

HERSH, MANNIS & BOGEN L.L.P.
9150 Wilshire Boulevard, Suite 2602
Beverly Hills, California 90212-3429
Phone:(310)786-1910 Fax:(310)786-1917

DECLARATION OF DENISE RICHARDS

I, DENISE RICHARDS, declare as follows:

BACKGROUND AND HISTORY

1 I am the Petitioner in the above-entitled matter. I am married to the
2 Respondent, Charlie Sheen. In March of 2005, I filed a Petition for Dissolution of
3 Marriage when I was pregnant with our second child, Lola. The filing of this dissolution
4 of marriage at such time was a very difficult decision for me and was done after great
5 deliberation and thought. I knew that by filing such an action and given the
6 Respondent's high profile in the entertainment industry, that I would be attracting media
7 attention. I wish to express to the Court how difficult this declaration is to file. I
8 previously sought restraining orders which were signed but which were not filed with
9 the Court. I was repeatedly talked out of obtaining proper restraining orders from the
10 Court by threats that by my doing so, I would impact the Respondent's image and
11 cause others to lose their jobs. I was torn between protecting myself and my children
12 and the pressure I felt from the Respondent and those around him, who wanted only to
13 protect their own self-serving financial interests. Likewise, with the filing of this request
14 for restraining orders, I have been made to feel the same pressure, which is solely
15 motivated by the Respondent and those around him only looking at the Respondent's
16 financial condition and refusing to address the Respondent's emotional and mental
17 condition. I am filing this now because I can no longer accept the Respondent's
18 abusive and threatening manner and must stop him from the cycle of his abuse towards
19 me and our children and his continued threats of violence and statements that he is
20 going to kill me. I am aware that the Respondent has prepared a pleading regarding
21 our children and his wanting joint custody. Respondent wants me to remain silent while
22 he uses the legal system to continue to threaten and abuse me. However, for the
23 reasons stated in this declaration and which will become more clear in my response to
24 his custody requests, the Respondent is unstable and irrational and cannot be around
25 our children without professional monitoring.

DECLARATION OF DENISE RICHARDS

W:\Richards, DP\leadings\Dec of client re RO.wpd/4/20/06(JB)

CASE NO. BD 422070

HERSH, MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 2. I met the Respondent in June of 2000. I started dating him in 2001.
2 When I started dating him, I knew that the Respondent had a history of abusing drugs,
3 cocaine and alcohol, and also was known to hire prostitutes. The Respondent assured
4 me that he was sober and that he had never been with prostitutes sober; and further
5 reassured me that what occurred was in his past and that is where it would stay. The
6 Respondent stated that he continued to be a member of Alcoholics Anonymous. The
7 Respondent continued to have a sponsor. I believed him at that time when he said he
8 changed. Unfortunately, I was wrong to believe him.

9 3. The Respondent and I were married in June of 2002. When we went
10 on our honeymoon, the Respondent took Zanex. Respondent told me not to tell
11 anybody that he was taking Zanex because he told me that in AA, it would be
12 considered breaking his sobriety for him to be taking this drug. Six months into the
13 marriage, I noticed that Respondent was gambling heavily, had a bookie and was
14 sports betting. I did not know that he gambled before this. I then began to notice that
15 he began gambling everyday and that his gambling was also accompanied by "mood
16 swings." The Respondent's bookies knew where we lived and dropped off money to the
17 Respondent at our house. One time, the Respondent's assistant was present at our
18 home in his place to collect the money from the bookie. He was happy when he "won"
19 a bet; however, when he "lost," his behavior was very volatile and his mood swings
20 were up and down. The smallest thing would set him off causing him to scream
21 obscenities at me. I began to walk on eggshells. I was never sure what mood he would
22 be in. I asked him to get help for his gambling but he would not. He continued to
23 gamble on and off. There were times when he told me he lost "hundreds of thousands
24 of dollars." However, he excused this behavior to me because he told me that it was
25 "his money" and he could do what he wanted with it. I was not concerned about the
26 money; however, I was very concerned about his behavior. I also noticed that the
27 Respondent continued to take prescription pain medication, Zanex and Ativan, but I did
28 not observe any medical condition that would cause him to take these drugs.

2
DECLARATION OF DENISE RICHARDS

W:\Richards, D\Pleadings\Dec of client re RO.wpd\4/20/06\JBJ

CASE NO. BD 422070

HERSH MANNIS & BOGEN L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 Respondent reassured me that he did not have a problem taking these drugs because
2 when he previously went to rehab, it was for cocaine and alcohol abuse and not
3 prescription drugs. However, the Respondent continued to lie to me about taking these
4 drugs. I found pills hidden in our home safe and hidden in his bathrobe in our closet.

5 4. I then became pregnant with our daughter, Sam in 2003 and
6 gave birth in March of 2004. The Respondent told me that he did not want the baby
7 and asked me to get an abortion. He said he did not want to be a father. After fighting
8 about it for a week, I threatened to leave the marriage. The Respondent then said he
9 would accept the pregnancy. I went to most of my prenatal appointments alone. The
10 Respondent was not excited about the baby. He told me that he was not attracted to
11 me. The Respondent did come with me to the ultrasound appointment where we were
12 going to find out the sex of the baby. The doctor wrote down the sex of the baby in an
13 envelope and we took it home. Later that night, we opened the envelope. The
14 Respondent was furious that the baby was a girl. During this time, the Respondent
15 continued to abuse prescription drugs. He would purchase the drugs on the Internet.
16 The drugs included Norco, Ativan, and Zanex. The Respondent threatened me that I
17 "better not tell anybody about his using these drugs and better keep it to myself." I
18 understood by these statements that the Respondent would physically harm me and
19 our baby if I told anyone. I remained silent and scared. The Respondent had violent
20 mood swings; I believed that his reactions to me and his reaction about the sex of our
21 baby was caused by his abuse of drugs and by his irrational behavior.

22 5. At the time of Sam's birth, and for a short period thereafter, the
23 Respondent was wonderful. However, after about a month, in July of 2004, the
24 Respondent again became verbally abusive toward me when I stopped breast-feeding.
25 He was very angry that I stopped breast-feeding the baby and switched to formula
26 because he said that he "heard" that by my stopping breast-feeding, and giving our
27 daughter formula, that the formula would cause our daughter to develop brain damage
28 or would cause her to become mentally retarded. The Respondent did not do any

3
DECLARATION OF DENISE RICHARDS

W:\Richards, D\Pleadings\Dec of client re RC.wpd/4/20/06/[JB]

CASE NO. BD 422070

HERSIL MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 investigation of his theories; he simply adopted these conclusions without any basis for
2 them. Then, when I took Sam to get her infant shots, Respondent told me that "I
3 poisoned our daughter" and berated me and told me that I was a bad mother. The day
4 that I took Sam for her shots, the Respondent called me when he found out and
5 threatened to kill me. I was scared and locked him out of the house. When he came
6 home, he took a flower pot from the front yard and threw it at our front door, putting a
7 dent in the door. After the Respondent cooled down, I let him in and proceeded to pack
8 a bag to leave the house with Sam. While I was in my office, the Respondent continued
9 to argue with me about the vaccinations and threw an office swivel chair at me. I went
10 into our bedroom and packed a bag. I went into Sam's room, where she was sleeping.
11 I grabbed Sam and put her into my car. Respondent saw me doing this on the security
12 camera and ran out and tried to stop me from getting into the car, physically pulling
13 and pushing me. Respondent told me that I could not take Sam and that he would
14 have me arrested for kidnaping. Respondent yanked my keys out of my hand, threw
15 them at my Mercedes and dented the car. The Respondent went back into the house
16 and I left with Sam and spent a couple of days at my parents' house. While I was at my
17 parents' home, the Respondent then left threatening messages with our pediatrician,
18 Dr. Levenstein, because she administered the vaccinations to our daughter. Dr.
19 Levenstein called me at my parents' house after speaking with the Respondent. Dr.
20 Levenstein then fired us and refused to treat our daughter. A true and correct copy of
21 Dr. Lowenstein's letter terminating her services as our daughter's pediatrician is
22 attached hereto as Exhibit "1" and is incorporated herein by this reference. The
23 Respondent called a chiropractor for advice about our daughter. The chiropractor in
24 turn called me. The chiropractor told me that he was concerned about the
25 vaccinations, which he believed were poisonous to our daughter. Respondent's
26 irrationality about our daughter's medical care and his interactions with Sam's
27 pediatrician scared me. I was frightened for our daughter's welfare. In August of 2004,
28 I threatened to leave him because I was scared that Respondent's behavior was due to

4
DECLARATION OF DENISE RICHARDS

W:\Richards, D\Pleadings\Dec of client re RO.wpd\4/20/06/[JB]

CASE NO. BD 422070

HERSH, MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 his drug use. I also called his AA sponsor to discuss Respondent's drug use with him.
2 I then told the Respondent that I called his sponsor to ask for help. Respondent made
3 me promise that I would not communicate with his sponsor again. Respondent again
4 promised he would give up the gambling and drugs; however, this did not happen.

5 6. In October of 2004, I found out I was pregnant again and wanted to
6 believe that the Respondent was going to change. Respondent appeared happy about
7 this pregnancy and told me that he wanted us to be a family and make it work.
8 Respondent, however, did not change. He continued to gamble, losing hundreds of
9 thousands of dollars and continued to abuse drugs. He continued to verbally abuse
10 me. The smallest thing would set him off. He would not even let our three dogs urinate
11 on the grass at our house and insisted that I walk them. Respondent made threats to
12 kill the dogs. Respondent's behavior was totally irrational. The Respondent became
13 paranoid. He was obsessing about various topics. Respondent began to obsess about
14 vaccines being poisonous, about 911 being a conspiracy, purchasing gas masks on the
15 Internet, and putting guns under our coffee table so that they would be within reach if
16 someone broke into our house. Respondent also displayed what I can only describe as
17 an abnormal fascination with Nicole Simpson's death and showed my mother and I her
18 autopsy photographs, which I found very disturbing. I had one small child and was
19 pregnant and I was afraid to leave him; I also was afraid to stay with him.

20 7. The Respondent did not go to a single prenatal visit when I was pregnant
21 Lola. By December of 2004, the Respondent's behavior was so bad with the gambling
22 and drugs that I hired a moving truck and moved back into our old house in Agoura
23 Hills. Respondent then came to me after a week and promised he would change. I
24 again gave him another chance and moved back with him.

25 8. At Christmas time in 2004, the Respondent, Sam and I took a
26 vacation to the Bahamas. The Respondent promised me that he would not take any
27 pills. I later found out, because the Respondent confessed, that he in fact was taking
28 pills. The Respondent ran out of pills and had someone at the hotel take him to the

5
DECLARATION OF DENISE RICHARDS

W:\Richards, D\Pleadings\Dec of client re RO.wpd/4/20/06/[JB]

CASE NO. BD 422070

IERSH, MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone:(310)786-1910 Fax:(310)786-1917

1 hospital to get a prescription. The Respondent told me that he told the doctor at the
2 hospital that he had dental work before our trip (which he did not) and needed another
3 prescription.

4 9. In January of 2005 on the day when the Respondent was presenting at
5 the People's Choice awards, I asked the Respondent to help me with Sam because I
6 injured my back and was having problems lifting Sam. Respondent was angry at me
7 and told me that he wanted to sleep and punched the headboard of our bed. After the
8 awards, the Respondent went to the doctor and had his hand x-rayed. He fractured his
9 hand when he punched the headboard.

10 10. In February of 2005, the Respondent's behavior went from bad to
11 worse. It was time for Sam to get her shots again. Respondent refused to allow the
12 shots based on his same irrational thinking that the shots were going to cause brain
13 damage to our daughter. He was gambling again and taking drugs.

14 11. On Valentine's Day 2005, I became very alarmed because I thought
15 something was wrong with my pregnancy. I was in our bathroom and was worried
16 about abnormal bleeding. When I told the Respondent to come help me, he said "after
17 this play" because he was watching a basketball game which he bet on. Respondent
18 was more concerned about his gambling than about my welfare and the baby's welfare.

19 12. During this same period of time, the Respondent told me that he went to
20 the doctor to get some pills to get him through the taping of the television show. He
21 told me that he could not work without "something" to help him because he had become
22 addicted to Norco. He was in such bad shape that he told me that he refused to tape
23 his show before a live audience, which was normally done.

24 13. That same week, I found pills on the floor in our home which was
25 the last straw for me. That week, the Respondent went to New York. I called him in
26 New York and told him that I wanted a divorce. When he returned, he moved out.

27 14. However, at or near the end of February 2005, a couple of days before
28 I filed for divorce, Respondent came to visit Sam with his suitcase and "announced"

6
DECLARATION OF DENISE RICHARDS

W:\Richards, DI\Pleadings\Dec of client re RO.wpd\4/20/06/[JB]

CASE NO. BD 422070

HERSH MANNIS & BOGEN L.L.P.
9150 Wilshire Boulevard, Suite 200
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 that he was moving back in. I told him to leave. The Respondent became verbally
2 abusive and refused to leave. He was screaming at me and pointing his finger at me. I
3 was seven months' pregnant. The Respondent stayed at the house that night and slept
4 in our prior bedroom. I slept in Sam's room with our daughter. He did not leave me
5 alone. Instead, he came into Sam's room and continued to scream in front of our
6 daughter. The next day after he went to work, I left the house and moved into a hotel.
7 I was scared of Respondent.

8 15. Because of the stress caused by the Respondent and my leaving
9 the Respondent, I had a very difficult pregnancy with Lola and had to have many
10 ultrasounds to insure that the baby was not in distress. The Respondent did not care
11 about our unborn child because he was upset about the divorce. At this time,
12 a prostitute that the Respondent knew by the name of Chloe Jones sold a story to the
13 tabloids accusing the Respondent of cheating on me and paying her \$15,000 to have
14 sex with him. The Respondent threatened me to make a statement saying that it was
15 not true. I refused. The Respondent replied that if I did not make this statement,
16 he would "destroy me." Even though I was separated from him, this situation put yet
17 more stress on my pregnancy.

18 16. In or about April of 2005, the Respondent became enraged. On April 19th
19 the Respondent called several times and threatened me. On that same date, he was
20 supposed to have visitation with our daughter Sam at my house pursuant to an
21 agreement reached by our attorneys. I was not present at my home during this
22 visitation. However, I had security guards at the house to protect Sam. During this visit
23 with Sam, he took a large wedding photograph (4' by 6') off the wall. He had it placed
24 in our garage. He sawed the picture in half and took spray paint and sprayed "the
25 dumbest day of my life." As I pulled into my house, the security guard that I had hired
26 warned me about the photograph and told me to seek immediate restraining orders. As
27 indicated above, the Respondent telephoned me several times on April 19th to threaten
28 me and left messages. I have retained those messages. A true and correct copy of the

7
DECLARATION OF DENISE RICHARDS

W:\Richards, D\Pleadings\Dec of client re RO.wpd/4/20/06/[JB]

CASE NO. BD 422070

HERSH, MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone:(310)786-1910 Fax:(310)786-1917

1 transcription of the tapes of these conversations is attached hereto as Exhibit "2" and is
2 incorporated herein by this reference. After I came home, I was scared, especially
3 being pregnant and left the house for my safety. As a result of those calls, we reached
4 an agreement regarding restraining orders. In April 2005, the Respondent and I entered
5 into a Stipulation re Restraining orders. A true and correct copy of this Stipulation
6 which was never filed with the Court is attached hereto as Exhibit "3" and is
7 incorporated herein by this reference.

8 17. Just prior to Lola's birth in June 2005, Respondent told me that he wanted
9 to be present at the birth of our daughter. However, on the way to the hospital, the
10 Respondent was on the telephone placing a bet. I was having a C-section. As I was
11 being wheeled into surgery, the Respondent's attention was diverted to his pager for
12 the results of his betting. Because of my stressful pregnancy with Lola, Lola's birth was
13 difficult and she was placed in ICU. The Respondent refused to stay with me at the
14 hospital and also refused to pick me up from the hospital with our daughter, falsely
15 claiming that he had a cold. However, since I was with the Respondent at the birth of
16 our child, I knew that he was not sick. Approximately three weeks after Lola was born, I
17 decided as a last effort to try, for our children's sake, to try and get the Respondent
18 help; I met with several people to put together a small intervention. I was scared to do
19 this but I needed to for the children's sake and because I was fearful about the
20 Respondent's health and wanted to be able to tell our children that I did everything
21 possible to help their father. At the intervention, the Respondent admitted his drug use
22 and proceeded to get help. The Respondent started to go to AA meetings, started a
23 detox program and had a sober person living with him to keep him on track. The
24 Respondent began his recovery and appeared remorseful and wanted to slowly put our
25 family back together. I did not believe our marriage was salvable; however, I wanted to
26 try for the sake of our children to see if our relationship was even repairable.

27 18. We attempted to reconcile in approximately August or September of
28 2005. However, the Respondent initially did not move into my house because we were

HERSH, MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 210
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 In escrow on a new house and he wanted to wait for all of us to move into the new
2 house at the same time. The house was intended to close in January but fell through.
3 During this time, one of Respondent's friends threatened him that the friend was going
4 to go to the tabloids. Respondent hired full time security guards at my house because
5 he told me that his life had been threatened by this friend who threatened to kill the
6 Respondent because he wanted the Respondent to pay off his gambling bet. The
7 friend wanted to collect on an old bet that he and the Respondent made. Respondent
8 decided that he was safer with me because my house was in a gated community.
9 Respondent then moved into my house in November of 2005. Between August and
10 November 2005, the Respondent only stayed with me on the weekends and on an
11 infrequent basis, some nights during the week.

12 19. However, even though the Respondent moved into my house
13 in November of 2005, he still maintained a separate residence in Encino and continued
14 to spend evenings and other time there. I am informed and believe that the
15 Respondent continued to maintain a separate residence so that he could participate in
16 his activities with prostitutes.

17 **MOST RECENT INCIDENTS**

18 **DECEMBER 2005 INCIDENT**

19 20. In December of 2005, the Respondent and I took a vacation in
20 Barbados without our children. It was my intention to discuss certain serious matters
21 with the Respondent during this trip and to try and understand why the Respondent
22 was participating in certain activities, which were repulsive to me and to convince him
23 to seek help for the sake of our children. Prior to our trip, I learned that the Respondent
24 was accessing gay pornography sites which I found even more disturbing because I felt
25 that the boys looked underage. I wanted to discuss these issues with him. However, as
26 seen below, this did not occur. Respondent started gambling on the hotel computer,
27 sports betting. The Respondent refused to leave our room except two times, because
28 he was addicted to the television, which he used to access on line betting. In addition,

9
DECLARATION OF DENISE RICHARDS

W:\Richards, D\Pleadings\Dec of client re RO.wpd\4/20/06/[JB]

CASE NO. BD 422070

HERSH, MANNIS & BOGEN L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 he uses "bookies" to place bets. I learned after the trip from the Respondent, who
2 admitted it, that the Respondent apparently lost approximately \$100,000 gambling near
3 the beginning of our vacation and was trying desperately to recoup his losses.

4 21. The night we arrived, the Respondent and I started to discuss my
5 concerns. However, these discussions turned into arguments. I brought up the issue of
6 the gay pornography and his using prostitutes. Respondent told me that he had a
7 "madam" and that prostitutes were emailing him. Although the Respondent told me that
8 he only used prostitutes during the time that he and I were separated, I did not believe
9 him. I decided to confront the Respondent with these issues because I wanted to tell
10 him that I felt our relationship was over but that I was very concerned about him as a
11 father and the lifestyle he was choosing.

12 22. I started to try and speak to Respondent about these issues. I
13 brought up the fact that I as his wife could not accept what he was doing and that I was
14 concerned about our daughters. Respondent responded that he did not see anything
15 wrong with what he did and that the prostitutes were used during the time when we
16 were separated. He told me that "since you filed for divorce, those are the
17 consequences and you deserve it." I responded that I did not understand his choice of
18 lifestyle, especially when we had such small children. He wanted me to simply forget
19 about it and to move forward. Respondent promised that he would not be with
20 prostitutes; however, he told me that he was not going to give up his gambling nor his
21 pornography habits and that I had to accept it. I told him that I could not accept it. The
22 arguments continued until dinner, where we continued to fight and he kept trying to
23 justify his behavior. After dinner, we went back to our room. I packed my suitcase and
24 went to a different bedroom in the suite and called my travel agent and booked a
25 commercial flight home for the next day. Respondent was upset with my booking my
26 flight home because we had taken a private plane to Barbados and he did not want
27 anyone to see me on the commercial flight home. We then mutually decided to leave
28 the next day and took the private plane home. We did not speak on the plane ride

HERSH, MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 home.

2 23. When we landed, we went to my house to see the children. After
3 the trip to Barbados, we never resumed living together. Respondent resumed living at
4 the Encino residence. I did not immediately reactivate the divorce proceeding because
5 Christmas was approaching and I was very concerned about the Respondent's reaction
6 in the event I started up the divorce proceedings again. I wanted to get through the
7 holiday season peacefully for the children's sake even though I knew that the marriage
8 was over. We had planned that we would be with the children during the day and then
9 on Christmas eve night, that we would go to Respondent's sister's house for dinner at
10 4:00 p.m. and then would return home at approximately 7:00 p.m. which was the girls'
11 bedtime. However, on Christmas eve morning, the Respondent called me to tell me
12 that he was spending Christmas eve day at his house gambling and was not going to
13 be with the children. I then decided to cancel the dinner plans.

14 24. On Christmas Day, we had plans with the children to spend the
15 day with my parents, who live in Fallbrook. I wanted us to go together to my parents for
16 the sake of our children and to make Christmas nice for our children. We were going to
17 leave at about 9:00 a.m. Respondent came over at about 7:00 a.m. to be with the
18 children Christmas Day. Respondent was angry and edgy. Respondent only stayed
19 for about an hour. I tried to persuade him not to leave and to go with me to my parents.
20 He refused. The children and I went alone.

21 25. The children and I did not see the Respondent on December 26th.
22 The Respondent called me on December 26th and asked to come over on December
23 27th to see the children in the morning. The Respondent arrived at approximately
24 9:00 a.m. and parked his car (black Mercedes) in the driveway in front of the garage.
25 The garage was open and there is a door inside the garage which leads to the inside of
26 my house. At the time that he arrived, the children were on a walk with their nanny.
27 The Respondent came into the house through the garage and into the kitchen. I told
28 him the girls were on a walk and I asked if I could speak to him privately. We then went

11
DECLARATION OF DENISE RICHARDS

W:\Richards, D\Pleadings\Dec of client re RO.wpd\4/20/06/[JB]

CASE NO. BD 422070

HERSH, MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 200
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 into my office, which is close to the garage. I told him that I discovered some
2 pornography websites that he belonged to which I found very disturbing (websites
3 which promoted very young girls, who looked underage to me with pigtails, braces, and
4 no pubic hair performing oral sex with each other). I also told him about other websites
5 I discovered that he accessed involving gay pornography also involving very young
6 men who also did not look like adults. I also discovered that the Respondent belonged
7 to several sex search type sites, which he looked for women to have sex with. The
8 picture he used for his profile was "his erect penis" which he emailed out to
9 approximately thirty women. When I confronted the Respondent with this information,
10 he did not deny it. I told him that as a mother, I found this information very disturbing
11 because we had two young daughters and that I believed he had a serious problem
12 which he needed to deal with and that he should not be around our children. At that
13 point, I asked him if he had taken an "aids" test. He said he did. I asked to see the
14 results and he told me to go "f - - k myself." I later had an aids test which he was upset
15 about because the paparazzi found out about my taking this test and took pictures.
16 The Respondent blamed me, rather than taking any responsibility for his actions. He
17 told me that "I was a prude" and that "I was overreacting." He reiterated that there was
18 nothing wrong with the sites that he was accessing and that I needed to "turn my head"
19 and ignore it. The Respondent then told me to "go f - - k myself" and turned around
20 and stormed out the house. I tried to speak to him more about this but he refused. I
21 proceeded to follow him to his car. He opened the car door to get in but remained
22 standing next to the car; I again tried to speak to him. I told him that I was very
23 concerned about his behavior. I told him that if he continued his lifestyle, this would
24 affect his relationship with the girls. He became very angry and told me "that this was
25 my last warning" and that if I revealed anything about his lifestyle, "you won't lay your
26 head down at night." I understood this to mean that he would kill me. He then hit my
27 right wrist with his arm and shoved me in my stomach area with both his hands and got
28 into his car and left. He broke the bracelet I was wearing. Approximately five minutes

HERSH MANNIS & BOGEN L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 later, he called me on my home telephone and threatened me that I better not reveal
2 what I knew to anybody, that I do not control the children, that he's their father; he then
3 threatened me "Do not go down this road; you will regret it." I understood this to mean
4 that he would hurt me or kill me. He kept repeating to me "this is your last warning;
5 don't f - - k with me."

6 26. I immediately contacted my former attorney and reinstated the divorce
7 proceedings. I was afraid for myself and the children. My attorney then called
8 his attorneys to discuss the situation. I believed that the previous Stipulation that the
9 Respondent and I had entered into for restraining orders protected the children and me
10 and that the Respondent had to stay away from the children and me except during his
11 visitation. However, this Stipulation was never filed with the Court.

12 27. The attorneys then arranged for the Respondent to see the
13 children at my house on December 30, 2005 in the afternoon from approximately
14 2:30 p.m. and 4:30 p.m. with the children's nanny present. I was not going to be
15 present when he was there. Our nanny had still not arrived at the house and our
16 housekeeper was running an errand. Respondent arrived at 2:00 p.m. and I was still at
17 the house. Respondent parked in the driveway behind my car. I was in the house when
18 he arrived. The Respondent came to the front door and I let him in. I was holding Lola
19 when the Respondent came to the door and Sam was in the living room playing on the
20 floor. The Respondent followed me into the living room. The Respondent told me he
21 was angry because I told my attorney what happened on December 27th and he
22 verbally assaulted me again. In front of the children, he threatened me that "you're
23 f - - king with the wrong guy," and that he would not agree to supervised visits with the
24 children (which was being discussed by our respective counsel regarding Respondent's
25 request for visitation). I tried to stay calm and not escalate the situation, especially
26 since I was alone with the children, who were watching him. I explained that he should
27 speak to his attorney, be honest about everything he is doing and discuss the custody
28 situation rationally. He repeated to me that "I better not reveal what I know" and started

HERSH, MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 to call me obscene names in front of the children such as "f - - king bitch," "asshole,"
2 and a "c - - t."

3 28. Respondent then started to approach me. I was still holding Lola.
4 I put my right hand up to block him and to shield myself and Lola. The Respondent
5 pushed me, shoving me with his two hands between my shoulders. I was forced
6 backwards and tripped over one of the children's toys and fell on the floor with Lola.
7 Sam was screaming the entire time and crying. Lola was also crying. When I was
8 laying on the floor, the Respondent then pointed his finger at me and screamed "I hope
9 you f - - king die, bitch." I took both girls, sat on the couch and tried to calm them down.
10 The Respondent turned away and as he was walking out the front door, said to me that
11 he was going to have me killed. He said "you are f - - king with the wrong guy."

12 29. Respondent then called me all weekend long. I was afraid for my safety
13 and our children's safety. I told the security guards at my gate to be alert for
14 Respondent and to not let him in under any circumstances.

15 30. I wanted to go to Court immediately to obtain new restraining orders.
16 Our respective attorneys then agreed to have a hearing with a private judge,
17 Commissioner Robbins, in early January 2006 to address my request for restraining
18 orders. A hearing ensued and Commissioner Robbins issued restraining orders.
19 However, I am informed and believe that the restraining orders were not signed nor
20 filed with the Court. I do not know if these restraining orders are in effect or not.
21 I continue to be in fear for my safety and the safety of our children.

22 31. After this hearing, the Respondent agreed to a thirty day "cooling off"
23 period where he would not contact me or see the children. Commissioner Robbins
24 indicated that Respondent should go to anger management therapy. However, to my
25 knowledge, he never went. I agreed to give Respondent updates as to how the
26 children were doing through communications between the attorneys.

27 32. After the thirty days elapsed in February 2006, the Respondent
28 began to have supervised visitation with the children's nanny present, twice a week

14
DECLARATION OF DENISE RICHARDS

W:\Richards, D\Pleadings\Dec of client re RO.wpd\4/20/06\JJB]

CASE NO. 8D 422070

HERSH MANNIS & BOGEN L.L.P.
9150 Wilshire Boulevard, Suite 700
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 during the day for two hours. Then commencing in March 2006, Respondent was
2 supposed to see the children one day on the weekend with the nanny and one day
3 during the week. However, the Respondent did not adhere to the schedule. I
4 specifically told the Respondent, however, through communications by our attorneys,
5 that if he wanted to continue his illicit activities with prostitutes, he had to do so at a
6 hotel and not at his house. Respondent said he would not agree to this condition.

7 33. At or near the end of March, and even though the Respondent
8 had not been consistent with seeing the children, the Respondent stated that he
9 wanted overnight visitation. I would not agree to this for all of the reasons stated in this
10 declaration. Therefore, it is my understanding that the Respondent will be filing a Court
11 proceeding to obtain such overnight visitation. I started to communicate with
12 Respondent by telephone and email about the children. I kept our conversations short
13 and strictly about the children.

14 RECENT APRIL 9TH TELEPHONE INCIDENT

15 34. The Respondent and I spoke to each on April 9th, 2006. The Respondent
16 called to say goodnight to the children. We spoke briefly on the telephone. The
17 Respondent told me that he was angry at me. I told the Respondent that I was very
18 concerned about the children spending the night at his house because of the activities
19 he was involved in with prostitutes, gambling and pornography. I confronted him with
20 information, which had been provided to me by third parties, that he was still having
21 prostitutes at his house. The Respondent did not deny this and said that his signature
22 on the previous Stipulation was meaningless and "laughable" and that he only agreed
23 to this condition in order to see his children, not because he had any real intention of
24 complying with the orders. I begged him to get an apartment and to not participate in
25 prostitution at his house. He told me that it was "none of my business," that I am a "f -
26 - king c - - t." I told him that the children were my primary concern. He told me that he
27 hopes "I get breast cancer and die" and "get cancer in my face and die." The
28 Respondent knew that this was especially hurtful to me because my mother had cancer

15
DECLARATION OF DENISE RICHARDS

W:\Richards, D\Pleadings\Dec of client re RO.wpd\4/20/06\JBJ

CASE NO. BD 422070

HERSH, MANNIS & BOGEN, L.L.P.
9150 Wilshire Boulevard, Suite 209
Beverly Hills, California 90212-3429
Phone: (310) 786-1910 Fax: (310) 786-1917

1 and I have a very close friend that just went through treatment for breast cancer. I
2 hung up the telephone.

3 35. Since this incident on April 9th, I have avoided the Respondent.
4 However, on April 12th I spoke to him briefly at approximately 6:30 p.m. when he
5 dropped the girls off at my house. I put the children to bed and spoke to the
6 Respondent on the telephone. I told the Respondent that if the Respondent proceeded
7 with his threats to take me to Court over the children for overnight visitation, that I
8 would have to tell the truth about what he had done. He told me that "I will never get to
9 Court because I will be f - - king dead!" He told me to enjoy my parents "while they are
10 still around." I took this to mean that he was not only going to do me harm but also do
11 harm to my parents. In this conversation, I also brought up an old prostitute/porn star
12 who he saw by the name of Chloe Jones. I saw on the news that she had died from
13 undetermined causes. When I asked him if he had anything to do with her death, he
14 said that he had "no comment." He repeated "no comment" again when I asked him
15 again. This scared me. Respondent then threatened me again that if "I do not agree to
16 his request for joint custody, that I would never make it to Court." I was scared
17 because I believe he has the ability to carry out his threats and do me harm.

18 36. This last telephone call was the last straw for me. Based upon the
19 foregoing, I am seeking personal restraining orders as set forth in the attached
20 requests. In addition, I am requesting that the Respondent have only monitored
21 visitation with a police officer present as well as the children's nanny one day per week
22 and one day during the week as has been our agreement.

23 37. I offer my declaration in lieu of personal testimony pursuant to Sections
24 2009 and 2015.5 of the *California Code of Civil Procedure*; Rule 1225 of the *California*
25 *Rules of Court*; *Reifler v. Superior Court* (1974) 39 Cal.App.3d 479 and *Marriage of*
26 *Stevenot* (1984) 154 Cal.App.3d 1051. The facts herein stated are within my personal
27 knowledge and I further affirmatively state that if sworn as a witness, I could and would
28 competently testify thereto.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.

Executed this 19th day of April, 2006, at Orange County, California.


DENISE RICHARDS

HERSH, MANNIS & BOGEN, L.L.P.
9130 Wilshire Boulevard, Suite 200
Beverly Hills, California 90212-5479
Phone: (310) 786-1910 Fax: (310) 786-1917

17
DECLARATION OF DENISE RICHARDS
W:\Richards, DI\leadings\Dec of client re RO.wpd\4/19/06/[JB]

CASE NO. BD 422070

TOTAL P. 25