

FILED

JUN 25 2019

Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

CN: 201703018170

SN: 311

PC: 18

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

REPLY DECLARATION OF PETITIONER
SIRINYA SURINA RE: RESPONDENT'S
RESPONSE TO PETITIONER'S MOTION TO
DISBURSE

Sirinya Surina Declares:

1. May Judgment: The May 8, 2019 judgment referenced by Spokane County Title relates to the order entered by the court, late in the day, on May 6, 2019. This order was signed as to form by Mr. Richard Kuck. Respondent was present at the hearing.
2. Liquidation of Proceeds. The August 10, 2018 order entered by the court allows for payment of the proceeds by further order of the court by stipulation or motion. There is no mention of holding proceeds until trial. The order shows no intent by me or Respondent to hold the proceeds in trust until trial. The intent to disburse these funds by stipulation or motion to the court is further supported by Respondent's directing \$1,000.00 of the proceeds paid to his real estate attorney, Roger Coombs.
3. Threats of incarceration. Respondent's acting out in court causes him to be threatened with jail time. (See Exhibit A, a true and correct copy of the Verbatim Transcript of our June 18, 2019 hearing before Court Commissioner Swennumson quashing Respondent's

In re the Marriage of Surina
Reply Declaration of Petitioner, Sirinya Surina
Re: Various Contempt Issues
Page 1 of 2

KEITH A. GLANZER, P.S.

2024 W. Northwest Blvd.

Spokane, WA 99205

Telephone: 509-326-4526

Facsimile: 509-324-0405

June 7, 2019 Exparte Order and Finding CR11 Sanctions)

4. June 18, 2019 Judgment. The court entered judgment in the amount of \$2,500.00, which should also be immediately paid to Petitioner. (See Exhibit C, a true and correct copy of judgment entered herein June 19, 2019, by court order to Quash June 7, 2019 Immediate Restraining Order and for CR11 Sanctions.)
5. Respondent Remains in Contempt. Respondent remains in contempt for failure to pay family expenses while I remain dependent on loans and the charity of others. The child support transfer payment is made only because it is paid directly by his employer. (See Respondent's Earning Statement filed under confidential financial seal on this date.
6. Conclusion. It is unreasonable to hold these proceeds until trial, even for 4—6 weeks. I am in dire need of these funds as ordered. Especially in light of me being owed judgments entered by the court, which, but for, Respondent's refusal to execute the closing documents, should have been paid directly to me by the closing agent. Respondent's attorney fees are paid from these proceeds contrary to court order, while he insists that no other disbursements should be made for these judgments for expenses I have incurred as determined by the court. I agreed to entering satisfaction of these judgments based upon having these payments paid into Keith A. Glanzer, P.S. Trust where the court could ratify disbursements to me for judgments previously entered by court order. (See Exhibit D, which is a true and correct copy of the Satisfaction of Judgments Entered June 28, 2018, February 2, 2019, March 29, 2019, April 11, 2019 and May 8, 2019 in the total amount of \$28,294.21). I am asking the court to order payments to me from Keith A. Glanzer, P.S. Trust for the judgments noted above, judgement entered June 13, 2018 in the amount of \$750.00 and judgment entered June 19, 2019 in the amount of \$2,500). (Total Amount = \$31,544.21)

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, June 25, 2019.



Sirinya Surina
Petitioner, Declarant

In re the Marriage of Surina
Reply Declaration of Petitioner, Sirinya Surina
Re: Various Contempt Issues
Page 2 of 2

KEITH A. GLANZER, P.S.
2024 W. Northwest Blvd.
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Gustafson Law, Inc., PS
ALTA Universal ID:
1500 West Fourth Ave.
Suite 408
Spokane, WA 99201

File No./Escrow No. : 19-0425-C
Print Date & Time: June 11, 2019 7:48 am
Officer/Escrow Officer : Steve Gustafson
Settlement Location : 1500 West Fourth Ave., Suite 408
Spokane, WA 99201

CERTIFIED TO BE A TRUE &
EXACT COPY OF ORIGINAL

Property Address: 1616 S Rocky Ridge Dr
Spokane Valley, WA 99212

Borrower: Kenneth V Trotter
Seller: Aaron M Surina and Sirinya Surina
1616 S Rocky Ridge Dr
Spokane Valley, WA 99212
Lender: Homestreet

FINAL

Settlement Date: June 10, 2019
Disbursement Date: June 10, 2019

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		Financial		
		Lender Credits from Homestreet		10.00
	335,000.00	Sale Price of Property	335,000.00	
		Deposit		3,000.00
		Loan Amount		301,500.00
		Prorations/Adjustments		
	203.30	County Taxes 06/10/19 - 07/01/19	203.30	
	33.61	Sewer 06/10/19 - 07/01/19	33.61	
		Loan Charges to Homestreet		
		0.125% of Loan Amount (Points)	376.88	
		Administrative Fee	995.00	
		Appraisal Fee	800.00	
		Credit Report	45.00	
		Flood Certification	11.00	
		Tax Service	53.00	

EXHIBIT A

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		Loan Charges to Homestreet (continued)		
		Prepaid Interest \$37.690 per day from 06/10/19 to 07/01/19 Homestreet	791.49	
		Impounds		
		Homeowner's Insurance to Homestreet 3.000 months at \$136.73/month	410.19	
		Property Taxes to Homestreet 5.000 months at \$292.05/month	1,480.25	
		Aggregate Adjustment to Homestreet		546.92
		Title Charges and Escrow/Settlement Charges		
560.00		Closing Fee to Gustafson Law, Inc., PS	560.00	
		Lenders Policy to Spokane County Title	537.97	
1,037.82		Owners Policy to Spokane County Title		
500.00		Attorney fee to Steve K. Gustafson		
1,000.00		Attorney fees (Draft Deed) to Roger Coombs		
15,000.00		HOLDBACK FOR ROOF to Gustafson Law, Inc., PS		
		Mobile notary to Gustafson Law, Inc., PS	175.00	
		Commissions		
9,600.00		Real Estate Commission to Citibrokers LLC		
9,600.00		Real Estate Commission to Choice Realty		
		Government Recording and Transfer Charges		
		Recording Fees to Spokane County Title	215.00	
5,968.00		1.78% Excise Tax to Spokane County Treasurer		
		Excise QCD to Spokane County Treasurer	10.00	
		Record QCD to Spokane County Title	100.00	
		Payoff(s)		
234,826.74		Payoff of First Mortgage Loan		
		Loan Payoff _____ 0.00		
		Total Payoff <u>234,826.74</u>		
		Miscellaneous		
		Homeowner's Insurance Premium 12 months	1,640.75	
450.88		Delinquent sewer to Spokane County Environmental Services		

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		Miscellaneous (continued)		
		Home Warranty \$520.00 paid by Choice Realty on behalf of Borrower		
		Insurance set up fee	25.00	
200.00		Water Hold Back to Spokane County Water District #3		
Seller			Borrower	
Debit	Credit		Debit	Credit
278,743.44	335,236.91	Subtotals	343,443.44	306,056.92
		Due from Borrower		38,386.52
56,493.47		Due to Seller		
335,236.91	335,236.91	Totals	343,443.44	343,443.44

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Gustafson Law, Inc., PS to cause the funds to be disbursed in accordance with this statement.

Borrower

Kenneth V Trotter

Seller

Aaron M Surina

Sirinya Surina

Steve Gustafson

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**SUPERIOR COURT OF WASHINGTON
COUNTY OF SPOKANE**

In re the Matter of:

SIRINY SURINA,

Petitioner,

and

AARON SURINA,

Respondent.

NO. 17-3-01817-0

COPY

**VERBATIM REPORT OF PROCEEDINGS
ORAL RULING**

BE IT REMEMBERED that the above-entitled matter was heard before the Honorable Nichole Swennumson, Superior Court Commissioner, County of Spokane on June 18, 2019, in Courtroom 202.

SUSAN L. ROBSON, TRANSCRIBER
PO BOX 3100
DEER PARK, WA. 99006
509-280-2577

EXHIBIT B

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APPEARANCES:

For the Petitioner: MR. KEITH GLANZER
Attorney at Law
2024 West Northwest Blvd.
Spokane, WA. 99205

For the Respondent: MR. AARON SURINA
Pro Se

Interpreter: MR. GARY SAW

1 THE COURT: All right, this is a, as I said at the
2 outset of this hearing, the only two matters for the Court
3 today are a motion for an ex parte restraining order and the
4 return on that temporary order signed by Pro Tem Hervatine
5 on June 7th. In that request there was a request for the
6 children to be place with dad citing mom was evicted and---

7 MR. SURINA: And the abuse.

8 THE COURT: ---also a restriction on international
9 travel. Pro Tem Hervatine restricted international travel.
10 The second motion for today is a motion to quash the
11 restraining order. As permitted under CR 65 and for CR 11
12 sanctions filed by the petitioner citing that the residence
13 was sold, they were not evicted. And that Ms. Surina has no
14 intention to travel to Thailand and that basically the
15 motion for ex parte restraining order was not based on any
16 law or fact.

17 There was apparently some other motions set that are
18 not in the court file, and frankly, are any motion to change
19 a parenting plan the week before trial is inappropriate.
20 That's what trial is for. I wouldn't of heard that either
21 way. Judge Hazel should be the final arbiter of that.

22 MR. SURINA: He's not though. He said he wouldn't be.
23 And the trial---

24 THE COURT: So, Mr. Surina---

25 MR. SURINA: Yeah?

1 THE COURT: The next time you speak out of turn, \$100.
2 MR. SURINA: Oh, okay.
3 THE COURT: And then if you keep doing more than ten
4 times, I'm going to put you in jail.
5 MR. SURINA: How many times have I done it?
6 THE COURT: We've had this conversation at every
7 hearing.
8 MR. SURINA: Yeah. I'm on disability.
9 THE COURT: I've had this conversation today. Stop.
10 MR. SURINA: Yes ma'am.
11 THE COURT: And there's a motion to show cause for
12 contempt that also is not in the court file. So, I couldn't
13 review that. That matter can be held over either for the
14 trial judge or if the trial judge declines to entertain that
15 motion next week it can be brought back to my court.
16 There really were no facts for the motion for an ex
17 parte restraining order. Mr. Surina's declaration states
18 the threats of abduction and risk factors are very high.
19 State department advised me to immediately obtain court
20 approval to restrict international travel without
21 restrictions they cannot assist in an abduction
22 intervention. Children have no place to go now. Just found
23 out at 9:00 -- of 9:00 PM eviction on 6/17/19. Kids have a
24 home with dad until issues with residence addressed or
25 further court orders. Mr. Surina was aware that the house

1 was being sold. The Court finds that there's evidence that
2 the house was being sold. She was not evicted. The house
3 was sold. She moved out. Staying with friends pending
4 finding a rental is something people do in a lot of
5 divorces.

6 MR. SURINA: Yep.

7 THE COURT: And that is not a sign that she's going to
8 flee. Mr. Surina provided an email from the state
9 department that is a general response to what to do if you
10 think your children are going to be abducted and leave the
11 country. But there's been not one scintilla of factual
12 evidence in this case; and I've read for today's hearing
13 without all of the motions, I've read a good 50 to 60 to 70
14 pages. I could not find one thing that supported this
15 motion.

16 I do find that under CR 11 which states the signature
17 of a party or an attorney constitutes a certificate by the
18 party or attorney that the party or attorney has a read the
19 pleading, motion, or legal memorandum and that to the best
20 of the parties, or attorney's knowledge, information and
21 belief formed after an inquiry reasonable under the
22 circumstances; one, it is well grounded in fact; two, it is
23 warranted by existing law or good faith argument; three, it
24 is not interposed for any improper purpose such as to harass
25 or cause unnecessarily delay or needless increase in the

1 cost of litigation; and then four which doesn't apply here.
2 Then it goes on to say if a pleading, motion, or legal
3 memorandum is signed in violation of this rule the Court
4 upon motion or upon its own initiative may impose upon the
5 person who signed it an appropriate sanction. Which may
6 include an order to pay the other party the amount of
7 reasonable expenses incurred because of the filing of the
8 pleading, motion, or legal memorandum including reasonable
9 attorney fee.

10 Not one fact was listed beyond the fact that Mr. Surina
11 has said that she is a dual citizen, that she's from
12 Thailand, and that the house was sold. That's not facts.
13 That might be a publication sir, but that is not a fact
14 specific to this case that would give me any indication on
15 any basis that she's going to flee with the children. It
16 seems to fly in the face of a pretrial conference tomorrow
17 with your Judge, a trial date of next week with the Judge,
18 that all of a sudden because a house was sold pursuant to a
19 Judge's order that she's going to flee with the children
20 who's passport is in your---

21 MR. SURINA: I didn't say that.

22 THE COURT: ---custody or control. Most of the
23 declarations in this file were, once again, talking about
24 people Mr. Surina thinks are taking advantage of Ms. Surina
25 because of the money they've loaned her to fight her legal

1 battles in this matter. I read the declaration of Carl
2 Wilson, I see nothing where he says, he's power of attorney
3 over this family. He says he's an advocate.

4 MR. SURINA: What, it's right in his declaration. I
5 remember seeing it. That's (inaudible).

6 THE COURT: I'm quashing this restraining order today.
7 I find it was improperly sought. It should not have been
8 signed and I'm granting the CR 11 sanctions, the attorney
9 fees of \$1500 and a further sanction of \$1000. There is
10 nothing in this case that has ever indicated she's going to
11 Thailand and I find that Mr. Surina's actions continuing in
12 this matter have been the same as they've been, which are
13 inappropriate.

14 Statements made are in direct contradiction to
15 information he had, such as the house closing since he was
16 signing the documents that day as opposed to being evicted.
17 Those words have very specific meaning in our system.

18 MR. SURINA: Oh, my bad, I didn't understand those
19 meanings. Does---

20 THE COURT: Sir, no, that is my decision today.

21 MR. GLANZER: Thanks Judge.

22 MR. SURINA: Is the other attorney being sanctioned
23 that gave testimony on these exact same things, or just me?

24 THE COURT: Just you.

25 MR. SURINA: Okay.

1 THE COURT: Going off the record. Mr. Glanzer please
2 draft an order.
3 MR. GLANZER: I want to draft a general order which
4 references to your oral ruling Commissioner and I'll order
5 the transcript. Is that, you know---
6 THE COURT: Sure, send it---
7 MR. GLANZER: I'll do the best I can---
8 THE COURT: All right.
9 MR. GLANZER: ---with everything you said.
10 THE COURT: Go off the record.
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12 (COURT RULING CONCLUDES)
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STATE OF WASHINGTON)
COUNTY OF STEVENS)

CERTIFICATE

I, SUSAN L. ROBSON, a notary public in and for the
State of Washington, do hereby certify:

That I am an authorized transcriptionist;

I received the electronic recording directly from the
trial court conducting the hearing;

This transcript is a true and correct record of the
proceedings to my best ability, including any changes made
by the judicial officer reviewing the transcript;

I am in no way related to or employed by any party in
this matter, nor any counsel in the matter; and

I have no financial interest in this litigation.

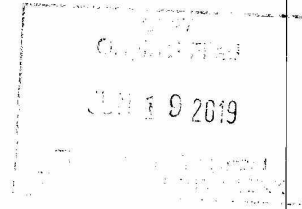
WITNESS my hand and seal this 23rd day of June, 2019 at
Clayton, Washington.

19

NOTARY PUBLIC in and for the
State of Washington, residing
at Clayton. My commission
expires: 09/09/2021



COPY



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

JUDGMENT

Judgement Summary

Judgment for	Debtor's name	Creditor's name	Amount	Interest
Sanctions	Aaron Surina	Sirinya Surina	\$1,000.00	
Lawyer fees and costs	Aaron Surina	Sirinya Surina	\$1,500.00	\$
Yearly Interest Rate: 12% .				
Lawyer: Keith A. Glanzer represents: Sirinya Surina				
Self-Represented Respondent: Aaron Surina				

JUDGMENT

This Matter coming regularly for hearing before the above-entitled Court on June 18, 2019, Sirinya Surina appearing through her attorney, Keith A. Glanzer, and Respondent Aaron M. Surina, self-represented, the court having reviewed the Order entered June 18, 2019 whereby the court ordered the Sanctions and Attorney Fees as

In re the Marriage of Surina
Judgment June 18, 2019
Page 1 of 2

KEITH A. GLANZER, P.S.
2024 W. Northwest Blvd.
Spokane, WA 99205
Telephone: 509-326-4526
Facsimile: 509-324-0405

EXHIBIT C

1 noted in the above Judgment Summary in the amount of \$2,500 and enters this Summary
2 Judgment as part of the hand written order to make a record of the judgement entered.

3 ADJUDGES AND DECREES that the Petitioner, Sirinya Surina is entitled to
4 judgment over and against Aaron Surina in the amount of \$2,500.00 at the statutory
5 interest rate of 12%

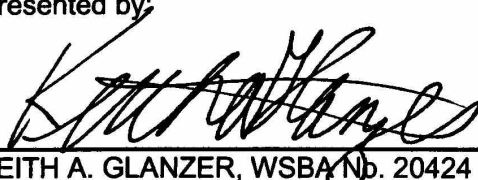
6 This judgment liability is imposed against Respondent, Aaron Surina, individually.

7 DATED this 19th day of June 2019

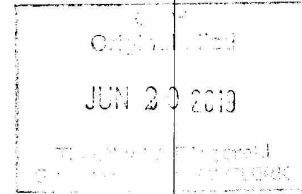
8 MICHELLE RESSA

~~JUDGE~~ - COURT COMMISSIONER

10 Presented by:

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14 KEITH A. GLANZER, WSBA No. 20424
15 Attorney for Petitioner
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 **COPY**



**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

SATISFACTION OF JUDGMENTS

ENTERED JUNE 28, 2018,

FEBRUARY 2, 2019, MARCH 29, 2019,

APRIL 11, 2019 AND MAY 08, 2019

(Clerks Action Required)

COMES NOW Petitioner, Sirinya Surina and in consideration of the sums noted below, which are included in the deposit of net proceeds from the sale of real property, subject to this cause of action, into Keith A. Glanzer, P.S. Trust, pursuant to the court's order entered herein August 10, 2018 for further disbursement by court order, is hereby acknowledged.

The above noted deposit into Keith A. Glanzer, P.S. Trust does hereby satisfy in full, due to said deposit of funds, the judgments entered in the above entitled cause as follows:

1. June 28, 2018; Amount \$1,000.00;
2. February 2, 2019; Amount \$4,000.00;
3. March 29, 2019; Amount \$1,500.00;
4. April 11, 2019; Amount \$2,325.00; and

In re the Marriage of Surina
Satisfaction of Judgments April 11, 2019 and May 8, 2019
Page 1 of 2

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Spokane, WA 99205

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EXHIBIT D

