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CASE NUMBER: 18-3-05993-7 SEA

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Superior Court of Washington, County of King

In re the Marriage of:

Petitioner:

SONYA K. DELANCE

And Respondent:

MICHAEL A. DELANCE

No. 18-3-05993-7 SEA

Motion for Temporary Family Law
Order and Restraining Order
(MTTMO)

Motion for Temporary Family Law Order
and Restraining Order

1. My name is Sonya DeLance. I ask the court for temporary orders approving the requests listed below.

2. Children

I want my children under 18 listed below to be included in the court's orders:

Child's name	Age
1. Presley J. DeLance	8
2. Ella J. DeLance	7

3. Active duty military

My spouse is **not** covered by the state or federal Service Members' Civil Relief Acts.

4. Care of children

a. Approve the parenting plan proposed by me.

1 **5. Provide support**

2 a. Parties should maintain their historical spending pattern. Husband should continue to
3 deposit funds into the joint Bank of America account and pay all bills as he has
4 historically done.

5 **6. Family home**

6 **Stay in the home** – Wife should be allowed to stay in the family home. Husband should
7 not go to the family home other than to drop off or pick up the children as set forth in
8 the Parenting Plan.

9 **7. Use of property**

- 10 a. Order that I can possess and use:
 - 11 i. Property in my possession now;
 - 12 ii. Vehicle: 2018 White Land Rover.
- 13 b. Order that Michael DeLance can possess and use:
 - 14 i. Property in his possession now;
 - 15 ii. Vehicle: 2005 Porsche Panamera GTS.

16 **8. Protect property**

- 17 1. Enter an order restraining and enjoining both parties from moving, taking, hiding,
18 damaging, selling, harming, transferring, removing, encumbering, concealing or in
19 any way disposing of any property of the parties, either community or separate,
20 except in the usual course of business or for the necessities of life and requiring
21 each party to notify the other of any extraordinary expenditures made after the
22 order is issued.
- 23 2. Enter an order restraining and enjoining both parties from withdrawing any monies
24 from checking, savings accounts or money market accounts, investment accounts,
25 brokerage accounts, cashing any time certificates, treasury bills, notes, bonds or
26 traveler's checks, or liquidating any stocks or securities accounts of either or both
27 parties, except in the ordinary course of business or for the necessities of life.
- 28 3. Enter an order restraining and enjoining both parties from creating a non-probate
29 transfer or modifying a non-probate transfer in a manner that affects the
30 disposition of property subject to the transfer, without the written consent of the
31 other party or an order of the court. Before revocation of a non-probate transfer
32 can take effect or a right of survivorship to property can be eliminated, notice of
33 the change must be filed and served on the other party.

1 4. Enter an order restraining and enjoining both parties from removing, borrowing
2 against, or withdrawing any proceeds or funds from any deferred compensation or
3 retirement accounts, including but not limited to, profit sharing, retirement,
4 pension, stock option, investment, 401(k), IRA, sick leave, savings or other similar
5 accounts.

6 5. Enter an order restraining and enjoining both parties from incurring community
7 debts or obligations without specific written approval of the other party.

8 6. Enter an order restraining and enjoining both parties from cancelling or changing
9 any credit cards on which the other party is authorized to make transactions or
10 interfering with the other party's credit in any way.

11 **9. Household expenses**

12 Order household expenses to be paid as follows:

13 Michael DeLance should pay all historical household expenses for both parties and the
14 children, including, but not limited to mortgages, credit cards, insurance, childcare,
15 children's expenses, utilities, state and federal taxes, property taxes, loans, out of pocket
16 medical expenses, etc. with funds from the Bernstein account transferred into the parties'
17 joint Bank of America checking #2741 and paid from the Bank of America account as
18 the parties have historically done. The husband should provide the wife's attorney with
19 a summary of all disbursements from the Bernstein account each month by the 5th day of
20 the following month.

21 **10. Divide debts**

22 Order my spouse and me to:

23 Michael DeLance should pay all historical expenses and debts of both parties and the
24 children, including, but not limited to mortgages, credit cards, insurance, childcare,
25 children's expenses, utilities, state and federal taxes, property taxes, loans, out of pocket
26 medical expenses, etc. with funds from the Bernstein account transferred into the parties'
27 joint Bank of America checking #2741 and paid from the Bank of America account as
28 the parties have historically done. The husband should provide the wife's attorney with
29 a summary of all disbursements from the Bernstein account each month by the 5th day of
30 the following month.

31 Credit cards to be paid include, but are not limited to the following:

- 32 a. Wife's Bank of America #8061/6306 and American Express; and
- 33 b. Husband's Citi Card, American Express and Bank of America.

11. Do not change insurance

Order Michael DeLance not to make changes to any home, medical, health, life, or auto insurance policy that covers either spouse or any child listed in 2. That means he must not assign, transfer, cancel, borrow against, let expire, surrender or change the beneficiary of any policy of either or both parties whether medical, health, life or auto. If husband has cancelled any insurance policy for the wife and children, he must immediately reinstate coverage and provide proof of insurance to the wife's attorney within three days of this order.

Michael DeLance should be responsible for the payment of all insurance premiums, including, but not limited to health, life, auto, and homeowner's. Premiums should be paid with funds from the Bernstein account and Michael DeLance should provide the wife's attorney with a summary of all disbursements from the Bernstein account each month by the 5th day of the following month.

12. Pay fees and costs

Order Michael DeLance to pay me \$25,000 for attorney's fees, expert fees, and costs within three days of entry of the temporary order.

13. Restraining Order

I ask the Court for a *Restraining Order* (form FL All Family 150) that orders my spouse to obey the restraints and orders checked below:

Do not disturb

The Restrained Person must not disturb the peace of the Protected Person or of any child listed in 2.

Stay away

The Restrained Person must stay away from Sonya DeLance's home, workplace, or school.

Also, the restrained person must not have any contact whatsoever with Sonya DeLance, in person or through others, by phone, mail or any means, directly or indirectly, except for communication through "our family wizard" and to notify her by text that the children will be dropped off or picked up as set forth in the Parenting Plan and by phone only in the event of an emergency concerning the welfare of the children and except for mailing or service of process of court documents by a third party or contact with wife's attorney.

Also, The Restrained Person must not knowingly go or stay within 500 feet of Sonya DeLance's home, workplace, person, or school.

1 Michael DeLance may attend the children's events at school or other locations. He shall
2 not approach Sonya or attempt to interact with her in any way. He shall stay 250 feet
3 away from her at all times.

4 **Do not hurt or threaten**

5 The Restrained Person must not:

- 6 • Assault, harass, stalk or molest the Protected Person or any child listed in 2;
- 7 • Use, try to use, or threaten to use physical force against the Protected Person or any
8 child listed in 2 that would reasonably be expected to cause bodily injury; or
- 9 • Harass, follow, keep under physical or electronic surveillance, cyberstalk as
10 defined in RCW 9.61.260, and use telephonic, audiovisual, or other electronic
11 means to monitor the actions, locations, or wire or electronic communication of the
12 Protected Person or any child listed in 2.

13 *Warning! If the court makes this order, the court must consider if weapons
14 restrictions are required by state law; federal law may also prohibit the
15 Restrained Person from possessing firearms or ammunition.*

16 **Prohibit weapons and order surrender**

- 17 • Do not possess or obtain any firearms, other dangerous weapons, or concealed
18 pistol license until the Order ends, and
- 19 • Surrender any firearms, other dangerous weapons, and any concealed pistol
20 license that he possesses to the police chief or sheriff.

21 **14. Other temporary orders**

- 22 a. Order Michael DeLance to ensure the wife's access to all bank accounts and business
23 records.
- 24 b. Order Michael DeLance to provide a complete list of all assets, including, but not limited
25 to accounts, business interests, receivables, real estate, vehicles, etc. to the wife's attorney
26 within three days of entry of the temporary order.

27 *Reasons for my requests*

28 **15. Why are you asking the court for the orders you checked above?** See Declaration of
29 Sonya DeLance.

30 **Reasons for "Prohibit weapons and order surrender" request:** See Declaration of
31 Sonya DeLance.

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Person asking for this order fills out below:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at Bellevue, Washington this ____ day of October, 2018.

Authentisign
Sonya DeLance
10/11/2018 5:31:28 PM PDT

Person asking for this order signs here Sonya DeLance
Print name here

I agree to accept legal papers for this case at my lawyer's address, listed below:

Law Offices of Molly B. Kenny
9 Lake Bellevue Dr., Suite 204
Bellevue, WA 98005
mbk@mollybkenny.com

Lawyer (if any) fills out below:

Lawyer signs here Molly B. Kenny 11089 10/11/18
Print name and WSBA No. *Date*