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SUPERIOR COURT  
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Linda Myhre Enlow  
Thurston County Clerk

<input checked="" type="checkbox"/> <b>EXPEDITE</b> (if filing within 5 court days of hearing)
<input type="checkbox"/> Hearing is set:
Date: <u>7-29-21</u>
Time: <u>10:30pm</u>
Judge/Calendar: <u>Indu Thomas</u>

21-4-00452-34  
DCLR 72  
Declaration Affidavit  
10753678



<b>SUPERIOR COURT OF WASHINGTON FOR THURSTON COUNTY</b>
<u>Guardianship of</u> , Plaintiff/Petitioner, Onawa Smith-Wells, Raven Smith-Wells vs. <u>Selena Smith</u> , Defendant/Respondent.

NO.

21-4-00452-34

**TITLE OF DOCUMENT:**

Declaration Rebuttal to Kathryn Stoker's Declaration  
on proposed orders and 7-17-21 incident

NAME: Selena Smith

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Superior Court of Washington, County of Thurston County

In re:

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

Hans & Kathryn Stoker

And Respondent/s (other party/parties):

Selena Smith

No. 21-4-00452-34

Declaration of

(name): Selena Smith

(DCLR)

**Declaration of (name):** Selena Smith

1. I am (age): 45 years old and I am the (check one): ☐ Petitioner ☒ Respondent  
☐ Other (relationship to the people in this case): \_\_\_\_\_

2. I declare: (See attached page)

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): 11 pages.

Signed at (city and state): Olympia, WA Date: 7-27-21

Selena Smith Sign here      Selena Smith 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

Declaration of Kathryn Stoker regarding 7/17/21 incident:

Attempt to bias the court. This has nothing to do with the proposed order hearing.

In fact, it demonstrates why we need a full evidentiary hearing with live testimony, and cross examination, because virtually nothing in it is true.

I knocked. My parents are somewhat deaf. I walked in. My mother was where she always is, in front of the computer, adjacent to the foyer. I would ask the court to keep in mind that as a member of the family, we all are fairly casual about announcing ourselves and walking into the family home. I did nothing atypical in terms of behavior, in announcing or entering the home, that other family members or myself haven't done in the past, without complaint from the Stoker's. Furthermore, at the time, I did not have minutes on my phone. I had not seen the children in person for two months. I had only spoken to Hazel three times over the phone, and the two youngest once. Given the young age of my children and the strong attachment the children and I have with each other, the fact that Hazel had used every opportunity on the phone (with witnesses present on my end), to ask me where I was, why I wasn't there yet, when was I coming, and my mother's statements that she was not seeing me from seeing the children, along with my review of court papers indicating there was no reason I could not see the children, under the supervised care of the Stoker's, I had taken my first opportunity that Saturday, 7/17/21, to finally come visit in person with the children. I had been working full-time. Thus, that Saturday was my only opportunity. The following is what actually transpired:

Selena: "Hey"

Kathryn Stoker: "What are you doing here?"

Selena: "I'm here to visit with the children."

(At this point, Hazel, who was upstairs, heard my voice, and grew excited, running downstairs to see me.)

(Upstairs) Hans Stoker: "Who's that?"

Kathryn Stoker: "It's Selena. She's here to visit the kids."

Selena: "Where's Onawa?"

Kathryn Stoker: "In the TV room"

(My mother also informs me that Raven, 1 year old, isn't there. She's been staying with Alex Stoker. Hazel and I walked to the TV room, where we all hugged, and were excited to see each other again. The kids were very excited, Onawa exuberantly yelling "Mommy! Mommy!", and Hazel talking rapidly about all the things she wanted to share with me. Saturday morning cartoons were on the TV. The children were still in their pajamas. I sat down on the couch. Onawa leaped into my lap, hugging me, and would not let go. I let her cuddle up with me. She was extremely happy to see me, and so was Hazel. I practically cried. It had been so long. The Stoker's had disconnected their main phone line they had for decades, reducing all communications to Kathryn Stoker's cell phone. I had little contact with my children by any means in the two month interim that had passed. I was equally excited to be seeing them. I settled in, and began visiting with the children, focusing on them. Hans wandered downstairs. Mom wandered into the kitchen. Hans sat down in his easy chair in the TV room. He looked tired, but relaxed. Mom asked me from the kitchen if I wanted a cup of coffee. I said yes. Hans

continued to sit, and not say anything, while I visited with the kids. Mom brought a cup of coffee over to me. I thanked her. Communication with the children, on my part, was listening to all the things Hazel wanted to tell me, and responding with interest to what she wanted to express. With my daughter Onawa, it was telling her how beautiful she was, stroking her cheek, hugging her, and her hugging me back. And expressing to both my daughters how wonderful it was to see them both, and how happy I was. After a while of observing us, maybe 10 minutes of this, Hans began to speak.)

Hans Stoker: "You know, I didn't know about Robert Kurtz. I barely spoke to him at all. Really, our only intent was to keep the children from becoming wards of the state."

Selena Smith: "Ok, but didn't you think to fact check? To verify? And that's not what the records suggest. You apparently had many conversations with Robert Kurtz."

(Hans grew visibly exasperated)

Hans Stoker: "Do you know how much money we've spent on you over the years, Selena?"

Selena Smith: "That's besides the point. You know the facts about Robert Kurtz and the whole matter. Given that, why haven't you done the right thing and dropped the case? If you know the truth?"

(Hans begins to get angry)

Hans Stoker: "I don't trust you. I haven't liked you for 40 years. I've NEVER liked you, Selena."

Selena Smith: "Hans, I know you've never liked me. I was just a kid, Hans. You were the adult."

Hans Stoker: "Why does that matter?"

(At this point, we stare at each other, not saying anything, and my mother walks over, touching Hans on the arm, and asks him to calm down. She asks if he'll take the dogs for a walk.)

Selena Smith: "This is inappropriate to be doing in front of the kids."

(He begins to sputter)

Kathryn Stoker: "Hans, please."

(Hans Stoker grunts and shakes his head, and gets up angrily. He gets up, and follows my mom to the foyer. I peek around the corner at them, and see her handing him the dog leashes. She puts her hand on his arm.)

Kathryn Stoker: "Give it a chance. I want to see how it goes."

(Hans leaves through the front door with the dogs. My mother goes to smoke a cigarette on the other side of the house off their patio. I go back to the TV room and continue visiting with the children. Eventually, I hear Hans and the dogs return through the front door. But neither he or my mother return to the area of the house where we are in the TV room. I believe they are leaving us alone while I visit and play with the children. Maybe 15 minutes pass. At this point, I've been in the house perhaps one hour. I hear a commotion at the door, the dogs are barking. I know that someone must be at the door. I wonder who it might be. I walk through the kitchen toward the front door, around the corner, and see a police officer standing with Kathryn and Hans Stoker in the foyer speaking with them. I am shocked. I also know that due to a previous incident where a police officer was abusive towards my autistic 8-year old, and the trauma of being taken from me in Oakridge, OR where police were present and an Oregon CPS worker removed them, the presence of the police is likely to frighten my daughters. I quickly walk back to the TV room, and make my daughter Hazel aware that the police are there. Onawa is already frightened, and clinging to me in my arms, beginning to cry. I tell my daughter Hazel of their presence because I want to prepare her, but she begins to cry too, and is scared. I sit



down on the couch again in the TV room, and Hazel clings to me, with Onawa. I tell Hazel it's not her fault.)

Hazel: "It IS all my fault"

(I continue to reassure my daughter it is not her fault, that I've got her. I know that my daughter is in danger of having a complete melt down. The police officer follows me into the TV room. He is apparently unaware that he is dealing with an autistic child, or unaware of what is about to happen to her, and demanding that I leave. He accuses me of trespassing. At this point, I have a daughter with autism about to lose it competing with a police officer's requests. I admit to focusing on the well-being of my daughter Hazel, and my scared three year old, over the officer's request. However, I am also flustered. What is happening is frightening. Unexpected. Reminiscent of when the children were seized. Coming with the realization that my mother and her husband are being disingenuous. And my PTSD is being triggered. From all the bad family experiences I've had. What is happening to the children and myself all over again is horrifying. I want to protect my children, I am actively attuned to their fright and my daughter Hazel's escalating state towards a probable melt down. I can barely control my own shaking and PTSD. Words are being exchanged at this point. I refuse to leave the children. I can't fathom the idea of pushing my children away or leaving them in that condition. Other officer's arrive. They ask that I come outside. I comply. I walk with the children and Hazel, who are still just as frightened, outside, where we sit down on a curb together. We're all hugging each other. Hazel is getting worse, not better. I continue to try to express to the police what actually happened. I'm confused by what their telling me. Trespassing? Burglary? I don't understand. And they don't understand what's going on with Hazel. They keep asking me to leave, but I can't. Because of what's going on with Hazel. I know she needs me to help her until she can regain control. Then the unexpected happens. I am unaware that the Sherrif and his deputies, a great number of them, (7-10?) have formed a circle from the side and behind us sitting on the curb. They begin to rush us. We are scared. I bend my head down. I clutch Onawa to my chest. Hazel sees what is happening and begins to scream uncontrollably. She can no longer contain herself. The police dog pile us like football players. They yank Hazel away, who kicks, screams, punches, struggles, and does not stop. She is in complete autistic melt down. The officers have crushed me to the ground on top of my three year old, Onawa. We are both having trouble breathing. I know she is being hurt. I keep trying to roll off her and the police keep crushing me down back on top of her. I can hear Hazel screaming continuously and fighting. My mother walks directly into all of this. She is directed back by officers, but not before she is injured as a result of wandering into a pile of struggling police and individuals. An officer finally manages to restrain Hazel successfully enough and rushes her into the house, where she continues screaming uncontrollably behind closed doors. I can hear her. The police finally get off of me enough I am able to roll off Onawa, and they retrieve her and bring her inside. Officers are kneeling on me, laying on the ground, with my face in the dirt, my arms cuffed behind my back. I am bruised and hurt from many large men crushing me and the children. I am read my Miranda rights. But not told what I am being charged with. I don't learn what the charges are, in fact, until my appearance at the pretrial hearing from Thurston County Jail before Commissioner Kortokrax, who had already recused himself because of his relationship with the family in another case. That represents my first knowledge that I have been charged with burglary and three counts of domestic violence 4.)

It is telling in Kathryn Stoker's declaration to the court, intended to bias this court, since her declaration has nothing to do with the proposed orders, that she states "we had to pull the kids away from her/from under her." She got right in there with the police after they rushed and dog-piled us. Furthermore, her statement belies a sentiment that the police are somehow an extension of her.

Kathryn Stoker misrepresents what the actual charges were. I was not charged with reckless endangerment. Furthermore, at the time her declaration was entered with the court, I was no longer incarcerated. Bail had been posted.

I want to point out that the criminal matter is not yet resolved or determined by Thurston County Superior Court. I do want to highlight for this court that misrepresentation in both the civil and criminal matter is a pattern with the Stoker's and Robert Kurtz that records requests are already beginning to reveal. Just because an arrest was made, and an excuse for arrest manufactured, does not mean that I am *guilty* of Kathryn (or Hans) Stoker's allegations or assertions. While it is convenient to their case, at a time when Robert Kurtz is being revealed as a fraud, operating under the color of authority and impersonating a LEO, and other unlawful transgressions, to appeal to the incident on 7-17-21 and prejudice the court in this matter, the facts will eventually show that for the Stoker's to take what should have been a peaceful, normal visitation with the children and use it to falsely report and create a police incident (with severe negative impact on all parties involved) is self serving. And deeply selfish.

We do not agree to the proposed order because it is mistating what the commissioner ruled. The commissioner noted that James Wells had never completed service of the parenting plan. And that he had also failed to date *still* in any way to comply with the DV final protection order for all three children and myself. Commissioner Zinn herself, who finalized the protection order on 1-5-21, told James Wells in court, when he raised the issue of the parenting plan, she wouldn't even consider it as a matter until he had complied with the order. An order almost 7 months later since that date he still hasn't complied with, or made any effort to.

There is nothing *more* accurate or reflective of Commissioner Thomas's ruling in the proposed order. In fact, it is less accurate, and less reflective of her ruling, and actually diminishes it and is encroaching on the court's ruling by undermining it. This court should be wary and conscious of the Stoker's and their attorney's efforts to make subtle or not so subtle changes in the court's language, rulings and so forth to undermine and shift it in their favor. While they may expect this to go unnoticed by the court or this party, that is not the case, nor should it be. The Stoker's and their attorney would like to prejudice this court with the criminal matter, which hasn't been ruled on yet, and encourage it to ignore the accuracy of its own rulings in their favor. That is not appropriate. No one, myself included, is happy with what occurred on 7-17-21. However, that does not mean it should be treated as determinate for this court's determination in this matter, as of yet.

Furthermore, there is a preliminary matter this court really must address. I want to point out that under Washington's new guardianship laws, there is actually a higher standard, not a lesser

one. Consider the following point on service, a very important one, that is further supported by Exhibit G, containing the Oakridge Police Department's notes on Improper service, from when the children were taken. If you are filing a minor guardianship petition, more people must be served than previously. Fundamentally, it does make the case more complicated, because you have to serve more people, which is oftentimes one the hardest parts about starting a case. "TO SERVE" means that ALL of the legal documents need to get officially given to someone who has an interest in the case. That includes parents and anyone else who may have an interest; paternal grandma, aunt, who were helping care for child, etc. as an example. There is a notice that you need to fill out and serve with petition for minor guardianship really walks plaintiffs through who those people are and who must be notified and how. ***I was never served with a GDN M 201 Notice of Hearing\_Emergency Minor Guardianship Petition.*** I received 4 pages, as "service" and/or "notice" that was NOT material constituting service or notice at all.

The following is a more in-depth review of what I would hope the court would consider in this matter.

There's really nothing that is the equivalent of a temporary order like existed in non-parent custody. If you need an order right away, you have to file an emergency guardianship petition AND you have to file a motion for an immediate order.

***I was never served officially with document (motion order) indicating temporary restraining order, which only dictated I could not take the children out of Washington state.***

***The petitioners request in the motion for immediate order the petitioners have the right to claim the children as dependents for purposes of personal tax exemptions and associated tax credits on their tax forms. However, they claimed them before they had ever filed the emergency guardianship petition or motion for an immediate order.***

Reasons for an immediate Minor Guardianship Order that were given by plaintiffs:

- Mother's history of flight risk - ***I fled domestic violence abuse. Documented in the DV Temporary and Final Protection Order granted against James Wells. His mental health is a question in that instance, not mine for having fled him. Furthermore, their was no "fleeing" from authorities documented in New Jersey or elsewhere. No evidence. This is pure heresy.***
- Removing children from oversight of authorities - ***Again, this has never happened. It is heresy. There is no evidence of this. I have never done this. This has never occurred. Ever.***
- Removing children from family members - ***I certainly did remove myself and the children from our home at 6943 76th Ave NE, Olympia, WA 98503, after repeated domestic violence and abuse the children and myself were exposed to and that was directed towards us or in our vicinity. I had every right to protect my children and myself and remove us from that dynamic and situation with James Wells and***



family. I would, in fact, have been guilty of threatening the health, safety and welfare of the children and myself, and risking substantial and irreparable harm, if I had not, given the active alcohol abuse, drug abuse, prescription pill abuse, domestic abuse and violence that was perpetuating and persisting. Which is why we were granted a DV final protection order, which in itself is enough to explain why we were fleeing rather than "flight risks", and I took the children and myself away from a toxic and extremely dysfunctional family dynamic to be accepted into the domestic violence shelter system and advocacy network and programs available, utilizing all public and private resources available to us in the transition, resulting in a stable living situation we were able to establish for ourselves in Portland, OR, with all basic care and needs met for both the children and myself, when the children were unjustly and traumatically seized from my care.

- Mother's mental illness - The Stoker's make the argument in the Motion for an Immediate Order that I am unable to recognize what is in my or the children's best interest. Yet, I took appropriate action in leaving a domestic abuser and a toxic dysfunctional family situation, represented by the Stoker's, behind. I appropriately leveraged and utilized the public and private resources available to me and successfully had transitioned to a new life with my daughter finishing up school, successfully enrolling her in a new school for next school year, was transitioning to residency in a new state with healthcare, and the help of a paraeducator, a youth specialist, a social worker, dv advocates and other advocates and community support. A broad swath of community support and advocates. I had shelter, employment, had kept our finances stable throughout, despite challenges, made appropriate decisions accordingly in all dimensions of our lives. There was no mental illness. There is still no mental illness that is interfering with the basic care or needs of the children, nor the decision making or judgment necessary to meet the children's needs or make good, quality life choices for either them or myself. I was not overwhelmed by the care of my three children. I was working hard and embracing the hard work of nurturing and supporting our new life free of abuse and a bad family dynamic we had left behind rationally. My children never went without their basic needs met. My daughter with autism never went without her needs being met. In fact, the affidavits from people with direct knowledge of such from the time the DV temporary order and final protection orders were filed with this court, and those filing them in Portland who knew us since winter in February 2021 and after, testify to the excellent care and welfare of the children. The Oakridge PD officers report even testify to this effect, even as the children were being taken from me. All real evidence points to their good care and well-being and health. They were thriving. Happy. Well-adjusted. NOT under immediate risk or evidence of harm.
- One of the petitioner's noted severe regression in March 2021 - The petitioner is not a doctor. Not an expert. Does not have a doctor's report or expertise to attest to this. The visit was only overnight. While I worked diligently that night to retrieve items at the house we had left. While experiencing aggression from the family, both my brother Alex Stoker and stepfather Hans Stoker, who openly displayed

*their aggression towards me in front of the children. The children do not like that. They love their mother and it frightens them and myself. Furthermore, there was no severe regression. Once we were back in Portland, the children were happy again.*

- *One child has a deep rooted cavity that has not been treated - I was transitioning to Oregon Health Plan in Oregon, and services were delayed in Oregon of this nature because of COVID. I was making every effort. However, dentistry was an area of contention between my mother and me since she was bypassing my parental authority and making decisions regarding dental surgery on Hazel's teeth she had no authority to make even prior, and had actually resulted in Hazel's teeth being mismanaged. It was absolutely necessary to remove my mother from being inappropriately intrusive and violating parental decision making where Hazel's medical care was concerned. It was resulting in poor care for Hazel. My mother makes "patients" out of people, and, I would argue, has hallmarks of being on the spectrum of Munchausen by Proxy Syndrome, which I believe she should be evaluated for. As further evidence of this, I would point out that this Emergency Guardianship Ex-Parte Order and the Motion for an Immediate Order pushes the narrative, without any evidence but an echo-chamber of heresy, that I am mentally ill and I must be required to take medication. This is despite all the successes and growth we achieved once out of her oversight and the toxic environment we were in living at the address adjacent to her's. I would like to point out that my mother has forced me to doctors over the course of my childhood, forced medication on me, and ascribed labels to me, doctor shopped, found willing doctors, and other hallmarks of Munchausen by Proxy Syndrome. Yet, as an adult, once out of her care and oversight, independent doctors and review, many times over, found I was not mentally ill. They could not ascribe a diagnosis to me. In truth, they noted my resilience, despite challenging circumstances and situations, and my stresses and reactions to be normal, not pathologies. Furthermore, they found I responded better than most to such. The Stoker's echo-chamber of heresy in ascribing pathologies to normal responses, normal behavior, and circumstances that have understandable and reasonable explanations is typical. It is a known fact that my children and I were experiencing DV. That the family was unsupportive, toxic and dysfunctional in its response. Faced with challenges, they didn't make it better, they made it worse. I made up for where they were deficient. I did what I needed to do to carry my children and myself to better health, circumstances, community and opportunities we could count on without their disparagement, labels, poor prescriptions, negative reinforcement, prejudice and poor attitudes used to control and abuse their family members.*
- *Petitioners arrange for and ensure that the health needs of the children are met - This was NEVER true, accurate or correct. I arranged for ALL of my children's care and needs, with very little exception. My mother often fought me trying to wrestle for control of the children's basic health needs, especially Hazel's. I found this bizarre, pathological and inappropriate. I rightly maintained parental authority on*

*all care and needs where the children were concerned, in conjunction with their fathers, and kept doing for the children and myself, ignoring her and continuing to parent appropriately.*

- *Child is not currently in school or therapy - Hazel was always being schooled and never stopped being schooled. And she was enrolled in public school for 2021-2022 in Portland, OR, where the school was also active in providing educational resources and materials, and she had a paraeducator and other supports. We were finishing up the school year with her when the children were seized. Education was a major part of our daily life. Where therapy was concerned, the Stoker's are not experts. They are also failing to acknowledge or recognize that children's needs shift and change as they get older and develop, and this was no less true with my daughter Hazel. Her need for therapies had lessened, not increased. ABA therapy was no longer needed. Her speech was continuing to improve and develop appropriately, and her progress was measurable. Since her progress and development was appreciable, and steady, she was getting what she required and needed. There was every reason to be confident in the strides she was making developmentally and educationally. She has strengths and weaknesses that we were noting and working with appropriately.*

*Notice - No explanation is given for why the children would be harmed irreparably if notice was given, in the Motion for Immediate Order with the Emergency Guardianship Ex-Parte Order. Argument of counsel is not evidence.*

*Custody - The Stoker's are given custody with an immediate emergency guardianship based on an argument someone needs to be making appropriate basic and special health decisions and take over the schooling of Hazel, all of which I had already been doing successfully and well and was attending to full-time. They argue they must be able to access health records as well. My two youngest, Onawa and Raven, were always in good health, and required few trips to the doctor, but they did go on occasion, as appropriate. My daughter Hazel's medical records are long and extensive, and are a testament to ALL that I managed with her where her medical care was concerned. I did not overlook or neglect her care at all.*

*Moving the children to Washington actually created a disruption to the continuity of care and support the children had, especially Hazel. Having to attend to court in a wrongly granted ex-parte emergency guardianship order also adversely affected myself and everything I had invested in for us in Portland, from appropriately finishing up Hazel's school year, transitioning to Oregon Health Plan, residency, a new school Hazel is enrolled in, employment, community (public and private resources and support systems we had going, the children's friendship circles, summer school programs, etc). It cost me financially and was expensive to travel back and forth at a time when I needed to keep working and focus our financial resources on paying rent, daycare, and other matters in securing and maintaining our new life in Portland, OR. It has had a deleterious effect, impacted my employment negatively, affected our housing, healthcare*



(which includes the support Hazel was getting and continuity of care). It affected Hazel's ability to finish her school year for 2020-2021. It was disruptive emotionally and traumatic for both the children and myself. Furthermore, the children are getting mixed messages about the man who abused us and that we left behind, and were granted a DV final protection order for. The stoker's clearly stated in their declarations they had no issue with James Wells or him seeing the children, even though he has not met the conditions of the order. I am not convinced they are not letting him see the children while the children are in their care. I did not need an emergency ex-parte order and motion for immediate order to meet the challenges in my life while another caregiver was assigned as guardian and took over in place of my parenting because I was already meeting the merits, responsibilities and duties in every dimension as a parent to my children, and the evidence speaks more strongly to that than the Stoker's and others echo-chamber of hearsay does. Just because they repeat their misrepresented allegations and assertions/subjective opinions often and mirror each other does NOT make it evidence, does NOT make it true. The declarations of others in this matter, the opinions of other family outside of themselves, the broader community beyond the Stoker's, and most importantly, the EVIDENCE...can provide the accurate perspective necessary that this case is missing and needs. The reality is quite different from what the start of this case asserted. Furthermore, for Robert K. Kurtz to be given credibility as a professional, he has to act as a professional. He is not a DHS investigator. He has no social work training. He has no case management or caseworker status or authority. He operated under the color of authority and lacked authority and expertise, as well as evidence. Of all the people in this case, he should have documentation, photographs, DHS case numbers, and other records. The Oakridge, OR Police Department report rightly noted the inconsistencies where Robert Kurtz was concerned, and the agency he falsely purported to be authorized by, representing and acting on behalf of. A review of the New Jersey Division of Family Services Manual and New Jersey statutes Title 30 and Title 9 quickly reveal Robert Kurtz was conducting himself deceptively and not under the authority of that Division or anyone else other than the interests of the Stoker's and himself. He broke the law. Misled this court. Created immeasurable damage for the children involved and myself. Tore my family apart and ruined our lives. The fallout has been immense in every way. This court can only do the next best thing, in light of this, in terms of remedy, to begin to undo the damage by restoring the children to a mother who committed no crimes, no instances of child abuse or neglect, who's children and herself had the reasonable explanation recognized by this court as domestic violence victims who were fleeing abuse, and had a final order meant to protect us and help us. There were no arrests. No warrants. I had no record of a violent past. I was not a criminal or a felon. I had a stellar job history and list of accomplishments. I had been a great parent in my own right, though I had faced unusual circumstances, challenges and hardships. There were no missing or kidnapped children. My phone number was known, as was my mailing address, which I did collect mail from and call to check on. It was known we were living in the domestic violence shelter system and receiving support. That travel was necessary to that. I had savings and finances. All the resources we needed, keeping in mind the pandemic disruptions that everyone had to endure, not just the children or myself. There was no basis for an emergency ex-parte emergency order and motion for an immediate order without notice, because there was no irreparable harm that would be occurring to the children with notice, and the very basis for a motion for guardianship could have been addressed without

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disruption and destruction to the children's lives or mine. In fact, I would posit that the Stoker's and James Wells knew this, and understood that guardianship was very unlikely to be granted at all if they gave notice. As it was, even without notice, I was improperly served. The actions on the part of the Stoker's were retaliatory, mean, vindictive and in bad faith, towards victims of domestic violence who's mother they blamed for leaving, who's DV final protection order they have continued to deny, despite the court's findings as to its necessity.

In the Motion for Immediate Order, the PRIMARY reason the petitioners ask the court for the orders in the Motion for Immediate Order is ROBERT K. KURTZ'S DECLARATION. However, Robert K. Kurtz not only acted unprofessionally and outside of the scope of the law, but he misrepresented and perjured himself. Robert K. Kurtz does NOT work directly for the New Jersey Division of Children & Families. He works for the Human Services Police, which protects Division of Children and Family Services facilities and their staff across the state of New Jersey.

Finally, the court cannot reach sound, just, properly reasoned rulings without proper representation of facts, documentation and evidence presented to it in its search for the truth in rendering its rulings. As a self-litigant, I have been extremely challenged in this case, but have been doing my best to rise to the occasion. Part of that has been my efforts of inquiry pursuing facts and evidence. Records are continuing to be sought and coming in. They firmly and definitively back up my narrative and testimony to this court, even if they have been slow to come in, and I am eager to share this with this court. The records are voluminous, and thus, the slow speed of acquisition and their arrival, as well as the great deal of work involved in gaining them and ferreting them out. I want to point out that NO ONE received proper notice or service in these guardianship cases. Despite having my phone number. And my email. I did regularly review my voice mail messages and email. The Stoker's were also aware of my mailing address and that address's phone number. Which I regularly called to check for new mail and any messages. It is not that the Stoker's did not have any way to at a minimum verbally or otherwise notify me to make me aware, and, contrary to their claim, I have never been, nor am I, a flight risk, nor have I ever shown evidence of being one. I also have an extensive bank record disproving the Stoker's timeline and other assertions they have made regarding my whereabouts, my financial care of the children, and more. I have records with Washington state disproving their contradictory assertions that I did not live at 6943 76th Ave NE, Olympia, WA, 98516, for over two years, and had abandoned my children. They have made statements to this court contradicting even that statement. The voluminous misrepresentation on the part of the Stoker's and their attorney should be suspect, and not overlooked by this court, especially given its impact. I am "insinuating" ethical impropriety. I am stating the facts and evidence exists in record of impropriety.

Within the past few days, I have been able to ascertain through Colorado Court Case searches online that Robert Ayer is living in Boulder, CO. He has two cases in Boulder County Court that were scheduled. Case #21M876, 7/26/21, 8am, Room F, Division 7. Case #21M880, 7/29/21, 8am, Room F, Division 7. The Division Clerk's phone number is (303)441-3760. Certainly, I would have expected that this is information Breckana Scott could have obtained on her own,



given any effort. I am not an expert on skip tracing. It took me much longer to find this information.

A guardian ad litem is not necessary in this matter. The assertions by which this guardianship has been sought are misrepresented as it is. My mental health should not be up for debate. The Stoker's, their attorney, and James Wells, continue to assert that it is severe mental illness, not the reality of domestic violence and family abuse and dysfunction, that created hardship for the children and I. Hardship we overcame after this court rightly granted a DV final protection order and we properly utilized the DV shelter system and advocacy to settle into Portland, where we continued to have support, advocacy, and all our needs, including the children's, were being met. I had filed a Letter of Intent to Homeschool with North Thurston School District, unbeknownst to the Stoker's. I was engaged with a local Portland, OR school receiving educational materials and resources, as well as with a paraeducator for Hazel, and finishing up her homeschooling and assessments when the children were seized. I have had full time employment in Portland. A house. An RV. Two other vehicles. Both in running, good condition. My children were not neglected, but well cared for, as the declarants on our behalf, most of which have known us since February 2021, when we settled in Portland, have attested to. As to the children's medical care, the facts will show that my mother actively interfered with my ability from 2017 to receive AppleHealthcare and other benefits/services from the state of Washington, creating confusion with Washington State with false claims she was a guardian, and in many instances, the mother, as state records show with DSHS, the Healthcare Authority, Apple Healthcare, and North Thurston School District. Something Hans Stoker was aware of, and complicit with, that he did not challenge. While I do not want to distract the court, I must respond to the content of Kathryn Stoker's declaration regarding the proposed orders. As to the emails they are highlighting, I don't see how that's relevant to me? Or this case? Other than to prejudice the court? I don't understand the purpose of that, or why they think it's important. What's important to me is the children and the truth.