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FILED

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TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

(Clerk's Date Stamp)



SUPERIOR COURT OF WASHINGTON
COUNTY OF SPOKANE

Petitioner(s): SIRINYA SURINA

vs.

Respondent(s): AARON SURINA

CASE NO. 17-3-01817-0

ORDER
(OR)

I. BASIS

Father / AARON SURINA moved the court for: Orders - removing
TRO, improving conditions for children

II. FINDING

After reviewing the case record to date, and the basis for the motion, the court finds that:

III. ORDER

IT IS ORDERED that:

See attached orders

Dated: _____

Judge/Court Commissioner

Presented by:

Approved by:

Aaron Surma

Orders of the court on 09/20/2024

Date: September 20, 2024

Presiding Judge: Honorable K. Peter Palubicki

Order 1: Motion to Quash Restraining Order

IT IS HEREBY ORDERED THAT:

- 1. The restraining order issued against Aaron Surina on 8/30/2024 is quashed and set aside.**
 - 2. The court finds that the restraining order was obtained without sufficient evidence of imminent harm or emergency circumstances and that proper procedures were not followed, including lack of proper notice and opportunity to be heard. The restraining order required the secret interactions with the ex parte court as if each of those days was an emergency. The ex parte court is not a playground for lazy attorneys who miss the mark and are late to the game. It's i**
-

Order 2: Reissuance of Restraining Order for Protection of Children

IT IS HEREBY ORDERED THAT:

- 1. An immediate restraining order is issued to protect the minor children, David and Andrew Surina, from Eric Brubaker and see below:**
- 2. Eric Brubaker is restrained from:**
 - o Having any contact, direct or indirect, with the minor children.**

- Coming within 1000' of the minor children's residence, school, or any place they may be found without plans or court approval
 - 3. This restraining order shall remain in effect until Further Order of the Court.
 - 4. The restraining order can be drafted on the normal forms through the clerks office bearing these orders.
 - 5. Sirinya Surina can see the children but needs to complete the AAPI-2 adult adolescent parenting inventory by October 31, 2024.
 - 6. The parenting schedule for Sirinya Surina temporarily will be Wednesday from 5-8pm and Saturday from 12:00 noon to 8:30pm.
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Order 3: Admission of Video Evidence

IT IS HEREBY ORDERED THAT:

1. The video evidence of the incident occurring on 6/15/2024 at the Costco parking lot involving Andrew Surina is admitted into evidence.
 2. The parties are instructed to submit any necessary copies or formats of the video to the court and opposing counsel within 10 days. Stanley Kempner should provide login credentials to costco's video access portal to respondent father and the court by end of day October 11, 2024.
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Order 4: Temporary Modification of Parenting Plan

IT IS HEREBY ORDERED THAT:

1. The Parenting Plan dated 12/20/2019 is temporarily modified as follows:
 - a. The minor children shall reside with Aaron Surina effective immediately.
 - b. The children shall attend school in Coeur d'Alene, Idaho, until further order of the court. (canfield middle and northwest expedition academy)
2. This temporary modification is in the best interest of the children to ensure their safety and well-being.

3. This order shall remain in effect until a full hearing on the matter is conducted.
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Order 5: Limitation on Further Filings Without Leave of Court

IT IS HEREBY ORDERED THAT:

1. ~~Stanley Kempner Jr. and the petitioner, Sirinya Surina, are prohibited from~~ filing any further motions or pleadings in this case without prior leave of the court.
 2. Any future filings must be accompanied by a motion for leave, demonstrating good cause for the filing and certifying that the filing is not frivolous or intended for harassment.
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Order 6: Award of Attorney's Fees

IT IS HEREBY ORDERED THAT:

1. ~~Aaron Surina is awarded attorney's/legal fees and costs in the amount of~~ \$108,149.00, to be paid by Sirinya Surina within 60 days
 2. This award is based on the necessity of legal assistance incurred due to the actions of the opposing party and counsel, which have caused unnecessary litigation and expense.
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Order 7: Motion to Strike Non-Compliant Filings

IT IS HEREBY ORDERED THAT:

1. Any filings submitted by the petitioner or opposing counsel that exceed the allowable page limits without prior permission of the court are hereby stricken from the record.
 2. The parties are reminded to comply with all court rules regarding page limits and filing procedures.
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Order 8: Exclusion of Improperly Filed Declaration

IT IS HEREBY ORDERED THAT:

1. The declaration in support of the motion to quash, which was not properly before the court and was filed after the order was served, is excluded from consideration.
 2. The court will not consider any materials that have not been properly filed and served in accordance with court rules.
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Order 9: Guidance on Submitting Evidence to Appropriate Authorities

IT IS HEREBY ORDERED THAT:

1. The court acknowledges Aaron Surina's concerns regarding potential criminal conduct.
 2. Aaron Surina is advised to submit any evidence of alleged criminal activity to the appropriate law enforcement agencies or prosecuting authorities for investigation.
 3. The court's clerk will provide contact information for the Spokane County Sheriff's department upon request.
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Order 10: Setting of Further Hearings

IT IS HEREBY ORDERED THAT:

1. A hearing is set for October 2nd, 2024 1pm to address the following matters:
 - a. Discussion of the UCCJEA conference scheduled for October 4, 2024, with Judge Peterson, to ensure coordination between jurisdictions.
 2. The parties are instructed to be prepared to present evidence and testimony on these matters.
 3.
 - a. A full hearing on the permanent modification of the Parenting Plan.
 - b. Any outstanding issues related to the welfare and safety of the minor children.
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Order 11: Consideration of Older Unresolved Motions

IT IS HEREBY ORDERED THAT:

1. Any prior unresolved motions filed by Aaron Surina are hereby set for hearing on _____ TBD
2. The court will review and rule on:
 - Motions related to custody and visitation.
 - Motions concerning the enforcement of prior court orders.
 - Any other pending motions not previously addressed.

SO ORDERED this 11th of October, 2024.

[Judge's Signature]

Honorable Judge K. Peter Palubicki

Note to Clerk:

Please ensure that copies of these orders are provided to all parties and counsel of record. The parties are reminded of their obligations to comply with all court orders and to conduct themselves in accordance with applicable laws and court rules.

Additional Instructions:

- **Compliance with Court Rules: All parties are reminded to adhere strictly to the court's rules and procedures, including proper service, notice requirements, and respectful conduct toward the court and each other.**

- **Child Welfare Priority:** The safety and well-being of the minor children are of paramount importance. Any actions that may compromise their welfare will be addressed with the utmost seriousness.
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Other items ordered by the court:

Honorable Judge K.P. Palubicki

Date: _____ **Location:** _____

Petitioner Signed

_____/s/_____

Signed Respondent