

Queens, at 89-14 Parsons Blvd., Jamaica, NY
11432, on January 31, 2001

P R E S E N T: Hon. JOHN M. HUNT

Judge

2001 Q 00644
In the Matter of a Proceeding under
Article 8 of the Family Court Act

ALINA A. SHIPILINA

Date of Birth:

Petitioner,

v.

ROY DEN HOLLANDER

Date of Birth:

Respondent,

Docket No.

O-01988/01

TEMPORARY
ORDER OF PROTECTION

☒ Ex-Parte

☐ Respondent

☐ Present in Court

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION, WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CRIMINAL CONTEMPT, AND/OR MAY SUBJECT YOU TO FAMILY COURT PROSECUTION AND INCARCERATION FOR UP TO SIX MONTHS FOR CONTEMPT OF COURT. IF YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND CONTINUE IN EFFECT UNTIL YOU APPEAR IN COURT.

NOTICE: PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE LAW GUARDIAN UPON THE APPELLANT, WHICHEVER IS EARLIEST.

A petition under Article 8 of the Family Court Act, sworn to on January 31, 2001 having been filed in this Court in the above entitled proceeding, and good cause having been shown,

Now therefore, it is hereby ORDERED that ROY DEN HOLLANDER observe the following conditions of behavior:

- [01] Stay 500' away from: [A] ALINA A. SHIPILINA
[B] the home of ALINA A. SHIPILINA
[E] the place of employment of ALINA A. SHIPILINA;

[02] Refrain from assault, stalking, harassment, menacing, reckless endangerment, disorderly conduct, intimidation, threats or any criminal offense against ALINA A. SHIPILINA;

[99] Observe such other condition(s) as are necessary to further the purposes of protection [specify conditions]: RESPONDENT NOT TO MAKE PHONE CALLS TO PETITIONER.;

Present in Court

It is further ordered that this temporary order of protection shall remain in effect until April 6, 2001

Dated: January 31, 2001

Hon. JOHN M. HUNT, J.F.C.

APR 06 2001

Order Extended to

5-31-01

J.F.C.

Order Extended to

J.F.C.

THIS IS TO CERTIFY THAT THIS IS A TRUE COPY OF A
TEMPORARY ORDER OF PROTECTION MADE IN THE MANNER
DESIGNATED IN SUCH COPY AND SHOWN BY THE RECORDS
OF THE FAMILY COURT OF THE STATE OF NEW YORK,
WITHIN THE CITY OF NEW YORK, FOR THE COUNTY OF
QUEENS

Richard Canner Clerk of Court

Dated: JAN 31 2001, 20

CHECK APPLICABLE LINE:

- ☐ Personal service executed (specify date): _____
- ☐ Order mailed on (specify date(s) and to whom mailed): _____
- ☐ Order received in court on (specify date(s) and to whom given): _____

The Family Court Act provides that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her special duties shall authorize, and in some situations may require, such officer to arrest a person who is alleged to have violated it's terms to bring him or her before the court to face whatever penalties may be imposed therefore.

Federal law provides that this order must be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if it is established that the person against whom the order is sought has or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 U.S.C. 2265).

It is a federal offense to: cross state lines to violate an order of protection; cross state lines to engage in stalking, harassment or domestic violence; purchase, transfer, possess or receive a firearm following a conviction of a domestic violence misdemeanor involving the use or attempted use of physical force or a deadly weapon; or (for persons other than military or law enforcement officers while on duty) purchase, transport, possess or receive a firearm while an order of protection, issued after notice and an opportunity to be heard, prohibiting assault, harassment, threatening and/or stalking, is in effect (18 U.S.C. §§922(g)(8), 922(g)(9), 2261, 2261A, 2262).

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

ALINA A. SHIPILINA
Petitioner,
v.

ROY DEN HOLLANDER
Respondent,

Docket No.
0-01988/01

PETITION
Family Offense

TO THE FAMILY COURT:

The undersigned Petitioner respectfully shows that:

1. ALINA A. SHIPILINA resides at 28-15 34TH ST., #4H., ASTORIA, NY 11103-0000, and is the SPOUSE of the Respondent.
2. Respondent resides at 545 EAST 14TH ST., #10D,, NEW YORK, NY 10009-0000.
3. On or about January 28, 2001 at a music store in new York county at approx. 2:30pm, the Respondent committed an act or acts which constitute (aggravated harassment in the second degree), (harassment in the first degree), (harassment in the second degree), (menacing in the second degree), (menacing in the third degree), (assault in the second degree), (assault in the third degree), (attempted assault), (disorderly conduct), (reckless endangerment), (stalking in the first degree), (stalking in the second degree), (stalking in the third degree), (stalking in the fourth degree) toward ALINA A. SHIPILINA who is the SPOUSE of said Respondent in that the Respondent threatens petr. Petr. states " My husband threatened to have me deported. He said that America was not for me and that it was his decision where I live. He makes me very afraid because he threatens to send me away without telling me when. He tells me that he know people in the Embassy and Immigration, both here and in Moscow. " Petr. states that about 1 month ago resp. grabbed petr. by the arm and left a scratch on petr.'s arm. Petr. states that resp. wnts petr. to pay resp. between \$15,000 and \$25,000 to stay in the USA. Petr. states that resp. once showed petr. a gun and that resp. sleeps with a knife. Petr. is afraid of resp. and seeks that resp. stay away from petr. and petr.'s residence and stop threatening petr.
5. The following aggravating circumstances, if any, are present

in this case: Resp. has a history of threatening petr. and once showed petr. a gun.

6. The following criminal, matrimonial or family court proceeding(s) involving the respondent (has)(have) been filed:
N/A

7. Indicate whether a previous application has been made to any court or judge for the relief requested herein and, if so, the relief, if any, granted and the date of such relief: N/A

8. Respondent is licensed or has a license application pending to carry, possess, repair, sell or otherwise dispose of the following firearms: Petr. does not know.

9. Respondent is in possession of the following licensed and unlicensed firearms: Petr. states that resp. once showed petr. a gun.

10. There is a substantial risk that the Respondent may use or threaten to use a firearm unlawfully against Petitioner (and members of the Petitioner's family or household) for the following reasons:

a. Respondent has been convicted of the following violent felony offenses: N/A

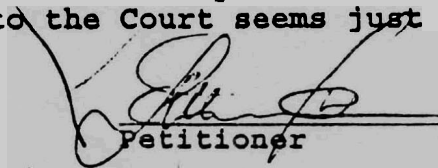
b. Respondent has previously been found to have willfully failed to obey an order of protection and such willful failure involved (infliction of serious physical injury, use or threatened use of a deadly weapon or dangerous instrument and behavior constituting a violent felony offense) as follows: N/A

c. The following facts and circumstances create a substantial risk that Respondent may use or threaten to use a firearm unlawfully against Petitioner or members of Petitioner's family or household: N/A

WHEREFORE, Petitioner prays

(a) that the Respondent be adjudged to have committed the family offense alleged;

(b) that the Court enter an order of protection, specifying conditions of behavior to be observed by the Respondent in accordance with Section 842 of the Family Court Act; and for such other and further relief as to the Court seems just and proper.


Petitioner

VERIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF QUEENS)

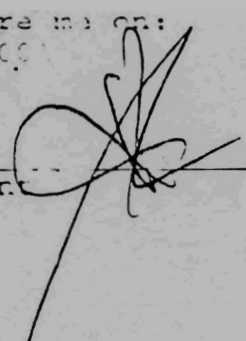
ALINA A. SHIPILINA, above named being duly sworn, deposes and says: I am the Petitioner in the within action; that I have read and know the contents of the foregoing Petition; that the same is true to my own knowledge, except as to matters therein stated to be alleged on information and belief, and that as to those matters, I believe it to be true.



Petitioner

Sworn to before me on:
January 31, 2007

Court Assistant



KUBA, MUNDY & ASSOCIATES

ATTORNEYS AT LAW

RONALD J. KUBA
NICHOLAS J. MUNDY*

*(ADMITTED IN N.Y. & N.J.)

DAWN P. GUIDONE †
PAULETTE DETIBERIIS†

†(ADMITTED IN N.Y. & CT.)

321 BROADWAY
NEW YORK, NY 10007
(212) 732-5050
FAX (212) 766-0049

ROCKLAND COUNTY OFFICE
(914) 356-1313
NEW JERSEY OFFICE
(201) 801-0601

February 5, 2001

Via Certified Mail RRR and First Class Mail

Roy Den Hollander
545 East 14th Street, #10D
New York, NY 10009

Dear Mr. Hollander:

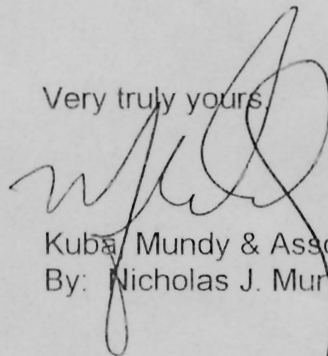
This office has been retained by your wife, Alina Shiplina. Ms. Shiplina has requested that we commence divorce proceedings, but not before giving you the opportunity to contact us, or to have an attorney contact us on your behalf, to discuss the possibility of resolving this matter amicably.

Divorce proceedings can be difficult for both parties. Recognizing this, our client desires to discuss the issues with you in a mutually agreeable setting, in the hopes that reasonable solutions can be reached.

Nonetheless, if I do not receive a response from you or your attorney within seven (7) days from the date of this letter, my client has instructed me to commence action without your cooperation.

Please be guided accordingly.

Very truly yours,



Kuba, Mundy & Associates
By: Nicholas J. Mundy, Esq.

NJM/ab

Supreme Court of the State of New York
County of NEW YORK

Date of filing: 2/13/2001
Index No. 01350091
Plaintiff designates

ROY DEN HOLLANDER

Plaintiff

against

ALINA A. SHIPILINA, a/k/a
Angelina Chipilina

Defendant

New York
County as the place of trial
The basis of the venue is

Plaintiff's residence
Summons with Notice

Plaintiff resides at
545 East 14th St.
New York, N.Y. 10009
County of New York

ACTION FOR A DIVORCE

To the above named Defendant

and, ACTION TO ANNUL A MARRIAGE

You are hereby summoned to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear, judgment will be taken against you by default for the relief demanded in the notice set forth below.

Dated, February 12, 2001
New York, New York


JUDITH BADER-YORK

Attorney(s) for Plaintiff

Office and Post Office Address

331 Madison Avenue
15th Floor
New York, NY 10017
(212) 986-1480

NOTICE: The nature of this action is to dissolve the marriage between the parties, on the grounds of the cruel and inhuman treatment of the plaintiff by the defendant; the adultery of defendant; in the alternative, to annul the marriage on the grounds of the defendant's fraud.

The relief sought is.

A judgment of absolute divorce in favor of the Plaintiff dissolving the marriage between the parties in this action; in the alternative, a judgment annulling the marriage between the parties. The nature of any ancillary relief demanded is equitable distribution of the marital property of the parties, awarding counsel fees to the Plaintiff, and for such other further and additional relief as the court may deem just, proper and equitable in the premises.

KUBA, MUNDY & ASSOCIATES
ATTORNEYS AT LAW

RONALD J. KUBA
NICHOLAS J. MUNDY*

*(ADMITTED IN N.Y. & N.J.)

DAWN P. GUIDONE †
PAULETTE DETIBERIIS †

†(ADMITTED IN N.Y. & CT.)

321 BROADWAY
NEW YORK, NY 10007
(212) 732-5050
FAX (212) 766-0049

ROCKLAND COUNTY OFFICE
(914) 356-1313
NEW JERSEY OFFICE
(201) 801-0601

March 12, 2001

Judith Bader-York, Esq.
331 Madison Avenue, 15th Floor
New York, NY 10017

Re: **Hollander v. Shiplina**
Index Number 350091/01

Dear Ms. Bader-York:

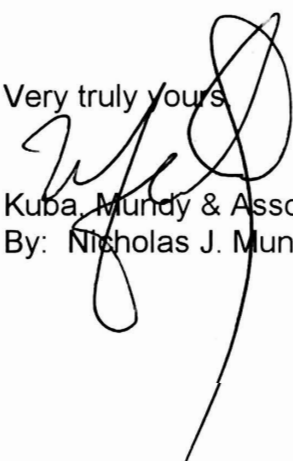
Enclosed please find defendant's Demand for Complaint.

As discussed this date, in the interest of sparing our respective clients embarrassment, time and expense, my client has asked that we attempt to resolve divorce and financial matters amicably. My letter to your client dated February 5, 2001 offered to proceed in that fashion, but was responded to with a Summons alleging, among other things, cruel and inhuman treatment.

In a final effort to avoid public disclosure of certain familial facts and circumstances, which by their nature should remain private and personal, I am once again extending the opportunity to engage in non-formal discovery and exchange of financial disclosure and documentation pertinent to equitable distribution and maintenance issues, prior to draft and filing of a Complaint, Answer and Counterclaims in this matter.

Please be guided accordingly.

Very truly yours,


Kuba, Mundy & Associates
By: Nicholas J. Mundy, Esq.

NJM/ab

PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
[Draft 5/23/01]

Complaint Against Ms. Shipilina

1. On or about January 31, 2000, in Moscow, Russia, Ms. Shipilina, unbeknownst to her future husband, decided to accept her future husband's marriage proposal solely to obtain a green card so she could work in America as a lap dancer and prostitute; she had no intention of fulfilling her duties as a spouse.
2. On or about March 5 to March 11, 2000, in Krasnodar, Russia, Ms. Shipilina surreptitiously put foreign substances into her husband's meals that caused him sleepiness, nausea, constipation, euphoria and befuddled thinking, symptoms consistent with opiate poisoning.
3. On March 11, 2000, in Krasnodar, Russia, Ms. Shipilina did not consider her wedding ceremony on that day as serious; for her it was just business in order to obtain a green card to America.
4. From March 11, 2000, the day of her marriage, to the present in New York City, Russia and Cyprus, Ms. Shipilina has repeatedly slandered and libeled her husband to her prostitution clients, lap dancing clients, lovers, friends, relatives and associates.
5. On or about March 2000 in Krasnodar, Russia, Ms. Shipilina stated to a third party that she would not be faithful to her husband because she was a "symbol of self realization" and would not bring herself down for her husband by obeying her marital vows.
6. From the middle of March until the beginning of June 2000, Ms. Shipilina refused to cohabit with her husband.
7. On or about the last half of March 2000 in Krasnodar, Russia, Ms. Shipilina engaged in intercourse twice with a Russian man whose first name is Valodya.
8. On or about the beginning of April 2000 in Krasnodar, Russia, Ms. Shipilina illegally acquired a second Russian passport to hide her subsequent trip to Milan, Florence and Venice, Italy for prostitution purposes.
9. On or about the beginning of April 2000 in Krasnodar, Russia, Ms. Shipilina tried to seduce a man named Alexei who managed the Russian discotheque "Joy".
10. On or about the first half of April 2000 in Krasnodar, Russia, Ms. Shipilina discussed with one of her prostitution clients, Alfredo Ibarra Sotelo, intimate details of her marital relationship, see allegations 16, 17, 18 and 19 below.

11. On or about April 2000 in Krasnodar, Russia, Ms. Shipilina planned, without notification or consultation with her husband, to travel to Greece or Venezuela to ply her trade as a lap dancer and prostitute if she did not obtain a spousal immigrant visa to the United States.
12. On or about the beginning of May 2000 in Krasnodar, Russia, Ms. Shipilina dated a man whom she had talked with only once on the telephone.
13. [On or about May 9, 2000, in Krasnodar, Russia, Ms. Shipilina engaged in sexual conduct with a Russian man whose first name is Andrei.]
14. On or about May 9, 2000, in Krasnodar, Russia, before going out looking for men with her friend Katya she cold heartedly and callously wrote to her husband, "You present me the best moments of my life and I send you Special Love."
15. On or about the middle of May 2000 in Krasnodar, Russia, Ms. Shipilina sexually propositioned a Russian man with the first name of Valodya, see allegation 7 above.
16. On or about the middle of May 2000 in Krasnodar, Russia, Ms. Shipilina conspired with her prostitution client Alfredo Ibarra Sotelo, see allegation 10 above, to deceive her husband into believing that the two of them were only friends.
17. On or about May 19 to 22, 2000, in Milan, Florence and Venice, Italy, Ms. Shipilina engaged in numerous counts of prostitution by repeatedly having intercourse, fellatio and other sexual conduct with Alfredo Ibarra Sotelo, see allegations 10 & 16 above, in return for money and jewelry.
18. On or about May 19 to 22, 2000, in Milan, Florence and Venice, Italy, Ms. Shipilina used illegal drugs to enhance her sexual performance with her prostitution client Alfredo Ibarra Sotelo, see allegations 10, 16, and 17 above.
19. On or about May 19 to 22, 2000, in Milan, Florence and Venice, Italy, Ms. Shipilina denigrated, insulted, mocked and otherwise slandered her husband to her prostitution client Alfredo Ibarra Sotelo, see allegations 10, 16, 17 and 18 above.
20. On or about the end of May 2000, in Italy and Moscow, Russia, Ms. Shipilina took extraordinary actions to disguise from her husband her prostitution activities in Italy, including praying to God that her husband will never suspect anything.
21. Through out Ms. Shipilina's marriage to Roy Den Hollander, she maintained contact with her prostitution client Alfredo Ibarra Sotelo, see allegations 10, 16, 17, 18 and 19 above, while swearing to her husband that she no longer communicated with Mr. Ibarra.

22. On or about June 16, 2000, in Krasnodar, Russia, Ms. Shipilina cold heartedly and calculatingly lied to her husband when she told him by telephone that there was no one else but him and that she respected and loved him, which was all part of her plan to circumvent the Immigration Laws of the United States in order to assure that her husband take her to America.
23. On or about the middle of June 2000 in Krasnodar, Russia, Ms. Shipilina stated that her husband saw her as a real wife, but that she would never see him as a real husband.
24. On or about the third week in June 2000 in Krasnodar, Russia, Ms. Shipilina dated and engaged in petting in public with a Russian man whose first name is Roma.
25. On or about June 24 and 25, 2000, in Krasnodar, Russia, Ms. Shipilina engaged in sexual conduct with a Russian man whose first name is Valodya from St. Petersburg, a different man than the one cited in allegations 7 and 15 above.
26. On or about 5:30 am on June 25, 2000, in Krasnodar, Russia, Ms. Shipilina allowed a taxi driver to rub her knees in order to save money on the fare.
27. On or about June 28, 2000, in Krasnodar, Russia, Ms. Shipilina intended to once again engage in sexual conduct with a Russian man whose first name is Valodya, see allegation 25 above.
28. On or about July 5, 2000, in Krasnodar, Russia, Ms. Shipilina duplicitously and hypocritically wrote her husband that she was sending him "clean love" just days after she engaged in a sexual affair with a Russian man by the first name of Valodya, see allegation 25 above.
29. On or about the first week in July 2000 in Krasnodar, Russia, Ms. Shipilina stated her plans were to go to America as her husband's wife to make money as a lap dancer and prostitute and then divorce her husband.
30. On or about July 10, 2000, when Ms. Shipilina arrived in America in her husband's apartment in New York City, Ms. Shipilina refused to put her belongings in the dresser, but instead kept most of her belongings in a large suitcase near the closet where she hung the dresses she used for stripping.

[In a July 1999 postcard to her boyfriend Valodya in St. Petersburg, see allegations 25 and 27, Alina expresses her view that her marriage is just business to her.]

[In a July 1999 postcard to her boyfriend Valodya in St. Petersburg, see allegations 25 and 27, Alina expresses her romantic feelings for Valodya.]

31. On or about July 17, 2000, in New York City, Ms. Shipilina began working as a lap dancer at Flash Dancers on Broadway and began collecting the business cards of some of her customers, contacting them and dating her customers.
32. From July through November 2000 in New York City, Ms. Shipilina repeatedly lied to her husband about whether she worked in the private Champagne Room at Flash Dancers and the activities she engaged in while in that room with men and women in return for money.
33. From July to the present in New York City, Ms. Shipilina made from lap dancing and dating her customers between \$13,000 and \$15,000 in cash a month on which she failed to file quarterly income tax returns and which she transport out of the United States without filing the proper papers with the United States Custom Service.
34. In August and October 2000 in New York City, Ms. Shipilina refused to consult with a tax accountant concerning the proper reporting of her taxes, which caused her husband to decide to file a separate return for 2000.
35. From July through September 2000 in New York City, Ms. Shipilina refused to contribute to the household even though she was earning far more than her husband.
36. From July through December 2000 in her husband's apartment in New York City, Ms. Shipilina stated she preferred to work at Flash Dancers than go out with her husband.
37. From mid July through the beginning of September and then again in October and November 2000 in her husband's apartment in New York City, Ms. Shipilina surreptitiously put foreign substances into her husband's meals that caused sleepiness, nausea, constipation, euphoria and befuddled thinking, see allegation 2 above.
38. In early August 2000 late one evening in the kitchen of her husband's apartment in New York City, Ms. Shipilina, six feet two inches tall, weighing 150 lbs and a former three times champion of Russia in the long jump, tried to stab her husband with a kitchen knife.
39. On or about August 8 and 9, 2000, in New York City, Ms. Shipilina failed to go work, which was where she told her husband she was going, and was out of the home from around 6pm until 4:30am the next morning.
40. On or about the middle of August, September and October 2000 in New York City and Krasnodar, Russia, Ms. Shipilina began feigning a nonexistent serious medical condition in a cold and calculating effort to elicit even more sympathy from her husband in order to distract him from the truth of her continuing ruthless exploitation of his love for her.

[On or about September 9, 2000, in New York City at Flash Dancers, Ms. Shipilina in return for money went into a private room where she allowed a bearded man who appears on television to intimately touch her so that she received pleasure.]

41. On or about September 4, 2000, in New York City, Ms. Shipilina, before traveling to Cyprus where she planned and visited three of her former prostitution clients, duplicitously told her husband that she kissed him from her clear soul and said he was her only lover and true boyfriend.
42. From September 9 to September 29, 2000, Ms. Shipilina refused to allow her husband to travel with her to Krasnodar, Russia, and Limassol, Cyprus, where she met with three men, their first names are Rikos, Andrios and Stephanos, who were formerly her prostitution clients when she worked as a prostitute and lap dancer at the night clubs Tramps and Zygos in Limassol, Cyprus, from January to June 1999.
43. On or about September 26, 2000, in Krasnodar, Russia, Ms. Shipilina insisted to her husband that she never engaged in prostitution because, as she said, after she sold her body to a man she would go to church and God would forgive her and then it was as if it never happened. Ms. Shipilina then insidiously rebuked her husband with, "If God can forgive me; why can't you!"
44. On or about the beginning of October 2000 in New York City, Ms. Shipilina lent her husband at his request \$600 in cash, when her husband paid her back he mistakenly paid her \$640, but Ms. Shipilina, after counting the money twice, did not inform her husband about his overpayment.
45. On or about the middle of October 2000 in her husband's apartment in New York City, Ms. Shipilina threatened her husband with death by putting into his food some poison she had brought from Russia with her or by having her Russian friends in New York kill him, see allegations 2 and 37 above.
46. On or about the end of October 2000 in her husband's apartment in New York City, Ms. Shipilina maliciously smashed against the floor a prized memorabilia coffee cup of her husband's from Channel 5 News; when asked why she smashed the cup after unsuccessfully trying to cover up her actions, she said her husband was not meant to have the cup anymore.
47. On or about the beginning and end of November 2000 in her husband's apartment in New York City, Ms. Shipilina threatened her husband by saying that after she moved out of his apartment something very bad, even death would happen to him because she would have her Russian friends harm him.
48. On or about the middle of November 2000 in the foyer of her husband's apartment in New York City, Ms. Shipilina took the knife she carries out of her purse and tried to stab her husband, see allegation 38 above.

49. On or about the beginning of December 2000 in New York City, Ms. Shipilina refused to submit a change of address card to the United States Post Office when she moved out of her husband's apartment because a paralegal at the law firm of Kuba, Mundy & Associates told her it would be better in her efforts to obtain a permanent green card for the Immigration and Naturalization Service to believe that she was still living with her husband.
50. On January 28, 2001, at around 2:30pm in the Virgin Coffee Shop on Union Square, Ms. Shipilina threatened her husband by saying that if he did not lie to the Immigration and Naturalization Service in order to get her a permanent green card, she would have her Russian mafia friends put him in the hospital or kill him or she would do it herself.
51. On January 31, 2001, one year to the date that her husband had proposed marriage and three days after her husband refused to lie to the Immigration and Naturalization Service (INS) so Ms. Shipilina could obtain a permanent green card, she perjured herself before the Queens County Family Court by making false accusations against her husband in order to obtain a temporary order of injunction in an effort to use the Justice System to intimidate her husband into acceding to her demands that he perjure himself to the INS in order for her to obtain a permanent green card.
52. From March until December 2000 in New York City, Russia and Cyprus, Ms. Shipilina wantonly and recklessly engaged in unprotected sex with various men.
53. From May 2000 to the present in New York City, Russia and Cyprus, Ms. Shipilina often uses the name "Angelina" and the last name "Chipilina" as well as a black wig to disguise herself and keep some of her nefarious activities from being identified with her.
54. From July 2000 to the present in New York City, Russia and Cyprus, Ms. Shipilina has repeatedly demonstrated extreme avarice.
55. From July 2000 to the present in New York City, Ms. Shipilina experiences great joy working in the sex industry and the money it brings her.
56. From December 1998 to the present in New York City, Russia, Cyprus and Mexico, Ms. Shipilina has been an active member in the underworld Russian sex industry acting as a prostitute, procurer, pornography film producer and lap dancer.
57. From December 1998 to the present in New York City, Russia, Cyprus and Mexico, Ms. Shipilina has activity prompted and profited from the international Russian sex industry by recruiting young women for prostitution and pornography films.
58. From July 23, 1999 to December 2000, in New York City, Las Vegas, Florida and Russia, Ms. Shipilina repeatedly lied, dissembled and prevaricated to her future and current husband in a ruthless and opportunistic plan to exploit her husband's love and

compassion for her in order to defraud him into marriage so she could acquire a temporary green card and to deceive him, once they were married, into believing she was a faithful and devoted spouse so that he would take her to America and provide her with assistance in America.

59. From July 23, 1999 to the present in America, Russia, Cyprus and Mexico, Ms. Shipilina incongruously and deceptively likened herself to an Angel who spread joy around and did wonderful things while in reality she was greedily pursuing as much money as she could through prostitution and lap dancing.
60. From February 1999 to December 1999 in Russia, Las Vegas and New York City, Ms. Shipilina intentionally engaged in a course of conduct to intimidate and cause emotional distress in her husband by practicing black magic rituals.

**Supreme Court of the State of New York
New York County Courthouse
60 Centre Street
New York, New York 10007**

Jun 04, 2001

To: COHEN GOLDSTEIN & SILPE LLP
505 PARK AVENUE - 8TH FLOOR
NEW YORK, NEW YORK 10022

For Plaintiff

: Index # 0350091/2001

Case of HOLLANDER, ROY DEN
V SHIPILINA, ALINA A.

YOU ARE HEREBY DIRECTED TO APPEAR FOR A PRELIMINARY CONFERENCE ON 06/21/01, AT 9:30 AM BEFORE JUSTICE LOBIS, JOAN, I.A.S PT. 20 ROOM 345, PHONE # 374-8547 AT 60 CENTRE STREET, NEW YORK, NEW YORK 10007.

Both parties must be personally present in court at the time of the conference, (202.16(f) (1) Uniform Rules).

COUNSEL ARE ADVISED THAT THE FOLLOWING PAPERS SHALL BE EXCHANGED AND FILED WITH THE COURT NO LATER THAN 10 DAYS PRIOR TO THE PRELIMINARY CONFERENCE : (i) statements of net worth; (ii) all paycheck stubs for the current calendar year and the last paycheck stub for the immediately preceding calendar year; (iii) all filed state and federal income tax returns for the previous three years, including both personal returns and returns filed on behalf of any partnership or closely held corporation of which the party is a partner or shareholder, (iv) all W-2 wage and tax statements, 1099 forms, and K-1 forms for any year in the past three years in which the party did not file state and federal income tax returns, (v) all statements of accounts received during the past three years from each financial institution in which the party has maintained any account in which cash or securities are held, (vi) the statements immediately preceding and following the date of commencement of the matrimonial action pertaining to: (A) any policy of life insurance having a cash or dividend surrender value; and (B) any deferred compensation plan of any type or nature in which the party has an interest including, but not limited to, Individual Retirement Accounts, pensions, profit-sharing plans, Keogh plans, 401(k) plans and other retirement plans.

Counsel must provide the court with copies of these papers at the time of the conference. Both parties personally must be present in court at

the time of the conference, and the judge personally shall address the parties at some time during the conference.

(202.16(e) (f))1) Uniform rules).

The matters to be considered at the conference may include, among other things: (i) applications for pendente lite relief, including counsel fees; (ii) compliance with the requirement of compulsory financial disclosure, including the exchange and filing of a supplemental statement of net worth indicating material changes in any previously exchanged and filed statement worth; (iii) simplification and limitation of issues; (iv) settlement of all or some portions of the case; (v) the establishment of a timetable for the completion of all disclosure proceedings, (202.16 (f) (2) Uniform Rules).

There will be no adjournments without court approval. The recipient of this notice is advised to notify opposing counsel and/or self-represented litigants of the conference date.

Counsel are required to complete the information form on the next page and submit it to the court at the time of the conference.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
ROY DEN HOLLANDER,

Index No.350091/01

Plaintiff,
-against-

VERIFIED COMPLAINT

ALINA A. SHIPILINA, a/k/a
Angelina Chipilina,

Defendant.

-----X

Plaintiff, by his attorneys, Cohen Goldstein & Silpe,
LLP, as and for his Verified Complaint, alleges as follows:

1. The parties were married on March 11, 2000, in Krasnodar, Russia in a civil ceremony.
2. Each of the parties was over the age of twenty-one (21) years at the time of the commencement of this action.
3. Plaintiff has been a resident of the State of New York for a continuous period in excess of two (2) years immediately preceding the commencement of this action.
4. There are no children born of the marriage and none are expected.
5. There is no other action, pending between the parties for divorce, annulment, separation or dissolution of the marriage, whether in the Courts of this State, or in any sister

state or foreign jurisdiction.

6. No decree or judgment of divorce, annulment, separation or dissolution of the marriage has been granted to either party in any Court of this State or in any sister state or foreign jurisdiction.

7. Plaintiff has taken all steps solely within his power to remove any barrier to defendant's remarriage.

**AS AND FOR A CAUSE OF ACTION
FOR DIVORCE ON THE GROUNDS OF
DEFENDANT'S CRUELTY**

8. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 7 of this verified complaint with the same force and effect as if fully set forth herein.

9. Throughout the parties' marriage and without just cause, provocation or consent, defendant engaged in a course of cruel and inhuman treatment toward plaintiff, which included, but was not limited to the following:

(a) At the end of October 2000, while the parties were walking across a street, defendant admitted that she had taken drugs while engaged in sexual intercourse as a prostitute when she traveled to Italy in May 2000.

(b) During that same conversation, when plaintiff

expressed his upset and horror at defendant's behavior, defendant punched plaintiff in the back causing him pain.

(c) On information and belief commencing sometime in 2000 and continuing throughout the marriage, defendant engaged in regular acts of prostitution causing plaintiff humiliation, embarrassment and concern for his own health and safety.

(d) On or about September 9, 2000, while working as a lap dancer at Flash Dancers in New York City, defendant engaged in sexual contact with a stranger, causing plaintiff humiliation and embarrassment.

(e) In or about November 2000, in the foyer of the marital apartment, defendant took a knife from her purse and attempted to stab plaintiff.

(f) On a couple of occasions during November, 2000 while at the marital residence, defendant threatened plaintiff that her "Russian mafia friends" would hurt plaintiff and possibly kill him after she moved out of the marital apartment.

(g) On or about January 28, 2001, at the Virgin Coffee Shop in Manhattan defendant threatened plaintiff that if he did not lie to the Immigration and Naturalization Service to get her a green card, that she would direct her "Russian mafia friends" to put plaintiff in the hospital or even kill him.

10. The foregoing acts of cruel and inhuman treatment have greatly injured plaintiff and have caused plaintiff great anguish. Defendant's wilful actions have rendered it unsafe and improper for plaintiff to cohabit with defendant as husband and wife.

**AS AND FOR A CAUSE OF ACTION FOR
DIVORCE ON THE GROUNDS OF
DEFENDANT'S ADULTERY**

11. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 10 of this verified complaint with the same force and effect as if fully set forth herein.

12. In or about the end of May 2000, defendant engaged in an adulterous affair with Alfredo Ibarra Sotelo and had sexual intercourse with him in Milan, Italy.

13. Defendant is currently employed as a lap dancer, stripper and prostitute. On information and belief defendant has been regularly engaged in acts of prostitution with numerous males on various dates and at places, not all of which are now known to plaintiff.

14. Plaintiff has always conducted himself toward defendant in a proper and fit manner and has always been a loving and dutiful husband. Defendant's conduct hereinafter complained

of was without just cause, provocation or consent on plaintiff's part.

**AS AND FOR A CAUSE OF ACTION
FOR ANNULMENT ON THE GROUNDS OF FRAUD**

15. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 14 of this verified complaint with the same force and effect as if fully set forth herein.

16. In or about December 2000, a few days before defendant moved out of the former marital apartment, she advised plaintiff she would not change her address because it would be better for her immigration case if she had the same address as plaintiff. She also threatened plaintiff with bodily harm if he ever did anything to undermine her application for a green card and sought to induce plaintiff to lie in order to help her obtain a green card.

17. On information and belief, defendant obtained plaintiff's consent to the marriage by fraud in that she never intended to live with defendant as husband and wife and only intended to use the marriage to obtain an immigrant visa to secure legal entry to the United States and to become a legal permanent resident.

WHEREFORE, plaintiff demands judgment against defendant as follows:

1. Granting plaintiff an annulment on the grounds of fraud; or in the alternative

2. Granting plaintiff an absolute divorce dissolving the marriage between plaintiff and defendant upon the grounds of cruel and inhuman treatment and adultery of the plaintiff by the defendant;

3. Granting plaintiff exclusive possession of the marital apartment;

4. Granting plaintiff equitable distribution of the parties' marital property or a distributive award in lieu thereof;

5. Awarding plaintiff counsel and expert fees and expenses, in connection with the prosecution of the within action; and

6. Granting plaintiff such other and further relief as the Court deems just, together with the costs and disbursements of this action.

Dated: New York, New York
June 21, 2001

Yours, etc.

COHEN GOLDSTEIN & SILPE, LLP

By: 

Steven M. Silpe, Esq.

Attorneys for Plaintiff

505 Park Avenue

New York, New York 10022

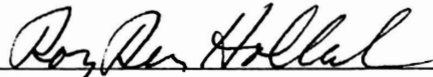
(212) 315-4400

INDIVIDUAL VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

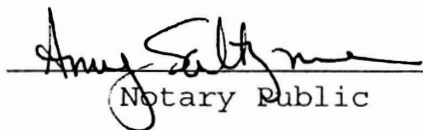
ROY DEN HOLLANDER, being duly sworn, deposes and says:

Deponent is the plaintiff in the within action;
deponent has read the foregoing Complaint and knows the contents
thereof; the same is true to deponent's own knowledge, except as
to the matters therein stated to be alleged on information and
belief, and as to those matters, deponent believes them to be
true.



ROY DEN HOLLANDER

Sworn to before me this
21st day of June, 2001


Notary Public

AMY SALTZMAN
Notary Public, State of New York
No. 02SA5019252
Qualified in Westchester County
Commission Expires October 18, ~~20~~2001

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT**

Legal Proceedings

(Page cites are first to English; second Russian)

1. Issues

- a. Fraudulent concealment or misrepresentation of material facts.
- b. Adultery
 - i. Prostitution as course of immoral conduct to infer adultery.
- c. Cruel and Inhuman treatment
- d. Finances
- e. Obstruction of Investigation
- f. Impeachment

2. Preliminary

- a. Order directed at Alina to stop Alina from interfering with Roy's investigation into the issues of the case:
 - i. Alina telephoned Anastasia Vasiljeva trying to keep her from providing Roy with information and followed up with a message on Anastasia's pager that Alina and Anastasia would meet in court. As a result, Anastasia refuses to provide Roy with further relevant information.
 - ii. Alina and Inessa visited Irina, Melios and Marios Athanasiou recently in Cyprus and apparently told them not to provide information to Roy.
And to put a halt to her mother from
 - iii. Threatening translators and potential witnesses, and
 - iv. Forging false court documents in an effort to intimidate people into not cooperating with Roy's efforts to find information leading to potential witnesses out side the court's subpoena power for testimony as to fraud, adultery and impeachment.
- b. Order to prevent concealment and transfer of cash income abroad because it is marital property. During marriage Alina accumulated property, income after expenses, of nearly \$100,000 while Roy loss in the stock market over \$150,000.
- c. Name Alina's partners in adultery as co-respondents, name as Vladimir Doe.
- d. Motion for physical examination to determine if carrying STDs.
- e. Mundy's dissemblance about medical records showing I beat Alina.
- f. Mundy's threat to use evidence of an alleged crime committed by Roy to obtain a favorable settlement for his client in a civil litigation—the extortion audiotape.

2. Discovery

- a. Method for Russia, Cyprus, Mexico and Italy
 - i. Preliminary investigation

1. Interview sheets for all potential witnesses.
 2. Potential witnesses write down information and notarize signatures.
 3. Court action to stop Alina's and Inessa's interference and defamation in Krasnodar.
 - ii. Voluntary video depositions
 - iii. Written Questions
 - iv. Commission
 - v. Letters Rogatory to compel testimony
- b. Production of original diary for inspection and copying. Complete diary from beginning to present for evidence as to issues of
- i. Annulment: Fraudulent concealment or misrepresentation of material facts for which need corroboration.
 1. Material facts concealed
 - a. Habitual prostitution
 - b. Pornography work
 - c. Completely nude stripping with sexual contact work
 - d. Extensive promiscuity
 - e. Recruitment of girls for Russia's sex industry
 - f. Plan to leave Russia by marrying a foreigner
 - g. History of sexually transmitted diseases
 2. Intention to marry Roy for green card
 3. Intention to commit adultery after marriage
 - a. Second international passport
 4. Substances in food to induce Roy to go through with the wedding
 - ii. [Adultery
 1. Prostitution as course of immoral conduct inferring adultery.
 2. Incidents of adultery and co-respondents.]
 - iii. Cruel and inhuman treatment
 1. Willingness to put apparent narcotics in fiancée's food in total disregard of possible effect as to fiancée's health.
 2. Refusal to live with Roy in Moscow.
 - a. "What would I do, listen to his bloody philosophy."
(39; 103)
 3. Admission of drug use to heighten sexual experience with prostitution client.
 4. Striking Roy.
 5. Engaging in regular acts of prostitution.
 6. Carried a STD.
 7. Tried to attack Roy with knife.
 8. Threats of grave bodily injury or death at the hands of Alina's Chechen mafia friends and her Chechen connections..

- iv. Finances
 - 1. Income
 - 2. Assets
 - a. Apartment and house
 - b. Cyprus bank account
 - v. Impeachment
 - 1. Honesty = Truthfulness, Sincerity
 - a. Willingness to lie under oath
 - i. [Lied to Court in obtaining Temporary Order of Protection]
 - ii. Lied to INS about
 - 1. Prostitution
 - 2. Arrest and deportation from Mexico.
 - 3. Cyprus occupation.
 - 4. Use of drugs.
 - b. Repeated evasion of taxes in US, Russia, Mexico and Cyprus. (Criminal Behavior)
 - c. Willingness to put apparent narcotics in fiancée's food in total disregard of possible effect as to fiancée's health. (Criminal Behavior)
 - 2. Inability to accurately recall details.
 - vi. Obstruction of Investigation that Alina planned and executed along with her mother to prevent the discovery of facts pertinent to the plaintiff's cause of action.
- c. Authentication that diary reports events that actually occurred and was written by Alina.
 - 1. Admission,
but if refuses then
 - 2. Depositions (Written Questions, Commission, Letters Interrogatory). How many would the court require? Many have probative information on other issues.
 - a. Alexei Dikov
 - b. Inessa Shipilina
 - c. Tatyanna formerly at Flash Dancers
 - d. Aunt Sveta and her daughter Alyona
 - e. Friend Natasha who lives upstairs in her building
 - f. Katya who Alina often looked for guys with.
 - g. Lena, nurse and adviser
 - h. Olga, friend Alina and Lena
 - i. Inessa, worked at Vasiljeva, friend of Alina and Nadya who went to Cyprus with Alina but returned in two days when realized work involved prostitution.

- j. Anastasia Vasiljeva
 - k. Azul
 - l. Vladimir the sculptor
 - m. Vladimir 1
 - n. Vladimir 2
 - o. Chris 1, Cyprus
 - p. Stephanos, Cyprus
 - q. Vera Ivanasova
 - r. Yulya
 - s. Alfredo Ibarra
 - t. Katya
 - u. Irina
 - v. Others
3. Handwriting samples
 - a. Academy of Physical Culture
 - b. Zags
 - c. Letters to Leo
 - d. [Problem with directing Alina to write dictated text is that she studied calligraphy and may be able to disguise her handwriting.]
 4. Check the fingerprints on original diary pages.
- d. Production of all correspondence between Alina and Roy.
 - e. Authentication of correspondence in Roy's possession.
 - f. Authentication of letter from Alina that stated, "If something happen with me strange or if I find that you avenge me it will be one of the big mistake (without correction)—withour return.
 - i. Admission
 - g. Production of both international passports to infer
 - i. Concealment of intent before marriage to commit adultery and prostitution by surreptitiously traveling outside of Russia as evidence that for Alina marriage was not a serious obligation.
 1. Second international passport will show countries visited, when, provide its number that will allow backing tracking to show applied for before marriage.
 - ii. Impeachment as to honesty by showing intent to deceive
 - iii. Finances
 1. Hiding of assets through the violation of Customs laws by concealing transportation of cash overseas.
 - iv. Obstruction
 1. Travel overseas to persuade potential witnesses not to talk to Roy.

- a. Travel to Cyprus in April-May to persuade Irina, Melios and Marios not to talk to plaintiff.
- h. Production of all telephone records for both mobile and home in both US and Russia since inception of marriage to infer
 - i. [Adultery]
 - ii. Finances
 - 1. Contact with bank institutions
 - iii. Obstruction
 - iv. Impeachment
- i. Production of all emails
 - i. Finances
 - 1. Contact with bank institutions
 - ii. Obstruction
 - iii. Impeachment
- j. Production of any correspondence with men or women with whom she
 - i. Engaged in providing sexual services including lap dancing and stripping, prostitution or pornography or procuring for money before and after the marriage,
 - ii. [Engaged in sexual activity with after the marriage,]
- k. [Production of all medical records concerning STDs and diseases of the sex organs.]
- l. Production of Alina's income tax returns during marriage and before marriage in order to ascertain the existence of hidden assets.
 - i. 1998 Russia
 - ii. 1999
 - 1. Cyprus
 - 2. Mexico
 - 3. Russia
 - iii. 2000
 - 1. Russia
 - a. Italy prostitution
 - 2. US Quarterly filings, use form 4506 to obtain from IRS.
 - iv. 2001
 - 1. US Quarterly filings, use form 4506 to obtain from IRS.
- m. Production of all financial records, accounting for all income and assets, if records do not exist then a bona fide estimation.
 - i. New York
 - 1. Flash Dancers
 - a. Copy of all work schedules
 - b. Accounting for all income and cash receipts

2. Grace Del Marco
3. Free Lance modeling such as Judy Vann Associates
4. New modeling agency
5. Prostitution
 - a. Accounting for all cash receipts
6. Citibank accounts statements and safe deposit box usage.
7. Overseas accounts
- ii. Mexico
 1. Gentlemen's Club
 - a. Work schedules
 - b. Accounting for all income and cash receipts
 2. Penthouse Club
 - a. Work schedules
 - b. Accounting for all income and cash receipts
 3. Prostitution
 - a. Accounting for all cash receipts
- iii. Cyprus
 1. Zygos and Tramps
 - a. Work schedules
 - b. Accounting for all income and cash receipts
 2. Prostitution
 - a. Accounting for all cash receipts
- iv. Russia
 1. Apartment
 - a. [If Alina's name is not on the deed she still holds a 0.5 interest under Russian law because the apartment is her place of permanent residence.]
 2. House in village
 3. Prostitution
 - a. Accounting for all cash receipts
- n. Interrogatories to Alina
 - i. Full name, address and telephone number for the manager of Flash Dancers for the night shift when Alina works.
 - ii. Full name, address and telephone number for all defendant's past and present clients and customers with whom she engaged in sexual intercourse, deviate sexual intercourse and sexual contact as defined by NYS Penal Law 130; sexual conduct as defined by NYS Penal Law 230 and erotic conduct, including but not limited to lap dancing, stripping, erotic moving and still pictures, in return for money or some other economic benefit.
 - iii. List of all the places traveled to, date and with whom traveled since March 11, 2000.

- iv. List of addresses of all places stayed overnight since March 11, 2000.
- v. [List of all overnight guests in apartment in New York, Krasnodar or house in Yablonoskiyi village.]
- vi. For the full names, current addresses, telephone numbers of all the people that she and/or her mother contacted and the dates contacted in an effort to prevent them through persuasion intimidation or threats from providing information or assistance to the plaintiff in his investigation in the facts of this case.
- vii. Complete information about all the videos, digital images and still pictures that show her in sexually explicit positions or activities that she made for money (Finances, Annulment immoral conduct, Course of immoral conduct; Impeachment):
 - 1. When made?
 - 2. Where made?
 - 3. Name, address and telephone number of producers?
 - 4. How much paid for each video?
 - 5. Name, address and telephone number of person who paid Alina?
 - 6. Description of the images?
- viii. For a list of all employers and parties to whom she provided services in return for money and material benefit from 1998 to the present.
- ix. [For the full names, current addresses and telephone numbers for parties with whom she committed adultery or have first hand knowledge of her adulterous activities as defined by NYS law from March 11, 2000, to Present. Including but not limited to
 - 1. Boyfriend she was with on July 5 at around 4:30pm on the subway platform at Broadway on the N line. He was in his mid to late twenties, about six feet, round face. She was wearing white with red ribbons in her hair.
 - 2. Reya who procures models, including Alina, for sexual activity. Most of the models in Krasnodar know about Reya.
 - 3. Her clients in her almost daily masturbation service. (39; 102, 103)
 - 4. Vladimir who has a wife from Kazakhstan and a two-year-old child, and is friends with Vadik whose mother hung herself. (39, 42; 102, 110)
 - 5. Natasha who lives in the same building as Alina. (40; 105)

6. Arsen who installed her TV antenna over a two-day period. (39, 40; 102, 103)
 7. Roma. (44; 121)
 8. Vladimir and Vanya from St. Petersburg who sell jewelry. (44, 45; 122, 123)
 9. Stephanos whom Alina visited in Cyprus in September 2000 and other times.
 10. Rikos whom Alina visited in Cyprus in September 2000 and other times.
 11. Andrios whom Alina visited in Cyprus in September 2000 and other times.
 12. Knife grinder. (19; 44)
 13. Vladimir who Alina arranged to help Inessa buy the apartment while Alina was in America with Roy. (35; 90)
 14. Dima who was pushed around by new Russians. (45; 123) [Adultery]
 15. Indian man whom Alina called a number of times. (46; 127)
 16. Brian Rubens, Nomura Securities, kissed and massaged his back at Flash Dancers. [Adultery]
 17. Bearded man who works in TV that touched her in “single room” at Flash Dancers from which she had pleasure. (48; 130) [Adultery]
 18. Christopher Cecil, customer at Flash Dancers. [Adultery]
 19. Arturo Barrera, older Mexican man who likes Russian girls, customer at Flash Dancers. [Adultery]
 20. Alfredo Ibarra from Mexico (42, 43; 112-114)]
 21. Peter Petrovich, 233 E 60 St. Multiple telephone calls from Alina’s mobile to his number, 212 829 1105.
 22. All other men and women with whom Alina engaged in sexual contact as defined by NYS Penal Law 130 and sexual conduct as defined by NYS Penal Law 230 since March 11, 2000.]
- x. For the full names, current telephone numbers, current addresses and nature of her relationship with the following: (NOT A COMPLETE LIST OF ALL WITNESS WANT TO DEPOSE, JUST LIST OF THOSE FOR WHOM DO NOT HAVE CONTACT INFORMATION.)
1. [Producers and people present when Alina made her masturbation video. In addition, the location, date and money Alina earned. [Adultery]]
 2. The “clairvoyant” from whom Alina obtained the “salts and sugars”. (40, 46; 104, 128) [Fraud, Impeachment]
 3. Tatyanna who use to work at Flash Dancers and was friend of Alina’s. [Fraud, Impeachment]

4. Nadya who went to Cyprus with Alina but returned after two days because the work involved prostitution? (Anastasia, Dmitri) [Impeachment]
5. Inessa, worked at Vasiljeva, friend of Alina and Nadya who went to Cyprus with Alina but returned in two days when realized work involved prostitution. [Fraud, Adultery, Impeachment]
6. Nadya who worked in Cyprus when Alina was there but husband sued for divorce because she was engaged in prostitution. (Yulya Kudinova Interview) [Impeachment]
7. Natasha who lives in the same building as Alina. (40; 105) [Fraud, Adultery, Authentication]
8. Katya who accompanied Alina on dates with Vladimir and Vanya from St. Petersburg. (39, 40, 41, 44, 45; 102, 105, 110, 123, 124, 125) [Fraud, Adultery, Finances, Authentication, Impeachment]
9. Masha Chebitkevich, Diary p 46, attended her bridal shower June 21, 2000.
10. Vladimir who is sculptor, in late 30s friend Alina for year. (Yulya Kudinova interview) [Fraud, Adultery, Impeachment]
11. Manager of the Aurora Movie Theater and Vita S who help Alina and Inessa move to Krasnodar from Grozny. [Fraud, Adultery, Impeachment]
12. Inya who won Miss Charming and Miss Russian Radio in the 2000 Miss Krasnodar contest. (39; 101) [Fraud, Adultery, Impeachment]
13. Alina's medical doctor in Krasnodar. [Fraud]
14. Asya (faxes) [Fraud]
15. Lena, close friend and nurse who advised Alina to do eye operation, marrying Roy good business move, Alexei did not see her as a wife. (34, 39; 84, 100) [Fraud, Adultery, Authentication]
16. Olga, friend of Alina's and Lena (Yulya Kudinova Interview) [Fraud, Adultery, Authentication]
17. Nadya who advised Alina not to go to America. (42, 45; 111, 125) [Fraud, Adultery]
18. Aunt Sveta and daughter Alyona who lived with Alina and Inessa in the Spring and Summer 2000. (48; 132) [Fraud, Adultery, Impeachment, Finances, Authentication]
19. Larissa who delivered money to Inessa when Alina was in Cyprus. (8; 20) [Finances, Impeachment]
20. Yulya from Krasnodar who knew Alina in Cyprus and went horseback riding with her. (16, 45; 37,) [Finances, Impeachment]

21. Tax driver whom Alina allowed to fondle her knee because it would reduce the fare. (45; 123) [Impeachment]
 22. Dima who Alina asked him about Italy before she went there for prostitution with Alfredo. (42; 111) [Adultery, Impeachment]
 23. Yulya from Kanevskaya who has a husband Igor. (45; 124) [Fraud, Adultery]
 24. Yulya jailed with Alina in Mexico. (31; 77) [Adultery, Impeachment]
 25. Max Garcia Appedole (25, 28, 30; 57, 65, 73) [Adultery, Impeachment]
 26. Doctor Krasnodar. [Fraud]
 27. Doctor Moscow. (18; 42) [Fraud]
 28. Mark to whom Alina told about her work in Cyprus and who apparently shot porno film of Alina. (17, 19; 40, 43) [Adultery, Impeachment]
 29. Asya-family adviser, mentioned in July 16 and August 17, 2000, faxes from Inessa. [Fraud, Impeachment]
 30. Nikita, Russian girl who helped Alina at Flash Dancers. (46; 127) [Fraud, Adultery, Finances]
 31. Chris 1, Cyprus. (1-5; 1-11) [Adultery, Finances, Authentication, Impeachment]
 32. Rikos and wife, Cyprus. (3-5; 6-10) [Adultery, Impeachment]
 33. Dr. George, orthopedist, who stopped talking to Alina, Cyprus. (3, 7, 11, 15; 7, 18, 26, 34) [Adultery, Finances, Impeachment]
 34. Kostos, employee of Marios who escorted the girls, Cyprus. (5; 10) [Adultery, Impeachment]
 35. Marios, Cyprus. (1, 9; 1, 22) [Fraud, Adultery, Finances, Impeachment, Obstruction]
 36. Tatyana, in hotel with her husband when Alina with Akhmed. Tatyana from Rostov, was 22, former ballerina. (9; 22, 23) [Adultery, Impeachment]
 37. Stelios told Inessa he wanted to have sex with Alina. (14, 15; 32, 36) [Adultery, Impeachment]
- o. List of all people want to depose given current state of information. List may change with new information acquired from on going investigation.
- i. Alexei Dikov. [Authentication, Obstruction, Impeachment]
 - ii. Inessa Shipilina. [Authentication, Fraud, Adultery, Finances, Obstruction, Impeachment]
 - iii. Boyfriend she was with on July 5 at around 4:30pm on the subway platform at Broadway on the N line. He was in his mid to late twenties, about six feet, round face. She was wearing white with red ribbons in her hair. [Adultery]

- iv. Reya who procures models, including Alina, for sexual activity. Most of the models in Krasnodar know about Reya. [Adultery, Impeachment]
- v. Her clients in her almost daily masturbation service. (39; 102, 103) [Adultery, Impeachment]
- vi. Vladimir who has a wife from Kazakhstan and a two-year-old child, and is friends with Vadik whose mother hung herself. (39, 42; 102, 110) [Adultery, Impeachment]
- vii. Natasha who lives in the same building as Alina. (40; 105) [Authentication, Fraud, Adultery]
- viii. Arsen who installed her TV antenna over a two-day period. (39, 40; 102, 103) [Adultery]
- ix. Roma. (44; 121) [Adultery]
- x. Vladimir and Vanya from St. Petersburg who sell jewelry. (44, 45; 122, 123) [Adultery]
- xi. Stephanos whom Alina visited in Cyprus in September 2000 and other times. [Authentication, Adultery]
- xii. Rikos whom Alina visited in Cyprus in September 2000 and other times. (3-5; 6-10) [Adultery, Impeachment]
- xiii. Andrios whom Alina visited in Cyprus in September 2000 and other times. [Adultery]
- xiv. Knife grinder. (19; 44) [Adultery]
- xv. Vladimir who Alina arranged to help Inessa buy the apartment while Alina was in America with Roy. (35; 90) [Adultery, Finances]
- xvi. Dima who was pushed around by new Russians. (45; 123) [Adultery]
- xvii. Azul. [Authentication, Adultery, Impeachment]
- xviii. Indian man whom Alina called a number of times. (46; 127) [Adultery]
- xix. Brian Rubens, Nomura Securities, kissed and massaged his back at Flash Dancers. [Adultery]
- xx. Bearded man who works in TV that touched her in “single room” at Flash Dancers from which she had pleasure. (48; 130) [Adultery]
- xxi. Christopher Cecil, customer at Flash Dancers. [Adultery]
- xxii. Arturo Barrera, older Mexican man who likes Russian girls, customer at Flash Dancers. [Adultery]
- xxiii. Alfredo Ibarra from Mexico (42, 43; 112-114) [Authentication, Fraud, Adultery, Finances, Impeachment]
- xxiv. Peter Petrovich. Multiple telephone calls to Russian male living in Bronx 212 829 1105. [Adultery]
- xxv. Producers and people present when Alina made her masturbation video. In addition, the location, date and money Alina earned. [Adultery, Impeachment]

- xxvi. The “clairvoyant” from whom Alina obtained the “salts and sugars”. (40, 46; 104, 128) [Fraud, Impeachment]
- xxvii. Tatyanna who use to work at Flash Dancers and was friend of Alina’s. [Fraud, Adultery, Impeachment]
- xxviii. Anastasia Vasiljeva. [Authentication, Adultery, Obstruction, Impeachment]
- xxix. Nadya who went to Cyprus with Alina but returned after two days because the work involved prostitution? (Anastasia, Dmitri) [Adultery, Impeachment]
- xxx. Inessa, worked at Vasiljeva, friend of Alina and Nadya who went to Cyprus with Alina but returned in two days when realized work involved prostitution. [Fraud, Adultery, Impeachment]
- xxxi. Nadya who worked in Cyprus when Alina was there but husband sued for divorce because she was engaged in prostitution. (Yulya Kudinova Interview) [Adultery, Impeachment]
- xxxii. Natasha who lives in the same building as Alina. (40; 105) [Fraud, Adultery, Authentication]
- xxxiii. Vera Ivanasova. [Authentication, Obstruction]
- xxxiv. Katya who accompanied Alina on dates with Vladimir and Vanya from St. Petersburg. (39, 40, 41, 44, 45; 102, 105, 110, 123, 124, 125) [Authentication, Fraud, Adultery, Finances, Impeachment]
- xxxv. Vladimir who is sculptor, in late 30s friend Alina for year. (Yulya Kudinova interview) [Fraud, Adultery, Impeachment]
- xxxvi. Manager of the Aurora Movie Theater and Vita S who help Alina and Inessa move to Krasnodar from Grozny. [Fraud, Adultery, Impeachment]
- xxxvii. Inya who won Miss Charming and Miss Russian Radio in the 2000 Miss Krasnodar contest. (39; 101) [Fraud, Adultery, Impeachment]
- xxxviii. Alina’s medical doctor in Krasnodar. [Fraud]
- xxxix. Lena, close friend and nurse who advised Alina to do eye operation, marrying Roy good business move, Alexei did not see her as a wife. (34, 39; 84, 100) [Fraud, Adultery, Authentication]
- xl. Olga, friend of Alina’s and Lena (Yulya Kudinova Interview) [Fraud, Adultery, Authentication]
- xli. Nadya who advised Alina not to go to America. (42, 45; 111, 125) [Fraud, Adultery]
- xlii. Aunt Sveta and daughter Alyona who lived with Alina and Inessa in the Spring and Summer 2000. (48; 132) [Authentication, Fraud, Adultery, Impeachment, Finances]
- xlili. Larissa who delivered money to Inessa when Alina was in Cyprus. (8; 20) [Finances, Impeachment]
- xliv. Yulya Kudinova. [Authentication]
- xlv. Yulya from Krasnodar who knew Alina in Cyprus and went horseback riding with her. (16, 45; 37,) [Finances, Impeachment]
- xlvi. Tax driver whom Alina allowed to fondle her knee because it would reduce the fare. (45; 123) [Impeachment]

- xlvi. Dima who Alina asked him about Italy before she went there for prostitution with Alfredo. (42; 111) [Adultery, Impeachment]
- xlvi. Yulya from Kanevskaya who has a husband Igor. (45; 124) [Fraud, Adultery]
- xlix. Yulya jailed with Alina in Mexico. (31; 77) [Adultery, Impeachment]
 - 1. Max Garcia Appedole (25, 28, 30; 57, 65, 73) [Adultery, Impeachment]
 - li. Doctor Krasnodar. [Fraud]
 - lii. Doctor Moscow. (18; 42) [Fraud]
 - liii. Mark to whom Alina told about her work in Cyprus and who apparently shot porno film of Alina. (17, 19; 40, 43) [Adultery, Impeachment]
 - liv. Asya-family adviser, mentioned in July 16 and August 17, 2000, faxes from Inessa. [Fraud, Impeachment]
 - lv. Nikita, Russian girl who helped Alina at Flash Dancers. (46; 127) [Fraud, Adultery, Finances]
 - lvi. Chris 1, Cyprus. (1-5; 1-11) [Adultery, Finances, Authentication, Impeachment]
 - lvii. Dr. George, orthopedist, who stopped talking to Alina, Cyprus. (3, 7, 11, 15; 7, 18, 26, 34) [Adultery, Finances, Impeachment]
 - lviii. Kostos, employee of Marios who escorted the girls, Cyprus. (5; 10) [Adultery, Impeachment]
 - lix. Marios, Cyprus. (1, 9; 1, 22) [Fraud, Adultery, Finances, Impeachment, Obstruction]
 - lx. Tatyana, in hotel with her husband when Alina with Akhmed. Tatyana from Rostov, was 22, former ballerina. (9; 22, 23) [Adultery, Impeachment]
 - lxi. Stelios told Inessa he wanted to have sex with Alina. (14, 15; 32, 36) [Adultery, Impeachment]
 - lxii. “Azul” or “Asul” Juginta Raszyukevichina, Lithuania. (25, 27, 29, 30, 31; 58, 62, 68-75) [Authentication, Fraud, Adultery]
 - lxiii. Katerina
- p. Italy
 - i. Hotel records
 - ii. Entry records
- q. Depositions (Written Questions, Commission, Letters Interrogatory)
 - i. Annulment: Fraudulent concealment or misrepresentation of material facts, need corroboration.
 - 1. Inessa Shipilina. [Fraud]
 - 2. Alexei Dikov. [Fraud]
 - 3. The “clairvoyant” from whom Alina obtained the “salts and sugars”. (40, 46; 104, 128) [Fraud]

4. Natasha who lives in the same building as Alina. (40; 105) [Fraud]
5. Katya who accompanied Alina on dates with Vladimir and Vanya from St. Petersburg. (39, 40, 41, 44, 45; 102, 105, 110, 123, 124, 125) [Fraud]
6. Inya who won Miss Charming and Miss Russian Radio in the 2000 Miss Krasnodar contest. (39; 101) [Fraud]
7. Alina's medical doctor in Krasnodar. [Fraud]
8. Lena, close friend and nurse who advised Alina to do eye operation, marrying Roy good business move, Alexei did not see her as a wife. (34, 39; 84, 100) [Fraud]
9. Nadya who advised Alina not to go to America. (42, 45; 111, 125) [Fraud]
10. Aunt Sveta and daughter Alyona who lived with Alina and Inessa in the Spring and Summer 2000. (48; 132) [Fraud]
11. [Vladimir who has a wife from Kazakhstan and a two-year-old child, and is friends with Vadik whose mother hung herself. (39, 42; 102, 110) [Fraud]]
12. Yulya from Kanevskaya with husband Igor. (45; 124) [Fraud]
13. Alfredo Ibarra whom Alina told all about her relationship with Roy at 40. (25, 26, 27, 28, 29, 30, 33, 35, 38, 40, 42, 43; 58, 60, 62, 65, 67, 68, 69, 71, 72, 73, 81, 83, 90, 99, 104, 105, 110, 111, 112, 113, 114) [Fraud]
14. Doctor Krasnodar. [Fraud]
15. Doctor Moscow. (18; 42) [Fraud]
16. Asya-family adviser, mentioned in July 16 and August 17, 2000, faxes from Inessa. [Fraud]
17. Dmitri Morozov, Alina's long time photographer and confidant. [Fraud]
18. Nikita, Russian girl who helped Alina at Flash Dancers. (46; 127) [Fraud]
19. Melios, Cyprus. (Cyprus Documents) [Fraud]
20. Irina, Cyprus. (Cyprus Documents) [Fraud]
21. Marios, Cyprus. (1, 9; 1, 22) [Fraud]
22. "Azul" or "Asul" Juginta Raszyukevichina, Lithuania. (25, 27, 29, 30, 31; 58, 62, 68-75) [Fraud]

r. Divorce

i. Cruel and inhuman treatment

1. Episodes

- a. Alina admitted to using drugs when she prostituted herself in Italy.
- b. Regular prostitution
- c. Dated customers at strip club

- d. Engaged in sexual conduct with stranger at Flash Dancers
 - e. Adultery
 - f. Visited Cyprus clients, which she told me about when she moved out.
 - g. Stephanos
 - h. Rikos
 - i. Andreas
 - j. Threats
 - k. Letter
 - l. Physical intimidation
 - i. Hit in back
 - m. Attempt to injure with knife
 - 2. Effect
 - a. Javors
 - b. Friends
 - c. Cheryl
 - d. Maiya
 - e. Carol
 - f. Jeff
 - 3. Defense to Alina's accusations of Roy's cruel treatment.
 - a. Argument against abuse: In dairy Alina writes about any unpleasantness but none concerning her allegations of Roy's abuse, which implies it never happened.
- ii. [Adultery: need proof other than testimony of spouse. Subpoena of letters to and from co-respondents with Deposition notice. Lack full knowledge of incidents.]
- 1. Inessa Shipilina. [Adultery]
 - 2. Boyfriend she was with on July 5 at around 4:30pm on the subway platform at Broadway on the N line. He was in his mid to late twenties, about six feet, round face. She was wearing white with red ribbons in her hair.
 - 3. Reya who procures models, including Alina, for sexual activity. Most of the models in Krasnodar know about Reya.
 - 4. Dima who Alina asked about Italy before she went there for prostitution with Alfredo. (42; 111) [Adultery]
 - 5. Alfredo from Mexico. (42, 43; 112-114) [Adultery]
 - a. Production of photos and letters sent by Alina and record of telephone calls he made to Alina. (44; 118)
 - 6. Vladimir 1 who has a wife from Kazakhstan and a two-year-old child, and is friends with Vadik whose mother hung herself. (39, 42; 102, 110) [Adultery]

7. Natasha who lives in the same building as Alina. (40; 105) [Adultery]
8. Arsen who installed her TV antenna over a two-day period. (39, 40; 102, 103) [Adultery]
9. Roma. (44; 121) [Adultery]
10. Vladimir 2 and Vanya from St. Petersburg who sell jewelry. (44, 45; 122, 123) [Adultery]
11. Stephanos whom Alina visited in Cyprus in September 2000 and at other times. [Adultery]
12. Rikos whom Alina visited in Cyprus in September 2000 and at other times. [Adultery]
13. Andrios whom Alina visited in Cyprus in September 2000 and at other times. [Adultery]
14. Knife grinder. (19; 44) [Adultery]
15. Vladimir who Alina arranged to help Inessa buy the apartment while Alina was in America with Roy. (35; 90) [Adultery]
16. Katya who accompanied Alina on dates with Vladimir and Vanya from St. Petersburg. (39, 40, 41, 44, 45; 102, 105, 110, 123, 124, 125) [Adultery]
17. Inya who won Miss Charming and Miss Russian Radio in the 2000 Miss Krasnodar contest. (39; 101) [Adultery]
18. Lena, close friend and nurse who advised Alina to do eye operation, marrying Roy good business move, Alexei did not see her as a wife. (34, 39; 84, 100) [Adultery]
19. Nadya who advised Alina not to go to America. (42, 45; 111, 125) [Adultery]
20. Alyona, Aunt Sveta's daughter, who lived with Alina and Inessa in the Spring and Summer 2000. (48; 132) [Adultery]
21. Vladimir who is sculptor, in late 30s friend Alina for year. (Yulya Kudinova interview) [Adultery]
22. Dima who was pushed around by new Russians. (45; 123) [Adultery]
23. Yulya from Kanevskaya and her husband whom Alina visited. (45; 124) [Adultery]
24. "Azul" or "Asul" Juginta Raszyukevichina, Lithuania. (25, 27, 29, 30, 31, 42; 58, 62, 68-75, 111) [Adultery]
25. [Dmitri Morozov, Alina's long time photographer and confidant. [Adultery]]
26. Nikita, Russian girl who helped Alina at Flash Dancers. (46; 127) [Adultery]
27. Brian Rubens, Nomura Securities, kissed and massaged his back at Flash Dancers, which was on business card. [Adultery]

28. Bearded man who works in TV that touched her in “single room” at Flash Dancers from which she had pleasure. (48; 130) [Adultery]
29. Indian man whom Alina called a number of times. (46; 127) [Adultery]
30. Christopher Cecil, customer at Flash Dancers. [Adultery]
31. Owner Flash Dancers to give testimony on true nature of her activities at the club such as special touch in Champagne room. [Adultery]
32. Peter Petrovich. Multiple telephone calls.

iii. Immoral course of conduct to infer adultery

1. Producers of masturbation video for US dollars
2. Taxi driver whom Alina allowed to fondle her knee because it would reduce the fare. (45; 123)
3. Natasha who lives in the same building as Alina. (40; 105) [Prostitution]
4. Alfredo (25, 26, 27, 28, 29, 30, 33, 35, 38, 40, 42, 43; 58, 60, 62, 65, 67, 68, 69, 71, 72, 73, 81, 83, 90, 99, 104, 105, 110, 111, 112, 113, 114) [Prostitution]
5. Vladimir and Vanya from St. Petersburg who sell jewelry. (44, 45; 122, 123) [Prostitution]
6. Stephanos whom Alina visited in Cyprus in September 2000 and at other times. [Prostitution]
7. Rikos whom Alina visited in Cyprus in September 2000 and at other times. [Prostitution]
8. Andrios whom Alina visited in Cyprus in September 2000 and at other times. [Prostitution]
9. Nadya who went to Cyprus with Alina but returned after two days because the work involved prostitution? (Anastasia, Dmitri) [Prostitution]
10. Nadya who worked in Cyprus when Alina was there but husband sued for divorce because she was engaged in prostitution. (Yulya Kudinova Interview) [Prostitution]
11. Manager of the Aurora Movie Theater and Vita S who help Alina and Inessa move to Krasnodar from Grozny. [Prostitution]
12. [Inya who won Miss Charming and Miss Russian Radio in the 2000 Miss Krasnodar contest. (39; 101) [Prostitution]]
13. Aunt Sveta and daughter Alyona who lived with Alina and Inessa in the Spring and Summer 2000. (48; 132) [Prostitution]
14. Larissa who delivered money to Inessa when Alina was in Cyprus. (8; 20) [Prostitution]
15. Yulya from Krasnodar who knew Alina in Cyprus and went horseback riding with her. (16, 45; 37) [Prostitution]

16. Dima who Alina asked him about Italy before she went there for prostitution with Alfredo. (42; 111) [Prostitution]
17. Yulya jailed with Alina in Mexico. (31; 77) [Prostitution]
18. Max Garcia Appedole (25, 28, 30; 57, 65, 73) [Prostitution]
19. “Azul” or “Asul” Juginta Raszyukevichina, Lithuania. (25, 27, 29, 30, 31, 42; 58, 62, 68-75, 111) [Prostitution]
20. Mark to whom Alina told about her work in Cyprus and who shot porno film of Alina. (17, 19; 40, 43) [Prostitution]
21. Dmitri Morozov, Alina’s long time photographer and confidant. [Prostitution]
22. Chris 1, Cyprus. (1-5; 1-11) [Prostitution]
23. Rikos and wife, Cyprus. (3-5; 6-10) [Prostitution]
24. Dr. George, orthopedist, who stopped talking to Alina, Cyprus. (3, 7, 11, 15; 7, 18, 26, 34) [Prostitution]
25. Kostos, employee of Marios who escorted the girls, Cyprus. (5; 10) [Prostitution]
26. Melios, Cyprus. (Cyprus Documents) [Prostitution]
27. Marios, Cyprus. (1, 9; 1, 22) [Prostitution]
28. Tatyana, in hotel with her husband when Alina with Akhmed. Tatyana from Rostov, was 22, former ballerina. (9; 22, 23) [Prostitution]
29. Stelios told Inessa he wanted to have sex with Alina. (14, 15; 32, 36) [Prostitution]
30. Tatyanna who used to work at Flash Dancers.
31. Indian man whom Alina called a number of times. (46; 127) [Prostitution]
32. Brian Rubens, Nomura Securities, kissed and massaged his back at Flash Dancers. [Prostitution]
33. Bearded man who works in TV that touched her in “single room” at Flash Dancers from which she had pleasure. (48; 130) [Prostitution]
34. Christopher Cecil, customer at Flash Dancers. [Prostitution]
35. Arturo Barrera, older Mexican man who likes Russian girls, customer at Flash Dancers. [Prostitution]

3. Finances (Refer Analysis if Net Worth Statement)

a. Depositions

- i. Flash Dancers management
- ii. Dee Simons of Grace Del Marco.
- iii. Other modeling agencies.
- iv. Other employers and consumers of her services.

4. Obstruction of Investigation

- a. Alina planned, directed and participated in threatening, intimidating and cajoling people not to provide information or assistance to the plaintiff pertinent to plaintiff's cause of action.
 - i. Alina and Inessa threatened Anastasia Vasiljeva with court action.
 - ii. Alina and Inessa told Irina, Melios and Marios Athanasiou not tell plaintiff anything about Alina's work in Cyprus and the nature of her recent trips to Cyprus, in part, to visit her former customers.
 - iii. At Alina's direction, Inessa threatened the plaintiff's translator with arrest and imprisonment. Inessa also apparently forged a Russian court summons and sent it to the plaintiff translator's home.
 - iv. At Alina's direction, Inessa falsely accused a fellow professor of providing information to the plaintiff in return for money in an effort to intimidate the professor. In addition, Inessa threatened the professor with court action.
 - v. Similar tactics were used with varying degrees of success against
 - 1. Morosov, the photographer
 - 2. Alexei Smolin
 - 3. Alexei Dikov
 - 4. Vladimir 2 from St. Petersburg
 - 5. Yvegeniy Martianov, Trainer
 - 6. Others
- 5. Impeachment (Written Questions, Commission, Letters Interrogatory)
 - a. In her July 2000 post card to Vladimir in St. Petersburg, Alina says about working at Flash Dancers, "I like it a lot."
 - b. US doctor who analyzed gall bladder problem to show Alina lied about the seriousness in order to elicit more sympathy.
- 6. Choice of law
 - a. Under Russian law, Alina's state of mind at the time she married as expressed in her diary makes the marriage a nullity.
- 7. Status of Potential Witnesses and Evidence
 - a. Interviewed on Krasnodar Trip April 15-22
 - i. Masseur-Andrei S. Petrov.
 - ii. Trainer-Yvegeniy V. Martianov.
 - iii. Professor-Vera I. Ivanasova.
 - iv. Vice Rector Krasnodar Academy Ohysical-Vladimir G. Minchenko. Did not provide copies of Alina's handwriting.
 - v. Friend-Katya A. Gerokapis.
 - vi. Former boy friend-Alexei V. Dykov.
 - vii. Model agency-Anastasia Vasilyeva and Dmitri

- viii. Neighbors
 - ix. Imperio Manager-Andrei Mishenkin, says does not know Alina.
 - x. Reporter-Victoria
 - b. Interviewed on Krasnodar trip June 13-17
 - i. Alexei Dikov
 - ii. Katya Gerokaris
 - iii. Alexei Smolin
 - iv. Vera Ivanasova
 - v. Andrei Petrov, Masseuse
 - vi. Yvegeniy Martianov, Trainer
 - vii. Yulya Kudinova
 - c. Need to interview-refer interview sheets
 - i. Nadya who went to Cyprus with Alina but returned after two days.
 - ii. Natasha who lives upstairs
 - iii. Lena, nurse and adviser
 - iv. Olga, friend Alina and Lena
 - v. Inessa, worked at Vasiljeva, friend of Alina and Nadya who went to Cyprus with Alina but returned in two days when realized work involved prostitution.
 - vi. Reya, procurer for models
 - vii. Aunt Sveta and her daughter Alyona
 - viii. Nadya 2, Cyprus, divorced by husband for prostitution
 - ix. Manager Vita S
 - x. Valodya 1
 - xi. Vladimir the sculptor
 - xii. Krasnodar doctor
 - xiii. Arsen-antenna
 - xiv. Roma
 - d. Others
 - i. Alfredo
 - ii. St. Petersburg-Vladimir. Call, confront, want the truth.
 - iii. Flash Dance owner
 - iv. Leo
 - 1. Moscow doctor
 - 2. Tanya
- 8. File complaint for abuse of process tort.

PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
(Draft 7/24/01)

Preliminary Conference Agenda

Try to get judge to look at case because it presents unusual problems. In talking to judge try to lay groundwork for next appearance.

Opening Statement

I would like an annulment because Ms. Shipilina (Parentheses indicate when I learned about activity)

1. Misrepresented and concealed that she worked in the international sex industry engaged in the following activities:
 - a. Making sexually explicit videos. [Such as one in which she masturbated for the camera and men in return for US dollars.] (June 2001)
 - b. Habitually prostituting herself, including an almost daily masturbation service for men (March 2001) and working for a well known procurer in Krasnodar [Reya] who provided models for sexual activities to New Russians in return for money (July 2001),
 - c. Completely nude stripping with hands on sexual contact to make her customers finish (March 2001),
 - d. Recruitment of girls for Russia's sex industry (April 2001);
2. Misrepresented and concealed her extensive promiscuity that was not done in return for money ("I have only had sex with one other man.") (March 2001);
3. Concealed her intention before our marriage to commit adultery after the marriage as evidenced by her obtaining a second international passport to hide from Roy her visit to Alfredo Ibarra in Italy to whom she prostituted herself. The passport was applied for before the marriage (April 2001);
4. Surreptitiously and repeatedly put substances in my food about five days before the wedding after I told her I was thinking about not going through with the marriage. These substances caused symptoms identical to narcotic poisoning that made it impossible for me to think clearly enough to extricate myself from the situation and cancel the marriage. She did not hold a shotgun to my head. She just surreptitiously, maliciously and with reckless disregard put narcotics in my food. (December 2000)
5. Concealed her having a sexually transmittable disease (March 2001);
6. Misrepresented and concealed that she wanted to marry me not to be a true wife but to obtain a green card so she could work in New York City as a lap dancer and prostitute. (March 2001) Since coming to the US last July, she has worked as a lap dancer at Flash Dancers on Broadway,

grossing nearly \$15,000 in cash a month on which she evades taxes. She has also apparently been cutting private deals with various customers at Flash Dancers who are willing to pay extra for more intimate attention.

Her diary makes it clear that she married me so she could ply her trade in the number one sex market in the world.

For example:

1. Page 33 English; 82 Russian
2. Page 40 English; 104, 105 Russian
3. Page 39 English; 101 Russian
4. Page 44 English; 120 Russian

Ms. Shipilina is a very accomplished actress who can cry at will; pretend to be all bubble bath, dewy morning and moonlight while ruthlessly manipulating others with deceit and prevarications in order to maximize her return on the very attractive body that God gave her. She has grossed nearly \$130,000 in the past twelve months as a result of her defrauding me into marrying her and bringing her to America.

Reasons Want Annulment

1. Justice.
2. My financial obligation to reimburse the government if Alina becomes a public charge continues until she
 - a. Becomes naturalized citizen,
 - b. Works in US for 10 years,
 - c. Ceases to be a legal permanent resident, or
 - d. Dies.

An annulment dramatically increases the probability of Alina “ceasing to be a legal permanent resident” thereby reducing the time frame in which she may become a public charge.

Direct and Counter

1. Order directing Alina to stop her from interfering with Roy’s investigation into the issues of the case:
 - i. Alina telephoned Anastasia Vasiljeva trying to keep her from providing Roy with information and followed up with a message on Anastasia’s pager that Alina and Anastasia would meet in court. As a result, Anastasia refuses to provide Roy with further relevant information.
 - ii. Alina and Inessa visited Irina, Melios and Marios Athanasiou recently in Cyprus and apparently told them not to provide information to Roy.
- And to put a halt to her mother from
 - iii. threatening translators and potential witnesses, and
 - iv. forging false court documents in an effort to intimidate people

into not cooperating with Roy's efforts to find information leading to potential witnesses outside the court's subpoena power for testimony as to fraud, adultery and impeachment.

2. Order to prevent concealment and transfer of cash income abroad because it is marital property. During marriage Alina accumulated property, income after expenses, of nearly \$100,000 while Roy loss in the stock market over \$150,000. Push for Equitable Distribution.
3. Motion for physical examination to determine if carrying STDs.
4. Mundy's dissemblance about medical records showing I beat Alina.
5. Mundy's threat to use evidence of an alleged crime committed by Roy to obtain a favorable settlement for his client in a civil litigation—the extortion audiotape.
6. Mundy's veiled threat to embarrass me and deplete my assets if I did not help Alina obtain a permanent green card.
7. Amend pleadings
 - a. Annulment allegations above.
 - b. Adultery
 - i. Name Alina's partners in adultery as co-respondents, name as Vladimir Doe for Vladimir 1, Vladimir 2, Rikos, Stephanos, Andrios, TV man at Flash Dancers and others.
 - c. Cruel and Inhuman
 - i. Refused to live with me in Moscow right after our marriage.
 - ii. Refused to allow me to travel to Cyprus with her, where she visited a few of her former clients.

Admissions

1. Russian diary authentic
2. Video authentic
3. Title to apartment at 138 Rashpilevskaya in Alina's name.
4. Title to half house in Yablonovskiyi village in Alina's name.
5. Document 1 authentic
6. Works as lap dancer at Flash Dancers
7. Monthly gross income around \$15,000 in cash
8. Wanted to date some of her customers at Flash Dancers.
9. Dated some of her customers at Flash Dancers.
10. Maintains bank account in Cyprus
11. Surreptitiously put narcotics in Roy's food just before wedding date.
12. Works as prostitute in New York
13. Worked as prostitute in Russia
14. Worked as lap dancer and prostitute in Cyprus.
15. Worked as lap dancer and prostitute in Mexico
16. Her lap dancing included drink, table, strip tease and private dances as defined by the sex industries normal course of conduct.
17. Contrived a story with Alfredo to deceive Roy into believing that she did not prostitute herself to him but were only friends.

18. Repeatedly asked the Russian Orthodox Saint Nicolas to help her succeed in her business as a lap dancer and prostitute. (Impeachment-immoral behavior that reflects on character.)
19. Said that after she engaged in prostitution, she went to church, God forgave her and it was as if it never happened. (Impeachment-immoral behavior that reflects on character.)
20. Wanted to marry a foreigner so could live abroad.
21. Misrepresentations and concealment on immigrant visa application with respect to prostitution, arrest and deportation, occupation in Cyprus, employment after college. (Impeachment-bad reputation for truth and veracity.)
22. Has not paid the full amount of US taxes. (Impeachment-criminal and immoral behavior reflecting on character.)
23. Never saw Roy as a husband.
24. Married Roy solely to obtain a green card so could work in America.

Documents

1. Put on table a few pages from diary that show fraud on Alina's part. Pages from both English translation and Russian version.
2. Bring all possible relevant documents.
 - a. Preliminary Conference Agenda and Documents
 - b. Legal Proceedings
 - c. Diary.
 1. Xenia's marked up Russian and English.
 2. Unmarked copy Russian.
 - d. Masturbation video.
 - e. Document 1 and translation.
 - f. Mundy's letter.
 - g. Flash Dance schedule
 - h. Both versions of birth certificate and translations
 - i. Alina Questiona
 - j. Work Product
 1. Legal Arguments
 2. Protection Order
 - k. Law notebook

THE LAW FIRM OF

Cohen Goldstein & Silpe, LLP

505 PARK AVENUE
NEW YORK, N.Y. 10022

JEFFREY R. COHEN
GLENN S. GOLDSTEIN
STEVEN M. SILPE

TELEPHONE: (212) 315-4400

FAX: (212) 315-4409
E-MAIL: cgs@cgs-lawny.com

LOUIS A. MANGONE
OF COUNSEL

**AWAITING ADMISSION

KAREN BLAUSTEIN
AMY SALTZMAN
TOMOKO KATAOKA**

July 26, 2001

Mr. Roy Den Hollander
545 E.14th Street
Apt. 10-D
New York, New York 10009

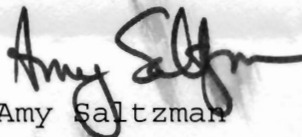
Re: Hollander

Dear Roy:

Enclosed please find a copy of the preliminary conference stipulation and order signed in court today. Please send us your draft Net Worth Statement as soon as possible so that we can prepare the final document. As you know, it must be exchanged and filed on August 10th.

Regards.

Sincerely,


Amy Saltzman

Enclosure
AS/jlm

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

ROY DEN HOLLANDER

Plaintiff

-against-

Index No.: 350091/01

ALINA A. SHIPILINA

Defendant

Part No. 20

PRELIMINARY CONFERENCE STIPULATION/ORDER
CONTESTED MATRIMONIAL

PRESIDING: HON. JOAN LOBIS

Justice of the Supreme Court

The parties and counsel have appeared before this Court on JULY 26, 1970
at a preliminary conference on this matter held pursuant to 22 NYCRR 202.16.

The court has received a copy of:

Date Filed or To Be Filed

- (1) A sworn Net Worth Statement of each party; and
- (2) A signed copy of each party's attorney retainer agreement; and
- (3) Counsel for both parties have certified that they have no knowledge that the substance of the statements or allegations of fact (including the Net Worth Statements) submitted by their respective clients is false.

Plaintiff	Defendant
9/28/01	9/28/01
9/28/01	9/28/01

both sides by
8/10/01

A. Required Information

- (1) Attorney for Plaintiff

COHEN, GOLDSTEIN + SILPE, LLP
BY: STEVEN M. SILPE
505 PARK AVE., NY, NY 10022

Phone: 212 315-4400

- Attorney for Defendant

KUBA, MONDI + ASSOCIATES
BY: PAULETTE DETIBERIS
321 BROADWAY, NY, NY 10007

Phone: 212 732 5050

- (2) Summons: Date Filed 2/13/2001 Date Served 2/13/2001
- (3) Notice of No Necessity Filed: Yes No X
- (4) Date of Marriage: 3/11/2000
- (5) Name(s) and Age(s) of Child(ren): none

B. Stipulation

The parties hereby stipulate, for purposes of trial, that the following issues between them are:

	RESOLVED	UNRESOLVED
(1) Fault <i>will not be an issue</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Custody	<input checked="" type="checkbox"/> n/a	<input type="checkbox"/>
(3) Visitation	<input checked="" type="checkbox"/> n/a	<input type="checkbox"/>
(4) Child Support	<input checked="" type="checkbox"/> n/a	<input type="checkbox"/>
(5) Maintenance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(6) Equitable Distribution	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(7) Other _____	_____	_____

ANY ISSUES WITH RESPECT TO FAULT, CUSTODY AND FINANCE THAT ARE NOT SPECIFICALLY DESCRIBED ABOVE AS UNRESOLVED MAY NOT BE RAISED IN THE ACTION UNLESS GOOD CAUSE IS SHOWN.

THE ABOVE IS HEREBY STIPULATED TO BY THE PARTIES.

Roy De Hollander

PLAINTIFF

[Signature]

PLAINTIFF'S ATTORNEY

[Signature]

DEFENDANT
Kuba Uundy + Associates BY:
Paulette Detiberis

DEFENDANT'S ATTORNEY
PAULETTE DETIBERIS

C. Pendente Lite Relief

With respect to the pendente lite applications, the court hereby directs or the parties stipulate that:

PLAINTIFF

PLAINTIFF'S ATTORNEY

DEFENDANT

DEFENDANT'S ATTORNEY

D. Law Guardians/Experts

(1) **Law Guardian/Guardian Ad Litem** (Check One)

- a. n/a The Court hereby appoints _____
as law guardian/guardian ad litem for the infant child(ren). ✓
- b. n/a The parties shall submit to the Clerk of this Part within _____ days from the
date hereof a list of persons deemed suitable to serve as law guardian/guardian ad
litem, together with a stamped, self-addressed envelope. ✓

(2) **Neutral Expert** (Check One)

- a. _____ The Court hereby appoints, on consent of the parties, the following as neutral
expert to assist the court: N/A ✓
- b. _____ The parties shall submit to the Clerk of this Part within _____ days from the
date hereof a list of experts deemed suitable for appointment as neutral expert,
together with a stamped, self-addressed envelope. ✓

E. Case Scheduling

- (1) In addition, the Court orders the following discovery deadlines. (Fill in specific dates for the
below to be served or conducted).

	<u>Plaintiff</u>	<u>Defendant</u>
(1) Notice for Discovery and Inspection	<u>10/15/01</u>	<u>10/15/01</u>
(2) Interrogatories	<u>10/15/01</u>	<u>10/15/01</u>
(3) Depositions	<u>11/12/01</u>	<u>11/12/01</u>
(4) Exchange of Expert Reports	<u>To be determined</u>	<u>To be determined</u>
(5) Other	<u>Both sides reserve the right to</u> <u>further discovery, if needed.</u>	

(2) **Discovery Problems**

The parties shall contact the court **immediately** if it appears that there are any problems
with the above schedule. If the Court is not contacted, discovery may be deemed completed as
of the above dates or sanctions may be imposed.

(3) **Expert Witnesses**

At least sixty (60) days prior to the trial date set forth below, each party shall serve and
file with the court a written report of each expert witness whom the party expects to call at trial
and, at least thirty (30) days prior to the trial date set forth below, each party shall serve and file

with the court any reply report. If a party intends that a written report shall substitute at trial for direct testimony, that party shall so advise the other party and the court at least ten (10) days prior to trial.

(4) **Witnesses (Other Than Expert)**

At least ten (10) days prior to trial, each side shall submit to the court and the other side a list of all other witnesses (excepting impeachment or rebuttal witnesses) whom that side intends to call at trial, specifying, where applicable, those whose depositions will be used.

(5) **Exhibits**

The parties shall consult and work out a stipulation governing the authenticity and admissibility of all trial exhibits concerning which the parties can agree, which exhibits shall be premarked before the case is called for trial. Ten (10) days prior to trial, the parties shall submit to the Part a list or lists of: (i) all exhibits stipulated to be admissible, (ii) plaintiff's proposed additional exhibits, and (iii) defendant's proposed additional exhibits.

(6) The court orders the parties and their attorneys to appear at a compliance conference to be held on 10/4/01 11/15/01 at 9:30am.
The parties shall bring to the compliance conference a preliminary copy of their Proposed Statement of Disposition. 22 NYCRR 202.16(h).

(7) The court orders a Note of Issue to be filed on or before 12/3/01.

(8) **THE COURT ORDERS THAT THE TRIAL IN THIS MATTER WILL BE HELD ON:**

November 17 x 18 at 9:30 a.m./p.m.

trial December 13, 2001 at 9:30 am

SO ORDERED:

Dated: New York, New York

7/26, 192001

[Signature]
J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X

ROY DEN HOLLANDER,

Index No.350091/01

Plaintiff,

-against-

Notice of Motion

ALINA A. SHIPILINA, a/k/a
Angelina Chipilina,

Defendant.

-----X

PLEASE TAKE NOTICE, that upon the annexed affirmation of Amy Saltzman, Esq. dated August 31, 2001, together with the exhibits annexed thereto and upon all the papers and proceedings heretofore had herein, a motion will be made at Room 130, of the Supreme Court of the State of New York, in and for the County of New York, to be held at the Courthouse located at 60 Centre Street, New York, New York on the 20th day of September, 2001 at 9:30 a.m. or as soon thereafter as counsel can be heard for an Order:

1. Granting plaintiff an annulment on the grounds of fraud;
2. Granting plaintiff appropriate financial relief;
3. Awarding plaintiff counsel fees; and
4. Granting plaintiff such other and further relief as the Court deems just, together with the costs and disbursements of this action.

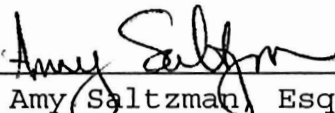
PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR § 2214

(b), answering papers, if any, must be served upon the undersigned so as to be received at least seven (7) days prior to the return date of this motion.

Dated: New York, New York
August 31, 2001

Yours, etc.

COHEN GOLDSTEIN & SILPE, LLP

By: 
Amy Saltzman Esq.

Attorneys for Plaintiff
505 Park Avenue
New York, New York 10022
(212) 315-4400

To: Paulette DeTiberiis, Esq.
Kuba, Mundy & Associates
321 Broadway
New York, New York 10007
(212) 732 - 5050

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
ROY DEN HOLLANDER,

Index No.350091/01

Plaintiff,
-against-

AFFIRMATION

ALINA A. SHIPILINA, a/k/a
Angelina Chipilina,

Defendant.

-----X

AMY SALTZMAN, an attorney admitted to practice before
the Courts of the State of New York, affirms under the penalty of
perjury as follows:

1. I am an associate of Cohen, Goldstein & Silpe, LLP,
attorneys for plaintiff Roy Den Hollander. This affirmation is
made in support of plaintiff's motion for a default judgment
against defendant granting an annulment of the parties' marriage
on the grounds of fraud.

2. This action was commenced on February 13, 2001, by
the filing of a Summons with Notice. A copy of Summons With
Notice is attached as Exhibit A. Defendant was personally served
also on February 13, 2001. A copy of the Affidavit of Personal
Service is attached as Exhibit B.

3. On June 21, 2001, plaintiff served a Verified
Complaint on defendant's attorneys. A copy of the Verified

Complaint with an affidavit of service is attached as Exhibit C.

4. Defendant's answer was due within twenty days after service of the complaint, with an additional five days for service by mail (i.e. July 17, 2001). CPLR §§ 3012(a), 2103(b)(2).

5. Defendant has failed to serve any responsive pleading to plaintiff's verified complaint. She has failed to contest any of the allegations seeking an annulment on the ground of fraud, or in the alternative, a divorce on the ground of cruel and inhuman treatment. Accordingly, pursuant to CPLR § 3215, plaintiff requests a default judgment be entered against defendant and that an annulment of the marriage be granted.

6. No prior application has been made for the relief requested herein.

Dated: New York, New York
August 31, 2001


Amy Saltzman

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK-----X
ROY DEN HOLLANDER

Plaintiff,

Index No. 350091/01

-against-

ALINA A. SHIPILINA, a/k/a
ANGELAINA CHIPILINA,

ANSWER

Defendant.
-----X

Defendant by her attorneys, Kuba, Mundy & Associates, for her Answer herein:

1. Admits allegations contained in Paragraphs 1, 2, 4, 5 and 6 of the Complaint herein.
2. Denies each and every allegation contained in Paragraphs 8, 9(a) - (g), 10, 11, 12, 13, 14, 15, 16, and 17, and the WHEREFORE Clause (1) - (6), of the Complaint herein.
3. Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in Paragraphs 3 and 7.

AS AND FOR A FIRST COUNTERCLAIM

4. The Defendant repeats and realleges each of the foregoing paragraphs as if fully set forth herein.
5. On repeated occasions the Plaintiff has been cruel and acted in an inhuman manner towards the Defendant, all of which resulted in endangering the physical and mental well being of the Defendant to a degree that it is unsafe and improper for the Defendant to cohabit with the Plaintiff. More specifically:
 - (a) The Plaintiff constantly argued and fought with the Defendant, and refused to perform his duties as husband;
 - (b) The Plaintiff constantly embarrassed and belittled the Defendant in the presence of friends and the public;

(c) During the beginning of their marriage, the Plaintiff executed a written Marriage Contract containing specific paragraphs with regard to the marriage and the behavior of the Defendant;

(d) That on or about July 11, 2000, the Plaintiff executed a Personal and Business Management Agreement in order that he could have complete control over the Defendant's career and salary as a professional model and dancer;

(e) That on or about August 1, 2000, the Plaintiff executed an Agreement containing specific paragraphs with regard to how the Defendant was to behave;

(f) That in or about the summer of 2000, while the Plaintiff and the Defendant were at the Virgin Record Shop in Manhattan, the Plaintiff threatened the Defendant that if she did not do everything he told her he would have her deported. On that same occasion, the Plaintiff did attempt to extort money from the Defendant;

(g) That on or about December 13, 2000, the Plaintiff threatened and attempted to extort money from the Defendant when he threatened the Defendant that if she did not pay him a certain amount of money he would have her deported;

(h) That on or about March, 2001, the Plaintiff stole from the Defendant her personal diary and sent copies to her friends and family. That on that same occasion, the Plaintiff in written letter to certain friends and family, defamed, disgraced and belittled the Defendant by calling her a prostitute and revealing certain husband/wife privileges;

(i) That on or about June 19, 2001, the Plaintiff without the Defendant's knowledge and/or consent, created an internet website entitled <http://www.alinashipilina.com>, in which he posted the Defendant's personal diary and naked photographs of the Defendant;

(j) That the Plaintiff constantly accused the Defendant of going out with and engaging in sexual relations with other men, there being no truth to the Plaintiff's allegations;

(k) That the Plaintiff on numerous occasions threatened to "put" the Defendant out of the house and have her "deported" from the United States if she did not pay him certain amounts of money;

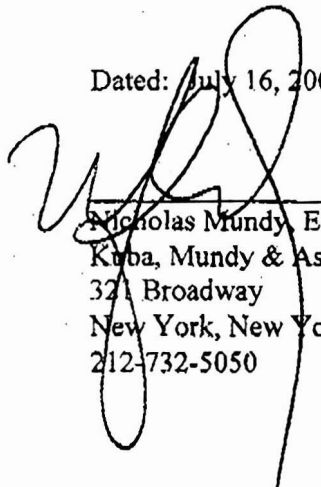
6. The foregoing acts of cruel and inhuman treatment have greatly injured the Defendant and have caused the Defendant great anguish.

7. The Defendant has always conducted herself toward the Plaintiff in a proper and fit manner and has always been a loving and dutiful wife

8. The Plaintiff's conduct as stated above was without just cause, provocation or consent of the Defendant.

WHEREFORE, the Defendant demands judgment dismissing the Complaint, judgment on the counterclaim for divorce, equitable distribution of the marital property, counsel and disbursement expenses together with such other and further relief as to the Court seems just and proper.

Dated: July 16, 2001



Nicholas Mundy, Esq.
Kuba, Mundy & Associates
321 Broadway
New York, New York 10007
212-732-5050

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT**

[Draft 9/14/01]

[Robert, my prior attorney, Steven Silpe, never responded to defendant's answer presumably because her never received it. He did file a motion for default through his associate Amy Saltzman based on no answer being filed although it was.]

Answer to Defendant's First Counterclaim

- 5.
- a. Denies
 - b. Denies
 - c. Need more specifics. She may be referring to a prenuptial executed in Russia before the marriage, which according to my Russian attorney has no legal effect in the US. Or she may be referring to the following agreement reached after I learned of her adultery and prostitution in Italy.
 - a. June 15, 2000 Agreement
 - b. Alina refrain from engaging in sexual conduct with other men.
 - c. Alina refrain from trying to deceive or trick me.
 - d. Alina refrain from communicating with Alfredo.
 - d. Denies
 - e. Need more specifics. She may be referring to an August 1, 2000 Agreement in which she agreed:
 - a. Angel will not engage in sexual conduct with other men.
Sexual conduct means any touching of the sexual or other intimate parts of a person not married to the actor for the purpose of gratifying the sexual desire of either party. It includes: intercourse; oral and anal sex; masturbation; physical contact with the clothed or unclothed genitals, pubic area, buttocks or female breast, fondling upper thigh and rubbing the covered penis against covered buttocks.
 - b. Angel will not try to deceive or trick me regarding any matter especially her sexual conduct.
 - c. Angel will not communicate with Alfredo.
 - d. Additional agreement made July 31. Angel will not communicate with Valodya 2 whom she met in June.
 - e. As agreed to on August 1, 2000, if Angel violated any part of this agreement between June 18 and August 1, 2000, and did not tell Roy the full truth of that violation then she agrees to a separation and to move out of Roy's apartment. If Angel violates any part of this agreement after August 1, 2000, and Roy learns about it before Angel tells him, then she agrees to a separation and to move out of Roy's apartment.

[On July 31, 2000, I learned from my wife that she had engaged in sexual contact with another Russian in Krasnodar only days after she

begged forgiveness for her earlier adulterous activities including her prostitution in Italy in May. In an attempt to determine whether the marriage could be saved, I wrote down her promises so our agreement would be clear and she could not claim memory lost or that she did not understand the conduct addressed. She would often parse sentences to convolute their common sense meaning and defined sex as only as intercourse. My wife has a copy of this agreement.]

f. Denies

g. Denies

i. [In August Alina and I agreed to separate and she said she would compensate me for the help I provided her while in America with her career. In Mid-late December, I asked her to live up to thist agreement as usual she refused. When we met, Alina was holding her purse in her lap, which was unusual. I asked her to put the bag away because I knew she often carried a knife and did not want her to lose her temper again. I showed Alina the bill, and she started accusing me of trying to black mail her, saying I wanted money in return for my going along with Peter's plan. I was surprised and offended. I took the bill back; she stuck her sharpened right pinky fingernail into my finger causing it to bleed. I grabbed my bag and tried to leave, but she stood in front of me. She grabbed my wrist. (Just as she did to a process server in Flash Dancers.) When she let go, I tried to move around her, but she stayed in front of me. (Just as she did to the process server in Flash Dancers.) I could not leave. She stared into my eyes in the typical Soviet inquisitorial method, and asked whether I was going to agree to Peter's plan. I demurred.

h. Denies

i. [In my preliminary investigation to discover leads to evidence to prove the allegations of my complaint, I contacted people familiar with the defendant, defendant's activities and who were mentioned in the defendant's diary. My investigation was to find credible leads for authenticating defendant's diary and finding additional evidence. There is no husband-wife privilege without loyalty and confidence between the two.]

i. Denies

i. [I set up the internet site to circumvent the impact of the defendant and her mother's threats and intimidation of potential witnesses, their illegal efforts to thwart my investigation and to find additional potential witnesses.]

j. Denies

- i. [Defendant's diary reveals her sexual activities with other men while married.]
- k. Denies
 - i. [September 2000 defendant went on a three-week vacation to Russia and Cyprus. I went to Krasnodar right after she returned from Cyprus, and told her I wanted to see her diary from May until September 2000. I thought she would have already made entries from her Cyprus trip. I said if she did not show it to me that I would change the locks on my apartment, and when she returned to the US, she could live with her friend Tanya, who also stripped at Flash Dancers. She gave me the entries. I wanted the entries to see what the truth was about her sexual activities since her trip to Italy with Alfredo to engage in prostitution in late May.]

PRIVILEGED AND CONFIDENTIAL
ATTORNEY CLIENT WORK PRODUCT
[Draft 9/23/01]

Statement of Defendant's Net Worth and Tax Returns

(Items on which defendant committed perjury and suggestions for proving such.)

Family Data

1. Occupation: Alina failed to include stripper or lap dancer. Alina's tax returns stated her occupation in 2000 was bartending while her net worth statement listed modeling for both 2000 and 2001.
 - a. Proof Alina worked and works at Flash Dancers
 - i. An affidavit of service states that service was made on Alina while dancing at Flash Dancers. Service of Petition filed in Queens Family Court, RDH v. Shipilina 02615/01; dismissed along with TOP 01988/01 on July 31.
 - ii. Deposition of Barry the night manger of Flash Dancers or subpoena for Angelina's work schedule since July 17, 2000.
 1. September 19, 2001, talked to manager Barry who admitted having her work schedules for at least a month.
 - iii. Copies of Angelina's work schedules for 2000. Possible authentication problem.
 - iv. Millard and Associates as witness of Alina working at Flash Dancers.
 - v. Depositions of Tatyanna and Nikita.
 - vi. Witnesses who are friends of mine who saw her strip at Flash Dancers
 1. Maiya
 2. Jesse
 3. Moody
 - vii. Alina's diary, English translation pages 48 to 50; Russian pp 126 to 131.
 - b. Proof Alina not bartender.
 - i. Interrogatory as to places of bartending employment.
 1. Check with bars to determine whether they employed defendant.
 - ii. Bars generally do not hire independent contractors as bar tenders, so Alina must have payment stubs from her bartending employers.
 1. Production request for payment stubs

Expenses

1. Telephone amount of around \$100 is dramatically low. She has home telephone service with Verszion that includes its answering service and mobile service with AT&T. Her mobile service for October 2000 totaled \$222.33. Mobile Statement.

- a. Proof
 - i. Subpoena directly from Verizon and AT&T Alina's telephone records.
- 2. Liquor at zero strains credibility.
- 3. Laundry at zero not possible. She does not have a washer and dryer in her apartment.
- 4. Medical insurance expense false. Alina and I had a joint Oxford HMO plan from August 2000 to March 2001, which cost each of us about \$300 a month.
 - a. Proof
 - i. Subpoena Oxford records
- 5. Appliances and maintenance in the amount of \$2000 a month is unrealistically high. There is no maintenance on Alina's rental apartment. She may have included this amount for tax purposes. \$2000 a month infers \$16,000 for the eight months up to the time she filed her net worth that she lived in her apartment while her yearly gross income for 2000 was \$18,800.
 - a. Proof
 - i. Production of all receipts.
- 6. Vacations underreported for the past year.
 - a. September 9-10, Alina flew to Moscow then to Krasnodar on Aeroflot. On September 18 or 19, she and her mother at Alina's expense flew to Cyprus where they stayed until September 25th at a five star hotel, 357 5 321 100. September 28 Alina flew back to Moscow and on the 29th flew back to NYC.
 - b. December 21, 2000, Alina flew to Moscow and Krasnodar on Aeroflot. She returned January 18, 2001.
 - c. During the last half of April and the beginning of May, Alina traveled to Krasnodar and with her mother traveled to Cyprus.
- 7. Income taxes reported are dramatically low and do not include a whole year but just taxes on income Alina earned from July to December of 2000. She entered the country in July 2000.
 - a. Federal-Amended Return reports taxes on Alina's income for six months at \$4556 or \$759 on a monthly basis.
 - b. State-Amended Return for six months of work reports \$430 or \$72 on a monthly basis.
 - c. City-Amended Return for six months of work reports \$344 or \$57 on a monthly basis.
- 8. Beauty parlor expenses are greater than zero.
 - a. She weekly gets a pedicure because when she is on stage at Flash Dancers advertising her wares, her feet are just below the eye level of the men sitting around the stage, giving her money.
 - i. Proof
 - 1. Deposition of Flash manager
 - b. Whenever she attends a modeling event it costs her around \$50 to have her hair done.
 - i. Interrogatory as to whom is her hair stylist.

9. Failed to state the expenses for her photo portfolios used in modeling. She had one created last August by Phillip Jarrell and probably had another one done recently.
 - a. Proof
 - i. Photocard with Jarrell's name on it.
 - ii. Interrogatory on Jarrell.
10. Failed to include her nightly expenses for stripping at Flash Dancers. For a girl to strip she has to pay management around \$100 each night. On top of that she must tip the DJ \$10 to \$15, the house mother who watches over the girls possessions around \$15 and pay the hair stylist or cosmetician for their assistance if she uses them. All toll, Alina would pay out \$140 each night or \$2800 a month when working five nights a week as the management requires. Alina worked four months in 2000, so her Flash Dancers expenses were \$11,200.
 - a. Proof
 - i. NYS, NYC and IRS for record keeping requirements and filings of lap dancing clubs with respect to income received from dancers
 - i. Deposition of Barry the night manager of Flash Dancers and copies of Alina's work schedules.
11. Total Expenses of \$4,500 a month infers yearly expenses of \$54,000, which I believe is about right when factoring in her stripping expenses, but she reported her total income for 2000 as only \$18,800, which implies her reported income does not meet her expenses, so she must have other income sources.

Gross Income: Does not specifically state the period it is for. Her 2000 tax returns indicate her income for 2000 at \$18,861; therefore, she did not report any of her income on the Net Worth Statement for the year 2001.

1. Fails to include income earned at Flash Dancers as a lap dancer, which I estimate at around \$120,000 since July 2000.
 - a. Proof
 - i. Alina's diary pp 48-50; Russian 126 to 131.
 1. Tax returns false
 - a. August 21, 2000, "Roy learned that I did not keep all money in bank. And what about taxes? I have in the bank approximately 6300\$ and approximately same amount in cash. I want to take this money to Russia and then deposit it to the bank and pay taxes. Roy thinks I am lying and fears law. I will pay, I do not want problems, but I will do it intelligently." Diary p 50 English; p 130 Russian. Copy defendant's Safe Deposit Box agreement.
 - ii. Defendant's Citibank statement for July 26 to August 21, 2000, states a balance of \$7,681.51. By August 21, defendant had been working in the US for only five weeks.
 - iii. Deposition of Barry the night manger of Flash Dancers with request to produce Angelina's work schedule since July 17, 2000.

1. Question as to range that girls make.
2. Is Alina a hard worker?
3. How much does a girl have to pay management, house mother, D.J., make up artist and hair stylist in order to work there.
- iv. Depositions of Tatyanna and Nikita.
- v. Media reports on lap dancing and strip club business.
 1. Maiya saw a report on Friday or Saturday night August 17 or 18 over Comcast Cable NJ on a book signing that reported the income of lap dancers.
 2. Saturday, September 8, 2000, Fox Magazine, Channel 46 at 10pm story on lap dancers at VIP. One girl said she can make \$1000 a night.
- vi. West law search for cases involving lap dancers.
- vii. Find someone to pose as student majoring in journalism and doing a paper on lap dancers or for their Women Studies courses on the financial independence of women. Interview Flash management and dancers. How women with little education or are new immigrants survive economically in NYC.
- viii. Subpoena Alina's bank records for the past year to track the flow of money into and out of the Citibank accounts.
- ix. IRS or NYS tax regulations for estimating the income of lap dancers as they do with waitresses and bartenders.
- x. FOIA with Dept of Treasury for any studies or guideline for estimating lap dancer income.
- xi. Academic studies on prostitution and stripping economics.
- xii. Research Library books on stripping.
- xiii. Search Amazon and B&N.
2. Failed to include income from prostitution.
3. Failed to include income from Judy Vann Associates and International Performance Productions, which were reported to the IRS.
 - a. Proof
 - i. Subpoena each firm's records concerning Alina's employment. Both firms keep detailed accounts.
 - ii. Subpoena IRS records.
4. Failed to include income from modeling jobs arranged by Grace Del Marco modeling agency.
 - a. Proof
 - i. Deposition of knowledgeable officer of the agency with subpoena to produce all records concerning "Angelina", which is her modeling name.
5. Failed to answer items l, m and s. This was not an oversight. One of Alina's favorite methods of lying is by omission, which she does not consider lying at all.

Assets

1. Failed to state her bank account in Cyprus.
2. Failed to state the \$1200 security deposit on her apartment.
 - a. Proof
 - i. Subpoena apartment broker's records. I have the name and firm of the broker.
3. Failed to list the apartment owned in Krasnodar and the half house owned in Yablonovski Village outside Krasnodar.
 - a. Proof
 - i. My Krasnodar lawyer will try to obtain documentation.
 - ii. Alina's diary pp 33, 35, 37, 40; Russian pp 78, 84, 85, 89 and 98.
 - iii. Alina grossed around \$30,000 in Mexico when factor in \$2,200 commission to Leo and \$1600 commission to club. Diary pp 33, 35; pp 78, 84, 85.
4. Failed to mention her vested interest in her Russian pension as a result of some of her legitimate work in Russia.
5. Failed to include numerous jewelry items she earned in return for providing sexual favors to her customers as stated in her diary.
 - a. Require Alina to produce jewelry she received from her tricks and lap dancing clients for inspection and appraisal.

Tax Returns

2. Who helped Alina prepare her tax returns?
3. None of Alina's tax returns are signed or dated. I know they are not accurate, and I doubt they were ever filed. I believe we can obtain court authorization to file a form 4506 directing the IRS to send certified copies of Alina's tax filings to us. Perhaps there is another way as well.
4. Alina's tax returns report her total income for 2000 as 18,861, which means the income reported in her Net Worth Statement did not include any income for the year 2001.
5. Alina wrongly classified herself as "single" instead of "married filing a separate return", which would have increased her taxes. This leads me to believe that one of her current boy friends completed her tax returns. Since Alina and I are still married, obtaining his name may assist in proving adultery.
6. Alina's returns failed to included income from Judy Vann Associates, International Performance and Productions and modeling jobs arranged by Grace Del Marco model agency.
7. Alina falsely listed her occupation as bartender.
8. US 1040
 - a. Failed to include a copy of page 2
 - b. Gross income from bartending \$7,754.
 - i. Interrogatory as to places of bartending employment.
 - ii. Bars generally do not hire independent contractors as bar tenders, so Alina must have payment stubs from employers.
 1. Production request for payment stubs
9. Amended US 1040X

- a. When and why did Alina file an amended form?
- 10. NY State Amended Tax Return
 - a. When was it filed?
 - b. States additional gross income \$12,096 while US 1040X cites additional income as \$11, 241. Which is it?

Deposition Questions on Finances

- 1. Update the vacations and their costs since July 26, 2001
 - a. July 26 or 27 to July 31 or August 1, 2001, Alina traveled to Las Vegas.
 - b. August 5 to September 6, 2001, Alina took a vacation from Flash Dancers. Probably attended the “Pimp and Ho Costume Ball” August 31 to September 3 at the Mandalay Hotel in Las Vegas.
- 2. In which months of 2000 did Alina earn her reported \$18,800.
- 3. Who told you that an income of around \$7600 would not be believable for you to have lived on so you filed an amended return adding another \$11,200 to your income.

PRIVILEGED AND CONFIDENTIAL
ATTORNEY CLIENT WORK PRODUCT
[Draft 9/23/01]

Outline of Annulment Case and Evidence

(Dates refer to when defendant made an entry in her diary. Diary cites are first to page numbers of Certified English translation by Dennis Whelan and then to the page numbers of Russian language original. Dates in parentheses indicate when plaintiff acquired full knowledge of a fact.)

1. Defendant intended to marry plaintiff solely for entry into the US on a permanent basis, which, along with the other benefits of living legally in the US, would enable defendant to earn large sums of money in the sex industry.
 - a. Pre and Post Marital Admissions [marriage occurred March 11, 2000]:
 - i. The following cites are from defendant's dairy for which need authentication.
 1. December 10, 1999, "I want very much to find a foreigner and live abroad; I want to buy a flat and marry a foreigner, but I do not want to live in Kransnodar." Page 34 English; p 82 Russian. (March 2001)
 2. January 17, 2000, "Roy says that I am the only happiness of his. He wants me to be near him.... If only he were younger...." Page 37 English; p 90 Russian. (March 2001)
 3. January 27, 2000, "I do not know, but it worth while marrying him only for the purpose to receive American citizenship. He is not the person I need." Page 39 English; p 95 Russian. (March 2001)
 4. January 29, 2000, "Roy is good as a friend and sexual partner, but Roy as a husband...." Page 39 English; p 97 Russian. (March 2001)
 5. February 4, 2000, "...he (plaintiff) began speaking about a paper according to which I will not have any right on his money in the case of divorce. So, in this case I will receive nothing.... In my turn I told him about a paper according to which he would have no right to send me out of the country." P 40; p 98. (March 2001)
 6. February 19, 2000, "Lena said as well that the business with Roy is very advantageous to me." Page 41 English; p100 Russian (March 2001)
 7. April 5, 2000, "And on Saturday, March 11, 2000, we registered our marriage. It was merry! I did not accept it very seriously; for me it was only business. I become so tired of him...." Page 41 English; p 101 Russian. (March 2001)
 5. April 5, 2000, "He wrote me a letter saying how it was difficult for him to be alone.... Frankly speaking, I cannot

- imagine what I will do with him in Moscow. Listen to his philosophy? To wash, to clean and to cook? And leave my mother all alone.... On one hand I would like that we remained friends, but he would not hinder my meetings with friends and I would give him freedom” P 41, 42 English; p 103 Russian. (March 2001) Just three days later in an April 8, 2000, Post Card, need authentication, defendant continued to mask her true reason for marrying plaintiff, “My love husband! I’m so miss on you but I must help my mother.... I send you this spring flowers from all my heart. I kiss and hold you.”
8. April 20, 2000, “For the first time he finished in me. Oh, my God, whom I allowed to do it....” Page 43 English; p 108 Russian. (March 2001)
 9. April 20, 2000, “What will happen if I will not receive a visa to America? I will go—with Leonid’s help—to Greece or Venezuela. In June I am sure to go somewhere!” Page 43 English; p 108 Russian. (March 2001)
 10. April 5, 2000, “Then, when we went to the disco “Joy”, Alexey told me that on wanted me and that I was driving him mad. He bought a bottle of Champaign. I was near to going with him.... I tried to seduce Alexey, to get him,....” Pp 41,42, English; pp 102, 104. Then on April 22, 2000, defendant wrote in a post card, need authentication, “My dear husband! Only come back and start to be alone again. It difficult, but I must to do a lot of things here.... But you in my heart. A lot of kisses to you.”
 11. On May 19,2000, defendant traveled to Italy to engage in adultery and prostitution with Alfredo Ibarra. Pp 44, 45; pp 112-14. On May 10, 2000, defendant wrote in two cards, need authentication, “My dear husband! In Krasnodar hard. I try to written dissertation and help my mother.... Your wife.” And, “You are present to me the best moments in my life. With special love your Angel.”
 12. June 5, 2000, “We went with Roy to the forest, he wanted to have sex with me, but I refused because sometimes there were people passing by. The most important was that his age might be clearly seen. If he were a young boy....” Page 45 English; p 117 Russian. (March 2001)
 13. June 5, 2000, “On May 31, 2000 I received visa!!! Praise to God! Page 45 English; p 117 Russian.
 14. June 25, 2000, “The problem is in his real feelings to me. I am a stimulus for him. He sees me as a real wife, but it is absurd.... I will never see him as a real husband.” Page 46 English; pp 120-21 Russian. (March 2001)
 15. July 6, 2000, “I decided to go to America for now and make some money and to get a divorce from him. Then better to go to Japan.” Diary p 47; p 124. (March 2001)

16. July 12, 2000, "God be praised!!! I am in America." Page 48 English; p 126 Russian.
 17. July 12, 2000, "I began working on Sunday and earned 400 dollars, then 540 and yesterday, on Wednesday, I earned 650 dollars. God be praised!!! P 48; p 127.
 18. September 9, 2000, "In total I earned 17-18 thousand dollars in 1.5 months (including everything – expenses, meals and presents)." P 50; p 130.
 19. September 9, 2000, "Besides, for the first time I went to a single room – I danced to a bearded man from TV. On Monday we sat there for 2 hours, I danced (I was so frightened). I allowed him to touch me. I received a pleasure." P 50; p 130. Then on September 11, 2000, just two days later the defendant wrote in a wedding anniversary card, need authentication: "Always with you belief, hope, love unforgettable. Your Angel"
 - ii. Alexei Dikov, defendant's former boy friend said, "Alina had one aim, to go outside of Russia." (June 14, 2001) Need written questions
 - iii. According to defendant's friend, Yulya Kudinova, "Alina always thought about money and how to get it. She was a pit bull in her pursuit of money. She used all connections and a lot of men to get money. Alina didn't have money to start a career as a model and she used men to get it. Alina left Alexei Dikov because he didn't have money." (June 16, 2001) Need written questions
 - iv. Anastasia Vasiljeva, defendant's model agent in Krasnodar, said defendant only wanted money and the luxury life. (April 16, 2001) Need written questions
 - v. Lena (friend of Olga who is also friend of defendant) told defendant that marriage with Roy good business deal. (March 2001)Page 41 English; p 100 Russian. Need written questions
 - vi. Natasha who lives in same building as defendant with whom defendant keeps all her things. P 42 English; p 105 Russian. Need written questions
 - vii. Tatyanna from Flash Dancers. Need to interview.
- b. Refusal to show normal affection
- i. Defendant engaged in adultery in Krasnodar three weeks after her marriage with a man named Volodya. Diary p 41; p102.
 - ii. Defendant engaged in prostitution with Alfredo Ibarra Sotelo in Italy within three months of her marriage and just days before her successful interview for an immigrant visa at the US Embassy. Diary p 44-45; p112-114.
 - iii. Defendant went to great lengths to hide her prostitution and adulterous affair with Mr. Ibarra in Italy for fear that plaintiff would not take her to America, May 19, 2000, "And now it is very important to me to extinguish all evidence. I closed package with adhesive tape and tried

to hide gold and money. I hope so Roy did not learn anything. Amen! I thank God for everything; bless me!" June 5, 2000, "I came to Roy. My cellular phone was disconnected. I had to open the door with keys and ring at the door. He looked so surprised when he saw me. He began to ask me – How I came, what and where and so on. He was inspecting me for a long time and got infuriated because he could not find anything. He thought that I spent time in Moscow with some boy friend and now came to him. Next day we went to take photos and when I asked to give me my bag, he took it and began to open all its section and watch what was in as if it was a joke. I was watching at him perplexedly and very calmly. He was examining me. After it I understood that he would examine my "Fa" bag. When Volodya met me at registration in Moscow I gave him package with everything money, brilliants. I feared that he might tell something to Roy." Diary p 45; pp 114-16. (March 2001)

- iv. Defendant engaged in another act of adultery four months after her marriage with a man named Volodya from St. Petersburg. Diary p 47; p 123.
- v. Defendant maintained communication with Valodya from St. Petersburg while defendant was living in plaintiff's apartment. July 2000 Postcard, need authentication of copy and written questions, to Valodya, "Good luck, peace, love and all the kindness to you. Hello Valodya, This is Angelina. How are you? I am okay. It was really difficult to come here. It turns out that my boss found out information about me from MVD and FSB. And now he watches me. I began to work. It is interesting. I like it a lot. I work about eight hours a day. (I dance.) It is interesting to meet new people, to learn about different places. I think a lot about you and I miss you and it was great that we could understand each other. Do me a huge, huge favor, please, don't tell anybody, anybody, that I am here—no way. Only my mum knows about it and now you. I kiss you, I embrace you, I miss you." (Four lipstick kisses are on the card.) (August 2001)
- vi. Defendant dated other men in Krasnodar during the four months following her marriage:
 - a. Arsen, Diary p 41, 42 English; p 102 Russian.
 - b. Roma, Diary p 47 English; p 121 Russian.
- vii. Defendant tried repeatedly after her marriage to seduce one man in Krasnodar who managed a disco: Alexey Smolin, Diary pp 41, 42, 44; pp 102, 104, 110. Mr Smolin states, need written question, "Alina offered herself to me. I could have slept with her if I wanted." (June 16, 2001)
- viii. Defendant refused to live with plaintiff in Moscow for three months following her marriage, lying to plaintiff that her eye operation did not go well so she needed to be near her eye doctor and she needed to help her mother change the title to her house. According to defendant's diary, her eye operation went well, and defendant did not want to

cohabit with plaintiff, April 5, 2000, “I had doubts before operation but now I am happy and I don’t want even to think about glasses, except for sunglasses. It is so wonderful to see the world with your own eyes!” Diary p 42; p103. “Frankly speaking, I cannot imagine what I will do with him in Moscow. Listen to his philosophy? To wash, to clean and to cook? And leave my mother all alone....” Diary p 41, 42 English; p 103 Russian. (March 2001)

6. Defendant insisted that plaintiff not travel to Krasnodar and Cyprus with defendant for a three-week vacation in September 2000 that she scheduled, in part, so she would not be home for plaintiff’s birthday. In Cyprus defendant met with former clients:
 - a. Rikos, Diary pp 3, 4, 5, 7; pp 6, 8, 9, 10, 16.
 - b. Andrios, Diary p 6; pp11, 12.
 - c. Stephanos, Diary pp 12, 13, 15, 16; pp 28, 31, 35, 37.
 - c. Other acts and patterns of conduct that infer defendant’s sole purpose was immigration to earn money
 - i. Transportation of cash overseas
 1. Cyprus bank account transactions. Need to subpoena records. (September 2001)
2. Misrepresented love and affection for plaintiff in order to induce plaintiff’s consent to marriage
 - a. Representations before marriage
 - i. [Written Questions to Valeria A. Vorobyova, who translated prenuptial, defendant talked with her about why wanted to marry plaintiff.]
 - ii. Correspondence from defendant to plaintiff prior to marriage:
 1. November 15, 1999, fax on stationery of Westin Hotel in Acapulco, need authentication: “It your love—Angelina. Here I visit many beautiful places but I was alone, I’m think about you. It will be nice to be together. I hold you a lot, kiss a lot and miss.” In the evening of day on which defendant sent fax she engaged in sex with Alfredo. Dairy p 32; p 73
 2. November 19, 1999, fax from Mexico, need authentication: “I kiss you! I hold you! Your Angelina.” On day that defendant sent this fax, she helped Max to finish. Diary p 32; p73.
 3. February 7, 2000, Valentine’s Day Card, need authentication: “A lot of loves, my dear Roy. From all my heart it for you...Love—it flower.... With tenderness loves—your enigmatic outspoken flower, Angelina with love.
 - b. Falsity of Representations before marriage (March 2001)
 - i. Defendant rarely thought about plaintiff from September through November 1999 as indicated by defendant only mentioning plaintiff

- twice in diary while in Mexico. September 23, 1999, p 26; p 57, November 12, 1999, p 30; p 70.
- ii. Defendant visited many beautiful places from September to November 1999, but not alone, rather with many different men with whom she engaged in sexual relations and/or prostitution:
 1. Acapulco with Salvador, pp 22-25; pp 48-54.
 2. “Uana-huatu” with Alfredo, pp 26, 27; p 58.
 3. Pyramids with Alfredo, p 27; p 60.
 4. Cancun with Alfredo, p 28; p 62.
 5. Acapulco with Yatsinto, p 29; p 64.
 6. Puerto Vallarta with Alfredo, pp 29, 30; pp 65, 67.
 7. Acapulco with a Boston man, pp 29, 30; p 65.
 8. “Huatulko” with Alfredo, p 30; p 68.
 - c. Defendant did not have love and affection for plaintiff as manifested by her engaging in sexual relations and prostitution with other men during the time before marriage when the defendant and plaintiff were courting, July 1999 to February 2000:
 - i. A customer referred to as “one fucker”, p 25; p 54.
 - ii. Mavro, pp 25, 27.
 - iii. Dated one man “very good at kissing”, p 26, p 57.
 - iv. Max Garcia Appedole, pp 26, 29, 32; pp 57, 65, 73.
 - v. Still referred to her boy friend of three years, Alexei Dikov, as “darling”, p 27; p 60.
 - vi. Sydney, p 28; p 62.
 - vii. Alfonso, pp 31, 32; p 72.
 - viii. Alfredo, p 32; p 73.
 - ix. Back in Russia defendant continued her sexual relationship with her long time Russian boy friend, Alexie Dikov, p 34, 35; p 80, 82.
 - x. Defendant engaged in intercourse with Alfredo in Moscow. Defendant states in her diary, “I worried very much—I feared that Roy would notice me,” p 35; p 83.
 - xi. Telephone sex with Alfredo, p 40; p 99.
 - d. Defendant concealed true feelings for plaintiff in order to induce plaintiff’s consent to marriage (March 2001)
 - i. January 17, 2000, “If only he (plaintiff) were younger....” P 37; p 90.
 - ii. January 27, 2000, “He (plaintiff) is not the person I need.” P 39; p 95.
 - iii. January 29, 2000, “He (plaintiff) is a fool,....” P 39; p 96.
 - iv. January 29, 2000, “Roy is a good friend and sexual partner, but Roy as a husband....” P 39; p 97.
 - v. April 5, 2000, “How much nerves took and how many troubles gave to me Mr. Hollander! On March 1, 2000 we moved to our new flat. He helped us with students. But it takes too much nerve to deal with his bloody philosophy.” Page 41 English; p 101 Russian.

- vi. April 20, 2000, "For the first time he finished in me. Oh, my God, whom I allowed to do it..." Page 43 English; p 108 Russian.
 - vii. June 5, 2000, "We went with Roy to the forest, he wanted to have sex with me, but I refused because sometimes there were people passing by. The most important was that his age might be clearly seen. If he were a young boy..." Page 45 English; p 117 Russian.
 - viii. June 25, 2000, "The problem is in his real feelings to me. I am a stimulus for him. He sees me as a real wife, but it is absurd.... I will never see him as a real husband." Page 46 English; pp 120-21 Russian.
- e. Misrepresentations from defendant to plaintiff after marriage as inference of defendant's intention before marriage to fraudulently induce plaintiff to marry her
- i. In an April 8, 2000, Post Card, need authentication, defendant continued to mask her true reason for marrying plaintiff, "My love husband! I'm so miss on you but I must help my mother.... I send you this spring flowers from all my heart. I kiss and hold you." Just three days before sending this post card, defendant wrote in her diary on April 5, 2000, "He wrote me a letter saying how it was difficult for him to be alone.... Frankly speaking, I cannot imagine what I will do with him in Moscow. Listen to his philosophy? To wash, to clean and to cook? And leave my mother all alone.... On one hand I would like that we remained friends, but he would not hinder my meetings with friends and I would give him freedom" Diary p 41, 42 English; p 103 Russian.
3. Defendant concealed surreptitiously and repeatedly putting substances into plaintiff's food just days before the wedding that caused narcotic like symptoms in plaintiff in order to induce plaintiff to marry defendant after plaintiff expressed possibly canceling the planned marriage. (December 2001)
- a. April 5, 2000, "Two days prior to registration he (plaintiff) said that he might cancel everything..." Diary p 41; p 101. "...The clairvoyant gave me salt and sugar to admix into his food. His smile began to look like a smile of innocent angel." Diary p 42; p 105.
 - b. July 12, 2000, "...I was admixing something in his (plaintiff's) meals. He wanted to sleep even in the day. I had to tell him, that he was too aggressive towards me and I wanted to lower his level of aggression." P 48; p 126.
 - c. Doctor Gorny's medical records in which I described the effect of defendant's poisoning.
 - d. Written questions on defendant's "clairvoyant" in Krasnodar
4. Defendant concealed her plan before the marriage ceremony to meet with Alfredo to engage in adultery and prostitution.
- a. April 5, 2000, "It took a long time to make my second passport.... But thanks to God, I have now 2 passports. May be I will go for a week to Mexico and

meet Alfred to earn some money. But I need a good reason for Roy. It is dangerous, but I will see....” P 42; pp 104-05.

- i. Need original second international passport or Apostile copy of dated application for second international passport or affidavit as to time necessary to obtain a passport as evidence that defendant’s scheme concocted before marriage.
- b. May 19, 2000, while on her way to Italy to engage in adultery and prostitution with Alfredo Ibarra, defendant wrote, “...Roy called Alfredo up. When Alfredo told me about it I wanted to reject everything. Just on that very day I passed money for visa to Italy. He felt why on that very day... He said that he was my husband and he wanted to marry me (but we are already married – probably, he wanted something more serious). He began to ask Alfredo about our relations. Alfredo did not answer, instead he called me up and we agreed that Azul was whom Alfredo wanted. Roy asked him how long Alfredo stayed with me in December; what was between us in Mexico and in Moscow. We agreed that Alfredo escorted me in my trips around Mexico, because he fell in love with Asul and they took me with them. He said that I was only a good friend of his. He was in Moscow for 1 day and half of that day he spent with me.” P 44; p 110-11.

5. Defendant concealed criminal conduct

a. Prostitution Russia, Cyprus, Mexico

- i. Defendant provided a daily masturbation service for her clients in Krasnodar. April 5, 2000, “I don’t want to make blow job because I had to get involved in masturbation for 1.5 years everyday. Roy will never understand it, because he is a man.” P 41; p 102. (March 2001). And defendant worked for a well-known procurer, Reya, in Krasnodar who provided models for sexual activities to New Russians in return for money, interview with defendant’s friend Katya Gerokaris. Need written questions. (July 2001). Defendant told her modeling agent in Krasnodar, Anastasia Vasiljeva, that defendant voluntarily engaged in prostitution in Cyprus, that it was not forced on her. Need written questions. (April 16, 2001)
- ii. Prostitution Cyprus and Mexico based on defendant’s diary:

<i>N</i>	<i>Client</i>	<i>“Type of service”</i>	<i>Price</i>	<i>Page Russian</i>	<i>Page English</i>
1	Ibragim	Intercourse and anal sex	£ 40	20	9
2	Wonderful man	Ejaculated without entering	£ 100	20	9
3	Fat man	Masturbated him in a hotel	£ 30	18	8
4	Anonymous customer 1	Blow job	£ 10	24	11
5	Anton	A new customer to which the owner Marios gave her	“sale”	22	10
6	Andreas	Bought her for full day	£50	11-12	6
7	Akhmed	Bought her for three days		23,25	10
8	Grandpa	Masturbated him + two naked pictures	£ 60 +10	35	16
9	Andreas and his son	Regular client	Golden bracelet	21	9

10	Pannikos	Regular client – masturbated him	new dress - £ 37, ring of white gold	16,19,24	7,11,13
11	Rikos	Regular client (intercourse)	Silver things, makeup, + £100	6,8-10,16	3,4,5,7
12	Chris	Regular client (intercourse)	£ 50, 10, 20, 10 + digital watch	2-6,11,13,24	1-3,5,8
13	Doctor George	Regular client	£ 50 + 100, perfume, watch, alarm clock, earring with chain, bracelet and ring of gold, silver alarm clock	7, 17-18, 26	3,7,11
14	Davie	One night stand client from the club	£	35	13,16
15	Peirre	One night stand client	£ 20	33	15
16	“Fucker” from a bank	One night stand client	£	30	13
17	Stephanos	Regular client from Ayanapa	£ 30 + £ 40 dress –£ 23, pajamas - £ 44	28, 31,35,37	12,16
18	Rich Arab 1	One night stand client	Boombox	32	14
19	Rich Arab 2	One night stand client with another girl from the club	£	31	14
20	Eric, good friend of Rikos	Regular client	digital watch, video camera, slippers, money for dentist , additional money	21, 28,31,37	14,17

Mexico (Mexico City “Gentlemens Club”)

<i>N</i>	<i>Client</i>	<i>“Type of service”</i>	<i>Price</i>	<i>Page Russian</i>	<i>Page English</i>
----------	---------------	--------------------------	--------------	---------------------	---------------------

	Anonymous client 1		\$60 but took back money	54	25
2	Mavro	Regular client		55,60	25,27
3	Yatsinto – Boston man	Three day stand client	For a trip to Acapulco	64	29
4	Sidney	Regular client		62	27,28
5	Max Garcia Appedole	Regular client	For a visa assistance, golden chain, makeup	65, 73	29,32
6	Manuel Gamio	Regular client	\$500, toilet water	69	31
7	Alfonso	Regular client	Chain for hand and foot, trip to Cancun, silver bracelet	72	31,32
8	Alfredo	Favorite client started 02.10.1999– intercourse, performed oral sex on him	For money, various presents and trips, transporting cash to Russia.	58,60,71,73,83	26,27,29,30,31, 32,33,34,35,37, 40

iii. April 5, 2000, “Two days prior to registration he (plaintiff) said that he might cancel everything because I told him that I did not like to speak with him about my past.... He infuriated me-I had to speak about Cyprus, about Mexico, that I was tired there and that I had not want and did not have sex there.” Diary p 39; p 101.

6. Defendant made misrepresentation as to premarital sexual conduct:

a. Prostitution, see above number 5.

7. Concealment of acts inferring an immoral character

a. Masturbation video, need authentication: In the fall of 1998, defendant made sexually explicit video in which she masturbated for the camera and men in return for US dollars. (June 2001)

i. Written questions Marc Paulsen, Torrance California

ii. Written questions Leo Perlin, Moscow

b. Completely nude stripping that included physical contact of a sexual nature and the bartering of sexual favors. (March 2001)

i. Moscow lawyers for evidence of Zygus activities and definitions of different dances.

ii. “...I for the first time danced table dance for a very thick man. He touched me....” P 1; p 1.

- iii. "On December 29 (1999) I had to insist on striptease, but I did not take off panties, stealthily. That day I have danced 3 striptease dances and 1 table dance." P 2; p 3.
- iv. January 19, 1999, "I danced for one customer a striptease and then a table dance but during time table dance he wanted striptease, and during striptease he came." P 3; p 6.
- v. January 19, 1999, "In ZIGOS he kneeled before me and kissed me below navel - it happened before we left the club. Then we went to hotel. Marios took me in his car. I and George went to hotel." P 3; p 7.
- vi. March 7, 1999, "I will do my best to be in first place in our business." P 7; p 17.
- vii. March 21, 1999, "Yesterday I talked with Sergey (after meeting with Pannikos) and burst into tears. I told him that Pannikos urged me to help in masturbation - and I am so tired of all it..." p 8; p 19.
- viii. March 21, 1999, "For the first time in my life - 5 privates 6 pounds each + 10 drinks." P 8; p 19.
- ix. March 21, 1999, "Yesterday Marios shouted at me because I went with Pannikos. He does not come to club, I have sex with him, I receive something for it and the club does not receive anything..." p 8; p19.
- x. April 3, 1999, "Last week here came tourists from Kuwait. Marios sold to them me, Regina, Julia and Nadya (40 pounds to each of us). My admirer told me that he did not want sex and being very pleased with it I drank much wine and I was stupid enough to give in to him. Prior to it I asked him to give me 100 dollars - not for sex, I just needed this money. He answered that he had left all his money downstairs with security desk. Most awful that he introduced has member into my anus. It was very painful and terrible. After it I did not feel my fanny for three days - it was very painful... He told me that he will come once more to ZIGOS or I could myself come later to him and take this money. He left the next day... Let God be his (Ibragim's) judge..." p 9; pp 20.
- xi. April 3, 1999, "I told that without sex it would cost 40 pounds, with sex - 100 pounds." P 9; p 20.
- xii. April 3, 1999, "I am glad, when a customer finishes during a private. Some persons finish this way for the first time." P 9; p 21.
- xiii. April 16, 1999, "And before Easter Marios sold me to other customer (Anton)." P 10; p 22.
- xiv. April 16, 1999, "He wanted to buy for me three days off, but I agreed only for one day off. Then he talked to the boss and bought me for three days." P 10; p 23.
- xv. April 25, 1999, "On Friday I for the first time had 8 privates and 12 drinks. I had a complete breakdown. Prior to it one fucker took me and wanted me to make him oral sex, I persuaded him to give me 10 pounds." P 11; p 24.
- xvi. May 29, 1999, "When I was with one young customer I have nearly fallen out of cabin (room) for privates." P 14; p 31.

- xvii. June 15, 1999, "Yesterday, on Monday, I had 4 privates and 5 drinks." P 15; p 34.
 - xviii. June 23, 1999, "On Friday, at 18:06 I called up Stephanos. I told him that I shall go with another customers to Ayanapa." P 16; p 35.
 - xix. June 23, 1999, "On Saturday I made a record - 10 privates, including 5 to one remarkable grandpa, and as well 2 table and 12 drinks. In total it made 500 pounds..." p 16; p 35.
 - xx. June 23, 1999, "Stephany took me and we went to Larnaka.... I earned 60 pounds for 30 minutes of masturbation..." p 16; p 35.
 - xxi. June 23, 1999, "On Sunday I worked without much effort - [?] privates, 4 tables and 8 drinks. Three customers wanted to take me - that son of a bitch Stelios, a fat man and Davie. I preferred to leave with Davie. I came back by motorbike. It was marvelous!" p 16; p 35.
 - xxii. Septmeber 16, 1999, "Today one fucker promised me to give his credit card. I went with him; I left my work before my working time actually ended. But he gave 60\$ and wanted to lure me into his house – he promised to give me 300\$ more; later, when I refused to kiss him, he threatened to go to police and took back all money... He was the most down man... Ali... Fucker..." p 25; p 54.
 - xxiii. November 20, 1999, "I made that day 11 dances, but Alfredo paid to me for 14. We went to a nightclub. Girls there have nice breasts and figures. A brunette danced to me in the private room. Alfredo helped, she was slightly biting me and pawed as well. It was interesting. Then Alfred wanted to take me to the hotel for massage. When I refused he went into hysterics and began to cry. He said that he could not wait any more and that I was playing with him. I understood that I had to stop waiting, had some rum and gave it to him. He was happy... The next day he presented to me a dog – it is a wonder! On Tuesday he again paid for 14 dances. We went to "Titanium". All men were looking at me and I was looking at girls. Then a Mexican girl danced in a private room where were sitting 3 men with their girls. I had drunk so much that day... I gave it to him that night; I was drunk and spoke much in Russian." P 32; p 73.
 - xxiv. February 19, 2000, "Alfredo called me up – he finished while he spoke to me. We spoke about 40 minutes. He is crazy with sex. I told him that I am sitting in white underwear and what I am touching..." p 40; p 99.
 - xxv. Defendant worked strip tease in Krasnodar. Interview Alexei Dikov, defendant's former boyfriend. Need written questions (June 14, 2001)
 - xxvi. "Alina didn't have money to start a career as a model and she used men to get." Interview Yulya Kudinova, defendant's friend. Need written questions (June 16, 2001)
- c. Defendant advertised herself to men on a website where she would charge \$20 for a meeting. Interview Alexei Dikov, defendant's former boy friend. Need written questions (June 14, 2001)

- d. Recruitment of girls for Russia's sex industry (April 2001) [Post marital conduct inferring premarital concealment of immoral character.]
 - i. April 20, 2000, "On Friday we went to Leonid's party.... I persuaded girls to go to Mexico.... I will try to cooperate with him—look for girls ready to work in Mexico. Each girl will pay to me 100 dollars a month. My God, bless me!!!" P 43; pp 107-08.
 - 1. Need written questions Leo Perlin, Moscow
 - ii. Defendant tried to sell a young girl overseas from a village outside Krasnodar according to interview with defendant's friend, Yulya Kudinova. Need written questions (June 16, 2001)
- e. Infidelity
 - i. In Cyprus, defendant who at the time had a boy friend in Russia for over three years, pp 4, 7, 9, 14; pp 7, 16, 20, 32, writes with respect to another man, "I do not know, but it seems that I am ready to sleep with him. If only I had not my menstruation... I do not consider it an unfaithfulness, I do not feel, that I am unfaithful,..." P 2; p 3.
 - ii. Document One discovered in defendant's bag in August 2000. "...Why does he want fidelity? Why do I have to be faithful?...." Need certified translation and authentication
- f. Defendant's material misrepresentations to the INS on her immigrant visa about
 - i. Prostitution. Visa application, diary various pages
 - ii. Arrest and deportation from Mexico. Visa application, diary pp 33, 34; pp 76-79
- g. Defendant's tax evasion in US
 - i. Income according to defendant's dairy, pp 48-50; Russian pp126 to 131
 - ii. Citibank statement for August
 - iii. Need other Citibank statements
 - iv. Need Cyprus bank records
- h. Defendant's shipment of cash overseas in violation of US Custom's regulations
 - i. Need Cyprus bank records
- i. Defendant defrauded her Moscow agent, Leonid, out of part of his commission.
 - i. April 20, 2000, "Leonid said that Salvador felt offended with me, because I had love affair with Alfonso, I abandon him and he informed police. It is foolish. He simply feared that I can leave him and work for myself. I had to lie that I borrowed from Roy 10 000\$ because I lost 7 000\$ in the credit card account." Diary p 43; p 107.

- j. Defendant concealed that she believed dishonesty was the best policy and lacked the capacity to learn how to be a more civilized person when caught engaging in reprehensible acts.
 - i. After plaintiff confronted defendant with her adulterous activity in Italy, defendant criticized herself for not being more clever in hiding the affair. June 25, 2000, “What a thing Lena thought of. I should have gone on a local train to come by station where 40 train was but instead I took a bus. I will learn.” P 46; p 120.
 - ii. June 15 & 16, 2000, telephone conversations in which defendant duplicitously begged forgiveness and made promises that she had no intention of keeping. Contemporaneous telephone notes, Diary pp 46, 47; pp 119-123, Copy of postcard to Valodya.
- 8. Defendant knew plaintiff could not have children so her marriage to him at the age of 24 was not genuine because she wanted to have children.
- 9. Materiality
- 10. Plaintiff acted as ordinary prudent person with duty to inquire when put on notice:
 - a. April 5, 2000, “Two days prior to registration he said that he might cancel everything because I told him that I did not like to speak with him about my past.... He infuriated me – I had to speak about Cyprus, about Mexico, that I was tired there and I did not want and did not have sex there.” P 41; p 101.
- 11. Plaintiff relied.

PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
[Draft 9/26/01]

Outline of Cruel And Inhuman Case and Evidence
(New additions underlined>

1. Physical Abuse
 - a. End of October 2000: Defendant and plaintiff ate lunch at the Coffee Shop in Union Square. When they were walking across the street talking about the “drops” that defendant took to make her orgasm more quickly when she had prostituted herself to Alfredo Ibarra in Italy; defendant punched plaintiff in the back very hard. Defendant missed plaintiff’s spine by less than an inch. At six feet, two inches in street shoes and a 145 pounds, all muscle, the defendant is very strong, having been the three-time long jump champ of Russia and presently working eight hours a night, five nights a week as a lap dancer.
2. Physical Threats
 - a. In a letter from defendant dated June 18, 2000, defendant says, “If something happen with me strange or if I find that you avenge (revenge) me it will be 1 of the big mistakes (without correction)—without return.”
 - b. In early August 2000, defendant and plaintiff were arguing in plaintiff’s kitchen and defendant got angry, cursed plaintiff and tried to grab a knife to attack him. Defendant swore, “You son of a bitch, you will pay for all your wrong doings.” Not an uncommon expression of hers. See Diary
 - c. Plaintiff was able to get between defendant and the knives, but had great difficulty keeping defendant’s hand from the knives. Defendant is six feet tall in her bare feet, weighing around 145 lbs and a former three times champion of Russia in the long jump.
 - d. In the middle of October 2000 in plaintiff’s apartment while plaintiff and defendant were sitting on the couch in the living room, defendant threatened plaintiff with death by putting into plaintiff’s food some poison defendant he had brought from Russia with her or by having her Russian friends in New York kill plaintiff. Defendant had asked plaintiff, “Why are you afraid of me?” Plaintiff answered, “Because you could kill me.” Defendant responded, “That would be easy. There are many ways to do it. I could put some of the poison I brought from Russia in your food or have my friends here kill you.” Defendant kept in plaintiff’s apartment what she described as poison. Defendant told plaintiff she took a little to clean her body, but too much could kill. Plaintiff has kept some of this substance. Defendant’s diary shows she put some unknown substances in plaintiff’s food just before they got married. Diary p 42; p 105. Plaintiff’s doctor in the US later described plaintiff’s symptoms from those unknown substances as similar to opiate poisoning or some other narcotic.

- e. In the beginning and the end of November 2000 in plaintiff's apartment, defendant threatened plaintiff by saying that after she moved out of plaintiff's apartment something very bad, even death would happen to plaintiff because defendant would pay plaintiff back by having her Russian friends harm him.
- f. On Sunday January 28, 2001, in the afternoon, defendant and plaintiff met at the Virgin Coffee shop in Union Square to separate their insurance coverage. During the conversation, defendant kissed plaintiff full on the lips, long and hard. After the kiss, she whispered in plaintiff's ear, "You son of a bitch, if you do not help me get green card my Chechen friends will put you in the hospital, kill you or I will do it myself."

3. Verbal abuse

- a. Defendant repeatedly told plaintiff that he was mentally ill.
 - i. Diary June 25, 2000, "I recommended to him a psychologist...." P 46; p 120.

4. Sexual misconduct and emotional abuse

- a. Defendant refused to live with plaintiff in Moscow right after their marriage on March 11, 2000. Diary April 5, 2000, entry: "He (plaintiff) wrote to me a letter saying how it was difficult for him to be alone, how nice is his Russian teacher who helped him in everything. Frankly speaking, I cannot imagine what I will do with him in Moscow. Listen to his philosophy? To wash, to clean and to cook? And leave my mother all alone..." Diary pp 41, 42; p103. Defendant intentionally deceived plaintiff by providing false reasons for staying in Krasnodar. Defendant lied that her recovery from her laser eye operation of February 23, 2000, was not going well so she needed to stay close to her doctor, Diary p 42; p103, and that the paper work on transferring her house to her aunt would take until the end of May. Defendant's real reason for not living with her husband in Moscow was so she could pursue her promiscuous, partying life style in Krasnodar.
 - i. Diary April 5, 2000, entry, "Inna was preparing to a competition. We went to a party to MENTOS – it was nice! First Inna wanted to go to Tony, but she did not manage it because of the institute. In the competition Inna was awarded a title "Miss Charming" and "Miss Russian Radio" – all thanks to Morozov. Alena took the first place. After it we had such a party... I danced sometimes with Morozov and sometimes with one more young man from "Premiera" - Alexey. I danced so much that I was presented with a basket of "Silver Line" perfume. That young man began to speak on continuing our relation – openly. He is fanny... Then, when we went to the disco "Joy", Alexey told me that on wanted me and that I was driving him mad. He bought a bottle of Champaign. I was near to going with him..." Diary p 41; pp 101, 102.

- ii. Diary April 5, 2000, entry, "Katya and me went to discos. In "Joy" there was "Hit FM", nice music. Last time some boys wanted to get acquainted with us, but they did not succeed, because we sat to a taxi accompanied by guards. I tried to seduce Alexey, to get him, but nobody can help me to glue the ceiling." Diary p 42; p 105.
- iii. Diary May 19, 2000, entry, "On April 29 there was a show in dramatic theater. I was so glad to see Vitalik and my other acquaintances... A good show, it lasted for approximately 3 hours. There were 50 models participating in the show. There were no free places in auditorium. That night my mum and me met Easter. We were inside church. During procession we were nearly knocked down. Nevertheless, it was wonderful!" Diary p 43; p 109.
- iv. Diary May 19, 2000, entry, "Katya and me walked. It was raining; the weather was cool. We went to "Samson-16". My former bridegroom was there with his girl; he always takes her along. In the break he disappeared without leaving a trace. "Samson" began at 18 and ended at 00:05. Lilya won this competition. That girl who was trained by her mother did not even enter the top ten. . On the way from disco Katya got acquainted with Andrey, we went to his friend. I did not like. I went with Andrei and Katya to the same place I tried to seduce Alexei. When I was ready and said I was ready, it turned out that what Andrei wanted was a surprise. My friend Katya was against this and this upset Andrei and Andrei was left with nothing." Diary pp 43, 44; pp 109, 110.
- v. Diary May 19, 2000, "Ma went away and this time I did not bring anybody home with me although I wish I had. So I camee to Volodya. I told him that I want to go to a picnic out of the city. He began to refuse; he said that he had already gone out of the city with Vladik. I insisted and he admitted that he is married, he has a child (2 years old), and he had married in 1998. His wife is from Kazakhstan but she is Russian. He lied, he wanted me and continued to lie. I was shocked." Diary pp 44; pp 109, 110.
- b. In July 2000, defendant admitted to having continuing communications with Alfredo Ibarra with whom she committed prostitution and adultery in Italy in May 2000.
- c. In July 2000, defendant admitted having an affair in Krasnodar with a man named Valodya from St. Petersburg. Defendant said she and Valodya were both naked except she had her panties on and she helped Valodya finish but did not have intercourse with him while the two were at her friend Katya's house. This occurred on June 26, 2000, just days after plaintiff confronted defendant over the telephone on June 15 and June 16, 2000, with the discovery of her May 2000 trip to Italy to prostitute herself to Alfredo Ibarra. During the June 15 telephone conversation, defendant pleaded for another chance and promised to change, saying it would never happen again. Plaintiff's contemporaneous notes of the telephone call

state: "Roy forgive me, give me one last chance. I will try to correct mistake. Please give me last chance. I had sex with nobody else except Alfredo. I don't make any sex in Krasnodar during marriage. I tell you honestly. I tell you I was with nobody else. I don't want to speak lies in the future. I sorry for lies what I told." During the June 16, 2000, telephone conversation, my contemporaneous notes state, "You are only one man with whom I have serious relations. And to forgive is the higher moral principal. If you really love me, give me one last chance to renew my life. Because if you do not give me this chance, I do not have anything. I very big sorry. Only from 1999 do I see world. Before I had nothing. I make a lot of mistakes because I did not know the man. You great man, clever and wise, you taught me things. It was my mistake. I did not take you seriously. I thought you had wind in your head. You smart. But the more I like you is your heart. You very important in my life and I do not have anyone but you. Now we honest before each other. You not only friend, but specially love you. What you do for me is very important. I do not have too much experience. I make a lot of mistakes. I very big sorry. I feel myself very bad. I cry everyday. I have learned my lesson. I must respect you. All things you do, I appreciate. You were close to me. Your heart was not open. Before stupid mistakes, you was in my heart and stayed in my heart. All criminals in jail have chance to start new life. Before you, I am criminal. I ask you for a chance. I will try to change. Nobody wanted me to be honest before you. First man who take so serious honest and truth. In Russia no one wanted to be honest. Remember, I love you. You very important as person to me. Cannot forgive unless problem. If high intellect then forgive. I can change."

The following are defendant's June 25, 2000, diary statements concerning these telephone calls, "On Sunday a surprise waited for me but we came back on Monday. I was looking for Roy for 3 days but he appeared on the 4th day. (I went to the post office to send photos to Alfredo.)" Diary p 46; pp 119, 120.

"I was shocked. He told me that he knew everything in detail: about Milan, about Volodya, about the flat where he lived with his mother... I think that somebody has told him about it. Roy was with me everywhere – in Krasnodar and at home. All of it was so strange... I admitted that it was my fault. I did it. I begged for pardon. He disappeared for 2 days. I was telling him that forgiveness is the highest moral virtue. I asked him to give me my last chance. I lost hope that he would forgive me. He told me that he would never forgive me. I watched at everything with other eyes. He has an inferiority complex since his childhood, and he looks for truth to manage other people. But I am not a slave! I recommended to him a psychologist and he answered that he would agree I myself would be such a psychologist... The problem is in his real feelings to me. I am a stimulus for him. He sees ma as a real wife, but it is absurd... I will never see him as a real husband. On Sunday, when I was at Natasha's, he called me up and told me that he forgave me... He apologized for the time to think, for

the pain, which he had caused to me. But I must cease to meet and to speak to Alfredo. He sees in Alfredo his rival.” Diary p 46; p 120.

“I met Roma. I put on a black wig. We kissed a little. He is funny... At the exhibition I got acquainted with boys from St. Petersburg. We went to cafes, chattered, drank and then Katya hit with her sports bike a pole and I hit people.” Diary p 47; p 121.

Defendant’s July 6, 2000, entry, “We met once more those boys on Monday. We persuaded them to stay and go the next day. We ate salad, drank some wine and for the first time in my life I was drunk and kind... In the evening we went to Katya’s. We bought shrimps and wine. We kissed with Volodya, and I myself began it. That moment all my hatred to men came to the surface – I was like a tiger. In the morning I went home and Volodya and Vanya went to see me off. I stopped a car and the driver tried to accost to me. I let him touch a little my knees but saved some money. It was 5:30 in the morning.” Diary p 47; p 123.

In July 2000 postcard to Valodya, defendant writes, “This is Angelina. How are you. I am okay. It was really difficult to come here. It turns out that my boss (plaintiff) found out information about me from MVD and FSB. And now he watches me. I began to work. It is interesting. I like it a lot. I work about 8 hours a day. I dance. It is interesting to meet new people, to learn about different places. I think a lot about you and I miss you and it was great that we could understand each other. Do me a huge, huge favor, please, don’t tell anybody that I am here—noway. Only my mum knows about it and now you. I kiss you, I embrace you, I miss you.” (4 lip stick kisses on back of card.)

Around Christmas 2000, Alina and Valodya where in contact with each other when the both of them were in Russia, and in the early part of May 2001, they were both in Krasnodar. On or about May 10-14, 2001, at defendant’s instruction, her mother, Inessa Shiplina, gave Valodya defendant’s telephone number in the US and one of he modeling cards.

Interview with Valodya. Need written questions of Valodya

- d. In early August Alina said she wanted to go out with some of her “clients” at Flash Dancers. I said no and she complained.
 - i. I then found business cards from some of he clients in her bag that she always took to work.
 - ii. On one Nomura Manager’s card she wrote, “massage and kissed back.” Need certified translation and authentication.
 - iii. She admitted collecting business cards. Since she only wore tong panties, she would fold the cards and put them inside her. See various business cards.
 - iv. My telephone logs showed calls to one of her customers that she admitted pursuing. A private investigator tried to track the individual down but could not and concluded: “It is our opinion this person is most certainly hiding something but it is unclear as to the reasons for doing so. If there is a possibility anyone in your

home could be involved with ...unlawful activities, that would explain the secrecy involved here.” July 31, 2000 Report.

- e. For two nights August 7 & 8th defendant did not come home until 4:15 am, her usual time for returning from work. She said she was at work, but her work schedule showed she was off. See Work Schedule Week of August 7.
- f. In early September 2000, defendant engaged in an act of prostitution under NY State law in a private room at Flash Dancers. September 9, 2000, diary entry: “Besides, for the first time I went to a single room – I danced to a bearded man from TV. On Monday we sat there for 2 hours, I danced, I was so frightened. I allowed him to touch me. I received a pleasure.” Diary p 50; p 130.
- g. Defendant refused to permit plaintiff to accompany her on her vacation to Krasnodar and Cyprus in September 2000.
- h. In September 2000 in Krasnodar, defendant told plaintiff she “met” with three of her former clients when she traveled to Cyprus in September 2000. [Defendant also traveled to Cyprus at the end of April or beginning of May 2001]:
 - i. Rikos: In 1999 she engaged in sexual activity for makeup, silver necklace with her name on it, a necklace with heart made from pearls, she tried to get video camera for her mother from him but was unsuccessful (he kissed her between legs, Alina masturbated him, intercourse at least two times). Diary pp 3, 4, 5, 7; pp 6, 8-10, 16.
 - ii. Andreas: In 1999 he paid for entire day of work and paid her 50 pounds. Diary p 6; pp 11-12.
 - iii. Stephanos: In 1999 they had intercourse many times in return for money. Diary pp 12, 16; pp 28, 31, 35, 37
- i. Also in Krasnodar in September 2000 defendant said she never engaged in prostitution because afterwards, she goes to church and asks forgiveness, which God gives her, so it is as if it never happened. Then defendant told plaintiff, “If God can forgive me, why can’t you?”
- j. In October 2000, defendant told plaintiff that she used drugs to heighten her sexual experience with Mr. Ibarra when she engaged in prostitution with him in Italy in May 2000. Diary pp 44, 45; pp 112-14
- k. In October, defendant made repeated calls to the home number for Peter Petrovich, 233 E 60th, 212 829 1105.

5. Adultery

- a. Within one month of defendant’s wedding on March 11, 2000, she wrote in her dairy on April 5, 2000:
 - i. “My mum went yesterday in the evening to St. Petersburg. My God, help her! The most interesting event was Arsen with whom I got acquainted in trolleybus. He is tall (higher 2 m). He looked like a monster (good monster from a tale). He offered himself to help

me with aerial; he worked for 2 days, but TV image remained far from ideal. I began to step aside from him.” Dairy p 41; p 102.

- ii. “What I had with Volodya... I at last had made up my mind. He took keys from Vadik. It was an old, badly groomed flat (here hanged herself Vadik’s mother). We had some wine and made love. Afterwards he had a rest (I was cooling). He is good at making love. We had it twice and the second time he even did not prepare... I did not finish. He was preparing in an interest way. It is strange, but I doubt whether I would be able to finish if I did not meet a real man?” Dairy p 41; p 102.

- b. Within two and a half months of defendant’s wedding, from her May 19, 2000, diary entry: “Praise to God, on May 20 I came to Milan. The man in customs was a fool but I had a ticket and I did not fear. He spoke a little Spanish. He asked: “What for did you come?” That is not any damned business of his. Alfredo met me and we went to “Lloyd” hotel. He was so happy... He is the first real man in my life. He gifted to me small brilliants (golden ring, ear-rings and a chain). I gifted to him my portrait, caviar and sweets. We made love... In a few minutes I finished. Alfredo’s member is so large.”

“We went for a walk in Milan, talked to each other. The next day we went to Florence. It took 3 hours – we went by a speed train. In Florence we visited museums. There Alfredo gifted to me golden ear-rings and a golden ring with a garnet. When we went to Florence the train was practically empty and we touched each other, giving a start if somebody was passing by. We returned in the evening, approximately at 00:30. We were tired but we went to a disco where they played Latin American dances. We danced so good that a few girls began to dance with us.”

“The next day (May 22) in the morning we went to agencies but none of them was interested in me: they wanted another kind of girls - dark-haired and swarthy. It means that this is not mine. Then we went to Venice. We swam along channel in a little steamer. Then we went to a square where there was a church. We were there only for 4 hours but it was marvelous. Alfredo kissed me, told me that he wanted me, embraced me... Roy never behaves like that - he always fears something. He fears that I will take his money and he is always tensed. In the night we went back. Having come back we went to a nightclub. There were a lot of Russian girls, and we chose one for one drink – 25 dollars. Alfredo danced with a girl and then he went away for a talk with her. I pretended to be jealous and he made excuses tome. But after it we had a storm of a night. I could not finish for a long time but he took the first position – when I was lying on the back and my legs were raised in vertical position. Yes and also the drops worked. We slept only 3 hours in the night. Previous night he did not allow me to sleep – touched, caressed. And in the morning I again finished quickly. His member fits for [?]. And he is so happy when I finish... A wonder! And Roy is simply a fool. After it I can hardly expect that I will want him!”

“Alfredo gave me 600\$ and wanted to give 100\$ more, but I refused – he had done for me so much... My God, send to him health and happiness! In the street a woman asked him to buy her an ice-cream and he did it! A man at the station asked to give him some money – he had not sum sufficient to buy a ticket - and Alfredo gave money to him. This is what I call humanity. Alfredo has a very special soul and heart. My God, send to him all the best!!!”

“And now it is very important to me to extinguish all evidence. I closed package with adhesive tape and tried to hide gold and money. I hope so Roy did not learn anything. Amen!”

“I thank you my God for everything; bless me!” Diary pp 44, 45; pp 112-14.

6. In September and October, defendant intentionally inflict emotional distress on plaintiff by saying that her doctor in Krasnodar diagnosed her with a tumor on her gall bladder that could mean death. When defendant returned to the US, plaintiff took defendant to her doctor who arranged for a sonar gram. After the sonar gram, defendant told plaintiff that it confirmed her Krasnodar doctor’s opinion. Plaintiff talked to the doctor who analyzed the sonar gram, who said there was no tumor, just a fold in the gall bladder and there was nothing to worry about.
7. In April through July 2001, defendant concocted and executed with the assistance of her mother, Inessa Shipilina, a campaign that defamed, disgraced and belittled plaintiff to his employees and potential witnesses in these court proceedings in an intentional effort to prevent the discovery of relevant facts by threatening and intimidating plaintiff, plaintiff’s translators and potential witnesses:
 - a. Natalya Martys: (W) 39 04 11. On or about April 26 –27, Inessa Shipilina visited Ms. Martys’ office twice. Ms Martys said, “At first, she (Inessa) came into my office, she told me very bad things, also she told that you (plaintiff) are criminal, crazy, etc. In addition she told me that you'll never visit Russia again, because you are a criminal and our police know it. She forced me to say with whom you met in Krasnodar. After this she tried to force me to write a paper with number of my passport and current address for Court with detailed describing of your last visit into Krasnodar: each meeting, with whom and when.... I said: "O'k, see you tomorrow, I'll make this paper." When she left our office I called my lawyer, and she refused to make any paper without special request from Court. When Alina's mother came again, I told her: "I agreed to help to show the real matter of justice but you haven't any possibilities for this." She was very angry, she promised to locate me at the prison very soon. Yes, it was very unpleasant, you know. Also she told that you forced Alina to write her diary, she could kill me!” Natalya was frighten because Alina and Inessa have money from Alina’s prostitution and stripping work in New York and also have connections with Chechen gangsters.

On or about July 12th, Inessa sent to Natalya's home a forged court summons in an effort to threaten and intimidate her into no longer providing translation services to Roy. In addition to the emotional distress caused Natalya, she had to take the time to consult with her lawyer once again. Need copy false summons and certified translation

- b. Vera Ivananova Ivanasova (W) 59 66 95, (H) 32 06 51: According to Ms. Ivanasova, on or about the last week of April 2000 and the first week of May, defendant's mother, Inessa, went to Vera and threatened to sue her in court, accusing Vera of taking money from plaintiff to distribute defendant's diary. Inessa said some very negative things about plaintiff that Vera did not want to repeat in plaintiff's presence. Inessa told "everybody" in the Gymnastic Department at the Academy of Physical Culture that Vera was distributing the diary to people in the Academy because plaintiff had paid her money. Others in the Academy found out that Inessa was lying and made her apologize to Vera in front of the Academy instructors. Need written questions
- c. Anastasia Vasilejeva and her husband Dima (W) 55 74 63, 55 98 07: According to them, on or about April 23-28, defendant telephoned Anastasia and asked to come over and meet with Anastasia about her meeting the previous week with plaintiff. Anastasia refused. Later, Inessa telephoned Anastasia and asked Anastasia questions about her meeting with plaintiff. Inessa told Anastasia that plaintiff was a criminal. Inessa also talked to Dima. Then Alina and Inessa sent a message on Anastasia's pager that they know Anastasia had sold information to plaintiff, and they will meet in court. Anastasia was very scared over the situation and Dima was very upset. Need written questions
- d. Alexei Dikov (M) 63 55 58, 902 439 6706: On or about April 23-28: Inessa called Alexei to try to intimidate him into not talking to plaintiff. Need written questions
- e. Yevgeniy Martianov, (H) 62 31 37: On or about April 23-28: Inessa called Martianov to ask whether plaintiff had talked to him and had given him some papers. Inessa told him that plaintiff was a crazy person. Need written questions
- f. Dmitri Morosov (W) 56 00 23: On or about the last week of April or first week of May: Alina or Inessa contacted Morosov and defamed plaintiff. Need written questions
- g. Nadya Sanchez (W) 39 04 11: On June 13, 2001 at about 15:30: Inessa walked over to Nadya and plaintiff and tried to intimidate Nadya into giving Inessa her name. When Nadya refused, Inessa said in a very threatening manner, "If you work for Roy, you will get into a big mess." Nadya was scared because Alina and Inessa have money from Alina's prostitution and stripping work in New York and also have connections with Chechen gangsters. Need written questions
- h. Roy Den Hollander: On June 16, 2001, according to Alexei Dikov, Inessa called him looking for an FSB person to "deal" with the plaintiff. On June 17, 2001, in the morning, Inessa called plaintiff's driver in Moscow and

told him not to pick plaintiff up at the airport that night. Need written questions of driver When plaintiff arrived at the Krasnodar Airport to leave for Moscow, Inessa was standing with a militiaman and pointed plaintiff out to him and said a photograph was taken. Then Inessa followed plaintiff and his translator to the car and stood near the car apparently talking on her mobile telephone. Inessa's efforts were an attempt to intimidate plaintiff into not returning to Krasnodar to continue his investigation and to intimidate plaintiff's translator into not working for him.

- i. Larisa Novocelskaya, Editor "Улица Красная", 350000 г. Краснодар ул. Гоголя 52, (W) 55 93 09: On or about June 18-29, 2001, according to a reporter, Inessa visited the office of the editor of "Улица Красная" shouted and threatened her over an article the paper had printed in its April 30 – May 6 edition about the situation between plaintiff and defendant. Inessa also defamed plaintiff to the editor. The editor was intimidated into not reporting any follow up stories. Need written questions

8. Destruction of Plaintiff's Prized Personal Possession

- a. In August 2000 defendant intentionally smashed on the kitchen floor of plaintiff's apartment a prized memento coffee cup from plaintiff's former employer, Channel 5 News. Plaintiff learned of the incident by accidentally finding small pieces of the cup spread in a semi-circle in the foyer next to the kitchen. When plaintiff confronted defendant, she said she had gotten mad and smashed the cup and added, "You weren't meant to have it any more."

9. Effect of Defendant's actions on Plaintiff.

- a. As a result of the above actions by defendant, plaintiff visited a therapist, Dr. Arthur Gray, for one session in September and then beginning on November 8, 2000, plaintiff visited Irene Javors once weekly until February 7, 2001, just five days after service of defendant's Temporary Order of Protection.
- b. Various Friends

PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
[Draft 9/26/01]

October 4, 2001, Conference Responses

Reasons Want Annulment

1. This was my first marriage, in fact, I had never been engaged before. I opened my heart to this woman and ended up drugged, tricked, denigrated and used by her as if I were no more than a toy to satisfy her greed to make lots of money in the US sex industry. An annulment will help me partially wipe this very revolting experience from my everyday consciousness. It will help mitigate the emotional harm she recklessly caused me in her ruthless rush for money because an annulment, at least legally, says the marriage never occurred because I was defrauded into giving my consent. There is some solace in having a court say that I was tricked, albeit by a ruthless professional, which will enable me to put this incident behind me.
2. Justice. The fact situation satisfies the elements of annulment.
3. My financial obligation to reimburse the government if Alina becomes a public charge continues until she
 - a. Becomes naturalized citizen, will take 3 to 4 years
 - b. Works in US for 10 years,
 - c. Ceases to be a legal permanent resident, or
 - d. Dies.
4. An annulment dramatically increases the probability of Alina "ceasing to be a legal permanent resident" thereby reducing the time frame in which she may become a public charge.
5. Defendant does not want an annulment because it would lessen her chances of becoming a permanent resident.
6. At the Preliminary Conference, Judge Lobis remarked that an annulment would have an affect on Alina's immigration status. Alina's counsel said it would not, which was misleading in a Clintonesque manner. Whether the proceedings end in an annulment or divorce, the INS can terminate Alina's current status. Her status is called "Conditional Permanent Residency", which basically means she has a temporary green card for two years from the date of entry. The impact on Alina's future status, however, depends on whether an annulment based on fraud is granted or a divorce based on some other fault. After the marriage is terminated either by annulment or divorce, Alina can change her status to "Permanent Residency", which means a permanent green. But in order to acquire the permanent green card, Alina has to show that she did not marry me for immigration purposes that the marriage on her part was for bona fide reasons and not a sham. An annulment based on fraud will make it impossible for Alina to convince the INS that she married me for love and wanted to be my wife. That is why her attorney said that Alina still loved me and did not want a divorce. A divorce for adultery or cruel and inhuman treatment would give Alina a chance to

still prove to the INS that she married for love and not a green card and to obtain permanent residency.

Unprofessional Conduct by Mundy

1. Mundy's dissemblance about medical records showing I beat Alina.
2. Mundy's threat to use evidence of an alleged crime committed by Roy to obtain a favorable settlement for his client in a civil litigation—the extortion audiotape.
3. Mundy's veiled threat to embarrass me and deplete my assets if I did not help Alina obtain a permanent green card.

CENTER FOR RUSSIAN LAW

MOSCOW, RUSSIAN FEDERATION

Reply to: Attorney Xenia Menshova
mailto:Menshova@RussiaLaw.com

The Honorable Joan Lobis
Judge
New York

re: Roy Den Hollander

Dear Judge Lobis:

I represent Roy Den Hollander in the Russian Federation (RF). Mr. Den Hollander asked me to report on status of complaint brought by him in Krasnodar, RF, against Inessa Aleksandrovna Shipilina, citizen of the Russian Federation with registered place of residence in Krasnodar.

As of this day, 29 September 2001:

1. Under Russian criminal procedure, criminal case includes three stages of investigation:
 - a. Inquest, or pre-indictment preliminary investigation (*doznanie*);
 - b. Post-indictment investigation (*predvaritel'noe rassledovanie*);
 - c. Judicial investigation (*sudebnoe issledovanie*), that is, trial by judge or jury.
2. Investigative arm of the prosecutor's office (*prokuratura*) has now completed stage of inquest (*doznanie*).
3. On basis of the results of inquest, prosecutor's office initiated criminal case against Shipilina (closest Anglo-Saxon equivalent to "bringing a criminal" case is indictment) under article 129 of the Criminal Code of the RF, *Defamation*, that is, *dissemination of knowingly false information that will harm the honor and dignity of another person or undermine that person's reputation*.
4. Pursuant to Code of Criminal Procedure, Article 108, criminal case is initiated only after completion of preliminary investigation and only if investigation reveals probable cause and sufficient grounds for complaint.
5. Pursuant to Code of Criminal Procedure, Article 133, prosecutor must finish conduct of post-indictment investigation within period of two months (or such time as granted by court in extension) and either submit case for trial or dismiss it.

In summary, in judgment of City Prosecutor, pre-indictment inquest has shown sufficient grounds to bring indictment under charge of criminal conduct.

We are trying to fax to Den Hollander copy of indictment prepared by prosecutor.

I am available for telephone confirmation of this information at (7-095) 963-9834, but will be absent from office period 1 October-10 October.

Respectfully,



Xenia Menshova

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY CLIENT WORK PRODUCT**
[Draft 10/1/01]

Evidentiary Needs

[(**Court**) means court approval required. The issue to which it goes follows each evidentiary need.]

1. Complete original diary and authentication.
 - a. Finance
 - i. Occupation
 - ii. Income taxes erroneous
 - iii. Income false
 - iv. Apartment ownership
 - v. Valuable jewelry
 - b. Annulment
 - i. Married for green card
 1. Admissions
 2. Refusal to show normal affection
 - ii. Misrepresentations of love and affection
 - iii. Surreptitiously put narcotic like substances in food
 - iv. Concealed intent before marriage to commit adultery with Mr. Ibarra
 - v. Concealed criminal conduct
 1. Prostitution
 - vi. Misrepresentations as to premarital sexual conduct
 - vii. Concealment of immoral acts
 1. Fully nude stripping with sexual contact and bartering of sexual services
 2. Recruitment of girls for the sex industry
 3. Infidelity
 4. US tax evasion
 5. Defrauded Moscow agent of his commission
 6. Congenital dishonesty
 - c. [Cruel and Inhuman
 - i. Physical Threats
 1. Poison in food
 - ii. Verbal abuse
 - iii. Sexual misconduct and emotional abuse
 - iv. Adultery]
2. Production of all correspondence between defendant and plaintiff
 - a. Annulment
3. Production of both international passports
 - a. Annulment
 - i. Married for green card
 1. Refusal to show normal affection

- ii. Concealed intent before marriage to commit adultery with Mr. Ibarra
 - iii. Concealed acts inferring immoral character
 - 1. Shipment of cash overseas in violation of Custom's regulations.
 - b. Finance
 - i. Assets
- 4. Production of all telephone records for both mobile and home in both US and Russia since inception of marriage
 - a. Finances
 - i. Assets
 - 1. Different financial accounts
- 5. Production of all emails
 - a. Finances
 - i. Assets
 - 1. Different financial accounts
- 6. Production of any correspondence with men or women with whom she engaged in providing sexual services including lap dancing and stripping, prostitution or pornography or procuring for money before and after the marriage.
 - a. Finances
 - i. Income
 - ii. Assets
 - b. Annulment
 - i. Married for green card
 - 1. Admissions
 - ii. Misrepresented love and affection
 - iii. Concealed criminal conduct
 - iv. Concealed acts inferring an immoral character
- 7. Authentication of April 8 and 22, 2000, post cards from defendant.
 - a. Annulment
 - i. Married for green card
 - 1. Admissions
 - ii. Misrepresented love and affection
- 8. Authentication of two May 10, 2000, post cards from defendant.
 - a. Annulment
 - i. Married for green card
 - 1. Admissions
- 9. Authentication of September 11, 2000 wedding anniversary card.
 - a. Annulment
 - i. Married for green card
 - 1. Admissions
- 10. Written questions of **(Court)**
 - a. Alexei Dikov
 - i. Annulment
 - 1. Married for green card
 - a. Admissions

- 2. Concealment of acts inferring immoral character
 - a. Nude stripping
 - b. Advertised self on internet
- b. Alexei Smolin
 - i. Annulment
 - 1. Refusal to show normal affection
- c. Yulya Kudinova
 - i. Annulment
 - 1. Married for green card
 - a. Admissions
 - 2. Concealment of acts inferring immoral character
 - a. Bartering of sexual services
 - b. Recruitment of girls for sex industry
- d. Anastasia Vasiljeva
 - i. Annulment
 - 1. Married for green card
 - a. Admissions
 - 2. Concealed criminal conduct
- e. Lena
 - i. Annulment
 - 1. Married for green card
 - a. Admissions
- f. Natasha
 - i. Annulment
 - 1. Married for green card
 - a. Admissions
 - 2. Concealed criminal conduct
 - 3. Concealed immoral character
 - 4. Concealed dishonesty
- g. Clairvoyant
 - i. Annulment
 - 1. Concealed putting narcotic like substances in food
- h. Katya Gerokaris
 - i. Annulment
 - 1. Concealed criminal conduct
- i. Leonid Perlin, Moscow
 - i. Annulment
 - 1. Concealment acts inferring immoral character
 - a. Masturbation video
- j. Marc L. Paulsen, Torrance, Cal.
 - i. Annulment
 - 1. Concealment acts inferring immoral character
 - a. Masturbation video
- k. Valodya in St. Petersburg
 - i. Annulment
 - 1. Married for green card

- a. Refusal to show normal affection
 - l. [Vera Ivanasova
 - m. Martianov
 - n. Dmitri Morosov
 - o. Nadya Sanches
 - p. Valodya driver
 - q. Editor Krasnaya Ulitsa]
- 11. Authentication of copy of July 2000 post card to Valodya in St. Petersburg.
 - a. Annulment
 - i. Refusal to show normal affection
 - b. Cruel Inhuman
 - i. Sexual misconduct, emotional abuse
- 12. Subpoena records of Cyprus and Citibank bank accounts.
 - a. Finances
 - i. Income
 - ii. Assets
 - b. Annulment
 - i. Married for green card
 - 1. Other conduct that infers defendant's purpose was immigration to earn money
- 13. Authentication November 15 & 19, 1999, faxes.
 - a. Annulment
 - i. Misrepresented love and affection
- 14. Authentication February 7, 2000, Valentine Day's Card.
 - a. Annulment
 - i. Misrepresented love and affection
- 15. Dr. Gorny's medical records in which I describe effect of defendant's poisoning.
 - a. Annulment
 - i. Concealed putting narcotic like substances in food
- 16. Second international passport or apostille copy of dated application for second international passport or affidavit as to time necessary to obtain a passport.
 - a. Annulment
 - i. Concealed intent before marriage to commit adultery with Mr. Ibarra.
- 17. Authentication of masturbation video
 - a. Annulment
 - i. Concealment of acts inferring immoral character
- 18. Zygos nature of business
 - a. Annulment
 - i. Concealment acts inferring immoral character
 - 1. Nude stripping with sexual contact
- 19. Authentication and certified translation of Document 1
 - a. Annulment
 - i. Concealment immoral character
 - 1. Infidelity
- 20. NY State definition of prostitution

- a. Annulment
 - i. Criminal conduct
 - b. Cruel Inhuman
 - i. Sexual misconduct, emotional abuse
- 21. Authentication June 18, 2000, letter with threat
 - a. Cruel Inhuman
 - i. Physical threat
- 22. Certified translation of Alina's handwriting on back of Nomura manager's card and authentication that it is Alina's handwriting
 - a. Cruel Inhuman
 - i. Sexual misconduct, emotional abuse
- 23. Roy's telephone logs for July to show repeated calls to one of Alina's customers
 - a. Cruel Inhuman
 - i. Sexual misconduct, emotional abuse
- 24. Natalya's email about Inessa's threats and copy with certified translation of false summons
 - a. Cruel Inhuman
 - i. Defamation, disgrace, belittlement
- 25. Subpoena defendant's work schedules at Flash Dancers
 - a. Finances
 - i. Occupation
 - ii. Income
- 26. Authentication of defendant's 2000 work schedules
 - a. Finances
 - i. Occupation
 - ii. Income
- 27. Millard & Associates as witness of defendant working at Flash Dancers, how many she or other girls do in a night and amount she or other girls pay the club nightly to work there.
 - a. Finances
 - i. Occupation
 - ii. Income
- 28. Subpoena Verizon and AT&T telephone records
 - a. Finances
 - i. Expenses
- 29. Subpoena defendant's Oxford Health Records
 - a. Finances
 - i. Expenses
- 30. Obtain directly from the IRS copies of defendant's tax returns
 - a. Finances
 - i. Expenses
- 31. NYC, NYS, IRS record keeping requirements and filings for lap dancing clubs that hire dancers as independent contractors who pay the club for dancing there.
 - a. Finances
 - i. Expenses
- 32. Authenticate defendant's safe deposit box contract

- a. Finances
 - i. Income
- 33. Evidence as to lap dancers income
 - a. Media reports
 - b. Columbia academic studies on lap dancing economics
 - c. IRS Administrative Reports
 - d. FOIA Dept Treasury
 - e. Books
- 34. Subpoena defendant's Citibank and Cyprus bank records since July 2000
 - a. Finances
 - i. Income
- 35. Subpoena Judy Vann Associates, International Performance Productions and Grace Del Marco records for defendant's income from work arranged by these agencies since August 2000.
 - a. Finances
 - i. Income
- 36. Subpoena apartment broker's record as to security deposit.
 - a. Finances
 - i. Expenses
- 37. Records of apartment and house ownership in Krasnodar
 - a. Finances
 - i. Assets
- 38. Page 2 of defendant's US 1040 for 2000
 - a. Finances
 - i. Income

PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT

(Draft 9/22/01)

Opening Statement and Summation Ideas

1. This is not your typical marriage gone wrong. It involves a pathological lying Russian prostitute who tricked the plaintiff into marrying her so she could immigrate to New York to work as a lap dancer and prostitute where such work brings more money than any other place in the world. She tricked the plaintiff not just by her talent to make people feel sorry for her, she can cry at will, but by putting substances in the plaintiff's food to make him more willing to go through with a marriage he was thinking of canceling.
2. Defendant's Law Violations
 - a. US Immigration and Nationality Act
 - b. US Tax Act
 - c. Russian Tax Law
 - d. Russian Criminal Code
 - e. Cyprus Law Against Prostitution
 - f. Mexico Law Against Prostitution
 - g. Mexico Immigration Law
 - h. Italy Law Against Prostitution
 - i. Italy Narcotics
3. Defendant's strategy was to trick plaintiff into believing she was a decent person who got a raw deal in order to make me feel sorry for her and to encourage in me the illusion that she was romantically interested in me. This way she knew I would be willing to spend his money, time, energy and effort to benefit her, and all she would have to do in return is to engage in sexual conduct and pretend to care about me.
4. She is like a female Dorian Gray except she wears her painting on her face instead of keeping it in the attic.
5. After plaintiff learned about a couple of defendant's adulterous activities through the end of May, defendant again deceived plaintiff by convincing him to bring her to America by promising that she would change and be faithful. She begged for one last chance, she cried and pleaded that she had nothing in Krasnodar. However, in America she continued to pursue men sexually, especially her customers, and maintained contacts with previous clients and lovers.
6. [When Alina was young, probably 16, she decided that her goal in life was to make money off of men by using her looks, body and a false but pleasing personality. Besides satisfying her greed, her strategy would enable her to achieve vengeance against men in general by tricking them into falling in love, lust or feeling sympathy for her. She planned to exploit those feelings for money and use them to cause men emotional pain. She promised herself she would not be a good girl but a user of men.

Her false personality communicates a childish innocence and naiveté that masks a cold-hearted malicious ruthlessness. She hates men and intends them only physical and spiritual harm.]

7. Alina will allow anything to be done to her for money, including taking it in the tail that she could not sit for three days.
8. Defendant sold plaintiff a fantasy.
9. Useful expressions
 - a. Plaintiff saw more in Alina than there was.
 - b. Alina's perspective is that she has lips to whisper lies, lips to kiss a man and make him suffer. She will treat men like slaves, make them suffer body and soul.
 - c. Alina is not exactly the sort of person she pretends to be, the blushing and schoolgirl manner stammering and crying.
 - d. Alina is real good, chiefly the eyes, throb in her voice and the tears. She is dangerous.
 - e. Alina tries to buy loyalty with sex.
 - f. Alina never played square with me for a half an hour at a stretch since I have known her.
 - g. Alina tries to elicit sympathy from men that she then uses to take advantage of them.
 - h. When I was living with her I felt as if I was a toad on a wet rock and a snake was looking at the back of my neck.
 - i. Alina is a big league blond, expensive babe who knows what she has got. All bubble bath and dewy morning and moonlight, but inside blue steel—cold, cold like ice only not that clean.
 - j. I am fighting the evil that has lurked in the female soul since creation
 - i. The vamp an unscrupulous female who uses her charms to exploit men.
 - ii. The false victim who pretends to have had her rights violated by evil men but in fact was the violator.
 - iii. Modern day feminazi who uses duplicity to exploit popular trends that blame men as the source of all the evil in the world; therefore, the denial of rights to any one man is justified.

- k. She is as hollow and empty as the spaces between the stars.
- l. She didn't look like a tramp; she didn't look like a crook. Which meant only that she could be both with more success than if she had.
- m. To her, money is more important than another person's feelings.
- n. She can take your last dollar from between your teeth and look at you like you stole it from her.
- o. An innocent face that hides more than a lying tongue.
- p. She manipulates men with complete disregard for the harm she may cause them.
- q. She is like the aliens in "Independence Day" except she goes from man to man exploiting and laying waste.

Winkler - J. said. 12/20/2001

SUPREME COURT OF THE STATE
COUNTY OF NEW YORK

-----X
ROY DEN HOLLANDER

Plaintiff,

Index No. 350091/01

-against-

ALINA A. SHIPILINA, a/k/a
ANGELAINA CHIPILINA,

Defendant.
-----X

**Supplement Demand
for Discovery and
Inspection**

PLEASE TAKE NOTICE, that pursuant to CPLR 3120 you are hereby required to produce and permit discovery by the defendant, or her attorneys, or someone acting on her behalf, the following articles, documents and things for inspection, copying, testing and photographing, at the law offices of KUBA, MUNDY & ASSOCIATES, located at 321 Broadway, New York, New York 10007, on the 9th day of November, 2001


1. Copies of all petitions, applications, papers, documents, forms, correspondence, receipts and information prepared and/or submitted and/or filed with the Immigration and Naturalization Service and/or any other agency and/or the American Embassy and/or Consulate, including but not limited to forms I-130 - Immediate Relative Petition, I-485 - Adjustment of Status Application, and G-325 - Biographical Data Worksheets, on behalf of the defendant, by Roy Den Hollander and/or the defendant and/or any authorized representative.

2. Copies of all petitions, applications, papers, documents, forms, correspondence, receipts and information received from the Immigration and Naturalization Service and/or any other agency, and/or the American Embassy and/or Consulate in response to the above.

PLEASE TAKE FURTHER NOTICE, that in the event of your failure to comply with the discovery notice, the undersigned will move for an Order of Preclusion.

PLEASE TAKE FURTHER NOTICE, that this demand shall be a continuing demand
up to the time of trial.

Dated. New York, New York
October 15, 2001



Kuba, Mundy & Associates
By: Paulette DeTiberiis, Esq.

AFFIDAVIT OF SERVICE

State of New York)
) ss.:
County of New York)

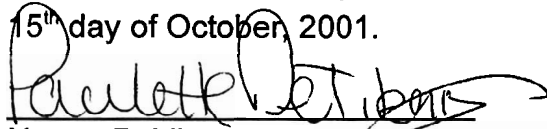
I, ALENA FARLEY, depose and say that deponent is not a party to this action, am over the age of eighteen (18) and reside within the State of New York and that on the 15TH day of October, 2001, I served a copy of the within SUPPLEMENT DEMAND FOR DISCOVERY AND INSPECTION, by ordinary mail within State of New York, addressed to each of the following persons at the last known addresses set forth after each name:

ROBERT MOSES, ESQ.
60 East 42nd Street, Suite 3210
New York, New York 10165

By: ordinary mail


ALENA FARLEY

Sworn to before me this
15th day of October, 2001.


Notary Public

PAULETTE DETIBERIS
Notary Public, State of New York
No. 02DE9036571
Qualified in Queens County
Commission Expires Jan. 31, 2002

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X

ROY DEN HOLLANDER,

: Index No. 350091/01

Plaintiff,

-against-

: JUDGMENT OF DIVORCE

ALINA A. SHIPILINA,

Defendant.

-----X

The plaintiff having brought this action for an annulment and a judgment of absolute divorce by reason of the cruel and inhuman treatment of the plaintiff by defendant and defendant's adultery, and the Summons bearing the notation "ACTION FOR DIVORCE" and the Verified Complaint herein having been duly served upon defendant within this State, and the plaintiff having first appeared by COHEN, GOLDSTEIN & SILPE, LLP, and then by his substituted counsel, ROBERT H. MOSES, ESQ., and defendant having appeared by KUBA, MUNDY & ASSOCIATES, and having interposed an Answer to the Complaint, and which Answer contained a counterclaim for a judgment of absolute divorce by reason of the cruel and inhuman treatment of the defendant by the plaintiff, and thereafter this matter having come on for inquest before me as one of the justices of the Supreme on November 2, 2001, and the parties having stipulated that plaintiff withdraw the causes of action for divorce based on defendant's adultery and his causes of action for an annulment of the marriage, and the parties having proceeded to inquest for dual divorces based

on defendant's cruel and inhuman treatment of the plaintiff and plaintiff's cruel and inhuman treatment of the defendant, and the pleadings were amended to conform to the proof, and such proof having been considered by me, and after due deliberation this Court having granted plaintiff a judgment of divorce, and defendant a judgment of divorce, I decide and find as stated in the separate FINDINGS OF FACT AND CONCLUSIONS OF LAW of even date herewith:

Plaintiff's address is 545 East 14th Street, Apartment 10D, New York, New York 10009, his Social Security Number is 141-40-7359, and defendant's address is 28-15 34th Street, Apartment 4H, Astoria, New York 11103, and her Social Security Number is 063-90-4695.

NOW, on motion of ROBERT H. MOSES, ESQ., attorney for the plaintiff, it is

ORDERED AND ADJUDGED, that the marriage between the plaintiff, ROY DEN HOLLANDER, and defendant, ALINA A. SHIPILINA, is dissolved by reason of defendant's cruel and inhuman treatment of the plaintiff [D.R.L. 170(1)] and plaintiff's cruel and inhuman treatment of the defendant [D.R.L. 170(1); and it is further

ORDERED AND ADJUDGED, that the written Agreement of the parties, dated November 2, 2001, a copy of which is attached to the Findings of Fact and incorporated in this Judgment by reference, shall survive and shall not be merged in this Judgment, and the parties hereby are directed to comply with every legally enforceable term and provision of such Agreement, including any

provision to submit an appropriate issue to arbitration before a single arbitrator, as if such term or provision were set forth in its entirety herein, and the Court retains jurisdiction of the matter concurrently with the Family Court for the purpose of specifically enforcing such of the provisions of that Agreement as are capable of specific enforcement, to the extent permitted by law, and of making such further judgment with respect to maintenance or support as it finds appropriate under the circumstances existing at the time application for that purpose is made to it, or both; and it is further

ORDERED AND ADJUDGED, that defendant is authorized to resume the use of her maiden name, to wit: Shipilina.

ENTER: *Ray Den Hollander v. Alina Shipilina*
Arden # 358091/01
000017 JBH

Consented to as to form and Substance and Notice of Settlement waived.

Kuba, Mundy & Associates
KUBA, MUNDY & ASSOCIATES
Attorneys for Defendant
321 Broadway
New York, New York

FILED
DEC 18 2001
COUNTY CLERK'S OFFICE
NEW YORK

STATE OF NEW YORK
COUNTY OF NEW YORK
I, NORMAN GOODMAN,
COUNTY CLERK AND CLERK
OF THE SUPREME COURT,
NEW YORK COUNTY,
DO HEREBY CERTIFY ON

DEC 20 2001
THAT I HAVE COMPARED THIS
COPY WITH THE ORIGINAL
FILED IN MY OFFICE OF

12-18-01
AND THAT THE SAME IS A
CORRECT TRANSCRIPT
HEREFROM AND OF THE
WHOLE OF SUCH ORIGINAL.
IN WITNESS WHEREOF,
I HAVE HERETO SET MY
HAND AND AFFIXED MY
OFFICIAL SEAL.

Norman Goodman
COUNTY CLERK AND CLERK OF THE
SUPREME COURT, NEW YORK COUNTY
FACSIMILE SIGNATURE USED
PURSUANT TO SEC. 903,
COUNTY LAW.

FEE PAID

12/12/01
JOAN B. LOBIS
Norman Goodman
Clerk

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

ROY DEN HOLLANDER,

Petitioner,

Index No. 350091/01

AFFIDAVIT IN SUPPORT

-against-

ALINA A. SHIPILINA,
aka ANGELINA

Respondent.

STATE OF NEW YORK
COUNTY OF NEW YORK ss:

Roy Den Hollander, being duly sworn, deposes and says:

1. I am the petitioner in this action for reformation of the Stipulation of Settlement because of FRAUD, DURESS, COERCION and OBSTRUCTION OF THE CIVIL LITIGATION PROCESS by Respondent and her attorneys. The Stipulation of Settlement, attached as Exhibit A, was entered into in the annulment/divorce proceedings Roy Den Hollander v. Alina A. Shipilina, Index No. 350091/01. Your Honor rendered a Judgment for Divorce along with Findings of Fact and Conclusions of Law, attached as Exhibit B, on November 2, 2001, in which the stipulation was incorporated but not merged into the judgment.

2. This motion requests reformation of the Stipulation of Settlement as concerns Maintenance and Support and Equitable Distribution as referred to in paragraph 5, Maintenance and Support; paragraph 2(a), Equitable Distribution of Property; paragraph 7, Mutual Release of General Claims; and paragraph 10 B, Full Disclosure, see Exhibit A, because Respondent and Respondent's attorneys engaged in a pattern of fraud, duress, coercion and obstruction of the civil litigation process in order to deceive and intimidate

Petitioner into relinquishing his claims for equitable distribution and maintenance and support; illegally obstruct Petitioner from discovering the true nature of Respondent's finances; and otherwise violate Petitioner's rights under New York State law so as to unjustly benefit Respondent. CPLR 5015(a) permits the Court to relieve a party from a judgment on the grounds of fraud, misrepresentation, or other misconduct of an adverse party. The Court of Appeals requires transactions between spouses, including settlement stipulations "to be free from the taint of fraud and duress." Christian v. Christian, 42 N.Y.2d 63, 69, 396 N.Y.S2d 817 (1977).

3. During the annulment/divorce proceedings before Your Honor and continuing to the present, Respondent, with the connivance and assistance of her attorneys, has engaged in a methodical, cold-blooded cabal that has trampled Petitioner's rights as a human being and driven him into a state of deep emotional despair, depression and anxiety which prevents him from finding gainful employment commensurate with his experience and education, see attached Resume as Exhibit D, and necessitates the daily use of prescribed psychotropic medication, Paroxetine HCL at 40 mg a day.

4. The conspirators used attempted coercion and blatant misrepresentation by Respondent's attorney, Nicholas J. Mundy. During discussions last year with one of Petitioner's divorce attorneys, Amy Saltzman, Mr. Mundy stated he possessed an audiotape of Petitioner trying to extort money from Respondent. Mr. Mundy's clear implication was that unless Petitioner agreed to Respondent's demands for settlement, than the tape would be used to accuse Petitioner of a crime, cause criminal charges to be instituted against him, or expose or publicize the tape in order to subject Petitioner to contempt and ridicule. In addition, Mr. Mundy made a boldface misrepresentation to

another of Petitioner's attorney, Judith Bader-York, when he told her that he possessed medical records showing that Petitioner repeatedly beat Respondent. As a result of Mr. Mundy's actions, Petitioner instituted Disciplinary Proceedings against Mr. Mundy in December 2001, see attached Disciplinary Complaint, Answer and Response as Exhibit E.

5. Respondent and her attorneys demonstrated a callous disregard for the orderly pursuit of justice by intentionally obstructing Petitioner's legal efforts to engage in pre-discovery investigations in order to identify financial assets and potential witnesses, New York Practice Guide: Domestic Relations, Matthew Bender, 3.12[12]. Respondent, most likely on advise from her attorneys, directed her mother to obstruct, interfere and otherwise vitiate Petitioner's search for witnesses and relevant evidence in Krasnodar, Russia. Respondent's mother defamed Petitioner as crazy and a criminal to potential witnesses interviewed by Petitioner and others whom Respondent thought Petitioner would interview with the aim of convincing them not to cooperate with Petitioner's investigation. Those whom Respondent's mother couldn't convince with her defamation were threatened. The threats included the use of criminals and disreputable policemen whom Respondent could easily afford to hire in Russia with the over \$12,000 a month in cash she earns as a lap dancer at the topless club on Broadway called "Flash Dancers". The economic buying power of a dollar in Russia equals about ten dollars in America. In addition, Respondent is known to associate with both Russian and Chechen gangsters in Russia.

6. Many of the above acts of obstruction occurred while Respondent was in Krasnodar on vacation. Respondent didn't personally engage in tampering with potential

witnesses but rather directed her mother to illegally interfere with the civil litigation process because her mother was not under the jurisdiction of this Court. A nice legal technicality that Respondent, not a lawyer and not an American, did not know about until her attorney's advised her on how to hamper Petitioner's efforts to uncover the true nature of Respondent's finances.

7. In reaction, Petitioner contacted a Krasnodar attorney who advised that the Russian courts could not prevent Respondent and her mother's interference in Petitioner's investigation, but the Krasnodar Prosecutor could indict Respondent's mother for defamation, which was a crime in Russia. Petitioner's attorney advised that the indictment might deter Respondent's interference.

8. At a conference before this Court on October 4, 2001, concerning the status of the annulment/divorce proceedings, see attached Preliminary Conference Stipulation as Exhibit F, Petitioner, who was already gravely upset by Mr. Mundy's earlier coercion attempt and misrepresentation and by Respondent's successful campaign of intimidating potential witnesses into silence, now realized that without his consent, Petitioner's prior attorney relinquished Petitioner's right to a trial on fault. Petitioner strenuously argued for a chance to prove fraud and adultery by Respondent at a trial. Your Honor stated that Petitioner would need to make a costly motion to set aside the stipulation of no trial on the issue of fault. Petitioner, reeling from the unrelenting onslaught on his rights, clearly understood that the Court had wanted all along for the case to disappear. Without any concern for the egregious nature of the harm Respondent, a woman, caused Petitioner, a man, the Court assumed the shortness of the marriage justified assigning the case to the black hole of expediency.

9. In the days after the conference, Petitioner struggled to decide whether justice could ever be attainable under these conditions, in this country, during this day and age or was Petitioner up against an array of forces, both individual and societal, that for differing reasons wanted him to go quietly into the night.

10. While Petitioner tried to decide whether to take arms against a sea of unjust troubles by filing a motion for a trial on the issue of fault, Respondent wasted little time in launching her next vicious attack on Petitioner's rights as an American citizen and his psychological well-being. Shortly after the conference, Petitioner received a telephone voicemail one evening from a man calling on behalf of Respondent. With malice and threats dripping from the tone of the man's voice, his message, interspersed with caustic denigrations, made it amply clear that if Petitioner went ahead with his motion, this shadowy threat would soon seek vengeance against Petitioner. Petitioner's soul flooded with fear at this Russian tactic for winning a court case. A transcript of the voicemail follows, but it does not convey the intimidation of the man's voice, so attached is a recording as Exhibit G:

"Roy Den Hollander, how are you? This is John Madison calling on behalf of Angelina. Your ex or soon to be ex-wife (inaudible). Now that she is getting new counsel¹, and mainly we're going to challenge every answer to your filings, every aspect of this marriage, being that it originated in Russia. And basically try to understand that because of the fact that things didn't work out, your malicious actions are basically going to be very carefully reviewed, not only by the proper authorities, but also under every ledger of the lawyer. We will challenge every single aspect of your filings and of this case. And I assure you one thing; we're not going to basically keep our eyes closed to this issue. We are going to basically be looking at this very carefully, and we will challenge you on every aspect. I assure you of one thing on this arbitration hearing, I will be attending.

And as far as everything else goes, I can tell you first hand with all due respect that I'm disgusted by the way you handled it. And quite frankly, I question every single bit of your motions and your filings. And, I assure you one thing, that this issue is definitely

¹ Respondent never obtained new counsel, and in a later telephone conversation, "John Madison" denied being a lawyer.

going to be an issue that you're going to have to face up to reality on my friend. So as far as it goes, I will leave you with that. And I will try to reach you at home to see if you are there.

But in the meantime, bear in mind that this case is not going to go basically with her lying down and being abused over this whole issue. And you trying to take advantage of the situation and try to claim all these (laughter) basic unfounded claims against her. Which basically have no foundation whatsoever. On the other hand, it really reflects on you on how you've handled this, and that a lot of your issues are very questionable. So, never the less, I will be trying to get in touch with you and have yourself a nice day."

11. Petitioner feared this lurking phantom that probably inhabited the netherworld of crime, sex and sleaze in which Respondent lived and worked. Respondent, a lap dancer for the topless club Flash Dancers, see attached Affidavit of Service Exhibit H, likely recruited with money or comely charms one of the hoodlums who haunts that club, which is well known within law enforcement circles as operated by organized crime.

12. Petitioner, whose legal career included working as an associate at Cravath, Swaine & Moore and managing the Moscow office for the security-investigative firm Kroll Associates, couldn't grasp what was happening. Had civilized laws and values of fair play become as useless and perverted in America as in Russia? Were threats, intimidations and lies acceptable tactics in proceedings before the New York State Courts as they were in the Russian judicial system? Petitioner, scared and dumbfounded, went to the police, but they only laughed at him. Probably because he was a man, and a man in modern day New York has very few rights, just like the average citizen in Russia. The police didn't care that this character from a gangster movie could walk up to Petitioner in the street at any time to carry out Respondent's instructions. If the sexes of the parties had been reversed, the police would have jumped at the chance to help the Petitioner, but unfortunately an accident of nature left Petitioner defenseless thanks to recent politically correct trends in American society. Weary of fighting a legal system that didn't care

what harm came to Petitioner, what rights of his were violated, so long as Respondent, a woman, got what she wanted, Petitioner threw in the towel and gave the Court and his wife what they wanted: a settlement. Petitioner hoped these modern day feminists and the stripper Respondent would finally leave him alone. He should have known better.

13. With the divorce finalized, Petitioner started to recover from the trauma of an adulteress wife who adeptly hid the reality of her ruthless prostitute soul, see attached Exhibit I certified English translation of Respondent's diary in which the word "finish" means "orgasm" and "we" often means "I", pages 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 16, 44-45, and secretly fed him unknown substances, apparently narcotics, with complete disregard as to whether an allergic reaction might harm or kill Petitioner, see Exhibit I, pages 42, 48, all in order to make sure Petitioner married Respondent, so she could travel to America to satiate her greed in the world's number one market for selling sexual favors as a lap dancer, prostitute or the star of porno films such as the masturbation video she made for cash, see Promotional Clips of Ms. Shipilina's Masturbation Video attached as Exhibit V. Even the demeaning experiences of a judicial system seething with hatred for men began to fade including the time when one female judge and her female clerk in the Queens Family Court laughed at Petitioner for requesting a Temporary Order of Protection against Respondent, see attached Petition Exhibit J. In spite of all these assaults, Petitioner started to pick up his life after nearly two years of hell to search for a job. But just when life seemed worth living again, terror struck once more over the telephone.

14. In February 2002, the personified nightmare of barbarity at the direction of his evil queen once again reached out to crush Petitioner on behalf of Respondent by

delivering an even more vitriolic vituperative assault on Petitioner's right to live free of duress in a society supposedly ruled by laws and not women. The clear message with imminent harm stalking the connotations was Petitioner should "cease and desist" cooperating with the prosecutor in Krasnodar, Russia, that indicted Respondent's mother for the Russian crime of defamation, see Indictment attached as Exhibit K, and Petitioner should not appear at any immigration proceedings to claim that Respondent married Petitioner solely to obtain a permanent green card, see attached Exhibit I, pages 41, 46.

This time the procurer of fear said with an even more menacing tone on Petitioner's voicemail:

"Mr. Hollander, this is John Pierre, and I left you a message earlier on. And I did speak with you but apparently for whatever reason, you obviously weren't available to talk. I'm giving you a courtesy phone call.

I'm going to tell you to cease and desist with your actions against Angelina. I will tell you right now that what you're doing, I know everything about you. I know exactly what you have been doing and you're past history and your record. I know everything about you sir.

I liked to explain to you what's going to happen. If you continue harassing and making this girl's life miserable, I will promise you that everything under the law and under my ability to do so under the law, I will pursue you in every way shape and form imaginable under the law, and make sure that justice is done because right now you disgust me. As a human being, I am just so disgusted with everything about you and what you've done to this girl. More than some pathetic form of display of inhuman treatment—you've gone beyond that sir. I'm very much available! And let me tell you something that I am extremely well known in this city, and I know everything about you. You better get your act together, and I am telling you this under fairness and courtesy—cease and desist with what you are doing to this girl and her family and the way you try to (affect) her in her country. Because you, my friend, are right now going to be under investigation if I hear one more word that this is happening. And it's not going to be by me, but the federal government. And you at this point in time have crossed several boundaries that cause for a lot of red flags to (wave) in the air my friend.

So, quite frankly, right now I would be basically on my good behavior. All I'm telling you do the right thing Mr. Hollander, it obviously is the best thing to do. Be human and be courteous and understanding of other people's feelings and their lives. I think you guys are over and done with. That's it—leave her alone! Have a nice day."

Once again, a recording of the message more clearly communicates the evil at work here and is attached as Exhibit L.

15. The Krasnodar Prosecutor indicted the Respondent's mother on January 25, 2002, but there wasn't anything Petitioner could do to prevent that. Once the Russian criminal justice system took up the case, it was out of his hands. The only reason Petitioner went to the Prosecutor in the first place was to keep the Respondent and her mother from obstructing his search for potential witnesses and financial information, which, like a foolish male, Petitioner believed at the time was his right under the law, even in a matrimonial case in New York County.

16. Petitioner sunk back deeper into despair and dread. Back in October 20001, he did what the Respondent, her attorneys, the Court and the messenger of intimidation wanted him to do by not pursuing a trial on fault in the annulment/divorce proceedings, but Petitioner's manifest plead for peace through his obsequiousness fell on callous hearts. The threats were now back, meaner than ever. Every time Petitioner left his apartment, he didn't know which man might be the one moving in to carry out Respondent's threats. Fear stalked Petitioner wherever he went while nightmares haunted his fitful sleep.

17. Petitioner went to the police and filed a complaint, attached as Exhibit M, but New York's guardians of the public safety quickly closed the case telling Petitioner they didn't want to expend the resources trying to find the intimidator. At least they didn't laugh at him this time. Petitioner went to the Federal Bureau of Investigation that tracked down the man who probably made the calls, but the self-proclaimed protectors of freedom decided not to interrogate the caller because it might antagonize this goon into

harming Petitioner. Now Petitioner knew for certain that truth, justice and the American way no longer existed in this country; he might as well be back in Russia where the police protect the criminals rather than the prey.

18. The Respondent's modus operandi of moral turpitude in using gangsters to intimidate witnesses next manifested its foul tactics in Krasnodar, Russia, against witnesses who testified against Respondent's mother during the prosecutor's inquiry into the criminal defamation charge. According to Petitioner's attorney, a number of the witnesses received threats from Chechen criminal thugs to change their testimony, which they did.

19. Respondent and her attorney's premeditated war to intimidate and psychologically destroy Petitioner in order to prevent him from interfering with their questionable efforts to obtain a permanent green card for Respondent, a defrauder of the Immigration and Naturalization Service (INS), next resulted in Respondent, to the best of Petitioner's knowledge, resurrecting a complaint filed in June 2001 alleging the violation of a Temporary Order of Protection against Petitioner that was dismissed in July 2001. Respondent's attorneys apparently advised her to resurrect the complaint made last year, but on which no action was taken, in order to further pressure Petitioner into not cooperating with the INS and backing off of a Disciplinary Complaint for attempted coercion and misrepresentation filed by Petitioner against Respondent's attorney, Nicholas J. Mundy, see attached Disciplinary Complaint, Answer and Reply Exhibit E.

20. At around the same time that Petitioner received notice of the resurrected complaint and likelihood of his arrest based on the outdated complaint, Respondent's purveyor of intimidation called Petitioner once more in an obviously prearranged plan to

eliminate Petitioner from any further interference in Respondent's nefarious plans by delivering a combination blow—hit him low then hit him low again. On this occasion the crier of threats who left the previous two messages, one in October 2001 and one in February 2002 hammered Petitioner with a succinct ultimatum:

Mr. Hollander, this is John Pierre calling on behalf of Angelina. I told you before to cease and desist with your legal actions. I'm warning you do not testify before the INS or we will meet. (In the background, Petitioner heard Respondent say 'About my mother and the prosecutor.') And do not try to get the case in Russia reopened. We're watching you, have a nice day.

21. Panicked and shaken, Petitioner took the only recourse left to him by obtaining a Temporary Order of Protection and Petition against Respondent, attached as Exhibit O, in the hope of convincing Respondent to call off her dog.

22. The brutally soulless manner in which Respondent and her attorneys used coercion, duress and obstruction of the civil litigation process to not only deny Petitioner his rights but to punish him for exercising those rights have driven him into severe emotional and psychological depression and suffering that prevents him from obtaining gainful employment commensurate with his education and experience. In order to provide Petitioner with the means for psychological assistance and material support until Petitioner sufficiently recovers from the trauma intentionally inflicted on him by Respondent, maintenance and equitable distribution should be provided by Respondent who continues to make well over \$12,000, mostly in cash, a month from stripping, modeling and other activities and who amassed over \$50,000 from the time of the marriage to commencement of the annulment/divorce proceeding.

23. Newly discovered evidence also clearly shows that Respondent with the aide of her attorneys by suborning perjury engaged in fraud by filing a Net Worth Statement,

attached as Exhibit P, riddled with misrepresentations and omissions with the intent of deceiving the Court and Petitioner into believing Respondent had no assets, low earnings capacity and only earned a paltry \$18,000 a year when in fact she makes approximately \$130,000 a year, mostly tax free, while Petitioner on the other hand faces economic disaster and poverty as a result of foregoing opportunities in order to assist Respondent in building the legal part of her career in America.

24. Specifically, Respondent intentionally misrepresented or omitted the following items on her Net Worth Statement, attached as Exhibit P, all of which defrauded the Court while many, such as gross income and Flash Dancer expenses, defrauded Petitioner:

III. GROSS INCOME:

Respondent's tax returns for the year 2000 indicate her gross income at \$18,861, which is the same amount she reported on her Net Worth Statement as her total gross income for the entire year preceding July 26, 2001. This implies she earned nothing in the first half of 2001. Whether the amount reportedly earned was for the year 2000 or the year ending July 26, 2001, it is still perjury intended to defraud the Court from carrying out its duties under the law and trick the Petitioner into relinquishing his rights to maintenance and equitable distribution. Respondent's gross income for 2000 from stripping at Flash Dancers alone was around \$48,000 and for the year prior to July 26, 2001 about \$120,000, as indicated by an Internet site set up by lap dancers that states the average take home pay after club fees for a dancer at Flash Dancers as \$500 a night, see Club Reviews by Dancers, attached as Exhibit Q. The girls at Flash Dancers are required to work five nights a week. Respondent also failed to include income from Judy Vann

Associates, International Performance and Productions and Grace Del Marco modeling agency, see attached Grace Del Marco Photo Card Exhibit R.

B. EXPENSES:

(b) and (o) Telephone and Cell

Respondent falsely stated the amount of her monthly telephone bill as around \$100.

Respondent maintains home telephone service with electronic answering and voicemail and a mobile telephone. Her mobile service for October 2000 alone totaled \$222.33, attached Exhibit S Mobile statement.

(f) Insurance-Medical

Respondent falsely claimed this expense as zero. Respondent and Petitioner jointly held an Oxford HMO plan from August 2000 to March 2001 that cost each of them about \$300 a month, attached Exhibit T Oxford Billings.

(l) Recreational – Vacations

Respondent intentionally understated recreational costs. On September 9, 2000, Respondent flew to Moscow, Russia, then onto Krasnodar, Russia, on Aeroflot. On September 18 or 19, she and her mother, at Respondent's expense, flew to Cyprus where they stayed at a five star hotel in Limassol until September 25th. On September 28, 2000, Respondent flew from Krasnodar to Moscow and on September 29 back to New York. Respondent took a second vacation on December 21, 2000, when she flew to Moscow and then to Krasnodar on Aeroflot. She returned to New York City on January 18, 2001. For a third vacation during the last half of April and the beginning of May, Respondent traveled from New York City to Krasnodar via Moscow and, once again at her expense, she traveled with her mother to Limassol, Cyprus. Regardless of any bargains

Respondent may have wheeled, \$4800 on an annualized basis for the above four cited vacations appears a fiction just standing alone and without factoring in other vacations the Respondent may have taken during the one year preceding her swearing to the truthfulness of her Net Worth Statement.

(m) Miscellaneous – Beauty

As a stripper and part time model, Respondent strains credibility with her claim that she spent nothing every month at the beauty parlor. In truth, Respondent weekly obtained a pedicure because when she is on stage at Flash Dancers, where the girls advertise their assets before heading out into the audience to give one-on-one lap dances, Respondent's feet are just below the eye level of the men sitting around the stage who give her money. Whenever Respondent's customers divert their eyes from other anatomical parts, they can't help but see her toes, close up. In addition, whenever she participated in a private event, she normally had her hair done for around \$50.

(m) Miscellaneous - Other

Respondent intentional omitted her nightly expenses for lap dancing and stripping at Flash Dancers. A dancer has to pay management around \$100 a night. On top of that she must tip the disc jockey \$10 to \$15, the house mother who watches over the girls' possessions around \$15 and pay the hair stylist or cosmetician for their assistance. All totaled, Respondent probably paid out around \$140 each night or \$2800 for an average month since management requires all the dancers to work five nights a week. From July 17, 2000 to July 26, 2001, Respondent worked about 38 weeks, so her club expenses amounted to around \$26,600. For the four months she worked in 2000, her Flash Dancers' expenses were about \$11,200. In addition, Respondent intentionally failed to

state the expenses for her photo portfolio used in her attempt to become a model. Her portfolio shoot in August 2000 by Phillip Jarrell, attached Photo Card Exhibit R, cost her around \$400.

Respondent willfully and knowingly understated her expenses by tens of thousands of dollars in order to make the gross misrepresentation of her income appear credible to the Court and Petitioner.

IV. ASSETS:

A. Security deposits

Respondent failed to state the over \$1200 in security deposited with her landlord.

G. Real Estate

Respondent knowingly omitted her 50% ownership of an apartment at 138 Rashpilevskaya Street, Apt. 8, Krasnodar, Russia 350020, see registry deed attached as Exhibit U, whose value increased dramatically during the marriage. Respondent purchased the apartment with money she earned as a stripper, lap dancer and prostitute in Cyprus and Mexico City.

K. Jewelry

Respondent failed to include the numerous jewelry items she earned in return for providing sexual favors to her customers as stated throughout her diary, see Exhibit I.

A. FAMILY DATA:

(m) Occupation

Respondent failed to include her occupation as a stripper and lap dancer. Her tax returns, which are included in her Net Worth Statement, Exhibit P, stated her occupation in 2000 as bartending while her Net Worth Statement listed only modeling for both 2000 and

2001. Neither her Net Worth Statement nor Tax Returns listed her forty-hour a week occupation as a lap dancer and stripper at Flash Dancers. Respondent continues to work mainly as a stripper at Flash Dancers.

25. The blatantly false, misleading and obfuscating information in Respondent's Net Worth Statement was intended by the Respondent to not only fraudulently induced Petitioner into agreeing to relinquishing his rights to maintenance and equitable distribution but to make a mockery of the American judicial system as represented by this Court in an arrogant attempt to prove the superiority of the Russian way of duplicity and dishonesty in dealing with government officials, especially those who believe an innocent looking face with tearful eyes would never lie. As such, paragraph 5, Maintenance and Support; paragraph 2(a), Equitable Distribution of Property; paragraph 7, Mutual Release of General Claims; and paragraph 10 B, Full Disclosure of the Settlement Stipulation should now be reformed to provide Mr. Den Hollander with the maintenance and equitable distribution he justly deserves. At the very least the general right to a plenary hearing on the issues raised in this motion should be respected. See Schnoor v. Schnoor, 189 A.D.2d 809, 592 N.Y.S.2d 461 (A.D. 2 Dept. 1993).

26. Numerous factors justify Petitioner's request for maintenance. Petitioner has been unemployed since his unfortunate marriage to Respondent and currently has next to no income. Petitioner left the work force and forewent economic opportunities in Moscow, Russia, in order to contribute to the couple's economic partnership by assisting Respondent in increasing her earning capacity in the legal area of her work and also for the betterment of the marriage since Respondent desired to work in America. Petitioner provided numerous contributions to Respondent's career including legal and business

advice, introductions, information, household expenses and even home making. Given Petitioner's current psychological problems caused by Respondent, Petitioner is unlikely to gain employment in the near future. Petitioner's age at fifty-four makes it additionally difficult for him to find employment while Respondent at age twenty-six is still in her prime. Petitioner needs to defray psychiatric expenses and maintain his pre-divorce living standard as well as the time to regain the earning capacity he enjoyed before his marriage.

27. Petitioner is also justified in receiving a substantial portion of the marital property as evidenced by the following facts. From the wedding ceremony on March 11, 2000, to the commencement of the annulment/divorce action on February 13, 2001, Respondent grossed over \$50,000 working as a stripper and part time model. Respondent also made an undisclosed amount as a prostitute, but Petitioner wants none of that filthy money. Respondent's apartment in Krasnodar, Russia, which she failed to disclose on her Net Worth Statement, also dramatically increased in value during the same period. In addition, if it were not for the Petitioner's actions and sacrifices during the marriage, Respondent would not now enjoy the reputation, clientele and experience in the legal part of her work that dramatically enhanced her earnings capacity over the course of the marriage and continues to build her earning power, all of which is subject to equitable distribution. Hougie v. Hougie, 261 A.D.2d 161, 689 N.Y.S.2d 491 (A.D. 1 Dept. 1999), Elkus v. Elkus, 169 A.D.2d 134, 572 N.Y.S.2d 901 (A.D. 1 Dept. 1991). For example, Petitioner provided Respondent legal and business advise; introductions to professionals in the modeling, acting and recording industries; research and advise on finding and selecting a modeling agency; explanations and interpretation of conversations with

modeling agency managers; assistance in finding a Topless Club that did not condone prostitution; due diligence on free lance modeling job offers; drafting and reviewing of employment contracts; advice on taxes; assistance in planning her career; a rent free place to live; home making, which included cleaning, laundry, repairs and purchasing most of the food, paying most of the telephone and cable expenses; help in acclimating herself to the peculiarities of life in New York City along with warnings of its dangers; information and a tour of the different shops where she could buy outfits necessary for her work; and the emotional support and security necessary for an alien in a strange land to feel comfortable. During the same time, Petitioner lost around \$140,000 in his net worth. Even though Petitioner is a lawyer with an MBA, "the courts should treat all matrimonial litigants equally and should not prejudice nor penalize a spouse who is married to a non-professional who many nevertheless become an exceptional wage earner." Golub v. Golub, 139 Misc.2d 440, 527 N.Y.S.2d 946, 950 (Sup. N.Y. Co. 1988).

28. The following factors cry out for equitable distribution to the Petitioner:

A. The early part of a marriage often results in the greatest sacrifices and contributions; therefore, as in this case, a "spouse in a relatively short marriage should take a larger share than if the marriage had endured sufficiently long for both spouses to enjoy the later benefits of early efforts." N.Y.P.G.: Domestic Relations, 16.06[2][b] at 16-55.

B. Petitioner at the age of fifty-four is less likely to become self sustaining or gain new assets in the future, his time has past; whereas, Respondent at age twenty-six still has the most productive years ahead of her. In addition, Petitioner's current health problem, along with his age, make it less likely that he will be able to start a new life on an

equal footing with the Respondent, so Petitioner is entitled to a larger percentage of the marital property.

C. Petitioner contributed directly and indirectly to the economic partnership and Respondent's career, as specified in paragraph 26, which resulted in Petitioner sacrificing his own career opportunities as evidenced by Respondent's gross income for the year 2001 in excess of \$120,000 while Petitioner earned only \$2,000. In O'Brien v. O'Brien, 66 N.Y.2d 576, 498 N.Y.S.2d 743 (Ct.App. 1985), a spouse's sacrifice of her own career opportunities along with financial contributions represented an investment in the economic partnership. In Freyer v. Freyer, 138 Misc.2d 158, 524 N.Y.S.2d 147 (Sup. Suf. Co. 1987) the Court was required to consider the husband's homemaking contributions and that the wife's income exceeded the husband's by \$33,000 in determining equitable distribution.

D. Due to age and health, the Petitioner possesses less promising prospects, so a greater portion of the marital property would prove more advantageous to him. Jolis v. Jolis, 98 A.D.2d 692, 470 N.Y.S.2d 584 (A.D. 1 Dept. 1983).

E. During the marriage, Respondent willfully and maliciously deceived Petitioner into bringing her to America and giving up his own career opportunities so that Respondent could pursue the goddess of greed. Respondent not only didn't care about the harm she might cause Petitioner but, in fact, later engaged in a premeditated plan to psychologically destroy Petitioner on the sacrificial alter to womanhood. After the marriage, the Respondent embarked on a course of coercion, intimidation and harassment to punish the Petitioner for not lying to the Immigration and Naturalization Service so that she could easily obtain a permanent green card and later to prevent Petitioner from

providing information to the INS about her marrying him solely to obtain a green card. Of course, it was the Petitioner's duty as an officer of the courts to provide such information to a law enforcement agency charged with protecting the citizens of this country from undesirables such as Respondent whose viciousness is only curtailed by the limit of her finances. As such, justice calls for Petitioner to received a substantial portion of the marital property for which he sacrificed and continues to suffer so much.

29. No prior application has been made for the relief sought herein.

WHEREFORE, it is respectfully requested that Petitioner's motion be granted together with such other and further relief as this Court deems just and proper.

Sworn to before me on the
7th day of May 2002

/S/

Roy Den Hollander

/S/

Notary Public

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X

ROY DEN HOLLANDER,

Index No. 350091/01

Plaintiff,

-against-

Affirmation in Opposition

ALINA A. SHIPILINA a/k/a,
Angelina Chipilina,

Defendant.

-----X

State of New York)
) ss.:
County of New York)

NICHOLAS J. MUNDY, ESQ., an attorney duly admitted to practice law before all of the courts of the State of New York hereby affirms the following to be true under the Penalties of Perjury:

(1) That I am an attorney with Kuba, Mundy & Associates, the attorneys for defendant ALINA A. SHIPILINA a/k/a ANGELINA CHIPILINA (hereinafter "Shipilina" or "Defendant"), and as such I am fully familiar with all of the facts and circumstances to which this affidavit relates. (I base this affirmation on the files maintained by my office and the Court, and on conversations with my client.)

(2) I submit this affirmation in opposition to the instant motion of the plaintiff pursuant to CPLR 5015(a) seeking "reformation of the Stipulation of Settlement" dated November 2, 2001, which Stipulation of Settlement was incorporated, but not merged, into the Judgment of Divorce between the parties dated December 12, 2001.

Background

(3) The above-captioned action is a settled divorce matter. The parties were married in the City of Krasnodar, Russia on March 11, 2000. A copy of the parties' Marriage Certificate with English translation is attached hereto as Exhibit "A".

(4) On or about February 13, 2001, plaintiff commenced this action by filing of a Summons with Notice seeking a judgment of divorce, *grounds adultery & CAZ* or in the alternative, a judgment annulling the marriage between the parties (Exhibit "B"). After service of a Notice of Appearance and Demand for Complaint by defendant's counsel on March 12, 2001, plaintiff served and filed a Verified Complaint dated June 21, 2001 (Exhibits "C" and "D", respectively). Defendant served and filed an Answer with Counterclaim for Divorce based upon cruel and inhuman treatment on July 16, 2001 (Exhibit "E").

(5) A Preliminary Conference was held before the Honorable Joan B. Lobis, J.S.C., on July 26, 2001¹. Plaintiff was represented by Amy Saltzman, Esq. and Steven Silpe, Esq. of the law firm of Cohen, Goldstein and Silpe, LLP on that date. The parties agreed on that date "fault will not be an issue", and that only matters of maintenance and equitable distribution need be addressed. A copy of the resulting Preliminary Conference Order is attached hereto as Exhibit "F".

(6) On or about September 17, 2001, plaintiff's counsel Amy Saltzman, Esq. telephoned Paulette DeTiberiis, Esq. of this office to advise us that plaintiff was retaining new counsel. Discovery in this matter had been proceeding at a steady pace.

Incorrect

False ¹ The first Preliminary Conference was originally scheduled for June 21, 2001. The conference was adjourned to July 26, 2001 when plaintiff and his counsel failed to appear.

(7) Pursuant to the aforesaid Preliminary Conference Order dated July 26, 2001, a Compliance Conference was held before Judge Lobis on October 4, 2001. Plaintiff was represented by new counsel, Robert Moses, Esq., on that date.

(8) In the following weeks, an open line of communication existed between Mr. Moses and Ms. DeTiberiis concerning case settlement. At the end of October, 2001, a mutually agreeable settlement was reached by the parties. Plaintiff's counsel undertook to draft the final Stipulation of Settlement, Findings of Fact and Conclusions of Law and Judgment of Divorce. A mutually agreeable date, November 2, 2001, was scheduled for Inquest before the Court.

(9) On November 2, 2001, the parties appeared in Court with counsel. The mutually agreeable Stipulation of Settlement was executed and acknowledged by the parties in open Court that day. An Inquest was held before Judge Lobis at this time, and the terms of the Stipulation of Settlement and parties acceptance thereof was read into the record. Copies of the fully executed Stipulation of Settlement, Findings of Fact and Conclusion of Law and Judgment of Divorce are attached hereto as Exhibits "G", "H" and "I", respectively. A transcript of the Stipulation of Settlement allocution and Inquest is attached hereto as Exhibit "J".

Argument

(10) It is well settled, that "Stipulations of Settlement are favored by courts and are not to be lightly set aside, particularly where the terms of the stipulation were read into the record and the party seeking to vacate the stipulation was represented by counsel" (see, Matter of Galasso, 35 N.Y.2d 319, 321, 361 N.Y.S.2d 871, 320 N.E.2d 618; Daniel

v Daniel, 224 A.D.2d 573, 639 N.Y.S.2d 713; Bossom v Bossom, 141 A.D.2d 794, 529 N.Y.S.2d 1022). Relief from a stipulation will be granted only upon a showing of good cause sufficient to invalidate a contract, such as fraud, overreaching, duress, or mistake (see, Hallock v State of New York, 64 N.Y.2d 224, 230, 485 N.Y.S.2d 510, 474 N.E.2d 1178; Zwirn v Zwirn, 153 A.D.2d 854, 545 N.Y.S.2d 683). Courts will not set aside a stipulation simply because, in hindsight, a party decides that the agreement was improvident (see, Kazimierski v Weiss, 252 A.D.2d 481, 675 N.Y.S.2d 124; Warren v Rabinowitz, 228 A.D.2d 492, 644 N.Y.S.2d 315; Javarone v Pallone, 234 AD2d 814, 815, appeal dismissed 89 NY2d 1030, 90 NY2d 884).

(11) Furthermore, a Stipulation of Settlement with respect to property, custody, and support issues in a matrimonial action, which is placed on the record in open court and which is fair on its face, will be enforced according to its terms unless there is proof of fraud, duress, overreaching, or unconscionability (see, Christian v Christian, 42 NY2d 63, 73; Wilson v Neppell, 253 AD2d 493).

(12) "It is firmly established that open-court Stipulations of Settlement made by parties who are represented by counsel will not be cast aside lightly" (Sheridan v Sheridan, 202 AD2d 749, 751; see, Vermilyea v Vermilyea, 224 AD2d 759, 760; Brender v Brender, 199 AD2d 665, 666; Matter of Flournoy v Porter, 188 AD2d 465, 466; Washo v Washo, 170 AD2d 827, 828).

(13) In the case at bar, the plaintiff is requesting "reformation" of a Stipulation of Settlement entered more than seven (7) months ago. Specifically, plaintiff seeks reformation "to provide plaintiff with maintenance, support and equitable distribution" (see plaintiff's Notice of Motion at Page 1).

(14) The Stipulation of Settlement entered between the parties in this action was, and still is, fair, reasonable and equitable. The parties were married on March 11, 2000. The plaintiff filed for divorce on February 13, 2001, less than one (1) year later. The plaintiff was represented by the attorney of his choosing throughout the entire proceeding. Moreover, the plaintiff himself is an "attorney with an MBA" (see affidavit of plaintiff dated May 25, 2002 at Page 18) who had been intimately involved in the litigation from its inception, relieving two prior attorneys from representation before finalizing settlement negotiations represented by Mr. Moses. There can be little doubt that the plaintiff understood the nature and consequences of his actions when he voluntarily negotiated the subject Stipulation of Settlement, signed it before a notary public, and agreed to be bound by its terms in open Court on November 2, 2001.

fact
issue

fact
issue

(15) The affidavit submitted by plaintiff in support of his motion is filled with outlandish allegations that are baseless and unfounded. The accusations which plaintiff levels against the defendant, her attorneys, his own attorneys and various Court personnel are unsupported by fact or evidence. In his attempt to disturb the validity of a legal and valid Stipulation of Settlement, the plaintiff has failed to provide a single affidavit from persons with personal knowledge and facts which support his extraordinary claims. His allegations are based on conjecture, supposition and pure fantasy. The majority of his assertions and "evidence" are poorly veiled attempts to further deride and insult the defendant, and all women alike, and to continue embarrassing the defendant in a public forum.

fact
issue

to be
decided
by plaintiff
now

regardless
of
motive

(16) Plaintiff contempt for his ex-wife, and women in general, is further evidenced by plaintiff's constant verbal assault on women throughout his affidavit.

Referring to Judge Lobis, plaintiff claims that he was sent "reeling from the unrelenting onslaught on his rights ... without any concern for the egregious nature of the harm Respondent, *a woman*, caused Petitioner, *a man* ...". See Plaintiff's Affidavit at Page 4, Paragraph 8. He slanders his prior attorneys, both women, stating that one of them "relinquished his right to a trial on fault ... without his consent". See Plaintiff's Affidavit at Page 4, Paragraph 8. He states that the police laughed at him when he tried to make a criminal complaint against the defendant, "probably because he was a man, and a man in modern day New York has very few rights ... if the sexes of the parties had been reversed, the police would have jumped at the chance to help the petitioner, but unfortunately an accident of nature left the petitioner defenseless". See Plaintiff's Affidavit at Page 6, Paragraph 12. He states that "a judicial system seething with hatred for men began to fade including the time when one female judge and her female clerk ... laughed at petitioner for requesting a T.R.O. against respondent". See Plaintiff's Affidavit at Page 7, Paragraph 13.

(17) Plaintiff's far-fetched accusations can not overcome the simple fact that the Stipulation of Settlement entered between the parties was the result of lengthy, arms length settlement negotiations between the parties' respective counsel. **Moreover, it was the plaintiff's attorney who drafted the Stipulation of Settlement. Likewise, it was the plaintiff's attorney who drafted the Findings of Fact and Conclusions of Law and Judgment of Divorce in this matter.**

(18) As previously stated herein, the Stipulation of Settlement between the parties in this action was drafted by the plaintiff's attorney, it was presented to the parties in writing, it was signed and acknowledged by the plaintiff, and allocution thereof was

} male
atby

} false
w/o
knowledge
of
fraud

read into the trial record. On November 2, 2001, before Judge Lobis, on the record in open court, the plaintiff stated under oath that he had an adequate opportunity to read the Stipulation and discuss the terms thereof with his attorney, that he was satisfied with the terms of the Stipulation and his attorneys representation, and that he was not coerced or forced in any way. Indeed, it was plaintiff's attorney who pronounced to the Court "We are pleased to report we settled the whole entire case" (see Exhibit "J", Transcript "TR" of November 2, 2001 at Page 2).

(19) The plaintiff's very own words, when questioned by Judge Lobis under oath and in open Court on November 2, 2001 speak volumes:

Q: Mr. Hollander, you've had an opportunity to read through that document, correct?

A: Yes.

Q: You have had an opportunity to ask questions of your attorney?

A: Yes.

Q: Have you been given satisfactory answers to those questions?

A: Yes, I have.

Q: Do you believe this is a fair resolution of this marriage?

A: Yes, I do.

→ **Q: Do you feel that you were coerced or forced in any way to enter the agreement?**

A: No.

Q: Is the agreement the product of a negotiation that took place over some period of time?

A: Yes, it is, Your Honor.

Q: Do you understand you have a right to have a trial?

A: Yes, I do, Your Honor.

Q: If this agreement is accepted today, it will do away with your right to trial and become a part of a judgment of divorce, do you understand that?

A: I understand that, Your Honor.

Q: That would not be something you can appeal from.

A: I understand that.

Q: Have you taken any drugs or alcohol today?

A: No, I have not.

Q: Did you take any drugs or alcohol the day you signed that document?

A: I signed the document today, Your Honor.

Q. Have you been satisfied with the services of your attorney and his office?

A. I'm very satisfied with my current attorney.

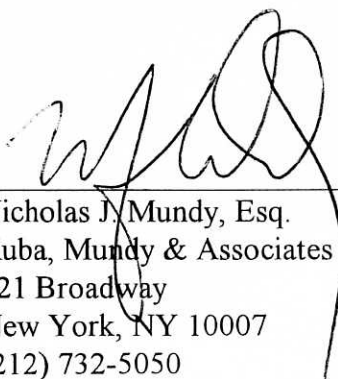
(20) In sum, the plaintiff has failed to put forth a shred of acceptable evidence that would warrant the extraordinary relief which he now requests. The plaintiff is an educated man who was represented to his satisfaction by his attorney finalizing his case. His vague and baseless claims of coercion and duress seven months after case settlement are contradicted by his very own sworn statements in open Court on November 2, 2001. Moreover, the plaintiff admits being of sound mind and free of drug or alcohol influence on November 2, 2001 when he settled this case in open Court, in contrast to his admissions that he is *presently* under the influence of psychotropic medication necessitated by his "deep emotional despair, depression and anxiety" when making this motion. See Plaintiff's Affidavit at Page 2, Paragraph 3.

presented
for
seclusion
psychiatric
help

(21) In sum, well settled case precedent referenced above mandates that plaintiff's instant motion be dismissed in its entirety.

(22) Accordingly, for all of the reasons set forth herein, the plaintiff's motion for reformation of the Stipulation of Settlement entered November 2, 2001 should be denied in its entirety.

Dated: June 17, 2002
New York, New York



Nicholas J. Mundy, Esq.
Kuba, Mundy & Associates
321 Broadway
New York, NY 10007
(212) 732-5050

To: (See annexed Affidavit of Service)

**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY: IAS PART 20**

-----X
ROY DEN HOLLANDER,

Plaintiff,

Index No. 350091/01

Decision and Order

-against-

ALINA A. SHIPILINA,

Defendant.

-----X
JOAN B. LOBIS, J.S.C.:

In this post-judgment matrimonial action, plaintiff, former husband, proceeding pro se, moves to reform the written stipulation of settlement that was entered into between the parties on November 2, 2001 (the "Stipulation") in order to provide him with maintenance, support, and equitable distribution. Plaintiff claims that the Stipulation must be set aside because of fraud, duress, coercion, and obstruction of the civil litigation process.

Plaintiff and defendant were married in Russia on March 11, 2000. There are no children of the marriage. The matrimonial action was commenced on February 13, 2001, less than one year after the marriage began. The Stipulation was incorporated, but not merged, into the judgment of divorce, which was entered on December 18, 2001, granting dual divorces on the grounds of cruel and inhuman treatment.

With respect to equitable distribution, the Stipulation provides that each of the parties shall have legal title to property that he or she at that point had legal title or possession of, and each party acknowledged that he or she has no title or interest in the other party's property, including real estate, degrees, bank accounts, pensions, etc. Each of the parties released and discharged each other

from any and all claims and demands for support, alimony, and maintenance. The parties also waived all claims against the other, including claims or rights to equitable distribution of property, distributive awards, maintenance, counsel fees, and similar claims. Plaintiff further acknowledged that he had an opportunity to obtain financial disclosures from the wife.

Plaintiff alleges that after the Stipulation was entered into, he received multiple phone threats from associates of defendant. Plaintiff ultimately obtained an order of protection in the hope that it would stop these calls from occurring. Plaintiff claims that he contacted the police and the FBI, but both organizations believed he would be safer if no action was taken. Plaintiff alleges that defendant's mother was obstructing his ability to investigate defendant in Krosnodar, Russia. He further alleges that defendant's mother was indicted for defamation with respect to plaintiff, but the charges were later dropped because Chechen gangsters had threatened all the witnesses into changing their stories. These acts committed subsequent to the signing of the Stipulation cannot be properly referred to as having any consequence on plaintiff's actual signing of the Stipulation.

In support of his motion, plaintiff claims that defendant committed fraud, duress, coercion, and obstruction of the civil litigation process during and after the Stipulation in order to keep plaintiff from pursuing his rights. In addition to defendant, plaintiff blames defendant's relatives, friends, the police, and the courts of obstruction and threats.¹ Plaintiff presented no evidence of fraud, duress, coercion, or obstruction of the civil litigation process by the defendant,

¹Plaintiff has also filed a complaint against defendant's attorney with the disciplinary department of the Appellate Division, First Department.

which would entitle him to reformation. Alexander v. Alexander, 112 A.D.2d 121 (2d Dep't 1985).

Plaintiff avers that defendant also committed fraud by misrepresenting or omitting aspects of her net worth statement. Plaintiff's claimed discovery subsequent to the signing of the Stipulation, that defendant had more money than he originally thought is not grounds to set aside the Stipulation, particularly when he had the opportunity for discovery. Furthermore, both parties were represented by counsel and entered into the Stipulation knowingly and voluntarily after extensive negotiations. Plaintiff's claim that he was under duress at the time of signing the Stipulation is negated by his actions of initialing every change made throughout the Stipulation. Gaton v. Gaton, 170 A.D.2d 576 (2d Dep't 1991). Additionally, plaintiff was allocuted on the record before this court. During the allocution, plaintiff indicated that he understood his rights under the Stipulation; that he believed the Stipulation to be a fair resolution of the marriage; that he entered into it of his own free will; that he was not threatened or coerced to enter into the Stipulation in any way; that he understood he was relinquishing his right to a trial; that he was not under the influence of any drugs or alcohol; and, that he was satisfied with the representation of his attorney. Indeed, it was plaintiff's attorney who drafted the Stipulation in the first instance. Plaintiff, who is both a licensed attorney and business school graduate,² should have been well aware that he was entering into a legally binding settlement of this matrimonial action.

²Plaintiff annexed his resume to the motion papers. According to his resume, he received a J.D. with high honors from George Washington University Law School in 1985 and then worked as an associate at Cravath, Swaine & Moore. He received an MBA from the Columbia University School of Business in 1997.

In addition, the Stipulation contains a number of terms that undermine plaintiff's claims of fraud, duress, and coercion. See Luftig v. Luftig, 239 A.D.2d 225 (1st Dep't 1997).

Article 10 of the Stipulation, titled "Full Disclosure," contains the following language:

B. The Husband hereby agrees to and does accept all of the provisions of this Agreement, and in particular the financial and property arrangements . . . In so accepting all of the provisions of this Agreement, the Husband specifically acknowledges that he has had an opportunity to obtain financial disclosures from the Wife.

C. The parties acknowledge that they have had an ample opportunity to conduct discovery to (i) compel discovery and inspection of the other's books and records, business and personal; (ii) to take examination of the other before trial; and (iii) to have accountants, appraisers or other[s] investigate, appraise or evaluate the other's business and property. Each party waives these rights to the extent that same have not been exercised.

Similarly, Article 12 provides that "[n]o representation, warranty, agreement or undertaking of any kind or nature has been made to either party to induce the making of this Agreement, except as is expressly set forth herein."


Plaintiff's request for maintenance is denied. He claims that he has been unemployed since his marriage and currently has "next to no income." He has not provided a current statement of net worth. There is no evidence that plaintiff is "incapable of self-support and therefore is likely to become a public charge" if the Stipulation is not set aside. See GOL § 5-311; See, Goldring v. Goldring, 290 A.D.2d 365 (1st Dep't 2002); see also Thompson v. Thompson, ___ A.D.2d ___, 741 N.Y.S.2d 641, 642 (4th Dep't 2002); Valente v. Valente, 269 A.D.2d 389 (2d Dep't 2000). Because there was no foreseeable risk at the time of execution of the Stipulation that plaintiff would become a public charge, his claim for maintenance is dismissed. See, Lasky v. Lasky, 163 Misc. 2d 859

(Sup. Ct. Westch. Co. 1994), aff'd, 216 A.D.2d 366 (2d Dep't 1995).

Plaintiff's motion to reform the Stipulation is denied. This constitutes the decision and order of the court.

Dated:

August 1, 2002



JOAN B. LOBIS, J.S.C.