

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
FAMILY DIVISION

- - - - - x
:
KIMBERLY LA PIERRE, : Docket Number: 2018 DRB 000472
Petitioner, :
:
vs. :
:
BLAKE LA PIERRE, :
Respondent. :
: Thursday, March 22, 2018
- - - - - x Washington, D.C.

The above-entitled action came on for a hearing
before the Honorable JULIE BECKER, Associate Judge, in
Courtroom Number 104.

APPEARANCES:

On Behalf of the Petitioner:

SOGAND ZAMANI, Esquire
AMANDA SOW, Esquire
Washington, D.C.

On Behalf of the Respondent:

Pro se

18-01675

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P R O C E E D I N G S

THE DEPUTY CLERK: Your Honor, this is in the matter of Kimberly La Pierre versus Blake La Pierre, 2018 DRB 000472. Parties come forward please. Plaintiff to the first microphone, defendant to the third microphone.

MR. LA PIERRE: I'm not admitting to be a defendant in this.

THE DEPUTY CLERK: Sir, step over to the microphone.

MR. LA PIERRE: I'm not admitting to be a defendant in this.

THE DEPUTY CLERK: Fine.

THE COURT: Okay. Why don't, we're going to have you introduce yourselves and swear everyone in, all right?

THE DEPUTY CLERK: Please raise your right hand.
(Thereupon, the parties were sworn in.)

MR. LA PIERRE: I contest it's a case but I will tell the truth. I affirm.

THE DEPUTY CLERK: Thank you. Parties please state their names:

MS. ZAMANI: Your Honor, Sogand Zamani on behalf of Kim La Pierre, who is present.

MS. LA PIERRE: Kimberly Joy Comotsi (phonetic sp.) La Pierre.

1 MS. SOW: Amanda Sow on behalf of Kimberly La
2 Pierre.

3 MR. LA PIERRE: Blake La Pierre.

4 THE COURT: All right.

5 MS. ZAMANI: Your Honor, we, there's something
6 left on this table may I just pass it to the clerk from
7 your prior case?

8 THE COURT: Sure. All right. I have here a
9 complaint for legal separation and I have, from you Mr. La
10 Pierre, what's labeled as a contested answer to the
11 complaint.

12 MR. LA PIERRE: That top paper was, I was
13 directed by somebody at the counter to fill that out.
14 They said they weren't going to accept it without me
15 filling that out, so that's why I filled it out.

16 THE COURT: Okay. All right.

17 MR. LA PIERRE: I actually don't think Sogand or
18 Amanda should be allowed to represent Kim. They've made a
19 number of false statements. They've proven themselves to
20 not be competent and it's not fair to Kim for her to be
21 represented by them.

22 THE COURT: Okay. Well, she's entitled to
23 choose whatever counsel she wants. I don't know Ms. Sow
24 but I have had Ms. Zamani in other cases and I am quite
25 confident that she is competent to do a complaint for

1 legal separation.

2 MR. LA PIERRE: Well, she's made a number of
3 false statements, including in this complaint.

4 THE COURT: All right. Well, that may or may
5 not be true, okay? But, what I'm going to do is address
6 the most important things first. I understand that you are
7 contesting that you mutually and voluntarily separated.

8 MR. LA PIERRE: Yeah, I have not voluntarily
9 separated from Kim.

10 THE COURT: Okay. Can Ms. Sow or Ms. Zamani
11 address that?

12 MS. ZAMANI: Yes, Your Honor. I believe the
13 Court should set a date for legal separation hearing and
14 hear the evidence on this. The parties of this case
15 separated. They --

16 MR. LA PIERRE: That's not true.

17 THE COURT: Please don't interrupt.

18 THE DEPUTY CLERK: Sir, don't interrupt.

19 MS. ZAMANI: That experience has been indicative
20 of our experience with Mr. La Pierre in which is the
21 reason why we are here on this probably in the manner in
22 which we are here. Ms. La Pierre and Mr. La Pierre agreed
23 that Ms. La Pierre would move out and that there would be
24 a separation. After she moved out, Mr. La Pierre, once
25 she retained counsel, I think, my view is attached some

1 significance to the word separation as though it was a
2 legal pronouncement. I don't know if he's confused. I
3 have suggested he retain counsel. At that suggestion he
4 suggests that we're part of a cartel. I don't think he
5 quite understands the process here. He has told me, I
6 haven't received yet, that he has submitted complaints to
7 the D.C. Court of Appeals because we filed a document
8 seeking legal separation. He just handed me a multi-page
9 document about gibberish that I would be happy to pass up
10 to the Court. The bottom line is Ms. La Pierre separated
11 from her husband with his agreement. The purpose of it
12 was to have a separation. It was voluntary and soon
13 afterward he began to regret the choice and I think has
14 behaved in a rather incoherent manner. He has come to our
15 office. He has blown past security in the bottom of our
16 building. He has frightened the receptionist of my
17 landlord who has now instituted a new security procedure
18 for the entire floor of our building. My assistant does
19 not want to be alone in his presence because of the way
20 he's behaved. He's called our office over 75 times. Left
21 multiple voicemails. Attempts to record us to answer the
22 question of why is Kim essentially seeking a legal
23 separation? What does that mean? What do you think that
24 means? Why did you say that? Why, why, why, why, why?
25 It's impossible to really just, I predict that this very

1 simple case will become very difficult for no reason other
2 than lack of counsel for Mr. La Pierre and I think that
3 there should be some counsel in this from the Court. If
4 possible.

5 THE COURT: Some counsel meaning you think the
6 Court should appoint him counsel?

7 MS. ZAMANI: Potentially or to explain the
8 process. Coming from me it doesn't seem to do any good
9 and the accusations are just so numerous and forthcoming
10 like, before today, Mr. La Pierre sent me a few emails
11 claiming to invoice me for his time to prepare for
12 today --

13 MR. LA PIERRE: That's not true.

14 MS. ZAMANI: -- to the tune of \$5,000 a day. I
15 have received so many of these invoices and in fact, I
16 don't even open the attachments because he's demanded
17 access to our systems, access to all of our conversations
18 with Ms. La Pierre. He's a computer programmer, I'm
19 concerned about his stability frankly. She deserves a
20 separation. She deserves to be able to get a divorce. We
21 believe that it's proper to set a hearing date. It
22 doesn't have to be in the next few months. It can be in
23 the summer, so that some adequate discovery can be had
24 regarding some of the assets between them which are not
25 significant, but some of the, for example is bit coin,

1 valuing that, determining how to sell it and have some
2 other personal property.

3 THE COURT: Okay.

4 MR. LA PIERRE: Can I address what was said
5 please?

6 THE COURT: Yes.

7 MR. LA PIERRE: Okay. She said a number of
8 false things and what she just said, I don't know, can we
9 go through them and address each one?

10 THE COURT: Sure.

11 MR. LA PIERRE: Do we have a recording of what
12 she had just said? Because she made a number of claims.

13 THE COURT: Everything here is being recorded.

14 MR. LA PIERRE: Okay. Can we read it back
15 because it's going to take a while to go through all those
16 false claims?

17 THE COURTS: No, it's being audio, it's being
18 audio recorded. You may address whatever you like.

19 MR. LA PIERRE: Okay. I have not voluntarily
20 separated from Kim. We don't actually have a separation.
21 Many of Kim's things are still at our house that we both
22 have a lease for that we're paying for. I believe in the
23 complaint they talk about some of those items. Like I
24 said, it's, they claim I voluntarily separated and that is
25 just a false statement.

1 THE COURT: Okay.

2 MR. LA PIERRE: They've claimed I've threatened
3 them and harassed them. That's also false. Or intimidated
4 them, that's false.

5 THE COURT: Okay.

6 MR. LA PIERRE: I have a list of a number of
7 false statements they've made prior to this. It's not
8 true that I've invoiced them for my time preparing for
9 this case. That's totally false. The invoices are for my
10 time spent making complaints to the Court of Appeals for
11 them violating multiple rules of the rules governing the
12 bar.

13 THE COURT: All right. Is it correct that you
14 have called their office over 75 times?

15 MR. LA PIERRE: I don't believe it's been 75
16 times. The last communication was from Sogand. I believe
17 she'd said 70 times. On the paper that she has that she
18 was talking about, she received in an email, that was a
19 response to an email that she sent to me. She seems to
20 not read it. She claims things are gibberish. She's told
21 me before that she's not going to talk to me about
22 anything because she thinks that I'm losing my mind.

23 THE COURT: Have you spoken to an attorney about
24 this case?

25 MR. LA PIERRE: I've spoken to these attorneys,

1 I spoke to somebody in the --

2 THE COURT: An attorney who would help you, not
3 one who's helping your wife.

4 MR. LA PIERRE: Well I don't think they're
5 actually helping my wife but I did speak to an attorney in
6 the, I don't know what it's called, outside of J and --

7 THE COURT: The Family Court Self Help Center.

8 MR. LA PIERRE: Yeah. Somebody directed me over
9 there.

10 THE COURT: Okay.

11 MR. LA PIERRE: I'd also like to point out the
12 summons in this case --

13 THE COURT: Ah-huh.

14 MR. LA PIERRE: -- was false and I was also
15 served a false certificate of service. I have a letter
16 from Lisa Bailey (phonetic sp.) the section supervisor
17 central intake center stating contradictory facts to the
18 summons in this case. Well I dispute it's a case, but --

19 THE COURT: Are you, are you asking me to do
20 anything about those allegations that the summons in
21 false?

22 MR. LA PIERRE: Well, it's just further evidence
23 this is not like a real case and false statements are
24 being made over and over and over in this matter
25 particularly by Sogand Zamani and also Amanda, but mostly

1 by Sogand.

2 THE COURT: Are you claiming that you never
3 received the Court papers?

4 MR. LA PIERRE: I received a summons, but it
5 told me to go to a location. When I went to that location
6 they told me that was not the right location. They told
7 me to go somewhere else and they shut the door in my face.

8 THE COURT: Okay. Did the summons attach the
9 complaint for legal separation?

10 MR. LA PIERRE: It's right here. I mean, I
11 don't believe it's a valid complaint but there is
12 something on here that's called a complaint for legal
13 separation of the release.

14 THE COURT: Okay. Well then it appears that you
15 were properly served. Okay? So I'm going to move past
16 that.

17 MR. LA PIERRE: But I'm just saying, the
18 directions on the summons they said to go to a location,
19 that location said they're not going to accept my
20 response. They told me to go elsewhere.

21 THE COURT: Okay. Here's what I think it makes
22 the most sense to do. I think we should bifurcate this
23 proceeding and that I should have a hearing fairly soon
24 about the question of the voluntariness of the separation,
25 because if I find that the separation was involuntary, I'm

1 going to have to dismiss the case and I think it makes
2 sense to do that sooner rather than later if that were
3 what had happened.

4 MR. LA PIERRE: But -- on testimony that I have
5 not voluntarily separated --

6 THE COURT: I understand.

7 MR. LA PIERRE: -- but they're trying to,
8 they're attempting to take away my agency. Basically.

9 THE COURT: I'm going to have a hearing. Not
10 today, but on a different day and Ms. La Pierre is going
11 to testify directed by her lawyer. She's going to answer
12 questions to testify about how you separated and why she
13 believes it was voluntary on both sides. And then you're
14 going to have a chance to testify and tell me why you
15 think it was not voluntary and either of you is welcome to
16 bring in witnesses if they can shed light on that
17 particular question.

18 MR. LA PIERRE: Are you prepared to hold a jury
19 trial for that?

20 THE COURT: There is no jury trial on a
21 complaint for legal separation. I will be the fact-
22 finder.

23 MR. LA PIERRE: What is the amount at
24 controversy here?

25 THE COURT: I am going to hold a hearing

1 initially, only on the complaint for legal separation
2 without addressing any of the property issues, the bit
3 coin and so forth, that's between you. Okay? If I find
4 that the separation was not mutual and voluntary, I will
5 dismiss the case.

6 MR. LA PIERRE: Okay.

7 THE COURT: If I find that the separation was
8 mutual and voluntary, then that's going to be my finding
9 and I will allow the case to go forward and you'll conduct
10 discovery and go back and forth about the property and
11 whatever other issues are between you. Okay? But I don't
12 want you to do all of that until I decide about the
13 voluntariness of the separation. So --

14 MR. LA PIERRE: What would make it voluntary?

15 THE COURT: I can't give you legal advice, sir.
16 I'm just telling you how I intend to proceed.

17 MR. LA PIERRE: Well it's not legal advice. I
18 have not voluntarily separated.

19 THE COURT: Yes. You said that. All right.

20 MS. ZAMANI: Your Honor, if I may briefly, we
21 have served discovery in the matter.

22 MR. LA PIERRE: And as I said, it wasn't
23 properly served.

24 THE COURT: Please don't, please don't
25 interrupt.

1 MS. ZAMANI: I don't expect to get a response,
2 frankly, so I'm not quite certain that an order not to do
3 discovery would change the fact that I would like to be
4 able to, if needed, issue a subpoena to obtain a
5 retirement statement or to obtain some information
6 regarding work history. I don't anticipate Mr. La Pierre
7 being cooperative in any regard so, because he's pro se, I
8 think discovery is sometimes difficult anyway. I would
9 ask the Court not to prevent Ms. La Pierre from conducting
10 simple discovery to obtain some simple information.

11 THE COURT: She's welcome to do that. It's
12 really in my mind a question of cost if you want to go
13 forward and do that while this question is pending, but,
14 the case has gone forward, you don't need my permission to
15 conduct discovery.

16 MR. ZAMANI: I just wanted to make sure the
17 Court wasn't preventing it with that prior statement.

18 THE COURT: No. But what I will do is, I'll, I
19 will suspend temporarily Mr. La Pierre's obligation to
20 respond to discovery until I make a decision about
21 voluntariness.

22 MS. ZAMANI: Okay. Thank you.

23 THE COURT: Okay?

24 MR. LA PIERRE: Can I address that?

25 THE COURT: No. I'm going to pick a date. Ms.

1 Zamani, do you anticipate having any witnesses on this
2 question other than your client?

3 MS. ZAMANI: Could I have the husher for just
4 one moment?

5 THE COURT: Sure.

6 (Pause.)

7 MS. ZAMANI: Your Honor, most likely not.
8 Either way I can't imagine her testimony taking more than
9 a total of an hour. Even if we had a witness that would
10 corroborate some facts, I can't imagine it would take very
11 long on the simple issue of separation.

12 THE COURT: Okay. All right.

13 MR. LA PIERRE: Why haven't they already
14 addressed this issue?

15 THE COURT: This is a question of evidence that
16 I'm going to have to hear and make a decision. She has
17 one version of the facts, you have another and I'm going
18 to be the person who decides which I believe, okay? So I
19 have to have a hearing, not today, to decide that. Now,
20 I'm looking at the calendar to pick a date.

21 MR. LA PIERRE: I understand that. I'm just
22 curious why we can't do that now, or why it hasn't already
23 been, happened.

24 THE COURT: Do you see this courtroom full of
25 people? That's why we're not doing it now. Okay? Why

1 don't, let's see, is Monday, April 30th in the afternoon
2 available?

3 MS. ZAMANI: Your Honor, Mr. La Pierre has just
4 handed me more documents, what are these, sir?

5 MR. LA PIERRE: This was sent to you last night,
6 these are violations of your professional ethics. 13
7 false statements of material fact, false communication,
8 false summons, false certificate of service, failure to
9 produce material artifacts. There is additional
10 violations that I've discovered as well.

11 THE COURT: Well, none of that appears to be
12 before me right now. All right. If you would like to
13 file something, you can go down to the central intake
14 center and file it and I'll review it. All right? But
15 I'm not going to accept filings right here. Okay?

16 MR. LA PIERRE: Those are just the facts.

17 THE COURT: All right.

18 MS. ZAMANI: We're available on April 30th, Your
19 Honor.

20 THE COURT: All right. Are you available on
21 April 30th in the afternoon?

22 MR. LA PIERRE: I am not sure. What time?

23 THE COURT: 2 o'clock.

24 MR. LA PIERRE: It's possible. I don't know.

25 THE COURT: Okay.

1 MS. ZAMANI: Your Honor, Mr. La Pierre is not
2 currently employed by anybody and is self-employed.

3 THE COURT: Okay.

4 MR. LA PIERRE: I'm very busy. They sent me a
5 number of things, they sent me like a 50-item
6 questionnaire.

7 MS. ZAMANI: Request for production of
8 documents.

9 MR. LA PIERRE: Yeah, so I've requested many
10 documents from them. They've produced none of them. They
11 don't respond. Like I said, they've told me they're not
12 going to talk to me about anything.

13 THE COURT: Okay. Well, I am putting a pause
14 on everybody's obligation to respond to discovery until I
15 have this hearing so the questions they've sent you and
16 the documents they've asked for, you don't have to respond
17 to any of that until I make a decision about this initial
18 question.

19 MR. LA PIERRE: Okay.

20 THE COURT: All right? And they also don't have
21 to answer any of the things that you have sent until I
22 make a decision about this. Okay? So, since I'm not
23 hearing that you have a specific conflict, I'm going to
24 set this for an evidentiary hearing on Monday, April 30th
25 at 2:00 p.m. solely on the question of whether the

1 separation was mutual and voluntary. So that's all I'm
2 going to hear about. Okay? You're welcome to present
3 whatever evidence you think is relevant to that question.

4 MR. LA PIERRE: Well I'm telling you, I haven't
5 voluntarily separated. I don't know what else, what other
6 evidence there could be.

7 THE COURT: Okay. Well I'm going to hear it on
8 the --

9 MR. LA PIERRE: That's a question of my own
10 volition.

11 THE COURT: Okay. I strongly encourage you, Mr.
12 La Pierre to get an attorney in this case.

13 MR. LA PIERRE: Why?

14 THE COURT: Your wife has an attorney and when
15 one side has a lawyer and the other one does not things
16 can be very lop-sided.

17 MR. LA PIERRE: Well, as I said, these attorneys
18 are not competent and it's proven by these facts.

19 THE COURT: Okay. Well it's your choice whether
20 to get an attorney or not, but that's just my
21 recommendation to you, is that you seek counsel. So --

22 MR. LA PIERRE: Why do you make that
23 recommendation?

24 THE COURT: -- that's all for today. I will see
25 everyone on April 30th at 2:00 p.m.

1 MR. LA PIERRE: Why do you recommend that I see
2 an attorney?
3

4 THE COURT: That's all I have to say to you
5 about that, sir. April 30th and 2:00 p.m.

6 MS. ZAMANI: Thank you, Your Honor.

7 MS. LA PIERRE: Thank you, Your Honor.

8 (Thereupon the proceedings were concluded.)
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√ Digitally signed by Laurie A. Kohl

ELECTRONIC CERTIFICATE

I, Laurie A. Kohl, transcriber, do hereby certify that I have transcribed the proceedings had and the testimony adduced in the matter of KIMBERLY LA PIERRE v. BLAKE LA PIERRE, Case No. 2018 DRB 000472 in said Court, on the 22nd day of March 2018.

I further certify that the foregoing 18 pages constitute the official transcript of said proceedings as transcribed from audio recording to the best of my ability.

In witness whereof, I have hereto subscribed my name, this 5th day of April 2018.

A handwritten signature in black ink, appearing to read "Laurie A. Kohl", is centered on the page. The signature is written in a cursive, flowing style.

Transcriber