

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Kimberly Sweidy,)
)
Plaintiff,) 3:21-cv-08013-SPL
)
vs.) Phoenix, Arizona
) June 6, 2024
Spring Ridge Academy, et al.,) 9:00 a.m.
)
Defendants.)
)
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BEFORE: THE HONORABLE STEVEN P. LOGAN, JUDGE

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TRIAL DAY 7 - (Morning Session)

Official Court Reporter:
Elva Cruz-Lauer, RMR, CRR
Sandra Day O'Connor U.S. Courthouse, Suite 312
401 West Washington Street, Spc. 33
Phoenix, Arizona 85003-2151
(602) 322-7261

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Transcript Prepared by Computer-Aided Transcription

A P P E A R A N C E S

For the Plaintiff:

Kimberly R. Sweidy Attorney at Law
By: KIMBERLY R. SWEIDY, ESQ.
3478 Rambow Drive
Palo Alto, CA 94306-3638

Allard Smith APLC
By: MARA SMITH ALLARD, ESQ.
5857 Owens Ave., Ste. 300
Carlsbad, CA 92008

For the Defendants:

Grasso Law Firm PC
By: MICHAEL B. SMITH, ESQ.
ROBERT GRASSO, JR., ESQ.
2250 E. Germann Rd., Ste. 10
Chandler, AZ 85286

Also present: Noel Reddy, Paralegal
Suzanne Courtney, Client Representative

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Kimberly R. Sweidy	4		
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P R O C E E D I N G

THE COURT: This court will come to order. All parties present when the court last closed are present again. The jury is present.

Ma'am, you are under oath, please continue.

MS. ALLARD: Thank you, Your Honor.

DIRECT EXAMINATION

BY MS. ALLARD:

Q. Ms. Sweidy, directing your attention to the ex parte filed in this matter, I think you got done telling us that you removed your daughter on February 3rd, 2020, and did you go back to the Bay Area?

A. Oh, directly back. I was in a rental car. We went directly back to the Phoenix airport, directly home to San Jose, where I turned on my phone and notified her father and asked that we go to mediation again, and that we come up with a plan for Rearden and resume his visitation.

Q. At some point in time, did you see that a transcription of a voice mail message you left her father ended up in court?

A. Yes, that was when I was trying to convince him that we had gotten into something very bad, and he wasn't being persuaded. And I left a voice mail message for him and that he transcribed.

I was pretty horrified that one parent would do that to another. This is parent-to-parent, and there has to be some

9:01:55AM 1 kind of sacred, you know, bond, even if you are divorced, about
2 fix what comes first, your children, and that you can feel free
3 to confide in your ex-spouse about the well-being of your
4 child, about the concerns where she's at.

9:02:09AM 5 It wasn't as though I were like, calling Mr. Stata
6 names or his family names or being irrational. The topic was
7 my profound fear at where Rearden was and who these people
8 were.

9 Q. Right. And you're speaking in a different tone today than
9:02:24AM 10 that email was to -- private voice mail message was to your
11 ex-husband?

12 A. Oh, yeah, I'm not in terror. I'm not thinking, oh my God,
13 they're brainwashing my ex-husband and our daughter is in a
14 cult.

9:02:37AM 15 Q. So when you received the paperwork in the ex parte matter,
16 you were confronted with this transcription which had you
17 calling SRA a cult?

18 A. Oh, now I really think they're a cult. Then it was just a
19 euphemism. After this testimony, 100 percent, 1000 percent a
9:02:56AM 20 cult.

21 Q. And referring to the employees with certain terms that were
22 off color?

23 A. Pejorative terms, yes, that's an ex-wife confiding to an
24 ex-husband about the safety of their beloved daughter, 100
9:03:09AM 25 percent.

9:03:09AM 1 Q. And this was based on your intersection with Veronica
2 Borges and Kate Deily?

3 A. Mostly them, yes, because at that point -- no, no. Wasn't
4 that after the Parent Challenge workshop?

9:03:22AM 5 Q. Yeah, it would have been after Parent Challenge?

6 A. Okay. Now let's add Jeannie Courtney and Brandon Courtney
7 and that whole three days of unbelievable. So, no, it was just
8 oh, Veronica Borges seems a little incoherent and irrational.
9 Oh, Kate Deily seems a little -- well, we will -- she has
9:03:39AM10 testified, you can draw your own conclusions.

11 It was -- we had been to a three-day workshop, and my
12 daughter had -- our daughter had described to me all of the
13 things that had occurred, including at Teen Challenge. Well,
14 no, not all of them, but the highlights enough to scare the
9:03:57AM15 heck out of me.

16 Q. Now, when you got this paperwork you saw the numerous
17 records from Spring Ridge Academy were provided to the family
18 law court?

19 A. I did see that.

9:04:06AM20 Q. Just to be clear, without having to go through each one of
21 them, you have seen them in court presented to the jury, and
22 you did not provide any of those to the court or to your
23 ex-husband for use in court?

24 A. Not the ones that were directly. I had forwarded him an
9:04:20AM25 email of an exchange of mine with Ms. Borges, because as a

9:04:24AM 1 co-parent, you want to know what conversations led up to my
2 decisions. Because Veronica Borges was refusing to address my
3 concerns about the Master Treatment Plan.

4 I believe I forwarded that and some other ones to him,
9:04:39AM 5 because that was my custom and practice, to include him and
6 understand the reasons behind my decision, because I don't
7 think the other parent will respect your decisions if they
8 aren't based on rationality and facts.

9 Q. I do have a question about one of the emails or exhibits
9:04:59AM 10 the jury hasn't seen yet. Exhibit C.

11 THE COURT: Exhibit C of what?

12 MS. ALLARD: Of Exhibit 77, page 21, which would have
13 been Exhibit C on the ex parte.

14 THE COURT: It's received. You may publish.

9:05:19AM 15 BY MS. ALLARD:

16 Q. Directing your attention to the top left corner. This
17 appears to be an email that you had sent to Ken Stubbe copied
18 to Justin Zych and Veronica Borges. Do you recall this email?

19 A. Yes, I do.

9:05:35AM 20 Q. I don't see that there is anybody else copied on this
21 email?

22 A. Well, that's because Ken Stubbe was not only apparently a
23 math teacher but something they called her like academic
24 advisor or something. So he -- I'm responding to him.

9:05:50AM 25 Justin Zych was operating as the principal, so he

9:05:54AM 1 would be relevant to this. And Veronica Borges was the
2 unlicensed therapist, so she would be relevant. And those are
3 the only people that were relevant to this situation.
4 Q. And so you are responding to an email from Ken Stubbe here.
9:06:07AM 5 You say: Thank you for your email?
6 A. Yes.
7 Q. "I appreciate your observations." Had he reported to you
8 that -- any specifics about Rearden not doing work or what --
9 do you recall what he said?
9:06:21AM 10 A. No, I don't recall, but it's probably down lower in this
11 email. I could --
12 Q. Okay. I will ask you about that in a minute. So this
13 first paragraph, did you see that it ended up argued in court
14 in California?
9:06:32AM 15 A. Yes, it did.
16 Q. And the argument was that Kimberly Sweidy thinks her
17 daughter has problems based on this paragraph where you said
18 that she didn't study?
19 A. Yes, and I never said she didn't. I just didn't -- I know
9:06:46AM 20 for a fact that Spring Ridge Academy has the answer to no one's
21 problems, period. And, yes, my daughter has some behavioral
22 issues. And, yes, she has many strengths, but that's what I'm
23 conveying here. You can't take email paragraphs out of
24 context.
9:07:01AM 25 Q. Do you know how it is this email wound up in public filing

9:07:06AM 1 in California?

2 A. I may have ended up forwarding it to my ex-husband as part
3 of informing him of the basis of my decision, or I may not
4 have. I would have to check my records.

9:07:17AM 5 This isn't one of the ones that I called out as being
6 directly created by Spring Ridge Academy for use in the family
7 law court. Those I can identify directly. That one may have
8 been forwarded because he was and still is the co-parent of our
9 children.

9:07:37AM 10 Q. And just -- I am going to direct your attention to page 23.
11 It appears at that time -- the response that you were looking
12 for is further down. At the bottom you will see, signed Ken
13 Stubbe?

14 A. Exactly. That's what I was responding to.

9:07:57AM 15 Q. And he said her -- given time for projects and work during
16 class, she can become a bit unfocused. During my conversations
17 with her, it seems that she has every intention to be a C
18 student. Obviously we all see more in her than that.

19 So you responded and fleshed that out some more from
9:08:19AM 20 your perspective?

21 A. Absolutely. And this is a problem when a school
22 misrepresents that parents are the best judge of their own
23 children, which is true, and then turns around and excludes
24 parents from these conversations.

9:08:31AM 25 Because parents can be very helpful to move this along

9:08:36AM 1 without trying to reinvent the wheel that we have already done
2 in other settings, including back home. And, no, my daughter
3 has potential to be way more than a C student. That was what
4 the problem was.

9:08:49AM 5 MS. ALLARD: Okay. I am going to ask to publish
6 Exhibit 69.

7 THE COURT: Just one moment. 69 has already been
8 received. You may publish it.

9 BY MS. ALLARD:

9:09:03AM 10 Q. Previously in your testimony you mentioned the court orders
11 in family court that your custody was the result of an
12 evaluation report, and you mentioned that you had a private
13 judge. Does this page, Exhibit 69, page 3 accurately reflect
14 the order by the private judge for you and your family to under
9:09:24AM 15 go an evaluation report by Dr. Jeffrey Kline?

16 A. That was for the update. There was an original custody
17 evaluation and then an update made right before the trial
18 because the private judge, Honorable Catherine Gallagher,
19 was -- wanted the most current information going into trial.

9:09:45AM 20 She didn't want anyone to make a claim that the
21 results were outdated, so she said, okay, if you are going to
22 make that argument, I'm ordering an update. And this was the
23 update, not the original, but the update.

24 Q. Okay. And based on the update and waiting for those
9:10:01AM 25 results, you did not go to trial and entered this Marital

9:10:05AM 1 Settlement Agreement that we've referred to?

2 A. No, actually that was not the timeline. We had the
3 original. We then did the update, and it did not change in any
4 significant way from the original. And in fact, it was even
9:10:17AM 5 more favorable on my behalf.

6 And based on those two updates, both which were
7 extremely favorable to me, I was then able to finish up the
8 final part of our divorce.

9 We had one stipulation that covered property and our
9:10:35AM 10 older daughter. And the reason the one concerning our younger
11 daughter is called "stipulation on reserved issues" is that the
12 issues with our younger daughter had been reserved. And then
13 that final one that we have been referring to repeatedly was
14 the result of the two evaluations, the original and the update.

9:10:57AM 15 And then we went in back to David and negotiated that
16 final stipulation on reserved issues. That's the procedure
17 that we were able to avoid trial.

18 Q. And that -- when you say David, you are referring to David
19 Magnuson, the mediator mentioned in the judgment?

9:11:16AM 20 A. Yes. And I apologize. I should be referring to him as
21 Mr. Magnuson, but I just feel like he's such a team member I am
22 accustomed to calling him David.

23 Q. You had also mentioned in your testimony -- I am going to
24 republish Exhibit 70, page 9.

9:11:27AM 25 THE COURT: You may.

9:11:27AM 1

BY MS. ALLARD:

2

Q. That there was a term that your daughter's therapist, Sarah Villarreal, was to be consulted for education. Is that what you are referring to on Exhibit 70, page 9 under educational plan?

9:11:40AM 5

6

A. Yes. The custody evaluator was very cognizant of the fact that we needed all of the professionals to get on the same page, so Dr. Sarah Villarreal, which was Rearden's therapist in California. Dr. Michael Taymor was the pediatrician.

9:11:57AM 10

11

There is a number of provisions in there that I am to act in cooperation with and soliciting the opinion of the various licensed professionals that were part of Rearden's life.

13

14

Q. In fact, you asked Mr. Stata to consult with Dr. Sarah

9:12:14AM 15

16

Villarreal, and he I think -- and what was his response to that over this Spring Ridge Academy disagreement?

17

A. Actually, after I removed Rearden, I reached out to her pursuant to this Marital Settlement Agreement, and he wrote her a pretty nasty and disrespectful email informing her that she was no longer Rearden's therapist and Rearden's therapist was now Veronica Borges, the unlicensed therapist in Mayer, Arizona.

9:12:32AM 20

21

It was horrible, and I wrote her an apology and stated

23

that Mr. Stata tends to burn bridges he did not build.

24

9:12:54AM 25

Q. Showing you again Exhibit 70, page 10 of 15 of the

9:13:01AM 1 judgment, which would be -- yes, page 10 of 15, I am sorry, of
2 the exhibit, which is judgment under child support.

3 At the time that you entered this agreement and up
4 through your daughter's enrollment at Spring Ridge Academy, it
9:13:15AM 5 appears child support for Rearden was paid to you in the amount
6 of \$22,000 a month?

7 A. Correct, \$22,000 per month.

8 Q. And in the earlier judgment regarding property division,
9 what did you -- what did you negotiate and what were you
9:13:36AM 10 anticipating, and why is there a provision for Mr. Stata to pay
11 for any private education?

12 A. Oh, because we -- the girls at various times in their life,
13 starting in the beginning, were in private education,
14 Montessori school. We made different decisions.

9:13:51AM 15 They were basically in private education until my
16 older daughter requested to be put in the public schools
17 because she believed it would be more diverse and more
18 challenging.

19 And I made the decision for our younger daughter,
9:14:05AM 20 because she was just being enabled and being entitled and
21 acting out, and I wanted her to get a taste of the real world.
22 And please, I know that Gunn High School in Palo Alto is not
23 the real school, but it was a more diverse environment, like
24 the one -- more similar to the one I grew up in. So we would
9:14:23AM 25 have these discussions.

9:14:24AM 1 But we also anticipated that Rearden was a challenging
2 child, and she wasn't thriving in this public school, and that
3 we may have to explore other options.

4 And I wasn't in a position financially compared to
9:14:35AM 5 Mr. Stata, to bear the cost of those. I could do the -- half
6 of the extracurriculars if she was in public school, but if it
7 went to the very expensive tutoring or a private situation that
8 could be, you know, \$50-, \$60,000 a year in California in the
9 Bay Area, then that was going to be borne solely by Mr. Stata
9:14:57AM 10 because of the huge disparity of wealth and income between the
11 two of us, which is just a fact.

12 Q. So I am going to show you again the judgment. Are these
13 terms reflected on page 11, section E, educational costs?

14 A. Yes, this was the result of many, many hours working with
9:15:17AM 15 David Magnuson, Mr. Stata, and myself, to flesh out all of the
16 possible futures, because it was my intention never to return
17 to family law court again. It is toxic.

18 Q. And at the bottom it says: Father shall be 100 percent
19 responsible for all tutoring and all private schooling?

9:15:35AM 20 A. Tutoring, including GOALS, which was a really good tutoring
21 company run by Phillip Roberts that we had been using. And we
22 were staying -- keeping plans in places and anticipating future
23 needs.

24 Q. And as far as the financial picture, what actually did you
9:15:51AM 25 give up in order to obtain this first judgment where you were

9:15:55AM 1 able to resolve all of the financial and custody of your older
2 daughter?

3 A. These things were to be viewed as global settlements, you
4 can't take any one provision out of a global settlement and go

9:16:06AM 5 "aha". So my mindset was this, I need to settle for something
6 that's less than what I think I deserve but that my ex-husband
7 can live with, and in exchange, I want some guarantees. I want
8 to -- and he agreed immediately to be bought out of spousal
9 support. That means I wanted a lump sum that would not require

9:16:31AM 10 ongoing payments. And then I wanted my children, our children,
11 I should not refer to them as "my children," our children well
12 cared for.

13 I didn't doubt that Mr. Stata would pay for this,
14 because that has been his custom and practice, but I wanted the
9:16:48AM 15 legal guarantee, since he's not required to, to do certain
16 things that would continue to pay for certain things.

17 He promised me he would pay for their college wherever
18 they got in, and that was off the record, but I knew he would.
19 I trusted him on that. And then other things that he agreed to
9:17:06AM 20 pay for, like 100 percent of the tutoring and the 100 percent
21 of private schooling.

22 And in exchange for all of these guarantees, that you
23 will continue to provide for our children educationally. I am
24 not about wasting my money on designer frou-frou. This is
9:17:27AM 25 about education and experiences, and we are really big on that,

whether it be theatre or speaking multiple languages, all of this.

It's those kinds of enrichments, he assured me that we would be on the same page, and I was trying to guarantee in writing that that would continue for our children, that enriched lifestyle.

Q. What did you give up?

A. I gave up fighting for a number that I thought I was entitled to that was much larger considering that he has -- he is worth a quarter of a billion dollars. I took an amount that other people are like, what?

But you know what, the fact is, I -- I didn't come from money, so it's plenty. I can live within my means, and I can be comfortable, and I don't have to take a paying job, and therefore, I can devote my time, full-time to pro bono work, working for people who don't have the luxury to be able to pay for services. So, I'm good. Don't cry for me.

But it was a less number than I was actually entitled to, and that enticed him to settle without a trial and not put us all through that, and that was valuable to me. Because our children had been through enough of this toxic family law nonsense with adults acting like three-years-olds.

Q. And what about your real estate?

A. Oh, yes. So Mr. Stata -- the real estate that he -- that was in the family though, lots of it was his separate property.

9:18:53AM 1 Two houses on Cape Cod, a house in Atherton, house in Los Altos
2 Hills, a house in Palo Alto, and a house in Virginia.

3 Most of it was his separate property, but I didn't --
4 I said, I'm not going to make a stink about anything. We are
9:19:08AM 5 not going to be having litigation. I want the smallest house,
6 that was in Palo Alto, located near their school. It was
7 practical. Trust me, "small" is a relative term, it's 2,000
8 square feet. I didn't want a 10,000-square-foot house anymore.
9 They are nightmares of maintenance.

9:19:25AM 10 So I said, you take all of that. I have no claim to
11 any of that, except this one house. I'm good. Even the things
12 I had bought for the Cape Cod house, it's all yours. You and
13 the girls enjoy it. I hope you are comfortable. I am waiving
14 anything.

9:19:40AM 15 So I made sure he knew that I wasn't going to be being
16 difficult, I just want us to all to move forward and be
17 peaceful.

18 Q. So the remaining issue that was subject to some controversy
19 was custody of Rearden. That was the only issue?

9:19:57AM 20 A. Yeah, he was just fighting that tooth and nail despite a
21 nonfavorable ruling by the court-appointed custody evaluator,
22 Dr. Jeffrey Kline.

23 Q. Rearden's history with not doing work, was that going on
24 during that custody dispute?

9:20:18AM 25 A. Yes, it -- she was always a feisty one, but she used the

9:20:24AM 1 dysfunction of the family law courts and -- they're really not
2 set up to deal with people who are just not acting like
3 grown-ups. They are not, and I really can't figure out some
4 sort of organization that could be set up for that. It's
9:20:37AM 5 ridiculous. We need to all show up as grown-ups.

6 And so she exploited that. My older daughter did not.
7 My older daughter stayed on course, and our older daughter, you
8 know, acted in her own best interest. Rearden took this as an
9 opportunity to, you know, manipulate people, play one against
9:20:57AM 10 another. And as adults, that's when you need to come together
11 and put the boundaries and say, no, you are not going to
12 manipulate adults. We are on the same page. We are talking to
13 each other, and we are going to keep you accountable.

14 Even like the thing with the phone, you have a
9:21:14AM 15 question, pick up the phone. Why did you give her the phone?
16 Because you know I don't have any Google maps. Oh, okay. Calm
17 down. Simple explanation. We don't all have to have a nervous
18 breakdown and act like junior high girls trying to make
19 something out of nothing.

9:21:30AM 20 The courts have to assume that grown-ups are showing
21 up to their life. And unfortunately, that wasn't the case, and
22 Rearden spiraled out of control once we started this 50/50
23 thing that the courts love so much. It did not work for her.
24 Once again, one size does not fit all children.

9:21:51AM 25 Q. So I am going to ask you about the paperwork you received.

9:21:55AM 1 Did you know that there was going to be an ex parte before you
2 saw the paperwork that was filed?

3 A. No, I did not. I thought Mr. Stata was going to finally
4 abide by the terms of our Marital Settlement Agreement and
9:22:06AM 5 follow the rules that we had so clearly outlined.

6 Q. So he didn't respond to your voice mail that you left?

7 A. Well, he responded by, you know, not participating. I
8 mean, silence is an answer.

9 Q. So he didn't call you back?

9:22:23AM 10 A. No. I don't remember -- by the way, that's not dated, so I
11 am going to tell you, honestly, it was during the time that I
12 had just gone to that Parent Challenge. I think you should
13 date and time if you want to transcribe something, but these
14 people are not really following that level of professionalism,
9:22:39AM 15 so I don't remember exactly when I left it.

16 Q. So let's talk about "these people." "These people" are the
17 firm of Winter & Ross?

18 A. Yes, the attorneys for -- the divorce attorneys for my
19 ex-husband.

9:22:51AM 20 Q. And they were the same people involved in the underlying
21 divorce action for years?

22 A. Yes.

23 Q. And looking at this paperwork, on page 5 of 68, they
24 provide terms that they want this ex parte judge to order?

9:23:06AM 25 A. Oh, yeah. I mean, they tell the judge -- they know how to

9:23:09AM 1 do this so well. They just give the guy all this, crazy mom
2 abducted the child, and they wrote the recommendations. It's
3 just -- signed off on it, sounds like a crazy mom.

4 Q. That is what I am getting to next. This is the unsigned
9:23:24AM 5 version prepared by the attorneys?

6 A. Absolutely. It was prepared by my ex-husband's attorneys,
7 not the judge. There was no hearing, and there was really
8 basically, no, you know, investigation into this.

9 MS. ALLARD: Permission to publish 79.

9:23:34AM 10 THE COURT: You may.

11 BY MS. ALLARD:

12 Q. So I am showing you Exhibit 79, page 2?

13 A. Oh, that's a little dizzy.

14 Q. That's not 79. I am going to have to move on. Sorry, I
9:23:50AM 15 have the wrong one in the wrong order.

16 So the order that we've seen in court that was -- that
17 Spring Ridge Academy is referring to as relying on was this
18 that was submitted but actually signed by the judge?

19 A. Yes.

9:24:01AM 20 Q. Okay. Never mind, it is 79, page 2. Page 2 is -- does
21 this appear to have the signature of the judge there in
22 California on February 7th, 2020?

23 A. Yes. And to educate everyone here about California law,
24 what happens is they make the proposal, and then they prepare a
9:24:42AM 25 proposed temporary order. And so that would -- all the typing

9:24:46AM 1 would have been prepared by my ex-husband's attorneys, and then
2 the only thing the judge would have to do would be date it and
3 sign it, and that's what happened.

4 Q. How did you learn -- were you able to get a hearing with
9:25:05AM 5 the judge?

6 A. No, we were not. You're served personally with that, and
7 you have a very short time to respond. I can't even remember
8 if it's 24 hours or 48, a very short time. It's an ex parte.
9 So you have to put together a response in like record time.

9:25:21AM10 So when I say that I was on the phone talking to
11 Ms. Allard about the case, because we had to file an immediate
12 response and ex partes, and Rearden comes in with this scheme
13 about marrying one of her friends so she can be emancipated, I
14 was literally on the phone because there was a deadline

9:25:40AM15 looming, because we have to file a response, and then within a
16 day or so a judge will make an order, an ex parte order without
17 a hearing that -- so this is not for people that are
18 dillydallying here.

19 When you get served with this, boom, you are on, and
9:25:55AM20 if that means you are up all night, then you are up all night.

21 Q. So the hearing was set for April 7th, correct?

22 A. Yes, it was.

23 Q. And so you reengaged your former lawyers in your divorce
24 action to work on that, correct?

9:26:10AM25 A. My former lawyers meaning you, and Ms. Stephanie Foreman,

9:26:14AM 1 who I believe was now -- had been on her own, was now working
2 at the firm of Rebekah Frye, but I made it clear I'm not hiring
3 a different firm. I don't know this person. I am your private
4 client following you, and brought Ms. Foreman on.

9:26:31AM 5 Because, may or may not be known, Ms. Allard is in San
6 Diego, and I am in Palo Alto. I had to go out of city to find
7 someone this seasoned, but we need a local person as well, and
8 that would -- and Stephanie Foreman had been on the case
9 before.

9:26:47AM 10 So it was the same team. I assembled them and said,
11 let's go, I've just been served with an ex parte. And of
12 course all being seasoned family law lawyers, they knew exactly
13 what that meant.

14 Q. So in the meantime, you were doing investigation, correct?

9:27:06AM 15 A. Oh, absolutely. I was shocked and horrified at what I was
16 learning from these people that were willing to speak to me.
17 The information you could find online, if and only if, you knew
18 where to look.

19 And I launched into a what the heck is this and how is
9:27:30AM 20 this a thing? And when I do that, I have dogged determination
21 that's lasted until this day.

22 Q. So I am going to ask you about Exhibit 85.

23 THE COURT: You may publish.

24 MS. ALLARD: Thank you.

25

9:27:44AM 1

BY MS. ALLARD:

2

Q. Exhibit 85 appears to be prepared by -- on your behalf by

3

Stephanie Foreman. And this was your ability to respond for

4

this hearing set on the ex parte for April 7th, correct?

9:28:03AM 5

A. Yes. I wanted to, in anticipation of the hearing, give the

6

judge the up-to-date information that my, at that point in

7

time, research had revealed about this school, because honestly

8

who would believe anything anyone was saying.

9

Q. And you were asking the court to vacate the ex parte order

9:28:23AM 10

and do more than that. You wanted him to enter an order to

11

return Rearden home to your custody, correct?

12

A. Absolutely.

13

Q. And you educated the Court on what you had learned thus

14

far, and I think on page 7 of 142, you were summarizing some

9:28:46AM 15

email exchange that you had exchanged with Erin Smith regarding

16

the pandemic.

17

And I think we've heard some testimony on this

18

already, that you had -- the history behind this is that you

19

had sole medical custody and you wanted your daughter returned

9:29:09AM 20

home and they said they were keeping her because they were some

21

medical exception?

22

A. They were a -- they claimed that they were a medically

23

necessary facility. By this time I didn't believe a word out

24

of their mouth, and so I went to start investigating, not with

9:29:24AM 25

a marketing firm but with proper professionals, whether this

9:29:28AM 1 was true, and this was my first foray into the Arizona
2 administrative -- excuse me -- Arizona Administrative Code and
3 the regulations with which I was not familiar because I am
4 licensed only in the state of California.

9:29:46AM 5 Q. And one of the things you educated the court on page 6 was
6 a February 25th letter where Spring Ridge Academy denied your
7 opportunity to have telephone calls and visits with your
8 daughter, correct?

9 A. Absolutely. I shared that letter with the judge.

9:30:05AM 10 Q. And in addition to the emails, you shared with the judge
11 the law in California that California has a code section that
12 doesn't allow for placement of children in for-profit boarding
13 schools?

14 A. Absolutely. Spring Ridge Academy would not be legal in the
9:30:24AM 15 state of California. That is due to the efforts of a
16 representative, George Miller, who chaired the Congressional
17 hearings in 2007 and 2008, was part of the Government
18 Accountability Office's report on this. What turns out to be
19 the Troubled Teen Industry.

9:30:44AM 20 And when he was unable to get federal legislation
21 passed, he came back to our state and made sure that, while not
22 perfect, the laws in the state of California are there to
23 protect parents and children from just this type of thing.

24 To my surprise, Spring Ridge Academy would not be

9:31:03AM 25 allowed to operate though not for -- I mean, just legally as a

9:31:08AM 1 profit school. I am not saying the testimony, just from a
2 profit basis, would not be allowed to operate in California.
3 The judge had sent my child back to a school that would be
4 illegal in her home state.

9:31:22AM 5 Q. Again, you were -- in your efforts to do investigation, you
6 represented to the court you had contacted Mr. Richard Evans in
7 the Bureau of Residential Facilities Licensing at the Arizona
8 Department of Health Services to inquire whether the State of
9 Arizona recognized SRA as a medically necessary facility, and
9:31:42AM 10 he told you no.

11 A. Yes. He told me that they would have -- I believe his
12 title was the compliance officer, which is why I -- my
13 inquiries were directed to him. And he said that in order to
14 be medically necessary, they would have to produce the -- I had
9:32:01AM 15 a phone conversation with him as well.

16 They would have to produce a licensed professional
17 capable of making those types of determinations, and I was
18 aware of no professionals of any kind who had said this, and,
19 no, I don't consider Ms. Smith to be a professional in
9:32:21AM 20 anything.

21 Q. And then you referenced your attached Exhibit N, which has
22 been marked in this matter as Exhibit 82.

23 MS. ALLARD: Permission to publish.

24 THE COURT: You may.

25

9:32:32AM 1 BY MS. ALLARD:

2 Q. And this is an email that you sent to -- you get an email
3 from Erin Smith that they are medically necessary, and then you
4 respond on March 17th: Kindly provide me with any
9:32:44AM 5 documentation supporting your below statement and medical
6 determination.

7 And then it goes on, correct?

8 A. Yes, this was part of my investigation. You are claiming
9 you are medically necessary; what are you relying on to make
9:32:54AM 10 this statement?

11 Q. Did she respond?

12 A. No, she did not.

13 Q. And you informed the court of that fact, that she did not
14 respond. I am going back to page 8, Exhibit 85.

9:33:08AM 15 A. Yes, I did.

16 Q. Then you tell the court that after this, within two days,
17 you received a phone call from a nurse at Spring Ridge Academy
18 that your daughter has white patches, a sore throat, and other
19 symptoms?

9:33:30AM 20 A. Yes, I do.

21 Q. And that in fact happened?

22 A. Yes, it did.

23 Q. And did you engage in correspondence with Suzie Courtney
24 regarding your desires to speak with your daughter regarding
9:33:50AM 25 her medical condition in private?

9:33:53AM 1 A. Yes, I did.

2 Q. Did Ms. Courtney allow you to have a phone conversation
3 with your daughter regarding her medical condition?

4 A. No, she did not.

9:34:00AM 5 MS. ALLARD: Your Honor, permission to publish
6 Exhibit 84?

7 THE COURT: You may.

8 BY MS. ALLARD:

9 Q. I am showing you Exhibit 84. It appears on March 20th
9:34:15AM 10 Ms. Courtney responded that you could -- you would be hearing
11 from the nurse by phone and that she would call both parents on
12 the cell. And her response was: We will make arrangements for
13 Rearden in accordance with court orders.

14 Was there any order regarding your authority to -- as
9:34:35AM 15 the sole legal custodian for medical care that was changed in
16 that ex parte?

17 A. No, there were no changes to the original order in that
18 ex parte, and indeed there could not have been, because that's
19 not the proper California procedure, to change a final order.

9:34:51AM 20 Q. Were there any changes to your full legal custody as
21 represented in that Marital Settlement Agreement at all made in
22 an ex parte?

23 A. No, nor could you do that in an ex parte. You cannot
24 change a final order without hearing in an ex parte in
9:35:07AM 25 California.

9:35:22AM 1 Q. Turning to page 2 of Exhibit 84. Looking at the top. Is
2 this your email on March 20th, 2020 at 9:00 in the morning?
3 A. Yes, it does look like it is.

4 Q. In this email you revoke permission that you gave to Spring
9:35:45AM 5 Ridge Academy to seek medical care for your daughter?
6 A. Yes, I did.

7 Q. And you indicated you wanted your daughter seen by someone
8 other than a nurse?
9 A. Our custom and practice is to have a pediatrician for our
9:35:59AM 10 child. I don't understand why you would necessarily go to a
11 nurse practitioner. I am not against them, or if some other
12 family chooses, but that was my expectation.

13 They are servicing families that can pay \$9,000 a
14 month. We have always used a pediatrician. I gave her that
9:36:17AM 15 information and said, find someone comparable, and they could
16 not. This is not adequate under normal circumstances, much
17 less in -- during a global pandemic.

18 Q. And in this email you say that you are willing to come pick
19 your daughter up by plane or car to bring her home to properly
9:36:39AM 20 treat her?
21 A. Yes, absolutely.

22 Q. And then you indicated that they were placing the entire
23 Spring Ridge Academy community at great risk?
24 A. Yes. I think anybody with common sense, and we will leave
9:36:51AM 25 politics out of this, will realize that congregate care for

9:36:56AM 1 anyone, whether it be the elderly or minors, is the most
2 dangerous place to be during a global pandemic. You have lots
3 of people in closed quarters.

4 They are usually vulnerable populations, and we have
9:37:09AM 5 lots of staff coming and going, versus -- and yes, I will sound
6 entitled right now, but my ex-husband lives in Los Altos Hills
7 in what most people would call a "mansion." There is no one
8 coming and going. There's the outdoors. There's privacy.
9 There's no risk, as there is no risk at my house in Palo Alto.

9:37:30AM 10 Now, if you say, but the numbers show differently, the
11 numbers are by county. Our county is huge, and it includes an
12 area of San Jose that has a lot of first-line workers. My
13 daughter would have been at zero risk for COVID had she been
14 been going back and forth between my house and my ex-husband's
9:37:51AM 15 and was at quite great risk in congregate care in Arizona. And
16 this was a medical issue.

17 In fact, her sister and her sister's boyfriend did
18 come to California and stay there at my home and my
19 ex-husband's house alternating during COVID until my daughter's
9:38:12AM 20 school opened up in the fall. This is a safety issue of --
21 during a global pandemic where the public was getting mixed
22 messages from authorities about what was the proper protocol.
23 It was a confusing and scary time.

24 Q. And you received an email from this nurse, Amie Schleeter,
9:38:33AM 25 A-M-I-E, and she said she made two appointments with a nurse

9:38:39AM 1 practitioner, and that's the response you received?

2 A. Yep, that's it. They are not going to respect parents'
3 wishes. They know best.

4 Q. I am going to go back in time and day, because this
9:38:50AM 5 document has the date order in reverse. Showing you page 4,
6 you initially, on March 19th, address Jeannie -- sorry, not
7 Jeannie -- Suzanne Courtney.

8 You copied your attorney, and you indicated: Number
9 1. I need to speak to my daughter about her medical symptoms
9:39:06AM 10 now. She is to be given privacy to speak to me, her mother,
11 about her medical needs.

12 Was that your request?

13 A. Yes.

14 Q. And it appears from this exhibit there was no response from
9:39:17AM 15 anyone until the next day?

16 A. Yes. I think they were scrambling around trying to, you
17 know, figure out how they were going to deal with the mess they
18 created when they basically kidnapped my daughter and
19 brainwashed my ex-husband to get my daughter back there. Now I
9:39:32AM 20 am not giving up. You're not -- I'm her mother. This is a
21 global pandemic. Get my daughter on the phone.

22 Q. At some point in time, you participated in a supervised
23 call with your daughter?

24 A. Can you direct me towards the date, because I am not --
9:39:51AM 25 there's so much stuff going on.

9:39:57AM 1 I did. I mean, the answer is yes, but that's very
2 vague.

3 Q. Do you recall who supervised the call?

4 A. Yes, the person that was supervising the visits -- I mean,
9:40:07AM 5 supervising the telephone calls, excuse me, I misspoke, was
6 Kelly Rudolf. So whenever it was, my recollection is it would
7 have been Kelly Rudolf.

8 Q. I am going to go back now to Exhibit 84 -- or I'm sorry,
9 85, where you were telling the court what had transpired. So
9:40:33AM 10 we left off on -- one of the things I was going to ask you, did
11 they ever send you any medical records from these visits?

12 A. No, no medical records, period.

13 Q. And then it appears you memorialized your phone call you
14 had with your daughter in this declaration to the court, and
9:41:07AM 15 would it refresh your recollection to look at it in order to
16 tell us how that conversation went?

17 A. Can you please scroll up, because I would like to place
18 this in context of the date that it was. And I think it was
19 right before the hearing that was coming up, and it was very
9:41:20AM 20 suspicious. Because I had no contact with my daughter since
21 she was forcibly returned against my wishes to Spring Ridge
22 Academy, so I think this -- I want to place this in a timeline.

23 Q. Well, the previous paragraph says that on March 20th at
24 approximately 11:00 a.m. with Rearden in the room, you
9:41:38AM 25 participated in a telephone call with a nurse?

9:41:41AM 1 A. That's a different one than the call with Kelly Rudolf
2 supervising. That was the conversation when Rearden was in the
3 nurse's office. That's why it's very important to be
4 accurate -- well, it's always important.

9:41:54AM 5 Q. Well, let me keep reading here: That day at 1:38 p.m.,
6 Rearden was allowed to make unscheduled telephone call to speak
7 to me for 20 minutes.

8 A. Oh, yes, because we were in the nurse's office, and it was
9 really weird. I don't know this nurse. Rearden is there. She
9:42:08AM 10 can't speak freely. Suzanne Courtney insisted that Mr. Stata
11 be on the line, and he was, though his lawyer misled the family
12 law court later and said, Mr. Stata had no knowledge that his
13 daughter was sick and ever had a phone call, even though the
14 man was on the phone because Suzanne Courtney insisted on that.
9:42:27AM 15 And that was fine. I have no problem with that.

16 And so we had this. It was weird, and I said, okay,
17 you know what, when she gets back to Spring Ridge Academy, I
18 need to speak to her alone. And so it was arranged for the
19 first time that I be able to speak to her, but it wasn't alone.
9:42:42AM 20 It was monitored by Kelly Rudolf.

21 Q. And without looking at this, can you tell us what exactly
22 was said during that conversation?

23 A. I can't tell you without looking at it, but looking at it,
24 it's like a dagger in my heart. So, yeah, I remember the phone
9:43:00AM 25 call.

9:43:01AM 1 Q. So Rearden said: Mama, I miss you. And: Mama, it's so
2 good to hear your voice?
3 A. "Mama, I love you."
4 Q. And then she told you that her class schedule had been
9:43:14AM 5 changed by the principal so she wouldn't get bored during the
6 extra six months. And then you responded: What? Your school
7 schedule was changed and your graduation delayed without my
8 knowledge.
9 And then you make a note here that: Terror gripped
9:43:30AM 10 Rearden's voice as she quickly responded, "Let's change the
11 subject, I just want to talk about happy things."
12 What about your daughter's voice was different?
13 A. That child came out of my body. I know her every emotion.
14 I know when she's lying. She says, Mommy, how do you always
9:43:50AM 15 know when I'm lying? I said, cocoa bean, you came out of my
16 body, you can't get in front of me.
17 I know her voice. I have never heard her voice like
18 that. It was like the CIA, the FBI, and Nexia was like
19 watching her. It was crazy. It was terror. This was sick.
9:44:13AM 20 Q. And after that, did you email the principal asking for
21 information on why her schedule was changed?
22 A. Without my knowledge and without a consultation, with her
23 academic history, I most certainly did.
24 Q. Did he respond?
9:44:29AM 25 A. I think eventually he did. I don't know if he did it right

9:44:31AM 1 away. He sent me -- eventually I got from somebody some
2 schedule change, but honestly, what they had done was not okay.
3 And you would have to refresh my memory with documents about
4 who sent what to who, it's just too much.

9:44:47AM 5 Q. Okay. So to the court here you recited a chain of events
6 that you had received an email from Veronica Borges on
7 March 27th, 2020 and an updated class schedule showing the
8 schedule change on March 27th?

9 A. Yes. So this Exhibit U, which was -- I think is the
9:45:08AM 10 fabricated progress report that wasn't really a progress
11 report. It was prepared, I think, in anticipation of the court
12 hearing. So they are doing this posturing.

13 That's not really a progress report, but they want the
14 court to continue to think they are legit, and that was the
9:45:24AM 15 only one that she ever did, so there's no other ones. It was
16 strategically timed.

17 And then much to my chagrin, I find out that Rearden
18 has been taken out of Calculus and put back into Algebra 2,
19 which she had successfully completed at her high school, Gunn
9:45:41AM 20 High School.

21 And here's why. When I spoke to her team there, an
22 actual team of licensed people at the public high school, their
23 position was on mathematics classes -- this is not apply to all
24 classes -- but because mathematics is cumulative and it builds
9:46:03AM 25 on itself, the fact that she didn't pass the first semester but

9:46:08AM 1 did pass the second semester meant that they knew she knew the
2 prior material.

3 And while not giving her the credit in terms of the
4 credits that -- they gave her credit in terms of, you know this
9:46:23AM 5 and you are going to move on and you don't need to repeat it.

6 And clearly, if you have gone from Algebra 2 and now
7 you are already in Calculus -- Mr. Zych, who has no experience
8 in being in a school anywhere but Spring Ridge Academy, and
9 that is a red flag, because there are things done in public
9:46:42AM 10 schools that require proper protocols that are necessary to
11 have a proper education.

12 We covered that yesterday, my respect for public
13 school teachers. To just be making this decision without
14 having this conversation with the mother, who knows this
9:46:57AM 15 history. And now he just randomly decides, oh, look, there's a
16 hole here, and instead of asking for an explanation that I just
17 gave you, then decides to have her go back and repeat it.
18 Well, that's not college prep.

19 And unbeknownst to me until discovery, for some odd
9:47:16AM 20 reason, he decides to give her credit for Algebra 1, which was
21 completed in middle school, and it was clear they were doing
22 nothing but padding her academic transcript.

23 As far as I'm concerned, it is fraudulent. This is
24 comparable to the college admission scandal we have all seen in
9:47:36AM 25 the news that frankly a lot of people in our area were

9:47:39AM 1

prosecuted for.

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9:47:53AM 5

middle school.

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9:48:14AM 10

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9:49:16AM 25

I have never heard of this, going back and repeating a class when you are already at the Calculus level, also it will be easy, and then producing not a single solitary document in response to my repeated requests before I removed her, after -- no, right after I moved her, repeatedly. Ms. Allard requested them, and in discovery.

There is not one paper. There is not one test. There is not one anything to indicate that my -- actual syllabus. There's nothing to indicate that my daughter was actually educated. I cannot support rich people buying high school degrees for their children. This is against everything I believe in and my family believes in. It is unconscionable. And now I will get off my soap box.

Q. Now, I want to ask you about what Veronica Borges wrote that was submitted as Exhibit U here.

A. To the court? Yeah, it was directed to the court but pretending to be the one progress report she ever did.

Q. So the first question is, in that February 25th letter where they say you are going to get monthly updates, did you ever get monthly updates?

9:49:18AM 1 A. No, this was the sole update I ever received, and clearly
2 it is for litigious purposes.

3 Q. So here in the middle paragraph it says: Kimberly
4 requested a call with Rearden to check in on her daughter's
9:49:31AM 5 well-being since she was worried with the spread of COVID.

6 Is there any mention here that -- by Ms. Borges to
7 this court that Rearden actually had viral symptoms and was
8 being seen by a nurse?

9 A. I don't remember, but we can read it and see if it does.

9:49:48AM 10 Q. All right. So --

11 A. I don't think it does.

12 Q. Well, you never spoke to Ms. Borges, correct?

13 A. Oh, I never spoke to Ms. Borges after I removed -- I mean,
14 "spoke" is a generic term meaning by email. After I removed my
9:50:05AM 15 daughter, I had no further, you know, communications with

16 Ms. Borges, though she might have been copied on the email that
17 advised them to retain all records because I was going to sue
18 them.

19 Q. Right. But let's talk about this call when your daughter
9:50:19AM 20 is sick.

21 A. Yes.

22 Q. The people present were your ex-husband on this call? You?

23 A. On his own phone from California, my ex-husband. Me from
24 California on the phone. And then -- well, since I wasn't in

9:50:29AM 25 the room, I can't testify as -- what was really there, but who

9:50:34AM 1 I thought was there was Rearden in the room and the nurse in
2 the room. And there may have been an SRA representative in the
3 room, but I wasn't there, so my testimony is to what I believe
4 not what was actually there.

9:50:49AM 5 Q. So you had no reason to believe that Veronica Borges was
6 present such that she witnessed this phone call?

7 A. No. She was -- I am pretty sure she was not present. I
8 can't imagine that a therapist would go off to the nurse
9 practitioner with one of the students. That just seems like
9:51:04AM10 something that probably didn't happen.

11 Q. And so Ms. Borges writes that: Kimberly began questioning
12 Rearden about when she would complete her high school credits,
13 and Rearden perceived this inquiry as her mother encouraging
14 her to leave the program as soon as those credits were
9:51:21AM15 complete. Rearden promptly set a boundary with her mother and
16 asked that they not discuss the topic of future plans. The
17 rest of the call went smoothly.

18 Q. Okay.

19 A. Okay. I need to correct my prior testimony because now I
9:51:35AM20 remember. What I was testifying to was who I thought was in
21 the nurse practitioner's office with -- the nurse that they
22 found.

23 The subsequent phone call was probably somewhere from
24 the SRA property with who I understood to be Kelly Rudolf
9:51:53AM25 supervising the call, and Rearden. I do not believe Veronica

9:51:56AM 1 Borges was there.

2 I have no reason to believe that, but this hearsay
3 tattletale stuff is pretty much a standard operating procedure
4 for SRA. So they feel free to, you know, repeat and repeat
9:52:09AM 5 until the story bears no resemblance to the original.

6 She wasn't there, and she is coming up with her
7 version of this. And, no, I don't think we set boundaries
8 around our parents when they inquire about our academic
9 progress. That is not a proper use of the word "boundaries."

9:52:31AM 10 Q. I am going to ask you to look at Exhibit 7 on page 5, which
11 has been previously published. In the middle it says: Family
12 therapy occurs in conjunction with individual therapy to
13 resolve conflict, improve communication, develop a system of
14 trust and support, increase connection, and practice effective
9:52:55AM 15 boundaries and limit setting by parents?

16 A. Yes, that is my understanding of the correct use of
17 boundary setting. Children aren't setting boundaries for their
18 parents, and maybe that's because I'm old and I'm 63, and I
19 can't imagine setting a boundary for my Lebanese father. He
9:53:16AM 20 would look at me like I have lost my mind. This is absurd.

21 It's absurd.

22 Q. Okay. So was there anything in this parent -- the content
23 of this Parent Manual suggests that they are going to support
24 parents in setting boundaries with their children; would you
9:53:32AM 25 agree?

9:53:33AM 1 A. That's what I am reading.

2 Q. Was -- did this -- all of this language regarding therapy,
3 increasing connection with the family, and all of the questions
4 on this Enrollment Agreement, what were you led to believe that
9:53:48AM 5 your role in this process was going to be when you enrolled
6 your daughter in this school?

7 A. Respect as the parent. As Spring Ridge Academy employees
8 testified, the parent is, you know, the authority on their
9 child, and we are going to get united around these parents and
9:54:04AM 10 help them, you know, help their child be the best version of
11 themselves.

12 There's nothing here to indicate what actually
13 transpired when they insinuated themselves into the family law
14 matter of one of their students.

9:54:25AM 15 Q. Okay. Was there any -- when you supplied information to
16 Mr. Stubbe, for example, that -- about Rearden's history with
17 homework, what was your purpose and goal in extending him that
18 information?

19 A. Because when you are starting new with a 17-year-old, there
9:54:41AM 20 is so much history you don't know, and she could -- she's very
21 articulate -- I'm sure no one is surprised -- and very charming
22 and persuasive. He may be falling for some of her lines that
23 have already been debunked by prior professionals.

24 She gets to try them again in a new environment
9:54:59AM 25 because none of these people know her history. So let's just

9:55:02AM 1 cut through some of the games we've already debunked back in
2 California and get on to getting our work done. So that's
3 helpful if you are a proper professional to hear that from the
4 parent. You are like, oh, this kid already tried that and it
9:55:18AM 5 turns out it really wasn't true, let's move on.

6 Q. So I want to ask you about the Parent Manual admonitions
7 that they have about, don't listen to your daughter if they
8 complain. Did you look at that before you enrolled your
9 daughter?

9:55:29AM 10 A. I actually did, and I have a little different take on it.

11 Q. So what did you think this was trying to convey in the
12 context of what you could expect for you and your daughter at
13 this school?

14 A. Well, the particular part, which in hindsight is disturbing
9:55:46AM 15 but at the time wasn't, I did pause when I read the part about,
16 don't believe them if they, you know, tell you stories.

17 But I do know that the audience for this manual is a
18 diverse set of parents. Everyone is unique. So some parents
19 are quite gullable. Clearly I am not, but some parents are,
9:56:05AM 20 and I'm not criticizing.

21 So maybe there would be some falsehoods or
22 exaggerations that they would fall for because they don't have
23 good boundaries, that they are assuring you, you know what, if
24 they tell you some crazy story that there's bodies buried in
9:56:19AM 25 the cellar, it's not true -- because maybe they would.

9:56:21AM 1 I thought, they are just alerting us to be, you know,
2 use critical thinking, and I am very good at that. I know when
3 my kids are lying. I know when they are telling the truth,
4 because I am a mom. And I didn't need that admonition.

9:56:35AM 5 I didn't think it was something sinister. In
6 hindsight now, I think it was very sinister, and I think it was
7 meant to discredit those kids from actually telling the truth
8 to their parents, and this is why I don't trust anybody.

9 Q. Going back to what you were supplying the court in
9:57:03AM 10 Exhibit 85. You did some research and investigation on who the
11 individuals were at Spring Ridge Academy, correct?

12 A. Absolutely. I wanted to know who these people were and how
13 we got to this kind of situation.

14 Q. And you educated the court on Jeannie Courtney's
9:57:27AM 15 association with a man named David Gilcrease?

16 A. I certainly did, and this was my information that I knew at
17 a point in time. I now have put in thousands and thousands of
18 hours of research and become one of the experts in this country
19 on this entire incestuous mess, and I will continue to do that
9:57:44AM 20 for the rest of my life. This needs to stop.

21 Q. And you learned about this lawsuit involving the schools,
22 the acronym there is WWASP schools?

23 A. World Wide Association of Specialty Programs and Schools.

24 Q. And you then educated the court on some congressional
9:58:09AM 25 hearings on the subject of residential treatment programs?

9:58:12AM 1 A. Absolutely -- excuse me, sorry. Absolutely. Those were
2 the GAO hearings that I found out had been conducted and were
3 disturbing beyond belief and required a colossal effort on some
4 really major authorities, raising red flags. Numerous GAO
9:58:29AM 5 published reports. When you knew what to look for, it was
6 disturbing. The problem is, you already had to know in order
7 to find out.

8 Q. So then you educate the court on Pia Mellody and Post
9 Induction Therapy, which is what you objected to on Veronica
9:58:55AM10 Borges' Master Treatment Plan, correct?

11 A. Yes. It turned out that the Arizona Republic, Reporter
12 David [sic] Anglen, who is very well respected, had already
13 done an article, and he had done a public records request.
14 There was a lot of disturbing information.

9:59:11AM15 I duplicated the public record request to verify that
16 his information was accurate. That's how serious I was, before
17 I made anything, and this is what I had discovered.

18 Q. So we heard testimony that SRA employees received training
19 at The Meadows from Pia Mellody and none of them were aware of
9:59:32AM20 the controversial methods that were the subject of a lawsuit in
21 this Arizona publication?

22 A. Correct. And David -- and Robert Anglen continues to
23 report on this because he says, you know, these abusive and
24 publicly humiliating tactics that were used back when this was
9:59:50AM25 founded are still going on in various settings, including --

9:59:55AM 1 and I have informed him -- on minors at Spring Ridge Academy.
2 And I think he and I will be collaborating in the
3 future as another iteration of using this nonsense, but this
4 time on children.

10:00:07AM 5 Q. And in this, particularly you give the details that Pat
6 Mellody, who was the therapist, was having sexual relations
7 with an employee nurse and that Pia Mellody thought it would be
8 a good idea for her to stand up in front of all of the
9 employees and confess this sexual exchange?

10:00:23AM 10 A. Oh, no, no, no, not just the employees, but the victim's
11 son and husband, as well as employees.

12 Q. And this is the author of Post Induction Therapy?

13 A. This is the creator of Post Induction Therapy and the
14 author of Facing Codependence.

10:00:55AM 15 Q. And then Spring Ridge Academy -- not Spring Ridge
16 Academy -- but your husband -- or ex-husband's lawyers filed a
17 response to what you filed in court.

18 MS. ALLARD: And may I publish Exhibit 86?

19 THE COURT: It's in evidence. You may.

10:01:36AM 20 BY MS. ALLARD:

21 Q. Just summarizing it briefly, those attorneys through your
22 ex-husband represented on page 4 that your daughter was
23 thriving at Spring Ridge Academy, and that he had done the
24 Family I workshop and had done a family sculpting exercise.

10:01:56AM 25 Did you know anything about what happened at Family I,

10:01:59AM 1 other than what you see here reported by your ex-husband?

2 A. Oh, actually, I was supposed to -- remember way back, right
3 after I enrolled my daughter, they informed me that Mr. Stata
4 had something else to do during a Family Workshop I and he
10:02:10AM 5 wasn't coming.

6 I was coming, so I made hotel reservations, multiple
7 of them, flights, bought tickets for my older daughter, my
8 younger daughter, and myself to do fun things in the area, set
9 up the whole trip to be a family event, and then all of this
10:02:30AM 10 stuff came down, and I wasn't going to be participating in
11 this, and I didn't want my kid there.

12 And Mr. Stata suddenly didn't have a conflict anymore
13 and stepped in and had this family therapy workshop. And I
14 believe my older daughter -- yes, I think she did.

10:02:50AM 15 She contacted me and she said, Mom, I don't know what
16 to do here. She goes, I was supposed to come with you and
17 Rearden and Dad, and now this whole thing has happened. I
18 don't want to be in the middle of this, but I want to do the
19 right thing -- which a mother always wants to hear. Music to
10:03:08AM 20 my ears.

21 And she said, I feel like I should go anyway with Dad
22 and Rearden and support Rearden. And I said 100 percent, I am
23 so proud to hear you say that.

24 So my daughter did do -- my older daughter did go
10:03:21AM 25 there to support her sister. You know, they do grow up. I

10:03:26AM 1 guess at some point they do listen.

2 But I was scheduled to do this, and then they just
3 made sure that they went. And now suddenly his conflict clears
4 up, and he goes, and he has some of this sculpting that we've
10:03:40AM 5 heard of. And he thinks it's the greatest thing since sliced
6 bread because he's been brainwashed by the cult who hates his
7 ex-wife and has given him permission to hate her too.

8 Q. Going to the top, your ex-husband's lawyers recite an
9 Arizona Administrative Code as grounds for stating that SRA is
10:03:59AM 10 a medically necessary facility providing essential health care
11 services. Did you research that code and try and look it up?

12 A. At that time I did not, because I am not an Arizona lawyer,
13 and that was an oversight on my part. Because this is the same
14 code section used by Mark Burdick. I don't know if we talked
10:04:19AM 15 about him yet, but we will.

16 And subsequent to that and in doing this lawsuit here,
17 because I am appearing in this court by special permission, I
18 had to become familiar with the Arizona Regulations, the
19 Arizona Administrative Code. It's kind of a crash course in,
10:04:38AM 20 if you are going to show up here as a California lawyer, you
21 better do your homework. We are not going to be not impressing
22 the court.

23 And I discovered that, I don't think this is a code
24 section and I can't find it anywhere. So I -- that's not how
10:04:54AM 25 this is broken out. That does not appear to exist, but yep, I

10:04:58AM 1 let one slip through the cracks.

2 I don't think that's a thing, and I would love for
3 somebody to show me that code section.

4 Q. So you looked it up and it doesn't exist?

10:05:05AM 5 A. It doesn't appear to exist. I could be wrong, as again, I
6 am not an Arizona lawyer. But I can read.

7 Q. And then there's a whole section submitted by your
8 ex-husband on Exhibit 86 that it is vital to Rearden's
9 well-being and required by Spring Ridge that we follow Spring
10:05:27AM10 Ridge's protocols for Rearden's academic and therapeutic
11 treatment plan.

12 And so in this, it is attached, and it is represented
13 that Veronica Borges found Kimberly to be combative rather than
14 collaborative. And this was one of the emails that we talked
10:05:50AM15 about exchanged between you and Ms. Borges that your ex-husband
16 attached for this court, correct?

17 A. Yes.

18 Q. Then he goes into the history of your divorce and says that
19 you challenged the private judge. Did you in fact do that, and
10:06:09AM20 did you have grounds to do that?

21 A. I did do that, and I did have grounds to do that. For some
22 reason this woman who had been a prior Superior Court Judge,
23 which is a public position, who knows the rules, decided to do
24 crazy stuff like conduct phone hearings at the bedside of her
10:06:27AM25 dying husband and make crazy decisions.

10:06:30AM 1 No. As a lawyer, I don't think that's okay. Both
2 because she has family matters to attend to, and that's where
3 her attention should be, and she should give her clients more
4 attention. And when I believe -- and I am not a therapist, but
10:06:47AM 5 I have some common sense -- that when your husband is dying,
6 it's not a good idea to be make serious judgments concerning
7 other people's children.

8 That's just one of many loosey-goosey with rules
9 things she did. So I did file a challenge for bias. And the
10:07:04AM 10 funny thing happened -- of course the ruling came down from
11 another judge so they didn't find her guilty of bias, because
12 they never find each other guilty of bias. Surprise, surprise.

13 But what they did find was, suddenly Judge Gallagher
14 looked within herself and started following the rules, every
10:07:26AM 15 single solitary one of them that then put in place to ensure
16 justice. She suddenly remembered them. She suddenly followed
17 them.

18 And guess what? Much to our surprise, those rules
19 were there for a reason. And when she did that and she
10:07:41AM 20 actually used those rules, all of a sudden the rulings switched
21 and started being in my favor because, guess what? We should
22 actually rely on the facts, and that's why the rules are there.

23 So I did challenge her for bias. It was effective.
24 She started doing the job she was being paid \$650 or some
10:08:02AM 25 amount of hours per hour to do. She suddenly found her, you

10:08:07AM 1 know, memory of how we practice law and began making proper
2 rulings. So I don't apologize for doing that. She needed to
3 behave in a manner fitting a judge.

4 Q. Okay. Let's go on. So it's suggested here that you
10:08:23AM 5 fabricated or made up that her husband was convicted.

6 A. No, it was not fabricated. He was. He was convicted
7 of fix -- which is odd because they do weirder things than this
8 and don't get convicted. He was kicked off the bench for
9 fixing the, I think, parking tickets or traffic tickets of
10:08:43AM 10 family and friends or some crazy thing.

11 Q. And he was convicted?

12 A. And he was -- well, yeah, he was convicted. Whatever I
13 report here, I am a facts person. He was convicted and kicked
14 off the bench.

10:08:56AM 15 Q. So now this information is coming into a family law judge
16 that isn't Judge Gallagher that has no information about your
17 case, and it appears that everything that was litigated or
18 brought up in your family law case is somehow attempting to
19 paint a picture that you make things up?

10:09:17AM 20 A. It is -- what you are saying, that they are engaging in ad
21 hominem attacks against my character, yes, they are, and I
22 stand behind my actions.

23 Sometimes you need to be the voice of, we're all going
24 to be grown-ups now, whether you like it or not. Regrettably,
10:09:35AM 25 throughout my life, I've often had to be that person. For that

10:09:39AM 1 I make absolutely no apologies, because we are sitting here
2 today, and people are hearing things that are outrageous for
3 the first time, and I guess it just fell to me.

4 Q. And then you are being here criticized, impliedly, for
10:09:56AM 5 filing a complaint with the psychology board regarding a
6 Dr. Michael Kerner. What is it that you used as evidence
7 regarding Dr. Kerner's history?

8 A. Oh, he wasn't even a custody evaluator. He was supposed to
9 be something called a "recommending mediator." Turns out that
10:10:19AM 10 title had been made illegal three years before he was appointed
11 to do that because it's confusing.

12 Q. What public records did you submit to Judge Gallagher in
13 support of your claims?

14 A. I went looking for information on this guy, and I found
10:10:34AM 15 declarations in family law court public filings from multiple,
16 multiple women who don't know each other claiming that Michael
17 Kerner, a mandated reporter, covered up the molestation of
18 their children and was routinely giving children to abusers,
19 their fathers, against the mother's wishes.

10:10:57AM 20 And I believe in one case the child died. It was
21 horrific, and I have zero tolerance for child molestation and
22 this type of thing.

23 Q. In fact, you first hired me because I knew about
24 Dr. Kerner?

10:11:14AM 25 A. Because -- when I realized the guy was shady and testified

10:11:16AM 1 in his first half of his day of deposition that no one had ever
2 complained about him before, and that just struck me as not
3 true.

4 So then I knew what the web search needed to be,
10:11:29AM 5 Dr. Michael Kerner's victims. And what pops up but your
6 filings in the Anna Saucedo case, and I realized you knew
7 exactly who he was and exactly what his tactics were.

8 And I couldn't sleep all night and at 8:30 the next
9 morning I called your office in San Diego and said, I want to
10:11:51AM 10 talk to Ms. Mara Allard about Dr. Michael Kerner. And your
11 associate, who happens to be your brother, said she will be
12 happy to talk to you. She's in a trial or deposition, and at
13 her first break you will be getting a call back.

14 I did, and the rest is history. You and I have been
10:12:10AM 15 working together ever since.

16 Q. So now some judge that knows nothing about Dr. Kerner, you,
17 or this case is being asked to discredit you in this --

18 A. Defamation, all because Spring Ridge Academy gave my
19 ex-husband a forum to start all this nonsense again and
10:12:34AM 20 permanently harm my children, my family, irrevocably for the
21 rest of their life. This hardly looks like family healing to
22 me.

23 Q. Now, in California, the family law judge has access to the
24 whole history of the case in the file, correct?

10:12:52AM 25 A. Well, they have access, but they don't really usually read

10:12:55AM 1 it.

2 Q. And did you ask this court to go down the line of your
3 entire divorce history regarding Dr. Kerner, Judge Gallagher,
4 two challenges of Judge Gallagher, and everything else that had
10:13:07AM 5 happened? Did you ask him to do this?

6 A. I repeatedly asked him to make himself, before he's making
7 these types of judgment, aware of the history of the case and
8 the number of professionals involved. I asked repeatedly to do
9 that, and it was clear that he did not and was not interested.

10:13:26AM 10 Q. Now, then you had to hire lawyers to respond to this
11 exhibit we just showed.

12 MS. ALLARD: I am now going to publish Exhibit 88.

13 THE COURT: 88 is in evidence. You may.

14 BY MS. ALLARD:

10:13:40AM 15 Q. 88 is respondent's reply to petitioner's responsive
16 declaration?

17 A. Oh, gosh, that's a mouthful.

18 Q. So it's pretty much, they file something, you respond; you
19 file something, they respond. And this is what you were going
10:13:59AM 20 through trying to get your daughter out?

21 A. This is what I was trying to do to spring my daughter from
22 the cult.

23 Q. So the first thing that you are accused of -- I'm sorry.

24 The first thing that you address in this response is
10:14:15AM 25 that you take issue with the euphemism of "high conflict

10:14:21AM 1 divorce"?

2 A. Yes, I do take issue with this. And as Dr. John Hunter

3 explained, I believe it was yesterday, that's a tactic used to

4 shut down conversation. You just use that to be dismissive,

10:14:37AM 5 now we don't have to look at the facts because -- it's called a

6 "thought-terminating cliché." Once you say that, everybody

7 just has permission -- you know, it's a crazy lady, we don't

8 have to look at the facts. It's a nasty, misogynistic

9 technique.

10:14:52AM 10 Q. So given what you had to respond to, it appears, because

11 you attached character letters and people who knew your

12 daughter, that you felt you needed to reeducate this court?

13 A. Oh, I need to resuscitate my reputation with those people

14 who actually have facts and know me and have worked with me on

10:15:06AM 15 a daily basis for years in, you know, assisting my children.

16 Let's get some facts here.

17 Q. So on page 3 you attach a letter from your therapist, a

18 letter from your daughter's tutor, a letter from your

19 daughter's swim instructor, a letter from your esthetician who

10:15:21AM 20 knows you and your daughters? And why is it you felt you had

21 to do this here in a family law action that had a huge history

22 of years and a whole evaluation done by an evaluator?

23 A. Because this "women are crazy" whenever they cause conflict

24 is still prevalent today, then, and for the last 10,000 years.

10:15:43AM 25 I have to continuously fight to be heard. I am dealing in

10:15:47AM 1

facts.

2

I am not hysterical. I am not combative. I am not

3

calling people names and giving them feedback unsolicited. I

4

am simply telling people stuff they don't want to hear, and

10:15:58AM 5

apparently, that makes me crazy.

6

Q. So then you --

7

A. Excuse me. And I want to finish. And the people that

8

actually work with me, love me. I am a team player. I respect

9

them. I learn how to say their name the first time and don't

10:16:11AM 10

have to be corrected for years and years and years and still

11

mispronounce their name. That's the respect I show to others.

12

Q. So then you hired an expert?

13

A. Yes, I did.

14

Q. Why did you hire an expert?

10:16:23AM 15

A. Which one of these experts? I have lost track, Ms. Allard.

16

Q. Okay. I am showing you Exhibit 89.

17

MS. ALLARD: May I publish, Your Honor?

18

THE COURT: It's received, yes.

19

THE WITNESS: Oh, no, I had already hired him before.

10:16:34AM 20

He was the same one that I had to hire before about -- to talk

21

about Dr. Michael Kerner's nonsense and history, so I brought

22

back Jay Flens there, and you should be hearing from him later

23

today here.

24

BY MS. ALLARD:

10:16:45AM 25

Q. Did you have to retain and pay him money to do this?

10:16:48AM 1 A. Oh, yes, of course. He doesn't do this for free.

2 Q. So one of the things you had to do is educate this judge,
3 this new judge about Dr. Michael Kerner?

4 A. Absolutely, and also Dr. Mark Burdick, who really is not
10:17:16AM 5 independent. He was just a educational consultant who
6 self-admitted -- who for years had been sending girls off to
7 this Spring Ridge Academy and thought it was just grand.

8 I would love for him to order copies of these
9 transcripts and see if he has changed his opinion now about how
10:17:33AM 10 well treated those girls were.

11 Q. So he stated an opinion, gave his resumé. He educated the
12 court on what was wrong with Dr. Kerner's work, and he also
13 educated the court regarding the ethical violations committed
14 by Dr. Burdick?

10:17:55AM 15 A. Absolutely he did, because you are not supposed to be doing
16 what Dr. Burdick did, but of course that's no surprise now
17 in -- the point in the trial.

18 Q. And then you filed some legal argument in Exhibit 90.

19 MS. ALLARD: May I publish Exhibit 90?

10:18:16AM 20 THE COURT: You may.

21 BY MS. ALLARD:

22 Q. And this legal argument was points and authorities to talk
23 about some of the other stuff you had learned in the law and --
24 as far as Spring Ridge Academy. You had requested another
10:18:30AM 25 report from a custody evaluator in California, correct?

10:18:34AM 1 A. Yes, because there has to be continuity. You don't bring
2 in new people to question a child that have never met her
3 before. We already had Dr. Kline, who had had 140 hours, court
4 appointed with our family, our entire family. So he is the
10:18:54AM 5 person to do what they call in family law court a "Brief
6 Focused Assessment." That's a BFA.

7 And what that means is, let's get the person who
8 already had the history to check in with the folks and find out
9 what is going on right now, because he has context.

10:19:12AM 10 Of course the Court then decides, we don't want to use
11 the guy that knows what's going on -- and we have the money to
12 pay him, because of course these guys are really good and
13 they're not -- they are expensive, but it doesn't matter, we
14 have those resources.

10:19:25AM 15 Instead, he decides he's going to get a Family Court
16 Services person, a public employee -- nothing against them --
17 but he has no history of the case, to contact our daughter
18 about her feeling. No, that was not the appropriate person.

19 The appropriate person would be the existing ABPP,
10:19:41AM 20 psychologist Dr. Jeffrey Kline, who had 140 hours
21 approximately, I believe, if my records -- memory of my records
22 serve me well, with our whole family. That's who should be
23 doing it. Let's keep it in context.

24 Because he knew Rearden, and he knew her issues, and
10:19:59AM 25 he wouldn't be swayed by things like her charm. Because he

10:20:03AM 1 already could put it in context. So this is why we asked for
2 this. It's all very standard and really best practices is what
3 we are asking for.

4 Q. And then it was argued on your behalf that an ex parte
10:20:14AM 5 order does not have the legal ability to change custody as it
6 in fact de facto did in your particular case?

7 A. It does not. And what the judge did was not legal, but
8 that doesn't stop them.

9 Q. And what was cited was a Family Code Section 3064, which
10:20:32AM 10 outlines the requirements to change custody, which is not
11 certainly an ex parte, correct?

12 A. Exactly.

13 Q. And then in fact in your case history, in Exhibit 67 --

14 MS. ALLARD: Can I publish that?

10:20:45AM 15 THE COURT: You may.

16 BY MS. ALLARD:

17 Q. Judge Gallagher had previously made the same order when you
18 requested ex parte relief for Jeffrey Kline's report to be
19 imposed, correct?

10:20:52AM 20 A. Yes, I did.

21 Q. And she cited the same code section and basically said, I
22 can't do that, we have to have a full trial and a hearing,
23 can't do that on an ex parte?

24 A. Yep, she did.

10:21:07AM 25 Q. So then it's argued that -- or presented to this court that

10:21:16AM 1 there are now licensing violations that Spring Ridge Academy
2 has suffered for -- in 2019, a student was taken to a hospital
3 at Spring Ridge Academy with a history of self-harm who cut
4 herself with a knife at a group event, and so this was
10:21:34AM 5 presented to the California judge?

6 A. Yes, the month before Rearden was enrolled and they assured
7 me that, you know, they were going to be similarly situated
8 girls, there was this incident. So they had knowledge of this
9 self-harming that was not what we were signing up for.

10:21:50AM 10 MS. ALLARD: May I ask to publish Exhibit 91, Your
11 Honor?

12 THE COURT: You may.

13 BY MS. ALLARD:

14 Q. So you printed off all of the Arizona regulations and the
10:21:59AM 15 licensing violations and you presented it to the court in the
16 form of a request for judicial notice?

17 A. Yes. This was my foray into Arizona Administrative Code
18 and the Arizona Regulatory Statutes for the pretty much first
19 time because that's what's applicable to Spring Ridge Academy,
10:22:15AM 20 not California law.

21 Q. And the first document was the executive order during the
22 pandemic from the governor of Arizona?

23 A. Yes.

24 Q. And that's page 4 of Exhibit 46.

10:22:31AM 25 And then you provided the court with Exhibit 2, which

10:22:36AM 1 was Arizona Administrative Code in multiple sections, including
2 the definitions. And specifically, on page 14 of 46, you
3 provided the copy of the different code sections included
4 R9-10-702, definition of a behavioral health facility.

10:23:01AM 5 R9-701, the requirements for admission. R9-708, the
6 requirements for a treatment plan, which requires in Section B,
7 that a request for participation in developing a resident's
8 treatment plan is made to the resident or the resident's
9 representative; and an opportunity for participation in
10:23:33AM10 developing the resident's treatment plan is provided to the
11 resident or the resident's representative.

12 Did you ever get an opportunity to have input into the
13 Master Treatment Plan prepared by Veronica Borges?

14 A. Did I have an opportunity? I did. She sent it to me. I
10:23:51AM15 emailed her my concerns, and apparently that was the end of my
16 opportunity because her interpretation of "participation" is to
17 trust me, do what I say, even when I am irrational and
18 incoherent, and any pushback you have will be viewed as
19 combative and we will cut off contact with your daughter and do
10:24:12AM20 all this.

21 So, yes, I attempted to collaborate. Apparently, my
22 notion of collaboration and hers are very different.

23 THE COURT: Ladies and gentlemen, this is a perfect
24 time to take our morning recess. Court is in recess until
10:24:25AM25 10:45. Please don't talk about the case.

10:24:28AM 1 All rise for the jury. Court is in recess until
2 10:45.

3 (The jury leaves the courtroom.)

4 THE COURT: Court is in recess.

10:37:51AM 5 (Recess taken at 10:24 a.m.; resumes at 10:47 a.m.)

6 THE COURT: This court will come to order. All
7 parties present when the court last closed are present again.

8 Please continue.

9 BY MS. ALLARD:

10:47:56AM 10 Q. Going through the other code that you gave the California
11 court was the Arizona R9-10-711, Resident Rights. This was
12 printed out back at the time your daughter was enrolled at
13 Spring Ridge Academy?

14 A. Yes.

10:48:13AM 15 Q. There's been testimony on this issue that the version from
16 that year was not what they were asked about but it would be
17 contained here, correct?

18 A. Yes, it would.

19 Q. And you provided the Court on page 27 licensing violations
10:48:30AM 20 that you had obtained from Arizona Department of Health
21 Services, correct?

22 A. Yes, I went online, and then later started making public
23 records requests to get the records behind the records.

24 Q. And in response to this document, I am going to show you
10:48:46AM 25 what's been previously published as Exhibit 87, which is the

10:48:49AM 1 declaration of Mark Burdick?

2 A. Yes.

3 Q. The educational consultant?

4 A. Yes.

10:48:55AM 5 Q. And he indicated --

6 A. This is not my educational consultant. This is the
7 educational consultant that Spring Ridge Academy my told
8 ex-husband about in order to bolster his case in the family law
9 court against me.

10:49:15AM 10 Q. So in his declaration, he addresses what you attached or
11 what you argue to the court about licensing.

12 And he says, under B: I have never known SRA to shut
13 down even temporarily due to a licensure issue.

14 And he says: SRA is licensed by the Arizona
10:49:36AM 15 Department of Health Services Behavioral Health Division as a
16 residential treatment facility and intensive outpatient
17 facility per Arizona Administrative Code, which he does not
18 cite.

19 And he says that: This is verified in my discussion
10:49:51AM 20 with Dr. Erin Smith, Director of Operational Excellence for
21 SRA. In my interview with Administrator Suzie Courtney on
22 March 24th, she has no knowledge of any violations of business,
23 health, or education code by the State of Arizona as addressed
24 by Student Manual.

10:50:13AM 25 So Dr. Burdick, Mark Burdick, represented to the court

10:50:18AM 1 that there were no licensing violations?

2 A. Yes, he did.

3 Q. And in response you filed in your reply, in Exhibit 91, the
4 text of the licensing violations. And now, you went to the

10:50:38AM 5 expense --

6 MS. ALLARD: And may I publish Exhibit 94?

7 THE COURT: Just one moment. It is received. You
8 may.

9 BY MS. ALLARD:

10:50:53AM 10 Q. Of filing what's known as objections to the evidence,
11 correct?

12 A. Yes.

13 Q. And you went line by line, or your attorney did, filing
14 objections to Mr. Stata's representations, and paid an attorney
10:51:15AM 15 money to compile 136 pages of objections?

16 A. Yes, I did.

17 Q. And that cost you a lot of money?

18 A. A lot of money.

19 MS. ALLARD: And may I publish Exhibit 92?

10:51:48AM 20 THE COURT: You may.

21 BY MS. ALLARD:

22 Q. At some point, given what you were reading from the other
23 side, you lodged with the court in a declaration your
24 daughter's class schedule, given what was reported regarding
10:52:00AM 25 her schedule change?

10:52:01AM 1 A. Yes, I didn't know about the Algebra 1 nonsense at that
2 time, but I knew about the Algebra 2 nonsense.

3 MS. ALLARD: And again, permission to publish 93, Your
4 Honor?

10:52:16AM 5 THE COURT: You may.

6 BY MS. ALLARD:

7 Q. Your attorney again -- or one of your attorneys, I think in
8 this case it was Jonathan Smith, my associate?

9 A. Yeah, probably, that certainly seems likely.

10:52:25AM 10 Q. He filed or prepared objections to the declaration of Mark
11 Burdick?

12 A. Yes.

13 Q. And it went line by line to object what Erin Smith said, to
14 object to what he said about his training and experience, and

10:52:44AM 15 his experience at Spring Ridge Academy, and to object to what
16 Suzie Courtney said on March 24th, and to object to what Kate
17 Deily said on March 30th, and to object to the recitation of
18 the statutes and everything that we talked about that you were
19 trying to point to the court. There were licensing violations
10:53:08AM 20 and Arizona regulatory violations for the manner in which they
21 conducted their business?

22 A. Just one correction, "allegedly said." They never said
23 that, Mark Burdick said it. So I would say, yes, allegedly
24 said all of these things that they shouldn't have even been

10:53:27AM 25 talking to this guy because it was a violation of law. Yes, I

10:53:30AM 1 had to pay lawyers money to continue to defend myself in family
2 law court against this onslaught from Spring Ridge Academy and
3 my brainwashed ex-husband -- brainwashed and drunk ex-husband.

4 Q. And at some point you got to court and you got a hearing.
10:53:46AM 5 And do you recall the judge's tentative ruling and how he
6 responded?

7 THE COURT: Ms. Allard, when you are at the stand
8 there with the ELMO, I need you to move in one of the
9 microphones, because the shorter one is not picking you up. So
10:54:06AM 10 the one on the lectern closest to you, the microphone in the
11 middle, if you could just move that in your direction, that
12 would be helpful. That one there, yes.

13 MS. ALLARD: How's that?

14 THE COURT: Perfect. Thank you.

10:54:19AM 15 BY MS. ALLARD:

16 Q. So we got a judge now. Then you finally got your first
17 hearing?

18 A. Well, by now COVID had hit, so it was on Zoom, but, yeah,
19 it was better than nothing.

10:54:26AM 20 Q. And so you had -- all attorneys appeared on Zoom, you
21 appeared on Zoom?

22 A. Yeah, we were all on Zoom because the courthouses were all
23 closed. And by the way, in order for me to file these
24 documents, because we file them manually here -- there, being
10:54:41AM 25 the courthouse was closed, I had to go bang on the door of the

10:54:44AM 1 closed courthouse and call the emergency number to get an
2 employee from inside to come out, plead my case that this was
3 an emergency.

4 And yes, I did tell them that my daughter was being
10:54:53AM 5 held by a cult, and I needed to get her out. And they let me
6 file emergency motions. It was super traumatic because
7 everything had shut down, so there was no way to appeal. But I
8 found a way, and I'm sure no one here is surprised by that.

9 Q. And now we are on the judge's words, and he starts out on
10:55:13AM 10 Exhibit --

11 MS. ALLARD: May I publish Exhibit 97, Your Honor?

12 THE COURT: You may.

13 BY MS. ALLARD:

14 Q. He starts out by -- he has got all this paperwork, which is
10:55:20AM 15 a lot. And he says, now, I would not, with my tentative
16 decision, want the mother to be cut off with the child.

17 Do you remember him saying that?

18 A. Well, something to that effect. We got the transcript
19 here, so let's rely on that.

10:55:33AM 20 Q. And so I would hope to order that the mother can have
21 whatever communication and contact with the minor that the
22 father is enjoying during this time.

23 And then he says specifically, whatever video or phone
24 call visits and have access to her academic reports and the
10:55:49AM 25 programming that the school is moving forward with.

10:55:52AM 1 So after this hearing, the judge ordered that your
2 daughter be interviewed by an investigator with the courts?
3 A. Yes, not the Brief Focused Assessment by the qualified, you
4 know, court-ordered evaluator as we asked, and he had already
10:56:08AM 5 agreed to do that, we contacted him in advance before
6 volunteering him, because that's the professional way to do it.
7 We have now yet another new person that we're going to
8 have to explain this bizarre situation to. Never met this guy,
9 a public employee, and no offenses against public employees,
10:56:25AM 10 but he doesn't have the context. So -- but at least that's
11 better than nothing. Someone is going to talk to my daughter.
12 Q. And I want to back up a little bit. This hearing -- the
13 Friday before this hearing, did you get an email for the first
14 time from Kelly Rudolf telling you that now Rearden would like
10:56:44AM 15 to have phone contact with you?
16 A. Yeah, they wanted to set up my daughter and get some more
17 evidence and have a basis for saying some more defamatory
18 things about me. And I can smell a setup at 100 paces. You're
19 going to weaponize my daughter, get more data and file it with
10:57:02AM 20 the court for the upcoming hearing. No thank you.
21 Q. And Nancy Nugent was the attorney for your ex-husband?
22 A. One of them. She did not work for Winter & Ross or Mindy
23 Ross or Lisa Tarr, but they brought in Nancy Nugent, who worked
24 at her own outside firm. So when you have a lot of money, you
10:57:21AM 25 can just hire all of these people to do all of this paperwork.

10:57:25AM 1 Q. And on Exhibit 97, the transcript of the hearing. On page
2 10, she says, however, recently within the last week or so,
3 Spring Ridge Academy wrote to Ms. Sweidy offering her phone
4 calls with Rearden and she turned them down.

10:57:42AM 5 A. I know that Ms. Sweidy's just a crazy.

6 THE COURT: Sorry, I didn't hear what she just said.
7 What was that?

8 THE WITNESS: That Ms. Sweidy is just a crazy. She is
9 so irrational. She was offered phone calls and she turned them
10:57:56AM 10 down.

11 BY MS. ALLARD:

12 Q. So you --

13 THE COURT: Whoa, whoa, whoa. What -- I'm sorry. Is
14 this testimony or what you think they are saying?

10:58:04AM 15 THE WITNESS: No, that's what they're saying. Out of
16 context, they are claiming that I am declining phone calls.
17 When the only -- the only offer of phone call I get is right
18 before a hearing that's going to be monitored so that they can
19 now spin this thing in this derogatory manner towards me.

10:58:21AM 20 And you will see from my response that that's exactly
21 what I knew they were doing, weaponizing my daughter, and I
22 declined the phone call, because you are not going to weaponize
23 my minor child further.

24 THE COURT: Ms. Allard, can you make sure that you --
10:58:36AM 25 if you have your client that's responding in some kind of

10:58:40AM 1 sarcastic way, can you make sure you correct that on the record
2 since the defense doesn't appear to want to object to anything.

3 MS. ALLARD: I can ask questions and get a response.

4 THE COURT: Yes.

10:58:55AM 5 MS. ALLARD: Then --

6 THE COURT: But sarcastic responses about -- lowering
7 her voice, or throwing her voice or whatever she's doing, none
8 of that is helpful.

9 MS. ALLARD: Okay, Your Honor. I think she understood
10:59:06AM 10 you and so we'll go from there.

11 THE COURT: Very well. Thank you.

12 BY MS. ALLARD:

13 Q. So let's talk about some of the emails -- or the email we
14 just talked about.

10:59:14AM 15 MS. ALLARD: May I publish 62, Page 1?

16 THE COURT: Okay.

17 BY MS. ALLARD:

18 Q. In your testimony just now you referred to an email the
19 Friday before the hearing. Is this the email that you received
10:59:28AM 20 from Kelly Rudolf?

21 A. Yes, it is.

22 Q. This is the witness that didn't remember anything?

23 A. Yes. That's the Community Life Director Kelly Rudolf that
24 remembered absolutely nothing.

10:59:43AM 25 Q. And your response on page 2, you documented your concerns

10:59:53AM 1 regarding confidentiality violations and that you -- as you
2 testified just now, documented your reasons for not wanting to
3 participate in that phone call in number 4, correct, where you
4 say: I will not allow you to further weaponize and abuse
11:00:14AM 5 Rearden?

6 A. Yes. That was the reason I was declining.

7 Q. So the court ordered specifically, that you have the same
8 contact with your daughter, and that was memorialized in a
9 former order. And do you recall communicating that to Spring
11:00:33AM 10 Ridge Academy?

11 A. Yes, immediately after that hearing, even though the order
12 had not been finalized because it takes a little bit of time to
13 do that, I notified Spring Ridge Academy of what the order had
14 been and wanted to proceed with unsupervised calls so that I
11:00:48AM 15 could actually have a conversation with my daughter that could
16 not be weaponized.

17 Q. Okay. So I am going to direct your attention to --

18 MS. ALLARD: Exhibit 62, page 15.

19 THE COURT: You may.

11:01:00AM 20 BY MS. ALLARD:

21 Q. So on April 7th, you emailed -- let me get to who you
22 emailed -- Erin Smith -- everybody listed at the top there?

23 A. Yes.

24 Q. And you documented all your concerns and complaints and --
11:01:17AM 25 especially regarding at the bottom speaking with Dr. Mark

11:01:21AM 1 Burdick. That's on page 1. And then we go to page 2, you
2 indicate at the top: Our family law case, the marriage of
3 Stata and Sweidy, the judge ruled today during our telephonic
4 hearing that I, Rearden's mother, is to have all same contact
11:01:38AM 5 with Rearden Father has.

6 And you relayed the order. In addition, it looks like
7 you requested all of her academic and medical records?

8 A. Yes, I did.

9 Q. Did you ever receive any academic or medical records after
11:01:51AM 10 making this request from anyone at Spring Ridge Academy?

11 A. No, I did not.

12 Q. Then on April 10th, and I am showing you page 17, you get a
13 response from Kelly Rudolf that she could put you on the
14 schedule for Phase 2 calls with Rearden?

11:02:12AM 15 A. Yes.

16 Q. Can you generally describe how those calls went?

17 A. As to content or the procedure in setting them up?

18 Q. The procedure.

19 A. Oh, it was bizarre. So first of all, we are supposed to
11:02:22AM 20 have actual unlimited contact either from the parent or the
21 child's end. They have this bizarre situation, and I am
22 guessing at it because I have never seen it. I have never been
23 on their side.

24 But there is some phone somewhere set up in some room
11:02:37AM 25 with some people there, and I don't know if there's other

11:02:40AM 1 students, other staff, I have no idea who is there. But what
2 they tell you to do is, with your child, you need to set up a
3 time that you, the parent, are going to call to a specific
4 number.

11:02:53AM 5 And those numbers change each time. It could be the
6 same time as last time. It could be a different one. You have
7 to call this number. And then the child is supposed to be
8 waiting at that location where that phone is, when you call.

9 It's all very weird and scheduled. This is not the
11:03:11AM 10 definition of what the code says. It's all very weird and
11 scheduled. And often, if your child is busy or gets called
12 away to something else, you are calling a line. It's ringing.
13 No one is answering. And then maybe another girl that's
14 walking by might pick up the phone and say, hey.

11:03:29AM 15 And I am introducing myself, I am Rearden's mother, is
16 Rearden there? No. Do you know where she is? And then
17 there's a bunch of shuffling around where somebody goes, finds
18 somebody to go get Rearden.

19 It is completely ridiculous and I don't believe that
11:03:42AM 20 the code allows this.

21 Calls need to be reasonable to play. So this was the
22 bizarre procedure, and I don't think at any time I ever made
23 one of those calls was my daughter actually sitting by that
24 phone. I think that there was always some reason why we had to
11:04:01AM 25 waste a number of minutes, with a very limited time period, to

11:04:04AM 1 go find the child and bring them to this specific location.

2 Again, remember, I have never seen this room. I have
3 never seen this bank of phones, and I don't know what is going
4 on in the room. But it was weird.

11:04:17AM 5 Q. Okay. I am going to ask you to review Exhibit 62, page 22.
6 Do you recall a description of this process by Kelly Rudolf
7 that you received in an email?

8 A. I don't recall it, and I would have to refresh my memory.

9 Q. Okay. Do you recall that she told you all Phase 2 calls
11:04:34AM 10 occur in a library?

11 A. Oh, yeah, I guess she is saying it's a library. Again, I
12 have never seen that, and that does not seem to be an
13 appropriate place to be having phone calls. In my extensive
14 experience with libraries, that's a place for quiet.

11:04:48AM 15 Q. Okay. I will ask you what your impressions were, let me
16 just take what was said here, okay?

17 A. Okay.

18 Q. And there's a Community Coach present; however, Phase 2
19 calls do not use the speakerphone feature as we did with Phase
11:05:01AM 20 1 calls.

21 Do you see that?

22 A. Yes, I do.

23 Q. So Kelly Rudolf told you that they use a speakerphone on
24 Phase 1 calls, correct?

11:05:09AM 25 A. Yes, apparently that's how they monitor them. Although I

11:05:12AM 1 think there was contrary testimony by one of the defendants,
2 but now we see there it was speakerphone. I didn't remember
3 that, but now I do as my memory is refreshed.

4 Q. And at some point in time you talked to Rearden, and do you
11:05:27AM 5 recall on April 11th, a Saturday, that she told you that she
6 had only learned about it because they scheduled a call with
7 you an hour prior?

8 A. Yes. I do remember that this was just not a priority, and
9 I was shocked. I thought there was an established procedure
11:05:46AM 10 because there's a lot of girls there and a lot of parents to
11 make this actually happen in some sort of efficient way. And
12 it was just one thing after another. Frankly, at this point it
13 was just icing on the cake from hell.

14 Q. Did you come to understand that there was video Zoom
11:06:04AM 15 contact between Mr. Stata and your daughter at this time?

16 A. At some point I did learn that, and I asked to please have
17 Zoom because I was dying to see my daughter, and a phone call
18 isn't as good as seeing her face, and we are in the middle of
19 COVID, and I really wanted to see her.

11:06:21AM 20 Q. So on May 4th -- I'm showing you Exhibit 62, page 30 -- do
21 you recall asking for copies of all of your daughter's records;
22 academic, therapeutic, and social?

23 A. Yes.

24 Q. Did you ever receive anything from them?

11:06:34AM 25 A. No, I did not.

11:06:35AM 1 Q. And you had asked them as well that -- you attached a court
2 order filed April 30th, at this time. So the formal order was
3 given to them?

4 A. Yes.

11:06:50AM 5 Q. So they would have received it May 4?

6 A. Yes.

7 Q. And attached to that email in 62, it appears to be a copy
8 of a formal order electronically signed by Judge Sean Dabel?

9 A. Yes.

11:07:15AM 10 Q. S-E-A-N. D-A-B-E-L.

11 And the formal terms of the order are stated here in
12 items 1 -- at the top -- 1 through 5?

13 A. Yes.

14 Q. So there was a review hearing scheduled for June 18th,
11:07:28AM 15 2020?

16 A. Yes, there was.

17 Q. And Family Court Services is directed to have a private
18 telephone call with the minor, Rene Rearden Sweidy Stata?

19 A. Yes.

11:07:41AM 20 Q. And then there is the term that: Respondent/Mother shall
21 have the same ability to have access to the minor at SRA as
22 Petitioner/Father has, including through phone calls and
23 visits.

24 So that line says: Have the same ability to have
11:07:53AM 25 access to the minor.

11:07:55AM 1 So were you invited now to participate in the family
2 workshops.
3 A. Oh, I wouldn't have, but, no, I wasn't. I did want to have
4 a visit though.
11:08:03AM 5 Q. And were you allowed to have a visit?
6 A. No.
7 Q. Why not?
8 A. Because -- no, they wouldn't even respond to my emails.
9 Q. And do you recall that on Wednesday, May 13th, as shown
11:08:25AM10 here, page 34, 35, when you learned that Rearden advanced to
11 the Phase 3, that you requested two weekly calls with your
12 daughter?
13 A. Well, that was pursuant to what they said Phase 3 was. I
14 didn't randomly say, okay, she's up, I need two now. That was
11:08:41AM15 what was allowed under Phase 3. So if she had moved to Phase
16 3, then now we get two, and I was saying, I know that from the
17 literature and I want them, please. Give me my two phone calls
18 a week now.
19 Q. And at some point in time you continued to do investigation
11:08:56AM20 for the June hearing, correct?
21 A. Oh, I have continued investigation to this day.
22 Q. And on -- do you recall learning about Action? That your
23 daughter was in Action in June?
24 A. I learned about this because -- I think I learned of it
11:09:13AM25 when I called -- I called as one of the regularly scheduled

11:09:17AM 1 phone calls that had been set up, and someone that answered --
2 and I don't remember who it was, and I don't remember if I even
3 ever knew what it was -- who it was.

4 But they informed me that "Rearden was in Action," one
11:09:29AM 5 or more of these crazy workshops that we have heard so much
6 about. And I was like, oh my gosh, she's going to be a mess.

7 And these are -- things are progressing and getting
8 worse with the cult brainwashing. So I reached out to a very
9 knowledgeable at -- an ex-SRA student named Isa Berdugo.

11:09:52AM 10 I set up, I think, a three-hour Zoom call with Isa,
11 with the understanding that Isa was going to describe to me the
12 Action workshop, what they did, what they were subjected to,
13 and what their psychological state was after having been
14 subjected to it, and what I could expect from my daughter in
11:10:12AM 15 order to be the best parent to her.

16 Q. Okay. Let me wrap this up now. I am going to ask you
17 about Exhibit 62, page 35, so you don't get too far ahead here.
18 Is this the email?

19 A. Yes -- oh, yes, Amber. I did not remember that it was
11:10:30AM 20 Amber that informed me, but apparently here it was Amber.

21 Q. Okay. So you had called for your regular call with your
22 daughter, and Amber told you she was in Action so you were not
23 able to speak to her?

24 A. I was not able to speak to her, and I never authorized her
11:10:46AM 25 to be in any more of those workshops. They well knew how I

11:10:49AM 1 felt about those, and that they were -- no one got my
2 permission to continue to do this to my daughter, and so that
3 was the first I learned.

4 Q. After you learned what happened during Action from Isa
11:11:13AM 5 Berdugo, did you prepare another court filing to educate the
6 court on what was actually going on during those workshops for
7 your June hearing?

8 A. Yes, I did.

9 Q. And --

11:11:29AM 10 A. Ms. Allard, I can't hear you very well. Can you please
11 adjust the microphone?

12 Q. I am not speaking right now, but I will. I'm looking for
13 the declaration. Hold on just a minute.

14 MS. ALLARD: Exhibit 104, Your Honor.

11:11:44AM 15 THE COURT: You may. Go ahead.

16 BY MS. ALLARD:

17 Q. So did you pay your attorneys to prepare this filing with
18 the Court for the June hearing?

19 A. This was part of all of us. And as you can see here, I was
11:12:01AM 20 also co-counsel there, so I actually prepared this one. But it
21 was part of the whole litigation, so it had to be reviewed. I
22 worked with Isa.

23 Isa gave me the information. I put it in legal form,
24 and then it had to be reviewed by both yourself and Ms. Foreman
11:12:18AM 25 to make sure that it was appropriate for our, you know, our

11:12:22AM 1 representation. We do everything in court in conjunction.

2 Q. So it looks like this was filed June 16th, 2020?

3 A. That's correct.

4 Q. So this email where you find out your daughter went to

11:12:33AM 5 Action is June 7th, so would it be fair to say that after that
6 you contacted this particular witness and asked what Action was
7 about?

8 A. No, I did it even before. The minute I found out, Isa was
9 already communicating with me. I asked Isa to describe what my
11:12:50AM 10 daughter would be doing, and Isa in three hours described very
11 accurately, based on the testimony we have heard here from
12 everyone, very accurately, even the emotional dysregulation and
13 hysteria.

14 And then I said, would you please put this in a

11:13:07AM 15 declaration. And Isa was the only student willing to risk the
16 wrath of SRA to do this, and I will be forever grateful to this
17 young person for doing this for me and my family. There's no
18 way I can ever repay this person's courage for being willing to
19 go on the record and instruct this judge of this lunacy.

11:13:30AM 20 Q. Okay. So this declaration goes on for several pages, but
21 I'm going to just hit some of the pieces here. Page 3 of 65,
22 she mentioned that the methodology at SRA at the top was highly
23 confrontational and used attack therapy. That there was a
24 phase structure.

11:13:47AM 25 I think on the first page she says that she completed

11:13:52AM 1 all of SRA's therapeutic requirements to graduate without any
2 loss of privileges at any time, including never being dropped
3 in phases.

4 She then went on to explain that there were treatment
11:14:08AM 5 team meetings involving therapists, teachers, and Community
6 Life Directors. And she attached and provided a description of
7 Action that she had obtained in some of the worksheets that
8 were used.

9 And I think she also reported that many of the
11:14:29AM 10 exercises consists of crying and screaming by the trainees.
11 And that their defenses were completely broken down by the
12 constant rhetoric used by Jeannie and Brandon. And the sole
13 purpose of which was to invoke inner rage and bring up
14 traumatic events.

11:14:47AM 15 And then she described these stretches in the Action
16 training. She also described that she not only experienced the
17 training but she facilitated them as a staff member of
18 subsequent trainings. And she reported psychological stress
19 from being both a participant and a trainer.

11:15:16AM 20 She said that she was forced to talk to them about
21 their childhood trauma, their familial issues, and their
22 self-esteem and was forced to report back to Jeannie and
23 Brandon.

24 She called and described her experience as a, quote,
11:15:33AM 25 unquote, "treatment high." And both -- she reported both

11:15:38AM 1 clients and SRA staff members would notice a sense of euphoria.

2 So my question to you, after she reports this, at this
3 point in time did you ever know who the expert John Hunter was?

4 A. Oh, no, not for quite a while later.

11:15:57AM 5 Q. She said on page 5 of 65, that the treatment high can last
6 well after graduation from the program, as I witnessed. And
7 you say -- I think this was your argument based on people you
8 had talked to. I am going to correct myself there.

9 And so at this point in time, you had spoken to more
11:16:16AM 10 than -- more witnesses than Isa Berdugo?

11 A. No, she knows way more witnesses -- oh, you mean had I
12 spoken to people in addition to Isa? Yeah, anonymous ones,
13 posts, people calling -- some people would identify themselves
14 but insist I never use their name because they were terrified

11:16:37AM 15 of the wrath and getting sued by Jeannie; Jeannie and Kate
16 would routinely tell people that they intended to sue them.
17 That they could sue them. I mean, they were terrified.

18 Q. And the exhibit that you were supplied by Isa was this Teen
19 Challenge packet that is here as page 8 in Exhibit 104?

11:16:53AM 20 A. Yes. Isa Berdugo provided me with that attached to a
21 declaration.

22 Q. So were you made aware of the circumstances under which
23 your daughter was going to be contacted in private by a court
24 investigator at any time prior to the phone call?

11:17:14AM 25 A. On the court order it says, private. I made the false

11:17:16AM 1 assumption that rational people know what private is. I was
2 wrong, and I never had any communication about how they were
3 going to set that up, and I didn't know they were going to
4 launch the pros and cons, have meetings with the owners,
11:17:29AM 5 campaign they did to tamper with witness evidence.

6 No, I didn't know they were going to do that. I
7 thought they understood the meaning of "private" and that we
8 don't tamper with witnesses.

9 Q. Did you have a call with your daughter prior to her phone
11:17:44AM 10 call with the investigator?

11 A. I don't remember the timeline of the calls. They are in my
12 Google calendar and would have probably been memorialized in
13 pleadings. But I will tell you this, I would never -- I don't
14 ever remember discussing anything about the mediator with her
11:18:01AM 15 because it's private. And I certainly wouldn't ask her what
16 she was going to testify to.

17 Q. Do you recall that you documented this call in a responsive
18 declaration to the court?

19 A. I am sure I documented many calls in responsive
11:18:15AM 20 declarations to courts.

21 MS. ALLARD: Your Honor, may I publish Exhibit 106?

22 THE COURT: You may.

23 BY MS. ALLARD:

24 Q. Regarding the paragraph on page 3 where it says: On
11:18:24AM 25 Thursday June 11th, 2020.

11:18:25AM 1 Can you review that?

2 A. Yes. Yeah, she was completely like not herself, crazy.

3 Q. I am going to turn the page and go through these one by

4 one. So it appears you referenced your Google calendar and you

11:18:50AM 5 supplied a date of a phone call of June 11th, 2020.

6 A. Yes. She apparently lost all memory of when our regular

7 phone call was. She was acting like this was some weird thing

8 that I just made up when it had been scheduled by her.

9 Q. And so Rearden reported to you that she did the stretches

11:19:06AM 10 and that she was a character from Jonathan Livingston Seagull?

11 A. Yes.

12 Q. And at the same time you are conferring with Isa Berdugo?

13 A. Yes, I was, so I would understand what my daughter was

14 talking about in this weird SRA lingo known in the manipulation

11:19:22AM 15 industry as "loading the language."

16 Q. And then you said at the bottom here that Rearden took a

17 tone of lecture and started a monologue, one of her frequent

18 monologues?

19 A. Yes.

11:19:33AM 20 Q. And that SRA had given her a space to think critically

21 about her past outside the cycle we have been in her whole

22 life. And Rearden stated that she was never allowed to be a

23 child. Rearden stated she was expected to be an adult. And

24 then she says to you: At the end of the day, our childhood was

11:19:50AM 25 just horrible, horrible beyond belief.

11:19:54AM 1 Is that what she said to you in this call?

2 A. Yes. I would have accurately written it down in real time
3 so it was correct. I wouldn't be able to do that now from
4 memory, but I keep those kinds of records.

11:20:05AM 5 Q. And then you wrote here that you responded: I interrupted
6 Rearden to state, "Rearden, this is not a conversation, it's a
7 monologue." And then you tried to remind her of some
8 observations made regarding her behavior from her previous
9 therapist Jessica Jo?

11:20:21AM 10 A. Jessica Joe Stenquist from Outback, yes. She had noticed
11 the behavior in my visit we talked about in prior testimony,
12 the one time I was able to visit her out in the desert.

13 And she commented on this, that Rearden had
14 monologues. That her mother -- never allowed me to speak. And
11:20:38AM 15 Rearden said, I only do that with my mom because of how she is.

16 And Jessica Jo pointed out, no, you do it with everyone. You
17 do it with the girls in the group.

18 Q. So then she said Jessica Jo was a liar?

19 A. Yes, she did call Jessica Jo a liar.

11:20:54AM 20 Q. And --

21 A. Yeah, apparently. She says Jessica Jo is a liar. She told
22 some girl here that she could get her -- that's part of what I
23 remember -- her hair or nails or something done, and that's a
24 lie.

11:21:07AM 25 And, you know, that's kind of hearsay. It's not a

11:21:09AM 1 good basis to be impugning someone's character, and I don't
2 want to hear this, because from my perspective, Jessica Jo was
3 very responsive, professional, and an insightful therapist that
4 made some really good observations to Rearden and called her
11:21:23AM 5 out on her behavior, and that's what she needed.

6 Q. And then she said, I don't want to have any more phone
7 calls with you. I mean, you can call here, but I'll decide if
8 I'll come to the phone. And I think you responded that you
9 weren't going to be calling and seeing if she wanted to come to
11:21:38AM 10 the phone?

11 A. Oh, no, no, no, no, no. She never talked to any adult like
12 this before going to Spring Ridge Academy. You do not tell an
13 adult, you can call here and I will decide if I want to then
14 come to the phone and speak to your mother.

11:21:58AM 15 Oh no, I had to keep my cool on this one. And I said,
16 you know, when you are ready to call me, let me know, we'll
17 have a conversation, but I'm not going to be calling a child
18 begging them. This is ridiculous.

19 Q. At some point in time, did you become aware of the -- and
11:22:42AM 20 this phone call was right before she met with the court
21 investigator?

22 A. No, I don't -- that phone call, that was right before I
23 think I made the decision to give up custody because my
24 daughter had lost her mind, and I needed to get her out of
11:22:58AM 25 there.

11:22:59AM 1 Q. Let's back up to a phone call. Did Rearden call you and
2 ask you to fund her independent living as a condition of coming
3 home?

4 A. At some point she did. I think that was right before she
11:23:10AM 5 talked to the Family Court Services representative. So in one
6 of these phone calls she started telling me, telling me,
7 instructing me -- yes, this child had lost her mind at SRA --
8 that because our family had means, that when she turned 18, she
9 expected to be funded to go move to live in Colorado with some
11:23:34AM 10 random person.

11 And as we have established prior to this, I do not lie
12 to my children. I don't tell them things that are not true to
13 manipulate their behavior. I tell them the truth about what my
14 position is and we're going to go from there. So when she
11:23:55AM 15 started making these demands, I was very clear and said, no,
16 none of that is going to be happening.

17 When she realized she could not manipulate me -- but
18 in therapy records we find out that Veronica Borges was making
19 sure that Rearden could manipulate her father, and he was
11:24:09AM 20 falling for all this.

21 She realized, no, no, no, I can't manipulate Mom into
22 this, and the next day, when she met -- and I had no idea it
23 was related to this Family Court Services thing, because I
24 hadn't contacted anybody about that. I assumed that the school
11:24:24AM 25 would have the sense to have a private meeting and we'd all

11:24:27AM 1 stay out of it. I was wrong.

2 And so I didn't connect the two, that this was
3 immediately before she was going to be speaking to this Family
4 Court Services. She was feeling out who she could manipulate.

11:24:39AM 5 And when she realized I still wasn't going to be
6 manipulated with this plan for Colorado and fund it, she told
7 the Family Court Services person that if she came home, she
8 would want to live with her dad, because her dad ended up
9 funding all of this kind of stuff -- not Colorado, but an
11:24:55AM 10 apartment in San Francisco for a child that was not ready to
11 live on their own. And that was a whole other debacle.

12 So, yes, after trying to manipulate me -- and I didn't
13 allow her to -- then she told the Family Court Services person
14 that she wanted -- if she came home, she wanted to live with
11:25:11AM 15 her dad.

16 And then this one here in June is really near the end
17 when she lost her mind talking to me like that after Action. I
18 realized it's time to do something serious, and I think shortly
19 thereafter I did the Hail Mary.

11:25:24AM 20 Q. Okay. So at some point -- where did you get the
21 information that she wanted to go to Colorado?

22 A. On the phone call, I think, right before she spoke to the
23 Family Court Services person, to see if I would agree to this
24 and fund it, and I said no.

11:25:37AM 25 Q. And so then at some point you got an academic calendar for

11:25:42AM 1 the first time?

2 A. Oh, no, that was right after the first hearing we got, and
3 I realized at that hearing, because I was so distraught, that I
4 had not -- they kept saying she was doing well, but we had no
11:25:53AM 5 objective evidence of this, not even a report card.

6 And then suddenly I realized, wait, we got all of this
7 paperwork, but we don't have an academic calendar. And then I
8 requested one. Suzanne Courtney then provided one by email,
9 and I realized more manipulation.

11:26:10AM 10 The quarter had ended right before the hearing, and
11 because her grades were all incompletes -- she wasn't
12 progressing at all -- they never sent us a quarter report,
13 because they darn well knew I would use it in court to prove
14 that their allegations that she was doing so well were false.

11:26:28AM 15 So we weren't even getting the regular report cards.
16 This is how manipulative and shady these people were, and I was
17 shocked. I get this academic calendar, and I'm thinking, well,
18 quarter grades have passed. There's no grade -- oh, and then
19 they -- well something, something, something. That makes no
11:26:45AM 20 sense.

21 No, you withheld these because you knew the actual
22 data did not support what Mr. Stata was representing to the
23 court. All these are incompletes. This is the same problem
24 she had in California. This is the same old stuff. She's not
11:26:59AM 25 improving.

11:27:00AM 1 So I did get the academic calendar and realized, you
2 know, there was no part of this program that was actually real.
3 It was all part of a scam.

4 MS. ALLARD: I am going to publish Exhibit 102,
11:27:13AM 5 Your Honor.

6 THE COURT: You may.

7 BY MS. ALLARD:

8 Q. You provided the court with the academic calendar you
9 obtained?

11:27:17AM 10 A. Well, actually, the one -- I tried to do some color pages
11 here but it is difficult when you got this volume. The family
12 law court actually had a colored version, which is a little bit
13 better because there's some color coding here that is very
14 useful, but yes.

11:27:30AM 15 Q. So you learned for the first time that she wasn't going to
16 graduate until December?

17 A. I learned for the first time, first of all, that they
18 weren't providing the grades. That she wasn't going to
19 graduate until December. I didn't understand their unique
11:27:43AM 20 calendar system. All of that.

21 These were very informative, and now I wondered why I
22 hadn't been provided these upfront, and that I myself had been
23 the -- I let it slip through the cracks.

24 Because normally, one of the first things you get at
11:27:58AM 25 any school, as published on the website, is the calendar. And

11:28:01AM 1 it wasn't anywhere. I had to get it from Suzanne Courtney.
2 And it almost looked like she had made it just for me,
3 because there was contrary data that looked like she had copied
4 and pasted. I don't know. But I finally got one and realized
11:28:14AM 5 what was going on in terms of that.
6 Q. Okay. So then you submit some paperwork to the court where
7 you change your position, correct?
8 A. Yes. Every time I get new data, I realize that sometimes
9 you are going to have to change your position in light of new
11:28:27AM 10 data. That's the purpose of data.
11 Q. What position did you make?
12 A. Well, if this is the one that I think that it is, then I
13 don't like to guess at it because honestly we are all tired,
14 and I don't have an eidetic memory.
11:28:38AM 15 Q. I just want to know the position that --
16 A. Oh, at this time, I'm thinking my obligation is to my
17 daughter, and I need to get her out of there. So if that means
18 giving up custody of my daughter, I need to offer the court --
19 in exchange for removing her from the clutches of this cult,
11:28:53AM 20 that she be allowed to come home.
21 I will relinquish all custody, even though I have done
22 nothing wrong. And -- they completely disregarded my input, my
23 value as a mother, my expertise. They demoralized and demeaned
24 me. But my job is still to my daughter. So you bring her
11:29:08AM 25 home, you give her to her father, and I will give up custody,

11:29:13AM 1 just please get her out of here, and that's what I did. I was
2 forced to give up custody of my daughter to bring her home.

3 Q. And I am just going to show you Exhibit 102. It appears
4 you made a filing for the hearing on June 18th. And at the
11:29:29AM 5 very end of it, your request was?

6 A. No, that wasn't the one I offered. I think that was the
7 one prior to -- first I said, just bring her home and we'll
8 work it out. And then I think there was another one I said,
9 no, no, I will give up custody if you'll bring her home. It
11:29:51AM 10 was a progression. As more information I got --

11 THE COURT: Ms. Sweidy, I am going to stop you. You
12 are getting really excited. I understand why, but I just need
13 you to slow down a little bit, okay?

14 THE WITNESS: I need to take just a breath, Your
11:30:02AM 15 Honor, because this is --

16 THE COURT: Just take a moment. Grab some water.
17 Take a moment.

18 THE WITNESS: I am sorry. This is --

19 THE COURT: No, you are doing fine. Just take a
11:30:09AM 20 moment.

21 THE WITNESS: Reliving this is -- this is one of the
22 most horrific things that's ever happened to me. Trust me,
23 I've had an interesting life.

24 Okay. So that was -- as I got more information, I
11:30:24AM 25 said, just bring her home. This is what we'll do, and I don't

11:30:26AM 1 think that's the one where I finally then said, no, you just --
2 I'll give up custody, just bring her home.

3 BY MS. ALLARD:

4 Q. Okay. So I mean, I will just go through some more filings
11:30:35AM 5 quickly.

6 MS. ALLARD: Exhibit 105, Your Honor.

7 THE COURT: You may.

8 BY MS. ALLARD:

9 Q. It appears that Mr. Stata then filed a declaration again in
11:30:41AM 10 court on June 12th, 2020?

11 A. Yes.

12 Q. I mean, just look at the time stamp. We don't need to go
13 into the details right now. Looks like there are objections
14 filed.

11:31:02AM 15 MS. ALLARD: 107, Your Honor, may I publish?

16 THE COURT: You may.

17 BY MS. ALLARD:

18 Q. There were some objections filed on your behalf to those
19 declarations on June 16th, two days before the hearing?

11:31:11AM 20 A. Yes.

21 Q. And it's your recollection, because I am not finding that
22 exact pleading at this moment, that subsequent to those dates
23 --

24 THE COURT: Ms. Allard, I have no idea what you are
11:31:59AM 25 saying right now.

11:32:00AM 1 BY MS. ALLARD:

2 Q. I am not finding that exact pleading at this point in time,
3 but it's your testimony that after June 12th, you petitioned
4 the court in writing to surrender custody to your husband so
11:32:10AM 5 that she could return home?

6 A. I could find it in short shrift if Your Honor allows me to
7 do that, but, yes, what I said was you have no respect -- you
8 have no respect for me as a mother, and my value of my
9 daughter's life, and I will always put my daughter first, and I
11:32:27AM 10 am willing to give up all rights, even to see her, if you just
11 bring her home.

12 And I will never regret that, because the pain and the
13 anger and the trauma of these girls whose parents still to this
14 day claim they don't believe them, is so profound, that that
11:32:44AM 15 type of guilt I would never want to live with.

16 And so I live with my decision. I chose to give up
17 all custody to protect my daughter from this
18 multi-billion-dollar industry that should have been shut down
19 long ago, and that decision I can live with.

11:33:00AM 20 Just like Mr. Troy Williams can live with the decision
21 that they forced him to make that was so awful. These are the
22 things that they do to families to force them to make. And I
23 can live with the decision.

24 I gave up custody of my daughter -- I had sole legal
11:33:17AM 25 and physical custody -- to bring her home to protect her. You

11:33:20AM 1 think that would send some kind of message to Spring Ridge
2 Academy, but, no, that wasn't the end of my daughter's forced
3 association with Spring Ridge Academy.
4 Q. And so I am going to ask you to look at what the court said
11:33:33AM 5 at that hearing, Exhibit 108.
6 A. Yes.
7 Q. At the bottom of 108 it seems that the judge came up with
8 the idea, after you asked him to do that, that she would be
9 placed in the custody of the father with an immediate move for
11:33:47AM 10 reconnection therapy with Mother?
11 A. Yes, something I never needed before the family healing
12 provided by Spring Ridge Academy was reconnection therapy with
13 my daughter, probably should have been called uncult
14 brainwashing.
11:34:03AM 15 It was disturbing but, yeah, I needed reconnection
16 therapy, because apparently she had a horrible, horrible,
17 horrible childhood that I never heard about until she went to
18 Spring Ridge Academy, and nobody can testify to.
19 Q. And then on page 5 of 27, the judge said: The father would
11:34:21AM 20 be ordered to try to enroll the minor in any type of summer
21 program where she can receive any course credit towards the
22 completion of her high school diploma and try to move forward
23 with that.
24 And, finally, I would be ordering the minor would have
11:34:32AM 25 immediate access to mental health providers here in San Mateo

11:34:36AM 1 County to continue the support that she I think has come to
2 rely on the last couple of years?

3 A. Notice how it doesn't say that she can have illegal therapy
4 with an unlicensed therapist in Arizona across state lines.

11:34:48AM 5 Q. Well, I am going to ask -- the next question was, at any
6 time during that hearing did the judge -- or was the judge told
7 that Veronica Borges was going to continue to offer therapy?

8 A. Absolutely not. And the judge does not have the power to
9 make an illegal order that an unlicensed therapist in Arizona
11:35:05AM 10 could continue to provide therapy to a minor whose place of
11 residence for her entire life was California, and his
12 statements are clear.

13 And there's another statement in that -- as he makes
14 an additional one. The kinds of resources that she's had
11:35:19AM 15 available to her here -- in other words, the level of Dr. Sarah
16 Villarreal and Dr. Martha Cravens. That's the level, because
17 he well knew.

18 And on top of that, I believe he ordered that the
19 reconnection therapist that we use be licensed -- not that I
11:35:37AM 20 would ever hire somebody that was unlicensed, because I have
21 never done that intentionally. The Veronica Borges thing was
22 not on purpose. I didn't know about it.

23 But he made that point because of my continued
24 objections to Veronica Borges. And so of course we got a
11:35:55AM 25 licensed therapist, reconnection therapist, not that we would

11:35:58AM 1 get anything else.

2 So clearly that's where the judge's mind was, never
3 envisioning this scheme that they cooked up that I couldn't get
4 rid of these people from my daughter's life. What school acts
11:36:09AM 5 like this? My parents were public school teachers for 30
6 years. I've never seen anything like this.

7 Q. And your child support was modified at that point in time?

8 A. Well, I gave up all custody, and even though there's a lot
9 of fixed expenses associated with living in the Silicon Valley
11:36:24AM 10 and in Palo Alto, where you want to be close to your children
11 and where my ex-husband's employment was.

12 Yes, I did have to abruptly give up that child support
13 that would have actually continued, it turned out, based on
14 this nonexistent academic record until May of 2021, because
11:36:44AM 15 that's when she would have properly graduated from an actual
16 program meeting all of the requirements there in California.

17 I believe it would have either been December or May,
18 but I am thinking probably closer to May, because we actually
19 have real requirements at the public school that are vetted by
11:37:03AM 20 professionals.

21 Q. Okay. And then the stipulation was worked on.

22 MS. ALLARD: Permission to publish 112, Your Honor?

23 THE COURT: You may.

24 BY MS. ALLARD:

11:37:12AM 25 Q. That stipulation was worked on later in August and filed

11:37:15AM 1 with the court?

2 A. Yes. And we had to kind of wrap up the details from some
3 of the things that were discussed in the hearings, often
4 happens, in order to avoid the follow-up hearing that had been
11:37:27AM 5 scheduled for September. And I didn't want this to drag on.

6 It's like, let's just pound out our agreement and move on from
7 this.

8 Q. Okay. So I want to ask now about what happened after
9 Rearden's return. Did you have any contact with her?

11:37:43AM 10 A. Well, I was not allowed to have contact, and punitively
11 father would be able to determine when and if I contacted my
12 daughter. Even though I had never done anything wrong, and
13 there was no cause for this.

14 So we start -- set up -- by the way, father gets to
11:38:00AM 15 weigh in on the reconnection therapist that my daughter and I
16 selected. It was a real patriarchal, you are going to be
17 punished for what you did. And it felt really awful.

18 But you know what, I am an adult, and my job is to my
19 daughter. So we set up this reconnection therapy, finding a
11:38:19AM 20 person that both Mr. Stata and I agreed on named Mr. Gregory
21 Ross. He had a lot of really positive attributes, including
22 working with young people.

23 As well as it was COVID and nobody was doing in
24 person. And he was willing to meet with us in person outside
11:38:38AM 25 at his office building in an outdoor atrium with us social

11:38:44AM 1 distanced. And I thought that was such a benefit. That I
2 would be in the presence of Rearden and the -- present myself
3 and the therapist socially distanced.

4 And I thought he was a good choice. And he actually
11:38:55AM 5 ended up being a fine choice. His task was impossible, but I
6 think he behaved at the highest level of professionalism with
7 both of us.

8 Q. So I just want to clarify, Mr. Stata did not allow you to
9 have any contact with your daughter upon her return?

11:39:16AM 10 A. No, he did not.

11 Q. So the first time you saw your daughter would have been
12 with Mr. Ross?

13 A. I think so. I don't have any recollection of seeing her
14 otherwise. I think so, yeah.

11:39:27AM 15 Q. Can you describe what you saw?

16 A. Oh my God, it was shocking. I did not recognize this kid.
17 My daughter is a cutie patootie, fashion plate. And I don't
18 mean that with -- like she can go into Goodwill and come out
19 looking like a million bucks. That's the kid. Like she looks
11:39:41AM 20 good as a tomboy. She looks good as a girly girl. That's my
21 girl. And I loved that. That's her individual -- her older
22 sister, not really interested in clothes.

23 This child was in these hugely baggie sweat clothes
24 that she looked like -- belonged to somebody's, you know,
11:39:58AM 25 200-pound uncle. Old, dirty, and she -- I am not going to do

11:40:03AM 1 it -- but you are going to envision this. She was in the fetal
2 position in the chair outside, rocking, making no sense, like
3 she had had a nervous breakdown.

4 And it was so alarming that -- and I didn't know that
11:40:19AM 5 Veronica Borges was still messing with her mind. I thought we
6 were done with that.

7 Mr. Ross talked to me privately and said, this
8 emotionally dysregulated state, as you know, as a person who
9 has been through therapy, you can't do therapy on anyone who is
11:40:34AM 10 emotionally dysregulated.

11 That means all of that screaming, yelling stuff that
12 they do, that's not mental health. You must be in a calm
13 place. You must be in a place -- and I know from having good
14 therapy -- where you can rationally look at your behavior, the
11:40:51AM 15 behavior of others.

16 Therapy does not involve screaming and beating things.
17 This is bizarre. He says, until she can have a conversation
18 and not start screaming when anyone talks to her, and run from
19 the atrium, we can't have -- we cannot conduct real therapy.

11:41:08AM 20 So here's what I am going to do. I am going to place
21 you folks at the end of the calendar of the day, like the 5:00
22 slot. And why I am going to do that is, I don't want to have
23 anyone after you. And what we're going to do is, we're going
24 to do something I really don't ever do, is one to two to
11:41:23AM 25 three-hour sessions of therapy with the hope that -- and it's

11:41:27AM 1 not going to really be therapy. It is going to be interacting
2 until we can get her calmed down enough to actually engage.
3 Because I can't do anything with this. She is screaming. It
4 makes no sense. She is emotionally dysregulated.

11:41:43AM 5 And that seemed to make sense, and he said -- can you
6 commit to this? I said, I will pay for anything. And I had to
7 pay for all of this. And I am happy to do it. This is my
8 child.

9 Because the order -- if the court orders me to do
11:41:53AM 10 it -- thanks to Spring Ridge Academy -- I have to pay for it.
11 This is another expense. This -- my child was not in this
12 state when I sent her to Spring Ridge Academy.

13 So she -- we were doing these extended sessions, at
14 which point my daughter comes in and reports that her father
11:42:07AM 15 does not want her there longer than 50 minutes, to which
16 Mr. Ross looks at her and says, your father needs to stop
17 micromanaging this situation in your life. We are court
18 ordered to be here. That means I decide how long these
19 sessions are. And if you need to get a friend -- your mom to
11:42:26AM 20 drive you home or a friend or an Uber, you do that, but your
21 father needs to stay out of this.

22 And that was the first time anybody had literally said
23 to my child, your father is out of line trying to control
24 everything, and you and your mother. And I actually felt
11:42:42AM 25 pretty good about that.

11:42:44AM 1 He said, no, I am in charge here. This is court
2 ordered. He agreed that you would hire me. I am saying, we
3 are going to having it as long as I say.

4 And he wasn't obnoxious. He was very quiet about it,
11:42:56AM 5 but he was firm. And we had these sessions, and all of them
6 were pretty much like this. They got nowhere. She would be
7 screaming irrationally about trauma, but couldn't tell me
8 anything that was traumatic.

9 The kid was like one of these people that were coming
11:43:10AM 10 out of these workshops. And the truth was, I didn't know, but
11 the whole time that Veronica Borges was thwarting the
12 reconnection therapy by continuing to be inserting herself into
13 Rearden's life in order to obstruct the reconnection therapy
14 ordered by the family law court.

11:43:29AM 15 Q. Did you see your daughter, or did she ever contact you
16 herself?

17 A. Yeah. Out of the blue, and I had no rights to actually
18 talk to her, so this was kind of tricky. She contacts me kind
19 of hysterical. I didn't -- I didn't -- I didn't know what she
11:43:46AM 20 was saying.

21 I said, please calm down. What's going on? And she
22 was relating to me she had been out with her friends. And she
23 came home, and her dad was drunk and passed out, and there's
24 two of his friends there. So now we have three males with a
11:44:02AM 25 17-year-old, drunken males, and apparently these two other

11:44:07AM 1 males instructed my daughter to go into the bathroom and revive
2 her passed-out father.

3 THE COURT: Stop. I hear something from the defense.
4 Is that an objection?

11:44:20AM 5 MR. GRASSO: It is, Your Honor. Narrative. Multiple
6 levels of hearsay.

7 THE COURT: That's sustained. Please disregard the
8 last three minutes from the witness.

9 MS. ALLARD: Is the entire answer stricken?

11:44:36AM 10 THE COURT: Yes, when she started her last narrative.
11 What you can do is -- I think there was a question posed as it
12 relates to her daughter's physical condition, and she answered
13 the question, and then it appeared that she went on a narrative
14 when you were looking for another document or something.

11:44:57AM 15 MS. ALLARD: Okay. I am going to set up these
16 questions and you can let me know.

17 BY MS. ALLARD:

18 Q. In the state that your daughter was upset, did she make a
19 statement about what happened with her father?

11:45:06AM 20 A. She said --

21 MR. GRASSO: Objection, hearsay.

22 MS. ALLARD: Excited utterance.

23 THE COURT: I will allow it.

24 THE WITNESS: She said she did not feel safe. She was
11:45:12AM 25 creaped out, and she needed me to come and pick her up because

11:45:15AM 1 her father was drunk and so were the men in the house.

2 BY MS. ALLARD:

3 Q. Did you ever receive any other contact from her other
4 than -- what did you do in response to that?

11:45:23AM 5 A. Well, this was very tricky, because I don't have any legal
6 rights without his permission, and no one in all of these years
7 he had been lying to the court that he was drunk all the time.

8 Q. I am going to ask you to just --

9 A. Okay. So I didn't know what I should do, but I decided,
11:45:34AM 10 even though it was a violation of the court order to go pick up
11 my daughter -- but I said, I don't want to go near his
12 property. So can you meet me at the top of the hill -- she
13 knows where that was -- and I will come and get you.

14 And I did go and get her. Then she -- I got her home,
11:45:48AM 15 and she said, I forgot all of my stuff, I was so upset, take me
16 back. And I said, no, I am not. It is not safe to be there.
17 She goes, nah, he is drunk, he won't wake up. And I took her
18 back to get her stuff and came back, and she stayed with me for
19 several days.

11:46:04AM 20 Q. And at some point did she go back?

21 A. She did.

22 Q. What were the circumstances under which she went back?

23 A. She told me after a couple of days that she was ready to go
24 back, and I was super afraid. I also -- yeah, I was super
11:46:17AM 25 afraid. I was trying to remember the exact timeline. This is

11:46:20AM 1 really emotional.

2 And I said, wait, I am not comfortable with this. Is
3 there some adult supervising this situation? Because by this
4 time, I realize that Veronica Borges was involved in this --

11:46:30AM 5 not that -- she is an adult, but somebody needs to be
6 documenting this, and I don't have any rights.

7 And she goes -- and I said, yeah. And I said, is
8 there some adult like, monitoring this situation? I am not
9 comfortable taking a minor back to that situation. To which
11:46:48AM 10 she screamed at me, both my parents are fucking idiots.

11 Q. Okay. And so what happened next?

12 A. So I said, can you just set up some kind of something that
13 somebody is monitoring this? She goes, fine, I will get a ride
14 with my friends. I said, never mind, I will take you home.

11:47:05AM 15 And my authority had been completely -- I got no
16 control over the situation. And I took my daughter home, and I
17 dropped her off the same place I picked her up.

18 Q. And when was the next time you heard from your daughter
19 after that?

11:47:20AM 20 A. When she came to my house hysterical cursing and screaming
21 at me because I was reaching out on social media to other
22 victims to find out if other people had been harmed -- their
23 families had been destroyed by these people like I had. And
24 she was just irrational.

11:47:34AM 25 And that Veronica Borges had turned out -- from

11:47:37AM 1 therapy notes, was provoking her. And she shows up, and she's
2 screaming nonsense, and then she slams the door and leaves, and
3 it wasn't a conversation. It was a monologue, but apparently
4 she was just very angry.

11:47:48AM 5 Because apparently, people are supposed to keep quiet
6 about other people abusing children and doing stuff like that.
7 That's what Spring Ridge Academy teaches them.

8 Q. So that was a brief encounter?

9 A. It was minutes. She comes to my house. I open the door.
11:48:03AM 10 She is screaming. She is yelling. She has some roller skates
11 that she had roller skated from somewhere over in. She says
12 her piece. I don't know what it was. It was incoherent. And
13 then she slams the door, and apparently that was some cathartic
14 thing she reports to the therapist, and that was it.

11:48:21AM 15 Q. And when was the next time you saw or heard from her after
16 that?

17 A. I -- I don't remember.

18 Q. At some point in time, did you find out she was living in
19 San Francisco?

11:48:31AM 20 A. I did. Through this whole fake therapy crazy kids control
21 adults. Her father had set this child up and -- to pay for an
22 apartment in San Francisco from an emotionally dysregulated
23 child who had problems, unsupervised. And I was like, this is
24 such a bad idea. This is just not going to end well.

11:48:53AM 25 Q. So would this have been after her December 2020 graduation

11:48:57AM 1 from Spring Ridge Academy?

2 A. I am going to use "graduation" in quotes, because it wasn't
3 real. It was bought and paid for. But I think so, yes.

4 That -- I think sometime after that. I don't know exactly. I

11:49:09AM 5 think it was the early spring he got her this apartment.

6 And at some point she may have contacted me and said
7 she wanted to meet with me, and I actually didn't want to meet
8 her somewhere, I wanted to see her apartment. I kind of
9 insisted, no, I would like to go see your apartment, because I

11:49:26AM 10 was concerned, and she knew that. And what I walked into was
11 pretty shocking.

12 Q. Let me ask you this, did your ex-husband inform you that he
13 was setting her up in this apartment?

14 A. No, I had no contact with my ex-husband for years after he
11:49:39AM 15 pulled all this stunt.

16 Q. So did anyone -- you don't know how it is you found out she
17 was there?

18 A. I don't remember exactly, but at some point -- maybe her
19 sister told me. I don't -- if there is a document that

11:49:53AM 20 memorialized it, but right now I don't remember how I first
21 gained that knowledge.

22 Q. And so you went up to this apartment, what happened then?

23 A. I was already going to San Francisco for my monthly hair
24 appointment, same hairdresser since '87. So I swang by after
11:50:08AM 25 my hair appointment and visited her briefly at her apartment.

11:50:14AM 1 I think we were supposed to go to dinner, but that didn't end
2 up happening based on what transpired in the apartment.

3 Q. So what happened?

4 A. I walked in and I saw -- she was 18 years old, and I saw
11:50:26AM 5 huge -- I have never seen -- bottles of hard liquor all over.
6 The drinking age in California is 21. This was completely
7 predictable, you know.

8 Huge bottles -- so I am seeing this on the counter.
9 Then I am seeing, excuse me, an assortment of lingerie on the
11:50:45AM 10 floor. I don't want to just pursue that, but you can use your
11 imagination; 18-year-old, booze, lingerie, you people are
12 adults.

13 And I am kind of appalled and thinking, well, this was
14 predictable, but I keep my face straight and I say nothing and
11:51:00AM 15 I sit down.

16 Q. What what happened next?

17 A. She said, I know you are judging me.

18 Q. And what happened?

19 A. I said, I haven't said a word.

11:51:12AM 20 Q. And then what happened next?

21 A. And then she said something to the effect of -- accusing me
22 of something. And I said, I have never said that. And at some
23 point she says something really strange that was -- I don't
24 care about your QuickBooks, I don't care about your emails, I
11:51:38AM 25 don't care about your legal pleadings, I don't care about the

11:51:43AM 1 facts. That's how I feel.

2 Q. And then what happened?

3 A. I took my purse. I looked at my daughter and said,
4 Rearden, I love you. I will always love you, and when you
11:51:58AM 5 abandon this narrative, we can talk.

6 And I got up and I left, and it was a very long period
7 of time before I heard from her again.

8 Q. Were you in counseling at the time?

9 A. By this time, no more. I had -- I knew what to do.

11:52:15AM 10 Dr. Cravens had instructed me to not be reactive to her and not
11 to defend myself to continue outrageous claims. So I felt well
12 prepared to just have a very firm, loving response and remove
13 myself.

14 Q. Were you in counseling with Dr. Cravens while your daughter
11:52:32AM 15 was enrolled in Spring Ridge Academy?

16 A. Yeah, and that entire traumatic event, that's all we talked
17 about. Because Dr. Cravens was on the team, and then our
18 direction turned to, how do I support Rearden, given the
19 current situation of what has transpired between Spring Ridge
11:52:49AM 20 Academy and Mr. Stata?

21 And that was the sole topic. And also, the reports I
22 was getting from these girls, on occasion, I would show up
23 shaking in therapy because one of these girls would be
24 screaming these facts at me, and it was overwhelming, and so we
11:53:04AM 25 would work to keep me emotionally regulated and going.

11:53:08AM 1 Q. And how often were you meeting with Dr. Cravens when your
2 daughter was enrolled?

3 A. Once a week. And, oh, I also had to call Dr. Cravens after
4 the second day of Parent Challenge workshop, because it was so
11:53:21AM 5 crazy, I needed her advice on how to deal with a third day, and
6 she gave me some excellent advice. So I considered her a
7 resource and talked to her about many of the things that were
8 not rational or evidence-based that were going on, because she
9 only uses evidence-based therapy.

11:53:36AM 10 Q. Based on this interaction with your daughter, do you have a
11 recollection of when you heard from her next?

12 A. I think it was at the end of that year, that situation at
13 that -- in San Francisco predictably blew up, and as you would
14 expect -- and I am not going to further violate my daughter's
11:53:58AM 15 privacy about explaining, but some stuff happened and went down
16 there.

17 And I got -- and then, um, I think it came to my
18 attention that her big sister at SRA -- I don't know if it was
19 right then. I would have to have documents to refresh my
11:54:15AM 20 memory of the timeline.

21 But around that time period, I believe, her big sister
22 had -- by "big sister" doesn't mean older. She was actually I
23 think younger than my daughter. But it means that she had been
24 at the program longer and was assigned to that SRA program --
11:54:29AM 25 had died.

11:54:30AM 1 And I think at that point my daughter made the
2 statements to me like, I'm depressed because I know that none
3 of this would have happened if I had just listened to you, and
4 stuff. So, yeah, I got a call when things were pretty bad, and
11:54:44AM 5 I ended up going there and -- she was dysfunctional. She was
6 shaking.

7 So I packed up her stuff, as well as the lady she was
8 living with also helped at different times. And I realized
9 that her utilities bills hadn't been paid for months, and I
11:55:00AM 10 helped her -- I got all that in order for her, because it was a
11 mess. She wasn't prepared to live alone, and no one would have
12 thought she was.

13 It was just her father's way of continuing to appease
14 her and use her -- manipulate or not being a parent. So I
11:55:17AM 15 cleaned up that mess and got her moved into the home she chose
16 to be in, which was to live with her father's employee in a
17 room there.

18 Q. Did you -- let me stop you there.

19 Did you ask her to move home with you?

11:55:29AM 20 A. I did. I told her, you know you are welcome to come home
21 with me if you want to. It seems like we've got some work to
22 do to get you where you need to be.

23 But there would also be rules at my house, and she
24 doesn't like rules. I mean, there are rules. There are always
11:55:42AM 25 rules. Even if you are an adult, you don't get to do whatever

11:55:44AM 1

you want.

2

Q. So she ended up living with an employee of your husband?

3

A. Yes, she did.

4

Q. And did -- did you have communication with her during this

11:55:55AM 5

time period that she comes from San Francisco, she is talking

6

to you, and then --

7

A. Yes, actually, we did. So then there was a time period

8

there where we did, and we were doing things together and going

9

to concerts again, and I think she realized like, yeah, Mom was

11:56:11AM 10

serious, there's dead kids involved here.

11

I was like, I have been trying to tell you. This is

12

not a joke. This is not a game. Like this is serious. And so

13

we had -- and it was going pretty well. And I took her to her

14

sister's graduation from Vanderbilt in 2022 with me. We had a

11:56:35AM 15

great time. We went to an Aly & AJ concert, the three of us,

16

because the kids loved Aly & AJ when they were young, and they

17

have matured beautifully.

18

And they were coincidentally playing in Nashville,

19

believe it or not, the weekend my daughter graduated. It was

11:56:51AM 20

great. My daughter's boyfriend showed up. Mr. Stata showed up

21

from California separately. He did not sit with us, but of

22

course attended the graduation and flew out afterwards. So it

23

was great, and things were going along.

24

And then in January of 2023, we were out to dinner at

11:57:11AM 25

The Fish Market, and she -- this was after she had asked to do

11:57:16AM 1 her declaration because her friend had died and she wanted to
2 say her piece about Spring Ridge Academy.

3 I never pressured her to do the declaration or the
4 deposition.

11:57:27AM 5 MR. GRASSO: Objection, narrative and hearsay.

6 THE COURT: Overruled.

7 Please continue.

8 THE WITNESS: I never asked her to do the declaration
9 or the deposition. She volunteered to do those. She was
11:57:36AM 10 represented by counsel, paid for by Mr. Stata.

11 And then in January of 2023 we are out to dinner at
12 The Fish Market, and she announces to me that she is going to
13 terminate her relationship with me.

14 Hardest thing in the world. I was not responsive
11:57:54AM 15 because my therapist had instructed me that she wants to get a
16 rise out of people. And I remained quiet, and she instructed
17 me that unlike me, Dad apologizes.

18 I didn't say anything. And she said, Dad has
19 apologized to me about Spring Ridge Academy. He said, I'm
11:58:13AM 20 sorry for sending you back to Spring Ridge Academy, I was
21 trying to protect you from your mother.

22 THE COURT: Ladies and gentlemen, at this point we'll
23 take our lunch recess. Court will be in recess until 1:15
24 today. 1:15, not 1:00. 1:15.

11:58:31AM 25 All rise for the jury. Court is in recess until 1:15.

11:58:34AM 1

(The jury leaves the courtroom.)

2

THE COURT: Court is in recess.

3

(Recess taken at 11:58 am.)

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C E R T I F I C A T E

I, ELVA CRUZ-LAUER, do hereby certify that I am duly appointed and qualified to act as Official Court Reporter for the United States District Court for the District of Arizona.

I FURTHER CERTIFY that the foregoing pages constitute a full, true, and accurate transcript of all of that portion of the proceedings contained herein, had in the above-entitled cause on the date specified therein, and that said transcript was prepared under my direction and control.

DATED at Phoenix, Arizona, this 7th day of June, 2024.

s/Elva Cruz-Lauer
Elva Cruz-Lauer, RMR, CRR