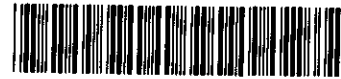


STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND
FAMILY DIVISION

OAKLAND
COUNTY

09-766749-DM



JUDGE LISA GORCYCA
EIBSCHITZSIM v TSMHONI,OMER

MAYA EIBSCHITZ-TSIMHONI,

Plaintiff,

HON. LISA GORCYCA

v.

CASE NO. 09-766749-DM

OMER G. TSMHONI,

Defendant.

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**PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR SANCTIONS,
PAYMENT OF SUMMER CAMP AND ATTORNEY FEES**

NOW COMES, Plaintiff Mother, **MAYA EIBSCHITZ-TSIMHONI**, by and through her attorneys, the **ABOOD LAW FIRM** and Jeffrey Lance Abood, and for her response, states as follows:

1. In answering Paragraph 1, Plaintiff Mother denies the parties have been before this Court on countless occasions as a direct result of Plaintiff Mother's repeated refusal to follow the provisions of this Court's Order regarding Defendant Father's parenting time. Plaintiff Mother further states Defendant and his attorneys have brought forth many unsubstantiated allegations and have grossly abused the process in filing similar motions throughout the course of this matter.

2. In answering Paragraph 2, Plaintiff admits this Court signed an Order requiring Plaintiff Mother to appear and show cause why she should not be held in contempt of Court for violating the Court's Order of March 23, 2015, entered just two (2) days earlier, requiring parenting time between the parties' minor children and Defendant Father. By way of further answer, Plaintiff states she had good cause for the children not attending the parenting time sessions with Defendant Father, keeping the children's best interests first and foremost as they had not recovered from the abuse suffered by R.T. at the hands of his Father just days earlier:

- A. Defendant Father assaulted the parties' minor child RT on March 19, 2015 during a scheduled supervised parenting time visit, causing the following injuries to the minor child: shoulder contusion, forearm contusion, and right side chest contusion.
- B. Appearing at the March 25, 2015 hearing, Plaintiff Mother, in consideration of the safety of the children, appropriately requested an order temporarily suspending Father's parenting time until a full evidentiary hearing could be held on April 2, 2015; wherein, 1) testimony would be heard from the expert medical witnesses who treated RT for his injuries at Beaumont Emergency; and 2) until GAL Lansat could interview the children regarding the assault, in particular, RT.
- C. Instead, this Court denied Plaintiff Mother's request to temporarily suspend Father's parenting time, without hearing the sworn testimony of the injured child or Plaintiff Mother who was a witness to the abusive incident; but instead relied solely upon the lone testimony of Parenting Time Supervisor Art Gallagher, though Mr. Gallagher admitted he did not witness the entire incident because he turned away from Father/RT as he walked to the door ... after seeing Father grab RT's wrist.

- D. The minor child's own GAL, whose duties are to put the minor children's best interests first and foremost, also objected to a temporary 8 day suspension of the children's parenting time with Father, without the benefit of even interviewing the injured child or Plaintiff Mother, who was a witness to the abusive incident, as he too relied solely upon the lone testimony of Parenting Time Supervisor Art Gallagher, who admitted he did not witness the entire incident.
- E. Defendant Father served in the Israeli armed forces for approximately 10 years.
- F. It would only take a matter of seconds for this 6'2" 200 pound military father to grab his 4'10" 83 pound 10 year-old's wrist and shoulder, slam him against the wall, knee him in the chest, and then pull him down to the floor. Again, the assault would take but a couple of seconds.
- G. All injuries sustained and reported by the minor child were consistent with the minor child's account when describing Father's assault to the treating medical personnel at Beaumont Emergency Room, all of whom were subpoenaed and appeared at the April 2, 2015 hearing to testify to the same.
- H. Astonishingly, on March 25th, the Court denied Plaintiff Mother's reasonable request for the temporary suspension of Father's parenting time until such time that testimony from the medical experts and minor child could be heard at the April 2, 2015 evidentiary hearing; just 8 days away.
- I. Plaintiff Mother's plea for the temporary 8-day suspension of parenting time was denied by the Court, which relied solely upon the thoughts of parenting time supervisor Art Gallagher. The parenting time supervisor, who has no medical credentials whatsoever, gave oral testimony and concluded and opined in sworn testimony that "What I observed is not conducive to the --" written medical records of the expert emergency room physicians that treated the 10 year-old and who were set to testify at the April 2, 2015 evidentiary hearing to support their written record:

The Court: Have you had a chance to look at the 24 medical records at all?

Mr. Gallagher: I did.

The Court: And what are your thoughts on seeing those?

Mr. Gallagher: I am -- I don't understand how they -- that could happen. What I observed is not conducive to the --

(March 23, 2015 Motion Hearing Transcript, pgs 13 & 14)

- J. The Court then further relied upon Art Gallagher thoughts, who again has no medical training/counseling credentials, etc.:

“THE COURT: Do you feel based on what you saw there'd be any reason to suspend dad's parenting time for abuse?”

(March 23, 2015 Motion Hearing Transcript, pgs. 13 & 14.)

- K. In fact, on March 23th, the Court went so far as to order that Father be granted parenting time that very evening (3/23), as well as the next evening (3/24) with the minor children.

3. Plaintiff Mother admits that on April 2, 2015, this Court entered yet another Order which, among other things, found that Plaintiff Mother failed to bring the children for parenting time with Defendant Father on March 23, 2015 and March 24, 2015 in direct violation of the Court's Order and required the parties to participate in the Family Bridges Program as soon as possible and she further refers to her response to Paragraph 2. In further answering, Plaintiff Mother states:

- A. The April 2, 2015 order also states that:

“Defendant's motion for show cause is adjourned without date, counsel for defendant will obtain dates from the Court and file a notice of hearing in the event it is necessary. In the event the show cause proceeds to hearing Plaintiff may introduce mitigating evidence as it may relate to 3/23 and 3/24 p-time that was missed.

- B. Plaintiff had, indeed, prepared to introduce mitigating evidence as it related to the 3/23 and 3/24 p-time that was missed. Her subpoenaed medical witnesses appeared and were prepared to testify on April 2nd.

Although her witnesses spent the entire morning out in the courtroom's hallway, they were never called to testify by the Court at the April 2nd hearing to validate the injuries the minor child sustained as a result of his Father's physical abuse.

C. Yet; although Defendant's motion was adjourned without date, and despite the fact that Plaintiff was prepared (on April 2, 2015) to introduce mitigating evidence relating to the 3/23 and 3/24 p-time missed, the Court further ordered:

- i. Plaintiff was to turn herself into Judge Gorcyca's courtroom the next day, April 3, 2015 at 9:00 a.m., to be detained by the OCSD in the Courthouse until April 3, 2015 at 4:30 p.m..
- ii. The Court granted Father's request that the minor children be required to spend their Spring Break (Monday, April 6, 2015 – Thursday, April 9, 2015) in an Oakland County Circuit Court courtroom from 9:00 – 4:30 so that Father could exercise parenting time while the children are in the courthouse **at times determined by him**. The children's Guardian Ad Litem Lansat also approved Father's request that the children be sequestered at the Courthouse for 4 out of the 5 days of Spring break.
 - Further, per this hearing's transcript pg. ____, although Father stated he was not available to visit the children at the courthouse on Monday, April 6, 2015, the Court granted this wonderful, loving Father's request that the children still be

required, even in Father's pre-planned absence, spend the entire first day of their Spring break (from 9:00 a.m. to 4:30 p.m.), in the courthouse, supervised by Art Gallagher (as usual, at Mother's sole expense). For some unfathomable reason, the children's court-appointed Guardian Ad Litem Lansat did not object to Father's mean-spirited request that this Court order the children be sequestered in the courthouse on the first day of Spring Break even after Father advised everyone that he would not be in for a visit.

- iii. **Plaintiff is solely responsible for all parenting supervision fees going forward, including the week of 4/6 – 4/10/2015.**
- iv. **The Family Bridges Program that the parties agreed to attend was ordered to be at the sole expense of Mother.**
- v. **Plaintiff is to pay Defense counsel's attorney fees of \$11,000;**
- vi. And, finally, although it is written in the order dated April 2, 2015 that Plaintiff is also responsible for the GAL fees "**associated with the alleged court order violations**"; GAL presented Plaintiff with a bill with approximately 1-1/2 years worth of time that he never presented to Plaintiff prior to his April 6, 2015 submission. Further, contrary to the language in the April 2nd order, the GAL advised Plaintiff Mother that she would be solely responsible for

the entire 1-1/2 year accumulation of fees (which he never previously forwarded); which came to a grand total of \$17,000.

4. In answering Paragraph 4, Plaintiff Mother admits that on April 14, 2015, another review hearing was held yet again on the Defendant Father's Motion to Show Cause against Plaintiff Mother, and, this Court entered another Order which provided for the participation in the Family Bridges Program, Parenting Time and a review hearing date. By way of further information, Plaintiff Mother states that in addition to the participation in the Family Bridges Program, Parenting Time and a review hearing date, this Court also ordered:

- A. Any costs associated with the consultation shall be the sole responsibility of Plaintiff;**
- B. Art Gallagher to supervise Father's visitation at sole expense of Plaintiff Mother;**
- C. Plaintiff shall pay the remaining GAL fees in the amount of \$5,855.25 forthwith.**
- D. Plaintiff shall complete her day of work at the shelter through the OCSD prior to the Family Bridges Program.**

- Although Plaintiff Mother followed the orders of this Court and showed up at the OCSD for her full day of jail time, she was given an early release due to overcrowding. However, the Court was not satisfied with Plaintiff's half day in jail and, although the half day was beyond Plaintiff Mother's control, the court doubled Plaintiff Mother's remaining time. She was

ordered to work two additional half days cleaning out dog cages at the animal shelter.

5. In answering paragraph 5, Plaintiff Mother admits that on June 23, 2015, the parties appeared before this Court for yet another review hearing, at the recommendation of GAL Lansat and this Court entered a subsequent Order which provided for: (a) the participation in the Families Moving Forward Program as the Family Bridges Program was unable to accommodate this family; (b) the status of show cause proceeding; and (c) parenting time between the children and their Father.

6. In answering paragraph 6, Plaintiff Mother admits that pursuant to this Court's Order of June 23, 2015, Defendant Father was to exercise parenting time with his two (2) youngest children at the courthouse on June 24, 2015.

7. In answering paragraph 7, Plaintiff Mother admits, in part, and denies, in part, the allegations contained in same. Plaintiff Mother denies that unfortunately, although not surprisingly, Plaintiff Mother was late in her arrival to the courthouse on June 24, 2015; however, she admits that she had all three (3) children in her care. Plaintiff Mother further states that:

- A. Plaintiff Mother was not late in arrival to the courthouse. Plaintiff had, in fact, arrived at the Courthouse prior to the start of Father's scheduled parenting time visit. As she had on previous court visits, Mother and children waited in the hallway outside of Judge Gorcyca's courtroom for Father to arrive. Realizing the lateness of the hour, Plaintiff Mother and minor children entered the courtroom looking for Father; wherein, though she had absolutely arrived in a timely manner for the visitation, she was immediately chastised by the Court for showing up late.
- B. Plaintiff Mother arrived at the Courthouse with all three (3) children in her care because she was advised that morning by her attorney that Guardian Ad Litem Lansat ordered that she bring all three children to the Courthouse.

- C. Defendant Father has, on many many occasions been in contempt of court; i.e., he has failed to provide the 30-day notice required by this Court multiple times, he has rescheduled his parenting time at the 11th hour; he has left his parenting time earlier than scheduled, showed up late (traffic, work, forgot), changed parenting time location, etc. The difference between the parties is Plaintiff Mother refuses to burden the Court with each and every infraction of Defendant's.

8. In answering paragraph 8, Plaintiff Mother denies that it became apparent to this Court on June 24, 2015 that despite their Father's permanent return to the United States and his significant and persistent efforts to see the children on a regular and consistent basis several times a week, the children continued to follow their Mother's lead and direction in refusing to have a healthy relationship with their Father. The truth is that the Mother has bent over backward to facilitate contact between the children and the Father. The children's best interests have ALWAYS been Mother's first and foremost priority. She has not, does not, and will not disparage Father. For all of the excessive pleadings Defendant has filed with this Court, Defendant has yet to set forth specific allegations that support his ongoing mudslinging campaign. *Their claims are unsubstantiated and/or false and* Father's personal vendetta against Mother has caused great harm to the children. In fact, Defendant Father's actions do not show **any** significant or persistent efforts for reunification with his children; rather his actions show his need to control, his need to manipulate, his need to sabotage and his need to destroy his ex-wife and everything that she holds near and dear to her, including putting his own children's emotional and physical well-being at serious risk. Defendant's true intent becomes obvious when you piece together the total spider web he has so methodically weaved.

- A. It seems like Father is trying the break these children ... these young children, to break their spirit, to break their will. It seems to be more like a control issue on Father's part, and even a child gets it ... this is not love ... Father's actions are not efforts to repair a relationship.

- B. Plaintiff watched a video on you-tube recorded by "DueProcessMichigan. and the topic was batterers. It gave an excellent description of a batterer, which is quoted in part:

"... Batterers don't have a problem managing their anger. They're pretty good about managing their anger well." "They're not assaulting their boss, or teacher, **they limit it to someone they have control over.**" **"It's about power and control."** And it is also a belief system. **There is a belief in the batterer that "it is my right to have power and control over this individual and I can do whatever I need to do to be able to achieve that power and control and to be able to maintain that power and control.**" "It's my right to do that in this relationship." "So -

If I need to: withhold money

If I need to: belittle

If I need to: be physically abusive

If I need to: be verbally abusive

That is what I can do

But it is my right to be able to do that within that relationship.

So it is a belief system.

So it really does not have anything to do with anger."

- C. I have attached a history of Father's actions that leave no doubt as to Father's true character and intent ... to destroy Mom; emotionally, physically, and economically. His actions toward the children have been anything but warm and loving ... Defendant sheds crocodile tears.

9. In answering Paragraph 9, Plaintiff Mother denies it was obvious that the children had adopted whatever mindset Plaintiff Mother forced upon them, and they refused to cooperate in the court-ordered parenting time. In further answer, Plaintiff refers to her response to paragraph 9 above. Further, it is Defendant's own cold, calculated actions, that have created an even greater gulf in his relationship with his children. What does it say about the character of a Father who is given the sole opportunity to rescue his children from Children's Village, but instead, leaves the country and abandons them; a Father who insists the Court order the children to spend their entire Spring Break sitting in the Courthouse, going so far as specifically demanding they sit in the courtroom on a day he won't even be visiting; a Father who, although well aware of the family's approved vacation plans and more importantly, he knew its purpose,

yet he intentionally cuts the visit with their dying Grandpa in half. Again, it is obvious that Defendant's campaign is not to mend relations with his children, it is about control; he is obsessed with destroying Mother, and he doesn't seem to mind that in doing so, he is throwing his children to the wolves.

10. In answering Paragraph 10, Plaintiff Mother admits, in part, and denies, in part the allegations contained therein. Plaintiff denies this Court exhausted all other possible remedies; Plaintiff admits that on June 24, 2015, this Court adopted the GAL's recommendation and opted to remove the three (3) minor children from Plaintiff Mother's physical custody and placed them in Children's Village; and, Plaintiff denies they were placed in Children's Village given the emotional/psychological abuse they were enduring in her care at that time. Plaintiff Mother further states it is Defendant's own cold and calculating actions of the emotional/psychological warfare that he so enjoys playing that has created the extreme and abusive situation the children are currently in.

11. In answering Paragraph 11, Plaintiff Mother admits she contacted a news agency only after she realized that Father, who had the option of freeing the children **immediately** with just a single five minute visit, opted instead to abandon the children and jetset to Israel. Also prior to her contact, Plaintiff Mother frantically attempted to free the children through the court system on three separate occasions by filing a habeas corpus writ seeking relief for the unlawful imprisonment of her children. Unfortunately same legal action was denied at each presentation. Further, the language in the allegation that Plaintiff provided the news media with "misleading information" to pressure Defendant Father and this Court to return the children to her abusive care, is general, vague, ambiguous and broad; as it pertains to both "misleading information" and "abusive care" Such broad, unsubstantiated language leads Plaintiff to believe that same

allegation was inserted solely as a filler and to further rock the boat. Plaintiff further answers, that regardless of its ambiguity, Plaintiff Mother can affirmatively state that she has been truthful and honest in any of her prior statements to the press. With reference to your vague "abusive care" language, Plaintiff Mother refers again, to Paragraph 9 and Exhibit A, which clearly clarifies and outlines who the abusive parent is here.

12. In answering Paragraph 12, Plaintiff Mother admits she participated in an on-camera interview with a local television station and showed selected photos of the minor children. In further answer, Plaintiff Mother would have been more comforted had Defendant shown even a fraction of this concern for his children as they sat waiting 18 days for his visit in Children's Village.

13. In answering Paragraph 13, Plaintiff Mother admits the parties next appeared before this Court on July 10, 2015 on an emergency review hearing, based upon the request of the GAL.

14. In answering Paragraph 14, Plaintiff Mother readily admits that she requested that the children be removed from Children's Village and placed back into her physical custody immediately.

15. Plaintiff Mother admits that Defendant Father and the children's court appointed guardian ad litem requested that the children be removed from Children's Village and placed in a summer camp, away from Plaintiff Mother, while the parties continued to work through their respective counsel and with the GAL to find an appropriate program to assist this family, in particular, the children in having a healthy relationship with both of their parents. Plaintiff Mother further states:

- A. That it has always been Plaintiff Mother's desire for the minor children to maintain a healthy relationship with both of their parents and she has consistently attempted to facilitate the same.
- B. Further, it is Plaintiff's strong belief that it would be in the best interests of the minor children to immediately return them to Mother, who has consistently provided them with love and stability throughout their lives; return them immediately to the comfort, security, and familiarity of their own home; return them immediately to Chessie, the family pet who misses them terribly; and return them immediately to the same school district that they have historically attended and excelled at.
- C. Plaintiff Mother fears that to act otherwise will cause irreparable harm from which the children may never recover from.

16. In answering Paragraph 16, Plaintiff Mother admits that between the hearings of June 24, 2015 and July 10, 2015, Plaintiff Mother retained a new attorney (replacing approximately her 10th lawyer) to represent her before this Court. Then, again, after the July 10, 2015 Court hearing, Plaintiff Mother again had to find new counsel to represent her going forward as her just retained attorney filed a motion to withdraw.

17. In answering Paragraph 17, Plaintiff Mother admits that on July 10, 2015, the Court issued an Order dismissing the contempt proceedings against the parties' three (3) children, finding that it would be in the best interests of the children to grant the GAL's and Defendant Father's motions to place the children in a summer camp, and ordering parental alienation counseling, consistent with its prior orders as reference above.

18. The July 10, 2015 Order also provided for the parties to visit their minor children while at summer camp but only per the summer camp's policy and procedure and in the presence of the Parenting Time Supervisor.

19. In answering Paragraph 19, Plaintiff Mother admits that the order also provided that all communication between the parties and the children take place in English.

20. In answering Paragraph 20, Plaintiff Mother denies that during Plaintiff Mother's scheduled visit, she not only violated the Court's July 10, 2015 Order by whispering to the children, preventing the Parenting Time Supervisor from supervising as he could not hear her but she also spoke/sang in Hebrew. In further answer, Plaintiff Mother states:

A. Plaintiff Mother denies she "whispered" to the children during her visit. It sincerely concerns Plaintiff Mother that the Parenting Time Supervisor is perceiving normal voice-range conversations as "whispering." Plaintiff Mother believes any hearing impairment Mr. Gallagher may be experiencing can negatively impacted his effectiveness as the Father's Parenting Time Supervisor.

B. Further, while Plaintiff Mother sang a Hebrew Song, she was aware of the court order and sang in English. Plaintiff Mother further denies that she spoke in Hebrew, as again, she was aware of the Court Order, and is consummately aware that her every action is being monitored by Art Gallagher.

21. In answering Paragraph 22, Plaintiff Mother denies that she also managed to disregard the Court's specific instructions by violating the camp's policy and procedure for the parents' visits with the children by: (a) bringing another person; (b) bringing a dog with her; (c) taking the children outside the summer camp's conference room; (d) bringing her own food

when the summer camp had provided lunch; and (e) running with the children to her car, where security had to intervene. In further answer, Plaintiff Mother states:

- A. Plaintiff Mother requested and confirmed permission with the children's Guardian Ad Litem Lansat (both via telephone conference and in an email) to have a friend drive with her to camp; to bring the children's beloved pet Chessie along (as long as neither left the car); and, to also celebrate her and the children's brief reunion with a picnic lunch.
- B. Plaintiff Mother was not advised prior to, that the summer camp does not allow its campers and their parents to leave the confines of the camp's conference room. She was not advised that lunch was going to be provided, or that campers/parents are not allowed to enjoy an "outside" picnic. However, again, Plaintiff was given permission. (How horribly sad this last sentence reads; that Plaintiff must defend her position or be sanctioned because she brought a picnic lunch for her 9, 10, and 14 year old children to enjoy.) Also, The definition of a picnic is: "1) an excursion or outing in which the participants carry food with them and **share a meal in the open air**; and, 2) **the food eaten on such an excursion**. Again, the attached email confirms I received permission.
- C. Plaintiff did not get the memo that running was not allowed at the camp and admits that the kids ran to the car to pet Chessie who, according to instruction never left the confines of the car. Had Mother known, she would have instructed the children to walk to the car.

22. In answering Paragraph 22, Plaintiff denies that she failed to willingly cooperate with the completion of the summer camp registration and health care forms, as required by this Court's July 10, 2015 Order; further asserting that Plaintiff Mother timely complied with the request.

23. In answering Paragraph 23, Plaintiff Mother denies that repeated requests had to be made to Plaintiff Mother for the health insurance information for the children so that it could be provided to the summer camp.

24. In answering Paragraph 24, Plaintiff Mother lacks information and knowledge sufficient to admit or deny the allegations that are set forth in Paragraph 24 that the summer camp requires current physicals for all children to attend the camp. Further, Plaintiff Mother denies that because, while solely in Mother's care, it had been two years since the children's last physicals, it became necessary for Plaintiff Mother to take the children to their pediatrician on July 20, 2015 (10 days after the children were placed in the camp) after efforts by the GAL proved unsuccessful to get a pediatrician to visit the camp. Further answering, Plaintiff Mother states:

- A. The children, while solely in Mother's care, have always received yearly physicals; with their last physical being less than a year ago, November 4, 2014.
- B. Plaintiff offered a copy of the children's monthly calendar to Guardian Ad Litem Lansat as he determines Father's parenting time schedule. Unfortunately, GAL Lansat advised he does not want or need a copy of the children's schedule and the children missed multiple appointments or same had to be canceled because Mr. Lansat scheduled Father's parenting time or court dates on same date as the long-standing appointments.
- C. While solely in Mother's care, and with the exception of this summer when the minor child was at Children's Village and missed her July 7, 2015, the children have always been up-to-date on their immunization schedules. Again with the exception of this summer, Mother also schedules and takes the

children to the recommended appointments/check-ups for care/prevention/early detection of malignant melanoma, as her family is at a high risk for same. Mother also solely schedules and maintains the children's dental care and regular teeth cleaning appointments, again, with the exception of this summer's June 23rd appointment, that was canceled because their dental appointment interfered with Father's parenting time at the Court.

D. Unfortunately, the Court, Father and GAL also denied Mother's request to change Father's parenting time schedule for June 24th to take the children to their appointment/check for early detection of malignant melanoma. Mother advised Father of the children's appointment and she asked if he'd like to drive them to Ann Arbor for their appointment and spend the day with them, rather than having his parenting time visit take place at the courthouse. Father refused Mother's suggestion, saying Ann Arbor was too far away and: "What exactly do you expect me to do during the examination." He also refused to reschedule his parenting time visit for the day. With no other alternative, Mother explained the family history and importance of the exam to the Court and GAL and requested that Father's visitation be rescheduled for just that day where she could take the children to their appointment. Incredibly, Father, this Court and the Children's GAL, all ignored the importance of the skin exam due to the children's family history and high risk factors, and Mother's reasonable request to simply reschedule Father's parenting time was denied. The children were unable to keep their appointment.

i. What is also concerning to Mother is the children's summer stay at camp despite the children's dermatologist's warnings of the children's high risk to sun exposure.

E. Despite his enjoyment of substantial employment, Father has never contributed to the expenses/costs of the children's health insurance premium payments and/or uninsured medical costs despite the court ordering him to do so. R.T.'s visit to the Emergency room on March 19th, was paid solely by Mother, and the children's July 20, 2015 visit to the pediatrician's office for physical and treatment was also paid solely by Mother.

F. On July 20th, while Mother was only advised that she was taking the children to the pediatrician's for the camp's physical, it was immediately clear that all three were ill and required medical attention. The children received immediate breathing treatment at the pediatrician's office and were also returned to the camp with prescribed medications. As with any child that is feeling ill, the minor children needed to be comforted and only desired to be in their own bed. R.T. repeatedly asked "Can I just come home?"

25. In answering Paragraph 25, Plaintiff Mother denies that during this visit to the pediatrician, Plaintiff Mother was asked to wait outside the examination room.

26. In answering Paragraph 26, Plaintiff Mother states that, in accordance to the children's medical records, her comments was taken completely out of context. Plaintiff Mother admits to approaching members of the urgent care staff (the medical assistant, receptionist, practice manager and the physician) and telling them that the children were feeling miserable and have been asking to just be allowed to go home and she was of course, as any Mother would, requesting the same. Again, as with any sick child, they just needed and wanted the comfort of their own bed.

A. Plaintiff does admit, however, that as she had been expecting to see bubbly happy children when she picked them up for their "physicals," she was totally taken aback when she saw how miserable and sick her children were feeling; coughing, wheezing, etc. Of course she was taken aback by their ill health and even more so that the camp had not notified her that the children were sick that they was dispensing medications to the children prior to their receipt of the children's completed medical history forms. A simple phone call from the camp regarding her children's health and treatment would have avoided all of this.

27. In answering Paragraph 27, Plaintiff Mother denies its allegation as to Plaintiff Mother's assertion that summer camp is "torture" is indicative of the illness that plagues her and it is her illness that so profoundly negatively affects the parties' three (3) minor children. Plaintiff Mother further states:

- A. As has been the history of Defendant throughout this legal action as well as at the other legal venues. Defendant asserts claims and/or innuendoes that are written with the sole intent to inflame and belittle Plaintiff Mother. Same claims, innuendoes are general, vague, ambiguous, broad and are written without merit and neither are they supported by any evidence and/or fact.
- B. In fact, Defendant actions of constant criticism, jealousy, humiliating remarks, name-calling, mocking, belittling has historically been Defendant Father's method of operation throughout the parties' marriage and during the post-judgment time period. Defendant Father is a bully and batterer and obsessed with controlling and destroying Plaintiff's even to this current date.

28. In answering paragraph 28, Plaintiff Mother lacks information and knowledge sufficient to admit or deny the vague allegations that are set forth in Paragraph 28, and Plaintiff leaves Defendant to his strict proofs that that soon after the children's medical visits, social media reported inaccurate information about the children's health and welfare, and continued its ill-informed crusade against not only Defendant Father but the summer camp, as well. Plaintiff Mother further states:

- A. Defendant asserts claims and/or innuendoes that are written with the sole intent to discredit Plaintiff Mother. Same claims, innuendoes are general, vague, ambiguous, broad and are written without merit and neither are they supported by any evidence and/or fact.
- B. Plaintiff Mother further asserts that if Defendant's vague allegation is yet another one of Defendant's innuendoes, this one being that is was Plaintiff Mother who reported inaccurate information about the children's health and welfare to the media, she denies the same.

29. In response to Paragraph 29, Plaintiff Mother denies that it is for all aforementioned acts of Plaintiff Mother that the summer camp has incurred additional expenses for legal fees, media relations, staff and security personnel.

30. In response to Paragraph 30, Plaintiff Mother admits that while the July 10, 2015 Order provides that the children's camp costs would be equally shared by the parties, it also preserved the issue of appropriate division of camp costs.

31. In response to Paragraph 31, Plaintiff Mother lacks knowledge or information regarding Defendant Father's intentions and whether Defendant Father has no objection to paying one-half of the costs for the children to attend and enjoy the summer camp sessions and leaves Defendant Father to his proofs.

32. In response to Paragraph 32, Plaintiff Mother denies that she should be solely responsible for not only one-half of the summer camp sessions, but also the extra fees and costs incurred by the camp, including the costs for additional security, media relations, legal fees and extra camp counselors, to the extent such fees are passed onto the parties.

33. In response to Paragraph 33, denies the allegation that the abuse was a fabrication. By way of further information, The Court did not make its decision based on the pertinent facts surrounding the abuse or on the testimony of the abused child.

34. In response to Paragraph 34, Plaintiff Mother admits that a document was filed on July 21, 2015 citing Defendant's abuse of the child. Plaintiff Mother denies the remainder of the allegations contained in Paragraph 34 as they are untrue.

35. In response to Paragraph 35, Plaintiff Mother denies the allegations for the reason that they are untrue.

36. In response to Paragraph 36, Plaintiff Mother denies the allegations for the reason that they are untrue.

37. In response to Paragraph 37, Plaintiff Mother denies the allegations for the reason that they are untrue.

38. In response to Paragraph 38, Plaintiff Mother neither admits nor denies and refers to the Court's written record as its proof that in addition, Plaintiff Mother filed with this Court a Response, Brief and Amended Brief to Defendant Father's Motion for Sole Custody that included the children's photographs (after entry of an Order prohibiting same), personal medical records of one of the children and purported excerpt of a psychological evaluation (both in violation of HIPAA laws), and a CPS report (in violation of the Child Protection Act).

39. In response to Paragraph 39, Plaintiff Mother neither admits nor denies and refers to the Court's written record as its proof that because of these violations by Plaintiff Mother and her counsel of this Court's Order and other laws, and in an effort to protect the privacy of the minor children, Defendant Father was forced to prepare and file a written Motion to Seal Court Records as to Plaintiff Mother's Response, Brief and Amended Brief to Defendant Father's Motion for Sole Custody, which was also granted by this Court by Order dated July 2, 3 2015.

40. In response to Paragraph 40, Plaintiff Mother denies the allegations for the reason that they are untrue.

41. In response to Paragraph 41, Plaintiff Mother denies the allegations for the reason that they are untrue.

42. In response to Paragraph 42, Plaintiff Mother admits that the Michigan Court Rules speak for themselves.

43. In response to Paragraph 43, Plaintiff Mother denies the allegations contained therein for the reason that they are untrue.

44. In response to Paragraph 44, Plaintiff Mother denies the allegations for the reason that they are untrue.

45. In response to Paragraph 45, Plaintiff Mother denies the allegations for the reason that they are untrue.

46. In response to Paragraph 46, Plaintiff Mother denies the allegations for the reason that they are untrue.

47. In response to Paragraph 47, Plaintiff Mother denies the allegations for the reason that they are untrue.

48. In response to Paragraph 48, Plaintiff Mother admits that the statutes and Michigan Court Rules speak for themselves.

49. In response to Paragraph 49, Plaintiff Mother admits that the statutes and Michigan Court Rules speak for themselves.

50. In response to Paragraph 50, Plaintiff Mother denies the allegations for the reason that they are untrue.

51. In response to Paragraph 51, Plaintiff Mother denies the allegations for the reason that they are untrue.

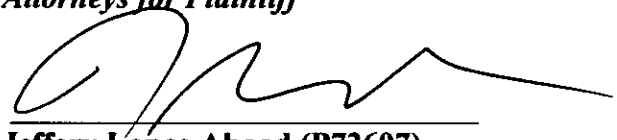
52. In response to Paragraph 52, no answer is required as Defendant Father states a conclusion of law.

53. In response to Paragraph 53, Plaintiff Mother denies the allegations for the reason that they are untrue.

WHEREFORE, for all of the foregoing reasons, Plaintiff respectfully requests this Honorable Court deny Defendant Father's instant motion and award Plaintiff reasonable attorney fees so unjustly incurred, and for such further relief that this Court deems fair and equitable.

Respectfully submitted,

ABOOD LAW FIRM
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August 10, 2015