

In the Matter of Karen L. Ball and Thomas James Ball

**KAREN L. BALL'S VERIFIED MOTION FOR FINDING OF CONTEMPT  
AGAINST RESPONDENT THOMAS JAMES BALL**

2011 JUN -6 A 11: 19

CHESHIRE COUNTY  
SUPERIOR COURT

NOW COMES the Petitioner, Karen Ball, by and through her attorney, William J. Phillips, Esq., and hereby petitions the Court for a finding that Respondent Thomas Ball is in contempt of this Court's Orders, and in support of her motion, Ms. Ball states as follows:

1. By Uniform Support Order ("USO") dated January 27, 2005, and subsequent USO dated January 25, 2010, this Court ordered Respondent to pay Ms. Ball 50% of the children's medical expenses that the parties incur.
2. The total amount of medical expenses for the period May 9, 2006 through April 6, 2011, Respondent owes Ms. Ball is \$2,062.19<sup>1</sup>. It is important to note that Ms. Ball generously "forgave" Mr. Ball's 50% percentage of the medical expenses from February 26, 2003 through May 8, 2006, as well as most of the expenses from 2007 and all of 2008.
3. On April 14, 2011, Ms. Ball provided Respondent with an accounting, medical receipts and a demand for payment. See attached itemized list.
4. Respondent has failed, refused and neglected to pay any amount of the medical expenses due since a full accounting was provided on April 14, 2011.

**WHEREFORE**, petitioner, Karen Ball, respectfully requests that this honorable Court:

- A. Find Mr. Ball in contempt of the Court's Orders dated January 27, 2005, and January 25, 2010;
- B. Order Respondent to be confined in the Cheshire County House of Corrections until such time that he has paid Ms. Ball the full amount of the 50% of medical expenses due for the period May 9, 2006 through April 6, 2011, in the amount of \$2,062.19.
- C. Schedule a hearing on this motion to be held to be heard in conjunction with the Motion for Contempt in regards to Child Support now scheduled for June 24 at 10:00 a.m..

<sup>1</sup> The amount of \$2,062.19 does not include Mr. Ball's 50% share of an orthodontic bill, for which the final installment of \$825.00 is due July 1, 2011.

DOCKET NO. 01-M-0211

In the Matter of Karen L. Ball and Thomas James Ball

**KAREN L. BALL'S PETITION FOR CONTEMPT AND  
TO HOLD HEARING REGARDING ORDER DATED FEBRUARY 25, 2010**

NOW COMES the petitioner, Karen Ball, by and through her attorney, William J. Phillips, Esq., and hereby petitions the Court for a finding that respondent Thomas Ball is in contempt of this Court's Orders, and also requests that the Court hold a hearing per the Court's narrative order dated February 25, 2010 with respect to a determination of a child support arrearage. In support of her motion, Ms. Ball states as follows:

**PARTIES' AND CHILDREN**

- 1. Petitioner: Name: Karen Ball  
Date of birth: March 2, 1965  
Residential Address: 27 Charlonne Street, Jaffrey, NH 03452
- 2. Respondent: Name: Thomas Ball  
Date of birth: February 21, 1953  
Mailing Address: P. O. Box 180, Holden, MA 01520  
Residential Address: 54 Salisbury Street, Holden, MA 01520

3. Parties' Minor Children:

- Sara J. Ball d/o/b: November 19, 1993
- Melissa A. Ball d/o/b: November 25, 1996
- Kevin T. Ball d/o/b: June 28, 1999

No public assistance (TANF) is now being or has within the last 6 months been provided for the minor children of the parties

Medicaid, from the Katy Beckett Fund, is presently being provided for Sara J. Ball.

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CHESHIRE COUNTY  
SUPERIOR COURT

### Current Support

4. By Uniform Support Order dated February 25, 2010 (the "2010 USO"), this Court ordered Respondent to pay Ms. Ball child support of \$153 per week.
5. The total amount of support payable for the period February 25, 2010 through April 4, 2011 was \$8,874.00.
6. Respondent has failed, refused and neglected to pay full amount of support due during the period February 25, 2010 to April 4, 2011, accruing an arrearage for that period alone of \$2,224.00 (in addition to any arrearage which accrued as of February 25, 2010; see ¶¶ 10 - 14, below).

### Attorneys' Fees

7. By Order dated December 17, 2009, the Court ordered Respondent to pay \$1,118.10 to the undersigned attorney within 30 days (id. at ¶2) for attorney's fees.
8. Respondent has failed, refused and neglected to pay any part of the \$1,118.10 due to Attorney Phillips.
9. Ms. Ball will incur additional attorney's fees relative to the preparation of this Motion for Contempt, and if there is a hearing on this motion, she will incur additional fees and other legal expenses.

### HEARING ON ARREARAGE AS OF 2/25/10

10. A hearing was held on February 25, 2010 on Respondent's Motion to Modify Child Support.
11. By narrative and uniform support orders dated February 25, 2010, the Court ordered the parties to attempt to agree upon an arrearage amount, failing which either party could request a hearing.
12. The parties came to agreement that the arrearage amount as of February 22, 2010 was \$3,638.001, however, Respondent refused to agree to make any payment toward the arrearage.
13. Ms. Ball hereby requests a hearing to determine the schedule for respondent to pay the arrearage accrued as of February 22, 2010.

**WHEREFORE**, petitioner, Karen Ball, respectfully requests that this honorable Court:

- A. Find Mr. Ball in contempt of the Court's Orders dated February 25, 2010;

- B. Find respondent in contempt of the Court's Order dated December 17, 2009;
- C. Order respondent to be confined in the Cheshire County House of Corrections until such time that he has paid Ms. Ball the full amount of child support due for the period February 25, 2010 through the date of the Court's order hereon;
- D. Order respondent to be confined in the Cheshire County House of Corrections until such time that he has paid the undersigned attorney the amount of \$1,118.10 as ordered by way of the Court's Order dated December 17, 2009;
- E. Enter an order regarding the amount of arrearage existing as of February 25, 2010, and payments thereon;
- F. Enter an order determining that the total arrearage as of April 4, 2011 is \$5,862.00 (the sum of the arrearages accrued pre and post February 25, 2010).
- G. Order respondent to pay Ms. Ball's attorney's fees incurred in the preparation of this motion and for any hearing related thereto; and
- H. Award such other relief as the Court deems fair, just and equitable.

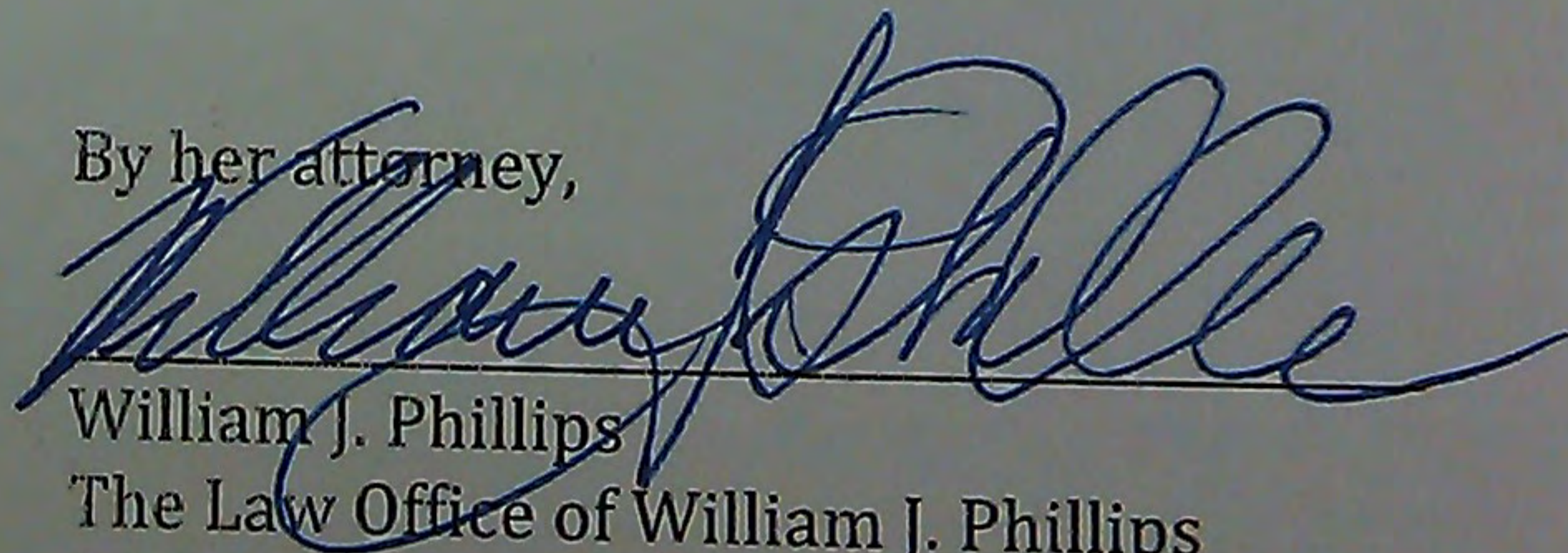
Respectfully submitted,



Karen L. Ball

Date: April 7, 2011

By her attorney,



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