

In The Matter Of:
TARA KATELYN WALSH vs.
STEPHEN GRANT RUSSELL,

B E F O R E: HON. ESTHER R. FURMAN
February 7, 2019

Aarons Court Reporting
175 Main Street, Suite 515, 5th Flr.
White Plains, NY 10601
914-506-1288

STATE OF NEW YORK
COUNTY OF WESTCHESTER: FAMILY COURT

-----x
TARA KATELYN WALSH,

Petitioner,

- against -

Family Unit: 154703
Docket Nos.:
O-06917-18/18A
O-06917-18/18C
V-07641-18

STEPHEN GRANT RUSSELL,

Respondent.

-----x

111 Martin Luther King Blvd.
White Plains, New York 10601
February 7, 2019

B E F O R E: HON. ESTHER R. FURMAN

A P P E A R A N C E S:

LYDIA ANTONCIC, ESQ., Attorney for Petitioner
JASON ADVOCATE, ESQ., Attorney for the Respondent
TARA WALSH, Petitioner
STEPHEN RUSSELL, Respondent

Electronic Proceeding Transcribed By:

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PETITIONER

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RESPONDENT

Exhibit No.	Description	ID	Evidence

COLLOQUY

1 [Audio CD, counter 2:35:13 p.m.]

2 COURT OFFICER: We'll have Ms. Walsh sit at this
3 table, Mr. Russell at this one. Okay. Good afternoon.
4 This is number 35 on the calendar in the matter of Walsh
5 and Russell. Counsel, your appearance.

6 MS. ANTONCIC: Lydia Antoncic, 8 Madison Avenue,
7 Second floor, Valhalla, New York, 10595, for the
8 Petitioner, Tara Walsh. Good afternoon, Your Honor.

9 THE COURT: Good afternoon.

10 MR. ADVOCATE: Jason Advocate, Advocate, LLP,
11 1540 Broadway, New York, Yew York, for the Respondent,
12 Stephen Russell, who is here to my left. Good afternoon.

13 THE COURT: Good afternoon.

14 COURT OFFICER: Parties, please raise your right
15 hands. Do you swear and affirm to tell the truth?

16 T A R A W A L S H, a witness herein, was
17 examined and testified as follows:

18 MS. WALSH: Yes.

19 S T E P H E N W A L S H, a witness herein, was
20 examined and testified as follows:

21 MR. WALSH: I do.

22 COURT OFFICER: And your name and address unless
23 confidential.

24 MS. WALSH: Tara Walsh, 394 Whipoorwill Road,
25 Chappaqua, New York, 10514.

COLLOQUY

1 COURT OFFICER: Thank you, sir.

2 MR. WALSH: Stephen Russell, 301 Mission Street,
3 55D, San Francisco, California.

4 COURT OFFICER: Thank you, you may be seated.

5 THE COURT: Okay. I'm sorry you weren't able to
6 resolve it, but I'm ready to begin.

7 MS. ANTONCIC: Okay. If I could just have two
8 minutes to set up or one minute to set up.

9 THE COURT: Just asking, were you very far apart?

10 MS. ANTONCIC: If we could go off the record.

11 (Off the record 2:36:59 to 3:01:28)

12 MR. ADVOCATE: I think we should start, and we'll
13 continue our discussions after today, Your Honor --

14 THE COURT: All right.

15 MR. ADVOCATE: -- and see if we can reach
16 somewhere.

17 THE COURT: Fair enough.

18 MR. ADVOCATE: -- but for now, we should --

19 THE COURT: Fair enough. I guess you should just
20 recall it. We're just

21 COURT OFFICER: Okay.

22 THE COURT: Take three, (inaudible). Go ahead.

23 COURT OFFICER: This is a recall of number 35 in
24 the matters of Walsh and Russell. Counsel, your
25 appearances.

COLLOQUY

1 THE COURT: Well, we don't have to do that again.

2 COURT OFFICER: Oh. No? Okay.

3 THE COURT: I think you just call the case and --

4 COURT OFFICER: Okay, then. Please be advised
5 you're still under oath. Parties and Counsel remain the
6 same.

7 THE COURT: Perfect. Thank you.

8 MS. ANTONCIC: Good -- good afternoon, Your
9 Honor. We're here today on Ms. Walsh's petition seeking
10 basic child support add-ons, health insurance, and counsel
11 fees filed July 25th, 2018.

12 At the outset, Your Honor, I'd like to object to
13 Mr. Russell's financial disclosure affidavit which I
14 received just an hour ago, and the Court ordered, according
15 to the October 23rd, 2018, transcript that Mr. Russell
16 provide an FDA most recent tax return, W2, three pay stubs,
17 and proof of income from all sources.

18 We did receive an FDA, but again, it's an hour
19 ago, tax returns and W2s, but we did not receive the other
20 items.

21 MR. ADVOCATE: We -- Your Honor, we produced
22 treatment returns and W2s which are really the best
23 evidence of all of his income. We got W2 from 2018 --

24 THE COURT: Well, I just don't care. What's
25 missing?

COLLOQUY

1 MS. ANTONCIC: The pay stubs --

2 THE COURT: Okay.

3 MS. ANTONCIC: -- and proof of income from all
4 sources.

5 THE COURT: Yeah, so --

6 MS. ANTONCIC: Mr. Russell --

7 THE COURT: -- whatever I ordered is pursuant to
8 424A, so it's not -- it's not optional.

9 MR. ADVOCATE: I know -- no, Your Honor, I think
10 the -- I think the

11 MR. WALSH: I provided you pay stubs. I provided
12 you pay stubs.

13 MR. ADVOCATE: I may have pay stubs here. I'm
14 just going to take a quick look. Give me one second.

15 MR. WALSH: I don't have any (inaudible).

16 MS. ANTONCIC: But, Your Honor, I mean, this is
17 the hearing date, and I would ask that --

18 THE COURT: Can I make the following point?
19 Mandatory disclosure, whatever they brought I'm going to
20 look at. I'm not going to preclude. There was no --

21 MR. ADVOCATE: Here's a pay stub.

22 THE COURT: -- prehearing motions. There's no
23 preclusion that's happening today, especially since we all
24 recognize we're not even going to finish today so anything
25 that he doesn't have today, I will give him an extra week

1 or so to get to you.

2 I -- I have now Ms. Walsh's documentation. It
3 was given to me today.

4 MS. ANTONCIC: Yeah, we filed an updated one.

5 THE COURT: And does Mr. Advocate have your
6 client's documentation?

7 MS. ANTONCIC: Yeah, I provided him an updated
8 copy earlier today as well.

9 THE COURT: Okay. So anything that is missing we
10 can supplement, but I don't think that if your point that I
11 should now preclude him, I'm not going to grant that
12 request. That would be the only reason that you're raising
13 it, unless you want me to order that he produce something
14 within a short time frame, I -- I will do so.

15 MS. ANTONCIC: Well, I mean, and -- and -- I -- I
16 -- I think that at the conclusion of today -- I think we're
17 going to be requesting additional discovery, based on his
18 testimony and whatnot. I mean, I -- I want to know more
19 about his --

20 THE COURT: I don't even know that we're going to
21 get to his testimony.

22 MS. ANTONCIC: No, we're --

23 THE COURT: -- today, right --

24 MS. ANTONCIC: -- probably not, Your Honor.

25 THE COURT: -- so. Okay? And there's not going

1 to be a huge discovery order because we're -- we're already
2 at a trial point. If there's a paycheck stub, you should
3 get that.

4 MR. ADVOCATE: I just -- I'm just handing 2018's
5 December and 2019 January pay stubs to -- to Ms. Antoncic.

6 THE COURT: Thank you.

7 MS. ANTONCIC: Well, the one thing I would ask
8 for at the adjourn date is information and discovery
9 related to Mr. Russell's holding; what corporations he
10 owns, what percentage interest he owns, values, things of
11 that nature, and I can put it in a formal discovery
12 request.

13 THE COURT: Why would we be doing that on the
14 date of trial? No. We're not doing that.

15 MS. ANTONCIC: He --

16 THE COURT: No, we're not. This is trial. We
17 should -- if I didn't let you discuss, we would've been an
18 hour into the trial.

19 MS. ANTONCIC: I understand, Your Honor. You
20 asked -- you asked if I wanted additional discovery --

21 THE COURT: No, I -- I --

22 MS. ANTONCIC: -- so that's why I asked.

23 THE COURT: -- no, documentation, not discovery.

24 MS. ANTONCIC: Okay. Okay.

25 THE COURT: In other words, pay checks stub,

1 whatever.

2 MS. ANTONCIC: That's fine -- that's fine.

3 That's fine.

4 THE COURT: Let's -- you may call your -- you may
5 call your witness.

6 MS. ANTONCIC: Okay. Well, before I do that, I
7 just want to ask for the Court to take judicial notice of
8 certain items.

9 One would be the amended temporary order of
10 support, entered on November 21st, 2018. The second would
11 be -- and I have an extra copy for Your Honor because I
12 don't -- well, I know that this would not be here which is
13 the income and expense declaration that Mr. Russell filed
14 in California. The third --

15 THE COURT: What --

16 MS. ANTONCIC: -- would be --

17 THE COURT: I -- Counsel, I don't think I can
18 take judicial notice of those.

19 MS. ANTONCIC: It's a court pleading.

20 THE COURT: If you wanted to put the document
21 into evidence, I understand that.

22 MS. ANTONCIC: Okay.

23 THE COURT: Okay? So I can take judicial notice
24 of orders, so the temporary order I will take judicial
25 notice of, absolutely, or any other orders in this family

1 court file, I will take judicial notice of. Any other
2 documents you can put into evidence in the course of the
3 hearing through the appropriate witness.

4 MS. ANTONCIC: Okay. Well, it's a court -- it's
5 a court pleading, that's why, but that's fine. We could do
6 it as --

7 THE COURT: Is it -- is it Westchester County?

8 MS. ANTONCIC: No, it's not. It's --

9 THE COURT: (Inaudible)

10 MS. ANTONCIC: -- in California. So it would --
11 okay.

12 THE COURT: If it's certified. Is it a certified
13 copy? Then perhaps I would say you're correct, but --

14 MS. ANTONCIC: Let me see if it's certified. I
15 don't see a certification here, so we'll --

16 THE COURT: Okay. Okay.

17 MS. ANTONCIC: -- we'll use it as an exhibit,
18 it's fine.

19 THE COURT: You can put it in through a witness.
20 Do you -- do you wish to proceed? Do you --

21 MS. ANTONCIC: Yeah, I just --

22 THE COURT: (Inaudible) couple more things?

23 MS. ANTONCIC: -- couple -- couple more -- couple
24 more -- couple more.

25 THE COURT: Couple points, okay.

1 MS. ANTONCIC: One is the -- an interim counsel
2 fee order entered by Judge Gordon-Oliver dated January
3 10th, 2019, where based on the parties' income Mr. Russell
4 was ordered to pay \$15,000 in counsel fees. And another
5 order from Judge Gordon-Oliver dated November 24th, 2018,
6 where Mr. Russell was ordered to pay 100 percent of the
7 AFCs fees.

8 November 26th, 2018, also from Judge Gordon-
9 Oliver that MR. Russell was ordered to pay 100 percent of
10 Dr. Heimowitz, the forensic fees and likewise that he was
11 ordered to pay 100 percent of Dr. Griffin, the substance
12 abuse evaluator's fees and that order is dated December
13 18th -- December 18th, 2018, so that -- that's it for that.

14 THE COURT: Yes, Counsel, I will take judicial
15 notice of the orders.

16 MS. ANTONCIC: Thank you, Your Honor. So now I'd
17 like to call my client.

18 THE COURT: Yes, you may. Do you wish to put her
19 on the stand?

20 MS. ANTONCIC: Do you want to go on the stand?

21 MS. WALSH: I do -- whatever.

22 MS. ANTONCIC: Sure.

23 THE COURT: It's up to you. You would prefer her
24 on the stand?

25 MR. ADVOCATE: I would prefer, if you don't mind,

1 Your Honor. It's much easier to hear.

2 THE COURT: Absolutely. Please take the stand.
3 Ma'am, I'm just going to tell you, when your attorney
4 questions you if there's an objection, don't answer until I
5 rule. Okay?

6 MS. WALSH: Okay.

7 THE COURT: Thanks. You may proceed.

8 MS. ANTONCIC: The officer put her address on the
9 record, correct? So I don't --

10 THE COURT: You can just go right to the
11 questions.

12 MS. ANTONCIC: Okay.

13 DIRECT EXAMINATION

14 BY MS. ANTONCIC

15 Q. Ms. Walsh, what is your relationship to the
16 Respondent?

17 A. He's my former domestic partner, and the father of my
18 daughter.

19 Q. And what is your daughter's name.

20 A. Evelyn Grace Walsh.

21 Q. And her age -- date of birth, rather.

22 A. January 27, 2018. She's just over 12 months.

23 Q. You -- you indicate you gave your address as in
24 Chappaqua, New York. How did you come to live there?

25 A. Well, Evie was born in Manhattan and our home was in

1 Brooklyn, in Carroll Gardens. We ended up having to go to live
2 in San Francisco with her father because of pretty much
3 financial pressures.

4 MR. ADVOCATE: Objection, Your Honor, beyond the
5 scope of the question.

6 MS. WALSH: Well, she -- so --

7 THE COURT: (Inaudible)

8 MS. WALSH: Yeah.

9 MR. ADVOCATE: The question was simply how did
10 she come to live in Chappaqua, and we're getting a
11 dissertation about --

12 THE COURT: And I -- I -- I think Ms. Walsh
13 thinks she's giving me the -- the history -- so just get to
14 when you got to Chappaqua.

15 MS. WALSH: So I got Chappaqua in January -- June
16 of 2016. I had to come back to Chappaqua because I was --

17 MR. ADVOCATE: Objection, Your Honor.

18 THE COURT: Sustained. Could you rephrase your
19 question so we can talk about the time frame more, you
20 know, in connection with the birth of --

21 MS. ANTONCIC: Well, yeah --

22 THE COURT: I think she was born in 2018.

23 MS. ANTONCIC: -- we -- we can -- no, she was
24 born in 2017, no?

25 MS. WALSH: Oh, so (inaudible) the calendar's --

1 MS. ANTONCIC: Oh, right January, '18, you're
2 right.

3 MS. WALSH: Yeah, January 2018.

4 MS. ANTONCIC: I'm sorry. I knew she was just
5 turned one.

6 MS. WALSH: Yeah.

7 MS. ANTONCIC: That's fine, Your Honor. I just
8 wanted to -- what I'm trying to get to -- to get to is the
9 difference in the housing.

10 MS. WALSH: Yeah, I mean, I, like -- can I --

11 MS. ANTONCIC: Okay. So how about this? How
12 about this? Let's start with this.

13 Q. Where did you live when you first became pregnant with
14 Evie?

15 A. I lived in Manhattan --

16 Q. Uh-huh.

17 A. -- in Midtown. And when I was around five months'
18 pregnant, I moved to Brooklyn, right near my older sister and
19 her family.

20 Q. Can you please describe what your residence in
21 Brooklyn looked like?

22 A. We had an apartment in a brownstone on the second
23 floor. It was two bedrooms, a bathroom, a huge open living
24 space with a kitchen. It was in, you know, one of the nicest
25 parts of Brooklyn, like the part that's known to be like the

1 best place to raise kids and families. There's a lot of baby
2 classes, kid's stores --

3 THE COURT: Okay (inaudible) much better.

4 MS. ANTONCIC: How much -- how much was --

5 THE COURT: Better.

6 Q. How much was your rent?

7 A. It was \$3800 a month which was more than I was used to
8 paying myself, but Mr. Russell was paying the rent for me and my
9 daughter.

10 Q. So he was paying your rent?

11 A. Yes.

12 Q. Was he paying any other expenses for you or your
13 not-yet born daughter?

14 A. Yes, he was fully paying for everything. I was told
15 that I had no financial strains, that money wasn't an option. I
16 was always encouraged by him not to work, although I continued
17 working to the best of my ability. I did have a hard pregnancy,
18 but Mr. Russell -- I had numerous ones of his credit cards. He
19 also --

20 THE COURT: All right. You're going (inaudible).

21 MS. ANTONCIC: Well, we'll -- we'll -- we'll get
22 to that.

23 THE COURT: I have a question.

24 MS. WALSH: Yes.

25 THE COURT: While you're in Brooklyn in this

1 beautiful apartment, were you living there alone with the
2 child or with the three of you?

3 MS. WALSH: Alone.

4 THE COURT: Oh.

5 MS. WALSH: Just me and my daughter.

6 THE COURT: Okay.

7 MS. WALSH: That was -- well, we only were there
8 for a month-and-a-half before we were -- Mr. Russell was
9 supposed to fully financially support me after my daughter
10 was born, and I gave up the majority of my business. I
11 have a marketing consulting business. And shortly after
12 she was born, he went back to California and he refused to
13 give me the money he had promised to give me. So I ended
14 up having to go back to California. I didn't want to.

15 THE COURT: To California?

16 MS. WALSH: Yeah.

17 THE COURT: All right.

18 MS. WALSH: He made me go all the way back there.

19 THE COURT: So you moved to California --

20 MS. WALSH: Yeah, and I didn't -- I didn't want
21 to --

22 THE COURT: Can you give me the month and the
23 year?

24 MS. WALSH: March 2018. So my daughter was only
25 a month-and-a-half old. She wasn't really old to be -- old

1 enough to be traveling, but Mr. Russell put --

2 THE COURT: Okay. But --

3 MS. WALSH: Yeah.

4 THE COURT: -- so March 2018, you moved to
5 California. Were you living together then?

6 MS. WALSH: We -- we -- I moved in with him, yes.

7 THE COURT: You moved in with him? Okay.

8 MS. WALSH: Yes.

9 THE COURT: And then, at some point, you moved
10 back to New York, and when was that?

11 MS. WALSH: It was in June -- the very beginning
12 of June 2018.

13 THE COURT: So it was just a few months later?

14 MS. WALSH: Yeah.

15 THE COURT: Okay.

16 MS. WALSH: Yeah.

17 THE COURT: Okay. You can take it from there.

18 MS. ANTONCIC: Okay. Sure.

19 Q. So when you moved to San Francisco, can you please
20 describe -- did you move in with Mr. Russell's -- I'm sorry,
21 strike that. When you moved to San Francisco, you lived with
22 Mr. Russell, you testified, right?

23 A. Yes.

24 Q. Okay. Can you please describe what -- what his
25 residence looked like?

1 A. So at first, we moved into a house that he owned, that
2 -- it was his mother's house. It was a three-bedroom house in
3 San Francisco. We were staying there temporarily until we found
4 our own place. It was, you know, a 1.52-million-dollar town
5 home that Mr. Russell owned that was his mother's. And then we
6 moved into -- we lived in a few different places but the main
7 place we moved into that was supposed to be our home was at 305
8 Mission Street on the 55th floor. It was a -- I think \$16,000 a
9 month penthouse. You know, like incredibly fancy apartment that
10 was --

11 Q. How many bedrooms?

12 A. It was two bedrooms and three bathrooms.

13 Q. Did Mr. Russell have any household staff?

14 A. yes, Mr. Russell had a lot of household staff. He had
15 a full-time security team, that I was told by him at numerous
16 points was anywhere from, I believe, like \$9000 a day. So a
17 team of full-time security guards. We had our apartment on the
18 55th floor. They had their own apartment on, I believe it was
19 the 8th floor that was \$8000 a month.

20 Q. I'm sorry, who had their own apartment?

21 A. His security team.

22 Q. And who paid for that?

23 A. Mr. Russell. So he was paying the \$16, the \$8 and
24 then also the mortgage on his mother's house then. So there was
25 a full-time security team that drove us around as well, so

1 whenever I left the house, they would drive me places. They were
2 with Mr. Russell all the time. There was probably three
3 different security people working at any given time. They
4 worked 24 hours a day. We also had a personal chef who was
5 cooking vegan raw food which I didn't really like. Mr. Russell
6 had asked for that. There was a full-time nanny that lived with
7 us. There was a personal assistant for Mr. Russell that also
8 helped me out. My daughter also was a member of a concierge
9 medical practice that cost \$40,000 a year for enhanced medical
10 services. She had had a few small VSD holes in her heart, so
11 she was, you know, brought to the best doctors and best
12 cardiologists that were, apparently, affiliated with Stanford.
13 I'm trying to think of what other --

14 Q. Well, just going back to the chef. Do you know how
15 much the chef was paid?

16 A. I don't, but I know that prior she had worked for --
17 what is his name? He was like one of the Facebook guys. Steve
18 probably knows his name. This billionaire tech guy. She was
19 his private chef before --

20 Q. And what about --

21 A. -- working for Steve.

22 Q. -- the -- the nanny? How much was the nanny paid?

23 A. She was paid like \$35 an hour which I thought was too
24 much that she was asking. It was like \$35 or \$40 an hour, but
25 she was making approximately \$4 -- to \$7000 a week. A week, she

1 was making.

2 Q. So you were working?

3 A. I -- I was trying to work. Living -- I don't want to
4 get into too many details and get objected but living with Mr.
5 Russell was very time-consuming and took a lot out of me, for a
6 variety of reasons, which is why he now has to have supervision,
7 but I tried to work. And the point -- one of the biggest
8 reasons I ended up going back to San Francisco with my daughter
9 is because he offered to pay for a nanny which he had refused to
10 do, even though he had promised to in New York. So I went back
11 to California to be able to start working. I have a handbag
12 business and a marketing consulting business -- to start making
13 money and save enough money for me to then be able to go back to
14 New York and feel financially secure, but when I was I
15 California and I was trying to work, Mr. Russell started getting
16 very angry that I was working, and he told me -- he basically
17 told me one day, if I was working and I had savings in the bank,
18 then I could leave whenever I wanted to. So he said that if I
19 wanted to continue working that I had to pay for 50 percent of
20 the nanny, which obviously, I couldn't afford. So at a certain
21 point I just kind of like gave up working. I mean, I still
22 maintained one client that I still have for my marketing
23 business, but --

24 Q. Well, let's -- let's just take a step back. What
25 discussions, if any, did you and Mr. Russell have about the kind

1 of lifestyle you wanted to provide for Evie?

2 A. So first of all, me and Mr. Russell were together for
3 like three, three-and-a-half years. I had gotten pregnant
4 accidentally early in our relationship. I had a --

5 MR. ADVOCATE: Objection, Your Honor. This is
6 not responsive to the question.

7 THE COURT: Sustained.

8 Q. Well, what discussions did the two of you have about
9 the lifestyle you wanted to give Evie?

10 A. We had -- first of all -- Evie was not a mistake, in
11 many years. We were trying to have --

12 MR. ADVOCATE: Objection, Your Honor.

13 THE COURT: Sustained.

14 Q. Well, what did you say, what did he say, about what
15 kind of lifestyle you wanted Evie to have?

16 MR. ADVOCATE: Your Honor, I'm just -- I'm also
17 going to object to this. I don't think discussions about
18 what kind of lifestyle you hope to have in the future is
19 relevant.

20 MS. ANTONCIC: It's one of the factors, Your
21 Honor.

22 THE COURT: Well --

23 MS. ANTONCIC: It's one of the factors, the kind
24 of life -- the standard of living the child would have
25 enjoyed if the parties stayed together.

1 THE COURT: -- you're doing a fine job creating a
2 picture of what life was like, but what the words were in
3 terms of future promises, I -- I don't need to hear, so --

4 MS. ANTONCIC: Okay.

5 THE COURT: -- I'll sustain the objection.

6 Q. So let's talk about your business for a second.
7 What's the name of the business?

8 A. Vital Branding.

9 Q. How, prior to getting pregnant with Evie, how much
10 were you earning?

11 A. Anywhere from 150 to the max I made right before I met
12 Steve was like \$230,000 a year.

13 Q. And you testified that you stopped working when you
14 were pregnant with Evie when you were -- well, right after you
15 had Evie when you were in San Francisco.

16 A. Well, I significantly cut back on my clients while I
17 was pregnant because Mr. Russell really, really encouraged me
18 not to work, and he actually encouraged me to buy the most
19 expensive things, get the most expensive nannies. Like I had a
20 night nurse. He asked me to hire the most expensive night
21 nurse, which I didn't feel comfortable doing. But I ended up
22 doing that, even though I didn't -- but he -- when I was
23 pregnant, he encouraged me not to work. I gave up clients. I
24 had a hard pregnancy. I had preeclampsia so I was sick all the
25 time and it was hard for me to work.

1 Q. And how did --

2 A. So my business took a huge cut. And then when I had
3 to -- when I went to California with my daughter, when she was
4 only a month-and-a-half old, and it was very difficult for me to
5 work there, then it took an even bigger hit because I was so far
6 away from all my clients in New York.

7 Q. And how -- how much would you estimate was being spent
8 no Evie's care in San Francisco?

9 A. Evie -- so for the month-and-a-half I stayed in New
10 York, before we had to go back to California, Mr. Russell
11 refused to help pay for the costs when I was in New York for
12 that period, but when I got back to California, his banker wired
13 me \$12,000 basically to reimburse me for a month-and-a-half of
14 Evie's care. So I would say, I mean, I was spending a crazy
15 amount of money between her -- her nanny alone was probably \$20,
16 \$30,000 a month. She was getting like \$5000 a week. And then
17 on top of that.

18 THE COURT: Five thousand a week?

19 MS. WALSH: Yes, she was -- I -- I ended up
20 wanting to fire her because I thought she was like --

21 THE COURT: Who was paying \$5000 a week, you?

22 MS. WALSH: No, he was.

23 THE COURT: How do you know? Do you have proof
24 that that's --

25 MS. WALSH: Yeah, yeah, I have --

1 THE COURT: -- what he paid?

2 MS. WALSH: -- I put it all in my -- yeah, the
3 wire transfers that -- the emails that I sent to his
4 banking person.

5 THE COURT: Why?

6 MS. WALSH: Every -- every week I would have to
7 send his banking person an email with the amount for him to
8 wire the money for the nanny.

9 THE COURT: Sure.

10 MS. WALSH: Yeah.

11 THE COURT: Okay.

12 MS. WALSH: Yeah.

13 MR. ADVOCATE: I would ask that if there's proof,
14 it be submitted.

15 MS. WALSH: Yeah, it's in all my --

16 MS. ANTONCIC: I'm sure you'll cross examine her.

17 MR. ADVOCATE: I will.

18 Q. Going back to Evie's other expenses, how were they
19 paid for?

20 A. They were paid for by Steve and also, I just --

21 Q. How though?

22 A. How? Oh, I had access to like four of his different
23 credit cards that I used to pay for everything. I literally
24 didn't use my money to pay for like anything. Aside from like
25 business fees, like my Adobe subscription and stuff like that.

1 THE COURT: Your what?

2 MS. WALSH: Adobe for like Adobe Photoshop.

3 THE COURT: Oh, okay.

4 MS. WALSH: Yeah, yeah. Yeah, go ahead, I know
5 you can't just (inaudible).

6 Q. So you -- going back to -- now, you testified about --
7 you described your living conditions in Brooklyn and San
8 Francisco. Could you please describe your current living
9 conditions?

10 A. So I -- I -- we're living at my parents' -- me and my
11 daughter. We share a small bedroom in their attic. They have
12 like a super old house, so it's actually like freezing up there
13 all the time, so I have like a small heater in the room for us.
14 We -- we were never meant to stay there permanently, so my
15 daughter's been sleeping in a temporary crib. She has like a
16 temporary set of drawers. You know, I have like a -- I'm used
17 to having like my own comfortable bed and TVs, and I actually
18 have two dogs that are unable to live with us there, but --

19 THE COURT: Is this the home that you grew up in?

20 MS. WALSH: It's the home that I grew up in,
21 yeah, but I'm one of six kids, so three also live at home
22 right now --

23 THE COURT: Okay.

24 MS. WALSH: -- so it's not like --

25 THE COURT: So you -- you didn't have your own

1 room?

2 MS. WALSH: I had my own room growing up, yeah.

3 THE COURT: So you couldn't go back to the room?

4 MS. WALSH: My adopted sisters -- I have two
5 adopted sisters --

6 THE COURT: They're there?

7 MS. WALSH: -- yeah. So and we also -- we share
8 a bathroom with three of my other siblings. And we, you
9 know, obviously, I mean, there's like -- there's a lot of
10 love and a lot of people around, but I -- I do feel like
11 I'm not really providing the life for her and for myself
12 that I want. You know, it's not -- it's hard to be living
13 at home, you know, under your parents' roof when you're 34
14 years old.

15 Q. Where would you like to live?

16 A. I'd like to live in my own place with my daughter.

17 Mr. Russell's asked in this court process a lot that I have a
18 full-time nanny --

19 MR. ADVOCATE: Objection, Your Honor.

20 THE COURT: Sustained.

21 A. I would like to live in my own place. I would like to
22 get my two dogs back who, you know, were with me my whole
23 pregnancy and with my daughter.

24 Q. Where are they?

25 A. They're staying at an ex-boyfriend of mine's house.

1 He's taking care of them, thank God, so I didn't have to give
2 them away. Yeah.

3 Q. Now, when you said your own place, where -- where
4 would you like that --

5 A. Wherever I live I would like to live close to family,
6 so I looked at places in Chappaqua, which end up -- and I've
7 done a lot of extensive research. I'd like to live in like a
8 town home or an apartment. In Chappaqua, they seem to be much
9 more expensive than they would be if I move back to Brooklyn,
10 near my sister. The -- the apartments seem to be more
11 affordable there, but for the time being because my daughter's
12 been around my family in Chappaqua, I would like to stay in
13 Chappaqua in my own place.

14 Q. Okay. And I'd like to show you a copy of your
15 financial disclosure affidavit that you file --

16 THE COURT: Should we -- I think we should mark
17 it, right?

18 MS. ANTONCIC: Yeah, absolutely.

19 THE COURT: I'm going to mark this collectively
20 as Petitioner's 1.

21 MS. ANTONCIC: That would be great, Your Honor.

22 THE COURT: Is it the copy that was given to me
23 this morning?

24 MS. ANTONCIC: Yes.

25 THE COURT: So then she can -- oh, oh, yes.

1 Actually, I'll mark everything, and you can show it right
2 to her.

3 MR. ADVOCATE: Are you -- are you including right
4 now all the add-ins to it?

5 MS. ANTONCIC: Yeah, yeah.

6 MR. ADVOCATE: Okay.

7 MS. ANTONCIC: I mean, unless you have an
8 objection to it.

9 MR. ADVOCATE: Probably not, just give me a
10 second. I need --

11 MS. ANTONCIC: I mean, I'll do my best to
12 delineate what's there.

13 MR. ADVOCATE: Because it's often better to put
14 some of the -- some of the stuff under a separate label,
15 but that's fine.

16 Q. I'd like to direct your attention to page 5 of your
17 financial disclosure affidavit. In Item A, rent or mortgage
18 payment projected upon move out, you listed \$6800 as the figure.
19 How did you arrive at that figure?

20 A. So there's a new development. I don't know if the
21 judge is familiar with Chappaqua, but it's called Chappaqua
22 Crossings. There's -- where the old Reader's Digest used to be.
23 It's all condo units now and there's a Whole Foods. I've been
24 saying for awhile that it would be ideal to live there. It's
25 like less than a mile away from, my parents' house. It's close

1 to like her doctor, it's within walking distance, whatever, so I
2 recently inquired about what a three-bedroom would be --

3 MR. ADVOCATE: Objection, hearsay, Your Honor.

4 MS. WALSH: I --

5 THE COURT: I'm sorry which part is hearsay?

6 MS. ANTONCIC: Yeah, what?

7 MR. ADVOCATE: It's going to be hearsay because
8 she's going to -- she just said, "I inquired and they're
9 going to," and she's about to testify to what someone told
10 her it would cost to rent.

11 THE COURT: And so in --

12 MS. ANTONCIC: Well, it was -- yeah, sorry,
13 sorry.

14 THE COURT: -- I will sustain the objection as to
15 you're telling me what someone told you, but if you have
16 actual knowledge of the rents, then your attorney can ask,
17 and then you could just --

18 MS. ANTONCIC: Yeah.

19 Q. What knowledge do you have about comparable rents in
20 Chappaqua?

21 A. Well, for the Chappaqua Crossings, I talked to someone
22 that, you know, is an official person that works for Chappaqua
23 Crossings and specifically asked what units were available.

24 THE COURT: He's just going to object again --

25 MS. ANTONCIC: Okay.

1 THE COURT: -- because you can't say what someone
2 said.

3 MS. ANTONCIC: Ms. --

4 MS. WALSH: Oh, okay.

5 MS. ANTONCIC: -- you can only say what you --

6 MR. ADVOCATE: And I -- and I think, Your Honor

7 --

8 MS. ANTONCIC: -- know.

9 MR. ADVOCATE: -- at the end of the day, any
10 answer she's going to have is going to be based on what
11 this person said.

12 THE COURT: Unless you've actually seen an
13 apartment and know what the rent is, then --

14 MS. WALSH: Yeah, I do. Yeah, I do, and I have
15 personal knowledge.

16 THE COURT: All right. Then, how much is it?

17 MS. WALSH: \$6800.

18 THE COURT: Okay.

19 MS. WALSH: Yeah, and I --

20 THE COURT: That's for a three-bedroom?

21 MS. WALSH: For a three -- which seems like crazy
22 high, but then I started looking into other town house
23 apartments in Chappaqua or within even like Armonk or Mount
24 Kisco or Pleasantville, and there's not a lot of options.
25 There's not -- there is one other town house -- home in

1 Chappaqua that was like \$4200 that was a two-bedroom, but
2 there's not a lot of inventory, I guess is what I'm trying
3 to say of rentals for town homes or apartments in Chappaqua
4 or Armonk or Mount Kisco or Pleasantville.

5 Q. How long have you been looking?

6 A. I've been looking for like two to three months just
7 keeping an eye out because I'm eager to like to move out
8 whenever I can.

9 Q. Before we continue with the FDA items, well, actually
10 let me strike that. And then you list \$619 as total for
11 utilities. How did you arrive at that figure?

12 A. Well, I -- I've lived on my own for the past, what?

13 THE COURT: I'm sorry. First of all, are you
14 moving this document into evidence?

15 MS. ANTONCIC: Oh yes, Your Honor, I was going to
16 do that at the end when I was done with my questions.

17 THE COURT: All right. Well, you're asking her
18 about -- you're asking about specific items, so I think
19 (inaudible) sort of reading from the document. Is there
20 any objection to this document coming into evidence subject
21 to cross examination?

22 MR. ADVOCATE: Your Honor, subject to cross
23 examination, I would only note, Your Honor, that the
24 document consists of essentially three items. You've got
25 the financial disclosure affidavit --

1 THE COURT: 2017 tax return.

2 MR. ADVOCATE: -- and some invoices from her
3 company. Obviously, I -- I really am not going to object
4 to the tax returns, I just -- normally I would like more of
5 a foundation for say the invoices since there's really --

6 THE COURT: When you -- when you say the
7 invoices, do we mean this?

8 MS. ANTONCIC: No --

9 MR. ADVOCATE: No.

10 THE COURT: Oh.

11 MS. ANTONCIC: -- some -- the -- Ms. Walsh
12 doesn't have a W2, so -- I'm sorry -- she doesn't get pay
13 stubs, so she attached the three invoices, and I'll have
14 her testify to what they are.

15 MR. ADVOCATE: On the back of the -- right after
16 the end of the nine-page financial disclosure affidavit,
17 you'll see two invoices --

18 THE COURT: Okay.

19 MR. ADVOCATE: -- three invoices, I should say --
20 for her company, Vital Branding. And then followed by that
21 is the 2017 federal tax return, and I believe it's --

22 THE COURT: So you're not agreeing to the
23 invoices?

24 MR. ADVOCATE: I would like a little foundation,
25 Your Honor, that's all.

1 THE COURT: So I'm going to separate them out
2 then -- let me just make a record here that Petitioner's 1
3 is the financial disclosure affidavit, Petitioner's 2 is
4 the 2017 tax return. They are in evidence without
5 opposition. And Petitioner's 3 would be the invoice,
6 because it's not in yet.

7 (Petitioner's 1 and 2 admitted)

8 THE COURT: You'll have to give it to her now.
9 What is this, though?

10 MS. ANTONCIC: There's one more attachment, Your
11 Honor --

12 THE COURT: What's this?

13 MS. ANTONCIC: -- and that's a spreadsheet that
14 --

15 THE COURT: Right. So I'm assuming that's not in
16 yet either correct? Mr. Advocate?

17 MR. ADVOCATE: No, and I don't -- I -- I would
18 object to this. I don't -- I don't even know what it is
19 frankly.

20 THE COURT: Okay. So that'll be Petitioner's 4,
21 but 3 and 4 are for ID only.

22 MS. ANTONCIC: Okay.

23 THE COURT: So --

24 Q. Ms. Walsh, directing your attention to Petitioner's 4
25 --

1 A. Uh-huh.

2 Q. -- which is the spreadsheet with attachments, what is
3 it?

4 A. Well, first of all, I'm a single parent and I'm
5 working and --

6 MR. ADVOCATE: Objection, Your Honor.

7 MS. WALSH: I spent a lot, a lot of time --

8 MS. ANTONCIC: Just -- just tell the Court what
9 it is. What is it?

10 THE COURT: There's an objection, I need to --

11 MS. WALSH: Okay.

12 THE COURT: -- hear it.

13 MR. ADVOCATE: Your Honor, I'm just objecting.
14 She's not responding to the question. She's asked to
15 identify the document and we're getting background again.

16 THE COURT: Okay. So let's just make our -- like
17 let's just try to answer the specific question because
18 you'll have plenty of time to address other issues. Okay.
19 Just answer the questions that your attorney asks.

20 MS. WALSH: It's a very detailed, extensive
21 spreadsheet I made of Evie's expenses that I spent a lot of
22 time making.

23 THE COURT: Are you talking about Petitioner's 4
24 now?

25 MS. ANTONCIC: Yes, Petitioner's 4.

1 Q. It's three pages, and then there's one, two, three,
2 four pages that's entitled, "Amazon Evie Orders, May 2018,"
3 right?

4 A. Yeah, there also should be other supporting documents
5 that I put that I --

6 Q. Okay. But this is -- this is -- part of your --
7 (inaudible).

8 A. Yeah, yeah.

9 Q. Okay. So going back to the first three pages on the
10 summary of Evie's monthly expenses, how did you arrive at these
11 figures?

12 MR. ADVOCATE: Your Honor, the documents aren't
13 in evidence yet, and I'd like to make an objection that it
14 seems that what's been testified to is this is a summary of
15 her expenses. If it's a summary of spending, then it's a
16 summary based on underlying documents.

17 The rule is if you're providing a summary of
18 records, the underlying records have to be produced and
19 have to be made available to the Court. I don't have those
20 underlying records. You cannot simply submit a summary
21 saying this is what the summary of other documents out
22 there is and not produce those documents. That's the rule.

23 THE COURT: I'll -- I'll sustain the objection.
24 You can get this information in through your questions and
25 supporting documents, but I'm going to sustain your

1 objection; Number 4 is not in.

2 MS. ANTONCIC: Your Honor, just take note to my
3 objection because some of these documents -- some of these
4 numbers here are projected costs and based on what my
5 client --

6 THE COURT: Yeah, I -- I ruled and your
7 objections noted, but I'm not allowing it in.

8 MS. ANTONCIC: Okay.

9 Q. So going back to the financial disclosure affidavit --

10 A. Uh-huh.

11 Q. -- directing your attention to food. How did you
12 arrive at the figure \$2270?

13 A. So first of all, Evie's -- because she's had a
14 privileged lifestyle due to Mr. Russell, and she's had fancy
15 doctors and providers and so forth, she -- through my research
16 and direction she gets high quality food and nutrients. Her
17 formula that she has been using for probably like eight months
18 is from Europe, so it needs to be shipped in from Europe. It's
19 not sold in the U.S. It costs approximately \$550 after shipping
20 each month, just for her formula alone. It's called HiPP --
21 H-i-p-p. It's a -- and she's stayed on that formula, and she's
22 still on that formula. She's also -- I've been a vegetarian my
23 whole life, so she's also a vegetarian. I was raised eating --

24 THE COURT: I'm sorry, I'm sorry --

25 MS. WALSH: Yeah?

1 THE COURT: The one-year-old is a vegetarian?

2 MS. WALSH: Yes.

3 THE COURT: Because you made her one, I --

4 MS. WALSH: I -- I mean--

5 THE COURT: -- I mean, surely, she didn't make
6 that choice.

7 MS. WALSH: -- no, of course she didn't. No, but
8 I was vegetarian the whole time I was pregnant with her,
9 and I just -- I was also raised as a vegetarian. So she --
10 my family's -- my mother's very healthy -- but she only
11 eats vegetarian, like really organic, highest quality food
12 from Whole Foods.

13 We make her a lot of her food, and I actually
14 took the time to go through and put a typical menu for her
15 every week like of what I feed her and those actual items
16 from Whole Foods and the total goes altogether and came at
17 a number which was \$274 a week.

18 Which is actually probably more on the lower side
19 of what we're actually paying for groceries every week, but
20 \$264 times 4.3 is how I got to the -- it's like \$1300 or
21 something. I don't have the exact breakdown. What is it
22 -- \$1067?

23 And then the dining out thing. I mean, I don't
24 have the money to be -- the dining out thing that says \$700
25 is also including me dining out, not just Evie. I would

1 like to be taking Evie to be dining out and going into the
2 city and seeing family and friends, but I just don't really
3 have the money to be doing that right now.

4 So I'd probably say for Evie dining out it would
5 be like \$200 if I bring her into the city, you know, like
6 once a weekend with friends and family.

7 Q. How much are you earning now?

8 A. Like, not a lot -- I'm getting -- the invoices are
9 from my one client that I still have.

10 Q. Okay. When you say the invoices are you referring to
11 Petitioner's 3 for identification?

12 A. The -- yes, yes.

13 Q. And what is this?

14 A. So that's the one client I have right now for my
15 marketing consulting client. They're called Airline Pros. They
16 pay me via direct deposit into my bank account, so I don't have
17 any pay stub or check from them. That's why I provided just the
18 invoice that I give to them every month. And occasionally I'll
19 get add-on projects any given month, but it's not always like
20 consistent. Like right now I'm finishing up a website for a
21 construction company where I'm supposed to be getting \$1000 in
22 at some point, but that's like not consistent. The \$4200 is
23 like made consistently.

24 MR. ADVOCATE: Your Honor, I want to object
25 to these three invoices going in, so we can move on from

1 them.

2 MS. ANTONCIC: But they don't need to go in. She
3 just referred to them, so I was just asking her how much
4 money she makes.

5 MR. ADVOCATE: If you'd like them to go in, I
6 will not object.

7 MS. ANTONCIC: Well, if you want them to go in,
8 all right. They could go in.

9 MR. ADVOCATE: It doesn't matter.

10 MS. ANTONCIC: I mean, her -- yeah. I -- I'll
11 move them into evidence.

12 (Petitioner's 3 admitted)

13 Q. So it's your testimony that you're earning I guess
14 it's approximately \$4200 a month?

15 A. Yes, and I have significant expenses. I -- Mr.
16 Russell --

17 MR. ADVOCATE: Objection.

18 MS. ANTONCIC: We'll get -- we'll get to your
19 expenses.

20 MS. WALSH: Okay.

21 THE COURT: Just ask her the next question.

22 Q. We'll -- we'll get to your expenses. Do you currently
23 have a car?

24 A. No, I have to borrow my parents' car. Which is really
25 --

1 Q. On your financial disclosure affidavit, at J you're
2 listing auto expenses of about \$1135. How did you arrive at
3 that figure?

4 A. I was really detailed about it. I haven't owned a car
5 for a really long time, but the safest, most affordable car that
6 I could find for a child is like a Ford Focus, I think that's
7 like \$264 a month, a lease. Then auto insurance is like \$185,
8 then gas is like \$4 to \$500, so it ends up being like a \$1000
9 something, but I didn't really -- I really need a car because
10 I'm -- my car is being used by like four other people in the
11 family, so it's hard for me to --

12 Q. When -- when you say your car, is that your parents'
13 --

14 A. It's my mom's car, yeah.

15 Q. Okay. So it's the car that they're letting you use
16 that's being used by --

17 A. Yeah, yeah, it's -- it's -- I desperately need my own
18 car.

19 Q. And how many hours to your work approximately?

20 A. I mean, I spend a lot of time away from my daughter,
21 so it seems like more, but probably like 25 to 30 that I'm
22 working, like on and off. It really -- it's hard for me to be
23 building my business right now and adding on clients because of
24 all this court stuff, honestly. Between -- there was action in
25 California for family court, there's action here. Mr. Russell

1 frequently files emergency actions for all different things.
2 He's also suing me in California in a civil case, so I also have
3 to have a civil lawyer in California.

4 Q. How much are all these legal fees costing you?

5 A. They cost me like in total of like over \$60,000 so
6 far, but on an ongoing basis, because I'm paying at minimum
7 \$5000 a month I legal fees between you and my lawyer in
8 California, but I'm paying off -- it's like gradual that I'm
9 paying a little each month for awhile.

10 Q. And the 25 to 30 hours a week that you're working,
11 where are you are working? In Westchester, Manhattan, or
12 somewhere else?

13 A. I was working out of -- we work in Midtown with my
14 aunt who has an agency. She was letting me work from there, so
15 I could meet with like potential other businesses. But now I'm
16 -- I'm just working from home because it's hard for me to get
17 into the city that often --

18 Q. And what are your --

19 A. -- (inaudible).

20 Q. -- you list \$300 as public transportation costs. What
21 is that for?

22 A. Approximately to go -- if I am going into the city
23 heavily in a given week, it's like \$30 in Metro North fees for
24 one day, so say \$30 times 10 days would be \$300; I think how I
25 got to that.

1 Q. And there's a health -- you list health insurance at
2 \$650 a month. Was there a time when your health insurance was
3 being paid for by Mr. Russell?

4 A. Yes, I was on Mr. Russell's health insurance for three
5 years probably as his domestic partner, as I didn't pay health
6 insurance, particularly for my pregnancy and after birth with
7 Evie, but when I decided to come back to New York and end my
8 romantic relationship with Mr. Russell I think had to pay for my
9 own insurance.

10 Q. So that's an additional -- that's a new expense?

11 A. yeah, \$650 a month, yeah.

12 Q. And you list \$320 for Mommy and Me, Baby and Me, and
13 language classes. Is that weekly or monthly?

14 A. That would be monthly, and that's something that I
15 wish I was doing more of right now. I'm signed up for one
16 Amadeus music class in Chappaqua which is, I think it's like
17 \$400 for 10 weeks. But the other classes that I would like to
18 do would approximately be like \$350 a month like minimum.

19 Q. And what kind of classes would that be?

20 A. I also am looking into a language class. My niece did
21 a Chinese class in Brooklyn, and there's also this gymnastics
22 studio place that does a Mommy and Me like activity, gymnastics,
23 moving around class for babies, toddlers.

24 Q. And did you and Mr. Russell ever discuss what kind of
25 activities you wanted Evie to be exposed to?

1 MR. ADVOCATE: Objection, Your Honor. What's the
2 relevance?

3 MS. ANTONCIC: Well, it's relevant as to --

4 THE COURT: I'll allow it. That's an expense.
5 I'll allow it.

6 MR. ADVOCATE: Okay.

7 THE COURT: Go ahead, Counsel.

8 MR. ADVOCATE: And can we get a time frame of
9 such discussions?

10 Q. When you were pregnancy with Evie --

11 A. So we talked about -- a lot about -- maybe potentially
12 raising -- home schooling Evie. We talked about that we wanted
13 to travel with her frequently, so bringing her to all different
14 places and to all over the world. Starting when she was a baby,
15 the plan was to travel. When we were in California, we did a
16 little bit of traveling, but to bring her to all different
17 places, expose her to all different visual things and cultures.
18 The plan also was for me -- obviously, the ideal situation was
19 for me to be spending more time with my daughter and not having
20 to work so much to be able to spend -- help raise her more than
21 I'm able to now.

22 Q. Did you and Mr. Russell and Evie ever travel together?

23 A. Yes, we did.

24 Q. Where did you travel?

25 A. We went to a few different places in California,

1 different like weekend getaway places.

2 Q. Did -- did you ever fly?

3 A. We -- I flew with him to Hawaii on a trip, but she was
4 too young to come. When we flew to California, Mr. Russell got
5 a private plane because I was concerned about her health in
6 flying because she was so little. So we flew in a private plane
7 which, apparently, was like \$40,000 or something.

8 Q. Was that the only time you flew on a private plane?

9 A. With her, yeah.

10 Q. Did Mr. Russell use private planes regularly, to your
11 knowledge?

12 A. No, not to my knowledge, but he definitely only flew
13 first class. And I only flew first class that he paid for, for
14 the whatever three -- three plus years of our relationship --
15 when I was going back and forth to California.

16 Q. Moving on to childcare, you list \$4485 which is five
17 days a week, six-and-a-half hours a day. Is that projected or
18 actual?

19 A. Well, that -- it's -- it's a difficult question that
20 you've been -- challenged me on, but right now my daughter is
21 being babysat probably like five hours, four days a week by a
22 babysitter, Christina, who also helps clean my parents' house.
23 And my mom is also watching her, like five hours at minimum five
24 days a week or my little teenage sisters. But my mom is
25 primarily paying for Christina -- like the time Christina's

1 watching my daughter because she knows I don't have the money.
2 And I also, ideally, would like to be paying my mom for the time
3 that she's spending watching my daughter. My mom's raised six
4 kids, she's older, she has a part-time job at the Greenwich
5 Audubon, but I know that she would like to make her own money.
6 And if I wasn't living at home with my daughter like, she likely
7 would have a part-time job. So I feel like it's only fair to
8 pay her, I mean --

9 Q. How much does Christina get paid?

10 A. She gets \$25 an hour, and I would want to pay my mom,
11 you know, 25, she wouldn't take more than that, but I just -- I
12 -- that's personally how I feel morally. Steve's mother, Linda,
13 in California, watches his brother's daughter all the time.
14 She's a baby, and I've already talked to her and told her like I
15 think it's so unfair how you're not paid, like you should be
16 paid. And she's like, yeah, that would be -- and that reminds
17 me, Steve gave his brother -- his niece -- \$50,000 when she was
18 born, to just help out with her like, but Evie hasn't gotten
19 anything, so you just reminded me of that.

20 Q. And then you list miscellaneous personal expenses,
21 Medicare. What does that \$1500 number represent?

22 A. Where -- where is that?

23 Q. Under U on page 6.

24 A. Page 6? Oh, it's my medical care. It's my insurance
25 and then my other -- like my psychiatrist and my --

1 Q. Is it your insurance or your psychiatrist?

2 A. My insurance is -- it says medical care -- my
3 insurance is \$650.

4 Q. Okay. That's listed as N, so are you saying it's
5 \$1500 more than that, or --

6 A. I'm just like confused what this is. Miscellaneous
7 personal expenses, if I look at my Excel sheet --

8 Q. Let's take a step back. How much does your therapist
9 cost?

10 A. My therapist was \$2000 a month, which my parents were
11 helping me pay for, but I had to cut that down. Now, it's just
12 \$1000 a month, but I really can't afford it, so I'm going to
13 have to stop that.

14 Q. So \$1000 of that is your therapist?

15 A. Yeah, and then my psychiatrist is at minimum, \$400 a
16 month if I just see him once.

17 Q. Okay. So now, the last expense I want to talk about
18 is Other -- Evie's Daily Essentials, Feeding, Toys, etc.

19 MS. ANTONCIC: And, Your Honor, I understand the
20 Court sustained Mr. Advocate's objections as to the
21 spreadsheet, but there's an Amazon Evie order dated May
22 2018, that I believe is an actual receipt that I'd like to
23 ask my client about. And I'd ask that it be separated and
24 marked as a separate exhibit.

25 THE COURT: Do you see a receipt from Amazon?

1 MR. ADVOCATE: Yeah, it's the last four pages.

2 THE COURT: That's not an Amazon receipt.

3 MS. WALSH: It's -- I could've printed --

4 THE COURT: She created that. It doesn't look
5 like an Amazon receipt.

6 MS. ANTONCIC: Okay. Can I ask her about it?

7 MR. ADVOCATE: You're going to end up with the
8 same situation of we need the underlying documentation.

9 THE COURT: I already made a ruling.

10 MS. ANTONCIC: Okay. Well, we'll -- we'll get
11 the underlying documentation then.

12 THE COURT: Yeah. Okay. That's fine.

13 Q. What, if anything, did Respondent tell you about his
14 financial condition and his expenses?

15 A. He's told me for a very long time that he's very, very
16 wealthy. He says he's -- that his -- he was an early investor
17 in Uber, and he has stock from it. He told me that stock alone
18 is worth anywhere from \$50 to \$100 million dollars. He
19 frequently sells the Uber stock off market and gets cash for it.
20 Earlier last year, he told me he sold \$20 million-dollar worth
21 of the stock. He told me for sure he got \$20 million dollars.
22 He said he put it into different companies because whenever he
23 makes money, he reinvested it into other companies, I think so
24 he doesn't have to pay taxes. He told me last year that he
25 actually donated \$2 million dollars to Lyme Disease Foundation

1 of a profit he had made from a cryptocurrency company that he
2 invested in. He invested like \$10,000 and made \$2 million
3 dollars. I don't know why -- oh, he's in a group of people in
4 San Francisco where he is often an early investor in a lot of
5 successful companies, like Uber, Ring, this video doorbell
6 company. He's involved in a company now called Guardian, but
7 he's constantly investing and making an insane amount of money
8 from his investments. With the Uber --

9 Q. When you say, "insane amount of money," how much money
10 has he told you that he earns?

11 A. Alone last year he told me he sold \$20 million dollars
12 worth of Uber stock, he made \$2 million dollars in return from
13 this cryptocurrency company. He was owed (inaudible) plus
14 million dollars from his stock in this Ring Company which was
15 started by his friend, Jamie, and sold to Amazon.

16 THE COURT: Did you say Ring?

17 MS. WALSH: Ring, yeah. It's like a video
18 doorbell. R-i-n-g, yeah, it's -- and I just - this is
19 very, very important for me to point out, I -- when I
20 expressed that I wanted to leave California with my
21 daughter, when I was there in May, Mr. Russell -- when I
22 told him I wanted to come back, he had -- he's always held
23 money over my head to control me --

24 MR. ADVOCATE: Your Honor, move to strike.

25 MS. WALSH: This is --

1 THE COURT: Sustained. It's beyond the scope.

2 MR. ADVOCATE: Right.

3 MS. WALSH: But --

4 THE COURT: Okay. Stop.

5 MS. WALSH: Yeah.

6 Q. What -- did there come a time when you and Mr. Russell
7 discussed separating?

8 A. There was a time when I was pregnant that he broke up
9 with me ---

10 THE COURT: I don't think that's the question. I
11 think it's after you were -- when you were in California --

12 MS. ANTONCIC: No, it actually was when she was
13 --

14 THE COURT: Oh, I'm sorry.

15 MS. ANTONCIC: -- when she was pregnant. And --

16 THE COURT: Why is that relevant?

17 MS. ANTONCIC: Well, because, if I ask the next
18 question --

19 Q. What discussion -- at that time -- what discussions
20 did you and Mr. Russell have about support for Evie?

21 MR. ADVOCATE: Can we get a time frame on that?
22 Was it before the child was born?

23 Q. Was that before Evie was born?

24 A. In December, like a month before she was born, yeah.
25 I mean, the actual text message that I'm referencing verbally

1 this was told to me --

2 MS. ANTONCIC: Okay. Hold. Can I mark this as
3 an exhibit?

4 THE COURT: This would be Petitioner's 5. Just
5 so it's clear, where's 3?

6 MR. ADVOCATE: So what's 5?

7 MS. ANTONCIC: Oh, I'm sorry. I took -- I kept
8 an extra copy that --

9 MR. ADVOCATE: That's fine.

10 MS. ANTONCIC: -- here.

11 MR. ADVOCATE: I'll just take a quick look and
12 I'll give it back to you.

13 MS. ANTONCIC: I gave -- I gave the Court more
14 than one copy, I'm sorry.

15 THE COURT: Okay. I have marked as Petitioner's
16 5. Do you want it shown (inaudible)?

17 MS. ANTONCIC: I think we're up to 5, yeah. And
18 let me just take back the extra copies.

19 THE COURT: Oh --

20 MS. ANTONCIC: Okay.

21 THE COURT: -- is it just the first for the --

22 MS. ANTONCIC: Yeah, it's just the first one.

23 THE COURT: Oh.

24 MS. ANTONCIC: By accident I gave the whole
25 stack, so yeah, if you could --

1 Q. Well, what is this, Ms. Walsh?

2 A. It's just an example I found in texts --

3 Q. No, but -- but what -- what physically is this?

4 A. It's a text message between me and Mr. Russell.

5 Q. Okay. And is a screenshot you took?

6 A. Yes.

7 Q. Okay. With your phone?

8 A. Yes (inaudible).

9 Q. And it says on top here Stephen. Does that refer to
10 Mr. Russell?

11 A. Stephen Russell, yes.

12 Q. And is this a text message between the two of you?

13 A. Yes.

14 Q. Okay. And it's an accurate depiction of the text
15 message between the two of you?

16 A. Yes, absolutely.

17 Q. Okay. With the photo -- shoot -- whatever screenshot.

18 MS. ANTONCIC: Your Honor, I would ask that this
19 be moved into evidence.

20 MR. ADVOCATE: Your Honor, I'm just going to
21 object because it's not the full exchange. What we have
22 here is the -- the email that appears to be -- and I'm
23 assuming the blue is from Tara; is that correct??

24 MS. WALSH: Uhm.

25 MR. ADVOCATE: The blue is Tara's?

1 THE COURT: You want to -- do you want to voir
2 dire?

3 MS. ANTONCIC: Or you --

4 MR. ADVOCATE: If I could voir dire.

5 MS. ANTONCIC: -- and you can also cross examine
6 her just the rest.

7 MR. ADVOCATE: Okay. For just one second.

8 THE COURT: Well, I'll let him voir dire.

9 MR. ADVOCATE: Ms. Walsh, the -- the blue -- who
10 is that, who's writing that?

11 MS. WALSH: Me. That's how it shows up on
12 iMessages.

13 MR. ADVOCATE: And the gray below that is Mr.
14 Russell's response?

15 MS. WALSH: Yes.

16 MR. ADVOCATE: And he was responding to something
17 that you wrote above?

18 MS. WALSH: He was responding and just offering
19 information. It wasn't necessarily I don't think a direct
20 response. He was just -- I don't know what the timeline
21 was between when he wrote what he wrote, and after what I
22 wrote. I didn't even read -- this is a -- it's just an
23 example. I mean, ongoingly he told me --

24 MR. ADVOCATE: That's not the question. Sorry,
25 Ms. Walsh.

1 MS. WALSH: Okay.

2 MR. ADVOCATE: I'm saying he's responding to
3 something that you wrote to him, correct?

4 MS. WALSH: I -- I'm not sure if you'd call it a
5 response, but his response -- I mean, texts aren't always
6 response. People say, you know --

7 MR. ADVOCATE: And you can't tell because you
8 don't have the full message that you have written to him
9 that preceded his email -- his text to you, correct?

10 MS. WALSH: I can show that, I'm more than happy
11 to show that. I -- I mean, what would I have to show a
12 video of scrolling through all my texts to be able to show
13 --

14 MR. ADVOCATE: No, I'm just saying, the
15 communication that's in blue, do you see that?

16 MS. WALSH: Yes.

17 MR. ADVOCATE: That's not the full exchange
18 between you and Mr. Russell, is it? It looks like it's cut
19 off; is that correct??

20 MS. WALSH: Yeah, and I can provide the whole
21 thing.

22 MR. ADVOCATE: I would say, Your Honor, until we
23 have the full exchange that it not go in.

24 MS. ANTONCIC: Well, Your Honor, respectfully,
25 the --

1 THE COURT: I'll allow it in, subject to
2 connection, subject to whatever weight I decide to give it.
3 I'll allow it in. Let's just move this along. Do you need
4 to -- to ask -- answer anything else pertaining to this
5 document?

6 MS. ANTONCIC: No, other than what -- was this
7 the only discussion you had with Mr. Russell about support
8 for Evie on your breakup?

9 MS. WALSH: No, no.

10 Q. What other discussions did you have?

11 A. There were many discussions, and I was -- I mean, I
12 wouldn't have willingly let my business go to the garbage unless
13 he was, you know, really being willing to support us.

14 MR. ADVOCATE: Your Honor, I also just want to
15 object to just one factor. Let's let the -- I'm okay with
16 your ruling, of course, about the text itself, but this
17 commentary at the top of it that I think should be crossed
18 out. It looks like that --

19 MS. ANTONCIC: That's fine.

20 MR. ADVOCATE: -- was from the witness.

21 THE COURT: (Inaudible)

22 MS. ANTONCIC: That's true.

23 MR. ADVOCATE: It says examples of Steve's --

24 THE COURT: Will be deemed not in evidence --

25 MR. ADVOCATE: Right.

1 THE COURT: -- absolutely.

2 MR. ADVOCATE: Terrific. Thank you.

3 THE COURT: Agreed. You're welcome.

4 Q. So going back, you testified that there were
5 conversations about Evie's support. When were -- when did these
6 conversations take place?

7 A. They started from when I just found out I was
8 pregnant. I mean, from the moment I found out I was pregnant,
9 Mr. Russell was very forthcoming, encouraged me not to work,
10 even when I was first pregnant. Money wasn't an issue, that he
11 would fully financially support us, that I did not have to worry
12 about money, even with -- Evie would be given the best like with
13 the best of everything.

14 Q. And that's when you were together?

15 A. That's when we were together, yes.

16 Q. And when you were contemplating separating, what --

17 A. When I was -- when I was pregnant --

18 MR. ADVOCATE: What was the question, please?

19 MS. ANTONCIC: What discussions they were having
20 at that point.

21 MR. ADVOCATE: Thank you.

22 MS. ANTONCIC: Moving into a different time
23 frame.

24 A. When Mr. Russell left me when I was pregnant, he
25 offered -- he was very generous with the money he would give me.

1 He was very generous with paying such as \$150,000 a year getting
2 a personal assistant. The problem with his financial support
3 came when I decided to leave him when my daughter was six months
4 old, and from the moment I left him and came back to New York,
5 he cut off all financial support. I didn't get a dime until I
6 came to court to get temporary support. He didn't give me
7 anything for months and months.

8 Q. Okay. And when did you come back to New York?

9 A. I came back to New York at the beginning of June, but
10 I didn't get a temporary order -- I think it started in October.

11 Q. And how many payments have you received under that
12 order?

13 A. I've received three. I should have gotten one for
14 January that I still haven't received.

15 Q. Do you know how those payments have been made?

16 A. Yes. They were -- they told me - because they took a
17 while to come, and they told me on the hotline when I called
18 that they had to be garnished from his wages, directly from his
19 employer Prism. And it took a while for me to get the three
20 checks that I did.

21 THE COURT: The temporary order was done in
22 October and you -- just November was the first charge?
23 You've only gotten three payments?

24 MS. WALSH: Yeah, for -- it would have been
25 October, November, December, right?

1 THE COURT: Well, we're in February now.

2 MS. WALSH: Yeah, so I have a final -- a fourth I
3 haven't gotten yet. No.

4 THE COURT: Let me just check again. So the
5 first charge should have been I think November 1. Ms.
6 Rooney (ph), is this your support collection?

7 MS. ROONEY: I am going to check, Your Honor.

8 THE COURT: Yeah, November 1. So November you
9 got a payment or no?

10 MS. WALSH: I didn't get the payments until like
11 December, I want to say.

12 THE COURT: You didn't get anything in November?

13 MS. WALSH: No.

14 THE COURT: You got one \$3000 payment in
15 December.

16 MS. WALSH: I -- I got like the --

17 THE COURT: You got two payments in --

18 MS. WALSH: Right, it was three, I think, in
19 December, for October, November, December.

20 THE COURT: Okay.

21 MS. WALSH: Yeah.

22 THE COURT: So January/February you have not
23 gotten yet?

24 MS. WALSH: No.

25 THE COURT: Is there money in transit?

1 MR. ADVOCATE: I don't know. I -- I -- they go
2 -- the SCU goes directly through his company.

3 THE COURT: Well, your client's right there. He
4 might tell you (inaudible) --

5 MR. ADVOCATE: Yes, it's all paid and current
6 (inaudible).

7 THE COURT: I'm going to ask Ms. Rooney (ph), is
8 he up to date?

9 MS. ROONEY: He is up to date.

10 THE COURT: Okay. So do you have a debit card?

11 MS. WALSH: No, I get -- I -- (inaudible).

12 THE COURT: How do you get your payments?

13 MS. WALSH: they're sending checks in the mail
14 even though I gave them my direct deposit information. I
15 sent it to them, but it's not getting direct deposited.

16 THE COURT: So you didn't get the -- apparently,
17 they're -- he's up to date, so --

18 MS. WALSH: I didn't get the fourth check. I
19 haven't gotten it in the mail yet. I don't know if it
20 takes a while to come or what.

21 MS. ROONEY: Your Honor, that was posted two days
22 ago.

23 THE COURT: Oh.

24 MS. ROONEY: It's probably in today's mail.

25 THE COURT: And is it for \$3000 or \$6000?

1 MS. ROONEY: It's \$3000.

2 THE COURT: Three thousand. Any more questions?

3 MS. ANTONCIC: Yeah, I'd like to --

4 THE COURT: This will be Petitioner's 6.

5 MS. ANTONCIC: -- and I'm getting your copy as
6 well.

7 MR. ADVOCATE: Oh, perfect. Thanks.

8 MS. ANTONCIC: Hold on one second.

9 MR. ADVOCATE: I appreciate that.

10 MS. ANTONCIC: Yes.

11 THE COURT: Petitioner's 6 for ID.

12 MR. ADVOCATE: Thanks.

13 MS. ANTONCIC: Yes, Your Honor.

14 THE COURT: Ms. Antoncic?

15 MS. ANTONCIC: Oh, I'm sorry. I didn't realize.
16 Can I show this to the witness?

17 THE COURT: This is -- Petitioner's 6 is being
18 shown to the witness. Do you want me to show her what I
19 marked?

20 MS. ANTONCIC: Sure.

21 MS. WALSH: Thank you, Your Honor.

22 Q. Ms. Walsh, showing what's been marked as Petitioner's
23 Exhibit 6, what is this?

24 A. The first page are pictures of the amenities in the
25 building we lived in San Francisco, 301 Mission, on the 55th

1 floor. There is an indoor pool, a lounge --

2 Q. Just -- just -- we're just, yeah, just going to go
3 through what they are, and then once it's in evidence you could
4 answer more questions.

5 A. Okay.

6 Q. And did you take these pictures?

7 A. No, I found them online. There should be pictures of
8 the actual apartment. Are those not -- were those not given to
9 the Court?

10 Q. No, we have them. Hold on.

11 A. Because I think that's more relevant than just these
12 ones. Like Evie's room and her closet and stuff.

13 Q. Okay. I got them. I got them.

14 A. And also the Brooklyn apartment if you can show that,
15 too.

16 Q. We will.

17 A. Okay.

18 Q. Okay. So we'll do these, which is one, two, three,
19 four, five, six, seven, eight. Let me get them to Jason.

20 THE COURT: What is this?

21 MS. ANTONCIC: Petitioner's --

22 THE COURT: What happened to the other one?

23 MS. ANTONCIC: We're going to withdraw that.

24 We're going to withdraw that right now.

25 THE COURT: You're withdrawing that?

1 MS. ANTONCIC: yeah.

2 THE COURT: So am I just replacing this instead
3 of that?

4 MS. ANTONCIC: That's fine, Your Honor.

5 THE COURT: Okay. So this is no longer
6 Petitioner's 6, this is Petitioner's 6?

7 MS. ANTONCIC: Yes.

8 THE COURT: Four, five, six, seven, eight. So --

9 MS. ANTONCIC: Thank you.

10 THE COURT: Just to be clear, we're just going to
11 go for another 10 minutes since they're clearly not going
12 to finish.

13 MS. ANTONCIC: Okay.

14 THE COURT: Counsel, between now and the next
15 court date, I will go for a few minutes, but I will tell
16 you I'm available for conferencing if you wish to meet in
17 conference before the continuation hearing. Okay.

18 MS. ANTONCIC: That -- that would be great, Your
19 Honor.

20 THE COURT: But I mean I'll leave you to continue
21 with this exhibit.

22 MS. ANTONCIC: Okay.

23 Q. Ms. Walsh, what is -- what are those documents marked
24 as Petitioner's 6?

25 A. These are pictures of the apartment that my daughter

1 and I lived in with Mr. Russell in California.

2 Q. Okay. And who took those pictures?

3 A. I took those -- these pictures.

4 Q. And are they a fair and accurate depiction of Mr.
5 Russell's home?

6 A. I mean, this is just a few pictures of the home. I
7 mean, all the pictures total would probably be a better
8 depiction, but this is a general depiction of like the open
9 living space, I guess, and the views of the apartment.

10 Q. Uh-huh. I'm just having a problem finding these.
11 Sorry, I'm having an issue finding my copy. I'd like to move
12 these photos into evidence, Your Honor.

13 MR. ADVOCATE: No objection, Your Honor.

14 THE COURT: Okay. Very good.

15 (Petitioner's 6 admitted)

16 MS. ANTONCIC: Your Honor, given we're going to
17 break in a minute, I would ask that we break now because I
18 need --

19 END OF DIRECT EXAMINATION

20 BY MS. ANTONCIC

21 THE COURT: Can we talk for two minutes?

22 MS. ANTONCIC: Yeah, we can talk for two minutes.

23 THE COURT: All right. Petitioner's 6 and I'll
24 take it. So I still think you may resolve it, because by
25 the time you come back, I think the issues regarding the

1 supervised visitation, I think they might be resolved
2 because you're -- you're back in front of the judge in
3 March, right?

4 MS. ANTONCIC: Right.

5 THE COURT: So I have a full day in May, which
6 I'll give to you.

7 MS. ANTONCIC: That would be great.

8 THE COURT: I don't have anything -- a big block
9 of time before then. I have little, little time frame, but
10 I don't want you to come and go, come and go, especially if
11 you're going to come in from California. So that date
12 would be --

13 COURT OFFICER: May 8th.

14 THE COURT: May 8th for the day?

15 MR. ADVOCATE: I have the -- I know you can do
16 it, but I've got a trial that week --

17 THE COURT: Okay.

18 MR. ADVOCATE: -- with an awful, awful case. Can
19 we do it some time after the -- it's going to go from the
20 6th to the 14th, I think.

21 THE COURT: Oh, wow. How about before?

22 MR. ADVOCATE: What? Oh, it's Nassau -- Judge
23 Lorintz.

24 THE COURT: No, how about before the 6th?

25 MR. ADVOCATE: -- Judge, I can do it before the

1 6th, yeah.

2 THE COURT: I just don't want to wait that long.

3 MR. ADVOCATE: Yeah.

4 COURT OFFICER: (Inaudible)

5 THE COURT: Yeah, that'll be great.

6 MR. ADVOCATE: Which date?

7 COURT OFFICER: May 2nd?

8 MS. ANTONCIC: I can do May 2nd.

9 THE COURT: And, Counsel, I know you're here on
10 -- in March, so if, you know, you email me and say, you
11 know, we're, you know, the day before can we come in
12 conference during lunch, I'll be happy to do it. Okay?

13 MR. ADVOCATE: Yes, thank you, thank you, Your
14 Honor.

15 MS. ANTONCIC: I think that would be a great
16 idea, Your Honor.

17 MR. ADVOCATE: And we'll let the parties go, Your
18 Honor, maybe we can chat for a few?

19 MS. ANTONCIC: That would be great.

20 THE COURT: If you could step down, thank you so
21 much.

22 MR. ADVOCATE: Thank you.

23 THE COURT: The baby's beautiful.

24 MS. WALSH: Aww, thank you.

25 MR. ADVOCATE: Terrific eyes, right?

1 MS. ANTONCIC: She's beautiful. She looks -- she
2 looks a lot like her father.

3 [PROCEEDING CONCLUDED]

4 [Audio CD, counter 4:07:13]

5

6 C E R T I F I C A T E

7

8 I, Valeri Wilson, certify that the foregoing
9 transcript of proceedings in the Family Court of the State of
10 New York, County of Westchester, in the Matter of Tara Katelyn
11 Walsh v Stephen Grant Russell, Family Unit Number 154703, was
12 prepared using the required transcription equipment and is a
13 true and accurate transcript of the recording.

14 Signature *Valeri Wilson, Ct*

15 Aarons Court Reporting

16 175 Main Street, 5th Floor, Suite 515

17 White Plains, New York 10601

18 DATE: 2/20/2019

19

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