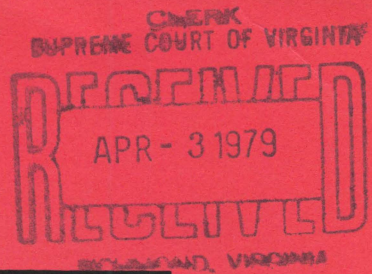


221 VAG 18



IN THE

Supreme Court of Virginia

AT RICHMOND

RECORD NO. 781397

VANDRA COLLINGSWORTH OEHL

Appellant

v.

BARRY DONALD OEHL

Appellee

JOINT APPENDIX

Leonard S. Sattler, Esq.
BRAY AND SATTLER
2000 North 16th Street
Arlington, Virginia 22201

Counsel for Appellant

Bernard S. Cohen, Esq.
COHEN, VITT & ANNAND
320 King Street
Alexandria, Virginia 22313

Counsel for Appellee

BILL OF COMPLAINT

TO THE HONORABLE JUDGES OF THE SAID COURT:

COMES NOW the Complainant, Barry Donald Oehl, and respectfully represents to the Court as follows:

1. That your Complainant is now and has been for a period of more than one year prior to the institution of this suit domiciled in and an actual bona fide resident of the State of Virginia; that the Complainant is a resident of Prince William County, Virginia; and the Defendant is a resident of Croyden in the County of Surrey, England.

2. That the Complainant and Defendant were married, each to the other, on March 16, 1963, at Tooting, London, England.

3. That two children were born of this marriage, namely, Lorraine Claire Oehl, born August 28, 1968, and Stewart Clark David Oehl, born April 29, 1970, both of said children now residing with the Defendant.

4. That the Complainant and Defendant are over eighteen (18) years of age; that both parties are members of the Caucasian race; and that neither party is a member of the Armed Forces of the United States.

5. That the Complainant and Defendant have not cohabited as husband and wife since on or about October 28, 1970; and that your Complainant has lived separate and apart without any cohabitation and without interruption

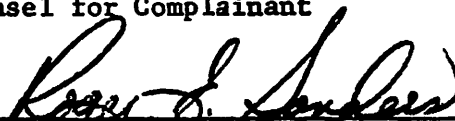
Filed in the Clerk's Office the 2nd day of Oct., 1973
Taxes: _____
Writ Tax \$ 5.00
Fees _____
Deposit 25.25
Total Paid \$ 31.25
Seth J. Hunter, Clerk, D.C.

from his wife, the Defendant in this cause, since on or about October 28, 1970.

WHEREFORE, the premises considered, your Complainant respectfully prays that he be awarded a Decree of Divorce A Vinculo Matrimonii of and from the Defendant, VANDRA COLLINSWORTH OEHL, in accordance with Section 20-91 (9) of the Virginia Code of 1950 as amended; and that the Complainant may have all such other and further relief as the nature of his case may require or to equity shall seem meet.


Barry Donald Oehl

BERRYMAN, MELNICK AND SANDERS
2400 Wilson Boulevard
Arlington, Virginia
Counsel for Complainant

By 
Roger E. Sanders

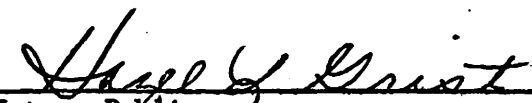
STATE OF VIRGINIA
COUNTY OF ARLINGTON, to-wit:-

BARRY DONALD OEHL, Complainant named in the foregoing and attached Bill of Complaint, being duly sworn, says that the facts and allegations contained herein are true except so far as they are therein stated to be on information, and that so far as they are stated to be on information, he believes them to be true.


Barry Donald Oehl

Subscribed and sworn to before me this 27th day of

September, 1973.


Notary Public

My commission expires: 2/15/76

ANSWER AND CROSS-BILL OF COMPLAINT

TO THE HONORABLE JUDGES OF THE SAID COURT:

A N S W E R

COMES NOW the Defendant, Vandra Collinsworth Oehl, by her counsel, and, by leave of this Honorable Court, files this her Answer to the Bill of Complaint exhibited against her herein, respectfully represents and alleges as follows:

1. That she admits that she is a resident and domiciliary of England; that she denies that Complainant is a domiciliary of the Commonwealth of Virginia; that she is not advised, and therefore denies and demands strict proof, as to the residence of Complainant; and that she alleges that Complainant, a citizen of Great Britain, is merely a sojourner in the Commonwealth of Virginia.

2. That she admits the allegations set forth in paragraphs two, three and four of said Bill of Complaint.

3. That she neither admits nor denies the allegations set forth in paragraph five of said Bill of Complaint, and demands strict proof thereof.

4. That Defendant believes and therefore alleges that both of the parties hereto are citizens of Great Britain and that Complainant is attempting to use the Courts of the Commonwealth of Virginia to avoid the process and jurisdiction of the Courts of England.

5. That there is currently in full force and effect an Order

*Law Offices
Leonard J. Sattler
2000 North Sateenbth Street
Arlington, Virginia, 22204
703-525-5552*

of the Magistrates' Court sitting at Barbican Way for the Petty Sessional Division of the County of Gloucester, England, entered on the 21st day of October, 1970, requiring Complainant herein to pay to Defendant herein a total of 150 English Pounds (£ 150.) per month for the support and maintenance of Defendant and the parties' two infant children, Lorraine Claire Oehl and Stewart Clark David Oehl, a true copy of said Order being attached hereto, marked Defendant's Exhibit A, and by this reference made a part hereof.

6. That the said Order of the Magistrates' Court for the Petty Sessional Division of the County of Gloucester was entered by consent of the parties, both of whom were represented by counsel, and that same constitutes a stipulation and agreement or court-approved contract between them.

7. That said Order of the Magistrates' Court for the Petty Sessional Division of the County of Gloucester, being valid and enforceable throughout Great Britain, is entitled to comity by this Honorable Court.

8. That the Complainant is heavily in arrears in the payments due in accordance with the provisions of the said Order of the Magistrates' Court for the Petty Sessional Division of the County of Gloucester; and that a Certificate of Arrears has been issued by the Collecting Officer, duly appointed by the Magistrates' Court sitting at Gloucester in Gloucester County, England, dated November 9, 1973, indicating that as of November 1, 1973, Complainant was in arrears in his said payments to Defendant in the total sum of £ 577.60, true copies of said Certificate of Arrears, with three Collecting Officer's Ledger Cards attached, being attached hereto, marked Defendant's Exhibits B, C and D, and by this reference made a part hereof.

9. That Complainant comes before this Court with "unclean

Leonard J. Sattler
2000 North Sixteenth Street
Arlington, Virginia, 22201
703-525-5552

hands," seeking equity without having been or being willing to do equity.

10. That solely because of Complainant's said arrearages since his having departed England, Defendant has had to engage the services of counsel in London, and in Virginia since July, 1972, and has expended and is indebted to said London and Virginia counsel for great sums of money as a result thereof; that her said London and Virginia counsel have been in contact and in correspondence with Complainant's present and prior counsel, John J. Cooleen, Esquire, of the Washington, D. C. Bar; and that notwithstanding all of said great sums of money paid and obligated by Defendant, as aforesaid, Complainant has persisted and continues to persist in making monthly payments to Defendant in accordance with his unilateral reduction of the monthly amount due Defendant by the terms and requirements of the said Order of the Magistrates' Court for the Petty Sessional Division of the County of Gloucester.

WHEREFORE, being without remedy in the premises save in a court of equity, Defendant prays:

1. That the said Bill of Complaint exhibited against her herein be dismissed.
2. That a judgment be entered in favor of Defendant for the amount of arrearages due her in accordance with the provisions of the said Order of the Magistrates' Court for the Petty Sessional Division of the County of Gloucester, at the time of the hearing of this cause.
3. That she be awarded a judgment in the amount necessary to repay and defray the fees paid and due said London and Virginia counsel.
4. That this Honorable Court enter an order requiring

Complainant to pay to Defendant the equivalent of £ 150.00 per month.

And Defendant will ever pray, etc.

VANDRA COLLINSWORTH OEHL

By Counsel

CROSS-BILL OF COMPLAINT

COMES NOW Vandra Collinsworth Oehl, Defendant and Cross-Complainant, by her counsel, and, by leave of this Honorable Court, files this her Cross-Bill of Complaint against Barry Donald Oehl, Complainant and Cross-Defendant, respectfully representing unto this Honorable Court as follows:

1. That the parties hereto were legally married to each other, on the 16th day of March, 1963, at All Saints in the Parish of Tooting Graveney in the Metropolitan Borough of Wandsworth, London, England.

2. That for the purpose of this cause Defendant/Cross-Complainant alleges that Complainant/Cross-Defendant "is now and has been for a period of more than one year prior to the institution of this suit domiciled in and an actual bona fide resident of the State of Virginia," currently residing in Prince William County at 4209 Glendale Road, Woodbridge, Virginia.

3. That there were two children born of the said marriage, both of whom are in the custody of Defendant/Cross-Complainant, namely: Lorraine Claire Oehl, born August 28, 1968, and Stewart Clark David Oehl, born April 29, 1970.

4. That the parties hereto are both members of the Caucasian Race and above the age of 18 years, and that neither party hereto is a member of the Armed Forces of the United States.

5. That Complainant/Cross-Defendant wilfully deserted and abandoned Defendant/Cross-Complainant and the parties' said two infant children on the 4th day of October, 1970; and that the parties have lived separate and apart without any cohabitation and without interruption since the said date.

6. That as a result of Complainant/Cross-Defendant's having deserted Defendant/Cross-Complainant and the parties' said two infant children, as aforesaid, Defendant/Cross-Complainant formally complained to the Magistrates' Court for the Petty Sessional Division of the County of Gloucester; that the said Court adjudged Defendant/Cross-Complainant's complaint was true and ordered that the legal custody of the parties' said two infant children be committed to Defendant/Cross-Complainant; that Complainant/Cross-Defendant pay to Defendant/Cross-Complainant the sum of £ 149.00 per calendar month on the first day of every month for the benefit of Defendant/Cross-Complainant, together with the sum of 50p per month on the first day of each month for each of the said two infant children of the parties while under the age of 16 years (totalling £ 150.00); and that the Complainant/Cross-Defendant is currently heavily in arrears with respect to the said payments ordered by the said Court (see Defendant/Cross-Complainant's Exhibits B, C, D and E).

7. That Defendant/Cross-Complainant is currently a student; that she receives a small monthly stipend from the government to permit her to attend school; and that she has no funds with which to defend herself as to Complainant/Cross-Defendant's Bill of Complaint and with which to maintain the prosecution of her Cross-Bill of Complaint.

8. That there is no hope of reconciliation between the parties.

WHEREFORE, the premises considered, Defendant/Cross-Complainant prays:

1. That she may be awarded a decree of divorce A VINCULO MATRIMONII on the ground of willful desertion and abandonment from the fourth day of October, 1973.

2. That she may be awarded custody of the said two infant children of the parties, Lorraine Claire Oehl and Stewart Clark David Oehl, subject to reasonable rights of visitation by the Complainant/Cross-Defendant.

3. That she may be awarded support and maintenance for the said two infant children of the parties, both pendente lite and permanently.

4. That she may be awarded support and maintenance for herself, both pendente lite and permanently.

5. That she may be awarded adequate counsel fees with which to maintain the prosecution of this cause and with which to pay London and Virginia counsel for services rendered prior to the institution of this suit as a result of Complainant/Cross-Defendant's arrearages.

6. That this Honorable Court recognize the Order of the Magistrates' Court for the Petty Sessional Division of the County of Gloucester (see Defendant/Cross-Complainant's Exhibit A) and award to her a judgment for the arrearages due as of the date of the hearing in this cause; and, because the said Order is a valid and subsisting one, entered by the said Court having in personam jurisdiction over the parties, that this Honorable Court recognize and grant comity to same and, therefore, award support and maintenance to Defendant/Cross-Complainant in behalf of herself and the parties' said two infant children in United States Dollars in an amount approximately equal to 150 British Pounds (£ 150.00).

And Defendant/Cross-Complainant will ever pray, etc.

VANDRA COLLINSWORTH OEHL

By Counsel

COWAN, LIPSON & RUNNEY
Audley House, 12 Margaret Street
London W1N 8BX, England

By Michael C. Gilchrist

BRAY and SATTLER
2000 North 16th Street
Arlington, Virginia, 22201

By Leonard S. Sattler

Counsel for Defendant/
Cross-Complainant

CERTIFICATE OF SERVICE

This is to certify that I have on this 27th day of
December, 1973, mailed a true copy of the foregoing and hereunto
annexed Answer and Cross Bill of Complaint, postage prepaid, to
Roger E. Sanders, Esquire, of Berryman, Melnick and Sanders,
2400 Wilson Boulevard, Arlington, Virginia, 22201, Counsel for
Complainant/Cross-Defendant.

Leonard S. Sattler

STIPULATION

COMES NOW the Complainant, by counsel, and the Defendant, by counsel,
and enter herewith the following stipulations:-

1. That on or about October 28, 1970, the Complainant discontinued cohabitation with the Defendant by leaving their residence in England.
2. That his departure was without the consent of the Defendant.
3. That Defendant in no wise caused the Complainant to leave their residence but his decision to do so was voluntarily determined by the Complainant alone and without the concurrence of the Defendant.

WE AGREE TO THIS:

Dated: 2/12/74

Roger E. Sanders
Roger E. Sanders, Counsel for Complainant

Dated: 2/25/74

Leonard S. Sattler
Leonard S. Sattler, Counsel for Defendant

BERRYMAN, MELNICK AND SANDERS
2400 Wilson Boulevard
Arlington, Virginia
Counsel for Complainant

By _____
Roger E. Sanders

Filed
3-14-1974
Debra D. Stevens Deputy Clerk
Prince William County, Va.
Circuit Court Clerk's Office

Q. And do you have any relatives in this country?

A. No sir.

Q. Since having come to the United States, have you voted in any British elections?

A. No sir.

Q. Have you paid any British taxes?

A. No sir.

Q. Are you still carrying a British passport?

A. Yes sir.

Q. Do you have a green card issued by the United States Government?

A. Frankly I am unsure, I am not absolutely certain, I am sorry.

Q. Do you have an identification issued to you by the United States Government which permits you to live in this country?

A. Yes sir, I have a social security card and I am a permanent resident.

Q. Do you have identification from the Department of Immigration and Naturalization which says you are a permanent resident?

A. Yes sir.

Q. When did you get that?

A. I would have to look at that to tell you.

Q. Approximately, a year, two years?

A. Possibly a year ago.

Q. And you have not visited the British Isles since you came to the United States?

Mr. Sanders: Objection, we didn't ask that question, there was no response to that type of question.

Mr. Commissioner: The record will note your objection, you can go ahead and answer the question.

A. Sorry sir.

Q. Have you visited the British Isles since you have come here?

A. Yes sir.

Q. How many times?

A. Once.

Q. When was that approximately?

A. Possibly two or three months ago.

Q. At that time you were not in contact with your wife?

A. No sir.

Q. Or your children?

A. No sir.

Q. Were you represented by Mrs. Brooks in Bantam?

A. (Mr. Sanders) Objection, I would prefer that these matters be taken care of before the Circuit Court.

A. (Mr. Sattler) All right.

Q. When did you and your wife last live together?

A. Towards the end of October, 1970, I believe the date was the 27th or 28th.

Q. And you haven't lived together since?

A. No sir.

Q. And is it true that on the 27th or 28th of October, 1970, Mrs. Oehl remained in your home that you had resided in with the children and you left?

A. Yes.

Q. Did you come to the United States at that time?

A. Yes sir.

Q. Did she know where you were going?

A. Yes sir.

Q. Did you make arrangements to bring her here?

A. No sir, not at that time.

Q. How long after the 28th or 27th of October, 1970, did you actually leave England and come to the United States?

A. Sorry.

Q. How many days or weeks after the 27th or 28th of October, 1970, did you actually leave England?

A. If my memory serves me correct, I came to the United States on the 28th of October, 1970.

Q. And weren't you and your wife involved in litigation in England before you left?

Mr. Sanders: Objection, this appears to be off the cause here.

Mr. Sattler: I am not going into the support part of it.

Mr. Commissioner: All right, the record notes your objection you can go ahead and answer the question.

A. I am sorry, can you explain litigation?

Q. Were you and your wife represented by solicitors or barristers and were you involved before a Court?

A. Yes sir.

Q. That was before you left England?

A. Yes sir.

Q. And except for the litigation in Prince William County which we are now involved, you are in no other litigation, just that litigation and this litigation?

A. That is correct sir.

Q. Do you remember the name of the court?

A. No sir.

Q. Do you remember the names of your attorneys?

Mr. Sanders: Objection, I think this has gone far from the field of examination and I think it is irrelevant and we are in the process of litigating in what amounts in a no-fault type of divorce, fault not necessary to be shown here.

Mr. Sattler: I will withdraw the question.

Q. Are you aware of the fact that, if it is a fact, that Mrs. Oehl has instituted divorce litigation against you in England?

A. Yes sir.

Q. How did you become aware of that?

A. I was served with papers, I received papers.

Q. From whom did you receive such papers?

A. I am not exactly sure who they came from, I assume her attorney.

Q. But not yours?

A. No sir.

Q. I see, did you respond to those papers?

A. No sir.

Q. Do you intend to return to England?

A. No sir.

Q. Never?

A. No sir.

Q. The two children are in the custody of Mrs. Oehl?

A. I believe so, yes.

Q. How old are you and Mrs. Oehl?

A. I am 30, from recollection, I cannot be certain, but she is two years younger than me which would make her 28.

Q. Is she a fit and proper person to have custody of the two children of you and Mrs. Oehl?

A. Yes sir.

Q. Do you feel there is any hope of eventual reconciliation between you?

A. No sir.

Q. Mr. Commissioner, I don't think I have any further questions of Mr. Oehl at this time. 014

Mr. Commissioner: All right Mr. Sanders do you have any questions?

Q. No further questions.

QUESTIONS BY MR. COMMISSIONER TO MR. OEHL

Q. Mr. Oehl, are there any property rights to be settled between you and Mrs. Oehl?

A. Property, can you qualify that for me?

Q. Any real estate you own jointly?

A. No sir.

Q. Any personal property you own jointly?

A. No sir.

Q. There might be a question as to support payments for the children, is that correct?

A. Yes sir.

Q. Do you have a driver's license?

A. Yes sir.

Q. A Virginia driver's license?

A. Yes.

Q. Do you have it with you?

A. Yes sir.

Q. May I see it?

A. Certainly.

Q. All right, while you are getting that, this address of 4209 Glendale Road, is that a house or an apartment?

A. That's a house.

Q. Are you renting that house or buying it?

A. Buying it.

Q. Let the record show that the Complainant has exhibited a Commonwealth of Virginia license indicating his address as 1299 Bayside Drive, Apt. 6, Woodbridge, Virginia and it was issued on the 6th day of December, 1971.

Q. So you are buying the house where you are residing?

A. Yes sir.

Q. All right, that is all the questions I have, do either one of you have questions?

A. QUESTIONS BY MR. SATTLER TO MR. OEHL

Q. When did you purchase the house Mr. Oehl?

A. November, '72.

Q. Are you the sole owner of the house?

A. Yes sir.

Q. And your name is the only name as the owner on the deed?

Mr. Sanders: I think he just answered that question -- he said he was the sole owner.

Mr. Commissioner: Well, he can go ahead and answer the question.

A. Yes sir, I am.

Q. And do you have a deed of trust on that house?

FINAL DECREE OF DIVORCE

THIS CAUSE came on to be heard upon Complainant's Bill of Complaint; upon substituted service of process upon the Defendant in Croyden, England; upon Defendant's Answer and Cross-Bill of Complaint; upon Complainant's Answer to Cross-Bill of Complaint; upon the depositions taken before a Commissioner in Chancery of this Court on January 16, 1974, filed on behalf of the Complainant; upon the Commissioner's Report filed in this cause; and upon argument of counsel.

UPON CONSIDERATION WHEREOF, it appearing to the Court, independent of the admissions of either of the parties hereto, in the pleadings or otherwise, that the parties hereto were legally married to each other on the 16th day of March, 1963 in Tooting, London, England; that the parties are both members of the Caucasian Race and above the age of eighteen years; that the Complainant is an actual bona fide resident of and domiciled in the County of Prince William, Commonwealth of Virginia, and has been a resident of the Commonwealth of Virginia and so domiciled for more than two years next preceding the institution of this suit; that the Defendant is a nonresident of the Commonwealth of Virginia, residing in England; that there are two children born of the said marriage, in Defendant's custody in England, namely: Lorraine Claire Oehl, age six, born August 28, 1968, and Stewart Clark David Oehl, age four, born April 29, 1970; that the Defendant is a fit and proper person to have the custody of the parties' said two children; that the parties last lived and cohabited together as husband and wife in England, where the Defendant still lives; that the parties have lived separate and apart without any cohabitation and without

any interruption for more than two years next preceding the institution of this suit; that there are no property rights to be settled between the parties but that there remains a question of support and maintenance arrearages in accordance with an Order of the Magistrates' Court sitting at Barbican Way for the Petty Sessional Division of the County of Gloucester, England, entered on the 21st day of October, 1970; and that there is no probability of a reconciliation between the parties; it is, therefore

ADJUDGED, ORDERED and DECREED that the Complainant, Barry Donald Oehl, be, and he hereby is, granted a divorce A VINCULO MATRIMONII from the Defendant, Vandra Collinsworth Oehl, on the grounds of two years separation, and the bonds of matrimony heretofore existing between the parties are hereby declared to be dissolved; and it is

FURTHER ADJUDGED, ORDERED and DECREED that the Defendant, Vandra Collinsworth Oehl, be, and she hereby is, awarded the complete custody and control of the parties' said two children, Lorraine Claire Oehl and Stewart Clark David Oehl, subject to reasonable rights of visitation to the Complainant; and it is

FURTHER ADJUDGED, ORDERED and DECREED that Complainant pay to Defendant, through the Juvenile and Domestic Relations General District Court of Prince William County, the total sum of One Hundred Fifty Dollars (US\$150) per month, commencing on the first day of October, 1974 (\$30.00 by way of alimony for Defendant and \$60.00 per child), and continuing on the first day of each month thereafter until the further order of this Court; and it is

FURTHER ADJUDGED, ORDERED and DECREED that Complainant pay to Leonard E. Sattler, Counsel for Defendant, the total sum of One Thousand Dollars (\$1,000.00) by way of his contribution

to Defendant's counsel fees and costs, \$500.00 immediately upon the endorsement hereof and the balance on or before December 31, 1974; and it is

FURTHER ADJUDGED, ORDERED and DECREED that this Court shall have continuing jurisdiction over the parties and the subject matter hereof until the further order of this Court, all service of notice upon Complainant to be at his residence at 4209 Glendale Road, Woodbridge, Virginia, or, if he not be found there, upon the Clerk of this Court.

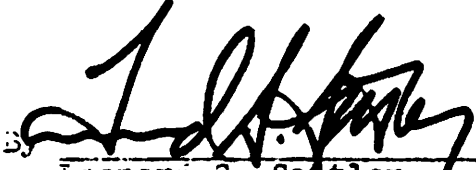
AND THIS DECREE IS FINAL.

ENTERED this _____ day of October, 1974.

J U D G E

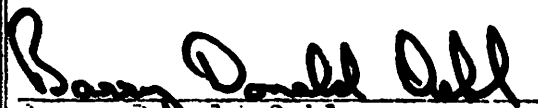
WE ASK FOR THIS:

BRAY and SATTLER
2000 N. 16th Street
Arlington, Va., 22201



Leonard S. Sattler

Counsel for Vandra
Collinsworth Oehl



Barry Donald Oehl
4209 Glendale Road
Woodbridge, Virginia

O R D E R

THIS CAUSE came on the fourth day of May 1977 to be heard upon Complainant's motions to compel visitation in the United States with the parties' two infant children, Lorraine Claire Oehl and Stewart Clark David Oehl, for a minimum of forty-five days, to begin on or about June 15, 1977, with travel expenses to be apportioned between the parties and for a suspension of support and maintenance payments for the parties' said two infant children during said visitation period; and upon Defendant's ore tenus motions for a continuance in order to obtain depositions and to subpoena witnesses to testify concerning Complainant's said Stateside visitation with parties' said two infant children and to refer this matter to the Juvenile and Domestic Relations District Court of Prince William County, in accordance with Section 16.1-161 of the Code of Virginia, of 1950, as amended, for its investigation with respect to Complainant's rights of visitation and the setting of terms thereof; and upon the pro se arguments of Complainant and of counsel for Defendant.

IT APPEARING TO THE COURT: that Complainant is at this time current in his support and maintenance obligations to Defendant and the parties' said two infant children (based upon Complainant's representations as to same); that Complainant is entitled to Stateside visitation with the parties' said two infant children resident in England; that there should be no suspension of payments on account of child support and maintenance during said Stateside visitation; and that Defendant's motions for a continuance and to refer this matter to the Juvenile and Domestic Relations District Court of Prince William County as to the question of Complainant's Stateside visitation with the parties' said two infant children should

be denied; it is therefore

ADJUDGED, ORDERED AND DECREED as follows:

1. That Complainant be, and he hereby is, granted rights of visitation in the United States with the parties' two infant children, Lorraine Claire Oehl and Stewart Clark David Oehl, on the following terms and conditions:

a. Said visitation shall be for a period of thirty days commencing on or about June 15, 1977 or five days after they are released from school for summer recess.

b. Complainant shall bear all costs of the said children's round-trip transportation, including air fare.

c. Round-trip air transportation shall be in accordance with airline regulations.

d. Complainant shall furnish Defendant with the children's itinerary and round-trip airline tickets at least ten days in advance of their departure from England.

e. Complainant shall continue to make child support and maintenance payments to Defendant during the said children's said Stateside visitation.

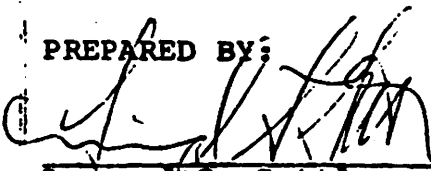
2. That Defendant's said motions for a continuance and to refer this matter to the Juvenile and Domestic Relations District Court of Prince William County be, and they hereby are, denied.

3. That the exceptions of both parties to the Court's rulings are hereby noted.

ENTERED this _____ day of May, 1977.

JAMES C. CACHERIS, JUDGE

PREPARED BY:


Leonard S. Sattler, p.d.
2000 N. 16th Street
Arlington, Va., 22201

SEEN:

.....
Barry Donald Oehl,
Complainant pro se
7910 Charles Thomson Lane
Apartment Number 101
Annandale, Virginia, 22003

P R E A C I P E

TO: C. E. Gnadt, Clerk
Circuit Court of Prince William County

Please place the above styled cause on the docket for the 26th day of August, 1977, for a Rule To Show Cause why the Defendant, should not be held in contempt of Court, for failure to comply with the Order, entered by the Honorable James C. Cacheris, of the 4th day of May, 1977.

BARRY DONALD OEHL

Barry Donald Oehl

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Preacipe was mailed to Counsel for Defendant, Leonard S. Sattler, Esquire, Bray and Sattler, 2000 N. 16th Street, Arlington, Virginia, 22201, and Counsel for Defendant, Michael C. Gilchrist, Esquire, Messrs., Cowan, Lipson and Rumney, Audley House, 12 Margaret Street, London, WIN, 8BX, ENGLAND, postage prepaid, on August 12, 1977.

BARRY DONALD OEHL

Barry Donald Oehl

LAW OFFICES
BRAY AND SATTLER

RICHARD P. BRAY, JR.
(1922-1966)

LEONARD S. SATTLER

G. EMERSON SCHINDLER
JEFFREY W. KNAPPS

2000 NORTH 16TH STREET
ARLINGTON, VIRGINIA, 22201

CABLE ADDRESS:
PRECISION, WASHINGTON, D. C.
703-525-5552

August 31, 1977

Honorable Elliott Marshall
Front Royal County Courthouse
Post Office Box 856
Front Royal, Va., 22630

Re: Oehl vs. Oehl; In Chancery No. 7222
Circuit Court of Prince William County

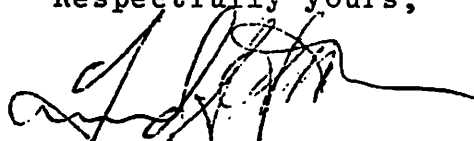
Dear Judge Marshall:

Reference is made to the above-referenced matter; wherein Your Honor heard Mr. Oehl pro se and the undersigned on behalf of Mrs. Oehl. Perhaps Your Honor will recall my representations to you that Mr. Oehl's mother, Mrs. Margary Oehl, offered to pay her own way, round-trip, to accompany her two infant grandchildren to Northern Virginia to visit with their father, a trip concerning which the two children, themselves, have great trepidation. In addition to not knowing or remembering their father (since they were approximately two years of age and six months of age respectively when he left England).

The purpose hereof is to enclose a photocopy of a letter from said Mrs. Margary Oehl, the authenticity of which is certified by a Vice Consul of the United States in England. The original is either in the Court's file or it has been misplaced. In any case, the same is herewith submitted to Your Honor on the assumption that you would be interested in its contents.

With best wishes, I remain

Respectfully yours,



Leonard S. Sattler

LSS/brs

cc: Mr. Barry D. Oehl

GREAT BRITAIN)

AIN AND NORTHERN IRELAND)

ENGLAND)

SS.

OF THE UNITED STATES OF AMERICA)

Lawrence S. Kujubu
Vice Consul of the United States of
America residing at London, England, duly commissioned and qualified,
hereby certify that

MARTIN JOHN SCANNALL

whose signature and official seal are respectively subscribed and
affixed to the annexed certificate, was on the date of the signing
thereof a Notary Public at London, England, duly authorized to perform
notarial acts, duly appointed and qualified, to whose official acts
faith and credit are due; that I have compared the signature of said

MARTIN JOHN SCANNALL

on the annexed certificate with a specimen of his signature filed in
this Embassy; that I believe his signature to be genuine; that I have
compared the impression of the seal affixed thereto with a specimen
thereof filed in this Embassy, and that I believe the impression of
the seal upon the said original annexed certificate to be genuine.

IN WITNESS WHEREOF I have hereunto
set my hand and affixed the seal
of the Consular Service of the
United States of America at London,
England, this second day
of May in the year of
Our Lord one thousand nine hundred
and seventy-~~five~~ seven.

Lawrence S. Kujubu
Lawrence S. Kujubu

Vice Consul of the United States
of America at London, England.

Service Receipt No. GL/80745

Tariff Item No. 48

Fee: \$2.50 = ~~£1.00~~ £1.47

~~No fee prescribed.~~

GREAT BRITAIN)
LONDON) S.S.
ENGLAND)

____ This second day of May One thousand nine hundred and seventy-seven before me personally came MARGERY OEHL nee HEMSWORTH, to me personally known as the individual who signed the hereunto annexed Statement, who acknowledged to me that he executed the same in her capacity therein stated and for the uses and purposes therein set forth.

9, Long Acre Court,
Argyle Road,
Ealing, W.13
London
England

Dear Mr. Justice,

I would like

to make the following statement.
In the application my son
Barry Donald Oehl has made to
the court to enforce his visitation
rights which would entail the
removal of his children from the
country.

It is my considered
opinion that my son's present marriage
is unstable. I spent several
weeks with them in America
last year. & on my return was
informed that they had separated
& the marriage was over, whereupon

laughed and then took an
enclosure of drugs. I was admitted
to hospital for treatment. My son
was told by his doctor at the
time that this was not the
first attempt she had made on
her life.

I understand a
reconciliation was made, but I
am not in a position to know
if this has been wholly
successful.

My son has repeatedly
been invited to visit his children,
even to the extent of my husband
and I offering to pay his expenses
but he has shown no interest
in seeing them over the past
seven years or so.

his children, their father
is such a total stranger that
this proposed upheaval in their
lives is upsetting them greatly.

I hope that this statement
may be of some help in
allowing my grand children
to remain with their mother
and in the security of their
own home.

Yours Faithfully
Margery Oehl. (Mrs)

LAW OFFICES
BRAY AND SATTLER
2000 NORTH 16TH STREET
ARLINGTON, VIRGINIA, 22201

RICHARD P. BRAY, JR.
(1922-1968)

LEONARD S. SATTLER

G. EMERSON SCHINDLER
JEFFREY W. KNAPPS

CABLE ADDRESS:
PRECISION, WASHINGTON, D. C.
703-525-5552

September 9, 1977

Honorable Elliott Marshall
Front Royal Courthouse
Front Royal, Va., 22630

Re: Oehl vs. Oehl; In Chancery No. 7222
Circuit Court of Prince William County


Dear Judge Marshall:

Unfortunately, the enclosed letter of September 6, 1977 to Your Honor was returned for insufficient postage; again as a result of secretarial inadvertence (which, if not immediately remedied, will result in secretarial replacement). I sincerely hope that these communications reach Your Honor in time for Your Honor to consider them prior to further argument in Oehl vs. Oehl. We are still taken aback in this office that Mr. Oehl would have the temerity to attempt so flagrant a stratagem as to give us a check pursuant to a court order and then, almost immediately, stop payment on it.

With reference to the first postscript to the enclosed letter to Your Honor, enclosed herewith please find a carbon copy of our self-explanatory letter of even date to Mrs. Elizabeth Butler-Sloss, Registrar of The High Court of Justice in England, in answer to Mr. Oehl's letter to The High Court of Justice of August 9, 1977, a copy of which Mr. Oehl handed to Your Honor on the day we last appeared before you.

With best wishes, I remain

Sincerely yours,



Leonard S. Sattler

LSS/brs

Enclosure

RICHARD P. BRAY, JR.
(1922-1968)

LEONARD S. SATTLER

G. EMERSON SCHINDLER
JEFFREY W. KNAPPS

LAW OFFICES
BRAY AND SATTLER

2000 NORTH 16TH STREET
ARLINGTON, VIRGINIA, 22201

CABLE ADDRESS:
PRECISION, WASHINGTON, D. C.
703-525-5552

September 6, 1977

SPECIAL DELIVERY

Honorable Elliott Marshall
Front Royal Courthouse
Front Royal, Va., 22630

Re: Oehl vs. Oehl; In Chancery No. 7222
Circuit Court of Prince William County

Dear Judge Marshall:

As a result of secretarial inadvertence, for which I must and do accept the blame, we failed to advise Your Honor of a very serious situation with respect to the above-referenced matter.

Your Honor will undoubtedly recall that I asked the Court please to consider Oehl vs. Oehl out of order because same could be handled in a summary manner. I represented to Your Honor that only minutes before Court convened I had visited the Clerk's Office of the Juvenile and Domestic Relations District Court of Prince William County and had there been advised that Mr. Oehl had made absolutely no child support and maintenance payments whatsoever since our having appeared before Judge Cacharis on May 4, 1977; and, therefore, payments were due for the months of June, July and August. Your Honor may also recall that for the foregoing reason I asked the Court to refuse to hear Mr. Oehl's motion to issue a rule against Mrs. Oehl until he purged himself of contempt; and that Your Honor thereupon advised Mr. Oehl of the propriety of my motion. Whereupon, Your Honor may also recall that Mr. Oehl stated to the Court that he anticipated such a tactic on my part and that the money was in "escrow" and that he was then and there prepared to pay same. At this point Mr. Oehl and I quit the bar enclosure and Mr. Oehl asked me to confirm the exact amount due my client (to

- continued -

107 031

Honorable Elliott Marshall
Page Number Two

September 6, 1977

which I replied four hundred and fifty dollars). Mr. Oehl then requested of his current wife that she prepare the check in said amount, which she did, payable to the order of my client, Vandra C. Oehl, who resides in England; following which Mr. Oehl signed same and handed it to me.

Mr. Gnadt called Oehl vs. Oehl and Mr. Oehl and I argued the matter before Your Honor from the left hand side of Your Honor's bench. Mr. Oehl provided Your Honor with certain documents as did I, following which Your Honor took the matter under advisement, informing Mr. Oehl and me that Mr. Gnadt would let us know when Your Honor would next be sitting in the Prince William Circuit Court, to which date the matter would be continued for further proceedings before Your Honor.

On the afternoon of the same day, Friday, August 26, 1977, I had my secretary check with Mr. Oehl's bank, through the auspices of my bank, which is associated with his bank, to ascertain if his check was good. Upon learning that there was sufficient money in Mr. Oehl's account to cover the check, I endorsed same as follows: "Vandra C. Oehl by Leonard S. Sattler, Attorney & Agent;" following which same was deposited to our Trustee Account in the Arlington Trust Company. Unbelievably outrageous as it may seem, before said check could clear his account in the Clarendon Bank and Trust Company, Mr. Oehl had already had "PAYMENT STOPPED" on said check. In view of Your Honor's rulings when Oehl vs. Oehl was first considered by Your Honor (that Mr. Oehl must purge himself of his own contempt before he could seek a rule to hold my client in contempt), I respectfully reiterate that Mr. Oehl's motion be dismissed and I also respectfully submit that he be dealt with by the Court, on its own motion, as Your Honor may deem just and proper under the circumstances, for the cavalier contempt of Your Honor's rulings early Friday morning, August 26, 1977. By having stopped payment on the check (which was, in effect, the sine qua non of his being permitted to address Your Honor), not on-

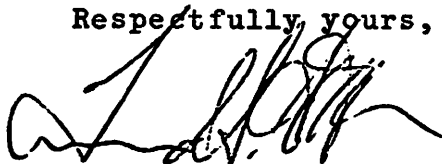
Honorable Elliott Marshall
Page Number Three

September 6, 1977

ly did Mr. Oehl demonstrate his gross contempt of the Court and our system of justice, but, with scienter, Mr. Oehl willfully and wantonly practiced a fraud upon Your Honor and the Circuit Court of Prince William County and my client and me, in that he thought that by having had his check made payable directly to my client in England, that Your Honor and I would not know about his having stopped payment on said check until long after Your Honor would have ruled on issues before the Court. It has been this type of conduct that the undersigned and his English client and his English associate counsel have had to put up with at the hands of Mr. Oehl, and even one of his local attorneys, during the past several years

With best wishes, I remain

Respectfully yours,



Leonard S. Sattler

LSS/brs

P.S. The undersigned is currently engaged in the drafting of a lengthy communication to Mrs. Elizabeth Butler-Sloss, Registrar of The High Court of Justice in England, responding to Mr. Oehl's inferences of improper conduct on the part of my associate counsel in England, Michael C. Gilchrist, Esquire, and, upon completion of same, I will provide Your Honor with a copy.

P.P.S. Enclosed herewith please find photocopy of said check and accompanying bank debit notice.

Hand Del - L. Sattler 8/26/77

BARRY OEHL

SSN 230-84-5091

148

7910 CHARLES THOMSON LANE, NO. 101

ANNANDALE, VIRGINIA

77 88-83511
580

Pay to the
Order of

UOL

\$450.00

PAYMENT
STOPPED

8/29/77



CLARENDON BANK

NORTHERN VIRGINIA

0560 0635 600 85 05

0000045000

DEBIT

8-31-1977

ARLINGTON TRUST COMPANY

ARLINGTON, VIRGINIA

450.00

WE CHARGE YOUR ACCOUNT TODAY & RETURN HEREWITH ATTACHED CHECK DRAWN BY

Barry Oehl

DRAWN ON

68-635-

WHICH WAS RETURNED TO US UNPAID FOR REASON INDICATED

ENDORSEMENT

- ☐ BANK
- ☐ GUARANTEE OF
- ☐ MISSING
- ☐ NOT COMPLETE

SIGNATURE

- ☐ ILLEGIBLE
- ☐ INCOMPLETE
- ☐ MISSING
- ☐ NOT AUTHORIZED
- ☐ NOT LIKE THAT ON FILE
- ☐ TWO REQUIRED

NOT SUFFICIENT FUNDS

- ☐ ACCOUNT ATTACHED
- ☐ ACCOUNT CLOSED
- ☐ MAKER DECEASED
- ☐ NO ACCOUNT
- ☐ DATE

PAYEE MISSING

- ☒ PAYMENT STOPPED
- ☐ SAVINGS ACCT. NOT SUBJECT TO CHECK
- ☐ DISCREPANCY IN ACCOUNT
- ☐ DRAWN ON UNCOLLECTED FUNDS
- ☐ UNABLE TO LOCATE ACCOUNT

PLEASE DEDUCT
FROM YOUR RECORD

Bray & Sattler

AUTHORIZED BY

2000 N. 16th St.

ACCOUNT NUMBER

Arl. Va. 22201

0-00-16-837

110

034

LAW OFFICES
BRAY AND SATTLER
2000 NORTH 16TH STREET
ARLINGTON, VIRGINIA, 22201

CABLE ADDRESS:
PRECISION, WASHINGTON, D. C.
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RICHARD P. BRAY, JR.
(1922-1968)

LEONARD S. SATTLER

G. EMERSON SCHINDLER
JEFFREY W. KNAPPS

September 9, 1977

Mrs. Elizabeth Butler-Sloss, Registrar
The High Court of Justice
Family Division, Principal Registry
L O N D O N, E N G L A N D

Re: Guardianship proceedings concerning minors
Lorraine Claire Oehl and Stewart Clark
David Oehl
No. WG510 of 1977

Dear Mrs. Butler-Sloss:

Having received a copy of Mr. Oehl's letter to you of August 9, 1977 from Mr. Oehl, I feel that it behooves me to set some of the record straight, it being impossible in correspondence to apprise The High Court of Justice of all that has transpired in the Circuit Court of Prince William County and in the Circuit Court of Arlington County, Commonwealth of Virginia. With reference, therefore, to the "facts" as set forth in the six enumerated paragraphs of Mr. Oehl's said letter, permit me to state seriatum as follows:

1. Although substantially correct, Mr. Oehl fails to mention in paragraph one that when he was "voluntarily" agreeing to child support, which was memorialized in a court order, he was also in the process of deserting his wife and infant children (who were then approximately two years and six months of age respectively).

2. Mr. Oehl did ^{not} locate in the United States almost contemporaneously with the entry of said court order.

3. The contents of Mr. Oehl's paragraph three are patently untrue and the facts as stated by Mr. Oehl in correspondence and in court on numerous occasions are: that his salary in the United States was such that he could not keep up the payments as required by said court order, or so he alleged; that he did indeed make Stateside efforts to have such payments lowered; that at no time did he move the court in England which entered said court order to lower the payments for the equitable reasons he claimed; and that finally, on an ex parte basis, Mr. Oehl lowered the payments to suit his ability to pay, or so he said. It was not until many months later that his "unemployment" (possibly "arranged") could

September 9, 1977

have in any way affected his ability to make payments in accordance with the said English court order.

4. The "local counsel" referred to in Mr. Oehl's paragraph four is the undersigned. Although my memory is indeed fallible and although we did much research to ascertain the extent to which the courts of the Commonwealth of Virginia would grant comity to the said English court's order, at no time did the Circuit Court of Prince William County make any award on the basis of same. As a matter of fact, litigation for divorce was instituted in the Circuit Court of Prince William County, under applicable statutes of the Commonwealth of Virginia in such cases made and provided, based upon Mr. Oehl's residence in Prince William County and upon the "no-fault" grounds of separation for the statutory period. Mr. Oehl's then wife in England was served there with process and the undersigned, on her behalf, filed an Answer and Cross-Bill of Complaint on the grounds of desertion. In the pleadings filed on behalf of Mrs. Oehl, the said English court's order was referred to and allegations were made as to Mr. Oehl's then very substantial arrearages. To verify these facts, one needs only to consult the court records in the jurisdiction where said English court's order was entered. Before a final decree of divorce could be entered in the Circuit Court of Prince William County, Mr. Oehl had a falling out with his attorney (who withdrew as Mr. Oehl's counsel and who later sued him for his fee). I, personally, was in no hurry concerning the entry of a final decree of divorce, being more interested in keeping Mr. Oehl under the active jurisdiction of the Circuit Court of Prince William County in order that I might petition said Court to "force" Mr. Oehl to make payments to his wife on behalf of the two infant children. On one such occasion, Mr. Oehl and his fiancée and the undersigned reported to the Circuit Court of Prince William County on, I believe, the undersigned's motion to require Mr. Oehl to make support payments as aforesaid. At that time, Mr. Oehl was indeed unemployed and I doubted it very much that the Circuit Court of Prince William County would hold him in contempt for not making support payments under such circumstances. The three of us repaired to a McDonald's restaurant in Manassas, Virginia, the county seat of Prince William County, and then and there "hammered out" a bargain. The "bottom line" of said bargain was that if I would immediately prepare a final decree of divorce for entry by the Circuit Court of Prince William County, Mr. Oehl would agree therein to be ordered to pay one hundred and fifty dollars per month to his then wife on account of support and maintenance. During our rather lengthy conference, I ascertained that Mr. Oehl would be going back

- continued -

September 9, 1977

to work at a substantial cut in salary; that he and his then fiance would be married immediately upon the Prince William Circuit Court's entering a final decree of divorce; that his then fiance had a young son for whom she was receiving only five dollars per month support and maintenance, a circumstance which embittered both Mr. Oehl and his fiance; that his fiance was at that time employed by some sort of credit card insurance company and enjoying a salary of some ten thousand dollars annually; and that after their marriage they would seriously consider asking the undersigned to handle the adoption of Mr. Oehl's fiance's young son. I honestly felt it to be in the best interests of my client, Mrs. Vandra Oehl, and the parties' two infant children, that we agree to a monthly sum to which Mr. Oehl would voluntarily agree; my hope being that, thus, he would make his payments regularly and without resorting to the type of chicanery we had come to expect of him, and, thus, to obviate further expensive and time consuming court intervention; and, for those reasons, I convinced Mrs. Vandra Oehl and her solicitor, Michael C. Gilchrist, Esquire, to accept this arrangement. Provisions were also made in said final decree for Mr. Oehl's contributing to Mrs. Oehl's State-side counsel fees and costs, which, albeit tardy, he did pay. Another circumstance which weighed heavily in my consideration of reaching an amicable agreement with Mr. Oehl was that I knew (but he did not know I knew) that he owned a residence in Prince William County with substantial equity; and I further knew that under the statutes of the Commonwealth of Virginia in such cases made and provided, that immediately upon an entry of a final decree of divorce requiring support and maintenance payments, such decree would automatically become a lien on Mr. Oehl's real property in the said county. As it turned out, our support and maintenance lien was preceded only by the purchase money deed of trust (mortgage) on Mr. Oehl's property (and, thus, Mr. Oehl was unable to avoid payment of accumulated arrearages in accordance with the support and maintenance provisions of the final decree of divorce as entered by the Circuit Court of Prince William County, all as more fully hereinafter discussed).

5. The contents of paragraph five are "a tissue of lies" from beginning to end. One cannot excuse Mr. Oehl for possibly faulty memory or not understanding Virginia law, etc. The fact is that the contents of his paragraph five are completely untrue and he knows them to be untrue. As best I can remember the sequence of facts to which Mr. Oehl might be making reference I will relate them. Immediately following the entry of the Final Decree of Divorce in Oehl vs. Oehl by the Circuit Court of Prince William County, Mr. Oehl and his fiance were married (if my recollection serves me correctly by a

September 9, 1977

Justice of the Peace in a gas station or a truck weighing station in the environs of Woodbridge, a locality in Prince William County). There is no question that there came a time when Mr. Oehl was "threatened with a jail term" and that he did sell his home and that he did subsequently file a petition in bankruptcy; however, the truth is that he voluntarily sold the home to obtain the equity from it prior to filing his petition in bankruptcy, in which proceedings he would have lost the equity of his home in any case. The part about being "threatened with a jail term" came about only upon Mr. Oehl's threat, which his then counsel echoed time and time again, that unless Mrs. Vandra Oehl accepted a sum equal to less than one-quarter of the total amount which was then due her, Mr. Oehl would allow all of his assets to "go down the drain" in bankruptcy. What Mr. Oehl, in effect, was trying to do was not only to avoid payments to his Stateside creditors, but also to avoid payment of the arrearages due Mrs. Vandra Oehl for support and maintenance. It did not work because the undersigned communicated Mr. Oehl's unconscionable tactics to Judge Plummer, then a Judge of the Circuit Court of Prince William County, and it was Judge Plummer who instructed the undersigned to advise Mr. Oehl, through his then counsel, that if he persisted in carrying out his threat to "lose" all of his assets rather than pay Mrs. Oehl her arrearages that, he, Judge Plummer, would arrange a stint in durance vile for Mr. Oehl! It was at this point that Mr. Oehl "saw the light!"

Mr. Oehl has faired well under the Constitution and the Statutes of the United States of America and the Commonwealth of Virginia. During his entire sojourn here, he has enjoyed pleasant employment and fair remuneration therefor, he has eaten regularly, he has an attractive wardrobe, he has owned property, he has enjoyed the ownership of an English sportscar practically from his arrival to this very day, and he has learned (unbelievably well for a lay person) to be his own solicitor and his own barrister (a strategem which permits him "to testify" under the guise of pro se advocacy)! Mr. Oehl also forgot to mention that he received a substantial amount of money from the sale of his property in Prince William County, notwithstanding the efforts of the undersigned. In order to consummate the sale, it was necessary, as aforesaid, to pay all of the arrearages due in accordance with the Final Decree of Divorce entered in the Circuit Court of Prince William County (which had absolutely nothing to do with the arrearages due under the English court's order). Since I knew that there would still be a few

- continued -

September 9, 1977

thousand dollars left over, because the attorneys who were settling the sale of Mr. Oehl's property were located in Arlington County, on behalf of Mrs. Vandra Oehl I filed an "attachment before judgment" action naming said Arlington County attorneys and requiring them to withhold payment of the balance due Mr. Oehl from the sale of his house. This, I believe, was the first and only time the matter of granting comity to the English court's order ever came before any of the courts of the Commonwealth of Virginia; and I have no compunction about relating to you that Mr. Oehl engaged the services of a very young, but extremely competent, attorney from the City of Alexandria, Virginia, to represent him in the said proceeding in the Circuit Court of Arlington County and that said young attorney had me practically "drummed" out of court! The reasons for this were quite simple: I had absolutely no sworn witnesses to present to the Court; the Court, not having had before it all of the records of the Prince William Circuit Court and the Juvenile and Domestic Relations District Court of Prince William County, was sympathetic to this poor man who was being hounded by both English and American counsel for several years; that because an attachment before judgment action is an "extraordinary" remedy, the Court refused to grant sufficient time for us to take depositions in England or to arrange for Mrs. Oehl to come here to testify. Therefore, prudence dictated that I agree to the dismissal of the matter rather than take the chance of my English client and myself being civilly sued on the grounds of "false attachment," which, undoubtedly, Mr. Oehl would have much enjoyed. The case was dismissed, I believe, with prejudice.

6. During the pendency of the proceedings in the Circuit Court of Arlington County, Mr. Oehl's arrearages and monthly support and maintenance payments being current for the very first time under the orders and decrees of the Circuit Court of Prince William County, Mr. Oehl moved the Circuit Court of Prince William County to grant him rights of visitation with his two infant children. The only purpose of this proceeding was and is VENGEANCE! On many occasions during the last days of the Prince William Circuit Court proceedings with respect to the release of the support and maintenance lien on Mr. Oehl's property in Prince William County, his then counsel threatened the undersigned that unless Mrs. Vandra Oehl and I succumbed to their blackmail, Mr. Oehl would make every attempt possible to enforce Stateside rights of visitation with the parties' two infant children. Mr. Oehl alleges that in several trans-Atlantic telephone calls between himself and Mrs. Vandra Oehl and between himself and Mrs. Margary Oehl, his mother, Mrs. Vandra Oehl agreed to accept approximately one-quarter of the amount due her for arrearages and, later, that she agreed to refund to him all amounts received in ex-

September 9, 1977

cess of said amount, provided he continued to forego his entitlement to rights of visitation with his children. In addition, Mr. Oehl's present wife also called Mrs. Vandra Oehl by trans-Atlantic telephone to make similar threats about getting Mrs. Vandra Oehl's children in the States, etc. Proof of the fact that Mr. Oehl's current effort to obtain Stateside visitation with his children is nothing more than an attempt at VENGEANCE is the fact that he was petitioning the Circuit Court of Prince William County for such rights of visitation during his bankruptcy proceedings and, therefore, ostensibly could not afford to bring the children here; the fact that he has made several trips to England since having emigrated and not even once attempted to see his two infant children; the fact that his own mother has practically begged him to cease and desist in his efforts to force the children to come to the States or, in the alternative, to permit her to accompany the children round-trip for their psychological security, in addition to taking care of them, etc. When this last fact was explained to Judge Marshall of Front Royal, Virginia, sitting as a Substitute Judge in the Circuit Court of Prince William County, a couple of weeks ago, Mr. Oehl informed Judge Marshall that his mother was a neurotic whose presence would make it more difficult for him to reestablish a relationship between him and his two children. With respect to Mr. Oehl's concern for his children, one must also comment upon the fact that when Mr. Oehl petitioned the Circuit Court of Prince William County for rights of visitation on May 4, 1977, he was then current in his support and maintenance payments (for the reasons hereinbefore set forth); following which he made not one payment at all until the matter was brought before Judge Marshall a couple of weeks ago, at which time, in order to be permitted to address the Court, he purged himself from "contempt" by having his second wife write out a check to the undersigned, right there in the courtroom, for the months of June, July and August. Based on Mr. Oehl's past performance over the past several years, I stand prepared to "give odds" that he has not made the support and maintenance payment for September, 1977!

Although there may be a minor inaccuracy here or there as to sequence of some of the events hereinbefore discussed, my purpose herein is to assure The High Court Of Justice that neither Messrs. Cowan, Lipson and Rumney nor the undersigned have ever engaged in any "legal chicanery" whatsoever. As a matter of fact, as far as this office is concerned, Oehl vs. Oehl for the most part has been a pro bono publico undertaking; in that it is completely impossible for our client to recompense us even to the extent of a third or a quarter of our Stateside fees and costs to date; and, further,

Mrs. Elizabeth Butler-Sloss
Pgge Number Seven

September 9, 1977

it is my understanding that associate counsel in London has not and does not expect fully to be paid for their services with respect to the matter either.

Because the two infants in question are absolutely terrified as to the prospect of travelling some six thousand miles to visit with someone whom they know not at all, and because there is no question but that the Courts of England have sole and exclusive jurisdiction over the persons of the young infants, Mr. Oehl should be required personally to plead his case before the English courts and not before the Courts of the Commonwealth of Virginia. In the event the Circuit Court of Prince William County does not agree with this, its only recourse is to enter an order abating support and maintenance payments on behalf of the two infant children, whose welfare, in the final analysis, must remain within the jurisdiction of the Courts of England.

Lastly, unless Mr. Oehl appears and actively participates in the proceedings extant in The High Court of Justice, the question of granting comity to the orders and decrees to the Circuit Court of Prince William County, Virginia, as I see it, is really moot.

Yours sincerely,

Leonard S. Sattler

LSS/brs

P.S. Enclosed herewith please find copies of letters of September 6, 1977 and September 9, 1977 to The Honorable Elliott Marshall, a Circuit Court Judge of Front Royal, Virginia, who served as a Circuit Court of Prince William County Substitute Judge on August 26, 1977, when Mr. Oehl and the undersigned appeared before him (it being normal practice for Circuit Court Judges throughout the Commonwealth of Virginia to substitute for each other as a result of vacations, illness, occasional cases when judges decline to sit for personal reasons, over-burdened dockets, etc.). The purpose of transmitting the enclosures to you is to advise The High Court of Justice of current developments of Oehl vs. Oehl in the Circuit Court of Prince William County.

IN THE HIGH COURT OF JUSTICE

No. WG510 of 1977

FAMILY DIVISION

THE PRINCIPAL REGISTRY

Royal Courts of Justice,
London, W.C.2.

Monday, 27th February, 1978

Before:

HER HONOUR JUDGE ROWLAND

VANDRA COLLINSWORTH OEHL

Plaintiff

-v-

BARRY DONALD OEHL

Defendant

MR. COLLINS (instructed by Messrs. Cowan, Lipson & Rumney)
appeared on behalf of the Plaintiff.

Tape transcription by D. L. Sellers & Co.
4 Trinity Street, London S.E.1.

J U D G M E N T
(as Approved)

Monday, 27th February, 1978

J U D G M E N T

A JUDGE ROWLAND: The infants of the Oehl family are aged nine
and seven. The father, who resides in America, has not seen
the children nor attempted to see them since October 1970 and
B the children have no recollection of their father. On
4th May, 1977, the Circuit Court of Prince William County
Virginia granted the father a Visitation Order for staying
access in America for four weeks each summer. There have
C been financial proceedings in America during the course of
which the Defendant's wife telephoned the Plaintiff and
threatened her.

D The matter comes before me on the application of the
Plaintiff for the children to be made Wards of Court and for
access to the Defendant to be limited to access in England.
Having read the Affidavits and considered the circumstances
I find that the welfare of the children would not be served
E by them visiting America to stay with a father and his wife
both of whom are unknown persons to them. I am satisfied
that the children feel apprehension at the proposal, particularly
as it is suggested that they travel without the assurance of the
F presence of their mother.

Until a relationship is established between the father
and his wife and the children, in my view, it would not be in
G their interests to project these young children into a
situation which they could not remedy in the event of staying
access proving a failure.

H

The order is that the children be made Wards of Court, reasonable access to be given to the Defendant limited to access in England under the supervision of an acceptable party, until further order. The children are to remain in the care and control of the Plaintiff.

Deborah Rowland
sitting as a Judge of the High Court

IN THE HIGH COURT OF JUSTICE

FAMILY DIVISION

PRINCIPAL REGISTRY

Before Mr His Honour Judge Rodland sitting as in Chambers
a High Court Judge

In the matter of Lorraine Clare Aehl and
Kewat Clark David Aehl a minor

and in the matter of the Law Reform (Miscellaneous Provisions) Act 1949

and in the matter of the Guardianship of Minors Acts 1971 and 1973

Between Vandra Colbington Aehl Plaintiff

and Barry Donald Aehl Defendant

Upon hearing Counsel for the Plaintiff

and upon reading the affidavits of the Plaintiff and
Margery Aehl both sworn on the 25th day of November
1971

IT IS ORDERED :-

- 1) that the said minors be and are hereby made
Wards of this Court and do remain Wards of this
Court during their respective minorities or until further order,
- 2) that the said minors do remain in the care and
control of the Plaintiff until further order,
- 3) that the Defendant do have reasonable access to
the said minors limited to access in England
under the supervision of an acceptable party until
further order and
Dated this 12th day of November 1971

that the defendant do pay the Plaintiff's costs
and that such costs be taxed on a common fund
basis in accordance with the provisions of Schedule 2
to the Legal Aid Act 1974

AND IT IS RECORDED that the Plaintiff has undertaken
to the Court through Counsel to return the said
minor to England and Wales in the event of
holidays abroad

Dated the 27th day of February 1978.



Deborah Rawland
sitting as a Judge of the High Court

HERMAN A. WHISENANT, JR.
JUDGE

RAYMOND O. KELLAM
JUDGE



FRANCES A. HAMM
CLERK

SERVING
PRINCE WILLIAM COUNTY
CITIES OF MANASSAS &
MANASSAS PARK

COMMONWEALTH of VIRGINIA

Thirty-first District Juvenile and Domestic Relations Court

9302 LEE AVENUE
MANASSAS, VIRGINIA 22110
TELEPHONE 368-9171, EXT. 252 & 452
361-1771

March 30, 1978

Mr. Barry D. Oehl
7910 Charles Thomson
Annandale, Va. 22003

Dear Mr. Oehl:

As per your request and for your records we write this letter.

Our records show that from April 1977 to date your support obligation to Vandra Oehl has been fulfilled to the full. And, payments are current. No arrears has accrued since that date.

Thanking you, I remain,

Very truly yours,

A handwritten signature in cursive script that reads "C. E. Wade".

C. E. Wade-Support Clerk

ORDER

THIS CAUSE came on to be heard on the 27th day of September, 1977, upon Complainant's motion to compel visitation in the United States with the parties' two infant children, Lorraine Claire Oehl and Stewart Clark David Oehl; upon Complainant's motion that Defendant be held in contempt of this Honorable Court's rulings with respect to such visitation as ordered by the Honorable James C. Cacheris on May 4, 1977; upon certified copies of pleadings and statements filed in The High Court of Justice, Family Division, Principle Registry, London, England, entitled Guardianship Proceedings concerning minors Lorraine Claire Oehl and Stewart Clark David Oehl, No. W0510 of 1977 and English law pertaining thereto, as certified by Briyan D. Lipson, Esquire and a Vice-Consul of the United States of America at London; and upon argument of Counsel for Defendant and Complainant pro se.

IT APPEARING TO THE COURT that Complainant, being current in all support and maintenance payments to Defendant herein, on behalf of their two infant children, Lorraine Claire Oehl and Stewart Clark David Oehl, is entitled to reasonable Stateside rights of visitation with said two infant children; that during such visitation there should be no suspension of payments on account of child support and maintenance; that this Court defines reasonable Stateside visitation as the thirty-one (31) days of

July, commencing July of 1978; that Complainant shall bear all costs of the said two children's round-trip transportation including air fare, passports, local transportation, etc.; that round-trip air transportation should be in accordance with airline regulations; that Complainant shall furnish Defendant with the children's full itinerary for each July and with round-trip airline tickets at least thirty (30) days in advance of their departure from England; that the said two infant children's paternal grandmother, Complainant's mother, Mrs. Margery Oehl may at her own option accompany the said two children from England to the United States and return; that if she elects to accompany said children that they shall be in her protective custody during their sojourn in the United States with Complainant; that the said Mrs. Margery Oehl should be responsible for the said two children while they are in this country and that should it be her desire, Mrs. Margery Oehl may accompany the said two children wherever they are taken in the United States by Complainant; that said Mrs. Margery Oehl shall pay any and all expenses incurred by her in escorting the parties' said two children from and to England and during their sojourns in the United States; and that this order does not give Mrs. Margery Oehl the right to enter the home residence of the Complainant nor the residencies of his in-laws or personal friends; and that in the event Defendant disobeys this Court's rulings with respect to Complainant's aforesaid rights of visitation, Complainant should not be required to make child support, maintenance and alimony payments on behalf of the parties' said two infant children; it is therefore,

ADJUDGED, ORDERED AND DECREED as follows:

1. That Complainant be, and he hereby is, granted rights of visitation in the United States with the parties' two infant

children, Lorraine Claire Oehl and Stewart Clark David Oehl, during the thirty-one (31) days of each July hereafter under terms and conditions hereinafter set forth.

2. That payments to Defendant on account of support, maintenance and alimony for said two children shall not be suspended during such period of visitation.

3. That Complainant shall bear all costs of the said two children's round-trip transportation, including air fare, passports, local transportation, etc.

4. That round-trip air transportation for said two children shall be in accordance with airline regulations.

5. That Complainant shall furnish Defendant and counsel for Defendant with the said two children's full itinerary for each July and round-trip airline tickets at least thirty (30) days in advance of their departure from England.

6. That the said two children's paternal grandmother, Mrs. Margery Oehl, may at her option accompany the said two children from England to the United States and return.

7. That the said two children shall be in the protective custody of the said grandmother, during their sojourn in the United States as aforesaid.

8. That the said Mrs. Margery Oehl shall be responsible for the said two children while they are in this country and that she may, at her option, accompany the said two children wherever they are taken in the United States by Complainant.

9. This order does not give Mrs. Margery Oehl the right to enter the home residence of the Complainant nor the residencies of his in-laws or personal friends.

10. That said Mrs. Margery Oehl shall pay any and all expenses incurred by her in escorting the parties' said two infant

children from and to England and during their sojourns in the United States.

11. That in the event Defendant disobeys this Court's rulings with respect to Complainant's aforesaid rights of visitation, Complainant's child support, maintenance and alimony payments heretofore ordered shall ipso facto be suspended until such time as this Court has been satisfied that the Defendant is no longer in non-compliance with this order.

ENTERED this _____ day of _____, 1978.

ELIOTT MARSHALL, JUDGE

PREPARED BY:

BARRY DONALD OEHL
7910 Charles Thomson Lane
Annandale, Virginia 22003
Complainant pro se

SEEN AND AGREED:

LEONARD S. SATTLER, Esquire
2000 N. 16th Street
Arlington, Virginia 22201
Counsel for Defendant

ORDER

THIS CAUSE came on to be heard on the 3rd day of May, 1978, upon Complainant's motion to compel visitation in the United States with the parties' two infant children, Lorraine Claire Oehl and Stewart Clark David Oehl; upon Complainant's motion that Defendant be held in contempt of this Honorable Court's rulings with respect to such visitation as ordered by the Honorable James C. Cacheris on May 4, 1977; upon certified copies of pleadings and statements filed in the High Court of Justice, Family Division, Principle Registry, London, England, entitled Guardianship Proceedings concerning minors Lorraine Claire Oehl and Stewart Clark David Oehl, No. W0510 of 1977 and English law pertaining thereto, as certified by Briyan D. Lipson, Esquire and a Vice-Consul of the United States of America at London; upon Defendant's motion for a change of circumstances; and upon argument of Counsel for Defendant and Complainant pro se.

IT APPEARING TO THE COURT that Complainant, *is to bring* ~~being~~ current in all support and maintenance payments to Defendant herein, on behalf of their two infant children, Lorraine Claire Oehl and Stewart Clark David Oehl, is entitled to reasonable Stateside rights of visitation with said two infant children; that during such visitation there should be no suspension of payments on account of child support and maintenance; that this Court defines reasonable Stateside visitation as the thirty-one (31) days of July, commencing July of 1978; that Complainant shall bear all costs of the said two children's round-trip transportation including air fare, passports, local transportation, etc.; that round-trip air transportation should be in accordance with airline

regulations; that Complainant shall furnish Defendant with the children's full itinerary for each July and with round-trip airline tickets at least thirty (30) days in advance of their departure from England; and that in the event Defendant disobeys this Court's rulings with respect to Complainant's aforesaid rights of visitation, Complainant should not be required to make child support, maintenance and alimony payments on behalf of the parties' said two infant children; it is therefore

ADJUDGED, ORDERED and DECREED as follows:

1. That Complainant be, and he hereby is, granted rights of visitation in the United States with the parties' two infant children, Lorraine Claire Oehl and Stewart Clark David Oehl, during the thirty-one (31) days of each July hereafter under terms and conditions hereinafter set forth.

2. That payments to Defendant on account of support, maintenance and alimony for said two children shall not be suspended during such period of visitation.

3. That Complainant shall bear all costs of the said two children's round-trip transportation, including air fare, passports, local transportation, etc.

4. That round-trip air transportation for said two children shall be in accordance with airline regulations.

5. That Complainant shall furnish Defendant and counsel for Defendant with the said two children's full itinerary for each July and round-trip airline tickets at least thirty (30) days in advance of their departure from England.

6. That in the event Defendant disobeys this Court's rulings with respect to Complainant's aforesaid rights of visitation, Complainant's child support, maintenance and alimony

payments heretofore ordered shall ipso facto be suspended until such time as this Court has been satisfied that the Defendant is no longer in non-compliance with this Order.

ENTERED this 30th day of June, 1978.


PERCY THORNTON, JR., JUDGE

PREPARED BY:

COHEN, VITT & ANNAND, P.C.
320 King Street, P. O. Box 117
Alexandria, Virginia 22313
(703) 836-2121

By 

BERNARD S. COHEN
Counsel to Complainant

Respectfully
SEEN AND ~~AGREED~~:

Exceeded to:



LEONARD S. SATTLER, Esquire
2000 N. 16th Street
Arlington, Virginia 22201
Counsel for Defendant.

NOTICE

To: Mr. Barry Donald Oehl
c/o Bernard S. Cohen, Esq.
Cohen, Vitt and Annand
320 King Street
Alexandria, Virginia, 22313

PLEASE TAKE NOTICE that on Friday, the 11th day of August, 1978, at ten o'clock in the morning, or as soon thereafter as counsel may be heard, the undersigned will petition the Circuit Court of Prince William County to modify its Order entered in the above-entitled cause on June 30, 1978, in the following particulars:

1. That Complainant's rights of visitation with the parties' two infant children be restricted to England.
2. That support and maintenance and alimony for Defendant and the parties' said two infant children be re-instated until the Supreme Court of Virginia has had an opportunity to rule upon Defendant's appeal.
3. To reinstate the status quo prior to the entry of this Honorable Court's said Order of June 30, 1978, in the event Complainant did not bring his payments current through the last mentioned date within a week to ten days thereof.

VANDRA COLLINGSWORTH Oehl

BRAY and SATTLER
2000 N. 16th Street
Arlington, Va., 22201

By Counsel

By /s/ Leonard S. Sattler
Leonard S. Sattler
Counsel for Defendant

CERTIFICATE OF SERVICE

This is to certify that I have on this 26th day of July, 1978 mailed a true copy of the foregoing Notice, postage prepaid, to Bernard S. Cohen, Esquire, Cohen, Vitt and Annand, 320 King Street, Alexandria, Virginia, 22313, Counsel for Complainant, Barry Donald Oehl.

/s/ Leonard S. Sattler
Leonard S. Sattler

*Law Office
Leonard S. Sattler
2000 North Sycamore Street
Arlington, Virginia 22201
703-525-5552*

N O T I C E

To: Bernard S. Cohen, Esquire
Cohen, Vitt and Annand
320 King Street
Alexandria, Virginia, 22313

PLEASE TAKE NOTICE that the undersigned, on Friday, the first day of September, 1978, at ten o'clock in the morning, or as soon thereafter as counsel may be heard, will present to The Honorable Percy Thornton, a certain Statement of Facts, Testimony and Other Incidents Pursuant to Rules 5:6 and 5:9 of the Rules of the Supreme Court of Virginia, a true copy of which is attached hereto, in accordance with said Rule 5:9. In addition, the undersigned will present to The Honorable Percy Thornton "certified copies of pleadings and statements filed in the High Court of Justice, Family Division, Principle (sic) Registry, London, England, entitled Guardianship Proceedings concerning minors Lorraine Claire Oehl and Stewart Clark David Oehl No. WO510 of 1977 and English law pertaining thereto, as certified by Bryan (sic) D. Lipson, Esquire and a Vice-Consul of the United States of America at London," as mentioned in this Honorable Court's Order of June 30, 1978, for inclusion in the Record of this cause.

Leonard S. Sattler
2000 N. 16th Street
Arlington, Va., 22201
Counsel for Defendant

CERTIFICATE OF SERVICE

This is to certify that I have on this 21st day of August, 1978 had delivered a true copy of the foregoing Notice, together with Statement of Facts, Testimony and Other Incidents Pursuant to Rules 5:6 and 5:9, to the law offices of Bernard S. Cohen, Esquire, Cohen, Vitt and Annand, 320 King Street, Alexandria, Virginia, Counsel for Complainant.

Leonard S. Sattler

ASSIGNMENTS OF ERROR

The following are the errors herein assigned:

1. That the Court erred in failing to recognize or to grant comity to the order of the High Court of Justice, Family Division, Principle Registry, London, England, making the parties' two infant children Wards of the said Court and ordering that said two infant children not leave the jurisdiction of said English Court.

2. That the Court erred in granting the Respondent rights of visitation in the United States with the parties' said two infant children under the circumstances of this cause.

3. That the Court erred by refusing to grant the Petitioner's motion for a "home study" before granting the Respondent Stateside rights of visitation with the parties' said two infant children.

4. That the Court erred in granting Stateside rights of visitation to the Respondent with the parties' said two infant children solely upon the basis that support and maintenance payments were current at the time of the Court's said Order would be brought current, the Court considering no other relevant facts or factors whatsoever with respect thereto.

5. That the Court erred in suspending both child support and maintenance payments and alimony payments contingent upon the parties' said two children's being sent to the United States by the Petitioner.

6. That, although the parties are before the Court, the Court does not have actual jurisdiction over the parties' said two infant children.

7. That the Court erred in refusing to give proper consideration to the pleadings and statements filed in the High Court of Justice, Family Division, Principle Registry, London, England, entitled Guardianship Proceedings concerning minors Lorraine Claire Oehl and Stewart Clark David Oehl; from which it was clear that it would be against the best interests of the parties' two infant children to require them to come to the United States to visit with the Respondent, their father, whom they do not know, and the Respondent's wife, their step-mother, of whom - without knowing her personally - they are terribly frightened; and, as aforesaid, the Petitioner is prohibited by the said High Court of Justice from permitting the parties' said two children to leave the jurisdiction of the said English Court.

8. That Judge Thornton erred in entering an order in accordance with the rulings of another Judge of the Circuit Court of Prince William County, made several months previously, which said rulings had not been officially reduced to writing, without considering the changes of circumstances which had intervened between the date of this Court's said Order of June 30, 1978 and the said prior rulings of the other Judge.

9. That the Court erred in granting Stateside rights of visitation to the Respondent with the parties' said two infant children at the option of the Respondent, notwithstanding that to do so might cause a "terrible tragedy."

10. That in granting the Respondent Stateside visitation with the parties' said two infant children, the Court failed and refused to take the best interests of the said two infant children into account in any manner whatsoever; and, in addition, the Court refused fully to consider the harmful and possibly tragic effects of such visitation on the parties' said two infant children, after having itself momentarily contemplated same.