

IN THE COURT OF COMMON PLEAS
CENTRE COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

HEIDI BRUSH : NO. 2019-310

VS :

LELAND FELDMAN :

TRANSCRIPT OF PROCEEDINGS
(PFA Hearing)

BEFORE: Katherine V. Oliver, Judge

DATE: February 25, 2019

PLACE: Centre County Courthouse
Courtroom No. 3
102 South Allegheny Street
Bellefonte, PA 16823

APPEARANCES:

FOR THE PLAINTIFF:
Abigail Jones, Esquire

FOR THE DEFENDANT:
Pro Se

NOTES BY: Patricia A. Grey, RPR
Official Court Reporter
Room 103, Centre County Courthouse
102 South Allegheny Street
Bellefonte, PA 16823
814-355-6734 OR FAX 814-548-1158

Exhibit P

1 A. I see it now. It's January 30th.

2 THE COURT: What year please?

3 THE WITNESS: 2019.

4 THE COURT: Thank you.

5 BY MS. JONES:

6 Q. And can you read --

7 MS. JONES: Your Honor, I think we have
8 laid a foundation. So I would like to offer to move it
9 into evidence, unless there's an objection.

10 THE COURT: Do you have a number on it?

11 MS. JONES: I do.

12 THE COURT: What -- it is what?

13 MS. JONES: Plaintiff's Exhibit 1.

14 THE COURT: Thank you.

15 Any objection to the admission of
16 Plaintiff's Exhibit 1?

17 MR. FELDMAN: No objection, Your Honor.

18 THE COURT: Thank you. So, I'll admit
19 Plaintiff's Exhibit 1. Thank you.

20 BY MS. JONES:

21 Q. Ms. Brush, could you read to me the third
22 paragraph of this email please?

23 THE COURT: Slowly.

24 THE WITNESS: It has come to my attention
25 that my daughter may have received a viral

1 neutralization test on or about October 29, 2018 from
2 the Mount Nittany Medical Center. Is this information
3 correct?

4 Q. Did your daughter, in fact, receive those
5 tests and services at Mount Nittany Medical Center?

6 A. Yes, she did.

7 Q. And at the time of Mr. Feldman's email,
8 had you provided this information to Mr. Feldman?

9 A. No, I had not.

10 Q. Are you aware whether anyone else had
11 provided that information to Mr. Feldman?

12 A. No.

13 Q. Have you checked with anyone to see?

14 A. Yes, I did. After receiving this email
15 and speaking with Vistonia Viddy, I wanted to make sure
16 what happened. So, I went to Mount Nittany Medical
17 Center. I talked to the people in the records office
18 and they told me --

19 MR. FELDMAN: Objection. Hearsay.

20 THE COURT: Your response.

21 MS. JONES: Your Honor, I think she is
22 just telling a story for her knowledge what she knows.
23 It's not for the truth the matter asserted. I don't
24 believe it's hearsay. It's explaining her next actions
25 based on what she heard.

1 Q. So, based on those past events that we
2 just reviewed and this recent email, do you believe that
3 Mr. Feldman is investigating you or tracking you at this
4 time?

5 A. Yes. I have always felt that way and it
6 comes in waves. And it's -- it feels like -- I have
7 felt that -- I have seen people that I thought were
8 following me. And I believe this letter, this email
9 that we started with was sort of like him showing me
10 like, hey, look, I'm getting information about you. You
11 can't do anything about it. And it's just like showing
12 me that he can still control us. He can still track us
13 and do whatever he wants.

14 Q. Why does that frighten you?

15 A. Well, I'm afraid he's going to do
16 something to me or AAB.

17 Q. Might do some -- like what do you mean?

18 A. Like hurt us, try to kill me again, or,
19 worse, do something to AAB.

20 MS. JONES: That's all, Your Honor.

21 THE COURT: Okay. Thank you.

22 Questions on cross-examination.

23 CROSS-EXAMINATION

24 BY MR. FELDMAN:

25 Q. Dr. Brush, not including instances of

1 where you have seen me in court or at the children's
2 resource center in Maryland in July of 2014, how many
3 times have you seen the defendant in person since May of
4 2012?

5 A. I think once.

6 Q. When was that?

7 A. I think that that was -- one of the
8 visits I think might have been in May of 2012.

9 Q. The last visit was in May 2012. After
10 that have there been -- since June of 2012 how many
11 instances have you seen me in person aside from in court
12 or once at children's resource center in Maryland in
13 July of 2014?

14 A. I don't know because there have been
15 times that I thought I saw you like in a car. I can't
16 prove it. So, I'm not sure how to answer that.

17 Q. Answer it -- my question is this: How
18 many times do you know you have seen me --

19 MS. JONES: Asked and answered, Your
20 Honor.

21 THE COURT: I think this is a different
22 question.

23 MS. JONES: Okay. Sorry.

24 BY MR. FELDMAN:

25 Q. The question is the same. How many times

1 have we -- so, you are saying you don't know how many
2 times you have seen me?

3 A. Yes.

4 Q. Do you have any dates in which you
5 believe you saw me?

6 A. I did not keep a record of specific
7 dates, no.

8 Q. But we weren't in the same room. You're
9 not certain you have seen me at any time since May or
10 since June of 2014 aside from the one instance at the
11 CRC in Maryland and in court, you are not certain you
12 have seen me?

13 A. I didn't say I'm not certain. I just
14 don't think I can prove it.

15 Q. Well, when did you think you have seen
16 me? When -- are you certain you have seen me?

17 A. I don't know how to answer that because I
18 think I have seen him.

19 THE COURT: He's asking if you're
20 certain -- if you feel certain that you have seen him --
21 just a moment. You keep coming back to proof. That's
22 not the question. The question simply is this. Are
23 there any times that you feel certain you have seen him
24 since the date referenced?

25 THE WITNESS: No.

1 MR. FELDMAN: Thank you.

2 BY MR. FELDMAN:

3 Q. Did you fill out an abuse checklist on or
4 about February 1st of 2019?

5 A. Yes.

6 Q. Has the defendant abused you by slapping
7 with an open hand?

8 MS. JONES: Objection. Relevance.

9 THE COURT: Overruled.

10 THE WITNESS: Yes, I think so. I mean,
11 there have been several times.

12 BY MR. FELDMAN:

13 Q. Has the defendant ever abused you by
14 forcing you to stay in a closet, room, home, or
15 location?

16 A. No.

17 Q. Has the defendant ever abused you by
18 physically restraining or holding you down?

19 A. I have been restrained by you, yes.

20 Q. Your answer to that question is yes?

21 A. The question itself is a little vague.

22 So, at one point he, like, hit me like this, like, kind
23 of like a side thing and when I'm in the car. So, I
24 don't know if that's being restrained or, like, hit. I
25 don't know. I don't know.

1 A. Yes.

2 Q. Rifle?

3 A. No.

4 Q. Shotgun?

5 A. No.

6 Q. Just a handgun?

7 A. Mostly handguns, yeah.

8 Q. What else?

9 A. The way I would answer that question is
10 at the time we were married, he was a police officer and
11 would regularly be wearing a gun. And at times he would
12 threaten to kill me while sort of like displaying his
13 gun, that kind of thing. He had many, many firearms in
14 the house throughout. And the way he would sort of show
15 it as he was threatening or throwing something on the
16 floor or -- it happened so many times. I mean, it would
17 be -- that I consider being threatened. That's how I
18 answer that question.

19 Q. Have you ever suffered abuse by the
20 defendant using a weapon?

21 A. No.

22 Q. Has the defendant ever physically abused
23 children in the household?

24 A. The way I would answer that is when you
25 were living in the same house as me and AAB, and you

1 were abusing me in the State of Colorado, that is
2 classified as child abuse. So, yes, I consider that
3 child abuse. Having AAB watch me being beaten or in
4 any way abused, from you, is considered child abuse.

5 Q. That's not the question. The question is
6 has the defendant ever --

7 MS. JONES: Objection. Asked and
8 answered.

9 MR. FELDMAN: -- physically abused
10 children in the household?

11 THE COURT: Okay. Yeah, the objection is
12 sustained. She's answered your question. Move on.

13 BY MR. FELDMAN:

14 Q. Does the defendant have access to
15 weapons?

16 A. I would imagine, yes, but it's unknown to
17 me what you have access to.

18 Q. Has the defendant avoided being arrested
19 for domestic violence?

20 MS. JONES: Objection. Relevance.

21 THE COURT: Overruled.

22 THE WITNESS: Can you repeat that
23 question?

24 BY MR. FELDMAN:

25 Q. Has the defendant avoided being arrested

1 for domestic violence?

2 A. I don't know.

3 MR. FELDMAN: I have two documents I wish
4 to place into evidence, Your Honor.

5 THE COURT: Show a copy to Ms. Brush's
6 counsel please.

7 MR. FELDMAN: Yes, ma'am.

8 Mark them Exhibit 1?

9 THE COURT: Yes. You're going to mark
10 them Defendant's 1. So D-1 please.

11 MR. FELDMAN: And the second one D-2?

12 THE COURT: Yes, sir.

13 MR. FELDMAN: Thank you.

14 THE COURT: You are asking to introduce
15 what you have labeled Defendant's D-1 and D-2; is that
16 correct?

17 MR. FELDMAN: Yes, ma'am.

18 THE COURT: Is there any objection to the
19 admission of D-1 and D-2?

20 MS. JONES: If I --

21 THE COURT: You can have a moment to look
22 at them, yeah.

23 MS. JONES: Thanks.

24 Can you confirm these are all part of the
25 filing that was made by Ms. Brush on the first -- were

1 our court exhibits.

2 THE WITNESS: Okay.

3 THE COURT: But I'm handing you D-1 and
4 D-2. You may proceed. Thank you.

5 MR. FELDMAN: Thank you, Your Honor.

6 THE COURT: You're welcome.

7 BY MR. FELDMAN:

8 Q. On line 2?

9 THE COURT: Of which one?

10 BY MR. FELDMAN:

11 Q. Of the abuse checklist dated December 17,
12 2012 regarding slapping with an open hand. You circled
13 no. Yet today you answered yes, and in 2019, line 9,
14 you didn't answer it at all. I find that to be
15 inconsistent.

16 THE COURT: Do you have a question?

17 BY MR. FELDMAN:

18 Q. Why are -- why do you have three
19 different answers for one question, Dr. Brush?

20 A. I guess because I find these -- some of
21 these events to be ambiguous. Like the example of was I
22 restrained or was I half punched or was it both and,
23 honestly, in the December 2012 thing, I don't have any
24 memory of filling this out. I was, like, not even sure
25 that I'm the one who filled it out. I might have

1 certain you have seen me since -- in person aside from
2 exceptionally controlled circumstances, since June of
3 2012?

4 MS. JONES: Objection. Compound
5 question.

6 THE COURT: That's sustained. You're
7 going to need to make your questions --

8 MR. FELDMAN: Smaller.

9 THE COURT: Yeah.

10 MR. FELDMAN: Yes, ma'am.

11 BY MR. FELDMAN:

12 Q. Why is there a difference in your answer
13 on line 18 in 2012 and line 14 in 2019?

14 A. I explained that I don't really remember
15 filling this form out in 2012 and it is possible that it
16 wasn't -- I was talking to whoever filled this out. I
17 don't know if it was somebody at the Women's Resource
18 Center. I don't know if it was the police. I don't
19 know. But I really, I cannot remember. I know that's
20 my signature but I actually don't remember filling it
21 out anyway. So, I don't know.

22 Some of these questions are a little
23 ambiguous, and I did have trouble filling it out the
24 last time which I remember talking about. When I filled
25 this one out at the beginning of February, I do remember

1 think that we have covered this.

2 THE COURT: Overruled.

3 THE WITNESS: In the 2012 document, again
4 I am not feeling like I'm even the one who filled it
5 out. I am somebody who writes a lot and I can't really
6 say anything about the 2012 checklist because I don't
7 really know. I don't have a memory of filling that out.

8 In the 2019 checklist, I do remember very
9 well and that is definitely my handwriting. Since I did
10 struggle with answering yes or no on some of them, I
11 added additional information.

12 BY MR. FELDMAN:

13 Q. Dr. Brush, you are stating under oath
14 you're having difficulty understanding and interpreting
15 these two documents the 2012 and the 2019. It is true
16 that you have a PhD from University of Illinois,
17 Champaign?

18 MS. JONES: Objection. Argumentative.

19 THE COURT: Is that a question?

20 MR. FELDMAN: That is a question, Your
21 Honor.

22 THE COURT: Is it true that you have a
23 PhD?

24 THE WITNESS: Yes, it is.

25 THE COURT: The objection is overruled.

1 MR. FELDMAN: I have both D-4 and D-5
2 here.

3 THE COURT: Hand them to counsel. Thank
4 you. Just give her a moment to quickly review those.
5 Are you asking to introduce these,
6 Mr. Feldman?

7 MR. FELDMAN: What is that, ma'am?

8 THE COURT: Are you asking to introduce
9 these?

10 MR. FELDMAN: I am, ma'am.

11 THE COURT: Any objection to the
12 admission of Defendant's 4 and 5?

13 MS. JONES: No objection.

14 THE COURT: Okay. Thank you. 4 and 5
15 are admitted.

16 Now, did you want to ask her a question
17 about one of them?

18 MR. FELDMAN: I do regarding the May 20,
19 2014.

20 THE COURT: That's D-5. I'm handing you
21 D-5.

22 THE WITNESS: Thank you.

23 BY MR. FELDMAN:

24 Q. Does it state in paragraph 1 mother shall
25 pay father with updates regarding child's health,

1 medical issues?

2 A. Are you just asking if it says --

3 Q. Does it state that?

4 THE COURT: Just listen to his question
5 please.

6 THE WITNESS: Yes.

7 THE COURT: And then answer his question.

8 THE WITNESS: Yes.

9 BY MR. FELDMAN:

10 Q. Did our daughter receive viral
11 neutralization test on October 29, 2018 at the Mount
12 Nittany Medical Center?

13 A. Can you repeat it?

14 Q. Did our daughter receive a viral
15 neutralization test or other medical treatment on or
16 about October 29, 2018 at the Mount Nittany Medical
17 Center?

18 A. Yes.

19 Q. When did you inform the defendant of the
20 viral neutralization test of October 29, 2018?

21 A. I did not.

22 Q. Did our daughter receive emergency
23 services on or about December 27, 2018 at the Mount
24 Nittany Medical Center?

25 A. She did not receive emergency services,

1 no.

2 Q. Did she receive any medical treatment on
3 or about December 23, 2018 at the Mount Nittany Medical
4 Center?

5 A. No, she did not receive treatment.

6 Q. Did she receive testing?

7 A. No.

8 Q. You stated that you do not know how the
9 defendant has information regarding the alleged
10 instances of treatment and/or testing at Mount Nittany
11 Medical Center; is that correct?

12 A. Yes.

13 Q. You are aware that the defendant has
14 health insurance on our daughter?

15 A. No. I am aware that you used to.

16 Q. Attorney Bierly did not give you cards in
17 2018?

18 A. The last insurance that I was aware that
19 you had for AAB, which did not cover her actually but
20 it had her name on a card, was in 2016. And I believe
21 that was United Health Care because when I found out
22 about it, I did provide them with a copy of the PFAs to
23 ensure that they didn't give out my address or anything
24 confidential. The last I heard was United Health Care
25 in 2016.

1 There was -- the very last time was just
2 -- in January 2019 was the last time he received an
3 update and that was -- I had to do that this time so I
4 had like an email account set up and I just forwarded it
5 to him. It was a progress report from school.

6 Q. And why did you not provide Mr. Feldman
7 with an update about these two specific items?

8 A. These two particular events, in my mind,
9 were not even noteworthy enough to mention it to anyone.
10 One of them, the viral neutralization test, came about
11 because the school nurse had been reviewing people's
12 records and there was a question about AAB's
13 vaccinations from when she was a baby. It turns out,
14 like, I don't know. Two of the vaccinations were too
15 close together and -- now. Like, they changed the rules
16 on the vaccinations. Either 2018 or whatever, they
17 changed it and so now they said, oh, well, they were
18 given too closely together. So you could just have a
19 test to see if she has immunity or you could just
20 revaccinate or both if needed.

21 That's all it was. It was a blood test.
22 She was not seen by a doctor. She was absolutely fine.
23 There was nothing noteworthy. Like, she was the same as
24 she was a year ago. Like, it was just to make sure that
25 the vaccinations were good and they were. There was no

1 issue there. So, no doctor visit, no nurse visit. It
2 was just literally just a blood draw and, I mean,
3 obviously, somebody looked at the chart but just there
4 was nothing there. It was just to verify that her
5 vaccinations were all current and they are so.

6 Q. The second one? The second item?

7 A. The second visit and the reason why I
8 said she did not receive any treatment is because I
9 basically had that visit in abundance of caution kind of
10 thing.

11 THE COURT: Wait. So there was a visit?

12 THE WITNESS: There was a visit but she
13 was not treated at all.

14 So what happened is AAB had cinnamon
15 essential oil of mine and she was holding it and she
16 said can I put this on a stuffed animal? I said, no,
17 no, it's too strong. You don't want to do that. So, I
18 thought that was the end of it. But while she was
19 holding it, apparently she had gotten a couple drops on
20 her hand. So, you know, I went and did something. Half
21 an hour later I looked at her. Like your face is red.
22 I didn't even make the connection at first because she
23 just had this big red patch on her cheek.

24 So, you know, she basically said, oh,
25 yeah, I think I rubbed some of that oil on my face.

1 Like, it was on her hand and she went like this. She
2 got some on her face. So I just took some cream and got
3 everything off and cleaned off her face. Then because
4 it was on her face and it was bright red, okay, let's
5 just go to the emergency room because I don't know.

6 By the time we got, there she looked
7 totally normal. There was no red or anything. We just
8 kind of like were there and they were like, okay. A PA
9 walked in the room. He's just like you did a great job,
10 Mom. He didn't do anything to her. There was no
11 treatment. It was like to me a non-issue. I felt maybe
12 I overreacted by taking her but, yeah, there was nothing
13 wrong with her. She didn't receive any medical
14 treatment. He just said you did a good job. That was a
15 good idea how you cleaned the off essential oil.

16 So it was kind of like a big nothing.
17 Maybe I overreacted by going there at all, but I don't
18 know. I didn't think it was worth saying anything to
19 really anybody. It wasn't like a major thing.

20 MS. JONES: No further questions, Your
21 Honor.

22 THE COURT: Okay. Thank you.

23 I take it that doesn't give rise to any
24 questions on cross?

25 MR. FELDMAN: It only does one question

IN THE COURT OF COMMON PLEAS
CENTRE COUNTY, PENNSYLVANIA
CIVIL DIVISION - LAW

HEIDI BRUSH : NO. 2012-3103
VS :
LELAND FELDMAN :

TRANSCRIPT OF PROCEEDINGS
(Custody)

BEFORE: Pamela A. Ruest, Judge

DATE: April 11, 2014

PLACE: Centre County Courthouse
Courtroom No. 2
102 South Allegheny Street
Bellefonte, PA 16823

APPEARANCES:

FOR THE PLAINTIFF:
Jennifer P. Bierly, Esquire

FOR THE DEFENDANT:
Mark S. Weaver, Esquire

NOTES BY: Brittany Curchoe
Official Court Reporter
Centre County Courthouse
102 S. Allegheny Street
Bellefonte, PA 16823
814-355-6734 OR FAX 814-548-1158

Exhibit Q

COPY

1 and in place for it.

2 Q. How do you conduct the Skype, on
3 what device?

4 A. On my phone. AAB

5 Q. Does [REDACTED] sit with your phone?

6 A. Yes.

7 Q. Can [REDACTED] move around if she wants
8 to?

9 A. She can do whatever she wants, yes.
10 She is very familiar with my phone.

11 Q. So how do you prepare her mentally
12 for the Skype session?

13 A. Well, one thing is she's seeing a
14 school psychologist dealing with this kind
15 of trauma about the Skype, her fears about
16 it. That's one method.

17 The other method is we just talk
18 about it. I assured her based on the
19 December 27th Court visit last time, I
20 remembered that Judge Ruest had mentioned,
21 hey, if she's not having a long
22 conversation, that's okay. So I let her
23 know that before we even start. Whatever
24 you're comfortable with saying to him,
25 whatever you're comfortable with, and

1 didn't have contact for many years,
2 according to his own statement. He,
3 himself, admitted that to me.

4 Q. Heidi, there were exhibits presented
5 by Mr. Weaver and Mr. Feldman. They were
6 Defendant's Exhibits C and D, which were
7 letters, emails to you from Mr. Feldman in
8 which he asked for specific normal, albeit
9 normal, legal custody information.

10 You did not answer those, correct?

11 A. That's right.

12 Q. You forwarded them to me?

13 A. Yes.

14 Q. And you asked me to file the
15 petition to modify the December 27, 2013
16 order; is that right?

17 A. Yes. Can I just add something?

18 The questions about [REDACTED] ^{AAD} health
19 and dental issues, those were actually
20 addressed in the deposition. So I figured
21 that was only a couple of months ago. I
22 didn't feel like there was really anything
23 new to suddenly report.

24 Q. In terms of general health or dental
25 issues?

1 Q. Did you talk to any child welfare
2 agencies about that?

3 A. Nope.

4 Q. When you met -- now this November 1
5 incident of 2008 involved a punch to the
6 chest a single time by Mr. Feldman on you,
7 correct?

8 A. Yes.

9 Q. Did you call the police after that
10 incident?

11 A. Yes.

12 Q. When you were discussing with the
13 police what had happened, isn't it true you
14 didn't mention any prior incidents of
15 physical abuse with him?

16 A. I think if you review the report
17 there is probably something in there about
18 that.

19 Q. Let's do that.

20 A. Okay.

21 Q. Do you recall that you were
22 interviewed by certain police officers on
23 that day?

24 A. Yes.

25 Q. And once again, you were in

1 Colorado, correct?

2 A. (Witness indicating yes.)

3 Q. Does a Deputy Lester --

4 A. I really can't recall who was
5 involved. There were a number of --

6 Q. So you spoke to a number of -- I
7 think they're sheriffs, deputy sheriffs?

8 A. They are, right.

9 Q. So I have -- but you did talk with
10 certain deputies that day, correct?

11 A. At least two, I think.

12 Q. I have marked here -- I have the
13 Affidavit of Probable Cause that was filed
14 as a result of that incident. I'd like you
15 to, if you can, read between the brackets
16 that I put into that Affidavit.

17 A. Deputy Lester asked Heidi how long
18 they had been having --

19 THE COURT: Slower.

20 THE WITNESS: Oh, I'm sorry. Deputy
21 Lester asked Heidi how long they had been
22 having trouble with their marriage.

23 Heidi said that they had not been
24 getting along for a while. She said that
25 they have argued many times in the past and

1 that the arguments were much more intense
2 than this one.

3 Heidi said that she had asked Leland
4 many times in the past to leave the house,
5 to give her some space. Heidi stated that
6 Leland would never leave and that he said
7 the only way he was leaving was if the
8 police showed up.

9 BY MR. WEAVER:

10 Q. Thank you. I'll let your attorney
11 review the rest of this Affidavit.

12 Ma'am, at no time at this incident
13 when you were speaking with the police did
14 you ever tell them about any prior incidents
15 of physical abuse.

16 A. That doesn't -- I don't know what --
17 the passage I just read doesn't say I didn't
18 receive any abuse. It doesn't say that at
19 all.

20 It says some of the prior arguments
21 that we had were even more intense.

22 Q. Right. So you had arguments, but
23 clearly you of course being somebody who is
24 very schooled in the language and
25 communicating would have been very specific

1 about telling them about --

2 A. That's not a verbatim transcript of
3 what I said, though.

4 Q. So that's inaccurate?

5 A. It's not necessarily inaccurate. It
6 doesn't say one way or another whether there
7 was abuse in the past.

8 Q. Well, I'll let your attorney have a
9 look at that, and maybe she can find a
10 passage where you do mention any physical
11 abuse, but --

12 A. I will say very specifically he had
13 not struck me and he had not punched me
14 before. That does not mean there was not
15 prior abuse or threats of killing me.

16 Q. Any of those threats of killing you,
17 were they ever reported to law enforcement?

18 A. No, they weren't.

19 THE COURT: You both --

20 THE WITNESS: They were reported to
21 friends, though.

22 THE COURT: You both need to not cut
23 off each other.

24 THE WITNESS: Okay, sorry.

25 THE COURT: The court reporter has

1 had a long, hard day.

2 BY MR. WEAVER:

3 Q. You mentioned that during this
4 incident of November 1, 2008 [REDACTED] ^{AAB} was in
5 the same room, and you consider that child
6 abuse, correct?

7 A. Yes.

8 Q. Do you recall your deposition on
9 September 16, 2013 with Mr. Trialonas?

10 A. Yes.

11 Q. Isn't it true that you told him at
12 that point in time that [REDACTED] ^{AAB} was in the
13 kitchen when this occurred?

14 A. Yes.

15 Q. And you and Mr. Feldman were in the
16 living room?

17 A. It's an open floor plan just like
18 here. So like, we have a little physical
19 barrier just like that. It would be as if
20 she were there and we were here. It's
21 visually the same space.

22 Q. Born in January, correct?

23 A. Yes.

24 Q. This is now November?

25 A. Correct.

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PA

HEIDI BRUSH-FELDMAN,)	CIVIL ACTION - LAW
Plaintiff,)	
)	
vs.)	No. 1686 of 2009 G.D.
)	
LELAND FELDMAN,)	Judge Gerald R. Solomon
Defendant.)	

CONSENT CUSTODY ORDER OF COURT

AND NOW, to wit, this 15 day of October, 2009, with the consent of the parties and their counsel, IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

1. Shared legal custody of the parties' minor child, namely, AAB AAB, born AAB, is hereby awarded to the Plaintiff/Mother and Defendant/Father.
2. The Plaintiff/Mother shall have primary physical custody of the minor child.
3. The Defendant/Father is awarded partial physical custody of the parties' minor child as Plaintiff/Mother and Defendant/Father may agree.
4. The Child Custody Mediation Conference scheduled for October 15, 2009 is hereby CANCELED.

Exhibit R

2009 OCT 15 P 2:30
 JUDGE GERALD R. SOLOMON
 PROTHONOTARY

FILED

Attest

[Signature]
Prothonotary

BY THE COURT:

[Signature] J.

CONSENTING:

[Signature]
Heidi Brush-Feldman, Plaintiff

Leland C. Feldman
Leland Feldman, Defendant

[Signature]
Brian P. Cavanaugh, Esq.
Attorney for Plaintiff

[Signature]
Mark K. Gubinsky, Esq.
Attorney for Defendant

TRUE AND ATTESTED COPY

[Signature]
PROTHO NOTARY