

<p>DISTRICT COURT COUNTY OF JEFFERSON</p> <p>Hall of Justice 100 Jefferson County Parkway Golden, Colorado 80419</p>	
<p>In re the Marriage of</p> <p>Petitioner: Christy Ryan, f/k/a Christy Harrington</p> <p>Respondent: Sean Lee Harrington</p>	<p style="text-align: center;">Δ COURT USE ONLY Δ</p>
<p>Law Office of Madeline Wilson Hollis Attorney for Petitioner 501 S. Cherry St. Suite 610 Denver, CO 80246 Phone: 303-321-6872 Fax: 303-321-3196 Atty. Reg. #24060</p>	<p>Case Number: 99 DR 3717</p> <p>Division: P/3 Courtroom:</p>
<p>RESPONSE TO MOTION FOR RULE 11 SANCTIONS, INJUNCTIVE RELIEF AND PETITIONER'S MOTION FOR ATTORNEY FEES FOR FRIVOLOUS FILING</p>	

COMES NOW the Petitioner, Christy Ryan ("mother,") by and through her undersigned counsel, Madeline Wilson, for the purpose of responding to and requesting that the Motion for Rule 11 Sanctions, Injunctive Relief filed by Respondent Sean Lee Harrington ("father") be denied and to move for an award of attorney fees for a frivolous motion as per **CRS 13-17-102(2)** and states as follows:

1. The mother believes it is inappropriate for this matter to go forward as the District Court does not currently have jurisdiction in this matter as this matter is in the Appellate Court. Judge Tidball has ruled that all matters in this case are stayed until the Court is re-vested with jurisdiction and has ordered that it will not rule on any Motions. (See August 30, 2004 Order.)
2. The mother denies avoiding service of process.
3. a. The mother denies any tortious (sic) action in this matter. The Court of Appeals affirmed the Honorable Judge Tidball's "no parenting time" ruling. The mother has

requested that the Court disallow the father having her address. The mother believes the father was not allowed to have her address in earlier rulings by the Court as well. It is the mother's duty to act in the child's best interests. She does not believe it is in the child's best interests for the father to have her address. The mother is simply acting in her child's best interests. The father has stated on numerous occasions that he knows where the mother lives, and, recently, he has stated he knows where the mother's attorney lives (which can be taken as no less than another threat to the mother's attorney by the father.)

b. The father has been threatening with the mother in the past and the mother has requested that the father's demands for her address be denied at least until he complies with the recommendations of the Special Advocate. The Special Advocate was appointed by this Honorable Court to make recommendations regarding the child's best interests. Part of these recommendations are that the mother give her address to the father *after* he is in compliance with certain recommendations of the Special Advocate. The Special Advocate is a highly regarded professional in his field and it is believed that his recommendations are in the child's best interests. While the father may have filed appeals alleging "unethical conduct" or "fee disputes" the mother firmly believes that the Special Advocate's recommendations are in the child's best interests. Further, the Court recently received notice that the father is in contempt of Court for his failure to pay the Special Advocate's fees. It is clear that the father files as many motions as he can think up in an attempt to confuse and harass everyone involved in this case. At last count, the father had filed well over one hundred non-responsive pleadings in this matter. This is outrageous and the mother prays that this Court will issue a Case Management Order to prevent further abuse of the system by the father.

c. The mother denies the statements made by the father. The father has threatened to take the child in the past and the mother believes he has nothing to lose at this point. It is clear the father is a danger to his daughter as the Court ruled on July 3, 2003 that there would be no parenting time between the father and his daughter until further order of this Court. This ruling has been affirmed by the Court of Appeals. The Court of Appeals required the phrase "or agreement of the parties" to be removed from the Court's Order. The mother denies any concealment or "kidnapping" of the child. The mother has been given physical custody of the child by Court Order. The mother believes the 2001 Special Advocate report to be wrong. The parties reached an agreement based on certain recommendations of Natalie Van Note, but the mother has never agreed that the allegations in the report were correct in any way. The father's actions less than 2 years after the 2001 Special Advocate report prove that the father is a danger to the child and the Special Advocate was woefully misled by the father. The father's "no parenting time" order is the result of his own actions. The father cannot take responsibility for a scintilla of his actions that are/were damaging to his daughter. The mother denies the statements made by the father in this motion.

4. The mother's attorney is not a party to this matter and the mother requests that any reference to her attorney as such be stricken. The mother denies the father's allegations.
5. The mother requests that her responses not be stricken.

6. The mother denies the father's allegations.
7. The mother's attorney is not a party to this matter and the mother requests that any reference to her attorney as such be stricken. The mother denies the father's allegations.
8. The mother's attorney is not a party to this matter and the mother requests that any reference to her attorney as such be stricken. The mother denies the father's allegations. The mother believes the father was not allowed to have her address in earlier rulings by the Court as well.
9. The mother denies the father's allegations.
10. The mother's attorney is not a party to this matter and the mother requests that any reference to her attorney as such be stricken. The mother denies the father's allegations.
11. The mother denies the father's allegations.
12. The mother's counsel does not accept service by e-mail and is not required to allow the father to send her e-mails. For many years the mother's counsel has sent a courtesy fax to the father due to the fact he lives out of state. Recently the mother's counsel's office sent the courtesy fax to an old fax number by mistake. The father sent a rude, threatening letter to the mother's office. As a result, the mother's counsel will only send pleadings to the father at his last known address which is believed to be a "Mail Boxes, Etc." type address. This is the only address by which she is required to serve the father. The father recently sent another threatening letter to the mother's counsel which is attached hereto as **Exhibit 1**. The mother's counsel believes that the father is attempting to "bait" her into contacting the father's alleged attorney to attempt to cause trouble for the mother's attorney. Obviously, the father has no such attorney for the domestic case.
13. The mother's counsel has yet to receive a courtesy copy of the alleged Contempt Motion. The father is so verbose in his non-stop pleadings that it is clear what his allegations are, therefore it is not difficult to deny same. Contempt Motions require personal service as they are quasi criminal in nature. CRCP 4, CRCP 107. The mother's counsel may or may not be hired to defend any contempt proceeding that presumably has been filed by the father.
14. The mother denies all allegations by the father. The mother's attorney is not a party to this matter and the mother requests that any reference to her attorney as such be stricken. The father has filed thousands of pages of documents in hundreds of pleadings to this Honorable Court over the last five years. The father files pleading after pleading in an attempt to punish the mother, this Court and the mother's counsel for his own actions that have resulted in his loss of parenting time. The Honorable Judge Tidball issued a ruling that stated that there was no Order in the record requiring the mother to sign an income

tax exemption. The father's child support was past due for 2003, therefore, the mother took the exemption as allowed by law. The mother believes she has complied with all Orders of this Honorable Court to the best of her ability.

15. The mother's attorney is not a party to this matter and the mother requests that any reference to her attorney as such be stricken. The mother denies the father's allegations.
16. The mother's attorney is not a party to this matter and the mother requests that any reference to her attorney as such be stricken. The mother denies the father's allegations. The mother believes that the Court has properly ruled on all Motions in this matter.
17. The mother's attorney is not a party to this matter and the mother requests that any reference to her attorney as such be stricken. The mother denies the father's allegations, the father is well aware the mother incurs attorney fees. He has been served with myriad Motions for attorney fees for frivolous filing and many of these attorney fees have been awarded to the mother. The mother prays that her attorney fees be awarded to her.
18. The father has filed many harassing, rude and inept "pleadings" to the Court such as the one attached hereto as **Exhibit 2**. The mother's attorney is not a party to this matter and the mother requests that any reference to her attorney as such be stricken. The mother denies the father's allegations.
19. The mother's attorney is not a party to this matter and the mother requests that any reference to her attorney as such be stricken. The mother denies the father's allegations.
20. The mother respectfully requests that this Court issue a ruling preventing the father from filing further pro se pleadings in this matter. Should the father desire to see his child, he can contact the Special Advocate, follow his recommendations and the mother will be happy to begin contact with the child as the Special Advocate recommends and she deems appropriate. Permanent Orders were entered in this matter almost four years ago. To allow the father to continue to barrage the mother, this Court and the mother's counsel with pleadings is not in the child's best interest or in the interest of judicial economy. The mother respectfully requests that a Case Management Order be entered preventing the father filing a Motion with the Court without express permission from the Court.
21. The mother continues to incur attorney fees for required responses to the father's never-ending stream of unnecessary pleadings sent to the District Court and to her counsel.
22. The mother believes that the father is purposely drafting inept pleadings to cause hardship to this Honorable Court and the mother, and to boost his false claim that "every motion he files is denied by the court."
23. The mother respectfully requests that the father be required to pay her attorney fees as per **CRS 13-17-102 (2) and (4)** for bringing actions that are frivolous, vexatious and for no other purpose than to harass the mother. Attached hereto as **Exhibit 3** is Petitioner's Attorney Fee Affidavit for the preparation of this Response.

WHEREFORE, Petitioner respectfully requests that prays that this court **a)** Deny the Respondent's Motion **b)** Order the Respondent to pay the Petitioner's attorney fees for defense of the Respondent's constant stream of vexatious motions and responses to Petitioner's responses to his vexations motions as per CRS **13-17-102 (2) c)** that this Court issue an Case Management Order disallowing the father from sending pro se pleadings to this Court without previous approval by this Honorable Court and for such further relief as the Court deems appropriate.

Respectfully submitted January 31, 2005.

LAW OFFICE OF MADELINE WILSON

A handwritten signature in black ink, appearing to read 'Madeline Wilson', written over a horizontal line.

By: Madeline Wilson, #24060

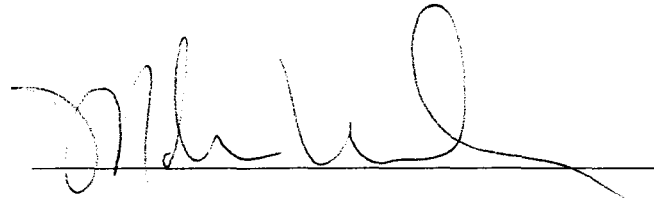
CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of JAN, 2005, I served a true and correct copy of the foregoing **RESPONSE TO FORTHWITH MOTION FOR CONTINUANCE & ALIAS CITATION, MOTION TO COMPEL & MOTION FOR ATTORNEY FEES PER CRS 13-17-102(2)** by placing same in the U.S. Mail, postage pre-paid and addressed to:

Jefferson County District Court
Hall of Justice
100 Jefferson County Parkway
Golden, Colorado 80419

Sean Lee Harrington
197-M Boston Post Road West #151
Marlborough, MA 01752

Christy Ryan

A handwritten signature in black ink, appearing to read "S. Harrington", written over a horizontal line.