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IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT  
DU PAGE COUNTY, ILLINOIS

IN RE THE MARRIAGE OF:	)	
	)	
MICHELLE WATTS,	)	
	)	
Petitioner,	)	
	)	
and	)	No. 09 F 143
	)	
MICHAEL GANTINE,	)	
	)	
Respondent.	)	

REPORT OF PROCEEDINGS had at the  
hearing of the above-entitled cause, before the  
Honorable THOMAS A. ELSE, Judge of said court, recorded  
on the DuPage County Computer Based Digital Recording  
System, DuPage County, Illinois, and transcribed by  
CHERYL ANN BARONE, Certified Shorthand Official Court  
Reporter, commencing on the 22nd day of January, 2018.

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PRESENT:

ABEAR LAW OFFICE, by  
MR. ANTHONY ABEAR,

appeared on behalf of MICHELLE WATTS,  
Petitioner;

MR. DANIEL J. MORIARTY,

appeared on behalf of MICHAEL GANTINE,  
Respondent.

THE LAW OFFICES OF KENNY & KENNY, by  
MR. THOMAS KENNY,

appeared as Guardian ad Litem for the minor  
child.

1 THE COURT: Line 31.

2 THE CLERK: Line 31, Watts versus Gantine.

3 MR. MORIARTY: Good afternoon, Your Honor.

4 For the record, my name is Dan Moriarty. I  
5 represent the respondent, Michael Gantine, who is  
6 present in open court.

7 MR. KENNY: Thomas Kenny. I'm the Guardian ad  
8 Litem.

9 MR. ABEAR: Good morning, Judge -- good afternoon.

10 Anthony Abear, A-b-e-a-r, on behalf of  
11 Ms. Watts. She's in the hallway, if I can get her,  
12 please?

13 THE COURT: Go ahead.

14 MR. ABEAR: Let the record reflect Ms. Watts is  
15 now in the courtroom, seated at counsel table.

16 THE COURT: Okay. It's my understanding we're  
17 proceeding on the amended motion to vacate default  
18 orders entered on February 1, 2016, and February 29,  
19 2016, and for other relief; right?

20 MR. ABEAR: Correct.

21 MR. MORIARTY: Right.

22 THE COURT: I'll just note, for the record, that  
23 your motion, without exhibits, is 24 pages long, and  
24 let's see, how many paragraphs?

1                   84 paragraphs.

2                   Do you have a copy of the order giving you  
3 leave to file a pleading in excess of ten pages?

4                   MR. ABEAR: No, I don't, Judge.

5                   THE COURT: That's because you didn't get one; did  
6 you?

7                   MR. ABEAR: Judge, we -- we did --

8                   THE COURT: That's because you didn't get one; did  
9 you.

10                  MR. ABEAR: Judge, if I --

11                   Could I finish, please?

12                  THE COURT: No. I'll overlook it.

13                   Let's go.

14                  MR. ABEAR: Let me make a record, sir.

15                   This was actually -- this amended motion was  
16 actually, I think, a near exact duplicate of the  
17 amended motion previously filed in the case, before I  
18 entered the case. The only thing that was different,  
19 as I recall, is the signature page, and the front page,  
20 which has a new stamp date, but the --

21                  THE COURT: Well, since you want to make an issue  
22 out of it, Mr. Abear, it says that this was filed by  
23 Abear Law Office. It says, it was filed on July 28,  
24 2017, by your office; right?

1 MR. ABEAR: That's correct, sir.

2 THE COURT: Okay. So are you telling me that you  
3 are not -- you are not required to follow the local  
4 rules, if you file a pleading that is in some respects  
5 a duplicate of a prior pleading that was filed, that  
6 was in violation of the -- of the local rules?

7 In other words, if they violated the oath --  
8 the local rules, it's okay for you to do so. Is that  
9 what you are telling me?

10 MR. ABEAR: No. In fact, no, Judge.

11 THE COURT: Okay.

12 MR. ABEAR: In fact, I'm not saying --

13 THE COURT: Okay. I just said, I was willing to  
14 overlook this. Are you ready to go?

15 MR. ABEAR: I am, sir. I just --

16 THE COURT: Let's go.

17 MR. ABEAR: I just want the Court to understand  
18 that if there was an issue, I wasn't aware of it at the  
19 time because I filed the exact same motion.

20 THE COURT: Let's go.

21 MR. ABEAR: And I was hoping that that issue was  
22 disposed of.

23 THE COURT: One more time, let's go.

24 MR. ABEAR: Okay. Thank you, sir.

1 THE COURT: It's your motion, Mr. Abear. Do you  
2 wish to call a witness?

3 MR. ABEAR: Judge, can I make an opening  
4 statement, please?

5 THE COURT: Since this isn't a jury, Mr. Abear,  
6 there's really no reason to make an opening statement,  
7 unless you just want to kill some time.

8 MR. ABEAR: I'm not looking to kill time, sir. In  
9 all respectfulness, I think you gave a succinct --

10 THE COURT: An opening statement isn't necessary,  
11 Mr. Abear. This isn't a jury.

12 Do you wish to call your witness?

13 MR. ABEAR: I do, sir.

14 Are you declining to --

15 THE COURT: Call your first witness.

16 MR. ABEAR: Are you declining --

17 Do you want me to call a --

18 THE COURT: Yes, yes. I'm declining to allow to  
19 you make an opening statement. It is not necessary.  
20 This isn't a jury.

21 I already know what you expect the evidence  
22 to show. If you wish to call a witness, please do so  
23 now.

24 MR. ABEAR: Okay. I'll call my first witness as

1 Dr. Nancy Rivas.

2 MR. MORIARTY: Move to bar, Judge. She has had no  
3 contact with the family since April of -- prior to  
4 April of 2015, and none of the -- none of the  
5 allegations in the 2-1401 petition speak to anything  
6 that she would say.

7 MR. ABEAR: Judge, the problem with the objection  
8 by counsel is that he fails to identify the exact  
9 purpose for why we're here.

10 Under the -- under the 2-1401, for which  
11 we're presenting this case, the exact issue is, had the  
12 Court known facts in -- previously presented to the  
13 Court, other than Your Honor, had the Court known, it  
14 wouldn't have entered the default orders and the  
15 judgment that it entered.

16 It wouldn't have happened, and so, Judge, the  
17 burden is on --

18 THE COURT: How is this witness' testimony  
19 remotely relevant to the pleading before the Court?

20 MR. ABEAR: Judge, the --

21 THE COURT: Remotely.

22 MR. ABEAR: Judge, because the issue is -- the  
23 burden on my shoulders, if you will, is that I have a  
24 burden to proceed to tell the Court, that had the Court

1 known about the facts that was up -- that were  
2 otherwise known to other judges in the same court --  
3 same courthouse, you wouldn't have entered your orders  
4 of February 1, 2016, and your orders of February 29,  
5 2016.

6 THE COURT: So what's --

7 MR. ABEAR: Judge, there was no -- there was no  
8 evidence presented. The only evidence that was  
9 presented -- or actually, the only thing that was  
10 presented was a motion on presentation, on a nine -- on  
11 a presentation call.

12 THE COURT: Mr. Abear, I'm going to give you  
13 the -- the opportunity to make an offer of proof right  
14 now, before I bar the witness.

15 Here's your opportunity for an offer of  
16 proof.

17 Go.

18 MR. ABEAR: My offer of proof; that is, if  
19 Dr. Nancy Rivas was called to testify, she would say  
20 the following:

21 First off, her name is Nancy, N-a-n-c-y, last  
22 name, Rivas, R-i-v-a-s, and she's a doctor, Judge, and  
23 she was qualified in DuPage County Circuit -- Circuit  
24 Court as an expert. She was previously found to be an



1 expert by Judge Dudgeon.

2 She was called to the hearing and --

3 MR. MORIARTY: So Judge, if we're going back --

4 THE COURT: No, no, no.

5 MR. ABEAR: Excuse me.

6 THE COURT: No, no, no.

7 MR. MORIARTY: Judge, okay. This is his offer of  
8 proof?

9 THE COURT: He's in the middle of his offer.

10 MR. MORIARTY: Fair enough.

11 THE COURT: Go ahead.

12 MR. ABEAR: She was called as a witness, qualified  
13 as an expert by Dr. -- I'm sorry, by Judge Dudgeon.

14 She gave testimony that she had met with both  
15 Michelle Watts and also met with the child.

16 She has an expertise in child therapy and  
17 counseling. She testified that she had met with Jacob  
18 Gantine, the subject child, who is now --

19 MR. MORIARTY: Judge, I don't want to interrupt  
20 the offer; but I think, he has to offer some foundation  
21 when because I think these -- these things happened in  
22 2012.

23 THE COURT: Okay. I want to let him finish the  
24 offer.

1 MR. MORIARTY: Fair enough.

2 THE COURT: Please.

3 MR. MORIARTY: Yes, sir.

4 THE COURT: Go ahead.

5 MR. ABEAR: That when -- that she met with not  
6 just Michelle Watts, but also met with the subject  
7 child, Jacob Gantine.

8 She identified that when she met with him,  
9 she did -- I would proffer that she would testify, if  
10 asked, and she would answer that the child was -- did  
11 not want to talk about her (sic) father; that  
12 she determined that he was afraid of the father; that  
13 the child made statements that the father had hit  
14 him -- that is, the father, Mr. Gantine, had hit the  
15 child, Jacob, and that it was not in the best interests  
16 of the -- of the child to have unsupervised contact, or  
17 for that matter any contact, without further  
18 involvement of court and counseling and -- counseling  
19 by the -- of the father, Michael Gantine -- Gantine.

20 And Judge, it was the -- I will further state  
21 that the -- my proffer will go on to say that Judge  
22 Dudgeon specifically found that not only was Dr. Rivas  
23 an expert, but also that her testimony was integral in  
24 his determination.

1           And Judge, I would further support that by  
2 identifying that in Judge Dudgeon's transcript,  
3 September 24, 2012, he identified and relied upon the  
4 testimony of witnesses, but also specifically  
5 Dr. Rivas.

6           Thank you.

7           MR. MORIARTY: Judge, I want to bar all of it,  
8 even assuming arguendo because it's all res judicata.

9           Dr. Rivas testified before Judge Dudgeon.  
10 She also testified before Judge Douglas, which  
11 Mr. Abear conveniently ignored in his offer, and her --  
12 her testimony was not embraced.

13           He cherry picks what he brings to this Court,  
14 but Dr. Rivas has not seen this child in, at least, I  
15 think, three years. Even in the 2015 hearing before  
16 Judge Douglas, she hadn't seen him in many, many  
17 months; and Judge Douglas embraced, in many other  
18 aspects, the recommendation of the eyes and ears of the  
19 court, i.e. not Ms. Watts' treater, but rather the  
20 objective GAL, who brought -- that relationship was  
21 indicated, until such time as Ms. Watts conveniently  
22 fled the coupe.

23           Nothing further.

24           THE COURT: Anything else you would like to say,

1 Mr. Abear?

2 MR. ABEAR: Judge, it's the -- again, the burden  
3 is on me and Ms. Watts to meet the standard, as set by  
4 2-1401, that identifies to bring before the Court facts  
5 not appearing of record, which if known to the Court at  
6 the time the judgment was entered, would have likely  
7 prevented its rendition or the entry of its judgment,  
8 and Judge --

9 MR. MORIARTY: But she testified in 2015 --

10 MR. ABEAR: Excuse me.

11 THE COURT: I gave you your turn.

12 MR. MORIARTY: Very good.

13 THE COURT: Listen, this is how we're going to do  
14 it.

15 We're going to go one at a time. No  
16 interrupting unless it's -- you're not --

17 Don't interrupt each other's arguments.

18 If it's an evidentiary argument, it's one  
19 thing, but stop cutting each other off.

20 You may finish, Mr. Abear.

21 I asked if there was anything else you wanted  
22 to say in support of your proffer.

23 MR. ABEAR: The -- it was identified in a number  
24 of cases, including In Re Johnson, that the burden lies

1 upon me and Ms. Watts, to provide evidence to you; and  
2 Judge, in defense of you, actually because you were  
3 actually put at a disadvantage because you were  
4 presented a motion, back on -- actually, it was filed  
5 on January 25, 2016; but you were presented the motion  
6 on February 1, 2016. You didn't have any evidence,  
7 sir. You didn't have any witnesses.

8 You didn't even -- the GAL wasn't even called  
9 to testify, although he was present and made one or two  
10 statements; but nothing was presented to you, sir.

11 You didn't have the evidence or the facts or  
12 the transcripts or the orders that had been going on in  
13 this very courthouse, all the way back to 2009.

14 You didn't have that advantage; and Judge,  
15 based upon the requirements of Ms. Watts and I, the  
16 preponderance of the evidence, had that been presented,  
17 I'm betting that you wouldn't have entered the order  
18 that you did.

19 THE COURT: Is that it, Mr. Abear?

20 MR. ABEAR: Yes.

21 THE COURT: Okay. I've heard the proffer and  
22 offer of proof.

23 I've given you every opportunity. I find  
24 that this witness has absolutely, positively nothing to

1 do with the motion before the Court.

2 The witness is barred.

3 Do you wish to call another witness?

4 MR. ABEAR: I'm going to release Ms. -- Dr. Rivas  
5 then, if I can just go out in the hallway.

6 THE COURT: Okay. That's fine, but do you wish to  
7 call another witness?

8 MR. ABEAR: I do. Yes, sir.

9 THE COURT: Okay.

10 MR. ABEAR: Thank you.

11 If I could have a moment, Judge?

12 THE COURT: Sure.

13 MR. ABEAR: I'll call Ms. Watts.

14 THE COURT: Ma'am, if you could take the stand,  
15 please?

16 Ma'am, can you raise your right hand?

17 (Witness sworn.)

18 THE COURT: Have a seat.

19 MR. ABEAR: Judge, may I address the Court  
20 regarding a point of order, please?

21 THE COURT: Sure.

22 MR. ABEAR: The -- the Court has not yet  
23 identified -- and I'm not sure. Attorney Tom Kenny is  
24 in the courtroom, and I'm not sure if he's identified

1 as a party, who calls witnesses, or if he's simply a  
2 standby and may be called as a witness?

3 Does he have party standing?

4 THE COURT: I don't know if he --

5 MR. ABEAR: Or is he simply a witness?

6 THE COURT: I don't know if he's going to testify  
7 or not. No one has made a motion to exclude.

8 I know he's the GAL.

9 What's your point?

10 MR. ABEAR: You know what, I -- I do plan on  
11 calling him as a witness. I'm not necessarily asking  
12 that he be excluded, though.

13 MR. MORIARTY: He has an appearance of record,  
14 so --

15 THE COURT: Well, okay. If he's going to be  
16 called as a witness, is anyone making a motion to  
17 exclude Mr. Kenny?

18 MR. MORIARTY: No.

19 MR. ABEAR: I don't, no.

20 MR. MORIARTY: I don't, either.

21 THE COURT: Then let's try again to get you to  
22 call a witness.

23 Go ahead. There you go.

24 MR. ABEAR: Thank you, Judge.

1 MICHELLE WATTS,  
2 the petitioner herein, called as a witness on her own  
3 behalf, having been first duly sworn, was examined and  
4 testified as follows:

5 DIRECT EXAMINATION

6 BY MR. ABEAR:

7 Q. Could you please state your name?

8 A. Michelle Watts.

9 Q. Could you spell your last name, please?

10 A. W-a-t-t-s.

11 Q. Michelle, how old are you?

12 A. 43.

13 Q. Michelle, do you have a child?

14 A. Yes.

15 Q. What's the name of your child?

16 A. Jacob.

17 Q. And how old is he?

18 A. Nine.

19 Q. When is the last time you saw Jacob?

20 A. July -- or I'm sorry, June of 2017.

21 Q. Let me, just to give the Court an idea of --

22 Because the Court's going to make a  
23 determination as to your credibility, I'm going to ask  
24 you a couple of questions about your background.



1                   You are college educated; is that correct?

2           A.     Yes.

3           Q.     You went to Purdue University; is that  
4 correct?

5           A.     Correct.

6           Q.     You went there on a full scholarship; is that  
7 correct?

8           A.     Yes.

9           Q.     You graduated with a chemical engineering  
10 degree; correct?

11          A.     Correct.

12          Q.     You were summa cum laude.  You were the top  
13 of the class; is that correct?

14          A.     Correct.

15          Q.     You don't have any criminal history; do you,  
16 ma'am?

17          A.     No.

18          Q.     Since graduating summa cum laude from Purdue  
19 University, you have had a number of employments; is  
20 that correct?

21          A.     Yes.

22          Q.     You have worked in medical --

23          MR. MORIARTY:  Object to leading.

24          THE COURT:  Overruled.

1 BY MR. ABEAR:

2 Q. You have worked in medical engineering  
3 companies; correct?

4 A. Yes.

5 Q. You worked for Eli Lilly and Kraft and  
6 Johnson & Johnson; correct?

7 A. Correct.

8 Q. That's not all of them, but you worked in --  
9 you worked in engineering -- biomedical, I'm sorry --  
10 you worked in engineering companies?

11 A. Correct.

12 Q. You understand why we're here today?

13 A. Yes.

14 Q. Can you explain to me why you think we're  
15 here today?

16 MR. MORIARTY: Objection, no foundation.

17 THE COURT: Objection, to the form of the  
18 question, sustained.

19 BY MR. ABEAR:

20 Q. Why are we here today?

21 MR. MORIARTY: Same objection.

22 THE COURT: I said, it's sustained.

23 BY MR. ABEAR:

24 Q. The -- do you have concerns about Jacob being

1 with Michael Gantine?

2 MR. MORIARTY: Object to the relevance.

3 THE COURT: Sustained.

4 MR. ABEAR: Well, Judge, if you're going to  
5 sustain --

6 If I may, may I address the Court regarding  
7 this?

8 If you are going to sustain that objection, I  
9 think it undermines the very purpose for --

10 THE COURT: I just did sustain that objection.

11 The objection is sustained.

12 Proceed.

13 MR. ABEAR: I'm sorry, sir. It's sustained or  
14 overruled?

15 That is --

16 THE COURT: His objection, to your question, is  
17 sustained.

18 MR. ABEAR: I can't ask any questions regarding  
19 why Michelle --

20 THE COURT: Mr. Abear, I didn't say what you could  
21 ask questions about.

22 He made an objection. I sustained it.

23 You know what that means; right?

24 MR. ABEAR: I do, sir.

1 THE COURT: Then you may ask another -- ask your  
2 next question, Mr. Abear.

3 Proceed.

4 MR. ABEAR: If I may address the Court briefly,  
5 please?

6 It affects my fundamental understanding of  
7 why I believe we are here today; that is, if I am to  
8 provide the Court with information -- factual  
9 information, court transcripts, court orders, and other  
10 factual information, such that the Court -- we suggest,  
11 the Court would have not entered its ruling in February  
12 of --

13 THE COURT: Mr. Abear, this is going to be the  
14 last time I do this, and then I'm going to have to do  
15 something else.

16 I have sustained Mr. Moriarty's objection.  
17 Now, you can either ask the witness another question,  
18 or you can stop.

19 What's your pleasure?

20 MR. ABEAR: Well, Judge, I'm going to -- I have  
21 the respect for you and the courtroom. I'm going to  
22 follow your rules, sir.

23 BY MR. ABEAR:

24 Q. Has Jacob, in the past, exhibited injuries to

1 his person upon coming home from visits with Michael?

2 MR. MORIARTY: Objection, relevance, res judicata,  
3 no foundation.

4 THE COURT: Sustained.

5 MR. ABEAR: As to which one, sir?

6 I'll lay a foundation.

7 THE COURT: As to all of them.

8 MR. ABEAR: I'll lay a foundation.

9 THE COURT: Mostly, as to relevance.

10 BY MR. ABEAR:

11 Q. Michelle, was there a -- was there an order  
12 of protection entered in this case --

13 MR. MORIARTY: Objection.

14 BY MR. ABEAR:

15 Q. -- against --

16 THE COURT: What's the basis of the objection?

17 MR. MORIARTY: The critical timeframe is after the  
18 order of protection wasn't extended, in April of 2015.

19 The common law record is replete, and you can  
20 take judicial notice of whether there were orders of  
21 protection, how long they lasted; but we are here in a  
22 specific temporal time period; otherwise, Mr. Abear  
23 wants to, again, try and slime my client by going back  
24 to the prebirth of the child and all of this other, you

1 know, salacious stuff, and he wants to deflect the none  
2 less than criminal behavior of his own client.

3 MR. ABEAR: Judge, if I may, first off, I  
4 didn't --

5 THE COURT: So I guess, the objection is to  
6 relevance?

7 MR. MORIARTY: Relevance, yes, sir.

8 MR. ABEAR: Judge, I didn't even --

9 THE COURT: The objection to relevance is  
10 sustained.

11 MR. ABEAR: I would ask counsel not to interrupt  
12 me, until I at least finish my question.

13 THE COURT: The objection to relevance is  
14 sustained.

15 MR. ABEAR: Judge, may I inquire of the Court of  
16 what timeframe?

17 THE COURT: You may not. The objection to  
18 relevance is sustained.

19 Ask another question, if you wish.

20 BY MR. ABEAR:

21 Q. Is Jacob -- is Jacob's well-being at risk?

22 MR. MORIARTY: Same objection.

23 MR. ABEAR: Well, Judge, the --

24 THE COURT: I'll tell you what. I'm going to

1 sustain that objection, and I'm going to take a recess,  
2 and you might want to take another look at your -- at  
3 your questioning or how you are going to do this  
4 because we're not going to sit here all afternoon with  
5 you asking objectionable questions, and Mr. Moriarty  
6 objecting, and me sustaining them.

7 It has nothing to do -- the questions you are  
8 asking have nothing to do with the motion before this  
9 Court.

10 What you are obviously attempting to do is  
11 relitigate the issue of custody; that's what you are  
12 trying to do. It is obvious to the Court that's  
13 exactly what you're trying to do, and we're not going  
14 to do that.

15 You are here on this motion and only this  
16 motion, so I'm going to take a -- I'm going to take a  
17 moment, and I'm going to let you think about what  
18 you're going to do next.

19 The Court's in recess, ten minutes.

20 (A short recess was had.)

21 THE COURT: Okay. Ma'am, you have been previously  
22 sworn.

23 Mr. Abear, proceed.  
24

1 BY MR. ABEAR:

2 Q. Judge Douglas had entered an order for  
3 reunification between Jacob and Michael, his father;  
4 correct?

5 MR. MORIARTY: Objection, Judge.

6 The Court can take judicial notice of its  
7 prior orders.

8 THE COURT: Overruled. It's foundational.

9 BY MR. ABEAR:

10 Q. Were you present when the judge entered that  
11 order?

12 A. Yes.

13 Q. Did you take steps to follow that order?

14 A. Yes.

15 Q. What did you do?

16 A. Met with Dr. Goldstein, and as well as my son  
17 met with Dr. Goldstein.

18 Q. Were there -- it wasn't simply that there was  
19 supposed to be one doctor in Illinois. There was  
20 supposed to be a doctor in Florida, as well; correct?

21 MR. MORIARTY: Objection, distortion of the common  
22 law record.

23 Leading.

24 THE COURT: Sustained.



1 BY MR. ABEAR:

2 Q. Was there a -- did Michael ever obtain a  
3 doctor or psychologist down in Florida?

4 MR. MORIARTY: Objection, same objection.

5 THE COURT: Overruled.

6 THE WITNESS: No.

7 BY MR. ABEAR:

8 Q. How many times did you see Dr. Goldstein?

9 A. I believe, it was three times.

10 Q. All right. Did you go alone, or did you  
11 bring Jacob with you?

12 A. I went alone the first time; and the second  
13 time, I brought Jacob; and the third time, I brought  
14 Jacob.

15 Q. And Dr. Goldstein had an opportunity to talk  
16 to Jacob?

17 A. Yes.

18 Q. When you went to see Dr. Goldstein, where did  
19 you visit him?

20 A. In his office.

21 Q. Where is that, do you recall -- what town?

22 A. Hinsdale.

23 Q. How long were your visits?

24 A. I believe, it was, like, an hour. It could

1 have been plus or minus, 30 minutes.

2 Q. Did Dr. Goldstein meet with Jacob alone, at  
3 all?

4 A. Yes.

5 Q. On one or more occasions?

6 A. I believe, it was twice.

7 Q. The -- what was the duration -- the course of  
8 time over which you met with Dr. Goldstein; that is,  
9 was it all in one week; was it over the course of a  
10 month or a couple of months?

11 A. I think, the first visit was in September.

12 Q. Of what year?

13 A. Of 2015, and the last visit was, I believe,  
14 in October or November.

15 Q. At any time from -- over those course of  
16 months, did Michael Gantine or his -- or his attorney  
17 contact you, to let you know that he, Michael, had --  
18 was facilitating a reunification therapist or a doctor  
19 down in Florida?

20 MR. MORIARTY: Objection, same objection.

21 THE COURT: Overruled.

22 I'm wondering when this is going to be  
23 relevant, but go ahead.

24 The objection is overruled.

1 THE WITNESS: No.

2 BY MR. ABEAR:

3 Q. Did -- were you ever informed by -- or to  
4 your knowledge, was -- did Dr. Goldstein ever tell you  
5 that Michael had facilitated or obtained a  
6 rehabilitation counselor or a therapist down in  
7 Florida?

8 MR. MORIARTY: Objection, relevance, and calls for  
9 inadmissible hearsay.

10 THE COURT: Sustained.

11 BY MR. ABEAR:

12 Q. Were you ever contacted by any reunification  
13 therapist or any psychologist or psychiatrist down in  
14 Florida, on behalf of Michael?

15 MR. MORIARTY: Objection, relevance.

16 THE COURT: Objection, what?

17 MR. MORIARTY: Irrelevance.

18 THE COURT: What's the relevance, Mr. Abear?

19 MR. ABEAR: Judge, this -- the relevant issue as  
20 to why Ms. Watts did what she did, what were the  
21 circumstances around the cooperation and the following  
22 of the court orders by not just Ms. Watts but  
23 specifically by Mr. Gantine.

24 THE COURT: You mean, when you say, why she did

1       what she did, you mean, why she removed this child from  
2       the State of Illinois without leave of court?

3               Is that what you're referring to?

4               MR. ABEAR: She did. She fled, Judge. She left  
5       the State of Illinois.

6               You know, let's address the elephant in the  
7       room. She did because -- out of protection for her  
8       child.

9               There were reasons for it that I would like  
10      to get into; but I'm getting an objection at nearly  
11      every question, which I think is relevant for why she  
12      took the actions that she did.

13              THE COURT: The objection to relevance is  
14      overruled.

15      BY MR. ABEAR:

16              Q.     Were you ever --

17                     Did you remember -- do you remember the  
18      question?

19              A.     No.

20              Q.     Were you ever contacted by a therapist,  
21      psychologist, or psychiatrist from Florida, on behalf  
22      of Michael Gantine, regarding reunification therapy?

23              MR. MORIARTY: I'm going to renew the objection,  
24      Judge, because that wasn't the protocol that was in

1 place.

2 MR. ABEAR: Judge, if I can't get through these  
3 questions --

4 MR. MORIARTY: He's creating a different  
5 narrative.

6 We started -- we started with that, and then  
7 after he got out of the case and she was represented by  
8 Ms. Longwell, she asked Mr. Kenny to switch the  
9 reunification therapist for Dr. --

10 THE COURT: Okay.

11 MR. ABEAR: Judge --

12 MR. MORIARTY: So -- so the fact --

13 THE COURT: Mr. Moriarty.

14 MR. MORIARTY: Okay.

15 THE COURT: These are all great questions on cross  
16 examination, okay; however, as far -- as far as an  
17 evidentiary objection, the objection's overruled.

18 For example, there's an affidavit from  
19 Dr. Goldstein in the court file that says the exact  
20 opposite of what she's testifying to right now.

21 MR. ABEAR: Judge, it does not.

22 THE COURT: However --

23 MR. ABEAR: I have to take exception to that, sir.

24 THE COURT: However, the objection -- your

1 objection is overruled.

2 Proceed.

3 MR. ABEAR: Judge, I do apologize for taking issue  
4 with the Court's proffer, as to what Dr. Goldstein --

5 THE COURT: It wasn't the Court's proffer. The  
6 objection is overruled.

7 Proceed.

8 MR. ABEAR: Judge, I have a copy of  
9 Dr. Goldstein's affidavit.

10 THE COURT: Mr. Abear, do you want to ask another  
11 question or not?

12 MR. ABEAR: I do. Yes, sir.

13 BY MR. ABEAR:

14 Q. Was Michael Gantine cooperating with Judge  
15 Douglas' order on what --

16 MR. MORIARTY: Objection, that's --

17 MR. ABEAR: You know, counsel --

18 MR. MORIARTY: -- argumentative.

19 MR. ABEAR: Judge, excuse me.

20 If I could finish my --

21 THE COURT: The objection to argumentative is  
22 sustained.

23 BY MR. ABEAR:

24 Q. Did Michael Gantine ever meet you up at

1 Dr. Goldstein's office?

2 A. No.

3 Q. To your knowledge, did Michael ever show up  
4 at Dr. Goldstein's office?

5 MR. MORIARTY: Objection, no foundation.

6 How would she know?

7 MR. ABEAR: She's allowed to --

8 THE COURT: Sustained; sustained.

9 BY MR. ABEAR:

10 Q. At the end of 2015 -- that is, the end of the  
11 year in 2015, were you concerned about the well-being  
12 of your child?

13 MR. MORIARTY: Objection, relevance.

14 It's almost rhetorical.

15 THE COURT: What's the relevance?

16 MR. ABEAR: Judge, if she can't identify for the  
17 Court why she was--

18 THE COURT: This is going to why -- this is going  
19 to why she fled the jurisdiction; right?

20 MR. ABEAR: Why she took the action that she did,  
21 yes.

22 THE COURT: The objection is overruled.

23 BY MR. ABEAR:

24 Q. Were you concerned about the well-being of

1 your child?

2 A. Yes.

3 Q. Tell us why.

4 A. Because there had been -- pretty much on  
5 every visit that Mr. Gantine had with Jacob, my son was  
6 returned to me with injuries consistently every time.  
7 I kept getting different stories as to what happened  
8 each time.

9 When we appeared in court, he was not honest  
10 or remorseful.

11 Q. Who was not honest?

12 MR. MORIARTY: Objection, to the narrative.

13 THE COURT: That's sustained.

14 BY MR. ABEAR:

15 Q. What types of injuries did -- did Jacob  
16 sustain?

17 MR. MORIARTY: Objection, no foundation,  
18 relevance.

19 This goes -- I mean, we're going back to  
20 2012, again, Judge.

21 THE COURT: Are we, Mr. Abear?

22 MR. ABEAR: You know what, let me --

23 THE COURT: Are we going back to 2012, Mr. Abear?

24 MR. ABEAR: Actually, that does; but I'll withdraw



1 the question, sir.

2 THE COURT: The question is withdrawn.

3 Ask another question.

4 BY MR. ABEAR:

5 Q. When you say that Jacob had injuries, are you  
6 talking about physical or mental or --

7 MR. MORIARTY: Objection. Same objection. He  
8 still has to --

9 THE COURT: Sustained.

10 BY MR. ABEAR:

11 Q. The -- how much time elapsed between the time  
12 that Michael Gantine last saw --

13 Well, let me rephrase.

14 So the end of 2015, when was the last time  
15 that Michael Gantine saw Jacob?

16 A. July of 2011.

17 THE COURT: July of 2011?

18 MR. ABEAR: Yes, sir, so July -- from July --

19 THE COURT: And you find that in some way  
20 relevant?

21 MR. ABEAR: Yes, sir, I do, because --

22 THE COURT: Well, since there is no objection, I  
23 guess, there is nothing for the Court to say.

24 MR. MORIARTY: I would --

1 MR. ABEAR: It has to be --

2 MR. MORIARTY: I mean --

3 MR. ABEAR: It has to be relevant.

4 MR. MORIARTY: I'm trying not to be overly  
5 objective, but again, I think --

6 MR. ABEAR: This --

7 MR. MORIARTY: You need to establish the temporal  
8 time scope, Judge, because when -- I mean, you -- you  
9 had my client fly in and fly out in one day, and the  
10 hour is getting long; but again, we had a three-day  
11 hearing in front of Judge Douglas.

12 THE COURT: I understand.

13 MR. MORIARTY: The petition for extension of the  
14 order of protection was denied, and the establishment  
15 of visitation that we requested, with the therapeutic  
16 intervention, was granted.

17 MR. ABEAR: Except that --

18 MR. MORIARTY: And -- and, you know, why we have  
19 to relitigate that is beyond me; but again, I say to  
20 you, this is all res judicata.

21 We've -- we've have had our chance to present  
22 our evidence. We've had our chance to argue before the  
23 Court -- whether it's you, it's Judge Douglas, whoever  
24 has the case at the given time that it appears; but

1 this is: Been there; done that.

2 THE COURT: Mr. Abear --

3 MR. ABEAR: I have the --

4 THE COURT: -- I'm going to give you a little bit  
5 more leeway; okay?

6 I can see that you are expecting an extended  
7 hearing just because of the way things are going, so  
8 what I'm going to do is, I'm going to give you a little  
9 bit more leeway on this point.

10 I'm going to overrule Mr. Moriarty's  
11 objection; but you are going to take this gentleman out  
12 of turn, if you wish to call him as a witness, because  
13 I don't think we're going to get through this today,  
14 based on what I'm seeing so far, and I'm not going to  
15 make him come back again.

16 So go ahead, and you have a little bit more  
17 leeway. We get -- in about another ten minutes, that's  
18 your opportunity to call him as a witness.

19 Go ahead.

20 MR. ABEAR: So Judge, you are -- you are giving me  
21 ten minutes to finish my client, as a witness?

22 THE COURT: Oh, no, no. You can recall her.

23 MR. ABEAR: I'm sorry?

24 THE COURT: You can recall her. If you are not

1 done with this witness in ten minutes, we're going to  
2 stop. You can call this gentleman as a witness, and  
3 then you can go back to her.

4 BY MR. ABEAR:

5 Q. Ms. Watts, did you have a concern that there  
6 had been no contact between your son and Michael  
7 Gantine, from July 2011, until the date that you left  
8 Illinois?

9 MR. MORIARTY: Object, relevance.

10 THE COURT: Overruled.

11 MR. MORIARTY: It doesn't --

12 THE COURT: Overruled.

13 THE WITNESS: Yes.

14 BY MR. ABEAR:

15 Q. Why were you concerned?

16 MR. MORIARTY: Same objection.

17 THE COURT: Overruled.

18 MR. ABEAR: Judge, can I make a note that I  
19 haven't asked one question --

20 THE COURT: I just said, overruled.

21 And yeah, he can object to every question you  
22 ask, if he wants to.

23 MR. ABEAR: He --

24 THE COURT: He most certainly can.

1 MR. ABEAR: He can, Judge, but he complains --

2 THE COURT: And Mr. Abear, you know, to be frank,  
3 you -- you know, you are on the thinnest -- the  
4 thinnest edge of relevance, and I'm trying to give you  
5 some leeway; and yeah, he can object to every question  
6 you ask, absolutely.

7 MR. ABEAR: My only point, sir --

8 THE COURT: That objection was overruled.

9 Go ahead.

10 MR. ABEAR: My only point, sir, was that while  
11 he's objecting to literally every one of my questions,  
12 he's also complaining this is a protracted litigation;  
13 and while I can't tell counsel how to run his case,  
14 this would go a whole lot smoother, if he didn't object  
15 to every one of my questions.

16 THE COURT: He can object to whatever he wants to  
17 object to.

18 Go ahead.

19 BY MR. ABEAR:

20 Q. Do you remember my last question?

21 A. Yes.

22 Q. What's your answer?

23 A. My answer is: There were numerous concerns,  
24 one of which is that when -- being that there had been

1 such a long gap, Jacob had been doing extremely well,  
2 in comparison with before. Before, he had --

3 MR. MORIARTY: Object to the narrative, Judge.  
4 This isn't answering the question.

5 THE COURT: Overruled.

6 THE WITNESS: He had significant problems in his  
7 preschools, with teachers, with other children,  
8 hitting, fighting, problems with sleeping at night.  
9 All of that had went away, had subsided.

10 BY MR. ABEAR:

11 Q. Went away when what?

12 MR. MORIARTY: Same objection, Judge.

13 This is not --

14 MR. ABEAR: I'm asking another question, Judge.

15 THE COURT: Overruled.

16 BY MR. ABEAR:

17 Q. You said his -- his sleeplessness, biting,  
18 his aggressive behavior went away when what?

19 A. Correct, went away over the course of --

20 MR. MORIARTY: Same temporal -- this is --

21 We're back in 2011, 2012.

22 THE COURT: Mr. Abear, hasn't this all been  
23 litigated?

24 Hasn't it all been litigated?

1 MR. ABEAR: Judge, the issue before the Court  
2 is the Court can --

3 THE COURT: Has this or has this not already been  
4 litigated?

5 MR. ABEAR: This is one of the issues that has  
6 been --

7 THE COURT: Has -- one more time.

8 Has this or has this not already been  
9 litigated?

10 MR. ABEAR: Judge, I'm answering your question,  
11 sir.

12 This has been one of the issues that's been  
13 presented. That is correct; however, it goes -- it  
14 goes further because it's not simply the --

15 THE COURT: Then all you're -- then all you're  
16 telling me is it's the same -- you are putting on the  
17 same testimony --

18 MR. ABEAR: I'm not, sir.

19 THE COURT: -- and raising the same issues that  
20 were raised before the Court before, and you are  
21 telling me that's why she fled the jurisdiction, I  
22 guess, because she didn't like the way things went, I  
23 guess, in a previous hearing.

24 Is that what you're --

1 MR. ABEAR: No.

2 THE COURT: Is that what you're getting --

3 MR. ABEAR: No, no, sir.

4 THE COURT: No, it's not what you're getting at.

5 MR. ABEAR: No, it is not.

6 THE COURT: Then what are -- exactly are you  
7 getting at?

8 MR. ABEAR: This is my point, sir.

9 From -- so Michael Gantine stopped seeing the  
10 child in July of 2011. Up until July of 2011, the  
11 child was suffering from misbehavior, problems at  
12 school, biting, and sleeplessness.

13 After July 2011, according to the testimony  
14 of Michelle, it gets better; and you know what, Judge,  
15 according to the testimony of Michelle, I would proffer  
16 that if I asked her the question, you know what?

17 She's going to say, the longer the time went,  
18 the better it got, until back in the end of --

19 THE COURT: What has that got to do with your  
20 motion?

21 MR. ABEAR: Because, Judge, you don't know this.  
22 No court knows this because nobody knows it --

23 MR. MORIARTY: That's a complete --

24 MR. ABEAR: -- because --



1 MR. MORIARTY: That's a complete misrepresentation  
2 to the Court because you said it aptly just a moment  
3 ago.

4 He's putting on the same case --

5 MR. ABEAR: I am --

6 MR. MORIARTY: -- that he put on, to try --

7 MR. ABEAR: Excuse me.

8 MR. MORIARTY: -- to extend the OP.

9 MR. ABEAR: Excuse me.

10 MR. MORIARTY: And he tried to deny my client  
11 visitation --

12 MR. ABEAR: This is --

13 MR. MORIARTY: -- which was denied.

14 MR. ABEAR: This was after --

15 MR. MORIARTY: So again, Judge, I mean, you can't  
16 have more than multiple bites at the apple.

17 Judge -- Judge Douglas entered the order on  
18 April 20th. She terminated Mr. Abear, and she hired  
19 Ms. Longwell. She filed a 2-1203.

20 That was litigated, that was denied, and she  
21 didn't appeal.

22 This is res judicata. This is a done deal.

23 MR. ABEAR: This is not res judicata, and I'd ask  
24 counsel to not interrupt me, please.

1 I will note for the record, I do not  
2 interrupt Mr. Moriarty, and I would ask him not to  
3 interrupt me.

4 This is -- this consists of testimony and  
5 witness and factual information after Judge Douglas  
6 entered his order; that's relevant; that's --

7 MR. MORIARTY: No, it doesn't. He just said --

8 MR. ABEAR: You know what --

9 MR. MORIARTY: -- it was 2011, 2012.

10 MR. ABEAR: You know what, I would appreciate it  
11 if counsel didn't object and interrupt me because I  
12 don't do it to him.

13 I only direct my comments to the Court. I'd  
14 ask that Mr. Moriarty only do the same for me.

15 I'm asking for information from this witness  
16 as to what happened after Judge Douglas rendered his  
17 opinion.

18 THE COURT: This has all been previously  
19 litigated.

20 The purpose of a 2-1401 motion to vacate is  
21 not to relitigate prior issues that were fully  
22 litigated before the court.

23 This has been -- this has been extensively  
24 litigated.

1           This line of testimony is, therefore, barred.

2           Go to the next point.

3       BY MR. ABEAR:

4           Q.     When you last saw -- up until the last few  
5       months, you saw Jacob, in January of 2017, November and  
6       December of 2016 --

7           THE COURT:   Mr. Abear, the order that you are  
8       trying to vacate, unless I'm mistaken, was entered on  
9       February 1, 2016, and February 29, 2016; right?

10          MR. ABEAR:   That's correct, sir.

11          THE COURT:   How is it relevant what happened in  
12       2017?

13                 How is that remotely relevant to whether or  
14       not those orders should be vacated?

15          MR. ABEAR:   Because it provides factual  
16       information to the Court --

17          THE COURT:   No, it doesn't.

18          MR. ABEAR:   -- that the Court didn't otherwise --

19          THE COURT:   No, it doesn't.   No, uh-uh, no.

20                 I'm not allowing any testimony at all to  
21       anything that happened after the dates of these orders.

22          MR. ABEAR:   After the dates of these orders.

23          THE COURT:   You are trying to vacate an order --  
24       two orders from February of 2016; right?

1 MR. ABEAR: Yes, sir.

2 THE COURT: Okay. What happened after those  
3 orders were entered is irrelevant.

4 MR. ABEAR: I would agree.

5 Well, well, I would agree on --

6 THE COURT: Then ask another question.

7 MR. ABEAR: On the legal standard, I would agree.

8 THE COURT: Ask another question.

9 BY MR. ABEAR:

10 Q. From the time that you --

11 I think, you left about December of 20 --

12 MR. MORIARTY: Objection, leading.

13 We don't know when she -- and I --

14 MR. ABEAR: You know what, I would ask counsel to  
15 not --

16 MR. MORIARTY: I object to the --

17 MR. ABEAR: -- disrupt me.

18 MR. MORIARTY: -- suggestion of the answer in the  
19 question.

20 THE COURT: Well, he didn't finish the question.

21 MR. MORIARTY: Okay.

22 THE COURT: So I don't know what the question is.

23 MR. MORIARTY: Well, he started off with a factual  
24 statement.

1                   He said, you left in December. I don't know  
2 that.

3                   I have indication that she was planning on  
4 leaving going back to October of 2015.

5           MR. ABEAR: If counsel gets an opportunity --

6           MR. MORIARTY: If this was --

7           MR. ABEAR: Excuse me.

8           THE COURT: Why don't you ask her when she left?

9 BY MR. ABEAR:

10           Q. When did you leave Illinois?

11           A. November of 2015.

12           THE COURT: There you go.

13 BY MR. ABEAR:

14           Q. Did you take Jacob with you?

15           A. Yes.

16           Q. Why did you go?

17           A. For numerous reasons. One of them was the  
18 fact that Jacob had been doing better and Mr. --

19                   There was no indication of a change.

20 Mr. Gantine did not get a psychological evaluation --

21           MR. MORIARTY: Objection, to the narrative.

22           THE COURT: Overruled.

23           THE WITNESS: And in addition to that, I was still  
24 getting the calls that I had been getting before, which

1 I mentioned; and in addition to that, there was another  
2 false filing for custody, which was the third time that  
3 he had went in on an ex parte --

4 I'm sorry. The third time was not ex parte,  
5 but this was the third time that he had went in for  
6 custody, and he had always threatened to take Jacob --

7 MR. MORIARTY: Judge, I mean, I have no time and  
8 place on this narrative, Judge; so again, he should  
9 break it up with foundation because I'm not aware of  
10 anything that we didn't file that wasn't put before  
11 this Court, so --

12 MR. ABEAR: I would -- I would ask that --

13 THE COURT: Your objection is overruled.

14 MR. MORIARTY: Okay.

15 THE COURT: She's testifying as to what her  
16 motivation was for leaving the state with the child.

17 MR. MORIARTY: Okay.

18 THE COURT: So whatever her motivation was, it  
19 was, whether it was good motivation or bad motivation;  
20 or it was motivation based on facts that weren't true,  
21 doesn't -- it doesn't matter.

22 She's testifying as to what her motivation  
23 was, whatever that may be; so your objection is  
24 overruled.

1           You may proceed, ma'am.

2           THE WITNESS: Thank you.

3           This was the third time that he had -- he had  
4 went in requesting custody. He had told me, when Jacob  
5 was four months old -- he had continually threatened to  
6 take Jacob away from me.

7           MR. MORIARTY: Objection, to the relevance, going  
8 back to when Jacob was --

9           THE COURT: Overruled.

10          MR. MORIARTY: Okay.

11          THE WITNESS: And two times, he did it in Florida.  
12 He went in ex parte on a motion to -- for custody, and  
13 they were both vacated, once the court heard the truth.

14          The third time he did it here in Illinois,  
15 after Judge Douglas' hearing, and that was in September  
16 of 2015, based on false allegations again.

17          To me, there was no indication of a change.  
18 Everything from the past had repeated itself.

19          BY MR. ABEAR:

20           Q. You identified that you were continuing to  
21 receive calls that you -- like you had in the past.

22           Can you please explain that?

23           A. Spoof texts, calls --

24          MR. MORIARTY: Judge, no foundation.

1 Well --

2 THE COURT: That one is sustained.

3 BY MR. ABEAR:

4 Q. Tell me -- tell me what kind of calls you  
5 were receiving.

6 Well, first off, let me -- let me ask the  
7 timeframe.

8 When were you receiving these calls?

9 A. All of 2015.

10 Q. When you say, "all of 2015," you mean every  
11 month in 2015?

12 A. Every month, on my work -- I don't know  
13 how -- how he got my work number -- my work number, as  
14 well.

15 Q. The -- when you say, "he," who is he?

16 A. Mr. Gantine.

17 Q. Was this a -- how do you know it was  
18 Mr. Gantine?

19 A. He had told me in the past that he had the  
20 capability to do that.

21 MR. MORIARTY: Same objection, and we're way past  
22 Judge Douglas' April of --

23 THE COURT: Yeah, that's sustained.

24 I'll tell you what.



1                   We're going to stop here with this witness.

2                   Do you want to call this gentleman, as a  
3 witness?

4           MR. ABEAR:   I do.

5           THE COURT:  Okay.  Well, you can call him now.

6                   Ma'am, you can step down.

7                               (Witness excused.)

8           THE COURT:  Mr. Abear, I'll give you the  
9 opportunity to resume with this witness, at some point.

10          MR. ABEAR:  Thank you.

11          THE COURT:  But I'm cognizant of the fact --

12                   What time is his plane?

13          MR. MORIARTY:  It's an 8 o'clock flight.

14          THE COURT:  Well, we're not going to be here  
15 anywhere near 8 o'clock, I'll tell you that.  We're  
16 going to be done a lot sooner than that.

17                   But sir, you can take the stand.

18                   Sir, can you raise your right hand?

19                               (Witness sworn.)

20          THE COURT:  Have a seat.

21                   Go ahead, Mr. Abear.

22          MR. ABEAR:  Thank you, sir.

23

24

1                                   MICHAEL GANTINE,  
2       respondent herein, called by the petitioner herein  
3       under the provisions of Section 5/12-1102 of the  
4       Illinois Code of Civil Procedure, having been first  
5       duly sworn, was examined and testified as follows:

6                                   EXAMINATION

7       BY MR. ABEAR:

8                   Q.     Your name is Michael Gantine?

9                   A.     Gantine.

10                  Q.     Gantine.

11                            You are the father of Jacob?

12                  A.     Yes.

13                  Q.     Is it accurate to say that the testimony from  
14       Michelle, that you hadn't seen Jacob from July 2011,  
15       going forward, until you had him on January 28, 2016,  
16       is accurate?

17                  A.     No.

18                  MR. MORIARTY:  Objection to relevance.

19                            Same thing.  I mean, we're relitigating his  
20       defense to my 607 petition that was already decided, in  
21       April of 2015.

22                  THE COURT:  That's correct; isn't it, Mr. Abear?

23                  MR. ABEAR:  I don't -- I don't believe that's -- I  
24       don't think that's --

1 THE COURT: I think that is correct, Mr. Abear.

2 The objection is sustained.

3 BY MR. ABEAR:

4 Q. Did you ever complete a risk assessment  
5 evaluation?

6 MR. MORIARTY: Objection, relevance.

7 MR. ABEAR: No, Judge; that's right on.

8 MR. MORIARTY: No.

9 THE COURT: Why is that relevant?

10 MR. ABEAR: Judge, he was -- he was court  
11 ordered -- Mr. Gantine was court ordered to complete a  
12 risk evaluation.

13 THE COURT: Okay. Well, let's say that he didn't.

14 MR. ABEAR: He didn't.

15 THE COURT: Let's say --

16 MR. ABEAR: And he didn't, and you know what --

17 THE COURT: Okay. So my question to you is: How  
18 does that bear on your motion?

19 MR. ABEAR: Because it's one of the facts the  
20 Court should take into consideration, when determining  
21 whether or not to reverse its default finding because  
22 on February 1st, on the presentation --

23 THE COURT: How does that link up -- how does that  
24 become relevant --

1 MR. ABEAR: Because --

2 THE COURT: -- to why she left the state with the  
3 child, without leave of court?

4 MR. ABEAR: Because he wasn't cooperating with the  
5 court's orders. This court -- not just you, sir, but  
6 the entire courthouse orders, past ordered by other  
7 judges, Judge Dudgeon, McKillip, Douglas.

8 THE COURT: And in all of that, her reaction was  
9 not to bring that to the Court's attention. Her  
10 reaction was to leave the state with the child.

11 That's what her reaction was to whatever this  
12 was.

13 If he didn't complete a risk assessment or he  
14 didn't do whatever he was supposed to do, the proper  
15 vehicle is to bring it to the Court's attention, not --

16 MR. MORIARTY: Which they did, Judge -- which they  
17 did in April of 2014.

18 I tender to you, and you can take judicial  
19 notice.

20 THE COURT: No, don't tender to me, and I'll take  
21 judicial notice.

22 MR. MORIARTY: Okay. But it is Mr. Abear's motion  
23 that's dated April of --

24 I can't read it.

1 MR. ABEAR: Excuse me.

2 MR. MORIARTY: But it's right before we had the  
3 hearing in Judge Douglas, and this is, again, this ad  
4 nauseam wanting to relitigate the case.

5 He files a motion to strike and dismiss my  
6 petition for visitation, and one of the allegations  
7 that he made, back in April of 2015, is that my client  
8 did not complete this alleged risk assessment, which is  
9 spread of nowhere in the common law record.

10 MR. ABEAR: That was not --

11 THE COURT: Is that -- is that a file-stamped  
12 motion, Mr. Moriarty?

13 MR. MORIARTY: Yes, it is.

14 THE COURT: May I see it?

15 MR. ABEAR: That was never presented to the Court,  
16 when the Court --

17 MR. MORIARTY: Yes, it -- well --

18 MR. ABEAR: Excuse me, counsel.

19 That was never --

20 MR. MORIARTY: It's --

21 MR. ABEAR: Excuse me.

22 That was never presented to the Court, when  
23 the Court -- when the case and the petition was  
24 presented to this Court, Judge Else, on February 1,

1 2016. In fact, there was no evidence presented on --

2 MR. MORIARTY: He presented to it Judge Douglas.

3 MR. ABEAR: He didn't do the risk evaluation then.  
4 He didn't do it from Judge Douglas going forward. He  
5 didn't obtain a psychiatrist or psychologist in  
6 Florida.

7 THE COURT: Well, this is a motion you filed.

8 It says, right here: In his petition as to  
9 parenting time, MG does not believe he has undergone or  
10 plans to undergo any type of risk assessment.

11 This is a motion that was filed. This issue,  
12 again, was -- you know, if it wasn't litigated, it was  
13 certainly filed by you, and this is an issue that  
14 was --

15 And if it wasn't brought before the Court, it  
16 should have been because you filed the motion; so your  
17 objection is sustained.

18 MR. ABEAR: Can I see that motion, please?

19 MR. MORIARTY: And Judge, just so that the record  
20 is clear, Judge Douglas did hear this, and he did -- he  
21 said to Mr. Abear and myself and Mr. Kenny, as well,  
22 that's why I have Mr. Kenny to --

23 MR. ABEAR: Objection.

24 THE COURT: Well --

1 MR. ABEAR: Objection.

2 MR. MORIARTY: -- go to court.

3 MR. ABEAR: Objection.

4 THE COURT: Well, you know, something --

5 MR. ABEAR: Counsel is not allowed to testify.

6 THE COURT: Whether -- whether he heard it or not,  
7 Mr. Abear filed that motion; and once again, you are  
8 quite correct, Mr. Abear is just attempting to  
9 relitigate this case, which is exactly what you are  
10 doing, Mr. Abear.

11 That's what you're doing.

12 MR. ABEAR: I'm not seeking to relitigate the  
13 case, Judge.

14 THE COURT: Well --

15 MR. ABEAR: The Court has to be aware of  
16 certain --

17 THE COURT: Okay. The objection is sustained.

18 Next question.

19 BY MR. ABEAR:

20 Q. From April of 2015, coming forward, have you  
21 taken a risk assessment?

22 MR. MORIARTY: Same objection, Judge.

23 THE COURT: Sustained.

24

1 BY MR. ABEAR:

2 Q. Did you ever -- Mr. Gantine, did you ever get  
3 a psychologist or psychiatrist in Florida?

4 That's a yes or no, sir.

5 MR. MORIARTY: Objection, relevance.

6 Again, he's creating --

7 MR. ABEAR: Can I ask one question without --

8 MR. MORIARTY: He's creating obligations that do  
9 not exist in this common law record.

10 MR. ABEAR: I have counted one question I have  
11 asked so far that Mr. Moriarty hasn't objected or  
12 interrupted me upon.

13 MR. MORIARTY: If my --

14 THE COURT: Well, I guess --

15 MR. MORIARTY: If my objections have been in bad  
16 faith, Judge, you have jurisdiction and authority to  
17 sanction me accordingly.

18 THE COURT: That objection is sustained.

19 BY MR. ABEAR:

20 Q. Mr. Gantine, you have lied to the Court in  
21 the past; haven't you?

22 MR. MORIARTY: Objection, no foundation.

23 MR. ABEAR: Voracity --

24 That's a yes or no.



1 THE COURT: The objection --

2 MR. ABEAR: Voracity --

3 THE COURT: The objection to foundation is  
4 sustained.

5 MR. ABEAR: That's simply a question; yes or no,  
6 sir.

7 I'll lay the foundation.

8 THE COURT: No, the objection is sustained.

9 You have to lay the foundation then ask the  
10 question, not lay --

11 MR. MORIARTY: It's argumentative, as well.

12 Lying is a conclusion.

13 THE COURT: The objection was sustained.

14 BY MR. ABEAR:

15 Q. Mr. Gantine, did you -- did you acknowledge  
16 to a DuPage County court, in April --

17 On April 10th of 2015, did you acknowledge to  
18 a judge that you were -- that you had been less than  
19 truthful with the court down in Florida?

20 MR. MORIARTY: Judge, April 10, 2015, is ten  
21 days --

22 This is again a re-litigation. Let's throw  
23 some slime --

24 MR. ABEAR: No, sir.

1 MR. MORIARTY: -- at the courthouse --

2 MR. ABEAR: No, sir.

3 MR. MORIARTY: -- about my client.

4 April 10, 2015, he's relitigating --

5 THE COURT: Okay. I don't -- first of all, I  
6 don't understand the question.

7 MR. MORIARTY: Okay.

8 MR. ABEAR: Voracity is always at issue.

9 THE COURT: What is your question to him?

10 MR. ABEAR: Does he admit that -- not only that he  
11 to the court, down in Florida; but also he admitted up  
12 here in DuPage that he had been caught lying to the  
13 court down in --

14 THE COURT: Okay, and when, allegedly, he made  
15 this statement that he had lied to the court in  
16 Florida, was it during a judicial proceeding?

17 Was it during a trial?

18 MR. ABEAR: I believe it was, yes.

19 THE COURT: Well then, did that trial result in  
20 some decision?

21 MR. ABEAR: It did. That was actually --

22 THE COURT: Then whatever that was, if you didn't  
23 impeach him then, you can't impeach him now.

24 Whatever happened in that case and whatever

1 he admitted to or didn't is res -- is now res judicata  
2 and is not going to be raised again, especially since  
3 it has nothing at all to do with your motion.

4 MR. ABEAR: Judge --

5 THE COURT: That objection is sustained.

6 MR. ABEAR: Judge, I'm going to make a statement,  
7 for purposes of preserving the record on appeal.

8 It is my position that the -- that the  
9 voracity and truthfulness or lack of truthfulness of a  
10 witness is always relevant, and whether or not -- and  
11 especially if the -- if the witness has testified in  
12 court that he actually acknowledges being less than  
13 truthful under oath and before the court.

14 THE COURT: Are you done making your record?

15 MR. ABEAR: Thank you.

16 THE COURT: Next question.

17 BY MR. ABEAR:

18 Q. Did you ever meet with Dr. Goldstein in  
19 person?

20 A. Meets over the phone.

21 Q. Sir, my question is: Did you ever meet with  
22 Dr. Goldstein in person?

23 A. No. We spoke on the phone.

24 MR. ABEAR: I'd ask that the second part of his

1 answer be stricken.

2 BY MR. ABEAR:

3 Q. The answer is no; is that correct, sir?

4 THE COURT: Sir, his answer is what his answer --  
5 what he just said. That's his answer, and it will not  
6 be stricken.

7 Next question.

8 BY MR. ABEAR:

9 Q. Did you begin reunification therapy with  
10 anybody in Florida?

11 MR. MORIARTY: Same objection.

12 Again, he's trying to create obligations that  
13 did not -- that were --

14 THE COURT: Mr. Abear, was there a court order  
15 requiring this gentleman to begin reunification therapy  
16 in Florida?

17 MR. ABEAR: Yes.

18 THE COURT: Okay. Mr. Moriarty, was there?

19 MR. MORIARTY: Originally, yes, and then with her  
20 attorney's present -- and if you give me a moment --  
21 and again, I don't think Mr. Kenny --

22 Mr. Kenny was prevailed upon by Ms. Longwell,  
23 Ms. Watts' attorney, to make a single unifier, who  
24 became Dr. Goldstein; but if you'd like, Judge, I have

1 DUCS up. I'll pull the order from afterwards, but we  
2 were only dealing with Dr. Goldstein.

3 Perhaps Mr. Kenny can be --

4 THE COURT: Well, okay. You are telling me that  
5 he's asking him to testify to an obligation that didn't  
6 exist?

7 MR. MORIARTY: Correct.

8 THE COURT: Okay. Well, show me the order then.

9 MR. MORIARTY: Very well.

10 THE COURT: Okay.

11 MR. ABEAR: Okay.

12 THE COURT: Do you need a minute.

13 MR. MORIARTY: I do, but I'm -- I'm hot on its  
14 trail but if you --

15 THE COURT: Okay, five minutes.

16 (A short recess was had.)

17 THE DEPUTY: Remain seated, come to order, court  
18 is again in session.

19 MR. MORIARTY: Judge, I can't -- I find various  
20 orders that talk about the parties contact with  
21 Dr. Goldstein but nothing specific on point.

22 THE COURT: Okay. So he can answer the question.

23 The objection is overruled.

24 If you find it later on, let me know. I'll

1 strike his testimony.

2 MR. MORIARTY: Okay.

3 THE COURT: Go ahead, sir, and answer the  
4 question: Did you seek any reunification therapy in  
5 Florida?

6 THE WITNESS: My understanding was to work with  
7 Goldstein and Mr. Kenny; that's all I did then.

8 BY MR. ABEAR:

9 Q. Sir, did you seek any reunification therapy?

10 A. My understanding was to work with Mr. Kenny  
11 and Goldstein, and that's what I did. I paid  
12 Mr. Goldstein \$750 to start --

13 MR. ABEAR: Objection, move to strike.

14 THE COURT: Sir, I understand that's how people  
15 talk.

16 The question was: Did you seek reunification  
17 therapy?

18 The answer is either, yes or no.

19 THE WITNESS: No.

20 THE COURT: Your lawyer will have the  
21 opportunity --

22 THE WITNESS: No.

23 THE COURT: -- to redirect you or clarify your  
24 statements.

1                   Okay. The answer is no.

2                   THE WITNESS: No.

3                   BY MR. ABEAR:

4                   Q.     Were you present in court on February 1,  
5                   2016?

6                   MR. MORIARTY: Stipulate he was not.

7                   MR. ABEAR: The stipulation is late in coming.

8                   I would like the answer asked -- answer,  
9                   please.

10                  I would like the question answered, please.

11                  THE COURT: You may answer the question, sir.

12                  THE WITNESS: No.

13                  BY MR. ABEAR:

14                  Q.     Were you in the State of Illinois, in  
15                  February of -- February 1st of 2016?

16                  MR. MORIARTY: I may -- how is that relevant,  
17                  Judge, based upon the prior testimony?

18                  THE COURT: Got me, but --

19                  THE WITNESS: I don't -- I don't remember.

20                  THE COURT: I mean, one thing about this is the  
21                  relevance -- relevance left a long time ago.

22                  So yeah, sure, go ahead.

23                  Were you in the State of Illinois, sir?

24                  THE WITNESS: I don't remember now, no.

1 THE COURT: Okay. He doesn't remember.

2 BY MR. ABEAR:

3 Q. Did you present any evidence to the Court,  
4 through your counsel, on February 1, 2016, as to  
5 your --

6 MR. MORIARTY: Objection, argumentative and  
7 irrelevant.

8 THE COURT: That's argumentative; that's  
9 sustained.

10 BY MR. ABEAR:

11 Q. What evidence did you present, through your  
12 counsel on February 1, 2016, on your presentation of  
13 your petition for modification of allocation?

14 MR. MORIARTY: Objection, argumentative,  
15 irrelevant.

16 The common law record is replete. I mean,  
17 it's --

18 THE COURT: And the objection is sustained.

19 MR. MORIARTY: Yeah. The common law record will  
20 suggest that there was a mittimus for contempt.

21 THE COURT: The objection was sustained.

22 MR. MORIARTY: Thank you.

23 BY MR. ABEAR:

24 Q. What evidence did you present on February 29,



1 2016, through your counsel, for the basis for a change  
2 or a modification for the parenting time?

3 MR. MORIARTY: Same objection and --

4 THE COURT: Sustained.

5 MR. MORIARTY: To the extent that he said  
6 February 1st --

7 THE COURT: It's sustained.

8 MR. MORIARTY: Okay. Very good.

9 BY MR. ABEAR:

10 Q. Sir, were you even in court in DuPage County,  
11 on February 29th, in 2016?

12 That's a yes or no, sir.

13 A. No.

14 Q. As of -- when did you first --  
15 Strike.

16 When did you first see your child, Jacob,  
17 when he was found in Washington -- the State of  
18 Washington?

19 When was the first time?

20 MR. MORIARTY: Objection, relevance.

21 THE COURT: Sustained.

22 He was found in Washington, long after these  
23 two orders were entered; wasn't he?

24 MR. MORIARTY: Yes. About a year, almost.

1 THE COURT: That's what I --

2 MR. ABEAR: 11 months, sir.

3 THE COURT: That's what I thought.

4 Mr. Abear, you know, I'm running out of  
5 patience.

6 You are -- you have, so far, not presented  
7 anything remotely relevant to the petition that's  
8 before the Court.

9 You are asking questions that are completely  
10 irrelevant.

11 Do you have anything to ask this gentleman  
12 that's relevant to your motion because if you don't,  
13 I'm going to excuse the witness?

14 MR. ABEAR: Judge, the statement that you make  
15 that I -- that I don't have any questions --

16 THE COURT: You aren't answering my question,  
17 Mr. Abear.

18 Are you going to -- do you want to ask him  
19 something that's relevant in some way to your  
20 petition --

21 MR. ABEAR: I've been --

22 THE COURT: -- or not?

23 MR. ABEAR: I've been trying, sir.

24 Let me -- let me try with another question,

1 sir.

2 THE COURT: Go ahead. Try another question.

3 BY MR. ABEAR:

4 Q. To the best of your knowledge, did anybody  
5 tell Judge Else -- this Judge, how much time had lapsed  
6 between the presentment -- the presentation of your  
7 motion in February --

8 THE COURT: Okay. That's --

9 Are you going to object to that?

10 MR. MORIARTY: Relevance.

11 THE COURT: Yeah, okay.

12 I'm going to sustain the objection, and I'm  
13 out of patience.

14 Is there anything --

15 You are done with your examination.

16 Is there anything you want to ask him?

17 MR. MORIARTY: No.

18 THE COURT: The witness is excused.

19 Have a nice trip.

20 THE WITNESS: Thank you, Your Honor.

21 (Witness excused.)

22 MR. ABEAR: He's excused from court?

23 THE COURT: He sure is, absolutely. The witness  
24 is excused.

1                   Yep, he's excused. He's done, yep.

2           MR. ABEAR: That's over my objection, sir.

3           THE COURT: Over your objection.

4                   Anything else?

5           MR. ABEAR: I --

6           THE COURT: You can go back to her, if you want  
7 to.

8           MR. ABEAR: I will, yes, sir.

9           THE COURT: Okay. Ma'am, you may retake the  
10 stand.

11                   You continue to be under oath, ma'am.

12                   Go ahead, Mr. Abear.

13                                   MICHELLE WATTS,

14 the petitioner herein, called as a witness on her own  
15 behalf, having been previously duly sworn, was examined  
16 and testified further as follows:

17                                   DIRECT EXAMINATION

18   (Resumed)

19 BY MR. ABEAR:

20           Q.     Michelle, I was asking you questions, and you  
21 gave -- you gave an answer.

22                   Let me jog your memory and direct counsel as  
23 to your last questions.

24                   Some of the -- you gave an answer that

1 included information that you said you were receiving  
2 calls, and I asked you how did you know it was Mr. --

3 You said it was Mr. Gantine; and I said, how  
4 did you know it was Mr. Gantine?

5 I don't recall that you finished your answer.

6 MR. MORIARTY: Judge, I don't believe any  
7 foundation was established.

8 THE COURT: Actually, she did finish her answer,  
9 but I'll let -- I'll re-answer -- I'll let her answer  
10 it again.

11 Go ahead.

12 THE WITNESS: Can you repeat that, please?

13 BY MR. ABEAR:

14 Q. How did you know that it was Michael that was  
15 calling you?

16 A. He had told me before in the past that he had  
17 the capability of doing that.

18 Q. Doing what?

19 MR. MORIARTY: Object to the narrative.

20 I mean, when you say, "in the past," there is  
21 no time or place, so --

22 THE COURT: What she's saying really is that she  
23 doesn't know whether it was him or not; that's what  
24 she's testifying to.

1                   Your objection is overruled.

2       BY MR. ABEAR:

3                   Q.     Did he tell you that he was spoof calling  
4     you?

5                   MR. MORIARTY:  Objection.

6                   A time and place is needed on that question,  
7     though.

8                   THE COURT:  Okay.  There is no foundation.

9                   Sustained.

10       BY MR. ABEAR:

11                  Q.     As to spoofing, did you and Michael have a  
12     conversation?

13                  A.     Yes.

14                  Q.     Was it in person?

15                         First off, was it on one occasion or more  
16     than one occasion?

17                  A.     One occasion, that I can recall.

18                  Q.     Do you recall if it was in person or over the  
19     telephone?

20                  A.     Over the telephone.

21                  Q.     Do you recall when that was?

22                  A.     Well --

23                  Q.     It doesn't have to be an exact date.  It has  
24     to be a approximate.

1 A. It was prior to the birth of my son.

2 Q. Prior to the birth, okay.

3 MR. MORIARTY: And I'm going to lodge a relevancy  
4 objection, Judge.

5 THE COURT: That's most definitely sustained.

6 BY MR. ABEAR:

7 Q. Had you been -- so at the -- at the time --  
8 so since Judge Douglas entered his order, and prior to  
9 you leaving for Washington, had you been receiving  
10 similar spoof calls?

11 A. I'm sorry. Can you repeat that?

12 THE COURT: Similar to what?

13 MR. ABEAR: I'll rephrase.

14 Let me withdraw.

15 BY MR. ABEAR:

16 Q. What's a -- what's a spoof call?

17 When you use the word, "spoof" call, what  
18 does that mean?

19 A. I got that word when I went to the police  
20 station. They said that's when someone can manipulate  
21 the caller i.d., so it looks like a different telephone  
22 number.

23 Q. From the time that Judge Douglas entered his  
24 order in April of 2015, until November of 2015, had you

1       been receiving spoofed calls?

2           A.     Yes.

3           Q.     How often?

4           A.     I don't recall the exact amount of time, but  
5 sometimes, there were multiple times in one day. Some  
6 weeks, it was every day.

7                   I don't recall exactly, but it was --

8           Q.     Did you --

9           A.     -- quite frequent.

10          Q.     Did you have reason to suspect that the  
11 caller i.d. that was being presented was not actual and  
12 truthful?

13          MR. MORIARTY:  Objection, calls for speculation,  
14 "reason to suspect."

15          THE COURT:  Well, I guess she's going to say what  
16 her reason was, so that's overruled.

17          THE WITNESS:  My reason was is because this is  
18 behavior that he's done in the past.

19       BY MR. ABEAR:

20          Q.     He, Michael?

21          MR. MORIARTY:  Objection.

22          THE WITNESS:  And --

23          MR. MORIARTY:  When she says, "done in the past,"  
24 we don't have that in evidence.



1           THE COURT: I'm just so astonished at what I'm  
2 hearing.

3           She's testified that she received what has  
4 been colloquially -- colloquially described as spoof  
5 calls, which she is unable to identify as coming from  
6 this gentleman; however, her subsequent testimony is  
7 that she believes that those are from him because in  
8 the past he made similar calls.

9           Is that a fair representation of what I just  
10 heard?

11          MR. ABEAR: Not entirely, sir, because --

12          THE COURT: Well, what am I missing?

13          MR. ABEAR: There's been a -- there's been a  
14 judicial finding that the past spoof calls, by a  
15 preponderance of the evidence, was found to be Michael,  
16 calling and harassing Ms. --

17          THE COURT: And when was this judicial finding?

18          MR. MORIARTY: 2012.

19          MR. ABEAR: By --

20          THE COURT: In 2012.

21          MR. ABEAR: That's correct, and he was doing it  
22 then, and he continued doing it in '14, '15, and  
23 thereafter.

24          THE COURT: Okay. So for what it's worth, I guess

1 her testimony is that for whatever reason, she  
2 believed, in her mind, that those came from him. Okay.

3 The objection is overruled; that's what she  
4 thought.

5 BY MR. ABEAR:

6 Q. You also identified, ma'am, in your answer  
7 that there have been false filings by Michael?

8 MR. MORIARTY: Objection.

9 BY MR. ABEAR:

10 Q. Is that correct?

11 MR. MORIARTY: Leading.

12 MR. ABEAR: No, it's a transition.

13 I'm directing her to her --

14 MR. MORIARTY: It's suggesting the answer in the  
15 question.

16 MR. ABEAR: No, no, Judge.

17 I'm giving her -- I'm directing her to the  
18 answer to which she already gave.

19 THE COURT: I honestly didn't hear the whole  
20 question because Mr. Moriarty objected too fast.

21 What was the question?

22 MR. ABEAR: You testified before as to false  
23 filings by -- by Michael. That was her answer before.  
24 I'm going to do a follow up --

1 THE COURT: Okay. She testified --

2 MR. ABEAR: -- on that.

3 THE COURT: Right. She's testified that there had  
4 been false filings made by Michael, and that was part  
5 of her motivation for fleeing the State of Illinois,  
6 without leave of court.

7 Yes, she did testify to that. Uh-huh, I got  
8 it.

9 BY MR. ABEAR:

10 Q. Can you tell --

11 THE COURT: Go ahead.

12 So yeah, she testified to that.

13 BY MR. ABEAR:

14 Q. Can you tell us what you mean by false  
15 filings?

16 MR. MORIARTY: Objection, no foundation.

17 MR. ABEAR: Well, actually, my question is a  
18 foundational question.

19 THE COURT: Overruled.

20 BY MR. ABEAR:

21 Q. What do you mean by false filing; what does  
22 that mean?

23 A. The three incidents, it was to take custody  
24 from me.

1 Q. Okay. Let's talk about those three  
2 incidents.

3 THE COURT: Okay. Wait a minute. Before we start  
4 calling these pleadings false, was there ever a finding  
5 made by a court that these filings were made in --

6 MR. ABEAR: Yes.

7 THE COURT: -- bad faith?

8 MR. ABEAR: Yes.

9 THE COURT: They were?

10 MR. ABEAR: Yes.

11 MR. MORIARTY: I'm not familiar with it, but --

12 MR. ABEAR: Yes.

13 MR. MORIARTY: -- I don't know the timeframe.

14 MR. ABEAR: Yes, they were.

15 THE COURT: There was an order entered by a court?

16 MR. ABEAR: Yes.

17 THE COURT: Okay. Good. Well then, you can  
18 proceed with it, but I want to see a copy of the order,  
19 where those pleadings were found to be made in bad  
20 faith.

21 MR. ABEAR: And Judge, the -- I will tell the  
22 Court that I -- it's from the --

23 THE COURT: You are going to show me those orders;  
24 right, Mr. Abear?

1 MR. ABEAR: I'm going to show you what I have,  
2 sir, and it's proof that Mr. Gantine --

3 THE COURT: No, that's not what I said.

4 I asked you if there had been a finding by a  
5 court that those filings were made in bad faith, or  
6 that they were false pleadings.

7 And you said, yes, yes, that did happen.

8 MR. ABEAR: Mr. Gantine admitted to it. I have  
9 his testimony both in Florida and in --

10 THE COURT: I don't care if Mr. Gantine --

11 That's not what I asked you. I asked you if  
12 there had been a finding made by a court.

13 Do you understand the difference, Mr. Abear?

14 MR. ABEAR: I do, sir.

15 THE COURT: Was there a finding made by a court  
16 that the referenced pleadings were either false or  
17 filed in bad faith?

18 Was there, or was there not?

19 That's a yes or no.

20 MR. ABEAR: I will answer to the best of my  
21 ability, sir.

22 Mr. Gantine --

23 MR. MORIARTY: Judge --

24 MR. ABEAR: If I can finish, please?

1 MR. MORIARTY: -- it's not for Mr. Abear --

2 MR. ABEAR: If I can finish --

3 MR. MORIARTY: -- to testify. If he has a court  
4 order give it to him.

5 MR. ABEAR: If I can finish?

6 THE COURT: You are not -- you are not letting him  
7 answer.

8 MR. MORIARTY: Okay.

9 MR. ABEAR: Mr. Gantine, by his own words and  
10 admission, acknowledged that he was -- that he gave  
11 false information down in Florida, on a pick up  
12 order --

13 THE COURT: Which we've already covered, which was  
14 part of litigation that took place before another  
15 court; right?

16 MR. ABEAR: That's correct, sir, but that's  
17 also part of her --

18 THE COURT: The objection -- the objection is  
19 sustained.

20 Next question.

21 BY MR. ABEAR:

22 Q. You said there was a third time in Illinois,  
23 in which Michael went in and asked to change custody;  
24 is that correct?

1 A. Correct.

2 Q. And when was that?

3 A. September of 2015.

4 There was a motion filed by his attorney.

5 MR. MORIARTY: Judge, I'd ask you to take judicial  
6 notice of the common law record of this docketed case,  
7 that there is no motion for change of custody.

8 There is a petition for rule to show cause  
9 against her, for failing to cooperate with  
10 Dr. Goldstein, but there is -- I mean --

11 THE WITNESS: Correct. In that motion, it states  
12 that -- requests for a change of custody, in that  
13 motion.

14 MR. ABEAR: And actually, Judge, if you read  
15 Mr. Moriarty's motion, previously filed and --

16 THE COURT: Okay. Mr. Moriarty, that was a  
17 comment. That wasn't an objection.

18 If you have something to say, confine it to  
19 objections. If there is no objection, she -- she can  
20 answer the question.

21 There was a petition -- I guess, the answer  
22 is: There was a petition for rule to show cause filed,  
23 and part of the relief sought in that petition for rule  
24 to show cause was a change of custody; right?

1 THE WITNESS: Yes.

2 THE COURT: Is that right?

3 THE WITNESS: Yes, Your Honor.

4 THE COURT: Okay.

5 MR. MORIARTY: I would ask that the Court -- the  
6 pleadings stand on its own because it -- it didn't say  
7 that, but -- but --

8 THE COURT: Well, for what it's worth.

9 MR. MORIARTY: Okay.

10 THE COURT: There you go.

11 Go ahead.

12 BY MR. ABEAR:

13 Q. Michelle, in November of 2015, you identified  
14 that you -- that you left Illinois; yes?

15 A. Correct.

16 Q. Okay. Was it because you were simply trying  
17 to --

18 Why -- why was it?

19 Was it because you were afraid of losing  
20 custody, or was it for some other reason?

21 MR. ABEAR: I'm following up, sir, on the last  
22 question asked.

23 MR. MORIARTY: She's -- she's already given her  
24 reasons.



1 THE WITNESS: It --

2 BY MR. ABEAR:

3 Q. Why did you live?

4 MR. MORIARTY: I thought that's asked and  
5 answered, but --

6 THE WITNESS: It was everything. It was  
7 everything from the past had repeated itself, and to  
8 have Jacob go through that again, I just couldn't bear  
9 it, and I realize now that --

10 MR. MORIARTY: Object, to the narrative.

11 THE COURT: Overruled.

12 THE WITNESS: It was not the best decision, and I  
13 should have went about it a different way I panicked.  
14 I mean, it's just being a parent.

15 BY MR. ABEAR:

16 Q. When you say that you -- when you say that  
17 you panicked, what do you mean?

18 A. I left. I should have filed things; but to  
19 be frank, I have been litigating pretty much since --

20 MR. MORIARTY: Object to the narrative, Judge.

21 THE WITNESS: -- he was nine months old.

22 THE COURT: Overruled.

23 THE WITNESS: And it's expensive, and I was  
24 running out of money.

1 BY MR. ABEAR:

2 Q. Did you receive -- did Mr. Moriarty send you  
3 a copy of his motion filed January 25, 2016, prior to  
4 January 25, 2016?

5 A. No.

6 Q. Did you ever -- did you receive it before the  
7 court date of February 1 of 2016?

8 A. No.

9 Q. Did you -- did you receive notice of the  
10 court date, of the presentation of the petition for  
11 change of allocation of parenting time -- the  
12 presentation date of February 1, 2016?

13 A. No.

14 Q. Did you receive a copy of the order that was  
15 entered on that presentation date that transferred  
16 custody on a temporary basis from you to Michael?

17 A. No.

18 Q. Did you receive a copy of -- did you ever  
19 receive a copy of a petition for relocation?

20 A. Petition for --

21 No.

22 Q. Okay. To your knowledge has Michael ever  
23 filed a petition for relocation?

24 MR. MORIARTY: Objection, argumentative.

1 MR. ABEAR: It's not argumentative, Judge. I can  
2 ask a question --

3 MR. MORIARTY: But Judge --

4 MR. ABEAR: -- as to whether or not she's aware if  
5 he's ever asked -- filed a motion for relocation.

6 THE COURT: No, your -- your question was: Is she  
7 aware of whether or not he has filed a motion for  
8 relocation.

9 MR. ABEAR: I stand corrected; that is my  
10 question.

11 THE COURT: Okay. Your objection is overruled.

12 THE WITNESS: No.

13 BY MR. ABEAR:

14 Q. Did you receive prior notice of the  
15 February 29, 2016, court date?

16 A. No.

17 MR. MORIARTY: Objection, asked and answered.

18 THE COURT: That's asked and answered, overruled.

19 BY MR. ABEAR:

20 Q. Were you present in court on February 29,  
21 2016, when the Court transferred possession --  
22 possession of your child, from you to Michael, on a  
23 then -- at least from then going forward, on a  
24 permanent basis?

1 A. No.

2 Q. Are you familiar with motions or petitions to  
3 relocate?

4 MR. MORIARTY: Objection.

5 THE COURT: Sustained.

6 MR. MORIARTY: Competence.

7 THE COURT: Sustained.

8 BY MR. ABEAR:

9 Q. Did Michael ever present to you, 60 days  
10 prior to the February 1, 2016 date, a -- a request to  
11 transfer jurisdiction -- I'm sorry, transfer --  
12 relocate?

13 A. No.

14 MR. MORIARTY: Objection, Judge. It's  
15 argumentative.

16 THE COURT: Oh, no. It's overruled. I'm dying to  
17 hear the cross on this one.

18 Go ahead.

19 BY MR. ABEAR:

20 Q. Did he ever -- so did he ever give you -- I  
21 asked you first, did he ever --

22 I'm sorry, let me rephrase.

23 Did Michael ever give you a proposal for  
24 relocation 60 days prior to him relocating?

1 MR. MORIARTY: Objection, relevance.

2 THE COURT: Overruled.

3 BY MR. ABEAR:

4 Q. Did Michael ever give to you a proposed plan  
5 that was less than 60 days, for his relocation?

6 MR. MORIARTY: Did she -- did she answer the last  
7 question?

8 MR. ABEAR: Excuse me.

9 MR. MORIARTY: I didn't think it was answered.

10 MR. ABEAR: Excuse me. Can I finish my question,  
11 please?

12 MR. MORIARTY: He started a new question without  
13 an answer to the one that you objected -- that you  
14 overruled.

15 THE COURT: That's okay.

16 MR. MORIARTY: Okay.

17 THE COURT: The objection was overruled.

18 You can ask this question.

19 BY MR. ABEAR:

20 Q. Did Michael give you a plan for proposed  
21 relocation less than 60 days?

22 A. No.

23 Q. As you sit here today, have you receive a  
24 petition for relocation, filed by Michael Gantine?

1 A. No.

2 Q. Ma'am, are you a flight risk?

3 MR. MORIARTY: Object, irrelevant, argumentative,  
4 leading.

5 THE COURT: Conclusion.

6 Sustained.

7 BY MR. ABEAR:

8 Q. Were you given -- were you given --

9 So after Jacob was taken by the police, in  
10 January of 2017, did you ever have extended visitation  
11 with Jacob?

12 A. Yes.

13 Q. On more than one occasion?

14 A. Yes.

15 Q. Can you tell me the dates, please?

16 MR. MORIARTY: Objection.

17 Judge, you said earlier that anything that  
18 happened after the court order --

19 THE COURT: That's right.

20 Sustained. This has nothing to do with your  
21 petition. None of this has anything to do with your  
22 petition.

23 I haven't heard anything so far that has  
24 anything to do with your petition, other than why she

1 filed, which wasn't very credible.

2 BY MR. ABEAR:

3 Q. Ma'am, do you have a defense as to why this  
4 motion should not have been granted?

5 MR. MORIARTY: Objection, Judge.

6 THE COURT: Sustained.

7 BY MR. ABEAR:

8 Q. Michelle, did you file your motion to vacate  
9 the -- pursuant to 2-1401, in less than 30 days after  
10 the entry of the order -- after the entry of the  
11 transfer order, giving Michael possession, and that's  
12 after the January 27, 2017, pick up.

13 Did you file your motion?

14 A. Yes.

15 Q. Did you file an amended motion, with leave of  
16 court?

17 A. Yes.

18 Q. At what point -- at one point, you withdrew  
19 your amended motion, though; is that correct?

20 MR. MORIARTY: Objection, relevance.

21 This is all spread of the common law record.  
22 What does this speak to?

23 THE COURT: Overruled.

24

1 BY MR. ABEAR:

2 Q. At one point, you withdrew your motion --

3 A. Yes.

4 Q. -- is that correct?

5 Why is that?

6 A. My counsel advised me to, due to proceedings  
7 in Florida; and there was a court order that stated  
8 that I was not -- that Jacob was not allowed to be in  
9 the State of Florida, and also the order gave me  
10 custody of Jacob.

11 Q. In Florida?

12 A. Yes.

13 Q. You under --

14 THE COURT: Which was vacated.

15 MR. ABEAR: I'm actually getting there, Judge.

16 THE COURT: Oh, okay.

17 MR. MORIARTY: But Judge, why -- why use this  
18 witness to establish these things that are already of  
19 record?

20 THE COURT: None of this is relevant at all. This  
21 is all things that happened subsequent to the date of  
22 the orders that you are attempting to vacate.

23 Now, you want -- now, you want her to talk  
24 about what happened in Florida, and the court's finding



1 in that case, after this Court had a UCCJEA conference  
2 with the judge in that state; that has nothing to do  
3 with your motion.

4 MR. ABEAR: I think, you're --

5 THE COURT: Nothing, zero.

6 No, it doesn't.

7 MR. ABEAR: Judge --

8 THE COURT: Nothing to do with it.

9 MR. ABEAR: Judge, the purpose for which I was  
10 identifying this and identifying the dates is to  
11 identify, for the record, that this amended motion to  
12 vacate is properly before the Court; that it was -- it  
13 was filed within a period -- a proper period of time.

14 THE COURT: Okay. I'll tell you what.

15 MR. ABEAR: There was an amended --

16 THE COURT: It's properly before the Court; that's  
17 why we're sitting here doing this. Okay. It's  
18 properly before the Court. We're hearing the motion.

19 Okay. Ask another question.

20 MR. ABEAR: Well, Judge, according to what the  
21 Court has now said, I can't -- it's improper and  
22 irrelevant for me to ask questions anything after the  
23 February 2016 orders; but likewise, you said everything  
24 that happened before the February 2016 orders are

1 likewise irrelevant.

2 With all due respect, that doesn't give me a  
3 whole lot of opportunity or --

4 THE COURT: I guess, it doesn't. I guess, you  
5 would have to confine yourself to something that's  
6 relevant to the motion before the Court.

7 That's right. It's a narrow issue. Proceed.

8 MR. ABEAR: Judge, can I take a -- how about three  
9 minutes, please?

10 THE COURT: Sure. But your --

11 Yeah, sure. Okay, that's fine.

12 MR. ABEAR: Thank you.

13 THE COURT: He doesn't have to stick around.

14 MR. MORIARTY: Okay.

15 THE COURT: I mean, he can -- it's up to him. I'm  
16 just saying.

17 MR. MORIARTY: Thank you.

18 (A short recess was had.)

19 THE COURT: Ma'am, you have been previously sworn.

20 Proceed, Mr. Abear.

21 MR. ABEAR: You know, let me ask just a couple  
22 more questions.

23 THE COURT: Go ahead.

24

1 BY MR. ABEAR:

2 Q. Did you ever have an opportunity to file a  
3 response to Michael Gantine's motion for change of --  
4 I'm going to call it change of custody -- for  
5 reallocation of parenting time?

6 MR. MORIARTY: Objection.

7 THE COURT: Overruled.

8 BY MR. ABEAR:

9 Q. Did you ever get a chance to file a response?

10 A. Which -- which motion?

11 Q. So the motion -- so the motion filed  
12 January 25, 2016?

13 A. No.

14 Q. Other than the few minutes this afternoon,  
15 have you ever been given an opportunity to explain what  
16 was going on and why you did what you did?

17 MR. MORIARTY: Objection, relevance.

18 THE WITNESS: No.

19 THE COURT: Overruled.

20 MR. ABEAR: No further questions.

21 THE COURT: Cross.

22 MR. MORIARTY: Cross.

23 CROSS EXAMINATION

24

1 BY MR. MORIARTY:

2 Q. Ms. Watts, you filed a bunch of pleadings  
3 down in -- in Washington State; did you not?

4 A. Yes.

5 Q. Okay, and I'm going to show you --

6 MR. ABEAR: Objection, relevance.

7 THE COURT: Overruled.

8 BY MR. MORIARTY:

9 Q. I'm going to show you a document that was  
10 incorporated in my motion to dismiss the petition that  
11 the court denied. It's entitled, Declaration of  
12 Michelle Watts.

13 Do you see that; do you recognize that?

14 And I'm going to direct your attention to the  
15 last page of that declaration.

16 Is that your signature?

17 A. Yes.

18 Q. And you -- and you put that under oath; is  
19 that correct?

20 A. Yes.

21 MR. ABEAR: Judge, I'm going to object --

22 BY MR. MORIARTY:

23 Q. Would it be fair --

24 MR. ABEAR: Excuse me, objection.

1           Could counsel either provide me a copy or  
2 allow me to read what he's present -- what he  
3 approached the witness with?

4           THE COURT: Yes, yes.

5           MR. ABEAR: Thank you.

6           THE COURT: And if you were going to ask me for  
7 leave to approach the witness, I would have said, yes.

8           MR. MORIARTY: I apologize, for my  
9 presumptuousness.

10          BY MR. MORIARTY:

11           Q.     When Mr. Abear just asked you a question as  
12 to when you -- that you hadn't been given an  
13 opportunity to explain why you fled, you explained why  
14 you fled in this declaration; didn't you?

15           A.     Oh, my apologies.

16           Q.     So the answer is yes?

17           A.     Yes.

18           Q.     Okay.

19           A.     Okay.

20           Q.     So this was an explanation.

21                    You testified in Florida, why you fled;  
22 correct?

23           A.     I don't recall. I know, I filed a petition.  
24 I didn't testify.

1           Q.     Okay, and then part of the petitions that  
2     you -- you filed in Florida courts, you told them why  
3     you fled?

4           A.     Honestly, I don't recall.

5           Q.     Okay. Now, with regards to this declaration,  
6     read Paragraph 37.

7           MR. ABEAR: Page, counsel, please.

8           MR. MORIARTY: 9 of 12.

9           MR. ABEAR: Judge, could I have a --

10          MR. MORIARTY: 37, please.

11          MR. ABEAR: Judge, could I have a moment, please?

12          THE COURT: Sure.

13          MR. ABEAR: What paragraph are you referring to,  
14     counsel?

15          MR. MORIARTY: 37.

16     BY MR. MORIARTY:

17           Q.     Ms. Watts, under oath, did you, in your  
18     declaration to the Washington courts say, quote, when I  
19     fled to Washington, I did not leave a forwarding  
20     address because it would be one more way for respondent  
21     to find us and continue the stalking, harassment, and  
22     kidnapping; correct?

23           A.     By manipulation of the legal system.

24           Q.     You -- you --

1 MR. ABEAR: Objection, Judge, that wasn't --

2 I'm sorry, objection.

3 I would ask counsel to read the entire  
4 paragraph. He cut it short.

5 THE COURT: Okay.

6 MR. ABEAR: Read the whole paragraph. It's only  
7 another sentence.

8 THE COURT: Counsel, counsel, allow the witness to  
9 read the entire sentence -- paragraph, into the record.

10 BY MR. MORIARTY:

11 Q. Read Paragraph 37, please, Ms. Watts.

12 A. When I fled to Washington, I did not leave a  
13 forwarding address because it would be one more way for  
14 respondent to find us and continue the stalking,  
15 harassing, and kidnapping by manipulation of the legal  
16 system.

17 Q. Okay. Read Paragraph 38.

18 MR. ABEAR: Hang on. She didn't finish.

19 THE WITNESS: My --

20 THE COURT: Well, she appeared to finish. She  
21 stopped reading.

22 MR. ABEAR: No.

23 THE WITNESS: Oh.

24 MR. ABEAR: No, there's a period, and then there

1 is one more -- there is one more sentence.

2 MR. MORIARTY: He's actually right.

3 BY MR. MORIARTY:

4 Q. So go ahead.

5 As a result --

6 THE COURT: Oh, okay. Well, I thought, she was  
7 done because she stopped.

8 THE WITNESS: I --

9 THE COURT: I guess, there's another sentence.

10 THE WITNESS: As a result, a PO box held all mail  
11 delivered.

12 BY MR. MORIARTY:

13 Q. Okay. Before I ask you to read Paragraph 38,  
14 the PO box, of which you were referencing, was the one  
15 in Lombard, Illinois; correct?

16 A. Uh-huh.

17 Q. And that's where the notices of these  
18 petitions, the one to change custody and so forth, were  
19 being sent; correct?

20 A. Yes, but we --

21 MR. MORIARTY: She answered the question.

22 THE COURT: You did, ma'am.

23 Anything after that, will be stricken.

24



1 BY MR. MORIARTY:

2 Q. Okay. Now, Paragraph 38, read that, for the  
3 Court?

4 A. My attorney in Illinois has in her possession  
5 an unopened envelope that was delivered directly from  
6 the PO box, which remains unopened as evidence to the  
7 court that I never received notice of the proceedings  
8 initiated by the respondent, after November of 2015.

9 Q. So -- so the notices were being sent to the  
10 PO box, but you weren't -- you weren't checking the PO  
11 box; correct?

12 A. I thought that the PO box -- I --

13 MR. MORIARTY: Objection.

14 Move to strike, nonresponsive.

15 MR. ABEAR: Let her answer the question.

16 THE COURT: Mr. Moriarty, your objection is  
17 overruled.

18 You asked the question. She can answer the  
19 question.

20 Go ahead.

21 THE WITNESS: I no longer paid for the PO box, so  
22 I didn't know that they were holding mail. We didn't  
23 find out until after Kate Sharp retained as an attorney  
24 in 2017.

1           She went to the -- to the UPS store and found  
2 out that they were holding the mail.

3 BY MR. MORIARTY:

4           Q.     Okay. Well, you -- you filed a declaration  
5 that the mail was being held in March of 2017; right?

6           A.     Based on what Kate Sharp had told us.

7           Q.     Okay. Well, this was your declaration, not  
8 Kate Sharp's; correct?

9           A.     Right.

10          Q.     So you adopted this statement.

11          Okay. Now, the notices were at the PO box;  
12 correct?

13          A.     We found out --

14          MR. ABEAR: Object.

15          THE WITNESS: -- in 2017. I didn't know.

16 BY MR. MORIARTY:

17          Q.     Okay.

18          MR. ABEAR: Withdraw my objection.

19 BY MR. MORIARTY:

20          Q.     You -- you planned your flight from Illinois  
21 well in advance of November of 2017; correct?

22          MR. ABEAR: Objection.

23          THE WITNESS: 2017?

24          THE COURT: Basis?

1 MR. MORIARTY: I'm sorry, 2015.

2 THE COURT: Wait. There's an objection.

3 MR. MORIARTY: I'll withdraw and rephrase.

4 THE COURT: Mr. Moriarty, back it down a little;  
5 okay?

6 MR. MORIARTY: My apologies. It's a --

7 THE COURT: I understand.

8 MR. MORIARTY: A natural --

9 THE COURT: Back it down a little bit.

10 Thank you.

11 Okay. What's the objection?

12 MR. ABEAR: He withdrew his question.

13 THE COURT: Okay. He withdrew his question.

14 Fine.

15 Next question.

16 BY MR. MORIARTY:

17 Q. In November -- you planned your flight from  
18 Illinois well in advance of November of 2015; correct?

19 A. Not well in advance.

20 Q. Okay. Well, one of the things that you did  
21 was to get a different birth certificate for Jacob;  
22 correct?

23 A. There was -- my family was involved in that.

24 MR. MORIARTY: Objection, Judge.

1                   Move to strike.

2                   THE COURT: Sustained.

3 BY MR. MORIARTY:

4                   Q.     Did you secure a different birth certificate  
5 for Jacob?

6                   A.     It wasn't just me.

7                   MR. MORIARTY: Objection.

8                   THE COURT: Ma'am, you are not answering the  
9 question.

10                  THE WITNESS: Yes, yes.

11                  THE COURT: And in --

12                         Okay. So the answer is yes, she got a  
13 different birth certificate for Jacob.

14 BY MR. MORIARTY:

15                  Q.     I'm going to show you what I've marked as  
16 Respondent's Exhibit No. 1, for identification, which  
17 purports to be an Indiana birth certificate -- I'm  
18 sorry, delayed registration of birth.

19                         And my first question, ma'am, have I  
20 identified the document correctly?

21                  A.     Yes.

22                  Q.     Is that your signature?

23                  MR. ABEAR: What line, counsel, is there a  
24 signature?

1 MR. MORIARTY: Hold on.

2 BY MR. MORIARTY:

3 Q. Did you -- did you provide the information  
4 for this?

5 MR. ABEAR: Objection, Judge. I'm going to --

6 This is hearsay. Unless counsel can show  
7 that she's adopted or signed it, I'm objecting to this.

8 THE COURT: Well, he hasn't gotten to that yet.  
9 He's asking her the foundational questions.

10 Overruled.

11 BY MR. MORIARTY:

12 Q. Did you sign this?

13 MR. ABEAR: Judge, can I ask counsel to direct me  
14 where I'm supposed to look for a signature?

15 MR. MORIARTY: It's -- it's -- I don't know that  
16 it does, but --

17 THE COURT: The question is: Did you sign it?

18 It's an easy question. She either signed it,  
19 or she didn't.

20 THE WITNESS: I did.

21 BY MR. MORIARTY:

22 Q. Okay, and --

23 THE COURT: Was that question, you did not sign  
24 it, ma'am?

1           You did not sign it, or you did sign it?

2           THE WITNESS: I did.

3           THE COURT: You did sign it; okay.

4           MR. MORIARTY: Okay.

5           THE COURT: She signed it.

6           BY MR. MORIARTY:

7           Q.     So -- and the name under which you  
8           represented as the mother was Lauren Ryan?

9                     Is that a yes?

10          A.     Correct.

11          Q.     Okay, and that's not your name; correct?

12          A.     It was.

13          Q.     Okay. Well, you're Michelle --

14          THE COURT: Ma'am, I didn't hear the answer.

15                     Your name was Lauren Ryan?

16          THE WITNESS: Yes, through a court order.

17          BY MR. MORIARTY:

18          Q.     Okay. Did you file a petition to change your  
19          name?

20          A.     Yes.

21          Q.     When did you do that?

22          A.     That was in the State of Washington.

23          Q.     After you fled?

24          A.     Yes.

1 Q. But wasn't this birth certificate for your  
2 son procured in October of 2015?

3 A. Yes.

4 Q. And it was procured under the name of Lauren  
5 Ryan?

6 Is that a yes?

7 A. Correct.

8 Q. You have to answer audibly, ma'am.

9 A. Yes.

10 Q. And you changed your social security number;  
11 correct?

12 A. I'm not going to answer that.

13 THE COURT: Mr. Abear, are you sure you want to  
14 keep going with this?

15 MR. ABEAR: Judge, the --

16 THE COURT: Mr. Abear, do you want to keep going  
17 with this?

18 MR. ABEAR: Let me object to relevance. I'm not  
19 sure --

20 THE COURT: Overruled. Go ahead.

21 MR. MORIARTY: I --

22 MR. ABEAR: I'm going to --

23 THE COURT: Ma'am, you have to answer the  
24 question. You have to answer the question that he just

1 proposed to you, unless your -- unless he comes up with  
2 a better objection than relevance.

3 I can think of one.

4 Have you got another objection?

5 MR. ABEAR: I'm taking suggestions, Judge.

6 THE COURT: Are you --

7 MR. ABEAR: Confidentiality.

8 THE COURT: Are you objecting on Fifth Amendment  
9 grounds?

10 MR. ABEAR: No, Judge. No, I'm --

11 THE COURT: Oh, okay.

12 MR. ABEAR: -- objecting on --

13 THE COURT: Okay. All right.

14 MR. ABEAR: Let me answer the Court, please.

15 THE COURT: No. You are not answering the Court.

16 MR. ABEAR: She --

17 THE COURT: Ma'am, you have to --

18 Sit down.

19 You can answer the question, ma'am.

20 You have to answer the question.

21 The question is: Did you change your social  
22 security number?

23 THE WITNESS: Yes.

24



1 BY MR. MORIARTY:

2 Q. Did you change Jacob's?

3 A. Yes.

4 Q. When did you do that?

5 A. It was in 2015.

6 Q. Okay. When, what month?

7 A. I don't recall.

8 Q. Was it -- it was before October?

9 A. I honestly don't recall.

10 Q. Okay. You changed Jacob's name?

11 A. Yes.

12 Q. Okay. Now, would you agree with me that  
13 Respondent's Exhibit No. 1 is a false document?

14 A. Yes.

15 Q. Okay, and you presented it to the school in  
16 Issaquah, Washington to register Jacob for school;  
17 correct?

18 A. Yes.

19 MR. ABEAR: Judge, I'm going to object.

20 Move to strike, on fifth grounds -- Fifth  
21 Amendment rights.

22 THE COURT: Well, it's a little late.

23 MR. ABEAR: I'm moving -- moving to strike, Judge.

24 THE COURT: You're a little late on that one. I

1 already gave you that option; and you said, no.

2 So that objection is overruled.

3 Let me ask you, again, Mr. Abear. Do you  
4 want to keep going with this?

5 MR. ABEAR: Yes. I do, sir, yes.

6 THE COURT: Great. No problem there.

7 Go ahead. Go ahead.

8 MR. ABEAR: Judge, to answer the Court's question,  
9 she changed the social security number with --

10 THE COURT: I'm not answering --

11 MR. ABEAR: -- the permission of the --

12 THE COURT: No, no.

13 MR. ABEAR: -- United States government.

14 THE COURT: No, no, no.

15 THE WITNESS: Thank you.

16 MR. ABEAR: It was not a criminal act.

17 THE COURT: Okay.

18 MR. ABEAR: It was with the permission of the  
19 United States federal government.

20 THE COURT: Okay. Go ahead.

21 BY MR. MORIARTY:

22 Q. Ms. Watts, I'm going to show what I've marked  
23 as Respondent's Exhibit No. 2, for identification.

24 MR. ABEAR: Is this my copy?

1 MR. MORIARTY: I'm looking for your copy now.

2 I'm going to show that to her, though. I'll  
3 keep looking for your copy.

4 BY MR. MORIARTY:

5 Q. Which purports to be a Wisconsin  
6 identification card; do you see that?

7 A. Uh-huh.

8 Q. Is that -- is that something that you  
9 procured in the State of Wisconsin?

10 A. Uh-huh.

11 THE COURT: Ma'am, is that a yes?

12 You have to answer audibly, with yeses --  
13 with words, rather than nods or shakes of the head or  
14 uh-huh or uh-uh; otherwise, it doesn't come out well in  
15 the recorded documents.

16 Do you understand that?

17 THE WITNESS: Yes.

18 THE COURT: Thank you, ma'am.

19 BY MR. MORIARTY:

20 Q. And you procured this --

21 What's the name that's blacked out on the  
22 i.d. card?

23 A. Lauren Ryan.

24 Q. Lauren Ryan; correct?

1 A. Yes.

2 Q. Okay, and would it be fair to say that you  
3 procured this Wisconsin i.d. before you fled to  
4 Washington?

5 A. Yes.

6 Q. Do you still have the declaration up there,  
7 Ms. Watts?

8 A. I do.

9 Q. Okay. Paragraph 34, would you read it,  
10 please, Page 8 of 12.

11 A. I changed my name when I moved here, and I  
12 enrolled JG under an alias, as advised by my attorney,  
13 in Will County.

14 Q. And that was your sworn testimony to the  
15 Washington courts; is that correct?

16 A. Uh-huh.

17 Q. And these were all measures that you  
18 undertook to avoid this Court and any further  
19 litigation in this case?

20 A. Not the Court.

21 Q. Okay.

22 A. I didn't know the Court --

23 Q. Okay. These were all measures that you took  
24 to prevent my client from ever seeing this child;

1 correct?

2 A. Correct.

3 Q. And --

4 A. But not the Court.

5 Q. Okay. From the time Judge Douglas entered  
6 the reunification order, in April of 2015, until the  
7 time that you flew -- fled, did you ever file any  
8 petitions about spoof calling?

9 A. No, I just told Mr. Kenny.

10 Q. Okay. So the answer is no?

11 A. No.

12 Q. Okay. Did you ever file anything with  
13 relation to any abuse?

14 A. No.

15 Q. Okay. You -- you had -- when you met with  
16 Dr. Goldstein, you reported these concerns that you  
17 were feeling about; right?

18 A. Right.

19 Q. Okay, and had you told --

20 MR. ABEAR: Judge, could I ask counsel to not yell  
21 at my client, please?

22 THE COURT: Can you just --

23 MR. MORIARTY: It is my fault, and I'll apologize  
24 to Mr. Abear.

1 THE COURT: I understand.

2 MR. MORIARTY: Okay.

3 THE COURT: You know, you are zealous in your  
4 representation; but if you could just, like, tone it  
5 down a couple of levels.

6 MR. MORIARTY: Regrettably, Judge, Mr. Abear, you  
7 are not the first one to tell me that. I do apologize.

8 THE COURT: I understand. If you could just  
9 please do that for the Court, I'd appreciate it.

10 BY MR. MORIARTY:

11 Q. At the time Michael filed the petition to  
12 start seeing Jacob, your position was he should never  
13 see him again; correct?

14 A. Without any intervention or proof that he had  
15 changed.

16 Q. Okay. So -- well, ma'am, I asked you the  
17 same question in April of 2015, and you said, correct,  
18 he should never see him again.

19 That was your attitude; right?

20 A. I don't think -- I don't recall what I said.

21 Q. Okay. But you -- you absent a change on him,  
22 as of April of 2015, you didn't think he should ever  
23 see your son again; correct?

24 A. I don't recall saying that.

1 Q. Okay. Well, what was your -- what was your  
2 attitude in April 2015?

3 MR. ABEAR: Objection.

4 THE WITNESS: That there needed to be --

5 THE COURT: Basis?

6 MR. ABEAR: Objection.

7 THE WITNESS: -- proof of a change.

8 MR. ABEAR: Hang on a second.

9 MR. MORIARTY: Okay.

10 MR. ABEAR: Objection.

11 THE COURT: Ma'am -- ma'am, when your lawyer makes  
12 an objection, you should stop talking and give me the  
13 opportunity to rule on your lawyer's objection because  
14 if you keep talking, it really doesn't matter whether  
15 he's objecting or not; okay?

16 THE WITNESS: Okay.

17 THE COURT: Okay. Thank you.

18 Your objection -- what's the basis of your  
19 objection?

20 MR. ABEAR: Two bases: Relevance, and also it's  
21 an improper impeachment.

22 THE COURT: Okay. Well, how is -- on the basis of  
23 relevance, it's overruled.

24 How is it an improper impeachment?

1 MR. ABEAR: She -- she hasn't said that she didn't  
2 make that statement. She -- so he -- Mr. --

3 THE COURT: He asked her --

4 MR. ABEAR: Mr. Moriarty, hasn't followed --

5 THE COURT: He asked her what was --

6 MR. ABEAR: -- the rules for --

7 THE COURT: The question was: What was --

8 The question was: What was your attitude,  
9 and you opened the door for that because you put on  
10 testimony, on direct examination, as to what her  
11 motivations were for fleeing the State of Illinois,  
12 without leave of court.

13 MR. ABEAR: I did, sir.

14 THE COURT: So you've opened -- you've opened that  
15 door. He's allowed to ask that question.

16 Go ahead. You may answer the question,  
17 ma'am.

18 THE WITNESS: Can you repeat?

19 BY MR. MORIARTY:

20 Q. Sure. As of April of 2015, it was still your  
21 view that Michael shouldn't see Jacob; correct?

22 MR. ABEAR: Objection, that was not her answer.

23 THE WITNESS: I --

24 THE COURT: Well, let's find out what her answer



1 is.

2 Ma'am, can you -- do you understand the  
3 question Mr. Moriarty just asked you?

4 THE WITNESS: My view?

5 THE COURT: Why don't you re -- you re-ask the  
6 question.

7 MR. MORIARTY: Okay.

8 THE COURT: And let's go ahead.

9 BY MR. MORIARTY:

10 Q. You felt, as of April of 2015, that Michael  
11 should never see Jacob again; correct?

12 A. I felt that there needed to be some proof or  
13 indication of a change.

14 Q. Okay.

15 A. And at that time, there had been no  
16 indication of a change.

17 Q. Well, how -- how did you know, one way or  
18 another?

19 A. Because there -- as far as I knew, there was  
20 no other information to tell me otherwise.

21 Q. So there wasn't any information, one way or  
22 another, so you concluded that there was no change; is  
23 that your position?

24 A. Yes.

1 Q. Okay.

2 A. Due to my history with him.

3 Q. And you were aware that Mr. Kenny went down  
4 to Florida?

5 A. Yes.

6 Q. You were aware that he -- that Michael has a  
7 family, has two other children?

8 A. He had a family during the time of the order  
9 of protection, as well.

10 Q. Okay, and --

11 A. There was no change.

12 Q. Okay. So you wanted him not to see him?

13 A. No. I didn't say that.

14 Q. Okay. Now, did you ever tell --

15 In reality, Dr. Goldstein was scheduling a  
16 meeting at the time that you fled, in November of 2015,  
17 to advise your son that another man was his father, as  
18 opposed to the man who he thought was his father; is  
19 that a fair statement.

20 MR. ABEAR: Objection, that's compound.

21 THE COURT: How is this relevant?

22 MR. MORIARTY: Goes back to the motive, Judge,  
23 because that's the point -- if you go back to the  
24 Goldstein affidavit, the point at which she fled is

1 when Goldstein had scheduled a meeting with Michael, to  
2 reveal to Jacob that mom had told Jacob that a  
3 different man, his entire life, was his father.

4 THE COURT: The objection is overruled.

5 BY MR. MORIARTY:

6 Q. That was the point that you cut off  
7 Dr. Goldstein; correct?

8 A. Can you repeat the question?

9 Q. Dr. Goldstein was going to have a meeting  
10 with Jacob and Michael; correct?

11 A. No. I think he was just going to have a  
12 meeting with me and Jacob.

13 Q. Okay, and he was going to reveal to Jacob  
14 that another man was his father?

15 MR. ABEAR: Objection.

16 BY MR. MORIARTY:

17 Q. Michael?

18 MR. ABEAR: That's speculation.

19 How is she supposed to know that?

20 THE COURT: How would she know?

21 MR. MORIARTY: Because she -- she testified  
22 earlier she interfaced Dr. Goldstein.

23 MR. ABEAR: No, no, no; that's not --

24 MR. MORIARTY: She was on the tip of answering the

1 question in the affirmative, when he objected.

2 MR. ABEAR: That's not the -- no, that's not the  
3 question.

4 THE COURT: The objection is overruled.

5 BY MR. MORIARTY:

6 Q. At the point that you fled, you were -- there  
7 was an appointment scheduled with you, Jacob,  
8 Dr. Goldstein; and it was going to be revealed to the  
9 boy, that this was his father; correct?

10 A. I'm not sure if he was going to reveal it,  
11 but he was going to talk to Jacob.

12 Q. About the fact that Jacob understood another  
13 man to be his father?

14 MR. ABEAR: Objection, asked and answered.

15 She said, she doesn't know. She said --

16 MR. MORIARTY: She didn't say that.

17 MR. ABEAR: She did. She just said that.

18 THE COURT: She did.

19 MR. ABEAR: She said that she was going --

20 THE COURT: She did.

21 MR. ABEAR: That he was going --

22 THE COURT: She did. She said, she wasn't sure  
23 what he was going to say.

24

1 BY MR. MORIARTY:

2 Q. Now, during the pendency --

3 Prior to November of 2015, you didn't tell  
4 anybody that Jacob believed another man was his father;  
5 correct?

6 MR. ABEAR: Objection, that's not relevant.

7 THE WITNESS: No, I did.

8 MR. ABEAR: Objection.

9 MR. MORIARTY: Okay.

10 THE COURT: The objection is sustained.

11 That's not relevant.

12 BY MR. MORIARTY:

13 Q. You canceled the last appointment with Jacob  
14 because you fled to Washington?

15 MR. ABEAR: Objection, Judge.

16 Could I have counsel --

17 THE COURT: That one's --

18 MR. ABEAR: -- not yell.

19 THE COURT: That one's overruled.

20 Tone it down.

21 You may answer the question.

22 BY MR. MORIARTY:

23 Q. You scheduled an appointment with  
24 Dr. Goldstein, then you canceled it because you fled to

1 Washington; correct?

2 A. One didn't have anything to do with the  
3 other.

4 Q. Well, there was a -- there was an appointment  
5 set, was there not, with Dr. Goldstein?

6 A. Yes.

7 Q. And you didn't attend that appointment;  
8 correct?

9 A. Yes.

10 Q. Because you fled to Washington; right?

11 A. Correct.

12 Q. And when you fled to Washington, did you just  
13 think we were all going to go home and no one was going  
14 to --

15 MR. ABEAR: Objection, that's argumentative.

16 THE COURT: That one -- that one's sustained.

17 MR. MORIARTY: Okay.

18 BY MR. MORIARTY:

19 Q. Ma'am, had the authorities in Washington  
20 never found you, you wouldn't have been back here;  
21 correct?

22 MR. ABEAR: Objection.

23 THE COURT: Overruled.

24 MR. ABEAR: How --

1 THE COURT: You know, I guess that --

2 I'm sorry. I'll reconsider that one. It's  
3 sustained.

4 THE WITNESS: I don't know --

5 THE COURT: Well, ma'am, I sustained the  
6 objection.

7 THE WITNESS: Oh.

8 THE COURT: You don't have to answer that.

9 BY MR. MORIARTY:

10 Q. When -- did you ever tell the authorities in  
11 Washington that you were in the witness protection  
12 program?

13 MR. ABEAR: Objection.

14 THE WITNESS: No.

15 THE COURT: Overruled.

16 THE WITNESS: No, I expressed to them what had  
17 happened with --

18 BY MR. MORIARTY:

19 Q. Okay. So when the responding officer says  
20 that you said you were in the witness protection  
21 program, you are saying -- are you saying --

22 MR. ABEAR: Objection.

23 BY MR. MORIARTY:

24 Q. -- that you never said that?

1 THE COURT: Overruled.

2 THE WITNESS: I think, they took it that way; but  
3 I don't recall using those --

4 BY MR. MORIARTY:

5 Q. Well, what did they take --

6 A. That --

7 Q. What did they misinterpret, Ms. Watts?

8 A. My mother was there. I --

9 MR. ABEAR: Objection.

10 THE COURT: Overruled.

11 MR. ABEAR: Objection. This is hearsay.

12 He's cross examining her with hearsay.

13 THE COURT: No, he's not. He's asking her whether  
14 or not she told the responding officer that she was in  
15 the witness protection program.

16 Ma'am, did you tell a responding officer that  
17 you were in the witness protection program?

18 THE WITNESS: I don't recall stating those exact  
19 words, but I do recall telling the officer that I spoke  
20 to social security about all of this, who condoned it  
21 so --

22 THE COURT: Well, that's not the same as saying  
23 you're in the witness protection program.

24 Okay. So that's the answer. She didn't say



1 she was in the witness protection program.

2 BY MR. MORIARTY:

3 Q. Did you.

4 THE COURT: Or she might have, but she's not  
5 admitting to it.

6 BY MR. MORIARTY:

7 Q. Did you tell the responding --

8 MR. ABEAR: No, objection. That is not what the  
9 testimony was, Judge.

10 With all due respect, sir, that's not what  
11 she said.

12 THE COURT: Next question.

13 BY MR. MORIARTY:

14 Q. Did you tell the responding officer in  
15 Washington that Michael is connected to the mob?

16 THE COURT: Ma'am, do you understand the question?

17 What's the answer, ma'am?

18 THE WITNESS: (No audible response.)

19 THE COURT: The answer is yes.

20 Okay.

21 MR. MORIARTY: Okay.

22 BY MR. MORIARTY:

23 Q. Did you tell the responding officer that  
24 Michael had bribed Mr. Kenny and bribed the Court?

1 A. I did not state -- state it like that.

2 Q. Well, how did you state it?

3 A. I said, he has deep pockets.

4 Q. Okay.

5 A. And I don't understand how an order like this  
6 could happen. I mean, it was -- given everything that  
7 had happened with the Court, it was a huge shock to see  
8 that he had custody.

9 Q. Okay. Well, again, that begs the question,  
10 ma'am, what did you think was going to happen when you  
11 left?

12 A. I felt that the way things had turned out in  
13 DuPage, that -- and the fact he wasn't following the  
14 reunification plan, that there was no way --

15 I had no idea that it would go to custody.

16 Q. Did -- now, in the -- in the window of time  
17 that we're talking about, about May, to January -- May  
18 of 2015, to January of 2016, you were represented by  
19 Ms. Longwell; correct?

20 A. I'm sorry.

21 Q. Marilyn Longwell; do you remember her?

22 A. From what dates?

23 Q. From about May of 2015, to January of 2016?

24 A. No.

1 Q. Okay. When did Mr. Longwell start  
2 representing you?

3 A. I -- I believe it was in May, but the last  
4 communication I had you with her was in November.

5 Q. Okay.

6 A. Of 2015.

7 MR. MORIARTY: I ask the Court to take judicial  
8 notice that she got leave to withdraw January 9, 2016.

9 It's in the court order, so --

10 THE COURT: Do you have any objection to that?

11 Okay. The Court will take judicial notice.

12 BY MR. MORIARTY:

13 Q. And in those windows of time, ma'am, did you  
14 ever file a pleading with this Judge, to say Michael  
15 was not following the reunification?

16 MR. ABEAR: Objection, Judge.

17 This is not relevant to --

18 THE COURT: Overruled; overruled.

19 You opened the door to all of this. You  
20 opened the door to every word of this.

21 Overruled.

22 MR. ABEAR: And Judge, after Mr. Gantine -- after  
23 Mr. Moriarty --

24 THE COURT: The objection is overruled.

1                   You may answer.

2                   THE WITNESS: Can you repeat the question?

3 BY MR. MORIARTY:

4                   Q. Between the time you hired Ms. Longwell, in  
5 May of 2015, and when she was granted leave to  
6 withdraw, January 8, 2016, you didn't file any  
7 pleadings saying, Michael hasn't followed the  
8 reunification plan?

9                   A. No, I didn't.

10                  Q. Okay. I mean, would it -- would it be a fair  
11 statement, Ms. Watts, that Dr. Goldstein was in the  
12 middle of his plan?

13                  MR. ABEAR: Objection, ask to rephrase.

14                                I don't know what that means.

15                  THE COURT: Objection to the form of the question  
16 is sustained.

17                                I didn't understand the question, either.

18 BY MR. MORIARTY:

19                  Q. Okay. Dr. Goldstein was in the middle of his  
20 plan, correct, when you left?

21                  MR. ABEAR: Objection. It's still --

22                  THE COURT: Overruled.

23                                Now, I understand.

24                                I think, what you're asking her, was there --

1 was the plan being followed up to that point.

2 Is that what you're --

3 MR. MORIARTY: Again, it kind of goes back to --

4 THE COURT: I don't understand the question.

5 Are you asking --

6 MR. MORIARTY: Well --

7 THE COURT: When you say, he was in the middle  
8 of --

9 MR. MORIARTY: A reasonable person --

10 THE COURT: Will you let me finish?

11 MR. MORIARTY: My bad, Judge.

12 THE COURT: Are you saying that -- when you say,  
13 Dr. Goldstein was in the middle of the plan, do you  
14 mean -- does the question mean: Was there a plan in  
15 effect, and it was being followed, and you were in the  
16 middle of implementing the plan?

17 Is that what --

18 MR. MORIARTY: But in --

19 THE COURT: Is that what this is?

20 MR. MORIARTY: In the middle of working with  
21 Dr. Goldstein, when she just abruptly left.

22 THE COURT: Okay. Then do you understand the  
23 question, ma'am?

24 THE WITNESS: No, I honestly don't.

1 THE COURT: Okay. Try it again.

2 I understand it now.

3 BY MR. MORIARTY:

4 Q. Did you understand that Dr. Goldstein was in  
5 the middle of his investigation at the time you fled?

6 A. I assume he was.

7 Q. Okay. Ma'am, you said -- you said something  
8 responsive to something that Mr. Abear said, that you  
9 had trouble with a lot of money.

10 Do you remember saying that?

11 When you were picked up in Washington, were  
12 you driving a 2014 BMW X1WG.

13 A. Yes.

14 Q. How did you pay for that?

15 MR. ABEAR: Judge, is this relevant?

16 Is this really relevant?

17 THE COURT: You asked her the question. She gave  
18 the answer.

19 MR. ABEAR: I didn't ask the question as to what  
20 car --

21 THE COURT: Mr. Abear, she testified that one of  
22 her motivations was -- when she did all of this was  
23 that she was out of money. She had no money; that's  
24 what she testified to.

1           So of course, sure, he can go into it. You  
2 opened the door.

3           Go ahead.

4           THE WITNESS: Yes.

5 BY MR. MORIARTY:

6           Q.    Okay.

7           A.    My mother helped me and --

8           THE COURT: Ma'am, I can't -- I can't hear you.

9           THE WITNESS: Family.

10          THE COURT: Family bought your BMW?

11          THE WITNESS: Yes, sir.

12          THE COURT: Oh, that's nice.

13          MR. ABEAR: No, Judge, that's not her testimony.

14          THE COURT: Well then, what's your testimony?

15                 Who bought you the BMW?

16          MR. ABEAR: Judge, the -- I don't -- we don't have  
17 testimony --

18          THE COURT: Mr. Abear, quit interrupting me.

19                 Re-ask the question, counsel.

20 BY MR. MORIARTY:

21           Q.    Did you own, as of January of 2017, a 2014  
22 BMW X1WG?

23           A.    Yes.

24           Q.    Whose title was the vehicle in?

1 A. Mine.

2 Q. Okay, and how did you pay for it?

3 A. My family.

4 Q. Okay, and what did they pay; how much?

5 A. They gave me money for it.

6 Q. How much?

7 You don't -- you don't know?

8 A. It was -- I don't.

9 Q. Do you even know whether they paid cash for  
10 it or financed it?

11 A. Cash.

12 Q. And when you say, "your family," who, your  
13 mom, your dad?

14 A. My mom and my ex-husband.

15 Q. Okay. So they bought it outright?

16 A. Yes.

17 Q. Okay. Your -- your ex-husband?

18 At the time that you were found in  
19 Washington, you were still married to your husband;  
20 correct?

21 A. Yes.

22 MR. ABEAR: Objection.

23 BY MR. MORIARTY:

24 Q. I think his name is John?



1 MR. ABEAR: Objection.

2 THE COURT: Sustained.

3 MR. MORIARTY: Okay.

4 BY MR. MORIARTY:

5 Q. Were you working when you were living in  
6 Washington?

7 A. No, no. It was scary.

8 Q. Okay. Were you working in the fall of 2015?

9 A. Yes.

10 Q. Where were you working?

11 A. (Inaudible.)

12 Q. I'm sorry?

13 A. It's a pharmaceutical company.

14 Q. Okay. What's the name of it, please?

15 THE COURT: What's the name of it?

16 BY MR. MORIARTY:

17 Q. Please?

18 A. Genentech.

19 Q. Where is -- where was Genentech located?

20 MR. ABEAR: Objection.

21 I don't know why this is relevant.

22 THE WITNESS: Yeah.

23 MR. ABEAR: And quite frankly, move to strike.

24 THE COURT: It's relevant because her testimony

1 was that one of the reasons she fled was she didn't  
2 have any money.

3 Now, she's testifying that she was employed.

4 He asked the name of the company, where's the  
5 company located. Nothing wrong with that.

6 The objection is overruled.

7 THE WITNESS: I was litigating. I spent a lot of  
8 money in law --

9 THE COURT: Ma'am, the question was --

10 THE WITNESS: I didn't have --

11 THE COURT: -- where is the company located.

12 THE WITNESS: Oh.

13 THE COURT: That's the only question: Where is  
14 the company --

15 THE WITNESS: It's in California.

16 THE COURT: Okay. The company is located in  
17 California.

18 BY MR. MORIARTY:

19 Q. And what were you being paid, as of the fall  
20 of 2015?

21 A. Base salary.

22 Q. Of what?

23 A. Like, 80,000.

24 Q. Did you get any bonus?

1 A. Not that year.

2 Q. Okay. Well, what did you make in 2015?

3 A. When I left?

4 Q. Yeah.

5 A. I wasn't working. I was making no money.

6 Q. Well, ma'am, I thought you just said, you  
7 left in the fall of 2015; and presumptively, you  
8 resigned from this position?

9 A. Yes.

10 Q. Okay. So you had a job?

11 A. This is more important.

12 Q. Okay. You had a job?

13 A. Yes.

14 Q. The only reason you moved to Washington was  
15 to hide Jacob from Michael; correct?

16 Is that a yes?

17 A. Yes.

18 Q. So you had money. You had a job. You had  
19 the resources of family?

20 A. Yes.

21 Q. Okay. Were they supporting you, while you  
22 were in Washington?

23 A. Yes.

24 Q. Did you ever work, while you were in

1 Washington?

2 A. For a short time.

3 Q. What point?

4 A. 2016 -- or yeah, 2016.

5 Q. Where did Jacob go to school in the fall of  
6 2015?

7 A. He was home schooled.

8 Q. And for how long had he been home schooled?

9 A. Until June of 2016.

10 Q. And so he was -- you stopped home schooling  
11 him in June of 2016?

12 MR. ABEAR: Objection, not relevant.

13 THE WITNESS: Uh-huh.

14 THE COURT: What's the relevance?

15 MR. MORIARTY: She -- she gave her ostensible  
16 motives for leaving, and I think these -- I have the  
17 right to explore those and suggest alternatives from  
18 her testimony.

19 THE COURT: But what was the reason?

20 I mean, I -- I understand she did. What --  
21 what specific motive that she gave on direct, are you  
22 attempting to impeach, by asking her questions about  
23 whether the child was home schooled?

24 MR. MORIARTY: Economic -- well, economic leads to

1 the -- to the -- begs the question of the void of any  
2 pleadings here in Illinois, but also that this was well  
3 planned in advance, which is -- undercuts the  
4 ostensible theory that this was a spur-of-the-moment  
5 thing.

6 THE COURT: Okay. The objection -- the objection  
7 to whether or not the child was home schooled, that  
8 will be sustained.

9 BY MR. MORIARTY:

10 Q. Prior to leaving, how would you communicate  
11 with the GAL?

12 A. There wasn't any communication.

13 Q. Okay. Did you e-mail him at all?

14 A. Not to my recollection.

15 Q. Did you provide him with an e-mail address?

16 A. I filled out paperwork when I first -- when  
17 he was first appointed and I --

18 Q. And you provided an e-mail --

19 MR. ABEAR: Objection.

20 MR. MORIARTY: I thought she was --

21 MR. ABEAR: She's still answering her question.

22 THE COURT: The objection is sustained.

23 She can answer the question.

24

1 BY MR. MORIARTY:

2 Q. And when you filled out the information --

3 MR. ABEAR: I'm sorry, Judge. She didn't --

4 I don't know that she finished her

5 question -- her answer.

6 THE COURT: Did you finish your answer, ma'am?

7 THE WITNESS: Yes.

8 THE COURT: She finished her answer.

9 BY MR. MORIARTY:

10 Q. And when you filled out the request for  
11 information from Mr. Kenny, did it include an e-mail  
12 address?

13 A. I don't recall.

14 Q. Okay.

15 A. I would assume it did. I don't recall.

16 Q. And had it -- had it -- had it requested an  
17 e-mail address, would you have given him one?

18 A. Yes.

19 MR. MORIARTY: I think I'm on three or four.

20 I'm on three.

21 THE COURT: I'm just letting you all know, we are  
22 stopping at four.

23 MR. MORIARTY: Very well, Judge.

24 THE COURT: We will pick up -- we will pick

1 another day to pick up, but that's when we're stopping.

2 I'm just letting you all know.

3 MR. ABEAR: Judge, if counsel's approaching with a  
4 document, first off, I'm sure he will ask the Court  
5 before he approaches; but second off, I'm sure he's,  
6 likewise, going to give me a copy.

7 Thank you.

8 MR. MORIARTY: May I approach?

9 THE COURT: You may.

10 BY MR. MORIARTY:

11 Q. Ms. Watts, I'm going to show you what I've  
12 marked as Group Exhibit 3, for identification,  
13 purporting to be a bunch of e-mails.

14 I going to show you an e-mail dated  
15 February 1, 2016, from Mr. Kenny to you.

16 Do you see that?

17 A. Uh-huh.

18 Q. Did you get that e-mail?

19 A. No.

20 Q. Okay. Ms. Watts, when is the last time you  
21 saw your son?

22 A. June of 2017.

23 Q. Okay, and you have been awarded visitation by  
24 this Court recently, in November of 2017, provided that

1       you provide some information; correct?

2             A.     Correct.

3             Q.     And rather than have that parenting time, you  
4     just --

5             MR. ABEAR:  Objection.

6     BY MR. MORIARTY:

7             Q.     -- haven't provided the information?

8             MR. ABEAR:  Objection.

9             THE COURT:  That's sustained.

10            MR. MORIARTY:  Okay.

11     BY MR. MORIARTY:

12            Q.     You had been requested by this Court to -- to  
13     provide information, if you wanted to see your son;  
14     correct?

15            MR. ABEAR:  Objection.

16            THE COURT:  That's sustained.

17            MR. MORIARTY:  It goes to motive, Judge.  If she  
18     still --

19                    He said -- he phrased the question:  Are you  
20     a flight risk?

21            THE COURT:  But I -- and I -- you objected, and I  
22     sustained the objection, so --

23            MR. MORIARTY:  Okay.  All right.

24



1 MR. MORIARTY: Nothing further.

2 THE COURT: Redirect.

3 MR. ABEAR: I'm not going to finish in seven  
4 minutes.

5 THE COURT: Okay. Do you want to reserve your  
6 redirect?

7 You can reserve your redirect.

8 MR. ABEAR: I'll reserve -- I'm not going to --  
9 Judge, in all fairness, I'm not going to  
10 finish in seven minutes. It's going to go over --

11 THE COURT: Well --

12 MR. ABEAR: If we're going to break at four --

13 THE COURT: I know. I'm going to give you another  
14 date.

15 We are going to stop.

16 MR. ABEAR: Okay.

17 THE COURT: You can reserve your redirect.

18 MR. ABEAR: All right. Thank you, sir.

19 THE COURT: Can I have an order?

20 Can you give me a blank order?

21 Does everyone want to approach with their  
22 calendars?

23 Ma'am, you can step down.

24 (Witness excused.)

1 THE COURT: Mr. Abear, do you have anybody under  
2 subpoena?

3 MR. ABEAR: No.

4 THE COURT: Do you have anybody under subpoena.

5 MR. MORIARTY: No.

6 THE COURT: Okay. How about -- how about  
7 March 8th.

8 MR. ABEAR: Time, sir.

9 THE COURT: 1:30.

10 MR. MORIARTY: I have a trial with Judge Burnstein.

11 THE COURT: How about March 15th?

12 MR. MORIARTY: I'm available.

13 THE COURT: Mr. Kenny?

14 MR. KENNY: Yes.

15 THE COURT: Mr. Abear?

16 MR. ABEAR: I am.

17 MR. MORIARTY: Is that 1:30, Judge?

18 THE COURT: Yep. Okay, that will be the order.

19 MR. MORIARTY: Thank you.

20 MR. KENNY: Thank you, Your Honor.

21 THE COURT: See you then.

22 (Whereupon the hearing in the  
23 above-entitled matter was continued to  
24 March 15, 2018.)

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IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT  
DU PAGE COUNTY, ILLINOIS

I, CHERYL ANN BARONE, certify the foregoing to be a true and accurate transcript of the computer based digitally recorded proceedings of the above-entitled cause to the best of my ability to hear and understand, based upon the quality of the audio recording, pursuant to Local Rule 1.03(c).

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