

Hearing Date: 06/16/21
Hearing Time: 10am
Judge/Calendar: Guardianship
Show Cause

Superior Court of Washington, County of Thurston

In re:

Petitioner/s (person/s who started this case):

Kathryn and Hans Stoker

And Respondent/s (other party/parties):

Hazel Smith

No. 21-4-00443-34

Sealed Personal Health Care Records
(Cover Sheet)

(SEALPHC)

Clerk's action required.

For use in Family Law and Guardianship cases.

DECLARATION OF Kathryn Stoker Containing:

Sealed Personal Health Care Records /Information
(Cover Sheet)

*Use this form as a cover sheet to keep your personal health information **private** from the public. On the first page of each document, write the word "SEALED" 1 inch from the top of the page.*

Check the documents you are attaching to this cover sheet to be sealed:

- Health records of any kind (including correspondence) related to a person's physical or mental condition, or payment for health care.
- Genetic test records for parentage.

Submitted by: Petitioner or his/her lawyer Respondent or his/her lawyer

Breckan Scott-Gabriel
Sign here

Breckan Scott-Gabriel, 41585
Print name (if lawyer, also provide WSBA #)

Important! The other person and the lawyers in your case can see your **sealed** documents. If you need to keep your address information private for safety reasons, you may cross out or delete your address information.

Superior Court of Washington, County of Thurston

In re: The Guardianship of

Hazel Belle Ursa Smith
(minor/child)

No. 21-4-00443-34

Declaration of
(name): Kathryn Stoker
(DCLR)

Declaration of (name): Kathryn Stoker

1. I am (age): over 18 years old and I am the (check one): Petitioner Respondent
 Other (relationship to the people in this case): Mother of Selena + Grandmother of Hazel Smith
2. I declare: please see attached.

Lined area for text entry.

(Number any pages you attach to this Declaration. Page limits may apply.)

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form (and any attachments) are true. I have attached (number): ___ pages.

Signed at (city and state): Yelm, WA Date: Jun 14, 2021

Kat Stoker
Stoker Jun 14, 2021 16:53 PD1

Sign here

Kathryn Stoker
Print name

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, must be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a Sealed cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents



Desiree Muller <desiree.breckanlaw@gmail.com>

Colorado Case Number

3 messages

Kat Stoker <Kat-Stoker@comcast.net>
To: Desiree Muller <desiree.breckanlaw@gmail.com>

Wed, Jun 9, 2021 at 1:20 PM

Case 2015-JV-171 – Danielle Bernard was the Boulder County Dept. of Health & Human Services Case Worker that was primary in this foster care situation that Hans & I moved to Colorado, went thru Kindship Provider training, and had custody of Hazel for 6 months.

Mental Medical History:

Selena was under the care of a psychiatrist Dr. Janet Nunn starting around the age of 16 for depression & psychiatric problems. She was hospitalized in St. Peters mental health ward several times, once around age 21 leaving Maya Smith (oldest child) with the father Andrew Foreman (deceased). Hans & I took legal custody of Maya Smith for about 18 months. You might try contacting Danielle Bernard to get the name of the hospital in Colorado in 2015 since it generated a CPS case, Selena was hospitalized a second time at St. Peters for a suicide attempt after her failed marriage (2010, I think). She was also hospitalized in Eureka CA at the Humboldt County Mental Health in Eureka, CA under the care of a Dr. Christopher White after the birth of Onawa Smith-Wells (2018). Selena had run away and left Onawa with a friend of Jim Wells in CA. Hazel was living with us at that time. She ran away to the mid-west 2019 after Raven was born with all 3 children but called us 2 weeks later to tell us to take custody of Hazel & Jim to take custody of the 2 babies. At that time Selena told me that Hazel did not travel well due to her autism. As we moved to take custody she abruptly appeared with all 3 children 3 days later.

I am attaching an assessment of Hazel's skills done by the North Thurston school district in 2017 as Hans & I had enrolled her in a pre-school program for development disabled children. (We had custody of Hazel yet again then as Selena requested us to take her because she could not handle her).

Basically, Hans & I have had physical custody of Hazel for several years during her 8 year life. Hazel considers this her home, does not like traveling, and worries about when her Mom will come and take her away. The younger children have also spent a lot of time here and have settled in well.

Additionally, my daughter-in-law Heather Stoker & son Chad Stoker had Hazel over for a playdate last Saturday. Heather is a teacher at Tumwater Elementary School and was disturbed by the following conversation:

My name is Heather Stoker. Chad Stoker (Hazel's uncle, Selena's brother) and I babysat Hazel today, June 5th. At lunch, Hazel started this conversation:

Hazel, to Chad (*looking accusatory*): What's wrong with your sister?

Chad: MY sister? Do you mean your mom?


Hazel: Yeah, what's wrong with your sister? Mom yells at me. She always blames me for sitting up front. Mom says bad stories. Mom says bad stories about the family. Mom hits me. (*When I questioned her about this, she didn't say anything further*).

Heather: Do you go to school?

Hazel: Yes, the God of Family. We go on adventures. Mom is my teacher.

The police came. They took me and Onawa and Raven. We drove in a car with some ladies and then we got to go back to Oma and Opa's house.

Mom gets angry. Really angry. She's always blaming me. She doesn't like it when I'm talking when they're asleep. She doesn't like it when I'm bored and want to do art.

 **BRN3C2AF4A138C1_000414.pdf**
152K

Desiree Muller <desiree.breckanlaw@gmail.com>
To: Kat Stoker <Kat-Stoker@comcast.net>
Bcc: Stoker <8d1e4fa3a+matter1293990169@maildrop.clio.com>

Wed, Jun 9, 2021 at 1:26 PM

Thank you.

I have a cps form I'll be sending out too, to hopefully get records too from colorado.

Desiree Muller

Legal Assistant

Breckan Law PLLC

Mailing: PO Box 1123 Yelm, WA 98597

Physical: 10501 Creek St SE, Suite 6 Yelm, WA 98597

www.breckanlaw.com

Phone: 360-960-8951

Fax: 360-464-2636

CONFIDENTIAL COMMUNICATION:

E-mails from our office frequently contain confidential and privileged material, and are for the sole use of the intended recipient. Use or distribution by an unintended recipient is prohibited, and may be a violation of law. If you believe that you received this e-mail in error, please do not read this e-mail or any attached items. Please

6/14/2021

Gmail - Colorado Case Number

delete the e-mail and all attachments, including any copies thereof, and inform the sender that you have deleted the e-mail, all attachments and any copies thereof. Thank you.

[Quoted text hidden]

Desiree Muller <desiree.breckanlaw@gmail.com>
To: Kat Stoker <Kat-Stoker@comcast.net>

Wed, Jun 9, 2021 at 4:46 PM

I'd like to put together a time line that's easy for the court to look at.
From date- to date and a short description why (i.e court order, cps order, Selenas choice, or due to her in the hospital)
Each time you had Hazel in your custody
And each time you had Onawa and Raven as well.
Can you please work on that while we work on getting the info you provided us into subpoenas for her medical records?

Thanks!

Desiree Muller
Legal Assistant
Breckan Law PLLC
360-960-8951

[Quoted text hidden]

[Quoted text hidden]

Timeline of Hazel living with Hans & Kat Stoker

1. Hazel was born 5/2/2013 when her mother was living at our house. Hazel was born with a club foot and required a series of leg braces & medical care. Selena & Hazel lived with us for about 5 months before Selena took a job in Las Vegas.
2. Hazel was put into foster care in Boulder County, Colorado in, I believe, December 2014. Hans & I moved to Colorado, did Kinship training, and cared for Hazel from January 2015 until June 2015. Hazel was returned to Selena about the end of June.
3. Kathryn flew back & forth multiple times between July 2015 & 2016 to assist Selena with Hazel & help her with the house.
4. In October 2017 Selena called and requested that we come & get Hazel from Colorado because she was stressed and wanted to go back to the hospital. Kathryn flew back & retrieved Hazel.
5. From October 2017 to May 2018 Hazel lived with Hans & Kathryn in Washington where she was provided Head Start Pre School, speech therapy, occupational therapy, and ABA therapy. She was non-verbal when she came to live with us.
6. Selena lived in a house on our property directly above us. Hazel was a frequent visitor to our house. Hazel attended Kindergarten at South Bay Elementary, and Kathryn continued to take her to speech therapy weekly.
7. In June 2018 Selena was having problems after the birth of Onawa (born 4/29/2018) and fled to Northern California. She was hospitalized there for 2 weeks. Hazel was living with us from about May 2018 to August 2018.
8. Hazel began first grade (Sept 2018) in a special program called SCALES at Chambers Prairie School which was organized to get special needs students like Hazel ready to go to middle school over the course of 5 years. Hazel was frequently spending overnights at our house to allow her mother room to deal with baby Onawa.
9. On December 14, 2019 Selena had another baby, Raven Smith-Wells, while Hazel lived at our house December to January 2020.
10. As the pandemic began in March 2020, Selena took Hazel out of school, began hoarding food, and became paranoid. At this point CPS in Washington was involved trying to provide services like counseling, food, etc. to keep Selena's family together.
11. In May 2020 she sent Hazel to our house & took off towards the east coast with the 2 babies. Hazel was living with us & doing on-line school (May 2020).
12. On 5/25/2020 she called us and told us & the CPS worker that we should take custody of Hazel and that Jim Wells would be taking custody of the babies because she wanted to live her life without the burden of the children.

13. We hired a lawyer, but Selena came back to our property in June 2 & took Hazel back to the upper house.
14. Selena got a job with the Federal Census in September 2020 and all the children Hazel, Onawa, and Raven lived with us until the end of October 2020. Jim Wells, father of Onawa & Raven frequently had the younger children in the upper house. Hazel was living with us.
15. By November 2020 Selena decided she was leaving Washington & the father of the 2 babies permanently. She fled across the United States staying in Domestic Violence shelters & homeless shelters & using the money from the census for gas & motel stays. Selena abandoned the house leaving behind the children's clothes, school supplies, medical appointments, and hygiene supplies (toothbrush, hairbrushes, etc.).
16. Hans & Kathryn attempted to keep in touch via a phone we paid for & providing cash assistance when she asked.
17. On March 3, 2021 she returned our home to pick up the old motor home. The children spent the night with us. They were dirty, hungry, and in poor shape.
18. Selena left the next morning in a van in which the children were placed in the rear with no car seats except blankets & toys on the floor. There were no rear seats in the van.
19. In April 2021 we were contacted by the Sheriffs Office & subsequently CPS in New Jersey as to the horrible conditions that the children were found in before she fled the state. All children back with us by June 2021.

Subsequently, we have had enough & are asking the court to step in and address the situation for the children. Selena comes from a large extended family and her brothers, their wives, and aunts and cousins have also stepped in to assist with the care of the children during this time.



Desiree Muller <desiree.breckanlaw@gmail.com>


Hazel's Dental

3 messages

Kat Stoker <Kat-Stoker@comcast.net>
To: Desiree Muller <desiree.breckanlaw@gmail.com>

Tue, Jun 15, 2021 at 9:42 AM

Because Selena left with the Hazel in November 2019 & did not take Hazel to her scheduled appointment her teeth are much worse now and require more extensive work. I am attaching the estimate from the dentist. Kat

 **BRN3C2AF4A138C1_000489.pdf**
54K*See attached.*

Desiree Muller <desiree.breckanlaw@gmail.com>
To: Breckan Scott <breckan@breckanlaw.com>

Tue, Jun 15, 2021 at 10:13 AM

Desiree Muller

Legal Assistant

Breckan Law PLLC

Mailing: PO Box 1123 Yelm, WA 98597

Physical: 10501 Creek St SE, Suite 6 Yelm, WA 98597

www.breckanlaw.com


Phone: 360-960-8951

Fax: 360-464-2636

CONFIDENTIAL COMMUNICATION:

E-mails from our office frequently contain confidential and privileged material, and are for the sole use of the intended recipient. Use or distribution by an unintended recipient is prohibited, and may be a violation of law. If you believe that you received this e-mail in error, please do not read this e-mail or any attached items. Please delete the e-mail and all attachments, including any copies thereof, and inform the sender that you have deleted the e-mail, all attachments and any copies thereof. Thank you.

[Quoted text hidden]

 **BRN3C2AF4A138C1_000489.pdf**
54K

Desiree Muller <desiree.breckanlaw@gmail.com>
To: Kat Stoker <Kat-Stoker@comcast.net>
Cc: Breckan Scott <breckan@breckanlaw.com>

Tue, Jun 15, 2021 at 10:17 AM

Bcc: Stoker <8d1e4fa3a+matter1293990169@maildrop.clio.com>

Received thank you.

Please try to remember to cc Breckan on your emails as well, it's important that we both get all of the correspondence.

Thanks.

Desiree Muller

Legal Assistant

Breckan Law PLLC

Mailing: PO Box 1123 Yelm, WA 98597

Physical: 10501 Creek St SE, Suite 6 Yelm, WA 98597

www.breckanlaw.com

Phone: 360-960-8951

Fax: 360-464-2636

CONFIDENTIAL COMMUNICATION:

E-mails from our office frequently contain confidential and privileged material, and are for the sole use of the intended recipient. Use or distribution by an unintended recipient is prohibited, and may be a violation of law. If you believe that you received this e-mail in error, please do not read this e-mail or any attached items. Please delete the e-mail and all attachments, including any copies thereof, and inform the sender that you have deleted the e-mail, all attachments and any copies thereof. Thank you.

[Quoted text hidden]

June 15, 2021
 Small to Tall Pediatric Dentistry
 Rowley and Ruder, PLLC
 3422 12th Ave NE
 Olympia, WA 98506
 360-459-5885

The following diagnosis and treatment plan have been prepared for: *Hazel Smith*

Description	Th#	Fee	Insurance	Balance	Expl
Periodic Oral Evaluation		69.00	69.00	0.00	100%
Prophylaxis Child		92.00	92.00	0.00	100%
Topical Fluoride Application		48.00	48.00	0.00	100%
Ppe		15.00	15.00	0.00	100%
Total for completed treatment		224.00	224.00	0.00	
Resin, 1 Surf Posterior	3 O	214.00	214.00	0.00	100%
Resin, 1 Surf Posterior	14 O	214.00	214.00	0.00	100%
Resin, 1 Surf Posterior	19 O	214.00	214.00	0.00	100%
Crown, Stainless Steel, Primary	A	323.00	323.00	0.00	100%
Crown, Stainless Steel, Permanent	30 O	391.00	391.00	0.00	100%
Pulp Cap - Direct	3 0	100.00	100.00	0.00	100%
Periodic Oral Evaluation		0.00	0.00	0.00	
Prophylaxis Child		0.00	0.00	0.00	
Fluoride Varnish		0.00	0.00	0.00	
X-Rays, First Periapical	30	40.00	40.00	0.00	100%
X-Rays, Each Additional Film	L	32.00	32.00	0.00	100%
Treatment May Change		0.00	0.00	0.00	
Anesthesia		0.00	0.00	0.00	
Total for Phase One		1,528.00	1,528.00	0.00	
Total		1,752.00	1,752.00	0.00	

Total fee for above procedures: \$1,752.00
 Your insurance company may pay: \$1,752.00
 Your Payment:
 In which case you may pay: \$0.00

Initials:

I have been informed of and understand the above treatment for my child. I request and authorize Dr. Rowley, Dr. Ruder, Dr. Shavron, Dr. Craig and/or their associate to perform these dental services for my child and to do whatever procedures are necessary in his / her judgement during this treatment including the use of necessary anesthetics and sedatives.

I agree to pay all charges for members of my family shown by statements, regardless of insurance coverage, promptly upon presentment thereof, unless credit arrangements are agreed upon in writing. I also accept financial responsibility for that portion of the fee that is not covered by my






Declaration of Kathryn Stoker 1-unsigned

Final Audit Report

2021-06-14

Created:	2021-06-14
By:	Breckan Scott-Gabriel (breckan@breckanlaw.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAADFDTTozmbzGfPKvrB7oRQGMCLbAKfVx1

"Declaration of Kathryn Stoker 1-unsigned" History

-  Document created by Breckan Scott-Gabriel (breckan@breckanlaw.com)
2021-06-14 - 10:22:24 PM GMT- IP address: 73.169.231.32
-  Document emailed to Kat Stoker (kat-stoker@comcast.net) for signature
2021-06-14 - 10:22:50 PM GMT
-  Email viewed by Kat Stoker (kat-stoker@comcast.net)
2021-06-14 - 11:51:57 PM GMT- IP address: 76.121.132.72
-  Document e-signed by Kat Stoker (kat-stoker@comcast.net)
Signature Date: 2021-06-14 - 11:53:10 PM GMT - Time Source: server- IP address: 76.121.132.72
-  Agreement completed.
2021-06-14 - 11:53:10 PM GMT