

ORIGINAL

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**FILED**  
LOS ANGELES SUPERIOR COURT

AUG 17 2009

JOHN A. ...  
BY M. ...

4 Attorneys for Respondent, SHANNA MOAKLER

5  
6 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
7 FOR THE COUNTY OF LOS ANGELES  
8

9  
10 In re Marriage of: ) CASE NO. BD 450 804  
11 Petitioner: TRAVIS BARKER )  
12 and )  
13 Respondent: SHANNA MOAKLER )  
BARKER )

**STIPULATION AND ORDER  
REGARDING SUMMER 2009  
CUSTODIAL SCHEDULE**

14  
15 The parties, Petitioner, Travis Barker (hereinafter  
16 "Petitioner") and Respondent, Shanna Moakler (hereinafter  
17 "Respondent"), with the approval of their respective counsel of  
18 records, Michael L. Trope, Esq. and Vanessa Lops, Esq., of Trope  
19 & DeCarolus, LLP, counsel for Respondent, and Peter T. Hermes,  
20 Esq., of Hermes & Glavin, LLP, counsel for Petitioner, hereby  
21 stipulate as follows. This Stipulation is made with reference  
22 to the following facts:

23 A. The parties have two minor children: Landon Barker born on October 9, 2003 (Age 5) and Alabama Barker born December 24, 2005 (Age 3).

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26 B. The Judgment of Dissolution in this matter entered on February 8, 2008 and contains the parties' physical custody and custodial time share provisions, which designate,

CIT/CASE: 08450804 WGA/DEPN:  
RECEIPT #: FIN441899020  
DATE PAID: 08/05/09 02:16:21 PM  
PAYMENT: 20.00  
RECEIVED: 08/10

1 define and detail the joint legal and physical custody provisions  
2 for Landon and Alabama. The provisions of this Stipulation and  
3 Order modify the custodial time share and vacation provisions set  
4 forth in the Judgment of February 8, 2008, only for the time  
5 period of July 25, 2009 through October 3, 2009. Except for  
6 modifying the custodial time share arrangement for the period of  
7 time from July 25, 2009 to October 3, 2009, as set forth herein  
8 and the summer vacation schedule for 2009 only, all custody and  
9 custody-related provisions set forth in the Judgment of February  
10 8, 2008, remain in full force and effect without change or  
11 modification and the custody provisions of the Judgment of  
12 February 8, 2008, shall define and designate the parties' joint  
13 legal and physical custody rights and the custodial time share  
14 arrangements effective subsequent to October 3, 2009, unless  
15 modified in a subsequent Stipulation and Order executed by the  
16 parties.

17 C. The joint physical custody provisions in the  
18 Judgment of February 8, 2008, provide that the parties shall each  
19 have custody of each minor child approximately fifty percent (50%)  
20 of the custodial time.

21 D. Petitioner is a musician whose band, Blink-182, is  
22 going on tour throughout the United States and Canada from July  
23 23, 2009 through October 3, 2009 (hereinafter "Summer Tour") unless  
24 extended hereafter. The Blink-182 Summer Tour Schedule is  
25 attached hereto as **Exhibit "A"**.

26 E. Petitioner will travel and be transported to the  
27 various cities in the United States and Canada on the Summer Tour  
28 in a private Tour Bus.

1 F. The Petitioner requested that Respondent agree to  
2 (substantially) equally divide the custodial time with the minor  
3 children during the Blink-182 Summer Tour time period and allow  
4 Petitioner to have physical custody of the minor children during  
5 specific custodial time periods set forth herein and allow him to  
6 take the minor children on his Summer Tour and travel outside the  
7 State of California throughout the United States and Canada with  
8 the minor children.

9 With reference to the foregoing facts, it is hereby  
10 stipulated by and between Petitioner, Travis Barker, and  
11 Respondent, Shanna Moakler, joined in by their respective counsel,  
12 as follows:

13 1. Petitioner shall have physical custody of  
14 Landon Barker and Alabama Barker from July 25, 2009 to commence in  
15 the afternoon, between 12:00 p.m. (noon) and 5:00 p.m., or at such  
16 time as Petitioner returns from Las Vegas, Nevada on Saturday,  
17 July 25, 2009, through August 22, 2009. Petitioner or his  
18 designated agent or nanny, shall pick up Landon Barker and Alabama  
19 Barker on July 25, 2009 in the afternoon between 12:00 p.m. (noon)  
20 and 5:00 p.m., or at such time as Petitioner returns from Las  
21 Vegas, Nevada on Saturday, July 25, 2009. Petitioner is  
22 authorized, with Respondent's consent, to travel with the minor  
23 children, Landon Barker and Alabama Barker, outside of the State  
24 of California throughout the United States and Canada, to the  
25 cities and Summer Tour locations listed on **Exhibit "A"** for the  
26 time period of July 25, 2009 to and through August 22, 2009 and  
27 September 12 through 17, 2009.

28 / / /

1                   2.    During the above-designated custodial time  
2 periods, Petitioner shall have a full-time nanny to assist in the  
3 care and supervision of Landon and Alabama during the travel time  
4 and Summer Tour. Petitioner shall also have a full-time security  
5 guard for Landon and Alabama.

6                   3.    The minor children, Landon and Alabama, are  
7 allowed to attend Tour events/concerts and will have access to  
8 separate play rooms near the tour stage areas, which will include  
9 nanny supervision and security.

10                  4.    The minor children will stay at hotel  
11 accommodations in the Tour cities with Petitioner with the  
12 children staying with Petitioner in a suite with a nanny in an  
13 attached separate room with a security guard in a room on the same  
14 floor (or in close proximity).

15                  5.    From August 22 to August 26, 2009, at a time  
16 to be agreed upon between the parties on August 22, 2009,  
17 Petitioner and Respondent shall have and share joint physical  
18 custody of Landon and Alabama (on the tour). Respondent will join  
19 Petitioner and the minor children on the Summer Tour on August 22,  
20 2009, and stay with Petitioner and the minor children on the Tour  
21 Bus.

22                  6.    On August 26, 2009, Petitioner will transport  
23 Respondent and Landon and Alabama to her destination in Rhode  
24 Island on the Tour Bus. Respondent's vacation time will then  
25 commence on August 26, 2009 in Rhode Island with the minor  
26 children (Landon Barker and Alabama Barker). At the end of  
27 Respondent's stay in Rhode Island (at Respondent's option),  
28 Petitioner's Tour Bus will return to Rhode Island to pick up

1 Respondent and the minor children and return them to Respondent's  
2 home in Calabasas, CA.

3 7. Respondent shall not allow the minor children  
4 to be in the presence of or left alone with or visit with Richard  
5 ("Rick") Sinnott at any time whatsoever.

6 8. Pursuant to Section 14.8 of the Judgment of  
7 February 8, 2008, Petitioner and Respondent herein provide his/her  
8 specific permission to allow Petitioner and Respondent to take the  
9 minor children outside the State of California and the Counties of  
10 Los Angeles and Ventura during the time period from July 25, 2009  
11 to October 3, 2009, with written permission acknowledged by the  
12 parties' signature affixed hereto.

13 9. Respondent shall provide and deliver to  
14 Petitioner forthwith (to the extent necessary) upon request to do  
15 so, the minor children's U.S. Passports and sign whatever  
16 documentation and/or parental consent forms are required by the  
17 United States and/or Canada to allow the minor children to travel  
18 from the United States to Canada and from Canada to the United  
19 States during the Summer Tour time period that the Petitioner has  
20 custody of the minor children. The Court reserves jurisdiction to  
21 enforce the provisions of this Stipulation and Order and resolve  
22 any disputes involving same.

23 10. From August 26, 2009, at a commencement time  
24 and location agreed upon by the parties through the end of  
25 Petitioner's Summer Tour, October 3, 2009, Landon and Alabama  
26 shall be in Respondent's physical custody, except as follows:

27 A. During Petitioner's Summer Tour dates in  
28 California from September 12, 2009 through September 17, 2009, the

1 minor children shall be in Petitioner's physical custody. The  
2 exact timing (pick-up and/or delivery of the minor children) at  
3 the commencement of Petitioner's physical custody on September 12,  
4 2009 and the return exchange of the minor children at the end of  
5 Petitioner's custodial time on September 17, 2009, and  
6 transportation arrangements for the custodial exchanges for this  
7 time-period shall be designated and arranged by Petitioner and  
8 Respondent shall cooperate with said arrangements.

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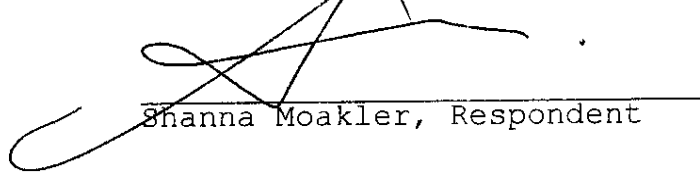
1 11. This Stipulation and Order Regarding 2009  
2 Summer Custodial Schedule may be signed in counterpart and a faxed  
3 signature shall constitute an original signature for purposes of  
4 filing this Stipulation and Order Regarding 2009 Summer Custodial  
5 Schedule Issues with the Court.

6  
7 **APPROVED AS TO FORM AND CONTENT**

8 Dated: \_\_\_\_\_

  
Travis Barker, Petitioner

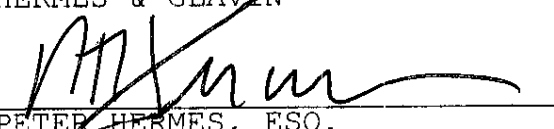
9  
10  
11 Dated: \_\_\_\_\_

  
Shanna Moakler, Respondent

12  
13 **APPROVED AS TO FORM**

14  
15 Dated: 8/4/09

HERMES & GLAVEN

  
PETER HERMES, ESQ.  
Attorneys for Petitioner  
TRAVIS BARKER

TROPE & DeCAROLIS, LLP

16  
17  
18  
19  
20 Dated: \_\_\_\_\_

VANESSA LOPS, ESQ.  
Attorneys for Respondent  
SHANNA MOAKLER

21  
22  
23 **IT IS SO ORDERED.**

24  
25 Dated: \_\_\_\_\_

JUDGE/COMMISSIONER  
LOS ANGELES SUPERIOR COURT

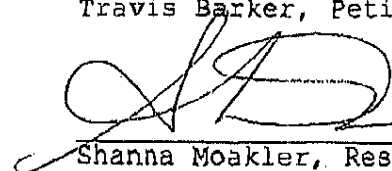
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 5 Schedule Issues with the Court.

6  
7 **APPROVED AS TO FORM AND CONTENT**

8 Dated: \_\_\_\_\_  
9

Travis Barker, Petitioner

10  
11 Dated: 7.24.09  
12

  
 Shanna Moakler, Respondent

13 **APPROVED AS TO FORM**

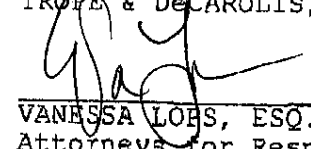
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15 Dated: \_\_\_\_\_  
16

HERMES & GLAVIN

17 PETER HERMES, ESQ.  
 Attorneys for Petitioner  
 TRAVIS BARKER

18  
19  
20 Dated: 7-24-09  
21


TROYE & DeCAROLIS, LLP

  
 VANESSA LOBS, ESQ.  
 Attorneys for Respondent  
 SHANNA MOAKLER

22  
23 **IT IS SO ORDERED.**

24  
25 Dated: \_\_\_\_\_

**AUG 17 2009**

  
 JUDGE/COMMISSIONER  
 LOS ANGELES SUPERIOR COURT

**SCOTT M. GORDON**