

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FLORIDA

CASE NO. 05-2004-DR-019706-XXXX-XX

IN RE: THE FORMER MARRIAGE OF:

TIMOTHY MICHAUD,

Petitioner/Former Husband

and

AIMEE MICHAUD, n/k/a  
AIMEE CASEY,

Respondent/Former Wife.

**AMENDED ORDER TO SHOW CAUSE**

This cause came before the Court on December 17, 2018 on the Petitioner/Former Husband's Motion for Order to Show Cause Why the Respondent/Former Wife Should Not be Found in Indirect Criminal Contempt and the Court having considered the pleadings, Affidavit filed in support of the Motion and attachments thereto, and argument of counsel for the Petitioner/Former Husband the Court finds an Order to Show Cause was issued, dated December 20, 2018. This matter was initially set for hearing on January 15, 2019 before Judge Michelle Naberhaus. Judge Michelle Naberhaus entered an Order dated January 14, 2019 recusing herself from this action. By Order dated January 24, 2019, Judge Robert Segal was assigned this action for further proceedings. This matter was duly set for hearing by Order dated March 21, 2019 for further proceedings on July 15, 2019 at 9:00 a.m. The Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey received notice of the hearing scheduled for July 15, 2019 and the record reflects from the pleadings Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey has filed, since that Order, that Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey had

actual notice and knowledge of the hearing set for July 15, 2019. The Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey failed to appear at the scheduled hearing as ordered. There is nothing in the record before the Court that demonstrated good cause why the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey failed to appear before the Court on July 15, 2019 as ordered. No motion was filed to continue this matter nor was any admissible evidence presented to justify the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey's failure to appear. The Court notes that an email was sent to the Court the Friday before Monday's hearing attached to which was a note purporting to be from Ms. Casey's treating physician stating that Ms. Casey suffered from some medical condition which impacted her ability to travel. Ms. Casey never raised this issue with the Court in any of her correspondence or by a properly noticed motion.

**ORDERED AND ADJUDGED:**

1. This Court has jurisdiction over the Petitioner/Former Husband, Timothy Michaud and the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey and the subject matter of this action.
2. That after consultation with the Court in Cobb County, Georgia, all matters concerning the parties and their minor child were stayed by the Georgia Courts until pending motions in Florida were considered. A copy of that Order is attached hereto as Exhibit "A".
3. That prior Order of the Court dated September 21, 2010 and upon stipulation of the parties, including the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey, was prohibited from discussing with anyone other than the Court, Dr. Day, the attorneys, and the parties' significant others any of the issues or allegations in this case. A copy of that Stipulated Order is attached hereto as Exhibit "B".

4. That by prior Order of the Court dated April 27, 2012, *nunc pro tunc* February 10, 2012, the Court Order granting Injunctive Relief prohibited the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey from contacting the Petitioner/Former Husband, Timothy Michaud's place of employment, employer, or employees by mail, telephone, e-mail, through third parties, or in any other manner whatsoever. A copy of that Order is attached hereto as exhibit "C".

5. That by Amended Supplemental Final Judgment dated June 19, 2013 the Court found the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey in civil contempt of court for at least five (5) distinct violations of prior Court Orders. Further in paragraph eleven (11) of the Amended Supplemental Final Judgment the trial Court ruled, as follows:

"The Former Wife shall not contact any state reporting agencies, sheriff or police department, advocacy centers or clinics, crisis centers, the media or abuse media specialists, or otherwise for any purpose whatsoever regarding the minor child, without leave of Court. The Former Wife shall not cause any third party, including, but not limited to, her current husband and family members, to contact any state reporting agencies, sheriff or police departments, advocacy centers or clinics, crisis centers, the media or abuse media specialists, or otherwise for any purpose whatsoever regarding the minor child. The Former Wife shall report any concerns regarding the minor child to her attorney and Dr. Williamson. The Former Wife shall file an affidavit with the Court confirming her acknowledge of this Court's requirements and orders set forth herein."

A copy of the Amended Supplemental Final Judgment is attached hereto as Exhibit "D".

6. This Court finds that paragraph eleven (11) by its terms and conditions is clear and distinct as to those actions the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey is either directly prohibited from taking and/or prohibited from using third parties to undertake those actions.

7. There is no order of this Court or any other Court that modifies or vacates the prior orders of this Court that prohibit the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey's actions, transmissions, communications or reports alleging the sexual abuse of the parties' minor child by the Petitioner/Former Husband, Timothy Michaud.

8. There is no order of this Court or any other Court that modifies or vacates the prior orders of this Court attached hereto.

9. That the Affidavit in support of the Petitioner/Former Husband, Timothy Michaud's Motion for Order to Show Cause and the recorded voicemails proffered to the Court are sufficient evidence to support a finding of probable cause that the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey has intentionally and willfully violated the prior orders of this Court on repeated occasions.

10. The injunction entered by this Court on April 27, 2012, *nunc pro tunc* February 10, 2012 is enforceable by a proceeding for indirect criminal contempt. Florida Statute §741.2901(2); *Walker v. Bentley*, 678 So.2d 1265 (Fla. 1996)

11. The Court is empowered to punish contempt(s) by Florida Statute §38.22. Further contempt is defined as "A refusal to obey any legal order, mandate or decree made or given by any Judge ....."

12. The Respondent/Former Wife clearly had notice of the prior orders of the Court and had notice of the hearing scheduled on December 17, 2018 and on July 15, 2019. There is evidence

before the Court sufficient to support a finding of probable cause that the Respondent/ Former Wife, Aimee Michaud n/k/a Aimee Casey has intentionally and willfully violated the prior orders of this Court. The Respondent/Former Wife Aimee Michaud n/k/a Aimee Casey failed to appear or attend at the hearing set for December 17, 2018 and July 15, 2019.

13. The Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey's failure to appear as ordered by the Court, if willful and intentional, constitutes additional grounds for a finding of indirect criminal contempt. The Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey failed to file a timely motion for continuance or establish any admissible evidence on the record prior to July 15, 2019 to justify her failure to appear. This Order to Show Cause amends the grounds to find the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey in indirect criminal contempt to include that the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey intentionally and willfully failed to appear before the Court on July 15, 2019 as ordered. *State v. Diaz de la Potilla*, 177 So.3d 965 (Fla. 2015)

The Respondent/Former Wife Aimee Michaud n/k/a Aimee Casey is hereby ORDERED to show cause why she should not be found guilty of indirect criminal contempt of court by the intentional violations of prior Court orders, to wit:

- a. Contacting the Petitioner/Former Husband, Timothy Michaud electronically and by telephone as his place of employment. Leaving voicemails at the Petitioner/Former Husband, Timothy Michaud's place of employment;
- b. Publication and/or posting on the internet and social media allegations and/or statements prohibited by the Court's prior orders in a repeated and intentional violation of the Court's orders.

- c. Causing and/or assisting third parties in publication of allegations and/or statements prohibited by the Court's prior orders in a repeated and intentional violation of the Court's orders.
- d. Contacting law enforcement and/or state agencies with allegations and/or statements prohibited by the Court's prior orders.
- e. The Respondent/Former Wife, Aimee Michaud k/n/a Aimee Casey intentionally and willfully failed to appear before the Court on July 15, 2019 after having actual notice of the Court's previous Order to do so and without leave of the Court.

**Pursuant to Fla. R. Crim. P. 3.840:**

Based upon the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey's filings with the Court and the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey's failure to appear as ordered on July 15, 2019, the Court has reason to believe that the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey will not appear before this Court as ordered by the Court. Fla. R. Crim. P. 3.840(c) provides this Court may issue an order of arrest to compel the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey's appearance before this Court.

Pursuant to Fla. R. Crim. P. 30840(a) the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey shall appear in person before Judge Robert Segal, Moore Justice Center, 2825 Judge Fran Jamieson Way, Viera, FL 32940, on Thursday, December 12, 2019 at 9:00 a.m. to show cause why the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey should not be found in indirect criminal contempt of court.

The Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey may file a responsive pleading as set forth in Fla. R. Crim. P. 3.840(b).

The law firm of Eisenmenger, Robinson, Blau & Peters, P.A. is appointed to conduct the hearing in this cause. The Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey is entitled to representation by counsel, have compulsory process for the attendance of witnesses, and testify in her defense pursuant to Fla. R. Crim. P. 3.840(d).

In accordance with Fla. R. Crim. P. 3.840(c), the Court hereby ORDERS THAT ALL AND SINGULAR SHERIFFS AND ALL OTHER AUTHORIZED LAW ENFORCEMENT PERSONNEL; take the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey:

DESCRIPTION:      SEX: Female      RACE: White      HAIR: Brown

DOB: October 23, 1971

RESIDENTIAL ADDRESS: 9636 Pebble Creek Boulevard, Summerville, South Carolina  
29485

into custody and contact the Sheriff of Brevard County, Florida to make arrangements to produce the body of Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey before this Court at the earliest possible time possible after her arrest and to give notice to the Honorable Circuit Judge Robert Segal – Phone Number (321) 637-5641 of Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey's detention. The Sheriff of Brevard County, Florida shall promptly notify the Court of Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey's apprehension in order for the Court to set a timely hearing on this Amended Order to Show Cause why the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey should not be found in Indirect

Criminal Contempt.

As surety for appearance before this Court, the Court sets bond for the Respondent/Former Wife, Aimee Michaud n/k/a Aimee Casey at \$500.00.

DONE AND ORDERED in Chambers at Viera, Brevard County, Florida on this 24 day of JULY, 2019.

  
ROBERT SEGAL  
Circuit Judge

Copies furnished to:

Mark S. Peters, Esquire  
Aimee Casey, Pro Se



**ATTN: PERSONS WITH DISABILITIES.** If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at Court Administration, 2825 Judge Fran Jamieson Way, 3<sup>rd</sup> Floor, Viera, FL 32940, (321) 633-2171 ext. 2, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time is before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.



IDA 2018-0132552-CV  
FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
COBB COUNTY, GEORGIA  
18104010

SEP 19, 2018 11:13 AM

*Cynthia R. Smith*  
Clerk of Superior Court  
Cobb County, Georgia

IN THE SUPERIOR COURT OF COBB COUNTY  
STATE OF GEORGIA

AIMEE CASEY,

Plaintiff,

v.

TIMOTHY MICHAUD,

Defendant.

CIVIL ACTION FILE NO.  
18-1-4010-49

IN THE CIRCUIT COURT OF THE 18<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FLORIDA

IN RE: THE FORMER MARRIAGE OF:  
TIMOTHY MICHAUD,

Petitioner/Former Husband,

v.

AIMEE MICHAUD, n/k/a  
AIMEE CASEY,

Respondent/Former Wife.

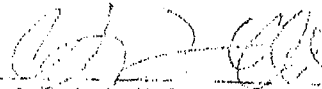
CASE NO.  
05-2004-DR-019706

ORDER STAYING PROCEEDINGS

Pursuant to O.C.G.A. § 19-9-66(b), Judge C. LaTain Kell, Sr. of the Superior Court of Cobb County in Cobb County, Georgia and Judge George Turner of the Circuit Court of the Eighteenth Judicial Circuit in Brevard County, Florida held a telephone conference to discuss the above-styled matters. As a result of this discussion, it has been determined that the Georgia action (Civil Action File No. 18-1-4010-49) shall be STAYED while the Florida action (Case No. 05-2004-DR-019706) is still pending and until further order of the Georgia court. It shall be the responsibility of the parties to inform the Georgia court when the Florida action has been completed. This order is being entered simultaneously in both cases in both jurisdictions.

EXHIBIT "A"

SO ORDERED this 16<sup>th</sup> day of September, 2018.



C. Latham Kell, Judge  
Superior Court of Cobb County, Georgia  
Cobb Judicial Circuit

IN THE SUPERIOR COURT OF COBB COUNTY  
STATE OF GEORGIA

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that I have this day served a copy of the within and foregoing order (Civil Action File No. 18-1-4010-49) upon all parties by sending a true and correct electronic copy via Peach Court, or through the Cobb County Mail System, addressed to the following:

Marilyn L. Bardie-Kapaun, Esq.  
Erica F. Byrd, Esq.  
Michael D. Stacy, Esq.  
Bovis, Kyle, Burch & Medlin, LLC  
mbk@boviskyle.com  
efg@boviskyle.com  
mstacy@boviskyle.com

Thomas J. Browning, Esq.  
Courtney M. Gilkinson, Esq.  
Browning & Smith, LLC  
tj@browning-smith.com  
courtney@browning-smith.com

The Honorable George B. Turner  
Eighteenth Judicial Circuit  
Melbourne Courthouse  
51 S. Nieman Ave.  
Melbourne, FL 32901-1218

This 17<sup>th</sup> day of September, 2018.

  
Natalie C. Bloodworth  
for C. LaTain Kell, Judge  
Superior Court of Cobb County  
Cobb Judicial Circuit

14  
IN THE CIRCUIT COURT IN THE  
EIGHTEENTH JUDICIAL CIRCUIT  
IN BREVARD COUNTY, FLORIDA

CASE NO: 05-2004-DR-019706

IN RE: The Former Marriage of

TIMOTHY MICHAUD,  
Former Husband,

AIMEE CASEY, f/k/a AIMEE  
MICHAUD,  
Former Wife.

SCOTT ELLIS  
2010 SEP 21 P 3:24  
FILED IN YIERA-80  
CLERK OF CIR. CT.  
BREVARD CO. FL.

**STIPULATED ORDER FOR TEMPORARY  
RELOCATION OF THE MINOR CHILD AND TIME-SHARING SCHEDULE**

**THIS STIPULATED ORDER** came before the Court upon the stipulations and agreements of the Former Husband, TIMOTHY MICHAUD, and the Former Wife, AIMEE CASEY, and their counsel, and the Court having reviewed the file and being otherwise advised in the premises it is

**ORDERED AND ADJUDGED:**

1. The parties shall, as soon as possible, contact the offices of Dr. Deborah Day and arrange for supervised time-sharing for the Former Husband with the minor child through her office if she believes that such contact is in the child's best interest and necessary.
2. Assuming that Dr. Day is willing to recommend supervised time-sharing at this time, the parties shall arrange supervised time-sharing through Dr. Day's office or through such other supervisor, taking into account the concerns of both parties. Dr. Day may consider the suitability of Amy Marto

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Document Page # 124

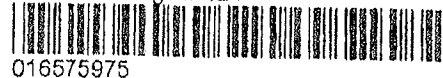


EXHIBIT "B"

first and then consider such other persons as the parties suggest for supervising time-sharing, and the expenses being incurred herein.

3. Time-sharing shall be at the discretion of Dr. Day in duration and frequency; however, the first time-sharing or a portion thereof, shall be in the presence of Dr. Day or such other qualified person as Dr. Day designates in her office. It is contemplated that time-sharing shall be once per month for a full day on a Saturday and a Sunday morning assuming Dr. Day deems such contact is appropriate.

4. If at some point, Dr. Day believes either that time-sharing may be loosened or needs to be more restrictive; either party is free to ask the Court to alter the time-sharing based upon those recommendations.

5. The Former Husband agrees, without prejudice, that the Former Wife is free to relocate to Massachusetts and enroll the minor child in school at the Wolf Swamp Elementary School and the Greenwood After School Program. The Former Husband acknowledges that the minor child shall begin school September 1, 2010, and that the Former Wife is seeking employment. The parties both reserve all rights associated with the Petition for Relocation.

6. The Former Wife shall arrange and transport the minor child to Florida for time-sharing until such time as the Former Wife becomes employed, at which time the parties agree the Former Wife is authorized to have another family member transport the minor child for time-sharing, if necessary.

7. The Former Husband shall pay for reasonable airfare, hotel expenses, and the cost of time-sharing until such time as the Former Wife

becomes employed. After the Former Wife finds employment, the parties shall equally divide the cost of time-sharing to include airfare, car rental, suitable hotel costs, and the fees of Dr. Day's office for time-sharing, if required. After locating employment, the Former Wife shall reimburse the Former Husband, retroactively, for one-half of the expenses he incurs associated with this agreement, between the time of execution and the Former Wife's employment. The Former Wife shall reimburse the Former Husband for her one-half share of time-sharing expenses at the rate of Two Hundred Dollars (\$200.00) per month until paid in full.

8. The Former Wife's current husband will use his best efforts, including his contacts in the industry, to locate discounts for car rentals and the Former Wife shall use her best efforts to find employment.

9. The Court may, at the time of a final hearing, allocate the responsibility for the expenses incurred for time-sharing and the travel costs associated therewith between the parties.

10. Neither party shall discuss this litigation with anyone outside their families or significant other, except for the offices of Dr. Deborah Day, the Court and court personnel and their attorneys and staff.

11. The Former Wife shall assist the Former Husband in obtaining full access to the minor child's medical and school records. The parties agree that the Former Husband shall not be on the minor child's school and aftercare pick-up lists at this time.

12. The parties agree that beginning September 1, 2010; the stepfather

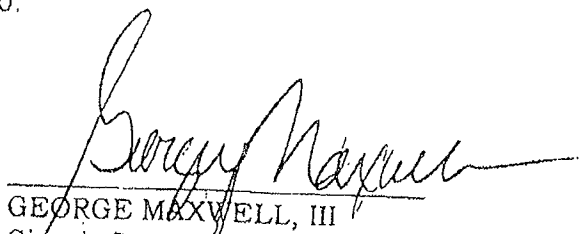
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shall attempt to enroll the minor child, Riley Michaud, on his health insurance plan through his place of employment. So long as there is no additional expense associated with adding the minor child, the Father shall be responsible to pay one-third of the expense associated with having family coverage on the Former Wife's husband's policy. The parties understand that health insurance is part of child support and reserve on what portion the Father shall ultimately contribute.

13. The Court reserves and retains jurisdiction over this cause, the parties and the minor child.

**DONE AND ORDERED** in Chambers, in Viera, Brevard County, Florida, on this 27<sup>th</sup> day of ~~August~~ September, 2010.

Copies furnished to:  
Bradley W. Rossway, Esq.  
Julie Glocker Pierce, Esq.  
Deborah Day, Psy.D

  
GEORGE MAXWELL, III  
Circuit Court Judge

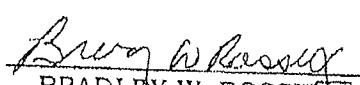
**THIS ORDER IS HEREBY STIPULATED AND AGREED TO BY THE PARTIES AND THEIR COUNSEL:**


Dated: August \_\_\_\_\_, 2010.

Dated: ~~August~~ September 10, 2010.

ROSSWAY MOORE TAYLOR & SWAN  
Attorneys for the Former Husband  
2101 Indian River Boulevard, Suite 200  
Vero Beach, Florida 32960  
Telephone: (772) 231-4440  
Facsimile: (772) 231-4430

JULIE GLOCKER PIERCE, LLC.  
Attorney for the Former Wife  
311 Sixth Avenue  
Indianalantic, Florida 32903  
Telephone: (321) 728-4955  
Facsimile: (321) 952-0839

By:   
BRADLEY W. ROSSWAY  
Florida Bar No. 691290

By:   
JULIE GLOCKER PIERCE  
Florida Bar No. 437956

1/5

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FLORIDA

CASE NO. 05-2004-DR-019706  
DIVISION: Family

IN RE: The Former Marriage of  
TIMOTHY MICHAUD,  
Former Husband,

And  
AIMEE CASEY f/k/a  
AIMEE MICHAUD,  
Former Wife.

Case # 05-2004-DR-019706-XXXX-XX  
Document Page # 243  
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FILED IN VICTORIA  
CLERK OF CIR  
BREVARD COUNTY  
2012 APR 27 A

ORDER GRANTING FORMER HUSBAND'S VERIFIED MOTION FOR INJUNCTION  
FOR PROTECTION AGAINST HARASSMENT, STALKING, AND DEATH THREATS

THIS CAUSE having come before the Court for hearing on the 10<sup>th</sup> day of February 2012, on Former Husband's Verified Motion for Injunction For Protection Against Harassment, Stalking, and Death Threats, and the Court having heard testimony of the Former Husband, TIMOTHY MICHAUD, argument of counsel, reviewed evidence presented, and being otherwise fully advised in the premises, makes the following:

FINDINGS OF FACT:

- A. The Court finds that, despite the Former Wife having been provided with the Former Husband's Verified Motion for Injunction for Protection Against Harassment, Stalking, and Death Threats; and, therefore, being fully aware of the allegations contained therein, and having timely received the Notice of Hearing for February 10, 2012, she willfully failed and refused to appear for the February 10, 2012 hearing on this matter. Former Wife's counsel of record, Attorney William Orth, appeared for the hearing.
- B. The Court also finds that the Former Wife's Motion to Continue and Response to Former Husband's Verified Motion for Injunction for Protection Against Harassment, Stalking, and Death Threats filed on February 7, 2012, was reviewed by the Court, and the Court heard testimony of the Former Wife's counsel, Attorney Orth, in her absence, and the Former Wife's Motion to Continue was denied by the Court.
- C. The Court takes judicial notice of the Former Wife's attorney's December 19, 2011 correspondence sent to the Court, copied to the Former Husband's attorney, wherein

EXHIBIT "C"



Attorney Orth advised the Court that at the conclusion of the Status Conference and Motion Hearing held December 9, 2012, the Former Wife made threatening statements that the Former Husband "should be killed".

D. Attorney Orth testified, under oath, that the statements and threats made by the Former Wife contained in his December 19, 2011 correspondence to the Court were true and accurate and, as a consequence of the Former Wife's statements, Attorney Orth filed a Motion to Withdraw pursuant to the Florida Bar Rules of Professional Conduct, Rule 4-1.6(b), which was granted at the conclusion of this hearing.

E. The Former Husband testified that at the conclusion of the December 9, 2011 hearing, the Former Wife was observed in a highly agitated state as she drove away from the Courthouse and she was making obscene gestures to the Former Husband.

F. The Former Husband testified that the Former Wife, since December 10, 2011, has failed and refused contact with the parties' minor child as awarded and set forth in the Order Granting Former Husband, Timothy Michaud's Verified Emergency Motion for Temporary Change in Timesharing Temporary Order.

G. The Former Husband testified the Former Wife consistently had maintained contact with the minor child until December 10, 2011, as directed pursuant to the Court's April 6, 2011 Order.

H. The Former Husband also testified that the Former Wife, who throughout these proceedings freely e-mailed the Former Husband, has made no contact with him or the parties' minor child since the December 19, 2011 hearing. However, the Former Husband testified that the Former Wife had sent threatening text messages to his long term companion, Amy Marto on December 11, 2011.

I. The Former Husband testified that based on the Former Wife's recent statements and actions that he is taking the current threats by the Former Wife seriously as they were made in front of witnesses. Ms. Marto, the Former Husband's companion, has now received threats from the Former Wife, which include her minor child; and, the Former Wife has now ceased all communication with the minor child and the Former Husband. The Former Husband's testimony is that he has a legitimate concern for health, safety and welfare of the minor child, Ms. Marto and her child, and himself, and the Former Husband has taken steps to secure the safety of his home and his family based on his fear that

Former Wife, in her highly distressed state, might cause him or his family harm or attempt to abduct the minor child.

J. The Court recognizes that a person's behavior may change adversely as a result of litigation, and they may reach a position of desperation and acting out such as the Former Wife's actions and statements at the conclusion of the December 9, 2012 Status Conference.

K. However, the Court is hesitant to create a situation that may progressively push the Former Wife into further acts of desperation. The Court is concerned by the Former Wife's behavior at the December 9, 2012 hearing, finds the Former Wife's behavior subsequent to the December 9, 2012 hearing to be disturbing.

L. Based on the testimony of the Former Husband and counsel for the parties, and taking into consideration the actions of the Former Wife at the December 9, 2012 hearing and thereafter, finds it is appropriate to enter a temporary order of injunctive relief.

Therefore, it is hereby

ORDERED and ADJUDGED:

1. The Former Husband's Verified Motion for Injunction for Protection Against Harassment, Stalking, and Death Threats is hereby GRANTED.

2. A Temporary Injunction is hereby entered prohibiting the Former Wife, AIMEE CASEY, from

a. Going to or within 500 feet of the Former Husband's residence or place of employment, and from contacting the Former Husband's place of employment, employer, or employees by mail, telephone, e-mail, through third parties, or in any other manner whatsoever, and

b. Going to the minor child's school, and from contacting the minor child's school, teachers, physicians, or counselors by mail, telephone, e-mail, through third parties, or in any other manner whatsoever; and

c. Contacting Amy Marto or Amy Marto's minor child or anyone associated with either of them, and from contacting Amy Marto's place of employment, employer, or employees by mail, telephone, e-mail, through third parties, or in any other manner whatsoever.

d. Coming within 100 feet of Former Husband or Amy Marto's motor

vehicle, whether or not it is occupied; defacing or destroying the Former Husband or Amy Mario's personal property.

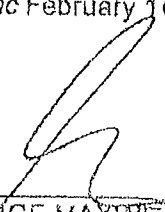
3. If the Former Wife goes on or about the Former Husband's residence, place of employment, or the minor child's school, she shall be removed with a trespass warning

4. The Temporary Injunction shall remain in full force and effect until further order of the Court, and only the Court may modify the terms of this Temporary Injunction.

5. Any violations of this Order of Injunction by the Former Wife may result in the Former Wife being held in contempt of court.

6. The Court reserves and retains jurisdiction over this cause and parties for the entry of such further orders as may be required.

DONE and ORDERED in Chambers, at Viera, Brevard County, Florida, this 27<sup>th</sup> day of April, 2012. *nunc pro tunc* February 10, 2012.

By:   
GEORGE MAXWELL, III  
Circuit Judge

Copies furnished to:  
Bradley W. Rossway, Esq., 2101 Indian River Blvd, Suite 200, Vero Beach, FL 32960  
Aimee Casey, 1413 Wellesley Circle, Mount Pleasant, SC 29466

SCOTT ELLIS

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT IN AND FOR BREVARD COUNTY, FLORIDA

CASE NO: 2004-DR-019706  
DIVISION: Family

IN RE: The Former Marriage of  
TIMOTHY MICHAUD,  
Former Husband,

And

AIMEE CASEY f/k/a  
AIMEE MICHAUD,  
Former Wife.

*AS to date signed*

AMENDED SUPPLEMENTAL FINAL JUDGMENT

[GRANTING FORMER HUSBAND'S VERIFIED AMENDED SUPPLEMENTAL PETITION FOR MODIFICATION OF FINAL JUDGMENT]

THIS CAUSE, came before the Court for trial on August 1 and 2, 2012, on the Former Husband's Verified Amended Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage to Award Sole Parental Responsibility, Majority Timesharing, and Other Relief, and the Court having heard testimony of the parties, and witnesses, and argument of counsel, and having reviewed the evidence presented, and having reviewed the file and being otherwise fully advised in the premises, makes the following

FINDINGS OF FACT:

- A. The Court has jurisdiction over the subject matter, the parties, and the parties' minor child.
- B. The Former Husband, TIMOTHY MICHAUD, resides in Brevard County, Florida, was present at trial with his attorney of record, Bradley W. Rossway, Esquire.
- C. The Former Wife, AIMEE CASEY, who currently resides in South Carolina, was present at trial with her attorney, Mercedes Wechsler, Esquire, who is the Former Wife's fifth Florida attorney in this matter.
- D. The minor child of the parties, R.A. MICHAUD, born July 8, 2003, is nine (9) years old and resides with the Former Husband in Florida pursuant to the Court's *Order Granting Former Husband Timothy Michaud's Verified Emergency Motion for Temporary Change in Timesharing*, entered on April 6, 2011.



EXHIBIT "D"

I. **BACKGROUND.**

E. A *Final Judgment of Dissolution of Marriage* was entered in this matter on February 24, 2006.

F. The minor child turned six (6) years old in 2009 and, pursuant to the *Final Judgment of Dissolution of Marriage*, began increased timesharing with the Former Husband, and in 2006, the Former Wife caused a substantial, material, and unanticipated change in the Former Husband's contact and timesharing with the minor child.

G. During the minor child's first six-weeks of summer timesharing with the Former Husband in 2009, the Former Wife began pursuing the first of numerous allegations of neglect and/or abuse by the Former Husband by contacting the Brevard County Sheriff's Department, who in turn contacted the Brevard County Department of Children and Families. On July 20, 2009, the Brevard County Sheriff's Department closed their file finding that noting substantiated the Former Wife's allegations of abuse. On July 30, 2009, the Brevard County Department of Children and Families closed its case finding "there were no indicators" of abuse.

H. On October 29, 2009, the Former Wife filed a Motion to Set Aside Final Judgment Regarding Visitation & Custody for Lack of Jurisdiction; and, on October 29, 2009, the Former Wife filed an Emergency Motion to Suspend Visitation. On January 9, 2010, this Court entered its *Order Denying the Former Wife's Motion to Set Aside Final Judgment*.

I. Upon the minor child's return to North Carolina at the end of the 2009 summer timesharing with the Former Husband, the Former Wife initiated an abuse investigation there that continued through June 2010 when the Craven County, North Carolina, Department of Children and Families found the Former Wife's allegations unfounded.

J. On November 4, 2009, prior to the Florida Court making a determination on whether or not Florida retained jurisdiction, the Former Wife filed a Complaint in the General Court of Justice in Craven County, North Carolina stating that Florida was not the proper state for jurisdiction over the parties and the minor child and that North Carolina was not bound to recognize the Florida Final Judgment of Dissolution of Marriage. The Former Wife did not seek to register the parties' Final Judgment of Dissolution of Marriage with the North Carolina court. The North Carolina court entered an *Involuntary Dismissal*

of the Former Wife's Complaint on February 16, 2010, wherein the North Carolina court upheld that Florida retained jurisdiction.

K. On February 9, 2010, the Former Wife filed a Motion to Decline Jurisdiction for Inconvenient Forum and this Court entered an *Order Denying Former Wife's Motion Denying Former Wife's Motion to Decline Jurisdiction* on May 11, 2010.

L. As a result of the Former Wife's actions and the cessation of his timesharing and contact with the minor child, the Former Husband filed a Verified Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage to Award Sole Parental Responsibility, Majority Timesharing, and Other Relief on March 15, 2010. The Former Husband's Amended Verified Supplemental Petition for Modification of Final Judgment was deemed filed pursuant the Court's *Order Granting Former Husband's Motion for Leave to Amend* entered April 4, 2011.

M. With the assistance of the Court, the parties entered into a *Stipulated Order Appointing Psychologist and Evaluation of the Parties and Minor Child* entered on July 23, 2010, wherein Deborah O. Day, PsyD was appointed to perform the evaluation of the parties and their minor child.

N. In or about June 2010, the Former Wife relocated with the minor child to Massachusetts and a *Stipulated Order for Temporary Relocation of Minor Child and Timesharing* was entered on September 2010. Pursuant to the Stipulated Order, this Court placed very specific restrictions on the parties from discussing this case with anyone other than the Court, Dr. Day, their attorneys, and their significant others.

O. Pursuant to this Court's *Order on July 8, 2010 Hearing*, it was ordered that no other person, expert, therapist, or counselor, with the exception of Dr. Day, was to speak with the minor child regarding the Former Wife's allegations of abuse without leave of Court with the consequences for violation of this Order being held in contempt of Court.

P. On November 23, 2010, Dr. Day issued her report that the Court subsequently placed under court seal. Dr. Day's Report found that the Former Wife had "disregarded information that indicated no abuse occurred, exaggerated information"; "was motivated to keep Mr. Michaud away from Riley"; and, that the Former Wife, "although she may have believed there was abuse, she also deliberately and/or maliciously made false allegations." Dr. Day's Report found that the minor child was not at risk for abuse and that further interviews or forcing the minor child to make up allegations was emotional abuse.

Dr. Day's Report further stated, ". . . that if one more false or bizarre allegation is made or if the timesharing is restricted by Mrs. Casey, the majority of timesharing would immediately be switched to Mr. Michaud."

Q. The Former Wife continued to hinder the Former Husband's timesharing with the minor child until the Court entered its *Order Granting Former Husband's 2010 Winter Break/Holiday Timesharing*, dated January 11, 2011, which granted the Former Husband's first timesharing with his minor child since the summer of 2009.

R. At the conclusion of the Former Husband's 2010 winter break/holiday timesharing in early 2011, the Former Wife caused, through third parties, additional investigations of abuse in both Massachusetts and Florida in clear violation of this Court's Orders.

S. The Former Husband filed a Verified Emergency Motion for Temporary Change in Timesharing on February 4, 2011. The Court set a hearing on the Former Husband's Emergency Motion for March 4, 2011 and the Court ordered the Former Wife to bring the minor child to Florida for the hearing; however, the Court did not intend for the minor child to participate or testify at the hearing.

T. The Former Wife attempted to thwart this Court's jurisdiction and authority by filing a Verified Compliant and an Emergency Motion for Entry of Order that Minor Child Not Leave Commonwealth of Massachusetts in the Trial Court in the Commonwealth of Massachusetts on March 2, 2011, wherein the Former Wife re-alleged her same allegations of abuse. The Massachusetts Court held a hearing on March 3, 2011 and denied the Former Wife's Emergency Motion finding that Florida retained jurisdiction over the parties and the minor child. However, the Former Wife willfully and intentionally failed and refused to bring the minor child to Florida on March 4, 2011.

U. This Court entered its *Order Granting Former Husband Timothy Michaud's Verified Emergency Motion for Temporary Change in Timesharing*, on April 6, 2011, wherein the Court found the Former Husband had proven a substantial, material, and unanticipated change of circumstances; and, that it was in the best interest of the minor child that the Former Husband be awarded temporary sole majority timesharing of the minor child. Pursuant to the April 6, 2011 Temporary Order, the Former Wife was ordered to turn the minor child over into the custody of the Former Husband in Massachusetts on April 18, 2011.

V. In direct violation of the April 6, 2011 Temporary Order, and with willful contempt, the Former Wife failed and refused to turn the minor child over to the Former Husband on April 18, 2011. The Former Wife took the minor child to the Longmeadow, Massachusetts's Police Department on the morning of April 18, 2011 and filed, on behalf of the minor child and herself, a Complaint for Protection from Abuse re-alleging the same allegations of abuse investigated in North Carolina and in Florida. The Commonwealth of Massachusetts Trial Court held an all-day emergency hearing on April 19, 2011, which resulted in the Massachusetts's Court entering a *Judgment of Dismissal of the Former Wife's Complaint for Protection from Abuse*. Attached hereto as Exhibit "A" is a copy of the Commonwealth of Massachusetts Trial Court's Judgment of Dismissal dated April 19, 2011.

W. The Court entered an *Order on December 9, 2011 Status Conference and Motion Hearing* on April 27, 2012, wherein the Former Wife was found to be in direct civil contempt for her willful and intentional violation of the April 6, 2011 Temporary Order by purposely refusing to release the minor child into the temporary custody of the Former Husband on April 18, 2011. The December 9, 2011 Order also found that the Former Wife was in direct civil contempt for initiating a second proceeding in Massachusetts on April 18, 2011 in an attempt to circumvent the April 6, 2011 Temporary Order and this Court's established jurisdiction over the parties, the minor child, and this matter.

X. The December 9, 2011 Order also required the Former Wife to reimburse the Former Husband, on or before February 15, 2011, for his costs incurred for the necessity of purchasing new airline tickets, in the amount of \$335.40, as a result of the Former Wife's failure to turn over the minor child to the Former Husband on April 18, 2011.

Y. The December 9, 2011 Order further determined that the Former Husband had incurred additional attorney's fees, in the amount of \$2,062.50, for the necessity of retaining a Massachusetts attorney to defend the Former Wife's Complaint for Protection from Abuse. The Court's December 9, 2011 Order reserved on a determination on an award of the Former Husband attorney's fees to be heard at trial.

Z. On May 17, 2011, the Former Wife filed a Writ of Prohibition with the Fifth District Court of Appeal for Florida seeking to recuse the trial judge in the matter and, on June 1, 2011, the Fifth District Court of Appeal denied the Former Wife's Writ of Prohibition.



AA. On May 3, 2011, the Former Wife filed a Notice of Appeal of the non-final *Order Granting Former Husband Timothy Michaud's Verified Emergency Motion for Temporary Change in Timesharing*. On May 1, 2012, the Florida Fifth District Court of Appeal entered its *Per Curiam – Affirmed* decision on the Former Wife's Appeal. Further, the Fifth District Court of Appeal's May 1, 2012 *Order of Court* granted Appellee's [Former Husband's] Motion for Attorney's Fees and remanded this matter to the trial court for a determination and assessment of the Former Husband's reasonable attorney's fees for the defense of the Former Wife's Appeal. The *Order of Court* denied the Former Wife's Motion for attorney's fees. Attached hereto as Composite Exhibit "B" are copies Fifth District Court of Appeal's Decision and Order of May 1, 2012.

BB. The Court finds the evidence is clear that during the Former Wife's residency in Massachusetts between June 2010 and June 2011, the Former Wife, without leave of Court and in violation of this Court's previous Orders, submitted the minor child to investigations by the Massachusetts Department of Children and Families, a comprehensive assessment, and an evaluation that included an invasive, unwarranted, and inappropriate physical exam of the minor child. Further, the Former Wife also filed or caused to be filed additional reports of alleged abuse with the Brevard County, Florida, Sheriff's Department in February 2011 and with the Brevard County Florida Department of Children and Families in June 2012.

CC. In further direct violation of this Court's Orders, the Former Wife willfully failed and refused to notify the Court, Dr. Day, or the Former Husband of the assessments, evaluations, and investigation involving the minor child, in which she participated, in Massachusetts and Florida after the entry of the *Order on July 8, 2010 Hearing and Stipulated Order for Temporary Relocation of the Minor Child and Time-Sharing Schedule*.

DD. The *Court's Interim Order on September 14, 2011 Hearing* found that to protect the Former Husband and the minor child from the Former Wife's continued inappropriate actions regarding her continuing allegations of abuse, it was appropriate that Dr. Day's Report be released to the Former Husband for disclosure to therapists, state agencies for children and families, police and sheriff's departments, or any other investigative agencies as need or required. The Former Wife remained prohibited from possessing Dr. Day's Report.

EE. In the Court's attempt to determine how the Former Wife's appellate attorneys, Richard L. Sirianni, Jr. and Petra Brownlee of Brownstone, P.A., came into possession of Dr. Day's Report, which was attached addressed in the Appellant's Initial Brief and included in its entirety in the Appellant's Appendix to Initial Brief in violation of this Court's Orders. At the hearing held on December 9, 2011, the Former Wife adamantly testified, under oath and upon direct questioning by the Court, that she was not in possession of Dr. Day's Report.

FF. The Court's *April 6, 2011 Temporary Order* required the parties and the minor child to enter into individual therapy and the Court's subsequent Orders, required the parties to sign HIPAA releases for themselves and for the minor child for the release of their sealed therapy records to the Court for review.

GG. The Former Husband engaged Garry L. Edwards, Ph.D. as his therapist and signed a HIPAA release and Dr. Edwards' sealed report was provided to the Court on February 10, 2012, which the Court shared with the parties and their attorneys. Dr. Edwards' report was placed under Court seal.

HH. Despite three (3) separate Court Orders, the Former Wife failed and refused to sign HIPAA releases for her Massachusetts therapist, Kim Green, LMHC, and her North Carolina therapist, Brian Sullivan, Ph.D. The Court's *Order on February 10, 2012 Pre-Trial Conference*, entered April 27, 2012, ordered the Former Wife to sign HIPAA releases and provide the Court with her therapy records on or before the trial in this matter. The Court further stated in its Order that if the Former Wife failed and refused to provide her therapy records then at trial the Court would make a determination if the Former Wife should be held in contempt of Court.

II. The Former Husband entered the minor child in individual therapeutic therapy with Vicki Panaccione, Ph.D. in May 2011. It was not the intent of the Court for the minor child's therapist to conduct further evaluations or testing of the minor child or to pursue the Former Wife's allegations of abuse. The minor child's therapist was to assist and monitor the minor child in the transition from the care of the Former Wife to that of the Former Husband in Florida.

JJ. In violation of Court Orders, the Former Wife made contact with Dr. Panaccione, which culminated in an extensive five (5) page e-mail from the Former Wife to Dr. Panaccione on October 16, 2011. As confirmed by Former Husband's Trial Exhibit,

the Former Wife's E-Mail provided Dr. Panaccione with her biased position and information relating to this case and her numerous allegations of abuse beginning in July 2009 and to date including, but not limited to, the North Carolina, Massachusetts, and Florida investigations, reports, evaluations, assessments, and pictures. The Former Wife's October 16, 2011 e-mail also contained a comprehensive, extensive, *verbatim* narrative of Dr. Day's Report and the Former Wife's analysis thereof.

KK. The Former Husband was inadvertently copied with the Former Wife's October 16, 2011 e-mail to Dr. Panaccione and, at that time, the Former Husband stopped the minor child's therapy with Dr. Panaccione determining the Former Wife had compromised the minor child's "individual therapeutic therapy." The minor child was subsequently placed in therapy with Jeffrey Williamson, LD, Ph.D. and, at a subsequent hearing on December 9, 2011 and upon the Court being informed of the Former Wife's contact with Dr. Panaccione, approved Dr. Williamson as the minor child's therapist. The Former Husband signed a HIPAA release for Dr. Williamson providing the minor child's records to be provided, under seal, to the Court. In its December 9, 2011 Order, the Court required Dr. Williamson to set a schedule and timeline for the minor child's therapy and prohibited the Former Wife from direct or third party contact with the minor child's therapist. Dr. Williamson provided the Court with his February 8, 2012 Treatment Summary on the minor child's therapy, which was read by the Court and counsel and placed under seal by the Court.

LL. The December 9, 2011 Order restricted the Former Wife's information regarding the minor child to school reports and extraordinary medical events.

MM. Pursuant to the *Order Granting Former Husband's Motion for Court to Take Judicial Notice*, entered April 2, 2012, the Court took judicial notice of Deborah O. Day, PsyD's Evaluation Report dated November 23, 2010; Deborah O. Day, Psy.D.'s testimony under oath at the March 4, 2011 hearing; Notice of Filing original Transcript of Proceedings from March 4, 2011, Volume 1 and Volume II, filed May 9, 2011; Jeffrey M. Williamson, LD, PhD's Treatment Summary dated February 8, 2012; and Garry Edwards, Ph.D.'s Report date stamped by the Clerk of Court on February 9, 2012.

## II. TRIAL PROCEEDINGS.

NN. At trial, the Former Wife testified that she signed HIPAA releases on July 17, 2012; however, as of trial, the Former Wife's therapy reports had not been received by the

Court. Subsequent to trial, the Court did/did not receive the Former Wife's therapy records.

OO. At trial, the Court received Dr. Williamson's sealed July 30, 2012 Treatment Summary for the minor child, which was read by the Court and counsel and then entered into evidence and sealed by the Court. Dr. Williamson's Summary states that the minor child has adjusted to the transition to the majority care of the Former Husband, and appears "content, excited about school, peer activities, and demonstrates excellent self-control." Dr. Williamson further states that the Former Husband has complied with all therapeutic recommendations, there is a strong attachment between the Former Husband and the minor child, and the minor child is "flourishing in her father's home" and is comfortable and secure in the Former Husband's care. Dr. Williamson has no concerns regarding the Former Husband's parenting of the minor child. Dr. Williamson notes that the minor child's relationship with her mother was encouraged to be positive.

PP. At trial, the Former Wife recanted her testimony of December 9, 2011 and she testified that, in fact, she was in possession of Dr. Day's Report at the time of the December 9, 2011 hearing and acknowledged that she was in violation of Court Orders. The Court finds, by her own testimony, the Former Wife is in willful direct contempt of Court for her false testimony at the December 9, 2011 hearing and for her possession of Dr. Day's Report and the dissemination thereof to third parties.

QQ. Pursuant to the Court's review of the Affidavit of Paetra T. Brownlee, Esquire and attached e-mails between Brownstone, P.A., the Former Wife's appellate attorneys, and William S. Orth, P.A., the Former Wife's prior attorney in this matter, the Court finds that William S. Orth, P.A. provided Dr. Day's Report to Brownstone, P.A. in inadvertent violation of Court Orders.

RR. The Court finds that it has been the Former Wife's testimony during the pendency of this case, and as reflected in Dr. Day's Report, that while under her care the minor child had numerous medical, emotional, behavioral, and learning issues. It was the Former Wife's testimony at trial that she was skeptical of the minor child's medical, social, and educational improvement since the minor child began residing with the Former Husband, and that the minor child "needed constant therapy" - not "as needed" as determined by Dr. Williamson, the minor child's court appointed therapist.

SS. The Former Husband's testimony at trial was that the minor child was in excellent health, no longer had medical issues, was no longer on any medications, did not require eyeglasses, did not show evidence of behavioral or emotional problems, and with tutoring and the assistance of the Former Husband the minor child attained an educational equivalency appropriate for her age and grade. Further, the Former Husband testified that the minor child was happy and well adjusted, had friends of varying ages, engages in social activities, and participates in sports. The Court finds that the Former Husband's Trial Exhibits admitted into evidence, including the minor child's 2012 FCAT scores, Third Grade Student Yearly Progress Report, July 10, 2012 nine year old health check-up, and pictures, confirm the Former Husband's testimony as to the overall wellbeing and adjustment of the minor child.

TT. At trial, the Former Wife apologized to the Court for her numerous violations of court orders in reporting allegations of abuse in Massachusetts and Florida since her relocation to Massachusetts in June 2010 and testified that she now believed it was "not appropriate" and "the wrong way to go about it." The Former Wife further testified that she does not "know if the Former Husband abused the minor child."

UU. The Former Wife also testified that approximately six (6) months prior to trial in this matter she had retained the services of Dean Tong, a forensic specialist, for a fee of \$5,000.00 to research avenues for the Former Wife to pursue her perceived injustice of her rights to pursue her allegations of abuse. The Former Wife testified that as of trial, she was not currently pursuing Mr. Tong's services as she could not financially afford Mr. Tong at that time.

VV. The Former Wife testified that she believed it was in the best interest of the minor child that a Guardian Ad Litem be appointed in this case as it was important that a third party be available in the event "something" needed to be reported concerning the minor child. The Former Wife further testified that the Guardian Ad Litem needs access to all information in this case, including reports, evaluations, etc., so the Former Wife "does not make any calls."

WW. The Former Husband testified that immediately after the December 9, 2011 hearing, the Former Wife stopped all communication with him and the minor child, including the weekly scheduled telephone calls between the Former Wife and the minor child. The Former Husband testified that the Former Wife stayed completely out of touch

until sometime in June 2012 when, the Former Husband's belief, the Former Wife retained her current attorney. The Former Wife testified that she felt "disconnected" from the minor child so she stopped communicating until she made contact again in June 2012.

XX. The Former Wife also testified that the parties did not communicate well and blamed the Former Husband for their communication issues. The Former Husband testified that he did communicate with the Former Wife and provided pictures of the minor child, status reports on the minor child's school progress, activities, and other aspects of the minor child's life, both prior to and after the Former Wife's self-imposed cessation of communication between December 2011 and June 2012. The Former Husband further testified that he believed the Former Wife blocked his cell number to deliberately avoid his attempts at communicate with her.

YY. The parties each testified that subsequent to the July 27, 2012 mediation in this matter, the Former Husband voluntarily scheduled timesharing for the Former Wife with the minor child on July 28, 2012, which he supervised. The parties further testified that upon recommendation at mediation, they agreed to utilize the services of Delight McGregarian of Coastal Behavioral Therapy to supervise the Former Wife's timesharing going forward. At trial, the Former Wife testified that she agreed to Delight McGregarian as the supervisor for her timesharing and agreed that it would be her responsibility to pay Ms. McGregarian's fee of \$75.00 per hour. The Court notes that during trial, the Former Husband advised the Court that the Former Wife was being afforded additional supervised timesharing with the minor child while she was in Florida for trial in this matter.

ZZ. Former Husband's Proposed Parenting Plan & Timesharing Schedule. The Former Husband provided a proposed Amended Parenting Plan and Timesharing Schedule that was entered into evidence at trial. The Former Husband's proposed Amended Parenting Plan, in summary, recommends the Former Wife have monthly supervised timesharing with the minor child consisting of two (2) consecutive days each month of six (6) hours each day, to be held in Brevard County, Florida; the Former Wife, under no circumstances, is to remove the minor child from Florida without leave of Court; and, the Former Wife was to be responsible for all travel costs for her timesharing. The Former Husband's Parenting Plan includes an increase of the Former Wife's telephonic communication with the minor child to three (3) times a week and holidays, and to include Skype communication. The Former Husband requested continued sole responsibility over

the minor child's day-to-day decisions and over the minor child's education, therapy, healthcare, residence, and religious training. The Former Husband also requests the Former Wife continue to be restricted from contact with the minor child's teachers, therapists, and health providers until such time as the Former Wife has shown, through continued therapy, that she is rehabilitated as to her belief that the minor child had been abused.

AAA. Former Wife's Proposed Reunification Plan. The Former Wife's proposed Reunification Plan presented at trial was entered into evidence at trial. The Former Wife's Reunification Plan's ultimate goal was that the minor child return to a majority timesharing with the Former Wife by August 2013. The Former Wife's Plan requests joint parental responsibility, including decision making regarding the minor child's education, healthcare, and all other major decisions. The Former Wife proposed Plan also requests

- (1) Access to the minor child's medical, healthcare, therapy, and school records;
- (2) Ability to consult independently with all professionals, healthcare givers, educators, and therapists of the minor child;
- (3) Documentation in the minor child's records that she be allowed access and to obtain copies of all records of the minor child;
- (4) Is listed as an emergency contact for the minor child;
- (5) Access the minor child's on-line school information; and
- (6) Participate by telephone conference in parent-teacher conferences;

BBB. The Former Wife's proposed timesharing schedule under her proposed Reunification Plan sets out minimal supervised timesharing by a neutral party, for the Former Wife consisting of:

- (1) Supervised weekend timesharing every three weeks for nine (9) hours on Saturday and four (4) hours on Sunday between August and November 2012;
- (2) Four (4) days of unsupervised timesharing within a three week period between November 24 to December 16, 2012;
- (3) Unsupervised overnight timesharing from December 25 to December 26, 2012;
- (4) Unsupervised weekend overnight timesharing every three weeks until June 2012, including all holidays, Easter Sunday, and spring break.

(5) Extended unsupervised summer timesharing in South Carolina alternating with the Former Husband every 2 to 3 weeks;

(6) Beginning August 24, 2013 the minor child begins residing the majority of the time with the Former Wife in South Carolina.

CCC. The timesharing plan the Former Wife proposes for the Former Husband in her Reunification Plan, beginning August 24, 2013, is the Former Husband's timesharing plan as set forth in the Final Judgment of Dissolution of Marriage. The Final Judgment timesharing plan does not set a monthly schedule for timesharing, but simply states that if the Former Husband is in the area where the Former Wife resides and, if it does not interfere with her schedule, the Former Husband may have overnight timesharing with the minor child if the Former Husband has suitable accommodations to care for the child overnight. The Former Husband's holiday schedule would consist of spring break; rotating Thanksgiving every other year; Christmas break on even years from when school lets out until December 25<sup>th</sup>, and odd years from December 26 until the day prior to school resuming; and, six weeks of summer break. The schedule does not allow for other holiday, Easter, or Father's Day. The Former Wife indicates in her Plan that the Former Husband should be responsible for all costs associated with transportation for timesharing. The Former Wife also indicates that she be allowed to travel within the United States with the minor child.

DDD. The Court finds, based on the facts of this case, evidence presented, the testimony of the parties, Dr. Day's Report and prior testimony, and Dr. Williamson's Summary Reports on the minor child's therapy, that the Former Husband's proposed Amended Parenting Plan and Timesharing Schedule is reasonable and appropriate and is in the best interest of the minor child. The Court further finds that the Former Wife's proposed Reunification Plan is not reasonable, appropriate, or in the best interest of the minor child.

EEE. Former Wife testified, and her proposed Reunification Plan requested, that the Court order a Guardian Ad Litem and a parenting coordinator be put in place with the costs to be apportioned between the parties.

FFF. The Former Wife's Reunification Plan states that a Guardian Ad Litem was required to "monitor the situation" and to be allowed to communicate with the minor child's therapists, teachers, doctors, and the parties' therapists, and to report to the Court. The



Former Wife testified at trial that she felt there needed to be a Guardian Ad Litem who would have access to all information in this case, including evaluations, reports, interviews, etc., and in the event "something separate" happened that needed a third party to report it to so the Former Wife did not "make any calls."

G.G.G. The Former Husband testified that Dr. Williamson would be the most judicious party to be contacted with any concerns regarding the minor child as he has been approved by the Court to provide therapy and monitor the minor child's progress. The Former Husband testified that he fears the Former Wife, as she did previously, is seeking to involve additional third parties with the minor child in the hopes they will be convinced of her allegations of abuse and cause further evaluations and/or investigations of the minor child.

H.H.H. The Court finds that the minor child's court ordered therapist, Jeffrey Williamson, LD, Ph.D., who has been providing therapy and overseeing the minor child since December 2011, is the appropriate person to contact in the event there is a serious concern regarding the minor child. Upon receipt and evaluation, Dr. Williamson will make a determination if the reported concern is valid or not and, if required, make a report to the Court of his recommendations.

I.I.I. The Former Wife testified that due to the lack of communication between the parties, she felt it was necessary that a parenting coordinator be retained and the cost to be apportioned between the parties. The Former Husband testified that he provided the Former Wife with updates of the minor child's progress since the minor child began residing in Florida until the Former Wife ceased all communications with the Former Husband and minor child after December 9, 2011.

J.J.J. From the testimony of the parties regarding their communications with each other, the Court finds that the Former Wife appears to be the party experiencing trouble communicating with the Former Husband. The Court finds the Former Husband has followed the Court's orders in providing information and contact to the Former Wife regarding the minor child, and appears to have attempted to advise the Former Wife of the minor child's activities and progress since she has been in his care.

K.K.K. The Court finds that the Former Wife's request that a parenting coordinator be retained in this matter may be resolved by the Former Wife's continued therapy to assist her in achieving a more cooperative attitude in communicating with the Former

Husband regarding the minor child. The Court also finds that the Former Husband should seek to achieve a supportive relationship with the Former Wife and strive to encourage communication between the parties and the minor child.

LLL. The Former Wife's testimony was that the Former Husband did not cooperate in insuring the minor child was available and in a quiet location for her telephonic and/or Skype communications with the minor child. The Former Husband's testimony was that the minor child's after school activities and homework requirements, at times, interfered with the scheduled time for the Former Wife's telephonic/Skype calls, and denied any intentional interference or calculated background noise. The Former Husband testified that his proposed Amended Parenting Plan increases the Former Wife's telephonic and/or Skype communication with the minor child each week and changes the time for the Former Wife's contact to a later time to accommodate the minor child's after school activities and homework requirements.

MMM. The Former Wife, an office manager, testified that she is currently unemployed but expects to become employed as an executive assistant in September 2012. The Former Husband, a resort manager, testified that he was laid-off in May 2012 and began receiving unemployment. The Former Husband testified that he was actively seeking employment.

NNN. The Former Husband testified that during the pendency of this case, he was forced to liquidate assets to pay, among other things, attorneys in North Carolina, Massachusetts, and Florida; court costs; Dr. Day's fees; court reporter fees and transcripts in order to defend the Former Wife's litigious pleadings and inappropriate actions in this case. Further, the testimony shows the Former Husband has supported and maintained the minor child since April 2011 without assistance from the Former Wife.

OOO. The Former Wife testified at trial that she did not reimburse the Former Husband his airline costs of \$335.40 as directed under the *December 9, 2011 Order*, and that she had filed bankruptcy and was without funds due to the Former Husband's litigious actions in this matter. The Former Wife has had five attorneys in Florida, and testified that she retained her current attorney in June 2012 and paid a \$15,000.00 retainer.

PPP. Based on the Former Wife's testimony that she paid a media specialist \$5,000.00 prior to trial and retained her current attorney in June 2012 for \$15,000.00, the Court finds the Former Wife's claim that she is financially unable to reimburse the Former

Husband as ordered by the Court to be inaccurate and false. Therefore, the Court finds the Former Wife to be in willful contempt of court for her failure to reimburse the Former Husband his unnecessary travel expenses of \$335.40 incurred as a result of the Former Wife's contemptuous actions.

QQQ. The Court further finds the Former Wife is responsible for reimbursing the Former Husband \$2,062.50 for the necessity of his retaining a Massachusetts attorney to defend him against the Former Wife's contemptuous actions in not turning over the minor child to the Former Husband's care on April 18, 2011 and filing an additional proceeding in Massachusetts.

RRR. Each party claims outstanding out-of-pocket costs due from the other party for the minor child.

SSS. The Former Husband makes a claim for reimbursement of out-of-pocket costs for the minor child from April 2011 through trial, for Dr. Panaccione and Dr. Williamson, to be \$378.51. The Former Wife's testimony at trial was that she had not contributed to the minor child's out-of-pocket costs since the minor child began residing in Florida with the Former Husband. The Court finds, based on Former Wife's Child Support Guidelines Worksheets filed at trial, the Former Wife's percentage of responsibility for the minor child's out-of-pocket to be 28.03%, and the Former Wife should be responsible for reimbursement to the Former Husband's out-of-pocket costs for the minor child's therapy to be \$106.10.

TTT. The Former Wife's testimony was that the Former Husband owed an arrearage for daycare costs for the summer of 2010. The Former Husband's testimony denied responsibility to pay the Former Wife's 2010 summer daycare expenses due to the Former Wife's inappropriate actions of withholding the Former Husband's six (6) weeks of summer timesharing. The Court finds that the Former Wife's own actions resulted in her incurring unnecessary summer daycare costs in 2010.

UUU. The Former Husband testified he had incurred aftercare school costs for the minor child from April 18, 2011. The Court finds that the Former Wife's proposed Child Support Guidelines Worksheets include the Former Husband's aftercare costs for the minor child.

VVV. Under the *Stipulated Order for Temporary Relocation* entered on September 21, 2011, the parties agreed that the Former Husband would pay one-third

(1/3) of additional costs for "family coverage" paid by the Former Wife for the minor child's health care costs. The Former Wife testified that the Former Husband did not pay his total monthly health insurance contribution for the minor child from September 2010 to August 2011 for an arrearage of \$1,622.88. The Former Wife's testimony was that the Former Husband was responsible for one-third (1/3) of her total monthly premium costs in the amount of \$405.74, which includes her current husband's individual insurance cost through his employment, for a monthly contribution of \$135.24. The Former Husband testified that "family" costs as agreed to and stated in the *Stipulated Order*, were one-third (1/3) of the additional monthly "family" premium costs only and not to include Former Wife's current husband's costs for his individual insurance through his employer. Pursuant to the Former Wife's KAMAN statements of costs provided to the Former Husband by the Former Wife, his responsibility for one-third (1/3) share of the of Former Wife's \$274.92 monthly medical, prescription and dental "family" premium period is \$91.64, which the Former Husband testified he paid to the Former Wife. The Court finds, upon review of the *Stipulated Order* and the Former Wife's KAMAN insurance cost documents, the Former Husband's calculated one-third (1/3) contribution towards the minor child monthly health care costs of \$91.64 per month to be accurate.

WWW. The Former Husband testified that the Former Wife forbid the Former Husband from utilizing the minor child's insurance despite the Former Husband's monthly contributions; and, therefore the Former Husband placed the minor child on his insurance policy on October 1, 2011.

XXX. The Former Wife further testified that the Former Husband owed arrears for child support and health insurance; however, the Former Husband, with review of his bank statements and other supporting documents that were entered into evidence, was able to show his direct deposit payments into the Former Wife's bank account for child support and the minor child's health insurance. The Court finds the Former Husband's testimony and evidence presented to be credible.

YYY. The Former Wife's Child Support Guidelines Worksheets filed at trial takes into account the parties' incomes, costs paid, and the changes in majority timesharing. The Former Husband testified he had reviewed and agreed with the Former Wife's proposed Child Support Guidelines Worksheet for calculating child support arrearages due from the Former Wife since April 2011 and going forward. The Former Wife's Child

Support Guidelines Worksheets attached hereto as Composite Exhibit "D" are as follows:

- (1) Child Support Guidelines from April 2011 to September 2011;
- (2) Child Support Guidelines from September 2011 to September 2012;
- (3) Child Support Guidelines During Period of Reunification.

ZZZ. Pursuant to the Former Wife's Child Support Guidelines entered into evidence, the Court finds the Former Wife's monthly child support from April 18, 2011 through August 31, 2011 is \$384.00 for a *pro-rated* child support arrearage of \$1,702.40; and, the Former Wife's support from September 1, 2011 through May 1, 2013 is \$504.00 per month for a support arrearage of \$10,584.00 [21 months x \$504.00 = \$10,584.00]. The Court finds the Former Wife's total child support arrearage due to the Former Husband from April 18, 2011 through May 1, 2013 to be \$12,286.40.

AAAA. The Court finds, pursuant to the Former Wife's proposed Child Support Guidelines Worksheets the Former Wife's percentage of financial responsibility to be 28.03% and the Former Husband's percentage to be 71.97%.

BBBB. The Former Husband requested the Court award him the dependency tax exemption for the minor child for 2011 and each year thereafter, and the Court finds the Former Husband's request to be appropriate.

CCCC. The Court finds, upon review of all prior Court Orders entered in this matter and the Former Wife's numerous instances of willful direct contempt of Court; and pursuant to *Rosen v. Rosen*, the Former Husband is entitled to an award of his attorney's fees and costs in this matter for the necessity of defending the Former Wife's substantial and inappropriate actions in this case.

DDDD. In conclusion, the Court finds, based on the testimony of parties, and review of all evidence presented, Court Orders, transcripts, Dr. Day's Report, the parties' and minor child's therapy summary reports, and the file in this matter, the Former Husband has proven a continuing substantial, material, and unanticipated change of circumstances since the entry of the Final Judgment of Dissolution of Marriage. The Court further finds that it is in the best interests of the minor child that the Former Husband should retain majority timesharing with the minor child. *Clark v. Clark*, 35 So. 3d 989 (Fla. 5<sup>th</sup> DCA 2010).

EEEE. Post-trial in this matter, the Former Wife filed a Motion to Reopen Evidence on October 25, 2012 which contained derogatory statements alleged to have

been made by the Husband regarding Amy Marto. The Former Husband's Motion to Strike Former Wife's Motion to Reopen Evidence came before the Court for hearing on March 14, 2013. The Court finds the "statements" attributed to the Former Husband by the Former Wife in her Motion are not based on fact nor are they supported by trial transcript of August 1 and 2, 2013.

FFFF. At the post-trial hearing on March 14, 2013, the Former Wife requested, due to the financial costs, that an alternative to Delight McGregorian provide supervision for her timesharing with the minor child, and the Court finds that any alternative supervisor proposed by the Former Wife is to be a reputable, responsible, appropriate, and a neutral party. The Former Wife's proposed timesharing supervisor will need to be agreed to by the Former Husband or by Court order.

Therefore, it is

**ORDERED AND ADJUDGED:**

1. The Former Wife is in direct civil contempt for her initiation of a jurisdiction proceeding in Massachusetts on March 2, 2011, and for her failure to bring the minor child to Florida for the March 4, 2011. The Court reserves and retains jurisdiction on a determination of sanctions against the Former Wife for her direct civil contempt.
2. The Former Wife is in direct civil contempt, pursuant to the *December 9, 2011 Status Conference and Motion Hearing*, for her refusal to give the minor child into the temporary sole custody of the Former Husband on April 18, 2011 as ordered by this Court, and for initiating a second jurisdiction proceeding in Massachusetts. The Court reserves and retains jurisdiction on a determination of sanctions against the Former Wife for her direct civil contempt.
3. The Former Wife is in contempt of Court for her failure to reimburse the Former Husband by February 15, 2011 for his increased travel expenses in the amount of \$335.40 incurred as a result of the Former Wife's failure to turn over the minor child to the Former Husband on April 18, 2011, the Former Wife shall pay to the Former Husband \$335.40, plus interest at the statutory rate from February 15, 2012, within ten (10) days of the entry of this Supplemental Final Judgment.
4. The Former Wife shall reimburse the Former Husband his Massachusetts attorney's fees in the amount of \$2,062.50 incurred as a result of the Former Wife's direct civil contempt for initiating a second proceeding in Massachusetts, to be paid within thirty

(30) days of the entry of this Supplemental Final Judgment.

5. The Former Wife is in contempt of Court for her false testimony on December 9, 2011 regarding her possession of Dr. Day's Report. The Court reserves and retains jurisdiction on a determination of sanctions against the Former Wife for her contempt of Court.

6. The Former Wife shall not disseminate or disclose Dr. Day's Report to any third party not sanctioned by the Court, including, but not limited to the media, and any violation of this Order shall result in a finding of direct civil contempt.

7. The Former Wife is in direct contempt of Court for the initiation of further investigations, evaluations, and assessments of the minor child without leave of court or notice to the Court and/or Dr. Day, in violation of Court orders. The Court reserves and retains jurisdiction to make a determination of sanctions against the Former Wife for her direct contempt of Court.

8. The Court shall hold the parties' and minor child's current and future therapy summaries under seal of Court.

9. The minor child shall continue in therapeutic therapy with Jeffrey Williamson, LD, PhD, with therapy to be determined in frequency and duration by Dr. Williamson. Dr. Williamson shall be appointed by the Court as the proper person for the Former Husband or the Former Wife to direct any concerns regarding the minor child, at which time Dr. Williamson shall determine the merit of the concern and act accordingly. The Former Wife shall not discuss Dr. Day's Report, prior investigations, evaluations, and/or alleged allegations of abuse made by the Former Wife with Dr. Williamson.

10. The Former Wife shall continue with therapy as recommended by her therapist, Dr. Brian Sullivan, PsyD, and her therapist shall provide his therapy summaries to the Court, under seal, within twelve (12) months of the entry of this Supplemental Final Judgment. In any future modification proceeding, the Court shall evaluate the Former Wife's therapy summaries and share any pertinent information with the parties' counsel if the Court determines such information is required and in the best interest of the minor child.

11. The Former Wife shall not contact any state reporting agencies, sheriff or police department, advocacy centers or clinics, crisis centers, the media or abuse media specialists, or otherwise for any purpose whatsoever regarding the minor child, without

leave of Court. The Former Wife shall not cause any third party, including, but not limited to, her current husband and family members, to contact any state reporting agencies, sheriff or police departments, advocacy centers or clinics, crisis centers, the media or abuse media specialists, or otherwise for any purpose whatsoever regarding the minor child. The Former Wife shall report any concerns regarding the minor child to her attorney and Dr. Williamson. The Former Wife shall file an Affidavit with the Court confirming her acknowledge of this Court's requirements and orders set forth herein.

12. Until further order of Court, the Former Wife shall be restricted from the minor child's medical and therapeutic information and/or reports and shall have no communication with the minor child's school, teachers, or doctors.

13. Until further order of Court, the Former Husband shall continue to provide the Former Wife with the minor child's exceptional medical occurrences, and school reports, and other information and pictures relating to the minor child's well-being, her school activities, and her extracurricular activities, and the Former Wife shall be permitted to attend the minor child's school and sports events under the Former Husband's supervision.

14. The Court denies the Former Wife's request for the appointment of a Guardian Ad Litem as unnecessary in light of Dr. Williamson's monitoring of the minor child, and as the person appointed by the Court to be advised of any concerns the parties may have regarding the minor child.

15. The Court denies the Former Wife's request for the appointment of a parenting coordinator.

16. The Court adopts the Parenting Plan and Timesharing Schedule incorporated and attached hereto as Exhibit "C" as being in the best interest of the minor child, and the Parties are hereby ordered to abide by all terms and conditions contained therein until further order of Court. The Former Wife's monthly supervised timesharing shall begin April 2013 in accordance to the Parenting Plan and Timesharing Schedule attached and incorporated hereto as Exhibit "C".

17. Based on the Former Wife's prior conduct and numerous violations of prior Court Orders, the Former Husband shall have the right to immediately suspend the Former Wife's communication and timesharing with the minor child upon any violation by the Former Wife of the Parenting Plan and Timesharing Scheduled incorporated and attached



hereto as Exhibit "C" and/or any conditions and requirements set forth in this Supplemental Final Judgment. The Former Husband shall immediately set a full evidentiary hearing with the Court to address any violation(s).

18. The Former Wife has leave of Court to seek a modification of the Parenting Plan and Timesharing Schedule, incorporated and attached hereto as Exhibit "C", within twelve (12) months, dependent upon the Former Wife providing the Court her therapy summaries and otherwise showing that her requested changes to the Parenting Plan and Timesharing Schedule are in the child's best interest.

19. The Former Wife shall reimburse the Former Husband for her financial contribution towards the minor child's therapy in the amount of \$106.10 within thirty (30) days of the entry of this Final Judgment.

20. The Court denies the Former Wife's claim for reimbursement her 2010 summer daycare expenses.

21. The Court denies the Former Wife's claim for reimbursement for a shortage of the Former Husband's contribution to the minor child's health insurance.

22. The Former Husband's request for reimbursement for the minor child's daycare costs are included in the Former Wife's Child Support Guidelines Worksheets, incorporated and attached hereto as Composite Exhibit "D", and shall be reimbursed thorough the Former Wife's payment of child support arrearages.

23. The Former Wife shall pay to the Former Husband as support for the minor child \$504.00 per month, plus a clerk's fee of \$5.24, with the first payment being due on June 1, 2013, and continuing to be due and payable on the first (1<sup>st</sup>) day of each month thereafter until the minor child reaches the age of eighteen (18); except that an unemancipated 18 year old unmarried child, who is a full-time student and is not self-supporting, shall be entitled to continued support until the completion of the 12<sup>th</sup> grade (or attaining the age of 19, whichever occurs first), becomes self-supporting, marries, or dies, whichever occurs first.

24. The Former Wife's child support arrearage from April 18, 2011 through May 1, 2013 in the amount of \$12,286.40 shall be paid by the Former Wife to the Former Husband at rate of \$100.80 per month, until paid in full, and shall be included in the Former Wife's monthly support payment for a total support obligation of \$610.05 per month, including the depository fee [ $\$504.00 + \$100.80 + \$5.25 = \$610.05$ ].

25. The Former Wife's support payments shall be made payable through the State Depository, whose address is State of Florida Disbursement Unit, Post Office Box 8500, Tallahassee, Florida 32314-8500, and all checks shall include obligor's name and address, social security number, case number and county in which case originates.

26. If the Former Wife fails to make her above referenced child support payments on a timely basis, the Former Husband shall be entitled to apply to the Court on an *ex parte* basis for the entry of an income deduction order and income deduction notice requiring the Former Wife's support payments be through her employer, as set forth in §61.1301, Fla. Stat., as amended, together with any other applicable statutory or rule provisions.

27. The parties shall be responsible to pay all out-of-pocket costs for reasonable and necessary medical and dental expenses for the minor child for treatment and services not covered by the medical and dental insurance coverage maintained by the Former Husband, based upon each party's percentage of financial responsibility as calculated for child support guideline purposes. These expenses include, but are not limited to, expenses of hospitalization, prescriptions, dentists, eyeglasses, contact lenses, braces, drug or alcohol addiction, psychiatric or psychological care, therapy, treatment for catastrophic illness, and all other similar care and treatment reasonably necessary for the benefit of the minor child.

28. The Former Husband shall furnish receipts to the Former Wife upon payment of an out-of-pocket expense and the Former Wife shall reimburse the Former Husband within thirty (30) days of the date the receipts are furnished.

29. The Former Husband request for the dependency tax exemption for the minor child beginning in 2011 and all years thereafter is hereby granted.

30. The Former Husband's request for an award of attorney's fees is granted. The Court reserves jurisdiction to determine the amount of reasonable attorney's fees at a subsequent hearing.


31. The Former Husband's award of appellate attorney's fees from the Appellate Court shall be determined as to amount at a subsequent hearing.

32. The Former Husband's Motion to Strike Former Wife's Motion to Reopen Evidence is granted and the Former Wife's Motion to Reopen Evidence is stricken from the

Court records.

33. The Court specifically reserves and retains jurisdiction over this cause and parties for the entry of such further orders for the enforcement of this Final Order as may be necessary or required.

June DONE and ORDERED in Chambers, at Viera, Brevard County, Florida, on 19, 2013.

BY:   
GEORGE MAXWELL, III  
Circuit Judge

Copies furnished to:

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