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**THE COURT OF APPEALS FOR THE
STATE OF WASHINGTON
DIVISION I**

IN RE: DIVORCE APPEAL OF:)	COA NO: 66927-3
)	
SUDESH S. KOTHARI,)	
)	APPELLANT'S BRIEF
Appellant)	
)	
vs.)	
)	
KUNJLATA S. KOTHARI,)	
)	
Respondent.)	

I, Sudesh Kothari, the Appellant and acting as Pro Se, hereby submit the Appellant's Brief to contest and revise the "Dissolution Decree" between Mr. Sudesh S. Kothari (Plaintiff) and Mrs. Kunjlata S. Kothari (Respondent), signed into effect on March 4th, 2011; State of Washington Supreme Court Case No. 09-3-06940-2 SEA.

I, the Appellant, hereby request the Court of Appeals to revise the date of Final Decree of Dissolution to date of Final Resolution of this case, based on the extenuating circumstances and facts of this case, including without limitation, acts of perjury by wife (Mrs. Kunjlata S. Kothari), and Ms. Sherri Anderson (wife's divorce attorney), as well as Gross Intentional Negligence, Gross Intentional Misconduct and Gross Intentional Misrepresentation, by both Ms. Sherri Anderson and Honorable Judge Michael Fox.

1 A. ASSUMPTIONS:

2 A.1. I, the Appellant, define the use of the term “lie” in this Appellant Brief as
3 follows:
4

5 The term “lie” as used in this document is defined as a person or entity, who/it
6 knowingly and intentionally make, cause, produce false, untrue, misconstrue, or misinterpret
7 facts, evidence, or to omit the truth, willfully and with full intent to misdirect, mislead, and/or
8 misrepresent facts, evidence, laws, etc. to the reader, the court, the public, who may not know
9 or who may know all relevant facts/truth of this case; for example, whereby a reader
10 automatically relies on the credentials, authority, the honesty, the ethical and the moral
11 standards, especially under oath, or a person, a judge, a lawyer, etc., to form their own basis
12 and conclude that all and any statements are true and accurate. But in reality, and specifically
13 in the Dissolution case no. 09-3-0-06940-2 SEA, are untrue and inaccurate based on the
14 underlying acts/evidence regarding each statement/testimony by/of certain persons to cause
15 result of mistrial.
16

17 Such “lies” constitutes, willful, Gross Intentional Negligence, Gross Intentional
18 misconduct, and Gross Intentional Misrepresentation, causing and leading to invalid
19 procedural errors/omissions and other factors, as noted in this Appellant’s Brief.
20

21 I, the Appellant, have focused and tried to give facts, evidence, logical arguments
22 and/or rational, in lieu of precedents (see reasons below), to support each of my claims, with
23 examples where possible, of lies told or expressed by the noted person(s).
24

25 These acts of perjury by wife, her counsel Ms. Anderson and the contrived and perfidy
26 of certain/several rulings forms the basis of my (the Appellant) appeal for a Mistrial of the
27 entire divorce/dissolution proceedings and trial held on November and December 2010.
28

1 A. ASSUMPTIONS: (Continued)

2 A.2. The State of Washington has “No Fault Statute” with respect to dissolution of
3 marriage. It considers all property (world-wide) especially in 17+ years of marriage (like
4 ours), as “Community Property” unless there exists a “pre-nuptial” or any such agreement
5 between the parties, which specifically in our case, never existed. It is a fact wife did testify,
6 under oath and penalty of perjury, that she willfully and intentionally withheld and therefore
7 lied about all her financial dealings (or 17+ years), whereby wife knowingly and intentionally
8 stole over \$1 million dollars in community funds and transferred it to her brother, Mr. Alkesh
9 Mehta (based in London, England: a chartered accountant and a co-owner of “Prestons
10 Chartered Accountants” firm), for SAFEKEEPING, throughout 17+ years of our marriage and
11 kept lying these were loan repayments without any evidence of over \$1 million dollars loan to
12 the Kothari Estate, other than approximately two hundred forty thousand dollars (~\$240,000)
13 community funds Alkesh returned to us on June 15th, 2007, under a grand deceptive scheme
14 between sister (wife) and brother (Alkesh).

15
16 A.3. It is undisputed, wife (Mrs. Kunjlata Kothari) is a pathological and compulsive
17 liar, as relied upon the facts/evidence in our Dissolution case and her mis-conduct throughout
18 our 17+ years marriage and her treacherous acts of suicide blackmails and false allegations of
19 domestic violence, and perjury.

20
21 A.4. It is undisputed, wife’s brother, Mr. Alkesh Mehta (based in London, England -
22 a chartered accountant with expertise in UK and USA tax rules and regulation)like wife, is a
23 pathological and compulsive liar, as relied upon the facts/evidence in our “Dissolution” case,
24 including his mis-conduct throughout the marriage, his treacherous acts of deception and
25 willful acts of perjury.

26
27 A.5. It is undisputed, wife’s attorney, Ms. Sherri Anderson, committed gross
28 professional misconduct, under penalty of perjury, who knowingly understood wife’s and

1 A. ASSUMPTIONS: (Continued)

2 Alkesh's statements and testimonies, under oath, constituted gross examples of a pathological
3 and compulsive liar, but she (Ms. Anderson) willfully chose for reasons beyond customary
4 client/attorney relationship and for reasons unbeknownst to us, to ignore, to neglect, to
5 conceal, to abate, to enhance false statement/false allegations and promote wife's lies,
6 irrespective of the gross impact of irreparable damages on lives of our children, my family, my
7 life as a person, as a father, and my professional career. Ms. Anderson's actions and her
8 misconduct directly led to untold financial damages, in excess of \$100,000 dollars and
9 crippled the Kothari estate, which took 17+ years to build.

10
11 A.6. It is undisputed, Honorable Judge Michael Fox, under penalty of perjury, knew
12 and understood wife's and Mr. Alkesh Mehta's (wife's brother, based in London, England)
13 statements and testimonies, under oath, constituted gross examples of pathological and
14 compulsive liar, BUT he (Honorable Judge Fox) willfully chose, beyond reasons of the court,
15 and for reasons unbeknownst to our children, my family, to my esteemed colleagues in the
16 legal profession, and to me (the Appellant), to ignore, to neglect, to abate, to cover-up, to
17 misrepresent and misconstrue facts/evidence specifically in favor of wife's clear acts of
18 perjury regarding her and Alkesh's secret financial dealings, her stealing over a million dollars
19 without my knowledge (a direct violation of Community Law), wife's treacherous and false
20 allegations of domestic violence (a very serious crime in the State of Washington with "Zero"
21 tolerance governance), etc;

22
23 WHEREAS there is little or NO instance implicating I (the Appellant) committed
24 perjury, stole community funds, cheated as a husband, a father or as a person.

25
26 A.7. It is undisputed that in the State of Washington — a "No Fault" Dissolution
27 statute there are numerous cases and precedents, whereby a husband/father — a primary and
28 single "breadwinner" — is wholly and fully responsible for his wife's — a "Stay at Home

1 A. ASSUMPTIONS: (Continued)

2 Housewife” with NO income — legal fees, child-support, spousal maintenance and other
3 costs/fees, in the event of a divorce involving children by marriage.
4

5 Please Note: I (the Appellant), did substantially more than a “Stay at Home
6 Housewife” raising our two typical children since 2002 in their academic and other endeavors;
7 and including managing >95% of our three rental properties (that earned us over \$72,000 in
8 2008/2009 rental income plus over \$20,000 in tax refund — a total of over \$112,000 in cash
9 in 2008/2009); and getting off the ground a start-up biotech, as co-founder and CEO of
10 Creative Gene Therapeutics (CGT) Corporation — a “C” corporation to develop and
11 commercial a gene therapy product to treat multiple types of cancers, at various stages of
12 disease, in conjunction with internally acclaimed scientists, physicians, strategic advisors, etc.
13 — a multi-million projects; with full understanding and approval by wife (Kunjata S.
14 Kothari, the Respondent).
15

16 A.8. I, the Appellant, am denied access to computer, printer, and other facilities to
17 conduct research, compile a full and comprehensive “APPELLANT’S BRIEF,” owing to
18 incarceration since July 14th, 2011 in King County Correction facility on charges I have
19 pleaded “NOT Guilty,” since the charges are based primarily on wife’s version of the incident
20 and her unabated vindictiveness, because she vehemently REFUSED divorce.
21

22 A.9. It is undisputed that Honorable Judge Michael Fox denied my (the Appellant’s)
23 motion to continue to retain legal counsel in June 2010 (whilst wife withdrew, with full
24 approval of Ms. Anderson (wife’s attorney) community funds, and repeatedly violated Judge
25 Halpert’s court order “blocking” all accounts) whilst wife continued to have FULL legal
26 representation.
27
28

1 A. ASSUMPTIONS: (Continued)

2 A.10. It is undisputed, I (the Appellant) would NOT have had any legal
3 representation after June 2010, if it was NOT for the fact a friend's friend, Mr. Paul Beattie —
4 a patent litigator — offered to help out of compassion and the inequity of the justice system
5 and a desire to aid an innocent man, a father and his children obtain a fair and just legal
6 outcome over an above wife's treacherous acts as a person, a mother and as a wife.

7
8 A.11. It is undisputed, Mr. Paul Beattie's (Appellant's divorce attorney) repeated
9 requests for appointing a forensic CPA; written declarations providing evidence and
10 circumstantial facts and evidence to dispel wife's and Ms. Anderson's
11 false/lies/misrepresentation/misconstrued statements and testimonies; motions and responses,
12 in writing, emphasizing examples of Mr. Anderson's professional misconduct and negligence;
13 and including without limitation, prominent errors/exclusions in wife's financial tables,
14 interrogatory answers, wife's and Alkesh's testimonies, etc.

15
16 A.12. It is undisputed, Honorable Judge Fox, ignored/denied Mr. Paul Beattie's
17 motions, responses, testimonies in favor of Ms. Sherri Anderson (wife's attorney), that Mr.
18 Paul Beattie exclaim in one of his written declaration quote, Ms. Anderson "can do no wrong"
19 in the eyes of this court.

20
21 A.13. It is undisputed, that I (the Appellant) wrote the "Appellant's Brief" relying on
22 evidence, facts, testimonies of individuals, written motions and declarations, etc., specifically
23 with respect to the Dissolution Case No. 09-3-06940-2 SEA, that does necessitate reference to
24 case citations, but on the merits herein contained in this brief.

1 B. FACTS:

2 I, the Appellant, acting as Pro-Se, submit hereby the APPELLANT'S BRIEF to
3 contest and question the validity and truth of the decisions, rulings and conduct of wife (Mrs.
4 Kunjlata S. Kothari, the Respondent), Ms. Sherri Anderson (wife's attorney) and Honorable
5 Judge Michael Fox in the Dissolution Case No. 09-3-06940-2 SEA, held in King County
6 Superior Court, State of Washington, during the months of October 2009 through April 2011.

7
8 B.1. The Appeals case no. 66927-3, shall consider the following documents,
9 material, including without limitation;

10
11 B.1. (i) Wife's and Ms. Anderson's Interrogatory Answers of June 2010.

12
13 B.1. (ii) Wife's Deposition, under oath, in October 2010.

14
15 B.1. (iii) Wife's written declarations, motions, under oath, including responses.

16
17 B.1. (iv) Wife's testimonies, under oath.

18
19 B.1. (v) All the trial material submitted to the court.

20
21 B.1. (vi) Ms. Anderson's motions, responses, emails, and any other materials
22 used by her in our Dissolution case.

23
24 B.1. (vii) All of the documents, motions, responses, and any other documents and
25 materials submitted on behalf of me (the Appellant), and/or by me, acting in the capacity of
26 Pro-Se.

27
28 B.1. (viii) Mr. Alkesh Mehta's testimonies, under oath.

1 B. FACTS: (Continued)

2 B.1. (ix) Report of Proceedings in Dissolution Case 09-3-06940-2 SEA.

3
4 B.1. (x) All and any other materials, documents, deemed important, necessary to
5 aid and necessitate a fair and equitable outcome in this Appeal Case no. 66927-3, including
6 without limitation, to impose maximum penalties for willful acts of Perjury, Gross
7 Misconduct, Gross Negligence and Gross Misrepresentation.

8
9 B.2. Honorable Judge Michael Fox states/implies in his “MEMORANDUM
10 OPINION” that I, the Appellant and my counsel Mr. Paul Beattie, failed to provide “ANY
11 EVIDENCE WHATSOEVER” that wife secreted away community funds to her brother, Mr.
12 Alkesh Mehta (based in London England).

13
14 This is not a true statement, because:

15
16 B.2.1. Wife’s Microsoft pay stubs — subpoenaed from 2002 to September 2009,
17 reviewed at trial — showed she, willfully diverted at least \$1.2 million dollars directly from
18 Microsoft payroll to her “Private” bank accounts.

19
20 A substantial amount of community funds diverted, during the last eight years of
21 marriage and at a time when I, the Appellant, struggled to find a W2 wage, and worked hard
22 as “housewife” caring for our two children’s every needs; as well as manage our rental
23 investment properties; and to manage a “Start-up Business” which allowed me to enrich my
24 resume at a time when Biotech were scarce or non-existent.

25
26 B.2.2. It is undisputed, wife testified that she kept her financial dealings secret,
27 because she did NOT want me to know, even though it was apparent to both of us, she was
28 willfully, lying each week, each month, each year giving the huge discrepancy between the

1 B. FACTS: (Continued)

2 wife's W2 earnings and what wife put into our joint WAMU/Chase bank account — PLEASE
3 SEE FINANCIALS UNDER 3.0.
4

5 B.2.3. It is undisputed, wife willfully, and without my knowledge and without
6 consent, transferred \$1,000s, \$10,000s, \$100,000s (thousands, tens of thousands, hundred of
7 thousands of dollars) in the period 2002 to September 2009, to Mr. Alkesh Mehta as evident
8 in wife's several "PRIVATE" bank accounts' statements, highlighting amounts, dates, Mr.
9 Alkesh Mehta's UK bank account details, etc. Totaling over \$1 million dollars, in the period
10 2009 to 2009, of community assets/funds, including stocks.
11

12 B.2.4. It is undisputed, there is NO evidence (e.g., bank statements) to show or prove
13 that Mr. Alkesh Mehta sent money at any time between 1993 to June 14, 2007.
14

15 This corroborates with Mr. Alkesh Mehta's testimony at Dissolution Trial in
16 November/December 2010, that there were NEVER any loans, prior to "Sham Loan" of June
17 15th, 2007, or thereafter. A direct contradiction to wife's testimonies and Interrogatory
18 Answers (of June 2010) who claimed and lied/committed perjury, under oath, that she/we
19 were repaying back loans from Alkesh, supposedly prior to 1997 totaling over \$1 million
20 dollars; which makes NO sense and represents a gross lie and it's highly disingenuous of Ms.
21 Anderson and Judge Fox to ignore these facts and enforce/promote wife's and Alkesh's
22 obvious lies.
23

24 B.2.5. It is undisputed, there is no evidence (e.g., bank statements, where money was
25 spent/used, etc.) to show or prove that Mr. Alkesh Mehta sent money at any time between
26 June 16th, 2007 to October 2009.
27
28

1 B. FACTS: (Continued)

2 Please Note: It seems incredible that wife and Alkesh and Ms. Anderson can produce
3 hundreds of pages of numerous bank statements from 1992/1993 to argue and demonstrate
4 that wife held/holds over \$100,000 dollars in her various “PRIVATE PRE-MARITAL bank
5 accounts in the UK, including four joint accounts with Alkesh Mehta and two with other
6 mother, BUT they CANNOT produce a single bank statement prior to or after June 15th,
7 2007, showing when, how much, which account Mr. Alkesh Mehta “supposedly” sent money
8 to us and what we “Supposedly” did with the incoming money. Another example of gross
9 INTENTIONAL LIE by wife, that makes no sense and it’s highly disingenuous of Ms.
10 Anderson and Judge Fox to ignore these facts and enforce/promote wife’s and Alkesh’s
11 obvious lies.

12
13 B.2.6. It is undisputed, that the money Mr. Alkesh Mehta, sent on June 15th, 2007,
14 was only part of the money (community fund) wife had transferred to Alkesh, as evidenced
15 by wife’s “PRIVATE” bank statements and by wife’s own Interrogatory Answers (June 2010),
16 prior to June 15th, 2007, totaling at least \$700,000 between 2002 and June 14th, 2007.

17
18 B.2.7. It is undisputed, wife and I did not need to borrow any funds in 2007,
19 especially from Alkesh, because wife’s “Private” bank accounts showed she held over
20 \$260,000 in community funds, in USA, and further >\$100,000 in her “PRIVATE” UK
21 accounts (see B.2.5).

22
23 Therefore, it is highly disingenuous of Ms. Anderson and Judge Fox to ignore these
24 facts and enforce/promote wife’s and Alkesh’s lies.

25
26 B.2.8. It is undisputed, that Mr. Alkesh Mehta’s testimony regarding the “SHAM”
27 loan of June 15th, 2007 and the involvement of 364 Limited (a UK based company, held
28 closely by Mr. Alkesh Mehta and his partners and operated out of the same office as their

1 B. FACTS: (Continued)

2 accountancy firm) was a grand deception conceived by wife and Alkesh to defraud the Kothari
3 estate of over \$240,000 plus 9% compounded interest, if the truth had NOT surfaced during
4 the cross-examination, at the Dissolution Trial, by Mr. Paul Beattie.

5
6 I, the Appellant, would NEVER have found out, or found out ONLY after the fact, if I
7 had NOT filed for divorce in October 2009.

8
9 It is undisputed, wife was in a hurry to transfer as much community funds, to Alkesh
10 for SAFE-keeping, because she transferred at least \$200,000 to Alkesh in six (6) months prior
11 to divorce filing in October 2009.

12
13 B.2.9. It is undisputed, wife testified at her Deposition on October 2010, that she did
14 NOT know who her brother Alkesh borrowed the ~\$240,000 (two hundred and forty thousand
15 dollars) from in June 2007, with respect to the “Sham” loan of June 15th, 2007. This was a
16 highly disingenuous lie by wife, because it is very hard to imagine wife NOT asking Alkesh
17 where and how he obtained approx. quarter million dollars at such short notice and under
18 what terms and conditions? Especially since both wife and Alkesh also drafted up a
19 “SECRET” loan agreement between wife and Alkesh, charging the Kothari estate 9% interest
20 rate compounded. A loan agreement that did NOT bear my (the Appellant) name. An
21 agreement that they signed on August 13, 2007, almost two months after June 15th, 2007.

22
23 Another fact: I, the Appellant, would have NEVER found out about the “secret” loan
24 agreement regarding the “SHAM” loan agreement regarding the “SHAM” loan of June 15th
25 2007 and the grand deceptive scheme to defraud the Kothari estate of over \$240,000 dollars,
26 PLUS 9% interest compounded. Therefore, it is highly disingenuous of Ms. Anderson and
27 Judge Fox to ignore these facts and enforce/promote wife’s and Alkesh’s lies; furthermore,
28 both Ms. Anderson and Judge Fox are guilty of Gross Intentional Negligence, Gross

1 B. FACTS: (Continued)

2 Intentional Misrepresentation and Gross Intentional Misconduct for falsely arguing and
3 ordering I, the Appellant, in the Final Decree of March 4th, 2011, to PAY Mr. ALKESH
4 MEHTA approx. \$52,000 (on top of the \$1 million dollars wife gave to Alkesh for safe-
5 keeping) with respect to the “SHAM” loan of June 15th, 2007.

6
7 This is UNACCEPTABLE, and gross abuse of the Judicial powers by Jude Michael
8 Fox, because evidence and circumstantial evidence presented by Mr. Paul Beattie proved
9 Alkesh was returning part of the ~\$700,000 wife sent to Alkesh before June 15th, 2007.

10
11 PLEASE NOTE: The Court o Appeals for the State of Washington, nor any other
12 judicial party would have found out what Judge Michael Fox, Ms. Sherri Anderson (attorney
13 for wife), wife and her brother, Mr. Alkesh Mehta did to our children, my family and I. And
14 how they hoped I would not file for appeal case.

15
16 THESE ARE SERIOUS CRIMINAL ACTS AND CRIME BY WIFE, MR. ALKESH,
17 MEHTA, MS. SHERRI ANDERSON, AND JUDGE MICHAEL FOX.

18
19 B.2.10. It is undisputed wife lied to me, the Appellant, until after the fact that she lost
20 over \$90,000 in 1996, and again over \$70,000 in 2000 through stock trading, SECRETLY, via
21 her “PRIVATE” bank accounts.

22
23 This is highly relevant, because wife stated, under oath, in her Deposition of October
24 2010, a month before divorce trial, that all the money (>\$1 million dollars) that she was
25 sending back to her brother, Alkesh, was to repay loans from Alkesh to us (LIE Number 1)
26 before June 1997, because we were financial hard up. THIS IS A FANTASTIC LIE, because:

1 B. FACTS: (Continued)

2 i) wife and Ms. Anderson showed the courts she had over \$100,000 in PRE-
3 MARITAL fund in her “Private” UK accounts;

4
5 and ii) How could wife afford to buy stocks worth over \$90,000 in 1996 and
6 before?;

7
8 and iii) How could wife afford to lose a further >\$70,000 in year 20000 in stock
9 trading?;

10
11 and iv) Why did wife state in her Deposition in October 2010, that she had detailed
12 all the loans from her brother, Alkesh, on pages 1590 to pages 1598 of the Interrogatory
13 Answers prepared by wife, Alkesh, and Ms. Sherri Anderson in June 2010?

14
15 Please Note: Ms. Anderson used the same table(s) in her arguments and
16 questioning wife and Alkesh at the Divorce Trial in November/December 2010, both of whom
17 testified that these were true and accurate. If so, then again both wife and Alkesh both
18 committed Perjury, because:

19
20 B.2.10.v) Alkesh testified under cross-examination by Mr. Paul Beattie, that there
21 were NO loans of any kind, other than the “SHAM” loan of June 15th, 2007;

22
23 and vi) Alkesh testified under cross-examination that wife sent him ~\$160,000 of
24 community funds in 2005, on top of \$140,000 he was holding for wife, a total of ~\$300,000
25 which he (Alkesh) then invested in a dubious Hedgefund Manager, Mr. John Ceredella, based
26 in London England, on June 2005.

1 B. FACTS: (Continued)

2 Another Fact: I would never have found out that wife took ~\$300,000 of community
3 funds in 2005, whilst I am struggling to find a W2 wage job, struggling to get the biotech
4 start-up off the ground, etc., if I had not filed for divorce in October 2009.

5
6 This is another example of Gross Intentional Misconduct by Ms. Anderson and Judge
7 Fox, who would have succeeded in concealing all the truths if I (the Appellant) had not filed
8 an Appeal;

9
10 and B.2.10.vii) If Ms. Anderson had added the numbers, totaling the wife's and Alkesh's
11 dollar amounts on page 1591 of wife's Interrogatory Answers of June 2010, Ms. Anderson
12 would have concluded both wife and Alkesh lied because NONE of it made any sense and that
13 wife transferring over \$1 million between 2002 and 2009 did NOT corroborate with the
14 table(s) and their testimonies.

15
16 B.2.11. It is undisputed wife defrauded the IRS and the Kothari estate by lying on our
17 joint 2007 and 2008 Tax returns; because the IRS fined us over \$15,000 in penalties in
18 2009-2010, following an IRS audit showing wife had over six (6) Private bank accounts in the
19 USA, to conceal her financial dealings using stolen community funds, without my knowledge.

20
21 B.2.12. It is undisputed, wife's financial tables, contained numerous false data, errors,
22 omissions, etc. Mr. Beattie emphasized and highlighted to the court at the Dissolution Trial,
23 that it was highly disingenuous of Ms. Anderson and wife to conceal the truth, about wife's
24 financial dealings with Alkesh, and wife staling over a million dollars of community funds
25 between 2002 - 2009, without my knowledge.

1 B. FACTS: (Continued)

2 There is/was never any instance we used \$1 million dollars, over and above or
3 incomes and rental income. All investment properties were bought by refinancing with cash-
4 ut to put down 20% — so we never borrowed the 20% cash down.

5
6 Please see Section 3.0 on Financials and see Section 5.0 on Rentals.

7
8 B.3 Honorable Judge Michael Fox stated/implied in his “MEMORANDUM
9 OPINION that I, the Appellant, did “UNILATERALLY” violated court orders and that I was
10 “In transient.”

11
12 THIS IS NOT TRUE. It is a highly disingenuous statement, and Gross Intentional
13 Misconduct, because to the “Reader,” e.g., our children, family, friends and the public, they
14 have NO reason to doubt or question Judge Fox about the REAL TRUTH. People can take
15 the literal meaning to understand that is why Judge Fox penalized me gravely and that here
16 was NO prejudice or bias. BUT as the facts provided below show that Judge Fox lied, under
17 penalty of perjury, and as an officer of the court. Following examples of facts are:

18
19 B.3.1. It is undisputed wife, with Ms. Sherri Anderson’s full knowledge and
20 understanding, WITHDREW \$10,000s (tens of thousands of dollars) to pay her attorney Ms.
21 Anderson, IN CLEAR VIOLATION of Judge Helen Halpert’s court order “BLOCKING” all
22 accounts in December 2009, because wife had “Secretly” and without my (the Appellant)
23 knowledge stole and transferred approx. \$200,000 of community funds to her brother, Alkesh
24 (in London, England), in six (6) months prior to the divorce filing in October 2009.

25
26 B.3.2. It is undisputed, wife and Ms. Anderson NEVER filed a “Money Motion” to
27 withdraw funds from “Blocked” accounts — an example of Gross Professional Misconduct
28 and Gross Intentional Negligence by Ms. Anderson.

1 B. FACTS: (Continued)

2 Whilst I, the Appellant, followed the court order and filed a “Money Motion” as per
3 Judge Helen Halpert’s rulings, which Judge Fox denied and is directly responsible for
4 prejudiced ruling, because wife had uninterrupted legal counsel and I did not.

5
6 B.3.3. It is undisputed wife, with Ms. Anderson’s knowledge and approval
7 WITHDREW, REPEATEDLY, \$1000s (thousands of dollars) — in clear violation of Judge
8 Helen Halpert’s court order “blocking” all accounts — every month to pay mortgage and other
9 costs on Rental Condo Unit 103.

10
11 Wife and Ms. Anderson NEVER filed a “Money Motion” to request funds from
12 community assets, that were “BLOCKED.”

13
14 AGAIN, Ms. Anderson is liable for Gross Intentional Negligence and Gross
15 Intentional Misconduct. My (the Appellant) attorney’s were shocked that the court and Judge
16 Fox ignored and neglected to do nothing.

17
18 B.3.4. Judge Fox’s statement that I (the Appellant) unilaterally violated court order
19 was false, because the only court order that was IMPOSSIBLE for me to comply with was,
20 Judge Halpert’s ruling that I (the Appellant) pay approx. \$4,000/month on the community
21 Rental Issaquah home’s mortgage/equity loan/etc., when she (Judge Halpert) knew that I had
22 NO income; that spousal maintenance was ONLY \$3,000/month ending on March 1st, 2010;
23 that I had to pay approx. \$2,000/month for mortgage and HODs and costs on my condo
24 (unfurnished) unit 515; that I had to support two children 45% of the time; that I had NO child
25 support; that wife was getting \$7,700/month WITHOUT interruptions; and that my attorney-
26 at-time (Mr. Carl Edwards) had articulated in his written declaration in January 2010, to Judge
27 Halpert the GROSS INEQUITY and impossibility for anyone (with no income) to comply
28 with such a ruling. Judge Halpert’s decision/ruling was highly disingenuous because she

1 B. FACTS: (Continued)

2 would NEVER have made the same ruling if I (the Appellant) was a woman, a housewife, a
3 stay-at-home mom.

4
5 B.3.5. With specific reference to point 5.3.4 above, Ms. Anderson willfully and
6 knowingly used a lawyering tactic to aggressively abuse and intentionally misconstrued the
7 knowing facts that I (the Appellant) had NO income, especially when at the same time her
8 client (wife) was withdrawing funds out of “Blocked” accounts (with Ms. Sherri Anderson’s
9 approval) every month, in DIRECT violation of Judge Halpert’s court order.

10
11 Again, this is another example of Ms. Anderson having “Double Standards” and
12 directly liable for Gross Intentional Misconduct.

13
14 Why did Judge Fox ignore and neglect these facts?

15
16 No one would have found out these acts of Gross Intentional Misconduct if I did not
17 file for Appeal and mis-trial!

18
19 Please Note: Ms. Anderson also knew that this was the ONLY court order that I could
20 not comply with, but she lied to the courts in her written declarations and in her testimonies
21 that violated numerous court orders, but never provided clear examples other than the one
22 mentioned in 5.3.4 and here in 5.3.5, repeatedly, knowing the courts will not question her and
23 that the court, specifically Judge Fox, would accept her word religiously. This is a true
24 statement because Mr. Paul Beattie had articulated several times to Judge Fox that wife and
25 Ms. Anderson both violated court’s orders repeatedly, and specifically it was impossible for
26 me (the Appellant) to comply when I HAD NO INCOME! No precedent is required for Gross
27 Willful Misconduct.

1 B. FACTS: (Continued)

2 B.3.6. It is undisputed that our children, our family, my attorney, esteemed colleagues
3 in the legal profession and I, CANNOT understand how and why Judge Halpert ordered wife
4 (earning ~\$300,000 a year salary, with uninterrupted maintenance of \$7,700/month, and who
5 sent approx. \$200,000 community funds to Alkesh (based in London, England) just six
6 months prior to divorce) to pay ONLY \$1,600/month mortgage/HODs on a rental condo unit
7 103, WHEREAS, Judge Halpert ordered I must pay approx. \$4,000/month on rental Issaquah
8 home with NO income and NO maintenance after March 1st, 2010, and NO child support. A
9 FACT Judge Fox ignored/neglected.

10
11 B.3.7. It is undisputed wife, with Ms. Anderson's full knowledge and understanding,
12 withdrew \$1,000s of dollars from "Blocked Accounts," in DIRECT violation of Judge
13 Halpert's court order, to pay for ski vacations, vacations to California with children, trip to
14 London, England, to purchase gifts for children, knowing I could not.

15
16 How can and why did Judge Fox ignore/neglect this fact?

17
18 B.3.8. It is undisputed, wife, with Ms. Anderson's knowledge and approval, took our
19 children out of state of Washington, WITHOUT my (the Appellant) consent, in direct
20 violation of court orders.

21
22 How can and why did Judge Fox ignore/neglect this fact?

23
24 B.3.9. It is undisputed, wife with Ms. Anderson's full knowledge and approval,
25 NEVER provided a detailed account of her financial dealings from April 2009 to November
26 2009, in direct violation of BOTH i) Commissioner Marilyn Sellers' court order of November
27 20th, 2009; and, ii) Judge Helen Halpert's court order of December 2010.

1 B. FACTS: (Continued)

2 For example, wife has NOT provided any information about what she did with the
3 \$31,000 dollars she withdrew in July 2009, just two weeks before her trip to London, England
4 in August 2009 — two months before divorce filing in October 2009.

5
6 How can and why did Judge Fox ignore/neglect this fact?
7

8 Please note: Ms. Anderson was sent reminders by Mr. Carl Edwards, Mr. Camden
9 Hall, Ms. Cynthia Buhr on this same matter.
10

11 B.3.10. It is undisputed, wife attacked me (the Appellant) in front of our daughter,
12 whilst I sat in my car with the driver's door shut, on November 21st, 2009: In direct violation
13 of Commissioner Watness's and Commissioner Marilyn Seller's court orders regarding
14 "MUTUAL RESTRAINING" order.
15

16 Please Note 1: Mercer Island police refused to make a record when I reported the
17 incident, stating wife caused no harm to my car or me, even if she physically opened the
18 driver's door and came at me hurling verbal abuse, until our daughter pulled her away and
19 NOT without wife slamming the car door at me: causing untold trauma to our daughter, whom
20 I was dropping off at our Mercer Island home so she could celebrate her BIRTHDAY and the
21 fact I could NOT remain alone with wife (given her false domestic violence allegation on
22 October 18th, 2009) and participate in our daughter's birthday celebration.
23

24 Please Note 2: Mr. Carl Edwards did file a contempt motion in this regard in January
25 2010.
26
27
28

1 B. FACTS: (Continued)

2 B.3.11. It is undisputed Wife, with Ms. Anderson’s knowledge and understanding, did
3 NOT automatically pay 35% of bonus upon receipt, in direct violation of Judge Halpert’s
4 court order.

5
6 Please note: It cost me (the Appellant) additional lawyer fees just to recover these
7 funds.

8
9 B.3.12. It is undisputed wife, with Ms. Anderson’s knowledge and understanding, did
10 NOT file a “Money Motion” to withdraw funds from “Blocked Accounts,” in DIRECT
11 violation of Judge Halpert’s court order stating that neither party could withdraw any funds
12 from community funds without courts’ approval.

13
14 Wife helped herself to community funds often, and repeatedly, because she could.

15
16 B.3.13. It is undisputed that Mr. Paul Beattie (my, the Appellant, counsel) filed a
17 motion and voiced his displeasure with the fact wife (with Ms. Anderson’s knowledge and
18 understanding) withdrew \$20,000 two weeks prior to beginning of Dissolution Trial in
19 November 2010, to pay Ms. Sherri Anderson legal fees, by DIRECTLY violating Judge
20 Halpert’s court order, and without informing the court or I, the Appellant. Wife took the
21 \$20,000 of community funds from “Blocked Accounts.”

22
23 What was highly disturbing was the fact Judge Fox denied Mr. Paul Beattie’s motion
24 and requests, knowing full well that both wife and Ms. Anderson were in contempt of court,
25 but he (Judge Fox) willfully ignored/neglected this FACT.

1 B. FACTS: (Continued)

2 How can and why did Judge Fox fair and equitable to let wife take \$10,000s of
3 community funds without reproach, enjoy legal counsel, but the same rights to me (the
4 Appellant).

5
6 Again, no one would learn or found out exactly what Ms. Anderson and what Judge
7 Fox did, and their Gross Intentional Misconduct and Negligence, if I (the Appellant) did not
8 file this “Appellant’s Brief.”

9
10 B.4 Honorable Judge Michael Fox stated/implied in his “Memorandum Opinion”
11 that I, the Appellant, am “delusional,” “right,” “controlling” and that any person living with
12 me would have a breakdown, and it is good wife is free of me.

13
14 This is not true and it is NOT factual. It is a highly disingenuous statement, and Gross
15 Intentional Misconduct, as well as Gross Intentional Misrepresentation, because to the
16 “Reader,” e.g., or children, family, friends, and public, they have NO reason to doubt or
17 question Judge Fox about the real truth. People can take the literal meaning to understand that
18 is why Judge Fox penalized me gravely and that there was NO prejudice or bias.

19
20 But, as the facts provided below show that Judge Fox lied, under penalty of perjury,
21 and as an officer of the court. Following examples of fact are:

22
23 B.4.1. It is undisputed, wife lied, stole and lost over \$90,000 of community funds in
24 1996, just three years after our marriage.

25
26 B.4.1. (i) Wife ONLY informed me of the fact she lost >\$90,000 during tax return
27 preparation in Q1, 1997. It proved that throughout 1994, 1995 and 1996, wife concealed
28

1 B. FACTS: (Continued)

2 truth about her financial dealings each day, each week, each month, each year. How does
3 Judge Fox consider this normal in any relationship?
4

5 How can and why did Judge Fox ignore/neglect the fact I did NOT steal >\$90,000, and
6 I did not lie, and I did not conceal my financial dealings!1 — because 100% of salary was
7 deposited in joint WAMU/Chase bank account.
8

9 B.4.1. (ii) In 1996, >\$90,000 was equivalent to 3X (three times) my salary. Any
10 normal being would be super angry/frustrated to find out that whilst I was working and
11 earning only \$10/hour, wife was stealing \$10,000s (tens of thousands of dollars) of
12 community funds;
13

14 and B.4.1. (iii) It is undisputed, wife hid part of salary in 1994, 1995 and 1996, by directly
15 transferring percentage (%) of her salary into her “PRIVATE” bank account and used her
16 “PRIVATE” TD Ameritrade brokerage account for stock trading, instead of the Joint TD
17 Ameritrade account, because wife did NOT want me to find out what she was doing.
18

19 Please note: All my (the Appellant) stock trades have been carried out on our Joint TD
20 Ameritrade, because I/we only had limited cash for stock trading in our joint checking
21 account, and because as shown in SECTION 3 (Financials), majority of my salary went to pay
22 our bills.
23

24 This is proof wife was “delusional” and “controlling” in our marriage relationship.
25

26 B.4.1. (iv) It is undisputed, wife attempted/threatened suicide in Q1 1997, following
27 her disclosure to me that she lost >\$90,000 in 1996 in stock trading: all because I told her
28 behavior was unacceptable and she close her “PRIVATE” bank/brokerage accounts. Wife

1 B. FACTS: (Continued)

2 started banging her head on walls and table, in front of our one-year-old daughter and two-
3 year-old son. I never imagined wife could/would do such a thing. I NEVER discussed with
4 anyone to protect the family and for wife's own protection, because if such information
5 became public, it would impact our children too. I have had to live with the memory and
6 trauma for the rest of my life. Please see next point B.4.2.

7
8 B.4.2. It is undisputed, wife lied, stole and lost over >\$70,000 of community funds in
9 year 2000, just three years after the 1996 incident:

10
11 B.4.2. (i) Wife ONLY informed me of the fact she lost >\$70,000 in year 2000.

12
13 Again, it proved that throughout 1997, 1998, 1999, wife concealed the truth about her
14 secret financial dealings each day, each week, each month, each year.

15
16 IT ALSO PROVES, WIFE LIED about us needing to borrow money in 1994 - 2000,
17 when she single-handedly lost over >\$160,000 (\$90,000 + >\$70,000) between 1994 to 2000.
18 Please see wife's testimony, under oath, at her Deposition in October 2010, and wife's
19 Interrogatory Answers of June 2010. This fact shows again wife's "delusional" and
20 "controlling" behavior, as treachery.

21
22 How can and why did Judge Fox ignore/neglect this fact? This fact contradicts and
23 proves Judge Fox statement was Gross Intentional Misrepresentation and Gross Intentional
24 Negligence. Judge Fox also ignored the fact that my salary was \$45,000/year.

25
26 B.4.2 (ii) Again wife attempted/threatened suicide, in 2000, upon disclosure of her
27 losing >\$70,000 community funds (in stock trading, secretly, without my knowledge) in front
28 o our children (ages 5 and 6).

1 B. FACTS: (Continued)

2 This time the children and I felt extremely terrorized and deeply traumatized, that I had
3 our daughter call Ms. Sudha Shetty (a close friend who had recently gone through a
4 contentious divorce herself), to come help me to cope with the situation, against wife's wishes
5 (because she did NOT want anyone to fine out).
6

7 Ms. Sudha Shetty was the only person I had told, and she did come that night to help
8 me to talk to wife that her actions were unacceptable.
9

10 Our children and I remember the trauma to this day, except now we understand wife's
11 motive(s) was purely to blackmail me into submission, so she could continue to do as she
12 pleased.
13

14 No human being, no man, no father, no child have to witness what wife did and what
15 she put us through at least two more times after year 2000. Both times, in front of children,
16 involving threats of suicide with a knife.
17

18 B.4.3. It is undisputed, wife committed perjury, under oath, stating in her declaration
19 (November 2009) she never attempted suicide; BUT at Dissolution Trial in December 2010,
20 she confessed she did.
21

22 Please Note 1: Under oath, at trial, wife lied about year of incident. In response to
23 Ms. Anderson's question, wife stated it was positively year 2003. The following day under
24 cross-examination by Mr. Beattie, wife stated it was 2005. The actual year was 2000.
25

26 Please Note 2: Under oath, at trial, wife lied about children's whereabouts. In response
27 to Ms. Anderson's question wife stated children were present and observed what she did. The
28

1 B. FACTS: (Continued)

2 following day under cross-examination by Mr. Beattie, wife stated children were not present,
3 but downstairs in their bedroom. Truth is our children witnessed the whole act.

4
5 B.4.4.It is undisputed, wife committed PERJURY, under oath, stating in her
6 declaration of November 2009 that I (the Appellant) attacked her with a knife, and she took it
7 off me; BUT at Dissolution Trial in December 2010, wife stated there were NEVER any
8 incidents with a knife.

9
10 The actual truth was, wife had attempted/threatened suicide on two other occasions:
11 first time I prevented her from grabbing a knife; and second time, our son took the knife fro
12 her, as recent as 2007. Both times in the presence of children.

13
14 How can and why did Judge Fox ignore/neglect these facts of wife did, all because she
15 was confronted about lying, stealing and cheating once again?

16
17 How many times does it take to prove to Judge Fox that wife was/is a pathological and
18 compulsive liar?

19
20 How can and why did Judge Fox ignore/neglect the fact that I did NOT use
21 suicide/blackmail in our children's presence, I did NOT cheat by sleeping around as wife did?

22
23 How can and why did Judge Fox ignore and neglect that I did NOT keep numerous
24 "PRIVATE" accounts, dating back to our marriage in 1993 to 2003; and I did NOT put >50%
25 of my salary into my "Private" accounts; and I did NOT lie to wife each day, each week, each
26 month, each year about my finances; and I did NOT traumatize wife as she did to our children
27 and I?
28

1 B. FACTS: (Continued)

2 B.4.5. It is undisputed, wife used every treacherous act in our 17+ years of marriage,
3 despite the fact she was earning ~\$300,000/year salary; she had 15+ year solid career at
4 Microsoft; she had two great children; she had investment properties with positive equity; she
5 had transferred over \$1 million dollar community funds to her brother, Alkesh (based in
6 London, England) for safe-keeping; and she had 7+ years care-free work life —
7

8 Why didn't wife want a divorce?
9

10 Why did wife commit a treacherous lie on October 18th, 2009, causing untold trauma
11 to our children, my family and I, by making false allegation of domestic violence?
12

13 Please note, at Dissolution Trial, it was shown had committed another perjury. Even
14 the police report contradicted wife's statement in her declaration of November 2009 and her
15 testimony at trial in December 2010!
16

17 B.4.6. It is undisputed, Ms. Sudha Shetty lied and committed perjury in her witness
18 declaration, who remembered I (the Appellant) called her on the night wife
19 attempted/threatened suicide in 2000, but could not remember why I called her.
20

21 B.4.7. It is undisputed, wife lied to Ms. Margo Waldroup, the Parent Evaluator that
22 she (wife) NEVER ATTEMPTED/threatened suicide. Wife omitted/concealed the fact that
23 she threatened/ATTEMPTED suicide in front of our children, several times. Wife lied about
24 her financial dealings and stealing >\$1 million community funds.
25

26 B.4.8. It is undisputed, the Parent Evaluator, Ms. Margo Waldroup lied and
27 committed perjury in her report, for Gross Intentional Negligence, and Gross Intentional
28 Misconduct.

1 B. FACTS: B.5 SUMMARY

2
3 B.5.1. I, the Appellant, focused on four major examples of Gross Intentional
4 Misconduct, Gross Intentional Misrepresentation, and Gross Intentional Negligence by wife,
5 Mr. Alkesh Mehta (wife's brother), Ms. Sherri Anderson (wife's attorney), and Judge Michael
6 Fox.

7
8 B.5.2. There are several other examples of misstatements and misrepresentation by
9 Judge Fox in his "MEMORANDUM OPINION" that I, the Appellant, shall not go into in this
10 "APPELLANT'S BRIEF," because I believe the four major examples covered in the
11 "APPELLANT'S BRIEF" clearly emphasizes the extent of miscarriage of justice and grounds
12 for mistrial.

13
14 B.5.3. It is undisputed wife used and abused me beyond measure, for over 19+ years,
15 and destroyed everything I worked for and believed in, hoping wife would recognize the
16 untold harm and irreparable damages she caused to the lives of our children, my family and I.

17
18 B.5.4. It is undisputed wife committed perjury with respect to:

- 19 i) Our finances
20 ii) Domestic violence
21 iii) "SHAM" loans/loan agreement to defraud Kothari estate.

22
23 B.5.5. It is undisputed, wife defrauded the IRS (not to mention acts of money
24 laundering).

25
26 B.5.6. It is undisputed that Judge Michael Fox obstructed and stymied Mr. Paul
27 Beattie (Appellant's attorney) during his cross-examination of Ms. Margo Waldroup, the
28 Parent Evaluator. Why? — Please see Dissolution Transcript.

1 B. FACTS: B.5. SUMMARY (Continued)

2 Please note: Ms. Margo Waldroup stated that “HONESTY” in any relationship is
3 paramount importance, and that she was shocked to see evidence of wife diverting and
4 stealing hundreds of thousands of dollars (\$100,000s).

5
6 Please note: Wife’ MMPI, psychological test result revealed tendency to misrepresent
7 the truth.

8
9 Please note: Ms. Margo Waldroup (Parent Evaluator) also stressed she would be
10 highly concerned if there were suicidal tendencies (I believe). Ms. Margo Waldroup was
11 NOT present when wife testified and admitted she had attempted/threatened suicide, in front
12 of children.

13
14 B.5.7. Why did and how can Judge Michael Fox ignore/neglect the fact that I (the
15 Appellant) did call for help to Ms. Sudha Shetty (a close family friend) the second (2nd) time
16 wife attempted/threatened suicide, after disclosing she lied, stole and lost >\$70,000 in year
17 2000?

18
19 Please Note 1: Judge Fox ignored/neglected Ms. Sudha Shetty witness declaration,
20 which corroborated the fact I did call her, but also emphasized the fact Ms. Sudha Shetty was
21 concealing the truth, because she could NOT remember what happened that evening and my
22 reason for calling her!

23
24 Please Note 2: Judge Fox ignored/neglected the fact Ms. Margo Waldroup had failed
25 to comment on above facts despite her interviews with wife and Ms. Sudha Shetty?

26
27 THIS IS FURTHER PROOF WIFE TORTURED/TORMENTED CHILDREN AND I,
28 NOT THE REVERSE.

1 B. FACTS: B.5. SUMMARY (Continued)

2 B.5.8. It is undisputed Judge Michael Fox rejected wife's, Mr. Alkesh Mehta (wife's
3 brother) and Ms. Sherri Anderson's testimonies on the "SHAM" loan, conceding that he too
4 believed wife and Alkesh NOT ONLY lied, but used deception of June 15th, 2007 "SHAM"
5 loan to defraud the Kothari estate of >\$240,000 PLUS 9% interest compounded — a highly
6 treacherous act by sister (wife) and brother (Alkesh), and EQUALLY TREACHEROUS act
7 by Ms. Sherri Anderson who worked hard to color/conceal the evidence and to deceive the
8 court.

9
10 Please Note 1: Judge Fox twice denied Ms. Anderson's requests on two separate
11 occasions. However, to the great dismay of Mr. Beattie, Judge Fox acquiesced to Ms.
12 Anderson's lies and ranting and reversed his decision, ordering I (the Appellant) to pay Mr.
13 Alkesh Mehta over \$52,000 on top of >\$1 million community funds wife stole and transferred
14 to Alkesh.

15
16 This is another example of Ms. Anderson where if she rants and raves long and hard
17 enough, lies will turn into truth and the fact she can do NO wrong in Judge Fox's court —
18 point stated by Mr. Beattie in one of his written declarations to the court.

19
20 This is another example of Gross Intentional Misrepresentation, Gross Intentional
21 Misconduct, and Gross Intentional Negligence by both Ms. Sherri Anderson and Judge
22 Michael Fox.

23
24 Please Note 2: Judge Fox ignored/neglected the fact, I (the Appellant), ONLY found
25 out about the "SHAM" loan of June 15th, 2007 and the grand scheme of deception by wife
26 and Alkesh, AFTER I filed for Divorce: A reason why wife DID NOT want a divorce.

1 B. FACTS: B.5. SUMMARY (Continued)

2 Please Note 3: The Court of Appeals for the State of Washington would NEVER have
3 found out the truth, the Gross Professional and Intentional Misconduct by Ms. Sherri
4 Anderson and Judge Michael Fox, and their treacherous conduct to conceal acts of Perjury
5 committed by wife, Mr. Alkesh Mehta (wife's brother) and Ms. Sherri Anderson throughout
6 the Dissolution Case No. 09-3-06940-2 SEA; if I (the Appellant) had not filed this APPEAL
7 Case.

8
9 B.5.9. It is undisputed, Judge Michael Fox stated he accepts Ms. Margo Waldroup's
10 (Parent Evaluator) report in its entirety, as is, with Full Knowledge and Understanding of
11 wife's, Alkesh's and Ms. Anderson's lies/acts of Perjury and Ms. Margo Waldroup failure/
12 negligence to report wife's treacherous lies and acts, causing irreparable damages to the lives
13 of children, my family and I (the Appellant).

14
15 Again, no one would have found out the evidence/circumstantial evidence-based facts
16 of what Ms. Margo Waldroup's false/highly disingenuous report and Judge Fox's gross
17 intentional negligence and misrepresentation, if I, the Appellant, had NOT filed this Appeal.

18
19 Please Note: Ms. Margo Waldroup's Parent Evaluator Report is highly prejudiced in
20 favor of wife, and derogatory toward me (the Appellant); even though wife lied, stole, cheated
21 and committed Treacherous "Criminal" acts.

22
23 B.5.10. It is undisputed Judge Michael Fox ignored/neglected and denied, repeatedly,
24 Mr. Paul Beattie's request to appoint a Forensic CPA in our Dissolution (Case No. 09-3-
25 06940-2) given the gross number of errors, false data, missing data, etc. in the so-called
26 "Elaborate" financial tables prepared by wife and Alkesh Mehta (wife's brother), and
27 defended vehemently by Ms. Sherri Anderson (at the Dissolution Trial in 2010) with full
28

1 B. FACTS: B.5. SUMMARY (Continued)

2 knowledge and understanding that there were gross errors, false data, data without any
3 proof/evidence, etc.

4
5 Please Note: At June 2010 hearing, Ms. Cynthia Buhr (Appellant's prior attorney)
6 provided preliminary evidence obtained by a Forensic CPA (hired by Appellant with limited
7 funds) showing wife diverting community funds into her "PRIVATE" accounts and
8 withdrawing cashier checks in \$20,000 to \$30,000 amounts, in a predictable manner. Funds
9 that then just disappeared. Judge Fox, willfully ignored the preliminary findings to support
10 Mr. Beattie's request to continue to retain the Forensic CPA, especially given the breadth and
11 depth of wife's financial dealings and the fact it involved over \$1 million dollars of
12 community funds.

13
14 B.5.11. It is undisputed both wife and Ms. Sherri Anderson aggressively fought hard
15 to block access to funds and to block requests to retain a Forensic CPA, including hiring the
16 highly respected Forensic CPA, Mr. Steve Kessler to do her ordinary tax return, and deprive
17 my using him.

18
19 Please Note: Wife also tried to put a "gag" order on I, the Appellant, from discussing
20 her financial dealings with her family, which Judge Fox denied.

21
22 B.5.12. It is undisputed, a Forensic CPA would have been more cost effective than
23 two attorneys and a Judge disentangling a massive paper trail created by wife's numerous
24 "PRIVATE" accounts; prove there is NO evidence Alkesh Mehta sent us over \$1 a million
25 dollars, at any time during our marriage; prove there is substantial evidence to prove wife did
26 divert and transfer over \$1 million dollars of community funds between 2002 to 2009, and
27 unknown amounts between 1994 to 2002, to Alkesh Mehta (her brother, based in London,
28 England); prove wife did lose over \$160,000 between 1996 to 2000, in stock trading; prove

1 B. FACTS: B.5. SUMMARY (Continued)

2 we NEVER needed to borrow/loan money from anyone, and especially Mr. Alkesh Mehta;
3 and compile a comprehensive, independent forensic report to the court, to allow fair and just
4 apportioning of community assets and to prove beyond doubt the treacherous acts and deceits
5 carried out by wife and her brother, Alkesh, throughout our marriage of 17+ years, causing
6 untold financial, mental and physical trauma to our children, family and I, for the rest of our
7 lives and future.

8
9 It is highly apparent that wife and Ms. Anderson did NOT want a forensic CPA,
10 because they would have had NO defense to support their incredulous lies/deceit/treachery.

11
12 B.5.13: See attached Section 1 - 8 for detail examples.

13
14 I declare under penalty of perjury, King County, State of Washington.

15
16 _____
17 DATE

16 _____
17 SUDESH KOTHARI

1 B. FACTS: B.5. SUMMARY (Continued)

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1 B. FACTS: B.5. SUMMARY (Continued)

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1 B. FACTS: B.5. SUMMARY (Continued)

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1 B. FACTS: B.5. SUMMARY (Continued)

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1 B. FACTS: B.5. SUMMARY (Continued)

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1 B. FACTS: B.5. SUMMARY (Continued)

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1 C. RELIEF: Included with Limitation Following —

2 C.1. Children: Father should be granted full custody of both children, in view of
3 wife’s treacherous/gross misconduct in our marriage and throughout the divorce proceedings,
4 and criminal acts including false alleging Domestic Violence and tearing the children away
5 from their father, as well as untold trauma caused over the years by Blackmailing Children
6 and I with suicide attempts/threats, just because she was asked to stop lying, stealing,
7 cheating.

8
9 C.2. Wife should pay full child-support, from the community funds she stole and
10 transferred to her brother, Mr. Alkesh Mehta (based in London, England) for safe-
11 keeping/dubious investments, etc. without my (the Appellant) knowledge and without my
12 consent.

13
14 C.3. wife should be ordered to pay in full for both children’s college funds from the
15 community funds she stole and transferred to her brother, Mr. Alkesh Mehta (based in
16 London, England) totaling over \$1 million dollars.

17
18 C.4. Revise date of FINAL DECREE to end of Appeal Case No. 66927-3.

19
20 C.5. Distribute sum of the total community funds, including without limitation:

- 21 (i) 70% of \$1,695,000 fund divested by wife plus her legal cost to prove she
22 committed lies/stole/perjury/treachery, etc. (see FINANCIAL SECTION, p.
23 134, 3.15.22.+ \$1,176,500
24 (ii) Appellant’s divorce legal fees owed \$140,000
25 (iii) 50% of Respondent’s Microsoft stock
26 (iv) 50% of Respondent’s bonuses
27 (v) Appellant’s misc. fees, charges, expenses since October 2009
28 (vi) Other

1 CA. RELIEF: (Continued)

2 C.5. Appellant to receive estimated total from wife's share of community assets
3 \$1,316,500.

4
5 C.6. All furniture in Mercer Island home awarded to Appellant.

6
7 C.7. Real estate properties valuation:

8 (i) Mercer Island Home, 2423 84th Avenue S.E., Mercer Island, WA
9 98040 \$930,000

10 (ii) Condo unit 515, 3030 80th Avenue S.E., Mercer Island, WA 98040
11 \$260,000

12 (iii) Condo unit 103, 3030 80th Avenue S.E., Mercer Island, WA 98040
13 \$230,000

14 C.7. Valuation Total \$1,480,000

15
16 C.8. Real Estate Properties Mortgage loan amount (estimated)

17 (i) Mercer Island Home, 2423 84th Avenue S.E., Mercer Island, WA
18 98040 \$860,000

19 (ii) Condo unit 515, 3030 80th Avenue S.E., Mercer Island, WA 98040
20 \$165,000

21 (iii) Condo unit 103, 3030 80th Avenue S.E., Mercer Island, WA 98040
22 \$140,000

23 C.8. Mortgage Loan Total \$1,165,000

24
25 C.9. Estimate Total Equity in Real State Properties \$1,480,000

26 (C.8. minus C.9.) -\$1,165,000

27 C.9. Estimated Total Equity \$315,000

1 CA. RELIEF: (Continued)

2 C.10. Award all three (3) real estate properties to appellant and deduct estimated total
3 equity of \$315,000 (see C.9.) from the Estimated Total Relief calculated in
4 C.5. of \$1,316,500 to Appellant.

5 Therefore,

6 (i)	Section C.5.	\$1,316,500
7 (ii)	See C.9.	<u>\$315,000</u>
8	Balance owed by Respondent to Appellant	\$1,001,500

9
10 C.11. Distribute 50% of Respondent's Social Security to Appellant.

11
12 C.12. Respondent to pay spousal maintenance of \$3,500/month (twice monthly) until
13 December 2018.

14
15 C.13. Respondent is liable for any and all fee charges owing, incurred by Appellant
16 until revised FINAL DECREE date, including all expenses for and through the
17 end of Appeal Case No. 66927-3.

18
19 C.14.

20
21
22 I declare under penalty of perjury, King County, State of Washington.

23
24 NOVEMBER 27TH 2011
25 DATE


26
27
28 SUDESH KOTHARI