

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

\* \* \* \* \*

VETERANS IN POLITICS  
INTERNATIONAL, INC.; AND STEVE W.  
SANSON,

Appellant,

vs.

MARSHAL S. WILLICK; AND WILLICK  
LAW GROUP,

Respondent.

SC NO: 72778

DC NO: A-17-750171-C

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**INDEX TO RESPONDENT'S APPENDIX  
VOLUME III, Part II**

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**DATE ORDER**

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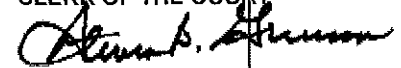
**APPENDIX INDEX  
DATE ORDER**

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13	Family Court Judge Accuses Agitator Steve Sanson of Intimidation by Rachael Crosby	9/9/2017	IV, part III RA000905 – RA000913

<b>EXHIBIT</b>	<b>DOCUMENT</b>	<b>FILE STAMP DATE</b>	<b>VOLUME &amp; PAGES</b>
14	Sanson's Latest Complaint, like Him, a Political Loser by Jane Ann Morrison	9/13/2017	IV, part III RA000914 – RA000921
15	Veterans In Politics International, Inc. Email regarding Michael Cherry's Appearance	1/6/2018	IV, part III RA000922 – RA000923
16	Letter to Judge Cherry: Re Veterans In Politics International radio appearance, scheduled for January 13, 2018	1/10/2018	IV, part III RA000924 – RA000955
17	Judges' Ties to Sanson Have Courts in Tight Spot by Jane Ann Morrison	1/20/2018	IV, part III RA000956 – RA000963
18	DiCiero, Mark (2018, January 26). Nevada Court Watchers [Facebook group]. Retrieved from <a href="https://www.facebook.com/groups/433293260115971/permalink/1322318161213472/">https://www.facebook.com/groups/433293260115971/permalink/1322318161213472/</a>	1/29/2018	IV, part III RA000964
19	Emails between Josh Gilmore, Esq., and Anat Levy re: joint appendix	6/12/17	IV, part III RA000965 – RA000966
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20	Transcript from the recusal hearing on August 30, 2017	9/19/17	V RA000967 – RA001009





1 **MDQJ**

JENNIFER V. ABRAMS, ESQ.

2 Nevada State Bar Number: 7575

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4 Phone: (702) 222-4021

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5 Attorney for Plaintiffs

6  
EIGHTH JUDICIAL DISTRICT COURT  
7 CLARK COUNTY, NEVADA

8 MARSHAL S. WILLICK and WILLICK LAW )  
GROUP, )

Case No.: A-17-750171-C

9 Plaintiffs, )

Department: XVIII

10 vs. )

11 STEVE W. SANSON and VETERANS IN )  
12 POLITICS INTERNATIONAL, INC., )

13 Defendants. )

14 JENNIFER V. ABRAMS and THE ABRAMS )  
15 & MAYO LAW FIRM, )

Case No.: A-17-749318-C

16 Plaintiffs, )

Department: XII

17 vs. )

18 LOUIS C. SCHNEIDER; LAW OFFICES OF )  
19 LOUIS C. SCHNEIDER, LLC; STEVE W. )  
SANSON; and VETERANS IN POLITICS )  
20 INTERNATIONAL, INC., )

21 Defendants. )

22 **MOTION TO DISQUALIFY EIGHTH JUDICIAL DISTRICT COURT**  
23 **ELECTED JUDICIARY, AND FOR PERMANENT ASSIGNMENT TO THE**  
24 **SENIOR JUDGE PROGRAM OR, ALTERNATIVELY, TO A DISTRICT**  
**COURT JUDGE OUTSIDE OF CLARK COUNTY**

RA000819

**COME NOW** the Plaintiffs in case number A-17-750171-C, MARSHAL S. WILLICK and WILLICK LAW GROUP, and Plaintiffs in case number A-17-749318-C, JENNIFER V. ABRAMS and THE ABRAMS & MAYO LAW FIRM, by and through their attorney of record, Jennifer V. Abrams, Esq., of The Abrams & Mayo Law Firm, and hereby submit their *Motion to Disqualify Eighth Judicial District Court Elected Judiciary, and for Permanent Assignment to the Senior Judge Program or, Alternatively, to a District Court Judge Outside of Clark County.*

This *Motion* is made and based upon the attached Points and Authorities, the Affidavit and certification of counsel attached hereto, all papers and pleadings on file herein, and any oral argument adduced at the hearing of this matter.

DATED Wednesday, January 24, 2018.

Respectfully submitted:

THE ABRAMS & MAYO LAW FIRM

/s/ Jennifer V. Abrams, Esq.  
Jennifer V. Abrams, Esq.  
Nevada State Bar Number: 7575  
6252 South Rainbow Boulevard, Suite 100  
Las Vegas, Nevada 89118  
Phone: (702) 222-4021  
Attorney for Plaintiffs

**NOTICE OF MOTION**

1  
2 TO: HON. KENNETH C. CORY, Eighth Judicial District Court Judge, Department  
3 1;  
4 TO: HON. RICHARD SCOTTI, Eighth Judicial District Court Judge, Department  
5 2;  
6 TO: HON. DOUGLAS W. HERNDON, Eighth Judicial District Court Judge,  
7 Department 3;  
8 TO: HON. KERRY EARLEY, Eighth Judicial District Court Judge, Department 4;  
9 TO: HON. CAROLYN ELLSWORTH, Eighth Judicial District Court Judge,  
10 Department 5;  
11 TO: HON. ELISSA F. CADISH, Eighth Judicial District Court Judge, Department  
12 6;  
13 TO: HON. LINDA MARIE BELL, Eighth Judicial District Court Judge,  
14 Department 7;  
15 TO: HON. DOUGLAS E. SMITH, Eighth Judicial District Court Judge,  
16 Department 8;  
17 TO: HON. JENNIFER P. TOGLIATTI, Eighth Judicial District Court Judge,  
18 Department 9;  
19 TO: HON. TIERRA D. JONES, Eighth Judicial District Court Judge, Department  
20 10;  
21 TO: HON. ELIZABETH GONZALEZ, Eighth Judicial District Court Judge, Chief  
22 Judge, Department 11;  
23 TO: HON. MICHELLE LEAVITT, Eighth Judicial District Court Judge,  
24 Department 12;  
TO: HON. MARK R. DENTON, Eighth Judicial District Court Judge, Department  
13;  
TO: HON. ADRIANA ESCOBAR, Eighth Judicial District Court Judge,  
Department 14;  
TO: HON. JOE HARDY, Eighth Judicial District Court Judge, Department 15;  
TO: HON. TIMOTHY C. WILLIAMS, Eighth Judicial District Court Judge,  
Department 16;

1 TO: HON. MICHAEL P. VILLANI, Eighth Judicial District Court Judge,  
Department 17;  
2  
3 TO: HON. MARK B. BAILUS, Eighth Judicial District Court Judge, Department  
18;  
4 TO: HON. WILLIAM KEPHART, Eighth Judicial District Court Judge,  
Department 19;  
5  
6 TO: HON. ERIC JOHNSON, Eighth Judicial District Court Judge, Department 20;  
7  
8 TO: HON. VALERIE ADAIR, Eighth Judicial District Court Judge, Department 21;  
9  
10 TO: HON. SUSAN H. JOHNSON, Eighth Judicial District Court Judge,  
Department 22;  
11  
12 TO: HON. STEFANY MILEY, Eighth Judicial District Court Judge, Department  
23;  
13  
14 TO: HON. JIM CROCKETT, Eighth Judicial District Court Judge, Department 24;  
15  
16 TO: HON. KATHLEEN E. DELANEY, Eighth Judicial District Court Judge,  
Department 25;  
17  
18 TO: HON. GLORIA J. STURMAN, Eighth Judicial District Court Judge,  
Department 26;  
19  
20 TO: HON. NANCY ALLF, Eighth Judicial District Court Judge, Department 27;  
21  
22 TO: HON. RONALD J. ISRAEL, Eighth Judicial District Court Judge, Department  
28;  
23  
24 TO: HON. DAVID JONES, Eighth Judicial District Court Judge, Department 29;  
TO: HON. JERRY A. WIESE, II, Eighth Judicial District Court Judge, Department  
30;  
TO: HON. JOANNA S. KISHNER, Eighth Judicial District Court Judge,  
Department 31;  
TO: HON. ROB BARE, Eighth Judicial District Court Judge, Department 32;  
TO: HON. WILLIAM O. VOY, Eighth Judicial District Court Judge, Family  
Division, Department A;  
TO: HON. LINDA MARQUIS, Eighth Judicial District Court Judge, Family  
Division, Department B;

1 TO: HON. REBECCA L. BURTON, Eighth Judicial District Court Judge, Family  
Division, Department C;  
2  
3 TO: HON. ROBERT W. TEUTON, Eighth Judicial District Court Judge, Family  
Division, Department D;  
4  
5 TO: HON. CHARLES HOSKIN, Eighth Judicial District Court Judge, Family  
Division, Department E;  
6  
7 TO: HON. DENISE L. GENTILE, Eighth Judicial District Court Judge, Family  
Division, Department F;  
8  
9 TO: HON. CYNTHIA DIANE STEEL, Eighth Judicial District Court Judge, Family  
Division, Department G;  
10  
11 TO: HON. T. ARTHUR RITCHIE, JR., Eighth Judicial District Court Judge,  
Family Division, Department H;  
12  
13 TO: HON. CHERYL B. MOSS, Eighth Judicial District Court Judge, Family  
Division, Department I;  
14  
15 TO: HON. RENA G. HUGHES, Eighth Judicial District Court Judge, Family  
Division, Department J;  
16  
17 TO: HON. CYNTHIA N. GIULIANI, Eighth Judicial District Court Judge, Family  
Division, Department K;  
18  
19 TO: HON. JENNIFER L. ELLIOTT, Eighth Judicial District Court Judge, Family  
Division, Department L;  
20  
21 TO: HON. WILLIAM S. POTTER, Eighth Judicial District Court Judge, Family  
Division, Department M;  
22  
23 TO: HON. MATTHEW HARTE, Eighth Judicial District Court Judge, Family  
Division, Department N;  
24  
25 TO: HON. FRANK P. SULLIVAN, Eighth Judicial District Court Judge, Family  
Division, Department O;  
26  
27 TO: HON. SANDRA L. POMRENZE, Eighth Judicial District Court Judge, Family  
Division, Department P;  
28  
29 TO: HON. BRYCE C. DUCKWORTH, Eighth Judicial District Court Judge, Family  
Division, Presiding Judge, Department Q;  
30  
31 TO: HON. BILL HENDERSON, Eighth Judicial District Court Judge, Family  
Division, Department R;

1 TO: HON. VINCENT OCHOA, Eighth Judicial District Court Judge, Family  
2 Division, Department S;  
3 TO: HON. LISA M. BROWN, Eighth Judicial District Court Judge, Family  
4 Division, Department T;  
5 TO: Eighth Judicial District Court, Senior Judge Department;  
6 TO: STEVE W. SANSON and VETERANS IN POLITICS INTERNATIONAL, INC.,  
7 Defendants in case numbers A-17-750171-C and A-17-749318-C;  
8 TO: LOUIS C. SCHNEIDER and LAW OFFICES OF LOUIS C. SCHNEIDER, LLC,  
9 Defendants in case number A-17-749318-C;  
10 TO: MARGARET A. McLETCHIE, ESQ., Attorney for Defendants, STEVE W.  
11 SANSON and VETERANS IN POLITICS INTERNATIONAL, INC., in case  
12 number A-17-749318-C;  
13 TO: ANAT LEVY, ESQ., Attorney for Defendants, STEVE W. SANSON and  
14 VETERANS IN POLITICS INTERNATIONAL, INC., in case number A-17-  
15 750171-C;  
16 TO: JOSEPH W. HOUSTON, II, ESQ., Attorney for Defendants, LOUIS C.  
17 SCHNEIDER and LAW OFFICES OF LOUIS C. SCHNEIDER, LLC, in case  
18 number A-17-749318-C;

19 PLEASE TAKE NOTICE that the foregoing Motion will be heard on  
20 3-02-18 at \_\_\_\_\_, in CHAMBERS  
21 of the above-entitled Court.

22 DATED Wednesday, January 24, 2018.

23 Respectfully submitted:

24 THE ABRAMS & MAYO LAW FIRM

/s/ Jennifer V. Abrams, Esq.

Jennifer V. Abrams, Esq.

Nevada State Bar Number: 7575

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Attorney for Plaintiffs

1                                   **MEMORANDUM OF POINTS AND AUTHORITIES**

2   **I.     INTRODUCTION**

3           This *Motion* does not come lightly. The idea that the entire elected judiciary in  
4   Clark County could be tainted by one person seems extreme; however, the reality is  
5   that implied bias and the appearance of impropriety has already left its mark in these  
6   and related matters.

7           Steve Sanson, through his faux “non-profit” group, Veterans in Politics  
8   International (“VIPI”), has been the driving force behind a systematic, organized  
9   effort to intimidate judges and candidates, build a personal rapport with them,  
10   become their go-to for a “veteran’s endorsement” during election cycles, and become  
11   their worst nightmare if they dare get in his way. Over 90% of the judges on the  
12   civil/criminal bench have accepted an endorsement from VIPI, appeared on a VIPI  
13   radio show, appeared at a VIPI “sponsored” event in an official capacity or as a  
14   candidate, paid campaign money to VIPI for advertising, and/or have been the target  
15   of VIPI’s wrath.

16          Steve Sanson has “declared war” on an entire 20-judge division of this judicial  
17   district. He launched smear campaigns against several judges. He has contacted  
18   judges at home, on their personal cell phones, or by other means in order to question  
19   their decisions to take a personal day off or to clear their court calendars. He has  
20   been seen in the “back hallway” conversing with judges privately and has commented  
21   publicly about conversations that occurred at private judges’ meetings. He  
22   purposefully injected himself into at least one specific divorce case by contacting the  
23   judge on his personal cell phone in an effort to sway the judge’s decisions on behalf  
24   of one of the litigants. And, he “monitors” judges on a near-daily basis, reporting his

1 opinions of judges and their qualifications for retention on the bench on his  
2 numerous social media outlets and via email blasts as a mechanism for intimidation.  
3 It has been reported that his email blasts are sent to some 60,000 to 80,000  
4 recipients and his social medial sites likewise reach tens of thousands of people.

5 Mr. Sanson feels so entitled to "control" the elected judiciary that he invited  
6 the judge assigned to his own pending case to appear on his radio show. During the  
7 radio show interview with Judge Bailus (who subsequently recused from the *Willick*  
8 *v. Sanson* matter), Mr. Sanson questioned the political viability of Judge Bailus'  
9 future as a district court judge in future election cycles; the implication was obvious.

10 Mr. Sanson has publicly announced his intentions to try to regulate which  
11 candidates are elected / re-elected to the district court bench in the future. He has  
12 posted "lists" of judges that he is targeting in the 2020 election cycle—threatening to  
13 do the "dirty work" required to get a judiciary that plays by his rules. In an August 2,  
14 2016 post on his Facebook Page "War declared on Clark County Nevada Family  
15 Court System," he said:<sup>1</sup>

16 I want to make myself Crystal Clear (sic) any attorney who is planning to fill  
17 a vacancy or become a candidate for Clark County Family Court Judge and  
you are corrupt, unethical or an asshole to litigants. (sic)

18 Don't waste your time, we are not clearing out bullshit just to fill it with  
19 yours!

20 Steve Sanson  
President of Veterans In Politics International

21 Regardless of what elected judges might **privately** think about Steve Sanson  
22 and his sham organization, no one wants to be targeted by one of Mr. Sanson's well-  
23 established "smear campaigns."

24  
<sup>1</sup> See Facebook post, dated August 2, 2017, attached hereto as **Exhibit 1**.



1 Mr. Sanson further boasts, in an August 18, 2016 post:<sup>2</sup>

2 We are starting to vet attorneys that are interested in the Clark County District  
3 Court Family Division Judgeship.

4 If you are interested in becoming a judge within the Family Division and you  
5 will have 10 years practicing law within the state of Nevada by January 2020,  
6 please contact Steve Sanson at 702 283 8088.

7 The time to start name recognition is NOW!

8 While these posts are targeted towards Family Court, Mr. Sanson does the  
9 same with nearly every elected official in Clark County, Nevada. And judges who do  
10 not kowtow to Mr. Sanson become subjected to his wrath. He solicits "dirt" on these  
11 judges from disgruntled litigants.<sup>3</sup> He "observes" their courtrooms and solicits  
12 others to join him in doing so.<sup>4</sup> He publicly criticizes their decisions in the case while  
13 reporting skewed and one-sided "facts" to portray the judge in the most negative  
14 light possible.<sup>5</sup> And, he relentlessly posts negative and defamatory material via social  
15 media and email blasts against the judicial officer in order to target, harass,  
16 intimidate, and terrorize that judicial officer as much as possible, making that  
17 elected official's next campaign dreadful and expensive.

18 Several judges have privately confessed to the undersigned that they do not  
19 wish, to the extent that they can avoid it, to become a "target" of Steve Sanson.  
20 Further, every political and judicial candidate knows the power of the "veteran's  
21 vote." For over a decade, VIPI was the only known group that actively pursued and  
22 endorsed candidates "on behalf of" veterans; VIPI has even advertised this under the

23 <sup>2</sup> See Facebook post, dated August 18, 2017, attached hereto as **Exhibit 2**.

24 <sup>3</sup> See generally Facebook posts and emails from Mr. Sanson, attached hereto as **Exhibit 3**.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

1 tag-line of "Judicial Candidates Compete for the Most Valuable Veteran  
2 Endorsement in Clark County, Nevada." Nearly every elected judge in this county—  
3 from the municipal court through the appellate courts—has had some contact or  
4 relationship with Mr. Sanson and VIPI in some way to gain or maintain their  
5 position on the bench.

6       These lawsuits directly challenge the legitimacy of Mr. Sanson and his faux  
7 organization, and assert that Mr. Sanson uses VIPI to extort money from politicians,  
8 judges, and candidates for his own personal gain and, as relevant in these cases, as  
9 the tool of a mercenary who will target anyone if the price is right. Any judge or  
10 potential judge who has engaged with Mr. Sanson or VIPI, or who plans to run for  
11 re-election, is inherently biased or, at the very least, has the appearance of  
12 impropriety, as that judge (or potential judge) is less likely to find that VIPI is a  
13 sham organization than if he or she had not engaged or were not seeking re-election  
14 and, in turn, the votes and endorsements of this so-called "veteran's organization."  
15 Further, anyone who voluntarily seeks out or "competes" for the endorsement or  
16 support of an organization is necessarily less likely to view his or her own association  
17 as illegitimate or the organization's existence as illegitimate. This is textbook bias,<sup>6</sup>  
18 and likely the reason why 14 out of the 32 judges on the civil/criminal bench have  
19 already been reassigned from the three cases involving Mr. Sanson filed in the last  
20 two years.

21       Based on the facts and arguments herein, it is reasonable to find that nearly  
22 the entire judiciary in Clark County has been influenced by Mr. Sanson or VIPI or, at  
23 the very least, appears to have been so influenced from a public perception. Any

24       <sup>6</sup> *Oxford English Dictionary Online*, 2<sup>nd</sup> edition, December 2017 (defining bias as, *inter alia*,  
"prejudice in favor of or against one thing, person, or group compared with another, usually in a way  
considered to be unfair").

1 decision made by an elected judge or a judge seeking re-election in Clark County will  
2 certainly come under scrutiny by many. The cases of *Abrams v. Sanson* and *Willick*  
3 *v. Sanson* are being watched closely by thousands of people in the community and  
4 are the topic of significant discussion on numerous social media sites. Another  
5 defamation case recently filed against Sanson, *DiCiero v. Sanson*,<sup>7</sup> is now also being  
6 closely watched and discussed on social media. These cases have been the topic of  
7 the Las Vegas Review Journal's interest, most recently in Jane Ann Morrison's  
8 article entitled "Judges' ties with Sanson have courts in tight spot" published on  
9 January 20, 2018, discussing the appearance of impropriety of having elected judges  
10 hear any of the cases involving the "social media and email bomb thrower" who "sees  
11 himself as a political power player" even though "[p]lenty of veterans and political  
12 figures see him as a poser."<sup>8</sup> She concludes that the bouncing of these cases from one  
13 elected judge to another due to the appearance of impropriety is an "embarrassment  
14 for the judiciary."

15 These cases really need to either be permanently assigned to a senior judge, a  
16 judge who sits outside Clark County, or these matters should be transferred to a  
17 different judicial district court entirely.

## 18 **II. FACTUAL BACKGROUND**

### 19 **A. Mr. Sanson's History of Attempting to Influence the Judiciary**

#### 20 **1. Judge Duckworth in *Ansell v. Ansell*.**

21 Mr. Sanson has a history of attempting to corrupt sitting judges in pending  
22 cases. In the *Order of Recusal* entered by the Honorable Bryce Duckworth in *Irina*

23 <sup>7</sup> *Mark DiCiero v. Steve Sanson, et. al.*, Eighth Judicial District Court case number D-18-  
24 767961-C

<sup>8</sup> Morrison, Jane Ann. "Judges' ties with Sanson have courts in tight spot." Las Vegas Review-  
Journal, 20 January 2018. See copy attached hereto as **Exhibit 4**.

1 *Ansell v. Douglas Ansell*, filed on September 5, 2017, in case number D-15-521960-  
2 D, Judge Duckworth made the following findings about Mr. Sanson and VIP's *ex*  
3 *parte* communications with him (emphasis in the original):<sup>9</sup>

4 [N]otwithstanding his self-proclaimed faux cover of seeking to "expose  
5 injustice and corruption," Mr. Sanson's sole motivation for  
6 communicating with this Court was to intimidate and harass the Court.  
7 Mr. Sanson proudly proclaims that he has "declared war" on the Family  
8 Court. There is no doubt that the courts are under attack and that the  
9 entire judiciary of this great State of Nevada is on notice that, behind  
that false banner of "justice and corruption" is an individual and group  
who seek to manipulate, intimidate and control. The arsenal of  
weapons that Mr. Sanson utilizes include attempts to manipulate,  
intimidate and control the judicial process through off-the-record  
communications. This case has exposed the reality of his tactics.

10 \* \* \*

11 What should be frightening to this Court (and members of the Nevada  
12 judiciary in general) is that Mr. Sanson refused to acknowledge at the  
13 August 30, 2017 hearing that his communication with the Court about  
14 a pending case was inappropriate. Specifically, Mr. Sanson, through his  
15 counsel, suggested it was the Court's fault based on the earlier  
conversation cited above. This Court reiterates that it is inappropriate  
to communicate with a judicial officer off the record about a pending  
case – ***at any time and under any circumstances***. Mr. Sanson's  
attempts to deflect blame to the Court are appalling.

16 \* \* \*

17 Is there anything more corrupt than the influence Mr. Sanson sought  
18 to exert over the Court? And he proclaims that he seeks to expose  
19 corruption? Because this Court called him out on the inappropriateness  
20 of his communication and refused to kowtow and cower to his  
21 manipulation and control, Mr. Sanson predictably let the Court know  
22 that his wrath was coming out against the Court. This type of threat to  
23 any judicial officer strikes at the very core of the integrity of the judicial  
24 process. Moreover, such threatening behavior is an attempt to  
manipulate and control judicial officers if they do not succumb to Mr.  
Sanson's desired result.

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<sup>9</sup> See *Order of Recusal* entered by the Honorable Bryce Duckworth in *Irina Ansell v. Douglas Ansell*, filed on September 5, 2017, in case number D-15-521960-D, attached hereto as **Exhibit 5**.

1 When this order and the related hearing started circulating on the internet,  
2 Mr. Sanson promptly used VIPI and his “Family Court WAR” movement to launch a  
3 smear campaign against Judge Duckworth, accusing him of using the bench to  
4 retaliate against VIPI. In a Facebook photo commonly referred to as a “meme,” Mr.  
5 Sanson likened Department Q to a dumpster fire.<sup>10</sup>

6 As a result of this corrupt behavior, the *Ansell* divorce was permanently  
7 assigned to a senior judge.

8 2. Judge Bailus in *Willick v. Sanson*.

9 The complaint in the *Willick v. Sanson* matter was filed on January 2, 2017.  
10 After some administrative shuffling between departments (due to multiple recusals  
11 by judges who felt that their impartiality might be reasonably questioned due to their  
12 prior interactions with Mr. Sanson and VIPI), this matter was assigned to  
13 Department 18—which, at the time, was vacant and presided over by rotating senior  
14 judges.

15 Shortly after the lawsuit was initiated, Defendants filed a *Special Motion to*  
16 *Dismiss Pursuant to NRS 41.650 et. seq.* (“Anti-SLAPP”), which was heard by the  
17 Honorable Charles J. Thompson on March 14, 2017. Senior Judge Thompson denied  
18 Defendants’ motion, and the Defendants appealed. As of this filing, the appeal is still  
19 pending in the Nevada Supreme Court.

20 In August 2017, while the appeal was pending, the Honorable Mark B. Bailus  
21 was appointed to the vacant Department 18 seat by Governor Sandoval. Mr. Sanson  
22 promptly sought to contact him.

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<sup>10</sup> See Facebook photo posted on a page managed by Mr. Sanson, attached hereto as **Exhibit 6**.

1 On November 18, 2017, Defendants sent out a mass marketing email  
2 representing that Judge Bailus was scheduled to appear on the VIPI web radio show  
3 on November 25, 2017.<sup>11</sup> This email blast was disseminated even though Judge  
4 Bailus was presiding over a pending case involving Defendants. Between the mass  
5 email and the radio show, undersigned counsel learned through a posting on the  
6 Facebook page "Nevada Court Watchers" of an email sent by the administrator of  
7 that page, Mark DiCiero, to Judge Bailus advising him of the conflict and  
8 recommending that he cancel his scheduled appearance.<sup>12</sup> Judge Bailus did not  
9 cancel, however, and appeared on Mr. Sanson's / VIPI's radio show on November 25,  
10 2017.

11 While the instant matters were not directly discussed on air, there was broad  
12 conversation about Judge Bailus' appointment, his judicial style and thought  
13 process, his campaigning and financing, and reference to personal communications  
14 between him and Mr. Sanson. During the radio show, the following exchange took  
15 place (beginning at 00:31:20 in the video):<sup>13</sup>

16 Steve Sanson: You're in a unique position right now because you just  
17 went through the whole appointment process, and  
18 you're going to run next year to retain your  
19 appointment, basically.

20 Judge Bailus: Correct.

21 Steve Sanson: And then, if you're victorious, then you gotta run two  
22 years from now...

23 <sup>11</sup> See printout of email from Mr. Sanson, dated November 18, 2017, attached hereto as **Exhibit**  
24 **7**.

<sup>12</sup> See printout of email from Mr. Mark DiCiero, attached hereto as **Exhibit 8**.

<sup>13</sup> <https://www.youtube.com/watch?v=ZE4OGmkWXdg>. In the event this video disappears  
from the internet after the filing of this motion, the undersigned has downloaded a copy for  
preservation and will provide it upon request.

1 Judge Bailus: That's an interesting situation.

2 Steve Sanson: With all 52 judges.

3 Judge Bailus: Right, apparently, as you know...

4 Steve Sanson: Are you financially and mentally prepared for all of that?

5 Judge Bailus: I... Well, at this point, you're exactly right. When you get  
6 appointed, you have to run in the next general election.  
7 And, in that case, it will be in 2018. And then it's my  
8 understanding that recently, they changed, where we  
9 used to have staggered elections for district court  
10 judges, and now...

11 Steve Sanson: You know why they did that, right, judge?

12 Judge Bailus: I don't.

13 Steve Sanson: Pay raise.

14 Judge Bailus: Oh really? Oh, I didn't realize that. I thought...

15 Jim Jonas: Because it was a fight like, "I got elected before you..."

16 Steve Sanson: "Why you getting more money than me?"

17 Judge Bailus: I honestly didn't realize that was the reason. I thought  
18 maybe they wanted to put everybody on equal footing in  
19 2020.

20 Jim Jonas: Follow the money.

21 Judge Bailus: Well, it's going to be interesting because, again, I have to  
22 run in 2018 and basically turn right around and run  
23 again in 2020.

24 Steve Sanson: Like you're a congressman.

Judge Bailus: Exactly like I'm a congressman. But I don't mind  
because I will tell you that I've gone out and met a lot of  
good people in the community since I've gotten the  
appointment. Because, as a judge, you're somewhat  
isolated within the legal community, but that gives you  
the opportunity to go out in to the general community  
and meet people. **I mean, obviously, I wouldn't be  
on this show if I hadn't got the appointment, and  
so...**

1 Steve Sanson: You never know. We have attorneys come on here and  
2 talk about whatever.

3 Judge Bailus: **Well, you never asked me and I've been around  
4 forever.**

5 Steve Sanson: Judge, you never ring my phone. You know  
6 communication works both ways.

7 Judge Bailus: Absolutely. Absolutely. But I do appreciate the  
8 opportunity. I really do.

9 At the end of the 24 minute and 58 second interview, Mr. Sanson instructed  
10 Judge Bailus to look at the camera and advertise his re-election campaign. Judge  
11 Bailus did so.

12 From the discussions that were broadcast, there were *ex parte*  
13 communications between Steve Sanson and Judge Bailus during a time when this  
14 case was assigned to Judge Bailus. Also, Steve Sanson offered Judge Bailus  
15 something of value—i.e., campaign advertising on air—and Judge Bailus accepted  
16 that thing of value by looking into the camera and telling the viewers why they  
17 should vote for him.

18 Because Judge Bailus would preside over the dispute between these parties at  
19 some point in the future, on November 29, 2017, Plaintiffs Willick and Willick Law  
20 Group filed a motion to disqualify Judge Bailus. Though Judge Bailus denied  
21 wrongdoing, he acknowledged in his response to the motion that his recusal would  
22 be appropriate in order to avoid the “appearance of impropriety.” Though Mr.  
23 Sanson fought to keep Judge Bailus (for obvious reasons), the matter was  
24 reassigned.



1 After another round of administrative shuffling, the *Willick v. Sanson* matter  
2 is now assigned to Department 27, the Honorable Nancy Alf, who herself has  
3 recently recused from a matter where Mr. Sanson was a named party because of her  
4 relationship with Mr. Sanson and VIPI.<sup>14</sup> On January 14, 2018, Defendants filed a  
5 peremptory challenge against Judge Alf, which will likely lead to another round of  
6 recusals and administrative reassignments.

7 3. Pushing for Recusals in his "Family Court WAR."

8 These are far from isolated instances of misconduct by Mr. Sanson and VIPI—  
9 it is part and parcel of a deliberate attempt to corrupt judicial proceedings in  
10 numerous cases over an extended period of time. It has become Defendants' strategy  
11 in order to obtain the outcome that they desire.

12 As noted by the Administrator of Nevada Court Watchers, Mr. DiCiero,  
13 Defendants have "put[] together quite a history of getting recusals for members of  
14 his disgruntled War mob – all while crying foul and corruption at the same time.  
15 Hypocrisy at its finest."<sup>15</sup> The observation goes on to identify multiple instances of  
16 attempted judge-tampering by the Defendants, including Judge Duckworth in *Ansell*  
17 *v. Ansell*, the Honorable Rena Hughes in *Silva v. Silva*, *Wagner v. Marino*, and  
18 *Bourn v. Bourn*, Judge Bailus in *Willick v. Sanson*, and the Honorable Linda  
19 Marquis in *McDonald v. McDonald*.

20 Sanson even contacted Justice Michael Cherry, asking him to appear on his  
21 radio show while three different appeals involving Mr. Sanson are pending in the

22 <sup>14</sup> *Sanson v. Anderson*, case no. A-16-739151-C. This lawsuit was filed after Mr. Sanson's failed  
23 campaign against then-Assemblyman Paul Anderson in District 13. Though Mr. Sanson lost by a  
considerable number of votes, he filed a lawsuit accusing the Clark County Clerk's office of rigging  
voting machines.

24 <sup>15</sup> DiCiero, Mark. (2017, December 27). Nevada Court Watchers [Facebook group]. Retrieved  
from <https://www.facebook.com/groups/433293260115971/permalink/1322318161213472/>

1 Nevada Supreme Court. Following receipt of a letter from the undersigned (copied to  
2 Mr. Sanson's counsel), Justice Cherry sent an email to both counsel advising that he  
3 would not appear on Mr. Sanson's radio show and that he would be seeking guidance  
4 from the Nevada Commission on Judicial Discipline.

5 **B. Judicial "Hot Potato" in Sanson Cases**

6 No sitting elected judge should want to touch *any* case having to do with Mr.  
7 Sanson or VIPI. The political risk is too great. If he or she rules against Mr. Sanson  
8 or VIPI, he or she will inevitably become his target when up for re-election.

9 The following is a cursory table of each of the 32 judges on the civil/criminal  
10 bench in the Eighth Judicial District Court, identifying each judge's connection to  
11 Mr. Sanson or VIPI (based on publicly available information) and whether that judge  
12 is or has been assigned to one of the three cases involving Mr. Sanson or VIPI (*i.e.*,  
13 *Willick v. Sanson*, *Abrams v. Schneider*, and *Sanson v. Anderson*).

14 The right three columns were compiled by searching "[judge's name] Steve  
15 Sanson" and "[judge's name] Veterans In Politics" in Google and Facebook, and by  
16 reviewing the Nevada Secretary of State's Election Division campaign reporting  
17 records. Just that search reveals that numerous judges have paid VIPI for campaign  
18 advertising, numerous judges have been endorsed by VIPI, and numerous judges  
19 have been on Mr. Sanson's radio show or participated in one of his events. (The  
20 judges that have attended Mr. Sanson's fundraisers and other events are not  
21 included here but also create an "appearance of impropriety.")

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Dept.	JUDGE	Abrams	Willick	Anderson	\$ to VIPI	Endorsed	Radio / Event
I	Kenneth C. Cory	Per. Chlg.					x
II	Richard Scotti				\$1,800	x	x
III	Douglas W. Herndon			Recused	\$150	x	x
IV	Kerry Earley		Recused	Recused	\$1,800	x	x
V	Carolyn Ellsworth				\$925	x	x
VI	Elissa F. Cadish		Recused	Recused	\$350	x	x
VII	Linda Marie Bell					x	x
VIII	Douglas E. Smith				\$170	x	x
IX	Jennifer P. Togliatti						
X	Tierra D. Jones						x
XI	Elizabeth Gonzalez						
XII	Michelle Leavitt	<i>Current</i>			\$300	x	x
XIII	Mark R. Denton			Recused			
XIV	Adriana Escobar		Recused	Recused			
XV	Joe Hardy				\$150	x	x
XVI	Timothy C. Williams						x
XVII	Michael P. Villani					x	x
XVIII	Mark B. Bailus		Recused/D				x
XIX	William Kephart		Per. Chlg.		\$1,970	x	x
XX	Eric Johnson			Recused			
XXI	Valerie Adair	Recused	Recused				x
XXII	Susan H. Johnson					x	x
XXIII	Stefany Miley			Recused	\$1,150	x	x
XXIV	Jim Crockett		Recused		\$2,412	x	x
XXV	Kathleen E. Delaney				\$1,000	x	x
XXVI	Gloria J. Sturman					x	x
XXVII	Nancy L. Alf		Per. Chlg.	Recused		x	x
XXVIII	Ronald J. Israel				\$1,000		x
XXIX	David Jones		Recused				
XXX	Jerry A. Wiese II				\$970	x	x
XXXI	Joanna S. Kishner			Recused			
XXXII	Rob Bare				\$1,000	x	x

1        This table does not include the dozens of elected judges outside of the  
2 civil/criminal bench who have associated with Mr. Sanson or VIPI. It also does not  
3 include more personal details about the complicated relationships that Mr. Sanson  
4 has gone to great lengths to create with the foregoing judges—including Mr. Sanson’s  
5 prior smear campaign against the Honorable Eric Johnson during the 2016 election  
6 cycle where his counsel, Ms. Levy, ran against the then-appointed judge; or the  
7 number of times that Mr. Sanson has bragged on social media about his  
8 “friendships” and “connections” with many sitting civil/criminal court judges. The  
9 undersigned has a collection of photographs from Mr. Sanson’s website depicting  
10 him hugging, kissing, shaking hands with, and/or standing arm-in-arm with many of  
11 the elected judges in the Eighth Judicial District. Again, with these types of publicly  
12 available photographs, having an elected judge hear any case involving Mr. Sanson  
13 and/or VIPI greatly reduces the public confidence in the judiciary and gives an  
14 appearance of impropriety that is palpable.

15        Given how quickly the connections and influence between Mr. Sanson and  
16 elected judges became apparent with a simple internet search, it is reasonable that a  
17 more detailed search or open discovery will likely detail more direct connections  
18 between Mr. Sanson and the elected judiciary. At a minimum, that belief reasonably  
19 exists.

20        Because these matters will cycle through the entire judicial district by way of  
21 recusals, peremptory challenges, and repetitive motions to disqualify, this *Motion*  
22 seeks to spare the waste of judicial resources and alleviate this judicial district of the  
23 implied bias or appearance of impropriety that certainly follows Mr. Sanson and  
24 VIPI.

1 **III. LAW AND ARGUMENT**

2 Admittedly, this is a very unusual set of circumstances. The Plaintiffs in these  
3 cases are asking this Court to take on a heavy task—i.e., declare that implied bias  
4 and/or the appearance of impropriety of presiding over cases involving Mr. Sanson  
5 and/or VIPI are named parties warrants the disqualification of an entire judicial  
6 district of elected judges.

7 If there was a reasonable alternative, this *Motion* would not be necessary;  
8 however, to preserve the integrity of the judiciary and in the interest of fair and  
9 impartial justice, these matters must be reassigned to senior judges who do not face  
10 re-election, or be transferred to a different judicial district where Defendants'  
11 influence has not reached. Inconsistencies have already occurred through opposite  
12 outcomes of nearly identical motions filed by Mr. Sanson and VIPI in two cases  
13 stemming from the same basic fact pattern (*Abrams v. Sanson* and *Willick v.*  
14 *Sanson*) – one having been decided by a senior judge (against Mr. Sanson) and the  
15 other having been decided by an elected judge (in favor of Mr. Sanson) who, at a  
16 minimum, paid \$300 to VIPI in 2008, was “endorsed” by Defendants, and attended  
17 one of Mr. Sanson’s events in 2013.

18 **A. This *Motion* should be decided by the Supreme Court**

19 NRS 1.235(5)(b) states that the “[t]he question of the judge’s disqualification  
20 must thereupon be heard and determined by another judge agreed upon by the  
21 parties or, if they are unable to agree, by a judge appointed: (1) By the presiding  
22 judge of the judicial district in judicial districts having more than one judge, or if the  
23 presiding judge of the judicial district is sought to be disqualified, by the judge  
24

1 having the greatest number of years of service; or (2) By the Supreme Court in  
2 judicial districts having only one judge.”

3 This *Motion* puts the Chief Judge of the Eighth Judicial District Court, the  
4 Honorable Elizabeth Gonzalez, in a conflicted position. While this judicial district  
5 certainly has more than one judge, the Plaintiffs in these matters request that every  
6 judge on the civil/criminal bench—including the Chief Judge—be disqualified due to  
7 the nature of Clark County’s elected judiciary and Defendants’ connections and  
8 interactions with judges and judicial candidates. Technically, this Court could assign  
9 this *Motion* to the most senior judge on the Family Court bench; however, that, too,  
10 would cause a similar ethical dilemma, especially considering that both of these  
11 matters arose from Mr. Sanson’s attempt to influence the outcome of a pending  
12 Family Court case.

13 The safest, most logical, and just solution would be to ask the Supreme Court  
14 to address this *Motion*. The intent behind NRS 1.235(5)(b)(2) is to facilitate a  
15 decision when there is no judge left in the district to hear a disqualification motion.  
16 The same intent should be applied here. Alternatively, the most senior retired judge  
17 or justice should be called upon to decide this *Motion*.

18 **B. The Eighth Judicial District Court elected judiciary should be**  
19 **disqualified from these matters, and these matters should either**  
20 **be permanently assigned to a senior judge or to a judge outside of**  
21 **Clark County.**

22 Cannon 1 of the Code of Judicial Conduct provides:

23 *“A judge shall uphold and promote the independence, integrity, and*  
24 *impartiality of the judiciary and shall avoid impropriety and the*  
*appearance of impropriety.”*

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1 Rule 1.3 provides:

2 *"A judge shall not abuse the prestige of judicial office to advance the*  
3 *personal or economic interests of the judge or others, or allow others*  
4 *to do so."*

5 Rule 2.4(c) provides:

6 *"A judge shall not convey or permit others to convey the impression*  
7 *that any person or organization is in a position to influence the*  
8 *judge."*

9 Rule 2.10(b) provides:

10 *"A judge shall not, in connection with cases, controversies, or issues*  
11 *that are likely to come before the court, make pledges, promises, or*  
12 *commitments that are inconsistent with the impartial performance of*  
13 *the adjudicative duties of judicial office."*

14 Rule 3.1 (A) and (C) provide:

15 *"A judge may engage in extrajudicial activities, except as prohibited*  
16 *by law or this Code. However, when engaging in extrajudicial*  
17 *activities, a judge shall not:*

18 *(A) participate in activities that will interfere with the proper*  
19 *performance of the judge's judicial duties;*

20 \* \* \*

21 *(C) participate in activities that would appear to a reasonable*  
22 *person to undermine the judge's independence, integrity, or*  
23 *impartiality."*

24 As a general rule, judges have a duty to sit, "unless a judicial canon, statute, or  
rule requires the judge's disqualification."<sup>16</sup>

The NCJC provides a basis for seeking a judge's disqualification even when  
the time to do so under NRS 1.235 has passed if new information is discovered to  
support the judge's disqualification.<sup>17</sup> A motion to disqualify a judge brought

<sup>16</sup> *Millen v. Eighth Jud. Dist. Ct.*, 122 Nev. 1245, 1253, 148 P.3d 694, 699-700 (2006); see also  
NCJC Canon 2, Rule 2.7.

<sup>17</sup> *Towbin Dodge, LLC v. Eighth Jud. Dist. Ct.*, 121 Nev. 251, 260, 112 P.3d 1063, 1069 (2005).

1 pursuant to the NCJC must “set forth facts and reasons sufficient to cause a  
2 reasonable person to question the judge’s impartiality.”<sup>18</sup>

3 A judge shall disqualify himself or herself “in any proceeding in which the  
4 judge’s impartiality might reasonably be questioned,” including if the judge “has a  
5 personal bias or prejudice concerning a party or a party’s lawyer.”<sup>19</sup> “[W]hether a  
6 judge’s impartiality can reasonably be questioned is an objective question[.]”<sup>20</sup> In  
7 other words, would a reasonable person, knowing all salient facts, “have doubts”  
8 about the judge’s impartiality?<sup>21</sup> ***If it is a close call, the balance tips in favor***  
9 ***of recusal.***<sup>22</sup>

10 A judge is under “a continuing duty to ask himself what a reasonable person  
11 knowing all the relevant facts would think about his impartiality.”<sup>23</sup> This is because  
12 the duty to avoid the appearance of impropriety is “self-enforcing.”<sup>24</sup> “A judge  
13 should disclose on the record information that the judge believes the parties or their

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14 <sup>18</sup> *Id.*

15 <sup>19</sup> See NCJC Canon 2, Rule 2.11(A)(1); see also *Rivero v. Rivero*, 125 Nev. 410, 438-39, 216 P.3d  
16 213, 233 (2009) (indicating that there must be a reasonable inference of bias or prejudice stemming  
from an extrajudicial source).

17 <sup>20</sup> *City of Las Vegas Downtown Redev. Agency v. Eighth Jud. Dist. Ct.*, 116 Nev. 640, 644, 5  
18 P.3d 1059, 1062 (2000); see also NCJC Canon 1 (noting that a judge must “uphold and promote the  
independence, integrity, and impartiality of the judiciary and . . . avoid impropriety and the  
appearance of impropriety”).

19 <sup>21</sup> *Ybarra v. State*, 127 Nev. 47, \_\_\_, 247 P.3d 269, 272 (2011); see also NCJC Canon 1, Rule 1.2  
20 cmt. [5] (“The test for appearance of impropriety is whether the conduct would create in reasonable  
minds a perception that the judge violated [the NCJC] or engaged in other conduct that reflects  
adversely on the judge’s honesty, impartiality, temperament, or fitness to serve as a judge.”); see also  
21 *Rippo v. State*, 113 Nev. 1239, 1249 n.2, 946 P.2d 1017, 1024 n.2 (1997) (stating that the Nevada  
Supreme Court consults the comments to the NCJC for guidance).

22 <sup>22</sup> *United States v. Holland*, 519 F.3d 909, 912 (9th Cir. 2008) (emphasis added). Because  
23 USC § 455 is similar to Rule 2.11 of Canon 2 of the NCJC, the Nevada Supreme Court consults federal  
case law for guidance in interpreting and applying Rule 2.11. See, e.g., *Towbin Dodge, LLC*, 121 Nev.  
24 at 259-60, 112 P.3d at 1068-69; *Hogan v. Warden*, 112 Nev. 553, 560 n.5, 916 P.2d 805, 809 n.5  
(1996).

<sup>23</sup> *United States v. Hines*, 696 F.2d 722, 728 (10th Cir. 1982).

<sup>24</sup> *United States v. Sibla*, 624 F.2d 864, 867 (9th Cir. 1980). “Impropriety” includes conduct that  
“undermines a judge’s independence, integrity, or impartiality.” NCJC Terminology.



1 lawyers might reasonably consider relevant to a possible motion for disqualification,  
2 even if the judge believes there is no basis for disqualification.”<sup>25</sup>

3 Among the three cases to which Mr. Sanson and/or VIPI has been named a  
4 party in the past two years, 14 judges (or 43.75% of the civil/criminal bench) have  
5 recused or have been otherwise removed. 29 out of the 32 judges (or 90.6%) can  
6 easily be traced to having been the recipient of a VIPI endorsement, having used or  
7 paid Mr. Sanson during the course of a judicial campaign, and/or having  
8 participated in a VIPI event or appeared on Mr. Sanson’s internet radio show. To the  
9 public, the collaboration with a “veterans group” could sway votes one way or the  
10 other. This is not lost on Mr. Sanson, who for decades has embellished his own  
11 record and pushed his faux organization on sitting judges, politicians, and  
12 candidates, peddling the “veteran’s endorsement” for his own personal gain.

13 The Nevada Supreme Court has stated that campaign contributions alone do  
14 not warrant recusal or disqualification;<sup>26</sup> however, there has never been a discussion  
15 on how the recipient of campaign *expenditures* and the source of campaign  
16 endorsements impacts a judge’s disqualification. Plaintiffs submit that Mr. Sanson  
17 and VIPI, as the recipients of campaign expenditures and who actively hand out  
18 “veteran endorsements” to judges and candidates, should be more heavily  
19 scrutinized. Judges and candidates have sought out the endorsement of Mr. Sanson  
20 and VIPI if, for no other reason, to avoid becoming a target of their smear  
21 campaigns; they sit on VIPI panels and attend interviews with Mr. Sanson for  
22 endorsements; they appear at VIPI events and march with Mr. Sanson in public

23 <sup>25</sup> See NCJC Canon 2, Rule 2.11 cmt. [5]; see also *In re Kensington Int’l Ltd.*, 368 F.3d 289, 313  
24 (3d Cir. 2004) (“[I]f there is a burden of disclosure, that burden is to be placed on the judge to  
disclose possible grounds for disqualification.”).

<sup>26</sup> *Ivey v. Eighth Jud. Dist. Ct. (Ivey)*, 129 Nev. \_\_\_, 299 P.3d 354, 359 (2013).

1 parades; they appear on Mr. Sanson's radio show; they pay large sums of money to  
2 VIPI for billboard advertising labeled with "Endorsed by Veterans In Politics  
3 International"; and they support Mr. Sanson's organization by paying for and  
4 attending his fundraisers and "Valentine's Day Ball."

5 As stated above, Mr. Sanson and VIPI have a detailed history of trying to  
6 influence and corrupt judges. Their influence and public connection to nearly the  
7 entire judiciary is simply too overwhelming to be overlooked; any decision by a judge  
8 on a case in which Mr. Sanson and/or VIPI is a party creates the appearance of  
9 impropriety from an objective standpoint. In light of this, Plaintiffs respectfully  
10 request orders disqualifying the entire Eighth Judicial District Court elected (or  
11 appointed and eligible for election) judiciary, and to permanently assign these  
12 matters to a senior judge.

13 Alternatively, these cases should be reassigned to a different judicial district.  
14 This request is not intended as a motion to change venue under NRS 13.050, but  
15 rather, following the mechanism under NRS 1.235(5)(a) and "request that the judge  
16 of another district court" preside over any future hearings or trials in these cases.

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1 **IV. CONCLUSION**

2 Based upon the foregoing, Plaintiffs assert that the entire Eighth Judicial  
3 District Court elected judiciary be disqualified from presiding over these matters,  
4 and that these matters be permanently reassigned to a senior judge who has no  
5 connection to Mr. Sanson or VIPI. Alternatively, these matters should be reassigned  
6 to a different judicial district.

7 DATED Wednesday, January 24, 2018.

8 Respectfully submitted:

9 THE ABRAMS & MAYO LAW FIRM

10 /s/ Jennifer V. Abrams, Esq.

11 Jennifer V. Abrams, Esq.  
12 Nevada State Bar Number: 7575  
13 6252 South Rainbow Boulevard, Suite 100  
14 Las Vegas, Nevada 89118  
15 Phone: (702) 222-4021  
16 Attorney for Plaintiffs  
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AFFIDAVIT OF MARSHAL S. WILLICK

STATE OF NEVADA       )  
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COUNTY OF CLARK       )       ss:

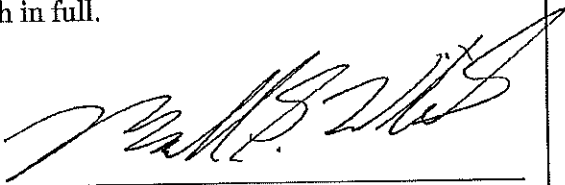
I, MARSHAL S. WILLICK, being first duly sworn, hereby states:

I make this affidavit, pursuant to NRS 1.235, on behalf of myself and as the principal/owner of Willick Law Group, the other named Plaintiff in case number A-17-750171-C.

I declare that I am competent to testify to the facts contained herein.

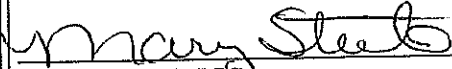
I have read the preceding filing and hereby certify that the facts set forth in the Points and Authorities attached thereto are true of my own knowledge, except for those matters therein contained stated upon information and belief, and as to those matters, I believe them to be true. The factual averments contained in the preceding filing are incorporated herein as if set forth in full.

DATED this 23<sup>rd</sup> day of January, 2018.



MARSHAL S. WILLICK

SUBSCRIBED AND SWORN to before me on this 23<sup>rd</sup> day of January, 2018, by Marshal S. Willick.

  
NOTARY PUBLIC

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**NRS 1.235 CERTIFICATE**

I, JENNIFER V. ABRAMS, ESQ., attorney for Plaintiffs in the above-entitled actions, hereby certify, pursuant to NRS 1.235, that the affidavit of Plaintiffs, MARSHAL S. WILICK and JENNIFER V. ABRAMS, are filed in good faith and not interposed for delay.

DATED Wednesday, January 24, 2018.

/s/ Jennifer V. Abrams, Esq.  
Jennifer V. Abrams, Esq.  
Attorney for Plaintiffs

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that the foregoing *Motion to Disqualify Eighth Judicial*  
3 *District Court Elected Judiciary, and for Permanent Assignment to the Senior*  
4 *Judge Program or, Alternatively, to a District Court Judge Outside of Clark County*  
5 was filed electronically with the Eighth Judicial District Court in the above-entitled  
6 matter on Wednesday, January 24, 2018. Electronic service of the foregoing  
7 document shall be made in accordance with the Master Service List, pursuant to  
8 NEFCR 9, as follows:

9 MARGARET A. McLETCHE, ESQ.  
10 Attorney for Defendants, STEVE W. SANSON and VETERANS IN  
POLITICS INTERNATIONAL, INC., in case number A-17-749318-C

11 ANAT LEVY, ESQ.  
12 Attorney for Defendants, STEVE W. SANSON and VETERANS IN  
POLITICS INTERNATIONAL, INC., in case number A-17-750171-C

13 JOSEPH W. HOUSTON, II, ESQ.  
14 Attorney for Defendants, LOUIS C. SCHNEIDER and LAW  
OFFICES OF LOUIS C. SCHNEIDER, LLC, in case number A-17-  
15 749318-C

16 /s/ David J. Schoen, IV, ACP  
17 An Employee of The Abrams & Mayo Law Firm  
18  
19  
20  
21  
22  
23  
24

EXHIBIT 1

EXHIBIT 1

EXHIBIT 1





## WAR declared on Clark County Nevada Family Court System

August 2 · 🌐

I want to make myself Crystal Clear any attorney who is planning to fill a vacancy or become a candidate for Clark County Family Court Judge and you are corrupt, unethical or an asshole to litigants.

Don't waste your time, we are not clearing out bulshit just to fill it with yours!

Steve Sanson

President of Veterans In Politics International



Like



Comment



Share



26

Chronological ▾

2 Shares

EXHIBIT 2

EXHIBIT 2

EXHIBIT 2



## WAR declared on Clark County Nevada Family Court System

August 18 · 6

We are starting to vet attorneys that are interested in the Clark County District Court Family Division Judgeship.

If you are interested in becoming a Judge within the Family Division and you will have 10 years practicing law within the state of Nevada by January 2020, please contact Steve Sanson at 702 283 8088.

The time to start name recognition is NOW!

Like

Comment

Share



6

Chronological ▾



Silva Welthy Please expect to be drug tested and psychologically tested. Only honest people who care about children need apply.

Like · Reply · August 24 at 6:17pm



Sandi Johnson Amen.

Like · Reply · August 24 at 7:57pm



Doug Ansell They will have to see one of the three doctors selected by Steve Sanson, then they will have to pay the \$5,000 evaluation fee within 30 days. Lol jk

Like · Reply · 2 · August 24 at 8:02pm



Write a reply...



Mathew McLay Remove Sandra Pomrenzel!

Like · Reply · August 24 at 8:04pm



Silva Welthy well since she ordered me to be homeless and thinks my articulate 13 year old should NOT have a voice, I'd have to agree.

Like · Reply · August 24 at 8:05pm



Mathew McLay Welthy Silva did you have a lawyer?

Like · Reply · August 24 at 8:07pm



Silva Welthy of course not. I am nearly bankrupt from family court and Legal Aide has been useless

Like · Reply · August 24 at 8:08pm



Mathew McLay Welthy Silva OK because I am going in there by myself also.

Like · Reply · August 24 at 8:09pm



Mathew McLay 2 1/2 more years and she is gone. I don't think she's running for reelection. Not that that does either one of us any good but it's a light at the end of the tunnel.

Like · Reply · 1 · August 24 at 8:11pm

RA000653

EXHIBIT 3

EXHIBIT 3

EXHIBIT 3



**WAR declared on Clark County Nevada Family Court System**

June 22 · 6

**PROTEST:** On Friday June 23rd from 8 to 11am in front of Clark County Family Court from 8 to 11am. 601 North Pecos Road. Don't be intimidated by a bad system.



**BE A COURT  
OBSERVER!**

**WE KEEP  
'EM HONEST**

**702-283-8088**

RA000655



## WAR declared on Clark County Nevada Family Court System

August 5 · 69

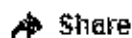
Some Judges (but not all!) Judges in the Clark County Family Court are lazy!

- 1) Some judges rely on a third party to make decisions for them.
- 2) Some judges take months (and sometimes years) to render a decision, forcing parties to put their lives on hold.
- 3) Some judges have no respect for your time, money, or mental health
- 4) Some judges cancel or reschedule your case without giving litigants proper notice.
- 5) Some judges put in less than 40 hours at the courthouse and make over \$200,000 per year with benefits. All paid for by taxpayers.
- 6) Some judges allow attorneys with whom they are friends, or who have given campaign contributions to run the people's courtrooms.
- 7) Some judges legislate from the bench.
- 8) Some judges violate the US Constitution.
- 9) Some judges bring their personal bias to the bench.
- 10) Some judges will rule on your case with absolutely NO evidence, or don't enforce proper rules of evidence in their Courtrooms.

The days of some judges will come to an end my friends. We will stick together. We have plenty of time to organize and focus on the elections in 2020. If what I am hearing is correct, more than a third will leave the bench between now and 2019, and the rest will not run for re-election or will be destroyed in a primary or general election. We will expose each and every one of them for who they are, and we will make sure that the ones that respect the law stay put!

Steve Sanson

President of Veterans In Politics



15

Chronological ▾

[View 1 more comment](#)

Press F5 to post.



## WAR declared on Clark County Nevada Family Court System

August 23 - 09

### ALERT:

We are looking for litigants both male and female that felt they received a bias ruling by the hands of Family Division Clark County District Court Judge Rena "GOD" Hughes.

Please send an email to [vlipresident@cs.com](mailto:vlipresident@cs.com) include your name, case number, a video of your case and bullet points of each and every corrupt ruling that was made by this Judge.

We believe that this Judge might have had a terrible mother or have an issue with child birth.

We have reached this conclusion on the disgusting and unlawful ways she engage with female litigants (mothers).

This Judge is NOT a mother and is currently going through a divorce.

An investigation is underway into this Judge's background.

Steve Sanson

President of Veterans In Politics International Inc.

702 283 8088

[www.familycourtwar.com](http://www.familycourtwar.com)



2010

Why would anyone

want to be on his bad side when he goes THIS far?

RA000657



## WAR declared on Clark County Nevada Family Court System

November 22 at 11:49pm · 🌐

I am tired of people coming up to me and saying: "hey that family court judge you went after is a friend of mine." What is that supposed to mean to me? What you are saying to me is as long as they are a friend of yours, we/me should look the other way and let them be that corrupted elected official. It must be a free pass to be corrupted as long as they are YOUR friend. Let me just say this, my organization has helped placed allot of Family Court Judges on the bench. But the difference between you and us/me is this, we value law, fairness, and the constitution over your corrupted friends that are sitting on the bench. Here is my quote, "if YOU turn a deaf ear or a blind eye to corruption YOU are just as guilty as the perpetrators committing the injustice".

Happy Thanksgiving to those that are willing to stand up even if it means to stand alone.

Sheep will always be prey.

Semper Fidells

Steve Sanson

President of Veterans In Politics International

👍 Like

💬 Comment

➦ Share

👤 31

Chronological ▾

1 Share



Sabrina Autry 🌐🌐

Like · Reply · November 23 at 12:44am



Write a comment...



Press Enter to post.

RA000658





### WAR declared on Clark County Nevada Family Court System

November 26 at 10:35pm · 🌐

(VIPI) Veterans In Politics International, Inc. has filed a judicial complaint with the Nevada Commission on Judicial Discipline on the case of McDonald vs. McDonald against family Court Judge Linda Marquis, this will be the 6th Family Court Judge that a complaint has been filed by VIPI.

👍 Like

💬 Comment

➦ Share



Chronological ▾



Tom Carr Can we see the complaint?

Like · Reply · November 27 at 11:53am



Write a comment...



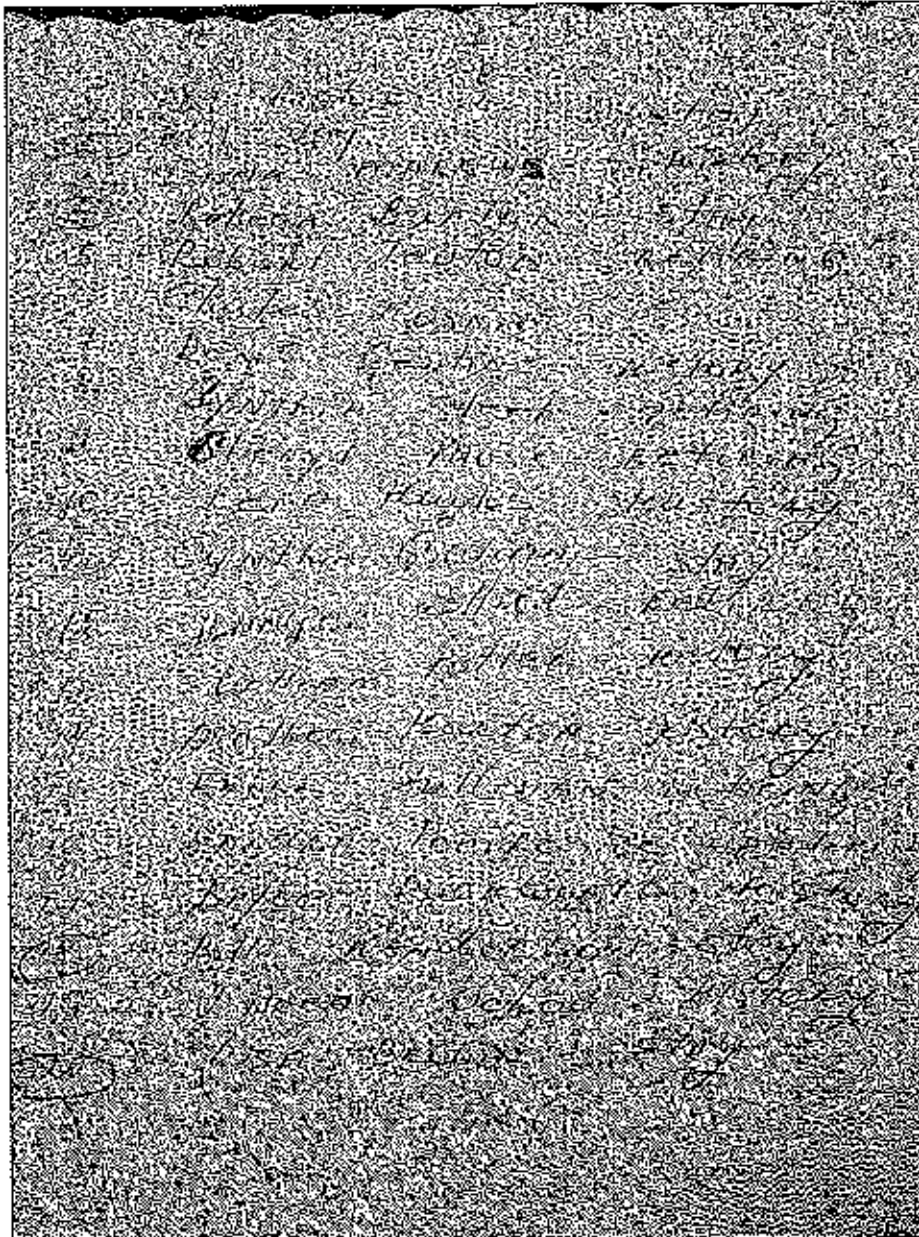
Like Follow Share ...



WAR declared on Clark County Nevada Family Court System  
Is with Steve Sanson and Steve Sanson.

November 28 at 12:55pm · @

Clark County Family Court Judge retention prediction from now until  
November 2020.



Like Comment Share

28

Chronological ▾

RA000660

**From:** Veterans In Politics International Inc. <devildog1285@cs.com>  
**Sent:** Tuesday, August 29, 2017 12:53 AM  
**To:** BKL Group  
**Subject:** Mom Loses Legal Custody and Primary Physical Custody of Daughter -- Over a Bad Attitude!

Having trouble viewing this email? [Click here www.veteransinpolitics.org](http://www.veteransinpolitics.org)

Hi, just a reminder that you're receiving this email because you have expressed an interest in Veterans In Politics International Inc.. Don't forget to add devildog1285@cs.com to your address book so we'll be sure to land in your inbox!

You may [unsubscribe](#) if you no longer wish to receive our emails.



**VETERANS  
IN POLITICS**

## **Mom Loses Legal Custody and Primary Physical Custody of Daughter -- Over a Bad Attitude!**

**Just the latest of Judge Rena Hughes'  
"Courtroom Greatest Hits."**



Clark County Nevada  
August 29, 2017

Sarah Gazala, a Special Education Life Functional Skills teacher for the Clark County School District, who teaches mentally and physically challenged students, recently lost legal custody of her six year old daughter, and was basically relegated to visitations every other weekend.

Why? Family Court Judge Rena Hughes found that Sarah had a bad attitude -- towards her ex-husband! No wonder newly divorced moms seem to be losing their kids in droves in Judge Hughes' courtroom! There was no finding of substance abuse, domestic violence, neglect, parental alienation, or any inability to parent whatsoever.

The parties were divorced in 2013 and per their divorce decree, each had joint physical and legal custody of their young daughter. Dad recently went back to court to get full legal custody and primary physical custody complaining that Mom didn't apprise him fast enough of certain doctor's visits, her parents' address, and the fact that she got remarried.

The Parent-Coordinator that Hughes appointed wrote a report to the Judge in September 2016 seeking to withdraw from the case because Mom, who earns about half of what Dad earns, could no longer afford to pay her retainer. In the report, she gave her opinion that mom was "arrogant," "overbearing," "difficult," "oppositional" and made a host of other similar subjective derogatory comments about Mom. Ironically, the report indicated that both Mom and Dad have strong personalities, and that "Mom is legitimate in her concern [about Dad], but her delivery of her concern is often accusatory and aggressive and prevents the possibility of negotiation." The Parent-Coordinator also testified at trial that "both as a single parent of an adult child and based on Mom's culture and beliefs and having already raised an adult child, it would be more difficult for Mom to change her parenting ways."

So what "culture" must one have in order to keep custody of a child? And what "parenting" ways is she referring to?

And just like that, Mom lost the right to have a say in major life decisions affecting her daughter including the right to have a say in major health issues and religious upbringing. Mom also lost the right to equal physical custody.

Moreover, the Clark County School District, Mom's own employer, recently banned Mom from volunteering in her daughter's class - apparently, volunteering during school hours is not part of Mom's

visitation rights!

To add insult to injury, Mom was ordered to pay Dad's attorneys' fees and costs for the privilege of losing her child, even though Dad earns about twice what Mom earns.

Where is the justice in all of this, and how is this in the best interests of the child? How is it in keeping with Mom's constitutional rights to have a say in the upbringing of her child?

How does this compare to cases in which a parent is guilty of abusing and neglecting a child and the parents still keep legal custody or are reunited after parenting classes?

It seems it takes more to lose a house or a car than it takes to lose a child in Judge Hughes' courtroom.

Remember this when you vote for judges in 2020 - we need judges who understand the importance of a child being raised by both parents, and not one who makes a major life decision for a child based on a subjective opinion of someone's attitude.

**CLICK HERE TO VIEW: FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION AND ORDER**

(Click onto each video)







**Rule 2.6. Ensuring the Right to Be Heard.**

(A) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.

Of the three days of trial, the opposing party, Odin Johnson (dad) and their witness, Mrs. Steinkamp testimonies were a third longer if not two thirds longer than Ms. Gazala testimony, which was rushed.

The last 3 hours of trial and witness how Judge Hughes is pushing for Ms. Gazala testimony to be rushed when her attorney disclosed an allotted amount of time and did not exceed it yet the opposing parties allotted amount of time far exceeded what they disclosed.

(B) A judge may encourage parties to a proceeding and their lawyers to settle matters in dispute but shall not act in a manner that coerces any party into settlement.

On July 21st 2016, Ms. Gazala requested the opposing party seek mediation. Ms. Gazala filed a form for Family Mediation Center and submitted it. Judge Hughes denied her request for mediation. Many attempts made by Ms. Gazala attorney for negotiations. Ms. Gazala efforts for resolution were denied multiple times. Judge Hughes then states in her final decision that Ms. Gazala is difficult to negotiate with.

which is contradicts what she was trying to achieve on many occasions. Judge Hughes did not objectively review all facts.

[1] The right to be heard is an essential component of a fair and impartial system of justice. Substantive rights of litigants can be protected only if procedures protecting the right to be heard are observed.

[2] The judge plays an important role in overseeing the settlement of disputes, but should be careful that efforts to further settlement do not undermine any party's right to be heard according to law. The judge should keep in mind the effect that the judge's participation in settlement discussions may have, not only on the judge's own views of the case, but also on the perceptions of the lawyers and the parties if the case remains with the judge after settlement efforts are unsuccessful. Among the factors that a judge should consider when deciding upon an appropriate settlement practice for a case are whether: (1) the parties have requested or voluntarily consented to a certain level of participation by the judge in settlement discussions, (2) the parties and their counsel are relatively sophisticated in legal matters, (3) the case will be tried by the judge or a jury, (4) the parties participate with their counsel in settlement discussions, (5) any parties are unrepresented by counsel, and (6) the matter is civil or criminal.

[3] Judges must be mindful of the effect settlement discussions can have, not only on their objectivity and impartiality, but also on the appearance of their objectivity and impartiality. Despite a judge's best efforts, there may be instances when information obtained during settlement discussions could influence a judge's decision making during trial, and, in such instances, the judge should consider whether disqualification may be appropriate. See Rule 2.11(A) (1).

---





**Rule 2.2. Impartiality and Fairness.**

A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.

[1] To ensure impartiality and fairness to all parties, a judge must be objective and open-minded.

One hour and thirty minutes into the first day of trial, Judge Hughes and Katy Steinkamp, Parenting Coordinator also a Marriage and Family Therapist, labeled Ms. Gazala as narcissist. These are biased opinions and not based on any facts. Judge Hughes was not objective nor open minded in this case. This set the stage for the next two days of trial. This is an abuse of power. Ms. Gazala Fifth Amendment rights were already challenged.

**Rule 2.3. Bias, Prejudice, and Harassment.**

(B) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so.

On the first day of trial one hour and thirty minutes in. The discussion was about Ms. Gazala cultural and religious background and Judge Hughes asked Mrs. Steinkamp, PC, to "take it outside of child custody situation"... First of all you can't separate the mother from her cultural, religious beliefs, and secondly you can't remove the mother from a child custody situation, this is why we are in court. This discrimination and prejudice of Ms. Gazala culture, beliefs, religion and sex, due to being able produce children, all of which should be taken into consideration of who she is when determining a child custody matter. A label and bias was subjected upon Ms. Gazala unfairly. Judge Hughes should have recused herself at that instant. Ms. Gazala legal rights as a mother have been stripped from her due to opinions.

(C) A judge shall require lawyers in proceedings before the court to refrain from manifesting bias or prejudice, or engaging in harassment, based upon attributes including, but not limited to, race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, against parties, witnesses, lawyers, or others.

[1] A judge who manifests bias or prejudice in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute.

[2] Examples of manifestations of bias or prejudice include but are not limited to epithets; slurs; demeaning nicknames; negative stereotyping; attempted humor based upon stereotypes; threatening, intimidating, or hostile acts; suggestions of connections between race, ethnicity, or nationality and crime; and irrelevant references to personal characteristics. Even facial expressions and body language can convey to parties and lawyers in the proceeding, jurors, the media, and others an appearance of bias or prejudice. A judge must avoid conduct that may reasonably be perceived as prejudiced or biased.

[3] Harassment, as referred to in paragraphs (B) and (C), is verbal or physical conduct that denigrates or shows hostility or aversion toward a person on bases such as race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation.

[4] Sexual harassment includes but is not limited to sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwelcome.

To all the mothers who have lost their children to this corrupt judge. Please help provide us with a fair and just ruling with another judge who is objective and compassionate.



**Rule 2.5. Competence, Diligence, and Cooperation.**

(A) A judge shall perform judicial and administrative duties competently and diligently.

[1] Competence in the performance of judicial duties requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary to perform a judge's responsibilities of judicial office.

[2] A judge should seek the necessary docket time, court staff, expertise, and resources to discharge all adjudicative and administrative responsibilities.

[3] Prompt disposition of the court's business requires a judge to devote adequate time to judicial duties, to be punctual in attending court and expeditious in determining matters under submission, and to take reasonable measures to ensure that court officials, litigants, and their lawyers cooperate with the judge to that end.

[4] In disposing of matters promptly and efficiently, a judge must demonstrate due regard for the rights of parties to be heard and to have issues resolved without unnecessary cost or delay. A judge should monitor and supervise cases in ways that reduce or eliminate dilatory practices, avoidable delays, and unnecessary costs.

The entire trial was riddled with bias and the Judge's Final Decision is a mirror of that bias. Ms. Gazala have been a public servant to the County for over 13 years, teaching children since age 17. She have a 23 year old whom she has raised. She have no convictions or criminal records. She have more legal rights with the children she teach (whose parents respect and trust her with their child/ren more than her ex-husband does with their daughter) and yet she was stripped of her motherly rights (legal custody of her daughter) and treated worse and have less rights than a parent with a serious conviction.

Judge Hughes is to represent the highest level of ethical conduct and to uphold the law in a fair, just and objective manner. Her character in court during those 3 days of trial was unprofessional, disturbing and abuse of power to say the least. Using the Parenting Coordinator (PC), who according the PC Master Handbook, to decide who is the better parent, is providing a "custodial evaluation" which the PC has no right to do according to code 6.0 The Parenting Coordinator Limitations, 6.1. The PC will not play the role of a "custody evaluator". And yet Judge Hughes requested the PC provide custodial evaluation in the courtroom, which is also an abuse of power.

The Judge accepted hearsay instead of considering facts, accusing Ms. Gazala in her final decision of being pulled over by a police officer and refusing to give the officer

her ID. If the Judge had done her job correctly, by thoroughly reviewing all the facts she would have found that Ms. Gazala and her daughter were in a car accident and not pulled over by an officer.

Again, Judge Hughes has difficulty reviewing all the facts thoroughly, impartially, and objectively.

Even though the judge should not have used the PC for Custodial Evaluations purposes, the Parenting coordinators final testimony was that; with counseling from both parents, there is no reason why 50/50 custody should not continue. Judge Hughes did not take the PC's final testimony into consideration for her final decision yet instead used other bias remarks (taking the mother and her culture, religion and beliefs out the child custody situation) from the PC to form her biased judgement.

Judge Hughes used the PC's statement that dad has a special relationship with his daughter. What exactly are these assumptions based on? Ms. Gazala was clearly discriminated against and only one side is considered. Ms. Gazala relationship with her daughter is just as special as dad's, but these facts were not considered. Judge Hughes would not have concluded that only dad has a special relationship had she reviewed all the facts thoroughly and objectively.

Judge Hughes has done a poor job at objectively going through all the facts of this case. She formed biased opinions long ago and it showed clearly on video during the 3 days of trial hearings and in her Final Decision. Again, Judge Hughes set the stage for trial with her bias and inability to objectively review ALL facts and testimonies fairly, my testimony being a partial one.

**[REDACTED]**



### **Rule 2.1. Giving Precedence to the Duties of Judicial Office.**

The duties of judicial office, as prescribed by law, shall take precedence over all of a judge's personal and extrajudicial activities.

The last day of trial occurred on March 20th 2017. Considering Judge Hughes already forged a bias against Ms. Gazala the first day of trial on January 9th 2017, the judge then waits until July 24th 2017 to provide a final judgement which granted her ex-husband (dad) sole custody of their daughter. Waiting several months to provide a final decision was not necessary when Judge Hughes's decision was already made when she forged her bias on day one,

Judge Hughes takes long periods of time to make decisions in her cases. There are people's lives on hold waiting for Judge Hughes to get back to them in a timely manner.

[1] To ensure that judges are available to fulfill their judicial duties, judges must conduct their personal and extrajudicial activities to minimize the risk of conflicts that would result in frequent disqualification. See Canon 3.

[2] Although it is not a duty of judicial office unless prescribed by law, judges are encouraged to participate in activities that promote public understanding of and

confidence in the justice system.

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---

**From:** Veterans In Politics International Inc. <devildog1285@cs.com>  
**Sent:** Saturday, December 02, 2017 3:31 PM  
**To:** JVA Group  
**Subject:** Al Kramer & Stavros Anthony & Jason Brooks to appear on the Veterans In Politics video Talk-show

Having trouble viewing this email? [Click here www.veteransinpolitics.org](http://www.veteransinpolitics.org)

Hi, just a reminder that you're receiving this email because you have expressed an interest in Veterans In Politics International Inc.. Don't forget to add devildog1285@cs.com to your address book so we'll be sure to land in your inbox!

You may [unsubscribe](#) if you no longer wish to receive our emails.



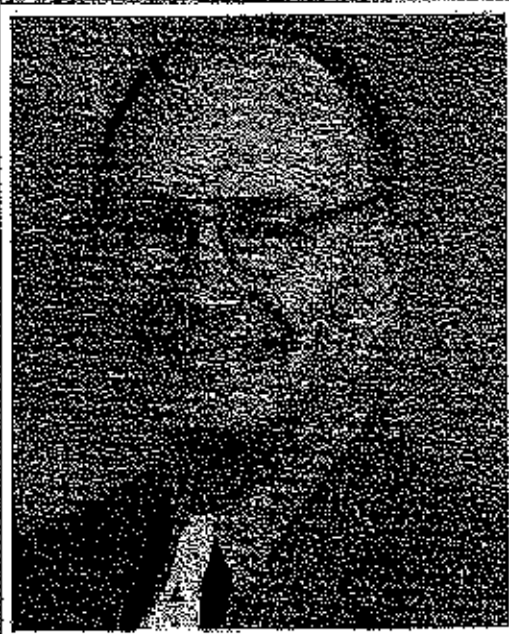
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Jason Brooks  
to appear on the Veterans In  
Politics  
video talk-show**

**Call into the show (702) 838-0696**







Al Kramer Nevada State  
Assemblyman District 40



Stavros Anthony Las  
Vegas City  
Councilman/candidate  
for Nevada's 4th  
Congressional District



Jason Brooks Administrator and  
Recruiter for Counter Terrorism  
Training



Our New Co-Host  
Lena Ocasio

**Veterans In Politics** proudly announces **Al Kramer** Nevada State Assemblyman District 40 and **Stavros Anthony** Las Vegas City Councilman/candidate for Nevada's 4<sup>th</sup> Congressional District and **Jason Brooks** Administrator and Recruiter for Counter Terrorism Training, all will appear as a special guests on the Veterans In Politics internet video talk-show **Saturday December 9, 2017**.

**FIND OUT MORE**

Listen to  
the Veterans In  
Politics  
Talk-Show every  
Saturday from  
14:00-15:00  
(2:00pm-3:00pm  
PT) on World  
Wide Digital  
Broadcasting  
Corp.



The **VIP Talk-Show** is a trusted source of information. For more than a decade, Steve Sanson, Jim Jonas and co-hosts Lena Ocasio, Mantis Toboggan and guest co-host Christina Ortiz have informed the listeners about important local and national issues. Not only do they discuss major national issues but they also bring public's attention to multiple local issues affecting our community that other news sources choose to ignore. Past guests are politicians, candidates running for public office, organization leaders, published authors, business owners and citizens. **VIP's** involvement in local affairs has led to investigations of multiple government agencies and corrupt individuals. **VIP** received special recognition and multiple awards from government officials and non-profit organizations.

If you would like to be a guest on our show, please call or e-mail us.

Contact Us at 702.283.8088



We need leaders  
not in love  
with money  
but in love  
with justice  
Not in love  
with publicity  
but in love  
with the truth



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ST. JUDE'S HANCO  
FOR CHILDREN

December  
2nd & 3rd  
WAL-MART  
HUGO W. TRONCETTI'S HANCO

9th & 10th  
WAL-MART  
6071 W. BLANCK RD. HUGO

help us, Sun - 4pm

FILL THE BUS



We are proud to announce that  
our website [familycourtwar.com](http://familycourtwar.com)  
is now live.

## Litigants Corner

### How to Stop Court Crimes



### Impeach Family Court Judge Rena Hughes



**CLICK HERE TO SIGN THE PETITION: Impeach Family Court Judge Rena Hughes**

---

**Another Appeal Filed Against Family Court Judge Rena Hughes**



**CLICK HERE TO VIEW the appeal:**

**Clark County Family Court Judge; retention, prediction from NOW  
until November 2020 elections;**

---

1	Art Kitcher	stay
2	Bill Joy	stay
3	Linda Mink	history
4	Rebecca Burton	stay
5	Robert Tanton	retiring
6	Charles Moskine	?
7	Deane Gentile	history
8	Cynthia Steel	retiring
9	Cheryl Moss	retiring
10	Leann Hughes	history
11	Cynthia Giuliani	stay
12	Jennifer Elliot	retiring
13	William Potter	history
14	Matthew Hunter	history
15	Leann Sullivan	retiring
16	Shirley Tomlinson	retiring
17	Deane Puckworth	history
18	B.N. Henderson	stay
19	Vincent Ochoa	history
20	Les Brown	stay

List subject to change as we move forward:

## Opinion Corner

Prominent Las Vegas attorney Cal Potter dies at 64



[CLICK HERE TO VIEW Las Vegas Review Journal Article:](#)

**ATTENTION ANYONE THAT IS THINKING ABOUT A DIVORCE  
DON'T LET A JUDGE DECIDE!**

If you are considering a divorce, custody and property division, no matter how angry you are at the mother or father of your children, your husband or wife. Get yourself a paralegal and work together on an agreed upon arrangement. Then file it with family court and get it resolved this way.

Doing this will save you money, time, aggravation and stress. Putting you in charge of your life and your children's lives' instead of leaving this up to a Family Court Judge that will destroy and bankrupt you for years to come.

I promise you this is not a JOKE.

I have experienced families in the courtroom that have been horrified from one judge to another from one attorney to another. Don't place yourself and your family through this horror.

---





Steve Sanson  
President of Veterans In Politics International  
702 283 8088  
[Vipipresident@cs.com](mailto:Vipipresident@cs.com)

### Veterans In Politics Valentine's Day Ball Event



[Click here to get your tickets NOW!](#)

### War Declared On the Clark County Family Court System

Nevada's Secret Court's

---

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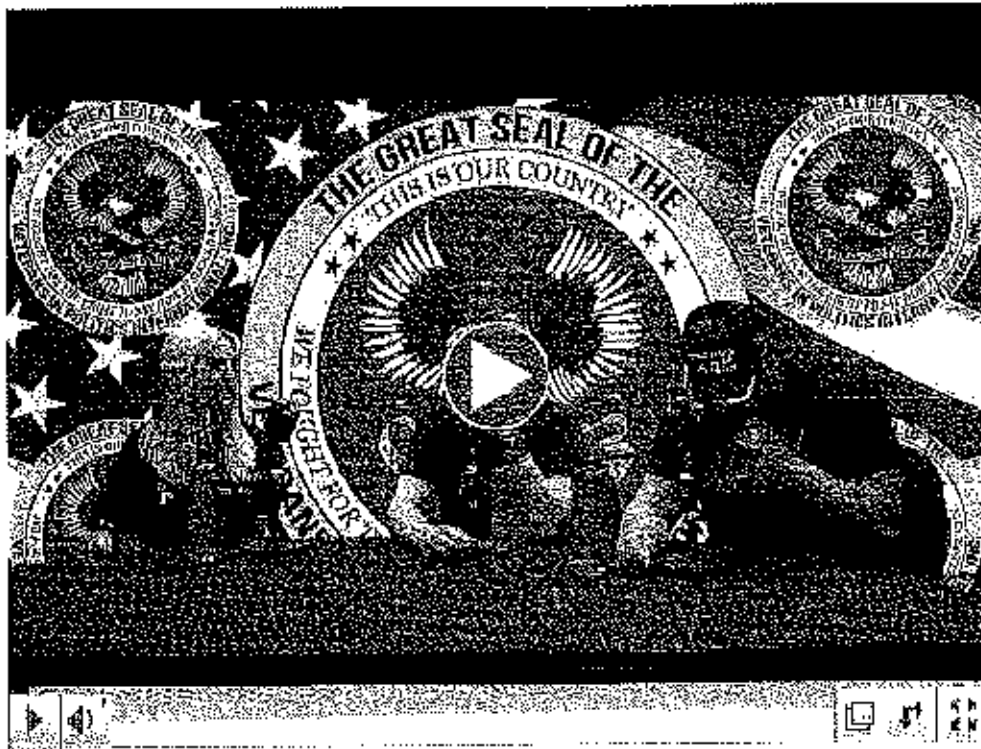
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## Judges' ties with Sanson have courts in tight spot



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By Jane Ann Morrison Las Vegas Review-Journal  
January 20, 2018 • 11:19 pm



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Internet radio show host, self-proclaimed veterans advocate and judicial endorser Steve Sanson is in a legal no man's land.

Sanson's years of providing District Court judges with free advertising — and judges foolishly appearing on his show and pursuing his political support — are now working against him.

Local judges don't want to hear a defamation lawsuit filed against the social media and email bomb thrower.

Seven District Court judges have recused themselves from his defamation case. Elissa Cadish, Jim Crockett, David Jones and Valerie Adair were the first to say they wouldn't hear his case, some citing the Nevada Code of Judicial Ethics.

Judge Kerry Earley issued a minute order taking herself off the case "to avoid the appearance of impropriety and implied bias" because she knows Sanson.

Judge Adriana Escobar did the same, citing "a professional relationship" with Sanson during previous campaigns, including the endorsement of his organization, Veterans in Politics International.

One judge, Mark Bailus, a newbie who was appointed to the bench in May 2017, showed incredibly poor judgment. Bailus appeared on Sanson's show even though he was hearing the defamation case Las Vegas attorney Marshal Willick filed against Sanson a year ago.

When Sanson's case was assigned to him, he initially insisted he would not be biased. Later he conceded he should take himself off the case, so Chief Judge Elizabeth Gonzalez did it for him.

Willick alleged that Sanson and Veterans in Politics International have a "continuing campaign of malicious, false and/or misleading statements regarding (Willick's) reputation and business."

Willick wanted the case assigned to a senior judge who doesn't have to run for election and won't be intimidated by Sanson's antics. Sanson fought to keep Bailus on the defamation case. It's clear now that Sanson won't be able to leverage his relationships with judges to obtain favorable treatment in court.

Veterans in Politics, which many years ago was a nonprofit, is now Veterans in Politics International, a for-profit organization because of its political activism. Sanson is president.

Because it's no longer a nonprofit, it doesn't have to file documents that report income and how revenues are spent. It's Sanson's business, and he describes himself as "president and owner." He says on his website it's a 100 percent all-volunteer operation.

But how many people who donate to Veterans in Politics International realize it's no longer a nonprofit and hasn't been for about six years? How many voters realize that Sanson's endorsements are, in fact, a business plan?

RA000694

There's a lot of smoke surrounding Sanson, whose big fundraiser is Feb. 10, a Valentine's Day event at the Plaza. Expect some judges to be in attendance.

Folks paying \$125 each or \$1,000 for a table for eight need to know they can't deduct it on their taxes. Don't be fooled by his website, veteransinpolitics.org (<https://veteransinpolitics.org/>). A dot-org URL can be used by for-profit entities, but the public typically does not make that association. Don't expect Sanson to change the domain name to a dot-com to better reflect that he's operating a business.

Sanson is a friend to some elected officials and a foe to others. He sees himself as a political power player. Plenty of veterans and political figures see him as a poser.

He cozies up to politicians, claiming that his endorsements are powerful in the veterans community. He can be a vicious enemy as well, filing multiple complaints against judges who ignore him and won't go on his show. He bashes some judges and endorses others on his radio show.

In August, Family Court Judge Bryce Duckworth accused Sanson of trying to intimidate him and took himself off a divorce and child custody case (<https://www.reviewjournal.com/local/local-las-vegas/family-court-judge-accuses-agitator-steve-sanson-of-intimidation/>) after Sanson, who was not a party in the matter, tried to contact him directly about the case.

Duckworth made a finding I agree with 100 percent: "Notwithstanding his self-proclaimed faux cover of seeking to 'expose injustice and corruption,' Mr. Sanson's sole motivation for communicating with this Court was to intimidate and harass the Court."

Sanson is riding on the backs of veterans to give himself a political profile. In September, I wrote about his four failures to become an elected official himself (<https://www.reviewjournal.com/news/news-columns/jane-ann-morrison/sansons-latest-complaint-like-him-a-political-loser/>).

Several people have said Sanson needs to be investigated, including Duckworth. You'd think his request would have some clout with the proper agency.

At least two other men have also asked government officials to investigate Sanson. Mark DiCiero, a former longtime local morning radio personality, and attorney Stephen Stubbs have urged scrutiny of Sanson.

The attorney general's office said that per office policy, it could neither confirm nor deny whether there is an investigation. The district attorney's office said officials there tried to contact DiCiero twice and received no calls back.

The real battle will be in civil court, once a judge can be found to take the defamation case. But Sanson may find that his attempts to warm up to local judges have backfired if all judges recuse themselves.

What an embarrassment for the judiciary.

Here's the kicker. On Thursday, DiCiero filed his own defamation lawsuit against Sanson and several others, citing comments posted on social media.

Who will take that case?

Jane Ann Morrison's column runs Sundays in the Nevada section. Contact her at [jane@reviewjournal.com](mailto:jane@reviewjournal.com) or 702-383-0275. Follow @janeannmorrison (<http://www.twitter.com/janeannmorrison>) on Twitter.

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*Steven D. Grerson*

1  
2 ORDR

3  
4 DISTRICT COURT  
5  
6 CLARK COUNTY, NEVADA

7 IRINA ANSELL,

8 Plaintiff,

9 v.

10 DOUGLAS ANSELL,

11 Defendant.

CASE NO. D-15-521960-D  
DEPT NO. Q

Date of Hearing: August 30, 2017  
Time of Hearing: 2:00 p.m.

12  
13  
14 ORDER OF RECUSAL

15 This matter came on for a hearing before this Court on August 30, 2017. The  
16 matters before the Court included:

- 17  
18 (1) Non-Party, Veterans In Politics International, Inc. and Steve Sanson's  
19 Motion to Quash Subpoena Served on Verizon Wireless (Jul.26, 2017);  
20  
21 (2) Non-Parties Steve Sanson, Veterans In Politics International, Inc., and  
22 Sanson Corporation's Motion to Quash Subpoena Duces Tecum and  
23 Deposition Subpoena Served on Steve Sanson on July 22, 2017 (Aug. 4,  
24 2017); and  
25  
26 (3) This Court's Amended Notice of Rescheduling of Hearing and Setting  
27 Calendar Call (Aug. 28, 2017).

28 Associated motions and papers were considered and reviewed by the Court,  
including requests for attorney's fees and Plaintiff's Motion to Compel (Aug. 10,  
2017). The discovery issues previously were assigned to be heard by the Discovery  
Commissioner on August 20, 2017. The Discovery Commissioner, however, recused

BRYCE C. DUCKWORTH  
DISTRICT JUDGE

FAMILY DIVISION, DEPT. Q  
LAS VEGAS, NEVADA 89101

PA000608

Case Number: D-15-521960-D



1  
2 and the matter was placed on this Court's calendar on the above-referenced date.  
3 Plaintiff did not appear personally, but was represented by her attorney, Marshal  
4 Willick, Esq. Defendant did not appear personally, but was represented by his  
5 attorney, John Jones, Esq. Steve Sanson appeared personally and with his attorney,  
6 Anat Levy, Esq.  
7

8 As previously noted, this Court reviewed a multitude of papers filed by and on  
9 behalf of Plaintiff and Mr. Sanson or Veterans In Politics International (hereinafter  
10 referred to individually and collectively as "Mr. Sanson") in preparation for the hearing.  
11 This Court's preparation included review of the Omnibus Supplemental Declaration  
12 of Steve Sanson in Support of: Motions to Quash Subpoenas Duces Tecum Served on  
13 Verizon Wireless and Steve Sanson and Deposition Subpoena Served on Steve on July  
14 22, 2017; Motion for Attorneys Fees (Aug. 22, 2017) (hereinafter referred to as Mr.  
15 Sanson's "Sworn Declaration"). Therein, Mr. Sanson described his off-the-record  
16 communications with this Court about this matter. Upon reviewing Mr. Sanson's  
17 Sworn Declaration, this Court determined that it should recuse from any further  
18 proceedings in this matter. This determination is based on the findings stated on the  
19 record at the August 30, 2017 hearing and additional findings stated herein.  
20  
21

22 It is undisputed that Defendant designated Mr. Sanson as a witness. Moreover,  
23 although Mr. Jones argued it was unlikely, Defendant could not definitively rule out  
24 the possibility that Mr. Sanson might be called as a witness in future proceedings. It  
25 also is undisputed that Mr. Sanson made specific reference to this case in a  
26 communication directed at this Court off the record. In fact, this Court scheduled an  
27  
28

1  
2 immediate hearing in May 2017 to address Mr. Sanson's ex-parte communication with  
3 the Court.<sup>1</sup> Mr. Sanson's filing of his Sworn Declaration, however, was the first  
4 instance in which this Court became aware that Mr. Sanson had stated in writing the  
5 nature of his communications with the Court.  
6

7 This Court noted that it was unaware of any legal authority that would excuse  
8 someone from a deposition who had been designated as a witness in the matter. This  
9 Court also noted its concern that the Subpoena Duces Tecum served on Mr. Sanson  
10 was overbroad and should be narrowed significantly. Because, however, this Court  
11 recognized the conflict created by Mr. Sanson's Sworn Declaration, the Court did not  
12 rule on the discovery motions and determined that the Court's recusal from this matter  
13 was appropriate.  
14  
15

16 In Mr. Sanson's Sworn Declaration, he acknowledged that he asked the  
17 Court off the record: "Why do you allow Marshal Willick to get away with so much  
18  
19 ...  
20 ...  
21 ...  
22 ...  
23  
24

25 <sup>1</sup>At the May 17, 2017 hearing, this Court disclosed Mr. Sanson's communications with  
26 the Court. This Court also noted for the record the nature of the Court's relationship with Mr.  
27 Sanson in the past. This has included this Court's endorsement by Veterans in Politics as a  
28 candidate for office and his prior professional communications about general issues (including  
Mr. Sanson repeatedly stating that he believed this Court should serve as the presiding judge  
in the Family Division). At the time of the May 2017 communication, Mr. Sanson was aware  
that litigation before the Court should never be discussed. Thus, any communication about  
a specific case was completely unexpected.

BRYCE C. DUCKWORTH  
DISTRICT JUDGE

FAMILY DIVISION, DEPT. Q  
LAS VEGAS, NEVADA 09101

1  
2 crap in Doug Ansell's case?"<sup>2</sup> For sake of completeness, the text messages and  
3 telephone communication between Mr. Sanson and the Court took place as follows:

- 4       • On May 11, 2017 at 8:20 p.m., Mr. Sanson texted: "Judge I need to  
5       speak to you."
- 6       • On May 12, 2017 at 6:52 a.m., the Court texted Mr. Sanson: "What do  
7       you need to talk about?"
- 8       • On May 12, 2017 at 9:29 a.m., Mr. Sanson responded with: "Call me at  
9       your convenience or we can grab a cup of tea."
- 10      • The Court called Mr. Sanson on May 13, 2017. After prefatory remarks  
11      that included Mr. Sanson declaring that this Court should be the  
12      presiding judge in the family division, Mr. Sanson, without prompting,  
13      asked: "Why do you allow Marshal Willick to get away with so much  
14      "crap" in Doug Ansell's case?"

15       <sup>2</sup>On a number of occasions, this Court has lamented that *both* parties have engaged in,  
16      to borrow Mr. Sanson's term, "crap" during this case. This Court repeatedly has chastised both  
17      sides for their practice of hyperbole and exaggeration. Mr. Willick has almost incessantly  
18      argued that this Court has allowed Defendant (Mr. Ansell) to get away with "crap" without  
19      repercussion. Both Mr. Willick and Mr. Jones are adept at selectively handpicking those areas  
20      of perceived wrongdoing of the other side and advocating through their myopic lenses. On Mr.  
21      Jones' part, this was exemplified during the August 30, 2017 hearing through his argument that  
22      the Court had given Plaintiff a "free pass" with respect to her alleged violation of the Order to  
23      Seal Records (Oct. 16, 2015) (hereinafter referred to as the "Sealing Order"). The Sealing  
24      Order drafted and submitted by Defendant (Mr. Ansell), ordered that "all papers, records,  
25      proceedings and evidence, including exhibits and transcripts of testimony in the above-entitled  
26      matter, be, and the same hereby are, sealed and shall not be opened to inspection except by the  
27      parties and their attorneys, or when required as evidence in another action or proceeding."  
28      (Emphasis added). Mr. Jones' argument in Court notwithstanding, this matter was adjudicated  
by the Court. See Order (Aug. 30, 2016). Thus, the Sealing Order drafted and submitted by  
Defendant (Mr. Ansell), did not prohibit the conduct about which Defendant complained. NRS  
125.110 provides that the papers sealed "shall not be open to inspection to the parties  
and their attorneys." The Sealing Order prepared by Defendant changed the statutory language  
and provided that the papers sealed "shall not be opened to inspection by the parties  
and their attorneys." Recognizing the error of his own drafting, Defendant (Mr. Ansell)  
submitted a second Order to Seal Records (Nov. 23, 2016). Mr. Jones knew these facts when  
he lambasted the Court during the August 30, 2017 hearing for purportedly allowing Plaintiff  
to violate a Sealing Order that did not proscribe the alleged conduct. Apart from these  
examples of "crap," the Court has endured "crap" from *both* parties throughout this litigation.

BRYCE C. DUCKWORTH  
DISTRICT JUDGE

FAMILY DIVISION, DEPT. Q  
LAS VEGAS, NEVADA 89101

1  
2 • After immediately terminating the call, this Court texted Mr. Sanson as  
3 follows: "Please do not ever talk to me again about a pending case before  
4 me. I hold you in higher esteem than that. I'm sorry to end the call so  
5 abruptly. My integrity means too much to me than to be influenced by  
6 others outside of the courtroom and it shakes the very core of our system  
7 when anyone communicates with a judicial officer in this fashion. It  
8 simply cannot happen. I know that you know that and I have always  
9 trusted your judgment in that regard."

10 • Mr. Sanson's immediate text response reads: "You asked me a question  
11 because of our relationship I gave you my honest answer, so you can  
12 understand what direction we are headed."

13 This Court scheduled a hearing immediately (heard on May 17, 2017) to  
14 disclose the improper communication. Based on Mr. Sanson's testimony on August  
15 30, 2017, he admitted that his communication with the Court was not intended to  
16 relay specific factual information about the Ansell case. When offered the opportunity  
17 to provide specific examples of "crap" perpetrated by Mr. Willick (such as a  
18 miscalculation by Mr. Willick, a fabricated fact, or some other specific example of  
19 "crap"), Mr. Sanson had nothing specific. As such, *the only purpose of his*  
20 *communication with the Court was to influence and intimidate the Court through a*  
21 *corrupt communication outside of court.*

22 Mr. Sanson could have limited his communication with the Court to a *general*  
23 accusation that Mr. Willick "gets away with crap," and left it at that.<sup>3</sup> If Mr. Sanson's  
24 sole motivation was merely to attack Mr. Willick *in general* and not to influence the  
25

26 <sup>3</sup>Based on the papers filed herein, this Court is aware that litigation is pending between  
27 Mr. Willick and Mr. Sanson. This Court's familiarity with this civil matter is limited to the  
28 disclosures contained in the papers filed in the Ansell matter. The animosity resulting from  
this civil litigation is palpable. Nevertheless, this animosity is not an excuse to attempt to  
manipulate and intimidate this Court - *particularly in regards to a specific case.*

1  
2 Court about a specific case, he could have done so. Although such communication  
3 remains improper, it is more egregious that Mr. Sanson *knowingly and intentionally*  
4 *identified Doug Ansell's case*. It also is significant that Mr. Sanson's response was not  
5 to offer an apology, or to assure the Court that he would refrain from doing so again.  
6 Even at the August 30, 2017 hearing, Mr. Sanson remained unapologetic. In fact, his  
7 demeanor and conduct was defiant, even lashing out at Mr. Willick to the point of  
8 being admonished by the Court. Instead of apologizing to the Court, his follow-up  
9 communication was a veiled threat to the Court. This threat by Mr. Sanson, as stated  
10 by Mr. Sanson and interpreted by the Court, was to harass the Court and to hurl  
11 baseless and defamatory accusations about the Court.  
12

13  
14 Mr. Sanson argues that his organization "exposes public corruption and  
15 injustices." Further, despite the fact that Mr. Ansell designated Mr. Sanson as *his*  
16 witness, Mr. Sanson states with emphasis that neither he nor VIPI "*have anything to do*  
17 *with this case*." To reiterate for the record, Mr. Sanson intentionally interjected himself  
18 into this matter by communicating with the Court in reference to this specific case.  
19 Plaintiff understandably and justifiably has sought to determine the full extent of such  
20 off-the-record communications. To be clear, however, Mr. Sanson's involvement in this  
21 matter is not about exposing "injustice" or corruption. Mr. Sanson acknowledged that  
22 he had never met Plaintiff and proclaimed that he meant her no "ill will." Indeed, Mr.  
23 Sanson appeared to be unaware that Defendant (Doug Ansell) was the prevailing party  
24 with respect to the child custody issues in this case – an issue that is of the highest  
25 significance in *most* cases.  
26  
27  
28

1  
2 As noted previously, when given the opportunity at the August 30, 2017 hearing  
3 to explain the "crap" that was occurring in the Ansell matter, Mr. Sanson was unable  
4 to identify any singular fact. As such, notwithstanding his self-proclaimed faux cover  
5 of seeking to "expose injustice and corruption," Mr. Sanson's sole motivation for  
6 communicating with this Court was to intimidate and harass the Court. Mr. Sanson  
7 proudly proclaims that he has "declared war" on the Family Court. There is no doubt  
8 that the courts are under attack and that the entire judiciary of this great State of  
9 Nevada is on notice that, behind that false banner of "justice and corruption" is an  
10 individual and group who seek to manipulate, intimidate and control. The arsenal of  
11 weapons that Mr. Sanson utilizes include attempts to manipulate, intimidate and  
12 control the judicial process through off-the-record communications. This case has  
13 exposed the reality of his tactics.

14  
15  
16  
17 Rather than apologize for his unethical and corrupt conduct, *Mr. Sanson has the*  
18 *audacity to blame this Court for his improper communication.* Specifically, Mr. Sanson  
19 alleges under oath in his Sworn Declaration that his off-the-record *question* to the Court  
20 was somehow an answer to a same-day related conversation. The timing of this entire  
21 narrative offered by Mr. Sanson is significant as it belies Mr. Sanson's story. Mr.  
22 Sanson alleges in his Sworn Declaration that his originating text message took place on  
23 the *same day* as a conversation with the Court in the courtroom (i.e., May 11, 2017).  
24 To this end, Mr. Sanson's narrative suggests that his text message was intended merely  
25 to follow-up on a conversation earlier that same day. Mr. Sanson's narrative, however,  
26 is a *factual impossibility*. In this regard, May 11, 2017 was this Court's Chamber  
27  
28

1  
2 Calendar day. No hearings were scheduled in Department Q on May 11, 2017. There  
3 was no conversation on May 11, 2017 as Mr. Sanson has alleged.<sup>4</sup> Regardless, even if  
4 Mr. Sanson's sworn recitation of facts is believed, his communication with the Court  
5 *remains improper.*

7 What should be frightening to this Court (and members of the Nevada judiciary  
8 in general), is that Mr. Sanson refused to acknowledge at the August 30, 2017 hearing  
9 that his communication with the Court about a pending case was inappropriate.  
10 Specifically, Mr. Sanson, through his counsel, suggested it was the Court's fault based  
11 on the earlier conversation cited above. This Court reiterates that it is inappropriate  
12 to communicate with a judicial officer off the record about a pending case – *at any*  
13 *time and under any circumstances.* Mr. Sanson's attempts to deflect blame to the  
14 Court are appalling.

17 This Court's abrupt termination of the telephone call and immediate text to Mr.  
18 Sanson that his communication was inappropriate was not Mr. Sanson's desired  
19 response or reaction from the Court. It is now obvious that Mr. Sanson was looking  
20 for a response from the Court more along the lines of: "I'm so sorry Mr. Sanson, I'll  
21 make sure that Mr. Willick doesn't get his way," or, "I'm so sorry Mr. Sanson, I'll make  
22 sure Mr. Ansell comes out on top," or even, "message received Mr. Sanson." *Is there*  
23  
24  
25

26 "This is not simply a matter of "oops, I got the date wrong." Any change to the date  
27 changes the entire narrative and creates a logical disconnection in time. This Court's staff  
28 checked the videotape of the hearings in all cases held in Department Q on the preceding  
Monday, Tuesday, and Wednesday of that same week and was unable to find Mr. Sanson in  
the gallery at the beginning or conclusion of any case.

1  
2 *anything more corrupt than the influence Mr. Sanson sought to exert over the Court?*

3 And he proclaims that he seeks to expose corruption? Because this Court called him  
4 out on the inappropriateness of his communication and refused to kowtow and cower  
5 to his manipulation and control, Mr. Sanson predictably let the Court know that his  
6 wrath was coming out against the Court. This type of threat to any judicial officer  
7 strikes at the very core of the integrity of the judicial process. Moreover, such  
8 threatening behavior is an attempt to manipulate and control judicial officers if they  
9 do not succumb to Mr. Sanson's desired result.  
10  
11

12 Mr. Jones argued that there is no evidence that Defendant had anything to do  
13 with Mr. Sanson's communication with the Court or that he put Mr. Sanson "up to it."  
14 Mr. Jones is correct that there was no testimony offered that indicates that Defendant  
15 is responsible for Mr. Sanson's behavior. Defendant did not appear at the hearing to  
16 offer his version of events. Although this Court is unable to attribute Mr. Sanson's  
17 actions to Defendant directly, this Court notes that Mr. Sanson's communication with  
18 the Court was not the first, nor the second, occasion in which the Court has received  
19 outside communications about Defendant.<sup>5</sup>  
20  
21

22  
23 <sup>5</sup>This Court previously disclosed at a prior hearing that an individual recently employed  
24 by Defendant was this Court's direct ecclesiastical leader (Kurt Teshima). This Court disclosed  
25 to the parties that the Court holds Mr. Teshima in high esteem. These disclosures were made  
26 for full transparency in the event that either party desired that the Court recuse from the  
27 matter. Mr. Willick offered (as an offer of proof) at the August 30, 2017 hearing that  
28 Defendant, *together with Mr. Sanson*, had a breakfast meeting with Mr. Teshima. As an  
additional offer of proof, when Defendant and Mr. Sanson attempted to discuss the divorce,  
Mr. Teshima redirected the conversation to business matters. This Court is not surprised by  
this redirection by Mr. Teshima and emphasizes that at no time has Mr. Teshima *ever* discussed  
this matter with the Court. This Court has never felt any pressure or attempts to influence the  
path of this case from Mr. Teshima.



1  
2 This Court recognizes the judicial duty to sit. Mr. Sanson's Sworn Declaration  
3 filed on August 22, 2017, however, creates a conflict for the Court. Moreover, it has  
4 become evident based on the history of this matter that any decision by this Court that  
5 favors Defendant in any manner is perceived by Plaintiff as being influenced by  
6 something that has happened outside of this courtroom. Similarly, Defendant may  
7 have the perception that, because this Court has declared its disgust and disdain for  
8 outside efforts to influence this matter, the Court is somehow overcompensating to  
9 counter Plaintiff's perception. These perceptions (although untrue on both accounts)  
10 are unfair to both parties. Accordingly, it is appropriate that this Court recuse from  
11 this matter.  
12  
13

14 Finally, because there have been outside attempts to influence this Court in this  
15 matter, complete transparency is warranted to maintain public confidence in the  
16 administration of justice. Notably, Mr. Sanson (through counsel) argued that this  
17 matter was improperly sealed. To clarify this Court's findings at the August 30, 2017  
18 hearing, this Court concurs that the hearings in this matter and orders entered by the  
19 Court should not be sealed and should be available for public inspection. However,  
20 this Court recognizes that filings of the parties and experts contain sensitive  
21 information related to both custody issues and financial issues. Consistent with NRS  
22 125.110, those papers should remain sealed.  
23  
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28

BRYCE G. DUCKWORTH  
DISTRICT JUDGE

FAMILY DIVISION, DEPT. Q  
LAS VEGAS, NEVADA 89101

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Based on the foregoing, and good cause appearing therefor,

It is hereby ORDERED that this Court RECUSE from this case. It is further ORDERED that, to the extent possible, this matter be referred to the Senior Judge Program for further proceedings.

It is further ORDERED that the hearings pending before this Court, including trial dates and hearings related to discovery issues, should be re-calendared upon the reassignment of this matter.

It is further ORDERED that the hearing videos and orders entered by this Court should be unsealed.

DATED this 5<sup>th</sup> day of September, 2017.

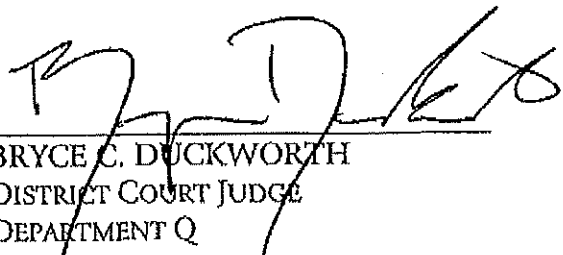
  
BRYCE C. DUCKWORTH  
DISTRICT COURT JUDGE  
DEPARTMENT Q

EXHIBIT 6

EXHIBIT 6

EXHIBIT 6

# MEANWHILE IN DEPARTMENT Q OF THE CLARK COUNTY FAMILY COURT



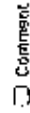
Steve Sanson

Facebook · May 18, 2017 · 1

Family Court Judge Bryce Dickinson was endorsed by Veterans in Politics International, which he first ran for office and we helped work to get him into office. We also recommended him to be the Presiding Judge over Family Court. But somewhere along the way something happened and as an organization, we are sickened by many of his rulings. His lack of ability to control his courtroom and he repeatedly fails to hold litigants in contempt when they violate the court orders — with Steve Sanson.



Like



Comment



Share

15



Write a comment...

type something here

EXHIBIT 7

EXHIBIT 7

EXHIBIT 7

---

**From:** Veterans In Politics International Inc. <devilldog1285@cs.com>  
**Sent:** Saturday, November 18, 2017 3:34 PM  
**To:** IVA Group  
**Subject:** Jordan Ross & Mark Bailus & Lindsey Licari to appear on the Veterans In Politics video Talk-show

Having trouble viewing this email? [Click here www.veteransinpolitics.org](http://www.veteransinpolitics.org)  
Hi, just a reminder that you're receiving this email because you have expressed an interest in Veterans In Politics International Inc.. Don't forget to add devilldog1285@cs.com to your address book so we'll be sure to land in your inbox!

You may [unsubscribe](#) if you no longer wish to receive our emails.



**VETERANS  
IN POLITICS**

**Jordan Ross & Mark Bailus & Lindsey  
Licari  
to appear on the Veterans In Politics  
video talk-show**

**Call into the show (702) 685-8380**





Jordan Ross Constable  
Laughlin Township



Mark Bailus Clark  
County District Court  
Judge Department 18



Lindsey Lical a discussion on  
starting a foundation for cancer  
survivors: Aydens Army of  
Angels



Join us in the  
Celebration of Life  
Johnny Spicer The  
Ceremony will be held  
on Wednesday  
November 22nd from  
5PM to 8PM at the  
Marine Corps League of  
Greater Nevada 4360  
West Spring Mountain  
Road Las Vegas NV

69102 on the North East  
corner of Spring  
Mountain and Arville  
across from China  
Town. Johnny was an  
officer in Veterans In  
Politics for the past 12  
years. For Directions  
please call 702.368-  
1775

**Veterans In Politics** proudly announces Jordan Ross  
Constable, Laughlin Township and Mark Ballus Clark County  
District Court Judge Department 18 and Lindsey Licari a  
discussion on starting a foundation for cancer survivors. Aydens  
Army of Angels, all will appear as a special guests on the  
Veterans In Politics internet video talk-show **Saturday November  
25, 2017.**

FIND OUT MORE

Listen to  
the **Veterans In  
Politics**  
Talk-Show every  
Saturday from  
14:00-15:00  
(2:00pm-3:00pm  
PT) on **World  
Wide Digital  
Broadcasting  
Corp.**



The **VIP Talk-Show** is a trusted source of information. For  
more than a decade, **Steve Sanson, Jim Jonas** and co-hosts



Shyla Rose, Mantis Toboggan and guest co-host Christina Ortiz have informed the listeners about important local and national issues. Not only do they discuss major national issues, but they also bring public's attention to multiple local issues affecting our community that other news sources choose to ignore. Past guests are politicians, candidates running for public office, organization leaders, published authors, business owners and citizens. VIP's involvement in local affairs has led to investigations of multiple government agencies and corrupt individuals. VIP received special recognition and multiple awards from government officials and non-profit organizations.

If you would like to be a guest on our show, please call or e-mail us,

Contact Us at 702 283 8038

Show Archive on World Wide  
Digital Broadcast

We are proud to announce that  
our website [familycourtwar.com](http://familycourtwar.com)  
is now live.

Veterans Day Celebration



**Veterans Award Ceremony at the Plaza Hotel & Casino**



**Officiated the Ceremony: Commissioner Steve Sisolak**

**Recipients of the Award:**

**Cpl. Mike Edwards USMC**  
**Cpl. Tom Martin USMC**  
**Staff Sgt. Jason Brooks USMC**  
**Sgt. Kaine Marzola USMC**  
**Sgt. Tevin Flores USA**  
**PFC. Benjamin Visser USA**

---

Pvt. Ayleen Ortega USA

## Litigants Corner



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The taken of children from loving, caring, responsible parents will  
come to a drastic END!

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Against a CORRUPT Family Court System that's driven by money,  
power and association.

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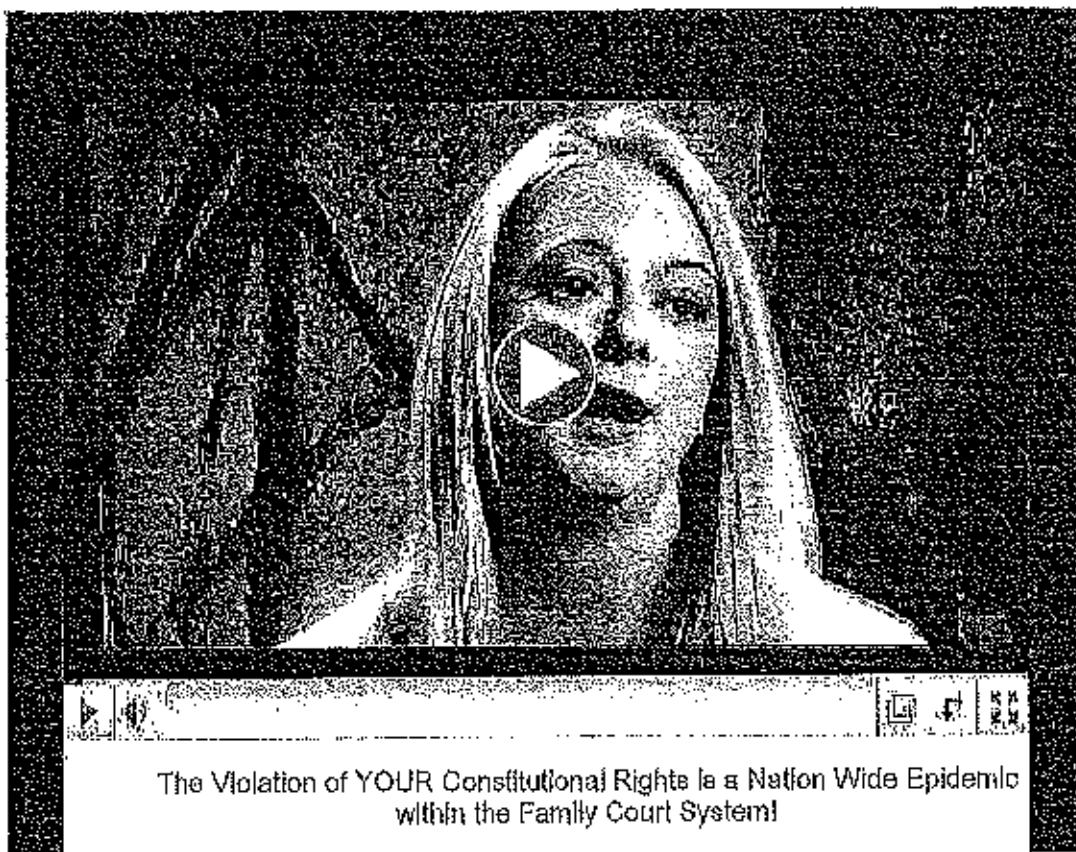
This is a CIVIL DEATH! WE want to hear your story.

---

It's up to us to let the System know  
that they are NOT above the law.

Must see news footage:

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## Opinion Corner

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**THE ONLY  
PEOPLE WHO  
ARE MAD AT  
YOU FOR  
SPEAKING THE  
TRUTH ARE  
THOSE PEOPLE  
WHO ARE  
LIVING A LIE.**

**KEEP SPEAKING  
THE TRUTH**



SHARE THIS EMAIL

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Veterans In Politics International Inc., PO Box 28211, Las Vegas, NV 89126

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EXHIBIT 8

EXHIBIT 8

EXHIBIT 8

 Trash  From: Mark DiCiero To: BailusM@clarkcountycourts.us Hide**Veterans in Politics**

Today at 10:55 AM

Judge Bailus,

I noticed that you are schedule to appear on Steve Sanson's Veterans In Politics internet show this afternoon.

It is my understanding that you are currently presiding over a case involving Mr. Sanson and a local attorney. As such, I am concerned about the appearance of impropriety that would exist by appearing on the show.

I am also concerned that the scheduling arrangements may have been made by way of ex parte communication between yourself and Mr. Sanson.



RA000722



 Trash

&lt; &gt;

It is my understanding that you are currently presiding over a case involving Mr. Sanson and a local attorney. As such, I am concerned about the appearance of impropriety that would exist by appearing on the show.

I am also concerned that the scheduling arrangements may have been made by way of ex parte communication between yourself and Mr. Sanson.

I would respectfully request that you cancel your appearance and reschedule at a more appropriate time.

Kind regards,

Mark

Mark DiCiero

702.743.3338

[mark.diciero@gmail.com](mailto:mark.diciero@gmail.com)



RA000723

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

\* \* \* \* \*

VETERANS IN POLITICS  
INTERNATIONAL, INC.; AND STEVE W.  
SANSON,

Appellant,

vs.

MARSHAL S. WILICK; AND WILICK  
LAW GROUP,

Respondent.

SC NO: Electronically Filed  
Feb 07 2018 05:02 p.m.  
DC NO: Elizabeth A. Brown  
Clerk of Supreme Court

---

**INDEX TO RESPONDENT'S APPENDIX  
VOLUME III, Part I**

---

**DATE ORDER**

**Attorneys for Respondent:**

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Attorney for Respondent  
Nevada Bar No. 7575  
THE ABRAMS AND MAYO LAW FIRM  
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Las Vegas, Nevada 89118  
(702) 222-4021  
email: [JVAGroup@theabramslawfirm.com](mailto:JVAGroup@theabramslawfirm.com)

**Attorneys for Appellant:**

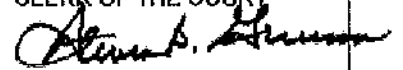
ANAT LEVY, ESQ.  
Attorney for Appellant  
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#230-421  
Las Vegas, Nevada 89142  
(310) 621-1199  
Email: [alevy96@aol.com](mailto:alevy96@aol.com)

**APPENDIX INDEX  
DATE ORDER**

<b>EXHIBIT</b>	<b>DOCUMENT</b>	<b>FILE STAMP DATE</b>	<b>VOLUME &amp; PAGES</b>
	<b>VOLUME I</b>		
1	Motion for Sanctions and Attorney's Fees	9/12/2016	I RA000001 – RA000020
2	Memorandum of Attorney's fees and Costs	01/31/2017	I RA000021 – RA000221
	<b>VOLUME II</b>		
3	Motion for Order to Show Cause	02/13/2017	II RA000222 - RA000243
4	Appendix of Exhibits to Plaintiff's Motion for an Order to Show Cause	02/13/2017	II RA000244 - RA000280
5	Opposition to Motion for Order to Show Cause Re: Contempt	03/06/2017	II RA000281 - RA000297
6	Declaration of Steve Sanson in Opposition of Motion for Order to Show Cause re: Contempt	03/06/2017	II RA000298 - RA000413
7	Order without Hearing Pursuant to EDCR 2.33	03/21/2017	II RA000414 - RA000435
	<b>VOLUME III, PART I</b>		
8	Transcript Re: All Pending Motions; Monday, June 5, 2017	07/05/2017	III, part I RA000436 – RA000502

<b>EXHIBIT</b>	<b>DOCUMENT</b>	<b>FILE STAMP DATE</b>	<b>VOLUME &amp; PAGES</b>
9	Plaintiff's Omnibus Opposition to Defendants' Motion for Attorney's Fees and Costs	10/27/2017	III, part I RA000503 – RA000618
	<b>VOLUME III, PART II</b>		
10	Motion to Disqualify Eighth Judicial District Court Elected Judiciary, and for Permanent Assignment to the Senior Judge Program or, Alternatively, to a District court Judge Outside of Clark County	1/24/2018	III, part II RA000619 – RA000723
	<b>VOLUME IV, PART I</b>		
11	Order of Recusal	9/5/2017	IV, part I RA000724 RA000734
12	Exhibits to Omnibus Opposition to Doug and Steve Sanson's Motions to Vacate – PART 1 (Continued in Volume IV, Part II)	10/4/2017	IV, part I RA000735 – RA000809
	<b>VOLUME IV, PART II</b>		
12	Exhibits to Omnibus Opposition to Doug and Steve Sanson's Motions to Vacate – PART 2 (Continued Volume IV, Part I)	10/4/17	IV, part II RA000810 – RA000904
	<b>VOLUME IV, PART III</b>		
13	Family Court Judge Accuses Agitator Steve Sanson of Intimidation by Rachael Crosby	9/9/2017	IV, part III RA000905 – RA000913

<b>EXHIBIT</b>	<b>DOCUMENT</b>	<b>FILE STAMP DATE</b>	<b>VOLUME &amp; PAGES</b>
14	Sanson's Latest Complaint, like Him, a Political Loser by Jane Ann Morrison	9/13/2017	IV, part III RA000914 – RA000921
15	Veterans In Politics International, Inc. Email regarding Michael Cherry's Appearance	1/6/2018	IV, part III RA000922 – RA000923
16	Letter to Judge Cherry: Re Veterans In Politics International radio appearance, scheduled for January 13, 2018	1/10/2018	IV, part III RA000924 – RA000955
17	Judges' Ties to Sanson Have Courts in Tight Spot by Jane Ann Morrison	1/20/2018	IV, part III RA000956 – RA000963
18	DiCiero, Mark (2018, January 26). Nevada Court Watchers [Facebook group]. Retrieved from <a href="https://www.facebook.com/groups/433293260115971/permalink/1322318161213472/">https://www.facebook.com/groups/433293260115971/permalink/1322318161213472/</a>	1/29/2018	IV, part III RA000964
19	Emails between Josh Gilmore, Esq., and Anat Levy re: joint appendix	6/12/17	IV, part III RA000965 – RA000966
	<b>VOLUME V</b>		
20	Transcript from the recusal hearing on August 30, 2017	9/19/17	V RA000967 – RA001009



1 TRAN

2  
3 EIGHTH JUDICIAL DISTRICT COURT  
4 CIVIL/CRIMINAL DIVISION  
5 CLARK COUNTY, NEVADA

6 JENNIFER ABRAMS,  
7 ABRAMS & MAYOU LAW FIRM,

8 Plaintiffs,

9 vs.

10 LOUIS SCHNEIDER, et al,

11 Defendants.

)  
) CASE NO. A-17-749318

)  
) DEPT. NO. XII  
)  
)  
)  
)  
)  
)

12 BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

13 MONDAY, JUNE 5, 2017

14 **TRANSCRIPT RE:**  
15 **ALL PENDING MOTIONS**

16 APPEARANCES:

17 For the Plaintiffs:

JOSHUA P. GILMORE, ESQ.  
MARSHAL S. WILLICK, ESQ.  
JENNIFER V. ABRAMS, ESQ.

18  
19 For Defendant Louis C. Schneider:

CAL JOHNSON POTTER, ESQ.

20 For Defendants Steve W. Sanson and  
21 Veterans in Politics International, Inc.:

MARGARET A. McLETCHIE, ESQ.

22 ALSO PRESENT:

LOUIS C. SCHNEIDER, ESQ.  
STEVE W. SANSON

23  
24 RECORDED BY: Kristine Santi, Court Recorder

RA000436

1 LAS VEGAS, NEVADA, MONDAY, JUNE 5, 2017, 8:53 A.M.

2 \* \* \* \* \*

3 THE COURT: Jennifer Abrams versus Louis Schneider. Case A749318.

4 MR. GILMORE: Good morning, Your Honor.

5 THE COURT: Good morning.

6 COUNSEL IN UNISON: Good morning, Your Honor.

7 THE COURT: You know, they're probably going to need some chairs. I think  
8 you might be there for a few minutes, so I don't want everybody standing.

9 Do the parties want to start making their appearances?

10 MS. McLECHIE: Yes, Your Honor. Maggie McLetchie for Steve Sanson,  
11 who's here with me in court, and Veterans in Politics International.

12 MR. POTTER: Cal Potter on behalf of Louis Schneider, who's also present.

13 MR. GILMORE: Good morning, Your Honor. Joshua Gilmore on behalf of  
14 the plaintiffs.

15 MR. WILLICK: Marshal Willick, 2515, also on behalf of the plaintiffs. Sorry  
16 for the voice.

17 THE COURT: That's okay, everybody's got something.

18 MS. ABRAMS: Jennifer Abrams, plaintiff.

19 THE COURT: Good morning.

20 MS. ABRAMS: Good morning.

21 THE COURT: Before the parties get started I just want to make sure, one of  
22 the attorneys in this, and I think he's an attorney with Ms. Abrams' firm, his name is  
23 Brandon Leavitt. Because his name came up so much I did an inquiry to see, he is  
24 not related to me, at least within the third degree of consanguinity. I was not familiar

1 with him. I don't think I've ever met him. So I asked some other family members  
2 and I can tell you he's not related to me within the third degree of consanguinity. I'm  
3 happy to answer any questions if anyone has any questions about that. It appearing  
4 nobody has any questions, I just wanted to make sure that that was disclosed in the  
5 beginning.

6 So I want to start with the special -- I'm sorry, you look like you --

7 MR. GILMORE: Just one housekeeping matter, Your Honor.

8 THE COURT: Sure.

9 MR. GILMORE: Mr. Ghibauda you'll note is not here. We resolved the  
10 claims against his clients on Friday afternoon. We apologize, we could not get a  
11 stipulation in front of you in time. Those would be the Hanusa defendants, as they  
12 were called. So insofar as --

13 THE COURT: Okay. So all the directors?

14 MR. GILMORE: Correct.

15 THE COURT: Okay.

16 MR. GILMORE: So at this point it's just Mr. Sanson, VIPI, Mr. Schneider  
17 and his firm are the remaining defendants.

18 THE COURT: Okay, so that takes care of one motion. So I think we should  
19 -- obviously procedurally we need to start with the special motion pursuant to the  
20 anti-SLAPP statute.

21 MS. McLEITCHIE: Thank you, Your Honor. Since there's more room, I'll  
22 come up here.

23 Your Honor, Veterans in Politics International is a public government  
24 watchdog, including of the courts. The statements at issue in this case were made



1 by Steve Sanson in his capacity as its president. His statements were matters of  
2 opinion, which as a matter of law are not actionable as defamation and are also as  
3 a matter of law protected by the First Amendment and Nevada's anti-SLAPP statute.

4 This case is a transparent attempt by an attorney to do exactly what  
5 anti-SLAPP lawsuits were designed to protect against, abuse litigation to impose  
6 financial burdens to silence criticism. Ironically, one of the things Ms. Abrams is  
7 suing about being called a bully; yet, if whether or not she were a bully weren't  
8 a matter of opinion, she has proven the characterization to be true by filing her  
9 baseless kitchen sink lawsuit with 11 claims and over 40 pages. But this case,  
10 despite the fact that the amended complaint is very long, essentially in my view  
11 it boils down to two questions. Are proceedings and conduct in taxpayer-funded  
12 courtrooms private? And second, does criticizing attorneys for being over-zealous  
13 and questioning whether an attorney adheres to ethical standards subject a member  
14 of the public, a member of a watchdog group to liability?

15 While plaintiffs are contending that they have a privacy interest in  
16 connection with their courtroom behavior and that they can sue for criticism of how  
17 they interact with judges, commentary about judicial proceedings in fact goes to the  
18 heart of what the First Amendment protects against. It's well established that citizens  
19 have a right to access courtroom proceedings. For example, in recognizing the fair  
20 report privilege, the Nevada Supreme Court has said Nevada citizens have a right  
21 to know what transpires in public and official legal proceedings. Yet, plaintiffs would  
22 have you believe that they should be able to subject Mr. Sanson and the nonprofit he  
23 operates to financial ruin because he dared to say that he believed that Ms. Abrams  
24 keeps too many family court documents sealed from public view, for example.

1 I'll also note for the Court that cloaked by the protection of the litigation  
2 privilege, rather than focusing on the legal issues at hand, in many ways plaintiffs  
3 have asserted numerous falsehoods without any factual support. And while on a  
4 12(b)(5) motion to dismiss they don't need to have evidence, on a special motion  
5 to dismiss they absolutely do.

6 With regard to the anti-SLAPP motion, the VIP defendants have met  
7 their burden, the first prong of the anti-SLAPP analysis. As I already mentioned, it's  
8 well established that opinions are not actionable and can't be proven true or false.  
9 Other than posting a video in its entirety, which can't possibly be defamatory, the  
10 statements at issue are all opinion, all protected by both the First Amendment and  
11 the anti-SLAPP law. Attorneys disagree about whether documents should be sealed,  
12 whether behavior is unethical, whether someone is engaging in criminal conduct all  
13 the time. Citizens are also entitled to do so, even when they disagree with attorneys.

14 To the extent that the statements pertained to how Judge Elliott should  
15 have ruled in the Saiter case, the underlying family court case at issue, or how Judge  
16 Elliott should have controlled Jennifer Abrams or reported her to the State Bar, the  
17 statements all actually fall squarely within NRS 41.637(3), which says that -- defines  
18 an example of a good faith statement communication protected from a SLAPP  
19 lawsuit as a "written or oral statement made in direct connection with an issue  
20 under consideration by a legislative, executive or judicial body, or any other official  
21 proceeding authorized by law." Then all of the other statements, the statements  
22 about Ms. Abrams, all fall within the fourth prong. They're "communications made  
23 in direct connection with an issue of public interest in a place open to the public and  
24 in a public forum."

1           Plaintiffs argue that because Sanson didn't assert that the statements  
2 were objectively true in his declaration -- he did submit an extensive declaration  
3 with his special motion to dismiss -- that he can't meet this burden because the law  
4 requires you to establish that the statements are either truthful or made without  
5 knowledge of their falsehood. However, the statements are matters of opinion,  
6 which are of course protected by the anti-SLAPP law. Accordingly, he can't prove  
7 something to be true that's a matter of opinion.

8           The Nevada Supreme Court has made this clear, for example, in the  
9 Pegasus case. There's no proving or disproving an opinion. Sanson's declaration  
10 in fact details that he asserted his opinions about Ms. Abrams in good faith and in the  
11 connection of policy questions regarding the conduct of the judiciary. For example,  
12 Nevada Supreme Court discussion of sealing records. For example, discussions of  
13 whether or not in some instances judges are stepping over the line and whether or  
14 not this case is an example of where an attorney stepped over the line and a judge  
15 failed to control her. He has met his burden of establishing that he has engaged  
16 in good faith communication protected by the First Amendment and Nevada's anti-  
17 SLAPP law.

18           If you go through the four key statements at issue, and I think I have  
19 copies of them, but in their omnibus opposition to the SLAPP motions it seems  
20 like they're focusing on four key things and I'll go through each of those. There's  
21 numerous statements at issue, but the first is Exhibit 1 to the first amended complaint.  
22 Do you have that in front of you, Your Honor? Would you like a copy?

23           THE COURT: Sure. I have a lot of pleadings, so.

24           MS. McLEITCHIE: May I approach, Your Honor?

1 THE COURT: Absolutely. Thank you.

2 MS. McLECHIE: So I'm starting with Exhibit 1 to the first amended  
3 complaint. And it says -- the headline says, Nevada Attorney Attacks a Clark  
4 County Family Court Judge in Open Court. And it says, No Boundaries in our  
5 Courtrooms. And on the first page it talks about, as I mentioned, the conduct of  
6 justices of the peace. And then it says, The above are examples of the courtroom  
7 overstepping boundaries, but what happens when a divorce attorney crosses the  
8 line with a Clark County District Court judge? And then it goes on to say that there  
9 was a war of words between Jennifer Abrams and Judge Jennifer Elliott. And  
10 there's a link to the video in its entirety. And then there are verbatim quotes, and  
11 the focus of these quotes is not whether or not Ms. Abrams' client lied about his  
12 finances, which is something the judge did retract at the end, the judge did not  
13 retract at the end of that hearing the numerous times in which she asserted that  
14 Ms. Abrams was being rude, overstepping her boundaries and that she and her  
15 firm had a practice in family court of filing baseless and vexatious motions.

16 So we have on the third page of this exhibit: "I find that there is undue  
17 influence in the case. There are enough ethical problems, don't add to the problem."  
18 And then she later on says, "I am the judge and in a moment I'm going to ask you  
19 to leave. Your firm does this a lot and attacks other lawyers. I find it to be a pattern  
20 with your firm. You're going to be taken out of here if you don't sit down. I am the  
21 judge, not you." And then Ms. Abrams interrupts the judge and says, "Excuse me,  
22 I was in the middle of a sentence." That's on page 4. And then out of nowhere she  
23 says, "Is there any relationship between you and Louis Schneider?" And there was  
24 no relationship.

1           And then Mr. Sanson goes on to opine, "At what point" -- or not even  
2 opine, but rather to ask, "At what point should a judge sanction an attorney? Is a  
3 judge too comfortable or intimidated by an attorney that they give them leeway to  
4 basically run their own courtroom? If there is an ethical problem or the law has been  
5 broken by an attorney, the judge is mandated by law to report it to the Nevada State  
6 Bar or a governing agency that could deal with the problem appropriately."

7           He's questioning her behavior in that courtroom. He's citing to what --  
8 verbatim to what the judge said about her behavior in the courtroom. And Ms.  
9 Abrams may not like it, and you know, this Court may not like it, but Mr. Sanson is  
10 entitled to express his opinion about Ms. Abrams' behavior in an open courtroom.  
11 There's absolutely no -- there's absolutely no interest in privacy with regard to the  
12 behavior in the courtroom. And the Nevada Supreme Court recently adopted, clearly  
13 adopted a test from California and that's in the Shapiro v. Welt case, Your Honor.  
14 And the factors, for example, are that -- it explains that "there should be some degree  
15 of closeness between the challenged statements and the asserted public interest.  
16 The assertion of a broad and amorphous public interest is not sufficient."

17           There's a clear link here. Here Mr. Sanson is talking about questions  
18 about conduct in courtrooms. Are judges overstepping their boundaries? Are  
19 lawyers overstepping their boundaries? The connection is very, very clear. And  
20 we provided to the Court, Your Honor, the transcript of that hearing and also cited  
21 to examples in that transcript. The plaintiffs represent that at the end of the hearing  
22 Judge Elliott retracted all her statements. She retracted her finding that the client  
23 had lied about her finances, but she never retracted her comments about Ms.  
24 Abrams' behavior in that courtroom, and frankly the transcript speaks for itself.

1 It does appear to reflect that Ms. Abrams repeatedly interrupted the judge and  
2 acted in what a reasonable person, including a member of the public, could find  
3 to be obstructionist or vexatious behavior.

4 The second statement at issue, Your Honor, is -- if you turn to Exhibit  
5 2, I believe, and that's the bully article. And in this article what had happened is  
6 that Judge Elliott had entered an order requiring that the video be removed. In  
7 subsequent litigation they also tried to get -- place Mr. Sanson even behind bars in  
8 the family court matter. The family court judge not only declined to hold Mr. Sanson  
9 in bars for refusing to comply with her order, she recognized the unconstitutionality.

10 THE COURT: She lacked jurisdiction.

11 MS. McLETCHE: Exactly, Your Honor. And she found that to be a  
12 constitutional issue. And so much like Steve Sanson had done, she said that this  
13 order was over-broad and unsubstantiated. Yet, the plaintiffs somehow say that  
14 calling that order over-broad and unsubstantiated is a false statement of fact subject  
15 to a defamation claim. It just isn't, Your Honor.

16 And again, whether or not someone is a bully, for example, is certainly  
17 a matter of opinion. Someone could find -- someone could find Ms. Abrams to be  
18 a well-respected, zealous, hard-fighting attorney and that may very well be the  
19 case, but other people could look at the same over-zealousness and say, no, that's  
20 inappropriate behavior for a courtroom and I find her to be a bully. So that's the  
21 bully article.

22 Then finally, the third main article called "Seal Happy." And the  
23 argument that this is somehow defamatory really requires this Court to say that it's  
24 not a matter of public interest whether or not hearings are sealed and whether or not

1 an attorney seals hearings. And the bizarre implication of plaintiffs' argument would  
2 be that they can seal whatever court proceedings they want and if a member of the  
3 public dares to say, you know, we think you're sealing too much stuff, we want to  
4 know what goes on over there in family court, they'll sue you. So even the fact of  
5 the sealing somehow has to be secret, which just isn't the case.

6 Then finally some other statements at issue appear to be -- pertain to  
7 a conversation between a paralegal at I think Mr. Willick's firm and Mr. Sanson, and  
8 it's hard for me to understand how those are possibly defamatory because a plaintiff  
9 in this case is Ms. Abrams' law firm. To the extent that her paralegal is a member  
10 of her law firm, I don't understand how --

11 THE COURT: Okay. Is the paralegal Ms. Abrams' or Mr. Willick's?

12 MS. McLETCHE: You know --

13 THE COURT: Because I believed it was Ms. Abrams', so --

14 MS. McLETCHE: I'm sorry, it was Ms. Abrams'. I misspoke.

15 THE COURT: Okay.

16 MS. McLETCHE: So, again -- Thank you, Your Honor, for providing that  
17 clarification. I misspoke. But there can't possibly be defamation to the plaintiff,  
18 right? That doesn't make sense. It has to be to a third party. And so that's entirely  
19 unactionable. And again, they're also matters of opinion and they just haven't met  
20 their burden to show that any of these statements fall outside the protection of  
21 Nevada's anti-SLAPP statute. They try to make some arguments that because  
22 things that were on the website or Facebook were also emailed to some members --

23 THE COURT: Right. They make the argument, I believe, that when they  
24 were sent through email that that took it out of the anti-SLAPP, if it was in it at all,

1 because that's a new publication.

2 MS. McLEITCH: I understand, Your Honor, but I don't see -- I don't see  
3 having a specific audience for your public statements that you're also sending that  
4 message to as creating some exception to the anti-SLAPP rule. For example,  
5 Politico, the New York Times, they all do these newsletter alerts where you can  
6 get the news from these publications directly into your inbox. To say that those  
7 journalists and those publications wouldn't be -- they wouldn't be protected under  
8 anti-SLAPP laws because they're also emailing those articles to specific people  
9 who say, hey, I want to get a direct communication, this is also -- these aren't private  
10 emails. These are emails that go to membership, to people who say, hey, I want  
11 to hear what's going on. And they're the exact same -- they're the exact same  
12 communications. And so they're still public -- they're still public communications.  
13 In any case, Your Honor, as we get into in the motion to dismiss, they also aren't  
14 defamation because, again, they're matters of opinion.

15 Their other argument is that because -- there isn't exactly a case on  
16 point almost, seems to be their argument, that we can't establish that we fall within  
17 the anti-SLAPP statute. They try to distinguish cases from California that we rely  
18 on that show, look, an attorney is not immune from criticism. There's cases about  
19 alerts to consumers about attorneys, and they say, well, those are really just about  
20 protecting consumers and so there's a real public interest here; there isn't here.  
21 Just because those cases dealt with consumer protection doesn't mean that that's  
22 the outer bounds of what the anti-SLAPP statute protects against. It also protects  
23 against talking about attorneys and their conduct in our public courtrooms.

24 These statements in these articles, they aren't statements about



1 Ms. Abrams' hair color or Ms. Abrams' personal life. They're statements about her  
2 conduct in court in a public courtroom. They absolutely fall within the protection of  
3 the anti-SLAPP statute, Your Honor. And because they do and because we've met  
4 our burden that they do, the burden passes to the plaintiffs to establish that they  
5 have a prima facie case. And they can't do that and they don't do that. In fact, in  
6 their omnibus opposition to the anti-SLAPP motion, Your Honor, they incorporate  
7 a lot of arguments from their 12(b)(5) motion. And while I do think they don't even  
8 meet that standard, they forget that on a special motion to dismiss establishing --  
9 a plaintiff establishing a prima facie case is more akin to what the burden is on  
10 summary judgment. You have to come forward with actual evidence to support  
11 your claims. So just saying, for example, on information and belief Sanson did this  
12 for a bad purpose isn't enough.

13 And by the way, Your Honor, even if Sanson were paid to make these  
14 statements, which he wasn't, that doesn't change the fact that it's protected speech.  
15 And all this silliness, this imagined conspiracy with Mr. Schneider, in the end it's  
16 actually irrelevant. These statements on their face aren't defamatory. A reporter  
17 is paid to write a story. That doesn't make it unprotected speech, Your Honor.

18 But, Your Honor, they don't meet the standard, and I wanted to point  
19 out just one snippet from a case that I cite in the briefs. That's the Hilton v. Hallmark  
20 Cards, a Ninth circuit case. And it says that if a plaintiff has stated a legal claim  
21 but no facts to support it, a defendant could prevail on an anti-SLAPP motion even  
22 though he wouldn't have been able to win a motion to dismiss. And this just goes to  
23 the fact that under NRS 41.660 and also under California law you've got to meet 665.  
24 You've got to meet a higher burden. You have to come forward with prima facie

1 evidence and show a probability of prevailing on the claim. They just don't do that,  
2 Your Honor.

3           Defamation -- I just walked through the main statements at issue and  
4 these things -- whether she was unethical, for example, they just aren't -- they're  
5 matters of opinion and they're just not actionable. The Nevada Supreme Court has  
6 said, for example, it may be actionable to state an opinion that a plaintiff is a thief  
7 if the statement is made in such a way to imply the existence of information which  
8 would prove plaintiff to be a thief. But the test for whether a statement constitutes  
9 fact or opinion is whether a reasonable person would be likely to understand the  
10 remark as an expression of the source's opinion or a statement of existing fact.

11           I'm quite sure that the paralegal at Ms. Abrams' law firm didn't believe  
12 Mr. Sanson, first of all, but second of all understood that he was saying Ms. Abrams  
13 in my view violates laws, not that she's literally in jail or in prison. This isn't that kind  
14 of case. And you really have to look at the type of statement and whether or not  
15 it's susceptible to being proven true or false. He didn't say that Ms. Abrams has  
16 been found guilty of ethical charges by the Nevada Supreme Court and has been  
17 disbarred. That would certainly be susceptible to proof, Your Honor. But that's not  
18 what he said. He said he found her behavior to be unethical, just like --

19           THE COURT: I'm not sure he said that. Where did he say that?

20           MS. McLECHIE: I'm sorry, you're right. He said that the judge said that her  
21 behavior was unethical. And he questioned whether she should be reported to the  
22 State Bar by the judge. But the general elements of a defamation claim require the  
23 plaintiff to prove false and defamatory statements.

24           THE COURT: I'm not sure the judge said she was unethical, either. So I don't

1 think anyone said she was unethical. I think there were inferences.

2 MS. McLETCHE: There were inferences and the judge did question her  
3 ethical --

4 THE COURT: I mean, I guess she said if that's not an ethical problem, I don't  
5 know what is.

6 MS. McLETCHE: And I think --

7 THE COURT: But I don't think anyone ever said she was an unethical  
8 attorney.

9 MS. McLETCHE: Sorry, Your Honor, one second. I just want to pull up the  
10 transcript. So the judge says, "Ethical problems" --

11 THE COURT: But Judge Elliott is not a party.

12 MS. McLETCHE: You're right.

13 THE COURT: So let's say even if she did say that --

14 MS. McLETCHE: Right.

15 THE COURT: -- I don't think she did. I think there were inferences and she  
16 did say things about the firm filing things, but I don't think any of the parties here  
17 ever said she was an unethical lawyer.

18 MS. McLETCHE: There were -- Mr. Sanson raised concerns about whether  
19 her behavior was unethical, and if the judge had --

20 THE COURT: And his concern was why didn't the judge do it?

21 MS. McLETCHE: Correct.

22 THE COURT: To me it seemed like he was criticizing the judge more than  
23 the attorney.

24 MS. McLETCHE: I would agree with that, Your Honor. He said that a judge

1 has a duty to control her courtroom --

2 THE COURT: Sure.

3 MS. McLETCHE: -- and that a judge has a duty to act and to report a  
4 violation to the State Bar, which arguably is the other type of anti-SLAPP case, which  
5 is urging governmental action. The State Bar is a quasi-governmental entity. And  
6 certainly saying to the judge I think that if you said in court that you had questions  
7 about her ethical behavior you should go to the State Bar, that you should do so.  
8 That certainly was his opinion and he's certainly entitled to ask her to act to enforce  
9 the ethical rules of the State Bar.

10 I don't know whether Your Honor wants me to get into each of the  
11 eleven causes of action, but the defamation claim, I think we've covered. These are  
12 not matters that are susceptible to proof. Even if they were statements of opinion by  
13 Mr. Sanson, they're not susceptible to proof and he's clearly within his free speech  
14 rights to ask the question of whether or not Judge Elliott should have called the  
15 State Bar to report Ms. Abrams.

16 With regard to the intentional and the negligent emotional -- negligent  
17 and intentional infliction of emotional distress claims, Your Honor, first of all, this  
18 is not a 12(b)(5), this is anti-SLAPP. They're supposed to come forward with  
19 evidence. Ms. Abrams has not provided -- she's alleged that she suffered distress  
20 in conclusory element-style language, but she has never actually produced evidence  
21 that she suffered emotional distress. If she suffered emotional distress because  
22 somebody questioned her ethics in the courtroom, this may not be the right career  
23 for her. But certainly a law firm is not a natural person and cannot pursue either of  
24 these claims. This is really a kitchen sink complaint, Your Honor. They just threw

1 everything in they could think of. They didn't specify even whether or not the claims  
2 are being brought by both plaintiffs. But neither one of them has evidence, neither  
3 Ms. Abrams nor her law firm have evidence of emotional distress.

4 In terms of false light, it's an entirely inappropriate claim because it  
5 requires -- Nevada courts require that plaintiff suffer mental distress resulting from  
6 publicizing private matters, Your Honor. Certainly you can't have false light.  
7 Jennifer Abrams wrote to Mr. Sanson and said early on, take down that video, it  
8 puts me -- it places me in a false light. First of all, the video speaks for itself. It's  
9 posted in its entirety. And it's not something private that's being disclosed to the  
10 public. All it is is a video of her in court.

11 In terms of business disparagement, the difference between business  
12 disparagement and a defamation claim is -- for the purposes of this hearing, Your  
13 Honor, I'm assuming that Mr. Sanson isn't entitled to the fair report privilege and  
14 I'm assuming that Ms. Abrams isn't a public figure. But -- so I'm just doing a straight  
15 defamation analysis as if those higher burdens don't apply. They can't even meet  
16 the lesser burdens because they haven't come forward with any evidence and  
17 because the statements as a matter of law are not actionable. But the business  
18 disparagement claim, Your Honor, does require them to come forward with evidence  
19 of special damages. And they have not come forward with any actual evidence of  
20 damages to their business. I don't think that there were any. Maybe they've gotten  
21 some positive press out of this; who knows. Or maybe they're suffering from the  
22 Barbra Streisand effect; I don't know. But they haven't come forward with any  
23 evidence of actual damages, that their business has somehow been harmed. And  
24 again, this all hinges on a false and disparaging statement. So does the false light

1 claim, so does the defamation claim, and we don't have any false statements.

2 Harassment. It's not a claim in Nevada. We briefed this. The  
3 plaintiffs try to argue that you can bring any kind of common law claim you want.  
4 The Nevada Supreme Court hasn't explicitly addressed this question, but federal  
5 courts applying Nevada law have said that there is no -- there is no state tort for  
6 harassment, there's only a crime for harassment, so there's no such claim.

7 On concert of action, this again -- this is a claim that's predicated on  
8 another claim, so it's sort of a derivative of there being an underlying defamation  
9 tort, which there isn't. Defendants are engaged in free speech and these aren't  
10 anti-social or dangerous activities, which are generally the types of activities that  
11 the concert of action tort is meant to deter. You don't get a concert of action tort  
12 every time you have two defendants on a claim. And again, civil conspiracy requires  
13 that there be some underlying unlawful act or objective, and again, there isn't here.

14 THE COURT: Well, I think the civil conspiracy is the two, because the only  
15 way they get Mr. Schneider on any of these statements, because he didn't make  
16 any statements, is through this claim. Correct?

17 MS. McLETCHE: Correct, Your Honor.

18 THE COURT: That's what it appeared to me.

19 MS. McLETCHE: And they seem to -- they've --

20 THE COURT: Because no statements are attributed to Mr. Schneider. His  
21 only conduct is apparently getting the video from somebody, and their contention  
22 is he gave it to the other defendant and he uploaded it to the Internet.

23 MS. McLETCHE: That's correct, Your Honor. I think they're suing both --  
24 all the -- well, previously all the defendants for civil conspiracy. But they also have

1 this theory that Mr. Sanson and Mr. Schneider were sitting around concocting a  
2 scheme to go after Ms. Abrams and that it was for some bad purpose and that Mr.  
3 Sanson was paid to do it. But again, even -- none of those things are true, but let's  
4 assume that they are true for the purposes of argument that Mr. Schneider and Mr.  
5 Sanson met and said, you know, she's out of control in that courtroom, something  
6 needs to be done for it. You know, I'll help you cover some of your expenses,  
7 Steve, but you've got to do something to draw attention to this. That is not illegal  
8 behavior because the underlying behavior, publicizing an attorney's behavior in a  
9 courtroom is not possibly illegal.

10 On the RICO cause of action, I don't really think they're serious about  
11 this cause of action. They haven't alleged with specificity exactly what this RICO  
12 cause of action is. Perhaps they can explain in argument and I'll reserve my  
13 arguments for rebuttal. But the Nevada Supreme Court has made clear that you  
14 have to allege these claims. And this is not even on the anti-SLAPP motion but  
15 just even on a 12(b)(5), you have to -- you have to plead these --

16 THE COURT: You have to allege them like you're charging them with a  
17 criminal indictment or information. It has to be that kind of specificity.

18 MS. McLEITCHIE: Exactly, Your Honor.

19 On the copyright claim, this Court, with all due respect to the Court,  
20 has no jurisdiction. Federal courts have exclusive jurisdiction over copyright claims.  
21 And I think, Your Honor, the fact that they included all these claims goes toward -- to  
22 the idea that this is vexatious litigation designed just to bury Mr. Sanson, hope that  
23 he doesn't get an attorney, just bury him; maybe get a default judgment and just  
24 bury him with paper. This Court has no jurisdiction over a copyright claim. There's

1 no reason to have included that claim.

2 Their final claim is a claim for injunctive relief, which isn't actually a  
3 claim and isn't improperly pled. You get injunctive relief if you win causes of action  
4 that give rise to the right for injunctive relief. But courts have made very clear, and  
5 we briefed this in our motion to dismiss, courts have made very clear, Your Honor,  
6 that when it comes to speech injunctions are extremely inappropriate.

7 Thank you, Your Honor.

8 THE COURT: Thank you.

9 Mr. Potter, I'm assuming you want to be heard.

10 MR. POTTER: Thank you, Your Honor.

11 THE COURT: Do you agree that the allegations against your client arise out  
12 of the conspiracy?

13 MR. POTTER: Yes.

14 THE COURT: Because I couldn't see anywhere where it was alleged that  
15 Mr. Schneider made any statements.

16 MR. POTTER: The only --

17 THE COURT: But he is liable apparently through a civil conspiracy theory?

18 MR. POTTER: Correct. I mean, the only -- this all stems from the dispute  
19 between Brandon Leavitt and Mr. Schneider --

20 THE COURT: Sure.

21 MR. POTTER: -- as to Mr. Schneider's client. His statements would only  
22 have been made in the courtroom.

23 THE COURT: The email. I guess there was an email and then apparently  
24 there was a conversation in court, withdraw your motion and this all goes away.



1 MR. POTTER: Right. And that dealt with the Bar complaint that Mr.  
2 Schneider was dealing with with Mr. Leavitt. Mr. Leavitt met with his client, with  
3 Louis' client for four hours on the eve of trial. He was still attorney of record at that  
4 point in time, had not been removed and was concerned that -- by that action. As  
5 to Mr. Schneider, our belief was that they were attempting -- they being Ms. Abrams  
6 and her entity -- we were concerned about that unethical conduct by Brandon  
7 Leavitt, and as a result of that that's why he's included in this. In addition, there  
8 appears to be an evolving situation with Judge Elliott over whether it was sealed,  
9 the hearing was sealed, or whether it was closed, and clearly it's been determined  
10 that it -- (inaudible).

11 THE COURT: But even if she closed the hearing, that doesn't mean it's not  
12 public record.

13 MR. POTTER: Correct.

14 THE COURT: Okay. That's my interpretation.

15 MR. POTTER: And that's our position.

16 THE COURT: You can close a hearing, but the only way I can seal it is with  
17 a court order to seal it. I can close something, because sometimes you do that. If  
18 you're going to have -- I mean, you know in criminal court sometimes we close them  
19 because they're going to talk about things that we don't want everyone to know  
20 about, so we close it but we don't seal it.

21 MR. POTTER: Correct.

22 THE COURT: We don't take it from the public record.

23 MR. POTTER: So in this instance Ms. McLetchie has laid out the arguments  
24 which we have joined in as to Mr. Sanson because we're being challenged for being

1 a co-conspirator, a co-conspirator in a RICO action. Really, there's no --

2 THE COURT: What are the predicate crimes?

3 MR. POTTER: There aren't any alleged.

4 THE COURT: Okay.

5 MR. POTTER: So based upon those factors, we would ask that he is under  
6 the ambit of the SLAPP suit and we would ask for the appropriate dismissal and  
7 sanctions accordingly. We also have the 12(b)(5) motion, but this supersedes that  
8 argument.

9 THE COURT: Sure.

10 MR. POTTER: Thank you.

11 THE COURT: Thank you.

12 So I want to start with Mr. Schneider.

13 MR. GILMORE: Sure.

14 THE COURT: Is Mr. Schneider brought into these statements based on the  
15 civil conspiracy?

16 MR. GILMORE: Yes.

17 THE COURT: Okay.

18 MR. GILMORE: That's exactly right, Your Honor.

19 THE COURT: Okay.

20 MR. GILMORE: He's hooked on the civil conspiracy claim, and the law is  
21 well settled on that. If you've got a conspiracy, all co-conspirators are jointly and  
22 severally liable for the acts of one another. Even if they're not all known, so long  
23 as you've entered into this agreement to advance this objective, you're on the  
24 hook. So you are correct, Your Honor. The statements initially that we have in the

1 complaint about Mr. Schneider provide context, and I'm going to get into that in a  
2 minute.

3 THE COURT: Sure.

4 MR. GILMORE: But, yes, to answer your question --

5 THE COURT: Thank you.

6 MR. GILMORE: -- he's hooked on the conspiracy.

7 So, Your Honor knows this but I want to emphasize it this morning.

8 Right now we're on the Anti-SLAPP motion --

9 THE COURT: Sure, we are.

10 MR. GILMORE: -- so we're not on the 12(b)(5) motion.

11 THE COURT: Right. You have a heightened standard.

12 MR. GILMORE: They do and we do if we get that far.

13 THE COURT: Uh-huh.

14 MR. GILMORE: And I'm going to submit to you today we don't get that far.

15 And we may have a productive conversation about some of this on the 12(b)(5)  
16 motion, but we're not going to have a productive conversation about it on the anti-  
17 SLAPP motion because it's their burden initially to come to court and to explain why  
18 they have been sued for engaging in statutorily-protected speech. They have to do  
19 that. And if they don't do that then we're done and I sit down and you rule on the  
20 motion and we take up the 12(b)(5) motion.

21 THE COURT: How is not talking about what goes in a courtroom public  
22 interest? So you might as well skip right to that.

23 MR. GILMORE: Sure.

24 THE COURT: I mean, I think it's subsection 3 of the statute.

1 MR. GILMORE: We're dealing I think with --

2 THE COURT: I think that's what the parties argued. I know you argued that  
3 this was not a matter of public interest. How can not -- how can it not be a matter of  
4 public interest? The public always has an interest on what goes on in the courtroom.

5 MR. GILMORE: Well, let's look at the Shapiro factors, right, because that's  
6 what tells us what public interest is.

7 THE COURT: Sure. The five factors.

8 MR. GILMORE: So we hear case law and they cite tidbits of case law about  
9 why this could be public interest, this could be public interest. But you look at these  
10 factors --

11 THE COURT: Uh-huh.

12 MR. GILMORE: -- and you take them in context with what Mr. Sanson told  
13 Mr. Schoen and it's almost indisputable that this is a private dispute.

14 THE COURT: Okay. So you contend that Mr. Sanson defamed the plaintiff.  
15 I mean, I don't understand how you can -- so the conversation with the paralegal is  
16 another set of defamation?

17 MR. GILMORE: Not defamation, Your Honor. That gives us context. You  
18 say why am I talking about --

19 THE COURT: Okay, that's giving it context?

20 MR. GILMORE: Yes. Let's give this context. Why do I say that?

21 THE COURT: Okay, got it.

22 MR. GILMORE: He said to Mr. Schoen, she's on my hit list. She's on my  
23 hit list.

24 THE COURT: Well, come on. You called it a priority list.

1 MR. GILMORE: Okay, fair. Fair enough.

2 THE COURT: You can't call it a hit list in oral argument.

3 MR. GILMORE: Priority list. Why? Why is that, Your Honor? Because he  
4 decided at Mr. Schneider's behest to go online and to start defaming her and to  
5 defame her through private email blasts, and I'll get to that in a moment and Your  
6 Honor mentioned that.

7 VIPI, if you step back a moment and you look at what their mission is,  
8 they're here to talk about political candidates and they have a talk show that talks  
9 about political candidates. We vet who we like. We give out a list of people, here's  
10 who you should vote for, here's who you shouldn't vote for, okay.

11 THE COURT: Sure.

12 MR. GILMORE: Mr. Sanson did not say I'm going to go vet all the family  
13 court judges and I'm going to go watch proceedings in different courtrooms and  
14 I'm going to see how different judges interact with counsel, with parties, and then  
15 I'm going to take a sampling of lawyers.

16 THE COURT: Does he have to do that before he makes these statements?

17 MR. GILMORE: Well, what he does -- if he doesn't do that then he transforms  
18 a private controversy into a public dispute by focusing on just Ms. Abrams.

19 THE COURT: What's -- where's the -- what's the private controversy? The  
20 divorce action? It's not a private controversy.

21 MR. GILMORE: The controversy is between Mr. Sanson and Ms. Abrams.

22 THE COURT: Okay.

23 MR. GILMORE: So it's their -- yes.

24 THE COURT: Okay, I see. I see.

1 MR. GILMORE: It's their private controversy. Mr. Sanson and Ms. Abrams  
2 have a private dispute, but he's taken and he says I'm going to make that public.

3 Let's look at the fifth Shapiro factor. "A person cannot turn otherwise  
4 private information into a matter of public interest simply by communicating it to a  
5 large number of people." So Mr. Sanson says, hey, I've got a mike and I've got a  
6 radio show and I've got Facebook and YouTube and Google, and I can take my  
7 private dispute with Ms. Abrams and publicize it and turn it into a matter of public  
8 interest.

9 So I mentioned earlier he's not sampling the courts and I said that  
10 because of what Your Honor is thinking. Hey, this is about a case, right? It's got  
11 to be a matter of public interest. He's going around talking about cases, what's  
12 occurring. No, that's not what he's doing.

13 THE COURT: And it was actually more critical of the judge than anyone --

14 MR. GILMORE: Perhaps both.

15 THE COURT: So how this turned out to be about Ms. Abrams --

16 MR. GILMORE: Well, because the hook is that she somehow can threaten  
17 Judge Elliott and she can cause Judge Elliott to enter orders that really no other  
18 lawyer can do. And Your Honor sits there on the bench, I'm sure you'd say no  
19 lawyer intimidates me, no lawyer can force me to sign an order. But that's the  
20 context here. That's what they're saying is that she has this ability to scare Judge  
21 Elliott; oh, yeah, I'll sign your order. We know that's not happening. We know that's  
22 not happening. Judge Elliott is very capable of deciding in each case, do I sign this  
23 order, don't I sign this order. So to suggest that Ms. Abrams --

24 THE COURT: Well, she signed an order saying no one in the world could --

1 MR. GILMORE: Well, let's --

2 THE COURT: -- put this video on the Internet. I mean, she corrected herself.

3 MR. GILMORE: And what she did is she said that looks like --

4 THE COURT: But I think everyone lost sight of the First Amendment for a  
5 second.

6 MR. GILMORE: She said that looks like a gag order, right? That's what she  
7 said. And so she went through the three factors. But we are also talking about --

8 THE COURT: But she signed the order first, telling everybody to take it  
9 down. I mean, Mr. Sanson did comply with those orders. I mean, he got an order  
10 that arguably he didn't have to follow. Correct?

11 MR. GILMORE: He initially says I'm going to follow it and then he writes back  
12 and says I'm not going to follow it anymore.

13 THE COURT: But arguably he doesn't have to follow it, but he does. I mean,  
14 I even checked. It's not on YouTube and it's -- there was something else that I had  
15 never heard of before. What's the other website? What's the other website that he  
16 was alleged to have put it on?

17 MR. GILMORE: Google Plus, Facebook. Those are the principal sites.

18 THE COURT: No, like a YouTube site. It's not on YouTube and it's not on  
19 the other site. I can't remember because I had never heard of the site before, but  
20 apparently --

21 MR. GILMORE: Vimeo, I'm told.

22 THE COURT: Yes, that one, and it's not on there, either. So he gets an  
23 order, he arguably doesn't have to comply with it. He never had an opportunity to  
24 be heard. He's got an order with a caption that doesn't have his name on it. He

1 somehow gets brought into this. But he complied, correct?

2 MR. GILMORE: As I understand it, he posted it back. That is my  
3 understanding.

4 THE COURT: Well, apparently it's on some --

5 MR. GILMORE: Russian website --

6 THE COURT: Right.

7 MR. GILMORE: -- as I understand it, so that you couldn't go and take it  
8 down.

9 THE COURT: Right. I believe it is there. I think both sides agree it is there.  
10 It's on some sort of Russian website now.

11 MR. GILMORE: That's my understanding, Your Honor.

12 THE COURT: Which, I mean, I'm assuming everybody in the world can have  
13 access to it that has access to the Internet.

14 MR. GILMORE: That's my understanding as well, Your Honor. You see  
15 Judge Elliott's comments. She didn't want that video posted online. Why are we  
16 posting this video online? Why is Mr. Sanson doing that? Okay. At its core this is  
17 a divorce proceeding involving four small children. And of course what did Judge  
18 Elliott say? We've got to focus on the best interest of the children. Priority number  
19 one. Nobody is disputing that.

20 THE COURT: Yeah, but family court matters are public. Just because  
21 there's children involved doesn't make it private.

22 MR. GILMORE: But there's a difference, right, saying I'm going to walk down  
23 to family court today and I'm going to just go sit in the back and I'm going to watch  
24 and I want to see what happens.



1 THE COURT: But you don't have to do that now. You can get everything  
2 on video, just like in this courtroom. You can go -- after today you can even call  
3 my own clerk and she'll give you a DVD of anything that happens in this courtroom.  
4 She won't even ask me. She'll just give it to you because it's a public courtroom.

5 MR. GILMORE: Sure. And so people go searching for that, right? As you  
6 said, I've got to call the clerk --

7 THE COURT: You don't have to search. You can just get it.

8 MR. GILMORE: I have to call down here and obtain a copy of that video and  
9 pay for it, right? I've got to pay for that transcript. I can't just go get it.

10 THE COURT: Maybe.

11 MR. GILMORE: My understanding, you're typically paying for the transcript  
12 because they're having to put it together.

13 THE COURT: It's not a transcript, it's just a DVD.

14 MR. GILMORE: Or the video from today.

15 THE COURT: You can get a video.

16 MR. GILMORE: And so --

17 THE COURT: I think you might have to pay twenty bucks.

18 MR. GILMORE: Okay. So that's twenty dollars, right? That's a nominal  
19 sum perhaps to people here in the courtroom today, but maybe not to other people.  
20 Instead what we have is I'm going to widely publicize that on Facebook, on Vimeo,  
21 but I'm also going to send it through private email blasts. So let me --

22 THE COURT: Okay, because you argue, I have that in my notes. How do  
23 the emails -- it appears to me as though you argued that even if the -- because the  
24 Internet is a public forum. You're not going to deny the Internet --

1 MR. GILMORE: On Facebook --

2 THE COURT: -- is a public forum?

3 MR. GILMORE: No, no, no, we didn't take that position.

4 THE COURT: Okay. All right.

5 MR. GILMORE: We said that email blast.

6 THE COURT: But you did take the position that even if the Internet is a  
7 public forum, that by sending it in an email it was a republication that took it out of  
8 the public forum.

9 MR. GILMORE: That's correct, Your Honor.

10 THE COURT: That it was like publicizing it for the first time.

11 MR. GILMORE: That's correct. And the law is clear on this. Each act of  
12 republication is actionable. Now, the response here was, well, no, because if I'm  
13 speaking here today and I say something defamatory to four people, I've said it  
14 once, right?

15 THE COURT: Well, you're good because you're in the courtroom.

16 MR. GILMORE: I'm good. Let's say --

17 THE COURT: You have immunity.

18 MR. GILMORE: But let's say I was outside. Fair enough. Let's say I was  
19 outside --

20 THE COURT: As long as you don't start going crazy.

21 MR. GILMORE: Fair enough. But even then I think the Nevada Supreme  
22 Court gives you a lot of leeway.

23 THE COURT: Probably.

24 MR. GILMORE: They do on the litigation privilege. But let's say I'm standing

1 outside and I have four people in front of me and I publicize a defamatory statement.  
2 Of course that's one act of publication. It doesn't matter if there's two or a hundred  
3 people standing there. But that's not what we have here. They are not contending  
4 that Mr. Sanson stood in front of two computers and said I'm going to hit enter to  
5 make it go public on YouTube and I'm going to hit enter to make it go through my  
6 email blast at the same time.

7 THE COURT: That's exactly what they alleged in their reply. Did you read  
8 their reply?

9 MR. GILMORE: Counsel said that. Unless Mr. Sanson is going to testify --

10 THE COURT: That's how I understood their reply, that the --

11 MR. GILMORE: That's argument of counsel. We have to flesh that out.

12 THE COURT: I mean, it was in their reply. I read that last night because  
13 I was very concerned about your email argument, whether that -- because the  
14 Internet is a public forum, whether sending it to a private email newsletter audience  
15 somehow took it out of the public forum. I thought that was an interesting argument.

16 MR. GILMORE: And it's something --

17 THE COURT: Because in their reply they alleged exactly what I just said,  
18 that he published it at the same time.

19 MR. GILMORE: And I would find that quite interesting if he would get up here  
20 and testify that he did just that. I would find that quite interesting because argument  
21 of counsel in response, that's fine. She can argue that, right? And if Your Honor  
22 wants limited discovery on that issue, I'm happy to take Mr. Sanson's deposition  
23 for a very limited purpose and I'll say to him, hey, were you sitting at your multiple  
24 computers and did you set it up --

1 THE COURT: I don't think you have to sit at multiple computers.

2 MR. GILMORE: Well, somehow or another to be able to send everything out  
3 at the same time through different channels. I don't know, right, because I'm not  
4 him. But if you want us to vet that, Your Honor, I'm happy to do so. That doesn't  
5 seem practical, reasonable or realistic. I imagine he first either puts it through the  
6 email blast and then he goes and puts it up on Facebook, or the other way around,  
7 but those are successive acts. And if that's occurring, then the successive act or  
8 the initial act that's through the private email list that you have to subscribe to, right,  
9 that you have to be on, you have to be a member of, if that's the case then we're  
10 not in a public place or a public forum. It takes us out of the anti-SLAPP statute.

11 THE COURT: Okay. So that's exactly what you're arguing?

12 MR. GILMORE: Yes.

13 THE COURT: Okay.

14 MR. GILMORE: Correct, Your Honor. Correct. Taking a look at the other  
15 public interest factors, Your Honor, the first one under Shapiro, it does not -- "public  
16 interest does not equate with mere" --

17 THE COURT: So how does this come out of the public interest? Because  
18 it's a courtroom case, it's happening in a public courtroom. And I know you argue  
19 it's not a public interest.

20 MR. GILMORE: Correct.

21 THE COURT: Why is it not a public interest?

22 MR. GILMORE: Look at the third Shapiro factor. "The assertion of a broad  
23 and amorphous public interest is not sufficient." That's what we have. It's like,  
24 well, we're interested in courts. That's the very definition of a broad and amorphous

1 public interest. We just want to know what's happening. It requires more than that,  
2 otherwise that factor wouldn't be here, right, and the Nevada Supreme Court wouldn't  
3 have said take a look at that, because if we just have some broad, amorphous  
4 interest that's not enough. And that goes --

5 THE COURT: It says you can't turn otherwise private information into a  
6 matter of public interest by communicating to a large number of people.

7 MR. GILMORE: Correct. So they fail there. They fail under the third factor,  
8 which is "there must be some degree of closeness between the challenged  
9 statements and the asserted public interest. The assertion of a broad and  
10 amorphous public interest is not sufficient." They fail there, too. They fail there.  
11 And that becomes even clearer when you look at this argument --

12 THE COURT: Even though these courtrooms are run by elected judges?  
13 I mean, there's nothing more -- I mean, the courtroom is a public forum --

14 MR. GILMORE: I understand why you struggle with that.

15 THE COURT: -- that public has the right -- I mean, I can't deny anyone  
16 access to the courtroom unless I have a valid reason.

17 MR. GILMORE: I understand the struggle.

18 THE COURT: Sure.

19 MR. GILMORE: You say we're talking about courts, right? But it's got to be  
20 more than that.

21 THE COURT: They're public. They're open.

22 MR. GILMORE: They are. I can't deny that, right? I'm not going to sit here  
23 and deny the obvious. But it requires more.

24 THE COURT: But you're taking something that happened in a public

1 courtroom and you're saying it's not a public interest --

2 MR. GILMORE: I'm taking --

3 THE COURT: -- even though it's run by a public official who's elected by  
4 the people.

5 MR. GILMORE: Sure. I'm looking at the facts, right. You have to look at  
6 the facts that are presented to you here today. Again, this was not an individual who  
7 was vetting courtrooms downtown in family court. He went out of his way to target  
8 one lawyer. Shapiro says then we're not a public interest, okay. And why is that  
9 significant? It doesn't mean necessarily that we're going to trial on these claims  
10 now. It doesn't mean that. It means they don't get the benefit of the anti-SLAPP  
11 statute. They may get relief under 12(b)(5). I don't think they do. I don't think we  
12 get there. But they don't get anti-SLAPP relief. Why? The Nevada Legislature has  
13 said, look, defamation, statements of opinion, some of that is a close call, some of  
14 it's not. It always depends. That's the judge -- you decide, does this go forward  
15 and a jury looks at these statements or not.

16 So they can come in here on a 12(b)(5) motion and they don't have to  
17 worry about truth. They don't have to worry about that. But the Nevada Legislature  
18 has said if you're going to come in here on a defamation claim, on an anti-SLAPP  
19 motion, we're going to make it a little harder. Why are we going to do that?  
20 Because you want fees and you want damages. So if that's what occurring and  
21 you are not only asking --

22 THE COURT: But the fees are mandatory, are they not?

23 MR. GILMORE: Correct. If you grant the special motion, fees are mandatory,  
24 right?

1 THE COURT: Uh-huh.

2 MR. GILMORE: So then that can't be easy because otherwise we're going  
3 to convert every 12(b)(5) motion on a defamation claim to an anti-SLAPP motion.  
4 And if the Nevada Legis--

5 THE COURT: This is only the second one I've had in over 15 years, so I don't  
6 think that's what happens.

7 MR. GILMORE: Well, and I don't think that's supposed to happen.

8 THE COURT: I mean, anti-SLAPP motions are not like run of the mill.

9 MR. GILMORE: It's not supposed to happen.

10 THE COURT: Correct.

11 MR. GILMORE: We're supposed to be in here on a 12(b)(5). But they're in  
12 here asking you for the benefit of the anti-SLAPP statute.

13 But let me do this, Your Honor. Let me move -- even if you're  
14 struggling with public interest and I understand that --

15 THE COURT: Uh-huh.

16 MR. GILMORE: -- and then we have the public forum issue --

17 THE COURT: Sure.

18 MR. GILMORE: -- which I think they have a real problem with, they have a  
19 real problem with because a lot of this, again, all of it republished through a private  
20 email. But the third factor, Your Honor, and one that we hear today that actually  
21 they really don't have to comply with is truth. They can't disagree with that. The  
22 statute says it's got to be truthful or made without knowledge of its falsehood. We're  
23 done. They don't even bother to do that. Instead, what do they say to you? Well,  
24 no, these are statements of opinion so I don't have to prove truth. The Nevada

1 Legislature disagrees and so does the Nevada Supreme Court. In Shapiro it said,  
2 oh, and by the way, any communication that you're trying to squeeze into the  
3 anti-SLAPP statute, it better have been truthful or made without knowledge of its  
4 falsehood. They don't --

5 THE COURT: How about putting a video -- I mean, because everything  
6 stems from this video. That video is truthful. That's what happened.

7 MR. GILMORE: The video --

8 THE COURT: See, you can't deny that. I mean, it speaks for itself. It may --  
9 I mean, I sat and watched the whole thing. It took a really long time to sit through  
10 the whole thing. I know what happened at the end. But the beginning of that, that  
11 all happened. I mean, it wasn't nice, you know, but it all happened. It's truthful.  
12 That happened.

13 MR. GILMORE: But that's not what this article does.

14 THE COURT: So putting that on the Internet doesn't somehow turn it into  
15 defamation. But everything stems from that video, correct? All the statements,  
16 everything stems from that video.

17 MR. GILMORE: I think that's the genesis. Yeah, I think that's where we  
18 started.

19 THE COURT: And the truth is an absolute defense. It's not defamation  
20 if it's truthful.

21 MR. GILMORE: But this is not just, hey, everybody ought to go watch  
22 this video. That's not what this is. This wasn't just, hey, I thought this was really  
23 interesting and I'm here to make sure everybody knows what's going on; go  
24 watch this video. That's not what happened here. We decided to only talk about --



1 Mr. Sanson said I'm only going to talk about the first part of the video. And  
2 everybody knows everybody reads headlines, right? How long did it take? I mean,  
3 it's a 78 minute video. It takes --

4 THE COURT: Oh, it's -- I thought it was like two hours, but apparently it's not.

5 MR. GILMORE: It feels a lot longer when you watch a video, right?

6 THE COURT: It felt like two hours, but it's only -- when I saw it was only  
7 70 minutes, I thought -- I would have sworn it was like two hours. It was long.

8 MR. GILMORE: Yeah. And I think -- I mean, they've done studies now that  
9 the average person is going to read an article for maybe up to thirty seconds if it  
10 really grabs their attention, right. The idea that anybody is going to sit there, click  
11 that video, sit back, get a drink and watch that video is ridiculous. And even Judge  
12 Elliott said in her email to him, you know, it's really not fair how you've portrayed that  
13 video. Of course, she took offense to it, too, as you alluded to earlier. It's got to be  
14 a fair accounting. That's not what they did here because they know nobody is going  
15 to go watch that video. Headlines are what matters. That's what sells in the news,  
16 headlines. And this headline here, when read in context, if we're jumping ahead,  
17 is defamatory.

18 But I want to back up because truth -- again, they have to prove truth  
19 and they can't do that with how they portrayed the video. I didn't put those words in  
20 that article, they did. They did that. And Mr. Sanson does not say in his declaration,  
21 Mr. Sanson did not say in the article, oh, hey, you know, full disclosure here, the  
22 judge was misinformed about the plaintiff's finances. Full disclosure. You don't  
23 see like a footnote, a little disclaimer at the end. He doesn't want you to know that.  
24 That's not his objective. So, truth, that's why they fail under the truth analysis there.

1           Some of the other things, Your Honor, that talked about the articles  
2 with bullying, threatening. Again, do they say, look, here's how I would prove that?  
3 Here's at least what I would do if I had to prove that. No. We have argument of  
4 counsel that talks about why those are statements of opinion. That's fine. And  
5 again, if we want to have that discussion under the 12(b)(5), let's have it and I think  
6 that will be a productive, meaningful conversation. But not under the anti-SLAPP  
7 statute because they had to prove -- they had to prove truth. Good faith. Those are  
8 the words that our Nevada Legislature used. Those words were reaffirmed by the  
9 Nevada Supreme Court in Shapiro.

10           THE COURT: What if it's an opinion? I mean, an opinion can never be false,  
11 correct?

12           MR. GILMORE: People all the time are testifying here's my thought, here's  
13 what I base that on. Here's the facts that support my opinion, right?

14           THE COURT: Uh-huh.

15           MR. GILMORE: We don't see that.

16           THE COURT: But an opinion cannot be false. So if it's an opinion, it's  
17 truthful.

18           MR. GILMORE: Well, we can argue about whether these are opinions.  
19 I don't think they're opinions.

20           THE COURT: Okay. All right.

21           MR. GILMORE: But the problem here is they just assume they're opinions  
22 and they don't say, you know what, I'm going to be --

23           THE COURT: Well, they assert. They don't assume --

24           MR. GILMORE: Fair. They argue it.

1 THE COURT: -- they assert that they are opinions. So I'm wanting to know  
2 from you why are they not opinions?

3 MR. GILMORE: Okay.

4 THE COURT: Because if they're opinions, they can't be false, right?

5 MR. GILMORE: So what --

6 THE COURT: Because I understand they have to prove truth or no  
7 knowledge that they were false. I'm not -- I'm just kind of wondering how you can  
8 prove truth or false if someone is a bully.

9 MR. GILMORE: You would still have predicate act.

10 THE COURT: Do you know what I mean?

11 MR. GILMORE: I do.

12 THE COURT: Bully.

13 MR. GILMORE: I understand.

14 THE COURT: I mean, isn't that someone's opinion?

15 MR. GILMORE: Well, what they've also done, Your Honor, is they're cherry-  
16 picking and they're trying to cut these articles up, right? That's not what you do.  
17 You've got to read them in context. And the Nevada Supreme Court has said, what  
18 would a reasonable person think when they look at these articles? What would a  
19 lay person think? And as I alluded to earlier, they would think that Ms. Abrams is  
20 able to threaten a judge; you better sign this order or things are going to go very  
21 south for you.

22 THE COURT: Where does it say she threatened a judge?

23 MR. GILMORE: The bullying article, that she's bullying Judge Elliott.

24 THE COURT: Why are you saying that they said she threatened a judge?

1 MR. GILMORE: I'm saying that's how I would maintain, Your Honor, that  
2 article would be interpreted by a lay person. The Nevada Supreme Court has said  
3 to you, Judge, when you're looking at this --

4 THE COURT: And they actually posted the order. He was served with an  
5 order and isn't this actually the order? It looks to me like the actual order.

6 MR. GILMORE: On the --

7 THE COURT: Right.

8 MR. GILMORE: You're looking at Exhibit 3, Your Honor?

9 THE COURT: I mean, he actually posted the order for everyone to see so  
10 they could form their own conclusions, right? It's Exhibit 2.

11 MR. GILMORE: Correct, Your Honor. He's got the order posted. I can't --  
12 he does have the order posted. But what does that tell the reader? He must know  
13 a lot about this case if he's posting pleadings, so there must be something else  
14 that happened. He bullied her and he caused her to enter that order. The Nevada  
15 Supreme Court has said what would a reasonable person think when they look at  
16 this. And if it's subject to more than one interpretation, then what do we do? We  
17 bring a jury in here. Now, they might say, come on -- come on, I think that's opinion  
18 as opposed to fact, but that's a jury question. If it's a mixed type statement --

19 THE COURT: So an opinion is always a jury question?

20 MR. GILMORE: Whether. The Nevada Supreme Court has said if it's a  
21 mixed type statement, which means there's some undisclosed defamatory facts.  
22 If a reasonable person --

23 THE COURT: So the defamatory statement is bully?

24 MR. GILMORE: When read in this article --

1 THE COURT: Bullied?

2 MR. GILMORE: -- Your Honor, again, I don't think we can chop this article  
3 up, which is what they want to do. You've got to look at the entire article. What's  
4 the message being conveyed? Okay.

5 Now, you made a comment about unethical earlier, right. Where is it  
6 that they call her out point blank that she's unethical, right? You read the article.  
7 Isn't this unethical? Anybody who reads that is going to say, well, he's calling her  
8 unethical. Again, you have to look at the article.

9 THE COURT: I read it and I said exactly the opposite.

10 MR. GILMORE: I'd say, Your Honor, when you look at --

11 THE COURT: So, I'm somebody.

12 MR. GILMORE: You are and you're the one that's most important looking  
13 at this, looking at this statement, Your Honor. If there is an ethical problem or the  
14 law has been broken by an attorney.

15 THE COURT: And that, the was critical of the judge. That's true. If there's  
16 an ethical problem taking place in your courtroom, you do have a duty to report it  
17 to the appropriate governing body. We may not like that, but that's the truth.

18 MR. GILMORE: An ethical problem with who?

19 THE COURT: With the attorneys.

20 MR. GILMORE: Ms. Abrams. Exactly.

21 THE COURT: But that's true.

22 MR. GILMORE: That she's done something unethical. She's done  
23 something unethical. That's what I read from this article, Your Honor. That's what  
24 I would submit, that a lay person reading this would say she has done something --

1 THE COURT: Well, the judge didn't report her, so clearly the judge didn't  
2 think it.

3 MR. GILMORE: Correct.

4 THE COURT: And that's the only person that matters, right?

5 MR. GILMORE: Did he say that in this article?

6 THE COURT: Yeah. He said that a judge is supposed to --

7 MR. GILMORE: That the judge didn't report her?

8 THE COURT: He says a judge is supposed to report somebody. So if the  
9 judge didn't do it, the judge is the one being criticized. I'm just -- there's nowhere  
10 in here does it say Ms. Abrams is unethical.

11 MR. GILMORE: Point blank, you're right.

12 THE COURT: Right.

13 MR. GILMORE: That's correct, Your Honor. I would submit that if you read  
14 that article in context that's the only logical conclusion to draw from it.

15 But let's move from that one, then, because there's other ones, too.  
16 This stuff about sealing, that she's sealing stuff and it's unsupported in law. I mean,  
17 do we have any citation saying here's why you couldn't seal certain elements of  
18 these cases? No. And again, that goes back to this idea that she can get judges  
19 to just blindly sign orders. She can't do that.

20 THE COURT: Again, I emphasize the criticism is on the court and not  
21 necessarily the lawyer because the lawyer is not sealing cases --

22 MR. GILMORE: Correct.

23 THE COURT: -- the court is.

24 MR. GILMORE: But what they're saying is how dare she go in there and ask

1 the judge to sign an order that she knows the law would not allow her to do.

2 THE COURT: Then that's a problem with the judge, isn't it?

3 MR. GILMORE: It could be as well. But do they come in here as part of  
4 proving truth say here's why that was a problem for the judge, because look at NRS  
5 such and such, you couldn't seal that. They don't do that. They don't try to do that  
6 because they can't do that. So why is that significant? I'm going to bring it back  
7 again, anti-SLAPP. If you want anti-SLAPP relief, which is better than 12(b)(5)  
8 relief, right, so they're not in here under --

9 THE COURT: Well, they did list the docket of all the cases that apparently  
10 have been sealed.

11 MR. GILMORE: So you look at that and what they're saying is she shouldn't  
12 have sealed any one of those cases, right? That's the position.

13 THE COURT: Where does it say that the court should not have sealed those?

14 MR. GILMORE: Calling her seal-happy and it's unsupported in law.

15 THE COURT: Okay.

16 MR. GILMORE: And that is the -- I believe it's the November 6th article, Your  
17 Honor. And my point is this. If they're going to say you shouldn't have sealed that  
18 case, then they'd have to do something.

19 THE COURT: They have to say that first.

20 MR. GILMORE: But to start calling her seal-happy, again, the only implication  
21 to draw from that is that she shouldn't be sealing those cases.

22 THE COURT: I think the only inference is that she has petitioned the court  
23 maybe several times and the court has granted her petition. I mean, no one thinks  
24 an attorney can actually seal records, right?

1 MR. GILMORE: I don't think so.

2 THE COURT: And I don't think there's any -- any --

3 MR. GILMORE: So page 4 of this article, Your Honor --

4 THE COURT: Okay.

5 MR. GILMORE: -- it's the last paragraph here talking about such blanket  
6 prohibition on public access to the entire case is specifically disallowed by law. So  
7 they're going to post that what she's doing is specifically disallowed by law. I would  
8 submit that some element of truth has to be behind that to get past the first step of  
9 the anti-SLAPP analysis. And if we don't get there, if they don't -- we don't have  
10 that, then we're done and we sit down and we have a debate about the 12(b)(5)  
11 motion. But I think I've belabored that point, Your Honor, so I'll move to --

12 THE COURT: Well, and isn't it true, because didn't Judge Elliott correct that?

13 MR. GILMORE: She did not say I'm going to unseal the case. She said her  
14 order saying nobody can disseminate that video everywhere, that I have a problem  
15 with she said. So that was the gag order portion that I mentioned earlier.

16 THE COURT: Okay. But she didn't seal the underlying divorce case, did  
17 she?

18 MR. GILMORE: As I understand it, the records from that case, which is  
19 allowed under NRS 125, were sealed.

20 THE COURT: She did --

21 MR. WILLICK: Yes.

22 MS. ABRAMS: Yes. She did seal --

23 MR. GILMORE: Yes. So that -- there's a difference --

24 THE COURT: She did eventually seal the entire --



1 MR. GILMORE: There's an order --  
2 THE COURT: When did she do that?  
3 MR. POTTER: Three days later.  
4 THE COURT: When?  
5 MS. ABRAMS: She sealed the case. I believe it was October or the beginning  
6 of November. It was months prior --  
7 THE COURT: Okay, so after?  
8 MR. POTTER: It was three days later.  
9 MS. ABRAMS: It was months prior to the order, the gag order asking for the  
10 video to be removed.  
11 THE COURT: Okay.  
12 MR. GILMORE: So we have two things, right?  
13 THE COURT: But after the publication?  
14 MR. WILLICK: No.  
15 MR. POTTER: Yes.  
16 THE COURT: Somebody tell me when she sealed this entire divorce case.  
17 MR. GILMORE: Let me -- yeah, let me find that, Your Honor.  
18 THE COURT: Okay.  
19 MS. ABRAMS: So, it was a closed hearing and then she sealed the case  
20 a few days later.  
21 THE COURT: Okay.  
22 MS. ABRAMS: And then --  
23 THE COURT: Is it still sealed?  
24 MS. ABRAMS: Yes, it is.

1 THE COURT: Okay.

2 MR. GILMORE: Let me get the date, Your Honor, so that we're all on the  
3 same page.

4 THE COURT: So again, if he's contending that should have been disallowed,  
5 he's criticizing the judge, not the lawyer.

6 MR. GILMORE: But it's --

7 THE COURT: The lawyer just petitions. The lawyer is supposed to zealously  
8 advocate for their client. If they have -- I mean, that's what they're supposed to do.

9 MR. GILMORE: They are, but lawyers --

10 THE COURT: And then you let the chips fall where they may and the court  
11 signs an order or doesn't sign an order.

12 MR. GILMORE: But lawyers don't go in there and say, Judge, I want to have  
13 you do something and I know as I sit here in my head that it's specifically disallowed  
14 by law, right?

15 THE COURT: Well, of course not. Yeah.

16 MR. GILMORE: Exactly. But that's what's drawn from this. They take it a  
17 step further, she's asking the judge to do things that she knows she shouldn't ask  
18 that judge to do. That's the rub. That's the problem, what you get from these  
19 articles. It's not just Judge Elliott, it's Ms. Abrams. She's going in there asking for  
20 things that she has no business asking for as a lawyer. That is the reasonable  
21 implication drawn from these articles. And if we have that, Your Honor, which we  
22 do, then they fall outside of a pure statement of opinion. It becomes a mixed type  
23 statement that a jury has to look at. And again, I said this, the jury might look and  
24 say you're reaching. But as a matter of law they come to you today and they say

1 under no set of circumstances could anybody read these articles that way. That's  
2 what they have to have you find. Nobody could read any of this and find that these  
3 are pure statements of opinion as a matter of law. I think that is too far of a reach  
4 at this juncture.

5           Again, we might do some discovery, flesh out a little bit what's going  
6 on here, and they may come back in here under 56 and say, Your Honor, there's no  
7 way a jury could ever read it this way because look what we did, we went and got an  
8 expert who looked at these opinions; polled, did a sampling, right. I took this article  
9 to 100 people. They can come in here to you with evidence like that and say let's  
10 not waste time at a trial because now I don't think there's a question of fact. I think  
11 that would be hard to do. But we're here right now under anti-SLAPP and 12(b)(5)  
12 and they're asking you to say as a matter of law this statement shouldn't go to the  
13 jury. This statement does not create a mixed type statement. I don't think you can  
14 find that at this stage, Your Honor.

15           I feel like I've gone back and forth over the anti-SLAPP first step,  
16 second step. Your Honor let's say gets past the first step and says, you know what,  
17 I think it's public interest.

18           THE COURT: The burden shifts to you, then what?

19           MR. GILMORE: Then the burden shifts to me, right?

20           THE COURT: Uh-huh.

21           MR. GILMORE: First of all, this idea that we have no evidence presented,  
22 that's false. First of all, you look at our opposition. We've got all the articles  
23 attached, right?

24           THE COURT: Okay.

1 MR. GILMORE: Ms. Abrams initially verified the complaint, but then she  
2 also did a declaration attached to the opposition. There's no case saying you can't  
3 verify a complaint.

4 THE COURT: What are your predicate claims on the RICO action?

5 MR. GILMORE: The RICO, I don't think you get there on anti-SLAPP  
6 because it's not dealing with the communication anymore, right. You look at the  
7 crimes that are alleged, those are not communications by definition.

8 THE COURT: What are the crimes?

9 MR. GILMORE: I would submit, Your Honor, we need to do more on the  
10 RICO claim. I can't argue that.

11 THE COURT: So you know your RICO claim fails?

12 MR. GILMORE: I think we have to do more. I think it fails under 12(b)(5).

13 THE COURT: Okay. Well, I appreciate that.

14 MR. GILMORE: Under 12(b)(5), though, as opposed to the anti-SLAPP  
15 because if the conduct --

16 THE COURT: Well, you know I get concerned when you're filing RICO  
17 actions and alleging people committed crimes.

18 MR. GILMORE: No, I understand that, Your Honor.

19 THE COURT: I mean, if you're going to do that, then do it right.

20 MR. GILMORE: I understand that, Your Honor. I do. I do.

21 THE COURT: Okay. So, you admit today your RICO claim fails?

22 MR. GILMORE: I think under 12(b)(5) --

23 THE COURT: Okay.

24 MR. GILMORE: -- the RICO needs to be dismissed. And we'll take a hard

1 look at whether we want to amend to add that back or not. My recommendation  
2 will probably be to not add it back.

3 THE COURT: Okay. I appreciate that.

4 MR. GILMORE: But that's under 12(b)(5).

5 THE COURT: How about your copyright claims?

6 MR. GILMORE: Same thing.

7 THE COURT: Okay.

8 MR. GILMORE: Under 12(b)(5) but not under NRS 41.660.

9 THE COURT: And you agree injunctive relief is a remedy?

10 MR. GILMORE: It is a remedy, Your Honor.

11 THE COURT: Okay.

12 MR. GILMORE: The idea here is to make it clear to Mr. Sanson what the  
13 relief is they're seeking.

14 THE COURT: Do you think harassment is a claim in Nevada?

15 MR. GILMORE: You look at the District of Nevada cases, Your Honor, we  
16 can't argue with that.

17 THE COURT: Okay.

18 MR. GILMORE: The point here is, look --

19 THE COURT: So you agree harassment goes, too?

20 MR. GILMORE: Under 12(b)(5).

21 THE COURT: Okay.

22 MR. GILMORE: Under 12(b)(5), Your Honor, not under NRS 41.660.

23 THE COURT: I appreciate that.

24 MR. GILMORE: What we have, Your Honor, is, look, we're pleading --

1 THE COURT: So really you think -- how about your intentional infliction  
2 of emotional distress?

3 MR. GILMORE: I think whether this is extreme or outrageous --

4 THE COURT: Can be determined --

5 MR. GILMORE: -- are we deciding that as a matter of law?

6 THE COURT: Well, it gets determined as a matter of law and you have to  
7 show damages and the damages can't be just I'm stressed out. I mean, the case  
8 law is very clear on that.

9 MR. GILMORE: Oh, sure.

10 THE COURT: So if the burden shifts to you, that's what I'm asking you.

11 MR. GILMORE: And we have the declaration from Ms. Abrams where she  
12 addresses that and she puts more meat on those bones, so to speak, Your Honor.

13 THE COURT: Okay.

14 MR. GILMORE: Under NRCP 8 --

15 THE COURT: So, I'm stressed out. And I'm not trying to -- you know,  
16 because no one likes to be -- no one likes this and I'm not trying to minimize it,  
17 whether it's right or wrong. No one likes this, so I'm not trying to minimize, you  
18 know, how she feels. But you understand it has to be extreme and outrageous and  
19 there are certain things that we're required to take in a society. Are you contending  
20 these statements are of that level, extreme and outrageous, and that she has  
21 suffered severe damages?

22 MR. GILMORE: I think in conjunction with how we got here it becomes that  
23 way. In conjunction with Mr. Schneider making it clear at the outset I'm going to  
24 do more than just oppose your motion. And I don't think there's any dispute he

1 gave that video.

2 THE COURT: I'm sorry, what?

3 MR. GILMORE: That's the initial email from Mr. Schneider to Ms. Abrams,  
4 or actually her -- Mr. Leavitt --

5 THE COURT: Okay.

6 MR. GILMORE: -- saying if you don't withdraw that motion, I'm going to do  
7 more. So that's where we started. And then the conversation with Mr. Schoen in  
8 December where -- priority list, right? When you look at context, this is somebody  
9 going out of their way to do this, that's what I would submit makes this extreme and  
10 outrageous, Your Honor, as opposed to just somebody who walked into court one  
11 day, caught her arguing in that case and then decided to go on and write about it.  
12 Then I don't think we would get there, but that's not these facts. I think these facts  
13 get you there. But I can understand if you're struggling, Your Honor.

14 THE COURT: Okay. But again, to get Mr. Schneider here I have to make  
15 that leap that he gave it to Mr. Sanson for a bad purpose.

16 MR. GILMORE: You don't need a bad purpose. No.

17 THE COURT: Okay.

18 MR. GILMORE: Conspiracy is two or more people who come to an  
19 agreement.

20 THE COURT: You have to have an underlying unlawful objective. You have  
21 to have an agreement to commit a tort. Right?

22 MR. GILMORE: Correct. To commit a tort. Correct. I know the mention  
23 was illegal.

24 THE COURT: Okay.

1 MR. GILMORE: It doesn't have to be illegal, right? You have to have two  
2 people who --

3 THE COURT: Well, it has to be bad. There has to be some sort of bad  
4 element.

5 MR. GILMORE: You have two people who come together --

6 THE COURT: So again, I have to -- I have to agree that they entered into  
7 this agreement, I guess to defame.

8 MR. GILMORE: Correct.

9 THE COURT: To defame them.

10 MR. GILMORE: Yeah. And remember, on this motion we're either under  
11 the anti-SLAPP or we're under 12(b)(5). Either way, the inferences are drawn in  
12 our favor. No, I don't have the conversation --

13 THE COURT: Well, under the anti-SLAPP you have to come forward with  
14 evidence.

15 MR. GILMORE: I did. So what did we come forward with? We have --

16 THE COURT: The burden is a little bit higher.

17 MR. GILMORE: So let's look at the evidence that we have, right. The day  
18 after the hearing Mr. Schneider requests a copy of the video, right? Nobody is  
19 disputing that. And then a few days later it shows up on the Internet.

20 THE COURT: Well, I mean, I guess if there's no other evidence that the  
21 video was distributed. I'm assuming the person that gave it to Mr. Schneider is the  
22 same person that would like -- well, I don't know, maybe there's a lot of people  
23 that could give that video here. I don't know. I don't know if only one person can  
24 give the video to somebody or if you could call Court Administration. I don't know.



1 But the only evidence here is that Mr. Schneider was the only one who got the  
2 video, right? So if Mr. Schneider was the only one who got the video, he had to  
3 have given it to Sanson?

4 MR. GILMORE: Well, correct, Your Honor.

5 THE COURT: Okay.

6 MR. GILMORE: Correct. And how easy would it have been for one of them  
7 to put in a declaration I didn't get the video or I didn't give the video? You don't  
8 see that. Mr. Schneider is here today. You can ask him, did you give the video  
9 to Mr. Sanson? But let's -- it's not just that, Your Honor. We also have emails.

10 THE COURT: Well, okay, he did.

11 MR. GILMORE: Okay.

12 THE COURT: Let's say he did.

13 MR. GILMORE: So then why is he giving him that video?

14 THE COURT: So what?

15 MR. GILMORE: That's the agreement, Your Honor.

16 THE COURT: Okay.

17 MR. GILMORE: The agreement to go after and target Ms. Abrams.

18 THE COURT: But if you post -- I'm trying to figure out how you get Mr.  
19 Schneider here, because if Mr. Schneider gives him the video, it's of a public  
20 proceeding in a public courtroom; it's true. Correct? And the video got played  
21 in its entirety. What did Mr. Schneider do?

22 MR. GILMORE: As far as what we know and what we've pled so far,  
23 Your Honor --

24 THE COURT: He gave the video.

1 MR. GILMORE: He gave the video.

2 THE COURT: Let's say I agree. He gave the video. So what?

3 MR. GILMORE: And then he said later, also undisputed, I can make all this  
4 go away. What does that mean?

5 THE COURT: I don't know. I don't know what that means.

6 MR. GILMORE: Neither do I. But let's -- a reasonable inference to draw  
7 from that, Your Honor, is he's behind this. He's behind this.

8 THE COURT: I mean, now you're -- I don't think that anybody tells Mr.  
9 Sanson what to do, but I don't know.

10 MR. GILMORE: I don't know. I don't know. I'd have to take depositions  
11 to find out. But to go back to your point, Your Honor, yes, I've got to hook Mr.  
12 Schneider on the conspiracy claim. Without that he's not hooked here because,  
13 no, he did not post -- as far as I know.

14 THE COURT: Okay. But what is the evidence that they entered into this  
15 conspiracy to commit defamation? Because just giving the video isn't bad. It's  
16 a public document.

17 MR. GILMORE: The evidence --

18 THE COURT: Correct?

19 MR. GILMORE: I think the evidence would be that he gives the video; makes  
20 it clear to my client that he could stop this if she withdrew the motion.

21 THE COURT: Okay.

22 MR. GILMORE: And then from there we have to go into the substance of  
23 the actual acts themselves, right, and whether or not the acts themselves you find  
24 are defamatory or not.

1 THE COURT: Okay. I appreciate you answering all my questions.

2 MR. GILMORE: Sure.

3 THE COURT: I mean, the briefs were very, very good. I know they were long.

4 MR. GILMORE: They were long and, you know, we filed a motion to try to --

5 THE COURT: And you filed it in excess of the page -- but I'm okay with you  
6 filing it in excess of the page limit.

7 MR. GILMORE: We filed a motion for leave to have you grant that request  
8 because --

9 THE COURT: You did and I saw that.

10 MR. GILMORE: -- I don't want to give you three briefs if I can give you one,  
11 right?

12 THE COURT: And I figured that, that you didn't want to oppose all three.  
13 I think they were -- both sides, the issues were very well briefed and I do appreciate  
14 that. And I appreciate you answering my questions.

15 MR. GILMORE: Okay. A couple other points, Your Honor --

16 THE COURT: Sure.

17 MR. GILMORE: -- and then I think I'm done. It doesn't sound anymore like  
18 they are going to argue that she is a limited purpose public figure.

19 THE COURT: I don't think she is, if that helps.

20 MR. GILMORE: Okay. It doesn't sound like we're going through that.

21 THE COURT: I don't believe she's a public figure.

22 MR. GILMORE: Okay, so then I don't have to go through that. And then  
23 there was a little bit of discussion in the briefs about the fair reporting privilege, but  
24 we know that's got to be an accurate and complete accounting. I didn't hear much

1 about the fair report privilege today, so I don't -- unless Your Honor has questions  
2 about that I don't think we need to go into that.

3 So, Your Honor, in conclusion, I would say that they don't get past  
4 the first hump of the anti-SLAPP analysis. And the California cases are very clear,  
5 we won't look at the merits of the claims. We may do that here in a minute on the  
6 12(b)(5) motion --

7 THE COURT: Uh-huh.

8 MR. GILMORE: -- but for purposes of the anti-SLAPP, they don't get over  
9 the hump. But if they do, what do the California cases say? You've got to have  
10 minimal merit. It's not the summary judgment standard anymore. Our Nevada  
11 Legislature changed that. These claims have minimal merit at this stage of the  
12 proceeding, Your Honor.

13 Lastly, if you think there's reason to flesh some of this out, we did  
14 make a request for limited discovery. Again, it's not full-fledged discovery, but if you  
15 think there's just a couple of things you'd like me to flesh out, I'm happy to do that.  
16 We can come back in here in 90 days, 120 days and resolve those few remaining  
17 issues.

18 THE COURT: All right, thank you.

19 MR. GILMORE: Thank you, Your Honor.

20 THE COURT: I do believe I have to resolve this motion before we can go on  
21 to any 12(b)(5), though. And procedurally you agree with that?

22 MR. GILMORE: That's up to Your Honor's discretion, but I would say that if  
23 you require limited discovery, yes, you wouldn't rule on a 12(b)(5). Everything would  
24 get continued.

1 THE COURT: Right.

2 MR. GILMORE: So if you say, you know what, I'm going to let you do  
3 discovery on these things that I have questions about, then yeah, we're going to  
4 continue out the 12(b)(5) motions. We'll continue out the 12(f) motion. We'll come  
5 back, get a decision after additional evidence is submitted on the anti-SLAPP and  
6 then decide whether you're taking up all or portions of the 12(b)(5) or 12(f) motions.

7 THE COURT: Okay, thank you.

8 MR. GILMORE: Thank you, Your Honor.

9 THE COURT: Anything in response?

10 MS. ABRAMS: Your Honor, may I just correct a few things that were stated?

11 THE COURT: Sure. No problem.

12 MS. ABRAMS: Your Honor indicated that Mr. Sanson did follow the order  
13 that was issued by Jennifer Elliott that he was served with. He actually did not follow  
14 that order at all.

15 MS. McLECHIE: Your Honor, excuse me. I'm going to object. Is she  
16 testifying as a witness? Is she here as counsel?

17 MS. ABRAMS: I am here making a record with regards --

18 THE COURT: Okay. Let me just tell you everything has gone so well so far.  
19 Why don't you tell your lawyer and I'll hear from your lawyer, okay?

20 MR. WILLICK: I'm co-counsel and normally I would say these things, but  
21 I'm having --

22 THE COURT: I thought that you were -- okay. I know that you filed the  
23 complaint, but it appeared to me as though Mr. Kennedy came in in your stead. Is  
24 that not true?

1 MR. WILLICK: He didn't substitute. I believe he associated. And I'm sorry --

2 THE COURT: That's okay.

3 MR. WILLICK: The reason she's talking is that I can't speak very well today,  
4 so I'm sorry.

5 THE COURT: Okay. Well, I'll let her speak to her attorney and then --

6 MR. WILLICK: Okay.

7 THE COURT: -- because I know everybody's attorneys and if I let everybody  
8 talk we'll never get out of here.

9 MR. WILLICK: I apologize for the voice.

10 THE COURT: Plus, I've got a bunch of attorneys in the gallery. They're  
11 smiling, too. They don't want me to let everybody talk.

12 MR. WILLICK: We know some of them.

13 MR. GILMORE: Your Honor --

14 THE COURT: Sure, go ahead.

15 MR. GILMORE: -- the idea that he didn't follow the order, I will go pull the  
16 actual declaration for you, but as we understand it he continued to republish it after  
17 he initially got the order. But let me grab that out of the brief.

18 THE COURT: Okay. But not -- my statement was it appeared to me as  
19 though he complied with it and took it down off YouTube, took it down off that other  
20 thing that posts videos. I know because I tried to find it. I couldn't find it.

21 MR. GILMORE: Well, what happened, Your Honor, is --

22 THE COURT: I went on YouTube and YouTube said this video has been  
23 removed. I went on the other site, it said this video has been removed. And to tell  
24 you the truth, I watched the whole video. I think one of the parties attached it for me

1 because I was able to watch it on my computer in its entirety.

2 MR. GILMORE: I know requests were sent to YouTube to remove the video  
3 and I believe it was done at the behest --

4 THE COURT: I guess it wouldn't be him that took it down, it would be  
5 YouTube that took it down. And, you know, that's correct. If my memory serves me  
6 correct, I think Ms. Abrams' firm --

7 MR. GILMORE: Sent the notices.

8 THE COURT: -- sent something to those.

9 MR. GILMORE: Correct.

10 THE COURT: You're right, you're right.

11 MR. GILMORE: Correct. So I think that was the --

12 THE COURT: She sent notices and then they were taken down.

13 MR. GILMORE: Correct.

14 THE COURT: I know they're not there.

15 MR. GILMORE: They're not there anymore. Thankfully YouTube said you're  
16 right, we've got to take that down.

17 THE COURT: Well, I don't know what YouTube said, but they took it down.

18 Okay, anything in response?

19 MS. McLETCHE: Yes, Your Honor. I'll try to be brief. Your Honor, speaking  
20 out about the operation of government, including the judicial branch, is what they  
21 call the upper echelons of what the First Amendment protects. In addition, the other  
22 key point I want to make is there's no such thing as a false idea. They would have  
23 you believe that Mr. Sanson needs to --

24 THE COURT: Well, I guess they're contending those weren't opinions, that

1 it's like a mixed question.

2 MS. McLETCHE: Right. And they would have you believe that somehow  
3 Mr. Sanson needs to testify or submit a declaration saying --

4 THE COURT: That this is true.

5 MS. McLETCHE: -- that each opinion was a fact. The things that are factual  
6 are undisputed. It's not disputed that Ms. Abrams got an order requiring that he  
7 take the video down and that that order was later rescinded, for example. And  
8 certainly -- and Mr. Sanson discusses this. And certainly, Your Honor, someone can  
9 express an opinion based on those things. There is no need -- this over-technical  
10 read of the statute was expressly rejected by the California court in Piping Rock  
11 Partners, which is quoted in the very recent Nevada Supreme Court, February 2017,  
12 Shapiro v. Welt case. And in that case they said we're not going to require that kind  
13 of separate proof of validity for literally each statement. They rejected exactly the  
14 kind of approach that the plaintiffs are urging in this case.

15 And when you look at the statute what it requires is essentially a good  
16 faith communication. It says, "which is truthful or is made without knowledge of its  
17 falsehood." Mr. Sanson's declaration in detail explains the statements and the  
18 context in which they were made. They explain that VIPI speaks out against what  
19 it perceives as public corruption and wrongdoing. And it explains that in his opinion  
20 she seals too many documents. He is entitled to that opinion. It's not disputed that  
21 she seals documents. She sealed the video in this case. So the idea that he needs  
22 to go through in order to get the protections of the anti-SLAPP statute and break  
23 down everything and assert that things that can't be proven true or false are true  
24 is just I think, with all due respect to opposing counsel, is just absurd.



1                   And with regard to the Shapiro factors, I think it's a real contortion to  
2 say that the Shapiro factors don't urge in favor of finding under the anti-SLAPP  
3 statute. And Your Honor is correct, you do have to deal with the anti-SLAPP statute,  
4 the anti-SLAPP motion to dismiss first --

5                   THE COURT: Sure.

6                   MS. McLETCHIE: -- and it's for an important reason. In 2013 when the  
7 Nevada Legislature amended the statute, they made clear that you are immune  
8 from a civil action --

9                   THE COURT: Uh-huh.

10                  MS. McLETCHIE: -- not just liability.

11                  And they're not entitled to discovery, Your Honor, because discovery  
12 wouldn't help us in this case. This case is essentially about the statements. No one  
13 is disputing that the statements were made. At one time they had sued everybody  
14 Steve Sanson knew, I think, actually, pretty much, that they thought he was close to.  
15 Listed everybody they thought was involved with VIPI. It's not VIPI, by the way, it's  
16 VIPI or Veterans in Politics. But they sued everybody and threw in their kitchen --  
17 you know, threw everything into the complaint. Now it's just Sanson and VIPI and  
18 Mr. Schneider. And it's clear that Mr. Sanson made these statements. We don't  
19 need discovery on any issue. And I think that allowing discovery would run afoul of  
20 the anti-SLAPP protections because it's clear on the face of the complaint that it's  
21 an invalid complaint that Ms. Abrams brought in order to chill Mr. Sanson's speech.

22                  This isn't a private dispute between Ms. Abrams and Mr. Sanson.  
23 They didn't know each other. They're not friends that had a falling out. This is a  
24 dispute about whether or not she seals too many documents, about whether her

1 conduct in court is appropriate. And those are certainly matters, as this Court has  
2 indicated, of public interest.

3 The California court, which I think the parties all agree Nevada looks  
4 to California, the California court has made very clear that public interest is to be  
5 interpreted broadly within the spirit of the anti-SLAPP statutes. And it's anything  
6 that the public is interested in. Mr. Sanson's members, Mr. Sanson's readership,  
7 Mr. Sanson -- the people who look at his Facebook page and access other  
8 information like the YouTube and Vimeo or whatever it is --

9 THE COURT: Yeah.

10 MS. McLETCHIE: -- they're interested in these issues and they can and  
11 should be. They are entitled to look into issues about the administration of justice.  
12 As one court has explained, we could all end up in court one day and certainly  
13 family court especially.

14 THE COURT: Sure.

15 MS. McLETCHIE: And people have a right to know what goes on there,  
16 how lawyers act there and how judges act there.

17 With regard to this idea that somehow because he has an email blast  
18 that's sent to thousands of people where he republished the information -- where he  
19 published the information that somehow this takes it out of a public forum, I really  
20 think that ignores the context of these emails. It's not a private email from Steve  
21 Sanson to a friend of his. These are -- it's a list of thousands of people. And I think  
22 I explained earlier this is a lot like if the Review-Journal had a service where they  
23 sent alerts with their articles to its members, to its subscribers, right, it's no different.  
24 And frankly, an email subscription to a list is almost -- in this modern world a lot of

1 people don't get hard copy versions of anything and certainly Mr. Sanson operates  
2 almost entirely in the virtual world. He knows more about video places than you  
3 or I do, Your Honor. But these days instead of subscribing, for example, to a  
4 newspaper, a lot of people sign up for email alerts from the New York Times or  
5 Politico or other publications, and people that are interested in the issues that Mr.  
6 Sanson reports on.

7           And he is a blogger and I do think that he's entitled to protection under  
8 the fair report privilege. There's no need that he literally needs to transcribe the  
9 entire video, but I don't think we even need to get to the fair report privilege because  
10 I don't think we have -- we don't have a defamatory statement. They do have the  
11 burden of establishing that the statements are unprivileged, but I don't even think  
12 we need to get there, Your Honor, but I do think he's entitled to it.

13           There's no need to have -- I think Mr. Gilmore said that we need to  
14 have footnotes and you need to explain everything that happened. That's not true.  
15 The focus of Mr. Sanson's article was on the interchange between the judge and Ms.  
16 Abrams and that was the focus. Later on, it's true, the judge did rescind her position  
17 or retract her position with regard to Ms. Abrams' client. That's not the point of the  
18 article. A newspaper doesn't need to, for example, report on exactly everything and  
19 literally every word that's spoken in a courtroom proceeding.

20           The focus of the speaker's conduct should be the public interest, rather  
21 than a mere effort to gather ammunition for another round of private controversy.  
22 Again, there is no private controversy here. I don't even know that Mr. Schneider  
23 and Ms. Abrams have a personal relationship. This is a controversy not even just  
24 about a court proceeding and a court case, but about how courtrooms should be run

1 and how lawyers and judges should act in court.

2 And in terms of the degree in closeness between the challenged  
3 statements and the asserted public interest, as I pointed out earlier he writes these  
4 articles about what the Nevada Supreme Court has said about sealing, and then  
5 he says, hey, you know, in my opinion she seals too much. And the idea that Mr.  
6 Gilmore put forth that somehow he needs to prove that she seals too much, if you  
7 could prove that a document had to be sealed or didn't have to be sealed, if the  
8 world was black and white we wouldn't need lawyers.

9 THE COURT: Sure.

10 MS. McLETCHE: People all the time argue this document merits sealing or  
11 this document doesn't merit sealing. And Mr. Sanson is certainly entitled to express  
12 his opinion on these issues as well.

13 Your Honor, Mr. Gilmore suggested that -- conceded that they don't  
14 have valid claims, I think, for RICO, copyright and injunctive relief, and then went  
15 on to say, well, they really have nothing to do with his speech so they should be  
16 dismissed on a 12(b)(5). That's incorrect, Your Honor. I think that the fact that  
17 they didn't allege valid claims shows that this was a scorched earth tactic, part of  
18 a scorched earth campaign that included trying to haul Mr. Sanson into family court  
19 and throw him in jail. This was part of a scorched earth campaign. These causes  
20 of action were included because they didn't like the post --

21 THE COURT: Did they really ask for jail time?

22 MS. McLETCHE: Yes, they did, Your Honor.

23 THE COURT: Because I reviewed that order. Okay.

24 MS. McLETCHE: They did in their order to show cause, Your Honor. It was

1 obviously denied and thankfully Mr. Sanson is here with me today.

2 But, Your Honor, these claims, the fact that they don't have any validity  
3 shows that this was a kitchen sink operation designed to just try to bury what they  
4 probably hoped would be a Pro Se plaintiff -- I'm sorry, Pro Se defendant, in paper.  
5 I think it is directly connected to the speech. The copyright claim, for example, has  
6 to do with the video. And the RICO claim, just because they can't articulate a valid  
7 claim isn't a reason that we shouldn't grant relief under the anti-SLAPP statute.  
8 This idea that this case is a 12(b) --

9 THE COURT: So you believe you should be granted relief under the anti-  
10 SLAPP and not 12(b)(5)?

11 MS. McLETCHE: Absolutely, Your Honor, because they don't have valid  
12 claims. I think it's a concession -- I think it reflects -- it's not a concession on their  
13 part, but it certainly reflects, Your Honor, that they're pursuing this action in order to  
14 get him to take down the video, in order to get him to stop talking about Ms. Abrams'  
15 behavior in court. It is their position --

16 THE COURT: Well, that is what they're trying to do. They have a claim for  
17 injunctive relief.

18 MS. McLETCHE: Right.

19 THE COURT: I don't think that's a secret.

20 MS. McLETCHE: Right. And so all of those -- all of those claims are directly  
21 tied to his speech, which again is protected opinion, for all the reasons I went  
22 through earlier. And again, the idea that because he has an email blast that goes  
23 to thousands of people, that that's not a public forum, I just -- I don't think is a valid  
24 position. And even if it were, Your Honor, then it would just take those publications

1 outside of the reach of the anti-SLAPP statute. You can still grant personal relief  
2 under an anti-SLAPP statute. And obviously those claims would still have to be  
3 dismissed under 12(b)(5) because -- for the very reasons that we've been talking  
4 about, that saying things like Ms. Abrams is slap-happy and a bully and she goes  
5 on attack in court, even if she --

6 THE COURT: Slap-happy?

7 MS. McLETCHE: Slap-happy.

8 THE COURT: Slap-happy?

9 MS. McLETCHE: I'm sorry, seal-happy.

10 THE COURT: Okay.

11 MS. McLETCHE: I'm sorry, Your Honor.

12 THE COURT: Okay. All right. I just want the --

13 MS. McLETCHE: Seal-happy. It's been a long hearing.

14 THE COURT: Yeah. That's okay.

15 MS. McLETCHE: Seal-happy. Thank you for correcting me. But saying  
16 she's seal-happy, having an article saying she's a bully, having an article saying she  
17 attacked a family court judge, none of those things are defamation and this case  
18 must be dismissed under the special motion to dismiss statute.

19 Your Honor, at some point Mr. Gilmore said, well, we don't have  
20 evidence, we need to take discovery about this agreement, this conspiracy. On the  
21 12(b)(5) they need evidence and all of this is just built on speculation that because  
22 Mr. Schneider used some vague language that we can infer somehow from that  
23 that Mr. Sanson's motivation in posting these was somehow improper is absurd.

24 But it also really still goes back to the heart of the First Amendment,

1 which is if Mr. Sanson, if he said she's on my priority list, this is an issue I want to  
2 go after, there is nothing wrong with that. It's absolutely legal. If he had a priority  
3 list of public officials that he was upset with, if he had a priority list of attorneys that  
4 he thought were acting badly in court -- and Your Honor, the idea that we're just  
5 private people that can sue and say that we've suffered emotional distress because  
6 somebody says we seal too many court documents, that flies in the face of the fact  
7 that we're officers of the court. We have a quasi-judicial agency, the State Bar,  
8 that is responsible for overseeing our conduct. And the idea that we're above public  
9 comment on things that we comment on about to each other and about each other  
10 all the time is absurd. Mr. Sanson might not be a lawyer, but he has every right to  
11 say, hey, I don't think this meets the standards for sealing.

12 Thank you, Your Honor.

13 THE COURT: Thank you. Okay, at this time I want to review a few things  
14 and I'll issue a ruling by minute order. I do believe I have to deal with the anti-  
15 SLAPP motion first before I can deal with any 12(b)(5).

16 MR. POTTER: Can I just make one --

17 THE COURT: Of course.

18 MR. POTTER: -- one brief statement?

19 THE COURT: Of course. No problem.

20 MR. POTTER: The email --

21 THE COURT: You've been so nice and quiet.

22 MR. POTTER: For a change.

23 THE COURT: Your co-counsel has carried the day, so.

24 MR. POTTER: Yes. The email that's in question --

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THE COURT: Uh-huh.

MR. POTTER: -- is before the hearing. It's certainly before any of the publications because that's what the asking to withdraw the motion, the motion was part of the hearing. So to make that clear, that was set prior to all of this.

THE COURT: Okay. All right, thank you very much.

MR. POTTER: Thank you, Your Honor.

THE COURT: Thank you. Thank you, Mr. Potter.

Thank you.

MR. GILMORE: Thank you, Your Honor.

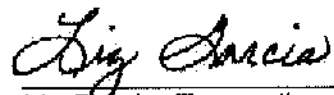
MS. McLEITCHIE: Thank you, Your Honor.

THE COURT: Thank you very much.

(PROCEEDINGS CONCLUDED AT 10:23 A.M.)

\* \* \* \* \*

ATTEST: I do hereby certify that I have truly and correctly transcribed the audio/video proceedings in the above-entitled case to the best of my ability.



Liz Garcia, Transcriber  
LGM Transcription Service





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16 DISTRICT COURT

17 CLARK COUNTY, NEVADA

18 JENNIFER V. ABRAMS and THE ABRAMS &  
19 MAYO LAW FIRM,

20 Plaintiffs,

21 vs.

22 LOUIS C. SCHNEIDER; LAW OFFICES OF  
LOUIS C. SCHNEIDER, LLC; STEVE W.  
23 SANSON; HEIDI J. IANUSA; CHRISTINA  
ORTIZ; JOHNNY SPICER; DON  
24 WOOLBRIGHT; VETERANS IN POLITICS  
INTERNATIONAL, INC; SANSON  
25 CORPORATION; KAREN STEELMON; and  
DOES I through X,

26 Defendants.  
27  
28

Case No. A-17-749318-C  
Dept. No. XII

**PLAINTIFFS' OMNIBUS OPPOSITION  
TO DEFENDANTS' MOTIONS FOR  
ATTORNEY'S FEES, COSTS, AND  
SANCTIONS**

Date of Hearing: Dec. 11, 2017  
Time of Hearing: 8:30 A.M.

1 The Abrams Parties oppose the Motions for Attorney's Fees, Costs, and Sanctions filed by  
2 the VIPI Defendants and the Schneider Defendants. If the Court does not deny each Motion  
3 "altogether" due to the "outrageously unreasonable" nature of the amounts requested, it should make  
4 several reductions in order to ensure that the final awards are "reasonable" and do not unfairly result  
5 in a financial "windfall" for the Defendants. *Christian Research Inst. v. Alnor*, 81 Cal. Rptr. 3d 866,  
6 870-71 (Cal. Ct. App. 2008).<sup>1</sup> Specifically, the Court should award no more than \$33,801.83 in  
7 attorney's fees and costs to the VIPI Defendants and no more than \$6,727.50 in attorney's fees to the  
8 Schneider Defendants.<sup>2</sup> Moreover, because the Abrams Parties' claims were neither frivolous nor  
9 vexatious, none of the Defendants is entitled to statutory sanctions in the amount of \$10,000.00.<sup>3</sup>

10 This Opposition is made and based on the papers and pleadings on file, the following  
11 Memorandum of Points and Authorities and exhibits attached thereto, and any oral argument heard  
12 by the Court.

13 DATED this 27<sup>th</sup> day of October, 2017.

14 BAILEY ♦ KENNEDY

15 By: /s/ Joshua P. Gilmore

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JOSHUA P. GILMORE

17 AND

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22 Mayo Law Firm

23  
24  
25  
26 <sup>1</sup> The Nevada Supreme Court consults California law for guidance in interpreting and applying Nevada's anti-  
SLAPP law. NRS 41.665(2); *Delucchi v. Songer*, 133 Nev., Adv. Op. 42, 396 P.3d 826, 832-33 (2017).

27 <sup>2</sup> The Schneider Defendants did not request costs. The time has now passed for them to do so.

28 <sup>3</sup> Nor are the Schneider Defendants entitled to sanctions pursuant to the Court's inherent authority.

## MEMORANDUM OF POINTS AND AUTHORITIES

### I. INTRODUCTION

The instant Motions feel more like “an attempted bank robbery” than “a genuine effort to recover a reasonable fee bill.”<sup>4</sup> The VIP1 Defendants seek \$95,607.18 in attorney’s fees and costs and \$20,000.00 in statutory sanctions; the Schneider Defendants seek \$80,495.00 in attorney’s fees, \$20,000.00 in statutory sanctions, and \$80,495.00 in additional sanctions. In the aggregate, the Defendants seek a whopping \$296,597.18! The amount sought is patently unreasonable; *according to the California Supreme Court, the fact that the Defendants had the audacity to request such an absurd amount permits the Court to deny their Motions “altogether.”*<sup>5</sup>

Assuming (*arguendo*) that the Court considers the Motions, it must make several adjustments when calculating the “lodestar” in order to ensure that the awards are “reasonable” as required by NRS 41.670(1)(a). First, the Court should reduce the hourly rates requested in calculating attorney’s fees. Second, the Court should exclude time unrelated to the anti-SLAPP motions (and related 12(b)(5) motions) and instant Motions. Finally, the Court should make across-the-board reductions to the remaining hours claimed in order to account for excessive, unnecessary, and duplicative work; block-billing; and vague and non-descriptive time entries.

The Court should further decline to sanction the Abrams Parties, whether pursuant to NRS 41.670(1)(b) or its inherent authority, because none of the Defendants proved that the Abrams Parties’ claims were frivolous or vexatious. Although the Court determined in its July 24, 2017 Order that the Abrams Parties did not establish a “probability of success” on their defamation and related claims against the VIP1 Defendants,<sup>6</sup> the Court did *not* find that the Abrams Parties lacked any basis for asserting their claims in the first instance (or that they filed them without conducting a reasonable inquiry). That aside, the Defendants’ actions, even if immune from suit (a matter to be resolved on appeal), do not warrant the issuance of sanctions in their favor.

<sup>4</sup> *Young v. Smith*, No. 3:07-CV-00854, 2017 WL 3892057, at \*1 (M.D. Pa. Sept. 6, 2017).

<sup>5</sup> *See Ketchum v. Moses*, 17 P.3d 735, 745 (Cal. 2001) (noting that a trial court may deny “altogether” an unreasonable request for attorney’s fees and costs made by a defendant who prevailed on an anti-SLAPP motion). As discussed below, the Court should also deny the Schneider Defendants’ Motion due to the lack of supporting documentation (e.g., billing invoices). N.R.C.P. 54(d)(2)(B).

<sup>6</sup> A formal Order has not been entered granting the Schneider Defendants’ anti-SLAPP motion.

1 II. ARGUMENT

2 A. Standard of Decision for Awarding Attorney's Fees and Costs to a Defendant  
3 Who Prevails on an Anti-SLAPP Motion.

4 The Court "shall award reasonable costs and attorney's fees" to a defendant who prevails on  
5 an anti-SLAPP motion.<sup>7</sup> NRS 41.670(1)(a). The statute is clear: The award must be "*reasonable*."

6 The trial court cannot be placed in the position of having to acquiesce in any amount  
7 sought by a prevailing defendant, no matter how outrageous. *The trial court's role is*  
8 *not merely to rubber stamp the defendant's request*, but to ascertain whether the  
amount sought is reasonable.

9 *Robertson v. Rodriguez*, 42 Cal. Rptr. 2d 464, 472 (Cal. Ct. App. 1995) (emphasis added); *see also*  
10 *Christian Research Inst.*, 81 Cal. Rptr. 3d at 871 (stating that a trial court does not "simply award the  
11 sum requested" because the award is not intended to serve as a financial "windfall" to the  
12 defendant). *In fact, the Court may "deny an unreasonable fee altogether" if it appears that the*  
13 *amount sought is excessive or inflated.* *Ketchum*, 17 P.3d at 745 (emphasis added); *see also Jadwin*  
14 *v. Cty. of Kern*, 767 F. Supp. 2d 1069, 1100 (E.D. Cal. 2011) ("Courts may reduce a requested fee  
15 award, or deny one altogether, where a fee request appears unreasonably inflated.").

16 A party seeking to recover fees and costs for dismissal of a SLAPP has the burden of  
17 demonstrating that the amount sought is reasonable. *See, e.g., 569 E. Cty. Blvd. LLC v. Backcountry*  
18 *Against the Dump, Inc.*, 212 Cal. Rptr. 3d 304, 310 (Cal. Ct. App. 2016); *see also Carson v. Billings*  
19 *Police Dep't*, 470 F.3d 889, 891 (9th Cir.2006) ("When a party seeks an award of attorneys' fees,  
20 that party bears the burden of submitting evidence of the hours worked and the rate paid."). This  
21 means that the moving party must submit "a detailed invoice of the billings, along with affidavits  
22 and memorandums." *Barney v. Mt. Rose Heating & Air*, 124 Nev. 821, 829, 192 P.3d 730, 736  
23 (2008); *see also* N.R.C.P. 54(d)(2)(B) (noting that a motion for attorney's fees shall include  
24 "documentation concerning the amount of fees claimed").<sup>8</sup>

25  
26 <sup>7</sup> The law is the same in California. *See* CAL. CIV. PROC. CODE § 425.16(c) ("[A] prevailing defendant on a  
27 special motion to strike shall be entitled to recover his or her attorney's fees and costs.").

28 <sup>8</sup> A party who seeks fees authorized by statute must still comply with N.R.C.P. 54(d). *See J & J Sports Prods.,*  
*Inc. v. Bonito Michoacan, Inc.*, No. 2:12-CV-01519-RCJ, 2013 WL 5234262, at \*7 (D. Nev. Sept. 16, 2013).

1 Billing invoices are necessary “to establish that the number of hours . . . requested are  
2 reasonable.” *Gonzalez v. City of Maywood*, 729 F.3d 1196, 1202 (9th Cir. 2013); *see also Ketchum*,  
3 17 P.3d at 741 (noting that trial courts must “carefully review attorney documentation of hours  
4 expended” in order to identify and exclude inefficient or duplicative time entries and non-  
5 recoverable time entries). *The Nevada Supreme Court has held that a party who fails to*  
6 *substantiate a motion for attorney’s fees and costs with supporting documentation risks having its*  
7 *motion denied in its entirety.*<sup>9</sup> Compare *Moreno v. Richmond Am. Homes of Nevada, Inc.*, No.  
8 65714, 2015 WL 9464437, at \*2 (Nev. Dec. 18, 2015) (affirming the district court’s order denying a  
9 motion for attorney’s fees and costs “due to the lack of supporting documentation”), with *Kvist v.*  
10 *Chang*, No. 53545, 2011 WL 1225692, at \*4 (Nev. Mar. 31, 2011) (affirming an award of attorney’s  
11 fees and costs “based on a motion with substantial supporting documentation”).

12 The Court also considers the *Brunzell*<sup>10</sup> factors in determining whether the amount sought in  
13 attorney’s fees and costs is reasonable. *Shuette v. Beazer Homes Holdings Corp.*, 121 Nev. 837,  
14 865, 124 P.3d 530, 549 (2005) *see also Harvey v. United Pac. Ins. Co.*, 109 Nev. 621, 624, 856 P.2d  
15 240, 241 (1993) (indicating that the factors listed under Nevada Rule of Professional Conduct 1.5(a)  
16 should “be considered in determining reasonableness”).

17 **B. The VIPI Defendants Seek an Unreasonable Amount of Attorney’s Fees.**

18 The VIPI Defendants seek an award of attorney’s fees using the “lodestar” methodology.  
19 (VIPI Mot., 7:23 – 8:9.) As set forth below, in calculating a reasonable attorney’s fee, the Court  
20 should reduce the rates requested; exclude time for work that is not recoverable (e.g., time unrelated  
21 to the motions to dismiss and time associated with clerical or secretarial tasks); and make an across-  
22 the-board reduction to the remaining hours claimed due to unreasonable billing practices. Upon  
23 making such reasonable adjustments, the Court should find that the VIPI Defendants are entitled to  
24 no more than \$31,047.50 in reasonable attorney’s fees, summarized as follows:

25 <sup>9</sup> Courts elsewhere agree that a party must substantiate a motion for attorney’s fees and costs. *See, e.g.,*  
26 *Kingvision Pay-Per-View, Ltd. v. Jasper Grocery*, 152 F. Supp. 2d 438, 443 (S.D.N.Y. 2001) (“*Failure to support a fee*  
27 *application with contemporaneous records generally results in denial of any award.*”) (emphasis added); *see also*  
28 *Falcon Waterfree Techs., LLC v. Janssen*, No. 1:05-CV-551, 2008 WL 4534119, at \*2 (W.D. Mich. Oct. 6, 2008)  
29 (“[T]he risk of non-persuasion arising from an inadequate fee petition falls upon the moving party.”).

<sup>10</sup> *Brunzell v. Golden Gate Nat’l Bank*, 85 Nev. 345, 455 P.2d 31 (1969).

<i>The VIPI Defendants' Unreasonable Fee Request</i>	\$91,090.00
<i>Reduction for Reasonable Hourly Rates</i>	(\$17,540.00)
<i>Reduction for Non-Recoverable Hours</i>	(\$11,455.00)
<i>Reduction for Unreasonable Billing Practices</i>	(\$31,047.50)
<i>Maximum Total Reasonable Award</i>	\$31,047.50

1. The Court Should Adjust the Hourly Rates of McLetchie Shell.

The VIPI Defendants seek an award of attorney's fees based on hourly rates ranging from \$100.00 to \$450.00. (VIPI Mot., 12:21 – 13:24.) However, two recent U.S. District of Nevada decisions establish that the rates requested are above market in this community.

First, in *Iacob v. Las Vegas Metropolitan Police Department*, Case No. 2:14-cv-00923-JAD-GWF, 2016 WL 344512 (D. Nev. Jan. 27, 2016), the district court ruled on a motion for attorney's fees filed by McLetchie Shell. In so doing, the district court assessed the reasonableness of the hourly rates requested by Margaret McLetchie (\$425.00) and Alina Shell (\$325.00). *Id.* at \*1. After considering "prevailing market rates in Nevada charged by lawyers of reasonably comparable skill, experience, and reputation," the district court held that the rates sought were "not appropriate," and therefore, ordered that attorney's fees would be calculated using hourly rates of \$350.00 for Ms. McLetchie and \$250.00 for Ms. Shell. *See id.* (No adjustment was made to Ms. Burchfield's \$100.00 hourly rate.)

Second, in *Walker v. North Las Vegas Police Department*, Case No. 2:14-CV-01475-JAD-NJK, 2016 WL 3536172 (D. Nev. June 27, 2016), the district court ruled on a motion for attorney's fees filed by McLetchie Shell (among other law firms). Akin to the decision in *Iacob*, after considering "prevailing rates in the community," the district court found that the rates requested by Ms. McLetchie and Ms. Shell were unreasonable, and therefore, awarded attorney's fees based on hourly rates of \$350.00 and \$250.00, respectively.<sup>11</sup> *See id.* at \*2. The district court further found that \$100.00 was a reasonable hourly rate for Ms. Burchfield based on her experience. *See id.*

<sup>11</sup> The district court correctly noted that Ms. Shell has very limited "experience in civil practice," having spent most of her career working on criminal matters. *Walker*, Case No. 2:14-CV-01475-JAD-NJK, 2016 WL 3536172, at \*2.

1 These decisions are in line with prevailing market rates in the community. *See, e.g.,*  
2 *Kiessling v. Rader*, No. 2:16-CV-00690-GMN-NJK, 2017 WL 1128605, at \*3 (D. Nev. Mar. 24,  
3 2017) (referencing “ample case law” on reasonable market rates for partners and associates in  
4 Nevada). *Importantly, whether the VIPI Defendants agreed to pay higher rates is irrelevant.*<sup>12</sup>  
5 *See, e.g., Herrington v. Cty. of Sonoma*, 883 F.2d 739, 746 (9th Cir. 1989) (“[I]f the Herringtons  
6 have agreed to pay their counsel more than what this court determines to be a reasonable hourly rate,  
7 the Herringtons, not the County, are responsible for paying the portion of the rate charged which is  
8 in excess of a reasonable fee.”).

9 Based on the foregoing, the Court should calculate a reasonable attorney’s fee for the VIPI  
10 Defendants using an hourly rate of \$350.00 for Ms. McLetchie, an hourly rate of \$250.00 for Ms.  
11 Shell, and an hourly rate of \$100.00 for Ms. Burchfield. (The Abrams Parties do not object to Mr.  
12 Wolpert’s \$175.00 hourly rate or Mr. Czop’s \$100.00 hourly rate.<sup>13</sup>)

13 2. The Court Should Exclude Non-Recoverable Time.

14 The VIPI Defendants seek an award of attorney’s fees based on work performed by three  
15 attorneys (Ms. McLetchie, Ms. Shell, and Mr. Wolpert) and three non-attorneys (Ms. Burchfield,  
16 Mr. Czop, and Ms. Lopez). (VIPI Mot., 8:23 – 14:28.) However, of the 312.4 hours claimed, 55.6  
17 hours are not recoverable under NRS 41.670(1)(a).

18 Contrary to the VIPI Defendants’ argument, a defendant who prevails on an anti-SLAPP  
19 motion “*may recover fees and costs only for the motion to strike, not the entire litigation.*”  
20 *Christian Research Inst.*, 81 Cal. Rptr. 3d at 870 (emphasis added). Stated differently, a defendant  
21 may not recover fees and costs for “matters unrelated to the anti-SLAPP motion.” *569 E. Cty. Blvd.*  
22 *LLC*, 212 Cal. Rptr. 3d at 310. *This means that fees and costs that would have been incurred by*  
23 *the VIPI Defendants irrespective of their filing of an anti-SLAPP motion are not recoverable*  
24 *under NRS 41.670(1)(a).* *See also Blackburn v. ABC Legal Svcs., Inc.*, No. 11-CV-01298 JSW NC,  
25 2012 WL 1067632, at \*4 (N.D. Cal. Feb. 24, 2012), *report and recommendation adopted*, No. C 11-

26 <sup>12</sup> Ms. McLetchie did not say that the VIPI Defendants agreed to pay the rates requested. It is more likely than not  
27 that her law firm agreed to represent the VIPI Defendants in this matter on a contingency basis (at least until the Court  
ruled on their anti-SLAPP motion).

28 <sup>13</sup> As discussed below, none of the time billed by Ms. Lopez is recoverable; thus, her hourly rate is irrelevant.

01298 JSW, 2012 WL 1067551 (N.D. Cal. Mar. 28, 2012) (“The Court will deny fees that are not unambiguously associated with the anti-SLAPP motion and associated motion for fees.”).

The billing invoices that accompany the VIPI Defendants’ Motion indicate that the VIPI Defendants seek to recover a considerable amount of attorney’s fees based on work unrelated to their motions to dismiss.<sup>14</sup> For example, the VIPI Defendants seek fees for the following tasks (among others): “Draft Notice of Appearance”; “Attention to NOA, IAFD”; “Draft preservation/freeze letter”; “Draft Motion for Extension and Motion and Order for Order on Shortening Time re same”; “Review case status”; “Communications with client”; “Draft response to freeze letter from Abrams. Attention to retention of forensic expert...”; “Work with team re preservation issues”; “Craft motion to strike”; Attention to documentation and files”; “Meeting with Steve; follow up with email to Steve”; “Research re attorney’s fees requested in countermotions”; “Rule 11 sanctions/research”; “Review filings from Willick case”; “Research and draft motion to dismiss appeal”<sup>15</sup>; and “Emails with client.”<sup>16</sup> These tasks are either unrelated to the motions to dismiss or would have been performed irrespective of the filing of the motions to dismiss, and therefore, they are not recoverable.<sup>17</sup> See, e.g., *Lee-Tzu Lin v. Dignity Health-Methodist Hosp. of Sacramento*, No. CIV. S-14-0666 KJM, 2014 WL 5698448, at \*4 (E.D. Cal. Nov. 4, 2014) (“*Plaintiff is correct that defendants seek reimbursement of fees expended for numerous tasks unrelated to preparing the motion to strike . . . The court determines this time is not recoverable . . .*”) (emphasis added) (internal citation omitted); *Ravet v. Stern*, No. 07CV31 JLS (CAB), 2010 WL 3076290, at \*6 (S.D. Cal. Aug. 6, 2010) (“*[M]any of these vague billings . . . are costs that would have been incurred in the course of Stern’s representation of Wohlfeil irrespective of the anti-SLAPP motion. Thus, these costs will not be included in the fee award.*”) (emphasis added) internal citation omitted).

<sup>14</sup> The Abrams Parties do not seek to exclude work involving the 12(b)(5) motion filed by the VIPI Defendants.

<sup>15</sup> This entry must be associated with a different matter because no appeal had been filed as of May 10, 2017.

<sup>16</sup> Attached hereto as Exhibit I is a copy of the billing invoices submitted by McLetchie Shell, with each non-recoverable time entry highlighted for the Court’s review.

<sup>17</sup> The VIPI Defendants also seek to recover attorney’s fees for time expended extending deadlines in this matter. The Abrams Parties should not be penalized for granting (or obtaining) professional courtesies in order to account for scheduling conflicts. Accordingly, all such time entries have been highlighted in Exhibit I and should be excluded.



In addition, it is undisputed that a party may not recover attorney's fees for clerical or secretarial tasks. *Missouri v. Jenkins*, 491 U.S. 274, 288 n.10 ("Of course, purely clerical or secretarial tasks should not be billed at a paralegal rate, regardless of who performs them.") (emphasis added); see also *Keith v. Volpe*, 644 F. Supp. 1312, 1316 (C.D. Cal. 1986) (excluding "time spent on filing, document organization and other clerical matters that should be covered in hourly rates as normal overhead"). With that in mind, the Court should exclude the following time entries (among others) involving clerical or secretarial tasks: "Travel to Regional Justice Center, drop off Ex Parte Order to Judge Adair's chambers"; "Go to post office, mail certified letter, return receipt requested"; "Check file; calendaring"; "Check file, docket, and upcoming dates"; "Dropped off three binders of Motion to Dismiss at the Las Vegas Regional Justice Center..."; "Draft Stipulation and Proposed Order..."; and "Picked up..."<sup>18</sup>

Because the above time entries, among others, are unrelated to the motions to dismiss or involve either clerical or secretarial tasks or work associated with professional courtesies, they should be excluded by the Court in calculating a reasonable attorney's fee. See, e.g., *569 E. Cty. Blvd. LLC*, 212 Cal. Rptr. 3d at 310; *Christian Research Inst.*, 81 Cal. Rptr. 3d at 870; see also *Lafayette Morehouse, Inc. v. Chronicle Publishing Co.*, 46 Cal. Rptr. 2d 542, 545 (Cal. Ct. App. 1996) (finding that the trial court erred by awarding "costs and fees for the entire case and not just the motion to strike") (emphasis added). These reductions reduce the hours that may be considered by the Court in awarding a reasonable attorney's fee to the VIP Defendants as follows:

Billor	Total Hours Claimed	Potentially Recoverable Hours
Pharan Burchfield	26.8	16.3
Gabriel Czop	5.2	4.3
Daniela Lopcz	9.9	0
Margaret McLetchie	106.5	83.8
Alina Shell	55.5	53.8
Leo Wolpert	108.5	98.6
<b>Total</b>	<b>312.4</b>	<b>256.8<sup>19</sup></b>

<sup>18</sup> The highlighted time entries identified in Exhibit I also include clerical or secretarial tasks.

<sup>19</sup> As set forth below, the Court should further reduce these hours by 50%, to 128.4 total hours, in order to account for unreasonable billing practices.

3. The Court Should Apply a 50% Across-the-Board Reduction to the Remaining Hours Claimed.

In determining a reasonable attorney's fee, the Court excludes time that is "excessive, redundant, or otherwise unnecessary." *Hensley v. Eckerhart*, 461 U.S. 424, 434 (1983); *see also In re Amdura Corp.*, 139 B.R. 963, 968-69 (Bankr. D. Colo. 1992) (stating that attorneys should "meet the Supreme Court's expectation that every lawyer will heed his [or her] ethical obligation to exclude excessive, redundant, or otherwise unnecessary time"). This is because "[h]ours that are not properly billed to one's client also are not properly billed to one's adversary pursuant to statutory authority." *Hensley*, 461 U.S. at 434 (emphasis added).

The VIPI Defendants' request to recover attorney's fees based on 256.8 hours is patently unreasonable. To begin, upon review of their counsel's time entries, it is clear that Ms. McLetchie did not adequately assign work among members of her law firm in an efficient and cost-effective manner—e.g., prior to excluding non-recoverable time as outlined above, Ms. McLetchie billed only two hours less than her associate, Mr. Wolpert. *Northon v. Rule*, 494 F. Supp. 2d 1183, 1187 (D. Or. 2007) ("It is expected that litigation is often performed in teams and that the team leader delegates responsibility according to the talent of each team member and oversees the entire project."); *accord Melone v. Paul Evert's RV Country, Inc.*, 2:08-cv-00868-GWF, 2012 WL 1142638, at \*6 (D. Nev. Apr. 3, 2012) ("In larger law firms, certain legal work may be performed by lower level associate attorneys, law clerks or paralegals, whose work is supervised, reviewed or revised by more senior level attorneys."). *As a result, the Court would be well within its discretion to calculate a reasonable attorney's fee for a lot of the work performed by Ms. McLetchie at Mr. Wolpert's hourly rate.* *See, e.g., In re Fine Paper Antitrust Litig.*, 751 F. 2d 562, 591-93 (3d Cir. 1984) (affirming the district court's decision to compensate certain partner time at associate rates, because the work should have been performed by associates).

Moreover, it is unknown why Ms. McLetchie had to "conduct extensive research regarding Nevada and California's Anti-SLAPP laws as well as federal case law interpreting both states' Anti-SLAPP statutes" given her "extensive experience handling First Amendment cases, defamation litigation, and similar matters." (VIPI Mot., 10:18-20, 12:25-27.) The fact that she (and other

1 members of her law firm) conducted extensive research of an area of law in which they claim to be  
2 experts proves that an excessive amount of time was billed to the motions to dismiss. *See Ingram v.*  
3 *Oroudjian*, No. CV 08-3917 GAF (VBKx), 2009 WL 10680651, at \*4 (C.D. Cal. Oct. 5, 2009),  
4 *aff'd*, 647 F.3d 925 (9th Cir. 2011) (“Further, Plaintiffs’ counsel, who claim substantial litigation  
5 experience in the federal courts, contend they spent 14.7 hours researching the law on *Younger*  
6 *abstention*, when the law is clear regarding parallel state and federal proceedings. Counsel can  
7 hardly claim that they are entitled to a substantial hourly rate because of their years of experience  
8 and then claim that they know so little of *Younger v. Harris* that they needed 14.7 hours to  
9 familiarize themselves with the case and its progeny.”) (internal citation omitted).

10 *Equally as concerning is the fact that three different attorneys and a paralegal worked on*  
11 *the motions to dismiss for a total of 102.6 hours* (Ms. McLetchie – 33.5 hours; Ms. Shell – 9.6  
12 hours; Mr. Wolpert – 55.0 hours; Ms. Burchfield – 4.5 hours).<sup>20</sup> Such overstaffing resulted in  
13 excessive collaboration and duplication of effort, warranting a reduction in hours. *See, e.g., Fiolek v.*  
14 *Tucson Unified School Dist.*, No. CV 01-36 TUC DCB, 2004 WL 3366149, at \*4 (D. Ariz. Sept. 10,  
15 2004); *see also* ABA CENTER FOR PROFESSIONAL RESPONSIBILITY, ANNOTATED MODEL RULES OF  
16 PROFESSIONAL CONDUCT, at 77-82 (8th ed. 2015) (indicating that lawyers should not “charg[e] a lot  
17 for doing very little,” nor bill for “excessive lawyering,” nor have too many lawyers work on a  
18 matter).<sup>21</sup>

19 In addition to excessive and unnecessary time, members of McLetchie Shell block-billed a  
20 majority of their time. Although not *per se* improper, block-billing precludes the Court from  
21 determining whether time spent on various tasks was reasonable. *Metro Data Systems, Inc. v.*  
22 *Durango Systems, Inc.*, 597 F. Supp. 244, 245 (D. Ariz. 1984). For example, and without limitation:  
23 on January 23, 2017, Ms. McLetchie billed 5.7 hours for four different tasks; on February 15, 2017,  
24 Ms. McLetchie billed 8.5 hours for seven different tasks; on February 16, 2017, Ms. Shell billed 9.1  
25 hours for four different tasks; on February 16, 2017, Ms. Burchfield billed 4.5 hours for nine

26 <sup>20</sup> Using the reduced rates recommended above, 126.2 hours equates with approximately \$322.67 per page!

27 <sup>21</sup> The Nevada Supreme Court consults the Annotated Model Rules for guidance in interpreting and applying the  
28 Nevada Rules of Professional Conduct. *See, e.g., Liapis v. Second Jud. Dist. Ct.*, 128 Nev., Adv. Op. 39, 282 P.3d 733,  
737 (2012); *Palmer v. Pioneer Inn Assocs., Ltd.*, 118 Nev. 943, 949 n.8, 59 P.3d 1237, 1240 n.8 (2002).

1 different tasks; on March 21, 2017, Ms. Shell billed 1.1 hours for three different tasks; on March 28,  
2 2017, Ms. Burchfield billed 5.1 hours for five different tasks; on May 30, 2017, Ms. Shell billed 2.8  
3 hours for three different tasks; and on August 21, 2017, Ms. Shell billed 6.2 hours for seven different  
4 tasks. *"Because block billing makes it more difficult to determine how much time was spent on*  
5 *particular activities, district courts may reduce hours that are billed in block format to avoid the*  
6 *potential for padding."* *Lightbourne v. Printroom Inc.*, No. SACV 13-876-JLS (RNBx), 2015 WL  
7 12732457, at \*4 (C.D. Cal. Dec. 10, 2015) (emphasis added) (internal quotation marks and citation  
8 omitted); *see also Jones v. Southpeak Interactive Corp. of Del.*, No. 3:12CV443, 2014 WL 2993443,  
9 at \*9 (E.D. Va. July 2, 2014), *aff'd*, 777 F.3d 658 (4th Cir. 2015) ("The traditional remedy for block  
10 billing is to reduce the fee by a fixed percentage reduction.").

11 Finally, many of the time entries are vague and non-descriptive ("Attention to"; "Call with  
12 Willick. Confer with Ms. Shell"; "Review case status"; "Emails to client"; "Call with client";  
13 "Review documents"; "Direct work on reply"; "[F]ollow up re deadline for same"; "Research re  
14 same"; etc.). In the terms of the motions to dismiss, Mr. Wolpert often failed to say little more than  
15 researching, writing, editing, or cite-checking. These types of time entries preclude the Court from  
16 meaningfully assessing the reasonableness of the tasks performed and, equally importantly,  
17 determining whether the tasks were related to this matter or a different matter, such as the lawsuit  
18 filed by Marshal Willick against the VIPI Defendants (Case No. A750171).<sup>22</sup>

19 Imprecise billing makes it difficult to engage in a meaningful review of time entries.  
20 *Hensley*, 461 U.S. at 434. *As a result, fee reductions are common and warranted for vague and*  
21 *non-descriptive time entries. See, e.g., Banas v. Volcano Corp.*, 47 F. Supp. 3d 957, 969 (N.D. Cal.  
22 2014); *U.S. v. \$167,070.00 in U.S. Currency*, No. 3:13-CV-00324-LRH-VPC, 2015 WL 5057028, at  
23 \*5-\*6 (D. Nev. Aug. 25, 2015).

24  
25 <sup>22</sup> On February 17, 2017, the VIPI Defendants filed an anti-SLAPP motion in the *Willick v. Sanson* matter. Ms.  
26 McEtechie was served with a "courtesy copy" of the motion despite not appearing as counsel of record for the VIPI  
27 Defendants. It is unknown whether time spent by her and Mr. Wolpert in late January 2017 and early February 2017 was  
28 related to the anti-SLAPP motion filed in the *Willick v. Sanson* matter, particularly since the VIPI Defendants did not file  
their anti-SLAPP motion in this matter until March 28, 2017. Needless to say, it would be improper for the VIPI  
Defendants to try to recover attorney's fees and costs related to the *Willick v. Sanson* matter through the instant Motion  
given that their anti-SLAPP motion to dismiss was denied in that matter.

1 The Court has ample reason to “severely curtail[] the number of compensable hours” sought  
2 by the VIPI Defendants given the “vague, blockbilled time entries inflated with noncompensable  
3 hours.” *Christian Research Institute*, 81 Cal. Rptr. 3d at 874. *Numerous courts in California have*  
4 *substantially reduced unreasonable amounts of attorney’s fees and costs sought by similarly-*  
5 *situated defendants who prevailed on anti-SLAPP motions. See, e.g., 569 E. Cty. Blvd. LLC*, 212  
6 Cal. Rptr. 3d at 307 (\$152,529.15 sought, \$30,752.86 awarded); *Christian Research Inst.*, 81 Cal.  
7 Rptr. 3d at 869 (\$250,000.00 sought, \$21,300.00 awarded); *Maughan v. Google Techn., Inc.*, 49 Cal.  
8 Rptr. 3d 861, 866-67 (Cal. Ct. App. 2007) (\$112,288.00 sought, \$23,000.00 awarded); *Crowe v.*  
9 *Gogineni*, No. 2:11-CV-3438 JAM, 2014 WL 130488, at \*2 (E.D. Cal. Jan. 13, 2014), *report and*  
10 *recommendation adopted*, No. 2:11-CV-3438 JAM DAD, 2014 WL 1513277, at \*2, \*6 (E.D. Cal.  
11 Apr. 16, 2014) (\$37,395.13 sought, \$17,062.50 awarded); *Ravet*, No. 07 CV 31 JSL (CAB), 2010  
12 WL 3076290, at \*2-\*8 (\$43,185.00 sought, \$14,074 awarded).

13 *Nothing about this matter warranted over 256 hours’ worth of work by six different*  
14 *members of McLetchie Shell. Lee-Tzu Lin*, No. CIV. S-14-0666 KJM, 2014 WL 5698448, at \*1-\*7  
15 (reducing the amount sought by nearly \$100,000.00 in part due to the “non-complex nature of the  
16 anti-SLAPP motion”); *Crowe*, No. 2:11-CV-3438 JAM, 2014 WL 130488, at \*5 (“Instead, having  
17 considered the nature of this action, defendant’s motion and the experience of defendant’s attorneys,  
18 the undersigned finds that 75 hours of attorney time would be a reasonable number of hours to have  
19 expended on the special motion to strike in question.”).

20 Based on these unreasonable billing practices, the Court should apply a 50% across-the-  
21 board reduction to the remaining hours claimed, thereby calculating a reasonable attorney’s fee for  
22 the VIPI Defendants based on 128.4 hours. *See 569 E. Cty. Blvd. LLC*, 212 Cal. Rptr. 3d at 318  
23 (affirming the trial court’s decision to downwardly adjust the amount of hours claimed in a motion  
24 for attorney’s fees and costs due to the inclusion of non-recoverable work, block-billing, vague time  
25 entries, and unnecessary bill padding).

26 \* \* \* \*

27 For these reasons, the Court should award no more than \$31,047.50 in reasonable attorney’s  
28 fees to the VIPI Defendants.

1           **C.     The VIPI Defendants May Not Recover All of their Claimed Costs.**

2           The VIPI Defendants seek \$4,517.18 in costs. (VIPI Mot., 4:5-7.) The Court should deny  
3 their request for costs associated with forensic imaging of Mr. Sanson's computer and photocopies.

4           Specifically, the Court should deny the VIPI Defendants' request for \$1,175.00 in costs  
5 incurred with Privacy Technician, Inc., a company that assists with "forensic processes and  
6 planning." (*Id.*, 5:18-21.) Similarly, the Court should deny the VIPI Defendants' request for  
7 \$252.09 in costs incurred by having Mr. Sanson's hard drive "cloned, copied, and reinstalled on his  
8 computer." (*Id.*, 5:23-25.) Pursuant to the above authority, such costs are not recoverable as a  
9 matter of law under NRS 41.670(1)(a) because they were unrelated to the motions to dismiss.

10          Moreover, the Court should exclude the VIPI Defendants' request for \$264.08 in costs for  
11 photocopying, because the VIPI Defendants failed to do anything more than provide the amount of  
12 copies made by their counsel on a monthly basis.<sup>23</sup> See *Cadle Co. v. Woods & Erickson, LLP*, 131  
13 Nev., Adv. Op. 15, 345 P.3d 1049, 1054-55 (2015) (finding that the district court lacked "justifying  
14 documentation to award photocopy costs" because the defendant failed to show "why the copying  
15 costs were reasonable or necessary"). As recently articulated by the Nevada Supreme Court, more is  
16 required than a summary of monthly copies substantiated by a conclusory affidavit of counsel.  
17 *Matter of DISH Network Derivative Litig.*, 133 Nev., Adv. Op. 61, 401 P.3d 1081, 1093 (Nev.  
18 2017). Rather, the party must produce "*documentation substantiating the reason for each copy.*"  
19 *Cadle Co.*, 131 Nev., Adv. Op. 15, 345 P.3d at 1054 (emphasis added). The VIPI Defendants failed  
20 to do so here.

21          For these reasons, the Court should award no more than \$2,754.33 in costs to the VIPI  
22 Defendants.

23          ...

24          ...

25          ...

26          ...

27  
28          <sup>23</sup>       Exhibit "3" to the VIPI Defendants' Motion includes monthly amounts for copy costs—it does not specify when  
each month various copies were made and what was copied.

**D. The Schneider Defendants Seek an Unreasonable – and Unsubstantiated – Amount of Attorney’s Fees.**

**1. The Court Should Deny the Schneider Defendants’ Motion “Altogether” Because the Schneider Defendants Sought an Unreasonable Amount of Attorney’s Fees Without Supporting Documentation.**

The Schneider Defendants seek an award of attorney’s fees based on the following evidence: “That your Declarant, C.J. Potter, IV, Esq., Cal J. Potter, III, Esq., and their Paralegals expended 189.4 hours and \$80,495.00 working on this matter.” (Schneider Mot., 5:4-5; *see also id.*, 3:4 – 5:3 (describing the rates charged by Cal Potter, CJ Potter, Tanya Bain, and Linda Potter).) No billing invoices were attached to their Motion, despite the plain language of N.R.C.P. 54(d)(2)(B) (requiring “documentation concerning the amount of fees claimed” to accompany a motion for attorney’s fees). That omission merits denial of their Motion without further review. *See, e.g., Joe Hand Promotions, Inc. v. Be*, No. 11-CV-01333-LHK, 2011 WL 5105375, at \*7 (N.D. Cal. Oct. 26, 2011) (denying a motion for attorney’s fees because “counsel has provided no documentation to justify recovery of attorney’s, paralegal or administrative fees, such as a curriculum vitae or resume, billing and cost records (not merely a reconstruction of services and hours long after the fact), or other relevant information”); *see also Moreno*, No. 65714, 2015 WL 9464437, at \*2 (affirming the district court’s order denying a motion for attorney’s fees and costs “due to the lack of supporting documentation”).

Even if the Court overlooks the Schneider Defendants’ failure to provide billing invoices itemizing the work performed by their counsel, it still should not find that the scant information provided is sufficient to assist the Court in determining a reasonable attorney’s fee. For example, of the 189.4 hours claimed, the Schneider Defendants did not allocate those hours among Cal Potter, CJ Potter, Ms. Bain, and Ms. Potter. Moreover, the Schneider Defendants did not attribute the 189.4 hours to different tasks performed in this matter by different timekeepers (e.g., identify how many hours were attributed to the anti-SLAPP motion, the 12(b)(5) motion, legal research, correspondence, client meetings, document collection, and review of briefs filed by the VIP1 Defendants). *Simply put, the Schneider Defendants have placed the Court in the untenable position of arbitrarily determining whether the 189.4 hours claimed was reasonably expended on the motions to dismiss. See, e.g., Uriarte v. Bostic*, No. 15CV1606-MMA (PCL), 2017 WL

1 3387612, at \*3 (S.D. Cal. Aug. 7, 2017) (denying a motion for attorney's fees and costs by a  
2 defendant who prevailed on an anti-SLAPP motion due to the paucity of information included with  
3 the motion justifying the rates charged and hours expended, saying, "Any award based on the  
4 information provided by Defendants would necessarily be arbitrary").

5 Finally, the Schneider Defendants' greed warrants denial of their Motion in its entirety.

6 If ... the Court were required to award a reasonable fee when an outrageously  
7 unreasonable one has been asked for, claimants would be encouraged to make  
8 unreasonable demands, knowing that the only unfavorable consequence of such  
misconduct would be reduction of their fee to what they should have asked in the first  
place. *To discourage such greed, a severer reaction is needful* . . .

9 Alnor contends a significantly higher award, of some unspecified amount, was  
10 necessary to serve the interests of the anti-SLAPP statute. *But counsel may not*  
11 *leverage the statute to obtain an "unjust" award.* As our Supreme Court observed in  
12 *Ketchum*, "A fee request that appears unreasonably inflated is a special circumstance  
13 permitting the trial court to reduce the award or deny one altogether." *The trial court*  
*could reasonably conclude the inflated, noncredible, often vaguely documented*  
*hours claimed by counsel precluded turning Alnor's contingent fee arrangement*  
*with counsel into a windfall.*

14 *Christian Research Inst.*, 81 Cal. Rptr. 3d at 877 (emphasis added) (internal quotation marks and  
15 citation omitted).

16 For these reasons, the Court should refuse to award attorney's fees to the Schneider  
17 Defendants.

18 2. The Court Should Substantially Reduce the Amount of Attorney's Fees  
19 Sought by the Schneider Defendants.

20 The Schneider Defendants have sought an award of attorney's fees using the "lodestar"  
21 methodology. (Schneider Mot., 5:4-5.) As set forth below, assuming (*arguendo*) that the Court  
22 awards attorney's fees to the Schneider Defendants based on the information presented with their  
23 Motion, in calculating a reasonable attorney's fee, the Court should estimate recoverable time based  
24 on total hours claimed by certain members of McLetchie Shell; reduce the rates sought; exclude  
25 estimated time by members of Potter Law Offices that is not recoverable; and make an across-the-  
26 board reduction to the estimated remaining hours claimed due to unreasonable billing practices.  
27 *Shuette v. Beazer Homes Holdings Corp.*, 121 Nev. 837, 864-65, 124 P.3d 530, 548-49 (2005)  
28 (indicating that a district court may use "any method rationally designed to calculate a reasonable



amount" of attorney's fees). Upon making such reasonable adjustments, the Court should find that the Schneider Defendants are entitled to no more than \$6,727.50 in reasonable attorney's fees, summarized as follows:

<i>The Schneider Defendants' Unreasonable Fee Request</i>	\$80,495.00
<i>Adjustment Through Estimation of Hours Incurred</i>	(\$4,470.00)
<i>Reduction for Reasonable Hourly Rates</i>	(\$22,195.00)
<i>Reduction for Non-Recoverable Hours</i>	(\$40,375.00)
<i>Reduction for Unreasonable Billing Practices</i>	(\$6,727.50)
<i>Maximum Total Reasonable Award</i>	\$6,727.50

a. *The Court Should Estimate Hours Incurred by Potter Law Offices.*

The Schneider Defendants seek an award of attorney's fees based on work performed by two attorneys (Cal Potter and CJ Potter) and two non-attorneys (Ms. Potter and Ms. Bain). (Schneider Mot., 3:4 – 5:5.) However, as noted above, because the 189.4 hours claimed are not allocated among attorneys and non-attorneys, for purposes of the Motion, the Court should use total hours claimed by certain members of McLetchie Shell for guidance. Specifically, the Court should assume as follows: Cal Potter billed 106.5 hours (akin to the total hours claimed by Ms. McLetchie); CJ Potter billed 55.5 hours (akin to the total hours claimed by Ms. Shell); and Ms. Bain and Ms. Potter, together, billed 26.8 hours (akin to the total hours claimed by Ms. Burchfield).

b. *The Court Should Adjust the Hourly Rates of Potter Law Offices.*

The Schneider Defendants seek an award of attorney's fees based on hourly rates ranging from \$125.00 to \$500.00. (Schneider Mot., 3:4 – 5:5.) However, the Schneider Defendants failed to justify those rates for this matter.

For example, the Schneider Defendants describe – at length – Cal Potter's experience in criminal law. (*Id.*, 3:4 – 4:3.) They also reference his experience in personal injury and legal ethics. However, nothing is said about his experience with civil matters involving defamation and related torts. Thus, while the Schneider Defendants have explained why Cal Potter may charge \$500.00 per hour for representing clients in criminal and personal injury cases, they have failed to explain why Cal Potter may charge \$500.00 per hour for representing clients in defamation cases. Nevada RPC

1 1.5(a)(3) (considering “[t]he fee customarily charged in the locality *for similar legal services*”)  
2 (emphasis added); *see also Ingram v. Oroudjian*, 647 F.3d 925, 928 (9th Cir. 2011) (“In determining  
3 a reasonable hourly rate, the district court should be guided by the rate prevailing in the community  
4 for similar work performed by attorneys of comparable skill, experience, and reputation.”).

5 Similarly, the Schneider Defendants do not discuss CJ Potter’s prior experience, if any, with  
6 civil matters involving defamation and related torts; instead, they highlight his “CALI Excellence for  
7 the Future Award for Trial Advocacy” and his prior handling of appeals involving unknown areas of  
8 the law. (Schneider Mot., 4:4-16.) Even if he has prior experience with First Amendment issues, CJ  
9 Potter’s hourly rate is unquestionably high for a lawyer who has practiced law for less than four  
10 years. *See, e.g., Kiessling*, No. 2:16-CV-00690-GMN-NJK, 2017 WL 1128605, at \*3 (finding  
11 \$200.00 per hour to be reasonable for an attorney with “three to four years of experience”).

12 Finally, nothing suggests that Ms. Potter and Ms. Bain have substantial experience with  
13 defamation and related torts. The Potter Law Offices advertises as a “personal injury law firm,”  
14 saying that it focuses on helping “those with personal injuries, those accused of a crime, and those  
15 with serious brain, spinal and orthopedic injuries.”<sup>24</sup> Nothing is said about First Amendment work;  
16 or even general civil litigation.

17 Based on the foregoing, using the rates recommended for members of McLetchie Shell, the  
18 Court should calculate a reasonable attorney’s fee for the Schneider Defendants using an hourly rate  
19 of \$350.00 for Cal Potter, an hourly rate of \$250.00 for CJ Potter, and an hourly rate of \$100.00 for  
20 Ms. Potter and Ms. Bain.

21 c. *The Court Should Exclude Non-Recoverable Time and Apply a 50%*  
22 *Across-the-Board Reduction to the Estimated Remaining Hours*  
*Claimed.*

23 As noted above, the Court should estimate that the Schneider Defendants seek an award of  
24 attorney’s fees based on 188.8 hours’ worth of work. That being said, “*there is no way on earth this*  
25 *case justified the hours purportedly billed by [the Schneider Defendants’] lawyers.*” *Harrington v.*  
26 *Payroll Entm’t Svcs., Inc.*, 72 Cal. Rptr. 3d 922, 925 (Cal. Ct. App. 2008) (emphasis added).

27  
28 <sup>24</sup> Home Page, Potter Law Offices, available at <https://www.potterlawoffices.com/>, attached as Exhibit 2; Firm  
Overview, Potter Law Offices, available at <https://www.potterlawoffices.com/firm/>, attached as Exhibit 3.

Specifically, a comparison of the work performed by the VIPI Defendants to the work performed by the Schneider Defendants proves that the Schneider Defendants' counsel grossly overbilled for their services. For example, excluding cover pages, tables of contents, tables of authorities, notices of hearings, certificates of service, and exhibits, the VIPI Defendants' 12(b)(5) motion and anti-SLAPP motion total 73 pages, while the Schneider Defendants' 12(b)(5) motion and anti-SLAPP motion total 14 pages—an 80% differential. Similarly, the VIPI Defendants filed a 33-page Omnibus Reply in support of their 12(b)(5) motion and anti-SLAPP motion, together with an 8-page Supplemental Omnibus Reply; the Schneider Defendants did not file a written response to either the Abrams Parties' Omnibus Opposition to the anti-SLAPP motions or the Abrams Parties' Supplement to their Omnibus Opposition. Finally, as the Court observed during the July 5, 2017 hearing, Ms. McLetchie “carried the day” in terms of presenting argument for the Defendants; Cal Potter spoke for approximately 2 minutes. (See Tr., June 5, 2017, 2:12, 19:9 – 21:10, 44:3-15, 66:16 – 67:4.) Though the Schneider Defendants prevailed before the Court (an issue to be addressed on appeal), they did so by riding the VIPI Defendants' proverbial coattails.

Although unknown, the Schneider Defendants' counsel likely spent a lot of time reviewing briefs filed by the other parties (both in this matter and in other, unrelated matters). Such excessive and unnecessary time should not be included in any award of reasonable attorney's fees because it did not assist the Schneider Defendants in preparing their own briefs. See, e.g., *Innovative Mold Sols., Inc. v. Cent. Mut. Ins. Co., Inc.*, No. 15-CV-40010, 2017 WL 4381666, at \*4 (D. Mass. Sept. 29, 2017) (criticizing a party for excessive time reviewing documents).

Based on the foregoing, the Court should estimate that Cal Potter and CJ Potter spent one-fourth (¼) of the amount of time that Ms. McLetchie and Ms. Shell spent working on this matter, while Ms. Bain and Ms. Potter, together, spent one-fourth (¼) of the amount of time that Ms. Burchfield spent working on this matter. Doing so reduces the hours that may be considered in awarding a reasonable attorney's fee to the Schneider Defendants as follows:

Billor	Total Hours Claimed	Potentially Recoverable Hours
Cal Potter	106.5	26.6
CJ Potter	55.5	13.9
Tanya Bain/Linda Potter	26.8	6.7
<b>Total</b>	<b>188.8</b>	<b>47.2</b>

1 However, the Court should not award attorney's fees to the Schneider Defendants based on  
2 47.2 hours. Rather, akin to the unreasonable billing practices seen with the VIPI Defendants'  
3 counsel, the Court should estimate that the Schneider Defendants likewise seek to recover attorney's  
4 fees for time that is "excessive, redundant, or otherwise unnecessary." *Hensley*, 461 U.S. at 434.  
5 Specifically, the Court should estimate that Potter Law Offices' billing records reflect overbilling  
6 and block-billing and contain vague and non-descriptive time entries.<sup>25</sup> As a result, for the same  
7 reasons discussed above with regard to reducing the remaining hours claimed by the VIPI  
8 Defendants, the Court should apply a 50% across-the-board reduction to the estimated remaining  
9 hours claimed by the Schneider Defendants, thereby calculating a reasonable attorney's fee for the  
10 Schneider Defendants based on 23.6 hours. *See 569 E. Cty. Blvd. LLC*, 212 Cal. Rptr. 3d at 318.

11 \* \* \* \*

12 For these reasons, the Court should award no more than \$6,727.50 in reasonable attorney's  
13 fees to the Schneider Defendants.

14 **D. The Court Should Refuse to Sanction the Abrams Parties.**

15 **I. Standard of Decision.**

16 NRS 41.670(1)(b) provides that the Court "may award . . . an amount of up to \$10,000" to a  
17 defendant who prevails on an anti-SLAPP motion. (Emphasis added.) Unlike an award of  
18 "reasonable costs and attorney's fees," which is mandatory, *see* NRS 41.670(1)(a), an award of  
19 sanctions is discretionary. NRS 0.025(1)(a) ("May" confers a right, privilege or power.).

20 NRS 41.670(1)(b) is silent in terms of the standard for obtaining sanctions. Although not  
21 addressed by the Nevada Supreme Court, the U.S. District Court for the District of Nevada has  
22 found that a defendant must show that an action was frivolous prior to receiving an award of up to  
23 \$10,000.00. *See Jablonski Enter., Ltd. v. Nye Cty.*, Case No. 2:15-cv-02296-GMN-GWF, 2017 WL

24  
25 <sup>25</sup> Because the Schneider Defendants withheld their counsel's billing invoices – assuming (*arguendo*) that they  
26 even exist – the Court should assume that those invoices would be detrimental to the Schneider Defendants if produced  
27 in this matter. *Tupman Thurlow Co. v. S. S. Cap Castillo*, 490 F.2d 302, 308 (2d Cir. 1974) ("The non-production of  
28 material evidence which is in the control of a party raises an inference that that evidence is unfavorable to that  
party.") (emphasis added); *see also Interstate Circuit v. United States*, 306 U.S. 208, 226 (1939) ("The production of  
weak evidence when strong is available can lead only to the conclusion that the strong would have been adverse. Silence  
then becomes evidence of the most convincing character.") (internal citation omitted).

1 3775396, at \*3 (D. Nev. Aug. 30, 2017). Such a requirement harmonizes with NRS 41.670(2)-(3),  
2 requiring a plaintiff who successfully opposes an anti-SLAPP motion to show that the motion was  
3 “frivolous or vexatious” prior to receiving an award of attorney’s fees, costs, and sanctions. *Allianz*  
4 *Ins. Co. v. Gagnon*, 109 Nev. 990, 993, 860 P.2d 720, 723 (1993) (“Whenever possible, this court  
5 will interpret a rule or statute in harmony with other rules and statutes.”).

6 The Court must undertake a “two-pronged analysis” in deciding whether the Abrams Parties’  
7 claims were frivolous; that is, decide whether (i) the claims were grounded in fact and warranted by  
8 existing law and (ii) made with “reasonable and competent inquiry” prior to filing them. *Bergmann*  
9 *v. Boyce*, 109 Nev. 670, 676, 856 P.2d 560, 564 (1993).

10 2. The Abrams Parties’ Claims were Neither Frivolous nor Vexatious.

11 The Abrams Parties brought this action in good faith seeking redress for what they maintain  
12 is an actionable smear campaign orchestrated by the Defendants. The Court disagreed, finding that  
13 the VIPI Defendants’ alleged defamatory statements “were either true statements of fact, or were  
14 statements of opinion which were incapable of being false.”<sup>26</sup> (Order, July 24, 2017, 15:6-8.)  
15 *Importantly, the Court did not also find that the Abrams Parties’ claims were unsupported in law*  
16 *or fact and made without a reasonable and competent inquiry. (See generally id.)*

17 The fact that the Court found that the Abrams Parties failed to establish “a probability of  
18 success” on their claims does not—without more—mean that the Abrams Parties’ claims were  
19 frivolous or vexatious. That ends the analysis in terms of sanctions.

20 Notwithstanding, the VIPI Defendants argue that the Abrams Parties sued them as a means of  
21 trying to silence their critics.<sup>27</sup> (VIPI Mot., 15:3-21.) If that was their intention (it was not), they  
22 were obviously unsuccessful—the VIPI Defendants continue to relentlessly denigrate members of  
23 the Nevada Bar through social media (e.g., on October 9, 2017, Mr. Sanson posted the following  
24 comment: “All you corrupt lawyers in Clark County Family Court that use your influence, by way of  
25

26 <sup>26</sup> On August 4, 2017, the Schneider Defendants’ counsel sent to undersigned counsel for review – via email – a  
27 draft Order granting the Schneider Defendants’ anti-SLAPP motion. On August 17, 2017, undersigned counsel sent to  
the Schneider Defendants’ counsel – via email – proposed changes to the draft Order. Nothing further has occurred.

28 <sup>27</sup> The Schneider Defendants joined this argument. (See Joinder, Sept. 15, 2017.)

1 friendship, status in the community, and money. We are coming after You!”).<sup>28</sup> Because the VIPI  
2 Defendants remain undeterred in waging “war” on the Family Court system,<sup>29</sup> the Court should  
3 refuse to find that the Abrams Parties sued the VIPI Defendants solely as a means to chill the VIPI  
4 Defendants’ First Amendment rights.

5 In effect, Mr. Sanson would have the Court find that he deserves sanctions because he is a  
6 purist who seeks to educate the public about unscrupulous lawyers and judges. In truth and in fact,  
7 he has an ulterior agenda in operating VIPI—i.e., seeking to “*manipulate, intimidate, and control*”  
8 members of the Nevada Bar—and will pursue that agenda *by any means necessary*, including by  
9 threatening an esteemed Family Court Judge who would not “succumb to [his] desired result.”<sup>30</sup>

10 Mr. Schneider, too, is not without blame. He enlisted Mr. Sanson to target Ms. Abrams.<sup>31</sup>  
11 Whether or not Mr. Sanson defamed Ms. Abrams (he did, repeatedly and unabashedly), the fact  
12 remains that Mr. Schneider directed Mr. Sanson to publicly vilify Ms. Abrams. Mr. Schneider said,  
13 in direct response to the filing of a motion for sanctions by the Abrams Parties in the *Saiter v. Saiter*  
14 matter: “If your firm does not withdraw that motion, I will oppose it *and take additional action*  
15 *beyond the opposition.*”<sup>32</sup> His message rang loud and clear; he knew exactly what Mr. Sanson  
16 would do with the September 29, 2016 video (despite feigning ignorance to his client).<sup>33</sup>

17 Finally, the Court seemingly noted the complex nature of the issues presented in this matter  
18 during the hearing on the anti-SLAPP motions. (See Tr., July 5, 2017, 54:3 (“I mean, the briefs were  
19 very, very good.”).) As a result, it cannot be said that the Abrams Parties’ claims were frivolous or  
20

21 <sup>28</sup> See Sample VIPI Facebook Posts, available at <https://www.facebook.com/VIPIstavcsanson/>, attached as  
22 Exhibit 4; see also VIPI Website, available at [http://web-extract.constantcontact.com/v1/social\\_annotation?permalink\\_  
uri=2g7ychb3&image\\_url=https%3A%2F%2Fmlsvo01-prod.s3.amazonaws.com%2Ff4fde64c401%2Ff613f9f1-dd3c-  
4e58-h49c-ccc2d0cc4c00.jpg%3Fver%3D1507924100000](http://web-extract.constantcontact.com/v1/social_annotation?permalink_uri=2g7ychb3&image_url=https%3A%2F%2Fmlsvo01-prod.s3.amazonaws.com%2Ff4fde64c401%2Ff613f9f1-dd3c-4e58-h49c-ccc2d0cc4c00.jpg%3Fver%3D1507924100000), attached as Exhibit 5.

23 <sup>29</sup> See Exs. 4-5.

24 <sup>30</sup> See Order of Recusal, Sept. 5, 2017, *Irina Ansell v. Douglas Ansell*, Case No. D-15-521960-D, attached as  
Exhibit 6, at pgs. 6-9 (emphasis added).

25 <sup>31</sup> Despite repeated invitations during the briefing process and at oral argument, Mr. Schneider refused to deny  
enlisting Mr. Sanson’s “services” to defame and disparage the Abrams Parties.

26 <sup>32</sup> Email from Mr. Schneider to Brandon Leavitt, Sept. 15, 2016, attached as Exhibit 7.

27 <sup>33</sup> Email from Mr. Schneider to Tina Saiter, forwarded to Brandon Saiter, Oct. 6, 2016, attached as Exhibit 8  
28 (claiming that he is “not happy about” Mr. Sanson posting the September 29, 2016 hearing video, saying, “There is  
apparently some sort of war between [VIPI] and the other side”).)

1 vexatious. *See Baldonado v. Wynn Las Vegas, LLC*, 124 Nev. 951, 967-68, 194 P.3d 96, 106-07  
2 (2008) (refusing to award attorney's fees pursuant to NRS 18.010(2)(b), which likewise requires a  
3 finding that a claim was frivolous or "brought or maintained without reasonable ground or to harass  
4 the prevailing party," saying, "[t]he law in this matter is complex and was unsettled. Since  
5 appellants raised reasonably supportable, if not ultimately successful, arguments, the district court  
6 did not abuse its discretion in determining that appellants' claims were brought with reasonable  
7 grounds and in denying the Wynn's motion for attorney fees").

8 For these reasons, the Court should refuse to award \$10,000.00 in statutory sanctions to any  
9 of the Defendants.

10 3. The Court Should Reject the Schneider Defendants' Request for Additional  
11 Sanctions Pursuant to the Court's Inherent Authority.

12 The Schneider Defendants ask the Court to go above and beyond awarding attorney's fees,  
13 costs, and statutory sanctions—they also ask the Court to exercise its inherent authority to sanction  
14 the Abrams Parties for an additional \$80,495.00.<sup>34</sup> (Schneider Mot., 9:8-10.) In other words, the  
15 Schneider Defendants seek "a total of \$170,990.00." (*Id.*) Their request is beyond the pale.

16 The Court has the inherent authority to sanction a party for "litigation abuses not specifically  
17 proscribed by statute." *Young v. Johnny Ribeiro Bldg.*, 106 Nev. 88, 92, 787 P.2d 777, 779 (1990).  
18 Such sanctions must be "reasonably proportionate to the litigant's misconduct." *Emerson v. Eighth*  
19 *Jud. Dist. Ct.*, 127 Nev. 672, 681, 263 P.3d 224, 230 (2011) (quotation marks and citation omitted).

20 As a preliminary matter, because NRS 41.670(1)(b) specifically addresses the alleged wrong  
21 giving rise to the Schneider Defendants' request for sanctions (i.e., filing a SLAPP), the Court  
22 should decline to separately consider exercising its inherent authority to sanction the Abrams Parties  
23 for suing the Schneider Defendants. Regardless, the Abrams Parties did not abuse the litigation  
24 process by seeking redress for what they maintain is a covert attempt by the Schneider Defendants  
25 (in concert with the VIPI Defendants) to cause harm to the Abrams Parties.

26  
27  
28 <sup>34</sup> The VIPI Defendants did not seek sanctions beyond those permitted under NRS 41.670(1)(b).

1 The Schneider Defendants argue that sanctions are warranted because the Abrams Parties  
2 named them “in all eleven causes of action.” (Schneider Mot., 7:3-4.) Of course they did; a co-  
3 conspirator “is liable for any tortious act, even unknown, committed in furtherance of the  
4 conspiracy, including acts not personally committed.” *Baker ex rel. Hall Brake Supply, Inc. v.*  
5 *Stewart Title & Trust of Phoenix, Inc.*, 5 P.3d 249, 256 (Ariz. Ct. App. 2000). It did not matter  
6 whether Mr. Schneider actually published the defamatory statements at issue in this matter, so long  
7 as he conspired with Mr. Sanson to defame and disparage the Abrams Parties.

8 During the July 5, 2017 hearing, the Schneider Defendants’ counsel acknowledged that the  
9 Schneider Defendants were alleged to be liable for the torts committed by the VIPI Defendants by  
10 virtue of conspiring with the VIPI Defendants. (Tr., July 5, 2017, 19:11-18 (“The Court: Do you  
11 agree that the allegations against your client arise out of the conspiracy? Mr. Potter: Yes . . . The  
12 Court: But he is liable apparently through a civil conspiracy theory? Mr. Potter: Correct.”).)  
13 Because their counsel conceded – in open Court – that the Abrams Parties had a basis in law to name  
14 them “in all eleven causes of action,” the Schneider Defendants cannot now argue that the Abrams  
15 Parties should be sanctioned for naming them “in all eleven causes of action.”

16 In the end, the Schneider Defendants’ request for sanctions pursuant to the Court’s inherent  
17 authority *combined with* their request for sanctions pursuant to NRS 41.670(1)(b) is, ironically,  
18 vindictive and designed to unfairly punish the Abrams Parties. Their request, which they freely  
19 admit would be “duplicative,” (Schneider Mot., 8:2-3), should be denied.

### 20 III. CONCLUSION

21 The Defendants seek to capitalize on dismissal of this lawsuit by requesting an exorbitant  
22 amount of attorney’s fees, costs, and sanctions. But dismissal of a SLAPP is not intended to result in  
23 a financial windfall for the Defendants.

24 The Court must award “reasonable” attorney’s fees to the VIPI Defendants and the Schneider  
25 Defendants (assuming (*arguendo*) that the Court excuses the Schneider Defendants’ inexplicable  
26 failure to substantiate their Motion with detailed billing invoices). A “reasonable” attorney’s fee for  
27 the VIPI Defendants is \$31,047.50 (plus \$2,754.33 in costs), and a reasonable attorney’s fee for the  
28



1 Schneider Defendants is \$6,727.50. Any awards in excess of those amounts would be contrary to  
2 language and intent of NRS 41.670(1)(a).

3 The Court should decline to award additional sanctions to any of the Defendants. The  
4 Abrams Parties' claims were neither frivolous nor vexatious; the Abrams Parties were publicly  
5 dragged across the metaphorical coals and sought redress for it. The Court determined that they had  
6 failed to show a probability of success in pursuing their claims against the Defendants. But  
7 dismissal of their lawsuit—without more—is not akin to a finding that their lawsuit was baseless.

8 For these reasons, the Court should deny the instant Motions.

9 DATED this 27<sup>th</sup> day of October, 2017.

BAILEY ♦ KENNEDY

By: /s/ Joshua P. Gilmore

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**CERTIFICATE OF SERVICE**

I certify that I am an employee of BAILEY ♦ KENNEDY and that on the 27<sup>th</sup> day of October, 2017, service of the foregoing **PLAINTIFFS' OMNIBUS OPPOSITION TO DEFENDANTS' MOTIONS FOR ATTORNEY'S FEES, COSTS, AND SANCTIONS** was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

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/s/ Susan Russo

Employee of BAILEY ♦ KENNEDY

# **EXHIBIT 1**

# **EXHIBIT 1**

RA000529

# MCLETTCHIE SHELL

Date	Time Expended	Biller	Rate	Description	Total
1/23/2017	5.7	Margaret McLetchie	\$450.00	Check docket and review and analyze materials. Review compiled research re Anti-SLAPP law procedural issues and begin preparing memo. Emails to opposing counsel. Communications with client.	\$2,565.00
1/23/2017	2.4	Margaret McLetchie	\$450.00	Continue research re Anti-SLAPP statute, review sample motions, and Nevada Supreme Court case law. Research related procedural issues and recent case developments from California.	\$1,080.00
1/23/2017	0.2	Pharan Burchfield	\$150.00	Draft Notice of Appearance to be filed tomorrow after attorney's review.	\$30.00
1/23/2017	0.3	Pharan Burchfield	\$150.00	Organize electronic copy of files/documents received from Mr. Sanson.	\$45.00
1/24/2017	1	Margaret McLetchie	\$450.00	Call with Ms. Abrams to introduce self, discuss matter, and discuss stipulation to avoid work on 12(b)(5) motion in advance of determination on Anti-SLAPP motion. Attention to drafting of stipulation and follow-up re same.	\$450.00
1/24/2017	1.6	Margaret McLetchie	\$450.00	Further review and analysis of file.	\$720.00
1/24/2017	0.2	Margaret McLetchie	\$450.00	Attention to NOA, IAFD	\$90.00
1/24/2017	0.7	Pharan Burchfield	\$150.00	Draft preservation/freeze letter. Attention to compiling information from client.	\$105.00
1/24/2017	0.3	Pharan Burchfield	\$150.00	Draft Stipulation and [Proposed] Order re-extension to file Response to Complaint; email communications with Ms. Abrams re same.	\$45.00
1/24/2017	0.2	Pharan Burchfield	\$150.00	Finalize and file Notice of Appearance; serve/mail re same. Draft and file Initial Appearance Fee Disclosure. Email communications with Mr. Sanson re same.	\$30.00

# MCLECHIE SHELL

Date	Time Expended	Billor	Rate	Description	Total
1/25/2017	0.8	Margaret McLetchie	\$450.00	Edit stipulation and respond to email from Ms. Abrams. Review email refusing to stipulate (change of position); leave message for Ms. Abrams. Review her email response, continuing to refuse to reasonable stipulation and stating that she will not communicate except in email. Review NOA by Mr. Willick and direct staff to communicate with him.	\$360.00
1/25/2017	0.1	Pharan Burchfield	\$150.00	Update Stipulation (substitute Plaintiffs' new counsel information) and email re same to Mr. Willick for review/approval.	\$15.00
1/25/2017	0.2	Pharan Burchfield	\$150.00	Review emails from Mr. Sanson re texts, emails, and videos. Download and save accordingly.	\$30.00
1/26/2017	0.2	Alina Shell	\$350.00	Per Ms. McLetchie's request, review Eighth Judicial District Court Rules regarding motions for extensions of time. Confer with Ms. McLetchie re same.	\$70.00
1/26/2017	0.2	Margaret McLetchie	\$450.00	Email to Mr. Willick re directing communications since Abrams/ Abrams & Mayo now represented.	\$90.00
1/26/2017	3.1	Margaret McLetchie	\$450.00	Continued research re Anti-SLAPP issues.	\$1,395.00
1/26/2017	1.1	Pharan Burchfield	\$150.00	Draft Motion for Extension and Motion and Order for Order on Shortening Time re same.	\$165.00
1/27/2017	0.5	Alina Shell	\$350.00	Research regarding legislative history of NRS 41.650 - statute regarding immunity from civil action for statements re public matters. Edit motion for extension of time pursuant to research. Circulate edit to Ms. McLetchie.	\$175.00
1/27/2017	0.4	Gabriel Czop	\$25.00	Travel to Regional Justice Center, drop off Ex Parte Order to Judge Adair's chambers. [billed at lower rate]	\$10.00

# MCLETCHIE SHELL

Date	Time Expended	Billor	Rate	Description	Total
1/27/2017	1.1	Margaret McLetchie	\$450.00	Call with Willick. Confer with Ms. Shell.	\$495.00
1/27/2017	0.1	Pharan Burchfield	\$150.00	Research dockets of similar cases for Ms. McLetchie; download docket and latest Complaint for Damages against Mr. Sanson.	\$15.00
1/27/2017	2.3	Pharan Burchfield	\$150.00	Editing and incorporating Ms. McLetchie's edits to Motion for Extension and Motion for an Order on Shortening Time re same. Prepare Declarations, exhibits, and proposed Orders re same. File and serve/mail/email/fax re same.	\$345.00
1/29/2017	0.2	Margaret McLetchie	\$450.00	Respond to email from Marshal Willick re scheduling, possible stipulation.	\$90.00
1/29/2017	0.3	Margaret McLetchie	\$450.00	Review case status.	\$135.00
1/30/2017	1.2	Margaret McLetchie	\$450.00	Review amended complaint; address issues re Order Shortening Time; call to chambers.	\$540.00
1/30/2017	0.2	Margaret McLetchie	\$450.00	Emails to client.	\$90.00
1/30/2017	1	Margaret McLetchie	\$450.00	Communications with client.	\$450.00
2/2/2017	2.3	Margaret McLetchie	\$450.00	Draft freeze letter. Research regarding preservation.	\$1,035.00
2/2/2017	0.2	Pharan Burchfield	\$150.00	Attention to preservation/freeze letters from opposing counsel.	\$30.00
2/3/2017	0.2	Alina Shell	\$350.00	Phone call with forensics expert. Sign freeze letter on behalf of Ms. McLetchie.	\$70.00
2/3/2017	0.1	Gabriel Czop	\$100.00	Research and locate a Nevada case that articulates the requirement to preserve evidence in anticipation of litigation.	\$10.00
2/3/2017	0.4	Gabriel Czop	\$100.00	Go to post office, mail certified letter, return receipt requested.	\$40.00

# MCLETSCHIE SHELL

Date	Time Expended	Blijer	Rate	Description	Total
2/3/2017	2.6	Margaret McLetchie	\$450.00	Draft response to freeze letter from Abrams. Attention to retention of forensic expert. Attention to factual issues and related work.	\$1,170.00
2/3/2017	0.3	Pharan Burchfield	\$150.00	Finalize preservation/freeze letter. Send/email to Mr. Willick re same.	\$45.00
2/3/2017	0.5	Pharan Burchfield	\$150.00	Finalize Ms. McLetchie's letter to Mr. Willick in response to Ms. Abrams' preservation/freeze letter.	\$75.00
2/3/2017	0.8	Pharan Burchfield	\$150.00	Attention to preservation and document collection issues per direction from Ms. McLetchie.	\$120.00
2/3/2017	0.3	Pharan Burchfield	\$150.00	Email and phone calls re scheduling.	\$45.00
2/4/2017	0.2	Margaret McLetchie	\$450.00	Call with client.	\$90.00
2/5/2017	0.2	Margaret McLetchie	\$450.00	Review and consider email from Mr. Willick.	\$90.00
2/6/2017	3.5	Leo Wolpert	\$175.00	Meet with Ms. McLetchie and review research provided. (no charge.) Read Ms. Abrams' Complaint, read all website materials, review research re Anti-SLAPP law and precedent.	\$612.50
2/6/2017	0.6	Margaret McLetchie	\$450.00	Work with team re preservation issues.	\$270.00
2/7/2017	4.9	Leo Wolpert	\$175.00	Draft outline of argument in Anti-SLAPP motion, draft statement of relevant facts pursuant to direction from Ms. McLetchie.	\$857.50
2/7/2017	0.1	Margaret McLetchie	\$450.00	Review documents.	\$45.00
2/7/2017	0.2	Pharan Burchfield	\$150.00	Draft memo re case documentation.	\$30.00
2/8/2017	1.5	Leo Wolpert	\$175.00	Research and draft public interest Weinberg test section of Anti-SLAPP motion to dismiss.	\$262.50

# MCLETSCHIE SHELL

Date	Time Expended	Billor	Rate	Description	Total
2/8/2017	2.8	Leo Wolpert	\$175.00	Continue drafting Anti-SLAPP motion to dismiss.	\$490.00
2/9/2017	4.1	Leo Wolpert	\$175.00	Continue drafting Anti-SLAPP motion to dismiss, specifically public interest prong and good faith communications prong.	\$717.50
2/9/2017	0.8	Margaret McLetchie	\$450.00	Direct work on briefing: Motion to dismiss.	\$360.00
2/9/2017	0.1	Pharan Burchfield	\$150.00	Email communications to Mr. Sanson.	\$15.00
2/10/2017	2.2	Leo Wolpert	\$175.00	Continue Anti-SLAPP motion to dismiss.	\$385.00
2/11/2017	5.5	Leo Wolpert	\$175.00	Draft 12(b)(5) motion to dismiss.	\$962.50
2/12/2017	4	Leo Wolpert	\$175.00	Continue drafting motion to dismiss.	\$700.00
2/13/2017	6.8	Leo Wolpert	\$175.00	Continue drafting and editing 12(b)(5) motion to dismiss.	\$1,190.00
2/13/2017	0.6	Margaret McLetchie	\$450.00	Emails re issues pertaining to Ms. Abrams' efforts to interfere with VIPI Facebook. Research re counter-claims.	\$270.00
2/13/2017	0.9	Margaret McLetchie	\$450.00	Research. Work on motion to dismiss/ confer with Mr. Wolpert re same and check progress/ structure of brief. Update client.	\$405.00
2/14/2017	1	Margaret McLetchie	\$450.00	Direct research and writing of 12(b)(5) motion to dismiss.	\$450.00
2/14/2017	1	Margaret McLetchie	\$450.00	Review info from client re information on Mr. Willick's site. Research regarding anti-SLAPP motions.	\$450.00
2/15/2017	1.8	Leo Wolpert	\$175.00	Craft motion to strike.	\$315.00
2/15/2017	5.3	Leo Wolpert	\$175.00	Craft and edit 12(b)(5) motion to dismiss.	\$927.50



# MCLETTCHIE SHELL

Date	Time Expended	Billed By	Rate	Description	Total
2/15/2017	8.5	Margaret McLetchie	\$450.00	Review related filings and drafts. Edit draft received from Mr. Wolpert and organize brief sections. Draft sections re court access and injunctive relief. Edit and expand introduction and fact section and begin editing defamation section. Research additional section re attorney's fees and sanctions and motion to strike.	\$3,825.00
2/16/2017	9.1	Alina Shell	\$350.00	Attention to Motion to Dismiss: edit / expand section re defamation per Ms. McLetchie's request. Draft separate section regarding sanctions. Edit motion to strike. Supervise finalization of tables and filing.	\$3,185.00
2/16/2017	0.8	Gabriel Czop	\$100.00	Begin legal cite checking the Motion to Dismiss.	\$80.00
2/16/2017	8.2	Leo Wolpert	\$175.00	Draft and edit RICO section of motion to dismiss, draft and edit motion to dismiss generally.	\$1,435.00
2/16/2017	2.1	Leo Wolpert	\$175.00	Draft motion to strike.	\$367.50
2/16/2017	0.3	Margaret McLetchie	\$450.00	Review correspondence.	\$135.00
2/16/2017	8.2	Margaret McLetchie	\$450.00	Revisions to response to motion to dismiss (False light, emotional distress claims, legal standard, and brief in its entirety). Draft new section re general failure to plead with specificity/ Research re lack of corp. standing to pursue emotional distress and false light claims. Meet with Mr. Sanson.	\$3,690.00
2/16/2017	0.2	Pharan Burchfield	\$150.00	Attention to documentation and files.	\$30.00

# MCLETTCHIE SHELL

Date	Time Expended	Billor	Rate	Description	Total
2/16/2017	4.5	Pharan Burchfield	\$150.00	Draft Motion for Leave to Exceed Page Limits for attorneys' review, File and serve/mail re same, Finalize Motion to Dismiss (create table of contents and table of authorities); file and serve/mail re same, Finalize Motion to Strike; file and serve/mail re same.	\$675.00
2/17/2017	0.2	Margaret McLetchie	\$450.00	Conferences re case status.	\$90.00
2/17/2017	0.4	Pharan Burchfield	\$150.00	Check file; calendaring.	\$60.00
2/25/2017	2.3	Leo Wolpert	\$175.00	Continue drafting/editing Anti-SLAPP motion to dismiss.	\$402.50
2/27/2017	0.2	Margaret McLetchie	\$450.00	Review emails re status.	\$90.00
2/27/2017	0.5	Margaret McLetchie	\$450.00	Check file, docket, and upcoming dates.	\$225.00
3/1/2017	0.5	Margaret McLetchie	\$450.00	Research re protections for journalists.	\$225.00
3/2/2017	3.9	Leo Wolpert	\$175.00	Continue drafting anti-SLAPP motion to dismiss.	\$682.50
3/2/2017	0.4	Margaret McLetchie	\$450.00	Provide direction re work on Anti-SLAPP motion.	\$180.00
3/3/2017	0.9	Margaret McLetchie	\$450.00	Meeting with Steve; follow up with email to Steve.	\$405.00
3/6/2017	1.3	Leo Wolpert	\$175.00	Edit opposition to motion for order shortening time and, Mr. Sanson's declaration re same.	\$227.50
3/7/2017	0.5	Margaret McLetchie	\$450.00	Review response/ counter-motion. Follow up re transcription and striking Leavitt. Review email re calendaring.	\$225.00
3/7/2017	0.1	Pharan Burchfield	\$150.00	Call Veritext Legal Solutions re quote to transcribe audio re Saiter hearing to use as exhibit.	\$15.00

# MCLETCHE SHELL

Date	Time Expended	Billed By	Rate	Description	Total
3/7/2017	0.2	Pharan Burchfield	\$150.00	Review Opposition to Motion to Dismiss and Opposition to Motion to Strike with Countermotions for Attorneys' Fees; update and calculate calendar re same.	\$30.00
3/8/2017	1.1	Allna Shell	\$350.00	Per Ms. McLetchie's request, research regarding time for filing opposition to Anti-SLAPP motion. Draft memorandum re same.	\$385.00
3/8/2017	0.2	Margaret McLetchie	\$450.00	Research re burden plaintiff has in responding to Anti-SLAPP motion.	\$90.00
3/8/2017	1.6	Margaret McLetchie	\$450.00	Research re attorney's fees requested in countermotions.	\$720.00
3/8/2017	0.7	Margaret McLetchie	\$450.00	Attention to checking date calculations and to case management.	\$315.00
3/9/2017	0.1	Margaret McLetchie	\$450.00	Review notice of reassignment. Forward to client.	\$45.00
3/9/2017	0.1	Margaret McLetchie	\$450.00	Attention to obtaining exhibits for use in anti-SLAPP motion.	\$45.00
3/9/2017	1	Margaret McLetchie	\$450.00	Review research re "SLAPP back" provisions of NR5 41.670 and research various procedural matters.	\$450.00
3/13/2017	0.2	Margaret McLetchie	\$450.00	Attention to obtaining Salter transcript.	\$90.00
3/13/2017	0.7	Admin Admin	\$25.00	Dropped off flash drive to be transcribed at Veritext: 2250 S Rancho Drive Suite 195	\$17.50
3/13/2017	0.2	Margaret McLetchie	\$450.00	Rule 11/sanctions research.	\$90.00
3/13/2017	0.3	Margaret McLetchie	\$450.00	Review filings from Willick case.	\$135.00
3/13/2017	0.2	Margaret McLetchie	\$450.00	Follow up re obtaining transcript from Salter case.	\$90.00
3/13/2017	0.1	Pharan Burchfield	\$150.00	Call to client.	\$15.00

# MCLETCHE SHELL

Date	Hours Expended	Billed	Rate	Description	Total
3/13/2017	0.1	Pharan Burchfield	\$150.00	Complete order form for transcription re Saiter divorce hearing with Veritext Legal Solutions.	\$15.00
3/14/2017	0.2	Margaret McLetchie	\$450.00	Research re Rule 11 sanctions.	\$90.00
3/16/2017	0.3	Alina Shell	\$350.00	Assist in preparation of Anti-SLAPP motion and supporting documents. Edit draft declaration of Steve Sanson.	\$105.00
3/16/2017	0.8	Gabriel Czop	\$100.00	Research for Ms. McLetchie re: applicable test in anti-SLAPP motions and whether public interest is the same as public concern.	\$80.00
3/17/2017	0.4	Gabriel Czop	\$100.00	Research anti-SLAPP statute and finish writing footnote comparing NV and CA statutes.	\$40.00
3/19/2017	2.3	Leo Wolpert	\$175.00	Edit anti-SLAPP motion to dismiss.	\$402.50
3/20/2017	1.9	Alina Shell	\$350.00	Edit declaration in support of Anti-SLAPP motion. Per Ms. McLetchie's request, edit Anti-SLAPP motion.	\$665.00
3/20/2017	3.0	Margaret McLetchie	\$450.00	Direct work on Anti-SLAPP motion; review and revise drafts.	\$1,350.00
3/20/2017	0.7	Alina Shell	\$350.00	Draft additional section for Anti-SLAPP regarding historical background re opening proceedings.	\$245.00
3/20/2017	3.9	Leo Wolpert	\$175.00	Continue editing anti-SLAPP motion to dismiss.	\$682.50
3/20/2017	0.8	Leo Wolpert	\$175.00	Edit Mr. Sanson's declaration for inclusion with anti-SLAPP motion to dismiss.	\$140.00
3/21/2017	1.1	Alina Shell	\$350.00	Edit most recent draft of Steve Sanson declaration. Review exhibits to declaration with Ms. Burchfield to address gaps and errors. Discuss same with Ms. McLetchie and Mr. Wolpert.	\$385.00
3/21/2017	3.2	Margaret McLetchie	\$450.00	Continued work on anti-SLAPP motion.	\$1,440.00
3/21/2017	2.8	Leo Wolpert	\$175.00	Continue editing anti-SLAPP motion to dismiss, implementing Ms. McLetchie comments.	\$490.00

# MCLETTCHIE SHELL

Date	Time Expended	Billable	Rate	Description	Total
3/21/2017	3	Leo Wolpert	\$175.00	Cite check and edit anti-SLAPP motion to dismiss.	\$525.00
3/21/2017	0.4	Pharan Burchfield	\$150.00	Prepare exhibits in support of Anti-SLAPP motion to dismiss.	\$60.00
3/27/2017	2	Leo Wolpert	\$175.00	Edit anti-SLAPP motion to dismiss.	\$350.00
3/28/2017	0.1	Alina Shell	\$350.00	Assist with finding full case cites for inclusion in anti-SLAPP motion.	\$35.00
3/28/2017	3.4	Margaret McLetchie	\$450.00	Revisions to Anti-SLAPP Motion.	\$1,530.00
3/28/2017	0.2	Alina Shell	\$350.00	Locate template motion to file under seal for Mr. Wolpert to use in drafting motion to dismiss. Review and respond to email from Ms. McLetchie regarding issues pertaining to anti-SLAPP motions.	\$70.00
3/28/2017	2.3	Gabriel Czop	\$100.00	Review and cite check Special Motion to Dismiss pursuant to Nev. Rev. Stat. 41.600	\$230.00
3/28/2017	2.5	Leo Wolpert	\$175.00	Edit anti-SLAPP motion to dismiss and draft motion to file under seal.	\$437.50
3/28/2017	5.1	Pharan Burchfield	\$150.00	Finalize exhibits and declarations re Anti-SLAPP motion. Prepare motion to file exhibit 13 under seal. Prepare table of contents and table of authorities re same. File and serve/maill Anti-SLAPP motion, motion to file under seal (exhibit 13) and declarations.	\$765.00
3/30/2017	2.3	Leo Wolpert	\$175.00	Begin drafting replies to oppositions to motion to dismiss and motion to strike	\$402.50
3/30/2017	0.1	Pharan Burchfield	\$150.00	Review recent pleadings in Abrams v. Schneider matter; calendar accordingly; email file-stamped copies to client.	\$15.00
3/31/2017	2.5	Leo Wolpert	\$175.00	Continue drafting reply to opposition to motion to dismiss.	\$437.50
4/4/2017	4.3	Leo Wolpert	\$175.00	Confer with Ms. McLetchie re reply to opposition to motion to dismiss, continue drafting reply.	\$752.50

# MCLECHIE SHELL

Date	Time Expended	Billable	Rate	Description	Total
4/4/2017	0.1	Margaret McLetchie	\$450.00	Check status of filings.	\$45.00
4/4/2017	0.2	Margaret McLetchie	\$450.00	Respond to client inquiry.	\$90.00
4/4/2017	0.4	Margaret McLetchie	\$450.00	Direct work on reply.	\$180.00
4/5/2017	0.5	Leo Wolpert	\$175.00	Additional attention to reply to opposition to motion to dismiss.	\$87.50
4/5/2017	0.2	Margaret McLetchie	\$450.00	Check deadline for plaintiffs to respond to anti-SLAPP motion.	\$90.00
4/8/2017	0.9	Leo Wolpert	\$175.00	Continue drafting reply to opposition to motion to dismiss.	\$157.50
4/13/2017	0.8	Leo Wolpert	\$175.00	Continue drafting reply to opposition to motion to dismiss.	\$140.00
4/14/2017	0.2	Margaret McLetchie	\$450.00	Attention to SAQ; review same and emails with opposing counsel; update to client.	\$90.00
5/7/2017	2.5	Leo Wolpert	\$175.00	Review opposition to anti-SLAPP motion to dismiss, research regarding counter-arguments.	\$437.50
5/7/2017	0.4	Margaret McLetchie	\$450.00	Attention to work on reply to omnibus opposition.	\$180.00
5/10/2017	3.5	Leo Wolpert	\$175.00	Research and draft motion to dismiss appeal.	\$612.50
5/24/2017	1.2	Leo Wolpert	\$175.00	Research and draft reply to non-opposition to motion to seal.	\$210.00
5/25/2017	0.7	Alina Shell	\$350.00	Edit request to unseal Exhibit 13 to anti-SLAPP motion to dismiss.	\$245.00
5/25/2017	2.7	Alina Shell	\$350.00	Read Anti-SLAPP opposition. Review cases cited in opposition and research additional cases. Begin drafting reply.	\$945.00
5/25/2017	2.3	Leo Wolpert	\$175.00	Continue working on reply to opposition to 12b5 motion to dismiss (1.5), rewrite reply to non-opposition to seal (.75)	\$402.50

# MCLETTCHIE SHELL

Date	Time Expended	Billable	Rate	Description	Total
5/25/2017	1.8	Margaret McLetchie	\$450.00	Revise reply to motion to seal re Saiter documents. Draft reply ISO Motion to Strike. Revise reply re 12(b)(5) draft.	\$810.00
5/26/2017	4.7	Alina Shell	\$350.00	Attention to reply to opposition to anti-SLAPP motion to dismiss; draft sections regarding what constitutes a public interest and address Plaintiffs' argument re "republishing."	\$1,645.00
5/26/2017	0.9	Margaret McLetchie	\$450.00	Work on reply; follow up re deadline for same.	\$405.00
5/26/2017	0.2	Pharan Burchfield	\$150.00	Finalize, file, and serve (electronic and mail) Defendants Steve W. Sanson and Veterans In Politics International, Inc.'s Request to Unseal Exhibit 13 to their Special Motion to Dismiss Pursuant to Nev. Rev. Stat. § 41.660 (anti-SLAPP).	\$30.00
5/30/2017	1.4	Alina Shell	\$350.00	Research for reply to opposition to motion to dismiss re verification of facts.	\$490.00
5/30/2017	1.8	Alina Shell	\$350.00	Expand section in reply to opposition to motion to dismiss re failure to state a claim for defamation.	\$630.00
5/30/2017	1.2	Alina Shell	\$350.00	Attention to response to argument in Plaintiffs' opposition to Anti-SLAPP regarding right to limited discovery. Review section in opposition re limited discovery. Legal research re same. Draft section.	\$420.00
5/30/2017	2.8	Alina Shell	\$350.00	Resume drafting reply to opposition to Anti-SLAPP motion; re-read opposition section regarding publication. Research arguments in opposition. Re-draft section on republication. Review drafted arguments re Anti-SLAPP elements and email to Ms. McLetchie.	\$980.00
5/30/2017	2	Leo Wolpert	\$175.00	Edit and finalize omnibus replies to motions to dismiss, motion to strike.	\$350.00
5/30/2017	3.8	Margaret McLetchie	\$450.00	Editing and revising of reply. Circulate to client. Attention to motion for excess pages.	\$1,710.00

# MCLETSCHIE SHELL

Date	Time Entered	Bill To	Rate	Description	Total
5/30/2017	2.3	Pharan Burchfield	\$150.00	Finalize (proof, format, create tables of contents and tables of authorities), file and serve/mail VIPI Defendants' Omnibus Reply to: (1) Plaintiff's Opposition to Special Motion to Dismiss Pursuant to Nev. Rev. Stat. 41.660 (Anti-SLAPP); and (2) Plaintiff's Opposition to Motion to Dismiss and Countermotion for Attorney's Fees.	\$345.00
5/30/2017	0.2	Pharan Burchfield	\$150.00	Finalize, file, and serve/mail Reply to Plaintiffs' Opposition to Motion to Strike and Opposition to Plaintiff's Countermotion for Attorney's Fees.	\$30.00
5/30/2017	0.5	Pharan Burchfield	\$150.00	Draft, incorporate Ms. McLetchie's edits, file, and serve/mail Motion for Excess Pages re Omnibus Reply.	\$75.00
5/31/2017	0.8	Pharan Burchfield	\$150.00	Create hard-copy courtesy copies of entire briefing to Honorable Judge Leavitt in preparation of upcoming motions hearing. Direct Ms. Lopez (admin) to delivery to Department 12.	\$120.00
6/1/2017	0.3	Admin Admin	\$25.00	Dropped off three binders of Motion to Dismiss at the Las Vegas Regional Justice Center: 200 Lewis Ave, Las Vegas, NV, 89101 department 12.	\$7.50
6/1/2017	0.1	Pharan Burchfield	\$150.00	Email client file-stamped copies of recent pleadings in Abrams v. Schneider et al. case.	\$15.00
6/4/2017	5.3	Leo Wolfert	\$175.00	Assist Ms. McLetchie in preparing for 6/5 hearing by charting out, summarizing and gathering quotes from cases relevant to arguments, charting out how to argue that each allegedly defamatory statement is non actionable.	\$927.50
6/4/2017	8.2	Margaret McLetchie	\$450.00	Hearing preparation. Review all materials and prepare outline.	\$3,690.00
6/5/2017	4.4	Margaret McLetchie	\$450.00	Prepare for hearing; attend hearing/argue.	\$1,980.00



# MCLETTCHIE SHELL

Date	Time Expended	Billor	Rate	Description	Total
6/6/2017	0.8	Margaret McLetchie	\$450.00	Preliminary review of Plaintiffs' supplemental opposition. Research re same.	\$360.00
6/7/2017	1	Alina Shell	\$350.00	Read supplement to Plaintiffs' omnibus opposition. Draft initial portion of response. Email to Ms. McLetchie.	\$350.00
6/7/2017	2.1	Margaret McLetchie	\$450.00	Review and analyze supplemental opposition. Work on supplemental reply addressing: (1) supp. opp. filed by Plaintiffs; (2) issues re publication of mass emails. Client declaration.	\$945.00
6/8/2017	5.6	Margaret McLetchie	\$450.00	Research and drafting of supplemental reply; review and edit.	\$2,520.00
6/9/2017	0.3	Alina Shell	\$350.00	Proofread response to supplement to omnibus opposition.	\$105.00
6/9/2017	3.4	Margaret McLetchie	\$450.00	Further revising of supplemental reply; add discussion re /exhibits/revise declaration re assertion that Mr. Salter requested take-down.	\$1,530.00
6/9/2017	1	Pharan Burchfield	\$150.00	Finalize, file, and serve/mail VIP Defendants' Supplement to VIP Defendants' Omnibus Reply to: (1) Plaintiffs' Opposition to Special Motion to Dismiss Pursuant to Nev. Rev. Stat. 41.660 (Anti-SLAPP); and (2) Plaintiffs' Opposition to Motion to Dismiss and Countermotion for Attorneys' Fees. Meeting with client.	\$150.00
6/12/2017	0.4	Admin Admin	\$25.00	Dropped off: VIP Defendants' Supplement to VIP Defendants' Omnibus Reply to: (1) Plaintiffs' Opposition to Special Motion to Dismiss Pursuant to Nev. Rev. Stat. 41.600 (Anti - SLAPP); and (2) Plaintiffs' Opposition to Motion to Dismiss and Countermotion for Attorneys' Fees at the Las Vegas Regional Justice Center: 200 Lewis Ave. Las Vegas, NV, 89101 department 12.	\$10.00
6/22/2017	0.2	Margaret McLetchie	\$450.00	Attention to fee application issues.	\$90.00

# MCLETCHIE SHELL

Date	Time Expended	Billable	Rate	Description	Total
6/22/2017	0.6	Margaret McLetchie	\$450.00	Review minutes. Call with client. Take call from reporter.	\$270.00
6/27/2017	0.9	Alina Shell	\$350.00	Begin drafting proposed order granting anti-SLAPP motion to dismiss.	\$315.00
6/28/2017	0.6	Alina Shell	\$350.00	Resume drafting proposed order.	\$210.00
6/28/2017	0.1	Margaret McLetchie	\$450.00	Respond to opposing counsel request re review order.	\$45.00
6/28/2017	0.3	Margaret McLetchie	\$450.00	Emails with client.	\$135.00
6/29/2017	0.2	Margaret McLetchie	\$450.00	Emails with client.	\$90.00
6/29/2017	0.2	Margaret McLetchie	\$450.00	Attention to preliminary work on fees motion, and research re same.	\$90.00
7/3/2017	2.1	Alina Shell	\$350.00	Draft proposed order granting VPI Defendants' anti-SLAPP motion to dismiss.	\$735.00
7/3/2017	1.5	Alina Shell	\$350.00	Incorporate Ms. McLetchie's and Mr. Wolpert's edits into proposed order.	\$525.00
7/3/2017	2.8	Alina Shell	\$350.00	Per Ms. McLetchie's request, expand proposed order granting anti-SLAPP motion to dismiss.	\$980.00
7/3/2017	0.5	Leo Wolpert	\$175.00	Per Ms. Shell's request, proofread order granting anti-SLAPP motion to dismiss.	\$87.50
7/3/2017	0.9	Margaret McLetchie	\$450.00	Direct Ms. Shell re expanding order. Email to counsel for Schneider. Email to opposing counsel.	\$405.00
7/5/2017	0.5	Admin Admin	\$25.00	Made payment for transcript (June 5, 2017 hearing) to Clark County Treasurer, and LGM Transcription Services at the Regional Justice Center: 200 Lewis Ave. Las Vegas, NV, 89101.	\$12.50
7/5/2017	0.8	Alina Shell	\$350.00	Review transcript of 6/27/17 hearing on anti-SLAPP motion. Incorporate facts from transcript into proposed order granting anti-SLAPP motion.	\$280.00
7/5/2017	0.4	Leo Wolpert	\$175.00	Edit and proofread order granting anti-SLAPP motion to dismiss.	\$70.00

# MCLETSCHIE SHELL

Date	Time Expended	Bill By	Rate	Description	Total
7/5/2017	1	Margaret McLetchie	\$450.00	Revise draft proposed order and provide to C.J. Potter, and to opposing counsel.	\$450.00
7/5/2017	0.4	Pharan Burchfield	\$150.00	Finalize Proposed Order and letter from Ms. McLetchie to Mr. Gilmore; send re same.	\$60.00
7/6/2017	0.7	Admin Admin	\$25.00	Dropped off letter address to Judge Leavitt dated July, 6, 2017 at the Regional Just Center; 200 Lewis Ave. Las Vegas, NV, 89101 Department 12.	\$17.50
7/6/2017	0.3	Margaret McLetchie	\$450.00	Emails and call with opposing counsel, Josh Gilmore, re extension of deadline to submit proposed order. Edit draft letter to chambers re same/ approve and sign.	\$135.00
7/6/2017	0.1	Pharan Burchfield	\$150.00	Finalize and send (via email) Ms. McLetchie's letter to Honorable Judge Leavitt re extension of time to submit proposed order.	\$15.00
7/13/2017	0.2	Pharan Burchfield	\$150.00	Provide client with copies of Mr. Gilmore's edits to Ms. McLetchie's proposed order.	\$15.00
7/14/2017	1	Alina Shell	\$350.00	Review Mr. Gilmore's redlines to draft proposed order. Edit and send to Ms. McLetchie for review.	\$350.00
7/14/2017	0.3	Margaret McLetchie	\$450.00	Attention to issues re proposed order, edits from opposing counsel. Review same.	\$135.00
7/14/2017	0.4	Pharan Burchfield	\$150.00	Draft and send (hand-deliver and email) letter to Judge Leavitt with proposed order. Prepare proposed order to be submitted to Court. Email same to opposing counsel. Email client re same.	\$60.00
7/19/2017	0.2	Pharan Burchfield	\$150.00	Draft Stipulation and Proposed Order re extension of deadline to file Motion for Attorney's Fees Application pursuant to NRS 41.670.	\$30.00

# MCLETCHE SHELL

Date	Time Expended	Bill Admin	Rate	Description	Total
7/20/2017	0.5	Admin Admin	\$25.00	Dropped off Stipulation and [Proposed] Order at the Las Vegas Regional Justice Center: 200 Lewis Ave. Las Vegas, NV, 89101 Department 12.	\$12.50
7/20/2017	0.5	Admin Admin	\$25.00	Picked up: Mr. Potter's signature at: 1125 Shadow Ln, Las Vegas, NV 89102 for Stipulation and [Proposed] Order.	\$12.50
7/20/2017	0.5	Admin Admin	\$25.00	Picked up: Stipulation and Proposed Order at Bailey Kennedy Attorneys at Law: 8984 Spanish Ridge Ave, Las Vegas, NV 89148.	\$12.50
7/20/2017	0.1	Alina Shell	\$350.00	Phone call to co-defendant counsel CJ Potter regarding stipulation to extend date for motion for fees.	\$35.00
7/20/2017	0.4	Alina Shell	\$350.00	Redline Mr. Gilmore's re-draft of stipulation to extend. Phone call with Mr. Gilmore re same. Review follow-up email from Mr. Gilmore.	\$140.00
7/20/2017	0.2	Margaret McLetchie	\$450.00	Attention to stipulation.	\$90.00
7/24/2017	0.1	Margaret McLetchie	\$450.00	Approve NEOJ.	\$45.00
7/24/2017	0.4	Pharan Burchfield	\$150.00	File Order Granting VIFI Defendants' Special Motion to Dismiss Pursuant to Nev. Rev. Stat. 41,660 (Anti-SLAPP); draft, file, and serve/mail Notice of Entry of Order re same; email client re same.	\$60.00
7/25/2017	0.1	Margaret McLetchie	\$450.00	Emails re deadline for attorney fee / other NRS award application.	\$45.00
7/26/2017	0.4	Admin Admin	\$25.00	Picked up: Stipulated and [Proposed] Order at the Las Vegas Regional Justice Center: 200 Lewis Ave. Las Vegas, NV, 89101 Department 12.	\$10.00
7/26/2017	0.3	Pharan Burchfield	\$150.00	File Stipulation and Order (extension motion for attorneys' fees); draft, file, and serve/mail Notice of Entry of Order re same. Update calendar deadlines accordingly.	\$45.00
8/4/2017	0.2	Margaret McLetchie	\$450.00	Call with client.	\$90.00

# MCLETCHE SHELL

Date	Time Expended	Bill To	Rate	Description	Total
8/7/2017	0.9	Margaret McLetchie	\$450.00	Research re application for attorney's fees.	\$405.00
8/7/2017	0.3	Margaret McLetchie	\$450.00	Call with Mr. C.J. Potter; attention to editing stipulation for extension drafted by paralegal; various communications re same.	\$135.00
8/8/2017	0.2	Admin Admin	\$25.00	Picked up: Stipulation and [Proposed] Order at the Las Vegas Regional Justice Center: 200 Lewis Ave. Las Vegas, NV, 89101 Department 12.	\$5.00
8/8/2017	0.4	Admin Admin	\$25.00	Dropped off: Stipulation and [Proposed] Order at the Las Vegas Regional Justice Center; 200 Lewis Ave. Las Vegas, NV, 89101 Department 12.	\$10.00
8/8/2017	0.4	Admin Admin	\$25.00	Picked up: Mr. Potter's signature for a Stipulation and [Proposed] Order at Potter Law Offices: 1125 Shadow Ln, Las Vegas, NV 89102.	\$10.00
8/8/2017	0.4	Admin Admin	\$25.00	Picked up: Stipulation and [Proposed] Order at Potter Law Offices: 1125 Shadow Ln, Las Vegas, NV 89102.	\$10.00
8/8/2017	0.8	Admin Admin	\$25.00	Picked up: Stipulation and [Proposed] Order at Bailey Kennedy, LLP: 8984 Spanish Ridge Ave, Las Vegas, NV 89148.	\$20.00
8/8/2017	0.4	Admin Admin	\$25.00	Dropped off: Stipulation and [Proposed] Order at the Las Vegas Regional Justice Center: 200 Lewis Ave. Las Vegas, NV, 89101 Department 12.	\$10.00
8/8/2017	0.1	Alina Shell	\$350.00	Phone call with CJ Potter re obtaining new signature on stipulation to extend time for filing motion for attorney's fees. Email update to Ms. McLetchie re same.	\$35.00
8/8/2017	0.1	Margaret McLetchie	\$450.00	Email from opposing counsel; follow-up re extension.	\$45.00
8/16/2017	0.1	Alina Shell	\$350.00	Attention to obtaining costs documentation.	\$35.00

# MCLETCHE SHELL

Date	Time Expended	Bill to	Rate	Description	Total
8/17/2017	0.6	Admin Admin	\$25.00	Picked up: Stipulation and [Proposed] Order at the Las Vegas Regional Justice Center: 200 Lewis Ave, Las Vegas, NV, 89101 Department 12.	\$15.00
8/17/2017	0.1	Alina Shell	\$350.00	Phone call from Ira Victor regarding invoice for services.	\$35.00
8/17/2017	0.3	Pharan Burchfield	\$150.00	File Stipulation and Order. Draft, file, and serve/mail Notice of Entry of Order re same. Update calendar accordingly.	\$45.00
8/21/2017	6.2	Alina Shell	\$350.00	Attention to attorney's fees motion: legal research regarding appropriate work to include in request fees in Anti-SLAPP cases. Draft motion for attorney's fees and discuss same with Ms. McLetchie. Confer with CJ Potter regarding whether an additional extension of time is necessary in light of Cal Potter's health issues. Email and voicemail to Josh Gilmore re same. Review costs incurred in litigation for inclusion in Motion. Circulate to Ms. McLetchie and Mr. Wolpert for review.	\$2,170.00
8/22/2017	0.5	Admin Admin	\$15.00	Picked up: Mr. Potter's signature at the Potter Law Offices: 1125 Shadow Ln, Las Vegas, NV 89102 for the Stipulation and [Proposed] Order.	\$7.50
8/22/2017	0.6	Admin Admin	\$25.00	Picked up: Signed Stipulation and [Proposed] at Bailey Kennedy: 8984 Spanish Ridge Ave, Las Vegas, NV 89148.	\$15.00
8/22/2017	0.6	Admin Admin	\$25.00	Dropped off: Stipulation and [Proposed] Order at the Las Vegas Regional Justice Center: 200 Lewis Ave, Las Vegas, NV, 89101 Department 12.	\$15.00

# MCLECHIE SHELL

Date	Time Expended	Billable	Rate	Description	Initials
8/22/2017	0.2	Allina Shell	\$350.00	Draft stipulation to extend deadline for filing motions pursuant to NRS 41.670. Circulate to parties.	\$70.00
8/22/2017	0.1	Margaret McLetchie	\$450.00	Confer with Ms. Shell re extension.	\$45.00
8/31/2017	0.5	Admin Admin	\$25.00	Picked up: Stipulation and [Proposed] Order that the Las Vegas Regional Justice Center: 200 Lewis Ave. Las Vegas, NV, 89101 Department 12.	\$12.50
8/31/2017	0.1	Margaret McLetchie	\$450.00	Review approved order on schedule for fees and costs application.	\$45.00
8/31/2017	0.3	Pharan Burchfield	\$150.00	File Stipulation and Order (third extension re attorney's fees application). Draft, file, and serve/mail Notice of Entry of Order re same. Update calendar accordingly.	\$45.00
9/1/2017	0.1	Pharan Burchfield	\$150.00	Email to client.	\$15.00
9/11/2017	0.1	Allina Shell	\$350.00	Phone call to Mr. Gilmore regarding settlement statement due on 9/15. Left voicemail.	\$35.00
9/11/2017	0.5	Allina Shell	\$350.00	Review and make revisions to motion for attorney's fees. Edit declaration in support of fees for Ms. England's signature. Email both to Ms. McLetchie for review.	\$175.00
9/11/2017	0.1	Margaret McLetchie	\$450.00	Approve notice of entry of order.	\$45.00
9/11/2017	0.1	Margaret McLetchie	\$450.00	Confer with Ms. Shell re assignment to settlement judge.	\$45.00
9/11/2017	1.5	Margaret McLetchie	\$450.00	Attention to work for attorney fee application.	\$675.00
9/12/2017	0.9	Allina Shell	\$350.00	Edit time entry spreadsheet for inclusion in fee application.	\$315.00
9/12/2017	0.3	Allina Shell	\$350.00	Edit declaration for Mr. Sanson. Meet with Mr. Sanson re same.	\$105.00

# MCLETCHIE SHELL

Date	Time Expended	Bill	Rate	Description	Total
9/12/2017	0.3	Alina Shell	\$350.00	Additional edits to Ms. England's declaration in support of attorney/paralegal rates.	\$105.00
9/12/2017	4.5	Alina Shell	\$350.00	Revise motion for attorney's fees and costs. Compile exhibits. Finalize and file motion and exhibits.	\$1,575.00
9/12/2017	2.2	Margaret McLetchie	\$450.00	Attorney fee application	\$990.00
9/12/2017	2.0	Leo Wolpert	\$175.00	Edit and review costs/fees for attorney fee application.	\$350.00
				<b>TOTAL</b>	<b>\$91,090.00</b>

## TOTALS BY BILLER:

Bill	Time expended (Hours)	Total Billed
Pharan Burchfield	26.8	\$4020.00
Gabriel Czop	5.2	\$490.00
Daniela Lopez (Admin Admin)	9.9	\$242.50
Margaret McLetchie	106.5	\$47,925.00
Alina Shell	55.5	\$19,425.00
Leo Wolpert	108.5	\$18,987.50
<b>TOTAL</b>	<b>312.4</b>	<b>\$91,090.00</b>



# **EXHIBIT 2**

# **EXHIBIT 2**

RA000551

**POTTER**  
LAW OFFICES  
(<https://www.potterlawoffices.com/>)



## What Our Clients are Saying

We are a personal injury law firm that focuses on our clients best interests. We are not like the mega attorneys who just look to settle cases as quickly as possible. We look at the value a case deserves and then work tirelessly to ensure you get the benefits you deserve after being injured.



### Personal Injury

We help those who have been injured due the actions of another. We help people recover from injuries that were the direct cause of someone else's negligence or malice.



### Security and Police Misconduct

We hold the police accountable for their misconduct and mistreatment of those who were incarcerated or suspected of crimes. We ensure the proper use of force was applied and people's civil rights are not violated.

RA000552



## Potter Law - Attorneys on Your Team!

**Potter Law Offices**

When you are injured by the actions or neglect of someone, you need someone on your team. Recovering from an accident should be your only job. Our system too often makes the victim feel like they are doing something wrong when they are seeking to hold those responsible accountable. We are here to win you every dollar you deserve, because if you don't get paid, we don't get paid. We are truly a partnership and we look out for our clients best interests. Give us a call to work with a law firm with 30+ years of experience in personal injury.

### Why Potter Law Offices

- ✓ 30+ Years of Experience
- ✓ Personal Injury Specialists
- ✓ Expert Negotiators
- ✓ Caring Attorneys
- ✓ Wide Experience In Cases
- ✓ No Sleepless Nights
- ✓ Best Results
- ✓ Highly Respected
- ✓ No Judgment
- ✓ Amazing Communication

## What to Expect When Working With Potter Law Offices

**Potter Law Offices**

We believe in timely communication between you and our attorneys. We are available for you. Our attorneys talk to you and explain where your case is at during every stage of preparation.

We work with you, go over all the case details, find out your full story. We help you understand the risks as well as the potential rewards. At this point we put together a gameplan for your case with deadlines and contact information so you can stay involved at all stages of your case.

We help our clients win big awards. Attorneys who are afraid to go to trial will settle cases for pennies on the dollar. We do what is best for you and your loved ones based on the facts of the case. Our commitment to you is to help you get what is possible given the facts of your case.

## CONTACT US

-----

RA000553

Scared about your future? We are here to support members of our community who have had bad things happen to them. Call our offices to get a free phone consultation. Engaging in a consultation does not constitute an attorney-client relationship. We are here to help you get the justice you deserve.

1125 Sharlow Lane Suite 100

Las Vegas, NV 89102-2314

Name

.....

Your name

Your Message

Email

.....

Your email

Your message

SEND

**POTTER**  
LAW OFFICES

Home (<http://potterlawoffices.com/>) Firm Overview (<https://www.potterlawoffices.com/firm/>)

Practice Areas (<https://www.potterlawoffices.com/practice-areas/>) Blog (<https://www.potterlawoffices.com/blog/>)

Contact Us (<https://www.potterlawoffices.com/contact/>)

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(<https://www.twitter.com/>)



(<https://www.facebook.com/>)



(<https://plus.google.com/>)

RA000554

# **EXHIBIT 3**

# **EXHIBIT 3**

RA000555

# POTTER

(<https://www.potterlawoffices.com/>)

## LAW OFFICES



Potter Law Offices is a highly specialized law firm staffed with experienced, aggressive, and qualified trial attorneys and legal professionals. We provide superior legal services to individuals, with an emphasis on representing those with personal injuries, those accused of a crime, and those with serious brain, spinal and orthopedic injuries. We are dedicated to protecting every client's legal rights.

Since our firm's founding in 1978, we have successfully represented thousands of clients in Nevada and elsewhere. We have steadily expanded our legal expertise in various areas and our ability to provide the services needed by our clients. We are AV-rated — the highest rating given for legal ability and ethical standards — by the Martindale-Hubbell Law Directory.

All of our attorneys are active in professional organizations and civic affairs.

Potter Law Offices offers a FREE phone consultation. Call our office, and one of our qualified attorneys will discuss your legal questions with you. In most civil cases, our legal fees are paid on a contingency basis. If our attorneys do not recover for you — there is no fee.

Potter Law Offices is a Union Privilege Legal Services participant, offering AFL-CIO members, and their families, legal expertise in the areas of personal injury, professional negligence, civil rights, Criminal Defense, and wrongful death.

## CONTACT US

RA000556

RA000556

Scared about your future? We are here to support members of our community who have had bad things happen to them. Call our offices to get a free phone consultation. Engaging in a consultation does not constitute an attorney client relationship. We are here to help you get the justice you deserve.

1125 Shadow Lane Suite 100

Las Vegas, NV 89102-2314

**Name**

Your name  
**Your Message**

**Email**

Your email

Your message

SEND

POTTER  
LAW OFFICES



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RA000557

 (<https://www.twitter.com>)     (<https://www.facebook.com>)

 (<https://plus.google.com>)

RA000558




# **EXHIBIT 4**

# **EXHIBIT 4**


RA000559






Veterans In Politics International  
15 hrs ·

### THE POWER OF SPEAKING UPI




**THE POWER OF SPEAKING UPI**  
www.uptake3.com/INTROCONTACT/COM

1




Write a comment...



Veterans In Politics International  
21 hrs ·


This is the same type of unlawful behavior that has been demonstrated by Clark County Family Court Judge Melhew Harter.  
[https://www.newstory.com/.../mississippi-judge-melhew-harter...](https://www.newstory.com/.../mississippi-judge-melhew-harter.../)




**Mississippi judge resigns after barring mother from seeing her baby for 14 months over unpaid court fees**  
A Mississippi judge who barred a mother from seeing her newborn baby for 14 months because she couldn't pay court-imposed fees has stepped down.  
NEWSTORY.COM

4


Top Comments




Write a comment...



Shelley Wilcox See that down turned mouth, him is your jerk, due to what type of person he is.  
Like · Reply · 4 hrs



Carl P. Larson Get Bentad  
Like · Reply · 4 · 10 hrs



Veterans In Politics International shared NO/This Profile's video.  
October 20 at 4:32pm ·

Chat (0)

RA000561

[https://www.facebook.com/pg/VIPistavcsanson/posts/?ref=page\\_internal](https://www.facebook.com/pg/VIPistavcsanson/posts/?ref=page_internal)

10/27/2017

4:09

6,515,000 Views

**Share This Post/Link**  
 October 25 at 1:55pm

**Like Page**

Can Carson wouldn't answer questions about multi-billion dollar cuts to housing — and this rep won't bring it to get away with it

**Top Comments**



Write a comment...



Ted Bull All I see is a horrible ignorant and ill informed congressman... What? The congress (he) can't open the books and read himself? Ill public record... He's just being ugly and slow thinking without any intellectual input. Maybe the good congressman can't read; it seems like he do send some rather ignorant people to the Hill.

Like · Reply · 1 · October 25 at 6:33pm · Edited



Carl P. Larson Wrong. If wrong the comments coming at me, Carl Nelson said it's corrupt federal government create a jobs. And broken down class, which is growing. America Veterans have no intention of pushing anyone over the edge. To the contrary it is the former Cong... See More

Like · Reply · 10 likes

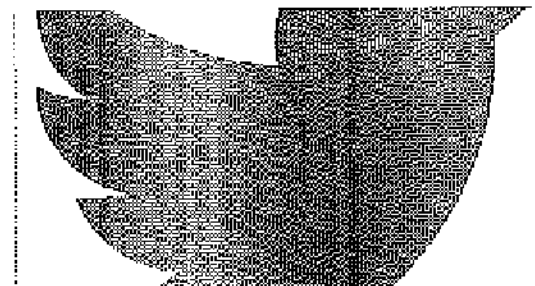
[View 1 more comment.](#)



**Veterans In Politics International**

October 25 at 1:11pm ·

Michelle Shafe & Debbie Conway to appear on the Veterans In Politics video Talk-show



Michelle Shafe & Debbie Conway to appear on the Veterans In Politics video Talk-show

https://www.facebook.com/VIP1stavesanson/posts/10156111111111111



**Veterans In Politics International** shared Anonymous's video.

October 22 at 8:13pm ·

**Chat (6)**

RA000562

This video may show graphic violence or gore.

Uncover Video

4,750,917 Views

Anonymous  
July 31 ·

Like Page

Tonfong Malar Shows Caps Put Ties in a Backpack Club, Ties in Hand with a Taser

Go to [@PoliceThePolice](#)

Write a comment...



Veterans In Politics International

October 21 at 9:34pm ·

Michele Shafe & Debbie Conway to appear on the Veterans In Politics video Talk-show



Michele Shafe & Debbie Conway to appear on the Veterans In Politics video Talk-show

[VIPS-EXTRACTING US OUT OF CONTACT.COM](#)



Veterans In Politics International

October 21 at 9:34pm ·

Steve Wolfson & Robbie D'Silva to appear on the Veterans In Politics video Talk-show



Chat (6)

RA000563

Steve Welfson & Renben D'Silva to appear on the Veterans In Politics video Talk-show

WEB EX 1130N1.COM/3ANTG0M0CT.COM



Veterans In Politics International updated their cover photo

October 20 at 19:52pm



Veterans In Politics International shared Steve Sanson's post

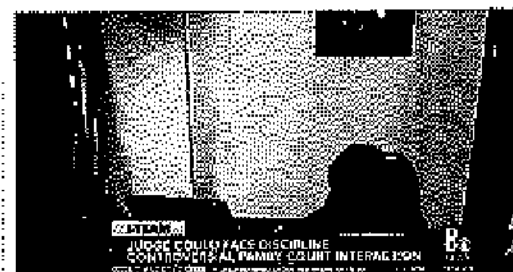
October 20 at 9:55pm



Steve Sanson

October 20 at 9:50pm

<http://www.lasvegasnow.com/> /Las Vegas family court ... #841640173



**I-Team: Family court judge could face disciplinary action**

Clark County Family Court Judge Anne Hughes could face disciplinary action. The Nevada Commission on Judicial Discipline filed a formal allegation on LASVEGASNOW.COM

1

Top comments



Write a comment...



Gennie Davis FINALLY I took a year to do something about this! That's insane!!

Like · Reply · 2 · October 23 at 9:35am



Veterans In Politics International shared Steve Sanson's post

October 20 at 9:23pm



Steve Sanson

October 20 at 8:22pm

I will do everything in my arsenal to make sure this type of person NEVER EVER gets elected or reelected to my Judicial Bench...



**Family court judge accused of incompetence, abusing authority**

Commission on the court has a judge who's been called out...

YOU HAVE A VOICE

Chat (6)

RA000564

Top Comments



Write a comment...



T.C. Hervey And the his keep coming. NEXIN  
Like · Reply · 2 · October 21 at 7:05am



Doing Ahead We know who is need.  
Like · Reply · 1 · October 21 at 12:46am



Veterans In Politics International shared Pamela Deo  
Gaming's post  
October 18 at 8:59pm ·



11,513,200 Views

Pamela Deo Gaming is ♀️, heading to Atlanta airport from Hartsfield-Jackson  
Atlanta International Airport  
October 14 at 11:46am · Atlanta, GA · [Follow](#)

A unshakable faith of courage on my part .  
As God as my witness, I promise that it will not happen again  
God bless this great country  
We need a leadership  
Please share . . .

Top Comments



Write a comment...



Veterans In Politics Chapter the love borough of New York City Very  
good, it's clear and I get it. I understand exactly what you mean.  
Like · Reply · Chapter 18 at 8:42pm



Veterans In Politics International  
October 18 at 11:01am ·

Steve Wolfson & Reuben D'Silva to appear on the Veterans In Politics video  
Talk-show



Steve Wolfson & Reuben D'Silva to appear on the  
Veterans In Politics video Talk-show

WEBENTRANCE.COM/RS&CONTACT.COM



Veterans In Politics International  
October 18 at 8:29am ·

Corrupt Clark County Nevada Family Court Lawyers we know who you are!

Chat (5)

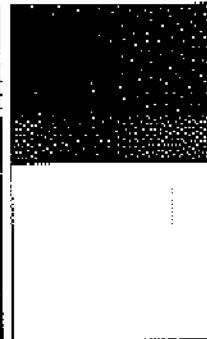
RA000565

In Clark County Nevada a govt ethical lawyer is extremely hard to find. Several of the lawyers in Clark County appear to lack a backbone refusing to go up against other lawyers and judges when witnessing corrupt behaviors. Some of these Clark County lawyers present as back stabbers with extreme corruption and would readily lie to you and say otherwise. We have witnessed these lawyers doing favors for...

[Continue Reading](#)



[Home - Veterans In Politics International](#)



[Home - Veterans In Politics International](#)

I Share



Write a comment...



Veterans In Politics International  
October 14 at 2:45pm ·

Veterans In Politics proudly announces Jason Mitchell II UNLV Department of Criminal Justice and Rachel Howard UNLV Criminology student, both will appear as a special guests

<https://www.youtube.com/watch?v=Khpv2QJ4g>



Veterans in Politics Guests: Jason Mitchell and Rachel Howard

YOUTUBE.COM



Veterans In Politics International  
October 14 at 2:35pm ·

Steve Wolfson & Reuben D'Silva to appear on the Veterans In Politics video talk-show



Steve Wolfson & Reuben D'Silva to appear on the Veterans In Politics video Talk-show

YOUTUBE.COM




Veterans In Politics International  
October 14 at 9:34am ·

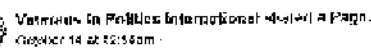
Chat (6)

RA000566





### VALUE EXTRACTION FROM THE DATA



**Yousa HQT alone is fighting the corruption within the Clerk County Family Court System.**


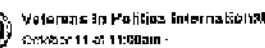
**കിഴക്കേ പാർശ്വം**



A Michigan judge says she was not aware he had a heart condition.

<http://www.thejournal.com/news/2016/07/28/father-says>

AGRIUM LDC



• [WEB-EXTRACT.COM%26%26CONTACT.COM](http://WEB-EXTRACT.COM%26%26CONTACT.COM)

$$E_{\text{Al}}(5)$$

10/27/2017



Veterans In Politics International shared Teamsters for Trump's video.

October 6 at 10:15pm ·

3:30

10/6/14 Views

Teamsters for Trump

October 6 at 6:41pm ·

Like Page

These people that brought you a not really violent for Hillary who was bringing mean murder to a town near you. Could be before it's a memory.



Veterans In Politics International shared Steve Sanson's post.

October 6 at 10:47am ·



Steve Sanson

October 6 at 8:08am ·

At your court lawyer in Clark County Family Court shed ask you if he could, by way of his status in the community and money. We are doing our best.



Veterans In Politics International shared Steve Sanson's post.

October 6 at 3:00pm ·



Steve Sanson is with Matt's Thompson and Jim Jones at World Wide Digital

Breakdown.

October 6 at 1:27pm · Las Vegas ·

Los MEV Veterans in Politics video shared. The show crew, Matt's Thompson, Jim Jones, Christina Cruz, Brian Wade, Steve Sanson, and World Wide Digital.



Veterans In Politics International

October 6 at 1:05pm ·

Donny Testanera candidate for US Senate, James Dean Leavitt candidate for Las Vegas Justice of the Peace Department 1 and Christine Gruber a victim of the Las Vegas Mass Shooting on the Veterans In Politics talk show.

<https://www.youtube.com/watch?v=C08j0K6ZsD8>

RA000568



Veterans in Politics 10-07-17 Guests:  
James Dean Leavitt, Danny Tarkenton,  
Christina Gruber  
youtu.be/...

1 Like



Write a comment...



Veterans in Politics International shares a link.  
October 8 at 9:22am ·



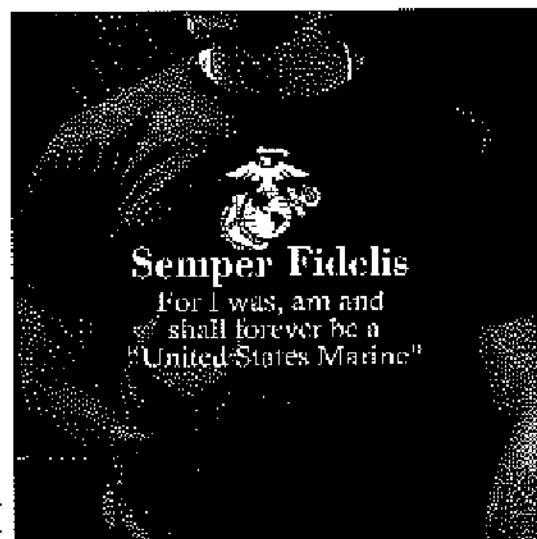
Montana mayoral candidate needs  
only 1 vote — his — to win

The Bozeman Daily Chronicle reports Clay Clemons was the only person to apply to be a write-in candidate for the position on the November ballot. Under Montana law, any other write-in votes won't be counted. (J. ASBEGASZ/BOZEMAN CHRONICLE)



Veterans in Politics International shares Veteran Pride's  
photo.  
October 7 at 7:58pm ·

Steve Sanson



Veteran Pride  
September 25 ·

Like Page

Get inspired?  
Order Your T-Shirt <https://go.gl/QUU6V6>  
perfect gift for your loved ones!



Veterans in Politics International  
October 7 at 2:06pm ·

Jason Mitchell & Larissa Orshobyevskiy to appear on the Veterans in Politics  
video Talk...

Chat (0)

RA000569



Jason Mitchell II & Larissa Drobolyeva to appear on the Veterans In Politics video Talk-show

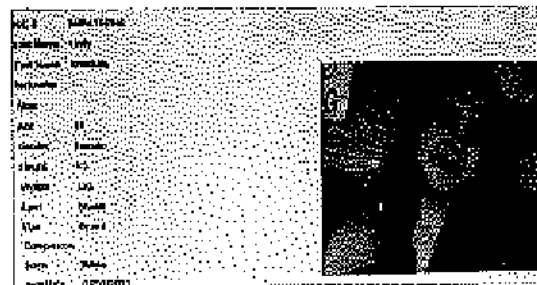
WEB EXTRACT.COM (ANY CONTACT.COM)



Veterans In Politics International

October 7 at 8:34am ·

James Dean Leavitt & Danny Tarkenton to appear on the Veterans In Politics video Talk-show



James Dean Leavitt & Danny Tarkenton to appear on the Veterans In Politics video Talk-show

WEB EXTRACT.COM (ANY CONTACT.COM)



Write a comment...



Veterans In Politics International

October 7 at 10:18am ·

Aimee Jones Family Court Corruption Interview with Steve Sanson

http://mms.scribd.com/220168775/8d167d15d1



09.29.17 - Real Chamber - Aimee Jones Interview

Live at 10/28/17 - Real Chamber - Aimee Jones Interview by 260Daily.net on Vimeo, the home for high quality videos and the people who love them.

Vimeo.com



Write a comment...



Veterans In Politics International shared Steve Sanson's post.

October 8 at 12:55pm ·

Chat (0)

RA000570



Steve Sauton  
October 6 at 12:50pm · Las Vegas

Our new co-host Hillary Mode

Hillary Mode is an education and passionate social teaching just CA, equality and justice. Hillary's life gives you a lot to see here

3



Write a comment...



Veterans In Politics International shared Steve Sauton's post.

October 6 at 11:51am

Chat (6)

RA000571



Steve Sanson & with Christine Grobler

October 6 at 11:00am ·

Christine Grobler - via R from the Las Vegas Strip West showing will be a special chance for the Veterans In Politics (see our video) to show on Saturday October 7th from 7:30-11:00AM

action live

<http://www.facebook.com/veteransinpolitics>



Write a comment...



Veterans In Politics International shared a link.

October 6 at 10:31am ·



### All 58 names of shooting victims released by Clark County

Clark County released the names Thursday of the 58 victims who died in Sunday's massacre at the Route 91 Harvest Festival.

FOX5WYOMING.COM



Write a comment...



Veterans In Politics International

October 6 at 8:48am ·

### Jobs for Veterans in the Los Angeles Area:

We are looking to hire veterans to work with us on our construction sites in Los Angeles.

From laborers to foremen to planners and supervisors. We would appreciate if you would call your L.A. contacts and have them contact us. It is important to us to see that our veterans have jobs and job training ... See More



Veterans In Politics International shared Steve Sanson's post.

October 6 at 8:09am ·

Like (6)

RA000572



Steve Sanson is clapping his hands with Christina Greider and Steve Sanson at  
Sons of Rock's Comedy  
October 4 at 7:57pm - Las Vegas

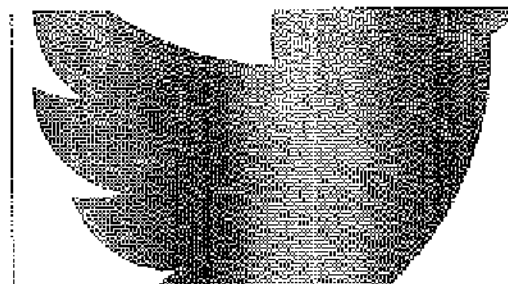
at Sons of Rock's Comedy Bar for the Veterans Comedy night. I think the success of the Las  
Vegas (More) Show. I also enjoyed the show with Christina GREIDER who was on the  
stage that night.



Veterans In Politics International

October 4 at 1:00pm ·

James Dean Lewis & Danny Turkovich to appear on the Veterans In  
Politics video Talk-show



James Dean Lewis & Danny Turkovich to appear on the  
Veterans In Politics video Talk-show

INTERNAL CREW/CONTACT ONLY



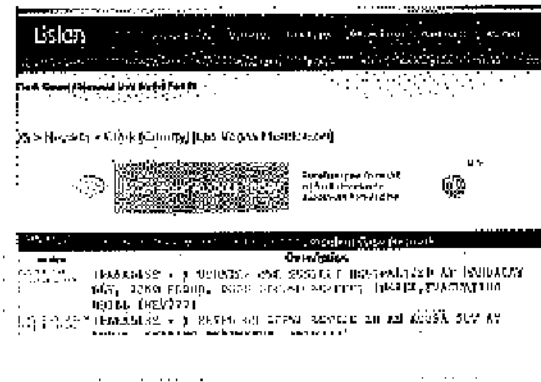
Veterans In Politics International

October 4 at 10:41am ·

What do you think?

Chat (0)

RA000573



**Veterans In Politics International**  
October 3 at 4:29pm ·

<https://www.facebook.com/236166750164674/>



09.29.17 - Real Chamber - Almon Jones interview

This is "09.29.17 - Real Chamber - Almon Jones interview" by 360city.net on Vimeo, the home for high quality videos and the people who love them.

Veterans In Politics International

**Veterans In Politics International**  
October 3 at 9:00am ·

Our city has faced a nightmare in American history. The mass shooting on the Las Vegas Strip has put a damper on the way we move forward in life. We are hopeful that this cowardly act has brought its head. We would like to recognize the act of heroism amongst many Americans that were involved. We pray for all that lost their lives and the many that have been harmed both physically and mentally.

Because of this we will postpone our Family Court Town Hall Education For ... See More



Home - Veterans In Politics International

Home - Veterans In Politics International

1

Chat (6)

RA000574





Write a comment...



Veterans In Politics International

October 2 at 10:00am ·

Have you checked this out?



## Free Speech under Attack

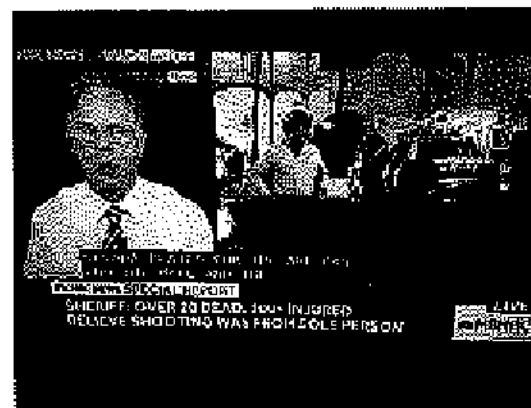
LIVE! NOT CONSIDERING TO GO



Veterans In Politics International

October 2 at 1:52pm ·

Clark County Sheriff Joe Lombardo just reported the shots came from the 32nd floor of the Mandalay Bay into pedestrian into the concert arena from an automatic weapon. 20 people plus are dead, over 100 plus injured, several of duty police officers have been shot and killed.



Veterans In Politics International shared 360Daily.net's video.

October 1 at 3:41pm ·



5,154 Views

360Daily.net  
September 15 ·

Like Page

Chat (0)

RA000575

STEVE SANSON HOLD A PROTEST OUTSIDE FAMILY COURT AND REFUSING TO JUDGE DUCKWORTH Steve Sanson



Veterans in Politics International  
October 1 at 5:41 pm ·

Veterans in Politics proudly announced Sarah Razala candidate for US Senate 2018, Phillip Paderacio will discuss the corruption within the Nevada State Bar, Special Grand Lee Hawkins & Sarah Hawkins looking for his missing 14 year old granddaughter/daughter all will appear as a special guests on the Veterans in Politics International talk show Saturday September 30, 2017.

Sanson talks about NFL Players taking a knee during the National Anthem ... See More



Veterans in Politics 09-30-17 Guests:  
Sarah Razala, Lee Hawkins, Sarah  
Hawkins, Phillip Paderacio  
YouTube.com



Veterans in Politics International shared 360Daily.net's  
video.  
October 1 at 5:59 pm ·



6,154 Views

360Daily.net  
September 15 ·

Like Page

STEVE SANSON HOLD A PROTEST OUTSIDE FAMILY COURT AND REFUSING TO JUDGE DUCKWORTH Steve Sanson



Write a comment...



Veterans in Politics International updated their cover  
photo.  
September 28 at 10:29 pm ·



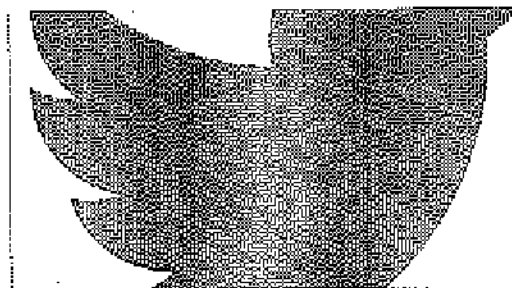
RA000576



Veterans In Politics International

September 30 at 3:36pm

James Dean Leavitt & Danny Tarkanian to appear on the Veterans In Politics video Talk-show



James Dean Leavitt & Danny Tarkanian to appear on the Veterans In Politics video Talk-show

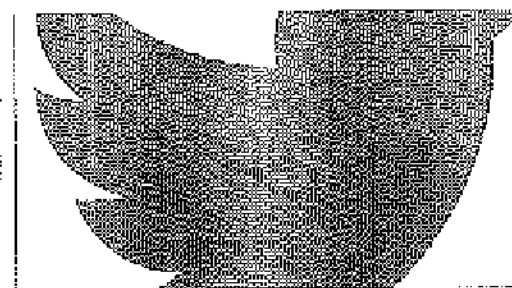
INVIDEOPOLITICS.COM



Veterans In Politics International

September 30 at 6:30am

Sarah Gazala & Phillip Palmarcio to appear on the Veterans In Politics video Talk-show



Sarah Gazala & Phillip Palmarcio to appear on the Veterans In Politics video Talk-show

INVIDEOPOLITICS.COM



Veterans In Politics International shared video

September 28 at 6:51 pm

Steve Sanson "You don't protest against our country and the Veterans that shed their blood for you by taking a F\*\*\* knee during our National Anthem."



4 Edits

Clip (5)

RA000577

st00tly/wat

September 25 at 5:04pm

Like Page

Steve Benson "Killed my protest against our country and the Veterans but also the r blood for you by taking a F\*\* hard during our National Anthem."



Write a comment...



Veterans In Politics International

September 28 at 10:02am

Have you seen our latest news?



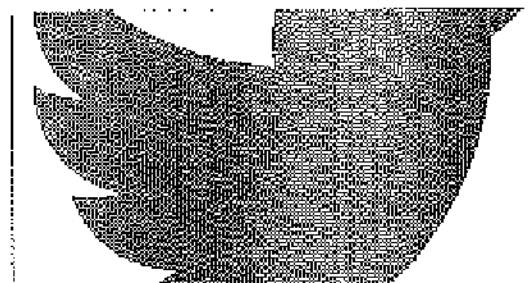
**Bias and Attack on First Amendment Rights on Full Display!**

[www.constitutecombat.com](http://www.constitutecombat.com)


Veterans In Politics International

September 27

**Sarah Gazala & Philip Palermo to appear on the Veterans In Politics video Talk-show**



**Sarah Gazala & Philip Palermo to appear on the Veterans In Politics video Talk-show**

[www.constitutecombat.com](http://www.constitutecombat.com)


Write a comment...



Veterans In Politics International

September 28

<http://www.fox5vegas.com> Study: Nevada has one of the highest...



**Study: Nevada has one of the highest veteran suicide rates**

Newly released data from the Department of Veterans Affairs shows that in 2014, the year's end, 127 Nevada veterans committed suicide.

[www.fox5vegas.com](http://www.fox5vegas.com)


Veterans In Politics International

September 25

**Veterans In Politics proudly announce the 1st Annual Flower Broom discussion the National Anthem by Clark County District Court Judge**

RA000578

Family Division Race Hughes will appear as a special guest on the Veterans in Politics Internat video talk-show

Clary take Special Co-Host



Veterans in Politics 09-29-17 Guests:  
Jasmine Flower Bourn

VETERANS.COM



Write a comment...



Veterans in Politics International  
September 29 ·

Judge Milks the System; the AWOL Life of Mathew Harter



Judge Milks the System; the AWOL Life of Mathew Harter

MYEMIL CORRECTIONALIST.COM



Write a comment...



Veterans in Politics International  
September 26 ·

Have you seen our latest news?



Free Speech under Attack

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RA000579



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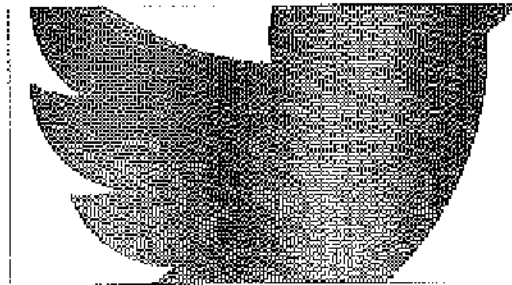
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September 22

Judge Milks the System; the AWOL Life of Mathew Haxter



Judge Milks the System; the AWOL Life of Mathew Haxter

AWOL: THE ARTIST AT THE CORE

1



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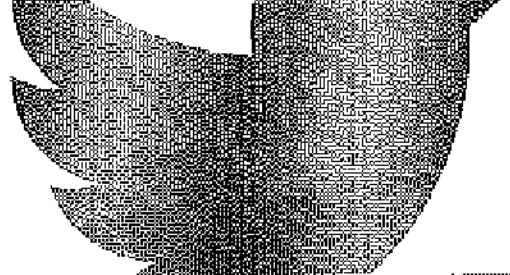
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September 20


Chat (6)

RA000581

Former Congresswoman Shelley Berkley  
Congressman Ruben Kihuen  
Sheriff Joe Lombardo  
Nevada Speaker of the Assembly Jason Prielson  
Joseph W. Brown  
Former Nevada Speaker of the Assembly Barbara Buckley  
**Mr. Las Vegas Wayne Newton**  
Invite you to join them for the  
**CAMPAIGN KICK-OFF**  
for  
**Steve WOLFSON**  
District Attorney  
**EMCEE: THE HONORABLE JUDGE JACKIE GLASS (RET.)**  
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Rights on Pelt Display!  
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We just had a meeting with Senator Heller in his DC office discussing the  
Family Court campaign

Chat (6)

RA000582





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Chat 105

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Veterans In Politics proudly announces Karen Fraser will discuss how the Canadian Family Court apprehends and illegally adopts children and Ryan LeCompte MA, OIF/DEF Infantry Marine and the founder and Executive Director of Veterans for Ethnogenic Therapy (VET) Inc., both will appear as a special guests on the Veterans In Politics internet video talkshow

SenKOH's response to Jake Am Markides a member for the Las Vegas Review Journal



Veterans In Politics 09-16-17 Guests: Karen Fraser and Ryan LeCompte

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September 17

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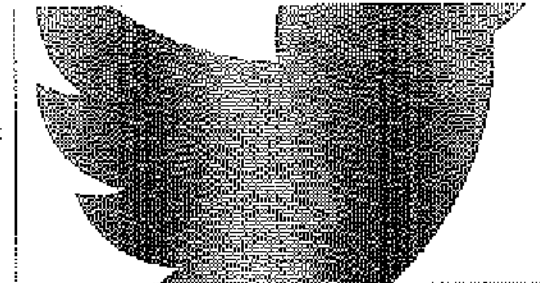
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Jasmine Flower Boon to appear on the Veterans In Politics video Talk-show



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Karen Fraser & Ryan LeCompte to appear on the Veterans In Politics video Talk-show

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### Karen Fraser & Ryan LeCompte to appear on the Veterans In Politics video Talk-show

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3:26

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STEVE RANSON HOLDS A PROTEST ON HIS NE FAMILY COURT AND RESPONDS TO JUDGE DUCKWORTH Steve Ranson

5

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RA000585

# **EXHIBIT 5**

# **EXHIBIT 5**

RA000586

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IN POLITICS**

## Steve Wolfson & Reuben D'Silva to appear on the Veterans In Politics video talk-show

Call into the show (702) 685-8380



Steve Wolfson Clark County  
District Attorney



Reuben D'Silva candidate  
for Congressional District 1  
also a US Marine

**Veterans In Politics** proudly announces that **Steve Wolfson** Clark County District Attorney and **Reuben D'Silva** candidate for Congressional District 1 also a US Marine, both will

RA000587

appear as a special guests on the Veterans In Politics internet video talk-show **Saturday October 21, 2017.**

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Listen to the  
**Veterans In  
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The **VIP Talk-Show** is a trusted source of information. For more than a decade, **Steve Sanson**, **Jim Jonas** and co-hosts **Brittany Nicole**, **Mantis Toboggan** and guest co-host **Christina Ortiz** have informed the listeners about important local and national issues. Not only do they discuss major national issues, but they also bring public's attention to multiple local issues affecting our community that other news sources choose to ignore. Past guests are politicians, candidates running for public office, organization leaders, published authors, business owners and citizens. **VIP's** involvement in local affairs has led to investigations of multiple government agencies and corrupt individuals. **VIP** received special recognition and multiple awards from government officials and non-profit organizations.

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**Contact Us at 702 283 8088**

**RA000588**

**Show Archive on World Wide  
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**We are proud to announce that  
our website [familycourtwar.com](http://familycourtwar.com)  
is now live.**

**We are glade that we are not the only ones that see a major problem  
within the Clark County Family Court System:**



**Click & Read order Reversed and Remained below:**

**Clark County Family Court Judge Jennifer Elliott was taken to  
the judicial woodshed by the Nevada State Appellate Court.**

**Nevada Attorney Scott Holper is suspended from practicing  
law!**

RA000589

## Nevada Supreme Court finally suspends Holper

By Richard Larrin  
Las Vegas Tribune  
Part seven of a series

At the bottom of its stationery the Nevada Supreme Court has a quote that partially states: "The Nevada Judiciary has the responsibility to provide impartial, efficient, and accessible dispute resolution in legal matters" and we are now wondering why they are trying to improve on that.

Last week, way long expected confirmation of the suspension of Attorney Scott Holper was more



SCOTT HOLPER

that a tragedy it was an insult to the people of Nevada.

After over nine months of waiting and ten weeks of Las Vegas Tribune standing in that matter, the Supreme Court finally confirmed the suspension of Holper with a slap to the face of the honest people of Nevada, making the suspension for only ninety days, despite all the charges Holper agreed to in his plea agreement.

In the plea agreement, Holper admitted to one or more violations of the following Rules of Profes-

sional Conduct: 1.1 (competence), 1.4 (communication), and 3.1 (unlawful claims and contributions) by (a) filing a complaint on behalf of a client alleging a violation of actions knowing that the status of his claims had expired and the defendant was not liable, and (b) not cooperating with the client regarding the status of his case; 1.7 (diligence) by failing to diligently pursue a case; 1.8 (confidentiality of information) by allowing privileged information to be shared in a

(See Holper, Page 2)

FROM THE DESK OF GORDON MARTINES

## Family Court Litigants Corner



All of you corrupt lawyers in Clark County Family Court that uses your influence, by way of friendship, status in the community and money to influence judges. We are coming after you!

Apparently Judge Bryce Duckworth cannot relate to litigants in Family Court:

RA000590





Family Court Judge Bryce Duckworth said we only look for disgruntled litigants. Who wouldn't be disgruntled when you take their children? I wonder how he would be if his children was taken away?

### **Disabled Vet Educates Voters and Gets Slammed By MSM**



Click onto link below:

<https://www.bitchute.com/video/DOK1LCd4smA/>

### **Should the word "GOD" hang over the bench of a Family Court Judge?**

RA000591



We are a firm believer in God. Do we not have laws that separate Church from State? Should we have the words "In God We Trust" in a Family courtroom hanging above a judge's bench? Family Court Judge Mathew Harter is the only Judge so far that has this sign hanging above his bench. Is this appropriate? If your belief is any other religion that does not have the word "God" in it would you feel comfortable in that courtroom? We are not debating the word "God" being used, but we don't feel God should be used in a courtroom that has divorces and the removal of children from loving parents. Is this God will?

## **War Declared On the Clark County Family Court System**

### **Nevada's Secret Court's**

RA000592



**He Defended Us, Let's Defend Him!**



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RA000593

**Veterans In Politics proudly announces that James Dean Leavitt  
candidate for Las Vegas Justice of the Peace Department 1,  
Danny Tarkanian candidate for United States Senate  
Representing Nevada and Christina Gruber a victim from the  
Las Vegas Strip Mass Shooting**

**(Click onto the video below)**



RA000594



Please contribute to Veterans In Politics in an effort in helping us to continue our mission by Exposing Corruption, Champion Veterans Rights, and Educating the public on candidates running for elected office: go to [www.veteransinpolitics.org](http://www.veteransinpolitics.org) and click onto our PayPal Page or at our PO Box 28211/ Las Vegas, NV. 89126

RA000595



RA000596



# HELP Nevada Families!

**We Are A Government Watchdog!**

*When we see something wrong we  
speak up! We need your help to fix  
major problems in our family courts.*

- Judges ordering veterans to use their disability benefits to pay spousal support in violation of federal and state laws.
- Judges ordering parents to pay for overpriced therapists – who cost multiple times what they should cost, and then hold children hostage until the bill is paid.
- Judges contacting lawyers with open cases in front of them and asking for up to \$10,000 in campaign contributions, failing to "avoid the appearance of impropriety" as required by their ethics obligations.
- Judicial conflicts of interests and constitutional rights violations abound.

**And that's just the "short list!"**



*Nevada was rated the fifth most corrupt state in the nation.  
Get involved! Become a Court Observer, join our protests  
and help us fix these abuses against Nevada families.*

**Call: Steve Sanson at 702-283-8088**

Email: [vipipresident@cs.com](mailto:vipipresident@cs.com)

Go to our website, donate: [veteransinpolitics.org](http://veteransinpolitics.org) or [familycourtwar.com](http://familycourtwar.com)

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War Declared On Clark County Family Court System


RA000597



Get YOURNEWS here

RA000598





# Save THE Date

*4th Annual  
Valentine's Day  
Ball*

**PLAZA HOTEL & CASINO**  
SATURDAY, FEBRUARY 10TH  
DINNER: 5:00PM

---

Sponsorship Opportunities, call or text  
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RA000599

**WAR declared on Clark County  
Nevada Family Court System**

## UPCOMING EVENTS

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**RA000600**

# **EXHIBIT 6**

# **EXHIBIT 6**

RA000601

*Steven D. Grierson*

ORDR

DISTRICT COURT

CLARK COUNTY, NEVADA

IRINA ANSELL,

Plaintiff,

v.

DOUGLAS ANSELL,

Defendant.

CASE NO. D-15-521960-D

DEPT NO. Q

Date of Hearing: August 30, 2017

Time of Hearing: 2:00 p.m.

ORDER OF RECUSAL

This matter came on for a hearing before this Court on August 30, 2017. The matters before the Court included:

- (1) : Non-Party, Veterans In Politics International, Inc. and Steve Sanson's Motion to Quash Subpoena Served on Verizon Wireless (Jul.26, 2017);
- (2) Non-Parties Steve Sanson, Veterans In Politics International, Inc., and Sanson Corporation's Motion to Quash Subpoena Duces Tecum and Deposition Subpoena Served on Steve Sanson on July 22, 2017 (Aug. 4, 2017); and
- (3) This Court's Amended Notice of Rescheduling of Hearing and Setting Calendar Call (Aug. 28, 2017).

Associated motions and papers were considered and reviewed by the Court, including requests for attorney's fees and Plaintiff's Motion to Compel (Aug. 10, 2017). The discovery issues previously were assigned to be heard by the Discovery Commissioner on August 20, 2017. The Discovery Commissioner, however, recused

BRYCE C. DUCKWORTH  
DISTRICT JUDGE

FAMILY DIVISION, DEPT. Q  
LAS VEGAS, NEVADA 89101

RA000602

1  
2 and the matter was placed on this Court's calendar on the above-referenced date.  
3 Plaintiff did not appear personally, but was represented by her attorney, Marshal  
4 Willick, Esq. Defendant did not appear personally, but was represented by his  
5 attorney, John Jones, Esq. Steve Sanson appeared personally and with his attorney,  
6 Anat Levy, Esq.  
7

8 As previously noted, this Court reviewed a multitude of papers filed by and on  
9 behalf of Plaintiff and Mr. Sanson or Veterans In Politics International (hereinafter  
10 referred to individually and collectively as "Mr. Sanson") in preparation for the hearing.  
11 This Court's preparation included review of the Omnibus Supplemental Declaration  
12 of Steve Sanson in Support of: Motions to Quash Subpoenas Duces Tecum Served on  
13 Verizon Wireless and Steve Sanson and Deposition Subpoena Served on Steve on July  
14 22, 2017; Motion for Attorneys Fees (Aug. 22, 2017) (hereinafter referred to as Mr.  
15 Sanson's "Sworn Declaration"). Therein, Mr. Sanson described his off-the-record  
16 communications with this Court about this matter. Upon reviewing Mr. Sanson's  
17 Sworn Declaration, this Court determined that it should recuse from any further  
18 proceedings in this matter. This determination is based on the findings stated on the  
19 record at the August 30, 2017 hearing and additional findings stated herein.  
20  
21

22 It is undisputed that Defendant designated Mr. Sanson as a witness. Moreover,  
23 although Mr. Jones argued it was unlikely, Defendant could not definitively rule out  
24 the possibility that Mr. Sanson might be called as a witness in future proceedings. It  
25 also is undisputed that Mr. Sanson made specific reference to this case in a  
26 communication directed at this Court off the record. In fact, this Court scheduled an  
27  
28

1  
2 immediate hearing in May 2017 to address Mr. Sanson's ex-parte communication with  
3 the Court.<sup>1</sup> Mr. Sanson's filing of his Sworn Declaration, however, was the first  
4 instance in which this Court became aware that Mr. Sanson had stated in writing the  
5 nature of his communications with the Court.  
6

7 This Court noted that it was unaware of any legal authority that would excuse  
8 someone from a deposition who had been designated as a witness in the matter. This  
9 Court also noted its concern that the Subpoena Duces Tecum served on Mr. Sanson  
10 was overbroad and should be narrowed significantly. Because, however, this Court  
11 recognized the conflict created by Mr. Sanson's Sworn Declaration, the Court did not  
12 rule on the discovery motions and determined that the Court's recusal from this matter  
13 was appropriate.  
14  
15

16 In Mr. Sanson's Sworn Declaration, he acknowledged that he asked the  
17 Court off the record: "Why do you allow Marshal Willick to get away with so much  
18  
19 ...  
20 ...  
21 ...  
22 ...  
23

24  
25 <sup>1</sup>At the May 17, 2017 hearing, this Court disclosed Mr. Sanson's communications with  
26 the Court. This Court also noted for the record the nature of the Court's relationship with Mr.  
27 Sanson in the past. This has included this Court's endorsement by Veterans in Politics as a  
28 candidate for office and his prior professional communications about general issues (including  
Mr. Sanson repeatedly stating that he believed this Court should serve as the presiding judge  
in the Family Division). At the time of the May 2017 communication, Mr. Sanson was aware  
that litigation before the Court should never be discussed. Thus, any communication about  
a specific case was completely unexpected.

1  
2 crap in Doug Ansell's case?"<sup>2</sup> For sake of completeness, the text messages and  
3 telephone communication between Mr. Sanson and the Court took place as follows:

- 4 ● On May 11, 2017 at 8:20 p.m., Mr. Sanson texted: "Judge I need to  
5 speak to you."
- 6 ● On May 12, 2017 at 6:52 a.m., the Court texted Mr. Sanson: "What do  
7 you need to talk about?"
- 8 ● On May 12, 2017 at 9:29 a.m., Mr. Sanson responded with: "Call me at  
9 your convenience or we can grab a cup of tea."
- 10 ● The Court called Mr. Sanson on May 13, 2017. After prefatory remarks  
11 that included Mr. Sanson declaring that this Court should be the  
12 presiding judge in the family division, Mr. Sanson, without prompting,  
13 asked: "Why do you allow Marshal Willick to get away with so much  
14 "crap" in Doug Ansell's case?"

15 <sup>2</sup>On a number of occasions, this Court has lamented that *both* parties have engaged in,  
16 to borrow Mr. Sanson's term, "crap" during this case. This Court repeatedly has chastised both  
17 sides for their practice of hyperbole and exaggeration. Mr. Willick has almost incessantly  
18 argued that this Court has allowed Defendant (Mr. Ansell) to get away with "crap" without  
19 repercussion. Both Mr. Willick and Mr. Jones are adept at selectively handpicking those areas  
20 of perceived wrongdoing of the other side and advocating through their myopic lenses. On Mr.  
21 Jones' part, this was exemplified during the August 30, 2017 hearing through his argument that  
22 the Court had given Plaintiff a "free pass" with respect to her alleged violation of the Order to  
23 Seal Records (Oct. 16, 2015) (hereinafter referred to as the "Sealing Order"). The Sealing  
24 Order drafted and submitted by Defendant (Mr. Ansell), ordered that "all papers, records,  
25 proceedings and evidence, including exhibits and transcripts of testimony in the above-entitled  
26 matter, be, and the same hereby are, sealed and shall not be opened to inspection except by the  
27 parties and their attorneys, or when required as evidence in another action or proceeding."  
28 (Emphasis added). Mr. Jones' argument in Court notwithstanding, this matter was adjudicated  
by the Court. See Order (Aug. 30, 2016). Thus, the Sealing Order drafted and submitted by  
Defendant (Mr. Ansell), did not prohibit the conduct about which Defendant complained. NRS  
125.110 provides that the papers sealed "shall not be open to inspection except to the parties  
and their attorneys." The Sealing Order prepared by Defendant changed the statutory language  
and provided that the papers sealed "shall not be opened to inspection except by the parties  
and their attorneys." Recognizing the error of his own drafting, Defendant (Mr. Ansell)  
submitted a second Order to Seal Records (Nov. 23, 2016). Mr. Jones knew these facts when  
he lambasted the Court during the August 30, 2017 hearing for purportedly allowing Plaintiff  
to violate a Sealing Order that did not proscribe the alleged conduct. Apart from these  
examples of "crap," the Court has endured "crap" from *both* parties throughout this litigation.

- 1
- 2       • After immediately terminating the call, this Court texted Mr. Sanson as
- 3 follows: "Please do not ever talk to me again about a pending case before
- 4 me. I hold you in higher esteem than that. I'm sorry to end the call so
- 5 abruptly. My integrity means too much to me than to be influenced by
- 6 others outside of the courtroom and it shakes the very core of our system
- 7 when anyone communicates with a judicial officer in this fashion. It
- 8 simply cannot happen. I know that you know that and I have always
- 9 trusted your judgment in that regard."
- 10       • Mr. Sanson's immediate text response reads: "You asked me a question
- 11 because of our relationship I gave you my honest answer, so you can
- 12 understand what direction we are headed."

13       This Court scheduled a hearing immediately (heard on May 17, 2017) to

14 disclose the improper communication. Based on Mr. Sanson's testimony on August

15 30, 2017, he admitted that his communication with the Court was not intended to

16 relay specific factual information about the Ansell case. When offered the opportunity

17 to provide specific examples of "crap" perpetrated by Mr. Willick (such as a

18 miscalculation by Mr. Willick, a fabricated fact, or some other specific example of

19 "crap"), Mr. Sanson had nothing specific. As such, *the only purpose of his*

20 *communication with the Court was to influence and intimidate the Court through a*

21 *corrupt communication outside of court.*

22       Mr. Sanson could have limited his communication with the Court to a *general*

23 accusation that Mr. Willick "gets away with crap," and left it at that.<sup>3</sup> If Mr. Sanson's

24 sole motivation was merely to attack Mr. Willick *in general* and not to influence the

25

26       <sup>3</sup>Based on the papers filed herein, this Court is aware that litigation is pending between

27 Mr. Willick and Mr. Sanson. This Court's familiarity with this civil matter is limited to the

28 disclosures contained in the papers filed in the Ansell matter. The animosity resulting from

this civil litigation is palpable. Nevertheless, this animosity is not an excuse to attempt to

manipulate and intimidate this Court – *particularly in regards to a specific case.*



1  
2 Court about a specific case, he could have done so. Although such communication  
3 remains improper, it is more egregious that Mr. Sanson *knowingly and intentionally*  
4 *identified Doug Ansell's case*. It also is significant that Mr. Sanson's response was not  
5 to offer an apology, or to assure the Court that he would refrain from doing so again.  
6 Even at the August 30, 2017 hearing, Mr. Sanson remained unapologetic. In fact, his  
7 demeanor and conduct was defiant, even lashing out at Mr. Willick to the point of  
8 being admonished by the Court. Instead of apologizing to the Court, his follow-up  
9 communication was a veiled threat to the Court. This threat by Mr. Sanson, as stated  
10 by Mr. Sanson and interpreted by the Court, was to harass the Court and to hurl  
11 baseless and defamatory accusations about the Court.  
12

13  
14 Mr. Sanson argues that his organization "exposes public corruption and  
15 injustices." Further, despite the fact that Mr. Ansell designated Mr. Sanson as *his*  
16 witness, Mr. Sanson states with emphasis that neither he nor VIPI "*have anything to do*  
17 *with this case*." To reiterate for the record, Mr. Sanson intentionally interjected himself  
18 into this matter by communicating with the Court in reference to this specific case.  
19 Plaintiff understandably and justifiably has sought to determine the full extent of such  
20 off-the-record communications. To be clear, however, Mr. Sanson's involvement in this  
21 matter is not about exposing "injustice" or corruption. Mr. Sanson acknowledged that  
22 he had never met Plaintiff and proclaimed that he meant her no "ill will." Indeed, Mr.  
23 Sanson appeared to be unaware that Defendant (Doug Ansell) was the prevailing party  
24 with respect to the child custody issues in this case – an issue that is of the highest  
25 significance in *most* cases.  
26  
27  
28

1  
2 As noted previously, when given the opportunity at the August 30, 2017 hearing  
3 to explain the "crap" that was occurring in the Ansell matter, Mr. Sanson was unable  
4 to identify any singular fact. As such, notwithstanding his self-proclaimed faux cover  
5 of seeking to "expose injustice and corruption," Mr. Sanson's sole motivation for  
6 communicating with this Court was to intimidate and harass the Court. Mr. Sanson  
7 proudly proclaims that he has "declared war" on the Family Court. There is no doubt  
8 that the courts are under attack and that the entire judiciary of this great State of  
9 Nevada is on notice that, behind that false banner of "justice and corruption" is an  
10 individual and group who seek to manipulate, intimidate and control. The arsenal of  
11 weapons that Mr. Sanson utilizes include attempts to manipulate, intimidate and  
12 control the judicial process through off-the-record communications. This case has  
13 exposed the reality of his tactics.  
14

15  
16  
17 Rather than apologize for his unethical and corrupt conduct, *Mr. Sanson has the*  
18 *audacity to blame this Court for his improper communication.* Specifically, Mr. Sanson  
19 alleges under oath in his Sworn Declaration that his off-the-record *question* to the Court  
20 was somehow an answer to a same-day related conversation. The timing of this entire  
21 narrative offered by Mr. Sanson is significant as it belies Mr. Sanson's story. Mr.  
22 Sanson alleges in his Sworn Declaration that his originating text message took place on  
23 the *same day* as a conversation with the Court in the courtroom (i.e., May 11, 2017).  
24 To this end, Mr. Sanson's narrative suggests that his text message was intended merely  
25 to follow-up on a conversation earlier that same day. Mr. Sanson's narrative, however,  
26 is a *factual impossibility*. In this regard, May 11, 2017 was this Court's Chamber  
27  
28

1  
2 Calendar day. No hearings were scheduled in Department Q on May 11, 2017. There  
3 was no conversation on May 11, 2017 as Mr. Sanson has alleged.<sup>4</sup> Regardless, even if  
4 Mr. Sanson's sworn recitation of facts is believed, his communication with the Court  
5 *remains improper.*  
6

7 What should be frightening to this Court (and members of the Nevada judiciary  
8 in general), is that Mr. Sanson refused to acknowledge at the August 30, 2017 hearing  
9 that his communication with the Court about a pending case was inappropriate.  
10 Specifically, Mr. Sanson, through his counsel, suggested it was the Court's fault based  
11 on the earlier conversation cited above. This Court reiterates that it is inappropriate  
12 to communicate with a judicial officer off the record about a pending case - *at any*  
13 *time and under any circumstances.* Mr. Sanson's attempts to deflect blame to the  
14 Court are appalling.  
15

16 This Court's abrupt termination of the telephone call and immediate text to Mr.  
17 Sanson that his communication was inappropriate was not Mr. Sanson's desired  
18 response or reaction from the Court. It is now obvious that Mr. Sanson was looking  
19 for a response from the Court more along the lines of: "I'm so sorry Mr. Sanson, I'll  
20 make sure that Mr. Willick doesn't get his way," or, "I'm so sorry Mr. Sanson, I'll make  
21 sure Mr. Ansell comes out on top," or even, "message received Mr. Sanson." *Is there*  
22  
23  
24  
25

26  
27 "This is not simply a matter of "oops, I got the date wrong." Any change to the date  
28 changes the entire narrative and creates a logical disconnection in time. This Court's staff  
checked the videotape of the hearings in all cases held in Department Q on the preceding  
Monday, Tuesday, and Wednesday of that same week and was unable to find Mr. Sanson in  
the gallery at the beginning or conclusion of any case.

1  
2 *anything more corrupt than the influence Mr. Sanson sought to exert over the Court?*

3 And he proclaims that he seeks to expose corruption? Because this Court called him  
4 out on the inappropriateness of his communication and refused to kowtow and cower  
5 to his manipulation and control, Mr. Sanson predictably let the Court know that his  
6 wrath was coming out against the Court. This type of threat to any judicial officer  
7 strikes at the very core of the integrity of the judicial process. Moreover, such  
8 threatening behavior is an attempt to manipulate and control judicial officers if they  
9 do not succumb to Mr. Sanson's desired result.  
10

11  
12 Mr. Jones argued that there is no evidence that Defendant had anything to do  
13 with Mr. Sanson's communication with the Court or that he put Mr. Sanson "up to it."  
14 Mr. Jones is correct that there was no testimony offered that indicates that Defendant  
15 is responsible for Mr. Sanson's behavior. Defendant did not appear at the hearing to  
16 offer his version of events. Although this Court is unable to attribute Mr. Sanson's  
17 actions to Defendant directly, this Court notes that Mr. Sanson's communication with  
18 the Court was not the first, nor the second, occasion in which the Court has received  
19 outside communications about Defendant.<sup>5</sup>  
20  
21

22  
23 <sup>5</sup>This Court previously disclosed at a prior hearing that an individual recently employed  
24 by Defendant was this Court's direct ecclesiastical leader (Kurt Teshima). This Court disclosed  
25 to the parties that the Court holds Mr. Teshima in high esteem. These disclosures were made  
26 for full transparency in the event that either party desired that the Court recuse from the  
27 matter. Mr. Willick offered (as an offer of proof) at the August 30, 2017 hearing that  
28 Defendant, *together with Mr. Sanson*, had a breakfast meeting with Mr. Teshima. As an  
additional offer of proof, when Defendant and Mr. Sanson attempted to discuss the divorce,  
Mr. Teshima redirected the conversation to business matters. This Court is not surprised by  
this redirection by Mr. Teshima and emphasizes that at no time has Mr. Teshima *ever* discussed  
this matter with the Court. This Court has never felt any pressure or attempts to influence the  
path of this case from Mr. Teshima.

1  
2 This Court recognizes the judicial duty to sit. Mr. Sanson's Sworn Declaration  
3 filed on August 22, 2017, however, creates a conflict for the Court. Moreover, it has  
4 become evident based on the history of this matter that any decision by this Court that  
5 favors Defendant in any manner is perceived by Plaintiff as being influenced by  
6 something that has happened outside of this courtroom. Similarly, Defendant may  
7 have the perception that, because this Court has declared its disgust and disdain for  
8 outside efforts to influence this matter, the Court is somehow overcompensating to  
9 counter Plaintiff's perception. These perceptions (although untrue on both accounts)  
10 are unfair to both parties. Accordingly, it is appropriate that this Court recuse from  
11 this matter.  
12  
13

14 Finally, because there have been outside attempts to influence this Court in this  
15 matter, complete transparency is warranted to maintain public confidence in the  
16 administration of justice. Notably, Mr. Sanson (through counsel) argued that this  
17 matter was improperly sealed. To clarify this Court's findings at the August 30, 2017  
18 hearing, this Court concurs that the hearings in this matter and orders entered by the  
19 Court should not be sealed and should be available for public inspection. However,  
20 this Court recognizes that filings of the parties and experts contain sensitive  
21 information related to both custody issues and financial issues. Consistent with NRS  
22 125.110, those papers should remain sealed.  
23  
24  
25  
26  
27  
28

BRYCE C. DUCKWORTH  
DISTRICT JUDGE

FAMILY DIVISION, DEPT. Q  
LAS VEGAS, NEVADA 89101

10  
RA000611

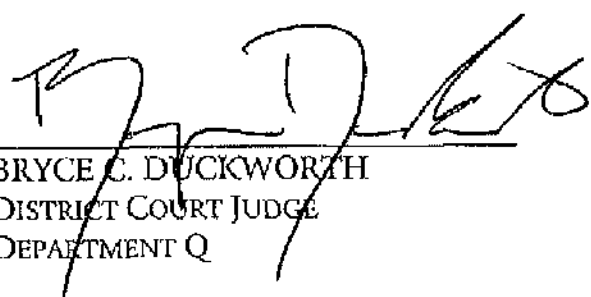
1  
2 Based on the foregoing, and good cause appearing therefor,

3 It is hereby ORDERED that this Court RECUSE from this case. It is further  
4 ORDERED that, to the extent possible, this matter be referred to the Senior Judge  
5 Program for further proceedings.  
6

7 It is further ORDERED that the hearings pending before this Court, including  
8 trial dates and hearings related to discovery issues, should be re-calendared upon the  
9 reassignment of this matter.  
10

11 It is further ORDERED that the hearing videos and orders entered by this Court  
12 should be unsealed.

13 DATED this 5<sup>th</sup> day of September, 2017.  
14

15  
16   
17 BRYCE C. DUCKWORTH  
18 DISTRICT COURT JUDGE  
19 DEPARTMENT Q  
20  
21  
22  
23  
24  
25  
26  
27  
28

BRYCE C. DUCKWORTH  
DISTRICT JUDGE

FAMILY DIVISION, DEPT. Q  
LAS VEGAS, NEVADA 89101

11  
RA000612

# **EXHIBIT 7**

# **EXHIBIT 7**

RA000613

**Julie Schoen**

---

**Subject:** FW: Saiter v. Saiter

**From:** Louis Schneider [mailto:lcslawllc@yahoo.com]  
**Sent:** Thursday, September 15, 2016 8:57 AM  
**To:** Brandon Leavitt  
**Cc:** Stephanie Stolz  
**Subject:** Re: Saiter v. Saiter

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.

*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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---

**From:** Brandon Leavitt <BLEavitt@theabramslawfirm.com>  
**To:** Louis Schneider <lcslawllc@yahoo.com>  
**Cc:** Stephanie Stolz <sstolz@theabramslawfirm.com>  
**Sent:** Thursday, September 15, 2016 8:50 AM  
**Subject:** Saiter v. Saiter

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Lou,

I was CC'd on an email from your client to you requesting you to give me permission to speak with her directly. 1) Do I have your permission to do so?; and 2) Will you allow the department to Zoom your Order to Withdraw so I can attempt to button this matter up?



I'm hamstrung until you allow me to work with her directly or withdraw so I can. Please advise. Thanks.

Sincerely,  
Brandon K. Leavitt, Esq.  
THE ABRAMS & MAYO LAW FIRM  
6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Tel: (702) 222-4021  
Fax: (702) 248-8750  
[www.TheAbramsLawFirm.com](http://www.TheAbramsLawFirm.com)

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Spam

Phish/Fraud

Not spam

Forget previous vote

# **EXHIBIT 8**

# **EXHIBIT 8**

RA000616

**From:** Tina Saiter <[cleaningmama30@aol.com](mailto:cleaningmama30@aol.com)>  
**Date:** October 6, 2016 at 12:20:12 PM PDT  
**To:** Brandon Saiter <[bsaiter@harmonicinnerprizes.com](mailto:bsaiter@harmonicinnerprizes.com)>  
**Subject:** Fwd: You tube video

Tina Saiter

Begin forwarded message:

**From:** Louis Schneider <[lcslawllc@yahoo.com](mailto:lcslawllc@yahoo.com)>  
**Date:** October 6, 2016 at 12:09:06 PM PDT  
**To:** Tina Saiter <[cleaningmama30@aol.com](mailto:cleaningmama30@aol.com)>  
**Subject:** Re: You tube video  
**Reply-To:** Louis Schneider <[lcslawllc@yahoo.com](mailto:lcslawllc@yahoo.com)>

There is apparently some sort of war between Veterans In Politics and the other side.

We're stipulating to seal the case. That means nobody will be able to look it up.

I'm trying to seal the case.

I've got calls all over trying to find out.

I'm not happy about it either.

*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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---

**From:** Tina Salter <cleaningmama30@aol.com>  
**To:** Louis Schneider <lcsiawllc@yahoo.com>; lcsiaw@yahoo.com  
**Sent:** Thursday, October 6, 2016 11:29 AM  
**Subject:** You tube video

Louis

Why is there a You Tube Video of our divorce case??

Tina Salter

---

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[Phish/Fraud](#)  
[Not spam](#)  
[Forget previous vote](#)

RA000618