

From: Martha Rosenberg Martha@rosenbergfamilylaw.com
Subject: Fwd: Tuveson v Poe
Date: May 24, 2019 at 1:01 PM
To: brian@bpoe.me

MR

Martha A. Rosenberg
Attorney At Law
183 North Upper Street
Lexington, Kentucky 40507
Telephone (859) 233-7972
Facsimile (859)-254-0491

Fellow, American Academy of Matrimonial Lawyers and
Certified Mediator, Kentucky Court of Justice

Begin forwarded message:

From: Corey Lee <corey@corey-leelaw.com>
Date: May 24, 2019 at 11:26:15 AM CDT
To: Martha Rosenberg <Martha@rosenbergfamilylaw.com>
Subject: Tuveson v Poe

Martha,
I spoke to Alexandra today. She told me she would allow supervised timesharing with Brian and the children once or twice this weekend.
She told me that she stopped responding to him after he came to her home last month to see the kids and pushed his way through the door to try to get to them.
He came to the home unannounced, as well.

Further, he berated Alexandra on Wednesday night at Jeff Rubys. She was on a date and Brian was there, going from table to table. Alexandra states that he sat at the bar and stared at the two of them until her date got up to go to the restroom. At that time, Brian came to the table and berated and cussed at her about the children and the situation. He also denied the things Whitney stated in her petition. Alexandra and her date were the last to leave Jeff Rubys that night and when they walked outside, Brian was sitting in his Mercedes waiting and watching.

This behavior is what is alarming to Alexandra. She states that he is completely "unstable", to use her word. I've told her that supervised timesharing should resume this weekend and she assured me that it would. She also believes Brian should submit to a psychological examination. She states that she believes it more so now than ever, after his behavior this past Wednesday night.

Please let me know if we need guidance from the court. She is not willing to do anything more than supervised at this time and insists we request a psychological evaluation, if Brian will not agree to it.

Thank you,
Corey Lee, Attorney at Law, PSC
333 West Vine St, Suite 300
Lexington, Kentucky 40507
859.685.1021

NOTICE: Legally privileged and confidential information may be contained in this message and is intended only for the use of the individual or entity to whom it is addressed. Any dissemination, distribution, printing or copying of this material by anyone other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify Corey Lee, Attorney at Law, PSC.

COMMONWEALTH OF KENTUCKY
FAYETTE FAMILY COURT
FIRST DIVISION
NO. 18-CI-2095

ELECTRONICALLY FILED

IN RE THE MARRIAGE OF:

ALEXANDRA LEE TUVESON

PETITIONER

AND

NOTICE OF FILING

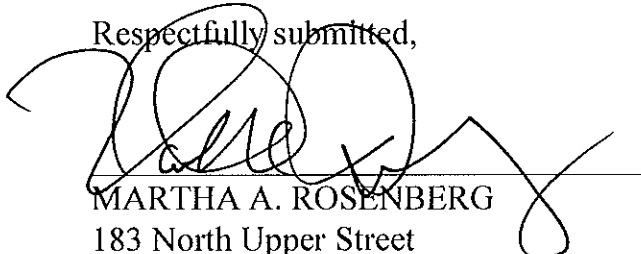
BRIAN CHRISTOPHER POE

RESPONDENT

* * * * *

Comes now the Respondent, Brian Christopher Poe, by and through counsel, and hereby gives notice of filing of the attached Affidavits.

Respectfully submitted,



MARTHA A. ROSENBERG
183 North Upper Street
Lexington, Kentucky 40507
(859) 233-7972

ATTORNEY FOR RESPONDENT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing notice was mailed, postage prepaid, to Corey Lee, 333 West Vine Street, Suite 300, Lexington, Kentucky 40507 on this the 7th day of June, 2019.



MARTHA A. ROSENBERG

COMMONWEALTH OF KENTUCKY
FAYETTE FAMILY COURT
FIRST DIVISION
CASE NO. 18-CI-2095

ELECTRONICALLY FILED

IN RE THE MARRIAGE OF:

ALEXANDRA LEE TUVESON

PETITIONER

AND AFFIDAVIT

BRIAN CHRISTOPHER POE

RESPONDENT

* * * * *

Comes now the Affiant, Paloma Ortiz, and after first being duly sworn, states as follows:

I was with Brian Poe the evening of May 22nd the entire time at Jeff Ruby's.

We sat at the outside bar and did not know Ali Tuveson was in the restaurant. Brian did not stare at her table at any time.

As soon as he was told by a waitress she was in the restaurant, he immediately went to look for Ms. Tuveson. According to him he had not seen his children in 49 days, and she had refused to reply to any of his messages.

We watched Brian talk with his ex-wife, we saw him shake her date's hand. In no way was the conversation heated or confrontational in any way. They spoke for only a few minutes and Brian returned to the outside bar with us.

He did not berate her at her table or even speak negatively about her to us. He never left the bar to go to the valet in order to wait on his ex-wife or her date. We left the restaurant long after Ms. Tuveson and her date.

FURTHER AFFIANT SAYETH NAUGHT.


Paloma Ortiz

STATE OF KENTUCKY

COUNTY OF FAYETTE

SUBSCRIBED, SWORN AND ACKNOWLEDGED to before me by

Paloma Ortiz, whose identity has been verified on this the 6th day of
June, 2019.



[Signature]
NOTARY PUBLIC, STATE AT LARGE
My Commission Expires: 9/12/2019
My Notary ID: 540598

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Affidavit was
mailed, postage prepaid, to Corey Lee, 333 West Vine Street, Suite 300, Lexington,
Kentucky 40507 on this the 7th day of June, 2019.

[Signature]
MARTHA A. ROSENBERG

COMMONWEALTH OF KENTUCKY
FAYETTE FAMILY COURT
FIRST DIVISION
CASE NO. 18-CI-2095

ELECTRONICALLY FILED

IN RE THE MARRIAGE OF:

ALEXANDRA LEE TUVESON

PETITIONER

AND AFFIDAVIT

BRIAN CHRISTOPHER POE

RESPONDENT

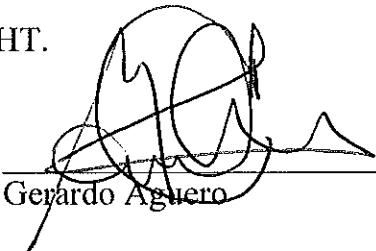
* * * * *

Comes now the Affiant, Gerardo Agüero, Bartender at Jeff Ruby's and after first being duly sworn, states as follows:

I waited on Mr. Poe the night of May 22nd, I did not witness Mr. Poe stare, berate or cuss at any customers. Nor did any staff or customers mention to me that Mr. Poe had any disagreeing conversations with another customer that evening. Mr. Poe was at my bar the entire evening and did not go to the valet area prior to leaving for the evening.

On another note, the outdoor bar is not near the entrance/exit of the restaurant.

FURTHER AFFIANT SAYETH NAUGHT.

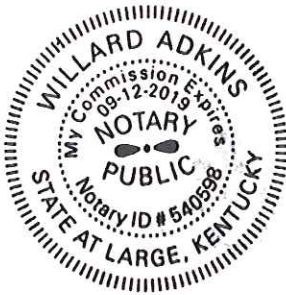

Gerardo Agüero

STATE OF KENTUCKY

COUNTY OF FAYETTE

SUBSCRIBED, SWORN AND ACKNOWLEDGED to before me by

Gerardo Agüero, whose identity has been verified on this the 6th day of
June, 2019.



Willard Adkins
NOTARY PUBLIC, STATE AT LARGE
My Commission Expires: 9/12/2019
My Notary ID: 540598

CERTIFICATE OF SERVICE

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Kentucky 40507 on this the 7th day of June, 2019.

MARTHA A. ROSENBERG

COMMONWEALTH OF KENTUCKY
FAYETTE FAMILY COURT
FIRST DIVISION
CASE NO. 18-CI-2095

ELECTRONICALLY FILED

IN RE THE MARRIAGE OF:

ALEXANDRA LEE TUVESON

PETITIONER

AND AFFIDAVIT

BRIAN CHRISTOPHER POE

RESPONDENT

* * * * *

Comes now the Affiant, Sarah Morton, and after first being duly sworn, states as follows:

I was with Brian Poe the evening of May 22nd the entire time at Jeff Ruby's.

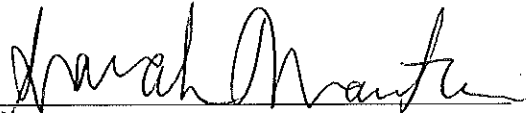
We sat at the outside bar and did not know Ali Tuveson was in the restaurant. From our seats we could not see her table. Brian did not stare at her table for any amount of time.

As soon as he was told by a waitress she was in the restaurant, he immediately went to look for Ms. Tuveson, according to him he had not seen his children in 49 days, and she had refused to reply to any of his messages.

We watched Brian talk with his ex-wife, we saw him shake her date's hand. In no way was the conversation heated or confrontational in any way. They spoke for only a few minutes and Brian returned to the outside bar with us.

He did not berate her at her table or even speak negatively about her to us. He never left the bar to go to the valet in order to wait on his ex-wife or her date.

FURTHER AFFIANT SAYETH NAUGHT.


Sarah Morton

STATE OF KENTUCKY

COUNTY OF FAYETTE

SUBSCRIBED, SWORN AND ACKNOWLEDGED to before me by

Sarah Morton, whose identity has been verified on this the 6th day of
June, 2019.



Willard Adkins
NOTARY PUBLIC, STATE AT LARGE
My Commission Expires: 9-12-2019
My Notary ID: 540598

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Affidavit was
mailed, postage prepaid, to Corey Lee, 333 West Vine Street, Suite 300, Lexington,
Kentucky 40507 on this the 7th day of June, 2019.

MARATHA A. ROSENBERG

COMMONWEALTH OF KENTUCKY
FAYETTE FAMILY COURT
FIRST DIVISION
CASE NO. 18-CI-2095

ELECTRONICALLY FILED

IN RE THE MARRIAGE OF:

ALEXANDRA LEE TUVESON

PETITIONER

AND AFFIDAVIT

BRIAN CHRISTOPHER POE

RESPONDENT

* * * * *

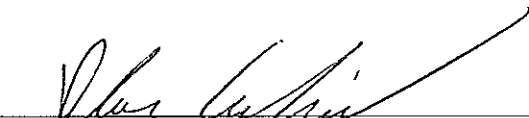
Comes now the Affiant, Jake Cahill, Valet at Jeff Ruby's and after first being duly sworn, states as follows:

On the evening of May 22nd, Ms. Tuveson and her date approached me asking for the keys to a Mercedes GL550. I knew it wasn't her vehicle and asked if she had a ticket for the vehicle. She stated she did not but that it was in fact hers. I informed her I could not give her those keys.

At no time was Mr. Poe in the Mercedes waiting on Ms. Tuveson. Nor did we witness Mr. Poe waiting on anyone near the valet. Jeff Ruby's does not have a bar near the entrance of the restaurant next to the valet.

As Mr. Poe was leaving, long after Ms. Tuveson, I informed him of what had happened regarding her attempt to take the vehicle.

FURTHER AFFIANT SAYETH NAUGHT.



Jake Cahill

STATE OF KENTUCKY

COUNTY OF FAYETTE

SUBSCRIBED, SWORN AND ACKNOWLEDGED to before me by

Jake Cahill, whose identity has been verified on this the 6th day of
June, 2019.



Willard Adkins
NOTARY PUBLIC, STATE AT LARGE
My Commission Expires: 9-12-2019
My Notary ID: 540588

CERTIFICATE OF SERVICE

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Kentucky 40507 on this the 7th day of June, 2019.

MARATHA A. ROSENBERG
MARATHA A. ROSENBERG

COMMONWEALTH OF KENTUCKY
FAYETTE FAMILY COURT
FIRST DIVISION
CASE NO. 18-CI-2095

ELECTRONICALLY FILED

IN RE THE MARRIAGE OF:

ALEXANDRA LEE TUVESON

PETITIONER

AND AFFIDAVIT

BRIAN CHRISTOPHER POE

RESPONDENT

* * * * *


Comes now the Affiant, Valaya Lalonde, Server at Jeff Ruby's and after first being duly sworn, states as follows:

On the evening of May 22nd, I was working as server at Jeff Ruby's. I saw Ali Tuveson in the dining room. I went to the outside bar and informed Brian Poe she was inside. He immediately went to locate her.

I did not see any disruptive conversation, nor did any staff member or customer mention that their conversation was contentious.

I also did not witness Brian wait by the entrance for Ms. Tuveson or at the valet, after the discussion at her table I did not see Brian approach her the rest of the evening.

FURTHER AFFIANT SAYETH NAUGHT.



Valaya Lalonde

STATE OF KENTUCKY

COUNTY OF FAYETTE

SUBSCRIBED, SWORN AND ACKNOWLEDGED to before me by

Valaya Lalonde, whose identity has been verified on this the 6th day of
June, 2019.



Willard Adkins
NOTARY PUBLIC, STATE AT LARGE
My Commission Expires: 9-12-2019
My Notary ID: 540598

CERTIFICATE OF SERVICE

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mailed, postage prepaid, to Corey Lee, 333 West Vine Street, Suite 300, Lexington,
Kentucky 40507 on this the 7th day of June, 2019.

MARATHA A. ROSENBERG
MARATHA A. ROSENBERG

AOC-025.1 Doc. Code: RS
Rev. 3-09
Page 1 of 1
Commonwealth of Kentucky
Court of Justice www.courts.ky.gov
CR 45; RCr 7.02



☐ SUBPOENA
☒ SUBPOENA DUCES TECUM

Case No. 18-CI-2095
Court FAMILY
County Fayette
Date JUNE 6, 2019

ALEXANDRA TUVESON

PLAINTIFF

VS

BRIAN POE

DEFENDANT

The Commonwealth of Kentucky to:

Name Garrett Coats, General Manager

Address JEFF RUBY'S STEAKHOUSE
101 WEST VINE STREET

LEXINGTON

Kentucky

40507

You are commanded to appear before: (select one of three choices)

☐ _____ Court ☐ The Grand Jury of _____ County
☐ Other _____

You are to appear at: _____

on the _____ day of _____, 20____ at _____ ☐ a.m. OR ☐ p.m. ☐ Eastern ☐ Central Time

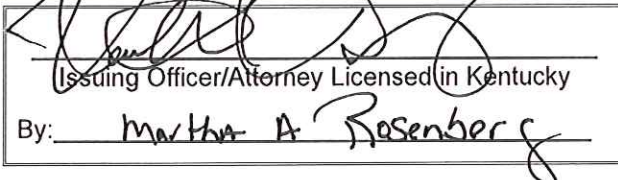
☐ To testify in behalf of _____
☒ To produce VIDEO FOOTAGE FROM MAY 22, 2019, REGARDING BRIAN POE'S INTERACTION WITH

ALEXANDRA TUVESON, WHILE DINING AT YOUR ESTABLISHMENT.

☐ To give depositions

You are commanded to produce and permit inspection and copying of the following documents or objects (or to permit inspection of premises): VIDEO FOOTAGE FROM MAY 22, 2019, REGARDING BRIAN POE'S INTERACTION WITH ALEXANDRA TUVESON, WHILE DINING AT YOUR ESTABLISHMENT.

on the 7 day of June, 2019 at 11:00 ☒ a.m. OR ☐ p.m. ☐ Eastern ☐ Central Time
at the following address: LAW OFFICE OF MARTHA A. ROSENBERG
183 NORTH UPPER STREET, LEXINGTON, KENTUCKY


Issuing Officer/Attorney Licensed in Kentucky
By: Martha A. Rosenberg

MARTHA A. ROSENBERG
Name of Requesting Attorney
Phone# (859) 233-7972

PROOF OF SERVICE

This subpoena was served by delivery of a true copy to: _____

This _____ day of _____, 2____ By: _____
_____ Title