

NORTH CAROLINA  
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
08 CVD 12310

GARRY D. RENTZ AND DONNA A. )  
RENTZ AND KRISTA C. LISTER, )  
Plaintiffs, )  
 )  
v. )  
 )  
BRADLEY COOPER, )  
Defendant. )

**OBJECTION TO DEFENDANT'S  
MOTION TO MAINTAIN STATUS QUO;  
MOTION TO CONTINUE**

**MOTION TO STRIKE PARAGRAPH 16  
OF DEFENDANT'S MOTION TO  
MAINTAIN STATUS QUO; MOTION TO  
CONTINUE**

NOW COME PLAINTIFFS, by and through counsel, Alice C. Stubbs, and object to the Defendant's Motion to Maintain Status Quo; Motion to Continue, and move the Court to strike paragraph 16 of the Defendant's motion. In opposition to the motion and in support of Plaintiffs' Motion to Strike, Plaintiffs show the Court as follows:

1. After the hearing of October 16, 2008, the Court met with counsel for the parties prior to the entry of the Temporary Custody Order of November 21, 2008. The Court instructed counsel for the parties to calendar the permanent custody trial, as required by case law and in accordance with Wake County Family Court Rule 1.3(a).

2. Counsel for the parties conferred with Judge Debra Sasser and scheduled the custody trial for the weeks of June 1 and June 8, 2009.

3. As represented in the Defendant's motion, counsel for the Defendant has submitted a proposed "Consent Order for Custody" to counsel for Plaintiffs. A number of the terms contained in the proposed consent order are not acceptable to Plaintiffs, and there are several remaining legal and factual disputes.

4. Counsel for Plaintiffs will negotiate in good faith with counsel for the Defendant, in an effort to reach a consent order for permanent child custody that is in the best interest of the minor children and acceptable to all parties; however, in the event that the parties are not able to resolve the outstanding legal and factual issues relating to custody of the minor children, the custody trial which is scheduled for June 1, 2009 should proceed as originally scheduled.

5. It is in the best interest of the minor children for the custody trial to proceed as scheduled and for the Court to enter an order determining custody of the minor children rather than to continue this matter indefinitely.

6. Paragraph 16 of the Defendant's motion is improper, as it contains limited portions of settlement negotiations which are not admissible and should not be considered by the Court. Plaintiffs are not required to accept all terms of the Defendant's proposed

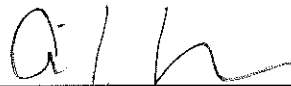
consent order, and the Court's purpose is to make a decision in the event that parties cannot reach an agreement on legal and factual issues.

WHEREFORE, Plaintiffs respectfully request that the Court:

1. Deny Defendant's Motion to Maintain Status Quo; Motion to Continue;
2. Strike paragraph 16 of Defendant's Motion to Maintain Status Quo; Motion to Continue;
3. Order that the permanent custody trial of June 1, 2009 proceed as scheduled in November of 2008; and
4. Order such other and further relief as the Court deems just and proper.

This the 1<sup>st</sup> day of May, 2009.

THARRINGTON SMITH, LLP



By: \_\_\_\_\_  
Alice C. Stubbs  
Attorney for Plaintiffs  
Tharrington Smith, LLP  
Post Office Box 1151  
Raleigh, North Carolina 27602

**CERTIFICATE OF SERVICE**

I hereby certify that on the 11<sup>th</sup> day of May, 2009, the foregoing **OBJECTION TO DEFENDANT'S MOTION TO MAINTAIN STATUS QUO; MOTION TO CONTINUE** was served upon Defendant by confirmed facsimile and by placing a copy in the United States mail in a postage paid envelope addressed to the following attorney of record for Plaintiff:

Ms. Deborah Sandlin  
Sandlin and Davidian, P.A.  
Post Office Box 58569  
Raleigh, North Carolina 27658-8569  
(F) (919) 850-9699  
*Attorney for Defendant*

This the 11<sup>th</sup> day of May, 2009.

THARRINGTON SMITH, L.L.P.

By:



\_\_\_\_\_  
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