

Press Briefing Statement by Tricia Walsh's attorney, Joseph P. McCaffery
July 23, 2008.

We know many of you have been eager to speak with Tricia. Today we have called you together to answer many of the questions that have been presented, and clarify a number of misconceptions.

There are several issues to address, and I will address those issues by topic, followed by a brief statement from Tricia. Then we will open the floor for a brief question and answer period.

Settlement Negotiation

First, an agreement has been reached regarding the 710 Park Ave. residence.

Tricia, as ordered by the court, must vacate the property in 30 days of Monday's ruling. A settlement with opposing counsel has been reached in which Tricia's moving out date will be expedited and in return Philip will pay Tricia the full \$750,000 without delay.

Prenuptial Agreement and Payment Schedule

There has been inaccurate reporting regarding the payment schedule in the prenup and we are setting the record straight:

- Initial payment of \$50,000, and Tricia would have to vacate the apartment while she was \$40,000 in debt, which would soon leave her penniless, homeless, and destitute.
- No motivation for Philip Smith to settle, and there was no guarantee that Tricia would receive the additional \$700,000 if Philip Smith did not finalize the divorce.

Many of you have requested copies of the prenuptial agreement in this case. For your convenience, we will post a copy of the agreement on Tricia's Website, www.triciawalsh.com within the next few days.

What has not been disclosed, even in Tricia's YouTube videos, is that the prenup included an escalating award to Tricia based on milestones in the marriage.

Specifically, the monetary and property value awarded to Tricia, according to the prenup, would have increased by \$1.25 million dollars had the marriage lasted just one more year.

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In his ruling, Judge Beeler stated that Tricia's videos produced beginning in April 2008, and nothing else presented by the petitioner, demonstrated the cruel and inhuman treatment which he found to be grounds for divorce. Therefore, we assert that Philip Smith filed for divorce in October 2007 *without legitimate grounds* in order to force his wife out of their marriage and her home prior to the \$1.25 million escalation.

More on Monday's Ruling

We have received a number of questions regarding the ruling issued this week by the Honorable Harold Beeler.

Judge Beeler was gracious to allow me and my associate, Daniel O. Stamm, to enter our appearances in the Smith's divorce matter on the final day of the trial. Our purpose was to present cumulative facts surrounding the formation of the prenuptial agreement that, had we been given even one extra day of trial to present this evidence, we are confident that it would have affected the outcome of the case. I will not list all of these facts at this time, but am happy to answer questions regarding this issue.

Judge Beeler, however, prevented us from presenting this evidence, which we believe was an abuse of his judicial discretion.

Case law from the New York Court of Appeals supports our position that the prenuptial agreement should be deemed invalid and, having made a record in the trial court, we have achieved the critical task of preserving Tricia's right to appeal specifically on the validity of the prenuptial agreement. We consider this a victory.

Tortious Activity

Our firm has uncovered what we believe is a concerted effort by Philip Smith, and by individuals and organizations tied to him, to interfere with Tricia's business relationships, destroy her financially and inflict emotional distress prior to, during and in the wake of the divorce process.

While Mr. Smith himself, and through his attorney, has stated numerous times to that he wished to address the matter of his marriage and divorce in private or only in court, we have evidence to the contrary. The Shubert Organization, along with individuals tied to Philip Smith, is under investigation by this firm for tortious activity.

We have been able to lawfully track the activity of the Shubert organization on Tricia's Website. The Shubert Organization has been the most active visitor on Tricia's site. Specifically, on the day of the ruling, July 21, and the following day, July 22, more than 300 hits to Tricia Walsh's Website were tracked to the Shubert Organization's IP address.

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Dating back to July 1, the Shubert Organization's activity – 870 hits – on the site is topped only by a "Googlebot" and an Internet Service Provider which offers Internet access to numerous locations in New York.

The Shubert Organization's activity coincides with comments and postings that have been, at best, vicious. These submissions include foul language and death threats.

These efforts are not anonymous. We will continue our investigation and those conspiring to create further pain and chaos in Tricia's career, livelihood and well-being will be exposed and prosecuted to the fullest extent of the law. Our firm has a track record for taking on and succeeding in matters against organizations that dwarf even the Shubert organization, and we are standing guard to Tricia's interests.

Regarding Philip's interference with Tricia's business relationships, we offer you two examples:

- **“The Last Journey” at the Westport Country Playhouse in Connecticut**
- **“Addictions” at Ivan Arnaud theatre in England**

Both of these creative works were on the verge of production, and each was suddenly canceled without plausible explanation.

These incidents, combined with the previously mentioned tortious interference, reveal Philip Smith's ongoing misuse of the power of the Shubert organization in an attempt to weaken and beat-down his wife.

The Videos

Finally, many of you have asked whether Tricia should have made the videos. By doing so, here's what Tricia achieved:

- 1) Tricia was able to force this case into court, which put a stay on eviction proceedings. To put it simple, her actions kept a roof over her head during the months it has taken to complete this first phase of court proceedings.
- 2) She generated income through paid media appearances; Tricia Walsh found a venue through which to make a living with which Philip Smith could not interfere.
- 3) And, finally, Tricia Walsh drew attention worldwide to her plight and – as evidence by other Guestbook entries, posted comments and emails she has received – the plight of numerous divorcing or divorced women around the world.

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Thank you all for coming. I appreciate your interest in my story, the money some of you paid me early on, and your understanding in allowing me a day to reflect on my victory in court Monday.

Yes, I said VICTORY!

Today I am proud to say that, despite the abuse of influence by Philip Smith and the Shubert Organization, and their ongoing efforts to bring me down, I will not be bullied.

Their efforts actually have inspired me to regain control of my life and my career and, in the process, bring to the attention of the world the plight of women in divorce – a plight that certainly did not start with me, but hopefully with the kind of attention you've allowed me to bring to it, may someday subside.

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