

EXHIBIT 13

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FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2013 DEC -5 PM 12:13

BETTY J. GOULD, CLERK

☐ Expedite
☐ Hearing is set:
Date:
Time:
Judge/Calendar:
☐ No hearing is set.

SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON
FAMILY AND JUVENILE COURT

In re the Marriage of:

LISA MARIE DRACOBLY,

Petitioner,

and

JASON FREDRICK DRACOBLY,

Respondent.

NO. 13-3-00742-9

TEMPORARY ORDER
(TMO)

I. Money Judgment Summary

Does not apply.

II. Basis

A motion for a temporary order was presented to this Court and the Court finds reasonable cause to issue the order.

III. Order

It is Ordered:

3.1 Restraining Order

The prior temporary restraining order restraining JASON DRACOBLY dated October 10, 2013 remains in full force and effect.

1 **3.2 Temporary Relief**

2 Other:

3 Father's residential time shall be unmonitored from 10:00 a.m. to 6:00 p.m. every Sunday,
4 unless otherwise agreed.

5 The Court finds that the record does not support the findings of the domestic violence
6 assessment completed by Dr. Hawkins and the father shall submit to a state certified domestic
7 violence assessment that includes collateral contact with the mother with a provider from
8 Thurston County Superior Court's approved list.

9 The father may attend Danny's extracurricular activities provided he gives notice to mom in
10 advance via text that he will be attending.

11 Danny may initiate seeing his dad for a mid week visit. This contact should only be initiated
12 by Danny and not proposed by father. Dr. Wagaman should inform Danny that he is able to
13 contact his dad for this visit and that his dad should not be initiating this contact.

14 The mother shall pay for Ryan's cell phone and insurance each month. The mother shall
15 make the payment directly to the company.

16 The Court denies the motion to appoint a guardian ad litem based upon Danny's age.

17 Danny shall remain in regular therapy with Dr. Wagaman.

18 The father shall have residential time with Danny for 8 hours on either 12/24, 12/25, or 12/26.

19 All prior orders remain in full force and effect.

20 **3.3 Bond or Security**


21 Does not apply.

22 **3.4 Other**

23 Does not apply.

24 Dated: _____

12-5-13


Judge Commissioner B. Barnes

1 Presented by:

2 MADISON LAW FIRM, PLLC

Respondent's attorney:

A signature below is actual notice of this order
This order is approved for entry and notice of
presentation waived:

3
4 Amy L. Perlman 42929 12-4-13
5 Amy L. Perlman Date
6 Attorney for Petitioner

See attached
Jeanette Boothe Date
Attorney for Respondent

7 Lisa Dracobly, Petitioner

Jason Dracobly, Respondent

1 Presented by:

2 MADISON LAW FIRM, PLLC

Respondent's attorney:

A signature below is actual notice of this order
This order is approved for entry and notice of
presentation waived:

4 42929

5 Amy L. Perlman
6 Attorney for Petitioner

Date

Jeanette W. Boothe
Jeanette Boothe 15687

Attorney for Respondent

Date 12-4-13

7 Lisa Dracobly, Petitioner

Jeanette W. Boothe
for Jason Dracobly, Respondent

(telephonically
approval)

- ☐ EXPEDITE
☐ No hearing set
☐ Hearing is set

Date: _____

Time: _____

Judge/Calendar: _____

**SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON
FAMILY AND JUVENILE COURT**

In re the Marriage of:

LISA MARIE DRACOBLY,
Petitioner,

and

JASON FREDRICK DRACOBLY,
Respondent

NO. 13-3-00742-9

EMAIL TRANSMISSION
DECLARATION

I, Amy L. Perlman, do hereby declare and state as follows:

I have examined the attached e-mail transmitted Temporary Order that it consists of 5 pages including this declaration and that it is a complete and legible electronically transmitted original signed by attorney Jeanette Boothe.

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

Executed this 4th day of December, 2013 at Olympia, Washington.

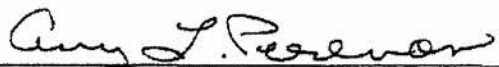

Amy L. Perlman

EXHIBIT 14

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FILED
SUPERIOR COURT
THURSTON COUNTY, WA
2014 MAR 14 AM 8:14
BETTY J. GOULD, CLERK

**Superior Court of Washington
County of Thurston**

IN RE the Marriage of:

LISA MARIE DRACOBLY,

Petitioner,

And

JASON FREDRICK DRACOBLY,

Respondent.

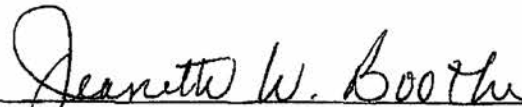
NO: 13-3-00742-9

**MOTION AND DECLARATION
FOR ORDER VACATING
REQUIREMENT FOR SECOND DV
ASSESSMENT**

COMES NOW the Respondent, JASON FREDRICK DRACOBLY, and moves the court for an Order vacating the court's requirement for a second Domestic Violence evaluation as ordered on the 5th day of December, 2013.

THIS MOTION is based on the files and records herein and upon the declaration of the Respondent filed subsequently herein.

DATED: 03/14/2014


JEANETTE W. BOOTHE, WSBA#: 15687
Attorney for Respondent

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DECLARATION OF RESPONDENT

I, JASON FREDRICK DRACOBLY, hereby declare as follows:

I am the Respondent herein and I am making this declaration in support of my motion to vacate the court's requirement for me to participate in a second domestic violence assessment.

On the 21st day of November 2013, the Petitioner demanded that I undergo a second Domestic Violence evaluation by someone from the list of approved evaluators in Thurston County. This order came as a result of my request for extended overnight visitation with our minor child.

I did complete a domestic violence assessment with Dr. David L. Hawkins, who is state-certified, but Doctor Hawkins certification had lapsed on the day I had my assessment, which was unknown to him at the time. His certification was immediately reinstated when he learned that his certification had lapsed because of non-payment of fees. His work should not be negated because of the clerical error in his office to submit his documents and payment to the State of Washington.

Although the Petitioner originally requested that I utilize a provider from the list of evaluators approved by the Thurston County Court, counsel for both parties agreed to use Dr. Hawkins, who is also certified for the State of Washington. When we appeared in Court on June 25, 2013, the Court entered an order which required me to submit to a domestic violence assessment. The order stated in Paragraph 3.2, Other:

"The Respondent shall submit to a domestic violence assessment with a state certified provider agreed upon by the parties that includes collateral contact with petitioner. Respondent shall provide a copy of his completed assessment to petition or petitioner's lawyer and shall file a copy with this court. Respondent shall follow all recommendations of such an assessment.

1 and clarified additionally under Paragraph 3.4 Other:

2 Father's residential time shall be supervised by an agreed upon third party. May be
3 reviewed after completion of DV assessment.

4 *Appointment of GAL reserved.

5 Parties agree to seek input of Dr. Wagaman re: residential plan.

6 Parties through counsel may submit written questions or issues to Dr. Wagaman.

7 Both parties shall authorize release of information from Brian Kennedy to Dr. David
8 Hawkins. (emphasis added.) (See order attached as Exhibit "A")

9 It was agreed between the Court, counsel and the parties that I could use Dr. David
10 Hawkins for my DV assessment. I attended all the recommended sessions and paid over
11 \$1,200.00 for this assessment. The Petitioner had collateral contact with Dr. Hawkins, and
12 therefore, every opportunity to tell him her side of the story, provide any evidence she had to
13 convince him of her beliefs. (See Exhibit "B" attached.) Just because the Petitioner didn't get
14 the results she wanted, she now objects to Dr. Hawkins and demands that I complete another DV
15 assessment. The court ordered me to undergo another DV assessment on December 5, 2014
16 because I was seeking substantial residential time with our child. I believe the Petitioner is
17 merely doing everything she can to frustrate this situation and keep me away from our child.
18 (See Exhibit "C" attached.) She is getting her wish. I have voluntarily agreed not to seek any
19 over-night residential time with our son in an effort to relieve some of the stress I believe Danny
20 was experiencing because of the struggle for residential placement or visitation with him
21 between his parents. I believe the Petitioner's obvious efforts to thwart my contact with our
22 child have been damaging to my relationship with Danny. I am not seeking extended residential
23 time with our 17-year old son. He will be eighteen in January of 2015. Therefore, I believe the
24 second DV assessment is not necessary to assist us in the distribution of our community assets
25 and liabilities which is the only remaining issue in our dissolution.

1 I am, therefore, respectfully requesting that the court's order be vacated and that I not be
2 required to undergo another assessment.

3 I do believe the Petitioner is seeking to cause me as much harm as possible. She has now
4 submitted her most recent request for Public Records Disclosure to my employer, a fishing
5 expedition to find some evidence of any incident she could then turn into proof of her claims that
6 I am abusive. (See Exhibit "D" attached.) I continue to deny that I have ever done anything that
7 would be considered harmful or abusive to her or anyone else. However, her actions are
8 beginning to border on harassment. I believe she will continue to push this issue until she finds
9 something that she believes she can use to convince the court I have domestic violence
10 tendencies, and if she succeeds, I will lose my job and my ability to provide any child support for
11 our son and/or be able to sustain myself. I believe she will not be happy until I am homeless,
12 jobless and unable to better my situation. The longer she can pro-long this process for her
13 financial gain, she will continue to do so since I am paying the majority of the community debt
14 as well as doing everything I can to help our children. Danny has been given the opportunity to
15 travel to Peru this summer, and I have agreed to contribute my share of our 2013 tax refund to
16 Lisa so she can pay for Danny's trip. I do not know what I did that makes her so angry, but I am
17 not, nor have I ever been guilty of domestic violence against her or anyone else.

18
19 I am, therefore respectfully asking that the court vacate its requirement that I undergo a
20 second domestic violence evaluation and allow me to focus on finalizing our dissolution through
21 mediation or trial if the Petitioner and I cannot reach an agreement as to distribution of our
22 property and liabilities. The issues of the parenting plan and child support have been decided in
23 that I am not requesting any time with our son while he resides in his mother's home. Our son
24
25

1 has the ability to contact me at his choosing. The only remaining issues are property and debt
2 division, which have nothing to do with her claims of domestic violence.

3 I declare under penalty of perjury under the laws of the State of Washington that the
4 foregoing statements are true and correct to the best of my knowledge.

5 Signed at Shelton, Washington on the 13 day of March, 2014.

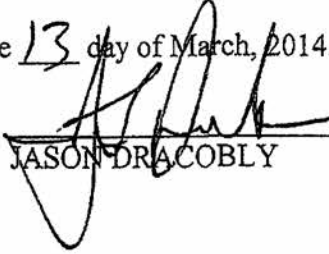
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8 JASON DRACOBLY
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EXHIBIT "A"

- 3
- ☐ EXPEDITE
☐ No hearing set
☐ Hearing is set

Date: _____
Time: _____
Judge/Calendar: _____

FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2013 JUN 25 AM 11:24

BETTY J. GOULD, CLERK

SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON
FAMILY AND JUVENILE COURT

In re the Marriage of:

LISA MARIE DRACOBLY,

Petitioner,

and

JASON FREDRICK DRACOBLY,

Respondent.

No. 13-3-00742-9

Temporary Order
(TMO)

Clerk's Action Required

Law Enforcement Notification, ¶
3.1

I. Money Judgment Summary

Does not apply.

II. Basis

A motion for a temporary order was presented to this court and the court finds reasonable cause to issue the order.

III. Order

It is Ordered:

3.1 Restraining Order

The prior temporary restraining order restraining Jason Dracobly dated 05/29/13 remains in full force and effect.

3.2 Temporary Relief

Child support shall be paid in accordance with the order of child support, signed by the court.

~~The parties shall comply with the Temporary Parenting Plan signed by the court.~~ (APB)

The petitioner and respondent are restrained and enjoined from transferring, removing, encumbering, concealing or in any way disposing of any property except in the usual course of business or for the necessities of life and requiring each party to notify the other of any extraordinary expenditures made after the order is issued.

The respondent is restrained and enjoined from removing any of the children from the State of Washington.

The petitioner and respondent are restrained and enjoined from assigning, transferring, borrowing, lapsing, surrendering or changing entitlement of any insurance policies of either or both parties whether medical, health, life or auto insurance.

The respondent shall surrender any deadly weapon in his or her immediate possession pursuant to the Order to Surrender Weapon entered by this Court on 05/29/13. *The Respondent may possess duty weapons while on duty.* (APB)

Each party shall be immediately responsible for their own future debts whether incurred by credit card or loan, security interest or mortgage.

Responsibility for the debts of the parties is divided as follows:

Petitioner shall pay the mortgage on the family home and at least the minimum monthly payment on any credit cards in her possession.

Respondent shall pay the auto insurance, cell phones, utilities on family home (gas, cable, electricity, water, sewer, garbage) and at least the minimum monthly payment on any credit cards in ~~her~~ ^{his} possession.

The family home shall be occupied by the petitioner.

Use of property shall be as follows:

Petitioner shall have use of the 2005 Honda Accord

Respondent shall have use of the 1999 Expedition

The respondent shall vacate the family home. You have a right to keep your residential address confidential.

Other:

Respondent shall submit to a domestic violence assessment with a state certified provider agreed upon by the parties that includes collateral contact with petitioner.

Respondent shall provide a copy of his completed assessment to petitioner or

FVS PUBLIC

petitioner's lawyer and shall file a copy with this court. Respondent shall follow all recommendations of such an assessment.

3.3 Bond or Security

Does not apply.

3.4 Other: *Father's residential time shall be supervised by an agreed upon third party, may be reviewed after completion of DV assessment. Neither parent shall ask child to make decisions about ~~his~~ residential time with either parent.*

~~Provide petitioner with the password to the parties' joint email.~~

Provide petitioner with the name of the mortgage company and the account number;

Stop accessing the voicemail on the home phone;

~~Provide the petitioner with the password to the Comcast account so she may access the voicemail and have voicemail sent to petitioner's email and shall not access voicemail. Petitioner's email is 1/sadracobly@gmail.com~~

Provide the petitioner with the password to the Verizon account so she is able to keep an eye on Danny cell phone use.

* Below

Dated:

4/25/13

Judge/Commissioner

JONATHON LACK

Petitioner or petitioner's attorney:
A signature below is actual notice of this order.
Presented by:

Respondent or respondent's attorney:
A signature below is actual notice of this order

Approved for Entry:
Notice for presentation waived:

Amy L. Perlman 42929 6-25-2013
Amy L. Perlman Date
Attorney for Petitioner

Jeanette Boothe 5687 6-25-13
Jeanette Boothe Date
Attorney for Respondent

Lisa Dracobly
LISA DRACOBLY, PETITIONER

* Appointment of GAL reserved.
Parties agree to seek input of Dr. Wagaman re: residential plant.
Parents through counsel may submit written questions or issues to Dr. Wagaman.

Both parties shall authorize release of information from Brian Kennedy to Dr. David Hawkins.
Temp Order (TMO/TMRO) - Page 3 of 3
WPF DR 04.0250 Mandatory (6/2012) - RCW 26.09.060; .110; .120; .194; .30

Madison Law Firm, PLLC
2102 Carriage Drive SW
Ste. A-103
Olympia, WA 98509
Phone 360.539.4682
Fax 360.915.9236

EXHIBIT "B"

**Superior Court of Washington
County of**

In re:

Lisa Marie Dracobly

Petitioner(s),

and

Jason Fredrick Dracobly

Respondent(s).

No. 13-3-00742-9

**Declaration of
Dr. David Hawkins, PhD**

This declaration is made by:

Name: Dr. David Hawkins, PhD

Age: 62

I Declare:

My name is Dr. David Hawkins and I have conducted a professional Domestic Violence Evaluation on Mr. Jason Dracobly. I am professionally capable to perform such an evaluation and offer this expert opinion in the State of Washington. I have conducted thousands of forensic evaluations during the past thirty years. Not only am I a Certified Domestic Violence Treatment Provider, but am a Certified Sexual Offender Treatment Provider, Board Certified Forensic Examiner and Licensed Clinical Psychologist. I have written professionally on the topic of domestic violence, have taught graduate level students on the topic as well as testifying in many counties in countless cases on the topic. I have also counseled with countless victims of domestic violence. My 3 page Curriculum Vita is attached for your reference.

I have evaluated Mr. Jason Dracobly between the dates of 6-21-2013 and 7-2-2013 and interviewed the alleged victim. I spoke with references provided by Mr. Dracobly and reviewed documents such as the psychologist working with Daniel Dracobly. I have also reviewed the truthful polygraph that indicated Mr. Dracobly was being honest with this evaluator. I conducted testing of Mr. Dracobly that is generally accepted by others in this profession. It is my opinion that Mr. Dracobly *did not* meet the criteria generally accepted to be considered a domestic violence perpetrator. I *did* recommend ten sessions to ensure that Mr. Dracobly develops anger management strategies.

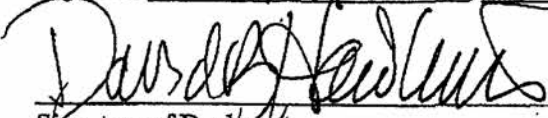
I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at

Snetton, WA

on

10/9/2013


Signature of Declarant

David B. Hawkins, PhD
Print or Type Name

CURRICULUM VITA

DAVID B. HAWKINS, ACSW, PhD
1520 Commerce Ave Suite A
Longview, WA 98632
(360) 425-3854

FIELD OF INTEREST

To work in the field of mental health as a Clinical Psychologist, as well as facilitating through writing, speaking, and expert witness, the reduction of domestic violence, child abuse, and other forms of victimization.

WORK EXPERIENCE

January 1981 -- Present

Private Practice:

I am the Clinical Director of Pacific Psychological Associates, a consortium of private practitioners. My specialties include individual, marital, family and group therapy, depression, addictions, co-dependency, and blended family issues. I am also a Certified Sex Offender Treatment Provider, and my agency offers court approved sexual offender evaluations and treatment. I am a State Certified Domestic Violence Treatment Provider, as well as a Board Certified Forensic Examiner. We specialize in Child Custody Evaluations, mediation services, Parenting and Psychological Evaluations, Anger Management and Domestic Violence Treatment; as well as services for children, individuals, couples and families.

November 1986 -- November 1987

Post Doctorate Residency

For this year I worked under the supervision of Dr. Dean V. Harris developing a specialty in working with sexual offenders and victims. Emphasis was also placed on psychological evaluations and testing.

June 1976 -- 1981

Lower Columbia Mental Health Center

Duties at this agency included Adult Day Treatment Therapist, Geriatric Specialist, Adult Individual, Marital, Family and Group Therapist, Children's Therapist, Inservice Director, Consultation and Education Director, Acting Director of the Agency.

June 1974 -- June 1976

Providence Hospital, Inpatient Unit -- Supervisor, Jean Blankenship, RN

Duties included primary psychotherapy for a variety of patients in a milieu therapy setting.

June 1974 -- June 1975

Providence Hospital, Outpatient Program -- Supervisor, William Krueger, MSW

Duties included volunteer co-therapist in a myriad of outpatient psychotherapy groups.

EDUCATIONAL BACKGROUND

1981 -- 1986 George Fox University, MA, PhD
1974 -- 1976 Portland State University, MSW
1970 -- 1974 Western Washington University, BA
Chancellor University, Jack Welch Management Institute,
Master's in Business Administration (expected 2012)

INTERNSHIPS

June 1984 – May, 1986

David DeVidal, PhD, Commerce Plaza, Suite 206, Longview, WA

Duties included individual, marital, family and group therapy. I also did psychological testing and evaluations.

1984 – 1986

Kenneth King, MD, 900 Fir, Suite 2P, Longview, WA

Duties included special emphasis on child therapy and evaluations and family evaluations.

1975 – 1976

Veterans Hospital, Psychiatric Inpatient and Outpatient Program

Duties included being primary therapist for a psychiatric population on an inpatient and outpatient unit.

1974 – 1975

Whitaker Junior High School

Duties included being primary school social worker, working with troubled youth in individual and group therapy.

HONORS

Western Washington University

Deans Honor List, five consecutive quarters

Graduated Magna cum Laude

PROFESSIONAL ORGANIZATIONS

Member of National Association of Social Workers

Member of the Academy of Certified Social Workers

Member of the American Psychological Association

Member of the Washington Sex Offense Specialists Association

Member of the Academy of Forensic Examiners

LICENSES

Licensed Clinical Psychologist

Washington State Department of Licensing #1284

Certified Sex Offender Treatment Provider

Washington State Department of Licensing #FC00000031

Certified Domestic Violence Treatment Provider and Supervisor

Board Certified Forensic Examiner

Certificate in Spiritual Direction

PRESENTATIONS

Presented 2005-2013 at the Western Conference – American Association of Christian Counselors (AACC) -“Nature, Purpose of Limitations of Forensic Evaluations”, also in 2012 – “Love and Logic Magic For Lasting Relationships”, also in 2013 – “Why Marriage Counseling Fails”.

BOOKS PUBLISHED

[Over 500,000 copies sold]

- “When Your Marriage Needs Repair”
- “When Your Partner Wants to Leave”
- “When Life Makes You Nervous”
- “When You’re Down With The Blues”
- “When You’re Living In A Stepfamily”
- “When You’re Living With A Troubled Teenager”
- “When The Man You Love Treats You Like The Woman He Hates”
- “When Your Child Is Hyperactive”
- “See Dick And Jane Grow Up: Seven Growth Steps to Marital Maturity”
[Above titles published by Cook Communications]
- “Reclaiming Manhood” – Nav Press
- “How A Man Overcomes Disappointment And Burnout” – Bethany House Publishers
- “Men Just Don’t Get It, But They Can: Nine Secrets Every Woman Should Know” –
Harvest House Publishers
- “Does Your Man Have The Blues?: Understanding Male Depression and How It Affects Your
Relationship” – Harvest House Publishers
- “When Pleasing Others Is Hurting You” [100,000 copies sold] – Harvest House Publishers
- “Saying It So He’ll Listen: Getting the Message to Your Man” – Harvest House Publishers
- “Love Lost: Living Beyond a Broken Marriage” – Baker Book House
- “9 Critical Mistakes Most Couples Make” – Harvest House Publishers
- “When the Man in Your Life Can’t Commit” – Harvest House Publishers
- “When Trying to Change Him is Hurting You” – Harvest House Publishers
- “Dealing with the Crazy Makers in Your Life” – Harvest House Publishers
- “The Relationship Doctor’s Prescription for Healing a Hurting Relationship” – Harvest House
- “The Relationship Doctor’s Prescription for Living Beyond Guilt” – Harvest House Publishers
- “The Relationship Doctor’s Prescription for Building Your Child’s Self-Image” – Harvest House
- “The Relationship Doctor’s Prescription for Better Communication in Your Marriage” –
Harvest House Publishers
- “Are You Really Ready for Love?” – Harvest House Publishers
- “The Power of Emotional Decision Making” – Harvest House Publishers
- “Breaking Everyday Addictions – Finding Freedom from the Things That Trip Us Up” –
Harvest House Publishers
- “How to Get Your Husband’s Attention” – Harvest House Publishers
- “Ten Lifesavers for Every Couple” – Harvest House Publishers
- “90 Days to a Fantastic Marriage” – How to Bring Out the Soul Mate in Your Mate” – Tyndale House Publishers
- “Normal People Do the Craziest Things – How to Keep Yourself in Perspective” – Harvest House Publishers
- “Love and Logic Magic for Lasting Relationships” – Love and Logic Press, 2011
- “Never Fight Again, Guaranteed!”—Abingdon Press, 2013

EXHIBIT "C"

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FJC PUBLIC

1 ☐ Expedite
2 ☐ Hearing is set:
3 Date:
4 Time:
5 Judge/Calendar:
6 ☐ No hearing is set.

FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2013 DEC -5 PM 12:13

BETTY J. GOULD, CLERK

7 SUPERIOR COURT OF WASHINGTON
8 COUNTY OF THURSTON
9 FAMILY AND JUVENILE COURT

10 In re the Marriage of:

LISA MARIE DRACOBLY,

Petitioner,

and

JASON FREDRICK DRACOBLY,

Respondent.

NO. 13-3-00742-9

TEMPORARY ORDER
(TMO)

16 I. Money Judgment Summary

17 Does not apply.

18 II. Basis

19 A motion for a temporary order was presented to this Court and the Court finds reasonable cause to
20 issue the order.

21 III. Order

22 It is Ordered:

23 3.1 Restraining Order

24 The prior temporary restraining order restraining JASON DRACOBLY dated October 10, 2013
25 remains in full force and effect.

3.2 Temporary Relief

Other:

Father's residential time shall be unmonitored from 10:00 a.m. to 6:00 p.m. every Sunday, unless otherwise agreed.

The Court finds that the record does not support the findings of the domestic violence assessment completed by Dr. Hawkins and the father shall submit to a state certified domestic violence assessment that includes collateral contact with the mother with a provider from Thurston County Superior Court's approved list.

The father may attend Danny's extracurricular activities provided he gives notice to mom in advance via text that he will be attending.

Danny may initiate seeing his dad for a mid week visit. This contact should only be initiated by Danny and not proposed by father. Dr. Wagaman should inform Danny that he is able to contact his dad for this visit and that his dad should not be initiating this contact.

The mother shall pay for Ryan's cell phone and insurance each month. The mother shall make the payment directly to the company.

The Court denies the motion to appoint a guardian ad litem based upon Danny's age.

Danny shall remain in regular therapy with Dr. Wagaman.

The father shall have residential time with Danny for 8 hours on either 12/24, 12/25, or 12/26.

All prior orders remain in full force and effect.

3.3 Bond or Security

Does not apply.

3.4 Other

Does not apply.

Dated: 12-5-13


Judge/Commissioner B. Barnes

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Presented by:

MADISON LAW FIRM, PLLC

Respondent's attorney:

A signature below is actual notice of this order
This order is approved for entry and notice of
presentation waived:

Amy L. Periman 42929 12-4-13
Amy L. Periman Date
Attorney for Petitioner

See attached
Jeanette Boothe Date
Attorney for Respondent

Lisa Dracobly, Petitioner

Jason Dracobly, Respondent

FIG PUBLIC

Presented by:

MADISON LAW FIRM, PLLC

Respondent's attorney:

A signature below is actual notice of this order
This order is approved for entry and notice of
presentation waived:

42929

Amy L. Perlman
Attorney for Petitioner

Date

Jeanette W. Boothe
Jeanette Boothe 15287
Attorney for Respondent

Date 12-4-13

Lisa Dracoby, Petitioner

Jeanette W. Boothe
for Jason Dracoby, Respondent

(telephonically
approved)

PJ0 PUBLIC

<input type="checkbox"/> EXPEDITE
<input type="checkbox"/> No hearing set
<input type="checkbox"/> Hearing is set
Date: _____
Time: _____
Judge/Calendar: _____

SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON
FAMILY AND JUVENILE COURT

In re the Marriage of:

LISA MARIE DRACOBLY,
Petitioner,
and

JASON FREDRICK DRACOBLY,
Respondent

NO. 13-3-00742-9

EMAIL TRANSMISSION
DECLARATION

I, Amy L. Perlman, do hereby declare and state as follows:

I have examined the attached e-mail transmitted Temporary Order that it consists of 5 pages including this declaration and that it is a complete and legible electronically transmitted original signed by attorney Jeanette Boothe.

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

Executed this 4th day of December, 2013 at Olympia, Washington.

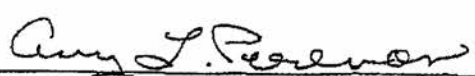

Amy L. Perlman

EXHIBIT "D"



Mason County Sheriff's Office



P.O. Box 1037, Shelton, WA 98584

Casey Salisbury
Sheriff

February 12, 2014

Sgt. Jason Dracobly
Mason County Sheriff's Office
PO Box 1037
Shelton, WA 98584

Dear Sgt. Dracobly,

Under the state Public Disclosure Act, Lisa Dracobly has written the Mason County Sheriff's Office to request information regarding you.

The Public Disclosure Act under RCW 42.56.640 allows us to notify persons named in the request that a release has been requested. In an effort to address any concerns you might have, and in light of the Public Disclosure Act's strong mandate for disclosure, we are notifying you of Ms. Dracobly's request and the requirement to disclose the records to her. Of course, the documents will be redacted per the exemptions listed in RCW 42.56 and RCW 13.50. A copy of Ms. Dracobly's request for the records is attached for your information.

Release of the documents will occur no later than March 12, 2014 unless you obtain an order from a court enjoining release. If you choose to pursue this avenue, WAC 44-14-04003, states that you should name the requestor as a party to any action to enjoin disclosure. If an injunctive action is filed, you should name the requestor of the action to allow the requestor to intervene.

If you have any questions or plan to pursue a court order, please contact me Monday through Friday at 360-427-9670, ext. 316.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan Shepherd".

Jan Shepherd
Chief Civil Deputy

Enclosure



Feb. 12. 2014 1:13PM

No. 2647 P. 1

February 12, 2014

Mason County Sheriff's Office

Attn: Records

PO Box 1037

Shelton, WA 98584

RECEIVED

2014 FEB 12 P 1:33

MASON COUNTY
SHERIFF

Records,

I am making a third request for the records originally requested. I do not believe the records sent by your office encompassed my entire request. I am requesting any and all records pertaining to the harassment of Lisa Dracoby by Sgt Jason Dracoby from September 2012 to present. This includes any and all phone calls, emails, memos, disciplinary actions and all other documentation relating to the request.

I am also requesting any and all records pertaining to the threat to kill Kenneth Garcy. This threat was made by Sgt Jason Dracoby and was reported to Undersheriff James Barrett. Both in a self-report phone call the night it occurred and in person the next day at the Sheriff's Office. This includes any and all phone calls, emails, memos, disciplinary actions and all other documentation relating to the request. Both the harassment and the threats were reported to the Thurston County Sheriff's Office by Lisa Dracoby. Both situations were discussed between the Administrations of both agencies. I am requesting any and all records pertaining to these issues.

If records are not produced I would like a reason why. It is my belief that Mason County Sheriff's Office is hindering and holding up my request for public disclosure by continually asking me for further clarification each time a request is made.

If you have any questions please feel free to contact me at work at 360-786-5520 or on my cell 360-490-6567. Thank you.

Sincerely,

Lisa Dracoby
1305 S. 10th St
Shelton, WA 98584



Mason County Sheriff's Office



P.O. Box 1037, Shelton, WA 98584

Casey Salisbury
Sheriff

December 6, 2013

Sgt. Jason Dracobly
Mason County Sheriff's Office
PO Box 1037
Shelton, WA 98584

Dear Sgt. Dracobly,

Under the state Public Disclosure Act, Lisa Dracobly has written the Mason County Sheriff's Office to request information regarding you.

The Public Disclosure Act under RCW 42.56.540 allows us to notify persons named in the request that a release has been requested. In an effort to address any concerns you might have, and in light of the Public Disclosure Act's strong mandate for disclosure, we are notifying you of Ms. Dracobly's request and the requirement to disclose the records to her. Of course, the documents will be redacted per the exemptions listed in RCW 42.56 and RCW 13.50. A copy of Ms. Dracobly's request for the records is attached for your information.

Release of the documents will occur no later than January 8, 2014 unless you obtain an order from a court enjoining release. If you choose to pursue this avenue, WAC 44-14-04003 states that you should name the requestor as a party to any action to enjoin disclosure. If an injunctive action is filed, you should name the requestor of the action to allow the requestor to intervene.

If you have any questions or plan to pursue a court order, please contact me Monday through Friday at 360-427-9670, ext. 316.

Sincerely,

A handwritten signature in dark ink, appearing to be "Jan Shepherd".

Jan Shepherd
Chief Civil Deputy

Enclosure

November 27, 2013

Mason County Sheriff's Office
Attn: Records
PO Box 1037
Shelton, WA 98584

RECEIVED
2013 DEC -6 A 9:06
MASON COUNTY
SHERIFF

Records,

Enclosed is the payment for my records request dated August 20, 2013. The check is in the amount stated \$6.57.

I am making a second request for the records originally requested. I do not believe the records sent by your office encompassed my entire request. I am requesting any and all records pertaining to the harassment of Lisa Dracobly by Sgt Jason Dracobly from September 2012 to present. This includes any and all phone calls, emails, memos, disciplinary actions and all other documentation relating to the request.

I am also requesting any and all records pertaining to the threat to kill Kenneth Garcy. This threat was made by Sgt Jason Dracobly and was reported to Undersheriff James Barrett. Both in a self-report phone call the night it occurred and in person the next day at the Sheriff's Office. This includes any and all phone calls, emails, memos, disciplinary actions and all other documentation relating to the request. Both the harassment and the threats were reported to the Thurston County Sheriff's Office by Lisa Dracobly. Both situations were discussed between the Administrations of both agencies. I am requesting any and all records pertaining to these issues.

If records are not produced I would like a reason why.

If you have any questions please feel free to contact me at work at 360-786-5520 or on my cell 360-490-6567. Thank you.

Sincerely,



Lisa Dracobly
1305 S. 10th St
Shelton, WA 98584



Aug. 20. 2013 8:34AM

No. 4095 P. 1

August 19, 2013

Mason County Sheriff's Office
Records Division
Attn- Public Disclosure
Shelton WA 98584

RECEIVED

2013 AUG 20 A 8:58

**MASON COUNTY
SHERIFF**

Public Disclosure Request

- 1) I am requesting any and all records pertaining to the surrender of weapons by Jason Dracobly, including but not limited to reports, emails, dispatch records and any other memos or records held by the Mason County Sheriff's Office. To include any and all dates from the original service of the order on May 29, 2013 to date.
- 2) I am requesting any and all records pertaining to the complaint/concern by the Thurston County Sheriff's Office of Sgt Jason Dracobly's ongoing harassment of Mrs. Lisa Dracobly from September 2013 to present. Including but not limited to reports, emails, memos or any other records held by the Mason County Sheriff's Office.
- 3) I am requesting any and all records pertaining to the complaint/advisement to Undersheriff James Barrett regarding the threat to kill Mr. Kenneth Garcy on or around October 7, 2012 by Mr. Jason Dracobly during a self report by Sgt. Jason Dracobly to Undersheriff Barrett by telephone. This incident was also reported to Undersheriff Tim Braniff at the Thurston County Sheriff's Office on October 8, 2012. At which time Undersheriff Braniff stated he would be contacting the Mason County Sheriff's Office regarding this incident.

Request made by:

Lisa Dracobly.
1305 S 10th St
Shelton, WA 98584
Ph 360-426-2230
Wk ph 360-786-5524
Cell ph 360-490-6567

EXHIBIT

15

3

<input type="checkbox"/> EXPEDITE
<input type="checkbox"/> No hearing set
<input type="checkbox"/> Hearing is set
Date: _____
Time: _____
Judge/Calendar: _____

FILED
SUPERIOR COURT
THURSTON COUNTY, WA
2014 MAR 24 PM 4:18
BETTY J. GOULD, CLERK

**SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON
FAMILY AND JUVENILE COURT**

In re:

LISA MARIE DRACOBLY,

Petitioner,

and

JASON FREDRICK DRACOBLY,

Respondent.

NO. 13-3-00742-9

**MOTION/DECLARATION FOR AN
ORDER TO SHOW CAUSE RE
CONTEMPT
(MTSC)**

I. Motion

Lisa Dracobly moves the court for an order directing Jason Dracobly to appear personally before the court and show cause why an order should not be entered:

1.1 Finding Contempt

Finding contempt for failure to comply with:

other: Temporary Order

Signed by the court on December 5, 2013, in Thurston County, WA.

1.2 Establishing a Judgment

Does not apply.

1 **1.3 Granting Sanctions**

2 Granting sanctions for contempt, including a forfeiture for each day the contempt of court
3 continues, and establishing conditions by which the contempt may be purged and
4 granting any other relief, including reasonable attorney fees and costs and make up
residential time, as may be appropriate under Chapter 7.21 RCW, Chapter 26.09 RCW,
Chapter 26.10 RCW, Chapter 26.26 RCW, and RCW 26.18.040.

5 **1.4 Other**

6 Does not apply.

7 This motion is based upon the declaration which follows.

8 Dated: 3-18-14 Amy L. Perlman 42929
9 Amy L. Perlman, Attorney for Petitioner

10 **II. Declaration**

11 Jason Dracobly should be held in contempt for the following reasons,

12 Other:

13 Failure to comply with the December 5, 2013 Temporary Order requiring him to submit
14 to a domestic violence assessment that includes collateral contact with the mother with a
15 provider from Thurston County Superior Court's approved list. To date, Jason Dracobly
has not submitted to such an assessment and through his attorney has stated it is his
intent to not comply with the Court's order.

16 Failure to comply with the December 5, 2013 Temporary Order requiring that contact
17 with Danny during the week shall only be initiated by Danny and not proposed by the
18 father. On 3/17/14 the father contacted Danny and had Danny pick up money owed to
the mother by father for his proportionate share of uncovered medical costs.

19 Jason Dracobly continues to show the Court through his continued and blatant disregard
20 for Court orders that he is somehow above the law and Lisa Dracobly respectfully
requests that the Court find him in Contempt and require him to pay fees and costs
associated with this motion.

21 I declare under penalty of perjury under the laws of the state of Washington that the
22 foregoing is true and correct.

23 Signed at _____, _____ on _____.

24 See attached
25 Lisa Dracobly, Petitioner

1.3 Granting Sanctions


Granting sanctions for contempt, including a forfeiture for each day the contempt of court continues, and establishing conditions by which the contempt may be purged and granting any other relief, including reasonable attorney fees and costs and make up residential time, as may be appropriate under Chapter 7.21 RCW, Chapter 26.09 RCW, Chapter 26.10 RCW, Chapter 26.26 RCW, and RCW 26.18.040.

1.4 Other

Does not apply.

This motion is based upon the declaration which follows.

Dated: 3-18-14


Amy L. Perlman, Attorney for Petitioner

42929

II. Declaration

Jason Dracobly should be held in contempt for the following reasons,

Other:

Failure to comply with the December 5, 2013 Temporary Order requiring him to submit to a domestic violence assessment that includes collateral contact with the mother with a provider from Thurston County Superior Court's approved list. To date, Jason Dracobly has not submitted to such an assessment and through his attorney has stated it is his intent to not comply with the Court's order.

Failure to comply with the December 5, 2013 Temporary Order requiring that contact with Danny during the week shall only be initiated by Danny and not proposed by the father. On 3/17/14 the father contacted Danny and had Danny pick up money owed to the mother by father for his proportionate share of uncovered medical costs.

Jason Dracobly continues to show the Court through his continued and blatant disregard for Court orders that he is somehow above the law and Lisa Dracobly respectfully requests that the Court find him in Contempt and require him to pay fees and costs associated with this motion.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at Olympia, WA on 3-18-14



Lisa Dracobly, Petitioner

EXHIBIT 16

THURSTON COUNTY SUPERIOR COURT

TUESDAY, APRIL 1, 2014
FAMILY LAW CALENDAR 9:00 AM

COURT COMMISSIONER JONATHON LACK
TERRISA BURKE, CLERK
DIGITAL RECORDING DEVICE

Underlined Parties Present at Hearing

13-3-00742-9

10.

DRACOBLY, LISA MARIE

MADISON, ROGER B. JR

AND

DRACOBLY, JASON FREDRICK

BOOTHE, JEANETTE WHITCOMB

SHOW CAUSE/CONTEMPT

Ms. Perlman presented argument. Mr. Boothe responded. Ms. Perlman replied.

The Court directed the parties to stop sending messages/checks through the child. Those should be sent through the mail. The Court did not find Mr. Dracobly in contempt for the check.

The Court found Mr. Dracobly in contempt for failing to obtain the domestic violence assessment in a timely manner. The Court denied the request to vacate the requirement. The Court ordered fees of \$862.

Court signed: *Order on Show Cause re Contempt/Judgment*

The order was given to Ms. Boothe.

EXHIBIT 17

5

☐ EXPEDITE
☐ No hearing set
☐ Hearing is set
Date: _____
Time: _____
Judge/Calendar: _____

FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2014 APR -1 AM 11:08

BETTY J. GOULD, CLERK

SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON
FAMILY AND JUVENILE COURT

In re:

LISA MARIE DRACOBLY,

NO. 13-3-00742-9

Petitioner,

and

ORDER ON SHOW CAUSE RE
CONTEMPT/JUDGMENT
(ORCN)

JASON FREDRICK DRACOBLY,

Respondent.

I. Judgment Summary

Applies as follows:

- | | | | |
|----|--|------------------------|----------|
| A. | Judgment Creditor | Lisa Dracobly | |
| B. | Judgment Debtor | Jason Dracobly | |
| C. | Principal judgment amount from | | \$ |
| D. | Interest to date of Judgment | | \$ |
| E. | Attorney fees | | \$862.00 |
| F. | Costs | | \$ |
| G. | Other recovery amount | | \$ |
| H. | Principal judgment shall bear interest at 12% per annum | | |
| I. | Attorney fees, costs and other recovery amounts shall bear interest at 12% per annum | | |
| J. | Attorney for Judgment Creditor | Madison Law Firm, PLLC | |
| K. | Attorney for Judgment Debtor | Jeanette Boothe | |
| L. | Other: | | |

II. Findings and Conclusions

This Court Finds:

2.1 Compliance With Court Order

Jason Dracoby intentionally failed to comply with a lawful order of the court dated on December 5, 2013.

2.2 Nature of Order

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

2.3 How the Order was Violated

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

Respondent has failed to comply with the order by submitting to a domestic violence assessment with a provider on the list of providers approved by the Thurston County Superior Court.

~~Respondent contacted child to have child deliver money to mother when order states that mid-week contact with the father shall be only initiated by the child.~~

2.4 Past Ability to Comply With Order

Jason Dracoby had the ability to comply with the order as follows:

Respondent had the ability to submit to an assessment.

~~Respondent had the ability to not contact the child when required by court order.~~

2.5 Present Ability and Willingness to Comply With Order

Jason Dracoby HAS/L the present ability to comply with the order as follows:

Respondent has the ability to submit to such an assessment.

Jason Dracoby has does not have the present willingness to comply with the order as follows:

Respondent will submit to an assessment and ~~will comply with the Court's orders regarding contact with the child.~~

2.6 Back Child Support

Other Unpaid Obligations/Maintenance

No back child support, child care, educational expenses, transportation expenses, or other special expenses, or maintenance is owed.

2.7 Compliance With Parenting Plan

Does not apply.

2.8 Attorney Fees and Costs

The attorney fees and costs awarded in paragraph 3.9 below have been incurred and are reasonable.

III. Order and Judgment

It is Ordered:

3.1 Contempt Ruling

Jason Dracoby is in contempt of court.

3.2 Imprisonment

Does not apply.

3.3 Additional Residential Time

Does not apply.

3.4 Judgment for Past Child Support

Does not apply.

3.5 Judgment for Past Medical Support

Does not apply.

3.6 Judgment for Other Unpaid Obligations

Does not apply.

3.7 Judgment for Past Maintenance

Does not apply.

1 **3.8 Conditions for Purging the Contempt**

2 The contemnor may purge the contempt as follows:

3 By scheduling a domestic violence assessment with a provider approved by the
4 Thurston County Superior Court .

5 **3.9 Attorney Fees and Costs**

6 Lisa Dracoby shall have judgment against Jason Dracoby in the amount of \$862.00 for
7 attorney fees.

8 **3.10 Review Date**

9 Does not apply.

10 **3.11 Other**

11 An order transferring to case coordinator shall be entered.

12 **3.12 Summary of RCW 26.09.430 - .480, Regarding Relocation of a Child**

13 This is a summary only. For the full text, please see RCW 26.09.430 through 26.09.480.

14 If the person with whom the child resides a majority of the time plans to move, that
15 person shall give notice to every person entitled to court ordered time with the child.

16 If the move is outside the child's school district, the relocating person must give notice by
17 personal service or by mail requiring a return receipt. This notice must be at least 60
18 days before the intended move. If the relocating person could not have known about
19 the move in time to give 60 days' notice, that person must give notice within 5 days after
20 learning of the move. The notice must contain the information required in RCW
21 26.09.440. See also form DRPSCU 07.0500, (Notice of Intended Relocation of A
22 Child).

23 If the move is within the same school district, the relocating person must provide actual
24 notice by any reasonable means. A person entitled to time with the child may not object
25 to the move but may ask for modification under RCW 26.09.260.

 Notice may be delayed for 21 days if the relocating person is entering a domestic
 violence shelter or is moving to avoid a clear, immediate and unreasonable risk to health
 and safety.

 If information is protected under a court order or the address confidentiality program, it
 may be withheld from the notice.

 A relocating person may ask the court to waive any notice requirements that may put the
 health and safety of a person or a child at risk.

1 Failure to give the required notice may be grounds for sanctions, including contempt.

2 If no objection is filed within 30 days after service of the notice of intended
3 relocation, the relocation will be permitted and the proposed revised residential
4 schedule may be confirmed.

5 A person entitled to time with a child under a court order can file an objection to the
6 child's relocation whether or not he or she received proper notice.

7 An objection may be filed by using the mandatory pattern form WPF DRPSCU 07.0700,
8 (Objection to Relocation/Petition for Modification of Custody Decree/Parenting
9 Plan/Residential Schedule). The objection must be served on all persons entitled to time
10 with the child.

11 The relocating person shall not move the child during the time for objection unless: (a)
12 the delayed notice provisions apply; or (b) a court order allows the move.

13 If the objecting person schedules a hearing for a date within 15 days of timely service of
14 the objection, the relocating person shall not move the child before the hearing unless
15 there is a clear, immediate and unreasonable risk to the health or safety of a person or a
16 child.

17 **Warning:** Violation of residential provisions of this order with actual knowledge of its terms is
18 punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or
19 9A.40.070(2). Violation of this order may subject a violator to arrest.

20 Dated:

4/1/14

JONATHON LACK

Judge/Commissioner

21 Presented by:

Approved for entry:

Notice of presentation waived:

22 *Amy L. Perlman* 42929

23 Amy L. Perlman,
24 Attorney for Petitioner

Jeanette L. Boothe 5987

Jeanette Boothe,
25 Attorney for Respondent

EXHIBIT 8

3

FILED
SUPERIOR COURT
THURSTON COUNTY, WA
2014 APR 30 AM 9:44
BETTY J. GOULD, CLERK

**Superior Court of Washington
County of Mason**

In re the Marriage of:

LISA MARIE DRACOBLY,

Petitioner,

and

JASON FREDRICK DRACOBLY,

Respondent.

No. 13-3-00742-9

**Motion and Declaration for
Temporary Order Adopting
Respondent's Parenting Plan**

I. Motion

Based on the declaration below, the undersigned moves the court for a temporary order which:

Allows the respondent unrestricted contact with the minor child, and

Adopts the Respondent's proposed parenting plan.

Dated: April 29, 2014

Jeanette W. Boothe

JEANETTE W. BOOTHE, WSBA#: 15687
Attorney for Respondent

II. Declaration

I, JASON DRACOBLY, hereby declare as follows:

I am the Respondent herein and I am making this declaration in support of my motion to adopt my proposed temporary parenting plan herein.

1
2 The court and all parties have been made aware of the recommendation from our child's counselor
3 that clearly states what our son's wishes are in this matter or were when this started. The counselor's
4 recommendation set out that our child is to spend two (2) weeks with me and one (1) week with the
5 Petitioner on an alternating basis pursuant to our child's preferences. Since that time, I have not had any
6 contact with him except as specifically allowed by the Petitioner. My contact with him was restricted to one
7 day a week and until recently I had to have a chaperone approved by the Petitioner. I have done nothing to
8 warrant that kind of treatment by the Petitioner. She is becoming more and more paranoid as time goes on
9 rather than less and I am fearful of the damage she is ultimately causing our child.

10 I have completed yet a second Domestic Violence Assessment that was demanded by the Petitioner
11 and then required by the court, which is filed with the court under separate cover. This current report, as did
12 the assessment performed by Dr. Hawkins, shows that I do not have any issues with domestic violence or
13 anger management.

14 It is time that I am allowed back in our son's life on a regular basis without hindrance from the
15 Petitioner. Given the length of time since this started, I am willing to allow Danny to initiate the contact and
16 to determine when overnights and weekends occur in my home. He is 17 years old and very capable of
17 making that determination without any pressure or demands from me, or interference from the Petitioner.

18 I have submitted a proposed temporary parenting plan based on that recommendation of our child's
19 wishes voiced through his counselor. The Petitioner and I agreed to use the counselor rather than a guardian
20 ad litem. I am respectfully requesting that the court adopt my parenting plan, and that it take effect
21 immediately. I have included the condition t that our son will alternate residential time between the parents
22 based on his schedule, comfort level and agreement between the parents. Any deviation in the schedule
23 shall be approved by the parents and the child with reasonable notification of the deviation to all parties.
24
25

1
2 I declare under penalty of perjury under the laws of the state of Washington that the foregoing is
3 true and correct.

4 Signed at Shelton, Washington on the 29 day of April, 2014

5
6 JASON DRACOBLY 11/04

EXHIBIT

19

13

<input type="checkbox"/> EXPEDITE
<input type="checkbox"/> No hearing set
<input checked="" type="checkbox"/> Hearing is set
Date: <u>5/22/14</u>
Time: <u>9:00 a.m.</u>
Judge/Calendar: <u>Family Law</u>

FILED
SUPERIOR COURT
THURSTON COUNTY, WA
2014 MAY 20 AM 9:21
BETTY J. GOULD, CLERK

SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON
FAMILY AND JUVENILE COURT

In re the Marriage of:	
LISA MARIE DRACOBLY,	No. 13-3-00742-9
Petitioner,	DECLARATION OF
and	PETITIONER IN RESPONSE TO
JASON FREDRICK DRACOBLY,	MOTION FOR TEMPORARY
Respondent.	ORDER ADOPTING
	RESPONDENT'S PARENTING
	PLAN
	(DCLR)

This declaration is made by Petitioner, Lisa Dracobly, in response to Respondent, Jason Dracobly's, motion for temporary order adopting Mr. Dracobly's parenting plan.

NO RECOMMENDATIONS BY DR. WAGAMAN

This is not the first declaration in which Mr. Dracobly has misrepresented information provided by Dr. Wagaman, but I hope this will be the last time. At no time has Dr. Wagaman ever recommended a residential schedule for Danny. On July 24, 2013, our attorneys sent a letter to Dr. Wagaman (EXHIBIT A), who has been counseling Danny since before we separated. Our attorneys asked Dr. Wagaman "...what type of residential schedule would Danny like to see?" Dr. Wagaman's response dated August 13, 2013 and attached as

1 EXHIBIT B, simply did what we requested him to do which was to report what Danny's
2 preference was. Dr. Wagaman has not endorsed nor has he ever "recommended" Mr.
3 Dracobly's residential schedule.

4 MR. DRACOBLY'S RESIDENTIAL TIME WITH DANNY

5 We separated in May 2013. Between May 2013 and November 2013 Mr. Dracobly had
6 supervised contact with Danny. Mr. Dracobly has had minimal time with Danny based upon the
7 years of abuse of Danny and I. At a hearing on November 21, 2013, the court ordered that Mr.
8 Dracobly could have unsupervised residential time with Danny one day per week and that he
9 could have additional residential time as initiated by Danny. Mr. Dracobly declares that he has
10 "done nothing to warrant" his contact being restricted and Mr. Dracobly continues to represent
11 himself as the victim. Mr. Dracobly involved Danny in our relationship, called me a whore in
12 front of our son until Danny was in tears and told Danny that I had an affair and that it was my
13 fault our marriage was ending. Mr. Dracobly stalked me, searched through my things regularly,
14 used Danny to control me and threatened to kill a man I was talking to. This is why Mr.
15 Dracobly's residential time has been limited. It is shocking that almost a year later he's saying
16 he has done nothing to warrant this.

17 DOMESTIC VIOLENCE ASSESSMENTS

18 Mr. Dracobly clearly feels that the court requiring him to submit to a domestic violence
19 assessment was somehow an unfair demand by me. I would like to point out to the Court that
20 the first assessment Mr. Dracobly obtained, was not completed by a state certified provider.
21 Ultimately the court found that the conclusion of the report was not supported by the record and
22 on December 5, 2013 a temporary order was entered requiring Mr. Dracobly to submit to
23 another assessment "with a provider from Thurston County Superior Court's approved list."
24 Currently, the providers on that list are Alternatives, Cain Atwell and Olympia Psychotherapy.
25

1 Four months after the order requiring the assessment, Mr. Dracobly was notified that I
2 intended to seek contempt since he had not completed the assessment. Mr. Dracobly's
3 response was to seek to vacate the order, simply because he did not feel he should have to
4 comply with the Court's order. Clearly Mr. Dracobly feels that he can do what he wants and
5 Court orders don't apply to him because he has finally completed another assessment, but
6 again, instead of following the Court's order, Mr. Dracobly did what he wanted and submitted to
7 an assessment at STOP in Shelton. Not only does this show a pattern of thumbing his nose at
8 the Court, but the report from STOP in Shelton should not be considered for several reasons:

- 9 1. STOP is not on the list of approved providers as REQUIRED by the Court's December 5,
10 2014 order;
- 11 2. Mr. Dracobly is a Sergeant with the Mason County Sheriff in Shelton and he deals with
12 the Shelton STOP professionally; and
- 13 3. Our daughter, Courtney, used to work for STOP and one of her friends Chala Gray, who
14 works at STOP did the assessment.

15 Aside from the fact that the rules should also apply to Mr. Dracobly, for all of the above
16 reasons, Mr. Dracobly should be required to follow the order of the Court and submit to an
17 assessment pursuant to the Court's order. In the alternative, it would be my intent to provide all
18 records from both assessments to Olympia Psychotherapy for review and analysis.

19 NO CHANGES SHOULD BE MADE TO THE CURRENT RESIDENTIAL SCHEDULE

20 Mr. Dracobly told the Court in his March 13, 2014 Motion/Declaration for Order Vacating
21 Requirement for Secondary DV Assessment on page 3, lines 17-20, that he agreed to not seek
22 any overnight residential time with Danny "in an effort to relieve some of the stress I believe
23 Danny was experiencing because of the struggle for residential placement or visitation with
24 him." At lines 21-22 Mr. Dracobly says "I am not seeking extended residential time with our 17-
25 year old son. He will be eighteen in January of 2015." Less than two months later he files a

1 motion to change primary placement. Mr. Dracobly's Motion/Declaration for Order Vacating
2 Requirement for Secondary DV Assessment explains how he "has never done anything that
3 would be considered abusive or harmful to [me] or anyone else." Page 4, lines 6-8. Given that
4 we have been in front of this Court many times since I obtained a restraining order in May 2013,
5 I believe there is a sufficient record for this Court to see the clear pattern of misrepresentations
6 by Mr. Dracobly and of domestic violence and abuse detailed by Mr. Dracobly himself in his
7 Journal filed herein. I hope that the Court is alarmed that Mr. Dracobly not only continues to be
8 disingenuous in his representations to the Court, continues to deny the abuse and now sees
9 himself as the victim.

10 Danny is thriving under the current schedule and last month received an award for
11 Academic Excellence (EXHIBIT C). The current residential schedule provides for contact as
12 initiated by Danny and one day per week. There is no reason to change this plan. I
13 respectfully request that the Court make no changes to the current plan and require parties to
14 get a settlement conference date.

15 ATTORNEY FEES

16 Given that just last month, Mr. Dracobly was found in contempt and he led me and the
17 Court to believe that he would not seek expanded residential time with Danny, only to file to
18 change primary residential placement little more than a month later, I request that Respondent
19 pay all fees associated with my responding to his motion. My attorney will file a fee declaration.

20 CONCLUSION

21 I respectfully request that the Court:

- 22 1. Deny Mr. Dracobly's request to change the current residential schedule;
- 23 2. That the parties be required to obtain a settlement conference date; and
- 24 3. That I be awarded fees for responding to this motion.

1 I declare under penalty of perjury under the laws of the State of Washington that the
2 foregoing is true and correct.

3 Dated this 16th day of May, 2014.

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5 _____
6 Lisa Dracobly, Petitioner
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EXHIBIT A

MADISON LAW FIRM, PLLC

July 24, 2013

Dr. Joel Wagaman
Cascade Counseling
2100 Caton Way SW
Olympia, WA 98502

Re: Danny Dracobly

Dear Dr. Wagaman:

I believe that you are aware that Lisa and Jason Dracobly have separated and filed to dissolve their marriage. I represent Lisa Dracobly and Jason Dracobly is represented by attorney Jeanette Boothe. This letter is being sent jointly after agreement by both myself and Ms. Boothe.

Since separation on May 29, 2013, Danny has resided primarily with Ms. Dracobly. The current residential schedule entered by agreement on June 25, 2013, provides for Danny to continue to reside primarily with Ms. Dracobly and for Mr. Dracobly to have supervised residential time. This schedule may be reviewed after Mr. Dracobly has completed a domestic violence assessment which he has begun with Dr. David Hawkins in Shelton.

One of the most difficult issues for the Dracoblys to reach an agreement on is the parenting plan. As you are aware, in cases such as this, often parties seek the assistance of a Guardian ad Litem to talk to the child and make recommendations, however, given your established relationship with Danny, the parties agreed to submit questions/issues to you in hopes that you would be able to speak with Danny and provide information to the parties with Danny's permission. Please understand that it is not the intent of either party to do anything to interfere with the privileged relationship Danny has with you as both agree that under the circumstances, it is very important for Danny to be comfortable in speaking to you without fear that information will be provided to his parents and then used in Court.

That being said, the Dracobly's seek your assistance with the following:

1. Both parties want to ensure that Danny understands that he can communicate freely with either parent, meaning, he may call or text either parent at any time.
2. There has been some talk about Danny changing from Shelton High School to Capital High School. While Danny doesn't necessarily get to make this decision, his parents would like input from him as to where he would like to go to school.
3. While Danny also doesn't get to make decisions regarding his residential schedule, given his age, input from Danny is appropriate. So, what type of residential schedule would Danny like to see?

Dr. Joel Wagaman

July 24, 2013

Page 2 of 2

4. What types of rules would Danny like to see regarding his relationship with his parents, such as he doesn't want to talk to either about where he lives or he doesn't want either parent to talk to him about the other, or he doesn't want to be forced to talk to them on the phone daily, or he feels pressured by one or the other.

Ms. Boothe and I appreciate any and all assistance you can provide that will help the Dracoblys resolve the issue of a parenting plan with the least amount of impact on Danny as possible.

MADISON LAW FIRM, PLLC



Amy L. Perlman
Attorney at Law

cc: Ms. Lisa Dracobly
Ms. Jeanette Boothe

EXHIBIT B

JOEL R. WAGAMAN, Ph.D.

Child, Adolescent & Adult Psychologist

2100 Cotton Way SW
Olympia, WA 98502
Telephone: (360) 866-7406

August 13, 2013

Amy Perlman, Attorney at Law
Madison Law Firm
2102 Carriage Dr. SW, Suite A-103
Olympia, WA 98502

Jeanette Boothe, Attorney at Law
326 W. Alder St.
Shelton, WA 98584

Re: Danny Dracobly

Dear Ms Perlman & Ms. Boothe:

This letter is in response to your request for me to talk to the son (Daniel "Danny" Dracobly) of your clients Lisa and Jason Dracobly. You asked me to address some specific questions. I will list the questions you asked me and give Danny's response to each individually.

1. Both parties want to insure that Danny understands that he can communicate freely with either parent, meaning, he may call or text either parent at any time.

Danny told me that his mother sometimes checks his text messages that he sends his father, which influences his texting his dad. Other than that he feels the freedom to call either whenever he wants.

2. There has been some talk about Danny changing from Shelton High School to Capital High School. While Danny doesn't necessarily get to make this decision, his parents would like input from him as to where he would like to go to school.

Danny reported to me that he wants to attend Shelton High School because that is where his friends are going.

3. While Danny also doesn't get to make decisions regarding his residential schedule, given his age, input from Danny is appropriate. So, what type of residential schedule would Danny like to see?

Danny told me that if he could choose he would spend two weeks with his father and then one week with his mother.

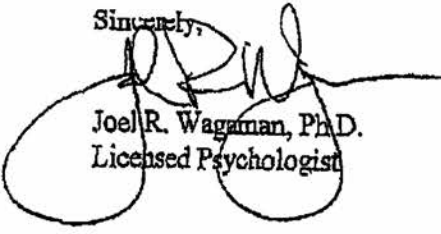
Amry Perlman
Jeanette Boothe
August 13, 2013
Page 2 of 2

4. What types of rules would Danny like to see regarding his relationship with his parents, such as he doesn't want to talk to either about where he lives, or he doesn't want either parent to talk to him about the other, or he doesn't want to be forced to talk to them on the phone daily, or he feels pressured by one or the other.

Danny told me that he doesn't want to talk to either parent about where he lives, he doesn't want either parent to talk to him about the other, he doesn't feel forced to talk on the phone, and he does not feel pressured by either of his parents. He did not think of other rules he would like to see.

Those were the questions that you asked me to discuss with Danny. I feel that I want to make a couple of comments. Danny is very angry with his mother. He is having a hard time dealing with the information that his mother had an affair and she is divorcing his father. He can hardly talk about either, but has the greatest difficulty concerning the affair. It doesn't appear that either parent is discussing this kind of information with Danny currently, but it is information he received previously. I hope to continue to follow Danny to help him have a good relationship with both his parents, and deal with the divorce.

Sincerely,



Joel R. Wagaman, Ph.D.
Licensed Psychologist

EXHIBIT C

The Skookum Rotary Club of Shelton, Washington
is pleased to present this

Certificate of Achievement for

Academic Excellence

to

Daniel Dracobly

As one of America's Future Leaders

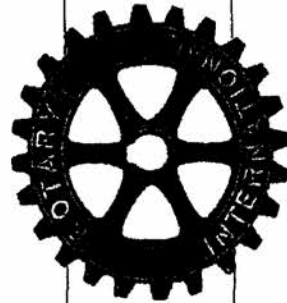
Scholastic Standing: Top 10% of the Eleventh Grade Class, Mason County, Washington

April 24, 2014

Date

Shelton High School

School



A stylized signature of the Skookum Rotary Club President.

President, Skookum Rotary Club

A stylized signature of the school principal.

Principal