

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF ORANGE

BLISS MUNOZ,	)	
	)	
Petitioner,	)	
	)	
-vs-	)	Case No. 14P001222
	)	
MICHAEL MONTRIEF,	)	
	)	
Respondent.	)	
_____	)	

DEPOSITION OF:  
JANETTE MUNOZ  
FRIDAY, AUGUST 28, 2015

REPORTED BY: TONI M. BERTINI  
CSR No. 8380

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BLISS MUNOZ, )  
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 Petitioner, )  
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 -vs- ) Case No. 14P001222  
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 MICHAEL MONTRIEF, )  
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 Respondent. )  
 \_\_\_\_\_ )

The deposition of JANETTE MUNOZ, taken on  
behalf of the Respondent, before Toni M. Bertini, a  
Certified Shorthand Reporter, No. 8380, for the State of  
California, commencing at 11:32 a.m., Friday, August 28,  
2015, at The Hunter Law Group, 555 Corporate Drive,  
Suite 150, Ladera Ranch, California.

-oOo-

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1 Q 101 Coast Highway. That's in Oxnard?

2 A Yes.

3 Q Is that in the water?

4 A Yes, it is.

5 Q Is it in a slip?

6 A Yes.

7 Q What slip?

8 A I don't know.

9 Q You don't know the slip number?

10 A I don't know the number of my slip. My  
11 partner knows that.

12 Q Do you pay a monthly bill for the slip?

13 A Yes.

14 Q Do you see that monthly statement?

15 A Not usually.

16 Q Is it in the Oxnard Harbor?

17 A Yes.

18 Q You say you have a second boat. Where is that  
19 boat located?

20 A Dana Point Marina.

21 Q Is that in a slip?

22 A Yes.

23 Q What slip number is that?

24 A I only know that it's on "D" dock.

25 Q What's the name of that boat?

1 A Water Music.

2 Q Are they both sailboats?

3 A No.

4 Q Is one a motorboat?

5 A Yes.

6 Q Are both of them motorboats?

7 A No.

8 Q What type of watercraft is 101 Coast  
9 Highway?

10 A It is a motor yacht.

11 Q Water Music, what type of craft is Water  
12 Music?

13 A A sailboat.

14 Q Do you split your time between the Coast  
15 Highway home and the two boats?

16 A Yes.

17 Q Is that a "yes"?

18 A Yes.

19 Q How much time do you spend at the actual  
20 residence on Coast Highway?

21 MR. SCHWARTZ: Is she a monitor for anybody on this  
22 case? I'm trying to see where it's reasonably  
23 calculated to lead to admissible evidence.

24 MR. HUNTER: One would be for service, trying to  
25 figure out where she lives, and as far as who lives in

1 the home, because I believe her daughter lives in the  
2 home with the grandkids. I'm trying to assess how much  
3 time she spends in the home or in a different place.

4 THE WITNESS: I can't give you a breakdown.

5 BY MR. HUNTER:

6 Q Can you give me an estimate?

7 A No.

8 Q Are you unwilling to give an estimate?

9 A Gosh, no.

10 Q You cannot give me an estimate?

11 A It's unpredictable.

12 Q Would it be fair to say that you spend less  
13 than 50 percent of your time at the family residence,  
14 meaning the home in Laguna Beach?

15 MR. SCHWARTZ: Are you asking for various periods  
16 of time, for instance, she might be traveling one month  
17 and spend --

18 THE WITNESS: There's no way to tell you.

19 BY MR. HUNTER:

20 Q We'll start with the month of July 2015. Is  
21 that fair enough? Do you have a recollection of where  
22 you spent time in July 2015?

23 A Yes. I would have spent a great deal of time  
24 at my personal residence in Laguna Beach.

25 Q Can you give me an estimate as to how much



1     **time that is?**

2           A     For me a great deal of time could be 50  
3 percent.

4           Q     So 50 percent would be a great deal of time to  
5 you?

6           A     Right.

7           Q     Is July -- would you say that's an ordinary  
8 month?

9           A     As far as time spent?

10          Q     Yeah, time spent.

11          A     There is no ordinary month.

12          Q     The time spent at the family residence?

13          A     I can't say that it's ordinary or out of the  
14 ordinary.

15          Q     Okay. In the last two months how much time  
16 would you say you've spent at the family residence?

17          A     I can't recall. I come and go.

18          Q     Would you say that it's greater than 50  
19 percent of the time?

20          A     I can't give you -- I can't give you a  
21 percentage that would be accurate.

22          Q     Okay.

23          A     Because my recollections of how I spend my  
24 time at this point aren't good.

25          Q     Any reason why they're not good?

1           A     I'm extremely busy.

2           Q     Because you're busy you don't recall where you  
3 spend your time?

4           A     Not so much.

5           Q     Okay.

6           A     It's where I'm needed.

7           Q     You're busy doing what, what occupies your  
8 time?

9           A     I go with my partner places, I maintain my  
10 home, I maintain two boats, I take classes, I help with  
11 the children, I support my daughter. I'm very busy.

12          Q     Okay. So you split time between your two  
13 boats and the residence in Laguna Beach, correct?

14          A     Yes.

15          Q     And you maintain those three separate  
16 properties, correct?

17          A     Yes.

18          Q     I'm calling the boats a property; does that  
19 make sense?

20          A     Yes.

21          Q     You take classes?

22          A     Uh-huh.

23          Q     Is that a "yes"?

24          A     Yes.

25          Q     What type of classes do you take?

1           A     There's been a lot of instruction on marine,  
2 Maritime law, conduct on vessels, things like that.

3           **Q     These are classes for your hobby of sailing**  
4 **and boating?**

5           A     Yes. I take quilting classes, I take a master  
6 dying class for textiles. I'm pretty busy.

7           **Q     Sounds like you are. You mentioned that you**  
8 **spend time caring for the children. What children are**  
9 **you referencing?**

10          A     The four children in my home, I'm interacting  
11 with them quite a bit. Would you like their names?

12          **Q     Yeah. I'm trying to be specific. What**  
13 **children are you caring for?**

14          A     I think "caring for" is probably an  
15 overstatement. I spend time with them. Athena  
16 Montrief, Solana Montrief, Dahlia Montrief and Lucia  
17 Montrief.

18          **Q     Okay. You wouldn't classify it as caring for**  
19 **them?**

20          A     Not all the time, no. There's another child  
21 that I spend time with too. Are you interested in him?

22          **Q     Sure.**

23          A     It would be my nephew.

24          **Q     Who's that?**

25          A     His name is Sean Lovett.

1           Q     Does Sean Lovett live at any of your  
2 properties?

3           A     No.

4           Q     Where does Sean live?

5           A     Laguna Niguel.

6           Q     Okay. I'm going to back up a little bit and  
7 talk to you about some of the ground rules of the  
8 deposition, just so that we're clear.

9                     I take it you've had an opportunity to consult  
10 with Mr. Schwartz, your counsel?

11          A     Yes.

12          Q     Have you ever had your deposition taken  
13 before?

14          A     Yes.

15          Q     How long ago?

16          A     Substantial. I don't know.

17          Q     Can you give me an estimate?

18          A     It could be decades.

19          Q     Okay. Could it be less than decades?

20          A     It could be less than decades.

21          Q     I really don't want to spend a whole lot of  
22 time going into nuances, but I do want you to understand  
23 that I'm entitled to your best estimate and your best  
24 estimates. Do you understand that?

25          A     I do.

1           Q     So given that, would you say that you've given  
2 a deposition within the last ten years?

3           A     No.

4           Q     Do you recall the matter in which you gave a  
5 deposition in?

6           A     It was a bank matter.

7           Q     When you say a bank matter, what do you  
8 mean?

9           A     My job.

10          Q     Okay. How long ago was that approximately?

11          A     Next year it will be 20 years.

12          Q     Was it regarding some sort of claim against  
13 your employer?

14          MR. SCHWARTZ: Daniel, I'm not going to get her go  
15 into that. It seems like it's so remote and has nothing  
16 to do with your case. If Mrs. Munoz was a party to your  
17 action it would be relevant, but something that happened  
18 20 years ago on a former job seems a little bit  
19 remote.

20          BY MR. HUNTER:

21          Q     Was it civil litigation?

22          MR. SCHWARTZ: You can answer that, if you know.

23          THE WITNESS: I don't know. I worked for a bank.

24          BY MR. HUNTER:

25          Q     Okay. Other than that deposition

1 approximately 20 years ago, have you given another  
2 deposition more recently?

3 A No.

4 Q Okay. You're doing a good job of letting  
5 questions be asked before you answer them. I would like  
6 to continue doing that. Then I need you to answer  
7 audibly with "yes" or "no," meaning words instead of  
8 sounds. Does that make sense?

9 A Yes.

10 Q If I ask a question and you answer the  
11 question, I'm going to assume that you understood the  
12 question. Is that fair?

13 A Yes.

14 Q If you do not understand a question, simply  
15 say I didn't understand the question or your attorney  
16 may object and I'll try and rephrase the question. Is  
17 that fair?

18 A Yes.

19 Q You understand that you're under  
20 penalty of perjury today, correct?

21 A Yes.

22 Q Is there any reason you cannot give your best  
23 testimony today?

24 A No.

25 Q You're not under the influence of any alcohol

1 or drugs that would affect your ability to discern the  
2 truth and tell the truth?

3 A No.

4 Q We've kind of had an interchange already about  
5 estimations, but I'm entitled to your best testimony  
6 today, which would include an estimation. Do you  
7 understand that?

8 A Yes.

9 Q When you are at the family residence -- that's  
10 referring to the Coast Highway address, 31844. Is that  
11 fair?

12 A Yes.

13 Q When you spend time at the family residence,  
14 who else lives at the family residence? I'll state the  
15 question that way.

16 A My daughter.

17 Q Who is your daughter?

18 A Bliss Munoz.

19 Q Does anyone else live at the residence?

20 A Her four children.

21 Q Those were the children that you've previously  
22 named?

23 A Yes. My partner.

24 Q Who is your partner?

25 A Tim Crays, C-r-a-y-s.

1 Q How long has --  
2 A I wasn't finished.  
3 Q I'm sorry.  
4 A My son.  
5 Q What is your son's name?  
6 A Max Munoz.  
7 Q Does anyone else live at the residence?  
8 A No.  
9 Q How long has Bliss Munoz lived at the family  
10 residence?  
11 A I believe the date was May 17th, 2014.  
12 Q Why does that date stick out to you in your  
13 mind?  
14 A I was in a seminar.  
15 Q And what happened?  
16 A She called me.  
17 Q Bliss?  
18 A Yes.  
19 Q What did she say?  
20 A She said she needed to get out.  
21 Q Okay. And what did you say in response?  
22 A I'll be right there.  
23 Q And then what happened?  
24 A I drove there.  
25 Q Drove where?



1           A     To her home.

2           Q     Where is that?

3           A     Mission Viejo.

4           Q     Okay. What happened next?

5           A     She loaded up the car.

6           Q     Okay. With what?

7           A     Children and cribs and drove to my home.

8           Q     Okay.

9           A     I drove to my home.

10          Q     Okay. Did she tell you why she needed to  
11 leave?

12          A     Yes.

13          Q     What did she say?

14          A     That Michael had become violent.

15          Q     Did you discuss that with her in any detail?

16          A     No.

17          Q     What did you understand her to mean when she  
18 said Michael had become violent?

19          A     I still do not know the answer to that  
20 question today.

21          Q     You've not discussed it at all with --

22          A     Not at all.

23          Q     I'm sorry. You're doing a good job.

24 Sometimes I'm slow at getting out my full question, but  
25 if you could wait until I'm done with my full question

1 to answer, that would also make for a clear record. Is  
2 that fair?

3 A Yes.

4 Q Okay. You have not discussed at all with  
5 Bliss what she meant when she said that Michael had  
6 become violent?

7 A I have not discussed at all to date what she  
8 meant when Michael -- she said Michael became violent.

9 Q Okay. Did you ask her what she meant?

10 A No.

11 Q Why not?

12 A I know my daughter and I know what's  
13 appropriate. I did not ask her.

14 Q So you felt that it wasn't appropriate to ask  
15 her what she meant by "Michael had become violent"?

16 MR. SCHWARTZ: Asked and answered.

17 You can answer if you know the answer.

18 THE WITNESS: I don't need to answer it. I did.

19 BY MR. HUNTER:

20 Q Previously while the attorney was making an  
21 objection I think you said no, is that accurate?

22 A No. How so? I did not ask my daughter what  
23 she meant by the statement.

24 Q Okay.

25 A That is the answer.

1 Q You just felt that it was not appropriate?

2 A It is not appropriate.

3 Q Why is it not appropriate?

4 A Because she's an adult and it's her  
5 business.

6 Q Okay. Have you discussed -- did you see any  
7 marks on her?

8 A Not that I recall.

9 Q Okay. What apparent state of mind did you  
10 note, if any, when you picked her up, with regard to  
11 Bliss? Can you describe her state of mind at all?

12 A No.

13 Q Did she appear calm?

14 A She's always calm.

15 Q How did she appear on the date that you went  
16 and picked her up?

17 A She was busy.

18 Q Okay. Was she crying?

19 A I can't recall if she was crying.

20 Q Can you describe her emotional state other  
21 than busy?

22 A She was hurrying because he was coming back  
23 from wherever he went.

24 Q Okay. Was she trying to kind of get out  
25 before he returned, was that your estimation of what was

1 going on?

2 A I would say that's fair.

3 Q Okay. Do you know why she was in a hurry to  
4 get out?

5 A No. I presume it related to the original  
6 call.

7 Q When you say you presume it related to the  
8 original call, what call are you referring to?

9 A When she called and said she needed to get out  
10 when I was at a seminar.

11 Q Did she say anything more in that phone  
12 call?

13 A No.

14 Q At the point you went to assist her in leaving  
15 the residence -- I take it you understand that she lived  
16 at the residence with Michael Montrief?

17 A Yes.

18 Q When you went to assist her in exiting that  
19 residence, all you knew was that she had called you and  
20 said she needed to get out, is that accurate?

21 A That's accurate.

22 Q Okay. Did you have any sort of understanding  
23 as to why she may have needed to get out of the home?

24 A No.

25 Q I take it you know Mr. Montrief, correct?

1 A Yes.

2 Q How long have you known Mr. Montrief?

3 MR. SCHWARTZ: Michael Montrief?

4 MR. HUNTER: Yes.

5 THE WITNESS: Michael Royce or Michael Richard?

6 MR. HUNTER: The Respondent in this matter.

7 BY MR. HUNTER:

8 Q Do you know the Respondent in this matter?

9 A Yes.

10 Q Who is the Respondent in this matter?

11 A Michael Royce Montrief.

12 Q How long have you known -- we'll call him Mr.  
13 Montrief.

14 A I'm thinking.

15 MR. SCHWARTZ: So all references relate to your  
16 client, Dan, right?

17 MR. HUNTER: Unless stated otherwise.

18 MR. SCHWARTZ: If you hear "Mr. Montrief," it's his  
19 client.

20 THE WITNESS: I believe it's more than eight  
21 years.

22 BY MR. HUNTER:

23 Q Okay. In your interactions with Mr. Montrief,  
24 did you have any sort of basis of an understanding as to  
25 why Bliss might need to leave the home?

1 A Yes.

2 Q What is that basis?

3 A You would like a full description here?

4 Q I would like an answer to the question.

5 A At some point, imprecisely that is, they went  
6 to Argentina together.

7 Q Who's "they"?

8 A Bliss and the Respondent.

9 Q Okay.

10 A And I got a call from Argentina from my  
11 daughter stating she needed to get out of Argentina  
12 immediately, he had locked her in a room and she was  
13 terrified.

14 Q Okay. Anything else?

15 A That's all I know about that.

16 Q That was her claim to you?

17 A Uh-huh.

18 Q From a telephone call from Argentina?

19 A Uh-huh.

20 Q That's "yes"?

21 A Yes.

22 Q I'm sorry.

23 A Yes, it is a "yes."

24 Q Okay. I may remind you once in a while to say  
25 "yes." Please don't take offense. It's just so I can

1 have a clear record, okay?

2 A Uh-huh -- yes.

3 Q It's a tough habit to break.

4 Is there any other basis for some sort of  
5 understanding as to why Bliss would need to get out of  
6 the home?

7 A Other than a mother observing her child and  
8 knowing something might not be right?

9 Q No, I'm asking for your perception --

10 A That is my perception.

11 Q -- as a mother.

12 A I observed in her physical self when she was  
13 in my presence that there was a tense attention.

14 Q So you perceived a tense demeanor on your  
15 daughter's part?

16 A And some facial characteristics.

17 Q Anything else that you perceived as to why she  
18 might need to get out of the house?

19 A No.

20 Q So the phone call from Argentina and this  
21 mother's perception, we'll call it?

22 A Uh-huh.

23 Q Is that a "yes"?

24 A Yes.

25 Q Nothing else as you sit here today?

1           A     No.

2           Q     **This phone call from Argentina, can you tell**  
3 **me what year that was?**

4           A     I cannot.

5           Q     **Was it more than five years ago?**

6           A     Yes.

7           Q     **Approximately how many years ago? More than**  
8 **ten years ago?**

9           A     I'm going to say eight years because I'm going  
10 by the age of their eldest child.

11          Q     **So it was before Athena was born?**

12          A     Correct.

13          Q     **Did you have any further discussions with**  
14 **Bliss or Michael about this phone call from Argentina?**

15          A     Further discussions after the fact?

16          Q     **At any time.**

17          A     No.

18          Q     **Did Bliss make it home from Argentina?**

19          A     I instructed her to go to the airport and that  
20 I would deal with it at the airport from the U.S.

21          Q     **Okay. I take it she did make it home?**

22          A     She did, but she came home not at that time.  
23 She waited.

24          Q     **Okay. Did she complete her trip to Argentina**  
25 **before returning?**



1           A     Yes, she did.

2           Q     **With Mr. Montrief?**

3           A     Yes.

4           Q     **Does your daughter -- would you describe her**  
5 **as having a flare for the dramatic?**

6           A     No.

7           Q     **How would you describe your daughter?**

8           A     A mathematician.

9           Q     **Any other description of your daughter?**

10          A     Non-communicative.

11          Q     **What do you mean by that?**

12          A     She's quiet.

13          Q     **Any other description of your daughter?**

14          A     Private.

15          Q     **Anything else come to mind?**

16          A     No.

17          Q     **Going back to the children, do you believe**  
18 **that the children are the result of a relationship**  
19 **between Michael and Bliss?**

20           MS. BRACE: Objection. Calls for speculation,  
21 lacks foundation.

22           BY MR. HUNTER:

23           Q     **What do you believe?**

24           A     I have no idea what you just said.

25           Q     **The children of Bliss, how many kids does she**

1     **have?**

2           A     Four.

3           **Q     Who do you believe the father is?**

4           MR. SCHWARTZ:  Is there some way this is reasonably  
5     calculated to lead to admissible evidence?  Do you have  
6     a paternity issue in this case?

7           MR. HUNTER:  This is a paternity case.

8           MR. SCHWARTZ:  Is paternity itself an issue?  Is  
9     Montrief stipulated to be the father?

10          MR. HUNTER:  There's no stipulation.

11          MR. SCHWARTZ:  Okay.  Go ahead, if you have a  
12     belief.

13          MS. BRACE:  Calls for speculation, lacks  
14     foundation.

15          THE WITNESS:  I'm not going to answer it.  I don't  
16     know.  How would I know?

17          MR. SCHWARTZ:  That's the answer.

18     BY MR. HUNTER:

19           **Q     I'm just wondering who you believe the father**  
20     **is.**

21          MR. SCHWARTZ:  She just answered your question,  
22     Daniel.

23                    You've answered the question.

24     BY MR. HUNTER:

25           **Q     What's that belief based on?**

1 MR. SCHWARTZ: The "I don't know"?

2 MR. HUNTER: Yeah.

3 BY MR. HUNTER:

4 Q You don't have any basis to believe whether or  
5 not Michael is the father or not, you have no  
6 knowledge?

7 A I have no knowledge.

8 Q Okay. To your understanding has Michael held  
9 himself out as the father of the four children, Mr.  
10 Montrief?

11 A Yes.

12 Q Okay. What has he done, in your opinion, to  
13 hold himself out as the father of these four children?

14 A For a significant amount of time he was  
15 writing about it all over the Internet.

16 Q That he's the father?

17 A Yes.

18 Q Okay. Anything else?

19 MS. BRACE: Dan, can we take a short break?

20 MR. HUNTER: After she answers the question.

21 THE WITNESS: No, nothing else.

22 MR. HUNTER: Okay.

23 (Off the record.)

24 BY MR. HUNTER:

25 Q Your best estimate is that Bliss and the four

1 children have lived at your family residence since  
2 approximately May 17th, 2014, is that accurate?

3 A Yes.

4 Q Does Bliss pay you rent?

5 A No.

6 Q Does she help out with any of the household  
7 expenses?

8 A No.

9 Q Have you been paying her attorney's fees?

10 A Yes.

11 Q To date approximately how much have you paid  
12 in attorney's fees, if you know?

13 A I don't know.

14 Q Is it more than \$10,000?

15 MR. SCHWARTZ: Paid me or paid for Bliss's?

16 MR. HUNTER: I'm sorry. Bliss's. We're talking  
17 about Bliss's fees.

18 MR. SCHWARTZ: Exclude what you've paid me, just  
19 what --

20 THE WITNESS: I have no knowledge of what I've paid  
21 her.

22 BY MR. HUNTER:

23 Q Are you billed monthly?

24 MR. SCHWARTZ: Is Bliss -- are you --

25 MS. BRACE: Objection. Assumes facts not in

1 evidence.

2 MR. SCHWARTZ: There's a foundation problem.

3 MR. HUNTER: I'll withdraw the question.

4 BY MR. HUNTER:

5 Q Do you receive the bills?

6 A No.

7 Q Do you write a check directly to Ms. Brace's  
8 office?

9 A Yes.

10 Q How do you know how much to write the check  
11 for?

12 A Bliss tells me.

13 Q Do you reference a bill at all?

14 A No.

15 Q You just pay whatever Bliss tells you?

16 A Yes.

17 Q And that goes directly to Ms. Brace's  
18 office?

19 MS. BRACE: Objection. Lacks foundation, calls for  
20 speculation.

21 BY MR. HUNTER:

22 Q I take it -- do you send the check to Ms.  
23 Brace's office?

24 A I hand the check to Ms. Brace --

25 Q Okay.

1           A     -- at court.

2           Q     Okay. Have you handed Ms. Brace a check at  
3 any other location?

4           A     I have no memory of this. I have no memory of  
5 handing her a check anywhere else.

6           Q     Okay. Do you have any sort of estimate as to  
7 how much you've paid in attorney's fees to Ms. Brace?

8           A     I do not.

9           Q     Would you say that it's more than \$20,000?

10          A     Are you counting Dr. Bussey?

11          MR. SCHWARTZ: Just --

12          MR. HUNTER: Just Ms. Brace's office.

13          THE WITNESS: I don't know.

14 BY MR. HUNTER:

15          Q     Okay. To your knowledge, has anyone else  
16 contributed to Bliss's attorney's fees other than you?

17          A     No.

18          Q     How many checks have you handed Ms. Brace?

19          A     I don't know.

20          Q     More than one?

21          A     Yes.

22          Q     More than two?

23          A     I would say probably more than two. It could  
24 be five. I don't remember.

25          Q     Okay. And you have no recollection as to how

1 much approximately you've paid?

2 A No.

3 Q Okay. With regard to -- I understand Bliss is  
4 enrolled in college, correct?

5 A Yes.

6 Q Are you helping Bliss pay for college?

7 A I am paying for college.

8 Q Okay. Does Bliss own an automobile?

9 A No.

10 Q Does she use an automobile?

11 A Yes.

12 Q Is that your car that she uses?

13 A It's a car I purchased, yes.

14 Q Okay. To your knowledge, Bliss doesn't pay  
15 for any of her living expenses? She doesn't pay for  
16 college and living expenses, including car expenses, she  
17 done pay for any of that?

18 MS. BRACE: Objection. Compound.

19 MR. SCHWARTZ: Misstates the facts as phrased.

20 BY MR. HUNTER:

21 Q Does Bliss pay for any of her living expenses,  
22 to your knowledge?

23 MR. SCHWARTZ: If you know.

24 MS. BRACE: Vague and ambiguous.

25 THE WITNESS: I don't know what you mean by "living

1 expenses."

2 BY MR. HUNTER:

3 Q Costs to live. Do you understand what that  
4 would entail, just as a general proposition?

5 A She's paid for a few classes.

6 Q Anything else?

7 A She pays for her groceries.

8 Q Okay. Anything else?

9 A She pays for her gas.

10 Q Anything else?

11 A She pays for her medical expenses.

12 Q Okay. Anything else?

13 A She pays for the children's supplies, unless  
14 there's no child support.

15 Q She pays for the children's supplies unless  
16 there's no child support, what do you mean by that?

17 A If the child support hasn't come, I have to  
18 pay that.

19 Q Anything else as you sit here today you're  
20 aware of that she pays for?

21 A No.

22 Q Do you know how long Bliss intends to live at  
23 the family residence?

24 MS. BRACE: Objection. Calls for speculation.

25 THE WITNESS: I don't know.



1 BY MR. HUNTER:

2 Q Have you had any such conversations with her  
3 about how long she can stay at the family residence?

4 A I told her her stay is indefinite.

5 Q So she's welcome to stay as long as she  
6 needs?

7 A Correct.

8 Q Okay. Do you know a Dan Fredinburg?

9 A No.

10 Q You have no idea who Dan Fredinburg is?

11 A Is he a lawyer?

12 Q Did Bliss have a child with any other man?

13 MR. SCHWARTZ: Irrelevant, not reasonably  
14 calculated to lead to --

15 MR. HUNTER: He's a paternity attorney in the  
16 case.

17 MR. SCHWARTZ: Paternity attorney in the case  
18 between Bliss and your client, not any other man.

19 MR. HUNTER: It's reasonably calculated to lead to  
20 the discovery of admissible evidence.

21 MR. SCHWARTZ: Tell me how. I'm trying to decide  
22 if she should answer it.

23 MR. HUNTER: If she has any knowledge as to whether  
24 or not Bliss fathered a child from another father, that  
25 would be relevant.

1 MR. SCHWARTZ: You can answer if you know.

2 THE WITNESS: No knowledge.

3 BY MR. HUNTER:

4 Q What do you do for a living?

5 A I am retired.

6 Q You worked at a bank?

7 A I was a commercial banker for 25 years.

8 Q Currently you're not employed?

9 A I am not employed.

10 Q Do you have an understanding as to what the  
11 children's schedule is? When I say the children, I'm  
12 referring to the four children of Bliss.

13 A Yes.

14 Q Can you describe what their schedule is?

15 A Daily?

16 Q Yeah. Just give me an idea of what their  
17 schedule is daily in your home.

18 A They wake at 6:00 in the morning. They have  
19 breakfast. Unless they belong somewhere, like a  
20 visitation, they're in the home. If it's a visitation  
21 day they get in the car and they're gone until 7:00.

22 Q Okay. That's kind of a typical schedule?

23 A I'd say so.

24 Q I take it school has started for Athena?

25 A No.

1 Q Not yet?

2 A (No audible response.)

3 Q Is that September 8th, do you know?

4 A I don't know.

5 Q So that's a fairly typical schedule that  
6 you've observed, correct?

7 A At this time that is their schedule.

8 Q Okay. Who cares for the children when Bliss  
9 is at school?

10 A I do Monday and Michael does Tuesday.

11 Q Are there any other regular set times that  
12 you're looking after the children?

13 A No.

14 Q Do you look after the children when Bliss goes  
15 out for social life or anything like that?

16 A That hasn't happened yet so I don't know.

17 Q Do you care for the children at any other  
18 times other than Mondays?

19 A I take them places when I want to spend time  
20 with them.

21 Q Can you give me an example?

22 A Today will be the beach.

23 Q Okay. So you have plans to go to the beach?

24 A Yes.

25 Q So you take them on kind of fun outings once

1 in a while?

2 A I take them -- not just once in a while. They  
3 have a garden that must be tended. We do that together,  
4 we go to the beach.

5 Q When you say not once in a while, it sounds  
6 like you spend a considerable amount of time with them,  
7 correct?

8 A We go on walks, we go to the garden, we go to  
9 the beach.

10 Q Okay. So those are some of the activities you  
11 do. It sounds like you spend a fair amount of time with  
12 them.

13 A I like them. I do spend time with them.

14 Q There's no question in my mind that you  
15 probably even love them, right?

16 A Correct.

17 Q Okay. And you spend as much time with them as  
18 possible, is that fair?

19 A No, that's not true. I have a life.

20 Q Okay. I'm just trying to understand how much  
21 time you spend with the kids on any sort of regular  
22 basis. So far you've told me Monday, and then you tend  
23 to the garden and you go to the beach and you go on  
24 walks. Do you spend any other time with the  
25 grandkids?

1           A     No.

2           Q     In the last 30 days, I think you said you were  
3     at the family residence approximately 50 percent of the  
4     time. How much of that time did you spend with the  
5     grandchildren? When I say the grandchildren, I mean the  
6     children of Bliss.

7           A     Mondays and Wednesdays in the afternoon from  
8     2:30 to 5:30 we go to the beach.

9           Q     Okay. That's kind of a standing date?

10          A     It is a standing date with the children and  
11     their cousin.

12          Q     Today is Thursday. This is just kind of an  
13     added in --

14          A     Yes.

15          Q     Okay. Does that happen very often?

16          A     An add-on?

17          Q     Yeah, additional time.

18          A     Yes.

19          Q     It happens frequently?

20          A     When there's a new skill to show off we will  
21     go back and look at it.

22          Q     What do you mean by that?

23          A     Athena has a new skill in the water so we're  
24     going to look at it today.

25          Q     What is that?

1           A     She can use a mask now.

2           Q     **That is exciting, right?**

3           A     It is for me.

4           Q     **And it is for Athena I'm sure. That's big**  
5 **stuff. That's great.**

6                     Can you give me an estimate, maybe quantify  
7 it? Out of the 50 percent of the time that you spent in  
8 the family residence last month, how much time would you  
9 say you spent caring for the children?

10          MR. SCHWARTZ: In the 50 percent of the time that  
11 Ms. Munoz is at the Laguna residence, how much time does  
12 she spend caring for the children?

13          MR. HUNTER: Yes.

14          MR. SCHWARTZ: Do you understand that, Jan?

15                     You might want to break it down a little bit.

16          THE WITNESS: Ten percent.

17 BY MR. HUNTER:

18          Q     **And that's --**

19          A     Caring or spending time with? Could you  
20 qualify that for me?

21          Q     **No. I'm just trying to understand -- if**  
22 **there's a distinction in your mind, then by all means**  
23 **spell it out.**

24          A     I don't care for the children except Monday.

25          Q     **Then I think you said Wednesdays.**

1           A     Bliss is with us at the beach.

2           Q     Okay. That's just a standing outing?

3           A     Correct.

4           Q     Your ten percent of the time you estimate that  
5 you care for the children, that includes Mondays, and  
6 then any other added-in time that you're with the  
7 children but Bliss is not; is that fair?

8           A     Say it again, please.

9           Q     This ten percent estimate that you gave me,  
10 that would include Mondays, and then any other time that  
11 you're directly in charge of the kids but Bliss is not  
12 available; is that a fair statement of your  
13 representation?

14          A     No, it's not, because Bliss is always with the  
15 children unless she's in class.

16          Q     I'm just trying to understand what sort of  
17 time estimate you have in caring for the four children.

18          A     Mondays.

19          Q     Is that what you're referring to when you say  
20 ten percent? Are you limiting it only --

21          A     Mondays is when I care for the children.

22          Q     I think you gave your answer before I was done  
23 with the question. And I understand that you may  
24 realize what words are going to fall out of my mouth,  
25 and it's understandable, but please wait until I'm done

1 with the question before you answer. Is that fair?

2 A Yes.

3 Q Okay. Does Mr. Crays care for the children at  
4 all?

5 A On a spot basis possibly.

6 Q What do you mean by "spot basis"?

7 A If we're going to the garden and two children  
8 are napping he'll stay behind.

9 Q When you go to the garden does Bliss always  
10 accompany you, or is this kind of grandma time with the  
11 kids?

12 A There's no way to determine that. It's  
13 just -- sometimes it's just me, sometimes it's all of  
14 us.

15 Q Okay. Where is the garden?

16 A South Laguna.

17 Q Is it some sort of communal garden?

18 A Yes.

19 Q And you rent a plot there?

20 A The children have a box there, yes.

21 Q Then you go on a weekly basis to the garden?

22 A Daily.

23 Q Do you grow vegetables?

24 A We grow what they eat.

25 Q Okay. So you go daily to the garden. How



1 much time do you spend at the garden?

2 A It depends on what's needed in the garden. It  
3 could be as much as an hour, it could be just  
4 watering.

5 Q If you could give me an estimate based on a  
6 week, how much time do you spend in the garden?

7 A With the children?

8 Q Yes, with the children.

9 A Five hours.

10 Q Okay. Then you spend additional time in the  
11 garden without the children?

12 A Yes.

13 Q You personally?

14 A Yes.

15 Q Okay. Do you have any sort of opinion as to  
16 what you believe the custodial arrangement should --  
17 strike that.

18 Do you have any sort of an opinion, as a  
19 grandmother, as to what the legal custody order should  
20 be, what's in the best interest of the children?

21 MS. BRACE: Objection. Calls for a legal  
22 conclusion.

23 MR. SCHWARTZ: I was going to say the same thing.  
24 And also it calls for speculation, lacks foundation as  
25 to her ability to even have an opinion.

1 BY MR. HUNTER:

2 Q Do you have any sort of an opinion as to --

3 A I have absolutely no opinion on that.

4 Q So you'd be open to joint legal custody, you  
5 think that Michael --

6 MR. SCHWARTZ: Objection. Relevance, what her  
7 opinion is. Is she a party -- I apologize. I might not  
8 know. Is she a party to this action?

9 MR. HUNTER: No, she's not.

10 MR. SCHWARTZ: So --

11 MR. HUNTER: I'm wondering.

12 MR. SCHWARTZ: If she will be open to it?

13 Go ahead, Jan, if you know the answer.

14 THE WITNESS: I have no opinion.

15 BY MR. HUNTER:

16 Q Okay. That's great. So you don't plan on  
17 expressing any sort of opinion at the time of trial as  
18 to what legal custody should be?

19 A I have no intention of expressing an opinion  
20 on that matter.

21 Q Okay. Do you have any intention of expressing  
22 an opinion as to what parenting schedule would be best  
23 for the children?

24 A I don't know.

25 Q Do you have any plans to testify in that

1 regard?

2 A No.

3 Q So you can't offer me an opinion today on the  
4 issue of what the parenting schedule should be?

5 A I don't have one.

6 Q And you don't plan on offering that opinion at  
7 the time of trial if in fact you're called as a  
8 witness?

9 A I cannot offer an opinion I do not have.

10 MR. SCHWARTZ: Just say "yes" or "no."

11 THE WITNESS: I don't know the answer to it. The  
12 way you phrased the question, I do not know the answer  
13 to your question.

14 BY MR. HUNTER:

15 Q Okay. Was there anything confusing about the  
16 way I phrased it?

17 A Yes.

18 Q Can you explain your confusion?

19 A I feel I have said I have no opinion on the  
20 matter and you're asking me if I'm going to talk about  
21 my opinion which I just said I don't have one.

22 Q Okay. So you have no plans to testify today  
23 or at the time of trial as to any opinion regarding what  
24 sort of parenting plan would be appropriate for the  
25 grandchildren?

1           A     I have no plans.

2           Q     Okay.  Have you ever heard any of the children  
3 refer to Mr. Montrief as an imaginary dad or "my pretend  
4 dad"?  I realize that's compound.

5           A     No.

6           Q     Have you ever seen the children -- do you  
7 change any of the children's diapers?

8           A     At this present time?  I have changed their  
9 diapers.

10          Q     In the last six months have you changed any --

11          A     Yes.

12          Q     -- of the children's diapers?

13          A     Yes.

14          Q     In the last ten months have you changed any of  
15 the children's diapers?

16          A     Yes.

17          Q     In the past year have you changed any of the  
18 children's diapers?

19          A     Yes.

20          Q     Have you noticed on any of the children diaper  
21 sores?

22          A     Diaper rash?  Are you referring to diaper  
23 rash?

24          Q     Is there a distinction in your mind between  
25 diaper rash and diaper sores?

1 A Yes.

2 Q What is the distinction?

3 A A rash is a red rash with no skin breaks.

4 Q Okay. What would a diaper sore be?

5 A A skin break.

6 Q Okay. In the past year have you noticed any  
7 diaper sores on any of your grandchildren? And again,  
8 when I say grandchildren I'm referring to the four  
9 children in this litigation. Does that make sense?

10 A I have seen no skin breaks on the children.

11 Q Have you seen any rash on the children?

12 A Yes.

13 Q But nothing more than a diaper rash?

14 A Nothing more than a diaper rash.

15 Q Okay. Do you have pets at the family  
16 residence?

17 A I do.

18 Q What pets do you have?

19 A Two Portuguese Water Dogs, an ancient  
20 Chihuahua.

21 Q How old is the ancient Chihuahua?

22 A 16.

23 Q Is that why it's an ancient Chihuahua?

24 A Uh-huh. And two cats.

25 Q Have you noticed any injury to the children as

1 a result of interacting with any of the pets?

2 A No.

3 Q Have you noticed any sort of fleas or insects  
4 or those types of nuisances affecting the children?

5 A Fleas?

6 Q Fleas or any other insect or nuisance as a  
7 result of the pets.

8 A No.

9 Q Can you explain to me the living situation  
10 with the children? Does that make sense?

11 A No.

12 Q Where do they sleep?

13 A In their bedrooms.

14 Q Can you describe the bedroom layout for me?

15 A The twins occupy one bedroom, Athena and  
16 Solana occupy another bedroom.

17 Q Does anyone else share a bedroom with the  
18 children?

19 A No.

20 Q The home is a four-bedroom home? How big is  
21 it?

22 MR. SCHWARTZ: It doesn't matter how big it is.

23 It's not leading to --

24 BY MR. HUNTER:

25 Q How many bedrooms is it?

1           A     I can't answer that question.

2           **Q     You can't answer how many bedrooms your home**  
3 **has?**

4           A     No, because if you saw my home you would see  
5 that there's no particular label for each room. There  
6 could be six bedrooms, there could be five bedrooms,  
7 there could be four bedrooms.

8           **Q     Okay. That doesn't make much sense to me.**

9           A     I know. You're probably not an architect.

10          MR. SCHWARTZ: It's relevant where the kids'  
11 bedrooms are but not necessarily how big her house --  
12 she's not a party to the action.

13          MR. HUNTER: I'm not asking for square footage.  
14 I'm just asking for a general reference, how many  
15 bedrooms there are.

16          MR. SCHWARTZ: She's answered the question.

17 BY MR. HUNTER:

18          **Q     You don't know is the answer?**

19          A     It could vary.

20          **Q     Okay. When you say it could vary what do you**  
21 **mean?**

22          A     There are spaces in the home that can be used  
23 as bedrooms.

24          **Q     Okay. How many spaces are there in the home**  
25 **that could be used as bedrooms?**

1 MR. SCHWARTZ: This really isn't calculated to lead  
2 to --

3 THE WITNESS: Seven.

4 BY MR. HUNTER:

5 Q So Bliss has her own living space, we'll call  
6 it, is that accurate?

7 A Bliss has the home.

8 Q Okay. I think you testified that you spend  
9 about 50 percent of the time there, correct?

10 A Time, correct.

11 Q Okay. So when you say Bliss has the home,  
12 what do you mean?

13 A It's her home.

14 Q Did you gift it to her?

15 A Not legally.

16 Q What do you mean by that?

17 A She is living in her home indefinitely.

18 Q Okay. Have you made some sort of arrangement  
19 with her in this regard?

20 MS. BRACE: Objection. Vague and ambiguous.

21 BY MR. HUNTER:

22 Q You can answer.

23 A I spoke to her.

24 Q What did you say?

25 A "You can live in your home indefinitely."



1 Q Okay. That includes that you would pay for  
2 that?

3 MS. BRACE: Objection. Vague and ambiguous.

4 BY MR. HUNTER:

5 Q What did you mean when you said, "You can live  
6 in your home indefinitely"?

7 A She can live there indefinitely.

8 Q Did you mean that you would continue to pay  
9 the mortgage --

10 A None of that has been discussed. Yes, I pay  
11 the mortgage.

12 Q Is that what you meant when you told her that  
13 she could live in her home?

14 MR. SCHWARTZ: Do you understand the question?

15 THE WITNESS: I don't understand the question.

16 MR. SCHWARTZ: Make sure you understand his  
17 question before you answer.

18 BY MR. HUNTER:

19 Q When you said "You can you live in your home"  
20 and that you've given her the home, did you mean that  
21 she could stay there rent-free for an indefinite period  
22 of time?

23 A None of that has been discussed.

24 Q What did you mean when you said that she could  
25 stay at the home for however long she needs, what did

1     **you mean?**

2           MR. SCHWARTZ: Asked and answered, but you can go  
3 ahead, Jan, and answer again.

4           THE WITNESS: She can live in the home indefinitely  
5 with her children.

6 BY MR. HUNTER:

7           **Q     Okay. Do you have any plans to charge her**  
8 **rent as you sit here today?**

9           A     I can't answer that at this stage. It depends  
10 on my financial situation and that changes all the  
11 time.

12          **Q     Your financial situation changes all the**  
13 **time?**

14          A     Yes.

15          **Q     Okay. When was the last time you spoke with**  
16 **Mr. Montrief?**

17          A     I have no recollection.

18          **Q     Is it within the past year?**

19          A     I don't know the answer to the question.

20          **Q     What do you recall being the last interaction**  
21 **between you and Mr. Montrief?**

22          A     I'm sorry. There's been a lot happen. I  
23 don't know.

24          **Q     You don't recall what -- I'm not asking when.**  
25 **I'm asking what your last interaction with Mr. Montrief**

1 was.

2 A To my memory, I remember both of us picking --  
3 being at a school to pick up a child and there was just  
4 a miscommunication on who needed to be there. That's my  
5 last recollection of speaking to Mr. Montrief.

6 Q Okay. When you say there was a  
7 miscommunication about who needed to be there, what do  
8 you mean?

9 A I was dispatched to pick up a child and he  
10 went also. I guess he thought it was his time to --  
11 that he needed to pick her up. I don't know the  
12 specifics of the situation. You asked the last time I  
13 remember speaking to him. That's the last time I  
14 remember speaking to him.

15 Q Okay. Who dispatched you to pick up one of  
16 the kids?

17 A Bliss.

18 Q Bliss did?

19 A Yes.

20 Q Do you recall approximately when this  
21 interaction took place?

22 A I don't know.

23 Q How would you describe the interaction?

24 A Cordial.

25 Q You spoke to him, I take it?

1           A     Yes.

2           Q     And you don't know -- was the interaction  
3     **within the past three months?**

4           A     No, I don't think it could be.

5           Q     Can you give me an estimation as to how  
6     **long?**

7           A     I honestly do not remember when Bliss -- I'm  
8     sorry -- when Athena was going to the school that I'm  
9     referring to. I do not remember when that was.

10          Q     Do you know the name of the school?

11          A     No.

12          Q     Okay. I'm going to mark this as Exhibit 1.  
13                 **Have you seen Exhibit 1 prior to today?**

14          MR. SCHWARTZ: Take a look at that so he can ask  
15     you questions related to it.

16          BY MR. HUNTER:

17          Q     Have you seen Exhibit 1 prior to today, Ms.  
18     **Munoz?**

19          A     I believe I got this.

20          Q     Do you understand that it's pursuant to this  
21     **notice that you're sitting here for your deposition**  
22     **today?**

23          A     Yes.

24          Q     Did you bring any of the documents  
25     **requested?**

1           A     I don't have any documents between Bliss and  
2     I.

3           Q     You say you don't have any documents between  
4     you and Bliss, is that what you just said?

5           A     Yes.

6           Q     Did you bring any documents pursuant to  
7     Exhibit 1 today?

8           A     Are you asking me to read this completely?

9           Q     No. I trust that you've already read it and  
10    discussed it with your attorney. So my question is  
11    really limited, and it's really an easy question. Did  
12    you bring any documents with you today pursuant to  
13    Exhibit 1?

14          A     I have not discussed this document with my  
15    attorney. If this document says that I needed to bring  
16    documents between Bliss and I, I have no such  
17    documents.

18          Q     Will you please answer my question? Did you  
19    understand?

20          A     No, apparently not.

21          Q     Did you bring any documents with you today to  
22    produce to me?

23          A     No.

24          Q     Okay. And you received Exhibit 1 prior to  
25    today, correct?



1           Through your attorney you've produced eight  
2 pages. It appears that the first page, the top portion  
3 has been torn off by Mr. Schwartz, and I take it it is a  
4 form of redacting --

5           MR. SCHWARTZ: Yes.

6           MR. HUNTER: -- to preserve the attorney-client  
7 privilege. And all eight pages appear to be email  
8 correspondence, is that accurate?

9           THE WITNESS: That is accurate.

10          BY MR. HUNTER:

11           **Q     Is this email correspondence between you and**  
12 **Mr. Montrief?**

13           A     No.

14           **Q     What is the correspondence then?**

15           A     It's from Mr. Montrief to my daughter Bliss.

16           **Q     Is there any correspondence -- have you had**  
17 **any correspondence with Mr. Montrief that you are**  
18 **producing?**

19           A     No.

20           **Q     I take it these are emails that you were just**  
21 **copied on, it looks like, correct?**

22           A     Yes.

23           MR. SCHWARTZ: You might want to look closer. I  
24 don't know if she understands the legal distinction.

25           THE WITNESS: I don't understand.

1 MR. SCHWARTZ: I don't think she was copied at the  
2 time of the emails.

3 Were you?

4 THE WITNESS: They were presented to me for  
5 reading. Is that what you mean?

6 MR. SCHWARTZ: She was presented with the emails at  
7 the time of the correspondence for reading but she was  
8 not copied on the email chains themselves.

9 MR. HUNTER: I'll go through them here.

10 BY MR. HUNTER:

11 Q On Page 1 --

12 MR. SCHWARTZ: Are you marking this?

13 MR. HUNTER: Yeah. I'm going to mark it and  
14 attached it as Exhibit 2 to the deposition.

15 MR. SCHWARTZ: It's easier to have a copy so that  
16 we can all go off the same -- I'd like her to have a  
17 copy of what you're asking about.

18 MR. HUNTER: That's fair. On a break here we'll  
19 make a copy of -- I've already marked on it as Exhibit 2  
20 on the first page, and then I'll label it Exhibit 2,  
21 Page 1.

22 MR. SCHWARTZ: Sure.

23 MR. HUNTER: And I'll just do the pagination.

24 BY MR. HUNTER:

25 Q Other than these eight pages, are you



1 producing any other documents pursuant to your notice of  
2 deposition?

3 A No.

4 Q You have, I take it, done a thorough review of  
5 your records including your inbox on your computer or  
6 other device to locate any documents that may be  
7 responsive to your deposition notice?

8 A Yes, I have.

9 Q I notice that you did not include any text  
10 messages. Is there any reason why you did not include  
11 any text messages in your production?

12 A We don't text.

13 Q Who's "we"?

14 A Bliss and I don't text.

15 Q Okay. Do you have a mobile phone that's  
16 capable of text messaging?

17 A Yes.

18 Q But you don't communicate via text message  
19 with Bliss?

20 A I do not.

21 Q Do you communicate with anyone via text  
22 message?

23 A My cousin Sandy and my partner Tim.

24 Q Why do you not communicate with Bliss via text  
25 message?

1           A       I have a personal policy to not text my  
2 children.

3           **Q       Okay.**

4           MR. SCHWARTZ: The old-fashioned way, you actually  
5 talk to them?

6           THE WITNESS: I speak to my children. I call  
7 them.

8 BY MR. HUNTER:

9           **Q       Then they text you back?**

10          A       No.

11          MR. SCHWARTZ: Good try.

12          THE WITNESS: They know better than to text me  
13 back.

14 BY MR. HUNTER:

15          **Q       That was meant to be humorous.**

16                   **I'm going to mark this as Exhibit 3.**

17          MR. HUNTER: Off the record a second.

18

19                               (Off the record.)

20

21 BY MR. HUNTER:

22          **Q       Take a minute and look at Exhibit 3.**

23          A       Uh-huh.

24          **Q       Is that a "yes"?**

25          A       Yes.

1           Q     You had a moment to review Exhibit 3,  
2 correct?

3           A     Yes.

4           Q     Did you author Exhibit 3?

5           A     Yes, I did.

6           Q     Is there any reason you didn't produce Exhibit  
7 3 pursuant to your production of documents -- your  
8 production for your deposition today?

9           A     I thought I was supposed to give you things  
10 between Bliss and I.

11          Q     So did you misunderstand your notice of  
12 deposition?

13          A     Yes, I did.

14          Q     Okay. Do you have any other documents to  
15 produce pursuant to your notice of deposition?

16          MS. BRACE: Objection. Assumes facts not in  
17 evidence.

18          THE WITNESS: No.

19 BY MR. HUNTER:

20          Q     I'll ask you to consult with your attorney. I  
21 think you've stated multiple times that you thought that  
22 the production only pertained to documents between you  
23 and Bliss, right?

24          A     That's what I understood.

25          Q     Okay. The document request asks for

1       communications between you and the Respondent, Michael  
2       Montrief.

3             A       Oh.

4             Q       So I'm going to ask you to do another review.  
5       And if you have any additional documents to produce,  
6       what would be a reasonable time to produce those?  A  
7       week?

8             MR. SCHWARTZ:  Give her two weeks.

9                     Jan, what you'll have to do is look through  
10       whatever devices you might have, computer, letters, text  
11       messages, whatever they may be, and if you and Montrief  
12       have communicated in writing, we need to produce them to  
13       his office within two weeks from today, which would be  
14       September 11th.  Is that acceptable?

15             THE WITNESS:  Sure.

16             BY MR. HUNTER:

17             Q       Going back to Exhibit 3, you said that you  
18       authored the note.  Where did you put the note after you  
19       authored it?

20             A       It was in a notebook.

21             Q       What notebook?

22             A       A notebook being used between Michael and  
23       Bliss for the co-parenting counselor they were seeing.

24             Q       Do you recall the name of the co-parenting  
25       counselor?

1 A Jessica.

2 Q Sinclair?

3 A St. Clair.

4 Q Does that ring a bell?

5 A Yes, that's right.

6 Q You say that is it?

7 A Yes.

8 Q Okay. How was the notebook delivered between  
9 the parties, do you know?

10 A Actually I don't know the answer to that. I  
11 assume they gave it to each other.

12 Q Wasn't it transported with the children?

13 A Perhaps.

14 Q Okay. Here it says -- this was a note  
15 directed to Mr. Montrief, correct?

16 A No.

17 Q Who was the note directed to?

18 A Jessica St. Clair.

19 Q So you wanted Jessica St. Clair to read this  
20 note?

21 A Correct.

22 Q So when you say the term "you," the audience  
23 is Jessica St. Clair?

24 A No.

25 Q Who's the audience then?

1           A     Well, presumably in my mind she would go over  
2     it with him.

3           Q     But this really is a note directed to Mr.  
4     Montrief, isn't it?

5           A     The content is directed to Mr. Montrief.

6           Q     Okay.

7           A     Yes.

8           Q     And you hoped that Mr. Montrief would read  
9     this, correct?

10          A     With Jessica St. Clair.

11          Q     Okay. So you ultimately hoped that this would  
12     get Mr. Montrief in some sort of trouble, for lack of a  
13     better word, with Jessica St. Clair, is that true?

14          A     No.

15          Q     What was the purpose of the note?

16          A     The purpose of the note was to show Ms.  
17     St. Clair that there was problems with the notebook.

18          Q     Okay. This you felt was the best way to call  
19     Jessica St. Clair's attention to this fact?

20          A     Yes.

21          Q     Okay. You say in your note, "You," referring  
22     to Mr. Montrief --

23          A     Correct.

24          Q     -- "are so obsessed with your daughter's  
25     vaginas that you missed the fact that three of your four

1 children were delivered last night with raging cases of  
2 conjunctivitis. Athena's eye was completely closed.  
3 Get your nose out of Solana's vagina and look at the  
4 whole child," signed by "The grandmother/caregiver."

5 A Yes, that's what it says.

6 Q Okay. Did you intend to incite Mr. Montrief  
7 by directing this note towards him and involving Jessica  
8 St. Clair?

9 A No.

10 Q What was your purpose?

11 A To show Ms. St. Clair the notebook was an  
12 ineffective way of communicating.

13 Q Do you think this note accomplished that?

14 A Yes.

15 Q Why do you believe that?

16 A She discontinued the use of the notebook after  
17 she read my entry.

18 Q Do you know whether or not Athena or any other  
19 child saw the note?

20 A There's no reading child in the group, and no,  
21 she did not see the note because --

22 Q How do you know?

23 A Because Bliss retained the notebook. When I  
24 wrote this, this notebook went into Bliss's bedroom.

25 Q So --

1 A And briefcase.

2 Q So is it your testimony that this note was  
3 retained solely by Bliss?

4 A Correct.

5 Q So how would Mr. Montrief have gotten ahold of  
6 it?

7 A From you.

8 Q From me?

9 A Yes.

10 Q Do you have any evidence that that's where he  
11 got it from?

12 A Yes. Ms. St. Clair indicated to Bliss that  
13 you were getting a copy.

14 Q Who?

15 A Your office.

16 Q Okay. So it's your understanding that Ms.  
17 St. Clair told Bliss who told you that Exhibit 3 was  
18 going to come to my office?

19 A Yes.

20 Q Any other basis for your understanding?

21 A No.

22 Q Okay. And you believe that your authoring  
23 this note had the effect of stopping the use of the  
24 notebook?

25 A Yes.



1           **Q     What's that understanding based on?**

2           MR. SCHWARTZ:  Calls for speculation, but if you  
3 know the answer you can answer it.

4           THE WITNESS:  Ms. St. Clair sent an email to Bliss  
5 stating that due to my entry in the notebook, the  
6 notebook would be discontinued as a means of  
7 communication.

8 BY MR. HUNTER:

9           **Q     So you felt like your conduct was**  
10 **successful?**

11          A     Today I do, yes.

12          **Q     Do you think that it was disruptive in any way**  
13 **regarding the objective of helping Bliss and Michael**  
14 **co-parent?**

15          A     Disruptive?

16          **Q     Yes.**

17          A     No.

18          **Q     Why not?**

19          A     I have produced emails today that measure up  
20 to the level of disruption of my note.

21          **Q     So your belief is that because there are**  
22 **emails that you think measure up to this level, that**  
23 **meaning Exhibit 3, that your conduct was not**  
24 **disruptive --**

25          A     No.

1 Q -- in helping them co-parent?

2 A No.

3 Q Would you describe your conduct as helpful?

4 A No. I wish I had not written it today.

5 Q Okay. Why?

6 A I just feel -- it just makes me very sad that  
7 there was this much going on at that time.

8 Q When you say "this much" what do you mean?

9 A Coupled with the emails and the rest of the  
10 notebook, there's a great deal of aggression.

11 Q Back and forth?

12 A I don't have knowledge of back and forth. I  
13 know what we were receiving. Back and forth if you wish  
14 to count mine, yes.

15 Q So --

16 MR. SCHWARTZ: If you wish to count your email?

17 THE WITNESS: My note, it is aggressive.

18 BY MR. HUNTER:

19 Q Okay. Why did you accuse Mr. Montrief of  
20 having his nose in his daughter's vagina?

21 A Accuse him of it?

22 Q Yeah.

23 A From December 28th to January 4th my household  
24 received over ten messages from Mr. Montrief regarding  
25 his daughters' genitalia, all of them.

1 Q In what way?

2 A Well, you have some emails that I delivered  
3 today about the genitalia, and in the notebook it was  
4 mentioned many times. And I felt very sad for my  
5 two-year-old granddaughter who was trying to be potty  
6 trained and I felt she was being assaulted about the  
7 condition of her genitalia. It was a lot. It was a  
8 little girl trying to go to preschool and we were  
9 getting constant messages that her genitalia stunk.

10 Q Okay.

11 A Okay.

12 Q So based on Mr. Montrief's concern for his  
13 daughter's hygiene you said, "Get your nose out of  
14 Solana's vagina and look at the whole child"?

15 A There was a medical condition present.

16 Q What was the medical condition?

17 A Conjunctivitis.

18 Q So in your mind a hygiene issue and perhaps  
19 some sort of an infection in the child's genitalia took  
20 a back seat to conjunctivitis?

21 A No. All of it counts.

22 Q Your statement is, "Get your nose out of  
23 Solana's vagina and look at the whole child." Is there  
24 anything else you meant by that?

25 A No.

1 Q You're smirking.

2 A I'm not smirking.

3 MR. SCHWARTZ: I didn't see her smirk.

4 THE WITNESS: I'm not smirking; I smiled.

5 BY MR. HUNTER:

6 Q Okay. I'm just trying to understand what  
7 thought was behind the smile.

8 A I just am thinking of my granddaughter trying  
9 to wipe her butt right now, so I'm smiling.

10 Q Okay. I guess I won't get into why you're  
11 thinking about that and smiling.

12 We'll mark this as Exhibit 4. Have you had a  
13 chance to look at Exhibit 4?

14 MR. SCHWARTZ: Make sure you've read the whole  
15 thing.

16 THE WITNESS: You want me to read the  
17 confidentiality part?

18 MR. SCHWARTZ: No, don't worry about that.

19 Do you want her to read that?

20 MR. HUNTER: No. Thank you for asking.

21 BY MR. HUNTER:

22 Q Have you had a minute to look at what's been  
23 marked as Exhibit 4?

24 A Yes.

25 Q This looks like an email from Mr. Montrief to

1     **your daughter Bliss, correct?**

2           A     It does to me.  Why is my name up here?

3           MR. SCHWARTZ:  I guess you were the subject of the  
4     email.

5           THE WITNESS:  That's the subject line?

6           MR. SCHWARTZ:  That's my guess.  I don't know for  
7     sure but that --

8           THE WITNESS:  Okay.

9           MR. SCHWARTZ:  Was he representing Montrief at the  
10    time, is that why he's on there?

11          MR. HUNTER:  I have a couple questions about the  
12    email.

13          THE WITNESS:  This email?

14    BY MR. HUNTER:

15          **Q     The email on Exhibit 4 that you've now had a**  
16    **chance to review.  Are you prepared to answer questions**  
17    **about Exhibit 4 at this point?**

18          A     Sure.

19          **Q     This apparently is referencing you.  It says,**  
20    **"Janette Munoz is not allowed on my property at any time**  
21    **or in any way, shape, manner or form."  Do you see**  
22    **that?**

23          A     Yes, I see that.

24          **Q     It says that he was physically accosted this**  
25    **morning by her and, "If she goes past the curb the**

1 police will be called next time for a report to be  
2 taken."

3 Do you recall an incident where you and Mr.  
4 Montrief interacted and he accused you of accosting  
5 him?

6 A We interacted. I've never seen this email.

7 Q Do you need a minute to clean your glasses?

8 A No.

9 Q The questions I'm asking are important and I  
10 want your attention.

11 A I'm listening.

12 Q Okay. Did you in any way have any physical  
13 contact with Mr. Montrief on or about January 6th,  
14 2015?

15 A Yes.

16 Q Can you describe that incident for me? Did  
17 you push Mr. Montrief?

18 A No.

19 Q What did you do? You're smiling.

20 A Mr. Montrief pushed me.

21 Q Okay.

22 MR. SCHWARTZ: Just for the record, you're smiling  
23 at her too.

24 MR. HUNTER: I'm smiling at her smiling.

25 MS. BRACE: It's contagious.

1 MR. HUNTER: Smiles are very contagious.

2 BY MR. HUNTER:

3 Q So your testimony is that Mr. Montrief pushed  
4 you?

5 A Yes.

6 Q Can you describe for me what happened on  
7 January 6th, 2015?

8 A Yes. My brother --

9 Q What's your brother's name?

10 A Cameron Slocum, S-l-o-c-u-m, was selected by  
11 Mr. Montrief to deliver the children to Mr. Montrief's  
12 home --

13 Q Okay.

14 A -- during my daughter Bliss's recovery from  
15 abdominal surgery. I accompanied my brother to drop off  
16 the children because he has a bad back and couldn't get  
17 to the back of the minivan to get the children out.

18 One of the children had a temperature of  
19 between 103, 104. When she started up the driveway she  
20 fell flat on her face two steps in. I stopped  
21 everything I was doing and ran to the child.

22 Q What child was this?

23 A Lucia. As I stooped down to tend to her or  
24 collect her, Mr. Montrief ran out of the house screaming  
25 to get off his property. I needed to see if the child

1 was okay. I persisted in checking -- trying to check on  
2 her. He got there very fast, picked her up, screaming  
3 at me. He was enraged. He was screaming about the  
4 power of Google and the website and that I better get  
5 ready and that I obviously don't know what's coming.

6 **Q Anything else about the incident?**

7 A He was shaking and sweating. I wanted to see  
8 the baby to see that she hadn't injured her face. I was  
9 trying to work my way around to see her and he started  
10 bumping me off with his chest off the driveway. I  
11 turned around, put my back to him, indicated I needed to  
12 see if the child was okay. He kept bumping me down the  
13 driveway. My brother said come down on the sidewalk and  
14 I did.

15 **Q Did you make any sort of police report?**

16 A Yes.

17 **Q When?**

18 A After, not the same day.

19 **Q Why did you wait?**

20 A Firstly, I was concerned as to whether Athena  
21 observed the interaction. I was not intending to make a  
22 police report. When Athena got home that night she  
23 indicated she had seen it and heard it. So I discussed  
24 with Bliss whether I should make a report. No  
25 conclusion was reached.



1           Then subsequent to those discussions that same  
2 night a social worker called Bliss and indicated she had  
3 visited Mr. Montrief in his home and that I should make  
4 a police report of the allocation on January 6th because  
5 it was her impression that he was going to follow  
6 through with the threats that he had made and that she  
7 could do nothing without a police report being filed and  
8 she recommended that I file a police report.

9           **Q     So did you call CPS?**

10          A     I didn't call CPS.

11          **Q     Do you know who called CPS?**

12          A     Michael called CPS.

13          **Q     Okay. So your version is that Mr. Montrief**  
14 **was bumping you down the driveway?**

15          A     Yes.

16          **Q     Okay. Is it your testimony -- it sounded like**  
17 **you had no -- you initiated no physical contact with**  
18 **him, not even when you were --**

19          A     I stood.

20          **Q     Not even when you were trying to see whether**  
21 **or not the child was okay?**

22          A     I stood firm. That's all I did.

23          **Q     Okay. Is it your testimony you did not touch**  
24 **Mr. Montrief at all on January 6th?**

25          A     I did not.

1           Q     Okay. We'll mark as Exhibit 5 a pleading.

2           MR. SCHWARTZ: This might be one of those  
3 documents perhaps I should have a copy of also. Is  
4 there any way we can get another copy of this?

5           MS. BRACE: You can take mine.

6           MR. SCHWARTZ: Thank you.

7           MS. BRACE: While you're reviewing that can we take  
8 a quick break?

9           MR. HUNTER: Sure.

10

11                                 (Off the record.)

12

13 BY MR. HUNTER:

14           Q     Off the record Mr. Schwartz and I have had a  
15 brief conversation about contact information for Mr.  
16 Slocum.

17                                 Can you spell Mr. Slocum's name for the  
18 record, Ms. Munoz?

19           A     Cameron, C-a-m-e-r-o-n, Slocum, S-l-o-c-u-m.

20           Q     Off the record we discussed contact  
21 information for Mr. Slocum and Ms. Munoz indicated that  
22 she was going to look for any contact information for  
23 him, including a telephone number, and provide that  
24 through her counsel, Mr. Schwartz to me.

25                                 Would a two-week period of time be sufficient

1 to track down any phone number?

2 A Yes.

3 Q So we'll just keep things on the same  
4 timeline. If you locate any contact information for  
5 Cameron Slocum, you'll provide that through Mr. Schwartz  
6 to my office on or about September 11th, 2015, okay?

7 A Okay.

8 Q I have marked Exhibit 5 and that's in front of  
9 you. I have some questions regarding Exhibit 5. I  
10 understand it's a lengthy document. I'm not going to go  
11 through every page, but if you do need time at any point  
12 in the questioning to review the document further let me  
13 know and you can take additional time, okay?

14 A Yes.

15 Q I'll refer to the bottom, right-hand corner.  
16 The forms are identified in the bottom, right-hand  
17 corner of each page.

18 A Yes.

19 Q DV-110, Page 1 of 5.

20 A Yes.

21 Q Under Paragraph 3 it contains your name, I  
22 believe, Jan Munoz. Do you see that?

23 A Yes.

24 Q Is that a name that you use as well in  
25 addition to Janette Munoz?

1           A       It's my shortened name, yes.

2           Q       So you also go by Jan Munoz, is that fair to  
3 say?

4           A       Yes.

5           Q       You are Bliss's mother?

6           A       Yes.

7           Q       Is your age correct?

8           A       Yes.

9           Q       On the second line there's the name Maxwell  
10 Munoz. Is that your son?

11          A       Yes.

12          Q       Is that the accurate age for Maxwell?

13          A       Yes.

14          Q       I think you already indicated where he lives.

15          A       Yes.

16          Q       Does he live at what we've been referring to  
17 as the family residence?

18          A       Yes.

19          Q       Does he still live in the family residence?

20          A       Yes.

21          Q       Timothy Crays, do you see that?

22          A       Yes.

23          Q       Is that name spelled correctly, as you  
24 understand it?

25          A       Yes.

1 Q Who is Timothy Crays?

2 A My partner.

3 Q Okay. You've not married your partner,  
4 correct?

5 A No.

6 Q Any reason why there's a listing of  
7 "Stepfather" there, do you know?

8 A Bliss calls him her stepfather.

9 Q Okay. How long has she been referring to him  
10 as her stepfather, if you know?

11 A I don't know the answer to that.

12 Q How long have you had a partner relationship,  
13 as you describe it, with Mr. Crays?

14 A I'd rather not answer that.

15 Q I think it's relevant to the case at hand.

16 MR. SCHWARTZ: How long she's been in a  
17 relationship with Mr. Crays is relevant?

18 MR. HUNTER: Yeah.

19 MR. SCHWARTZ: Why is that relevant?

20 MR. HUNTER: Because he's a protected party and I'm  
21 trying to understand what, if any, qualifying  
22 relationship there might be that would warrant him as  
23 being listed as a protected party.

24 THE WITNESS: I will answer that. Mr. Crays has  
25 lived with me for four years.

1 BY MR. HUNTER:

2 Q He lives in the family residence?

3 A Yes.

4 Q Does he also live with you on the two boats  
5 that you've previously described?

6 A Yes.

7 Q Does he have any relation to Bliss?

8 A No.

9 Q Does he have any relation to the children at  
10 issue in this case?

11 A No.

12 Q Does he have any relation to Mr. Montrief in  
13 this case?

14 A No.

15 Q What is your relation to Mr. Montrief in this  
16 case?

17 A I have none.

18 Q What is Maxwell's relation to Mr. Montrief in  
19 this case?

20 A He has none.

21 Q On Page 4 of DV-110 -- did you review the  
22 pleading prior to it being filed?

23 A Me?

24 Q Yes, you.

25 A No.

1 Q Did you in any way request to be a protected  
2 party in this?

3 A No.

4 Q Did you meet with anyone providing legal  
5 counsel to Bliss prior to filing Exhibit 4?

6 A No.

7 Q Did you seek a civil restraining order against  
8 Mr. Montrief?

9 A No.

10 Q Do you have any plans as you sit here today to  
11 seek a civil restraining order against Mr. Montrief?

12 A No.

13 Q On Page 4 of 5, the highlighted portion there,  
14 do you see that?

15 A Uh-huh.

16 Q Is that a "yes"?

17 A Yes. I'm sorry.

18 Q Do you believe that you need protection in any  
19 way from any sort of publication against you?

20 A Yes.

21 Q What protection do you believe you need?

22 A I don't know what's available.

23 Q What do you believe you need, not what do you  
24 believe is available.

25 A I don't want websites made about me,

1       disparaging websites made about me.

2           **Q**     **Okay. Did Mr. Montrief in your opinion**  
3       **threaten to make some sort of public website disparaging**  
4       **you?**

5           A     Yes.

6           **Q**     **What exactly was stated or done to cause you**  
7       **to fear that a website would be made that disparaged**  
8       **you?**

9           A     He says that.

10          **Q**     **What does he say?**

11          A     That he's going to make a website about me.

12          **Q**     **When did he say that?**

13          A     He says it constantly.

14          **Q**     **Can you tell me any specific time?**

15          A     Well, in this email there's one where he says  
16       it.

17          MR. SCHWARTZ: That's in Exhibit 4, I believe.

18          MR. HUNTER: This is Exhibit 2.

19          MR. SCHWARTZ: Exhibit 4 also has something  
20       about --

21       BY MR. HUNTER:

22          **Q**     **Any other place?**

23          A     He said it to me in person.

24          **Q**     **What exactly has he stated to you that causes**  
25       **you to believe that in fact -- do you in fact believe**



1 that he would publish a website disparaging you?

2 A He has said, "I am going to make a website  
3 about you and your family."

4 Q What, if anything, causes you to believe that  
5 he will in fact do so?

6 A He has done it to other people.

7 Q Who?

8 A A woman in Huntington Beach.

9 Q What is that woman's name?

10 A Nancy.

11 Q Do you know any last name?

12 A If I think about it I'll get it. And she has  
13 a daughter named Jasmine.

14 Q How do you know he created a website about  
15 that?

16 A I saw it.

17 Q How do you know he created it?

18 A He said he did.

19 Q Okay. Is there any other reason why you  
20 believe that he may publish a website disparaging you?

21 A He made websites against people in Florida.

22 Q Can you be any more specific?

23 A I don't remember their names. He made  
24 several.

25 Q How do you know that he made several websites

1       **about people in Florida?**

2           A       He told me and I saw them.

3           Q       **How did you see them?**

4           A       On the Internet.

5           Q       **You looked them up?**

6           A       Bliss looked them up and showed them to me.

7           Q       **Was there any other basis for your belief that**  
8 **he made websites about people in Florida?**

9           A       There was a lawsuit.

10          Q       **What lawsuit are you referring to?**

11          A       I don't know. It was a lawsuit and he lost.

12          Q       **How do you know that Mr. Montrief lost some**  
13 **sort of lawsuit?**

14          A       He told me.

15          Q       **What did he tell you?**

16          A       That the people in Florida were looking for  
17 him and he can't own anything and that he was standing  
18 up for the brown man.

19          Q       **Anything else he told you that caused you to**  
20 **believe in fact he published some website or websites**  
21 **about people in Florida?**

22          A       He told me not to go to the post office  
23 anymore and pick up any mail that has a pink certified  
24 or registered sign-for-it notice if it was about him.

25          Q       **Had you done that in the past, picked up his**

1 mail for him?

2 A One thing came to my mailbox and I went and  
3 picked it up, thinking I was supposed to, and when I  
4 gave it to him he was very worked up.

5 Q Okay. Other than what Bliss reported to you  
6 and showed you and the comments that you've referred to  
7 that Michael made, is there any other reason you believe  
8 that he, meaning Mr. Montrief, may in fact publish a  
9 website disparaging you?

10 A Well, he said it a lot. That's all I can say.  
11 He said it a lot.

12 Q Anything else?

13 A He said he would put something in the code and  
14 that you could never take it down on the Internet and  
15 that he knew how to do it and that he had learned it at  
16 some place that he went to and that he was going to do  
17 that.

18 Q Is there any other reason that you haven't  
19 already mentioned that causes you to believe that Mr.  
20 Montrief may publish some sort of website disparaging  
21 you?

22 A Not that I can think of.

23 Q What specifically are you concerned about, if  
24 anything, that he may post that you might consider to be  
25 disparaging?

1           A     He claims I murdered my husband.

2           Q     **Anything else?**

3           A     He says I'm despicable, I'm evil, substandard  
4 in a lot of ways.

5           Q     **Anything else that you understand that he has**  
6 **claimed that he will publish on a website that you**  
7 **believe may be disparaging?**

8           A     About me?

9           Q     **Yes.**

10          A     I can't remember all the things he has said.

11          Q     **I'm asking for your best testimony today.**

12          A     I gave you what I can recall.

13          Q     **Okay. Now your husband passed away,**  
14 **correct?**

15          A     Yes.

16          Q     **Mr. Montrief accused you of killing him by**  
17 **neglect, correct?**

18          MR. SCHWARTZ: Lacks foundation.

19          THE WITNESS: I've never heard that before, what  
20 you just said.

21          BY MR. HUNTER:

22          Q     **Have you ever had a discussion with Mr.**  
23 **Montrief about the death of your husband?**

24          A     No.

25          Q     **Not once?**

1           A     No.

2           Q     Has he made any sort of accusation to you as  
3 to how you participated or contributed to your husband's  
4 death?

5           A     He says to me I murdered my husband.

6           Q     So you did have some sort of interaction with  
7 Mr. Montrief on this subject?

8           A     That's it.

9           Q     What's it?

10          A     That was what he said to me about the death  
11 of -- what he was going to do on the website regarding  
12 the death of my husband.

13          Q     Okay. Did you say anything back to him?

14          A     Probably "That's ridiculous." I don't  
15 remember what I said.

16          Q     Did you engage in some sort of a conversation  
17 with Mr. Montrief on this subject?

18          A     No.

19          Q     Where were you when he confronted you with  
20 this?

21          A     I think it might have been outside my house on  
22 a dropoff or pickup of the children.

23          Q     What, if anything, in your mind caused that  
24 statement to be made?

25          A     I have no way of knowing that.

1           Q     Was this on a separate day other than the  
2     January 6th date that we've been discussing?

3           A     Oh, yes.

4           Q     So this was another less-than-cordial  
5     interaction between the two of you?

6           A     He was standing in the street screaming at me  
7     from a couple houses down.

8           Q     Okay. And were you arriving or leaving?

9           A     I was on my driveway.

10          Q     Okay.

11          A     He was there in his car outside of his car.

12          Q     So was he picking up the children?

13          A     I can't remember if he was picking up or  
14     dropping off. I seem to recall it might have been in  
15     the evening that day.

16          Q     Did you do anything that may possibly have  
17     provoked such a comment from him?

18           MR. SCHWARTZ: Did she do anything in this  
19     conversation with Michael Montrief?

20           MR. HUNTER: Yes.

21           MR. SCHWARTZ: Go ahead.

22           THE WITNESS: No.

23     BY MR. HUNTER:

24           Q     Is it your testimony that Mr. Montrief showed  
25     up a couple houses down from yours and just blurted out

1 that you murdered your husband?

2 A Oh, yes, yes.

3 Q Just out of the blue, and you had no  
4 interaction with him whatsoever?

5 A I was waiting for the children to come to me  
6 and he was screaming from his car door, his open car  
7 door standing. I recollect words like, "Hey, Munoz,  
8 what are you going to do when I make the website about  
9 your murder of Paul?"

10 Q In your opinion it was completely  
11 unprovoked?

12 A Certainly.

13 Q Okay. Had you had any sort of interaction  
14 with him immediately preceding this comment you allege  
15 he made?

16 A No.

17 Q No email?

18 A No.

19 Q No text message?

20 A No.

21 Q No conversation?

22 A No.

23 Q Okay. Again, it's your testimony it was just  
24 out of the blue?

25 A Yes.

1           Q     Okay. Did you ask your daughter Bliss to have  
2     **Mr. Montrief cease and desist from any sort of threat to**  
3     **make a disparaging website about you?**

4           MS. BRACE: Objection. Vague and ambiguous.

5     BY MR. HUNTER:

6           Q     **Did that make sense?**

7           A     There have been so many conversations on this  
8     topic, it is possible I said something to that effect.

9           Q     **Something to the effect of what? I just want**  
10    **to make sure you understood the question.**

11          A     No, I did not ask her to take direct action on  
12    this. I would say in my confusion and fear can he do  
13    that and ask her. I mean, you say things when you hear  
14    things like this.

15          Q     **So you and Bliss discussed, prior to her**  
16    **filing this Exhibit 5, discussed ways to get Mr.**  
17    **Montrief to cease these supposed comments?**

18          A     No. Mr. Hunter, I've never seen this  
19    before.

20          Q     **Exhibit 5?**

21          A     (No audible response.)

22          Q     **Have you ever discussed -- I guess you didn't**  
23    **ask Bliss to take any sort of action.**

24          A     No.

25          Q     **Has Bliss expressed to you any sort of fear**



1 about Mr. Montrief publishing a website about her?

2 A Bliss has told me that he will do it.

3 Q That wasn't exactly my question. Has she  
4 discussed with you a fear about Michael publishing some  
5 sort of website about her?

6 A She has indicated fearfully that he will do  
7 it.

8 Q When you say she's indicated fearfully, can  
9 you explain what you mean?

10 A "He's going to do it, mom. I know he's going  
11 to do it." Does that help you?

12 Q A little bit, but only because of your tone,  
13 which doesn't come across real well on the record.

14 How, if at all, did you perceive that Bliss  
15 had any fear of Mr. Montrief publishing any sort of  
16 website about her?

17 A He's done it before, he's going to do it again  
18 she said.

19 Q So other than her words -- not that those  
20 aren't enough. I'm just saying other than her words,  
21 did you perceive any fear on her part?

22 A Absolutely.

23 Q What caused you to perceive that she was in  
24 fear other than her words?

25 A Body language, tone of voice.

1           Q     What was her body language and tone of  
2     **voice?**

3           A     Her tone of voice was fearful, scared. The  
4     words she used indicated fear and continue to on the  
5     subject.

6           Q     What words are you referring to that caused  
7     **you to believe she was in fear?**

8           A     "He's going to do it, mom. He will do it. I  
9     know he will do it. I may not be able to get a job if  
10    he does it," things like that.

11          Q     You were there, I wasn't. I'm trying to  
12    **understand what exactly she said. Is there anything**  
13    **else she said that caused you to believe that she was in**  
14    **actual fear?**

15          MR. SCHWARTZ: That he would publish?

16          MR. HUNTER: That he would publish.

17          THE WITNESS: "He's done it before, he'll do it  
18    again. He doesn't care who you are, he doesn't care who  
19    I am. He's going to do it." There were many, many --  
20    and continue to be today -- many, many words spent on  
21    this subject.

22    BY MR. HUNTER:

23          Q     Okay. When you say there were many, many  
24    **words spent on this subject, what do you mean?**

25          A     We talk about whether he will do it or not and

1 whether it can be stopped.

2 Q What exactly do you say? These are  
3 conversations between you and Bliss, right?

4 A What exactly do we say? "I hope he doesn't do  
5 it, honey." "Oh, he's going to, mom." Is this what you  
6 want from me, Mr. Hunter?

7 Q It is. I want to understand.

8 A This is how it goes when the subject comes up,  
9 which is random. That kind of language is communicated  
10 between this mother and her daughter about her fear of  
11 what could happen to her.

12 Q Okay. Anything else come to mind as you sit  
13 here today that you and Bliss discuss regarding this  
14 supposed threat that some sort of website would be built  
15 disparaging you and/or Bliss?

16 MS. BRACE: Objection. Compound.

17 MR. SCHWARTZ: Compound, and I think she's answered  
18 this. You've belabored it.

19 THE WITNESS: She's --

20 MR. HUNTER: Hang on a second. I just want to make  
21 sure that I have all of her knowledge on the topic and  
22 that I'm not going to get something else later. That's  
23 all.

24 BY MR. HUNTER:

25 Q I'm not trying to belabor it, beat a dead

1 horse. It seems like each time you answer an additional  
2 word or something is thrown out there. I want to get  
3 your best and most comprehensive testimony on this  
4 subject matter because --

5 A We'll be here a couple days.

6 Q -- it's important. I certainly don't expect  
7 you to remember every single word, but I do expect your  
8 best testimony in this regard today. Because it is  
9 important, for Mr. Montrief as well as you and your  
10 daughter. And I understand that. That's all I'm  
11 looking for. Is that fair?

12 A Sure.

13 Q So what additional conversations -- let's go  
14 about it this way. What additional information about  
15 interactions between you and Bliss do you recall that  
16 would indicate that Bliss may in fact fear a publication  
17 of a website supposedly disparaging her? Is there  
18 anything else?

19 A She is afraid she would not pass a background  
20 check for a job in the medical profession with an active  
21 domestic disturbance on the Internet and she expresses  
22 it to me.

23 Q Is there anything else?

24 A That's it.

25 Q Has she referenced anything in particular that

1 causes her to fear that she wouldn't pass a background  
2 check other than the general fact that there is a  
3 domestic violence disturbance, as you put it, actively  
4 being litigated?

5 A She lived with him. She watched him. That's  
6 all I know.

7 Q Okay. You can't be any more specific than  
8 that as you sit here today?

9 A No.

10 Q Okay. Have you ever heard Mr. Montrief make  
11 some sort of accusation that Bliss has had a child with  
12 another man?

13 A Just from Bliss.

14 Q What has she said about it?

15 A "He thinks I had a baby."

16 Q To your knowledge did she have an additional  
17 child?

18 A He told my granddaughter that she has a  
19 sister. So we looked all through the house for the  
20 child and we found no child so to my knowledge there is  
21 no child. I've looked everywhere for the child.

22 MR. SCHWARTZ: Just answer the question, Jan.

23 BY MR. HUNTER:

24 Q To your knowledge has your daughter given  
25 birth to any additional child other than the four that

1     **are living?**

2           A     To my knowledge there is no other child.

3           **Q     Have you and Bliss always been close?**

4           A     We were close until Michael and she left the  
5     area.

6           **Q     Would it be fair to say that your opinion of**  
7     **Mr. Montrief created friction between you and your**  
8     **daughter Bliss?**

9           MR. SCHWARTZ:  What period of time are we talking  
10    about?  Objection.  Vague.

11          MR. HUNTER:  The period of time in which she had a  
12    relationship with Mr. Montrief.

13          THE WITNESS:  It would be fair to say that I  
14    explained to her that she would need to be able to  
15    handle him.

16    BY MR. HUNTER:

17          **Q     Would it be fair to say that you took**  
18     **objection to her relationship with Mr. Montrief?**

19          A     No.  I introduced them.

20          **Q     Is it fair to say that at some point you**  
21     **objected to her continuing relationship with Mr.**  
22     **Montrief?**

23          A     No.

24          **Q     What is your perception as to any friction**  
25     **between you and your daughter as a result of her**

1 relationship with Mr. Montrief?

2 MS. BRACE: Objection. Vague and ambiguous as to  
3 "friction."

4 BY MR. HUNTER:

5 Q Do you understand the question?

6 A We don't have any friction about her  
7 relationship with Mr. Montrief.

8 Q You never had any disagreement -- did it  
9 ever --

10 A Go ahead.

11 Q Go ahead.

12 A You go.

13 Q Did you have a disagreement with your daughter  
14 about her continuing relationship with Mr. Montrief?

15 A No.

16 Q Did you approve of the relationship between  
17 her and Mr. Montrief?

18 MR. SCHWARTZ: What period of time?

19 MR. HUNTER: The entire period of the  
20 relationship.

21 THE WITNESS: It was not for me to approve or  
22 disapprove.

23 BY MR. HUNTER:

24 Q You referenced previously that at some point  
25 you told Bliss that she would need to be able to handle

1 a person such as Mr. Montrief; is that a fair  
2 restatement of your testimony?

3 A Yes.

4 Q What do you mean by that?

5 A He has a certain energy that is very different  
6 than hers.

7 Q When you say "energy" what do you mean?

8 A He's an energetic guy.

9 Q Anything else? Can you provide any other  
10 detail?

11 A She is not an energetic person.

12 Q Other than energy levels, did you mean  
13 anything else about your statement to Bliss that she  
14 would need to be able to handle a guy like Mr.  
15 Montrief?

16 A No.

17 Q Ms. Munoz, you have in front of what's been  
18 marked as Exhibit 2. Does Bliss have a practice, to  
19 your knowledge, of forwarding you correspondence that  
20 she receives from Mr. Montrief?

21 A No.

22 Q How did you come in possession of the emails  
23 contained in Exhibit 2?

24 A I asked for them.

25 Q You asked for them from who?



1           A     Bliss.

2           Q     You asked for them from Bliss pursuant to your  
3 deposition notice?

4           A     Correct.

5           Q     Did you go through and select certain excerpts  
6 or is this everything that she forwarded to you?

7           A     I asked for emails from December 28th to  
8 January 4th.

9           Q     Why that specific date range?

10          A     Because they precede the entry in the notebook  
11 I made.

12          Q     Any other reason?

13          A     That was it.

14          Q     Why did you limit it to those dates?

15          A     Because mathematically it's three messages per  
16 visitation on the subject of genitalia.

17          Q     So you determined the actual period which you  
18 thought was applicable?

19          A     Yes.

20          Q     Did you in any way refer to the notice of  
21 deposition and the document production?

22          A     No.

23          Q     Okay. You just arbitrarily laid out --

24          A     It was arbitrary.

25          Q     Okay. When you go back through, when you're

1 revisiting your correspondence, and you've agreed to  
2 already produce additional correspondence if you have  
3 any, when you go through there will you please  
4 supplement your production of documents to comply with  
5 the notice of deposition to include a broader time  
6 frame?

7 MR. SCHWARTZ: I'm going to interject. I think  
8 there's a misunderstanding. Your deposition notice is  
9 asking for any contact or communications between Janette  
10 Munoz and Bliss Munoz, which she testified there are  
11 none. She doesn't communicate with her children in  
12 writing.

13 Also, Jan Munoz misunderstood the part about  
14 the emails or written correspondence of any kind with  
15 Michael Montrief, and she is going to supplement -- to  
16 the extent any such communication with Montrief exists,  
17 she will do so.

18 I don't believe your notice says for her to go  
19 to Bliss Munoz and ask for all emails that Bliss Munoz  
20 and Michael Montrief might have had together that are  
21 not in Jan Munoz's possession.

22 MR. HUNTER: It says, "Any and all documents,  
23 including but not limited to correspondence, emails,  
24 text messages (SMS), letters, notes, facsimile  
25 transmissions, statements or memorandum which evidence

1 communication between you," meaning Jan Munoz, "and  
2 Respondent Michael Montrief regarding the minor children  
3 or Petitioner Bliss Munoz or Respondent Michael  
4 Montrief."

5 MR. SCHWARTZ: But the communication between Jan  
6 Munoz and Michael Montrief or Bliss Munoz -- Jan is not  
7 on this communication. This is something -- she asked  
8 Bliss if she had a copy of it, all of this communication  
9 between Bliss Munoz and Michael Montrief, of which Jan  
10 was not a part of.

11 MR. HUNTER: It says "between you," meaning Jan  
12 Munoz, "and the Respondent," who is Michael Montrief.

13 THE WITNESS: I have none.

14 MR. SCHWARTZ: To the extent that she might somehow  
15 have something somewhere she was not aware of, she'll  
16 supplement that by September 11, but I believe your  
17 discovery should be aimed at Bliss Munoz for any  
18 communication between Bliss Munoz and Michael Montrief.

19 Do you have in your possession, Jan, at this  
20 time any communications between Bliss Munoz and Michael  
21 Montrief, other than what you've produced today?

22 THE WITNESS: No.

23 MR. HUNTER: So you'll supplement your production  
24 as previously discussed, right?

25 MR. SCHWARTZ: Yes, absolutely.

1 MR. HUNTER: All right.

2 BY MR. HUNTER:

3 Q Let's go through these emails.

4 On Page 1 -- do you agree or disagree that --  
5 I think we've already discussed the diaper rash, but  
6 have your grandchildren to your knowledge been delivered  
7 to Mr. Montrief with soiled diapers and/or clothes?

8 A No.

9 Q Soiled meaning feces?

10 A No.

11 Q You've already mentioned I believe a recovery  
12 period for Bliss due to some abdominal surgery. Who  
13 cared for the children during that period?

14 A We all did.

15 Q Would you say that the children were cared for  
16 adequately?

17 A Quite.

18 Q With regard to the previous discussion as to  
19 an allegation that one or more of your granddaughters  
20 had some sort of perhaps hygiene issue with her  
21 genitalia, did you observe that?

22 A No.

23 Q Did you observe any hygiene issue with regard  
24 to any of your grandchildren's genitalia?

25 A Solana was learning to wipe and sometimes

1 didn't.

2 Q Okay. Not to get too graphic, but little  
3 girls -- do you understand there's any sort of  
4 instruction that would apply to little girls in wiping  
5 as opposed to little boys?

6 A Yes. I have one of each. I have two.

7 Q Can you explain to me what the difference in  
8 perhaps instruction would be to a little girl versus a  
9 little boy in wiping?

10 A Front to back.

11 Q Has that been taught to -- I think Solana?

12 A Yes. She's still working on this.

13 Q So you recognize that it was in fact part of  
14 the learning process for Solana to go from front to back  
15 as opposed to back to front?

16 A Correct.

17 Q Did you notice any sort of hygiene issue as a  
18 result of her learning process?

19 A I still notice deficiencies in this area,  
20 yes.

21 Q So is it possible that's what Mr. Montrief was  
22 referring to?

23 A I wouldn't know what Mr. Montrief was  
24 referring to.

25 Q Okay. Fair enough. But you've noticed some

1 sort of hygiene problem with at least Solana?

2 A I would not call it a problem; it's a learning  
3 curve.

4 Q Okay. And there are results that necessarily  
5 are consequences from the learning curve that effect the  
6 body, correct?

7 A Could.

8 Q Are you aware of Bliss instructing the  
9 children to run away to the neighbors if Mr. Montrief  
10 loses his temper?

11 A No.

12 Q Did you make any phone calls to the police to  
13 do a wellness check on the children while they were in  
14 the care of Mr. Montrief?

15 A No.

16 Q Are you aware of any phone calls that Bliss  
17 may have made to the police while the children were in  
18 Mr. Montrief's care?

19 A I'm aware of a need to enforce the custody  
20 arrangement one night when he took some children -- I  
21 don't know how many. I can't remember. When he was  
22 supposed to give them to her. She was there to pick  
23 them up and he gave her maybe two and took two and the  
24 police were called. That's all I know.

25 Q Are you aware of what time period this was?

1           A     It was in the evening.

2           Q     Can you give me a month?

3           A     No.

4           Q     Is it your understanding this took place after  
5 orders were made by the court in this matter?

6           A     You know, I don't know that.

7           Q     Are you aware of any sort of communication  
8 between Bliss and Mr. Montrief indicating that Mr.  
9 Crays' brother is an IRS agent?

10          MR. SCHWARTZ:  What does this have to do with  
11 admissible evidence?

12          MR. HUNTER:  It goes to the state of -- we've  
13 already talked about the state of conflict between the  
14 parties.  In a DV action I think that it's relevant.

15          BY MR. HUNTER:

16          Q     Did anyone accuse or did anyone threaten to  
17 turn Mr. Montrief in to the IRS?

18          A     For what?

19          Q     The question is did anyone threaten to turn  
20 Mr. Montrief in to the IRS.

21          A     No.

22          MS. BRACE:  Objection.  Lacks foundation.

23          THE WITNESS:  I did not.

24          BY MR. HUNTER:

25          Q     Have you heard of any sort of reference made

1 by Bliss that Mr. Crays' brother is an IRS agent?

2 A I know that Mr. Crays' brother was an IRS  
3 investigator in his lifetime. I have that information  
4 for you.

5 Q Do you know whether or not Bliss made any sort  
6 of threat or insinuation to turn Mr. Montrief in to the  
7 IRS?

8 A I have no information on that.

9 Q While the children are in your home how often  
10 do they bathe, if you know?

11 A It depends on where they've been. Every night  
12 unless they've been in a pool, which is possible.  
13 There's been a lot of swimming lessons.

14 Q How would being in the pool affect bathing or  
15 showering practices, if at all?

16 A The children have MRSA. MRSA is killed by  
17 chlorine. We choose not to tamper with that.

18 Q What's MRSA?

19 A It's a bacteria infection that you carry  
20 forever once you are infected.

21 Q So all of the children have MRSA?

22 A I believe three of them at least.

23 Q In your experience, how does MRSA affect the  
24 children?

25 A They get boils and --



1 Q Where?

2 A Wherever they pop out. My leg exploded from  
3 it. I got it from the children.

4 Q It's contagious?

5 A Quite.

6 Q Has that information been shared with Mr.  
7 Montrief?

8 A Yes.

9 Q That the children have MRSA?

10 A Yes. He had MRSA.

11 Q Okay. I think you were explaining how  
12 swimming may affect the showering or bathing schedule.  
13 Were you done with your answer on that?

14 A I believe so. I said if they've been in a  
15 pool they don't get bathed. We allow the chlorine to do  
16 its work for the MRSA.

17 Q I'm not --

18 A They bathe the day or night that they are not  
19 in a pool.

20 Q So based on your understanding, it's important  
21 that the kids bathe and/or shower daily because of  
22 MRSA?

23 A Because it's good hygiene.

24 Q And because of MRSA?

25 A You're misunderstanding me.

1 Q I am.

2 A When a person goes in a pool and they have  
3 MRSA the MRSA is killed. So if the children spend time  
4 in a pool, we don't bathe them that day because they've  
5 been in a pool and the chlorine kills the MRSA on the  
6 skin.

7 Q Okay.

8 A The doctor recommended this. So we do --  
9 those days we leave them bathed in a pool. If they have  
10 not been in a pool they will go in a bathtub --

11 Q Okay.

12 A -- with anti-bacterial soap, and sometimes  
13 bleach if they have an active case of MRSA.

14 Q So is it fair to say that it's important for  
15 the children to bathe and/or be cleansed in some way  
16 daily?

17 A Correct.

18 Q Okay. And in part because it's good  
19 hygiene?

20 A (No audible response.)

21 Q Is that a "yes"?

22 A Yes.

23 Q And part because each of them has MRSA?

24 A At least three of them have MRSA.

25 Q Would that be the additional reason it would

1 be important to bathe or cleanse the children --

2 A Yes.

3 Q -- daily?

4 A Yes.

5 Q You indicated that bleach would be a part of  
6 the bathing process at points if there was some sort of  
7 active MRSA inflammation, we'll call it. Is that what  
8 you were saying?

9 A Yes.

10 Q Can you describe what sort of a bath or  
11 hygiene procedure this entails?

12 A A full warm bathtub and a tablespoon of bleach  
13 and you sit in it for as long as you can stand to kill  
14 the MRSA.

15 Q Would it be important to do more than sit in  
16 it, like --

17 A Oh, no. You lay in it. You cover your body.  
18 MRSA lives in the navel and the nose. We have special  
19 salves to use in the nose with a Q-Tip. And you sit or  
20 lay in a bathtub -- I do this once a month -- and you  
21 get your navel and any other area that the MRSA might  
22 live clean.

23 Q Okay. Do you know whether or not this has  
24 been explained to Mr. Montrief as part of the hygiene  
25 needs of the children?

1           A     Several times.

2           Q     Have you explained it to him?

3           A     No.

4           Q     How do you know that he's had this  
5 **explanation?**

6           A     Because Bliss has been very concerned that he  
7 doesn't seem to understand it and she has expressed that  
8 he doesn't seem to know what to do with the MRSA.

9           Q     Okay. Can you spell MRSA for me?

10          A     M-R-S-A.

11          Q     Is that an acronym?

12          A     It is an acronym.

13          Q     I'm not very medically savvy. If you know the  
14 **name of it, can you state it on the record?**

15          A     I don't know the name of it. It's a very long  
16 series of words.

17          Q     That's why they use MRSA.

18          MR. SCHWARTZ: Do you need a break?

19          THE WITNESS: I'm okay.

20          BY MR. HUNTER:

21          Q     On Page 4 of the documents that you've  
22 **provided today, at the bottom of it there's an email**  
23 **referencing Solana's panties.**

24          A     Uh-huh.

25          Q     Is that a "yes"?

1           A     I see it.

2           Q     Have you had any discussion with Bliss about  
3 this topic?

4           A     Solana's panties?

5           Q     Specifically this email here.

6           A     No.

7           Q     It says, "Moreover, I also have Solana's  
8 panties in the car (forgot to hand them back) with some  
9 sort of vaginal discharge all over them and lucky for  
10 you they haven't made it into the wash yet. I'll give  
11 them to you at St. Clair's office and you can tell me  
12 what it is because I don't know."

13                     Have you had any sort of discussions about  
14 this topic with Bliss?

15           A     No.

16           Q     Did Bliss tell you anything about the visit  
17 with Ms. St. Clair wherein they discussed Solana's  
18 panties?

19           A     No.

20           Q     On Page 6, did you have an understanding as to  
21 the purpose of the notebook that was being passed back  
22 and forth regarding the kids?

23           A     Yes.

24           Q     So you understood that prior to you making  
25 your note?

1           A     Yes.

2           Q     Okay. What was your understanding was the  
3 **purpose of the notebook?**

4           A     That there would be notes made from each  
5 parent for the benefit of the receiving parent regarding  
6 the welfare and well-being of the children, including  
7 what they had to eat, when they ate it, what they did,  
8 what concerns are there.

9           MR. HUNTER: Off the record.

10

11                                 (Off the record.)

12

13                                 EXAMINATION

14

15 BY MS. BRACE:

16           Q     Drawing your attention to the 1-5-15 letter  
17 **that was marked as --**

18           MS. BRACE: Can you help me, Dan?

19           MR. SCHWARTZ: Exhibit 3.

20 BY MS. BRACE:

21           Q     -- Exhibit 3, you state "your daughter's  
22 **vagina." Who are you referring to when you say "your**  
23 **daughter's"?**

24           A     I can't be sure.

25           Q     Okay. Was this statement made in response to

1     **any other statements?**

2           A     It was made in response to the stream of  
3 messages that had come into the house.

4           Q     **How many messages had come into the house?**

5           A     More than ten.

6           Q     **Can you tell me what specifically the  
7 messages -- who were the messages from?**

8           A     Michael.

9           Q     **Starting with the first message, do you recall  
10 what Michael said that made you eventually write this  
11 statement?**

12          A     There was a steady stream of language with  
13 regard to the girls' vaginas being tampered with, that  
14 they had -- well, smelly, there's a word. Dirty, just  
15 constant.

16          Q     **When was the first time that you recall  
17 receiving information that Mr. Montrief believed that  
18 the girls had an issue with their vaginas?**

19          A     I would say that was immediately after they  
20 moved into our house. It never abated.

21          Q     **So that was March of 2014, is that correct?**

22          A     May.

23          Q     **I'm sorry. May of 2014. On how many  
24 occasions do you believe that Mr. Montrief was referring  
25 to the condition of the girls' vaginas from May of 2014**

1 until 1-5-15?

2 A How many times?

3 Q Yes.

4 A It was -- I'm guessing, but it was --

5 Q I don't want you to guess; I want you to  
6 estimate.

7 MR. SCHWARTZ: Best estimate.

8 THE WITNESS: My best estimate would be -- are you  
9 saying written or are you saying -- am I to include what  
10 the girls would say when they came home, everything, all  
11 the mentions?

12 BY MS. BRACE:

13 Q How many times did you hear from Mr. Montrief  
14 himself through any communication, whether written or  
15 oral, from May of 2014 to 15 of 2015 that Mr. Montrief  
16 referred to the girls' vaginas?

17 A 50.

18 Q In the month prior to your writing the  
19 1-5-2015 statement, on how many occasions, whether it  
20 was written or oral, do you believe Mr. Montrief  
21 specifically referred to the girls' vaginas?

22 A How many occasions?

23 Q In communication.

24 A From what date? Did you give me a starting  
25 date?



1 Q Sure. The month immediately preceding  
2 1-5-2015, so approximately 12-5 of 2014.

3 A Probably 20 of those 50 total. I'm  
4 estimating.

5 Q Specifically what do you recall hearing or  
6 seeing Mr. Montrief communicate about the girls'  
7 vaginas?

8 A That he was certain that inappropriate  
9 touching had happened or that they were dirty. If he  
10 picked the child up from daycare, any particular child  
11 other than Athena and there was a dirty diaper or  
12 something because the child had defecated in the diaper,  
13 then that was Bliss's fault. So there was a remark  
14 about that or something like that. There was a lot of  
15 discussion about what was in diapers.

16 Q But I want to specifically refer to vaginas.  
17 How many times do you believe Mr. Montrief communicated  
18 the word "vaginas" in December of 2015 until Jan 5th of  
19 2015 regarding the girls?

20 A Probably 20 times.

21 Q Upon first hearing that Mr. Montrief believed  
22 that one of the girls or any of the girls was smelly,  
23 did you have an occasion to inspect --

24 A Oh, sure.

25 Q -- the girls?

1           A     Sure.

2           Q     Did you see any problem with the girls and  
3 their private parts?

4           A     No.

5           Q     At any time in December of 2014 do you believe  
6 the girls had an infection or discharge or anything  
7 inappropriate with their vaginas?

8           A     Between December 28th and January 4th there  
9 were two legitimate medical concerns with the children  
10 and they were taken to doctors. One was the ER. I had  
11 them checked, the vaginas, and the condition of the  
12 bodies completely. There was no issue with the  
13 children's genitalia, back side, legs, arms, tummy.  
14 Just whatever the prevailing medical condition was that  
15 we were there for was addressed. There was nothing  
16 about their vaginas.

17          Q     Mr. Montrief also complained about the girls  
18 being smelly in general in their private parts and you'd  
19 spoken about some potty training.

20          A     Uh-huh.

21          Q     Were the girls ever smelly?

22          A     No.

23          MR. HUNTER: Objection. Vague and ambiguous.

24          THE WITNESS: Well, when they have poop they  
25 smell.

1 BY MS. BRACE:

2 Q By 1-5 of 2015, would it be fair to say that  
3 you were frustrated with Mr. Montrief's statements about  
4 your granddaughters?

5 A Yes.

6 Q To your knowledge, on Jan 5th of 2015 what  
7 were the legitimate medical concerns regarding your  
8 granddaughters that you had?

9 A Lucia had a persistent three-day fever, well  
10 over 100 degrees. It recurred a few days after. We  
11 were in the ER a lot. There was the conjunctivitis, and  
12 just general colds and flu, you know, had been  
13 occurring.

14 Q Did you have the occasion to see Athena on  
15 January 4th, 2015?

16 A Yes.

17 Q Did Mr. Montrief return Athena to Bliss?

18 A Yes.

19 Q Can you describe Athena's condition?

20 A On January 4th, 2015?

21 Q Yes.

22 A Athena, the eldest?

23 Q I'm sorry.

24 A Solana?

25 Q I apologize. Can you describe all of the

1 children's condition when they were delivered on  
2 December 4th, 2015?

3 MR. HUNTER: December 4th or January?

4 THE WITNESS: January.

5 BY MS. BRACE:

6 Q Strike that.

7 Can you describe the condition of the children  
8 when they were delivered back to Bliss on January 4th,  
9 2015?

10 A Athena's eyes were swollen shut and oozing.  
11 Solana's eyes were red and oozing. They weren't swollen  
12 shut yet. And either Lucia or Dahlia -- they're  
13 identical -- had the same condition as Solana. So there  
14 was rampant pink eye.

15 Q Upon the children returning home, do you know  
16 what Bliss did about this problem?

17 A Pink eye?

18 Q Yes.

19 A She went to urgent care.

20 Q Did you go with Bliss to urgent care?

21 A No, she went.

22 MS. BRACE: I have nothing further.

23 MR. HUNTER: I did have one additional little line  
24 of questioning.

25

1 FURTHER EXAMINATION

2  
3 BY MR. HUNTER:

4 Q Mr. Crays you say is your partner?

5 A Correct.

6 Q I take it you mean romantically, correct?

7 A Yes.

8 Q Do you recall an incident wherein Mr. Crays in  
9 Mr. Montrief's presence referred to the girls -- do you  
10 recall an incident wherein one of the girls or more was  
11 having their diaper changed and Mr. Crays was present  
12 and made some sort of comment about one of the girls  
13 touching themselves when they didn't have a diaper  
14 covering them? Do you recall that?

15 A That's not what happened, but I recall the  
16 gist of what you're saying.

17 Q Okay. Did Mr. Crays make some sort of a  
18 statement when one of the girls was touching herself  
19 when she was having her diaper changed to the effect of  
20 that would be the best play thing of her entire life?  
21 Do you recall a comment like that?

22 A No, he didn't say that.

23 Q What did he say?

24 A Cheapest toy in the toy box.

25 Q Thank you.

1 MR. HUNTER: Off the record.

2

3 (Off the record.)

4

5 MR. HUNTER: We've conferred briefly off the record  
6 and reached a stipulation with regard to this transcript  
7 of Janette Munoz. I will attempt to recite that on the  
8 record accurately. If I misstate anything, I'll rely on  
9 counsel to jump in and correct me.

10 We've agreed and stipulated that the original  
11 transcript will be sent to the office of counsel for  
12 Janette Munoz, who is Jason Schwartz, and that 30 days  
13 after the transcript is mailed to the office of  
14 Mr. Schwartz -- within that 30 days Ms. Munoz will have  
15 reviewed and signed the deposition under penalty of  
16 perjury and notified both myself and Ms. Brace of any  
17 change that she might make to the transcript. The  
18 original will be kept at Mr. Schwartz' office. In the  
19 event that it's either lost, stolen, destroyed or  
20 otherwise unavailable at the time of trial or anything  
21 upcoming beyond that 30-day window, a certified copy may  
22 serve in lieu of the original.

23 So stipulated?

24 MR. SCHWARTZ: So stipulated.

25 MS. BRACE: So stipulated.

1 (Deposition concluded at 2:45 p.m. Declaration under  
2 penalty of perjury is attached hereto.)

3

4 (Whereupon Respondent's Exhibits 1-5 were marked for  
5 identification by the Court Reporter and are attached  
6 hereto.)

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