

# 20 - 2223

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UNITED STATES COURTS OF APPEALS  
FOR THE SECOND CIRCUIT

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MICHAEL D. MARKHAM,

Plaintiff - Appellant,

v.

MATHEW A. ROSENBAUM, RICHARD A. DOLLINGER, ADAM J.  
BELLO, TIMOTHY E. INGERSOLL, MAUREEN A. PINEAU, GREGORY J.  
MOTT, SHARON KELLY SAYERS, CYNTHIA L. SNODGRASS, DAVID  
CORON, JENNIFER SPELLER, DIANE R. DELONG,

Defendants - Appellees

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On Appeal from the United States District Court  
for the Western District of New York

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## **SUPPLEMENTAL APPENDIX OF MICHAEL D. MARKHAM**

Michael D. Markham, Pro Se  
1010 Front Street, B101  
Lahaina, Hawaii 96761  
808 264 - 0568

RESPONSE TO MY  
OTSC

Supreme Court  
County of Monroe

State of New York

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Diane R Markham,

Plaintiff

v.

*Affirmation*

*Index No.: 2015-9826*

*IAS: Dollinger/J*

Michael D Markham,

Defendant

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Pursuant to §2106 of the Civil Practice Law and Rules, Maureen A Pineau, Esq., a duly admitted attorney in the State of New York, affirms under penalty of perjury as follows:

1. Deponent has reviewed the order to show cause filed by defendant in October 2018.
2. Deponent has no personal knowledge nor any reason to believe that this Court, Justice Fisher, or any attorney who has represented a party or either attorney for the children has acted in any manner contrary to law or to the Professional Standards applied to all lawyers.
3. Deponent has no basis to admit or deny virtually most of the allegations of defendant's papers as deponent has no personal knowledge of the allegations or situations described.
4. Defendant claims in paragraph 69 that deponent "has a history of placing erroneous personal liens on funds that are unattachable to her." Deponent hasn't a clue as to what that paragraph means. Further, deponent has no idea what the statement "[defendant] am aware that the questionable use of these types of liens on unattachable funds are a matter with Ms. Pineau that is quite well known to this Court" means.



5. Deponent has personally reviewed the file at the Monroe County Clerk's Office. All of the exhibits admitted at the trial are in a box that the Monroe County Clerk is storing the file in this matter. I believe the minutes of the trial are in the box as well as motions, pleadings, orders- all the usual documents associated with an action. I ask the Court to issue an order directing the Monroe County Clerk to produce the file to this Court so that the exhibits can be used at this trial. Having the file might answer some of the Court's questions as to what documents exist. Perhaps the Court can also ask for the transcript of the in camera with the children.
6. Unless one of the conditions set forth in Judiciary Law §14 exists, there is no basis for the Court to recuse itself and deponent asks the Court to reject defendant's request.

Dated: November 7, 2018  
Rochester, New York

Maureen A Pineau  
Maureen A Pineau

July 27, 2018

**Via Hand Delivery**

Sharon Kelly Sayers, Esq.  
30 West Broad Street, Suite 506  
Rochester, NY 14614

**Re: Markham vs. Markham  
Index No. 2015/9826**

Dear Sharon:

Per our attorneys' conference held in my office on Tuesday, July 24, 2018, you will send Michael Markham your Retainer Agreement and you will become the counsel in this case. Since this case is nearly 3 years old, I will remain as second chair to assist you as this case moves forward.

Michael Markham's address is: 1010 Front Street, B101, Lahaina, HI 9676.

His telephone number is: (585) 355-7896.

His email address, which is his preferred way of communicating, is:  
MichaelMarkhamMD@gmail.com.

Enclosed please find:

1. Order to Vacate with Exhibits annexed. Order dated October 31, 2017 and granted at Special Term by Judge Dollinger September 14, 2017.
2. Maureen Pineau's July 2, 2018 cover letter with encloses listed, non-party out of court Subpoena Duces Tecums. I sent Maureen an email asking her to send me copies of whatever she receives in response to these Subpoenas which, of course, I will share with you.
3. I will send you Ed Riley's AFC Report as soon as I receive a copy from Ed. In the meanwhile, I emailed you, July 26, 2018, Ed Riley's Answering Affirmation of Attorney for the Child affirmed opposition in response to Diane Markham's Order to Show Cause, dated November 6, 2017, seeking to have Michael Markham held in contempt and Michael Markham's Notice of Motion, dated November 13, 2017, requesting visitation and communication rights with his two youngest child. I thought you ought to take a look at this to get an idea where Ed is coming from.

4. Email from Michael Markham to me, dated September 18, 2017, giving a background and listing of experts that have treated Michael Markham during the last 3 years.
5. Judge Fisher's Decision and Order, dated March 2, 2016 and filed March 7, 2016. Please note, bottom of page 3, initially Judge Fisher did grant Michael Markham visitation, which he subsequently revoked in a later Order.
6. Michael Markham's Statement of Net Worth as of October 19, 2015. Date of commencement September 1, 2015.
7. Judge Dollinger's Amended Temporary Order granted December 1, 2017, dated January 2, 2018 and filed January 5, 2018. This includes the appointment of Dr. Coron as psychological evaluator, temporary custody, temporary maintenance, temporary child support, etc.
8. Michael Markham's October 30, 2017 email to me re 529 Plans and documents attached with respect to those plans and the monies withdrawn. Also email to me from Tim Ingersoll, Esq. to me, dated October 30, 2017, with respect to the SEP IRA liquidation and the 529 Plans. These are two issues in dispute.
9. Emailed you, July 26, 2018, a copy of David Coron's March 19, 2018 email to all attorneys and Justice Dollinger attached to his massive psychological valuation of Michael Markham annexed with information from "collateral/third party date received by him" which was also attached.
10. Judge Fisher's Decision and Order, signed December 20, 2016, granting:
  - a) Sole custody to Plaintiff/Wife (this is without a hearing) finding that Michael Markham, Defendant, has "effectively abandoned his family..." Note on page 3, Fisher says he held a Lincoln Hearing. He refers to "Mother's testimony, but there is no transcript in existence and no reference to a default hearing or notice of default hearing. In talking to Mark Bezinque, Esq. he admitted that there was no hearing. When Fisher refers to "Mother's testimony", no idea what he is talking about. This is where Fisher terminates all contact with the children for our client but then says, on page 5, "Defendant is free to, in the future, petition the Court for resumption of visitation without conditions", whatever that means, which we did and were denied. Also note that Michael Markham has repeatedly raised the issue of whether or not New York had jurisdiction over the issue of custody in as much as the parties sold their house in New York and bought the house in Hawaii. That fact is not in

dispute. In fact, the 6 months prior to the commencement date, September 1, 2015, all 3 children and the parties were residents of the State of Hawaii. I do not know if Michael wants to raise a jurisdictional issue again, but he may. "Interesting reading" is my comment on Judge Fisher's Decision and Order. Apparently he is not familiar with the phrase Judgment of Divorce.

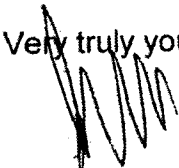
11. Condensed version of Michael Markham's deposition testimony, December 14, 2017 by Alliance Court Reporting.
12. Condensed version of Diane Markham's deposition testimony, December 14, 2017 by Alliance Court Reporting.
13. Copy of Judge Fisher's January 18, 2017 Judgment of Divorce followed by copy of Judge Fisher's Amended Judgment of Divorce, dated March 20, 2017. These were prepared and submitted by Mark Bezinque, Esq., attorney for Diane Markham, which were subsequently vacated.
14. Packet of information regarding the Hawaii property.
15. Packet of information regarding Michael Markham's SEP IRA and Bank of Hawaii funds that were seized, bank statements included. I never did receive anything from Michael Markham's Hawaiian attorney, Mr. Adelman.
16. Copies of last 2 proposal letters, mine of March 23, 2018 and Tim Ingersoll's responsive letter, dated April 12, 2018.
17. Michael Markham's July 6, 2018 email to me after I sent him Judge Dollinger's summation of what the Judge thinks the settlement proposal terms should be (see Richard Dollinger's attached Tuesday, June 19, 2018 "a short note to counsel").
18. May 24, 2017 Order.
19. August 25, 2016 Order.

Let me know if there is anything else you need.

As soon as I get a copy of Ed's AFC Report, I will send it on to you.

Thank you for accepting position of the lead counsel in this case. I will notify the Court as soon as your Retainer Agreement is signed and your retainer fee is paid.

Very truly yours,



Gregory J. Mott

GJM/taa

Enclosures

cc: Michael D. Markham (without enclosures)

At a Special Term of the Supreme Court of the State of New York, held in and for the County of Monroe, at the Hall of Justice in Rochester, New York on the 14<sup>th</sup> day of September, 2017.

PRESENT: HON. RICHARD A. DOLLINGER  
SUPREME COURT JUSTICE

STATE OF NEW YORK  
SUPREME COURT COUNTY OF MONROE

DIANE R. MARKHAM,

Plaintiff,

-vs-

MICHAEL D. MARKHAM,

Defendant.

Index #2015/9826

ORDER TO VACATE

2017 NOV -1 PM 2:20  
MONROE COUNTY CLERK

RECORDED

Defendant, MICHAEL D. MARKHAM, having applied to this Court by Order to Show Cause, dated August 14, 2017, for relief as more specifically set forth in said Order to Show Cause; and

Plaintiff, DIANE MARKHAM, having submitted a Reply Affidavit in opposition to Defendant's Order to Show Cause, dated September 6, 2017, and Attorney Supplemental Affidavit, dated September 11, 2017, and Defendant's attorney having submitted Supplemental Attorney Affirmation and Defendant's Attorney Affirmation, both dated September 12, 2017; and

The Court having reviewed all the papers and reviewed all the Affidavits, Affirmations and exhibits submitted herewith by respective parties, through their counsel; and

All applications to this Court and opposition papers have been filed in the Monroe County Clerk's Office; and



The Court having heard oral argument at Special Term on September 6, 2017 and again on September 14, 2017 by respective counsel with respect to all applications to the Court on September 14, 2017 at the Hall of Justice in Rochester, New York, Gregory J. Mott, Esq. on behalf of Defendant and Timothy E. Ingersoll, Esq. on behalf of Plaintiff; and

The Court having rendered its decision in open court on September 14, 2017. The transcript of the Court's decision is annexed and incorporated herein as **Exhibit A**; and

**NOW**, upon motion of Defendant, MICHAEL D. MARKHAM, by and through his attorney, the relief sought in Defendant's Order to Show Cause, dated September 6, 2017, is granted to the following extent; it is hereby

**ORDERED** that the Judgment of Divorce, **Exhibit B**, is hereby vacated in all respects; and it is further

**ORDERED** that the Amended Judgment of Divorce, **Exhibit C**, is hereby vacated in all respects; and it is further

**ORDERED** that the Court hereby reserves on Plaintiff's application for attorney's fees; and it is further

**ORDERED** that any pendente lite Order in the above entitled divorce action shall remain in effect at this time until further order of this Court; and it is further

**ORDERED** that attorney Lisa Morris, Esq. shall be reappointed attorney for the two youngest children in this action, to wit: Rowan Mathews Markham d/o/b May 21, 2002 and Rory Patricia Markham d/o/b December 16, 2004; and it is further

**ORDERED** that this matter is hereby scheduled for Trial Day Certain starting March 26, 2018 at 10:00 a.m. and continuing each day thereafter until completion of the trial; and it is further

**ORDERED** that a copy of this signed and filed Order shall be delivered to Defendant, MICHAEL D. MARKHAM, by his attorney and, further, that Defendant, MICHAEL D. MARKHAM, shall execute an Admission of Service, signed and notarized, and return that to his attorney who, in turn, shall file the same with the Court, acknowledging by which terms Defendant acknowledges receipt of a copy of this Order and exhibits annexed hereto.

Dated: October 31, 2017  
Rochester, New York



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HON. RICHARD A. DOLLINGER  
SUPREME COURT JUSTICE

ENTER:

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF MONROE

-----X

DIANE R. MARKHAM, : Index No.  
Plaintiff, : 15-09826

-vs-

MICHAEL MARKHAM, : MOTION/DECISION  
Defendant. :

-----X

Hall of Justice  
Rochester, New York  
September 14, 2017

BEFORE: HONORABLE ELMA A. BELLINI  
Supreme Court Justice

APPEARANCES: TIMOTHY INGERSOLL, ESQ.  
Attorney for Plaintiff  
GREGORY J. MOTT, ESQ.  
Attorney for Defendant

REPORTED BY: MARGARET M. DEMARCO  
Official Court Reporter

RECEIVED  
MONROE COUNTY CLERK  
2017 NOV -1 PM 2:29

10

1 THE COURT: All right. Counsel, this is the  
2 matter of Markham vs. Markham. I waived Mr. Markham's  
3 appearance because he is a resident of Hawaii.

4 Mr. Mott, you are here on his behalf?

5 MR. MOTT: Yes.

6 THE COURT: And Mr. Ingersoll, you are here  
7 with your client?

8 MR. INGERSOLL: Yes, ma'am.

9 THE COURT: We put this over today for further  
10 proceedings and to give counsel an opportunity to go  
11 through the file of Mr. Bezinque. Has that been  
12 accomplished?

13 MR. INGERSOLL: Yes, ma'am.

14 May we remain seated.

15 THE COURT: Can I see you at the bench for a  
16 minute.

17 (There was an off-the-record discussion at the bench.)

18 THE COURT: All right. We had a brief  
19 conference. I am going to listen to both side's argument  
20 on the record at this point before I make a decision.

21 (Motion argument was heard at this time.)

22 THE COURT: Okay. Here is what we are going to  
23 do. As much as I hate to reopen this, because I do think  
24 it reopens a Pandora's box, I reviewed Judge Fisher's  
25 file and the fact that he just completely ignored

① ②

Deposition 14, 2017 - Diane R. Markham

Page 1 to 4 of 81

1

1

2 SUPREME COURT OF THE STATE OF NEW YORK

3 County of Montezuma

4 DIANE R. MARKHAM,

5 Plaintiff,

6 v. Index No. 2015/9826

7 MICHAEL D. MARKHAM,

8 Defendant.

9

10 Deposition Upon Oral Examination of:

11 Diane R. Markham

12 Location: Fero & Ingersoll, LLP

13 2024 West Henrietta Road, Suite 3C

14 Rochester, New York 14623

15 Date: December 14, 2017

16

17 Time: 12:18 p.m.

18

19

20

21 Reported By: LAUREN E. SHERWOOD

22 Alliance Court Reporting, Inc.

23 120 East Avenue, Suite 200

24 Rochester, New York 14604

25

3

1 STIPULATIONS

2 THURSDAY, DECEMBER 14, 2017;

3 (Proceedings in the above-titled matter

4 commencing at 12:20 p.m.)

5 \* \* \*

6 IT IS HEREBY STIPULATED, by and among the

7 attorneys for the respective parties hereto, that:

8 All rights provided by the CPLR and Part

9 221 of the Uniform Rules for the Conduct of

10 Depositions, including the right that all objections

11 to any question, except as to form or to move to

12 strike any testimony at this examination are reserved;

13 And in addition, the failure to object to

14 any question or to move to strike any testimony at

15 this examination shall not be a bar or waiver to make

16 such motion at, and is reserved to, the trial of this

17 action;

18 IT IS FURTHER STIPULATED, that the reading

19 and signing of the testimony be waived;

20 The filing of the original of this

21 deposition is waived;

22 IT IS FURTHER STIPULATED, that the

23 attorneys for the parties are individually responsible

24 for their certified transcript charge, including any

25 expedite or other related production charges in

2

1

2 APPEARANCES

3 Appearing on Behalf of Plaintiff:

4 Timothy E. Ingersoll, Esq.

5 Fero & Ingersoll, LLP

6 2024 West Henrietta Road, Suite 3C

7 Rochester, New York 14623

8 fpilawfirm@aol.com

9

10 Appearing on Behalf of Defendant:

11 Gregory J. Mott, Esq.

12 Davidson Fink, LLP

13 28 East Main Street, Suite 1700

14 Rochester, New York 14614

15 gmott@davidsonfink.com

16 \* \* \*

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1 DIANE R. MARKHAM - BY MR. MOTT

2 accordance with Rochester Rules;

3 AND IT IS FURTHER STIPULATED, that the

4 Notary Public, LAUREN E. SHERWOOD, may administer the

5 oath to the witness.

6 \* \* \*

7 DIANE R. MARKHAM,

8 called herein as a witness, first being sworn,

9 testified as follows:

10 EXAMINATION BY MR. MOTT:

11 Q. Ma'am, you are Diane Markham, the

12 plaintiff in this divorce action?

13 A. Yes.

14 Q. How would you like me to address you, as

15 Mrs. Markham or Diane?

16 A. Diane.

17 Q. Thank you. And Diane, how old are you?

18 A. 51.

19 Q. And how would you describe your health?

20 A. Excellent.

21 Q. Do you take any mood altering medications?

22 A. No.

23 Q. Are you under the care of any therapist,

24 psychiatrist or psychologist?

25 A. Nope.

12

33

1 DIANE R. MARKHAM - BY MR. MOTT  
 2 A. Correct.  
 3 MR. INGERSOLL: When was that?  
 4 THE WITNESS: In May.  
 5 Q. Of 2014?  
 6 A. May or June of 2014.  
 7 Q. Okay.  
 8 A. June, actually. I think it was June 1st.  
 9 Q. Family's intact, everyone's there;  
 10 correct?  
 11 A. Correct.  
 12 Q. And how long did you live at 36 Darwin  
 13 Street?  
 14 A. Well, we had -- we rented that even when  
 15 we were in Hawaii. We were in Hawaii from September  
 16 of '14 to December of '14. We still had the house  
 17 in -- you know, on Darwin Street, but we were in  
 18 Hawaii for those three months.  
 19 Q. Prior to moving from South Landing to  
 20 Darwin Street, did you and your husband come up with a  
 21 residential plan?  
 22 A. There was -- we were moving forward with  
 23 pursuing this Hawaii thing, and nothing was set in  
 24 stone. It was kind of a "let's try it." It was to be  
 25 three months at a time, initially.

34

1 DIANE R. MARKHAM - BY MR. MOTT  
 2 Q. So initially, it was to be three months in  
 3 New York, three months in Hawaii --  
 4 A. Correct.  
 5 Q. -- three months in New York, et cetera, et  
 6 cetera?  
 7 A. Correct.  
 8 Q. And where did the children go to school?  
 9 A. We homeschool.  
 10 Q. And you heard Michael testify that there  
 11 was a purchase of property in the LLC with Vito  
 12 Potenza in Hawaii; correct?  
 13 A. Yes.  
 14 Q. And you knew about that?  
 15 A. I did.  
 16 Q. And that was part of the plan, was it not?  
 17 A. Correct.  
 18 Q. And that was to function as a home office?  
 19 A. It was to function as a place for us to  
 20 live when we were in Hawaii.  
 21 Q. And was Michael to practice out of that  
 22 location, as well?  
 23 A. He was to practice at a surgical center,  
 24 yes.  
 25 Q. And so, when you -- from September 2014

35

1 DIANE R. MARKHAM - BY MR. MOTT  
 2 forward, you lived three months in Hawaii and three  
 3 months in New York?  
 4 A. No, we only ended up going to Hawaii  
 5 twice.  
 6 Q. When was that?  
 7 A. We were in Hawaii from September of 2014  
 8 to December of 2014. And then we were in -- the kids  
 9 and I were in Hawaii from May of 2015 to August of  
 10 2015. That was the only time we lived in Hawaii.  
 11 Q. And you filed for divorce on September 1,  
 12 2015?  
 13 A. I did.  
 14 Q. Did you advise the Court in any way, shape  
 15 or form that you had resided with your children in  
 16 Hawaii from May through August 2015?  
 17 A. I did not.  
 18 Q. Have you -- did you file what's called a  
 19 custody -- an "affidavit of custody information,"  
 20 advising the divorce court as to the periods of  
 21 residency of your children for the prior three years?  
 22 A. I did not.  
 23 Q. Did you testify to the residency of your  
 24 children at the default inquest as to where they lived  
 25 during the prior three years leading up to

36

1 DIANE R. MARKHAM - BY MR. MOTT  
 2 September 1, 2015?  
 3 A. I don't recall.  
 4 Q. Did you testify to anything at the default  
 5 inquest?  
 6 A. I did testify.  
 7 MR. INGERSOLL: Off the record for a  
 8 second.  
 9 (There was a discussion off the record.)  
 10 Q. And you were in Hawaii through August of  
 11 2015 and -- and --  
 12 A. We came home on the 5th of August.  
 13 Q. The 5th of August, and did not return to  
 14 Hawaii again?  
 15 A. No.  
 16 Q. Did you make any application or attempt to  
 17 qualify yourself as a Hawaiian resident?  
 18 A. We pursued receiving the Hawaiian  
 19 residency so we could get discounts at restaurants,  
 20 was the only reason we did the residency thing.  
 21 Q. Discount at restaurants?  
 22 A. Yeah.  
 23 Q. And how do you apply for Hawaiian  
 24 residency?  
 25 A. There was a whole -- you had to provide

41

1 DIANE R. MARKHAM - BY MR. MOTT  
 2 Q. So you say that Michael was excluded from  
 3 Darwin Street in December of 2015?  
 4 A. **Yep.**  
 5 Q. Was that by court order?  
 6 A. **Correct.**  
 7 Q. Was there an order of protection?  
 8 A. **I'm not sure.**  
 9 Q. Was there a hearing in court?  
 10 A. **I don't remember.**  
 11 MR. INGERSOLL: Did you testify?  
 12 THE WITNESS: No, I -- I think it was the  
 13 AFC. It was Lisa and the kids.  
 14 Q. Do you know if Judge Fisher, who had the  
 15 case at the time, issued an order ordering Michael out  
 16 of the house before a court appearance?  
 17 A. **I don't remember.**  
 18 Q. But you do recall there was no testimony  
 19 given in court at any time by you or Michael?  
 20 A. **I don't remember.**  
 21 Q. And did Michael have someplace to live in  
 22 New York State?  
 23 A. **He could stay with his mother.**  
 24 Q. And where does she live?  
 25 A. **In Brockport.**

42

1 DIANE R. MARKHAM - BY MR. MOTT  
 2 Q. Do you know if he did?  
 3 A. **I don't know what he did for a fact.**  
 4 Q. Did he have visitation?  
 5 A. **He did.**  
 6 Q. Did he exercise it?  
 7 A. **He did.**  
 8 Q. And did there come a time when his  
 9 visitation was terminated also?  
 10 A. **There was a time where it was terminated**  
 11 **with Rowan.**  
 12 Q. Anyone else?  
 13 A. **No, it was never terminated with Rory. He**  
 14 **left.**  
 15 Q. Was there a time when Judge Fisher issued  
 16 a no contact order between Michael and all the  
 17 children?  
 18 A. **There was.**  
 19 Q. When was that?  
 20 A. **I think with the judgment of divorce.**  
 21 Q. But not prior to the judgment?  
 22 A. **I can't say for certain. There was a lot**  
 23 **of documents flying back and forth. I wouldn't be**  
 24 **able to say for sure.**  
 25 Q. Let me ask you a very general question.

43

1 DIANE R. MARKHAM - BY MR. MOTT  
 2 Did you ever testify in open court?  
 3 A. **I did.**  
 4 Q. When?  
 5 A. **At the judgment of divorce.**  
 6 Q. The default inquest?  
 7 A. **At default trial.**  
 8 Q. November of 2016?  
 9 A. **Correct.**  
 10 Q. And Mark Bezinque was your attorney?  
 11 A. **Correct.**  
 12 Q. Judge Fisher was the judge in charge of  
 13 the case?  
 14 A. **Correct.**  
 15 Q. And Michael Markham was not there and no  
 16 attorney was there for him?  
 17 A. **Correct.**  
 18 Q. Okay. Was there ever any other time that  
 19 you can recall that you were asked to testify other  
 20 than the default inquest?  
 21 A. **No. I know the kids testified to the**  
 22 **judge. The kids did on camera.**  
 23 Q. How was Michael's medical school education  
 24 paid for? Did somebody give him money, his mother  
 25 or --

44

1 DIANE R. MARKHAM - BY MR. MOTT  
 2 A. **No.**  
 3 Q. Did you pay for it?  
 4 A. **There was loans.**  
 5 Q. Loans?  
 6 A. **But we paid them back.**  
 7 Q. Did Michael pay the loans back with his  
 8 earnings?  
 9 A. **Well, I wasn't working, so the family's**  
 10 **earnings paid back his medical school.**  
 11 Q. Otherwise known as Michael's salary; fair  
 12 to say?  
 13 MR. INGERSOLL: It is what it is.  
 14 A. **I guess since I wasn't paid for my job,**  
 15 **yes.**  
 16 Q. Right. Prior to September 1, 2015, did  
 17 Michael Markham participate in any activities with any  
 18 of the children?  
 19 A. **Prior to September of 2015?**  
 20 Q. Yes.  
 21 A. **In general? No.**  
 22 Q. No?  
 23 A. **No.**  
 24 Q. What kind of activities, prior to  
 25 September 1, 2015, did your three children participate