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| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Richard Riess Lincoln St. Carson, CA 90745 TELEPHONE NO.: 310-5- FAX NO. (Optional): E-MAIL ADDRESS (Optional): richardriess@gmail.com ATTORNEY FOR (Name): Richard Riess | | FOR COURT USE ONLY <div style="text-align: center;"> RECEIVED NOV 28 2012 SOUTH CENTRAL DISTRICT OFFICE AND COURT STAFF </div> |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 200 W. Compton Blvd. MAILING ADDRESS: 200 W. Compton Blvd. CITY AND ZIP CODE: Compton, CA 90220 BRANCH NAME: South Central District | | |
| PETITIONER/PLAINTIFF: Richard Riess RESPONDENT/DEFENDANT: Desiree Capuano | | |
| ORDER TO SHOW CAUSE <input type="checkbox"/> Child Custody <input type="checkbox"/> Child Support <input type="checkbox"/> Attorney Fees and Costs <input type="checkbox"/> MODIFICATION <input type="checkbox"/> Visitation <input type="checkbox"/> Spousal Support <i>Ex Parte</i> <input type="checkbox"/> Injunctive Order <input checked="" type="checkbox"/> Other (specify): Take child out of state | | CASE NUMBER: TD035397 |

1. TO (name): Desiree Capuano
2. YOU ARE ORDERED TO APPEAR IN THIS COURT AS FOLLOWS TO GIVE ANY LEGAL REASON WHY THE RELIEF SOUGHT IN THE ATTACHED APPLICATION SHOULD NOT BE GRANTED. If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed below.

| | | | |
|----------|-------|---------------------------------|--------------------------------|
| a. Date: | Time: | <input type="checkbox"/> Dept.: | <input type="checkbox"/> Room: |
|----------|-------|---------------------------------|--------------------------------|

b. The address of the court is ☐ same as noted above ☐ other (specify):

c. ☐ The parties are ordered to attend custody mediation services as follows:

3. THE COURT FURTHER ORDERS that a completed *Application for Order and Supporting Declaration* (form FL-310), a **blank Responsive Declaration** (form FL-320), and the following documents be served with this order:

a. (1) ☐ Completed *Income and Expense Declaration* (form FL-150) and a **blank Income and Expense Declaration**
 (2) ☐ Completed *Financial Statement (Simplified)* (form FL-155) and a **blank Financial Statement (Simplified)**
 (3) ☐ Completed *Property Declaration* (form FL-160) and a **blank Property Declaration**
 (4) ☐ Points and authorities
 (5) ☐ Other (specify):

b. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):
 Any responsive declaration must be served on or before (date):

c. ☐ You are ordered to comply with the temporary orders attached.

d. ☐ Other (specify):

Date:

JUDICIAL OFFICER

NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based on the information supplied by the other parent.

You do not have to pay any fee to file declarations in response to this order to show cause (including a completed Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least nine court days before the hearing date. Add five calendar days if you serve by mail within California. (See Code of Civil Procedure 1005 for other situations.) To determine court and calendar days, go to www.courtinfo.ca.gov/selfhelp/courtcalendars/.



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (Form MC-410). (Civil Code, § 54.8.)

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PETITIONER/PLAINTIFF: Richard Riess

CASE NUMBER:

TD035397

RESPONDENT/DEFENDANT: Desiree Capuano

TEMPORARY ORDERS**Attachment to Order to Show Cause (FL-300)**1. ☐ **PROPERTY RESTRAINT**

- a. ☐ Petitioner ☐ Respondent is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
☐ The other party is to be notified of any proposed extraordinary expenditures and an accounting of such is to be made to the court.
- b. ☐ Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage including life, health, automobile, and disability held for the benefit of the parties or their minor child or children.
- c. ☐ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

2. ☐ **PROPERTY CONTROL**

- a. ☐ Petitioner ☐ Respondent is given the exclusive temporary use, possession, and control of the following property the parties own or are buying (*specify*):
- b. ☐ Petitioner ☐ Respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|-------------|--------------------------|---------------|
|-------------|--------------------------|---------------|

3. ☒ **MINOR CHILDREN**

- a. ☒ Petitioner ☐ Respondent will have the temporary physical custody, care, and control of the minor children of the parties, ☐ subject to the other party's rights of visitation as follows:
- b. ☐ Petitioner ☐ Respondent must not remove the minor child or children of the parties
 (1) ☐ from the State of California.
 (2) ☐ from the following counties (*specify*):
 (3) ☐ other (*specify*):
- c. ☐ Child abduction prevention orders are attached (see form FL-341(B)).
- d. (1) Jurisdiction: This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with § 3400).
 (2) Notice and opportunity to be heard: The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.
 (3) Country of habitual residence: The country of habitual residence of the child or children is
☒ the United States of America ☐ other (*specify*):
 (4) Penalties for violating this order: If you violate this order you may be subject to civil or criminal penalties, or both.

4. ☒ **OTHER ORDERS (*specify*):**

Petition be permitted to relocate, with child, to Canada.

Date:

JUDGE OF THE SUPERIOR COURT

5. The date of the court hearing is (*insert date when known*):**CLERK'S CERTIFICATE**

[SEAL]

I certify that the foregoing is a true and correct copy of the original on file in my office.

Date:

Clerk, by _____, Deputy

Richard Riess
■■■ Lincoln St.
Carson, CA 90745
310-■■■
Pro Per

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES**

Richard Riess,
Petitioner,

v.

Desiree Capuano,
Respondent.

Case No.: TD 035397

**DECLARATION OF RICHARD RIESS IN
SUPPORT OF REQUEST TO BRING CHILD
TO CANADA**

I, Richard Riess, hereby declare under penalty of perjury that I am the Petitioner in the captioned matter and that all statements made herein are true and correct to the best of my knowledge.

SUMMARY

1. Over the past year I have been actively seeking employment in the Los Angeles area but I have been unable to obtain steady employment locally.
2. I have recently begun seeking employment out of town and have received multiple, lucrative offers from companies in Vancouver and Toronto, Canada, which I have not been able to accept timely and have lost, due to Desiree's opposition to me taking G■■■ out of Los Angeles.
3. Desiree has consistently refused to contribute, financially or otherwise, to G■■■'s necessities, development, and well-being, placing the full burden of caring for G■■■ on me.

BACKGROUND

4. I am the biological father of G [REDACTED] Riess.
5. Desiree Capuano is the biological mother of G [REDACTED] Riess.
6. Desiree and I attended mediation on December 6, 2011 and came to an agreement with respect to custody and visitation of G [REDACTED].
7. I have sole physical custody of G [REDACTED], as agreed upon at mediation.
8. Desiree has visitation with G [REDACTED], at her residence in Peoria, AZ, during the summer, winter and spring school breaks, and alternating long weekends, as agreed upon at mediation.
9. Desiree's visitation periods, in Arizona, range in length from 3 days to 7 weeks in duration.
10. Desiree and I have joint legal custody of G [REDACTED] as ordered by the Court on December 6, 2011.
11. I submitted to the Court, a request for an order for child support on January 4, 2012, which is still pending. At this time Desiree has no legal obligation to contribute to G [REDACTED]'s well-being.
12. From early 2010 until the present, Desiree has been cohabiting with Kristopher Lauchner.
13. It is my sincere belief, based on my extensive experiences with Desiree, and her actions and statements over the past year, that she is a very skilled manipulator and routinely exploits people's pity and compassion to get what she wants from them, and to avoid accepting the responsibilities and consequences of her actions and decisions.
14. I believe, based on her statements to, and demeanor before the Court, that Desiree has been manipulating the Court throughout these proceedings by falsely representing herself, her intentions, and her relationship with G [REDACTED]. I believe this is supported by her actions over the past year, which belie her statements and presentation before the Court.

EMPLOYMENT OPPORTUNITIES

15. I began seeking full time employment within the Los Angeles area in October 2011. In May 2012 I began keeping a log of the positions I had applied to (Ex. 1).
16. Since that time I have received a modest response to the resumes I have submitted, and have attended a number of interviews (Ex. 2).
17. I believe the reasons I have been having difficulty obtaining employment locally include: I have not worked for the last five years (I was in custody for four years); companies which perform background checks may discover the legal problems I had while in Arizona in 2007 and 2008; I lack current references; some of my skills and experience have become outdated.
18. In September I began researching the employment market, specifically for software development jobs, in Vancouver and Toronto. I found that the ratio of current opportunities to candidates was much higher than that of Southern California, and the compensation was comparable.
19. In late September 2012 I began applying for positions with companies in Vancouver, British Columbia, because a year had passed and I had been unable to secure employment locally.
20. On October 5, 2012 I received an employment offer from AppNeta in Vancouver, with a base salary of \$90,000 per year, and full benefits (Ex. 3). AppNeta was willing to allow me to work remotely, from Los Angeles, for up to three months while I made the arrangements to relocate to Vancouver. Based on the terms of the offer, I considered this a very attractive opportunity.
21. On October 5, 2012 I emailed Desiree to inform her of the offer and request her consent to bring G [REDACTED] to Vancouver. She replied that she opposes the relocation and would not consent. She would not provide a basis for her opposition. Suspecting her concern was related to G [REDACTED] being outside the U.S. I then asked if she would oppose me taking a position in Seattle. She stated she would oppose that as well, but again provided no basis for her opposition (Ex. 4).

22. On October 6, 2012 I sent Desiree another email asking what the basis of her opposition to relocating was (Ex. 5). She did not respond.
23. On October 11, 2012 I notified AppNeta that I would not be able to commit to the position at that time because Desiree was opposing me taking G [REDACTED] to Vancouver and I could not guarantee what the Court's position on the matter would be.
24. AppNeta was not able to proceed without a guarantee that I would be able to relocate to Vancouver within the next three months and I had to pass on the offer.
25. On October 24, 2012 I received an employment offer from Sun West Mortgage in Cerritos, CA with a base salary of \$90,000 per year and full benefits (Ex. 6). However, the offer was contingent up satisfactory completion of a background check.
26. I accepted the offer from Sun West Mortgage. In the course of conducting the background check Sun West Mortgage expressed concern over two legal issues from 2003 and 2007. At the present time Sun West Mortgage has not yet notified me of their final decision.
27. I do not believe Sun West Mortgage will proceed with the offer, due to the results of the background check.
28. On November 12, 2012 I received an employment offer from SOTI in Toronto, ON, with a base salary of \$90,000 and full benefits. The offer was final and not contingent on any other factors or requirements. SOTI wanted me to start on November 26, 2012 but I was able to postpone it one week to allow time for this hearing.
29. On November 12, 2012 I emailed Desiree to inform her of the offer from SOTI (Ex. 7). She did not respond so I took that to mean she had not changed her position on opposing mine and G [REDACTED]'s relocation to Canada.

30. On November 17, 2012 I emailed Desiree to notify her of my intention to seek an ex parte hearing on November 26, 2012 to request the Court's permission to bring G [REDACTED] to Canada (Ex. 8). She responded that she would not be able to attend on that date and requested only that I "choose a date further out". She did not provide a proposed date.
31. From November 18 through 21, 2012 I sent Desiree two more emails asking her to provide a date that would be better suited to her schedule. She did not respond until the third email. Even then she did not provide a date that would fit her schedule (Ex. 9).
32. I believe, based on the difficulty I have had securing employment locally, and on the current market conditions in Southern California and across the U.S., that I will continue to have significant difficulty obtaining employment locally.
33. I believe it is in mine, G [REDACTED]'s and Desiree's best interests for me to obtain employment as soon as possible, regardless of where, within North America, that employment happens to be.
34. I believe it is very unlikely I will be able to obtain, locally, a compensation package comparable to that offered by SOTI or AppNeta, in the near future.
35. I believe if I am to remain in Los Angeles then G [REDACTED] will continue to suffer as a result of my inability to obtain employment and Desiree's refusal to contribute to his needs.
36. Although it is my strong preference to remain in Los Angeles, I accept that I have a responsibility to provide for G [REDACTED] as best I can and for that reason alone I request permission to relocate, with G [REDACTED], to Toronto so that I may accept the position with SOTI.

TRAVEL AND IMMIGRATION ISSUES

37. In September 2012 I spoke with the Canadian Consulate and Immigration Canada regarding relocating to Canada. Both agencies stated that, due to the U.S. government's prior

“determination” that I am a Canadian citizen both I and G [REDACTED] would be permitted to enter, reside in, work in, and attend school in Canada.

38. I did not represent myself as being a Canadian citizen to the Canadian authorities. Their position is based on what they referred to as the U.S. government’s prior determination that I am a Canadian citizen.
39. The Canadian government has issued me a travel document for entry into Canada. G [REDACTED], being a minor and my child would be permitted to enter Canada using his U.S. birth certificate.
40. I have been in contact with numerous friends as associates in both Vancouver and Toronto who are willing to assist me and G [REDACTED] in getting settled and established there.

SUPPORT OF G [REDACTED]

41. From before January 2012 until October 2012, Desiree has been financially supporting Kristopher (Ex. 10).
42. From July 2012 until the present, Desiree has been financially supporting two other adults, who are not her relatives, and who have been living in Desiree’s home (Ex. 10).
43. Since G [REDACTED] was returned to my custody in November 2011, Desiree has consistently refused to provide any financial support for G [REDACTED]'s needs. In particular:
 1. In April 2012 the soles of G [REDACTED]'s only pair of shoes were coming apart and when I requested Desiree contribute to a portion of the cost of a pair of shoes she refused (Ex. 11).
 2. In June 2012 I requested Desiree contribute to the cost of G [REDACTED]'s school supplies for the coming school year. She refused and instead insisted on purchasing him duplicate supplies (Ex. 12) which now sit in the closet, unused. I believe Desiree did that deliberately to avoid

having to reimburse me for part of the cost of G [REDACTED]'s school supplies in order for to make it more difficult for me to provide for G [REDACTED].

3. In August 2012, while G [REDACTED] was with Desiree in Phoenix, Desiree purchased him a number of new outfits for school, however, none of the outfits complied with the school's dress code/uniform policies. Desiree refused to return or exchange the items for ones that G [REDACTED] could use for school and refused to assist in the cost of purchasing clothes that G [REDACTED] could use for school (Ex. 13).
44. On June 29, 2012 I received an email from Desiree stating if it's such a problem for me to take care of G [REDACTED] then I could send him to live with her and she would take care of everything, and that I would never have to pay a cent (Ex. 14). I believe that statement, in the context of the conversation, proves Desiree's consistent refusal to provide any support for G [REDACTED], when he is not in her physical care, is a deliberate and calculated attempt on her part to coerce me into relinquishing custody of G [REDACTED], even though her actions are directly harming G [REDACTED].
45. On October 9, 2012 I received a money order from Desiree, in the amount of \$75, for support of G [REDACTED]. That is the only financial support of G [REDACTED] I have received from Desiree.
46. On October 21, 2012 I received an email from Desiree in response to a request for financial assistance for G [REDACTED]'s school supplies, in the amount of at least \$23. She stated she would send the money out of her next paycheck but no money was ever received (Ex. 15).
47. On November 19, 2011 I received an email from Desiree stating she had renewed her medical marijuana card for another year at a cost of \$150 (Ex. 16). I believe this proves that her marijuana use is more important to her than providing for her children's necessities.

48. Over the last few months Desiree has consistently stated that she does not have enough money to contribute to G [REDACTED]'s needs, and often says she will not have any money until she receives her next paycheck (Ex. 17).
49. I believe, based on my communication and experience with Desiree over the last year and a half that G [REDACTED] and I cannot rely upon her for any financial support of G [REDACTED] at all.

G [REDACTED]'S EDUCATION

50. On June 5, 2012 I sent Desiree an email, informing her G [REDACTED] had been accepted into the School for Advanced Studies (SAS) at Dodson Middle School and inquiring whether she had any objections. She used the opportunity to accuse me of not including her in G [REDACTED]'s educational decisions, as ordered by the Court, but failed to say whether she agreed with or objected to him attending the school.
51. On June 12, 2012 after not receiving any input from Desiree about G [REDACTED] attending the SAS at Dodson, I sent her another email on the matter. I was under time constraints to get G [REDACTED] registered because there are a very limited number of seats in the SAS program. Desiree accused me of executing decisions regarding G [REDACTED]'s education without consulting her, even though I had a week prior and she had failed to respond. She then attempted to justify her failure to respond by stating she didn't know anything about the school and suggesting I was trying to trick her. I then realized she had not taken a single action regarding the matter. She had not gone to the school's web site, didn't know if it was a public or private school, and didn't even know what city it was in. Nor had she bothered to ask me any questions about the school. I believe all she was interested in was making accusations against me and fighting with me (Ex. 18).

52. On June 12, 2012 I emailed Desiree to inquire whether she would be attending G [REDACTED]'s elementary school culmination ceremony. She responded by accusing me of failing to provide her sufficient notice and claiming she could not take time off on such short notice (Ex. 19). However, the school calendar had been on the school's web site since before she had returned G [REDACTED] in November 2011 and the information had, therefore, been available to her had she been interested in it. I believe this further proves that Desiree has no interest in G [REDACTED] or his education and is only interested in fighting with me.
53. Dodson Middle School utilizes the web sites JupiterGrades.com and TeacherWeb.com to assist teachers and parents in managing the student's educational progress. That information is available on Dodson's web site.
54. Parents are required by Dodson policy to log into JupiterGrades to activate their parent account, and to use JupiterGrades on a regular basis to monitor their child's progress. At this time Desiree has not activated her JupiterGrades account as required by Dodson policies.
55. Since G [REDACTED] has been attending the SAS at Dodson Desiree has not made a single inquiry into how he is doing at school.
56. I believe Desiree's actions prove that she has no interest in G [REDACTED]'s education and is only interested in making things difficult for me, even if it adversely affects G [REDACTED]'s education.
57. I believe if I am required to obtain Desiree's consent on matters pertaining to G [REDACTED]'s education there is a significant risk of G [REDACTED] losing out on educational benefits as a result of Desiree's desire to make things difficult for me.
58. I have been in contact with the Vancouver Board of Education and the Toronto Board of Education and have confirmed that G [REDACTED] would bbe permitted to attend public school in either city, and that his U.S. education would be transferable to the Canadian school systems.

59. I regularly spend more than 45 minutes each day (excluding the Jewish Sabbath) helping G [REDACTED] with his homework and school projects. I also make sure I am immediately available to assist him while he completes his homework. This typically occupies 2.5 to 4 hours, five days per week.
60. I do not believe Desiree would be able to provide G [REDACTED] the time and assistance he requires for his homework and school projects, due to her busy work and social schedules and drug habit.
61. G [REDACTED]'s current school semester ends on December 14, 2012, at which time his winter break begins. My intention would be for him to finish the semester then relocate before the next semester begins, after the winter break. In this way, I believe the relocation would cause a minimum of disruption to his education.

DESIREE'S PRIORITIES LACK OF INVOLVEMENT

62. Desiree was scheduled to have a visitation with G [REDACTED] for Memorial Day weekend, 2012. Three weeks prior to that date she told G [REDACTED] that she had already purchased his plane ticket. However, there was no further contact with Desiree until after Memorial Day weekend and the visitation never occurred.
63. Desiree was scheduled to have a visitation with G [REDACTED] for Columbus Day weekend, 2012. Desiree did not contact me or G [REDACTED] regarding her intentions for the visitation and did not exercise her visitation for that weekend.
64. On September 7, 2012 the Court ordered that Desiree be permitted two additional visitation periods with G [REDACTED] in Los Angeles, on the condition that she provide at least two weeks' notice to me. Desiree has not indicated any intention or interest in exercising that additional visitation.
65. While G [REDACTED] was visiting Desiree over the summer she had at least two friends residing at her home, in G [REDACTED]'s bedroom. When I requested the names of the friends she refused to provide the

information. She stated it was none of my business and she didn't have to tell me who stayed at her house. While Desiree's friends were present G [REDACTED] was not able to use his bedroom. I believe this demonstrates that Desiree considers her friends more significant than her children, and her refusal to inform me of the people living in her home when G [REDACTED] is present demonstrates her lack of willingness to cooperate in the interest of G [REDACTED]'s safety.

66. In August 2012, Desiree had provided G [REDACTED] a mobile phone for the stated reason of facilitating communication between them without her having to "deal" with me.
67. On September 7, 2012 while Desiree (with Kristopher) was in Los Angeles for a hearing in this matter, she called to ask if she could visit with G [REDACTED] before she returned to Phoenix. G [REDACTED] said he did not wish to visit with her while she was here.
68. On September 8, 2012 Desiree canceled the mobile phone she had provided G [REDACTED] a month prior, for the purpose of facilitating communication between them. I believe Desiree did that because she was angry with G [REDACTED] for not wanting to see her. I believe such of behavior sets a very bad example for G [REDACTED] and is harmful to his psychological and emotional development, because it teaches him that his affection can be bought and that he will be penalized for not "loving and respecting" Desiree.
69. Since September 7, 2012 Desiree has not spoken to G [REDACTED], however, her and Kristopher have sent numerous belligerent and very insulting emails to my email account and left at least one hostile message on my telephone (Ex. 20). None of those messages contained any inquiry as to why G [REDACTED] did not want to see her and she did not inquire about how G [REDACTED] was doing until October 21, 2012 while responding to one of my requests for financial support (Ex. 21).
70. Desiree did not contact G [REDACTED] on, or before, his birthday on September 27, 2012, and only sent him an email two days after his birthday.

71. On September 29, 2012 G [REDACTED] forwarded me the email he had received from Desiree, wherein she stated "I will not call you however as I am not going to call the house phone...and it is of no interest for you to speak to me while you are there." (Ex. 22) I believe her words in that email are insincere because they are completely inconsistent with you actions and behavior. She has still made no attempt to have contact with G [REDACTED] since before September 7, 2012, or exercised any of her visitation rights.

DESIREE'S MANIPULATIVE AND DECPTIVE BEHAVIOR

72. In open court, on September 7, 2012, when asked by the Court how her visitation with G [REDACTED] over the summer vacation went, Desiree stated with great emotion and sentiment that it went "wonderfully" and that G [REDACTED] had a "great time". When the Court then entered an order granting Desiree two additional visitations between that date and the winter break visitation, Desiree responded with enthusiastic, sentimental gratitude. However, since that hearing Desiree has not had any contact with G [REDACTED], and has not even exercised her scheduled visitation (Columbus Day weekend), let alone the additional visitations the Court granted her. I believe this is further evidence of Desiree's pretense and lack of sincere interest in being involved in G [REDACTED]'s life.
73. I believe, based on my experiences with Desiree and her own statements over the last 19 months, that she is very manipulative; will say anything, including making very serious, false allegations against others; will freely exploit other people's pity, compassion and sympathy; and will agree to any terms, to get what she wants. Once she has obtained what she wants she will disregard any prior agreements and commitments and deny her prior statements and intentions.

G [REDACTED]'S POSITION

74. Over the last six months G [REDACTED] has exhibited a growing lack of interest in visiting and maintaining a relationship with Desiree. Specifically:
1. when she did not call or follow through on her visitation over Memorial Day weekend
G [REDACTED] expressed no concern;
 2. since returning from his summer visitation in August, he has not initiated any contact with her; he has expressed to me his disappointment that she is still using drugs (based on having smelled marijuana in the house and her own admission); he has expressed his disappointment that she has consistently refused to provide him anything while he is not in her care, her frequent failure to follow through on her promises to him, her unpredictable and violent mood changes (including sometimes getting angry or crying for no apparent reason), and her retaliatory behavior (such as disconnecting the mobile phone she had gotten him because he did not want to visit with her), and having her boyfriend send insulting and offensive messages because G [REDACTED] did not think to call her on Mother's Day.
75. G [REDACTED] has recently stated to me that he believes Desiree has a problem with marijuana because she was not able to stop using it even while she was in a drug diversion program and while he was visiting her over the summer break he observed that she used it almost every day.
76. On September 8, 2012, when G [REDACTED] discovered Desiree had cancelled the mobile phone she had provided him, his response was "That's so childish."
77. G [REDACTED] has not mentioned or asked about Desiree since before September 7, 2012.
78. Since his last contact with Desiree, before September 7, 2012, G [REDACTED] has not expressed or demonstrated any interest in maintaining a relationship with Desiree, or in contacting her.


79. After Desiree cancelled the mobile phone she had provided him I got G [REDACTED] another mobile phone for his own use. I immediately programmed Desiree's home and mobile numbers into it and instructed G [REDACTED] that he was free to call her any time he wanted to. I further told him if he wanted Desiree to have the number he could provide it to her but that I would not, without his consent. According to Verison Wireless's records Desiree's numbers have never been called from G [REDACTED]'s mobile phone.
80. Before I began looking at positions in Canada I discussed, with G [REDACTED], the possibility of going to Canada for a period of time. After discussing it and researching Vancouver and Toronto he decided he would be very interested in going to either. Currently, G [REDACTED] is very excited about the prospect of going to Canada for a period of time, though with the intention of eventually returning to Los Angeles.

CONCLUSION

81. I believe, based on Desiree's actions and statements to the Court, that she has deliberately and consistently attempted to manipulate the Court by misrepresenting herself, her situation, and her relationship with G [REDACTED], in order to gain the sympathy of the Court.
82. I believe Desiree's consistent and ongoing refusal to provide any support for G [REDACTED] when he is not in her physical care, resulting in G [REDACTED]'s unnecessary suffering, proves that Desiree has no concern for G [REDACTED]'s well-being and is more interested in making things difficult for me, even at the expense of G [REDACTED]'s well-being.
83. I believe Desiree has no reasonable basis for opposing me bringing G [REDACTED] to Canada and that she is only doing it to, again, to make things difficult for me even though it is adversely affecting both her and G [REDACTED].

84. I believe if G [REDACTED] and I were permitted to relocate to Canada that would have no noticeable effect on Desiree because when G [REDACTED] visits with her he flies and she merely picks him up/drops him off at the airport. That would not change if we were in Canada.
85. I believe it would be in Desiree's best interest for me to be able to accept the position with SOTI, in Toronto, because that would substantially lower her child support obligations and, based on her recent statements, she is experiencing significant financial hardship.

Dated this 21st day of November, 2012.



Richard Riess

Exhibit 1

List of Positions Applied To

| | |
|------------|---|
| 2012-05-02 | Adecco, Data Analyst (Entry-Level) |
| 2012-04-08 | Atrilogy, Java-J2EE Developer |
| 2012-04-08 | CGI, Application Developer-Java |
| 2012-04-08 | Cedars-Sinai, Programmer-Analyst |
| 2012-04-08 | CityGrid, Sr Java Engineer |
| 2012-04-08 | Coesys, Sr Software Engineer |
| 2012-04-08 | DTSC, Java Developer |
| 2012-04-08 | Deluxe, Java Software Developer |
| 2012-04-08 | Futuretech Staffing, Senior Software Engineer, Agile, Object Oriented 3 |
| 2012-04-08 | Gifts.com, Intermediate Java Developer |
| 2012-04-08 | Graviton, Java-J2EE Developer |
| 2012-04-08 | Highland Group, Sr Software Engineer (Windows, C++) |
| 2012-04-08 | JDR Consulting, Sr Java Engineer |
| 2012-04-08 | JobSpring, Java Developer (email software company) |
| 2012-04-08 | Prosum, Java Developers (Mid-Level) |
| 2012-04-08 | Randstad, Sr Java Developer |
| 2012-04-09 | Howroyd (atech), Software Engineer-Java |
| 2012-04-11 | CSC, Entry level Java Programmer |
| 2012-04-11 | CyberCoders, Cross Platform Software Dev |
| 2012-04-15 | Alelo, Senior Software Developer |
| 2012-04-15 | CyberCoders, Android Developer, Java, C++, Short Term Contract jobs |
| 2012-04-15 | eQuest Solutions, Sr C++ Engineer, Unix (or Core Java) |
| 2012-04-16 | Beyondsoft, Software Engineer, C++ |
| 2012-04-26 | iSpace, C++ Java Software Engineer |
| 2012-05-02 | Adecco, Database Developer |
| 2012-05-02 | Adecco, IT Specialist |
| 2012-05-02 | Aerrotek, C and Java Developer |
| 2012-05-02 | Alpine Electronics, Software Engineer III (CPG) |
| 2012-05-02 | Mahalo, Software Engineer |
| 2012-05-02 | Maxonic, Software Engineer |
| 2012-05-02 | Partners Consulting, Senior Software Engineer |
| 2012-05-02 | Protingent, MAC OS Desktop Application Developer |
| 2012-05-02 | Shoedazzle, Sr Developer, Business Systems |
| 2012-05-02 | ThinkNear, Sr Software Development Engineer |
| 2012-05-02 | UtopiaCompression, Software Engineer |
| 2012-05-04 | EdgeCast, Core Software Engineer, Streaming |
| 2012-05-04 | New Dream Network, Developer (Networking) (Ceph Storage) |
| 2012-05-04 | TextPlus/Gogii, Voice Network Engineer |
| 2012-05-04 | VonChurch, Senior Software Engineer |
| 2012-05-09 | FranklinPaterson, Software Engineer |
| 2012-05-09 | Oversee.net, Senior Software Engineer |
| 2012-05-16 | Ascentiant, Software Engineer |
| 2012-05-17 | Naughty Dog, Network Programmer |
| 2012-05-21 | SDL, Sr Software Engineer |
| 2012-05-21 | iPlace, C++ Developer |
| 2012-05-22 | Lieberman Software, C++ Sr Level Developer |

List of Positions Applied To

2012-05-22 SOA Software, Software Engineer
2012-05-23 Irvine Technology Corp, Java Network Developer
2012-05-23 SpaceX, Software Engineer (Embedded Linux)
2012-05-28 At-tech, Sr Systems Engineer
2012-05-28 Ceiva Logic, Software Engineer, Linux C C++
2012-05-28 iSpace, C++ Java Software Engineer
2012-05-29 Cedars-Sinai, Programmer-Analyst
2012-05-29 Guidance Software, Principal Developer, C++, NIX (Linux, Solaris, AIX, HP-UX)
2012-05-30 American Standard Television, Software Developer, Client Technology (Linux)
2012-05-30 EdgeCast, Software Engineer, Core
2012-06-05 Los Angeles Post, Software Developer-C, C++, Java, Shell Scripting-Contract
2012-06-05 Maxonic, Software Engineer
2012-06-08 Fonality, Programmer, C C++
2012-06-12 Carrera Agency, C++ Software Engineer
2012-06-12 Foothills Consulting Group, Software Engineer C++
2012-06-12 Maxonic, Software Engineer
2012-06-12 Protingent, Software Engineer
2012-06-27 Asen, Linux C++ Programmer
2012-06-28 AMAG Technology, API Application Development Engineer
2012-06-28 Alpine Electronics, Software Engineer III (CPG)
2012-06-28 Industrial Dynamics Company, Senior Software Engineer
2012-07-10 Garmin, Embedded Navigation Software Engineer
2012-07-10 IDHASoft, C++ Developers, Los Angeles CA
2012-07-10 Los Angeles Post, System Admin, Programmer, C++, C or Java
2012-07-10 Molina Healthcare, Clerical Assistant-Temporary
2012-07-10 Pomeroy, Deployment Technician
2012-07-10 Volt, Order Processor, Customer Service Rep
2012-07-11 Demand Media, Serving Engineer
2012-07-11 Kaizen Technologies, C, C++ Developer (Mobile Platform)
2012-07-11 Lieberman Software, Smart C++ Senior Software Developer, Architect, Entrepreneur
2012-07-11 Related Management, Administrative Assistant-Temporary
2012-07-11 Ryte Pros, Objective C, Mac OSX Desktop Applications Developer
2012-07-11 Stamps.com, Software Developer (C++)
2012-07-11 Symantec, Sr C++ Developer
2012-07-11 Walt Disney Animation Studios, Software Engineer, Production Engineering
2012-07-13 Electronic Arts, Online Software Engineer
2012-07-15 Agile Enterprise Solutions, C++ Developer with Mobile Apps development
2012-07-15 Fetch Recruiting, C, C++ Multi-threader
2012-07-15 Foothills Consulting Group, Software Engineer C++
2012-08-03 Naughty Dog, Network Programmer
2012-08-03 Platys Group, C++ Developer
2012-08-13 Frequency, iOS Lead
2012-08-13 Geodelic, iPhone Developer
2012-08-13 Gobbler, Senior Software Engineer C++
2012-08-13 Sensing Places, Sr Software Developer
2012-08-14 Strategic Staffing Solutions, iOS Developer

List of Positions Applied To

2012-08-14 Viteza Group, Mac OS X Programming
2012-08-20 Acro Service Corp, Software Engineer, 62213
2012-08-20 Adecco, Administrative, General
2012-08-20 Copper Mobile, iPhone Developer
2012-08-20 Tri-State PEO, Dock Clerk
2012-08-20 TriCom Quest, Technical Support, Customer Service Representative
2012-08-21 American Standard Television, Software Developer, Client Technology (Linux)
2012-08-21 Acro Service Corp, Software Engineer, 61790
2012-08-21 Experian, Application Support Engineer (12665)
2012-08-21 Iconma, Electronic Drive Software Engineer
2012-08-21 Kuapay LLC, Software Engineer
2012-08-21 Laserfiche, Software Engineer, Application Server
2012-08-21 Laserfiche, Software Engineer
2012-08-21 Rubicon Project, Software Engineer, Demand
2012-08-21 Stafflogix, Electronic Drive Software Engineer
2012-08-21 Talascend, Electric Drive Software Engineer
2012-08-21 ZestCash, Senior Software Engineer
2012-08-21 Zion Partners, iOS Developer
2012-08-21 iSpace, System Admin, Programmer
2012-08-22 Gogii, Voice Server Engineer
2012-08-22 Gogii, iOS Developer
2012-08-22 High Tech Pros, Senior Software Engineer
2012-08-22 Miso Media, Software Engineer, Mobile (iOS)
2012-08-22 Stamps.com, Senior Software Developer (C++, CSharp)
2012-08-22 Teradata, Software Engineer, 148397
2012-08-22 UNIX, C++ Developer
2012-08-24 Jet Morgan, Jr Objective C, C++ Developer
2012-08-27 Amazon, Software Developer, Mobile Appstore
2012-08-27 Coda Automotive, Sr Software Engineer, Energy Storage
2012-08-27 Kuapay LLC, C++ or Javascript Engineer
2012-08-27 ThinkNear, Sr Software Development Engineer
2012-08-29 Mantara, C++ Developer

2012-09-04 Gogii, Voice Network Engineer
2012-09-14 Advantex, Java Developer
2012-09-14 Advantex, Junior Application Developer
2012-09-14 Burstly, Junior Programmer
2012-09-14 Holomic, Software Engineer
2012-09-14 Sovereign Technologies, Junior Java Developer
2012-09-14 Strategic Technology Associates, Jr Java Developer
2012-09-14 Work22, Programmer Linux C++ contract job
2012-09-16 Accounting Principals, Mail Room Clerk
2012-09-16 Lakeshore Learning Materials, Application Support Developer
2012-09-18 Deluxe Digital Cinema, Senior Software Engineer
2012-09-19 A Star Strategies, High Frequency C Developer
2012-09-19 Advent Resources, Midlevel C Programmer

List of Positions Applied To

2012-09-19 Demand Media, Serving Engineer
 2012-09-19 Fetch Recruiting, C++ Kernel level Software Engineer
 2012-09-19 Lieberman Software, Smart C++ Sr Software Developer
 2012-09-19 Vivid Technologies, C++ Financial Engineer, Linux
 2012-09-21 Fortinet (Vancouver), Senior Software Engineer (CARD)
 2012-09-21 Sierra Wireless (Vancouver), Senior Software Engineer
 2012-09-25 AppNeta (Vancouver), C, C++ Linux Systems Developer
 2012-09-25 Teema Solutions (Vancouver), Intermediate Linux C++ Developer
 2012-09-27 Nectar, C++ PC Based Programmer
 2012-10-02 Fortinet (Vancouver), C Programming Engineers (CARD)
 2012-10-03 Arista Networks (Vancouver), Senior Software Engineer
 2012-10-03 Corinex Communications (Vancouver), Software Engineer (Embbded System)
 2012-10-04 Avigilon (Vancouver), Manufacturing Software Developer - C++
 2012-10-07 AgentHR, Network Programmer - High Impact
 2012-10-07 OneTen Technologies, Sr. Software Engineer (Video Surveillance)
 2012-10-09 Tatz Group, Software Engineer - Trading Strategies
 2012-10-11 CDI (Vancouver), Software Developer
 2012-10-11 Corporate Recruiters (Vancouver), Senior C Developer, CCDP, CCIE, UNIX, Linux, Solaris
 2012-10-11 Corporate Recruiters (Vancouver), Senior C++ Developer, Linux, VX Works
 2012-10-11 EdgeCast, Core Software Engineer - Reporting and Analytics
 2012-10-11 SpeedLine Solutions (Vancouver), Software Developer
 2012-10-11 Tektronix, Software Engineer (TEK002178)
 2012-10-11 Waterfront International (Toronto), Sr C++ Network Programmer
 2012-10-12 Amazon (Vancouver), Software Development Engineer
 2012-10-12 Amazon (Vancouver), Sr Software Development Engineer - Social Shopping Tech
 2012-10-12 Annex Consulting (Vancouver), Intermediate, Senior C Linux Systems Developer
 2012-10-12 Fortinet (Vancouver), Intermediate Linux Software Engineer (CARD604)
 2012-10-12 NetApp (Vancouver), C++ Linux Agile Software Engineer - 21066BR
 2012-10-12 OpenBct (Vancouver), Software Developer
 2012-10-12 OpenDNS (Vancouver), Software Engineer
 2012-10-12 QSI (Vancouver), Software Developer Oject Storage
 2012-10-12 Sierra Wireless (Vancouver), Intermediate Software Tools Developer
 2012-10-12 Simba Technologies (Vancouver), Experienced C++ Software Developers
 2012-10-12 Strangeloop (Vancouver), Intermediate Software Developer C, C++
 2012-10-14 Laserfiche, Software Engineer - Application Server
 2012-10-15 Oanda (Toronto), C++ Developer
 2012-10-16 LKSMI Consulting (Toronto), C, C++ Software, Application Developer
 2012-10-16 Platform Computing (Toronto), Software Developer (JL)
 2012-10-16 Scotiabank (Toronto), Programmer Analyst II - FX, Money Markets, Risk Management
 2012-10-16 Waterfront International (Toronto), C++ Electronic Trading Systems Developer
 2012-10-18 Advantage Networks, Linux Software Engineer
 2012-10-21 Sun West Mortgage, Expert C, C++ Software Engineer
 2012-10-25 Infoblox (Vancouver), Senior Software Engineer, Server
 2012-10-25 Polycom (Vancouver), Sr Software Developer, Req 4274BR
 2012-10-28 Situated Consulting, Senior C++ Architect, Engineer, Developer

List of Positions Applied To

2012-10-30 Research in Motion (Toronto), C++ Developer - Development Platform Team (1203358)
2012-10-30 Research in Motion (Toronto), Software Developer - BlackBerry Infrastructure (1204308)
2012-10-31 Abel Placement Consultants (Toronto), Senior Network Software Engineer, Linux, Unix, C++, TCP, UDP, IPv4
2012-10-31 Huntech (Toronto), Senior Linux C Software Developer
2012-10-31 Ivedha (Toronto), C, C++ Developers
2012-10-31 Profile Solutions (Toronto), Senior Linux Software Development Analyst, C++ on Linux, Perl
2012-10-31 Randstad (Toronto), Senior Developer (C++, Risk Management)
2012-10-31 Red Hat (Toronto), Senior Software Engineer (6706248)
2012-10-31 Tal Group (Toronto), C++ Developer
2012-11-01 Alpine Electronics, Software Engineer II (R12-14)
2012-11-01 CyberCoders, C, C++ Software Engineer, OOP, TCPIP, OSI
2012-11-01 CyberCoders, Senior HTTP Platform Engineer - HTTP, Caching, Unix
2012-11-01 Strategic Staffing Solutions, C++ Developer
2012-11-02 QSI (Vancouver), Software Developer RL
2012-11-04 Arista Networks (Vancouver), Senior Software Engineer
2012-11-04 IPN BrainPower (Vancouver), SW Developer (ID-1234)
2012-11-04 NetApp (Vancouver), Software Engineer - Data OnTap
2012-11-04 TrueCar, Senior Software Developer
2012-11-09 Fortran Traffic Systems (Toronto), Senior Software Developer
2012-11-09 Nexstaff, Capital Markets Senior Developer
2012-11-09 Rogers (Toronto), Programmer Analyst - 33354

Exhibit 2

Log of Employment Interviews

| | | |
|------------|---------|--|
| 2011-10-19 | 10:30am | Ixia, Calabasas |
| 2011-10-26 | 4:00pm | SpaceX, Hawthorne |
| 2011-11-07 | 1:00pm | Video and Interactive Game Jobs, Los Angeles |
| 2011-11-14 | 10:00pm | Volt, Torrance |
| 2011-11-17 | 10:30am | IMS, Brea |
| 2011-12-07 | 10:00am | Robert Half, Culver City |
| 2011-12-13 | 10:00am | Mercury Security, Long Beach |
| 2012-01-06 | 11:00am | Yahoo!, Burbank |
| 2012-01-13 | 9:00am | Virtu Financial, Santa Monica |
| 2012-01-13 | 1:30pm | Ceiva, Burbank |
| 2012-01-17 | 11:00am | OpenX, Pasadena |
| 2012-02-13 | 10:30am | Wavecom, Los Angeles/Telecommute |
| 2012-02-16 | 10:00am | WaveCom, Los Angeles/Telecommute |
| 2012-03-13 | 9:00am | Talener, West LA |
| 2012-03-20 | 2:00pm | Grinder, Hollywood |
| 2012-03-22 | 9:30am | IJC Partners, Beverly Hills |
| 2012-03-23 | 1:30pm | Grindr, Hollywood |
| 2012-03-26 | 11:00am | Grindr, Hollywood |
| 2012-03-28 | 3:00pm | Google, Santa Monica |
| 2012-03-29 | 1:00pm | cars.com, Santa Monica |
| 2012-03-29 | 5:00pm | ClearPath Networks, Santa Monica |
| 2012-04-02 | 11:00am | Cars.com, Santa Monica |
| 2012-04-03 | 2:00pm | Cars.com, Santa Monica |
| 2012-04-12 | 3:00pm | Workbridge Associates, West LA |
| 2012-04-17 | 4:00pm | Cyber Defender, Los Angeles (Downtown) |
| 2012-04-17 | 5:00pm | Alelo, Culver City |
| 2012-04-23 | 3:00pm | CyberDefender, Los Angeles (Downtown) |
| 2012-05-03 | 11:00am | Rovi, Burbank |
| 2012-05-04 | 11:00am | Q, Los Angeles (405/90) |
| 2012-05-10 | 11:00am | Scalable Network Solutions, Los Angeles (405/90) |
| 2012-05-11 | 3:30pm | MediaVu, Hollywood |
| 2012-05-14 | 9:00am | Scalable Network Solutions, Los Angeles (405/90) |
| 2012-05-21 | 6:00pm | MovieClips.com, Venice |
| 2012-05-22 | 10:00am | Rovi, Burbank |
| 2012-05-31 | 10:00am | Ceiva Logic, Burbank |
| 2012-06-06 | 11:00am | Guidance Software, Pasadena |
| 2012-06-07 | 2:00pm | American Standard TV, Los Angeles (Downtown) |
| 2012-06-12 | 10:30am | Guidance Software, Pasadena |
| 2012-06-13 | 10:00am | Oblong, Los Angeles (Downtown) |
| 2012-06-18 | 12:30pm | American Standard TV, Los Angeles (Downtown) |
| 2012-07-13 | 10:30am | Stamps.com, Santa Monica |
| 2012-07-23 | 2:30pm | John Deere/NavCom, Torrance |
| 2012-07-24 | 12:30pm | Symantec, Culver City |
| 2012-07-26 | 2:00pm | John Deere/NavCom, Torrance |
| 2012-08-03 | 11:00am | Symantec, Culver City |
| 2012-08-16 | 2:00pm | Sensing Places, Santa Monica |

Log of Employment Interviews

| | | |
|------------|---------|-----------------------------------|
| 2012-08-29 | 10:00am | Amazon, Irvine |
| 2012-08-31 | 6:00pm | Sensing Places, Santa Monica |
| 2012-09-11 | 6:00pm | Mantara, Burbank |
| 2012-09-13 | 2:00pm | Mantara, Burbank |
| 2012-09-20 | 8:30am | Garmin, Diamond Bar |
| 2012-09-21 | 9:30am | Garmin, Diamond Bar |
| 2012-09-24 | 10:00am | Garmen, Diamond Bar |
| 2012-09-28 | 10:45am | AppNeta, Vancouver |
| 2012-09-29 | 7:30pm | AppNeta, Vancouver |
| 2012-10-02 | 10:00am | Kuapay, Santa Monica |
| 2012-10-03 | 9:00am | AppNeta, Vancouver |
| 2012-10-03 | 10:00am | AppNeta, Vancouver |
| 2012-10-11 | 10:00am | AtGame, Santa Monica |
| 2012-10-17 | 1:00pm | Amazon, Vancouver |
| 2012-10-18 | 10:00am | Waterfront International, Toronto |
| 2012-10-18 | 5:00pm | QSI, Vancouver |
| 2012-10-19 | 9:30am | Speedline Solutions, Vancouver |
| 2012-10-23 | 1:00pm | NetApp, Vancouver |
| 2012-10-24 | 3:00pm | Sun West Mortgage, Cerritos |
| 2012-10-25 | 2:00pm | Simba, Vancouver |
| 2012-10-26 | 4:30pm | Infoblox, Vancouver |
| 2012-11-01 | 11:00am | Dream Marriage, Beverly Hills |
| 2012-11-06 | 11:30am | Soti, Toronto |
| 2012-11-07 | 8:00am | Huntech, Toronto |
| 2012-11-07 | 2:00pm | Simba, Vancouver |
| 2012-11-08 | 10:30am | Research In Motion, Toronto |
| 2012-11-09 | 11:00am | Cisco, Toronto |
| 2012-11-12 | 10:00am | SOTI, Toronto |
| 2012-11-13 | 2:00pm | Arista Networks, Vancouver |
| 2012-11-14 | 2:30pm | Buffalo Studios, Santa Monica |
| 2012-11-15 | 11:30am | Cisco, Toronto |
| 2012-11-19 | 10:00am | Research In Motion, Toronto |

Exhibit 3



October 5th, 2012

Richard Riess
20707 Anza Ave
Torrance, CA 90503

Dear Richard,

We are pleased to offer you a position with AppNeta (Canada), Inc. ("AppNeta Canada"). This letter sets out the terms and conditions under which AppNeta Canada is prepared to offer you employment. Please note that the terms and conditions of this offer are confidential and supersede any and all prior discussion and/or representations made to you in relation to your employment with AppNeta Canada. Your execution of this letter constitutes your acceptance of the following terms and conditions:

Position

Your position as Senior Software Developer will commence on or about October 15, 2012. As a Senior Software Developer, you will contribute to product development through product architecture, design, systems analysis and programming activities and any such commensurate responsibilities as may be reasonably assigned.

Reporting

You will report directly to Michael Alexander, Development Manager, or such manager of AppNeta Canada as AppNeta Canada may designate from time to time.

Salary

Your base salary will be CAD\$90,000 per annum payable bi-weekly, effective upon the commencement of employment.

Equity Incentive

You shall be granted an option to purchase a number of shares of the Common Stock of AppNeta, Inc. ("AppNeta USA"), at a price equal to the fair market value of the shares at the date of grant, subject to the approval of the board of directors and shareholders of AppNeta USA and such other terms and conditions as are set out in the AppNeta USA Stock Option Plan. The vesting period for these options shall commence on the date on which you actively start work and shall be governed by the terms of the AppNeta USA Stock Option Plan.



Benefits

As a regular employee of AppNeta Canada, you will be entitled to all such benefits, including medical, dental, life insurance and LTD, as are provided to other employees of AppNeta Canada. AppNeta Canada reserves the right to modify, amend or terminate any employee benefits at any time for any reason.

Vacation

All AppNeta employees are entitled to vacation. Vacation is accrued at 1.25 days per month (15 days per calendar year). Vacation entitlement is not cumulative from year to year, and vacation pay is not provided in lieu of vacation not taken. Upon termination of employment, voluntary or otherwise, any unused accumulated vacation will be paid to you.

Expenses

Reimbursement of all reasonable expenses incurred in connection with the performance of your duties and functions will be made in accordance with AppNeta Canada policies, in effect from time to time.

Service to the Company

Unless otherwise authorized in writing by AppNeta Canada, during the term of your employment you shall well and faithfully serve AppNeta Canada, use your best efforts to promote its interests and devote the whole of your working time, attention and energy to the business and affairs of AppNeta Canada. During the term of your employment with AppNeta Canada, you shall not carry on or engage in any other business or occupation or become a director, officer, employee, agent, or hold any position or office with any other corporation, firm or person, such that would conflict with your duties at AppNeta Canada.

Place of Work

This position is based in Vancouver, BC. Your employment with AppNeta will start on or about October 15, 2012. For the first 90 days of employment, AppNeta will facilitate a remote working arrangement where you may work from your home office based in Torrence, CA while preparing for your relocation to Vancouver, BC. It is expected that during this period, you will travel to AppNeta's office in Vancouver, BC on an as needed basis. Your relocation to Vancouver, BC is expected to be completed on or before January 14, 2013, at which time you will then be expected to be present in AppNeta's office on a daily basis.

Termination

AppNeta Canada reserves the right to terminate your employment at any time for any reason. You will not be entitled to any advance notice of termination or severance pay in lieu thereof, should you be terminated for cause. Should you be terminated for reasons other than cause, you will be entitled to advance notice of your termination or severance pay in lieu thereof, or any combination of advance notice of termination and severance pay,



in accordance with the BC Employment Standards Act. AppNeta Canada reserves the right to withdraw this offer of employment or terminate you from ongoing employment without paying you any damages or compensation if the references you have provided are not satisfactory or if you have misrepresented in any way your qualifications or previous employment history.

Proprietary Information, Non-compete and Inventions Agreement

As a condition of employment, you are required to execute a proprietary information, non-compete and inventions agreement, in the form attached to this Agreement.

Representation

By signing this offer of employment, you represent that you are able to accept employment with AppNeta Canada and are not prohibited or restricted in doing so by any other agreement or commitment including, without limitation, any restrictive covenant or non-compete provided to you by a former employer or other party.

Kindly confirm your acceptance and agreement of this offer of employment by signing the enclosed duplicate copy of this letter and the attached proprietary information, non-compete and inventions agreement and returning the executed copies to AppNeta Canada. If not accepted, this offer will expire on October 9, 2012. This offer is subject to the completion of reference checks and a final in-person interview, (at AppNeta Canada's Vancouver office on or prior to Oct 12, 2012), which AppNeta deems to be successful.

If you have any questions, please call me at (604) 433-2333.

Sincerely,

AppNeta (Canada), Inc.

Michael Alexander
Development Manager

Accepted and agreed to this _____ day of _____, 2012.

Richard Riess

Encl.

Exhibit 4

Subject: Re: Request for consent to take G [REDACTED] out of state
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Fri, 5 Oct 2012 18:53:17 -0700
To: Richard Riess <richardriess@gmail.com>

Yes I would.

On Friday, October 5, 2012, Richard Riess wrote:

Alright. Then I will be requesting an ex parte hearing for the court's permission. I'll notify you prior to the hearing as required by California law.

Would you oppose me and G [REDACTED] relocating to Seattle, in the event I receive an offer from there?

Have a great weekend.

Richard

On Fri, 2012-10-05 at 17:26 -0700, Desiree Capuano wrote:

> Yes, I oppose this move.

>

> On Friday, October 5, 2012, Richard Riess wrote:

> Okay, it's now official. I just spoke with one of the

> companies in

> Vancouver and they've made me an offer. So, I suppose this

> serves as my

> official request for your consent to take G [REDACTED] to

> Vancouver. I'm

> under time constraints on this so if I don't receive your

> consent by

> Tuesday, October 9, 2012 then I will have to assume you oppose

> the move

> and I will have to present the request to the court.

>

> Thank you,

> Richard

>

Subject: Re: Request for consent to take G [REDACTED] out of state
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Fri, 5 Oct 2012 18:53:17 -0700
To: Richard Riess <richardriess@gmail.com>

Yes I would.

On Friday, October 5, 2012, Richard Riess wrote:

Alright. Then I will be requesting an ex parte hearing for the court's permission. I'll notify you prior to the hearing as required by California law.

Would you oppose me and G [REDACTED] relocating to Seattle, in the event I receive an offer from there?

Have a great weekend.

Richard

On Fri, 2012-10-05 at 17:26 -0700, Desiree Capuano wrote:

> Yes, I oppose this move.

>

> On Friday, October 5, 2012, Richard Riess wrote:

> Okay, it's now official. I just spoke with one of the
> companies in

> Vancouver and they've made me an offer. So, I suppose this
> serves as my

> official request for your consent to take G [REDACTED] to
> Vancouver. I'm

> under time constraints on this so if I don't receive your
> consent by

> Tuesday, October 9, 2012 then I will have to assume you oppose
> the move

> and I will have to present the request to the court.

>

> Thank you,

> Richard

>

Exhibit 5

Subject: Re: Request for consent to take G [REDACTED] out of state
From: Richard Riess <richardriess@gmail.com>
Date: Sat, 06 Oct 2012 20:00:32 -0700
To: Desiree Capuano <desiree.capuano@gmail.com>

Okay, and what would be the basis for your opposition? As you probably know an objection must be based on something - you cannot object/oppose a request "just because".

In case it's not obvious, the basis for my request to take G [REDACTED] out of the state is financial necessity, and to better provide for his needs (financial and otherwise). Those are legitimate grounds which the court is not likely to disagree with. Also, bear in mind, the offer I received is for \$90,000 a year which will significantly decrease your child support obligation - I can't fathom why you would oppose that.

Thank you,
Richard

On Fri, 2012-10-05 at 18:53 -0700, Desiree Capuano wrote:
Yes I would.

On Friday, October 5, 2012, Richard Riess wrote:

Alright. Then I will be requesting an ex parte hearing for the court's permission. I'll notify you prior to the hearing as required by California law.

Would you oppose me and G [REDACTED] relocating to Seattle, in the event I receive an offer from there?

Have a great weekend.

Richard

On Fri, 2012-10-05 at 17:26 -0700, Desiree Capuano wrote:
> Yes, I oppose this move.

>

> On Friday, October 5, 2012, Richard Riess wrote:

> Okay, it's now official. I just spoke with one of the

> companies in

> Vancouver and they've made me an offer. So, I suppose this

> serves as my

> official request for your consent to take G [REDACTED] to Vancouver. I'm

Exhibit 6



SunWestTM
Mortgage Company, Inc.
Mortgage Bankers Since 1980



October 24, 2013

Richard Riess
20707 Anza Avenue
Torrance, CA 90503

Re: Conditional Offer of Employment

Dear Mr. Richard Riess,

Sun West Mortgage is pleased to offer you a position of **Software Engineer** at our **Cerritos** branch with an annual base pay of **\$90,000.00 as Exempt status**. This offer is only valid for **5 calendar days** as of the date of this letter.

You will report to **Jennifer Vallinayagam** and your first date of the employment is tentatively on or before **TBD**. Normal working hours are 8:30am to 5:00pm, Monday through Friday. You will receive a standard benefit package the first of the month after a 90-day orientation period. This offer is contingent upon satisfactory completion of our due diligence, including verification of your employment history and background check as it appears on your application and the execution of any applicable agreements and policies related to your employment.

This letter supersedes any and all other representations or statements that may have been made, either verbally or in writing, with respect to the terms and conditions begin offered the Company. When signed by you, this offer will be considered a written agreement with respect to the subject matter contained in this letter. By your signature below, you acknowledge and agree that no other offers, representations, inducements or promises have been made by the Company that are not included in this letter, and that you understand that no other offer, representations, inducements or promises not included in this letter are valid or binding. The material terms of your employment as set out in this letter may not be modified or amended by verbal agreement or course of conduct but you by a written agreement that is signed by both you and by either the HR Manager and/or the CEO of the company.

It is understood and agreed that your employment with Sun West Mortgage is on an "at will basis". This means both Sun West Mortgage and you have the absolute and unconditional right to terminate your employment for any reason or no reason, with or without cause. This letter of employment offer does not supersede our guidelines as outlined in our Employee Handbook. The terms and conditions of employment are subject to periodic review by the Management of Sun West Mortgage.

On your first day of work, please bring with you evidence of your U.S. Citizenship or proof of your legal right to live and work in this country. We are required by federal law to examine documentation of your employment eligibility within three business days after you begin work.

If you have any questions, do not hesitate to contact our Human Resources Department at (562) 293-1066. We here at Sun West are looking forward to working with you.

Sincerely,

Luke Aoe
Human Resource Manager
Sun West Mortgage Company, Inc.

****Signature and Acknowledgement on next page****



Sun WestTM
Mortgage Company, Inc.
Mortgage Bankers Since 1980



☐ I Accept Sun West Mortgage's Offer

☐ I Decline Sun West Mortgage's Offer

I also certify that the following is my current contact info:

Name: Richard Riess
Address: 20707 Anza Avenue, Torrance, CA 90503
Tel: 310-518-0104
Email: richardriess@gmail.com

Richard Riess

Date

Exhibit 7

Subject: Employment offer
From: Richard Riess <richardriess@gmail.com>
Date: Wed, 14 Nov 2012 09:01:13 -0800
To: Desiree Capuano <desiree.capuano@gmail.com>

Desiree:

Attached is a copy of the offer I received from SOTI, in Toronto.

I am providing this for your confirmation that I am a) actively seeking employment; and b) have been receiving offers from companies in Canada. I do not consent to you contacting the employers regarding my me.

I am still waiting for the company in Cerritos to confirm that the background check was okay and to provide a start date. They have received the background check results and requested my explanation of the two issues that came up. They have stated that once I provide the explanations they can proceed. I have provided the explanations and I am awaiting their final decision. I do not expect them to proceed.

I have a second interview with Cisco tomorrow.

I have an interview with Buffalo Studios this afternoon.

I had an interview with Arista Networks yesterday. I am awaiting their decision on whether they wish to proceed.

I interviewed with RIM last week. I have not received their response yet.

If you have any questions let me know.

Thank you,
Richard

OfferLetter - Richard Riess.pdf

Content-Type: application/pdf
Content-Encoding: base64

Exhibit 8

Subject: Re: Schedule for ex parte hearing
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Sun, 18 Nov 2012 12:34:54 -0700
To: Richard Riess <richardriess@gmail.com>

Well, it's all about you. Do whatever...I'll live.

On Saturday, November 17, 2012, Richard Riess wrote:

I'm sorry, but as you see from the offer letter they would like me to start on the 26th. So I don't think I can push it back much more than that - I was thinking maybe a day or two, if necessary.

Richard

On 11/17/12 8:48 PM, Desiree Capuano wrote:

I will not be able to attend Monday the 26th. Please chose a date further out to allow time to make arrangements. I will either need to set up a court call appearance or travel once again out of state.

Neither option is available until I get paid next.

On Saturday, November 17, 2012, Richard Riess wrote:

Desiree:

Please let me know what would be convenient for you to attend an ex parte hearing regarding my request to bring G [REDACTED] to Canada. This week will probably not be good for the Court due to the holiday so I'm thinking Monday, November 26, 2012. If I don't receive a response from you then I'll assume that time is acceptable and I'll consider this the notice I'm required to provide at least 24 hours prior to the hearing (in other words, I'm providing you 8 days notice). I'll also leave you a voice message to the same effect.

I'll forward you a copy of the forms and my declaration within the next couple of days.

Richard

Exhibit 9

Subject: Re: Third request for proposed ex parte hearing date
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Wed, 21 Nov 2012 14:57:49 -0700
To: Richard Riess <richardriess@gmail.com>

I do not get paid until the 30th of November. I will not have the means to attend court in any fashion until then.

On Wednesday, November 21, 2012, Richard Riess wrote:
Desiree:

This will be my third and final request for your input on what dates might work for you to attend the ex parte hearing for my request to bring G [REDACTED] to Canada. So far you have stated that the date I proposed would not work for you, but you have not provided any alternatives - other than to say "please choose a date further out". If I do not receive any reasonable suggestions from you then I shall have to proceed with the original date of Monday, November 26, 2012.

I thank you for your cooperation.

Sincerely,
Richard

Exhibit 10

Subject: Re: Another request for confirmation
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Tue, 20 Nov 2012 17:33:29 -0700
To: Richard Riess <richardriess@gmail.com>

Nope

On Tuesday, November 20, 2012, Richard Riess wrote:
Desiree:

I request that you please also confirm the following information:

1. Are you receiving any financial compensation from the other adults residing in your home, or who have been residing in your home between January 2012 and the present?

Thank you,
Richard

Exhibit 11

Subject: Re: G [REDACTED]'s shoes
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Mon, 23 Apr 2012 19:09:06 -0700
To: Richard Riess <richardriess@gmail.com>

That latter most likely or depending on where he finds the ones he wants possibly send him a gift certificate for the store.

On Monday, April 23, 2012, Richard Riess wrote:

Are you saying I should acquire them; send you the receipt; and you will reimburse me (well, not me, but Liz)? Or are you saying you will acquire them (once you know the ones he wants) and send them to him?

Richard

On Mon, 2012-04-23 at 09:16 -0700, Desiree Capuano wrote:

> Take him to find the shoes he wants. Tell me how much they are and
> where you will be getting them from and I will take care of the cost.

>

> On Sunday, April 22, 2012, Richard Riess wrote:

> Desiree:

>

> G [REDACTED]'s shoe is coming apart at the front. He will need a
> new pair
> very soon. Shoes are a necessity. I request that you
> contribute to a
> new pair of shoes for him because I do not have the cash to
> get them
> right now.

>

> Richard

>

>

Exhibit 12

Subject: Re: G■■■■'s school supplies
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Fri, 29 Jun 2012 12:04:13 -0700
To: Richard Riess <richardriess@gmail.com>

Richard, I will take him to the store to pick out the backpack and get everything. You never told me what shoes he wanted or how much they were and the medical bill is on me, so don't worry about it. Everything you've asked me to send I've done. If you get all the items he will have duplicate as I will get his school supplies. And I have no intention of sending you a bill for any of it - school supplies are a given for things my kids need.

On Friday, June 29, 2012, Richard Riess wrote:

I'll tell you what - your record of either forgetting, or not following through on what you say you're going to does not exactly inspire confidence (case in point: you have still not paid your share of the medical bill, nor did you contribute to his shoes when he needed them, yet you have money for a pool, a trampoline and another pet). I don't want to find out at the last minute (when it's too late to order the things and the supplies in the stores are dwindling) that you didn't get around to it. I will purchase the items and I will send you a copy of the receipts.

Richard

On Fri, 2012-06-29 at 11:25 -0700, Desiree Capuano wrote:

> We'll get his supplies.

>

> On Friday, June 29, 2012, Richard Riess wrote:

> Desiree:

>

> I received, in the mail, yesterday a letter from Dodson which
> included a
> list of the supplies G■■■■ will require upon the start of
> school in
> August. I have copied the list below. I am writing to
> inquire whether
> you intend to pay any portion of those costs. I will forward
> you a copy
> of the receipts once I acquire the items (that is, if you
> actually
> intend to contribute). Specifically, I am requesting you
> contribute at
> least half of the cost (since your income is actually greater
> than
> mine).

>

> - Backpack. Please do not use a tote bag, it will not be
> large enough.

- > - General Binder for classroom organization.
- > - Class dividers labeled for English, Math, History, Science,
- > Elective
- > and PE.
- > - Plastic 2-pocket 3-prong pocket portfolio.
- > - Pocket dividers with sleeves.
- > - Pencil pouch to keep the following items:
- > - 4 sharpened pencils on a daily basis. We do not advise
- > mechanical
- > pencils.
- > - Blue or black ink pens. Please do not use any other color
- > for your
- > homework assignments. You may use other colors for your
- > personal
- > correspondence.
- > - Red pen for correcting.
- > - Highlighters (2 maximum).
- > - Erasers.
- > - Colored pencils.
- > - 3-hole punch, college ruled lined paper. Please do not use
- > perforated or spiral bound papers.
- > - Small pencil sharpener with cap.
- > - Three-ring binder 3-paper hole puncher.
- > - A dictionary.
- > - A thesaurus that includes synonyms and antonyms.
- >
- > Please advise me on how you intend to proceed.
- >
- > Richard
- >

Exhibit 13

Subject: Re: Gabriel's clothes

From: Desiree Capuano <desiree.capuano@gmail.com>

Date: Wed, 8 Aug 2012 17:15:29 -0700

To: Richard Riess <richardriess@gmail.com>

They're intended to be used for G [REDACTED]. I had assumed he would use them for school unless they had uniforms, in which case they're just new clothes.

On Wednesday, August 8, 2012, Richard Riess wrote:

Desiree:

Are the clothes you obtained for G [REDACTED] intended to be used for school?

Richard

Exhibit 14

Subject: Re: G [REDACTED]'s school supplies
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Fri, 29 Jun 2012 13:07:05 -0700
To: Richard Riess <richardriess@gmail.com>

If it's such a problem for you and Liz to take care of G [REDACTED], send him to me I will take care of everything. You will never have to pay another cent.

On Friday, June 29, 2012, Richard Riess wrote:

Oh, here. Here's me not being critical, derogatory or insulting:

Good job on not using marijuana while being in TASC. I'm sure it hasn't been easy but if you really are abstaining then props to you. And if you are able to continue beyond the completion of your TASC requirement then that will be quite an accomplishment. That's not sarcasm. I really mean it.

Thank you for fixing the Xbox networking issue so G [REDACTED] can use his Xbox Live account while he's there. Thank you for being overly emotional and melodramatic, thereby making G [REDACTED] uncomfortable talking to you so that he comes to me with his issues.

If you can think of anything else that I can or should congratulate you on then let me know. I will certainly give credit where it is due.

Richard

On Fri, 2012-06-29 at 12:05 -0700, Desiree Capuano wrote:

> You just cannot help being critical, derogatory, or insulting can you?

>

> On Friday, June 29, 2012, Richard Riess wrote:

> I'll tell you what - your record of either forgetting, or not

> following

> through on what you say you're going to does not exactly

> inspire

> confidence (case in point: you have still not paid your share
> of the

> medical bill, nor did you contribute to his shoes when he
> needed them,

> yet you have money for a pool, a trampoline and another pet).

> I don't

> want to find out at the last minute (when it's too late to
> order the

> things and the supplies in the stores are dwindling) that you
> didn't get

> around to it. I will purchase the items and I will send you a
> copy of

> the receipts.

Exhibit 15

Subject: Re: G [REDACTED]'s school expenses
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Sun, 21 Oct 2012 22:29:05 -0700
To: Richard Riess <richardriess@gmail.com>

I will send you your money out of my next paycheck. Since you not he will communicate with me beyond telling me how much money to give you can you please let me know how my child is doing?

On Sunday, October 21, 2012, Richard Riess wrote:
Desiree:

I had to get G [REDACTED] a biography book on George Washington (his choice) for his English class. The cost of the book was \$20.26 (I will provide the receipt, if needed). You can also confirm the requirement on TeacherWeb.

I also had to get his bus pass for the next 30 days, at a cost of \$24.

I request that you contribute at least half of the cost of these expenses, or at least \$23.

Thank you,
Richard

Exhibit 16

Subject: Re: Request for confirmation
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Mon, 19 Nov 2012 08:35:23 -0700
To: Richard Riess <richardriess@gmail.com>

Number 1 and 2 are the only correct point you made. Yes, my card has been renewed.

On Sunday, November 18, 2012, Richard Riess wrote:
Desiree:

I received (the week before last) the police reports and copies of the interviews regarding Lauchner's investigation and arrest and I was wondering if you might confirm a few of the statements you or Lauchner had allegedly made therein.

1. The house you are living in is owned by Kristopher Lauchner's cousin who lives in Prescott.
2. Your medical marijuana card expired on 11/07/2012. Did you renew it or obtain a new one?
3. You stated to the police that you and Kristopher were only "dating", not engaged.
4. Kristopher told you, before his arrest, that he had stolen the gun.
5. Kristopher told you, before his arrest, that the gun was hidden in the house.
6. You told the police that you knew Kristopher was hiding the gun in the house.
7. Kristopher would spend most of his time in the garage and you had no idea what he was doing in there.
8. You told the police you had no idea what was in the garage because Kristopher is the one that uses the garage, not you.
9. You told the police that you knew that Kristopher had been using meth.
10. Sage was home at the time the police searched the house and he was required to wait outside during the search.
11. During the search the police searched G [REDACTED]'s and Sage's bedrooms and belongings.
12. You were not at home when the police started the search.

Exhibit 17

Subject: Re: G [REDACTED]'s expenses
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Sun, 9 Sep 2012 00:04:43 -0700
To: Richard Riess <richardriess@gmail.com>

I will, but please understand that my income is not huge and I do have to budget all the money I have. You are asking for this in the month of September, in which I only get paid twice. G [REDACTED]'s birthday is at the end of the month and I have to use the birthday money I had budgeted for the contributions you seek instead. I cannot afford both. Please make sure G [REDACTED] understands that this is the reason he will not get birthday gifts from me.

Please provide me a total of the amounts you know of now and I will get that to you as soon as I can.

On Saturday, September 8, 2012, Richard Riess wrote:
Desiree:

1. Before G [REDACTED] began school at Dodson I purchased him two physical uniforms, as required by the school, at a cost of \$46 (\$23 each). They consist of a white Dodson t-shirt and a pair of red Dodson shorts. I request that you please contribute at least half of that cost.
2. As of August 22, 2012 I began purchasing G [REDACTED] a monthly Metro bus pass, at a cost of \$24 per month, to facilitate his transportation from school to home each day. I request that you please contribute, on an ongoing basis, to at least half of that cost.
3. I also took him to the dentist for his six month cleaning and checkup before school began. I request you contribute at least half of that cost as well (I don't know how much the insurance is going to cover).
4. I need to get him another 2-3 shirts and pairs of pants for school because some of the ones he has are getting small and/or worn. I request you contribute at least half of that cost.
5. In addition to the supplies that were on the list I provided you back in July, I have had to get him a few more school supplies (a reading book, some text/work books, etc). I request you contribute at least half of that cost.

Sincerely,
Richard

Subject: Re: G [REDACTED]'s expenses
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Tue, 2 Oct 2012 18:54:04 -0700
To: Richard Riess <richardriess@gmail.com>

Uh, yeah - it was. That and \$200 I had to pay to the court. So you'll get your money when I get paid again.

On Tuesday, October 2, 2012, Richard Riess wrote:
Desiree:

On September 9, 2012 you sent me an email stating that you would provide the funds I was requesting for some of G [REDACTED]'s expenses. In that same email you requested that I "make sure G [REDACTED] understands that this is the reason he will not get birthday gifts from me". However, you did actually get G [REDACTED] some birthday presents but I've not received a check from you for the expenses you stated that you would contribute to. May you please inform me of the status of those contributions? I shall infer from your actions that you consider toys, Microsoft points, and iTunes gift cards a higher priority than school clothes, haircuts, food, and transportation?

Thank you,
Richard

Subject: Re: G [REDACTED]'s school expenses
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Sun, 21 Oct 2012 22:29:05 -0700
To: Richard Riess <richardriess@gmail.com>

I will send you your money out of my next paycheck. Since you not he will communicate with me beyond telling me how much money to give you can you please let me know how my child is doing?

On Sunday, October 21, 2012, Richard Riess wrote:
Desiree:

I had to get Gabriel a biography book on George Washington (his choice) for his English class. The cost of the book was \$20.26 (I will provide the receipt, if needed). You can also confirm the requirement on TeacherWeb.

I also had to get his bus pass for the next 30 days, at a cost of \$24.

I request that you contribute at least half of the cost of these expenses, or at least \$23.

Thank you,
Richard

Exhibit 18

Subject: Re: G [REDACTED]'s school
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Tue, 12 Jun 2012 18:57:44 -0700
To: Richard Riess <richardriess@gmail.com>

Is this a private school? Is it fully accredited? What is the course schedule like? What part of town is it in? Is it a full school year or if not, do they follow standard school schedules? Will any of the dates for his time here change? What expenses, additional or normal will there be and how are we going to handle it? How badly does G [REDACTED] want to go to this school and why?

I know there is a lot to discuss regarding a decision like that, but normally I have to go through paragraphs of insults on how "white trash" I am before you get to anything relevant and I personally don't want to read that. So normally I don't get through all of your emails. Maybe we should implement some kind of key word that suggests there is an important event that requires communication immediately so that I give it prompt attention. Not to say that any situation involving G [REDACTED] is not important but there are varying degrees of urgency and I have no idea how to determine that. I have yet to be approached civilly by you as an equal party to a situation where I am given either input or consideration. For the most part you simply tell me what you are doing and what I need to do about it and threaten court judgement if I don't comply or agree.

I am in no way going to stop G [REDACTED] from attending a school he likes but his desire is not the only consideration that needs to be taken into account.

What if I say I have no objection and come to find out its 60k a year and you told them I'm paying it. I just agreed to that without knowing and I refuse to put myself in that situation.

On Tuesday, June 12, 2012, Richard Riess wrote:
Desiree:

On June 5, 2012 I sent you an email informing you that G [REDACTED] had "accepted" into the SAS program at Dodson. At that time I also let you know that we had to go to Dodson on June 20, 2012 to enroll him. I'm sorry if I was not very clear on that (I'm not being sarcastic) but I thought the June 20th enrollment made it pretty clear that he was not already enrolled. Being "accepted" means that he applied for; met the requirements; and the administrator of the SAS program approved his application based on his CST scores and academic history. It does not mean that he is already enrolled. If I said anything that gave you the impression that he was already enrolled or that I proceeded without consulting you then I'm not seeing. And if an apology is warranted, on my part, then I apologize.

I'm also sorry that you believe that I made the decision and carried it through entirely on my own (i.e. without your involvement). On June 5 at 2:52pm I sent you a lengthy email on this matter, wherein I stated "If you DO have an objection to G [REDACTED] attending the SAS program at

Dodson then this would be the time to state it." Perhaps I was not clear but I thought that was my request for your input on the matter. The decision has not yet been carried through because G [REDACTED] still needs to be enrolled on June 20.

The reason I am bothering to ask you now is that I asked you a week ago but received no response. This is my second attempt to determine if you have any objections. If you do then please present them so we can address them.

Desiree, I'm a little troubled that you would say that you had no say in the matter.

If you do not wish to provide any input that's fine. I can accept your silence as implied consent.

Richard

On Tue, 2012-06-12 at 17:42 -0700, Desiree Capuano wrote:

> I had no say in the decision making process and I know nothing about
> it. You made the decision and carried it through entirely on you own
> and simply handed me the terms I know have to abide by. Why are you
> bothering to ask me now?

>

> On Tuesday, June 12, 2012, Richard Riess wrote:

> Desiree:

>

> Good afternoon. It's been a week since our last
> correspondence on this

> topic and I've not heard back from you regarding any
> objections to

> G [REDACTED] attending the SAS at Dodson. I shall take that to
> mean, then,

> that you have no objections and you agree with G [REDACTED]
> attending the SAS

> at Dodson. If I am incorrect please inform me so that we may
> address

> any concerns or objections you may have.

>

> Thank you,

> Richard

>

>

> On Tue, 2012-06-05 at 11:11 -0700, Desiree Capuano wrote:

> > Congratulations. However, schooling is one of the topics we
> as

> > parents need to discuss and I was not included in any of
> this

> > decision. I will not be changing any of the court ordered
> time with
> > G [REDACTED] to accomodate some last minute change you have
> made. He will
> > come out the Friday after school ends and he will be
> returned the
> > Friday before school starts as it states in the custody
> agreement.
> >
> >
> > This is for informational purposes so please don't respond.
> >
> > On Tuesday, June 5, 2012, Richard Riess wrote:
> > Desiree:
> >
> > G [REDACTED] has been accepted to the SAS at Dodson. He
> must
> > attend the
> > school on June 20, 2012 for enrollment. He must
> attend the
> > school on
> > August 8, 2012 for orientation. Classes begin on
> August 14,
> > 2012.
> >
> > Note: This message is strictly informational.
> Please do not
> > reply to
> > it. Thank you.
> >
> >
> > Richard
> >
> >
> >
> >

Exhibit 19

Subject: Re: G [REDACTED]'s graduation/culmination ceremony
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Tue, 12 Jun 2012 17:43:35 -0700
To: Richard Riess <richardriess@gmail.com>

A little more communication with a little more advanced notice would be helpful here. I can't take time off with that short notice...

On Tuesday, June 12, 2012, Richard Riess wrote:
Desiree:

Do you know if you will be present for G [REDACTED]'s culmination ceremony next week? If so, it would be good if you could attend the enrollment at Dodson on the 20th. That would give you the opportunity to check out the school and the neighborhood, and possibly to speak with some of the staff at the school about the program and the school.

Please advise.

Thank you,
Richard

Exhibit 20

Subject: G [REDACTED]'s school supplies
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Sun, 9 Sep 2012 06:57:41 -0700
To: Richard Riess <richardriess@gmail.com>

Your attempt to belittle me is laughable, as your opinion of me couldn't mean less. I can't read past the first sentence of your ridiculously long winded emails without having an urge to throw up. Clearly we cannot find a common ground upon which to communicate affectively, so perhaps it is time to stop trying. Your opinion of me is formed on projections from your subconscious and I wouldn't waste one second attempting to change your mind, because it wouldn't have one bit of benefit for me to do so. How dillusional can a person such as yourself, truely a miserable joke of a human with no redeemable qualities to speak of, possess the ego you do? You actually believe the lies which have become your life. (rhetorical, no need to respond) That is such a sad existence. Please don't begin another novel of a responce as I won't read it; you need to spend a bit of that time searching for the truth of why you hate yourself so much. Only someone who hates themselves would benefit from trying to make others do likewise.

Subject: Enough

From: Desiree Capuano <desiree.capuano@gmail.com>

Date: Sun, 9 Sep 2012 17:53:38 -0700

To: Richard Riess <richardriess@gmail.com>

Once again you overstep your boundaries with my future wife, and unlike you, my marriage to her will actually be legitimate. Are you really this transparent, or is it just the safety of emails that cause you to expose too much of yourself? You still that pathetic kid that bullies a girl because he a) likes her. b) is rejected by her. I really don't care what your motivation is, but you've now lost that privilege. We have had enough of your belittling and bullying, dude you'll never get her back, and you cannot hurt her anymore because she's not 18 and weak, which is your target group apparently. You basically a child molester in my eyes, you prey on weak or vulnerable girls and then torture them with your insufferable head games. I will reiterate for you, as you seem obtuse as to my role within my family; I protect and defend the ones I love and you are an obnoxious fuck that has insulted the person I love most too many times. God, you really should go back to male prostitution, cause you could never have a relationship with a woman. At least not one with any sense of dignity or self respect.. Hell that's the first thing you attempt to deprive your victims of isn't it you coward? You got a response, be a man and say it to someones face. Otherwise shut the fuck up and restrict your communication to .. How bout just end it.. You won't change and this has gone on too long. But for sure send that documentation on your citizenship.

Subject: Re: Kristopher's shoplifting charge
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Mon, 10 Sep 2012 17:30:32 -0700
To: Richard Riess <richardriess@gmail.com>

How many times am I going to have to tell you to stop antagonizing Desiree? I wasn't shoplifting if you must know, I had left 2 items on the bottom of a cart and didn't see them after I had purchased the rest of the items. I don't give a fuck of you believe me or not, you're a coward ass bully and youre pushing it buddy. Keep running your mouth, one day it will catch up to you. Take that however you want. It's pretty sad that your own father hates you and has disowned you. After all my past problems my family stood by my side and remained supportive; I wonder what you did that was so dispicable your family wants nothing to do with you. Desiree has asked me to not respond to your childish attacks, but I'm afraid you have become too intrusive on my family to not step in. You are not to email Desiree again, please don't doubt how serious I am. Morgan Roth or whatever name you're going by this week, no name can change the person it represents. Great example youre setting for your son, even he knows how fake you are, him more than anyone

On Monday, September 10, 2012, Richard Riess wrote:
I'm sorry. How is that funny?

On Mon, 2012-09-10 at 16:00 -0700, Desiree Capuano wrote:

> Ha! You're funny.

>

> On Sunday, September 9, 2012, Richard Riess wrote:

> Desiree:

>

> I wonder if you wouldn't mind telling me just what it was that
> Kristopher got caught shoplifting, anyway. I'm just curious
> what a 37

> year old man desires so badly that he feels the need to
> shoplift it (you

> have to admin, shoplifting is a pretty trashy type of crime to
> commit).

> Do you remember how you used to insist to me, the court, and
> the

> mediator that he was not that kind of person any more and he
> paid his
> debt to society?

>

> If you cannot handle your own communication then just don't.

> It's

> juvenile to have your boyfriend send emails on your behalf
> when you

> realize you've fucked up again. Why do you always rely on men
> to bail

> you out?

Subject: Re: Kristopher's shoplifting charge
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Tue, 11 Sep 2012 11:47:41 -0700
To: Richard Riess <richardriess@gmail.com>

I am not your wife. I don't even know who you are. You are also not "communicating" with me. You are badgering, harassing, insulting, and threatening me.

Good try. Your days in this country are numbered buddy - so enjoy America while you can.

Good day.

On Monday, September 10, 2012, Richard Riess wrote:

That's fine. You go right ahead and file your harassment claim. When they ask how I am harassing you you can say that I am trying to communicate with my wife/mother of my child/your girlfriend about family court matters and you initiated contact with me by sending me an offensive and abusive email...wait...that's not harassment (especially since you were the one that emailed ME with profanities and insults). I suppose you can also tell them that the family court judge here clearly told Desiree to keep her boyfriend out of these matters...wait...that doesn't really help you either. How, exactly, am I harassing you? If anything it seems YOU'RE the one harassing ME. But I would not bother with filing a harassment claim because I can just choose to ignore your emails.

Regarding the MCAO, nothing that they've told me is not public record, available through their web site. My motivation is to ensure the safety and security of my child. There has been no intrusion. I've not committed any crime so there would be no basis for arrest. ICE has already resolved the deportation and unlawful detention issues to both their and my satisfaction.

I do not wish to play any game. If you don't want people poking around in your affairs then don't shack up with a woman that has as much baggage and drama as Desiree has. And don't take my son with you when you go to WalMart to pass counterfeit bills.

Good day to you.

On Mon, 2012-09-10 at 17:58 -0700, Desiree Capuano wrote:

- > I've asked you to stay out of my business, now you can respond to a
- > harassment order I intend on filing. I will also contact the mcao and
- > inform them of your motivation and subsequent order to cease your
- > intrusion, violation of that will cause your arrest and dare I say,
- > deportation? If that's the game you wish to play so be it
- >

Subject: Re: Another Update
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Fri, 5 Oct 2012 10:01:06 -0700
To: Richard Riess <richardriess@gmail.com>

You are no better than a dirty Mexican.

On Friday, October 5, 2012, Richard Riess wrote:

Which name would that be? And why would the name I use be relevant to anything work related, as long as I use the right tax ID number.

Richard

On Fri, 2012-10-05 at 09:53 -0700, Desiree Capuano wrote:

> Well hey - then you could actually work under you're real name, what a
> concept
>
>

> On Fri, 2012-10-05 at 09:15 -0700, Desiree Capuano wrote:
> > You keep laughing buddy. I'm not going anywhere...you will
> be joining
> > him though. And then I'll be laughing at both of you.
> Watch yourself
> > - the Feds are on your doorstep.
> >
> > On Friday, October 5, 2012, Richard Riess wrote:
> > Desiree:
> >
> > Good morning. I just watched the KTVK video about
> > Kristopher. Wow.
> > That's pretty impressive that they showed the front
> of your
> > house on TV
> > and everything.

Exhibit 21

Subject: Re: G [REDACTED]'s school expenses
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Sun, 21 Oct 2012 22:29:05 -0700
To: Richard Riess <richardriess@gmail.com>

I will send you your money out of my next paycheck. Since you not he will communicate with me beyond telling me how much money to give you can you please let me know how my child is doing?

On Sunday, October 21, 2012, Richard Riess wrote:
Desiree:

I had to get G [REDACTED] a biography book on George Washington (his choice) for his English class. The cost of the book was \$20.26 (I will provide the receipt, if needed). You can also confirm the requirement on TeacherWeb.

I also had to get his bus pass for the next 30 days, at a cost of \$24.

I request that you contribute at least half of the cost of these expenses, or at least \$23.

Thank you,
Richard

Exhibit 22

Subject: Fwd: Happy birthday
From: G [REDACTED] Riess <g [REDACTED]@gmail.com>
Date: Sat, 29 Sep 2012 13:39:44 -0700
To: richardriess@gmail.com

Begin forwarded message:

From: Desiree Capuano <desiree.capuano@gmail.com>
Date: September 29, 2012, 1:17:48 PM PDT
To: G [REDACTED] Riess <g [REDACTED]@gmail.com>
Subject: Happy birthday

Hello Son,

I know you got the birthday package, I checked the tracking information. I hope you liked everything. They didn't have the assassins creed action figure - believe me, I looked. I hope you know that the only reason your phone shut off was because of money and in no way was because of any emotions. I planned on having it turned back on with my next paycheck. I hear you're father got you a phone instead and I guess that makes more sense as you would have a local number. I want you to know that I love you very much and you will be here for winter break, which I am very excited for. I will not call you however as I am not going to call the house phone, you're father hasn't given me your number, and it is of no interest for you to speak to me while you are there. I also have no wish to put you in the middle of things with your father any more than necessary. That does not mean for one second that I am not thinking of you and missing you or that I don't love you so very much. I know this is hard and I'm sorry baby. I love you and I hope you had a wonderful birthday.

| | | | |
|--|--|--------------------------------------|---------------------------------|
| NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNEY: Richard Riess 406 1/2 E. Lincoln St. Carson, CA 90745 | | STATE BAR NUMBER | Reserved for Clerk's File Stamp |
| ATTORNEY FOR (NAME): Richard Riess | | | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES | | | |
| COURT HOUSE ADDRESS: 200 W. Compton Blvd., Compton, CA 90220 | | | |
| PETITIONER / PLAINTIFF: Richard Riess | | | |
| RESPONDENT / DEFENDANT: Desiree Capuano | | | |
| CHILD'S NAME: (If more than one child, please attach list) G. Riess | | CHILD'S DATE OF BIRTH: 09/27/2000 | CASE NUMBER: TD035397 |
| DECLARATION OF EX PARTE NOTICE (Temporary Restraining Order) | | | RELATED CASES (IF ANY): |

I, Richard Riess, declare that:
(PRINT NAME)

1) I informed the other party in this action that I would be seeking a temporary restraining order as follows:

Person informed: Desiree Capuano Date and time informed: 11-26-12 12:03pm

How informed: ☒ By telephone to the party
☐ By telephone to the attorney
☐ By personally informing: _____
☒ Other: by email to the party (see attached)

I informed the person listed above that I would be seeking a temporary restraining order in Dept. M of the Superior Court located at 200 W. Compton Blvd, Compton, CA on 11-28-12, 20012 at 8:30 a.m.

2) I told him/her the orders requested included, but were not limited to the following:

- ☐ That he/she not annoy, attack, molest, strike, batter, harass, assault, contact or disturb the peace of Petitioner/Respondent.
- ☐ That he/she stay 100 yards away from Petitioner/Respondent and Petitioner's/Respondent's home.
- ☐ That he/she be ordered to immediately move out of Petitioner's/Respondent's house.
- ☐ That Petitioner/Respondent have custody of the minor children.
- ☒ That he/she have no visitation with the children pending hearing.
- ☒ Other: I be permitted to relocate with child to Canada.

3) I informed the Petitioner/Respondent that he/she should appear at the above time and place if he/she wished to be heard by the court.

I declare the foregoing is true and correct under penalty of perjury under the laws of the State of California.

Date: 11-27-12

[Signature]
Signature of Declarant

Subject: Re: Schedule for ex parte hearing
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Sun, 18 Nov 2012 12:34:54 -0700
To: Richard Riess <richardriess@gmail.com>

Well, it's all about you. Do whatever...I'll live.

On Saturday, November 17, 2012, Richard Riess wrote:

I'm sorry, but as you see from the offer letter they would like me to start on the 26th. So I don't think I can push it back much more than that - I was thinking maybe a day or two, if necessary.

Richard

On 11/17/12 8:48 PM, Desiree Capuano wrote:

I will not be able to attend Monday the 26th. Please chose a date further out to allow time to make arrangements. I will either need to set up a court call appearance or travel once again out of state.

Neither option is available until I get paid next.

On Saturday, November 17, 2012, Richard Riess wrote:

Desiree:

Please let me know what would be convenient for you to attend an ex parte hearing regarding my request to bring G [REDACTED] to Canada. This week will probably not be good for the Court due to the holiday so I'm thinking Monday, November 26, 2012. If I don't receive a response from you then I'll assume that time is acceptable and I'll consider this the notice I'm required to provide at least 24 hours prior to the hearing (in other words, I'm providing you 8 days notice). I'll also leave you a voice message to the same effect.

I'll forward you a copy of the forms and my declaration within the next couple of days.

Richard

Subject: Ex parte hearing schedule

From: Richard Riess <richardriess@gmail.com>

Date: Sun, 25 Nov 2012 15:56:54 -0800

To: Desiree Capuano <desiree.capuano@gmail.com>

Desiree:

Much to my disappointment, I have to postpone the ex parte hearing for a couple of days due to the size of the documents that I need to print/copy. Therefore, we will not be able to do it on November 26, 2012 as originally intended. I have to wait for Liz to be able to print/copy everything then I will provide you the required 24 hour notice. I will also contact SOTI and see if I can postpone the start date a bit more so that we may be able to have the hearing Friday - so that you can appear for it.

Richard

Subject: Ex parte hearing

From: Richard Riess <richardriess@gmail.com>

Date: Mon, 26 Nov 2012 12:01:20 -0800

To: Desiree Capuano <desiree.capuano@gmail.com>

Desiree:

I just heard from Liz and all the forms/declarations are ready so I can proceed with the ex parte hearing.

Therefore, this serves as my 24 hour notice that the hearing will be Wednesday, November 28, 2012, at the Compton Courthouse, 12th Floor at 8:30am.

Thank you,
Richard

Subject: Ex parte hearing

From: Richard Riess <richardriess@gmail.com>

Date: Mon, 26 Nov 2012 12:03:28 -0800

To: Desiree Capuano <desiree.capuano@gmail.com>

Desiree:

I forgot to mention: the hearing on 11/28/12 will be for my request to relocate to Canada, as well as my request to suspend visitation until the evaluation on March 20, 2013.

You should have a copy of all (excluding the latest police reports) of the documents and I will send you a hard copy today.

Thank you,
Richard