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Attorney for Respondent

CLIFFORD L. ROEPKE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

In re the Marriage of:	)	Case No.: No.D 472021
	)	
MICHELE LALLY,	)	DECLARATION OF DEBBIE HOLLOWAY
	)	SUPERVISED VISITATION MONITOR
Petitioner,	)	
	)	
and	)	
	)	
CLIFFORD L. ROEPKE,	)	
	)	
Respondent	)	

I, DEBBIE HOLLOWAY, do hereby declare:

I am over the age of 18 years and not a party to the within action; My business address is 1260 E. Vista Way, Vista, CA 92084; I am a Supervised Visitation Monitor and Mandated Reporter as defined by California Family Code, Section 26.2. If asked I could and would testify truthfully and accurately to the following:

1. Mr. Roepke contacted my office on the morning of April 9, 2004, which was Good Friday. He was inquiring as to whether or not someone from our office could be present as a supervising monitor that same afternoon at 3:00 p.m to supervise the

1 exchange of his son, Oliver, between he and Oliver's mother,
2 Michele Lally. Mr. Roepke explained that the Supervisor that
3 normally supervised the exchange, was not available and he was
4 scheduled pick up his child for a Spring Break visitation with
5 his son at 3:00 p.m., in the parking lot of the DoubleTree Inn
6 in Del Mar, CA.

7 2. I informed him that I would be available at that time
8 and Mr. Roepke provided me with a telephone number for Michele
9 Lally. I telephoned Michele at (858) 792-8100 at approximately
10 10:00 a.m. and although I did not speak with Michele, I left her
11 a message to contact my office at (760) 631-5235 and/or (760)
12 594-0769 with regard to the exchange scheduled that afternoon.
13 It was my intent to introduce myself and to answer any questions
14 she might have regarding my qualifications. Not hearing from Ms.
15 Lally, I again left a message for her at 12:00p.m. I again
16 telephoned Ms. Lally at 1:30 p.m., while in route to the
17 exchange site in Del Mar, CA., without success.

18 3. My assistant and I were about 10 minutes late due to
19 Holiday traffic and did not arrive at the designated area until
20 about 3:10 p.m., although I received a call from Mr. Roepke at
21 exactly 3:00 p.m. checking on my arrival time and stating that
22 Ms. Lally had not yet arrived.

23 4. Upon our arrival at the exchange point, Mr. Roepke
24 informed me that Ms. Lally had telephoned him and said she was
25 in La Jolla, CA and was not sure if she could make it today or
26 not. Mr. Roepke requested I wait with him at the exchange point
27 for at least an hour to see if Ms. Lally would show up.
28

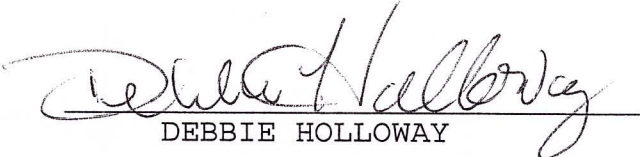
1 5. Ms. Lally did arrive at the exchange point at about
2 4:05 p.m. I walked to her car, explained whom I was and that I
3 would escort Oliver to his dad's vehicle. Ms. Lally remained at
4 her vehicle, climbing into the back seat with Oliver and holding
5 onto him while crying and hugging and kissing him. She told
6 Oliver over and over that she would be waiting for him and that
7 he would be okay. This continued for about 5 minutes and when I
8 attempted to hurry her along, Ms. Lally stated that I needed to
9 give them time because Oliver was upset about his pet (dog)
10 passing away that day. After an additional 5 minutes of crying
11 and holding on to Oliver, Ms. Lally did allow Oliver to exit the
12 vehicle. She walked to Mr. Roepke's vehicle with Oliver, leaving
13 her dog locked up in her car with no open windows.

14 6. When we reached Mr. Roepke's vehicle, he greeted his son
15 and said a few words to him. Ms. Lally immediately knelt down on
16 the ground in front of Oliver, enveloping Oliver in her arms and
17 crying. She was assuring him over and over that he wouldn't be
18 gone all that long and that she would be waiting for him. Ms.
19 Lally also assured Oliver that he would be "okay". This behavior
20 continued for another 10 minutes and when my assistant suggested
21 that it was time to leave, Ms. Lally curtly told her she needed
22 more time because Oliver was upset. I waited another 5 minutes
23 and then insisted it was time to leave. Ms. Lally finally
24 released Oliver and Oliver proceeded to Mr. Roepke's vehicle and
25 got in the vehicle. Ms. Lally was outside the vehicle looking in
26 and reminding Oliver to keep his phone with him because she
27 would be calling him to make sure he was okay.
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1 7. I need to note that the entire time we were waiting
2 for Ms. Lally to finish her goodbye's to Oliver, he never
3 appeared upset as Ms. Lally frequently indicated, but did in
4 fact appear at times to be comforting his mom. Oliver did not
5 cry, appear emotional or reluctant to go with his father. He was
6 in fact fairly quiet, saying only a few words. I believe Ms.
7 Lally's continual reference to "him being okay" was deliberate
8 on the part of Ms. Lally to suggest to Oliver that he might not
9 be okay if he went with his dad. I believe the words "him being
10 okay" coupled with Ms. Lally's overly emotional behavior were
11 designed to make Oliver uncomfortable and reluctant to go with
12 his father.

13 I declare under penalty of perjury under the laws of the
14 State of California, that the foregoing is true and correct.
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18 Dated: 5/5/04

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20 DEBBIE HOLLOWAY
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