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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

In re the Marriage of:)
VIVECA SANAI,)
Petitioner,) Cause No. 01-3-00054-5
And)
SASSAN SANAI,)
Respondent.)

TRANSCRIPT OF PROCEEDINGS

MOTION HEARING

THE HONORABLE JOSEPH A. THIBODEAU

Department No. 2

Shohomish County Courthouse

May 26, 2005

Dennis W. Erickson
Official Court Reporter
CSR # 2294

May 26, 2005

1 concerned about the husband in this matter. That
2 was the reason I set the matter.

3 MR. PRINCE: I understand.

4 THE COURT: Then there's been a whole series of
5 appeals. I've been sued by Cyrus. The appellate
6 court's been sued. I come here today when we have a
7 full price offer, there's been another frustrating
8 part of this particular case, and I've lost my sense
9 of neutrality in this case. I'm saying that to you,
10 because I'm very frustrated. But I have lost it.
11 The problem is, they did what they wanted to do to
12 me. They got me off the case. But in all good
13 conscience, Viveca Sanai would not get a fair shake
14 with me today because of the fact that she so
15 frustrated the process, I'm biased against her, to
16 be honest with you. She did it to me. She did it
17 with malice aforethought. Her boys did it to me.
18 They wanted to make it so miserable for me that I
19 couldn't give her what I thought was fair, and in
20 essence, if you look back in the original decision,
21 which was affirmed, it was fair, and she would have
22 gotten more in this case. Today she wouldn't get
23 one red nickel from me. You are smiling, Mr.
24 Prince. You really won here this morning. You got
25 rid of me. I'm going to recuse myself from this

May 26, 2005

1 case, because I don't think that I can really give a
2 fair hearing to her. It's frustrating. I apologize
3 to Mr. Sullivan and Dr. Sanai, but I've never had a
4 case where I've been sued and the Ninth Circuit --
5 I'm still getting letters from the AG's office
6 telling me about the status of my appeals, which I
7 ignored, because I felt in they were frivolous. I
8 had the sale, which I thought I could resolve the
9 entire case today. The sale going through. The
10 limited amount of dollars that were going to change
11 hands, settle it all out. Now I say to myself, and
12 you asked me this question, the question that I have
13 here, one of the issues was whether or not I would
14 enforce my contempt order. That was a significant
15 sum of money that I --

16 MR. PRINCE: The \$250.

17 THE COURT: \$250. It comes to a significant
18 chunk of change right now. I don't know how much it
19 is.

20 MR. PRINCE: About \$50,000.

21 THE COURT: \$50,000. I, in good conscience, was
22 probably not going to enforce that. Now I'm not
23 going to give her any relief. So she did it. She
24 can be happy. She can litigate this whole case.
25 They can lose the house. I hope it goes to