

As submitted to State Bar of California October 21, 2011:

Clearly showing intentional disregard for the process which does require counsel to communicate with each other in an effort to keep costs down, to allow for possibilities of settlement, and for disclosing all information. Attorneys are not allowed to hide accounts, ignore opposing counsel, or to intentionally drive up fees to put money in their own pockets. This below is only one of the issues in this case. There are many more issues that will be submitted to the State Bar.

Those are listed here with proof to be supplied:

Lying outright in court about an event that did not occur, making up things to sway the court.

Accusing another person of "altering documents" that did not occur swaying judges perceptions of that persons integrity and honesty, slander.

Lying outright in depositions about what is allowed in deposition.

Lying in a court proceeding to the court directly about an MSA. Shown in court declarations and court transcripts, and depositions.

Journal in regards to undisclosed bank and credit card accounts in discovery dated May 28, 2011.

Faxed August 27, 2011 Excerpt below

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

Now that we have discovered that Michael has an undisclosed checking account. Therefore I ask at this time that the checking account I have discovered, ending in #6447 and held at HSBC since at least August 2010, be disclosed. I ask for all statements going back to date of start of that account since it was withheld in ALL previous discovery requests. I also ask that the bank be able to be contacted directly to verify the opening date of that account, since it was withheld and is fraud.

At this time, if there are any other hidden accounts, please provide them.

I have already provided the court with the slew of undisclosed, denied deeds, trusts, etc.

In addition, we cannot have Chris Summers as the expert. He is now a hostile witness. He was angry that I subpoenaed him, I have it on tape and he knows this, he was aware I was taping. He was angry. He also did not show up. I suggest we find a new third party expert to do the analysis. I will collect all my documents on Michaels income sources and have them ready. I also will respond to your unwillingness to even ask about those supposed withdrawals and such in the report by Robert Huntoon. I will provide all proof directly to you, even though you never even told me it was an issue. I am quite sure, that it was intentional as it delayed correct child support even more. Your unwillingness to communicate like adults, and like attorneys is frustrating this process and again, is sanctionable. If not in the trial court, then on appeal. I am gathering my evidence and putting it all online for easy access by all. You can

defend yourself if you wish. Simply communicate with me and stop running up fees and taking my time, and my life.

Faxed September 2, 2011 Excerpt below

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

Your response on August 26, 2011 stating that you have provided all documents in Mr. Caldwell's possession is a clear violation of the discovery process which states that he is required to produce all documents that are within his custody and control as well. Clearly bank transactions from the past 3 years is within his custody and control, clearly many of the requested documents are within his control, clearly his brokerage accounts are within his control, and the court did not rule on the later 2009 documents at that hearing, please reread your transcripts. In addition, giving me the address of the bank, but not the authority to get the documents is obviously not allowing discovery of these bank transactions. This violation may not lead to sanctions against you with this judge, for whatever reason, but it will stand up in appeals court. It is obvious that you, an attorney, are bullying me, oppressing me, lying to me directly about discovery processes, and completely making it impossible for me to get any useful discovery information that will simply lead to more costs, and more mucking up of this case. This was simply a child support case I filed to get child support once I found out Michael had lied to me about his income in 2006, 2007, 2008. Your actions are clearly against the code of ethics and the State Bar Rules and will be sanctioned in appeals court.

Investigation: diligent search and reasonable inquiry [C.C.P. §2031(g)(2)]

Maldonado v. Superior Court (2002), 94 Cal.App.4th 1390 [P.M.K. deposition after corporation had financial problems and knowledgeable employees had left. The appellate court made clear that a "reasonable search" for documents had to be conducted and documents had to be reproduced at deposition: "...the witness or someone in authority is expected to make an inquiry of everyone who might be holding responsive documents or everyone who knows where such documents might be held."]of everyone who might be holding responsive documents or everyone who knows where such documents might be held."]

Qualcomm Inc. v. Broadcom Corp., 2008 U.S. Dist. LEXIS 911 (January 7, 2008)

"...the Court finds that these attorneys did not conduct a reasonable inquiry into the adequacy of Qualcomm's document search and production and, accordingly, they are responsible,[*56] along with Qualcomm, for the monumental discovery violation."

In Footnote 10 the court stated. "Leung's attorney represented during the OSC hearing that Leung requested a more thorough document search but that Qualcomm refused to do so. October 12, 2007 Hearing Transcript at 14-15. If Leung was unable to get Qualcomm to conduct the type of search he deemed necessary to verify the adequacy of the document search and production, then he should have obtained the assistance of supervising or senior attorneys. If Mammen and

Batchelder were unable to get Qualcomm to conduct a competent and thorough document search, they should have withdrawn from the case or taken other action to ensure production of the evidence. See The State Bar of California, Rules of Professional Conduct, Rule 5-220 (a lawyer shall not suppress evidence that the lawyer or the lawyer's client has a legal obligation to reveal); Rule 3-700 (a lawyer shall withdraw from employment if the lawyer knows or should know that continued employment will result in a violation of these rules or the client insists that the lawyer pursue a course of conduct prohibited under these rules). Attorneys' ethical obligations do not permit them to participate in an inadequate document search and then provide misleading and incomplete information to their opponents and false arguments to the court. *Id.*; Rule 5-200 (a lawyer shall not seek to mislead the judge or jury by a false statement of fact or law); see also, *In re Marriage of Gong and Kwong*, 157 Cal. App. 4th 939, 951 (1st Dist. 2007) [*50] ("[a]n attorney in a civil case is not a hired gun required to carry out every direction given by the client;" he must act like the professional he is)."

See also In re Citric Acid Litigation, 191 F.3d 1090 (9th Cir.1999) (court affirmed the "legal control" test as the standard for a parent's obligation to produce documents in the possession and custody of its subsidiary)("Even if *International Union* does not conclusively settle the question, we conclude-consistently with all of our sister circuits who have addressed the issue--that the legal control test is the proper standard under Rule 45).[citations] Courts apply the legal control test to requests for documents under both Rule 34 and Rule 45. "A rule 45 subpoena, as well as a rule 34 document request, may reach only those documents within the possession, custody or control of the subpoenaed person.[citations]

The Ninth Circuit in both *International Petroleum* and in the *Citric Acid* case reiterated the law as reflected in other rulings throughout the U.S. See, e.g. *Hubbard v. Rubbermaid, Inc.*, 78 F.R.D. 631 (D.Md.1978) (stating that the nonparty status of wholly owned subsidiaries does not shield their documents from production, since the crucial factor is that the documents must be in the custody, or under the control of, a party to the case); *In re Investigation of World Arrangements, Etc.*, 13 F.R.D. 280 (D.D.C.1952) (holding that corporation has control over subsidiary and must produce subpoenaed documents); *see also Advance Labor Service, Inc. v. Hartford Acc. & Indem. Co.*, 60 F.R.D. 632 (N.D.Ill.1973) (corporation required to produce books and records of sister corporation with same directors and shareholders), *cited in International Union of Petroleum and Indus. Workers*, 870 F.2d at 1452.

Duty to create compilations & documents from available raw data unless unduly burdensome or oppressive

Person v. Farmers Insurance Group of Companies(1997), 52 Cal.App.4th 813 [Dr. holding records and refused to comply with subpoena duces tecum until attorney signed lien for fees; final narrative report and billing records not prepared; Held: Dr. must compile and provide itemized statement if the raw data exists and the preparation of the compilation is not unduly burdensome or oppressive

To avoid a civil case and unnecessary litigation, please produce all documents previously denied or withheld that are in the custody or control of Mr. Caldwell. Otherwise we will be in a long fight over child support and an appeal based on lack of documents due to discovery misuse by you and your client.

I again ask for all withheld documents that were reasonable in order to prove income from 2009 to present, and all the brokerage statements not addressed in the motion to compel dated from July 2008-July 2009.

Faxed September 4, 2011

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

I respond to your letter dated August 26, 2011. I have gone to the bank that you provided me in order to get copies of the deposits and such. They will not provide those to me. I think you knew that. Giving me the place to get documents your client failed to provide in discovery, but no way to get them then wasting my time telling me that I can go get them, is just you trying to make me incur more expenses by filing subpoenas and upsetting this judge, even though somehow he always thinks it is okay to do whatever you wish. The State Bar will disagree. Again, I ask that your client provide at least the January 2008-2011 bank deposit transactions to prove where his other income is coming from.

I also again remind you that the previously undisclosed hidden account at HSBC needs to be investigated by the expert so I still need those statements from January 2008 to now.

Failure to provide discovery is punishable by sanctions, if not by this judge, then by the appellate court.

I would hate for us to go in and have this expert analyze our income, to then have to prove all this other income and hidden information. If this judge does not enforce the law, it may lead to yet another appeal, which will likely then cost your client another expert analysis with all the previously withheld information.

Kindly provide the required bank documentation.

Faxed September 7, 2011

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

I would like to know when your client will be giving me the bank statements I need for the expert dated from January 2008-Date of production, on the previously undisclosed during discovery, fraudulently hidden account at HSBC Bank. If you help with this fraud, you can be held liable personally.

Faxed September 8, 2011

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

Quite honestly I do have a right to make accusations of fraud, when you and your client have neglected to disclose 2 checking accounts, 2 credit card accounts, and now a third account in your discovery responses. This is indeed fraud on me and on the court. I have also since discovered more undisclosed accounts and income. So what you see as inflammatory, is, in reality, fact.

You and your client have repeatedly refused to respond by full disclosure to my discovery requests over the past 7 years. I am now putting it all together and finding out about undisclosed accounts, undisclosed jobs, undisclosed 1099's, undisclosed companies, undisclosed benefits, and fraudulent tax returns and have proven them in my exhibits. As an attorney, it is not your job to help your client hide his information, only to protect his right to the truth. Discovery is not about which lawyer is better at not giving information, which is better at avoiding the discovery rules of the State of California. It is about working with the other attorney to get all the truth out for the benefit of the children who need their support.

As for hurling accusations. I have stated only facts. ON the other hand, you hurled false accusations in court on numerous occasions which, after having my friend and previous family court judge help me find all the serious untruths, will have you investigated by the State Bar if there is a God.

I will list a few here:

1. I never called the police on Marilyn. This was a lie you told the court to make them think I was harassing her in order to avoid disclosing her putting Michaels company under her name. Now I have to file in Civil Court, what a mess.
2. I only called CPS one time. The other times were schools, doctors, and whoever. I do not know.
3. I am not the primary owner of Ecobaby and you have the proof of that, so stop saying it is my company, you are mucking up this case with your lies.
4. Michael did not give me all the bank and credit card statements in 2004 Discovery, you know that, you were his attorney. Therefore you lied to the court again.
5. You were the one who had the MSA, when Michael stated he could not get a hold of it in 2008 hearing. Therefore you lied. Correct me if you lied at the deposition instead, not sure which time. Ms. Swaim warned you about what you were doing and how it was driving up fees, and mucking up this case. I warn you the same. You are required by Discovery Rules to advise your client to provide all relevant information or anything that can lead to relevant information. You are required to advise him to go and get the information, not simply what is in his pocket. I also will state, you may or may not be aware, but the civil case is at issue here since it is repeatedly brought up here and the information you have submitted is information obtained in that civil case.

Lastly, Sheppard Mullin called Ed Freedman, my civil attorney, and stated that Michael is aware that I am not hiding money, that Ecobaby really does not have money. But yet he is neglecting to tell you this in an effort to keep saying I make a lot more than I imputed to myself.

So at this time, I am putting in writing that it is clear you have made Discovery impossible, you have neglected to respond properly to properly propounded discovery, and you were fully aware of your neglect and your refusal to do your sua sponte duty to disclose, or inform your client to disclose. You have also been neglectful in not answering my letters, avoiding questions, and giving vague answers in discovery. All sanctionable in appeals court. You have completely frustrated discovery, the proof is that I do not have the information about large amounts of income, and your client hid many accounts during discovery, he cannot remember anything during deposition, not even if he gave the IRS and myself the same tax returns, and did not properly respond to my request for admissions. Therefore I cannot find out where all his income is coming from.

I urge you to reconsider your function, and do your job by communicating with me and my attorneys, and by reminding your client of his duty in discovery.

As for my documents. I will be copying and pasting your responses into my responses this time. I do not need to give, what you and your client refuse to give anymore. I gave everything, I also gave more doing my sua sponte duty of full disclosure.

Faxed September 19, 2011

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

With respect to the previously hidden bank account that I discovered by hiring an investigation company, I asked for those statements to comply with discovery that you previously committed fraud on back on August 27, 2011. They do not have a 30 day time line since they were fraudulently hidden during discovery. I again ask for the statements for HSBC bank account ending in 6447 that you previously hid from me in discovery in previous years. Fraud is not permitted in Family Court. I am sure that it is taking so long since you have to hide that account now, and find some way to try to explain what I will undoubtedly discover in those accounts when the court, this or the appeals court, orders your client to produce them. I am also very sure, that no expert analysis can be completed without access to the statements and the other hidden incomes. I again ask for compliance so this case can move forward. Please provide all statements from 2001 and on for any previously undisclosed accounts your client has. The January 2008 does not apply for previously undisclosed accounts, since you committed fraud in previous discovery, you do not get to continue this fraud. I have a separate fraud case in the works with an attorney and if we do not get the information here, then I will just do another request after we file it. However, by law, all information withheld in previous discovery by denying its existence, is discoverable when I find out, that is how I have more of the evidence to file a fraud case. If you cannot comply willingly, then I will have my fraud lawyer contact you for the information and ask the court that I be reimbursed for your purposely costing me extra monies while hiding income and bank

accounts. Any refusal here will result in sanctions to you as the attorney who is not responding to valid requests when you already have lodged proof that it exists.

Finally I got these bank accounts. Which led to undisclosed credit card and unknown accounts totaling more than \$110,000.

Letter I Sent September 22, 2011: NO RESPONSE

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

I am in receipt of the brokerage statements, and the HSBC checking account ending in 6447, and the savings account at HSBC that were opened October 2010. There are new questions brought up by these transactions. Therefore, should I write them in a letter and you can try to stop frustrating discovery by just providing the information, or will I be forced to propound another discovery request.

Since this checking account, and the savings account were found, opened with \$60,000 that your client did not disclose as income, even though your client denied this account existed in all previous discovery, how am I to know there are not more accounts? Are you again stating these are all the accounts your client has? Even though your client stated that this was all he had in his responses and it was outright perjury and fraud on the court and on me.

Please provide the actual deposit slip and copies of what was deposited into the HSBC account. I have checked and HSBC does keep copies of them and will have them online at your clients request.

Please advise if THIS TIME, your client has not withheld more accounts. A statement under penalty of perjury would suffice for now, although he already perjured himself several times so this judge may not care.

I have glanced through the statements and notice that you and your client have also withheld discover card statements for many years, capital one credit card statements, and I would like to see proof of what the \$20,000 DFT payment on 11/19/2010 is for, and a copy of check number 0101.

I again also ask for proof of the payments made by others to your clients credit cards in 2009 that were discussed in the letters between you and my former counsel. We were told they were paid by Marilyn. We need the statement from the account that those transactions were paid from. Otherwise, there is no way for me or the court to know who really paid those bills, and if there are more hidden accounts.

Due to this fraud and deceit, I ask that your client let me get a copy of his credit report as without it, there is no way for me to conduct a full discovery given your clients past perjury. Let us try and do this civilized. You are aware that your client has frustrated discovery in the worst way possible, by outright hiding information, and by perjuring himself. I assume you did not advise him to commit this crime and were unaware he had done this.

I remind you, it is the lawyers responsibility to advise their client and not to advise, or even present false evidence to a court of law. It is punishable by sanctions and/or disbarment. You may see this as a threat. That is your right. But I think I can prove that you did not act in a way that is how the State of California wants lawyers to act. You and your client have committed crimes on the court and on me, the real victims, our 4 children. Please change your conduct so we can finish discovery finally.

If I do not get all the requested information, then the expert obviously will not have correct information at all and his entire work will be suspect by this court or in appeals court. That would be a huge waste of money. It is already hard enough that I have to give him thousands of documents, proof of all the perjury and fraud on various agencies to the expert and he has to try and figure out what the heck is going on, but this is also a waste of your clients money. In the meantime, I again ask that you help speed things up by allowing me permission to get the actual tax returns that Michael really filed with the IRS for 2008 ,2009 and 2010.

Letter I sent September 23, 2011: NO RESPONSE

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

I have enclosed here an excel showing the amounts deposited and paid out of your clients previously hidden, undisclosed accounts. I remind you again that fraud, is not legal and is punishable by sanctions either from the trial court or from appeals if necessary.

1. I have put ? marks in the spaces where I need the deposit slips that clearly show what was deposited as per full disclosure rules in discovery responses. This is actual deposit slips as they are likely to be admissible evidence or to lead to admissible evidence in the child support hearing and the appealed omitted assets hearing. If you client does not comply, we will be forced to even more litigation only to finally get at the truth your client continues to hide.

Perjury, although condoned, is not legal, please remind your client of the need for sua sponte responses as per the law.

2. I also ask for the proof of the check payment made. The copy of the check, which I know the bank has.

3. I also ask for copies of the Discover Card Statements and the Capital One Statements that are referred to in these bank statements.

4. I also ask for copy of the DFT account that the \$20,000 was transferred into.

Please ask your client to get these things to me by the 30th of September, 2011. If he cannot, then please have him sign over authority for me to contact the institution directly by the 28th of September so I can go and get the information myself. As you know, we are on a time deadline and you dragging your feet, delaying responses is further frustrating my ability to get complete and truthful income information for purposes of support.

Since this income was not reported to the IRS on the IRS tax returns Michael gave to me in discovery, I ask that I be permitted to get the IRS documents myself, from the IRS. Your client only needs to sign a form allowing me to get those tax returns from 2008, 2009, and 2010. So it is not burdensome and in light of all the fraud, the court would need to follow the law and let me see the correct or amended returns myself.

Letter I sent October 12, 2011: NO RESPONSE

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

I remind you that it is illegal, prosecutable in civil court for remedies, and against State Bar Rule-5-200 which states "(A) Shall employ, for the purpose of maintaining the causes confided to the member such means only as are consistent with truth;

(B) Shall not seek to mislead the judge, judicial officer, or jury by an artifice or false statement of fact or law

You have violated this on numerous occasions. And not because you were just stating what your client told you, but matters you know are not true.

I will tell you what you did yesterday, lying outright to the court that I have altered a document. You know that is not true. You know those are 2 different documents. So you outright lied to this court and this will need to be addressed in the proper forum. I again remind you of your duties as an attorney and current member of the State Bar.

Future actions do not release my rights to pursue action for past perjury by you to this court.

Also tell your client to stop threatening me. He may be able to threaten some, but not me, even if he does kill me.

On another matter. The Motion to Compel has nothing to do with the fact that your client still has not given me the statements of the 2 undisclosed credit card accounts that my detective found, nor the account ending in 63405. You did not object to that in discovery, in fact you did

not mention it in your response. Therefore you are providing it. Will your client be providing this information or not? Please let me know as per your legal responsibility. I have a deadline of discovery request of the 28th for the expert. So I ask that your client get me the withheld information by this Friday, October 14th, so as not to delay the expert witness or make his job harder, costing your client more money. This withholding of information you are very aware has been withheld is also against your ethical obligations as an attorney.

I also wish to remind you, that your continued assertion that I make more money than I stated is false and you are aware of this, or you should be. You have still not found ANY evidence at all that I make more in the past 3 years. In fact, you have again misled this court by providing evidence that Ecobaby has paid vendors, has paid back my mom some of the money she loaned Ecobaby, and that Art Turner also got some of that money from Ecobaby to reimburse him for his business expenses. Your Robert Huntoon also proved that I make even less than I stated in my I and E's (I took no payroll in 2006, or 2007, and only \$11,000 in 2008). Your continued fighting in this manner, is unethical, abusive, oppressive, and is perjury by any standard. You are not acting like a lawyer, but more like Michaels faithful advocate, in the face of truth. This is not allowed, you have become to enmeshed in your clients daily life.

I think we need to Meet and Confer on the Record if you wish to do your duty as an attorney. Otherwise this is going to get very expensive for your client. And the only purpose of what you have done, is to delay this case and cost my parents and me everything.

Sheppard Mullin, being a real firm, with ethical attorneys did tell Mr. Ed Freedman, Ecobabys attorney, that Michael has admitted to them (Sheppard Mullin) that he (Michael) is aware that Ecobaby has not hidden money and it all looks correct to them. Perhaps you need to discuss this with your client and get back to me whether you are going to continue this charade. If you again state in court, that I make more money, you are purposely driving up costs and preventing any semblance of settlement. Against court policy.

Finally a response after 4 weeks:

Baldwin response sent 10/19/2011 1:35pm:

Ms. Edmunds,

I have never stated that we would not provide the documents on your list. Mr. Caldwell is out of town. When he returns, I will discuss these discovery matters with him.

Despite what you said in a previous e-mail, I am not required to communicate with you by e-mail. I made an exception when dealing with Mr. Summers because a third party was involved in those communications. I am answering this e-mail as a courtesy. I will not respond to any more e-mails after this one.

You have informed me that you intend to appear ex parte regarding the issue of Mr. Summers' retainer and his analysis. You must contact my office by telephone to give me the proper ex parte notice. I am available next Tuesday and Thursday mornings. Until the issue has been resolved by the court, I do not intend to e-mail you regarding Chris Summers either. He has made it clear that he does not want to be a part of any additional communications until the matter of his retainer has been resolved.

You may communicate with me by regular mail, fax and telephone. That is more than sufficient to fulfill any obligations I have to communicate with you.

Your cooperation is appreciated.

Very truly yours,

CAROLE D. BALDWIN
BALDWIN & BALDWIN
9171 Towne Centre Drive, Suite 440
San Diego, CA 92122

My fax sent 10/18/2011

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

While analyzing records for the information to submit to our NEUTRAL expert for the income analysis, I came across another anomaly. It seems that \$12.95 was paid from Bank Account # 080xxxx04 to an Amex credit card account. However, as I pull up Mr. Caldwell's Amex account statements, I do not see that any payment for \$12.95 was made on or around 07/12/10. Please explain this anomaly.

I have enclosed in this fax the entire credit card bill for Amex ending date of 07/22/10 and the bank account clearly showing the \$12.95 payment. Please include a copy of the statement that the \$12.95 paid in the next 5 days. They are available online at all the banks that Mr. Caldwell has disclosed.

I have checked and am getting statements from all the bank officials as to what is available online for these accounts. This is costing me more time and more money and will need to be reimbursed at some point when I prove to this court your very obvious collusion with Michael to hide information.

Again, I remind you of your duty as an attorney. This is not war, this is supposed to be 2 attorneys sharing information in order to get to a resolution.

I have also enclosed the credit card statement and the bank statements of the miscellaneous \$25,000 or more of payments made to Michaels credit card ending 1758 during the year 2010. Please provide any statement showing what bank account those payments came from by next week. Please inform your client of the need to produce relevant, requested documents so that we will not be faced with even more trials and more expenses.

Truly Yours,

Ginny Edmunds

My email sent 10/19/2011 1:03 pm

Ms. Baldwin,

Your client is refusing to supply the following documents:

1. The deposit records and copies of the items deposited requested from Union Bank Accounts for 2008-2011
2. The deposit records and copies of the items deposited requested from Bank Of America for 2008-2011
3. The paypal register for 2008-2011
4. The Capital One Credit Card Statements up to present
5. The Discover Card Credit Card Statements up to present
6. The HSBC transfer account statement (of the account it was transferred to) done November 19/2010
7. The agreed to items from our hearing on August 30, 2011. CSIIdentity and Marilyn Weakly

Please inform me if you are withholding these documents requested in discovery and how you expect me to get them.

You have told me to just subpoena the information from the banks. That is not complying with discovery. If I can just subpoena them, why does your client not just authorize me to get them? Or just go online and get them himself as it is a 5 minute process.

Ginny Edmunds

My response faxed October 21, 2011

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

Here is the email you sent me.

Ms. Edmunds,

I have never stated that we would not provide the documents on your list. Mr. Caldwell is out of town. When he returns, I will discuss these discovery matters with him.

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You may communicate with me by regular mail, fax and telephone. That is more than sufficient to fulfill any obligations I have to communicate with you.

Your cooperation is appreciated.

You sent me this email stating that I am not allowed to email you, that you will not respond. Yet it is you who began emailing me against your own rules. This is not okay with me and I hope the court does not condone this type of one sided behavior. You know it is difficult for me to fax, I have to get to a fax machine. Mail takes too long and is making this case drag on. I am concerned that you do not give me the same respect you demand I give you. If you can email me at your whims, why is it not okay for me to email you?

The court will not let me schedule the ex parte out that far, so I have to schedule it Friday. I will call you right after I schedule it.

As for your response that you did not say you would not give me the documents in the list. Yes you did say exactly that. You simply ignored all my letters to request that information after my legal investigator found the accounts that led to me finding these undisclosed credit card and unknown accounts. Ignoring a request is the same as denying it in a court of law. also faxed at this time are the letters where I asked for this information, the discovery where I asked for it as well. Note the dates:

Letter I Sent September 22, 2011: NO RESPONSE

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

I am in receipt of the brokerage statements, and the HSBC checking account ending in 6447, and the savings account at HSBC that were opened October 2010. There are new questions

brought up by these transactions. Therefore, should I write them in a letter and you can try to stop frustrating discovery by just providing the information, or will I be forced to propound another discovery request.

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I have glanced through the statements and notice that you and your client have also withheld discover card statements for many years, capital one credit card statements, and I would like to see proof of what the \$20,000 DFT payment on 11/19/2010 is for, and a copy of check number 0101.

I again also ask for proof of the payments made by others to your clients credit cards in 2009 that were discussed in the letters between you and my former counsel. We were told they were paid by Marilyn. We need the statement from the account that those transactions were paid from. Otherwise, there is no way for me or the court to know who really paid those bills, and if there are more hidden accounts.

Due to this fraud and deceit, I ask that your client let me get a copy of his credit report as without it, there is no way for me to conduct a full discovery given your clients past perjury. Let us try and do this civilized. You are aware that your client has frustrated discovery in the worst way possible, by outright hiding information, and by perjuring himself. I assume you did not advise him to commit this crime and were unaware he had done this.

I remind you, it is the lawyers responsibility to advise their client and not to advise, or even present false evidence to a court of law. It is punishable by sanctions and/or disbarment. You may see this as a threat. That is your right. But I think I can prove that you did not act in a way that is how the State of California wants lawyers to act. You and your client have committed crimes on the court and on me, the real victims, our 4 children. Please change your conduct so we can finish discovery finally.

If I do not get all the requested information, then the expert obviously will not have correct information at all and his entire work will be suspect by this court or in appeals court. That would be a huge waste of money. It is already hard enough that I have to give him thousands of

documents, proof of all the perjury and fraud on various agencies to the expert and he has to try and figure out what the heck is going on, but this is also a waste of your clients money. In the meantime, I again ask that you help speed things up by allowing me permission to get the actual tax returns that Michael really filed with the IRS for 2008 ,2009 and 2010.

Letter I sent September 23, 2011: NO RESPONSE

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

I have enclosed here an excel showing the amounts deposited and paid out of your clients previously hidden, undisclosed accounts. I remind you again that fraud, is not legal and is punishable by sanctions either from the trial court or from appeals if necessary.

1. I have put ? marks in the spaces where I need the deposit slips that clearly show what was deposited as per full disclosure rules in discovery responses. This is actual deposit slips as they are likely to be admissible evidence or to lead to admissible evidence in the child support hearing and the appealed omitted assets hearing. If you client does not comply, we will be forced to even more litigation only to finally get at the truth your client continues to hide.

Perjury, although condoned, is not legal, please remind your client of the need for sua sponte responses as per the law.

2. I also ask for the proof of the check payment made. The copy of the check, which I know the bank has.

3. I also ask for copies of the Discover Card Statements and the Capital One Statements that are referred to in these bank statements.

4. I also ask for copy of the DFT account that the \$20,000 was transferred into.

Please ask your client to get these things to me by the 30th of September, 2011. If he cannot, then please have him sign over authority for me to contact the institution directly by the 28th of September so I can go and get the information myself. As you know, we are on a time deadline and you dragging your feet, delaying responses is further frustrating my ability to get complete and truthful income information for purposes of support.

Since this income was not reported to the IRS on the IRS tax returns Michael gave to me in discovery, I ask that I be permitted to get the IRS documents myself, from the IRS. Your client only needs to sign a form allowing me to get those tax returns from 2008, 2009, and 2010. So it is not burdensome and in light of all the fraud, the court would need to follow the law and let me see the correct or amended returns myself.

Letter I sent October 12, 2011: NO RESPONSE

Re: Marriage of Caldwell; Case No. ED 047912

Ms. Baldwin,

I remind you that it is illegal, prosecutable in civil court for remedies, and against State Bar Rule-5-200 which states "(A) Shall employ, for the purpose of maintaining the causes confided to the member such means only as are consistent with truth;

(B) Shall not seek to mislead the judge, judicial officer, or jury by an artifice or false statement of fact or law

You have violated this on numerous occasions. And not because you were just stating what your client told you, but matters you know are not true.

I will tell you what you did yesterday, lying outright to the court that I have altered a document. You know that is not true. You know those are 2 different documents. So you outright lied to this court and this will need to be addressed in the proper forum. I again remind you of your duties as an attorney and current member of the State Bar.

Future actions do not release my rights to pursue action for past perjury by you to this court.

Also tell your client to stop threatening me. He may be able to threaten some, but not me, even if he does kill me.

On another matter. The Motion to Compel has nothing to do with the fact that your client still has not given me the statements of the 2 undisclosed credit card accounts that my detective found, nor the account ending in 63405. You did not object to that in discovery, in fact you did not mention it in your response. Therefore you are providing it. Will your client be providing this information or not? Please let me know as per your legal responsibility. I have a deadline of discovery request of the 28th for the expert. So I ask that your client get me the withheld information by this Friday, October 14th, so as not to delay the expert witness or make his job harder, costing your client more money. This withholding of information you are very aware has been withheld is also against your ethical obligations as an attorney.

I also wish to remind you, that your continued assertion that I make more money than I stated is false and you are aware of this, or you should be. You have still not found ANY evidence at all that I make more in the past 3 years. In fact, you have again misled this court by providing evidence that Ecobaby has paid vendors, has paid back my mom some of the money she loaned Ecobaby, and that Art Turner also got some of that money from Ecobaby to reimburse him for his business expenses. Your Robert Huntoon also proved that I make even less than I stated in my I and E's (I took no payroll in 2006, or 2007, and only \$11,000 in 2008). Your continued

fighting in this manner, is unethical, abusive, oppressive, and is perjury by any standard. You are not acting like a lawyer, but more like Michaels faithful advocate, in the face of truth. This is not allowed, you have become to enmeshed in your clients daily life.

I think we need to Meet and Confer on the Record if you wish to do your duty as an attorney. Otherwise this is going to get very expensive for your client. And the only purpose of what you have done, is to delay this case and cost my parents and me everything.

Sheppard Mullin, being a real firm, with ethical attorneys did tell Mr. Ed Freedman, Ecobabys attorney, that Michael has admitted to them (Sheppard Mullin) that he (Michael) is aware that Ecobaby has not hidden money and it all looks correct to them. Perhaps you need to discuss this with your client and get back to me whether you are going to continue this charade. If you again state in court, that I make more money, you are purposely driving up costs and preventing any semblance of settlement. Against court policy.

Finally a response after 4 weeks:

Baldwin response sent 10/19/2011 1:35pm:

Ms. Edmunds,

I have never stated that we would not provide the documents on your list. Mr. Caldwell is out of town. When he returns, I will discuss these discovery matters with him.

Despite what you said in a previous e-mail, I am not required to communicate with you by e-mail. I made an exception when dealing with Mr. Summers because a third party was involved in those communications. I am answering this e-mail as a courtesy. I will not respond to any more e-mails after this one.

You have informed me that you intend to appear ex parte regarding the issue of Mr. Summers' retainer and his analysis. You must contact my office by telephone to give me the proper ex parte notice. I am available next Tuesday and Thursday mornings. Until the issue has been resolved by the court, I do not intend to e-mail you regarding Chris Summers either. He has made it clear that he does not want to be a part of any additional communications until the matter of his retainer has been resolved.

You may communicate with me by regular mail, fax and telephone. That is more than sufficient to fulfill any obligations I have to communicate with you.

Your cooperation is appreciated.

Very truly yours,

CAROLE D. BALDWIN
BALDWIN & BALDWIN
9171 Towne Centre Drive, Suite 440
San Diego, CA 92122

October 21, 2011 9:44 am Wrote to State Bar of California by email:

Dearest person that hopefully cares,

What does a pro per litigant do if they have written proof that an opposing attorney has both lied outright and deceived willingly, even the judge acknowledged her deception, in court and to opposing counsel? Not once but on 8 different occasions. All in writing, all provable with transcripts, deposition transcripts, emails. Is there an attorney or a process whereby I can submit my proof to have her stop mucking up this case for over 3 years with her consistent outright lying. I have carefully compiled it all. Not what she believes but outright lies on issues she has already knowledge of and proof she knew. I also have proof of her withholding evidence. Who do I send my evidence to? How is it handled?

Ginny Edmunds
5851 Blazing Star Lane
San Diego, CA 92130
619-851-8236
858-461-1374

October 21, 2011 9:50 am Left message for:

San Diego Volunteer Lawyer Program AIDS Law Team

Primary Address: 625 Broadway Ste 925

City: San Diego

State: CA

Zipcode: 92101-5499

General Phone: 619-235-5656 ext. 105

Fax: 619-235-5668

Counties Served: San Diego

Case Types: Bankruptcy, Dissolution of Marriage, Domestic Violence, Housing, Individual Rights, Public Benefits, Wills

Other Case Types: HIV/AIDS issues

Case Restrictions: Clients have to prove by medical records that they are HIV positive.

Web Site: <http://www.sdvlp.org>