

STATE OF CONNECTICUT
EAST HAVEN-NORTH HAVEN PROBATE COURT (PD-36)

IN RE [REDACTED]

[REDACTED]

NOVEMBER 21, 2019

**RESPONDENT'S OPPOSITION TO PETITIONER JOHN E. KNUDSEN'S MOTION
FOR ORDER TO COMPEL THE CO-GUARDIANS TO PAY FOR [REDACTED]
[REDACTED]'S CARE**

Respondent A [REDACTED] D [REDACTED], biological father and Court-appointed Guardian of [REDACTED]. D [REDACTED], hereby respectfully objects to the Motion filed by John E. Knudsen to compel [REDACTED]'s Co-Guardians, A [REDACTED] D [REDACTED] and A [REDACTED] D [REDACTED], to pay twenty-eight thousand seven hundred dollars (\$28,700.00) to Mr. Knudsen for [REDACTED]'s full-time care and housing for the past seven (7) months as well to paying at least four thousand one hundred dollars (\$4,100.00) per month for [REDACTED]'s future care. The Co-Guardians owe John E. Knudsen zero (\$0) dollars because he has been appropriately reimbursed and compensated through [REDACTED]'s Social Security payments, the Department of Social Services (hereinafter "DSS"), and the Department of Developmental Services of the State of Connecticut (hereinafter "DDS"). John E. Knudsen's Motion presents an illegal attempt at double-dipping and elder abuse against both A [REDACTED] D [REDACTED] and A [REDACTED] D [REDACTED].

John E. Knudsen is licensed as a Community Companion Home (hereinafter, "CCH"). Thus, he receives one thousand one hundred seventeen dollars and fifty-one cents (\$1,117.51) per month to cover the costs for Room and Board (including utilities), food, and lodging for [REDACTED] from DSS.

John also receives one thousand six hundred thirty-two dollars and thirty-nine cents (\$1,632.39) per month in a Special Support Payment to cover [REDACTED]'s respite needs, mentoring, or any other needs he may have from DDS.

John E. Knudsen's annual allocation from CCH with the inclusion of Room and Board is thirty-two thousand nine hundred ninety-eight dollars and seventy-eight cents (\$32,998.78). Furthermore, [REDACTED] has a personal needs allowance of two hundred seventy-six dollars and sixty-five cents (\$276.65) a month to pay for extras he may want, such as, pizza, movies, recreational activities, etc. For these reasons, Respondent respectfully submits that the Co-Guardians do not owe any payments to John E. Knudsen because he has been fully reimbursed and/or compensated for any expenditures for [REDACTED].

In opposition to John E. Knudsen's Motion, A [REDACTED] D [REDACTED] represents the following:

1. Respondent admits the allegations contained in Paragraph 1.
2. Respondent admits the allegations contained in Paragraph 2.
3. Respondent admits the allegations contained in Paragraph 3.
4. Respondent admits the allegations contained in Paragraph 4.
5. Respondent admits the allegations contained in Paragraph 5.
6. Respondent admits the allegations contained in Paragraph 6 to the extent that the living situations consider the best interests of the ward and do not place the ward at risk of serious harm or death. John E. Knudsen struggles with overeating and unhealthy eating habits. He exposes [REDACTED] to unhealthy foods and large amounts of food.

Unfortunately, due to John E. Knudsen's negligence and/or reckless disregard for [REDACTED]'s wellbeing, [REDACTED] has gained at least one hundred (100) pounds and is at an unhealthy weight. Williams Syndrome causes those affected to

overeat so their eating habits must be monitored. John E. Knudsen is unable to provide appropriate care to [REDACTED] because he suffers from his own eating disorder. The relationship has proven detrimental to [REDACTED] [REDACTED] is only five (5) feet tall and at least three hundred (300) pounds at this point. He must be removed from John E. Knudsen's care and placed on a specific, low calorie diet to control his weight. John E. Knudsen indulges [REDACTED] such that he has become morbidly obese and has developed cellulitis in his legs. This is a very dangerous condition that can lead to sepsis. It is painful and has led to hospitalization. [REDACTED]. [REDACTED] would not have had to be admitted to the hospital if not for John E. Knudsen's reckless indulgence. John E. Knudsen caters to [REDACTED]'s every whim in order to control him and keep him under his care. CCH has located an available placement for [REDACTED] in Meriden, Connecticut. At this placement, case workers will carefully monitor and document [REDACTED]'s health and provide reports to his parents. The carefully created individualized plan is designed to start getting [REDACTED]. [REDACTED] down to a healthier weight to eliminate some of the health issues he is experiencing.

7. Respondent admits the allegations contained in Paragraph 7 to the extent that [REDACTED]
[REDACTED] is the beneficiary of two (2) trusts.
8. Respondent admits the allegations contained in Paragraph 8 as he is a Co-Guardian of [REDACTED] and carries out all fiduciary duties in the best interest of the ward.
9. Respondent denies the allegations contained in Paragraph 9 and further states that such allegation is irrelevant to this matter.

10. Respondent admits the allegations contained in Paragraph 10 to the extent that, at the time, Respondent believed the relationship between John E. Knudsen and [REDACTED] [REDACTED] was in the best interest of the ward. The same is no longer true.
11. Respondent admits the allegations contained in Paragraph 11 to the extent that, at the time, Respondent was not aware John E. Knudsen was licensed as a CCH and received government benefits.
12. Respondent denies the allegations contained in Paragraph 12. Petitioner did not inform Respondent how he used the monies paid by Respondent for [REDACTED] [REDACTED] 's care until they asked, and he was required to provide a statement. John E. Knudsen refused to give A [REDACTED] D [REDACTED] access to [REDACTED] [REDACTED] 's bank account claiming it was linked to his personal account. He refused to unlink the accounts.
13. Respondent denies the allegations contained in Paragraph 13.
14. Respondent cannot admit or deny the allegations in Paragraph 14. John E. Knudsen continued to be compensated by DSS and had received an excess of approximately twenty-thousand dollars (\$20,000.00) from A [REDACTED] D [REDACTED] over what he would have been paid by A [REDACTED] D [REDACTED].
15. Respondent admits the allegations contained in Paragraph 15 to the extent that, at the time, Respondent was not aware John E. Knudsen was licensed as a CCH and received government benefits.
16. Respondent denies the allegations contained in Paragraph 16.
17. Respondent admits the allegations contained in Paragraph 17 to the extent that the relationship became damaged. However, the relationship became damaged due to John

E. Knudsen's attempts to take advantage of [REDACTED]l, A [REDACTED]D [REDACTED] and A [REDACTED]D [REDACTED].

18. Respondent admits the allegations contained in Paragraph 18.
19. Respondent denies the allegations contained in Paragraph 19. In 2014, John E. Knudsen was paid a bonus of two thousand dollars (\$2,000.00). He received a raise to forty thousand dollars (\$40,000.00) per year during late 2014/early 2015. He received birthday bonuses of one thousand dollars (\$1,000.00) in 2015 and 2016.
20. Respondent admits the allegations contained in Paragraph 20. The relationship degraded because John E. Knudsen continued a pattern of abusive and inappropriate behavior toward A [REDACTED] D [REDACTED] and did not care for [REDACTED] appropriately. When A [REDACTED] D [REDACTED] raised issues regarding [REDACTED]'s care or visitation, John E. Knudsen became belligerent. John E. Knudsen behaved inappropriately toward A [REDACTED] D [REDACTED] including making inappropriate demand for money and did not supervise [REDACTED] [REDACTED] appropriately.
21. Respondent admits the allegations contained in Paragraph 21 to the extent that Respondent was advised he did not owe any additional funds to John E. Knudsen since he was being appropriately compensated by the State of Connecticut.
22. Respondent leaves Petitioner to his proofs regarding the allegations contained in Paragraph 22.
23. Respondent leaves Petitioner to his proofs regarding the allegations contained in Paragraph 23.
24. Respondent leaves Petitioner to his proofs regarding the allegations contained in Paragraph 24.