

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

JAMES S. JUDY
Petitioner,

Cause No. SL14-DR0716-02
Division 41

Vs.

ANGELA M. FREINER
Respondent.

RESPONDENT'S INTERROGATORIES DIRECTED TO PETITIONER

COMES NOW ANGELA M FREINER and exhibits the following Interrogatories to be answered by PETITIONER, JAMES S JUDY, in writing and under oath, in accordance with the Rules of Civil Procedure.

In answering these Interrogatories, all information is to be divulged which is possessed by or available to you, your attorneys, investigators, agents, or others employed by or acting on your behalf.

The Interrogatories are intended to be of a continuing nature, requiring you to serve timely supplemental answers setting forth any information, within the scope of these Interrogatories, which may be acquired by you, your attorneys, investigators, agents, or others employed by or acting in your behalf, following the original answers.

1. State your full legal name, residential and work addresses, all other names by which you have been known, including but not limited to nicknames, telephone number at home, work, cellular and any other numbers available to you, date of birth, social security number, occupation, and the names of all persons helping you to answer these interrogatories
 - a. Please state whether you intend to make parenting rights and responsibilities an issue in this matter.

- b. If your answer to the above question is yes, please set forth your proposal for parenting rights and responsibilities (decision making and/or primary or equal residential responsibility and/or parenting time.
 - c. Please provide your proposed parenting plan as part of the answer to this interrogatory.
2. In the last five years have you or any individual related to you anyone to Social Services regarding any suspected abuse, neglect or any other problem regarding the care of any child?
 - a. If so, provide a description of the report including the date of the report, where the report decision making and/or primary or equal residential responsibility and/or parenting time [formerly legal and physical custody and visitation] is an issue in these proceedings.
 - b. Regarding any reports or allegations of abuse made, please provide the nature of the allegations, who was the suspect of the report and what, if any, recommendations were made, as well as whether such recommendations were followed and the results of those actions.
 - c. If affirmative, please provide any documentation you may have regarding your answer.
3. How much time per week do you spend now with the minor child who is the subject of this action, and what do you do during your time with the child.
4. Please provide the child's current school she is attending for the 2021-2022 school year.
 - a. Please provide the name and location of the school the child attended at the end of the 2020-2021 school year.

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- b. Please provide any documents pertaining to her grades and any other document related to school you may have.

5. Please provide the physical address the child is currently residing at.

6. Please describe the sleeping arrangements in your household for the minor child, both presently, and proposed, in detail, if you envision any changes from the current.

7. Please list any payments you have personally made for medical, dental, or vision treatment or other out of pocket health-related expenses for the child who is/are the subject of this matter.
 - a. Set forth, for each payment, the date of the payment, to whom the payment was made, and what the service was for. Provide canceled checks or receipts for payments claimed.

8. Please answer the following question if you have during the last three years been under treatment by a physician, psychologist, or other medical person for temporary or permanent physical or mental illness or complaint or required by the Court, state in complete detail. The nature and extent of the illness or complaint or Court Order involved.
 - a. The nature of the treatment, including the date such treatment was commenced, its frequency, and the length of time you expect it to continue; The date the disability or Court Order occurred, either estimated or actual.

- b. The name, business name, address and contact information for the physician or psychologist, counselor or another provider from whom you have or are received or receiving treatment.

9. Attach to your interrogatory responses an executed release authorizing access to any records pertaining thereto as part of the requests for production; and list any current medications you are taking, the dates which you have taken them, and the reasons you take the medications.

10. Please answer the following question for each criminal, civil, domestic violence or abuse, or other incident reported to the police or other law enforcement agency in which you or the minor child have been involved, state the:
 - a. County and state in which the complaint or incident occurred; and
 - b. Disposition of the complaint or incident.
 - c. Nature and substance of the complaint or incident.

11. Please answer the following question if you or the minor child have been named as a party to, cited for any offense or charged with any crime, for each matter state the:
 - a. Names of other individuals who were cited or charged in each such incident.
 - b. Date you were charged or cited.
 - c. Date of the alleged offense or violation.
 - d. Disposition or outcome of the charge or citation.
 - e. County and state in which you were charged or cited; and
 - f. Dates of any incarceration or treatment.
 - g. Names of any persons who were witnesses to the alleged offense/Violation.
 - h. Names of other individuals who were cited or charged in each such incident.
 - i. Offense or violation for which you were charged or cited.

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- j. Name and location of the court in which proceedings occurred as a result of the charge/citation.

12. Please set forth in detail and not in summary fashion, your methods for disciplining the minor child, while in your care.
 - a. Please state whether you have ever threatened to or injured, assaulted, molested, harmed or in any way threatened to or physically hurt the minor child in this matter, or any other child of whom you had care or control for any length of time. If your answer is in the affirmative, describe each incident of threatening or physical injury to the best of your recollection, including dates, times, places, and identify other persons who were present, with their full legal name, residential address, employer or business address, telephone and all other contact information.

13. If specific instances are listed, state as to each incident of threatening or physical injury whether you believed your actions to be appropriate or inappropriate given the circumstances involved.

14. Please state whether you have ever mentally, emotionally or verbally abused or committed violence against any minor child in your care. If your answer is in the
 - a. affirmative, describe each incident to the best of your recollection, including dates, times, places, and identify other persons who were present.

15. If specific instances are listed, state as to each incident whether you believed your actions to be appropriate or inappropriate.

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16. Please state whether anyone that you are aware of or resided with ever physically, emotionally or verbally assaulted or abused the minor child who is involved in this matter, or as to anyone you reside with, any other child in their care.
- a. If your answer is in the affirmative, describe each incident to the best of your recollection, including dates, times, places, and identify other persons who were present, with their full legal name, address, and contact information.
 - b. If specific instances are listed, state as to each incident whether you believed those actions to be appropriate or inappropriate.
17. Please state whether anyone that you are aware of or resided with ever threatened to injure, assault, molest, harm, abuse, or in any way physically hurt the minor child in this matter, or as to anyone you reside with, any child in their care.
- a. If your answer is in the affirmative, describe each incident to the best of your recollection, including dates, times, places, and identify other persons who were present.
 - b. If specific instances are listed, state as to each incident whether you believed those actions to be appropriate or inappropriate.
18. Please state whether you have ever threatened to injure, assault, molest, harm, abuse or have in any way physically hurt the other parent, or anyone else with whom you have a familial or other relationship.
- a. If your answer is in the affirmative, describe each incident to the best of your recollection, including dates, times, places, and identify other persons who were present, with their full legal name, address and all contact information.
 - b. If specific instances are listed, state as to each incident whether you believed your actions to be appropriate or inappropriate.

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19. Please state whether you have ever physically, mentally, emotionally or verbally assaulted or abused the other parent or anyone else with whom you have had a familial or other relationship.

- a. If your answer is in the affirmative, describe each incident to the best of your recollection, including dates, times, places, and identify other persons who were present.
- b. If specific instances are listed, state as to each incident whether you believed your actions to be appropriate or inappropriate.

20. Please state whether the other parent has ever physically, mentally, emotionally or verbally assaulted or abused you or anyone with whom they have had a familial or other relationship.

- a. If your answer is in the affirmative, describe each incident to the best of your recollection, including dates, times, places, and identify other persons who were present, with their full legal name, their address and their contact information.
- b. If specific instances are listed, state as to each incident whether you believed the actions to be appropriate or inappropriate.

21. Please state the dollar amount that you and any individual residing with you spend each month for the purchase of alcoholic beverages, on the average, for the preceding 12 months.

22. Please state whether you or any individual residing with you have ever attended any type of treatment program geared for substance or chemical dependency abuse.

- a. If the answer is in the affirmative, state the name, address, telephone number, dates of treatment and recommendations that followed the treatment.
 - b. State whether you are willing to sign a release for any records and if not, why not.

23. Please state whether you or any individual residing with you have ever used a controlled substance, including but not limited to marijuana, cocaine, heroin, or other illegal substances.
 - a. If your answer is in the affirmative, please list specific instances and substance abuse.

24. Please also provide a copy of all evidence or documentation of these instances, including, but not limited to, photographs, video, or other types of evidence and documents that support your answer as part of the requests for production.

25. Please state whether you believe the other parent has used controlled or illegal substances.
 - a. If your answer is in the affirmative, please provide a detailed description of all said instances.
 - b. Please also provide a copy of all evidence or documentation of these instances, including, but not limited to, photographs, video, or other types of evidence and documents that support your answer as part of the requests for production.

26. Have you ever attended parenting classes of any type?
 - a. If so, please indicate the approximate date and location, the nature or title of the class, whether attendance at said classes was voluntary or recommended by another entity/individual, the names and addresses of all individuals who made such a recommendation or referral, name of the instructor, and please provide a copy of any certificates of completion, which you received in conjunction with each such parenting class.

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27. Please state whether you are aware of any incidents when the other parent has disciplined any child in a physical manner.
- a. If your statement is in the affirmative, describe each incident to the best of your recollection, including dates, times, places, and identify other persons who were present as witnesses to any said events, with their full legal name, address, telephone numbers or other contact information.
 - b. If specific instances are given, state as to each instance whether you believed the discipline to be appropriate or inappropriate given the circumstance.
28. Please state the residential address at which you and the child would reside if you were granted or if the other parent agreed to follow your requested terms for parenting rights and responsibilities in regard to that child (decision making and/or primary or equal residential responsibility or split residential responsibility and/or parenting time and describe with specificity the child's proposed living quarters, and whom you would reside, with their full legal name, current residential address, telephone number(s) and other contact information, along with their relationship to you.

State in detail:

- a. The proportion of each day you intend to spend with the child.
 - b. Your schedule or plans for the child during your time with the child.
 - c. Your schedule or plans to accommodate any special needs of the child.
 - d. Your schedule or plans to accommodate any other children with whom the child has either a special relationship or friendship {e.g., stepsiblings, half- siblings or other close friend(s)}.
29. How do you intend to provide for the child's care when you are unavailable (name each person and/or institution or agency that will be hired for this purpose, the reason for your choice, their full legal name, address, telephone number, contact information and provide their resume' and/or references as part of your production of documents in this matter.
30. Set forth the names, addresses, and telephone numbers or other contact information of any and all persons you know who have any knowledge or information concerning relevant facts about the issues in this case, and for each, state the nature of the knowledge or information and the length of time you have known each other, and the

exact nature of your relationship with that person, along with their full legal name, address, place of employment or business, and their contact information.

31. Set forth the name, address, contact information and place of employment of every individual whom you or your legal counsel intend to call as a witness or expert witness in these proceedings.
32. Set forth in detail the subject matter upon which each witness is expected to testify, and your relationship to each such witness. Please supplement your answers in accordance with any order.
33. State whether you have any written statements or reports from any persons identified in any other interrogatory answer, and if so, please attach copies of any such reports or statements as part of your production of documents in this matter.
34. Do you or anyone else have any drawings, letters, other written memorandum, graphs, written record, charts, photographs, tape or electronic recordings, and/or video records or other media, whether electronic or otherwise, regarding yourself, the other parent and/or the minor child involved in this matter? If so, in consideration of the best interests of the child, please:
35. Identify each such drawing, graph, chart, photograph, tape or electronic recording, and/or video recording, or other media, whether electronic or otherwise, and state the subject matter thereof.
 - a. Identify the persons and/or things whose visage or voice is contained in such photograph, tape or electronic recording, and/or video recording; and
 - b. Identify the persons taking the photographs or making the tape or electronic recordings, and/or video recording.
 - c. Describe and provide such letter or written memorandum, specifically, including the date, the person, writing such document, and whom each is addressed or directed.
 - d.
36. Provide all such media as part of the request for production in this matter, or access thereto to the undersigned in accordance with this request.

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37. Please identify your relationship with your own and the other parent's extended family; give specific examples and details of events and how they impact your relationship with the minor child. As part of your answer, please provide the full legal names, addresses and contact information of all individuals for whom such information is not available to the other parent.

 38. What do you believe is an appropriate use of money either received or paid for child support?

 39. Please provide the following in the event that you are required to pay child support, for proper consideration of all income and expenses:
 - a. Do you expect to request a rebuttal to the guideline amount based upon your subsistence needs, work expenses, and daily living expenses, and if so, for what items, and in what amounts?
 - b. Do you expect a rebuttal based upon the other parent's income? If so, for what reason, and in what amount?
 - c. Do you expect to earn or have income from any source considered by the guidelines, in excess of \$12,500 per month?
 - d. Do you expect each or any child who is the subject of this action, to attend a private school? If so, please indicate which private school each child would attend, and an itemization of all costs associated with attendance therein.

 40. Describe with particularity and not in summary fashion, any special needs, chronic illness or disabling condition(s) of the minor child who is involved in this action, along with your understanding of their diagnosis, prognosis, general condition daily, expected expenses involved, the duration of such expenses, and your plan of action related to those special needs, chronic illness or disabling condition(s).

 41. Please provide your expectations as to any increased expenses or needs for the minor child who is involved in this action, once they reach age 16.

42. Please provide the actual cost and details regarding childcare expenses for each minor child and indicate whether you are willing to help cover such costs and expenses, either in full or partially.

43. With all of the factors that will be considered to determine which parent has the better ability to provide care and nurturance for the minor child, who is the subject of this action, and a determination of parenting rights and responsibilities (decision making and/or primary or equal residential responsibility or split responsibility and/or parenting time) and control of the child, please describe in detail and not in summary fashion how the following factors from the statute indicated below apply specifically between the other parent and the child and then between you and the child.

“The standard for modification found in section 452.410 applies when a party seeks to modify the custodial arrangement, as well as when a party seeks to modify a term related to the custodial arrangement, such as the parenting time schedule.” Russell v Russell, 210 S.W. 3D 191-193-194 (Mo. Banc 2007) “Modification will be granted if the court finds, “upon the basis of facts that have arisen since the prior decree or that were unknown to the court finds, “upon the basis of facts that have arisen since the prior decree or that were unknown to the court at the time of prior decree, that a change has occurred in the circumstances of the child, or his custodian and that the modification is necessary to serve the best interest of the child.” §452.410.1. In all cases, the burden.

44. Please give specific instances, with dates, times, places and witnesses in relation to each provision which support your position and identify all such witnesses with full legal names, addresses, telephone numbers and other contact information (the statute is provided for your ease of reference in answering each section, and each section is considered a subpart to these interrogatories and request for production: § 14-09-06.2. Best Interests and welfare of child--Court consideration--Factors

45. For the purpose of parental rights and responsibilities, the best interests and welfare of the child is determined by the court's consideration and evaluation of all factors affecting the best interests and welfare of the child. These factors include all the following when applicable:

- a. The love, affection, and other emotional ties existing between the parents and child and the ability of each parent to provide the child with nurture, love, affection, and guidance.
- b. The ability of each parent to assure that the child receives adequate food,

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- c. The child's developmental needs and the ability of each parent to meet those needs, both in the present and in the future.
- d. The sufficiency and stability of each parent's home environment, the impact of extended family, the length of time the child has lived in each parent's home, and the desirability of maintaining continuity in the child's home and community.
- e. The willingness and ability of each parent to facilitate and encourage a close and continuing relationship between the other parent and the child.
- f. The moral fitness of the parents, as that fitness impacts the child.
- g. The mental and physical health of the parents, as that health impacts the child.
- h. The home, school, and community record of the child and the potential effect of any change.

If the court finds by clear and convincing evidence that a child is of sufficient maturity to make a sound judgment, the court may give substantial weight to the preference of the mature child. The court also shall give due consideration to other factors that may have affected the child's preference, including whether the child's preference was based on undesirable or improper influences. Evidence of domestic violence. In determining parental rights and responsibilities, the court shall consider evidence of domestic violence. If the court finds credible evidence that This presumption may be overcome only by clear and convincing evidence that the best interests of the child require that parents have residential responsibility.

The court shall cite specific findings of fact to show that the residential responsibility best protects the child and the parent or other family or household member who is the victim of domestic violence.

If necessary to protect the welfare of the child, residential responsibility for a child may be awarded to a suitable third person, provided that the person would not allow access to a violent parent except as ordered by the court.

If the court awards residential responsibility to a third person, the court shall give priority to the child's nearest suitable adult relative.

The fact that the abused parent suffers from the effects of the abuse may not be grounds for denying that parent residential responsibility. As used in this subdivision, "domestic violence" means domestic violence as defined in 565.074. A court may consider, but is not bound by, a finding of domestic violence in another proceeding under chapter 565.074. The interaction and interrelationship, or the potential for interaction and interrelationship, of the child with any person who resides in, is present, or frequents the household of a parent and who may significantly affect the child's best interests.

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The court shall consider that person's history of inflicting, or tendency to inflict, physical harm, bodily injury, assault, or the fear of physical harm, bodily injury, or assault, on other persons.

The making of false allegations not made in good faith, by one parent against the other, of harm to a child as defined in Family Code 3027.5.

Any other factors considered by the court to be relevant to a particular parental rights and responsibilities dispute.

46. List the name, address, telephone number, and dates of contact for each physician to whom you have personally taken the child for evaluation or treatment.

47. Please set forth whether you intend to encourage a relationship and contact between the child and the other parent if you are determined appropriate to exercise parenting rights and responsibilities (decision making and/or primary or equal residential responsibility, or split residential responsibility and/or parenting time), and how you intend to do so, in a detailed and not in summary fashion.

48. Do you claim that they prefer to live with you?

- a. If so, state: the date upon which the child expressed the preference; the circumstances given rise to such expression; words used by the child in expressing such preference.
- b. If the preference has not been expressed to you, state the basis for your contention that the child desires to live with you, if you contend that the child does desire to live with you.

49. Please describe the household duties performed by the child involved in this matter, listing the specific duties for the child, and what you do regarding such duties.

50. Are you currently employed?

- a. Please complete the Financial Affidavit as part of your answers to these Interrogatories and Request for Production of Documents.
- b. Please attach all documents supporting your answers to the Financial Affidavit.
- c. State all assets and their value held by either you, your spouse, or being held for you by any other person or entity, and describe in detail, with valuations, legal descriptions, and all other identifying information:

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- d. Real Estate.
 - e. Financial Accounts whether at banks, other locations, with account numbers, and all other information requested above.
 - f. Investments, with account numbers and all other information requested above.
 - g. Vehicles and recreational.
 - h. Household Items in any location.
 - i. Retirement Assets, Accounts at any location, with account numbers and other information requested.
 - j. Any other assets or property of any description not otherwise listed above.
 - k. Attach copies of all tax returns, including W-2 and 1099 forms as well as supporting schedules, filed either by you or for you in the past 36 months.
 - l. Tax Preparers and Accountants. Has anyone in the past three years provided you, or any business or partnership, any tax or financial advice, accounting service or bookkeeping service?
 - m. If yes, state the name, address and phone number of each person or institution, the type of service provided and the dates of such service.
51. As of the date of answering these interrogatories, what is the amount of cash or financial account money to which you have immediate access that you currently have under your control, or under the control of any third party? Describe in detail all amounts, locations, and the names under which such cash is currently held.
52. As of the date of answering these interrogatories, what is the amount of cash or financial account money to which you have immediate access that you currently have under your control, or under the control of any third party? Describe in detail all amounts, locations, and the names under which such cash is currently held.
53. Do you maintain any retirement accounts other than those for which you have previously provided information to?
- a. If so, please provide all information related to said accounts.

54. Do you own or are you entitled to any property to which you alone are entitled?
- a. If so, give the value you place upon such property
55. Please estimate and itemize your monthly living expenses, separating those that are attributable to yourself, and to your dependents, in detail.
56. Do you share living expenses with anyone else?
- a. If so, state the name, contact information and relationship of yourself to such person(s), and list the amounts paid by such person(s) along with a description of the reasons and type of living expenses so shared.
57. Have you made any transfers of money or property within the past year?
- a. If so, please indicate the person or entity to whom such money or property was transferred, the amounts, and the reason for such transfer(s).
58. Identify all witnesses you expect to call at the trial in this matter, with all contact information, their relationship to you, the substance and facts to which they are expected to testify, and a summary of their testimony.
59. Identify all persons or entities having personal or financial information regarding the parties in this matter, or regarding the minor child of the parties; please also provide all names, contact information, relationship to you, your spouse or the minor child, and what matters you believe they could address.
60. Identify all experts you intend to call at the trial of this matter, including their name(s), contact information, curriculum vitae or resume', the substance of their testimony, the facts upon which they will testify, their expected opinion, and the general subject matter of their testimony. Attach a copy of their curriculum vitae' or resume' to your answers as part of the request for production, as well as any documents upon which they will be relying to form their opinion.
61. Do you contend that your spouse has made any statements to you or to anyone else which would constitute an admission against interest, admission to party opponent, or constituting any statement regarding matters material to this matter?

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- a. If so, please state all such information in detail, with specificity as to the exact nature of the statement, to whom the statement was made, the date, time and place the statement was made, and any other information regarding such statements or admissions.
 - b. Regarding INCIDENT, is it your intent to reimburse her for all costs and expenses regarding this incident? If so, when do you plan on doing so?

Request for Production of Documents

Please provide all documents as previously requested in any of the interrogatories above.

Please provide all documents supporting any of your answers to the interrogatories above.

Please provide copies of all documents supporting all valuations of all property indicated in the interrogatories above.

Please provide copies of all check registers and bank statements on any financial account in which you have had either a separate interest, an interest with your spouse, or an interest with any third person for the past year.

Please provide copies of your life insurance policy(ies), including all documentation related to them.

Please provide copies of all credit card, loan or other debt-related statements or other financial information associated with said accounts in your name alone, your name jointly with your spouse, or with any other third person or entity. Please provide copies of all documentation or computer records of all costs you have accrued for the child in this action over the past year.

Please provide a copy of any or all frequent flyer mileage points, amounts accrued and the valuation of said points.

You are under oath and your answers to these interrogatories, as well as the media provided in response to request for production of documents, could be used at trial or in any hearing in this matter.

Respectfully submitted,

/s/Angela M Freiner

8547 Pilot Ave.

RESPONDENT'S INTERROGATORIES DIRECTED TO PETITIONER

St. Louis MO. 63123
angelamfreiner@gmail.c

CERTIFICATE OF SERVICE The undersigned hereby certifies that a copy of the foregoing was sent via fax to the court on the 13th day of October 2021 to: Kathleen Shaul, Attorney for Petitioner, at Law@KShaul.com. /s/ Angela M Freiner

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CERTIFICATION OF COMPLIANCE AND FORWARDING

I hereby certify that I have read the foregoing Answers to Interrogatories and Responses to Request for Production. The Answers to Interrogatories and Responses to Request for Production have been forwarded by mail or messenger on the date stated below to the Asking Party. _____ Date

I declare under penalty of perjury under the laws of the State of Missouri 1) I am the person to whom these interrogatories are addressed. 2) I have read the foregoing answers to the interrogatories. I know the contents thereof. 3) The foregoing answers to the interrogatories and responses to requests for production of documents are true, correct and complete. _____ Date

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