

NORTH CAROLINA

WAKE COUNTY

FILED
IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO: 08CvD 12310

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

v.

BRADLEY COOPER,
Defendant,

BY _____
AFFIDAVIT OF
BRADLEY COOPER

NOW COMES the undersigned Affiant, being first duly sworn, and says the following:

- 1) My name is Bradley Cooper. I am thirty-four (34) years old. I am a systems engineer and I currently reside on Wallsburg Court in Cary, North Carolina. I am competent to testify in this action.
- 2) I am the biological father of Isabella "Bella" Cooper and Gabriella "Katie" Cooper.
- 3) Bella is four years old, and Katie just turned two years old.
- 4) Bella and Katie are United States citizens and have lived with me in Wake County all of their lives
- 5) Nancy and I are both Canadian citizens.
- 6) We moved to the United States to have a better life and more opportunities for ourselves and our children.
- 7) I am a legal resident. I have an H1B Visa and am in the process of obtaining my permanent residency.
- 8) Nancy was here as my wife. She did not have a work Visa and was not allowed to work in the United States.
- 9) I have lived in Wake County for the past eight years.
- 10) I am employed full-time by Cisco Systems where I have worked for eight years.
- 11) My work schedule is flexible, which allows me to be at home with Bella and Katie in the mornings, feed them breakfast, get them dressed, and drive them to pre-school before going to work.
- 12) Nancy and I shared in the daily care of our children.

- 13) I changed countless diapers, prepared lots of bottles, washed many loads of soiled clothing, and contributed in every way possible to their care.
- 14) Nancy was the girls' primary caregiver during the days while I worked, but I would care for them while Nancy jogged in the mornings or when she went out with friends in the evenings when I got home from work.
- 15) On a normal weekday, Nancy and I would get up early. Nancy would go out for her morning jog and I would take care of Katie and Bella until Nancy came back. Then I would go to work.
- 16) On a normal weekday, I would typically arrive home from work between 4:30 P.M. and 6:00 P.M., help feed the children dinner, play with them and talk about their day at pre-school, help them bathe and dress in their pajamas, change Katie's diaper, read them stories, feed Katie a bottle of milk, and put them to bed for the night.
- 17) On weekends, we frequently had "mommy's day off" and I would care for the girls all day while Nancy spent time with friends or shopping.
- 18) I have the option of working from home, so I can be home with the girls all day when they need me.
- 19) The pre-school they attend, Triangle Academy, is less than 10 minutes from our home, and many of the children's friends from the neighborhood attend there.
- 20) Bella has play-dates and goes to parties with many of her friends from the neighborhood and pre-school.
- 21) I provide the girls with healthy, well-balanced meals for breakfast, lunch and dinner, when they are home with me.
- 22) On weekends, I would take the girls to feed the ducks at Lochmere Lake or go swimming if the weather was suitable.
- 23) I would take the girls to the Life and Science Museum in Durham, the Raleigh History Museum, and street festivals.
- 24) I would also play games at home with them, including with their Barbies or dolls. NAME was present on at least one of these occasions.
- 25) I read to the girls every day. One of their favorites is a caterpillar book where they look for the caterpillars on the pages and count them.
- 26) Nancy and I wore full body costumes of Winnie the Pooh characters for Halloween and Easter. I was Eeyore. I even took the girls paddle-boating while wearing the costume at Easter. They loved it.
- 27) I frequently pick up groceries or run out to the store for milk or juice in the mornings before work, or in the evenings when we are running low on any items.
- 28) I buy clothing and shoes when the girls need them or just because I want the girls to have something in particular.

- 29) I sometimes "treat" the girls to a special lunch with Daddy from Chick-fil-a, a favorite of theirs.
- 30) The girls take a bath most nights, and I help them to brush their teeth.
- 31) Bella and Katie share a bedroom, but they each have their own beds.
- 32) When Katie is fussy, Bella comes into my room and snuggles with me until she falls asleep.
- 33) Bella and Katie are patients of Dr. Seidel at Cary Pediatrics.
- 34) Nancy would usually take the girls to their doctor appointments while I was at work, but she would discuss with me the appointments and any treatments needed for the girls, and we would make decisions together concerning the girls' health and welfare.
- 35) I have taken the girls to some of their doctor's appointments and have met their doctor.
- 36) I am aware of all the girls' special needs, and I ensure my home environment meets their doctor's recommendations.
- 37) Nancy and I had two dogs. When Katie was diagnosed with an allergy to animals, we found another home for our dogs and gave them up.
- 38) I make sure the girls take any prescriptions or medicines when the doctor recommends them.
- 39) Staying home with either of the girls when one has become sick has not created a problem with my employment.
- 40) I helped with the laundry, cleaning and household chores.
- 41) Nancy sometimes referred to me as "Superdad."
- 42) Nancy usually dropped off and picked Bella and Katie up from pre-school, but I occasionally dropped them off to pre-school.
- 43) Bella goes to pre-school three days a week, for four or five hours a day. She will soon be five years old and will join the age group that attends five days a week.
- 44) Katie has just recently begun attending pre-school and has completed a few trial weeks at three days a week for a few hours a day.
- 45) I have met with their teachers.
- 46) Bella likes her pre-school and her daycare teachers.
- 47) Katie loves pre-school, and enjoys the time learning to play with the other children. It makes her feel like a "big girl" like her sister.
- 48) Bella gets along with the other children in the pre-school very well.
- 49) I help Bella and Katie learn and develop their skills by reading to them and playing games that encourage thinking and creativity. I have taken them to the Life and Science Museum in Durham to see the butterflies and other science and animal exhibits.
- 50) I let Bella watch some television, such as Dora the Explorer, however I don't let her watch too much. I would rather she play with her toys, draw, or play with friends.

- 51) Bella often has E.M., A.M. and C.D., neighborhood friends, over to play or we will take her over to their houses to play.
- 52) Bella does not often act out or need correction, but when she does, I discipline her using time-out for a few minutes. Usually, just a simple warning asking her to stop is enough.
- 53) ~~Katie is too young for time-out, I encourage her to behave by praising good behavior or distracting her with another, appropriate object to play with. If something will hurt her, I tell her "no" and "hot" firmly and move her away or put the object out of her sight and reach. Our house has been appropriately "child-proofed" since Bella was born, so anything that could hurt her is not at her level.~~
- 54) Bella and Katie usually have birthday parties with the neighbors and their friends. I liked helping Nancy plan and prepare for them.
- 55) For Bella's last birthday, I took her horseback riding at Deadbroke Farm as a special Father/Daughter day. She loved it.
- 56) I love my children very much and have tried to protect them from being publically shown in the media. They are too young to understand the tragedy of their mother's death and all the cameras and people are confusing to them.
- 57) I tell my daughters "I love you" many times a day. We hug and kiss and Bella says "I love you" to me.
- 58) Three years ago, I made a mistake while married to Nancy. I had a single indiscretion and slept with another woman one time.
- 59) I tried to hide it from Nancy because I worried what it would do to our marriage and I deeply regretted (and still regret) that it happened.
- 60) Nancy suspected and our marriage began to deteriorate, nevertheless.
- 61) Nancy and I have not been physically intimate since we conceived Katie, two and a half years ago.
- 62) Last year, Nancy and I decided to get marriage counseling to work on our relationship.
- 63) I researched and found a marriage counselor and scheduled an appointment.
- 64) I admitted to Nancy my indiscretion, and we resolved to work on our relationship to try to get past it.
- 65) Nancy admitted that she also had an extra-marital relationship while married to me, four years ago before Bella was born. Nancy insisted that she did nothing wrong, that her relationship with the other man only happened once, it wasn't sexual, and that no one even knew his name.
- 66) Up to January 2008, I was attending classes after work two or three days a week, trying to improve my earning potential. Nancy encouraged me to get my MBA so I could earn more money and we could provide advantages for our girls.

- 67) Nancy did not want to work and enjoyed being a stay-at-home mom.
- 68) Nancy and I shared a love for fitness. I trained and participated in Triathlons, and Nancy was training for a half-marathon.
- 69) Around January 2008, after Nancy and I discovered that our marriage was at stake, I dropped my extra activities and evening workouts so that I could come home directly from work and spend time with Nancy, give her a break from the girls, and help her more around the house.
- 70) I loved Nancy very much and I wanted to stay married to her.
- 71) We also discussed our family finances and tried to set a budget.
- 72) Nancy liked to buy \$8,000.00 paintings, designer clothing, Tiffany jewelry and to drink \$15.00 to \$20.00 bottles of wine.
- 73) Last Christmas, she purchased a \$1,200.00 Louis Vuitton laptop case for me, but I asked her to return it.
- 74) Status was important to Nancy and I indulged her too much.
- 75) In October 2007, she wanted a \$3,000.00 diamond pendant, and I agreed she could buy it.
- 76) When we needed a new car, Nancy wanted a BMW X5 with all the options. I wanted her to have the safest car since she would have the children during the day, so I drove her old car and we got her the BMW X5 she wanted.
- 77) We resolved to curb our spending because we were so badly in debt. Because of Nancy's spending habits, our credit card debt had reached approximately \$45,000.
- 78) Our credit card debt was unmanageable, and Nancy could not control her shopping sprees.
- 79) I reasoned that if Nancy had cash to spend rather than a credit card, she would be better able to stick to our family budget and consider the prices of the purchases she was making.
- 80) I always paid our mortgage, equity line, car payments, insurance, utilities, cable/internet bills, cell phone bills, pre-school tuition, and our membership to Lifetime Fitness every month.
- 81) After paying our regular bills, I gave Nancy approximately eighty percent (80%) of the remaining money from our monthly income (my paycheck) for household needs and groceries, gas, and for her to spend on herself or going out with friends. This was at least \$300.00 a week or \$1200.00 cash a month.
- 82) The remaining twenty percent (20%) I used to pay credit cards, gas, get lunch during work, and pick up miscellaneous groceries, gifts, sometimes extra shoes or clothes for the girls, and anything else Nancy asked me to pick up.
- 83) Nancy began going out with her friends every night as soon as I returned home from work.

- 84) She complained that the \$1200.00 per month was not enough, and I would give her more, if we had more available.
- 85) Nancy frequently spent up to five or six hours away from home at a time without letting me know where she was.
- 86) She would stay out from around 6:00 P.M. until sometimes 2:00 A.M.
- 87) Nancy's attorney, Alice Stubbs, prepared a separation agreement in April 2008.
- 88) Nancy gave me that agreement, but we have not separated or signed the agreement.
- 89) In the agreement, Nancy and her attorney agreed that I was a fit and proper parent to have the care, custody and control of the children. (*see separation agreement, attached hereto and included herein by reference*)
- 90) Nancy and her attorney wanted me to have joint legal custody of the girls and to share in the physical custody with Nancy. (*see separation agreement, attached hereto and included herein by reference*)
- 91) Nancy and her attorney wanted me to share in all of the child-rearing decisions for the girls. (*see separation agreement, attached hereto and included herein by reference*)
- 92) Nancy and her attorney wanted me to have custody of the girls every other weekend and for summer vacations. (*see separation agreement, attached hereto and included herein by reference*)
- 93) Nancy and her attorney included a provision in the separation agreement taking into account the possibility that Nancy and I reconciled after signing the agreement and decided to stay together. (*see separation agreement, attached hereto and included herein by reference*)
- 94) Nancy told me that her attorney, Alice Stubbs, advised her to take the children to Canada outside of the jurisdiction of Wake County and the United States, because she could get a better result in a custody action there if we could not agree on the separation agreement.
- 95) I noticed Nancy had placed Bella's and Katie's passports in the car, and I removed them from the car and suggested that Nancy and I each keep one.
- 96) Every morning since Nancy's disappearance until the Plaintiffs filed this *ex parte* action, I fed Bella and Katie breakfast, got them dressed and spent time with them. Usually in the afternoon, they would spend some time with family, or with friends they knew who had children, and the girls would play for a few hours.
- 97) The children and I left our home for a short time to give full access to the police and investigators and to avoid the press.
- 98) We spent the night with a friend and his family to avoid Bella and Katie being confused about investigators at our home.
- 99) Bella regularly plays with my friend's son and both girls are familiar with him and his children.

- 100) I sheltered my daughters from the media and from the circumstances surrounding Nancy's disappearance and death at every opportunity.
- 101) Nancy and my friends and neighbors, whom Bella and Katie knew and trusted, offered to watch the girls for a few hours each day while I joined the searches for my wife or assisted the police with the investigations.
- 102) I asked a neighbor for assistance with the girls so I could give a media interview and provided pictures in the hopes that the media exposure about Nancy's disappearance would help find her.
- 103) I am very grateful for their help.
- 104) I kept the children around friends, family, and neighbors they knew and with whom they were familiar, kept them away from the disturbing environment surrounding their mother's disappearance and death, and did my best to maintain their routines considering the circumstances.
- 105) Each night I picked up the girls and followed their night-time routines.
- 106) I regret that the Plaintiffs are using Bella and Katie as a tool to try to hurt me.
- 107) I do not support the Plaintiffs holding press conferences to talk about Bella and Katie and to describe their personalities to millions of strangers.
- 108) I do not support the Plaintiffs inviting strangers to photograph or videotape Bella and Katie while attending their mother's memorial service and do not understand what is happening.
- 109) I do not support the Plaintiffs announcing during a publicized press conference to the public at large that my children are in mental health counseling.
- 110) I regret that I couldn't even attend my wife's memorial service for fear that it would detract from the focus on Nancy and cause tension with her parents. As a result, I will have to have my own private memorial with friends.
- 111) Before the emergency custody motion, I consulted with two therapists about how best to help Bella and Katie with the loss of their mother.
- 112) I plan to continue with their therapy and counseling, however it is inappropriate for Plaintiffs to have openly discussed my daughters' mental health during a press conference.
- 113) Nancy also would not have approved of Plaintiffs' actions.
- 114) Unlike the Plaintiffs, I sheltered Bella and Katie from the horrors of this ordeal.
- 115) Bella and Katie do not have a strong bond with the Plaintiffs.
- 116) Bella and Katie have always been with Nancy when visiting with the Plaintiffs.

- 117) The girls and Nancy only spent two or three weeks visiting with Garry and Donna Rentz approximately twice a year, sometimes three times a year.
- 118) Donna has had as many as seven major car accidents and at one time, could not get car insurance. Donna has fallen asleep at the wheel on at least two occasions.
- 119) Jill, Donna's other daughter, was reluctant to allow Donna to care for Jill's children because Jill does not want her children in the car with Donna.
- 120) Donna would not be a fit caretaker for Bella and Katie because she is not a safe or reliable driver in case of an emergency.
- 121) Bella and Katie have only seen Krista three times in the last two years.
- 122) Bella remembers Krista, but Katie hardly knows her.
- 123) Nancy had Crohn's disease. Krista, her twin sister, also has Crohn's disease.
- 124) Crohn's disease effects a person's digestive system.
- 125) Krista's Crohn's disease is much more severe than Nancy's. Krista has had much of her small and large intestines removed and has spent significant time in the hospital because of the severity of her condition.
- 126) Krista's poor health will negatively affect her ability to care for Bella and Katie because of her frequent hospitalization.
- 127) Additionally, Donna and Garry Rentz and Jim and Krista Lister all have dogs and have had them for years. Katie is allergic to dogs and her health would be negatively affected.
- 128) The Plaintiffs asked to spend time with Bella and Katie when they arrived here from Canada, and offered to watch them.
- 129) I was happy to have their help and the girls visited with them for a few hours.
- 130) Plaintiffs had never even asked me if I would mind if they took Bella and Katie to a memorial service in Canada.
- 131) I never refused to allow the Plaintiffs to visit with the girls.
- 132) In fact, I was bringing the girls to meet with them and visit with them at Bullwinkle's on July 16, 2008 when I was served with the Ex Parte Order removing them from my custody.
- 133) The Plaintiffs never came. Instead, approximately seven or eight police officers came. They were strangers to the girls.
- 134) Bella was frightened and cried. I tried to calm Bella down and told them they would be going on a fun vacation, once I understood what was happening and the police explained to me what the Plaintiffs had done.
- 135) Bella refused to let go of me. Her arms were wrapped around my neck and her legs were around my waist. The police officers had to pry her from me while she screamed and cried.

- 136) I tried not to show my own feelings while the girls were there because I did not want to upset them further.
- 137) Bella and Katie would not have gone through that trauma if the Plaintiffs had simply come to get the girls themselves. We had already planned for them to visit with the girls. They could have handled it without causing a scene and I could have provided better for the girls needs and given them clothes, their favorite toys and their medicines.
- 138) There was no reason for the Plaintiffs to force Bella and Katie to be with them through so much distress.
- 139) The Plaintiffs clearly were not considering the girls' best interests in how they handled getting custody of the girls.
- 140) The Plaintiffs have publically announced during a press conference that they intend to take Bella and Katie to Canada, outside of the jurisdiction of Wake County and North Carolina courts.
- 141) I do not agree with the Plaintiffs' statements during their press conference that Krista should try to replace Nancy for Bella and Katie because she is an identical twin. This will confuse Bella and Katie.
- 142) Plaintiffs have asked for and I have given to them Nancy's hat, sunglasses, and jewelry. If they intend to have Krista wear them around the children, this would confuse Bella and Katie and would dishonor Nancy's memory.
- 143) I have never raised my voice or been abusive or neglectful in any way to my children.
- 144) The Department of Social Services has never been contacted or been involved with my children, me or my family.
- 145) The police have never been called about any disturbances at my home.
- 146) There have never been any actions against me or involving me for domestic violence of any kind.
- 147) I do not have any criminal record whatsoever.
- 148) I am not a suspect or even a "person of interest" regarding the death of my wife.
- 149) I have cooperated with the police and investigation of my wife's death in every way.
- 150) I have opened my home, my cars, my personal belongings and those of my wife, and my own body for police investigative purposes.
- 151) I have answered every question the police asked me.
- 152) I have never emotionally or physically abused my wife. I have never belittled her in private or in the presence of others.
- 153) I have never refused to give my wife money to buy groceries, clothing and anything else she needed or wanted, as long as we could afford it.
- 154) If Plaintiffs gave or lent Nancy money, she used it for items that we could not afford to buy.

- 155) Nancy and I did have arguments. We rarely had them in front of the children and usually did not yell at each other.
- 156) We did have one very heated argument around February 2008. Both Nancy and I were yelling at each other. Our neighbor came and offered to take Bella and Katie outside. Nancy and I were embarrassed.
- 157) Other than that one time, I do not remember Nancy and me arguing around the children.
- 158) I have never attempted or threatened to commit suicide. Not as a teenager, and not in the "winter of 2008."
- 159) I have never been prescribed or taken any medication for emotional or mental health.
- 160) I have never been in a mental health facility.
- 161) Aside from marriage counseling and recently to get advice on how to help my daughters and tell them about their mother's death, I have never had any therapy or mental health counseling.
- 162) I will provide for the mental health of my children in coping with the loss of their mother.
- 163) I am neither mentally nor emotionally unstable.
- 164) I will continue to keep the girls' routines at home and at pre-school, and I will keep them around the people they know and love.
- 165) The night before Nancy disappeared, we attended a neighbor's BBQ party. I socialized with some of the neighbors and mostly kept Bella and Katie occupied. We all walked home around 8:00 P.M. to put the children to bed. I stayed home with them. Nancy remained at the BBQ. She came home after midnight.
- 166) The next morning, on July 12, 2008, I went to Harris Teeter to buy milk for Katie at around 6:15 A.M. and went back home.
- 167) I started to get ready for the girls to get up and noticed we were out of laundry detergent and could not do laundry, so Nancy asked me to go back out to get some laundry detergent at around 6:30 A.M.
- 168) Nancy called me from home on my cell phone at 6:40 A.M. and asked me to also get some juice for Bella.
- 169) At 6:45 A.M., well after dawn, I purchased a bottle of Tide, high efficiency standard laundry detergent and juice at Harris Teeter at Waverly Place and headed for home. The detergent I purchased did not include bleach. I did not purchase bleach.
- 170) Nancy left for her run around 7:00 A.M.
- 171) She usually ran with her friend, Carrie, who lives in a condo a few minutes from our house. Sometimes, Nancy drove over to Carrie's condo or meet her where they planned to run that day; sometimes Carrie came over to our house and picked up Nancy. Sometimes Nancy just ran on her own.

- 172) Nancy ran a variety of routes.
- 173) When she left from the house to run, Nancy did not carry her keys.
- 174) She never ran carrying her cell phone.
- 175) The day before, Carrie was supposed to pick Nancy up at 5:45 A.M. and they were to have a long run around Umstead Park, but Carrie cancelled.
- 176) I had plans to play a tennis match at 9:30 A.M. I called my friend at 9:15 A.M. to tell him that Nancy wasn't back yet and I had to postpone because I was watching the girls. I called him later and cancelled our match because Nancy still wasn't back.
- 177) It was not unusual for Nancy to stop by to get coffee or even to spend all day in her work-out clothes. She called those "stink days."
- 178) Between 10 A.M. and 10:30 A.M. Nancy's friend Hannah Prichard called for Nancy. I told her Nancy was not home yet, but was probably having coffee with friends. I said I would have Nancy call her when she got home.
- 179) Between 10:45 A.M. and 11:00 A.M., Jessica Adam called asking for Nancy. I said Nancy was around an hour late and she may be getting coffee.
- 180) At noon, I began to get worried. I began calling Nancy's friends to see if Nancy was with them and to ask if anyone had Carrie's phone number to see if Nancy went running with her. Neither Hannah nor Jessica nor anyone else I could contact knew Carrie's phone number nor her last name.
- 181) By 1:00 P.M., I was very concerned about Nancy not coming home. I fed Bella and Katie lunch, dressed them, and put them in the car. We drove around looking for Nancy at the places she usually goes.
- 182) I drove around Lochmere neighborhood, around the lake, up by Regency Park, around Lake Johnson, and went into Lifetime Fitness and asked the woman at the members' service desk if Nancy had checked in. She had not.
- 183) I drove to where Carrie's condo was located and looked for Carrie's car. I was not sure which condo was Carrie's and did not see her car there.
- 184) It was around 3:00 P.M. and I was very worried now. I had exhausted all avenues and could not find Nancy.
- 185) It was then I received a call from the police and returned home.
- 186) I had been about to call the police myself to report her missing. I had exhausted all avenues of locating her and believed that she was truly missing and not just with one of her friends.
- 187) Once I knew the police had been called, there was no longer any point in my calling them again.

- 188) I thought police would not enter a missing persons report until the person has been gone for 24 hours.
- 189) I did not participate in the search over the weekend because the police expressly told me I could best help by staying home in case Nancy called or returned home, or in case anyone with information called the house. They said that if I searched, I would be hindering the investigation.
- 190) I did not call Nancy's family because I was focused on helping the police find Nancy by answering their questions. I asked her friends to help by calling my family and Nancy's to keep them updated on what was happening.
- 191) Plaintiffs have wrenched Bella and Katie from the only stable, familiar caregiver and environment they know.
- 192) They lost their mother and Plaintiffs have taken them from their father and their home.
- 193) The media and press have not been to our home for days.
- 194) I visited with Bella and Katie on Saturday, July 19, 2008 for a few hours. Bella and Katie both ran up to me. They were smiling and happy to see me.
- 195) I had to tell Bella about her mommy, following the advice from a child psychologist, because they were going to Nancy's memorial service. Bella became upset and did not want to listen.
- 196) Except for Donna, who works part-time and should not be left alone with the children because of her driving, all the other Plaintiffs work full-time.
- 197) Bella and Katie will be put into an unfamiliar daycare facility in Canada. They will not have their routines, their familiar friends, teachers, or familiar surroundings.
- 198) Bella and Katie need the love and stability only their father and their home can provide.
- 199) I truly believe that it is in the best interests of my daughters that they be returned to my care and custody.