

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Thomas E. Kendall, Esq. Certified Family Law Specialist Kendall & Gkikas, LLP. 143 Harvard Avenue, Second Floor Claremont, CA 91711 TELEPHONE NO.: 909-482-1422 FAX NO.: ATTORNEY FOR (Name): MICHAEL PATRICK DONNELLY	<b>FOR COURT USE ONLY</b>  <div style="font-size: 1.5em; opacity: 0.5; transform: rotate(-10deg);">ORIGINAL FILED</div> <div style="font-size: 1.2em; opacity: 0.5; transform: rotate(-10deg);">OCT 01 2009</div> <div style="font-size: 1.2em; opacity: 0.5; transform: rotate(-10deg);">EAST DISTRICT</div>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: 400 Civic Center Plaza MAILING ADDRESS: Same CITY AND ZIP CODE: Pomona, CA 91766-3229 BRANCH NAME: East District	CASE NUMBER: <b>KD 073003</b>
PETITIONER: NI MADE JATI  RESPONDENT: MICHAEL PATRICK DONNELLY	
<b>JUDGMENT</b>	

1. ☐ This judgment ☐ contains personal conduct restraining orders ☐ modifies existing restraining orders.  
 The restraining orders are contained in item(s): \_\_\_\_\_ of the attachment.  
 They expire on (date): \_\_\_\_\_ A CLETS form must be attached.
2. a. This matter proceeded as follows: ☐ Default or uncontested ☐ By declaration ☒ Contested  
 b. Date: 3/17/09 Dept.: B Room: \_\_\_\_\_  
 c. Judicial officer (name): SUSAN LOPEZ-GISS ☐ Temporary judge  
 d. ☐ Petitioner present ☒ Attorney present (name): JULIE DUNCAN  
 e. ☒ Respondent present ☒ Attorney present (name): THOMAS E. KENDALL  
 f. **Petitioner** (1) ☐ The petitioner appeared without counsel and was advised of relevant rights.  
 (2) ☐ The petitioner signed *Advisement and Waiver of Rights Re: Establishment of Parental Relationship* (form FL-235).  
 (3) ☐ The petitioner is married to the Respondent, and no other action is pending.  
 (4) ☐ The petitioner signed a Voluntary Declaration of Paternity.  
 (5) ☐ There is a prior judgment of parentage in a family support, juvenile, or adoption court case.  
 g. **Respondent** (1) ☐ The respondent appeared without counsel and was advised of relevant rights.  
 (2) ☐ The respondent signed *Advisement and Waiver of Rights Re: Establishment of Parental Relationship* (form FL-235).  
 (3) ☐ The respondent is married to the Petitioner, and no other action is pending.  
 (4) ☐ The respondent signed a Voluntary Declaration of Paternity.  
 (5) ☐ There is a prior judgment of parentage in a family support, juvenile or adoption court case.  
 h. Other parties or attorneys present (specify): \_\_\_\_\_

### 3. THE COURT FINDS

Name: NI MADE JATI

☒ Mother ☐ Father

Name: MICHAEL PATRICK DONNELLY

☐ Mother ☒ Father

are the parents of the following children:

Child's name

SEAN DONNELLY

BRENDEN DONNELLY

Date of birth

3/17/93

9/17/94

### 4. THE COURT ORDERS

- a. ☒ Child custody and visitation are as specified in one or more of the attached forms:
- (1) ☐ *Child Custody and Visitation Order Attachment* (form FL-341)  
 (2) ☐ *Stipulation for Order for Child Custody and/or Visitation of Children* (form FL-355)  
 (3) ☒ Other (specify): ATTACHMENT TO JUDGMENT

PETITIONER: NI MADE JATI	CASE NUMBER:
RESPONDENT: MICHAEL PATRICK DONNELLY	KD 073003

5. THE COURT FURTHER ORDERS

- a. ☒ Child support is as stated in one or more of the attached:
- (1) ☐ *Child Support Information and Order Attachment* (form FL-342)
- (2) ☐ *Stipulation to Establish or Modify Child Support and Order* (form FL-350)
- (3) ☒ Other (specify): ATTACHMENT TO JUDGMENT
- b. Both parties must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this judgment. Thereafter, the parents must notify the court of any change in the information submitted, within 10 days of the change.
- c. The form *Notice of Rights and Responsibilities—Health Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.
- d. ☐ The last names of the children are changed to (specify):
- e. ☐ The birth certificates must be amended to conform to this court order by
- (1) ☐ adding the father's name.
- (2) ☐ changing the last name of the children.
- f. ☒ Attorney fees and costs are as stated in the attachment.
- g. ☐ Reasonable expenses of pregnancy and birth are as stated in the attachment.
- h. ☒ Other (specify): SEE ATTACHMENT TO JUDGMENT

☒ Continued on Attachment 3h. ATTACHMENT TO JUDGMENT

6. Number of pages attached: 6

Date: XXXXXXXXXXXX

\_\_\_\_\_  
JUDICIAL OFFICER

☒ SIGNATURE FOLLOWS LAST ATTACHMENT  
XXXXXXXXXXXXX

**NOTICE:** Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

1 Thomas E. Kendall, Esq. (State Bar #157891)  
2 *Certified Family Law Specialist*  
3 *California State Bar Association*  
4 *Board of Legal Specialization*  
5 *Kendall & Gkikas, LLP*  
6 P.O. Box 877, 143 Harvard Ave, 2<sup>nd</sup> Floor  
7 Claremont, CA 91711  
8 (909) 482-1422  
9 Attorney for: Michael Donnelly

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
7 COUNTY OF LOS ANGELES, EAST DISTRICT  
8

9 In re the Matter of:

10 NI MADE JATI,

11 Petitioner,

12 vs.

13 MICHAEL DONNELLY,

14 Respondent.  
15

Case No. KD 073003

ATTACHMENT TO JUDGMENT

16 WHEREAS: This matter came on for Trial on March 17, 2009 at 8:30 AM in  
17 Department B of the above-entitled court, the Honorable Susan Lopez-Giss, Judge presiding. The  
18 Respondent having appeared with counsel and Petitioner having not appeared, but represented by  
19 Julie Anne Duncan for Petitioner, Thomas E. Kendall for Respondent, and Patrick Barnitt having  
20 not appeared for the minor children and for good cause shown, it is hereby ordered as follows:

21 1. The Court finds that the Respondent and the Petitioner are the parents of two  
22 minor children, Sean Wayan Donnelly, born 3/17/93 and Brenden Surya Donnelly, born  
23 9/17/94.

24 2. The court finds that these children were born subsequent to marriage here in Los  
25 Angeles, said marriage being in 1985.

26 3. The court grants Respondent sole legal and sole physical custody of said minor  
27 children, Sean Wayan Donnelly and Brenden Surya Donnelly.

28 4. Petitioner shall have only monitored visitation with the minor children and she  
29 shall pay 100% of the costs.

1           5.       The Petitioner shall not remove the minor children from the County of Los  
2 Angeles, the State of California and/or the country of the United States without the signed  
3 written and notarized consent of the Respondent or further order of this court.

4           6.       Minor's counsel, Patrick Barnitt shall return the children's passports to the  
5 Respondent.

6           7.       Respondent may travel with the minor children out of the State of California and  
7 out of the Country of the United States without further consent or court order.

8           8.       This court has jurisdiction to make child custody orders in this case under the  
9 Uniform Child Custody Jurisdiction and Enforcement Act (Part 3 of the California Family Code  
10 commencing with section 3048).

11          9.       Any reference in this document to a minor child refers to any minor child listed  
12 above unless otherwise specified.

13          10.      The home state and habitual residence of each minor child for all purposes,  
14 including interstate and international child custody jurisdiction is California.

15          11.      Both parties have been given notice and opportunity to be heard as provided by  
16 the laws of the State of California.

17          12.      The country of habitual residence of the child in this case is the United States. If a  
18 party violates this order, the party may be subject to civil or criminal penalties, or both.

19          13.      Minor's counsel, Patrick Barnitt is relieved.

20          14.      Minor's counsel may submit a fee declaration to this court and this court orders  
21 that the Petitioner shall pay any and all additional minor's counsel fees owing to Mr. Barnitt.

22          15.      The Petitioner shall reimburse to the Respondent the sum of \$1,333 that he  
23 already paid to Mr. Barnitt for minor's counsel fees on or before July 1, 2009.

24          16.      As and for attorney fees, costs and sanctions the Petitioner shall pay to the  
25 Respondent \$30,000 on or before July 1, 2009.

26          17.      The Petitioner shall pay the Respondent as and for child support the sum of  
27 \$4,029 for Sean Wayan Donnelly, born 3/17/93 and \$6,719 for Brenden Surya Donnelley, born  
28 9/17/94 for a total of \$10,747 per month commencing June 1, 2008 payable one-half on the 1<sup>st</sup>  
29 and one-half on the 15<sup>th</sup> days of each month and continuing monthly thereafter until the each



1 minor child reaches the age of eighteen (18) and graduates from high school or obtains the age of  
2 nineteen (19) or until further order of the Court, whichever occurs first.

3 18. The Respondent's request for modification of the order made as to support  
4 previously is thus denied and the prior order as to child support shall remain in full force and  
5 effect.

6 19. This is a permanent order as to custody, visitation, support and attorney fees.

7 20. Upon submission by Respondent to Petitioner's counsel of an itemized list of all  
8 costs related to the deposition, including, but not limited to hotel rental fees, court reporter fees

9 and other costs, the Petitioner shall reimburse to the Respondent the actual cost for her  
10 deposition incurred by the Respondent on or before the later of a) the date those are submitted to  
11 Petitioner's counsel or b) July 31, 2009.

12 21. The Court finds that the United States and the State of California is the habitual  
13 residence of the minor children.

14 22. The parties stipulated to the jurisdiction of this Court by both seeking permanent  
15 relief and signing stipulations for orders as to visitation and other relief.

16 23. The Court strikes the Petition and allows the Respondent to proceed by default at  
17 time of trial.

18 24. The Court further finds that the Petitioner sought the assistance of the Superior  
19 Court of and for the County of Los Angeles and left without justification, leaving the Court with  
20 no other option except to find that she abandoned the children and she bear the cost of the entire  
21 litigation in this matter.

22 25. The parents are fully informed of their rights concerning child support.

23 26. Both parties must complete and file with the court a *Child Support Case Registry*  
24 *Form* within ten days of the date of the entry of this Order. Thereafter, the parties must notify the  
25 court of any change in the information submitted within ten days of the change by filing an  
26 updated form.

27 27. The further orders and findings of the court as reflected in the court's transcript  
28 for the hearing on March 17, 2009 at 8:30 AM in Department B of the above-entitled court are as  
29 follows:

1           28.     The court reserves jurisdiction to award additional fees for minor's counsel's fees  
2 for any fees incurred after the date of March 17, 2009 as the court does not have a declaration  
3 from minor's counsel for any additional fees and therefore reserves on that issue.

4           29.     This was a custody matter that was filed by Petitioner on March 19, 2008 and the  
5 parties were divorced in Jakarta on February 28, 2008. The court has no evidence that  
6 Respondent kidnapped the children. There were no custody orders pertaining to the minor  
7 children.

8           30.     In Petitioner's Petition, she indicates that the minor children are of this

9 relationship and that Respondent is the father of the children. Therefore, paternity has been  
10 established by the Petitioner under penalty of perjury.

11           31.     The Respondent filed a Response to the Petition seeking sole legal custody and  
12 sole physical custody and indicated that visitation would be supervised by a professional monitor.

13           32.     The Respondent also sought child abduction orders and certain other orders.  
14 Respondent did not object to this court having permanent jurisdiction and finding that the  
15 children are subject to the jurisdiction of California as to custody, visitation and support.

16           33.     Then a war broke out between the Petitioner and the Respondent in court. While  
17 the Petitioner was originally at a hearing in this court on May 7, 2008. The parties reached a  
18 stipulated visitation agreement where the father was going to have the care and custody of the  
19 children and that mother would have reasonable visitation commencing May 12, 2008 with all  
20 details to be decided by mutual agreement.

21           34.     There was a stipulation at that time that the court had jurisdiction over the  
22 children because California was their home state. Their habitual country of residence was the  
23 United States of America and both parties are advised any violation of this court order would  
24 result in civil or criminal penalties. The Petitioner signed that agreement as did the respondent.

25           35.     On May 15, 2008, the court appointed Mr. Barnitt. And the Petitioner was present,  
26 and the court ordered a child custody evaluation with each party to pay one-half of the cost and  
27 the court acknowledged additional visitation for the Petitioner with the children on May 24<sup>th</sup> and  
28 May 31<sup>st</sup>, 2008.

1           36.     June 4, 2008, the Petitioner was not present. The court then indicated the children  
2 were not to travel to Bali, and the passports were to be surrendered to minor's counsel. The  
3 Petitioner and the Respondent were ordered to participate in counseling, and the matter was  
4 continued until July 31<sup>st</sup>. The Petitioner was not present, but her counsel was present.

5           37.     On July 31<sup>st</sup>, the Petitioner again was not present. The court ordered sole legal and  
6 physical custody of the minor children to the Respondent. The Petitioner was allowed to have  
7 visitation as arranged to by the parties. They were still to cooperate with the 730 evaluator. The  
8 Petitioner was not allowed to remove the children from the United States without order of this

9 court. There was an order of support in the amount of \$10,747 per month, \$4,028 for Sean,  
10 \$6,819 for Brenden, totaling \$10,747.

11           38.     The court reserved jurisdiction at the time of the trial. There was then  
12 Respondent's motion for a deposition. The court approved that motion to be heard in Bali in  
13 October of 2008. The Petitioner was not present. The Petitioner's counsel was present. The court  
14 on its own motion modified the order to be consistent with the case of *Beverly Hills National*  
15 *Bank and Trust* 195 Cal. App. 2<sup>nd</sup> 861.

16           39.     The matter was continued from December until January of 2009. Petitioner was to  
17 be present and the Petitioner was not present. The court set an Order To Show Cause against the  
18 Petitioner for her failure to appear at the deposition and comply with discovery. The Respondent  
19 made a request for terminating sanctions which were provisionally granted. The court set a  
20 settlement conference for March 3, 2009, and for trial on March 17, 2009. The Petitioner was  
21 ordered to be present on March 3, 2009.

22           40.     On March 3, 2009, the Petitioner was not present. The court ordered sanctions for  
23 her failure to appear at the deposition and comply with discovery in the amount of \$1,000. The  
24 court reserved on the issue of striking the Petitioner and allowing Respondent to proceed by  
25 default.

26           41.     The court notes the Petitioner was not present at the trial on Tuesday, March 17,  
27 2009. the Petitioner has not complied with the court's orders for discovery. The Petitioner has  
28 not complied with the court's order to comply or appear at the deposition. The Petitioner has not  
29 complied with the court's order to comply with discovery. The Petitioner has not complied with

1 the court's order to appear in court. So consequently the court proceeded to strike the Petitioner's  
2 Petition and allowed the Respondent to proceed by default.

3 42. The court makes these rulings based upon the fact that the Petitioner initiated the  
4 proceedings in this court, sought this court's assistance, and then left the jurisdiction never to  
5 return. There is no indication as to why, and the court knows that the Petitioner sought to stop the  
6 court from exercising jurisdiction forgetting the fact that the Respondent had filed a Response  
7 and sought relief of the court. The Petitioner left for reasons unproven or unsubstantiated with  
8 this court. And, quite frankly, the court gave the Petitioner so many opportunities to come back

9 to court. The court gave the Petitioner as much visitation as possible every time the Petitioner  
10 was in town. And it is the court's opinion that, for whatever reason, the Petitioner chose to return  
11 to her family and her businesses, which was uncontroverted, in Bali. The court makes a finding  
12 that Petitioner abandoned her children.

13 43. In the meantime, she caused the Respondent to expend funds to obtain relief that  
14 she originally sought for herself. It is on that basis that the court determines that Petitioner should  
15 have to bear the cost of the entire litigation in this matter. Minor's counsel was involved; a court  
16 evaluator was involved; they were all involved initially by the initiation of the Petitioner, and she  
17 left. The Petitioner has given the court absolutely no recourse. That is the order of the court.

18 APPROVED AS TO FORM AND CONTENT:  
19

20 Date:

21  
22 Date:

4/29/09

23  
24 IT IS SO ORDERED.

25 Date:

OCT 01 2009

Julie Duncan, Attorney for Petitioner

Patrick Barnitt, Attorney for Minor  
Children

Susan L. Lopez-Giss

JUDGE OF THE SUPERIOR COURT




ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Thomas E. Kendall, Esq. Certified Family Law Specialist Kendall & Gkikas, LLP. 143 Harvard Avenue, Second Floor Claremont, CA 91711 TELEPHONE NO.: 909-482-1422 FAX NO. (Optional): E-MAIL ADDRESS (Optional):	FOR COURT USE ONLY  ORIGINAL FILED OCT 01 2009 EAST DISTRICT
ATTORNEY FOR (Name): MICHAEL PATRICK DONNELLY <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: 400 Civic Center Plaza MAILING ADDRESS: Same CITY AND ZIP CODE: Pomona, CA 91766-3229 BRANCH NAME: East District	
PETITIONER: NI MADE JATI  RESPONDENT: MICHAEL PATRICK DONNELLY	
<b>NOTICE OF ENTRY OF JUDGMENT</b>	
CASE NUMBER: KD 073003	

You are notified that the following judgment was entered on (date): **OCT 01 2009**

1. ☐ Dissolution
2. ☐ Dissolution—status only
3. ☐ Dissolution—reserving jurisdiction over termination of marital status or domestic partnership
4. ☐ Legal separation
5. ☐ Nullity
6. ☐ Parent-child relationship
7. ☐ Judgment on reserved issues
8. ☒ Other (specify): *Child custody, Child visitation, Child support*

Date: **OCT 01 2009**

Clerk, by  , Deputy

— NOTICE TO ATTORNEY OF RECORD OR PARTY WITHOUT ATTORNEY —

Under the provisions of Code of Civil Procedure section 1952, if no appeal is filed the court may order the exhibits destroyed or otherwise disposed of after 60 days from the expiration of the appeal time.

**STATEMENT IN THIS BOX APPLIES ONLY TO JUDGMENT OF DISSOLUTION**

Effective date of termination of marital or domestic partnership status (specify): *n/a*

**WARNING: Neither party may remarry or enter into a new domestic partnership until the effective date of the termination of marital or domestic partnership status, as shown in this box.**

**CLERK'S CERTIFICATE OF MAILING**

I certify that I am not a party to this cause and that a true copy of the *Notice of Judgment* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed

at (place): *Pomona*, California, on (date): **OCT 01 2009**

Date: **OCT 01 2009** Clerk, by  , Deputy

Name and address of petitioner or petitioner's attorney

NI MADE JATI  
 C/O JULIE ANNE DUNCAN, ESQ.  
 245 FISCHER AVE, #A1  
 COSTA MESA, CA. 92626

Name and address of respondent or respondent's attorney

MICHAEL PATRICK DONNELLY  
 C/O THOMAS E. KENDALL, ESQ.  
 KENDALL & GIKAS, LLP  
 143 N. HARVARD AVE., 2ND FLOOR  
 CLAREMONT, CA. 91711

## EXEMPLIFICATION

Petitioner: **NI MADE JATI**  
Respondents: **MICHAEL PATRICK DONNELLY**

CASE NUMBER:  
**\*\* KD073003 \*\***

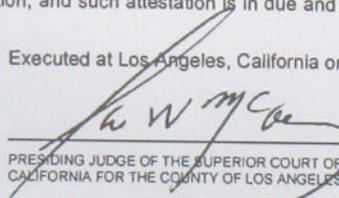
STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES



STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

I, CHARLES W. McCOY Jr., Presiding Judge of the Superior Court of the State of California for the County of Los Angeles do hereby certify that JOHN A. CLARKE is Executive Officer/Clerk of the Superior Court of the State of California for the County of Los Angeles (which is a court of record having by law a seal); that the signature to the foregoing certificate and attestation is the genuine signature of the said JOHN A. CLARKE as such officer, that the seal annexed thereto is the seal of said Superior Court, that said JOHN A. CLARKE as such officer is the legal custodian of the original records or documents described and referred to in the foregoing certificate; is the proper officer having the authority to execute and said certificate and attestation, and such attestation is in due and proper form according to the laws of the State of California.

Executed at Los Angeles, California on **NOVEMBER 5, 2009**

  
PRESIDING JUDGE OF THE SUPERIOR COURT OF THE STATE OF  
CALIFORNIA FOR THE COUNTY OF LOS ANGELES

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES



I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, State of California, the same being a public entity having by law a seal, do hereby certify that CHARLES W. McCOY Jr., whose name is subscribed to the foregoing certificate of due and proper attestation was, at the time of signing same, Presiding Judge of the Superior Court aforesaid and was duly commissioned, qualified and authorized by law to execute said certificate. And I do further certify that the oath of office, or a true and correct copy thereof, of the judge above named is on file or of record in my office, that I am well acquainted with his handwriting, and verily believe the signature of the said judge to the said certificate to be genuine.

Executed and Seal of Said Registrar-Recorder/County Clerk Affixed at  
Los Angeles, California on **NOVEMBER 5, 2009**

  
REGISTRAR-RECORDER/COUNTY CLERK OF THE COUNTY OF LOS ANGELES

EXEMPLIFICATION