

0807012319

STATE OF NORTH CAROLINA

File No.

WAKE County

In The General Court Of Justice  
District Court Division

Name And Address Of Plaintiff 1  
GARRY C. RENTZ AND DONNA A. RENTZ  
c/o Alice C. Stubbs, Esq.

Name And Address Of Plaintiff 2  
KRISTA C. LISTER  
c/o Alice C. Stubbs, Esq.

DOMESTIC  
CIVIL ACTION COVER SHEET

INITIAL FILING  SUBSEQUENT FILING

Rule 5(b), Rules of Practice For Superior and District Courts

VERSUS

Name Of Defendant 1  
BRADLEY COOPER

Name And Address Of Attorney Or Party, If Not Represented (complete for initial appearance or change of address)

Alice C. Stubbs  
Tharrington Smith, LLP  
PO Box 1151, Raleigh, NC 27602

Summons Submitted  Yes  No

Telephone No. (919) 821-4711  
Cell Telephone No.

Name Of Defendant 2

NC Attorney Bar No. 19294  
Attorney E-Mail Address AStubbs@TharringtonSmith.com

Initial Appearance in Case  Change of Address

Summons Submitted  Yes  No

Name Of Firm  
Tharrington Smith, L.L.P.

Counsel for  
 All Plaintiffs  All Defendants  Only (List party(ies) represented)

FAX No. (919) 829-1583

Jury Demanded In Pleading?  No  Yes

TYPE OF PLEADING

(check all that apply)

- Amended Answer/Reply (AMND-Response)
- Amended Complaint (AMND)
- Answer/Reply (ANSW-Response)
- Complaint (COMP)
- Confession Of Judgment (CNFJ)
- Counterclaim vs. (CTCL)
- Extend Time For An Answer (MEOT-Response)
- Rule 12 Motion In Lieu Of Answer (MDLA)
- Other: (specify)

CLAIMS FOR RELIEF FOR:

(check all that apply)

- Alimony (ALIM)
- Annulment (ANUL)
- Child Support (CSUP)
- Custody (CUST)
- Divorce (DIVR)
- Divorce From Bed And Board (DIVB)
- Domestic Violence (DOME)
- Equitable Distribution (EQU)
- Medical Coverage (MEDC)
- Paternity (PATR)
- Possession Of Personal Property (POPP)
- Post Separation Support (PSSU)
- Reimbursement For Public Assistance (RPPA)
- Visitation (VIST)
- Other: (specify)

MOTION FOR EMERGENCY CUSTODY ORDER

Date 7/16/2008

Signature Of Attorney/Party

NOTE: The initial filing in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts, and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must either include a cover sheet or the filing must comply with G.S. 7A-34.1.

0807012310

STATE OF NORTH CAROLINA

File No.

WAKE County

In The General Court Of Justice
[X] District [ ] Superior Court Division

Name Of Plaintiff
GARRY D. RENTZ, DONNA A. RENTZ, & KRISTA C. LISTER

Address
City, State, Zip

CIVIL SUMMONS

[ ] ALIAS AND PLURIES SUMMONS

Name Of Defendant(s)
BRADLEY COOPER

Date Original Summons Issued G.S. 1A-1, Rules 3, 4

Date(s) Subsequent Summons(es) Issued

VERSUS

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1
BRADLEY COOPER
104 Wallsburg Court
Cary, NC 27518-8320

Name And Address Of Defendant 2

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

- 1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (If None, Address Of Plaintiff)

Wadc Smith and Alice Stubbs
Tharrington Smith, LLP
PO Box 1151, Raleigh, NC 27602

Date Issued 7-16-08 Time 4:45 [ ] AM [X] PM

Signature [Handwritten Signature]

[X] Deputy CSC [ ] Assistant CSC [ ] Clerk Of Superior Court

[ ] ENDORSEMENT

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement Time [ ] AM [ ] PM

Signature

[ ] Deputy CSC [ ] Assistant CSC [ ] Clerk Of Superior Court

NOTE TO PARTIES: Many counties have MANDATORY ARBITRATION programs in which most cases where the amount in controversy is \$15,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.



7. On the evening of July 14, 2008, Nancy Cooper's body was discovered in an outdoor location by a third party. An autopsy was performed and her death has been classified as a homicide.

8. Defendant attempted suicide as a teenager and threatened to commit suicide in the winter of 2008.

9. Defendant has acted inconsistently with his constitutionally protected status as a parent to the minor children.

10. Plaintiffs Garry and Donna Rentz have a close and loving relationship with the minor children. They have spent time with the minor children in North Carolina and in Canada, have spent holidays with the children, and have frequent telephone contact with the children.

11. Plaintiff Garry Rentz previously served as the executive director for Alberta Social Services (AKA Children's Services) for five years in Alberta, Canada. The Rentz's have been married for forty-three years and have a stable home for the children.

12. Plaintiff Lister has a close and loving relationship with the minor children. She has spent time with the minor children and has had daily telephone contact with the minor children. Plaintiff Lister has spent time with the children many times at her own home and at the children's home.

13. North Carolina is the home state of the minor children and this Court has jurisdiction over the matter of custody pursuant to N.C. Gen. Stat. § 50A-3.

14. Plaintiffs are fit and proper persons to have physical and legal custody of the minor children and the children's best interest would be served by vesting their physical and legal custody in Plaintiffs.

15. Considering the special facts of this case, particularly that Defendant has a history of emotional instability and the intense scrutiny currently faced by Defendant as a result of the ongoing criminal investigation of Nancy Cooper's murder, there is a substantial risk of bodily injury to the children while in Defendant's custody and that the children may be abducted or removed from the State of North Carolina by Defendant for the purpose of evading the jurisdiction of North Carolina courts.

16. The minor children's best interests require entry of this ex parte emergency custody order awarding custody of the children to Plaintiffs pending further orders of the Court.

Based upon the foregoing Findings of Fact, the Court makes the following

CONCLUSIONS OF LAW

1. This Court has personal and subject matter jurisdiction to enter this Order.
2. Plaintiffs Garry and Donna Rentz are the maternal grandparents of the minor children, Isabella Cooper, ("Bella") born on February 23, 2004, and Gabriella ("Katie") Cooper, born on July 23, 2006. Plaintiff Lister is the maternal aunt of the minor children. Defendant is the biological father of the minor children.
3. Defendant has acted inconsistently with his constitutionally protected status as a parent to the minor children.
4. Plaintiff Rentz's and Plaintiff Lister have met their burden of proof and have standing to bring their respective claims for custody of the minor children.
5. Plaintiffs are fit and proper persons to have physical and legal custody of the minor children and the children's best interest are served by entry of this ex parte emergency custody order awarding custody of the children to Plaintiffs pending further orders of the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. Pending further orders of this Court, Plaintiffs Rentz and Plaintiff Lister shall share joint legal and physical custody of the minor children Isabella Cooper and Gabriella Cooper.
2. Law enforcement in Wake County, North Carolina, or in such other county or state where the children are found, shall immediately assist Plaintiffs in gaining physical custody of the minor children.
3. The minor children's passports shall be immediately returned to Plaintiffs so that they may attend their mother's memorial service in Canada.
4. The return on this ex parte order shall be heard on JULY 25 2008, at 9A o'clock, or as soon thereafter as the matter may be reached, by the Judge presiding in courtroom 8B, Wake County Courthouse.
5. Plaintiffs are not required to post a bond in this matter.

This the 16<sup>th</sup> day of July, 2008, at 4:45 o'clock P. m.

  
\_\_\_\_\_  
District Court Judge Presiding

0807012310

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION

WAKE COUNTY

GARRY D. RENTZ AND DONNA A.  
RENTZ, KRISTA C. LISTER  
Plaintiffs,

v.

BRADLEY COOPER,

Defendant.

2008 JUL 16 11:45 AM  
JSC  
**COMPLAINT AND MOTION FOR  
EMERGENCY CUSTODY ORDER**

Plaintiffs, complaining of the Defendant, allege and say:

1. Plaintiffs Garry and Donna Rentz are citizens and residents of Alberta, Canada. Plaintiff Krista Lister is a citizen and resident of Ontario, Canada.
2. Defendant is a resident of Wake County, North Carolina, and has resided in North Carolina for at least six months prior to the institution of this action.
3. Defendant is the biological father of the minor children, Isabella Cooper, ("Bella") born on February 23, 2004, and Gabriella ("Katie") Cooper, born on July 23, 2006.
4. Plaintiffs Garry and Donna Rentz are the biological father and biological mother of Nancy Cooper, the deceased biological mother of the minor children and the deceased wife of Defendant. Plaintiff Lister is the identical twin sister of Nancy Cooper and Katie is her namesake.
5. Defendant currently has physical custody of the minor children.
6. On or about March 10, 2008, Nancy Cooper retained counsel to resolve all pending issues, including child custody, related to her impending separation from Defendant.
7. Neither Defendant nor Plaintiffs are United States citizens. Plaintiffs Garry and Donna Rentz are the maternal grandparents of the minor children. Plaintiff Lister is the maternal aunt of the minor children.
8. On the afternoon of July 12, 2008, a neighbor reported to the Cary Police Department that Nancy Cooper was missing. Defendant Cooper never reported his wife as missing and never contacted the Plaintiffs Rentz to inform them of her disappearance.
9. Upon information and belief, Defendant claims that Nancy Cooper went jogging on the morning of July 12, 2008 at 7:00 a.m. Upon information and belief, Nancy Cooper never went jogging on July 12, 2008. Upon information and belief, Defendant was the last person to see Nancy Cooper alive.
10. On the evening of July 14, 2008, Nancy Cooper's body was discovered in an outdoor location by a third party. An autopsy was performed and her death has been classified as a homicide.

12. During the months prior to Nancy Cooper's murder, Defendant engaged in a pattern of emotional abuse directed towards Nancy Cooper and the minor children. Upon information and belief, Defendant frequently yelled at Nancy Cooper and belittled her in the presence of the minor children.

13. During the months prior to Nancy Cooper's murder, Defendant withheld funds from Nancy Cooper and refused to provide adequate financial support to Nancy Cooper and the parties' children. Nancy Cooper was not employed outside the home and had no source of funds other than Defendant. As a result of Defendant's actions, Nancy Cooper was in such a desperate financial situation that she was forced to borrow funds from Plaintiffs to purchase groceries and necessities for herself and the minor children.

14. Upon information and belief, Defendant was unfaithful during his marriage to Nancy Cooper and carried on a sexual relationship with a woman other than Nancy Cooper prior to Nancy's Cooper's death.

15. Upon information and belief, the marital residence is under investigation and may be a crime scene. Defendant has been prohibited from returning to the marital residence during the investigation. The residence is not an appropriate environment for the minor children during the pending criminal investigation of the murder of Nancy Cooper.

16. Upon information and belief, Defendant is mentally unstable and poses a danger to the physical safety of the minor children.

17. Upon information and belief, Defendant attempted suicide when he was a teenager and he threatened to commit suicide in the winter of 2008.

18. Defendant has acted inconsistently with his constitutionally protected status as a parent to the minor children and is not a fit and proper parent to exercise custodial rights with the children.

19. Plaintiffs Garry and Donna Rentz have a close and loving relationship with the minor children. They have spent time with the minor children in North Carolina and in Canada, have spent holidays with the children, and have frequent telephone contact with the children.

20. Plaintiff Garry Rentz previously served as the executive director for Alberta Social Services (AKA Children's Services) for five years in Alberta, Canada. The Rentz's have been married for forty-three years and have a stable home for the children. For the past twenty (20) year the Plaintiff Rentz's owned and operated Personal Support and Development Network and Careers in Transition.

21. Plaintiff Lister has a close and loving relationship with the minor children. She has spent time with the minor children and has had daily telephone contact with the minor children. Plaintiff Lister has spent time with the children many times at her own home and at the children's home. Plaintiff Lister has been married to James M. Lister for seven years. Plaintiff Lister is an interior designer and her husband is the director of sales for Sleeman Breweries.

22. All of the Plaintiffs at this time believe that the minor children's best interests would be served by this Court awarding their legal and physical custody to the Plaintiffs.

23. Since Nancy Cooper disappeared on July 12, 2008, Plaintiff Lister and various other neighbors, friends, and family members have shared in the day-to-day responsibilities of caring for the minor children.

24. Upon information and belief, in April or May of 2008, Defendant removed the minor children's passports from Nancy Cooper's vehicle.

25. Defendant has initially told her that she and the minor children could move to Canada to reside with Plaintiff Lister.

26. By removing the passports without her consent he prohibited his wife and children from traveling to Canada to be with Plaintiffs.

27. North Carolina is the home state of the minor children and this Court has jurisdiction over the matter of custody pursuant to N.C. Gen. Stat. § 50A-3.

(a) Plaintiffs have not participated as a party, witness, or in any other capacity in any other proceeding concerning the custody of the minor children.

(b) Plaintiffs have no information of any other custody proceeding concerning the minor children in this state or in any other state.

(c) Plaintiffs do not know of any person not a party to this proceeding who has physical custody of the minor children or who claims to have custody or visitation rights with respect to the minor children.

(d) The minor children have lived in Wake County, North Carolina, with Defendant and Nancy Cooper since their births.

28. Plaintiffs are fit and proper persons to have physical and legal custody of the minor children and the children's best interest would be served by vesting their physical and legal custody in Plaintiffs.

29. Defendant is not a fit person to have custody of the minor children, for the reasons set forth above.

### MOTION FOR EMERGENCY CUSTODY ORDER

30. The allegations of Paragraphs 1 through 25 above are incorporated herein by reference.

31. Plaintiffs, pursuant to N.C. Gen. Stat. ' 50-13.5(d), hereby move that the Court enter an ex parte temporary emergency custody order vesting legal and physical custody of the minor children to Plaintiffs.



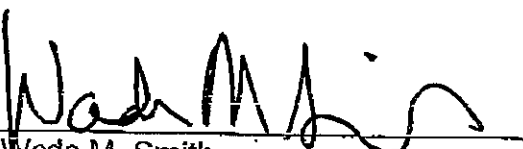
32. Considering the special facts of this case (as set forth above), particularly that Defendant has a history of emotional instability and the intense scrutiny currently faced by Defendant as a result of the ongoing criminal investigation of Nancy Cooper's murder, there is a substantial risk that the children are exposed to a substantial risk of bodily injury in Defendant's custody and that they may be abducted or removed from the State of North Carolina by Defendant for the purpose of evading the jurisdiction of North Carolina courts.


WHEREFORE, Plaintiffs pray that the Court:

1. Award immediate temporary and permanent physical and legal custody of the children to Plaintiffs;
2. Enter an ex parte temporary emergency custody order granting legal and physical custody of the children to Plaintiffs;
3. Order Defendant to return the minor children's passports to Plaintiffs so that the children can travel to Canada with Plaintiffs for the memorial services for their mother.
4. Grant unto Plaintiffs such other and further relief as the Court deems just and proper.

This the 16<sup>th</sup> day of July, 2008.

THARRINGTON SMITH, L.L.P.

By:   
 Wade M. Smith  
 NC State Bar #4075  
 Post Office Box 1151  
 Raleigh, North Carolina 27602-1151  
 Telephone: (919) 821-4711  
 Attorneys for Plaintiffs


By:   
 Alice C. Stubbs  
 NC State Bar #19294

NORTH CAROLINA

WAKE COUNTY

VERIFICATION

GARRY RENTZ, being first duly sworn, deposes and says that I am the plaintiff in this action; that I have read the foregoing Complaint And Motion For Emergency Custody Order and that the same is true of my own knowledge except as to those matters and things therein stated upon information and belief, and as to those I believe them to be true.

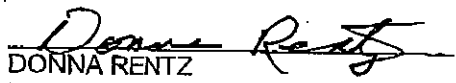
  
GARRY RENTZ  
Plaintiff

NORTH CAROLINA

WAKE COUNTY

VERIFICATION

DONNA RENTZ, being first duly sworn, deposes and says that I am the plaintiff in this action; that I have read the foregoing Complaint And Motion For Emergency Custody Order and that the same is true of my own knowledge except as to those matters and things therein stated upon information and belief, and as to those I believe them to be true.

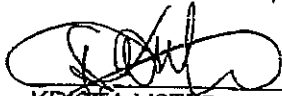
  
DONNA RENTZ  
Plaintiff

NORTH CAROLINA

WAKE COUNTY

VERIFICATION

KRISTA LISTER, being first duly sworn, deposes and says that I am the plaintiff in this action; that I have read the foregoing Complaint And Motion For Emergency Custody Order and that the same is true of my own knowledge except as to those matters and things therein stated upon information and belief, and as to those I believe them to be true.

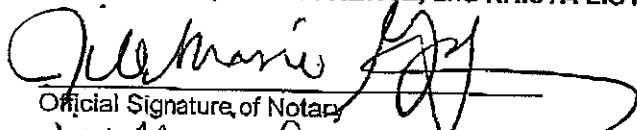
  
KRISTA LISTER  
Plaintiff

STATE OF NORTH CAROLINA

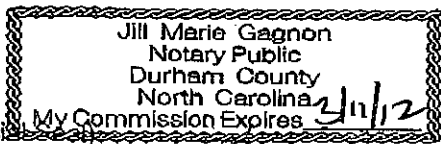
COUNTY OF WAKE

Sworn to and subscribed before me this day by GARRY RENTZ, DONNA RENTZ, and KRISTA LISTER.

Date: 7/16/2008

  
Official Signature of Notary

Jill Marie Gagnon  
Notary's printed or typed name, Notary Public



(Official Seal)

My commission expires: 2/11/2012