

EXHIBIT 5

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1/9/2017

Clark County Family Court Judge willfully deceives a young child from the bench and it is on the record - Veterans In Politics International

PO Box 28211, Las Vegas NV, NV 89126

(702) 283-8088

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Deplorable actions by Family Court Judge Rena Hughes against a minor chil...

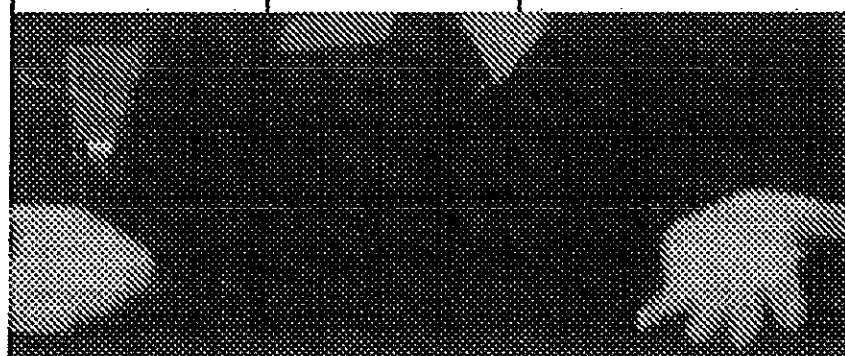


Clark County Family Court Judge willfully deceives a young child from the bench and it is on the record

AT

**Case sealed five days "after" we exposed the unlawful behavior of Family Court Judge Rena Hughes**

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Clark County Nevada; in a recent article "Deplorable actions by Family Court Judge Rena Hughes against a minor child".

<http://myemail.constantcontact.com/Deplorable-actions-by-Family-Court-Judge-Rena-Hughes-against-a-minor-child.html?soid=1119987097423&aid=cmGgluVljQk>

On October 6, 2016 the Veterans In Politics International (VIPI) highlighted the actions of Family Court Judge Hughes in three separate videos.

After doing more research we discovered that Judge Hughes actually lied to this young child in open court.

Judge Hughes made the following statement: *"it's not fun in Child Haven, they put you in a holding cell, exactly like a jail"...*

Click onto video:

**Part 3 threatened the minor child with Child Haven**

[https://www.youtube.com/watch?v=7Gg-\\_y2Xjvs](https://www.youtube.com/watch?v=7Gg-_y2Xjvs)

After speaking to the Manager of Child Haven, we were told that this statement made by the Judge is false.

Child Haven Website:



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## See other related Videos:

### Part 1 on the Record

<https://www.youtube.com/watch?v=w1fJWLABhxo>

### Part 2 Heart wrenching video between the Judge Hughes and a minor defenseless child.

<https://www.youtube.com/watch?v=bsDah-cz1uc>

### How can a parent helplessly watch their child be chastised by anyone?

Andre Haynes, host of the EMG Radio Show and officer of Veterans In Politics said the following:

*When I watched the video of the minor child having a discussion on the record with Family Court Judge Rena Hughes without a parent or child advocate being present, I was shocked and in disagreement. After I saw the manner that Judge Hughes handled the minor child and the child's fearful and distraught emotional reaction, I was angry. I was angry because I pictured my 7 year old son in the same seat as the minor girl, without me, without his mom, without a child advocate and without an attorney. Minor children are often terrified to speak to adults, especially without their parent or someone familiar present and especially if the adult is perceived to be an authority figure.*

*Does the law allow for Judge Hughes to interview and interrogate a minor child without their parent or an attorney or child advocate present? If the law does allow this are there exceptions to this rule? Is there another way that Judge Hughes could have handled this manner? Those are questions that replay in my mind. My heart goes out to the minor child and especially to her mother. The worst feeling that a parent can experience is being helpless to defend their vulnerable child. If it were my 7 year old son in that video, helpless, distraught and angry is exactly how I would feel. Does the law and a Judge's behavior take precedence or hold more value than the emotions and perceived fear of a child or a parent's ability to protect their child?*

We commend Channel 8 I-Team for taking a proactive approach to expose this judge: I-Team: Judge criticized for exchange with child

<http://www.lasvegasnow.com/news/i-team-video-shows-family-court-judge-yelling-at-child-in-courtroom>





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## Law Frowns on Nevada Attorney Jennifer Abrams' "Seal-Happy" Practices

<http://myemail.constantcontact.com/Law-Frowns-on-Nevada-Attorney-Jennifer-Abrams---Seal-Happy-Practices.html?soid=1119987097423&aid=72nUXCzZGGM>

### Questions and Recommendations

Is this the type of behavior we should continue to expect from our judicial system?

Should judges continue to cover-up and down-play their colleague's bad behaviors?

Does this Family Court Judge have children of her own?

Should this Judge be reprimanded for this?

If you believe that this Judge should face sanctions or/and a public apology join us and file a complaint with the Nevada Judicial Discipline Commission by clicking onto the link below:

State of Nevada Commission on Judicial Discipline:

[http://judicial.nv.gov/Discipline/Complaint\\_Process/](http://judicial.nv.gov/Discipline/Complaint_Process/)

Any Judge that willfully deceives a child and especially on the record should be tossed off the bench!

Please watch the videos in full and come to your own conclusion.

BY STEVE SANSON IN NEWS, PRESS RELEASE TAGS ANDRE HAYNES, CASE SEALED, CLARK COUNTY FAMILY COURT JUDGE, DEPLORABLE ACTIONS, FAMILY COURT JUDGE RENA HUGHES, UNLAWFUL BEHAVIOR

November 17, 2016

1

1/9/2017

Clark County Family Court Judge willfully deceives a young child from the bench and it is on the record - Veterans In Politics International

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### About author



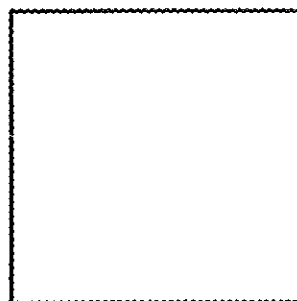
Steve Sanson (Steve Sanson)

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VIDEO 1 The Abrams Law Firm

https://www.youtube.com/watch?v=Zoxu216OefE

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0:00 / 2:30

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Steve Benson

9 views

2:30 18

Published on Dec 21, 2016

Category People & Blogs

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Steve Benson

100 views · NEW

**They Own Us!**

Steve Benson

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Steve Benson

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Steve Sanzon

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Corvette Z06 Reaction Video! Corvette Z06 R&B Exhaust! Loud Z06 Kicks Header! Z06 First

Killer Whales Vs Great White Shark - National Geographic Documentary (HD)

The Book of Enoch | The Book for the Final Generation | The Awakening

Wow didn't see that one coming...this guy can dance!!!

Ultimate Martial Arts Karate Fails Compilation 2016 youtube

<https://www.youtube.com/watch?v=DEdjsdCd1tE>

Veterans In Politics (@VIPSteveSanson)

Twitter, Inc. (US) | https://twitter.com/vipstevesanson

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**Veterans In Politics**  
@VIPSteveSanson  
Steve Sanson strong commitment to his country and his community has been demonstrated through his leadership and service in the United States Marine Corps.  
Las Vegas, Nevada  
veteransinpolitics.org  
Joined February 2009  
Born on September 22  
3,280 Photos and videos



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**VIDEO 2 The Abrams Law Firm Inspection**  
part 1: [youtu.be/9--DFZPN-wE?](https://youtu.be/9--DFZPN-wE?) via @YouTube


**VIDEO 2 The Abrams Law Firm Inspection part 1**  
youtube.com


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**Steve Sisolak & Isaac E. Barron & Michael Davis to appear on the**

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<https://twitter.com/vipstevesanson>



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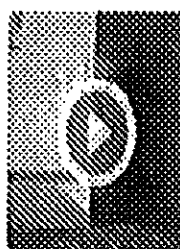
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**Judge spends night in jail with man he sentenced**



**Judge spends night in jail with man he sentenced**  
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LIBERAL REPORTER JON RALSTON WHO SUPPORTED THE COMMERCE...

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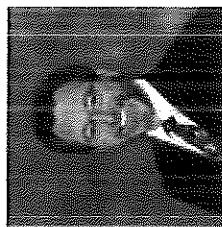
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# EXHIBIT 4

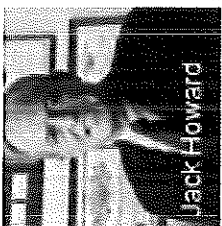
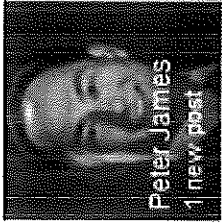



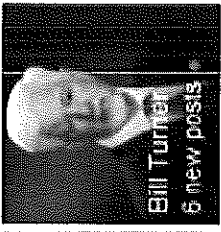

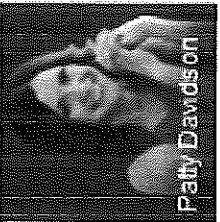

**Marshal S. Willick** Timeline Recent

- Senior Partner at Willick Law Group
- Studied Law at Georgetown University
- Studied English at University of Nevada, Las Vegas
- Lives in Las Vegas, Nevada
- From Las Vegas, Nevada

Photos



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 Jack Howard 1 new post	 Peter James 1 new post	 Josef Karacsony 1 new post
 Ryan Alexander 1 new post	 Suzan Babcum 1 new post	 Bill Turner 6 new posts
 David Skolowski 10 new posts	 Patty Davidson 1 new post	 Jason Stoffel 1 new post

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Newsletters | Willick Law Group

A legal note from Marshal Willick about the impact of approval of "Question 2 - Initiative to Regulate and Tax Marijuana" on child custody matters in Nevada. In 2001, Nevada voters approved the "Nevada Medical Marijuana Act." In 2017, possession of less than 1 ounce...

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Marshal S. Willick

January 6 · 6

Those who have been following the ongoing stream of defamatory postings by Mr. Sanson ("Veterans in Politics International") regarding much of the family court bench and bar might be interested in the response to those accusations. It and the interview referenced in the response are posted at <https://www.willicklawgroup.com/audio/>.

Marshal

Audio | Willick Law Group

Transcript of Marshal Willick interview with Steve Sanson on Veterans in Politics Radio Show Letter to Steve Sanson

WILICKLAWGROUP.COM

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Peter James and 6 others

1 share

Jane McGuire Steve Sanson is an idiot. He is all hot air.

4 hrs





To Steve Sanson:

You have re-posted the recording of our radio interview, <http://www.willicklawgroup.com/audio/>, accompanied by the false assertion that it somehow indicates “hypocrisy” on my part as to serving the veteran community.

It is possible that you have a problem with definitions. To help you, “hypocrisy” is “the contrivance of a false appearance of virtue or goodness, while concealing real character or inclinations, especially with respect to moral beliefs; hence in general sense, dissimulation, pretense, sham.” You need to gaze in a mirror.

For my part, I write textbooks, teach seminars to the U.S. Army JAG Corps and many other lawyers, and participate in Operation Stand-By and the Military Pro Bono Project (that means “for free” – as in doing actual good for actual service members without payment). I have done so for decades, and that work has saved untold thousands of military members (and their spouses) huge sums by ensuring their lawyers know how military retirement and benefits can be properly handled in family law cases. I helped create the Uniform Deployed Parents Custody Act, which protects members from wrongly losing custody of their kids.

The multiple posted testimonials by real live service members and retirees who I have served over several decades speak for themselves – there is a reason I was awarded the Military Pro Bono Project Outstanding Services Award.

But this isn’t about me – it’s about you.

You don’t appear to have actually achieved . . . **anything** for any actual veterans. Instead, you have created a supposed “non-profit” that from all appearances finances your personal lifestyle, through which you solicit “donations” from politicians, lawyers, and others to generate largely false accusatory online smear campaigns against good people actually doing their jobs honorably. That leads to several observations.

First, defectors from your organization have blown the whistle – there is no legitimate “vetting” of candidates. You pick the “panels,” spoon-feed questions to alter results (and get video footage to mis-use), and control all discussions on endorsements. Directly or indirectly, your recommendations are a pay-to-play exercise to “endorse” your personal selection of whoever hands you cash. The entire premise of your organization is a fraud.

There is no indication that your “non-profit” is actually anything other than a conduit between political donations and your private expenses, or that Form 990 or other tax filings have ever been made. A copy of this note should find its way to the IRS.

You have taken money as part of an unethical scheme to extort concessions in an ongoing case at threat of posting slander against opposing counsel – which you have then done. That is being reported to the State Bar, and will soon result in at least one lawsuit naming you as a co-defendant.

“Nepotism” is another word you use but apparently don’t know; it is no such thing if Eric and Susan Johnson are both appointed or elected, any more than it is for brothers Mark and Michael Gibbons to each serve on Nevada’s appellate courts. You should buy a dictionary.

More to the point, nothing in your postings as to judges Marquis, Harter, Elliott, Hughes, Ochoa, Johnson, etc., has any *trace* of “scandal” or “corruption” – words you really need to look up, both so you can use them correctly, and because your use of such terms to describe professionals doing their jobs appears to be “defamation *per se*,” which can subject you to liability even without proof of actual damages. Any of the lawyers and judges you have wrongfully slimed could – and should – sue you and your various intertwined cover organizations.

You apparently claim to be “totally disabled” – while you simultaneously pose in ads with boxing gloves challenging police officers, selected veterans, and others to “mixed martial arts” fights. The only time you *don’t* claim to be disabled is when you run for public office, when you claim that you are *just fine*.

You don’t actually have a job – while you obviously are capable of applying yourself, your only legitimate income is from the thousands of dollars of disability pay you get every month – *tax free* – for *life*. Your various postings railing about what “the taxpayers” should demand don’t include . . . you. And you have the gall to complain that judges can note the *existence* of all that tax-free income when you get divorced?

In the bigger picture, the oath you took when you put on the uniform was to defend the Constitution. And the “goals and values” page of Veterans In Politics International’s website *claims* that the organization’s purpose is “to protect and defend our Country and our United States Constitution,” etc.

But when I appeared on your show, you openly admitted that you don’t believe in the concept of equal protection under law – the guiding principle of the American legal system. Your co-host – with your apparent approval – added that “the 14th amendment shouldn’t apply to veterans” at all, but instead they should have “special privilege.”

That brings us back to “hypocrite” – see above – but even worse. Your position is revealed as the one warned of by George Orwell in *Animal Farm* – “All animals are equal, but some animals are more equal than others.” The *last* person I knew of (other than you) to publicly reject the concept of equal protection under law was an avowed fascist. Public disavowal of the foundation of the Constitution could be taken as a betrayal of oath or even an expression of treason.

The reason I was invited onto your show was your unhappiness with my testimony before the legislature on topics about which I am an expert and you know very little. You have now decided to attack me on your mailing list, but apparently could not come up with anything to criticize, so you decided to publicize the long-past personal problems of one of my employees. If you have a beef with me, Steve, take it up with me; taking shots at third parties to try to hurt someone is the act of a craven coward.

But since you brought up the subject of what people were doing during the past decade or two, let's take a quick look at *you*. You declared bankruptcy (twice) to run out on the debts you promised to pay, and had a tax lien filed against you for failure to pay your taxes.

And that's just your *financial* life. You've also been arrested on weapons charges for running around the Strip drunk while pointing guns, and at the *exact same time* you recently ran for office claiming your number one qualification was as a "family man" you were seen leaving a bar with your arms wrapped tightly around a woman who is not your live-in companion. Go back a bit further and we see you being hauled into court for restraining orders for domestic violence against your ex-wife – twice.

Despite doing all that, you have the brazen shamelessness to post a personal bio claiming that your character is "beyond reproach" and that you have "honor, integrity, and veracity" – assertions that are either delusional or made in the belief that everyone who might read such tripe is an idiot.

This is a free country, sure – but anyone holding himself out as an arbiter of morality and posing as a public critic of others' personal behavior should not act like a sleazy extra out of "Harper Valley PTA" (<https://www.youtube.com/watch?v=aOZPBuU7Fro>). You want to talk about the past personal problems of the *employees* of those you disagree with? That is the very *definition* of "hypocrite" – not to mention slimy beyond words. Congratulations.

When you were recently put on notice that you were in violation of direct court orders to maintain sealed files as private, your response was to *repeat* the violation and make a foolishly irrelevant citation to "the freedom of information act." You really should get a legal advisor who knows something, Steve, because your recent antics will soon require you to have one.

I asked a few real-world veterans – guys who did decades of actual service to this country and have legitimate disabilities resulting from that lengthy service, about you and your phony "non-profit" organization. Their comments? "He's a complete fraud and a disgrace to the uniform he once wore." "He hasn't done a damned thing for me or for any other veterans. He's totally in it for himself and to fleece the system, the public, and all vets." Other remarks were similar.

So where does that leave you? A two-bit unemployed hustler taking taxpayer money instead of working for a living who hides behind flag-waving while doing nothing of any actual value to anyone but himself, abusing the honor of the veterans he claims to "serve." You hide a checkered past behind a facade of false virtue while shaking down candidates for cash and conspiring with like-minded cronies to do political hatchet jobs defaming good people of integrity who are working hard to perform their duties, represent their clients, and actually defend the Constitution. You are repugnant.

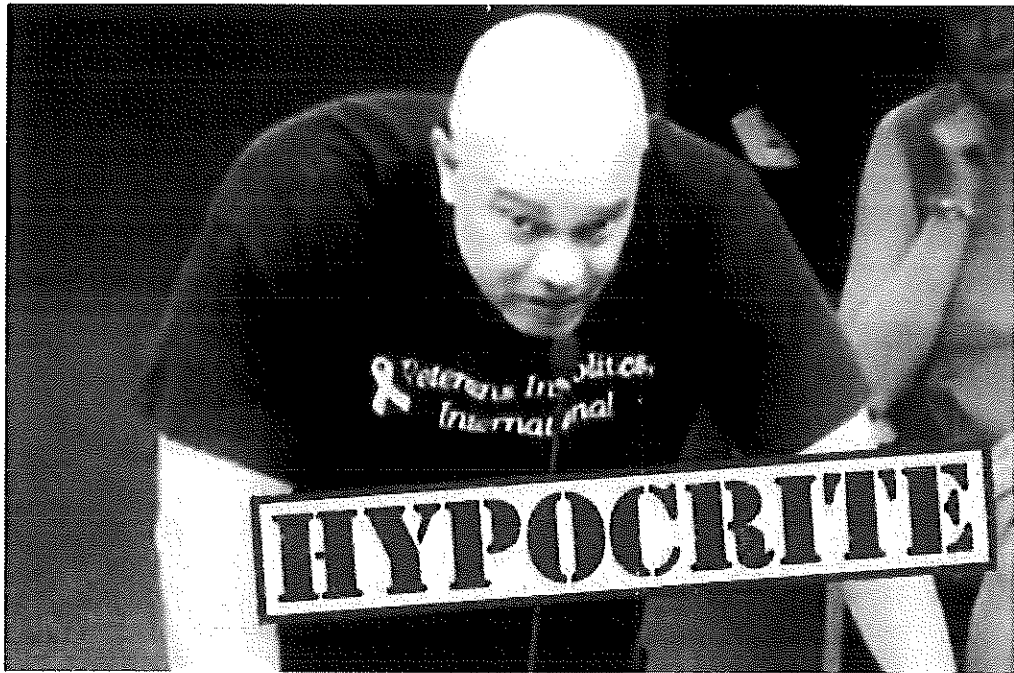
No elected official or candidate should ever again engage in the fraud which is appearance on your radio show or submit to supposed "review" by your sham organization. And you should be run out of town on a rail from Las Vegas, as you were apparently forced to flee


California – the sooner the better. In the meantime, to the degree possible, you should be ignored.

Marshal S. Willick, Esq.



# EXHIBIT 5




 **Willick Law Group**  
Like This Page · January 6 ·

Marshal Willick responds to Veterans in Politics Steve Sanson claim of "Hypocrisy"  
<http://bit.ly/2hY4iKf>

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 **Greg Whalen** Vinni Botz,has a man crush on Steve Sanson Steve Sanson

Like · Reply · 2 · January 13 at 8:22pm

3 Replies

 **Stacy Severson Ghormley** SteveSanson, the proper wording would be Sexual Coercion. Not Sexually Coercion.

Like · Reply · January 14 at 12:26pm

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# EXHIBIT 6

# MCLETCHIE SHELL

ATTORNEYS AT LAW

## VIA U.S. MAIL (REGULAR AND CERTIFIED) AND EMAIL

Kelly Grob  
9508 Queen Charlotte Dr  
Las Vegas NV 89144  
Email: kellygrob444gmail.com

Dear Ms. Grob:

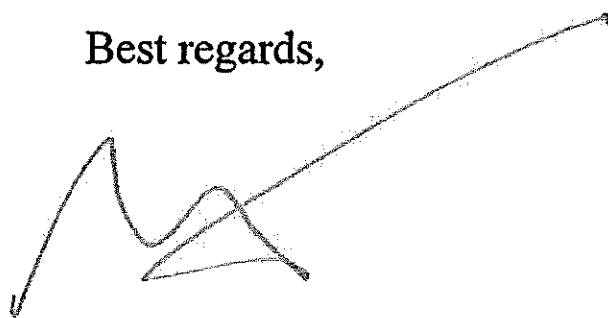
I represent Mr. Sanson and Veterans in Politics International in the above-captioned matter. If you have counsel, please let me know immediately and have him or her contact me directly.

I am writing to you because, on Sunday, January 22, 2017, my client received messages from the phone number (702) 882-8191. According to an internet search that I have run, that number appears to belong to you (*see*: <https://thatsthem.com/phone/702-882-8191>).

In light of the messages that appear to be sent from you and/or your phone, you may be a witness in and may have relevant evidence pertaining to the above-captioned matter. Accordingly, I am writing to request that you retain your phone, its SIM card, and all copies of any text messages or any other communications with or about my clients. That means you should not delete the messages with my clients or any other messages with any other persons about my clients.

Please let me know if you have any questions whatsoever.

Best regards,



Margaret A. McLetchie

cc: file

# EXHIBIT 7



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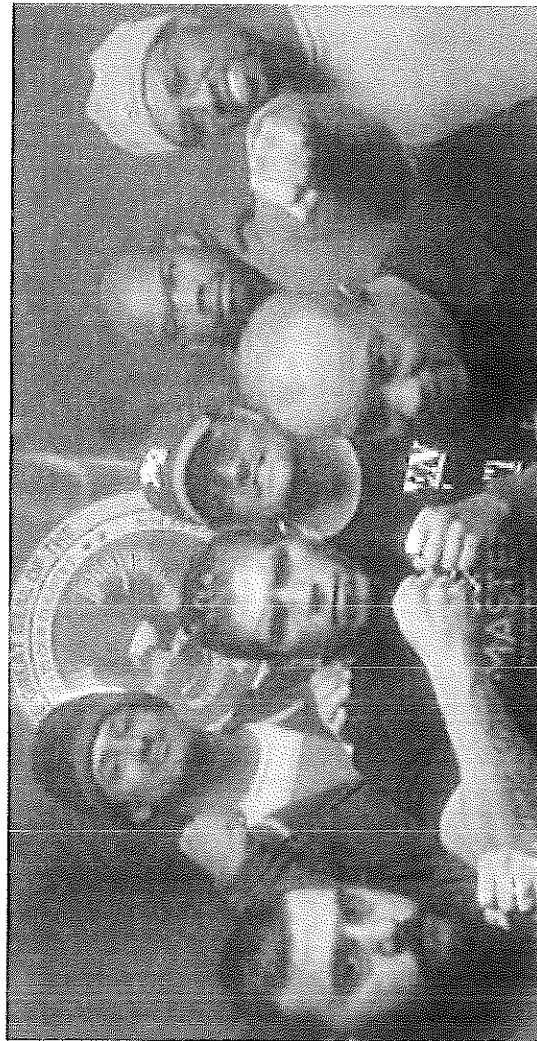


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# EXHIBIT 8

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON JUDICIARY**

**Seventy-Eighth Session  
March 20, 2015**

The Committee on Judiciary was called to order by Chairman Ira Hansen at 8 a.m. on Friday, March 20, 2015, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda (Exhibit A), the Attendance Roster (Exhibit B), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/78th2015](http://www.leg.state.nv.us/App/NELIS/REL/78th2015). In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Ira Hansen, Chairman  
Assemblyman Erven T. Nelson, Vice Chairman  
Assemblyman Elliot T. Anderson  
Assemblyman Nelson Araujo  
Assemblywoman Olivia Diaz  
Assemblywoman Michele Fiore  
Assemblyman David M. Gardner  
Assemblyman Brent A. Jones  
Assemblyman James Ohrenschall  
Assemblyman P.K. O'Neill  
Assemblywoman Victoria Seaman  
Assemblyman Tyrone Thompson  
Assemblyman Jim Wheeler

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Assemblyman John Ellison, Assembly District No. 33

Minutes ID: 518



AA000653



**STAFF MEMBERS PRESENT:**

Diane Thornton, Committee Policy Analyst  
Janet Jones, Committee Secretary  
Jamie Tierney, Committee Assistant

**OTHERS PRESENT:**

Ben Graham, Governmental Relations Advisor, Administrative Office of the Courts  
Caleb Harris, representing Disabled American Veterans; Veterans of Foreign Wars  
Russ Murray, Private Citizen, Washoe City, Nevada  
Vicky Maltman, Private Citizen, Sun Valley, Nevada  
Steve Sanson, President, Veterans in Politics International, Inc.  
Jeanette Rae, Private Citizen, Reno, Nevada  
✓ Marshal S. Willick, Attorney, Willick Law Group, Las Vegas, Nevada  
Roger Harada, Attorney, Reno, Nevada  
Melissa L. Exline, Attorney, Surratt Law, Reno, Nevada

**Chairman Hansen:**

[Roll was taken. Committee protocol and rules were explained.] We have two bills to be heard. We will start with Assembly Bill 97 and Mr. Graham.

**Assembly Bill 97: Revises provisions governing wills. (BDR 12-505)**

**Ben Graham, Governmental Relations Advisor, Administrative Office of the Courts:**

Historically, if a will is prepared and the person dies, there is a directive in statute—*Nevada Revised Statutes* (NRS) 136.050—that says if someone is aware of the will and knows that the person has passed, he must deliver the will to the clerk of the court. That applies whether you are an attorney, the person's representative, or a family member. In that way, the court knows there is a will, which might be the will that ultimately is admitted into probate. Probate is another formal process where you petition the court to establish a case, and a process where debts are paid and property is distributed according to the will. Often what happens is that a will may not be admitted or probate may not start. The clerk then has the will in his possession.

There was a delay in working on this legislation.

**Chairman Hansen:**

The bill's sponsor has just arrived.

**Assemblyman John Ellison, Assembly District No. 33:**

I was tied up in meetings, but I am here today to help sponsor Assembly Bill 97. Assembly Bill 97 clarifies the law regarding when a will of a deceased person becomes part of the permanent record maintained by the clerk of the court. By becoming part of the permanent records, those wills become public records. I will give you an example. A father dies and the children believe that the father had a local attorney draw up a will, but the lawyer, as sole practitioner, has passed away. The children go to the county clerk of the court and request their father's will. Currently, the clerk can refuse to let the children see it without a court order. The law is not clear whether the deceased father's will is considered a public document under NRS Chapter 239. Mr. Graham will present the bill and the friendly amendment from the Supreme Court of Nevada.

**Ben Graham:**

The amendment that we are proposing (Exhibit C) is one that was worked out after considerable discussion with Ms. Robin Sweet, who is the Director of the Administrative Office of the Courts. She ensures public records and various other documents are available for inspection. As such, the will would not be described as a public record, but it would be available for inspection, whether the will is admitted into probate or not. The amendment that we are offering should be on the Nevada Electronic Legislative Information System (NELIS) and basically says if a will is delivered to the clerk of a court in accordance with NRS 136.050, subsections 1 and 2, it becomes part of the permanent record maintained by the clerk whether there is a petition for probate or the will is filed. As part of the permanent record, the will is open to public inspection unless there is a sealing process. It is a lengthy process, and I would guess that it would be very rare that a will is ever sealed.

What should not have been a problem was. We did a survey of the 17 counties, and the clerks were looking at it in 16 different ways. This bill is an effort to clarify that it is open to public inspection without any formal procedures. We worked carefully with Mr. Ellison and the people who brought this to his attention. There is only one other addition on the amendment, which appears on the third page and makes this effective upon passage and approval.

**Assemblyman Jones:**

Can you please describe what circumstances there are when the will would be sealed, and how does that occur?

**Ben Graham:**

It is under Supreme Court Rules, Part VII, Rules Governing Sealing and Redacting of Court Records. It is pages and pages, but it would require a petition. The chances of it getting sealed, which would frustrate the purpose of this legislation, are pretty rare.

**Assemblyman Jones:**

Can you just give a practical overview from your experience? I am not experienced in probate court. What type of things occur when they seal it?

**Ben Graham:**

We have not seen that situation where a will has been sealed. There is a process if it is necessary. There is also a process for unsealing it. It has been a lot of years since I served as a personal representative, so I do not recall the sealing process. I am sorry that I did not research that more carefully.

**Assemblyman Elliot T. Anderson:**

I was wondering about a technical thing in your amendment. It might be better to put "by Supreme Court rule" rather than specifically citing the rule in case the court changes its rules later. Was there a problem that I missed? I was wondering about the onus of the bill, or the reason for the bill.

**Ben Graham:**

There had not been a problem for a while, but then there was a case where a clerk or two were refusing to allow an attorney—without seeking a court order—to see a will that had been deposited according to the statute. That would be a very expensive and lengthy process. From further research, we discovered that the process was not really uniform as it should be. That is why we worked with these amendments. The rules are somewhat fluid, so at some time if there was a change it would be in the current rules. If a person did want to seal something, they could go to the rules that exist at the time.

**Assemblyman Elliot T. Anderson:**

I thought we could say Supreme Court rule rather than that part of it in case they change the way the rules are organized; it would be a technical thing.

**Assemblyman Ellison:**

The problem we have been running into in some of the rural areas is that the clerks are requesting that you get an attorney, go to district court and try to get on the docket, and then get back to the clerk. It is taking a lot of time and a lot of money. That is what this is: a cleanup bill.

**Chairman Hansen:**

Is there anyone who would like to testify in favor of A.B. 97 at this time? [There was no one.] Is there anyone in opposition at this time? [There was no one.] Is there anyone neutral? [There was no one.] It looks like a clean bill. We will close the hearing on Assembly Bill 97. We will open the hearing on Assembly Bill 140. Mr. Wheeler will do the presentation.

**Assembly Bill 140: Revises provisions governing certain domestic relations matters involving veterans with a service-connected disability. (BDR 11-519)**

**Assemblyman Jim Wheeler, Assembly District No. 39:**

Thank you for allowing us to come back and speak about Assembly Bill 140. As you know, we had an abbreviated hearing on this bill that got messed up and the Chairman has graciously allowed us to come back and re-present the bill. With me today is Caleb Harris, who will present most of the bill. I will be here to read the sections of the bill and to answer questions.

**Caleb Harris, representing Disabled American Veterans; Veterans of Foreign War:**

I am here on behalf of the more than 13,000 veterans I represent as the Legislative Co-Chair for both the Disabled American Veterans (DAV) as well as the Veterans of Foreign Wars (VFW). I am also the chairman of the United Veterans Legislative Council, and I am here on behalf of the numerous veterans in our ranks. We are here to encourage the passage of A.B. 140. [Read from written testimony (Exhibit D).]

**Russ Murray, Private Citizen, Washoe City, Nevada:**

I am in favor of A.B. 140 and here to encourage your passage of this important legislation. Here is my story. [Read from written testimony (Exhibit E).]

**Chairman Hansen:**

I know I speak on behalf of the entire Committee when we sincerely thank all of you for your many years of service and the time spent on behalf of all of us. I want you to know that we most sincerely do appreciate what you have done, and I thank you on behalf of the Committee.

**Assemblyman O'Neill:**

Let me give you a hypothetical situation if I could. You have a person in the military for ten years. He has been married for eight or nine years, basically the whole time he was in. They have children together. The military personnel suffers some injuries and is medically retired out of the service. He receives

a disability payment. Since he did not do the 20 years, he does not get any retirement benefits if I understand correctly.

**Caleb Harris:**

He can, but that can later be waived in lieu of disability. Initially, he would more than likely get some type of medical retirement benefits.

**Assemblyman O'Neill:**

He gets the disability payment. They get divorced after nine years. Can any of that be used for child support? I understand the alimony would be protected, but how about child support or anything else that judges may come up with? I have seen judges be rather liberal in their interpretations of issues for awarding fees. That is what I think we are trying to address, is it not?

**Caleb Harris:**

I will defer that question to Assemblyman Wheeler.

**Assemblyman Wheeler:**

A lot of the misconception about this bill has to do with child support. If you read the bill, you will see that it says nothing about child support. The disability money is meant for the veteran to be whole again, but also to support his family. Once a divorce happens, the spouse is no longer part of the immediate family. The children are still part of the family. In *Rose v. Rose*, 481 US 619 (1987), a veteran was held in contempt for failing to pay his child support obligations. The question in front of the Supreme Court in Tennessee was whether his disability could be attached or included because of the United States Code. As it turned out, the veteran was held in contempt and that part of his disability was eligible for child support. There is case law throughout the country that says yes, even though it is not meant for alimony based on what the Secretary of the U.S. Department of Veterans Affairs (VA) has said. You can use it for child support and should, but not alimony. That is the misconception of this bill that the trial lawyers who make a lot of money off of divorces want you to think, but it is not true. It is in case law.

**Assemblyman Nelson:**

I have been reading all of these cases and all of the things from all of the lawyers, and I think I understand that child support is a totally different thing. We are not talking about that. We all agree that under the federal code disability payments cannot be attached, garnished, or levied. There is no question. The only issue we are looking at is whether a divorce court can consider that income as part of the entire picture when deciding whether to award alimony. Is that correct?

**Assemblyman Wheeler:**

As you said, we all agree that it cannot be attached. Therefore, it cannot be considered for alimony, but it can be for child support.

**Assemblyman Nelson:**

I think that is two different things. To say that it cannot be attached, that involves a creditor. The argument is that a spouse is not a creditor. The judge should be able to look at the entire universe of available money, not that the judge could ever take those VA payments away from the veteran and give them to the spouse, but they should be considered in the entire universe. If the VA disability payments are 90 percent or 50 percent of the entire community income, that should be considered. In the *Rose v. Rose* case—and I realize that was about child support—the court said that VA disability benefits are not provided to support the veteran alone, but to provide reasonable and adequate compensation for disabled veterans and their families. I understand that is distinguishable because it was child support, but that is the only U.S. Supreme Court decision we have on it, and the state courts seem to be split. There are decisions all over the board on this. I am not arguing with you as much as trying to understand exactly what issue we are looking at. I think this is a difficult, complex issue.

**Caleb Harris:**

I think the difference you are talking about is execution versus judgment. There is nothing that is going to be in place from the federal courts to implement how judgment is held out within the states in civil matters. The execution of the order, however, is if the judge makes the claim that this amount is to be paid, then they use that money as income to do that. Regardless of whatever judgment they come up with, they will never be able to actually execute it. If they cannot execute it, why should they be able to make the judgment in the first place on that particular money in the case of alimony?

**Assemblyman Nelson:**

I understand they cannot execute upon it. No one is arguing that. My point is this: we will say the disability income is \$2,000 a month, and the veteran is also getting \$1,000 a month from working part time. The spouse is also making \$1,000 a month. Are you saying that they are equal so there should be no compensation going either way?

**Assemblyman Wheeler:**

I see what you are getting at. What I am trying to get at is that we make those decisions; we make those laws. That is exactly what we are doing here today. What you said was that this is complex and you are right, but that is why

we are here. That is why they give us the big bucks. Are those two equal? In my eyes, they are. The original \$1,000 that goes to the veteran to help make him whole is the \$1,000 that may buy the ramp for the house or get him a different vehicle, or get him outside help for his post-traumatic stress disorder (PTSD). That is what it is for. Can he use it for his children? You bet, that is part of it. As far as the \$1,000 he makes on the side, if his wife makes \$1,000, according to federal law they are equal, and what we are trying to do is bring Nevada into line with federal law as other states are doing across this country.

**Assemblyman Elliot T. Anderson:**

At the last hearing on this, we were told it was straight codification of the federal law, but now it seems the intent is something beyond that. I was hoping you could get into that. I know some of this bill does codify federal law. *McCarty v. McCarty*, 453 U.S. 210 (1981), (Exhibit F), for example, gets into the fact that a veteran's benefits are not divisible as community property. Is your intent to go beyond codification?

**Assemblyman Wheeler:**

Our intent is not to go beyond codification. Our intent is to be in compliance, just as other states have done across the country.

**Assemblyman Elliot T. Anderson:**

Then I would have to say that I believe there are portions of this bill that go beyond federal law. If we are talking about a straight codification, I think there are a few of us that can get there, but I do not know how the new provisions would intersect with federal law so, that is something that I would be willing to work on with you.

**Assemblyman Wheeler:**

Thank you. We would like you to sit down with Mr. Harris and go over those. We would definitely be willing to listen to that.

**Assemblywoman Diaz:**

I just heard that the genesis behind the bill is for Nevada to be in compliance. Do we have case law that has been demonstrated time and time again that we are not complying with federal law?

**Caleb Harris:**

I do not have any case law in front of me, nor have I personally laid eyes on it. I do have an abundance of veterans coming to me explaining their stories. Granted, that is only one side of it and I understand that, but from the side that I am hearing, and I am talking specifically about disabled veterans who have no other income other than their VA disability or social security disability, they are having a large portion of their money being allocated for alimony. It is detrimental to their lifestyle. I do not have the actual evidence of those cases, but I can get them for you if you would like them.

**Assemblywoman Diaz:**

You will hear case after case; that is what these people are doing here. It has happened as you heard from Mr. Murray. As far as the numbers, we do not have those. We only have personal statements from people, and they will tell you what happened here in Nevada.

**Assemblyman Thompson:**

Before I ask this question, I want to say thank you all for your service. I see a few ladies here, but how many women are in this situation where the men are seeking alimony? I would like to hear both sides. I am not saying where I stand on this, but I would really like to know.

**Caleb Harris:**

There is obviously a differentiation as far as how many women and men are in the military. Predominantly, it would be a male issue, but I have had calls from female veterans that have difficulties with this. In fact, this is not in this state, but a personal friend of mine has custody of his children, but his wife's child support payments are being reduced based on his VA disability income. They are using his VA disability compensation as income to offset her child support payments. In that case, not only is he not getting child support as he should be, but the kids ultimately are suffering for it in this particular case.

**Assemblyman Thompson:**

Please clarify this for me because I thought in your opening remarks you said that this protection of disability income is exempt for child support enforcement.

**Caleb Harris:**

If everyone was following the rules, that would be the case. That is the reason we are here; to get everyone to follow the rules.

**Assemblyman Thompson:**

It is about alimony and not child support.



**Caleb Harris:**

That was just a particular case to show the income and how it could be used both ways. There was alimony in the beginning, but she does not get it any more. It was taken into consideration for her alimony in the beginning.

**Assemblyman O'Neill:**

When did the federal law go into effect? Out of these various cases that you have heard about where the veterans have been impugned by losing some of their benefits to alimony, how many have occurred since federal law went into effect?

**Caleb Harris:**

Military retirement benefits were divisible until overturned in 1981 by *McCarty v. McCarty*, at which time they became nondivisible and were not part of community property. Congress came out with 42 U.S. Code § 659 (Exhibit G), which overturned the judgment in *McCarty v. McCarty* that it was not divisible, and it said that retirement funds from that point on are divisible. However, in all of these processes and all of the case laws, none of them approached alimony alone.

**Assemblyman O'Neill:**

Basically, since 1981, it has been case law that disability benefits should not be considered in alimony. Is that what you are saying? We have a variety of instances where it has been considered, and that is why we need this law.

**Caleb Harris:**

Rather than case law, it is United States Code. It is a federal finding and we think, obviously, that federal code should dictate how that finding is spent. I do not know when the code was initiated. In the beginning, there was a portion of the retirement that was included and then excluded from being divisible and community property at some point. In 1981, it was overturned and was declared divisible, but only for retirement. It did not include VA disability. The VA disability compensation was left in the umbrella under Title 38, section 5301.

**Assemblyman Araujo:**

I want to thank all of our veterans here today. I have a warm heart when I see all of you here today because my grandfather is a three-Purple-Heart veteran for this country. Thank you all for the service that you provided us.

**Chairman Hansen:**

Is there anyone north or south who would like to testify in favor of A.B. 140?

**Vicky Maltman, Private Citizen, Sun Valley, Nevada:**

My husband is 100 percent service connected from gunshot wounds received in Vietnam lying in a rice paddy. His injuries have not gotten better; I knew that when I married him. I was not with him when he was shot. I did not have to spend the two years in the hospital that he did. Right now, we have a situation where we need some adjustments made to our home to help him. It is going to cost us \$800 each for the three estimates that the government requires. That is more than half of our monthly income. If I were to leave my husband today, I would never expect to get any portion of his disability. If you want to look at the retirement that he was eligible for, he might give me \$50 a month. I do not think it is my job or my intention to ever take anything away from him that makes him whole and keeps him going in his almost seventy-first year. He has dealt with his injuries for over 40 years. We have been together for 30 years. I do not see any reason—looking at federal law or case law—why his disability income should ever be considered in this. I have talked to a judge in Reno who feels that neither the woman nor the man—depending on who the money is coming from—can survive without a portion of it. He and I had a huge argument over this. I told him that he needed to read federal law. I know that he has ordered disability money for alimony. I do not know if that would be public law. I would not know how to determine who is a veteran. We have more female veterans coming home with PTSD, more female veterans coming home with injuries that their spouses may not be willing to deal with, and in no way should they ever have to give up a portion of the income they receive to help them with their disability.

**Steve Sanson, President, Veterans in Politics International, Inc.:**

My group has several chapters throughout the country and the world. We endorse candidates to elected seats, champion veterans' rights, and we weed out corruption. Our group does not mince words or play the political backstabbing. [Read from written testimony (Exhibit H).]

I would give up the money to be free of the pain and suffering. The chronic fatigue and migraines are crazy. Every time I come to Reno, I have to give myself a shot in the leg because the elevation causes the migraines. The only people who are against A.B. 140 have never served in the military or do not have service-connected disability benefits.

**Assemblywoman Fiore:**

I want to thank all of you for being here. When you get paid from the military for your disability, does your check break down your normal pay in one amount and then another for the disability? Is it broken down to where, if you got divorced and your wife was entitled to child support and alimony, is it possible to have those fees come from your base salary and not the disability portion? Is it broken down?

**Steve Sanson:**

I am no longer on active duty. The only thing I get from the Treasury is my disability benefits.

**Assemblywoman Fiore:**

I need to understand this. First of all, the father of my children served in the military, so I have the upmost respect for each and every one of you, and I thank you for all that you do. I want to understand. If you are disabled, is your whole check a disability check or do you have a base salary and then disability?

**Caleb Harris:**

Your whole check is a disability check; however, there is a dependent allotment on that. When you are married, you get a certain dependent allotment. When you are separated or if you are married and end up living in separate residences, that dependent allotment goes away. That in itself suggests that, when you are no longer married, he or she is no longer your spouse and should not get a portion of that money. Even the federal government takes that allotment for that dependent away from you. There is a small allotment within your disability, but it is all a disability check.

**Assemblywoman Fiore:**

Let us say that you are disabled, you get a disability check, you are divorced, and you have two children. You were married for 20 years and you have a 10-year-old and an 11-year-old child. Your spouse has never worked, she moves out with the children, and you live separately. How do you determine child support and support for her?

**Caleb Harris:**

There is an avenue through the law. It is not through the court system, but there is an alternative route to approach for attaching wages for child support.

**Assemblywoman Fiore:**

If we create this law and say that you do not have to pay support with your disability check, what is this other route you are talking about and how would it work? Would you be going around that law? How would that work?

**Caleb Harris:**

United States Code 38.5301 dictates that it is possible to go through the VA Secretary who has the right to do what you are talking about, and he is the only third party who can. Through this avenue, you would apply through the Defense Finance and Accounting Service, and they would make the decision what to do. If he or she is not taking care of his or her family, there are other avenues in place within the law to use to attach those specific wages through the VA system. We do not oppose that in any way, shape, or form. One of the reasons we have not addressed the child support issue is because that avenue exists. Child support is available in that realm; they make exceptions specifically for it.

**Assemblywoman Fiore:**

To be clear, you said when you are married and have dependents, your check allots for dependents. If the child is under 18 years old and you are separated or divorced, does your check still allot for dependents?

**Caleb Harris:**

I am sorry. Say it one more time.

**Assemblywoman Fiore:**

You said that the military allots for dependents on your check if they are under 18 years old. If you are divorced and your children are under 18 years old, does that check allot for dependents?

**Jeanette Rae, Private Citizen, Reno, Nevada:**

I am a retired veteran service officer for the State of Nevada. I also retired from the VA Sierra Nevada Health Care System. Where we are getting mixed up a little is that the military is not paying any of these benefits. It is the VA that is paying these benefits, which is disability and not income. It is disability compensation, and even in the definition in Title 38, it is not considered income.

**Chairman Hansen:**

We can talk after the meeting because we are getting off topic.

**Assemblyman Ohrenschall:**

You have a veteran who has a service-related disability and she and her spouse have been married ten years, but upon retirement, the marriage goes south. There are no children involved; it is a straight alimony issue. It is a messy divorce and during the proceedings the veteran decides to convert retirement pay to disability pay. She opts for that as a retaliatory move. Would the bill, as written, allow that to be shielded when the veteran chooses to convert?

**Caleb Harris:**

Yes. There is something in place already, and this bill would cover that. It would be U.S. Code 42, section 659, and it distinguishes between retirement and VA disability compensation. If a person has retirement and he waives it for a portion of the disability, the specific portion he waived is still taxable, garnishable, and divisible. In doing so, it reiterates the fact that there is an umbrella over the possibility of being able to hide the VA disability compensation there. They recognized the issue of veterans trying to hide the money in that manner, and that is why the Social Security Act included that code.

**Assemblyman Ohrenschall:**

To be clear, and in your opinion, would federal law preclude a veteran from trying to retaliate against a spouse by converting retirement pay to disability?

**Caleb Harris:**

Yes, sir.

**Assemblywoman Seaman:**

You stated that it is not income; however, it is still allotted for taking care of the family, for child support. You are eliminating the spousal support, which is still part of taking care of the family. I think that is where the confusion is for some of us.

**Assemblyman Wheeler:**

Only the disability portion would not be used for spousal support, and would not be available in the calculations for spousal support. You are talking about supporting the family, but, as you know, going through a divorce splits the family. It is not a family any more. The spouse is no longer part of that calculation; the children are.

**Assemblyman Elliot T. Anderson:**

I want to follow up on Assemblyman Ohrenschall's question because I am looking at section 2, subsection 2—which is on page 2—and it appears to say the court shall not "Indemnify a veteran's spouse or former spouse for any prejudgment or postjudgment waiver or reduction in military retirement or retainer pay related to the receipt of federal disability benefits . . . ." Unless I am missing the meaning of the word indemnify, that means the court cannot protect the spouse if Assemblyman Ohrenschall's hypothetical comes up. I understand what federal law says, but I believe this goes beyond federal law because section 2, subsection 2 speaks to the court. That means the spouse is not held harmless in my opinion. Could you please comment on that?

**Caleb Harris:**

I do not have the bill in front of me.

**Assemblyman Wheeler:**

The intent of the bill is not as you have just presented it. I want to make sure I read that into the record. Someone trying to escape alimony by converting is not suddenly disabled because he is getting a divorce. Obviously, the judge needs to have some discretion.

**Assemblyman Elliot T. Anderson:**

We can work on an amendment.

**Caleb Harris:**

Toward the bottom it specifically lists service-connected disability. I think the issue you were getting to was the retirement pay that may be waived in lieu of. Is that correct?

**Assemblyman Elliot T. Anderson:**

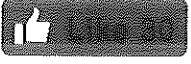

Whether it is a waiver or a concurrent receipt issue that the veteran applies for, disability benefits already have a judgment based on the military retirement pay. When the pay is reduced, that is a conversion issue for whatever reason. Whether it was done for legitimate reasons or for bad faith reasons, I still think that is an issue that potentially goes beyond federal law.

**Caleb Harris:**

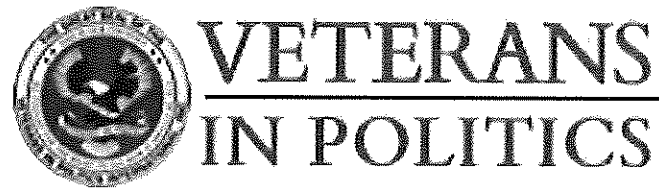
We do not oppose what you are saying. If for some reason the verbiage portrays something differently, we can look at that. As far as I understand the intent, it is to make sure that just the VA disability compensation itself is protected. I also understand that sometimes retirement is waived and winds up falling under that umbrella, but they specifically outline that the money has been

# EXHIBIT 2

Exhibit to Sanson Declaration in Support of Anti-SLAPP Motion to Dismiss

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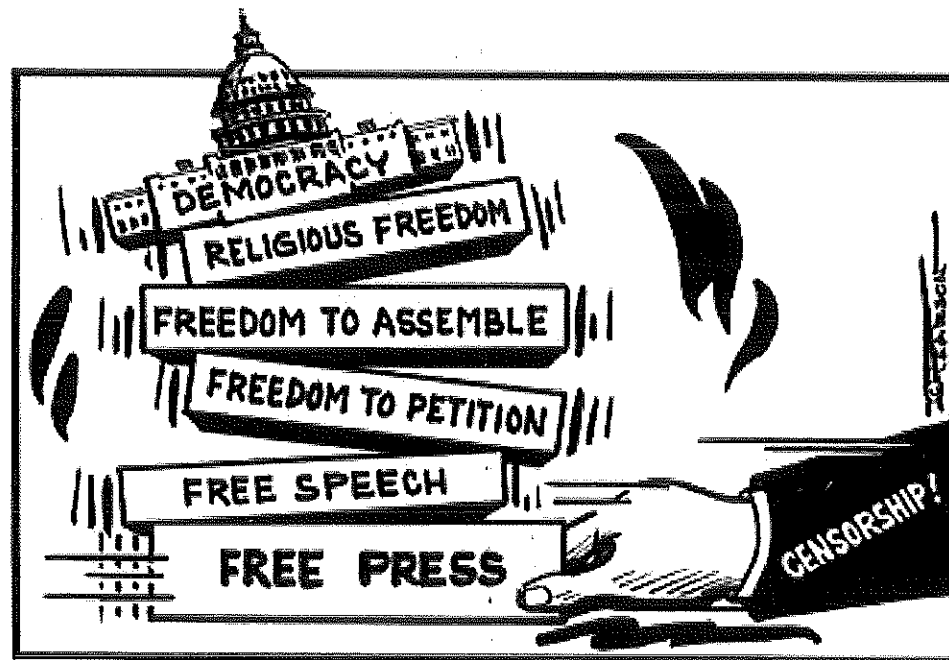


# Law Frowns on Nevada Attorney Jennifer Abrams' "Seal-Happy" Practices

Clark County, Nevada  
November 6, 2016

Free access to civil court proceedings is protected by the First Amendment to the U.S. Constitution.

[FIND OUT MORE](#)



**Its importance cannot be overstated!**

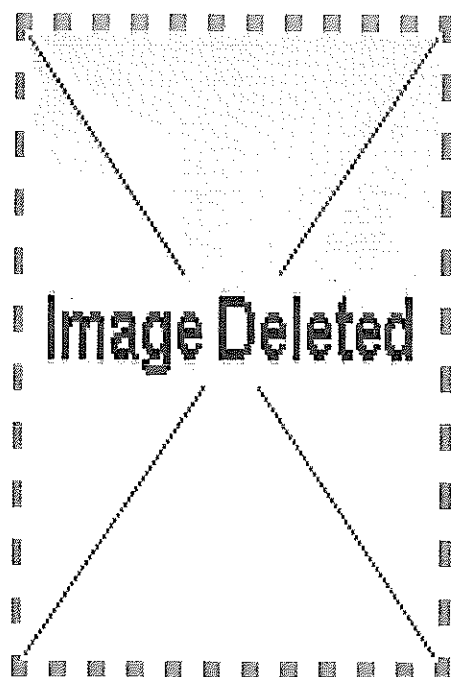
State and federal courts, including Nevada's Supreme Court, recognize that public access to court proceedings serves vital public policy interests, including, serving as a check on corruption, educating the public about the judicial process, promoting informed discussion of government affairs, and enhancing the performance of the judge, the lawyers and all involved.



As former Nevada Supreme Court Justice Nancy Saitta wrote earlier this year regarding the Supreme Court's rules on sealing civil records, *"the cornerstones of an effective, functioning judicial system are openness and transparency. Safeguarding these cornerstones requires public access not only to the judicial proceedings but also to judicial records and documents."*



At least one lawyer in Nevada, however, Jennifer Abrams, appears to be **"seal happy"** when it comes to trying to seal her cases. She appears to have sealed many of her cases in the past few years, including filing a petition to seal in at least four cases just this past week, on 11/3/2016!



It also appears, however, that at least one of her cases, and perhaps more, may have been sealed to protect her own reputation, rather than to serve a compelling client privacy or safety interest.

[illegible]

## Learn More

Veterans In Politics International (VIPI) recently released a video of Abrams bullying Judge Jennifer Elliot during a family court hearing in a case entitled Saiter v. Saiter, Case No. D-15-521372-D.



**[Click onto Nevada Attorney attacks a Clark County Family Court Judge in Open Court](#)**

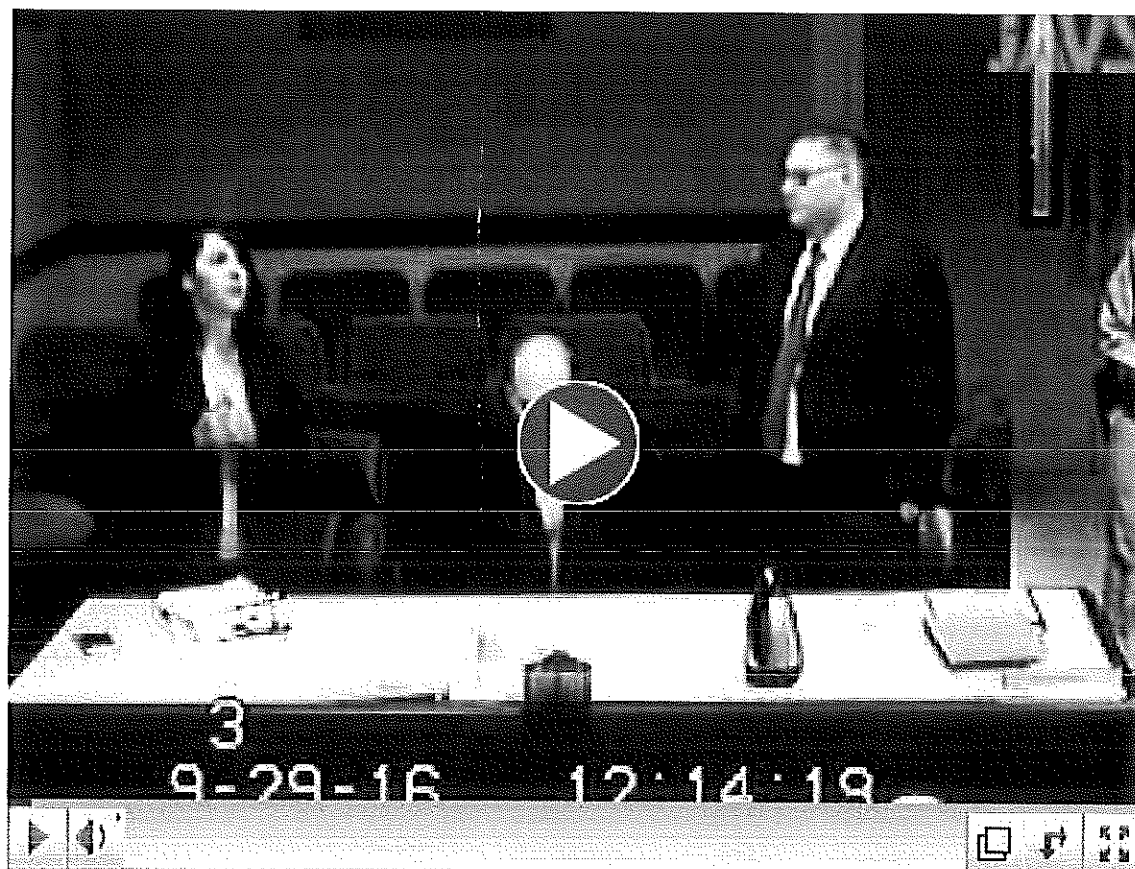
In response to our article, Abrams sought and obtained a court order from Judge Elliott which does not name VIPI, but which purports to

apply to the entirety of the general population. VIPI, however, was served with the Order. The document orders all videos of Abrams' September 29, 2016 judicial browbeating to be taken off the internet.

**Click onto District Court Judge Bullied by Family Attorney Jennifer Abrams**

The Order further prohibits anyone from "publishing, displaying, showing or making public any portion of these case proceedings." The order goes on to state that "nothing from the case at bar shall be disseminated or published and that any such publication or posting by anyone or any entity shall be immediately removed."

While the order claims in a conclusory fashion to be "in the best interests of the children," nothing in the order explains why. Indeed, the September 29, 2016 video of the proceedings that is on the internet focuses on Abrams's disrespectful exchange with the judge, and does not materially involve the children in the case.



Start 12:13:00 in the video the following conversation took place in open court.

**Learn More**

Moreover, while the Court Order is broadly stated and purports to prohibit the public viewing or dissemination of "any portion of these

case proceedings," such blanket prohibition on public access to the entire case is specifically **disallowed by law.**

**Entire cases cannot be sealed. Moreover, even if a judge wants to seal part of the case, the judge must specifically justify such sealing and must seal only the minimum portion necessary to protect a "compelling privacy or safety interest."**

The issue of open proceedings is so important that in 2008 the Review Journal reported the Nevada Supreme Court convened a special task force to address the issue of over-sealing.

**Click onto Standards for sealing civil cases tougher**

The Supreme Court thereafter enacted rules requiring judges to specify in writing why sealing a record or redacting a portion of it is justified. (Supreme Court Rules, Part VII, Rule 3.) Judges must identify ***"compelling privacy or safety interests that outweigh the public interest in access to the court record."***



This requirement applies even when a party in a family law case tries to seal a case under NRS 125.110, the statute on which Abrams seems to routinely rely. This statute provides that certain evidence in a divorce case, such as records, exhibits, and transcripts of particular testimony, may be deemed "private" and sealed upon request of one of the parties. However, the Court must justify why these records

have to be sealed, and cannot seal the entire case - complaints, pleadings and other documents must remain public.

In the 2009 case of Johansen v. District Court, the Nevada Supreme Court specifically held that broad unsupported orders sealing documents in divorce cases are subject to reversal given the important public policies involved.

**The Court stated:**

*"We conclude that the district court was obligated to maintain the divorce proceedings' public status under NRS 125.110 and manifestly abused any discretion it possessed when it sealed the entire case file. We further conclude that the district court abused its discretion when it issued an overly broad gag order sua sponte, without giving notice or a meaningful opportunity to be heard, without making any factual findings with respect to the need for such an order in light of any clear and present danger or threat of serious and imminent harm to a protected interest, and without examining the existence of any alternative means by which to accomplish this purpose. Gag orders must be narrowly drawn if no less restrictive means are available; they may be entered only when there exists a serious and imminent threat to the administration of justice. This was certainly not the case here."*

Click onto Johanson v. Dist. Ct., 182 P. 3d 94 - Nev: Supreme Court 2008

In the *Saiter* case, no notice was given to the general public for a hearing before the Order was issued, there was no opportunity for the public to be heard, no specific findings were made in the Order, and the Order was not drafted narrowly.

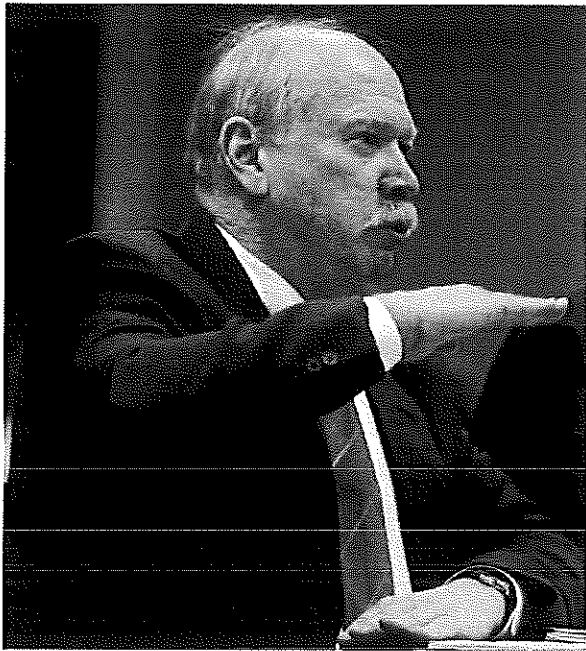


Indeed, it was drafted in the broadest possible terms to effectively seal the entire case! It is also questionable whether Judge Elliott had jurisdiction to issue the Order against the general public, who was not before her in court.

This all raises the question: What basis and justifications were given in the other cases which Abrams sought to seal?

Indeed, after issuing our initial story about Abrams' behavior in the *Saiter* case, we were contacted by judges, attorneys and litigants eager to share similar battle-worn experiences with Jennifer Abrams.

Sources indicate that when Abrams was asked in one case by Judge Gerald Hardcastle whether she understood his order, *she replied that she only understood that the judge intended to bend over backwards for her opposing counsel.*



In another case, Northern Nevada Judge Jack Ames reportedly stood up and walked off the bench after a disrespectful tirade from Jennifer Abrams.



**So, who is to blame here?**

Of course Jennifer Abrams should be responsible and accountable for her own actions.

But, what judge allows a lawyer to bully her in court and then gets her to issue an overbroad, unsubstantiated order to seal and hide the lawyer's actions?

Shouldn't we expect more from our judges in controlling their courtrooms, controlling their cases, issuing orders in compliance with the law, and protecting the people against over-zealous, disrespectful lawyers who obstruct the judicial process and seek to stop the public from having access to otherwise public documents?


Surely, we should have this minimum expectation. Even in Nevada.

**Learn More**



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CLERK OF THE COURT

DISTRICT COURT  
FAMILY COURT DIVISION  
CLARK COUNTY, NEVADA

BRANDON PAUL SAITER,  
  
Plaintiff,  
vs.  
  
TINA MARIE SAITER,  
  
Defendant.

CASE NO: D-15-521372-D  
DEPT NO: L  
  
HEARING DATES: 9/29/16  
HEARING TIMES: 10:00 A.M.

ORDER PROHIBITING  
DISSEMINATION OF CASE MATERIAL

This matter having come before the Court for several pending matters on the 29<sup>th</sup> day of September at 10:00 a.m., Plaintiff Brandon Saiter represented by Jennifer Abrams, Esq. and Brandon Leavitt, Esq. and Defendant, Tina Marie Saiter represented by Louis Schneider, Esq., and the Court hearing preliminary matters, entertained and granted Ms. Abrams request for a closed hearing pursuant to EDCR 5.02, with the exception of permitting the parents of Defendant to remain pursuant to NRS 125.080 (2) (e).

Thereafter, the videotape of this hearing was posted on youtube and a link to the video was emailed to multiple third parties not involved in the case on or about the 3<sup>rd</sup> day of October, 2016.

On October 5, 2016, the parties resolved all issues required for a Decree of Divorce. Counsel then stipulated to seal the case and to disallow any further release of

1


AA000555  
2/15/2017 11:10 AM



case information and to demand that the current post of the September 29, 2016 hearing video, or any other hearing video from this case be immediately removed from the internet and to prohibit any portion of these proceedings from being disseminated or published and that any such publication or posting by anyone be immediately removed, as the September 29, 2016 hearing was a closed hearing. Additionally, counsels and the parties recognize that the case has been settled and that such an Order is in the best interest of the four (4) children in this case and is also authorized by NRS 125.080, NRS 125.110, EDCR 5.02, and Supreme Court Rules, Part VII, Rule 2(2)(a) and 3(4).

**PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS**  
**HEREBY ORDERED** that the current post of the September 29, 2016 hearing video, or any and all other hearing video(s) from this case shall be immediately removed from the internet. All persons or entities shall be prohibited from publishing, displaying, showing, or making public any portion of these case proceedings; nothing from the case at bar shall be disseminated or published and that any such publication or posting by anyone or any entity shall be immediately removed as the Court finds the stipulation of the parties and this Courts' Order to be in the best interest of the four (4) children in this case and to be fully supported by law (NRS 125.080, NRS 125.110, EDCR 5.02, and Supreme Court Rules, Part VII, Rule 2(2)(a) and 3(4)).

DATED this 6<sup>th</sup> day of October, 2016.

  
Jennifer Elliott, District Court Judge,  
Family Division, Dept. L



**Learn More**

**UPCOMING EVENTS**

**WEBSITE   NEWS   GOALS AND VALUES   OFFICERS   CONTACT US**



**Veterans In Politics International Inc.**

**702-283-8088**

**devildog1285@cs.com**

**www.veteransinpolitics.org**

**SIGN UP FOR EMAILS**

**Confirm that you like this.**

Click the "Like" button.

# EXHIBIT 3



CLERK OF THE COURT

1 **ACOM**  
JENNIFER V. ABRAMS, ESQ.  
2 Nevada State Bar Number: 7575  
THE ABRAMS & MAYO LAW FIRM  
3 6252 South Rainbow Boulevard, Suite 100  
Las Vegas, Nevada 89118  
4 Phone: (702) 222-4021  
Email: JVAGroup@theabramslawfirm.com  
5 Attorney for Plaintiffs

6  
7 **DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

8 JENNIFER V. ABRAMS and THE ABRAMS )	Case No.:	A-17-749318-C
9 & MAYO LAW FIRM, )		
Plaintiff, )	Department:	XXI
10 vs. )		
11 )		
12 LOUIS C. SCHNEIDER; LAW OFFICES OF )	Hearing Date:	N/A
LOUIS C. SCHNEIDER, LLC; STEVE W. )	Hearing Time:	N/A
13 SANSON; HEIDI J. HANUSA; CHRISTINA )		
ORTIZ; JOHNNY SPICER; DON )		
14 WOOLBRIGHT; VETERANS IN POLITICS )		
INTERNATIONAL, INC.; SANSON )		
15 CORPORATION; KAREN STEELMON; and )		
DOES I THROUGH X, )		
16 Defendant. )		

ACTION IN TORT

ARBITRATION EXEMPTION  
CLAIMED

17  
18 **AMENDED COMPLAINT FOR DAMAGES**

19 **I.**  
**INTRODUCTION**

20 1. Plaintiffs, Jennifer V. Abrams and The Abrams & Mayo Law Firm  
21 ("Plaintiffs") bring this action for damages based upon, and to redress, Defendants'  
22 Intentional Defamation of the character of the Plaintiffs through libelous writings  
23 and slander, for Intentional Infliction of Emotional Distress, Negligent Infliction of  
24 Emotional Distress, False Light, Business Disparagement, Harassment, Concert of

1 Action, Civil Conspiracy, and violations of RICO, all of which were perpetrated  
2 individually and in concert with others by defendants Louis C. Schneider, Louis C.  
3 Schneider, LLC, Steve W. Sanson, Heidi J. Hanusa, Christina Ortiz, Johnny Spicer,  
4 Don Woolbright, Veterans In Politics International, Inc., Sanson Corporation, Karen  
5 Steelmon, and Does I Through X (collectively "Defendants").

6 **II.**  
7 **VENUE AND JURISDICTION**

8 2. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully  
9 stated herein.

10 3. Jurisdiction is proper in Nevada State court as all alleged claims were  
11 transmitted to or performed in Nevada by the Defendants individually or in concert  
12 with others.

13 **III.**  
14 **PARTIES**

15 4. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully  
16 stated herein.

17 5. Plaintiff Jennifer V. Abrams, is a natural person and an attorney  
18 licensed to practice law in the State of Nevada. She practices exclusively in the field  
19 of Domestic Relations and is a peer-reviewed and certified Fellow of the American  
20 Academy of Matrimonial Lawyers, and a Certified Specialist in Family Law.

21 6. The Abrams & Mayo Law Firm is a dba of The Abrams Law Firm, LLC,  
22 a duly formed Limited Liability Company in the State of Nevada.

23 7. Upon information and belief, Louis C. Schneider is a natural person  
24 who is admitted to practice law in the State of Nevada and is the managing member  
of Law Offices of Louis C. Schneider, LLC.

1           8.       Upon information and belief, Law Offices of Louis C. Schneider, LLC is  
2 a duly formed Limited Liability Company located in Las Vegas, Nevada.

3           9.       Upon information and belief, Steve W. Sanson is a natural person, the  
4 President of Veterans In Politics International, Inc., and the Treasurer and Director  
5 of Sanson Corporation.

6           10.      Upon information and belief, Heidi J. Hanusa is a natural person, the  
7 Treasurer of Veterans In Politics International, Inc., and the President and Secretary  
8 of Sanson Corporation.

9           11.      Upon information and belief, Christina Ortiz is a natural person and  
10 the Director of Veterans In Politics International, Inc.

11           12.      Upon information and belief, Johnny Spicer is a natural person and  
12 Secretary of Veterans In Politics International, Inc.

13           13.      Upon information and belief, Don Woolbright is a natural person and  
14 Secretary of Veterans In Politics International, Inc.

15           14.      Upon information and belief, Veterans In Politics International, Inc. is  
16 a duly formed Domestic Non-Profit Corporation whose purported purpose is "[t]o  
17 educate, organize, and awaken our veterans and their families to select, support and  
18 intelligently vote for those candidates whom would help create a better world, to  
19 protect ourselves from our own government(s) in a culture of corruption, and to be  
20 the political voice for those in other groups who do not have one."

21           15.      Upon information and belief, Sanson Corporation is a duly formed  
22 Domestic Corporation in the State of Nevada.

23           16.      Upon information and belief, Karen Steelmon is a natural person and  
24 is the Registrant of the Domain veteransinpolitics.org.

1           17.     Upon information and belief, additional persons and entities have been  
2 working with the above named Defendants either individually or in concert and have  
3 been added as Doe Defendants in this action until they are personally identified.

4           18.     Jennifer V. Abrams and The Abrams & Mayo Law Firm are informed  
5 and believe, and therefore allege, that each of the Defendants designated herein as  
6 Louis C. Schneider, Law Offices of Louis C. Schneider, LLC, Steve W. Sanson, Heidi  
7 J. Hanusa, Christina Ortiz, Johnny Spicer, Don Woolbright, Veterans In Politics  
8 International, Inc., Sanson Corporation, Karen Steelmon, and Does I through X  
9 inclusive, are in some way legally responsible and liable for the events referred to  
10 herein, and directly or proximately caused the damages alleged herein.

11           19.     At all times material hereto, and in doing the acts and omissions  
12 alleged herein, the Defendants, and each of them, including Louis C. Schneider, Law  
13 Offices of Louis C. Schneider, LLC, Steve W. Sanson, Heidi J. Hanusa, Christina  
14 Ortiz, Johnny Spicer, Don Woolbright, Veterans In Politics International, Inc.,  
15 Sanson Corporation, Karen Steelmon, and Does I through X inclusive, acted  
16 individually and/or through their officers, agents, employees and co-conspirators,  
17 each of whom was acting within the purpose and scope of that agency, employment,  
18 and conspiracy, and these acts and omissions were known to, and authorized and  
19 ratified by, each of the other Defendants.

20  
21                               **IV.**  
                              **FACTUAL ALLEGATIONS**

22           20.     Plaintiffs incorporate and re-allege all preceding paragraphs as if fully  
23 stated herein.

24     ///



21. Plaintiffs represent Brandon Saiter (hereinafter "Husband") in a divorce action pending in the Eighth Judicial District Court, County of Clark, Nevada, Family Division, Case Number D-15-521372-D (hereinafter "the 'D' Case"), Hon. Jennifer L. Elliott, Department L, presiding.

22. Defendants Louis C. Schneider and Law Offices of Louis C. Schneider, LLC (hereinafter collectively referred to as "Schneider") represent Tina Saiter (hereinafter "Wife") in the "D" Case.

23. On September 12, 2016, Plaintiffs, on behalf of Husband, filed a *Motion for Sanctions and Attorney's Fees* against Schneider in the "D" Case for Schneider's violations of both ethical and procedural rules. Schneider was served via electronic service the same day, September 12, 2016.

24. On September 15, 2016, Schneider sent the following email to Brandon Leavitt, Esq. at The Abrams & Mayo Law Firm, which states in relevant part:

I've had about all I can take.  
Withdraw your Motion and I'll withdraw from the case.  
Be advised – Tina has asked me not to leave the case.  
I was getting ready to withdraw my motion to withdraw.  
If your firm does not withdraw that motion, I will oppose it **and**  
**take additional action beyond the opposition.**

[Emphasis added.]

25. Plaintiffs did not withdraw the *Motion for Sanctions and Attorney's Fees* against Schneider. Said *Motion for Sanctions and Attorney's Fees* was set for hearing on September 29, 2016.

26. Upon information and belief, Schneider engaged in one or more *ex parte* communications with Judge Elliott, either directly or through her staff, between September 25, 2016 and the September 29, 2016 hearing.

1           27.    At the beginning of the hearing on September 29, 2016, Plaintiffs, on  
2   behalf of Husband, requested a “closed hearing” pursuant to EDCR 5.02. The request  
3   was granted by Judge Elliott and the hearing was closed.

4           28.    At the beginning of the hearing on September 29, 2016, Judge Elliott  
5   accused Plaintiffs and Husband of misrepresenting financial information on  
6   Husband’s Financial Disclosure Form and referred to Plaintiffs as “unethical.” By the  
7   end of the one-hour and twelve minute hearing, Judge Elliott learned that she was  
8   mistaken on a number of factual matters and retracted her incorrect accusations  
9   against Plaintiffs.

10          29.    A decision on Plaintiffs’ request for sanctions and fees against  
11   Schneider in the “D” Case was deferred and is still pending submission and review of  
12   additional briefing.

13          30.    The day after the September 29, 2016 hearing, on September 30, 2016  
14   at 8:02 am, Schneider sent an email to Kim Gurule at Video Transcription Services  
15   stating, in relevant part:

16                Can you please upload the video from yesterday’s hearing?  
17                Thank you.  
                  :)

18          31.    Upon information and belief, Schneider provided a copy of the  
19   September 29, 2016 “closed hearing” to Defendants Steve W. Sanson and Veterans  
20   In Politics International, Inc.

21          32.    Upon information and belief, Defendants conspired to affect the  
22   outcome of the pending “D” Case by defaming, inflicting emotional distress upon,  
23   placing in a false light, disparaging the business of, and harassing Plaintiffs and  
24

1 inflicting emotional distress upon Judge Elliott, and threatening to continue doing  
2 so.

3 33. On October 5, 2016, Defendants published or caused to be published  
4 on YouTube and on veteransinpolitics.org, a website purportedly owned and  
5 controlled by Defendants Steve W. Sanson, Heidi J. Hanusa, Christina Ortiz, Johnny  
6 Spicer, Don Woolbright, Veterans In Politics International, Inc., Sanson  
7 Corporation, Karen Steelmon, and Does I through X inclusive, the video from the  
8 “closed hearing” on September 29, 2016 in the “D” Case, with an article entitled  
9 “Nevada Attorney attacks a Clark County Family Court Judge in Open Court”  
10 (hereinafter “the ‘Attack’ article”).<sup>1</sup>

11 34. The “Attack” article was published, or republished, or attributed to one  
12 another, or disseminated to third parties across state lines, via email across multiple  
13 states, including Veterans In Politics International, Inc. sending it directly to the  
14 attorneys and paralegals at The Abrams & Mayo Law Firm, and via numerous social  
15 media sites including Pinterest, Google+, Twitter, and the following Facebook pages:

16 a. steve.sanson.1

17 b. steve.sanson.3

18 c. veteransinpolitics

19 d. veteransinpoliticsinternational

20 e. eye.on.nevada.politics

21 f. steve.w.sanson

22 g. Veterans-In-Politics-International-Endorsement-for-the-State-of-  
23 Nevada

24  

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<sup>1</sup> A copy of the published “Attack” article is attached as Exhibit 1.

1 h. Veterans in Politics: groups/OperationNeverForget

2 i. Nevada-Veterans-In-Politics

3 35. Within the "Attack" article, Defendants defame Jennifer V. Abrams and  
4 her law firm, The Abrams & Mayo Law Firm, with a number of false and misleading  
5 statements.

6 36. In the "Attack" article, the Defendants published, or republished, or  
7 attributed to one another, or disseminated to third parties across state lines, false  
8 and defamatory statements directed against Plaintiffs, including that:

9 a. Plaintiff, Jennifer Abrams "attacked" a Clark County Family Court  
10 Judge in open court;

11 b. Abrams has "no boundaries in our courtrooms";

12 c. Abrams is unethical;

13 d. There is a "problem" requiring Abrams to be reported to the Nevada  
14 State Bar; and

15 e. That Abrams "crossed the line with a Clark County District Court  
16 Judge."

17 37. Despite knowledge that Judge Elliott retracted her accusations at the  
18 end of the one hour and twelve minute "closed" hearing, the Defendants published,  
19 or republished, or attributed to one another, or disseminated to third parties across  
20 state lines, misleading statements about Plaintiffs, directing viewers only to the  
21 portion of the video wherein the incorrect and later retracted accusations were made  
22 ("Start 12:13:00"), and quoting only those misleading select portions. Although the  
23 entire one hour and twelve minute video was posted, Defendants knew or should  
24

1 have known that viewers were unlikely to watch the entirety (or any) of the video,  
2 instead, relying upon the misleading snippets highlighted by Defendants.

3 38. During a break at another court hearing in the “D” case on October 5,  
4 2016 (immediately after the dissemination of the “Attack” article via email),  
5 Defendant Schneider said to Brandon K. Leavitt, Esq., of The Abrams & Mayo Law  
6 Firm, that a withdrawal of the *Motion for Sanctions and Attorney Fees* would “make  
7 this all go away,” or words to that effect.

8 39. Defendants were given the opportunity to voluntarily withdraw the  
9 defamatory material. On October 5, 2016 at 6:02 pm, the Honorable Jennifer Elliott  
10 sent an email to Defendants beginning with “I was made aware of this video today  
11 and would kindly request that VIP please take it down.”

12 40. Defendants refused to voluntarily withdraw the defamatory material.  
13 On October 5, 2016 at 11:16 pm, Defendants Steve W. Sanson and Veterans In  
14 Politics International, Inc. responded to Judge Elliott stating in relevant part: “. . .  
15 once we start a course of action we do not raise our hands in defeat,” and “[i]n  
16 combat we never give up and we will not start given (sic) up.” Schneider was copied  
17 on these exchanges and, by his silence, acquiesced.

18 41. Defendants were made aware that the information they disseminated  
19 was incorrect and again were given an opportunity to withdraw the defamatory  
20 material. On October 6, 2016 at 4:00 am, Judge Elliott sent an email to Defendants  
21 stating, in relevant part: “I need you to know that I was wrong regarding the finances  
22 as they had been disclosed at the outset of the case, from the first filing, albeit late. At  
23 the further hearing we had in this matter I put on the record that I believe that he did  
24 not hide anything on his financial disclosure form; it was a misunderstanding that

1 was explained and the record was corrected. . . . I understand that VIP does try to  
2 educate and provide information to voters so they will be more informed about who  
3 they are putting into office. In this case, the dynamic and the record was changed for  
4 the better after that hearing. I think that information would be important to the  
5 voters as well. It is my hope that you will reconsider your position.”

6 42. Defendants did not take down the article or the video and, instead,  
7 continued to publish, republish, and disseminate the article and video they knew to  
8 be false and defamatory.

9 43. On October 7, 2016, Defendants published, republished, or attributed  
10 to one another, or disseminated to third parties across state lines, an advertisement  
11 for Law Offices of Louis C. Schneider, stating “Law Offices of Louis Schneider” and  
12 “Friends of Veterans in Politics.”

13 44. Upon information and belief, a payment of money was made by  
14 Schneider to Defendants Steve W. Sanson, Heidi J. Hanusa, Christina Ortiz, Johnny  
15 Spicer, Don Woolbright, Veterans In Politics International, Inc., Sanson  
16 Corporation, Karen Steelmon, and Does I through X inclusive.

17 45. On October 8, 2016, Defendants were served with an Order Prohibiting  
18 Dissemination of Case Material entered by Judge Elliott.

19 46. On October 9, 2016, Defendants published or caused to be published  
20 on a website known as veteransinpolitics.org, a website purportedly owned and  
21 controlled by Defendants Steve W. Sanson, Heidi J. Hanusa, Christina Ortiz, Johnny  
22 Spicer, Don Woolbright, Veterans In Politics International, Inc., Sanson  
23 Corporation, Karen Steelmon, and Does I through X inclusive, an article entitled  
24 “BULLY District Court Judge Bullied by Family Attorney Jennifer Abrams”

1 (hereinafter “the ‘BULLY’ article”) along with a copy of the Order Prohibiting  
2 Dissemination of Case Material.<sup>2</sup>

3 47. The “BULLY” article, containing a link to the “Attack” article, has been  
4 re-published numerous times via email across multiple states, including Veterans In  
5 Politics International, Inc. sending it directly to the attorneys and paralegals at The  
6 Abrams & Mayo Law Firm, posting it on Twitter, Pinterest, Google+ and on the  
7 following Facebook pages:

- 8 a. steve.sanson.1
- 9 b. steve.sanson.3
- 10 c. veteransinpolitics
- 11 d. veteransinpoliticsinternational
- 12 e. eye.on.nevada.politics
- 13 f. steve.w.sanson
- 14 g. Veterans-In-Politics-International-Endorsement-for-the-State-of-  
15 Nevada
- 16 h. Veterans in Politics: groups/OperationNeverForget
- 17 i. Nevada-Veterans-In-Politics

18 as well as on multiple different Family Court Facebook groups including but not  
19 limited to “Nevada COURT Watchers” and “Family Court Support Group (Clark  
20 County, NV).”

21 48. Within the “BULLY” article, Defendants defame Jennifer V. Abrams  
22 and her law firm, The Abrams & Mayo Law Firm, with a number of false statements.

23  
24  

---

<sup>2</sup> A copy of the published “Bully” article is attached as Exhibit 2.



1       49. The Defendants have published, or republished, or attributed to one  
2 another, or disseminated to third parties across state lines, false and defamatory  
3 statements directed against Abrams, including:

- 4           a. That Abrams bullied Judge Elliott into issuing the Order Prohibiting  
5           Dissemination of Case Material;
- 6           b. That Abrams' behavior is "disrespectful and obstructionist";
- 7           c. That Abrams "misbehaved" in court;
- 8           d. That Abrams' behavior before the judge is "embarrassing"; and
- 9           e. That Judge Elliott's order appears to be "an attempt by Abrams to hide  
10          her behavior from the rest of the legal community and the public."

11 On October 10, 2016 at 4:08 pm, Defendants responded in an email to Judge Elliott  
12 stating, in relevant part: "When we expose folks we do it under the umbrella of a  
13 journalist and we use the Freedom of information Act (sic)." and "We might have  
14 sent out the second article prematurely..(sic) We have also received numerous  
15 attorneys pointing us in the direction of other cases Abram's (sic) have had her  
16 outburst and bullied other Judges and Attorneys."

17       50. On October 10, 2016, Plaintiffs sent an email to Defendants at 7:03  
18 p.m., stating, in relevant part:

19           The Freedom of Information Act is inapplicable – it applies to  
20           the Federal Government, not State divorce cases. And most  
21           importantly, I am not a public figure or an elected official. I am a  
22           private citizen with a private law practice. The umbrella of "a  
23           journalist" does not apply as I am not running for public office  
24           and there are no "voters" that have any right to know anything  
             about my private practice or my private clients.

             I am a zealous advocate and will continue to pursue my client's  
             interests without any hesitation whatsoever.

1           51.    Upon information and belief, on or around October 11, 2016,  
2 Defendants ran a background search on Plaintiff, Jennifer V. Abrams, and did not  
3 find anything negative about her.

4           52.    Defendants responded on October 10, 2016 at 10:03 p.m. via email,  
5 again refusing to voluntarily withdraw the false and defamatory material. The email  
6 states, in relevant part: "But what I find intriguing is that you think because you are  
7 not elected that you are somehow untouchable to the media, then tell that to Lisa  
8 Willardson, David Amesbury, Nancy Quon, David Schubert, Barry Levinson, Noel  
9 Gage and Richard Crane all Nevada Attorneys not elected and never ran for public  
10 office, just to name a few," and "[d]on't forget you practice law in a taxpayer's  
11 courtroom." Unlike Plaintiffs, all of the attorneys mentioned were in some manner  
12 involved or related to criminal investigations.

13           53.    On or about November 6, 2016, Defendants published or caused to be  
14 published on a website known as veteransinpolitics.org, a website purportedly  
15 owned and controlled by Defendants Steve W. Sanson, Heidi J. Hanusa, Christina  
16 Ortiz, Johnny Spicer, Don Woolbright, Veterans In Politics International, Inc.,  
17 Sanson Corporation, Karen Steelmon, and Does I through X inclusive, an article  
18 entitled "Law Frowns on Nevada Attorney Jennifer Abrams' 'Seal-Happy' Practices"  
19 (hereinafter "the 'Seal-Happy' article") along with a printout of "Family Case Records  
20 Search Results" revealing the case numbers, parties' names, filing date, and type of  
21 action of many of Abrams' cases.<sup>3</sup>

22           54.    The "Seal-Happy" article, containing a link to the "Attack" article,  
23 containing a link to the "BULLY" article, and containing a link to the September 29,  
24

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<sup>3</sup> A copy of the published "Seal-Happy" article is attached as Exhibit 3.

1 2016 “closed hearing” video still posted on YouTube, has been re-published  
2 numerous times via email across multiple states, including Veterans In Politics  
3 International, Inc. sending it directly to the attorneys and paralegals at The Abrams  
4 & Mayo Law Firm, posting it on Twitter, Pinterest, Google+ and on the following  
5 Facebook pages:

- 6 a. steve.sanson.1
- 7 b. steve.sanson.3
- 8 c. veteransinpolitics
- 9 d. veteransinpoliticsinternational
- 10 e. eye.on.nevada.politics
- 11 f. steve.w.sanson
- 12 g. Veterans-In-Politics-International-Endorsement-for-the-State-of-
- 13 Nevada
- 14 h. Veterans in Politics: groups/OperationNeverForget
- 15 i. Nevada-Veterans-In-Politics

16 as well as on Family Court Facebook groups including but not limited to “Family  
17 Court Support Group (Clark County, NV).”

18 55. Within the “Seal-Happy” article, Defendants defame Jennifer V.  
19 Abrams and her law firm, The Abrams & Mayo Law Firm, with a number of false  
20 statements.

21 56. The Defendants have published, or republished, or attributed to one  
22 another, or disseminated to third parties across state lines, false and defamatory  
23 statements directed against Abrams, including that:

- 1 a. Abrams “appears to be ‘seal happy’ when it comes to trying to seal her
- 2 cases”;
- 3 b. That Abrams seals cases in contravention of “openness and
- 4 transparency”;
- 5 c. That Abrams’ sealing of cases is intended “to protect her own
- 6 reputation, rather than to serve a compelling client privacy or safety
- 7 interest”;
- 8 d. That Abrams engaged in “judicial browbeating”;
- 9 e. That Abrams obtained an order that “is specifically disallowed by law”;
- 10 f. That Abrams obtained the order against the “general public” with “no
- 11 opportunity for the public to be heard”;
- 12 g. That “after issuing our initial story about Abrams’ behavior in the
- 13 *Saiter* case, we were contacted by judges, attorneys and litigants eager
- 14 to share similar battle-worn experiences with Jennifer Abrams”;
- 15 h. That Abrams obtained an “overbroad, unsubstantiated order to seal
- 16 and hide the lawyer’s actions”; and
- 17 i. That Abrams is an “over-zealous, disrespectful lawyer[] who
- 18 obstruct[s] the judicial process and seek[s] to stop the public from
- 19 having access to otherwise public documents.”

20 57. On or about November 14, 2016, Defendants published or caused to be  
21 published on a website known as veteransinpolitics.org, a website purportedly  
22 owned and controlled by Defendants Steve W. Sanson, Heidi J. Hanusa, Christina  
23 Ortiz, Johnny Spicer, Don Woolbright, Veterans In Politics International, Inc.,  
24 Sanson Corporation, Karen Steelmon, and Does I through X inclusive, an article

1 entitled "Lawyers acting badly in a Clark County Family Court" (hereinafter "the  
2 'Acting badly' article") along with another hearing video from the "D" Case.<sup>4</sup>

3 58. The "Acting badly" article, containing a link to the "Attack" article,  
4 which contains a link to the "BULLY" article, has been re-published numerous times  
5 via email across multiple states, including Veterans In Politics International, Inc.  
6 sending it directly to the attorneys and paralegals at The Abrams & Mayo Law Firm,  
7 posting it on Twitter, Pinterest, Google+ and on the following Facebook pages:

8 a. steve.sanson.1

9 b. steve.sanson.3

10 c. veteransinpolitics

11 d. veteransinpoliticsinternational

12 e. eye.on.nevada.politics

13 f. steve.w.sanson

14 g. Veterans-In-Politics-International-Endorsement-for-the-State-of-  
15 Nevada

16 h. Veterans in Politics: groups/OperationNeverForget

17 i. Nevada-Veterans-In-Politics

18 59. Within the "Acting badly" article, Defendants defame Jennifer V.  
19 Abrams and her law firm, The Abrams & Mayo Law Firm, with a number of false  
20 statements.

21 60. The Defendants have published, or republished, or attributed to one  
22 another, or disseminated to third parties across state lines, false and defamatory  
23 statements directed against Abrams, including that:

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<sup>4</sup> A copy of the published "Acting badly" article is attached as Exhibit 4.

- a. Plaintiffs were “acting badly” in Clark County Family Court;
- b. Abrams’ behavior is “disrespectful and obstructionist”;
- c. Judge Elliott’s order appears to be “an attempt by Abrams to hide her behavior from the rest of the legal community and the public”; and
- d. Abrams engaged in conduct for which she should be held “accountable.”

61. On or about November 16, 2016, Defendants published or caused to be published on a website known as veteransinpolitics.org, a website purportedly owned and controlled by Defendants Steve W. Sanson, Heidi J. Hanusa, Christina Ortiz, Johnny Spicer, Don Woolbright, Veterans In Politics International, Inc., Sanson Corporation, Karen Steelmon, and Does I through X inclusive, an article entitled “Clark County Family Court Judge willfully deceives a young child from the bench and it is on the record” (hereinafter “Deceives” article”).<sup>5</sup>

62. The “Deceives” article primarily attacks the Honorable Rena Hughes and also states the following: “In an unrelated story we exposed how Judges and Lawyers seal cases to cover their own bad behaviors. This is definitely an example of that.” Following this text is a link “click onto article Law Frowns on Nevada Attorney Jennifer Abrams’ ‘Seal-Happy’ Practices.” The “Deceives” article has been re-published numerous times via email across multiple states, including Veterans In Politics International, Inc. sending it directly to the attorneys and paralegals at The Abrams & Mayo Law Firm, posting it on Twitter, Pinterest, Google+ and on the following Facebook pages:

- a. [steve.sanson.1](#)

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<sup>5</sup> A copy of the published “Deceives” article is attached as Exhibit 5.



- 1           b. steve.sanson.3
- 2           c. veteransinpolitics
- 3           d. veteransinpoliticsinternational
- 4           e. eye.on.nevada.politics
- 5           f. steve.w.sanson
- 6           g. Veterans-In-Politics-International-Endorsement-for-the-State-of-
- 7           Nevada
- 8           h. Veterans in Politics: groups/OperationNeverForget
- 9           i. Nevada-Veterans-In-Politics

10 as well as on Family Court Facebook groups including but not limited to “Family  
11 Court Support Group (Clark County, NV).”

12           63. Within the “Deceives” article, Defendants defame Jennifer V. Abrams  
13 and her law firm, The Abrams & Mayo Law Firm, with a number of false statements.

14           64. The Defendants have published, or republished, or attributed to one  
15 another, or disseminated to third parties across state lines, false and defamatory  
16 statements directed against Abrams, including that:

- 17           a. Abrams “appears to be ‘seal happy’ when it comes to trying to seal her  
18           cases”; and
- 19           b. Abrams “bad behaviors” were “exposed.”

20           65. On or about December 21, 2016, Defendants published or caused to be  
21 published on YouTube, on an account or accounts purportedly managed and  
22 controlled by Defendants Steve W. Sanson, Heidi J. Hanusa, Christina Ortiz, Johnny  
23 Spicer, Don Woolbright, Veterans In Politics International, Inc., Sanson  
24 Corporation, Karen Steelmon, and Does I through X inclusive, three videos entitled:

- 1 a. "VIDEO 1 The Abrams Law Firm 10 05 15,"  
2 b. "VIDEO 2 The Abrams Law Firm Inspection part 1,"  
3 c. "VIDEO 3 The Abrams Law Firm Practices p 2."  
4 (hereinafter "the 'Inspection' videos").<sup>6</sup>

5 66. The "Inspection" videos stemmed from another divorce action wherein  
6 Plaintiffs represented Husband, this one a 2014 "D" case, number D-14-507578-D.

7 67. Upon information and belief, Defendants obtained copies of the  
8 "Inspection" videos from Wife in the 2014 "D" case, Yuliya Fohel F.K.A. Delaney.

9 68. Upon information and belief, Defendants knew, at the time they  
10 published, republished, and disseminated the "Inspection" videos, that Yuliya Fohel  
11 F.K.A. Delaney had been ordered to remove these same videos from the internet and  
12 was prohibited from re-posting said videos either personally or through a third  
13 party.

14 69. The "Inspection" videos depict David J. Schoen, IV, a Certified  
15 Paralegal employed at The Abrams & Mayo Law Firm and include personal and  
16 private information.

17 70. Mr. Schoen spoke with Defendant Steve W. Sanson on or about  
18 December 22, 2016 and requested that Sanson remove the "Inspection" videos, or at  
19 least blur his face and redact his personal information.

20 71. During the December 22, 2016 conversation with Mr. Schoen,  
21 Defendant Steve W. Sanson falsely alleged that Mr. Schoen and Plaintiffs "bullied"  
22 and "forced" Yuliya in "unlawfully" entering her home, or words to that effect.

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<sup>6</sup> A printout of the published "Inspection" videos is attached as Exhibit 6.

1       72. During the December 22, 2016 conversation with Mr. Schoen,  
2 Defendant Steve W. Sanson falsely alleged that Jennifer Abrams is “unethical and a  
3 criminal,” or words to that effect.

4       73. During the December 22, 2016 conversation with Mr. Schoen,  
5 Defendant Steve W. Sanson falsely alleged that Jennifer Abrams “doesn’t follow the  
6 law,” or words to that effect.

7       74. During the December 22, 2016 conversation, Mr. Schoen said that it  
8 was obvious that Schneider provided a copy of the September 29, 2016 “closed  
9 hearing” video to Defendant Steve W. Sanson. Defendant Steve W. Sanson did not  
10 deny that he received the video from Schneider and responded: “yeah, okay,” or  
11 words to that effect.

12       75. During the December 22, 2016 conversation with Mr. Schoen,  
13 Defendant Steve W. Sanson falsely alleged that Jennifer Abrams was “breaking the  
14 law by sealing her cases,” or words to that effect.

15       76. During the December 22, 2016 conversation with Mr. Schoen,  
16 Defendant Steve W. Sanson incorrectly alleged that he had a right under “the  
17 Freedom of Information Act” to disseminate the “closed hearing,” despite having  
18 been informed that the Freedom of Information Act is inapplicable and despite being  
19 served with a court order prohibiting its dissemination.

20       77. During the December 22, 2016 conversation with Mr. Schoen,  
21 Defendant Steve W. Sanson said that Jennifer Abrams is on his “priority list”  
22 because she “insulted [his] intelligence” by having him served with an order,  
23 allegedly “when the court had no jurisdiction over [him],” or words to that effect.

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78. During the December 22, 2016 conversation with Mr. Schoen, Defendant Steve W. Sanson said that Jennifer Abrams “started this war” and, had she just dropped the issue after the initial article and video (i.e., the “Attack” article), he never would have “kept digging,” or words to that effect.

79. During the December 22, 2016 conversation with Mr. Schoen, Defendant Steve W. Sanson said that he is in possession of “dozens of hours” of hearing videos from multiple cases where Jennifer Abrams is counsel of record, or words to that effect.

80. During the December 22, 2016 conversation with Mr. Schoen, Defendant Steve W. Sanson said that “Jennifer is in bed with Marshal Willick, that explains a lot about the kind of person she is,” or words to that effect.<sup>7</sup>

81. The defamatory statements by Defendants were intended to harm Plaintiffs' reputation and livelihood, to harass and embarrass Plaintiffs, and to impact the outcome of a pending action in the "D" case.

82. The defamatory statements by Defendants have caused numerous negative comments to be directed against Plaintiffs.<sup>8</sup>

**V.**  
**FIRST CLAIM FOR RELIEF**  
**(DEFAMATION)**

83. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully stated herein.

84. Defendants, and/or Defendants' agents, representatives, and/or employees, either individually, or in concert with others, published one or more oral

7 The relationship between Jennifer V. Abrams and Marshal S. Willick is not being denied.

<sup>8</sup> For example, one person's comment to the "Acting badly" article and video begins with "Hopefully, the jerk has a heart attack from all that anger and stress," referring to Plaintiff's partner, Vincent Mayo, Esq.

1 or written false or misleading statements which were intended to impugn Plaintiffs  
2 honesty, integrity, virtue and/or personal and professional reputation.

3 85. Jennifer Abrams and The Abrams & Mayo Law Firm are not public  
4 figures, as some or all of Defendants have acknowledged in writing, or been notified  
5 of in writing.

6 86. The referenced defamatory statements would tend to lower the subject  
7 in the estimation of the community, excite derogatory opinions about the subject,  
8 and hold the subject up to contempt.

9 87. The referenced defamatory statements were not privileged.

10 88. The referenced defamatory statements were published to at least one  
11 third party.

12 89. The referenced defamatory statements were published or republished  
13 deliberately or negligently by one or more of each of the Defendants.

14 90. Some or all of the referenced defamatory statements constitute  
15 defamation *per se*, making them actionable irrespective of special harm.

16 91. Publication of some or all of the referenced defamatory statements  
17 caused special harm in the form of damages to Jennifer Abrams and The Abrams &  
18 Mayo Law Firm.

19 WHEREFORE, Plaintiffs, Jennifer V. Abrams and The Abrams & Mayo Law  
20 Firm, demand judgment against named Defendants for actual, special,  
21 compensatory, and punitive damages in an amount deemed at the time of trial to be  
22 just, fair, and appropriate in an amount in excess of \$15,000.

23 / / /

24 / / /

1 VI.  
2 **SECOND CLAIM FOR RELIEF**  
(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS)

3 92. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully  
4 stated herein.

5 93. Defendants and/or Defendants' agents, representatives, and/or/  
6 employees, either individually, or in concert with others, intentionally and  
7 deliberately inflicted emotional distress on Plaintiffs by defaming them to many  
8 people, including but not limited to the following: several of Plaintiff's friends, co-  
9 workers, colleagues, clients, and an unknown number of persons that were subjected  
10 to the defamatory comments on the internet.

11 94. As a result of Defendants' extreme and outrageous conduct, Plaintiff  
12 was, is, and, with a high degree of likelihood, will continue to be emotionally  
13 distressed due to the defamation.

14 95. As a result of Defendants' extreme and outrageous conduct, Plaintiffs  
15 have suffered and will continue to suffer mental pain and anguish, and unjustifiable  
16 emotional trauma.

17 WHEREFORE, Plaintiffs, Jennifer Abrams and The Abrams & Mayo Law  
18 Firm, demand judgment against named Defendants for actual, special,  
19 compensatory, and punitive damages in an amount deemed by this Court to be just  
20 and fair and appropriate, in an amount in excess of \$15,000.

21 VII.  
22 **THIRD CLAIM FOR RELIEF**  
(NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS)

23 96. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully  
24 stated herein.



97. To whatever extent the infliction of emotional distress asserted in the preceding cause of action was not deliberate, it was a result of the reckless and wanton actions of the Defendants, either individually, or in concert with others.

WHEREFORE, Plaintiffs, Jennifer Abrams and The Abrams & Mayo Law Firm, demand judgment against named Defendants for actual, special, compensatory, and punitive damages in an amount deemed by this Court to be just and fair and appropriate, in an amount in excess of \$15,000.

**VIII.**  
**FOURTH CLAIM FOR RELIEF**  
**(FALSE LIGHT)**

98. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully stated herein.

99. Defendants and/or Defendants' agents, representatives, and/or employees, either individually, or in concert with others, intentionally made and published false and misleading statements about Jennifer Abrams and The Abrams & Mayo Law Firm.

100. The statements made by the Defendants against Jennifer Abrams were made with the specific intent to cause harm to Plaintiffs and their pecuniary interests, or, in the alternative, the Defendants published the false and misleading statements knowing its falsity and inaccuracy or with reckless disregard for the truth.

101. The statements made by the Defendants place Jennifer Abrams and The Abrams & Mayo Law Firm in a false light and are highly offensive and inflammatory, and thus actionable.

/ / /

WHEREFORE, Plaintiffs, Jennifer Abrams and The Abrams & Mayo Law Firm, demand judgment against named Defendants for actual, special, compensatory, and punitive damages in an amount deemed at the time of trial to be just, fair, and appropriate in an amount in excess of \$15,000.

**IX.**  
**FIFTH CLAIM FOR RELIEF**  
**(BUSINESS DISPARAGEMENT)**

102. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully stated herein.

103. Defendants and/or Defendants' agents, representatives, and/or employees, either individually, or in concert with others, intentionally made false and disparaging statements about Jennifer Abrams and The Abrams & Mayo Law Firm and disparaged Jennifer Abrams and The Abrams & Mayo Law Firm's business.

104. The referenced statements and actions were specifically directed towards the quality of Jennifer Abrams and The Abrams & Mayo Law Firm's services, and were so extreme and outrageous as to affect the ability of Jennifer Abrams and The Abrams & Mayo Law Firm to conduct business.

105. The Defendants intended, in publishing the false and defamatory statements to cause harm to Plaintiffs and its pecuniary interests, or, in the alternative, the Defendants published the disparaging statements knowing their falsity or with reckless disregard for the truth.

WHEREFORE, Plaintiffs, Jennifer Abrams and The Abrams & Mayo Law Firm, demand judgment against named Defendants for actual, special, compensatory, and punitive damages in an amount deemed at the time of trial to be just, fair, and appropriate in an amount in excess of \$15,000.

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**X.**  
**SIXTH CLAIM FOR RELIEF**  
**(HARASSMENT)**

106. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully stated herein.

107. Defendants and/or Defendants' agents, representatives, and/or employees in concert with one another, have engaged in a defamatory campaign against Plaintiff and has threatened the dissemination of additional defamatory campaigns against Plaintiff.

108. Defendants' making of false and defamatory statements and defamatory campaigns against Plaintiffs were specifically intended to interfere with Plaintiffs' business, and to cause the apprehension or actuality of economic harm to Plaintiffs and Plaintiffs' employees.

109. Defendants' actions were intended to result in substantial harm to the Plaintiffs with respect to their mental health or safety, and to cause economic damage to Plaintiffs.

WHEREFORE, Plaintiffs, Jennifer Abrams and The Abrams & Mayo Law Firm, demand judgment against named Defendants for actual, special, compensatory, and punitive damages in an amount deemed at the time of trial to be just, fair, and appropriate in an amount in excess of \$15,000.

**XI.**  
**SEVENTH CLAIM FOR RELIEF**  
**(CONCERT OF ACTION)**

110. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully stated herein.

///

1 111. Defendants and/or Defendants' agents, representatives, and/or  
2 employees in concert with one another, based upon an explicit or tacit agreement,  
3 intentionally committed a tort against Plaintiffs.

4 112. Defendants' concert of action resulted in damages to Jennifer Abrams  
5 and The Abrams & Mayo Law Firm.

6 WHEREFORE, Plaintiffs, Jennifer Abrams and The Abrams & Mayo Law  
7 Firm, demand judgment against named Defendants for actual, special,  
8 compensatory, and punitive damages in an amount deemed at the time of trial to be  
9 just, fair, and appropriate in an amount in excess of \$15,000.

10 **XII.**  
11 **EIGHTH CLAIM FOR RELIEF**  
12 **(CIVIL CONSPIRACY)**

13 113. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully  
14 stated herein.

15 114. Defendants and/or Defendants' agents, representatives, and/or  
16 employees, either individually, or in concert with others, based upon an explicit or  
17 tacit agreement, intended to accomplish an unlawful objective and intended to harm  
18 Jennifer Abrams and The Abrams & Mayo Law Firm's pecuniary interests and  
19 financial well-being.

20 115. Defendants' civil conspiracy resulted in damages to Jennifer Abrams  
21 and The Abrams & Mayo Law Firm.

22 WHEREFORE, Plaintiffs, Jennifer Abrams and The Abrams & Mayo Law  
23 Firm, demand judgment against named Defendants for actual, special,  
24 compensatory, and punitive damages in an amount deemed at the time of trial to be  
just, fair, and appropriate in an amount in excess of \$15,000.

**XIII.**  
**NINTH CLAIM FOR RELIEF**  
**(RICO VIOLATIONS)**

116. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully stated herein.

117. Defendants and/or Defendants' agents, representatives, and/or employees, either individually, or in concert with others, engaged in at least two crimes related to racketeering pursuant to NRS 207.360 that have the same or similar pattern, intents, results, accomplices, victims or methods of commission or are otherwise interrelated by distinguishing characteristics and are not isolated incidents.

118. Here, Defendants<sup>9</sup> have all either committed, conspired to commit, or have attempted to commit the following crime(s):

- a. Bribing or intimidating witness to influence testimony (NRS 199.240(b) – cause or induce witness to withhold true testimony).
- b. Bribing or intimidating witness to influence testimony (NRS 199.240(c) – cause or induce witness to withhold a record, document or other object from the proceeding).
- c. Intimidating public officer, public employee, juror, referee, arbitrator, appraiser, assessor or similar person (NRS 199.300(d) – to do any act not authorized by law and is intended to harm any person other than the person addressing the threat or intimidation with respect to the person's health, safety, business, financial condition or personal relationships).

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<sup>9</sup> The named Defendants—and others—constitute a criminal syndicate as defined in NRS 207.370.

- 1 d. Criminal contempt (NRS 199.340(4) – willful disobedience to the lawful
- 2 process or mandate of a court).
- 3 e. Criminal contempt (NRS 199.340(7) – publication of a false or grossly
- 4 inaccurate report of court proceedings).
- 5 f. Challenges to fight (NRS 200.450).
- 6 g. Furnishing libelous information (NRS 200.550).
- 7 h. Threatening to publish libel (NRS 200.560).
- 8 i. Harrassment (NRS 200.571).
- 9 j. Multiple transactions involving fraud or deceit in the course of an
- 10 enterprise (NRS 205.377).
- 11 k. Taking property from another under circumstances not amounting to
- 12 robbery (NRS 207.360(9)).
- 13 l. Extortion (NRS 207.360(10)).

14 119. Defendants comprise a criminal syndicate: Any combination of  
15 persons, so structured that the organization will continue its operation even if  
16 individual members enter or leave the organization, which engages in or has the  
17 purpose of engaging in racketeering activity. Here, Veterans In Politics International,  
18 Inc., Nevada Veterans In Politics, and Veterans in Politics are organizations—  
19 headed by Defendants Steve W. Sanson, Heidi J. Hanusa, Christina Ortiz, Johnny  
20 Spicer, Don Woolbright, and Karen Steelmon—that have members that do come and  
21 go and the organization continues on. These organizations and their principals have  
22 conspired to engage in and have engaged in racketeering activity. These  
23 organizations conspire with others, such as Louis C. Schneider and Law Offices of  
24



1 Louis C. Schneider, LLC, who come and go, to engage in and have engaged in  
2 racketeering activity.

3 120. This group also meets the statutory definition – NRS 207.380 – as an  
4 enterprise:

5 Any natural person, sole proprietorship, partnership, corporation,  
6 business trust or other legal entity; and, any union, association or other  
group of persons associated in fact although not a legal entity.

7 Here Veterans In Politics International, Inc. is a registered not-for-profit business  
8 and Nevada Veterans In Politics and Veterans in Politics are sub-units of Veterans In  
9 Politics International, Inc. Each can and should be considered individual legal  
10 entities.<sup>10</sup>

11 121. Law Offices of Louis C. Schneider, LLC is a for-profit law firm in  
12 Nevada and is definitionally a separate legal entity.

13 122. Sanson Corporation is also a separate legal entity and is a registered  
14 Nevada corporation.

15 123. Even if not all Defendants are members of Veterans In Politics  
16 International, Inc., Nevada Veterans In Politics, Veterans in Politics, and Law Offices  
17 of Louis C. Schneider, they meet the “association or other group of persons  
18 associated in fact” requirements under the statute as an enterprise. The statute  
19 explicitly includes both licit and illicit enterprises.

20 124. Racketeering is the engaging in at least two crimes related to  
21 racketeering that have the same or similar pattern, intents, results, accomplices,  
22 victims or methods of commission, or are otherwise interrelated by distinguishing  
23 characteristics and are not isolated incidents, if at least one of the incidents occurred

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24 <sup>10</sup> Nevada Veterans In Politics and Veterans in Politics operate numerous social media sites  
where the defamation continues.

1 after July 1, 1983, and the last of the incidents occurred within 5 years after a prior  
2 commission of a crime related to racketeering.

3 125. Defendants used threats, intimidation, and deception with the intent to  
4 cause or induce Plaintiff and Plaintiff's client to withhold testimony against  
5 Schneider in the "D" case. (NRS 199.240)(b)).

6 126. Defendants used threats, intimidation, and deception with the intent to  
7 cause or induce Plaintiff and Plaintiff's client to withhold a record, document or  
8 other object from the legal proceedings in the "D" case. (NRS 199.240(c)).

9 127. Defendants, directly or indirectly, addressed threats and intimidation  
10 to Judge Elliott with the intent to induce Judge Elliott contrary to her duty to make,  
11 omit or delay any act, decision or determination, as the threat or intimidation  
12 communicated the intent, either immediately or in the future, to do an act not  
13 authorized by law and intended to harm Plaintiffs' emotional health, business, and  
14 financial condition. (NRS 199.300(d)).

15 128. Defendants willfully disobeyed the lawful process or mandate of a  
16 court. (NRS 199.340(4)).

17 129. Defendants published a false or grossly inaccurate report of family  
18 court proceedings on numerous occasions, including, but not limited to, the "D"  
19 case. (NRS 199.340(7)).

20 130. Defendants Steve W. Sanson, Heidi J. Hanusa, Christina Ortiz, Johnny  
21 Spicer, Don Woolbright, Veterans In Politics International, Inc., Sanson  
22 Corporation, Karen Steelmon, and Does I through X inclusive, gave or sent a  
23 challenge in writing to fight Richard Carreon and others. (NRS 200.450).

24 ///

1        131. Defendants willfully stated, delivered or transmitted to a manager,  
2 editor, publisher, reporter or other employee of a publisher of any newspaper,  
3 magazine, publication, periodical or serial statements concerning Plaintiffs which, if  
4 published therein, would be a libel. (NRS 200.550).

5        132. Defendants threatened Plaintiffs with the publication of a libel  
6 concerning Plaintiffs with the intent to extort the withdrawal of the *Motion for*  
7 *Sanctions and Attorney Fees* and related legal proceedings in the "D" case. (NRS  
8 200.560).

9        133. Defendants, without lawful authority, knowingly threatened to  
10 substantially harm the health or safety of Plaintiff and, by words and conduct placed  
11 Plaintiffs in reasonable fear that the threat would be carried out. (NRS 200.571).

12        134. Defendants, in the course of their enterprise, knowingly and with the  
13 intent to defraud, engaged in an act, practice or course of business or employed a  
14 device, scheme or artifice which operates or would operate as a fraud or deceit upon  
15 a person by means of a false representation or omission of a material fact that  
16 Defendants know to be false or omitted, Defendants intend for others to rely on, and  
17 results in a loss to those who relied on the false representation or omission in at least  
18 two transactions that have the same or similar pattern, intents, results, accomplices,  
19 victims or methods of commission, or are otherwise interrelated by distinguishing  
20 characteristics and are not isolated incidents within 4 years and in which the  
21 aggregate loss or intended loss is more than \$650. (NRS 205.377).

22        135. Defendants posted false and defamatory material no less than 130  
23 times in six separate defamatory campaigns against Plaintiffs. The total value of  
24 time expended by Jennifer Abrams, and The Abrams & Mayo Law Firm staff in

1 responding to inquiries from clients, protecting client privacy, and attempting to  
2 have the defamatory material removed from the internet was over \$15,000 and this  
3 does not include the costs of missed opportunities or time that should have been  
4 spent working on cases for paying clients. (NRS 205.377 and NRS 207.360(9)).

5 136. It was the intent of the Defendants to cause harm to Plaintiffs and  
6 Plaintiff's client and the aggregate costs far exceed the \$650 threshold. Each act  
7 which violates subsection one constitutes a separate offense and a person who  
8 violates subsection one is guilty of a category B felony.

9 137. Additionally, NRS 205.0832 defines the actions which constitute theft  
10 as including that which:

11 Obtains real, personal or ***intangible property or the services of***  
12 ***another person***, by a material misrepresentation with intent to  
13 deprive that person of the property or services. As used in this  
14 paragraph, "material misrepresentation" means the use of any  
15 pretense, or the making of any promise, representation or statement of  
present, past or future fact which is fraudulent and which, when used  
or made, is instrumental in causing the wrongful control or transfer of  
property or services. The pretense may be verbal or it may be a  
physical act.

16 Additionally the statute goes on to define the theft as a person or entity that "Takes,  
17 destroys, conceals or disposes of property in which another person has a security  
18 interest, with intent to defraud that person." Time is a lawyer's stock in trade.  
19 Defendants—with malice—stole valuable time from Plaintiffs. Also, the theft of  
20 Jennifer Abrams and The Abrams & Mayo Law Firm's "good will" by the making of  
21 false and defamatory comments and placing both Jennifer Abrams and The Abrams

1 & Mayo Law Firm in a false light has diminished the value of the business. These are  
2 intangible thefts, but thefts nonetheless.<sup>11</sup>

3 138. Defendants attempted to extort Plaintiffs to withdraw the *Motion for*  
4 *Sanctions and Attorney's Fees* through a series of veiled threats. When Plaintiffs  
5 refused to withdraw the motion, Defendants disseminated additional defamatory  
6 material with the intent to do damage to Plaintiffs and threatened to continue doing  
7 so unless the motion was withdrawn. (NRS 207.360(10)).

8 139. The Defendants have attempted to or did use extortion to influence the  
9 outcome of at least one other pending family law case.

10 140. Defendants' illegal conduct resulted in damages to Plaintiffs.

11 WHEREFORE, Plaintiffs, Jennifer Abrams and The Abrams & Mayo Law  
12 Firm, pursuant to NRS 207.470, are entitled to treble damages as a result of  
13 Defendants' criminal conduct in the form of actual, special, compensatory, and  
14 punitive damages in amount deemed at the time of trial to be just, fair, and  
15 appropriate in an amount in excess of \$15,000.

16 **XIV.**  
17 **TENTH CLAIM FOR RELIEF**  
18 **(COPYRIGHT INFRINGEMENT)**

19 141. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully  
20 stated herein.

21 142. Defendants have infringed upon Plaintiffs' photographic works owned  
22 by Plaintiff, for which copyright registration is being sought, by posting the work on  
23 social media websites, including but not limited to, Facebook, Pinterest, Google+,  
24

---

<sup>11</sup> Goodwill – "A business's reputation, patronage, and other intangible assets that are considered when appraising the business, especially for purchase." *Black's Law Dictionary* 279 (Bryan A. Garner ed., Pocket ed., West 1996).

1 Twitter, and LinkedIn, without consent, approval or license of Plaintiffs and by  
2 continuing to distribute and copy the commercial without compensation or credit to  
3 the Plaintiffs.

4 143. As a direct and proximate result of said infringement by Defendants,  
5 Plaintiff is entitled to damages in an amount to be proven at trial.

6 144. Defendants' infringement of Plaintiffs' photographic works has yielded  
7 Defendants profits in an amount not yet determined.

8 145. Defendants' infringement has been willful and deliberate and was done  
9 for the purpose of defaming Plaintiffs and making commercial use of and profit on  
10 Plaintiffs' material throughout the country and within this Judicial District.  
11 Plaintiffs are entitled to recover increased damages as a result of such willful  
12 copying.

13 146. Plaintiffs are entitled to attorneys' fees and full costs pursuant to 17  
14 U.S.C. § 505 and otherwise according to law.

15 147. As a direct and proximate result of the foregoing acts and conduct,  
16 Plaintiffs have sustained and will continue to sustain substantial, immediate, and  
17 irreparable injury, for which there is no adequate remedy at law. Upon information  
18 and belief, Plaintiffs believe that unless enjoined and restrained by this Court,  
19 Defendants will continue to infringe Plaintiffs' rights in the infringed works.  
20 Plaintiffs are entitled to preliminary and permanent injunctive relief to restrain and  
21 enjoin Defendants' continuing infringing conduct.

22 WHEREFORE, Plaintiffs, Jennifer V. Abrams and The Abrams & Mayo Law  
23 Firm, demand that:

24 ///



- 1 a. Pursuant to 17 U.S.C. § 502(a), Defendants, their agents servants and  
2 employees and all parties in privity with them be enjoined permanently  
3 from infringing Plaintiff's copyrights in any manner.
- 4 b. Pursuant to 17 U.S.C § 504(b), Defendants be required to pay to the  
5 plaintiff, such actual damages as the Plaintiffs may have sustained in  
6 consequence of Defendants' infringement and all profits of Defendants  
7 that are attributable to the infringement of Plaintiffs' copyrights.  
8 Plaintiffs request Defendants account for all gains, profits, and  
9 advantages derived by Defendants from their infringement.
- 10 c. Pursuant to 17 U.S.C. § 504(c)(1), Defendants be required to pay an  
11 award of statutory damages in a sum not less than \$30,000.
- 12 d. The Court finds the Defendants' conduct was committed willfully.
- 13 e. Pursuant to 17 U.S.C. § 504(c)(2), Defendants be required to pay an  
14 award of increased statutory damages in a sum of not less than  
15 \$150,000 for willful infringement.
- 16 f. Pursuant to 17 U.S.C. § 505, Defendants be required to pay the  
17 Plaintiffs' full costs in this action and reasonable attorney's fees.
- 18 Defendants' conduct was willful or wanton and done in reckless disregard of  
19 Plaintiffs' rights thereby entitling Plaintiffs to recover punitive damages in an  
20 amount to be determined at trial.

21 **XV.**  
22 **ELEVENTH CLAIM FOR RELIEF**  
23 **(INJUNCTION)**

23 148. Plaintiffs incorporate and re-allege all preceding paragraphs as if fully  
24 stated herein.

1       149. Defendants and/or Defendant's agents, representatives, and/or  
2 employees, either individually, or in concert with others are attempting to extort a  
3 result in the "D" case litigation by unlawful out-of-court means. The "D" case  
4 litigation is ongoing and an injunction is necessary to stop the extortion and  
5 continuation of harm and damage to Plaintiffs.

6 Defendants and/or Defendants' agents, representatives, and/or employees, either  
7 individually, or in concert with others, engaged in acts that were so outrageous that  
8 injunctive relief is necessary to effectuate justice.

9       WHEREFORE, Plaintiffs request the following injunctive relief:

10       a. That all defamatory writings, video, postings, or any other documents  
11       or public display of the same, concerning Jennifer Abrams, The  
12       Abrams & Mayo Law Firm, and the employees of the same, be removed  
13       from public view within 10 days of the issuance of the injunction.

14       b. That all innuendo of illegal, immoral, or unethical conduct that has  
15       already been attributed by defendants to Plaintiffs, must never be  
16       repeated by any named Defendant or any member of any of the named  
17       organizations. Generalities toward lawyers in general will constitute a  
18       violation of the injunction.

19       c. That a full retraction and apology be authored by Defendants Steve W.  
20       Sanson and Louis C. Schneider and disseminated everywhere the  
21       defamation occurred, including, but not limited to, the entirety of the  
22       mailing list(s), each and every social media site (Facebook, Twitter,  
23       Google+, Pinterest, etc.) and anywhere else the defamatory material  
24       was disseminated.

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**XVI.**  
**CONCLUSION**

150. Jennifer Abrams and The Abrams & Mayo Law Firm incorporate and re-allege all preceding paragraphs as if fully stated herein.

**WHEREFORE**, Jennifer Abrams and The Abrams & Mayo Law Firm respectfully pray that judgment be entered against Defendants, and each of them individually, as follows:

1. General damages in an amount in excess of \$15,000 for each and every claim for relief;
2. Compensatory damages in an amount in excess of \$15,000 for each and every claim for relief;
3. Punitive damages in an amount in excess of \$15,000 for each and every claim for relief;
4. Treble damages for Defendants' RICO violations pursuant to NRS 207.470 in the form of general, compensatory, and/or punitive damages in an amount in excess of \$15,000;
5. All attorney's fees and costs that have and/or may be incurred by Jennifer V. Abrams and The Abrams & Mayo Law Firm in pursuing this action; and

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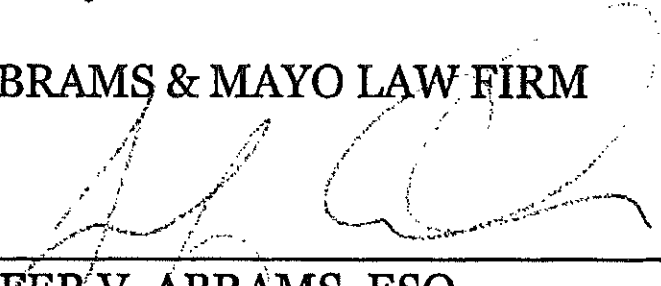
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1           6. For such other and further relief this Court may deem just and proper.

2   **DATED** this 27<sup>th</sup> day of January, 2017.

3                               Respectfully submitted:

4                               **THE ABRAMS & MAYO LAW FIRM**

5                                 
6                               \_\_\_\_\_  
7                               JENNIFER V. ABRAMS, ESQ.  
8                               Nevada State Bar Number: 7575  
9                               6252 South Rainbow Boulevard, Suite 100  
10                              Las Vegas, Nevada 89118  
11                              Phone: (702) 222-4021  
12                              Email: JVAGroup@theabramslawfirm.com  
13                              Attorney for Plaintiffs

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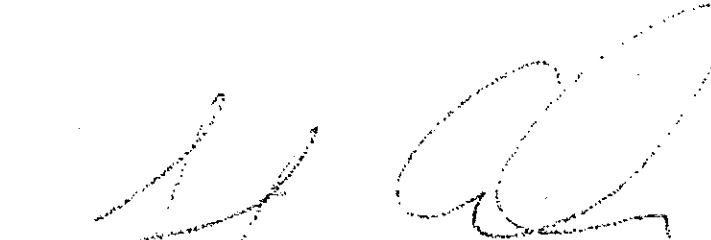
VERIFICATION

STATE OF NEVADA )  
 ) ss:  
COUNTY OF CLARK )

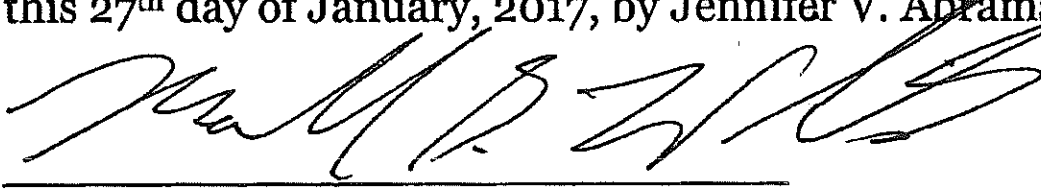
JENNIFER V. ABRAMS, ESQ., principal of THE ABRAMS & MAYO LAW  
FIRM first being duly sworn, deposes and says:

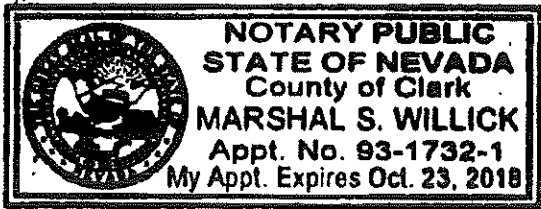
That her business is the Plaintiff in the above-entitled action; that she has  
read the above and foregoing *Amended Complaint for Damages* and knows the  
contents thereof and that the same is true of her own knowledge, except as to those  
matters therein stated on information and belief, and as to those matters, she  
believes them to be true.

FURTHER, AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
JENNIFER V. ABRAMS, ESQ.

SUBSCRIBED and SWORN to before me  
this 27<sup>th</sup> day of January, 2017, by Jennifer V. Abrams, Esq.

  
\_\_\_\_\_  
NOTARY PUBLIC



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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing *Amended Complaint for Damages* was filed electronically with the Eighth Judicial District Court in the above-entitled matter on Friday, January 27, 2017. Electronic service of the foregoing document shall be made in accordance with the Master Service List, pursuant to NEFCR 9, as follows:

Maggie McLethcie, Esq.  
Attorney for Defendants Steve W. Sanson and  
Veterans in Politics International, Inc.

Alex Ghibaud, Esq.  
Attorney for Defendants Louis C. Schneider,  
Law Offices of Louis C. Schneider, LLC, and  
Christina Ortiz

I further certify that on Monday, January 30, 2017, the foregoing *Amended Complaint for Damages* was served on the following interested parties, via 1<sup>st</sup> Class U.S. Mail, postage fully prepaid:

Heidi J. Hanusa	
2620 Regatta Drive, Suite 102	8908 Big Bear Pines Avenue
Las Vegas, Nevada 89128	Las Vegas, Nevada 89143

Johnny Spicer  
3589 East Gowan Road  
Las Vegas, Nevada 89115

Don Woolbright  
20 Fernwood Drive  
Saint Peters, Missouri 63376

Sanson Corporation  
c/o Clark McCourt, Registered Agent  
7371 Prairie Falcon Road, Suite 120  
Las Vegas, Nevada 89128

Karen Steelmon  
2174 East Russell Road  
Las Vegas, Nevada 89119

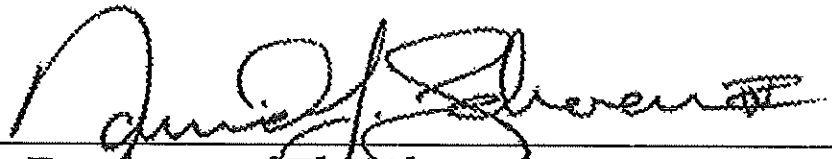
  
An Employee of The Abrams & Mayo Law Firm

EXHIBIT 1

EXHIBIT 1

EXHIBIT 1



1/9/2017

Nevada Attorney attacks a Clark County Family Court Judge in Open Court

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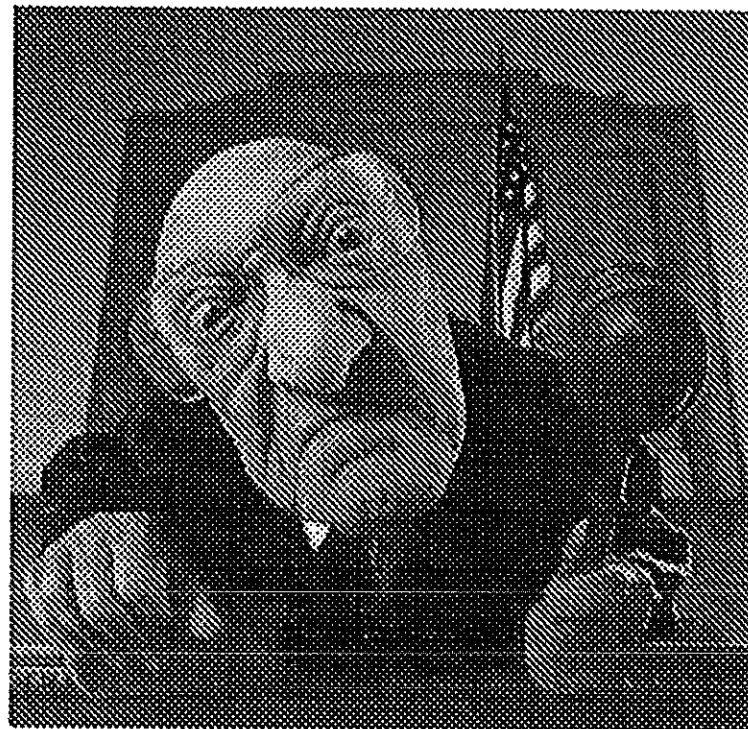


VETERANS  
IN POLITICS

# Nevada Attorney attacks a Clark County Family Court Judge in Open Court

*A behind the scenes look  
inside our courtroom*

FIND OUT MORE



## *No boundaries in our courtrooms!*

In Clark County Nevada, we have noticed Justice of the Peace handcuffing Public Defenders unjustly as well as Municipal Court Judges incarcerating citizens that are not even before their court.

The above are examples of the court room over stepping boundaries. But what happens when a Divorce Attorney

crosses the line with a Clark County District Court Judge Family Division?

In a September 29, 2016 hearing in Clark County Family Court Department L Jennifer Abrams representing the plaintiff with co-council Brandon Leavitt and Louis Schneider representing the defendant. This case is about a 15 year marriage, plaintiff earns over 160,000 annually and defendant receives no alimony and no part of the business.

There was a war of words between Jennifer Abrams and Judge Jennifer Elliot.



Start 12:13:00 in the video the following conversation took place in open court.

**Judge Jennifer Elliot:**



I find that there is undue influence in the case.

There are enough ethical problems don't add to the problem.

If that's not an ethical problem I don't know what is.

Court is charged to making sure that justice is done.

Your client lied about his finances.

I am the judge and in a moment I am going to ask you to leave.

Your firm does this a lot and attack other lawyers.

I find it to be a pattern with your firm.

You are going to be taking out of here if you don't sit down.

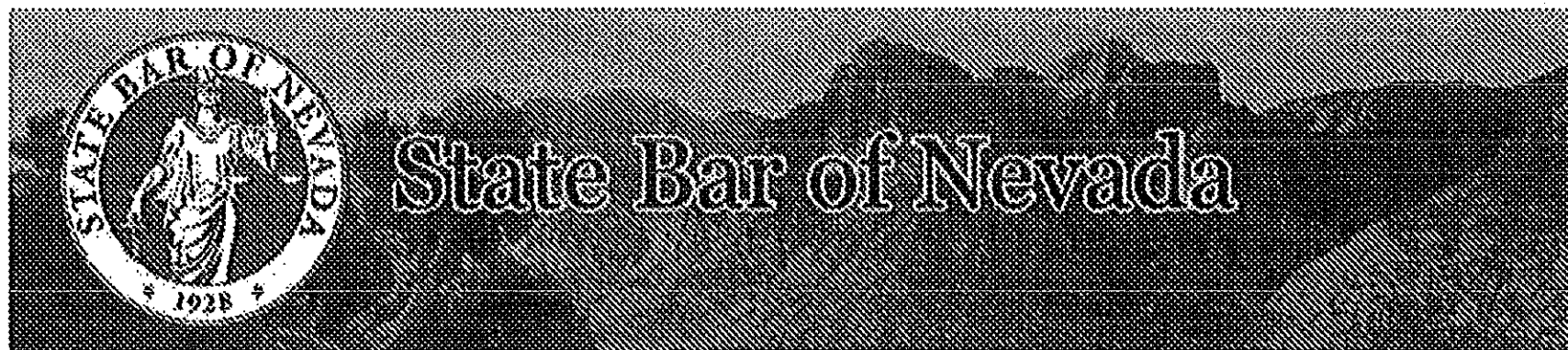
I am the Judge not you.

**Jennifer Abrams:**



Excuse me I was in the middle of a sentence.

Is there any relationship between you and Louis Schneider?



At what point should a judge sanction an attorney?

Is a judge too comfortable or intimidated by an attorney that they give them leeway to basically run their own courtroom?

If there is an ethical problem or the law has been broken by an attorney the Judge is mandated by law to report it to the

1/9/2017

Nevada Attorney attacks a Clark County Family Court Judge in Open Court

Nevada State Bar or a governing agency that could deal with the problem appropriately.

[Learn More about Nevada State Bar Ethics & Discipline](#)

#### UPCOMING EVENTS

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Veterans In Politics International Inc.

702-283-8088

[devildog1235@cs.com](mailto:devildog1235@cs.com)

[www.veteransinpolitics.org](http://www.veteransinpolitics.org)

[SIGN UP FOR EMAILS](#)

**Confirm that you like this.**

Click the "Like" button.

EXHIBIT 2

EXHIBIT 2

EXHIBIT 2





# VETERANS IN POLITICS

[illegible]

*District Court Judge Jennifer Elliott orders video of family court case to be removed.*

October 9, 2016

Yesterday, Veterans In Politics International, Inc. (VIPI) was served with a copy of a Court Order sealing case materials in a family court case on which we have been reporting, Saiter v. Saiter, case no. D-15-521372D.

We had recently posted a videotape of a hearing that took place on September 29, 2016 in the Saiter case. The video exposed the



disrespectful and obstructionist behavior of the husband's lawyer, Jennifer Abrams (click onto Nevada Attorney attacks a Clark County Family Court Judge in Open Court).



After our video posted, Abrams, seeking to stop us from showing the video, obtained a Court Order which stated that "the current post of the September 29, 2016 hearing video, and any and all other hearing video(s) from this case shall be immediately removed from the internet." The Order does not name VIPI but states that it pertains to "all persons or entities."

While we disagree that there is anything private in the video, we are abiding by it out of respect for the Court. The Order states that it is being issued "in the best interest of the four (4) children in the case," however, the focus of the video is the misbehavior of Abrams, not the children. Abrams is not a parent, child or a party in the case. Her embarrassing behavior before the judge has no bearing on the children.

This Order appears to just be an attempt by Abrams to hide her behavior from the rest of the legal community and the public.

We will, however, continue to work on behalf of our community to keep our courts and those working within them, accountable for their actions.

See order:

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JANUARY 11, 2016  
10:00 AM

*John J. Schmitt*  
JUDGE OF THE COURT

DISTRICT COURT  
FAMILY COURT DIVISION  
CLATSOP COUNTY, OREGON

PLAINTIFF: SATTIE, DANIEL	CASE NO. 2015-00177-D DEFENDANT
DEBORA SATTIE, DANIEL	RECEIVED: 1/11/16 HEARING: 1/11/16

ORDER PROHIBITING  
DISTRIBUTION OF CASE MATERIAL

This matter having come before the Court for several pending matters on the 17<sup>th</sup> day of September at 10:00 am, Plaintiff Debora Sattie represented by Daniel Schmitt, Esq. and Brandon Leavitt, Esq. and Defendant, Dan Daniel Sattie represented by Laura Schneider, Esq. and the Court hearing preliminary matters, determined and granted the Plaintiff request for a closed hearing pursuant to ORS 3.012, with the exception of permitting the parties of Defendant to remain pursuant to ORS 3.012(2)(b).

Therefore, the substance of this hearing was posted on YouTube and a link to the video was emailed to each party and posted on the court's website on the 17<sup>th</sup> day of October, 2016.

On October 3, 2016, the parties received all necessary materials for a hearing of 10:00 am. Counsel then appeared to ask the court not to disclose any further release of



Case information and is decreed that the current post of the September 28, 2016 hearing video, or any other hearing video from this case be immediately removed from the internet and to prohibit any portion of these proceedings from being disseminated or published and that any such publication or posting by anyone be immediately removed, as the September 28, 2016 hearing was a closed hearing. Additionally, counsel and the parties recognize that the case has been settled and that such an Order is in the best interest of the four (4) children in this case and is also authorized by NRS 125.080, NRS 125.110, EROR 5.03, and Supreme Court Rules, Part VII, Rule 2.2(a) and 3.4).

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS HEREBY ORDERED that the current post of the September 28, 2016 hearing video, or any and all other hearing video(s) from this case shall be immediately removed from the internet. All persons or entities shall be prohibited from publishing, displaying, showing, or making public any portion of these case proceedings, nothing from the case or that shall be disseminated or published and that any such publication or posting by anyone or any entity shall be immediately removed as the Court finds the stipulation of the parties and this Court's Order to be in the best interest of the four (4) children in this case and to be fully supported by law (NRS 125.080, NRS 125.110, EROR 5.03, and Supreme Court Rules, Part VII, Rule 2.2(a) and 3.4).

DATED this 1<sup>st</sup> day of October, 2016.

  
Jennifer Abrams, District Court Judge  
Family Division, Dept. 1

1/9/2017

District Court Judge Bullied by Family Attorney Jennifer Abrams.

**Read: Nevada Attorney attacks a Clark County Family Court Judge in Open Court**

UPCOMING EVENTS

WEBSITE NEWS GOALS AND VALUES OFFICERS CONTACT US



Veterans In Politics International Inc.

702-283-8088

devildog1285@cs.com

www.veteransinpolitics.org

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EXHIBIT 3

EXHIBIT 3

EXHIBIT 3

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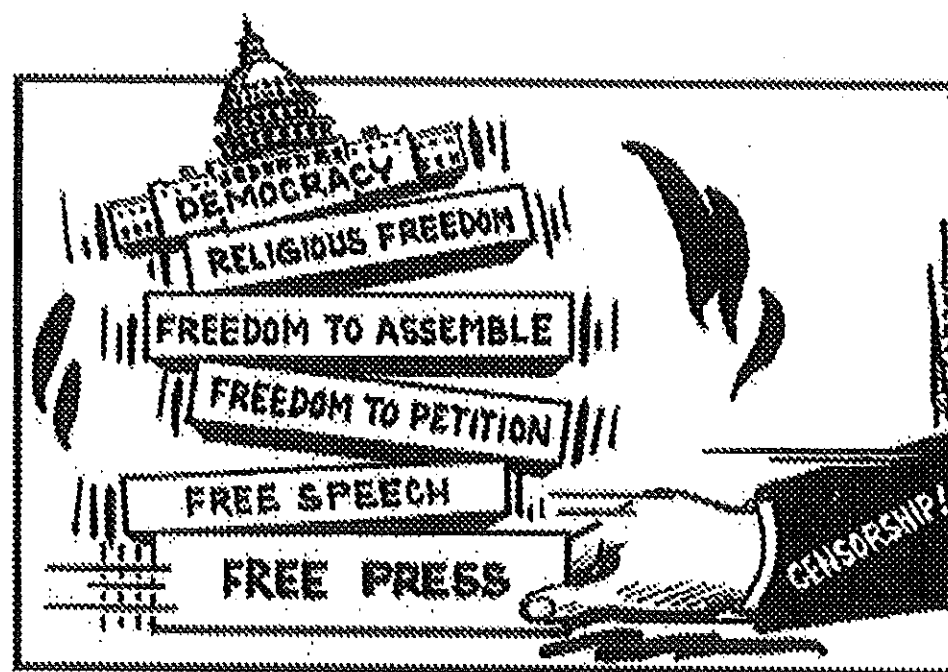
VETERANS  
IN POLITICS

## Law Frowns on Nevada Attorney Jennifer Abrams' "Seal-Happy" Practices

Clark County, Nevada  
November 6, 2016

Free access to civil court proceedings is protected by the First Amendment to the U.S. Constitution.

FIND OUT MORE



Its importance cannot be overstated!

State and federal courts, including Nevada's Supreme Court, recognize that public access to court proceedings serves vital public policy interests, including, serving as a check on corruption, educating the public about the judicial process, promoting informed discussion of government affairs, and enhancing the performance of the judge, the lawyers and all involved.

As former Nevada Supreme Court Justice Nancy Saitta wrote earlier this year regarding the Supreme Court's rules on sealing civil records,

*"the cornerstones of an effective, functioning judicial system are openness and transparency. Safeguarding these cornerstones requires public access not only to the judicial proceedings but also to judicial records and documents."*

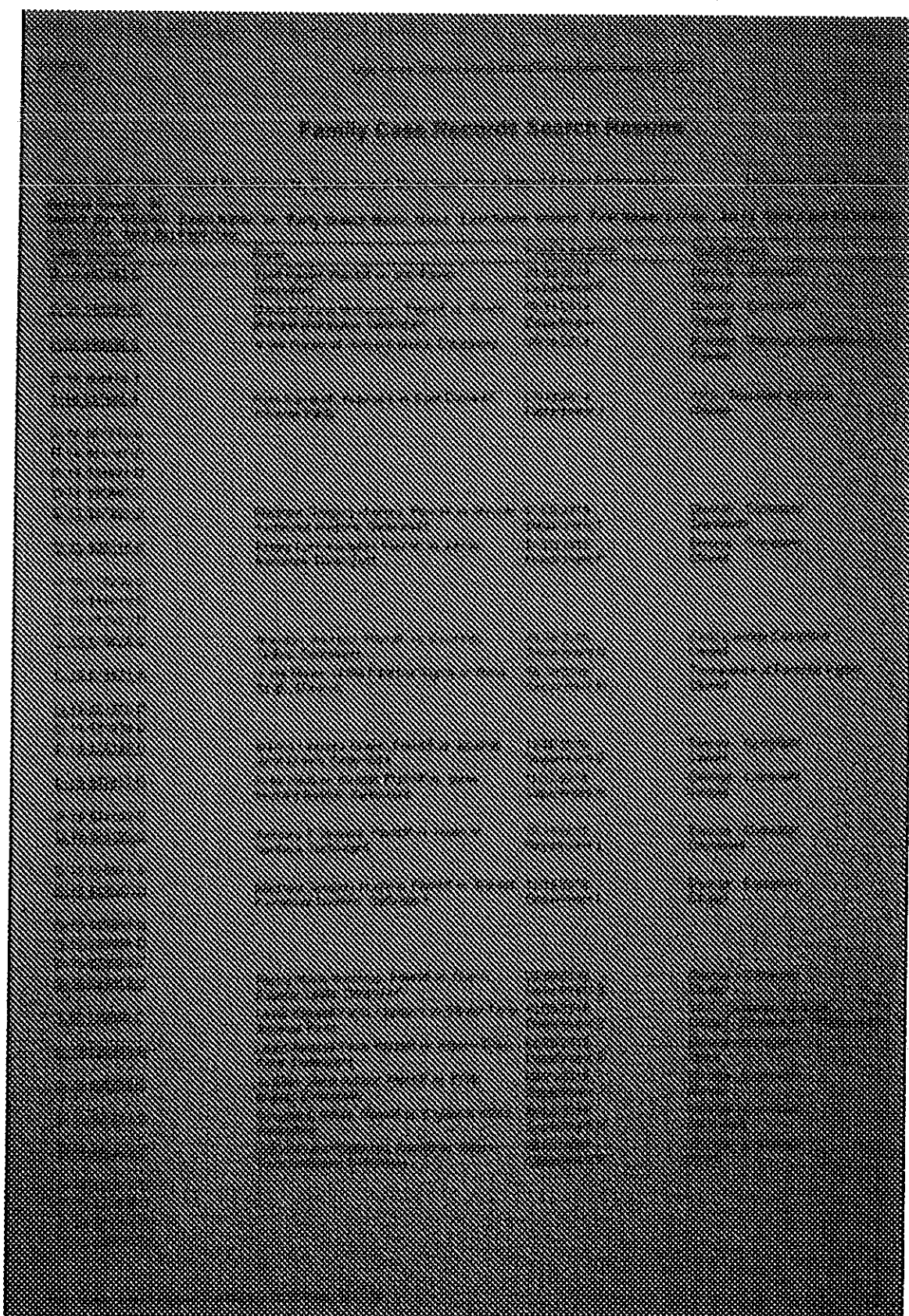


At least one lawyer in Nevada, however, Jennifer Abrams, appears to be "seal happy" when it comes to trying to seal her cases. She appears to have sealed many of her cases in the past few years, including filing a petition to seal in at least four cases just this past week, on 11/3/2016!



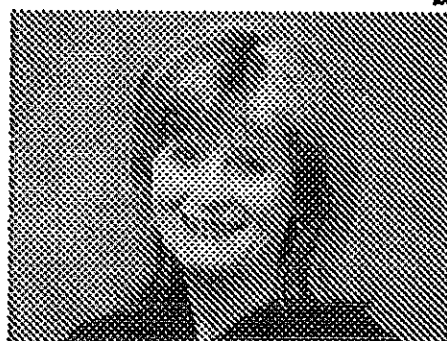
It also appears, however, that at least one of her cases, and perhaps more, may have been sealed to protect her own reputation, rather than to serve a compelling client privacy or safety interest.





[Learn More](#)

Veterans In Politics International (VIPI) recently released a video of Abrams bullying Judge Jennifer Elliot during a family court hearing in a case entitled Saiter v. Saiter, Case No. D-15-521372-D.



**Click onto Nevada Attorney attacks a Clark County Family Court Judge in Open Court**

In response to our article, Abrams sought and obtained a court order from Judge Elliott which does not name VIPI, but which purports to apply to the entirety of the general population. VIPI, however, was

served with the Order. The document orders all videos of Abrams' September 29, 2016 judicial browbeating to be taken off the internet.

Click onto District Court Judge Bullied by Family Attorney Jennifer Abrams

The Order further prohibits anyone from "publishing, displaying, showing or making public any portion of these case proceedings." The order goes on to state that "nothing from the case at bar shall be disseminated or published and that any such publication or posting by anyone or any entity shall be immediately removed."

While the order claims in a conclusory fashion to be "in the best interests of the children," nothing in the order explains why. Indeed, the September 29, 2016 video of the proceedings that is on the internet focuses on Abrams's disrespectful exchange with the judge, and does not materially involve the children in the case.



Start 12:13:00 in the video the following conversation took place in open court.

#### Learn More

Moreover, while the Court Order is broadly stated and purports to prohibit the public viewing or dissemination of "any portion of these case proceedings," such blanket prohibition on public access to the entire case is specifically disallowed by law.

Entire cases cannot be sealed. Moreover, even if a judge wants to seal part of the case, the judge must specifically justify such sealing and must seal only the minimum portion necessary to protect a "compelling privacy or safety interest."

The issue of open proceedings is so important that in 2008 the Review Journal reported the Nevada Supreme Court convened a special task force to address the issue of over-sealing.

Click onto Standards for sealing civil cases tougher

The Supreme Court thereafter enacted rules requiring judges to specify in writing why sealing a record or redacting a portion of it is justified. (Supreme Court Rules, Part VII, Rule 3.) Judges must identify *"compelling privacy or safety interests that outweigh the public interest in access to the court record."*



This requirement applies even when a party in a family law case tries to seal a case under NRS 125.110, the statute on which Abrams seems to routinely rely. This statute provides that certain evidence in a divorce case, such as records, exhibits, and transcripts of particular testimony, may be deemed "private" and sealed upon request of one of the parties. However, the Court must justify why these records have to be sealed, and cannot seal the entire case - complaints, pleadings and other documents must remain public.

In the 2009 case of Johansen v. District Court, the Nevada Supreme Court specifically held that broad unsupported orders sealing

documents in divorce cases are subject to reversal given the important public policies involved.

**The Court stated:**

*"We conclude that the district court was obligated to maintain the divorce proceedings' public status under NRS 125.110 and manifestly abused any discretion it possessed when it sealed the entire case file. We further conclude that the district court abused its discretion when it issued an overly broad gag order sua sponte, without giving notice or a meaningful opportunity to be heard, without making any factual findings with respect to the need for such an order in light of any clear and present danger or threat of serious and imminent harm to a protected interest, and without examining the existence of any alternative means by which to accomplish this purpose. Gag orders must be narrowly drawn if no less restrictive means are available; they may be entered only when there exists a serious and imminent threat to the administration of justice. This was certainly not the case here."*

**Click onto Johanson v. Dist. Ct., 182 P. 3d 94 - Nev: Supreme Court 2008**

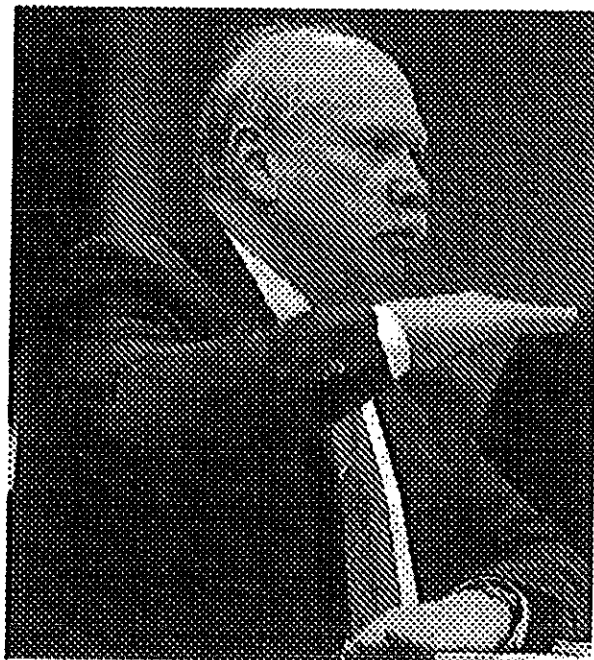
In the *Saiter* case, no notice was given to the general public for a hearing before the Order was issued, there was no opportunity for the public to be heard, no specific findings were made in the Order, and the Order was not drafted narrowly.

Indeed, it was drafted in the broadest possible terms to effectively seal the entire case! It is also questionable whether Judge Elliott had jurisdiction to issue the Order against the general public, who was not before her in court.

This all raises the question: What basis and justifications were given in the other cases which Abrams sought to seal?

Indeed, after issuing our initial story about Abrams' behavior in the *Salter* case, we were contacted by judges, attorneys and litigants eager to share similar battle-worn experiences with Jennifer Abrams.

Sources indicate that when Abrams was asked in one case by Judge Gerald Hardcastle whether she understood his order, *she replied that she only understood that the judge intended to bend over backwards for her opposing counsel.*



In another case, Northern Nevada Judge Jack Ames reportedly stood up and walked off the bench after a disrespectful tirade from Jennifer Abrams.



So, who is to blame here?



Of course Jennifer Abrams should be responsible and accountable for her own actions.

But, what judge allows a lawyer to bully her in court and then gets her to issue an overbroad, unsubstantiated order to seal and hide the lawyer's actions?

Shouldn't we expect more from our judges in controlling their courtrooms, controlling their cases, issuing orders in compliance with the law, and protecting the people against over-zealous, disrespectful lawyers who obstruct the judicial process and seek to stop the public from having access to otherwise public documents?

Surely, we should have this minimum expectation. Even in Nevada.

[Learn More](#)

CLERK OF DISTRICT COURT  
CLARK COUNTY, NEVADA

*[Signature]*  
CLERK OF DISTRICT COURT

DISTRICT COURT  
FAMILY COURT DIVISION  
CLARK COUNTY, NEVADA

BRANDON PAUL KATTE

Plaintiff

CASE NO. D-15-02117-D

vs.

DEPT NO. 1

TINA MARIE KATTE

Defendant

HEARING DATES: 9/29/16

HEARING TIMES: 10:00am

ORDER PROHIBITING  
DISSEMINATION OF CASE MATERIAL

This matter having come before the Court for several pending matters on the 28<sup>th</sup> day of September at 10:00 a.m., Plaintiff Brandon Katte represented by Jennifer Abrams, Esq. and Brandon Leavelle, Esq. and Defendant Tina Marie Katte represented by Louis Schneider, Esq., and the Court having perused the matters submitted and heard the parties' request for a closed hearing pursuant to NRS 115.002, with the exception of permitting the parents of Defendant to remain present in NRS 115.002(3)(d).

Thereafter, the videotape of this hearing was posted on YouTube and a link to the video was emailed to multiple third parties not involved in the case on or about the 3<sup>rd</sup> day of October, 2016.

On October 3, 2016, the parties received an email request for a Director of Domestic Counsel then obligated to seal the case and to discontinue any further release of



The information and is deemed that the current part of the September 29, 2016 hearing video, or any other hearing video from this case be immediately removed from the internet and to prohibit any portion of these proceedings from being disseminated or published and that any such publication or posting by anyone be immediately removed, as the September 29, 2016 hearing was a closed hearing. Additionally, counsel and the parties recognize that the case has been settled and that such an Order is in the best interest of the four (4) children in this case and is also authorized by NRS 125.080, NRS 125.110, EDCR 5.02, and Supreme Court Rules, Part VII, Rule 2(3)(a) and 3(4).

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS HEREBY ORDERED that the current part of the September 29, 2016 hearing video, or any and all other hearing video(s) from this case shall be immediately removed from the internet. All persons or entities shall be prohibited from publishing, displaying, showing, or making public any portion of these case proceedings, nothing from the case at bar shall be disseminated or published and that any such publication or posting by anyone or any entity shall be immediately removed as the Court finds the stipulation of the parties and this Court's Order to be in the best interest of the four (4) children in this case and to be fully supported by law (NRS 125.080, NRS 125.110, EDCR 5.02, and Supreme Court Rules, Part VII, Rule 2(3)(a) and 3(4)).

DATED the 17<sup>th</sup> day of October, 2016.

  
Jennifer Elton, District Court Judge  
Family Division, Dept. 1

1/9/2017

Law Frowns on Nevada Attorney Jennifer Abrams' "Seal-Happy" Practices

**Learn More**

UPCOMING EVENTS

WEBSITE NEWS GOALS AND VALUES OFFICERS CONTACT US



Veterans In Politics International Inc.

762-283-8088

devildog1235@cs.com

www.veteransinpolitics.org

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EXHIBIT 4

EXHIBIT 4


EXHIBIT 4

Lawyers acting badly in a Clark County Family Court

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11h02m43s  
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Steve Sanson  
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Nevada Attorney attacks a Clark County Family Court Judge in Open Court

Steve Sanson

197 views

Published on Oct 9, 2016

District Court Judge Bullied by Family Attorney Jennifer Abrams

District Court Judge Jennifer Elliott orders video of family court case to be removed.

COMMENTS • 1

Add a public comment.

Top comments •

Anat Levy, Esq. (State Bar No. 12250)  
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Fax: (310) 734-1538  
Attorney for: APPELLANTS, Veterans In Politics International, Inc.  
and Steve W. Sanson

Electronically Filed  
Aug 21 2017 02:05 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**IN THE SUPREME COURT OF NEVADA**

VETERANS IN POLITICS	)	SUP. CT. CASE #: 72778
INTERNATIONAL, INC.; AND STEVE	)	
W. SANSON	)	
	)	DIST. CT. CASE #:
Appellants,	)	A-17-750171-C (Dept. 18)
	)	
vs.	)	
	)	
MARSHAL S. WILICK; AND	)	
WILICK LAW GROUP,	)	
	)	
Respondents.	)	
	)	
	)	
	)	

**APPELLANTS' APPENDIX**

**VOLUME III OF IX**

Appeal from Eight Judicial District Court, Clark County

Senior Judge, Hon. Charles Thompson, Dept. 18

**APPELLANTS' APPENDIX**

**INDEX TO APPELLANTS' APPENDIX**

<b><u>DOCUMENT</u></b>	<b>DATE</b>	<b>VOL.</b>	<b>BATES NUMBERS</b>
<i>Abrams v. Schneider:</i> Notice of Entry of Order (Granting Anti-SLAPP Motion)	7/24/2017	IX	AA001970- AA001993
<i>Abrams v. Schneider:</i> Minute Order Re: Special Motion to Dismiss Pursuant to NRS 41.660 (Anti- SLAPP); Schneider Defendants Special Motion to Dismiss Plaintiffs SLAPP Suite Pursuant to NRS 41.660 and Requests for Attorney's Fees, Costs, and Damages Pursuant to NRS 41.670	6/22/2017	IX	AA001955- AA001957
Affidavit of Marshal S. Willick in Support of Plaintiff's Opposition to Anti-SLAPP Special Motion to Dismiss Pursuant to NRS 41.650 et. seq.; and Countermotion for Attorney's Fees and Costs	3/13/2017	VII	AA001504- AA001590
<i>Ansell v. Ansell:</i> Amended Deposition Subpoena Deuces Tecum served on Steve Sanson	7/22/2017	IX	AA001962- AA001966
<i>Ansell v. Ansell:</i> Letter from Verizon advising of and attaching Subpoena Deuces Tecum served on Verizon Wireless	7/13/2017	IX	AA001958- AA001961



<b><u>DOCUMENT</u></b>	<b>DATE</b>	<b>VOL.</b>	<b>BATES NUMBERS</b>
<i>Ansell v. Ansell</i> : Motion to Quash Subpoena Duces Tecum and Deposition Subpoena Served on Steve Sanson on July 22, 2017	8/4/2017	IX	AA002009-AA002023
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<i>Ansell v. Ansell</i> : Second Amended Notice of Taking Video Taped Deposition Served on Steve Sanson on 7/22/2017	7/22/2017	IX	AA001967-AA001969
Anti-SLAPP Special Motion to Dismiss Pursuant to NRS 41.650 et. seq.	2/17/2017	I	AA000053-AA000081
Complaint for Damages	1/27/2017	I	AA000001-AA000028
Declaration of Anat Levy in Support of Anti-SLAPP Motion (with Exs.)	2/17/2017	II-V	AA000351-AA000946
Declaration of Anat Levy in Support of Motion to Stay Proceedings Pending Appeal on Denial of Defendants' Anti-SLAPP Motion	4/7/2017	VIII-IX	AA001721-AA001909
Declaration of Levy; Proposed Order Attached Thereto	3/26/2017	VIII	AA001674-AA001681
Declaration of Service of Complaint on Steve Sanson	2/4/2017 (service date)	I	AA000029
Declaration of Service of Complaint on Veterans in Politics International, Inc.	2/6/2017 (service date)	I	AA000030



<b><u>DOCUMENT</u></b>	<b>DATE</b>	<b>VOL.</b>	<b>BATES NUMBERS</b>
Declaration of Steve Sanson in Support of Anti-SLAPP Motion (with Exs.)	2/17/2017	I-II	AA000082- AA000350
Defendants' Ex Parte Motion to Shorten Time on Motion to Stay Proceedings Pending Appeal on Order Denying Defendants' Anti- SLAPP Motion		IX	AA001910- AA001920
Errata to Opposition to Anti-SLAPP Special Motion to Dismiss Pursuant to NRS 41.650 et. seq.; and Countermotion for Attorney's Fees and Costs	3/8/2017	VII	AA001477- AA001479
Exhibits to Opposition to Anti-SLAPP Motion to Dismiss Pursuant to NRS 41.650 et. seq., and Countermotion for Attorney's Fees and Costs	3/8/2017	VII	AA001446- AA001476
First Amended Complaint	4/3/2017	VIII	AA001692- AA001706
Minute Order of Hearing on Defendants' Anti-SLAPP Motion	3/14/2017	VII	AA001602- AA001603
Motion to Dismiss for Failure to State a Claim (NRCp §12(b)(5))	2/24/2017	V	AA000952- AA000983
Motion to Dismiss Ninth Cause of Action for Copyright Infringement for Lack of Subject Matter Jurisdiction (NRCp §12(b)(1))	2/24/2017	V	AA000947- AA000951

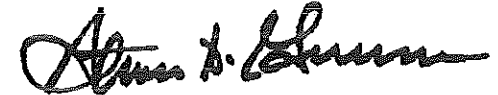
**APPELLANTS' APPENDIX**

<b><u>DOCUMENT</u></b>	<b>DATE</b>	<b>VOL.</b>	<b>BATES NUMBERS</b>
Motion to Stay Proceedings Pending Appeal on Denial of Defendants' Anti-SLAPP Motion	4/7/2017	VIII	AA001709- AA001720
Motion to Strike	2/24/2017	V	AA000984- AA000992
Motion to Strike and Response to Plaintiff's Untimely Supplemental Brief	3/13/2017	VII	AA001591- AA001598
Notice of Appeal	4/3/2017	VIII	AA001707- AA001708
Notice of Association of Counsel	3/13/2017	VII	AA001599- AA001601
Notice of Entry of Order Denying: (i) The VIPI Defendants' Anti-SLAPP Special Motion to Dismiss Pursuant to NRS 41.650 et. seq.; (ii) the Willick Parties' Countermotion for Attorney's Fees and Costs	3/31/2017	VIII	AA001682- AA001691
Notice of Entry of Order Shortening Time	4/11/2017	IX	AA001921- AA001926
Notice of Entry of Order Staying Proceedings	5/9/2017	IX	AA001950- AA001954
Opposition to Anti-SLAPP Special Motion to Dismiss Pursuant to NRS 41.650 et. seq.; and Countermotion for Attorney's Fees and Costs	3/8/2017	VII	AA001422- AA001445

<b><u>DOCUMENT</u></b>	<b>DATE</b>	<b>VOL.</b>	<b>BATES NUMBERS</b>
Plaintiffs' Opposition to Defendants Steve W. Sanson and Veterans in Politics International, Inc.'s Motion to Stay Proceedings Pending Appeal on Order Denying Defendants' Anti-SLAPP Motion	4/14/2017	IX	AA001927-AA001933
Plaintiffs' Response to Defendants Steve W. Sanson and Veterans in Politics International, Inc.'s (i) Motion to Dismiss Ninth Cause of Action for Copyright Infringement for Lack of Subject Matter Jurisdiction (N.R.C.P. 12(b)(1)); (ii) Motion to Dismiss for Failure to State a Claim (N.R.C.P. 12(b)(5)); and (iii) Motion to Strike	3/20/2017	VIII	AA001671-AA001673
Reply in Support of Defendants' Anti-SLAPP Special Motion to Dismiss Pursuant to NRS 41.650 et. seq.	3/9/2017	VII	AA001480-AA001498
Reply in Support of Motion to Stay Proceedings Pending Appeal on Order Denying Defendants' Anti-SLAPP Motion	4/18/2017	IX	AA001934-AA001949
Request for Judicial Notice in Support of Motion to Dismiss for Failure to State a Claim (with Exs.)	2/24/2017	V-VI	AA000993-AA001288

<b><u>DOCUMENT</u></b>	<b>DATE</b>	<b>VOL.</b>	<b>BATES NUMBERS</b>
<i>Saiter v. Saiter</i> : Declaration of Steve Sanson in Opposition to Motion for Order to Show Cause Re: Contempt	3/6/2017	VI-VII	AA001306-AA001421
<i>Saiter v. Saiter</i> : Notice of Entry of Order	3/21/2017	VIII	AA001787-AA001809
<i>Saiter v. Saiter</i> : Motion for an Order to Show Cause	2/13/2017	I	AA000031-AA000052
<i>Saiter v. Saiter</i> : Opposition to Motion for Order to Show Cause Re: Contempt	3/6/2017	VI	AA001289-AA001305
Supplemental Declaration of Steve Sanson in Support of Anti-SLAPP Motion	3/9/2017	VII	AA001499-AA001503
Transcript of Proceedings Re: Defendants' Anti-SLAPP Special Motion to Dismiss Pursuant to NRS 41.650 et. seq. and Countermotion for Attorney's Fees and Costs	3/14/2017	VIII	AA001604-AA001670

# EXHIBIT 6



CLERK OF THE COURT

**MOT**  
WILICK LAW GROUP  
MARSHAL S. WILICK, ESQ.  
Nevada Bar No. 002515  
3591 E. Bonanza Road, Suite 200  
Las Vegas, NV 89110-2101  
(702) 438-4100  
Email: email@wilicklawgroup.com  
Former Attorney for Plaintiff

**DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

TONI HOLYOAK,  
Plaintiff,  
vs.  
ERIC HOLYOAK,  
Defendant.

CASE NO: D-08-395501-Z  
DEPT. NO: H

DATE OF HEARING: 5/2/16  
TIME OF HEARING: 10:00 AM

ORAL ARGUMENT

Yes X No     

**NOTICE:** YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT HEARING PRIOR TO THE SCHEDULED HEARING DATE.

**WILICK LAW GROUP'S MOTION TO ADJUDICATE  
ATTORNEY'S RIGHTS,  
TO ENFORCE ATTORNEY'S LIEN,  
AND  
FOR AN AWARD OF ATTORNEY'S FEES**

The WILICK LAW GROUP has been substituted out as counsel for our former client. This *Motion* is brought to adjudicate our statutory right to enforce our lien, and an order for attorney's fees in accordance with our written contracts with our former client.



1 This *Motion* is made and based upon the papers and pleadings on file herein,  
2 and the Points and Authorities and Declaration of Marshal S. Willick, Esq., below.

3 **NOTICE OF MOTION**

4 TO: DAWN R. THRONE, ESQ, Current Attorney for Plaintiff, and

5 TO: TONI HOLYOAK, Plaintiff, and

6 TO: NEIL J. BELLER, ESQ., Attorney for Defendant, and

7 TO: ERIC HOLYOAK, Defendant.

8 **YOU WILL EACH TAKE NOTICE** that on the 2nd day of  
9 May, 2016, at the hour of 10:00 AM in Department H of the above-  
10 entitled Court, the Movant, Marshal S. Willick, will move to adjudicate rights he has  
11 to be paid attorney's fees and to enforce his attorney's lien.

12  
13 **POINTS AND AUTHORITIES**

14 **I. FACTS**

15 Plaintiff, Toni Holyoak, originally hired the WILICK LAW GROUP on January  
16 29, 2014, for the purpose of negotiating the option selection for a Nevada PERS Plan.  
17 This blossomed into representation in a highly contested case in the District Court  
18 and in the Nevada Supreme Court.<sup>1</sup> The fee agreements are attached as Exhibits "1"  
19 and "2." Since the time of hiring this office, considerable time and work has been  
20 expended by this law office on Toni's behalf. Toni's fees exceeded the initial retainer  
21 as evidenced by her Statement of Account attached hereto as Exhibit "3." Toni failed  
22 to maintain the \$2,500 minimum trust requirement as specified in her fee agreement  
23 executed on January 29, 2014 (page 1, paragraph 1).

24  
25  
26  
27  
28  

---

<sup>1</sup> A separate retainer agreement was executed for the Appeal.

1     **II.     ATTORNEY'S LIEN**

2             **A.     There Is an Unambiguous Statutory Right to an Attorney's Lien**  
3     NRS 18.015 Lien for attorney's fees: Amount; perfection; enforcement.

4             1. An attorney at law shall have a lien upon any claim, demand or cause of  
5     action, including any claim for unliquidated damages, which has been placed in his  
6     hands by a client for suit or collection, or upon which a suit or other action has been  
7     instituted. The lien is for the amount of any fee which has been agreed upon by the  
8     attorney and client. In the absence of an agreement, the lien is for a reasonable fee  
9     for the services which the attorney has rendered for the client on account of the suit,  
10    claim, demand or action.

11            2. An attorney perfects his lien by serving notice in writing, in person or by  
12    certified mail, return receipt requested, upon his client and upon the party against  
13    whom his client has a cause of action, claiming the lien and stating the interest which  
14    he has in any cause of action.

15            3. The lien attaches to any verdict, judgment or decree entered and to any  
16    money or property which is recovered on account of the suit or other action, from the  
17    time of service of the notices required by this section.

18            4. On motion filed by an attorney having a lien under this section, his client  
19    or any party who has been served with notice of the lien, the court shall, after 5 days'  
20    notice to all interested parties, adjudicate the rights of the attorney, client or other  
21    parties and enforce the lien.

22            5. Collection of attorney's fees by a lien under this section may be utilized  
23    with, after or independently of any other method of collection.

24            The Nevada Supreme Court has recognized that "[t]he attorney's right to be  
25    paid is not based upon, or limited to, his lien"; instead it is based upon an express or  
26    implied contract, and "[t]he lien is but security for [the attorney's] right."<sup>2</sup> The  
27

28                   <sup>2</sup> *Sarman v. Goldwater, Taber and Hill*, 80 Nev. 536, 540, 396 P.2d 847, 849 (1964); *see Gordon v. Stewart*,  
74 Nev. 115, 324 P.2d 234, 235 (1958).

1 purpose of NRS 18.015 is to secure attorney's fees and to "encourag[e] attorneys to  
2 take cases of those who could not otherwise afford to litigate."<sup>3</sup>

3 NRS 18.015 unambiguously dictates that an "attorney at law" *has* a lien on his  
4 client's cause of action. It is not a matter of debate, dispute, or award. And an  
5 attorney may include costs in his lien to the extent such costs were incurred in  
6 furtherance of the client's litigation.<sup>4</sup> Further, an attorney's charging or retaining lien  
7 may be reduced to personal judgment against a client by the Court hearing the  
8 underlying action as a matter of judicial economy,<sup>5</sup> so long as the necessary  
9 conditions are satisfied.<sup>6</sup>

10 Movant filed our Lien for Attorney's Fees on March 17, 2016.<sup>7</sup> Movant now  
11 requests that there be an adjudication regarding our rights and an enforcement of our  
12 Lien. The current unpaid fees and costs of Toni's case is \$88,403.95 plus interest  
13 from March 17, 2016. Movant requests permission to take whatever action is  
14 necessary to collect on the Lien, from whatever assets Toni may possess or may  
15 receive in this case.

### 16 17 **III. REQUESTED FINDINGS OF REASONABLENESS**

18 In *Argentina*, the Nevada Supreme Court found that in an adjudication such  
19 as the one requested here, the district court is required to make findings to support the  
20 requested award of fees.

---

21  
22 <sup>3</sup> *Mulje v. A North Las Vegas Cab Co.*, 106 Nev. 664, 667, 799 P.2d 559, 561 (1990); *Bero-Wachs v. Law*  
23 *Offices of Logar & Pulver*, 123 Nev. 71, 157 P.2d 704 (2007).

24 <sup>4</sup> *See Edwards v. Andrews, Davis, Legg, Bixler, etc.*, 650 P.2d 857, 863 (Okla. 1982); *Eleazer v. Hardaway*  
25 *Concrete Co., Inc.*, 315 S.E.2d 174, 177-78 (S.C. Ct. App. 1984).

26 <sup>5</sup> *Gordon v. Stewart*, 74 Nev. 115, 324 P.2d 234, 235 (1958).

27 <sup>6</sup> *Argentina Consolidated Mining Co. v. Jolley Urga Wirth Woodbury & Standish*, 125 Nev. 527, 216 P.3d 779,  
(2009), modified by statutory amendment to NRS 18.015.

28 <sup>7</sup> *See Exhibit 4, Lien*, which has been attached here without its exhibits (Toni's Fee Agreement and billing  
statement) to avoid duplicating Exhibits 1, 2 and 3 already attached to this *Motion*.

1 With specific reference to Family Law matters, the Court has adopted  
2 "well-known basic elements," which in addition to hourly time schedules kept by the  
3 attorney, are to be considered in determining the reasonable value of an attorney's  
4 services qualities, commonly referred to as the *Brunzell* factors:<sup>8</sup>

5 1. *The Qualities of the Advocate:* his ability, his training, education, experience,  
6 professional standing and skill.

7 2. *The Character of the Work to Be Done:* its difficulty, its intricacy, its importance,  
8 time and skill required, the responsibility imposed and the prominence and character of the  
9 parties where they affect the importance of the litigation.

10 3. *The Work Actually Performed by the Lawyer:* the skill, time and attention given to  
11 the work.

12 4. *The Result:* whether the attorney was successful and what benefits were derived.  
13 Each of these factors should be given consideration, and no one element should  
14 predominate or be given undue weight.<sup>9</sup> Additional guidance is provided by  
15 reviewing the "attorney's fees" cases most often cited in Family Law.<sup>10</sup>

16 The *Brunzell* factors require counsel to rather immodestly make a  
17 representation as to the "qualities of the advocate," the character and difficulty of the  
18 work performed, and the work *actually* performed by the attorney.

19 First, respectfully, we suggest that the supervising counsel is A/V rated, a peer-  
20 reviewed and certified (and re-certified) Fellow of the American Academy of  
21 Matrimonial Lawyers, and a Certified Specialist in Family Law.<sup>11</sup>

22 As to the "character and quality of the work performed," we ask the Court to  
23 find our work in this matter to have been adequate, both factually and legally; we

---

24 <sup>8</sup> *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969).

25 <sup>9</sup> *Miller v. Wilfong*, 121 Nev. 119, P.3d 727 (2005).

26 <sup>10</sup> Discretionary Awards: Awards of fees are neither automatic nor compulsory, but within the sound discretion  
27 of the Court, and evidence must support the request. *Fletcher v. Fletcher*, 89 Nev. 540, 516 P.2d 103 (1973); *Levy v.*  
*Levy*, 96 Nev. 902, 620 P.2d 860 (1980), *Hybarger v. Hybarger*, 103 Nev. 255, 737 P.2d 889 (1987).

28 <sup>11</sup> Per direct enactment of the Board of Governors of the Nevada State Bar, and independently by the National  
Board of Trial Advocacy. Mr. Willick was privileged (and tasked) by the Bar to write the examination that other would-  
be Nevada Family Law Specialists must pass to attain that status.

1 have diligently reviewed the applicable law, explored the relevant facts, and believe  
2 that we have properly applied one to the other.

3 The fees charged by paralegal staff are reasonable, and compensable, as well.  
4 The tasks performed by staff in this case were precisely those that were “some of the  
5 work that the attorney would have to do anyway [performed] at substantially less cost  
6 per hour.”<sup>12</sup> As the Nevada Supreme Court reasoned, “the use of paralegals and other  
7 nonattorney staff reduces litigation costs, so long as they are billed at a lower rate,”  
8 so “‘reasonable attorney’s fees’ . . . includes charges for persons such as paralegals  
9 and law clerks.”

10 Finally, as to the result reached, we ask the Court to find that the result in this  
11 action through this date was appropriate, given the factual circumstances and  
12 applicable law, and the client derived the benefits reasonable available under the  
13 circumstances.

#### 14 15 **IV. ATTORNEY’S FEES FOR THIS PROCEEDING**

16 The retainer agreements signed by our former client included an express  
17 provision governing rights and responsibilities in the event we were required to file  
18 and adjudicate a lien, as we have here:

19 Client agrees to pay any fees and costs that are incurred by Attorney to collect fees, costs,  
20 or expenses from Client, including reasonable attorney’s fees.

21 In accordance with this express contractual provision, we request a further  
22 award of fees, in a sum equal to the costs of preparing the lien, this request for  
23 adjudication, and our appearance at the hearing requested in this *Motion*, in a sum of  
24 not less than \$500, which sum is to be updated at the hearing of this *Motion*. See  
25 NRS 125.150 (attorney’s fees may be awarded in any pre- or post-divorce motion);  
26 EDCR 7.60 (fees are appropriate when the opponent’s motion or opposition is  
27

---

28 <sup>12</sup> *LYMPD v. Yeghlazarian*, 129 Nev. \_\_\_, \_\_\_ P.3d \_\_\_ (Adv. Opn. No. 81, Nov. 7, 2013) citing to *Missouri*  
*v. Jenkins*, 491 U.S. 274 (1989).

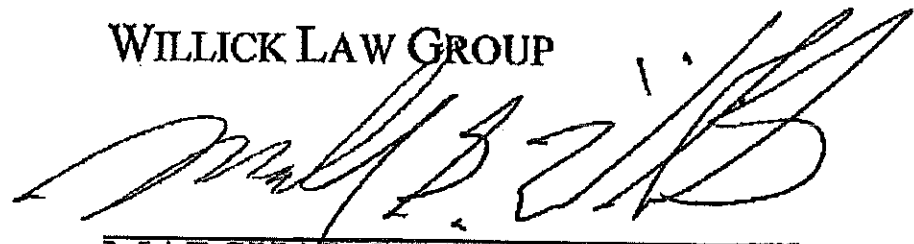
1 frivolous, unnecessary, or vexatious); *Gordon v. Stewart, supra* (trial court may make  
2 determination, rather than requiring the filing of a new action).  
3

4 **IV. CONCLUSION**

5 Movant respectfully requests that this Court adjudicate our rights and enter its  
6 order enforcing the Lien.

7 **DATED** this 17<sup>th</sup> day of February, 2015.

8 WILICK LAW GROUP

9 

10 **MARSHAL S. WILICK, ESQ.**  
11 Nevada Bar No. 002515  
12 3591 E. Bonanza Road, Suite 200  
13 Las Vegas, NV 89110  
14 Former Attorney for Plaintiff  
15  
16  
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21  
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25  
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1                                   **DECLARATION OF MARSHAL S. WILICK, ESQ.**

2           1.     I, Marshal S. Willick, Esq., am an attorney duly licensed to practice law  
3     in the State of Nevada and declare that I am competent to testify to the facts contained  
4     in the preceding filing.

5           2.     I have read the Motion and the same is true of my own knowledge,  
6     except for those portions based on information and belief, and as to those portions I  
7     believe them to be true.

8           3.     Plaintiff, Toni Holyoak, pursuant to the Agreements to Employ Attorney  
9     executed by her on January 29, 2014, and September 28, 2015, a copy of which are  
10    attached hereto as Exhibits "1" and "2," owes this firm \$88,403.95 which balance  
11    includes interest through March 17, 2016.

12          4.     A billing statement is submitted herewith as Exhibit "3" showing:

13               a.     Work done, date and time spent on that work showing the total  
14                       work done and amount due thereon;<sup>13</sup>

15               b.     Charges made and payments made on account by our former  
16                       client and the amount due thereon.

17          5.     I certify that the entries on the time slips were made by members of the  
18     staff of this law office each day as the course of the work was completed and each  
19     entry was believed true and correct when made.

20          6.     The basis of charges known and agreed upon by our former client and  
21     this law firm is as follows: \$500.00-\$600.00 per hour for Marshal Willick's services;  
22     \$350.00 - \$500.00 per hour for the services of associates; and \$110.00 to \$275.00 per  
23     hour for paralegal/legal assistants and law clerks.

24          7.     I further certify that the entries on the billing statements by all staff were  
25     supervised as to the accuracy of the entries made by the office bookkeeper and were  
26

27  
28                   <sup>13</sup> The billing statement detail for Ms. Holyoak is many pages long and will be provided to the Court upon  
request. Attached is a summary showing total amount of work done, by which employees, and the cost of that work, a  
list of hard costs incurred, and the payments made to the account.



1 made in the regular course of business and supervised in the regular course of  
2 business.

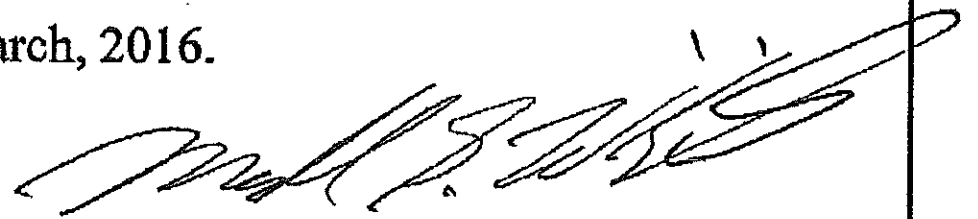
3 8. I further certify that mailings of the billings have been sent on a regular  
4 (twice-monthly) basis. Our records show no unresolved claims of any error or request  
5 for correction from our former client.

6 9. On March 17, 2016, I made and served on our former client by mail, as  
7 required by law, a copy of our Lien, a copy of which is attached as Exhibit "4".

8 10. We request compensation in the amount of \$88,403.95 plus interest from  
9 March 17, 2016, until paid in full, and for formal entry of Judgment that can be duly  
10 recorded; the Court is asked in advance to set aside any bad faith transfers of the  
11 assets in question in this litigation that might be attempted in an effort to circumvent  
12 the security of our lien.

13 **I declare under penalty of perjury under the laws of the State of**  
14 **Nevada (NRS 53.045 and 28 U.S.C. § 1746), that the foregoing is**  
**true and correct.**

15 **EXECUTED** this 17<sup>th</sup> day of March, 2016.



18 **MARSHAL S. WILICK, ESQ.**

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20 P:\wp16\HOLYOAK, T\PLEADINGS\00123833.WPD\RLC  
21  
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# EXHIBIT 7

*Thomas S. Shuman*  
CLERK OF THE COURT

1 Toni Holyoak  
2 In Proper Person  
3 717 Hafen Lane #15C  
4 Mesquite, NV 89027

5 DISTRICT COURT  
6 FAMILY DIVISION  
7 CLARK COUNTY, NEVADA

8 Toni Holyoak,

9 Plaintiff,

10 vs.

11 Eric Holyoak,

12 Defendant

Case No.: D-08-395501-Z

**OBJECTION TO WILICK LAW  
GROUP'S MOTION TO ADJUDICATE  
ATTORNEY'S RIGHTS, TO ENFORCE  
ATTORNEY'S LIEN, AND FOR AN  
AWARD OF ATTORNEY'S FEES AND  
COUNTER MOTION FOR BREACH OF  
FIDUCIARY DUTY AND  
PROFESSIONAL NEGLIGENCE to be  
served via U.S. Mail upon the following  
parties:**

14  
15 Toni Holyoak ("Toni") has substituted Attorney Dawn Thorne, Esq., in place of the  
16 Willick Law Group ("Willick") in the above referenced case. However, Toni is unable to afford  
17 representation regarding the Willick Law Group's Motion and will therefore proceed in proper  
18 person regarding the Willick's Motion. Toni hereby acknowledges that she will proceed in  
19 proper person regarding Willick's motion and confirms that Attorney Dawn Throne, Esq., is not  
20 responsible for this pleading or its contents.  
21

22 Dated this 5<sup>th</sup> day of April, 2016

23  
24 *Toni Holyoak*  
25 Toni Holyoak  
26

27  
28 Facts

1 Toni retained the Willick Law Firm ("Willick") in January 2014. Willick did not know  
2 that her ex-husband, Eric Holyoak, was eligible to retire when she first came to them; moreover,  
3 they repeatedly told her that Eric was not eligible to retire until he had been on the police force  
4 (with PERS) for 30 years. After one year with their firm on January 27, 2015, an employee from  
5 Willick called to inform Toni that he had "looked it up" and found out Eric Holyoak was  
6 already eligible to retire and had been for over four years. At that time (on February 2, 2015)  
7 Willick filed for Toni to receive immediate retirement benefits. But the lack of knowledge by  
8 Willick cost Toni an entire year of benefits.  
9

10  
11 Toni had a scheduled hearing before Judge Ochoa for another enforcement hearing on  
12 September 9, 2015. However, one week before (September 3, 2015) Willick informed Toni that  
13 Judge Ochoa had recused himself and they would need to get a court date with a new judge.  
14 When Toni inquired she was told that Willick had taken Judge Ochoa on as a client back in June  
15 of 2015 and that is why he had to recuse himself. Judge Ochoa knew the history of Eric's  
16 defiant attitude toward the court orders that were in place. By taking Judge Ochoa as a client  
17 during Toni's case, Willick caused significant delays and additional expenses.  
18  
19

20 When Toni first appeared before the new judge (Judge Ritchie), he was angry with  
21 Marshall Willick stating, "What is going on?" "This record stinks." "When did you take Judge  
22 Ochoa on as a client?" Willick had to convince the judge that no one had filed a motion of  
23 impropriety and that this was an enforcement hearing only. Judge Ritchie was obviously  
24 hesitant to take any steps to hold Eric accountable, at least in part because he did not know  
25 Eric's history. After this hearing, Toni was very concerned with Willick's handling of the case.  
26 When Toni's sister, Sharon Friddle brought this concern to Marshall Willick's ("Mr. Willick")  
27  
28

1 attention, he called Toni on speaker phone with two witnesses in his office and screamed and  
2 swore at her (even using the "F" word) because of her sister's email. For this hostile phone call,  
3 Toni was charged by Mr. Willick, Rick (another attorney), and Mary (paralegal).  
4

5 Judge Ochoa issued his court ruling on January 27, 2015 stating that Toni lost survivor  
6 benefits, but he did give her the right to take out a life insurance policy on Eric at her own  
7 expense. It was at that time that Willick asked Toni if she wanted to appeal this ruling. Toni  
8 responded, "No, I cannot afford it. I'll be fine with the life insurance." Willick agreed,  
9 explaining that it would probably cost a lot of money to appeal the issue. Eric appealed the first  
10 eligibility part of Judge Ochoa's court order, and Toni had to respond to that. However, it was  
11 not until September of 2015 when Mr. Willick wrote the response to the Supreme Court appeal  
12 that Toni realized they were fighting for survivor benefits. After reading the brief to the  
13 Supreme Court, Toni asked about obtaining survivor benefits because that issue took up the vast  
14 majority of the brief. Willick explained that there was not a chance for Toni to get survivor  
15 benefits because they did not appeal the issue. Willick further explained that the argument for  
16 survivor benefits would only help people after the case was decided. Toni was shocked when  
17 she got the bill charging her over \$22,000 for the preparation of that brief, most of which would  
18 never benefit her. Before court in October, Willick explained that because Toni had chosen not  
19 to fight for survivor benefits, she could not benefit from the appeal of it. He said (in front of  
20 witnesses), "I have you on record stating you did not want to appeal survivor benefits." At  
21 which time, Toni asked, "Then, why did we?" He explained that one of the justices of the  
22 Supreme Court had asked him to fight for survivor benefits. This was another concern Toni's  
23 sister raised in her email to Willick shortly after the October court hearing. Willick also wrote in  
24 an email that Toni chose not to appeal survivor benefits and that it was an unwise decision on  
25  
26  
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28

1 her part, but that was not the legal advice she previously received from Willick when it was  
2 time to make that decision. Willick admits that Toni told him not to fight for survivor benefits  
3 but is still trying to charge her for it. He did not fight for survivor benefits for Toni's benefit  
4 because if he had he would have done it the right way by filing an appeal. He chose to fight for  
5 it in a way that ensued that Toni would not benefit from it. He sent an email to the whole family  
6 law section stating that he was going to the Supreme Court and in his opinion the reason the  
7 Supreme Court took this case was because of the way he worded his brief on survivor benefits.  
8  
9

10 When Toni met with Willick a week before oral arguments at the Supreme Court, she  
11 expressed her concern that his argument of survivor benefits would overshadow the issue of  
12 first eligibility—the main issue that affected Toni's financial future. Toni was right to be  
13 concerned about that because over 90% of Marshal Willick's oral argument to the Supreme  
14 Court on January 25, 2016 was about survivor benefits. Several times the judges tried to pull  
15 him back to first eligibility, at times even asking why he was talking about survivor benefits.  
16 Mr. Willick gambled with Toni's livelihood arguing for survivor benefits, which may benefit  
17 his name and firm, but according to Trevor Creel, Marshal Willick and PERS will never benefit  
18 Toni.  
19  
20

21 Willick has spent so much time, energy and money on survivor benefits instead of  
22 focusing on the life insurance Toni was already awarded and to this date, still does not have  
23 because Eric refuses to comply with all four (thus far) court orders. A week before the first  
24 hearing with Judge Ritchie, Toni sent an email (October 14, 2015) to Willick asking them to  
25 fight vigorously for life insurance, attorney fees, and the collection of the money already  
26 awarded. They responded in a patronizing email assuring Toni that they were completely  
27  
28

1 prepared, but then came to court obviously unprepared. Toni's sister, Kathy Oaks asked Mr.  
2 Willick right before court about the life insurance letters, and he knew nothing about the life  
3 insurance issue. Toni explained to him that there were two letters from different life insurance  
4 companies attesting that Eric has blocked her from getting life insurance; however, they did not  
5 have those letters in court, and the letters were the only things the judge asked to see.  
6 Furthermore, Mr. Willick did not even mention attorney fees or the collection of the money  
7 Toni had been previously awarded for QDRO fees and attorney's fees.  
8

9  
10 Mr. Willick can fight for anything he wants to fight for on his own dime and his own  
11 time, but not to the detriment of Toni's case and then charge her for ALL of it. It will  
12 immediately cost Toni \$20,000 if Willick loses first eligibility. After the Supreme Court oral  
13 argument, Toni confronted Mr. Willick about his lack of argument on first eligibility in front of  
14 her aunt, Earlene Macdonald and Bonnie Workman. His response was, "Well, if we lose first  
15 eligibility, it's only \$20,000." That is almost a year's worth of wages to Toni.  
16

17 After Toni began to express her frustration with Willick, another attorney called  
18 Toni on her personal phone number and explained that she was Mr. Willick's significant other,  
19 that she had reviewed the entire case and that no other attorney in town would take the case  
20 from Willick. This other attorney did not identify herself as being formally retained by Willick.  
21 This was troubling to Toni because she had not given her permission to Willick to distribute any  
22 of her personal information like her telephone number or the details of her case.  
23  
24

25 Toni has filed a fee dispute with the State Bar of Nevada. Additionally, Toni is  
26 preparing a formal complaint for malpractice to be heard by the State Bar. Toni will be filing  
27  
28



1 the complaint by the end of the week. All of the emails, bills and affidavits regarding the facts  
2 and allegations made herein can be submitted to the court for an in camera review upon request.  
3

#### 4 Legal Argument

5 The court should refuse to adjudicate the lien until after the fee dispute and  
6 complaint before the state bar is resolved.

7 Preliminarily, there is no need to allow Willick to continue to rack up additional fees by  
8 requiring oral arguments as Willick has requested at a hearing. EDCR 2.23(c) states: "The judge  
9 may consider the motion on its merits at anytime with or without oral argument, and grant or  
10 deny it." Additionally, EDCR 5.11(e) states, "the court may issue its decision on the papers  
11 without oral argument as provided by Rule 2.23."  
12

13 Additionally, "When the client asserts that the attorney committed legal malpractice, it is  
14 proper for the district court to refuse to decide those issues in a summary proceeding in the  
15 pending case." Toni has filed a fee dispute with the Nevada State Bar and will be filing a formal  
16 complaint based on a breach of fiduciary duty before April 11, 2016. The court should refuse to  
17 adjudicate this action until after the results of the fee dispute and complaint are issued by the  
18 Bar. Toni respectfully requests that this Court defer this issue, without requiring oral arguments  
19 or an appearance at a hearing, until after the claims before the Nevada State Bar are resolved.  
20

21 A judgment in excess of the award is invalid for lack of jurisdiction and violation of  
22 due process.  
23

24 If this Court is inclined to hear Willick's motion before the claims at the Bar are  
25 resolved, Toni will address the arguments put forth by Willick. Willick has asked this court to  
26 issue a personal judgment against "any assets Toni may have." However this is not available to  
27 Willick in this type of proceeding. NRS 18.015 allows an attorney two types of liens. Willick is  
28

1 unclear about which type of lien he seeks to enforce, however one can assume he is requesting a  
2 charging lien. A charging lien provides an attorney a lien "upon any claim, demand or cause of  
3 action, including any claim for unliquidated damages, which has been placed in the attorney's  
4 hands by a client for suit or collection, or upon which a suit or other action has been instituted."<sup>1</sup>  
5 Such a lien "attaches to any verdict, judgment or decree entered and to any money or property  
6 which is recovered on account of the suit or other action."<sup>2</sup> Willick appears to ask the court a  
7 judgment for more than the amount of the statutory charging lien. He "requests permission to  
8 take whatever action is necessary to collect on the lien, from whatever assets Toni may possess  
9 or may receive in this case."<sup>3</sup> Additionally Mr. Willick claims that the *Gordon* case allows the  
10 court to reduce a lien to a personal judgment against a client. Clearly Mr. Willick's intent is to  
11 secure a judgment against any assets Toni may possess. While this is understandable based on  
12 the fact that Mr. Willick's fees are far in excess of any award Toni could expect to collect in this  
13 case, there is no legal basis to allow for a personal judgment beyond the award in the underlying  
14 case.  
15

16  
17  
18 The statute simply does not allow an attorney's lien to attach against any amount other  
19 than a "verdict, judgment or decree entered and to any money or property which is recovered on  
20 account of the suit or other action." *Argentena* explains "a district court may enter judgment  
21 against a person or entity if the court has personal and subject matter jurisdiction over the  
22 parties and matter in dispute."<sup>4</sup> Further "[a] district court is empowered to render a judgment  
23 either for or against a person or entity only if it has jurisdiction over the parties and the  
24  
25

26 <sup>1</sup> See NRS 18.015

27 <sup>2</sup> Id

28 <sup>3</sup> See Motion filed

<sup>4</sup> *Argentena Consol. Mining Co. v. Jolley Urga Wirth Woodbury & Standish*, 125 Nev. 527, 538(Nev.  
2009)

1 subject matter."<sup>5</sup> However, *Argetena* defines the jurisdiction of the court regarding a fee  
2 adjudication of an attorney's lien. "Concerning the court's subject matter jurisdiction, the court  
3 has in rem jurisdiction to resolve a fee dispute between an attorney and client, which arises  
4 from a charging lien." Finally, "if a court's jurisdiction is based on its authority over the  
5 defendant's person, the action and judgment are denominated "in personam" and can impose a  
6 personal obligation on the defendant in favor of the plaintiff. If jurisdiction is based on the  
7 court's power over property within its territory, the action is called "in rem" or "quasi in rem."  
8 The effect of a judgment in such a case is limited to the property that supports jurisdiction and  
9 does not impose a personal liability on the property owner."<sup>6</sup>

12 The Court's jurisdiction regarding Willick's claim is in rem and only allows collection  
13 of up to the award or verdict in the underlying case. Willick cites *Gordon* as justification for a  
14 personal judgment against Toni. However, *Gordon* does not authorize a judgment against any  
15 property not under the in rem jurisdiction of the court. As such this court may not issue any  
16 judgment against any asset other than the award in this case.

18 **Mr. Willick's fees are not reasonable based on the *Brunzell* factors**

19 Toni asserts that Willick's fees are unreasonable under the *Brunzell* factors. First,  
20 regarding the qualities of the advocate, Toni does not dispute Mr. Willick's credentials. Rather,  
21 Toni asserts that regardless of his past experience or his credentials, Mr. Willick and his firm  
22 failed to employ the knowledge, experience, and skill one would expect from such a decorated  
23 firm. For example, Willick did not know and failed to research, despite Toni informing the firm  
24 of this fact, whether Eric was eligible to retire the day representation began. It was not until  
25

27 <sup>5</sup> *Id.* At 533, Citing *C.H.A. Venture v. G. C. Wallace Consulting*, 106 Nev. 381, 383, 794 P.2d 707, 708  
(1990) Emphasis added

28 <sup>6</sup> *Shaffer v. Heitner*, 433 U.S. 186, 199, 97 S. Ct. 2569, 2577, 53 L. Ed. 2d 683, 694, 1977 U.S. LEXIS 139,  
\*25-26 (U.S. 1977)

1 almost a year into the representation that the firm "looked it up" and determined that Eric was  
2 eligible to retire. This cost Toni a significant amount of money and certainly is not the kind of  
3 mistake one would expect based on the description provided by Willick in its Motion. Awards  
4 or accolades are no substitute for competent work. The fact remains that the Willick did  
5 substandard work in Toni's case. Mr. Willick's past work does not mean that his fees are  
6 reasonable based on his current work.  
7

8       Regarding the character of the work to be done, Willick sent an email to many other  
9 attorneys in which he described the issues in the Supreme Court case as technically "modest,"  
10 and indicates that the Supreme Court is likely hearing the case based on the more complicated  
11 issues he presented in the answering brief regarding survivor benefits.<sup>7</sup> It should be noted that  
12 Toni specifically asked Willick on multiple occasions to not fight for survivor benefits. The  
13 character of the work required was, by Mr. Willick's own published statements, technically  
14 "modest" until he complicated the issues against his client's wishes. Therefore the fees charged  
15 are not reasonable based on the character of the work performed.  
16  
17

18       Regarding the work performed by the Attorney, it is obvious that Willick spent a  
19 significant amount of time on the case. This is evident from the over \$100,000.00 of fees  
20 generated by the firm. However, as described above a large percentage of these fees were  
21 generated performing work which Toni, on multiple occasions, specifically asked the firm not  
22 to do. Additionally, after Toni requested that the firm avoid having multiple attorneys attend  
23 hearings and review her case, Willick increased the number of his employees who attended the  
24 hearings and increased the number of people working on the case. Mr. Willick and his firm  
25 obviously did a lot of work, but most of it was done against the desires of his client. When Toni  
26  
27  
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<sup>7</sup> See email attached hereto as Exhibit A

1 voiced her concerns regarding the increase Willick essentially said that she had no say in how  
2 he prosecuted her case. This is contrary to the Nevada Rules of Professional Conduct 1.2(a)  
3 which states, "a lawyer shall abide by a client's decision concerning the objectives of  
4 representation and, as required by Rule 1.4, shall consult with the client as to the means by  
5 which they are to be pursued." In short, Mr. Willick's fees are not reasonable based on the work  
6 actually performed.  
7

8 Finally, the result obtained, as this court is aware, Toni is not currently set to collect a  
9 fifth of the fees charged by Willick. While the firm helped Toni obtain a monthly amount and  
10 Toni may be eligible to receive a small lump sum she will never be able to pay the full amount  
11 of Mr. Willick's fee based on the recovery. Additionally, Mr. Willick failed to even collect the  
12 lump sum currently available. In short the result obtained by Willick does not justify a finding  
13 that over five times the award is a reasonable attorneys fee.  
14

15  
16 **Willick's submitted bill shows that he misrepresents the amount owed.**

17 Mr. Willick stated under penalty of perjury that Toni owes \$88,403.95, However, the  
18 bill submitted by him shows that the \$88,403.95 amount includes the replenishment of a  
19 retainer. The retainer is obviously not owed after the attorney has been discharged and therefore  
20 Mr. Willick has misrepresented the amount due. NRS 199.145 makes it a class D felony for a  
21 person to make "a willful and false statement in a matter material to the issue or point in  
22 question," in a declaration made under penalty of perjury. Pursuant to NRS 193.130(d) a class D  
23 felony is punishable by a minimum 1 year in prison and the court may also assess a fine up to  
24 \$5,000.00. Although Toni recognizes that the misrepresentation may be a simple mistake, such  
25 a mistake in the face of perjury, is exemplary of Willick's lack of care in the underlying case.  
26  
27  
28

1 **Reservation of Right to File Countermotion for Breach of Fiduciary Duty and Professional**  
2 **Negligence**

3  
4 As stated above, Toni has filed a fee dispute with the Nevada State Bar and will be filing  
5 a formal complaint as well. Toni would prefer to have the issues addressed by the Bar so as not  
6 to distract from the underlying case. However, if this court is inclined to adjudicate Willick's  
7 Motion, Toni reserves her right to supplement this pleading with Countermotions including  
8 legal arguments and analysis regarding breach of fiduciary duty and professional negligence.  
9

10 **Conclusion**

11 Therefore, Toni respectfully requests that this court issue the following orders:  
12

- 13 1. Pursuant to EDCR 2.23 and EDCR 5.11 the Court defers Willick's motion without  
14 requiring oral argument;  
15  
16 2. That the Court defers Willick's motion until after the issues before the State Bar of  
17 Nevada are resolved;

18 Alternatively, if the court is inclined to hear Willick's motion Toni respectfully requests that  
19 this court issue the following orders:  
20

- 21 3. That Willick may not use this proceeding to obtain a personal judgment Toni for  
22 anything more than the amount awarded to Toni in the underlying case;  
23  
24 4. That Willick's fees are unreasonable based on the *Brunzell* factors;  
25  
26 5. That Willick's fees are overstated based on its pleadings; and  
27  
28

1 6. That Toni has reserved the right to amend and supplement this pleading to include  
2 Countermotions for Breach of Fiduciary duty and Professional Negligence including  
3 legal arguments and analysis.  
4

5 Dated this 5<sup>th</sup> day of April 2016  
6

7 Respectfully Submitted by:  
8

9  
10 Toni Holyoak, In Proper Person  
11

12 I, Toni Holyoak, declare under penalty of perjury that the foregoing is an accurate  
13 depiction of the events described, that I am competent to testify to the foregoing if  
14 required to do so, and that except for where stated I have personal knowledge of the  
15 statements made herein.  
16

17  
18 Dated this 5<sup>th</sup> day of April 2016  
19

20  
21 Toni Holyoak  
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**Certificate of Mailing**

I, Toni Holyoak, certify that on April 5<sup>th</sup>, 2016, I caused the above OBJECTION TO WILICK LAW GROUP'S MOTION TO ADJUDICATE ATTORNEY'S RIGHTS, TO ENFORCE ATTORNEY'S LIEN, AND FOR AN AWARD OF ATTORNEY'S FEES AND COUNTER MOTION FOR BREACH OF FIDUCIARY DUTY AND PROFESSIONAL NEGLIGENCE to be served via U.S. Mail upon the following parties:

Willick Law Group  
3591 E. Bonanza Road, Suite 200  
Las Vegas, NV 89110

  
Toni Holyoak

**Exhibit A**

email : toniholyoak@hotmail.com  
phone : 702-416-8616

# EXHIBIT 8

## MARSHAL S. WILICK

3591 East Bonanza Road, Ste. 200  
Las Vegas, Nevada 89110-2101  
(702) 438-4100, ext. 103  
Marshal@Willicklawgroup.com  
Resume & Lawyer's Biographical Data Form

### PROFESSIONAL EXPERIENCE

- Sept. 1989 - Present      Principal, Willick Law Group  
Las Vegas, Nevada  
Practicing Exclusively in Domestic Relations & Family Law (Trial and Appellate)  
Certified Family Law Specialist, State Bar of Nevada
- Sept. 1985 - Sept. 1989      Partner, LePome, Willick & Gorman  
Las Vegas, Nevada  
Trial and Appellate Litigation/Domestic Relations, Corporate, Business
- Sept. 1984 - Sept. 1985      Associate, Thorndal, Backus & Maupin  
Las Vegas, Nevada  
Litigation
- Sept. 1982 - Aug. 1984      Staff Attorney, Supreme Court of Nevada, Central Legal Staff  
Carson City, Nevada

### SELECTED PUBLICATIONS

*The Danger of Davidson to Pension Divisions*, Nev. Lawyer, Dec. 2016, at 27.

*Lawyer Liability in QDRO Cases*, 29 Nev. Fam. L. Rep., Fall, 2016, at 1.

*Military Retirement Primer*, Communiqué, November, 2016, at 22 (Clark County Bar A. Pub'n)

*Interest and Penalties on Child Support Arrears: Another Malpractice Trap*, 29 Nev. Fam. L. Rep., Winter, 2016, at 12.

*The New/Old Law of Partition of Omitted Assets*, 28 Nev. Fam. L. Rep., Fall, 2015, at 8.

*A Universal Approach to Alimony: How Alimony Awards Should Be Calculated, and Why*, 27 J. Am. Acad. Matrim. Law. 153 (2015).

DIVORCE IN NEVADA: THE LEGAL PROCESS, YOUR RIGHTS, AND WHAT TO EXPECT (Addicus Books, 2014).

*Securing Your Office*, in 34 Family Advocate No. 4 (Spring, 2012) (*The Difficult Client*) at 41.

*The Evolving Concept of Marriage and its Effect on Property and Support Law*, Nev. Lawyer, May, 2011, at 6.

*How Many Days are in a Week and the Meaning of the Rivero II Opinion*, 23 Nev. Fam. L. Rep., Fall, 2010, at 15.

*Sham Divorces, Civil Rights, and Family Law Experts*, 23 Nev. Fam. L. Rep., Spring, 2010, at 16.

*The Actual Lessons and Implications of Carmona – and Why Every Divorce Lawyer in the Western United States Should Be Hoping I Prevail on Rehearing*, 23 Nev. Fam. L. Rep., Winter, 2010, at 6.

*Getting Paid Through an Attorney's Lien after Argentina*, 23 Nev. Fam. L. Rep., Winter, 2010, at 17.

*Why the Nevada Welfare Division is Calculating Interest and Penalties Incorrectly, and How It Injures Nevada Litigants*, 23 Nev. Fam. L. Rep., Winter, 2010, at 19.

*The Basics of Family Law Jurisdiction*, 22 Nev. Fam. L. Rep., Fall, 2009, at 11.

*The Basics of Jurisdiction: A Remedial Course*, The Writ (Washoe County Bar), Sept. 2008, at 10 & Nov. 2008 at 12.

*Military Retirement Benefits*, in DIVIDING PENSIONS AND OTHER EMPLOYEE BENEFITS IN CALIFORNIA DIVORCES, CEB (Continuing Education of the Bar, Jon Heywood, ed., 2008 through present), Section 17.

*What Almost Happened to Child Support in Nevada, and Why We Still Have to Fix It*, Nev. Lawyer, June, 2007, at 36.

*In Search of a Coherent Theoretical Model for Alimony*, Nev. Lawyer, Apr., 2007, at 40.

*Family Law and Contingency Fees: Time to Reconsider?*, Nev. Lawyer, Mar., 2007, at 10.

*Nevada Has Effectively Lowered Child Support Across the Board*, 19 Nev. Fam. L. Rep., Spr. 2006, at 10.

*The Thrift Savings Plan*, 28 Family Advocate, No. 2 (ABA Family Law Section, Fall 2005), at 40.

*International Kidnapping and the Hague Convention: A Short Introduction*, Communiqué, May, 2004, at 25 (Clark County Bar A. Pub'n)

*Ten Commonly Missed Aspects to Community Property Valuation and Distribution*, Communiqué, June, 2002, at 25 (Clark County Bar A. Pub'n; with Robert Cerceo, Esq.)

A LAWYER'S GUIDE TO MILITARY RETIREMENT AND BENEFITS IN DIVORCE (ABA 1998).

*Military Retirement Benefit Standard Clauses*, in 18 Family Advocate No. 1 (Summer, 1995) (*Family Law Clauses: The Financial Case*) at 30.

*Partition of Omitted Assets After Amie: Nevada Comes (Almost) Full Circle*, 6 Nev. Fam. L. Rep., Spring 1992, at 8.

*A Matter of Interest: Collection of Full Arrearages on Nevada Judgments*, Tonopah Showcase, 2001 (State Bar of Nevada); XIV Advocate, Sept., 1990, at 6 (Nev. Trial Law. A. Pub'n).

*Pension and Profit Sharing Plans*, in Valuation of Marital Property (State Bar of Nevada 1990), Text for CLE Seminar.

*Res Judicata in Nevada Divorce Law: An Invitation to Fraud*, 4 Nev. Fam. L. Rep., Spr. 1989, at 1.

*Partition of Military Retirement Benefits*, in Family Law in Nevada 151 (Legal Education Institute 1989), Text for CLE Seminar.

*The Nevada Former Military Spouses Protection Act: Partition of Military Retirement Benefits Omitted from Prior Decrees of Divorce*, 2 Nev. Fam. L. Rep., Spr. 1987, at 8.

*Professional Malpractice and the Unauthorized Practice of Professions: Some Legal and Ethical Aspects of the Use of Computers as Decision-Aids*, 12 Rutgers Computer and Tech. L.J. 1 (1986).

*Constitutional Law and Artificial Intelligence: The Potential Legal Recognition of Computers as "Persons,"* IN PROCEEDINGS OF THE NINTH INTERNATIONAL JOINT CONFERENCE ON ARTIFICIAL INTELLIGENCE 1271 (A. Joshi ed. 1985).

Artificial Intelligence: Some Legal Approaches and Implications, AI Mag., Sum. 1983, at 5.

## SELECTED PROFESSIONAL ACTIVITIES

### AWARDED

Lifetime Achievement Award (Advanced Family Law CLE Program) 2016  
ABA Military Pro Bono Project Outstanding Services Award (American Bar Association & Standing Committee on Legal Assistance for Military Personnel) 2014  
Pillar Award (Nevada Bar Family Law Section's Highest Honor) 2010  
Access to Justice Awards, Nevada State Bar Lawyer of the Year & Outstanding Small Firm 2006  
*Pro Bono* Attorney of the Year & Lied Award 2005  
*Pro Bono* Law Firm of the Year 2004  
Access to Justice Award, Nevada State Bar (Small Firm Category) 1999

### APPOINTED

Pro Tem Domestic Violence Commissioner 2009-present  
Justice of the Peace Pro Tem, Las Vegas Township, Nevada 2002-2004  
Alternate Municipal Court Judge, City of North Las Vegas, Nevada 1989-1997

### CERTIFIED

American Academy of Matrimonial Lawyers Certified Mediator 2016

## BAR ACTIVITIES, NATIONAL

Chair, Nevada Delegation, Family Law Council of Community Property States 1999-present  
(Delegate, 1996-1998)

Chair, Legislation Committee of American Academy of Matrimonial Lawyers 2009-2012,  
2004-2005 (Member, 1995-present)

MARSHAL S. WILLICK

Page 4

Chair, Military Pension/Benefits Committee of American Bar Association Family Law Section  
1995-1997, 1999-2003

Co-chair, Congressional Relations/Federal Lobbying Committee of American Bar Association  
Family Law Section 1992-2001

Chair, Federalization Committee of American Academy of Matrimonial Lawyers 2003-2004  
(Member, 1998-2002); Professionalism in the Practice Committee (1998)

Co-chair, Bankruptcy Committee of American Bar Association Family Law Section 1994-  
1996

Chair, Federal Legislation and Procedures Committee of American Bar Association Family  
Law Section 1991-1994 (subcommittee chair, 1990-1992)

Member, ABA Family Law Section Marital Property Committee (1991-1995); Law Practice  
Management Committee 1991-1995

**BAR ACTIVITIES, STATE**

Member/Reporter, Eighth Judicial District Court Section 5 Rules Redraft Committee (2013-  
2014)

President, Nevada Chapter of the American Academy of Matrimonial Lawyers (2007-2010)

Chair, Board of Certified Family Law Specialists Test Committee (2005-2007)

Member, Board of Certified Family Law Specialists (2005-present)

Member, Ethics 2000 Committee (2003-2004)

Chair, Nevada State Bar Standing Committee on Ethics and Professional Responsibility 2001-  
2003 (Member, 1998-2000)

Member, Board of Directors, Legal Aid Center of Southern Nevada 2000-present

Member, Board of Directors, Clark County *Pro Bono* Project 1999-2000

Chair, Nevada State Bar Family Law Section 1995-1997 (Member of Executive Council,  
1991-1994)

Managing Editor, Nevada Family Law Practice Manual 1993-2003

Chair, Nevada Child Support Statute Review Committee 1992, 1996

Editor, Nevada Family Law Report (quarterly law review of the Nevada State Bar Family Law  
Section) 1991-1995

Member, State Bar Specialization Committee 1994-1995

Chair, Judicial Evaluation Committee, Clark County Bar Association 1994-1996 (member  
1991)



Chair, Eighth Judicial District Domestic Relations Forms and Rules Review Committee 1991  
(Member, 1990)

## CONTINUING LEGAL EDUCATION INSTRUCTOR

- “Prenuptial, Postnuptial, and Separation Agreements”  
in *Advanced Family Law* (State Bar of Nevada), Las Vegas, Nevada, 2016
- “The Basics of Family Court Trial Procedure” (Legal Aid Center of Southern Nevada & Willick Law Group), Las Vegas, Nevada, 2016
- “Top QDRO Mistakes Attorneys Make – and How to Avoid Them!” (NBI National webinar), 2016
- “Partition Actions: What Every Nevada Divorce Lawyer Needs to Know”  
in *Advanced Family Law* (State Bar of Nevada), Las Vegas, Nevada, 2015
- “An Alimony Manifesto: How Alimony Awards Should Be Calculated, and Why”  
at National CLE Conference (Legal Education Institute), Vail, Colorado, 2014  
in *Advanced Family Law* (State Bar of Nevada), Las Vegas, Nevada, 2013
- “The Basics of Property Division in Nevada” (Legal Aid Center of Southern Nevada & Willick Law Group), Las Vegas, Nevada, 2013
- “Child Custody: A Primer” (Legal Aid Center of Southern Nevada & Willick Law Group), Las Vegas, Nevada, 2013
- “Retirement Plan Division: What Every Nevada Divorce Lawyer Needs to Know”  
Legal Aid Center of Southern Nevada & Willick Law Group,  
Las Vegas, Nevada, 2013  
State Bar of Nevada, Ely, Nevada, 2013
- “Effects on Custody After Fleeing Domestic Violence”  
Legal Aid Center of Southern Nevada & Willick Law Group,  
Las Vegas, Nevada, 2013  
State Bar of Nevada, Las Vegas, Nevada, 2012
- “Phantom Income and Other Demons: Adjustments to Business Income” (State Bar of Nevada), Ely, Nevada, 2013
- “Family Law Appeals” in *Advanced Family Law* (State Bar of Nevada), Las Vegas, Nevada, 2012
- “Special Issues in Military Divorce” in *Advanced Family Law* (NBI), Las Vegas, Nevada, 2012
- “The Basics of Family Law Jurisdiction” (Legal Aid Center of Southern Nevada & Willick Law Group), Las Vegas, Nevada, 2012

MARSHAL S. WILLICK

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“Legal Standards for Mental Health Professional Outsourced Service Providers” (Clark County Family Mediation Center & Willick Law Group), Las Vegas, Nevada, 2012

“Liens, Judgments, Enforcements: Adjudicating an Attorney’s Lien after *Argentina*” (Clark County Bar Ass’n), Las Vegas, Nevada, 2012

“Shakespeare & the Law” (UNLV Boyd School of Law), Las Vegas, Nevada, 2012

“Divorcing the Military: How to Attack . . . How to Defend”

Montana State Bar Association, Helena, Montana, 2012

Pension Rights Center, Washington, D.C., 2012

California Bar Family Law Section (webinar), 2010

Alaska State Bar, Anchorage, Alaska, 2009

U.S. Army JAG Corps, Kansas City, Missouri, 2008

New Mexico State Bar, Albuquerque, New Mexico, 2006

Las Vegas, Nevada, 2001

Kansas City, Kansas, 2001

Lexington, Kentucky, 2000

Vail, Colorado, 1996, 1998

Honolulu, Hawaii, 1995

San Diego, California, 1991

Washington, D.C., 1990

San Antonio, Texas, 1989

“The Great Debates” in *Advanced Family Law* (State Bar of Nevada), Las Vegas, Nevada, 2011

“Military Orders” (ABA), Las Vegas, Nevada, 2011

“Pre-nups and Post-nups” (Financial Divorce Association), National Teleseminar, 2011

“Double-Dipping: Is It an Asset, Income, or Both?” (American Institute of CPAs), Las Vegas, Nevada, 2011

“Characterization, Valuation and Division of Employment-Related Benefits” (Council of Community Property States & State Bar of Louisiana), New Orleans, Louisiana, 2011

“Cohabitation, Tacking, and Property Division” (Financial Divorce Association), National Teleseminar, 2011

“Selected Topics Concerning Enforcement of Judgments: Appeals, Stays, and Liens” in *Advanced Family Law* (State Bar of Nevada), Las Vegas, Nevada, 2010

“Civil Service Retirement and Divorce” (Financial Divorce Association), National Teleseminar, 2010

“State of Nevada Pensions: Information Relevant to Estate Planning & QDROs” (Clark County Bar Association), Las Vegas, Nevada, 2010

“Valuation and Disposition Strategies in a Changing Economy” (Council of Community Property States & State Bar of Washington), Seattle, Washington, 2010

- “Qualified Domestic Relations Orders Under ERISA and Nevada PERS” (State Bar of Nevada), Ely, Nevada, 2010
- “The Risks & Rewards of Post-Nuptial Agreements” in *Advanced Family Law* (State Bar of Nevada), Las Vegas, Nevada, 2009
- “Back to Basics: Overview of Community Property” (Council of Community Property States & State Bar of New Mexico), Albuquerque, New Mexico, 2009
- “The Basics of Family Law Jurisdiction” (Clark County Bar Association), Las Vegas, Nevada, 2009
- “Kennedy v. DuPont Savings: The Supreme Court Kills Two Conflicts With One Decision” (ALI-ABA Telephone Seminar), National, 2009
- “Child Custody & Support Jurisdiction: Separate but Equally Necessary” (State Bar of Nevada), Las Vegas, Nevada, 2008
- “Hitting the Jackpot in Pension Cases – Secrets to Getting the Retirement Share Your Client Deserves” & “Marketing a Family Law Practice” (PESI National Divorce Skills Institute) Las Vegas, Nevada, 2006, 2007
- “Managing A Family Law Practice” (State Bar of Idaho), Boise, Idaho, 2007
- “The Inter-relation of Alimony Awards With Community Property” (Council of Community Property States & State Bar of Nevada), Las Vegas, Nevada, 2007
- “Protecting the Interests of and Getting Money From People in the Military: What Can and Cannot Be Done” (International Academy of Matrimonial Lawyers), San Diego, California, 2007
- “The Relationship Between Spouses and with Third Parties in Management of Joint, Common and Community Assets During Marriage and During a Divorce Proceeding” (Council of Community Property States & State Bar of Arizona), Phoenix, Arizona, 2006
- “Alimony at Twilight: Effects on Establishing and Modifying Spousal Support of Parties Being At or Near Retirement Age” (Legal Education Institute), Aspen, Colorado, 2006
- “Guns and Roses: Current Issues Facing Military Families” (California Assn. of Certified Family Law Specialists), Laguna Beach, California, 2005
- “Disproportionate Division of Community Property” (Council of Community Property States & State Bar of Texas), Fort Worth, Texas, 2005
- “Advanced Family Law: Pensions in Nevada Divorce Law” (Live Oak CLE), Las Vegas, Nevada, 2004
- “Nevada Legal Ethics” (Lorman Education Services), Las Vegas, Nevada, 2004
- “Divorce and the Family-Owned Business: Practical Considerations for Community Property States” (Council of Community Property States & State Bar of Wisconsin), Madison, Wisconsin, 2004

- “International Kidnaping Response for Fun and Profit: Getting the Kids Home & Making the Bad Guys Pay” (Legal Education Institute), Aspen, Colorado, 2004
- “Division of Retirement Benefits: The Full Day Course” (State Bar of New Mexico), Santa Ana Pueblo, New Mexico, 2003
- “Everything You Wanted to Know About Retirement Benefits But Were Afraid to Ask” (Council of Community Property States & State Bar of Idaho), Coeur d’Alene, Idaho, 2003
- “Waivers of Retirement Benefits for Disability Awards: Thrust & Parry” (Legal Education Institute), Aspen, Colorado, 2003
- “Legends of the Courtroom” (Live Oak CLE), Las Vegas, Nevada, 2002
- “Nevada Legal Ethics: A Year in Review” (State Bar of Nevada), Las Vegas & Reno, Nevada, 2002
- “Matrimonial Agreements: Requirements for Validity” (Council of Community Property States & State Bar of Louisiana), New Orleans, Louisiana, 2002
- “Characterization, Valuation and Division of Intangible Assets” (Council of Community Property States & State Bar of Washington), Seattle, Washington, 2001
- “A Matter of Interest: Collection of Full Arrearages on Nevada Judgments” (State Bar of Nevada), Tonopah, Nevada, 2001
- “Issues in Interstate and Multistate Matrimonial Litigation” (Legal Education Institute), Vail, Colorado, 1999 (reprinted, 13 Am. J. of Fam. Law 10-14, 1999)
- “What Do You Do When They Don’t Say ‘I Do’? Cohabitant Relationships and Community Property” (Council of Community Property States & State Bar of Nevada), Las Vegas, Nevada, 1998
- “‘A Covenant with Death and an Agreement with Hell’; Death Benefits in Federal, State and Private Retirement Systems” (reprinted, 14 Am. J. of Fam. Law 31-43, 2000)  
Vail, Colorado, 2000  
Tonopah, Nevada, 1998
- “Where Will the Money Go? Community Debt Issues & *Pendente Lite* Orders in Community Property States” (Council of Community Property States & State Bar of Arizona), Phoenix, Arizona, 1997
- “Seven Tips on Using a Computer in a Family Law Case”  
(American Bar Association General Practice Section) San Francisco, California 1997  
(State Bar of Nevada) Las Vegas & Reno, Nevada, 1998
- “Spousal Support Modifications and Related Issues in the Post-60 Age Group” in “The Perils of Poverty” (American Bar Association Family Law Section), San Francisco, California 1997
- “Family Law for Certified Public Accountants,” Las Vegas, Nevada, 1994

## MARSHAL S. WILLICK

Page 9

“Retirement Benefits/Pensions/QDROs” (State Bar of Nevada; Tonopah Showcase), Tonopah, Nevada, 1994

“Pensions in Nevada Divorce Cases” (State Bar of Nevada; Tonopah Showcase), Tonopah, Nevada, 1993

“Key Issues in Family Law,” Las Vegas, Nevada, 1993

“Survival Utilities for the Family Lawyer: Three Little Programs” (American Bar Association Family Law Section), Washington, D.C., 1992

“Domestic Relations” – Law 252; (Community College Paralegal Instruction Course), Las Vegas, Nevada, 1990, 1991

“The Use of Personal Computers for Litigation in the 1990s,” Las Vegas, Nevada, 1990-1995

“Domestic Law in Nevada: ‘Winning’ For Your Client,” Las Vegas, Nevada, 1989, 1991

“Family Law in Nevada,” Las Vegas, Nevada, 1989

“Know Your Rights in Divorce & Child Custody Issues,” Las Vegas, Nevada, 1989

## EDUCATION

### Legal

Georgetown University Law Center, Washington, D.C., J.D. 1982  
Editor (Captain), Jessup Cup International Law Moot Court Team, 1981-1982  
Parliamentarian, Student Bar Association, 1982

### Undergraduate

University of Nevada, Las Vegas, B.A. 1979 (English, With Distinction)  
Phi Kappa Phi Honor Society  
UNLV and National Dean’s Lists  
President, Student Senate  
Author of Student Constitution  
Awarded WICHE Legal Scholarship

## AFFILIATIONS AND MEMBERSHIPS

State Bar of Nevada (admitted 1982)  
State Bar of California (admitted 1983; inactive)  
Fellow, American Academy of Matrimonial Lawyers (elected 1994)  
Fellow, International Academy of Matrimonial Lawyers (elected 2000)  
Martindale-Hubbell Bar Register of Preeminent Lawyers (2001-present)  
American Bar Association  
Clark County Bar Association  
American, Nevada, and California Bar Family Law Sections  
American Judges Association (Associate Member)  
Nevada Council of Juvenile and Family Court Judges (Associate Member)  
Nevada Network Against Domestic Violence  
American Association for Justice  
Nevada Association for Justice  
*Pro Bono* Project Honor Roll of Participating Attorneys (1990-present)  
Mensa (Nevada President 1975-1979, 1985-1986)

World Future Society (Nevada Coordinator, 1989-1994)

**RECENT CASES IN WHICH EXPERT WITNESS TESTIMONY WAS PROVIDED/TAKEN**

*Hollenbeck v. Hollenbeck*, No. 15DR11561 (2016, trial testimony)  
*ASNY v. Johnson*, unfiled (2016, opinion letter)  
*Kilgore v. Kilgore*, No. D-12-459171-D (2016, trial testimony)  
*Brisson v. Brisson*, No. DV15-00670 (2016, opinion letter & trial testimony)  
*Tulpan v. Tulpan*, No. DM 2005-2740 (2016, trial testimony)  
*Harry v. Snyder*, No. A-13-678336-C (2015, opinion letter)  
*Anderson v. White, et. al*, No. 2:13-cv-02097-JCM-VCF (2015, opinion letter)  
*Cyphers v. Cyphers*, No. 14 DRI 000691B (2015, opinion letter)  
*Stanley v. Stanley*, No. 14D005285 (2014, Declaration (opinion letter))  
*Mackey v. Fenu*, No. A-12-663506-C (2014, opinion letter)  
*Wellington v. Roman*, No. A-13-674981 (2014, opinion letter)  
*Holland v. Taylor*, No. D 531842 (2013, deposition testimony)  
*Bivans v. Bivans*, No. D192384 (2013, Independent Expert Opinion Report at Court Invitation)  
*Fox v. Fox*, No. 12DS0126 (2013, trial testimony)  
*Sage v. Sage*, No. D437842 (2013, opinion letter)  
*Rhodes v. Rhodes*, No. D-11-454361-D (2012, opinion letter)  
*Cataldi v. Posin*, No. A10-615025-C (2012, deposition testimony)  
*Issa v. Malek*, Nos. 37-2011-00150022-PR-LS-NC & 37-2011-00150332-PR-EB-NC (2012, trial testimony)  
*Estate of Bernard Shapiro v. United States*, No. 2:06-cv-01149-RCJ (2008-2012, opinion letter)  
*Harrel v. Hess* Case No. 4FA-97-1823 CI (2011, opinion letter)  
*Csoka v. Jones et al* Case No. A-11-640052-C (2011, opinion letter)  
*Baker v. Baker*, Case No. DV10-00667 (2011, opinion letter)  
*In Re Marriage of Everitt-Sabel*, Case No. RF09466027 (2011, opinion letter)  
*Banning v. Banning*, Case No. D-95-187220 (2011, opinion letter)  
*Rizzolo adv. Henry*, No. 2:08-CV-635-PMP-GWF (2010, opinion letter)  
*In re Jenny Harris*, unknown (2010, opinion letter)  
*Banovich v. Banovich*, unknown (2010, opinion letter)  
*Oxley v. Oxley*, unknown (2010, opinion letter)  
*In re Morrill*, unknown (2010, opinion letter)  
*In re Marriage of Villars and Villars*, No. 3AN-02-4409CI (2010, trial testimony)  
*Club Vista Financial Services, et al. v. Scott Financial Services, et al.*, No. A579963 (2010, opinion letter)  
*Villars v. Villars*, No. 3 AN-02-4409 Civil (2010, trial testimony)  
*Leibowitz v. Leibowitz*, No. SD 036 455 (2010, trial testimony)  
*Dunning v. Dunning*, No. 08-FA-18 (2009, arbitration hearing testimony)  
*Smith v. Arzino*, No. 108CV109149 (2009, opinion letter)  
*Decker v. Decker*, No. D-09-406881 (2009, trial testimony)  
*Klock, McCarthy, etc.*, unknown (2008-2009, arbitration hearing testimony)  
*Semancik, Weissen*, unknown (2009, opinion letter)  
*Smith v. Sun State*, unknown (2009, opinion letter)  
*Ewoldt v. Lok*, No. A530071 (2008, deposition testimony)  
*Snyder v. Snyder*, No. D07-366812D (2008, opinion letter)  
*Marriage of Nishimoto*, No. 03-FL04183 (2007-2008, opinion letter)  
*Bornhorst v. Anderson*, No. FDI-07-765197 (2007, opinion letter)  
*Frye v. Frye*, D340021 (2006, trial testimony)  
*Boissonnas v. Newbold*, No. DV00-02732 (2006, opinion letter)  
*Gramanz v. Jones*, No. A322062 (2005, deposition testimony)  
*Wu v. Baker*, unknown (2005, opinion letter)  
*In re: Sherwood*, No. PD 034943 (2004, opinion letter)

*Marriage of Daly*, No. D-0101-DM-98-1020 (2004, opinion letter)

*Van Kirk v. Van Kirk*, No. 00FA823 (2004, opinion letter)

*Valentine v. Eustice*, 03-CA-002857 (2004, testimonial affidavit)

*Holdermann adv. Dixon*, No. D221111 (2004, opinion letter)

*Marriage of Engeler*, unknown (2004, opinion letter)

*Sigloch v. Sigloch*, No. PD032551 (2003-2004, opinion letter)

**OTHER INFORMATION AND DISCLOSURES REQUIRED BY RULE OF PROFESSIONAL CONDUCT 1.4:**

*Estimate of Completed Jury and Bench Trials*

In Nevada, there are no juries in Family Law cases. Mr. Willick has been taking such cases to trial since the 1980s, the number of which by now is estimated in the thousands. Most of these have been in Clark County (Las Vegas), in the original District Court, and in the Family Court once it was established in 1992. A much smaller number of cases were taken to trial in Washoe County (Reno) or other Nevada counties. Mr. Willick has participated in hundreds of divorce and pension cases in the trial courts of other States, as a consultant, expert, or as *amicus curia*.

*Estimate of Appeals Briefed or Argued*

Mr. Willick has been briefing and arguing appeals in the Nevada Supreme Court since 1984, the number of which by now is estimated at over 100, and has briefed and argued a smaller number of appeals in other States and to the Federal Ninth Circuit Court of Appeals, and twice briefed defense of cases appealed to the United States Supreme Court, obtaining denials of Cert. in both. (Many of these decisions, and the briefs that led to them, are posted on the Appeals page of the firm website.) Mr. Willick has participated in dozens of divorce and pension cases in other State and Federal appellate courts, as a consultant, expert, or as *amicus curia*.

*Malpractice Insurance*

The Willick Law Group does maintain professional liability insurance, through Torus Specialty Insurance Company Harborside Financial Center, Plaza 5, Suite 2600 Jersey City, New Jersey 07311

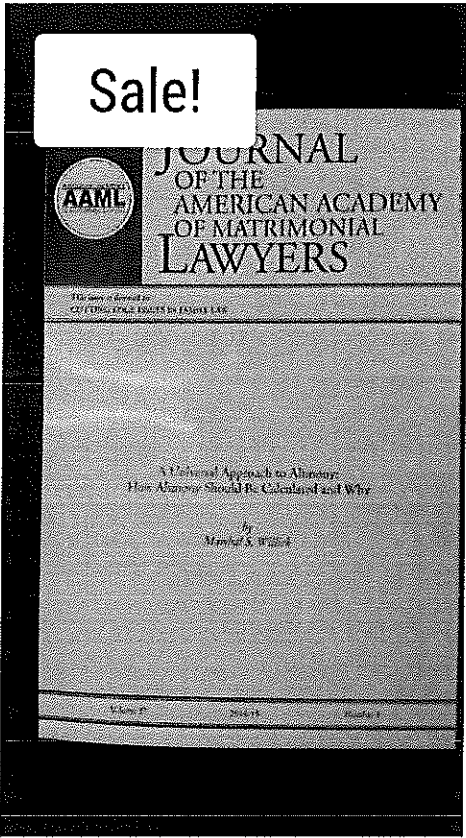


# EXHIBIT 9

702.438.4100 info@willicklawgroup.com f t G+ RSS



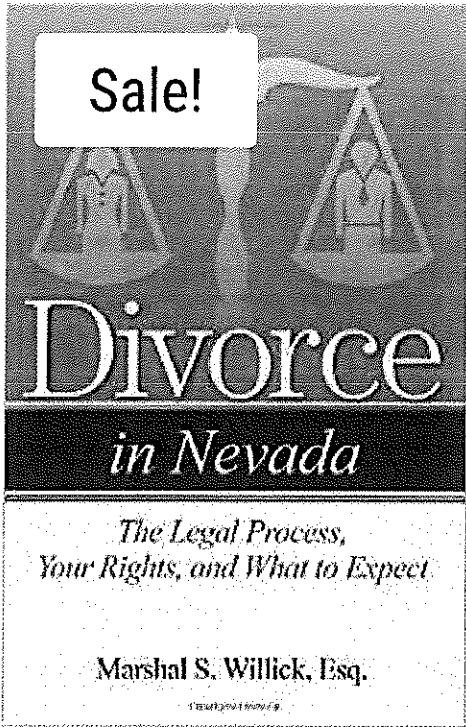
Select Page



A Universal Approach to Alimony: How Alimony Should Be Calculated and Why

\$5.00

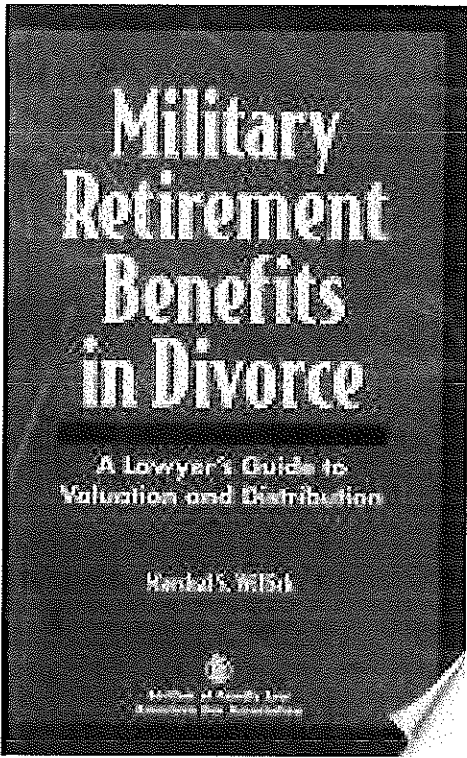
Free!



Divorce in Nevada: The Legal Process, Your Rights, and What to Expect

\$21.95

\$15.00



Military Retirement Benefits in Divorce: A Lawyer's Guide to Valuation and Distribution

\$25.00

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# EXHIBIT 10

Wednesday, February 1, 2017

54°F Clear  
Las Vegas NV

**RICK THOMAS**

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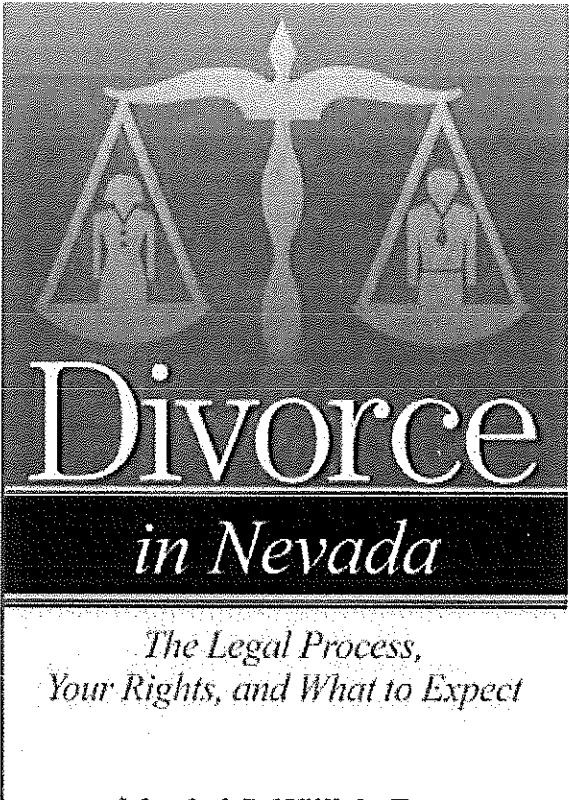
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Posted October 29, 2014 - 5:00pm

Literary Las Vegas: Marshal S. Willick



The book "Divorce in Nevada: The Legal Process, Your Rights, and What to Expect" is part of Addicus Books' "Divorce In" series. (Special to View)

By GINGER MEURER  
VIEW STAFF WRITER

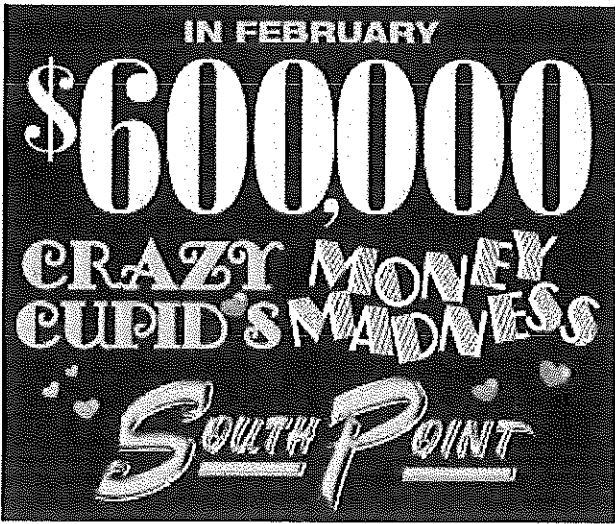
"There has long been a need for a reference, written in plain English, from which ordinary men and women can get answers about how the divorce process works in Nevada and what to expect," writes attorney Marshal S. Willick.

The book "Divorce in Nevada: The Legal Process, Your Rights, and What to Expect," part of Addicus Books' "Divorce In" series, is Willick's answer to that need. He includes basic tips on when and how to find a lawyer, the process of serving divorce papers or receiving them and delves into details on custody, residency requirements, support, division of property and more. For more information, visit [addicusbooks.com](http://addicusbooks.com).

Excerpt:

It may have been a few years ago. Or, it may have been many years ago. Perhaps it was only months. But, when you said, "I do," you meant it. Like most people getting married, you

SUBMIT A NEWS TIP



KATS!



ROBIN LEACH

Most Popular

- NFL hypocrisy one possible reason for Adelson's exit from Raiders stadium deal
- Adelsons withdraw investment from proposed Raiders stadium in Las Vegas
- Las Vegas police explain why neighbor in fatal shooting of teen is not facing charges
- Goldman Sachs financing in jeopardy after Adelson exit from Raiders stadium plan
- Vegas woman abducted Monday found in New Mexico; 2 men questioned

Columnists Features



KATS!  
Willie Nelson fires up the crowd in downtown Las Vegas



KATS!  
Tony Sacca, with his singing clock, had the time of his life

KATS!

planned to be a happily married couple for the rest of your life.

But things happen. Life brings change. People change. Whatever the circumstance, you now find yourself considering divorce. The emotions of divorce run from one extreme to another as you journey through the process. You may feel relief and be ready to move on with your life. On the other hand, you may feel emotions that are quite painful. Anger. Fear. Sorrow. Guilt. A deep sense of loss or failure. It is important to find support for coping with all these strong emotions.

Because going through a divorce can be an emotional time, having a clear understanding of the divorce process and what to expect will help you make better decisions. And, when it comes to decision making, search inside yourself to clarify your intentions and goals for the future. Let those intentions be your guide.

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WED	THU	FRI	SAT	SUN	MON	TUE	A
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Welcome Walk  
Clark County Wetlands Park  
Sunday, Jan 22, 10:00 am



BELLAGIO CONSERVATORY EXHIBIT  
Bellagio  
Monday, Jan 23,



AUSSIE HEAT  
Miracle Mile Shops at Planet Hollywood  
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## LAS VEGAS SUN

# Surprise witness: Facebook

**Any posts, pictures you put on social media websites can and may be used against you in a (divorce) court of law**

**By Steve Kanigher**

Friday, April 30, 2010 | 2:01 a.m.

Divorce lawyers have a friend in Facebook.



It's a fishing expedition — in a stocked pond. Delving into the social networking website “is fun for lawyers because you can find the proverbial smoking gun,” says Mary Anne Decaria of Reno, president of the Nevada chapter of the American Academy of Matrimonial Lawyers.

One recent example: A Las Vegas attorney helped a professional basketball player lower his monthly child support payments to his ex-wife, thanks in part to a photo of the woman's mother on Facebook.

Attorney Marshal Willick set out to prove that the ex-wife had been spending only a few hundred dollars on the basketballer's child even though he was giving her a monthly check of more than \$10,000. Willick struck gold when the mother's Facebook page showed her standing next to an expensive new Jaguar automobile. It turned out the ex-wife had used money from her child support checks to buy the car for her mother.

Welcome to 21st century family law, a branch of litigation that over the past five years has become increasingly reliant on Facebook, MySpace, Twitter and other popular social networking websites that volunteer information that can shoot holes through such court contentions as “I'm a responsible parent. Therefore, I deserve custody of the child,” or “I'm broke and can't afford alimony.”

A survey released in February by the American Academy of Matrimonial Lawyers confirmed the increasing reliance on Internet-based social networking evidence in divorce cases and cited Facebook as by far the leading source of that information.

According to Facebook's numbers, it has about 120 million users in the U.S. Estimates are that slightly more than a million Nevadans are Facebook users who share personal information with friends, relatives and co-workers. Those who aren't careful about its privacy settings often learn to their chagrin that revelations they thought would be kept among a small group of people actually can be broadcast to a far wider audience, however.

And no matter the privacy settings, when a court battle gets under way, lawyers can be counted upon to pursue records for Facebook and other social media.

Las Vegas attorney Edward Kainen, an academy member, has taken advantage of social networking information

on numerous occasions.

"It's fairly common when you deal with child custody cases," Kainen says. People post all sorts of things that lawyers can use against them.

Particularly common are photos of a drunk parent, not exactly the image you would want a judge to see while trying to plead your case in a custody or alimony dispute.

In one case where a man in a divorce case claimed to have no money to pay alimony, Kainen obtained Facebook photos showing the guy in a drunken stupor inside a Las Vegas resort.

"He claimed he was only earning \$1,300 a year, but he was partying much like a rock star," Kainen says. The case was resolved in favor of Kainen's client.

In another case, a parent who had custody of a teenager claimed to be properly supervising that child. But Kainen won the case for the other parent partly on the strength of information from a MySpace page in which the teenager bragged about being sexually active.

Willick says the wealth of social networking information that can be gleaned from the Internet has made it indispensable in gathering evidence. He even uses websites such as the popular Wayback Machine to retrieve older, incriminating Internet submissions that an opposing spouse assumed had been removed from cyberspace.

"It's amazing what people tell the universe," he said. "It's unwise to put something on the Internet and say something else in court."

Willick this year won an alimony modification dispute for a woman whose unemployed ex-husband had earned a six-figure salary as an information technology professional. The man, who wanted his alimony payments reduced, had told a judge that he was diligently looking for work in his profession but was unable to find a job. Willick shot holes through that story when he produced the man's Facebook page on which he claimed he was a helicopter pilot.

Willick was able to successfully argue that the man "clearly wasn't seeking work in his field. If you're putting out information that you're a helicopter pilot, you're not likely to get hired by an information technology company."

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# Commentary: Nevada divorce rate still highest in nation

Jun 21, 2014

Some 17,300 Nevadans filed for divorce last year, once again making Nevada the state with highest divorce rate in the nation. The top five states were rounded out by Maine, Oklahoma, Oregon, and Arkansas.

Why the high divorce rate in Nevada?

"It's rather complex," said divorce expert Marshal Willick of Las Vegas. "Our population has mushroomed, and a large percentage of those moving here have financial problems or other stressors. At the same time, their lack of local extended family may put additional pressure on marriages, all of which affects the divorce rate. And Nevada divorces are typically faster and easier to navigate than those in many other places."

Willick, a divorce attorney who has helped thousands of couples divorce, is also author of the newly released book, "Divorce in Nevada — The Legal Process, Your Rights, and What to Expect" (Addicus Books, June 2014).

With some 30 years of experience in handling divorce cases, what is Willick's advice to couples who are divorcing?

He offered the following 10 tips for getting divorced in Nevada:

1. Hire an experienced family law attorney early on. Communicate with your attorney clear

and often. "Do it yourself" is often an invitation to disaster.

2. Divorce can raise many issues. There is a common misperception that divorce or family law is "simple." But really, family law incorporates nearly every other area of law, including parts of interstate jurisdiction, tort, criminal, tax, and general civil law. Make sure you explore all possible issues with your lawyer.

3. Family law can be uncivil. Emotions often run hot, because loss of a marriage, having or losing contact with a child, and keeping or handing over treasured property triggers sometimes extreme reactions. Even so, you should try to reach agreements whenever you can do so without surrendering your principles, to minimize fees, the emotional toll on you and others, and the duration of the divorce process.

4. Knowledge is power, and time is money. Actively and honestly assist your attorney in understanding all the facts relevant to your financial and custody issues. The more clear, complete, and organized you are, the better your outcome is likely to be, and the lower the cost to you of getting there.

5. Let go of "fault." In Nevada, determining whether a spouse is "at fault" is irrelevant to whether a divorce will be granted, or to the outcome of most property, alimony and custody issues.

6. Be realistic. Discuss with your lawyer the probable outcomes of property, alimony, and custody disputes, and realize that there are often no "winners" in divorce litigation; your goal is to get through the process with as little harm, and as bright a foreseeable future, as is possible for you and your children.

7. Take the long view. Try to make those decisions that — 10 years from now — you will wish you had made, and make your behavior now something you will be proud to look back on.

8. If you have children with your spouse, remember that the two of you will have lasting ties as parents, and make sure your words and actions reflect that reality.

9. Be prepared to feel emotional highs and lows. It is normal, and if you expect it you can deal with it better when you feel it. Try to maintain a support network of family and friends to assist you with the emotional side of the divorce process, but do not lean on your children as you

emotional support, or try to enlist them as allies — they will have their own needs.

10. Be patient. Contested divorce proceedings can take months, or years, and family law decisions often change the courses of multiple people's lives. Decisions such as custody, ch support, and alimony are usually modifiable. Even final orders of payments due or propert division may take years to complete.

-----

Marshal S. Willick is the principal of the Willick Law Group, an A/V rated family law firm in L Vegas.

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QUIZ: How much do you know about home improvement?

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3rd, Bruins beat  
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## Sen. Hatch: Democrats 'idiots' for boycotting

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# Pelosi on ban: Statue of Libert is in tears

# 10 Tips for Getting Divorced in Nevada

By Chereese Jackson (<http://guardianlv.com/author/chereesejackson/>) on June 18, 2014 · No Comment (<http://guardianlv.com/2014/06/10-tips-for-getting-a-divorce/#respond>)

**f** ([http://www.facebook.com/sharer.php?u=http://guardianlv.com/2014/06/10-tips-for-getting-a-divorce/&t=10 Tips for Getting Divorced in Nevada](http://www.facebook.com/sharer.php?u=http://guardianlv.com/2014/06/10-tips-for-getting-a-divorce/&t=10%20Tips%20for%20Getting%20Divorced%20in%20Nevada))

**t** ([http://twitter.com/home?status=10 Tips for Getting Divorced in Nevada => http://guardianlv.com/2014/06/10-tips-for-getting-a-divorce/](http://twitter.com/home?status=10%20Tips%20for%20Getting%20Divorced%20in%20Nevada%20=>%20http://guardianlv.com/2014/06/10-tips-for-getting-a-divorce/))

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The divorce rate in Nevada is still the highest in the nation

according to divorce expert Marshal Willick. Willick is a divorce attorney who has helped thousands of couples disconnect and is also the author of the newly released book, *Divorce in Nevada: The Legal Process, Your Rights, and What to Expect*. In conjunction with his expertise he has shared 10 tips for getting divorced in Nevada.

Some 17,300 Nevadans filed for divorce last year, once again making Nevada the state with the highest divorce rate in the nation. The top five states were rounded out by Maine, Oklahoma, Oregon, and Arkansas. The state with the lowest divorce rate is New Jersey.

Why the high divorce rate in Nevada? “It’s rather complex,” explains divorce expert Marshal Willick of Las Vegas.

Our population has mushroomed, and a large percentage of those moving here have financial problems or other stressors. At the same time, their lack of local extended family may put additional pressure on marriages, all of which affects the divorce rate. And Nevada divorces are typically faster and easier to navigate than those in many other places.

With some thirty years of experience in handing divorce cases, divorce can be an emotionally rough time, says Willick. His advice to couples who are in the process of disconnecting and going their separate ways is,

*Try to set emotions aside, at least long enough to take the long view and make decisions that they will be comfortable with ten years from now.*

Willick points out that such decision-making is not always easy when you might be filled with anger or hurt.

When asked why he wrote the book Willick responded,

*I wrote the book to educate those going through divorce. I believe knowledge is power, and reduces fear. Understanding what you are doing, and why you are doing it, can help you make better life decisions, and understanding the process usually makes coping with it easier emotionally.*

Here are 10 tips for getting divorced in Nevada by Attorney Marshal S. Willick:

1. **Hire an experienced family law attorney early on:** Communicate with your attorney clearly and often. The “Do it yourself” method is often an invitation to disaster.
2. **Divorce can raise many issues:** There is a common misperception that divorce or family law is “simple.” But really, family law incorporates nearly every other area of law, including parts of interstate jurisdiction, tort, criminal, tax, and general civil law. Make sure you explore all possible issues with your lawyer.
3. **Family law can be uncivil:** Emotions often run hot, because loss of a marriage, having or losing contact with a child, and keeping or handing over treasured property triggers sometimes extreme reactions. Even so, you should try to reach agreements whenever you can do so without surrendering your principles, to minimize fees, the emotional toll on you and others, and the duration of the divorce process.
4. **Knowledge is power, and time is money:** Actively and honestly assist your attorney in understanding all the facts relevant to your financial and custody issues. The more clear, complete, and organized you are, the better your outcome is likely to be, and the lower the cost to you of getting there.
5. **Let go of “fault”:** In Nevada, determining whether a spouse is “at fault” is irrelevant to whether a divorce will be granted, or to the outcome of most property, alimony, and custody issues.
6. **Be realistic:** Discuss with your lawyer the probable outcomes of property, alimony, and custody disputes, and realize that there are often no “winners” in divorce litigation; your goal is to get through the process with as little harm, and as bright a foreseeable future, as is possible for you and your children.



7. **Take the long view:** Try to make those decisions that – ten years from now – you will wish you had made, and make your behavior now something you will be proud to look back on.
8. **If you have children with your spouse, remember that the two of you will have lasting ties as parents:** Make sure your words and actions reflect that reality.
9. **Be prepared to feel emotional highs and lows:** It is normal, and if you expect it you can deal with it better when you feel it. Try to maintain a support network of family and friends to assist you with the emotional side of the divorce process, but do not lean on your children as your emotional support, or try to enlist them as allies – they will have their own needs.
10. **Be patient:** Contested divorce proceedings can take months, or years, and family law decisions often change the courses of multiple people's lives. Decisions such as custody, child support, and alimony are usually modifiable. Even final orders of payments due or property division may take years to complete.

Not only has Willick litigated trial and appellate cases in Nevada, he has also participated in hundreds of divorce and pension cases in the trial and appellate courts of other states. Willick has also participated in the drafting of various state and federal statutes in the areas of divorce and property division.

Nevada divorce rate is the highest in the nation however by following these 10 tips shared by divorce expert Marshal Willick the separation process should end much smoother. This expert has helped thousands of couples go their separate ways. In addition to these tips he has written the newly released book *Divorce in Nevada: The Legal Process, Your Rights, and What to Expect*.

Opinion By: *Cherese Jackson (Virginia)*

Sources:


Nevada Judiciary (<http://nvcourts.gov/>)

Willick Law Group (<http://www.willicklawgroup.com/>)

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10 Tips for Getting Divorced in Nevada added by **Chere Jackson**  
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# EXHIBIT 11

Steven: Hi and good afternoon. Tell us about you.

Mr. Willick: I am a local domestic relations attorney, family law attorney. I've been in practice here since 1982. I don't know what else you want to know.

Steven: Well, I've done a lot of research on you, Mr. Willick, and I've known you throughout the years. A lot of the attorneys look at you as the Professor of Family Law. How do you feel about that because you wrote a lot of books and thesis and you've done a lot of instructional seminars and stuff like that?

Mr. Willick: In every state there tends to be one guy who tends to write the instruction manuals and the text books and teach the courses. For here in Family Law that's pretty much my role.

Steven: I just want to get right down to the chase. You and I have been opposite sides of the service connected disability benefits that are ... The Federal law is that you cannot use service-connected disability benefits for anything. Two sessions ago you were on satellite from the Grand Sawyer. You testified on the opposite side of the service connected disability benefits. This session you also testified on the opposite side.

I forgot where you were. You were in one of the rurals. I was in Carson City testifying. You were in one of the rurals. You had a couple folks that showed up in Carson City testifying committee for you. I have your letter that you gave. You wrote specifically when we were talking about Assembly Bill 140, which is the bill to stop Nevada Family Court judges for using service connected disability benefits for alimony. You said it would prevent courts from using the actual income of a small group of people as opposed to everyone else who gets divorced. I've got to ask you something before I continue Mr. Willick, have you ever served in the military?

Mr. Willick: No, sir.

Steven: Okay. In another part of this letter you wrote as testimony you said, "I have studied these issues and taught courses to other lawyers on this subject for over 20 years. Assembly Bill 140 is awful in every way, masquerading as a flag waving exercise." I've got to ask because there was another statement you write in your testimony. You were comparing a spouse with their PTSD to a military veteran with his. I've got to ask you something, Mr. Willick. Have you ever shot anybody?

Mr. Willick: No.

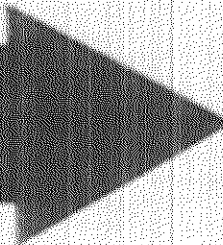
Steven: Have you ever taken a life?

# EXHIBIT 12



**DIVORCING?** HAS THE PENSION  
BEEN DIVIDED?

**QDRO MASTERS AT THE WILICK LAW GROUP**

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HABLAMOS ESPAÑOL

MARSHAL S. WILICK, ESQ.

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CERTIFICATE OF SERVICE

I am over the age of 18 and am not a party to the within action.

On this date I asked the court to E-serve a true and correct copy of the document entitled  
DECLARATION OF ANAT LEVY IN SUPPORT OF ANTI-SLAPP MOTION TO DISMISS  
on the below listed recipients through its e-serve service on wiznet to the following recipients.

Jennifer Abrams, Esq.  
The Abrams & Mayo Law Firm  
6252 S. Rainbow Blvd., Ste. 100  
Las Vegas, NV 89118  
(702) 222-4021  
JVAGroup@theabramslawfirm.com

Alex Ghoubadi, Esq.  
G Law  
320 E. Charleston Blvd., Ste. 105  
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(702) 217-7442  
alex@alexglaw.com

Courtesy Copy:

Maggie McLetchie, Esq.  
McLetchie Shell  
702 E. Bridger Ave., Ste. 520  
Las Vegas, NV 89101  
(702) 728-5300  
Maggie@nvlitigation.com

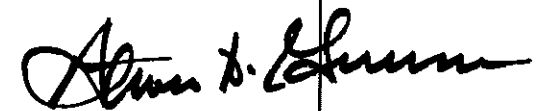
I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Executed this 17<sup>th</sup> day of February, 2017, in Las Vegas, NV



DECLARATION OF ANAT LEVY IN SUPPORT OF  
ANTI-SLAPP MOTION TO DISMISS





CLERK OF THE COURT

1 MDSM  
2 Anat Levy, Esq. (State Bar No. 12550)  
3 ANAT LEVY & ASSOCIATES, P.C.  
4 5841 E. Charleston Blvd., #230-421  
5 Las Vegas, NV 89142  
6 Phone: (310) 621-1199  
7 E-mail: [alevy96@aol.com](mailto:alevy96@aol.com); Fax: (310) 734-1538  
8 Attorney for: DEFENDANTS VETERANS IN POLITICS INTERNATIONAL, INC. AND  
9 STEVE SANSON

10 **DISTRICT COURT**  
11 **CLARK COUNTY, NEVADA**

12 MARSHALL S. WILICK and WILICK LAW ) CASE NO. A-17-750171-C  
13 GROUP, )  
14 ) DEPT. NO.: XIX (19)  
15 Plaintiffs, )  
16 )  
17 vs. )  
18 )  
19 STEVE W. SANSON; HEIDI J. HANUSA; )  
20 CHRISTINA ORTIZ; JOHNNY SPICER; DON )  
21 WOOLBRIGHTS; VETERNAS IN POLITICS )  
22 INTERNATIONAL, INC.; SANSON )  
23 CORPORATION; KAREN STEELMON; and )  
24 DOES 1 THROUGH X )  
25 Defendants. )

26 **ANTI-SLAPP SPECIAL MOTION TO DISMISS**

27 **PURSUANT TO NRS 41.650 et. seq.**

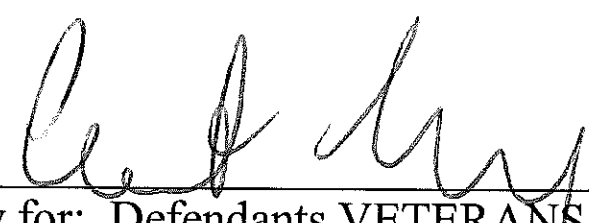
28 Defendants Veterans in Politics International, Inc. and Steve W. Sanson hereby move to  
dismiss the complaint pursuant to Nevada's Anti-SLAPP Statutes, NRS 41.650 et al.

The motion should be granted because:

1. Defendants can establish by a preponderance of the evidence each of the requirements for dismissing the case under Nevada's anti-SLAPP statutes;
2. Plaintiffs cannot meet their evidentiary burden of establishing a prima facie case of a probability of prevailing on their claims.

1 This motion is made pursuant to NRS 41.650 et. seq., and is based on this motion, the  
2 notice, the accompanying Memorandum of Points and Authorities, the pleadings and records on  
3 file with the Court, and on such oral and documentary argument and evidence as the Court may  
4 consider in support thereof.


5  
6 DATED: February 17, 2017

By:   
Attorney for: Defendants VETERANS IN  
POLITICS INTERNATIONAL, INC. and  
STEVE W. SANSON  
Anat Levy, Esq.  
NV Bar No. 12250  
Anat Levy & Associates, P.C.  
5841 E. Charleston Blvd., #230-421  
Las Vegas, NV 89142  
Cell: (310) 621-1199  
[Alevy96@aol.com](mailto:Alevy96@aol.com)

13  
14 **NOTICE OF MOTION**

15 PLEASE TAKE NOTICE that the undersigned counsel will appear at the Clark County  
16 Courthouse, Eighth Judicial District Court, Las Vegas, Nevada on the 14 day of  
17 March, 2017 at 9:00am .m. in Department XIX, or as soon  
18 thereafter as counsel may be heard, to bring this ANTI-SLAPP MOTION TO DISMISS  
19 PURSUANT TO NRS 41.650 et seq. on for hearing.

20  
21 DATED: February 17, 2017

By:   
Attorney for: VETERANS IN POLITICS  
INTERNATIONAL, INC. and STEVE W.  
SANSON  
Anat Levy, Esq.  
NV Bar No. 12250  
Anat Levy & Associates, P.C.  
5841 E. Charleston Blvd., #230-421  
Las Vegas, NV 89142  
Cell: (310) 621-1199  
[Alevy96@aol.com](mailto:Alevy96@aol.com)

1 MEMORANDUM OF POINTS AND AUTHORITIES

2  
3 I. INTRODUCTION

4 This is a classic example of a SLAPP lawsuit -- a Strategic Lawsuit Against Public  
5 Participation ("SLAPP"). "A SLAPP suit is a meritless lawsuit that a party initiates primarily to  
6 chill a defendant's exercise of his or her First Amendment free speech rights." (Panicaro v.  
7 Crowley, NV Ct of Appeals, 1/5/2017). Nevada's anti-SLAPP statute, NRS 41.650, shields from  
8 civil liability "a person who engages in a good faith communication in furtherance of the right to  
9 petition or the right to free speech in direct connection with an issue of public concern . . . for  
10 claims based upon the communication."

11 Defendants Veterans in Politics International, Inc. ("VIPI) and its President, Steve  
12 Sanson, are being sued by Plaintiffs Marshal Willick and his firm, Willick Law Group, for five  
13 statements that VIPI made online about Plaintiffs from December 25, 2016 to January 14, 2017.  
14 Defendants hereby move to dismiss this suit as they hereby establish by a preponderance of the  
15 evidence all the requirements of Nevada's anti-SLAPP statutes.

16 Specifically, each of Defendants' communications was made in good faith in that they  
17 were either true, constituted non-actionable opinion which is not subject to a truth evaluation, or  
18 was privileged. All of the statements were in good faith hyperlinked to the relevant source  
19 documents, and there is no evidence, nor do Plaintiffs allege any facts that Defendants acted in  
20 reckless disregard for the truth of the statements.

21 Moreover, each of the statements was directly related to an issue of "public concern" or  
22 involved reporting on judicial or legislative proceedings. Defendants' statements pertained to a  
23 Virginia Court's finding that Plaintiffs engaged in defamation per se against an opposing party,  
24 Plaintiffs' views on then-pending legislation about shielding veteran disability pay from spousal  
25 support calculations, Plaintiffs' employment of a suspended sex offender in its family law  
26 offices, and Plaintiffs' actions in a case in which he sought unsuccessfully to overturn  
27 precedence making an ex-wife ineligible to obtain survivorship benefits in her ex-husband's  
28 pension plan, and his efforts to obtain attorneys' fees in that case. Defendants' statements were

1 also made in a public forum as they were made on publicly available websites on the internet.  
2 And, although it is not necessary for an anti-SLAPP motion, it should be noted that Plaintiff  
3 Willick and his firm are “public figures” as defined by the Supreme Court in Gertz v. Robert  
4 Welch, Inc., infra. (see Section VI.A.3 herein). This further heightens the public concern of the  
5 statements.

6 Given that Defendants can prove the elements for this motion by a preponderance of the  
7 evidence, the burden then legally shifts to Plaintiffs to establish a prima facie case of a  
8 probability of success on their claims, which they will be unable to do for the following reasons:

9 a. Plaintiffs’ first cause of action for defamation, which is the gravamen of the  
10 complaint, fails because Defendants’ statements were true, substantially true, constituted non-  
11 actionable opinion, or were absolutely privileged. Moreover, Plaintiffs are public figures, and  
12 are unable to establish “malice” by Defendants as required to establish the claim.

13 b. Plaintiffs’ fourth and fifth causes of action for “false light” and “business  
14 disparagement,” respectively, fail for the same reason. The statements are true or constitute  
15 opinion or are privileged.

16 c. Plaintiffs’ second and third causes of action for intentional and negligent  
17 infliction of emotional distress fail because the claims are based on the same protected speech  
18 and cannot therefore serve as a basis for these claims. Moreover, Defendants’ statements do not  
19 amount to the type of “outrageous” and socially unacceptable conduct required for a claim of  
20 emotional distress. And, contrary to the allegations in the complaint, plaintiff Willick Law  
21 Group, a corporate entity, is incapable of suffering emotional distress.

22 d. Plaintiffs’ eighth cause of action for purported RICO violations is frivolous. First,  
23 only one of the predicate crimes alleged in the complaint fall within the crimes listed in NRS  
24 207.360 that can support a RICO claim. And that one crime is pleaded with no facts whatsoever.  
25 The rest of the crimes alleged are not RICO related crimes and cannot support a RICO claim.  
26 Indeed, some of the purported “crimes,” such as wasting Willick’s time in having to deal with  
27 Defendant’s postings, do not even constitute a crime.  
28

1 e. Plaintiffs' ninth cause of action for copyright infringement fails for lack of subject  
2 matter jurisdiction, because federal courts have exclusive original jurisdiction over copyright  
3 claims. (28 U.S.C. 1338(a).) Moreover, Plaintiffs failed to register their purported copyrights, a  
4 prerequisite to filing a copyright infringement case (17 U.S.C. §411(a)), and ignore that that  
5 Defendants' use of the purportedly copyrighted work falls under the Copyright Act's "fair use"  
6 exception.

7 f. With each of the above causes of action failing, plaintiffs' sixth and seventh  
8 causes of action for "concert of action" and "civil conspiracy" must necessarily fail as well.

9 Finally, the court should note the context in which this case was filed. This suit is but  
10 one part of Plaintiffs' aggressive campaign to stifle VIPI's free speech rights. As detailed in  
11 Section II below, Plaintiffs' campaign includes, among other things, (a) the filing by Jennifer  
12 Abrams (counsel herein and Willick's fiancé) of another lawsuit pending against VIPI and its  
13 officers and directors for the exact same causes of action, but pertaining to statements about her  
14 behavior in court proceedings (b) Plaintiffs publishing false statements about VIPI and Sanson  
15 on line, and (c) Plaintiffs and Abrams sending "take down" notices to VIPI's online vendors so  
16 that VIPI can no longer use services on which it depends to communicate (on any matter) with  
17 its members and audience.

18 Moreover, filing suit now appears be a "pattern and practice" by Plaintiffs as a way to  
19 stifle speech. In 2012, Plaintiff filed another defamation case, again alleging the exact same  
20 causes of action, against another veterans group that was critical of Plaintiffs' views on certain  
21 veteran-related matters. (See complaint in Willick v. Jere Beery et. al, attached as Ex. 1 to Levy  
22 Dec.). In that case, the principal defendants were unrepresented by counsel, and after years of  
23 litigation, the case ended in a non-monetary settlement with those defendants.

24 This court should therefore put a fast and complete end to this case. Consistent with the  
25 policies underlying Nevada's anti-SLAPP statutes, this Court should not let our judicial system  
26 become a financial sledgehammer that lawyers use to stifle constitutionally protected speech.  
27  
28

1                                   **II. BACKGROUND AND PLAINTIFFS' CAMPAIGN TO**  
2                                   **STIFLE DEFENDANTS' FREE SPEECH RIGHTS**

3           Plaintiffs Willick and Willick Law Group, and Willick's fiancée, Jennifer Abrams, have  
4   mounted an aggressive campaign to harass, attempt to intimidate and attempt to financially "hit"  
5   VIPI and its officers to get VIPI to stop posting constitutionally protected articles, court videos  
6   and documents online.

7           In October 2016, VIPI, which is a non-profit corporation that advocates on behalf of  
8   veterans and which works to expose public corruption and wrongdoing, published a court video  
9   of a family court proceeding showing Abrams berating a judge and the judge arguing with  
10   Abrams but failing to effectively control her courtroom. (Sanson Decl., ¶¶ 2-3.)

11          Abrams thereafter sought to have VIPI take down the video. She sent VIPI an email and  
12   per her urging, had the judge do the same, asking VIPI to take the video down. (*Id.*, ¶ 4 Ex. 1.)  
13   VIPI, a media entity and strong advocate of free speech, refused to do so. (*Id.*, ¶ 4.)

14          Abrams then obtained a court order from the same family court judge, purporting to seal  
15   all documents in the case (even, impermissibly, the pleadings), including the court video, on a  
16   retroactive basis. Abrams served the order on VIPI (*Id.*, ¶ 5, Ex. 2), but since family court does  
17   not have jurisdiction over VIPI, the purported order was ineffective. VIPI therefore lawfully  
18   kept the court video and its articles online. (*Id.*, ¶ 5.)

19          On January 9, 2017, unable to get VIPI to take the video down, Abrams sued VIPI and  
20   each of its officers and directors (including one in Missouri), and another corporation that the  
21   Sanson family owns (Sanson Corp.) but is unrelated to VIPI and has nothing to do with VIPI's  
22   activities. (See, Abrams v. Schneider et. al., Case no. A-17-749318-C complaint attached as Ex.  
23   6 to Sanson Decl.) (the "Abrams Complaint"). Suing this broad brush of defendants appears to  
24   have been calculated to maximize the financial pain of litigation for VIPI. Abrams' suit alleged  
25   the same causes of actions as are involved in the present lawsuit, albeit pertaining to the  
26   publication of the court video and VIPI's comments about it. (Sanson Decl., Ex. 3.) Abrams'  
27   fiancé, plaintiff Willick, is representing her in that case.  
28

1 Willick then started posting the Abrams Complaint on various internet websites,  
2 including on Willick Law Group's website. He also issued a letter to Sanson, which he did not  
3 send to Sanson but which he posted on the Willick Law Group website, Facebook, and other  
4 online locations. (Sanson Decl., ¶ 7, Ex. 4.)

5 Ironically, Willick's letter to Sanson disparages VIPI and Sanson using the same or worse  
6 language than of which Willick complains in this present lawsuit. Specifically, Willick accuses  
7 VIPI of manipulating its candidate interview process (Ex. 4, p. 3), Sanson of using VIPI's  
8 income for his personal expenses, not filing tax returns for VIPI, and using VIPI as an "unethical  
9 scheme to extort concessions." (Ex. 4, p. 3) He further accuses Sanson of being a  
10 "hypocrite...but even worse," "a sleazy extra out of 'Harper Valley PTA,'" states that Sanson is  
11 the very definition of "hypocrite – not to mention slimy beyond words." (Ex 4., p. 5) Willick  
12 also calls Sanson "two-bit unemployed hustler," and accuses him of "shaking down candidates  
13 for cash and conspiring with like-minded cronies." (Ex. 4, p. 5) He calls Sanson "repugnant,"  
14 and states that VIPI's radio show is a "fraud" and that VIPI is a "sham organization." (*Id.*)  
15 Willick further states that Sanson was "forced to flee California." (*Id.*, pp. 5-6.) None of the  
16 above statements are true and they are clearly worse than the statements of which Willick  
17 complains in this action.  
18

19 When Willick's letter and postings did not intimidate VIPI into taking down its posts,  
20 Willick filed the instant action on January 27, 2017, alleging the exact same causes of action as  
21 in the Abrams Complaint, but pertaining to a handful of sentences (with hyperlinked court  
22 documents or news articles) that VIPI posted online about Willick from December 25, 2016 to  
23 January 14, 2017. Not coincidentally, Abrams is representing Willick in this case, and like  
24 Abrams, Willick not only sued VIPI and its president Sanson, but each of VIPI's officers and  
25 directors and Sanson Corp., again apparently to maximize VIPI's financial burden of litigation.

26 Willick also posted Sanson's picture online with the word "hypocrite" across it, again,  
27 one of the same descriptions for which he is suing Sanson in this lawsuit. (Sanson Decl., ¶ 10,  
28 Ex. 5.)



1 When VIPI still didn't succumb to Willick's tactics, Abrams and Willick started sending  
2 "take down" notices to VIPI's online vendors, including to YouTube, Facebook, Vimeo and  
3 Constant Contact claiming that VIPI was somehow engaging in copyright violations under the  
4 Digital Millennium Copyright Act ("DMCA") and/or were somehow violating privacy rights.  
5 (Sanson Decl., ¶15 , Ex. 15.) These notices caused those vendors to shut down VIPI's access to  
6 those services pending their investigations or pursuant to their pre-set policies under the DMCA.  
7 (Id., ¶ 16.) VIPI has spent and continues to spend considerable time dealing with these shut  
8 downs which affect not just its postings on Willick and Abrams, but also its other business  
9 activities such as announcing guests on its weekly radio show, announcing its upcoming  
10 endorsement interviews for municipal races, circulating news about legislation and politics and  
11 its general operations. (Id., ¶ 16.)<sup>1</sup>

### 13 III. THE ALLEGEDLY DEFAMATORY STATEMENTS

14 Willick is suing defendants for the following five written statements made by Steve  
15 Sanson in his capacity as VIPI's President:

16 1. A December 25, 2016 statement on the VIPI website stating "[t]his is the type of  
17 hypocrisy we have in our community. People that claim to be for veterans but yet the screw us  
18 for profit and power." (Cmplt.¶¶ 20-25.) (A copy of this statement is attached as Ex. 7 to  
19 Sanson Decl.) The statement was hyperlinked to the November 14, 2015 interview that Plaintiff  
20 gave on Defendant VIPI's weekly radio show regarding Willick's views on Assembly Bill 140, a  
21 proposed law that VIPI supported and that Willick testified against before the legislature. See  
22 testimony attached as Ex. 8 to Sanson Declaration. The bill pertained to excluding a veteran's  
23 disability benefits from spousal support calculations. Willick had also specifically written to  
24 Sanson about the bill, which letter was the impetus for VIPI inviting Willick on its radio show to  
25 discuss his views. (Sanson Decl., ¶ 14a, Ex. 9.)

---

26  
27 <sup>1</sup> Sanson also recently received texts from a phone number that appears upon initial investigation  
28 to belong to someone with the same name as Abrams' daughter (Sanson Decl., ¶ 12, Ex. 6), and  
had the SIM card from his cell phone recently stolen (Sanson Decl., ¶ 13). It is unknown at this  
time whether these events are related to plaintiffs or Abrams.

1           2.       A January 12, 2017 post on the VIPI website stating “Attorney Marshall [sic]  
2 Willick and his pal convicted of sexually coercion of a minor Richard Crane was found [sic]  
3 guilty of defaming a law student in United States District Court Western District of Virginia  
4 signed by US District Judge Norman K. Moon.” (Cmplt., ¶¶ 26-29.) This article was  
5 hyperlinked to a Review Journal article about Crane’s conviction for child sexual malfeasance  
6 and suspension from the practice of law, the State Bar’s Order of Suspension of Crane, and  
7 Judge Moon’s Order finding that Willick committed defamation per se. (Sanson Decl., Ex.10.)

8           3.       A January 14, 2017 post on the VIPI website stating “[w]ould you have a Family  
9 Attorney handle your child custody case if you knew a sex offender works in the same office?  
10 Welcome to The [sic] Willick Law Group.” (Cmplt., ¶¶30-31.) The statement was hyperlinked  
11 to several documents showing that Crane was working for Willick despite Crane’s suspension  
12 from the practice of law. (A copy of this statement is attached as Ex.12 to Sanson Decl.)

13           4.       Two January 14, 2017 Facebook postings pertaining to a recent case that Willick  
14 handled, entitled Holyoak v. Holyoak.

15           a.       One posting stated: “Nevada Attorney Marshall Willick gets the Nevada  
16 Supreme Court decision: From looking at all these papers It’s obvious that Willick scammed his  
17 client, and later scammed the court by misrepresenting that he was entitled to recover property  
18 under his lien and reduce it to judgement. He did not recover anything. The property was  
19 distributed in the Decree of Divorce. Willick tried to get his client to start getting retirement  
20 benefits faster. It was not with 100,000 in legal bills. Then he pressured his client into allowing  
21 him to continue with the appeal.” (Cmplt., ¶¶ 32-33.) The posting was hyperlinked to a  
22 Supreme Court decision in Leventhal v. Lobello. (A copy of this statement is attached as Ex. 13  
23 to Sanson Decl.)

24           b.       The other posting stated: “Attorney Marshall [sic] Willick loses his appeal to the  
25 Nevada Supreme Court.” A copy of the Nevada Supreme Court’s decision in Holyoak v.  
26 Holyoak was hyperlinked to the statement. (Cmplt., ¶¶ 34-35.) (A copy of this statement is  
27 attached as Ex. 14 to Sanson’s Decl.)  
28

1 Tellingly, although Plaintiffs allege that the above statements are defamatory, they fail to  
2 allege *any facts* in the complaint stating how or why these statements are untrue or defamatory.  
3

#### 4 **IV. STANDARD FOR GRANTING ANTI-SLAPP MOTIONS**

5 NRS 41.650, Nevada’s anti-SLAPP statute, states as follows: “A person who engages in  
6 a good faith communication in furtherance of the right to petition or the right to free speech in  
7 direct connection with an issue of public concern is immune from any civil action for claims  
8 based upon the communication.”

9 NRS 41.637 (3) and (4), respectively, define such a “good faith communication” in  
10 relevant part as a “[w]ritten or oral statement made in direct connection with an issue under  
11 consideration by a legislative, executive or judicial body or any other official proceeding  
12 authorized by law,” or a “[c]ommunication made in direct connection with an issue of public  
13 interest in a place open to the public or in a public forum.”

14 The communication at issue must be made in good faith, i.e., it must either be “truthful or  
15 made without knowledge of its falsehood.” (NRS 41.637; *see also*, Moonin v. Nevada ex rel.  
16 Department of Public Safety Highway Patrol, 960 F. Supp. 2d 1130, 1146 (D. Nev. 2014).)

17 Defendants must show by a preponderance of the evidence that their communications  
18 meet the above criteria. (NRS 41.660(3)(a).)

19 Once met, the burden then shifts to Plaintiffs “to demonstrate with prima facie evidence a  
20 probability of prevailing on the claim.” (NRS 41.660(3)(b).) Absent such prima facie  
21 evidentiary showing, the case must be dismissed with prejudice. (NRS 41.660(5): “dismissal  
22 operates as an adjudication on the merits.”)  
23

#### 24 **V. DEFENDANTS MEET THE ANTI-SLAPP CRITERIA TO** 25 **HAVE THIS MOTION GRANTED.**

26 Each of the statements at issue meets the criteria for granting this anti-SLAPP motion.  
27 They were made in good faith, they furthered Defendants’ exercise of free speech, and they were  
28 directly connected to an issue of public concern and/or to legislative or judicial issues. And, they

1 were all made on publicly available websites, therefore “a place open to the public or in a public  
2 forum.”

3 **A. DEFENDANTS MADE THE COMMUNICATIONS IN GOOD FAITH**

4 Each of the statements at issue were made in good faith in that they were either true or  
5 substantially true and therefore protected (Gillespie v. Council, (Nev. App., 2016)), or they  
6 constituted non-actionable opinion that is not subject to a truthfulness evaluation (Lubin v.  
7 Kunin, 17 P.3d 422, 117 Nev. 107 (2001)), or they were privileged as further discussed in  
8 Section VI.A.2 herein.

9 Moreover, each of the statements was hyperlinked to relevant source materials, thereby  
10 further showing Defendants’ good faith. Courts have routinely held that hyperlinking to source  
11 materials undercut defamation claims as the reader is free to personally review the materials and  
12 evaluate the statements made.

13 1. What Constitutes Non-Actionable Opinion?

14 The determination of whether a statement is a protected “opinion” is a question of law for  
15 the Court to decide. (Celle v. Fillipino Reporter Enterprises Inc., 209 F.3d 163, 178 (2d Cir.  
16 2000).)

17 A statement “will receive full constitutional protection” if it is not a “provably false”  
18 statement. (Milkovich v. Lorain Journal Co., 497 U.S. 1, 20, 110 S. Ct. 2695 (1990).) “Loose,  
19 figurative, or hyperbolic language” is protected by the First Amendment, as it cannot reasonably  
20 be interpreted as stating actual, provable facts about an individual. (Milkovich, 497 U.S. at 21-  
21 23.) The more imprecise the meaning is of a statement, the more likely it will be viewed as  
22 protected “opinion.” (Id.)

23 For example, in McCabe v. Rattiner, 814 F.2d 839, 842 (1<sup>st</sup> Cir. 1987), the word “scam”  
24 was held to be imprecise and therefore constituted protected opinion. In Wait v. Beck’s N.Am.  
25 Inc., 241 F.Supp.2d 172, 183 (N.D.N.Y. 2003) the court found that “a statement that someone  
26 has acted...unethically generally [is] constitutionally protected statements of opinion.” In Biro,  
27 883 F.Supp.2d at 453, the court held that the use of the terms “shyster,” “con man,” and finding  
28 an “easy mark” is the type of “rhetorical hyperbole” and “imaginative expression” that is

1 typically understood as a statement of opinion. (Milkovich, 497 U.S. at 20.) In Adelson v.  
2 Harris, 973 F.Supp.2d 471, 493 (SDNY 2013) (applying NV law), the court held that  
3 “characterization of Adelson's money as “dirty” and “tainted” is the sort of rhetorical hyperbole  
4 and unfalsifiable opinion protected by the First Amendment.” Likewise, in Buckley v. Littell,  
5 539 F.2d 882, 893 (2d Cir. 1976), the words “fascist,” “fellow traveler,” and ‘radical right’ were  
6 held to be political labels that were too imprecise to be provable facts and were therefore  
7 opinions.

8 Moreover, political speech in particular is typically found to be protected “opinion.”  
9 Courts “shelter strong, even outrageous political speech,” on the ground that “the ordinary reader  
10 or listener will, in the context of political debate, assume that vituperation is some form of  
11 political opinion neither demonstrably true nor demonstrably false.” (Sack, Sack on Defamation  
12 at §4:3:1[B], 4-43; Planned Parenthood of the Columbia/Willamette, Inc. v. Am. Coal. of Life  
13 Activists, 244 F.3d 1007, 1019 (9<sup>th</sup> Cir. 2001) (acknowledging the well-recognized principle that  
14 political statements are inherently prone to exaggeration and hyperbole.) As stated in Koch v.  
15 Goldway, 817 F.2d 507, 509 (9<sup>th</sup> Cir. 1987), where the “circumstances of a statement are those of  
16 a heated political debate ... certain remarks are necessarily understood as ridicule or  
17 vituperation, or both, but not as descriptive of factual matters.”

18 2. Using Hyperlinks to Link to Underlying Source Materials Turns A Statement Into  
19 Non-Actionable Opinion.

20 The use of hyperlinks to disclose underlying source documents in a statement is  
21 encouraged and legally turns the statement into one of non-actionable opinion. In Nicosia v. De  
22 Rooy, 72 F.Supp.2d 1093 (N.D. Cal. 1999), the Court considered the ability of hyperlinks to  
23 transform a statement into constitutionally protected opinion. In that case, the plaintiff accused  
24 the defendant of defamation for accusing him of embezzlement even though the internet article at  
25 issue hyperlinked to yet two other internet articles and did not even provide a direct link to the  
26 source materials. The court nonetheless found that even the more remote articles were part of  
27 the context of the embezzlement accusation and the statement therefore did not constitute  
28 defamation.

1 In Franklin v. Dynamic Details, Inc., 116 Cal.App.4<sup>th</sup> 375, 379, 10 Cal.Rptr.3d 429  
2 (2004) the Court held that “[t]he e-mails disclosed the facts upon which the opinions were based  
3 by directing the reader to the FCC Web site and (via a Web link on the FCC Web site) to another  
4 company’s Web site... A reader of the emails could view those Web sites and was free to accept  
5 or reject Axton’s opinions based on his or her own independent evaluation.”

6 Similarly, in Agora Inc. v. Axxess, Inc., 90 F.Supp.2d 697, 702-05 (D.Md. 2000) the  
7 court dismissed plaintiff’s defamation claim based in part on facts disclosed in hyperlinked  
8 documents.

9 In Jankovic v. Inter’l Crisis Grp., 429 F.Supp.2d 165, 177 n.8 (D.D.C. 2006) the court  
10 noted that even if the meaning of an allegedly defamatory statement was unclear, it was clarified  
11 by the “two internet links” at the end of the sentence. The Court stated “[w]hat little confusion  
12 the sentence could possibly cause is easily dispelled by any reader willing to perform minimal  
13 research.”

14 As stated in Adelson v. Harris, 973 F.Supp.2d 471, 485 (S.D. NY 2013), applying  
15 Nevada law:

16 “Protecting defendants who hyperlink to their sources is good public policy, as it  
17 fosters the facile dissemination of knowledge on the Internet. It is true, of course,  
18 that shielding defendant who hyperlink to their sources makes it more difficult to  
19 redress defamation in cyberspace. But this is only so because Internet readers  
20 have far easier access to a commentator’s sources. It is to be expected, and  
celebrated, that the increasing access to information should decrease the need for  
defamation suits.”

21 Here, each of Defendants’ statements at issue contained hyperlinks to source materials,  
22 whether to the VIPI radio show, Court Orders, newspaper articles or other documents.

23 Accordingly, as a matter of law, it makes no difference if Plaintiff believes that VIPI’s  
24 opinions were unfair or unwarranted so as to effectively turn it into a statement of false fact, as  
25 the readers were free to read the source materials and opine on it for themselves.

26 3. Analysis Showing That Each of the Statements Were Either True, Substantially True  
27 or Constituted Non-Actionable Opinion:

28 a. VIPI’s December 25, 2016 statement “[t]his is the type of hypocrisy we have in  
our community. People that claim to be for veterans but yet they screw us for profit and power”

1 is opinion. As with the word “scam” in the McCabe case or “unethical” in the Wait case, the  
2 words “hypocrisy” and “screw us for profit and power” are so imprecise that they cannot be  
3 proven one way or the other as established fact and therefore constitute opinion.

4 *Tellingly, Willick himself posted a picture of Defendant Sanson on its website with the*  
5 *word “hypocrite” written across Sanson’s body. (Sanson Decl., Ex. 5.) Willick also wrote and*  
6 *published a letter calling Sanson a “hypocrite...but even worse,” “hypocrite – not to mention*  
7 *slimy beyond words,” a “two-bit unemployed hustler,” accused Sanson of “shaking down*  
8 *candidates for cash and conspiring with like-minded cronies,” called the VIPI radio show a*  
9 *“fraud” and VIPI “a sham organization.”* If Willick believes that “hypocrite” is defamatory,  
10 then he too is liable for defamation against VIPI and Sanson. (Sanson Decl., Ex. 4.) Surely, at a  
11 minimum, the court should not give relief to someone who engages in the same or worse actions  
12 that of which he complains.

13 Moreover, the statement pertained to political speech and should be given even more  
14 consideration as non-actionable opinion. Willick admits that his appearance on the VIPI show  
15 was to discuss Assembly Bill 140: “the reason I was invited onto your show was your  
16 unhappiness with my testimony before the legislature on topics about which I am an expert and  
17 you know very little.” (Sanson Decl., Ex. 4. p. 4.) VIPI’s statement at issue was made in direct  
18 response to, and was hyperlinked to, Plaintiff Willick’s 2015 VIPI radio interview in which  
19 Willick explained why he challenged Assembly Bill 140 before the Nevada state legislature. (See  
20 also, legislative minutes showing Willick’s testimony attached as Sanson Decl., Ex. 8).

21 Willick had also sent a letter to the legislature on AB 140, again making remarks about  
22 others similar to the ones he finds objectionable in this case. He states: “*So-Called ‘Veteran*  
23 *Support Groups’ Seek to Pervert Family Law For Their Personal Enrichment,*” he calls veteran  
24 *groups that disagree with him “hack-jobs,” “nut jobs,” claims that they have “un-American*  
25 *political agendas,” are “fringe groups,” and “flag-wrapped militants.”* (Sanson Decl., Ex. 9.)  
26 Clearly, VIPI’s December 25, 2016 posting pertained to political speech and should be afforded  
27 wide discretion for constituting permissible opinion.  
28



1           b.       The January 12, 2017 post stating: “[a]ttorney Marshall [sic] Willick and his pal  
2 convicted of sexually coercion of a minor Richard Crane was found [sic] guilty of defaming a  
3 law student in United States District Court Western District of Virginia signed by US District  
4 Judge Norman K. Moon,” was also true. This statement, however, was inadvertently issued  
5 without commas and consequently became ambiguous. (Sanson Decl., ¶ 14b.) The post was  
6 intended to read: “Attorney Marshall [sic] Willick, and his pal convicted of sexually coercion of  
7 a minor Richard Crane, was found guilty of defaming a law student in United States District  
8 Court Western District....” (Sanson Decl., ¶ 14b.) VIPI clarified the post on January 18, 2017,  
9 just six days later, rectifying any ambiguity. (*Id.*; see Clarification attached as Ex. 11 to Sanson  
10 Decl.) Notably, NRS 41.337 requires media to make public corrections within *20 days of*  
11 *demand*; this clarification was done within *6 days of publication*, without a demand.) Moreover,  
12 any ambiguity caused by the statement should not be actionable since Defendants hyperlinked to  
13 the relevant court orders and newspaper article in both the original and clarified posts. (*Id.*; see  
14 also, Jankovic v. Inter’l Crisis Grp., 429 F.Supp.2d 165, 177 n.8 (D.D.C. 2006)[“what little  
15 confusion the sentence could possibly cause is easily dispelled by any reader willing to perform  
16 minimal research.”].)

17           The post was truthful as Willick was indeed found to have committed defamation per se  
18 on an opposing party as shown by the Court Order to which it was hyperlinked (Sanson Decl.,  
19 Exs. 10, 11) and his colleague Richard Crane was indeed found to have engaged in sexual  
20 coercion of a minor and was suspended from the practice of law as shown from the Review  
21 Journal Article and State Bar Suspension Orders also attached to the statement. (*Id.*)

22           Indeed, Willick acknowledges the truthfulness of the Crane portion of the statement in his  
23 online letter to Sanson in which he states “[y]ou have now decided to attack me on your mailing  
24 list, but apparently could not come up with anything to criticize, so you decided to publicize the  
25 long-past personal problems of one of my employees.” (Sanson Decl., Ex. 4, p. 4.)

26           c. The January 14, 2017 Facebook post stating “[w]ould you have a Family Attorney  
27 handle your child custody case if you knew a sex offender works in the same office? Welcome  
28 to the [sic] Willick Law Group,” was also true. The question hyperlinked to source materials

1 from which the reader could see that Richard Crane was indeed still working with Willick even  
2 though Crane was suspended from the practice of law due to sexual malfeasance with a child.  
3 (Sanson Decl., ¶ 14c, Ex. 12.)

4 Moreover, as indicated above Willick confirms in his online letter to Sanson that Crane is  
5 one of his employees. (Sanson Decl., Ex. 4 p. 4: "...the long-past personal problems of one of  
6 my employees."

7 d. The two January 14, 2017 Facebook posts pertaining to Willick's actions in his case  
8 Holyoak v. Holyoak were also protected good faith speech.

9 (1) The January 14, 2017 VIPI Facebook post stating "[a]ttorney Marshall  
10 [sic] Willick loses his appeal to the Nevada Supreme Court" was true or substantially true. The  
11 statement was hyperlinked to the Nevada Supreme Court's ruling in Holyoak v. Holyoak, Case  
12 no. 67490, dated May 19, 2016 in which Willick represented the Respondent. (Cmplt., ¶¶ 34-35;  
13 see Ex. 14 to Sanson's Decl.) In that case, Willick sought to have the Nevada Supreme Court  
14 overturn prior precedent to find that his client was entitled to survivorship rights in her husband's  
15 pension plan. (See, Willick's Supreme Court brief attached as Ex. 2 to Levy Dec., and his  
16 opponent's Reply brief attached as Ex. 3 to Levy Decl.) The Supreme Court declined to overturn  
17 its prior precedent as Willick failed to properly raise the issue by way of a counter-appeal. (See  
18 Footnote 3 in Supreme Court opinion, attached as Ex. 14 to Sanson Decl.) In addition, Willick  
19 had filed a motion for partial remand to the District Court pending the appeal, and the Supreme  
20 Court denied his motion. (See motion and the court's ruling, attached as Exs. 4 and 5 to Levy  
21 Decl.)

22 (2) The other January 14, 2017 VIPI Facebook post was related to the  
23 Holyoak statement mentioned above, and was either true or constituted non-actionable opinion:

24 "Nevada Attorney Marshall Willick gets the Nevada Supreme Court decision:  
25 From looking at all these papers it's obvious that Willick scammed his client, and  
26 later scammed the court by misrepresenting that he was entitled to recover  
27 property under his lien and reduce it to judgement. He did not recover anything.  
28 The property was distributed in the Decree of Divorce. Willick tried to get his  
client to start getting retirement benefits faster. It was not with 100,000 in legal  
bills. Then he pressured his client into allowing him to continue with the appeal."

1 The Court in McCabe v. Rattiner, 814 F.2d 839, 842 (1<sup>st</sup> Cir. 1987), held that the word  
2 “scam” constitutes opinion. The statement of whether Willick’s services were worth \$100,000 in  
3 legal fees is obviously opinion. The rest of the statement is true, in that Willick’s client in the  
4 Holyoak case had already divided the property pursuant to a settlement with her husband before  
5 retaining Willick (see Supreme Court opinion which was hyperlinked to VIPI’s statement and  
6 which recites the facts of the case, attached as Ex. 14 to Sanson Decl.), and Willick did try to get  
7 his client to start getting retirement benefits faster (see Willick’s Supreme Court brief, attached  
8 as Ex. 2 to Levy’s Decl.).

9 VIPI’s posting also hyperlinked to the Lobello decision in which the Supreme Court laid  
10 out the requirements for attorneys to recover on a fee lien. (Sanson Decl., Ex. 13.) There’s no  
11 reason that Sanson on behalf of VIPI would not be entitled to express an opinion about whether  
12 the fees that Willick sought were appropriate. Indeed, Willick’s motion for fees in that case and  
13 his client’s objections to his request demonstrate how contentious the issue was. (See Willick’s  
14 motion for fees and his client’s opposition in the Holyoak case, attached as Exs. 6 and 7 to Levy  
15 Decl.)

16 Tellingly, the complaint fails to allege *any facts* to support its conclusory allegations that  
17 the statements at issue were made with reckless disregard of their falsity. VIPI at all times  
18 believed the statements to be true (Sanson Decl., ¶ 15), provided hyperlinks to its source  
19 materials (Id.) and immediately clarified the single statement that was inadvertently posted  
20 without the intended commas. (Sanson Decl., ¶ 14b.) Accordingly, there is no plausible  
21 showing that the communications were made in anything other than good faith.

22 **B. THE COMMUNICATIONS WERE DIRECTLY RELATED TO A**  
23 **MATTER OF “PUBLIC INTEREST” (INCLUDING JUDICIAL OR LEGISLATIVE**  
24 **MATTERS).**

25 Recognizing that California’s anti-SLAPP laws are similar to those of Nevada’s, Nevada  
26 recently adopted California’s standard for determining whether a particular speech is a matter of  
27 “public interest.” (Shapiro v. Welt, 133 Nev., Adv. Op. 6, Case no. 67596, filed Feb. 2, 2017  
28

1 ["We take this opportunity to adopt California's guiding principles as enunciated in *Piping Rock*  
2 *Partner*, for determining whether an issue is of public interest under NRS 41.637(4)."].)

3 Under the California, now Nevada, standard the Court must consider the following  
4 factors in determining whether the statements are of public interest:

5 (1) "public interest" does not equate with mere curiosity;

6 (2) a matter of public interest should be something of concern to a substantial  
7 number of people; a matter of concern to a speaker and a relatively small specific  
8 audience is not a matter of public interest;

9 (3) there should be some degree of closeness between the challenged statements  
10 and the asserted public interest – the assertion of a broad and amorphous public  
interest is not sufficient;

11 (4) the focus of the speaker's conduct should be the public interest rather than a  
12 mere effort to gather ammunition for another round of private controversy; and

13 (5) a person cannot turn otherwise private information into a matter of public  
14 interest simply by communicating it to a large number of people.

15 (*Piping Rock Partners, Inc. v. David Lerner Assoc.*, 946 F.Supp.2d 957, 968 (N.D. Cal. 2013),  
16 *aff'd*, 609 F. App'x 497 (9<sup>th</sup> Cir. 2015))

17 Under the above test, each of the statements at issue was of public interest:

18 1. The December 25, 2016 statement pertained to the 2015 interview that Willick  
19 gave to VIPI in which Willick espoused his viewpoint that a veteran's disability pay should be  
20 taken into account in determining the amount of spousal support that the veteran should pay  
21 upon divorce. Since VIPI's comments were about then-pending legislation, they were of broad  
22 public concern. Moreover, Willick had voluntarily injected himself into this issue by writing to  
23 and testifying before the Nevada legislature on the topic (Sanson Decl., Exs. 8, 9), and Willick  
24 appeared on the VIPI radio show expressly to discuss his viewpoints on the matter (Sanson  
25 Decl., ¶ 14a, Ex. 4, p.4: "The reason I was invited onto your show was your unhappiness with  
26 my testimony before the legislature...") VIPI's statement was directly related to the issue and  
27 affected a large number of people -- all disabled divorcing veterans in Nevada (and to the extent  
28 the proposed legislation was precedential, all such veterans in other states as well). This also

1 falls under NRS 41.637(3) of the anti-SLAPP statute as being in direct connection with an issue  
2 under consideration by a legislative proceeding.

3         2.         The January 12, 2017 statement, about a federal judge in Virginia finding that  
4 Willick committed defamation per se against a law student who was opposing his client in a  
5 divorce case, and Willick's colleague, Richard Crane, being suspended from the practice of law  
6 for committing sexual coercion on a minor, likewise was of public concern.

7         Given Willick's notoriety in family law (see Levy Decl., Exs. 8-10), the articles written  
8 about him in the Review Journal, the Las Vegas Sun, and numerous other newspapers and  
9 publication, his activism on the State Bar of Nevada, the numerous state and national awards he  
10 received for his work, his numerous publications on divorce law and practice including 3 books,  
11 his status as a public figure and his many years of litigating family law cases, the finding by a  
12 judge that Willick had defamed an opposing party and that one of his partners had been disbarred  
13 for sexual misconduct with a child are clearly issues of public concern. Indeed, the conviction of  
14 Willick's employee, Richard Crane, was reported in the Review Journal precisely because it was  
15 of public concern.

16         3.         The January 14, 2017 post also refers to the conviction and suspension of Richard  
17 Crane and the fact that Richard Crane appeared to be continuing to work at Willick's offices  
18 despite his suspension. The post was accompanied by links to relevant documents showing such  
19 employment. Again, given Willick's notoriety, the nature of the Willick Law Group's practice  
20 being in family law, the fact that Crane's conviction and suspension was reported in newspapers,  
21 this statement was of "public interest."

22         4.         The two January 14, 2017 Facebook posts pertaining to Willick's work on the  
23 Holyoak case, how he lost his bid to overturn Supreme Court precedent and how he sought  
24 \$100,000 for his work on the case is likewise of public concern. It concerned a notorious public  
25 figure in the area of divorce law in Nevada and it involved a Supreme Court case in which  
26 Willick sought to overturn prior Supreme Court precedent.

1           **C. THE COMMUNICATIONS WERE MADE IN A PLACE OPEN TO THE**  
2 **PUBLIC OR IN A PUBLIC FORUM.**

3           As admitted in the complaint, Defendants statements were posted on the internet,  
4 including on VIPI's publicly accessible website, and redistributed via publicly accessible  
5 Facebook pages and/or via Constant Contact group emails. (See, Cmplt., ¶¶ 20-35, repeating in  
6 part: "[The statements] were published, republished, or attributed to one another, or disseminated  
7 to third parties across state lines, via email across multiple states, and via numerous social media  
8 sites including Pinterest, Google, Twitter and the following Facebook pages...")

9           Accordingly, Defendants meet this final criteria for their anti-SLAPP motion in that each  
10 of the communications was made in "a place open to the public or in a public forum."  
11 The burden now shifts to Plaintiffs.

12  
13           **VI. PLAINTIFFS CANNOT MEET THEIR EVIDENTIARY BURDEN OF**  
14 **ESTABLISHING A PRIMA FACIE CASE OF A PROBABILITY**  
15 **OF PREVAILING ON THEIR CLAIMS.**

16           The complaint purports to allege causes of actions for defamation, intentional and  
17 negligent infliction of emotional distress, false light, business disparagement, concert of action,  
18 civil conspiracy, RICO violations and copyright infringement. Plaintiffs cannot establish an  
19 evidentiary prima facie case for succeeding on any of these claims.

20           Further, each of the Plaintiffs' claims, except for RICO and copyright infringement,  
21 appear to be based solely on the same five statements published by Defendants. Consequently, if  
22 these statements constitute protected speech, each of these dependent causes of action must fail.

23           **A. PLAINTIFFS CANNOT ESTABLISH A PRIMA FACIE CASE OF**  
24 **DEFAMATION.**

25           The issue of whether a statement is "defamatory" is a question of law for the Court to  
26 decide. (Branda v. Sanford, 97 Nev. 643, 637 P.2d 1223, 1225 (1981).) If the Court needs to  
27 make findings of fact in connection with such determination, its findings will not be disturbed if  
28

1 they are supported by substantial evidence. (Whitemaine v. Aniskovich, 124 Nev. 29, 183 P.3d  
2 137, 141 (2008).)

3 The elements of a claim of defamation are: (1) a false and defamatory statement of fact  
4 by defendant concerning the plaintiff; (2) an unprivileged publication to a third person; (3) fault,  
5 amounting to malice if the plaintiff is a public figure (negligence if the plaintiff is not a public  
6 figure); and (4) actual or presumed damages. (Chowdhry v. NLVH, Inc., 109 Nev. 478, 483, 851  
7 P.2d 459, 462 (1993); emphasis added.)

8 1. Each of Defendants' Statements is Either Protected True Statements of Fact, or is  
9 Non-Actionable Opinions.

10 As set forth in Section V.A above, each of the statements at issue were either true or  
11 substantially true, or constituted non-actionable opinion. None are actionable in a defamation  
12 case.

13 Moreover, Defendants' use of hyperlinks to its source materials undermines a defamation  
14 claim. As stated in the Restatement of Torts (Second), "[a] simple expression of opinion based  
15 on disclosed...nondefamatory facts is not itself sufficient for action of defamation, no matter  
16 how unjustified and unreasonable the opinion may be or how derogatory it is. Restatement  
17 (Second) of Torts §566 cmt. c

18 "The rationale behind this rule is straightforward: When the facts underlying a statement  
19 of opinion are disclosed, the readers will understand that they are getting the author's  
20 interpretation of the facts presented; they are therefore unlikely to construe the statement as  
21 insinuating the existence of additional, undisclosed facts." (Standing Committee on Discipline v.  
22 Yagman, 55 F.3d 1430, 1439 (9<sup>th</sup> Cir. 1995).)

23 Here, each of the statements at issue contained hyperlinks to source materials, whether to  
24 the VIPI radio show, Court Orders, newspaper articles or other documents. (Sanson Decl., Exs.  
25 7, 10-14.) Accordingly, no defamation case should be sustained based on these communications.

26 2. At Least Three of the Communications Are Subject to the Fair Reporting  
27 Privilege.



1 Nevada “has long recognized a special privilege of absolute immunity from defamation  
2 given to the news media and the general public to report newsworthy events in judicial  
3 proceedings.” (Sahara Gaming Corp. v. Culinary Workers Union Local 226, 115 Nev. 212, 984  
4 P.2d 164, 166 (1999).) This privilege extends to online reporting. (O’Grady v. Superior Court,  
5 139 Cal.App.4<sup>th</sup> 1423 (2006).)

6 To benefit from the fair reporting privilege, (1) it must be “apparent either from specific  
7 attribution or from the overall context that the article is quoting, paraphrasing or otherwise  
8 drawing upon official documents and proceedings; and (2) the statement must constitute a “fair  
9 and accurate” description of the underlying proceeding.”

10 In this case, three of the five communications at issue are subject to the privilege:

11 VIPI’s January 12, 2017 statement regarding a Virginia Court’s finding that Willick  
12 committed defamation per se against an opposing party, with the accompanying hyperlink to the  
13 applicable Court Order is fair, accurate and should be absolutely privileged. Likewise, VIPI’s  
14 statement that Willick’s colleague, Richard Crane, was found guilty of sexual coercion of the  
15 minor and was suspended from the practice of law should be absolutely privileged as the  
16 statement is true hyperlinked to the State Bar judicial proceeding and a Review Journal article  
17 reporting on Crane’s criminal conviction.

18 VIPI’s two January 14, 2017 Facebook posts regarding Willick’s actions in the Holyoak  
19 case and the Supreme Court decision are also substantially accurate and fair, with hyperlinks to  
20 the source materials.

21 Accordingly, the three above statements are subject to Nevada’s absolute Fair Reporting  
22 Privilege, and cannot therefore serve as the basis for a defamation claim.

23 3. Plaintiffs are Public Figures and Must Show Actual Malice by Defendants.

24 The issue of whether Plaintiffs are public figures is a matter of law for the Court to  
25 decide. (Bongiovi v. Sullivan, 138 P.3d 433, 122 Nev. 556 (Nev., 2006).)

26 The United States Supreme Court defines “public figures” as “[t]hose who, by reason of  
27 the notoriety of their achievements...seek the public’s attention,” and therefore, “have  
28 voluntarily exposed themselves to increased risk of injury from defamatory falsehood concerning

1 them.” (Gertz v. Robert Welch, Inc., 418 U.S. 323, 342 (1974); see also, Wynn v. Smith, 117  
2 Nev. 6, 16 P.3d 424 (Nev., 2001) (Wynn held to be a public figure.))

3 Here, Willick touts his firm as “the premiere Family Law firm in Nevada.” He  
4 voluntarily thrusts himself in the public eye by testifying before the Nevada legislature on  
5 proposed legislation (Sanson, Exs. 8, 9), has written dozens of articles on family law matters  
6 (see resume, Levy Decl., Ex. 8), has written 3 books on family law matters (Levy Decl., Ex. 9),  
7 is extensively quoted in the Las Vegas Review Journal and other publications (Levy Decl., Ex.  
8 10), has received local and national awards for his work (Levy Decl., Ex. 8) and makes public  
9 appearances to promote his work and firm. His firm also has a large public billboard right across  
10 the street from family court (Levy Decl., Ex. 12) marketing his firm to the public.

11 In his 2015 radio interview with VIPI, Willick described himself as follows: “In every  
12 state there tends to be one guy who tends to write the instruction manuals and the text books and  
13 teach the courses. For here in Family Law that’s pretty much my role.” (See relevant page of  
14 Plaintiffs’ transcription of the radio show, attached as Ex. 11 to Levy Decl.)

15 It cannot seriously be doubted that Willick and his firm are “public figures” for purposes  
16 of defamation law by reason of the notoriety of their achievements, and their voluntary injection  
17 into matters of public discourse.<sup>2</sup>

18 As public figures, Plaintiffs must show by clear and convincing evidence that any  
19 purportedly defamatory statement was “made with ‘actual malice’ – that is, with knowledge that  
20 it was false or with reckless disregard of whether it was false or not.” New York Times Co. v.  
21 Sullivan, 376 U.S. 254 (1964); Harte-Hanks Communications, Inc. v. Connaughton, 109 S.Ct.  
22 2678, 2696 (1989).

23 A showing of “reckless disregard” for the truth “requires more than a departure from  
24 reasonably prudent conduct.” (Harte-Hanks Communications, Inc. v. Connaughton, 109 S.Ct.  
25 2678, 2696 (1989).) Evidence must exist sufficient to suggest that the defendant “in fact  
26 entertained serious doubts as to the truth of his publication,” (St. Amant v. Thompson, 390 U.S.

27  
28 <sup>2</sup> At a minimum, Plaintiffs are “limited public figures” -- i.e., “a person who voluntarily injects  
himself or is thrust into a particular public controversy or public concern” with regard to  
anything having to do with family law issues.

1 727, 731 (1968), or had a “high degree of awareness of ... probable falsity.” (Harte-Hanks  
2 Communications, 109 S. Ct. at 2696.)

3 Here, there is no evidence or factual allegation of malice. As shown above, all of the  
4 statements at issue are either true, substantially true, constitute non-actionable opinion, or are  
5 privileged. Further, each of the statements was accompanied by hyperlinks to their source  
6 materials, and the one statement that was ambiguous was promptly in good faith clarified and  
7 redistributed.

8 Accordingly, Plaintiffs cannot make a showing of actual malice, let alone by clear and  
9 convincing evidence as required to sustain a claim of defamation.

10 **B. PLAINTIFFS CANNOT ESTABLISH A PRIMA FACIE CASE FOR**  
11 **EMOTIONAL DISTRESS, FALSE LIGHT, BUSINESS DISPARAGEMENT OR**  
12 **CONSPIRACY.**

13 Plaintiffs’ purported causes of action for emotional distress, false light, business  
14 disparagement and conspiracy fail as they are all predicated on the same protected speech as in  
15 their defamation claim. Specifically, the complaint alleges that Defendants “inflicted emotional  
16 distress on Plaintiffs by defaming them...” (Cmplt., ¶¶ 51, 55), that “the statements...place Mr.  
17 Willick and the Willick Law Group in a false light” (Cmplt., ¶ 59), the statements caused  
18 “business disparagement” to Plaintiffs (Cmplt., 61-65), and were part of a “concert of action”  
19 and “civil conspiracy” by all of the Defendants (Cmplt., ¶¶ 66-71). Consequently, since the  
20 speech at issue is protected, each of these causes of action must necessarily fail.

21 Moreover, the complaint alleges no facts to support a claim of emotional distress. To  
22 state a cause for emotional distress, the acts complained of must be so “extreme or outrageous”  
23 that they are outside of all possible bounds of decency and are regarded as utterly intolerable in a  
24 civilized community. (Maduike v. Agency Renta-A-Car, 114 Nev. 1, 953 P.2d 24 (1998).) The  
25 publication of Defendants’ five statements is nowhere near this type of conduct. Nor can the  
26 conduct have resulted in extreme emotional distress as required to maintain this cause of action.  
27  
28

1           **C.       PLAINTIFFS CANNOT ESTABLISH A PRIMA FACIE CASE FOR RICO.**

2           Plaintiff's purported RICO claim is nothing short of frivolous.

3           Only one of the predicate acts alleged in the complaint is among those enumerated in  
4 NRS 207.360 which expressly identifies the crimes that may legally serve as the basis of a RICO  
5 claim. The allegation of that one enumerated act, however, is completely devoid of any facts and  
6 should therefore be disregarded.

7           The only allegation in the complaint that appears to refer to a RICO related crime is  
8 paragraph 84, which states as follows:

9           "Defendants, in the course of their enterprise, knowingly and with the intent to  
10 defraud, engaged in an act, practice or course of business or employed a device,  
11 scheme or artifice which operates or would operate as a fraud or deceit upon a  
12 person by means of a false representation or omission of a material fact that  
13 Defendants know to be false or omitted, Defendants intend for others to rely on,  
14 and results in a loss to those who relied on the false representation or omission in  
15 at least two transactions that have the same or similar pattern, intents, results,  
16 accomplices, victims or methods of commission, or are otherwise interrelated by  
17 distinguishing characteristics and are not isolated incidents within 4 years and in  
18 which the aggregate loss or intended loss is more than \$650. (NRS 205.377)."

16          The allegation is completely devoid of any facts to support it, and does not even allege that the  
17 crime somehow happened to Plaintiffs as required in a RICO claim. (Hale v. Burkhardt, 104  
18 Nev. 632, 637-638, 764 P.2d 866 (1988).) The allegation fails to identify any particular instance  
19 or circumstance of such purported criminal act. It is well established that RICO claims must be  
20 alleged with the "same degree of specificity is called for as in a criminal indictment or  
21 information." (Id.) This mere recitation of "legalese" simply cannot stand as a credible basis for  
22 a RICO claim.

23          The remaining "crimes" alleged in the complaint and listed below aren't even RICO  
24 related crimes as required by NRS 207.360. In fact, some are not crimes at all:

25          1.       "Defendants published a false or grossly inaccurate report of court proceedings on  
26 numerous occasions, including, but not limited to, the "Virginia post," "VIP Facebook Post #1,"  
27 and "VIP Facebook Post #2. (NRS 199.340(7))." (Cmplt., ¶ 80.) NRS 199.340(7) relates to  
28

1 “criminal contempt” and is not one of the enumerated crimes in NRS 207.360. (Moreover,  
2 nothing about the statements at issue constitutes criminal contempt.)

3 2. Defendants “gave or sent a challenge in writing to fight Richard Carreon and  
4 others. (NRS 200.450).” (Cmplt., ¶ 81). A purported violation of NRS 200.450 likewise is not  
5 one of the crimes listed in NRS 207.360. Moreover, to be a predicate act under RICO, the crime  
6 must have been committed to the Plaintiff. (Hale v. Burkhardt, 104 Nev. 632, 637-638, 764 P.2d  
7 866 (1988).) Richard Carreon has nothing to do with Plaintiffs. In actuality, Defendant Steve  
8 Sanson “challenged” Carreon to a corporate sponsored amateur Mixed Martial Arts fight, which  
9 fight was to take place at a public ticket-selling event at Sam’s Town Casino, with all proceeds  
10 going to charity. (Sanson Decl., ¶ 17.) These MMA events take place every four months at  
11 Sam’s Town and are professionally produced and eminently legal. (Id.) A challenge to fight in a  
12 charitable sports event is not a crime, let alone one that would support a RICO claim.

13 3. “Defendants willfully stated, delivered or transmitted to a manager, editor,  
14 publisher, reporter or other employee of a publisher of any newspaper, magazine, publication,  
15 periodical or serial statements concerning Plaintiffs which, if published therein, would be a  
16 liable. (NRS 200.550).” (Cmplt., ¶ 82.) Again, a purported violation of NRS 200.550 is not  
17 one of the enumerated crimes in NRS 207.360 that can support a RICO claim.

18 4. “Defendants, without lawful authority, knowingly threatened to substantially  
19 harm the health or safety of Plaintiff and, by words and conduct placed Plaintiffs in reasonable  
20 fear that the threat would be carried out. (NRS 200.571.)” (Cmplt., ¶ 83.) NRS 200.571 pertains  
21 to the crime of “harassment.” Again, this crime is not one of the listed crimes that can support a  
22 RICO claim under NRS 207.360. In addition, the complaint is completely devoid of any facts  
23 whatsoever to support this allegation.

24 5. “Defendants posted false and defamatory material no less than 50 times in 10  
25 separate defamatory campaigns against Plaintiffs. The total value of time expended by Marshal  
26 S. Willick, and the Willick Law Group staff in responding to inquiries from clients and  
27 attempting to have the defamatory material removed from the internet was over \$15,000 and this  
28 does not include the cost of missed opportunities or time that should have been spent working on

1 cases for paying clients. (NRS 2015.377 and NRS 207.360(9).” (Cmplt., ¶ 85.) Again, neither  
2 NRS 2015.377 nor NRS 207.360(9) is RICO related crimes under NRS 207.360.

3 6. “Defendants – with malice – stole valuable time from Mr. Willick. Also, the theft  
4 of Mr. Willick’s and Willick Law Group’s “good will” by making of false and defamatory  
5 comments and placing both Mr. Willick and Willick Law Group in a false light has diminished  
6 the value of the business. These are intangible thefts, but thefts nonetheless,” citing NRS  
7 205.0832. (Cmplt., ¶ 87). Again, NRS 205.0832 is not one of the enumerated RICO related  
8 crimes.<sup>3</sup>

9 Accordingly, Plaintiffs cannot establish a factual prima facie case of RICO and this claim  
10 should be dismissed.

11 **D. THIS COURT DOES NOT HAVE SUBJECT MATTER JURISDICTION**  
12 **OVER PLAINTIFFS’ PURPORTED COPYRIGHT INFRINGEMENT CLAIM.**

13 Claims for copyright violations are subject to the exclusive original jurisdiction of the  
14 federal courts. 28 U.S.C. 1338(a) states in pertinent part as follows:

15  
16 “The district courts shall have original jurisdiction of any civil action arising  
17 under any Act of Congress relating to patents, plant variety protection, copyrights  
18 and trademarks. No State court shall have jurisdiction over any claim for relief  
arising under any Act of Congress relating to patents, plant variety protection, or  
copyrights.”

19 Consequently, this Court cannot hear matters pertaining to this purported claim.

20 Even if it could, however, the claim would fail for the following reasons:

21 1. Plaintiffs cannot file copyright infringement claim before registering their  
22 copyrights with the U.S. Copyright Office. 17 U.S.C. 411(a) states “no civil action for  
23 infringement of the copyright in any United States work shall be instituted until . . . registration  
24

25 <sup>3</sup> Moreover, Plaintiffs misapply NRS 205.0832. The statute requires defendant to “obtain real,  
26 personal or intangible property or the services of another person . . .” (emphasis added). There is  
27 no allegation whatsoever that Defendants obtained anything. Willick alleges that he wasted his  
28 time, but not that Defendant obtained his services. Willick’s flawed reading of the statute would  
essentially turn every litigation in which a litigant felt he was wasting time, and every business  
dispute in which a company’s good will could be diminished, into a criminal act. Not only is  
that not the law, but it would be an absurd result.

1 of the copyright claim has been made in accordance with this title.” Plaintiffs admit that they  
2 have not yet obtained copyright registrations for their works: “Defendants have infringed upon  
3 Plaintiffs’ photographic works owned by Plaintiff, for which copyright registration is being  
4 sought...”. (Cmplt. ¶ 90.)

5 2. Defendant’s use of publicly available pictures of Plaintiffs in connection with its  
6 statements and articles falls under the “fair use” exception to the Copyright Act; and

7 3. Plaintiffs are unlikely to own the copyrights in professional pictures taken of  
8 them.

9 Accordingly, Plaintiffs cannot establish a prima facie case of copyright infringement.

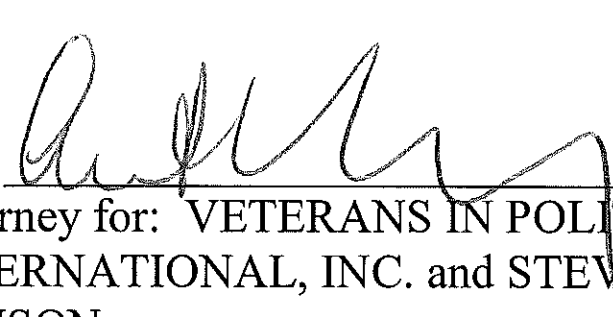
## 10 VII. CONCLUSION

11 For the reasons stated above, Defendants respectfully request that the Court:

- 12 a) grant this anti-SLAPP motion in its entirety;  
13 b) dismiss the action in its entirety with prejudice;  
14 c) award reasonable attorneys’ fees and costs to Defendants pursuant to NRS  
15 41.670(1)(a) in an amount to be shown in a separate hearing;  
16 d) award additional sums to Defendants in the sum of \$10,000 pursuant to NRS  
17 41.670(1)(b); and  
18 e) order such further relief as the Court deems appropriate.

19  
20 Respectfully submitted,

21  
22 DATED: February 17, 2017

23 By:   
24 Attorney for: VETERANS IN POLITICS  
25 INTERNATIONAL, INC. and STEVE W.  
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1  
2 CERTIFICATE OF SERVICE  
3

4 I am over the age of 18 and am not a party to the within action.

5 On this date I caused to be served a true and correct copy of the document entitled ANTI-  
6 SLAPP MOTION TO DISMISS on the below listed recipients by requesting the court's wiznet  
7 website to E-file and E-serve such document at emails listed below.  
8

9 Jennifer Abrams, Esq.  
10 The Abrams & Mayo Law Firm  
6252 S. Rainbow Blvd., Ste. 100  
11 Las Vegas, NV 89118  
(702) 222-4021  
12 JVAGroup@theabramslawfirm.com  
13

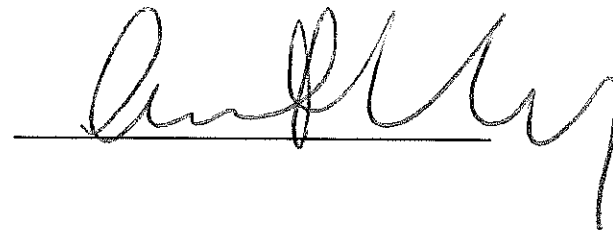
Alex Ghoubadi, Esq.  
G Law  
320 E. Charleston Blvd., Ste. 105  
Las Vegas, NV 89104  
(702) 217-7442  
alex@alexglaw.com

14 Courtesy Copy:

15 Maggie McLetchie, Esq.  
McLetchie Shell  
702 E. Bridger Ave., Ste. 520  
16 Las Vegas, NV 89101  
(702) 728-5300  
17 Maggie@nvlitigation.com  
18

19 I declare under penalty of perjury under the laws of the State of Nevada that the  
20 foregoing is true and correct.

21 Executed this 17<sup>th</sup> day of February 2017, in Las Vegas, NV  
22  
23  
24  
25  
26  
27  
28



1 MDSM  
2 Anat Levy, Esq. (State Bar No. 12550)  
3 ANAT LEVY & ASSOCIATES, P.C.  
4 5841 E. Charleston Blvd., #230-421  
5 Las Vegas, NV 89142  
6 Phone: (310) 621-1199  
7 E-mail: [alevy96@aol.com](mailto:alevy96@aol.com); Fax: (310) 734-1538  
8 Attorney for: DEFENDANTS VETERANS IN POLITICS INTERNATIONAL, INC. AND  
9 STEVE SANSON

10 **DISTRICT COURT**  
11 **CLARK COUNTY, NEVADA**

MARSHALL S. WILICK and WILICK LAW	)	CASE NO. A-17-750171-C
GROUP,	)	
	)	DEPT. NO.: XIX (19)
Plaintiffs,	)	
	)	
vs.	)	
	)	
STEVE W. SANSON; HEIDI J. HANUSA;	)	
CHRISTINA ORTIZ; JOHNNY SPICER; DON	)	
WOOLBRIGHTS; VETERNAS IN POLITICS	)	
INTERNATIONAL, INC.; SANSON	)	
CORPORATION; KAREN STEELMON; and	)	
DOES 1 THROUGH X	)	
	)	
Defendants.	)	

19 **DECLARATION OF STEVE SANSON**  
20 **IN SUPPORT OF ANTI-SLAPP MOTION**  
21

22  
23 I, STEVE SANSON, hereby declare as follows:

24 1. I am a defendant in the within action and am the President of defendant Veterans  
25 in Politics International, Inc.. I make this declaration in support of VIPI's and my anti-SLAPP  
26 motion. I make this declaration based on my personal knowledge, except as to matters stated to  
27 be based on information and belief. I am competent to testify as to the truth of these statements  
28 if called upon to do so.

DECLARATION OF STEVE SANSON IN SUPPORT OF  
ANTI-SLAPP MOTION TO DISMISS

1           2.       VIPI is a non-profit corporation that advocates on behalf of veterans and that  
2 works to expose public corruption and wrongdoing. We routinely publish blog articles online on  
3 our VIPI website, various Facebook pages and through Constant Contact group emails. We also  
4 host and broadcast online a weekly internet talk show in which we discuss veterans, political and  
5 judicial issues and have guests that we interview about those topics.

6           3.       In October 2016, acting in my capacity as President of VIPI, I posted a court  
7 transcript video of Jennifer Abrams and family court Judge Elliot online. The video showed  
8 what I believed was Abrams being disrespectful of the judge and the Judge failing to adequately  
9 control her courtroom.

10          4.       I thereafter received an email from Jennifer Abrams telling me to take down the  
11 video, and then one from the judge in the case, Judge Elliott, which lead to a string of emails  
12 about it. Since VIPI was within its rights to post a video of a public proceeding, I did not take it  
13 down. Attached as Ex. 1 is a true and correct copy of the relevant emails between them and me.

14          5.       I then received a Court Order signed by Judge Elliott purporting seal all of the  
15 documents and proceedings in the case on a retroactive basis. While I did not agree that the  
16 records should be sealed or that there was a legal basis to take the video down, out of an  
17 abundance of caution, I took the video down temporarily until I could get further legal advice.  
18 Once I learned that the family court judge had no jurisdiction over VIPI, and had no legal basis  
19 for sealing the records, I reposted the video online, along with a blog article reporting on what  
20 had taken place and analyzing the practice of sealing court documents. Attached as Ex. 2 is a  
21 copy of the VIPI article and the Order which was hyperlinked to it.

22          6.       Shortly after January 9, 2017, I was served with a complaint in which Abrams  
23 was suing VIPI and each of its officers and directors, its former web administrator and her  
24 opposing counsel in the family law proceeding that was depicted in the video. She even sued a  
25 VIPI officer who lives in Missouri. None of those officers or directors had anything to do with  
26 the postings I made on behalf of VIPI, nor did they know about the posting in advance. In  
27  
28

1 addition, Abrams sued Sanson Corp., an entity which has nothing to do with VIPI or its  
2 activities. Attached as Ex. 3 is a true and correct copy of the operative complaint in that case.

3 7. I thereafter learned of a letter that Willick addresses to me, but which he never  
4 sent to me. Instead he posted it on his firm's website, on Facebook and perhaps other online  
5 locations. A true and correct copy of the letter and the links to it on his website is attached as  
6 Ex. 4.

7 8. In the letter, he accuses VIPI of manipulating its candidate interview process,  
8 using VIPI's income for my personal expenses, not filing tax returns for VIPI, and using VIPI as  
9 an "unethical scheme to extort concessions in an ongoing case." He further accuses me of being  
10 a "hypocrite...but even worse," "a sleazy extra out of 'Harper Valley PTA,'" states that I am the  
11 very definition of "hypocrite – not to mention slimy beyond words," calls me a "two-bit  
12 unemployed hustler," accuses me of "shaking down candidates for cash and conspiring with like-  
13 minded cronies" and says "you are repugnant." He also accuses VIPI's radio show of being a  
14 "fraud," claims that VIPI is a "sham organization," and claims that I was "forced to flee  
15 California." None of those statements are true.

16 9. Willick also posts copies of Abrams' complaint and his present complaint online  
17 and I am informed and believe made them available to other family law lawyers on the Family  
18 Law List Serve at NVFamilyLaw@Lists.nvbar.org. A true and correct copy of the links to these  
19 posting as it appears on Willick Law Group's website is attached as Ex. 4.

20 10. Willick also posted my picture on his website and perhaps other online locations  
21 with the word "hypocrite" across it. A true and correct copy of this post is attached as Exhibit 5.

22 11. On February 4, 2017, I was served with the complaint in the instant case. On  
23 February 6, 2017, VIPI was served with the complaint as well. As with the Abrams' case, the  
24 complaint names all of the officers and directors of VIPI, including the one in Minnesota, none  
25 of who have been involved with VIPI's internet posts. Sanson Corp. was again named as well,  
26 and has nothing to do with VIPI or VIPI's statements at issue in this case.  
27  
28

1           12.     On January 22, 2017, I received texts from phone number 702-882-8191, asking  
2 me to take down a courtroom video that VIPI posted about Family Court Judge Rena Hughes.  
3 Our initial investigation as to who the texts were from revealed that the phone number belonged  
4 to someone named Kelly Grob. I am informed and believe that Jennifer Abrams' daughter's  
5 name is Kelly Grob. I do not know at this point if these texts were from Jennifer Abrams, her  
6 daughter, or anyone acting with their permission or on their behalves. Nonetheless my lawyer in  
7 the Abrams lawsuit has now written to Ms. Grob to preserve potential evidence. See Ex. 6  
8 hereto.

9           13.     On January 29, 2017, I had the SIM card stolen from my cell phone. I filed a  
10 police report on the incident. I do not know at this point whether Willick or Abrams was  
11 involved in this theft.  
12

13           14.     The instant lawsuit appears to be based on the following posts that I made about  
14 Marshal Willick or his firm in my capacity as VIPI's President:

15               a.     Attached as Ex. 7 is a true and correct copy of VIPI's post dated  
16 December 25, 2016 in which I state that "This is the type of hypocrisy we have in our  
17 community. People that claim to be for veterans buy yet they screw us for profit and power."  
18 This statement reflected my opinion of Willick's views on Assembly Bill 140 that dealt with  
19 keeping veteran disability pay from being taken into account in calculating spousal support  
20 payments. I hyperlinked my statement to Willick's VIPI's November 14, 2015 interview about  
21 the subject. Willick had testified orally and in writing before the state legislature about AB140  
22 and had written a letter to me about it, which had prompted me to invite him on the VIPI show to  
23 discuss his views. Attached as Ex. 8 is a true and correct copy of Willick's testimony on AB140,  
24 and attached as Ex. 9 is a true and correct copy of Willick's letter to me about the subject.

25               b.     Attached as Ex. 10 is a true and correct copy of VIPI's January 12, 2017  
26 posting stating "Attorney Marshall Willick and his pal convicted of sexually coercion of a minor  
27 Richard Crane was found guilty of defaming a law student in United States District Court  
28 Western District of Virginia signed by US District Judge Norman K. Moon." The statement was

1 hyperlinked to Judge Moon's written Order, and to Richard Crane's suspension from the practice  
2 of law. I had, however, inadvertently omitted two commas from the statement, and the statement  
3 should have read as follows: Attorney Marshall Willick, and his pal convicted of sexually  
4 coercion of a minor Richard Crane, was found guilty of defaming a law student in United States  
5 District Court Western District of Virginia signed by US District Judge Norman K. Moon." A  
6 few days later, I re-wrote the post to clarify it and redistributed it through the same channels as  
7 the original post. Attached as Ex. 11 is the clarified re-posting of this statement. This revised  
8 statement was also hyperlinked to the same documents as the original.

9  
10 c. Attached as Ex. 12 is a true and correct copy of a January 14, 2017 post stating  
11 "Would you have a Family Attorney handle your child custody case if you knew a sex offender  
12 works in the same office?" This statement was hyperlinked to several documents showing that  
13 Richard Crane was still working for Willick despite Crane's suspension from the practice of law.

14 d. Attached as Exs. 13 and 14 are a true and correct copies of two January  
15 14, 2017 Facebook postings that pertained to a case that Willick was handling called Holyoak v.  
16 Holyoak. Ex 13 stated the following:

17 "Nevada Attorney Marshall Willick gets the Nevada Supreme Court decision:  
18 From looking at all these papers it's obvious that Willick scammed his client, and  
19 later scammed the court by misrepresenting that he was entitled to recover  
20 property under his lien and reduce it to judgement. He did not recover anything.  
21 The property was distributed in the Decree of Divorce. Willick tried to get his  
22 client to start getting retirement benefits faster. It was not with 100,000 in legal  
23 bills. Then he pressured his client into allowing him to continue with the appeal."

24 This post was hyperlinked to the Lobello decision which sets out circumstances under which a  
25 lawyer can get fees pursuant to a lien. The above reflected my opinion that Willick should not  
26 have been able to get the amount of fees he asked for.

27 e. Also at the same time, I posted Exhibit 14, also relating to the Holyoak  
28 case, stating: "Attorney Marshall Willick loses his appeal to the Nevada Supreme Court."  
According to the documents in that case, Willick argued that certain supreme court precedent

1 having to do with survivorship benefits in a spouse's pension plan should be overturned. Yet the  
2 court did not overturn it as they found that Willick did not properly raise the issue.

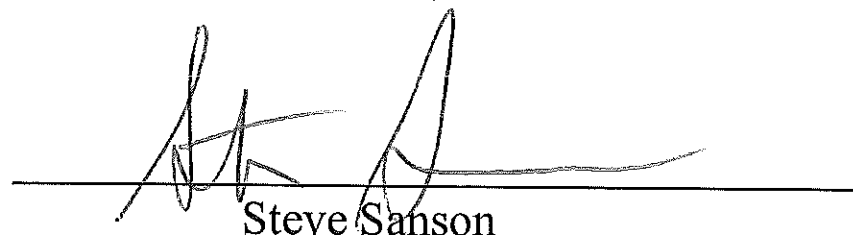
3 15. I made each of the above postings on behalf of VIPI in good faith, believing them  
4 to be true or believing them to constitute my valid good faith opinion on the subject. I at all  
5 times hyperlinked my statements to the documents I believed were relevant so that readers would  
6 be able to judge for themselves. The postings also gave readers the case numbers in case they  
7 wanted to look further into the cases to make up their own minds about VIPI's postings.

8 16. Starting on January 6, 2017 and continuing into February, I have received emails  
9 from VIPI's online service providers advising that Jennifer Abrams sent "take down" letters to  
10 them and that they were either taking materials off my site or shutting down my service until an  
11 investigation could be made. Attached as Exhibit 15 are true and correct copies of take down  
12 notices that I received from YouTube which took down the court transcript video of Abrams in  
13 the family court proceeding, Facebook which took down numerous of VIPI's posts on Abrams,  
14 Vimeo, and Constant Contact. Constant Contact has shut down VIPI's account so that VIPI  
15 could no longer send emails using that account to its followers and members. I have spent  
16 considerable time and aggravation dealing with these take down notices that I believe are  
17 completely unwarranted and that are disrupting VIPI's operations.

18 17. With regard to Richard Carreon, he is a former officer of VIPI and I challenged  
19 him to an amateur Mixed Martial Arts ("MMA") fight that was to take place at the Sam's Town  
20 Casino as part of a sponsored, open to the public MMA event that takes place once per quarter at  
21 Sam's Town's event center. I proposed that all of the proceeds of our fight go to charity. Mr.  
22 Carreon did not accept the challenge.

23 I declare under penalty of perjury under the laws of the State of Nevada that the  
24 foregoing is true and correct to the best of my knowledge and belief.

25 DATED this 16 day of February, 2017 in Las Vegas, NV.

26  
27  
28   
Steve Sanson

DECLARATION OF STEVE SANSON IN SUPPORT OF  
ANTI-SLAPP MOTION TO DISMISS



# EXHIBIT 1

COMPOSE

Reply   Reply All   Forward   Delete   Spam   **More**

Search Mail

Today's Features

Inbox      1004

Drafts      3

Sent

Spam      11

Trash

Contacts

Calendar

My Folders

Saved Mail

Saved Chats

Junk E-mail

Notebook

Outbox

I am unsure why I am copied on these e-mails.  
I don't want anything to do with this.

Louis  
*Law Office of Louis C. Schneider*  
Nevada Bar No. 9683  
430 South Seventh Street  
Las Vegas, Nevada 89101  
Phone: 702-435-2121  
Fax: 702-431-3807

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this missive. If you have received this in error, please notify the sender imm  
other privilege by sending this email or attachment.

**From:** Jennifer Abrams <jabrams@theabramslawfirm.com>  
**To:** "veteransinpoliti@cs.com" <veteransinpoliti@cs.com>; "ElliottJ@clarkcountycou  
**Cc:** "lcsllawllc@yahoo.com" <lcsllawllc@yahoo.com>; "vipipresident@cs.com" <vipipr  
**Sent:** Monday, October 10, 2016 7:03 PM  
**Subject:** RE: Nevada Attorney attacks a Clark County Family Court Judge in Open C

The information contained in this e-mail is from The Abrams & Mayo Law Firm which may be confidential a  
recipient, you are hereby instructed to return this e-mail unread and delete it from your inbox and recycle b

Mr. Sanson,

Whoever provided you with the legal analysis below is mistaken. I am not p  
very beginning. See EDCR 5.02, NRS 125.080, and NRS 125.110. I had th  
see his private divorce proceedings broadcast on the internet.

The Freedom of Information Act is inapplicable – it applies to the Federal G  
The umbrella of “a journalist” does not apply as I am not running for public c

START CHATTING

Keep me signed in

**From:** Louis Schneider <lcslawllc@yahoo.com>

**To:** Jennifer Abrams <jabrams@theabramslawfirm.com>; 'veteransinpoliti@cs.com' <veteransinpoliti@cs.com>; ElliottJ <ElliottJ@clarkcountycourts.us>

**Cc:** vipipresident <vipipresident@cs.com>

**Subject:** Re: Nevada Attorney attacks a Clark County Family Court Judge in Open Court

**Date:** Tue, Oct 11, 2016 10:10 am

I am unsure why I am copied on these e-mails.  
I don't want anything to do with this.

Louis

*Law Office of Louis C. Schneider*

Nevada Bar No. 9683

430 South Seventh Street

Las Vegas, Nevada 89101

Phone: 702-435-2121

Fax: 702-431-3807

CONFIDENTIALITY WARNING: This e-mail and any attachments are for the exclusive and confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or take action in reliance upon this missive. If you have received this in error, please notify the sender immediately by reply e-mail and delete this message and its attachments from your computer system. We do not waive any attorney-client, work product or other privilege by sending this email or attachment.

**From:** Jennifer Abrams <jabrams@theabramslawfirm.com>

**To:** "'veteransinpoliti@cs.com'" <veteransinpoliti@cs.com>; "ElliottJ@clarkcountycourts.us" <ElliottJ@clarkcountycourts.us>

**Cc:** "lcslawllc@yahoo.com" <lcslawllc@yahoo.com>; "vipipresident@cs.com" <vipipresident@cs.com>

**Sent:** Monday, October 10, 2016 7:03 PM

**Subject:** RE: Nevada Attorney attacks a Clark County Family Court Judge in Open Court

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The information contained in this e-mail is from The Abrams & Mayo Law Firm which may be confidential and may also be attorney-client privileged. The information is intended for the use of the individual or entity to whom it is addressed and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby instructed to return this e-mail unread and delete it from your inbox and recycle bin. You are hereby notified that any disclosure, dissemination, distribution, use or copying of the contents of this information is strictly prohibited.

Mr. Sanson,

Whoever provided you with the legal analysis below is mistaken. I am not providing you with legal advice here but the authority you cite deals with civil, not family law cases. The hearing was closed and such was announced at the very beginning. See EDCR 5.02, NRS 125.080, and NRS 125.110. I had the case sealed at my client's request because he does not want his children, their friends, or anyone in his circle of friends, family, or business associates to see his private divorce proceedings broadcast on the internet.

The Freedom of Information Act is inapplicable – it applies to the Federal Government, not State divorce cases. And most importantly, I am not a public figure or an elected official. I am a private citizen with a private law practice. The umbrella of “a journalist” does not apply as I am not running for public office and there are no “voters” that have any right to know anything about my private practice or my private clients.

I am a zealous advocate and will continue to pursue my client's interests without any hesitation whatsoever.

Sincerely,

Jennifer V. Abrams, Esq.  
Board Certified Family Law Specialist  
Fellow of the American Academy of Matrimonial Lawyers  
THE ABRAMS & MAYO LAW FIRM  
6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Tel: (702) 222-4021  
Fax: (702) 248-9750  
[www.TheAbramsLawFirm.com](http://www.TheAbramsLawFirm.com)

**From:** [veteransinpoliti@cs.com](mailto:veteransinpoliti@cs.com) [mailto:[veteransinpoliti@cs.com](mailto:veteransinpoliti@cs.com)]  
**Sent:** Monday, October 10, 2016 4:08 PM  
**To:** [ElliottJ@clarkcountycourts.us](mailto:ElliottJ@clarkcountycourts.us)  
**Cc:** Jennifer Abrams; [lcslawllc@yahoo.com](mailto:lcslawllc@yahoo.com); [vipipresident@cs.com](mailto:vipipresident@cs.com)  
**Subject:** Re: Nevada Attorney attacks a Clark County Family Court Judge in Open Court

Judge Elliot and all involved.

I have to admit this seal that was done on this case is the fastest I have ever seen family court or any court in this state move. Now, I know they have the capability to be fast.

I have talked to many lawyers and Judges, I even spoke to a Justice in DC just to make sure I had all my facts correct.

I must say that you can not seal a case just to seal a case, especially if one of the reasons its been done is to shield the attorney and not the litigants I am referring to Abrams email to you Judge, she said the following (Further, the information is inaccurate and intended to place me in a bad light). Is she protecting herself? Absolutely.

When we expose folks we do it under the umbrella of a journalist and we use the Freedom of information Act.

The case was sealed without a hearing and the video was requested, paid for and posted prior to the sealing. The order to seal the case can not be retroactive.

I have also taking the liberty to investigate the following, general rules on sealing: [http://www.leg.state.nv.us/courtrules/SCR\\_RGSRCR.html](http://www.leg.state.nv.us/courtrules/SCR_RGSRCR.html) (see particularly 3-1 and 4). The entire case cannot be sealed. RJ article: <http://www.reviewjournal.com/news/standards-sealing-civil-cases-tougher> from when current rules went in. Policy discussion in a criminal case, first couple of pages of [https://scholar.google.com/scholar\\_case?case=6580253056313342241&q=seal+court+record&hl=en&as\\_sdt=4,29](https://scholar.google.com/scholar_case?case=6580253056313342241&q=seal+court+record&hl=en&as_sdt=4,29) A unanimous NV opinion keeping records of a divorce open (involving a former judge) [https://scholar.google.com/scholar\\_case?case=3787817847563480381&q=seal+court+record&hl=en&as\\_sdt=4,29](https://scholar.google.com/scholar_case?case=3787817847563480381&q=seal+court+record&hl=en&as_sdt=4,29).

It looks like the Nevada State Supreme Court has strict rules on sealing cases as well.

We might have sent out the second article prematurely.. We have also received numerous

attorneys pointing us in the direction of other cases Abram's have had her outburst and bullied other Judges and Attorneys. Is she going asked for those cases to be sealed as well?

In addition, we are going to ask for an opinion from the Nevada Judicial Discipline Commission and Nevada State Bar in regards to the sealing of this case.

Steve Sanson  
President Veterans In Politics International  
702 283 8088

-----Original Message-----

From: Elliott, Jennifer <[ElliottJ@clarkcountycourts.us](mailto:ElliottJ@clarkcountycourts.us)>

To: veteransinpoliti <[veteransinpoliti@cs.com](mailto:veteransinpoliti@cs.com)>

Cc: jabrams <[jabrams@theabramslawfirm.com](mailto:jabrams@theabramslawfirm.com)>; lcslawllc <[lcslawllc@yahoo.com](mailto:lcslawllc@yahoo.com)>; vipipresident <[vipipresident@cs.com](mailto:vipipresident@cs.com)>

Sent: Thu, Oct 6, 2016 4:00 am

Subject: Re: Nevada Attorney attacks a Clark County Family Court Judge in Open Court

Hi Steve, thank you for your quick response. I need you to know that I was wrong regarding the finances as they had been disclosed at the outset of the case, from the first filing, albeit late. At the further hearing we had in this matter I put on the record that I believe that he did not hide anything on his financial disclosure form; it was a misunderstanding that was explained and the record was corrected. We thereafter worked out all the remaining financial matters in the Decree. The hearing that you have was the pinnacle of the conflict between counsel and unfortunately this was affecting the resolution of the case.

A case always goes much better when the attorneys are able to work well together and develop more trust from the beginning. The ability to build trust in this case went south from the gate and created a dynamic that was toxic to seeing and reaching the merits of the case. Thus pleadings filed were accusatory on both sides and a court only knows what comes before it through papers properly filed or reports that have been ordered.

At this juncture it is my belief that both sides felt all financial information had truly been revealed and that both adjusted their positions enough to achieve a solution that was acceptable to both parties.

I understand that VIP does try to educate and provide information to voters so they will be more informed about who they are putting into office. In this case, the dynamic and the record was changed for the better after that hearing. I think that information would be important to the voters as well. It is my hope that you will reconsider your position. Thank you Steve!

Sent from my iPhone

On Oct 5, 2016, at 11:16 PM, "veteransinpoliti@cs.com" <[veteransinpoliti@cs.com](mailto:veteransinpoliti@cs.com)> wrote:

Hi Judge;

I respect you reaching out and asking us to take the video down. We have known you for a very long time, and I know that you understand once we start a course of action we do not raise our hands in defeat. However, with that said we have no intentions on making the litigants uncomfortable, but our job is the expose folks that have lost their way.. Maybe the attorney for the plaintiff should have put her client before her own ego and be respectful of the court, be respectful of her client, advise her client not to perjure himself, treat people with respect (her own co-council she told him to sit down), the years we have been doing this we are tired of attorneys running a tax payers courtroom. They feel that they are entitled and they will walk over anybody to

make a buck.

In combat we never give up and we will not start given up, because we exposed someone.

Steve Sanson  
President Veterans In Politics International  
[www.veteransinpolitics.org](http://www.veteransinpolitics.org)  
702 283 8088

-----Original Message-----

From: Elliott, Jennifer <[ElliottJ@clarkcountycourts.us](mailto:ElliottJ@clarkcountycourts.us)>  
To: veteransinpoliti <[veteransinpoliti@cs.com](mailto:veteransinpoliti@cs.com)>; jabrams <[jabrams@theabramslawfirm.com](mailto:jabrams@theabramslawfirm.com)>  
Sent: Wed, Oct 5, 2016 6:02 pm  
Subject: Fwd: Nevada Attorney attacks a Clark County Family Court Judge in Open Court

Hi Steve,

I was made aware of this video today and would kindly request that VIP please take it down. Since this hearing the court and parties worked further on resolving the issues and the case was resolved. Leaving this video up can only serve to inflame and antagonize where the parties are trying to move on with terms that will help them restructure their lives in two different homes. We all hope for the best post-divorce atmosphere; the parties will be working together to co-parent their children and I would loath to think they or their friends would encounter this and have to feel the suffering of their parents or relive their own uncomfortable feelings of loss. I know you care about children and families as much as you do about politics and justice, and I appreciate your courtesy in this regard. Thank you for your anticipated cooperation, Judge Jennifer Elliott

Begin forwarded message:

**From:** Jennifer Abrams <[jabrams@theabramslawfirm.com](mailto:jabrams@theabramslawfirm.com)>  
**Date:** October 5, 2016 at 1:48:20 PM PDT  
**To:** "elliottj@clarkcountycourts.us" <[elliottj@clarkcountycourts.us](mailto:elliottj@clarkcountycourts.us)>  
**Cc:** Louis Schneider <[lcsllawllc@yahoo.com](mailto:lcsllawllc@yahoo.com)>  
**Subject:** Fwd: Nevada Attorney attacks a Clark County Family Court Judge in Open Court

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Judge Elliott,

The below was brought to my attention. These parties don't need a video or other information about their personal divorce posted on the internet. Further, the information is inaccurate and intended to place me in a bad light. I ask that you please demand that this post, video, etc. be immediately removed.

Mr. Schneider is copied on this email.

JVA

Begin forwarded message:

**From:** Marshal Willick <[marshal@willicklawgroup.com](mailto:marshal@willicklawgroup.com)>  
**Date:** October 5, 2016 at 11:02:11 AM PDT  
**To:** "Jennifer V. Abrams Esq. ([jabrams@theabramslawfirm.com](mailto:jabrams@theabramslawfirm.com))"  
<[jabrams@theabramslawfirm.com](mailto:jabrams@theabramslawfirm.com)>, "[yafasedek3@gmail.com](mailto:yafasedek3@gmail.com)"  
<[yafasedek3@gmail.com](mailto:yafasedek3@gmail.com)>  
**Subject:** FW: [Junk released by Allowed List] Nevada Attorney attacks a Clark County Family Court Judge in Open Court

Thought you ought to know about this as soon as I saw it.

Marshal S. Willick

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**From:** Veterans In Politics International Inc. [<mailto:devildog1285@cs.com>]  
**Sent:** Wednesday, October 05, 2016 9:59 AM  
**To:** Marshal Willick  
**Subject:** [Junk released by Allowed List] Nevada Attorney attacks a Clark County Family Court Judge in Open Court

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# Nevada Attorney attacks a Clark County Family Court Judge in Open Court



**A behind the scenes look  
inside our courtroom**

**FIND OUT MORE**



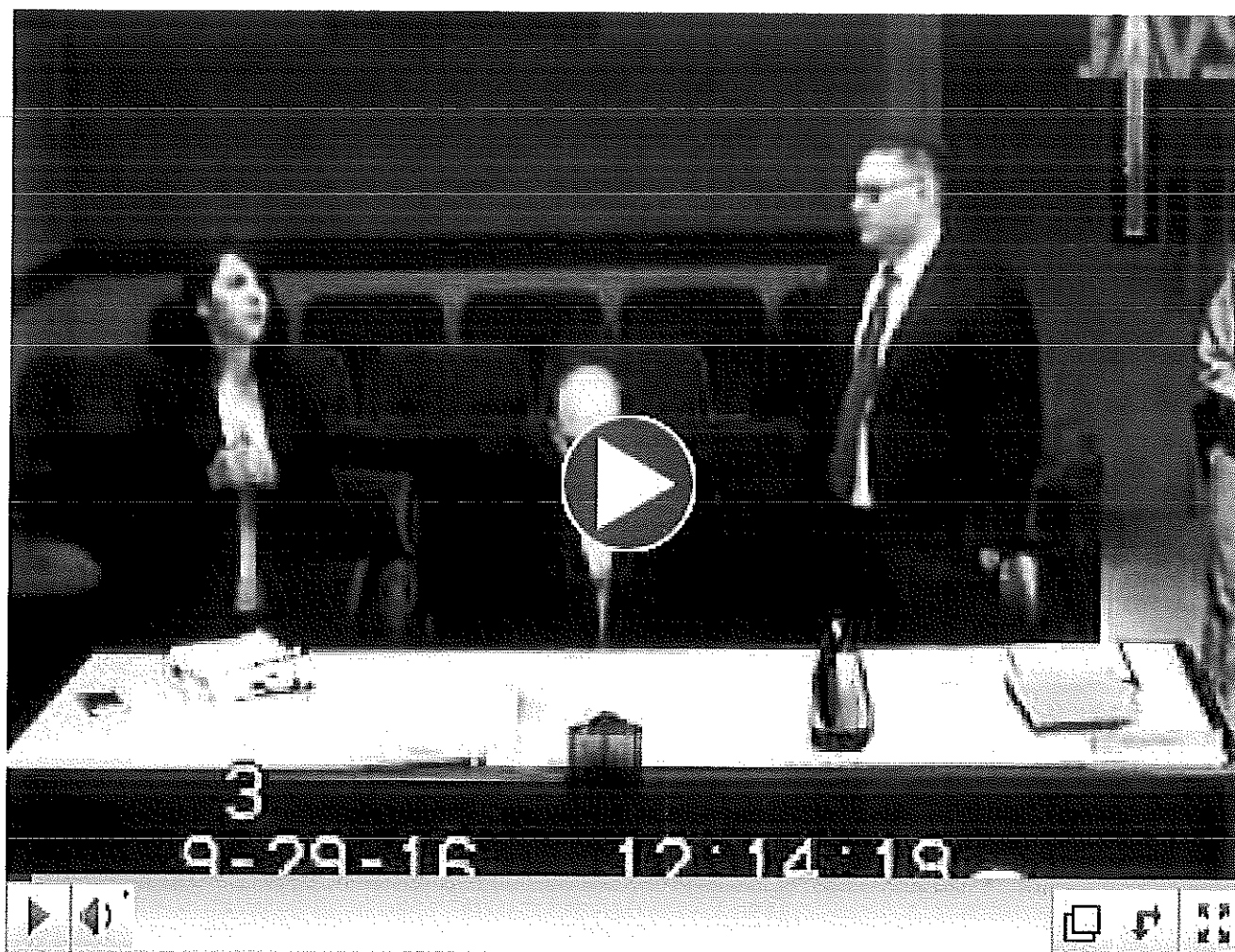
**No boundaries in our courtrooms!**

In Clark County Nevada, we have noticed Justice of the Peace handcuffing Public Defenders unjustly as well as Municipal Court Judges incarcerating citizens that are not even before their court.

The above are examples of the court room over stepping boundaries. But what happens when a Divorce Attorney crosses the line with a Clark County District Court Judge Family Division?

In a September 29, 2016 hearing in Clark County Family Court Department L Jennifer Abrams representing the plaintiff with co-council Brandon Leavitt and Louis Schneider representing the defendant. This case is about a 15 year marriage, plaintiff earns over 160,000 annually and defendant receives no alimony and no part of the business.

There was a war of words between Jennifer Abrams and Judge Jennifer Elliot.



Start 12:13:00 in the video the following conversation took place in open court.

### **Judge Jennifer Elliot:**



I find that there is undue influence in the case.

There are enough ethical problems don't add to the problem.

If that's not an ethical problem I don't know what is.

Court is charged to making sure that justice is done.

Your client lied about his finances.

I am the judge and in a moment I am going to ask you to leave.

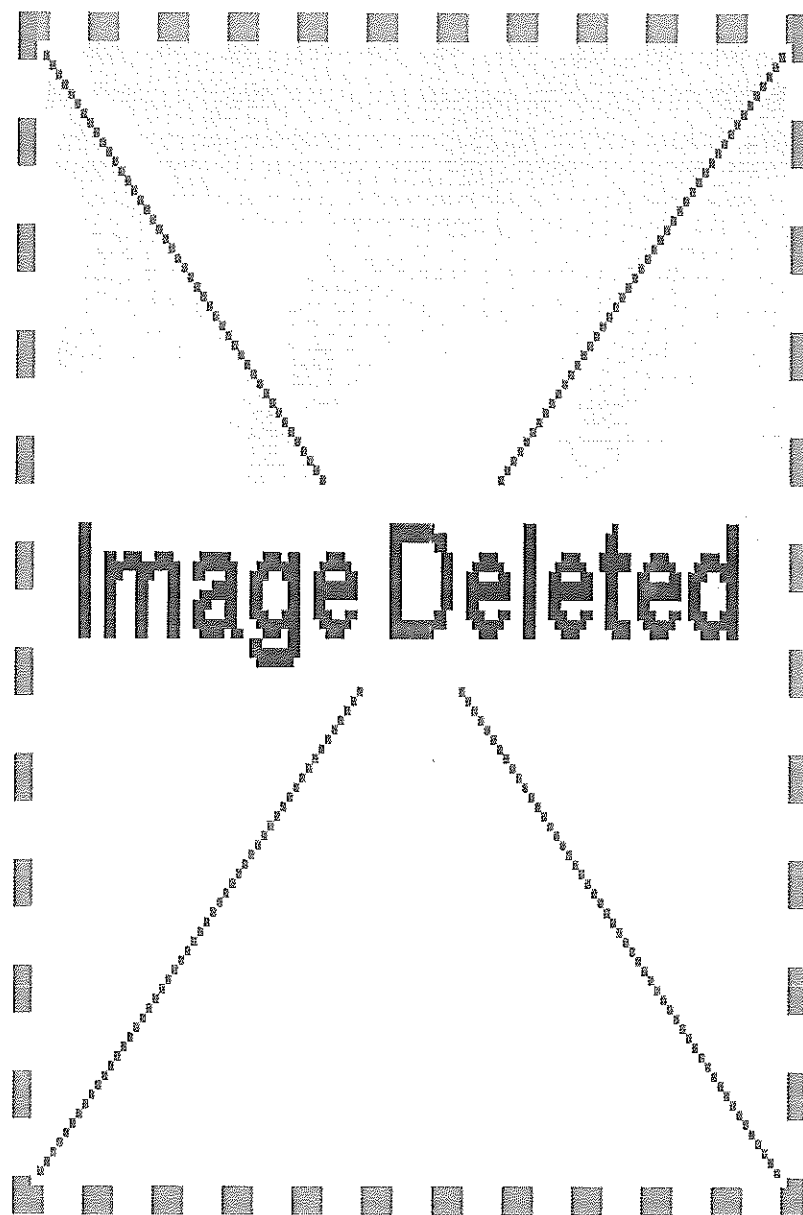
Your firm does this a lot and attack other lawyers.

I find it to be a pattern with your firm.

You are going to be taking out of here if you don't sit down.

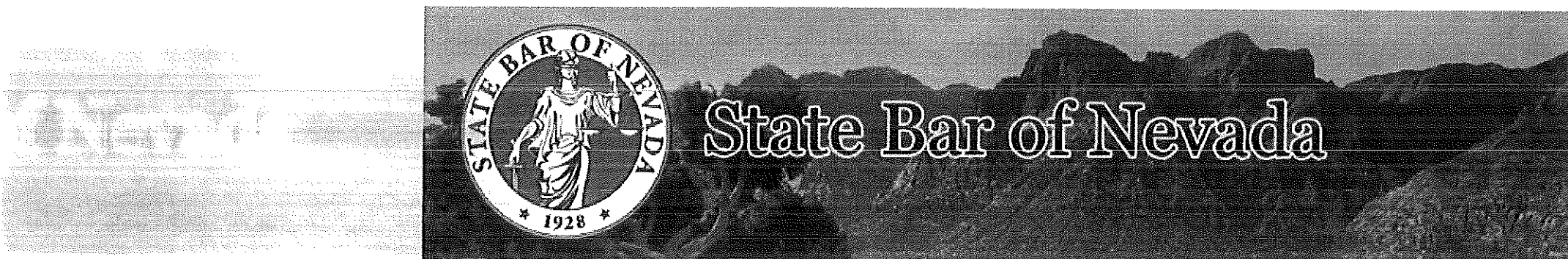
I am the Judge not you.

**Jennifer Abrams:**



Excuse me I was in the middle of a sentence.

Is there any relationship between you and Louis Schneider?



At what point should a judge sanction an attorney?

Is a judge too comfortable or intimidated by an attorney that they give them leeway to basically run their own courtroom?

If there is an ethical problem or the law has been broken by an attorney the Judge is mandated by law to report it to the Nevada State Bar or a governing agency that could deal with the problem appropriately.

[Learn More about Nevada State Bar Ethics & Discipline](#)

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