

IN THE THIRD JUDICIAL DISTRICT COURT
OF SALT LAKE COUNTY, STATE OF UTAH

*** PRIVATE ***

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IN THE MATTER OF THE)	
)	Case No. 082900089
ADOPTION OF BABY B.)	
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Hearing
Electronically Recorded on
March 21, 2012

BEFORE: THE HONORABLE PAUL MAUGHAN
Third District Court Judge

APPEARANCES

For the Petitioners:	<u>Larry S. Jenkins</u> <u>Lance D. Rich</u> KIRTON & MCCONKIE 50 East South Temple Salt Lake City, Utah 84111 Telephone: (801)323-3600
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For the Intervener: (Carrie Terry Morlock)	<u>David E. Hardy</u> 10 East South Temple Salt Lake City Utah, 84133 Telephone: (801)530-7311
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For the Birth Father: (Robert Manzanares)	<u>Jennifer R. Reyes</u> P.O. Box 895 Brigham City, Utah 84302 Telephone: (435)723-5219
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Also Present:	<u>Wes Hutchins</u>
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P R O C E E D I N G S

(Electronically recorded on March 21, 2012)

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3 THE COURT: We're here in the matter of the adoption
4 of Baby B. It's case ending in 0089. Counsel, will you state
5 your appearances, please.

6 MR. JENKINS: Larry Jenkins and Lance Rich, your Honor,
7 appearing for the petitioners in this matter.

8 MR. HARDY: Your Honor, David Hardy for Carrie Terry
9 now Carrie Morlock for the intervener.

10 MS. REYES: Your Honor, Jennifer Reyes appearing on
11 behalf of the birth father, Robert Manzanares, who is present
12 in person today.

13 MR. HUTCHINS: Wes Hutchins. I'm part of Rob's legal
14 team as well, your Honor.

15 THE COURT: As a preliminary matter, is there somebody
16 from the press here right now?

17 MR. JENKINS: I don't there's anybody in here now from
18 the press, your Honor. I believe anybody --

19 THE COURT: Do they want to make a statement, raise an
20 objection?

21 MR. JENKINS: I don't know.

22 MR. HUTCHINS: I can go ask, your Honor.

23 THE COURT: All right, I don't want to invite trouble.
24 I mean, I get -- but what is your position on that, about the
25 press being here or not being here.

1 MR. JENKINS: Well, My position, your Honor, is the
2 statute provides that adoption proceedings are sealed and
3 closed. That would be our position, that you know, because
4 this is an adoption proceeding that it should be closed.

5 THE COURT: What do you think? Do you care?

6 MS. REYES: Your Honor, my client is comfortable with
7 having the media involved if the Court feels it's appropriate.

8 THE COURT: Mr. Jenkins, I don't disagree on a -- if
9 this were really an adoption, but I don't think that's what's
10 happening here today.

11 MR. JENKINS: Your Honor, there is at least one
12 journalist that would like to make a statement.

13 THE COURT: That would like what?

14 MR. JENKINS: To make a statement to the Court.

15 THE COURT: Sure. So tell me what adoption is going
16 forward today?

17 MR. HARDY: Well, it is an adoption proceeding, your
18 Honor, and under the statute proceeding, adoption proceedings
19 are closed. I understand the purpose of being here today is
20 for our motion to dismiss the adoption proceeding.

21 Frankly, your Honor, we would tell you we've already
22 reached an agreement with Mr. Manzanares and his Counsel on
23 the terms of where we can dismiss things and basically resolve
24 their objections; so I don't think we're going to be here that
25 long anyway, but --

1 THE COURT: Good morning.

2 MS. ADAMS: Good morning.

3 THE COURT: You are?

4 MS. ADAMS: I'm Brooke Adams for the Salt Lake Tribune.

5 I would argue that the press should be allowed to sit --

6 THE COURT: Well, I know you'd like to argue, but tell
7 me, do you have an attorney here, or are you an attorney?

8 MS. ADAMS: I am not an attorney and I --

9 THE COURT: You can't represent the Tribune in this
10 matter.

11 MS. ADAMS: I could ask and get an attorney. I don't
12 know that I need to --

13 THE COURT: Well, that -- why don't you just have a
14 seat for a moment. What -- I just want to see how broad the
15 statute reads.

16 MR. JENKINS: Sure.

17 THE COURT: Does anybody know -- I mean, 78(b)-6 --

18 MR. JENKINS: Towards the end of the (inaudible).

19 MR. HARDY: Towards the end of the 100's.

20 THE COURT: Well, it's the one 78(b)-6 --

21 MR. HARDY: It's 140 something, I believe.

22 THE COURT: At 140, you think?

23 MR. HARDY: I don't know if it was 140 or it's right
24 around there.

25 THE COURT: Name, fees, expenses, consent, restrictions,

1 disclosure of information. Well, I don't -- I don't see it
2 right off. It's not -- do you want to look at this?

3 MR. JENKINS: If I could.

4 THE COURT: Sure.

5 MR. JENKINS: I apologize, I didn't bring (inaudible).

6 MR. RICH: It's 141.

7 MR. JENKINS: Yeah.

8 THE COURT: The Court's been referred to Section 78(b)-
9 6-141 which talks about the sealing of reports and documents.
10 It doesn't address the proceedings, however, in that section.
11 There may be others, but I don't see anything in the statute
12 that's been given to me that would preclude this from being
13 an open proceeding, inasmuch as we are not actually doing an
14 adoption today. So whoever wants to be here is free to be
15 here.

16 All right, Mr. Jenkins, you indicated that you think
17 that this may be a short matter and that there's been some
18 stipulation. I'd be very interested in that.

19 MR. JENKINS: Your Honor, we have discussed things with
20 Ms. Reyes and believe we have reached an agreement on the terms
21 that we --

22 THE COURT: Well, tell me what you've agreed to or --

23 MR. JENKINS: Maybe Ms. Reyes could present that.

24 THE COURT: Sure, Ms. Reyes, if you'd like.

25 MR. JENKINS: She's the one that's made the proposal to

1 us, and we're willing to go with it.

2 MS. REYES: Your Honor, we have reached what we under-
3 stand to be a resolution with regard to the dismissal. It
4 also includes a further order of the Court regarding placing
5 Mr. Manzanares' name on the birth certificate, which I under-
6 stand Counsel for the Byingtons and for Ms. Terry, now known
7 as Morlock, are prepared to sign today, and we would ask the
8 Court to execute that to allow Mr. Manzanares while he's here
9 in Utah to accomplish getting his name placed on the child's
10 birth certificate. It's been ordered previously by the Utah
11 Court. It's been ordered just recently in the Colorado
12 proceeding as well.

13 Maybe just quickly so that the Court's aware of the
14 situation between the parties. The Byingtons, the prospective
15 adoptive parents, have motioned the Court in Colorado, the
16 paternity action there, they've motioned the Court to intervene
17 as parties. That's now been granted, and there's been a
18 subsequent hearing on that with all of the parties involved.
19 So it's anticipated that the matter will go forward there with
20 Mr. Manzanares as a party, Ms. Terry the birth mother as a
21 party, and then the prospective adoptive parents as a party.

22 So with the Court knowing that, I don't know if the
23 Court has any questions about that issue, but I can go forward.

24 THE COURT: Well, I do. I've spoken to the Colorado
25 Court earlier, and some questions have arisen on what would

1 the action -- or what would the result be of dismissing this
2 action. Apparently Colorado Court was willing to follow
3 through and in essence take the case if Utah were to dismiss
4 it. What's happened to -- the concern that this Court has is
5 what standing does Ms. Terry have in this proceeding at this
6 point, if any; and two, the biggest issue is what happens to
7 the child, the best interest of the child in this case if we
8 dismiss a Utah doctrine whereby placement's been made of the
9 child? So has that been taken into account by the Colorado
10 Court --

11 MS. REYES: Your Honor --

12 THE COURT: -- or been addressed?

13 MS. REYES: -- my understanding from the Colorado
14 Court's perspective is they won't move forward and actually
15 start issuing orders or addressing, basically, the -- in
16 essence, the issues that involve the child until the Utah
17 proceedings have been dismissed, because right now the essence
18 is that Utah has jurisdiction over -- subject matter over
19 the child in this adoption proceeding. So if this adoption
20 proceeding is dismissed, then Colorado can then move forward
21 and start addressing custody determinations there with regard
22 to the child.

23 There is a temporary order of custody in this case. I
24 know that Counsel and I have at least expressed that my under-
25 standing would be that that temporary custody order would be

1 dismissed along with the dismissal of the case.

2 I think they acknowledge that, and I believe at that
3 point in time Colorado would take effect and custody determi-
4 nations would be made at that point in time regarding the minor
5 child, involving again Mr. Manzanares and then the birth mother
6 and the prospective adoptive parents, because they have been
7 admitted to intervene in that matter. There's an order that's
8 in --

9 THE COURT: So why are you taking this approach as
10 opposed to following the mandate of the Utah Supreme Court on
11 remand?

12 MS. REYES: Your Honor, I've spoken in detail about
13 that with my client and also with Colorado Counsel that
14 Mr. Manzanares has retained up there. The concern that
15 Mr. Manzanares has is that going forward with the additional
16 findings that the Supreme Court has requested the trial Court
17 do here or the District Court do, is that it could cause
18 substantial delays in allowing Colorado to go forward.

19 The Colorado Court has specifically told the parties
20 there that they will fast track the case. It will be expedited
21 and they would hope to have some type of resolution within a
22 short time frame; whereas if we go forward in Utah and whatever
23 the Court were to do here, there's the possibility of an appeal
24 being raised by either party, and if that appeal is accepted by
25 the Court there could be some delays, and then Colorado will

1 not move forward on the paternity action there until everything
2 in Utah is resolved. So it's an issue of some delay and moving
3 forward and trying to get resolution on this for the benefit of
4 the minor child.

5 THE COURT: Mr. Manzanares previously filed an objection
6 to this dismissal. Apparently that's being withdrawn at this
7 point --

8 MS. REYES: I believe --

9 THE COURT: -- based upon your stipulation?

10 MS. REYES: -- based upon the stipulated agreement
11 contained in this written document, your Honor, that I believe
12 that --

13 THE COURT: Okay, would you hand that to the bailiff,
14 then.

15 MS. REYES: Absolutely, your Honor.

16 THE COURT: So what is this proceeding in Colorado?
17 It's not an adoption proceeding.

18 MS. REYES: No, your Honor. Mr. Manzanares filed
19 a paternity action relating to his daughter prior to his
20 daughter's birth, even --

21 THE COURT: Right.

22 MS. REYES: -- and actually served the birth mother.
23 She filed a response. So that's what Judge Woods in Colorado
24 would be hearing, is his -- in essence, it's called a "parental
25 responsibilities" matter there, but in Utah it's likened to a

1 paternity action, and that's what's before the Court there.

2 As well as I believe that Ms. -- that the Byingtons
3 have filed a motion to terminate -- or a petition to terminate
4 Mr. Manzanares' rights up in Colorado, and that Ms. Terry has
5 signed a conditional relinquishment up in Colorado as well,
6 saying that she wants to relinquish her rights to the child if
7 in fact Mr. Manzanares' parental rights were -- are terminated.

8 So there's two pending actions in Colorado at this
9 point in time. There was a paternity action that was filed
10 prior to the child's birth in 2008, which in Colorado is
11 permissible. A paternity action can be filed prior to the
12 birth of a child. So that's what the Court wants to move
13 forward on to make custody determinations. Then obviously
14 there's this termination proceeding that's been filed; and I'm
15 not sure how the Court will deal with those, if they'll --

16 THE COURT: Well, this seems to indicate there's a
17 possibility, depending on what happens in Colorado, that this
18 matter would be re-filed here; is that correct?

19 MS. REYES: Your Honor, I think -- my client would hope
20 that that wouldn't be the outcome in Colorado; but obviously if
21 Colorado for some reason made a decision that Mr. Manzanares'
22 rights should be terminated to the child, then I believe
23 under the law at least in Utah it would be permissible for
24 the Byingtons to then come back and re-file an adoption and
25 then go forward with it if they had a termination order from

1 Colorado saying that the father has no rights to child.

2 We're not expecting that outcome there, because I
3 think it's very clear that he's made substantial efforts, even
4 prior to childbirth, to have a relationship; but if in fact
5 that were the outcome, the reason why there's the "without
6 prejudice" language is because if at the end of all this there
7 was the possibility of the child being adopted later on, that
8 would enable --

9 THE COURT: Does that make a difference to Colorado,
10 with or without prejudice?

11 MS. REYES: Not that I'm aware of, your Honor.

12 THE COURT: That you're aware of?

13 MS. REYES: There just can't be any pending proceedings
14 in Utah for the Colorado Court to take -- assume jurisdiction
15 and move forward completely, you know, with issues relating to
16 the minor child.

17 THE COURT: Have you -- do you have an executed copy of
18 this, or is this --

19 MS. REYES: No, your Honor, that's the original, and my
20 client's prepared to sign that in open Court. I'm prepared to
21 sign that. I think Counsel for the parties has indicated they
22 have no objection to it. I do believe that Scott Byington
23 is here and he could execute that today. I don't know if the
24 Court would require the personal signatures of Julissa Byington
25 and then Carrie Terry.

1 Part of that agreement is that the Byingtons and
2 Ms. Terry are going to execute a sworn statement that encom-
3 passes everything that's in that stipulation, and then forward
4 that to my office for purposes of when this case is dismissed
5 there's just further --

6 THE COURT: So --

7 MS. REYES: -- sworn statements that show what the
8 parties have agreed to.

9 THE COURT: Mr. Jenkins, did you want to --

10 MR. JENKINS: Your Honor, I don't know that the parties
11 necessarily need to execute this thing. As the attorneys, we
12 represent them, I think we're fine with the document. We could
13 certainly sign it today and the Court could have it today on
14 file.

15 THE COURT: Do you have a proposed order?

16 MR. JENKINS: I don't have a proposed order. Ms. Reyes
17 was kind of driving the stipulation issue here, but we could
18 certainly have an order presented quickly. I'm sure Ms. Reyes
19 could print one pretty quickly based on the stipulation we
20 could have one to the Court within a few days.

21 MS. REYES: Your Honor, and I have no objection to the
22 attorneys signing on behalf of the clients, as long as it will
23 be stated on the record that they've gone over that agreement
24 with the clients, and that they have personal knowledge that
25 the clients are giving them authority to sign that so that we

1 don't have any issues with a party later on coming back
2 indicating that they didn't know the specifics about that
3 document.

4 If the Court's more comfortable, my client would be
5 agreeable to allow, you know, a short period of time, five
6 business days, to get all of the necessary signatures with the
7 proposed order submitted to the Court, and based on that have
8 the Court issue the order.

9 We also have an order that we would ask the Court to
10 sign today that would direct Utah vital records to place -- to
11 add Mr. Manzanares' name on the birth certificate. I believe
12 that that's going to be approved as to form by both Counsel for
13 the Byingtons and Counsel for Ms. Terry. If the Court were to
14 execute that today, Mr. Manzanares, while he's here in Utah,
15 can go and accomplish the fact that his name will be on the
16 birth certificate here in Utah.

17 So those would be the two issues, your Honor, is how
18 we get the stipulation signed and the Court ordering the same,
19 and then having this subsequent order regarding the birth
20 certificate executed today as well.

21 THE COURT: Ms. Reyes, it appears that this affects
22 your client more than the others. It affects all the parties
23 before the Court, but your client by giving up this proceeding,
24 he's giving up a right that he's entitled to, and in fact an
25 obligation that the Supreme Court has placed on the trial Court

1 for further findings and further proceedings.

2 If I understand it correctly, you're giving that up,
3 you're waiving that right, and relieving the Court-- attempting
4 to relieve the Court of that obligation by dismissing -- or
5 agreeing to the dismissal of the adoption proceeding here in
6 Utah, and then proceeding directly on the two cases filed in
7 Colorado in order to either establish or protect your client's
8 rights regarding the child that's the subject of this adoption
9 today; is that correct?

10 MS. REYES: That would be correct, your Honor.

11 THE COURT: And the Byingtons are willing to dismiss
12 this adoption on the same conditions; is that correct?

13 MR. JENKINS: That's correct, your Honor.

14 THE COURT: And subjecting themselves to the Colorado
15 jurisdiction.

16 MR. JENKINS: That's correct, your Honor.

17 THE COURT: Realizing that if the Court were to sign
18 the dismissal of the adoption, that there's no -- there would
19 be no adoption proceeding pending anywhere. It would just
20 dissolve into a paternity action in Colorado, and a termination
21 proceeding; is that correct?

22 MS. REYES: Yes, your Honor. That's my understanding
23 of the status of the Colorado proceedings. There is an open
24 paternity case that's been open since 2008, and then there's
25 a recently filed termination proceeding by the Byingtons, and

1 then a renew ques -- conditional relinquishment by the birth
2 mother, Ms. Terry.

3 THE COURT: So the order that I've been given is order
4 to dismiss without prejudice; is that -- has that been approved
5 by all the parties?

6 MS. REYES: No, your Honor, that's actually a proposed
7 order that the petitioner's Counsel submitted with their
8 initial motion.

9 THE COURT: With the initial one, okay.

10 MS. REYES: I think it would be appropriate for the --
11 for the order that the Court signs to encompass the basis of
12 the dismissal, that it did --

13 THE COURT: Okay.

14 MS. REYES: -- occur based on stipulations of the
15 parties and maybe articulate that in the order. So I'm happy
16 to prepare such an order, your Honor, provide it to the Court--

17 THE COURT: Okay.

18 MS. REYES: -- immediately, as soon as I'm able to.

19 THE COURT: All right, what I would like you to do,
20 then, is review this petition -- or this stipulation with the
21 parties. Mr. Manzanares apparently had read it and is prepared
22 to sign it.

23 I'd also like all the other parties to sign, not just
24 a -- not just Counsel, in order to make sure that there is
25 nothing down the road that any of the parties could raise

1 individually, saying that they weren't aware or didn't know.

2 Then when that is done you can submit the stipulation
3 with the proposed order, Ms. Reyes, and I will -- barring
4 anything that comes up between now and when the order is
5 submitted, I'll sign it. Until I get the order, I'm not
6 committing to sign it. I do have a mandate from the Supreme
7 Court. I need to weigh that.

8 I'm being told, and I just want to assure, that every-
9 body's happy with the custody of the child remaining the same
10 through the Colorado proceedings; is that correct?

11 MS. REYES: I'm not sure if the child will remain --
12 what I'm indicating to the Court is I believe what would be
13 intended is that the Colorado Court would address custody of
14 the child, and it could be addressed --

15 THE COURT: Sure.

16 MS. REYES: -- prior to the ultimate resolution. So
17 there might be a temporary order or something sought after that
18 way, but yes --

19 THE COURT: Okay, but until you get to Colorado for a
20 hearing or whatever, the child will remain in the custody of
21 the Byingtons?

22 MS. REYES: I believe that's what's understood. I
23 mean, obviously my client would like to ask the Court to have
24 his daughter returned to him immediately.

25 THE COURT: Ask the Colorado Court.

1 MS. REYES: I'm sorry?

2 THE COURT: Ask the Colorado Court.

3 MS. REYES: I think that he -- he's addressing the
4 issue of custody with his Colorado Counsel.

5 THE COURT: Sure.

6 MS. REYES: So with the Court dismissing the orders
7 here, obviously there is a temporary order of custody to the
8 Byingtons currently, and with that dismissal it would also
9 dismiss I think any other orders that this Court may issue in
10 that case. So I'm not sure if even having a further -- I'm not
11 sure if the Court's asking if a further order was issued in
12 this case with regard to custody.

13 THE COURT: No, no, no, no, no.

14 MS. REYES: Okay. All right.

15 THE COURT: I'm just saying if once this is dismissed,
16 that it's not anticipated that custody would change until
17 you got to Colorado, to the Colorado Court's for further
18 proceedings; is that --

19 MS. REYES: I believe that would be an accurate
20 statement.

21 THE COURT: -- is that your understanding --

22 MS. REYES: Ms. Manzanares would be dealing with that
23 through Colorado.

24 THE COURT: -- Mr. Jenkins?

25 MS. JENKINS: Yes, your Honor. We certainly -- we

1 certainly anticipate the Colorado Court addressing that, yes.

2 THE COURT: Okay.

3 MS. REYES: I think the stipulations would preclude
4 the Byingtons or Ms. Terry from filing any further actions with
5 regard to custody until the Colorado matters are dealt with
6 and resolved. So there shouldn't be any other filings in Utah,
7 you know, like a subsequent adoption proceeding after this
8 one is dismissed, absent the terms of that agreement being
9 accomplished. So I hope I've answered the Court's question.

10 THE COURT: Yes.

11 MS. REYES: My anticipation is that after this matter
12 is dismissed, that the custody issue with regard to the minor
13 child will be addressed through the Colorado Courts, yes.

14 THE COURT: Everybody agrees to that? We're not
15 running off to New Mexico, Arizona or anywhere else?

16 MR. JENKINS: No.

17 THE COURT: We're submitting to -- jurisdiction to
18 the Colorado Court?

19 MR. JENKINS: Absolutely, your Honor.

20 THE COURT: To resolve this issue?

21 MR. JENKINS: Yeah.

22 MS. REYES: Your Honor, the only concern that Colorado
23 Counsel and I have had with regard to that is just so there's
24 no attempt to make an argument that the child is not part of
25 the Colorado proceeding that they don't have jurisdiction over

1 the minor child, because obviously the Court has jurisdiction
2 over all the other parties currently.

3 Mr. Manzanares filed the proceeding. Ms. Terry was
4 the respondent in that paternity action. The Byingtons have
5 now intervened as a party, and they've been joined as a party.
6 So part of that Colorado proceeding there's already been
7 previously -- previous orders entered in that, your Honor.
8 There's a final of paternity already entered in that, that
9 addresses that Colorado has jurisdiction over the minor child.

10 Then with the adoption proceeding being filed and the
11 fact that the child was born here, that has complicated that
12 issue; but I believe that everyone intends and desires that
13 the issues relating to custody of the minor child be dealt with
14 in Colorado, and that whatever Colorado would determine with
15 regard to custody would be adhered to by all parties. That's
16 my understanding.

17 That's my client's understanding, and he's agreeing
18 to the stipulations based on that. So if that's not accurate,
19 then there might need to be a revisiting of those terms.

20 THE COURT: Okay, is that accurate?

21 MR. JENKINS: That's what we understand, yes, your
22 Honor.

23 THE COURT: Mr. Hardy?

24 MR. HARDY: That's correct, your Honor.

25 THE COURT: Okay, if there's -- assuming this goes the

1 way that you have represented it to the Court that you want it
2 to happen, it probably will. If there's a hiccup along the
3 way, Ms. Reyes, just come back and ask for this adoption to be
4 reinstated. There's a safety valve, so --

5 MS. REYES: Okay, your Honor. Would the Court want me
6 to put that in the order, then, that if the --

7 THE COURT: No.

8 MS. REYES: -- okay, but just --

9 THE COURT: No.

10 MS. REYES: I understand.

11 THE COURT: Okay.

12 MS. REYES: Okay. Your Honor, I do have this order,
13 this additional order regarding the birth certificate that
14 Mr. Harding --

15 THE COURT: Sure, do you want to give that to the
16 bailiff?

17 MS. REYES: Thank you.

18 THE COURT: I'll be happy to sign that today. Okay.

19 MS. REYES: Your Honor, I'm sorry, may I address just
20 two more concerns?

21 THE COURT: Sure.

22 MS. REYES: With regard to getting this stipulation
23 back, can the Court put a time frame on that, just so we are
24 all on the same page --

25 THE COURT: Do you have a time -- do you have a date in

1 Colorado for any of this?

2 MS. REYES: There are some briefs that are being
3 prepared for the Court. The next Court date is in April 27th.

4 THE COURT: Okay.

5 MS. REYES: But we would obviously like to have this
6 wrapped up maybe by the end of next week if at all possible.

7 THE COURT: Sure. Where can you have your clients sign
8 this?

9 MR. JENKINS: I don't know that that would be a problem,
10 your Honor. I'm sure we could have them signed in the next two
11 or three days --

12 THE COURT: All right.

13 MR. JENKINS: -- so we could have it into the Court by
14 the end of next week.

15 MR. HARDY: I'd probably need more than two or three
16 days, because it needs to get over to Colorado where Ms. Terry
17 is living, and so -- but we could certainly do it within a
18 period of a week's time, ten days or so.

19 THE COURT: Well, if it's back for the Court -- today's
20 the 21st. If we get it toward -- back here, in front of the
21 Court on the 30th of March, does that work?

22 MS. REYES: Let's see --

23 MR. HARDY: I think prob -- we could probably do that.
24 I mean, plead for additional time if we have slow mails.

25 MS. REYES: Let's see, your Honor, I'm just looking at

1 the calendars here.

2 THE COURT: That's a week and a half.

3 MS. REYES: Okay, I think that that would be sufficient
4 time, your Honor, and we would ask that the Court impose that
5 time line, so it would be March 30th.

6 THE COURT: All right, and you'll have your order
7 accompanying the stipulation on that day?

8 MS. REYES: Yes, your Honor.

9 THE COURT: Okay.

10 MS. REYES: The other issue is if for some reason this
11 order that's -- that the Court has signed today is deemed to
12 be insufficient by the Utah Vital Records --

13 THE COURT: Let me know.

14 MS. REYES: -- I think it contains everything, but
15 if not, if we could have maybe a modification of that; or if
16 Ms. Terry's signature is needed for any reason, I know that
17 Mr. Hardy has represented that she is prepared to sign anything
18 needed to get his name on the birth certificate. So we would
19 just like that to be part of the record and maybe ordered by
20 the Court, so that we can accomplish this --

21 THE COURT: Sure.

22 MS. REYES: -- on an expedited basis.

23 THE COURT: Whatever is necessary. I'll be happy to
24 assist the parties and that as well.

25 MS. REYES: Okay. Thank you, your Honor.

1 THE COURT: All right, is there anything -- anything
2 else today that the Court needs to address?

3 MR. JENKINS: I don't think so, your Honor. Thank you.

4 MR. HARDY: Nothing more, your Honor.

5 THE COURT: All right, thank you very much. Court's in
6 recess.

7 MS. REYES: Your Honor, may I get certified copies of
8 this, that I need to --

9 THE COURT: Yes, you may.

10 MS. REYES: Thank you.

11 (Hearing concluded)

REPORTER'S CERTIFICATE

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Wendy Haws, a Notary Public in and for the State of Utah, do hereby certify:

That this proceeding was transcribed under my direction from the transmitter records made of these meetings.

That I have been authorized by Beverly Lowe to prepare said transcript, as an independent contractor working under her court reporter's license, appropriately authorized under Utah statutes.

That this transcript is full, true, correct, and contains all of the evidence and all matters to which the same related which were audible through said recording.

I further certify that I am not interested in the outcome thereof.

That certain parties were not identified in the record, and therefore, the name associated with the statement may not be the correct name as to the speaker.

WITNESS MY HAND AND SEAL this 3rd day of April 2012.

My commission expires:
January 12, 2016

Wendy Haws, CCT
NOTARY PUBLIC
Residing in Utah County

Signed: _____
Beverly Lowe, CCR/CCT