

Exhibit: 12AB

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FILED

SEP 04 2007

THOMAS R. FALLQUIST
SPOKANE COUNTY CLERK

**Superior Court of Washington
County of Spokane**

In re the Marriage of:

LISA SHEA,

Petitioner,

and

MATTHEW T. SHEA,

Respondent.

No. 07-3-01743-5

**Temporary Order
(TMO/TMRO)**



**Clerk's Action Required
Law Enforcement
Notification, ¶ 3.1 3.1.13.1**

I. Judgment/Order Summaries

1.1 Restraining Order Summary

Does not apply. Restraining Order Summary is set forth below:

Name of person(s) restrained: ____. Name of person(s)
protected: ____ See paragraph 3.1.

***Violation of a Restraining Order in paragraph 3.1 with actual notice of its terms is a
criminal offense under Chapter 26.50 RCW and will subject the violator to arrest.
RCW 26.09.060.***

1.2 Money Judgment Summary

Does not apply.
 Judgment Summary is set forth below.

A. Judgment creditor _____
B. Judgment debtor _____

Temp Order (TMO/TMRO) - Page 1
WPF DR 04.0250 (6/2006) - RCW 26.09.060; .110; .120; .194; .300(2)

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- C. Principal judgment amount \$ _____
- D. Interest to date of judgment \$ _____
- E. Attorney fees \$ _____
- F. Costs \$ _____
- G. Other recovery amount \$ _____
- H. Principal judgment shall bear interest at 12% per annum
- I. Attorney fees, costs and other recovery amounts shall bear interest at 12 % per annum
- J. Attorney for judgment creditor _____
- K. Attorney for judgment debtor _____
- L. Other: _____

II. Basis

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

[] Further, the court finds that the nonmoving party is absent and a) is on active duty as a National Guard member or Reservist residing in Washington, or b) is a dependent of a National Guard member or Reservist residing in Washington on active duty. Despite the service member's or dependent's absence, failure to enter the temporary orders below would result in manifest injustice to the other interested parties.

III. Order

It is Ordered:

3.1 Restraining Order

Violation of a Restraining Order in paragraph 3.1 with actual notice of its terms is a criminal offense under Chapter 26.50 RCW and will subject the violator to arrest. RCW 26.09.060.

[] Does not apply.

The husband wife is restrained and enjoined from disturbing the peace of the other party or of any child.

The husband wife is restrained and enjoined from going onto the grounds of or entering the home, work place or school of the other party, or the day care or school of the following named children:

The husband [] wife is restrained and enjoined from knowingly coming within or knowingly remaining within 2 blocks (distance) of the home, work place or school of the other party, or the day care or school of these children:

Matthew Shan [Name] is restrained and enjoined from molesting, assaulting, harassing or stalking Lisa Shan [Name].

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(The following firearm restrictions apply if this box is checked: Effective immediately and continuing as long as this restraining order is in effect, the restrained person may not possess a firearm or ammunition. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issue firearms. 18 U.S.C. § 925(a)(1).)

Clerk's Action/Law Enforcement Action

This order shall be filed forthwith in the clerk's office and entered of record. The clerk of the court shall forward a copy of this order on or before the next judicial day to Spokane Police Dept, Spokane Sheriff's Office (name of appropriate law enforcement agency) which shall forthwith enter this order into any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants. (A law enforcement information sheet must be completed by the party or the party's attorney and provided with this order before this order will be entered into the law enforcement computer system.)

Service

The restrained party or attorney appeared in court or signed this order; service of this order is not required.
 The restrained party or attorney did not appear in court; service of this order is required.

Expiration Date

This restraining order will expire in 12 months and shall be removed from any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants, unless a new order is issued, or unless the court sets forth another expiration date here:
9/1/08 (month/day/year).

Full Faith and Credit

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

3.2 Temporary Relief

The husband wife shall pay the other party \$ _____ per month maintenance.

Starting Date: _____
Day(s) of the month payment is due: _____

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Payments shall be made to:

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- the Washington State Child Support Registry (if child support is ordered).
- directly to the other spouse.
- the clerk of this court as trustee for remittance to the other spouse (if there are no dependent children).
- Other:

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

The parties shall comply with the Temporary Parenting Plan signed by the court.

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

The husband wife is restrained and enjoined from removing any of the children from the state of Washington.

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

The husband wife shall surrender any deadly weapon in his or her immediate possession or control or subject to his or her immediate possession or control to:

_____ ~~Spokane County Sheriff's Office~~ (Name or agency). *a mutually agreed third party or counsel.*

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

Responsibility for the debts of the parties is divided as follows:
*Property in their possession
husband for all expenses associated w/ family home*

The family home shall be occupied by the husband wife.
*Provided: the husband shall provide, at a counsel,
proof that encumbrance on house is timely paid.
This shall occur monthly by the 10th of each month.*

Use of property shall be as follows:
Presently in possession of each party

1 The husband wife shall vacate the family home. You have a right to keep your
residential address confidential. _____ [Name] waives confidentiality of the
address which is: _____

2
3 The husband wife shall pay temporary attorney fees, other professional
4 fees and costs in the amount of \$ _____ to:

5 Other:

6
7 **3.3 Bond or Security**

8 Does not apply.

9 The filing of a bond or the posting of security is waived.

10 Other:

11 **3.4 Other**

12 Dated: 9/4/2007



~~Judge/Commissioner~~
JOSEPH T. VALENTE
COURT COMMISSIONER

14 Petitioner or petitioner's attorney:

Respondent or respondent's attorney:

15 A signature below is actual notice of this order. A signature below is actual notice of this order.

16 Presented by:

Presented by:

17 Approved for Entry:

Approved for Entry:

18 Notice for presentation waived:

Notice for presentation waived:

19 

PAUL B. MACK, #12460
20 ATTORNEY FOR PETITIONER

21 

ALLEN M. GAUPER, #6884
22 ATTORNEY FOR RESPONDENT

FILED

SEP 05 2007

THOMAS R. FALLQUIST
SPOKANE COUNTY CLERK

**Superior Court of Washington
for Spokane County**

Order for Protection

No. 07-3-01743-5

Lisa Shea [redacted]
Petitioner (First, Middle, Last Name) DOB

Court Address 1116 W. Broadway
Spokane, WA 99260

v. Matthew T. Shea [redacted]
Respondent (First, Middle, Last Name) DOB

Telephone Number: (509) 477-2211
(Clerk's Action Required) (ORPRT)

Names of Minors: No Minors Involved

First	Middle	Last	Age

Respondent Identifiers

Sex	Race	Hair
Height	Weight	Eyes

Respondent's Distinguishing Features:

Caution: Access to weapons: yes no unknown

The Court Finds Based Upon the Court Record:

The court has jurisdiction over the parties, the minors, and the subject matter and respondent has been provided with reasonable notice and an opportunity to be heard. Notice of this hearing was served on the respondent by personal service service by mail pursuant to court order service by publication pursuant to court order other _____

This order is issued in accordance with the Full Faith and Credit provisions of VAWA: 18 U.S.C. § 2265.

Respondent's relationship to the petitioner is:

- spouse or former spouse current or former dating relationship in-law parent or child
- parent of a common child stepparent or stepchild blood relation other than parent or child
- current or former cohabitant as intimate partner current or former cohabitant as roommate

Respondent committed domestic violence as defined in RCW 26.50.010 and represents a credible threat to the physical safety of petitioner; the court concludes as a matter of law the relief below shall be granted.

Court Order Summary:

- Respondent is restrained from committing acts of abuse as listed in restraint provision 1, on page 2.
- No-contact provisions apply as set forth on the following pages.
- Additional provisions are listed on the following pages.

The terms of this order shall be effective immediately and for one year from today's date, unless stated otherwise here (date):

9/4/2008



It is Ordered:

1. Respondent is **Restrained** from causing physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking petitioner the minors named in the table above these minors only:

(If the respondent's relationship to the petitioner is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, then effective immediately, and continuing as long as this protection order is in effect, the respondent may not possess a firearm or ammunition. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)

2. Respondent is **Restrained** from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3rd party or contact by Respondent's lawyer(s) with petitioner the minors named in the table above these minors only:

If both parties are in the same location, respondent shall leave.

3. Respondent is **Excluded** from petitioner's residence workplace school; the day care or school of the minors named in the table above these minors only:

Other
 Petitioner's address is confidential. Petitioner waives confidentiality of the address which is:

4. Petitioner shall have exclusive right to the residence that petitioner and respondent share. The respondent shall immediately **Vacate** the residence. The respondent may take respondent's personal clothing and tools of trade from the residence while a law enforcement officer is present.

This address is confidential. Petitioner waives confidentiality of this address which is:

5. Respondent is **Prohibited** from knowingly coming within, or knowingly remaining within 2 city blocks (distance) of: petitioner's residence workplace

school; the day care or school of the minors named in the table on page one

these minors only:

Other:

6. Petitioner shall have possession of essential personal belongings, including the following:

In her possession

7. Petitioner is granted use of the following vehicle:

Year, Make & Model 96 Dodge Trooper, 71 Jeep CJ5 License No. _____

8. Other:

9. Respondent shall participate in treatment and counseling as follows:
 domestic violence perpetrator treatment program approved under RCW 26.50.150 or counseling at: _____
 parenting classes at: _____
 drug/alcohol treatment at: _____
 other: _____

10. Petitioner is granted judgment against respondent for \$ _____ fees and costs.

11. Parties shall return to court on _____, at _____ .m. for review.

Complete only if the protection ordered involves minors: This state has exclusive continuing jurisdiction; is the home state; has temporary emergency jurisdiction; that may become final jurisdiction under RCW 26.27.231(2); other: _____

12. Petitioner is **Granted** the temporary care, custody, and control of the minors named in the table above these minors only:

13. Respondent is **Restrained** from interfering with petitioner's physical or legal custody of the minors named in the table above these minors only:

14. Respondent is **Restrained** from removing from the state the minors named in the table above these minors only:

15. The respondent will be allowed visitations as follows: _____

Petitioner may request modification of visitation if respondent fails to comply with treatment or counseling as ordered by the court.

If the person with whom the child resides a majority of the time plans to relocate the child, that person must comply with the notice requirements of the Child Relocation Act. Persons entitled to time with the child under a court order may object to the proposed relocation. See RCW 26.09, RCW 26.10 or RCW 26.26 for more information.

Warnings to the Respondent: A violation of provisions 1 through 5 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. §§ 2261, 2261A, or 2262.

A violation of provisions 1 through 5 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.

