

No. 18-935

IN THE
Supreme Court of the United States

MICHELLE MONASKY,

Petitioner,

v.

DOMENICO TAGLIERI,

Respondent.

**On Writ Of Certiorari
To The United States Court Of Appeals
For The Sixth Circuit**

JOINT APPENDIX

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PETITION FOR WRIT OF CERTIORARI FILED JANUARY 15, 2019
CERTIORARI GRANTED JUNE 10, 2019

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The following opinions and orders have been omitted in printing this joint appendix because they appear on the following pages in the appendix to the petition for a writ of certiorari:

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Opinion and Order of the United States District Court for the Northern District of Ohio (Sept. 14, 2016).....	73a

JA1

**General Docket
United States Court of Appeals for the Sixth
Circuit**

Court of Appeals Docket #: 16-4128	Docketed: 10/04/2016
Nature of Suit: 3890 Other Statutory Actions Domenico Taglieri v. Michelle Monasky	Termed: 10/17/2018
Appeal From: Northern District of Ohio at Cleveland	
Fee Status: fee paid	
Case Type Information: 1) Civil 2) Private 3) Federal Question	
Originating Court Information: District: 0647-1: <u>1:15-</u> <u>cv-00947</u> Court Reporter: George John Staiduhar Trial Judge: Solomon Oliver, Junior, District Judge Date Filed: 05/14/2015 Date Order/Judgment: 09/14/2016	
Date NOA Filed: 10/04/2016	
Prior Cases: None	
Current Cases: None	

JA2

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v.

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Defendant -
Appellant

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DOMENICO TAGLIERI

Plaintiff - Appellee

v.

MICHELLE MONASKY

Defendant - Appellant

10/04/2016	<u>1</u> 3 pg, 12.91 KB	Civil Case Docketed. Notice filed by Appellant Michelle Monasky. Transcript needed: y. (RMJ) [Entered: 10/04/2016 04:04 PM]
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JA5

11/30/2016	<u>24</u> 3 pg, 199.82 KB	ORDER filed: The motion for a stay pending appeal [15] is DENIED. The clerk is directed to expedite the appeal for submission to the court. Danny J. Boggs, Circuit Judge; Jane Branstetter Stranch, Circuit Judge and Joseph M. Hood, U.S. District Judge (Eastern District of Kentucky, sitting by designation). (RMJ) [Entered: 11/30/2016 03:49 PM]
12/01/2016	<u>25</u> 73 pg, 412.82 KB	APPELLANT BRIEF filed by Mr. Christopher John Baum for Michelle Monasky. Certificate of Service:12/01/2016. Argument Request: requested. (CJB) [Entered: 12/01/2016 05:24 PM]

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01/03/2017	<u>34</u> 53 pg, 584.29 KB	APPELLEE BRIEF filed by Mr. John D. Sayre for Domenco Taglieri. Certificate of Service:01/03/2017. Argument Request: not requested. (JDS) [Entered: 01/03/2017 02:23 PM]
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JA6

01/03/2017	<u>35</u> 31 pg, 12.83 MB	APPENDIX filed by Mr. John D. Sayre for Domenco Taglieri. Volume: Appendix; Pages: 001 - 0028. Certificate of Service: 01/03/2017. (JDS) [Entered: 01/03/2017 02:27 PM]
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01/19/2017	<u>37</u> 38 pg, 169.19 KB	REPLY BRIEF filed by Attorney Mr. Christopher John Baum for Appellant Michelle Monasky. Certificate of Service:01/19/2017. (CJB) [Entered: 01/19/2017 03:23 PM]
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05/03/2017	<u>46</u> 1 pg, 107.11 KB	CAUSE ARGUED by Mr. Christopher John Baum for Appellant Michelle Monasky and Mr. John D. Sayre for Appellee Domenco Taglieri before Boggs,Circuit Judge; Moore,Circuit Judge and McKeague,Circuit Judge. (KSC) [Entered: 05/03/2017 01:02 PM]
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JA7

11/30/2017	<u>50</u> 25 pg, 369.19 KB	OPINION and JUDGMENT filed : The district court's decision to grant Domenico Taglieri's petition to return A.M.T. to Italy, her country of habitual residence, is AFFIRMED. Decision for publication. Danny J. Boggs (AUTHORING), Karen Nelson Moore (DISSENTING), and David W. McKeague, Circuit Judges. *Pursuant to an opinion correction letter (R. 51), the opinion attached to this entry has been corrected.--[Edited 12/11/2017 by CL] (CL) [Entered: 11/30/2017 11:59 AM]
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12/14/2017	<u>53</u> 52 pg, 511.96 KB	PETITION for en banc rehearing filed by Mr. Christopher John Baum for Michelle Monasky. Certificate of Service: 12/14/2017. [16-4128] (CJB) [Entered: 12/14/2017 10:41 AM]
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JA8

02/01/2018	<u>65</u> 14 pg, 164.89 KB	RESPONSE to petition for en banc rehearing, [53], previously filed by filed by Mr. Christopher John Baum. Response filed by Mr. John D. Sayre for Domenico Taglieri. Certificate of service: 02/01/2018. [16-4128] (JDS) [Entered: 02/01/2018 04:15 PM]
03/02/2018	<u>66</u> 3 pg, 98.8 KB	ORDER filed: The petition for en banc rehearing [53] is GRANTED. R. Guy Cole, Jr., Chief Judge; Alice M. Batchelder, Karen Nelson Moore, Eric L. Clay, Julia Smith Gibbons, John M. Rogers, Jeffrey S. Sutton, Deborah L. Cook, Richard Allen Griffin, Raymond M. Kethledge, Helene N. White, Jane Branstetter Stranch, Bernice Bouie Donald, Amul R. Thapar, John K. Bush, and Joan L. Larsen, Circuit Judges. (CL) [Entered: 03/02/2018 02:18 PM]

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JA9

04/02/2018	<u>74</u> 34 pg, 342.12 KB	SUPPLEMENTAL BRIEF filed by Attorney Mr. Aidan Taft Grano for Appellant Michelle Monasky. Certificate of Service:04/02/2018. [16- 4128] (ATG) [Entered: 04/02/2018 04:44 PM]
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05/02/2018	<u>80</u> 30 pg, 427.82 KB	SUPPLEMENTAL BRIEF filed by Attorney Mr. John D. Sayre for Appellee Domenico Taglieri. Certificate of Service:05/02/2018. [16- 4128] (JDS) [Entered: 05/02/2018 02:52 PM]
05/16/2018	<u>81</u> 20 pg, 256.65 KB	SUPPLEMENTAL BRIEF filed by Attorney Mr. Aidan Taft Grano for Appellant Michelle Monasky. Certificate of Service:05/16/2018. [16- 4128] (ATG) [Entered: 05/16/2018 03:45 PM]

JA10

06/13/2018	<u>82</u> 1 pg, 11.82 KB	CAUSE REARGUED EN BANC by Mr. Aidan Taft Grano for Appellant Michelle Monasky and Mr. John D. Sayre for Appellees Domenico Taglieri, before En Banc Judges Cole, Boggs, Batchelder, Moore, Clay, Gibbons, Sutton, Cook, McKeague, Griffin, Kethledge, White, Stranch, Donald, Thapar, Bush, Larsen and Nalbandian. (MCP) [Entered: 06/13/2018 04:30 PM]
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JA11

10/17/2018	<u>83</u> 32 pg, 477.92 KB	OPINION and JUDGMENT filed : AFFIRMED. Decision for publication. R. Guy Cole, Jr., Chief Judge; Danny J. Boggs, (CONCURRING), Alice M. Batchelder, Karen Nelson Moore (DISSENTING), Eric L. Clay, Julia Smith Gibbons (DISSENTING), Jeffrey S. Sutton (AUTHORING), Deborah L. Cook, David W. McKeague, Richard A Griffin, Raymond M. Kethledge, Helene N. White, Jane Branstetter Stranch (DISSENTING), Bernice Bouie Donald, Amul R. Thapar, John K. Bush, Joan L. Larsen, and John B. Nalbandian, Circuit Judges. (CL) [Entered: 10/17/2018 02:24 PM]
11/13/2018	<u>84</u> 3 pg, 72.98 KB	MANDATE ISSUED with no costs taxed. (CB) [Entered: 11/13/2018 09:36 AM]

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JA12

**U.S. District Court
District of Ohio (Cleveland)
CIVIL DOCKET FOR CASE #: 1:15-cv-00947-SO**

Taglieri v. Monasky	Date Filed:
Assigned to: Judge Solomon	05/14/2015
Oliver, Jr.	Date Terminated:
Case in other court: 6th	09/14/2016
Circuit, 16-04128	Jury Demand: None
Cause: 42:1983 Civil Rights	Nature of Suit: 890
Act	Other Statutory
	Actions
	Jurisdiction: Federal
	Question

* * *

JA13

Date Filed	#	Docket Text
05/14/2015	<u>1</u>	Complaint for Return of Child Pursuant to the International Child Abduction Remedies Act (42 USC Section 11601) Preliminary Injunction, and Monetary Damages against Michelle Monasky. Filing fee paid \$ 400, Receipt number 0647-7090610. Filed by Domenico Taglieri. (Attachments: # <u>1</u> Exhibit 1 to the Complaint, # <u>2</u> Exhibit 2 to the Complaint, # <u>3</u> Exhibit 3 to the Complaint, # <u>4</u> Exhibit 4 to the Complaint, # <u>5</u> Exhibit 5 to the Complaint, # <u>6</u> Exhibit 6 to the Complaint, # <u>7</u> Civil Cover Sheet, # <u>8</u> Summons) (Sayre, John) (Entered: 05/14/2015)

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07/16/2015	<u>15</u>	Answer to <u>1</u> Complaint,, filed by Michelle Monasky. (Reynolds, Christopher) (Entered: 07/16/2015)
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10/30/2015	<u>21</u>	Motion for summary judgment filed by Defendant Michelle Monasky. (Attachments: # <u>1</u> Memorandum of Law in Support, # <u>2</u> Exhibit 1 - Excerpts of Taglieri Deposition, # <u>3</u> Exhibit 2 - Excerpts of Monasky Deposition) (Reynolds, Christopher). Modified text on 11/2/2015 (H,SP). (Entered: 10/30/2015)
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11/18/2015	<u>23</u>	<i>Brief in Opposition to Defendant's Motion for Summary Judgment</i> filed by Domenico Taglieri. Related document(s) <u>21</u> . (Attachments: # <u>1</u> Affidavit of Domenico Taglieri, # <u>2</u> Exhibit A to Affidavit of Domenico Taglieri, # <u>3</u> Exhibit B to Affidavit of Domenico Taglieri, # <u>4</u> Exhibit C to Affidavit of Domenico Taglieri, # <u>5</u> Exhibit D to Affidavit of Domenico Taglieri, # <u>6</u> Deposition Transcript of Michelle Monasky, # <u>7</u> Exhibits to Michelle Monasky Deposition) (Sayre, John). Modified text on 11/19/2015 (H,SP). (Entered: 11/18/2015)
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JA15

12/02/2015	<u>30</u>	<p>Reply in support of <u>21</u> Motion for summary judgment <i>and Reply Brief to Plaintiff's Brief in Opposition to Defendant's Motion for Summary Judgment</i> filed by Michelle Monasky. (Attachments: # <u>1</u> Exhibit A - Email dated 11-12-14, # <u>2</u> Affidavit of Michelle M. Monasky) (Keating, Amy). Modified on 12/3/2015 to remove double wording (H,SP). (Entered: 12/02/2015)</p>
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01/25/2016	<u>34</u>	<p>Order denying Defendant's Motion for Summary Judgment (Related Doc # <u>21</u>). Signed by Judge Solomon Oliver, Jr on 1/25/2016.(D,M) (Entered: 01/25/2016)</p>
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03/10/2016	<u>47</u>	<p>Joint Proposed Stipulation of <i>the Parties</i> filed by Michelle Monasky. (Reynolds, Christopher) (Entered: 03/10/2016)</p>
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JA16

03/15/2016	<u>50</u>	<p>Minutes of proceedings before Judge Solomon Oliver, Jr. Bench Trial began on 3/15/2016. Opening statements of the parties. Plaintiff's case began. Witness: 1) Domenco Taglieri. Exhibits: 1,3,Jt ex 16,66,68,69,70,73,74,75,76. Bench trial continued to March 16, 2016, at 9:00 a.m. (Court Reporter: George Staiduhar.) Time: 1 hour 20 minutes. (D,M) (Entered: 03/17/2016)</p>
03/16/2016	<u>51</u>	<p>Minutes of proceedings before Judge Solomon Oliver, Jr. Bench Trial held on 3/16/2016. Testimony taken and evidence entered. Continue testimony of Domenco Taglieri; 2) Angela Mallamaci (Interpreter Sylvia D'Amico). Exhibits: 58, 61, 2, 6, 9, 8, 10, 14, 18-29, 35-37, 64, 65, 39, 40, 41, 47, 42, 43, 45, 46, 51, 53, 54, 55, 48, G, C, A, B, E, D, NN, P, 2, joint exhibits: 7, 10, 11, 13, 9, 10, 6, 7, 2. (Court Reporter: George Staiduhar.) Time: 7 hours. (D,M) (Entered: 03/18/2016)</p>

03/17/2016	<u>52</u>	<p>Minutes of proceedings before Judge Solomon Oliver, Jr. Bench Trial held on 3/17/2016. Testimony taken and evidence entered. Plaintiff's case concluded. Conclude testimony of Domenico Taglieri, plaintiff called Michelle Monasky. Defendant's case began. Witness: 1) Jennifer Sait (by telephone); 2) Diana Monasky. (Exhibits: TT, Y, CC, FF, V3, V2, W, T, X, DD, AA, BB, EE, J, AAA, CCC, 77, 37, 48, O, P, Q, 61, C, G, J, 22, GG, 3, 13, 10, 14, 15, 16, 17, 25, 32, 38, 42, 44, 47, 50, 51, 52, 78, 54, 57, Joint Exhibits: 11, 16, 14, 17, 4, 5, 3, 15, 2, 18, 13, 19). (Court Reporter: George Staiduhar.) Time: 7 hours. (D,M) (Entered: 03/18/2016)</p>
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03/18/2016	<u>53</u>	<p>Minutes of proceedings before Judge Solomon Oliver, Jr. Bench Trial held on 3/18/2016. Defendant's case concluded. Witnesses: 3) Gregory Monasky; 4) Michelle Monasky. Exhibits: II, JJ, KK, U, RR, MM, OO, PP, QQ, SS, UU, YY, WW, VV, ZZ, BBB, joint exhibits: 8, 12, 20. Trial concluded. In lieu of final arguments the parties will submit closing briefs with proposed finding of facts and conclusion of law by 4/18/2016, to the court. (Court Reporter: George Staiduhar.) Time: 8.5 hours. (D, M) (Entered: 03/21/2016)</p>
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03/25/2016	<u>57</u>	<p>SEALED Transcript of Bench Trial held on March 15th, 2016 before Chief Judge Solomon Oliver, Jr. To obtain a bound copy of this transcript please contact court reporter George J. Staiduhar at (216) 357-7128. [Volume 1, Pages 1 through 52 pages]. Related document(s) <u>55</u>, <u>56</u>. (S, G) Sealed per order <u>63</u>. This transcript will not be released. (S, HR). (Entered: 03/25/2016)</p>
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JA19

03/28/2016	<u>58</u>	SEALED Transcript of Bench Trial held on March 16th, 2016 before Chief Judge Solomon Oliver, Jr. To obtain a bound copy of this transcript please contact court reporter George J. Staiduhar at (216) 357-7128. [Volume 2, Pages 53 through 228 pages (176 pages)]. (Related document(s) <u>55</u> , <u>56</u>) (S,G) Modified text on 3/29/2016 (H,SP). Sealed per order <u>63</u> . This transcript will not be released. (S,HR). (Entered: 03/28/2016)
03/30/2016	<u>59</u>	SEALED Transcript of Bench Trial held on March 17th, 2016 before Chief Judge Solomon Oliver, Jr.. To obtain a bound copy of this transcript please contact court reporter George J. Staiduhar at (216) 357-7128. [Volume 3, Pages 229 Through 435 (207 pages)]. Related document(s) <u>55</u> , <u>56</u> . (S,G) Modified text on 3/30/2016 (H,SP). Sealed per order <u>63</u> . This transcript will not be released. (S,HR). (Entered: 03/30/2016)

JA20

04/04/2016	<u>60</u>	SEALED Transcript of Bench Trial held on March 18th, 2016 before Chief Judge Solomon Oliver, Jr. To obtain a bound copy of this transcript please contact court reporter George J. Staiduhar at (216) 357-7128. [Volume 4, Pages 436 through 695 (260 pages)]. Related document(s) <u>55</u> , <u>56</u> . (S,G) Modified text on 4/4/2016 (H,SP). Sealed per order <u>63</u> . This transcript will not be released. (S,HR). (Entered: 04/04/2016)
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09/14/2016	<u>70</u>	Order granting (re ECF <u>1</u>) Plaintiff's Domenico Taglieri's Petition for Return of Child Pursuant to the International Child Abduction Remedies Act. The court directs Monasky to take all appropriate steps to ensure that A.M.T. is returned to Italy within 45 days of the date of this Order. Signed by Judge Solomon Oliver, Jr on 9/14/2016. (D,M) (Entered: 09/14/2016)
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JA21

09/14/2016	<u>71</u>	Judgment Entry in favor of Plaintiff Domenco Taglieri and against Defendant Michelle Monasky, the court having granted Plaintiff's Petition for Return of Child Pursuant to the International Child Abduction Remedies Act (ECF No.1) in separate Order on this same date. Signed by Judge Solomon Oliver, Jr on 9/14/2016. (D,M) (Entered: 09/14/2016)
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10/04/2016	<u>75</u>	NOTICE OF APPEAL to the Sixth Circuit Court of Appeals from the <u>70</u> Order and <u>71</u> Judgment Entry of 9/14/16, filed by Michelle Monasky. (Filing fee of \$505 paid, receipt number 0647-7835795) (Reynolds, Christopher). Modified on 10/4/2016 (H,SP). (Entered: 10/04/2016)
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JA22

10/04/2016	<u>76</u>	<p>Motion to stay <i>September 14, 2016 Order and Judgment pending appeal</i> filed by Defendant Michelle Monasky. (Related document(s) <u>70</u> , <u>71</u>). (Attachments: # <u>1</u> Brief in Support, # <u>2</u> Exhibit A - Sworn Expert Report of Francesco Mazzei, # <u>3</u> Exhibit B - Affidavit of Michelle Monasky) (Reynolds, Christopher). Modified text on 10/5/2016 and added links (H,SP). (Entered: 10/04/2016)</p>
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10/11/2016	<u>78</u>	<p>Supplemental Motion to stay (<i>interim</i>) or to <i>Elongate Return Date</i> filed by Defendant Michelle Monasky. Related document(s) <u>76</u> . (Reynolds, Christopher) (Entered: 10/11/2016)</p>
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10/18/2016	<u>81</u>	<p>Opposition to <u>78</u> Supplemental Motion to stay (<i>interim</i>) or to <i>Elongate Return Date</i>, <u>76</u> Motion to stay <i>September 14, 2016 Order and Judgment pending appeal</i> filed by Domenico Taglieri. (Attachments: # <u>1</u> Exhibit 1 Affidavit of Domenico Taglieri, # <u>2</u> Exhibit A to Affidavit, Notice of Subpoena, # <u>3</u> Exhibit B to Affidavit, Final Decree from Juvenile Court of Milan, # <u>4</u> Exhibit C to Affidavit, National Report: Italy, # <u>5</u> Exhibit D to Affidavit, Action for Judicial Separation) (Sayre, John). Modified on 10/19/2016 to remove double wording (H,SP). (Entered: 10/18/2016)</p>
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10/23/2016	<u>85</u>	<p>Reply in support of <u>78</u> Supplemental Motion to stay (<i>interim</i>) or to <i>Elongate Return Date</i>, <u>76</u> Motion to stay <i>September 14, 2016 Order and Judgment pending appeal</i> filed by Michelle Monasky. (Reynolds, Christopher) (Entered: 10/23/2016)</p>
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10/28/2016	<u>87</u>	Order granting Monasky's Motion to Stay (Related Doc # <u>76</u>). The court stays the Return Order for forty-five days, until 12/12/2016, to give the United States Court of Appeals for the Sixth Circuit an opportunity to address Monasky's Emergency Motion to Stay; denying Taglieri's Motions for Passports (Related Doc # <u>73</u> and # <u>74</u>) without prejudice; denying as moot Monasky's Supplemental Motion (Related Doc # <u>78</u>); denying Taglieri's Motion to Strike (Related Doc # <u>82</u>). Signed by Judge Solomon Oliver, Jr on 10/28/2016.(D,M) (Entered: 10/28/2016)
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12/01/2016	<u>90</u>	Appeal Order from USCA for the Sixth Circuit: Denying the motion for a stay pending appeal re <u>75</u> (USCA# 16-4128). Circuit Judges: Boggs and Strandh, District Judge: Hood. Date issued by USCA 11/30/16 (H,SP) (Entered: 12/01/2016)
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12/09/2016	<u>99</u>	Order denying Monasky's Second Motion to Stay (Related Doc # <u>91</u>); denying Motion for Interim Stay (Related Doc # <u>92</u>); and denying Motion for Protective Measures (Related Doc # <u>93</u>). The court's Return Order will take effect on December 12, 2016, as previously ordered. Signed by Judge Solomon Oliver, Jr on 12/9/2016.(D,M) (Entered: 12/09/2016)
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JA26

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DOMENICO TAGLIERI,) CASE NO. 1:15-cv-
Plaintiff,) 00947
v.) JUDGE SOLOMON
MICHELLE MONASKY,) OLIVER, JR.
Defendant.) **STIPULATIONS**

Now come the parties, by and through undersigned counsel, and submit the following Stipulations for the trial in this matter, which is presently scheduled for March 15, 2016.

Respectfully submitted,

**NICOLA, GUDBRANSON
& COOPER, LLC**

/s/ John D. Sayre

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JA27

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MICHELLE MONASKY

* * *

STIPULATIONS

1. Plaintiff is a citizen and resident of Italy.
(ECF Doc .#34, p.1)
2. Defendant is a citizen and resident of the
United States. (ECF Doc .#34, p.1)
3. The parties were married in September, 2011
in Illinois. (ECF Doc .#34, p.1)

4. The parties made a mutual decision to relocate to Italy for career opportunities. (ECF Doc .#34, p.1)
5. Plaintiff relocated to Italy in February of 2013. (ECF Doc .#34, p.1)
6. Plaintiff was employed in Palermo, Italy from approximately February 2013 through approximately June 2013. In approximately June of 2013, Plaintiff started a new position at Humanitas Hospital in Milan, Italy. He held that position until approximately June of 2014.
7. In approximately July of 2013, Defendant relocated to Italy to join Plaintiff in Milan, Italy.
8. In September of 2013, Defendant obtained a fellowship with the Università Vita Salute San Raffaele. Her compensation was 35, 856 Euros per year.
9. In April of 2014, Defendant obtained a two year fellowship with Humanitas Hospital in Milan, Italy. Her compensation was 69,000 Euros per year.
10. In May of 2014, Defendant became pregnant. She learned she was pregnant in June 2014.
11. In June 2014, Plaintiff began a position at Maria Cecilia Hospital in Lugo, Italy, which is approximately two hours and forty minutes southeast of Milan. (ECF Doc .#34, p.2)
12. This long-distance arrangement further strained the parties' marriage. (ECF Doc .#34, p. 2)
13. In approximately August 2014, Defendant applied for jobs in the United States. (ECF Doc .#34, p. 3)
14. As the parties' marriage deteriorated further, Defendant contacted American divorce lawyers and

inquired about American health care and child care options. (ECF Doc .#34, p. 3)

15. In January 2015, Defendant began her maternity leave. Her maternity leave compensation was an average of 2,741 Euros per month.

16. In January 2015, Defendant moved into a new apartment in Milan. (ECF Doc .#34, p. 3) The parties had negotiated this new lease in the fall of 2014. The parties' prior Milan studio apartment was approximately 549 square feet in size.

17. At a doctor's appointment on or about February 11, 2015, both Plaintiff and hospital staff wanted Defendant to induce labor. Defendant refused. The parties returned to the Milan apartment.

18. In the early morning of February 12, 2015, Defendant took a taxi to the hospital while in labor.

19. Defendant went into a difficult labor. (ECF Doc .#34, p. 4). Defendant, Plaintiff and Defendant's mother were present during the labor at the hospital.

20. A.M.T. was born via emergency caesarean section in February 2015. (ECF Doc .#34, p. 4)

21. Defendant and A.M.T. remained in the hospital until approximately February 18, 2015.

22. The parties began applying for A.M.T.'s passports in late February 2015.

23. Defendant's mother left Italy to return to the United States because of work commitments on February 27, 2015.

24. Approximately two weeks after A.M.T.'s birth, on March 1, 2015, Defendant raised the issue of

divorce with Plaintiff, a topic that the parties had discussed prior to the birth. (ECF Doc .#34, p. 4)

25. On March 2, 2015, Defendant sent Plaintiff an email noting that Plaintiff “seemed...not ready” for it when she asked for a divorce, and indicating that she “need[ed] to go.” (ECF Doc .#34, p. 4)

26. On approximately March 3, 2015, Defendant left Milan and travelled with A.M.T. to temporarily stay with Plaintiff at his apartment in Lugo. (ECF Doc .#34, p. 4)

27. On or about March 6, 2015, Plaintiff had a Skype conversation with Defendant’s father, Gregory Monasky.

28. In early March 2015, Plaintiff’s access to the Vanguard investment account in Defendant’s name was eliminated. On or about March 7, 2015, Plaintiff’s access to Defendant’s Vanguard account was restored to allow him to view the account.

29. Plaintiff’s mother, Angela Mallamaci, wrote a letter to Defendant’s parents to express her disapproval at Defendant’s desire to divorce. She sent this letter to Plaintiff for translation on or about March 10, 2015. Defendant found an electronic copy of the letter which Plaintiff had downloaded onto her computer. Defendant confronted Plaintiff about this letter.

30. While Defendant and A.M.T. were in Lugo, the parties continued to make arrangements for A.M.T. to obtain her Italian and American passports. (ECF Doc .#34, p. 4)

31. On March 11, 2015, the parties and the minor child traveled around-trip between Lugo and Milan in order to apply for A.M.T.’s United States passport.

32. On March 31, 2015, the parties had another argument that began over the Defendant wanting to change A.M.T.'s clothing after she had urinated on her outfit, but Plaintiff refused to allow her because of the cost of laundry. Thereafter, Defendant took A.M.T. , went to the police, and sought shelter in an undisclosed "safe house" location in Italy. (ECF Doc .#34, pp. 4-5).

33. After Taglieri learned Monasky had fled the Lugo apartment with A.M.T., he went to the police to revoke his permission for A.M.T.'s United States passport and hired an attorney and obtained an order to prevent its issuance.

34. The parties spoke by phone while Defendant was in the "safe house" location on or about April 3, 2015.

35. Approximately two weeks later, on April 15, 2015, Defendant left with eight-week-old A.M.T. for the United States. (ECF Doc .#34, p. 5).

36. On May 14, 2015, Plaintiff filed this matter.

37. On July 16, 2015, Defendant filed an answer.

JA32

[1] UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DOMENICO TAGLIERI,)	
Plaintiff,)	Case No.
vs.)	1:15CV947
MICHELLE MONASKY,)	
Defendant.)	

TRANSCRIPT OF BENCH TRIAL HAD BEFORE
CHIEF JUDGE SOLOMON OLIVER, JR., CHIEF
JUDGE
OF SAID COURT, ON TUESDAY, MARCH 15TH,
2016,
COMMENCING AT 3:15 O'CLOCK P.M.

Volume 1, Pages 1 through 52

Court Reporter: GEORGE J. STAUDUHAR
801 W. SUPERIOR AVE.,
SUITE 7-184
CLEVELAND, OHIO 44113
(216) 357-7128

* * *

[35] Q. In the course of the pregnancy through the summer-fall of 2014, did you discuss divorce with Michelle?

A. I did not discuss divorce with Michelle.

Q. Did she bring up the topic of divorce?

A. Yes, several times. It was more of a condition where — it was sort of a signal in that one would have to give up certain things and would have to concede to

[36] the other rather than continuing arguing.

Q. So divorce would be brought up in the course of — call it an argument?

A. Yes, during heated arguments, and I mean, it was more of a threat, and it was, again, a signal to the other that it was about time to stop arguing and give it up.

Q. Okay. I want to show you what has been marked as Joint Exhibit 16. Do you see Joint Exhibit 16, Domenico?

A. Yes, I do.

Q. Can you identify this document?

A. It is an e-mail from Michelle Monasky to Domenico Taglieri, dated March 2nd, 2015, 11:15 a.m.

Q. And the subject of this e-mail to you is divorce, correct?

A. Yes.

(Pause.)

THE COURT: Make it 75 percent and see what we get.

MR. SAYRE: Can you see it okay?

THE COURT: Go ahead.

BY MR. SAYRE:

Q. And this references a conversation about a divorce that had occurred previously, correct?

[37] A. Yes.

Q. Do you recall that conversation?

A. Yes. It was the end of February, probably February 28th, and I had just come back to Milan from Lugo because, of course, I was working already in Lugo, and while I was there, Michelle raised the topic of divorce.

Of course, I mean, I was astonished. Really I was shocked. I couldn't understand all of a sudden she was talking about divorce. The conversation didn't last long, five, seven minutes, because I said "this is not possible. What you are talking about?"

And I said, "I mean, listen, I have to go back to work very soon." It was the end of the day, and at that time, I had to prepare myself to go back to work eventually at the end of the day?

And I told her, I mean, "why don't you join me in Lugo so that we can continue the conversation," which is — seems to me not based on anything rational to be honest, and so that we can continue with this conversation.

Q. Did you have an emotional reaction to that?

A. Very much. I mean, I cried. I couldn't understand why — I mean, our beautiful marriage had to come to an end. The baby had just been born.

I mean, here family is — has just been born. I mean, we have a new baby,

[38] and you are raising the issue of divorce, shock, confusion, my heart was broken. I couldn't figure it out.

I mean, I couldn't figure out what was happening. So I really needed to talk more to my wife and try to understand why this non rational behavior was coming about.

Q. And in the context of that conversation with Michelle at the end of February, did you have any discussion about her coming to Lugo?

A. Yes. I begged her to join me in Lugo so we could continue our conversation and try to mend our relationship that she was — she was pointing out to me this relationship was no longer viable, and I offered all of myself to try to mend this relationship.

So I didn't see any issues, marriage issues to be honest that would have to be mended to begin with, but if she had concerns, I was more than ready to address this.

Q. And what was her response about going to Lugo?

A. I mean, she said "no, no, no, go ahead, go ahead". I mean, it was something — it was something that was not typical of her.

We have been everywhere and anywhere together, so upon my request that she would not follow me,

[39] was completely illogical, unexpected because we had trouble — traveled around the world together. As I say, at the beginning of this conversation, we

were the perfect match. As our boss said — used to say “a match made in heaven” and extremely dependent on each other, and I couldn’t match her request with my view.

Q. So she told you to go back to Lugo?

A. To go back to Lugo, and reluctantly, I went, not that I gave up on trying to bring her back to Lugo. I mean, actually, I was constantly telephoning her so that I could convince her to join me in Lugo.

Q. And was there any change in Michelle’s attitude?

A. Yes. A few days after, she tells me to come to pick her up in Milan because she would join me in Lugo. I was very — it was a big relief for me because, obviously, I thought, I mean, well, okay, she misses me as much as I miss her. So this is a great opportunity for us to clarify any existing issues, if any.

Q. Doctor, while you were in Lugo, how did the relationship seem to go?

A. We basically received our life the regular course of our life, I mean, okay. Michelle had just succeeded at her — had passed the written test for her driver’s license. We made arrangements so she could continue to

[40] pursue her driver’s license.

MR. REYNOLDS: Objection.

THE COURT: What’s the objection?

MR. REYNOLDS: He asked how were things going, and he was talking about a driver’s license. I think it is non responsive. He is off in left field.

THE COURT: While you were in Lugo, how did the relationship seem to go?

Overruled. She is getting a driver's license, overruled.

BY MR. SAYRE:

Q. Okay.

A. So to clarify this part, Michelle voiced her intention to continue to obtain a driver's license in Italy, and of course, she informed me about that. In order to get — to pass the practical part of the test, the driving part, she was still needing to study for that.

I mean, during the test, she would be questioned. So we sat together. We started to study towards this test. To answer — I am bringing you examples of real life to say overall that things were — our life, the course of our life was progressing I would say normally.

[41] Q. Okay. I will show you some photographs, Plaintiff's Exhibit 66. Do you know where this picture was taken?

A. It was taken in Milan, yes. This is our house in Basiglio, Milan.

Q. This is before the move to Lugo?

A. Yes.

Q. I am going to show you what has been marked as Plaintiff's Exhibit 68. Do you recognize that picture?

A. Oh, yes. It is myself and my little baby.

Q. Okay. Do you know where this picture was taken?

A. It was taken in Lugo.

Q. And who took the picture?

A. Michelle.

Q. And was there an occasion for this picture?

A. Yes. [A.M.T.] was about to be a one-month old baby, and we — it was — it was our little bundle of joy, and we took the chance to celebrate whatever we could.

Q. Okay. Handing you what has been marked Plaintiff's Exhibit 69, is that the same occasion?

A. Yes, from that, our little daughter.

Q. Plaintiff's Exhibit 70?

A. Okay. This is the three of us. This is what young

[42] people would call a selfie. We took a picture of ourselves in Lugo. The occasion was probably [A.M.T.]'s first month of birth, but we took many photos like this.

Q. While you were in Lugo, did you do anything, any special events as a family?

A. Yes. It is important to say that it was our habit to spend — I mean, weekends in a special way. It was our time together. We would call — I mean, our Saturday night was date night.

I mean, it was the day, the time for ourselves, a time for Michelle and Domenico. We generally would go to a neighboring town, or we would just go to downtown Milan to enjoy a pizza, visit museums, go to the theater, see friends.

Q. I am going to hand you what has been marked as Plaintiff's Exhibit 73. Do you recognize that picture?

A. Yes, I do. This is Michelle and pushing the basinet presumably with [A.M.T.] inside, and the background is Bologna, Italy.

Q. Why were you in Bologna?

A. It was an occasion to be there and spend family time together.

Q. And Exhibit 74, do you recognize Exhibit [43] 74?

A. Yes.

Q. Who took the picture?

A. Michelle.

Q. And where was this taken?

A. In Bologna.

Q. So this is part of your day in Bologna?

A. Yes, yes.

Q. Okay. And this is yet another picture in Bologna, Plaintiff's Exhibit 75, correct?

A. Correct.

Q. Okay. And I will show you what has been marked Plaintiff's Exhibit 76. Well, Doctor, do you recognize this picture?

A. Yes. It was Palm Sunday, and we had just attended mass. At the end of the mass, you can see the olive branches on the alter. We decided to take photos. Michelle was taking the photo.

Q. And this is Exhibit 76, correct?

A. Correct.

Q. And this is a picture of —

A. Michelle — I'm sorry — myself and [A.M.T.] together next to the alter on Palm Sunday.

Q. And do you remember the date of Palm Sunday?

A. 27th of March.

[44] Q. 27th of March. Okay. So things were going well for you?

A. I think it was a regular course of life. Yes, things were going well. We were together. We were doing things that normal people do, I will put it this way.

Q. Okay. And then, on March 31st, there was an argument, and you went to work?

A. Yes. I went to work. I mean, when I came back, I saw nobody at home.

Q. What did you think?

A. Honestly, confusion. At the beginning, the first — I mean, getting into the apartment, and I saw nothing inside the apartment. I asked myself what the hell is going on? I couldn't understand what was happening.

I didn't see Michelle, I didn't see the baby, I called them, I looked for them in the rest of the apartment, and I thought in the beginning they had just — they went to the grocery store.

But then, immediately after I realized their things, their stuff was not there either, so immediately I concluded that — I mean, obviously,

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they didn't go to the grocery store. I started to get
worried to be honest.

* * *

JA42

[53] UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DOMENICO TAGLIERI,)	
Plaintiff,)	Case No.
vs.)	1:15CV947
MICHELLE MONASKY,)	
Defendant.)	

CONTINUED TRANSCRIPT OF BENCH TRIAL
HAD BEFORE
CHIEF JUDGE SOLOMON OLIVER, JR., CHIEF
JUDGE
OF SAID COURT, ON WEDNESDAY, MARCH
16TH, 2016,
COMMENCING AT 9:00 O'CLOCK A.M.

Volume 2, Pages 53 through 228

Court Reporter: GEORGE J. STAUDUHAR
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CLEVELAND, OHIO 44113
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* * *

[65] Q. I want to go back for a minute, Domenico. You testified yesterday that you and Michelle had discussed having a family?

A. Correct.

Q. Was this a conversation that was ongoing?

A. Since the very beginning of our relationship, to be honest, I mean, since the very first days, we always referred to these days as the futon days, just for the sake of clarification, those days that we spent together at her house in a park, Southeast Avenue, we were still dating, not married, and we were really liking each other, and we were starting to make plans.

During those futon days, a lot of things happened and included starting a family. Since the very beginning, we decided to name our kids, choose the name for our kids, and indeed, we decided that [A.M.] would be the name for our daughter. We never had a name for a boy.

Michelle chose the name [A.], and I requested that, I mean, the name [M.] would be added because everyone in my family has a second name, [M.] or

[66] [M.].

Q. Okay. I will show you what has been marked as Plaintiff's Exhibit 2. Do you recognize this?

A. I do recognize this.

Q. What is it?

A. It is basically an e-mail generated by Google calendar after you generate an invitation basically. Michelle and I were sharing our calendar. It is then an e-mail sent from Michelle Monasky to Domenico

Taglieri on February 2nd, 2014, 8:20 p.m., and the subject is “invitation high fertility dates.”

Q. Okay.

A. So the theme of having a family and expanding a family was always recurring. Also, we were encouraged by our parents to expand our family because they were eager to become grandparents. It was a nice thing.

So having secured, I mean, some sort of financial stability, we decided to pursue the dream, and we, Michelle, somehow calculated when the most fertile days would be, and she sent this information to me with an invitation to maximize the chances of having a baby.

Q. And you proceeded to try to have a baby and ultimately succeeded?

A. Yes, yes, right away, because, well, actually the

[67] days were very precise.

Q. Okay. And you talked about this a little bit yesterday. The course of the pregnancy was a little bit difficult?

A. Oh, yeah. There was some little problems, I mean, okay, during the pregnancy, and Michelle had a threatened miscarriage. She had to go suddenly to the hospital to make sure that the unexpected bleeding was nothing that would compromise the baby's life.

Q. Okay. I want to concentrate on the sequence of events.

We have the e-mail marked as Plaintiff's Exhibit 2 regarding high fertility dates, and in the spring of

2014, you were considering options for employment at that time. Is that correct?

A. Options for employment, yes. My contract at Humanitas was about to expire, and we knew that — I mean, it would either be renewed or find, go find employment elsewhere.

Q. So you were looking for employment elsewhere?

A. After trying to initiate my — renegotiate my contract with Humanitas, I actually didn't work for a few administrative reasons. I luckily — I was lucky enough to find right away another job, and the only job available at that time was in Lugo, not that I was super

[68] happy that I would have to travel back and forth to see my family.

Needless to say, it was a burden for me to travel back and forth, but knowing our family would expand, too, I mean, I — it seemed obvious to me if I would to be a provider, that I would have to accept the job with assessing the pros and cons?

But I needed to bring home the bacon, basically, so yes, I accepted the job.

Q. And did this seem to have any effect on Michelle?

A. Yeah. Michelle was not happy, and similarly, I was not because that would have meant that we would have to spend most of the weekdays apart, but yet, we knew we were busy with our jobs?

And we decided — we agreed that the weekends would be for us, basically family time, and we would spend it together.

Q. So —

A. So Michelle eventually — neither one of us were happy, but we were facing real life, I don't want to say difficulties but unexpected events, so we had to deal with that.

Q. Okay. I am going to hand you what has been marked as Plaintiff's Exhibit 6.

[69] A. I do remember that e-mail. It is an e-mail sent to me from Michelle Monasky, dated May 24, 2014, Saturday, 11:00 a.m.

Michelle in this e-mail basically is reminding me that she is a worried wife and encouraged me to go.

Q. There is also reference to divorce in here.

A. Yeah, yeah. It is basically what I was saying before, the threat of divorce, which was never a threat. It was again a signal that somebody — one or the other would have to give up on something, and nothing that — I mean, it was nothing I hadn't seen before.

Q. So this was not a real threat on your part to divorce her?

A. No, no. Actually, no.

Q. So you found a job in Lugo and traveling back and forth on weekends?

A. I was traveling back and forth on weekends.

As I said yesterday, basically, the weekend was very — was special time for us, really special time for us.

Q. And what happened in connection with Michelle's near miscarriage?

A. Well, yeah. At that time, Michelle applied for

[70] another prestigious opportunity. I am referring to the Lindou meeting, L-i-n-d-o-u, and Lindou is a small village in Germany.

Q. You talked about this a bit yesterday, correct?

A. Yes.

Q. So in connection with her near miscarriage —

A. Michelle basically had to cancel, much to her regret, everybody's regret, the meeting, and she managed — she managed to agree with the organization, the quality or the administration of the Lindou meeting, that she would participate in the meeting in June 2015.

Q. Okay. How were you notified of the events surrounding Michelle's medical condition regarding her near miscarriage?

A. Well, when Michelle had that threatened miscarriage, I was in Lugo. When I received the call, it was late at night, approximately 8:30 in the late evening, and since that time, I didn't have a car with me because I had left my car in Milan, Basiglio, Milan for her, safety.

I told Michelle, listen, at this time, I will not find the train, the right connections to get to you right away. Please call a taxi. Go to the hospital, and basically your safety first."

I will get to you basically the next morning

[71] and that's what I did. I called my mother on that night, and I told her please join us because Michelle is not feeling right.

Okay? So please help me with this, and we need to be close to her. And the next day I took the first

train into Milan. I somehow managed to get to the hospital and then home.

Q. Okay. And was Michelle okay by the time you got home?

A. Yeah, Michelle — I knew Michelle was doing okay, very frightened, and everybody was because those are delicate moments, and things may change rapidly in terms of the baby's health?

But I still was in telephone contact with her, and I was receiving reassurance, we were communicating over the phone, myself with — indirectly with the doctors to make sure the child was fine. I knew that overall she was functioning.

Q. So you saw Michelle at the hospital?

A. I saw Michelle at the hospital, and immediately after, actually — no.

At the same time, my mom, both my mom and I joined Michelle at the same time. We got to the hospital at the same time. I can't remember the details. I think we joined on the train at the same time.

[72] Q. Then did you go home?

A. After making sure Michelle was okay, I went home.

I wanted to make sure Michelle had been taken care of.

Q. And what did you find?

A. I went to our apartment and got to the apartment because Michelle needed some pajamas, some things because she needed to leave right away, and I was surprised.

The apartment wasn't tidy. I mean, I noticed there was some rotten food on the table, plates that were unwashed sitting in the sink, clothes all over. The floor was unswept?

And I was really surprised because, as I said before, we were detail oriented and very careful in keeping our apartment tidy, and I couldn't figure out why that was the case.

Q. Did you have any concern or —

A. Yes. I was concerned that Michelle let herself go a little bit, and I wondered what triggered that.

Is she okay? How are her moods at this time? Is she coping well psychologically with her pregnancy? Is she in a low mood, something like that.

Q. And did you discuss this with Michelle?

A. I did discuss this with Michelle and said why is

[73] this, and eventually, I mean, it is nothing that I had not seen before.

To be honest sometimes Michelle had some kind of mood swings; thought this was hormonal changes but didn't put too much emphasis on that, but I had seen this behavior before. Back, for example, to the futon days when I was first dating Michelle, I remember I would really, really find her in a poor shape.

Q. Poor shape meaning what?

A. She had just left her boyfriend, I mean, okay, who, of course, I never met. Okay. And Michelle was recovering from this, and I vividly recall her sitting on the rocking chair one night?

And at the time, we were already kind of living under the same roof, even though not every night. And I remember that night Michelle was rocking herself in her chair, rocking chair, holding the arm rest and crying.

I said “Michelle what’s going on?” I barely knew her at that time, and well, she immediately, that situation, that event immediately shocked me for lack of a better word. It really — I had a sense that Michelle was really in a very low state of mind.

Q. So she had exhibited mood swings before?

A. Before, yes.

* * *

[79] Q. And the date of that e-mail is what?

A. It is 30th of August, 2014, and 1950 is 7:50 p.m. And the subject is asilo nido do and that means “daycare” in Italian.

Q. I am going to show you what has been marked as [Joint] Exhibit 7. Can you identify that document?

A. Yes. It is an e-mail that I sent to Michelle, dated October 2, 2014, at 6:54 p.m. It is the subject of this conversation, is driving school contact info.

This was another occasion where Michelle showed some excessive fears, and she had repeated fears, and it would derive from normal daily events.

Q. In the e-mail, she indicates that she is going to pack her bags and move back to the U.S., correct?

A. Yes.

Q. How did you understand that?

A. As I said before, it is another signal that I have to pay attention on her request, and either I

have to concede, give up something, or something like that.

I never do think seriously of it, but I didn't like it that she was using these words oftentimes. I really don't, and that's why I reply when I say "stop threatening like this," and I never met this lady in

[80] Pallero?

And I am, at this time, I am busy with my clinical obligations. And there were not enough hours in the day to address everything right away. However, that was not my concern to address it in any other possible way.

Q. Did you take any other steps to get the name of the lady in Pallero?

A. Yes, I did. I contacted the person in Pallero, and just for quick clarification, it's a small village in the very south of Italy, at the toe of the boot. We lived in the northern part of Italy, and we are talking about 1,000 miles away.

And we called these people, and I am glad I did because I managed to speak with the manager of this driving school who gave me, by suggesting the name of a book written in two languages, English and Italian, and that was an invaluable tool for Michelle to expedite her knowledge in the driving school matter.

Q. And did Michelle pass the written test?

A. Right away.

Q. I am going to hand you what has been marked Joint Exhibit 6?

A. Yes.

Q. Can you identify this document?

[81] A. It is an e-mail from Michelle to me dated September 9, 2014, at 11:51 a.m.

Q. And when does the e-mail conversation start?

A. It started on September 9, 2014, 10:41 a.m., and this is a string of e-mails. And I am saying “shame on you for hating the little one so much, whether you wanted him or her or not. Stop hating people. Thanks.”

Q. Was this in response to communication from Michelle?

A. Well, yes. Michelle always — I mean, she displayed irrational fears for everything that would happen around her. So I tried to calm her down basically. The story was that Michelle was fearing that, I mean, she wouldn't succeed in her normal days of routine, including the Ministry of Justice, the driving school. Everything for Michelle was a big concern.

Q. When you are referring to the Ministry of Justice, you are referring to her application for recognition —

A. Yes.

Q. — of her credentials?

A. Credentials.

Q. How long did that effort continue?

A. It continued nearly until she left. January 15th, she contacted the Senator Brown basically to understand

[82] how she could have her credentials validated and contacted the Italian consulate in Chicago to

help her with her credentials, to have her credentials validated.

Q. So she was concerned about her driving test?

A. Yes.

Q. Correct?

A. Each and every simple task, I mean, those for Michelle were the utmost concern, represented for Michelle, was for Michelle of the utmost concern but not in a normal way.

Q. Okay. And but in addition to the driving test, she was concerned about you helping her get her credentials recognized?

A. Right, right. I mean, yes.

Q. Was there anything else that was of a concern for Michelle through the course of her pregnancy? Did there come a point in time when you moved, that you found another apartment?

A. Yes, yes. I mean, the apartment was very small. It was very nicely located. Michelle was about location, location, location, and I couldn't agree more. The apartment was originally rented for myself when I initially arrived in Basiglio, Milan?

So it was a fairly small apartment but nicely

[83] located and safely located in a very green area patrolled by police 24 hours a day, very family oriented.

And we kept the apartment even after Michelle joined me a little bit because we were a little bit lazy. I mean, we would have to move all our stuff to another apartment. She always voiced the apartment was small. Of course, I received her request, I mean,

to find a larger apartment. And so we did. I mean, okay.

Q. And you assisted her in the effort to find a larger apartment?

A. Absolutely, yes.

Q. Okay. And I am going to hand you what has been marked as Joint Exhibit 10. Do you recognize that document?

A. Absolutely, yes.

Q. What is it?

A. It is a contract. I mean, it is a contract between Ms. Nannini Valentina and Michelle Monasky. It is for a larger apartment. They would accommodate three people: Michelle, myself, the baby.

Q. How many people are going to live in the apartment?

A. Three.

Q. And the term of the lease is —

A. One-year contract renewable.

Q. So you were helping Michelle with her driving [84] school, with her professional credentials, and finding an apartment, correct.

A. Correct, yes.

Q. I hand you what has been marked as Joint Exhibit 11?

A. Yes.

Q. Can you identify that document, please?

A. Yes. It is an e-mail from Michelle to myself, dated November 11, 2014, 9:50 a.m. It is an e-mail that shows some, I would say, excessive stress on Michelle at the time I was in Lugo while she was in Milan and we were communicating through e-mails, basically the e-mail itself.

Q. Had you communicated with her prior to this e-mail?

A. Oh, yes. I mean, I had —

Q. What was the nature of the communication?

A. Basically, we were talking about, I mean, everyday routine and we were busy; that she was busy with her job; that she had a long day, well, not a long day, but she was very busy at work trying to —

Q. What did you tell her? What had you told her?

A. Basically, I told her — Michelle was displaying some behavior, unhappiness, and I said “if you want to go, go to the United States,” and obviously, when saying

[85] that, I was joking, and the tone of the e-mail, the response that she provided to me was obviously sarcastic.

If I may read the e-mail. I mean, she is talking about, to summarize the e-mail, she is talking about us, finding a job in the same city in the U.S. for \$2,000 each, and this describes an unrealistic scenario.

She says “get real.” Nobody ever meant to move to the United States, and at the end of the e-mail, she says “don’t you know I am stressed already? Since you made the decision today to go back to the

United States, of course, this is unrealistic. I expect to receive a job offer for permanent awesome high-paying job by the end of this week.”

Of course, the use of the adjectives here describes the unrealistic scenario that she is depicting.

Q. Okay. So this was a joke?

A. A joke.

Q. I am going to hand you what has been marked as Plaintiff’s Exhibit 10. I’m sorry, yes, Plaintiff’s Exhibit — do you recognize this e-mail?

A. Yes, I do.

Q. What is it?

A. It is a conversation between Michelle and myself.

Q. Having to do with what?

[86] A. Yes, I just wanted to say this conversation occurred on December 2nd, 2014, in the afternoon at 1:28, and Michelle — the subject of the conversation is “German stroller option.”

Michelle had just spoken with a colleague of hers regarding the need to purchase a stroller, basinet and car seat for the baby, and the conversation she had with this coworker of hers got reported to me and suggested to buy that brand, one brand for the stroller, and that is a very sturdy — it is a very sturdy stroller or basinet and very expensive. So the price to quality ratio is very good.

Q. So you were discussing getting a stroller?

A. Yes. We were getting ready to accommodate the baby’s needs.

Q. I am going to hand you what has been marked as Plaintiff's Exhibit 14.

A. Yes.

Q. Do you recall receiving this e-mail?

A. I do.

Q. Is this something that was a regular occurrence as well?

A. Very common, yes. I just wanted to clarify that "bibi," b-i-b-i, is me or her sometimes or me sometimes. We used to call each other, to nickname each other bibi,

[87] and I don't know if this is going to occur later, and it is bibi?

And this e-mail makes reference to the fact, of course, she is showing love to me and telling me to be careful, and she is telling me not to leave on Saturday because at that time I was on duty, and if surgery had been prolonged, had continued beyond regular hours, I mean, it was okay for her that I would travel on Sunday, again if surgery goes late and there was trouble.

Q. I am going to hand you what has been marked as Joint Exhibit 13.

A. Yes.

Q. Do you recognize this exhibit?

A. Yes.

Q. What is it?

A. It is an e-mail chain between Michelle and myself. The first — I mean, communication was from Michelle, dated January 2nd, 2015, at 6:49 p.m. and

telling me it is probably better not to send packages any more.

We were receiving packages from overseas, and those were gifts from families and friends, meaning here in the United States with the intent to celebrate sort of a baby shower in preparation for the new baby.

Q. But she is expressing some unhappiness with you?

[88] A. Yes. Well, I am going to repeat the words. You can read them by yourself. I mean, she often used course language. That's something that I did not like.

Also, she is — I don't know how to say in English — well, she is stressed. Let's put it this way. She is saying that I don't get to vote where I live, where I work, where you work, whether or not I have to carry and give birth to a child, whether my mom sends package and then a bad word.

“I am actually sick right now. I am going to shake and cry violently instead of eating dinner tonight like I do most nights. Take responsibility as the head of your family and try to make amends for your mistakes.”

Q. Okay. And how did you regard this?

A. I noticed that it was not fair.

Q. Okay. And was this something that continued past the time of the e-mail?

A. Yes. I mean, she — she always had an accusatory tone towards me for what? And I said no, stop accusing me and so on and so on and so on.

Q. I am going to hand you what has been marked as Plaintiff's Exhibit 18. Do you remember this e-mail?

A. Yes, I very well remember. It is a very nice [89] e-mail. It is an e-mail from Michelle Monasky to me, dated January 9, 2015, 7:27. It was a Friday. I was about to leave.

Q. She is indicating that she saw you leave?

A. She saw me leave. I was in the car, and she saw me in the window in our apartment.

Q. I want you to look at Plaintiff's Exhibit 19. Do you recognize that e-mail?

A. I do remember, yeah. It is an e-mail, dated January 15, 2015, 5:23 p.m. from myself. I take that back, first from Michelle to, again, the date is the same, January 15, 2015, at 4:10:00 p.m.

And she is informing me she is done with the shopping, made peace with the tax adviser, and it was tax time, probably he will be done tomorrow, and I reply "you can review."

Q. This was a standard —

A. It was an up and down and change of her moods frequently, and I learned to live with that.

Q. I will show you what has been marked as Plaintiff's Exhibit 20 and ask you if you can identify that document. What's INPS?

A. Yes. That's the National — Italian National Social Security organization if you want to put it this way.

[90] Q. You called them?

A. Oh, yeah, several times.

Q. What did you call them for?

A. I called them to make sure — I mean, all documents were ready for when Michelle would go on maternity leave in Italy.

Q. Okay.

A. And this is an important part. Michelle could enjoy five months of paid maternity leave through INPS.

Q. And you had made that connection in order to facilitate the maternity leave.

A. Yes, in order to facilitate. I never assumed that everybody would be fluent in English, and I always did communications between Michelle and local agencies.

* * *

[99] Q. And how was Michelle's mood around that time?

A. Always changing. She was very worried understandingly. It is a special event that you cannot control mother nature, and mother nature does the rest for you, and you are there waiting for to come clock to tick and after the baby comes out, I mean, so —

Q. Did Michelle have any reservations about the Mangiagalli protocol?

A. Yes. She didn't want to be induced. She wanted to have a natural delivery as much as possible.

Q. And in connection with that, did you discuss the possibility of a Cesarean section?

A. Yes. I told Michelle that. I mean, okay. Her point of view of surgery, ultimately, she is the one who has to undergo through this, but I also told her please leave options open just in case that things don't

[100] go the way you predicted. Don't be thoughtless on one thing.

Q. And was this Cesarean section part of that discussion?

A. Yes, it was. It was part of a discussion.

Q. What was Michelle's reaction to that Cesarean section?

A. It was always "no, no, I want to have a natural birth."

Q. Did she make any reference to Italian doctors?

A. Yeah. She said Mangiagalli doctors cut people open too frequently. The Cesarean section rate on average is higher or very high or higher than the United States. She often say "cut people open too frequently."

Q. Okay. Was there some appointment at Mangiagalli?

A. There were several appointments that we attended together. The appointment on the 39th week, the appointment on the 40th week and the appointment on the 41st week, I attended them all.

Q. Do you recall what happened at the appointment on the 40th week?

A. On 40th?

Q. At the 40th week appointment?

A. Oh, yes. Michelle had been informed if she had not had any signs, at least, initial labor, they would induce

[101] labor on her according to the protocol.

Q. And that would occur the following week?

A. That would occur for her the following week. In fact, I mean, between the 40th, the week appointment and the 41st week appointment, nothing really happened?

And we showed up again for the 41st week appointment and with our two travel bags loaded with pajamas, toiletries and baby's clothes and everything ready for her, and we had to carry-on — regular carry-on bags with us in anticipation that she would be induced.

Q. And what happened when you got to the hospital?

A. Well, as the doctor visited her, saw her, she was nowhere close to having any signs of a spontaneous birth. The baby was doing okay, doing fine, but the doctor even told her that they had to induce the labor.

And at first, I mean, they told her, Michelle step back, and then they told her again, and they were surprised, I mean, they had to explain why they had to induce labor, because they thought they had already explained to Michelle in abundance that the reason for the baby and herself would be significant if she had to postpone further the delivery of the baby.

Q. And what was Michelle's response?

A. Michelle declined again the offer. She declined the

[102] offer of having her labor induced very many times that night, and it was a shock for the attending people that I mean —

MR. REYNOLDS: Objection.

Q. Did you have any conversations with Michelle?

A. I did have some conversation with Michelle. I mean, I tried to tell her that she should listen to the doctor's advice.

I couldn't understand why she would not accept, I mean, the doctor's help to maximize or make sure regardless of, maximize, make sure she would have the safest pregnancy of all.

Q. Okay. And this protocol for inducing labor had been discussed prior to that time?

A. Prior to — several times. It was not a surprise to us; it was not a surprise to her, not a surprise to anybody.

And our family even knew that this protocol was not only the Mangiagalli protocol but the most common protocol, evidence-based protocol for deliveries so it was not a Mangiagalli only.

Q. So Michelle refused to be induced?

A. Michelle refused to be helped. I said "Michelle, why don't you accept their help? At least compromise — will you stay here, and we will play it by ear?

[103] Please get monitored by them. This is a risky period of your pregnancy, potentially risky period of

your pregnancy. Please stay at the hospital and get monitored.”

Q. And what did Michelle have to say to that?

A. She said no. I couldn't figure out why.

Q. So she did not want to stay. She did not want to be induced?

A. No.

Q. How far from your apartment in Basiglio was that?

A. 40 minutes away from.

Q. Was there any procedure or protocol she had to go through to leave the hospital?

A. Yes. As always, I mean, when you are refusing or not accepting the doctor's advice, you have to sign that you are not accepting the doctor's advice. She did, indeed, sign and left.

Q. And you left with her?

A. I left with her, yes.

Q. And you drove her back home, correct?

A. I drove back home, yes.

Q. And on the drive back home, did you continue to discuss —

A. Yes. We continued to discuss this what appeared to

[104] me to be illogical behavior, irrational behavior, that she putting her life, obviously, more and the baby's life at risk, because while I could see that she was doing okay, I had no way to assess the baby's health as a response to her desire to go back home,

and I was afraid that something could happen to the baby and consequently her.

Q. Okay. Did you undertake to contact anybody else with respect to —

A. Yes. I tried to gather other people's attention. I called immediately the hospital. I called my parents, and I told them I find myself in this difficult situation. I don't know. I mean, I would rather Michelle stay in the hospital to be monitored.

Q. Did you contact her parents as well?

A. I contacted her father as well, and I explained my concerns, real concerns because I found myself that I wanted to provide some help; that I wanted to be sure that the pregnancy would proceed in the safest possible way, but I had no way to guarantee that the baby would be fine.

So I tried to engage with her father and told her "listen, Michelle is showing this kind of behavior. I don't know what to do."

[105] Q. Okay. So you are on your way home, did anything happen?

A. Yes. As we basically — always went back right home, a couple kilometers away, and Michelle said she was feeling contractions.

I said "we just been there, wanted to induce you, and how is it possible now after 35 minutes you have contractions?"

We were about to get home and see how this proceeds. "You just told me that you didn't want to go there? What am I going to do now? We are home, let's go home, let's have dinner, get something, and see how this progresses."

At that time I called her father.

Q. Did she indicate how far apart her contractions were?

A. Not really, because for sure we didn't have anything sophisticated to rely on for that information.

Q. Had her water broken?

A. No.

Q. So you got home, and she had something that was a contraction or —

A. A contraction, and again, I mean, nothing had really significantly changed, and only 40 minutes passed or 45 minutes, thereabout. Once she indicated she had a

[106] contraction, we were minutes from our apartment, and I said "let's go home."

Q. And did she request that you drive her to the hospital at that time?

A. Yeah, she did, I mean, again, for what? She had been there, and she declined their help. I told her "let's go home." I want to talk with your parents and explain the situation that we are now facing.

I mean, we achieved — so we are on the same page. I wanted to be on the same page.

Q. So you got home, called her parents?

A. I called her parents.

Q. What time was it roughly?

A. It was nighttime. It was 9:00 p.m., something.

Q. After dark?

JA67

A. Approximately, okay, 9:00 o'clock. I didn't hear what you said. Sorry.

Q. So did her parents provide any guidance or recommendation?

A. Yes. I mean, I spoke with her father only.

Q. Did he tell her to go to the hospital?

A. No.

Q. Okay.

A. I was surprised by that, yeah.

Q. Okay. So you are home with Michelle, right?

[107] A. Yes.

Q. And it is nighttime. Had you had dinner?

A. We had a light dinner probably, yes, or something very light, not too much.

Q. And the discussion is ongoing with Michelle?

A. Yes. We had a discussion, and we had this disagreement because, I mean, I couldn't understand why. I mean she would display such a non logical, non rational behavior.

Q. Did she call the hospital?

A. No.

Q. She didn't call the hospital?

A. No.

Q. What did you do ultimately?

A. Well, again, we had a — I spoke with her father first.

Q. I understand.

A. Okay. And then I went to bed. We went to bed, okay.

Q. Did she go to bed with you?

A. No. Well, at the beginning, yes, but then she moved to the other room, and she went to another — the other room, and she slept in the other room.

Q. Okay. And then what happened?

A. Well, then I was — it was approximately 4:00 in the

[108] morning, very early in the morning, way past midnight, 2:00, 3:00, 4:00 p.m. I can't remember. I find myself all of a sudden I wake up and look for Michelle, and she is not there. I immediately — again, it is deja vu with another similar situation that occurred later in life.

I found that Michelle was not at home, and I called her cellphone. She picked up the cellphone and asked her “where are you?”

“I am in a taxi cab.”

Okay.

Q. Had you told her to take a taxi?

A. I told her, yes.

Q. When did you tell her?

A. Late in the evening, I mean, during the course of a heated conversation I told her “well, take a taxi cab.”

Q. And why did you tell her to take a taxi?

A. It was words I threw up there with no real intention to tell her to take a taxi. Those were words that came during a heated conversation.

Q. The conversation was whether to go to the hospital or not?

A. Yes.

Q. Okay. And your comment to her was, "if you want to go, take a taxi"?

[109] A. Something like that. I lost control over her, control meaning my advice was useless. I mean, at that point, whatever I was saying was unheard by Michelle. She just wanted to do her own way with no advice. I mean, we are talking about her baby, why she didn't have a say to this.

Q. Were you timing her contractions?

A. I was not.

Q. Was she timing her contractions?

A. From what I understand, yes.

Q. Okay. So you called her, and she said she was in a taxi cab. What did you then do?

A. As soon as I realized that, I told Michelle "wait there," meaning once you get to the hospital, wait there, and I will be right there. In fact, just minutes later I barely, barely had time to get something on and joined her.

Q. And it is the morning of February 12th, correct?

A. It is the morning of February 12th.

Q. Did her water break when you got there?

A. No.

Q. Do you know how far apart the contractions were?

A. Very far apart to the point I saw her at the hospital. I kissed her, and I said "I'm sorry for last [110] night."

Q. Okay. And then what happened?

A. After that, I went to the airport to pick her mother up. She had a scheduled flight. She had a scheduled flight. I mean, she was expected to be arriving in Milan approximately around 8:00, 9:00 in the morning, very early in the morning, first flight in the morning?

So just with the idea of understanding the time, the course, of events, once Michelle arrives at the hospital around 4:00-5:00 in the morning, I can't be more precise than that, joined her after 20 minutes, spent some time together, and water hadn't broken and left the hospital and wanted to go pick up her mom who arrived around 9:00 p.m.

And I drove her mother and myself back to the hospital, and the three of us — the two of us joined Michelle.

Q. And by the time you arrived at the hospital, had things progressed at all?

A. Not at all. Michelle was having contractions every once in a while, but the water had not yet broken.

Q. Okay. And so throughout the day of February 12th, she continued to labor intermittently, correct?

A. Yes, yes, probably every 20 minutes or so. It was

[111] not a come on thing, to the point that, I mean, we, in anticipation for the pain that she would experience, I told Michelle, "Michelle, probably this

is a good time for you to explore other options. If you want to control pain, ask the anesthesiologist to join us, I mean, that's part of the routine, the protocol. They visit Michelle just in case.

"You should call the anesthesiologist and whether you have to have anesthesia or general anesthesia." And the female anesthesiologist told her "maybe this is a good time to consider an epidural."

Q. And what did she do?

A. She refused it. And that would be the best time because the contractions were far apart.

Q. So if she refused an epidural, the labor continued, and contractions intensified?

A. Intensified —

Q. By the way, do you know if the physicians broke her water, or did it occur naturally?

A. No. The physicians broke her water around 9:00 p.m.

Q. And after that occurred, did the contractions come more frequently?

A. Not really. It was progressing naturally, but I [112] couldn't appreciate whether the contractions — at that time, contractions were already frequent, but the water was not breaking then. So the doctor manually forced the membranes to rupture, to rupture the membranes.

Q. And the labor progresses, and how was Michelle doing?

A. Michelle was in serious pain, and I was feeling really bad about that.

Q. Did she ask for any medication?

A. Yes.

Q. And what happened then?

A. She had been given oral pain killers, and then she was alternating her sleep to awake because the pain medicine make her sleep.

Q. Okay. And how did she do with the pain?

A. Very tough to deal with the pain under those circumstances, even with oral drugs. Of course, while — to kill the pain, at the same time, it puts you to sleep, and that prolongs the duration of the pregnancy because you are not actively pushing the baby out.

Q. Did there come a point in time when she asked for an epidural?

A. Yes. It was around 6:00 p.m. when I saw two women anesthesiologists, and I said “maybe she changed her

[113] mind.” Okay.

And these two ladies, the anesthesiologists were different from the lady in the morning, having seen that Michelle requested to receive an epidural because they tried to give her an epidural. I cannot say more because I was outside of the room. The two anesthesiologists were with Michelle in the room. I was outside.

Q. Do you know if the epidural took effect?

A. No, it didn't work. It didn't work, that's the short answer.

Q. Okay. So Michelle continued to labor, and then she got into the final stages of labor, right?

A. Yes.

Q. And how did things go then?

A. Again, starting from the time that Michelle — well, actually, the doctor broke the water. It was 9:00 p.m. Michelle was bedbound, in the labor room, I was next to her, her mother was next to her, and she was being monitored, obviously continuously?

And she — I mean, there was a midwife also in the room all the time, and remember I was trying to find comfort.

Q. Okay. So what was the final stage of the delivery? What happened?

[114] A. The midwife called the doctors because she was measuring — her dilation, and for some reason the woman expanded to the maximum, but the head was not progressing through the birth canal, and at some point around 2:00 p.m. late at night the doctors were summoned and —

(Pause.)

BY MR. SAYRE:

Q. Are you okay?

A. Yes.

Q. So the birth was progressing, the baby was stuck?

A. She requested — Michelle requested to have a C-section.

Q. Okay. And what did the doctor say?

A. It is okay.

Q. Was there some discussion about the C-section before that?

A. No, never.

Q. Did you have any discussion with the doctors about her having a C-section?

A. I knew that Michelle wanted to have a natural birth. That's what I told the doctors, that Michelle always wanted to have a natural birth. At that time, I was the most confused person. She wanted to have, I mean, a natural birth. All of a sudden she was in pain and asked

[115] for a C-section, and the doctors agreed.

Q. Okay. Was there any discussion among the doctors whether or not a C-section was indicated —

MR. REYNOLDS: Objection.

Q. — that you were aware of?

THE COURT: Okay. If there was discussion that you were a part of or aware of, you can testify, but you have to have some knowledge of it.

A. The doctors said, I mean, the heart rate of the baby was going up, and that clinical sign to them appeared to be an indicator it was about time to get the baby out one way or the other.

* * *

Q. Domenico, we were talking about the events surrounding [A.M.T.]'s birth. [A.M.T.] was delivered by Cesarean section on * * *. Who all was present at the time?

[116] A. Michelle's mother was present at that time, and immediately after, my parents were also present. They joined us. I mean, it was hours after the birth of [A.M.T.].

Q. How would you describe the mood —

A. We were very, very excited. We had this little bundle of joy.

Q. And did you observe your mom at the hospital?

A. Yes.

Q. Did you take a video of your mom at the hospital?

A. I did take, yes, I mean, a video.

(Video was played.)

Q. That was a picture of [A.M.T.] at the hospital, correct?

A. Correct.

Q. And your mom was with her, correct?

A. Correct.

Q. Was anybody else there?

A. My father, Michelle's mother was there, and I was there.

Q. At the time that the video was taken, who else was present at the time that the video was taken besides your mom, if anyone?

A. [A.M.T.] herself.

Q. Okay. Anyone else?

[117] A. My father.

Q. Do you know if Michelle's mother was there?

A. Yes, she was. We were there at the hospital altogether.

Q. And in the room where [A.M.T.] was when you were taking the video, who was present at that time?

A. She was there, yes.

Q. Everyone?

A. Everyone, yes.

Q. Okay. Okay. After the baby was born, Michelle stayed in the hospital for a few days, correct?

A. Yes. Michelle stayed in the hospital for a few days because — well, she needed to recover from the surgery she received, and we were asking my parents, myself, Michelle's mother went home, went to my place to celebrate the event.

(Video played.)

Q. That was taken at your apartment in Milan?

A. That's the apartment in Basiglio, yes.

Q. And after the baby came home, where did you go?

A. After the baby came home, I went to work. My leave was about to expire, and then the following day I had to resume my job.

Q. Okay. So you left, and Michelle's mother was with

[118] her and the baby?

A. Yes. The two of them were together in that apartment that we just saw.

Q. And Michelle was not alone obviously?

A. No, no. Michelle, [A.M.T.], and Mrs. Monasky were there.

Q. Did you come back the following weekend?

A. I did.

Q. And everything seemed to be okay at that point?

A. Yes. I know that Michelle was slowly recovering from her pregnancy, and everything appeared — eventually, she didn't need to stay in bed. She started to walk more, and I know during those days when I was not there, both Diana Monasky and Michelle Monasky took the baby to the pediatrician in Basiglio, Milan; check on the baby.

Q. We talked yesterday about the events that occurred surrounding Michelle asking you for a divorce and you asking her to come to Lugo?

A. Yeah.

Q. And again, your testimony initially was she refused to come to Lugo and called you back and said she wanted to come. Is that correct?

A. That's correct.

[119] Q. I am going to hand you what has been marked as Plaintiff's Exhibit 35. Do you recall this e-mail?

A. I do.

Q. Any particular reason that you sent it to her?

A. Well, originally, it is in the e-mail. I mean, I was being appreciative of the fact that she went through a difficult pregnancy with pain, I mean, so I was thanking her for doing that.

Q. Did Michelle say she loved you?

A. Yes.

Q. So you are back in Lugo. I want to show you Plaintiff's Exhibit 36 and 37.

A. It is an e-mail from Michelle to myself. It is about a package, and my reply on the same day, March 6, 2015, my reply occurred at 2:36 p.m., and she is talking about some packages that her Aunt Barb might have sent to her. She was expecting to receive this package from the United States.

Q. There was an issue with the tax?

A. There was an issue with the tax. We were receiving gifts from parents, but those that were coming from the United States sometimes — no — always were charged with expensive custom fees, and sometimes they were really

[120] outrageous fees.

Q. And these were gifts for the baby?

A. Gifts for the baby, and we were appreciative of the fact we were receiving gifts, but at the same time, the cost that we had to put towards the fees was more significant than the value of the items inside the package.

Q. Plaintiff's Exhibit 37 is your e-mail to her family basically?

A. Yeah. So it is — yes. It is an e-mail from myself to her family dated March 11, 2015, 7:03 p.m., and I am explaining why we had to a little bit, I mean, review this idea of sending packages from the United States because the federal government was imposing on us outrageous customs fees?

And it made no sense to send items that were inexpensive as the fees were too expensive.

Q. Okay. I am going to hand you what has been marked as Plaintiff's Exhibit 64 and 65?

A. Yes. It is me and my baby.

Q. That's you feeding the baby?

A. I am feeding her, yes.

Q. Exhibit 65?

A. Me, those are my hands changing [A.M.T.]'s diaper, and I was learning how to become a father.

[121] Q. Okay. I am going to hand you what has been marked Plaintiff's Exhibit 39. Can you identify that document?

A. Yes. It is from Michelle Monasky to Domenico Taglieri on March * * * , 2015, and it was at 11:49 a.m. It is March * * * , obviously, the day after March * * * , but that's a special day and month. February * * * , [A.M.T.] was born?

So on March * * * , we celebrated [A.M.T.]'s birth month of life, and I am receiving this from Michelle, the e-mail asking how I was doing, and she is informing me she and the baby are doing okay, and that she enjoyed the cake from last night and cake was good.

Q. This is coincident with the pictures we saw yesterday about you holding the baby.

A. Me holding the baby and next to the cake.

Q. And this was while you were in Lugo?

A. We both were, yes.

Q. Handing you what has been marked Plaintiff's Exhibit 40.

A. Yes. This is an e-mail, Plaintiff's 40, yes, and it is an e-mail that I am receiving from Michelle on March 14th, 2015, at 1:10 in the afternoon.

She is informing me that, I mean, she has

[122] decided to hire a babysitter and started the research and informing me about technically not qualifying, and I don't know why this was important — oh, yeah, since we don't speak Italian in the home, and another way of doing this would be to attach flyers downstairs to where we live in Milan.

Q. This is after a she goes back to work off maternity leave?

A. Yes. We always discuss that. There was no problem on either side, cleaning ladies that could help Michelle in any possible way when she was taking care of [A.M.T.].

So in addition, she would have had two more people helping her with everything she needed.

Q. I want you to look at Plaintiff's Exhibit 41.

A. It is an e-mail from Michelle to myself, dated March 17, 2015, at 1:50 p.m., and the subject is [A.M.T.], doctor, and informing me she saw some white stuff on her tongue and figured out that she was telling me she wanted to see a doctor, a pediatrician in Lugo.

Q. When was this going to occur?

A. If I recall, recollect correctly, it was on March 27th.

Q. I want to hand you what is marked as Plaintiff's

[123] Exhibit 47?

A. Yes.

Q. And what is this about?

A. It is an e-mail from myself to Michelle, dated March 30, 2015, and at 4:37 p.m. I am reminding

Michelle — actually, I had just called directly by phone and was at work when I sent this e-mail and informing Michelle we would have to take [A.M.T.] to Humanitas basically in Milan on the 29th of April at 11:30?

And she had to be there 30 minutes in advance because [A.M.T.] had to undergo a clinical appointment and have her hips checked for the potential of having hip dysplasia. It is done on every baby girl.

Q. Okay. I want you to look at Exhibit 42. Do you recognize this?

A. I do. It is an e-mail from Michelle Monasky to Domenico Taglieri dated March 18, 2015.

Q. This has to do with the cost for cleaning ladies?

A. Cleaning ladies, yes.

Q. And laundry as well?

MR. REYNOLDS: Objection.

THE COURT: Overruled.

A. Yes. I mean, she is asking me to — when I come back home to bring the exact change for the cleaning lady

[124] and the laundry.

Q. Was the cost for laundry a matter of discussion or concern for you?

A. For me, no.

Q. I want you to look at Exhibit 43 and you identified Kaylan previously as an associate of Michelle's?

A. That's correct.

Q. And Michelle was asking you about an idea for a review with Kaylan at that time?

MR. REYNOLDS: Objection. May I be heard? He is leading his client left and right.

THE COURT: Well, you have to object if you want to object. I will sustain the objection. You have to rephrase the question.

BY MR. SAYRE:

Q. Tell me what Exhibit 43 is.

A. It is an e-mail from Michelle Monasky to myself, dated March 20th, 2015, 9:20 p.m. and informing me that she intended to start a collaboration with Kaylan and jotted down notes on some research ideas?

And she wanted to know what I thought about those things, those kind of ideas, because we have always worked very closely when it came to science and that.

[125] Q. Okay. I want you to look at Plaintiff's Exhibit 45 if you would. Do you recall this?

A. I do.

Q. What is this about?

A. It is an e-mail exchange between Michelle and Kathleen Armstrong. Kathleen is the assistant to the head at UIC.

Kathleen had some gifts for us, and again, the custom fees were a matter of concern; that we wanted to overcome, and the idea that Michelle proposed is that the items she wanted to give to [A.M.T.] would have to be sent to Michelle's mother?

So when we would go to the United States for May, for a visit, to her parents to show [A.M.T.] to the parents, we would take the items and bring them back with us.

Q. So the plan was to have, rather than pay the import fees —

A. Right. Rather than paying the import fees, we will pickup the items directly at her parents' house.

Q. Plaintiff's Exhibit 46 is what?

A. It is March 23, 2015, 6:04 p.m., and she is informing me as I am coming back home what we need, and that's a list of the items of groceries.

Q. Do you recognize Exhibit 47? We already had this

[126] one. I'm sorry.

Exhibit 49, what is Exhibit 49?

A. An invitation from Michelle to myself, dated March 30, 2015, at 1:54 p.m. She is making — she is inviting me to get some prescription for [A.M.T.] for a visit that would have to occur later.

Q. And Exhibit 51, do you recognize this?

A. I very well recognize that exhibit. It is —

MR. REYNOLDS: Objection.

MR. SAYRE: I am asking him if he recognizes it.

MR. REYNOLDS: He answered the question, and I am objecting to the exhibit.

THE COURT: Okay. What's the basis?

MR. REYNOLDS: It is in Italian.

MR. SAYRE: Okay.

BY MR. SAYRE:

Q. Do you recognize what this exhibit is?

A. I do, yes.

Q. Can you tell us generally what it is about?

A. Yes. We are receiving this information from the state of Lombardy, the region of Lombardy more precisely, about [A.M.T.]'s vaccinations scheduled on the 6th of May 2014 at 10:45 p.m. and would have to go through the regular vaccination schedule.

[127] Q. I want you to look at Plaintiff's Exhibit 53. Can you tell us what this is about?

A. It is an e-mail Michelle sent to me on March 25, 2015, at 2:39 p.m. telling me to bring something, and she is telling me I have to bring this, a W-2 equivalent for tax payments, and we are having a conversation about that.

Q. So taxes needed to be filed?

A. Very soon in April.

Q. Okay. And this was something you were going to have to attend to, right?

A. Yes.

Q. Exhibit 54.

A. Yes. This is an e-mail chain between myself and Michelle, occurring on March 30, 2015, at 12:47 p.m. and about [A.M.T.]'s prescription, and we are discussing about appointments that were scheduled for [A.M.T.] to be seen by the cardiologist, pediatrician cardiologist, because she had to be screened.

Q. What was the date of the discussion?

A. The date of the discussion was — the e-mail exchange was March 30, I mean, 12:45, “[A.M.T.] prescription on Google.” She is confirming that it is on Google calendar now.

Q. Do you see down at the bottom of the page, [128] “currently scheduled for”?

A. Yes, currently scheduled for, I mean, 19/05, May 19 at noon.

Q. And Michelle indicates that’s on the Google calendar?

A. Yes.

Q. Plaintiff’s Exhibit 55?

A. Yes.

Q. It is actually two pages, but just look at the first page. Do you know what it is?

A. Yes. It is an order that we placed online for baby’s stuff. Basically, we had ordered through a German website to have delivered baby diapers.

Q. And this was to be delivered sometime?

A. Sometime after March 25th, and let me see if there is a date.

Q. Handing you what has been marked as Plaintiff’s Exhibit 48.

A. Oh, yes, I do remember this e-mail. I — it was an e-mail from March 30th. It is me — it is an e-mail from Michelle to myself and about phone calls, again on March 30th.

As I was at work, I try to call Michelle to make sure she was doing fine, and I didn’t receive always

an answer, and we discussed several things. It was part

[129] of me being in close contact with Michelle at times.

Q. Michelle expresses some concern regarding the calls?

A. She didn't like me to call her that often, and while I see that she was busy, I was concerned that everything would be all right.

Q. And she asked you to explain why you are always like this so that we can understand each other better and live together in peace?

A. Yes.

Q. "Please e-mail as I am going to feed the baby," and your response is?

A. Claiming that me not answering the phone could have resulted in somebody dying.

Q. Yeah. What is your answer at the top, Domenico?

A. I answer, "I love you."

* * *

[164] Q. After the baby was born, after some weeks, Domenico called you regarding Michelle's request for a divorce, correct?

THE INTERPRETER MS. D'AMICO: That's correct.

Q. And how did you — what was your response to that?

THE INTERPRETER MS. D'AMICO: I couldn't believe it. I could not believe that.

Q. Did you do anything after Domenico told you that Michelle wanted the divorce?

THE INTERPRETER MS. D'AMICO: Yes. During our phone call, Domenico told me that Michelle closed the accounts, and I asked if I could speak to Michelle through him.

Your Honor, the interpreter kindly requests to clarify something that the witness just said.

THE COURT: You may.

(Discussion in Italian off the record as follows:)

THE INTERPRETER MS. D'AMICO: Thank you. So

[165] I asked Michelle to open the bank accounts again, and at the end of the phone call Michelle asked me if I was available to go to Milan and watch the baby while she was going to Lindou in Germany, and I said yes.

Q. And she wanted you to come to Milan when?

THE INTERPRETER MS. D'AMICO: In the month of July.

Q. What was your impression of the consequence of your conversation of Michelle?

THE INTERPRETER MS. D'AMICO: That everything went back to normal.

* * *

JA88

[229] UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DOMENICO TAGLIERI,)	
Plaintiff,)	Case No.
vs.)	1:15CV947
MICHELLE MONASKY,)	
Defendant.)	

CONTINUED TRANSCRIPT OF BENCH TRIAL
HAD BEFORE
CHIEF JUDGE SOLOMON OLIVER, JR., CHIEF
JUDGE
OF SAID COURT, ON THURSDAY, MARCH 17TH,
2016,
COMMENCING AT 9:00 O'CLOCK A.M.

Volume 2, Pages 229 through 435

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* * *

[249] Q. And you did not respond to this e-mail, right?

A. I don't remember.

Q. After Diana Monasky left on February 27, you were still in Lugo, correct?

A. Correct, yes.

Q. So Michelle was alone in Milan with [A.M.T.], right?

A. Correct.

Q. Michelle didn't have anybody there with her, helping her to take care of the baby, right?

A. Do I have to answer yes or no?

Q. Yeah.

A. No.

Q. No, meaning she didn't have anybody, or no, you disagree with me?

A. Can I expand just a word?

Diana Monasky left on the 27th. I was there on the 28th. So that's it.

Q. Okay. So you came back from Lugo right after her mom left?

A. Correct.

Q. And you were there for about two days, right?

A. Correct.

Q. And during that two-day period, Michelle tells you [250] she wants a divorce, right?

A. Correct.

Q. Okay. She also tells you at that time she wanted to take [A.M.T.] and go back to the United States, right?

A. Not correct.

Q. She told you she had divorce counsel, right?

A. Correct.

Q. She told you she wanted to take [A.M.T.] and go to the United States, but you disagreed, right?

A. I don't remember.

Q. Okay. Do you remember me asking you these questions at your deposition?

A. Not really.

Q. Can I have page 206, please?

I'm sorry. Before we get to that, can I have Joint Exhibit 16? You left and went back to Lugo on March 2nd, right?

A. Correct.

Q. Because you had to work the afternoon and evening shift, correct?

A. Correct.

Q. And I believe your testimony was before immediately after that night shift, you then turned around and drove back to Milan?

[251] A. Correct.

Q. Which resulted in Michelle and [A.M.T.] coming back to Lugo with you?

A. Correct.

Q. By the way, you don't work a set schedule, do you?

A. Correct.

Q. Right. Like a lot of physicians, it changes. Sometimes you are on afternoons, midnights, right?

A. Correct.

Q. Weekends?

A. Correct.

Q. You have a revolving schedule and changes periodically, but it is never like Monday through Friday 9:00 to 5:00, right?

A. Correct.

Q. Michelle sent you an e-mail on March 2nd after you had left to go back to Lugo, right?

A. After when?

Q. After you left Milan to drive back to Lugo.

A. I don't remember the timing to be honest.

Q. All right.

A. I can't remember that.

Q. Joint Exhibit 16, you recognize this?

A. Yes, I do.

[252] Q. And in here, she says "I hope you have a safe drive back to Lugo." And it is dated March 2nd?

A. Right, right.

Q. About mid day?

A. Yes.

Q. You had to be there in the afternoon, and you are probably driving, right?

A. Probably.

Q. Okay. And this is the day or maybe two days, whether it was the 28th or 1st of March, when she told you she wanted a divorce?

A. Correct.

Q. And can you tell me if you agree with this? The gist of the first paragraph is that effectively she wants to have your divorce handled amicably. She doesn't want to fight with you, if that's possible?

A. Correct.

Q. And the second one, she talks about how you relied on each other, but it ends ultimately with her telling you from her perception it hurts her how you grab her and hit her when you find blemishes and say hitting her is for her own good, right? That's what she says.

A. Correct.

Q. Next paragraph, she talks largely about you moving to Lugo and her being upset with what she says is the

[253] fact that you forced her to get pregnant?

A. Correct.

Q. Next paragraph she talks essentially about how unhappy she has been, right, and there is talk about the fact that her perception is your solution is that she could just go back to the United States, right?

A. Correct.

Q. Scroll up. Last paragraph is essentially telling you she wants to go back to the United States with your daughter, right? She says she wants to take you up on your offer.

Now, I understand that you disagree with whether or not you said that, but that's what she is saying to you, right?

A. Correct.

Q. So as of March 1 or the latest March 2nd, you knew she wanted to leave Italy with your daughter and go back to the United States, right?

A. Correct.

Q. And you oppose that, right? You disagreed with her taking your daughter and going back to the United States?

A. Correct.

Q. Again, she sends this e-mail to you, but there is no response from you specifically to this e-mail, [254] right?

A. I don't remember.

Q. There is no written response, right?

A. I don't remember.

Q. You don't remember.

Can I have Exhibit Y, please. Do you recall that exhibit, Domenico?

A. Yes.

Q. During that conversation, February 28th-March 1st, whenever it happened, Michelle told you not only in the e-mail on March 2nd, but she told you she wanted your marriage to end peacefully, right?

A. Correct.

Q. On March 2nd, the bottom e-mail down at the bottom is from Michelle, right, and it is sent to her mother, right?

THE COURT: What's the exhibit number on this one?

MR. REYNOLDS: Y, your Honor.

BY MR. REYNOLDS:

Q. And she is copying you on the e-mail to her mother?

A. Is it all the way up?

Q. If you can scroll up — down, sorry.

A. So it is an e-mail from myself to Michelle Monasky,

* * *

[338] week after [A.M.T.]'s birth?

A. Yes.

Q. And during that period of time, would you visit Michelle in the hospital?

A. Oh, yes.

Q. Did you visit her daily?

A. Yes.

Q. Okay. Did Dr. Taglieri visit her as well?

A. Yes.

Q. Because he was also in Milan at that same period of time, correct?

A. Correct.

Q. Okay. And would he also visit her daily?

A. Yes.

Q. Would you visit her at the same time, at different times?

A. It was pretty much — I was there pretty much the whole time he was there, except for that one night, I spent the night there, and he did not spend the night.

Q. Okay. During the time that Michelle was in the hospital, during that week when you were visiting her, did anything happen to make you concerned for [A.M.T.]’s safety?

A. Yes.

[339] Q. What happened that made you concerned?

A. Well, he was very —

Q. When you say “he,” who are you referring to?

A. Domenico.

Q. Okay.

A. There was one point in the hospital where the baby was crying, and the baby was just born, you know, just a day or so old, and Domenico is looking at the baby because she is crying and probably wanted to be changed or fed, and he screamed at the top of his lungs at the baby to shut up.

So I told him “you can’t talk like that to a baby.” He said “who cares? She doesn’t understand what I am saying” so —

Q. So Michelle and [A.M.T.] were in the hospital for about a week.

And then when they left the hospital, you were still in Milan, correct?

A. Correct.

Q. And I believe Dr. Taglieri's parents were also in Milan at that period of time, correct?

A. They did visit, yes.

Q. Did you have any communications with them at that point in time?

A. We were in the hospital. We were in the waiting

* * *

[342] bend, and he insisted on it. So I think that was harmful for her, too. She complained about her back a lot, and she also complained about her stomach hurting.

Q. So because she had this prior surgery on her back, it may have made things more complicated was your understanding?

A. Yes.

Q. Did Michelle have any other family or friends in Milan to help her when you were leaving?

A. No. I was the only person around to help.

Q. During that time that you were in Milan, did you have any conversations with Dr. Taglieri?

A. Yes.

Q. Okay. And if he was in Lugo, what was the manner in which that conversation occurred?

A. I'm sorry?

Q. So if you were in Milan and he was in Lugo, how did the two of you have that conversation?

A. He kept calling and calling, continuously called Michelle, and the one time she was in the bathroom. He told her he didn't care if she was in the

bathroom or not on one of the phone calls. He said “you take the phone in the bathroom. I told him “you don’t have to take the phone to the bathroom with you.”

Well, he called while she was in the
[343] bathroom, so I answered.

Q. Okay. So he had been calling multiple times, and you answered the phone?

A. Correct.

Q. And the two of you had a conversation at that point in time?

A. Yes.

Q. Okay. And what was the conversation about?

A. I told him that I had learned that he had hit Michelle, and I told him you had better never hit my daughter again. He said “I don’t make her bleed.”

He said “I hit her because I deserve a beautiful woman, and I do it for her own good. And I only smack her across the face. I only smack her across the face.”

Q. Okay. So that was —

A. No parent hits a child.

Q. Okay. So that was that particular conversation that the two of you had by phone?

A. Yes.

Q. And since that conversation by phone while you were in Milan, have the two of you spoken by phone since to your recollection?

A. Not to my knowledge, no, not that I can remember.

Q. While you were in Milan, were you in communication

* * *

[348] Q. Can I see Joint Exhibit 15, please? Please take a look at Joint Exhibit 15. Can you identify that document for me?

A. It says Exhibit 15, dated March 1, 2015, from Michelle to me. Michelle talks about having a divorce. She can't take it any more.

Q. In this e-mail, do you recall receiving this e-mail?

A. Yes.

Q. Based on your testimony before we broke for lunch, it would have been pretty soon after you returned to the United States. Is that accurate?

A. Yes. I returned about the 27th.

Q. Okay. And the e-mail begins "this morning I asked Domenico for a divorce. I couldn't do it any more." Do you see that?

A. Yes, yes.

Q. So she was informing you of their conversation concerning divorce, correct?

A. Correct.

Q. Okay.

A. And she even told me how he wanted to have sex with her after she had that major surgery, and she kept telling him no.

Q. So inside this e-mail, she says in a little further [349] down, she says something to the effect of "and after all we have been through to help me make this

transition back to the states, which can't happen overnight and is complicated," do you see where that is?

A. Yes.

Q. And so that was information that she was communicating to you?

A. Correct.

Q. Okay. Can you take a look at Exhibit Y for me, and tell me what that document is.

A. Yeah.

Q. Is it a series of e-mails?

A. Yes, it is.

Q. And who are the e-mails to and from?

A. Well, it says — it was Michelle to me. She is telling me that I can call — I'm sorry. It was Domenico at first to Michelle, and I was copied on it, but Domenico was basically saying that I can call at any time.

He knew there was a lot of hell that went on in Italy, and I was furious about it, and I think he just wanted to get me on the phone to scream at me, and he was telling me it would be a civil conversation.

Q. So the e-mail — let's slow down for a second — the e-mail is dated what date?

[350] A. March 2nd, 2015.

Q. And can you read the subject line of the e-mail?

A. "Domenico left a message for me to call, but it's a very busy time, very busy first day back to work and two meetings to prepare for. Is he still home?"

Q. So in this e-mail exchange Domenico was asking to speak with you on the phone, correct?

A. Correct.

Q. And he indicates when he would be available?

A. Right.

Q. Right?

A. Today after 6:00 o'clock.

Q. Did the two of you ever have that phone conversation?

A. No.

Q. And a little bit below his piece of the e-mail, there is sort of a chunk that Michelle sent. Do you see that little chunk?

A. Right.

Q. And at the end of the chunk, she says "Domenico anything you would like to clarify?" Question mark.

A. Uh-huh.

Q. And this was his response, the response about contacting you after 6:00 p.m. Is that your recollection?

[351] A. Yes.

Q. And the phone call didn't happen?

A. Right.

Q. Now, you know that Michelle and [A.M.T.] did travel temporarily to stay in Lugo, correct?

A. To Lugo, yes.

Q. And do you recall roughly when they traveled temporarily to stay in Lugo? Do you remember around what date?

A. I don't remember the date, but it was sometime after I had come back home.

Q. And to your knowledge, do you know why Michelle and [A.M.T.] went to stay temporarily in Lugo?

A. It was my understanding he pretty much packed up the baby and didn't have a choice, plus she didn't have anybody to help her.

She was all alone and just got out — had major surgery, and she was weak. She was thin, frail, had no choice, no family, friends; at his mercy basically.

Q. Do you know if Michelle explored any other alternatives other than to go to Lugo with [A.M.T.]?

Do you know if she sought out anyone else to help her?

A. Yeah. She begged Saad to come and arrange his

[352] schedule and help her.

Q. And was Saad able to come and help?

A. No. Something happened at work, and he could not leave.

Q. While Michelle was in Lugo during this temporary period of time in March of 2015, did she continue to communicate with you?

A. Yes.

Q. And with other members of your family?

A. Yes.

Q. Okay. While she was in Lugo, do you know if Michelle was communicating with a divorce attorney?

A. Yes. She did contact people.

Q. How do you know that she was in communication with a divorce attorney?

A. I believe I was copied on the e-mails.

Q. So there were certain e-mails you were cc'd on?

A. Right.

Q. In any of those communications between Michelle and your other family members, did she indicate at any point that she no longer wanted a divorce?

A. No. She always wanted the divorce.

Q. In any of the communications that you were cc'd on between Michelle and the divorce attorney she was

[353] speaking with, did she ever indicate at that point in time in March of 2015 that she no longer wanted a divorce?

A. No. She wanted out. She wanted away from him. She wanted her divorce.

Q. Okay. Can you take a look at Defendant's Exhibit AA for me, please, and tell me what that document is?

A. Give me a second. It says "updates, March 4th."

Q. Who wrote the e-mail?

A. It is from Michelle to me, and she also -- it has my husband on there and Jennifer her sister.

Q. And what's the date of the e-mail?

A. Wednesday, March 4th, 2015.

Q. And the e-mail, can you read the subject line for me, please?

A. "Updates, March 4th."

Q. So she was sending communications to you and other family members updating you on what was going on?

A. Correct.

Q. And it is a big e-mail, so we know there is a lot of content?

A. Right.

Q. I am going to go four lines down. It indicates he

[354] agreed to get both the Italian and U.S. passports for [A.M.T.]. Do you see that line?

A. Yes.

Q. And we have an appointment in Milan next Wednesday, March 11th?

A. Correct.

Q. So your understanding is that they were going to be obtaining those passports for [A.M.T.]?

A. Yes. They agreed to it, yes.

Q. Okay. There is a lot of other things happening in the e-mail that we have talked about.

The second line down she begins with “I agreed because I have to go to Lugo anyway to get driver’s license” — and there is some stuff in parenthesis —

A. Right.

Q. “To apply for an Italian passport for [A.M.T.],” right?

A. Right.

Q. Do you see that information?

A. She needed a license out of desperate — you know, she was desperate. She had no way of getting around basically. She had a baby to deal with.

Q. Okay. I am going to have you take a look at what has been marked as Defendant’s Exhibit BB?

[355] A. Uh-huh, dated March 5th, 2015.

Q. And it looks like it is a series of e-mails, right?

A. Yes.

Q. And who are the e-mails to and from?

A. Michelle to me.

Q. Okay. And the two of you were going back and forth a bit on that March 5th date?

A. Correct.

Q. And can you tell me what the content of the e-mail is about?

A. Give me one second. Let me refresh my brain here.

Q. Sure.

A. Oh, she was desperate to get away from him. I told her -- she was saying that he had taken -- we talked earlier, and he said that he was going to cut

her off financially. "You are stuck in Lugo. You are in my country. You are going to do what I say," and I said "you need to get away from him." She was fearful of him.

Q. So you are expressing concern for Michelle in the e-mail?

A. Uh-huh.

Q. And you are suggesting perhaps she should go to a

[356] hotel?

A. Correct, but she didn't have any money.

Q. When did you learn that Michelle and [A.M.T.] were in the United States?

A. When we got a phone call from the airport.

Q. Okay. Were you surprised by the phone call?

A. I'm sorry?

Q. Were you surprised by the phone call?

A. I knew that she was trying to get out. I just didn't know when. So when we got the phone call, at that moment, yes, we were surprised.

Q. Okay. From February 10th, the e-mails we looked at previously in which Michelle communicates to you that she -- that divorce has been discussed and decided and where she communicates that her husband had physically hit her until the time Michelle landed in the United States when you got that phone call, did she ever tell you that she changed her mind about getting a divorce?

A. No.

Q. Did she ever say to you that she had changed her mind about coming back to the United States with [A.M.T.]?

A. No.

* * *

[364] Q. You said those words to Michelle's father, right?

A. That's correct, yeah.

Q. That's correct?

A. Correct, yeah.

Q. You also talked in that conversation about hitting Michelle in the face, right?

A. Correct.

Q. Right. And Mr. Monasky confronts you about striking his daughter, right? You didn't hit Michelle, did you?

A. What do you mean by "hit"?

Q. You struck her in the face.

A. I give Michelle a not welcome touch in 2014 and never again.

* * *

[381] Q. Do you remember the event in Lugo on March —

A. Oh, yes, I do remember.

Q. One year ago?

A. One year ago, yes.

Q. A few days prior to, so in the March 20 something range — okay?

A. Okay.

Q. You said that Michelle reiterated to you that she intended to get a divorce and relocate to the United States?

A. Uh-huh.

Q. Right?

A. Correct.

Q. Days before this fight on March 31st, she says that?

A. Correct.

Q. And I believe your counsel was showing you pictures of you and [A.M.T.] in a church in Lugo on Palm Sunday?

A. Correct.

Q. Which was also at the end of March that year?

A. Correct.

Q. One more quick question:

In addition to her U.S. passport, [A.M.T.] also received an Italian passport?

A. Correct.

[382] Q. And for both passports, you took the photos necessary for them, correct?

A. Correct.

Q. And I believe you said sometime in the past that you took the passport photo for the U.S. passport because you wanted to maintain peace in the household, correct?

A. Correct, not only for that.

Q. And that's something that people do when they are having to live under the same roof, right? Sometimes they make decisions just to keep the peace, right?

A. Is this a yes or no answer?

Q. Yes.

A. Yes.

Q. So you apply for the Italian passport, and it arrives, and you are in Lugo, right? You and Michelle and [A.M.T.] are in Lugo?

A. When?

Q. When the Italian passport arrives?

A. Correct.

Q. You and Michelle and [A.M.T.] get in the car and drive to the police station to pick it up and come back, and there is actually a picture of Michelle sitting with flowers and candy and holding the passport, right?

[383] A. Almost correct.

Q. 77. That's a picture you took?

A. Yes.

Q. In the apartment in Lugo?

A. Yes.

Q. And that's [A.M.T.]?

A. Correct.

Q. And looks like chocolate, mint chocolate.

A. Yes. It is not candy, an Easter egg, yeah.

Q. It is great chocolate, right?

A. Yes.

Q. And that's a picture of her Italian passport, right?

A. Correct.

Q. So you went to the police station, picked it up, came back. You celebrated a little bit?

A. Correct.

MR. REYNOLDS: Okay. I just have a few more questions, your Honor. I will try to be quick.

BY MR. REYNOLDS:

Q. Domenico, your counsel had shown you Plaintiff's Exhibit 37. Do you recall this?

A. Correct, yes, I do.

Q. And you testified it is an e-mail from you to the Monasky family about not sending further packages because

[384] of duty and customs and stuff?

A. Correct.

Q. But it is signed "Love, Michelle," isn't it?

A. Correct.

Q. Can I have Exhibit 48, please? Do you recall seeing this?

A. Yes.

Q. Okay. The gist of the lower e-mail is Michelle talking about how you called eight times?

A. Correct.

Q. She is irritated?

A. Yeah.

Q. Yeah. And your response was “I love you”?

A. Correct.

Q. That’s not the first time that you had called and Michelle had been irritated because you had been calling so much, right?

A. I know it is fault, yes.

Q. Domenico -- can I have Exhibit O, please? — let me ask you a few questions about the numerous affidavits you have executed during the pendency of these matters?

A. Sure.

Q. Okay?

A. Sure.

[385] Q. Do you recall me asking you questions earlier about the affidavit you executed in connection with your application in this matter when you filed this complaint?

A. Correct.

Q. Right. And you signed this?

A. Correct.

Q. It was originally in Italian, right?

A. Correct.

Q. And you swore it was true?

A. Correct.

Q. Paragraph 4, you say in the second sentence or third sentence “until very recently, we had a wonderful marriage,” right?

A. Correct.

Q. So until “very recently,” you mean the time prior to March 31st of 2015, right?

A. Correct.

Q. Paragraph 10, please.

And in this paragraph, you testify and swore that it was only after your daughter was born that Michelle began talking about returning to the United States, right?

A. Correct.

Q. And that you disagreed with that?

[386] A. Correct.

Q. But you know Michelle started talking about returning to the United States in 2014, right?

A. Correct.

Q. So that’s not accurate, right?

A. Not correct.

Q. Just to confirm what I believe you had testified to earlier in paragraph 13, you state that you were not able to speak to Michelle until you reached her by phone around April 2nd, right?

A. It was almost correct.

Q. Right here. (Indicating.)

A. Yes, correct.

Q. And you spoke to her sometime around April 2nd?

A. Correct.

Q. And that’s when she was in the safe house?

A. Correct.

Q. Exhibit T, please. Okay.

This is an affidavit you executed in support of your original complaint in what has now become known between all of us as the conversion case between you and your wife?

A. Correct.

Q. And this was originally executed in Italian, right?

[387] A. Correct.

Q. And you signed it under oath, right?

A. Correct.

Q. Swore everything was true?

A. Correct.

Q. Now, that original complaint while you have since dismissed the fraud charge, you originally attested to things which you swore were true in support of that claim, correct?

A. Correct.

Q. Paragraph 17, you state that in the summer of 2014 Michelle became insistent that we complete the transfer of funds?

A. Correct.

Q. Your purpose in saying she was insistent was because you were trying to frame a case that she had defrauded you, right?

A. Not correct.

Q. Okay. You testified at your deposition that insistent meant she was merely okay with it, right?

A. That she what? She was —

Q. She was just okay with you transferring the money?

A. She was okay with me transferring the money.

Q. And that's when you said "insistent," then, right?

[388] A. Did I say that?

Q. Right. Did you?

A. I don't remember.

Q. Let's make sure. Page 339 of your deposition, line 1, "yes, I mean, but insistent meaning it was okay with her to transfer the money."

A. Okay. I couldn't remember that.

Q. Does that refresh your memory?

A. Yes.

Q. And I asked you, "again, so to you insistent means she's just okay with it?"

"Yeah."

A. Yeah.

Q. Okay. Paragraph 21 of Exhibit P, please. Talked about Michelle's mother coming to visit the baby, which helped her outlook on things. And then you said here, "although she would like to return to the United States to work while I remained in Italy, we could see each other as often as we liked, and I was not in favor of this"?

A. Correct.

Q. And she talked about going back to the United States?

A. Correct.

Q. And that was true?

[389] A. Correct.

Q. Line 26 or paragraph 26, please. And in here do you recall Mr. Rich asking you in the other case about this, correct?

A. Correct.

Q. That you in retrospect, you believe Michelle was never happy in Italy, and that she planned to leave from the start?

A. That's what I wrote.

Q. And you swore it was true?

A. Correct.

Q. Exhibit Q, please. Domenico, do you recognize this document?

A. Yes. It is the -- it is my deposition in the juvenile court of Milan.

Q. Right. And that took place on June 2nd, 2015, or June 12th, I'm sorry, right?

A. Correct.

Q. And that was in connection with the custody proceeding you had instituted in that Court, correct?

A. Correct.

Q. And you were the only one who had testified at that hearing, correct?

A. Correct.

[390] Q. And if you can scroll up, please, or down.

And you told the Court that Michelle had accepted positively to move to Italy, and that she liked it there?

A. Correct.

Q. And that's inconsistent with the statement you made in your affidavit in Exhibit P, right?

A. Not correct.

Q. For the record, you executed Exhibit P and filed with this Court on May 27th, 2015, right? Would you like to see it?

A. And what was the date?

Q. May 27, 2015.

A. Correct.

Q. And this testimony in Milan is a couple weeks later, right?

A. Correct.

Q. And if you can go to the top of the next page, please, Q 2, this second paragraph you state "I went back to work, and she came to visit with me, with the child for a month," right? Those were your words, right?

A. Correct.

Q. Can you go up just a little bit, Amy?

I want to call your attention to this paragraph right here. (Indicating.)

[391] You testified to the Milan court that on March 31st Michelle spontaneously left your home with the child, "and I haven't had information about her ever since"?

A. Correct.

Q. You spoke to Michelle on April 2nd?

A. Correct.

Q. And you asked her about what was going on?

A. Correct.

Q. And about [A.M.T.]?

A. Correct.

Q. And by June 12th, 2015, you knew where Michelle was living, right?

A. When, when?

Q. The date that you gave this testimony in June of 2015?

A. Correct.

Q. You knew where Michelle was, right?

A. In June, yes.

Q. She was at her parents' house in Ohio?

A. Yes, correct.

Q. You knew what the address was, correct?

A. Correct.

Q. Yet, you tell the Court in May you had skype conversations with Michelle?

[392] A. Correct.

Q. Okay. So this statement is false, isn't it?

A. Not correct.

Q. Can we go to the next page, please?

This paragraph here you told the Court that it seemed normal to her, meaning Michelle, to go back to the states with your daughter, still keeping our relationship with me in Italy?

A. Correct.

Q. You would agree that the two of you had very different views on where Michelle and your daughter should be, right?

A. Not correct.

Q. This paragraph here, you told the Milan court "I never talked to her," meaning Michelle," since her abandonment of her home, and I never heard from her, so I am not aware of her plans for the future"?

A. Correct.

Q. On the day that statement was made, that was not true. On the date you made that statement to the Milan court, you had spoken to Michelle, right?

A. Briefly.

Q. But you spoke to her, yes?

A. When? When? When are we talking?

Q. After March 31, prior to this day you spoke with

[393] her?

A. I did speak with Michelle, yes.

Q. You made this testimony before the Milan court in order to obtain a custody order for your daughter, correct?

A. Not correct. Oh, yeah, the purpose, yes.

Q. The purpose was to get custody of your daughter, right?

A. Sorry, yes.

Q. You are not telling the Milan court all of the information, are you?

JA118

A. Not correct.

Q. Michelle didn't appear at this hearing, did she?

A. Correct.

Q. She didn't offer testimony or any sort of defense through counsel, right?

A. Correct.

Q. Because she was never served with papers as relates to this proceeding, right?

A. I don't know.

Q. Did you tell the Milan court where Michelle was physically located?

A. I don't remember.

* * *

JA119

[436] UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DOMENICO TAGLIERI,)	
Plaintiff,)	Case No.
vs.)	1:15CV947
MICHELLE MONASKY,)	
Defendant.)	

CONTINUED TRANSCRIPT OF BENCH TRIAL
HAD BEFORE
CHIEF JUDGE SOLOMON OLIVER, JR., CHIEF
JUDGE
OF SAID COURT, ON FRIDAY, MARCH 18TH,
2016,
COMMENCING AT 9:00 O'CLOCK A.M.

Volume 4, Pages 436 through 695

Court Reporter: GEORGE J. STAUDUHAR
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CLEVELAND, OHIO 44113
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* * *

[448] of these e-mails?

A. This is March 6th.

Q. And I think, if I understood you correctly, you said you were setting up an appointment, correct?

A. Yes.

Q. So I am going to circle on the screen here --

A. Oh, yeah. That's what I was looking for, my glasses, yes.

Q. So when you say, "if he wants to talk to me," who is the "he" you are referring to there?

A. Domenico.

Q. And you say "love, dad," because you are signing off to Michelle, correct?

A. Yes.

Q. Okay. Did this particular appointment, sort of scheduled conversation, take place?

A. Oh, absolutely, yes. It was that day.

Q. Okay. So it took place that day.

What was the manner in which this conversation took place? Was it phone, skype?

A. It was done through the skype phones, so there was no video, but we did use skype, but we just used the audio part.

Q. Okay. So this conversation took place on March 6th.

Did anyone else observe that communication that you know

[449] of?

A. Well, Michelle was observing it, but as far as in my home, no, nobody was there.

Q. You say Michelle was observing it. So was she a part of that skype call?

A. Yes.

Q. Was she part of the entire skype call or just parts of it?

A. As far as the entire call, no, I don't know.

Q. During that particular skype call, did Dr. Taglieri mention divorce to you?

A. Oh, yeah. That was the first thing -- well, first thing, yes, he did mention divorce.

At first, in the call, he mentioned right off the gate that four years of marriage, it did not go well. I can't remember the exact words, but things were bad in his description. And he mentioned that Michelle wanted a divorce, and she was very positive about that.

Q. So he was discussing with you the poor state of their relationship at that point in time?

A. Yes.

Q. And did he indicate on that date that he and Michelle had reconciled their relationship?

A. Oh, heavens, no. He was upset. He was angry because when she asked for the divorce, he was angry at

[450] my wife because he had -- apparently, he mentioned through her, but it was both my wife and I, that we mentioned to Michelle we would support her in this divorce, and if she wanted to come back to the United States, we would support that as well.

Q. Okay. So that he was angry that you and your wife would support Michelle's decision to divorce her husband and return to the United States?

A. Oh, absolutely. Yeah, he was very upset.

Q. During that phone call -- I'm sorry -- that skype call, did Dr. Taglieri tell you how Michelle got to the hospital to deliver your granddaughter?

A. Yes.

Q. Okay. What did he say about how she got to the hospital? How did she get there?

A. Oh, well, she had to take a taxi.

Q. Did he say why she had to take a taxi?

A. Oh, yeah. He mentioned he was so upset and angry with her that he flatout refused to drive her to the hospital, and he made that very, very clear.

Q. And the evening in question she would have taken the taxi would have been the same evening you had the February 11th phone call with Dr. Taglieri?

A. Oh, yeah. This was just a few -- my understanding this was just a few hours because I am just guessing this

[451] was approximately somewhere around 9:00 or 10:00 p.m. their time.

Q. Okay. So he was clear in your communication on March 6th that he had refused to drive her to the hospital.

A. Yes.

Q. And that he told her to take a taxi?

A. Yes.

Q. Okay. When did you first learn that Dr. Taglieri had been physically abusive towards Michelle?

MR. SAYRE: Objection. Foundation.

THE COURT: I will sustain. You can ask the question a different way.

BY MS. KEATING:

Q. Did there come a time that you learned that Dr. Taglieri had been abusive toward your daughter?

A. Yes, yes.

MR. SAYRE: I am going to object for the use of the word abuse, abusive. Conclusion.

THE COURT: Okay. I will allow it contingent upon other -- I mean, lay a foundation for the conclusion, but I will just overrule the objection, but I assume that you are going to elicit facts?

MS. KEATING: Correct, your Honor.

[452] BY THE COURT:

Q. Mr. Monasky, was there a time when you learned that Dr. Taglieri had smacked your daughter in the face?

A. Yes.

Q. Okay. When did you learn that?

MR. SAYRE: Objection.

A. This was -- that was when my wife was visiting in Italy. At that time, this was a time of the birth, and she had learned from Michelle, and that's when she communicated to me --

MR. SAYRE: Objection, your Honor. Hearsay.

THE COURT: I will sustain the objection.

BY MR. REYNOLDS:

Q. So there came a time you learned this information.

During the March 6 skype communication, did you speak with Dr. Taglieri about your understanding that he had struck -- I'm sorry -- smacked Michelle in the face?

THE COURT: Just one moment. You can go to the conversation he had because that's the doctor. The other I am disregarding.

MS. KEATING: Correct. I am asking him about his direct conversation with Dr. Taglieri.

THE COURT: Okay.

[453] MS. KEATING: As opposed to his conversation with anyone else, specifically in that March 6th call.

THE COURT: The conversation with the wife would be hearsay.

MS. KEATING: Correct.

BY MS. KEATING:

Q. Can you describe for me the discussion you had with Dr. Taglieri, Mr. Monasky, concerning this information?

A. Yes. I asked Domenico if he had struck and slapped Michelle in the head, the face, and he said yes.

Q. So he had admitted doing this?

A. Yes.

THE COURT: Let me back up and clarify one thing. The information from the wife I was saying

couldn't come in as hearsay, but I understand now you ask -- were you told that she had been, that's okay, as long as it is not hearsay. It is not offered for the truth of the matter, and then you move on to following up on that. So no problem. All right. You may proceed.

MS. KEATING: Okay. Thank you, your Honor.

BY MS. KEATING:

Q. So you are having this conversation directly with Dr. Taglieri. He acknowledges that he had smacked your daughter in the face, right?

A. Yes.

[454] Q. Did he say why this had happened?

A. Yes. He told me that he was doing this because she had acne.

MR. SAYRE: Objection.

THE COURT: Just one second. There is an objection.

MR. SAYRE: I will withdraw the objection.

Q. Please continue.

A. Okay. That anyway, he sounded like he was trying to justify the hitting her or the striking her because of her acne, and he just kind of rambled on about that for a while?

But later in the phone call, he does tell me that when it comes to hitting her, he does lose his temper, and when he does, as far as hitting her, he is not ashamed of it.

Q. When Dr. Taglieri is describing these events to you from your perspective. Was there any

confusion about the words he was using? Do you believe he understood the words he was using?

A. Oh, yes, and he went into detail as far as describing that.

Q. Okay. So you have known Dr. Taglieri, you said, for about four years?

A. Yeah, over four years.

[455] Q. During that period of time, you had the opportunity to speak to him in English many times, correct?

A. Oh, yes.

Q. Would you agree he is fluent in English?

A. Oh, yeah, absolutely. In fact, we joked he spoke English better than some of the people I know in America. He speaks English well.

Q. So you believe there was no confusion about the terms that was used in that conversation?

A. No, none, whatsoever.

Q. Do you believe when Dr. Taglieri used the word "smacked" he understood what that term meant in English?

A. Oh, yes. Because he learned in school that this behavior we were talking about, he was taught not to behave this way.

Q. When Dr. Taglieri spoke about smacking Michelle, can you describe his tone for me?

A. Yeah. It was like it was no big deal. He just felt like it was his duty. He just made no big deal about it.

MR. SAYRE: Objection to the conclusion of tone; asked for tone, not his state of mind.

THE COURT: Overruled. He can just testify based on his impression dealing with him, how it appeared, assuming he had the opportunity to observe and

[456] hear to be a part of it, so overruled.

BY MS. KEATING:

Q. What things did he say to give you this impression?

A. The impression -- oh, yes. As far as his state of mind you are talking --

Q. Correct.

A. Just trying to recall the call. It was just his casual behavior when we did mention the hitting. He just mentioned -- it was just the way he said it, and it came out as far as him stating he wasn't ashamed of hitting her.

Q. And in the course of the conversation, did he ask you if you had ever hit your daughters?

A. Yeah. He did mention that. And that's --

Q. And how did you respond?

A. Well, first off, the conversation was awkward because he first comes out and asks me this question, but at this very same time, before I could answer, he answers for me, and he says "sure."

And then he goes into the guilt, and he tells me I am sure you feel really bad about this. And after that, I told him no, that I never hit my daughters in the head or face, and through that part of the conversation, he just made it seem as though -- as

though it was no big deal; it was just something, casual behavior.

[457] Q. Do you recall approximately how long this skype conversation lasted?

A. It was a good hour.

Q. A good hour. Okay. How did that conversation make you feel?

MR. SAYRE: Objection. I don't see the relevance of how Mr. Monasky's reaction is pertinent to this case at all?

THE COURT: It is not directly relevant, counsel; doesn't mean his feelings aren't important in terms of life, but is this part of the transition to some other --

MS. KEATING: I will withdraw the question, your Honor.

THE COURT: All right.

BY MS. KEATING:

Q. Mr. Monasky, have you spoken to Dr. Taglieri since that March 6 skype conversation?

A. No.

MS. KEATING: No further questions, your Honor.

THE COURT: Thank you, counsel. Any cross-examination?

MR. SAYRE: Thank you, your Honor.

CROSS-EXAMINATION

* * *

[484] A. Yes.

Q. Okay. Did your relationship with your husband change when you arrived in Italy?

A. Yes.

Q. When you moved there?

A. Yes.

Q. Can you describe for me how it changed?

A. So things got — we started arguing more. I actually was hoping that we would have — I actually was hoping that we would have the — I actually thought moving there would have the opposite affect, you know, because we had been arguing a lot verbally before I moved there, and I thought, well, the relationship, the distance is affecting our relationship.

I thought if I go to Italy, we won't be fighting as much, but when I got to Italy, we were fighting more and more and more, and he was getting verbally abusive. It was actually kind of a gradual thing.

It was not like one day we had a beautiful marriage and then next day everything was bad. It was like just kind of a gradual thing where things got worse, worse, worse.

Q. Was there ever a time when your husband was physically violent toward you?

[485] A. Yes.

Q. Do you recall the first time that that happened?

A. Yes.

Q. Where were you living at the time that it happened?

A. Milan.

Q. After the first time that that occurred, were there subsequent times in which he was physically violent towards you?

A. Yes.

Q. When I say physically violent, can you describe what those instances would be like?

A. At first it was a slap in the face. Actually, I remember the first time he slapped me. It didn't even hurt, and I just stood there in shock because it was like he crossed the line, but in my head I thought he would never cross.

And then over time he started slapping me more frequently. It got harder. At some point, he actually got on top of me in the bed and hit me in the head.

MS. KEATING: Chris, may I have Joint Exhibit 2, please?

Q. Michelle, I am going to ask you to take a look at Joint Exhibit 2. Can you identify this exhibit for me,

* * *

[494] Q. Did learning you were pregnant impact your concerns for your marriage?

A. Yes.

Q. How did it impact your concerns?

A. Well, we were throwing the divorce word around a lot, and once I got pregnant, that made it more complicated to leave him.

Q. And in what religion would were you raised?

A. Roman Catholic.

Q. Would you describe your family as religious?

A. Very, yes.

Q. What's your understanding about the Catholic church's position on divorce?

A. Well, generally speaking, marriage is a lifelong commitment, and I mean, even if you get a civil divorce, the church doesn't allow you to remarry without an annulment.

Q. How did your specific religious beliefs impact your concerns about your marriage?

A. I felt encouraged by my faith to try to make the marriage work.

* * *

[507] he couldn't understand that sometimes people just disagree.

Q. In July of 2014, did you travel to the United States?

A. Yes.

Q. Who traveled with you?

A. Sorry?

Q. Who traveled with you?

A. Domenico.

Q. What was the reason for the travel?

A. My youngest sister Marie was getting married.

Q. Okay. And prior to the wedding, did you — we just heard about the potential miscarriage. The potential miscarriage occurred prior to the wedding, correct?

A. Right.

Q. As a result of the complications from your pregnancy did your physicians place any restrictions on you?

A. Yes.

Q. What were those restrictions?

A. Not to travel.

Q. But you went to your sister's wedding anyway?

A. Yes.

Q. Why did you do that?

A. Well, one, I really, really wanted to be there for

[508] my sister's wedding. I was missing my family a lot. I was not doing well from just being alone in Milan and suffering through a near miscarriage and missing my family a lot?

And also, actually, that morning like on the way to the airport, we went to the physician again. We had an ultrasound, and after we came out of the doctor's office, Domenico told me that he had seen the ultrasound, which I knew he had?

And he told me that he thought that it wasn't that bad, and I guess it is what I wanted to hear. And so we agreed together to just go.

Q. Your pregnancy -- as your pregnancy went on, did those same restrictions remain in place?

A. There were multiple complications, not just related to the partially detached placenta, but then like, for example, at some point, I was at risk of premature labor, and there were all kinds of things going on.

Q. So did the restrictions placed on you in July of 2014 that you just described did those restrictions stay the same over the course of your pregnancy?

A. My understanding is, at first, I was not able to travel because of the partially detached placenta, and then later on by the time the placenta was, for lack of a better word, mostly healed or however you [509] want to say it, again, there were travel restrictions because, then, I was at risk of premature labor. So basically, I had travel restrictions for the entire pregnancy.

Q. And I am trying to understand if those restrictions remained the same.

A. To the best of my understanding, yeah.

Q. Do you recall that I was asking you some questions about jobs, right, in the United States?

A. Yes.

Q. Okay. And I had showed you an exhibit that was in August of 2014. It was, I think, Exhibit KK.

A. Can you remind me?

Q. KK.

A. Yeah, KK.

Q. In August of 2014, can you explain the state of your marriage at that point in time?

A. So basically, you know, things weren't going well, but I still -- I was hoping that things could work out, and really there was increasing pressure on me. Again, I will speak for myself.

There was increasing pressure on me. As the pregnancy progressed, then I was thinking we need to have a plan.

Q. In August of 2014, do you recall discussing divorce

[510] with your husband?

A. It came up, yeah.

Q. Do you recall communicating with anyone else about this discussion?

A. I remember communicating with, at least, my mom at some point because I was having her look into some stuff for me, trying to sort of outsource my internet searches.

Q. Michelle, can you take a look at and identify for me Exhibit T?

A. This is an e-mail from me to my mom August 6, 2014, subject: Just FYI.

Q. And I am going to underline and direct your attention to “sorry to have to let you know this, but Domenico and I are in a huge fight still, and there is more things that go on and on,” and later on in the e-mail “if I can get a U.S. divorce, that’s easiest.”

Do you see those lines?

A. Yeah.

Q. Okay. I am going to underline “I’d like to look into getting a U.S. divorce” --

MR. SAYRE: I would like to enter a continuing objection to the exhibit. It is clearly hearsay, but --

THE COURT: Let me see if I understand the [511] objection. So the purpose you are introducing this is for what purpose?

MS. KEATING: Maybe I am not understanding, your Honor, but this is an e-mail that the witness Michelle drafted to her mother.

THE COURT: Right. It could be hearsay, and it might be introduced for a different purpose. Of course, we have been doing this throughout the trial. So that's really part of the problem. Both sides have been doing this.

MS. KEATING: Right.

THE COURT: But it could be not for, you know, to show truth. It could be for some other purpose. Usually, when you introduce your own statement, it would be hearsay, but sometimes it may be part of a transaction, may be a verbal act.

It could be to show certain things happened, communications were made.

MS. KEATING: Correct, your Honor.

And so I am trying to ask her questions she just said that she was communicating with her mother about divorce, and this is showing that she did, in fact communicate.

THE COURT: Did she communicate with her during that period?

[512] MS. KEATING: Correct.

THE COURT: For that limited purpose, I will allow it. Go ahead.

MS. KEATING: Okay.

BY MS. KEATING:

Q. So Michelle, you recall sending this communication to your mother?

A. Yes.

Q. And can I have Exhibit U, please? Michelle, can you identify Exhibit U for me, please?

A. This is an e-mail from my mom to me August 7, 2014, subject: Accounts.

Q. Do you recall receiving this e-mail from your mom?

A. Yes.

Q. And at the time you received this e-mail in early August of 2014, were you having discussions with your husband about divorce?

A. Yes.

Q. Okay. Can you take a look at Exhibit V for me and identify it?

A. This is an e-mail from my mom to me, August 6, 2014, subject: Childcare, Lake County.

Q. And do you recall receiving this e-mail from your mom?

* * *

[513] Q. I will have you take a look at Plaintiff's Exhibit 9. Do you recognize this exhibit?

A. Yes.

Q. Can you identify for me what this exhibit is?

A. It is an e-mail from — well, no, it is a string, between me and Domenico, September 17, 2014.

Q. Okay. And what are you and your husband discussing

[514] in the e-mail?

A. Options basically for childcare.

Q. So you just had indicated that you had asked your mother to look into child care options in the United States, correct?

A. Yes.

Q. Why were you also looking into options in Italy?

A. You never know what will happen. I was living in Italian at the time, and it is good to have all your bases covered.

* * *

[517] I don't know.

Q. I would ask you to take a look at what has been marked as Joint Exhibit 12. Can you tell me what this exhibit is?

A. This is an e-mail from me to — one second. This is a divorce attorney in Italy.

Q. And I am sorry, did you give me the date —

A. I'm sorry, November 12, 2014, subject: Initial consultation.

Q. Michelle, is this an example of your efforts to contact and speak with an Italian divorce attorney?

A. Yes.

Q. As summer turned into fall of 2014, can you describe the state of your marriage?

A. Things were becoming increasingly more tense, more stressed. I was thinking that, you know, we need to develop a plan for when the baby is born, like basically what are we going to do.

Q. In the fall of 2014, did you ever communicate to your husband that you wanted to return to the United States?

A. Yes.

Q. Do you recall the context of telling him that?

[518] A. What do you mean specifically? Like — sorry.

Q. Do you recall how many times you may have told him that in the fall of 2014?

A. Oh, I don't even remember. I mean, we talked about it so much I don't even know.

Q. Can I have Joint Exhibit 8? Can you identify for me Joint Exhibit 8, please?

A. This is an e-mail from me to Domenico, October 29, 2014, subject: Me to Bologna.

Q. And in this e-mail, you are expressing some frustration. Would that be accurate?

A. Yes.

Q. In the e-mail, we have the line of "I will need to take a pay cut by two thirds and return to the U.S." Do you see that line?

A. Yes.

Q. Is this an example of a time that you indicated to him that you wanted to return to the United States?

A. Yes.

Q. Michelle, we previously looked at Joint Exhibit 6. Do you remember this particular exhibit?

A. Yes.

Q. And I believe that when I asked you about the phrase "I hate your actions" you indicated that this was the part of what you were referring to was the physical

* * *

[537] Q. Do you recall earlier you mentioned working with a driving instructor. Do you recall when you did that?

A. I can't remember exactly when.

Q. Okay. In 2015, were you taking steps to try to [538] obtain your driver's license?

A. Yes.

Q. Why did you specifically want to obtain a driver's license at that point in time?

A. In when? In 2015?

Q. In 2015.

A. Like I said, you know, until I could leave Italy and come back here, I was needing to get around. Like I was saying especially with a baby, there are places you need to go, and I was living in the suburbs.

* * *

[553] Q. During that time that you spent in the hospital, did anything happen to cause you concern for [A.M.T.]'s safety?

A. Yes.

Q. What occurred that made you concerned?

A. There were a few things. One, I remember Domenico would scream at the baby to shut up when

she was crying. I remember one time we were in what they call the nest.

Q. What is the nest?

A. It is basically where they have all the babies in a nursery, where you go to the window and see all the basinetts lined up. That's what they call the nest, and one time we were in there, and [A.M.T.] wouldn't stop crying.

I thought that it was because I was not producing enough breast milk, and maybe she was hungry, and I wanted to feed her formula, but the hospital policy was they wouldn't do it?

And I remember Domenico picking up her and screaming at her, and I thought the first thing he would do when we got home is he was going to buy some formula and -- forgive me, I am just -- and shove it up her ass.

THE COURT: Why don't we take our break for [554] lunch now, and let me see counsel for a moment.

(Side bar held.)

THE COURT: I don't mind Domenico sitting with his mother, but the two of them are talking while this is going on.

MR. SAYRE: I'm sorry, your Honor. He is talking to his mother.

THE COURT: I said I don't mind with her as opposed to counsel there talking while the testimony is going on the entire time, and she shouldn't be talking. They have to be -- they have to be in the room.

They can't be responding to what's going on. I understand this is a difficult time for them. It is a difficult time; also for the Defendant, I respect that.

MR. SAYRE: Okay.

THE COURT: But he can't be talking back there while the testimony is going on. All right.

MR. SAYRE: Fair enough.

MS. KEATING: Thank you.

(Side bar concluded.)

THE COURT: We will come back at 1:45.

(Luncheon recess taken.)

- - - - -

AFTERNOON SESSION.

[555] THE COURT: You may be seated. Ms. Monasky, you are still under oath. Do you understand.

THE WITNESS: Yes.

BY MS. KEATING:

Q. Michelle, before we broke for lunch, I believe we were talking around the time you left for the hospital, February of 2015. Do you recall that?

A. Yes.

Q. Okay. After your release from the hospital, did your mother stay in Milan?

A. Yes.

Q. Do you recall how long she stayed?

A. Until February 27th.

Q. Okay. And after you were released from the hospital, did Domenico stay in Milan?

A. No.

Q. Where did he leave for?

A. He went back to Lugo?

Q. When did he leave, do you remember?

A. The day that I was released from the hospital.

Q. Describe your recovery from the C-section surgery.

A. It was -- I was going to say long, and I know long is relative, but to me, it was long. It was difficult. I was having difficulty getting out of the bed.

[556] As I stated before, I had prior back surgery that fused my spine. Since I was 12, I have been relying a lot on other muscles, like my abdomen muscles for example as a compensatory mechanism.

And so when I had the C-section and my abdomen cut open, I had even more difficulty getting out of the bed, changing position, going from standing to sitting, sitting to standing, getting on and off the toilet.

At some point, my incision became infected and I had to go back on antibiotics, and my mother was helping me change the my bandage and pouring hydrogen peroxide over the wound and changing the bandage everyday. It was a lot.

Q. Did this recovery impair your ability to care for your daughter?

A. Yes.

Q. Okay. When your mother left Milan, did you have other family or friends in Milan that could assist you?

A. No.

Q. Toward the end of February, in that period of time, where you were in Milan and the Plaintiff was in Lugo, could you describe your relationship during period of time?

[557] A. I'm sorry. What period of time?

Q. During the period of late February when you were in Milan and he is in Lugo?

A. Oh, things were tense. I was trying to avoid him a little bit, and actually, also, I was distracted anyway with [A.M.T.], you know, taking care of her. He would call obsessively trying to -- he just kept calling and calling and calling.

And I remember getting mad at him that he was calling so much, and he was demanding that I pick up the phone whenever he called, but I tried to explain to him sometimes I am in the bathroom, sometimes I am changing [A.M.T.]'s diaper. I am just not one of those people that carries the phone around attached to me at all times.

Q. During that period in late February, did you do anything to memorialize the events that were happening?

A. Yes.

Q. What did you do?

A. I started to make notes, and I believe at some point I sent myself an e-mail, a note to myself so I wouldn't forget the things that were happening.

Q. Could I have Defendant's Exhibit W? Can you take a look at Exhibit W and tell me what it is?

[558] A. This is an e-mail I sent to myself, February 27, 2015, subject: List.

Q. And is this the e-mail you referred to a minute ago?

A. Yes.

Q. Do you recall Mr. Sayre asking you questions about a German stroller?

A. I recall he asked me about it but not the specific question.

Q. Did you order a stroller for [A.M.T.]?

A. Eventually, yeah. I forget if I did, or I think he did. I don't know. At some point a stroller was ordered. I would say that.

Q. And how did you use the stroller?

A. To push [A.M.T.] around, you know, to sleep in.

Q. When you say to sleep in, why would you use it that way?

A. That was what we used as her bed.

Q. So you didn't have a separate crib?

A. No.

Q. After — sorry.

So do you recall what date Domenico came back to Milan from Lugo?

A. I want to say it was later on February 27th, 2015, after my mom had left for the airport so they didn't

[559] actually cross.

Q. And when he returned, did you discuss divorce again at that time?

A. Yes.

Q. Do you recall when you had a conversation about divorce?

A. Well, I remember there was, at least, one conversation on March 1st, and I remember this because I actually sent an e-mail as a follow-up the next day about it.

Q. Okay. So can you describe the nature of that conversation? Was it more specific than that?

A. We, again, you know, talked about divorce. We talked about me going back to the United States. We talked about me taking [A.M.T.]. We talked about some of the logistics about the divorce.

I was really hoping that we could have what I now believe a no fault divorce. It is basically where you agree on everything.

Q. So if I heard you correctly, you said you recall that because you sent a follow-up e-mail to him.

Do you recall what date you sent that had sent that e-mail

A. I'm sorry?

Q. You just mentioned a moment ago you recall the March

[560] 1st date because you sent a follow-up e-mail.

A. Yes.

Q. Okay. Did I understand you correctly, you sent that e-mail the next day?

A. Yes.

Q. Chris, can I have Joint Exhibit 16? Can you take a look at Joint Exhibit 16 and identify it for me, please?

A. This is an e-mail from me to Domenico, March 2nd, 2015, and there is no subject.

Q. Is this the e-mail that you were referring to a moment ago?

A. Yes.

Q. Did you communicate about this discussion with anyone other than Domenico?

A. Yes. I believe I did.

Q. Who did you communicate with?

A. I think at least my mother.

* * *

[591] want to say it was -- I really want to say it was on or around March 27th.

Q. From where did you pickup the passport?

A. I didn't.

Q. Who picked up the passports?

A. Domenico.

Q. Do you know where he picked it up?

A. Yes. He said the police station.

Q. Police station where?

A. In Lugo.

Q. Okay. Michelle, tell me what happened around lunchtime on March 31st, 2015?

A. Before we sat down to eat, we got into a fight.

Q. What was the fight about?

A. Well, [A.M.T.] needed a diaper change, and I noticed she had urinated on her clothing, and I wanted to change her into plain clothing.

However, Domenico got upset and expressed anger at the fact I wanted to change her because he was upset about the cost of laundry.

Q. So the two of you get into this argument?

A. Right.

Q. And what happens next?

A. So in the end, I didn't want things to escalate, so she was -- we sat down to eat lunch, and she was still

[592] sitting in her outfit. So I was mad but trying to sort of control myself and not fight with him, and we were -- well, he had heated up some leftovers or something. There was rice and meat.

He asked if I would eat both, and I said yes. I noticed he left the meat in the kitchen, so I went to go get it. And he got upset with me because he thought I had lied to him, because I didn't finish my rice before I went to go get the meat, and I was like I don't understand why I can't eat them both at the same time.

And so he just kept going on and on and on. And I was still looking at [A.M.T.], knowing that she was sitting in her urine basically. So against my better judgment, I hit the table between the two of us and said "stop it," something to that effect.

I couldn't take him going on any more, and right at that moment, he raised his hand as if to hit me, and the look on his face scared me so bad -- I have

seen him upset before, but I have never seen that look on his face.

And so I got scared, and then I remembered the psychologist that I had kept in touch with, Dr. Sterpa, she had been advising me how to behave around him. And anyway, so I just, anyway, eventually, he started saying some things, and it scared me.

[593] And he went into the kitchen, and he was in there for a long time, and I got scared.

Q. You said he was in the kitchen. Could you see him in the kitchen?

A. Yes.

Q. Did you see anything in the kitchen?

A. No.

Q. Did you hear anything in the kitchen?

A. Yes. I heard him open a drawer, and there were only a few drawers. I could see into part of the kitchen, but I couldn't see into the part of the kitchen where he was.

So I heard him open a drawer, and I knew that from getting ready for lunch and everything, I knew that the dishwasher was full and needed to be run, and I knew there was no regular silverware?

And I had actually just had to wash some silverware so we could eat lunch, you know, and so I knew pretty much the only thing in the drawer was a couple of big knives left.

And so I heard what sounded like him picking up this knife and putting it -- I don't know which one, I mean, there were two, but one of them, I don't know.

To me, it didn't matter, you know, picking it up, putting it back.

[594] It went on for minutes, but not like just open the drawer, shut the drawer. I mean, he was in there for a really long time, and you know, after he just raised his hand and after that look I saw on his face, I just got really scared.

Q. Did he come back into the room that you were in?

A. Eventually, yes.

Q. And what was he doing?

A. So eventually, he closed the drawer. And then, I heard what must have been the freezer. I couldn't tell if it was the frig or freezer, but he opened one of them, got something out, and then I saw him walk over to the sink. I could see the sink, and I saw him go and get a spoon from that area and come back into the living room where the table is, where we would eat, and he had a tub of ice cream.

Q. After lunch did he remain with you and [A.M.T.] in the apartment?

A. No.

Q. Where did he go?

A. He went to work.

Q. After he left for work, what did you do?

A. I started scrambling, thinking that -- well, I got scared, and I thought I don't know if I want to be home, you know, this guy -- I need help. I didn't know what to

[595] do.

I didn't know anybody in Lugo. I didn't know what to do, and I just remembered my mom saying before, well, if he gets violent, maybe you can go to the police, like I don't know. Then I thought maybe the police wouldn't speak English.

It is Lugo; it is not exactly Milan or Rome. Even then, sometimes people don't speak English.

Q. And Michelle, just to stop you if I can, when you say it is not Milan or Rome, what do you mean by that?

A. Like with some people in Ohio would say in Ohio the middle of a cornfield, but there I would describe it the middle of the vineyard, like there is nothing there.

Q. So you believed it was less likely people would speak English there than Milan or Rome?

A. Even less likely, yeah.

Q. As a result of that concern, what did you do?

A. So as fast as I could, I started flying through a bunch of e-mails because I had started correspondence and like notes and stuff for my lawyers in Italy, and I was going through e-mails?

And I started cutting and pasting into a Microsoft document all kinds of stuff, like not really

[596] sorting for relevance or anything but just everything, and then I copied and pasted all of that into Google Translate and did a control A, control C, control V into another Microsoft document and just did a rough translation of just everything and saved these two documents to a flash drive to take them to the police, and worst case, at least, I can show these documents.

Q. So out of your concern that the police would not speak English, you tried to write things down, and then to the best of your ability translated it through Google Translate?

A. Right.

Q. Did you go to the police?

A. Yes.

Q. How did you get there?

A. I walked.

Q. Did you take [A.M.T.] with you?

A. Yes, of course.

Q. What else did you take with you?

A. Well, she was in the stroller, so I was pushing the stroller, had a diaper bag, my purse. That was it.

* * *

[598] Q. Did you go to the safe house right away?

A. No.

Q. Where did you go first?

A. First it was a hotel. I am not supposed to disclose the location exactly, but you know, so I sort of refer to the safe house sometimes collectively as the whole time I was in protection, you know. But technically, it was a hotel first.

* * *

Q. So you stayed in a hotel. How long did you stay at the hotel?

A. One night.

Q. And where did you go after that?

A. Then they took me to another location again temporarily.

Q. And how long did you stay at that particular location?

A. I can't remember exactly now.

* * *

[636] Q. Okay. In connection with forcing you to have a baby, do you think that the time that Domenico, quote, forced you to have a baby is the time that you conceived [A.M.T.]?

A. He forced himself upon me multiple times, and I don't know which particular time was the time that I got pregnant.

Q. When you say he forced himself on you, are you saying that he raped you?

A. He forced me to have sex that he knew I didn't want to have.

Q. How did that happen, Ms. Monasky? Did he hold you down on the bed?

A. I remember at one point I was actually laying on the bed. He was on top of me, and he told me "spread your legs, or I will spread them for you."

Q. And if you didn't do that what would happen?

A. I don't know. I guess I didn't find out.

Q. Okay. So you consented. Is that right?

MS. KEATING: Objection.

THE COURT: Okay. He is asking you a [637] question if you consented. You can say yes or no, whatever you think is the appropriate answer.

JA153

A. No.

Q. You didn't want to get pregnant at that time, did you, Ms. Monasky?

A. Correct.

Q. Okay. You are a Ph.D. in biology working in a hospital, correct?

A. Yes.

Q. And you know how babies are made, right?

A. Yes.

MS. KEATING: Objection.

BY MR. SAYRE:

Q. And are you saying you had no way of avoiding the pregnancy?

A. Not at that time.

Q. Not at that time.

And what was special about that time?

A. He wanted to have sex. I didn't get a memo.

Q. So rather than say "no, I don't want to do it," you said okay, ultimately?

A. No. I verbally told him that I didn't want to.

* * *

JA154

From: Michelle Monasky
<michelle.monasky@gmail.com>
Date: Tue, Jun 24, 2014 at 6:53 PM
Subject: Re: Handicapped accessibility
To: Nadine Gärber <Nadine.Gaerber@lindau-nobel.org>
Cc: "Mike.Rogers@ec.europa.eu"
<Mike.Rogers@ec.europa.eu>, Katja Merx
<Katja.Merx@lindau-nobel.org>

Dear Nadine,

Thank you to all of you for your encouragement and support. It means a lot to me. I look forward to meeting all of you in 2015.

Best regards,

Michelle

On Tue, Jun 24, 2014 at 6:46 PM, Nadine Gärber
<Nadine.Gaerber@lindau-nobel.org> wrote:

Dear Michelle,

I'm terribly sorry to hear that. The good news is that our scientific chairmen agreed to invite you for 2015 and you will not have to go through the selection process again.

We are looking forward to seeing you in 2015 and wish you all the best for your pregnancy. Hopefully everything will be fine in the end.

All the best,

Nadine

Nadine Gärber
Head of Young Scientist Support and Academic

JA155

Partner Relations Executive Secretariat of the
Council for the Lindau Nobel Laureate Meetings

Am 24.06.2014 um 18:40 schrieb "Michelle Monasky"
<michelle.monasky@gmail.com>

Dear Ms. Garber,

I've just met with my physician, who said that I cannot attend, because I am in serious danger of having a miscarriage. I'm so sorry that this is happening, and I sincerely regret not being able to participate. If there is any way that you could help me with the selection process for next year, I'd be most appreciative. Is there anyone else that I need to inform that I will be absent?

Thank you, and best regards,

Michelle

JA156

From: Michelle Monasky
<michelle.monasky@gmail.com>

Date: Fri, Dec 12, 2014 at 10:13 PM

Subject:

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

Just wanted to say.... I love you. Can't wait to see you. Be careful, though. Sunday is okay too if the surgery goes late or you don't feel well or something. Miss you bibi.

--

Domenico M. Taglieri, MD, PhD
Skype name: domenico.taglieri
Professional Website: <http://lnkd.in/67g5S2>

JA157

From: Michelle Monasky
<michelle.monasky@gmail.com>

Date: Fri, Jan 9, 2015 at 7:27 AM

Subject: I saw you leave...

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

...but you probably didn't see me. It was taking forever for the car to warm up, and the 1 min I sat down is when you left.... just letting you know that we did wave.... love you Bibi.

Love,
Mishy and Mini-bibi

--

Domenico M. Taglieri, MD, PhD
Skype name: domenico.taglieri
Professional Website: <http://lnkd.in/67g5S2>

JA158

From: Domenico M. Taglieri
<domenico.taglieri@gmail.com>

Date: Thu, Jan 15, 2015 at 5:23 PM

Subject: RE:

To: Michelle Monasky
<michelle.monasky@gmail.com>

Okay I love you.

From: Michelle Monasky
Sent: 1/15/2015 4:10 PM
To: Domenico Taglieri
Subject:

Done with shopping. Made peace with tax adviser.
Probably he will be done tomorrow, then I can review
and send.

--

Domenico M. Taglieri, MD, PhD
Skype name: domenico.taglieri
Professional Website: <http://lnkd.in/67g5S2>

JA159

From: Domenico M. Taglieri
<domenico.taglieri@gmail.com>

Date: Wed, Mar 4, 2015 at 3:06 PM

Subject: Ciao

To: Michelle Monasky
<michelle.monasky@gmail.com>

I love you... Thanks For taking care of the Little
one...

--

Domenico M. Taglieri, MD, PhD
Skype name: domenico.taglieri
Professional Website: <http://lnkd.in/67g5S2>

JA160

From: Domenico M. Taglieri
<domenico.taglieri@gmail.com>
Date: Fri, Mar 6, 2015 at 2:36 PM
Subject: RE: package
To: Michelle Monasky
<michelle.monasky@gmail.com>
Maybe Too late... Will see...

From: Michelle Monasky
Sent: 3/6/2015 11:49 AM
To: Domenico Taglieri
Subject: package

FYI, I'm thinking the package might be from Aunt Barb (I have no idea who else it could be from), in which case it might not be worth paying the 70 euros to receive. I do not actually know for sure that it is from her, of course, but if so, she was going to send some No. 1 bottle nipples and a bugger suction thing - not worth 70 euros to receive. I have NO IDEA why customs would charge 70 euros to receive those.

--

Domenico M. Taglieri, MD, PhD
Skype name: domenico.taglieri
Professional Website: <http://lnkd.in/67g5S2>

JA161

From: Domenico M. Taglieri
<domenico.taglieri@gmail.com>

Date: Wed, Mar 11, 2015 at 7:03 PM

Subject: Packages

To: Diana Monasky <dmonasky@gmail.com>, Greg Monasky <gdrnonasky@gmail.com>, Jennifer Sait <j.monasky@gmail.com>, "marie.monasky@gmail.com" <marie.monasky@gmail.com>, "Domenico M. Taglieri" <domenico.taglieri@gmail.com>, Michelle Monasky <michelle.monasky@gmail.com>

Dear all,

Please be aware that we can not accept packages for now due to outrageous custom fees imposed by the Italian government. This is very frustrating on our part and we have submitted multiple formal complaints with no response from authorities. We are sorry about this and thank you for your love and support. Please disperse this information.

Thanks. love Michelle

--

Domenico M. Taglieri, MD, PhD

Skype name: domenico.taglieri

Professional Website: <http://lnkd.in/67g5S2>

JA162

From: Michelle Monasky
<michelle.monasky@gmail.com>

Date: Sat, Mar 14, 2015 at 11:49 AM
Subject:

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

How's your day going so far? We are okay here. By the way, just wanted to say that was a really good cake last night. I didn't expect the cream and chocolate surprise on the inside. It was good! Can't wait to go through the pics on your phone. :)

--

Domenico M. Taglieri, MD, PhD
Skype name: domenico.taglieri
Professional Website: <http://lnkd.in/67g5S2>

JA163

From: Michelle Monasky
<michelle.monasky@gmail.com>

Date: Sat, Mar 14, 2015 at 1:10 PM

Subject: au pair / babysitter

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

I am registering us as a host family for an au pair, to start the search... although we technically do not qualify, since we don't speak Italian in the home. Probably would be better to post a flier downstairs in Milan advertising that we are looking for some old lady with nothing better to do than to watch the baby for June - August.

--

Domenico M. Taglieri, MD, PhD
Skype name: domenico.taglieri
Professional Website: <http://lnkd.in/67g5S2>

JA164

From: Michelle Monasky
<michelle.monasky@gmail.com>

Date: Tue, Mar 17, 2015 at 1:50 PM

Subject: AMT doctor

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

I would like to take [A.M.T.] to see a doctor to look at her mouth. It has turned all white, especially her tongue. Also she has been very fidgety lately, as you know.

--

Domenico M. Taglieri, MD, PhD
Skype name: domenico.taglieri
Professional Website: <http://lnkd.in/67g5S2>

JA165

From: Michelle Monasky
<michelle.monasky@gmail.com>

Date: Wed, Mar 18, 2015 at 9:47 AM

Subject: exact change for cleaning lady / laundry

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

we need exact change for cleaning lady (27 euros)
and laundry (which is starting to be a lot - will need
to go again Saturday

--

Domenico M. Taglieri, MD, PhD
Skype name: domenico.taglieri
Professional Website: <http://lnkd.in/67g5S2>

JA166

From: Michelle Monasky

Sent: 3/20/2015 9:20 PM

To: Domenico Taglieri

Subject: notes for review with kaylan

Here's my notes for an idea for a review with Kaylan. Not sure if it's an okay idea and I should keep developing it, or if maybe there is a better idea for a review, and I should stop here.

JA167

From: Michelle Monasky
<michelle.monasky@gmail.com>

Date: Mon, Mar 23, 2015 at 6:04 PM

Subject: groceries

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

meat – burgers

mayo

yogurt

ice cream

eggs

we have 1/2bag french fries

--

Domenico M. Taglieri, MD, PhD

Skype name: domenico.taglieri

Professional Website: <http://lnkd.in/67g5S2>

JA168

From: Michelle Monasky
<michelle.monasky@gmail.com>

Date: Wed, Mar 25, 2015 at 2:39 PM

Subject: need printed

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

Only still need San Raffaele CUD

Do not need to declare Chase this year - no interest
paid

Due April 15 or else need extension - but then if
taxes owed, will have to pay more

--

Domenico M. Taglieri, MD, PhD

Skype name: domenico.taglieri

Professional Website: <http://lnkd.in/67g5S2>

JA169

From: Michelle Monasky
<michelle.monasky@gmail.com>
Date: Mon, Mar 30, 2015 at 12:47 PM
Subject: Re: [A.M.T.]'s prescriptions
To: "Domenico M. Taglieri"
<domenico.taglieri@gmail.com>
on google calendar now

On Mon, Mar 30, 2015 at 12:29 PM, Domenico M. Taglieri <domenico.taglieri@gmail.com> wrote:

We gotta call this number: 0255035575, from 8:30 till noon, tomorrow. This appointment is locally managed by them. Please remind me... Thanks

From: Michelle Monasky
Sent: 3/30/2015 12:24 PM
To: Domenico Taglieri
Subject: Re: [A.M.T.]'s prescriptions

says: ECG
diagnosis: screening QT lungo
codice esenzione: E11
Data 170215

2015-03-30 11:22 GMT+02:00 Michelle Monasky
<michelle.monasky@gmail.com>:

For ECG per screening della sindrome del QT lungo:
S03013 Y0668735741

Currently scheduled for 19/05 at 12:00.

Se avete dubbi o problemi il pediatra neonatologo e' a vostra disposizione tra le 15 e 17 di tutti i giorni feriali

(tel.335.5793873). Potrete inoltre contattare il

JA170

personale del Nido 24 su 24 tel.02.5503.2312/2535
Ambulatori Cardiologia Pediatrica 0255032351

JA171

Ministero della Giustizia

Dipartimento Giustizia Minorile
Autorità Centrali Convenzionali

**The Hague Convention of 25 October 1980
on the Civil Aspects of International Child
Abduction**

THE ITALIAN CENTRAL AUTHORITY

Coll. AJA80 / 91-15 Rome, 1 LUG. 2015

Ref. no. 29236

BY MAIL

US Department of State

CA/OCS/CI

SA-17, 9th Floor

Washington DC 20522-1709

USA

RE: Child [A.M.T.] (born on * * * 2015 in Milan) daughter of Mr. Domenico TAGLIERI and of Ms. Michelle MONASKY

Application for return filed by the child's father under The Hague Convention of 25 October 1980 as supplemented by Council Regulation no. 2201/2003

Following our letter dated 15 June 2015 - whereby the return application on behalf of the child [A.M.T.] was forwarded - please find enclosed herewith copy of the final decree issued by the Juvenile Court of Milan on 16 June 2015, duly translated in English.

The Court removed parental responsibility of her daughter [A.M.T.] from Mrs. Michelle Monsaky and consequently ordered that parental responsibility be

JA172

exclusively exercised by the father, Mr. Domenico
TAGLIERI.

Yours sincerely,

Daniela BACCHETTA

**Head of Central
Authority**

Encl: 7 pages
A.A./30.06.2015

JA173

TRIBUNALE PER I MINORENNI
DI MILANO

Il Tribunale riunito in camera di consiglio in persona
di

dott. Valentina Paletto presidente rel.

dott. Marina Zelante giudice

dott. Maria Domenica Maggi giudice on.

dott. Andrea Sammali giudice on.

ha pronunciato il seguente

DECRETO DEFINITIVO

Nel procedimento ai sensi degli art 330 e segg. c.c. su
ricorso del padre della minore

[A.M.T.] nata a Milano il * * *

figlia di Taglieri Domenico e di Monasky Michelle
residente in Basiglio, Piazza Marco Polo n. 1/344

Premesso che

con ricorso depositato in data 29.4.2015, il padre
della minore, sig. Taglieri Domenico, chiedendo in
via d'urgenza l'emissione di un provvedimento di
divieto di espatrio della figlia dal territorio dello
Stato italiano, segnalava l'arbitrario allontanamento,
avvenuto nella notte del 31.3.2015, della moglie,
Monasky Michelle, di nazionalità statunitense,
unitamente alla minore, dall'abitazione familiare,
sita in Lugo di Romagna;

il ricorrente, nello specifico, riferiva di avere appreso
che la moglie, dopo essersi allontanata da casa, si era
recata presso il Commissariato di Lugo di Romagna
denunciando una situazione di maltrattamento
familiare, venendo, così, collocata con la figlia

JA174

all'interno di una struttura protetta, dalla quale, tuttavia, si allontanava in data 16.4.2015, rendendosi irreperibile;

nel proprio atto introduttivo il ricorrente evidenziava che la minore era titolare di un passaporto statunitense, rilasciato in data 10.4.2015, esprimendo il timore che la figlia potesse essere sottratta dalla madre e fatta espatriare contro la propria volontà;

con provvedimento pronunciato in data 4.5.2015, il Tribunale, ravvisando il fondato rischio che la minore potesse essere allontanata dall'Italia, disponendo di regolare passaporto valido ai fini dell'espatrio e ritenendo necessario verificare le ragioni dell'arbitrario allontanamento della donna dall'abitazione familiare, disponeva il divieto di espatrio della minore dal territorio dello Stato italiano, nonché il rintraccio di madre e figlia, delegando, all'uopo, la Polizia giudiziaria presso l'Ufficio del PM e riservando l'audizione delle parti a rintraccio avvenuto;

con ricorso del 21.5.2015, il PM sede trasmetteva a questa A.G. comunicazione di notizia di reato del Commissariato di P.S. di Lugo di Romagna, contenente atto di denuncia sporto da Monasky Michelle in data 31.3.2015, la quale, nella medesima giornata, risultava essere stata collocata presso una struttura protetta; gli allegati alla denuncia, consistenti in una serie di appunti e di manoscritti redatti personalmente dalla Monasky, riportavano, tuttavia, episodi di vita quotidiana dei coniugi, comportanti diverse modalità di concepire le vicende personali e di coppia, piuttosto che evidenziare una

JA175

situazione di maltrattamenti agiti dall'uomo ai danni della compagna;

con istanza urgente depositata in data 14.5.2015, la difesa del padre, comunicando l'intervenuto illecito espatrio della minore dall'Italia unitamente alla madre ed il loro trasferimento negli Stati Uniti, già alla data del 17.4.2015, chiedeva a questa A.G. un provvedimento volto a sospendere la responsabilità genitoriale della madre, evidenziando, al riguardo, che il padre aveva ricevuto la notifica di un provvedimento emesso dalla Corte di Common Pleas, Divisione per i Minorenni dell'Ohio, con il quale veniva conferito in via provvisoria alla genitrice l'affidamento esclusivo della minore e sospesa la responsabilità genitoriale paterna;

nel corso dell'audizione, tenutasi avanti questa Tribunale in data 12.6.2015, il padre negando categoricamente qualsiasi condotta di maltrattamento ai danni della moglie e riportando, di contro, una storia di coppia connotata da amore, sintonia e progettualità condivisa, affermava di essere stato raggirato dalla compagna la quale, per altro intestataria dei conti correnti familiari, aveva maturato a sua insaputa e perseguito con estrema lucidità, il progetto di ritornare negli Stati Uniti con la figlia, riuscendo a trasferire negli USA i risparmi accantonati dall'uomo ed anche gli interi arredi contenuti nell'abitazione di Basiglio, che era stata letteralmente svuotata di ogni cosa;

nel corso della medesima audizione, il padre, riferendo di avere denunciato presso le Autorità italiane la moglie per il reato di sottrazione di minori, di avere presentato istanza di rimpatrio della

JA176

minore ai sensi della Convenzione Aja del 25.10.1980 e di avere avviato il ricorso di separazione giudiziale avanti il Tribunale ordinario, ha chiesto a questa A.G. una pronuncia di decadenza dall'esercizio della responsabilità genitoriale della madre, nonché il conseguente affidamento della figlia;

la madre, benché ritualmente convocata da questa A.G. presso l'ultimo indirizzo conosciuto in Italia, non si è presentata all'audizione fissata avanti il Tribunale per la data del 16.6.2015.

Osserva

La richiesta avanzata dal padre di decadenza dall'esercizio della responsabilità genitoriale materna sulla figlia, merita accoglimento.

Al riguardo si rileva, infatti che la madre ha conseguito l'espatrio della minore illegalmente, in assenza dell'esplicito consenso del padre, a tutti gli effetti necessario secondo la normativa italiana, in virtù del regime di affidamento condiviso della figlia cui la minore si trovava sottoposta stante lo stato di convivenza dei genitori.

Tale agito materno, non appare essere il frutto di una condotta maturata in un momento di disperazione della donna, risultando essere stato preordinato da tempo e minuziosamente preparato con l'ottenimento del passaporto della minore, con l'uscita repentina da casa, con il momentaneo collocamento in comunità, con il trasferimento di tutti i risparmi familiari negli Stati Uniti e persino con l'organizzazione di un trasloco di tutti gli arredi contenuti nella casa familiare di Basiglio.

JA177

Tale arbitraria sottrazione della minore, appare, ancor più sconcertante, avuto riguardo al fatto che fino a quel momento, la vita dei due coniugi appariva normale, così come riferito dal padre nel corso della propria audizione e comunque confermato dall'assenza di denunce o di accessi della donna presso ospedali o Uffici di P.S. in epoca antecedente al 31.3 2015.

A tale riguardo, osserva il Tribunale, che la stessa denuncia presentata dalla Monasky presso il Commissariato di P.S. di Lugo di Romagna, in data 31.3.2015 (come detto, la prima ed unica presentata dalla donna), appare connotata da strumentalità, atteso che nella stessa non si ravvisano comportamenti maltrattanti posti in essere dal marito, padre della minore, ma piuttosto stati d'animo di insofferenza e di difficoltà della donna, rispetto a modalità comunicative e relazionali del marito, che paiono, tuttavia, afferire ad una crisi di rapporto coniugale piuttosto che ad uno stato di coartazione fisica e psicologica subito dal marito.

In proposito, osserva il Tribunale, che se anche la donna fosse stata indotta ad allontanarsi dalla casa familiare con la figlia a causa di comportamenti pregiudizievoli posti in essere ai suoi danni dal coniuge (dei quali, tuttavia, ad oggi, non vi è alcun elemento di riscontro), non si comprende come mai la stessa non si sia determinata ad affrontare la vicenda con gli strumenti giuridici ordinari, trovandosi, per altro, in una situazione di sicurezza, determinata dal suo collocamento unitamente alla figlia in una struttura protetta.

JA178

Deve, poi, rilevarsi come la condotta realizzata dalla madre, segnatamente all'improvvisa ed arbitraria interruzione del rapporti tra padre e figlia, sia connotata da gravissimo pregiudizio nei confronti della minore.

A tale proposito è pacifico che tra i requisiti di idoneità genitoriale richiesti a un genitore sia rilevante la capacità del medesimo di riconoscere le esigenze affettive di un figlio, che si individuano, in prima istanza, nella capacità di preservargli la continuità, delle relazioni parentali attraverso il mantenimento dei legami primari, riconoscendo l'importanza della figura dell'altro genitore, al di là di egoistiche motivazioni di rivalsa rispetto all'ex convivente.

Dovere primario di un buon genitore, sia esso affidatario che collocatario, è, pertanto, quello di non allontanare i figli dall'altra figura genitoriale, tenuto conto dell'insostituibile importanza della presenza di ciascun genitore nella vita dei figli.

Ove ciò non avvenga, perché il genitore persegue l'obiettivo di affrancare la propria vita a quella dei figli dall'altro genitore, si deterraina una situazione di grave pregiudizio per la prole, idonea a fondare una pronuncia di decadenza.

Nel caso in esame, la madre, decidendo unilateralmente di trasferire la residenza della minore negli Stati Uniti, allontanandola definitivamente dal padre e violando, così, i doveri inerenti la responsabilità genitoriale, deve essere dichiarata decaduta dal relativo esercizio.

JA179

Deve, pertanto, essere accolta la richiesta del padre, il quale, conseguentemente, eserciterà in via esclusiva la responsabilità genitoriale sulla figlia.

P.Q.M.

letto il parere conforme del Pm applicati gli artt. 330 e segg. c.c. 737 c.p.c.

Dichiara

MONASKY Michelle nata il 5.10.1982 decaduta dall'esercizio della responsabilità genitoriale sulla figlia [A.M.T.] nata a Milano il * * * 2015 e per l'effetto dispone che la responsabilità genitoriale sulla minore sia esercitata in via esclusiva dal padre, Taglieri Domenico.

Si notifichi:

- alla madre presso la residenza, in Basiglio, Piazza Marco Polo n. 1/133, in busta chiusa;
- al padre presso il difensore domiciliatario, via fax;

Si corriunichi a:

- P.M. sede;
- Autorita Centrale, Ministero di Giustizia, via fax;

Milano, 16.6.2015

Il présidente est

JA180

Juvenile Court of Milan

The Court gathered in session, comprising the following members:

Dr. Valentina Paletto, Chair

Dr. Marina Zelante, Judge

Dr. Maria Domenico Maggi, Honorary Judge

Dr. Andrea Sammali, Honorary Judge

Issued the following **FINAL DECREE**:

A legal proceeding in compliance with Article 330 et seq., based on a petition moved by the father of the minor child:

[A.M.T.], born in Milan on * * *, 2015

Daughter of Domenico Taglieri and Michelle Monasky

Resident in Basiglio, Piazza Marco Polo 1/344

Given that:

An application was filed by the father of the minor child, Mr. Domenico TAGLIERI on April 29, 2015, through which he asked, as a matter of urgency, to issue a ban on leaving the Italian territory for his daughter, after that his wife Michelle Monasky, a U.S. citizen, arbitrarily removed the minor child from the family home located in Lugo di Romagna, a fact that occurred the night of March 31, 2015;

The applicant reported that his wife, after abandoning the family home, went to the Police Station of Lugo in Romagna reporting a situation of family abuse and that she was placed in a safe house with her daughter, which in turn, however, she

abandoned on April 16, 2015, thus becoming untraceable;

The applicant indicated that the minor child was in possession of a valid passport for travelling abroad;

This Court. deemed necessary to verify the reasons for the arbitrary abandonment of the family home by Mrs. Monasky, ordered the ban on leaving of the Italian territory for the minor child, and that the mother and daughter be found, delegating for this purpose the Judicial Police and the Office of the Public Prosecutor, thus postponing the hearing of both parents after the finding the mother;

The Office of the Public prosecutor informed this Judicial Authority on May 21, 2015 that a report was filed by Mrs. Monasky on March 31, 2015 with the Police Station in Lugo, who on the same day was sent to a safe house; that this report consists on a series of notes written personally by Mrs. Monasky regarding a series of events related to their life together as a couple, rather than a series of alleged abuses perpetrated by the man;

The father's lawyers filed an urgent petition on May 14, 2015 requesting this Judicial Authority to suspend the parental rights of the mother following the wrongful removal of the minor child who was taken to the U.S. by the mother herself on April 17, 2015;

The father indicated that he was served an order issued by the Court of Common Pleas, Ohio Juvenile Division, through which the mother was granted the sole custody of the minor child, while the father's parental responsibility was temporarily discontinued;

During the hearing, which took place on June 12, 2015, the father firmly rejected the accusations of any abuse against his wife, reporting instead the story of a relationship characterized by love, harmony, and common intents;

The father claimed that he was deceived by his wife who took with her his daughter to the U.S. without him being informed and without his consent, who also took and concealed all the family savings without her husband's consent, and, finally, the mother removed all of the father's belongings including clothing, personal items and personal documents from the marital house in Basiglio, Milan.

The father filed with the competent local Authorities a complaint/lawsuit for the crime of child abduction and retention of his minor daughter abroad, and filed an action pursuant to The Convention on The Civil Aspects of International Child Abduction, done at the Hague on October 25, 1980. In addition, the father filed judicial separation before the Court of Milan;

The father requested to this Judicial Authority to discontinue the mother's parental rights, and requested that the sole custody of her daughter be given to him;

The mother, asked to appear before this Judicial Authority, did actually did not show up to the Court hearing scheduled on June 16, 2015.

Declares that

The request made by the father to permanently terminate the mother's parental rights over her daughter is accepted.

In this regard, it is noted that the mother travelled abroad with the minor child illegally, without the express consent of the father, consent that is required under the Italian law, especially when there is shared custody over the minor child and when the minor child lives with both parents.

The mother's actions do not appear to be the result of desperation or fear; rather her actions appear to be meticulously arranged in advance to obtain the passport of the minor child, followed by the sudden abandonment of the family home, followed by the temporary placement in the safe house, followed by the money transfer of all the household savings kept in the United States, and finally the followed by the sudden move of all the their belongings, including the father's belongings kept in the family house of Basiglio (Milan).

The arbitrary removal of the minor is really disconcerting, considering the fact the life of the couple together appeared normal that until the sudden departure of the wife, as reported by the father during the hearing, and in any case, as confirmed by the absence of any access to hospitals by the mother, or the absence of any complaints reported to the Police at any time prior to March 31, 2015.

In this regard, this Court declares that the complaint filed by Mrs. Monasky with the Police Station in Lugo di Romagna on March 31, 2015 (which, as mentioned before, is the first and only submitted by the woman) is written in a manipulative and calculating way, since in this complaint there is no reference to abusive or threatening acts carried out

by her husband against his wife and / or his daughter; rather, this report shows signs of impatience and frustration of the wife in relation to the communication and social skills of the husband, a condition that seems, however, to be more typical of a crisis in the marital relationship, than a state of physical and psychological abuse imposed on her by her husband.

In this regard, this court asks itself why, if Mrs. Monasky felt the need to leave the family dwelling with her daughter because of the prejudicial behavior put in place against her by her spouse (of which, however, for now, there is no evidence), she did not pursue her rights by means of an ordinary legal approach, since she was in a protected condition in a safe house.

It should be pointed out that the mother's behavior, in particular by putting in place a sudden and arbitrary interruption in the relationship between the father and the daughter, may result in a very serious harm to the child.

In this respect, there is wide consensus that, in order to be considered a suitable parent, the parent himself/herself must be able to respect the love needs of his/her own child, which are identified in the first instance, with preserving the continuity of family relationships and by maintaining of primary family bonds, and by acknowledging the importance of the other parent figure, thus going beyond selfish motives of revenge against the other partner.

Therefore, the primary duty of a good parent is not to alienate the child from the other parent figure,

taking into account the fundamental importance of the presence of each parent in the life of a child.

If this does not happen, because one parent aims at getting rid of the other parent figure from her own life and the life of the child, this may result in a situation of serious harm to the child, which is enough to declare that parental rights be terminated.

In this case, the mother, after deciding to move the residence of the minor child in the United States, away from his father and definitely acting in violation of the duties inherent with parental responsibility, will have her parental rights terminated.

Therefore, the request of the father must be accepted, who, consequently, will have exclusive parental rights on his daughter.

For this reason

Read the Public Prosecutor's opinion,

Applied Articles. 330 and following of the Civil Code, and Article 737 Code of Civil Procedure,

Order that:

Michelle Monasky's parental rights on her minor daughter [A.M.T.] are terminated, and that the father Domenico Taglieri is the sole custodian with full parental rights over his daughter.

To be notified to:

- The mother at her residence, in Basiglio, Piazza Marco Polo 1/344, in a sealed envelope;
- The father at his legal domicile, via fac-simile;

JA186

Sent to:

- Public Prosecutor's main Office;
- Central Authority, Ministry of Justice, by fax.

Milan, June 16, 2015

The Court President [signature]

Stamp,

filed in the Record's Office,

Milan, 17 June 2015

The Officer

Dr. Mariangela Venice

event, it is necessary to check whether the child, who was arbitrarily taken from her father, might be in a dangerous situation.

ON THE ABOVE GROUNDS

As a matter of urgency

Orders that the child [A.M.T.], born in Milan on * * * 2015, cannot leave the territory of Italy with her mother Michelle Monasky

ORDERS

That mother and child be found, and that the hearing of the parents be postponed until the mother is found.

Be it served on:

The mother, at her place of residence, Piazza Marco Polo 1/133, Basiglio, in a closed envelope;

The father, at his lawyer's office, by fax.

Be it forwarded to:

JA187

The Public Prosecutor's Office, **to which all documents are sent for the purpose of finding the mother and child;**

The Milan Police Headquarters, Passports Office, by fax.

Milan, 4 May 2015

The Presiding Judge

JA188

vanguard

Domenico M. Taglieri
<domenico.taglieri@gmail.com>

Sat, Mar 7, 2015 at 1:56 AM

To: Michelle Monasky
<michelle.monasky@gmail.com>

I do not want to take the money from vanguard you
can gothe us whenever youuwant...

--

Domenico M. Taglieri, MD, PhD

Skype name: domenico.taglieri

Professional Website: <http://lnkd.in/67g5S2>

JA189

just FYI

Michelle Monasky <michelle.monasky@gmail.com>

Wed, Aug 6, 2014 at 4:24 AM

To: Diana Monasky <dmonasky@gmail.com>

Hi Mom,

How are you? Sorry to have to let you know this, but Domenico and I are in a huge fight (still) and this morning he said if I spend one more dollar on any health related things (progesterone, vitamins, doctor appointments), he's going to cut me off financially. He says we are spending too much on "my health" and that I need to "relax" and that I'm a "depressed person, and that's the only thing wrong with me". Currently, there are 3 accounts in Italy. One that is a joint, and two in just his name that I don't have access to. Every month, he uses the joint (into which only my paycheck is deposited) for every day expenses, and whatever is left at the end of the month he takes and puts in his account. If he makes the first move and divorces me, Italian law states that currently he would get everything. I think he is calling around to check on me to make sure I go to work. I'd like to look into getting a U.S. divorce to secure the money and custody of the kid, assuming I can make it that far without any further appointments. I can't return to the U.S. right now because I have no income there and no health insurance, so he knows that he controls every dollar I spend, because I can't afford to disobey. We can always kiss and make up later, but for now, I can't let him make the first move, because as Saad said, I'll end up just defending myself in Italian court. If I can get a U.S. divorce, that's easiest. I don't want to

JA190

go this way, but I also can't live like this. I want to go home. I'm going to try to contact some people, but it's hard without being able to spend money. Even skype credit he'll see. Could you call around and see if there is somebody local with experience in international divorces?

Oh, why does he have to be crazy?

Sorry again. I didn't want to end this way. He promised me so many things, and I believed. him.

Love,
Michelle

JA191

Child care - lake county

Diana Monasky <DMonasky@lakelandcc.edu>

Wed, Aug 6, 2014 at 5:42 PM

To: Diana Monasky <DMonasky@lakelandcc.edu>

Cc: Michelle Monasky

<michelle.monasky@gmail.com>, Diana Monasky

<dmonasky@gmail.com>

Future options for child care until you get a job.

440-357-1240 Cathy Zeller of Starting Point may be able to find infant child care in Lake County. When the baby is 16 months, they can be put in Lakeland's full-time TLC program - providing there is an opening, so it is suggested to get on the long wait list now. I can put my name on the list now and can always be dropped later. Better to have and not need, than to need and not have.

Diana L. Monasky

Senior Secretary

Lakeland Community College

dmonasky@lakelandcc.edu

Telephone: 440-525-7495

JA192

* * *

*Lakeland
Community College*

Teaching/Learning Center
Pre-registration Form

Date: August 7, 2014

Child's Name Monasky		
Birth Date Feb 2015	Age (years & months)	Gender
Parent's Names Michelle Monasky		
Address (street, city, zip code) 6424 ARTMAR DR Concord OH 44077		
Telephone #'s:	Work: 525-7495	
Home:	Cell: 440-488-2382	
Enrollment Beginning Date: <u>June 2016</u>		
* * *		

How did you find our about our program?

I work here

Child's previous school group experiences: - None

Does your child have any health problems that may be of concern? Not at this time

Upon enrollment I do _ don't give permission to share this information with the Parent Committee.

JA193

Thank you for your interest in the program.

naeyc
accredited

Please return forms to:

Teaching/Learning Center
7700 Clocktower Drive
Kirtland, OH 44094- 5198

Questions? Contact:
Cris Vanek, TLC/CK Director
(440) 525-7196 or (440) 525-7500

Email: dmonasky@lakelandcc.edu

* * *

JA194

Hi

Michelle Monasky <michelle.monasky@gmail.com>

Tue, Feb 10, 2015 at 12:03 PM

To: Diana Monasky <dmonasky@gmail.com>

We are divorcing. That's it. He has decided, and contacted a lawyer. The sooner I get out of Italy, the better. But I have no idea how long that will take with the baby. Divorces in Italy can last a long time - over a year. Plus I need his permission to take the baby to the U.S. at any point. Also, he informed me he will not be cooking for me, grocery shopping or anything. I asked why doesn't he just go back to Lugo now. He is staying for his "legal responsibilities for the baby" because she is about to be born.

[Quoted text hidden]

JA195

Hi

Michelle Monasky <michelle.monasky@gmail.com>

Tue, Feb 10, 2015 at 9:11 AM

To: Diana Monasky <dmonasky@gmail.com>

Domenico and I just got in a huge fight - again. This time he reached towards me in the bed and hit the hell out of my head. He said he thought I was picking at my skin, so he suddenly shouted for me to extend my arms. He's been violent about it before, and this time I told him no (that I wouldn't extend my arms) so he reached out and smacked the hell out of me. I smacked him back and he told me "fuck you, go back to the States with your mom on the 27th". Now he's saying he's going to contact a lawyer. It's not the first time. It sucks for me because my job is here, healthcare, apartment, my stuff, etc. However, if he's going to get worse and start beating me, plus he's planning to go back to Lugo (Bologna) in a week anyway, thus forcing me to live on my own in a foreign country (he has no intention of returning to Milan - why should he? he has a great job there), I don't know what I'll do, but maybe I can use this maternity leave (until the end of May) to go back to the States and look for a job. AH! Don't tell anybody please. One reason I haven't left him yet is because I don't want to hear from everybody "I told you so" or "oh look at her, a failed marriage..." yada yada. People can really stick their nose where it doesn't belong. I gave this marriage everything I had - and then some. It's not my fault HE is acting the way he is. I can't change him. I tried to explain things, to work them out, I made excuses for him, made more sacrifices, etc. if he really wants things to be like this, I can't do a damn thing about it. :(

JA196

Oh, and his parents are coming for the birth, despite that I asked them to give me a couple days... I didn't get a vote.

[Quoted text hidden]

JA197

Domenico left a message for me to call, but it's a very busy first day back at work and two meetings to prepare for. Is he still home?

Domenico M. Taglieri
<domenico.taglieri@gmail.com>

Mon, Mar 2, 2015 at 4:36 PM

To: Michelle Monasky
<michelle.monasky@gmail.com>

Cc: Diana Monasky <dmonasky@gmail.com>

Mom, you can call me anytime today after 6pm your time today. Rest assured it's going to be a civil conversation. Thanks.

Domenico

On Mon, Mar 2, 2015 at 4:01 PM, Michelle Monasky
<michelle.monasky@gmail.com> wrote:

No, he left for Lugo this morning, because he has to work the afternoon and overnight shifts. I am forwarding your message to him because he called me earlier today and complained that probably you will not call him back because he has decided that I want a divorce because he has decided that you put the idea in my head. I tried to explain to him that this was not the case, and that you would prefer to see us as a happy family, and that our problems started way before you came and have nothing to do with you, so not to blame you, but he is obsessed with blaming you and said that he demands a letter of thank you and apology from both you and Dad. He also has decided not to let us leave the country. So,

JA198

we are trapped. Domenico, anything you would like to clarify?

On Mon, Mar 2, 2015 at 3:54 PM, Diana Monasky <dmonasky@gmail.com> wrote:

--

Domenico M. Taglieri, MD, PhD

Skype name: domenico.taglieri

Professional Website: <http://lnkd.in/67g5S2>

JA199

call landlord: reminder

Michelle Monasky <michelle.monasky@gmail.com>

Mon, Oct 13, 2014 at 10:47 AM

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

To change contract to 3 months notice, no penalty to leave early.

Nothing written about how we have to stay 6 months minimum, or anything else that deviates from pre-contract.

He already knew we wanted 3 months notice, and 1 year contract, THEN demanded to see the CUD and work contract, so now he is bound (in my opinion) to go through with the contract, and in a timely fashion. Otherwise, these documents would have been none of his business, if he didn't want to sign the contract (and in my opinion still none of his business, even if he did want to sign the contract).

We can do the 4 year contract, as long as we can get out at any time with 3 months notice, no penalty.

Thanks. ILU.

JA200

collaborative divorce

Michelle Monasky <michelle.monasky@gmail.com>

Tue, Feb 10, 2015 at 3:20 AM

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

Armando Cecatiello
armcec@gmail.com
[Http://www.cecatiello.it](http://www.cecatiello.it)
collaborative divorce

La Pratica Collaborative, prima nota come diritto collaborativo, costituisce un'alternativa al giudizio contenzioso. E' un metodo efficace che favorisce la risoluzione dei conflitti familiari e dei conflitti delle persone in genere.

Nella pratica collaborative:

- i clienti e i loro avvocati lavorano insieme;
- tutti i partecipanti al procedimento collaborativo si impegnano alla riservatezza, alla trasparenza e alla buona fede;
- l'obiettivo è raggiungere soluzioni condivise che rispondano ai bisogni e agli interessi delle parti e dei figli. I professionisti collaborativi, a seguito di una specifica formazione, guidano i clienti attraverso il procedimento collaborativo per favorire la risoluzione dei conflitti.

I professionisti collaborativi assistono i clienti al fine di:

- trovare un accordo in modo rispettoso e leale
- esigere la più completa trasparenza nelle informazioni e nello scambio dei documenti

JA201

- esplorare le diverse ipotesi di soluzione
- ricercare soluzioni creative che possano rispondere al meglio ai bisogni e alle priorità di tutte le parti
- individuare le soluzioni migliori per le parti e per i figli
- risolvere i conflitti senza far decidere il giudice e senza minacciare di farlo

La pratica collaborative è un nuovo modo, per una coppia in fase di separazione, divorzio, affidamento di minori, modifica alle condizioni di separazione e divorzio, nelle divisioni ereditarie, di lavorare in squadra con professionisti qualificati, al fine di risolvere le loro controversie in modo rispettoso e senza rivolgersi ad un Giudice. Questa definizione racchiude in sé tutti i modelli che si sono sviluppati da quando l'avvocato Stu Webb del Minnesota creò nel 1990 il Modello di Diritto Collaborativo. Questo modello rimane il cuore di ogni Pratica Collaborative. Ogni cliente ha il sostegno, l'assistenza e la guida del proprio avvocato. Gli avvocati e i clienti insieme costituiscono la componente legata della Pratica Collaborativa.

E' prevista, ove richiesto il supporto di specialisti dei bambini, commercialisti o fiscalisti, esperti nelle relazioni familiari. Anche se la Pratica Collaborative può atteggiarsi secondo diversi modelli, si distingue dal tradizionale procedimento contenzioso per alcuni elementi imprescindibili e inviolabili.

Questi elementi sono indicati nell'accordo che lega il cliente con i propri professionisti e sono:

JA202

negoziare un accordo condiviso senza demandare al Giudice la risoluzione della controversia insorta tra le parti, o anche solo di un aspetto della stessa

obbligo dei professionisti di non assistere il cliente nell'eventuale giudizio contenzioso

impegno delle parti e dei professionisti ad una comunicazione aperta e alla condivisione delle informazioni creare soluzioni condivise che tengano conto delle più alte priorità di entrambi i clienti La Pratica Collaborative è un procedimento centrato sul cliente e controllato dal cliente, che inizia con l'individuazione dei bisogni individuali di ciascuna parte. In risposta ai bisogni del cliente, i professionisti collaborativi scelti dalle parti prestano la loro opera utilizzando un approccio integrato. Questo approccio crea un ambiente improntato al sostegno e alla soluzione dei problemi, nel quale i clienti sono messi nelle condizioni di negoziare i propri accordi uno di fronte all'altro, assistiti dai professionisti collaborativi.

La Pratica Collaborative si sforza di garantire al cliente il sostegno, le informazioni e la struttura necessari per consentire il raggiungimento di accordi assunti consapevolmente e che tendano al maggior beneficio reciproco. Per raggiungere questo scopo, la pratica collaborative inizia con una fase di preparazione, molto importante, prima ancora di quella di negoziazione, esplora gli obiettivi comuni al posto delle posizioni contrapposte, crea un ambiente sicuro per una comunicazione costruttiva.

L'Accordo di Partecipazione che i clienti e i professionisti sottoscrivono all'inizio del procedimento collaborativo impone che tutti i

JA203

professionisti debbano rinunciare ad assistere e a rappresentare i rispettivi clienti, se uno di essi inizia un procedimento contenzioso. Questo requisito corregge l'impatto negativo delle procedure, basate sull'esercizio del potere, tipiche del modello contenzioso. Allo stesso tempo, questo requisito incoraggia la ricerca continua di soluzioni creative nei momenti di impasse nella negoziazione.

Per raggiungere accordi che siano di effettivo reciproco beneficio, e per assicurare l'integrità del procedimento, i clienti, e i loro professionisti, devono rivelare spontaneamente ogni informazione importante. I professionisti collaborativi aiutano i propri clienti a prendere decisioni basate sulla piena conoscenza dei fatti, consapevoli e volontarie. L'impegno alla trasparenza nelle informazioni e l'impegno dei professionisti alla rinuncia in caso di fallimento del procedimento collaborativo costituiscono gli elementi essenziali per un procedimento sicuro.

La Pratica Collaborative rappresenta un'opportunità per i clienti di raggiungere la soluzione migliore, in un momento in cui le circostanze spesso inducono ad aver paura di subire la soluzione peggiore. Attraverso un team di professionisti qualificati che coinvolge i clienti come parte integrante della squadra stessa, le possibilità per una soluzione positiva sono massimizzate. Ora è possibile anche in Italia beneficiare di questo metodo. Occorre cercare i professionisti formati alla pratica collaborative consultando il sito dell'associazione AIADC dove si trova un preciso elenco degli avvocati e degli altri esperti formati alla pratica collaborativa.

JA204

(Fonti IACP Principles of Collaborative Practice
(January 24, 2005) The Collaborative Way to
Divorce: The Revolutionary Method That Results in
Less Stress, Lower Costs, and Happier Kids—
Without Going to Court Stuart G. Webb , Ron
Ousky)

JA205

Vanguard money

Michelle Monasky <michelle.monasky@gmail.com>

Sat, Mar 7, 2015 at 1:06 PM

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

Dear Domenico,

As you have demanded, and in an attempt to reconcile our relationship, I have just submitted the request to Vanguard for you to have full authority access to the Vanguard money in the USA. You have promised repeatedly today that you will not disinvest this money, and that you simply want to view how much is in the account, since the stock market fluctuates every day, and that you want a reconciliation. I have offered you half of this money in exchange for signing the divorce papers, since it would make the tax burden less on me to give you the money in a divorce settlement, rather than you tricking me and stealing the money and having to sue you to get it back. If you want to move the money to Italy, please discuss this with me and come to an agreement, rather than just taking the money. I hope that we can make some sort of peace and work together in the long term interest of our child. Please don't betray me. Leave the money in Vanguard as agreed, or agree to a collaborative divorce. I am making this gesture of peace without any sign from you of doing the same, in the interest of making peace in the interest of our child.

Michelle

JA206

updates - March 9, 2015

Michelle Monasky <michelle.monasky@gmail.com>

Tue, Mar 24, 2015 at 1:44 AM

To: francesca baicchi
<francescabaicchi@hotmail.com>

Dear Francesca,

I spoke with my husband about the divorce last night. He agreed that I could have sole custody, and he wants half the Vanguard money. However, he said he will not pay any child support or alimony. This is concerning since I would have to quit my well-paying job here when I return to the U.S., and it will be difficult to find another job in the area where my family lives in the States. This will be bad for my career. I am wondering if I go for a judicial divorce, do you think I could get custody and sue him for the child support and alimony? I don't want to risk that he changes his mind during the process (his mom will convince him to keep the baby and send to her) and maybe he will end up sharing custody, which would mean that I have to stay in Italy. I want to do whatever I have to do to get sole custody, but do I have to give up child support and alimony, or do you think I could get this in a judicial divorce?

Thank you, and best regards,

Michelle

[Quoted text hidden]

JA207

From: Michelle Monasky
<michelle.monasky@gmail.com>

Date: Tue, Apr 16, 2013 at 8:44 PM

Subject: Updates

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

Some updates, because it seems we are getting confused:

About Bianchi:

He suggested perhaps I should apply for the International Postdoctoral Program at San Raffaele, which will have the selection in June or July, with start dates in September. He said if we talk more about it, and we are both still interested, perhaps he can tell them that he would like to be a host lab. They are looking for no more than 7 people to begin at San Raffaele through this program. If I am funded through this program and Bianchi is the host lab, I am free labor for 2 years. We were originally supposed to have a follow-up skype conversation yesterday, but he emailed me that he would like to postpone it to next week, because he is traveling. Application deadline for the program is in May.

Joe's surgery:

Joe may be having outpatient surgery tomorrow to repair a severed tendon, which has retracted into his upper arm. We are not sure yet if he will have this surgery tomorrow, because first he needs some tests to determine if he is in overall good health, before having the surgery. These tests may not be able to be done in time. If/when he does have the surgery, it will be at Rush, next door to lab, and Claudia does

JA208

not drive “in the city” so I will need to pick them up and drive them home afterwards.

Marie’s school:

Apparently Marie will soon be going back to school to get a Bachelor of Nursing.

Church photography:

I made business cards for photography at Fr. Larry’s request and dropped them off at the church office, where Rosemarie got really excited. Joe found an excellent online resource from B&H, and I’m more confident than ever. Joe has been really helpful to help me figure out how to get started, build a portfolio, etc. He also knows a lot about cameras. This might actually work!

YOU:

I miss my bibi, and if you told me to quit my job and fly to Palermo tomorrow, and be by your side, and never leave you, I would do it. I’m not doing it because I am afraid. I’m waiting for you to say it’s okay. I know there are a lot of factors, and we are both nervous about a lot of things.

I just want you to know that you and your health and your happiness and your comfort are my priority. For now I’ll stay here and do all we discussed. However, if one day you wake up, things look different, and you want me on the next plane, I’ll be there! (I’m not going to divorce you, you silly man!)

Residency:

I would suggest to look into changing your residency to Italy, especially now that things are looking up. If we go to Milan or Rome, we won’t care about the

JA209

people at Pitt who don't answer emails in a timely fashion. But don't think that means we are done with the US. You can go back on a waiver, and can attend conferences and such just like everyone else. And remember, even if you wanted to keep your residency here, you would have to be living in Chicago to fill out your paperwork and go back for the interview in January. It looks like we will not be here then, so you will lose it anyway. Maybe better to give it up, in case you ever want it back - it won't be on your record that it was taken away.

Skype appointment:

Let's try 5 pm, midnight tonight as you said.

JA210

Fwd:

Michelle Monasky <michelle.monasky@gmail.com>
Mon, Mar 17, 2014 at 10:18 AM

To: "Domenico M. Taglieri"
<domenico.taglieri@gmail.com>

Hi Domy,

While I understand that you need to be at work on time, this does not excuse your actions of hitting me across the face for having a zit, for not respecting my decisions about my body, including medical procedures, for denying my medical history because you didn't know me back then, for making statements that you don't care whether I want a child or not – that it's your decision, and for making a decision to move to Bologna without involving me, stating that it will be my problem to raise the child while maintaining a competitive research program.

Frankly, we have come very close to divorce several times. I often threaten this, but in reality my desire is to make peace and live together happily forever. I keep trying, forgetting and forgiving, while I know you do the same for me, because nobody is perfect, hoping that we can achieve marital bliss. However, I need you to stop being so controlling, from when and how to wash my face to how to do chores around the house. I need you to acknowledge that I work just as hard as you, and for you to trust that I know what is best.

You are very demanding for someone who cannot even brush his teeth.

No jewelry can replace respect from one's spouse.

Michelle

JA211

On Mon, Mar 17, 2014 at 2:29 PM, Domenico M. Taglieri <domenico.taglieri@gmail.com> wrote:

Hi Mishy,

I am writing to apologise for the bad behavior that I displayed this morning. Sorry about that, it will not happen again.

In order to my explain to you why this morning I was anxious to get to the hospital in time, I am attaching some evidence.

I have probably explained to you that it is important for the anesthesiologist to be in the OR before 7:30. As you may know, nurses depend on me to get the first (and other) surgery started. The guy in the picture is the nurse that was assigned to me this morning.

Due to his “ heavy bodily frame”, it appears quite obvious that I do not want to upset him and consequently “confront” him.

Therefore it is my utmost interest not to be late at work.

I hope in your understanding.

I am now going to see a jeweler, where I will hopefully find something that will make you forgive me.

I really really love you.

Domenico

--

Domenico M. Taglieri, MD, PhD

Humanitas Research Hospital

JA212

Via Manzoni 56, Rozzano (Milano), Italia

Tel: (+39)-320-322-3958

Skype name: domenico.taglieri

Personal Website: <http://lnkd.in/67g5S2>

Institutional Website: <http://www.humanitas.it/>

JA213

Obama Health Care extended enrollment until July 15 !!

Diana Monasky <DMonasky@lakelandcc.edu>

Wed, Aug 6, 2014 at 10:34 AM

To: Michelle Monasky
<michelle.monasky@gmail.com>

Cc: Diana Monasky <DMonasky@lakelandcc.edu>,
Diana Monasky <dmonasky@gmail.com>

Call the number and ask if you move back to your parents and don't have a job, can you enroll for healthcare before the deadline. If so, how can you do that from Italy.

<http://www.government-health-insurance.com/?sid=SEM-H-AIW-B-t5vs8G2B&c2=5271563034&c1=c&nqid=>

Diana L. Monasky
Senior Secretary
Lakeland Community College
dmonasky@lakelandcc.edu
Telephone: 440-525-7495

JA214

Initial consultation

Michelle Monasky <michelle.monasky@gmail.com>

Wed, Nov 12, 2014 at 10:14 AM

To: studio@cecatiello.it

To Whom It May Concern:

I am an American citizen living in Milan, married to an Italian citizen. I don't speak Italian, so am at a disadvantage. I understand that since we live in Italy, the Italian court would have jurisdiction over a divorce. However, my husband may agree to a collaborative divorce (or may not - he's inconsistent) so I'd like to learn more. He has abandoned me in Milan and moved to Lugo (near Bologna) for work, because he says his job here was boring. He forced me to get pregnant, and now insists that when the baby is born that I will raise her here in Milan while he lives in Lugo. He forbids me from going there and refuses to come back. I would like to find a way to get custody of the baby when she is born, and take her back to the States. I cannot even drive here in Italy. I cannot survive here now that he has left. He doesn't see any of this as a problem, despite interventions from our entire family and co-workers. He is content to live like a gypsy, and doesn't see why I would be upset to be abandoned in a foreign country with a baby that he forced me to have, and after having quit my job in the States to follow him here. Could we have an initial consultation so I can understand my rights and this process, before I present this to him?

Thank you for your time and help.

Best regards,

Michelle Monasky

JA215

(no subject)

Michelle Monasky <michelle.monasky@gmail.com>

Sun, Mar 1, 2015 at 4:44 PM

To: Diana Monasky <dmonasky@gmail.com>

This morning I asked Domenico for a divorce. I couldn't do it anymore. He kept trying to have sex. I wanted to vomit. He doesn't know the whole story, but I told him pieces so that now he understands that I already have a lawyer, and that I am going to ask her to draw up the papers (he's taking a nap, and I just emailed her). In other words, I'm actually serious, not just talking. He seems to agree to me taking [A.M.T.], and he took us to the mall this morning to get her passport pictures. Then, when we got home, I fed her, then he took her and while he was holding her, said "I guess you are going away." I told him it will be better for him, because he won't have to drive back and forth on the weekends anymore (he has no intention of returning to Milan, unlike what he tells the family), and he's always complaining about having to make phone calls for me because I don't speak the language, so I told him he will be able to rest finally and not have to deal with us, and he seems to like the idea. He has not even asked for visitation, and I wonder if he even cares. I asked him to remain friends (not that I want to - I just want a smooth divorce) and after all we have been through, to help me make this transition back to the States, which cannot happen overnight, and is complicated. He seems to have agreed. He took me to get breastfeeding bras today. I invited him for a gelato, so we did that after the mall and went for a walk through the park, and everyone stopped to look at [A.M.T.] and comment about how small she was.

JA216

Then we came back home and he went straight to bed, and me to the computer while I can type without him hovering over me. I will contact the lawyer this week and push to get the papers signed fast, before he has much time to think and changes his mind.

JA217

(no subject)

Michelle Monasky <michelle.monasky@gmail.com>
Mon, Mar 2, 2015 at 11:15 AM

To: Domenico Taglieri
<domenico.taglieri@gmail.com>

Domenico,

I hope you had a safe drive back to Lugo. Thank you for coming this weekend and helping with [A.M.T.].

It seemed you were not ready for when I asked you for a divorce. I want you to understand that I don't want to fight, and that I want to look back on the time we have spent together, all the sacrifices we made, the times we shared, and smile as I remember all the good times (although cry is more like it). How hard we fought to be together, right from the beginning. How we never cared how tough things were, that we would figure things out. That was a long time ago now that we collaborated like that, but there was a time, and it was good. I fell madly in love with you. I couldn't imagine my life without you, and now we have a daughter, and I want her to grow up thinking that she was born of love, and not understand how we fought in the end.

While we have done many things for each other, and supported each other in many ways – financially, language translations, etc. – I don't need to name them all here, because we both know – the relationship has been falling apart. I need to have some control. I need to be free to spend money at the grocery store, the pharmacy, a taxi, whatever, and not have to answer to you. I trust you to buy things that you need, and not to waste money that was hard earned. It hurts that you don't return this trust to me. And it hurts that you grab me and inspect my

JA218

skin, and hit me when you find blemishes, and then say you are hitting me for my own good, and show no remorse.

I understand that you went away to Lugo to make money. At first, I even made peace with it, on some level, because I understand from a professional point of view. However, the fact that you would get on top of me and actually tell me to spread my legs or you would spread them for me, and threaten me constantly with divorce and saying how you could make my life miserable.... frankly, I was not strong enough to see a way out. Not strong enough to tell you goodbye back then. I was still hoping you were just stressed and that you would change.

I have always, always told you how I am unhappy, and what I needed as your wife. You never agreed. I felt like you never cared. You told me that you would not change, that you would make all the decisions, that if I wasn't happy with the way you were running my life, that I should just go back to the U.S. This really hurt me, because I remembered how you used to value my input, and I was hoping things would turn around and you would value my opinion again.

Now, I understand that you will not change, and I need to go. I would like to take you up on your offer to take the baby, the money, and go. It will be hard. Yes. And I'm not happy about it. I came to this country in support of our marriage and your professional career. However, my returning to the U.S. has been YOUR solution to my unhappiness here. You leave me with no other choice. Your way or the highway. In this case, please let us go. Please don't put the whole family through more hell and the courts for years. You say you love me? Let me go. Don't make me continue to feel like a prisoner here

JA219

in Italy. Marriage should not be prison. I should be able to go. You have a great job making lots of money and a permanent contract. You promised you wouldn't leave like that again, after we spent 6 months on different continents. Don't you know how difficult this has been for me? Let me go. Let me go. Please let me go. Show me that you didn't lie. Let me go. Help me to go. This is a difficult time, and will be a difficult transition. If you love me, you will help me. Like the way I still made dinner for you last night. We can still be friends. It's not too late. Don't ruin that too.

Michelle

JA220

Fwd: Delay

Jennifer Monasky <j.monasky@gmail.com>

Forwarded message

From: Michelle Monasky

<michelle.monasky@gmail.com>

Date: Thu, Mar 12, 2015 at 2:06 PM

Subject: Re: Delay

To: Diana Monasky <dmonasky@gmail.com>

Cc: Jennifer Monasky <j.monasky@gmail.com>

If he does not agree to the divorce and I have to sue him for it, it's more like years, actually. Months is if he agrees to everything - how to split money, custody, child support, alimony, etc. If you don't agree, you have to go to court. At this point, he will not agree to sign. He says he wants a reconciliation.

On Wed, Mar 11, 2015 at 2:58 PM, Diana Monasky <dmonasky@gmail.com> wrote:

She knows but she needs that license to get to work while she is stuck in proceeding for months.

On Mar 11, 2015 9:34 AM, "J Monasky" <j.monasky@gmail.com> wrote:

Francesca is right.... If you are going to stay in Lugo for another 3 weeks before starting the long process, you are just prolonging it and your time having to be around Domenico.

Sent from my iPhone

JA221

* * *

Today, I need to report my husband, who has made threats against my life, and who is controlling. I am trapped. He is at work now, so it's an opportunity to report what is going on, because I was scared for my life just before he left for work. I need help to prove that he does what he does so that I can get away from him permanently, and also to protect our baby. Below are some things that have happened.

While we were both living in the US, before him moving to Italy (before January 2013):

He could not work as a physician, and his research career was not working. People did not take him seriously as a researcher. He convinced me to follow him to Italy so that he could work as a physician and make a lot of money right away. We knew that my career would suffer, but agreed as a family unit we would have more money living in Italy, and would be able to have a family and house sooner.

He insisted on living in a bedroom of a secretary from work (Kathleen Engstrom). He was living in her house before we got married, and after we got married he said we had to both live there with her. He refused to look at alternative housing arrangements with me. He insisted that we needed to save money to buy a house. He said that paying rent was like throwing money away. I have a driver's license with her address to prove that we lived there.

He didn't care about doing taxes correctly. He gave me a hard time when I tried to do them correctly. He said I was "not allowed" to pay someone to help me do the taxes. He "forbid it." I found some old emails where I was looking for free tax help.

After he moved to Italy, but while I was still living in the United States (January 2013 - June 2013):

He moved to Italy and I stayed in the US to financially support him while he found a job. He found a job in Palermo but refused to then let me follow because he said there were no good jobs there for me, and he refused to financially support me unless I had a job too. I stayed in the US alone for 6 more months.

He refused to submit his US taxes, and refused to send me the paperwork so that I could do it for him. I had to fly to Palermo (where he was working at the time) for a few days (April 6-10) to do his taxes for him. He did not even sit at the computer when I did it. Then I returned to the US. (I have records that I traveled during this time and records that his taxes were submitted during my time there.)

He said nasty words to me over skype that made me wonder if I should follow him to Italy. He said he was stressed, and that's why he said those things. I was reluctant, but decided to go to Italy and try to make the relationship work. I thought things would be better when we were together again.

After I moved to Italy (July 2013):

He got a new job in Milan and we agreed it was time for me to move. I arrived in Italy and immediately went on job interviews and officially started a new job in Milan in September 2013 (no new hires in August due to vacation month). He said he was sorry for everything and promised that we would never be apart again for the sake of making more money. In November, we received news that I had won a big research grant and would get a better job in Milan.

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We celebrated and started contacting realtors to buy in apartment in Milano 3 (Winners House realtor and others).

We set up a joint bank account (at PosteItaliane) to have my salary deposited. He already had an account with his mom, which he refused (and still does) to close. His salary is deposited into his joint account with his mom at Banco di Napoli. Every month, he takes my salary and removes it from the joint account and places it in his own account at PosteItaliane. He uses the debit card from our joint account for all day-to-day purchases (rent, groceries, car fuel, ecc.). Thus, in reality, I have been financially supporting the whole family this entire time. He just saves his entire salary in his own account. (see bank accounts) I told him to stop moving the money from the joint account to his individual account, but he will not. He told me that I cannot have money in Italy because if the account goes over \$10,000 then we have to report it to the US government, and he says he does not want to do that, "because it is none of their business."

He then decided he wanted a child. He said he wanted an heir. I told him I needed more time to adjust to Italy (learn the language, get a driver's license) and that I was not ready to have a child. He screamed at me things like "How dare you deny me a child" and "spread your legs or I'll spread them for you", followed by getting on top of me in the bed and forcing my legs open. This subject has come up numerous times in fights between us, and he has said that his words don't count because he didn't say them the day [A.M.T.] (our new baby) was conceived. He said for months how that if I didn't get pregnant, he would make things difficult for me. He took me to

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see an obstetrician at Humanitas (where he was working at the time) to make sure my anatomy was correct and that I could conceive (see email). I did not have an official appointment. He made her visit me as a professional favor. He was upset that I was not pregnant already, and she said that it might take up to a year, so not to panic, and to go home and have sex if we wanted a baby. Turns out, I was already pregnant (by days) during that visit.

When I found out I was pregnant, I went to him and showed him the positive home pregnancy test, and the first words he said were, "Don't worry. I'll fix this problem too." Turns out, he really did think it would take a year of sex for me to get pregnant, and he had just accepted a job in Lugo, which I had asked him not to take, and he thought that if I got pregnant in a year, then 9 months of pregnancy, he would have time to settle into his new job. Which leads us to.....

He moved to Lugo (Ravenna region) immediately after he forced me to get pregnant. He told me the baby is my responsibility. His plan (which I never agreed to) was that he would go to Lugo to make more money, and I would stay in Milan (where I have a great contract making lots of money) and I would raise the baby by myself since I have a more flexible and predictable work schedule. He insists that living apart results in the best income. He told me that I am "forbidden" from moving to Lugo to reunite the family, despite his great salary and permanent contract, because I "could never make that much money in Lugo." Therefore, I was stuck pregnant, him in Lugo, and me in Milan. He was mad that I was upset that he was leaving, and said that I should thank him, because the burden is all on

him, and he will be the one to always travel back and forth to Milan. I will never have to travel to Lugo.

He checks every bank account every day, obsessively, like how some people check email, including the mutual funds. He always tells me to spend less, without clearly telling me how to do that. I respond that the only things I buy are groceries and bus tickets to go to work, but he says “yes, I know, but try to spend less.”

Whenever we fight or disagree, he does not want to hear my side. He insists that he is always right, and says that if I don’t “cooperate”, then there will be consequences, but always leaves it to my imagination to try to understand what he means.

When I told him I did not like how our relationship was going, he told me calmly several times (usually while laying in bed checking his email or reading the news, and not even looking at me) to just throw myself off the balcony.

He has threatened on countless occasions (nearly every day) that if I don’t “cooperate” then he will withdraw his support of helping me with things such as getting the driver’s license, calling the electric company (because I don’t speak Italian), and helping me with other things that I need help with to adjust to the country.

He controls what I wear, how I do my hair, and how my makeup is applied. He checks my skin constantly, usually by forcefully grabbing me, and if he finds a blemish, he will smack me in the face. When my mom came to Milan for the birth and found out about this, she confronted him on the phone, and he admitted to doing it, and said that he will continue to do it because someone has to teach me a

lesson, and it's like "how a mother hits a child." He has told me repeatedly that he hits me because he deserves a beautiful wife, and then he will ask me repeatedly while we are fighting and he has hit me, "Don't I deserve a beautiful wife? Don't I? Answer the question! Don't I deserve a beautiful wife?" He has also threatened during the pregnancy that if I don't cooperate, he will show people marks on my skin (which during my hospital stay were noticed by a physician and diagnosed as an allergic reaction that keeps re-occurring) and he will tell people that I have a mental issue and use it to take the baby. I had a breakdown at the hospital about this, during which they put me in touch with Dr. Cecile Sterpa and attorneys.

During pregnancy (May 2014 - February 2015):

In week 6 of pregnancy, I had a near miscarriage. I started bleeding without explanation in the middle of eating dinner. I ran to the bathroom to check myself, panicked, and ran out the door to go to the hospital. I left my dinner still sitting on the table. I was convinced I was about to lose the baby. I arrived at Ospedale San Paolo and they said that, yes, I might lose the baby that night. I called Domenico (husband) and told him. It was very late at night by that time, so he came by train from Lugo the next day, and so did his mom from Reggio Calabria. When he arrived at the hospital, he was extremely angry and did not show any affection. He sat on a chair on the other side of the room and bickered (through his mom, who tried to mediate) that he was angry that I had left the house a mess, and said that I should have cleaned the kitchen before leaving. I apologized, and tried to explain that I panicked. He did not care. He didn't show any sign of concern for me or the

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baby. He was completely focused on how he had to come home to house chores. He got "his colleagues" to release me that day and took me and his mom back to the apartment. he left to return to Lugo and had his mom stay with me instead. I was on bed rest and had to take progesterone injections, which his mom did. I was embarrassed to have to sleep in the same bed as her and have her give me the shots, but she was all the help I had. I was grateful to her at that time, but angry with my husband for not taking care of me himself. Eventually she left, and then I had really no family, so a colleague started checking in on me and doing grocery shopping for me (Nafiseh, a summer student from Iran, who has now returned to Iran). My husband said it was funny that an Iranian girl was helping an American girl.

He said his plan was to send me to Reggio during my maternity leave. He said he could not handle the responsibility. If he got custody now, he would not keep the baby. He would send her to be raised by his mom in Reggio.

He constantly yelled at me for buying prenatal vitamins.

We rented a studio apartment in Milan from July 2013 - December 2014 (only one room total, plus a bathroom) and lived there for 1.5 years. I wanted to move to a bigger place, but he said no, because it was cheaper. He invited his parents over to stay overnight without my consent. We had to share the bedroom because there was only one room for the whole apartment.

**During labor / delivery / hospital stay
(February 2015):**

I refused an induction which was suggested based on the date, but all other things were fine (amniotic fluid, fetal heart rate). I was already in early labor (dilating and bleeding). I choose to wait for the spontaneous labor. After being checked at Mangiagalli, I signed to go home. Domenico was extremely upset about this, and tried to convince me to stay at the hospital. He called my dad and sister to ask them to convince me to have the induction. Neither of them tried, because I am an educated person, and they trust my judgment. During the drive home, Domenico and I fought, and I started having clear contractions. Finally, I said, "fine, let's go back to the hospital" but he refused to turn the car around. He said he would be too embarrassed in front of his colleagues because we had just left. At home, I timed my contractions. They were 10 minutes apart. They told me at the hospital to return when they are 5 minutes apart, so I waited. I labored all night in the baby's room because I was not welcome in our own bed. Around 4 am, I went to him (he was awake) and told him I am in labor and that later that day we will go back to the hospital. He said all sorts of nasty things, including "you're the son of the devil. you deserve to suffer. you can take a taxi". I was scared of him with the words and tone he was using, and I felt unsafe, so I took the suitcases (he had packed 2 because he didn't want to come back to the house for anything later), went downstairs and next door to a hotel, and had the men at the hotel call me a taxi. I have the taxi receipt showing day, time, and location. I took the taxi to the hospital. He called me while I was in the taxi, asked me where I was, and said he would meet me at the hospital.

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When I got to the hospital, I told the people in Pronto Soccorso that I did not want to see my husband. They asked me why I was there because my contractions were still only 10 minutes apart. They said I should have waited at home until the contractions were 3-5 minutes apart. They asked if I wanted to stay or go back home. I told them that I wanted to stay because I was afraid to go back home. Eventually, they moved me from Pronto Soccorso to the labor area upstairs, and at that time I saw my husband and he followed and stayed with me (on the other side of the room, not actually with me while I labored).

That morning, he left the hospital and got my mom at the airport, who flew to Milan coincidentally that day.

My mom held my hand throughout the contractions in early labor while my husband played with his phone.

Domenico insisted that I have an epidural, which was already determined that I could not have, due to previous back surgery. He kept insisting, so an anesthesiologist visited me and said that if I wanted her to try, that she would. I said no, since it would not work anyway. Eventually, since the pain was very bad, and Domenico kept insisting, I agreed reluctantly to try, if nothing else just to get him away from me. They tried several times. It failed — officially.

Then I was fully dilated and the baby was stuck. I felt like I was about to die - literally - and I think I really was - so I started begging - yes, begging - for a cesarean section. At first they said no, the baby was not stuck, it just had not yet entered the birth canal. Eventually, they determined that it was not able to

enter the birth canal because the head was turned, so it indeed was stuck. The doctor said I needed a c-section. Domenico disagreed. I laid on the table, naked, screaming, about 20 people in the room, for about an hour (I don't know how long it was, but my mom said she thinks it was an hour), while Domenico argued with the doctor that I did not want a c-section. I thought he was trying to let me die. Domenico told my mom that he did not want to sign and be responsible. My mom went into a panic because the doctor was completely ignoring what I was trying to say to him, distracted by Domenico, while the doctor had his hand clear up my vagina and apparently forgot that it was there (I was screaming for him to remove it in-between contractions). Eventually, they had me sign for the c-section. The anesthesiologist offered to try to perform a spinal (because Domenico said not to use general), but I told her no, that it won't work, and to use general! Get the baby out! This is especially concerning because Domenico is an anesthesiologist (who shows no concern for his patients when he tells me about them). The words "you deserve to suffer" that he had said to me earlier kept ringing in my ears this entire time.

He told my mom afterwards that it was okay that I suffered during 32 hours of labor because I won't remember it.

When his parents arrived later in the day that the baby was born, and I was bed bound recovering, as soon as I was alone with them they immediately scolded me that I almost killed their grandchild.

I reported him to people at the hospital, and at one point think that he overheard me in "Nido", where they keep the babies. After that, he kept saying how

his reputation was ruined (and I feared that it was because of what I told people, but am not 100% sure). He said that if I slander his name, I can't prove anything, and that there will be consequences. I was scared of him because he kept saying it, then at one point he said, "I'm not going to kill you. You're the cow that feeds my child."

When the baby cried in the hospital because my breast milk did not come in yet, he yelled that the first thing he was going to do when we got home was to "buy some formula and shove it up your [the baby's] ass" while he was holding the baby.

He told the baby to shut up more than once at the hospital.

He told my mom that our niece (his sister's daughter) is prettier than [A.M.T.]. I saw him critically inspect [A.M.T.]'s looks. On an earlier day, his mom had said that [A.M.T.] is prettier than [L] (our niece).

He didn't want to carry the baby out of the hospital (baby + car seat). My mom offered because I had an incision, and he said no, he wants me to do it. My mom thought he would throw the baby down the stairs as we left the hospital, because he was angry to have to carry her.

After return from hospital (February 2015 - Present):

They kept me for an extra day at the hospital so that after I went home, he would have to immediately return to Lugo. He dropped us off at home and left for Lugo.

When we told him the gauze he purchased was not big enough for my incision, he insisted we send him a photo of my incision. He bitched that it will leave a

bigger scar. He was very angry about it. He was also angry that I had purchased new gauze, and told me not to do it again. (My dad recorded a later skype conversation in which Domenico admits this, and says it's because he does not want to give the pharmacist money that he worked hard to earn).

He wanted to remove my staples because it would have been cheaper. He did not want me to pay for a taxi to return to the hospital to have the obstetrician do it. He is paranoid about trust, and goes on and on about how he feels I don't trust him to manage my medical issues. I had to borrow money from my mom to go back to the hospital.

He told me not to take the baby to Mangiagalli for her follow-up appointment, but instead to go to a local physician. I agreed (had to). Then, he called me up and screamed at me because he assumed that I would take the baby to Mangiagalli anyway, said it's a matter of trust. He said I don't trust him to remove the staples, so I would go to my appointment anyway. He said it's \$40 one-way by taxi - that's more than he pays to go back to Lugo, and we need to watch our finances. He hung up on me.

He yelled at me for buying vitamins for the baby that the physician told me to buy.

He continues to control the finances by checking what I spend each day.

He continues to move money from my account so that we don't have to report to the US government because "it's none of their business".

Now, we are in Lugo, at his apartment, and I am working on getting the driving license. He registered me in Ravenna for the exam before the baby was born, so now I am stuck to complete the exam in the

Ravenna region. The Ministry of Transportation will not let me complete the exam in Milan. Therefore, I am waiting in Lugo for my exam April 15, then will try to return to Milan, and try to open a new bank account for my salary, ecc. Also, he has agreed to sign for [A.M.T.]'s passports, and I hope to visit the United States soon, so I am trying to keep him calm until I can go, so that he does not stop me. His parents told him not to sign for the passports, but he did anyway. He keeps complaining about the money that "he" had to pay the driving school for me because Italy does not recognize American licenses. He has never referred to it as "our" money.

He keeps telling me not to run the dish washer as often as I do now when I return to Milan, because in Milan we have to pay for electricity (in Lugo he has a free apartment from his employer).

The last time we spoke of divorce he said that he would give me sole custody if I give him half the money that we currently have, and if I agree to no child support and no alimony. I was tempted to agree, just to be able to leave, but I do not trust him that he would do even that. Plus, if I go back to the States, I would have to quit my job, so he probably figures I would never do that.

He still gets angry at me for having refused the induction, even after I turned out to be right about how I would go into spontaneous labor, but then ended up with a c-section. He says he "lost trust" in me that night and I "betrayed" him. I have heard him use the same word "betrayed" to describe his Aunt Nuccia, who says he attacked her years ago (in Pellaro, RC, In January 2009?) before he and I met, when "she didn't cooperate and agree to her mom moving to a different house". Now, he keeps saying

that he “has an enemy in the house” and how his “best friend [me] turned into his worst enemy”. Nuccia says she feels bad for me but refuses to help me because she lives in the family home that he has access to, and she thinks he will kill her if she says anything. She said not to tell anybody.

He has been also asking me every day to feed [A.M.T.] more breast milk and less formula, because formula is expensive. He just purchased Pampers online because they are a few cents cheaper than the store brand at the supermarket. He gets mad when we have to change a diaper after only a little time (if she pees on a new diaper while we are changing her). When we took her to the pediatrician in Lugo on March 27, the doctor said that she is underweight by 400 g, and to increase how much formula she drinks.

He has complained every time that I have ever taken medication, because it was expensive, and then when we recently thought that our daughter had an infection (thrush), he took medication from the hospital where he works because he could get it for free.

We have purchased very little for the baby. Her clothes, blankets, bibs, bottles, bath supplies, toys - were all purchased and brought or sent by my mom from the United States.

He told me not to divorce him and live with my parents, because they will kick me out soon. Since I suggested that if we got divorced, I could move back to the States and live with my parents for a while, he decided that my mom is responsible for the breakdown of the marriage. He does not want to discuss our relationship. He says nothing is his fault.

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He says it is my mom's fault that I don't love him anymore.

He told me not to worry about the baby, because he says that she will abandon me one day.

He refuses to help me make an appeal to the Ministry of Justice for the recognition of my degrees for the practice of the profession of biologist. Always says to trust him, that he will make the phone call, but it has now been over a year since they denied my application, and he is still not helping me with this.

It took him a year and a half after I moved to Italy for him to help me sign up to take the driver's license exam. Then, I had to go for nearly a year without a license, and still do not have it. My practical exam is on April 15, so I have to stay with him here in Lugo until then to take the exam.

He is completely inconsistent. He changes his mind all the time, about everything, and then says I don't remember correctly.

Every time the baby cries, he acts as if it is my fault, and tells me to shove the pacifier in her mouth. We fight about this constantly. If I tell him no, that is not what she wants (for example, her diaper is clearly dirty) he says to do it anyway and hold it there. He becomes very angry.

He has said he is jealous of how I love the baby.

Today, when changing the baby's diaper, he asked for help. I noticed that she had peed on her outfit, so I went to put it in the laundry. He got mad because he does not want to pay for doing laundry, so he told me not to change it, despite a spot of urine at least 5 cm in diameter. Then, we ate lunch, and he started scolding me because I did not finish my rice before I

went to eat the meat, and after 5 minutes of demeaning lecture about how clearly I didn't want to eat the rice, I finally screamed "stop" and hit the table. I said "stop doing this to me! You are so controlling! Why do you do this to me?" When I hit the table, he instantly raised his hand as if to hit me, and had an angry look on his face. Then he calmly said, "I can't do this anymore. I can't do this anymore." He got up from the table, took his plate into the kitchen, and opened the silverware drawer. I heard him going through the drawer, moving something non-metallic for a while. I thought he might take a knife and try to kill me. I thought that if he does, maybe I could try to get out of the window onto the balcony, which connects to another apartment. Eventually I heard him open the freezer, saw him get a spoon from above the sink, and he came back with ice cream. After he left for work, I went to look in the drawer, and saw no silverware. Just two big knives. I took a picture with my phone. I'm scared that he'll kill me eventually. He's an anesthesiologist, so he has access to lethal drugs, so I wonder if he could make it look like an accident. He has told me in the past that there will be "severe consequences" if I ever tell anyone what happens between us, because it would "ruin his reputation". He says I can't prove any of it.

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