

From: Andrew Watters andrew@andrewwatters.com
Subject: Re: Marriage of [REDACTED]
Date: August 6, 2019 at 7:09 PM
To: Michael Pascoe mcp@svlo.com
Cc: Ella Hiraoka ella@svlo.com, Annelynn Fairclough annelynn@svlo.com, Blanca Perez blanca@svlo.com, April McCoy april@svlo.com
Bcc: [REDACTED]



Hi Michael,

My not accepting personal service of a TRO does not exempt you from the requirement of a service copy by mail on the same date you submitted the papers to the Court. You knew my client is represented by counsel, and you communicated with the Court anyway on the merits of the case without telling me; and even after I specifically asked you for any papers you filed, you refused to provide them for over a week. You also presented the DV application to the same judge who is hearing the main case. Please refer to Rule of Professional Conduct 5-300(B). With no evidence of actual domestic violence, this is also not a legitimate ex parte/emergency matter-- you clearly filed the additional petition in order to cut off my client's parental rights on an accelerated basis without substantial justification, and without proper notice.

There is nothing improper about me requiring you to serve my client with a TRO personally while also insisting on a service copy of the papers. Good luck finding any authority for your baseless statement that this is somehow improper.

My client is, in fact, considering specialty DV counsel due to the significant, potentially years-long, and life-changing consequences of a DV order on him. Having handled three DV trials, I feel qualified, but at the same time it's completely understandable that my client would want a specialist on this and/or the main case. My focus in terms of family law is admittedly on financial divorces rather than custody matters, and I will not take it personally if my client finds a better fit elsewhere.

Your suggestion that my client is "shopping for new counsel" in this context, even if true, is simply an indication that you are the kind of person who relishes the opportunity to take cheap shots and inappropriate jabs whenever possible. I don't know if this is a conscious choice or if you are unable to control it; either way, it's unprofessional. At least if I am soon subject to a change in representation, I would be able to return my full attention to cases where I have a positive working relationship with opposing counsel, which is 99% of the time. Good luck to you anyway.

Regards,

Andrew G. Watters
andrew@andrewwatters.com
+1 (415) 261-8527
<https://www.andrewwatters.com>

On Aug 6, 2019, at 6:15 PM, Michael Pascoe <mcp@svlo.com> wrote:

Mr. Watters:

On July 31st, after we received the DVRO back from the Court, you were asked TWICE to accept personal service for your client. Your reply: "No, I'm not authorized to accept service"... "Your request is denied." See copy of email thread below. You were aware or should have been aware of the DVRO filing on this date.

After considerable effort and expense, your client was personally, timely and properly served on August 1, 2019. While it is your client's responsibility to provide you with notice and copies of any documents personally served, we sent a copy of the DVRO to you today as a courtesy. Perhaps your client did not inform you he was served because he's shopping for new counsel? Without asking him, one can only surmise...

Nevertheless, the only thing "improper" and disappointing was that you didn't accept service when first asked, thereby avoiding the unnecessary time and expense of having your client personally served. Your failure to engage upon receipt of my July 31st emails, and your client's subsequent decision to not notify you that he was served, does not constitute a "cheap shot." Take some accountability, please.

Very truly yours,

Michael C. Pascoe
Attorney at Law
Silicon Valley Law Offices, PC
465 N. Whisman Rd, Suite 100
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Tel. (650) 695-5996
Fax. (650) 695-5997
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[snip]

From: Andrew G. Watters andrew@andrewwatters.com 
Subject: RE: Marriage of [REDACTED]
Date: August 6, 2019 at 1:46 PM
To: Blanca Perez blanca@svlo.com
Cc: Michael Pascoe mcp@svlo.com, Ella Hiraoka ella@svlo.com, Annelynn Fairclough annelynn@svlo.com
Bcc: [REDACTED]



Thanks.

Michael-- this is the most outrageous DV application I have ever seen.
You
were saying you actually had evidence of domestic violence...if this
is your
evidence, it's laughable.

I am shocked beyond belief that a TRO was granted under these
circumstances,
and also pretty shocked that you never provided a copy of the
application
until two weeks after filing it. I'm not sure what you expect us to
do here
with eight calendar days' notice of the hearing, so we certainly
expect to
inform the court of your improper ex parte communications as well as
your
efforts to deny my client his day in court.

Had I not happened to notice this on the docket, I don't know what
would
have happened. From here, it looks like just another cheap shot from
a
typical family law attorney, which is disappointing because I thought
you
would be different given your high hourly rate.

Regards,

Andrew G. Watters
andrew@andrewwatters.com
+1 (415) 261-8527
<https://www.andrewwatters.com>



Mail Attachment

From: Andrew Watters andrew@andrewwatters.com
Subject: Re: [REDACTED] - Response to Ltr
Date: July 31, 2019 at 1:10 PM
To: Michael Pascoe mcp@svlo.com
Cc: April McCoy april@svlo.com, Blanca Perez blanca@svlo.com



Hi Michael,

Your request is denied.

Best,

Andrew Watters

Sent from my iPhone

On Jul 31, 2019, at 11:54 AM, Michael Pascoe <mcp@svlo.com> wrote:

Dear Mr. Watters,

Unless you have no contact with your client, accepting service is normal and customary in DV cases such as this where the party is represented, as it avoids the embarrassment that your client complained about when he attempted to evade service of the Petition, and it also reduces the acrimony and cost of litigation for both parties.

If your client plans to evade service, this only support our client's claims against him. Please have a discussion with your client re: you accepting personal service on his behalf. If you won't accept personal service, he will still be served... It will just require the Sheriff to go to his work and home and personally serve him. In the end, we'll get him served; but having his attorney accept service would be the most efficient way to handle the matter and avoid the cost that will ultimately be passed on.

Please let me know by end of day if your client will authorize you to accept personal service on his behalf, otherwise I'll contact the Sheriff's office in both [REDACTED] and [REDACTED] to effectuate service tomorrow at his work and home, as well as notify Interpol, in case he is traveling outside the USA or decides to flee the country.

Very truly yours,

Michael C. Pascoe
Attorney at Law
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On Jul 31, 2019, at 6:21 AM, Andrew Watters
<andrew@andrewwatters.com> wrote:

Hi Michael,

Great, please share the evidence.

No, I am not authorized to accept service.

Andrew G. Watters
andrew@andrewwatters.com
+1 (415) 261-8527
<http://www.andrewwatters.com>

On Jul 30, 2019, at 10:40 PM, Michael Pascoe <mcp@svlo.com> wrote:

Dear Mr. Watters,

In your letter of July 26, 2019, attached here for reference, you requested that I share with you the "purported evidence" of my client's DV concerns.

I would be happy to share with you my client's domestic violence concerns and evidence of DVRO; will you agree to waive personal service and accept service electronically on behalf of your client?

Please confirm.

Very truly yours,

Michael C. Pascoe
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On Jul 26, 2019, at 1:52 PM, Michael Pascoe <mcp@SVLO.COM> wrote:

<3. [REDACTED] - ltr to OPC 7 26 2019.pdf>

ANDREW G. WATTERS, ESQ.
LITIGATION ATTORNEY

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REDWOOD CITY, CA 94065 · (415) 261-8527
ANDREW@ANDREWWATTERS.COM

July 26, 2019

Michael Pascoe, Esq.
Silicon Valley Law Offices
465 N. Whisman Rd. Suite 200
Mountain View, CA 94043

Re: *In re Marriage of* [REDACTED]
[REDACTED] Co. no. [REDACTED]

Dear Mr. Pascoe,

This letter follows a hearing yesterday 7/25/2019, during which you represented to the Court that there were significant domestic violence concerns. Despite my objections and the lack of any DV evidence, the Court still granted your client's request for sole legal and physical custody on a temporary basis.

I asked you after the hearing whether you had filed any DV papers, and you did not answer my question. I have since searched the Court's case information portal and have not been able to locate any DV filings against my client.

We are renewing our demand for immediate access to the parties' minor child. If your client continues to refuse access, we intend to file a motion for temporary emergency orders.

Meanwhile, if you actually believe that your client is entitled to a DV order, please share with me the purported evidence.

Sincerely,

Andrew G. Watters

Andrew G. Watters, Esq.