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THE HONORABLE MONICA BENTON

THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

DIANE ARMESTO, a single woman;

Plaintiff,

v.

PARRIS ANDREA ROSOLINO, fka PARRIS  
ANDREA TILTON, fka PARRIS ANDREA  
LORING, a single woman.

Defendant.

No. 11-2-23405-3 SEA

**PERMANENT INJUNCTION**

**Noted: April 14, 2015 at 1:00 p.m.  
With Oral Argument**

This Court has considered Plaintiff's Renewed Motion for Permanent Injunction, and  
the following:

1. Plaintiff's Renewed Motion for Permanent Injunction;
2. The Affidavit of Judith Neff and attached exhibits;
3. The Declaration of Paul E. Fogarty and attached exhibits;
4. Defendant's Opposition to Plaintiff's Renewed Motion for Permanent Injunction;

1 5. The Amended Declaration of Parris Andrea Rosolino in Opposition to Permanent  
2 Injunction and attached exhibits;

3 6. The Reply Declaration of Paul E. Fogarty RE Plaintiff's Renewed Motion for  
4 Permanent Injunction including attached exhibits; and

5 Having heard oral argument by the parties the Court also incorporates into this  
6 permanent injunction its Order Granting Plaintiff's Renewed CR 37 Motion to Strike  
7 Defendant's Testimony for Violations of Discovery Orders and Granting Plaintiff's Motion for  
8 Partial Summary Judgment dated June 1, 2015 ("Order") and the Opinion of the Court of  
9 Appeals dated July 7, 2014 ("Opinion").

10 **A. FINDINGS OF FACT**

11 In granting Plaintiff's Renewed Motion for Permanent Injunction, and to support the  
12 Court's injunctive relief, the Court makes the following findings:

13 **1. Background Facts**

14 Frank Rosolino was a famous jazz trombonist in the 1950s to 1970s. Order at ¶1. In 1978,  
15 Frank Rosolino shot his sons, Justin and Jason, and then committed suicide. *Id.* at ¶2. Frank  
16 Rosolino left a will appointing Plaintiff Diane Armesto ("Plaintiff") as executrix of his estate and  
17 bequeathed gifts to Plaintiff and Frank Rosolino's two sons, Jason and Justin. *Id.* at ¶3. The will  
18 expressly disinherited others, as *well* as those not specifically named, including Defendant  
19 Parris Andrea Rosolino, fka Parris Andrea Tilton, fka Parris Andrea Loring ("Defendant"). *Id.*

20 **2. Defendant's scheme to steal from Frank Rosolino's estate and defame plaintiff.**

21 In order to steal from Frank Rosolino's estate, Defendant posed as Frank Rosolino's  
22 biological daughter and an heir to Frank Rosolino's estate. See Order at ¶4.

23 Defendant filed for bankruptcy protections in 2004. Order at ¶6. Also, during the same  
24 time, Defendant began to threaten Plaintiff who had objected to Defendant's scheme. See *id.*  
25 On June 5, 2005, Defendant contacted Plaintiff by email, stating that Plaintiff shot Frank  
26 Rosolino and the two children, fabricated the will, and told Plaintiff that she was "going to

1 hell." *Id.* On May 10, 2006, Defendant contacted Plaintiff again by email, accusing her again of  
2 the murders and stating, "You are going to get what is coming to you." *Id.*

3 In June of 2007, Plaintiff received a contract from BMI (a music company) wherein  
4 Defendant was attempting to access the royalties for the music of Frank Rosolino. *Id.* at ¶7.  
5 Knowing Defendant was not Frank Rosolino's daughter, neither genetically, nor by adoption,  
6 and that she was also not an heir according to Frank Rosolino's will, Plaintiff contacted and  
7 informed BMI that she would not sign the contract. *Id.* Then, in July 2007, Defendant  
8 contacted Plaintiff by telephone and attempted to force Plaintiff to sign contracts transferring  
9 Frank Rosolino's royalty money to Defendant by threatening that Plaintiff would go to jail if  
10 she did not sign the contracts. *Id.* During the same time period in 2005-06, Defendant admits  
11 beginning to research potential royalties associated with Frank Rosolino's estate. *Id.* at ¶8.

12 As part of her continuing scheme, Defendant changed her last name to "Rosolino" in her  
13 effort to seize control of the royalties for musical compositions by Mr. Rosolino. See Order at  
14 ¶9. On the name change petition, Defendant declared under penalty of perjury that "[t]his  
15 application is not made for any illegal or fraudulent purpose," and that "[t]he change of name  
16 will not be detrimental to the interests of any other person." *Id.*

17 Starting in 2007, Defendant contacted record companies claiming to be Rosolino's  
18 biological daughter and seeking to access funds associated with Rosolino's estate. See Order  
19 at ¶10, citing examples, letter from Broadcast Music, Inc. (BMI) to Defendant dated March 27,  
20 2007; email from Defendant to another recording company dated July 3, 2007; email from  
21 Defendant to Storyville Records dated July 2, 2007; letter to BMI dated February 9, 2007; letter  
22 to Fort Knox & Trio Music dated May 12, 2007; letter to Ray Brown Music dated May 12, 2007.  
23 On July 7, 2007, Defendant managed to persuade BMI into believing that she was entitled to  
24 receive royalties from the Frank Rosolino estate. Order at ¶10. On July 18, 2011, Defendant  
25 was also able to persuade Sea Breeze Records to release money to her as the "daughter" of  
26 Frank Rosolino. *Id.*

1 Defendant began defaming Plaintiff, when Plaintiff objected to Defendant's conduct and  
2 refused to pay her relating to the estate's assets. Order at ¶11. The defamatory statements  
3 range from stating that Plaintiff shot Frank, Justin and Jason Rosolino in 1978, killing Frank and  
4 Justin and blinding Jason, to molesting and abusing Justin and Jason, to bribery, to obstruction  
5 of justice, to embezzling and committing fraud and stealing relating to the Frank Rosolino  
6 estate, among other crimes and purported misconduct. *Id.* The statements were  
7 communicated within the music industry and posted and/or republished on the Internet,  
8 including websites connected to Facebook, Tromboneforum.com, Wikipedia page for Frank  
9 Rosolino, bonesection.com, Plaxo.com, Grepler.com, Leadingtone.com, Google groups,  
10 Findadeath.com, Usenetmessages.com (citing exhibits submitted by plaintiff). *Id.* All of the  
11 defamatory statements (unless republished by third parties) in letters to the music industry  
12 and posted online show the author to be Parris "Rosolino." *Id.*

13 In addition to Internet postings, Defendant also defamed Armesto by letter, email and  
14 orally, to music companies and others in the music industry and community in which the  
15 Defendant knew the Plaintiff works in an attempt to further her defamation and theft scheme,  
16 and on music websites such as Tromboneforum, Frank Rosolino websites, Frank Rosolino  
17 Wikipedia. *See* Order at ¶15.

18 **3. Defendant is not Frank Rosolino's Biological or Adopted Daughter or Heir.**

19 Despite claiming to be Frank Rosolino's biological daughter, all the evidence establishes  
20 that Defendant is not biologically related to Frank Rosolino and not his heir.

21 Defendant was born on November 4, 1963. Order at ¶16. Her birth certificate states that  
22 she is the daughter of Leslie Bashore and Ed Loring. *Id.* She was raised by Bashore, who  
23 separated from Loring. *Id.* When Parris was approximately three years old, Bashore married  
24 Frank Rosolino, a noted musician. *Id.* Rosolino never adopted Parris. *Id.* Parris lived with  
25 Bashore and Rosolino until Rosolino separated from Parris's mother when Parris was seven  
26 years old -- and ultimately filed for divorce. Upon Parris's mother's passing in 1972, Parris,

1 then age eight, was adopted by her maternal grandparents, Clark and Darline Tilton. *See id.* In  
2 the 1972 adoption proceedings, the King County Superior Court found that Loring was Parris's  
3 father, consistent with the information on her birth certificate. *Id.* Defendant's birth  
4 certificate shows that defendant, known then as Parris Andrea Loring, is the biological  
5 daughter of Charles Edward Loring aka Ed Loring, not Frank Rosolino. *Id.* Additionally, in 1972,  
6 while Frank Rosolino was still alive, defendant was adopted by the Tilton family. *Id.*  
7 Moreover, in 1972, the King County Superior Court found that Defendant, then known as  
8 Parris Andrea Loring, is the daughter of Ed Loring, not Frank Rosolino. *Id.*

9 Defendant commissioned a paternal DNA test in 2004 to determine whether she was  
10 biologically related to Frank Rosolino, and the test comparing Defendant's DNA with Frank  
11 Rosolino's brothers' DNA, conclusively found that she is not biologically related to Frank  
12 Rosolino (over 96% certain that she is not biologically related). *See Order at ¶17.* The test  
13 found to a near 97% certainty (96.68%) that she is not biologically related to Rosolino. *See id.*

14 In a letter from Defendant to BMI dated July 8, 2011, she misrepresents that a sibling DNA  
15 test had established her as biological daughter of Frank Rosolino. *See id.* At the time of this  
16 letter, Defendant had in her possession the 2004 paternal DNA test that conclusively shows  
17 that she is not the biological daughter of Frank Rosolino. *See id.*

18 Defendant testified under oath in declarations and deposition testimony in this case that  
19 she is Frank Rosolino's biological daughter. *Order at ¶18. Id.* However, when confronted with  
20 multiple documents in her deposition showing Defendant is a fraud and has perjured herself  
21 over and over, Defendant refused to answer any more questions about her identity. *Id.*  
22 Defendant also lied to the Court on February 8, 2013 when she said "That's my father, Frank  
23 Rosolino" in response to the Court's question about the identity of a person in a photograph  
24 submitted by the Defendant. *Id. See also Order at page 8, footnote 1 for additional examples*  
25 *of Defendant's perjury relating to representing she is Frank Rosolino's biological daughter.*



1 By posing as Frank Rosolino's biological daughter when making unverifiable statements  
2 about Plaintiff, Defendant increased the likelihood that people reading or hearing her false  
3 statements would believe them, further harming Plaintiff. Order at 19. Moreover, the  
4 Defendant's defamation (As Parris "Rosolino"), or republished defamation, still resides on the  
5 internet. *E.g.*, Neff Declaration at ¶¶4-33 and Exs. 1-29. Additionally, it should be noted that in  
6 many of the same search result locations where Defendant's defamation resides, her claims to  
7 be the biological daughter reside.

8 **4. Defendant has continued with her scheme despite a prior injunction and despite the**  
9 **large amount of evidence relating to her illegal scheme.**

10 On January 20, 2013, after the Court had already (and initially) stricken Defendant's  
11 defenses for discovery abuse, Defendant contacted an author, Stephen Cohen, about writing a  
12 book about Frank Rosolino. Order at ¶20. In the conversation, Defendant referenced "that  
13 woman who murdered her father," referring to Plaintiff. *Id.* During 2013-2015, and while the  
14 case was on appeal, Defendant continued to contact music companies while fraudulently  
15 posing as Frank Rosolino's daughter in an attempt to steal from the estate and its heirs,  
16 including Diane Armesto. *Id.* For example, as recently as January 13, 2015, and while falsely  
17 posing as Frank Rosolino's daughter and an heir to his estate, Defendant contacted Spirit  
18 Music Group attempting to steal royalties from the Frank Rosolino estate. *Id.*, citing additional  
19 examples, email from Defendant to Spirit Music Group dated January 13, 2015; email from  
20 Defendant to Spirit Music Group dated October 9, 2013; Facebook communications to  
21 Robert Strickland on Facebook dated 11/4/2013; email from Defendant to Sony Records dated  
22 November 6, 2013. Defendant even went so far as to have a friend contact Governor Jerry  
23 Brown in California in May, 2013, claiming that Defendant's father had been killed by a woman  
24 and that her father's sons had been killed or maimed by her. *Id.* It should be noted that at the  
25 time of this post an injunction was in place prohibiting Defendant from defaming Plaintiff. *Id.*

1        Additionally, even after the most recent hearing on March 27, 2015, from which the Court  
2 struck Defendant's testimony, entered findings about Defendant's defamation/theft scheme  
3 and entered partial summary judgment against Defendant as to liability, the Defendant has  
4 continued with the scheme unabated. For example, on July 6, 2015, Defendant emailed music  
5 company BMI and revealed the magnitude of her fraudulent scheme -- she has obtained  
6 access to what she claims are 108 Frank Rosolino songs when in fact Mr. Rosolino composed  
7 23 songs in his entire life. The Defendant also somehow obtained access to these songs while  
8 posing as Frank Rosolino's biological daughter. Email from Defendant to R. Garza at BMI dated  
9 July 6, 2015, Exhibit 4 to Fogarty Decl. In the same email, Defendant represents that she has  
10 DNA proof that she is the biological daughter of Frank Rosolino and that she has a valid Power  
11 of Attorney to represent Frank Rosolino's son. *Id.* In fact, the Court has already found that the  
12 DNA evidence establishes with over 96% certainty that she is not the biological daughter  
13 (Order at ¶17) and that her claimed Power of Attorney had already been revoked in 2011 (See  
14 Order at ¶21).<sup>1</sup>

15        Moreover, the Court noted in its order that Defendant's defamation/theft scheme  
16 damaged Armesto's relationship with music companies BMI and Harry Fox Agency. Order at  
17 ¶21 ("Due to the Defendant's interference, Plaintiff no longer receives royalty payments from  
18 Broadcast Music Inc (BMI) . . . Additionally, due to Defendant's interference, Harry Fox Agency  
19 (HFA) no longer responds to Plaintiff's phone calls and/or emails, and Plaintiff believes that  
20 royalties are owed to her from this music entity"). Notwithstanding the Court's findings,  
21 Defendant continues to contact BMI and HFA as part of her defamation/theft scheme. *See,*  
22 *e.g.,* emails from Defendant to BMI, Exhibits 4, 5, 6, 7 and 8 to Fogarty Decl. In Defendant's  
23 email to BMI dated May 4, 2015, Defendant continues to contact HFA while posing as Frank  
24 Rosolino's biological daughter and heir. Email from Defendant to BMI dated May 4, 2015 ("I

25 \_\_\_\_\_  
26 <sup>1</sup> See also Defendant's other recent emails to BMI dated March 31, 2015, April 3, 2015, and May 4, 2015 where she makes similar misrepresentations regarding being an heir/biological daughter of Frank Rosolino and her continued perpetuation of her scheme. Exhibits 5-8 to Fogarty Decl.

1 am very hopeful these 75 songs publishing will be reclaimed by Parris Publishing LLC in the  
2 near future and represented by Harry Fox . . .”).

3 Moreover, despite the Court’s findings to the contrary, Defendant, as part of her  
4 defamation and theft scheme, continues to misrepresent herself as the biological daughter  
5 and an heir to Frank Rosolino’s music income. *E.g.* Emails from Defendant to BMI dated March  
6 31, 2015, April 3, 2015, May 4, 2015, email dated July 6, 2015, Exhibits 4-8 to Fogarty  
7 declaration.

8 Additionally, the Wikipedia page for Frank Rosolino was edited on July 29, 2015. See the  
9 page, attached to Neff Affidavit ¶34, Ex. 30. The page references that Frank “Rosolino’s wife  
10 [Defendant’s mother] committed suicide via carbon monoxide poisoning after learning he had  
11 been carrying on an affair.” For people who knew Frank Rosolino, they know that Rosolino and  
12 Armesto were involved in a romantic relationship (not an affair during his marriage with  
13 Defendant’s mother). Because people in the music industry knew that Frank Rosolino and  
14 Armesto had a romantic relationship, and given the history of defamation on the Internet  
15 about Armesto, this Wikipedia post implies that Armesto caused the Defendant’s mother to  
16 commit suicide. Based on the Defendant’s history before the Court, and hearing no admissible  
17 evidence from the Defendant regarding the cause of her mother’s death, the Court finds this  
18 to be false as well.

19 Finally, while faced with the Court’s findings against her, Defendant appears to be  
20 continuing her scheme online by identifying herself as “Parris Tilton (Rosolino)” instead of  
21 “Parris Rosolino.” Fogarty Decl. at Ex. 16. But, even with this apparently strategic maneuver, a  
22 Google search will still show “Parris Rosolino” in the same internet locations as the  
23 defamation.

24 Despite the Court’s findings and anticipated injunctive relief, Defendant continues to  
25 “nibble around the edges” of her defamatory theft scheme, still seeking to discredit Armesto,  
26



1 if not destroy her reputation in the music world in which the Defendant knows the Plaintiff  
2 works.

3 The Court also finds that Armesto will continue to be damaged unless Defendant's  
4 "Rosolino" name is taken away from her. Defendant obtained the "Rosolino" name by  
5 fraudulent means. Defendant used and continues to use the "Rosolino" name to perpetuate  
6 her defamation/theft scheme. For example, Defendant, while posing as Frank Rosolino's  
7 biological daughter and an heir, contacted BMI as early as 2007 (Fogarty Decl. at Ex. 3) and  
8 defamed Armesto, in Defendant's attempt to steal royalties associated with BMI. Even as  
9 recently as March 31, 2015 to July 6, 2015 (Fogarty Decl. at Exs.4-8), Defendant has continued  
10 to contact BMI as Parris "Rosolino" as part of her scheme. The Court finds by doing so,  
11 Defendant is perpetuating the defamation that she has previously communicated to BMI  
12 starting as early as 2007. The Court finds that on a more probable than not basis, that  
13 Defendant continues to contact other music companies and persons in the music industry just  
14 as she is continuing to contact BMI. Accordingly, the Court finds that Defendant is continuing  
15 to perpetuate the defamation about Armesto even to this day while using the "Rosolino"  
16 name. Because Defendant refuses to stop her defamation and theft scheme, even after four  
17 years of litigation, the Court finds that the only way to stop Defendant and ensure compliance  
18 with the Court's orders, is to take away Defendant's "Rosolino" name and prohibit her from  
19 using the "Rosolino" name and prohibiting her from representing herself, expressly or  
20 impliedly, as the biological and/or adopted daughter of Frank Rosolino and/or his heir.

21 **5. Defendant continues to damage Plaintiff.**

22 Due to the Defendant's interference, Plaintiff no longer receives royalty payments from  
23 Broadcast Music Inc. (BMI). Order at ¶121. Additionally, due to the Defendant's interference,  
24 Armesto's previously good relationship with Harry Fox Agency (HFA) has been impacted. See  
25  
26

1 *id.*<sup>2</sup> Plaintiff has not received royalty payments for a Frank Rosolino tune owned by her and  
2 handled by Universal Music, an entity Defendant has fraudulently contacted as recently as  
3 May, 2014. *Id.* Additionally, during the same time period, Defendant fraudulently  
4 represented to this Court and the music companies that she was acting on behalf of her  
5 claimed “brother” Jason Eien (formerly Jason Rosolino), Frank Rosolino’s biological son relating  
6 to Frank Rosolino’s royalties when in fact, in 2011, Mr. Eien had revoked any power of  
7 attorney given to the Defendant. *See id.*

8 **6. Defendant has violated the Court’s prior orders, continues with her scheme as set**  
9 **forth above, and a permanent injunction is needed to stop Defendant’s continuing**  
10 **abusive misconduct.**

11 Defendant has been repeatedly compelled, sanctioned, and/or held in contempt, and  
12 violated one or more of the Court’s orders as follows:

- 13 a. TRO dated July 8, 2011.
- 14 b. Order on Contempt dated August 22, 2011.
- 15 c. Order Granting Plaintiffs Motion to Compel dated July 26, 2012.
- 16 d. Court's ruling in open court dated November 1, 2012 ordering defendant to  
17 answer deposition questions posed relating to her identity and her own alleged  
18 embezzlement of the Frank Rosolino estate.
- 19 e. Court's November 16, 2012 Order.

## 20 **B. CONCLUSIONS OF LAW**

### 21 **1. Injunctive Relief, Paragraph No. 1**

22 Paragraph No. 1 of this permanent injunction enjoins Defendant from expressly or  
23 impliedly communicating that Diane Armesto (“Armesto”) did any one or more of the following:

24 a) shot and killed Frank Rosolino; b) shot and killed Justin Rosolino; c) shot and blinded Jason  
25 \_\_\_\_\_

26 <sup>2</sup> HFA recently responded to Ms. Armesto’s email, most likely because of the Court’s relief in favor of Armesto and the Court’s findings that Defendant is not who she says she is.

1 Rosolino; d) molested and abused Justin and Jason Rosolino; e) embezzled or stole from the  
2 estate of Frank Rosolino or lived off of the estate; f) covered up these alleged crimes with the  
3 help of the Los Angeles Police Department; and g) engaged in other criminal or fraudulent  
4 activity.

5 In the first appeal, the Court of Appeals provided guidance to the trial court and  
6 appeared to approve this injunctive relief in the context of the case. The Court of Appeals  
7 stated that freedom of speech is not an absolute right, and the State may punish its abuse.  
8 Court of Appeals Opinion at 10 citing *Bering v. SHARE*, 106 Wn.2d 212, 226, 721 P.2d 918  
9 (1986). "It is important to safeguard First Amendment rights; it is also important to give  
10 protection to a person who is intentionally and maliciously defamed, and to discourage that  
11 kind of defamation in the future." Opinion at 10, citing *Maheu v. Hughes Tool Co.*, 569 F.2d  
12 459, 479-80 (9th Cir. 1977). Washington trial courts have the authority to enjoin dissemination  
13 of abusive speech, which includes defamation and harassment. Opinion at 10, citing *Bering*,  
14 106 Wn.2d at 244; *Rhinehart v. Seattle Times Co.*, 98 Wn.2d 226, 237, 654 P.2d 673 (1982),  
15 affirmed, 467 U.S. 20, 104 S. Ct. 2199, 81 L Ed. 2d 17 (1984); *In re Marriage of Meredith*, 148  
16 Wn. App. 887, 902, 201 P.3d 1056 (2009) (remanding to family court to craft a protective order  
17 to prevent further harassing and libelous communications); *cf Maheu*, 569 F.2d 459, 480  
18 (holding that "the state's interest in deterring malicious defamation, for the purpose of  
19 protecting privacy and reputation, even when public figures are involved, is compelling"). A  
20 trial court's decision to grant an injunction and its decision regarding the terms of the injunction  
21 are reviewed for abuse of discretion. Opinion at 10, citing *State v. Kaiser*, 161 Wn. App. 705,  
22 726, 254 P.3d 850 (2011).

23 Prior restraints on speech before publication are disfavored because such restraints  
24 burden the exercise of the right to speak before any abuse of the right is shown. Opinion at 11,  
25 citing *Seattle v. Bittner*, 81 Wn.2d 747, 756, 505 P.2d 126 (1973). Post-publication restrictions,  
26 on the other hand, "simply prohibit further exercise of the right after a showing of abuse."

1 Opinion at 11, citing *Bering*, 106 Wn.2d at 243. Subsequent punishment of abusive speech,  
2 including an injunction of repetitive defamation, is not a prior restraint. *See id.* at 235  
3 (emphasizing "important distinction between prior restraint and subsequent punishment");  
4 *Bradburn v. N. Cent. Req'l Library Dist.*, 168 Wn.2d 789, 802, 231 P.3d 166 (2010) ("A prior  
5 restraint seeks to prohibit future speech rather than to punish speech that has occurred.").

6 **2. Injunctive Relief, Paragraph Nos. 2-9.**

7 Paragraphs 2-9 of this permanent injunction relate to additional restraints on Defendant  
8 to ensure that she stops her abusive defamation/theft scheme. To date, despite court orders  
9 and warnings, Defendant has continued unabated with her scheme. The Court has already  
10 found that the only way to stop Defendant in order to obtain compliance with the Court's  
11 injunctive relief is to take away the one tool that she has used to continue with her scheme –  
12 take away her "Rosolino" name that Defendant continues to use and appears desperate to  
13 keep:

14 THE COURT: . . . . What I wondered about is whether or not you [plaintiff] would  
15 be seeking to have Ms. Rosolino have her name changed back to her previous  
16 name, which to me seems to be the one remedy that has profound impact.

16 [Objections and Comments Omitted]

17 \* \* \*

18 MR. FOGARTY: Your Honor, that is an appropriate remedy that the Court has  
19 equitable jurisdiction to consider.

19 THE COURT: I think it's the best solution.

20 February 8, 2013 Hearing Transcript at 10:23-11:17, Exhibit 17 of Fogarty Declaration.  
21 The guidance provided by the Court of Appeals similarly appears to endorse the Court's  
22 understanding of the case and the need to take away Defendant's ability to perpetuate  
23 her scheme.

24 The Court of Appeals noted that Defendant argues that certain terms of the injunction  
25 are "hopelessly vague," such as the prohibition against posting "any content on the Internet  
26 that expresses or implies that [she] is the natural, biological or adopted daughter of Frank



1 Rosolino." Opinion at 11. When "'ordinary people [can't] understand what conduct is  
2 prohibited,' a prohibition is void for vagueness." Opinion at 11, citing *O'Day v. King County*, 109  
3 Wn.2d 796, 811, 749P.2d 142(1988). Post-publication restraints on defamation can extend to  
4 implied comments. Opinion at 11. Our Supreme Court has long recognized that speech may be  
5 defamatory by implication. *Id.*; see *Mohr v. Grant*, 153 Wn.2d 812, 823-26, 108 P.3d 768  
6 (2005). Moreover, restrictions against implying a biological or adoptive relationship to an  
7 individual may, in some circumstances address specific tortious speech. Opinion at 11-12. The  
8 Court of Appeals states: "References to herself as the natural born, biological, or adoptive  
9 daughter or heir of Rosolino would be troublesome." Opinion at 12.

10 Despite the Courts' findings that Defendant is a fraud and imposter, Defendant none-  
11 the-less continues to claim to this day that she is in fact the biological daughter of Frank  
12 Rosolino and continues with her scheme. Perhaps, for clarity sake, should the Defendant make  
13 any stepdaughter claim, she must include that Mr. Rosolino was her step parent from ages 3-7  
14 while he was married to Defendant's mother from whom he separated and filed for divorce in  
15 1971. Mr. Rosolino also never adopted the Parris throughout his entire marriage to  
16 Defendant's mother.

17 Similarly, with respect to the name change, while the Court of Appeals left open the issue  
18 about whether the Superior Court can vacate a District Court's name change, the Court of  
19 Appeals appears to approve the Court's name change directive over Defendant: "a trial court is  
20 vested with a broad discretionary power to shape and fashion injunctive relief to fit particular  
21 facts, circumstances, and equities of the case before it." Opinion at 12, citing *Rupert v. Gunter*,  
22 31 Wn. App. 27, 30, 640 P.2d 36 (1982). Here, given the context of Defendant's violations of  
23 multiple court orders, including the TRO and the prior injunction enjoining Defendant from  
24 defaming Armesto (E.g. Order at 9:21-22), and the continuation of Defendant's  
25 defamation/scheme throughout this case, even as recently as July 6, 2015 (Ex. 4 to Fogarty  
26 Decl.) despite court orders and warnings, and Defendant's constant lying under oath and

1 complete disregard for the law and the Court's authority, the Court has recognized that the  
2 facts, circumstances and equities of the case mandate that Defendant be ordered to cease  
3 misrepresenting herself as the biological/adopted daughter and heir of Frank Rosolino and  
4 cease using the fraudulently obtained "Rosolino" name. As recognized by this Court, this is the  
5 only way to stop Defendant and protect Armesto from continued harassment and damage.

### 6 C. PERMANENT INJUNCTION

7  
8 IT IS HEREBY ORDERED AND DECREED, Defendant Parris Andrea Rosolino, fka Parris  
9 Andrea Tilton, fka Parris Andrea Loring, and her officers, agents, servants, employees, and  
10 attorneys, as well as those persons in active concert of participation with her who receive  
11 actual notice of this Order, shall act in accordance with the injunctive relief set forth below:

12 1. Defendant is enjoined and prohibited from expressly communicating that Diane  
13 Armesto ("Armesto") did any one or more of the following: a) shot and killed Frank Rosolino;  
14 b) shot and killed Justin Rosolino; c) shot and blinded Jason Rosolino; d) molested and abused  
15 Justin and Jason Rosolino; e) embezzled or stole from the estate of Frank Rosolino or lived off  
16 of the estate; f) covered up these alleged crimes with the help of the Los Angeles Police  
17 Department; and g) engaged in other criminal or fraudulent activity.

18 2. Defendant is enjoined and prohibited from communicating that Defendant is  
19 the natural, biological or adopted daughter of Frank Rosolino for communications with music  
20 companies and posting any content on the Internet that expresses or implies that Defendant  
21 is the natural, biological or adopted daughter of Frank Rosolino, including but not limited to  
22 through photographs, sound bites, text, videos, and hyperlinks.

23 3. Defendant is ordered to take down, delete, remove or withdraw all of her posts  
24 (including but not limited to photographs, sound bites, text, videos, and links) on the Internet  
25 relating to Armesto relating to the defamatory statements identified in this order, including,  
26 but not limited to, from the following websites: Facebook; en.wikipedia.org (contains links to

1 all the Wikipedia revisions to Frank Rosolino's page, which includes links to the defamatory  
2 or fraudulent revisions made by Defendant); tromboneforum.org; leadingtone.tumblr.com;  
3 Usenetmessages.com (discussion re Mel Torme and Astrud Gilberto album);  
4 groups.google.com (multiple groups); Reference.com; Findadeath.com (Thread: Jazz Great  
5 Frank Rosolino unjustly accused?); radioswissjazz.ch; plaxo.com;  
6 everything.explained.at/Frank\_Rosolino/; Grepler.com; Wikitrans.net; and wnti.org. If the  
7 Defendant is not able to remove defamatory content (as identified above) from the Internet,  
8 Defendant is ordered to send a copy of this order to the relevant website(s) and request that  
9 the defamatory content be removed.

10 4. Because Defendant uses the "Rosolino" name to accomplish her  
11 defamation/theft scheme and used the name to continue the scheme throughout this  
12 litigation (despite the Court's orders, findings, admonishments and warnings) up to as  
13 recently as July, 2015, because Defendant has shown a complete disregard for the Court's  
14 authority in this case including her disrespectful and false communications with the Court,  
15 because this Court is vested with a broad discretionary power to shape and fashion injunctive  
16 relief to fit particular facts, circumstances, and equities of the case before it, and because this  
17 Court believes that given Defendant's history before this Court and her continued activity to  
18 the detriment of Armesto, the only way for this Court to obtain compliance with this order  
19 and protect Armesto is to enjoin Defendant from adopting and/or using the name "Rosolino"  
20 and/or representing herself as the natural, biological, or adopted daughter of Frank Rosolino.

21 5. To accomplish the relief set forth in this order and to protect Armesto,  
22 Defendant is ordered to cease using the "Rosolino" name and update the public record  
23 regarding her surname/last name change back to Tilton or any other name the Defendant  
24 may choose so long as the name is not "Rosolino" or a name that is similar to "Rosolino"  
25 (e.g., for illustrative purposes, a similar prohibited name would be a name such as "Rosolina"  
26 or "Rosalino" or "Rossolino" or "Rosollino" or "Rosolini" "Rossolini" and any other similar

1 combination of letters that resemble in any way "Rosolino"). Similarly, the Defendant is  
2 prohibited from changing her surname/last name to "Armesto" or any name similar to  
3 "Armesto." Similarly, the Defendant is prohibited from changing her name to a surname/last  
4 name (or similar surname/last name) associated with persons involved with this case  
5 including the Judge, counsel and witnesses and potential witnesses such as "Eien." Updating  
6 the public record includes Defendant's driver's license, passport and any other governmental  
7 document that reflects her name. The Defendant is also ordered to notify all relevant  
8 government entities about her name change back, including the County's auditor and clerk's  
9 offices, the Internal Revenue Service, and the all other government entities who currently  
10 show or list Defendant's name as "Rosolino."

11 6. Defendant is ordered to post a copy of this Permanent Injunction on all internet  
12 sites where Defendant has posted about Diane Armesto or where Defendant posed as the  
13 biological, natural-born or adopted daughter of Frank Rosolino.

14 7. Defendant is ordered to send a copy of this Permanent Injunction to all persons  
15 and companies with whom Defendant has communicated about Diane Armesto or where  
16 Defendant posed as the biological, natural-born or adopted daughter of Frank Rosolino,  
17 including to all relevant music companies, authors and news outlets.

18 8. Armesto and her agents and counsel are authorized to use this Permanent  
19 Injunction to mitigate the damage caused by Defendant's conduct, including sending a copy  
20 to all persons who may have received Defendant's communications about Armesto or about  
21 Defendant's claimed parent/biological or adopted daughter relationship with Frank Rosolino  
22 and posting this Permanent Injunction on the internet.

23 SIGNED this 14th day of August, 2015.

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26 Honorable Monica J. Benton