HORACK•TALLEY

ATTORNEYS AT LAW





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Fantasia is doing much better today. She has a good track record of overcoming adversity. This too will pass. I just hope she can get a couple of days rest and peace before she gets back to work.

Unless you have been there, you cannot appreciate how intimidating and overwhelming domestic litigation can be. It is brutal for everyone involved.

To make it worse, here in NC we have some archaic domestic laws. We have a 12 month waiting period before you can file for divorce, which means that even after marriages are "over" in the eyes of one of both of the parties, they have to wait a year to begin the process of obtaining a divorce. There are only about 8 states that make you wait that long for a no-fault divorce (which is the only kind we have in NC).

We also still have alienation of affection and criminal conversation ("heartbalm torts") where a wife can sue a third party for having a relationship with her husband. Only about 7 states still have heartbalm torts.

These torts don't soothe anybody's heart. The heartbalm torts arise out of the notion that women were once property that could be stolen like televisions. It is a comical irony that in 2010 women can sue women for stealing husbands.

The people who think these claims protect marriages and families have never sat through a trial. They make hurt people more hurt.

Fantasia has been named as a witness in the Cooks' domestic case in connection with Mrs. Cook's claim for spousal support from Mr. Cook.

Fantasia has not yet been sued for alienation of affection or criminal conversation. For the sake of everybody involved, I hope she is not sued because she did not break up the Cooks' marriage.

However, if Mrs. Cook does make the headline-seeking decision to sue Fantasia for alienation of affection and/or criminal conversation, rest assured we will vigorously defend her.

I hope the Cooks are able to resolve their domestic case in a civilized and dignified manner where they both put their boys first.

Very truly yours,

HORACK TALLEY PHARR & LOWNDES, P.A.

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