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E-Filed 4/30/10

Attorney for Respondent,
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**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

(San Jose Division)

DESPINA ASVESTA,

Petitioner,

v.

GEORGE PETROUTSAS,

Respondent.

Case No. C-07-05535 JF

**~~PROPOSED~~ ORDER AMENDING
 PARENTAL ACCESS ORDER**

The Order for Child Access During the Period of Immediate Stay Pending Appeal of This Court's Order Directing Return of Minor Child to Country of Habitual Residence (the "Access Order") dated January 22, 2008, and extended on June 10, 2009, is hereby AMENDED as follows:

1. On April 19, 2010, this Court issued an Order Determining Habitual Residence of Child (the "Order). In that Order, the Court concluded that the habitual residence of the parties' child, A., born on May 21, 2005, is the United

States. The Court therefore denied the Hague petition filed by Petitioner Despina Asvesta.

2. The Court also provided that the Access Order “shall remain in effect for sixty (60) days in order to permit Mother to seek relief in the Santa Cruz Superior Court, and to permit an orderly transition with respect to A’s legal status.” Accordingly, the Access Order shall no longer be in effect after June 19, 2010.

3. Under the Access Order, Ms. Asvesta shall have parenting time with the child in Greece beginning on May 1, 2010 and ending on June 19, 2010. This parenting time is conditioned, however, on Ms. Asvesta providing evidence that she has purchased return airline tickets for A. and for an adult family member to accompany him, to return to the United States on or before June 19, 2010. Ms. Asvesta shall present evidence of the return airline tickets before traveling with the child outside of the United States on May 1, 2010. Evidence of the return airline tickets shall include a receipt or other written documentation showing that the airline tickets were actually purchased, and not merely reserved.

4. Ms. Asvesta shall also surrender all of A.’s passports, whether issued in the United States, Greece, or any other country, to Respondent George Petroustas no later than June 19, 2010.

5. Ms. Asvesta’s parenting time beginning on May 1, 2010 is also conditioned on her agreement to abide by this Court’s orders; to waive any claim or entitlement she may have in Greece to keep A. in Greece beyond June 19, 2010; and to

waive any challenge to this Court's Orders in any court in Greece. A copy of Ms. Asvesta's affidavit attesting to her agreement is attached hereto as Exhibit A.

IT IS SO ORDERED.

Dated: April 30, 2010


HONORABLE JEREMY FOGEL
UNITED STATES DISTRICT JUDGE