

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2006-050889

05/13/2013

HONORABLE KRISTIN HOFFMAN

CLERK OF THE COURT
J. Baddorf
Deputy

IN RE THE MATTER OF
IRENE OUZOUNIS

ALEXANDER E MOORHEAD

AND

JASON BEITMAN

BRYAN K LEVY

MINUTE ENTRY

Courtroom 106 - Northeast Regional Court Center

Prior to commencement of today's proceeding, Petitioner's exhibits 1 through 3 and Respondent's exhibit 4 are marked for identification.

3:31 p.m. This is the time set for Evidentiary Hearing regarding Petition for order to Appear RE: Modification of Custody, Parenting Time and Child Support filed by Respondent/Father on October 19, 2012. Petitioner/Mother is present with above-named counsel. Respondent/Father is present with above-named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Irene Ouzounis and Jason Beitman are sworn.

Counsel for Petitioner/Mother presents statements to the Court. Counsel advises the Court that the parties have reached the following agreements:

- The parties agree to continue to share Joint Legal Decision Making regarding the minor child Christina;
- The parties agree to continue to utilize the 5 – 2 – 2 – 5 parenting plan currently in place, where as Father shall have Monday and Tuesday overnight; Mother shall

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have Wednesday and Thursday overnight and the parties shall alternate weekends of Friday, Saturday and Sunday overnight;

- The parties agree to the following holiday parenting time schedule:
 - All odd years, Mother shall have parenting time with the minor child from 12:00 noon Christmas Eve day until 12:00 noon Christmas Day, and Father shall have parenting time with the minor child from 12:00 noon Christmas Day until 12:00 noon on December 26th unless otherwise agreed to by the parties in writing;
 - All even years, Father shall have parenting time with the minor child from 12:00 noon Christmas Eve day until 12:00 noon Christmas Day, and Mother shall have parenting time with the minor child from 12:00 noon Christmas Day until 12:00 noon on December 26th unless otherwise agreed to by the parties in writing;
 - All odd years, Mother shall have parenting time with the minor child from 2:00 p.m. on New Years Eve Day until 6:00 p.m. on New Years Day or as otherwise agreed to by the parties in writing;
 - All even years, Father shall have parenting time with the minor child from 2:00 p.m. on New Years Eve Day until 6:00 p.m. on New Years Day or as otherwise agreed to by the parties in writing;
 - All odd years, Mother shall have parenting time with the minor child from 6:00 p.m. on the Saturday before Easter until 2:00 p.m. on Easter Sunday and Father shall have parenting time with the minor child from 2:00 p.m. Easter Sunday until 8:00 a.m. the next morning or return to school;
 - All even years, Father shall have parenting time with the minor child from 6:00 p.m. on the Saturday before Easter until 2:00 p.m. on Easter Sunday and Mother shall have parenting time with the minor child from 2:00 p.m. Easter Sunday until 8:00 a.m. the next morning or return to school;
 - The parties shall follow the existing 5 – 2- 2 -5 parenting plan during the Winter, Spring and Fall School Breaks unless otherwise agreed to by the parties in writing;
 - All odd years, Mother shall have parenting time with the minor child from after school or 3:15 p.m. on Halloween until 10:00 a.m. the next morning, or return to school;
 - All even years, Father shall have parenting time with the minor child from after school or 3:15 p.m. on Halloween until 10:00 a.m. the next morning, or return to school;
 - All odd years, Father shall have parenting time with the minor child from 10:00 a.m. on July 4th until 10:00 a.m. on July 5th;

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- All even years, Mother shall have parenting time with the minor child from 10:00 a.m. on July 4th until 10:00 a.m. on July 5th;
- Father shall have parenting time with the minor child every Father's Day; and
- Mother shall have parenting time with the minor child every Mother's Day.

Counsel for Respondent/Father presents statements to the Court and affirms the agreements as stated on the record.

Discussion is held with the Court.

Based upon the matter presented,

After discussion, both parties advise the Court that they have reached an interim agreement, which is more fully set forth on the record and as follows:

- The parties agree to continue to share Joint Legal Decision Making regarding the minor child Christina;
- The parties agree to continue to utilize the 5 – 2 – 2 – 5 parenting plan currently in place, where as Father shall have Monday and Tuesday overnight; Mother shall have Wednesday and Thursday overnight and the parties shall alternate weekends of Friday, Saturday and Sunday overnight;
- The parties agree to the following holiday parenting time schedule:
 - All odd years, Mother shall have parenting time with the minor child from 12:00 noon Christmas Eve day until 12:00 noon Christmas Day, and Father shall have parenting time with the minor child from 12:00 noon Christmas Day until 12:00 noon on December 26th unless otherwise agreed to by the parties in writing;
 - All even years, Father shall have parenting time with the minor child from 12:00 noon Christmas Eve day until 12:00 noon Christmas Day, and Mother shall have parenting time with the minor child from 12:00 noon Christmas Day until 12:00 noon on December 26th unless otherwise agreed to by the parties in writing;
 - All odd years, Mother shall have parenting time with the minor child from 2:00 p.m. on New Years Eve Day until 6:00 p.m. on New Years Day or as otherwise agreed to by the parties in writing;

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- All even years, Father shall have parenting time with the minor child from 2:00 p.m. on New Years Eve Day until 6:00 p.m. on New Years Day or as otherwise agreed to by the parties in writing;
- All odd years, Mother shall have parenting time with the minor child from 6:00 p.m. on the Saturday before Easter until 2:00 p.m. on Easter Sunday and Father shall have parenting time with the minor child from 2:00 p.m. Easter Sunday until 8:00 a.m. the next morning or return to school;
- All even years, Father shall have parenting time with the minor child from 6:00 p.m. on the Saturday before Easter until 2:00 p.m. on Easter Sunday and Mother shall have parenting time with the minor child from 2:00 p.m. Easter Sunday until 8:00 a.m. the next morning or return to school;
- The parties shall follow the existing 5 – 2- 2 -5 parenting plan during the Winter, Spring and Fall School Breaks unless otherwise agreed to by the parties in writing;
- All odd years, Mother shall have parenting time with the minor child from after school or 3:15 p.m. on Halloween until 10:00 a.m. the next morning, or return to school;
- All even years, Father shall have parenting time with the minor child from after school or 3:15 p.m. on Halloween until 10:00 a.m. the next morning, or return to school;
- All odd years, Father shall have parenting time with the minor child from 10:00 a.m. on July 4th until 10:00 a.m. on July 5th;
- All even years, Mother shall have parenting time with the minor child from 10:00 a.m. on July 4th until 10:00 a.m. on July 5th;
- Father shall have parenting time with the minor child every Father's Day; and
- Mother shall have parenting time with the minor child every Mother's Day.

THE COURT FINDS that the agreement reached between the parties and as set forth on the record is binding upon the parties. The Court finds the agreement fair and equitable.

THE COURT FURTHER FINDS that the parties have knowingly, voluntarily and intelligently entered into the agreement. The parties have done so without duress or coercion, and they are fully informed as to the contents of this agreement. The agreement is in the best interest of the children.

Accordingly,

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IT IS ORDERED approving the parties' agreement as a binding agreement pursuant to Rule 69, Arizona Rules of Family Law Procedure.

LET THE RECORD REFLECT that the counsel/parties have requested a separate 1 hour hearing regarding the issue of child support and child support arrearages.

LET THE RECORD FURTHER REFLECT that the issues to be heard before the Court at today's proceeding are as follows:

- The minor child's birthday;
- The parents birthdays;
- Thanksgiving;
- Jewish Holidays and Mothers make up time;
- Legal decision making; and
- Exchange times.

Jason Beitman having been previously sworn now testifies.

Petitioner's exhibit 4 is received in evidence.

Irene Ouzounis having been previously sworn now testifies.

Discussion is held with the Court.

Based upon the matter and testimony presented,

IT IS ORDERED taking this matter under advisement.

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS ORDERED that the clerk shall permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked. Counsel/party shall have the right to re-file relevant exhibits as needed in support of any appeal. Re-filed exhibits must be accompanied by a Notice of Re-filing Exhibits and presented to the Exhibits Room of the Clerk's Office. The Court's exhibit tag must remain intact on all re-filed exhibits.

IT IS FURTHER ORDERED that counsel/party shall take immediate possession of all exhibits referenced above.

ISSUED: Exhibit Release Forms (2)
Docket Code 020

Form D000A

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LET THE RECORD REFLECT that the Court advises counsel/parties a separate pleading must be filed to address the issue of child support, child support arrears and modification of child support.

4:39 p.m. Matter concludes.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

/S/ HON. KRISTIN C. HOFFMAN

JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.