

Exhibit B

**IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

SARAH EDGE WOODWARD,)	
)	
<i>Plaintiff/Wife,</i>)	
)	
v.)	DOCKET NO. 21D-825
)	
GEOFFREY HAMILTON WOODWARD,)	
)	
<i>Defendant/Husband.</i>)	

ORDER

THIS CAUSE came to be heard on March 24, 2023, before the Honorable Judge Phillip Robinson on the Husband’s *Motion to Alter or Amend and for Stay*, and Wife’s *Response* thereto. After hearing argument of counsel, as well as considering the record as a whole, the Court denied Husband’s *Motion to Alter or Amend and for Stay*, with the exception that the Court amended its prior Order entered March 7, 2023 to remove the provision regarding Husband’s communications with the adult children. A copy of the *Transcript of Proceedings March 24, 2023* is attached hereto as **Exhibit A** and is incorporated herein. In support of its ruling, the Court made the following findings:

1. The Court, based on Dr. Spirko's testimony, found early on that Mr. Woodward had a circumstance that this Court felt justified based on his behavior and his way of looking at things, his emotional view of this case, that it was no longer in the best interests for him to have parenting time with the children, and the Court stayed that for a period of time. One of the children, of course, has since emancipated.
2. With regard to Husband’s request for a stay, this Court went to great lengths to try to give everybody an opportunity to be heard because the type of therapy that has been recommended is something that is invasive. Also, in this Court's experience, it may

work better with younger children than with older children. The Court is boggled that Mr. Woodward feels like that he has not received due process as this Court spent weeks hearing from experts, including Dr. Kenner, Husband's expert, who did not follow the Court's protocols on what the Court told him to do. Dr. Kenner was directed to look at the information that was in Dr. Spirko's report, and based on that, he was supposed to give his response to it. However, the Court entertained Dr. Kenner's testimony despite the fact that he went well outside of the protocols that the Court instructed.

3. The Court heard testimony from multiple experts in this area, and still the Court felt that we needed to try another way. This child indicated that he wanted to have parenting time with both of his parents, and, therefore, there was no parental alienation because he was not rejecting the mother. He was asking for 50/50 time with the Mother. So, the Court called what it believes was a bluff and gave the child what he said he wanted. The idea was, if the child is interested in having a relationship with his Mother, he hasn't been alienated from her. However, what the Court suspected, occurred. As the Court previously indicated, probably some of it was the Court's fault because it did not close all the gates. When the Court gave the Mother and Mr. Woodward 50/50 week-to-week parenting time, the child simply spent all of his time with his Father, even during the time he was supposed to be with his mother, and he was rude and discourteous and acted inappropriately to Mother based on the testimony and based on the child's own admission. The Court then reconfigured its parenting arrangement to try to close some of those gates, ordered that the Father would not have contact with the child during the Mother's week, and it still did not work. As far as the Court is concerned, based on the testimony from the Mother, there is no measurable change in

the child's behavior. The Court feels like it has bent over backwards hearing everything it could possibly hear to hear to give Mr. Woodward an opportunity to be heard in this matter.

4. The Court is respectfully denying the request for a stay. This is a custody matter. Having devoted so much time to trying to hear arguments counter to Dr. Spirko's evaluation and then trying other methods to try to deal with this problem other than what I consider a pretty serious protocol for trying to help this child and the Mother reestablish their relationship, it simply didn't work.
5. This Court finds that the Father holds great sway over all of these children. There are three children. Two of them are adults at this point, and only W.E.W. is a remaining minor child. Father clearly holds great sway over these children, and all he had to do is tell the child to be nice, courteous, and polite to your Mother as you should be, supposedly being a gentleman, scholar, and athlete at Montgomery Bell Academy. The first thing they insist upon is gentlemanly behavior, and the Court found that was very lacking, but if Father told the child to do that, he would have behaved in that manner. Even if it only lasted until the child turned 18, that would have been a great improvement, but that did not even happen.
6. The Court finds there is really no argument here that Mr. Woodward has not been granted due process. This Court has heard just about everything Husband has tried to put in front of it, including an expert regarding alienation that the Court had to make several efforts to give her an opportunity to testify. The Court rejects that Husband has not received due process. The Court felt that since everything else had failed, the suggestion of Dr. Spirko was the only reasonable opportunity. And, as far as the Court

is concerned, Ms. Woodward had been amazingly patient throughout this, and the Court felt like she deserved to have this evaluation from a therapist or a counselor or psychologist, that the Court would point out, both of these parties picked. The Court did not impose Dr. Spirko on these parties. They agreed to have her perform the evaluation, and when Dr. Spirko got into it, she expressed herself on what was going on. It is pretty well set forth in her lengthy evaluation.

7. The Court also finds that it does have the authority to order Mr. Woodward to participate in this process. If he were guilty of physical domestic violence, this Court does not believe it would have any problem at all from our Appellate Court in ordering him to receive counseling for that. If he had a substance abuse issue, this Court does not believe any of our Appellate Courts would say that this Court does not have the authority to address those issues. In this case, the Court finds that based on Dr. Spirko's evaluation, Husband has issues that need to be addressed to try to give this remaining minor child the best opportunity to have a relationship with both parents, and that is what the Court is committed to. Therefore, the Court is respectfully denying the request by Mr. Woodward for a stay. If the Court of Appeals grants the stay, then that is fine and the trial court will certainly abide by that stay.
8. The Court does have some concerns about the First Amendment right issue. The other two children are adults, so the Court has some concerns about limiting Father's access to discussing the child with these other individuals. If the therapist and the people helping the minor child feel that he should not be communicating with his siblings during this process, then the Court authorizes the Mother, if necessary, to take the phone away from him and certainly to instruct him that he cannot have communication

with those individuals. It is obvious to the Court that the older sister, Simms, and his older brother have in this Court's opinion attempted to interfere with W.E.W.'s relationship with his Mother and undermine the efforts that the Court was making in this case, as has, in the Court's opinion, Mr. Woodward in his behavior in sending correspondence to the employer of the guardian ad litem which resulted in the guardian ad litem requesting to be relieved. The Court is thus modifying the Court's prior ruling regarding limiting Father's contact with the adult children and is withdrawing that restraining order. but nothing prevents the Mother from limiting W.E.W's contact with those children because she will be in charge of that child and in charge of his cell phone. The language of the March 7, 2023 Order, paragraph 2C, will apply to the minor child only. The provision as to the adult children in that paragraph shall be stricken from the orders of the Court.

9. With regard to Father's mature minor argument, the Court finds that does not apply in this case. The Court recognizes that in hearing testimony from children the statute provides that the Court can entertain testimony of children 12 years of age and older on issues of custody, and the older the child, the greater weight the Court is to give to their opinion and their position on custody. The Court exercised that in setting a temporary parenting arrangement exactly as what W.E.W. was requesting. The problem is that what the child requested and what he really wanted were two different things. He wanted to still be able to abuse and mistreat his Mother and have no relationship with her and reject her but was acting like he was really wanting to have a relationship. The Court finds that was simply a facade and was not a true indication of what this child wanted. He did not want to have a reasonable relationship with his

Mother. This Court finds there has been nothing about the behavior of either of the children who have been minors during this proceeding -- the older brother's behavior in pouring orange juice and milk on his Mother's wardrobe as it hung in the closet and W.E.W.'s behavior -- that indicates to this Court that either one of those individuals were mature minors. They appear to be spoiled, entitled children who felt that they can take any action they wanted to without repercussion, and they were pretty much right. The Court wants it clear that the Court has found no indication that either one of these children, who were the only ones under the Court's control initially, have acted in a mature manner that would justify them being categorized as mature minors. The Court has seen what it believes is childish behavior without thinking about what their parents were going through. The Court also acknowledges however that these children also understood that their Father controls much of their purse strings for college and vehicles etc., and they had to take those things into consideration. The Court finds that neither one of these young men were mature minors.

10. With regard to the domestic violence issue, the Court's position is the main domestic violence it has heard about is the children's behavior toward their Mother in that first conversation that started in the kitchen and spilled out into the driveway as she was attempting to leave, and even the Father was having to warn his older son about physically attacking or pushing the Mother. However, the real issue, as far as the Court is able to determine with Mr. Woodward, appears to be a control issue. And control, the Court believes, ranks right up there as a form of domestic violence. This Court has heard testimony regarding Mr. Woodward's behavior toward the Mother as they were having discussions where he would prevent her from leaving the room. The Court finds

that is a form of domestic violence, and as far as the Court is concerned the recommendations of Dr. Spirko need to be complied with. If Mr. Woodward chooses not to, then he risks a finding of willful contempt and the Court will have to act accordingly. The Court agrees that there is an element of domestic violence to the extent that in the past Wife has testified that Mr. Woodward has restricted her movements by barricading or blocking her in a room. So that's a form of domestic violence, and the Court intends for him to participate in the programs that are listed in the order.

11. It was brought to the Court's attention that since the Court's no-contact Order was put into place at the hearing on February 23, 2023, Mr. Woodward has been attending the child's sports games and practices. The Court finds that Mr. Woodward is not inclined, in the Court's opinion, to correctly interpret the Court's orders. When a parent comes to a child's game or a practice, the Court finds that that's a form of contact, and the difficulty is there are not enough resources to have a police officer or someone there to make certain that Father doesn't have conversations with W.E.W. Thus, the Court is clarifying its order that Mr. Woodward is not to attend practices or games that the minor child participates in where he could come in contact with the child. The Court's position is that it does not feel that it can trust Mr. Woodward who would want to use this as an opportunity to communicate with his child. Father is ordered to stay away from any of W.E.W.'s sporting events and any of his practices or school activities in any manner because, as far as the Court's concerned, that is a form of contact with the minor child. Father is not to attend any of the practices or any of the child's sporting events or extra-curricular – or school events where he could come into contact with the

child. He is not to have any type of contact whatsoever and the Court finds that standing on the sidelines cheering the child on is a form of contact. Reinstatement of Father attending games, practices and school events would be considered on the recommendations of the therapists that are working with him.

It is therefore

ORDERED, ADJUDGED and DECREED that Husband's request to stay the Order entered in this matter on March 7, 2023 is respectfully denied; and it is further,

ORDERED, ADJUDGED and DECREED that Husband's request to alter or amend the Court's March 7, 2023 Order is respectfully denied, with the exception that the Court is modifying Paragraph 2(c) of the prior ordered entered March 7, 2023 to strike the words "as well as the parties' adult children" from said Order; and, it is further,

ORDERED, ADJUDGED and DECREED that the Court's Order of March 7, 2023 is clarified to state that Husband is not to have any contact with the minor child, including attend any of W.E.W.'s games, practices, sporting events, extra-curricular activities, and/or school events where he could come into contact with W.E.W. Reinstatement of Husband's ability to attend games, practices and school events shall be considered going forward on the recommendations of the therapists that are working with him

IT IS SO ORDERED.

DATED this the 17 day of April, 2023.



JUDGE PHILLIP ROBINSON

APPROVED FOR ENTRY:

ROGERS, SHEA & SPANOS

/s/ *Laura S. Blum*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this the 7th day of April, 2023, a true and exact copy of the foregoing **Order** has been forwarded to the persons listed below:

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By the method identified as follows:

- X E-Mail in compliance with Rule 5.02(2)(a) of the
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/s/ Laura S. Blum
LAURA S. BLUM

Exhibit C

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE



SARAH EDGE WOODWARD V. GEOFFREY HAMILTON WOODWARD

**Circuit Court for Davidson County
No. 21D-825**

No. M2023-00444-COA-R10-CV

ORDER

This matter is before the Court upon the Tennessee Rule of Appellate Procedure 10 application for an extraordinary appeal filed by Geoffrey Hamilton Woodward. Having considered both the application and the answer, this Court cannot conclude that the trial court has so far departed from the accepted and usual course of judicial proceedings as to require immediate review or that an extraordinary appeal is necessary for a complete determination of the action on appeal.

It is, therefore, ordered that the application for an extraordinary appeal is denied. Geoffrey Hamilton Woodward is taxed with the costs for which execution may issue.

PER CURIAM

Exhibit D

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
06/05/2023
Clerk of the
Appellate Courts

SARAH EDGE WOODWARD v. GEOFFREY HAMILTON WOODWARD

**Circuit Court for Davidson County
No. 21D-825**

No. M2023-00444-SC-R10-CV

ORDER

Upon consideration of the Rule 10 application for extraordinary appeal of Geoffrey Hamilton Woodward and the record before us, the application is denied. Costs are taxed to Mr. Woodward and his surety, for which execution may issue if necessary.

Mr. Woodward's request for a stay is denied as moot. Mr. Woodward's request for fees also is denied.

Sarah Edge Woodward has filed a "Motion to File Document Under Seal" consistent with protective orders entered by the trial court. Upon due consideration, the motion is granted. The Clerk of the Appellate Court is instructed to file the documents listed in the motion under seal.

PER CURIAM

ROGER A. PAGE, C.J., not participating