

1 certain states are entitled to get.

2 JUROR: (inaudible) license in Indiana, one's not.

3 MR. KREINHOP: That's correct. Our license or permits are not

4 honored in Ohio but they are in Kentucky and

5 Indiana does honor, I believe all states. But not all

6 states honor Indiana and Ohio is one that does not.

7 JUROR: That's what I thought.

8 MR. KREINHOP: Yell.

9 MR. NEGANGARD: Um, okay at this point, we'll take a break while I get

10 the next witness. Okay at this time, I would call

11 Melissa Brewington. Mr. Foreman, would you

12 swear in the witness?

13 FOREMAN: Do you solemnly swear or affirm that the testimony

14 you are about to give in the matter now under

15 consideration by the grand jury will be the truth, the

16 whole truth and nothing but the truth? And do you

17 further solemnly swear or affirm that you will not

18 divulge any portion of your testimony before this

19 grand jury except when legally called upon to do

20 so?

21 MELISSA: I do.

22 MR. NEGANGARD: Um, Ms. Brewington, would you please state your

23 name for the record?

24 MELISSA: Melissa Brewington.

25 MR. NEGANGARD: And uh, you were married to Dan Brewington. Is

1 that correct?

2 MELISSA: Yes.

3 MR. NEGANGARD: When did you meet Daniel Brewington?

4 MELISSA: Uh, it was around the year 2000, I believe.

5 MR. NEGANGARD: Okay. How old were you then?

6 MELISSA: Um, nineteen (19) or twenty (20).

7 MR. NEGANGARD: And uh, you currently work as a nurse. Is that

8 correct?

9 MELISSA: Yes at Good Samaritan Hospital.

10 MR. NEGANGARD: And when did you and Mr. Daniel Brewington get

11 married?

12 MELISSA: In August of 2002.

13 MR. NEGANGARD: And did you have any children with Mr.

14 Brewington?

15 MELISSA: Yes, two (2) girls, um, Mary was born in 2003 and

16 Audrey was born in 2006.

17 MR. NEGANGARD: Now um, tell us about your relationship with Mr.

18 Brewington.

19 MELISSA: When I met Dan, I was very young. At the time, he

20 was employed, um, we...

21 MR. NEGANGARD: Where was he employed?

22 MELISSA: At Hillrom. That lasted about nine (9) months.

23 Um, at that point, he had just miscellaneous jobs off

24 and on. Um, he's been unemployed to my

25 knowledge since May of '06. Um, during our

1 marriage, he was very controlling. Um, it was
2 either his way or no way and if I disagreed with
3 him, it was all out war. Um, we fought mostly over
4 money and him being unemployed and not helping.
5 Even when we were married and had children, even
6 when he was unemployed, our children went to
7 daycare. Um, and in 2000, I believe it was, he
8 started treatment for ADD at the Affinity Center,
9 um and that is a treatment facility for adults with
10 ADD and they also treat children as well. They are
11 known for treating adults with very high dosages of
12 Ritalin. Um, when we were married, he was taking
13 200 mg. of Ritalin a day, 50, every four (4) hours
14 and like I said, his treatment with the Affinity
15 Center started in 2000. Um, and I truly believe that
16 the medication that he's on because it is such a high
17 dosage, I truly think that it has altered his thinking
18 because he is totally different than when I met him.
19 Um, I filed...

20 MR. NEGANGARD: So he always was a bit controlling (inaudible)?

21 MELISSA: Yes.

22 MR. NEGANGARD: And when you say if you disagreed with him, it was
23 all out war, what do you mean?

24 MELISSA: He would make my life a living hell. I mean it
25 would just basically that he would be constantly

1 talking, yelling at me. He would follow me from
2 room to room yelling at me whether it was about a
3 decision, um, he would put things behind my car so
4 that I couldn't leave. Um, he would retaliate.
5 When we were married, I was actually was seeing
6 somebody for depression, um, and he went behind
7 my back. Her name was Mary Jo Pollack. He went
8 behind my back and contacted her and when she
9 told him that she could not talk to him because it
10 was conflict of interest because she was already
11 seeing me, um, he wrote her about, it was about a
12 twenty (20) page letter and attached my personal
13 journaling at home. He had copied them and wrote
14 things all over them. He had mailed this packet to
15 her and then also tried to sneak on her schedule to
16 get in to tell his side of the story. Um, so you know,
17 very controlling even when I went to talk to a
18 counselor about him. He didn't like that I was
19 telling someone else about our problems.
20 MR. NEGANGARD: And you say he put things behind your car, what
21 kind of things?
22 MELISSA: Um, I just had a Jetta so you know like large pieces
23 of, it was like a PVC pipe. I tried to leave the one
24 time when we had an argument and I had um, ran
25 out the door and took the girls into the car, it was

1 late and had them in their pajamas and he was
2 banging on the window and um, I mean almost
3 broke my window in my car, my car window.
4 MR. NEGANGARD: So at what point then did you decide to file for
5 divorce?
6 MELISSA: Things were not getting any better. We tried to go
7 through marriage counseling. I had told him that it
8 was important for him to get a job and to help out
9 around the house. Um, when I would work, the
10 girls would go to daycare and when I came home,
11 nothing would be done which creates frustration.
12 Um, so we had had several talks about him needing
13 to get a job. He refused.
14 MR. NEGANGARD: Hold on, let me ask you...so you would go to work
15 and you would get daycare?
16 MELISSA: Yes.
17 MR. NEGANGARD: He was unemployed. Why didn't he take care of the
18 children?
19 MELISSA: Um, he said that he was working from home which
20 meant he was on the internet. I don't know what he
21 was doing on the internet. He said that he was
22 working from home and that he couldn't take care
23 of the girls and work from home. I think that part of
24 his disillusion, he would come up with weird ideas
25 about creating or making a golf course. It was a

1 grandiose idea, like he would do weird things like
2 he would buy five thousand (5,000) used golf balls
3 and then think that he was going to resell them and
4 make a fortune. Um, he had plans to make a golf
5 course. He would spend hours doing these things
6 that um, it just, they, they were irrational and they
7 weren't jobs.

8 MR. NEGANGARD: Well did he ever generate any income from his
9 working at home?

10 MELISSA: No.

11 MR. NEGANGARD: So all that time he said he was working from home,
12 he wasn't generating any income?

13 MELISSA: No.

14 MR. NEGANGARD: And yet the kids went to daycare?

15 MELISSA: Yes.

16 MR. NEGANGARD: And then what?

17 MELISSA: So when he was doing all this work from home, I
18 gave him like six (6) months because he was
19 supposed to be working on a business. So I had
20 given him six (6) months and um, it was from May
21 of '06 to like around October of '06 and at the end
22 of October, I had had enough and I told him um,
23 that things just weren't working out and at that time,
24 I was going to be filing for divorce. I started seeing
25 my attorney in November of '06. At that time, he

1 specifically told me, he said if you don't like it, then
2 you're more than welcome to leave but if you leave
3 and follow through with the divorce, I will make
4 your life a living hell, we will not be friends, we
5 will be enemies. And he's followed through.
6 MR. NEGANGARD: He said if you follow through and get a divorce, he
7 will make your life a living hell?
8 MELISSA: Yes and we will not be friends anymore, we will be
9 enemies.
10 MR. NEGANGARD: Were you living in Ripley County at the time?
11 MELISSA: Um, yes.
12 MR. NEGANGARD: In Milan, Indiana?
13 MELISSA: Mm hmm, up until about January of 2007 where I
14 moved up to where I grew up with my parents in
15 Cincinnati.
16 MR. NEGANGARD: Um, so what was your address in Milan?
17 MELISSA: Um, 4104 East County Road, 300 North.
18 MR. NEGANGARD: That's in Ripley County?
19 MELISSA: Yell it was in Milan.
20 MR. NEGANGARD: Um, you also stated that he wouldn't help out
21 around the house so after you were working and he
22 was supposedly working at home, what would be
23 the conditions when you would come home from
24 work in the house?
25 MELISSA: It would be an absolute mess. I mean, the dishes

1 wouldn't be done. He was so lazy that if he ate
2 something, he would just throw like the wrappers on
3 the floor. Um, almost like hording, like papers
4 would just be everywhere. It was in complete
5 disarray.
6 MR. NEGANGARD: And during this period of time, he was on, you said
7 200 mg. of Ritalin a day?
8 MELISSA: Yes.
9 MR. NEGANGARD: So um, the attorney you first hired was who?
10 MELISSA: Angela Loechel.
11 MR. NEGANGARD: And she stuck with you this whole time?
12 MELISSA: Yes.
13 MR. NEGANGARD: And um, you said he was going to make your life a
14 living hell. Has he spent a lot of effort at making
15 your life difficult since you filed for divorce?
16 MELISSA: Absolutely. With him being unemployed, he has
17 had lots of time to plot and scheme and make this
18 his job.
19 MR. NEGANGARD: Okay. So um, when did you file for divorce?
20 MELISSA: I filed in January of '07.
21 MR. NEGANGARD: And that's when you moved back to Ohio?
22 MELISSA: Yes.
23 MR. NEGANGARD: Did you take the kids with you?
24 MELISSA: When I had my off days, yes, they went with me.
25 Basically, he um, if he, if they weren't in daycare

1 like on the weekend or whatever, he would take
2 them then and usually, at that point because he was
3 trying to make a change, the girls were at daycare all
4 the way up until I filed. At that point he wanted to
5 exercise his parenting time and did not want them to
6 go to daycare so things were changing so that he
7 could set the scene that he was a good dad that
8 watched his children.

9 MR. NEGANGARD: Okay, so up until the time that you filed for divorce,
10 you had to use daycare because he was working at
11 home but once you filed for divorce, then all of
12 sudden the kids didn't need to go to daycare.

13 MELISSA: Right.

14 MR. NEGANGARD: So when you worked, they had, I'm sorry, so when
15 you worked you had custody of the kids. Correct?

16 MELISSA: Yes.

17 MR. NEGANGARD: Or when you worked, he took care of the kids?

18 MELISSA: Yes.

19 MR. NEGANGARD: Okay and when on your off days, you had custody
20 of the kids?

21 MELISSA: Yes.

22 MR. NEGANGARD: Okay, how did things go during that period of time?

23 MELISSA: It was awful. Um, I got many letters from him.
24 Um, some of them being very weird. One of the
25 ones that I brought with me today, it's not a letter.

1 It's a screenplay that he wrote and basically I, this
2 was something that was to intimidate me. This was
3 written in December of '06, so when I was talking
4 about filing for divorce and getting a divorce. Um,
5 it was called "No Where's End" and it says at the
6 top, "Story and screenplay by Dan Brewington" and
7 this kind of, I believe, really shows like how out of
8 touch with reality he was then. Um, it has the
9 beginning of this screenplay and it talks about a
10 husband named Dan and a wife named Kate and a
11 daughter named Mary, which my name is Melissa.
12 So um, he changed the wife's name but still our
13 daughter's name was the same. And I found this
14 after I got done working one day and because at that
15 time I worked from eleven (11) to eleven (11). So
16 when I came home, this was sitting on the desk so I
17 read through it and I got to the end and it didn't
18 really have an ending to it but it was very detailed.
19 He had spent time editing it and what not. So the
20 next day I had asked him you know what is the
21 ending of this screenplay, No Where's End, and he
22 looked at me and he said it's about how a mother
23 and a child, mother and the daughter got into a fatal
24 car accident and how the father got revenge. It
25 started with intimidation at that point. He also um,

1 when I filed, he bought a 357 magnum and it was
2 actually one of his friends that made me aware of
3 this and told me that she said we really want you to
4 watch your back, you know, that he just bought it
5 and we fear for your safety. You can have that and
6 actually on the second page, it's just weird how it
7 says, "you asked for it", so it was just bizarre.

8 MR. NEGANGARD: Is the handwriting on this his handwriting?

9 MELISSA: Yes.

10 MR. NEGANGARD: You've not changed anything?

11 MELISSA: No.

12 MR. NEGANGARD: We'll show that Grand Jury Exhibit 102 is a copy of
13 that screenplay.

14 MELISSA: Yes.

15 MR. NEGANGARD: Um, what else happened after um, during this
16 period of time from January of 2007 while the
17 divorce was pending?

18 MELISSA: Um, he would fight over anything. If my lawyer
19 suggested something, you know, it would be total
20 opposite even if it was something reasonable, like
21 half holidays, you have half holidays, she has...um,,
22 he wanted all the holidays. You know, everything
23 was a fight. Um, in between January and February,
24 it was February 9, 2007, so it was only about a
25 month and a half before we had our provisional

1 hearing, and that was up in Ripley County with
2 Judge Taul, um...

3 MR. NEGANGARD: Did he get an attorney at first?

4 MELISSA: Yes he had...well he had Amy Streater and um...

5 MR. NEGANGARD: He first hired Amy Streater. Is that correct?

6 MELISSA: Yes and then after the provisional hearing with her,
7 he fired her and picketed her office.

8 MR. NEGANGARD: So after the provisional orders, he fired her and
9 picketed her office?

10 MELISSA: Yes, because he was claiming that she failed to
11 provide the Court with a document.

12 MR. NEGANGARD: So from January to February, there was this period
13 of time where you didn't have a provisional order
14 hearing, so there was no order setting forth what the
15 visitation and...

16 MELISSA: Right...

17 MR. NEGANGARD: ...and stuff would be. Is that correct?

18 MELISSA: Mm hmm and at that time, um, there were times
19 that I can remember where he would not return the
20 girls to me like on, you know, because at this time
21 you're supposed to be able to try and work with the
22 other parent to set up time frames. Um, there were
23 times that he did not come to the specified meeting
24 place on time and um, he made it very clear to me
25 that you know, he was going to do everything in his

1 power to get full custody and he was saying that I
2 could not take the girls across state lines, basically
3 anything to threaten and intimidate me. This
4 obviously was not going to be something that we
5 could try and work out.

6 MR. NEGANGARD: Okay. So what happened at the provisional orders
7 hearing?

8 MELISSA: Uh, let's see here. I think that was an eight (8) hour
9 day. Um, you know, I don't think anything really
10 odd happened at the hearing.

11 MR. NEGANGARD: But I mean what was the ruling?

12 MELISSA: Oh, um, that I have sole custody and control of
13 Mary and Audrey and he had visitation while I was
14 at work, um, until our final hearing.

15 MR. NEGANGARD: So he did not like that you had sole custody coming
16 out of those provisional orders?

17 MELISSA: No.

18 MR. NEGANGARD: And um, when was Dr. Conner appointed?

19 MELISSA: I believe that was in May of '07.

20 MR. NEGANGARD: Okay. So he gets uh, you get provisional orders
21 hearing in February of '07.

22 MELISSA: Yes.

23 MR. NEGANGARD: And it doesn't go his way so he fires Amy Streater
24 and then pickets her office.

25 MELISSA: Yes.

1 MR. NEGANGARD: And then um, who does he hire after that?
2 MELISSA: Uh, Tom Blondell.
3 MR. NEGANGARD: And how long did Tom Blondell represent him?
4 MELISSA: Um, I think it was, if I'm right, about nine (9)
5 months maybe.
6 MR. NEGANGARD: Um, what happened with Tom Blondell? Why
7 didn't Tom Blondell continue to represent him?
8 MELISSA: Uh, let's see here. I think, from my understanding,
9 Tom..., let's see here...we had both agreed to have
10 Dr. Conner do our custody evaluation.
11 MR. NEGANGARD: You agreed to have Dr. Conner do the evaluation?
12 MELISSA: Yes, both of us did.
13 MR. NEGANGARD: Okay, so he agreed to Dr. Conner.
14 MELISSA: Yes.
15 MR. NEGANGARD: And Dr. Conner...during this period of time from
16 February of 2007 'til um, after that time, there was a
17 period of time you agreed on Dr. Conner for your
18 custody evaluation.
19 MELISSA: Right. Our custody evaluation went from, I think it
20 was May, and then we got the results of it back, in I
21 believe August of '07, so it was about a three (3)
22 month process.
23 MR. NEGANGARD: Okay and he had Tom Blondell as his attorney
24 during that time.
25 MELISSA: Yes.

1 MR. NEGANGARD: And it was his position that he was fighting for
2 custody.
3 MELISSA: Yes.
4 MR. NEGANGARD: So the Court ordered an evaluation and it was
5 agreed that Dr. Conner would conduct an
6 evaluation.
7 MELISSA: Yes.
8 MR. NEGANGARD: And did Dr. Conner issue a custody evaluation
9 report?
10 MELISSA: Yes.
11 MR. NEGANGARD: And that occurred in August of 2007.
12 MELISSA: Yes.
13 MR. NEGANGARD: And basically what were the findings of that report?
14 MELISSA: Um, the, it said, Dr. Conner had recommended that
15 I have sole custody and control, that this was not a
16 joint custody issue, that Dan was very, from my
17 understanding of the report, very difficult to get
18 along with and that this was impossible, um, to have
19 joint custody, so um, but Dan would have visitation
20 with the girls while I was at work.
21 MR. NEGANGARD: What was Dan's reaction to that?
22 MELISSA: Um, he was not happy at all. Uh, even though the
23 report stated that he should have visitation, um, he
24 was not happy at all. He started targeting Dr.
25 Conner at that time through internet writing, um,

1 negative, very negative and that stuff.

2 MR. NEGANGARD: Um, during this period of time from February of

3 2007 to August of 2007, were there any incidences

4 that stick out in your mind as to unusual, or

5 incidences of behavior with regard to Dan

6 Brewington, that kind of stick out in your mind?

7 MELISSA: Um, it was just the same stuff, like um, just the little

8 arguments over vacations, holidays, you couldn't

9 believe him at all. But from that time when we

10 were doing the custodial evaluation, he really

11 wasn't on bad behavior. I think he knew that he

12 was being watched, so to speak, by Dr. Conner

13 during the evaluation.

14 MR. NEGANGARD: So he kind of toned it down during that time?

15 MELISSA: Yell.

16 MR. NEGANGARD: And then after August of 2007, was he cooperative

17 at all with you?

18 MELISSA: I'm trying to think because it's been such a long

19 road. Um, at that time Tom Blondell was still with

20 him. So it's kind of like Tom Blondell had control

21 of him still, meaning that you know, if he started

22 acting irrational, Tom Blondell kind of, we're not

23 going that route, simmer down, or um, it was in...

24 MR. NEGANGARD: ...eventually Tom...

25 MELISSA: ...March of '08...

1 MR. NEGANGARD: ...eventually he terminated that relationship with
2 Tom Blondell?
3 MELISSA: Yell and if I'm right, I'm believing that Tom
4 Blondell put in a motion to withdraw. I think he
5 had had enough and at that time Dan started
6 targeting Tom Blondell on the internet.
7 MR. NEGANGARD: In what way did he target Tom Blondell on the
8 internet?
9 MELISSA: Um, negative things, um, about him as a person,
10 um, I don't know, he did research on Tom to figure
11 out what organizations he was in. He kind of, if I'm
12 right, targeted like those organizations, um, I think
13 at the time Tom Blondell was running for, was he
14 running for judge or something down here, posted
15 tons of negative information about Tom Blondell on
16 the internet about that.
17 MR. NEGANGARD: Okay. Alright and then um, you say he, he uh,
18 posted things on the internet. Did he start a couple
19 web-sites focusing on these issues?
20 MELISSA: Yes.
21 MR. NEGANGARD: What web-sites did he start?
22 MELISSA: Um, this is Dan's Adventures on Taking on the
23 Family Court. So this is the full thing of it all the
24 way up through February 24th – negative
25 information about me – anybody who has crossed

1 his path who had a different opinion than him,
2 which is basically everybody except his mom.
3 MR. NEGANGARD: So and this starts, the first post is, his first post on
4 that is March 28, 2009?
5 MELISSA: Let's see here. Uh, yell I guess that was it. I have it
6 all so if that's all there is, then...but he had started
7 another web-site which I don't have which kind of
8 got shut down and led into this.
9 MR. NEGANGARD: Oh, here's a post from February (inaudible). It says
10 "hello, my name is Dan, I would like to welcome
11 you to my blog."
12 MELISSA: Okay there you go.
13 MR. NEGANGARD: That's when it starts?
14 MELISSA: Yell, so all of that in two (2) years. That was one
15 web-site.
16 MR. NEGANGARD: Including February 24, 2011 and follow up letter to
17 Dearborn County Prosecutor.
18 MELISSA: Yes and then this other one is...
19 MR. NEGANGARD: Hold on a second. I've got to mark it and have you
20 identify it. Grand Jury Exhibit 103 is a complete
21 copy of the blog from the beginning until his most
22 recent posting, from the beginning it appears from
23 February of 2009 to his most recent posting in
24 February 2011.
25 MELISSA: Yes, okay so then um, another one and he's had

1 other little tiny miscellaneous things like you know,
2 he tweaked stuff, which I don't do, facebook, that
3 kind of stuff but his other one that was pretty
4 significant and this is the one where I am the most
5 upset about, is this www.danhelpskids.com where
6 he has posted my personal medical information in
7 here. He takes quotes from our confidential,
8 meaning private, custodial evaluation that was the
9 report that was put out by Dr. Conner and he puts
10 quotes from that confidential custodial evaluation
11 all in here and some of it has to do with my personal
12 medical history, um, history of OCD and depression
13 which is in here which is highly aggravating.
14 MR. NEGANGARD: And on this web-site, danhelpskids.com, he has legs
15 or he has sections entitled "Ed, Dr. Conner, Judge
16 Humphrey, you, Judge Taul, lawyers involved,
17 Dearborn County officials...
18 MELISSA: Yes.
19 MR. NEGANGARD: ...basically anyone who has ever disagreed with
20 him.
21 MELISSA: Yes and in here too, he's got pictures of our
22 children which I am in total disagreement with. At
23 the bottom, I think well it did at one point, have
24 their names.
25 MR. NEGANGARD: Has there not been any new postings on this one

1 since December...

2 MELISSA: I printed that out then. I haven't, I think I checked
3 that like two (2) weeks ago. I don't think that there
4 was really anything new.

5 MR. NEGANGARD: Okay. And uh, that printed from that web-site,
6 danhelpskids, is Grand Jury Exhibit 104?

7 MELISSA: Yes.

8 MR. NEGANGARD: I mean because he's unemployed he has all the time
9 in the world to create these documents.

10 MELISSA: Yes.

11 MR. NEGANGARD: Alright so, uh, we've got the point, was there
12 anything, did he have any unusual behavior during
13 his visitations with the children that was concerning
14 to you?

15 MELISSA: Um, well yes, he wouldn't take care of them,
16 physically, meaning that the girls would wear the
17 same clothes that they were wearing when they left
18 with him. Um, if they were sick, they would come
19 back sicker, not with any kind of report about what
20 was done with them over the weekend. Um, Mary
21 was telling me some inappropriate things that he
22 was doing. I am a big person when it comes to
23 guns, that they be locked up. While we were
24 married and there was a lot of issues with Dan, um,
25 like leaving guns underneath the couch and whatnot,

1 so one of my big complaints at the provisional
2 hearing was that you know, these guns need to be
3 locked up if I'm not going to be out there to keep
4 picking them up and putting them up high, then
5 something needs to be done. Um, so from that point
6 on, Dan made it very uh, just to go ahead and fight
7 me, introducing guns to the girls. Um, at the age of
8 four (4) uh, he had Mary shooting guns out at our
9 old barn. She would come home and say that um,
10 that she had a hard time pulling back the trigger but
11 daddy helped her. Um, and then it got to the point
12 where for Christmas at the age of four (4), Santa
13 brought her a bee-bee gun and they were using it
14 downstairs in his mom's basement shooting at cans.
15 So at that point, I had enough, I mean, that was one
16 of the major things that was very inappropriate
17 because it would be different if she was saying that
18 this was cool but she came home saying daddy
19 made me shoot this gun. I didn't want to and I was
20 shaking like a leaf in the wind. That's what she had
21 said.

22 MR. NEGANGARD: So the custody evaluation comes down in August
23 2007, um, Tom Blondell, what point does he
24 withdraw?

25 MELISSA: I think it was like around March of um, '09, March

1 of '08, I believe.

2 MR. NEGANGARD: March of '08?

3 MELISSA: Yell. I forget where we're at in the timeline.

4 MR. NEGANGARD: So he was his attorney for maybe a year?

5 MELISSA: Yes. At that point he started representing himself

6 prose.

7 MR. NEGANGARD: So at that point, he became his own attorney.

8 MELISSA: Yes.

9 MR. NEGANGARD: At the point that he became his own attorney, did it

10 become harder?

11 MELISSA: Absolutely. He would file motion after motion after

12 motion because he wasn't having to pay for a

13 lawyer. Um, he would file repetitive motions, um,

14 anything that you could think of he filed for

15 knowing that my main weakness was that I didn't

16 have a whole bunch of money so every time he filed

17 a motion, I would have to go ahead and hire my

18 attorney to answer it. We had to go to Court over it.

19 I think um, and I brought the chronological case

20 summary...

21 MR. NEGANGARD: Uh huh...

22 MELISSA: ...and in like March, April of '08, you can see all of

23 the repetitive motions that he would file.

24 MR. NEGANGARD: And this was the time after um, this was the time

25 after he no longer had legal counsel to kind of...

1 MELISSA: ...control him...

2 MR. NEGANGARD: ...sort through what would be appropriate and what
3 wouldn't be.

4 MELISSA: Right.

5 MR. NEGANGARD: So at that point, the motions really...

6 MELISSA: ...I think there was like, if I'm right, from what I
7 remember because as I go through this, this is
8 actually up through January of 2010, so it's not
9 complete up 'til now but I didn't have time to get
10 one...

11 MR. NEGANGARD: ...this is a certified copy. Correct?

12 MELISSA: This is a copy of the certified copy.

13 MR. NEGANGARD: A copy of the certified copy? That was a
14 certification?

15 MELISSA: Yes. I think if I'm right, there was like twenty-four
16 (24) or twenty-five (25) motions that he had put in
17 himself and I think everyone of them was denied
18 except for one - anything to stall and prolong this
19 process.

20 MR. NEGANGARD: (inaudible) when Judge Humphrey found in the
21 final hearing that your uh, attorneys fees ran up to
22 fifty thousand dollars (\$50,000.00) as a result?

23 MELISSA: Yell and he was ordered to pay forty thousand
24 (40,000) of it which I have not received any of it.

25 MR. NEGANGARD: I'm showing you, so Grand Jury Exhibit 105 is a

1 CCS.

2 MELISSA: Yes.

3 MR. NEGANGARD: I'm going to show that that's entered into evidence.

4 Um, okay, so it was also during this period of time

5 that he uses internet writings and to harass Dr.

6 Conner, Tom Blondell and anyone associated

7 basically with this case?

8 MELISSA: Yell, it even goes beyond that. It goes to at that

9 time, um, I was trying to get help for our daughter,

10 Mary. Our oldest was starting to show signs that

11 um, it was just getting rough on her. You know we

12 were going back and forth and between, meaning

13 the girls were there sometimes, they were with me,

14 they were, so she was starting to show signs of

15 distress. So at that time, I had tried to contact...

16 MR. NEGANGARD: And that's your oldest, Mary?

17 MELISSA: Yes. Um, a Dr. Malowski and I can't remember

18 exactly when I had contacted him but it was before

19 our final hearing so maybe early 2009, um, and Dr.

20 Malowski had me fill out paperwork for Mary and

21 asked Dan to fill out paperwork which he never did.

22 He refused, thinking that it would be used against

23 him in Court and um, before we could even start

24 counseling with Mary with Dr. Malowski, Dan had

25 wrote a threatening letter to him telling him that um,

1 he would be subpoenaed in Court for anything that
2 he says to Mary or anything like that so at that point
3 I got word that Dr. Malowski would not be treating
4 Mary. He said that he was uncomfortable given the
5 circumstances with Dan and threatening him already
6 before counseling even started that he would not be
7 able to treat Mary.

8 MR. NEGANGARD: Um, who else did he threaten as part of his...

9 MELISSA: Um, Dr. Dillon is somebody, he's a child
10 psychologist that I was going to see myself to get
11 input from him to tell me how to make this easier
12 on Mary and Audrey. Um, he has written two (2)
13 letters to Dr. Dillon, both of them threatening him
14 with litigation, um, I'll read you, um, I have always
15 said that I would hold everyone accountable for any
16 unethical or illegal conduct in matters dealing with
17 my children. Some would argue that this appears
18 threatening. I would argue that this is a promise and
19 then it goes on to say um, I want you to be aware
20 that there is a good possibility that you will be
21 subpoenaed to testify in future litigation and I will
22 hold you personally responsible for any therapy or
23 advice that you give to my children in dealing with
24 this illegal action. Um, there is no gray area here.
25 I'm just doing my job is not an excuse. So you

1 know, Dr. Dillon has been nice enough and there's
2 another one with similar kind of stuff but you know,
3 he's been nice enough to continue to...
4 MR. NEGANGARD: So Dr. Dillon didn't back down from this?
5 MELISSA: No, he did not and Dan tried to get on his schedule
6 and he refused and uh, he had also tried on several
7 different ways to call and be manipulative and get
8 on his schedule. I must have misplaced the other
9 one. I had two (2) in here. I was looking over stuff
10 before. If I find it, I will give it to you.
11 MR. NEGANGARD: This is uh, I'm showing you Grand Jury Exhibit
12 106. That's a letter from Dr. Dillon from Dan
13 Brewington?
14 MELISSA: Yes.
15 MR. NEGANGARD: And it's August of 2009?
16 MELISSA: Yes.
17 MR. NEGANGARD: Uh, when was the final decree issued in this case?
18 MELISSA: It was in August of 2009.
19 MR. NEGANGARD: And um, in this he says unfortunately Judge
20 Humphrey was the Judge (inaudible) I cannot gravel
21 in front of a court and go through a psychological
22 evaluation and therapeutic supervised visitations
23 sessions with my daughters. I cannot do it because
24 of the record will follow me the rest of my life and
25 be a public record that I underwent psychological

1 treatment to determine if I was a danger to my own
2 children.

3 MELISSA: Yes and he wrote that to, this letter, it went to the
4 schools, both Playtime which is where Audrey goes
5 and St. James School, making them aware that he
6 was refusing a psych. eval., also to my lawyer there
7 was a letter.

8 MR. NEGANGARD: He said, going through supervised visitations in a
9 therapeutic environment with the girls could do
10 more damage than not seeing them.

11 MELISSA: Yes.

12 MR. NEGANGARD: And is that also the letter where he threatens Dr.
13 Dillon?

14 MELISSA: Yes.

15 MR. NEGANGARD: Okay. Now, is there anyone else, you mentioned
16 Dr. Malowski, Dr. Dillon, um, the schools, what
17 communications did he do with the schools that
18 made it difficult for your children?

19 MELISSA: Um, he, let's see here, with St. James, um, I talked
20 to the principal, she said that he was very
21 demanding as far as things, wanting to look through
22 her file, which she had no problem with, but just
23 being loud at her conference. Um, Dan didn't like
24 what Mrs. Biebe had to say, that's the principal at
25 St. James. So what he did, was, basically she said,

1 look, we're not here to make any kind of judgment
2 on you or your wife or the situation that you guys
3 are in - we're here to talk about Mary. Um, and he
4 started to get loud and I think that she pretty much
5 reprimanded him and said if you've got any more
6 questions about Mary, that's it. Um, he didn't like
7 the way she handled the situation, so once again um,
8 he wrote negative things about St. James on the
9 internet. I think he contacted Mary Henninger. I
10 don't know if she's, something to do with
11 archdiocese. He cc'd a letter to the priest at our
12 church, making it very uncomfortable and also as
13 far as Playtime, which this is just like a small
14 private school that Audrey goes to - like a
15 daycare/preschool, um, in September of 2010, he
16 wrote a letter to them threatening them with
17 litigation if they didn't cooperate in the way that he
18 wanted and at that time, here's these letters - I don't
19 know if you want the ones from, to the schools...

20 MR. NEGANGARD: Yes.

21 MELISSA: There's four (4) here. There was two (2), you
22 know, one (1) written to each school in '09 and then
23 one (1) written to each school in 2010, but um,
24 Playtime, which is where Audrey goes had had
25 enough and in I believe it was in November of

1 2010...

2 MR. NEGANGARD: I'm showing what's marked as Grand Jury Exhibit

3 107. That's a letter he sent to Ms. Donna Biebe

4 dated September 8, 2009?

5 MELISSA: Yes.

6 MR. NEGANGARD: And this is after Court ordered, um, the Court made

7 several findings and in that order that he be

8 psychologically evaluated before he could have any

9 more visitation.

10 MELISSA: Yes. Our final order stated that I should have sole

11 custody and control of Mary and Audrey and that

12 Dan have no visitation with them until he

13 underwent a psychological evaluation. At that time,

14 once the psychological evaluation came out, then he

15 could petition the Court for supervised visitation.

16 Once supervised visitation was going okay, then he

17 could petition the Court for unsupervised visitation.

18 Um, and Dan was...do you need a copy of the

19 orders?

20 MR. NEGANGARD: If you've got them.

21 MELISSA: Uh huh. Yell here you go.

22 MR. NEGANGARD: Okay. I'll mark that. Okay, I'm showing you

23 what's marked Grand Jury Exhibit 112. Is that a

24 copy of the final order?

25 MELISSA: Yes.

1 MR. NEGANGARD: And this is the finding where the Judge determines
2 that he should have to...in this order it says he has
3 to have visitation or he has to get a psychological
4 evaluation.
5 MELISSA: Yes.
6 MR. NEGANGARD: Now...
7 MELISSA: It says something about him being irrational and
8 unable to conduct himself as a parent at this time.
9 MR. NEGANGARD: And he had already attacked Judge Humphrey um,
10 at this point, because I believe it says, the record in
11 this case shows that the husband has attempted to
12 intimidate the Court and Court Staff (inaudible).
13 MELISSA: Yes.
14 MR. NEGANGARD: And that's Grand Jury Exhibit 112?
15 MELISSA: Yes.
16 MR. NEGANGARD: I'll show that that's entered. Um, and 107 is the
17 letter from, to Donna Biebe?
18 MELISSA: Yes.
19 MR. NEGANGARD: Donna Biebe and that was St. James?
20 MELISSA: Yes.
21 MR. NEGANGARD: And 108 is the same?
22 MELISSA: Yes.
23 MR. NEGANGARD: Except that that's the letter on September 28th?
24 MELISSA: Yes.
25 MR. NEGANGARD: And 109 is the letter to Playtime?

1 a parent to be involved in the life of their children,
2 however going about it in a threatening manner
3 seems counterproductive. We are asking for a swift
4 resolution to the situation in order to maintain your
5 children's enrollment in our center". So basically
6 they are telling me that if something isn't done,
7 which is out of my control, that they were going to
8 ask my daughter to leave.

9 MR. NEGANGARD: And you had been trying to do something for some
10 time?

11 MELISSA: Yes.

12 MR. NEGANGARD: Now so what happened after that?

13 MELISSA: Um, well unfortunately, I'm trying to think of
14 when...Dan started the appeals process because he
15 didn't like the outcome of our final orders. Dan
16 started the appeals process um, a few months after, I
17 think it was like maybe in January of 2010. But he
18 started the appeals process so a lot of the things that
19 were happening I had nothing, no way to go about it
20 because the trial court couldn't hear my contempt's
21 against him or anything because it was out of their
22 jurisdiction and in the appeals court.

23 MR. NEGANGARD: So, 111 is the letter you got from Playtime.

24 MELISSA: Yes.

25 MR. NEGANGARD: And did Playtime end up having to terminate

1 Audrey?
2 MELISSA: No. We had a hearing on November 24, 2010, um,
3 down in, because our...
4 MR. NEGANGARD: This is the third (3rd) judge because Judge
5 Humphrey had to get out.
6 MELISSA: ...judge...yes. So now we are placed in Madison,
7 Indiana with Judge Todd. At that time, we were
8 able to talk to...Dan had a, has a lawyer, or had a
9 lawyer up until last week. He fired him – this Ryan
10 Ray. So we were able, me and my lawyer were able
11 to talk to him out in the hallway and explain to him
12 the importance, that he, you know, explain to Dan
13 that if he does not stop this type of behavior, he's
14 going to cause his child to have to relocate to a
15 different school, make new friends, put her in a very
16 uncomfortable situation because she has routine at
17 Playtime. She has stability there. She knows
18 everyone. So Ryan Ray, his lawyer at the time, he
19 wasn't really aware of what was going on.
20 MR. NEGANGARD: And then um, so what else has happened as a result?
21 What other issues have arisen through Dan
22 Brewington's, relation with Dan Brewington that
23 you haven't testified to?
24 MELISSA: Um, well after our final orders came out in August
25 of 2009, Dan was very angry and still representing

1 himself prose, um, had no control over his anger.
2 Most of it was directed toward me. After the orders
3 came out, I tried to let the girls communicate with
4 him but it was constant yelling at me over the
5 phone, um, saying that I was participating in a
6 crime, um, he was going to sue me. This wasn't
7 going to end well, which I never understood what
8 that meant. Um, he would tell me that if I didn't do
9 something, meaning he wanted me to go ahead and
10 file something with the Court like a mistrial, that if I
11 didn't do something, that he was going to release
12 information to the media, that he was going to be
13 contacting the schools, which I mean, he has. He's
14 done all of that. Um, at that time, I let this go on for
15 like three (3) weeks after our orders came out with
16 him yelling at me. The phone conversations
17 weren't going good. He was texting me, like I had
18 received eight (8) texts like in a half hour, um,
19 about, you better do something, this is, you're going
20 to be implicated in this and you don't want that to
21 happen. If you don't do something, I'm going to
22 release it to the media – all that good stuff. Um, I
23 told him at that time, that he was not to contact me
24 anymore and any and all communication must be
25 done through Angela Loechel. He continued to

1 contact me in a huge way – um, through texts,
2 phone calls, leaving messages on my home phone,
3 which was I was living with my parents at the time,
4 on my cell phone, um, and it was about a week after
5 I told him not to contact me that he continued to do
6 it, so I filed telecommunications harassment against
7 him in Hamilton County.

8 MR. NEGANGARD: And this occurred in the Fall, or actually it occurred
9 after, around the Fall of 2009. Correct?

10 MELISSA: It was in September of 2009.

11 MR. NEGANGARD: Okay. Now I do want to back up before we get into
12 the telephone harassment. At the final hearing how
13 would you describe, the final hearing on this
14 occurred over three (3) days. Is that correct?

15 MELISSA: Yes.

16 MR. NEGANGARD: And he represented himself.

17 MELISSA: Yes.

18 MR. NEGANGARD: How did he behave during that final hearing?

19 MELISSA: Terrible – throwing papers, yelling. Um, he stood
20 up and yelled at the top of his lungs “I demand
21 justice in this Courtroom”. He was acting um, very
22 odd, laughing inappropriately at questions.

23 MR. NEGANGARD: Okay so he did all this. Was a Sheriff’s Deputy
24 brought in to...

25 MELISSA: Yell after Dan would not calm down, you know, the

1 Judge said you're going to be held in contempt if
2 you don't simmer down. We're going to have a
3 Sheriff Deputy standing next to Dan for the entire
4 three (3) days. And we also needed to have a
5 Sheriff, like it wasn't just something simple where I
6 could go out and get my things appraised. We had
7 to have an appraiser appraise all of our items at the
8 house. Um, that had to be done with the Sheriff
9 Deputy there. Um, getting my things actually from
10 the house that I was awarded in our final orders –
11 that had to be done under a Sheriff's supervision
12 because he just is irrational.

13 MR. NEGANGARD: So after the final orders come out in 2000...August
14 of 2009 and in September of 2009, he begins this
15 telephone harassment where he won't leave you
16 alone.

17 MELISSA: Yes.

18 MR. NEGANGARD: And were charges filed in Hamilton County?

19 MELISSA: Um, yes. I filled out an affidavit.

20 MR. NEGANGARD: And then they ultimately dismissed the charges?

21 MELISSA: Yes because they said that is was a, it should be
22 handled in Indiana even though I was living in
23 Hamilton County and I had been for three (3) years,
24 because our final orders were out in...and the no
25 visitation was in those orders and they said that I

1 needed to file contempt in Indiana which I had done
2 but because of the appeals process, the trial court
3 could not hear the contempt against Dan, so yell,
4 Hamilton County, the Prosecutor's office dismissed
5 it on the facts that it was a gray area and it should be
6 handled in Indiana because they were the ones who
7 wrote the orders.
8 MR. NEGANGARD: Um, the telephone harassment - did you document
9 that?
10 MELISSA: Yes. This is the affidavit I filled out.
11 MR. NEGANGARD: I'm showing you Exhibit 115. Is that the affidavit
12 you filled out?
13 MELISSA: Yes. Um, and this is like a record of things that
14 were happening at this time as well. When I filed
15 the telephone communications harassment out of
16 spite, Dan went ahead and he had the police come to
17 our house which is pretty intimidating for a four (4)
18 and six (6) year old to have the police come out to
19 the house. He wanted them to come to check on the
20 girls.
21 MR. NEGANGARD: Um, it shows, this is the timeline you created?
22 MELISSA: Yes.
23 MR. NEGANGARD: Okay, so I'm showing you 114. That's the timeline
24 that you created. Correct?
25 MELISSA: Yes.

1 MR. NEGANGARD: And everything in there is what you recall.
2 MELISSA: Yes.
3 MR. NEGANGARD: And then the last entry is uh, 9/11/09, Dan wrote on
4 his blog web-site about how evil me and my family
5 are and how he used to protect them but now he
6 wasn't going (inaudible)?
7 MELISSA: Yes and I have no idea what that means but it
8 sounds as if he had plans for me.
9 MR. NEGANGARD: Do you have copies of those text messages.
10 MELISSA: Yell, basically that was just...the first seven (7) or
11 eight (8) are to show how many he texted me in a
12 half hour period and then after that it was all the
13 way leading up 'til here.
14 MR. NEGANGARD: Okay so these aren't even, these are actually...
15 MELISSA: They're texts and then I e-mailed it to my phone.
16 MR. NEGANGARD: You e-mailed them and then...so you, he texted
17 you, you e-mailed them so you could document
18 them.
19 MELISSA: Yes. This shows that he contacted me after I told
20 him not to.
21 MR. NEGANGARD: And these texts are Grand Jury Exhibit 115?
22 MELISSA: Yes.
23 MR. NEGANGARD: At this point that he texting you all this, you asked
24 him to stop contacting you. Correct?
25 MELISSA: Yell, it is, oh this was an interesting, by the way if

1 the Judge punishes me for writing five (5) text
2 messages after he emotionally abused the girls, it
3 will make everyone but me look bad. Go file a
4 contempt charge. Um, okay, so on September 5th of
5 2009, I put you are not to contact me anymore. Any
6 and all communication needs to be done through my
7 attorney, Angela Loechel.

8 MR. NEGANGARD: And then he continued to contact you after that.

9 MELISSA: Yes in several ways.

10 MR. NEGANGARD: And um, he also, he also referred to the Judge
11 Humphrey as a motion in abusing his children. Is
12 that correct?

13 MELISSA: Yes.

14 MR. NEGANGARD: All because Judge Humphrey just said hey you got
15 to get an evaluation before you can have visitation?

16 MELISSA: Yes.

17 MR. NEGANGARD: So 113 is the affidavit you signed, 114 is your
18 personal timeline and 115 is copies of your text
19 messages.

20 MELISSA: Yes.

21 MR. NEGANGARD: We'll show 113, 114 and 115 entered. Okay is
22 there um, oh there was some other things I wanted
23 to hit on. During the course of the marriage, um,
24 did your children have some health issues?

25 MELISSA: Oh, yell they both did. Audrey, let's see here, um,

1 Mary, my oldest, she dealt with over abundance of
2 ear infections and strept. She had to have two (2)
3 sets of ear tubes put in, her adenoids taken out and
4 her tonsils taken out. She also, because of all of the
5 ear infections, had speech issues. She was delayed
6 in her speech so we had to go through First Steps
7 for speech therapy. Um, that was Mary and then
8 Audrey, she was born with a hip click, itosis and a
9 large anterior fontanel. Um, her head was enlarged.
10 She had jaundice so there was quite a few things
11 that we had to deal with or I dealt with, with her.
12 MR. NEGANGARD: So the report indicated in this order, that you
13 attended, the Court noted that you had been to
14 seventy-one (71) of the seventy-four (74) of the
15 pediatrician visits and he had only been to nine (9)
16 of those.
17 MELISSA: Yes.
18 MR. NEGANGARD: But it wasn't because he was working.
19 MELISSA: No.
20 MR. NEGANGARD: I mean he could have gone to those visits.
21 MELISSA: Mm hmm.
22 MR. NEGANGARD: Um, there were twenty-one (21) specialists'
23 appointments. You were at twenty (20), he was at
24 two (2).
25 MELISSA: Yes.

1 MR. NEGANGARD: And again it wasn't because he was working.
2 MELISSA: No.
3 MR. NEGANGARD: He just didn't go.
4 MELISSA: Dan did have a job in early '05, like when Audrey
5 was born, um, so at that time, he may have not been
6 able to come to some of Audrey's stuff but it was no
7 excuse for Mary.
8 MR. NEGANGARD: Okay, um, he missed an ear surgery of Audrey.
9 Correct?
10 MELISSA: Yes.
11 MR. NEGANGARD: And that was in December of 2006?
12 MELISSA: Yes.
13 MR. NEGANGARD: He was unemployed. Why did he miss it?
14 MELISSA: When was that?
15 MR. NEGANGARD: December of 2006.
16 MELISSA: Mm hmm, yell because he had been unemployed
17 since May of '06. That was when we first started
18 with all of our divorce stuff and I had no idea. It
19 blew my mind away.
20 MR. NEGANGARD: He just didn't go?
21 MELISSA: He didn't go. He was made aware of it.
22 MR. NEGANGARD: He never attended any of the speech therapy
23 sessions.
24 MELISSA: No.
25 MR. NEGANGARD: You attended all of those.

1 MELISSA: Mm hmm.

2 MR. NEGANGARD: And you were, you had a job. Correct?

3 MELISSA: Yes.

4 MR. NEGANGARD: You took the girls to all of their dental
5 appointments.

6 MELISSA: Yes.

7 MR. NEGANGARD: It also says, that the Court made a finding and it was
8 documented that there was one hundred and forty-
9 five (145) extra curricular activities attended by the
10 children. You were at one hundred and thirty-three
11 (133) and the husband was only present for three (3)
12 dance recitals.

13 MELISSA: Yes.

14 MR. NEGANGARD: Why did he not attend any of those organized extra
15 curricular activities?

16 MELISSA: I don't know.

17 MR. NEGANGARD: It says you would spend time with the children at
18 the zoo, museum centers, circus, Disney on Ice,
19 swimming at the Y, going to parks, taking walks,
20 riding bikes, baking cookies, doing arts and crafts
21 and a variety of other activities and he
22 didn't...when he spent time with the kids he taught
23 them how to shoot guns. He didn't take them to the
24 zoo, museum center or any of that?

25 MELISSA: Not that I know of.

1 MR. NEGANGARD: Dr. Conner's testimony at that hearing said the
2 Respondent is paranoid, manipulative and exhibits a
3 manic-like existence unwilling to accept
4 responsibility for his behavior, is self-centered, has
5 difficulty seeing an issue from another's
6 prospective, likes to do things on his own as
7 opposed to being more cooperative, compromising,
8 and does not handle criticism well. Would you
9 agree with that assessment?

10 MELISSA: Yes.

11 MR. NEGANGARD: Um, it also indicated that uh, he admitted on his
12 facebook page that this is like playing with gas and
13 fire and anyone who has seen me with gas and fire
14 knows that I'm quite the accomplished pyromaniac.

15

16 MELISSA: Yes.

17 MR. NEGANGARD: Um, it said a husband is supposed (inaudible) with
18 inappropriate contact for their age and that you had
19 confronted him with that concerning Mary's
20 nightmares. What were those movies and what
21 were the nightmares (inaudible)?

22 MELISSA: Um, oh, like Austin Powers, um, she would have
23 nightmares about that bastard and she would wake
24 up crying. When I addressed it with him, that
25 would just fuel his fire and he would have them

1 watch it more.

2 MR. NEGANGARD: So if you told him you didn't like him watching
3 Austin Powers, was having nightmares about that
4 bastard, he would have them watch it more?

5 MELISSA: Mm hmm.

6 MR. NEGANGARD: Um, was there a time when he had the children that
7 he would have the children with his mom while he
8 would work on this legal project instead of spending
9 time with his children?

10 MELISSA: Yes.

11 MR. NEGANGARD: And the legal project was this case?

12 MELISSA: Yes.

13 MR. NEGANGARD: Is there anything else that you can tell us about
14 Daniel Brewington that you recall right now that
15 you haven't testified to?

16 MELISSA: Um, I feel that out of spite for me filing the
17 telecommunications harassment in Hamilton
18 County, um, and it being dismissed because they
19 said that it needed to be handled in Indiana, he filed,
20 once again, a motion now with Hamilton County, he
21 said that I filed the affidavit out of ill-will malice
22 and hatred and because of this, I have had to retain
23 another lawyer in Hamilton County, which has
24 already cost me five thousand dollars (\$5,000.00)
25 and that is supposed to be taken care of in July.

1 MR. NEGANGARD: Now he has spent and you have documented, his
2 posting blogs saying all sorts of negative things
3 about you.
4 MELISSA: Yes.
5 MR. NEGANGARD: Um, posting personal, confidential information
6 about you on the internet. Correct?
7 MELISSA: Yes.
8 MR. NEGANGARD: And um, you could respond to those blogs. Is that
9 correct?
10 MELISSA: I could have.
11 MR. NEGANGARD: Have you ever responded once to any of his blogs?
12 MELISSA: Never once have I ever retaliated or done anything.
13 MR. NEGANGARD: And um, has he shown the children how to access
14 these blogs on the internet?
15 MELISSA: Um, well he had testified that he was starting to
16 show the children how to get on the internet and
17 that, and I think at our final hearing, he said that
18 Mary could go ahead and get on the internet herself.
19 And Mary is starting to read now. I mean she's in
20 first (1st) grade. She reads very well and some of
21 the stuff that he puts on the internet on his web-sites
22 are directed to...he'll write letters to the girls which
23 are inappropriate like there's ones that are from, on
24 their birthdays, February 6th is Audrey and October
25 30th and if you read those, they are very

1 inappropriate for a four (4) and seven (7) year old to
2 read. You know, who knows when they could
3 access this if I'm not around but they are very
4 inappropriate and he has always threatened to tell
5 the children that once he does get visitation with
6 them that one of the first things he's going to do is
7 tell them the truth which is his side of the story.
8 He's claimed that he's keeping a time capsule so
9 that when he does get contact with the children, he
10 can share all of this information with them which is
11 going to really disturb them I would imagine.

12 MR. NEGANGARD: Is there anything else?

13 MELISSA: I don't think so.

14 MR. NEGANGARD: Thank you. I don't have any questions. Does any
15 of the grand jurors have any questions?

16 MELISSA: Yes?

17 JUROR: Who was paying for his attorneys?

18 MELISSA: Um, I would imagine that his mom did for the
19 majority of the time um, during our case from the
20 beginning of '08 all the way until past when our
21 final orders came out, he was representing himself,
22 so, but I would imagine...his mom testified that she
23 gives him twenty-five hundred dollars (\$2500.00)
24 cash a month.

25 MR. NEGANGARD: And to clarify, his mom has a considerable amount

1 of property. Is that correct?

2 MELISSA: Um, they have some property out in Milan, um, I

3 believe it was appraised for like one point four (1.4)

4 million.

5 MR. NEGANGARD: And the testimony was that mom gave him twenty-

6 five hundred dollars (\$2500.00) a month while this

7 case was pending.

8 MELISSA: Yes.

9 MR. NEGANGARD: And he didn't...once he got rid of Tom Blondell, he

10 didn't incur any attorney's fees. Is that correct?

11 MELISSA: No but I sure did.

12 JUROR: I have a question. Your divorce was final in August

13 of 2009?

14 MELISSA: Yes.

15 JUROR: And his appeals process is still continuing today?

16 MELISSA: No. The appeals process was finished. He took all

17 of the steps necessary in the appeals process. He

18 first...the appeals process started in September of

19 '09 and finally ended in December of 2010. So he

20 took the three (3) steps that he could take, the first

21 one he appealed four (4) things from our divorce

22 decree. They denied that. Then he put in a motion

23 with the appeals court for a I believe, re-hearing and

24 they denied that and then he put in his final thing

25 was for a transfer and they denied that.

1 JUROR: Are you still continuing to be harassed by him?

2 MELISSA: Um, through the internet, well two (2) weeks ago I

3 found out that he is now representing himself prose

4 again. So we got some bogus motions from him so

5 as far, I would...if I had the money, I would

6 definitely see that is we could get him for

7 (indiscernible) litigator which is somebody who

8 files motion after motion, usually a person who is

9 representing themselves prose, um, frivolous

10 motions to basically drown the other party in debt.

11 So from stand point, and the internet stuff, I mean

12 sometimes it's really disturbing. I usually don't

13 look at it too often, maybe once a week just to keep

14 myself updated, but um, it's disturbing.

15 MR. NEGANGARD: Now I do want to clarify one of the questions. He

16 did have an attorney for his appeal, Ryan Ray.

17 MELISSA: Yes.

18 JUROR: My question is, this could maybe be viewed as your

19 ex-husband being spiteful and cantankerous but you

20 believe him to be a true menace to where he might

21 harm you or your family or any of you

22 acquaintances?

23 MELISSA: Absolutely. I mean it is, it's a disturbing feeling to

24 have to check, double check, check, double check,

25 lock doors when you walk out of your house or

1 when I walk out into the garage from work, to be
2 looking around, yell, it is very disturbing. He's
3 made just with that screenplay...like I said, I think
4 that he's so out of touch with reality. He cannot
5 differentiate between what is right and wrong. It's
6 blurred to him or what's appropriate and not
7 appropriate. So he doesn't know where that line is.
8 He crosses it a lot. So at what point, sometimes I
9 feel like at what point would he know the difference
10 between hurting me...he's claimed on his internet
11 that he's acting, you know, he's a martyr, it's all a
12 delusion to him, and at what point would he go far
13 enough to hurt me or our girls or you know anybody
14 else. I think that's a very true concern. Yes?
15 JUROR: Did he ever have any meaningful employment while
16 you were married to him?
17 MELISSA: Married?
18 JUROR: Or knew him?
19 MELISSA: When I met him, he worked at Hillrom and I believe
20 he worked there for nine (9) months, then he
21 worked at CompUSA for I think maybe four (4) or
22 five (5) months and then he worked for a lawn
23 business for three (3) months and then I believe the
24 longest employment that he had while I knew I
25 think was about nine (9) months where he was

1 working for um, he was installing home security
2 systems. So like in the nine (9) years that I had you
3 know really knew him, I think it came out to be like
4 two (2) years of employment or something.

5 MR. NEGANGARD: Any other questions? Thank you Ms. Brewington.
6 I would just remind you that you cannot disclose
7 what you testified to here today to anyone else.

8 MELISSA: Okay, yes.

9 MR. NEGANGARD: Thank you. 116 is the Court of Appeals decision
10 regarding the decision of Judge Humphrey. I want
11 to break for lunch at this point. I would call Dr.
12 Edward Conner to the stand. Please swear the
13 witness in.

14 FOREMAN: Do you solemnly swear or affirm that the testimony
15 you are about to give in the matter now under
16 consideration by the grand jury will be the truth, the
17 whole truth and nothing but the truth? And do you
18 further solemnly swear or affirm that you will not
19 divulge any portion of your testimony before this
20 grand jury except when legally called upon to do
21 so?

22 DR. CONNER: I do.

23 MR. NEGANGARD: Okay, Dr. Conner, would you please state your
24 name for the record please?

25 DR. CONNER: My name is Dr. Edward Conner.