

Gmail

Conversation

From: <donnaharvey@gmail.com> Donna Adelson
Sent: Friday, May 03, 2013 06:18:41 PM UTC
To: <wendiadelson@gmail.com> Wendi
CC:
Subject: Info regarding his "memorandum of law" e-mail
Attachments:

Message

Dear Wendi,

OK. Just saw this e-mail this morning. Obviously, his 23 page rant was insufficient so he is trying to push the court to deny hearing your petition. Again, I'm not a lawyer. I don't know if to prevent any action your attorney must respond or not. Only you and she know that. However, Jibbers has made his divorce a full time job to attempt to get what he's always gotten. His way. His job allows for lots of time for him to put into this "project" and you know as well as I do that all the research he's done on different case law to prove his point is his research, not his attorney's. No matter who did it, he is quoting 13 cases to show why the court should basically throw out your petition. Is Kristin answering this? Does it require an answer to make sure that this is not seen by the court as "ignoring" his rights? I don't know. You need to find out.

The most important part of your divorce is **relocation**. I sincerely hope your attorney understands that that is your NON NEGOTIABLE! Lots of things are negotiable. That's the one thing that you cannot let her think "ok, well, if it doesn't happen it doesn't happen." She needs to hear from you how serious you are about this and how it will benefit the children with a close knit family support system as well as your significantly better paying job with hours much more flexible than your current job(so that you can spend significantly more time with the children) which requires teaching hours, office hours, court appearances, meetings with med school people, and multiple trips away from home. Those trips need to be coordinated with a very angry man who will not be cooperative with you in this regard. For example, this past weekend you had your annual conference for _____ at the same time his regular NYU crap was taking place. He didn't say, "I go to NYU every month and this is your annual meeting. I'll stay with the children and you go." Of course not. Danny thinks he's a very important person and as always he and his needs come first. So, without your parents as back up, one of you would have had to stay home with the children. Your attorney needs to understand that your mother worked full time in the family's dental practice until September when she felt she was needed by you for the well being of the children to

get them through a transitional time with people who love them and see them frequently and with whom they share great affection. Your father has made numerous trips by plane for weekends and changing the patient schedules around so that he can continue to spend significant time with the children. Both the disappearance of your mother from the position of office manager, and the disappearance of your father from the practice for a significant amount of time has caused a decrease in the practice income and the loss of some patients who feel that it's either not being run the same way as when my mother was there full time or that my father is unable to see patients with problems and has referred them to other offices during his absences. Additionally, this loss of income affects my family because my older brother, also a dentist, purchased the practice from my father in mid July 2012. He has a monthly payment to make to my father based on the sale of the practice. It isn't fair to him to have decreasing monthly income statements from the practice due to my parents spending so much time here in Tallahassee. My brother is unmarried and is a wonderful uncle to Benjamin and Lincoln. If I am able to relocate to South Florida, they will have an incredibly warm and loving family as an integral part of their lives. Not an occasional 2 day weekend trip to visit.

RESPONSE

Brief Background

1. This is a no fault divorce state. So, his nonsense about no marital infidelity or abuse doesn't matter. However, a hot temper and verbal abuse is what you need to emphasize that you suffered under his "reign." Narcissistic personality disorder causes major problems in a marriage. Especially when one believes that because he attended Harvard undergrad and Harvard Law, he's clearly better and smarter than anyone else....including you. (Only an idiot like him would write that he should be the only one consulted for making decisions regarding the health, education and religion of his children. Clearly, no one, including you, is as smart as he is in those regards.) The money you moved into an account for you was exactly half, to the penny, of the joint account which is marital assets. The furniture you took was the bare minimum, a bed for you to sleep on from the guest bedroom, one nightstand and your dresser. You took two chairs that you bought 5 years ago at a neighborhood furniture store's closeout sale for \$50 each. You have receipts to show all the new furniture you purchased to relocate to a safe place. You absolutely MUST emphasize that the only reason you left when he was out of town is because of the threat "you'll leave without your children, without a penny, and just with the clothes on your back." It's super important for the judge to get the message that this guy is a big bully. I know she'll be able to read that when you submit copies of some of the e-mails he's sent you. He feels if he's said something, that's it. Well, that's not it!

\He says you did this while he was on a short business trip. How about how many "trips" to conferences, etc. this man has taken? How much time away from his family? You have all those documented. Now you need to sit down and figure out how many days away that's been. How about adding to that all his two week trips to Israel? Especially when you were at the end of your pregnancy? Sweet, caring, concerned husband.

He talks about not knowing where the children were (incorrect address) for the first six weeks. Let the court know that although he was never particularly interested in the children prior to the divorce, he was advised to keep a diary and make sure that he shows his interest now. You arranged to meet him the very next day with Allen and Lynn Grossman, mutual friends, and the children at a local yogurt shop so that he could see the children were fine. You were in fear of his temper and so you did not want to reveal your address. However, 4 days after the separation, you arranged to bring the children to his house as his parents were going to be in town and they were there for the Rosh Hashonah holiday with them. The following week on one of his uninvited treks to your office, after he threatened you with federal kidnapping charges, (which of course now he recants like he does anything he can't believe he actually did), you gave him your address. That was one week after separation- not 6 weeks.

He says you took "non marital assets" - what??>?

He says the children were 3 and 1 at the time this took place. Ben was 3 and Lincoln was 23 months - one month before his second birthday. He talks about youe

both being well paid professors with stable jobs. Yours is not a tenure track job and with the economy as it is, there is NO guarantee it will be there in the future. His trash talking to various faculty members about your mental instability has also poisoned your work environment, making it extremely difficult for you to continue to function there in the same way as you previously did. Your job also pays you half of what his job pays. So, on your own, it is not feasible to continue to live even in the home you are currently renting. You have borrowed a considerable amount of money from your parents and must repay it for furniture, legal fees, moving expenses, etc. My parents have paid all grocery bills up to this point for which I will also have to reimburse them. I do not want to dip into the money from our marital account as that will have to go toward supporting my children and for their future.

According to Jibbers, the relocation must show that the current arrangement for the children is deficient from the perspective of the children and that relocation would advance their interests. This is something that we have reviewed numerous times in other papers Wendi.

Another "bribe" to get him to allow relocation should be the offer of plane tickets since he does have family that would allow him to use their homes to stay in. But obviously, that's a last ditch effort if all else fails. He's trying to show the court that your request is frivolous and that you should have to pay for yours and his court costs in this plea. Your lawyer has to let the court know that it's anything but frivolous. And, isn't he also supposed to pay some of your regular legal fees? This bastard has not paid one cent toward your bridge gap alimony. Why??? Why only two months of a child support payment over an 8 month time frame? Loving, caring father that he is.

Do you need info on grocery bills? I have a good many of them and can show the court what it's been costing just for that, with no support from Jibbers. Also, find out from Kristin if she wants you to pay us back now or wait. What's best for your case?

I'm too angry to write any more. I'm going to shower, wash my hair and get ready for you and the boys to come home. Dad said he'd look up any papers tonight or over the weekend that you may need. He even has the info on what Danny had in his Ira and 401 - K prior to marriage.

Love you,
Mom