

**EXHIBIT 15**

## Section 2.2

# Attorney for the Minor Child

*A Guide to Resources in the Law Library*

### SCOPE:

Bibliographic resources relating to the role of the attorney for a minor child (AMC) in legal proceedings and how this role differs from that of the guardian ad litem (GAL).

### DEFINITIONS:

- “The primary role of any counsel for the child including the counsel who also serves as guardian ad litem, shall be to advocate for the child in accordance with the Rules of Professional Conduct. When a conflict arises between the child's wishes or position and that which counsel for the child believes is in the best interest of the child, the court shall appoint another person as guardian ad litem for the child. The guardian ad litem shall speak on behalf of the best interest of the child and is not required to be an attorney-at-law but shall be knowledgeable about the needs and protection of children. In the event that a separate guardian ad litem is appointed, the person previously serving as both counsel and guardian ad litem for the child shall continue to serve as counsel for the child and a different person shall be appointed as guardian ad litem, unless the court for good cause also appoints a different person as counsel for the child. No person who has served as both counsel and guardian ad litem for a child shall thereafter serve solely as the child's guardian ad litem.” CONN. GEN. STATS. § 46b-129a(2) (2007).

### STATUTES

CONN. GEN. STAT. (2008)

- § 45a-620. Appointment of counsel. Appointment of Guardian ad litem to speak on behalf of best interests of minor. (*Probate Court*).
- § 46b-54. Counsel for minor children. Duties.
- § 46b-62. Orders for payment of attorney's fees in certain actions.
- § 46b-129a. Examination by physician. Appointment of counsel and guardian ad litem.

### LEGISLATIVE:

- 2001 CONN. ACTS 148. An Act concerning Juvenile Matters
- 1. requires Superior Court judges to appoint guardians *ad litem* (people who represent a child's best interests) in all abuse and neglect cases, rather than only those they deem appropriate
- 2. eliminates a requirement that the child's attorney and guardian *ad litem* be different people, specifies criteria when separate representation is required, and directs courts to appoint as attorneys and guardians *ad litem* only people knowledgeable about abuse and neglect matters

*2001 Summary of Public Acts p. 140*

### COURT RULES

CONNECTICUT PRACTICE BOOK (2008)

- § 25-24. Motion for appointment of counsel for minor child.
- § 30-3. Advisement of Rights (*juvenile matters*).
- § 32a-1. Right to Counsel and to Remain Silent (*juvenile matters*).

### RULES OF PROFESSIONAL CONDUCT:

CONNECTICUT PRACTICE BOOK (2008)

- Rule 1.14 Client under a Disability

(a) When a client's ability to make adequately considered decisions in connection with the representation is impaired, whether because of minority ... or for some other reason, the lawyer shall, as far as reasonably possible, maintain a normal client-lawyer relationship with the client.

**FORMS:**

- MARY ELLEN WYNN & ELLEN B. LUBELL, HANDBOOK OF FORMS FOR THE CONNECTICUT FAMILY LAWYER 163 (1991)  
Form VIII-A-3. Motion for Appointment of Counsel for Minor Children
- LEGAL ASSISTANCE RESOURCE CENTER OF CONNECTICUT, GETTING A LAWYER APPOINTED FOR YOUR CHILD: DIVORCE, CUSTODY OR VISITATION CASES (April 2005).  
*Motion for Appointment of Counsel for Minor Children*

**CASES:**

- Carrubba v. Moskowitz, 274 Conn. 533, 537, 877 A.2d 773(2005). "We agree with the Appellate Court that the defendant was entitled to immunity, but we disagree as to the proper scope of the immunity. We conclude that attorneys appointed by the court pursuant to § 46b-54 are entitled to absolute, quasi-judicial immunity for actions taken during or, activities necessary to, the performance of functions that are integral to the judicial process."
- In re Christina M., 90 Conn. App. 565, 579, 877 A.2d 941 (2005). "We therefore reject the argument of the parents that the trial court failed to fulfill its constitutional obligation to provide counsel for the daughters. In light of the record before it, the court properly appointed an attorney to represent the daughters' legal interests. Until the court was asked also to appoint a guardian ad litem, that was all that our constitution required the court to do."
- In re Tayquon H., 76 Conn. App. 693, 821 A.2d 796 (2003). "It also is clear ... that the obligation of the person appointed as counsel is shaped by the Rules of Professional Conduct, which, in pertinent part, obligate counsel to abide by a client's decisions concerning the objectives of representation... It is when counsel perceives that this obligation is in conflict with the child's actual best interest that counsel must bring that to the courts' attention, and the court, in turn, must appoint a separate guardian ad litem to protect and to promote the child's best interest in the process." (703)
- Ireland v. Ireland, 246 Conn. 413, 717 A.2d 676 (1998). "... the attorney for the child is just that, an *attorney*, arguing on behalf of his or her client, based on the evidence in the case and the applicable law. The attorney is not, however, a witness, whether quasi-expert or otherwise. Thus, an attorney for a minor child shall be heard in a similar manner as most other attorneys ar heard, ..." (438-439)
- Newman v. Newman, 235 Conn. 82, 663 A.2d 980 (1995). "Typically, the child's attorney is an advocate for the child, while the guardian ad litem is the representative of the child's best interests. As an advocate, the attorney should honor the strongly articulated preference regarding taking an appeal of a child who is old enough to express a reasonable preference; as a guardian, the attorney might decide that, despite such a child's present wishes, the contrary course of action would be in the child's long term best interests, psychologically or financially." (96-97)
- Schaffer v. Schaffer, 187 Conn. 224, 445 A.2d 589 (1982). "The purpose of appointing counsel for a minor child in a dissolution action is to ensure independent representation of the child's interest and such representation must be entrusted to the professional judgment of appointed counsel within the usual constraints applicable to such representation."

(p.224 n.1)

- Schult v. Schult, 241 Conn. 767, 699 A.2d 134 (1997).  
“... we conclude, that where the court has appointed both an attorney and a guardian ad litem to represent a child in a dissolution action, the attorney for the child may advocate a position different from that of the guardian ad litem so long as the trial court determines that it is in the best interests of the child to permit such dual, conflicting advocacy.” (p. 780)
- G.S. v. T.S., 23 Conn. App. 509, 582 A.2d 467 (1990).  
“In this case, where custody is hotly contested, where, prior to trial, the court is made aware of allegations of child abuse and sexual molestation, ... it is an abuse of discretion not to appoint counsel for the minor children.” (p. 516)
- Weinstein v. Weinstein, 18 Conn. App. 622, 561 A.2d 443 (1989).  
“No authority is given to court appointed counsel to issue orders affecting the parties or their children or to resolve, in quasijudicial fashion, disputes between the parties concerning their children.” (p. 628)
- Ridgeway v. Ridgeway, 180 Conn. 533, 429 A.2d 801 (1980).  
“Under General Statutes §46b-54, the court ‘may’ appoint counsel to protect the interests of a minor child in a dissolution action if it deems it to be in the best interests of the children. The term ‘may’ imports discretion...”

#### STANDARDS:

- *American Bar Association Standards of Practice for Lawyers who Represent Children in Abuse and Neglect Cases* (A.B.A., 1996), reprinted in JEAN KOH PETERS, REPRESENTING CHILDREN IN CHILD PROTECTIVE PROCEEDINGS: ETHICAL AND PRACTICAL DIMENSIONS 843 (2d ed., 2001).
- *Standards of Practice for Lawyers Representing Children in Custody Cases* (Approved by the ABA House of Delegates, August 2003), reprinted in 37 FAM. L. QUART. 131 (2003).

#### ENCYCLOPEDIAS:

- 42 AM. JUR. 2d *Infants* §§ 158—201(2000). *Representation of Infant*
- Christopher Bello, Annotation, *Validity and Efficacy of Minor's Waiver of Right to Counsel—Modern Cases*, 25 A.L.R. 4<sup>th</sup> 1072 (1983).

#### CLE SEMINARS:

Available at the  
Norwich Law Library

- CONNECTICUT BAR ASSOCIATION, ADVANCED AND COMPLEX ISSUES IN JUVENILE LAW (CLE Seminar, Dec. 13, 1996).
- CONNECTICUT BAR ASSOCIATION, REPRESENTING PARENTS OR CHILDREN IN TERMINATION OF PARENTAL RIGHTS CASES (CLE Seminar, Oct. 6, 1993).

#### TEXTS & TREATISES:

- ARNOLD H. RUTKIN AND KATHLEEN A. HOGAN, CONNECTICUT PRACTICE SERIES, FAMILY LAW AND PRACTICE WITH FORMS (1999).  
Chapter 18. Process  
§ 18.10. Service on parties who are incompetent or incarcerated;  
Service on third parties  
Chapter 23. Evidentiary Matters and Trial  
§ 23.10. Privileged communications in custody disputes  
Chapter 42. Child custody and visitation  
§ 42.18. Appointment of a Guardian ad litem  
Chapter 45. Attorney fees & expenses  
§ 45.16. Fees for counsel for minor child or guardian ad litem
- 3 ARNOLD H. RUTKIN, GEN. ED. FAMILY LAW AND PRACTICE (2007).  
Chapter 32. Child custody and visitation  
§ 32.01[4]. Expanding roles of the attorney in custody controversies  
[a] Child's representatives  
[i] Counsel's role  
[ii] Counsel's duties

- FAMILY LAW PRACTICE IN CONNECTICUT (1996).  
Chapter 7. Trial practice considerations  
§ 7.60. Guardian ad litem, p. 7-26
- ANN M. HARALAMBIE, THE CHILD'S ATTORNEY: A GUIDE TO REPRESENTING CHILDREN IN CUSTODY, ADOPTION, AND PROTECTION CASES (1993)  
Guardians Ad Litem, p. 5-10  
Selected Guidelines for Guardian Ad Litem, Appendix B, p. 239.  
Excerpt, D. WHITCOMB, GUARDIANS AD LITEMS IN THE CRIMINAL COURTS (1988), Appendix C, p. 289.
- 2 SANDRA MORGAN LITTLE, CHILD CUSTODY & VISITATION LAW AND PRACTICE (2007).  
Chapter 12A. Legal representation of children in custody and visitation cases  
§ 12A.01. Introduction  
§ 12A.02. Appointment of the attorney-guardian ad litem  
§ 12A.03. Functions of the attorney-guardian ad litem  
§ 12A.04. Performing the functions of attorney-guardian ad litem: A general guide
- 1 DONALD T. KRAMER, LEGAL RIGHTS OF CHILDREN (Rev. 2d ed. 2005).  
Chapter 2. Child custody  
§ 2:31. Counsel or guardian *ad litem* for the child  
Chapter 12. The Guardian *ad litem*  
§ 12:1. The guardian *ad litem* or next friend: Background  
§ 12:2. —Provisions for guardians *ad litem* in procedural rules and statutes  
§ 12:3. The parent as the "duly appointed representative  
§ 12:4. Rules and circumstances requiring appointment of guardian *ad litem*  
§ 12:5. Authority and responsibilities of a guardian *ad litem*  
§ 12:6. Payment of fees and expenses to guardians *ad litem*  
§ 12:7. Guardian *ad litem*'s immunity from suit and harassment
- 2 DONALD T. KRAMER, LEGAL RIGHTS OF CHILDREN (Rev. 2d ed. 2005).  
Chapter 16. Child abuse  
§ 16:31: The attorney or guardian *ad litem* for the child  
§ 16:32. Immunity of guardian
- ANN M. HARALAMBIE, HANDLING CHILD CUSTODY, ABUSE AND ADOPTION CASES (1993).  
§ 4.24. Independent Representation for the Child [Dependency and Neglect Proceedings]  
§§ 11.23-11.24. Independent Representation for the Child [Custody Incident to Dissolution of Marriage]  
§§ 21.04-21.05. Trial Techniques
- MICHAEL J. DALE ET AL., REPRESENTING THE CHILD CLIENT (2007).  
§ 4.06[1][a]. Guardian Ad Litem - Dependency Proceedings  
§ 9.02[5]. Guardian Ad Litem distinguished from the role of an attorney
- ANNE GRAFFAM WALKER, HANDBOOK ON QUESTIONING CHILDREN: A LINGUISTIC PERSPECTIVE (1999).

**LAW REVIEWS:**

- Carolyn Wilkes Kaas and Sharon Wicks Dornfeld, *Serving as a AMC after Carrubba v. Moskowitz: What Every Judge and Lawyer should know*, CONNECTICUT FAMILY LAWYER Issue2 (June 2007).
- Frederic S. Ury, et al., *A Law Primer for Risky Behavior in Minors*, 14 CONN. LAWYER 12 (November 2003).
- Linda D. Elrod, *Raising the Bar for Lawyers Who Represent Children: ABA*

- *Standards of Practice for Custody Cases*, 37 FAM. L. QUART. 105 (2003).
  - Robert Solomon, *Staying in Role: Representing Children in Dependency and Neglect Cases*, 70 CONN. B.J. 258 (1996).
  - Connecticut Bar Association, *Counsel for Children: Guidelines for Courts and Counsel in Civil Custody Cases*, 56 CONN. B.J. 484 (1982).
  - Kim J. Landsman & Martha L. Minow, Note, *Lawyering for the Child: Principles of Representation in Custody and Visitation Disputes Arising from Divorce*, 87 YALE L.J. 1126 (1978).
  - Carolyn Richter & Gina A. Pasquini, *The Role of the Counsel for the Minor Child: Minority Report*, 6 CONN. FAM. LAW. 37 (1991).
  - *Recommendations of the Conference on Ethical Issues in the Legal Representation of Children*, 64 FORDHAM L. REV. 43 (1996), reprinted in JEAN KOH PETERS, REPRESENTING CHILDREN IN CHILD PROTECTIVE PROCEEDINGS: ETHICAL AND PRACTICAL DIMENSIONS 883 (2d ed., 2001).
  - Ann M Haralambie, *Representing Children in Civil Cases*, 30 TRIAL, no. 2, 37 (Feb. 1994).
  - Jean Koh Peters, *The Roles and content of Best Interest in Client-Directed Lawyering for Children in Child Protective Proceedings*, 64 FORDHAM L. REV. 1505 (1996), reprinted in JEAN KOH PETERS, REPRESENTING CHILDREN IN CHILD PROTECTIVE PROCEEDINGS: ETHICAL AND PRACTICAL DIMENSIONS 559 (2d ed., 2001).
  - Nancy W. Perry and Larry L. Teply, *Interviewing, Counseling, and In-Court Examination of Children: Practical Approaches for Attorneys*, 18 CREIGHTON L. REV. 1369 (1985), reprinted in JEAN KOH PETERS, REPRESENTING CHILDREN IN CHILD PROTECTIVE PROCEEDINGS: ETHICAL AND PRACTICAL DIMENSIONS 665 (2d ed., 2001).
  - Angela D. Lurie, *Representing the Child-Client: Kids are People too; an Analysis of the Role of Legal Counsel to a Minor*, 11 N.Y. L. SCH. J. HUM. RTS. 205 (1993).
  - Judith Larsen, *Does the Child's Lawyer Owe "The Whole Truth" to the Court in Neglect-Abuse Cases?*, 47 JUV. & FAM. CT. J., Spring 1996, at 49.
  - Sarah H. Ramsey, *Representation of the Child in Protection Proceedings: The Determination of Decision-Making Capacity*, 17 FAM. L.Q. 287 (1983).
- COMPILERS:**
- Lawrence Cheeseman, Supervising Law Librarian, Connecticut Judicial Branch, Law Library at Middletown, One Court Street, Middletown, CT 06457. [EMAIL](#)

**EXHIBIT 16**

**Veronica Reich**

**From:** mnowacki@aol.com

**Sent:** Tuesday, December 01, 2009 8:07 AM

**To:** kfclegal@aol.com; Veronica Reich

Kevin,

Just so you know while you were emailing me last night I was dealing with the insurance related issues from the hit and run accident the nanny had last night at 5pm.

Fortunately, no one was injured and Kerry wasn't in the back seat where the airbags went off.

This is a wake up call for you two as well. God is sending us all a clear message. Stop the nonsense before someone gets seriously hurt.

Tim was on the way to Dr. Cohen's office just so you know. He wouldn't have needed to go there if it wasn't for the stress you both have brought into my family's life by your insistence that having spent a total of six hours with Kerry and Tim that you have a clue as to how much unneeded stress you have interjected as venom into their lives.

For a grandparent to alienate Tim against his father like Suzanne's father has done, is simply just an example of how biased the report that Veronica Reich gave to the court.

Veronica, somehow along the way you forgot the conversation we had about Randy Pausch, when he wrote: The job of a parent is to enable the dreams of their children.

By continue this legal escalation, and by refusing to see the damage you are unnecessarily inflicting into the children's lives by stretching them like rubber bands, when the financial resources which you both are voraciously eating up which could go to the children's educations instead, shows the callousness and depraved indifference to the value of both parent's love in these children's lives.

The vast amount of evidence of the active role Tim and Kerry's father has played and will play in building sound values of honesty and integrity into their lives, which Veronica Reich didn't even mention in her report to the Court, is exactly why the grievance committee process has to be pursued vigorously against both of you.

By the appropriate sanctions, the level of damage you can do to another family's life will be ameliorated.

Kathy Jordan called me last night Veronica to say the last transcript is ready to file the Grievance on you.

Kevin, there will be 1500 pages of documents, from transcripts, false and unsigned financial affidavits, emails where you tried to implicate me in issues, your failure to produce documents in a timely fashion causing for due process issues that only hurt your client, are just a few of the documents heading to Ruccio.

Make sure Kevin you are in compliance with the Rules of Practice on providing me with updated documents, and ensure that a letter from your client waiving your conflict of interest between your grievance committee proceeding and your client's interest is ready to present to the Court as required by the Ct. Practice Book.

Have a great day serving the Lord.

Blessed are those who hunger and thirst for righteousness, they shall be satisfied--Sermon on the Mount. Gospel reading on November 1, 2009, both my mother's 85th birthday and Tim's 15th. Again a clear sign that God was blessing our lives to replace Nicholas Nowacki (now Fox) who turned 24 on November 18th (my youngest brother's birthday).

God will bless me with the wisdom and courage to continue this fight for love on behalf of Kerry and Tim who need to be protected from those who are abusing their dreams by taking their education money and

EXHIBIT<sup>2</sup> "A"

putting it in their pockets instead.

It is a noble profession you are in, getting paid to lie all the time and not having consequences for it. That day of having to be accountable will happen when the grievance committee reviews the contrary evidence that either of you have been in compliance with the Professional Code of Conduct which you are obliged to uphold.

mjn

## Veronica Reich

---

**From:** mnowacki@aol.com  
**Sent:** Saturday, November 28, 2009 8:16 AM  
**To:** Veronica Reich  
**Subject:** Civil Lawsuit

v,

Kerry gave me her advised consent to file a civil lawsuit against you and your firm for the non-compliance with your Professional Rules of Conduct, and also your depraved indifference to her expressed desires which you failed to represent in court that she wanted to continue with the existing shared custody arrangement.

Kerry's decision was based upon her comments that "she should be fired" and that she is suffering emotional distress because of your depraved indifference to what she delivered to you in her session with you: she wanted no change in the existing relationship because it allows her equal time with both parents who she loves.

Your insensitivity and your operation outside your role to serve with Kerry's advised consent to maintain the current arrangement of shared legal custody just demonstrates how lawyers deplete resources that can go towards education expenses.

Tim and I have not had a chance to independent of Kerry's determination to sit down and determine his preference to sue for damages associated with your attempts to deplete resources which can be better used to sending him to a third year of prep school rather than waste those reserves.

Inasmuch as Tim in a conversation we had on this subject on Thanksgiving morning, expressed a desire to spend resources on his education rather than a court appointed psychological exam, which will only deplete already constrained financial resources for this optional expense.

Lawyers and courts should not be in the position to operate outside the advised consent of the children's expressed desires to you to leave the existing custody arrangement in place.

Absent your withdrawal from the case, which may be mandated by the grievance committee anyway, you should in the best interests of the children and file a motion to vacate the order and simultaneously withdraw from the case.

The grievance committee process will put your clients interests in conflict with the preservation of your career and will give rise to conflict of interest. The children will not be waiving their rights to not waive that conflict of interest provision, as the children and I discussed this issue as well.

Children need to be taught to stand up for injustice when they see it occur and to take preventive steps to protect themselves from others who operate solely in their vested self interests by preying on their innocence.

Their father will continue to operate in their VERY best expressed interests because I actually listen to my children's desires and goals. You didn't.

Furthermore your competence is going to be challenged in the grievance committee process. Your selectively edited report didn't reflect the children's expressed desires.

Your recusal is what is appropriate. Your failure to look at court transcripts, evidence in the file submitted in three court hearings on September 16, 24 and 30 put you in position to make a predetermined decision when you filed to reclaim your motion on September 30.

You cared little about our children's expressed desires and you spent the vast majority of your report of the court defending your career, and your implications for being complicit in hiding tax fraud. Your misstated on the court record that you were threatened by actions. I didn't threaten you, I informed you

after the 211 filing was made when you refused to look at evidence.

The bill which I just got indicated that you spent one hour on the review of materials. You then looked at the exhibit index and selectively pulled materials out and misrepresented materials contained within.

Lastly, you edited two lines out of an email and you presented it AS the email. This is the kind of misrepresentation which is simply preposterous. I will present to the grievance committee evidence which will show that email sent at 10:07 was started at 8pm and interrupted for a lengthy conversation with my mother on her birthday.

She is sending me the phone bill which will validate she called while that message was being composed.

Now you will understand when you have a grievance committee proceeding what it is like to be forced to hire a lawyer against your will and be sued for malpractice for incompetence, which in essence you would have to prove to remove me as a co-parent.

You failed to review the emails in the manilla envelopes from Suzanne where she insulted, maligned, lied to achieve an objective.

That is what the malignancy part of malignant narcissism is about. They tell lies and half truths, where the untold part of the story, constitutes unspoken truth about the lies that represent the other side of the truth.

You are not going to burn the children's college and educational funds on your incompetent presentation of misleading, misrepresentations designed to drive up your legal fees.

As the old saying in the Midwest goes, Pigs get fat, hogs get slaughtered. That isn't a threat so don't represent it as such.

It is a Midwest saying that suggests that those who try and pad their pocketbooks with others money through dishonest conduct, ultimately cause for irreparable harm to themselves because of their greed.

The grievance process is in place for a reason. Lawyers lie all the time. They just don't report each other because if they did there would be no lawyers to lie because they would all be under sanction all the time.

Your conduct was criminal, so a civil suit is the only mechanism available to recover the damages you have already caused.

Kerry and Tim were great students, socially well adjusted, and it wasn't until they were introduced to the inadequacies of our judicial system that they started to have stress issues.

There isn't a bottomless pit of money her Veronica. My assets are all in the pension plan and 401K and in the equity in my home. That is it. For the last year I have had to bear 65% of \$60,000 of expenses, which has resulted in nearly \$10,000 of debt being accrued on my financial affidavit.

All because Suzanne has an overseas account of a couple of million which she can use to defend herself from a reasonable and fair conclusion to the modification.

This court system is theatre of the absurd. People lying, cheating, deceiving and getting away with it. In 2008, Suzanne's tax returns says, foreign dividend income of over \$14,000 but it isn't on her financial affidavit because there is no line item for that inclusion on the standard form and that is the reason why it isn't declared? That is absurd.

And what about those assets that delivered that foreign dividend income. Because there is no line item for foreign trust distributions, you don't have to declare it?

Your failure to even inspect the children's tax returns which hasn't resulted in a check which Suzanne has written on any account of hers....gives every appearance that she has avoided paying taxes on their accounts which you failed to inspect.

That level of incompetent representation can only be highlighted in a court of law. Otherwise, the incompetence continues to be paid by clients, who are forced to take a representative who

remains clueless to this day about how you just believed the lies and became a cancer to my children's lives. That is why they call it malignant narcissism. It infects all the human tissue it comes in contact with.

Resign the case please and file a simultaneous motion to vacate the court order for the BEST INTERESTS OF THE CHILDREN WHO YOU CLAIM TO REPRESENT.

MJN

## Veronica Reich

---

**From:** mnowacki@aol.com

**Sent:** Saturday, November 28, 2009 9:19 PM

**To:** Veronica Reich

**Subject:** Kerry

Kerry said she was with Tim when Tim indicated that he expressed that the custody arrangement should be kept as is.

So Veronica, who did you represent in your recommendation. Your clients are some other interest than what advised consent requires you to uphold?

mjn

## Veronica Reich

---

**From:** mnowacki@aol.com  
**Sent:** Thursday, November 26, 2009 8:23 PM  
**To:** Veronica Reich  
**Subject:** Advised Consent

V,

In operating outside of your direction as provided by your clients, Kerry and Tim Nowacki, you have not only operated outside of your Professional Code of Ethics, in misrepresenting their expressed desire, but you have in that process delivered a report filled with false, misleading and incomplete statements on behalf of two minors.

I had extensive conversations, as is my parental prerogative to properly represent the children's views.

Tim indicated to me today that it would be "ridiculous" to spend money on attorney fees and exams which would effect his education.

.Dr. Cohen said that my proposals to resolve the financial issues were completely reasonable and that he suggested that money would be better served to send Tim to prep school after his freshman year.

Your continued depraved and self serving report did not reflect my extensive involvement in Kerry and Tim's life for which they have benefitted enormously.

To suggest that your financial interests to line your pockets with the children's education money is simply a sign of how out of touch you continue to be with what their best interests are.

Again, if you had any shame, which you don't, it might give hope that someday you could understand how upset the children are with any change in custody. All you are doing is lining your pockets with their education money.

Judge Schofield has no rights to legislate love. It isn't in the Practice Book.

Orders that are derived from false, misleading and inappropriate recommendations which don't reflect your clients desires and Judges who are now up for Judicial Misconduct that make orders based on false information which will be overturned on appeal, are not going to be tolerated by this parent.

mjn

## Veronica Reich

---

**From:** mnowacki@aol.com  
**Sent:** Wednesday, November 25, 2009 5:51 PM  
**To:** Veronica Reich  
**Subject:** depraved indifference

V

I spent a great deal of time talking to my therapist about why people lie.

He helped me realize that what you engaged in was a form of abuse which he referred to as inferred abuse based on a claim of superiority.

What you did in court was abusive to the children's expressed desires, which constitutes depraved indifference.

You could care less about anything but your fee.

That was your second communication.

My therapist said that lawyers are the bane of his existence when he worked in the court system and rarely operated outside their vested interest of being money rather than values driven.

You failed in your job and therefore am filing a lawsuit on behalf of my children who are incensed that their representative didn't use their advised consent to support the existing joint custody arrangement.

When you abuse a child's confidence like you did that is a form of child abuse called depraved indifference.

That is worthy of criminal penalties and civil ones as well.

**Veronica Reich**

---

**From:** mnowacki@aol.com  
**Sent:** Monday, November 23, 2009 7:15 PM  
**To:** Veronica Reich  
**Subject:** RE: Nowacki

You don't feel sorry for Kerry, you never represented her or Tim.

Your represented only yourself today yet once again.

Kerry was the one who called you stupid last night. She was being too generous and I didn't want to offend her by suggesting that her generosity wouldn't be appreciated.

Veronica, another great example of selective editing by you.

You had an incident report in your hand, and you didn't report on that.

That is fair and balanced reporting wasn't it.

You work in a disingenuous world and no wonder most lawyers are cynics.

Just like you said to your husband....is there any right or wrong....well that depends.

Kevin Collins won't survive until Middleton and neither will you.

-----Original Message-----

**From:** Veronica Reich <vreich@baipollock.com>  
**To:** mnowacki@aol.com  
**Sent:** Sun, Nov 22, 2009 10:20 pm  
**Subject:** RE: Nowacki

I feel so sorry for Kerry. It is a shame what you are doing to her.

**VERONICA E. REICH, ESQ.**  
**BAI, POLLOCK, BLUEWEISS & MULCAHEY, P.C.**  
ATTORNEYS AND COUNSELORS AT LAW  
ONE CORPORATE DRIVE  
SHELTON, CT 06484  
TELEPHONE 203.925.8100  
FAX 203.925.8101  
[vreich@baipollock.com](mailto:vreich@baipollock.com)

This communication may contain information that is confidential and/or subject to the attorney-client privilege. If you are not the intended recipient, or the agent or employee responsible for delivering this message to the intended recipient, please be advised that any use, distribution, or copying of this communication is prohibited. If you have received this communication in error, please notify the sender immediately. Thank you.

---

**From:** mnowacki@aol.com [<mailto:mnowacki@aol.com>]  
**Sent:** Sunday, November 22, 2009 10:19 PM  
**To:** Veronica Reich

**Subject:** RE: Nowacki

kerry wanted to know if "mom's lawyer" bribed you? Did he?

-----Original Message-----

**From:** Veronica Reich <[vreich@baipollock.com](mailto:vreich@baipollock.com)>

**To:** [mnowacki@aol.com](mailto:mnowacki@aol.com)

**Cc:** Veronica Reich <[vreich@baipollock.com](mailto:vreich@baipollock.com)>

**Sent:** Sun, Nov 22, 2009 9:42 pm

**Subject:** RE: Nowacki

I just saw this e-mail and I will not call Kerry at 9:42 on a school night, nor will I call Kerry based on your demands. Please tell Kerry that she is free to call me or to e-mail me privately at any time. The fact that Kerry is asking about my "recommendation" proves that you are inundating her with details of the court case. The only appropriate response to the question that you say Kerry posed is that a) you could not possibly fire me, as you have no authority to do so, b) don't worry about these adult issues, and c) you can call Veronica anytime or e-mail her. Stop torturing and pressuring your children with these matters.

**VERONICA E. REICH, ESQ.**

**BAI, POLLOCK, BLUEWEISS & MULCAHEY, P.C.**

ATTORNEYS AND COUNSELORS AT LAW

ONE CORPORATE DRIVE

SHELTON, CT 06484

TELEPHONE 203.925.8100

FAX 203.925.8101

[vreich@baipollock.com](mailto:vreich@baipollock.com)

This communication may contain information that is confidential and/or subject to the attorney-client privilege. If you are not the intended recipient, or the agent or employee responsible for delivering this message to the intended recipient, please be advised that any use, distribution, or copying of this communication is prohibited. If you have received this communication in error, please notify the sender immediately. Thank you.

---

**From:** [mnowacki@aol.com](mailto:mnowacki@aol.com) [<mailto:mnowacki@aol.com>]

**Sent:** Sunday, November 22, 2009 8:33 PM

**To:** Veronica Reich

**Subject:**

Kerry would like to speak with you right now about your recommendation. She asked me if I fired you.

**Veronica Reich**

---

**From:** mnowacki@aol.com  
**Sent:** Sunday, November 22, 2009 9:48 PM  
**To:** Veronica Reich  
**Subject:** RE: Nowacki

You just keep demonstrating your incompetence. She said to fire you because you are stupid. Bright girl that Kerry.

-----Original Message-----

**From:** Veronica Reich <vreich@baipollock.com>  
**To:** mnowacki@aol.com  
**Cc:** Veronica Reich <vreich@baipollock.com>  
**Sent:** Sun, Nov 22, 2009 9:42 pm  
**Subject:** RE: Nowacki

I just saw this e-mail and I will not call Kerry at 9:42 on a school night, nor will I call Kerry based on your demands. Please tell Kerry that she is free to call me or to e-mail me privately at any time. The fact that Kerry is asking about my "recommendation" proves that you are inundating her with details of the court case.

The only appropriate response to the question that you say Kerry posed is that a) you could not possibly fire me, as you have no authority to do so, b) don't worry about these adult issues, and c) you can call Veronica anytime or e-mail her. Stop torturing and pressuring your children with these matters.

**VERONICA E. REICH, ESQ.**  
**BAI, POLLOCK, BLUEWEISS & MULCAHEY, P.C.**  
ATTORNEYS AND COUNSELORS AT LAW  
ONE CORPORATE DRIVE  
SHELTON, CT 06484  
TELEPHONE 203.925.8100  
FAX 203.925.8101  
[vreich@baipollock.com](mailto:vreich@baipollock.com)

This communication may contain information that is confidential and/or subject to the attorney-client privilege. If you are not the intended recipient, or the agent or employee responsible for delivering this message to the intended recipient, please be advised that any use, distribution, or copying of this communication is prohibited. If you have received this communication in error, please notify the sender immediately. Thank you.

---

**From:** [mnowacki@aol.com](mailto:mnowacki@aol.com) [<mailto:mnowacki@aol.com>]  
**Sent:** Sunday, November 22, 2009 8:33 PM  
**To:** Veronica Reich  
**Subject:**

Kerry would like to speak with you right now about your recommendation. She asked me if I fired you.

## Veronica Reich

---

**From:** Veronica Reich  
**Sent:** Thursday, November 19, 2009 10:17 PM  
**To:** Nowacki, Michael J  
**Cc:** Veronica Reich  
**Subject:** RE: Nowacki

You have no business asking Kerry what she said to me. You should have said that these are adult matters and adults will worry about them, not her. AND THE HEARING WAS NOT ABOUT ANY SUBSTANTIVE ISSUE, IT WAS ONLY TO DETERMINE WHETHER OR NOT THERE SHOULD BE AN EVALUATION. WHY IS IT THAT YOU REFUSE TO UNDERSTAND THAT? IT WAS NOT ABOUT TAX FRAUD, THE CHILDREN'S PREFERENCES, ALIENATION, OR A PARENTING PLAN. IT WAS NOT ABOUT WHERE THE CHILDREN SHOULD BE, NOT WAS IT ABOUT THE MOTION FOR CUSTODY. IT WAS ONLY ABOUT A PRELIMINARY DETERMINATION THAT THERE SHOULD BE AN EVALUATION. AGAIN, PLEASE DO NOT ASK KERRY ABOUT HER CONVERSATIONS WITH ME. THEY ARE PRIVATE.

Please do not respond with another screed or set of threats.

VERONICA E. REICH, ESQ.  
BAI, POLLOCK, BLUEWEISS & MULCAHEY, P.C.  
ATTORNEYS AND COUNSELORS AT LAW  
ONE CORPORATE DRIVE  
SHELTON, CT 06484  
TELEPHONE 203.925.8100  
FAX 203.925.8101  
vreich@baipollock.com

This communication may contain information that is confidential and/or subject to the attorney-client privilege. If you are not the intended recipient, or the agent or employee responsible for delivering this message to the intended recipient, please be advised that any use, distribution, or copying of this communication is prohibited. If you have received this communication in error, please notify the sender immediately. Thank you.

-----Original Message-----

**From:** Nowacki, Michael J [mailto:mjnowacki@CBS.com]  
**Sent:** Thursday, November 19, 2009 10:10 PM  
**To:** Veronica Reich  
**Subject:** Re: Nowacki

What I asked her was simply this;

Please relay to me what you said to veronica. Reich. When she said that she expressed a desire for no change and she asked me a question which she deserved the answer to; didn't she say that to the judge.

I said you said nothing, which was accurate.

That made Kerry cry.

Your silence.

Silence about what was important to her. Feel good now?

She was to have an advocate for her. Her advocate was silent. Silence in my book is deadly. It expresses ennui. It is without care.

You could care less about Kerry and tim. You just wanted to get paid for your

incompetence. Read your own transcript.

You denigrated my mother. You have no shame, no accountability and no ethical spine.

----- Original Message -----

From: Veronica Reich <vreich@baipollock.com>  
To: Nowacki, Michael J; mnowacki@aol.com <mnowacki@aol.com>  
Cc: Veronica Reich <vreich@baipollock.com>  
Sent: Thu Nov 19 21:58:05 2009  
Subject: RE: Nowacki

I am replying to this e-mail for one reason only; your statement that I left Kerry in tears for not representing her desire to be with her dad. I am concerned about this statement, not because it is true, or because it makes sense, which it does not. However, the only one who could have left Kerry in tears is you. And the only way Kerry would even know what I expressed would be if it came from you. And leaving that impression with Kerry, that I did not represent her desire to be with her dad, is not only wrongheaded, but proves that you are talking to Kerry about me, about legal matters, about court proceedings, and about what I said in court. This is harmful to Kerry and undermines my relationship with her. It is certainly not in her best interests. Please cease and desist.

I will not dignify the rest of your remarks with a response. You are insistent on misinterpreting, misrepresenting, and misunderstanding my statements and the nature of these proceedings, and it is quite obvious that nothing I can say will ever change that.

VERONICA E. REICH, ESQ.  
BAI, POLLOCK, BLUEWEISS & MULCAHEY, P.C.  
ATTORNEYS AND COUNSELORS AT LAW  
ONE CORPORATE DRIVE  
SHELTON, CT 06484  
ELEPHONE 203.925.8100  
FAX 203.925.8101  
vreich@baipollock.com

This communication may contain information that is confidential and/or subject to the attorney-client privilege. If you are not the intended recipient, or the agent or employee responsible for delivering this message to the intended recipient, please be advised that any use, distribution, or copying of this communication is prohibited. If you have received this communication in error, please notify the sender immediately. Thank you.

-----Original Message-----

From: Nowacki, Michael J [mailto:mjnowacki@CBS.com]  
Sent: Thursday, November 19, 2009 9:09 PM  
To: Veronica Reich  
Subject:

By the way I should be ready to submit your noncompliance with your Professional code of Conduct on Monday.

Would you like a copy?

Please let me know your preferences.

You made a pact with the antithesis of honor.

Enjoy your defense of your misrepresentations.

You attacked my Mother on her Birthday in your self serving and aggrandizing commentary.

You care about being paid. That was apparent from your first communication.

Do you know you left my Kerry in tears for not representing her desire to be with her Dad.

Do you enjoy collecting money for making girls cry for the love they have for their father?

Do you know her like her Dad does?

Shame is only known by those with a conscience.

You show none because it doesn't exist in your less than honorable profession.

Why did you not represent the childrens best interests.....instead you spent more time representing your self induced fears of reprisal.

Don't worry, you will have the opportunity soon to defend your incomprehensibly incompetence.

See the practice book for details. Your first comment other than your name was the words, (I don't understand the relevance"

You still don't get it do you because you didn't want to see the evidence of wrongdoing.

Maybe you should go to work for the SE9

Tomorrow do yourself a favor, call Edward Stephen Grieb and ask for him at Neuberger and Berman.

He disappeared in handcuffs just two weeks into the SEC investigation.

You were fooled just like I was. You don't have a clue and won't ever have one if you don't look at the evidence of wrongdoing.

Had you done that you would have looked into the face of evil and stared it down. What did you do instead, you turned your head and then gave a report.

You will see the detritus of defeat. Just remember that a half truth is abusive behavior on the dark side of its other side.

You were a fool just like I was fifteen years ago.

You don't have the courage to do the tax return analysis now do you?

Instead you hide and then collect money.

Shameful behavior when you steal from childrens prep school or post graduate aspirations if you had a conscience.

You don't. Must be endemic to the most incredibly disingenuous profession ever to come out of the field of education.

You thrive on the have truth but live in the darkness of preying on the innocent and children.

Mjn

# DarienTimes.com

*Serving the readers of Darien, Connecticut*

- News
  - Local News
  - Election 2009
  - Obituaries
  - Business News
  - Teen Times
- Sports
  -
- Opinion
  -
- Community
  - Events
  - Weather
  - Answer Book
- Travel
  -
- Multimedia
  - Photo Store
- Arts & Leisure
  - Features
  - Columns
  - Multimedia
  - Events
  - Restaurants
  - Automotive
  - 100 Things to Do
  - Help
- Classifieds
  - Help Wanted
  - Merchandise & Miscellaneous
  - Real Estate
  - Rentals
  - Services
  - Vehicles
  - Tag Sale Map
  - Advertising Information
  - Submit Ad
- Real Estate
  - Open House Gallery

EXHIBIT "B"

- o Open House Gallery
- o Vermont Real Estate
- o Help
- o Contact The Darien Times
- o Newsstands
- o Subscriptions

Sign up for breaking news.

November 24, 2009

**Free Login/Register**

Username

Remember me

Login

Register

Forgot Password?

**Features/Services**

Events

Weather

Answer Book

Your Times

Darien Times Twitter

HOME Magazine

Photo Store

Print Archives

Subscriptions

Advertise

Help

**Darien Weather**

**Sexual Abuse Center**

Specializes in Women's Treatment. Medicare, Insurance or Self Pay

**Sexual Abuse Attorneys**

Find Local Sexual Abuse Attorneys in your area at Superpages.com

Ads by Google

## After being banned from church, man threatens to sue town

*Written by Susan Shultz*

Thursday, 19 November 2009 12:06

A New Canaan man has threatened to file both civil and criminal lawsuits against Darien over the police department's response to his attempt to announce news at the end of a Mass at his parish, St. Thomas More Roman Catholic Church.

Last month, the parishioner, Michael Nowacki, attempted to take to the church lectern to tell Mass attendees about a priest who has presided over Mass and other events at St. Thomas More. The priest, the Rev. Paul Carrier, has also solicited funds from parishioners for a now-suspended Haitian charity tied to a criminal investigation. Nowacki refused to stop addressing the parishioners until police were called.

The former director of the Project Pierre Toussaint, Douglas Perlitz, is currently facing charges of child abuse.

Father Carrier, a Jesuit who is not a St. Thomas More or Bridgeport Diocese priest, was mentioned in a letter distributed to the parish regarding his role in the church and the charity.

In the letter to parishioners dated Nov. 12, signed by the church's pastor, the Rev. Barry Furey, said an internal investigation began after a parishioner raised some questions and the letter was a result of that investigation.

Nowacki was asked to leave the church grounds on that Oct. 3 afternoon. In the police report, Officer Daniel Gorton said that he "attempted to quiet Nowacki down but he only shouted he had a right to be there."

Gorton said he met with Father Furey who told him that "he did not give him permission to speak to any of the parishioners at the end of Mass."

He also wrote that "Father Furey stated that he received permission from Bishop William Lori of the Diocese of Bridgeport to have Nowacki arrested if he returns to church property."

**Current Conditions:**



Partly cloudy,  
56.0°F (13.3°C)

Weekly forecast...

**Darien News Feed**



Last week, Nowacki received a letter from the church's attorney saying he and his family are welcome back to the church but that the parish "will not tolerate any unauthorized activity on the parish campus or buildings, such as attempting to address the congregation before, after or during services, handing out or placing flyers on automobiles, attempting to get signatures on petitions unless authorized by the pastor."

The letter, from attorney Joseph Rucci, also instructs Nowacki to direct all further communications regarding the issue to his law firm, Rucci Burnham, rather than directly to the church administration.

In the letter to the parishioners, Father Furey addressed the previous fund-raising by Father Carrier, and said that all of the donations were handled according to parish and diocesan policies and procedures. In the letter, Father Furey also told the parish that Father Carrier is not currently involved with any activities of the parish and said all information has been provided to the appropriate authorities.

Nowacki told The Darien Times that Rucci told him the police report was incorrect and that the bishop did not call the police.

Rucci told The Darien Times that as for the wording above regarding the bishop and diocese giving Father Furey "permission" — "I do not know that to be true or untrue."

Rucci said that Nowacki seems to be concerned as to who made the actual call to police that day, and he's not sure it "matters."

Police Chief Duane Lovello said that the department stands by the accuracy of the police report.

Nowacki has since filed a Freedom of Information request with town counsel Wayne Fox asking for, among other things, "access to all notes that were made by Officer Gorton and (Lt. Bussell) that went into the incident report," "any telephone records of communications between attorney Joe Rucci and Captain (sic) Lovello, a copy of the e-mail sent from Captain (sic) Lovello to his staff on Friday afternoon, Nov. 13," "any access to any phone calls which may have occurred on any cell phone phones paid for by the Town of Darien to the Chief of Police Lovello and Attorney Joe Rucci's business or personal cell phone from the period of Oct. 3 through and including present day," and "any notes, e-mails, or any form of phone logs or written communication with any employee of the Town of Darien and Chief Lovello, Karl Kilduff, Dave Campbell or any of their administrative staff from the period of time between Sept. 19 and the present that would have involved St. Thomas More or any of its employees and Attorney Rucci who was retained as counsel for St. Thomas More and its staff and parishioners."

In his e-mail to Fox, the town's attorney, Nowacki, who told The Darien Times he plans to file both criminal and civil lawsuits against the town, wrote that "th attempts of the Darien Police Department to obstruct my rights to chose my place of worship and to silence my first amendment rights to free speech as a parishioner of St. Thomas More are not just civil liberties issues."

Nowacki wrote that any "collaboration" between Rucci and Chief Lovello "could give rise to criminal penalties for inappropriate attempts to sequester evidence of wrongdoing at St. Thomas More Parish by an employee of the Town of Darien."

Perlitz was indicted in September for sexually abusing several boys in Haiti for approximately a decade. He was the founder and director of Project Pierre Toussaint, a boys school in Cap-Haitien, Haiti. If he is convicted, Perlitz faces up to 30 years in prison and a fine of up to \$250,000 on each count of the indictment.

As far as whether or not Father Carrier is a person of interest or involved in the case at all, Tom Carson of the U.S. Attorney's office had no comment.

As Father Carrier is a Jesuit, the Society of Jesus of New England's Alice Poltorick called the charges against Perlitz "very serious and disturbing" and said that Project Pierre Toussaint is "not a mission of the Society of Jesus of New England."

"The society is cooperating fully with the investigation being conducted by the U.S. Attorney's Office for the District of Connecticut. In light of the ongoing investigation, the Society is not making any further comment on this matter at this time," she wrote in an e-mail to The Darien Times.

Diocese of Bridgeport spokesman Dr. Joseph McAleer said that while it "remain a parish matter," he said "a concerned parishioner" called the police after Nowacki "caused a scene after Mass."

The diocese and parish came to a mutual agreement to have an order keeping Nowacki from the church grounds until he "promised not to be disruptive," and the parish then told the police, which McAleer said may have caused the diocese to be included in the police report — which he said he hasn't seen.

McAleer also said that Father Furey spoke about the matter at all Masses, asking all parishioners to come forward who may have donated funds, pledged cooperation with authorities and the parish also its own investigation.

"The parish has taken this matter very seriously and has done its due diligence," he said.

sshultz@dariantimes.com

[< Prev](#)

[Next](#)

ShareThis

Commenting is reserved for registered users.

[Log in](#) or [register a new account](#).

JCommer

[Amity Observer](#) [Bridgeport News](#) [Darien Times](#) [Easton Courier](#) [Fairfield Sun](#) [Greenwich Post](#) [Huntington Herald](#) | [New Canaan Advertiser](#) [Redding Pilot](#) [Ridgefield Press](#) [Stratford Star](#) [Trumbull Times](#) [Valley Gazette](#) [Weston Forum](#)

