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**CONFORMED COPY  
ORIGINAL FILED**  
Superior Court of California  
County of Los Angeles

**NOV 24 2015**

**Sherri R. Carter, Executive Officer/Clerk  
By: William Adamo, Deputy**

6 Attorneys for Michelle Frenkel, Petitioner

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

10  
11 In Re the Conservatorship of

CASE NO. BP168417

Assigned to the Honorable Judge Clifford L. Klein for all purposes.

12  
13  
14  
15 Ellen Frenkel

DECLARATION OF MICHELLE FRENKEL RE  
MIRIAM FEHRING'S REFUSAL ON NOVEMBER  
23, 2015 TO ALLOW MY FATHER AND ME TO  
MEET WITH ELLEN FRENKEL UNLESS  
MIRIAM IS PRESENT

DATE: November 30, 2015  
TIME: 10:30 a.m.  
DEPT: 9

**By Fax**

16  
17  
18 Proposed Conservatee.

19  
20 I, Michelle Frenkel, declare:

21 1. Yesterday, November 23, 2015, I sent an email to Miriam Fehring, who has the custody  
22 of my grandmother, Ellen Frenkel, the Proposed Conservatee ("Ellen"), requesting that Miriam  
23 allow my father and me to meet with Ellen — without Miriam being present to ruin all  
24 interaction. A true and correct copy of my email is attached hereto as Exhibit 1.

25 2. In my email, I offered to pay for an independent professional conservator of Miriam's  
26 choosing to serve as a "monitor."

27 3. Miriam replied by email today (Exhibit 1) refusing to allow us to visit with my  
28 grandmother unless we agree that Miriam herself shall be present at all times, throughout the

1 visit.

2 4. My father and I see no benefit to be derived from a “visit” that would be embittered by  
3 Miriam’s presence, since we believe that Miriam would interrupt us while we are talking with  
4 my grandmother, and prevent my grandmother from speaking freely and comfortably with us.

5 The matters stated in the foregoing document are true of my own knowledge except as to  
6 those matters, which are stated on information and belief, and to those matters I believe them to  
7 be true. I declare under the penalties of perjury under the laws of the State of California, that  
8 the foregoing is true and correct, and that this declaration was executed today, November 23,  
9 2015, at [City] Santa Clara, California.

10  
11 Signed: \_\_\_\_\_

Michelle Frenkel

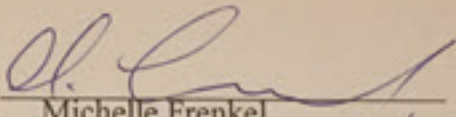
See signature on  
subsequent page

1 visit.

2 4. My father and I see no benefit to be derived from a "visit" that would be embittered by  
3 Miriam's presence, since we believe that Miriam would interrupt us while we are talking with  
4 my grandmother, and prevent my grandmother from speaking freely and comfortably with us.

5 The matters stated in the foregoing document are true of my own knowledge except as to  
6 those matters, which are stated on information and belief, and to those matters I believe them to  
7 be true. I declare under the penalties of perjury under the laws of the State of California, that  
8 the foregoing is true and correct, and that this declaration was executed today, November 23,  
9 2015, at [City] Santa Clara, California.

10  
11 Signed:

  
12 Michelle Frenkel  
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**See Miriam's reply on page 3 of this exhibit**

## Seeing Oma

1 message

Michelle Frenkel <michelle\_frenkel@yahoo.com>

Sun, Nov 22, 2015 at 9:45 PM

To: Miriam Frenkel <miriamclaireff@gmail.com>

Thank you so much for your email.  
Indeed I want very much to see Oma.  
I will be arriving in Los Angeles on November 28 2015, in the afternoon.  
I would like to meet with Oma from 3pm meeting through 6pm. The sticky point is that I do not want have a sham meeting with Oma, where you are supervising or monitoring the visit, or even in our presence.

Dad and I want to meet with Oma, without you or your family being present.  
To address your contention that dad and I would be incompetent to look after Oma, I am now offering to pay for an independent monitor, i.e., a professional conservator, who would monitor the visit. I propose Monique Cain, who has agreed to be a monitor.

Monique Cain  
Cain Fiduciary Services  
4429 E. Village Rd. #209  
Long Beach, CA 90808

The fact that I proposed Monique Cain probably makes Monique Cain unacceptable to you.

So, if she is unacceptable, I request that you select someone from the attached PDF file to monitor our visit on November 28, 2015, between 3 and 6pm. The name of the attached PDF file is:

"Professional Fiduciary Association of California\_Members within 15 miles of zip code 90290, downloaded\_2015-11-22\_.pdf"

I probably would agree to have any one of those people be a monitor of my dad's and my visit with Oma (outside of your home and/or the presence of you and your family).

Just let me know whom you select. I will call that person to be sure that he/she is acceptable, and pay in advance for his or her

**Exhibit 1, pg. 1**

services monitoring our visit with Oma.

Please let me know as soon as possible what your decision is.

Mish



Marc Hankin &lt;marc@marchankin.com&gt;

**Fwd: Seeing Oma**

1 message

**Michelle Frenkel** <michelle\_frenkel@yahoo.com>

Mon, Nov 23, 2015 at 5:35 PM

To: David Frenkel &lt;dfrenkel@changecatalyst.com&gt;, Marc Hankin &lt;marc@marchankin.com&gt;, Jessica Jones &lt;jessmjones@gmail.com&gt;, Ruth Frenkel &lt;r.a.frenkel@gmail.com&gt;

Sent from my iPad

**from Miriam Fehring aka Miriam Claire**

Begin forwarded message:

**From:** Miriam Claire <miriamclaireff@gmail.com>**Date:** 23 November 2015 3:19:23 pm PST**To:** Michelle Frenkel <michelle\_frenkel@yahoo.com>**Subject: Re: Seeing Oma**

No.

I will be present for the three hour visit and we will all have a happy time as a family with Mum. That is her wish. We did it last February in Melbourne and you testified under oath at vcat at feb 25th hearing that you were comfortable during the 2 1/2 hour visit. Your dad commented as you were leaving that it was a very nice visit and you agreed. So it will be this time. We can meet In Marina del Ray at Whiskey Reds or at Jerry's Deli in Woodland Hills, or some other restaurant if you prefer. Mum was very happy when I told her she would be seeing you, your Dad and Matilda on Saturday. Our visit will be exactly as it should be- happy family time together.

The only sham is you and your dad trying to override the professional assessments and rulings of 13 professionals including LA County Sheriff's Lost Hills Deputy and Detective, all of whom determined that Mum wants to be with me and my family here in LA. Your inability to accept this fact and repeated attempts to trick Oma into saying she wants to go back to Melbourne distress her terribly. She would only want to go to Melbourne if I was with her and that is not possible at this time. Mum accepts that - you should too, for your sake and Oma's sake.

On your own with Oma, you and your dad have demonstrated clearly that you are willing to lie to Oma to coerce her into agreeing with you. The unconscienable video you made with your dad on March 1st, 2015 showed clearly your complete disregard for Oma's feelings and the distress you caused her when you badgered her into saying what you wanted her to say. She was so distressed that she didn't remember seeing your dad when she got in the car. Worst of all, you and your dad told Mum during the interview that you were giving her facts and the truth but you weren't. You both lied to her. VCAT did NOT accept the interview as valid evidence and your dad lost his application for Guardianship. Please respect and accept Oma's wish to be with me.

Where would you like to meet??

Happy Thanksgiving

Mimi

Sent from my iPhone

**Exhibit 1, pg. 3**