

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

HUMAN EMRYO #4 HB-A, BY AND  
THROUGH EMMA AND ISABELLA  
LOUISIANA TRUST NO. 1, HUMAN  
EMBRYO #3 HB-A, BY AND  
THROUGH EMMA AND ISABELLA  
LOUISIANA TRUST NO. 1, EMMA  
AND ISABELLA LOUISIANA TRUST  
NO. 1, AND JAMES CHARBONNET,  
IN HIS CAPACITY AS TRUSTEE OF  
EMMA AND ISABELLA LOUISIANA  
TRUST NO. 1,

Plaintiffs,

VERSUS

SOFIA VERGARA,

Defendant.

CIVIL ACTION NO. 17-1498

JUDGE: MARY ANN VIAL  
LEMMON

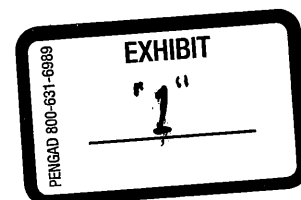
MAG.: JANIS VAN MEERVELD

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**DECLARATION OF NICHOLAS LOEB**

I, Nicholas Loeb, do hereby declare:

1. I am a citizen of the State of Florida and am domiciled in Palm Beach County, Florida.
2. I am a graduate of Tulane University.
3. I am a financially independent businessman; while I engage in business worldwide, I have based one of my businesses in Louisiana.
4. I also serve as a volunteer police officer in Plaquemines Parish, Louisiana.
5. Sofia Vergara ("Vergara") works as an actress approximately five months of each year in California, and has also worked as an actress and model in, inter alia,



Florida, Georgia, Hawaii, Louisiana, Nevada, New York, Wyoming, Australia, England, and Mexico since our relationship began in 2010.

6. Vergara has filmed at least two movies in Louisiana, filmed another Louisiana produced movie in Florida, worked at a Super Bowl in Louisiana, and met her current husband in Louisiana.
7. I met Vergara at the Sunset Tower Bar and Restaurant in West Hollywood, California, on January 17, 2010, after the Golden Globe Awards.
8. Shortly after meeting, we began a romantic relationship.
9. During the course of our relationship, we spent approximately 90% of our time together in various homes and hotels around the country and world.
10. From the beginning of our relationship, when we were not physically together, we were in frequent communication until at least two months after the end of the relationship, through July 2014.
11. From the beginning of our relationship, I was explicit that my intent was to marry and start a family by having children, and Vergara agreed.
12. We both stated that we wanted biological children, but Vergara said that she knew it was more important to me.
13. I believe that life begins at conception, i.e., at the moment an egg is fertilized by a sperm.
14. Vergara and I had frequent conversations in which we expressed our views on this subject. Vergara told me that she was a devout Catholic and, like me, was committed to protect our children and believed that life begins at conception and should not be destroyed.

15. On July 10, 2012, in Mexico, we were engaged be married and began to make concrete plans to start a family.
16. In 2013 and 2014, much of our time was spent in Louisiana, as Vergara was working on movies in Louisiana.
17. I helped Vergara find and move in to the house we, and then she alone, lived in, in Louisiana from May 1, 2014, through July 4, 2014.
18. Vergara's adult son enrolled at Tulane University for a summer program during this time.
19. During our time in Louisiana, I introduced her to and we spent time with many of my friends and acquaintances, including Trustee Jamie Charbonnet. Our communications mentioned Charbonnet from time to time, and we went to dinner. A photo of one event we all attended is attached hereto as Exhibit A.
20. While in Louisiana, including in both Jefferson Parish and Orleans Parish, we often discussed our plans and made decisions about the IVF-conceived offspring both before and after their conception. We again committed to protecting and parenting our children.
21. While our relationship was often turbulent, we remained committed to our plan to have children together.
22. We consulted with physicians and staff at ART in Beverly Hills, California, and decided to use in vitro fertilization to conceive children using my sperm and Vergara's ova, and to have all resulting embryos transferred to a gestational surrogate to complete the children's uterine development.

23. I verified that all resulting embryos would be transferred to a surrogate due to my deeply held religious and moral beliefs and objection to abandoning existing children to a frozen limbo state, and Vergara promised that all resulting embryos would in fact be transferred.
24. In reliance upon this agreement and my and Vergara's shared views on the sanctity of human life, and with an understanding that we would bring all created embryos to term via a surrogate, I agreed to the IVF process as opposed to traditional conception and childbirth, and agreed to and did pay for the majority of the related costs.
25. The intent of both of us and our agreement based thereon was to create embryos solely for the purpose of having them transferred to a surrogate and bringing them to term. At no point prior to the creation of embryos did we discuss any other fate for the embryos.
26. We selected a surrogate, a friend and employee of Vergara, and hired joint counsel to draft a Gestational Surrogate Parenting Agreement to be entered into with the surrogate; the agreement confirmed that our actions were driven by our "inten[t] to . . . have born to [us] a Child" and "desire to have a Child biologically related to Intended Parents, and to take into [our] home the Child as [our] own." This confirmed our agreement, intent, and consent to transfer any embryos we created into a surrogate.
27. In spring 2013, we underwent the steps required for in vitro fertilization for the first time. I deposited sperm, Vergara's eggs were retrieved, and we directed ART to attempt to fertilize each of the retrieved eggs.

28. On March 4, 2013, we exchanged the following messages:

Vergara: "We have 5 embryos. She [the doctor] said she cant belive it"

Loeb: "Wow"

Loeb: "That's 5 lives"

Vergara: "I never that that could happened"

Vergara: "She always said maybe 2"

Loeb: "Now what"

Loeb: "You can't keep 4 frozen lives forever or kill them, we will go to hell"

Vergara: "We r going to hell regardless"

29. In the same exchange of messages regarding the IVF process, Vergara confirmed to me, "Im doing it because I want you to have a baby."

30. Two embryos, both female, ultimately survived to viability. I immediately began considering names for the girls, and we agreed to immediately transfer those two girls to a surrogate.

31. In early 2013, one female embryo was transferred to our selected surrogate. Unfortunately, the transfer was unsuccessful and did not result in a viable pregnancy.

32. In April 2013, the second female embryo was transferred to the same surrogate. I was not asked to sign any document consenting to the transfer of this embryo because both I and Vergara had previously provided our consent. Unfortunately, the second transfer was likewise unsuccessful and did not result in a viable pregnancy.

33. Also in April 2013, Vergara appeared on a television program and said, "My boyfriend Nick is three years younger than me, and he's never had a son. I have my son, Manolo, so it's not that import[ant] . . . you know, it's not like an emergency for me to have another kid. For Nick, yes, because he's never had a baby."

34. Vergara understood that the creation of embryos was for the purpose of having children and that it was critically important to me that the embryos be brought to term immediately.
35. We continued to desire children, and decided to again attempt in vitro fertilization, with a different surrogate and immediately transferring any resulting embryos.
36. After the first two attempts with a surrogate were unsuccessful, we agreed to undergo a second round of IVF. Our intent and agreement in creating embryos the second time was the same as the first time: to immediately transfer them to a surrogate for the purpose of bringing them to term.
37. Again, I agreed to the IVF process, as opposed to traditional conception and childbirth, in reliance upon our shared view that life begins at conception and with the understanding that we would once again have any embryos immediately transferred to a surrogate. Vergara never gave any indication that she would consider withdrawing her consent to transfer the embryos to a surrogate. If she had given such indication or if I had any idea that Vergara's consent to immediately transfer the embryos to a surrogate had or might be withdrawn, I would never have agreed to undergo the IVF process a second time and create additional embryos.
38. Accordingly, prior to creating more embryos, we immediately began working with a professional agency to find a new gestational surrogate candidate. According to the Surrogacy Program Retainer Agreement signed by Vergara, the agency, and myself, we "intend[] to have a child or children," and the agency

agreed to locate and match potential women to act as surrogates on our behalf. The agency presented us with two surrogacy candidates. On June 24, 2013, Vergara wrote an email to me stating that she wished to meet with both candidates in person. Later that day, I wrote an email to the agency stating that we planned to meet with the surrogacy candidates in August, the next time we were scheduled to be in California.

39. In fall 2013, we prepared to undergo the steps required for in vitro fertilization for the second time. Vergara began the hormone treatments required for egg retrieval for the IVF process. I again deposited sperm.
40. On November 16, 2013, we met with staff at ART and signed a General Informed Consent for Procedures Involved in In Vitro Fertilization, which is comprised of a number of documents including the "Directive for Partners Regarding the Storage and Disposition of CryoPreserved Materials Which May Include Embryos" ("Form Directive"). Neither Vergara nor I, nor any attorney for either of us, drafted the Form Directive. The Form Directive was a form document first presented to us by ART on the same day we signed it. I believe the Form Directive was drafted by ART, for ART's protection, and this exact same form is presented by ART to every patient who elects to undergo IVF. Neither Vergara nor I was given an opportunity to modify or include additional terms in the Form Directive, and neither of us was provided with or advised to consult with legal counsel prior to signing the Form Directive.
41. The Form Directive did not provide us with the opportunity to make any decisions about what would happen to our future embryos, except in the event of the death

of either one or both of us. The Form Directive failed to give us an opportunity to plan a future for any resulting embryos in the event of our separation before death, nor did any physician or staff member at ART ever discuss this possibility with us. I would not have agreed to any arrangement that required mutual consent to the use of any offspring in the event we separated. Likewise, the Form Directive failed to give us an opportunity to plan a future for any resulting embryos if the embryos were abandoned or if storage fees went unpaid.

42. The Form Directive allowed us to choose from only three options in the event of either or both of our death: (1) donate the embryos to research; (2) thaw the embryos with no further action; or (3) if one party died, allow the embryos to be used by the living partner. The Form Directive failed to give us the option to donate any resulting embryos to another couple or individual or to choose any disposition for the embryos other than the three listed above. We were given no choice about what would happen to our embryos under any other circumstances.

43. With no advance warning or discussion with me, Vergara wrote on the Form Directive that in the event of the death of her and/or me, our offspring were to be "thawed with no further action taken," which would result in their death. She initialed her choice and demanded that I initial as well.

44. I was shocked that Vergara had chosen to kill our offspring in the event of her and/or my death. It contradicted everything she had ever claimed about her Catholic faith and religious and moral beliefs regarding the creation and protection of life. I did not agree with Vergara that our offspring should be killed if I and/or Vergara died, and did not wish to agree to Vergara's unilateral



decision. I refused to initial his agreement and sign the document, and told Vergara that I did not want any of our offspring destroyed under any circumstances. However, Vergara insisted that I initial and sign the document agreeing to the destruction of any embryos in the event of my and/or Vergara's death. I was eventually coerced to sign by Vergara, who put me under duress by verbally and emotionally abusing and berating me at ART until I agreed to sign. Vergara's behavior was typical in our relationship, and in the past Vergara had physically abused me on four separate occasions: she punched me in the face on two occasions, kicked me, and threw her phone at my head, along with ongoing verbal and emotional abuse and bullying. Believing I had no other choice to stop the abuse, knowing that Vergara was already in pain from the hormone injections she had already undergone in preparation for the egg retrieval process, and not believing this provision would be ultimately applicable, as we had agreed to immediately transfer all resulting embryos to a surrogate before either of us was likely to die, I did initial and sign the Form Directive.

45. Following the meeting with ART staff during which Vergara and I signed the required paperwork, we met with the surrogacy agency to review applicants. On November 16, 2013, the same day as the execution of the General Informed Consent, Vergara's eggs were again retrieved, and we directed ART to use my deposited sperm to attempt to fertilize each of the retrieved eggs. Our respective genetic material were in fact fused to conceive and create unique, separate human beings. Two embryos, both female, who were conceived ultimately survived to viability: Emma and Isabella. I believe that each is genetically unique in that each

is comprised of unique raw material that combined to create entirely new, identifiable human beings.

46. On November 26, 2013, Vergara and I corresponded about Emma and Isabella:

Vergara: "Now theres 2 she [the doctor] said. . . ."

Loeb: "Only 2?"

Vergara: "2 girls"

47. We again agreed to immediately transfer Emma and Isabella to a surrogate to continue their development, leading to live birth. However, we had not yet selected a surrogate, so we directed ART to temporarily freeze Emma and Isabella so we could select an appropriate surrogate.

48. ART declared Emma and Isabella viable in November 2013. Emma and Isabella were then and remain frozen at ART's facility. Provided that Emma and Isabella are still viable when prepared for transfer, they are capable of continuing their development in utero and being born alive.

49. In May 2014, before Emma and Isabella could be transferred to a surrogate, Vergara and I ended our romantic relationship. We had been working through issues including finances, work schedules, sensitivity, and surrogate selection for several months. On May 5, 2014, we were still texting about "trying to find a solution" to stay together. Yet on May 12, 2014, in New Orleans, Louisiana, where Vergara was working, we again argued about our relationship issues. Every day, we discussed Emma and Isabella and argued over the timeline for their transfer and birth; this had become one of the three major issues in our relationship, as evidenced by my letter to Vergara attached hereto as Exhibit B. We were in constant communication: in person, on the phone, and via text, with

serious conversations such as those about Emma and Isabella reserved for in-person and phone conversations. That week, we called a mutual friend to help mediate our relationship issues. On May 13, 2014, I was scheduled to fly out of Louisiana for business; we were in communication as I drove to the Louis Armstrong New Orleans International Airport, where we did finally end our relationship.

50. Since the end of the relationship on May 13, 2014, at the Louis Armstrong New Orleans International Airport, Vergara has refused to allow our daughters Emma and Isabella to continue their development, and so they remain frozen in a tank awaiting uterine transfer, continued development, and birth.
51. Subsequent to the end of the relationship, I reminded Vergara of our intents and agreements, and reiterated to Vergara my desire to allow Emma and Isabella to continue their development. I repeatedly attempted to discuss with Vergara our existing children, Emma and Isabella, and plead with her on their behalf, but Vergara was unwilling to consider allowing them to continue life beyond their current frozen state. I told Vergara that, although we had separated, nothing had changed for me regarding the lives that we had created, that I still wanted to allow Emma and Isabella to be born, and that Emma and Isabella deserved that. I have asked Vergara to confirm that Emma and Isabella will not be intentionally destroyed under any circumstances, but she has refused, saying she wanted them destroyed. I have asked Vergara to agree, at least, that if Vergara or I should die, the surviving person should have custody of Emma and Isabella, but she refused

even to respond. I have also asked Vergara to allow me full custody of Emma and Isabella, but she again refused.

52. I believe that leaving Emma and Isabella preserved indefinitely is tantamount to their destruction and death because it is unclear how long frozen embryos can remain viable and, further, Vergara and I will eventually die, in which case ART will kill Emma and Isabella under the Form Directive.

53. I was shocked that Vergara did not intend to honor our agreements and would prevent our daughters' continued development, as we had created Emma and Isabella for the specific purpose of continued development and live birth, and Emma and Isabella continue to exist and be our daughters regardless of our relationship status. While I do not desire to create further children with Vergara, I have strong religious and moral objections to abandoning or destroying my existing daughters Emma and Isabella. I believe and affirm that life begins at conception, which took place for Emma and Isabella on November 16, 2013. I objects to my daughters being chronologically more than two and a half years old, but developmentally only five days. From the time Emma and Isabella were conceived, I have intended to bring my daughters to term in fulfillment of their own best interests, as well as my own hopes of continued fatherhood. When we were creating Emma and Isabella, I relied upon Vergara's representations that she was Catholic and believed that life begins at conception, that she intended to immediately transfer our children to a surrogate, and that she was doing this for the express purpose of helping me to have children and be a father.

54. I affirm that I am the father of Emma and Isabella, and I view them as my daughters. I have repeatedly expressed my desire to parent my existing children. I have a strong emotional attachment to my daughters Emma and Isabella, and am concerned for their welfare. I am prepared physically, emotionally, psychologically, and financially to father my existing daughters Emma and Isabella. I have explicitly stated that I seek nothing whatsoever from Vergara, would not expect Vergara to assume any parenting or financial responsibility for the children, am willing to waive any type of support, and am willing to have Vergara declared an egg donor under CAL. FAMILY CODE §§ 7613(b) and 7650, with no legal obligations whatsoever.

55. I would welcome Vergara's involvement in the lives of Emma and Isabella, although to date Vergara has taken no interest in their lives and rights. However, like Plaintiffs, I do not seek to compel Vergara to act as a parent to Emma and Isabella, or to contribute financially to Emma and Isabella in any way.


56. In order to preserve my parental rights and advocate for Emma and Isabella's welfare, I filed a lawsuit against Vergara and ART on August 29, 2014, in Los Angeles County, California ("California lawsuit").

57. I filed a motion to drop the California Lawsuit on December 6, 2016, after being ordered to name in discovery two women I dated twenty or more years ago who, outside of my wishes or control, chose to have elective abortions, in order to protect the two women's privacy rights and preserve my own parenting rights.

58. I created the Emma and Isabella Louisiana Trust No. 1 in the State of Louisiana on November 30, 2016, and amended on December 5, 2016, for the purpose of

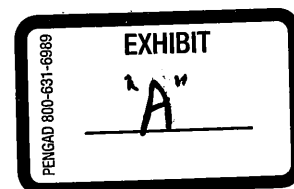
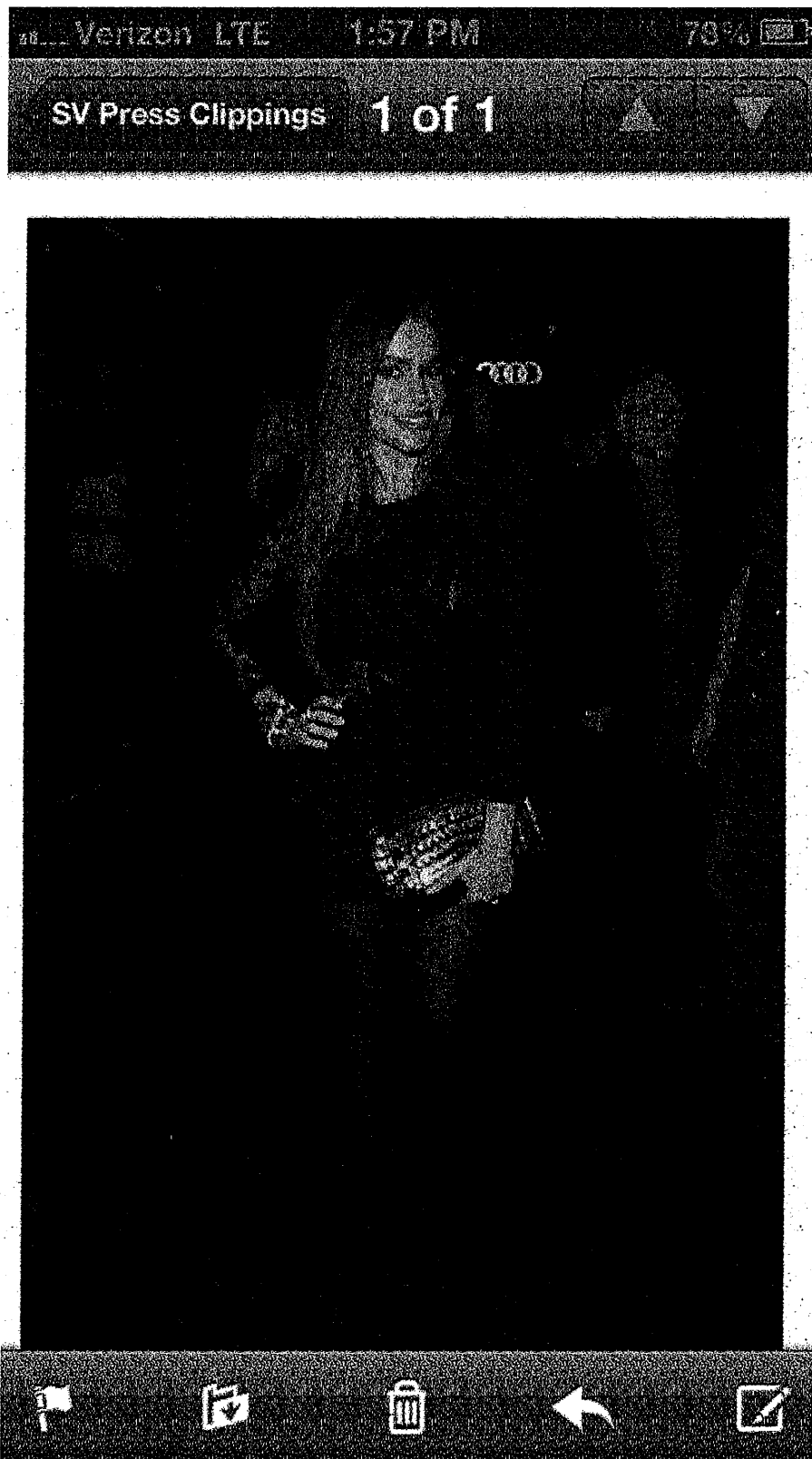
benefitting Emma and Isabella. The Trust is administered by Trustee Jamie Charbonnet, who resides in Orleans Parish, Louisiana. Emma and Isabella are scheduled to be the sole beneficiaries of the Trust. The Trust is revocable until Emma and Isabella are born alive, at which time the Trust will become irrevocable. When the Trust becomes irrevocable, the sole income and principal beneficiaries of the Trust will be Emma and Isabella. The Trust was created for Emma and Isabella's health, education, maintenance, and support. However, until the Trust becomes irrevocable, i.e., until Emma and Isabella are born alive, the Trust's settlor is the sole beneficiary, so Emma and Isabella must be born alive in order to receive the inheritance due them from the Trust.

59. I declare under penalty of the laws of the United States of America that the foregoing Declaration is true and correct.



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Nicholas Loeb

Date: 3/22/2017



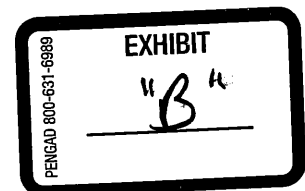
Sofia,

I am having a hard time communicating verbally with you. So I decided it's best to put everything in writing. First of all I want to start by saying that I do love you, care about you and want to be with you. I write that not only because it is how I feel, but when you were screaming at me you said that I obviously didn't want to be with you or I have in been trying to get out of this for a long time, I am paraphrasing here, buy you know what I mean. You say this in every fight we have. It's simply not true and I am sorry you feel this way, but it's a theme we need to end, because it's simply not true and irrelevant in every argument.

Also you have been badgering me for years with back handed comments about me going out with my friends longer and more often than I do with you. I know you feel this way and again I am sorry you do, but it's factually incorrect. When I am with my friends in NY, most nights I am home by midnight. The other night as you complained about, I actually spent less time out with my friends that than I did with you, I was also the first time I went out with anyone in LA without you in a year. You and I have gone out several times to all hours in the morning, and most of the times I do that, I am with you. This year alone, I think the only times I have been out past 1am, have with you in Florida, Mexico and here.

The barrage of interrogation and constant questioning about this needs to stop, because it just isn't true. I like spending time with you out at night much more than any of my friends. What I do not like and what I will not put up with anymore is the Spanish, and no I do not like hanging out with you when you speak in Spanish, with others at the table or out with us. I may as well be alone and for someone who cares so much for what other people think, I am surprised that you think its ok. Not only is it rude and disrespectful, it is classless. And for you to then berate, embarrass, and humiliate me in front of others when I ask you to stop is not happening anymore. You tell me, I need to remind you, and then I do and you make fun of the situation. I should never of let this get this far, but I have some boundaries that I have let you cross, and this is one of them. It's not ok, you will not do this anymore, or I will just get up, leave and go. As you have boundaries of things that are not ok with you, like going to a strip club, I have boundaries too, like the constant yelling and screaming. I know you feel that these are different, unfortunately I do not, a boundary is a boundary and I will not deal with it anymore. If you do not want to respect my boundaries, why should I feel the need to respect yours. It's a mutual respect we need to have for each other.

As per Thursday and Friday night, there is major difference, after I raise my voice for a couple sentences at a restaurant and when you tell me to stop and be quiet and I do, to you banging on doors, chasing me around the apartment, and screaming for half an hour. I am sorry about raising my voice in the restaurant, although you did push my buttons and you knew it, but I calmed down when you told me to. You then didn't speak or communicate with me for the next 24 hours, after I tried to speak to you twice, you ignored me. So I went to dinner with friends and had a drink, I got to the restaurant at 9pm and was in our home driveway by 1230. When I came in, you were at me about liking to go out with friends more than you. I am not really sure why that discussion needed to happen at 1am, since we have had that discussion over a dozen times before and after you had ignored me all day. You then wouldn't stop, you were asking very aggressively the same question over and over at least 20 times, and you kept following





me into the bathroom and I would go to another bathroom and you would follow me in there. So yes I finally screamed back "Give me peace" at 1am after 4 glasses of wine and your antics, I wanted to be left alone, but you would stop. You just wanted to fight and you almost broke the door handle, you were banging on the door like a maniac.

And I am sorry you heard that I said I didn't like your voice but I never said that, you must have heard wrong, which is more than likely since you would stop yelling through the door. What I didn't like was the tone of your voice as you would stop at me. You were screaming that I USE you, And you knew I was leaving on Monday so I reiterated that I am leaving so you don't have to deal with me

You have spent the last 2 to 3 weeks, humiliating me in front of your designers, in front of Keegan about the house, constantly. Asking me my opinion and then belittling me. So I even told you I would help you manage the process, but not to ask my opinion because I didn't want to fight, but then you still did. Its like you either want to fight or you enjoy putting me down. But for some reasons you cannot stop.

And if you ever, ever tell me to deal with Luis again on anything, I will get up and leave. I am supposed to be your future husband and you tell me to deal with your business manager. I have never heard of such a thing in my life. If it's a business thing, you deal with him. But don't ever tell that to me again. If you don't understand why, ask Michele. Also if I come back to LA, he will not be allowed in our home at any time. He can wait in the car outside, these are my boundaries.

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So I was going to wait until you got to Florida to discuss our future, as I wanted to be alone and relaxed. But since I don't know if you are coming and now maybe you don't want to, I might as well write this instead.

As you tell me all the time, I am almost 40 and you are right. And because of that I need to figure out my future. You know I want kids and family, so I cannot come and waste another year if that is not going to happen. I know how stressful the egg retrieval process is for you, but we still don't have a high chance with only 2 embryos. You only have a couple more years to do this tops and I really need to know if you are going to be committed to do this again. And it may also be a couple more times, not just one more. I have asked you several times when we could get the surrogate and you have ignored it and when I ask you about the process again you say no. I don't want to push you, because I know how hard it is on you. But I really need to know what your commitment level is for this, before I waste another year getting older if you don't want to. I also need to know that our family, you, Manolo, and I, plus the children we have in the future will take precedence above work. I know you want to make as much as you can now, as you don't know when you will have the opportunity to do it again. I get that, but it can't be at the expense of us and me. That is a broad statement, but that encompass all the actions you take, and your decisions around them. Meaning that your first concern with the decisions should be the happiness of me and you family, NOT how it will affects your work. I need to know you are committed to making me and our family first before your business. If I ask you to make an introduction to help me out or for something I want to do, you do it, this is what people do who want to help each other. Not make me ask you 50 times for something and then make it an issue. I help people everyday with introductions to anything, including your own son, who I have gotten 2 jobs and an acting role. THIS IS WHAT PEOPLE DO FOR EACH OTHER. You need to get it out of your

head that everyone is using you. I get asked favors every day, and I don't have that mentality. I know you think you have done this by staying with me, that was for you, not for me. I mean you couldn't even get a meeting with the director of your film, I asked 3 times, you knew it would make me happy, but you didn't care, it was what you wanted and how you wanted to control that. That is fine, but I want to be with a women who would want to do things to make me happy over how it may look to her career and ego. Your career and ego have come first, I don't want to be with a person like that anymore, that needs to change. If you can't even make the effort to make a phone call or email of something that would make me happy, why should I spend thousands of dollars and waste tons of time do nothing in New Orleans this summer and to watch you make \$1MM all for you and nothing for us. I have spent the last 4 years running around the world to your jobs and your sets, which is fine, but if its not for our future family, I can't do it anymore, which is why I wont even be coming to New Orleans, not even for a weekend.

I have now spent 4 years with you in LA for many months a year, this last season being 4 months in aggregate.

At this point we are supposed to be a family and if I come back next year, It will be more of a move here, but we need to see if we can figure out how we are going to plan for that financially.

As you are well aware, other than for 5 months last year, I did not draw a salary from Onion Crunch, and until I raise capital I will not be able too again. And that salary was \$175K a year. I have also spent the last 4 years not earning a living, much of it to do because I have been so transient. I have also now spent most of my personal savings to support the company and will not be able to live for free anymore. Also if I don't rent the house in Delray out by the end of my lease in NY, I will not be able to afford the lease in NY, so I will only be able to afford 1 home, NY or FLA but not both anymore.

Meaning as we spoke I will have to get a job.

So there are several solutions

- 1) I move back to the east coast and we break-up, because obviously we can't have a long distance relationship with kids
- 2) You move to Delray with me and I get a job, to pay the bills. I don't think you want to do this.
- 3) Figure out a way to help me raise the money for Onion Crunch in the next couple months so I can pay myself a salary.
- 4) You can spend the summer trying to help my business to help sales grow instead of your business, meeting with buyers and some serious PR and maybe it can generate income so I can have a salary
- 5) I move to LA, but since I have won't have money to pay my current bills, your work will have to help with that. On average my expenses are 20,000 a month, not including the apartment in NY or Onion Crunch. The trust will cover some of the house expenses.
- 6) Any job I get in LA other than working for myself will be a normal full time job which I can probably get a job doing something professional for about 120k a year, but I won't be able to travel to the east coast in the summer or when you go

off to your movie sets. Also I will not have 2 weeks off in November and December like you do. I will also not be home to manage the home and take care of a baby. Unless I am a teacher or sports coach, which would pay around 40k a year, about 20k after taxes, and will cover me for one month, and then your work will have to help with the rest of the bills.

- 7) I could start another company, but would need an investor, so I could draw a salary. The only relative experience and connections I have out in Los Angeles is film and TV. Without your help I wouldn't have the immediate access to capital to do this.

Let me know if you have any other options, but I need a financial solution. And if we are to be a family and if you are going to decide to be the one who works, and I have to move somewhere I can't get a job so you can work, then your work will then have to pay the bills. This is not about me being cheap, this is a reality. I know that this is not the situation you ever wanted in your life, but it's the only option for us. And if you won't be able to handle it or treat me with respect and dignity through this, I don't want to live like that either.

I have worked on living a life around your work for the last 4 years; I have also worked on respecting your boundaries and not doing the things that have upset you all the time. If we are to go forward, I need you to also respect my boundaries and I need to be more important than your work. If I am going to move to LA, I need to know we are going to work on having children now. And if I am going to live my schedule around your work, then you need to help come up with a financial solution, since we will be there for your work.

Again I love you very much and I want to be with you. But you are right, I am almost 40 years old and I need to decide one way or another. I want to be with you, but I want to be happy and have the things I want in my life too. I am willing to compromise and I know you have too.

I want you to read this several times, this is very important to me, and I don't want you harping on small phrases or argue, well you did that and you did this.... That's not the point of this letter.

We can always address things that bother you. But it needs to be in a separate context than this.

We can always do this with Michele too, as I told her I was going to write a letter to you.

Love

Nick