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FILED

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Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re: Refusal to submit judge ordered QDRO

Petitioner:

Sirinya Polarij (Surina)

No. 17-3-01817-0

Responsive Declaration of:

And Respondent:

Aaron Surina

Aaron Surina

*Attached updated Fidelity
Statements 3/14/17*
(DCLR)

**Responsive Declaration of
Aaron Surina**

- **Attached Motion for:**
- **Temporary Injunction on QDRO activity -**
- **Appellate ruling on fraud in 30-45 days.**

1. My name is: Aaron Surina, Father of David and Andrew Surina. I ask the court to approve the following orders (*specify*):
 - 1) Allow Respondent to minimize further losses and damages and appear by phone.
 - 2) Temporary injunction on QDRO activity being paid out until appellate court ruling.
Appellate court has advised 30-45 days.
 - 3) Assign costs to the 3rd party insisting his version of a QDRO is not going to be rejected.
It's not valid if it is for more than 100% before fees. Fees come out of either participant or Accountholder's portion or both. Judge Price confirmed twice when I asked in the oral ruling of the total amount that would come out. Now it's 2000 dollars more.

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- 4) The petitioner has not even attempted to turn in the only valid QDRO yet. I was confronted out front by some strong arm threatening to turn in the original QDRO. I'm confused as to why it has not been turned in. This is ridiculous.
- 5) Either I agree to their demands and sign a newer version of the QDRO because the petitioner's friend does not like the judge's version or they are dragging me to court. I want an explanation.
- 6) Lost wages setting off any previous dollar amount. Rule 60, and as a matter of law this should be quashed. The appellate court is going to rule on extrinsic fraud that did take place in that case and is directly linked to the case in front of the court now. Stay tuned. Asking for 375 a day lost wages because I am losing the wages and losing the PTO. It's closer to 650 per day. Asking for 2 days.
- 7) Remove all injunctions against the Surina children and their ability to call their father when they are scared, sad or in trouble. This is a fundamental liberty interest and there has never been any harm or intentional injury from the respondent. It's in fact quite the opposite.
- 8) Immediate injunction on the AirBNB that now includes my two sons in the package. Protection order on any AirBNB taking place in the same house as my two sons.
- 9) Judge speak directly to oldest son. He has asked specifically why the judge has not asked him a single question and has made the rulings that have cause so much pain and suffering for them. He wants to ask you about adults coming to stay in the room with the two Surina boys who are referred to as "Roomers" which is a little more than Dad should be having to deal with.
- 10) The court needs to remind the petitioner that the children are ordered to go to counseling and this right to healthcare is being denied. It's been denied over 60 sessions now. My children are hurting and clearly 60 sessions being missed is adding to that. We are better than this, we need go get some common sense help for the kids asap. Partners and families, NPP, Linda Wirtz even said she'd take the case. There is no way to discuss any of this due to that gag order placed on us for the duration of the statute of limitations.
- 11) Suspend the statute of limitations for the parties to seek independent counsel and so Mr. Polarj can be advised of her legal rights to join in a case with the respondent as a single party to be compensated for losses and damages
- 12) Both parties have a right to join as a single party for economical and case related advantages in the return of losses and damages awarded to Sirinya and Aaron if they

won on the merits that are in the casefile. Ms. Polarj should not be kept in the dark about her legal right to obtain redress from the state. The state had no right to take separate property from Mr. Surina to pay for Ms. Surina's GAL when she qualified for CASA and volunteer GALs. from the court finding the reports of their mother's abuse and neglect to be credible. Somehow the court has not been concerned between all the different judges we have jumped to when things begin to surface and be exposed as to what has taken place in the court.

- 13)** Why are my children being forced into "Airbnb" reservations with grown adults? Who is getting paid for this? This is unacceptable. Mr. Landrus should come before the court and The police had to come because they would not get out of my car.

Costs to assignee

4.84.185

RCW 4.84.185 Prevailing party to receive expenses for opposing frivolous action or defense.

In any civil action, the court having jurisdiction may, upon written findings by the judge that the action, counterclaim, cross-claim, third party claim, or defense was frivolous and advanced without reasonable cause, require the nonprevailing party to pay the prevailing party the reasonable expenses, including fees of attorneys, incurred in opposing such action, counterclaim, cross-claim, third party claim, or defense. This determination shall be made upon motion by the prevailing party after a voluntary or involuntary order of dismissal, order on summary judgment, final judgment after trial, or other final order terminating the action as to the prevailing party. The judge shall consider all evidence presented at the time of the motion to determine whether the position of the nonprevailing party was frivolous and advanced without reasonable cause. In no event may such motion be filed more than thirty days after entry of the order.

The provisions of this section apply unless otherwise specifically provided by statute.

[1991 c 70 § 1; 1987 c 212 § 201; 1983 c 127 § 1]

NOTES: Administrative law, frivolous petitions for judicial review: RCW 34.05.598.

2. Statement of Issues

I ask the court to decide the following issues (*specify*):

Why am I once again pulled into a court hearing that I do not need to be in. I have no control over Ms. Polarj turning in a signed valid court ordered QDRO.

Why am I being forced to pay for a QDRO that is more than 100% of the balance available at that time and would be rejected *(now on my penny vs. oral ruling stating total dispersed 16595.88)

Kids denied medical care after the court orders it. Over 60 sessions refused. Obvious long term affects of this game are setting in. Not fair to the children.

Lost wages add up. PTO + wages I don't make is a financial blow to trying to get back on my feet considering all the bills that were not paid off in the settlement. I am confused at where this is leading. Why am I still being summoned to court. Divorced since 10/18/2018. I am concerned this is never going to end.

3. Statement of Facts/Grounds

These facts support my request (*list supporting facts*):

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I have not had a single hearing in favor in the superior court . I have not received a single dollar of any of my assets or all of the property that was in my house which itself was separate property. Not a single bill was paid, I alone am being forced to pay out of my wages for all the community debt. Not a dollar was ordered for her to pay out of the 100% of my retirement at separation, 90% of my wage for over 17 months which is in itself textbook human trafficking. I was assigned all the debt – tens of thousands of dollars. I was not awarded any of my own labor. It was all passed out to officers of the court who were committing felonies and being pardoned by what I want to assume is caseload.

Give me a break and quit calling me into court for trivial things. Remove the GAG order from my children communicating with me. It's inhumane after all they have been through. It's caused more hurt than the 2 years combined. They live in a constant state of fear.

This is a mess and it needs experienced oversight and remediation.

4. Evidence Relied Upon

I ask the court to consider this evidence (*list all declarations and other documents that support this request*):

Petitioner's motion speaks on its own of uncertainty regarding how Fidelity works.

Petitioner appears to have gained access to my retirement account. I'd like to remind the court of the identity theft I suffered at the hands of the petitioner and her team as part of the divorce and still buried in debt all of which was spared unequally and even reassigned to me after the court ordered obligations were ignored. I'm still recovering from that. Along with the court ordered obligations that all ended up in my lap because she simply did not want to get a job or have to work. Yea. That happened.

5. Legal Authority

I have the right to ask for these orders according to the law (*describe the legal authority that supports your request*):

I am an American citizen who has had countless rights violated and every asset taken from me through the abuse of civil process and knowledge of current case loads.

- 6. A Proposed Order (check one):** ☐ is ☒ is not attached to this *Motion* and should be oral unless the court indicates the respondent should write one out.

Person making this declaration fills out below

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true. ☒ I have attached (number of): 8 pages, *+ this declaration*

Signed at (city and state): SPOKANE, WA _____ Date: 3/9/2020


Person making this declaration signs here

AARON SURINA _____
Print name here

I agree to accept legal papers for this case at (check one):

- ☐ my lawyer's address, listed below.
☐ the following address (this does **not** have to be your home address):

PO BOX 30123, SPOKANE, WA 99223

(Optional) email: **LEGAL@SURINA.ORG**

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information form (FL All Family 001) if this case involves parentage or child support.)