

PRESS RELEASE FROM ZASHIN & RICH, CO. L.P.A.

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We are the attorneys now representing Lynn France in her divorce and custody proceedings. John and Amanda gave a press conference today and made a series of inaccurate statements and wildly unsupported accusations. This statement is an attempt to correct the most blatant inaccurate and misleading statements they made at that time.

For example, Mr. France alleged that Lynn lost custody of her older child from a prior marriage and that he and Amanda helped her get the child back.

Here is the reality: Lynn was embroiled in a bitter custody battle involving her older son. The presiding judge over that case thought it appropriate to place the child into foster care for a period of time. This was not due to any abuse, neglect, or similar wrongdoing on Lynn's part. Lynn protested this placement and ultimately regained custody of the child. Lynn obtained custody of this child *prior* to dismissing the divorce case in 2009. John was both financially and emotionally supportive of Lynn in her efforts to obtain custody of her older son. In fact, John told the caseworkers and psychologists involved in the case that Lynn was an excellent mother.

John and Amanda France also made reference to a time when Lynn had supervised visits with her children.

Again, here is the reality: John and Amanda falsely accused Lynn of domestic violence in December of 2008. The false allegation was that Lynn held John and the children at gun point. Amanda, from Florida, made a 911 call. Lynn was charged with multiple misdemeanors including domestic violence. All of the charges were dismissed without a trial. After the criminal case was dismissed, John filed a civil domestic violence action against Lynn. That case went to trial and Lynn was defended by Zashin & Rich Co. LPA. Lynn prevailed in the case and the court denied John's Petition in May, 2009.

Thereafter, John pressured Lynn to dismiss the divorce case and reconcile with him. Lynn dismissed the divorce case in June, 2009, against the advice of counsel.

Another false accusation presented by Mr. France today was that Lynn became pregnant by IVF without his knowledge in 2008.

The reality: *Of course* John knew about the IVF. He signed necessary medical records and releases with the Cleveland Clinic and was with Lynn through every step of the process.

John and Amanda also claim they have three emails from Lynn that show she wanted to give up her rights to the children.

The reality: During the pending domestic violence action, Lynn had limited access to her children, had recently discovered her husband had married another woman, and was without financial means of support. She was extremely distraught, as any woman would be in her position. Consequently if she made statements such as those alleged by John and Amanda France, these were made under extreme duress and quickly retracted.

John and Amanda allege that Lynn knew of their wedding well before she saw the pictures on Facebook.

The reality: Lynn discovered her husband's marriage to Amanda on Facebook. John had threatened that he would marry Amanda but Lynn did not know it occurred until she saw the pictures on Facebook. The wedding to Amanda was on December 31, 2008 and within days thereafter Lynn saw the pictures on Facebook.

Lynn France admits that Amanda France told her she was engaged to Mr. France prior to the wedding. Unfortunately, many people having affairs state publically that they are engaged to a married person. Mr. France, however, crossed the line when he actually wed Amanda France while still married to Lynn France. Mr. France was impulsive and went too far. It is one thing to be "engaged" while you are married. It is something else entirely to actually get married. Moreover, what Lynn France knew or did not know does not mitigate John France's offense or lessen its cruelty.

Aside from simply stating that the marriage is "not legal" Mr. France has yet to demonstrate the legal basis for this claim. It is Mr. France's burden to prove their marriage is invalid. To date the "proof" he has provided is simply an affidavit from an Italian attorney paid for by Mr. France.

We have shared a certified copy of the Italian marriage certificate confirming that the Italian marriage was valid and therefore recognized as legal in the United States. The AP published online the Apostille certifying the Italian marriage license. This document was issued by an Italian state official certifying that the marriage certificate was true and accurate. How or why would an Italian state official certify that an Italian marriage certificate was true and accurate in accordance with an international treaty if it "wasn't properly filed" or if it wasn't "true and accurate"? If the marriage is not legal Mr. France will need to also explain why that is so to the government of Italy.

Further, we have proof that John and Lynn prepared joint tax returns for 2007. These, of course, were filed *after* that tax year and therefore well after the time Mr. France is claiming he learned the marriage was invalid. Mr. France also continued to cover Lynn on his health insurance after 2007.

In 2010, *just a few months ago*, John and Lynn France went to the Social Security Administration and signed paperwork allowing Lynn to receive spousal benefits by virtue of her status as his wife. They both met with a government employee and signed paperwork to effectuate the receipt of these benefits.

If what Mr. France says is correct, that he is not married to Lynn France, then by operation of law Lynn France is the sole legal custodian of her children. That means Mr. France wrongfully abducted them and is continuing to break the law by refusing to return them to Lynn, the only individual with legal right to the children at this time. If he and his counsel truly believe the marriage was never valid, they are knowingly breaking the law each and every day by illegally keeping the children from their sole legal custodian.

It is Lynn France's contention that under any reading of the applicable law, and under any standard of decency and fair dealing, these children should be returned to their home and their mother, Lynn France. Lynn France will not compromise on this principal. If Mr. France wants to have a custody fight, whether he is married to Lynn or not, he should return the children to their home state and their mother and do it there. In the meantime, we will be filing the appropriate motions in both Florida and Ohio to accomplish this goal. Eventually the courts will issue temporary orders regarding visitation. Lynn France will act according to those orders, not according to the whims of Mr. France.

Mr. France's conduct with respect to his children is reprehensible. It is neither a generous offer nor a demonstration of good faith to facilitate visits between Lynn France and her children. Moreover, any offers he has made to allow Lynn to see the children have been contingent upon her signing paperwork stating their marriage was never valid; allocating joint custodial rights to Mr. France; and granting him a fifty percent division of time. To hold her children as some sort of ransom in exchange for her agreement that their marriage is legally void is depraved. Of course Lynn wants to see her children. Lynn wants not just to visit them; she wants her children brought home to Ohio—to the love and care of their mother, and to their proper legal residence.

Finally, Mr. France complains that Lynn went public with her story only to embarrass John France. This narcissistic version of reality is simply incorrect. Lynn wants to share her story in order to let people know that they do not have to live as helpless victims. Instead, people can and should take control of their own lives and resist unfair bullying and pressure. There are legal and fair means to address wrongs committed against individuals and children. No one should have to go through what Lynn is going through; watching as another woman claims her children on a Facebook page.