TESTIMONY FOR PUBLIC HEARING

The Task Force to Study Legal Disputes Involving the Care & Custody of Minor Children
Connecticut Legislature
c/o Legislative Judiciary Committee Office
Legislative Office Building/Office 2500
Hartford, CT 06106

Thursday, January 9, 2014

Dear Task Force Members:

Good morning. Thank you for allowing me to speak today and for taking time out of your busy schedules to work on this Task Force. As a professional engineer, I fully understand the time commitment required. My name is Hector Morera and I live in Glastonbury, CT.

Please refer to my written testimony for additional information that I am omitting in my oral testimony due to time limitations.

I would rather not be here today. I would rather be with my children, or working or hiking; anywhere other than here. I have been silent for 4 years as my first moral obligation is to my children but as I feel I have failed that, I must speak up about what happened to me, to meet my second moral obligation to my fellow Connecticut residents.

On August 9, 2013 my children were stolen from me. The GAL in my case, Margaret Bozek perjured herself in an affidavit. Perjury in Connecticut is a Class D Felony pursuant to CGS 53a-156. In an attempt to come to a solution amicable to all parties, I reached out to Bozek and tried to negotiate with her a solution which overlooks her perjury. However, Bozek chose to recommend to restrict my access to my children. I filed a motion for clarification 2 months ago and it yet has been addressed by the court.

In the past 4 years I have experienced the following inappropriate GAL behavior:

1. Attorneys refusing to advocate for their client for fear of antagonizing an influential GAL. Lynn Ustach of New Britain went so far as to say that I would never find an attorney in all of Hartford County that would go up against Bozek. Lawyers must be allowed to freely advocate for their clients without fear of retribution from a GAL.

2. GAL's are allowed to admit into evidence unsubstantiated hearsay, something no other party is allowed to do. . It is difficult for Pro Se's to submit evidence refuting these claims as:

   a. Pro Se's must know the rules for admitting evidence.
   b. Pro Se's do not have the money to subpoena witnesses
   c. Pro Se's must ask the court to subpoena witnesses. All my subpoenas were mysteriously rejected by the court.

   GAL's are aware of this inherent difficulty and will essentially tailor their testimony accordingly. GAL's must NOT be allowed to admit hearsay anymore.

3. The Clerks at Hartford Superior Court are very helpful and treat Pro Se's with a compassion typically not seen in public employees. However, I have been intimidated by certain clerks and Family Services personnel from filing motions and presenting evidence to the court. At many times, motions I filed were never calendared or removed from my file by some person in the clerk's office to keep the judges from seeing crucial and damaging evidence. The clerks and Family Services work for the State of CT, which is everyone in this room and must not be allowed to be intimidated by influential lawyers.

4. Mental health professionals will collude with GAL's for whatever reason. The Psychological Evaluation in my case was prepared by a friend of Bozek, Stephen Humphrey. There are so many discrepancies in his evaluation, that either Humphrey is the most incompetent psychologist or he willfully colluded with Bozek to conceal her negligent handling of the case. A week before my trial, Bozek threatened me and told me that the court does not need to

> see Humphrey's evaluation if I just settle right there and then and that most of her cases never go to trial. GAL's must not be allowed to interfere with court ordered evaluations.

I can write a book about what I consider to be crimes committed during my divorce but I rather not. I rather see my children again and leave the courts to the persons who work there. But the court which hides behind the GAL refuses to do the right thing.

As such I recommend the complete elimination of GAL's. `e divorce, I am capable of taking my children after the divorce. If there are real allegations of abuse or neglect, that's what DCF is for. We do not need a GAL who for whatever reason chooses not to be impartial and present all of the facts accurately to the court and then hides behind immunity.

Thank you for your time.

Hector Morera
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Additional Written Testimony:

I filed for divorce 4 and ½ years ago after my ex wife had me arrested for Breach of Peace. The charges were dropped. But as Jackie Wilson told me, it worked to get me out of the house. I have a tape recording of that night and the effect it had on my daughter yet the GAL never once asked to listen to it even though she is fully aware of its existence. Is that the role of the GAL, to pick and choose which evidence she wishes to listen to?

For the first 3 months my ex-wife's first attorney Leo Diana and my first attorney tried to get my ex-wife to come to agreement on a divorce. I worked from home and took care of the children 5 days per week, something that would easily be corroborated with discussions with school by any GAL. However, after 3 months, my ex-wife obtained a new lawyer, Ceil Gersten who brought in Bozek as a GAL. I objected to the fact that Gersten appeared to be too friendly with Bozek but my first attorney refused to acknowledge my concerns. That was four years ago. And since then Bozek has engaged in behavior which I feel is inappropriate.

For instance, not once did Bozek bring my extensive involvement in school to the attention of the court. As a Pro Se, I tried to have countless emails admitted as evidence of my involvement in the children's lives but the judge in my trial refused to allow them to be submitted as evidence so Bozek refused to acknowledge them in her testimony. Is that the role of the GAL, to take advantage of the situation and pretend some evidence doesn't exist?

During one hearing, I believe it was Co-Chair Coussineau who stated that GAL's hands are tied as to what they can testify about and can only answer questions. I respectfully disagree. It has been my experience that GAL's can essentially talk about anything they wish to discuss while on the stand. They need only be asked one simple question, "What are your recommendations for this case?" and they can go on a 2 hour monologue if the judge allows them.

Because of my ex-wife's severe anxiety and fear of losing the children, the children were caught in the middle of her anxiety. I

pleaded with my first attorney to bring this to the attention of the court. He refused to do so, merely say Bozek is very influential with the court. Is that the role of the GAL, to intimidate lawyers from advocating for their clients?

In addition, for 10 months Bozek allowed herself to be manipulated by my ex-wife. I instructed my first attorney to file for sanctions but he refused to do so.

After a year of my first attorney not bringing my concerns to the attention of the court, I decided to get a new attorney. However, for 6 months I tried to get a new attorney. I was honest with them and told them that for some reason Bozek was not bringing my concerns to the attention of the court. One after another, each attorney repeatedly told me that they do not want to take the case against Bozek. Lynn Ustach of New Britain went so far as to say that I would not find an attorney in all of Hartford County to take a case against Bozek. Is that the role of the GAL, to intimidate lawyers from taking cases? I am not a lawyer but this sounds very much like racketeering pursuant to RICO to me.

As such, 15 months after I filed for divorce, I got despondent that no one would ever properly advocate for me and my children. Sadly Bozek picked up on this and took advantage of the situation and presumed I would stop advocating for my children and made some recommendations in January 2011, to the court in the hopes of washing her hands of a difficult case by not presenting all of the relevant facts to the court. Is that the role of the GAL?

At this point I had obtained a second attorney from outside Hartford County who stated he would bring my concerns to the attention of the court. However, for some reason he chose not to address my concerns As such after 3 months of my 2nd attorney not bringing my concerns to the attention of the court, I confronted my second attorney and asked him why hadn't the motion I asked him to file not been heard by the court. He told me that it was not calendared. That was not true. I was still receiving the calendars as I had filed a Pro Se appearance and my second attorney whatever reason chose to not even file an appearance (Attorney Hayes actually scolded him at a status conference for not filing an appearance). I told him that it did

in fact come up on the calendar and he did not mark it ready. My 2nd attorney could only respond by saying, "oh, you know about that?"

Completely appalled by once again being betrayed by another attorney, I filed a 23 page motion (see Exhibit B) bringing to the attention of the court my concerns. However, a week after I filed my motion, on a Hartford Court short calendar day, I received a phone call from my second attorney instructing me that I had court that day for a motion he filed months earlier. This was the first I had heard of it. I was appalled that my attorney would do such a thing.

I have heard complaints from Task Force members that it is difficult to schedule hearings and such in court. However, that has not been my experience. I have spoken to many of the clerks in Hartford court. For the most part, they are very helpful and compassionate and understanding to Pro Se's. It is my understanding, if two opposing attorneys agree, they can pretty much come to court any day of the week and squeeze in some time with a judge between cases. This has happened in my case at least 3 times. So this complaint of having difficulty scheduling dates is not necessarily true. It depends entirely on how motivated the opposing attorneys and GAL are.

Finally almost 2 years after I filed for divorce a psychological evaluation was being conducted. However, I suspected from the onset that my concerns would not be addressed. I have a tape recording of a conversation with Bozek in which I contend she intimidated me against bringing certain concerns to the attention of the court.

In the summer of 2011, almost 2 years after I filed for divorce, a concern I brought to the attention of both my attorneys early on in the divorce, a large amount of marital debt in my name for which I could not pay went to trial in civil court. A judge ordered a bank execution be performed and the creditor withdrew all the money I had in my bank accounts. I no longer could afford to pay my attorney or the final payment for the evaluation being performed by Humphrey. What does this have to do with the role of GALs? A lot. Had my attorney not been intimidated from pursuing the case in court, this issue would have been addressed a year earlier.

In the fall of 2011, after both my attorneys refused to address my concerns for 2 years, I started filing my own motions. Very strange things started happening then. My motions would not be calendared by the clerk's office. When I did appear before a judge, motions I filed would mysteriously have been removed from my file so the judge could not see my motions. This happened at least 6 times. A clerk friendly with the attorneys in my case tried to intimidate me from filing a motion saying I need permission from the other attorneys. A Family Service worker during a mediation session intimidated from presenting damaging tape recordings which I have. This evidence caused Bozek much concern. But after the judge in my case refused to allow me to admit, Bozek approached me and said my case is over. Is that the role of GAL to only make recommendations based on evidence admissible in court?

As I suspected, the psychological evaluation prepared by Stephen Humphrey did not address my concerns. I filed a motion on December 29, 2011 with my concerns (see Exhibit B)

After I fired my second attorney I received numerous threatening emails from Bozek in which I feel she was threatening me from pursuing the case in trial. During trial, my evidence was not allowed to be admitted by Judge Carbonneau. Bozek approached me and said my case is over as my evidence is not admissible. Why do I have pay $30,000 for a GAL, over $6000 for evaluation if the GAL and evaluator are not going to present irrefutable evidence that I provided them. In what I feel was retaliation Bozek changed her recommendations from joint to sole custody. (see Exhibit C)

I warned the court that if my ex-wife was awarded sole custody she would use it to eliminate the children from my life. A year later that is exactly what occurred despite the many motions I filed trying to bring to the attention my concerns. See Exhibits D through L.

Discussion on Shared Custody

Shared custody is crucial as awarding sole custody enables a parent who wishes to remove the children from the other parent's life to do so.

Since obtaining sole custody, my ex-wife has

1. Moved the children to another school system in violation of a court order against that. The new school system does not have knowledge of my extensive involvement in the children's lives. Despite my complaint to Bozek, she did nothing to address this concern.
2. Placed the children in the care of mental health professionals 25 miles away from Glastonbury who spend more time talking to my ex-wife's attorney than they spend time talking to me. And when I ask a question, they claim privilege information but they gladly share information with Gersten. One of the mental health professionals is even unlicensed. Bozek is fully aware of that and condones this and the fact that the two professionals are colleagues of a former patient of my ex-wife creates a serious conflict of interest.
3. Moved my daughter out of the local CCD into a CCD in another town. I have volunteered numerous times with our town CCD and they are familiar with my involvement in the children's lives. Bozek is aware of this but did not present it to the court.
4. Removed my daughter from Girl Scouts entirely under a false pretense after finding out that her Troop Leader asked me to be Treasurer. Bozek never investigated this issue.

This is a pattern of alienating the children from their father that began before our divorce was finalized. Something Bozek did not bring to the attention of the courts. It also included the following:

1. Removing my daughter from dance class after the dance instructor asked her if I could bring our daughter to do make ups on a night in which she was with her mother. The dance instructor assured my ex-wife that it would only be to make up

dance class, not to give me more time with my daughter. The dance instructor knew I worked from home and had a more flexible schedule. Bozek never talked to the dance instructor to confirm this.

2. Moving my daughter from one Girl Scout troop to another one comprised of parents who did not know my prior involvement in the children's lives. It took me two years for the new Girl Scouts troop to see my involvement in my children's lives and ask me to volunteer.
3. Moving our children from a pediatrician in town to one located 25 miles who was once a patient of my ex-wife, a serious conflict of interest. The pediatrician in town was very familiar with my involvement with the children.
4. Placing my son in a daycare 25 miles from his home town, in a town where my ex wife used to work, rather than the one in town that my daughter attended and was very familiar with my involvement with the children.

Recommendations to the Task Force

1. No GAL be assigned unless a parent is found unfit in a court of law with the necessary evidence submitted. Judges make $160,000 per year. That makes them the top 1% wage earners in this country. They should be able to make decisions without a GAL's input. If they can not, they should not be reappointed and judges who realize that they are getting paid to take risks in proportion to their income should be appointed.
2. When GAL's are appointed, they must adhere to strict rules as follows:
    a. No more than 30 hours billed to the parents. In this day and age, that is sufficient time to investigate two persons
    b. At the time of the appointment of the GAL, a return date within 45 days maximum must scheduled in order to allow for the GAL to present their findings and a determination whether the case will go to trial immediately or an agreement has been reached. Prolonging a case to satisfy the GAL's needs only creates unnecessary anxiety in the parents which is then used against the parents. This inappropriate.
    c. The GAL shall have limited or peripheral acces to Psychological and Custody evaluators. These persons, if as ordered by the court should report solely to the court, not the GAL. There is too much room for collusion and corruption to occur when an unsupervised GAL can dictate what an evaluator can or can not look at.
    d. GAL's can submit hearsay. They must provide documentation for all their contentions.
    e. All GAL records must be provided to each of the parties before trial as part of discovery.
    f. GAL must share the summary of each and every discussion with all parties. Currently, the GAL will talk exclusively to one attorney but share the same information with the other party.
    g. A person responsible for investigating claims GAL's must be established. This person must be independent enough so that they do not fear retaliation from a GAL.

   h. The copies of the rules must be provided to each of the parties and method for filing complaints against a GAL who does not follow the rules must be established.
3. Motions must be calendared within 4 weeks. GAL's must not interfere with calendaring of motions simply because the GAL does not like the content of the motion.
4. Shared custody must be the norm unless the parent has been deemed unfit by set standards that can not be altered by the GAL. Sole custody just leads to abuse of one parent by the other.
5. And with respect to Ceil Seretta Gersten, Family Services allow her to engage in inappropriate behavior such as screaming and cursing at Pro Se's and other Attorneys during a mediation session solely for the purpose to cause the mediation session to fail. This conduct would not be tolerated from other persons. As such, Family Services must put their foot down and instruct the Judicial Marshals to escort Gersten out of the court, in handcuffs if necessary to send a message that she does not have free reign of the courts, regardless of her family's connections with the court.

Exhibit A

STATE OF CONNECTICUT

Docket # FA-09-4047131	SUPERIOR COURT
HECTOR MORERA	J.D. OF HARTFORD
VS.	AT HARTFORD
STEPHENIE THURBER	APRIL 18, 2011

MOTION FOR DISCLOSURE AND ORDER TO REFERRAL TO FAMILY RELATIONS AND OBTAIN TESTIMONY FROM MENTAL HEALTH PROFESSIONALS

1. Whereas, Stephenie Thurber (Defendant) has suffered five (5) major depressive episodes in the twelve (12) years in which the Undersigned has known her. The Undersigned has empathized with the Defendant's condition and has repeatedly gone out of his way to make sure that the Defendant did not do anything to hurt herself. An example of this is the scar on the Defendant's right hand index finger. In late 2007 the Defendant was extremely depressed after a second IVF (in vitro fertilization) failed and took a steak knife to her wrist. The Undersigned without hesitation took the steak knife from the Defendant's hand and in the process obtained a deep cut in his finger requiring that he go to the emergency room of Manchester Memorial Hospital to obtain medical assistance. The Undersigned has always also ensured that the Defendant is provided with a safe and well maintained home at which she can feel secure.

2. Whereas the Defendant was diagnosed with Bipolar Depression in 2002, a condition which the Defendant's father suffered causing him to go through periods in which he was not capable of taking care of the Defendant and her brother. Sadly the Defendant's mother also developed a neurological

condition which left her absent from a large portion of the Defendant's childhood. Whereas the Defendant repeatedly has stop taking the medication prescribed (Lithium and Wellbutrin) to deal with this medical condition. She stopped taking the Lithium because she felt it would make her overweight and she did not take the Wellbutrin because she felt that it would affect her employment. This is common amongst sufferers of bipolar depression who, when once the depression disappears, feel that they no longer need medication to control their unstable moods.

3. Whereas the Defendant's father because of his psychiatric condition and the psychological issues he suffered in his personal life caused severe psychological harm to the Defendant compounding this by forcing the Defendant at the age of 18 to move out despite the fact the Defendant had excellent school grades (something not uncommon amongst people who suffer from bipolar depression as the manic phase of the disease provides them the emotional and physical wherewithal to be successful) desired to make a better life for herself by attending college. Her father wanted her to get a low paying job instead. In addition, after the Defendant's both parents died, the Defendant's brother with which the Defendant had an estranged relationship in large part because of the psychological trauma he suffered from his father, took over their parent's house while the Defendant was in medical school which had been placed in the name of both the Defendant and her brother by their father prior to his death locking out his sister, the Defendant. The Defendant was required to litigate the matter in probate court. These actions by the Defendant's family left her homeless for the 10 years that it took her to complete undergraduate and medical schools. The trauma inflicted on the

Defendant by her family has caused her to have severe abandonment issues that are exacerbated by her psychiatric condition.

4. Whereas it was agreed eight years ago between the Defendant and the Undersigned, that the Defendant's emotional state is best maintained when the Defendant is working and the Undersigned's domestic skills were more suited to maintaining the home and the minor children (both of which are the biological children of the Defendant and the Undersigned). The Defendant is a Family Practice Physician and is very good at her job. This required that the Undersigned quit his office job seven years ago and work from home full time except for one day a week `to perform the majority of the household duties including but not limited to shopping, cooking, maintaining the home, laundry, taking care of the minor children and all of the other duties required to maintain the home. This has caused the Defendant extreme anxiety as the minor children have bonded with the Undersigned in a manner in which she feel threatens by the relationship, although the Undersigned has not done anything to undermine the relationship between the minor children and the Defendant. However, the Defendant throughout the course of their marriage has engaged in psychological intimidation of the minor children, including but not limited to telling the oldest minor child that her father loves her brother more than he loves her, in an attempt to alienate the children from their father, the Undersigned. The Defendant has repeatedly conveyed this information to the Guardian Ad Litem (GAL) appointed to the minor children in January of 2010 and is prepared to present to the Court the many ways in which the Defendant due to her psychiatric condition combined with the psychological trauma inflicted upon her by her father, brother and aunt has engaged in

harmful psychological intimidation of the minor children for fear that they too would abandon her in the same manner that her family abandoned her.

5. Whereas in 2003, during a period in which the Defendant was suffering from severe post-partum depression after the birth of their first minor child, the Defendant chose to move to eastern Connecticut in an attempt to escape from her depression. The Undersigned did not feel this was a good decision for the family as there were no connections to the community and the Undersigned and Defendant both had very good and secure employment in New York City. Previously, during a period when the Defendant was going through another period of depression, an incident occurred in which the Defendant became extremely agitated and was screaming for a long period over a mattress she claimed was hers and she wanted to take with her and move out to a new location. The police in New York City were called by a neighbor and came to investigate the matter. Upon seeing the severe emotional state of the Defendant, the police officers investigating the matter suggested to the Undersigned that during these periods the Undersigned allow the Defendant to do what she wanted and wait until the Defendant's emotional state improved to address the matter. The Undersigned felt that this advice applied in this instance. The Undersigned felt that the Defendant was too irrational to understand that moving to another town would not eliminate her depression but would it make it difficult for the family as they had no connections whatsoever in that town. The Undersigned reluctantly agreed to move to CT in 2003 for the well being of the family and their minor child.

6. Whereas the Undersigned willingly participated in Family Therapy sessions with five different therapists during the first four (4) years of their marriage in

attempt to resolve the issues in their relationship. However, these sessions were never successful as the Defendant repeatedly attempted to portray the Undersigned as abusive despite the fact that the Undersigned sacrificed his well being for the good of his family including the Defendant as illustrated by the scar on the Undersigned's right hand index finger and the many acts which the Undersigned did to assist the Defendant. For example, the Undersigned assisted the Defendant in completing her Residency program by preparing a Powerpoint presentation of research performed by the Defendant that was required of every Resident in order to complete their Residency and proceed as a licensed Physician. During this period, the Undersigned repeatedly sought to maintain a relationship with the Defendant including but not limited to physical contact but the Defendant chose not to. As the Undersigned and the Defendant were residing in New York State at time, the Undersigned could have filed for at-fault divorce but chose not to as he felt it was not in the best interest of their minor child and willingly continued to engage in Family Therapy sessions to improve the marriage especially in light of their minor child.

7. Whereas the Defendant without any prior discussions with the Undersigned hired a lawyer in 2005 to initiate divorce proceeding against the Undersigned but ceased to pursue the matter after the Undersigned questioned her ability to take care of the children as the Undersigned was doing the majority of the work required. The Undersigned felt this was a betrayal of their marriage by the Defendant as discussed in the book, "The Co-Parenting Survival Guide" written by Dr. Thayer. The Defendant subsequently requested that the Undersigned sleep in another bedroom.

8. Whereas the Defendant in 2006 was depressed that the job she took in CT was not going well requiring her to quit, and that her estranged relationship with her brother was not healed despite her moving closer to her family in an attempt to resolve this issue, and that she did not have another child. After 4 years of not wanting to have physical contact with the Undersigned, the Defendant decided to have sexual relations with the Undersigned, not because of her love for the Undersigned but merely to conceive another child to fill a hole in her emotional life.

9. Whereas the Defendant suffered a severe post-partum depression after the birth of their second child from 2008 to 2009 continuing until after the Undersigned filed for divorce into 2010. As the Undersigned worked from home for many years prior to this and took care of the children and the household in that time, the Undersigned was capable of taking care of the newborn infant and the elder minor child who was six years old at the time and still maintain his full time job and the house. The Defendant went back to work as soon as her maternity leave was over as working provides the Defendant emotional stability and she is very intelligent and capable of performing her duties. However, the Defendant would come home and place the responsibility of the majority of the care of the minor children with the Undersigned. At one point, approximately 9 months after the birth of their second child, on a Saturday, the Defendant called an ambulance to take her to the emergency room as she was concerned about her emotional well being. The Defendant was in daily contact with a psychologist with whom she was friendly and checked in on her emotional well being.

10. Whereas because of the Defendant's emotional and physical absence from the youngest minor child's first year of life, the youngest minor child preferred and still continues to prefer to spend time with his the father, the Undersigned. Because of the Defendant's psychiatric condition and the abandonment issues she experienced at the hands of her family, the Defendant began engaging in erratic behavior in 2009 beyond her usual erratic behavior in an attempt to have the Undersigned discredited and arrested and remove him from the minor child's life despite the fact that the Undersigned had been the primary care giver for the minor children. The Undersigned's erratic behavior included, but was not limited to the following:

a. Removing the minor children from a local pediatrician who was aware of the Undersigned depression and moving them to a pediatrician who was a patient of the Defendant, a very clear conflict of interest. But this allowed the Defendant to manipulate the pediatrician against the minor children's father, the Undersigned. Recently the eldest minor child of the Defendant and Undersigned had a cough for more than a week. The Undersigned asked the Defendant to have the lungs checked of the eldest minor child during a period when the eldest minor child was with the Defendant, but because the Defendant was working and could not take her to the pediatrician, according the Defendant, the Defendant instead called the pediatrician and asked if she could use a stronger cough medicine. According to the Defendant the pediatrician said yes without listening to the eldest minor child's lungs which based on many conversations between the Defendant and the Undersigned is common before a physician feels comfortable ordering cough medicine. Their eldest minor child spent

a weekend with a cough that turned out to be pneumonia delaying treatment for several days. This would not have happened prior to the Undersigned filing for divorce as the Defendant relied heavily on the Undersigned to handle these types of situations as he worked from home. Conversations with the minor children's previous pediatricians will confirm that prior to the Defendant moving the children to a pediatrician that is located approximately 25 miles away from their home and is a former patient of the Defendant, a clear conflict of interest, that the Undersigned took the children for both well and sick visits to the pediatrician.

b. An incident occurred in which the Undersigned placed the minor children to sleep and went to bed early as he had to drive to New York City early the next day. The Defendant intentionally did not let their dog out at night and the Undersigned woke up to dog poop and urine all over the floor. The Undersigned became upset and subsequently the Defendant removed the dog from the house and told all of the neighbors that the Undersigned was abusing the dog despite the fact it was the Undersigned who took care of the dog including jogging with the dog from time to time. This caused psychological harm to the children. In January 2010 when the Undersigned was allowed to return to the marital home and remove some belongings, their dog was allowed to interact with the Undersigned. Upon seeing the Undersigned the dog gleefully jumped all over the Undersigned. This is not behavior of a dog that has been abused by his owner. This is the behavior of a dog that misses someone who took very good care of her and would go out on runs with her. It appears that the Defendant is aware

of the implications of the dog's behavior and since then has not allowed the dog to interact with the Undersigned during the many times the Undersigned was over at the house.

c. The Defendant began calling the police in the town in which their marital home is located whenever an argument occurred between the Defendant and the Undersigned causing severe psychological trauma to the minor children. During their first visit to the house, the police noted that it appeared to have been solely an argument between two unhappily married people and did not require their intervention. However, the Defendant went to the responding police officers superiors and told them that she feared for her safety and that the responding officers were negligent in not arresting the Undersigned. Because of her severe psychiatric condition, the Defendant truly believes what she subconsciously wishes to believe allowing her to effectively lie as it appears that she is truly sincere but is simply an act by a person with Bipolar Disorder. As such, the Defendant neglected to tell the police that she was still suffering from post partum depression that usually takes 18 months to 2 years to stabilize. The Defendant also neglected to tell the police that she suffers from Bipolar Disorder and that if she feels emotionally threatened, she will create a scenario in her heard that has no basis in reality and believe that it is true. The Defendant also neglected to tell the police that her first husband had called the police in the town they were living in at the time, New Rochelle, NY to report that she was hitting him. As it was told to the Undersigned by the Defendant, the Defendant's husband was allegedly abusive to the Defendant and had only married her to obtain citizenship here and had no

choice but to hit him. The Undersigned felt sorry for her at the time and how the matter was presented to him but now realizes that the Defendant may have distorted the facts. The Undersigned requested of his first attorney to obtain these police records but the attorney did not do so. The Undersigned does not understand why the records were never obtained. The Defendant also neglected to tell the police of the many times she physically hit the Undersigned. The Undersigned informed his first attorney of this information. Approximately three months after the Undersigned dismissed his first attorney and his motion to obtain funds was to be presented to the Court, the Undersigned's first attorney presented a file which the attorney claimed was a complete file of the case. The records of the physical abuse committed by the Defendant on the Undersigned were not included in this file. The Undersigned does not understand why it took the attorney three months after being dismissed to present the file to the Undersigned nor why the documents covering physical abuse by the Defendant against the Undersigned were not included. The Defendant also told the police that she did not want to go to a lawyer but just wanted the Undersigned removed from the house but neglected to tell the police about the incident in 2005 in which she hired an attorney to proceed with a divorce but stopped nor the incident on their wedding day in which the Defendant became extremely depressed and anxious after planned flowers were not delivered to the wedding. The Defendant threw the Undersigned out of their apartment in Bayridge, NY on their wedding night and proceeded to call the priest that performed the wedding ceremony and his pastor asking for an annulment. The

Undersigned regrets that the police were unwittingly manipulated by the Defendant and feels sorry that they were placed in an awkward position because of the Defendant's illness. The Undersigned was eventually arrested for disorderly conduct for attempting to stop the Defendant from leaving the house at a late hour with the children on a Sunday night, a school and work night after an incident occurred in which the Undersigned came from not seeing their children all day and upon being seen by their youngest child, their youngest child began to cry to be held by the Undersigned but the Defendant would not let him and chose to leave to house in hopes that the youngest child would go to sleep so that the Undersigned could not see him that night. The Defendant left the house without the youngest minor child's bottle and stuffed animal so the Undersigned located the Defendant and gave those items to their youngest minor child. The Defendant also checked on the well being on their eldest child and noticed that she appeared to be severely traumatized by the Defendant's erratic behavior.

d. The Defendant accused the Undersigned of being a pedophile because of two incidents in which a little girl who would play with their eldest minor child hit the Undersigned in the rear to say hello. The acts ended after the Undersigned made if clear to the child that that was inappropriate. However, the Defendant stopped allowing their eldest minor child from playing with this child causing psychological harm to their eldest minor child as the two children were close friends. It should be noted that two days before the Defendant had the Undersigned arrested under false circumstances, the Defendant sent an email to the Undersigned stating that

she was proceeding with adoption of a girl from China that the Defendant and Undersigned had already been approved to adopt. It would be extremely negligent on the part of the Defendant to proceed with the adoption of a female child if she truly believed that the Undersigned was a pedophile. It was another ruse on the part of the Defendant to discredit the Undersigned and have him removed from the house as she felt threatened by the close relationship between their second child and the Undersigned.

During the Defendant's first post partum depression in 2002 to 2003, the psychotherapist treating the Defendant would routinely call the Undersign to check on the Defendant's emotional state. As such the Undersigned called the Defendant's psychologist at the time of her second post partum depression to inform her that the Defendant's psychological well being is questionable and that it is having a negative impact on the children. The Defendant's psychologist never called the Undersigned to ask him about his concern and the potential harm to the children.

11. Whereas the Undersigned felt that it would be in the best interest of the children that he not be placed in a position where he could go to jail under false claims made by the Defendant, he filed for Divorce with joint custody.

12. Whereas the Defendant filed a counterclaim for sole custody but has yet to pursue the required psychological evaluation required for such. The Undersigned suspects that the Defendant did not pursue a psychological evaluation as it would show that the Defendant is prone to emotional instability due to her psychiatric condition and the psychological trauma she experienced at the hands of her family who suffers from similar conditions that will have deleterious effect on the minor children in the future.

13. Whereas the Undersigned has repeatedly stated that despite the Defendant's severe psychiatric condition, the Undersigned has no intention of pursuing sole custody and denying the minor children the presence of their mother in their life.

14. Whereas the Defendant has repeatedly denied the Undersigned's right to be involved in the minor children's life by engaging in acts including but not limited to the following:

a. Denying the visitation access to the minor children on numerous occasions.

b. Repeatedly interfering in the Undersigned's visitation time with the minor children with calls and requests.

c. Interfering with daycare. Without his consent, the youngest minor child is in a daycare that is approximately 25 miles away from the homes of both the Defendant and Undersigned and whose owners are friends with the Defendant. The Undersigned has repeatedly asked the Defendant to move their youngest minor child to a local daycare whose staff is very familiar with both the Undersigned and the Defendant as their eldest minor child was in their after school program but the Defendant refuses to do so as the owners of the current daycare defer to her to the detriment of the youngest minor child. Recently the Undersigned was inadvertently made aware of an incident in which their youngest minor child was allowed to stay at daycare despite the fact that he had a fever. The Defendant was informed of this by the daycare but as she was working, the youngest minor child was allowed to stay in daycare even though it is typically against the daycare rules and prior to filing for divorce, the Undersigned typically

would have been contacted to pick up the child from school. No one from the daycare nor the Defendant contacted the Undersigned about their youngest minor child's condition or asked if he could pick up the child. The Undersigned became aware of this incident solely because the eldest minor child brought it up in conversation. The Undersigned is extremely concerned for the well being of the youngest minor child and the deference that the current daycare providers give to the Defendant to the detriment of the minor child.

The Undersigned requested from his first attorney that he file Contempt of Court motions for the Defendant's behavior so as to let the Court know about the Defendant's lack of cooperation in co-parenting but he did not. The Undersigned does not understand why those relevant motions were never filed.

15. Whereas the Defendant's employment contract was terminated early in the Spring of 2010 at a time she was attempting to portray herself as being capable of maintaining a job and the minor children herself after years of leaving the responsibility to the Undersigned. The Undersigned was advised by another attorney that the Defendant's employer must be deposed to determine the circumstances behind her sudden termination. The Undersigned discussed this with his first attorney but his first attorney never pursued the matter.

16. Whereas the Defendant because of her psychiatric condition coupled with the psychological trauma she experienced at the hands of her family repeatedly and the fact that she was still suffering from post partum depression, after the Undersigned filed for divorce, engaged in psychological abuse of the children

requiring intervention by the GAL on numerous occasions. In addition because of the Defendant's Bipolar disorder, she routinely told the GAL lies about the Undersigned requiring the Undersign to prove time and time again that the statements made by the Defendant are false. Those acts included but not limited to the following:

a. The Defendant calling the eldest minor child and screaming at her and telling her not to eat dinner with the Undersigned even though she was with the Undersigned during dinner time and the Undersigned routinely fed the children dinner.

b. The Defendant feeding the elder minor child a second meal after she ate with the Undersigned dinner. This along with the fact that the eldest minor child no longer regularly exercised with the Undersigned has caused the eldest minor child to increase in clothing size from a size 8 to a size 16 in an approximately one year. Acting in the best interest of the children, the Undersigned unilaterally stopped feeding the eldest minor child dinner on certain days to avoid the minor children being fed a second time by the Defendant. The Undersigned requires his eldest child to engage in at least half of hour exercise every time he has an overnight visitation with her.

c. The Defendant called their eldest minor child during a visitation with the Undersigned seven (7) times over the course of six (6) hours. After the seventh call, the Undersigned told the Defendant that it was bedtime and seven times were more than enough during that short period. Two minutes afterwards, the Defendant showed up at the front door of the Undersigned and threatened to take the minor children from the Undersigned during his visitation. The Undersigned did not call the police as he was fearful of

further traumatizing the minor children. However, the Undersigned feels that if the roles were reversed, a protective order would have been put in place against him had he showed up at their marital home to argue with his wife over phone access to the children. The Undersigned has never interfered in the Defendant's visitation time whereas the Defendant routinely has interfered.

d. The Defendant intimidated their eldest minor child by making her fearful of going places with the Undersigned despite the fact that Undersigned routinely took his minor children many places without their mother, the Defendant. The Undersigned has hundreds of photos to support this statement. An incident occurred in which the eldest minor child had an anxiety attack after the Undersigned told her that they were going hiking and then a children's museum, activities which the Undersigned had done numerous times before filing for divorce. The eldest minor child was made so fearful of going places with her father, the Undersigned, by her mother, the defendant that she was too scared to go anywhere with the Undersigned. The Defendant continues to engage in psychological intimidation of the minor children in more subtle ways but no less harmful to the minor children. The Undersigned is very concerned for the psychological well being of the minor children as the Defendant has severe psychological issues coupled with her Bipolar disorder that will never go away.

e. The Defendant has been telling everyone she feels the Undersigned is not capable of taking care of the children. However, she neglects to tell them that six (6) months before the Undersigned filed for divorce, she left for a

week long trip and left a 6 year old and a nine month old in the care of the Undersigned, or that during her severe second post-partum depression the Undersigned was responsible for the minor children entirely or that seven years ago the Defendant stated that she could not take care of the children and it was agreed that the Undersigned would work from home to take care of the children.

f. The Defendant without the consent of the Undersigned placed the eldest minor child under the care of a psychologist who is a colleague of the Defendant's psychologist, a clear conflict of interest. In the same manner that the Defendant manipulated the police and the GAL with her lies because of her severe psychiatric illness, she manipulated the psychologist requiring the Undersigned to write two letters to the psychologist to make it clear that because of the Defendant's psychiatric illness she was harming the children. After the Defendant no longer could manipulate the psychologist, she stopped taking the eldest minor child to that psychologist. At some point after the divorce, to avoid another situation in which the psychologist is manipulated, the Undersigned feels it would be in the best interest of their eldest minor child to be followed with another therapist to discuss the intimidation and manipulation suffered at the hands of the Defendant.

g. There are many other acts that the Defendant committed that caused severe psychological harm to the children. The Undersigned will provide a list of the Defendant's additional behavior to the Court.

The Undersigned does not understand why the children were allowed to spend most of the time with the Defendant despite her severe emotional state at the time and the psychological trauma she was causing the children.

17. Whereas the Undersigned requested in the summer of 2010 of his first attorney that he file a motion to establish a summer visitation schedule as the Pendente Lite enforce at the time did not cover this item. The Undersigned's attorney at the time chose not to bring the matter to court despite the Undersigned requests. The Undersigned does not understand why his attorney at the time refused to pursue the matter in Court and the Undersigned feels he was intimidated into signing an order that he felt was not in the best interest of the children.

18. Whereas the Undersigned felt that his first attorney was not providing him with the necessary legal advice to deal with these issues, the Undersigned reached out to the attorneys who provide Pro Bono services on a weekly basis at the Family Court. The Undersigned will be forever grateful for the advice he received from the attorneys who volunteered their time and provided the Undersigned with more legal advice than the attorney he hired and the Family court's Clerk Office who albeit could not provide legal advice always treated him with compassion and assisted him in filling out the necessary forms.

19. Whereas in August 2010, the Defendant filed a motion for a custody evaluation. At that point, the Undersigned requested that first attorney present to the court all of the behavior that the Defendant engaged in that has hurt the children psychologically and file a motion for Psychological Evaluation. However, the Undersigned's first attorney did not file such motion. The Undersigned does not understand why the motion was never

filed by his first attorney. The Undersigned subsequently requested from the same attorney that he bring the matter to the attention of the court and asked that he file several motions including but not limited to Contempt of Court for the many times the Defendant interfered with the Defendant's visitation schedule, preventing the Undersigned from speaking on the phone with their minor children and not paying utility bills that the Defendant was instructed to pay. The Undersigned's first attorney never pursued those motions.

20. Whereas the Defendant subsequently filed for motion to appear as Pro Se and obtains funds to hire a new attorney in the winter of 2011.

21. Whereas after much difficulty, the Undersigned obtained a second attorney in February, 2011 who told the Undersigned that he would bring to the court's attention the Defendant's psychiatric condition and erratic emotional state and ask for a referral to Family Services.

22. Whereas it has been over two months since the Undersigned's second attorney was hired and he has yet to file a Motion to Appear nor calendar the Motion for Referral to Family Services. The Undersigned confronted his second attorney concerning this latter issue and the Undersigned's second attorney stated that he is waiting for it to be calendared. Because the Undersigned suspects that his attorneys were not informing him of all of the legal rights that he has available to him, the Undersigned has spoken to many persons at the court and is aware that it is the Attorney's responsibility to Mark the motion ready for it to proceed and upon missing the short calendar date, the Motion must be reclaimed before being put on the short calendar again. The Undersigned informed his second attorney of this and his second attorney asked the Undersigned does he want the Defendant to lose her medical

license. The Undersigned disagreed with this being a reason for withholding the Defendant's psychiatric condition from the court as it has the potential for causing harm to the children. In addition, the Undersigned disagrees with his second attorney's statement, as the Defendant is an extremely intelligent and capable physician. The marriage was structured such that the Defendant would focus on work as it provided her with emotional stability and the Undersigned would focus on maintaining the house and taking care of the children. The Undersigned spoke to a representative of Connecticut Medical Examining Board and spoke to them about this matter. They do not consider a psychiatric illness as one that would prevent a physician from obtaining a license to perform their job. Their position as stated to the Undersigned is that as long as the Defendant can perform their job, then it does not matter if they have a psychiatric illness. The Defendant knows when to take time off from work and has done so.

23. Whereas a Motion for Pendente Lite was filed in January 2011 while the Undersigned was represented as Pro Se, but the Undersigned has yet to be provided a copy of that motion as required by the Court rules. The Undersigned does not know why he was not informed of that motion as required.

24. Whereas the Undersigned is very concerned for the future well being of the children and suspects that the legal process was intentionally delayed for over a year at the expense of the innocent children involved to allow for the Defendant's emotional state to improve so that she can present herself as emotionally stable in an attempt to deceive the court of her potential for emotional instability in the future.

25. Whereas in multi-party discussions between the Undersigned, the Defendant and the GAL, the GAL stated that she has had meetings with the Defendant to help her deal with coparenting issues – something the GAL has not been required to do with the Undersigned.

26. Whereas the Undersigned does not understand why his previous attorney and current attorney of two months have chosen not to present to the Court the psychiatric history of the Defendant even though the Undersigned has repeatedly stated that despite the Defendant's problems, the Defendant should play a part in the minor children and has repeatedly not sought sole custody of the children and is only looking for half the time with the minor children, a significant reduction in the amount of time the children have spent with the Undersigned.

27. Whereas the Undersigned does not understand why Motions for Disclosure and Discovery to establish the facts of this marriage have not been filed to date and it is two months before the matter appears before for the Court for trial.

28. Whereas the Undersigned has serious concerns that the Defendant's psychiatric condition coupled with her psychological issues and the potential for harming the children in the future is not being presented to the Court by his legal representation. The Undersigned does not understand why this is happening. The Defendant has a history of stopping taking her medicines which is common for persons with Bipolar Disorder and the Undersigned is concerned that one day the Defendant will run out of her medicine and because she is too busy will not refill her medicine until such time that her emotional state deteriorates and the children will suffer.

WHEREFORE, the undersigned respectfully requests the following.

1. The Court order all attorneys involved in this case to bring to the attention of the Court all information concerning the Defendant's psychiatric condition and erratic emotional states that have caused psychological harm to the children already and the potential for causing the minor children further harm in the future.

2. The Court refer the matter to the Court Family Relations to obtain depositions from all psychiatrists and psychologists involved in the Defendant's case be performed and presented to the Court before trial commences and if necessary postpone trial until such time that the information has been obtained.

3. The Court order the GAL to produce all correspondence and records between herself and the Defendant showing the many instances in which the GAL was required to intercede on behalf of the minor children to protect them from the psychological trauma the Defendant was inflicting on the minor children.

4. The Court order the GAL to produce all correspondence and records between herself and the Defendant showing the many instance in which the GAL had meetings with the Defendant to discuss her behavior and assist her in dealing with parenting issues, something the GAL has never had to do with the Undersigned.

5. The Court order the Defendant to provide the Undersigned with phone records showing all phone calls between herself and the GAL so that the GAL could be questioned during trial. The Undersigned will gladly provide a record of communication between himself and the GAL, the bulk of which dealt with lies that the Defendant told the GAL because of her Bipolar Disorder and the

Undersigned providing information proving time and again that the information provided by the Defendant to the GAL was false and misleading.

6. The Court order another Status Conference to be conducted in which the the Court can be informed of the all of the necessary Motions for Discovery and Disclosure that are required to bring the necessary information to the Court to make an informed decision in this matter that is in the best interest of the minor children involved. These motions should have been filed months earlier in this case especially since custody was contested from the start of this process. The Undersigned does not know why they weren't.

By:

_____

Hector Morera (Plaintiff)

I hereby certify that a copy was mailed on April 18, 2011 to the following:
Attorney Ceil Gersten, 33 Jerome Avenue, Bloomfield, CT 06002
Attorney I David Marder, 76 South Frontage Road, Vernon CT, 06066-5518
Margaret Bozek, 433 South Main Street, West Hartford, CT 06110

_____

Hector Morera (Plaintiff)

Exhibit B

STATE OF CONNECTICUT

Docket # FA-09-4047131 SUPERIOR COURT

HECTOR MORERA J.D. OF HARTFORD

VS. AT HARTFORD

STEPHENIE THURBER December 29, 2011

MOTION FOR ORDER

1. The Undersigned is concerned for the long term psychological and physical well being of the two minor children involved, a 9 year old girl (Daughter) and 3 year old boy (Son). In the past two years since filing for divorce the Defendant has repeatedly engaged in psychological abuse of the children requiring numerous interventions by the Guardian Ad Litem (GAL) for the children. They include the following:

   a. Repeatedly telling Daughter that her father, the Undersigned loves her brother more than he loves her. This has caused a rift in the relationship between Daughter and the Undersigned and severe anxiety that has never been addressed.

   b. Intimidating Daughter from going places with the Undersigned that she has always gone with the Undersigned. See Exhibit A (5 pages) and Exhibit B (2 pages).

   c. Intimidating Daughter to call the Defendant excessively during her time with the Undersigned in a manner Daughter had never done before. In one instance after the Defendant called a seventh time during the course of six hours, the Undersigned informed the Defendant that this behavior was abusive. A minute later the Defendant was "banging" on the door of the

Undersigned's apartment. The Defendant intimidated Daughter to open the door so Defendant could take her with her despite it being the Undersigned visitation time. The Undersigned called his Attorney who advised him to call the police. The Undersigned did not call the police as his Daughter was extremely traumatized already by her mother's behavior. Subsequent to that the GAL made specific orders concerning phone use but the Defendant repeatedly did not follow those orders. The Defendant only left after the Undersigned started calling out "Help, she is kidnapping my daughter!". After another instance of abuse of the phone by the Defendant, the GAL issued orders concerning use of the phone. Exhibit C (5 pages)

d. Interfering with the therapy that the Daughter was receiving from Dr. Pines. See Exhibit A.

e. In order to compete with the Undersigned, the Defendant would feed Daughter a second meal after she left the Undersigned during a 3-6 pm dinner visitation. Daughter has gone from wearing Size 8 clothes to wearing Size 16 clothes in the 2 years since the Undersigned files for divorce due to the Defendant's actions. The Defendant has repeatedly attempted to place the blame on the Undersigned but the fact of the matter is that prior to two years ago when the Undersigned filed for divorce, the Undersigned cooked 70% of the meals and Daughter was only wearing clothes sized appropriately for her age. Since then the Defendant has provided 70% of the meals for Daughter and Daughter is now 7 sizes larger than her age appropriate size. This weight gain has caused Daughter anxiety in participating in physical activities that in the past she

took much joy in participating with the Undersigned. The Undersigned has many photos and videos, both recent and past of Daughter having fun hiking but because of the weight gain, the thought of hiking causes Daughter anxiety which is not being addressed except by the Undersigned. In an attempt to address part of the problem, the Undersigned unilaterally stopped feeding Daughter dinner on the 3-6 pm dinner visitation on alternate Fridays last year.

f. Denying visitation to the Undersigned in front of the children.

g. Repeatedly placing the blame of disagreements between the two children solely on a 2-3 year old.

h. Preventing the Undersigned from picking up his Daughter during a regularly scheduled visitation by intimidating Daughter not to go with father.

i. Recently in the past two months (almost 2 years after the GAL was appointed and made aware of the Defendant's ability to intimidate the children) intimidating Son from staying at his father's house. See Exhibit D (1 page). The Undersigned also has an audiotape of his Son crying and Son saying that Son could not stay at his father's house because his mother (the Defendant) told him he could. Son out of fear of antagonizing the Defendant continues to ask her permission to stay over at the Undersigned's home.

j. The Undersigned brought these concerns to the attention of Dr. Stephen Humphrey who performed the evaluation. In addition, the Undersigned brought many of these concerns to the attention of the GAL in a meeting in April 2011 in which the Undersigned tape recorded.

k. There are other instances which are outlined in a motion filed by the Undersigned on April 18, 2011. See Exhibit E (23 pages)

2. In 2003, the Undersigned was present when Dr. Tsiouris of Bay Ridge New York diagnosed the Defendant with Bipolar Disorder, a condition the Defendant's father suffered from. Dr. Tsiouris prescribed Lithium and Wellbutrin to the Defendant. The Defendant refused to take the Lithium as she felt it would cause her to gain weight. Dr. Tsiouris reassured her that the current recommended dosages differ from when the Defendant's father took the medicine and as such, this side effect would be negligible. However, the Undersigned witnessed the Defendant start taking Lithium for treatment of her Bipolar Disorder in early 2009 during a very difficult post-partum depression in which the Defendant went to the psychiatric emergency room on one occasion while the Undersigned was taking care of the two children.

3. In 2004, the Defendant repeatedly asked the Undersigned to stay home to help take care of the children and the home because she could not handle the work. As such the Undersigned arranged in 2003 to work from home 3 days a week to help take care of the children. See Exhibit H. The Undersigned performed all household duties including food shopping, laundry, cleaning and maintaining the house and picking up and dropping off the children on the days he worked from home.

4. Because of the Defendant's behavior, the Undersigned asked his first attorney to file a Motion for Psychological Evaluation in August 2010. The Undersigned's first attorney did not file that Motion. From August 2010 to January 2011 the Undersigned attempted to obtain counsel who would pursue a psychological evaluation. The Undersigned's second attorney filed a

Motion for Referral to Family Services in January 2011 but never calendared it. Because of the psychological abuse that the Undersigned witnessed, the Undersigned took it upon himself to bring to the attention of the court the Defendants psychological state and filed a motion on April 18, 2011.

5. The Undersigned has repeatedly asked the GAL to provide him responses to his emails concerning the well being of the children but she has only provided a few responses.

6. The Undersigned is concerned that Daughter has met with Defendant's attorney without the GAL and/or her father being present. On at least one occasion it appears that the Defendant took Daughter to her attorney. In addition, Daughter one day started talking about a person with the same first name as the Defendant's attorney. When the Undersigned asked who this was Daughter became very guarded, paused and after considering the question for a moment claimed it was a friend in school There do not appear any children in her school with that name.

7. In the past 2 years it appears that the Defendant has been assisted by all parties to be a better parent. The GAL herself has informed the Undersigned that she had the Defendant in her office on at least one occasion to help her with her parenting issues, something the GAL has never done with the Undersigned. In that vein the Defendant has started doing things with the children in the past 6 months that prior to this year only the Undersigned did with the children. These include the following:

   a. The Defendant started taking the children to Chuck-e-Cheese. The Undersigned has photos from past years showing that this was an activity that only he did with the children.

b. The Defendant took the children for the first time to a corn maze that prior to this year only the Undersigned did for which the Undersigned has photos to confirm his statements.

c. The Defendant has purchased expensive clothes and toys for the children and has taken them to see numerous expensive shows in what appears to be an attempt to buy their affection. The Defendant is capable of doing this in part due to the fact that in July 2010, the Undersigned's overnight visitation with the children doubled but the court ordered child support from January 2010 was not revised accordingly. The Undersigned brought this to the attention of his second lawyer but he did not file a motion for modification. As such, the Undersigned has been overpaying child support for over 18 months.

d. Daughter told Undersigned that Son now has "free reign" to jump all over furniture and make whatever mess with toys at the Defendant's house.

8. The Undersigned is very concerned that the following items have not been properly brought to the attention of the court:

a. Weight gain of Daughter due to the Defendant's actions and its impact on her life.

b. Numerous incidents of psychological intimidation of the children by the Defendant. The Undersigned has audio tapes of the intimidation of screaming used by the Defendant on the children and has provided the GAL samples of this intimidation.

c. The Defendant's ability to maintain the marital home. The Undersigned has filed motions and written letter to Dr. Humphrey and the GAL about his concerns.

d. The Defendant's past psychiatric history and numerous depressive episodes and many changes in employment which the Defendant has had in the past 10 years.

9. In addition, the Undersigned finds many aspects of the Evaluation Report prepared by Dr. Humphrey to cause him concern.

a. The Evaluation Report contains many rebuttals by the Defendant of statements made by the Undersigned. However, although he was told that he would be allowed to make rebuttals, the report does not contain rebuttals of the Defendant's statements by the Undersigned.

b. Dr. Humphrey states in the Evaluation Report that only persons to which both parents consent will be contacted with respect to the children. The Undersigned contends that he was not told this by Dr. Humphrey beforehand. Most of the Undersigned collateral sources were not approved by the Defendant. The strongest supporters of the Defendant are two persons who live in New York City and see the family extremely infrequently. The Defendant did not agree to persons that the Undersigned asked Dr. Humphrey to speak to such as teachers, Girl Scout troop leaders, parents of children who have left their children with the Undersigned to have playdates with his daughter. These persons live nearby and have witnessed first hand the extent of the Undersigned's involvement in the children's life.

c. In September 2009, before the Defendant had an attorney, the Defendant told the Connecticut Department of Children and Families (DCF) who were performing a review of the family that she suffers from depression and is on medicine for it. In the Evaluation Report prepared by Dr.

Humphrey, Dr. Abby Cole states that the Defendant does not have any psychiatric conditions.

d. Most of the claims made by the Defendant of incidences in the report occurred prior to May 2011 when the Undersigned met with the GAL to discuss this case. The GAL did not bring up these concerns in the May 2011 meeting.

10. Therefore, the Undersigned respectfully requests that the Court order the following:

a. The GAL submit to the Court a response to each and every correspondence that the Undersigned sent the GAL concerning the well being of the children. The GAL submit to the Court all correspondence between the GAL and Defendant concerning these matters.

b. The Defendant provide phone bills from January 2010 until the present showing all calls between herself and the GAL showing the level of intervention that the GAL has taken on behalf of the children.

c. That the Defendant's present and past psychiatrists and psychologists provide all records of medical treatment pursuant to 45CFR164.512 (Exhibit G – 11 pages) in order to prevent further psychological child abuse as outlined in this motion. In addition, the Undersigned requests that the medical records during the year of 2007 from Dr. John Nulsen of UCONN Medical Center and from Boston IVF in Waltham, MA be obtained. At that time, both doctors noted that the Defendant was severely depressed and advised that she start take anti-depressants again as she stopped taking them in January 2006 for fear of causing birth defects during a period when she wanted to conceive another child. The

Undersigned claims that the Defendant attempted to commit suicide in fall of 2007. The Defendant disputes this claim in the evaluation report.

d. Allow the Undersigned to forward the Evaluation report prepared by Dr. Stephen Humphrey to the DCF to investigate the discrepancy between what Dr. Cole stated and what the Defendant told DCF.

e. The Defendant provide a complete list of all the instances in which she allowed Daughter and Son to talk to her Attorney without the Undersigned or the GAL being present.

By:

_____

Hector Morera (Plaintiff)

I hereby certify that a copy was mailed on December 29, 2011 to the following:
Attorney Ceil Gersten, 33 Jerome Avenue, Bloomfield, CT 06002
Margaret Bozek, 433 South Main Street, West Hartford, CT 06110

_____

Hector Morera (Plaintiff)

Exhibit D

HHD FA 09 4047131
HECTOR G. MORERA
V
STEPHENIE C. THURBER

SUPERIOR COURT
JD HARTFORD FAMILY
AT HARTFORD
August 13, 2013

OBJECTION TO EX PARTE MOTION FILED ON AUGUST 9, 2013

The plaintiff objects to the Defendant's Ex Parte motion filed on August 9, 2013 seeking termination of regular visitation and replacement with supervised visitation on the following grounds.

a. The Plaintiff contends that there is no basis for suspension of visitation. Typically supervised visitation is ordered in the following cases:
    i. Threat of Abduction -- this has never been a realistic threat as the Plaintiff only has family in New Jersey that he is in contact with and New Jersey more than likely will not harbor the Plaintiff. In addition, the Plaintiff is financially ruined as acknowledged by the Defendant's attorney on June 11, 2013.
    ii. Abuse of the children --DCF has not been involved to investigate any abuse on the part of the Plaintiff against the minor children. Although, the Plaintiff has filed a motion to refer this matter to DCF. In addition, there is no proof that the Plaintiff's allege behavior is contributing to problems with the children or for that matter that there are real problems with the children other than the fact that they are caught in a legal battle initiated by the Defendant, not the Plaintiff and the fact that they are being used as pawns by the Defendant in this case. There is no proof that the Plaintiff has in anyway manipulated the children for his own purpose. The fact that the Defendant frequently accuses the Plaintiff of inappropriate behavior based on statements allegedly made by the minor children indicates the Defendant is using the

children inappropriately. The Plaintiff expressed these concerns to Ms. Kian Jacobs in a letter dated June 3, 2013.

iii. Substance abuse – There is none involving the Plaintiff.

iv. Neglect of the children – There are no claims of neglect by the Defendant of the Plaintiff.

v. Mental Illness – Please refer to Paragraph b. below.

vi. Failure to Establish a relationship with the children – The Plaintiff has a relationship with his children. Any strain in the relationship between his daughter and the Plaintiff is due to the Defendant's actions. The Plaintiff's contempt motion outlines the Defendant's behavior in the past 12 months has further strained that relationship. This is not uncommon in highly contested divorces.

b. Neither the Defendant nor the GAL are qualified to question the Plaintiff's mental capacity. In compliance with the June 11, 2013 court order, the Plaintiff provided consent to the GAL and his daughter's therapist, Ms. Jacobs to speak to the Plaintiff's therapist. They both spoke to the Plaintiff's therapist and the Plaintiff's therapist sent the GAL a letter on behalf of the Plaintiff. The GAL's affidavit omits these facts. The Plaintiff filed a continuance to allow for his therapist to present her findings to the court. The continuance was denied. By not allowing her to present her findings, the Plaintiff contends his right to bring witnesses in his defense is being violated. The Plaintiff has filed a motion for 'telephonic hearing' to allow for his therapist to testify on his behalf sooner than August 29, 2013.

c. In the past two months the Plaintiff has had to deal with many false allegations made against him including being the cause of suicidal ideation in his daughter, yet his daughter was never referred to a psychiatrist, taking his son to harass his daughter at sleepaway camp and many other false accusations.

The Plaintiff contends that these false allegations are being made to cause distress to the Plaintiff so that he can be portrayed as having a mental

illness which is not the case. Despite the stress of addressing these false allegations, the Plaintiff has accomplished the following since this ordeal started on June 3, 2013:

i. The Plaintiff was tasked by the PTO of his daughter's school to produce a memories slideshow for his daughter's 5th grade farewell on June 12, 2013. From June 1, 2013 through June 12, 2013, the Plaintiff sorted through hundreds of photos provided by the parents of the approximately 100 students and placed them in a slideshow accompanied by music and produced over 100 copies of the show onto DVD for distribution to the parents. The Plaintiff's efforts were well received. The Defendant was present to witness the good reception.

ii. The Plaintiff is the Girl Scouts of Connecticut Glastonbury Service Unit Treasurer. July is financial reporting month for the Girl Scouts. From June 12 through July 15, 2013, the Plaintiff had to compile dozens of individual troop Year End Financial reports and bank statements for submission to the main office.

iii. The Plaintiff volunteers yearly at a weekend long event in Vermont in July in which over a hundred persons attempt to run 100 miles in under 30 hours. This requires the Plaintiff to be up for over 24 hours assisting runners, including running almost 40 miles towards the end to assist runners in completing their goal.

iv. The Plaintiff acquired, moved and unpacked his belongings to a new apartment to provide his daughter her own bedroom. The Plaintiff even decorated his daughter's bedroom to her satisfaction. The GAL has visited the Plaintiff's new home.

d. Defendant's and Guardian Ad Litem's affidavits are comprised mainly of hearsay allegedly told to them by the minor children or by 4th parties who allegedly heard it from the children. This hearsay is not admissible. The Plaintiff can equally share hearsay from the minor children which portrays the Defendant in a disparaging light. In addition, in the past several months the

Plaintiff has been falsely accused of engaging in inappropriate behavior allegedly based on statements made by the minor children. The Plaintiff is filing a Motion for Referral to DCF in this matter concerning minor children being coerced into making false allegations against their father. The Plaintiff brought this to the attention of the court on July 17, 2013. The Plaintiff referred to a recent case in which a woman in Danbury was found guilty of "Risk of Injury to Minor" for coercing her stepchildren to make false allegations against their biological mother.

e. The Plaintiff has an email from the GAL from late fall of 2011 in which the GAL clearly states that it is inappropriate to use the children to spy on either parent. The Defendant is clearly using the children as spies against their father. The Plaintiff can only imagine the anxiety that this conduct causes young children to have to keep track of their father's behavior to report to their mother. The Plaintiff fears for the long term emotional well being of the children from this psychological abuse that the Plaintiff contends that the Defendant is inflicting on the minor children. The Plaintiff brought up this issue during the trial and the GAL acknowledged the contents of that email.

f. The Plaintiff has played audiotapes to the GAL depicting what the Plaintiff contends is the type of psychological abuse the Defendant has inflicted on the children. The GAL's does not discuss these tapes. The Plaintiff does not deny the existence of a voice mail depicting their daughter being anxious with their father. Yet he contends nowhere on the audiotape is it depicted that the father is being abusive to their minor daughter. The audiotapes that the Plaintiff has played for the GAL depict the Defendant being verbally abusive to the minor children. In 2010 and 2011, the Plaintiff contacted the GAL dozens of times to express concerns that the Defendant's actions are causing the minor children to be anxious with their father. In one instance, the Plaintiff's daughter was scared to go anywhere with her father further than 15 minutes away. The Plaintiff witnessed the Defendant intimidate their daughter from going to a ski resort in Massachusetts because it was out of state. The Defendant even sent an email to the Plaintiff concerning this

matter. It is crucial that the court order the GAL to immediately turn over all her correspondence with the Defendant to show her intervention in reducing the anxiety created by the Defendant from 2010 through 2012. The Plaintiff is filing a Contempt Motion showing many of the instances in the past year in which the Defendant at exchanges violated the June 18, 2012 court order and created anxiety at exchanges which intimidated the children. The Plaintiff contends this occurred because the GAL was not present as she was between 2010 and 2011 to control the Defendant's behavior and transference of her anxiety to the minor children.

g. The Plaintiff has expressed what he considers to be more serious concerns about the Defendant's conduct towards the children in numerous motions filed in April, September and December 2011 and May, 2012, conduct which the Plaintiff witnessed first hand, which as such is not hearsay. Yet the court awarded custody to the Defendant but has chosen to suspend visitation to the Plaintiff on the basis of less severe accusations made by the Defendant which are based on hearsay, not first hand accounts witnessed by the Defendant.

h. The GAL accuses the Plaintiff of leaving a harassing voice mail to Ms. Jacobs. On June 11, 2013, the Plaintiff disputed the characterization of the voice mail and requested that the voice mail be played in court. It has yet to be played in court. The Plaintiff acknowledges that he complained to Ms. Jacobs and that if she continued to be non-cooperative that he would refer the matter to DPH/DCF and Cigna. The Plaintiff has a right to file complaints against health care providers. The Plaintiff should be commended for attempting to discuss the matter with Ms. Jacobs prior to filing a complaint. Ms. Jacobs never returned his call, indicating to the Plaintiff that she did not want to cooperatively discuss his concerns. It should be noted that thousands of complaints are handled every year by DPH, DCF and Cigna. None of these are basis for suspending visitation.

i. The Plaintiff attempted to present audiotapes during his trial that support his case but was not allowed by the court. Yet, now reference is being made by the Defendant to audio tapes that support their claims. The Plaintiff is just

requesting of the court consistency in the court's handling of these tapes.

j. The Defendant is attempting to portray the Plaintiff as not having the coping skills to deal with the minor children arguing with each other. The Plaintiff disputes these claims. It should be noted that the Defendant told the Plaintiff that the Defendant has been placing their eldest child in the front passenger seat for over 2 years now because she finds the interactions between the two minor children a distraction to her driving. The Plaintiff does not argue that it is crucial that the Defendant stay focus while driving for the well being of the children. However, this brings up several points:

    i. The Defendant has difficulty driving and handling two minor children's behavior sitting adjacent to each other in the same car. Millions of parents however are capable of doing it every day. And millions of children argue and fight in the rear seat of a car. Why is it that the Defendant is not capable of handling the children's behavior and drive at the same time, which is fairly typical for two children of opposite genders and similar age difference?

    ii. The Plaintiff feels that sometimes the children should be separated for their safety but separating the children <u>all</u> of the time avoids addressing the issue that the children should learn to cooperate with each other in the rear seat. The Defendant is doing a disservice to the children by not attempting to let them learn to cooperate with each other in the rear seat of the car.

k. The Defendant accuses the Plaintiff of placing photographs of the minor children online in an inappropriate manner yet does not provide specifics. The Plaintiff disputes these claims. The Plaintiff has never given any person photographs of his children to place on the internet. The Plaintiff contends that this is an attempt to cover up a serious issue concerning photographing of the children. During the trial the Defendant portrayed the Plaintiff as having poor relationship with his children. However, the Plaintiff produced numerous photos showing the wonderful interaction between the Plaintiff and the

children. Subsequent to the trial, the Plaintiff's daughter has been fearful of allowing the Plaintiff to take her photo smiling. She will allow other parties to take her photos smiling but not her father since the trial. The Plaintiff contends that the Defendant intimidated their daughter from taking photos with her father. This would not be the first time the Defendant has intimidated the minor children from having a normal relationship with their father. The Plaintiff's numerous motions filed in 2011 and a contempt motion filed in May, 2012 outline the Plaintiff's concerns.

l. The Defendant accuses the Plaintiff of discussing this case with a newspaper in North Carolina. The Plaintiff disputes these claims and requests that the Defendant provide proof of her claims. The Plaintiff is financially ruined and can no longer afford counsel. The Plaintiff contends that the Defendant is taking advantage of this fact. The Plaintiff has been accused of numerous things in the past few months which has required him to seek advice elsewhere including DCF, various mental health organizations and various Parent Alienation groups. It is possible that one of these entities without his consent have shared this information with the newspaper. Regardless, this is not grounds for suspension of visitation.

m. The Plaintiff is accused of placing GAL bills on the internet with the children's names on it. The Plaintiff disputes these claims. On July 17, 2013 in response to a motion for discovery – GAL files, the judge ordered that the GAL produce only one document of possibly hundreds in this case. The Plaintiff sought advice concerning this decision. The Plaintiff was advised that at the very least, the Plaintiff has a right to copies of correspondence and memos of communication for which he was billed by the GAL. The Plaintiff "legally" shared these bills for that purpose to determine what files he can request from the GAL. The Plaintiff never gave consent to anyone to place them on the internet. Regardless, this is not grounds for suspension of visitation.

n. The Plaintiff disputes the claim that his poor parenting is what causes his daughter to be late a few times to school. The Plaintiff has repeatedly

witnessed the Defendant instruct their children not to listen to their father. This had made the Plaintiff's role as disciplinarian when the children are with him difficult. The Plaintiff has a long history of being an early to bed, early to rise person and is always has been prepared in the morning. The Plaintiff contends that their eldest minor child as prompted by her mother does not listen to her father and making it difficult to get her to school at best. In addition, since the Defendant brought up an issue of attendance, the Plaintiff would like to know why the Defendant removed their daughter early from school over 13 times. This is considerably more interference in the school schedule than being late a few times throughout the year. It should be noted though that the bulk of the lateness's appear to occur during June, 2013 after the Defendant filed her motion. In addition, the Plaintiff disputes the accusation that he has dropped his son off late to school that number of times.

o. The Plaintiff strongly disputes contention that he allows his 50 lb – 5 year old son to be violent to his 130 lb – 11 year old daughter. The Plaintiff has no tolerance for any violence. Early on in the divorce, in an attempt to portray the Plaintiff in a negative light, the Defendant criticized the Plaintiff's actions of removing his daughter's bedroom door when she was 6 years old after she went through a period of slamming doors when she was upset. The Plaintiff's actions show that he has no tolerance for violence. In addition, the fact that he filed for divorce 4 years ago after the Defendant had him arrested for disorderly conduct and gave her exclusive possession of the marital home in addition to not once going to the Defendant's home to argue with her shows the Plaintiff neither engages or encourages this kind of behavior. The Defendant whereas, as depicted in the Plaintiff's many 2011 motions and May, 2012 Contempt motion, routinely comes to the Plaintiff's home to argue with him. The children see this and know which parent is the one who likes to argue.

p. The Plaintiff admits that he allows appropriate rough house play between himself and his son and on occasion the Plaintiff has witnessed his daughter

enjoying some rough house play with her brother. For months, the Plaintiff has repeatedly asked the Defendant to consider placing their son in a martial arts class as this should teach him some discipline and provide an outlet for that kind of playing. The Defendant has not made a whole hearted attempt to follow through on this request; she only took him to one class.

q. The Plaintiff disputes the claim that the bruise on his daughter's chest is indicative of neglect on his part. It was an unfortunate incident which the Plaintiff has taken steps to prevent from occurring again. The Plaintiff's daughter has come to his home with bruises and cuts from his mother's house on many occasions. The Plaintiff is not presenting to the court neglect on the part of their mother, yet the Defendant is not acting in the best interest of the children but solely to remove them from a loving father. For instance, the Plaintiff's daughter complained one Thursday morning that her throat hurt. It wasn't sufficient to keep her home from school. The Defendant was made aware of the situation but waited until Friday night, almost 2 days later during the Plaintiff's visitation to address the issue. Is this neglect on the part of the Defendant? The Plaintiff can continue to list many other incidences.

r. The Plaintiff disputes the Defendant's claims that their son's infected toe was caused by his actions. The Defendant's toe was ingrown before he came to his father's house. The toe was noted to be infected on Sunday night yet the Defendant waited until Tuesday to take him to the doctor on a day she knew the Plaintiff was in NYC so that he could not attend the appointment. However, the Defendant's son came to visit him one time with a rash on his buttocks and inner thighs yet the Defendant refused to take him to the doctor. The rash looked like their son had an accident while sleeping at his mother's home which was not addressed until he woke up. The Defendant refuses to use socks with certain shoes during the summer. The Plaintiff has photos of blisters on his son's feet because of the Defendant's actions. In the summer of 2012 the Plaintiff informed the Defendant of this issue and continued to send his son back to daycare with socks on to protect his feet but the Defendant would send him back without socks. The Plaintiff has seen bruises

and cuts on his son's body when he comes from his mother's house also. The Plaintiff contends that the Defendant is picking and choosing when to treat to the children at their doctor's office who was once the Defendant's patient and is her friend (a big conflict of interest) so as to establish a false pattern of neglect on the part of the Plaintiff. The Plaintiff contends that this is not in the best interest of the children.

s. The Plaintiff can continue on and on disputing each of the claims made in the Ex Parte motion, in a non-productive 'tit for tat' argument. But the fact remains that the Defendant's accusations do not rise to the level of suspending visitation with the Plaintiff. The fact that the Defendant has been taking notes this past year clearly shows intent on her part to take the children from a loving father who has always been there for them. The numerous motions filed by the Plaintiff in 2011 show the extent of the Plaintiff's good will on the well being of the children and the Defendant. For the court to ignore the overall picture is a disservice to the best of the interest of the children.

t. The court realized that the two parties can not coparent and as such they awarded sole custody to the Defendant in June 18, 2012. The Plaintiff disputes that this is in the best interest of the children but accepted it and has not engaged in frivolous arguments in the court over decisions the Defendant has made in the past year with which the Plaintiff does not agree that are in the best interest of the children. The Defendant essentially has made uncontested decisions concerning the children for the past year regardless of the Plaintiff's opinion. But the Plaintiff has not used the court to express his disagreement. The Plaintiff requests that the court seriously consider levying a $500,000 sanction on the Defendant for involving so many third parties and bringing frivolous litigation before the court to serve only one purpose, her own, which is to remove the children from a loving father as the normal, loving relationship between the children and their father causes her severe anxiety, a psychiatric illness which the Plaintiff contends the Defendant withheld from the court.

WHEREFORE, aforementioned presented, plaintiff objects to the Ex Parte Motion filed on August 9, 2013.

Hector G. Morera
Plaintiff, Pro Se

ORDER

Objection to Ex Parte Motion:

Sustained / Overruled

Judge/Clerk

CERTIFICATION

The undersigned certifies copy sent to all appearing parties of record as of this date.

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Hector G. Morera

Exhibit E

HHD FA 09 4047131
HECTOR G. MORERA
V
STEPHENIE C. THURBER

SUPERIOR COURT
JD HARTFORD FAMILY
AT HARTFORD
AUGUST 13, 2013

MOTION FOR ORDER
'Referral to DCF'

The plaintiff moves the court to immediately refer this case to DCF in accordance with the provisions of CGS 46b-120 for the well being of the children.

In the past 4 months, the minor children have been coerced and/or duped into making false allegations against their father to their various therapists to which the Defendant takes without informing the Plaintiff of their visits beforehand as required by the June 18, 2012 Memorandum of Decision. On June 3, 2013, the Plaintiff sent a letter to the therapist of the eldest minor child summarizing some of the discussions that they had and his concern over this matter. A copy of that letter is attached for reference.

For example, on July 22, the GAL did a home visit to the Plaintiff's new apartment. At that time the Plaintiff was questioned by the GAL about allegedly taking his youngest child to their oldest child's sleepaway camp to harass her. Yet the Defendant has offered no proof of these allegations other than the words allegedly spoken by a 5 year old. Another example, is an accusation against the Plaintiff of causing their eldest minor child to be suicidal. One June 11, the Plaintiff's visitation time was reduced on this basis. Despite these claims that his daughter was suicidal, the Plaintiff's daughter was not referred to a psychiatrist.

The Defendant has just filed an Ex Parte motion with an affidavit that contains a lot of hearsay from the children. Given the fact that the Plaintiff has disproved many false allegations allegedly made in the past by the minor children, the Plaintiff has reason to question the veracity of these statements and whether the minor children are being coerced or 'tricked' by the Defendant into making these false allegations against the Plaintiff.

The Plaintiff brought this to the attention of the court on July 17, 2013. At that time, the Plaintiff referred to a recent case in which a woman in Danbury was found guilty of "Risk of Injury to Minor" for coercing her stepchildren to make false allegations against their biological mother.

WHEREFORE, aforementioned presented, the court is moved to refer the matter to DCF.

Hector G. Morera
Plaintiff, Pro Se

ORDER

Motion for Order – 'Referral to DCF':

Granted / Denied

Judge/Clerk

CERTIFICATION

The undersigned certifies copy sent to all appearing parties of record as of this date.

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Hector G. Morera

Exhibit F

HHD FA 09 4047131
HECTOR G. MORERA
V
STEPHENIE C. THURBER

SUPERIOR COURT
JD HARTFORD FAMILY
AT HARTFORD
AUGUST 29, 2013

MOTION TO STRIKE

The plaintiff moves to strike the Defendant's and the GAL's affidavit filed on August 9, 2013 as part of an Ex Parte Motion on the same date.

The Plaintiff contends that Affidavits presented by any party to an action in Connecticut which are not based upon first hand "personal knowledge" simply are not admissible as valid evidence.

The Plaintiffs incorporates by reference an August 13, 2013 Objection to the August 9, 2013 Ex Parte Motion.

WHEREFORE, aforementioned presented, the court is moved to strike the inadmissible affidavits.

Hector Morera

Hector G. Morera
Plaintiff, Pro Se

ORDER

Motion to Strike:

Granted / Denied

_____
Judge/Clerk

CERTIFICATION

The undersigned certifies copy sent to all appearing parties of record as of this date.

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Hector Morera
Hector G. Morera

Exhibit G

HHD FA 09 4047131
HECTOR G. MORERA
V
STEPHENIE C. THURBER

SUPERIOR COURT
JD HARTFORD FAMILY
AT HARTFORD
AUGUST 29, 2013

MEMORANDUM OF LAW
'Motion to Strike'

The Plaintiff, Hector Morera, in the above-captioned matter files the instant Memorandum Of Law In Support Of Plaintiff's Motion To Strike Affidavits Of Stephenie C. Thurber And Margaret Bozek.

It is elementary that a Court of Law should only entertain relying on facts and information contained in an affidavit where the affiant has personal knowledge. There is voluminous case law from around the country evidencing courts dismissing affidavits which do not survive the test of "personal knowledge". Case law in Connecticut is consistent with the idiom that an affiant must hold first hand "personal knowledge".

In the Superior Court matter of Denise Farina v. Branford Board of Education, New Haven J.D. (CV10-5033085-S), Memorandum of Decision of Judge Robin L Wilson, May 27, 2010, the Court Granted Defendant's Motion To Strike Plaintiff's Affidavit, as it was not based on personal knowledge. Both affidavits contain voluminous amounts of hearsay for third parties and is not based on first hand knowledge of the facts obtained by either affiant.

In the Superior Court Matter of JP Morgan Chase Bank v. Michael Porzio, Stamford J.D., (CV09-5010388-S), Order of Judge Douglas Mintz, October 11, 2011, Defendant's Motion To Strike Affidavit Of Lost Note was Granted. Defendant successfully argued that the Affiant, Christie H. Hill, did not make the claim to have personal knowledge.

Plaintiff argues and maintains that an affiant cannot gain personal knowledge by a transfer of knowledge held and/or stated by someone else, such is hearsay. " 'Hearsay' means a statement, other than one made by the declarant while testifying at

the proceeding, offered in evidence to establish the truth of the matter asserted." Connecticut Code of Evidence, § 8-1(3).

In the Superior Court Matter of Winkleman v. Dohm, Waterbury J.D. (CV92-096682- S), Judge Barnet, April 27, 1992, (6 Conn. L. Rptr. 382), The court held that an affidavit in support of a motion to dismiss must meet the same requirements of an affidavit in support of a motion for summary judgment . The statements contained in the affidavit must be based on personal knowledge. Plaintiff points out to the Court that, the very concept of an affidavit is a document stating facts within the knowledge of the affiant. See Friends of Animals, Inc. v. United Illuminating Co., Superior Court, judicial district of New Haven, Docket No. CV 06 4018257 (September 20, 2006, Skolnick, J.T.R.).

Federal Law

Many states, such as Florida [Rule 1.510(e)], and Kentucky [Rule CR 56.05] follow and adopt the principle and standard set forth in the Federal Rules Of Civil Procedure, Rule 56(e)(1): "A supporting or opposing affidavit must be made on personal knowledge, set out facts that would be admissible in evidence, and show that the affiant is competent to testify on the matters stated. If a paper or part of a paper is referred to in an affidavit, a sworn or certified copy must be attached to or served with the affidavit. The court may permit an affidavit to be supplemented or opposed by depositions, answers to interrogatories, or additional affidavits. [emphasis added]" A district court may properly hold that portions of or all of an affidavit attached to a motion for summary judgment is inadmissible because the affiant lacks personal knowledge or first hand information. See Bruno v. Plateau Mining Co., 747 P.2d 1055 (Utah App. 1987). See also, Murdock v. Springville Municipal Corp., 982 P.2d 65, 72 (UT App. 1999).

The Plaintiff maintains, pursuant to his constitutional rights afforded under the fourteenth amendment to the United States Constitution, that this honorable court uphold long standing principles and rules of evidence both found on a state level and in the mirrored Federal Rules of Evidence. Affidavits presented by any party to an action in Connecticut which are not based upon first hand "personal knowledge" simply are not admissible as valid evidence.

Hector Morera

Hector G. Morera
Plaintiff, Pro Se

CERTIFICATION

The undersigned certifies copy sent to all appearing parties of record as of this date.

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Hector Morera

Hector G. Morera

Exhibit H

HHD FA 09 4047131
HECTOR G. MORERA
V
STEPHENIE C. THURBER

SUPERIOR COURT
JD HARTFORD FAMILY
AT HARTFORD
AUGUST 29, 2013

MOTION TO VACATE

'Ex Parte Motion of August 9, 2013'

The plaintiff moves to vacate the Ex Parte visitation order of Carbonneau, J. of August 9.

The order is based on inadmissible affidavits as outlined in the Plaintiff's Motion to Strike and accompanying Memorandum of Law.

WHEREFORE, aforementioned presented, the court is moved to vacate the temporary visitation order as the basis of the order is invalid affidavits which are inadmissible.

Hector Morera

Hector G. Morera
Plaintiff, Pro Se

ORDER

Motion to Vacate:

Granted / Denied

_____
Judge/Clerk

CERTIFICATION

The undersigned certifies copy sent to all appearing parties of record as of this date.

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Hector Morera
Hector G. Morera

Exhibit I

HHD FA 09 4047131
HECTOR G. MORERA
V
STEPHENIE C. THURBER

SUPERIOR COURT
JD HARTFORD FAMILY
AT HARTFORD
August 29, 2013

MOTION FOR AUTHORIZATION TO OBTAIN PROTECTED HEALTH INFORMATION

The plaintiff moves the court to order the Defendant to provide written Authorization to Obtain Protected Health Information under PB§13-11a.

There is a pending Motion for Psychological Evaluation of the Defendant. The Plaintiff contends that the Defendant suffers from severe anxiety disorder which affects her interactions with the Plaintiff and the minor children. The Plaintiff contends the Defendant concealed this from the court during the trial and is supported by files in the Plaintiff's possession recently discovered of medical history forms in the Defendant's hand writing from 2007 in which the Defendant outlines ongoing mental health issues. Incidences occurring over the past year supporting the Plaintiff's contention are as follows:

1. In violation of the June 18, 2012 Memorandum of Decision the Defendant at exchanges has exhibited anxiety in front of the children causing her to engage in adult conversation with the Plaintiff. Examples include the following:
   a. Screaming at the Plaintiff during at numerous exchanges in September 2012, and throughout the year, where is her check?
   b. Screaming at the Plaintiff at many exchanges that the Plaintiff has stolen clothes that the Defendant purchased for the children. In November 2012, the Plaintiff allowed the Defendant to come back to his house to look for clothes. This has caused their daughter to be anxious as she was instructed by Defendant to search the home for

clothes.

c. Screaming at the Plaintiff to allow her to ask minor children for information from their school pack fearful that the Plaintiff will steal the information.
d. Altering their son's daycare schedule to prevent Plaintiff from picking son up from daycare and daughter from school directly so as to be able to see son/daughter before long weekends of the children with father.
e. On the last exchange of children on July 31, 2013 between the Plaintiff and the Defendant at which the Plaintiff was picking up his daughter for a visitation, the Defendant in front of their daughter told the Plaintiff to return all shorts of their daughter that she purchased. The Plaintiff informed the Defendant that all shorts (except for one spare) both purchased by the Defendant and the Plaintiff were taken by their daughter to her first session of sleepaway camp. This caused their daughter so much anxiety that she spent a considerable amount of the little time she had with her father looking in her drawers for shorts to placate her mother. Their daughter only found one and it was purchased by the Plaintiff. She was so scared of her mother that she wanted to take it to placate her mother's severe anxiety. It should be noted that the Defendant has not returned any items purchased by the Plaintiff which their daughter took with her to sleepaway camp. Yet she creates anxiety in the children over false claims that the opposite is occurring.

These are just some of the incidences this past year in which the Defendant's actions in front of the children has caused them to be anxious about their mother's behavior. The Plaintiff has outlined dozens of other incidences in numerous motions which he filed in 2011 and 2012. The Plaintiff attempted to get his daughter help in 2012 by taking her to the town psychologist who has much more qualifications than her current

therapist but the Defendant's attorney threatened the Plaintiff in an email from taking his daughter to this psychologist. The Plaintiff witnessed his daughter scared to criticize her mother to this psychologist. Yet, in separate meetings between the Plaintiff and the psychologist, the Plaintiff played audio tapes showing the Defendant's behavior towards the minor children which contradicted statements made by their daughter to the psychologist. The Plaintiff contends the children are scare to criticize their mother but will criticize their father. This is called displacement and the Plaintiff contends the children are suffering from it.

During short calendar session on June 11, 2013, the Plaintiff requested of the court that if the court intends to increase the number of exchanges between the Plaintiff and the Defendant, that the exchanges be done at the Public Area in the Glastonbury Police Department which is monitored by camera.

2. The Defendant has denied the Plaintiff numerous visitations. Many times they dealt with illnesses which due to school and daycare rules and the June 18, 2012 court order would require the children to stay an additional 6 hours with the Plaintiff. The Defendant at the time had the children 75% of the time, yet an additional 6 hours with the Plaintiff caused her so much anxiety that she violated the June 18, 2012 court order and denied the Plaintiff access to the children or if the children were sick in the Plaintiff's visitation time questioning the Plaintiff whether they were sick or not. Yet, the Defendant freely picked and chose when she can keep the children home without seeing a doctor.. In one incident recently, the Defendant on July 2, 2013 harassed the Plaintiff repeatedly over whether their son should stay home or not the day after an evening visitation with their father. The day before their son was vomiting and was diagnosed with a viral infection. The Defendant's attorney contended that he was not sick and the Plaintiff was using the excuse to have more time with the children. The rules are very clear, if the child has a contagious disease and vomits

(not just due to bad reaction to something they ate) within 24 hours, then they are required to stay home. This is the kind of harassment that the Plaintiff has been subjected to by the Defendant due to her anxiety of the children spending time and having a normal relationship with their father.

3. At functions involving the children, and one or more of the children are with the Plaintiff, the Plaintiff has witnessed the Defendant anxious on how to handle the situation and observed her calling and/or texting her attorney repeatedly. The Defendant can not simply just attend the function and enjoy it and not interfere with the Plaintiff's visitation. This is outlined in the Plaintiff's May 21, 2012 contempt motion. There are NO incidences in which the Plaintiff interfered with the Defendant's time at children's functions.
4. The Defendant screaming on numerous occasions to the Plaintiff in front of the children that she will call the police on him simply because the Plaintiff was present at a function for the children. Everyone observed the Defendant's erratic behavior and no one ever called the police on the Plaintiff because the Plaintiff's actions never rose to that level.
5. On September 6, 2012 the Defendant interfered in a visitation between the Plaintiff and his daughter. His daughter was terrified of her mother and would not go near her father for fear of antagonizing her mother even though the Plaintiff had a court order allowing him to pick up his daughter. Subsequent to this date, the Plaintiff routinely picked up this daughter at this time except for October 31, 2012 when the Defendant denied again a visitation between the Plaintiff and his daughter at that time.

In the past 12 months since the June 18, 2012 Memorandum of Decision at which point the GAL no longer was present to control the Defendant's erratic behavior, the Plaintiff contends the Defendant's anxiety disorder went unsupervised. The Plaintiff can no longer afford an attorney and the Defendant has taken advantage of this situation requiring the Plaintiff to file the simplest of Contempts to get the Defendant to comply with court orders. The fact that the Defendant complied with the court order after the

Plaintiff filed the contempt shows the Defendant has no regard for court orders.

WHEREFORE, aforementioned presented, order for Defendant to sign authorizations to release protected medical information in the best interest of the children's long term emotional well being requested.

Hector Morera

Hector G. Morera
Plaintiff, Pro Se

ORDER

Court ordered psychiatric evaluation of defendant:

Granted / Denied

_____
Judge/Clerk

CERTIFICATION

The undersigned certifies copy sent to all appearing parties of record as of this date.

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Hector Morera
_____
Hector G. Morera

Exhibit J

HHD FA 09 4047131 SUPERIOR COURT
HECTOR G. MORERA JD HARTFORD FAMILY
V AT HARTFORD
STEPHENIE C. THURBER October 1, 2013

MOTION FOR CONTEMPT

The plaintiff moves the court to find the Defendant in contempt of the June 18, 2012 Court order.

Second sentence of Item 13 of June 18, 2012 court order reads as follows:

"Each party shall provide the other with contact information for any teacher, school, medical provider, therapist, coach, etc."

Item 15 of June 18, 2012 court order reads as follows:

"If either parent has knowledge of any illness, accident or other circumstance seriously affecting either child's health or welfare, each shall immediately notify the other by telephone and/or e-mail. If parent cannot be reached, a message shall be left with details of the nature of the illness and anywhere the child is being taken. Both parties shall unlimited access with the child or children consistent with the circumstances, for as long as the situation persists."

First sentence of Item 17 of June 18, 2012 court order reads as follows:

"The parents shall exchange e-mails twice weekly to inform one another of medical appointments, school projects, class trips, extracurricular activities, and health or behavioral issues involving the children."

Third sentence of Item 11 of June 18, 2012 court order reads as follows:

"Neither party shall do anything nor allow others to do anything that may estrange the children from the other party, nor injure their opinions as the other parent,

nor act in such a way as to hamper the free and natural development of their love and respect for the other parent."

The Plaintiff received an email from the Defendant on September 24 stating that their son will be seeing a psychiatrist with the name of Dr. Podolski on October 1, 2013. No other information provided. The Plaintiff requested the following from the Defendant:

a. In accordance with Item 13, provide the full contact information for the provider. The Defendant willfully violated the court order and has yet to provide this information. There appears to be more than one Dr. Podolski in Connecticut who is a psychiatrist.

b. In accordance with Item 15 and Item 17, provide the reason for the visit as to the best of the Plaintiff's knowledge, based on conversations with school officials, their son is doing well at school and is a model student. The Defendant willfully violated the court order by not complying with the notification requirements of Items 15 and 17.

c. The Plaintiff was informed during court sessions on July 17, 2013, August 7, 2013 and August 14, 2013 that the Defendant has placed their son under the care of an unlicensed practitioner. This unlicensed practitioner is allegedly a colleague of the children's pediatrician in Ellington who is a friend and former patient of the Defendant, an extreme conflict of interest. The Defendant, without the Plaintiff's consent, moved the children in 2009 from the care of a local pediatrician to her friend over 20 miles away from home. The Defendant willfully violated the court by not complying with the notification requirements of Items 15 and 17.

The Plaintiff received an email from the Defendant on February 27, 2013 stating that their daughter will be seeing a therapist named Ms. Kian Jacobs. Similar to the unlicensed therapist for their son, Ms. Jacobs is allegedly a colleague of the children's pediatrician in Ellington who is a friend and former patient of the Defendant, an extreme conflict of interest. The February 27 email was the first and only time that the Defendant informed the Plaintiff of their daughter's visits to this therapist. The Plaintiff

has repeatedly asked the Defendant to inform him of their daughter's appointments with Ms. Jacobs. However, the following should be noted:

a. The Plaintiff has an Explanation of Benefits (EOB) statement from the insurance provider for his children, Cigna stating that Ms. Jacobs billed Cigna for a visit on February 21, 2013 before the March 2 visit. Either the Defendant presented false information to the Plaintiff in the 2/27/2013 email or Ms. Jacobs inappropriately billed Cigna for a visit with the Defendant who is not covered by Cigna. Either action is cause for concern.

b. The Plaintiff has numerous EOB's from March 2013 through September, 2013 in which Ms. Jacobs billed Cigna for visits with Jackie. The Defendant has willfully violated the requirements of Item 17 of the June 18, 2012 court order and has not informed the Plaintiff of any of these visits.

The Plaintiff contends that the Defendant's conduct is an attempt on the part of the Defendant to manipulate their children to say lies or distort their descriptions of their father and manipulate mental health providers to sign off on this assessment. The Plaintiff contends that this is typical behavior by the Defendant. During their marriage, the Plaintiff willfully participated in marriage counseling with approximately five different providers. The Defendant typically would see the counselor first; manipulate them with her statements and then place the Plaintiff in awkward position when he attended. After a few sessions typically at which the Plaintiff disproved the false accusations, the Defendant would unilaterally end their time with that counselor. The Plaintiff brought this to the attention of the court in his April, 2011 motion. However, unlike the sessions with these marriage counselors, it appears that the Defendant's attorney is having extended contact with the providers which the Plaintiff contends affects their impartiality.

In addition, the Plaintiff recently discovered evidence that the Plaintiff

contends shows that the Defendant willfully withheld from the Court during the divorce process her long, past psychiatric history which places the. The Plaintiff has written numerous motions concerning this matter in the past three (3) years. This serendipitously discovered evidence substantiates claims made by the Plaintiff in numerous motions. It also supports his contention that Dr. Estelle Peisach's diagnosis of severe displacement is an accurate assessment of the children's mental health.

The Plaintiff contends that the Defendant's conduct is in violation of Item 11 of June 18, 2012 court order and Items 6 and 12 outlined in Table 2 of the following Connecticut Judiciary document

http://www.jud.ct.gov/lawlib/Notebooks/Pathfinders/ChildCustody/childcustody.pdf

WHEREFORE, aforementioned presented, the court is moved to find the Defendant in contempt and order the following:

1. That their children be placed under the care of an independent, licensed care provider such as Klingberg Family center which facilitates the involvement of the entire family in the treatment, not individuals. The provider must not have any prior connections to the Defendant's colleagues.
2. All attorneys have No contact with these facilities and should any party have any concerns about the well being of the children; that the concerns be brought to the attention of the court directly.
3. Should any attorney involved in the case, contact, intimidate, cajole, any of the providers, they be sanctioned a minimum of $10,000 for each violation of this court order.
4. Award joint custody immediately as the Defendant perjured herself during the trial to obtain sole custody.
5. Sanction the Defendant a minimum of $50,000 for her repeated willful violations of the court order.

Hector Morera

Hector G. Morera
Plaintiff, Pro Se

ORDER FOR HEARING AND NOTICE

The foregoing motion having been presented to the Court, it is hereby ordered that a hearing be held at this Court at **90 Washington Street, Hartford, Connecticut,**

on 10/29/13

at 10:30 a.m. **in Courtroom** TBD and that the applicant give notice to the opposing party of the pendency of said motion and of the time and place where it will be heard, by having a true and attested copy of this motion and this order served upon the opposing party by some proper official in the manner prescribed by law, at least 12 days before the date of the hearing, and that due return of such service be made to this Court.

By the Court,

CLERK/ASSISTANT CLERK

Summons

By the authority of the State of Connecticut, you are hereby commanded to serve a true and attested copy of the foregoing motion and order for hearing on the opposing party in the manner prescribed by law for the service of civil process, at least 12 days before the date of the hearing, and make due return to the Court.

Dated at Hartford, Connecticut, this 1 day of October,

CLERK/ASSISTANT CLERK

ORDER

Motion for Contempt/Order:

Granted / Denied

_____

Judge/Clerk

Exhibit K

HHD FA 09 4047131
HECTOR G. MORERA
V
STEPHENIE C. THURBER

SUPERIOR COURT
JD HARTFORD FAMILY
AT HARTFORD
SEPTEMBER 17, 2013

REQUEST FOR JUDICIAL NOTICE

The Plaintiff moves the Court to take notice of the following facts:

1. On August 9, 2013, the Defendant filed an Ex Parte Motion containing two sworn affidavits, one from the Defendant and one from the GAL.
2. The sworn affidavits included in the August 9, 2013 Ex Parte Motion contain statements falsely accusing the Plaintiff of sending harassing emails to the parties involved in the case and placing information on the Internet concerning the minor children involved in the case.
3. The Court placed the Plaintiff on supervised visitation based on the statements made in these affidavits.
4. The Plaintiff did not send the harassing emails to the other parties involved in this case.
5. The Plaintiff did not place specific case information on the internet containing the minor children's names.
6. These acts were committed by a third party to whom the Plaintiff was referred for legal advice. The third party's name is Paul Boyne.
7. The Plaintiff subsequently contacted the Glastonbury Police Department. The Plaintiff requested of the Glastonbury Police Department to contact Mr. Paul Boyne and request that he no longer contact the Plaintiff. The Plaintiff made this request of the Glastonbury Police Department to remove the appearance that, although the Plaintiff did not commit these acts directly, he is collaborating with Mr. Paul Boyne to commit these acts. To the best of Plaintiff's knowledge, the Glastonbury Police Department has complied with the Plaintiff's request.

WHEREFORE, aforementioned presented, the court is moved to recognize these facts.

Hector Morera

Hector G. Morera
Plaintiff, Pro Se

ORDER

Request for Judicial Notice:

Granted / Denied

Judge/Clerk

CERTIFICATION

The undersigned certifies copy sent to all appearing parties of record as of this date.

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FAX (860-769-7394)

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Hector Morera

Hector G. Morera