#### IN THE COURT OF COMMON PLEAS FRANKLIN COUNTY, OHIO CIVIL DIVISION

NADEZHDA WOOD, :

: CASE NO.: 23CV4452

Plaintiff,

JUDGE: David C. Young

V. . . .

VIACHESLAV KOVALKOV, et al,

:

Defendants.

# PLAINTIFF'S AMENDED MEMO CONTRA DEFEDANTS' OBJECTION TO MAGISTRATE'S OCTOBER 11, 2023, ORDER

Plaintiff, Nadezhda Wood, asks that the Court adopt the Magistrate's Order filed on October 11, 2023, denying Defendants' Second Motion to Continue the FE&D Hearing currently scheduled for October 25, 2023. Magistrate Petrucci correctly concluded that the party requesting the continuance – Defendants – have contributed to the circumstances which gives rise to the request for a continuance; namely, that Defendants have scheduled an overseas trip despite being aware of the ongoing litigation and then, despite receiving the notice of the scheduled hearing before their departure, refused to change the dates of their trip. Defendants further refuse to appear remotely, even though Plaintiff raises no objection to their remote appearance. Defendants have overstayed their tenancy by over six months, depriving Plaintiff of ability to collect fair-market rent. Further delay would be unjust.

In an attempt to justify their objection, Defendants wildly accuse Plaintiff and Plaintiff's Counsel of having access to Defendants' emails. This is simply false, and no support exists for such an accusation. Defendants further complain that the Court had "unilaterally" set a hearing date; though, a trial court has the inherent power and "right to control its docket." *Huntington Nat'l Bank v. Haehn*, 2018-Ohio-4837, 125 N.E.3d 287, ¶ 26 (10th Dist.). Regardless of Defendants' complaints and accusation, the law simply does not support a continuance based upon a voluntary absence from trial wherein ample notice was provided such that Defendants could have appeared.

#### APPLICABLE LAW

"The underlying purpose behind the forcible entry and detainer action is to provide a summary, extraordinary, and speedy method for the recovery of [the] possession of real estate . . . ." State ex rel. GMS Management Co., Inc. v. Callahan, 45 Ohio St.3d 51, 55, 543 N.E.2d 483, 487 (1989). The purpose of the forcible entry and detainer statute "is to provide immediate possession of real property." The drafters of the statute "were careful to avoid encrusting this special remedy with time consuming procedure tending to destroy its efficacy." Id. The grant or denial of a continuance is a matter within the sound discretion of the trial judge. Hartt v. Munobe, 67 Ohio St.3d 3, 9, 615 N.E.2d 617, 622 (1993). A party has a right to a reasonable opportunity to be present at trial and a right to a continuance for that purpose. Id. A party does not, however, have a right

unreasonably to delay a trial. *Id.* A continuance based on a party's absence must be based on unavoidable, not voluntary, absence. *Id.* 

In evaluating a motion for a continuance, a court should consider: (1) the length of the delay requested; (2) whether other continuances have been requested and received; (3) the inconvenience to litigants, witnesses, opposing counsel and the court; (4) whether the requested delay is for legitimate reasons or whether it is dilatory, purposeful, or contrived; (5) whether the defendant contributed to the circumstance which gives rise to the request for a continuance; and (5) other relevant factors, depending on the unique facts of each case. *State v. Unger*, 67 Ohio St.2d 65, 67–68, 423 N.E.2d 1078, 1080 (1981).

#### **ARGUMENT**

In this case, analysis of relevant factors favors denying Defendants' motion, as the Magistrate had done in his Order. The Defendants' absence would not be unavoidable as Defendants had two weeks from the Order of Reference in which to plan to appear. Defendants could also have changed their flight to return early or may appear remotely, per Civ.R. 43(A). Defendants previously requested and obtained a continuance while the matter was still with the Municipal Court and filed Counterclaims which has already resulted in significant delay. Mag. Order, p. 1-2. While Defendants state they request only

<sup>&</sup>lt;sup>1</sup> Plaintiff filed its Motion requesting a hearing on the FE&D Claim on Sept. 21, 2023, and on September 26, 2023, the Court's Order of Reference indicated a scheduled hearing date of October 25, 2023. Defendants' flight would not depart until October 4, 2023.

a "short delay", Magistrate Petrucci has already noted "there can be no guarantee that the next date that works for all parties will be anytime this year." *Id.*, p. 3.

A continuance would not only prejudice Plaintiff – depriving Plaintiff of possession and opportunity for fair market rent – but Plaintiff, knowing the importance of her appearance, significantly altered her life and schedule to ensure she could fly to Ohio to be present for the hearing. Plaintiff went so far as to significantly delay her start date at her new job,² coordinated travel arrangements to Ohio for the hearing, and would need to immediately seek leave from her new job to accommodate a continued hearing. Moreover, the story that Defendants are trying to sell the Court in justifying their absence does not appear to be legitimate. It is inconsistent with the documents presented to the U.S. Citizenship and Immigration Services. These documents and letters filed on the Defendants' behalf with their review and consent show they have no ties to Ukraine and no living relatives in Ukraine, and contradict the story presented in text message provided within Defendants' objection.

Because Defendants' absence would be voluntary and the stated reasons for their absence are not legitimate, Plaintiff asks that the Court overrules their Objections and proceeds to hold a hearing on the unlawful detainer that Plaintiff has been asking for since April.

<sup>&</sup>lt;sup>2</sup> Plaintiff's start date at her new position is now Nov. 6, 2023, and was chosen to accommodate the hearing currently scheduled for Oct. 25, 2023.

#### I. Defendants' absence would be voluntary.

The Court issued an Order setting a hearing date on September 24, 2023. A week later, on October 3, 2023, Defendants filed a motion asking for a continuance, claiming that they are leaving the next day on overseas trip. Defendants claimed that their tickets were "nonrefundable," but neglected to mention that they were able to re-schedule their trip. The attachments to their October 3 motion show that they purchased SAS Go Light tickets, which allow for rebooking. That rebooking policy allows for changes to tickets up to 1 hour before departure and for up 361 days ahead of time. Meaning, when the Court set the hearing in September, Defendants could have rescheduled their trip for after the October 25 hearing. They had more than a week before the departure to change their travel plans.

Defendants left on the trip anyway, fully aware of the upcoming hearing. Defendants are represented by counsel whose responsibility it is to advise his clients of the consequences of travel amidst litigation. By not rescheduling their trip when they had the opportunity, Defendants accepted any such consequence. Moreover, Defendants could have returned earlier, before October 25, by rescheduling their return flight. The Magistrate issued his Order denying Defendants' Motion for Continuance on October 11,

<sup>&</sup>lt;sup>3</sup> See SAS webpage, Ticket Types, https://www.flysas.com/us-en/fly-with-us/ticket-options/ticket-types/ (last accessed Oct. 23, 2023).

<sup>&</sup>lt;sup>4</sup> See SAS webpage, Change Your Ticket, https://www.flysas.com/us-en/customer-service/rebook-change-ticket/ (last accessed Oct. 23, 2023).

again giving Defendants plenty of time to return before the October 25 hearing; notwithstanding the Magistrate's Order, Defendants refused to do so.

Even if the Court were to accept Defendants' story as true, that the purpose of the trip was to relocate relatives, nothing in the Defendants' pleading explains why they *both* had to go. Defendant, Larisa Kovalkova, is 77 years old, legally blind, and does not drive. It is not clear what contribution she may provide to the "relocation effort." Being involved in litigation, Defendant Larisa Kovalkova could very well have stayed behind to testify. As Plaintiff has indicated, there exists no objection to the Defendants appearing remotely. Defendants appear to have no trouble communicating with their counsel, sending him emails and text messages, so communicating with the Court should not be an issue.

Because Defendants refused to reschedule their trip knowing that there would be an upcoming hearing, refused to reschedule a flight back when their motion was denied, and have refused to appear remotely, their absence is voluntary; indeed, their absence was avoidable.

#### II. Defendants have previously sought and obtained continuances.

Defendants have already postponed this eviction hearing for most of the year.

Defendants have known since February that their tenancy has been terminated.

Defendants have known since April that the Plaintiff has initiated the forcible detainer action against them in the municipal court. Defendants have already convinced the municipal court to postpone their eviction hearing once, then filling counterclaims,

Defendants then engaged in motion practice, attempting to add—and then drop—completely unrelated claims. Now they ask for yet another extension, claiming that Plaintiff has not sought a hearing before they purchased tickets; however, Plaintiff's motion requesting a hearing merely "reminded the court that an FE&D is a claim that attempts to expedite the legal issues." Mag. Order, p. 2-3.

#### III. Plaintiff would be prejudiced and inconvenienced by further delays.

After the date for the hearing was set, Plaintiff accepted an offer of new employment and scheduled the start date of new employment and leave from the old position specifically to accommodate this hearing, starting her new job on November 6, instead of October 23, as was initially offered to her. To schedule the hearing on November 9 would require Plaintiff to take time off during the first three days in her new position. Moreover, Plaintiff has not been able to rent out the property since April and receive fair market rent. Further delays mean further financial losses.

Moreover, as the Magistrate stated in his Order, there is no guarantee that the next date that works for all parties will be anytime this year. As of right now, Plaintiff and the Court have been planning to hold this hearing and Plaintiff made significant accommodations to her schedule and employment to attend in person. Defendants' voluntary absence is not a valid ground for postponing the hearing in a proceeding meant

to "provide a summary, extraordinary, and speedy method for the recovery of [the] possession of real estate . . . ." *Callahan*, 45 Ohio St.3d at 55.

#### IV. The requested delay is not for legitimate reasons.

Defendants insist that "their trip is not for leisure," claiming "relocating relatives" as the reason for the trip makes their absence anything other than voluntary. Even so, their stated reason for the trip does not appear to be legitimate, and is contradicted by the documents they filed with the U.S. Citizenship and Immigration Services.

# 1. <u>Defendants are fabricating the reasons for the trip to avoid admitting they lied to the Court in their previous filings.</u>

Defendants have backed themselves into a corner. In their original counterclaim, Defendants claimed that there was an agreement to transfer the property in their name because they could not obtain the financing. Answer & Counter Claim, generally. When Plaintiff's Counsel pointed out Defendants' Counsel that the allegations were nonsensical, since it was a cash purchase, Brief in Opp., Defendants changed their story and tried to amend. In their proposed amendment, Defendants falsely claimed that the Plaintiff induced them "to give up their home, many of their possessions, their business and lives in Russian Federation and move to a foreign country." Def. Reply, at 6, 13.6 Defendants still have all their possessions, their flat (condominium), car, and their business in Russia. To avoid admitting that what they swore to Court earlier about

<sup>&</sup>lt;sup>5</sup> Plaintiff's Brief in Opposition to Defendants' Motion to Amend.

<sup>&</sup>lt;sup>6</sup> Filed September 26, 2023, by Defendants.

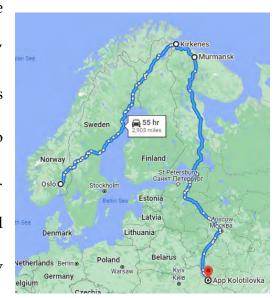
"giving it all up" was a lie, they now spin an increasingly wild tale of a dramatic rescue of previously unheard-of relatives in Ukraine, hoping that tugging at the heartstrings will substitute for evidence.

The evidence is as follows:

- a) Defendants flight tickets filed with this Court show that they are headed nowhere near Ukrainian border.
- b) Representations that Defendants are making to the Court now are directly contradicted by the documents they filed when applying for their permanent residency in this country.
- c) The border between Russia and Ukraine is closed. There is just one entry point, and it allows Ukrainian citizens—and only Ukrainian citizens—to return to Ukraine. Travel in other direction is not possible. U.S. Department of State has issued a No-Travel advisory. Defendant's purported travel destination, according to the documents filed with this Court, is 1,200 miles north of the border crossing. There are about a half-dozen relatives who live much closer to the Ukrainian border, in Moscow region, and are much younger than Defendants, who are 77 years old.
- d) Even if Defendants' statements are taken at face value, Defendants are asking the Court to give them more time so they can violate numerous laws in at least two other countries. Ukraine prohibits Russian citizens from entry (and the Defendants still hold Russian citizenship) and prohibits adult males from leaving the country. Defendants are telling the Court that they want to enter Ukraine and facilitate their niece's husband leaving. Both acts are illegal.

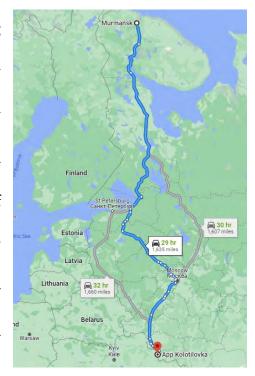
#### 2. <u>Defendants flight plan makes no geographical sense.</u>

Since Defendants are representing to the Court they are "somewhere near Moscow." Objection, fn. 3 at 5. According to the documents they submitted to this Court, Defendants flew to Norway with intent to enter Russia by car. Id., at 4. They first flew to Oslo, Norway, which is located north of Moscow. Oslo is several countries away



and nowhere near the Ukrainian border, which is south of Moscow. The Defendants then flew even further north to Kirkenes, Norway. The nearest city on the Russian side to Kirkenes on the Russian side is Murmansk, Russia, where Defendants resided for decades. It's only about a couple of hours by car or bus from Kirkenes to Murmansk.

In their Objection, Defendants are referencing their flat in Russia (which they told the Court they gave up but are now saying that they merely disconnected the internet in it), which is in Murmansk, Russia. Murmansk is 1,200 miles north of Moscow – and about 1,635 miles north of the one-way border crossing into Ukraine. Flying to the northernmost point in Norway to drive to Russia and then



Ukraine is akin to flying to Detroit from Houston only to then drive into to Tampa. Defendants' travel plan only makes sense if Defendants went home, to their condo, car, business, and other possessions they told the Court they gave up.

# 3. <u>Defendants claimed they had no connections to Ukraine and no living relatives in Ukraine when applying for their permanent residency.</u>

In their Objection, Defendants represent to the Court that "when Slava [Defendant Viacheslav Kovalkov] was born, his mother refused to take care of him and left him in the village where her family lived in Ukraine." <u>Objection</u>, at 4. They represent to the Court that these relatives took care of the Defendant Kovalkov until he was four years old, then his mother "took him to Siberia." <u>Id</u>. Defendants also claim that the Plaintiff was born in Ukraine and that "her grandparents lived and died and were buried in Ukraine."

When Plaintiff filed for permanent residency on the behalf of the Defendants, however, Defendants provided multiple documents and requested that Plaintiff represent to the U.S.C.I.S. on their behalf, the following:

- 1) "Mr. Kovalkov is a citizen of Russia and has lived in Russia since he was about 1 or 2 years old. Although Mr. Kovalkov was born in Ukraine, shortly after his birth, his mother moved Mr. Kovalkov to Russia. He has resided in Russia since then." The letter then encloses Mr. Kovalkov's residence history. Defendants told no story of abandonment then and made no mention of relatives in Ukraine. The letter was sent to U.S.C.I.S. on Defendants' behalf and the emails show that they reviewed and approved of the letter. *See* Exhibit A.
- 2) "Siberia" is a region in Russia East of Ural Mountains. As Defendant's residency history shows, he never lived in Siberia. His mother's documents submitted to the U.S.C.I.S. show that she lived and studied

in Murmansk, Russia, and then in Scheckino, Russia, near Moscow. *See* **Exhibit B**.

- 3) Email from Defendant Larisa Kovalkova mentions Defendant Viacheslav Kovalkov visiting his mother's grave in Scheckino, Russia, not Ukraine. *See* Exhibit C.
- 4) Email from Defendant Larisa Kovalkova shows that her mother's grave is near Murmansk, Russia, not Ukraine. *See* Exhibit **D**.
- 5) Plaintiff's certified and translated copy of her birth certificate sent to her and Defendant Larisa Kovalkova by her brother shows she was born in Murmansk, Russia, not Ukraine. *See* Exhibit E.
- 6) When eight years ago, U.S.C.I.S. scheduled to interview Defendant Larisa Kovalkova in Kiev, Ukraine, instead of Moscow, she asked that Plaintiff plead with the agency to change the location of the interview to Moscow, because she had no ties with Ukraine and travel to Ukraine would be greatly inconvenient for her and physically difficult. It was so important to Defendant Larisa Kovalkova to change the interview location from Kiev to Moscow, that she insisted that Plaintiff send multiple emails for nearly a year until she obtained the desired change in location. See Exhibit F.

#### 4. The border between Russia and Ukraine is closed.

Defendants do not explain to the Court how they plan to enter Ukraine, which has long ago closed borders with Russia, or how they plan to leave:

After Moscow launched its full-scale invasion in February 2022, Ukraine officially closed all its border crossings with Russia and Belarus. . . The small Kolotylivka-Pokrovka border crossing, between Russia's Belgorod region and Ukraine's Sumy region, is the only place where Ukrainians can enter government-controlled Ukrainian territory from Russia. Travel in the opposite direction is not possible.<sup>7</sup>

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<sup>&</sup>lt;sup>7</sup> Akeksander Palikot, 'Without Leaving Home, We Became Foreigners': Ukrainians Escape Russian Occupation Through The Only Open Border Crossing, https://www.rferl.org/a/ukrainians-escape-russian-occuption-border-crossing/32636052.html, Radio Free Europe (Oct. 13, 2023).

Defendants have not renounced their Russian citizenship. They cannot enter Ukraine. The niece's<sup>8</sup> husband cannot leave Ukraine, because Ukraine restricted adult males from leaving.<sup>9</sup> Moreover, U.S. Department of State has issued a Level 4 Travel Advisory for Ukraine – Do Not Travel.<sup>10</sup>

Further contradicting any necessity that Defendants assist with relocating a family member, Defendant Viacheslav Kovalkov has a much younger sister living in Scheckino, Russia. That sister has adult children in their 30s and early 40s, who have their own families. Collectively, that set of relatives lives about 300 miles from the border with Ukraine and is far younger and more able to assist in relocation. Defendants



do not explain why these relatives wouldn't be able to drive six hours to the Ukrainian border instead of Defendants taking a month-long overseas trip.

<sup>&</sup>lt;sup>8</sup> Although Defendants' describe this relative as "a niece," a daughter of Defendant mother's sister would be a cousin.

<sup>&</sup>lt;sup>9</sup> Asha C. Gilbert, *Reports: Ukraine bans all male citizens ages 18 to 60 from leaving the country*, USA Today (Feb. 26, 2022), *available at* https://www.usatoday.com/story/news/world/2022/02/25/russia-invasion-ukraine-bans-male-citizens-leaving/6936471001/.

<sup>10</sup> https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/ukraine-travel-advisory.html

**CONCLUSION** 

The Rules of Civil Procedure and the Ohio Supreme Court precedent contemplate

that the hearing can proceed without the Defendants in the event Defendants' absence is

voluntary. Despite ample notice and opportunity to reschedule their flights - flights

Defendants incorrectly represented to the Court as being impossible to reschedule -

Defendants failed to take any action which would otherwise result in their attendance at

the hearing and refuse to appear remotely. Defendants can clearly communicate with

Counsel regarding the matter, and it must be presumed that appearance via alternative

and/or telecommunication means are feasible. Plaintiff asks this Court deny Defendants

objection, adopt the Magistrate's October 11th Order, and permit the FE&D Hearing on

this matter to move forward.

Respectfully submitted,

/s/: ALEX J. CASTLE

Alex J. Castle (100239)

CASSONE LAW OFFICES, LLC

5086 N. High Street

Columbus, Ohio 43214

Tel: (614) 974-2022

alex@cassonelaw.com

Counsel for Plaintiff

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#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing was filed with the Court and served upon the below parties and or Counsel of record this same day of filing electronically through the Court's CM/ECF System, and electronic mail, pursuant to Civ.R. 5(B)(2)(f).

Andrew J. Ruzicho II (0064024) 118 Graceland Blvd., #307 Columbus, Ohio 43214 Tel: (614) 447-2365

Counsel for Defendants

/s/: ALEX J. CASTLE
Alex J. Castle (100239)
Counsel for Plaintiff



Nadia Stagg <wo



#### **Response to NVC**

2 messages

Nadia Wood <wood0810@gmail.com>
To: Larisa <larisa.kovalkova@gmail.com>

Wed, Jan 13, 2016 at 3:47 PM

About father's documents. (my letter on page 4)



NVC Second Packet.pdf 736K

**Larisa** <a href="mailto:larisa.kovalkova@gmail.com">larisa.kovalkova@gmail.com</a>
To: Nadia Wood <a href="mailto:wood0810@gmail.com">wood0810@gmail.com</a>

Wed, Jan 13, 2016 at 4:25 PM

Received. I read it. Thank you. Well, while they are deciding and thinking what to answer, I will probably already receive this certificate from Ukraine. The only pity is the money because of the stupidity or stubbornness of some official.

Sent from iPad

> Jan 13 2016, at 23:47, Nadia Wood < wood0810@gmail.com > wrote:

> About father's documents. (my letter on page 4)

> About ratner's documents. (my letter on page 4)

>

> < NVC Second Packet.pdf>



Nadia Stagg <wood0810@gmail.com>

#### **Response to NVC**

2 messages

Nadia Wood <wood0810@gmail.com> To: Larisa <larisa.kovalkova@gmail.com>

Wed, Jan 13, 2016 at 3:47 PM

About father's documents. (my letter on page 4)



**NVC Second Packet.pdf** 736K

Larisa < larisa.kovalkova@gmail.com> To: Nadia Wood <wood0810@gmail.com> Wed, Jan 13, 2016 at 4:25 PM

Получила. Прочитала. Спасибо. Ну пока они решают и думают, что ответить я, наверное, уже получу эту справку с Украины. Жаль только денег из- за глупости или упрямства какого то чиновника.

Отправлено с iPad

- > 13 янв. 2016 г., в 23:47, Nadia Wood <wood0810@gmail.com> написал(а):
- > About father's documents. (my letter on page 4)

> < NVC Second Packet.pdf>

# National Visa Center Case Number Barcode Cover Sheet

• You **must** use this cover sheet when you physically submit forms and supporting documents to the NVC. Place a legible copy of this form on the top of each submission and mail to this address:

# National Visa Center ATTN: DR 31 Rochester Avenue, Suite 100 Portsmouth, NH 03801-2914

- **Do not** include any form of electronic media, including CDs and memory cards. If you send electronic media to the NVC, we will return it unopened.
- Send <u>photocopies</u> of your civil documents (e.g., birth certificate). Send an <u>original</u>, signed Form I-864 Affidavit of Support(s).
- Failure to use this cover sheet will delay your visa.
- Use this cover sheet <u>only</u> for the case number indicated below. Information for any other case that you mail in the same package must include the cover sheet for that case.
- **Do not** use this cover sheet if you are submitting forms and supporting documents by email. Instead, follow the directions under "Email processing" on <a href="http://nvc.state.gov/submit">http://nvc.state.gov/enviar/espanol</a> for Spanish.

IR5

MOS2015544013



INSTRUCTIONS FOR: KOVALKOV, VIACHESLAV
^^^^^^
CORRESPONDENCE INSTRUCTIONS:
When responding to the National Visa Center, please include the bar code sheet that came with this letter. Failure to include the bar code sheet may cause a delay in the processing of your case. The bar code sheet should be placed on top of all documents being submitted for this case and mailed to the address provided.
F - PETITIONER BIRTH CERTIFICATE:
Please submit a copy of the petitioner's original birth certificate or a copy of the certified birth document, obtained from the issuing government authority. The original birth certificate must contain the petitioner's place and date of birth and names of both parents. If the birth certificate is a certified copy of the original, it must come from the issuing government authority and it must contain annotation by the issuing government authority indicating that it is an extract from the official records.
If a birth was never officially recorded, or if it is impossible to obtain a birth certificate because records have been destroyed or the appropriate government authority will not issue one, you should obtain a certified statement from the appropriate government authority stating the reason your birth record is not available. Please submit this with secondary evidence of birth. For example, a baptismal certificate that contains the date and place of birth and both parent's names providing the baptism took place shortly after birth; an adoption decree for an adopted child; or an affidavit from a close relative, preferably the applicant's mother, stating the date and place of birth, both parent's names, and the mother's maiden name. An affidavit must be executed before an official authorized to take oaths or affirmations.
Information regarding the procedure for obtaining birth certificates is usually available from the Embassy or Consulate of the country concerned.
All documents not in English or the official language of the country in which the visa will be applied for must be accompanied by a certified translation. Your translation must include a statement signed by the translator that states the following:
<ul><li>Translation is accurate, and</li><li>Translator is competent to translate.</li></ul>
10 - UKRAINE POLICE CERTIFICATE:
Police records are available. Prison Records are not available.

To request the records:

• Submit a written request at the local Department (or Embassy/Consulate if abroad).

For detailed information and a sample in Ukrainian, go to

http://mvs.gov.ua/mvs/control/main/uk/publish/article/736798.

• Bring the original and a copy of a passport document.

Document Name: Names could vary, for e.g. "dovidka", "vytyag z reyestru" followed by the number.

Usually it takes up to 30 days to get the results.

There are no fees for regular processing. Certified Copies are not available. There are no alternate documents and no exceptions.

In order for a police certificate to include all previously used names and surnames, you must specifically state so. You must make sure all these names appear on the police certificate.

Nadia Wood 473 Clotts Rd. Gahanna, OH 43230 (920) 253-6626 Wood0810@gmail.com

Re: NVC Case Number: MOS2015544013

Principal Immigrant: Viacheslav Ivanovich Kovalkov

Supporting Civil Documents

Form: DS-260, Supplemental Documents

January 13, 2016

Dear NVC,

In your letter dated January 12, 2016, you requested that Mr. Kovalkov submit a copy of his birth certificate from Ukraine. It was previously submitted with translations into both Russian and English, on November 30, 2015. I am enclosing it again, with a different translation accompanied by a proper translator's statement. If this is not sufficient, please let me know exactly what is the deficiency in either the certificate or the translation that prevents you from accepting it, so that we may fix it.

You also requested that Mr. Kovalkov provide a Ukrainian police certificate. Mr. Kovalkov is a citizen of Russia and has lived in Russia since he was about 1 or 2 years old. Although Mr. Kovalkov was born in Ukraine, shortly after his birth, his mother moved Mr. Kovalkov to Russia. He has resided in Russia since then. I am enclosing Mr. Kovalkov's residence history he submitted with his visa application. This history shows that since the age of 16, Mr. Kovalkov resided in Russia only, and never in Ukraine. He has never been arrested either, not in Russia as evidenced by his Russian police certificate, and certainly not as an infant in Ukraine. Is Ukrainian police certificate necessary?

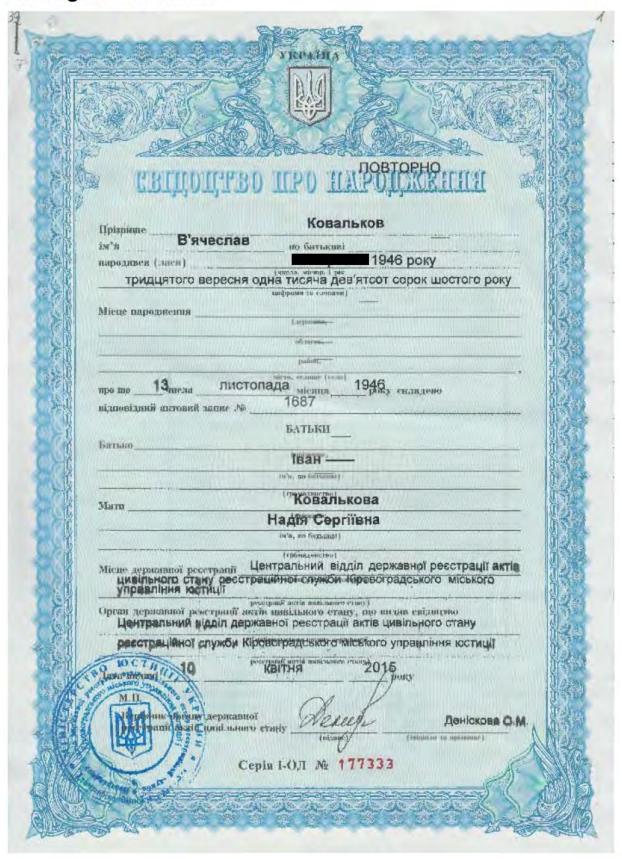
Sincerely,

Nadia Wood, Esq.

MOS2015544013

#### Viacheslav Kovalkov Birth Certificate

Copy of the original in Ukrainian:



#### Translation to English:

			CERTIFICA	TE			
Surname		Kovalkov					
Name	Viacheslav	Patronyn		1046		_	
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and the Marketon	111	in words and figures)					
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Date of issue	April	10	, 2015	5			
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#### Certification of the Translator:

- I, Nadia Wood, certify that:
  - 1. The foregoing translation of the Viacheslav Kovalkov's birth certificate is accurate, and
  - 2. I am competent to translate.

Date: January 13, 2016

Translator: \_\_\_\_\_ (Nadia Wood)



Online Immigrant Visa and Alien Registration Application (DS-260)

Application - Sensitive But Unclassified(SBU)

Case Number:



Confirmation Number:



Name Provided:	KOVALKOV, VIACHESLAV IVANOVICH		
Full Name in Native Language:	КОВАЛЬКОВ ВЯЧЕСЛАВ ИВАНОВИЧ		
Other Names Used:	NO		
Sex:	MALE		
Current Marital Status:	MARRIED		
Date of Birth:	1946		
City of Birth:	NOT APPLICABLE		
State/Province of Birth:	KIROVOGRADSKAYA		
Country/Region of Birth:	UKRAINE		
Country/Region of Origin (Nationality):	RUSSIA		
Document Type:	PASSPORT		
Document ID:	72-4222790		
Country/Authority that Issued Document:	RUSSIA		
Issuance Date:	23 APRIL 2013		
Expiration Date:	23 APRIL 2023		
Do you hold or have you held any nationality other than the one you have indicated above?	NO		
Present Address:	LOMONOSOV STR. HOUSE 5, APP. 17		
City:	MURMANSK		
State/Province:	DOES NOT APPLY		
Postal Zone/ZIP Code:	183032		
Country/Region:	RUSSIA		
From Date:	FEBRUARY 1981		
Have you lived anywhere other than this address since the age of sixteen?	YES		
Previous Address (1):	LOMONOSOV STR. HOUSE 12, APP. 3		
City	MURMANSK		
State/Province:	DOES NOT APPLY		
Postal Zone/ZIP Code:	183032		
Country/Region:	RUSSIA		

 Postal Zone/ZIP Code:
 301212

 Country/Region:
 RUSSIA

 From:
 SEPTEMBER 1962

 To:
 JULY 1964

Primary Phone Number: 011-7-815-2-23-55-65
Secondary Phone Number: 011-7-921-7-25-54-01
Work Phone Number: 011-7-921-7-25-54-01
Email Address: wood0810@gmail.com
Is your Mailing Address the same as your Present Address? NO
Mailing Address: 473 CLOTTS RD

City: GAHANNA
State/Province: OHIO
Postal Zone/ZIP Code: 43230

Country/Region: UNITED STATES OF AMERICA

GAHANNA, OHIO 43230

Permanent Address

Name of person currently living at address:

U.S. Address:

473 CLOTTS

Phone Number: (920)253-6626

Is this address where you want your Permanent Residence Card

YES

Is this address where you want your Permanent Residence Card (Green Card) mailed?

#### **Family Information**

Father's Surnames: DO NOT KNOW

Father's Given Names: IVAN

Date of Birth:

City of Birth:

DO NOT KNOW

State/Province of Birth:

DO NOT KNOW

Country/Region of Birth:

DO NOT KNOW

Is your father still living? NO
Year of death: 1946

Surnames at Birth: SHUNDRINOVA

Mother's Given Names: NADEZHDA SERGEYVNA

Date of Birth: 1922

City of Birth: KIROVOGRAD

State/Province of Birth: KIROVOGRADSKAYA

Country/Region of Birth: UKRAINE

Is your mother still living?

NO

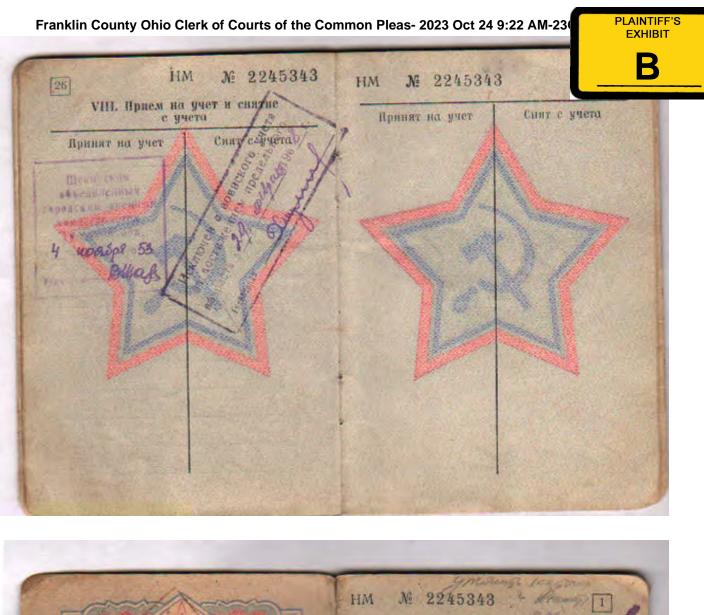
Year of death:

2006

Spouse's Full Name: KOVALKOVA, LARISA PETROVNA

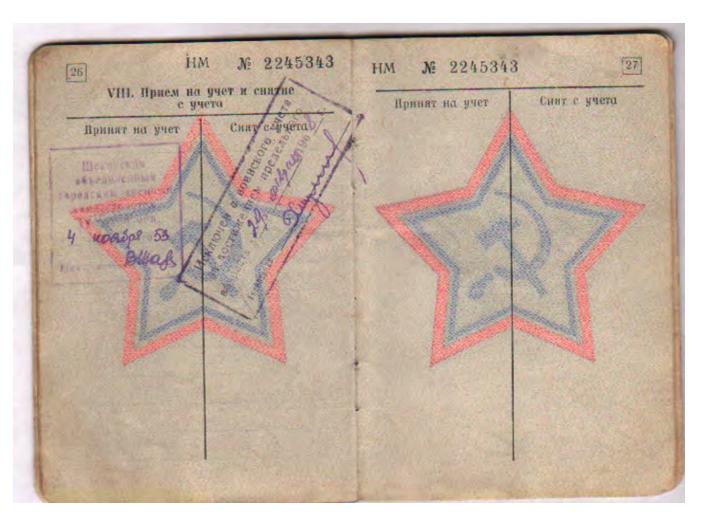
Spouse's Date of Birth: 1946

Spouse's City of Birth: DNEPRODZERZHINSK





8. Призывной комиссией при Восинам комиссириате  2 муртической боласти (республики) признана  3 муртической боласти (республики) признана  4 муртической боласти восиной службе)  призван на действительную военную службу и направлен	12. "10 " августа 19 45 г. на основа Ук. Пред. Верк. Съв Ссер от 23 г. 19 уколен (демобилизован) в запас и направлен К месту назначения обязан прибыть и встать на вы
в часть В спрем 1941 года.	Тотр во нежанопр чести.  18
9	уволен (демобилизован) из Вооровенных Сил воинс частью и направлен К месту визначения обязан прибыть и встать на во
10. ""19тода призван в Вооруженные Силы обмасти (республики)	ский уче <mark>т " " 19 — 19 — 19 — 19 — 19 — 19 — 19 — 19</mark>
м. п. Военный комиссар———————————————————————————————————	уволен (демобилизован) из Вооруженных Сил воинс
11	частью — и направлен — К месту назначения обязан прибыть и встать на во сбий учет " — " — 19
М. П. Восиный комиссар (звание, подпись)	М. П. Командир части







#### Nadia Stagg <wood0810@gmail.com>

#### Documents for visas.

Larisa <a href="mailto:Larisa.kovalkova@gmail.com">Larisa <a href="mailto:Larisa.kovalkova@gmail.com">Larisa <a href="mailto:Larisa.kovalkova@gmail.com">Larisa <a href="mailto:Larisa.kovalkova@gmail.com">Larisa <a href="mailto:Larisa.kovalkova@gmail.com">Larisa <a href="mailto:Larisa.kovalkova@gmail.com">Larisa.kovalkova@gmail.com</a>
To: Nadia Wood <a href="mailto:Nadia">Nadia Wood <a href="mailto:Nadia">Nadia

Tue, May 31, 2016 at 10:54 am

Nadya, a day has passed since I asked you to help finish everything that was not done before. Today, through the visa center, for a lot of money, they made and printed out a page with the address to which the passports will be sent to Murmansk.

But we haven't made two important points and without them going to an interview is pointless. Most likely, tomorrow father will go to Shchekino to visit his mother's grave, and the day after tomorrow we will go home. The visa center lawyer said that we must have the confirmation, that is, the last sheet of the DS 260 application form with barcodes. We don't have that.

We must have the original of your affidavit, we talked about this back in early May. We don't have two important documents, so we're closing this topic.

Sent from iPad



Nadia



Fwd: 21. 10 . 19

Larisa Kovalkova <larisa.kovalkova@gmail.com>
To: Nadia Wood <wood0810@gmail.com>

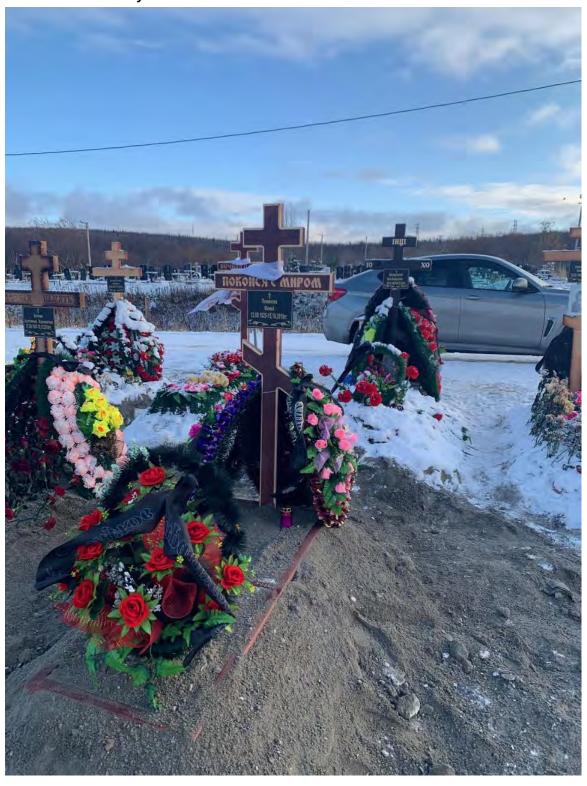
Отправлено с iPad

Начало переадресованного сообщения:

Oт: Vadim Z <katran.trade@gmail.com> Дата: 21 октября 2019 г., 14:09:35 GMT+3 Кому: Larisa Мама Дом <larisa.kovalkova@gmail.com> Тема: 21. 10 . 19

Τι

Franklin County Ohio Clerk of Courts of the Common Pleas- 2023 Oct 24 9:22 AM-23CV004452



Franklin County Ohio Clerk of Courts of the Common Pleas- 2023 Oct 24 9:22 AM-23CV004452



Franklin County Ohio Clerk of Courts of the Common Pleas- 2023 Oct 24 9:22 AM-23CV004452





Nadia Stagg <wood0810@gmail.com>

#### Документы на визы.

**Larisa** <a href="mailto:larisa.kovalkova@gmail.com">larisa.kovalkova@gmail.com</a>
To: Nadia Wood <a href="mailto:wood0810@gmail.com">wood0810@gmail.com</a>

Tue, May 31, 2016 at 10:54 AM

Надя, прошли сутки, как я попросила тебя помочь доделать все, что не сделано раньше. Сегодня через визовый центр за немалые деньги нам сделали и распечатали страницу с адресом, на который будут отправлены в Мурманск паспорта. Но у нас не сделаны два важных пункта и без них идти на собеседование бессмысленно. Скорее всего завтра отец съездит в Щекино на могилу матери, а послезавтра мы уедем домой.

Адвокат визового центра сказал, что у нас должно быть подтверждение , то есть последний лист анкеты DS 260 со штрихкодами. У нас этого нет.

У нас должен быть оригинал твоего афидавита , мы об этом говорили ещё в начале мая. У нас нет двух важных документов, поэтому закрываем тему.

Отправлено с iPad

#### **Nadia Wood**

From: Larisa Kovalkova <larisa.kovalkova@gmail.com>

**Sent:** Thursday, March 19, 2020 6:43 PM

To: Nadia Wood

**Subject:** Fwd: SAS 908 departing terminal TB at 06:55 PM Flight Watcher Alert from OneTravel.com

, And here is another company on which I flew to grandmother's funeral. Also bought through Expedia, but ended up with them. I am such a fool for clicking on their advertisement. It's convenient for Expedia to breed small mongrels and not be responsible for anything.

Sent from iPad

Beginning of forwarded message:

От: OneTravel <<u>noreply@onetravel.com</u>> Дата: 17 октября 2019 г., 15:50:20 GMT+3

Komy: <a href="mailto:larisa.kovalkova@gmail.com">larisa.kovalkova@gmail.com</a>

Тема: SAS 908 departing terminal TB at 06:55 PM Flight Watcher Alert from OneTravel.com





# OneTravel Flight Watcher Flight Monitoring and Email/Text Notification

#### SAS 908 is estimated to depart Newark, NJ (EWR) at 06:55 PM from Terminal B.

Note: Departure times and gate assignments can change multiple times. We recommend you check at the airport before proceeding to the gate.

Hi,

Below is the latest update of your travel plans.

You have arrived at Terminal C, Gate 99
You will depart from Terminal B
Total estimated connection time is 586 minutes.
SAS 908 Flight Detail

Departure: (EWR) Newark, NJ Estimated: **06:55 PM** 

Terminal: B

Arrival: (OSL) Oslo, NO Estimated: **08:20 AM** 

**Travel Summary** 

Booking Confirmation Code: 63866621

Passengers: Kovalkova, Larisa

CMH to OSL

Oct-17-2019

(UA) United Airlines 3428

CMH to EWR

Airline Confirmation Code: JYWEJQ

Depart: **07:11 AM** Arrive: **09:09 AM** 

Ø

Connect in EWR

Estimated Connect Time: 586 minutes

(SK) SAS 908 EWR to OSL

Depart: **06:55 PM**Arrive: **08:20 AM** 

The information presented here as a service to our customers is provided "as is" and no warranties of any type are provided.

If you have any questions, please don't hesitate to contact us at tlc@OneTravel.com or or at 1-800-425-4567

- The OneTravel / Flight Watcher Service Team "Travel the world for less."

#### **Disclaimer**

\* Flight Watcher's text services are subject to the availability of the cellular carrier. Not every carrier can send Flight Watcher text alerts. Additionally, text alerts are not available in every country. Please note that text alerts carry an additional charge, and only Flight Watcher's email alerts fall under the complementary base package.

OneTravel Web Site » OneTravel Mobile Site »Flight Watcher FAQs »Terms and Conditions »

#### **Nadia Wood**

From: Larisa Kovalkova <larisa.kovalkova@gmail.com>

Sent: Thursday, March 19, 2020 6:43 PM

To: Nadia Wood

**Subject:** Fwd: SAS 908 departing terminal TB at 06:55 PM Flight Watcher Alert from OneTravel.com

, А вот ещё одна компания, которой я летала на похороны бабушки. Тоже покупала через Expedia, а оказалась у них. Ну что я дура какая то тыкать пальцем в рекламу. Это удобно экспедии расплодишь мелких шавок и ни за что не отвечать.

Отправлено с iPad

Начало переадресованного сообщения:

**От:** OneTravel <<u>noreply@onetravel.com</u>> **Дата:** 17 октября 2019 г., 15:50:20 GMT+3

Komy: larisa.kovalkova@gmail.com

Тема: SAS 908 departing terminal TB at 06:55 PM Flight Watcher Alert from OneTravel.com





# OneTravel Flight Watcher Flight Monitoring and Email/Text Notification

#### SAS 908 is estimated to depart Newark, NJ (EWR) at 06:55 PM from Terminal B.

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OneTravel Web Site » OneTravel Mobile Site »Flight Watcher FAQs »Terms and Conditions »



Nadia Stagg <wo



#### **Docs**

Katran Trade <katran.trade@gmail.com>

To: Larisa Kovalkova <larisa.kovalkova@gmail.com>, Nadia Wood <wood0810@gmail.com>

Mon, May 26, 2014 at 11:15 AM

#### 2 attachments







Passport No. 43 4667138 was issued on 230395

#### BIRTH CERTIFICATE

Kovalkova

("immanne

Nadezhda Viacheslavovna

name, patronymic)

was born on

1980

(in words and digits: year,

the year nineteen eighty
month and day)

Place of birth: city, village

Murmansk

district

region

epublic RSFSR

n testimony whereof an entry No. 4019

was registered in Civil Status Registry on

the 2<sup>nd</sup> of September 1980

Passport No. 43 0080300 - VI - 1993

was lost

PARENTS:

Father

Kovalkov

(Surname

Viacheslav Ivanovich

name, patronymic)

nationality.

Russian

Mother

Kovalkova

(Surname

Larisa Petrovna

name, patronymic)

nationality

Russian

Place of registration

(name and location of Registry Office)

City Department of Civil Status Registration in Murmansk

Date of issue

02 September 1980

Head of the Civil Registry Office

Signature

Round seal: • EXECUTIVE COMMITTEE OF MURMANSK CITY SOVIET OF PEOPLE'S DEPUTIES \* CIVIL REGISTRY OFFICE \*

I-DP(ДП) No. 422878

Department of Internal Affairs of the city of Murmansk ISSUED PASSPORT Series <u>V-DP(ДП)</u> No. <u>740676</u> 25.06.1996

Перевод с русеного изоско неа анисиления изки воспоинем сесного Лексинось Марией Викторовной ЛВА

Город Мурманск Мурманской области Российской Федерации (России),

две тысячи четырнадцатого года двадцать второго мая.

Я, Машечкина Татьяна Валерьевна, нотариус нотариального округа город Мурманск Мурманской области, свидетельствую подлинность подписи, сделанной переводчиком, ЛЕКСИНОЙ Марией Викторовной. в моем присутствии. Личность ее установлена. In-350

Зарегистрировано в реестре за № Взыскано: 100 руб.

Нотариус

Всего пронумеровано, принце

Всего пронумеровано, прошнуровано и скреплено печатью

два листа.

Нотариус



Город Мурманск Мурманской области Российской Федерации (России). две тысячи четырнадцатого года двадцать третьего мая.

Я, Машечкина Татьяна Валерьевна, нотариус нотариального округа город Мурманск Мурманской области, свидетельствую верность этой копии с подлинником документа.

В последнем подчисток, приписок, зачеркнутых слов и неоговоренных исправлений или каких-либо

особенностей нетома.

Зарегистрировано в реестре за № / / 1 - 357

Взыскано: 30 руб. Нотариус



Nadia Stagg <wo



#### KEV2015544002

Nadia Wood <wood0810@gmail.com>
To: Ask NVC <asknvc@state.gov>

Thu, Nov 5, 2015 at 8:43 AM

Name of the person submitting the inquiry: Nadezhda Wood

NVC case number: KEV2015544002 Petitioner's name: Nadezhda V. Wood

Principal applicant's name and date of birth: Larisa Kovalkova, XIXX, 1946

You have requested additional information before you would reassign my mother's case to the correct embassy. I emailed you repeatedly the requested information, but she is still assigned to Kiev. Please assign her to process in the country of her residence and citizenship, Russia. Attached is her passport showing that she is a citizen of Russia and resides in Murmansk.

- Nadia Wood 920 253 6626

On Sat, Apr 4, 2015 at 8:00 AM, Ask NVC <asknvc@state.gov> wrote:

Dear Sir/Madam:

The National Visa Center (NVC) received your inquiry regarding the immigrant visa petition: KEV2015544002 filed by NADEZHDA V WOOD on behalf of LARISA PETROVNA KOVALKOVA.

We are unable to reassign this case to a different U.S. Embassy/Consulate General without additional information. LARISA PETROVNA KOVALKOVA is eligible to process in one of the following countries:

LARISA PETROVNAKOVALKOVA's country of citizenship

LARISA PETROVNAKOVALKOVA's country of residence (the address and proof of residency must be submitted.)

LARISA PETROVNAKOVALKOVA's country of last residence if he or she is currently residing in the United States

The requested country either does not fall into one of the above categories or insufficient proof of eligibility has been furnished to enable processing in that country.

You may resubmit your request with proof of eligibility to the National Visa Center if you wish to process at the requested U.S. Embassy/Consulate General. Possible proof includes the following: a copy of a government issued document such as birth certificate, valid passport, valid work visa, identity card or landed immigrant card. Please submit the sufficient proof to asknvc@state.gov or to the address below.

National Visa Center

ATTN: WC

31 Rochester Avenue, Suite 200

Portsmouth, NH 03801-2915

This petition is currently assigned to process at the U.S. Embassy/Consulate General in KYIV, UKRAINE. If you are unable to provide sufficient proof, as described above, and still wish to gain approval to process LARISA PETROVNAKOVALKOVA's immigrant visa at a different U.S. Embassy/Consulate General, you must direct your request to the U.S. Embassy/Consulate General where you wish the case to be processed.

#### U.S. Embassy/Consulate General Contact Information:

Please visit www.usembassy.gov to determine the contact information for the U.S. Embassy/Consulate General where you wish to transfer this visa petition. The desired U.S. Embassy/or Consulate General website includes contact information for immigrant visa related inquiries.

#### **IMPORTANT:**

Do not let more than one year pass without contacting the NVC concerning this visa petition. If a period of one year passes from the last date of contact (by telephone, mail, or e-mail) with the NVC, all submitted fees and documents expire. If this occurs, the fees must be paid again and documents must be resubmitted in order to continue the immigration process.

Case Number: KEV2015544002

Petitioner's Name: WOOD, NADEZHDA V

Principal Applicant's Name: KOVALKOVA, LARISA PETROVNA

Preference Category: IR5

Your Priority Date: 14Jul2014

Foreign State Chargeability: UKRAINE

Invoice ID Number: 37529952

U.S. EMBASSY KYIV

4 AIRCRAFT DESIGNER

IGOR SIKORSKY STREET

KYIV, UKRAINE 04112

Lee

National Visa Center

Written Inquiry Unit

FCi Federal

#### NVCInquiry@state.gov

This email is Sensitive but Unclassified based on the definitions provided in 12 FAM 540.

Any information in this transmission pertaining to the issuance or refusal of visas or permits to enter the United States shall be considered confidential under Section 222(f) of the

Immigration and Nationality Act (INA) [8 US C. Section 1202]. Access to and use of such information must be solely for the formulation, amendment, administration, or enforcement of the immigration, nationality, and other laws of the United States under INA 222(f) and as specified in FAM guidance. If you have received such information in error, do not review, retransmit, disclose, disseminate, use, or take any action in reliance upon this information, and contact the sender as soon as possible.

From: Nadia Wood [mailto:wood0810@gmail.com]

Sent: Tuesday, February 17, 2015 8:17 PM

To: Ask NVC

**Subject:** KEV2015544002

NVC case number: KEV2015544002

Principal applicant's name and date of birth: Larisa Kovalkova, July 10, 1946

Petitioner's name: Nadezhda V. Wood

Hello,

I am the petitioner on behalf of my mother, KOVALKOVA Larisa. I received a letter from NVC requesting that she designates agent, pays fees, etc. The letter also states that she will be scheduled for an interview in Kiev, Ukraine. Can that location be changed?

My mother resides in Murmansk, Russia, which is about 2,000 miles north of Kiev, Ukraine. She is a citizen of Russia. Going to Ukraine would be extremely difficult for her, given the state of relations between Russia and Ukraine. She is also nearly 70 years old, travelling that far is getting problematic for her physically. My father, for whom I applied at the same time (NVC Case # MOS2015544013), got the same letter, and his interview will be held at an embassy in Moscow, which makes a lot more sense.

Can you please change my mother's interview location to Moscow, Russia (or even St. Petersburg, if at all possible), or tell me how she or I, as her designated agent, may change her interview location?

Thank you,

Nadia Wood