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FILED

JAN 26 2018

Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SPOKANE**

In re the Marriage of:

SIRINYA SURINA

Petitioner,

And

AARON MICHAEL SURINA

Respondent.

No. 17-3-01817-0

**MOTION FOR COURT'S RULING
ON OBJECTIONS TO HEARSAY
AND IMPROPER EXHIBITS AND
OUTSIDE LOCAL RULE 94.04
PAGE LIMITATION AND READ**

COMES NOW the Petitioner, through her attorney, Keith A. Glanzer, and moves the court to rule on various violations of the hearsay rule, submission of certain Declaration Exhibits and the exceptions to page limits pursuant to LCR 94.04. This motion is based on the records and files herein and the procedure declaration of counsel below.

DATED this 26th day of January 2018.

Presented by:



KEITH A. GLANZER, WSBA No. 20424
Attorney for Petitioner

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Motion re: Hearsay Objections and Page limits
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KEITH A. GLANZER, P.S.

2024 W. Northwest Blvd.

Spokane, WA 99205

Telephone: 509-326-4526

Facsimile: 509-324-0405

1 PROCEDURAL DECLARATION

2 Keith A. Glanzer DECLARES:

3 1. Respondent has submitted declarations that contain hearsay as follows:

4 a. Responsive Declaration to Petitioner's 01/12/18 Motion for Temporary Order:

- 5 • Page 1; Line 4 – 7: Hearsay attributed to SRHD
- 6 • Page 4; Line 13 – 14: Child Hearsay and contrary to medical record
- 7 • Exhibit B: Photograph: Lack of Foundation
- 8 • Exhibit C: Photograph: Relevance, Lack of Foundation, More
- 9 Prejudicial than Probative, ER 404
- 10 • Exhibit D: Photograph: Relevance, Lack of Foundation, More
- 11 Prejudicial than Probative, ER 404
- 12 • Exhibit E: Photograph: Relevance, Lack of Foundation, ER 404
- 13 • Exhibit F: Photograph: Relevance, Lack of Foundation
- 14 • Exhibit G: 2 year old Photograph: Relevance, Lack of Foundation
- 15 • Exhibit H: Photograph: Relevance, Lack of Foundation
- 16 • Exhibit I: Lack of Foundation
- 17 • Page 6; 2nd Paragraph – beginning with David shared: Child hearsay

18 The above noted Exhibits and hearsay should be struck from the court record and
19 ignored by the court as unreliable.

20 b. Responsive Declaration to Petitioner's Motion for Contempt

- 21 • Page 1 -- 2; Last line page 1 to 1st line page 2: Hearsay, my
- 22 attorney told me.
- 23 • Page 2 – Police statements are Hearsay and inconsistent with
- 24 proffered medical record.
- 25 • Page 2; Disparaging remarks: The whole of this paragraph is child
- hearsay for which there are no exceptions. Also an admission
- against by Respondent where he is admitting engaging the child in
- the ongoing litigation.

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- Exhibit 2: Photograph: Relevance, Lack of Foundation, More Prejudicial than Probative, ER 404. Character Testimony
- Exhibit 3: Photograph: Relevance, Lack of Foundation, More Prejudicial than Probative, ER 404. Character Testimony; the rest of the paragraph below reference to the Exhibit B is an admission against interest where Respondent admits he has promised his son he would talk to the judge and what the child "told me" and attributes the child statement about Carl Wilson and Carl Wilson making decisions etc.

2. Respondent has submitted pages in excess of the number of pages allowed by LR 94.04. I have attached the Family Law/Paternity Motion Status Report that reflects my count of the pages pursuant to the rule.

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

Signed at Spokane, Washington on January 26, 2018.



Keith A. Glanzer, WSBA No. 20424
Attorney for Petitioner, Declarant

FAMILY LAW/PATERNITY MOTION STATUS REPORT

MOTION HEARING DATE:

Court File No: 17-3-01817-0

Name of Case: In re the Marriage of Surina

Today's motion(s) were filed as noted below:

Respondent:

1. Motion/Order to Show Cause for Contempt; January 8, 2018 and involves failure to exercise joint decision making re: Health Care; Secret Health Care; Proof of Sharing Child Seminar; "provide the respondent with the children;" "Provide petitioner with notice of end date of "6 months of Maintenance."
2. Motion on Order for Production of Interrogatories: January 10, 2018 and involves request to compel Discovery;
3. Motion for Order for Modification of Family Law Order: January 10, 2018 and involves an amended Financial Declaration;

Petitioner:

1. Motion for Temporary Family Law Order and Restraining Order; January 12, 2018 and involves appointing a GAL, Pay attorney fees in the amount of \$15,000; Order immediate listing of Family residence; Name Petitioner as sole decision maker for health care;
2. Motion/Order to Show Cause for Contempt; January 12th and amended January 17th and Shorten Time Ordered January 18th and involves violation of order to make joint decision for health care; violation of terms of walk through of residence and removing property without authorization; discussing litigation with child.

Contempt of Court re: Parenting Plan/Residential Schedule

Modification of Temporary Order(s) Re: Parenting Plan/Residential Schedule and financial Issues

Declarations to be reviewed:

Respondent:

Motion for Contempt Hearing; 3 single spaced (dbl count = 6) declaration included;

Responsive Declaration to Petitioner's Temporary Motion; 6 pages of size 10 font plus 1 ½ single spaced sworn statement (3 pages due to counted as double under rule) as part of 33 pages of Exhibits

Responsive Declaration to Petitioner's Contempt Motion: 4 pages of size 10 font and 12 pages of Exhibits.

January 19, 2018 Responsive Declaration to Petitioner's Contempt Motion; 5 Pages of size 10 Font with 19 pages of Exhibits Including a late filing declaration of Donna Raddcliff (single space 1 ½ pages; dble = 3 pages)

Total pages = 26 pages and 64 pages of Exhibits

Petitioner:

Motion for Contempt Hearing with 3 paragraphs of 11-point font and 1 Exhibit Not counted toward page count.

Sealed Personal Health Care Records: 8 pages

Sealed Personal Health Care Record: Dr. Lutz one page single space dble count = 2

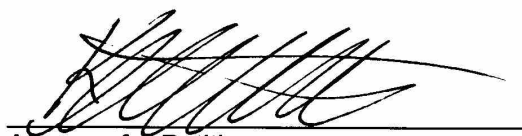
Declaration of Petitioner in Support of Motion for Temporary Order: ½ page of 11-point font

Petitioner's Responsive Declaration re: Contempt: 3 Pages 11-point with 3 pages Exhibits

Reply Declaration on Petitioner's Motion for Contempt; 4 pages 11-point font with 2 pages Exhibits

Reply Declarations on Petitioner's Motion for Temporary Orders; 2 pages 11-point with 2 pages Exhibit

Total Pages = 11 ½ and 8 pages Exhibits



Attorney for Petitioner

Attorney for Respondent