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COURT OF APPEALS DIV I  
STATE OF WASHINGTON  
2014 APR 22 AM 11:34

COURT OF APPEALS DIVISION I OF THE STATE OF WASHINGTON

Theresa Ibrahim Gohar

Appellant,

No. 70420-6

VS.

Appellant response to

Samir Aziz Gohar

Respondent.

Respondent brief filed on January 21,  
2014

Appellant Theresa's response to respondent Samir's brief filed on January 21, 2014.

Appellant response is also in support of appellant brief filed for this case on November 18, 2013.

In Samir's brief they referred to the Clerk's papers by the page numbers submitted to the appeal court but Theresa's brief referred to the clerk's papers by the docket sub numbers for case #12-3-00776-6 in Snohomish county superior court in Everett, WA, having that cleared out, appellant Theresa is responding to Samir's brief.

It stated in Samir's brief that the parties separated on September 20, 2011 is false, the fact that the parties separated on September 19, 2011 and it is

filed in documents with the trial court but the trial judge only approved what Samir and his lawyers claimed at the trial on November 5, 6, 8, 2012. In Samir's brief they put a heavy weight on the GAL Martha E. Wakenshaw report (CP page numbers 568 to 579) the GAL wrote it on October 1, 2012 but it was never filed by her until the trial hearing date in the open court on November 5, 2012 and under RCW 26.12.175 the GAL violated the law by not filing her report at least 60 days before trial instead she filed it at the trial day on November 5, 2012 (exhibit 10 attached) and failed represent the best interest of the children and she represented the best interest of the father Samir that molested Catherine sexually, her report is full of false claims about the two children and Theresa. The GAL only saw Theresa once that's it. The GAL stated in her report that Theresa did not take for the kids' sake seminar but is false because Theresa did take it and it was filed with the trial court on July 23, 2012 (CP 92). The GAL stated that the children suffer from depression and anxiety in her report and she claimed especially Catherine but Catherine was one of the top students in her school under Theresa's care, and both children had visits to their doctors and none of the doctors diagnosed them with mental illness( exhibit 3 attached CP 148). Furthermore the GAL is not a doctor to diagnose the two children with mental illnesses. Theresa therapist has filed declarations of Theresa and that she is a good mother and takes good care of her two children all their life and especially after their father abandoned them on September 19, 2011 when he left them behind where Theresa took 100% care of them, also Theresa's psychological evaluation stated that there is no reason for Theresa not to see her children her mild depression and anxiety should abate as Theresa reunites with her children (exhibit 4

attached CP 147, CP 177). The children's teachers from school that see the children everyday wrote declarations about the children (exhibit 3 attached CP 148) and that they have no behavior problems and that they are good children especially Catherine Gohar she was excellent in her academy educations with the school honor to her plus also the USA president honor certificate in Theresa's care 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 only and since then she is below grade level of education at 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 are below grads levels to date compared to her grades under Theresa's care if you review exhibit 3 attached CP148 Catherine was in excellent education levels under Theresa's care.

The lies of the GAL Martha E. Wakenshaw to the trial court and to the police are clearly explained with details and proofs provided in case # 69920-2-1 in Appellant brief filed on September 3, 2013. The GAL Martha E. Wakenshaw and testimony should not be taken into evidence for it is full of false claims and lies about Theresa and her children.

In Samir's brief for this case they refer to the protection case for Catherine Gohar that was filed on October 25, 2012 with the superior court in Everett, WA case #12-2-01394-1 and a protection order was in place since the

petition was filed on October 25, 2012 based on the police and CPS investigations that were in process and the hearing was set to be heard on November 8, 2012 for that case but Samir's attorney went to an ex parte court room to commissioner Arden Bedle and changed the date of the protection case hearing to be on October 30, 2012 with commissioner Susan Gaer and commissioner Susan Gaer dismissed the case on October 30, 2012 despite the fact that the police and the Child protective services were not finished with their investigations yet (Exhibit 5 attached). Samir's lawyer and Commissioner Susan Gaer requested that the GAL Martha Wakenshaw that was not assigned for the protection case to bring Catherine from outside the court where she was waiting for her mother Theresa with her grandmother in the car outside the court because Catherine had an interview appointment with the law enforcement right after the hearing time Samir's lawyer did and Catherine was interviewed by the GAL Martha Wakenhow alone despite the fact that Theresa requested that day from commissioner Susan Gaer another witness to be with the GAL in the interview room if the interview has to be done because the GAL lies but Theresa's request was denied by commissioner Susan Gaer on October 30, 2012 transcript (CP292) page 11 lines 11-18 Theresa requested: ["Can there be another witness with the Guardian 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 fact that the GAL report was not filed (exhibit 10 attached) and the GAL Martha Wakenshaw was not assigned for the protection case. The GAL took Catherine on October 30, 2012 inside a

small room alone and then she came out of the small room and told lies about Catherine.

October 30, 2012 transcript (CP 292) page 13 lines 8-11 The GAL 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 and Catherine never had a "pelvic exam" as the GAL claimed with her words without a proof. Catherine's medical records under Theresa's care shows that Catherine did not have any pelvic exam as these false claims from the GAL about Catherine.

On October 30, 2012 transcript page 13 line18\_The GAL 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 claimed that Catherine told her, her father touched her in between the legs but later at trial on November 5, 6, 8, 2012 the real truth came out that Catherine told her she was touched in her private area and there were bleeding from her genital area.

November 5,6,8,2012 trial transcript (CP 294) page 16 lines 4-15 GAL testimony changed: ["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 On November 5, 6, 8, 2012 trial transcript 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"].

And when you review the GAL twisted and misleading testimony on the protection hearing on October 30, 2012 transcript (CP 292) page 13 line 14, the GAL claimed: ["there was a very leading question, did dad touch you? The child said yes"]. And On November 5, 2012 motion for trial continuance transcript (CP293) page 6 lines 4-6 The GAL 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 (CP295) page 30 line 18 the GAL testified: ["I didn't see any, but I was informed of security being"].

In the Police report (CP296) the GAL Martha Wakenshaw written statement to the police on 11- 9 – 2012: ["Ms. Patricia Bundy, commissioner Gaer's clerk was called out to help and eventually had to call security who cleared the area"]. The GAL continued to lie.

The protection case in Snohomish county superior court in Everett, WA case # 12-2-01394-1 for Catherine Gohar the victim was based on the investigations of the law enforcement and CPS that were not finished with their investigations yet when Commissioner Susan Gaer dismissed the case (exhibit 7 attached) and was not finished yet when the trial judge Okrent switched Catherine's custody to be under her father only that molested her sexually. The GAL Martha Wakenshaw was not assigned for the protection case and was assigned for the divorce case only case # 12-3-00776-6. Commissioner Susan Gaer dismissed the protection case based on the GAL own words and false claims on October 30, 2012. The fact that Snohomish county police report # 12-17928 which is a child molestation in the first degree against SAMIR (respondent) to his daughter Catherine Mary Gohar during her visits and sleep over with him at his place, the police report shows that Catherine was interviewed by the police and another specialist and they did record and video tape the interview with Catherine. In the police interview Catherine reported that her father molested her sexually and she had bleeding from her genital area and also there was another witness declaration and testimony which is the school consoler MS. Nancy E. Beck who talked with Catherine at school about her father sexual behavior with her and the consoler got worried about Catherine's safety that she called the police and CPS to protection Catherine from further abuse by her father (exhibit 7 attached), the consoler at school did the right thing trying to protect Catherine from further abuse by her father Samir but commissioner Susan Gaer did the opposite of protecting Catherine and dismissed her protection case and the fact that the Commissioner was aware that the police and CPS was not finished with

their investigations and there was a letter to commissioner Susan Gaer on that day she dismissed the case from the CPS and the police to keep the protection order until the investigations is done for Catherine's safety , also Theresa did provide commissioner Susan Gaer that day on October 30, 2012 with some documents regarding Samir's sexual behavior (CP188), the documents was about Samir seeking sex with girls as young as 18 years old as the web site allowed him in the year of 2011, also his declaration of abusing Theresa sexually in the of year 2009, Theresa was keeping those a secret but when it comes that he might be abusing his own daughter sexually, Theresa had to reveal it to the court but Commissioner Susan Gaer ignored the law enforcement and CPS and their investigations in the case and ignored Samir's sexual behavior evidence and she approved only the GAL Martha Wakenshaw testimony that took Catherine alone in a small room and there was no witnesses with her in the interview room and there was no recording of Catherine's testimony and the GAL came out of the interview room and told lies that are not true and instead of protecting Catherine which was supposed to be her job she told commissioner Susan Gaer that there is no reason for the father to be restrained. The GAL did not believe what Catherine said to her and she simply transferred what Catherine told her in the interview room to what she thinks personally. On October 30, 2012 Commissioner Susan Gaer dismissed the case based on the GAL Martha Wakenshaw words and lies. The divorce trial was during 3 days on November 5, 6, 8, 2012 and Judge Richard T. Okrent ordered the children's custody to go to the father based on the dismissal of the protection case and the GAL Martha Wakenshaw testimony and report and recommendations. Judge Okrent was aware that

the law enforcement and CPS was not finished with their investigation yet with Catherine abuse by her father but also like Commissioner Susan Gaer he believed only the GAL lies ignoring other witnesses and facts. Judge Okrent ordered a switch of the custody from the full time mom Theresa that took care of her children from birth to the father Samir that abandoned the children and abused Catherine sexually and the judge ordered Catherine to live with her father that molested her sexually instead of protecting her from further abuse. Judge Okrent did not wait for the law enforcement and CPS to finish their investigations first before he order Catherine to be under her father custody only (exhibit 6 attached).

A judge or commissioner job is to provide justice and protect the children from sexual abuse but that did not happening with Catherine Mary Gohar and she was ordered to live only with her father that molested her sexually and no one to help her even her mother Theresa was ordered at trial to be under supervised visits only and the supervisor be chosen by Catherine's father and no family members from Theresa's family be in Theresa's visits with her children. The trial judge adopted the recommendations and false testimony from only one person the GAL Martha Wakenshaw. The fact that all other witness stated the opposite of what this GAL said and there were declarations filed from the children's schools and Theresa's therapist and the children's doctors at the trial court but some judges and commissioners in Snohomish county superior court in Everett, WA only approved what the GAL Martha Wakenshaw said. It's not clear why they only approved the GAL claims and ignore all other witnesses in the case that stated that Catherine needed protection from her father. Judge Okrent ordered Catherine to be under her father custody only that molested her sexually

and Commissioner Susan Gaer dismissed the protection case that was protecting Catherine.

For sure what happened to Catherine Gohar is injustice and for some judges and commissioners at the court to approved what the GAL claimed without evidence and they said because the GAL Martha Wakenshaw is well known to the court and to them and whatever she say is trustworthy and they ignored all other witnesses and that was an error at the trial court believing only one person lies while a lot of other witnesses in the case say the opposite of what the GAL Martha Wakenshaw claimed.

In Samir's brief page 4 it says the daughter had denied any abuse from the father is not true what they referring to is the GAL Martha Wakenshaw own words and testimony and not the testimony of Catherine herself. Catherine was interviewed by many witnesses including the law enforcement that recorded and videotaped the testimony of Catherine which stated clearly that Catherine said she was molested sexually by her father Samir in her visits and sleep over with him and there were bleedings from her private part at her father home. The police recorded what Catherine truly said but with the GAL Martha E. Wakenshaw she took Catherine in a small room alone and she did not record what Catherine said to her and there were no witnesses in the interview room with the GAL, it was all lies from the GAL Martha Wakenshaw without any evidence and this court should not take the GAL report and testimony as evidence instead this court should take the police report and the testimony of Catherine the victim herself that were recorded by the police and another witness with the police and also all other witnesses that said the truth about what Catherine said which is the opposite of what the GAL Martha Wakenshaw claims.

Samir's brief page 5 they claimed that the commission Susan Gaer was concerned because the allegations came after the GAL wrote her report but that is a fabrication story and the GAL report was not filed with the trial court when Commissioner Susan Gaer dismissed the protection case for Catherine on October 30, 2012 and Theresa did not see the report at that time.

Also Samir's brief page 5 it says the trial court found the mother falsely accused the father of sexual abuse and faked her testimony was a wrong judgment from the trial judge Richard T. Okrent as the police report and all other witnesses and documents filed proved that Theresa did not fake anything and her testimony were true. The GAL Martha Wakenshaw on the other hand that the court only believed lied to the court and to the police about Theresa and her children and mislead the court with her false and twisted testimony.

Samir's brief rely mostly on the GAL report and testimony and rely on Samir's lawyer own words in the e mail communications between the two lawyers Samir's lawyer and Theresa's lawyer (exhibit 2 attached). There was no evidence or declaration or witnesses or witnesses show up at the hearings of the contempt against Theresa that prove those claims were true. This contempt is unfounded and it is false accusations from Samir Gohar without any proof or witnesses of these claims.

This court should switch the custody of the children back to Theresa that took care of her children all their lives and dismiss this contempt order with its false claims from Samir against Theresa and refund to Theresa the attorney fees she had to pay to Samir's lawyers for the contempt.

In Samir's brief they rely also on the judgment at the parties 3 day trial on November 5, 6, 8, 2012 with Judge Richard Okrent. Judge Richard on November 8, 2012 last day of trial (exhibit 6 attached) stated he do not believe Theresa's testimony at trial (Theresa's testimony at trial exhibit 8 attached) and he claimed that Theresa faked her testimony at trial also judge Okrent stated that he find the GAL Martha Wakenshaw credible because she is well known to the court. Judge Okrent at trial ignored the law enforcement and CPS investigations that were still in process and he ordered the children custody to go to the father only, judge Okrent says he is not interested in CPS and ordered a copy of his order to be sent to CPS. Catherine's abuse by her father was been investigated by the police and the child protective services and it was not finished yet at trial.

Judge Okrent ordered a switch of the custody of the children from their mother Theresa that took care of them all their life to the father that abandons them since September 19, 2011 and abused Catherine sexually and the investigations was not finished yet by the CPS and the law enforcement.

Judge Okrent refused to wait for the child protective services and the law enforcement to finish their investigations first about Catherine's abuse by her father before he rule on the custody matter of the children.

Judge Okrent at trial ordered Catherine to be under her father custody only because he stated that he only believes the GAL Martha Wakenshaw but the GAL did not provided any evidence or proofs to the court of her saying, the GAL also did not record Catherine's interview with her. The GAL had no evidence of her words and claims about Theresa and her children. The law

enforcement on the other hand had all the evidence and recording and proofs of the interview with Catherine about her father abuse to her. The police investigations were not finished yet when Catherine was ordered and put under her father custody only and the police report (exhibit 7) was not released until months after Catherine were already under her father custody by the oral order of Judge Okent at trial on November 8, 2012 that the custody goes to the father only and he ordered the father to pick up the children from their schools immediately after the trial. Error of the law RCW 26.44.180 by the trial court that failed to wait for the police and child protective services investigations about Catherine sexual abuse by her father before giving Catherine Gohar to her father custody only.

**Error in giving Catherine to be under her father custody:**

**Error of 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 by the trial court RCW 9A.44.083

### Child molestation in the first degree

## Error of the law by the trial court RCW 9A.44.083

### Child molestation in the first degree

Error of the law by the trial court RCW 26.50.010 Domestic violence" means Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members, sexual assault of one family or household member by another.

Error of the law by the trial court RCW 70.125.020, Findings. The legislature hereby finds and declares that: Sexual assault is a serious crime in society, affecting a large number of children, women, and men each year; Law enforcement, prosecutors, medical professionals, educators, mental health providers, public health professionals, and victim advocates should continue to work closely and collaboratively to improve responses to and services for victims of sexual assault.

## Error of RCW 26.09.191

### Restrictions in temporary or permanent parenting plans.

(1) The permanent parenting plan shall not require mutual decision-making or designation of a dispute resolution process other than court action if it is found that a

parent has engaged in any of the following conduct: (a) Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions; (b) physical, sexual, or a pattern of emotional abuse of a child; or (c) 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)(a) The parent's residential time with the child shall be limited if it is found that the parent 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.

The trial court only believed the misleading and lies told by the GAL Martha Wakenshaw and the fact that Theresa testimony were true with documents provided and the police report that recorded what Catharine said.

Victim statement as follow in the police report: ["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"].

The trial court gave Catherine away to be immediately under her father custody only by oral order on November 8, 2012 (exhibit 6) ignoring her safety and well-being and her right to live safe and secure from any abuse

and the final parenting plan was filed with the trial court on December 3, 2012 exhibit 11 attached.

The trial judge ordered Theresa that took care of the children all their life to be under supervised visits only based on the recommendations of the GAL Martha Wakenshaw. And the final parenting plan stated false claims about Theresa and it was written by Samir's lawyers and approved by the trial court in 2.2 it stated neglect and nonperformance of parenting function which is not true Theresa was a full time mom and the kids were doing great with her and the fact that the father is the one who left the children behind on September 19, 2011 and Theresa took care of them. It stated also a long term of emotional or physical impairment which is false and it stated abusive use of conflict by the parent is also false.

The fact that Theresa's proposal parenting plan filed on October 30, 2012 was ignored by the trial court exhibit 12 attached.

Samir's brief referred to (CP page 8) is SUB # 232 (exhibit 1 attached) which is the trial court order for the contempt against Theresa that was filed on May 7, 2013 with Snohomish county superior court in Everett, WA, the court order was a pre written document by Samir's attorney and was given to commissioner Arden J. Bedle at the hearing to sign. Commissioner Bedle signed the order without reading what is in it which is a false accusation without a proof against Theresa. Theresa refused to sign the court order on May 7, 2013 due to the false information and accusations in it.

In the court order on 2.3 stated that: "Theresa went to the bus stops on more than one occasion and spoke to her children about litigation, the mother unreasonably refused arrangement for supervised visits."

2.7 stated: "Theresa Gohar has not complied with the visitation of the parenting plan and had the ability to comply and is currently unwilling to comply. The noncompliance with the residential provision in bad faith".

3.1 stated: "Theresa Gohar is in contempt of the court".

Those accusations in the court order are not true and false.

Samir's attorney did not provide any clear evidence of those accusations and claims against Theresa that she went and talked to the children about litigation at the bus stop, there were no witnesses or evidence that these false accusations really happened.

Theresa did not have any visits to her children since November 8, 2012 due to Samir's attorney's refusal to allow her visit with her children.

Theresa was in good faith trying to set the appointment to visit her children and because the trial oral order on November 8, 2012 gave Samir the power to choose who will supervise the visits for Theresa and her children, Theresa had none visits due to the refusal of Samir's attorneys and they always claimed that the supervisors are not available to do the visits.

In Samir's brief page 1 it stated that the trial court properly found the mother was served with the motion and order for contempt is not true, Theresa was never served personally with the contempt orders on the 10<sup>th</sup> of April, 2013 and the 25<sup>th</sup> of April, 2013. First contempt order was filed on March 20, 2013 (CP180) and another motion for contempt and order was filed again by Samir's lawyer on April 3, 2013 (CP181&183). Theresa's

lawyer at that time MR. Robert accepted services with Samir's lawyer without Theresa's knowledge or approval and when Theresa knew about it she requested from her attorney MR. Robert on April 9, 2013 by e mail not to accept services without her approval and On April 10, 2013 an acceptance of service of MR. Robert was filed with the trial court and that is a day after Theresa's request not to accept services without her approval first (exhibit 9 attached).

In Samir's brief they claim that the trial court properly awarded Samir attorney fees is not true, how can the court order attorney fees without any clear evidence of the contempt and ordering attorney fees in the amount of \$1,500 is more than what Theresa receives in her alimony which is \$1,300 a month (exhibit 13 attached) that is not right and injustice.

In Samir's brief they referred to RCW 26.09.160(1), **the performance of parental functions and the duty to provide child support are distinct responsibilities in the care of a child. If a party fails to comply with a provision of a decree or temporary order of injunction, the obligation of the other party to make payments for support or maintenance or to permit contact with children is not suspended. An attempt by a parent, in either the negotiation or the performance of a parenting plan, to condition one aspect of the parenting plan upon another, to condition payment of child support upon an aspect of the parenting plan, to refuse to pay ordered child support, to refuse to perform the duties provided in the parenting plan, or to hinder the performance by the other parent of duties provided in the parenting plan, shall be deemed bad faith and shall be punished by the court by holding the party in contempt of court and by awarding to the aggrieved party reasonable attorneys' fees and costs incidental in bringing a motion for contempt of court.** and also they referred to RCW 7.21.030(3) **The court may, in addition to the remedial sanctions set forth in subsection (2) of this section, order a person found in contempt of court to pay a party for any losses suffered by the party as a result of the contempt and any costs incurred in connection with the contempt proceeding, including reasonable attorney's fees.**

Those RCW's cannot be applied in this case when the courts have no clear evidence or witnesses on the contempt plus the attorney fee's was over the alimony amount Theresa receives from Samir. Theresa also had to pay for her own lawyer fees for her lawyer Robert Miller (exhibit 14 attached).

Samir's attorney is requesting attorney fees for this appeal also and it should not be granted. The fabrication accusations from Samir that Theresa went and talked to the children about litigation at the bus stop is unfounded and without any clear proof or clear evidence, there were no witnesses provided at the hearings and no witnesses declarations filed with the trial court, there was nothing filed but Samir's lawyers own claims and words in the declarations and e mails filed.

Samir's attorney claims that their proof is Theresa's attorney MR. Robert in the e mail to Samir's attorney on March 5, 2013 (exhibit 2 attached) but this is not a proof. The email communications was Theresa's attorney MR. Robert trying to set visitations for Theresa and her children. Any claims written by Samir's lawyers in the E mails Theresa should not be punished on. Samir's lawyers' claims are without any clear evidence or witnesses provided to the trial court. Emails communications attached prove that Theresa was in good faith trying to set appointments to visit her children. Email communications from Theresa to her lawyer MR. Robert stating she did not see her children dated March 11, 2013 is attached. E mail communication from Theresa to Samir's lawyers dated April 19, 2013 that she did not see her children for months due to their refusal to allow her to see them is attached (email communications exhibit 9 is attached).

Theresa was misrepresented by her lawyer MR. Robert Miller and this Misrepresentation is not Theresa's fault and Theresa should not be punished on it. Theresa was not served with the contempt order as it is required by the law, and MR. Robert Miller Theresa's attorney at that time filed an acceptance of services with the trial court without Theresa's knowledge or approval and the acceptance of service was filed a day after

Theresa requested from him not to accept services without her approval and it is not a valid acceptance of service plus if you review the attached e mail communications (exhibit 9 attached) email marked with #43 at the bottom of the page is an e mail from MR. Robert Theresa's attorney at that time to Samir's attorney MS. Katherine dated 3-21-2013 as follow: "Katherine thank you for the courtesy copy. As I do not have authority to accept service, I trust that all procedural formalities will be followed. Bob Miller". MR. Robert had no authority to accept services on behalf of Theresa and Theresa had to be served personally with the contempt order against her which was not done. MR. Robert Theresa's attorney at that time agreed and accepted the service with Samir's attorney without Theresa's knowledge or approval for the order on April 10, 2013(CP 180) and he withdrew on April 11, 2013 (CP 185) and there was another contempt order on April 25, 2013 (CP 183) Theresa also was not served with this order after her lawyer Robert withdrew from her case on April 11, 2013.

So there is evidence provided that Theresa was never personally served with the contempt orders filed with the trial court and also evidence that her lawyer Robert accepted service without her approval and the fact that Theresa's lawyer Robert knew he didn't have authorities when he agreed to accepted services with Samir's lawyer. This contempt is not valid and was done against the court rules plus there was no evidence, proof or witnesses of these accusations against Theresa.

For this contempt on April 25, 2013 hearing transcript exhibit 13 attached is Theresa requested to represent herself at the hearing and she waived her

right to an attorney but in the trial court order attached it stated that Theresa asked to be considered for court appointed counsel which is false. On May 7, 2013 hearing transcript exhibit 13 attached is Theresa did not have any visits with her children and the commissioner of the court commissioner Arden Bedle claimed as follow: "we have declarations from persons who said they saw you there". The fact that there were no declarations of persons filed as commissioner Arden Bedle claimed. Also Ms. Katherine Peterson Samir's lawyer stated clearly that they have no proof or evidence of these allegations against Theresa in exhibit 13 attached as follow: "in term of physical proof, the whole problem is she avoiding supervisors, so there is no proof. That's the whole problem here. She is refusing to be supervised, she is refusing accountability". Samir's lawyer said false claims about Theresa that receives \$2,500 a month and that Theresa bought a brand new car and so on claims and the commissioner believed those false claims even though Theresa denied it attached in exhibit 13 is a copy of the maintenance amount Theresa received from Samir in April, 2013 which in the amount of 1,300 a month only and it was filed with the trial court and not as Samir's lawyers claimed \$2,500 a month is false. Plus if you review also Theresa' expenses she had to pay for her own lawyer MR. Robert Miller is attached exhibit 14.

Conclusion:

- 1- Dismiss the motions and orders for contempt against Theresa filed and the contempt order against Theresa filed on May 7, 2013.
- 2- Refund the attorney fees in the amount of \$1,500 back to Theresa.
- 3- Allow unsupervised visits based on Theresa's mental evaluation attached and Theresa's therapist declaration and all other documents attached that proved that Theresa is a good mother not as the GAL or respondent Samir lawyers Claims.
- 4- Based on the reporting and the evidence that the victim Catherine Gohar was forced to live with her father that molested her sexually and based on the police report that recorded what Catherine truly said and that father did molested her sexually and on the trial last day on November 8, 2012 Catherine giving away to live under her father custody only and for the safety of Catherine appellant Theresa her mother is requesting a switch of the custody of Catherine to Theresa for Catherine's safety from further abuse by her father.
- 5- A switch of the custody of both children to Theresa Gohar.

Dated this April 2, 2014

Respectfully submitted,



Appellant,

Theresa Gohar

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

425-953-6121

Order on May 7, 2013 against Theresa

CP 232 case # 12-3-00776-6

Exhibit 1

FILED

2013 MAY -7 AM 10:14

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH



CL16015140

Superior Court of Washington  
County of SNOHOMISH

In re:

SAMIR GOHAR

No. 12-3-00776-6

Petitioner,

Order on Show Cause re  
Contempt/Judgment  
(ORCN)

and

Next Hearing Date:

THERESA IBRAHIM GOHAR.

Respondent.

I. Judgment Summary

Applies as follows:

A. Judgment Creditor Samir Gohar

B. Judgment Debtor Theresa Gohar

C. Principal judgment amount from to

D. Interest to date of Judgment

E. Attorney fees

F. Costs

G. Other recovery amount

H. Principal judgment shall bear interest at % per annum

I. Attorney fees, costs and other recovery amounts shall bear interest at % per annum

J. Attorney for Judgment Creditor *Leonard Kerr*

K. Attorney for Judgment Debtor

L. Other:

*att fees will be paid \$300 a month and will be deducted from maintenance.*

\$  
\$  
\$ 1500.00  
\$  
\$

1 **II. Findings and Conclusions**

2 **This Court Finds:**

3 **2.1 Compliance With Court Order**

4 Theresa Gohar intentionally failed to comply with a lawful order of the court dated on  
5 12/3/2012.

6 **2.2 Nature of Order**

7 The order is related to parenting plan (custody/visitation).

8 **2.3 How the Order was Violated**

9 This order was violated in the following manner (include dates and times, and amounts,  
10 if any):

11 *Respondent/mother went to the children's bus stops on more than one occasion and  
12 spoke with them about the litigation despite the parenting plan provisions 3.2 and 3.10.  
mother unreasonably refused arrangements for supervised visits.*

13 **2.4 Past Ability to Comply With Order**

14 Theresa Gohar had the ability to comply with the order as follows:

15 Ms. Gohar had the ability to comply with the order by cooperating with supervised  
16 visitation.

17 **2.5 Present Ability and Willingness to Comply With Order**

18 Theresa Gohar has the present ability to comply with the order as follows:

19 Ms. Gohar has the ability to cooperate with supervised visitation.

20 Theresa Gohar the present willingness to comply with the order as follows:

21 **2.6 Back Child Support/Medical Support/Other Unpaid Obligations/Maintenance**

22 Back child support/medical support/ child care, educational expenses, transportation  
23 expenses, or other special expenses/maintenance is not addressed in the contempt  
24 motion.

25 **2.7 Compliance With Parenting Plan**

Theresa Gohar has not complied with the residential (visitation) provisions of the  
parenting plan and had the ability to comply with the parenting plan, and is currently

1 {unwilling to comply. The noncompliance with the residential provisions in bad faith}

2 **2.8 Attorney Fees and Costs**

3 The attorney fees and costs awarded in paragraph 3.7 below have been incurred and  
4 are reasonable.

5 **III. Order and Judgment**

6 *It is Ordered:*

7 **3.1 Contempt Ruling**

8 {Theresa Gohar is in contempt of court.}

9 **3.2 Imprisonment**

10 Does not apply.

11 **3.3 Additional Residential Time**

12 Does not apply.

13 **3.4 Judgment for Past Child Support**

14 Does not apply.

15 **3.5 Judgment for Past Medical Support**

16 Does not apply.

17 **3.6 Judgment for Other Unpaid Obligations**

18 Does not apply.

19 **3.7 Judgment for Past Maintenance**

20 Does not apply.

21 **3.8 Conditions for Purging the Contempt**

*Ⓢ*

*mother may not come within  
100 yds of children's schools,  
bus stops or home.*

22 The contemnor may purge the contempt as follows:

23 *mother's visitation will be professionally supervised at her expense.  
24 supervisor will arrange visitation and may reduce time from 4 hours.*

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**3.9 Attorney Fees and Costs**

Leonard E. Kerr shall have judgment against Theresa Gohar in the amount of \$ 1500.00 for attorney fees and \$ 0 for costs.

**3.10 Review Date**

The court shall review this matter on

at

**3.11 Other**

Does not apply.

**3.12 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.**



Theresa's attorney Mr. Robert Miller e mail to:

Samir's attorney Ms. Katherine Peterson

Dated March 5, 2012

Exhibit 2

RE: Gohar

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



Robert J. Miller 3/05/13

To: Katherine Peterson

Cc: theresa gohar (theresayacoub@hotmail.com)

Katherine – I believe something was lost in the translation. I was (am) not happy with the notation that Theresa needs to contact Samir directly to set up the visits. That is the message that was passed along to me. I had asked for the three individuals contact information for that purpose and was told no. Frankly I don't care who (which of the three) supervises the visits so long as they occur and Theresa should not be required to coordinate through Samir (they are divorced).

Given your suggestion below, I will have Theresa call your office to arrange the sessions.

Theresa will not be seeing the children in any setting other than authorized by the parenting plan.

Bob Miller



Theresa's declaration and attachments

That proves that the GAL Martha E. Wakenshaw report is

Full of false claims about Theresa and her children

Filed with the superior court in Everett, WA

On November 2, 2012 Case # 12-3-00776-6

Exhibit 3

FILED

FILED

12 NOV -2 PM 3:49

NGV 02 2012

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.



CL15618695

**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.

[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 ] 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.

Declaration (DCLR) - Page 1 of \_\_\_\_\_  
WPF DRPSCU 01.0100 (6/2006)

148

[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 Clyde Hill, [City] WA [State] on 11-2-12 [Date].

[Signature]  
Signature of Declarant

Theresa Gohar  
Print or Type Name

**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

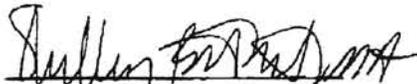
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HAS COMPLETED:

**FOR THE KIDS' SAKE: A PARENTING SEMINAR**

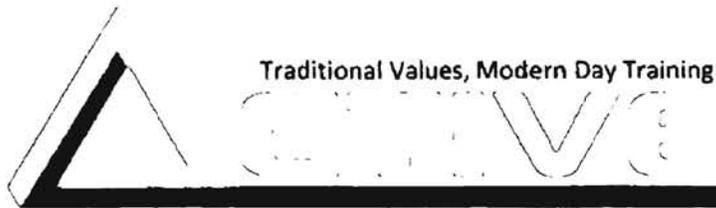
Date: July 7, 2012

Location: Everett, Washington

  
Seminar Staff

  
Seminar Staff





**MATTHEW GOHAR**

YELLOW - 8/30/2012



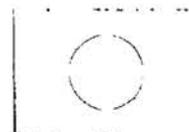
TAEKWONDO



MUAY THAI



KICKBOXING



WEAPONS

**Striking**

Erik Wray - 6th Degree Black Belt

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](mailto: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,  
Justi Waldal, PN

**Committed to Success for Every Student**

An Equal Opportunity Employer and Educational Agency



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.

Catherine Gohar president of USA  
Award under Theresa's custody only  
after her father Abandoned her in September 19, 201

*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*

*Phillip Schmitt*  
*Principal*

*President of the United States*

*Discovery Elementary School*

*School*

To: Catherine Cochran Class: MS. LARSEN



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.

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!

# Dolphin Award

This Special Certificate

from

Discovery Elementary

is Presented to:

Catherine Gohar

for: fantastic VOICE in your writing

Mrs. Mich

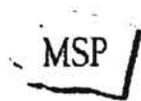
Teacher

Ms. Schmitt

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**

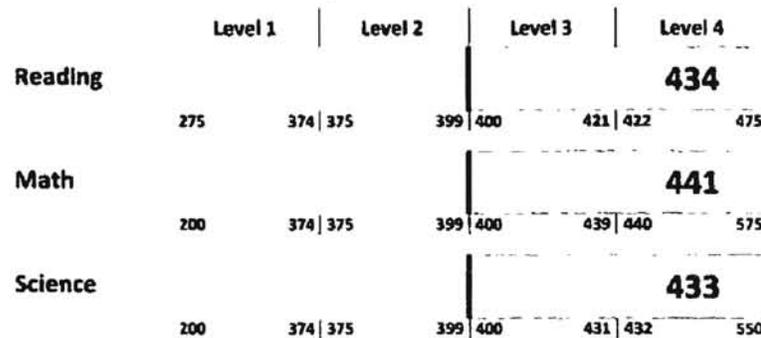
GRADE **5**

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



### 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).

# 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 Lahti  
Staff

1-14-11  
Date



GroupHealth.

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 'Hervey Froehlich'.

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.



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.

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

	 Thank you.
--	--

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**

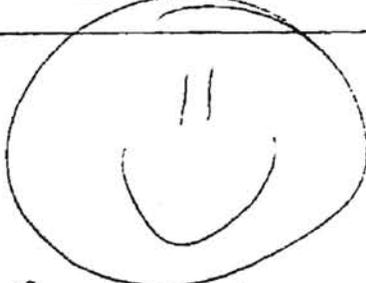
You always try your best...wonderfull!  
 You use your class time well...good.

You can do better... please try harder.  
 Effort put into assignments is minimal.

Please organize your notebook/desk.

Teacher Comments

Parent Comments

	
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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!
- Satisfactory behavior... no worries!
- I enjoy your positive attitude!
- 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  
spelling homework

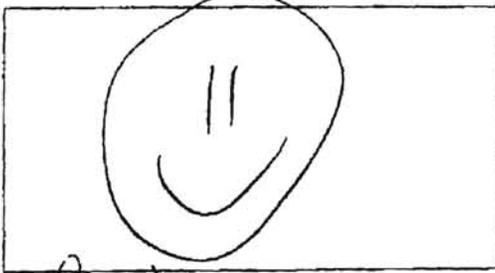


**Study Habits**

- You always try your best... wonderful!
- 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



Thank you for helping  
Matthew at school  
We are working on home work and neat writing.

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

200 E. 1st St., Suite 200, Portland, OR 97201  
p. 425 284 4910 f. 503 294 7000 www.nwpeds.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 8275 | 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

2011 12th Avenue NE, Suite 3275, Bellevue, WA 98004  
866.399.7898

## Letters & Vision Prescriptions [About This Service](#)

PRINTED AT THE REQUEST OF THE MEMBER: MATTHEW K. GOHAR (3/21/2012)



GroupHealth

3/21/2012

Patient:  
Matthew K Gohar  
14521 Meridian PI 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 (1544257)	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

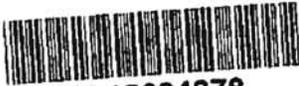
- 1- Theresa's therapist declaration that proves that the GAL Martha E. Wakenshaw report is full of false claims about Theresa and her children filed On November 2, 2012 Case # 12-3-00776-6 with the superior Court in Everett, WA.
  
- 2- Theresa's psychological evaluation result shows the false claims from the GAL about Theresa and the evaluation stating there is no reason for Theresa not to see her children filed on March 18, 2014 Case # 12-3-00776-6.

Exhibit 4

FILED

2012 NOV -2 AM 11:11

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH



CL15624378

FILED

NOV 02 2012

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.

**Superior Court of Washington  
County of Snohomish**

In re:

Samir Gohar

and

Theresa Gohar

Petitioner(s),

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  
425-210-5495

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.

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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.

Theresa Gohar Psychological evaluation

At this point there is no reason for Theresa not to see her children.

- 1- Protection petition and order for Catherine's safety from her father filed on October 25, 2012 case # 12-2-013941 in Everett WA superior court.
- 2- Order to shorten time of the hearing from November 8, 2012 to October 30, 2012 done by Samir's lawyer.
- 3- Child protective services letter and declaration to Commissioner Susan Gaer to keep the protection order for Catharine's safety until CPS and law enforcement finish their investigations on Catherine abuse by her father.
- 4- Order of dismissal on October 30, 2012 by Commissioner Susan Gaer of the protection case that was protecting Catherine from further abuse by her Father.

Exhibit 5

FILED

12 OCT 25 PM 1:27

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

**Superior Court of Washington  
For Snohomish County**

Theresa J. Gohar  
Petitioner

vs.  
Samira Gohar  
Respondent

12 2 01394 1

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 or former~~ cohabitant as intimate partner, including current or former registered domestic partner RSA 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. 5 8. 5 By: [Signature]

Protection order for Catherine Gohar  
 BN October 25, 2012

3. 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.**

4. 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:

6. Respondent is **Prohibited** from knowingly coming within, or knowingly remaining within 100 YDS (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:**

10. Petitioner is **Granted** the temporary care, custody, and control of  the minors named in the table above **Subject to future orders in Dissolution, Paternity or Non-Parental Custody action.**  
 these minors only:

11. 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 9A.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 25 PM 1:26

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

Superior Court of Washington  
For Snohomish County

No. 12 2 01394 1

Theresa I. Gohar 12/15/1978  
Petitioner DOB

Temporary Order for Protection and  
Notice of Hearing (TMORPRT)  
(Clerk's Action Required)

vs.  
Samir A. Gohar 9/11/1968  
Respondent DOB

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 JB  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"	220	Brown

Respondent's Distinguishing Features:  
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.

Entry Agency SD

ORIGINAL

88  
2

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

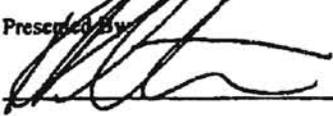
Theresa Gontar  
- PLAINTIFF / PETITIONER  
and  
- DEFENDANT / RESPONDENT  
Semir A. Gontar

NO. 12-2-01394-1  
ORDER

JCSO

IT IS HEREBY ORDERED: There is a hearing for the  
temporary order for protection 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

Presented by: 

  
JUDGE / COURT COMMISSIONER

Copy Received:

CB  
4



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,

A handwritten signature in black ink that reads "Heather Sohlberg".

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

FILED

12 OCT 30 PM 3:50

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY	
<del>Theresa Ibrahim</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

NO. 12 2 01394 1

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 OHL.*

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

ORDER FOR PROTECTION (ORPRT) - Page 1 of 1  
June 10, 2005  
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*[Handwritten notes]*

CB  
8

*Commissioner Susan Goer Dismissed Catherine protection on October 30, 2012 before CPS and the law enforcement finish their investigation.*

Transcript on November 8, 2012 last day of trial, judge Richard T. Okrent ordered Catherine to be under the custody of her father that molested her sexually by believing only the GAL Martha Wakenshaw and the order of dismissal of the protection case, the fact that the judge was aware that the CPS and law enforcements was not finished with their investigations yet. Judge Okrent ordered the children to be taken away from their mother Theresa immediately and Theresa be under supervised visits as the recommendations of the GAL and ordered the father to choose who will supervise the visits for Theresa and her children.

Exhibit 6

1 EVERETT, WASHINGTON, THURSDAY, NOVEMBER 8, 2012

2 MORNING SESSION

3 --oo0oo--

4  
5 THE COURT: We're here on the marriage of Gohar and 10:58  
6 Gohar following trial. This is my decision.

7 This case originally started as a petition for legal  
8 separation, later converted to a petition for dissolution.  
9 The petition for separation was filed February 28, 2012.  
10 Petitioner was Samir Gohar. The respondent was Theresa 11:08  
11 Gohar.

12 Samir was born September 1, 1968. Theresa was born  
13 December 15, 1978.

14 They have two children. Catherine, age 11; and  
15 Matthew, age 7. 11:08

16 They were married on January 10, 1999 in Framingham,  
17 Massachusetts. They separated September 20, 2011 in  
18 Snohomish County. This is a 12-year marriage.

19 I find the marriage is irretrievably broken. I find  
20 the wife is not pregnant. I find the court has 11:09  
21 jurisdiction. I find that the wife did not request her  
22 maiden name be restored, but if she wishes she may have  
23 that restored.

24 Originally Mr. Gohar proposed a parenting plan that  
25 made Ms. Gohar the custodial parent. This changed over 11:09

1 time as the case proceeded and it became apparent that  
2 Ms. Gohar was resisting the dissolution. Ms. Gohar  
3 refused to engage in discovery when requested by  
4 Mr. Gohar, and refused to engage in mediation when ordered  
5 by the court. 11:10

6 On March 19, 2012 there was an agreed order on  
7 visitation and financial issues. At that time there was  
8 no mention of any abuse on the part of Ms. Gohar.

9 On 3-27 there was the first temporary hearing that was  
10 requested by Ms. Gohar. The order indicated that there  
11 would be another continuance on April 17th. The father  
12 was to have visitation. The mother was to be the  
13 temporary custodial parent.

14 There was an issue that the children were not being  
15 sent to school on time. The court ordered in that order  
16 that Ms. Gohar make sure that the children were in school  
17 every day. Ms. Gohar was to make sure that happened and  
18 that there would be no excuses. 11:10

19 There was a motion for contempt against the father for  
20 failure to provide some funding. There was a  
21 pre-distribution of assets primarily taken out of the  
22 children's school fund, and essentially the case marched  
23 on until we had allegations of sexual abuse that took  
24 place in October of 2012. 11:11

25 I would point out that both sides have taken the For 11:11

1 Kids Sake seminar and cooperated with it.

2 There was a guardian ad litem appointed. The mother's  
3 position is that the guardian ad litem was a liar,  
4 therefore she should not be followed. Ms. Gohar believes  
5 everything the guardian ad litem said was wrong and that 11:11  
6 she was right.

7 Let me point something out to Ms. Gohar. When the  
8 court appoints a guardian ad litem, it's like appointing  
9 me to do the investigation. When you call the guardian ad  
10 litem a liar, you are calling the court a liar. When you 11:12  
11 refuse to cooperate with the guardian ad litem, when you  
12 interfere with her investigation --

13 MS. GOHAR: I didn't interfere --

14 THE COURT: Let me talk, ma'am. When you interrupt the  
15 court when the court is speaking, you demonstrate a total 11:12  
16 disregard for the legal system.

17 Well, in May of 2012 we then had a further order. The  
18 guardian ad litem report comes out. The guardian ad litem  
19 decides that there needs to be a change in the residential  
20 provisions. 11:12

21 There was a domestic violence accusation of sexual  
22 abuse. Procedurally that case was heard by Commissioner  
23 Gaer. After the hearing and reading the declarations and  
24 reviewing the record, Commissioner Gaer found that there  
25 was no reason for a domestic violence hearing. She found 11:13

1 the sexual abuse allegations to be false and she dismissed  
2 the petition. The court adopts Commissioner Gaer's  
3 findings in their entirety.

4 The issues were then re-argued at trial. I would point  
5 out that Ms. Gohar had several attorneys, talented 11:13  
6 attorneys which she had representing her. Chief in mind  
7 was Ms. Michaelson, who is one of the best attorneys in  
8 this county in the area of family law.

9 In any event, Ms. Gohar has had opportunity to present  
10 her case. She has chosen to request continuances. Those 11:14  
11 continuances were denied by Judge Downes. Her current  
12 attorney entered the case and tried to renew that, and  
13 that was denied as well by this court.

14 Following the October 30, 2012 hearing, Ms. Gohar went  
15 to CPS to start an investigation because, as she testified 11:14  
16 in court, she was not satisfied with the court's rulings,  
17 so she tried to go further. On the day of trial she  
18 further indicated that she was not satisfied and that she  
19 believed that CPS should trump any ruling that I make.  
20 That is not the law in the State of Washington. I'm not 11:15  
21 interested in CPS's investigation.

22 Before we get to the issue of the parenting plan, I  
23 want to talk about the issue of property distribution.  
24 During the course of this marriage Mr. Gohar originally  
25 worked in the restaurant business in Massachusetts. He 11:15

1 sold his restaurant and land together with the house,  
2 shortly after the marriage to his current wife, moved to  
3 Washington State, purchased a house in Marysville, and  
4 purchased Don's Restaurant in Marysville as well.

5 The monies for the purchase came from his sole and 11:16  
6 separate property, but to some extent I find that it was  
7 mingled with community property. The house itself is  
8 primarily a community asset and I'll rule that. The  
9 business is primarily a separate asset of Mr. Gohar. I  
10 say that because if you trace the exhibits you will find 11:16  
11 primarily that's where most of the money went, most of the  
12 effort went from his separate property.

13 I will also point out that Ms. Gohar is unwilling to  
14 take on the debt as well as the asset structure of that  
15 business. I don't think she's capable of running the 11:16  
16 business, and in response by her attorney when he was  
17 asked, "Is she willing to take on the debt," it was clear  
18 that's not happening here.

19 So I characterize for purposes of property distribution  
20 the business of Don's Restaurant to be Mr. Gohar's. The 11:16  
21 business shows a book value of negative \$21,000, although  
22 it does show that it is earning a profit of roughly  
23 \$10,000 a month. I would also point out that every debt  
24 of the community plus the debt of the business is churned  
25 through the business. And I have no problem with that 11:17

1 given the economies of scale that he's facing and how he  
2 operated his business, and in fact I think it was very  
3 wise for him to do that.

4 Ms. Gohar has not worked. I will point out during the  
5 course of litigation she has not sought to employ herself 11:17  
6 but simply decided to stay home and live off whatever  
7 maintenance there is going to be here.

8 The court had ordered her at certain points to look for  
9 work. She has chosen not to do so. That is her choice.  
10 But when people divorce, two separate economies are 11:18  
11 created, and those economies have to be dealt with by the  
12 parties in their own way. Ms. Gohar is to be encouraged  
13 to get work.

14 With respect to the property distribution, recognizing  
15 this is a 12-year marriage, this is what I'm going to do: 11:18  
16 Don's Restaurant is the sole property of Mr. Gohar and  
17 will not be part of this distribution. He owns it  
18 outright. It is his.

19 Mr. Gohar will have the house which I value at \$92,007.  
20 He will have the 2007 Honda valued at \$3,775. 11:18

21 The wife will have the 2006 Odyssey valued at \$12,522.  
22 Mr. Gohar will transfer his IRA of \$17,885 to his wife.  
23 He will transfer the other IRA at \$37,133 to the wife. He  
24 will transfer his wife's IRA, which she already has, of  
25 \$35,000, will go to the wife. 11:19

1 I'm doing this because the big item, the house, valued  
2 at the 92,000, is being awarded to Mr. Gohar. The  
3 transfers of the other IRA accounts will give Ms. Gohar  
4 roughly \$102,540 in value. Mr. Gohar will have  
5 \$109,929.19 in value when I add the children's IRA to  
6 that. 11:19

7 Let me point out something. The children's IRA,  
8 although it is designated as that, is really a community  
9 asset. The parents have the control over that and could  
10 withdraw it at any time. I cannot order that to be 11:19  
11 maintained as an IRA for the children, but I do put it in  
12 the father's side of the distribution.

13 I would also point out that there was a prior  
14 distribution made from the community assets. I will also  
15 point out that Mr. Gohar has paid maintenance, and he also 11:19  
16 paid attorney fees for Ms. Gohar earlier on. So I find  
17 this to be a fair and equitable distribution of the  
18 assets.

19 In addition, Mr. Gohar will take on all of debts since  
20 he indicated he will do so. Any remaining debts of the 11:20  
21 community will be Mr. Gohar's to deal with, as well as all  
22 of the debts of the business.

23 This leads us to the issue of occupying the house.  
24 Mr. Gohar will occupy the home. Within the next 14 days  
25 Ms. Gohar will move out. 11:20

1 Now, with respect to maintenance, I find that there is  
2 a need for maintenance here. I will adopt Mr. Gohar's  
3 suggestion for maintenance. I find it to be a fair and  
4 equitable. It will give the wife a further grubstake for  
5 reestablishing her household.

11:20

6 Now, as I understand his proposal, it was six months at  
7 \$2,500, six months at \$2,000, six months at \$1,500, six  
8 months at \$1,000, and six months then at \$500. A  
9 two-and-a-half-year spread. I've accepted that. This is  
10 non-modifiable maintenance. I say this because there is  
11 an adequate distribution of property and that will be the  
12 order of the court with respect to that.

11:20

13 I will now turn to the issue of the parenting plan.  
14 The parenting plan in this case was the fundamental  
15 central issue. Parenting plans are designed within the  
16 best interest of children in mind. Children are not pawns  
17 to be traded. They don't automatically go to one parent  
18 or the other simply because that parent starts off in a  
19 position of having the child.

11:21

20 We have to analyze in terms of parenting plans what's  
21 best for a child's emotional stability, economic  
22 stability, educational stability, and we also have to  
23 recognize in a two-parent situation both parent's  
24 parenting styles have to be honored, unless of course we  
25 have issues with the parent's ability to parent. These

11:21

11:22

1 are known as Section 191 problems. Ms. Gohar indicates  
2 that she should be the custodial parent. Mr. Gohar  
3 originally agreed with that and shifted his position as  
4 the case continued, but as a result of Ms. Gohar's  
5 behavior he chose a new direction. 11:22

6 Mr. Gohar claims that Ms. Gohar has mental illness.  
7 Ms. Gohar says she has some issues, depression, OCD,  
8 anxiety, which come from the testimony of the guardian ad  
9 litem, via the testimony of Ms. Gohar's therapist. She  
10 testified that she is not taking medication. Mr. Gohar 11:22  
11 testified that when she did take medication she was doing  
12 pretty well. She is not taking medication now.

13 But Ms. Gohar also says that Mr. Gohar has a gambling  
14 addiction. I agree Mr. Gohar did have a gambling  
15 addiction. He did in fact probably use portions of the 11:23  
16 family funds for that addiction, but he took care of it.  
17 He went and got therapy and I find his credibility to be  
18 high on that issue. One of the reasons why I find that is  
19 he's been consistent in his ability to pay all of the  
20 debts and pay the maintenance. If he hadn't continued on 11:23  
21 the route he was going, I'm sure he would have argued  
22 differently to me. He would have probably said I've  
23 wasted all my money on gambling debts, but he didn't do  
24 that.

25 I find during the course of this marriage that the 11:23

1 situation in the marriage became more and more frustrating  
 2 and intense for both parents. I find that the mother's  
 3 mental health issues and the father's frustration over  
 4 that probably contributed to it. I find that the children  
 5 were exposed I'm sure to loud arguing and the kinds of 11:23  
 6 things that go on as a result of that frustration and it  
 7 probably had a detrimental effect on them.

8 There was a guardian ad litem appointed. That guardian  
 9 ad litem is extremely experienced with over 20 years of  
 10 experience particularly in the area of children's abuse. 11:24  
 11 She is well known to the court. I find that her reports  
 12 were credible, and that this was the summary of her ?  
 13 report. She found that both Catherine and Matthew were  
 14 victims of extreme abuse of conflict on the part of the  
 15 mother. You don't talk to your children about the case. 11:24  
 16 You don't let your family talk to the children about the  
 17 case. You don't make your children your confidants ?  
 18 because then you're trying to use your children as pawns.  
 19 You're trying to gain advantage. That's not how we do  
 20 things if we care about our children. 11:24

21 Both children have talked to the guardian ad litem  
 22 about the court case. They demonstrate too much knowledge  
 23 about the case. They demonstrate that since placed alone  
 24 in their mother's home, the mother has not looked for  
 25 work, she sleeps. They demonstrate that the mother has 11:24

1 told them the court is bad and that the father is bad,  
2 even though all of the paperwork that we have up until the  
3 abuse allegation in October indicated that the father was  
4 actually a pretty good dad. No mention of abuse.

5 The GAL went on to say: "Both children present as 11:25  
6 confused, depressed and anxious and can both benefit from  
7 intense individual psychotherapy."

8 She went on to say: "It is unconscionable,"  
9 unconscionable in legal terms means probably the worst  
10 thing you can do, "that the mother's permitting the 11 11:25  
11 year old to read the court documents and the pleadings."  
12 That's classic abusive use of conflict.

13 "The daughter has become so fearful that she has  
14 worried that the GAL might take her away from her parents  
15 and put her in foster care." 11:25

16 Matthew says the judge is mean, fearful of the court,  
17 and has astute understanding of how the court is involved  
18 in his life, based upon what his mom has told him.

19 The testimony of the mother regarding what happened  
20 when the guardian ad litem finally got to interview her 11:26  
21 concerns me. The father admits that he has a history of  
22 depression, that he wasn't nice to his wife. He admits  
23 his gambling addiction. Presents as being depressed. He  
24 took the evaluation requested by the guardian ad litem  
25 requested by Dr. Schau, which demonstrates that he 11:26

1 actually has very little problems other than situational  
2 depression.

3 The mother refused to take the psychological evaluation  
4 from Dr. Schau, which would have helped her in this case.  
5 She refused to provide testimony of her therapist, which  
6 would have helped her in this case to have me be able to  
7 evaluate what the therapist actually said. 11:26

8 She did not provide medical records or treatment  
9 records, which would have helped her in this case. She  
10 did not provide the guardian ad litem with collateral  
11 contacts, and neither did the father. That's because they  
12 argued that their both isolated since they moved. I would  
13 have been interested in collateral contacts. With the  
14 exception of the brother-in-law, who I heard briefly from,  
15 I didn't hear much of collateral contacts. 11:27

16 The guardian ad litem goes on to say: "The mother  
17 presents as extremely suspicious, guarded and depressed.  
18 She had almost no interaction with the children at the  
19 home visit. She was unwilling to provide release of  
20 information for the guardian ad litem to speak with her  
21 health care providers. She was not forthcoming with the  
22 children's school information." 11:27

23 All of these things are essential if you want to retain  
24 custody of your child. You cannot simply refuse, call  
25 somebody a liar, scream and yell that someone has abused 11:27

1 you and think that it's going to be believed by the  
2 officers of the court. Simple outrage will not make your  
3 case. We deal in evidence-based solutions and evidence  
4 needs to be provided by both sides.

5 Finally, at the 11th hour, Ms. Gohar decided to raise 11:28  
6 the specter of sexual abuse. In reviewing Ms. Gohar's  
7 testimony, particularly her cross examination, which I  
8 found very interesting, it was clear that she was avoiding  
9 the answers. It was clear that she was faking her  
10 responses by indicating to the court that she could not 11:28  
11 remember or she was confused or she was frustrated. That  
12 is the language of deception. That is not the language of  
13 truth.

14 From what I can gather, on October 7th the mother  
15 noticed that the child was bleeding and thought it was her 11:28  
16 period. The child was 11 years old, and she's Catherine.  
17 She made an appointment for the doctor for October 29th  
18 and that seemed to be appropriate. She testified first  
19 that the child said to her, and God knows how many times  
20 this kid 's been interviewed, because there is very little 11:29  
21 evidence of how the sequence took place, and God knows how  
22 many other family members heard this story, but I suspect  
23 lots did, she then said first that dad touched the child  
24 down there. Then she said on cross examination that the  
25 child was touched in her vaginal area above her clothes. 11:29

1 How bleeding can come from that, I would be very  
2 interesting in seeing the scientific proof of that. And  
3 then she basically said she didn't remember when.

4 This took place after a visit allegedly on  
5 October 23rd. There was no contact with CPS on 11:29  
6 October 23rd. There was no contact with law enforcement  
7 on October 23rd. There was no trip to the emergency room  
8 on October 23rd. There was no running into court on  
9 October 23rd by her seeking an ex-parte or immediate  
10 temporary restraining order until the 24th when the mother 11:29  
11 decided that the child should talk to the school  
12 counselor, who may or may not have advised her as a  
13 mandatory reporter to go seek out CPS, law enforcement,  
14 and so forth.

15 On 10-26 the mother takes the child to the doctor for a 11:30  
16 routine medical visit. That was the examination for a  
17 sore throat. I was confused. At that time I would have  
18 expected a report from a mandated report, i.e., the  
19 doctor, that the mother had told him about the sexual  
20 abuse, and he, as a mandated reporter, would have 11:30  
21 initiated the protocol in this county, which is well  
22 known, to initiate the sexual abuse protocol that all  
23 doctors know, because they're mandated reporters, because  
24 we have well-known protocols in the county for doing this,  
25 and in fact all we have is a routine sore throat checkup. 11:30

1 Mother's response was, well, I don't remember. I don't  
2 know. And I thought he knew. Very confusing to me. And  
3 the child made no response. In my experience children who  
4 have been sexually abused exhibit certain symptoms,  
5 including fear of the parent. No fear. Including 11:31  
6 psychosomatic illnesses. No psychosomatic illnesses.  
7 Including a desire to talk to people who they feel are  
8 medical helpers or police helpers, people they can trust  
9 about what happened. No spontaneous statements made here.

10 Three days afterwards, October 26th, and I haven't got 11:31  
11 a spontaneous statement, nobody gave me a spontaneous  
12 statement, and I don't expect to see one ever.

13 Well, we keep marching along. We then go to  
14 October 29th, kid goes to the doctor, nothing. The doctor  
15 doesn't see any evidence of sexual abuse because the child 11:31  
16 makes no mention of it. Nothing happens.

17 Mother claims the guardian ad litem is lying. We go to  
18 a hearing in front of Commissioner Gaer. And what happens  
19 at that hearing? There are declarations filed. The  
20 commissioner is concerned about the declarations enough to 11:32  
21 order the guardian ad litem, highly unusual, by the way,  
22 to interview the child who happens to be in the car  
23 outside of the courthouse.

24 Who takes a child who's been sexually abused to a  
25 courthouse? Somebody who wants to have that child talk to 11:32

1 somebody. Probably the court. It's called showing the  
2 flag in tactical terms. As lawyers, we know when a parent  
3 wants to push the abuse card they show the flag. They  
4 take the child around so that the court will believe them.

5 So the court gave the mother a chance to prove her 11:32  
6 point and sent the court's eyes and ears out to interview  
7 the child. That's the guardian ad litem. And what do we  
8 have? We have the maternal grandmother hovering out there  
9 in open court, in a public forum. The mother is yelling  
10 that the guardian ad litem is a liar, so much so that her 11:33  
11 brother-in-law has to calm her down. Imagine what that  
12 11-year-old child feels.

13 The mother and her family could not contain their  
14 outrage. They were going to prove in open court in the  
15 hallway of the court that the GAL, who is about to 11:33  
16 interview this child, is a liar. So much so that the  
17 court clerk had to come out and calm them down. What a  
18 mistake that was because that tells me everything.

19 Why does it tells me everything? Because it's a  
20 manipulative act designed to make the guardian ad litem 11:33  
21 look not credible and designed to send a message to the  
22 child that she needs to do whatever momma has told her to  
23 do. We don't play that here. The mother believes the  
24 guardian ad litem is lying. I find the mother is not  
25 credible. I find the mother suffers from depression, 11:34

1 anxiety, and OCD as defined by her counselor. I find that  
2 she is in need of psychological services.

3 I find that she has attempted to falsely accuse the  
4 father of sexual abuse, and I reiterate that I incorporate  
5 by reference the findings of the court commissioner. 11:34

6 I request that a transcript be sent to CPS of my  
7 findings so there will be no doubt as to the court record.

8 The recommendations of the guardian ad litem compose  
9 what will be the current parenting plan. First of all,  
10 Mr. Gohar will be the primarily residential parent. I'm 11:34  
11 ordering that he pick up his children today after school.  
12 In fact, he may go to the school immediately after this is  
13 over and pick them up.

14 Ms. Gohar will have a psychological evaluation by  
15 Dr. Schau paid for by Mr. Gohar within 30 days. Mr. Gohar 11:35  
16 said he could do that.

17 Ms. Gohar will have residential time with the children  
18 twice a week supervised by Mr. Gohar's designee for a  
19 total of eight hours on Wednesday and Saturday. There  
20 will be no makeup visits if she misses a visit with her 11:35  
21 children.

22 Ms. Gohar will have a psychological evaluation and  
23 follow any recommended treatment in that.

24 Ms. Gohar will come to the visitation alone. There  
25 will be no family members at the supervised visitation. 11:35

1 If there are family members, visitation will be suspended.  
2 If the child makes statements that the mother has made a  
3 statement in the presence of the supervisor that leads one  
4 to believe she's attempting to manipulate the child, the  
5 visitations will be suspended and they cannot be renewed 11:36  
6 except on the family motions calendar.

7 Both children will be placed into therapy within 30  
8 days with a state-approved therapist.

9 The mother is to refrain from discussing the court case  
10 with the children. Expansion to unsupervised visits once 11:36  
11 the evaluation is completed and a full report is made to  
12 the court can take place on motion to the family court.

13 So I'm adopting the father's parenting plan with these  
14 changes. I mentioned that the family home can be occupied  
15 within 30 days. Do you have adequate facilities right 11:36  
16 now, Mr. Gohar, if you pick up your children today to  
17 house them for 30 days while the mother moves out?

18 MR. GOHAR: It's a small apartment.

19 THE COURT: How long will you need to move out of the  
20 home? 11:37

21 MS. GOHAR: Where am I going to go?

22 THE COURT: That's not my question. How long will you  
23 need to move out of the home?

24 MS. GOHAR: How long I need?

25 THE COURT: Yeah. 11:37

1 MS. GOHAR: I'm going to take my kids with me.

2 THE COURT: No, you're not, ma'am. I just ordered the  
3 children will be with the father.

4 MS. GOHAR: A month.

5 THE COURT: Two weeks. I'm also ordering that each  
6 party may keep the personal possessions in their  
7 possession. I've heard no discussion over property  
8 distribution. I'll reserve property distribution issues  
9 if the parties can't work it out between their lawyers for  
10 the date of presentation of orders, because I heard  
11 nothing. 11:37

12 With respect to child support, this is what I'm doing.  
13 I'm going to hand down a child support worksheet. I find  
14 that the father's gross income to be \$10,430. The  
15 mother's gross income by averaging the maintenance, 11:38  
16 basically the 2,500 and the 2,000, comes to \$2,350. That  
17 leaves nets of \$5,931.13 for the father, \$2,108 for the  
18 mother. Child support proportionate share is 74 percent  
19 rounding for the father, 26 percent for the mother. Child  
20 support calculation, given the fact that the father is 11:38  
21 paying the monthly health insurance of \$377, the gross  
22 child support calculation is \$547.84.

23 I will order the child support be in the amount of \$300  
24 from the mother to the father, deviating down \$247 because  
25 the mother is not employed at this time and will be living 11:38

1 primarily off the maintenance obligation so as to maximize  
 2 her ability to create a new household. \$300 a month,  
 3 commencing December 1st.

4 There was no request for attorney fees. So I'm not  
 5 ordering any further attorney fees. That's the child 11:39  
 6 support worksheet.

7 I'm going to ask, Ms. Peterson, that you create all of  
 8 the documents, please.

9 MS. PETERSON: Yes.

10 THE COURT: I believe this covers all of the issues. I 11:39  
 11 find that the case has been resolved, it's been fair and  
 12 equitable, and the marriage once again is irretrievably  
 13 broken and dissolution orders will enter.

14 Any questions?

15 MS. GOHAR: I have a question. 11:39

16 THE COURT: Ask your attorney.

17 MS. PETERSON: The children's belongings, my client is  
 18 concerned about him being able to retrieve the children's  
 19 belongings today from the house. Can you order that he is  
 20 allowed to come to the house to pick them up or that 11:40  
 21 somebody is? I'm not sure how we're going to get  
 22 everything and I'm concerned that she's going to be  
 23 uncooperative.

24 THE COURT: The mother will pack up the children's  
 25 belongings today. The father may come with a third-party 11:40

1 designee. I'm going to ask that the mother have a  
2 third-party designee there who will hand over the  
3 belongings.

4 MS. PETERSON: Thank you, Your Honor.

5 THE COURT: Any further questions?

11:40

6 MS. GOHAR: If any abuse is going to happen to my  
7 children after this decision, the court will be  
8 responsible for after the kids go to their dad. I'm  
9 giving the kids healthy, I've been treating them good. If  
10 any emotional abuse that happens, please write this down,  
11 if any emotional or physical or sexual abuse happen to my  
12 children while they are after that day with their dad, the  
13 court and my husband will be responsible for it. I'm  
14 giving my children full health and I've been treating them  
15 good. If anything happens the court will be responsible  
16 for it. Yes. That's it.

11:40

11:41

17 THE COURT: Thank you, ma'am. Your statement has been  
18 noted by the court. I've made my ruling. We'll be in  
19 recess.

20 (Proceedings concluded.)

11:41

21  
22  
23  
24  
25

The police report and Catherine recorded testimony which shows the GAL Martha Wakenshaw lied about what Catherine said to her.

The school consoler at Catherine's school testimony and declaration of what Catherine said which shows the GAL lied about what Catherine said to her.

Exhibit 7

# NARRATIVE

ORIGINAL

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>

**SUMMARY:**

Mother of a student came into the counseling office at Voyager Middle School and reported that her daughter had disclosed her father (living separately) had touched her vagina over the clothing on the previous nights visit. She also said he tries to get her to sleep in the same bed as him, and that this has happened before. CPS responded and developed a safety plan with the mother. SJU was consulted and advised of the case.

**NARRATIVE:**

I am the school resource officer for the Mukilteo School District, contracted from the Snohomish County Sheriff's Office and stationed at Mariner High School.

On 10/24/12 at approximately 1000 hours I was notified by Voyager Middle School counselor Nancy Beck that she had a student and student's parent disclose possibly sexual abuse by the estranged father. I met with Nancy and she told me that Theresa Gohar had come to the school just prior to 1000 hrs and asked for her daughters records for an upcoming court hearing. Theresa asked to talk to Nancy about something her daughter told her the night before (10/23/12). Theresa's daughter Catherine had told her, that during Catherine's visit to her father's house at 2721 116<sup>th</sup> ST SE #A on 10/23/12, the father Samir Gohar allegedly told Catherine to sit next to him on the couch. Catherine told her mother that Samir touched her vagina with his hand, over the top of her clothing; but it made her uncomfortable so she moved away and said no. She also was told that Samir allegedly asked Catherine to sleep in bed with him on numerous occasions.

Nancy told me that she called Catherine down to her office because she wanted to speak with her about what she had heard and needed to call CPS. Catherine came into her office and Nancy asked her to tell her what she had told her mother the night before. Catherine told her the exact same things stated above. She also told Nancy that she found a knife and a bottle marked 'poison' in the bedside drawer of her father's bed.

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>A. BERNARD 1471</b>		APPROVED BY							
IIR CLEARANCE: <input type="checkbox"/> ARRA <input type="checkbox"/> ARJL	<input type="checkbox"/> ENCA <input type="checkbox"/> EXCU	<input type="checkbox"/> INSUFF/ELD <input type="checkbox"/> OTHER/OLD <input type="checkbox"/> UNF	COPIES MADE FOR: <input type="checkbox"/> PA <input type="checkbox"/> PA	<input type="checkbox"/> CPS <input type="checkbox"/> DSNS	<input type="checkbox"/> JUV <input type="checkbox"/> MH	COURT: <input type="checkbox"/> CAS / <input type="checkbox"/> DET:	EVG / PREC / CTH /	SOUTH / EVT SJU	DATA ENTRY



Snohomish County Sheriff's Office  
Statement Form

WITNESS  
STATE OF WASHINGTON

Incident # 12-17928

First Name: Nancy M: E. Last: Beck DOB: 08/11/2012  
Race: W Sex: F Hgt:      Wgt:      Eyes: R 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  
Home Phone: (      )      Cell Phone: (      )      Work Phone: (425) 366-5331  
E-Mail Address: beckne@Mukilteo.wednet.edu

STATEMENT: Theresa Gohari 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) NOB

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

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

12-11928

**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	DATE	SIGNATURE	DATE
<i>M.P.</i>	10/24/2012		
<i>Deborah Solby</i>	10/24/12		
SIGNATURE	DATE	SIGNATURE	DATE

## FOLLOW UP REPORT

<b>SNOHOMISH COUNTY SHERIFF'S OFFICE</b>	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>		

**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

*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 
IIR CLEARANCE:    ( ) INSUFF/CLD ( ) ARRA ( ) EXCA    ( ) OTHER/CLD ( ) ARRU ( ) EXCU    ( ) UNF	COPIES MADE FOR: ( ) PA    ( ) CPS    ( ) ADV ( ) PAT    ( ) DSHS    ( ) MN
( ) COURT: CAS / EVG / SOUTH / EVT ( ) DET: PREC / CTH / SPEC ( ) OTHER:	DATA ENTRY

## FOLLOW UP REPORT

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

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 T. Quick #1456		APPROVED BY 	
IIR CLEARANCE: <input type="checkbox"/> ARRA <input type="checkbox"/> EXCA <input type="checkbox"/> IIR / CLO <input type="checkbox"/> ARSJ <input type="checkbox"/> EXCU <input type="checkbox"/> OTH / CLO <input type="checkbox"/> <input type="checkbox"/> UNF	COPIES MADE FOR: <input type="checkbox"/> PA <input type="checkbox"/> OPS <input type="checkbox"/> JUV <input type="checkbox"/> PAT <input type="checkbox"/> DSHS <input type="checkbox"/> MH	COURT: CAS / EVD / SOUTH / EVT DET. PREC / CTH / SPEC <input type="checkbox"/> OTHER	DATA ENTRY

## SNOHOMISH COUNTY SUPERFORM

ORIGINAL

Suspect's Name: **GOHAR, SAMIR**Case #: **SO12-17928**

SUBJECT'S PROPERTY	TOTAL CASH:		TO JAIL PROPERTY:		
	PROPERTY IMPOUNDED TO EVIDENCE:		OTHER PROPERTY:		
	EASED HEARIN FOR FORFEITURE? YES / NO EXPLAIN:				
OBJECTIONS TO RELEASE	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 ADJUSTED FROM HIMSELF/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: (FTA, LACK OF COMMUNITY TIES, ETC.)			
PHYSICAL EVIDENCE	CONTROLLED SUBSTANCE:		TYPES & AMOUNTS (WEIGHTS)		
	WEIGHED AND FIELD TESTED?		VEHICLE INFORMATION: STOLEN / VEH. REPORT ATTACHED? YES / NO		
	FAIR MARKET VALUE: \$	SOURCE OF VALUE:	VEH. YEAR:	VEH. MAKE:	VEH. MODEL:
	PROPERTY (Status, Recovered, Damaged, Etc.)				FAIR MARKET VALUE \$
PROPERTY CONTINUED.					SOURCE OF VALUE:

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

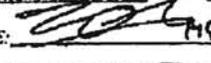
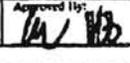
On 10/24/2012 at about 1000 hours Theresa I. Gohar (12/15/78) reported that her 11 year old daughter (known to me, DOB 7/28/2001, hereafter identified as C.G.) had disclosed that she had been molested by her father, Samir A. Gohar (09/01/68). Theresa reported that C.G. disclosed that Samir had touched 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: <b>DETECTIVE T. QUICK</b>		PER # <b>1456</b>		CONTACT #: <b>425-388-6376</b>		TRANSPORT OFFICER: <b>N/A</b>					
OFFICER'S SIGNATURE: 		DATE: <b>11/13/12</b>		CITY, STATE: <b>EVERETT, WA</b>		PRECINCT / STATION: <b>S.L.U.</b>					
IBR CLEARANCE: (ONE)	( )	INSUFF / CLO	( )	COPIES MADE FOR:	( )	( )	( )	( )	( )	DATA ENTRY	Approved by: 
( ) ARR/A	( ) ERICA	( ) OTHER / CLO	( ) PA	( ) CPS	( ) JUV	( ) DET. PREC / CTH / SPEC	( )	( )	( )		
( ) ARR/A	( ) ERICJ	( ) UNF	( ) PAT	( ) DSHS	( ) MH	( ) OTHER:	( )	( )	( )		
000061											

Theresa Gohar testimony at trial on November 5, 2012.

Exhibit 8

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  
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  
16 mind is good and she's like her mother.

03:03

03:03

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.  
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

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  
6 thing to my girl and it's alerted me that he's doing that.

03:04

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,  
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.

03:05

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

03:06

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

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 03:13  
11 she? I don't think she did.
- 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 03:13  
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
- 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

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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.

03:19

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  
11 him.

03:19

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  
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  
21 and underwear was having blood.

03:20

03:20

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.

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

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?

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

03:21

03:21

03:21

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  
6 my husband, even though he was abusive.

03:27

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  
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  
16 I get hurt down there.

03:27

03:27

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 --  
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

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

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.

03:29

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 03:30  
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.
- 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 03:31  
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.
- 20 Q. As far as your day-to-day finances, did he try to involve 03:31  
21 you in the finances?
- 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 not sure if it's less or more. Maybe more. I don't know.
- 2 Q. Has he made any attempt to return the value of the  
3 jewelry?
- 4 A. I don't think he did, no. He told me he took it. I don't  
5 think he's going to bring it back. And since he's doing 03:33  
6 the divorce I don't think he's going to bring it back.
- 7 Q. Now, the guardian ad litem said that you had discussed the  
8 case extensively with Catherine. Did you discuss the case  
9 with your daughter?
- 10 A. No. If I asked her, it would be about one -- about one -- 03:33  
11 like one words. Because she go to school, I will tell her  
12 what does this word mean? Do you know what that word  
13 mean? And she will answer me, this means something, but I  
14 didn't give her some papers to read.
- 15 Q. You didn't ask her to review your petitions? 03:34
- 16 A. Petitions? The stuff I filed? No.
- 17 Q. You didn't ask her to be aware of everything that was  
18 going on?
- 19 A. I let her be aware when they have the order to see her  
20 dad. Once he had the visits, yes, I did tell her that 03:34  
21 there was an order that she's going to see her dad every  
22 other weekend and twice a week. I had to tell her that.
- 23 Q. But beyond telling her what she had to do because of court  
24 orders, you didn't tell her --
- 25 A. No, she's just a kid. How am I going to do that, all this 03:34

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  
6 involved. He's the one that have been calling the police  
7 for no reason.

03:38

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  
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.

03:38

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  
11 care of your children? 03:39

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  
16 been helping them with any problems they had since their  
17 dad left us 2011. 03:40

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  
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  
6 of your depression or anxiety? 03:41

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  
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  
21 shake his body and talk to him in his face and bother him. 03:41

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 03:45  
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.

10 I went to three doctors. The first doctor I went alone 03:46  
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 03:46  
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.

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 03:46  
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 03:47

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  
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  
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,  
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  
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.

03:47

03:47

03:48

03:48

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 03:50  
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 drily 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 03:51  
6 change their clothes.

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 03:52  
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 03:52  
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 03:55  
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  
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 --

03:56

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  
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

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, 04:03  
6 October 29th, we have an office visit with Dr. Pepper.
- 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 04:03  
21 them told you to take her to the doctor?
- 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 04:05  
11 guardian ad litem's report. It says the school threatened  
12 to invoke the Becca bill.
- 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 04:06  
21 in the guardian ad litem's report?
- 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. 04:08

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?

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. 04:09

- 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  
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  
11 a job. Do you think that's a lie, too?

04:13

04:13

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  
16 my daughter because I know her and I'm living with her.  
17 I'm not sure where she got that from.

04:14

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

\* Emails communications proves Theresa was in good faith trying to set appointments to visit her children.

\* Email communications from Theresa to her former lawyer MR. Robert that she did not see her children dated March 11, 2013.

\*E mail communication to Samir's lawyer dated April 19, 2013 that she did not see her children for months due to their refusal to allow her to see them and their respond.

\*E mail communications prove Theresa was not served with the contempt orders.

\*E mails prove that Theresa's former attorney accepted the service with Samir's attorney without Theresa's approval or knowledge.

\* E mail communications prove that Theresa's asked her former attorney MR. Robert Miller on April 9, 2013 not to acceptance on her behalf without her approval.

\*acceptance of service from Theresa's former attorney was filed with the trial court on April 10, 2013 a day after her request from him not to accept services without her approval first.

## Exhibit 9

there

New Reply Delete Hi, this is Theresa Gohar Move to Categories

Folders

Inbox 1

Junk 1

Drafts 121

Sent

Deleted 59

business

divorce

Ex husband

New folder

Quick views

Documents

Flagged

Photos

Shipping updates

New category

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



theresa gohar 12/31/12

To: Robert J. Miller

From: theresa gohar (theresayacoub@hotmail.com) You moved this message to its current location.

Sent: Mon 12/31/12 7:52 PM

To: Robert J. Miller (robertm@brewelaw.com)

i did read the file now. so what is happining?  
how i will see my kids? do i have to find a supervisore and pay for it?

i am going to study again at the community college and that will cost a lot of money. is the ex going to pay for it?  
how to transfer the car and my ex. ira to my name?!  
what is the court respond to our motion?

please reply or call me and tell me what will happen thank you.



Already

Already

Theresa Gohar Email to  
Her attorney Mr. Robert Miller.



### Visits

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



**Robert J. Miller** 1/03/13  
To: theresa gohar (theresayacoub@hotmail.com)

From: **Robert J. Miller** (robertm@brewelaw.com) You moved this message to its current location.  
Sent: Thu 1/03/13 6:41 PM  
To: theresa gohar (theresayacoub@hotmail.com)  
(theresayacoub@hotmail.com)

Theresa – I've talked to Samir's attorney about the supervised visits. As the parenting plan gives him authority over selecting the supervisor, he will agree to use – Joy Hulett; and Terry & Camille Anderson. I'm told he works with these people. The other alternative is to use professional supervisors – I have many that I like working with – however you would be responsible for the costs (typically in the \$35-\$50/hr. range) so let me know. Bob

Robert J. Miller

Attorney

**BREWE LAYMAN, P.S.**

Phone: (425) 252-5167

Fax: (425) 252-9055

Website: www.brewelaw.com



From: **theresa gohar** (theresayacoub@hotmail.com) You moved this message to its current location.  
Sent: Tue 3/05/13 6:32 PM  
To: **katipeterson@comcast.net**

Hi Katherine  
I would like the names and phone numbers and e mail addresses of the supervised persons to contact to set appointments for visitation.  
Please e mail me this information as soon as you can.  
Thanks.  
Theresa

\\ Theresa Gohar. Email To  
Ms. Katherine Peterson → Samit's lawyer.

10

RE: Gohar

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



Robert J. Miller 3/05/13

To: Katherine Peterson

Cc: theresa gohar (theresayacoub@hotmail.com)

Katherine – I believe something was lost in the translation. I was (am) not happy with the notation that Theresa needs to contact Samir directly to set up the visits. That is the message that was passed along to me. I had asked for the three individuals contact information for that purpose and was told no. Frankly I don't care who (which of the three) supervises the visits so long as they occur and Theresa should not be required to coordinate through Samir (they are divorced).

Given your suggestion below, I will have Theresa call your office to arrange the sessions.

Theresa will not be seeing the children in any setting other than authorized by the parenting plan.

Bob Miller

Theresa Gohar' Attorney TO:  
Samir Gohar' Attorney Ms. Katherine 

Catherine and Matthew gohar supervised visits

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



theresa gohar 3/06/13  
To: katipeterson@comcast.net

From: **theresa gohar** (theresayacoub@hotmail.com) You moved this message to its current location.  
Sent: Wed 3/06/13 12:58 PM  
To: **katipeterson@comcast.net**

Hi Katherine

I would like the names and phone numbers and e mail addresses of the supervised persons to contact to set appointments for visitation.

Please e mail me this information as soon as you can.

Thanks.  
Theresa

Theresa's Email to Ms. Katherine Peterson  
Samir's lawyer

13

FW: Catherine and Matthew gohar supervised visits

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



theresa gohar 3/06/13  
To: robertm@brewelaw.com

From: **theresa gohar** (theresayacoub@hotmail.com) You moved this message to its current location.

Sent: Wed 3/06/13 3:02 PM  
To: robertm@brewelaw.com

Robert they won't give me the contact information for the supervisors help me please

If I will contact them it will be through email only no phone calls and play games

Thanks for your help:)

W Theresa Gohar Email to Her Attorney

15

From: theresayacoub@hotmail.com  
To: katipeterson@comcast.net  
Subject: Catherine and Matthew gohar supervised visits  
Date: Wed, 6 Mar 2013 12:58:57 -0500

Hi Katherine

I would like the names and phone numbers and e mail  
addresses of the supervised persons to contact to set  
appointments for visitation.

Please e mail me this information as soon as you can.

Thanks.

Theresa

W Theresa Email to Samir's Attorney  
for Her visits with her children

(17)

Re: Supervised visits for Catherine gohar and Matthew gohar

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



Leonard Kerr (leonardekerr@yahoo.com) Add to contacts  
To: theresa gohar  
Cc: Samir Gohar

From: **Leonard Kerr** (leonardekerr@yahoo.com) You moved this message to its current location.

Sent: Wed 3/06/13 4:29 PM

To: theresa gohar (theresayacoub@hotmail.com)

Cc: Samir Gohar (stgohar@hotmail.com)



Theresa, as I said in the previous email, we cannot provide you with any contact information of the supervisor, but I can schedule you a time and place for the visit. We will keep in touch.

Gabriela

✓ Email from Samir's Attorney Mr. Leonard Kerr Assistant to Theresa

18

RE: Supervised visits for Catherine gohar  
and Matthew gohar

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



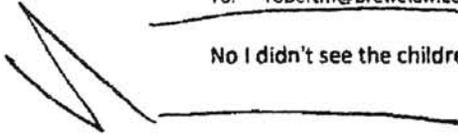
theresa gohar 3/11/13  
To: robertm@brewelaw.com

From: **theresa gohar** (theresayacoub@hotmail.com) You moved  
~~this message to its current location.~~

Sent: Mon 3/11/13 11:44 AM

To: robertm@brewelaw.com

No I didn't see the children



↳ Theresa's Email to Her Attorney

— She did not see Her children

Dated on 3/11/13

33

### FW: Theresa Gohar Assessment

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



Robert J. Miller 3/18/13  
To: Katherine Peterson  
Cc: theresa gohar (theresayacoub@hotmail.com)

From: **Robert J. Miller** (robertm@brewelaw.com) You moved this message to its current location.

Sent: Mon 3/18/13 11:34 AM

To: Katherine Peterson (katipeterson@comcast.net)

Cc: theresa gohar (theresayacoub@hotmail.com)  
(theresayacoub@hotmail.com)

1 attachment (187.0 KB)

Outlook Active View

Gohar, Theresa.pdf



View this message

Download as zip

Katherine – I trust that you've received Dr. Schau's report. Considering this and the parenting plans terms, please confirm that Theresa's time will be unsupervised effective immediately. Bob

Theresa's Attorney to Samir's Attorney (39)

RE: Gohar Matter - Order to Show Cause  
re: Contempt

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



Robert J. Miller 3/21/13  
To: Leonard Kerr  
Cc: Kati Peterson, Katie Miller, theresa gohar (theresayac)

From: **Robert J. Miller** (robertm@brewelaw.com) You moved this message to its current location.

Sent: Thu 3/21/13 10:05 AM

To: Leonard Kerr (leonardkerr@yahoo.com)

Cc: Kati Peterson (katipeterson@comcast.net); Katie Miller (katiem@brewelaw.com); theresa gohar (theresayacoub@hotmail.com) (theresayacoub@hotmail.com)

Katherine – thank you for this courtesy copy. As I do not have authorization to accept service, I trust that all procedural formalities will be followed. Bob Miller

↳ There's Attorney to Samir's Attorney

— He Have No authorization to accept service

43

---

**From:** theresa gohar [mailto:theresayacoub@hotmail.com]  
**Sent:** Monday, April 1, 2013 5:21 AM  
**To:** Robert J. Miller  
**Subject:** RE: Gohar Matter - Order to Show Cause re:  
Contempt

Hi Robert

I Am still working on the respond for the contempt I will try  
finish it today

we have the court hearing on the 10th

Also I noticed the last statement is over \$2000 and that is a  
lot for me

Is there a payment plan I can do?

I was not served yet with the contempt order from the  
opposing attorney.

→ Theresa Gohar Email to her lawyer

- She was Not serviced with the order

(44)

RE: Gohar

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



theresa gohar (tigohar@hotmail.com) 4/09/13  
To: robertm@brewelaw.com

From: **theresa gohar** (tigohar@hotmail.com) You moved this message to its current location.

Sent: Tue 4/09/13 11:40 AM

To: robertm@brewelaw.com



You did not ask my agreement to by served insted of me?  
I would like to have him sigh another with the whole  
accounts transfer as it said in the dissolution degree  
Also I need the statements for those ira accounts from  
October 2012 to present  
Thank you



Theres's former lawyer MR. Robert  
Agreement with samir's lawyer Without  
Theres's knowledge and Approval first.

48

From: theresa gohar [mailto:tigohar@hotmail.com]  
Sent: Tuesday, April 9, 2013 11:40 AM  
To: Robert J. Miller  
Subject: Helping me

Hi Robert

I feel you too busy to help me  
I would like you to support me in my needs unless  
its against the law or something I have requested  
you to help me transfer my ex ira accounts to my  
name then I am expecting you to help me legally  
to do so then you gived me those two account  
transfer to be signed as part of his accounts not  
the whole accounts and this seems not right to me  
and you trying to tell me to sign it I need your  
help to achieve my needs and not argue together  
If its my right to have the whole accounts as  
stated in the dissolution then I would like to  
have it I am not happy you didn't ask me before  
you accept services for me without discuss it  
with me first and I agree to it Please don't  
accept services without me knowing about it I

feel we can't communicate and you not helping me  
I have left a message for Karen when you were  
away to see if she can help me since you are too  
busy but i couldn't get a hold of her I am not  
happy paying lawyer fees with no result and not  
asking me my agreement before you accept services  
or communicat with me on the matter.

I have asked you to help me with the supervised  
visits until today I got no visits. You told me  
to contact the other attorney myself and arrange  
the visits and they won't let me have my  
visitation and wanted me to pay and I needed your  
help Also I need to lower my expenses and the  
accountant said don't withdraw from the Ira  
because of the penalty I have to pay Now you are  
my only lawyer but I am started to think to find  
another attorney because I feel you can't help me  
and i pay too much attorney fees with no result I  
would like Karen to take my case if she agree to

it.

Thank you

Theresa to Her Attorney

4.9

Not to accept service without her Approval

<https://bay177.mail.live.com/default.aspx?id=64855>

Dated April 9, 2013

5/21/2013



CL16097126

FILED

13 APR 10 AM 11:54

SCHYLA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

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Superior Court of Washington  
County of SNOHOMISH

In re the Marriage of:

SAMIR GOHAR

No. 12-3-00776-6

Petitioner,

ATTORNEY'S ACCEPTANCE OF  
SERVICE AND  
ACKNOWLEDGMENT OF RECEIPT

and

THERESA IBRAHIM GOHAR

Respondent.

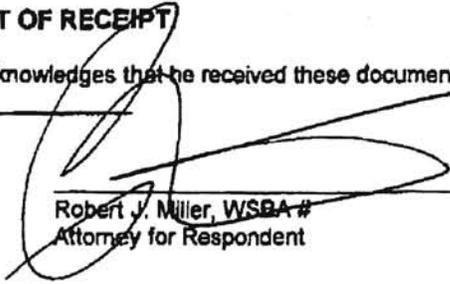
1. ACCEPTANCE OF SERVICE

Robert J. Miller, attorney of record for the above named Respondent, by his signature hereon, acknowledges and accepts service of:

1.12 Motion for and Alias Order to Show Cause re: Contempt

2. ACKNOWLEDGMENT OF RECEIPT

Said attorney further acknowledges that he received these documents on the following date: 4/8/13

  
Robert J. Miller, WSBA #  
Attorney for Respondent

ORIGINAL

Theresa's Attorney Acceptance of Service  
filed on April 10, 2013

184

kids supervised visit

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



theresa gohar (tigohar@hotmail.com) 4/22/13  
To: katipeterson@comcast.net  
Cc: leonardekerr@yahoo.com

From: **theresa gohar** (tigohar@hotmail.com) You moved this message to its current location.

Sent: Mon 4/22/13 1:51 PM  
To: katipeterson@comcast.net (katipeterson@comcast.net)  
Cc: leonardekerr@yahoo.com (leonardekerr@yahoo.com)  
Bcc: stgohar@hotmail.com (stgohar@hotmail.com)

hi,  
its the court order that the supervisor will be chosen by the father as it says on the final parenting plan. I need to see my children as the court order this wednesday april 24 2013. i would like to take them to chucky cheese in lynnwood. the address is 3717 196th St #100 Lynnwood, WA 98036 (425) 771-1195

let me know who is going to supervise, thier phone number, e m thank you.  
theresa gohar

Theresa's Email to Samir's lawyer

53

children visitation



theresa gohar (tigohar@hotmail.com) 4/19/13  
To: leonardekerr@yahoo.com  
Cc: katipeterson@comcast.net

From: theresa gohar (tigohar@hotmail.com) You moved this message to its current location.

Sent: Fri 4/19/13 4:56 PM

To: leonardekerr@yahoo.com (leonardekerr@yahoo.com)

Cc: katipeterson@comcast.net (katipeterson@comcast.net)

Bcc: stgohar@hotmail.com (stgohar@hotmail.com)

hi i have requested from you to have my visitation with my children by phone after the court oral openion on the 8th of november and you said the father has to be the supervisor and the supervisors are not avaliabe, you refused and wanted me to pay for the supervistion.

i have told you i can not afford to pay for the supervision fee. you said you have free supervisors and i agreed to them, you said they are not available after we agreed. this is only to prevent me from seen my children for months now.

i will have to file a contempt motion with the court if you continue to refuse to let me see my children as the court ordered and the parenting plan said.

Theresa's Email to Samir's lawyers

Mr. Leonard Kerr and Ms. Katherine Peterson

52

GAL Martha E. Wakenshaw report

Filed by her in open court at the trial on 11-5-2012

Exhibit 10

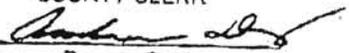


CL15722665

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 Gohar 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

Final parenting plan filed on December 3, 2012

Exhibit 11

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CLERK OF SUPERIOR COURT  
SNOHOMISH CO. WASH

Superior Court of Washington  
County SNOHOMISH

<p>In re the Marriage of: SAMIR GOHAR,  and THERESA GOHAR,</p> <p style="text-align: center;">Petitioner,  Respondent.</p>	<p>No. 12-3-00778-8  Final Parenting Plan</p>
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This parenting plan is the final parenting plan signed by the Court.

It is Ordered, Adjudged and Decreed:

I. General Information

This parenting plan applies to the following children:

Name	Age
Catherine Gohar	11
Matthew Gohar	7

II. Basis for Restrictions

*Under certain circumstances, as outlined below, the court may limit or prohibit a parent's contact with the children and the right to make decisions for the children.*

Parenting Plan (PPP, PPT, PP) Page 1 of 7  
WPF DR 01.0400 Mandatory (6/2008) - RCW 26.09.181; .187; .194

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**2.1 Parental Conduct (RCW 26.09.191(1), (2))**

Does not apply.

**2.2 Other Factors (RCW 26.09.191(3))**

The respondent's involvement or conduct may have an adverse effect on the children's best interests because of the existence of the factors which follow:

Neglect or substantial nonperformance of parenting functions

A long-term emotional or physical impairment, which interferes with the performance of parenting functions as defined in RCW 26.09.004.

The abusive use of conflict by the parent, which creates the danger of serious damage to the children's psychological development.

**III. Residential Schedule**

*The residential schedule must set forth where the children shall reside each day of the year, including provisions for holidays, birthdays of family members, vacations, and other special occasions, and what contact the children shall have with each parent. Parents are encouraged to create a residential schedule that meets the developmental needs of the children 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**

Upon enrollment in school, the children shall reside with the father, except for the following days and times when the children will reside with or be with the other parent:

The mother shall have a psychiatric evaluation by Dr. Ed Schau within 30 days of November 8, 2012. The mother shall cooperate with all treatment recommendations by Dr. Schau, including taking all prescribed medications. Dr. Schau shall provide monthly reports about the mother's compliance with treatment recommendations to the Guardian Ad Litem. Prior to completion of the psychiatric evaluation and compliance with the treatment recommendations, the children shall have supervised visitation with the mother two times per week for four hours per visit, on Wednesdays and Saturdays. The

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supervisor will be chosen by the father. Upon completion of the psychiatric evaluation and a report, the mother may motion family court to allow unsupervised visitation. The mother will come to the visitation without any family members. If there are family members, visitation will be suspended.

**3.3 Schedule for Winter Vacation**

The children shall reside with the during winter vacation, except for the following days and times when the children will reside with or be with the other parent:

Same as 3.2

**3.4 Schedule for Other School Breaks**

The children shall reside with the during other school breaks, except for the following days and times when the children will reside with or be with the other parent:

Same as 3.2

**3.5 Summer Schedule**

Upon completion of the school year, the children shall reside with the except for the following days and times when the children will reside with or be with the other parent:

Same as 3.2

**3.6 Vacation With Parents**

The schedule for vacation with parents is as follows:

Does not apply.

**3.7 Schedule for Holidays**

The residential schedule for the children for the holidays listed below is as follows:

	With Petitioner (Specify Year Odd/Even/Every)	With Respondent (Specify Year Odd/Even/Every)
New Year's Day		
July 4th		
Thanksgiving Day		
Christmas Eve		
Christmas Day		

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Other.

The mother shall have up to two hours professionally supervised visitation on the above-listed holidays.

**3.8 Schedule for Special Occasions**

The residential schedule for the children for the following special occasions (for example, birthdays) is as follows:

With Petitioner (Specify Year Odd/Even/Every)	With Respondent (Specify Year Odd/Even/Every)
---	---

The mother shall have up to two hours of professionally supervised residential time with the children on Mother's Day.

**3.9 Priorities Under the Residential Schedule**

Does not apply because one parent has no visitation or restricted visitation.

**3.10 Restrictions**

The respondent's residential time with the children shall be limited because there are limiting factors in paragraph 2.2. The following restrictions shall apply when the children spend time with this parent: The mother shall refrain from discussing the court case or the father with the children during her visitation with the children. If the child makes statements that the mother has made a statement in the presence of the supervisor that leads one to believe she's attempting to manipulate the child, the visitations will be suspended and they cannot be renewed except on the family motions calendar.

**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.

Transportation arrangements for the children between parents shall be as follows:

The father shall provide the transportation.

**3.12 Designation of Custodian**

The children named in this parenting plan are scheduled to reside the majority of the time with the father. This parent is designated the custodian of the children solely for purposes of all other state and federal statutes which require a designation or determination of custody. This designation shall not affect either parent's rights and responsibilities under this parenting plan.

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**3.13 Other**

The children shall be placed into therapy within 30 days of November 8, 2012 with a state-approved therapist.

**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

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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**

Each parent shall make decisions regarding the day-to-day care and control of each child while the children are residing with that parent. Regardless of the allocation of decision making in this parenting plan, either parent may make emergency decisions affecting the health or safety of the children.

**4.2 Major Decisions**

Major decisions regarding each child shall be made as follows:

Education decisions: father

Non-emergency health care: father

Religious upbringing: father

**4.3 Restrictions In Decision Making**

Sole decision making shall be ordered to the petitioner for the following reasons:

One parent is opposed to mutual decision making, and such opposition is reasonably based on the following criteria:

The existence of a limitation under RCW 26.09.181

**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 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.*

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No dispute resolution process, except court action is ordered.

VI. Other Provisions

There are no other provisions.

VII. Declaration for Proposed Parenting Plan

Does not apply.

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: 12/3/2012

[Signature]  
Judge/Commissioner

Presented by: [Signature]

Approved for entry: [Signature] 11-19-12

Katherine E. Peterson, WSBA #44851  
Attorney for Petitioner

Joshua Dabling, WSBA #44792  
Attorney for Respondent

Martha Wakenshaw  
Martha Wakenshaw, GAL



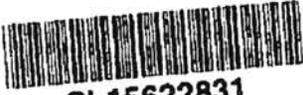
Theresa's Proposed parenting plan filed on October 30, 2012

Exhibit 12

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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

1- April 25, 2013 transcript.

2- Court order on April 25, 2013.

3- May 7, 2013 transcript.

4- Theresa's Maintenance check received in April, 2013.

Exhibit 13

1 MS. GOHAR: I would like to represent and get over with  
2 this today.

3 THE COURT: Okay. I will repeat my question again.

4 You have the right to a court-appointed counsel because o  
5 the nature of this action. You don't have to have one or  
6 not. You can waive it or agree not to have it. You can  
7 agree not to enjoy your constitutional right. And the  
8 question is whether or not you wish to have your  
9 constitutional right to have a free lawyer or be considered  
10 for a free lawyer or not.

11 MS. GOHAR: I would like -- I would like to represent  
12 myself today.

13 THE COURT: Okay. So you waive the right to a free lawyer  
14 then; is that right?

15 MS. GOHAR: Waive the right, yeah, because I want to -- I  
16 want to discuss this today.

17 THE COURT: All right. The entry could reflect that this  
18 respondent does not wish to be considered for  
19 court-appointed counsel.

20 What do we now about the fact that we haven't seen your  
21 responsive materials, that they were late?

22 MS. GOHAR: I can provide them now?

23 THE COURT: Too late.

24 MS. GOHAR: I have it ready.

25 THE COURT: Well, I have a copy here, too. Do you have

April 25, 2013 Transcript

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2013 APR 25 8:11:30

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WA



CL16006750

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

*Semie Gohan*  
and  
*Theresa Gohan*

)  
) NO. 12-3-00776-6  
)  
) ORDER CONTINUING  
) HEARING  
)  
)  
)

THIS MATTER having come before the above-entitled Court, upon allegations of contempt and *T. Gohan*, respondent, appeared without an attorney and asked to be considered for court appointed counsel;

IT IS HEREBY ORDERED AS FOLLOWS:

1. This hearing is continued until *5/7/13*, 20        
at *9:00 am*. If *T. Gohan*, responding party, fails to appear at that time, a warrant for his/her arrest may be issued.

2. *T. Gohan*, responding party, is directed to appear at the Office of Public Defense, Courthouse Complex, Room 103, no later than *11:00 am* p.m. on *4/25/13*, 20      , to be considered for court appointed counsel. \*

DATED *4/25/13*, 20      .

\_\_\_\_\_  
JUDGE/COURT COMMISSIONER

Copy Received:

\_\_\_\_\_  
Responding Party

\_\_\_\_\_  
Moving party of Counsel

3/05

\* if she fails to go or cooperate, her right to an attorney will be waived and she will be strictly held to comply to all court rules.

1084-9

201

1 MS. PETERSON: And he also accepted service in exchange  
2 for a continuance.

3 THE COURT: Yeah.

4 MS. GOHAR: Well, as you can see --

5 THE COURT: So you have -- you have been properly served,  
6 ma'am. So let's get on to the merits of this case.

7 MS. GOHAR: Well, I would like to speak for myself.

8 I was --

9 THE COURT: Wait a minute. I want you to answer my  
10 questions.

11 MS. GOHAR: Yes.

12 THE COURT: I'm here making a decision today. I want you  
13 to deal with the merits of the issue, not regarding service.  
14 Service is not an issue today.

15 MS. GOHAR: And I'm here to defend myself. Again, it's  
16 this false accusations. There is no proof. There is no --

17 THE COURT: No proof?

18 MS. GOHAR: -- physical proof of what they saying. I need  
19 a physical proof that I'm contempt. There is no proof. All  
20 she said is --

21 THE COURT: Have you had visits, ma'am?

22 MS. GOHAR: I never had any visits since --

23 THE COURT: And they claim that because you've not  
24 cooperated with the process, you've not agreed to their  
25 supervisors --

May 7, 2013 Transcript

1 about they saying about me. It's only words, by her mouth.  
2 And I get all physical proof, I file it with the court that  
3 I'm not contempt. And this is all false accusation. I  
4 don't go to the bus stop to speak to my children about the  
5 court. That's false accusation.

6 THE COURT: You did or did not go there?

7 MS. GOHAR: I do not go to the bus stop.

8 THE COURT: People saw you there.

9 MS. GOHAR: Where is the proof? I need witness.

10 THE COURT: We have declarations from persons who said  
11 they saw you there.

12 MS. GOHAR: Where are they now? You can't accuse me  
13 for --

14 THE COURT: We don't take their testimony in these cases,  
15 ma'am. This is not a trial. This is a motion calendar.

16 MS. GOHAR: But there was nothing filed in the court that  
17 there is a testimony. Where is that person testimony?

18 THE COURT: Anything further, ma'am?

19 MS. GOHAR: Yes. Yes, there is more.

20 Also, I was told that there is a possible of jail time  
21 or...

22 I've been told that there is a possible of prison time, of  
23 prison time. And I'm not really as they saying, and it's  
24 false claim.

25 The petitioner had a contempt motion in this case also on

May 7, 2013 Transcript

1           The physiological evaluation indicated that I was pleasant  
2           and cooperative, which is the opposite of the opposing  
3           attorney claim in their declaration, that I did it after  
4           repeated request. And that's a false accusation, a physical  
5           false accusation in their declaration. As you can see in  
6           that physiological evaluation, I was cooperative, not as  
7           they claim.

8           So I did not talk to the children, as they claim, about  
9           the court. And if they have one physical proof or witness,  
10          I would like to see him.

11          Also, the final parenting plan indicated that I may motion  
12          for unsupervised visits after the report of my evaluation  
13          was done. And the evaluation was done on March 15, and my  
14          attorney asked for unsupervised on the 18th of March. And  
15          right after that, two days, they filed their motion to  
16          prevent me from seeing my children. Until that day, to date  
17          I never visit my children.

18          And that's -- again, as the parenting plan, that's  
19          actually a contempt of the court, that they never let me see  
20          my children. And that's not good for a mother to haven't, a  
21          mother. I am a mother, I would like to see my children,  
22          supervised or not, but I was not allowed.

23          THE COURT: The requirement of the parenting plan is that  
24          it be supervised. You don't like that, and you're ignoring  
25          that.

May 7, 2013 Transcript

1 bus stop. That's happened. Ms. Gohar, that was -- by the  
2 way, Mr. Miller was her fifth attorney in a little over a  
3 year of this case.

4 So in terms of physical proof, the whole problem is she is  
5 avoiding supervisors, so there is no proof. She is sneaking  
6 around, so there is no proof. That's the whole problem  
7 here. She is refusing to be supervised, she is refusing  
8 accountability.

9 In terms of the visitation that was -- that we tried to  
10 re- -- that we tried to schedule at the Marysville Library,  
11 at the last minute, she wouldn't go there. She insisted it  
12 be at Chuck E. Cheese. My client said, no, I've already got  
13 it scheduled up here with a supervisor. She wouldn't come.  
14 She has never said, okay, if you can't -- if the supervisors  
15 won't do it for four hours, can I do it for two hours?

16 The other thing is, she is receiving \$2500 a month in M  
17 maintenance, and she is refusing to pay for a professional  
18 supervisor who could do all four hours. And my client has  
19 offered to pay for half of that, which he has no reason to  
20 do. He has got all of the responsibility for these children  
21 on himself.

22 She has bought a brand-new car, I mean, she is living with  
23 her parents --

24 MS. GOHAR: I didn't -- that's false accusation.

25 THE COURT: I'm sorry. Is that an objection?



### Transaction Details

**Posting date:** 04/09/2013

**Amount:** 1,300.00

**Type:** Deposit

**Description:** Counter Credit

<b>Account:</b> 001122		<b>\$1,300.00</b>	
<small>PLEASE POST THIS PAYMENT FOR OUR MUTUAL CUSTOMER</small>			
Please Direct Any Questions To 877-348-7822 Payment Processing Center P O Box 1029 Hickory, NC 28603-1029 NORTHERN TRUST		70-2382/719	0055446102
SAMIR A GOHAR 1218 4TH ST MARYSVILLE, WA 98270-4917		<b>April 05, 2013</b>	
Pay ONE THOUSAND THREE HUNDRED AND 00/100		DOLLARS	
		<b>\$ *****1,300.00</b>	
To The Order Of	THERESA GOHAR 11127 MERIDIAN AVE S EVERETT, WA 98206-8205	<small>REMITTANCE VOID IF NOT CASHED WITHIN 90 DAYS</small>  <small>AUTHORIZED SIGNATURE</small>	
<small>⑈0055446102⑈ ⑆071923828⑆ 0035107320⑈</small>			

Theresa's legal expenses for her own lawyer Robert miller filed with the trial court on April 24, 2013 and May 9, 2013

Exhibit 14

FILED

2013 MAY -9 PH 4: 22

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

FILED

APR 24 2013

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.



CL16015816

SUPERIOR COURT OF WASHINGTON  
FOR SNOHOMISH COUNTY

Samir Gohar

Petitioner/Plaintiff(s).

vs.

Theresa Gohar

Respondent/Defendant(s).

NO. 12-3-00776-6

COVER SHEET #3

ATTACHED HERETO IS:

I have enough expenses can't pay  
for Ms. Katherine attorney fees  
statements of My attorney fees

I  
have  
Enough  
ex penser

pleas I had to with drew \$10,000 as a retainer  
from my IRA

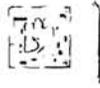
Your 03/28/2013 Billing Statement from  
Brewer Layman PS is ready for viewing.

Brewer Layman Billing Statement (bookkeeping@  
To: Theresa I Gohar

1 attachment (43.0 KB)

Outlook Active View

GOHARTH\_Stm\_79...



Download as zip

Theresa I Gohar,

Your current statement from Brewer Layman PS and dated  
03/28/2013 is attached. To view your bill, please open the  
attached PDF document.

**Invoice Summary:**

-Last payment received on 03/07/2013 and in the amount of  
\$729.10

-Current balance due: \$2,187.60

**Pay Now with Your Credit Card:**

This Online Payment Link is Only Active One Time for this  
Billing Statement.

<https://www.brewerlaw.com/onlinepayment/onlinepayment.php>

Go to the Primary Account - 2,187.60 & click ID - GOHARTH Billing

# BREWE LAYMAN

Attorneys at Law  
Professional Services Corporation

Theresa I Gohar  
Personal & Confidential  
PO Box 15117  
Mill Creek, WA 98028

04/26/2013  
Page: 1

E-Mail Address: [tigohar@hotmail.com](mailto:tigohar@hotmail.com)

Re: Post Trial Motions

FOR PROFESSIONAL SERVICES RENDERED THRU 04/25/2013

			Hours	
03/27/2013	RJM	Conference with paralegal regarding merrill Edge Account transfers, 2012 tax forms and contempt issues.	0.20	65.00
	LA	Conference with Robert J. Miller. Emails to client.	0.40	54.00
03/28/2013	RJM	Review opposing Counsel e-mail regarding contempt and service, conference with paralegal regarding motion on Parenting Plan and reply to opposing Counsel.	0.20	65.00
	RJM	Conference with paralegal and review letter to opposing Counsel regarding contempt and motion hearing.	0.20	65.00
	LA	Conference with Robert J. Miller. Write letter to opposing Counsel. Emails to and from opposing Counsel. Voicemail from opposing Counsel	0.50	67.50
03/29/2013	LA	Email from client.	0.20	27.00
04/01/2013	LA	Email from and to client.	0.20	27.00
04/08/2013	RJM	Review opposing Counsel e-mail regarding tax information for client to file and conference with paralegal.	0.20	65.00
	RJM	Review and execute acceptance of service regarding contempt.	0.20	65.00
	LA	Conference with Robert J. Miller	0.20	27.00

*Thank you for choosing Brews Layman for your legal services.*  
333 Cobalt Building 3525 Colby Avenue, P.O. Box 488, Everett, Wa 98206-0488  
410 Myrtle Street, Mount Vernon, Wa 98273  
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## Post Trial Motions

			Hours	
04/09/2013	RJM	Review and reply to client e-mail regarding Merrill Edge forms.	0.20	65.00
	RJM	Review and reply to client e-mail regarding Merrill Edge Forms and contempt service.	0.20	65.00
	RJM	Conference with paralegal regarding Proposed Parenting Plan.	0.20	65.00
	RJM	Review and reply to client e-mail regarding contempt motion, acceptance of service and Parenting Plan motion.	0.20	65.00
	LA	Write letter to opposing Counsel. Conference with Robert J. Miller. Prepare Motion for Unsupervised Visitation.	1.00	135.00
04/10/2013	RJM	Review and edit motion for unsupervised residential time, edit Parenting Plan and e-mail to client.	0.30	97.50
	LA	Prepare and revise Motion for Unsupervised Visitation and Proposed Parenting Plan.	1.00	135.00
04/11/2013	LA	Writing letter to opposing Counsel (2). Write letter to client. Prepare Notice of Withdrawal. Prepare Calendar Note. Conference with Robert J. Miller. Emails to and from client.	1.50	202.50
		Current Services Rendered	7.10	1,357.50

COSTS

Copying documents.	5.00
Total Costs Thru 04/25/2013	5.00
Total Current Work	1,362.50
Previous Balance	\$2,187.60

PAYMENTS

04/26/2013	Payment - Thank You	-2,187.60
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<u>TOTAL AMOUNT DUE</u>	<u>\$1,362.50</u>
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*Thank you for choosing Brews Layman for your legal services.*  
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