

Jeff Fenton

From: Fawn Fenton
Sent: Thursday, November 15, 2018 5:28 PM
To: Jeff Fenton
Subject: FW: 47426
Attachments: radDC9A2.pdf

Categories: 4-Email: Important Information

Hello,
Attached... Edward's forms have been approved by the court.

So you need to take those Word documents I forwarded you from Edward a couple of weeks ago, and you need to "save-as" and make your own similar documents, substituting your information instead of Edward's, and on the "certificate of service" page, substituting my name and address instead of yours.

I think you need to turn in both of those papers to the court... you could drive down there and give them to the clerk in person, I'm sure that would be fastest.
Ok?

From: Edward Porter <WEdward.Porter@hotmail.com>
Sent: Thursday, November 15, 2018 2:35 PM
To: Fawn Fenton
Subject: FW: 47426

Please see attached. Now just waiting on Jeff to do the same. Let me know if there is anything I need to do. Your answer to his counter is technically due by November 29. I need something showing his intentions to non-suit or otherwise we will have to answer his counter because I can't allow you to get tricked into anything.

Thanks,
Edward

W. Edward Porter IV

Attorney at Law
222 Second Avenue North
Suite 210
Nashville, TN 37201
(615) 250-8000 – Office
(615) 242-5918 – Fax

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Jeff Fenton

From: Fawn Fenton
Sent: Friday, November 9, 2018 10:13 PM
To: Jeff Fenton
Subject: FW: Put divorce on hold for now
Attachments: Fenton - Notice of Non-Suit - 11-5-18.docx; Fenton - Order of Dismissal - 11-5-18.docx

Hello,

Here is the last correspondence I've had with my attorney. I assume we're waiting for the court to return a stamped copy of these papers back to my attorney. I'll check in with him next week.

From: Edward Porter <WEdward.Porter@hotmail.com>
Sent: Tuesday, November 6, 2018 4:45 PM
To: Fawn Fenton
Subject: RE: Put divorce on hold for now

Fawn,

I have attached the word documents. I currently don't have a paper copy in hand.

Thanks,
Edward

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From: Fawn Fenton
Sent: Tuesday, November 6, 2018 2:38 PM
To: Edward Porter <WEdward.Porter@hotmail.com>
Subject: RE: Put divorce on hold for now

Thanks Edward... can you send me a PDF copy of the request you sent in?

Thanks again,
Fawn Fenton

From: Edward Porter <WEdward.Porter@hotmail.com>

Sent: Monday, November 05, 2018 1:25 PM

To: Fawn Fenton

Subject: RE: Put divorce on hold for now

Fawn,

I have sent it in. It should be entered and signed this week. Jeff did file a counter and he will have to do the same thing. Once I receive a copy of the Order I will send one to you.

Thanks,

Edward

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From: Fawn Fenton

Sent: Friday, November 2, 2018 1:29 PM

To: Edward Porter <WEdward.Porter@hotmail.com>

Subject: RE: Put divorce on hold for now

Thanks Edward – can you tell me approximately what the time-frame of this is?

How long till you send in the notice of non-suit; how long before the court then issues a dismissal order; will you or I get a copy of the dismissal order?

Best,

Fawn Fenton

From: Edward Porter <WEdward.Porter@hotmail.com>

Sent: Thursday, November 01, 2018 5:48 PM

To: Fawn Fenton

Subject: RE: Put divorce on hold for now

I will send yours in and I will send a copy to him that he can mimic. No need for your signature.

Thanks,

Edward

W. Edward Porter IV

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From: Fawn Fenton
Sent: Wednesday, October 31, 2018 12:34 PM
To: Edward Porter <WEdward.Porter@hotmail.com>
Subject: RE: Put divorce on hold for now

Hi Edward,
Yes, if you could please send in a notice of nonsuit... do I have to sign that?

Jeff does not have an attorney – is there a form he can fill out and file to voluntarily dismiss the case also?

Thank you,
Fawn Fenton

From: Edward Porter <WEdward.Porter@hotmail.com>
Sent: Tuesday, October 30, 2018 4:08 PM
To: Fawn Fenton
Subject: RE: Put divorce on hold for now

Fawn,
I apologize, as soon as I sent the email yesterday I left for court in Gallatin and took for granted that your email would be a simple thanks. To answer your question, I can send in a notice of non-suit but if he has filed a counter-complaint he will have to file that as well. Please let me know how I need to proceed.

Thanks,
Edward

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From: Fawn Fenton
Sent: Monday, October 29, 2018 12:24 PM
To: Edward Porter <WEdward.Porter@hotmail.com>
Subject: RE: Put divorce on hold for now

Edward,

Thanks very much for the reply.... however, Jeff says he consulted with an attorney this morning who advised him that we must withdraw the complaint in order for Jeff to be satisfied.

Is that something you can do today?

If not today, then Jeff will file his answer to the complaint tomorrow, to prevent the possibility of a default motion. Then after tomorrow, we would both have to withdraw our case. (I guess something like, we would file a motion to dismiss, and Jeff would file to dismiss his counterclaim?)

Let me know...

Thanks again.

Fawn Fenton

From: Edward Porter <WEdward.Porter@hotmail.com>
Sent: Monday, October 29, 2018 11:56 AM
To: Fawn Fenton
Subject: RE: Put divorce on hold for now

Fawn,

I am glad to hear this news and I hope that this plan of action works for you and your husband. Per your request I will put this file away, take no action on it and await word from you as to how you wish that I proceed. Please feel free to reach me at any time but until further notice I will not be actively working on your divorce.

Thanks,

Edward

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From: Fawn Fenton
Sent: Monday, October 29, 2018 9:56 AM

To: Edward Porter <WEdward.Porter@hotmail.com>

Subject: Put divorce on hold for now

Edward,

I am at the Williamson County courthouse now, and I just talked to the court clerks... they said that nothing with the case will move forward as long as you don't file anything. So let's not file any motions for awhile... no motion for default, or any others. I left you a voicemail earlier, that Jeff is now agreeing to sell the house, and move out voluntarily, so that we will have no joint assets, and can then change the divorce to be an "uncontested" divorce in the future.

The timeline we've agreed to is (plus or minus a few weeks): get the majority of our personal property moved out of the house by the end of January; have house listed for sale around first of February; hopefully accept an offer by April (latest May), close by June; split the proceeds 50/50, and pay down our respective credit card debts as much as possible; and then re-file the divorce in maybe July 2019.

Jeff finally realized that by going forward with a trial, he is likely hurting himself more than me, and he says he's accepted the reality that selling the house will help us both the most. Plus he is very hung up on wanting an "uncontested" divorce rather than a contested divorce. So I am going to trust him to stick to this plan for now, since it's far and away better than me continuing to pile costs on my credit cards.

I will try to call you again a little later.

Thanks,

Fawn Fenton

Ms. Fenton's statement above to her attorney, "**Jeff finally realized that by going forward with a trial, he is likely hurting himself more than me**" is **FALSE**.

Ms. Fenton's statement, "**Plus he is very hung up on wanting an "uncontested" divorce rather than a contested divorce**" is **TRUE**.

The truth is that **we could never afford a "contested" divorce** in Williamson County Tennessee. Ms. Fenton told me that her attorney estimated a "contested divorce" in Williamson County took on average one to **one and a half years of litigation**. That was guaranteed to financially destroy us both, regardless of any other factors.

I didn't contemplate divorce settlements differently, based upon which one of us would be "hurt" the most. My goal was always to prevent us both from harming and/or damaging each other, to the greatest extent I knew how, or was conceivably within my reach. I encouraged a "Collaborative Divorce" through Arons and Associates Divorce Planning. But Ms. Fenton ultimately refused.

https://rico.jefffenton.com/evidence/2023-12-31_declaration-about-arons-and-associates.pdf

To see a copy of our "Verbal Settlement Agreement" which the amicable sale of our home, with agreed transitional alimony, was contingent upon, please see: https://rico.jefffenton.com/evidence/2018-10-27_verbal-settlement-agreement.pdf

The reason that we never placed our home on the market for sale, per the terms of our "Verbal Settlement Agreement", was because our closing attorney required that we put our simple agreement **on paper and sign it**. No attorneys or legalese was required, just a clearly stated, simple, good-faith agreement between Ms. Fenton and myself, so that the closing attorney would know how to allocate the proceeds from the sale of our home. Ms. Fenton could have literally printed her email above and signed it. That would have sufficed. But she absolutely refused to sign anything on paper. Not with attorneys, not without attorneys. She refused.

https://rico.jefffenton.com/evidence/2019-01-28_verbal-agreement-needed-in-writing-for-closing.pdf

Ms. Fenton later admitted to me that she refused to sign an agreement for the amicable dissolution of our marriage and the **sale of our marital residence**, because she had concerns about paying me the repeatedly agreed upon "**transitional alimony**" of **\$1,750 per month, for a duration of 6-years**, as she clearly stated and agreed to in our Verbal Settlement Agreement.

Without this agreed transitional support to help me purchase or rent replacement housing and obtain the vocational rehabilitation which everyone agreed that I both needed and I was equitably due, prior to docket #48419B, I could not afford to sell our marital residence **at that time**. I never agreed to render myself homeless and destitute. Our agreement was contingent upon the alimony clearly outlined therein. We had too much money invested into our property to quickly "cash out". The market needed another year or two for property values to appreciate enough to where we could sell our marital residence without losing hundreds of thousands of dollars, we had invested into our home and we could not afford to lose.