



*Kuau Bayview* <sup>AT PĀ'IA</sup> *Homeowners' Association*

37 Kaiea Place, Paia, HI 96779 Phone: 808-579-8077 Email: [hoa@kuaubayviewmaui.com](mailto:hoa@kuaubayviewmaui.com)

Aloha Honorable Judge,

Oct 25, 2015

My name is Luba Reeves and I have been President of the Kuau Bayview Homeowners' Association since 2012 and have known Miss Brothers since 2010.

The Board members and others are all here today because we want to prevent further injustice happening to Miss Brothers. We wish to appeal to the court to put an end once and for all to the over 10 years of abuse and harassment that Miss Brothers has endured at the hands of the Bouchers.

Filing a TRO against anyone is serious business & should be regarded as a last resort; it's not to be done lightly or frivolously as the Bouchers are doing here. TROs are to be filed only when someone's physical safety is threatened and quality of life ruined by an incessant harasser. The validity of a TRO petition is determined by a judge based on which party is telling the truth and which is lying. The unfortunate reality is that many people lie with impunity even under oath and it can be next to impossible to get to the bottom of things.

What your honor is seeing here is a community coming together to defend and support Darlene Brothers who has been harassed for many years by these Bouchers who have managed to convince a judge that they were the victims, when in fact it was the other way around. They know how to manipulate the courts and have turned the tables on this innocent person. It is common knowledge that criminals almost always accuse the victim of the crime they in fact committed themselves. It worked before, so why not do this again?

The Bouchers used to live next door to Miss Brothers. Early on they were on friendly terms until Mr Boucher made unsolicited sexual advances toward Miss Brothers, which she rebuked. This marked the beginning of the Boucher's relentless and ongoing campaign of harassment against Miss Brothers. It is obvious that Mr Boucher is obsessed with this woman who wants nothing to do with these people and hasn't seen them for 5 years yet Mr Boucher is still going after her.

Through lies and reality manipulation Bouchers were able to get a retaliatory TRO against Miss Brothers after she failed to get one against them. It was devastating to Miss Brothers' life and remains a travesty of justice. Mr. Boucher has misused this past victory as "official" proof that Miss Brothers was a danger not only to him but to society in general. To be honest, Miss Brothers is one of the most loving and honest people I know.

To write a brief synopsis of who Miss Brothers is and her accomplishments, I would have to take another hour of this court's time. I know I cannot do this. To be brief, all I will say is

that she is the hardest and most diligent worker I have ever met. She is a brilliant computer programmer who worked for many businesses here on Maui & in Canada designing custom software & websites, including the Kuau Bayview website, worthy of a special award. She never but never takes any drugs, even legal over-the-counter ones. She is a "health nut" who also runs daily on the beach, and maybe that is why she is so thin, not because of being a "drug addict" as Bouchers would like all of us to believe. She is my personal assistant as President and without her help we would have to hire a management company to run this Association and charge owners triple the current dues. Before our group took over the dues were \$300 per year and now they are \$100 per year, mostly due to Miss Brothers' huge contribution. Mr Boucher himself has saved \$400 every year on his dues (he owned two houses in the subdivision) so in the last 4 years Mr Boucher's savings came to \$1600 all because of Darlene Brothers' huge contribution. But instead of any thanks coming her way she gets harassed by Bouchers some more and Bouchers are refusing to pay for the work done on their behalf by Miss Brothers, as directed by the Board.

OK. Enough background. As it stands right now, Miss Brothers has never in the last five years had any contact with the Bouchers. The only contact that has transpired in the last five years was when Bouchers drove past Miss Brothers several times as she was working on the landscaping for the Association, and Mr. Boucher screamed some obscenity toward Miss Brothers, and most recently on Oct 19th made a hand gesture of shooting at Miss Brothers with a gun. Alarmed by this, Miss Brothers went to the police and also reported to the Board what happened. The police informed her that the Bouchers had just been there trying to get her arrested but Officer Kelly had told them that their issue was between them and the HOA, not with Miss Brothers. Not able to get any satisfaction from the police department, Bouchers decided to turn to their old trick.... getting a TRO against Miss Brothers just because they felt they could, if they lie again to the court. It worked before so why not do it again?

The official address of the Association is Miss Brothers' address as she is our bookkeeper and sends out the annual dues invoices. In Feb 2014 Mr Boucher threw a royal fit refusing to pay \$35 of his annual dues, and even threatened the Board with a TRO, the harassment being Miss Brothers' return address on the envelope! Now the Bouchers owe the Association \$550 so they figure that, if they get a TRO against Miss Brothers, we as a Board will be forced to either fire Miss Brothers, or they will now have ammunition to sue the Board for allowing our employee to harass them, and thus try to get away without paying the \$550. This is their strategy to avoid paying... it is always about money. In my opinion people like this who use the courts for their own personal vendettas should have to pay for wasting the court's time and that of all of us busy people having to take time off work.

For the sake of the people here today putting themselves at risk by defending Miss Brothers, I am asking the judge to grant us a group TRO against the Bouchers to protect Miss Brothers, the Board, and the rest of us from their inevitable retaliation. As soon as Bouchers were granted the TRO on Miss Brothers in 2011, Mr Boucher published a blog on the Internet to make sure that anyone googling Miss Brothers' name would find it and read all the lies to

assassinate Darlene's character, making her out to be a drug dealer and a crazy person. Easy to do. No proof need exist. Just saying so by Mr Boucher made her look like the worst criminal and a bad human being to the whole world. Not only did he include her name in that blog, but also the Assistant Chief of Police and anyone who supported Miss Brothers' defense was targeted and their reputation smeared. All of us fear similar reprisal. None of us wants to become the Boucher's next victim. We appeal to the court to issue an order that Bouchers take down this libelous blog immediately and be prevented from publishing anything that mentions any one of us now or in future, or any other way they may devise to ruin our reputations and our lives in the future. It is really criminal what the Bouchers have done to Miss Brothers over the past ten years. In my opinion the Bouchers have anti-social personality disorder and they have already done enough damage to innocent people.

We need to stand up to the bullies. Whether they are in our neighborhoods or in society in general. They have to learn that sooner or later their tactics will be exposed and their lies will not have the power they had up to now.

I pray this court will grant us a TRO against the Bouchers and order this malicious blog taken down.

Thank you,

*/s/ Luba Reeves*

Luba Reeves

President

Kuau Bayview at Paia HOA