The Order of the Court is stated below:
Dated: November 19, 2026 12:58:03 PM **/s/** KIM M LUHN District Court Commissioner
Dated: November 19, 2026 05:19:22 PM **/s/** ROBERT FAUST District Court Judge

Ron Haycock, #13235

Julianne Coomer, #19491

STRONG & HANNI

102 South 200 East, Suite 800

Salt Lake City, Utah 84111

Telephone: (801) 532-7080

Facsimile: (801) 405-4075

rhaycock@strongandhanni.com

jcoomer@strongandhanni.com

Attorneys for Petitioner Margarita Diaz-Ochu

IN THE THIRD JUDICIAL DISTRICT – SALT LAKE CITY DISTRICT COURT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

In the Matter of the Marriage of: MARGARITA DIAZ-OCHU, Petitioner, and MISHAEL ADEIZA OCHU, Respondent.	**JUDGMENT AND ORDER ON PETITIONER'S SECOND MOTION TO ENFORCE (SEPTEMBER 2, 2026 HEARING)** **With interlineation** Civil Case No. 234902792 Judge: Robert Faust Commissioner: Kim M. Luhn

This matter came before the Honorable Commissioner Kim Luhn for oral argument on September 2, 2026 on Petitioner Margarita Diaz-Ochu's ("Margie" or "Petitioner") Second

Motion to Enforce and Respondent Mishael Ochu's ("Mish" or "Respondent") Counter Motion to Enforce. Petitioner was present and represented by counsel Julie Coomer. Respondent was present and represented by counsel Rand Lunceford. The Court, having reviewed the pleadings on file, the oral arguments, and proffer presented, hereby enters the following findings and orders:

FINDINGS & ORDERS

I. **Legal Decision Making**

Vaccinations

1. With respect to vaccines, Respondent argues that he did not interfere with the children receiving vaccinations and that he is not in contempt because the children received their vaccines.

2. The Court finds that it is unacceptable that Respondent caused the hospital Risk Management and their legal team to become involved in this matter.

3. In terms of vaccines and the decision-making process, once the discussion is had over a vaccine once, there shall not be discussion every year. The discussion regarding vaccines has occurred, Respondent has provided his opinion, and Petitioner now has the tie-breaking vote. Requiring a line-by-line response to everything is not reasonable.

4. The Court finds that Respondent did not purge his contempt regarding the vaccine issue and finds him in contempt.

Medications

5. With respect to the administration of medication, Respondent's Affidavit in support of his Reply Memorandum is wordplay. He states he does not "intentionally" withhold medication and that he does not "admit that any particular dose was missed *unless* the date and circumstances are established by reliable records which include medication delivery, pharmacy, and school administration records."

6. First, one of the instances of missed medication was in June when the child was not in school.

7. Next, the pharmacy records would simply show that prescription was filled and there is absolutely nothing in Respondent's response nor in reality that would show a dose was missed and there are no reliable records that are going to deal with that.

8. Prior to the Petitioner's Motion to Enforce being filed, Respondent returned the medication. Afterwards, the medication was not returned.

9. The Court cannot imagine how much courage it took for the minor child to admit to the doctor at the August 25, 2026 doctor's appointment that his father does not administer his medication, and the appointment would have been Respondent's opportunity to engage in the discussion regarding medication.

10. If the child does not take his medication at Respondent's home, he is at fault because he is the adult.

11. The Court finds that Respondent did not purge his contempt and is in contempt for failing to administer the minor child's medication.

12. Respondent is ordered to take a picture or video of himself giving M.O. his medication, the child putting the medication in his mouth and drinking a glass of water.

13. Should Respondent continue to not give medication, the Court will suspend his custody and order supervised parent-time.

<u>Ophthalmology Appointment</u>

14. If Petitioner had engaged in the same conduct as Respondent in rescheduling the Ophthalmology appointment, Respondent would not have tolerated the same conduct.

II. Uncivil Communication

15. With respect to the March 4, 2026 school issue, Petitioner asserts that Respondent was uncivil to her by ignoring her and demanding the office secretary provide phone logs and her name. While Respondent's failure to communicate with Petitioner may not constitute uncivil conduct, Respondent has demonstrated a tendency to create "firestorms" where there are no firestorms.

16. It does not matter who may have been right or wrong in that moment, the minor child was present and Respondent traumatized the child with his actions.

17. There is no paragraph in the Decree that specifically prohibits Respondent's conduct in ignoring Petitioner so the Court cannot find that there was contempt for being uncivil towards Petitioner. It was contempt of being uncivil toward third parties but there is no requirement for that.

III. Corporal Punishment

18. At the last Motion to Enforce hearing, the Court supplemented the parenting plan to incorporate that there shall be no corporate punishment.

19. Petitioner has asserted that corporal punishment has continued in the form of making the minor child run laps as punishment.

20. The Court does not find Respondent in contempt of corporal punishment. However, the Court further clarifies that there shall be no physical punishment of any kind including use of exercise as punishment.

21. With respect to garage incident, where Petitioner asserts that Respondent locked the minor child in the garage as punishment, the Court cannot find Respondent in contempt.

IV. Summer Parent-Time and Travel Notification

22. With respect to the two weeks of uninterrupted parent-time, Respondent's affidavit is again wordplay. Petitioner stated she would be taking her two weeks of uninterrupted parent-time. Only notice must be given, but the two-week election does not need to be agreed upon. The Court does not find Respondent in contempt since Petitioner received her parent-time.

23. The Court finds Petitioner in contempt for not providing her itinerary for her travel plans to Chile. Petitioner may purge her contempt the next time she travels out-of-state with the children by providing the places for where she will stay, travel itinerary, and a way to reach her in the case of an emergency.

V. Health Insurance

24. The parties shall exchange sufficient health insurance information to determine each party's respective share of the minor child's health insurance premium and whether either party owes the other reimbursement for any portion of the premium. The Court does not find Respondent in contempt.

VI. Child Support

25. While the Court has certified whether Respondent has the ability to pay for an evidentiary hearing, Respondent has been paying $0 in child support which is unacceptable. The children are entitled to child support, and the Court has thrown people in jail for paying nothing in support.

26. The current child support amount is $632/month and Respondent shall pay at least one-half ($316/month) of this amount to Petitioner.

27. The Court finds Respondent in contempt for not paying or attempting to pay any child support to Petitioner.

28. With respect to the child support arrearages, the current orders on child support have not changed and there is currently no Petition to Modify. Thus, child support is going to continue to accrue.

29. The Court orders a judgment on the arrearages on the unpaid child support as follows:

a. From March to August 2026 in the amount of $3,792.00 (5 months x $632/month).

1. The Court previously ordered a judgement at the March 4, 2026 hearing for child support arrearages and extracurricular arrearages.

a. The child support arrearages from June 1, 2025 through February 28, 2026 are $3,474.00.

b. The extracurricular arrearages are $373.00.

2. The total judgment for all arrearages ordered is **$7,639.00**. ~~This amount should be paid within fourteen (14) days of the entry of this Order~~. This amount shall bear post-judgment interest pursuant to Utah Code Ann. §15-1-4(3).

VII. Attorney Fees

32. The Court found Respondent in contempt for the issues regarding legal decision making and found that Respondent did not purge his contempt regarding vaccinations and administration of medication. The Court also found Respondent in contempt for failing to pay child support.

33. The Court thereby awards Petitioner one-half (1/2) of her attorney fees incurred from the last Motion to Enforce, which was heard on March 4, 2026 and from the present Second Motion to Enforce, heard on September 2, 2026.

34. Petitioner shall submit a Rule 73 Affidavit of Fees and Respondent shall have two weeks object to the content of the affidavit and submit a Request to Submit when it is ready for decision.

–EXECUTED AND ENTERED BY THE COURT AS INDICATED BY THE DATE AND SEAL AT THE TOP OF PAGE 1–

Approval as to form:

Objected to form on 9/22/2026

Mishael Ochu
Respondent, pro se

RULE 7 NOTICE

Pursuant to Rule 7 of the Utah Rules of Civil Procedure, the forgoing proposed ORDER will be submitted to the Court for signature seven (7) days after service upon you. Your objections, if any, must be filed with the Court within seven (7) days after service. This proposed order was sent to opposing counsel on the 16th day of September 2026.

Mishael Ochu P.O. Box 521205 Salt Lake City, Utah 84152 mishochu@mishochu.com (832) 285-1107	[ ] U.S. Mail, Postage Prepaid [ ] Hand Delivered [X] Email [ ] Facsimile [ ] Greenfiling

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of September 2026, a true and correct copy of the foregoing was served by the method indicated below, to the following:

Mishael Ochu P.O. Box 521205 Salt Lake City, Utah 84152 mishochu@mishochu.com (832) 285-1107	[ ] U.S. Mail, Postage Prepaid [ ] Hand Delivered [X] Email [ ] Facsimile [ ] Greenfiling

/s/ *Julie Coomer*