

No. 23-7598

IN THE
SUPREME COURT OF THE UNITED STATES

ARNAUD PARIS — PETITIONER
(Your Name)

vs.

HEIDI MARIE BROWN — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

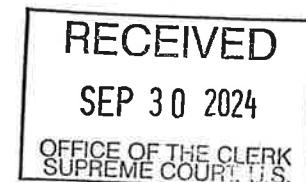
OREGON SUPREME COURT AND 1ST DISTRICT COURT AND 9TH CIRCUIT COURT OF APPEAL
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)
SUPPLEMENTAL BRIEF FROM PETITIONER TO HIS
PETITION FOR WRIT OF CERTIORARI
UNDER RULE 15.6 OF THE UNITED STATES SUPREME COURT

ARNAUD PARIS
(Your Name)

13 RUE FERDINAND DUVAL
(Address)

PARIS, FRANCE 75004
(City, State, Zip Code)

+33688283641
(Phone Number)



**SUPPLEMENTAL BRIEF TO INFORM IN EMERGENCY THE US SUPREME
COURT OF CRITICAL NEW RECENT DEVELOPMENTS IN THIS MATTER TO
BE CONSIDERED BEFORE THE HEARING OF SEPTEMBER 30**

Petitioner, Father, respectfully request that the US Supreme Court hears this Writ of Certiorari in emergency as the result of the denial of the relief asked by Father to the Oregon Supreme Court has resulted in a terrible situation that is gravely affecting two French European children on US soil as they are now victims of child abuse supported by the US courts and the United States.

-See attached Appendix A, the letter from the Oregon Psychologist Kathy Marshack..

This Writ Of Certiorari should be heard by this court in emergency as it has clearly become a matter of national importance since the recent developments in this case are having international consequences that will dramatically affect the relationships of the United States with France and Europe as a direct result of the denial of the relief requested by petitioner in Oregon in violation of the Hague Convention.

The attached denial of the San Francisco 9th circuit court of appeal is a direct consequence of the denial of relief from the Supreme Court of Oregon for which Father filed this Writ of Certiorari and it has led the San Francisco 9th Circuit Court of appeal to create a conflict with previous rulings from the US Supreme Court that an international treaty like the Hague Convention is the law of the land and no US domestic law can prevent its application.

-See attached Appendices B, C, D and E, the orders of denial from the San Francisco 9th Circuit Court and the filings made by Petitioner that were denied by these orders.

In this instance the United States were required to provide an evidentiary hearing to Father in emergency under the Hague Convention to consider the evidence that Father has shown and provided in his filings to the US courts confirming that a crime has been committed on French/European soil by Mother in violation of French/European law with the support of the US courts and of the United States. Not allowing this evidentiary hearing to Father as a result of the denial of due process from the Oregon courts towards Father would be a clear denial of the Hague Convention provisions that an evidentiary hearing has to take place within 4-6 weeks of filing the Hague Convention to determine if the children were taken from the French/European soil in violation of the French/European laws regarding these children AND

it would constitute a second denial of due process towards Father, a French European citizen and would also result into irreparable harm on the children who are also French European citizens and currently victim of child abuse in the US.

This situation in which the United States are in violation of international law and international treaties is the direct result of the relief that was denied to petitioner by the Oregon Supreme Court and in which petitioner indicated that irreparable harm and prejudice would result from this denial and that was precisely the reason for petitioner to file this Writ of Certiorari to this Honorable Court. In other words the Oregon Supreme Court denial of emergency relief requested by Father has lead to this exact situation of international custody crisis between the US and France and Europe that is affecting gravely two French European American citizens in Oregon right now putting them in a situation of child abuse supported by the American courts.

-See attached Appendix A, the letter from the Oregon Psychologist Kathy Marshack.

-See attached Appendix F, the declaration of Ali Van De Graaff.

-See attached Appendix G, the email sent by Father to the children's school principal in Ashland.

Furthermore, the Oregon Supreme Court has created a situation in which children are now the victims of child abuse with no way for the French father to obtain relief for this child abuse to be stopped immediately even though Father specifically asked for this emergency relief concerning the children under the Hague Convention. The United States had an obligation to provide this emergency relief under the provisions of the Hague Convention per this international treaty signed and ratified by the United States which is law of the land as affirmed by this Honorable United States Supreme Court in the case law mentioned in the attached Appendix E, the "Motion For Reconsideration" filed on September 5th with the San Francisco 9th Circuit Court.

In other words the US judicial system is now directly involving the United States as a nation in child abuse onto French and European citizens requiring that the relief asked by petitioner in the Writ of Certiorari be granted in emergency by the US Supreme Court in order to preserve the integrity of the United States internationally as a nation respecting human rights as a member of the United Nations. This has become a critical national matter to prevent a grave deterioration of the relationships of the United States with France and Europe.

The violation of Father's rights in Oregon has also created a situation in which the United States are now putting themselves in violation of the Hague Convention which is creating grave consequences for the United States. If the Supreme Court doesn't intervene in emergency to help resolve this matter, it could result in the United States becoming a "child abduction safe haven" for any American parents contemplating to abduct their children to the US from Europe even if there is a European judgment having granted custody to the European parent previously. This matter once reaching worldwide media coverage could result in hundreds of American parents abducting their children from Europe in the coming months knowing that the United States are supporting criminal abductions on European soil.

-See attached **Appendix H**, the email exchanged between Father and the Zashin Law firm regarding their interview by the European Media in a 66mn documentary regarding the violations of the Hague Convention by the United States.

This grave crisis between the United States and France and Europe does create a situation of national matter that justifies this Honorable US Supreme Court to consider in emergency this Writ of Certiorari from Petitioner and requiring immediate intervention from the US Supreme Court to ensure that proper justice takes place in the United States and towards other sovereign nations of Europe, and that the "Witch Hunt" towards French and European citizens as described by the Oregon psychologist in the attached letter well as the child abuse conducted onto French European citizens permitted by the Oregon courts all be stopped in emergency.

If the human rights of European and French children are not protected and respected by the United States this will leave not other choice to Petitioner, France and Europe but to bring this matter to the United Nations against the USA for violation of Human rights and clear breach of an international treaty protecting children's right. It is crucial in this matter that the US Supreme Court ensures that child abuse isn't conducted any further onto French European citizens in Oregon and that the Hague Convention stops being violated by the US courts with such a denial of due process towards petitioner, a French European citizen who hasn't been given an evidentiary hearing in this Hague matter by the US court in clear violation of the Hague Convention and US Supreme Court jurisprudence as explained in the attached **Appendix E**, the "Motion For Reconsideration" filed on September 5th with the San Francisco 9th Circuit Court.

Respectfully submitted on September 26th 2024.



By Arnaud Paris, Petitioner Pro Per

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75004 Paris, FRANCE

arnaud@skyvr.com

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APPENDIX A

September 25, 2024

U.S. US Supreme Court
1 First St NE
Washington, DC 20543, USA

Re: Hague Convention Case of Juliette and Eva Paris

Dear Honorable Justices of the United States Supreme Court:

I am a psychologist (licensed in Oregon and Washington) and I have been asked by Arnaud Paris, the father of the two children, Juliette and Eva Paris (both aged 9 years), to review documents and render an opinion on the welfare of the children.

By way of a short introduction to my background, I have been in practice as both a social worker and a psychologist since 1975. I have worked in a variety of settings including Child Protective Services, mental health, home health, education, and private clinical practice treating a variety of outpatient conditions. In the last 15 years I have specialized in families with high functioning autism (i.e. NeuroDivergent relationships). I am also an author, speaker and conduct international education on the topic of NeuroDivergent relationships. You can learn more about my credentials at www.psychologytoday.com/us/professionals/arnaud-paris.

Mr. Arnaud Paris requested my services after (1) reviewing my credentials, (2) because I have an Oregon license in the state where his wife and children are currently living, and (3) because my office is only a couple of hours driving time from Ashland, Oregon, where he believes the children are living.

I have not met the children, nor their mother. I have not interviewed anyone other than Mr. Paris. He has provided me with numerous documents, videos and audio recordings. While I cannot make a conclusive judgement, based upon the information provided by the father I believe there is sufficient evidence to warrant an investigation of the welfare of the children, because they may be subjected to severe emotional abuse by their mother.

As this is a Hague Convention Hearing, I may be providing more information than the Justices may need. However, may I respectfully remind the Court that as a licensed psychologist I am required by Oregon law to report suspected child abuse. Not only do I have the legal responsibility to report, but a psychologist is considered to have specialized knowledge of child abuse symptoms. In addition to my years of experience as a psychologist, I worked for five years for the State of Oregon Children's Service Division, and I have extensive experience in the investigation of child abuse and neglect. While I am not required to prove the child abuse, the statute requires that I report to a legitimate governmental authority for follow up. Since this matter concerns two

countries, I hope I am correct in assuming that this Court has jurisdiction. Please accept this letter as my formal report of suspected child abuse.

Since this is not a formal psychological evaluation, I will be brief. After reading the documents, watching the videos, listening to the audio recordings – and interviewing Mr. Paris, the following are my concerns.

1. The children have been denied regular interaction with their father, who has repeatedly asked for at least video calls. This has gone on for many months and is an emotional hardship on children, especially at this young age.
2. The children have used phrases and terms that are very mature for their age. I am concerned that they are being exposed by their mother to the Court's orders and/or her interpretation of the orders. This is never a good sign as it makes the children feel that they have to take sides in their parent's divorce.
3. In one video the mother was seen talking with each child, seeming to encourage them to feel fearful of their father. The children were sobbing as they talked about the problems they were told were caused by their father. Again this is a type of parental alienation should be investigated.
4. It appears the children are being kept in hiding by their mother. In an audio call the children told their father that they could not tell him where they live, but that he could see them if he would "pay." They also assured their father that he would not be "arrested" if he came to Oregon to visit them. This is very concerning that these 9 year old girls are being coerced by their mother.
5. I have reviewed documents that show that the father has been willing to have shared or very liberal visitation scheduled with the mother. He is even willing to loan her the use of his apartment when she is in France (and he would live elsewhere) in order to make it more convenient for the parents to share time with the children. Regardless of whether the mother wants the apartment, it appears that the father made the offer in good faith to his former wife. As a remote worker this might be a good solution for the mother.
6. After looking at some of the Oregon Court's orders I wonder if the local judges are fully aware of the needs of multi-national and multi-cultural children and families. This of course is the reason it would be best for this situation to be evaluated by a psychologist.

who is multi-cultural (French and American). As far as I can tell, the only person to request a psychological evaluation of the girls is Mr. Paris. I don't believe the safety of the children can be determined by a Court without a thorough psychological evaluation and child abuse investigation.

7. Rather than put the children through the stress of living in foster care, it is possible to arrange for Mr. Paris' parents to travel to Oregon (surrender their passports), and rent a home for the children until this matter can be settled. It is possible that the children could stay with family friends in Paris too.
8. Recently I learned about another situation that is alarming. I wrote of my concern to Judge Benjamin Bloom in Oregon but I do not believe he read my letter. Please see the attached letter for particulars.

It is clear that there is a grave need to quickly investigate on behalf of these children to insure that they are safe. The potential for permanent alienation from their father is very real. And parental alienation is so traumatic that the consequences can last a life time.

Please let me know if you have questions. I am happy to respond by phone or video if you need to reach me.

Sincerely,



Kathy J. Marshall, Ph.D.

Licensed Psychologist, Oregon and Washington
Neskowin OR 97149

drkathy_marshall@outlook.com

www.ASD-NTrelationship.com

www.kmarshall.com

Date: September 23, 2024

To: Benjamin Matthew Bloom, Judge
Justice Building
100 S Oakdale Ave.
Medford, OR 97501
Re: Hearing for Arnaud Paris and the Paris children

Dear Honorable Judge Bloom:

Please accept this short letter as a statement of concern for the welfare of the Paris children. I am an Oregon Psychologist who has been contacted by Arnaud Paris with regard to his worries for his children. I have not met the children, nor their mother. However, I have viewed the documents and videos provided by Mr. Paris.

If you want more information on my credentials, you can learn about my practice at my websites, listed below. I have been a psychologist for 30 years. Prior to that I was a social worker for Child Protective Services in Multnomah county.

I have not conducted a thorough child abuse investigation, but based upon the information I have seen, I believe it is warranted. There appears to be a growing effort at parental alienation with the father as a target. As you may know parental alienation is an insidious form of child abuse that has lifetime ramifications.

I have outlined in other letters some of the evidence that worries me (such as a video with the mother prompting one of her daughters to accuse the father). Mr. Paris can provide those documents to you. Most recently it appears that school officials have become involved in spreading malicious and defamatory gossip about Mr. Paris. Regardless of the harm to Mr. Paris, this gossip can be unbearable for children.

One of the hallmarks of parental alienation is the chaos that one parent can cause in a community, so that there is a kind of "witch hunt" mentality. The targeted parent is so unreasonably reviled that they struggle to redeem themselves to anyone, even their children. While adults in the community can veer off into joining the alienation effort, and not suffer the ethical or moral consequences, the alienation of a parent is most harmful to children who cannot manage the emotional distress. The research shows that alienated children are plagued with severe depression and low self-esteem for a lifetime.

I can be available by phone or videocall if you would like more information. Please let me know.

Sincerely,



Kathy J. Marshack, Ph.D.
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503-222-6678 Office
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www.ASD-NTrelationships.com

APPENDIX B

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 28 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ARNAUD PARIS,

Petitioner - Appellant,

v.

HEIDI MARIE BROWN,

Respondent - Appellee.

No. 24-4950

D.C. No.
1:24-cv-00648-AA
District of Oregon,
Medford

ORDER

Before: SCHROEDER and HURWITZ, Circuit Judges.

Appellant's emergency motion for a hearing and for injunctive relief (Docket Entry No. 4) is denied. *See Feldman v. Ariz. Sec'y of State*, 843 F.3d 366, 367 (9th Cir. 2016) ("The standard for evaluating an injunction pending appeal is similar to that employed by district courts in deciding whether to grant a preliminary injunction."); *see also Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008) (defining standard for preliminary injunction in district court).

Appellant's motion for appointment of pro bono counsel (Docket Entry No. 7) is denied without prejudice to renewal accompanied by a completed Form 4 financial affidavit.

The opening brief is due October 1, 2024. The answering brief is due October 31, 2024. The optional reply brief is due within 21 days after service of the answering brief.

The filing of a renewed motion for appointment of counsel will stay the briefing schedule. *See* 9th Cir. R. 27-11(a)(6).

The Clerk will serve a Form 4 financial affidavit on appellant.

APPENDIX C

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

SEP 11 2024

ARNAUD PARIS,

Petitioner - Appellant,

v.

HEIDI MARIE BROWN,

Respondent - Appellee.

No. 24-4950

D.C. No.
1:24-cv-00648-AA
District of Oregon,
Medford

ORDER

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

Before: SCHROEDER and HURWITZ, Circuit Judges.

Appellant's motion for reconsideration (Docket Entry No. 12) is denied. *See*
9th Cir. R. 27-10.

The existing briefing schedule remains in effect.

APPENDIX D

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

In re the Matter of J.P. and E.P.:

ARNAUD PARIS.

Petitioner - Appellant

and

HEIDI MARIE BROWN

Respondent - Appellee

Docket Number: 24-4950

Civil Action No. 1:24-cv-00648-AA

PETITIONER'S REPLY TO
RESPONDENT'S RESPONSE TO
EMERGENCY MOTION FOR
HEARING UNDER THE HAGUE
CONVENTION FOR RETURN OF
CHILDREN BEFORE START OF
THE FRENCH SCHOOL YEAR

*If insufficient evidence for immediate return
of Children, Oral Argument and Evidentiary
Hearing Requested Expeditiously under the
Hague Convention Article 11 with Remote
Appearance of Petitioner living in France*

I, Arnaud Paris, Petitioner, Father, would like to reformulate my request in this emergency motion under rule 27-3 in my Reply to Respondent's Response. I respectfully request this court to order back to France our children Eva and Juliette Paris under the provisions of the Hague Convention or alternatively to assign a Special Master to

PETITIONER'S REPLY TO RESPONDENT

1 investigate the evidence provided by me, Petitioner, in this matter involving the integrity
2 of France and its justice system and supporting the fact that I didn't return to France
3 criminally with our children in July 2023 but that Mother did commit a criminal abduction
4 on French soil.

5

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7 **I. INTRODUCTION**

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10 Mother, Respondent, says in her response that this emergency motion "does not give
11 this Court the authority to conduct an evidentiary hearing. Appellate courts do not retry
12 cases or hear new evidence. They do not hear witnesses testify."

13 Mother, Respondent, fails to realize that the Ninth Circuit Court of Appeals has
14 broad authority under the Hague Convention on the Civil Aspects of International Child
15 Abduction to ensure the prompt return of children wrongfully removed or retained from
16 their habitual residence. In this instance, another Federal Court previously concluded that
17 the children's habitual residence was France and Father demonstrated that it was as well
18 immediately before their removal from France. Given the serious and well-founded
19 allegations of judicial bias and potential fraud in the lower court, this Court must act
20 decisively to uphold the Convention's objectives and protect the welfare of the children
21 involved. In this Reply Father wants to emphasize that all the conditions are met for this
22 Honorable Court to order the immediate return of Eva and Juliette Paris to France under
23 the Hague Convention provisions.

24 **PETITIONER'S REPLY TO RESPONDENT**

II. FRANCE IS THE HABITUAL RESIDENCE OF THE CHILDREN IMMEDIATELY PRECEEDING THEIR REMOVAL BY FROM FRANCE

It is well-established under the Hague Convention that the determination of a child's habitual residence is a factual inquiry focused on where the child was settled before the alleged wrongful removal or retention. In this case, Petitioner provided in his petition and subsequent filings overwhelming evidence that was entirely ignored by the lower federal court while it strongly and factually supported that France was the habitual residence of Eva and Juliette Paris immediately before their criminal removal from French soil by Miss Brown in April 2024 in violation of two French judgments in full force and effect in France.

1. Children's Habitual Residence is France:

Eva and Juliette had been living in France with their father, Arnaud Paris, since August 2019. The children were fully integrated into French life and culture, having attended school in Paris continuously from September 2019 until July 2022 and having even started to attend every grade of French school system since 2017.

The federal district court in Oregon ruled on Father's Hague Petition on December 7, 2022. The court found that Paris, France was the children's habitual residence. The court described the children's connection to their home and community in France:

“The children were French citizens. They spoke fluent French. They attended French schools that had, you know, year-long programs at these academies for music and dance.

"The girls were involved in sports. They went to school and family excursions, regularly, throughout France. They had school-age friends and attended certainly visits with friends and birthday parties, those type of things. They had extended family and social supports in France, including a godfather.

“So I’m finding that the children were fully assimilated to France and an intensive fact inquiry points to the only conclusion that when the children left France for Oregon in July of [2022], France was their habitual residence.”

Id. Oral Judgment Case No. 1:22-cv-01593-MC December 7th 2022

Eva and Juliette Paris returned to their respective French schools in September 2023, after a temporary school year in Oregon (2022-2023), as agreed between the parties. This is supported by **Exhibit 1** and **Exhibit 9** filed in the “Petition for Return of Children under Hague Convention Child Abduction,” as well as testimony from the children French school’s principal, from May 2024 which is provided in **Exhibit 5** of the same petition.

The children's education, healthcare, and social activities were all based in France and initiated since 2017, further solidifying their habitual residence in this country. Testimonies from French parents and the AuPair, detailed in **Exhibit 8** and **Exhibit 10** of the "Petition for Return of Children under Hague Convention Child Abduction," corroborate that Eva and Juliette Paris were well-settled in their French community, involved in school activities, and had strong social connections in Paris.

2. Legal Framework Supporting French Residency:

The French Family Court had already issued a judgment on April 21, 2023, granting full custody to Father, with the stipulation that the children reside in Paris and that Mother have visitation rights during French school vacations. This is detailed in **Exhibit 12** of the “Petition for Return of Children under Hague Convention Child Abduction.”

Furthermore, a subsequent judgment on August 25, 2023, explicitly ordered a ban on departure from French soil for Juliette and Eva Paris without the agreement of both parents. The judgment further specifies that Mother's visitation and accommodation rights are limited to French soil unless otherwise agreed upon by both parents. This ruling underscores the recognition of France as the children's habitual residence. These details are contained in **Exhibit 2** "Certified Translation of the French Judgment of August 25, 2023." of the "Petition for Return of Children under Hague Convention Child Abduction "

3. Circumstances of Removal

Mother's actions in removing the children from France in April 2024 were in direct violation of these French judgments. Mother orchestrated a deliberate and secretive departure from France, including crossing European borders illegally, potentially endangering the children ,which further supports the wrongful and criminal nature of the removal. This is supported by **Exhibit 14** in the "Petition for Return of Children under Hague Convention Child Abduction "

The official certified translation of the notice from the French Criminal Prosecutor, Margaux PEGIS, indicates that criminal charges have been initiated against Mother by the French prosecutor for child abduction, reinforcing the assertion that the removal was

1 illegal, and that France was the habitual residence of the children prior to this abduction.
2 This is documented in **Exhibit 02** "Notice to Victim to File as a Civil Party in a Criminal
3 Action." filed on July 31st as part of "Petitioner's Request for Expedited Hearing Under
4 Article 11 of the Hague Convention". This crucial piece of evidence is submitted again
5 with this filing as the attached **Exhibit 05**.
6
7
8

9 **III. THE COURT'S BROAD AUTHORITY GIVEN TO THIS HONORABLE**
10 **COURT UNDER THE PROVISIONS OF THE HAGUE CONVENTION**

11 Given the criminal nature of the removal of the Children from France and the fact
12 that it was their habitual residence, the Hague Convention mandates the prompt return of
13 children to their country of habitual residence. Appellate courts, including this one, have
14 the power to order such returns directly, particularly when lower courts have failed to act
15 in accordance with the Convention's principles due to bias or misconduct.
16
17 **Case Law Supporting Direct Action by various US Appellate Courts:**

18 In *Blondin v. Dubois*, 238 F.3d 153 (2d Cir. 2001), the Second Circuit reversed a
19 lower court's decision that had refused to order the return of children to France,
20 emphasizing the need to consider ameliorative measures before denying a return based on
21 potential harm.
22
23

24 In *Silverman v. Silverman*, 338 F.3d 886 (8th Cir. 2003), the Eighth Circuit
25 reversed a lower court's decision and ordered the return of children to Israel, underscoring
the importance of adhering to the Hague Convention's goal of prompt return.

PETITIONER'S REPLY TO RESPONDENT

1
2 The Sixth Circuit in *Simcox v. Simcox*, 511 F.3d 594 (6th Cir. 2007), emphasized
3 that lower courts must adequately consider risks and potential protective measures before
4 denying a return request, ultimately remanding the case with specific instructions.
5

6 In *Gallagher v. Gallagher*, 604 F.3d 1001 (7th Cir. 2010), the Seventh Circuit
7 reversed a lower court's decision, finding that evidence of domestic violence and potential
8 harm had not been properly considered.
9

10 In *Cuellar v. Joyce*, 596 F.3d 505 (7th Cir. 2010), the Seventh Circuit Court
11 addressed issues related to the habitual residence of a child and emphasized the importance
12 of determining the child's habitual residence immediately before the wrongful removal.
13

14 This case is particularly relevant as the removal of Eva and Juliette from France is
15 wrongful under the Hague Convention, especially given its criminal nature as concluded
16 by the Paris Prosecutor and given that their habitual residence was France. The Seventh
17 Circuit Court in *Cuellar* focused on the need to return children to their habitual residence
18 promptly to resolve custody disputes in the appropriate jurisdiction. Mother herself has
19 appealed of the French Custody Judgment of April 21st 2023 and she did so even before
20 she obtained any final custodial order from the Oregon court, therefore it would seem
21 logical that the proper forum to conclude the custodial dispute between France and Oregon
22 about the children be France. Just as in *Cuellar*, the prompt return of Eva and Juliette to
23 France is necessary to uphold the objectives of the Hague Convention.
24 //
25 //

PETITIONER'S REPLY TO RESPONDENT

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Docket Number 24-4950

1
2 **Case Law from the San Francisco 9th District Court of Appeal:**

3 This Honorable Court also heard Hague Cases in which it reversed the decisions from the
4 lower courts and ordered promptly the return of the children back to their habitual
5 residence:

6 **Mozes v. Mozes** - 239 F.3d 1067 (9th Cir. 2001): This Honorable Court in *Mozes*
7 discussed how temporary relocations, such as the children's time in Oregon, do not
8 necessarily change habitual residence, especially if the parents did not intend for the
9 relocation to be permanent. This argument can be crucial in establishing that France
10 remained the children's habitual residence, even during their time in Oregon per the
11 temporary nature of their stay confirmed by the July 19th agreement between the parents
12 which the French court took into account to make its ruling of April 21st 2023.

13 **Asvesta v. Petroutas** (580 F.3d 1000, 9th Cir. 2009): This case dealt with defenses
14 to the return of a child under the Hague Convention. This Honorable Court rejected the
15 argument that the child should not be returned because the petitioner had consented to the
16 child's stay in the new country. *Asvesta* is also particularly relevant as to defeat Mother's
17 argument that I would have consented to the children staying in Oregon beyond the agreed
18 period, emphasizing that any such stay was temporary and did not alter the children's
19 habitual residence in France. *Asvesta* also underscores the importance of acting swiftly to
20 return the children to their habitual residence and to prevent further harm to the children,
21 which in light of the section IV of this document confirms the urgency of this Honorable
22 Court's intervention in this matter.

23
24 **PETITIONER'S REPLY TO RESPONDENT**

1
2 All these cases demonstrate that appellate courts can and should intervene directly
3 to order the return of children when lower courts fail to apply the Hague Convention
4 correctly, particularly in the presence of judicial errors or misconduct.
5
6

7
8 **III. EVIDENCE OF FRAUD AND JUDICIAL BIAS WARRANTING**
9 **IMMEDIATE APPELLATE INTERVENTION IN INTEREST OF CHILDREN**
10

11 The conduct of Respondent's attorneys in this case raises serious concerns. They
12 have obstructed justice by filing motions to quash subpoenas that seek critical information
13 about their communications with U.S. embassies and the U.S. State Department regarding
14 Eva and Juliette Paris criminal removal from France. This behavior suggests a deliberate
15 attempt to prevent the truth from coming to light.

16 See attached **Exhibit 01**, subpoenas submitted in the related bad faith abusive contempt
17 case to Respondent's Oregon lawyers and to Respondent to unveil the truth about the illegal
18 and criminal removal of the Children from France in April 2024.

19 See attached **Exhibit 02**, letter from attorney Grant D. Stockton hired by Respondent's
20 attorney's Oregon lawfirm and indicating that he intends to quash these subpoenas.

21 Furthermore, these same attorneys refusing to submit to these subpoenas are
22 representing Mother before this Court, which compounds the suspicion of coordinated
23 efforts to manipulate the legal process.

24 This obstruction is particularly concerning given the lower court's apparent
25 disregard for the evidence Father provided, including official communications from the

PETITIONER'S REPLY TO RESPONDENT

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Docket Number 24-4950

1 French Consulate. If the lower court's characterization of Father as a fugitive is accurate,
2 this implies that France, through its consular officials, is complicit in a crime—an
3 allegation that carries dangerous implications for international relations and suggests a
4 deeply flawed judicial process.

5
6 In *Re Girardi*, __ F.3d __, 2010 WL 2735731, 08-80090 (9th Cir. 2010), this
7 Honorable Court has recognized the importance of safeguarding the integrity of the judicial
8 process, particularly when there is evidence of suspicious behavior or potential fraud by
9 legal representatives. In light of the suspicious actions of Mother's attorneys, including
10 their possible involvement in the unlawful removal of the children from France and their
11 misrepresentations to the lower courts, there is a compelling need for the appointment of a
12 Special Master to conduct an independent investigation.

13
14 As highlighted in similar cases, where attorneys were found to have engaged in
15 fraudulent conduct that compromised the legal process, appellate courts have appointed
16 special masters to ensure a thorough and impartial investigation.

17
18 *Re Girardi*, __ F.3d __, 2010 WL 2735731, 08-80090 (9th Cir. 2010),
19 demonstrates that when there is a strong suspicion of fraud or criminal involvement by
20 attorneys, the court has a duty to intervene decisively to protect the integrity of the legal
21 proceedings. Given the gravity of the allegations and the potential impact on the children's
22 well-being, the appointment of a special master by the Ninth Circuit would be an
23 appropriate and necessary step to uncover the truth, ensure that justice is served, and uphold
24 the rule of law. The special master would have the authority to investigate the full scope of
25

1 the attorneys' conduct, including any fraudulent activities, and provide the court with an
2 unbiased assessment that could guide further judicial actions.
3
4

5 **IV. URGENCY FOR IMMEDIATE ACTION TO PROTECT THE CHILDREN**
6 **UNDER THE HAGUE CONVENTION**
7

8 The Hague Convention on the Civil Aspects of International Child Abduction also
9 grants this Court broad authority to take necessary actions to protect the welfare of children
10 during the Hague Proceedings, which are currently still undergoing in this Honorable
11 Court. In light of the recent letter from Dr. Kathy Marshack, a licensed Oregon
12 psychologist, it is evident that immediate intervention is required to safeguard the well-
13 being of Eva and Juliette Paris.
14

15 Dr. Marshack's letter to this Honorable Court, submitted as attached Exhibit 04,
16 raises serious concerns about the emotional and psychological abuse that our children may
17 be suffering while in the custody of their Mother. Specifically, Dr. Marshack reports the
18 following troubling observations:
19

20 1. Parental Alienation: Eva and Juliette Paris have been denied regular video
21 interaction with their father, leading to severe emotional distress. They have been exposed
22 to inappropriate adult concepts and have expressed fear of their father, which appears to
23 have been instilled by their mother. Dr. Marshack highlights instances of potential parental
24 alienation, where Eva and Juliette were coerced into fearing their father and were made to
25 believe that he is the cause of their problems.

PETITIONER'S REPLY TO RESPONDENT

1
2 2. Coercion and Concealment: In one alarming instance, the children told their father
3 during a phone call that they could not disclose their location and suggested that he could
4 only see them if he “paid.” This indicates a coercive environment where the children are
5 being manipulated by Miss Brown to withhold information and view their father as an
6 adversary.
7

8
9 3. Urgent Need for Investigation: Dr. Marshack, drawing on her extensive experience
10 in child protective services and psychological evaluation, emphasizes the need for a
11 thorough investigation into the children’s current living conditions and the potential for
12 long-term psychological harm due to the alienation from their father.
13

14 Given the gravity of these concerns, this Honorable Court has the authority under
15 the Hague Convention to take immediate action to protect the children, overriding any prior
16 decisions made by the lower courts in Oregon if those decisions fail to adequately
17 safeguard the children’s welfare which in this instance is the case. Dr. Marshack’s expert
18 opinion underscores the necessity for this Court to act swiftly to prevent further harm to
19 Eva and Juliette Paris.
20

21 This Honorable Court should consider ordering the immediate return of the children
22 to France or, at the very least, mandate an independent psychological evaluation and
23 investigation into the children’s well-being. The potential for lasting psychological trauma
24 from parental alienation is significant, and the urgency of this matter cannot be overstated.
25

26 If the children are not immediately ordered to return to France and in light of the
27 concerns raised by Dr. Kathy Marshack, it is imperative that any psychological evaluation
28

PETITIONER’S REPLY TO RESPONDENT

1 of Eva and Juliette Paris be conducted by an impartial and independent psychologist from
2 outside the local area. Given the potential local influence that Mother and her family appear
3 to exert, as evidenced by the ongoing issues and the observations made by Dr. Marshack,
4 there is a substantial risk that a local evaluator may be subject to undue influence or bias.
5
6
7

8 **V. LEGAL STATUS OF FRENCH JUDGMENTS IN CALIFORNIA AND THE**
9 **FUGITIVE DISENTITLEMENT DOCTRINE AGAINST MOTHER**

10 It is crucial to highlight that the French judgments regarding the custody of Eva and
11 Juliette Paris are currently registered and recognized in California under the Foreign
12 Custody Judgment Registration case number 23FL04174 in the Sacramento Court, making
13 the French judgment final and as strong as any Californian custodial determination about
14 Eva and Juliette Paris.
15

16 Mother has been unable to vacate the French judgments in California with her recent
17 Oregon judgment, leaving the French judgments the only legally valid custodial
18 determination regarding our Eva and Juliette Paris in this jurisdiction. Under California
19 law, Mother is currently in violation of these judgments by keeping the children in Oregon,
20 while they should rightfully be in France as per the French court's decision.
21

22 This situation places Mother under the same Fugitive Disentitlement Doctrine she
23 attempted to use against Father in the lower Oregon court. However, in this case, Mother's
24 criminal status is confirmed not only by the Paris criminal court but also by her clear
25 violation of the French judgments which this Honorable Court can take judicial notice by

PETITIONER'S REPLY TO RESPONDENT

1 reading the certified French judgment of August 25th 2023, which were the only valid
2 judgments in France at the time she committed the abduction in April. Unlike Father's
3 situation, where no criminal charges were ever pressed against him, Mother did not even
4 attempt to register her Oregon judgment in France before committing the abduction of Eva
5 and Juliette on French soil early April 2024 which resulted in criminal charges from France.
6
7

8 In support of this, the official certified translation of the notice from the French
9 criminal prosecutor in Paris, herein **attached as exhibit 05**, explicitly states that criminal
10 charges have been initiated by the Paris Prosecutor against Miss Brown for "REMOVAL
11 OF A CHILD FROM THE CUSTODY OF THOSE RESPONSIBLE FOR ITS CARE
12 AND RETENTION OUTSIDE FRANCE." The acts in question were committed across
13 multiple jurisdictions, including the France, Spain, Morocco and the United States, from
14 April 9, 2024, to May 23, 2024. This judicial investigation is based on Articles 227-9 and
15 227-7 of the French Code of Criminal Procedure, further substantiating her fugitive status.
16
17

18 Additionally, the certified translation of the French judgment dated August 25th,
19 2023, clearly orders a ban on departure from French soil for Juliette and Eva Paris without
20 the agreement of both parents. The judgment further specifies that Miss Brown's visitation
21 and accommodation rights are "*limited to French soil unless otherwise agreed upon by*
22 *both parents.*" This second French Judgment (and Californian) underscores the fact that
23 Mother's actions in retaining the children in Oregon are in direct violation of the French
24 court's orders (which are not temporary orders, this is a final and conclusive judgment),
25 which are the only judgments currently recognized in California.

PETITIONER'S REPLY TO RESPONDENT

The Fugitive Disentitlement Doctrine, as applied in cases like *Sasson v. Shenhar* (2008) 276 Va. 611, is intended to prevent a party from seeking relief from the courts while evading the legal consequences of their actions. In Mother's case, her actions directly impair Father's parental rights and violate the legal framework established in California and France. Given these circumstances, Mother's current custody of the children in Oregon is not only legally invalid but also in direct defiance of the laws recognized in California, making her subject to the Fugitive Disentitlement Doctrine in this Honorable Court located in the State of California. Which by itself justifies for the immediate return of Eva and Juliette Paris to France under the Hague Convention.

VII. ALTERNATIVE OPTIONS FOR THE COURT'S CONSIDERATION

Given the clear evidence of Mother's violation of both French and California laws, and her status as a fugitive under the Fugitive Disentitlement Doctrine, this Court has several options to ensure that justice is served:

1- Order the Immediate Return of the Children: The Court can directly order the immediate return of Eva and Juliette Paris to France, given that the French judgments are the only legally recognized rulings in California and that Mother is currently in violation of these orders. Her actions in retaining the children in Oregon, despite the clear directives from both French and California law, further justify this course of action.

2- Appointment of a Special Master: If the Court deems it necessary to verify the evidence presented or to investigate further into Mother and her lawyer's fraudulent or

PETITIONER'S REPLY TO RESPONDENT

criminal actions, this Honorable Court could appoint a Special Master to conduct an independent investigation. This Special Master could confirm the authenticity of the evidence related to the involvement of French and U.S. authorities in Father's lawful departure from the United States and investigate the potential fraudulent and criminal activities of Mother's Oregon attorneys and the misconduct of the Oregon courts. If these investigations confirm the allegations, the custodial decisions made by the Oregon courts would be void, leaving the French court's judgments as the only valid legal decisions regarding the custody of Eva and Juliette Paris until Mother's French Appeal is being heard in the Paris Court of Appeal (as Mother filed herself this appeal in France before she obtained any custodial decision in Oregon, this would seem the logical course of action and France the logical forum).

VIII. CONCLUSION AND PRAYER FOR RELIEF:

For the foregoing reasons, this Honorable Court should order the immediate return of Eva and Juliette Paris to France under the broad authority granted by the Hague Convention. Mother's clear violations of the French judgments, her failure to register her Oregon judgments in France and California, and her status as a fugitive under the Fugitive Disentitlement Doctrine in regard to French and California law all support the necessity of this action.

Therefore, Father respectfully requests this Honorable Court to act under the broad authority of the Hague Convention to order the return of Eva and Juliette Paris to France.

PETITIONER'S REPLY TO RESPONDENT

under the Hague Convention provisions that requires this court to evaluate the evidence provided by Father (and that were wrongfully disregarded by the lower courts in this matter) confirming that Father was authorized by the US authorities to return to France with his children in July 2023 and that Mother abducted the children on French soil in April 2024 in violation of two French Judgment while she had just told the French Paris Appeal Judge she would never take the children outside of France “or she would lose what she obtained in the Oregon courts”. A few days later Mother did take the children outside of France to Oregon.

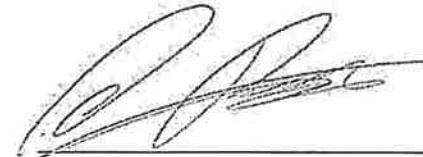
If this Honorable Court doesn't deem this evidence sufficient to order the return of the children to France under the broad authority given by the Hague Convention, Father requests this Honorable Court to **formally ask France under Article 15 of the Hague Convention to provide proof and official confirmation of the illegal removal of the children from France as defined in the Article 3 of the Hague Convention.**

This Honorable Court is requested to act promptly per the article 11 of the Hague Convention because this matter has been initiated by Father in Oregon more than 18 weeks ago on April 16th 2024 and because the Children are under great risk of psychological abuse and the French school year is just about to resume in just a few days, so it is in their superior interest to be promptly returned to France where they can have access to both Mother and Father per the French judgment and Father's mediation efforts which isn't the case with the Oregon Judgment which entirely deprives Eva and Juliette from having a Father in Oregon because of conditions that are impossible to meet by Father per French law

PETITIONER'S REPLY TO RESPONDENT

1
2 DATED this 27th day of August, 2024, in Paris, France
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Submitted by:
Arnaud PARIS, Pro Per



13 rue Ferdinand Duval
75004 Paris, FRANCE
+33.6.88.28.36.41

11 **VERIFICATION**
12
13

I, Arnaud Paris, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

14 SIGNED AND DATED this 27th day of August, 2024, in Paris, France.
15
16



17 Arnaud Paris
18
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PETITIONER'S REPLY TO RESPONDENT

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **PETITIONER'S REPLY TO RESPONDENT'S RESPONSE TO EMERGENCY MOTION FOR HEARING UNDER THE HAGUE CONVENTION FOR RETURN OF CHILDREN BEFORE START OF THE FRENCH SCHOOL YEAR** on the following party:

Heidi Marie Brown heidimparis@gmail.com
Respondent
Katelyn Skinner at kds@buckley-law.com
Katrina Seipel at kas@buckley-law.com
Last known Attorneys for Respondent

By the following method or methods:

by mailing full, true, and correct copies thereof in sealed, first class postage prepaid envelopes, addressed to the attorney(s) as shown above, the last known office address of the attorney(s), and deposited with the United States Postal Service at Portland, Oregon on the date set forth below.

by emailing full, true, and correct copies thereof to the attorneys on record for Respondent shown above, which is the last known email address for the respondent's attorneys on the date set forth below.

by faxing full, true, and correct copies thereof to the attorney(s) at the fax number(s) shown above, which is the last known fax number for the attorney(s) office, on the date set forth below. The receiving fax machines were operating at the time of service and the transmission was properly completed.

by selecting the individual(s) listed above as a service contact when preparing this electronic filing submission, thus causing the individual(s) to be served by means of the court's electronic filing system.

DATED this 27th of August, 2024, in Paris, France.

By: 
ARNAUD PARIS, Petitioner, Pro Se

ARNAUD PARIS
13 rue Ferdinand Duval
75004, PARIS, FRANCE
Telephone: +33688283641
Email: aparis@sysmicfilms.com

PETITIONER'S REPLY TO RESPONDENT

EXHIBIT 01

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF JACKSON

In the Matter of:

HEIDI MARIE BROWN

Case No. 23CN05721

Petitioner,

and

ARNAUD PARIS,

SUBPOENA DUCES TECUM

Respondent, Pro Per.

TO:

Katelyn Skinner,

Buckley Law P.C.

13 | 5300 Meadows Road, Suite 200

Lake Oswego, OR 97035

kds@buckley-law.com

In the name of the State of Oregon and pursuant to ORCP 55:

YOU ARE COMMANDED to produce legible copies of all records, books, papers, documents, and tangible things as specified below. Such records must be sent (mailed or e-mailed) to Arnaud Paris, 13 rue Ferdinand Duval, 75004 PARIS, FRANCE or aparis@sysmicfilms.com within 14 days from the date of service of this subpoena (service by emailing per ORCP 55). This subpoena was issued on behalf of Respondent Arnaud Paris.

DEFINITIONS:

1. The term "document(s)" means and includes, but is not limited to, all writings

SUBPOENA DUCES TECUM

- 1 (that is, anything typewritten, handwritten, or printed); drawings; photographs; data and
- 2 information stored on computer disks, hard drives, or cloud storage; e-mails; telephone;
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- 5 and/or in videotapes or cassettes.

DOCUMENTS REQUIRED FOR PRODUCTION:

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10 embassies or US consulates in Europe, as well as with the US Embassy or US
11 Consulate in Morocco, as well as with the US State Department regarding Eva and
12 Juliette Paris or Heidi Marie Brown.

14 | PAGED: August 16th 2024

By:

ARNAUD PARIS, Respondent, Pro Per
13 rue Ferdinand Duval ,
75004, PARIS, FRANCE
Telephone: +33688283641
Email: aparis@sysmicfilms.com

ORS CHAPTER 33 PROVIDES, IN APPLICABLE CASES, THAT THE CIRCUIT COURT OF ANY COUNTY SHALL COMPEL OBEDIENCE TO SUBPOENAS AS ISSUED AND SERVED AND TO PUNISH DISOBEDIENCE OR ANY REFUSAL TO TESTIFY OR TO ANSWER ANY LAWFUL INQUIRY. NON-COMPLIANCE WITH THIS CIVIL SUBPOENA MAY SUBJECT YOU TO CONTEMPT OF COURT.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF JACKSON

In the Matter of:

HEIDI MARIE BROWN,

Case No. 23CN05721

Petitioner,

and

ARNAUD PARIS.

СИСТЕМА ВЫСОКОГО ПРОИЗВОДСТВА

Respondent, Pro Per

TO:

Katrina Seipel,

Buckley Law P.C.

5300 Meadows Road, Suite 200

Lake Oswego OR 97035

kas@buckley-law.com

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13

14 **DATED:** August 16th 2024

15 
16 By: ARNAUD PARIS, Respondent, Pro Per
17 13 rue Ferdinand Duval ,
18 75004, PARIS, FRANCE
19 Telephone: +33688283641
Email: aparis@sysmicfilms.com

20

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CIVIL SUBPOENA MAY SUBJECT YOU TO CONTEMPT OF COURT.

22

23

24

1
2
3 IN THE CIRCUIT COURT OF THE STATE OF OREGON
4 FOR THE COUNTY OF JACKSON

5 In the Matter of:

6 HEIDI MARIE BROWN,

Case No. 23CN05721

7 Petitioner,

SUBPOENA DUCES TECUM

8 and

9 ARNAUD PARIS,

10 Respondent, Pro Per.

11 TO:

12 Taylor L.M. Murdoch,
13 Buckley Law P.C.
14 5300 Meadows Road, Suite 200
15 Lake Oswego, OR 97035
16 TLM@buckley-law.com

17 In the name of the State of Oregon and pursuant to ORCP 55:

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13

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17 13 rue Ferdinand Duval,
18 75004, PARIS, FRANCE
19 Telephone: +33688283641
Email: aparis@sysmicfilms.com

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF JACKSON

In the Matter of:

HEIDI MARIE BROWN

Case No. 23CN05721

Petitioner,

SUBPOENA DUCES TECUM

and

ARNAUD PARIS.

Respondent, Pro Per.

TO:

Any Employee, Attorney, Shareholder, Contractor or Consultant of Buckley Law P.C.

Buckley Law P.C.

5300 Meadows Road, Suite 200

Lake Oswego, OR 97035

info@buckley-law.com

In the name of the State of Oregon and pursuant to ORCP 55:

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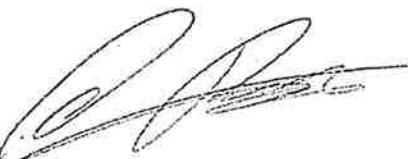
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12 Juliette Paris or Heidi Marie Brown.

13

14 **DATED:** August 16th 2024

15

16 

17 By: ARNAUD PARIS

18 ARNAUD PARIS, Respondent, Pro Per
13 rue Ferdinand Duval,
75004, PARIS, FRANCE
Telephone: +33688283641
Email: aparis@sysmicfilms.com

20

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1
2
3 IN THE CIRCUIT COURT OF THE STATE OF OREGON
4 FOR THE COUNTY OF JACKSON

5 In the Matter of:

6 HEIDI MARIE BROWN,

Case No. 23CN05721

7 Petitioner,

8 and

9 ARNAUD PARIS,

SUBPOENA DUCES TECUM

10 Respondent, Pro Per.

11 TO:

12 Heidi Marie Brown
13 385 Strawberry Lane,
14 Ashland, Oregon 97520
15 heidimparis@gmail.com

16 In the name of the State of Oregon and pursuant to ORCP 55:

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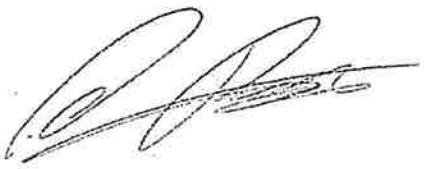
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11 Consulate in Morocco, as well as with the US State Department regarding your
12 daughters Eva and Juliette Paris or yourself, Heidi Marie Brown.

14 **DATED:** August 16th 2024

15 
16 By:
17 ARNAUD PARIS, Respondent, Pro Per
18 13 rue Ferdinand Duval ,
19 75004, PARIS, FRANCE
20 Telephone: +33688283641
21 Email: aparis@sysmicfilms.com

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CIVIL SUBPOENA MAY SUBJECT YOU TO CONTEMPT OF COURT.**

EXHIBIT 02

BRISBEE & STOCKTON LLC
Attorneys at Law
P.O. BOX 567
HILLSBORO, OREGON 97123
PHONE (503) 648-6677 • FACSIMILE (503) 648-1091

August 20, 2024

VIA EMAIL ONLY –
aparis@sysmicfilms.com
arnaud@skyvr.com

Arnaud Paris
13 rue Ferdinand Duval
75004, PARIS, FRANCE

Re: My Clients: Katelyn Skinner; Katrina Seipel; Taylor Murdoch; and Buckley Law, PC
In the Matter of Heidi Brown, Petitioner and Arnaud Paris, Respondent
Jackson County Case No. 23CN05721

Dear Mr. Paris:

Be advised that I have been retained to represent Attorneys Katelyn Skinner, Katrina Seipel, Taylor Murdoch, and Buckley Law, PC regarding the subpoena duces tecum that you issued to each attorney in the above-captioned case.

From a preliminary standpoint, note that I will be filing Motions to Quash the subpoenas. As such, we should discuss new settings that can accommodate the court's need to address the motion and the parties' respective responses.

I look forward to discussing these matters with you.

Regards,

/s/Grant D. Stockton

Grant D. Stockton
gds@brisbeeandstockton.com
GDS:mm

**Additional material
from this filing is
available in the
Clerk's Office.**