

2-14-2018

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5 Frances K. Opelle Pro Se

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7 **IN THE HIGH COURT OF AMERICAN SAMOA**
8 **LAND AND TITLES DIVISION**

9 ROBIN KNEUBUHL ROUSH, FRANCES K.
10 OPELLE, AND BENJAMIN ("BEN")
11 KNEUBUHL, JR.

LT No. 20-2013
CA No. 28-2013

12 PLAINTIFFS

**MOTION TO STAY PROCEEDINGS –
SECOND - UPDATED**

13 v.

14 DOUGLAS CRANE "MIKE" KNEUBUHL,
15 DOUGLAS KNEUBUHL, JR., CARRIE SUE
16 KNEUBUHL LAVIGNE ECKERT AND
17 KELLY KNEUBUHL NADINE FULTS,

18 DEFENDANTS

19

FRANCES K. OPELLE

20 PLAINTIFF

21 v.

22 DOUGLAS CRANE "MIKE" KNEUBUHL,
23 DOUGLAS KNEUBUHL, JR., CARRIE SUE
24 KNEUBUHL LAVIGNE ECKERT AND
25 KELLY KNEUBUHL NADINE FULTS, and
26 MARK KNEUBUHL,

27 DEFENDANTS
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1 Comes now, Frances K. Opelle, in Pro Se status, makes the following statements to the
2 High Court of American Samoa in her Motion to Stay Proceedings:

3 **BACKGROUND**

4 Trial concluded in this case October 8th of 2015 and Closing arguments were submitted to
5 the Court in late December of 2015 by Plaintiff's Initial Counsel, Fiti Sunia; Judge Fiti Sunia as
6 of January 2016. Plaintiff filed a Motion to Stay Proceeding faxed to the High Court of American
7 Samoa November 14, 2017 (mailed November 9th, 2017) upon discovering successive counsel,
8 Sharron Rancourt was not being provided Plaintiff's legal file nor had there been any motions
9 with the Court to compel Plaintiff's legal file.

10 To date, Plaintiff has not received her legal file from initial Counsel.

11 Per notice of initial Counsel in January of 2018, the Honorable Associate Justice Lyle L.
12 Richmond retired December 31st, 2017. In January of 2018 Initial Counsel for Plaintiff provided
13 eight (8) pages of JPEG/photo images stating "these were the Clerk's minutes which details the
14 exhibits" as stated for the first time seen by Plaintiff in January of 2018. The exhibit list provided
15 to Plaintiff in January of 2018 is dated 10/06/2015. This evidence entered into this exhibit list is
16 not representative of what initial counsel had represented to Plaintiff and Plaintiff's Power of
17 Attorney that actively worked with initial Counsel during discovery prior to the October 2015
18 trial. Extensive discovery was made on behalf of Plaintiff prior to the October 2015 trial
19 including but not limited to: 1) separate counsel being retained in the Independent State of Samoa
20 that resulted in a "Certified Search Copy" Dated December 2014 from the registrar's office in
21 December of 2014 not identified in the exhibit list that would contradict Defendant's exhibit's as
22 to what is on public record 2) a private investigator being hired to specifically secure an affidavit
23 from a notary public in favor of Plaintiff and against Defendant 3) material documents including
24 a temporary Power of Attorney Plaintiff had assigned to her nephew Defendant Mark Kneubuhl
25 to represent her interest that refutes and would impeach Mark's statements on his relationship
26 with his Aunt, the Plaintiff 4) documents that would elaborate on the relationship of Defendant
27 Mark acting on behalf of Defendant Mike Kneubuhl that is deliberately obscured in the
28 statements of the Defendants.

1 Plaintiff does not know what stipulations were made, if there was a written closing argument
2 submitted initial counsel, if subsequent exhibits were submitted after the 10/6/2015 Clerk's
3 minutes, documents Defendants produced, and so forth. Plaintiff's legal file has not be released
4 for approximately two years. The exhibit list itself has ambiguities on the documents entered by
5 Defendant and could only be guessed by Plaintiff what specifically is referenced. Subsequent
6 counsel could not advise Plaintiff on issues on the Exhibit list provided in January 2018 or other
7 documents Plaintiff needs as subsequent counsel did not obtain Plaintiff's legal file or make a
8 motion to the Court to compel production. Upon reviewing the exhibit list provided Plaintiff in
9 January 2018, there are some exhibits produced by Defendant that Plaintiff is not aware of and
10 can't ascertain as the description is vague and she not been provided her legal file. She does not
11 know all the documents produced by Defendant's to her initial counsel.

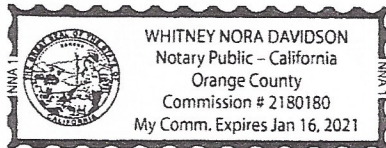
12 Material evidence was not entered into the trial exhibit is alternatively is not labeled correctly in
13 the exhibit list by initial Counsel and Plaintiff's reliance that material evidence, in which
14 extensive costs and time were incurred to obtain, appear to be left out of the exhibit list provided
15 to Plaintiff in January 2018. The omission of this evidence relied on by Plaintiff to be part of the
16 record could irreparably harm Plaintiff and result in a substantial injustice.
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A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

Subscribed and sworn to (or affirmed) before me on this 14th
day of February, 2018, by Frances K. Opelle

proved to me on the basis of satisfactory evidence to be the
person(x) who appeared before me.



(Seal)

Signature

A handwritten signature in cursive script, appearing to read "WN Davidson", written over a horizontal line.