APPENDIX - B

8/29/2019 JUDGE MICHAEL W. BINKLEY GRANTED ME (JEFF FENTON) PERMISSION TO OPENLY RECORD THE AUDIO THROUGHOUT THIS TRIAL/HEARING BEFORE I EVER EVEN TURNED ON MY DIGITAL VOICE RECORDER.

EXIGENT CIRCUMSTANCES:
T.R.A.P. RULE 24(g) A FAIR, ACCURATE, AND COMPLETE ACCOUNT OF WHAT HAPPENED IN TRIAL COURT IS BEYOND BELIEF WITHOUT THIS EVIDENCE!

AUDIO MARKERS NOTED AT THE START OF EACH PARAGRAPH.

T.R.A.P. RULES 36(a)(b) RELIEF OF ERROR + #2 SUSPENSION OF RULES FOR GOOD CAUSE TO PROVIDE SOME RELIEF FOR ERROR!

I JEFFREY RYAN FENTON SWEAR + DECLARE UNDER THE PENALTY OF PERJURY: THAT THE AUDIO FILE "M2019-02059 TRANSCRIPT OF EVIDENCE-2b (audio).mp3", ALSO KNOWN AS "2019-08-29 HEARING AT THE OLD COURTHOUSE - Michael Binkley - VIRGINIA STORY - PRO SE.mp3" IS ORIGINAL, AUTHENTIC, AND A TRUE VERBATIM AUDIO RECORDING, MADE IN GOOD FAITH, AS IS EVIDENCED BY THE LEGAL TRANSCRIPT OF THIS SAME HEARING, BY LICENSED COURT REPORTER EMILY C. SIPE HEREIN. THE ONLY EDITING PERFORMED ON THIS AUDIO RECORDING WAS TO BALLANCE + CLARIFY OUR VOICES. THE META-DATA WAS ALSO POPULATED TO IDENTIFY THE PARTIES + RECORDING. NO STATEMENTS WERE ADDED TO OR SUBTRACTED FROM THIS AUTHENTIC AUDIO RECORDING. THE CONTENCE OF TESTIMONY HEREIN CAN EASILY BE COMPARED TO and Verified BY THIS LICENSED PRINT TRANSCRIPT.

HARPETH COURT REPORTERS
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IN THE CHANCERY COURT FOR
WILLIAMSON COUNTY, TENNESSEE

I JEFFREY RYAN FENTON SWEAR + DECLARE UNDER THE PENALTY OF PERJURY THE CONTENT HEREIN IS CORRECT + TRUE TO THE BEST OF MY KNOWLEDGE.

FAWN TIFFANY FENTON,
APPELLEE
Plaintiff,

vs.

JEFFREY RYAN FENTON,
APPELLANT
Defendant.

No. 48419B

COA:
M2019-02059-COA-R3-CV

CRITICAL TO DETERMINE IF "AN IMPARTIAL TRIBUNAL". TENNESSEE JUDGES MUST RECUSE THEMSELVES FROM PRESIDING OVER CASES IN WHICH THEIR IMPARTIALITY MIGHT "REASONABLY" BE QUESTIONED. THIS RECORDING WITH "FACT CHECKING" BINKLEY + STORY'S STATEMENTS + ACTIONS HERE PROVES BIAS, DISCRIMINATION, ABUSE BY PROCESS + ERROR.

HEARING

Before Judge Michael W. Binkley

EXIGENT CIRCUMSTANCES August 29, 2019 T.R.A.P. 24(g)

T.R.A.P. 36(a)(b) RELIEF OF ERROR 11:20 a.m. Fair, accurate, complete account T.R.A.P. RULE 24 GOOD CAUSE!

THIS AUDIO RECORDING IS NECESSARY TO ESTABLISH DETERMINE, AND PROVE THE CONTEXT, TONE, RESPECT, FORCEFULNES, MANNER, CONCERN AND CARE SHOWN BY EACH PARTY, THROUGHOUT THE HEARING, WHICH SIMPLY IS NOT EVIDENT OR CLEAR BY READING THE TYPED TRANSCRIPT, WITHOUT HEARING THE ACTUAL WORDS SPOKEN.

M2019-02059-COA-R3-CV

EQUAL ACCESS TO JUSTICE? PROOF IS IN AUDIO RECORDING!

Reported by:
Harpeth Court Reporters
Franklin, Tennessee
Emily L. Sipe, RPR, LCR

TRAP RULE 36b EFFECT OF ERROR PLEASE ATTACH WITH AUDIO TO RECORD "AS A TRANSCRIPT OF EVIDENCE"

PLEASE PROVIDE ME WITH COUNSEL SO I CAN TRY TO CURE A PORTION OF THE "EFFECT OF ERROR" WHICH BINKLEY + STORY DID CAUSE ME. THANK YOU!

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1 APPEARANCES:

2 For the Plaintiff:
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5

6 For the Defendant:
Pro se
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P R O C E E D I N G S

00:42.2 THE COURT: I want that to be in the Order because it's best that we put everything in the Order. This gentleman, he's going to share and pay one half of the per diem plus any expenses that he may incur as a result of asking for all or a portion of the transcript that will be ordered by him. Okay?

All right. Ms. Story?

01:19.4 MS. STORY: Your Honor, the motion that we are here on today is a motion for violation of the order of the court that was August 14th of '19. And after the order was entered, there was a pretty scary communication from Mr. Fenton. I am not here today to argue about that motion necessarily. The more pressing matter -- and that was his response, that is the lengthy response we received this morning. It deals more with the issues of why he made those statements and those type of things.

02:05.7 But the more pressing issue, Your Honor, was the deadlines for getting this house sold. So having leased the property, 1986 Sunnyside Drive in Brentwood, you ordered that it be sold by auction. You ordered the attorneys to select an auctioneer, which we did, and we got a referral from the chancery court clerk's office. And it ended up it was Pat

1 Marlin, who was actually a Realtor, but he does
2 auctions and he used the services of Clyde Anderson.
3 You know Clyde. He had done auctions for many years
4 around here. And his son, Tommy Anderson, is now in
5 the business. So Mr. Anderson went out to the
6 property with Ms. Fenton, Mr. Fenton. We had some
7 difficulty with the scheduling date, but we were able
8 to get into the house. And Mr. Anderson, Mr. Duke,
9 who was Mr. Fenton's previous lawyer, and Ms. Yarbro
10 from my office went to the property. Ms. Fenton
11 tagged the items like your Order told her to, and it
12 was our understanding that Mr. Fenton would be out of
13 the house by September 1. He said he was going to
14 Michigan and that's where his, I think, his mother
15 lives. I ~~think~~ know his father has a lake home in
16 Tennessee. That's where we thought maybe it would be
17 more logical for him to go, but that is up to him
18 where he wants to go.
19 03:49.1 What is obvious, Your Honor, is you're
20 going to have to set a date for him to be out. The
21 order said it would be auctioned 45 days from
22 August 1st, and so that would be -- this is in your
23 order of August the 16th. It would be 45 days from
24 the date of August 1st, the marital residence would be
25 sold by auction. And I have the auction contract here

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1 for Mr. Fenton to sign, and I'm asking him to do that
2 today. If for any reason he refuses to sign, I'm
3 asking the court to put in the order that Ms. Fenton
4 have the authority to execute any and all documents
5 necessary for Mr. Anderson to get his property sold.
6 04:45.4 The other thing I think is important,
7 Your Honor is --
8 04:48.5 THE COURT: What do you suggest as a
9 deadline again?
10 04:49.8 MS. STORY: It was in the Order already.
11 It was September 15th. He said that he was moving
12 September 1st. That is Sunday.
13 04:59.8 MR. FENTON: That was my tenants move out
14 by then, and then I had 45 days was for me.
15 05:03.4 MS. STORY: That is not true. He said
16 that he had 45 days after September 1st to move, but
17 that wouldn't even make sense.
18 05:12.0 THE COURT: Okay. Well, what does the
19 Court Order say? Because I'm going to stick with
20 that.
21 05:15.6 MS. STORY: The Court Order says, "The
22 motion to sell marital residence by auction is granted
23 and the same shall be auctioned within 45 days from
24 the date of August 1st."
25 05:27.9 THE COURT: Okay.

05:29.5 MS. STORY: So he's got to be out for them to get this place ready to go.

05:34.1 THE COURT: All right. What date do you suggest?

05:36.7 MS. STORY: I have seen correspondence where he said September 1st. Now he's saying he can't. So I would suggest September 3rd, which is next Tuesday. And I would like the Order to reflect that the Williamson County sheriff's department will accompany him. And at this point --

05:58.5 THE COURT: You mean off the property?

06:00.5 MS. STORY: Off the property. And I don't think he needs to take any property.

06.04.4 What he did, Your Honor, in this response he filed, they had a TV that -- a Sony TV, a big screen, that my client's brother had given her. He now tells me in this response that he sold it for $1,000. And then the other thing, there was a dehumidifier in the basement that was like a $2,500 to 3,500 dehumidifier for moisture. He sold that. So if you let him take anything out at this point it's going to be sold and he's dissipating marital assets, which would be in violation of the restraining order.

06:45.5 And at this point Mr. Anderson, he can tag everything, they can video everything. We will

They can video all the property

1 not disturb anything. If we have to use proceeds to
2 get a storage unit, we will do that for Mr. Fenton's
3 belongings. Mr. Fenton, in his response says he has a
4 fear of heights. And so driving to Michigan, he has
5 to drive over the Cincinnati bridge.
6 07:12.5 MR. FENTON: Yeah. That's really hard
7 for me.
8 07:14.4 MS. STORY: And so he says he can't drive
9 a U-Haul over it. So if we can just let him take his
10 clothing, his jewelry, his personal effects, whatever
11 he needs that he can pack in his car, and not have to
12 drive a U-Haul of furniture at this point, that might
13 be the best thing to do.
14 07:33.1 MR. FENTON: Where is my furniture going
15 then?
16 07:36.1 THE COURT: Wait a minute. We're doing
17 this one at a time. Laughter
18 07:39.3 MR. FENTON: I'm sorry.
19 07:41.5 THE COURT: Go ahead.
20 07:42.1 MS. STORY: If he will tag the items that
21 he wants, like my client tagged the items per your
22 order, if he'll just put a tag on items he wants,
23 we'll make sure that those get stored, and then we can
24 use the proceeds from the sale. We're going to
25 deposit those into the clerk's office. And we can use

1 those to pay the next storage unit and then when he
2 gets ready to come here and get his things, or maybe
3 he wants to use some of his proceeds to have them
4 shipped to him since he, you know, does have a fear of
5 driving the U-Haul.
6 08:16.4 So I'm trying my best to be as
7 accommodating to him and considering his condition
8 that, you know, this is going to be a simple process
9 for him. He can take his clothes, his personal
10 property, be out September 3rd. We will tag
11 everything, take care of it. Mr. Anderson is not
12 going to destroy property. That's all I'm asking for.
13 And if he would sign the listing agreement today and
14 we put in the order that it be -- that she have the
15 authority to sign any other necessary documents in
16 case he does go to Michigan. It would be a little
17 bit, logistically, difficult to do that.
18 08:56.6 THE COURT: What do you want me to do
19 with this violation of the Order?
20 08:59.8 MS. STORY: Just continue it. We can
21 just reset that portion of the motion. He just filed
22 a response today. I'm fine to -- the ex parte remains
23 in effect anyway under the Order of the Court, and I
24 have not seen any further violations of that Order.
25 The selling of the marital property is a concern to me

1 but I can deal with that at final hearing. One of the
2 things, too, is you might want to waive mediation in
3 this case. I have requested in my motion that
4 mediation be waived. There is an Order of Protection
5 where they are not to be around each other. It would
6 be difficult for a mediator to accommodate that. And
7 I think that it really is just settling personal
8 property. They don't have any -- and then whatever
9 comes from the proceeds. They have no children.
10 09:45 THE COURT: That's granted.
11 09:48.2 Okay, sir, let me talk to you about one
12 thing. We're narrowing the issues before the Court
13 today.
14 09:56.6 MR. FENTON: Okay.
15 09:57.5 THE COURT: We're not going to be talking
16 about the violation of the Order of Protection.
17 That's going to be reset. So all of these documents
18 you have don't apply to today.
19 10:06.5 MR. FENTON: Well, the back portion of
20 them does talk about the marital residence but there
21 is a lot of it about what you're saying, yes.
22 10:13.5 THE COURT: Now, let me just ~~tell you~~ say
23 this -- and I just want to be clear about this. I
24 don't want to get into an emotional discussion about
25 what I will do and what I won't do. Let me just tell

can't understand here

you how it, works. Once I put a Court order down, I really expect people to obey it.

10:34.4 MR. FENTON: Yes.

THE COURT: And so the only way a judge can enforce a Court order if someone refuses to do it, and we're seeing it more and more, people are doing what they want to do and not really paying attention to a Court order. And I'm taking the time to tell you this because I don't want you and me to have problems with this.

10:55.3 MR. FENTON: No.

10:56.5 THE COURT: And let me tell you, my personal feeling is, as a judge, a judge who does not back up his or her Court order is worthless.

11:06.2 Now, if you have a reasonable excuse for disobeying an order, I will certainly hear it. And the last thing I want to do is put someone in jail for violating an order.

11:18.4 MR. FENTON: Yes. And that's the last thing I want, too.

11:20.6 THE COURT: Sure. Right. And so you and I have an understanding. And so you don't know me but I do mean what I say.

11:26.8 MR. FENTON: I believe that.

11:28.7 THE COURT: Okay. Good. And so we can

1 dispense with the rest of that.

2 11:32.1 MR. FENTON: And just as a question, were

3 we saying that I disobeyed the Court order? Because I

4 had --

5 11:38.9 THE COURT: No, no, we don't have

6 anything like that really in front of us but --

7 11:43.5 MR. FENTON: Okay.

8 11:44.9 THE COURT: But let me tell you what I'm

9 going to do here because we have to get moving.

10 11:48.9 MR. FENTON: Right. Can I still tell a

11 little bit of my side before you rule on all of that?

12 11:56.6 THE COURT: Briefly.

13 11:58.0 MR. FENTON: Okay. So basically on my

14 side, the narrative that has been brought to the Court

15 so far is completely fraudulent about my person, about

16 who I am, about me being violent. All of this stuff.

17 The documentation that I provided you with shows that

18 my wife is a highly skilled handgun instructor who

19 owns assault weapons, has 5,000 rounds of ammunition

20 under her bed. I mean, she is trained by the NRA,

21 certified by the State of Tennessee to do rape

22 prevention, pepper spray, everything. So the whole

23 guise of feeling physically endangered was not -- she

24 tried to do that with her first attorney -- she called the police

25 12:43.1 THE COURT: We're not dealing with that
(interrupted)

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today.

12:45.2 MR. FENTON: I know. But that's basically the tone under which everything else is laid and that's --

12:50.2 THE COURT: I practiced law for 35 years. Long, hard years in the trenches.

12:55.1 MR. FENTON: Right.

12:55.7 THE COURT: I am trained to separate things in my mind that are important --

12:58.4 MR. FENTON: Okay.

THE COURT: -- and things that are unimportant. And I'm not trying to be rude to you, but you've got to trust me here. If you were a lawyer, I would be telling you the same thing. I would be saying, "Lawyer, that's not relevant to me right now."

13:13.1 MR. FENTON: Right.

13:14.0 THE COURT: I don't really care about all that. That's for another day. But let me just tell you this.

13:18.4 MR. FENTON: Okay.

13:19.6 THE COURT: These are real easy issues. I have got to put an order down for you to be out of that house.

13:27.6 MR. FENTON: I understand that.

13:28.7 THE COURT: On September 3rd.

13:30.0 MR. FENTON: Can I speak a little more first?

13:31.8 THE COURT: No.

13:33.6 MR. FENTON: I can't be out that quick, Your Honor. Everything that I own is left in personal property. To say that I just take my clothes and lose everything I've owned all my life is not fair. That is not at all fair. And I don't mean to be hard. I'm willing to do things as quick as possible, but I cannot possibly move out without a two-week's time to do it. And I need to have some time where I know that there is not going to be anymore litigation for a while because I can't -- with the ADHD -- and one of the things I provided you is something from my psychiatrist on the different disorders I have, but I cannot physically do -- be a lawyer, play a lawyer, and packing at the same time. For example, that's I spent the last week

14:17.5 ~~14:18~~ THE COURT: Sir, I respect that. But we all have burdens.

14:21.8 MR. FENTON: Well --

14:21.9 THE COURT: Let me talk. We all have burdens. Everybody in this room has things going on in their lives to one extent or another, just like you do.

14:31.6 MR. FENTON: Right.

14:32.8 THE COURT: I can't make excuses for that. Listen to what I'm saying. I don't want you and I to get crossways with each other. We have to get a date set. I'm not going to make it two weeks.

14:46 MR. FENTON: Well, originally we had said the 45th, and that's when I understood that date that I had to be out. And I never communicated with her anything other than that. You had said 30 days for my roommates and that's what I always thought it was. And originally my understanding was I was staying there while I was selling the property so I could stay there till closing. Now, I understand that's not my preference and I understand it's not their preference. I'm willing to do that different, but I need to have -- I have 3,000 square feet of stuff.

15:16.9 THE COURT: What about another day in September? The first week in September?

15:23.0 MS. STORY: And, again, we're not going to dispose of any of his personal items.

15:26.8 THE COURT: They're not taking anything out of there. Do you understand that, sir?

15:28.6 MR. FENTON: My understanding is --

15:29.5 THE COURT: Whoa, whoa.

15:30.5 MR. FENTON: No, I don't understand.

15:32.2 THE COURT: Your personal property. Your clothes. Personal property being like your watch.

15:39.2 MR. FENTON: Furniture. That's all.

15:39.7 THE COURT: No.

15:40.1 MR. FENTON: We already agreed when me and my wife split it up that the house was mine. What she came and tagged is hers.

15:47.5 THE COURT: This isn't working. What you want to do is be a lawyer.

15:55.8 MR. FENTON: No, I don't. I can't afford a lawyer.

15:58.7 THE COURT: I'm talking right now. This is not a barroom. I have to maintain order.

16:06.2 MR. FENTON: Uh-huh.

16:06.9 THE COURT: I don't want you to get your feelings hurt, but if you get your feelings hurt, that's your business. I have got to maintain the integrity of this hearing. You need to quit interrupting me. And I'm going to make a ruling and you're going to have to stick with it.

16:20.4 MR. FENTON: Yeah.

16:22.4 THE COURT: All right? You are going to have to.

We are not touching any of the furniture and furnishings. You are to tag the items that you

16:28.9- Jeff - So what happens

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1 would like to have. Go buy some little tags, you
2 know.
3 16:37.6 MR. FENTON: But I wanted to take them
4 with me so I'm only going over the bridge one time.
5 That's what I was saying.
6 16:42.8 THE COURT: Well, I know that you would
7 like to do that but we're not doing that. Okay?
8 That's not the fair way to do it. And I'm not going
9 to sit here and explain to you why it's not because
10 it's part of the law that you assume when you stand up
11 and start representing yourself. Assume that you
12 know.
13 16:57.1 MR. FENTON: Okay. Then I would
14 rather --
15 16:58.3 THE COURT: I can't talk while you're
16 talking.
17 17:05.1 MR. FENTON: Okay. I'm sorry. I would
18 rather stay in the house during the auction with that
19 being the case. But the only reason I was going to
20 leave ahead of time --
21 17:10.6 THE COURT: You're not going to stay in
22 the house.
23 17:12.1 MR. FENTON: I'm not going to stay in the
24 house?
25 17:13.3 THE COURT: No, sir. You're going to

leave by September 3rd noon, and you've got to be out of there or the sheriff will escort you off the property.

17:20.6 MR. FENTON: So have I done wrong to receive that kind of treatment, Your Honor? I mean, my wife had two months to move out. ? words

17:30.1 THE COURT: Sir, we have already talked about all that. We had a previous hearing. We have a previous Court Order. You're representing yourself. You're assuming to know everything we've already talked about. I'm not going to go over it with you and spend four hours --

17:42.9 MR. FENTON: I understand.

17:43.9 THE COURT: Excuse me. Trying to be nice to you when you are presumed to know and understand what we have already done. I'm trying my best to be patient with you and you're trying my patience. I'm just letting you know.

17:59.1 MR. FENTON: I'm not trying to -- my last counsel had told me --

18:01.9 THE COURT: Sir, I'm not interested in what your counsel told you. I'm sorry. It's not important to me at this point.

Now, let's go back to what I was saying. I want you out of the house by 12 noon September 3rd.

1 If you're not out, the sheriff will escort you off the
2 property. Do you understand that?
3 18:21.4 MR. FENTON: Yeah.
4 18:22.2 THE COURT: Number two, you are not to
5 take with you any furniture, any furnishings, anything
6 like that. All of that is going to remain in the home
7 for now. You are to tag the items that you would like
8 to have. That doesn't mean you're going to get them,
9 but that you -- may I finish, please?
10 18:42. MR. FENTON: Uh-huh.
11 18:43.6 THE COURT: Is that a yes?
12 18:44.1 MR. FENTON: Yes, sir.
13 18:45.3 THE COURT: You are to tag the items that
14 you would like to have.
15 18:48.8 MR. FENTON: Uh-huh.
16 18:51.8 THE COURT: In addition, you're to sign
17 this contract today.
18 18:59:6 MR. FENTON: On the last Court Order you
19 said that I could take my stuff with me after the
20 ten-day walkthrough. That's what your last Court
21 Order said, and I would like to be able to do that.
22 19:[illegible].3 THE COURT: The day that you leave or
23 that you have -- you have between now and
24 September 3rd to get your personal items and you out
25 of there.

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19:21.2 MR. FENTON: Yeah.

23.7 Jeff-My furniture too?

19:23.0 THE COURT: Do you understand that? Your personal items, sir. You're not stupid. Listen, please. Your personal items are your clothes, your personal jewelry, and that's it.

19:36.9 MR. FENTON: My bed or my furniture?

Jeff in background

19:38.9 THE COURT: No, sir. I'm going to say it for the third time. No furniture, no furnishings, no nothing.

19:46.7 MR. FENTON: That's not what you said in the last order.

19:49.3 THE COURT: Sir, you're not paying attention. You're not listening to what has happened. You're not paying attention to anything. And I'm not going to spend three or four hours here at the -- just trying to be nice to you and go through everything again. I'm just not going to do that. You're expected to know all of this.

Now, you're choosing to represent yourself. There's not a thing that I can do about that.

20:14.1 MR. FENTON: I -- don't have the background

20:17.1 THE COURT: Excuse me. I'm talking.

When you choose to represent yourself, you take it upon yourself to know all of the rules,

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the law, everything.

20:31.1 Now, that doesn't sound fair but that's part of why we have to do it. We can't sit here and be your lawyer for you and start explaining things to you.

20:38.8 MR. FENTON: Okay.

20:39.2 THE COURT: I will try to be as accommodating and as nice to you as I possibly can. I don't think you're accepting that very well.

20:47.1 MR. FENTON: I'm not trying to be stubborn.

20:49.4 THE COURT: You're trying to fuss with me and argue with me and that's not what we're going to do today.

20:53.1 MR. FENTON: I'm not trying to fuss and argue with you. It's not what I understood your last order to be. + it wasn't...

21:01.5 THE COURT: I'm going to go over it one more time. and then this is the last time

21:04.3 MR. FENTON: I heard you, Your Honor, you don't have to

21:05.4 THE COURT: No. I don't want there to be any misunderstanding because you have interrupted me several times.

21:09.8 MR. FENTON: Can I say one thing?

21:13.1 THE COURT: No. Listen. Don't try my

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1 patience.
2 21: 17.2 MR. FENTON: I'm not trying to.
3 21: 18.5 THE COURT: Yeah, you are.
4 21: 19.3 MR. FENTON: No, I'm not.
5 21: 20.5 THE COURT: Well, quit being rude. This
6 is what we're doing. You're going to sign this
7 contract now. Give it to him, Ms. Story.
8 21:45.1 You are to be out of the house. Do not
9 take any furniture, furnishings, or anything. But
10 you're to be out September 3rd at noon. The only
11 thing you can take with you -- I'm saying this for the
12 fourth time because I don't want there to be a
13 misunderstanding. This is going to be a court order.
14 Now, items that you would like to have, that doesn't
15 mean you're going to get them, tag them. Put a tag on
16 them. Go to the 5 and 10 store, get some red tags,
17 whatever, and say I want this. Post it. Or just put
18 "H" on it, or something like that. Just commonsense.
19 22:22.2 Wait a minute. I'm not through.
20 22: 26.5 There will be a deputy there to make sure
21 that you followed the Court Order and do what you're
22 supposed to do. That means -- let me finish. You
23 keep wanting to interrupt. You're not listening to
24 what I'm saying. You're thinking about what you're
25 going to tell me. And then I don't want you coming in

and say, Judge, I didn't really understand that.

22:53.6 Because I've been down this road with folks who represent themselves. They don't get it. They don't understand, and then they whine and bellyache and come back and say that just wasn't fair. Fair is something you do in the fall. This is a courtroom. You are expected to know the rules. I am trying to be as cordial and as nice to you as I can but you're not letting me. All right.

Jeff - thank you

21.4

23:~~31.1~~ You signed the agreement, you understand that you're to be out September 3rd at 12 noon, no later. Not one minute later. You're to tag the items that you would like to have before you leave. Do you understand that?

23:35.4 MR. FENTON: Yes, sir.

23:38.7 THE COURT: Do not, in the meantime, move anything else out of that house. Do not sell anything. Do you understand me?

23:45.6 MR. FENTON: Uh-huh.

23:47.3 THE COURT: Is that a yes?

23:47.9 MR. FENTON: Yes. Yes, Your Honor.

THE COURT: Well, "uh-huh" doesn't --

23:50.2 MR. FENTON: I'm sorry. Yes, Your Honor.

23:51.9 THE COURT: We're not in the bar. We're in the courtroom.

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23:53.3 MR. FENTON: Okay.

23:57.9 THE COURT: All right. What else, Ms. Story?

23:58.1 MS. STORY: That'll do it. We can account for the items he sold at a later time and address that.

24:03.3 MR. FENTON: Can I make a comment about those, Your Honor?

23:05.2 THE COURT: No.

23:05.3 MR. FENTON: That is before this was in Court.

24:09.4 THE COURT: No, sir. I'm sorry. I've got to have a tight rein on this case. I knew that there were going to be problems at the beginning and I'm going to keep a tight rein and whatever I need to do to maintain the integrity of these Orders to maintain the integrity of this lawsuit, and for you to understand what your role is as a litigant representing themselves. I'm going to have to keep a tight rein on you. I would love to be nice --

24:35.9 MR. FENTON: ~~I'm not -- at this point?~~ I just want it to be fair.

24:38.8 THE COURT: Let me finish. Let me finish.

24:40.6 That would be much easier but you won't let me do it. So anything else, Ms. Story?

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24:45.4 MS. STORY: Since he probably will be moving to Michigan, I would be amenable to him attending the final hearing by telephone if he doesn't want to drive back. And I can tell you, I will try to accommodate him in any way I can.

25:02.5 THE COURT: I know you will. You already have.

25:06.3 MS. STORY: And, also, the order probably needs to say that Ms. Fenton can execute any other documents that need to be executed because he might not be here to sign anything, that Mr. Anderson might need signed. So I would like to be able to put that in the Order.

25:20.6 THE COURT: All right. Then if you'll prepare the Order, that'll take care of us. That's what we're doing. That's the Order of the Court. Thank you very much.

25:27.4 (Proceedings were adjourned at 11:44 a.m.)

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