

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

DAVID NEIL SMITH, Mundford, Norfolk,
England, United Kingdom,

Plaintiff-Petitioner,

v.

VICKIE MICHELLE SMITH, Caldwell, Idaho,
United States of America,

Defendant-Respondent.

Case No. 1:17-CV-489-BLW

ORDER

Pursuant to agreement of the parties, and the Court finding good cause,
NOW THEREFORE IT IS HEREBY ORDERED, that in reliance on the
performance of the Parties' Joint Notice of Compliance and Stipulation Regarding Dkt.
42 (hereinafter "Stipulation") (docket no. 44), the hearing set for March 5, 2018, at 1:00
p.m. is VACATED.

IT IS FURTHER ORDERED, that the Stipulation is APPROVED, and the
following terms contained in the Stipulation are set forth below as an ORDER of the
Court:

1. Ms. Vickie Michelle Smith will have custody of DMS from the end of the Court's
status conference on March 2, 2018, until 8:30 a.m. on Saturday, March 10, 2018.
2. Ms. Smith will take all reasonable and necessary steps to ensure that DMS is brought
to the parking lot of the United States Federal Courthouse in Boise, Idaho at 8:30 a.m. on
Saturday, March 10, 2018, for the purposes of the return of DMS to the United Kingdom.

3. At that time, custody of DMS for purposes of the return will be transferred to the Petitioner, Mr. David Neil Smith, who has agreed to travel to Boise, Idaho for purposes of implementing the return of DMS and accompanying DMS for DMS's travel to the United Kingdom.

4. Counsel for Petitioner has retained the British and United States passports for DMS for safekeeping. Counsel for Petitioner will bring those passports to the turnover of custody for return purposes described here.

5. Following the transfer of custody for return purposes, Mr. Smith and DMS will then be transported to the Boise Airport by counsel for the Petitioner in a vehicle provided by Petitioner's counsel.

6. From the Boise Airport, Mr. David Neil Smith and DMS will travel on United Airlines on Flight 5285, departing at 9:40 a.m., to Denver, Colorado, where they will then travel from Denver to London-Gatwick on Norwegian Airlines Flight 7172, departing at 2:30 p.m. They will be scheduled to arrive in London-Gatwick on March 11, 2018 at 6:30 a.m.

7. The parties agree that the plans and details of the return of DMS here constitute compliance with the Court's Order in Dkt. 42. Consistent with the Court's Order in Dkt. 36, the parties shall file a joint notice with the Court once the custody transfer for return purposes is complete and Mr. David Neil Smith and DMS have arrived in the United Kingdom.



DATED: March 5, 2018

B. Lynn Winmill

B. Lynn Winmill
Chief U.S. District Court Judge