

Court of Appeal

Regina

v.

Patrick Henry Fox

Affidavit of Patrick Henry Fox

I, Patrick Henry Fox, Software Engineer, of 555 Homer Street in the City of Vancouver, Province of British Columbia, make oath and say that:

1. I am the appellant in this matter and I have personal knowledge of the matters deposed to in this affidavit, except where the same are said to be based on information and belief, in which event I verily believe them to be true.

Complainant's Perjurious Testimony

2. Prior to trial, both Tony Lagemaat and Mark Myhre (Crown Counsel) told me directly and in person that they each had reviewed every page of the website upon which the criminal harassment conviction is based, and all of the content on that website, including every email between myself and Complainant which was published on the website, and every email between myself and Complainant which Mr. Myhre had printed from me prior to trial.

3. Based on Mr. Lagemaat's and Mr. Myhre's respective admissions that they had reviewed every email between myself and Complainant and all of the content on the website, I believe it is reasonable to conclude that any content on the website which proved Complainant was committing perjury must have been known to Mr. Lagemaat and Mr. Myhre. And that by knowing of such content at the time of the trial Mr. Lagemaat and Mr. Myhre must have known Complainant was committing perjury while she was in the act of doing so.

4. Complainant falsely testified, repeatedly, she continued to engage me in communication and to allow our son, GR1, to visit me in Vancouver because she was required to under order of the family court.

TR 2017-06-13 p35 I33-35
TR 2017-06-13 p60 I30-33
TR 2017-06-14 p3 I11-13
TR 2017-06-14 p38 I32-36
TR 2017-06-15 p4 I31-36, I40-42
TR 2017-06-15 p6 I5-9
TR 2017-06-15 p33 I43-44
TR 2017-06-15 p34 I27-29
TR 2017-06-15 p34 I41-44

However, Complainant admitted in her testimony, she “had full control over visitation and determining that visitation”.

TR 2017-06-15 p2 I29-30

Also, the minute entries from the July 2014 family court hearing show I voluntarily waived all parental rights, and Complainant was no longer required to allow ANY visitation or communication between myself and GR1.

After admitting she had “full control over visitation” Complainant continued to testify she was required, under court order, to communicate with me and to allow GR1 to visit me.

I had discussed Complainant's false claims that she was required, under court order, to communicate with me and to allow GR1 to visit me, with both Mr. Lagemaat and Mr. Myhre prior to trial because Complainant had also falsely stated such in her RCMP interviews. Also, Complainant stated in her RCMP interviews that I had waived all parental rights in the family court order n July 2014, giving her sole authority in all matters pertaining to GR1 from that point forward. Therefore, Mr. Lagemaat and Mr. Myhre knew, at the time of Complainant's testimony, that her repeated claim of being required, under court order, to communicate with me and to allow GR1 to visit was false.

Mr. Lagemaat failed or refused to confront or to cross examine Complainant with the proof that her testimony was false. Both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

5. Complainant falsely testified I published pictures of her son, SC1, in his underwear, and that she did not publish the pictures to Facebook.

TR 2017-06-13 p19 I33-41

Mr. Myhre had moved on from talking about the pictures of SC1 without referencing the pictures of SC1 in his underwear.

TR 2017-06-13 p19 I31-32

But Capan expressly remained on the topic of the pictures of SC1 and explicitly emphasized the pictures of him in his underwear.

TR 2017-06-13 p19 I33-34

Complainant was also very deliberate to point out that she did not publish this see pictures to Facebook.

TR 2017-06-13 p19 I40-41

The above referenced testimony immediately followed very emotional testimony by Complainant about how SC1 has been harmed by being on the website; ho it wasn't fair to SC1 because he's a 12 year old child and has done nothing to deserve these attacks by me; and about how any pedophile could find him on the website. Complainant also repeatedly testified she did not publish any of those pictures on Facebook.

TR 2017-06-13 p17 I37 - p18 I46

However, it was actually Complainant who did publish the pictures of SC1 in his underwear, on her public Facebook profile in 2009. Complainant then left those pictures on her public profile for seven years, until she made her Facebook profile non-public in February 2016, after the CBC story ran.

In February 2016, after I was interviewed by CBC, but before they ran the story, I made a copy of Complainant's public Facebook profile which I later posted to the website. The copy of Complainant's Facebook Timeline, which I put on the website, roves it was actually Complainant who published the pictures of SC1 in his underwear, not me.

As soon as I spoke with Mr. Lagemaat, following Complainant's false testimony about the pictures of SC1 in his underwear, I told Mr. Lagemaat Complainant was lying and informed him of the copy of her Facebook Timeline on the website, which would prove she's lying. Mr. Lagemaat acknowledged he was aware of and had seen the Facebook Timeline. Nevertheless, Mr. Lagemaat refused to cross examine Complainant on the pictures of SC1 in his underwear, or to confront her with the proof she had perjured herself regarding publishing the pictures.

Following Complainant's testimony regarding the pictures of SC1 in he underwear, I had also informed Mr. Myrhe that Complainant had perjured herself, and I informed him of the Facebook Timeline on the website. Mr. Myhre stated he was aware of the Facebook Timeline.

Both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant had committed perjury.

I also brought up this issue during my sentencing submissions, and a printout of Complainant's Facebook Timeline, showing the pictures of SC1 in his underwear, having been published by Complainant in September 2009 was admitted as Exhibit 3.

When I confronted Mr. Myhre about this issue he insisted he was under no ethical obligation to inform the court of his witness committing perjury.

6. The Complainant falsely testified she wrote specific emails, upon which the allegations are based, but the emails were actually written by a third party.

TR	2017-06-14	p18	I5-6
TR	2017-06-14	p23	I26-28
TR	2017-06-14	p26	I19-20
TR	2017-06-14	p29	I23-24
TR	2017-06-14	p30	I46-47
TR	2017-06-14	p31	I43-45
TR	2017-06-14	p32	I28-30
TR	2017-06-14	p34	I26-27, 33
TR	2017-06-14	p34	I44-45
TR	2017-06-14	p35	I33-35
TR	2017-06-14	p38	I14-16
TR	2017-06-14	p40	I14-16
TR	2017-06-14	p43	I29-31
TR	2017-06-14	p44	I24-27
TR	2017-06-14	p44	I35-38
TR	2017-06-14	p47	I39-41
TR	2017-06-14	p63	I42-45
TR	2017-06-15	p2	I47 - p3 I1
TR	2017-06-15	p4	I5-6

In addition to the above emails in which Mr. Lagemaat directly and explicitly asked Complainant whether she wrote them and she explicitly and directly testified she did, in the following instances, Mr. Lagemaat either failed to directly ask Complainant whether she wrote the emails in question or he asked her and she failed to directly state she did write them. Nevertheless, Complainant's implication was that she had written the emails in question.

TR	2017-06-14	p18	I34-37 (re I41-45)
TR	2017-06-14	p19	I5-7 (re I10-15)
TR	2017-06-14	p21	I8-11 (re I14-28)
TR	2017-06-14	p37	I18-23 (re I28 - p38 I12)
TR	2017-06-14	p62	I33-36 (re I39-46)

I told Mr. Lagemaat, prior to trial, that certain email conversations which the Crown was relying on were not actually composed by Complainant. Mr. Lagemaat replied he was aware of that; that it was obvious to him by the differences in writing style, grammar, vocabulary, brevity.

Near the end of Mr. Lagemaat's cross examination, Mr. Lagemaat told me Mr. Myhre had told him that before the start of the trial Complainant had told Mr. Myhre that she did not write some of the emails in the Crown's book of evidence which purported to be from her.

By Mr. Lagemaat's and Mr. Myhre's own admissions they knew Complainant did not write certain specific emails which both Mr. Lagemaat and Mr. Myhre had offered into evidence as being emails written by Complainant. Neither Mr. Lagemaat nor Mr. Myhre took steps to prevent Complainant from committing perjury by testifying that she wrote the emails; nor did they notify the court or the jury that they had reason to believe Complainant was committing perjury.

When Mr. Myhre first questioned Complainant about the email thread with the subject "GR1's summer visitation 2015" he asked her whether she "participated in" the email string, rather than asking her whether she wrote any of the specific emails in the thread or whether my responses were to emails actually written by her. I believe Mr. Myhre phrased the question in that way because he knew most of the emails had not been written by Complainant.

7. Complainant falsely testified she never threatened me or threatened to destroy my life.

TR 2017-06-14 p58 11-9

Complainant was very emotional when she testified to that effect.

I directed Mr. Lagemaat to numerous emails from Complainant to me, from September 2011 through February 2013, wherein she and her fiancé, KL1, openly and repeatedly threatened me with physical harm, to take steps to have me arrested, detained and if possible deported from the US based on Complainant's false allegations, to file frivolous criminal charges against me, and to "publicly expose me" (which I understood to mean to "publicly defame me"). Mr. Lagemaat acknowledged he was already familiar with all of those emails. That being the case, Mr. Lagemaat must have known Complainant's testimony was false at the time she stated it.

I requested Mr. Lagemaat confront Complainant with the numerous emails wherein she and her fiancé repeatedly threatened me. Mr. Lagemaat failed to do so.

Almost all of the threatening emails from Complainant and her fiancé occurred prior to me being deported to Canada. At the time Complainant sent most of the threatening emails I was still living in Los Angeles; raising GR1 with no assistance from Complainant; and struggling to secure stable employment after spending four years in DHS custody. Complainant was unquestionably in a superior position, financially and otherwise.

I believe it was critical to cross examine Complainant on the emails where she threatened me because it would have shown the jury that Complainant was more often the one trying to intimidate and control me; that Complainant was the one who initiated any and all hostilities; that Complainant acting that way toward me long before I began retaliating in 2014 - AFTER I was deported and lost custody of GR1 as a direct result of her filing false reports with DHS against me.

Both Mr. Lagemaat and Mr. Myhre knew of the many threatening emails from Complainant. Therefore, they knew at the time of her testimony that she was committing perjury. But both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant had committed perjury.

I also brought this issue up during my sentencing submissions, and the court did agree the emails contained clearly threatening content. The emails were admitted as exhibits at sentencing.

8. Complainant falsely testified the California family court ordered her to return GR1 to me, in November 2011, without having heard from her.

TR 2017-06-12 p5 I22-26

Complainant was, in fact, present at that hearing, by telephone, and addressed the court at length. The court rendered its ruling, ordering Complainant to return GR1 to my care, AFTER hearing from both of us.

The minute entries from the hearing, which were on the website, prove Complainant's testimony was false. Also, later on cross examination, Complainant admitted to participating in that hearing.

TR 2017-06-15 p40 I23 - p41 I32

Since the minute entries from the family court were on the website then both Mr. Lagemaat and Mr. Myhre knew of them. Therefore, they must have known at the time of Complainant's testimony that she was committing perjury. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

9. Complainant falsely testified she had been "okay with the custody arrangement" imposed in the November 2011 (though actually the hearing in question occurred in December 2011), because it was what GR1 wanted.

TR 2017-06-12 p5 I35-37

However, in September 2011, while Complainant was holding GR1 in Arizona under a temporary emergency custody order she obtained on false pretenses, GR1 told Complainant, while on a conference call between me, GR1 and Complainant, that he wanted to live with me and visit her on his school breaks. Complainant's immediate response, in mine and GR1's presence, was to accede; but immediately the following morning Complainant appeared in court in Arizona, requesting an order of protection against me to prohibit me from having any further contact with her and GR1.

The Arizona family court documents on the website prove this is so.

Following Complainant's false testimony, I informed Mr. Lagemaat of my conference call with GR1 and Complainant and how she had reacted. I informed Mr. Lagemaat of the application for the order of protection and that a copy was on the website. Mr. Lagemaat failed to confront Complainant about the conference call or about her attempting to obtain an order of protection in response to GR1 saying he wanted to live with me.

10. Complainant false testified many of the emails from me in 2011 and 2012 were "demanding, ordering, threatening, insulting, mean, hostile and aggressive".

TR 2017-06-12 p9 I41-45

The very emails to which Complainant was referring, which were on the website, prove this is false. In fact, Complainant was the one consistently initiating hostilities, threats, insults, et cetera. Most of my emails prior to 2014 were civil, helpful, and I frequently went out of my way to be accommodating.

I believe the Crown soliciting this negative and false characterization of the emails from 2011 and 2012 gave them direct relevance for Mr. Lagemaat to cross examine Complainant on them. I further believe that by not confronting Complainant with the proof her statement was false Mr. Lagemaat left the jury with the impression it was true.

Since both Mr. Lagemaat and Mr. Myhre had reviewed every email thread on the website then they both new at the time of her testimony that Complainant's statement was perjurious. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

11. Complainant falsely testified I CC'd or included GR1 on "most" and on "almost every" email I sent her.

TR 2017-06-12 p12 I8-9

TR 2017-06-13 p22 I21-22

TR 2017-06-14 p63 I19-21

TR 2017-06-14 p65 I32-35

The emails Mr. Myhre printed for me, which I provided to Mr. Lagemaat, included the CC and BCC headers, so they prove these statements were false.

Since both Mr. Lagemaat and Mr. Myhre received a copy of the emails printed for me by Mr. Myhre they knew at the time of Complainant's testimony that each time she made this claim she was committing perjury. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

12. Complainant falsely testified she was scared as a result of my email with the subject "Last attempt at an amicable resolution", dated 2013-07-21.

TR 2017-06-12 p14 I35-40

Complainant's own responses to that email prove she was not scared, in fact Complainant's own words in her response, dated 2013-07-21 were:

"...do what you need to do. I am not scared and I have nothing to hide."

Then, in another response a day later (2013-07-22), Complainant wrote:

"I no longer care. Take it back to court - I am not scared and I have nothing to hide."

In addition to proving Complainant's claim of being scared by my email was perjurious, her responses in her emails also provided explicit authorization, in writing, for me to do exactly what I did with the website, which forms much of the basis of the allegations of criminal harassment. Prior to trial I had repeatedly raised this issue with both Mr. Lagemaat and Mr. Myhre, insisting it cannot be considered harassment if I am merely doing exactly what Complainant had explicitly authorized me to do, saying she "didn't care", and she's "not scared" and she "has nothing to hide".

I insisted Mr. Lagemaat confront Complainant with her responses. He did not do so.

Since both Mr. Lagemaat and Mr. Myhre had reviewed Complainant's emails before trial they must have known at the time of her testimony that her statement was false - particularly since the email where she says she is not scared and has nothing to hide was included in the Crown's book of exhibits. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

Although the emails from Complainant, admitting she is not scared and she has nothing to hide were included in the Crown's book, they were, unfortunately, buried amongst the other emails in that thread and, I believe, would have been easily missed by the jurors unless explicitly brought to their attention, for example through cross examination.

13. Complainant's falsely testified that when she wrote the email with the subject "Cease and desist", on 2014-04-28, she was fearful for herself and her son.

TR 2017-06-12 p18 I26-46

However, a Phoenix Police report from 2014-04-18; RCMP reports from April, June and July 2015; and Sahuarita Police reports from July 2015 through January 2016; all of which were on the website, show that Complainant never during that time - from April 2014 through January 2016 - expressed any fear for her safety. Moreover, documents obtained since the trial, from agencies including Global Affairs Canada, prove that as far back as November 2011, Complainant has consistently and repeatedly been described to others as a "coward" and stating she deserves not believe I would harm her.

The above referenced police reports were publicly accessible on the website, so both Mr. Lagemaat and Mr. Myhre must have known about them at the time of Complainant's testimony. Nevertheless, neither Mr. Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe Complainant was committing perjury.

14. Complainant falsely testified Steve Riess is my father.

TR 2017-06-12 p20 I13-16

TR 2017-06-14 p24 I21

As far back as 2011, and possibly even earlier, Complainant has periodically insisted my father is a man named Steve Riess from Ontario, and that I was born Ricky Riess in Ontario. Complainant's assertions to this effect usually occur in conjunction with her alleging I am not a US citizen, that I was living illegally in the US, and that I am not permitted to enter the US.

However, in January 2015, Complainant admitted in an email that she had sent my photo to Steve Riess and he was unable to identify me as his son. Complainant conceded in that email that Steve Riess is not my father.

Documents obtained since the trial, from CBSA and IRCC, show that the Canadian government acknowledges I was not born in Canada and am not a Canadian citizen, further proving I am not Ricky Riess from Ontario and, therefore, Steve Riess cannot be my father.

Moreover, Ricky Riess from Ontario had been arrested in Toronto in the early 1990s. The mugshot and fingerprints from that arrest do not match mine. The RCMP and the Crown have had access to that booking information since before the current charges had been filed. I also told Mr. Lagemaat about the fact that those fingerprints and mugshot prove I am not that person and, therefore, Steve Riess cannot be my father.

Also, numerous emails between US DHS, CBSA, and that RCMP, which were known to Mr. Lagemaat and Mr. Myhre prior to trial, show those agencies acknowledging I am not a Canadian

citizen and, therefore, cannot be the person who was born Ricky Riess, son of Steve Riess, in Ontario.

Complainant had stated, repeatedly, in her RCMP interviews that Steve Riess is my father, and that Mr. Riess is willing to do a DNA test to prove that. Prior to trial I told Mr. Myhre that I, too, would very much like to participate in a DNA test, to prove once and for all, whether Steve Riess is my father - with the one condition that the verifiable results be provided to me so I may publish them. Mr. Myhre responded "That's not going to happen."

I had discussed the circumstances of my place of birth and citizenship, at length, with Mr. Lagemaat, Mr. Myhre, and the RCMP, prior to trial.

Given all of the foregoing facts and evidence, which were all known to Mr. Lagemaat and Mr. Myhre prior to trial, then they must have known at the time Complainant testified that she was committing perjury by testifying that my father is Steve Riess. Nevertheless, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

15. Complainant falsely testified she "certainly never contacted anyone" regarding me.

TR 2017-06-12 p20 I27-31

However, in numerous emails in 2012 Complainant claimed to have contacted my associates, rabbi, father, ICE, and the FBI. And, in an email in February 2013 Complainant said she is going to contact "the Jewish community" to tell them GR1 and I are not Jewish so they would not help me in my legal challenges.

Moreover, in her own testimony Complainant admitted to contacting the person she believed to be my father.

TR 2017-06-12 p20 I15-18

And in her RCMP interviews Complainant stated she had contacted the person she believed to be my father and spoke with him at some length. By Complainant's descriptions to the RCMP, her conversations with my supposed father were decidedly conspiratorial and adversarial against me.

Further, documents obtained since the trial, from Foreign Affairs, Trade and Development Canada contain Case Notes from the Canadian Consulate in Los Angeles which detail a phone call they received from Complainant on November 1, 2011, wherein Complainant falsely accused me of numerous offences; she attempted to instigate an investigation which could lead to my arrest, detention and deportation; and admits to also taking similar steps with US Immigration and Customs Enforcement (ICE). That call occurred BEFORE the California family court ordered Complainant to return GR1 to me; BEFORE all the emails between Complainant and I; and years BEFORE the website was created. Although that document may not have

been known to Mr. Lagemaat and Mr. Myhre at the time of Complainant's testimony, it nevertheless proves two critical points: 1) Complainant was committing perjury; and 2) Complainant began her attacks on me and get attempts to ruin my life long before any of my alleged attacks on her.

Both Mr. Lagemaat and Mr. Myhre knew of the emails and the RCMP interviews where Complainant admitted to contacting third parties about me, before trial. Therefore, they must have known when Complainant testified she "certainly never contacted anyone", she was lying. But neither Mr. Lagemaat nor Mr. Myhre confronted Complainant with the evidence she was lying, or took steps to inform the court or the jury they had reason to believe Complainant was committing perjury.

16. Complainant falsely testified that as of July 2014 she had not attempted to prevent communication or visitation between me and GR1.

TR 2017-06-12 p21 I24-29

However, on at least two occasions prior to July 2014 Complainant had formally sought an order in the family court prohibiting all contact between me and GR1. The first time was in September 2011, while she had abducted GR1 to Arizona - Complainant had attempted to obtain an order of protection against me, naming herself and GR1 as the protected parties. The second time was in January 2013, while I was in ICE custody as a direct result of Complainant filing a false report against me with them - Complainant had explicitly requested the California family court issue an order prohibiting all contact between me and GR1.

The documents filed by Complainant, with the Arizona and the California family courts prove she did seek to prohibit all contact on both occasions. The family court documents were on the website, so both Mr. Lagemaat and Mr. Myhre knew of them at the time of Complainant's testimony.

There were other instances of Complainant deliberately interfering with, or prohibiting my contact with GR1, however it cannot be proven beyond a doubt that Mr. Lagemaat and Mr. Myhre knew of them at the time of Complainant's testimony.

Although Mr. Lagemaat and Mr. Myhre must have known Complainant was committing perjury, neither of them attempted to inform the court or the jury of such.

17. Complainant falsely testified I abruptly and without notice simply assumed the identity "Patrick Fox".

TR 2017-06-12 p23 I11-15

And Complainant further falsely testified there was nothing linking the name Patrick Fox to my past.

However, by her own admissions, in an RCMP interview(2016-07-13 at para. 470), Complainant stated I testified in the California family court in 2012 (though it was actually at the December 2011 hearing) that my birth name was Patrick Fox.

Also, as soon as I reverted to using the name Patrick Fox, in 2014, I promptly informed Complainant and, upon request, I provided her copies of my government issued identification. I was completely open, honest and forthright with Complainant, at all times, regarding my name and identity.

Both Mr. Lagemaat and Mr. Myhre had the transcript and the audio recording of the 2016-07-13 RCMP interview referenced above. In addition, Mr. Lagemaat also had my annotations to that interview. And both Mr. Lagemaat and Mr. Myhre had the emails where I informed Complainant that I would no longer be using the name Richard Riess; that I have returned to using my birth name, Patrick Fox ; and where I provided her copies of my ID. Therefore, Mr. Lagemaat and Mr. Myhre must have know what Complainant was committing perjury when she testified. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

Further on this issue, I believe Complainant is deliberately pretending to confuse the issue of my name and identity.

18. Complainant falsely testified she obtained her medical marijuana card in 2012.

However, the actual card, the applications, and the supporting documents were on the website. They clearly show Complainant applied for the card immediately following her arrest for marijuana possession at the end of September 2011, and obtained the card in mid-November 2011.

Mr. Lagemaat and Mr. Myhre knew of the medical marijuana card and application on the website. So they must have known Complainant's statement was false at the time she made it. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was providing false testimony.

19. Complainant falsely testified Apollo Group's legal department was working with GoDaddy to have the website taken down.

However, the email dated 2014-07-30, from me to "abuse@godaddy.com", with Complainant CC'd, shows that the complaint was actually filed from the Complainant's personal Gmail email address (i.e. d*****.c*****@gmail.com). Also, the emails show the complaint pertained ONLY to sending unsolicited emails from the DNS domain hosted by GoDaddy - the complaint had absolutely nothing to do with the website.

Mr. Lagemaat and Mr. Myhre knew f that email thread at the time if Complainant's testimony. They knew Complainant alone was the only participant in the complaint and that the complaint had nothing to do with the website. Therefore, Mr. Lagemaat and Mr. Myhre must have known Complainant was lying, yet they both refused to inform he court or the jury that they had reason to believe Complainant was lying.

20. Complainant falsely testified she filed a complaint with the Phoenix Police about the website.

TR 2017-06-12 p34 l1-12

However, the Phoenix Police report of that complaint, which was on the website, proves Complainant was only complaining about me emailing her associates, not about the website.

Mr. Lagemaat and Mr. Myhre knew about that police report at the time of Complainant's testimony. Therefore, they must have known she was committing perjury. Both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

21. Complainant falsely testified that as of 2014-12-17 she did not know that I had guns in Canada.

TR 2017-06-12 p37 l34-35

Complainant testified that prior to receiving the email with the subject "The ugly proof" on 2014-12-17, she did not know I had guns.

However, I had informed Complainant, prior to that point, in an email dated 2014-11-08, that I had gotten GR1 a Mauser K98 rifle.

Both Mr. Lagemaat and Mr. Myhre knew about the 2014-11-08 email wherein I informed Complainant of the Mauser. Therefore, they must have known she was committing perjury when she made this statement. Both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury they had reason to believe Complainant was committing perjury.

22. Complainant falsely testified there were durations of time when she had ignored my emails and didn't respond.

TR	2017-06-13	p7	I41-43
TR	2017-06-14	p49	I14-23
TR	2017-06-14	p63	I16-21
TR	2017-06-14	p64	I17-22
TR	2017-06-14	p64	I27-29
TR	2017-06-15	p5	I9-12
TR	2017-06-15	p5	I41-47
TR	2017-06-15	p6	I24

However, the email history and, in particular, the main email page of the website (included at Tab 8 of the Crown's book of exhibits) show there was never a period when Complainant ignored my emails and didn't respond.

In March and April 2014 Complainant did not respond to my emails but, by her own admission in her testimony, it was not because she was "ignoring" them or "trying a different tactic", it was because she had just discovered I had published all of her emails and she "did not want to give me anything else that I could use against her."

TR	2017-06-12	p29	I35-41
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I believe that would seem to be an acknowledgement by Complainant that her conduct in her emails was inappropriate and offensive.

23. Complainant falsely testified, repeatedly, that prior to the period of the emails which were being presented to the jury, that is, prior to 2014, I was frequently and consistently verbally abusive and that prior to January 2015 she had passively accepted that abuse without reciprocating.

TR	2017-06-13	p8	I6-12
TR	2017-06-13	p12	I40-45
TR	2017-06-13	p13	I15-19
TR	2017-06-13	p32	I28-33
TR	2017-06-14	p6	I15-18, 24-27
TR	2017-06-14	p22	I3-9
TR	2017-06-14	p27	I34-37
TR	2017-06-14	p36	I28-35
TR	2017-06-14	p41	I41-46
TR	2017-06-14	p49	I24-34
TR	2017-06-14	p50	I13-16
TR	2017-06-14	p50	I36-44
TR	2017-06-14	p63	I16-21
TR	2017-06-14	p64	I17-22, 27-32
TR	2017-06-15	p5	I47 - p6 I24

TR 2017-06-15 p32 I23-36
TR 2017-06-15 p33 I4-5, 11-13
TR 2017-06-15 p33 I32-34

However, those claims are entirely contrary to the actual emails between Complainant and myself from 2011 through 2013, as is proven from the following few email conversations during that time:

2012-02-02 Further curiosity
2012-02-08 Forms for example parte hearing
2012-02-20 Legal request
2012-04-01 GR1's necessities
2012-04-18 GR1's iPod, and SC1's calls
2012-04-23 GR1's shoes
2012-05-08 GR1's medical bills
2012-05-17 Mother's day
2012-05-21 Medical insurance deductible
2012-06-05 GR1's school
2012-06-12 GR1's graduation/culmination ceremony
2012-06-14 Desiree, your trip is around the corner
2012-06-29 GR1's school supplies
2012-07-02 Gears of War 3
2012-07-08 GR1's school supplies
[etc...]

Mr. Lagemaat and Mr. Myhre knew of all of the emails from 2011 through 2013. They knew most of those email conversations began with me attempting to discuss a legitimate subject pertaining to GR1, then Complainant becoming belligerent and insulting for no apparent reason. I clearly expressed my desire for Complainant to be cross examined on many of those emails, prior to trial.

In spite of the foregoing, Mr. Lagemaat refused to cross examine Complainant on ANY of the emails from 2011 through 2013.

Although both Mr. Lagemaat and Mr. Myhre knew of the content of all of the emails prior to 2014, and therefore knew Complainant had committed perjury each of the 18 times she repeated this claim, neither of them made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

In addition to proving Complainant was perjuring herself with this claim, I believe cross examining her on the emails from 2011 through 2013 would also have proven that the truth of the matter is that Complainant was the next attacking and insulting me from years, and I was the one passively tolerating it, and going out of my way to help and accommodate her; and that it was not until 2014, AFTER she had me deported and took away my child, that I began fighting

back. But Mr. Lagemaat and Mr. Myhre insisted against presenting any of that to the jury. However, many of those emails were submitted by me at sentencing.

24. Complainant falsely testified she questioned my ability to “rationalize what's right and what's not”, and that she believed I would “absolutely” shoot her.

TR 2017-06-13 p10 I30-36

Complainant testified to that regarding the email wherein I mentioned that GR1 had asked me if I would shoot her, which she received on January 11, 2015. However, the later Sahuarita Police reports, and Complainant's testimony at the order of protection hearing, in December 2015, show she did not express any concern about my psychological stability, my ability to rationalize or to distinguish between right and wrong , my morals, values or beliefs, my ownership of firearms, or her safety from me.

Complainant did not start claiming to believe I was “scary” or psychologically unstable, and to fear for her safety until after she spoke with CBC News in January 2016 - a year after receiving and responding to that email.

Prior to leaving with CBC Complainant repeatedly stated she believed I was too much of a coward to physically harm her. That very statement is documented in numerous police reports/interviews, Canadian Consulate case notes, news media interviews, and family court documents.

In her 2015-07-19 RCMP interview, at the end of paragraph 6, Complainant stated “And so he won't physically shoot me.” In that interview, Constable Dupont asked Complainant if she feared for her safety, and she repeatedly qualified her response as “...IF he had nothing to lose...” and “...IF he could not get caught...” (paragraph 36). At paragraph 40, Complainant said “...the only physical threat he has made is that he would shoot me IF he could get away with it.” I believe this shows Complainant wasn't sincerely afraid for her safety and didn't truly consider the content of that email threatening. Complainant continuously escalated her claims after that because she wasn't receiving the response she desired.

Throughout her testimony Complainant repeatedly claimed, falsely, to be afraid for her safety due to my statement in that email which she claims was an expression of my desire to shoot her.

TR 2017-06-15 p2 I30-32

TR 2017-06-15 p5 I15-24

TR 2017-06-15 p5 I32-37

TR 2017-06-15 p32 I37-39

TR 2017-06-15 p33 I6-11

Both Mr. Lagemaat and Mr. Myhre knew of Complainant's statements in her RCMP interviews, her testimony at the order of protection hearing, and her statement to the Sahuarita Police. All of that material was on the website. Therefore, both Mr. Lagemaat and Mr. Myhre had seen that Complainant's claims with respect to that email had become more extreme each time her claims did not result in adverse consequences for me. And, that Complainant continued to exaggerate and escalate her claims until she reached the point of going on international news, claiming I said publicly, on the Internet that I intend to murder her and that the courts and the police have been doing nothing to help or protect her.

25. Complainant falsely testified that I obtained the pictures I published on the website, from a "camera roll" option "accessible through Facebook", and that she hadn't "posted" on the photos to Facebook.

TR 2017-06-13 p17 I41-43

However, there is no such thing as a "camera roll" on Facebook. There is a "camera roll" feature in Apple iCloud and on Apple devices, but that has absolutely nothing to do with Facebook, and could not have been accessible to me.

And with respect to Complainant's claim she hadn't posted the photos to Facebook, the copy of her public Facebook profile which I put on the website proves she DID post them to her public Facebook profile.

Having admitted to reviewing the entire website, both Mr. Lagemaat and Mr. Myhre must have seen the copy of Complainant's Facebook profile, including her numerous photo albums. And that being the case, they must have known she was perjuring herself when she testified she hadn't posted the pictures to Facebook. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

26. Complainant falsely testified the pictures and information about SC1 on the website "scared her so much"; that any pedophile or person who wanted to harm SC1 could easily find him. Her testimony was very emotional.

TR 2017-0-13 p18 I11-12, 30-46

However, as I pointed out to both Mr. Lagemaat and Mr. Myhre, Complainant never once requested I remove SC1 from the website; there is not a single email from Complainant, or anyone acting on Complainant's behalf, expressing any concern about SC1 being on the website. Complainant went as far as hiring a lawyer to try to get me to take down the blog post about her trying to induce a miscarriage when she was pregnant with GR1, but even then, not a single mention of SC1.

On the other hand, Complainant has repeatedly used SC1 being on the website to exploit people's compassion and pity. I believe this shows that Complainant is more interested in how she can use her children for her own benefit, than in the safety and well-being of her children.

I believe Complainant's emotional performance on this topic was just an act to manipulate the jurors.

Mr. Lagemaat and Mr. Myhre must have known Complainant was lying about being scared for SC1 as a result of his picture and information being on the website, by her refusal to even request SC1 be removed from the site. Yet Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was lying.

And, if nothing else, I believe Mr. Lagemaat should have, at least, cross examined Complainant on why, if she was so scared for SC1 and felt so bad for him, she did not even send me an email requesting I remove him from the website.

27. Complainant falsely testified JP1 had filed a complaint about the website with the web hosting provider.

TR 2017-06-13 p54 l8-10

TR 2017-06-13 p56 l17-19

However, JP1's complaint about the website was to the DNS domain registrar, Web.com, not to the web hosting provider. The domain registration has absolutely nothing to do with the website or with the hosting of the website. Nor would it have had any authority or ability to take any action related to the website.

Both JP1 and Complainant work in advanced fields of computer technology (Software Engineer and Systems Analyst, respectively). The difference between a website and it's hosting, and a DNS domain and it's hosting is very elementary and, as such, both JP1 and Complainant must have known.

The email from Web.com, at Tab 16 of the Crown's book, proves Complainant's statement is false.

This is a significant instance of perjury because it gave the jury the impression Complainant had actually taken reasonable steps to try to get the website taken down, however, in reality she and JP1 had knowingly filed a complaint with the wrong service provider. And, I believe Complainant's and JP1's failure to then file the complaint with the correct service provider, the web hosting provider, shows that they were not really concerned about the website.

I had discussed these issues, at length, with both Mr. Lagemaat and Mr. Myhre prior to trial. Therefore, both Mr. Lagemaat and Mr. Myhre must have known Complainant's statement was

perjurious. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

28. Complainant falsely testified there were multiple complaints made to GoDaddy about the website.

TR 2017-06-13 p56 I20-22

However, there was only one complaint filed with GoDaddy, and only about using the DNS domain at issue in this matter (i.e. d*****c*****.com) to send unsolicited emails - NOT about the website.

The email from GoDaddy proves this.

Both Mr. Lagemaat and Mr. Myhre knew of the email from GoDaddy prior to trial, so they must have known Complainant's statement was perjurious. But both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

29. Complainant falsely testified she "interacted with Detective Tuchfarber" about the website.

TR 2017-06-13 p56 I23-26

In fact, however, Complainant's complaint to the Phoenix Police was only about me sending unsolicited emails to her associates, not about the website. This is proven by the Phoenix Police report which was on the website.

Both Mr. Lagemaat and Mr. Myhre knew of the Phoenix Police report on the website. Therefore, they must have known Complainant was lying when she testified. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant had committed perjury.

30. Complainant falsely testified that when she filed the "uttering threats" complaint in April 215, she informed the RCMP that I was crossing the border using a fake identity from Florida; that my identity of Patrick Fx was not real; and asked them to explain how I was able to obtain a PAL.

TR 2017-06-13 p56 I36-41

However, the RCMP report of Complainant's complaint, dated 2015-04-10, shows that none of what Complainant stated in her testimony actually occurred.

Both Mr. Lagemaat and Mr. Myhre had a copy of all of the RCMP reports prior to trial, so they must have known Complainant's statements were false. However, neither Mr. Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe Complainant had committed perjury.

31. Complainant falsely testified she started contacting the news media in the Spring of 2016.

2017-06-13 p57 l28-30

2017-06-13 p59 l23-27

The proof that these statements are false is self-evident. Complainant contacted CBC in January 2016; the CBC story ran and was aired on February 18, 2016. Spring did not begin until March 20, 2016.

Complainant's false statement gave the jury the mistaken impression I was arrested within two months of her first contacting the news media.

Both Mr. Lagemaat and Mr. Myhre knew the CBC story ran on February 18, 2016 and that Complainant had been in contact with them since, at least, late January. Therefore, they both knew Complainant was committing perjury when she testified she had not even started contacting the media until Spring of 2016 - which would have meant some time after March 20, 2016. However, neither Mr. Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe Complainant had committed perjury.

32. Complainant falsely testified there was an appeal of the order of protection "at the municipal level".

TR 2017-06-13 p58 l44-45

However, there was only one appeal of the order of protection, and it was in the Pima County Superior Court. The court upheld the order because I failed to appear for the oral arguments hearing due to being in DHS custody.

Complainant's false statement gave the impression multiple courts had reviewed the order of protection and upheld it based on the merits. Which was entirely false.

This is proven by the court documents for the order of protection proceedings which were on the website.

Both Mr. Lagemaat and Mr. Myhre knew of the court documents on the website. Therefore, they must have known at the time of Complainant's testimony that her statement was perjurious. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant had committed perjury.

33. Complainant falsely testified I added the disclaimers about the website content not being written by herself and JP1 after the news media coverage in early 2016.

TR 2017-06-13 p60 I7-10

The copies of the pages from the website, printed by the RCMP at the time of the July 2015 arrest prove this is false. The disclaimer was always present at the footer of each page on the website.

Both Mr. Lagemaat and Mr. Myhre knew of and had seen the ages printed from the website in July 2015. Therefore, they must have known Complainant was perjuring herself when she testified regarding the disclaimers on the website. However, neither Mr. Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe Complainant had committed perjury.

34. Complainant falsely testified she had concerns for her physical safety from January 2015 through May 2016.

TR 2017-06-13 p61 I26-29

However, the Sahuarita Police reports; the RCMP reports for the July 2015 arrest; Complainant's statements at the order of protection hearing in December 2015; Complainant's sworn statement in support of the order of protection in July 2015; Complainant's statements on the Aaron Rand radio show in February 2016; all prove she was not afraid for her safety.

Both Mr. Lagemaat and Mr. Myhre knew of and had full access to all of the artefacts listed above, so they must have known Complainant was lying. However, neither Mr. Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe Complainant was not being truthful in her testimony.

35. Complainant falsely testified most of the emails I sent her were not about GR1.

TR 2017-06-14 p11 I20-22

The collection of emails on the website proves this was false. The main email page on the website shows that of approximately 390 email conversations started by me, at least 275 were about GR1 and less than 115 were not related to GR1. And of the conversations which were not related to GR1, some pertained to legal proceedings for mine and Complainant's divorce; some were responses to allegations or claims Complainant had made against me; some were requests for information or for confirmation of matters relevant to our legal proceedings. And of those remaining, the few which might, arguably, be considered insulting or provocative all occurred AFTER January 2014.

Both Mr. Lagemaat and Mr. Myhre had reviewed all of the emails between Complainant and myself and, as such, they must have known at the time of Complainant's testimony that she was perjuring herself. Yet both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that Complainant's testimony was false. Moreover, Mr. Lagemaat refused to confront Complainant with the proof she was lying by cross examining her on the emails prior to January 2014.

36. Complainant falsely testified I had used "four or five different names".

TR 2017-06-14 p16 I6-7

There is no record or evidence of me ever using any names other than "Richard Riess" and "Patrick Fox". And I've been completely forthright about "Patrick Fox" being my birth/legal name and "Richard Riess" being the name I assumed/adopted in the early 1990s, and which I changed my name to under California common law.

Throughout her testimony, Complainant made repeated allusions to me using "so many" fake names and fake identities, typically for deceitful purposes.

TR 2017-06-12 p22 I11-13
TR 2017-06-12 p23 I14-25
TR 2017-06-12 p37 I47 - p38 I7
TR 2017-06-13 p2 I35 - p36 I3
TR 2017-06-13 p56 I36-41
TR 2017-06-13 p61 I35-40
TR 2017-06-14 p24 I11-15
TR 2017-06-14 p27 I22-25
TR 2017-06-14 p34 I8-11
TR 2017-06-14 p38 I19-25
TR 2017-06-14 p40 I8-13
TR 2017-06-15 p14 I17-18
TR 2017-06-15 p16 I7-8
TR 2017-06-15 p27 I10-11

I notified Complainant as soon as I reverted to using my birth name of "Patrick Fox"; and I, obviously, knew she would inform DHS immediately; obviously I was not trying to hide anything or deceive anyone.

Complainant's repeated comments about me having and using so many fake names and identities may have given the jury the mistaken impression I was of bad or questionable character. I believe Mr. Lagemaat should have confronted Complainant on her claims, to show the jury it simply wasn't true. That could also have shown the jury that Complainant was simply refusing to accept the reality that my real, legal, birth name is Patrick Fox.

37. Complainant falsely testified I “lied about everything”.

TR 2017-06-14 p46 I36

However, each topic Complainant has claimed I lied about, either I have been able to provide proof I was actually telling the truth; Complainant feigned to misunderstand or did not fully or correctly read/hear what I wrote/said; or Complainant added her own incorrect inferences to my statements. This is repeatedly and extensively proven in many of the email conversations between Complainant and myself.

Both Mr. Lagemaat and Mr. Myhre had received Complainant's statements to the RCMP and the emails between Complainant and, prior to trial. They had both seen the evidence proving that every statement I had made which Complainant insists was a lie was, in fact, true. Therefore, both Mr. Lagemaat and Mr. Myhre must have known Complainant was committing perjury when she testified I lied about everything. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

38. Complainant falsely testified that throughout 2011 - 2014, she did not engage me, yet I still kept “escalating”.

TR 2017-06-14 p49 I22-23

The emails from that time show that any escalation, whether of hostilities or retaliation, almost always occurred by Complainant; and when Complainant didn't respond with hostility, insults, or false accusations I never escalated anything. The emails also show that Complainant almost exclusively only responded to my emails when she mistook my statements as being unjustly accusatory, insulting, or confrontational - though that was almost always her own erroneous inferences.

I believe Complainant considers my creating the website and publishing the proof of her horrible acts and her lies an “escalation”, however the website was created in response to Complainant consistently getting away with lying in the family court; convincing people she has not done any of the horrible acts the evidence on the website has been able to prove she HAS done; and exploiting people's compassion and decency through lies and false shows of emotion. I do not believe the website was an “escalation” at all - it was a reasonable and very withheld reaction to years of being harmed by Complainant's lies, manipulation, and cheating.

On the other hand, I believe Complainant repeatedly escalated matters, unprovoked, when she, for example: abducted GR1 and took him to Arizona in August 2011; repeatedly took deliberate steps over a year and a half to have me arrested, detained, and deported from the US based on false allegations; deliberately created a situation (my deportation) which caused me to lose

custody of my son, whom I had raised with no involvement from Complainant for nine years, and extremely limited my contact and involvement in my son's life due to h and I being forced to live in different countries; going on international news media, making false allegations about me; and falsely testifying, extensively, at the trial in the matter to get me convicted of a crime which, it should be obvious, was not committed, and then sentenced to 3 years in prison based on that false testimony.

Both Mr. Lagemaat and Mr. Myhre had reviewed all of the emails between Complainant and myself. Therefore, they must have known Complainant was lying when she testified that I "kept escalating". Moreover, I have been very forthcoming, both before and after trial, with Mr. Lagemaat, Mr. Myhre, and the court about my belief that all I have ever done has been in response to Complainant's actions against me and GR1; and that if the entirety of the evidence, starting from 2011, not just the subset of evidence starting from 2014 - AFTER Complainant had already taken EVERYTHING away from me and had me exiled to a foreign country with, literally, nothing but the clothes in my back - were presented to the jury then they would not have come to the conclusion that I engaged in misconduct, that Complainant was harassed, that Complainant had any fear for her safety, or that anything Complainant said could be believed. Yet, Mr. Lagemaat and Mr. Myhre refused to present any of that evidence which would have shown the jury that it was consistently Complainant who escalated things and I who consistently had to react to those escalations.

And having reviewed every email and having repeatedly heard my perspective that Complainant has always been the one initiating and escalating hostilities and I have been the one reacting and retaliating to her acts, both Mr. Lagemaat and Mr. Myhre must have known Complainant was lying when she testified that I kept escalating. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was lying.

39. Complainant falsely testified I had filed, in the family court, to have all her visitation and communication with GR1 revoked.

TR 2017-06-14 p49 I46 - p50 I3

The family court documents, on the website, show this is false. In November 2012 I had only requested supervised visitation until the next scheduled hearing (four months away), and that was only because of Complainant's fiancé's, KL1, recent arrest; the police executing a search warrant on Complainant's home and finding a stolen assault rifle and Crystal methamphetamine in the home; and Complainant's consistent history of trying to conceal and lying about the drug use and criminal activity going on in her home.

The family court documents on the website show there was never any other time I had sought to restrict or limit Complainant's access to GR1 and that, in fact, I had repeatedly and consistently gone out of my way to assist and accommodate her.

Both Mr. Lagemaat and Mr. Myhre had full access to all of the family court documents on the website. Therefore, they must have known at the time of Complainant's testimony that her statement was perjurious. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

40. Complainant falsely testified she was prohibited under order by the family court from prohibiting GR1 from communicating with me by email.

TR 2017-06-14 p66 17-15

Communication between me and GR1 by email was never discussed n, or addressed by, the family court - only communication by mail and by telephone. Nevertheless, as of July 2014 I had waived all parental rights, which meant any and all prior orders related to communication were, as of July 2014, void.

Both Mr. Lagemaat and Mr. Myhre knew all of the family court documents were on the website and that they showed only communication by mail and by phone was ever addressed. Moreover, it was well known that I had waved all f my parental rights in July 2014. Therefore, Mr. Lagemaat and Mr. Myhre must have known at the time of Complainant's testimony that she was lying. However, neither Mr. Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe Complainant was lying.

41. Complainant falsely testified the only reason she “ever went to court and tried to cease communication” between between me and GR1 is because of the emails like the one where I call her a “stupid fucking cunt”.

TR 2017-06-14 p66 116-19

However, the family court documents on the website show that in September 2011, Complainant tried to prohibit all communication because, she claimed, she believed I was going to travel to Arizona and take GR1 back to California, however, she sought that order the day after GR1 told her he wanted to live with me, not with her. At that point there had not been ANY hostility or insults expressed between us.

The family court documents on the website show that in January 2013, Complainant tried to prohibit all communication because she believed that would help GR1 transition to her home environment and way of life. But bear in mind, at that time GR1 was only with Complainant because I was being detained by ICE due to her taking very deliberate and calculated steps to have me arrested, detained and deported.

He family court documents on the website also show that in September 2015, Complainant tried to prohibit all communication because she believed I was manipulating GR1 against her.

In fact, here is no record of Complainant ever seeking to prohibit, or even limit my contact with GR1, due to the manner in which I spoke to her and my CC'ing GR1 on any of my emails.

Both Mr. Lagemaat and Mr. Myhre knew of and had full access to all of the family court documents on the website. By their own admissions, they had reviewed all of the content on the website, which included the family court documents. Therefore, they must have known Complainant was perjuring herself when she testified to this matter. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the they had reason to believe Complainant was committing perjury.

42. Complainant falsely testified she believed my emails showed I was "requiring she drive two hours during the work week from Tucson to Phoenix to out GR1 on a plane" for his visit with me.

TR 2017-06-15 p3 141-43

However, Complainant wasn't even living in Tucson at that point. She was still living in South Phoenix, near the airport. And even if she were to now claim that she had already moved to Tucson prior to that point, the fact remains there was no mention of her moving to Tucson until I brought it up, after GR1 was already in Vancouver - at which point Complainant admitted to moving while GR1 was with me.

Moreover, Complainant testified that she continued to work at Apollo after moving to Tucson, and that she commuted from Tucson to Phoenix for work - which would mean she was making the two hour drive on the weekdays anyway, and that by scheduling the flight on a weekend, as she was requesting, would have required her to make an otherwise unnecessary trip to Phoenix, which would have been much less convenient for her. And, if Complainant had actually moved from Phoenix to Tucson prior to GR1's flight then why wouldn't she have simply suggested I get him a flight from Tucson to Vancouver, rather than from Phoenix to Vancouver?

Moreover, if Complainant had actually already moved from Phoenix to Tucson prior to me making GR1's travel arrangements, then it is clear from our emails around that time that she was very deliberately withholding that information from me and I had no way of knowing she had moved to another city. Therefore, how could Complainant possibly hold me responsible for requiring she drive two hours from Tucson to Phoenix if she was deliberately misleading me to believe she was still living in Phoenix?

Also, in the email conversation in question, I repeatedly insisted Complainant did not have to transport GR1 to the airport personally. I repeatedly stated I would arrange for a Cor (e.g. a taxi) to pick him up. Complainant consistently ignored that proposal, as though I had never stated it.

Both Mr. Lagemaat and Mr. Myhre were very familiar with the email conversation in question. In fact, it included in part, in both parties' books of exhibits. They must have known that either Complainant had not yet moved to Tucson, or had moved to Tucson but had expressly withheld that information from me. But either way, they must have known that her testimony that I was requiring her to drive two hours during the work week from Tucson to Phoenix was perjurious because either she wasn't living in Tucson or she hadn't informed me she had moved to Tucson. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

43. Complainant falsely testified that from 2012 through early 2014 I had threatened her repeatedly.

TR 2017-07-15 p6 I20-24

However, the emails and Complainant's own admissions in the Sahuarita Police reports, the Phoenix Police report, the order of protection hearing and declaration, and the RCMP reports from April through July 2015, show that I have never, not once, threatened Complainant with anything other than what I had every legal right to do (e.g. pursuing legal action).

And, I believe it is critical to this point, that a threat to engage in some perfectly legal course of action against the other party, for example, seeking redress in civil or family court, is not "threatening conduct" as envisioned by the criminal harassment laws.

Both Mr. Lagemaat and Mr. Myhre were well aware of the emails and the numerous police reports, court documents, and hearings in which Complainant admitted I had never threatened her with anything other than legal action and to publicly expose what I considered to be her offensive conduct - both of which are perfectly legal courses of action. Therefore, both Mr. Lagemaat and Mr. Myhre knew at the time of Complainant's testimony that her statement was false. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

44. Complainant falsely testified when she contacted the RCMP on 2015-06-30 she had only "asked for a home check".

TR 2017-06-15 p10 I32-34

However, the RCMP report shows Complainant had actually, falsely told them she "hadn't heard from GR1 since he'd been in Vancouver", and that "when she attempted to contact GR1's father, Richard Riess, she received responses from a man named Patrick Fox stating Riess does not exist, that GR1 is with Fox and would be back in Arizona when he (Fox) 'said so'." Complainant deliberately misled the RCMP to believe Patrick Fox and Richard Riess were two different people; that she didn't know who Patrick Fox was; and that her 14 year old son was with a strange man in a foreign country (RCMP report #2015-29196).

Confronting Complainant on this would have been an excellent opportunity to show the jury that Complainant will make up outrageous lies, even to law enforcement, to get people to do what she wants and to abuse the justice system for her own pointless, petty purposes.

Both Mr. Lagemaat and Mr. Myhre knew of the RCMP report which was on the website and also included in the Crown's disclosure material. Therefore, they must have known Complainant was lying when she testified. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was lying in her testimony.

45. Complainant falsely testified that Facebook had something called a “camera roll” option, which gave her “friends” access to the photos she posted to her Facebook profile.

TR 2017-06-15 p13 I19-24

However, there is no such thing as a “camera roll” option in Facebook. Apple iCloud and Apple devices have something called a camera roll but that is completely different and separate from Facebook, which is where Complainant testified I surreptitiously obtained the photos from without her knowledge or consent.

The proof of this matter was self-evident. The fact that Complainant was referring to something which does not exist should have been sufficient proof for both Mr. Lagemaat and Mr. Myhre to know she was lying. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

46. Complainant falsely testified that she made her Facebook data non-public in 2014, as soon as she learned I had created the website.

TR 2017-06-15 p13 I39-40

However, it was actually in February 2016, a couple of days after the CBC story aired/ran, that Complainant made her Facebook data non-public. I had made the copy of her public profile, which I put on the website, a few days before the CBC story was released.

The timestamps of some of the content in the copy I had put on the website prove the copy was generated in February 2016, which means as of that point, the content on Complainant's profile must have still been publicly accessible. I had explained this to both Mr. Lagemaat and Mr. Myhre, and I had directed them to the copy of Complainant's Facebook profile which I had put on the website. Therefore, both Mr. Lagemaat and Mr. Myhre must have known Complainant was lying when she testified. However, neither Mr. Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe Complainant was lying under oath.

47. Complainant falsely testified I surreptitiously, without her knowledge or consent, took her private and personal photographs.

TR 2017-07-15 p16 I13-19

Complainant testified she had not “posted them to Facebook” and “they were just in the camera roll”.

TR 2017-06-13 p16 I24-25

However, Facebook does not have a “camera roll” feature - that is a feature of Apple iCloud and Apple devices, which have absolutely nothing to do with Facebook. Nor does Facebook have a feature comparable to Apple's camera roll. Nevertheless, based on Complainant's testimony, she is saying she believed I used GR1's Facebook account, which she claims she believed was actually maintained by GR1, not by me, even though I had repeatedly informed her I was maintaining that account, to access pictures from her Facebook profile which were not publicly accessible. Complainant is claiming the photos were only accessible to her “trusted” Facebook friends - of which, I was not one.

However, Complainant later contradicted that by testifying that originally ALL of her Facebook data was public and that at some point after the website was created she made it non-public (in February 2016).

TR 2017-06-15 p13 I30-32, 39-40

Mr. Lagemaat and Mr. Myhre were both present for all of Complainant's testimony. So they both must have heard her contradictory statements. Moreover, Complainant's false statements about Facebook's “camera roll” feature are easily proven by the simple fact that such a feature simply does not exist. Therefore, Mr. Lagemaat and Mr. Myhre both must have known that Complainant was perjuring herself when she testified. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant had committed perjury.

48. Complainant falsely testified she didn't know where I was.

TR 2017-06-15 p16 I4-5

However, that is contradicted by her earlier testimony that I was, at various times, in contact with, and in the physical presence of, her mother in Phoenix in 2005 - 2007.

TR 2017-06-12 p3 I38-43

TR 2017-06-12 p4 I19-21

TR 2017-06-12 p4 I22-27

TR 2017-06-15 p42 I13-15

Complainant also admitted in an RCMP interview that on one occasion in particular GR1 spent the night at her mother's home in Phoenix while I returned to Los Angeles to get my motorcycle.

Both Mr. Lagemaat and Mr. Myhre were present for all of Complainant's testimony, including the contradictory statements referenced above. Moreover, they both had reviewed Complainant's statements to the RCMP prior to trial. Therefore, both Mr. Lagemaat and Mr. Myhre must have known Complainant was perjuring herself when she testified she didn't know where I was. However, neither Mr. Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe Complainant was committing perjury.

49. Complainant falsely testified that no custody determination was made by the California family court at the November 2011 hearing, that the hearing was only about which state was GR1's "home state" under the UCCJEA.

TR 2017-06-15 p25 I8-9

The minute entries of the hearing prove that is false. The home state issue was discussed amongst the Arizona and California family court judges themselves and the determination was made, prior to the hearing as required under the UCCJEA. At the time of the hearing, GR1 was in Complainant's custody in Arizona, pursuant to a temporary emergency custody order she obtained in the Arizona family court in August 2011, based on her false claim I had been hiding GR1 from her for the past nine years. Then, at the November 2011 hearing, the California family court ordered Complainant to return GR1 to my care and custody "without delay" - that is, unquestionably, a custody determination and a change in custody status.

Both Mr. Lagemaat and Mr. Myhre knew of the minute entries of the family court which were on the website. Also, I had discussed the circumstances of the November and December 2011 family court hearings at length with both Mr. Lagemaat and Mr. Myhre prior to trial. Therefore, both Mr. Lagemaat and Mr. Myhre must have known Complainant was lying when she testified. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was lying.

50. Complainant falsely testified that multiple times I had tried to remove her visitation with GR1 and multiple times I had tried to interfere with her custody of GR1.

TR 2017-06-15 p27 I38-40, 46-47

However, family court documents on the website prove I never sought or requested to remove Complainant's visitation with GR1. The most I requested was that her visits be supervised, temporarily, until the next scheduled hearing, and that only because of my finding out about the drug use (Crystal methamphetamine) and criminal activity (stolen assault rifle by a prohibited possessor) going on in her home, and her consistent and repeated attempts to conceal that from me and to deny that.

Both Mr. Lagemaat and Mr. Myhre had full access to the family court documents which were on the website, and I had discussed this very issue with both Mr. Lagemaat and Mr. Myhre repeatedly prior to trial. Both Mr. Lagemaat and Mr. Myhre must have known Complainant was committing perjury when she testified on this matter. Yet neither Mr. Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe Complainant was committing perjury.

51. Complainant falsely testified she told and asked me many times if we could work amicably on a resolution for GR1.

TR 2017-06-15 p27 I36-37

However, the court documents and the emails on the website prove that is completely false. There were only two times Complainant appeared to be a miracle, and both of those times it was only because she believed she was completely defeated and had absolutely no chance of prevailing:

1. At the December 2011 custody mediation hearing, but only because Complainant knew the family court was very upset with her for having abducted GR1 in August 2011 (4 months prior), taking him to another state, and getting a temporary emergency custody order by falsely claiming I hid GR1 from her for nine years. Complainant also had a lawyer representing her at that hearing.
2. Upon my release from ICE custody in February 2013, but only because the California family court had said at the hearing two weeks prior that upon my release I can request an extension parte hearing for GR1 to be returned to my custody and so, Complainant believed, again, that the family court was very upset with her for having deliberately caused my arrest and detention by ICE as a way for her to get custody of GR1, and that the family court was again going to order her to return GR1 to my custody.

Otherwise, every single other court document and every email shows Complainant refusing to cooperate in GR1's interests; refusing to allow GR1 to visit me unless it was ordered by the family court (o she falsely believed it was ordered by the court); refusing to get GR1's passport until it was ordered by the court; refusing to contribute to GR1's financial needs unless it was ordered by the court; refusing to provide her medical insurance information for GR1's benefit until the court told her she must; refusing to share information with me about GR1's education, medical care, health, et cetera, because she "was not required to under court order".

Both Mr. Lagemaat and Mr. Myhre knew of and reviewed all of the emails and family court documents on the website. Therefore, they must have known Complainant was committing perjury when she testified to this. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

52. Complainant falsely testified that multiple times I had gone after her for child support when she was the only one financially providing for GR1.

TR 2017-06-15 p27 l40-42

The emails and court documents, which were on the website, prove that from October 2001 through August 2011, and from November 2011 through December 2012 Complainant did not provide ANY financial support for GR1 at all. Complainant had provided a single payment in the amount of \$75 in September 2012, for partial reimbursement to my friend, Liz Munoz, for some school expenses, and not a penny more. Even in 2012, while I was unable to secure employment in Los Angeles, had sole physical custody of GR1, and both I and GR1 were being supported by Miss Munoz, Complainant steadfastly refused to contribute ANYTHING to GR1's support or well-being, stating instead that if I cannot afford to provide for GR1 then I should send him to live with her and I'll never have to worry about it again. At that time I had no income and Complainant's income was approximately \$70,000US/year.

In contrast to Complainant's refusal to contribute any financial support for GR1 when he is not in her physical presence or custody, following my deportation to Canada, as soon as I secured employment, in July 2013, and continuing until long after my incarceration on this matter, until there was no money left in my bank account (February or March 2017), I consistently transferred \$125CDN per week to GR1's bank account, and I provided him a credit card to cover any and all support related expenses. The credit card had a limit of \$6,000CDN, and GR1 was authorized to use it for any and all support related expenses. That is also discussed in the emails between me and Complainant.

Both Mr. Lagemaat and Mr. Myhre knew of the emails and court documents which proved that Complainant had never provided any financial support for GR1 while he was in my care or custody. Therefore, both Mr. Lagemaat and Mr. Myhre must have known Complainant was committing perjury when she testified on this matter. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant had committed perjury.

53. Complainant falsely testified she had already scheduled an appointment to see a doctor to apply for a medical marijuana card prior to her arrest for possession of marijuana on September 27, 2011.

TR 2017-06-15 p27 l31

The copy of Complainant's medical marijuana applications and the supporting documents on the website prove this is false. Complainant made the appointment to see the doctor AFTER her September 27, 2011 arrest.

On November 1, 2011, before Complainant's application was approved, she was caught by the police, again, possessing marijuana. This time in a public place, when she arrived at the scene of her fiancé, KL1's, arrest, to take custody of her children whom she had left in KL1's care while he was committing crimes. On that occasion Complainant, again, lied to the police by claiming she already had a medical marijuana card. Complainant was not arrested at the time, for the sake of the children. This is all documented in the police report which was on the website.

Both Mr. Lagemaat and Mr. Myhre knew of, and had reviewed Complainant's medical marijuana applications, and the Scottsdale Police reports of the September 27, 2011 and the November 1, 2011 arrests. Therefore, they must have known Complainant was lying when she made this statement under oath in her testimony. However, both Mr. Lagemaat and Mr. Myhre refused to inform the court or the jury that they had reason to believe Complainant was committing perjury.

54. Complainant falsely testified that every time I tried to get sole custody of GR1 and to revoke all her visitation and communication with GR1 she won because she was right and she was telling the truth.

TR 2017-06-15 p28 I22-24

The California family court documents and recordings on the website prove this is false. First, they prove that I've never once tried to revoke or "take away", or even to decrease any of Complainant's visitation with GR1. Further, they prove that every time I sought any kind of change to the visitation agreement it was ALWAYS due to newly discovered evidence of criminal activity and drug use in Complainant's home, which directly impacted GR1's safety and well-being while in her care.

The family court documents also show Complainant consistently lied just as frequently and just as easily in those proceedings as she did in these proceedings.

All of those family court documents were on the website and had been reviewed by both Mr. Lagemaat and Mr. Myhre prior to trial. Therefore, both Mr. Lagemaat and Mr. Myhre must have known Complainant was lying when she made this statement. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant had lied in her testimony.

55. Complainant falsely testified that the one time she requested sole custody of GR1 with no visitation or communication between me and GR1 I lost because I was lying.

TR 2017-06-15 p28 I24-26

The California and Arizona family court documents, which were on the website, prove that is false. The documents prove Complainant did not try to obtain a court order prohibiting contact between me and GR1 only time as she testified, but rather three times - in September 2011, in

January 2013, and in September 2015. The documents also show that I did not make a single false statement, or "lie", at any time in the family court proceedings. The three subjects which Complainant keeps insisting I lied about have, by now, been well established to be true: my place of birth; my citizenship; and my name. My real, legal, and birth name is Patrick Henry Fox, just as I have been stating, and that is proven by my government issued identification; I was born in the US, just as I have been stating, and that is proven by CBSA and IRCC documents; and, as a result of being born in the US I am, automatically, a US citizen, just as I have been stating. I do not believe there is anything else I have stated in the family court or in this proceedings which Complainant claims is false.

I believe I lost custody of GR1, in 2013, solely because I was deported from the US, not because I lied in the family court.

Mr. Lagemaat and Mr. Myhre had reviewed the family court documents prior to trial; they had seen my birth certificate and multiple pieces of government issued photo identification - in fact, Mr. Myhre himself had admitted them as an exhibit at the trial. Therefore, both Mr. Lagemaat and Mr. Myhre must have known Complainant was lying when she testified about me lying in the family court.

Moreover, my losing custody of GR1 occurred immediately following my deportation from the US; and since that time, even though GR1 has told the court he wants to live with me, the court has refused to return custody to me.

56. Complainant falsely testified I was present and living in "her country" (the US) illegally.

TR 2017-06-15 p30 I26-30

Contrary to Complainant's insistence, she has known since January 2000 that I was born in the US, and therefore am a US citizen. That is why we never applied for permanent resident status for me when we were together and GR1 was born.

Although it might have been difficult to prove Complainant knew I was not an illegal alien, if Mr. Lagemaat had questioned her about it even a little, I believe it would have become apparent that she was lying to exploit the fact there is a removal order against me in the US Immigration Court - even though the order is based on a faulty perjury and false claim of US citizenship convictions. For example, if Mr. Lagemaat had questioned Complainant on why we did not try to get any type of legal Immigration status back in 2000/2001; or why she never reported me to INS/ICE before she learned of the removal order against me; or why she believes ICE and the US Attorney's Office have consistently dropped all charges against me, related to illegal re-entry, even each of the times she called them; or why my fingerprints and mugshot don't match those on file with the Toronto Police for Ricky Riess; or the fact that she already admitted she sent my picture to Ricky Riess's father and he could not identify me as his son; her claim of believing I was an illegal alien and not a US citizen would have quickly lost credibility.

I had discussed the matter of my citizenship at great length with both Mr. Lagemaat and especially with Mr. Myhre prior to trial. And, I had discussed with both Mr. Lagemaat and Mr. Myhre the very points which are listed in the previous paragraph. I had sternly informed both parties that if Complainant makes ANY reference to my citizenship or claims I was in the US illegally, then I will want her cross examined on the matter to prove she did not truly believe, at any time, that I actually was an illegal alien.

Based on the foregoing, it should have been obvious to both Mr. Lagemaat and Mr. Myhre that Complainant's claims of believing I was an illegal alien were false. And since she did state that belief before the jury, Mr. Lagemaat should have cross examined her to determine if that stated belief was sincere and rational.

57. Complainant falsely testified I was trying to "take her kid".

TR 2017-06-15 p30 I27-19

However, I was the one who already have custody of GR1. GR1 had been with me his entire life up to that point. Complainant had never had custody of GR1, other than the three months she had abducted him to Arizona and obtained temporary emergency custody based on false claims in 2011. It is completely false to say I was trying to "take GR1 from her" because I already had sole physical custody - I could not have taken from her what she did not have. If anything, Complainant was the one trying to "take" GR1 from me - and that is, in fact, exactly what Complainant did by creating a situation whereby I would be removed from the US, by force and against my will, and GR1 would be required to reside with Complainant, also by force and against his will.

And, the family court documents on the website also prove I never did anything to interfere with, frustrate, or discourage any of Complainant's visitation or contact with GR1.

For the most part, the proof that Complainant's statement is false is self-evident, as explained above. The history of GR1's custody and the fact that he had been with me his entire life, was well known to both Mr. Lagemaat and Mr. Myhre. As were the facts that Complainant had never had custody of GR1, and had not been present in his life, at all. Therefore, Mr. Lagemaat and Mr. Myhre must have known Complainant's statement was perjurious at the time she made it. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

58. Complainant falsely testified the drugs in her home were "stashed".

TR 2017-06-15 p30 I44

However, the Glendale and Scottsdale Police reports, which were on the website prove this is false. The Scottsdale Police report of Complainant's arrest shows the marijuana, which was still very illegal in Arizona at the time, was in the night stand next to her bed, not secured. The Glendale Police report of the search warrant shows the crystal methamphetamine was in the garage, unsecured. Photos posted to Complainant's Facebook profile show that she, SC1, and GR1 did spend time in the garage - here the crystal methamphetamine was being used.

Both Mr. Lagemaat and Mr. Myhre had full access to the police reports, which were publicly accessible on the website. Therefore, they must have known Complainant was perjuring herself when she testified the drugs in her home were "stashed". However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

59. Complainant falsely testified that when KL1 was breaking the law "he was nowhere around"; she "couldn't even reach him"; he wouldn't answer the phone, he wouldn't come back to the house; he was gone all the time.

TR 2017-06-15 p30 I45 - p31 I1

However, police reports on the website, from the time Complainant was engaged to and living with KL1, and Complainant's own sworn statements and declarations in the family court, also on the website, prove that is false. On November 1, 2011, KL1 was arrested outside the home; he had both of Complainant's children (including GR1) with him while he was engaging I committing felonies (passing counterfeit notes, forgery). KL1 repeatedly possessed and used crystal methamphetamine in the very home Complainant claims he was not around when he was committing crimes - possession of crystal methamphetamine is a felony. KL1, himself prohibited from possessing or handling firearms due to his prior felonies, stole an assault rifle, then brought and stored that assault rifle in the very home Complainant testified he was never around when he was committing crimes. Complainant admitted to the Glendale Police that she knew KL1 had stored the rifle in the home; she also knew KL1 had a long list of prior felonies and so, was prohibited from possessing the rifle.

There is another police report and audio recording of an arrest of KL1, for shoplifting, on the website, where KL1 attempts to call Complainant on the telephone. She did not answer the call.

There are numerous emails between Complainant and I, where I inform her of recent criminal activity I had discovered KL1 was involved in (typically through public arrest records), and Complainant would become hostile and defend KL1's conduct.

Both Mr. Lagemaat and Mr. Myhre knew of those emails and the police reports, which were publicly accessible on the website, so they must have known Complainant was lying when she testified. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

60. Complainant falsely testified that “as soon as medical marijuana became legal, she got her card”.

TR 2017-06-15 p31 I4-6

However, Complainant's medical marijuana application, approval, and card, all of which were on the website, prove this is false. Medical marijuana was legalized in Arizona in November 2010, but Complainant did not apply for a medical marijuana card until October 2011, almost immediately after she was arrested and charged with possession of marijuana. Complainant continued to possess and use marijuana illegally from November 2010 through November 2011.

Both Mr. Lagemaat and Mr. Myhre had full access to and had reviewed all of the content on the website, including Complainant's medical marijuana application. Therefore, they both must have known Complainant was lying when she testified that she got her medical marijuana card as soon as medical marijuana became legal. However, neither mtr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was lying under oath.

61. Complainant falsely testified she she never called for fear of her life until the email that I said I thought about shooting her.

TR 2017-06-15 p32 I37-39

TR 2017-06-15 p33 I6-11

However, the emails on the website, the Sahuarita Police reports, the RCMP reports from July 2015, Complainant's declaration in support of her request for an order of protection and her statements at the order of protection hearing in December 2015, all prove this is false. The first time Complainant made any mention of being afraid for her safety - let alone afraid for her life - or of feeling threatened was AFTER speaking with CBC in January 2016 - more than a year after she had read and responded to the email in question. Also, Complainant's claims of being afraid for her life were purportedly made to the news media, NOT to any court or law enforcement agency. Though, in the CBC segment which aired and was published, it was only the CBC reporter, Natalie Clancy, who stated “Talk of shooting left Complainant fearing for her and her fiance's safety”. There is no evidence that even at THAT point Complainant actually expressed any fear for her safety from me.

The fact is, Complainant not claim to have any fear for her safety from me until more than a year AFTER reading and responding to the very email she testified was the basis for that fear. Moreover, Complainant never called, or otherwise initiated contact with any law enforcement agency claiming to fear for her safety from me. In, and since, June 2016 it has been the RCMP and Victim Services that have contacted Complainant about proceeding with a criminal

harassment charge against me - it was not Complainant who contacted the RCMP in June 2016, complaining of harassment or fear for her safety.

Also, Complainant admitted in her own testimony that she was only seeking the order of protection in Arizona because she believed it was required in order to get the website taken down.

TR 2017-06-13 p58 I10-16

TR 2017-06-15 p38 I40-42

Complainant also discussed that in greater detail in her 2016-07-13 RCMP interview, at paragraphs 822-826.

And, as a point of fact, I never stated in that email, or at any other time, that I “thought of shooting” Complainant. That is Complainant's own clear and gross misrepresentation of the wording of that email. If anything, it was our son who had “thought of shooting” Complainant - he asked the question, and I was merely responding to his question.

Both Mr. Lagemaat and Mr. Myhre knew of all of the emails, police reports, court declarations, and statements to the news media which proved Complainant did not, at any time, sincerely fear for her life from me. Therefore, both Mr. Lagemaat and Mr. Myhre must have known Complainant was lying when she made this statement. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

62. Complainant falsely testified she set the target amount for her GoFundMe campaign to \$10,000US because that was the minimum she could choose.

TR 2017-06-15 p35 I29-31

Complainant then contradicted herself by stating she set the target to \$10,000US because that was “the typical GoFundMe limit”.

TR 2017-06-15 p35 I33-35

Complainant then contradicted herself again by stating she set the target to \$10,000US because that was what was suggested to her by someone.

TR 2017-06-15 p35 I36-37

The proof that Complainant was lying about the GoFundMe limit is self-evident - she contradicted herself twice.

Both Mr. Lagemaat and Mr. Myhre were present for this testimony. They must have known Complainant was lying about at least two of the reasons she had provided. Yet neither Mr.

Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe Complainant was lying in her testimony.

63. Complainant falsely testified she used the money she received through GoFundMe to obtain the Arizona order of protection.

TR 2017-07-15 p38 I36-43

The proof of this being false is self-evident. Complainant applied for, and received the Arizona order of protection in July 2015. She created the GoFundMe campaign in June 2016 - immediately after I was denied bail - a year AFTER she obtained the order of protection. Also, there is no cost to a complainant/plaintiff for obtaining an order of protection.

Both Mr. Lagemaat and Mr. Myhre knew Complainant had already obtained the order of protection, a year before starting the GoFundMe campaign, and that Complainant did not renew the order of protection when it expired in October 2016. Therefore they must have known Complainant was committing perjury when she testified. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant had committed perjury.

64. Complainant falsely testified that at the November 2011 California family court hearing her allegation that I had hidden GR1 from her wasn't discussed.

TR 2017-06-15 p41 I1-4

However, Complainant's allegation that I had absconded with GR1 then hid him from her for nine years was clearly stated in her declaration in the Arizona family court, a copy of which was forwarded to the California family court. My response to that allegation was clearly stated in my sworn declaration in the California family court. At the hearing, Complainant explicitly raised the allegation again. She stated to the court, under oath, that over the nine years she had repeatedly contacted the sheriff in Pinellas County, Florida where she had been living, but they were not able to help her. The California family court judge told Complainant she and I had had an active child custody case before the the Torrance courthouse (of the Los Angeles County Superior Court) and that if her allegation were true all she would have had to do would be to call the Torrance court, tell them I had absconded with GR1, and a warrant would have been issued for my arrest. The judge asked Complainant why she had not once contacted the Torrance court in that nine years. Complainant stated she didn't know that that is what she could have done. Based on that response, the court determined her claim of me hiding GR1 from her for nine years was not credible.

Also, it is my understanding, if the family court had believed there was ANY truth to Complainant's claim it would not have ordered Complainant to immediately return GR1 to my custody on that day.

I had discussed this very point at great length with both Mr. Lagemaat and Mr. Myhre prior to trial. In addition, I had written about it in a blog post in the website. And, the minute entries and documents from the family court also prove Complainant's claim was discussed at that hearing. Therefore, Mr. Lagemaat and Mr. Myhre must have known Complainant was lying when she testified on this point. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant had lied in her testimony.

65. Complainant falsely testified the California family court ordering her to return GR1 to my custody, in November 2011, was solely an issue of jurisdiction, not a determination on the merits.

TR 2017-06-15 p41 I17-25

The California and Arizona family courts conferring and determining that California was GR1's "home state" under the UCCJEA only meant that the California court had jurisdiction over the child custody proceedings. The "home state" determination has nothing to do with which state the court will decide it is in the best interests of the child to reside in. That can ONLY be determined on the merits.

This is proven by the minute entries of the California and the Arizona family courts.

Mr. Lagemaat and Mr. Myhre, both being lawyers, must have known that a determination of which court (i.e. California or Arizona) will have jurisdiction to hear and decide a case is completely separate from which state and parent the child should reside with. Also, under the UCCJEA, the determination of jurisdiction is made, amongst the involved judges, outside of court - the determination of jurisdiction was made before the November 2011 hearing. Therefore, Mr. Lagemaat and Mr. Myhre must have known Complainant's statement could not possibly have been true. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.

66. Complainant falsely testified that I was in a bar in Arizona, with a firearm, lining up bullets on the bar.

TR 2017-06-15 p42 I13-15

However, Arizona law, at the time in question (2005 - 2007) prohibited bringing a firearm into an establishment which serves alcohol. Complainant has been making this same false claim, under oath, in various courts, since 2011 - even though it has been proven false each time. And although it has been proven false, Complainant continues to revive it whenever there is a new audience.

The proof that this statement is false is elementary. The Arizona law prohibiting bringing a firearm into an establishment which serves alcohol was well documented at the time (the law was later repealed in 2009, but was still active and enforced at the time of Complainant's claim). Also, Complainant had raised this same claim in her declarations in the family court and I had responded as I have here. Based on that, the family court did not consider her claim credible. Therefore, Mr. Lagemaat and Mr. Myhre already knew, prior to trial, that this claim could not be true; that Complainant had already raised it, under oath, in prior proceedings only to have it determined to be false. However, neither Mr. Lagemaat nor Mr. Myhre attempted to inform the court or the jury that they had reason to believe that Complainant was committing perjury.

67. Complainant falsely testified that when I emailed her a copy of my PAL was the first time she knew I was able to purchase firearms legally.

TR 2017-06-15 p42 I16-20

However, that testimony directly contradicts her prior testimony where she admitted that in Arizona there is no firearm registration or licensing, and that anybody can purchase a firearm without having to obtain "legal permission".

TR 2017-06-15 p41 I42-44

Therefore, since Complainant knew I had lived in Arizona in 2000, 2001, 2006 - 2007, then at any of those times I would have been "able to purchase firearms legally". Particularly since she admits to having knowledge of me possessing at least one firearm when I lived in Arizona in 2006/2007.

TR 2017-06-15 p42 I6-13

Both Mr. Lagemaat and Mr. Myhre were present for all of Complainant's testimony. Therefore, they must have noticed her contradictory statements on this point. However, neither Mr. Lagemaat nor Mr. Myhre made any attempt to inform the court or the jury that they had reason to believe Complainant was committing perjury.