCSO

IT IS HEREBY ORDERED: Therefor hearing for the  
Temporary order for protection is will be  
heard on shortened time on Tuesday  
October 30, 2012 at 1:00 pm.\* The petitioner  
shall be served with this order no  
later than October 28, 2012. Respondents  
response is due by 4:00 pm October 29, 2012.  
Response may be served by email.

DONE IN OPEN COURT this date: 10/20/12 \* Dept B

Presented by: [Signature]

[Signature]  
JUDGE / COURT COMMISSIONER

Copy Received: \_\_\_\_\_

4 CB

COPY 12-17828



State of Washington  
DEPARTMENT of SOCIAL and HEALTH SERVICES  
DIVISION of CHILDREN and FAMILY SERVICES  
Lynnwood Office • MS: N52-2 • 20311 52<sup>nd</sup> Ave W Ste 201 • Lynnwood WA 98036  
Office - (425) 673-3100 • Toll Free - 1-800-877-3229 • TDD - (425) 673-3102  
Fax - (425) 673-3101

**TELEFAX TRANSMITTAL COVER SHEET**

Date: 10/30/12

To: Detective Quach

Fax: 425-388-6300

From: Heather Sohlberg

Phone: (425)673-3270

Fax: (425)673-3101

Re: Documentation provided by notes

The information we are sending has 14 pages plus this cover sheet.

Urgent    For Review    Please Comment    Please Reply

S-15-09 COPY 12-17828

I somir gchor hurt my wife  
theresa gchor on her but by  
Rubbing my penes on her but  
And Its causing her alot of Pain  
and Its All my fault and this IS  
the forth time this Month she Told  
Me NOT to DO IT EVER Again and  
I know that but I DID IT and broke  
my promiss to her she ~~told~~ me alot  
of times that I need to be Jentle and  
Treat her with respect and never ever  
Cause her Any Pain and I failed  
Again and Again and caused her  
alot of Pain in her sensitive but  
area Its NOT her fault there IS  
something Wrong with Me I Need help  
I need to learn how to Treat  
her and how to Make Love

COPY

12-17828

To her no hurt her ever  
Again at 1:45 AM on Saturday  
May 15/2009 Therese can not go  
to sleep because of her pain  
and I am the reason because I hurt  
her in her but by my thing  
I really need help I ask Therese  
to please forgive me I am really  
really sorry I wish I was in pain not you  
I deserve any punishment

P.S tonight she told me right before  
I did it to be careful and she is all mine  
but no pain please no pain and I did cause  
her a lot of pain

Samir Gohar  
S  
5/15/09

Isamir Johar ~~is~~

~~He~~ confess that at the Day  
of the Ultrasound Right after  
Theresa came home I did have  
enter course with her @ident though  
she was hurt that Day and ~~she~~ I  
Aske her to Do It and caused  
her a lot of Pain and Tangst

I Confess that I am NOT Normal  
what I DID IS NOT Normal but  
Theresa IS Normal and she IS very  
good Mother and very good  
wife I am the one who needs  
help

Samir Johar  
~~is~~

I Samir Johar  
Confess that theres a  
Johar NEVER EVER  
WORK OR HAVE ANY  
THING TO DO WITH  
MY RESTAURANT  
DORIS RESTAURANT  
AND I MADE HER SIGN  
DOCUMENT SHE DOESN'T  
KNOW WHAT IS IN IT

*MS*  
000046

*[Signature]*

COPY

12-17828

I will support the

Kids and the press  
by ALL MEMBERS and ways  
All my life

The Kids will Always  
be with there's a

SF

COPY

12-17828

I will never ever  
leave you or  
the kids

A large, stylized handwritten signature, possibly reading "S. H.", is written in the center of the page.

FOLLOW UP REPORT

SNOHOMISH COUNTY SHERIFF'S OFFICE		INCIDENT CLASSIFICATION <b>Witness Statement Follow Up</b>		CASE NUMBER <b>SO12-17928</b>	
NAME OF ORIGINAL VICTIM(S) <b>Gohar, Catherine M.</b>				REPORT DATE <b>11/15/2012</b>	
TYPE OF ORIGINAL REPORT <b>CHILD</b>		ORIGINAL DATE <b>10/24/2012</b>	RECLASSIFY TO <b>--</b>	CONNECTING REPORT NUMBER(S) <b>--</b>	

**Origin:**

This investigation was referred to the Prosecutor's Office on or about 11/15/2012 for Child Molestation 1<sup>st</sup> Degree against Samir A. Gohar (09/01/1968).

This follow-up case report is being completed to add information to the case file. This follow-up case report is being completed after I received a written statement from Martha E. Wakenshaw (06/01/57). See original case file for additional information.

**Investigation:**

On or about 11/15/2012, I received a written statement from Martha E. Wakenshaw (06/01/57) in my mailbox. I reviewed it and it contained the following information:

Martha identified herself as the court appointed Guardian ad Litem for the victim in this case, Catherine M. Gohar, age 11 and Catherine's brother, Matthew Gohar, age seven. On 10/31/2012 Snohomish County Court Commissioner Susan Gaer ordered Martha to conduct an interview of Catherine at the courthouse interview room.

During the interview with Catherine, Catherine's grandmother, mother, and relatives were outside the interview room loudly calling Martha a "liar." Martha requested that they leave the area, and when they refused, courthouse security was called. Courthouse security cleared the area and Martha proceeded with the interview.

During the interview Catherine disclosed that her father touched her in between her legs on two occasions. Catherine said that one incident occurred while she was sitting on the couch and one at a sleepover. Catherine said that it occurred last Tuesday, or two weeks ago, or possibly a month ago. Catherine said that she disclosed to her mother about the touching.

See the attached written statement for further information.

**Recommendation:**

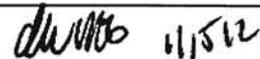
I am forwarding this follow up report to the Prosecutor's Office so that it may be included in the case file.

End of Report.

11/15/12 EVERETT, WA  1956

(Date and Place) (Signature and Number)

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.

DEPUTY NAME / NUMBER <b>T. Quick #1456</b>		APPROVED BY  11/15/12			
IBR CLEARANCE: ( ) ARR/A ( ) EXC/A ( ) OTHER/ CLO ( ) ARR/J ( ) EXC/J ( ) UNF	( ) INSUFF/ CLO ( ) OTHER/ CLO ( ) UNF	COPIES MADE FOR: ( ) PA ( ) CPS ( ) JUV ( ) PAT ( ) DSHS ( ) MH	( ) COURT: CAS / EVG / SOUTH / EVT ( ) DET: PREC / CTH / SPEC ( ) OTHER:	DATA ENTRY	



# SNOHOMISH COUNTY SHERIFF'S OFFICE STATEMENT FORM

# ORIGINAL

Page 1 of 2  
Event No.: 12-17928

Statement of -First Name: Martha Middle: eldridge Last: Wakenshaw  
 Race: CAUCASIAN Sex: FEMALE DOB: 6-1-1957 Hgt: 5'8 Wgt: 175 Eye: BROWN Hair: BROWN  
 Residence-St. Address: 712 N. 165<sup>th</sup> St City: Shoreline Zip: 98133 Phone: 425-478-8515  
 Work-St. Address: 131 - Third Ave. N. #102 City: Edmonds Zip: 98208 Phone: 425-478-8515  
 Place statement taken: Shoreline, WA Date: 11-9-2012 Time: 1:00 p.m.

Statement: I, Martha Wakenshaw, am over the age of eighteen and make the following declaration.

I am the court appointed Guardian ad Litem for Catherine Gohar, age 11 and Matthew Gohar, age seven. On October 31, 2012, Snohomish County Court Commissioner, Susan Gaer, ordered me to interview Catherine Gohar in the courthouse interview room. I was ordered to escort Catherine out of the car parked outside the courthouse. Ms. Gohar, the mother, was ordered to remain in the court room. The maternal grandmother accompanied me to the car. As Catherine and I entered the interview room, the grandmother pushed her way inside the room and would not leave until some attorneys that were in the hallway persuaded her to exit the interview room.

I started to talk with Catherine and the grandmother and mother and relatives were outside the glassed in interview room saying loudly that I was a liar. I came out of the room briefly, asked them to leave and when they didn't, Ms. Patricia Bundy, Commissioner Gaer's clerk was called out to help and eventually had to call security who cleared the area. The interview then proceeded without further incident.

I explained to Catherine that the judge had ordered me to interview her. Catherine disclosed that her father had touched her in between her legs on two separate occasions. One while she was sitting on the couch and one at a sleepover. She said that the touch lasted for three seconds and was over her clothing. She said that it was hard to remember when it happened but she thought he did it last Tuesday or two weeks ago on the weekend or maybe a month ago. she was having some difficulty recollecting a time frame.

Catherine said her dad also touches her other places like on the leg but she didn't think that was bad.

Catherine said that she reported the touching to her mother who then talked to a school counselor She said she was subsequently taken to a doctor but they couldn't tell anything.

On past interviews, Catherine had disclosed that her mother has shown her the court documents in the divorce proceedings. She did say that her mother now has stopped doing that and that she hadn't read my GAL report. She did say that her mother told her that she might be living with her dad because of my report.

Catherine said there was blood in her underwear about a month ago but it might have been from her period. She said that her dad didn't say anything - just touched her. She said that she and her mom were talking about her period and her mother asked her if her dad touched her. Catherine said that she said yes.

I concluded the interview by asking Catherine how she was feeling and she said that the whole thing was making her nervous. She said that she is not afraid of her dad when asked how she was feeling about him.

*I have read each page of this statement consisting of 2 page(s). I certify (or declare) under penalty of perjury, under the laws of the State of Washington, that the entire statement is true and correct. (Initial) MW*

Deputy Signature: [Signature] 1956 Victim/Witness Signature: Martha Wakenshaw

Place Signed: Shoreline, WA



SNOHOMISH COUNTY SHERIFF'S OFFICE  
STATEMENT FORM

50 12-1792-8  
**ORIGINAL**

Page 2 of 2

I reported back to commissioner Gaer the facts of the interview with Catherine. To the best of my knowledge and recollections, Commissioner Gaer lifted the restraints against the father.

Subsequently there was a trial in front of Judge Okrent on Monday, November 5, 2012. I wasn't at the decision, but I heard from the attorney for the father, that the father was granted custody and that the mother has supervised visits twice a week for four hours with the children.

I have read each page of this statement consisting of \_\_\_ page(s). I certify (or declare) under penalty of perjury, under the laws of the State of Washington, that the entire statement is true and correct. (Initial) PLW

Deputy Signature: [Signature] Victim/Witness Signature: Martha Walker

Place Signed: Shoreline, WA



COPY 12-17828

Weight: 220 lbs  
Body: Athletic/lean  
Ethnicity: White/Caucasian  
Eye color: Brown  
Hair color: Black  
Endowment: Penis not too big  
Circumcised: Yes  
Tattoos: None, they are not for me  
Piercings: None, they are not for me  
Most attractive feature: Penis not too big  
Style: Casual

Back to top

Edit My Profile

Sexual:

Participation: Not a fan

Polishes: Not playing

Masturbation: Not used to work

Toys: Not too big

Roleplaying: Not too big

Most important in a sexual partner: Subtle speech, friendly, ready to be involved, Personality

Back to top

Edit My Profile

Lifestyle:

Drinking: None

Smoking: Never

Drugs: I don't use drugs

Night Life: Movies, friends

Back to top

Manage Comments

Comments: (0)

Back to top

Search for Photos

Search for Activities/Events



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10/22/11  
Options

Hotmail

New | Reply | Reply all | Forward | Delete | Mark as | Move to

Inbox

sam seeking you

Folders

samir gohar

10/22/11

Junk

To pers-jn3jr2660689584@craigslist.org

Drafts (20)

Sent

hi,

Deleted (5)

dons document

dons fsa

dons online purchases...

dons tax

New folder

I'm not good at writing so I live in silver lake area lets meet for coffe spend 15 minuts if things do not work out then good luck to both of us

thanks  
sam  
425-446-0998

Solo Squared  
cups and plates.

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Inbox (2)

For the Serious Only

Back to messages |

Folders

samir gohar

11/27/11

Junk (3)

To pers-ydsqr-2721808637@craigslist.org

Reply \*

Drafts (20)

Sent

1 attachment (465.6 KB)

Hotmail Active View

Deleted (10)

dons document

dons isa

dons online purchases...

dons tax

New folder

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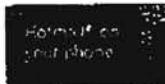
No friends are online.

Sign out of Messenger

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View slide show (1) | Download as zip

Hi,  
 I'm 43 years 5.5 tall self employ have my owen place and car  
 I was born in egypt moved here 24 years ago  
 I live alone I have 2 kids 6&10  
 I'm separated and my separation is finale  
 I'm a non smoker light drinker  
 I love movies I love to eat out  
 I'm looking for friendship love care long term relationship with no  
 drama or games  
 I'm very honest and trustworthy  
 I live in south everett work in marysville  
 I agree with about that  
 [I'm sure I could go on and on but really you don't know until you  
 meet and see if there is a connection. I believe attraction is a part  
 in finding a connection]  
 good luck  
 sam

New | Reply Reply all Forward | Delete Mark as \* Move to \* |

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(No Subject)

Back to messages

Folders

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dons tax

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No friends are

online.

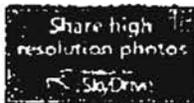
Sign out of

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samir gohar

To pers-k57bz-2747726280@craigslist.org

12/11/11

Reply

1 attachment (427.3 KB)

Hotmail Active View



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Hi,

I'm 43 years 5.5 tall self employ have my owen place and car  
 I was born in egypt moved here 24 years ago  
 I'm separated and my separation is finale  
 I d't smoke or drink  
 I love to jog and park walking movies I love to eat out  
 I'm looking for friendship love care long term relationship with no  
 drama or games  
 I'm very honest and trustworthy  
 I live in south everett work in marysville  
 this is my first time dating after 12 years of arranged marriage  
 I watch a lot a movies and see this love stories and how wonderful live  
 is if you can find your soul mate  
 that person that know every thing about you how to make you happy  
 and be there for you when you need a friend  
 I never have that in my live is it only in the movies is it too late for me  
 I'm always looking for that magical relationship I also know that  
 this kind of relationship  
 needs a lot of work and love and big harte but as soon as you find it  
 everything will be just perfect

good luck  
sam

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Options ▾

### Inbox (2)

## For the Serious Only

Back to messages |

### Folders

Junk (3)

Drafts (20)

Sent

Deleted (10)

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dons fsa

dons online purchases...

dons tax

New folder

### Quick views

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### Messenger

2 invitations

Search contacts

No friends are online.

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Samir gohar  
To pers-axfb-2719681914@craigslist.org

11/27/11  
Reply ▾

1 attachment (465.6 KB)

Hotmail Active View



View slide show (1) | Download as zip

Hi,

I'm 43 years 5.5 tall self employ have my owen place and car  
I was born in egypt moved here 24 years ago  
I live alone I have 2 kids 6&10  
I'm separated and my separation is finale  
I'm a non smoker very light drinker  
I love movies I love to eat out  
I'm looking for friendship love care long term relationship with no  
drama or games  
I'm very honest and trustworthy.  
I live in south everett work in marysville

good luck  
sam

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Back to messages |

To see messages related to this one, group messages by conversation.

## Folders

Junk (8)

Drafts (20)

Sent

Deleted (10)

docs document

docs fsa

docs online purchases...

docs tax

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## Messenger

2 invitations

Search contacts

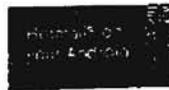
No friends are online.

Sign out of Messenger

Home

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samir gohar  
To pers-m7ake-2723355852@craigslist.org

11/27/11

Reply

1 attachment (465.6 KB)

Hotmail Active View



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I'm looking for friendship love care long term relationship with no  
drama or games  
I'm very honest and trustworthy  
I live in south everett work in marysville

good luck  
sam



Ad feedback |

New | Reply | Reply all | Forward | Delete | Mark as | Move to |

# SNOHOMISH COUNTY SUPERFORM

# ORIGINAL

COURT	<input checked="" type="checkbox"/> REFERRAL	<input type="checkbox"/> BOOKING	AGENCY: <b>Snohomish Co. Sheriff</b>	DEPUTY/OFFICER/TROOPER: <b>Detective T. Quick#1456</b>	CASE #:	<b>SO12-17928</b>
	Superform only no attachments	<input checked="" type="checkbox"/> SUPERIOR	<input type="checkbox"/> JUVENILE	JUV#	REF#	SCOMIS#

SUSPECT DATA	DATE AND TIME OF ARREST:		BOOKING / ADMISSION DATE/TIME:		RELEASE DATE/TIME:		IDENTITY IN DOUBT? YES / NO		
	NAME: LAST <b>GOHAR</b>		FIRST <b>SAMIR</b>		MIDDLE <b>A.</b>		DOB: <b>09/01/68</b>		
	SEX: <b>M</b>	RACE: <b>I</b>	HGT: <b>5-06</b>	WGT: <b>210</b>	HAIR: <b>BRN</b>	EYES: <b>BRN</b>	DRIVER'S LN: <b>GOHARSA3200A</b>	STATE: <b>WA</b>	
	LAST KNOWN ADDRESS: <b>2721 116 ST SE #A</b>			CITY: <b>EVERETT</b>		STATE: <b>WA</b>		ZIP: <b>98208</b>	
	HOME PHONE: <b>425-446-0998</b>		OTHER PHONE:		ALIASE(S) / AKAS(S)		GANG AFFILIATION		

PARENT/GUARDIAN (Juveniles only)	FATHER	ADDRESS:	CITY:	ST:	ZIP:	HOME PHONE:
	MOTHER	ADDRESS:	CITY:	ST:	ZIP:	HOME PHONE:
	STEP: <input type="checkbox"/> MOTHER <input type="checkbox"/> FATHER	ADDRESS:	CITY:	ST:	ZIP:	HOME PHONE:
	GUARDIAN/FOSTER/USHS	ADDRESS:	CITY:	ST:	ZIP:	PHONE:
	FATHER'S EMPLOYER:	WORK NUMBER:	MOTHER'S EMPLOYER:	WORK NUMBER:		
	DEFENTION NOTIFICATION (Yank Center Use Only)	PARENTS, GUARDIANS, CUSTODIANS NOTIFIED:		HOW:		

SUSPECT'S VEHICLE INFO	VEHICLE LICENSE NO.	STATE:	EXPIRES:	VEH YR.:	MAKE:	MODEL:	STYLE:	COLOR:
	TRAILER #1 LICENSE:	STATE:	EXPIRES:	TR. YR.:	TRAILER #2 LICENSE:	STATE:	EXPIRES:	TR. YR.:
	OWNER / COMPANY IF OTHER THAN DRIVER:		ADDRESS:			CITY:	STATE:	ZIP:
	ACCIDENT: NO NR R I F	BAC READING:	COMMERCIAL VEHICLE: <input type="checkbox"/> YES <input type="checkbox"/> NO	HAZMAT: <input type="checkbox"/> YES <input type="checkbox"/> NO	EXEMPT VEHICLE: <input type="checkbox"/> FARM <input type="checkbox"/> B.V. <input type="checkbox"/> FIRE <input type="checkbox"/> OTHER			

HEALTH & SAFETY	SUICIDAL? NO EXPLAIN:	MENTAL ISSUES? NO EXPLAIN:
	DOES THE ARRESTEE HAVE ANY CHRONIC HEALTH PROBLEMS OR CONTAGIOUS DISEASES? NO EXPLAIN:	
	IS THE ARRESTEE INJURED AT THIS TIME? NO EXPLAIN:	
	WAS THE ARRESTEE INVOLVED IN A METHAMPHETAMINE LAB OPERATION? NO EXPLAIN:	

SUSPECT DATA	NUMBER OF CO-SUSPECTS: <b>0</b> NAMES:
--------------	--

OFFENSE DATA	OFFENSE LOCATION: <b>2721 116 ST SE #A</b>	CITY: <b>EVERETT</b>	STATE: <b>WA</b>	DATE AND TIME OF OFFENSE: <b>10/23/2012 1700 Hours</b>		
	ARREST LOCATION (IF DIFFERENT):	WERE DRUGS INVOLVED IN THIS INCIDENT? NO		WAS ALCOHOL INVOLVED IN THIS INCIDENT? NO		
	CHARGE: (i.e. Assault 4)		COURT OF COMM:	CLASS:	WARRANT ARREST:	RCW, Municipal or County Code (i.e. 9A.36.041)
	1. <input type="checkbox"/> DV <input type="checkbox"/> Child Molestation 1 <sup>st</sup> Degree	SUP	FEL.	<input type="checkbox"/>	RCW 9A.44.083	
	2. <input type="checkbox"/> DV		M/GM/F	<input type="checkbox"/>		

VICTIM INFO - DV VIO. SAUL TRAFFIC	NOTIFY ON RELEASE? NO	IF UNABLE TO CONTACT, NOTIFY 911: NO	REQUEST N.C. ORDER? NO	FIREARMS IN HOME? NO	PRIOR UNREPORTED VIOLENCE? NO	
	VICTIM NAME: LAST <b>Gohar</b>	FIRST <b>Catherine</b>	MIDDLE <b>M.</b>	DATE OF BIRTH: <b>7/28/2001</b>	PHONE: <b>425-953-6121</b>	
	VICTIM'S ADDRESS: <b>2721 116 ST SE #A</b>		CITY: <b>Everett</b>		STATE: <b>WA</b>	ZIP: <b>98208</b>
	SUSPECT RELATIONSHIP TO VICTIM: <b>Father</b>		EMERGENCY / ALTERNATE CONTACT: <b>Theresa Gohar (mother)</b>		EMERGENCY / ALTERNATE CONTACT PHONE: <b>425-953-6121</b>	

# SNOHOMISH COUNTY SUPERFORM

**ORIGINAL**

Suspect's Name: **GOHAR, SAMIR**

Case #: **SO12-17928**

<b>SUSPECT'S PROPERTY</b>	TOTAL CASH:		TO JAIL PROPERTY:		
	PROPERTY IMPOUNDED TO EVIDENCE:		OTHER PROPERTY:		
	SEIZED FIREARM FOR FORFEITURE? YES/NO EXPLAIN:				
<b>OBJECTIONS TO RELEASE</b>	WILL LIKELY FAIL TO APPEAR FOR FURTHER PROCEEDINGS: YES/NO EXPLAIN:		WILL INTIMIDATE OR INTERFERE WITH ADMINISTRATION OF JUSTICE: YES/NO EXPLAIN:		
	DETENTION REQUIRED TO PROTECT ARRESTEE FROM HERSELF/HIMSELF: YES/NO EXPLAIN:		COMMITTED A CRIME WHILE ANOTHER CASE IS PENDING: YES/NO EXPLAIN:		
	DESCRIBE RELATION TO VIC:	ASSAULTIVE: YES/NO EXPLAIN:	PHYSICAL INJURY TO VICTIM/WITNESS/OFFICER: YES/NO EXPLAIN:		
	WEAPONS INVOLVED? YES/NO EXPLAIN:		DANGER/THREAT TO COMMUNITY IF RELEASED? YES/NO EXPLAIN:		
	U.S. CITIZEN? YES/NO	OTHER (P.A. LACK OF COMMUNITY TH.S. ETC.)			
<b>PHYSICAL EVIDENCE</b>	CONTROLLED SUBSTANCE WEIGHED AND FIELD TESTED?		TYPES & AMOUNTS (WEIGHTS)		
	VEHICLE INFORMATION STOLEN (V.I.) REPORT ATTACHED? YES/NO		SOURCE OF VALUE:	VEH YEAR:	VEH MAKE:
	FAIR MARKET VALUE: \$		VEH MODEL:		
	PROPERTY (Stolen, Recovered, Damaged, Etc.):		FAIR MARKET VALUE \$		
PROPERTY CONTINUED:		SOURCE OF VALUE:			

**Synopsis / PC for Arrest**  
(Include all elements of the crimes charged)

On 10/24/2012 at about 1000 hours Theresa I. Gohar (12/15/78) reported that her 11 year old daughter (known to me, DOB 7/28/2001, hereafter identified as C.G.) had disclosed that she had been molested by her father, Samir A. Gohar (09/01/68). Theresa reported that C.G. disclosed that Samir had touched her vagina one time over the clothing.

On 11/6/12 at about 1230 hours C.G. was interviewed at Dawson Place by child interview specialist Razi Leptich. C.G. disclosed that Samir touched her "pee pee" with his hand on 10/23/2012. C.G. identified her "pee pee" as the part of her body she uses to urinate. C.G. disclosed that the touching was over the clothes and lasted for a few seconds. C.G. disclosed that it occurred at Samir's house, which is located at 2721 116<sup>th</sup> ST SE #A, Everett.

Samir retained attorney Anna Goykhman, who declined to make Samir available for an interview. Anna provided me with a copy of a polygraph examination report. Samir was questioned by the polygraph examiner about touching C.G.'s genitals. Samir denied touching C.G.'s genitals, and the exam indicated no deception.

**Recommendation**

I am forwarding this investigation to the Prosecutor's Office for review.

I certify or declare under the penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct. (RCW 9A.72.085)

OFFICER'S NAME: **DETECTIVE T. QUICK, PER # 1456** CONTACT #: **425-388-6376** TRANSPORT OFFICER: **N/A**

OFFICER'S SIGNATURE: *[Signature]* **MSB** DATE: **11/13/12** CITY, STATE: **EVERETT, WA** PRECINCT / STATION: **S.L.U.**

IBR CLEARANCE: (ONE)	( ) NSUFF / CLO	COPIES MADE FOR:		DATA ENTRY	Approved By: <i>[Signature]</i>
( ) ARRU	( ) EXC/A	( ) PA	( ) CPS	( ) JUV	( ) DET: PREC / CTH / SPEC
( ) ARRU	( ) EXC/J	( ) PAT	( ) DSHS	( ) MH	( ) OTHER:

000061



State of Washington  
DEPARTMENT of SOCIAL and HEALTH SERVICES  
DIVISION of CHILDREN and FAMILY SERVICES

Lynnwood Office • MS: N52-2 • 20311 52<sup>nd</sup> Ave W Ste 201 • Lynnwood WA 98036  
Office - (425) 673-3100 • Toll Free - 1-800-877-3229 • TDD - (425) 673-3102  
Fax - (425) 673-3101

10/30/12

To Whom It May Concern,

On 10/24/12 a screened in child protective services referral was received alleging sexual abuse of the child, Katherine Gohar by her father Samir Gohar. There is a current Child Protective Services and Law Enforcement investigation in process.

The Department is recommending that the father have no contact with his children until the current investigation has been completed.

Please feel free to call me with any additional questions. I can be reached between the hours of 8am and 5pm and 425-673-3270.

Sincerely,

Heather Sohlberg  
Social Worker III  
Child Protective Services  
DSHS/DCFS  
20311 52<sup>nd</sup> Avenue West, Suite 201  
Lynnwood, WA 98036



TrueEarnings® Business Card  
 DONS RESTAURANT  
 SAMIR A GOHAR  
 Closing Date 06/01/12



p. 5/12

Account Ending 0-82000

Detail Continued

**FILED**

				Amount
05/14/12	7-ELEVEN 33166 00073EVERETT 425-348-7860 Description Price GAS/MSC95 66506601 53.88	WA		\$3.88
05/15/12	CASHNCARRY553 105533EVERETT 425-3396005	WA		\$194.30
05/16/12	LITTLE CAESARS PIZZAMARYSVILLE 3606588900 FOOD/BEVERAGE \$15.19	WA		\$15.19
05/16/12	WASH LQR CNTL BRO 30MARYSVILLE GOVERNMENT SERVICE	WA		\$865.34
05/17/12	COSTCO GAS #0114 000EVERETT 4253797862	WA		\$77.22
05/17/12	CARL'S JR 1100464 00MARYSVILLE 800-422-4141 Description FAST FOOD REST	WA		\$10.62
05/17/12	WAL-MART SUPERCENTERMARYSVILLE DISCOUNT STORE	WA		\$33.83
05/17/12	PAYPAL MATCH COM 4029357733 402-935-7733 Description ONLINE DATING	CA		\$44.98
05/18/12	ABC FINANCIAL 888-827-9262 ABC VISION QUEST	AR		\$20.81
05/18/12	COSTCO WHSE #0115 00LYNNWOOD 4256407700	WA		\$430.68
05/18/12	COSTCO WHSE #0642 00MARYSVILLE 3606524532	WA		\$62.71
05/18/12	CASHNCARRY553 105533EVERETT 425-3396005	WA		\$182.88
05/18/12	GLOBAL INDUSTRIAL EQCOMPUTERS GOHAR05182012 33144			\$155.78
05/19/12	CASHNCARRY553 105533EVERETT 425-3396005	WA		\$192.91
05/21/12	COMCAST CABLE COMM 800-COMCAST CABLE SVS	WA		\$85.00
05/21/12	BARTELL DRUGS #25 00EVERETT 4257437198	WA		\$4.03
05/21/12	CASHNCARRY553 105533EVERETT 425-3396005	WA		\$32.86
05/22/12	CASHNCARRY553 105533EVERETT 425-3396005	WA		\$32.45
05/22/12	COSTCO WHSE #0115 00LYNNWOOD 4256407700	WA		\$465.74
05/23/12	COSTCO WHSE #0642 00MARYSVILLE 3606524532	WA		\$80.40

OCT 30 2012  
 SONYA KRASKI  
 COUNTY CLERK  
 SNOHOMISH CO. WASH.

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sam seeking you

Folders

samir gohar

10/22/11

Junk

To: per...@hotmail.com

Drafts (20)

Sent

hi,

Deleted (5)

dons document

I'm not good at writing so live in silver lake area lets meet for coffe spend 15 minuts if things do not work out then good luck to both of us

Solo Squared cups and plates

dons fsa

dons online purchases...

dons tax

thanks

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sam

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Weight: 120 lbs  
Body: 5'10"  
Ethnicity: White  
Eye color: Blue  
Hair color: Black  
Endowment: 36-24-36  
Circumcised: No  
Tattoos: 1  
Piercings: 1  
Most attractive feature:  
Style:

**Sexual:**

Participation: 100%

Polishes: 100%

Masturbation: 100%

Toys: 100%

Roleplaying: 100%

Most important in a sexual partner:

**Lifestyle:**

Drinking: 100%

Smoking: 100%

Drugs: 100%

Night Life: 100%

Comments: (0)



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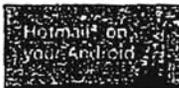
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For the Serious Only

To see messages related to this one,

samir gohar

To pers-m7ake-2723355852@craigslist.org

11/27/11

1 attachment (465.6 KB)

Hotmail



View slide show (1) | Download as zip

Hi,

I'm 43 years 5.5 tall self employ have my owen place and car  
I was born in egypt moved here 24 years ago  
I live alone I have 2 kids 6&10  
I'm separated and my separation is finale  
I'm a non smoker very light drinker  
I love movies I love to eat out  
I'm looking for friendship love care long term relationship with no  
drama or games  
I'm very honest and trustworthy  
I live in south everett work in marysville

good luck  
sam



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samir gohar  
To pers-axfb-2719681914@craigslist.org

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Hi,

I'm 43 years 5.5 tall self employ have my owen place and car  
I was born in egypt moved here 24 years ago  
I live alone I have 2 kids 6&10  
I'm separated and my separation is finale  
I'm a non smoker very light drinker  
I love movies I love to eat out  
I'm looking for friendship love care long term relationship with no  
drama or games  
I'm very honest and trustworthy  
I live in south everett work in marysville

good luck  
sam

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Samir Gohar

To pers-ytsqr-2721808637@craigslist.org

11/27/11

1 attachment (465.6 KB)

Hotmail



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Hi,  
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 I was born in egypt moved here 24 years ago  
 I live alone I have 2 kids 6&10  
 I'm separated and my separation is finale  
 I'm a non smoker light drinker  
 I love movies I love to eat out  
 I'm looking for friendship love care long term relationship with no  
 drama or games  
 I'm very honest and trustworthy  
 I live in south everett work in marysville  
 I agree with about that  
 [!m sure I could go on and on but really you don't know until you  
 meet and see if there is a connection. I believe attraction is a part  
 in finding a connection]  
 good luck  
 sam

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Isamir Johar ~~is~~

~~I tried~~ confess that at the Day  
of the Ultrasound Right after  
Theresa came home I did have  
intercourse with her ~~and~~ though  
she was hurt that Day and ~~she~~ I  
Aske her to Do It and caused  
her a lot of pain and Tangst

I Confess that I am NOT Normal  
what I did is NOT Normal but  
Theresa is Normal and she is very  
good Mother and very good  
wife I am the one who needs  
help

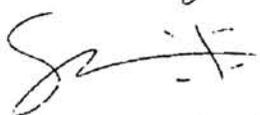
Samir Johar  
S2-7

S-15-09

I Samir Gohar hurt my wife  
Theresa Gohar ~~on~~ her but by  
Rubbing my penis ~~on~~ her but  
And Its causing her a lot of Pain  
and Its all my fault and this is  
the forth time this month she told  
me NOT to do it EVER Again and  
I know that but I did it and broke  
my promiss to her she told me a lot  
of times that I need to be gentle and  
treat her with respect and never ever  
cause her any Pain and I failed  
Again and Again and caused her  
a lot of Pain in her sensitive but  
area Its not her fault there is  
something wrong with me I need help  
I need to learn how to treat  
her and how to make love

To her no hurt her ever  
Again at 1.45 AM on Saturday  
May 15/2009 these can not go  
to sleep because of her pain  
and I am the reason because I hurt  
her in her but by my thing  
I really need help I ask others  
to please forgive me I am really  
really sorry I wish I was in pain not you  
I deserve any punishment

P.S tonight she told me right before  
I did it to be careful and she is all mine  
but no pain please no pain and I did cause  
her a lot of pain

Samir Gohar  
  
5/15/09

Just never ever  
leave your  
car the LMS

Site

I love you  
Kids  
by All Men's and boys  
All my love

The Kids will Always  
be with there's a

☺

I said when  
confess that I have  
John never ever  
work or have any  
thing to do with  
my restaurant

Doris's Restaurant  
and I made her  
document she don't  
know what is in it  
S. J.

Theresa's declaration about  
The GAL Martha E. Wakenshaw (CP 148)

FILED

FILED

12 NOV -2 PM 3: 49

NGV 0 2 2012

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.



**Superior Court of Washington  
County of**

In re:

Samie A. Gohar

and

Theresa I. Gohar

Petitioner(s),

Respondent(s).

12-3-00776-6

No. 12-03776-6

**Declaration of  
Theresa gohar about the Gal  
report 1  
(DCLR)**

***I Declare:***

The guardian ad litem, Martha E. Wakenshaw did not talk enough with me or my children to do a report plus a lot of lies and misleading in her report I will respond to everything she said and tell the truth to the court:

First of all [ my children age is wrong in the report it is not six and ten]. Catherine M. Gohar age is eleven and Matthew K. Gohar is seven.

I only missed one appointment with the GAL [not appointments]. I did call her many times and left many messages and she never call me back. My phone did not show that she left any[ voice mails] like she claims.[ E mail messages ]I have never contact her by e mail and have asked her to call me or fax or sent stuff to my home address. I do not have a family therapist like she claims. I did take for the kids' sake seminar on 7/7/2012 and it was filed with the court on 7/23/2012 and [she claims I did not take it.]

[I did not give only my mother as a collateral and maternal grandmother]. My mother came to visit me after the GAL. came to my house. I did not mean for her to get interview like the GAL. claims. The GAL came to see my house and me and the children as an interview and this was the first time I see her and my mother was not supposed to be in the meeting but the GAL asked her about her personal life.

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[Not sure what she mean by two mid-week]. The kids see the father limited time on Tuesday and Thursday for three hours only from 5p to 8pm. They sleep over every other week Saturday from after father done with work to Sunday they come back to me.

[Our marriage was not arranged]. He was living in Massachusetts he came to visit and saw me in Washington. We were engaged in Washington where I was living with my parents. We were engagement for a year and we both fell in love then we decided to get married. We got married in Massachusetts in 1999. We are both from Egypt. I came from Egypt with my family. I did not know Samir before 1998. He was in the USA years before me and my family move to the USA and Samir was staying illegal in the USA until he got the green card after we got married. If he told her our marriage was arranged that mean he lied to me and was pretending to love me during the one year engagement.

[ I did not say what she said that he had a gambling addiction and stayed for hours, days and weeks].

He did start to gamble after he started taking two antidepressant medications at high doses. He did gamble every day in the year of 2011 and come back at night to sleep in the house. I have told her that he left the house for days and weeks and stayed in hotels since the year of 2009 leaving me and the kids alone and that was before he does gamble. [I also did not say that he broken his life time vows that are sacred] not sure where she got those words from.

[she said of concern is Matthew and Catherine missed school and was tardy in the mother watch that is not true] my kids get sick a lot and they were tardy and absent due to illnesses and it did happen even in the father watch. This issue also was addressed by the court.

I was not threatened by the school and this is misleading. The kids get sick at school and the school did send Matthew a lot of times to go home for been sick and I have all the letters from the school nurse as record that he have to go home. So I did not let the kids stay home without a reason before. The only different that now when they get sick either I get a note from the doctor or the school will send my kids home for been ill and also I get a letter from the school nurse why they want him to go home. Before I know from court that I need to get a note from a doctor when kids are sick and because I have experience and I know when my kids is sick they have to stay home until they feel better. Now it still happen the kids get sick and stay home or have doctor appointments but now I have a proof they stay because there is a reason with documents. Again this problem was address and solved with the court and should not be an issue now.

About my therapist she did wrote a letter to the court about my condition and it was filed on 4/13/2012 [she did not say like the GAL claims is appropriately anxious and depressed for what she through in term of dissolution]. Please look at what my therapist letter she did not said what the GAL claims for what she

is through in her term of dissolution it is clear that the GAL say different than what is real in a lot of stuff. Also in what the kids say she did the same.

[She said Mr. Gohar continues to attend Gambler's anonymous] even though he did not bring any proof to the court of what she claims. Clearly she does not have evidence that he do attend.

When my son told me about the teen that bothered him in St. Mary church I did talk with my family and husband but they told me not to talk about it and I did not know who can help at that time.

She said that [ Ms. gohar adamantly insist that Matthew was sexually abused on Sunday at the church by the Sunday school teacher son] I did not say that. I said what my son told me that a teen bothered him and I want to know who did that, I did asked my son about different boys to see if he recognizes the one he told me about. He said no to all of them but when I asked him about the teacher boy he said yes and he was sure it him but I did not insist like she claims playing with words and mislead the court. [She said that was a leading question on the mother part]. If it is leading he would have say yes to all the boys I asked him if it is the one but he said no to all boys except one.

she said[historically, Mr. gohar said that MS gohar is mistrustful and paranoid and change medical professional and attorney's frequently because she is suspicious of them]. She did not check on that to see if it is true I do not change medical professionals as he claims you can look at the dentist letter that my kids go to the same dentist since the dentist fix my son teeth. Also my family doctor is the same for years. The kid's pediatrician is the same one until my daughter needed a lady doctor preference recently. With attorneys I did not have to use lawyers before my husband file the petition and I have the right to make my choices.

She said [Ms. Gohar was very reluctant to have the GAL visit and appeared to be guarded and hostile] when the GAL came we mostly sat around the kitchen table all the time. Not sure how I was when I was sitting with her at the table. She said [in response to a question about her mother work, Ms. Gohar said why do you want to know? Ask her yourself. We were sitting around the table my mom was sitting and instead of asking my mom about what work she does, she asked me, I told her if she want to know she need to ask her not me. This is clearly misled.

She said I said [ we really love him, me and the children, but we need him to be with us and protect us not leave us behind. We want to be a happy family with mom and dad together]. I did not say that to her in the interview. This was taken from the court declaration I filed on 4/10/2012.

She said [ MS gohar alleges that Mr. gohar tells her and the children she is sick. I did not say that. And again this is misleading to the court. I only said that husband tell me I am sick. She claims that my daughter told her she read all the court pleading which is not true.

I noticed she took some of my court declaration and put it in the report because I did not tell her [I know my husband can be a very good man] when she interview me.

The GAL claims I did not tell her about the father physical abuse which not true and I said it in the in my paper work I gave to her. The GAL started talking about the court and my mom told Matthew to go upstairs.

She took what I said in the court file and put it in the report [we don't have a divorce in our Coptic orthodox church].also from the court file she wrote[marriage should be together in sick and health in rich and poor in happy and sorrow times].

From the court file again[ I would like him to treat me as a person not an ill person. That really hurt my feeling. I have only him. Lived with him for 12 years. I am not perfect but I know if he treat me good. I will be perfect] check it out in the court file on 3/9/2012.

The father claims that he called the police for reasons he claim is not true. He called the police and the children was awake he told the police that I need medication. The police talked with me saw the kids that nothing wrong and they left.

The GAL said in her report that [the father did not say that the mother ever physically hurt the children, but because of her mental illness]. So people without mental illness do hurt the children physically. that is not right children should never get hurt physically or emotionally.

About my work this was taken from the material I gave her.

She said Catherine denies any abuse from her father is not true Catherine had spoken in front of me and my mom and told the GAL, but not sure why the GAL do not say what the kids tell her. This is very unfair for my children.

[The father claims that the children school performance went downhill when he left] is not true the GAL saw the school awards and that was in my watch when father left in 2011, They do continue to have awards especially Catherine is advances last year and this year also. I am providing some of the awards when father was away in 2011 and 2012.

[The GAL said the children did not miss school since temporary order is not true]. My kids get sick and school itself send them home to me sometimes right after they go to school and I have a letters from the school nurse why they was sent home.

The father does talk to the kids about court. Kids have told me that the GAL only asks them questions if mom is bad. The GAL is clearly on the father side from the beginning. She even told wrong about me in her report also wrong about what my kids say.

I do not want to say anything all she say about my kids is lies. I never yell. we do not go to family counselor.

She say [Matthew have low self-esteem] is not true. She saw the kids twice only and made them have problems. I am providing a letter from both my kids school and how they are from the teachers that see them every day not just two time and wrote a report.

About Catherine she put problems that she is depressed anxious totally not true. The court should not allow these false claims to continue.

The GAL claims that the father helps her with homework not true. Father stopped helping Catherine since he started gambling till now.

I am not going to say about what she claim my kids say because it is all lies and the court allow that to continue.

About me she said [mother did not take for the kids' sake seminar] I did take it in July and was filed in July 2012.

She recommended the father be the primary care even though the kids told her in front of me they do not like dad and want to be with mom. I do not believe anything she claimed about the children since they told me and told their school. The GAL is misleading the court and this should not be continued.

(Attach Additional Pages if Necessary and Number Them.)

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

Signed at  Everett , [City]  WA  [State] on  11-2-12  [Date].

TJP   
Signature of Declarant

Theresa Gohar   
Print or Type Name

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SUPERIOR COURT OF WASHINGTON  
COUNTY OF SNOHOMISH

SAMIR GOHAR, )  
 )  
Petitioner, )  
 ) NO: 12-3-00776-6  
And )  
 ) GUARDIAN AD LITEM REPORT I  
THERESA GOHAR, )  
 )  
Respondent. )

---

**Appointment of Guardian ad Litem:**

Guardian ad Litem, Martha E. Wakenshaw, M.A., LMHC, was appointed to this case by the Superior Court of Washington, County of Snohomish pursuant to RCW 26.09 Dissolution.

The Guardian ad Litem represents the best interest of Catherine Gohar, age ten, and Matthew Gohar, age six.

Under 3.2 Duties of the Guardian ad Litem Issues ordered to investigate and report:

All issues relating to the development of a parenting plan.

The Guardian ad Litem shall also report to the court on any issues discovered that could affect the safety of the child(ren).

**Focus of this Report:**

This is the first in a series of GAL reports that will make recommendations regarding a parenting plan that is in the best interest of Catherine Gohar and Matthew Gohar.

**Background Information:**

The mother has been largely non-cooperative and has missed appointments with the GAL. She has not answered voicemails or email messages from the GAL requesting additional information. It is hoped that the mother will give her consent for the GAL to speak with the

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family therapist and authorize her to contact the school regarding the children's performance. To-date she has not taken the For Kids Sake Seminar.

The father has been wholly cooperative with the GAL investigation.

Neither parent, despite repeated attempts, has been able to supply the GAL with adequate collateral sources. The father said that he was so isolated in his marriage that he has no one for the GAL to contact regarding his parenting.

The mother has given only her mother as a collateral and the maternal grandmother has been interviewed.

The parties, Mr. Samir Gohar and Ms. Theresa Gohar, were married on January 10, 1999 and separated on September 19, 2011. They have two children together; Catherine Gohar who is in the sixth grade and Matthew Gohar who is in the second grade.

The children reside primarily with the mother and the father has residential time with the children for two mid-weeks after school and every other weekend Saturday through Sunday.

The father alleges that the mother is mentally ill and he had to get out of the marriage for that reason. He stated that they had an arranged marriage and both hail from Egypt.

The mother alleges that the father has a gambling addiction and would often leave the home for hours, then days, and then weeks. She repeatedly stated that she still loves the father and wants nothing more, but for him to return to the home as her husband and father to the children. She has stated that in their culture and religion, marriage is forever, and Mr. Gohar has broken his life time vows that are sacred.

At first, the father petitioned the court for a legal separation, but has since changed his mind and filed for a dissolution of the marriage.

Of concern is that Matthew missed eighteen days of school and was tardy sixteen days last year. Catherine missed eight days of school and was tardy thirteen days. This occurred on the mother's watch.

The mother said that Matthew was being bullied at school and she wanted to protect him. She did say that she talked to the teachers and school principal to address this problem and his classroom was eventually changed and he fared better in school.

The father feels that the mother allows the children to do whatever it is they want, and that if they want to stay home from school, she lets them. The mother denies. The school threatened to invoke the Becca Bill.

So far, this year, the children have been attending school and are reportedly doing well there. The mother showed the GAL several awards from school that the children have received. The children talked about their homework and getting it done at the home visit.

Although the father has stated that the mother is paranoid, anxious, depressed, and delusional, her therapist has stated that she is not paranoid and delusional, but is appropriately anxious and depressed for what she is going through in terms of the dissolution.

The father has stated that the mother will not leave the house because of her delusions of danger, however the mother does attend church, does the shopping, and has even volunteered in the school classroom.

The father admits that he had a gambling addiction and was "very sick." He reported that he has been in recovery from this addiction and is now in a much better mental state. He continues to attend Gambler's Anonymous.

Mr. Gohar talks of a time that his wife was paranoid in his eyes and believed that her son had been sexually abused at church. He believes that his wife asked Matthew leading questions until the child admitted that he had been abused. The child was not taken to the doctor and the police were not called. There are no Child Protective Services reports in the court file.

Ms. Gohar adamantly insists that Matthew was sexually abused on a Sunday at church when he was three years old by the Sunday school teacher's son. She said that she asked Matthew if "that was the boy who did it," pointing to the teacher's son and Matthew said yes. Clearly, that was a leading question on the mother's part.

Historically, Mr. Gohar said that Ms. Gohar is mistrustful and paranoid and changes medical professionals and attorney's frequently because she is suspicious of them.

Ms. Gohar, was very reluctant to have the GAL do a home visit and appeared to be guarded and hostile and the beginning of the home visit. In response to a question about her mother's work, Ms. Gohar said: "Why do you want to know? Ask her yourself."

As the home visit progressed and the maternal grandmother arrived, Ms. Gohar warmed up very slightly and tried to engage as best she could. She appeared quite depressed.

Ms. Gohar stated that it was around 2009 when the father kept leaving her and the children. She was upset about this, but said: "We really love him, me and the children, but we need him to be with us and protect us not leave us behind. We want to be a happy family with mom and dad together."

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Ms. Gohar alleges that Mr. Gohar tells her and the children that she is "sick." The children deny, but Catherine said she has read all the court pleadings at her mother's home and was dismayed and upset to find out that her father thinks her mother is "crazy."

Since Mr. Gohar began taking anti-depressants about a year ago she said that he became a different person. "I know my husband can be a very good man. When he started to change, I tried to help him, but he keep saying to me that I am sick and can't help him."

Ms. Gohar said that the two things she cares about in her life are her husband and children. It was evident that the mother loves the children and still harbors love for her husband despite the litigation. She wants to stay married and have Mr. Gohar return to the home.

In response to the children's poor attendance at school, Ms. Gohar did admit that she lets the children stay home even if they just have a cold or they don't feel well. She said that if they feel better she may take them to school late.

Ms. Gohar alleges that Mr. Gohar was emotionally abusive to her, and cited the fact that he called her "sick" and left the home frequently. She does not allege physical abuse or any abuse of the children by the father, but said that he neglects their feelings and doesn't understand them.

Ms. Gohar and the maternal grandmother both talked about the court case in front of the children at the home visit until the GAL interrupted them and asked them to stop. The mother and grandmother sent the children upstairs to their rooms and then continued to talk about the case.

Both mother and grandmother emphasized the fact that their church does not believe in divorce and that what Mr. Gohar is doing is wrong and against God and their faith. "We don't have a divorce in our Coptic orthodox church." The mother said: "Husband told me that I am sick and he doesn't want to live with me even if I am sick in marriage should be together in sick and health in rich and poor in happy and sorrow time."

Ms. Gohar said that she still loves Mr. Gohar. She said: "I would like him to treat me as a person, not an ill person. That really hurt my feeling. I have only him. Lived with him for 12 years. I am not perfect, but I know if he treat me good, I will be perfect."

The father alleges that the mother has been physically and emotionally abusive to him and that he had to call the police three times since November of 2008 when they moved into their own house. There are no actual police reports in the court file.

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The father said that he first called the police at one in the morning when his wife lost control and started destroying the house by pulling curtains and breaking the frames. He said that the children were sleeping during this time.

The second time the father called the police was in July of 2009. He said that his wife hit him while sleeping and then tried to hit him again so he called the police, but did not file a report. He said that he left home that night and that Ms. Gohar called him all night to come home. Thankfully, the children were also sleeping during this time.

The third time the father called the police was in November of 2010. He said that Ms. Gohar decided to take the children and leave after a fight, but then she came back at three in the morning and acted like nothing had happened.

The father said that he has endured the mother's abuse for years. He did not say that the mother has ever physically hurt the children, but that because of her mental illness she is not able to parent the children well and should be ordered to take parenting classes.

Ms. Gohar presents as extremely mistrustful, shutdown, and depressed. She said that she tried taking medication because Mr. Gohar wanted her to and she wanted to be a good wife. She said that she had bad side effects and stopped taking the medicine.

Ms. Gohar has worked at Taco Bell prior to her marriage to Mr. Gohar where she was an assistant manager. She has also, in the past, worked at Walmart. She is currently a stay-at-home mom.

The mother explained that the children don't want to go to their father's apartment and spend time with him. She stated that her daughter came home crying from her dad's home because of his emotional abuse to her. Catherine denies any abuse of any kind from her father or mother.

Ms. Gohar sees a therapist at Group Health. The therapist, Ms. Regina Hugo, M. Ed., LMHC, LMFT, stated: "Ms. Gohar has been diagnosed with depression and anxiety, including generalized anxiety (in the form of worrying about different things) and also obsessive compulsive disorder (in the form of moderate germ phobia, e.g., she might wash her hands ten times per day). There is no evidence or diagnosis indicating paranoia or delusions. Though some of her worries are beyond the normal level, they are all grounded in rational concerns."

The therapist reported that the mother disclosed controlling behavior that sounds like verbal/emotional abuse at times perpetrated by the father. She said that Ms. Gohar, "from her own account," appears to be a devoted and competent mother, e.g. doing a good job of advocating for her son when he had problems at school.

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Ms. Gohar denies using drugs or alcohol. She said on her GAL form that her spouse has used physical force against her, but would not admit or elaborate on this on interview. She is not currently afraid that her spouse will physically hurt her. She is concerned about the children's emotional safety with the father.

Historically, Ms. Gohar, has been the primary caretaker of the children and Mr. Gohar has worked. Ms. Gohar said that the father doesn't do much with the children and that is her who takes care of their needs.

In regards to a parenting plan, the mother said that the father can see the children every day from 5 p.m. to 8 p.m., but she wants no "sleepovers." She would like sole decision-making.

In terms of the father's strengths, the mother said that he can provide financial support. In regard to the father's weaknesses, the mother said that he treats the kids bad and tells them bad words and confuses them. "He doesn't listen to the kid's feelings and needs. He doesn't try to help them in any trouble they have and he can be in the way of their success."

In regards to discipline, Ms. Gohar stated that she teaches the children right from wrong. "I make sure they understand me and try their best." "Their dad use that they have to do what he tell them or bad things will happen and that give them fear."

Mr. Gohar is the owner of Don's Restaurant and works 8 a.m. to 5 p.m. Monday through Saturday, with Sunday off. He has some flexibility in his work schedule and often picks the children up before 5 p.m. on Saturday.

Regarding his medical history, Mr. Gohar said that he has depression which he is being treated for. He takes anti-depressants. He said that his wife has mental problems and a history of mental illness including past suicidality.

Mr. Gohar denies drinking, using drugs or smoking. He feels that he could not work with his wife and a trained mediator because: "She mentally unstable and can never have normal conversations."

Mr. Gohar has concerns about the children's emotional and physical safety when with their mother.

Even though Ms. Gohar has historically been the stay-at-home mother, the father said that she has always been mentally ill and that before he started gambling, he was the only person helping the children with everything: "eating, shopping, school, church. I mean everything."

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In terms of a parenting plan, Mr. Gohar feels that the children should be with him all the time until the mother takes medication and gets help. "You can not have a normal talk with the mother. She is a sick person."

In terms of his own strengths as a parent the father stated that he loves his kids more than anything. He said that he is "strong, smart, educated, normal. I can make sure they will have happy normal live."

In terms of the mother's strengths and weaknesses the father said: "NONE! She is a SICK person."

The father is concerned that the children have no friends and no family and no church. "Nothing but computer games and a sick mother."

Mr. Gohar stated that since moving to Washington, they have been in isolation from his people including her (the mother's) family.

Mr. Gohar stressed the need for a mental evaluation of his wife. He said that her mental illness was under control when she took medications for Bipolar Disorder. He said that when their first child, Catherine, was born the family had some help. Mr. Gohar said that he wasn't nice to the mother at this time, but then he changed.

The father said that he can manage the children and that the mother cannot manage the children because of her mental illness. He said that she doesn't trust anyone and is paranoid. He said that the mother deprived him of sleep and physically abused him.

Mr. Gohar reported that the mother believes people are recording her and that there are conspiracies against her. He said that she doesn't understand reality. When they bought their house, the mother allegedly thought that a stranger was sleeping in the house. The father said that this was a terrible experience - buying the house.

In February of 2012, the father said that he left the house for two weeks because he had to get away from the mother, but he missed the children, so he came back. He said that it was then that he started gambling and it became an addiction. Mr. Gohar said that with the help of counseling and Gambler's Anonymous, he hasn't gambled for nine months. He said that he is very conservative with money.

Mr. Gohar is concerned that the children eat fast food when with the mother. The mother says the same of the father. The children report that they eat a variety of foods and that each parent prepares food for them. Matthew is quite overweight and Catherine appears to be underweight.

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The father believes that the mother asked Matthew leading questions about the alleged abuse that occurred at their church when Matthew was about three years old. The father said that the mother asked Matthew "who hurt you?" even though Matthew said he was fine.

Allegedly the mother said to Matthew and the father that he was taken by a stick in his anus. The child was not taken to the doctor and there is no medical evidence, CPS report, or disclosure by the child to support this.

Mr. Gohar reported that in September of 2011, he left the family home and rented an apartment. He said that he had become depressed and that life had no meaning. He said that, at that time, he used to help the children with homework and that when he left their performance in school went downhill.

To the mother's credit, the children have not missed school since temporary orders were put in place.

Mr. Gohar reported that Ms. Gohar talks to the children about the court case. On interview of the children, this was found to be accurate.

Matthew Gohar is seven years old and in the second grade. He attends Discovery Elementary School. Matthew presents as very verbal and somewhat anxious. He appears to be distressed by the separation of his parents and feels loyal to both of them.

Matthew reported that he mostly lives with mom and that it's good there because mom likes playing games. He said: "sometimes she cooks food. Sometimes she burns it. Dad makes pancakes."

Matthew said that he really doesn't have friends and was observed at the mother's home to play by himself. Regarding his mother, Matthew said: "In my mom's she gets nervous and yells...tells me to go to my room. Mom is frustrated about court stuff. She's just frustrated and nervous."

These are not typical words used by a second grader and it calls into question whether he has heard the mother use these words herself to describe herself or whether someone else has talked to him about the mother. At any rate, there is a sadness and despondency to Matthew.

Matthew said that his mom yells a lot. He said that they all go to a family counselor and talk about how frustrating court is.

Matthew reported that they went swimming this summer and had gone to the beach recently with his mother. He said that he likes basketball, but "I'm terrible at it in real life," and generally seemed to demonstrate low self-esteem. He did say that "I'm good at doing tricks."

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Matthew reported that mom's house is dirty and that his dad doesn't put him in his room like his mother does. He said that what he doesn't like about mom's is that she gets frustrated and that he likes dad's better.

Since Matthew talked so much about court, the GAL asked him what he thought court was. Matthew answered: "Court is when children are not allowed in court because the judge and people are there. My mom's judge is really mean. He tells orders. The judge almost decide that we stay with our dad for two weeks, but then he changed his mind."

Matthew is privy to court matters and has said that his mother talks about court with him and Catherine. Catherine confirms. This is an abusive use of conflict on the mother's part.

Catherine is eleven years old and in the sixth grade. She attends Voyager Middle School.

Catherine presents as articulate, anxious, and depressed. She is quite obviously distressed by the court case to which she is privy from her mother.

Catherine said that she, and her brother, and her mother go to family counseling and that her mother thinks she should go to individual therapy, but won't let her because she "doesn't want it in our records."

Catherine stated: "My mom tells me most of everything about court - she doesn't want me clueless."

She said that her parents split up about a year ago and she was not surprised because there was so much fighting and her father would leave for a hotel for a day or a week. "I missed him."

Catherine said that her father is the one that helps her with school work. She said that she was behind in school, having missed a lot under the care of her mother. She said that her father helped her learn everything to catch up in a two month period and then, "I ended up the smartest person in fourth grade!"

When asked what she thought court is (given the fact that Catherine said her mother had told her all about it), she answered: "Mom told me court is supposed to sort out problems or if there is a criminal to catch him. Court is trying to sort out the divorce. They already take \$4500 each month from dad. My mom was supposed to get a job, but she's sleeping a lot which is sad because she missed job calls. My mom doesn't have a job."

In regards to her father's apartment, Catherine said that she has a lot of trouble sleeping there and that she's one of those people who can't sleep. She lays awake and worries.

Catherine said that if she gets in trouble with her mother or father they scream at her. She also said that her mother will frequently send her and Matthew to their room.

Catherine reported that her mother thinks she can watch Matthew but he hits, screams, and slaps her.

Catherine said that she likes soccer and basketball. She likes swimming. She said that sometimes when she comes home from school, she has to wait outside for her mother to come home because she is often at court.

Catherine reported that her mother gets very very mad at times and says: "I can't take it anymore." When her mother reads the court papers she asks Catherine to help her. She said that they stopped going to church because her mother is busy with court.

In regards to her mother, Catherine stated that: "My mom doesn't want any divorce. My mom doesn't like it that we can't move. She wants to move out of state. She would like to move back to Massachusetts. My mom doesn't have any friends here."

Catherine said that her mother told her the GAL was there to look at the houses and see which one was better for the children and then put them there. Catherine was worried that the GAL could take her away from both of her parents and put her in a foster home and it is suspected that this fear came from her mother. She asked the GAL what if she felt her mom was crazy and her dad was crazy, then what?

Catherine said: "I saw the court papers – mom let me. Dad said my mom is crazy and paranoid. I was mad at dad. Mom's not crazy. She sometimes has a sad depression from being in the court thing."

In regard to her parent's fighting, Catherine stated that most of the fights, historically, were about her father wanting to go back to Egypt to take care of his mom. Her mother didn't want her father to "run away."

Catherine stated: "My mom says dad really really wants me and would do anything to get me even call her paranoia." "My mom said it will end in November (the court matter). Do we still have to go to court?" (meaning her and Matthew testify).

Summary:

Clearly, both Catherine and Matthew are the victims of an extreme abusive use of conflict on the part of the mother. Both children have stated that she has talked to them about the court case and it was a strong theme in both of their interviews, especially Catherine's interview.

Both children present as confused, depressed, and anxious and could both benefit from intensive, individual psychotherapy.

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It is unconscionable that the mother is permitting her eleven year old daughter to read the court documents and pleadings. The daughter has become so fearful that she was worried that the GAL might take her away from her parents and put her in foster care.

Matthew has the idea from his mother, that the judge is "mean." He is fearful of the court and has a skewed understanding of how the court is involved in his life based on what his mother has told him.

The father admits that he had a history of depression and was "not nice," to his wife early on in the marriage. He admits to a gambling addiction that is now being treated. He presents as somewhat depressed.

The mother presents as extremely suspicious, guarded, and depressed. She had almost no interaction with the children at the home visit. She was unwilling to provide release of information for the GAL to speak with her healthcare providers. She was not forthcoming with the children's school information.

Both parents should have a psychological evaluation to assess their functioning and the implications for parenting.

Because the mother has not taken the For Kid's Sake Seminar and has engaged in the abusive use of conflict, the children should spend more residential time with their father to ensure their emotional safety.

It is recommended that Mr. Gohar be the primary residential parent with the mother having residential time with the children every other weekend and one mid-week visit. The mother should be prohibited from sharing court information or discussing adult matters with the children. If she continues to engage in an abusive use of conflict, visits should be professionally supervised with the children.

**Recommendations:**

1. Mr. Gohar to be the primary residential parent.
2. Ms. Gohar to have residential time with the children every other weekend from Friday after school until Sunday at 6 p.m. and every Wednesday from after school until 7:30 p.m.
3. Catherine Gohar to participate in individual therapy with a provider approved by the GAL who is covered by the medical insurance.
4. Matthew Gohar to participate in individual therapy with a provider approved by the GAL who is covered by the medical insurance.

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5. Ms. Gohar to take the For Kid's Sake Seminar Immediately.
6. Ms. Gohar to participate in a psychological evaluation with Dr. Edward Schau (206-365-3808).
7. Mr. Gohar to participate in a psychological evaluation with Dr. Edward Schau (206-365-3808).
8. The mother to refrain from discussing the court case with the children.
9. The children to continue in family therapy with the mother.
10. The GAL to review the case progress and report back to the court in sixty days.

Respectfully submitted by:

October 1, 2012



Martha E. Wakenshaw, M.A., LMHC

Guardian ad Litem

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LAW OFFICE OF ANNA GOYKHMAN, LLC.  
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October 30, 2012

Snohomish County Sheriff's Office  
3000 Rockefeller m/s 606  
Everett, WA 98201  
Phone: 425-388-6374  
Fax: 425-388-6300

Snohomish County Prosecuting Attorney's Office  
Special Assault Unit  
3000 Rockefeller MS 500  
Everett, WA 98201  
Fax: 425-388-6360

*For settlement purposes only*

**RE: Investigation of Samir Gohar, DOB 9-1-1968**

Dear Detectives and Deputy Prosecuting Attorneys:

I have been retained by Mr. Gohar, who I understand may be the target of an investigation concerning an allegation of abuse. He adamantly denies any wrongdoing.

Please contact me prior to making a decision about whether you believe there is probable cause to believe a crime has been committed, and about whether or not to charge my client with any wrongdoing. I would appreciate an opportunity to discuss this case with you in greater detail and open up some dialogue prior to any final decisions. I would like to make sure that your department considers evidence from people other than the mother of the child who is in the middle of a very contentious dissolution and parenting plan proceeding and is motivated by it to make false allegations. I want to make sure that I do everything possible to help you make a fully informed decision in this case, a decision that clears my client's name of the vicious and false allegations.

Of course, in addition to that, you are hereby advised that Mr. Gohar is more than willing to make himself available should his presence be needed at any regularly scheduled court hearing. I also have a planned vacation coming up, so please contact me in advance of setting hearings.

You also should be aware that I have advised Mr. Gohar, pursuant to my regular policy, to invoke his Fifth and Sixth Amendment Rights. He will not waive these rights outside my presence. Mr. Gohar will gladly cooperate with your investigation, as long as all contact be directed through my office.

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Please call me with any questions or concerns. I look forward to hearing from you.

Sincerely,  
LAW OFFICE OF ANNA GOYKHMAN, LLC.



Anna Goykhman  
Attorney at Law

**COPY 12-17828**

**ANNA GOYKHMAN  
ATTORNEY AT LAW**

Bank of America Building  
1604 Hewitt Ave, Ste 301  
EVERETT, WA 98201  
206-226-7996

# Fax

<b>To:</b> Detective Tyler Quick	<b>From:</b> Anna Goykhman, Attorney at Law
<b>Fax:</b> 425-388-6300	<b>Pages:</b> 7
<b>Phone:</b>	<b>Date:</b> 11/7/2012
<b>Re:</b> Samir Gohar Polygraph	<b>CC:</b> File;

Urgent     For Review     Please Comment     Please Reply     Please Recycle

Detective,  
Please find attached the polygraphs materials showing my client was not attempting deception when answering questions about these allegations his ex-wife is bringing.  
Should you have any other questions, please do not hesitate to call me or email me. Mr. Ball will also provide charts, directly to your own polygrapher, should the polygrapher want to see those.  
If you wouldn't mind letting me know when your investigation is complete, I would be grateful.  
Sincerely,

Anna Goykhman

11-08-12 14:52 RCVD

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**COPY** **12-17828**  
November 7, 2012

This fax message and any accompanying attachments contain legally privileged or confidential information. If you are not the intended recipient, you are hereby notified that taking any action based upon the information contained in the e-mail or attachments, or any dissemination, distribution or copying of this e-mail or attachments, is strictly prohibited. If you have received this fax in error, please permanently delete the original, all copies and printouts, and notify my office immediately at the above telephone number. In other words, don't make me come over there...

Theresa's psychological evaluation  
(CP 177, 208)

## EDWARD J. SCHAU, PH.D.

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12349 Roosevelt Way NE, #101  
Seattle, WA 98125

*Secondary*  
9926 271<sup>st</sup> St. N.W.,  
Stanwood, WA 98292

Phone: 206-365-3808  
Fax: 206-367-4115  
edwardschau@msn.com

### **PSYCHOLOGICAL ASSESSMENT OF MS. THERESA GOHAR**

This psychological assessment of Ms. Theresa Gohar follows upon referral of Martha Wakenshaw, M.A., LMHC. During the evaluation, various documents were provided to this evaluator for review. They included the GAL Report of October 1, 2012, five Declarations of Theresa Gohar, ranging from 3/26/2012 to 10/17/2012, the Final Parenting Plan (12/3/2012), and Declarations from Theresa's psychiatrist and her therapist.

The psychological tests which were administered included the Minnesota Multi-Phasic Personality Inventory-2 (MMPI-2), the 16PF, and the Millon Multi-axial Inventory III (MCMI-III). These instruments are widely used psychological tests. They are considered to be valid indicators of individual adjustment and personality. They are particularly useful in identifying potentially problematic areas of functioning. Certain patterns of scores can also be indicative of personal strengths. In this sense, the 16PF can be especially helpful because the traits referred to are commonly found in normal populations.

Each psychological test yields a number of diagnostic scales, which are generated from the examinee's answers to questions. The answers are statistically compared to clinical populations so that a chart may be generated to represent the mental and emotional status of the examinee as compared with these populations. The tests also have scales that reflect the test-taking attitude of the examinee. That is, they indicate whether a respondent was able to be candid in acknowledging any emotional concerns or, in contrast, guarded against revealing such concerns.

Interpretations from these tests are useful in generating hypotheses about personality style, but may not be used by themselves to establish the presence of specific disorders. The purpose of the interviews and review of pleadings is to solicit information as a complement to testing results. Hypotheses about personality are thus weakened or strengthened. This is based upon my clinical judgment. Given that impressions about personality are hypothetical, they are necessarily probabilistic in nature. The Parenting Evaluator/GAL may use this assessment as one of multiple sources for investigating and understanding essential custodial issues, e.g., parenting capacity, truthfulness, ability to cooperate.

#### **Social History (as reported by Theresa)**

##### Early History

The purpose of a social history is to give context for the interpretation of the results of psychological testing. People talk about themselves through the testing. The social history is not intended to be comprehensive and absolutely thorough. It is intended to provide a template. The

test results tell part of a story. Life history is another aspect of that story. Comparisons are made with other sources of information. Consistencies are noted and inconsistencies are explored.

Ms. Theresa Gohar was born and raised in Cairo, Egypt. She is the middle of three daughters. She has a sister about 18 months older and another seven years younger. Theresa and her sisters were raised by their natural parents. Her mother was a homemaker who also worked at times as a bookkeeper for the government. Her father also did accounting-related work.

Theresa described her parents as attentive to their children. "My dad would talk with me... he would sit and talk." Her mother would shout at the girls if she was upset. There was no physical discipline from either parent. "Our culture is very polite." Theresa described a generally positive upbringing. "My dad would work two jobs... it was fine."

Theresa denied any history of significant trauma when growing up. The family is Coptic Christian Orthodox. They attended church frequently.

Theresa attended private schools until high school. She was not involved in activities through school. However, she was involved in church-related activities in the summer, especially crafts. Theresa said that she obtained good grades. "They were good enough for a real college." She graduated from their equivalent of high school in about 1996.

Theresa was only able to go to college for a couple of weeks. She was excited about college. She said that her dad was encouraging her to be more independent. She started to commute to college. It was at this time that her family informed her that they had won a visa lottery to come to the United States. She had to drop out of college. "We had to come here." At first, they came to California, staying with an aunt. Theresa did say that she could have stayed in Egypt. An uncle invited her to stay with his family. She really didn't want to leave Egypt. However, she didn't want her family to leave without her. Theresa travelled to California with them.

The family stayed in California for about six months. "We couldn't find work." They came to the Seattle area to live with a family until they could get work. Her father found employment. She and her older sister also got jobs. Theresa took a job at Taco Bell as a cashier. She was there for about a year, rising to Assistant Manager.

As for work, Theresa said that she later worked at Samir's restaurant in Boston. "He wanted a woman next to him." However, they used to fight. She said that Samir wanted her to work harder and faster. From her perspective, he should have been pushing some of the other "girls" harder. "It was kind of stressing." Theresa is currently looking for employment. "When he left, I looked for work."

### Relationship History

Theresa grew up in a culture in which dating was not encouraged. "We didn't talk to boys." Her first boyfriend was her husband. Theresa met Samir at age 19. "His friend lived here." Samir talked with her family. Her sister was already engaged. Theresa felt fairly independent. She had her own car. She said she was the first in the family to get one.

Theresa felt herself falling for Samir. "He felt like a soul mate... it was like God sent him to me... I fell in love with him." The engagement lasted for a year. Samir would visit Theresa on a regular basis. At the conclusion of the engagement, Theresa moved to Boston. Her family was able to come to the wedding.

Theresa and Samir fought on occasion. However, there were positive times as well. Theresa went to church. She said Samir did not want to attend with her. "He would say, 'Go to church by yourself.'" However, after Katherine was born (July 2001), he started to go to church with her. They were good friends with two other couples. They did things together.

The pregnancy was fine, but the delivery was difficult. It was not as much of a problem when Matthew was born in 2005.

Samir sold his business in 2007. They moved back to this area. Theresa said that they had frequently fought about returning to this area. When the time came, she actually resisted. At first, they stayed with her parents. They then got an apartment. She said that Samir made decisions on his own. For example, he got an apartment. Theresa was unable to see it until after he had already lined it up. Similarly, Samir bought Don's restaurant in Marysville without involving her. As for the apartment, she said that this was difficult for her. "I like clean, I like it nice, organized. I am totally opposite of him. I learned this at Taco Bell."

Theresa said it went well enough here for a while. She was seeing her mother frequently and was able to help her sister. "It was totally fine."

Theresa said that Samir was talking with her family about her, that something was wrong with her. "He said I had to take medications. He talked to everyone about me. He took me to a psychiatrist. With the doctor, he would keep talking." Theresa told the doctor she was not doing any of the things he was accusing her of doing.

### Recent History

No attempt will be made to retell all the events of the past few years. Theresa's rendition of what has happened is described in declarations and related materials.

### Test Results

**The results of the Minnesota Multi-phasic Personality Inventory-2 (MMPI-2)** for Ms. Theresa Gohar are difficult to interpret. Fortunately, despite English being her second language, it appears that she understood the questions. This can be determined from the validity scores. However, the pattern of results on the validity scales indicates that Theresa is trying to present herself in an improbably favorable light. This is often the case in child custody related situations. In any case, Theresa denies having even minor social faults. She presents as someone who is trying to project a picture of adequacy and control. It is likely that Theresa lacks insight into herself.

There is no obvious psychopathology evident on the psychological testing. Theresa does not present as depressed, anxious, or angry. She has high self-esteem. Theresa trusts her judgment. She comes across as someone who is comfortable around others. She is not the kind of person who will keep others at a distance. Having said that, Theresa may have difficulty achieving depth in a relationship.

The picture Theresa presents is of someone who is not bothered much by what others think about her. She has a strong sense of self-righteousness. She sees herself as reliable and dependable, as someone who is willing to accept the consequences for her behavior. Theresa is likely to be assertive in pushing her point of view. There is also a sense that there is much by way of strong feelings being bottled up inside.

**The results of the 16PF** appear valid. Similar to the MMPI-2, Theresa presents herself as outgoing and warm. She is the kind of person who will be comfortable initiating contact with others, including strangers. She views herself as accepting and trusting of others. Theresa is a practical, down-to-earth sort of person. She is going to tell you what she thinks and feels. Any failure in a relationship is unlikely to be processed as reflecting poorly on herself.

Theresa presents as emotionally stable, as one who feels good about herself. She seems patient and relaxed. She enjoys working with others. Theresa is not the kind of person who wants to go out on her own and rely only on herself. She is also the kind of person who prefers to avoid conflict. Having said that, Theresa has fairly clear ideas about right and wrong. She is not the kind of person who is going to tolerate much by way of disorder in her life.

**The results of the Millon Clinical Multi-axial Inventory-III (MCMI-III)** have the same validity concerns as the MMPI-2. Theresa appears to be trying to present herself in a very favorable light.

Theresa has fairly positive feelings about herself. She views herself as devoted and hard-working, the kind of person who will work before play. She appears to have a strong sense about morality and ethics. She will expect as much of others as she does of herself. Theresa may be rigid in holding to her perceptions of reality. She is more comfortable when there are clear rules and expectations.

Again, Theresa has fairly positive feelings about herself. However, there is a sense that she needs somebody nearby to rely upon. Such a person would be relied upon for advice and reassurance. Lacking such a person, Theresa is likely to feel fairly helpless and alone. Theresa may have difficulty at times interpreting what is going on around here. In turn, she may be more prone to see the negative before the positive.

### **Assessment**

I met with Theresa on two occasions. As noted above, Ms. Hino was present for the second visit. Subsequently, Ms. Hino and Theresa met together without my presence. On each occasion, Theresa was alert and well-oriented and responsive to questions. There was no indication of obvious emotional or cognitive disturbance.

The psychological tests are generally consistent with one another. Theresa presents as emotionally stable. She has high self-esteem. She denies being depressed, anxious, or angry. There is also a sense that Theresa is trying to present herself in a favorable light. Again, this is often the case in a child custody situation. Having said that, the presentation with Theresa is stronger than most others. The picture she presents of herself is of someone who is comfortable around others. It would appear that she needs someone close by to rely upon. Theresa is a practical, down to earth sort of person. She perceives herself as dependable and reliable. Theresa is trusting of others. On the one hand, Theresa prefers to avoid conflict. On the other, there is a fairly self-righteous quality about her. A challenge for her is that she may have a tendency to see the negative in what is happening around her. Theresa prefers clear expectations and may be fairly rigid in holding to her perceptions of reality. Theresa is the kind of person who will tell you what she thinks and feels. She may be fairly assertive in expressing her point of view.

The psychological test results are best understood in the context of Theresa's life story. By her account, she had a very positive upbringing in Egypt. Theresa was raised in a supportive family. She did well in school. The family is Coptic Christian Orthodox. Theresa was very involved in her church. Theresa's positive feelings about herself are rooted in her upbringing. Theresa's life was turned upside down when her family won a visa lottery and came to the United States. Theresa had just begun college. She was beginning to experience some independence. "We had to come here." It would appear that Theresa was totally dependent upon her family for emotional support. She did obtain a job, working for about a year at Taco Bell, becoming an assistant manager.

Theresa had not dated before meeting Samir. Theresa met Samir when she was age 19. She is many years younger than Samir. This was not an arranged marriage. However, Samir did seek out the permission of her parents for him to begin a relationship with Theresa. She says that she fell in love with him. By her account, the marriage went well for a time. Still, she did not like working with him. From her perspective, he pushed her too hard. It was stressful for her. They fought on occasion. She recalled one incident in which he took the garbage and threw it over her head. She called 911. She was not supported in this by her priest. Samir was very angry that she made the call.

Samir insisted that Theresa get psychological help. She went to counseling and was diagnosed with obsessive-compulsive disorder. "I was picky. I don't like dirt. I was trying to be protective." She took Celexa. "It really did help." Samir insisted that she go to a psychiatrist. She was put on Seroquel. Theresa had already given birth to Catherine. She wanted another baby and went off her medication. After the birth of Matthew, she went on Celexa again. She said that it didn't work. Theresa said that her OCD returned when they moved to the Seattle area.

The diagnoses below are presented in multi-axial format. The way to understand this is that Theresa's current functioning (Axis V) is marked by problems in social functioning. The level of stress (Axis IV) has been considerable over the last year. What happens is that stress interacts with personality features (Axis II) to create Axis I symptoms and diagnoses.

<u>Axis I</u>	Adjustment Disorder with Mixed Anxiety and Depressed Mood Obsessive Compulsive Disorder
<u>Axis II</u>	Dependent, Compulsive, and Histrionic traits
<u>Axis III</u>	(See Physician)
<u>Axis IV</u>	Current Stressors include: Current stressors include: Custodial conflict; Economic; Occupational; Social
<u>Axis V</u>	Global Assessment of Functioning (GAF) Current GAF: 60 (Moderate Difficulty in Social and Occupational Functioning)

Theresa has presented letters from her therapist and her psychiatrist. Dr. Megan Gary writes that Theresa has a history of major depressive disorder and obsessive-compulsive disorder. Regina Hugo, her therapist, writes that Theresa's presenting problems were depression and anxiety, with symptoms mainly secondary to marital distress and conflict. She notes that Theresa had been the primary caretaking parent. The problem for this therapist is that she also describes the children as doing well in school and in peer relationships. In fact, according to the GAL, Matthew missed 18 days of school and was tardy 16 days. Catherine missed eight days of school and was tardy for 30. This happened while they were in the mother's care. As a therapist myself, I am well aware of the tendency of a client to give a story which is more favorable to the self. As well, I am aware of the tendency of the therapist to advocate on behalf of the client.

However, I believe that what is going on is less of a problem with the therapist than a cultural issue that needs further exploration. From Theresa's perspective, the children were healthy and doing well in school since they were getting good grades. In fact, she told Ms. Hino that attendance is not important to her. Theresa was communicating a truth to her therapist. The children were doing just fine. Of course, the cultural expectation in this country is that children go to school and show up for school on time. Theresa was raised with different expectations about school.

Theresa presented well on both occasions I met with her. On the second, Ms. Hino was present. Subsequently, Theresa met with Ms. Hino and I was not present. On each occasion, Theresa was cooperative and pleasant. There was no obvious psychological disturbance. Theresa can present well. That is not the problem. The problem arises for Theresa when she is under stress.

It must have been very stressful for Theresa when she came to the United States. Shortly after, she was engaged to Samir and on her way to life with him in Boston. She had very limited family support. She had Samir, a few friends and their church. Theresa and Samir had different expectations regarding her need to work. Of course, the strong cultural expectation was to support the husband. Samir is much older. He would have been psychologically dominant. This was reinforced by their church (especially the older priest). Theresa's OCD apparently emerged

during this time. Theresa described herself as "picky... I didn't like dirt." Theresa related similar feelings when she thoroughly scrubbed her new home.

There are a couple of aspects to Theresa's presentation. Under stress she may well become more obsessive/compulsive. However, she also seems to be reacting to what she perceives as Samir's lack of sensitivity and emotional support. Culturally, Theresa wished to be perceived as the obedient wife. Another part of Theresa has difficulty maintaining a submissive posture. She wants to be heard.

Theresa believes that her son was sexually abused at church and that Samir touched their daughter inappropriately. From notes of Samir to Theresa from 2009, it appears true that he regretted sexual behaviors exhibited toward her. I don't know whether Theresa is projecting her own experience. The GAL believes that their daughter was being coached. Theresa's declaration of last fall suggests that she wanted to keep the family intact. She wanted Samir to come home.

Theresa has a dependent presentation. She needs someone to rely upon, to take care of her. She was proud of her success at Taco Bell. Theresa couldn't make Samir happy and she was almost totally reliant upon him. Still, she wants to be heard. Theresa felt left out of the discussion when Samir unilaterally (her perception) purchased a home and a business. Theresa is active/dependent (histrionic). What this means is that she is active in securing and having her dependency needs met. Under the stress of not being heard, she can become very compulsive and emotional.

Theresa grew up as a Coptic Christian in a majority Muslim country. She found supportive communities within her own family and within her church. However, it is as if her world became even smaller within this country. Of course, from Theresa's perspective, she has been abandoned by Samir. Theresa does not appear to be in obvious psychological distress at this time. She has the support of her family and her therapist. She no longer has to fulfill Samir's expectations – at least, not as much and not on a day-to-day basis. In some respects, her life is less stressful. Still, the stress remains of not being able to see her children and care for them. Her anxiety and mild depressive symptoms (Adjustment Disorder) should abate as Theresa reunites with her children.

### Summary and Recommendations

At this point in time there is no obvious psychological reason for Theresa not to see her children. The GAL raised concerns about Theresa talking about the case in front of her children. Obviously, this must be discouraged. Hopefully, Theresa will remain in treatment. Theresa is resentful that Samir controls the supervision process. Perhaps she would be more amenable to a case manager overseeing the process of reunification with her children. Hopefully, Theresa would be open to some parenting coaching as a part of the supervision process. Tania Hino, MSW, has assisted me with this psychological assessment in understanding some of the cultural issues. Ordinarily, Ms. Hino wouldn't be considered as a possible parenting coach/supervisor since she has been a part of the assessment process. (She does do similar work for CPS on a contract basis.) It can be an ethical problem to mix rolls. Having said that, it is also understood that exceptions can be made when there are limited resources. In fact, there are many possible supervisors. However, very few would have the breath of Tania's multicultural background.

Any helping professional should have access to the GAL Report and this psychological assessment.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOLLOWING IS TRUE AND CORRECT.

DATED this 15<sup>th</sup> day of March, 2013 in King County, Seattle, Washington.

A handwritten signature in black ink, appearing to read "Edward J. Schau". The signature is fluid and cursive, with a large initial "E" and "S".

EDWARD J. SCHAU, PH.D.

Theresa's therapist declaration

(CP 147)

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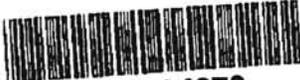
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SONYA KRASKI  
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SNOHOMISH CO. WASH

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SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.



CL15624378

**Superior Court of Washington  
County of Snohomish**

In re:

Samir Gohar

Petitioner(s),

and

Theresa Gohar

Respondent(s).

No. 12-3-00776-6

**Declaration of Regina Hugo**

This declaration is made by:

Name: Regina Hugo

Age: 65

Relationship to the parties in this action: mental health therapist for Theresa Gohar

***I Declare:***

I have been a master's level trained mental health therapist for 26 years. I am a licensed mental health counselor and a licensed marriage and family therapist (dually licensed) in the State of Washington. I've been the supervisor of the master's level therapists at Group Health Everett Behavioral Health Services for the past 8 years. My work with Ms. Gohar began almost a year ago (on 11/17/12). Her presenting problems were depression and anxiety, with symptoms mainly secondary to marital distress and conflict. Ms. Gohar related to me a marital history with behavior by Mr. Gohar that I viewed as verbally abusive and demeaning. This pattern of blaming and accusations has continued throughout the couple's separation, with Mr. Gohar accusing his wife of being paranoid and delusional.

Declaration (DCLR) - Page 1 of 3  
WPF DRPSCU 01.0100 (6/2006)

Josh Dabbling #44792  
Dabbling Law Firm PLLC  
313 NE 185th ST  
Shoreline WA 98155  
425-210-5445

147

Though Ms. Gohar does have depression and anxiety problems, there is no evidence that she is in the least paranoid or delusional. Nor have I had any evidence that she is anything less than a devoted and competent mother. In the past year, since Mr. Gohar moved out of the home, she has been the primary parent (as indeed for all the children's lives) and the children have thrived, doing well in school and in peer relationships. In my professional judgment, it appears that Mr. Gohar has labeled his wife as mentally unbalanced in order to cover his own behavior, to have the best outcome for himself in the upcoming divorce and to continue the pattern of abuse. Ms. Gohar, as a homemaker raised in another culture, has been at a financial and legal disadvantage both in the marriage and in the separation/divorce process.

The latest revelation, by the Gohars' 11 year old daughter, that her father has sexually molested her, is being investigated by CPS through the police. While I have never met Mr. Gohar or the daughter, in my clinical judgment, I do not believe Ms. Gohar is capable of instigating this accusation, as Mr. Gohar and his attorney are asserting. As a family therapist, I believe the child protective system needs to make a judgment about this matter before a parenting plan is finalized. I also believe the child should be protected by a legal order until that investigation is concluded. This is based on my experience with sexually abused children and with families.

Finally, the report of the Guardian Ad Litem, which indicates that Ms. Gohar is an unbalanced and unstable individual, is not based on any discussion with me or access to Ms. Gohar's mental health records but only to sentences taken out of context from a letter I wrote for Ms. Gohar some time ago and, I assume, from Mr. Gohar's unsupported allegations.

Thank you for your attention to these vital matters, to securing the well-being and safety of the Gohars' children, as well as a just settlement for Ms. Gohar.



**FILED**

12 NOV -2 PM 3:49

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SNOHOMISH

In re: )  
 ) No. 12-3-00776-6  
Petitioner, )  
vs. ) CERTIFICATE OF COMPLETION  
Respondent, ) OF PARENTING SEMINAR

**THIS CERTIFIES THAT**

Theresa Gohar

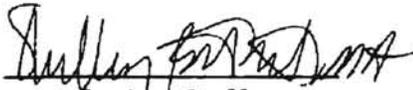
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HAS COMPLETED:

**FOR THE KIDS' SAKE: A PARENTING SEMINAR**

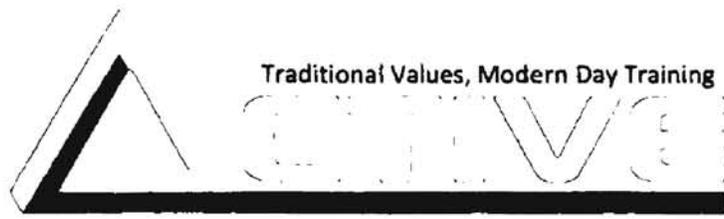
Date: July 7, 2012

Location: Everett, Washington

  
Seminar Staff

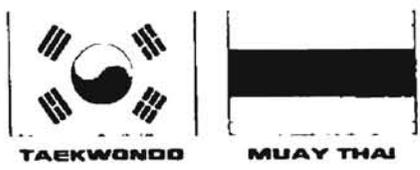
  
Seminar Staff





**MATTHEW GOHAR**

**YELLOW - 8/30/2012**



**TAEKWONDO**

**MUAY THAI**



**KICKBOXING**

**WEAPONS**

**Erik Wray - 6th Degree Black Belt**

**Striking**

**Jeremy Molley - 5th Degree Black Belt**

October 29, 2012

To Whom It May Concern,

I am Matthew Gohar's second grade teacher at Discovery Elementary in Everett, Washington. Matthew is a very sweet boy with no behavior concerns in the classroom. In fact, I often point him out to the class as a role model for classroom behavior. He is very engaged in his academic work. He is a very quiet boy, but does not appear to be sad or withdrawn. He is an active participant in class and seems quite happy.

Please feel free to contact me with questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Lisa Dodson". The signature is written in a cursive style with a long horizontal flourish at the end.

Lisa Dodson

Discovery Elementary

(425) 366-2700

dodsonll@mukilteo.wednet.edu



NW PEDIATRIC DENTISTRY

October 24, 2012

To Whom It May Concern:

This is to inform you that we saw Catherine Gohar in our office today, October 24, 2012 for dental care.

We ask that you please excuse this absence. If you have any further questions please contact our office at 425-289-1918.

Sincerely,

Kelley Ganske  
Client Care Representative  
NW Pediatric Dentistry

JAMES M. THOMAS, DDS, MS, PLLC  
1200 - 112th Avenue NE, Suite B275 | Bellevue, Washington 98004  
p. 425.289.1918 | f. 866.399.7898 | [www.nwpedo.com](http://www.nwpedo.com)



**Mukilteo**  
School District

**Discovery Elementary School**

11700 Meridian Ave S • Everett WA 98208

(425) 366-2700 • Fax (425) 366-2702

9/27/12

To whom it may concern,  
Matthew Gohar was sent home with  
mom for illness.

Thank you,  
Christi Waldal, RN

**Committed to Success for Every Student**

An Equal Opportunity Employer and Educational Agency

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THE WHITE HOUSE  
WASHINGTON

January 20, 2012

Please accept my congratulations on receiving the President's Education Award. I am pleased to join your family, friends, and teachers in recognizing this outstanding accomplishment.

Education is the key to ensuring our Nation's young people gain the skills and knowledge necessary to achieve their dreams and succeed in the 21st century. By earning this honor, you have shown a commitment to working hard in the classroom and to meeting the highest academic standards. Students like you will chart the course of our country's unwritten history, and I commend you for setting a powerful example for all young Americans.

I encourage you to always set your sights high, and I wish you the very best in the years ahead.

A handwritten signature in black ink, appearing to be "Barack Obama", written in a cursive style.

*President's Education Awards Program*



*presented to*

*Catherine Gohar*

*in recognition of*

*Outstanding Academic Excellence*

*June 2012*

A stylized signature in cursive script, likely belonging to Barack Obama.

*U.S. Secretary of Education*

*William J. Bennett*  
*Principal*

*President of the United States*

*Discovery Elementary School*

*School*

To: Catherine Cochran Class: Ms. L...



You have been selected to participate in an anti-bullying workshop on September 26<sup>th</sup>. The focus of this training is to educate student leaders on how to prevent bullying and spread positive leadership. There will be an assembly for the entire school at 8:30 AM and then you will stay in the gym and participate in the workshop for the remainder of the day, from 9:45 - 3:00.

You will not be able to attend regular lunch with the rest of the school. Instead we will have sack lunches. You can either bring your own sack lunch or we can order you one from the cafeteria. If you receive free lunch or reduced price lunch, your sack lunch will be free or reduced. If you pay full price for lunch and you want to order a sack lunch you will need to pay full price for it.

If you are unable to attend this workshop we need to know today!

To: Catherine Cochran Class: Ms. Larson



You have been selected to participate in an anti-bullying workshop on September 26<sup>th</sup>. The focus of this training is to educate student leaders on how to prevent bullying and spread positive leadership. There will be an assembly for the entire school at 8:30 AM and then you will stay in the gym and participate in the workshop for the remainder of the day, from 9:45 - 3:00.

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If you are unable to attend this workshop we need to know today!

# Dolphin Award

This Special Certificate

from

Discovery Elementary

is Presented to:

Catherine Gohar

for: fantastic VOICE in your writing

Mrs. Mich

Teacher

Ms. Shutt

Principal

June 19, 2012

Date



# INDIVIDUAL SCORE REPORT

## Measurements of Student Progress



Spring 2012

STUDENT NAME: **CATHERINE M. GOHAR**  
STATE STUDENT ID: **3898 072 257**

GRADE 5

DISTRICT: **MUKILTEO SD**  
SCHOOL: **DISCOVERY ELEMENTARY**

### How did CATHERINE perform on the state tests?

	Passed tests?	Scale Score	Student's Proficiency Level
Reading	YES	434	Level 4 (Advanced)
Math	YES	441	Level 4 (Advanced)
Science	YES	433	Level 4 (Advanced)

### Scores and Proficiency Levels

	Level 1	Level 2	Level 3	Level 4
<b>Reading</b>				<b>434</b>
	275	374   375	399   400	421   422   475
<b>Math</b>				<b>441</b>
	200	374   375	399   400	439   440   575
<b>Science</b>				<b>433</b>
	200	374   375	399   400	431   432   550

### What do CATHERINE'S scores mean?

It's important to remember that state testing is one of many key measures of a student's academic performance. Your child's scores should be considered with other information, such as classroom assignments, tests and grades. If you have a concern about CATHERINE'S score or academic performance, please talk to her teacher or counselor to determine specific strengths and/or weaknesses.

### What do the proficiency levels mean?

**Level 4:** Advanced, or exceeds standard. Represents advanced mastery of a subject's skills and knowledge. Considered as passing.  
**Level 3:** Proficient, or meets standard. Represents mastery of a subject's skills and knowledge at grade level. Considered as passing.  
**Level 2:** Basic, or below standard. Represents some mastery of a subject's skills and knowledge. Considered as not passing.  
**Level 1:** Below Basic, or well-below standard. Represents little to no mastery of a subject's skills and knowledge. Considered as not passing.

### How to read the chart above

For each test taken, the chart above shows CATHERINE'S scale score, her proficiency level and the score range of each level. See definitions of proficiency levels to the left.

**Reading:** Her scale score is **434**. This falls within the score range of 422-475, which is passing (Level 4).

**Math:** Her scale score is **441**. This falls within the score range of 440-575, which is passing (Level 4).

**Science:** Her scale score is **433**. This falls within the score range of 432-550, which is passing (Level 4).

For more information about state testing, please visit [www.WATesting.com](http://www.WATesting.com)

For statewide, district and school results, please visit the Washington State Report Card at <http://reportcard.ospi.k12.wa.us>

# PRINCIPAL'S AWARD

Odyssey Elementary



Proudly Presents this award to



Matthew Gohar

Thank you for showing  
attentive listening. Great job  
this week!

Miss Boze

Principal

Miss Lahri

Staff

1-14-11

Date



4/17/2012

**MEDICAL CLEARANCE**

RE: Matthew K Gohar  
Medical Record Number: 03237708  
Date of Birth: 8/8/2005

REASON FOR DISABILITY: Illness and fever for two days

DISABLED FOR: School - as of date: 4/17/2012

MAY RETURN TO: School when he has not had fever for 1 day

A handwritten signature in black ink, appearing to read "HF", followed by a horizontal line.

HERVEY FROEHLICH, MD

Everett Pediatric  
2930 Maple St.  
Everett, WA 98201-4261  
425-261-1500

**Office Visits**  
Grouped by Student  
Discovery Elementary

Student	Grade	Gender	Visit Date	Time In	Time Out	Conf
Gohar, Matthew K (1544257)	1	M	04/16/12	10:24 AM	10:34 AM	
Visit Type: Illness						
Seen By: Franz, Shelley [8010]						
Reason: Temperature Check						
Outcome: Sent Home						

temp 102.6

Shelley Franz  
HSP/Office Asst.  
Discovery Elem.

May return to school after temp. is normal for 24 hrs.



**GroupHealth.**

7/23/2012

RE: Matthew K Gohar  
Date of Birth: 8/8/2005

To whom it may concern:

Matthew is up to date on his Preventative Visits.

Last Well child visit was 11/10/2011.

He is current on all of his immunizations.

A handwritten signature in black ink, appearing to read "Pam Rosenbach".

Pam Rosenbach RN  
HERVEY FROELICH, MD  
Everett Group Health  
2930 Maple Street  
Everett Washington 98201

To Whom It May Concern:

Matthew and Catherine Gohar have been established patients at NW Pediatric Dentistry with Dr. Thomas since 8/24/2010. Following their initial exam, both Matthew and Catherine have seen Dr. Thomas consistently for their routine cleaning appointments every six months. Both Catherine and Matthew have completed all necessary treatment recommended by Dr. Thomas in the past. Recently seen in May and June 2012, Catherine and Matthew are currently scheduled for their routine cleaning appointment on November 12, 2012.

Please do not hesitate to contact the office with any further questions or concerns regarding Catherine and Matthew Gohars oral health care.

Thank you,



Kelley Ganske  
Practice Manager  
425-301-2969

**JAMES M. THOMAS, DDS, MS, PLLC**  
1200 - 112th Avenue NE, Suite 8275 | Bellevue, Washington 98004  
p. 425.289.1918 | f. 866.399.7898 | [www.nwpedo.com](http://www.nwpedo.com)





**GroupHealth.**

7/23/2012

RE: Catherine M Gohar  
Date of Birth: 7/28/2001

To whom it may concern:

Catherine is up to date on her Preventative Visits.

Last Well child visit was 11/10/2011.

She is current on all of her immunizations.

A handwritten signature in black ink that reads "Pam Rosenbach". The signature is written in a cursive style with a large initial "P".

Pam Rosenbach RN  
HERVEY FROELICH, MD  
Everett Group Health  
2930 Maple Street  
Everett Washington 98201

Ms. Dodson's  
WEEKLY COMMUNICATION

Name Matthew Date 10-26-12

**Behavior**

Excellent behavior...Thank You!  
 I enjoy your positive attitude!

Satisfactory behavior...no worries!  
 Your behavior is improving! Good!

You have been talking too much in class.  
 You need to get along with your classmates.

Your behavior has been disrupting our class.

**Work Completion**

Your work is neat with good handwriting.  
 Your good effort shows.  
 Some assignments are not done neatly.

All assignments completed on time.  
 You are improving...keep trying.  
 You have late or missing assignments.

You missed \_\_\_\_\_ recesses this week due to: \_\_\_\_\_ late/missing work or \_\_\_\_\_ behavior.  
The following assignments were: \_\_\_\_\_ late \_\_\_\_\_ incomplete \_\_\_\_\_ missing

**Study Habits**

You always try your best...wonderfull!  
 You use your class time well...good.

You can do better... please try harder.  
 Effort put into assignments is minimal.

Please organize your notebook/desk.

Teacher Comments

Parent Comments

	 <p>Thank you.</p>
--	--

Ms. Dodson  
Teacher Signature

[Signature]  
Parent Signature

Ms. Dodson's  
WEEKLY COMMUNICATION

Name Matthew Date 10-19-12

**Behavior**

- Excellent behavior...Thank You!
- I enjoy your positive attitude!
- Satisfactory behavior...no worries!
- Your behavior is improving! Good!
- You have been talking too much in class.
- Your behavior has been disrupting our class.
- You need to get along with your classmates.

**Work Completion**

- Your work is neat with good handwriting.
- All assignments completed on time.
- Your good effort shows.
- You are improving...keep trying.
- Some assignments are not done neatly.
- You have late or missing assignments.

You missed \_\_\_ recesses this week due to: \_\_\_ late/missing work or \_\_\_ behavior.  
The following assignments were: \_\_\_ late \_\_\_ incomplete \_\_\_ missing

**Study Habits**

- You always try your best...wonderfull!
- You can do better... please try harder.
- You use your class time well...good.
- Effort put into assignments is minimal.
- Please organize your notebook/desk.

Teacher Comments

Parent Comments

Conference reminder: Mon., Oct. 29 2:05	
---	--

Ms. Dodson  
Teacher Signature

[Signature]  
Parent Signature

Ms. Dodson's  
WEEKLY COMMUNICATION

Name Matthew Date 10-12-12

**Behavior**

Excellent behavior...Thank You!  
 I enjoy your positive attitude!

Satisfactory behavior...no worries!  
 Your behavior is improving! Good!

You have been talking too much in class.  
 You need to get along with your classmates.

Your behavior has been disrupting our class.

**Work Completion**

Your work is neat with good handwriting.  
 Your good effort shows.  
 Some assignments are not done neatly.

All assignments completed on time.  
 You are improving...keep trying.  
 You have late or missing assignments.

You missed      recesses this week due to:      late/missing work or      behavior.  
The following assignments were:      late      incomplete      missing

**Study Habits**

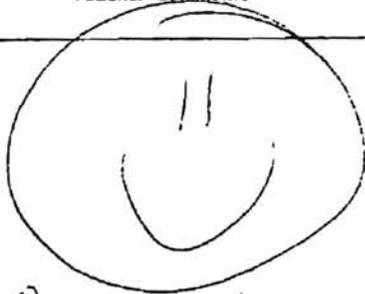
You always try your best...wonderfull!  
 You use your class time well...good.

You can do better... please try harder.  
 Effort put into assignments is minimal.

Please organize your notebook/desk.

Teacher Comments

Parent Comments

	
---	--

Ms. Dodson  
Teacher Signature

[Signature]  
Parent Signature

Ms. Dodson's  
WEEKLY COMMUNICATION

Name Matthew Date 10-5-12

**Behavior**

Excellent behavior...Thank You!  
 I enjoy your positive attitude!

Satisfactory behavior...no worries!  
 Your behavior is improving! Good!

You have been talking too much in class.  
 You need to get along with your classmates.

Your behavior has been disrupting our class.

**Work Completion**

Your work is neat with good handwriting.  
 Your good effort shows.  
 Some assignments are not done neatly.

All assignments completed on time.  
 You are improving...keep trying.  
 You have late or missing assignments.

You missed      recesses this week due to:      late/missing work or      behavior.  
The following assignments were:      late      incomplete      missing

**Study Habits**

You always try your best...wonderfull  
 You use your class time well...good.

You can do better... please try harder.  
 Effort put into assignments is minimal.

Please organize your notebook/desk.

Teacher Comments

Parent Comments

	
---	--

Ms. Dodson

Teacher Signature

[Signature]

Parent Signature

Ms. Dodson's  
WEEKLY COMMUNICATION

Name Matthew Date 9-21-12

**Behavior**

Excellent behavior...Thank You!  
 I enjoy your positive attitude!

Satisfactory behavior...no worries!  
 Your behavior is improving! Good!

You have been talking too much in class.  
 You need to get along with your classmates.

Your behavior has been disrupting our class.

**Work Completion**

Your work is neat with good handwriting.  
 Your good effort shows.  
 Some assignments are not done neatly.

All assignments completed on time.  
 You are improving...keep trying.  
 You have late or missing assignments.

You missed      recesses this week due to: late/missing work or behavior.

The following assignments were: late incomplete  missing

spelling homework



**Study Habits**

You always try your best...wonderfull!  
 You use your class time well...good.

You can do better... please try harder.  
 Effort put into assignments is minimal.

Please organize your notebook/desk.

Teacher Comments

Parent Comments

	<p>Thank you for helping Matthew at school We are working on home work and neat writing.</p>
--	--

Ms. Dodson  
Teacher Signature

M.J.  
Parent Signature



NW PEDIATRIC DENTISTRY

07/26/2012

To Whom It May Concern:

Matthew Gohar was initially seen at NW Pediatric Dentistry for a limited exam on February 26, 2009 to evaluate decay diagnosed by previous providers. Mom stated that she was unsatisfied with previous provider and was seeking a second opinion for possible treatment.

Following radiographs and an examination, Dr. Thomas diagnosed multiple caries lesions that required full mouth rehabilitation under general anesthesia due to Matthew's age and cooperation. A health and physical was completed by Matthew's pediatrician on March 5, 2009 In order to clear Matthew for treatment under sedation.

On March 11, 2009, after the collaboration of dental anesthesiologist Dr. Donald Lee and Dr. Thomas, Matthew's treatment was safely completed. The following teeth were restored:

- A - OL
- B - OB
- C - F
- D - MIFLB, anterior composite crown
- E - MIFLB, anterior composite crown
- F - MIFLB, anterior composite crown
- G - MIFLB, anterior composite crown
- H - F
- I - OB
- J - OL
- K - OB
- L - O
- R - F
- S - OB
- T - OB

After treatment, the Gohar family was given post-op instructions and advised to return to NW Pediatric Dentistry for a routine cleaning in six months. Matthew has continued routine cleanings every six months since the completion of his treatment.

Dr. James M. Thomas

JAMES M. THOMAS, DDS MS, PLLC

2600 4th Avenue, NW, Suite 6075, Grand Rapids, Michigan 49503  
p. 425.266.1910 f. 425.266.1911 www.nwpedo.com

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NW PEDIATRIC DENTISTRY

October 24, 2012

To Whom It May Concern:

This is to inform you that we saw Matthew Gohar in our office today, October 24, 2012 for dental care.

We ask that you please excuse this absence. If you have any further questions please contact our office at 425-289-1918.

Sincerely,

Kelley Ganske  
Client Care Representative  
NW Pediatric Dentistry

JAMES M. THOMAS, DDS, MS, PLLC

1200 - 112th Avenue NE, Suite B275 | Bellevue, Washington 98004  
p. 425.289.1918 | f. 866.399.7898 | [www.nwpedo.com](http://www.nwpedo.com)



PEDIATRIC DENTISTRY

May 8, 2012

To Whom It May Concern:

This is to inform you that we saw Matthew and Catherine Gohar in our office today, Tuesday, May 08, 2012 for dental care.

We ask that you please excuse this absence. If you have any further questions please contact our office at 425-289-1918.

Sincerely,

Kelley Ganske  
Client Care Representative  
NW Pediatric Dentistry

JAMES M. THOMAS, DDS, MS, PLLC

2015 12th Avenue NE Suite 8275 - Bellevue, WA 98004  
Phone: 425-289-1918 Fax: 425-289-1919

## Letters & Vision Prescriptions [About This Service](#)

PRINTED ON RECYCLED PAPER WITH 50% POST CONSUMER WASTE. ♻️



**GroupHealth**

3/21/2012

**Patient:**  
Matthew K Gohar  
14521 Meridian Pl W  
Lynnwood WA 98087

To whom it may concern:

Matthew was seen today for his illness by the pediatrician (3/21/2012). Please excuse him from school today. He will be able to return to class tomorrow (3/22/2012).

If you have questions, please contact us at 425-261-1500.

Sincerely,

Andrew Lee, MD

◀ [BACK TO LETTER LIST](#)

**Office Visits**  
 Grouped by Student  
 Discovery Elementary

Student	Grade	Gender	Visit Date	Time In	Time Out	Conf
Gohar, Matthew K (1644257)	1	M	04/17/12	8:55 AM	9:40 AM	
Visit Type: Illness Seen By: Franz, Shelley (8010) Reason: Feels unwell Outcome: Sent Home						

temp 99.8

Sent home  
 24 hrs. Normal temp

Shelley Franz  
 HSP/Office Asst.  
 425-366-2700

Theresa's for kids' sake seminar certificate

Filed on July 23, 2012

Trial exhibit 4 (CP 92, 295)

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COPY RECEIVED

12 JUL 23 AM 11:26

SNOWHOMISH COUNTY  
SUPERIOR COURT COMM

**FILED**

JUL 23 2012

SONYA KRASKI  
SNOHOMISH COUNTY CLERK  
EX-OFFICIO CLERK OF COURT

Superior Court of Washington  
County of Snohomish

In re the Marriage of:

SAMIR AZIZ GOHAR,

Petitioner,

and

THERESA IBRAHIM GOHAR,

Respondent.

No. 12-3-00776-6

Cover Sheet "For the Kids' Sake"

See attached hereto: Certificate of "For the Kids' Sake" Seminar

Submitted this 23rd day of July, 2012.

Elizabeth A. Michelson, WSBA #11239  
Attorney for Respondent

ELIZABETH A. MICHELSON

Attorney at Law  
2820 Oakes Ave., Suite D  
Everett, WA 98201  
425-258-4208  
425-293-0331 fax

**COPY**

SENT TO CLIENT  
MAIL  HAND 7/23/12  
EMAIL



**Catherine's protection case # 12-2-013941 (CP 188)**

FILED

12 OCT 25 PM 1:27

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

Superior Court of Washington  
For Snohomish County

12 2 01394 1

Theresa J. Gohar  
Petitioner  
vs.  
Samira Gohar  
Respondent

No.  
Petition for Order for Protection  
(PTORPRT)

1.  I am a victim of domestic violence committed by the respondent.  
 A member of my family or household is a victim of domestic violence committed by the respondent.  
 I am a  guardian  guardian ad litem  next friend of a minor who is 13 to 15 years of age and is a victim of domestic violence in a dating relationship with a person age 16 or older. The name of the minor victim is Catherine M. Gohar. This person's identifying information is provided in paragraph 5 below.

2.  The victim lives in this county.  
 The victim left their residence because of abuse and this is the county of their new or former residence.

3. The victim's age is:  Under 16  16 or 17  18 or over  
Respondent's age is:  Under 16  16 or 17  18 or over

4. The victim's relationship with the respondent is:  
 spouse or former spouse 12 yrs  
 parent of a common child - 2  
 ~~current~~ former cohabitant as intimate partner, including current or former registered domestic partner RS LEFT SEPT 2011  
 current or former dating relationship  
 stepparent or stepchild  
 current or former cohabitant as roommate  
 in-law  
 parent or child  
 blood relation other than parent or child

SCOMIS SEARCH: Case Type  
1. 2 2. 3 3. 6  
7. 6 8. 6 By: [Signature]

5. Identification of Minors (if applicable)  No Minors involved.

Name (First, Middle Initial, Last)	Age	Race	Sex	How Related to		Resides with
				Petitioner	Respondent	
Catherine M. Gohar	11	American	F	Mother	father	Mother
Matthew K. Gohar	7	American	M	Mother	father	Mother

Theresa Gohar

6. Other court cases or other restraining, protection or no-contact orders involving inc, the minors and the respondent:

Case Name	Divorce		
Case Number	12-3-00776-6		
Court/County	Superior / Snohomish		

Check the box for each type of relief you are requesting, for each type of order you need.

Temp: I Request a Temporary Order for Protection, effective until the hearing, because an Emergency Exists as described in the statement below. A temporary protection order should be issued immediately without notice to the respondent, to avoid irreparable injury.

Full: I Request a "full" Order for Protection, following a hearing.

Temp	Full	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><sup>1</sup> Restrain respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking <input checked="" type="checkbox"/> me <input checked="" type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:</p> <p>(If the court orders this relief, and the respondent is your spouse or former spouse, the parent of a common child, or a current or former cohabitant as intimate partner, including a current or former registered domestic partner, the respondent will be prohibited from possessing a firearm or ammunition under federal law for the duration of this order. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)</p>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><sup>2</sup> Restrain respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.02.060, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of <input checked="" type="checkbox"/> me <input checked="" type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> only the minors listed below; <input type="checkbox"/> members of the victim's household listed below <input type="checkbox"/> the victim's adult children listed below:</p>

Temp ↓	Full ↓	Temporary Order, effective until a hearing: Full Order, effective following a hearing.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<sup>3</sup> <b>Restrain</b> respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents, with <input checked="" type="checkbox"/> me <input checked="" type="checkbox"/> the minors named in paragraph 5 above, subject to any court-ordered visitation <input type="checkbox"/> these minors only, subject to any court-ordered visitation:
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<sup>4</sup> <b>Exclude</b> respondent from <input checked="" type="checkbox"/> our shared residence <input checked="" type="checkbox"/> my residence <input checked="" type="checkbox"/> my workplace <input type="checkbox"/> my school <input checked="" type="checkbox"/> the residence, day care, or school of <input checked="" type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:  <input type="checkbox"/> other:  You have a right to keep your residential address confidential.
<input type="checkbox"/>	<input type="checkbox"/>	<sup>5</sup> <b>Direct</b> respondent to vacate our shared residence and restore it to me.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<sup>6</sup> <b>Prohibit</b> respondent from knowingly coming within, or knowingly remaining within <u>100 yard</u> (distance) of <input checked="" type="checkbox"/> our shared residence <input checked="" type="checkbox"/> my residence <input checked="" type="checkbox"/> my workplace <input type="checkbox"/> my school <input checked="" type="checkbox"/> the day care or school of <input checked="" type="checkbox"/> the minors named in paragraph 5 above. <input type="checkbox"/> these minors only:  <input type="checkbox"/> other:
<input type="checkbox"/>	<input type="checkbox"/>	<sup>7</sup> <b>Grant</b> me possession of essential personal belongings, including the following:
<input type="checkbox"/>	<input type="checkbox"/>	<sup>8</sup> <b>Grant</b> me use of the following vehicle: Year, Make & Model _____ License No. _____
<input type="checkbox"/>	<input type="checkbox"/>	<sup>9</sup> <b>Other.</b>
N/A	<input checked="" type="checkbox"/>	<sup>10</sup> <b>Direct</b> the respondent to participate in appropriate treatment or counseling services.
N/A	<input checked="" type="checkbox"/>	<sup>11</sup> <b>Require</b> the respondent to pay the fees and costs of this action.
N/A	<input checked="" type="checkbox"/>	<sup>12</sup> <b>Remain Effective</b> longer than one year because respondent is likely to resume acts of domestic violence against me if the order expires in a year.  Check the following only if you are requesting protection involving pets.
N/A	<input checked="" type="checkbox"/>	<sup>13</sup> <b>Grant</b> me exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by me, respondent, or a minor child residing with either me or the respondent. (Specify name of pet and type of animal.):

N/A	<input type="checkbox"/>	<sup>14</sup> Prohibit respondent from interfering with my efforts to remove the pet(s) named above.
N/A	<input type="checkbox"/>	<sup>15</sup> Prohibit respondent from knowingly coming within, or knowingly remaining within _____ (distance) of the following locations where the pet(s) are regularly found: <input type="checkbox"/> petitioner's residence (You have a right to keep your residential address confidential.) <input type="checkbox"/> _____ Park <input type="checkbox"/> other: _____
Check the following only if you are requesting protection involving a minor:		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<sup>16</sup> Subject to any court-ordered visitation, Grant me the care, custody and control of <input checked="" type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<sup>17</sup> Restrain respondent from interfering with my physical or legal custody of <input checked="" type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<sup>18</sup> Restrain the respondent from removing from the state: <input checked="" type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:

**Request for Special Assistance From Law Enforcement Agencies:**

I request the court order the appropriate law enforcement agency to assist me in obtaining:

- Possession of my residence.  Possession of the vehicle designated above.
- Possession of my essential personal belongings at  the shared residence  respondent's residence  other location \_\_\_\_\_
- Custody of  the minors named in paragraph 5 above  these minors only (if applicable):

Other: \_\_\_\_\_

"Domestic violence" means physical harm, bodily injury, assault, including sexual assault, stalking, Or inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

**Statement:** The respondent has committed acts of domestic violence as follows. (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act. You may want to include police responses.)

Describe the most recent violent act, fear or threat of violence, and why the temporary order should be entered today without notice to the respondent: Samir A. Gaher did touch his daughter Catherine A. Gaher in her private area down there (her lower public area). The father asked his daughter to sit next to him in the couch on Tuesday 10/23/2012 he started to touch her in her private low area. The girl

girl

I found out because my daughter told me on 10/23/2012

Then immediately went far from him. He asked her angrily to come and sit next to him she refused. She admitted that this was not the first time he touch her there. He did it before when she went to him for the sleepover on 10/20/12 where he tried to force her to come and sleep next to him and he also touch her in her private lower area in that sleepover. Catherine have told me before that her father touch her in a way she is not comfortable with at that time I was not consume. but when she told me at night on Tuesday the 23rd that he touched her there. I went to her school for help where she told the counselor there that this was not the first time and I have been told that I need to do a protection order.

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you: The Respondent is my husband but we are in a divorce case. He used to abuse me sexually during marriage which I was not allowed to talk about according to my family. Now he started to touch his daughter. The Respondent since there was an order to see the children in the divorce case. He did lock his daughter one time in his car alone outside his duplex as a punishment for wanting to go to her mother home. He abuse both children emotionally specially his daughter Catherine. He tells her she is sick, there is something wrong with her, he tell both children if they did not do what he wants something bad will happen or that their mother will be in trouble at court. I did call the police when my daughter come home crying from her dad. also when he throw a kitchen garbage can on me and 2 years old daughter back in MA when I was pregnant He pull me from my hair to carry a heavy box.

Describe any violence or threats towards children: My concern right now is my daughter Catherine Gahar when she told me her father touch her in her lower private area a they go taking the kids on Tuesday, Thursday and every other week sleepover. I don't want him to touch my daughter sexually or do any harm to her. He use force and threat the kids. The kids are weak when they are alone at his place. They need protection specially my daughter. I do not know what he will do to her next.

Describe any stalking behavior by respondent, including use of telephonic, audiovisual or electronic means to harass or monitor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe medical treatment you received and for what: \_\_\_\_\_

Describe any threats of suicide or suicidal behavior by the respondent: \_\_\_\_\_

*The Respondent did a couple of years ago got a knife from the kitchen and asked me to kill him in front of my 7 kids and then throw it in the floor almost hitting my feet. The Respondent is currently on anti-depressant's medicine as I was told by my children. He started taking Anti-Depressants since the beginning of 2011.*

Does the respondent own or possess firearms?  Yes  No  Don't know

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe: \_\_\_\_\_

If you are requesting that the protection order lasts longer than one year, describe the reasons why: \_\_\_\_\_

Other: \_\_\_\_\_

(Continue on separate page if necessary.)

Check box if substance abuse is involved:  alcohol  drugs  other  
 Personal service cannot be made upon respondent within the state of Washington.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: 10/25/2012 at Everett, Washington.

[Signature]  
Signature of Petitioner

You have a right to keep your residential address confidential. If you have one, please provide an address, other than your residence, where you may receive legal documents: \_\_\_\_\_



**CHILDREN'S ADMINISTRATION**  
**Safety Plan**

- In-Home Safety Plan  
 Out-of-Home Safety Plan  
 No Safety Plan Required

A Safety Plan is required for all children where there is a safety threat(s) indicated on the Safety Assessment. The Safety Plan is a written arrangement between a family and Children's Administration that identifies how safety threats to a child will be immediately controlled and managed. Note: When creating an In-Home Safety Plan the following criteria in the Safety Plan Analysis must be present.

- There is at least one parent/caregiver or adult in the home.
- The home is calm enough to allow safety providers to function in the home.
- The adults in the home agree to cooperate with and allow an In-Home Safety Plan.
- Sufficient, appropriate, reliable resources are available and willing to provide safety services/tasks.

<b>CASE NAME</b> GOHAR, THERESA	<b>CASE NUMBER</b> 1755765
<b>SOCIAL WORKER NAME</b> SOHLBERG, HEATHER, L.	<b>TELEPHONE NUMBER</b> (425)673-3100
<b>SAFETY PLAN PARTICIPANTS</b>	<b>DATE OF BIRTH</b>
GOHAR, SAMIR (101164697)	09/01/1968
GOHAR, THERESA (101164698)	12/15/1978
GOHAR, MATTHEW (101164699)	08/08/2005
GOHAR, CATHERINE (101164700)	07/28/2001
<b>SAFETY ACTIVITIES/TASKS</b>	
Identified Safety Threat(s): 17. Child sexual abuse is suspected, has occurred, or circumstances suggest sexual abuse is likely to occur.	
Activities/Tasks: Child Focused Activity	START DATE: 10/24/2012      TARGET END DATE: 10/31/2012
What will be done: (Describe activities/tasks that will be done to manage the child's safety, how the plan will work, etc.) The mother will not allow any contact between the father and the children until Snohomish County Sheriff has completed their investigation and approved contact.	
By Whom: mother	
Frequency: (What times, days of the week, etc. Include all those times the threat is likely to occur) until Snohomish County Sheriff has completed their investigation and approved contact.	
Identified Safety Threat(s): 17. Child sexual abuse is suspected, has occurred, or circumstances suggest sexual abuse is likely to occur.	
Activities/Tasks: Child Focused Activity	START DATE: 10/24/2012      TARGET END DATE: 10/31/2012
What will be done: (Describe activities/tasks that will be done to manage the child's safety, how the plan will work, etc.) The mother will not discuss the allegations with her children and will make no negative comments about the father while	

Snohomish County Sheriff investigation is in process.			
By Whom: mother			
Frequency: (What times, days of the week, etc. Include all those times the threat is likely to occur) until Snohomish County Sheriff has completed investigation			
Identified Safety Threat(s): 17. Child sexual abuse is suspected, has occurred, or circumstances suggest sexual abuse is likely to occur.			
Activities/Tasks:	START	TARGET	
Other	DATE: 10/24/2012	END DATE: 11/29/2012	
What will be done: (Describe activities/tasks that will be done to manage the child's safety, how the plan will work, etc.) The mother will request a temporary restraining order between the children and their father through Snohomish County Superior Court, pending outcome and recommendations of Snohomish County Sheriff investigation			
By Whom: mother			
Frequency: (What times, days of the week, etc. Include all those times the threat is likely to occur) until investigation has been completed			
COMMENTS: Document pertinent safety related information regarding: Conditions for Return Home, Trial Return Home, reunification with a non-custodial parent, etc...			
<p style="text-align: center;"><b>Reporting Concerns: In case of Emergency or immediate safety threats, call 911.</b></p> <p>For questions or concerns regarding the Safety Plan, participants should contact the Social Worker at the telephone number at the top of this plan or Central Intake at 1-866-363-4276 evenings or on weekends and holidays.</p>			
Failure to comply with this agreement may result in the filing of a dependency petition and recommendation that the child or children be placed out of the home.			
<b>SIGNATURES</b>			
SIGNATURE	DATE	SIGNATURE	DATE
<i>[Signature]</i>	10/24/2012		
SIGNATURE	DATE	SIGNATURE	DATE
<i>[Signature]</i>	10/24/12		
SIGNATURE	DATE	SIGNATURE	DATE

CHILD CUSTODY INFORMATION SHEET

NO. 12 2 01394 1

If you are seeking protection for your child(ren) from domestic violence or are requesting custody of your child(ren), please answer the questions and provide the information requested in paragraphs A - E below and check the boxes about the court's jurisdiction that apply to your case:

Information for the courts:

<p>A. Do the child(ren) listed in Paragraph 5 of the petition currently live with you? If not, with whom do the child(ren) currently live?</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>B. Do you know of <u>any</u> other court cases involving the child(ren)? If known, list:                  the court                      the case number                      the kind of case  <u>Superior Court Snohomish County</u>    <u>12-3-00776-6</u>                      <u>Divorce</u></p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>C. Have you been involved in <u>any</u> other litigation concerning custody or visitation with the child(ren) in this or any other state? If known, list the court, the case number and the date the parenting plan, residential schedule, visitation schedule or custody decree was entered:                  the court                      the case number                      the date</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p>D. Do you know of any persons, other than you and the respondent, who claims rights of custody or visitation with, the child(ren)? If known, list their names in the space provided below and their present addresses in the Confidential Information Form:                  Name _____                  Name _____                  Name _____</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>E. List the places where the children have lived during the past five years, the dates they lived there and the persons with whom they lived. (The present addresses of those persons must be listed in the required Confidential Information Form.)  <u>14531 Meridian pl W. Lynnwood, WA 98087. 2008-2012</u></p>		

**ORIGINAL**

Jurisdiction:

This court has jurisdiction over this proceeding for the reasons below: (Check all the boxes that apply to your case.)	
<input checked="" type="checkbox"/>	This court has exclusive continuing jurisdiction. The court has made a child custody, parenting plan, residential schedule or visitation determination in this matter before and retains jurisdiction under RCW 26.27.211.
<input checked="" type="checkbox"/>	This state is the home state of the children because: <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately before the beginning of this proceeding.</li> <li><input type="checkbox"/> the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth.</li> <li><input type="checkbox"/> any absences from Washington have been only temporary.</li> <li><input type="checkbox"/> Washington was the home state of the children within six months before the beginning of this proceeding and the children are absent from the state; but a parent or person acting as a parent continues to live in this state.</li> </ul>
<input checked="" type="checkbox"/>	The children and the parents, or the children and at least one parent or a person acting as a parent, have significant connections with this state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> the children have no home state elsewhere.</li> <li><input type="checkbox"/> the children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or 271.</li> </ul>
<input type="checkbox"/>	All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.
<input checked="" type="checkbox"/>	No other state has jurisdiction.
<input checked="" type="checkbox"/>	This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned, or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated 10/30/2012 at everett, Washington

Th.P.  
Petitioner

FILED

12 OCT 25 PM 1:26

SONYA K. ASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

Superior Court of Washington  
For Snohomish County

*IBRAHIM*

Theresa I Gohar 12/15/1978  
Petitioner DOB

*A312* vs.

Samir A. Gohar 9/11/1968  
Respondent DOB

No. **12 2 01394 1**

Temporary Order for Protection and  
Notice of Hearing (TMORPRT)  
(Clark's Action Required)

Next Hearing Date/Time: **NOV 8 2012 @ 1:00pm**

At: Snohomish County Courthouse, 1<sup>st</sup> Floor  
3000 Rockefeller Avenue, Everett, WA 98201  
Department  B  C

Names of Minors:  No Minors Involved

First	Middle	Last	Age
Catherine M.		Gohar	11
Matthew K.		Gohar	7

Respondent Identifiers

Sex	Race	Hair
Male	American	black
Height	Weight	Eyes
5.6	2.20	brwn

Respondent's Distinguishing Features:

Caution:

Access to weapons:  yes  no  unknown

**The Court Finds:**

The court has jurisdiction over the parties, the minors, and the subject matter. The respondent will be served notice of his or her opportunity to be heard at the scheduled hearing. RCW 26.50.070. For good cause shown, the court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to the respondent to avoid irreparable harm.

**The Court Orders:**

- Respondent is **Restrained** from causing petitioner physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking  petitioner  the minors named in the table above  these minors only:
- Respondent is **Restrained** from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of  petitioner  the minors named in the table above  only the minors listed below  members of the victim's household listed below  the victim's adult children listed below:

Additional no contact provisions are on the next page.

The terms of this order shall be effective until: **the end of the hearing, noted above.**

**ORIGINAL**

Entry Agency SOB

*88*  
*2*

Respondent is **Restrained** from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3<sup>rd</sup> party or contact by respondent's lawyer(s) with  petitioner  the minors named in the table above  these minors only: **Subject to future orders in Dissolution, Paternity or Non-Parental Custody action.**

Respondent is **Restrained** from going onto the grounds of or entering petitioner's  residence  workplace  school  the day care or school of  the minors named in the table above  these minors only: **Subject to future orders in Dissolution, Paternity or Non-Parental Custody action.**  
 other: *The school of the minors named above*  
 Petitioner's address is confidential.  Petitioner waives confidentiality of the address which is:  
*14521 Meridian Pl W Lynnwood, WA 98087*

5. Petitioner shall have exclusive right to the residence petitioner and respondent share. The respondent shall immediately **Vacate** the residence. The respondent may take respondent's personal clothing and respondent's tools of trade from the residence while a law enforcement officer is present.  This address is confidential.  Petitioner waives confidentiality of this address which is:

Respondent is **Prohibited** from knowingly coming within, or knowingly remaining within *no MDS* (distance) of: petitioner's  residence  workplace  school  the day care or school of  the minors named in the table above  these minors only: **Subject to future orders in Dissolution, Paternity or Non-Parental Custody action.**  
 other:

7. Petitioner shall have possession of essential personal belongings, including the following:

8. Petitioner is granted use of the following vehicle:  
Year, Make & Model \_\_\_\_\_ License No. \_\_\_\_\_

9. **Other:**

**Complete the following only if protection is granted involving a minor:**

5. Petitioner is **Granted** the temporary care, custody, and control of  the minors named in the table above  these minors only: **Subject to future orders in Dissolution, Paternity or Non-Parental Custody action.**

7. Respondent is **Restrained** from interfering with petitioner's physical or legal custody of  the minors named in the table above  these minors only: **Subject to future orders in Dissolution, Paternity or Non-Parental Custody action.**

*Both parties*

Respondent is **Restrained** from removing from the state  the minors named in the table above  
 these minors only:  
  
Subject to future orders in Dissolution,  
Paternity or Non-Parental Custody action.

The respondent is directed to appear and show cause why this temporary order should not be made effective for one year or more and why the court should not order the relief requested by the petitioner or other relief which may include electronic monitoring, payment of costs, and treatment. **Failure to Appear at the Hearing May Result in the Court Granting Such Relief. The Next Hearing Date is Shown on Page One.**

**Warnings to Respondent:** A violation of provisions 1 through 6 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.  
A violation of provisions 1 through 6 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.  
If the court issues a final protection order, and your relationship to the petitioner is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, including a current or former registered domestic partner, you may not possess a firearm or ammunition for as long as that final protection order is in effect. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1). If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition.  
18 U.S.C. § 922(g)(9); RCW 9.41.040.  
**You Can Be Arrested Even if the Person or Persons Who Obtained the Order Invite or Allow You to Violate the Order's Prohibitions.** You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.  
Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to SCSO  County Sheriff's Office  Police Department **Where Petitioner Lives** which shall enter it in a computer based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.  
 The clerk of the court shall also forward a copy of this order on or before the next judicial day to SCSO  County Sheriff's Office  Police Department **Where Respondent Lives** which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.  
 Petitioner has made private arrangements for service of this order.

*The Respondent lives at "2721 - 116th St. SE. APT#A Everett, WA, 98208"*

Law enforcement shall assist petitioner in obtaining:

Possession of petitioner's  residence  personal belongings located at:  the shared residence  
 respondent's residence  other: \_\_\_\_\_

\_\_\_\_\_ custody of the above-named minors, including taking physical custody for delivery to petitioner (if applicable).

Other: \_\_\_\_\_

Dated: OCT 25 2012 at 125 a.m./p.m. [Signature]  
Judge/Commissioner

Presented by: [Signature]  
Petitioner

A Law Enforcement Information Sheet (LEIS) must be completed.

FILED  
12 OCT 26 PM 4:02  
SCRYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SNOHOMISH

Theresa Gortar  
~~PLAINTIFF~~/PETITIONER  
and  
~~DEFENDANT~~/RESPONDENT  
Samir A. Gortar

NO. 12-2-01394-1  
ORDER

5C50

IT IS HEREBY ORDERED: There is a hearing for the  
temporary order for protection which will be  
heard on shortened time on Tuesday  
October 30, 2012 at 1:00 pm. \* The petitioner  
shall be served with this order no  
later than October 28, 2012. Respondent's  
response is due by 4:00 pm October 29, 2012.  
Response may be served by email.

DONE IN OPEN COURT this date: 10/26/12 \* Dept B

Prescribed By:



  
JUDGE/COURT COMMISSIONER

Copy Received:

4 CB

FILED

2012 OCT 29 PM 1:44

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

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SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

In re:

THERESA GOHAR,

Petitioner,

and

SAMIR GOHAR,

Respondent.

NO. 12-2-01394-1

DECLARATION OF SAMIR GOHAR  
IN RESPONSE TO PETITION FOR  
ORDER FOR PROTECTION

October 29, 2012

COMES NOW SAMIR GOHAR, the Petitioner in the above-entitled action, being over the age of 18 years and competent to testify to the following matters and states and declares as follows:

This petition is a transparent, last ditch effort to stall this dissolution and maintain control of our children. Throughout this action, Theresa has done everything possible to stay married to me. She refused to agree to amend the petition for legal separation to a petition for dissolution, requiring a hearing. Immediately after her refusal, her second attorney, Elizabeth Michelson, withdrew. She also fought the appointment of a guardian ad litem, and refused to sign the waiver to allow the GAL, Martha Wakenshaw, access to her mental health records. She requested another trial continuance of our November 5, 2012 trial date, which was denied on November 19, 2012. She refused to cooperate to schedule mediation, which required yet another hearing. She did not attend either one of the depositions

Declaration of Samir Gohar p. 1/4

ORIGINAL

*Leonard E. Kerr*  
Leonard E. Kerr  
2722 Colby Avenue, Suite 700  
Everett, Washington 98201  
425-783-0044  
425-783-0407 (fax)

CB  
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scheduled for her, despite agreeing to the date. She petitioned the court to remove Ms. Wakenshaw as Guardian ad Litem, which was denied. And now, finally, she is unconscionably lying to the court and doing everything she can to destroy my relationship with our children.

I have never inappropriately touched either of my children. I have not touched Catherine's private areas. I have also not locked Catherine in the car as discipline or abused either of the children verbally. I have not physically or sexually abused Theresa either. These are all Theresa's fabrications for the purpose of staying married to me.

I petitioned the court for a Guardian ad Litem (see attached report) after it became clear that Theresa's mental health was deteriorating. I originally agreed to a parenting plan which named her as primary residential parent with the hope that she would improve. I also was in the beginning stages of recovery for my gambling addiction. Theresa's actions became more erratic and troubling and she involved both of our children in the dissolution more and more. I decided that I needed to do everything in my power to take care of my children and make sure that their best interests are protected. Theresa has a history of mental health issues. She has two suicide attempts, has been prescribed medication for her issues, and according to her own declarations she has provided a letter from her therapist that references "generalized anxiety" and mild OCD in the form of moderate germ phobia. It also references much controlling behavior and what sounds like verbal/emotional abuse in her marriage, which she has not addressed in her handwritten declarations. She has stated over and over that she does not want the divorce and would like her husband to come back. Theresa's declarations accuse me of controlling behavior and verbal/emotional abuse, but she makes absolutely no accusations of sexual abuse.

I cooperated with the GAL, and met with her twice with the children. There were absolutely no allegations about physical or sexual abuse at that time. Theresa missed appointments with Ms.

*Leonard E. Kerr*  
Leonard E. Kerr  
2722 Colby Avenue, Suite 700  
Everett, Washington 98201  
425-783-0044  
425-783-0407 (fax)

1  
2 Wakenshaw and did not return calls. The GAL report calls her "largely non-cooperative." She finally  
3 requested that Ms. Wakenshaw be removed, calling her a liar in her pleadings, despite admitting that  
4 she had not read the report. Ms. Wakenshaw recommended that I be awarded primary care of the  
5 children, based in part on Theresa's "extreme" abusive use of conflict. Catherine told the GAL that  
6 she was "worried that the GAL could take her away from both of her parents and put her in a foster  
7 home and it is suspected that this fear came from her mother." Ms. Wakenshaw also recommended that  
8 both of us complete psychological evaluations with Dr. Schau, which I have done. He has been stalled  
9 in submitting his report because Theresa has refused to communicate with him. My attorney finally sent  
10 a sampling of her pleadings so that the report can be completed by trial on Monday, November 5, 2012.  
11 The GAL report states, "Ms. Gohar adamantly insists that Matthew was sexually abused on a Sunday at  
12 church when he was three years old by the Sunday school teacher's son. She said that she asked  
13 Matthew if 'that was the boy who did it,' pointing to the teacher's son and Matthew said yes. Clearly,  
14 that was a leading question on the mother's part." Theresa did not take Matthew to the doctor, file a  
15 CPS report, or call the police. I was there that day and the incident did not happen. I believe Matthew  
16 was actually four or five years old. It was simply a ploy to keep Matthew out of Sunday school and the  
17 family away from church. Theresa accused me of having a relationship with the Sunday school teacher  
18 and made up the allegation about the Sunday school teacher's son.

19  
20 I hope that my actions in requesting a GAL, paying the entire retainer, cooperating fully in the  
21 investigation and voluntarily submitting to a psychological evaluation convince the court that Theresa's  
22 accusations are absurd and devious. She has three goals - to keep the \$6,000 per month maintenance  
23 coming, to keep control of both children, and to stay married (for religious purposes). On the same day  
24 that Theresa went in to request an order for protection, she served my attorney with a response to  
25 petition, in which she made no mention of these allegations (see attached). Perhaps her reason for her  
26 inconsistent pleadings was because she wanted to keep this action secret. She did not notify either my

27 Declaration of Samir Gohar p. 3/4

*Leonard E. Kerr*  
Leonard E. Kerr  
2722 Colby Avenue, Suite 700  
Everett, Washington 98201  
425-783-0044  
425-783-0407 (fax)

1 attorney or the Guardian Ad Litem of her petition. I did not find out until I went to the children's school  
2 on Friday to check on them after she did not show up for visitation on Thursday night, or answer her  
3 phone. I was concerned that because of her mental health issues and her recent losses in court, she may  
4 do something dangerous or foolish. I found out about the order for protection when the sheriff came to  
5 the school.  
6

7  
8 My attorney requested that Commissioner Bedle dismiss the order, but instead he agreed to an order  
9 shortening time.

10  
11 Theresa's petition does not mention whether or not she took Catherine to the doctor. I am extremely  
12 concerned about how she is handling this. Theresa is extremely paranoid and does not trust anyone. She  
13 has gone through three attorneys in this action, including Elizabeth Michelson, to whom I paid  
14 \$20,000.00.

15  
16 I request that the court dismiss this petition and award me terms for the filing of this false declaration  
17 and requiring two hearings and the drafting of this response.

18  
19 Signed under penalty of perjury under the laws of the State of Washington.

20 DATED this 29<sup>th</sup> day of October, 2012 in Everett, Washington.

21  
22   
23 Samir Gohar, Respondent

24  
25  
26  
27 Declaration of Samir Gohar p. 4/4

*Leon E. Kerr*  
Leonard E. Kerr  
2722 Colby Avenue, Suite 700  
Everett, Washington 98201  
425-783-0044  
425-783-0407 (fax)

FILED

12 OCT 30 PM 12:56

SGNYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

SUPERIOR COURT OF WASHINGTON  
FOR SNOHOMISH COUNTY

Theresa Gohar

Petitioner/Plaintiff(s).

NO.

12-2-01394-1

vs.

Samir Gohar

Respondent/Defendant(s).

COVER SHEET

ATTACHED HERETO IS:

DsHS letter  
additional documents

CB  
6



State of Washington  
DEPARTMENT of SOCIAL and HEALTH SERVICES  
DIVISION of CHILDREN and FAMILY SERVICES  
Lynnwood Office • MS: N52-2 • 20311 52<sup>nd</sup> Ave W Ste 201 • Lynnwood WA 98036  
Office - (425) 673-3100 • Toll Free - 1-800-877-3229 • TDD - (425) 673-3102  
Fax - (425) 673-3101

10/30/12

To Whom It May Concern,

On 10/24/12 a screened in child protective services referral was received alleging sexual abuse of the child, Katherine Gohar by her father Samir Gohar. There is a current Child Protective Services and Law Enforcement investigation in process.

The Department is recommending that the father have no contact with his children until the current investigation has been completed.

Please feel free to call me with any additional questions. I can be reached between the hours of 8am and 5pm and 425-673-3270.

Sincerely,

Heather Sohlberg  
Social Worker III  
Child Protective Services  
DSHS/DCFS  
20311 52<sup>nd</sup> Avenue West, Suite 201  
Lynnwood, WA 98036



TrueEarnings® Business Card  
 DONS RESTAURANT  
 SAMIR A GOHAR  
 Closing Date 08/01/12



p. 5/12

Account Ending 0-82000

Detail Continued

**FILED**

					Amount
05/14/12	7-ELEVEN 33166 00073	EVERETT WA			\$3.88
	425-348-7860				
	Description	Price			
	GAS/MISC95 66506601	\$3.88			
05/15/12	CASHNCARRY553 105533	EVERETT WA			\$194.30
	425-3396005				
05/16/12	LITTLE CAESARS PIZZAMARYSVILLE	WA			\$15.19
	3606588900				
	FOOD/BEVERAGE	\$15.19			
05/16/12	WASH LOR CNTL BRD 30MARYSVILLE	WA			\$855.34
	GOVERNMENT SERVICE				
05/17/12	COSTCO GAS #0114 000	EVERETT WA			\$77.22
	4253797862				
05/17/12	CARL'S JR 1100484 00MARYSVILLE	WA			\$10.62
	800-422-4141				
	Description				
	FAST FOOD REST				
05/17/12	WAL-MART SUPERCENTERMARYSVILLE	WA			\$33.83
	DISCOUNT STORE				
05/17/12	PAYPAL *MATCH COM 4029357733	CA			\$44.98
	402-935-7733				
	Description				
	ONLINE DATING				
05/18/12	ABC FINANCIAL 888-827-9262	AR			\$20.81
	ABC *VISION QUEST				
05/18/12	COSTCO WHSE #0115 00LYNNWOOD	WA			\$430.68
	4256407700				
05/18/12	COSTCO WHSE #0642 00MARYSVILLE	WA			\$62.71
	3606524532				
05/18/12	CASHNCARRY553 105533	EVERETT WA			\$182.88
	425-3396005				
05/18/12	GLOBAL INDUSTRIAL EQCOMPUTERS				\$155.78
	GOHAR05182012 33144				
05/19/12	CASHNCARRY553 105533	EVERETT WA			\$192.91
	425-3396005				
05/21/12	COMCAST CABLE COMM 800-COMCAST	WA			\$85.00
	CABLE SVS				
05/21/12	BARTELL DRUGS #25 00EVERETT	WA			\$4.03
	4257437198				
05/21/12	CASHNCARRY553 105533	EVERETT WA			\$32.86
	425-3396005				
05/22/12	CASHNCARRY553 105533	EVERETT WA			\$32.45
	425-3396005				
05/22/12	COSTCO WHSE #0115 00LYNNWOOD	WA			\$465.74
	4256407700				
05/23/12	COSTCO WHSE #0642 00MARYSVILLE	WA			\$80.40
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Hotmail

Now Reply Reply all Forward Delete Mark as Move to

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I'm not good at writing so live in silver lake area lets meet for coffe spend 15 minuts if things do not work out then good luck to both of us

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Quick views

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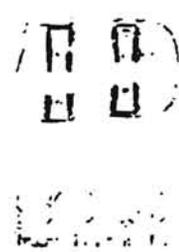
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Weight:  
Body:  
Ethnicity:  
Eye color:  
Hair color:  
Endowment:  
Circumcised:  
Tattoos:  
Piercings:  
Most attractive feature:  
Style:

Sexual:

Participation:

Partners:

Masturbates:

Toys:

Roleplaying:

Most important in a sexual partner:

Lifestyle:

Drinking:

Smoking:

Drugs:

Night life:

Comments: (0)



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I'm Looking for: Female

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New Password:

Repeat New Password:

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- Suspended as to visibility to other members

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- Allow members to fill me in
- No IM

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Profile photo  
[Faded text]



Basic Information

January 30, 1970

Male

United States

WA

Lynnwood

More to Love

Matchmaker

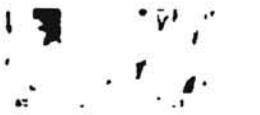
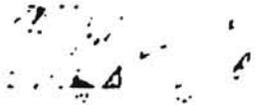
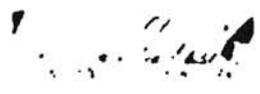
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samir gohar

11/27/11

To pers-m/ake-2773355857@craigslist.org

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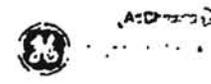


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Hi,

I'm 43 years 5.5 tall self employ have my owen place and car  
I was born in egypt moved here 24 years ago  
I live alone I have 2 kids 6&10  
I'm separated and my separation is finite  
I'm a non smoker very light drinker  
I love movies I love to eat out  
I'm looking for friendship love care long term relationship with no  
drama or games  
I'm very honest and trustworthy  
I live in south everett work in marysville

good luck  
sam



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Hi,

I'm 43 years 5.5 tall self employ have my owen place and car  
I was born in egypt moved here 24 years ago  
I live alone I have 2 kids 6&10  
I'm separated and my separation is finale  
I'm a non smoker very light drinker  
I love movies I love to eat out  
I'm looking for friendship love care long term relationship with no  
drama or games  
I'm very honest and trustworthy  
I live in south everett work in marysville

good luck  
sam



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/ Isamir Johar ~~is~~

~~I did~~ confess that at the Day  
of the Ultrasound Right after  
Theresa came home I did have  
entercourse with her ~~and~~ though  
she was hurt that Day and ~~she~~ I  
Aske her to Do it and caused  
her a lot of Pain and Tangst

I Confess that I am NOT Normal  
what I DID IS NOT Normal but  
Theresa IS Normal and she IS very  
good Mother and very good  
wife I am the one who needs  
help

Samir Johar  
~~is~~

1 / S-15-09

I Samir Gohar hurt ~~my~~ my wife  
Theres a gohar ~~one~~ her but by  
Rubbing my penes ~~on~~ her but  
And Its causing her a lot of pain  
and Its all my fault and this is  
the forth time this month she told  
me NOT to do it ever again and  
I know that but I did it and broke  
my promiss to her she ~~told~~ told me a lot  
of times that I need to be gentle and  
treat her with respect and never ever  
cause her any pain and I failed  
Again and Again and caused her  
a lot of pain in her sensitive but  
area Its not her fault ~~there is~~  
something wrong with me I need help  
I need to learn how to treat  
her and how to make love

To her no hurt her ever  
Again at 1:45 AM on Saturday  
May 15/2009 these can not go  
to sleep because of her pain  
and I am the reason because I hurt  
her in her but by my thing  
I really need help I ask e there  
to please forgive me I am really  
really sorry I wish I was in pain not you  
I deserve any punishment

P.S tonight she told me right before  
I did it to be careful and she is all mine  
but no pain please no pain and I did cause  
her a lot of pain

Samir gohar  
5/15/09

I will never ever  
leave you  
or the kids

SA

I will support the  
kids and help  
by all means and ways  
All my life  
The kids will always  
be with there's a

☺

I Samir Johar  
Confess that Theresa  
Johar NEVER EVER  
WORK OR HAVE ANY  
THING TO DO WITH  
MY RESTAURANT

Doris Restaurant  
And I Made her sign  
Document she Do not  
Know what is in It





FILED

SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY COUNTY CLERK  
12 OCT 30 PM 3:50  
SONYA KRASKI  
SNOHOMISH CO. WASH

THERESA GOHAR  
(PETITIONER)  
AND

CAUSE NO. 12-2-01394-1  
COMMISSIONER: SUSAN C. GAER  
CLERK: PATRICIA BUNDY  
DATE: 10-30-12 @ 1:00 P.M.

SAMIR GOHAR  
(RESPONDENT)

DIGITALLY RECORDED

THIS MATTER CAME ON FOR: DOMESTIC VIOLENCE HEARING

CONTINUED DATE/TIME/CALENDAR AND CONTINUANCE CODE:

HEARING DATE SET/TIME/CALENDAR CODE:

ACTION:

HEARING STRICKEN/CODE:

PETITIONER APPEARED: YES COUNSEL: PRO SE  
RESPONDENT APPEARED: YES COUNSEL: KATHERINE PETERSON  
GUARDIAN AD LITEM APPEARED: YES, MARTHA WAKENSHAW  
FACILITATOR APPEARED: YES

DOCUMENTS FILED:

ORDERS ENTERED: ORDER OF DISMISSAL ENTERED, TO BE FILED BY THE FACILITATOR

PROCEEDINGS/COURT'S FINDINGS:

THE COURT HAS CONCERNS THAT THE MOTHER HAS BROUGHT THESE ALLEGATIONS UP IMMEDIATELY AFTER BEING TOLD THE COURT WOULD NOT REPLACE THE GUARDIAN AD LITEM. THE MOTHER ALSO HAD REASON TO BELIEVE SHE WAS GOING TO LOSE CUSTODY OF THE CHILD.

THE MOTHER IS ALLEGING THAT THE FATHER HAS SEXUALLY ABUSED THE PARTIES' DAUGHTER. THE GUARDIAN AD LITEM WAS ABLE TO INTERVIEW THE CHILD; HOWEVER, THE MOTHER, GRANDMOTHER, AND THE AUNT WERE ALL HOVERING OVER THE CHILD OUTSIDE THE GLASS. THIS CLERK HAD TO TELL THEM TO DISPERSE SO THE GUARDIAN AD LITEM COULD INTERVIEW THE CHILD. THEY CONTINUED TO SPEAK LOUDLY TO THIS CLERK ABOUT THE GUARDIAN AD LITEM AND THE SEXUAL ABUSE ALLEGATIONS.

THE GUARDIAN AD LITEM INDICATED THAT THE MOTHER HAS SHOWN THE CHILD THE GUARDIAN AD LITEM REPORT. THE CHILD INDICATED THAT THE BLOOD FOUND WAS

CB

GOHAR AND GOHAR  
CAUSE NO. 12-2-01394-1

IMMEDIATELY FOLLOWING THE PELVIC EXAMINATION THAT THE MOTHER INSISTED THE CHILD UNDERGO, AND BECAUSE THE CHILD WILL SOON START HER PERIOD.

THE COURT HAS NO INFORMATION ABOUT WHAT WAS SAID TO THE POLICE OR TO HEALTH CARE PROFESSIONALS. THE COURT'S FOCUS IS ABSOLUTELY ON THE BEST INTERESTS OF THE CHILD.

IT IS NOT THIS COURT'S ROLE TO MAKE ERRORS BY JUST PROTECTING THE CHILD NO MATTER WHAT IS PRESENTED TO THE COURT. THIS COURT'S ROLE IS TO LOOK AT THE DOMESTIC VIOLENCE PETITION. THE COURT CANNOT FIND THAT THE PETITIONER HAS PROVEN HER CASE BY A PREPONDERANCE OF THE EVIDENCE. THE COURT WILL DENY THE PETITION.

FILED

12 OCT 30 PM 3:50

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

SUPERIOR COURT OF WASHINGTON  
FOR SNOHOMISH COUNTY

NO. 12 2 01394 1

<del>Theresa</del> Theresa Ibrahim Gohar	12/15/1978
Petitioner (First Middle & Last Names)	DOB
vs.	
Samir Aziz Gohar	9/1/1968
Respondent (First Middle & Last Names)	DOB

ORDER OF DISMISSAL  
(ORDSM)

THIS MATTER HAVING COME BEFORE THE ABOVE ENTITLED COURT AND

- Petitioner appeared
- Petitioner did not appear
- Respondent appeared
- Respondent did not appear

BASIS TO DISMISS

- Petitioner requests a dismissal
- Petitioner has failed to prosecute this action
- The Court does not find sufficient evidence of domestic violence
- The Court does not find sufficient evidence of unlawful harassment

*by preponderance of evidence, including interview of child by OPL.*

ORDER OF DISMISSAL

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS

- ~~This cause of action is hereby dismissed with prejudice (ORDSMWP).~~
- This cause of action is hereby dismissed without prejudice (ORDSMWO).
- All orders in this cause number only are hereby vacated.
- All orders in this cause number only are hereby terminated.

If you have other orders issued by another court, you are still required to comply with those orders.

DATED this \_\_\_\_\_ day of OCT 30 2012, 20\_\_\_\_

*[Signature]*  
JUDGE/COURT COMMISSIONER

*[Handwritten scribbles]*

CB  
8

CLOSED

**Propose parenting plan by Theresa Gohar**  
**Filed on October 30, 2012 (CP 142)**

FILED

12 OCT 30 PM 1:09

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH



CL15622831

FILED

OCT 30 2012

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.

**Superior Court of Washington  
County of**

In re the Marriage of:

Samir A. Gohar

Petitioner,

and

Theresa I Gohar

Respondent.

No. 12-3-00776-6

Parenting Plan  
 Proposed (PPP)

This parenting plan is proposed by Theresa I Gohar

**I. General Information**

This parenting plan applies to the following children:

<u>Name</u>	<u>Age</u>
Catherine M. Gohar	11
Matthew K. Gohar	7

## II. Basis for Restrictions

*Under certain circumstances, as outlined below, the court may limit or prohibit a parent's contact with the child(ren) and the right to make decisions for the child(ren).*

### 2.1 Parental Conduct (RCW 26.09.191(1), (2))

- The petitioner's residential time with the children shall be limited or restrained completely, and mutual decision-making and designation of a dispute resolution process other than court action shall not be required, because this parent:
  - Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions (this applies only to parents, not to a person who resides with a parent).
  - Physical, sexual or a pattern of emotional abuse of a child.
  - A history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.

### 2.2 Other Factors (RCW 26.09.191(3))

- The  petitioner's involvement or conduct may have an adverse effect on the child(ren)'s best interests because of the existence of the factors which follow:
  - Neglect or substantial nonperformance of parenting functions.
  - A long-term impairment resulting from drug, alcohol, or other substance abuse that interferes with the performance of parenting functions.
  - The absence or substantial impairment of emotional ties between the parent and child.
  - The abusive use of conflict by the parent which creates the danger of serious damage to the child's psychological development.

## III. Residential Schedule

*The residential schedule must set forth where the child(ren) shall reside each day of the year, including provisions for holidays, birthdays of family members, vacations, and other special occasions, and what contact the child(ren) shall have with each parent. Parents are encouraged to create a residential schedule that meets the developmental needs of the child(ren) and individual needs of their family. Paragraphs 3.1 through 3.9 are one way to write your residential schedule. If you do not use these paragraphs, write in your own schedule in Paragraph 3.13.*

**3.1 Schedule for Children Under School Age**

There are no children under school age.

**3.2 School Schedule**

Children shall reside with respondent only.

**3.3 Schedule for Winter Vacation**

Children shall reside with respondent only.

**3.4 Schedule for Other School Breaks**

Children shall reside with respondent only.

**3.5 Summer Schedule**

Children shall reside with respondent only.

**3.6 Vacation With Parents**

Children shall reside with respondent only.

**3.7 Schedule for Holidays**

Children shall reside with respondent only.

**3.8 Schedule for Special Occasions**

Children shall reside with respondent only.

**3.9 Priorities Under the Residential Schedule**

Does not apply because one parent has no visitation or restricted visitation.

### 3.10 Restrictions

- [x] The petitioner's residential time with the children shall be limited because there are limiting factors in paragraphs 2.1 and 2.2. The following restrictions shall apply when the children spend time with this parent.

### 3.11 Transportation Arrangements

Transportation costs are included in the Child Support Worksheets and/or the Order of Child Support and should not be included here.

### 3.12 Designation of Custodian

The children named in this parenting plan are scheduled to reside the majority of the time with the respondent. This parent is designated the custodian of the child(ren) solely for purposes of all other state and federal statutes which require a designation or determination of custody.

### 3.13 Other

**My daughter told me on 10/23/2012 at night before she sleeps that her father Samir touched her in her private lower area. She did look scared when she was talking about it. She told me he was sitting beside her in the couch where he started to touch her down there. She said he force her to sleep next to him in his bed. I went to her school for help the next day where they asked for Catherine to come and talk with the school consoler. Catherine told the consoler in front of me that this was not the first time he touched her there. He did touch her there before in the weekend on the 20 and 21 of October in the sleep over with him. The school consoler talked with Catherine and she did immediately call Snohomish county sheriff and the child protection services. The child protected service made a safe plan and told me to request an order for both children not to see the father until the investigation is done. I did go to the court next day where they helped me in room 125 and give me the form to fill out. The case no. 12 2 01 3941. Catherine did come home from her dad sleepover having bleeding in her underwear. I called the pediatric office Monday after the sleep over and did**

**book the first available appointment with a lady doctor to see her on the 29<sup>th</sup> where the doctor told me it is hard to know after two days of sleepover because this area can heal within two days of contact.**

### **3.14 Summary of RCW 26.09.430 - .480, Regarding Relocation of a Child**

This is a summary only. For the full text, please see RCW 26.09.430 through 26.09.480.

If the person with whom the child resides a majority of the time plans to move, that person shall give notice to every person entitled to court ordered time with the child.

If the move is outside the child's school district, the relocating person must give notice by personal service or by mail requiring a return receipt. This notice must be at least 60 days before the intended move. If the relocating person could not have known about the move in time to give 60 days' notice, that person must give notice within 5 days after learning of the move. The notice must contain the information required in RCW 26.09.440. See also form DRPSCU 07.0500, (Notice of Intended Relocation of A Child).

If the move is within the same school district, the relocating person must provide actual notice by any reasonable means. A person entitled to time with the child may not object to the move but may ask for modification under RCW 26.09.260.

Notice may be delayed for 21 days if the relocating person is entering a domestic violence shelter or is moving to avoid a clear, immediate and unreasonable risk to health and safety.

If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.

A relocating person may ask the court to waive any notice requirements that may put the health and safety of a person or a child at risk.

Failure to give the required notice may be grounds for sanctions, including contempt.

**If no objection is filed within 30 days after service of the notice of intended relocation, the relocation will be permitted and the proposed revised residential schedule may be confirmed.**

A person entitled to time with a child under a court order can file an objection to the child's relocation whether or not he or she received proper notice.

An objection may be filed by using the mandatory pattern form WPF DRPSCU 07.0700, (Objection to Relocation/Petition for Modification of Custody Decree/Parenting Plan/Residential Schedule). The objection must be served on all persons entitled to time with the child.

The relocating person shall not move the child during the time for objection unless: (a) the delayed notice provisions apply; or (b) a court order allows the move.

If the objecting person schedules a hearing for a date within 15 days of timely service of the objection, the relocating person shall not move the child before the hearing unless there is a clear, immediate and unreasonable risk to the health or safety of a person or a child.

#### IV. Decision Making

##### 4.1 Day-to-Day Decisions

Decisions by respondent only.

##### 4.2 Major Decisions

Major decisions regarding each child shall be made as follows:

Education decisions	respondent
Non-emergency health care	respondent
Religious upbringing	respondent
<u>All other decisions making</u>	respondent

##### 4.3 Restrictions In Decision Making

- Sole decision making shall be ordered to the respondent for the following reasons:
  - A limitation on the other parent's decision making authority is mandated by RCW 26.09.191 (See paragraph 2.1).
  - One parent is opposed to mutual decision making, and such opposition is reasonably based on the following criteria:
    - (a) The existence of a limitation under RCW 26.09.191;
    - (b) The history of participation of each parent in decision making in each of the areas in RCW 26.09.184(4)(a);
    - (c) Whether the parents have demonstrated ability and desire to cooperate with one another in decision making in each of the areas in RCW 26.09.184(4)(a); and
    - (d) The parents' geographic proximity to one another, to the extent that it affects their ability to make timely mutual decisions.

#### V. Dispute Resolution

*The purpose of this dispute resolution process is to resolve disagreements about carrying out this parenting plan. This dispute resolution process may, and under some local court rules or*

*Parenting Plan (PPP, PPT, PP) - Page 6 of 10*

*WPF DR 01.0400 Mandatory (6/2008) - RCW 26.09.016, .181; .187; .194*

*the provisions of this plan must be used before filing a petition to modify the plan or a motion for contempt for failing to follow the plan.*

- Disputes between the parties, other than child support disputes, shall be submitted to (list person or agency):
- counseling by \_\_\_\_\_, or
  - mediation by \_\_\_\_\_, if this box is checked and issues of domestic violence or child abuse are present, then the court finds that the victim requested mediation, that mediation is appropriate and that the victim is permitted to have a supporting person present during the mediation proceedings, or
  - arbitration by \_\_\_\_\_.

The cost of this process shall be allocated between the parties as follows:

- 100 % petitioner .

The dispute resolution process shall be commenced by notifying the other party by  written request  certified mail  other:

In the dispute resolution process:

- (a) Preference shall be given to carrying out this Parenting Plan.
  - (b) Unless an emergency exists, the parents shall use the designated process to resolve disputes relating to implementation of the plan, except those related to financial support.
  - (c) A written record shall be prepared of any agreement reached in counseling or mediation and of each arbitration award and shall be provided to each party.
  - (d) If the court finds that a parent has used or frustrated the dispute resolution process without good reason, the court shall award attorneys' fees and financial sanctions to the other parent.
  - (e) The parties have the right of review from the dispute resolution process to the superior court.
- No dispute resolution process, except court action is ordered.

## **VI. Other Provisions**

If one party does not agree to what the mediator recommend they have the right to ask a judge to solve the dispute.

## VII. Declaration for Proposed Parenting Plan

2.1 And 2.2 The father time shall be limited until he starts to treat the kids well. A pattern in emotional abuse when he tells the kids bad stuff about them in the time they spend with him away from me. He tells my son he is drama like his mother. With my daughter he keeps telling her that she is sick and make her feel that there is something wrong with her exact like when he used to treat me. He keeps telling her she is paranoia like he used to do to me. Which is not true and she is advanced at her school and very smart and caring kid. He tells both kids that if they do not do or listen to what he wants their mother will get into trouble at court and the kids listen to him with fear that I might get in troubled if they do not. That is not a way to talk to the children and give them fear to do anything he wants. The children pond with the father had been affected by his behavior with them before he leaves the house and the way he treat them now when they have time with him. The kids have been having a hard time since it was an order that they see their father and sleep over with him. I have talked with my last attorney Ms. Elizabeth but she said they have to go to dad no matter what and there is no other choice. She withdrew from the case. Now I would like to protect my kids.

The father abandonment to the children has been happening since the year of 2009. The father did leave the children and me and he would sleep at hotels for no reason and never call us. The father refused to help his daughter when she really needed his help and asked him to help her with her homework that is hard for me her mother to understand. The father left the children for more than a year now and is not involve in their life. The father used to abuse the children by pinching them when they do not listen to him or lock them in their room.

The father when I was pregnant with my daughter did pull me from my hair bare foot to go out to his car and forced me to carry a very heavy box by force above my head and walk with it to the house basement back in Millis, MA where we used to live .

The father did throw a full kitchen garbage can at me and my daughter when she was about two and I did call the police because I was scared and my big sister advised me if he abused me to do so but I did not make a report like the police advised me so.

The father has been abusing me emotionally and physically since I married him and I am afraid he is doing the same to the kids now.

My husband started to take two different antidepressants at the highest dose his family doctor prescribed and I saw him changing to a different person that cusses and use bad language even around the kids. He also started to gamble compulsively.

4.2 And 4.3 I would like all the decisions for the children to be made by me only.

The father has stand in the way when I was trying to help my son at school. He was bullied by other kids at his class and I had to help him but father before he know the reasons he send a restraining order to the school. I did not give up and worked with the school till I got my son in a better class which had no bully. The father never went to the children school or been involve with them like me. I am afraid the father will do more stuff like that to the kids and be in the way of their success.

My son had cavities in his teeth when he was about three and my husband made a decision to go with the doctor that wanted to pull out all four of his front upper teeth and put metal filling in the rest of his teeth that had cavity. I had to take him to a different doctor that saved all his teeth and put white filling that looked natural and it did stay in place until now. My son was happy to smile with teeth looks just as natural instead of no teeth for years to come. I know I made a good choice. The doctor that fixed his teeth has been his doctor until now. And we do check up every six months and both children teeth are very healthy.

My son was assaulted sexually by a teen in St. Mary church in Lynnwood, WA and the father did not believe him. The father wants him to be in that church even after what happen. I did talk to my husband and family members about what my son told me happened to him. They told me not to talk about it and not to tell anyone. I have stopped going to that church after my daughter started to complain from kids do food fight in the class room of the church also kids bully each other and I heard that from her cousins also at that time. Me and my husband have witness adult fight and shout at each other outside the church and it was a scary scene. I went to a different church that exact same in everything but a different location that both me and my children feel safe and happy to be at.

The father wanted our children to keep going to the church that my son was assaulted in it and other safety issues also happened. He refused to go to a different exact same church. He wanted us to attend St. Mary church because his friend goes there and forgot about the safety of our children. I would like to protect my children and do what I can to make them feel safe and happy. I want the court to allow me to do so. I only have my children to care for. I would like to be the primary parent and all the decisions to be made by me only.

I declare under penalty of perjury under the laws of the state of Washington that this plan has been

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Date and Place of Signature

### VIII. Order by the Court

It is ordered, adjudged and decreed that the parenting plan set forth above is adopted and approved as an order of this court.

**WARNING:** 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.

When mutual decision making is designated but cannot be achieved, the parties shall make a good faith effort to resolve the issue through the dispute resolution process.

If a parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected.

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Judge/Commissioner**

Presented by: \_\_\_\_\_

Approved for entry: \_\_\_\_\_

\_\_\_\_\_  
Signature of Party or Lawyer/WSBA No.

\_\_\_\_\_  
Signature of Party or Lawyer/WSBA No.

Print Name

Print Name

**Theresa Gohar response to Samir's amended petition for dissolution  
Filed on October 30, 2012 (CP 141)**



FILED

2012 OCT 25 PM 1:31

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

SNC

**Superior Court of Washington  
County of**

In re the Marriage of:

Samir A Gohar

and

Theresa I Gohar

Petitioner,

Respondent.

No. 12-3-00776-6

**Response to amended Petition for  
dissolution  
(Marriage)  
(RSP)**

**To the Above-Named Petitioner:**

**I. Response**

**1.1 Admissions and Denials**

The allegations of the petition in this matter are **Admitted** or **Denied** as follows (check only one for each paragraph):

Paragraph of the Petition

1.1	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.2	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.3	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.4	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input checked="" type="checkbox"/>	Lacks Information
1.5	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.6	<input type="checkbox"/>	Admitted	<input checked="" type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.7	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.8	<input type="checkbox"/>	Admitted	<input checked="" type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.9	<input type="checkbox"/>	Admitted	<input checked="" type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information

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1.10	<input type="checkbox"/>	Admitted	<input checked="" type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.11	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.12	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.13	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.14	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.15	<input checked="" type="checkbox"/>	Admitted	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information
1.16	<input type="checkbox"/>	Admitted	<input checked="" type="checkbox"/>	Denied	<input type="checkbox"/>	Lacks Information

Each allegation of the petition that is denied is denied for the following reasons:

1.4 If the marriage is broken it is because the husband want it to be that way.

HUSBAND HAVE BEEN ABUSING ME EMOTHIONALY AND PHYSICALLY SINCE I MARRIED HIM AND I AM A GOOD WIFE TO HIM. He neglect the family before he leave the house on 9/19/2011 for many months and stayed out all day everyday then he come home just to sleep even though he does not work more than a couple of hours every day because of his restaurant nature as an absent owner and has a manger that does all the work for him (he does not work Sunday). Ladies would call him in his phone and him claim it is for work or a wrong number. Through the years of marriage his e mail has adult websites or dating sites with naked women pictures. I thought it is commercial or ads. Now when I think about it that it was not.

The husband kept leaving the house since 2009 staying at hotels for days then he stay a week then two weeks. He left the last time on 9/19/2011. He stayed at a hotel for about three weeks before his move to a rental duplex. After his last long stay at the hotel he told me he is not going back and he going to rent a place to live in. I was curious why he decided to rent a place to live in away from me and the kids. He is the only man I have known in my life tell now. Yet I was not enough for him.

I have been waiting for husband to be a loyal husband and a father and take care of his family that needs him more than anyone or anything else in his life. Yet he still wants to live his life the way he want it away from us his family.

Husband filed a motion to cancel the petition on 5/2/2012. I got happy that he might want the family back together. He came to the house and told me to fire my lawyer and he is going to live in another house he will buy soon. And he is doing that because of the money he has to pay. I did not do what he told me because I want him to come back for me and the kids and because he care about us not because the money. Also my lawyer advice I should keep the case going but she withdrew from it on 8/1/2012.

I am not happy to argue at court and have to explain my life. I have no other choice. If husband want the divorce and is happy with the life he is living now he can have it but I need to make sure that me and the kids are able to survive after the divorce is final and to keep the same life style for the kids as before the divorce.

1.6 denied because husband left the home on 9/19/2011.

- 1.8 Responded denies the property and debts to be divided as proposed.  
Everything should be divided equally including but not limited to:

All property in the petitioner's possession,  
Any retirement, pension and accounts currently in the petitioner's name,  
Don's restaurant or CMG restaurant, INC. including but not limited to the value of the restaurant business and the two lands.  
The home located in 14521 meridian place w in Lynnwood, WA,  
Honda pilot 2007  
Honda odyssey 2006  
Any personal or business bank accounts in the petitioner's name or CMG restaurant, INC,  
Any equity belongs to tasty treat the restaurant in 16 w union St. Ashland, ma. 01721.  
Any equity belongs to the duplex in 29 island rd. Millis, ma 02054.  
Any increase in income or money that was earned during the marriage.  
All my jewelry and diamonds husband took from the house and any other things he had dispose of.

After everything is divided equally I would like to have the ownership of the land for the restaurant business don's because that will enable me to have the rent of the land as an income. Husband can have the ownership of the restaurant business.

- 1.9 responded denies because she would like to handle all her and the children expenses by herself including but not limited to car insurance and health insurance, and taxes and etc. from the maintenance and child support that will be provided by the husband and the rent money I will have from owning don's restaurant land and any money or property I will have after the division is done.

Any debt husband has made before or after the separation he should be responsible for.

- 1.10 responded denied the amount and duration of the maintenance proposed.  
The husband shall pay \$4,000 wife spousal maintenance for 120 months.  
The husband shall pay the child support for the two kids.

## **1.2 Notice of Further Proceedings**

Notice of all further proceedings in this matter should be sent to the address below.

## **1.3 Other**

Responded is in need of an award of attorney fees and husband have the ability to pay her attorney fees.

## II. Request for Relief

- The respondent requests the court to grant the relief requested below.
- Enter a decree.
- Provide reasonable maintenance for the wife.
- Approve my parenting plan for the dependent children.
- Determine support for the dependent children pursuant to the Washington State Child Support Schedule.
- Dispose of property and liabilities.
- Change name of wife to Theresa I yacoub.

**If you need immediate protection, contact the clerk/court for RCW 26.50 Domestic Violence forms or RCW 10.14 Antiharassment forms.**

- Award the tax exemptions for the dependent children as follows:

To the mother

- Order payment of attorney fees, other professional fees and costs.

- Other

The court should make an equal division of everything and make sure that me and the two children will have the same life style as the husband after the divorce is final.

Dated: 10/25/2012

Th.I.  
Signature of Respondent or Lawyer/WSBA No.

Notice to party: You may list an address that is not your residential address where you agree to accept legal documents. Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200) with the court clerk.

Theresa I. Gohar  
Print or Type Name

14521 Meridian pl.w  
(Address)

Lynnwood, WA 98087

**The GAL Martha E. Wakenshaw report**

**Filed on November 5, 2012 (CP 154)**

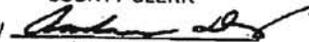


CL15722665

Filed in Open Court

11/5, 2012

SONYA KRASKI  
COUNTY CLERK

By   
Deputy Clerk

SUPERIOR COURT OF WASHINGTON  
COUNTY OF SNOHOMISH

SAMIR GOHAR,	)	
	)	
Petitioner,	)	
	)	NO: 12-3-00776-6
And	)	
	)	GUARDIAN AD LITEM REPORT I
THERESA GOHAR,	)	
	)	
Respondent.	)	

Appointment of Guardian ad Litem:

Guardian ad Litem, Martha E. Wakenshaw, M.A., LMHC, was appointed to this case by the Superior Court of Washington, County of Snohomish pursuant to RCW 26.09 Dissolution.

The Guardian ad Litem represents the best interest of Catherine Gohar, age ten, and Matthew Gohar, age six.

Under 3.2 Duties of the Guardian ad Litem Issues ordered to Investigate and report:

All issues relating to the development of a parenting plan.

The Guardian ad Litem shall also report to the court on any issues discovered that could affect the safety of the child(ren).

Focus of this Report:

This is the first in a series of GAL reports that will make recommendations regarding a parenting plan that is in the best interest of Catherine Gohar and Matthew Gohar.

Background Information:

The mother has been largely non-cooperative and has missed appointments with the GAL. She has not answered voicemails or email messages from the GAL requesting additional information. It is hoped that the mother will give her consent for the GAL to speak with the

family therapist and authorize her to contact the school regarding the children's performance. To-date she has not taken the For Kids Sake Seminar.

The father has been wholly cooperative with the GAL investigation.

Neither parent, despite repeated attempts, has been able to supply the GAL with adequate collateral sources. The father said that he was so isolated in his marriage that he has no one for the GAL to contact regarding his parenting.

The mother has given only her mother as a collateral and the maternal grandmother has been interviewed.

The parties, Mr. Samir Gohar and Ms. Theresa Gohar, were married on January 10, 1999 and separated on September 19, 2011. They have two children together; Catherine Gohar who is in the sixth grade and Matthew Gohar who is in the second grade.

The children reside primarily with the mother and the father has residential time with the children for two mid-weeks after school and every other weekend Saturday through Sunday.

The father alleges that the mother is mentally ill and he had to get out of the marriage for that reason. He stated that they had an arranged marriage and both hail from Egypt.

The mother alleges that the father has a gambling addiction and would often leave the home for hours, then days, and then weeks. She repeatedly stated that she still loves the father and wants nothing more, but for him to return to the home as her husband and father to the children. She has stated that in their culture and religion, marriage is forever, and Mr. Gohar has broken his life time vows that are sacred.

At first, the father petitioned the court for a legal separation, but has since changed his mind and filed for a dissolution of the marriage.

Of concern is that Matthew missed eighteen days of school and was tardy sixteen days last year. Catherine missed eight days of school and was tardy thirteen days. This occurred on the mother's watch.

The mother said that Matthew was being bullied at school and she wanted to protect him. She did say that she talked to the teachers and school principal to address this problem and his classroom was eventually changed and he fared better in school.

The father feels that the mother allows the children to do whatever it is they want, and that if they want to stay home from school, she lets them. The mother denies. The school threatened to invoke the Becca Bill.

So far, this year, the children have been attending school and are reportedly doing well there. The mother showed the GAL several awards from school that the children have received. The children talked about their homework and getting it done at the home visit.

Although the father has stated that the mother is paranoid, anxious, depressed, and delusional, her therapist has stated that she is not paranoid and delusional, but is appropriately anxious and depressed for what she is going through in terms of the dissolution.

The father has stated that the mother will not leave the house because of her delusions of danger, however the mother does attend church, does the shopping, and has even volunteered in the school classroom.

The father admits that he had a gambling addiction and was "very sick." He reported that he has been in recovery from this addiction and is now in a much better mental state. He continues to attend Gambler's Anonymous .

Mr. Gohar talks of a time that his wife was paranoid in his eyes and believed that her son had been sexually abused at church. He believes that his wife asked Matthew leading questions until the child admitted that he had been abused. The child was not taken to the doctor and the police were not called. There are no Child Protective Services reports in the court file.

Ms. Gohar adamantly insists that Matthew was sexually abused on a Sunday at church when he was three years old by the Sunday school teacher's son. She said that she asked Matthew if "that was the boy who did it," pointing to the teacher's son and Matthew said yes. Clearly, that was a leading question on the mother's part.

Historically, Mr. Gohar said that Ms. Gohar is mistrustful and paranoid and changes medical professionals and attorney's frequently because she is suspicious of them.

Ms. Gohar, was very reluctant to have the GAL do a home visit and appeared to be guarded and hostile and the beginning of the home visit. In response to a question about her mother's work, Ms. Gohar said: "Why do you want to know? Ask her yourself."

As the home visit progressed and the maternal grandmother arrived, Ms. Gohar warmed up very slightly and tried to engage as best she could. She appeared quite depressed.

Ms. Gohar stated that it was around 2009 when the father kept leaving her and the children. She was upset about this, but said: "We really love him, me and the children, but we need him to be with us and protect us not leave us behind. We want to be a happy family with mom and dad together."



Ms. Gohar alleges that Mr. Gohar tells her and the children that she is "sick." The children deny, but Catherine said she has read all the court pleadings at her mother's home and was dismayed and upset to find out that her father thinks her mother is "crazy."

Since Mr. Gohar began taking anti-depressants about a year ago she said that he became a different person. "I know my husband can be a very good man. When he started to change, I tried to help him, but he keep saying to me that I am sick and can't help him."

Ms. Gohar said that the two things she cares about in her life are her husband and children. It was evident that the mother loves the children and still harbors love for her husband despite the litigation. She wants to stay married and have Mr. Gohar return to the home.

In response to the children's poor attendance at school, Ms. Gohar did admit that she lets the children stay home even if they just have a cold or they don't feel well. She said that if they feel better she may take them to school late.

Ms. Gohar alleges that Mr. Gohar was emotionally abusive to her, and cited the fact that he called her "sick" and left the home frequently. She does not allege physical abuse or any abuse of the children by the father, but said that he neglects their feelings and doesn't understand them.

Ms. Gohar and the maternal grandmother both talked about the court case in front of the children at the home visit until the GAL interrupted them and asked them to stop. The mother and grandmother sent the children upstairs to their rooms and then continued to talk about the case.

Both mother and grandmother emphasized the fact that their church does not believe in divorce and that what Mr. Gohar is doing is wrong and against God and their faith. "We don't have a divorce in our Coptic orthodox church." The mother said: "Husband told me that I am sick and he doesn't want to live with me even if I am sick in marriage should be together in sick and health in rich and poor in happy and sorrow time."

Ms. Gohar said that she still loves Mr. Gohar. She said: "I would like him to treat me as a person, not an ill person. That really hurt my feeling. I have only him. Lived with him for 12 years. I am not perfect, but I know if he treat me good, I will be perfect."

The father alleges that the mother has been physically and emotionally abusive to him and that he had to call the police three times since November of 2008 when they moved into their own house. There are no actual police reports in the court file.

The father said that he first called the police at one in the morning when his wife lost control and started destroying the house by pulling curtains and breaking the frames. He said that the children were sleeping during this time.

The second time the father called the police was in July of 2009. He said that his wife hit him while sleeping and then tried to hit him again so he called the police, but did not file a report. He said that he left home that night and that Ms. Gohar called him all night to come home. Thankfully, the children were also sleeping during this time.

The third time the father called the police was in November of 2010. He said that Ms. Gohar decided to take the children and leave after a fight, but then she came back at three in the morning and acted like nothing had happened.

The father said that he has endured the mother's abuse for years. He did not say that the mother has ever physically hurt the children, but that because of her mental illness she is not able to parent the children well and should be ordered to take parenting classes.

Ms. Gohar presents as extremely mistrustful, shutdown, and depressed. She said that she tried taking medication because Mr. Gohar wanted her to and she wanted to be a good wife. She said that she had bad side effects and stopped taking the medicine.

Ms. Gohar has worked at Taco Bell prior to her marriage to Mr. Gohar where she was an assistant manager. She has also, in the past, worked at Walmart. She is currently a stay-at-home mom.

The mother explained that the children don't want to go to their father's apartment and spend time with him. She stated that her daughter came home crying from her dad's home because of his emotional abuse to her. Catherine denies any abuse of any kind from her father or mother.

Ms. Gohar sees a therapist at Group Health. The therapist, Ms. Regina Hugo, M. Ed., LMHC, LMFT, stated: "Ms. Gohar has been diagnosed with depression and anxiety, including generalized anxiety (in the form of worrying about different things) and also obsessive compulsive disorder (in the form of moderate germ phobia, e.g., she might wash her hands ten times per day). There is no evidence or diagnosis indicating paranoia or delusions. Though some of her worries are beyond the normal level, they are all grounded in rational concerns."

The therapist reported that the mother disclosed controlling behavior that sounds like verbal/emotional abuse at times perpetrated by the father. She said that Ms. Gohar, "from her own account," appears to be a devoted and competent mother, e.g. doing a good job of advocating for her son when he had problems at school.

Ms. Gohar denies using drugs or alcohol. She said on her GAL form that her spouse has used physical force against her, but would not admit or elaborate on this on interview. She is not currently afraid that her spouse will physically hurt her. She is concerned about the children's emotional safety with the father.

Historically, Ms. Gohar, has been the primary caretaker of the children and Mr. Gohar has worked. Ms. Gohar said that the father doesn't do much with the children and that is her who takes care of their needs.

In regards to a parenting plan, the mother said that the father can see the children every day from 5 p.m. to 8 p.m., but she wants no "sleepovers." She would like sole decision-making.

In terms of the father's strengths, the mother said that he can provide financial support. In regard to the father's weaknesses, the mother said that he treats the kids bad and tells them bad words and confuses them. "He doesn't listen to the kid's feelings and needs. He doesn't try to help them in any trouble they have and he can be in the way of their success."

In regards to discipline, Ms. Gohar stated that she teaches the children right from wrong. "I make sure they understand me and try their best." "Their dad use that they have to do what he tell them or bad things will happen and that give them fear. "

Mr. Gohar is the owner of Don's Restaurant and works 8 a.m. to 5 p.m. Monday through Saturday, with Sunday off. He has some flexibility in his work schedule and often picks the children up before 5 p.m. on Saturday.

Regarding his medical history, Mr. Gohar said that he has depression which he is being treated for. He takes anti-depressants. He said that his wife has mental problems and a history of mental illness including past suicidality.

Mr. Gohar denies drinking, using drugs or smoking. He feels that he could not work with his wife and a trained mediator because: "She mentally unstable and can never have normal conversations."

Mr. Gohar has concerns about the children's emotional and physical safety when with their mother.

Even though Ms. Gohar has historically been the stay-at-home mother, the father said that she has always been mentally ill and that before he started gambling, he was the only person helping the children with everything: "eating, shopping, school, church. I mean everything."

In terms of a parenting plan, Mr. Gohar feels that the children should be with him all the time until the mother takes medication and gets help. "You can not have a normal talk with the mother. She is a sick person."

In terms of his own strengths as a parent the father stated that he loves his kids more than anything. He said that he is "strong, smart, educated, normal. I can make sure they will have happy normal live."

In terms of the mother's strengths and weaknesses the father said: "NONE! She is a SICK person."

The father is concerned that the children have no friends and no family and no church. "Nothing but computer games and a sick mother."

Mr. Gohar stated that since moving to Washington, they have been in isolation from his people including her (the mother's) family.

Mr. Gohar stressed the need for a mental evaluation of his wife. He said that her mental illness was under control when she took medications for Bipolar Disorder. He said that when their first child, Catherine, was born the family had some help. Mr. Gohar said that he wasn't nice to the mother at this time, but then he changed.

The father said that he can manage the children and that the mother cannot manage the children because of her mental illness. He said that she doesn't trust anyone and is paranoid. He said that the mother deprived him of sleep and physically abused him.

Mr. Gohar reported that the mother believes people are recording her and that there are conspiracies against her. He said that she doesn't understand reality. When they bought their house, the mother allegedly thought that a stranger was sleeping in the house. The father said that this was a terrible experience – buying the house.

In February of 2012, the father said that he left the house for two weeks because he had to get away from the mother, but he missed the children, so he came back. He said that it was then that he started gambling and it became an addiction. Mr. Gohar said that with the help of counseling and Gambler's Anonymous, he hasn't gambled for nine months. He said that he is very conservative with money.

Mr. Gohar is concerned that the children eat fast food when with the mother. The mother says the same of the father. The children report that they eat a variety of foods and that each parent prepares food for them. Matthew is quite overweight and Catherine appears to be underweight.

The father believes that the mother asked Matthew leading questions about the alleged abuse that occurred at their church when Matthew was about three years old. The father said that the mother asked Matthew "who hurt you?" even though Matthew said he was fine.

Allegedly the mother said to Matthew and the father that he was taken by a stick in his anus. The child was not taken to the doctor and there is no medical evidence, CPS report, or disclosure by the child to support this.

Mr. Gohar reported that in September of 2011, he left the family home and rented an apartment. He said that he had become depressed and that life had no meaning. He said that, at that time, he used to help the children with homework and that when he left their performance in school went downhill.

To the mother's credit, the children have not missed school since temporary orders were put in place.

Mr. Gohar reported that Ms. Gohar talks to the children about the court case. On interview of the children, this was found to be accurate.

Matthew Gohar is seven years old and in the second grade. He attends Discovery Elementary School. Matthew presents as very verbal and somewhat anxious. He appears to be distressed by the separation of his parents and feels loyal to both of them.

Matthew reported that he mostly lives with mom and that it's good there because mom likes playing games. He said: "sometimes she cooks food. Sometimes she burns it. Dad makes pancakes."

Matthew said that he really doesn't have friends and was observed at the mother's home to play by himself. Regarding his mother, Matthew said: "In my mom's she gets nervous and yells...tells me to go to my room. Mom is frustrated about court stuff. She's just frustrated and nervous."

These are not typical words used by a second grader and it calls into question whether he has heard the mother use these words herself to describe herself or whether someone else has talked to him about the mother. At any rate, there is a sadness and despondency to Matthew.

Matthew said that his mom yells a lot. He said that they all go to a family counselor and talk about how frustrating court is.

Matthew reported that they went swimming this summer and had gone to the beach recently with his mother. He said that he likes basketball, but "I'm terrible at it in real life," and generally seemed to demonstrate low self-esteem. He did say that "I'm good at doing tricks."

Matthew reported that mom's house is dirty and that his dad doesn't put him in his room like his mother does. He said that what he doesn't like about mom's is that she gets frustrated and that he likes dad's better.

Since Matthew talked so much about court, the GAL asked him what he thought court was. Matthew answered: "Court is when children are not allowed in court because the judge and people are there. My mom's judge is really mean. He tells orders. The judge almost decide that we stay with our dad for two weeks, but then he changed his mind."

Matthew is privy to court matters and has said that his mother talks about court with him and Catherine. Catherine confirms. This is an abusive use of conflict on the mother's part.

Catherine is eleven years old and in the sixth grade. She attends Voyager Middle School.

Catherine presents as articulate, anxious, and depressed. She is quite obviously distressed by the court case to which she is privy from her mother.

Catherine said that she, and her brother, and her mother go to family counseling and that her mother thinks she should go to individual therapy, but won't let her because she "doesn't want it in our records."

Catherine stated: "My mom tells me most of everything about court – she doesn't want me clueless."

She said that her parents split up about a year ago and she was not surprised because there was so much fighting and her father would leave for a hotel for a day or a week. "I missed him."

Catherine said that her father is the one that helps her with school work. She said that she was behind in school, having missed a lot under the care of her mother. She said that her father helped her learn everything to catch up in a two month period and then, "I ended up the smartest person in fourth grade!"

When asked what she thought court is (given the fact that Catherine said her mother had told her all about it), she answered: "Mom told me court is supposed to sort out problems or if there is a criminal to catch him. Court is trying to sort out the divorce. They already take \$4500 each month from dad. My mom was supposed to get a job, but she's sleeping a lot which is sad because she missed job calls. My mom doesn't have a job."

In regards to her father's apartment, Catherine said that she has a lot of trouble sleeping there and that she's one of those people who can't sleep. She lays awake and worries.

Catherine said that if she gets in trouble with her mother or father they scream at her. She also said that her mother will frequently send her and Matthew to their room.

Catherine reported that her mother thinks she can watch Matthew but he hits, screams, and slaps her.

Catherine said that she likes soccer and basketball. She likes swimming. She said that sometimes when she comes home from school, she has to wait outside for her mother to come home because she is often at court.

Catherine reported that her mother gets very very mad at times and says: "I can't take it anymore." When her mother reads the court papers she asks Catherine to help her. She said that they stopped going to church because her mother is busy with court.

In regards to her mother, Catherine stated that: "My mom doesn't want any divorce. My mom doesn't like it that we can't move. She wants to move out of state. She would like to move back to Massachusetts. My mom doesn't have any friends here."

Catherine said that her mother told her the GAL was there to look at the houses and see which one was better for the children and then put them there. Catherine was worried that the GAL could take her away from both of her parents and put her in a foster home and it is suspected that this fear came from her mother. She asked the GAL what if she felt her mom was crazy and her dad was crazy, then what?

Catherine said: "I saw the court papers – mom let me. Dad said my mom is crazy and paranoid. I was mad at dad. Mom's not crazy. She sometimes has a sad depression from being in the court thing."

In regard to her parent's fighting, Catherine stated that most of the fights, historically, were about her father wanting to go back to Egypt to take care of his mom. Her mother didn't want her father to "run away."

Catherine stated: "My mom says dad really really wants me and would do anything to get me even call her paranoia." "My mom said it will end in November (the court matter). Do we still have to go to court?" (meaning her and Matthew testify).

#### Summary:

Clearly, both Catherine and Matthew are the victims of an extreme abusive use of conflict on the part of the mother. Both children have stated that she has talked to them about the court case and it was a strong theme in both of their interviews, especially Catherine's interview.

Both children present as confused, depressed, and anxious and could both benefit from intensive, individual psychotherapy.

It is unconscionable that the mother is permitting her eleven year old daughter to read the court documents and pleadings. The daughter has become so fearful that she was worried that the GAL might take her away from her parents and put her in foster care.

Matthew has the idea from his mother, that the judge is "mean." He is fearful of the court and has a skewed understanding of how the court is involved in his life based on what his mother has told him.

The father admits that he had a history of depression and was "not nice," to his wife early on in the marriage. He admits to a gambling addiction that is now being treated. He presents as somewhat depressed.

The mother presents as extremely suspicious, guarded, and depressed. She had almost no interaction with the children at the home visit. She was unwilling to provide release of information for the GAL to speak with her healthcare providers. She was not forthcoming with the children's school information.

Both parents should have a psychological evaluation to assess their functioning and the implications for parenting.

Because the mother has not taken the For Kid's Sake Seminar and has engaged in the abusive use of conflict, the children should spend more residential time with their father to ensure their emotional safety.

It is recommended that Mr. Gohar be the primary residential parent with the mother having residential time with the children every other weekend and one mid-week visit. The mother should be prohibited from sharing court information or discussing adult matters with the children. If she continues to engage in an abusive use of conflict, visits should be professionally supervised with the children.

**Recommendations:**

1. Mr. Gohar to be the primary residential parent.
2. Ms. Gohar to have residential time with the children every other weekend from Friday after school until Sunday at 6 p.m. and every Wednesday from after school until 7:30 p.m.
3. Catherine Gohar to participate in individual therapy with a provider approved by the GAL who is covered by the medical insurance.
4. Matthew Goher to participate in individual therapy with a provider approved by the GAL who is covered by the medical insurance.

5. Ms. Gohar to take the For Kid's Sake Seminar immediately.
6. Ms. Gohar to participate in a psychological evaluation with Dr. Edward Schau (206-365-3808).
7. Mr. Gohar to participate in a psychological evaluation with Dr. Edward Schau (206-365-3808).
8. The mother to refrain from discussing the court case with the children.
9. The children to continue in family therapy with the mother.
10. The GAL to review the case progress and report back to the court in sixty days.

Respectfully submitted by:

October 1, 2012

Martha E. Wakenshaw, M.A., LMHC

Guardian ad Litem