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IN THE SUPREME COURT OF NEVADA

YOAV EGOSI,

Case. No.: 76144

Appellant,

Dist. Ct.

vs.

Case. No.: D-16-540174-D

PATRICIA EGOSI,

Respondent.

APPELLANT'S APPENDIX
VOLUME 3 of 10

...

On Appeal from the Eighth Judicial District Court – Family Division

County of Clark, State of Nevada

Case No. D-16-540174-D

The Honorable Bryce C. Duckworth, District Court Judge

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1 stamp that is?

2 THE COURT: So is that the append -- is that's
3 what's behind the -- the appendix?

4 MS. BREWER: That is between --

5 THE COURT: So just the receipt, yeah.

6 MS. BREWER: It's 13143.

7 MR. JIMMERSON: Do you want the receipt?

8 MS. MENTZEL: It's 13143?

9 MS. BREWER: It's after that.

10 MS. MENTZEL: I have a letter.

11 MR. JIMMERSON: Kristine, help her, please.

12 MS. MENTZEL: I have appendix A.

13 THE COURT: That's it.

14 MS. BREWER: That's it.

15 MS. MENTZEL: A \$45 receipt?

16 MR. JIMMERSON: That's right.

17 MS. BREWER: Here. And the date. Right there, June
18 25th, 2008 at 2:11 a.m. Eastern. Right there.

19 (COUNSEL CONFER BRIEFLY)

20 THE COURT: Any objection?

21 MS. MENTZEL: No objection, Your Honor.

22 THE COURT: That -- so that one page will be marked
23 as Exhibit J.

24 MR. JIMMERSON: Thank you.

1 THE COURT: Just that page. So the rest --

2 THE CLERK: You mean JJJ?

3 THE COURT: J -- Triple J. Yeah, sorry.

4 (DEFENDANT'S EXHIBIT JJJ ADMITTED)

5 MR. JIMMERSON: Just the receipt. Just the one
6 page.

7 (COURT AND CLERK CONFER BRIEFLY)

8 BY MR. JIMMERSON:

9 Q And then what happened to Exhibit ZZ?

10 A It's been in Patricia's hands ever since.

11 Q And you learned through the deposition a few weeks
12 ago that she had and showed it to Ms. Goodman?

13 A That is correct.

14 Q And who is Ms. Goodman?

15 A Ms. Goodman is -- her full name is Batya Goodman.
16 She's a friend and a lawyer in Geor -- I mean in Florida, I'm
17 sorry.

18 Q And you heard the testimony from your wife that she
19 was some sort of friend of yours. Would you please explain
20 the circumstances or what the relationship was, if any?

21 A Her boyfriend, or now husband, was my friend.

22 Q His name is Alex.

23 A Alex, that is correct.

24 Q And what was the relationship with the girlfriend at

1 the time?

2 A The girlfriend never liked me.

3 Q And did you ever -- now that you know she's a
4 lawyer, did you ever seek out her advice for anything at any
5 time in the past?

6 A No, and Batya would never do something for me
7 anyways.

8 Q And you were unaware that she had met with your
9 wife?

10 A That is correct.

11 (COUNSEL CONFER BRIEFLY)

12 MR. JIMMERSON: Your Honor, under NRS 47, I would
13 also ask the Court to take judicial notice as a matter of fact
14 that Batya Goodman is a member of this day to the firm of
15 Louis Frisba (ph) in Fort Lauderdale, Florida and is also
16 barred by her resume as a New York lawyer.

17 THE COURT: Okay.

18 MR. JIMMERSON: And I have the documents here,
19 Exhibit JJ, but as I understand, it's a matter of judicial
20 notice as opposed to I guess --

21 THE COURT: Okay.

22 MR. JIMMERSON: -- (indiscernible).

23 THE COURT: And does -- does that document state her
24 date of admission?

1 MR. JIMMERSON: Yes, Your Honor, 2003 in New York.
2 And 2006 or 7 in Florida.

3 THE COURT: Florida. Okay. All right. So noted.

4 MR. JIMMERSON: Now, and Counsel, I said Exhibit JJ.
5 All right.

6 BY MR. JIMMERSON:

7 Q Now, I want to show you that and compare it to
8 Exhibit -- the -- the prenuptial agreement.

9 MR. JIMMERSON: Which is what, Exhibit --

10 MS. BREWER: Exhibit --

11 MR. JIMMERSON: The -- the permanent one.

12 MS. BREWER: Yes, it's -- that one is LL.

13 MR. JIMMERSON: And --

14 MS. BREWER: Triple L.

15 MR. JIMMERSON: Three L. I'm showing what's marked
16 as Exhibit LLL. It's -- I -- I don't know if Judge can
17 confirm. I want to make sure it's in evidence. So I move to
18 admit Exhibit LLL into evidence, which is the signed actual
19 prenup.

20 THE COURT: Any objection? I don't know that it's -
21 - it's been offered. So any objection to Triple L?

22 MS. MENTZEL: As long as that's what it is, no
23 objection.

24 THE COURT: So Triple -- Exhibit Triple L is

1 admitted into the record.

2 (DEFENDANT'S EXHIBIT LLL ADMITTED)

3 MS. MENTZEL: The skinny binder.

4 BY MR. JIMMERSON:

5 Q Now do you have both ZZ and Triple L?

6 A Yes, sir.

7 Q Now, let's just finish it up orally. I know there's
8 two -- two questions and answers then I'll ask you questions
9 about the two. Now it's August 13. So you had almost four
10 weeks between July 20 -- June 25, when you downloaded Exhibit
11 ZZ, July 18th, when she has the meeting with Ms. Goodman
12 (indiscernible). And then another 26 day pass between July 18
13 and August 13 of 2008. Are you with me?

14 A Yes, sir.

15 Q Tell us the events of August 13, 2008 as it relates
16 to answering more questions, downloading the document, and
17 signing the document, the document that's now in evidence and
18 the document you're seeking to enforce.

19 A Once both Patricia and I agreed to the terms of the
20 prenup, we decided to move forward with the prenup. On August
21 13th, in the morning, we came to my office, which was located
22 at the time in Fort Lauderdale. We -- we filled out the rest
23 of the questions in this questionnaire. Once we filled out
24 the -- the questions, a process that took us maybe an hour or

1 two, we then proceeded to the third floor to sign the
2 agreement. Oh, I'm sorry.

3 So once we decided to sign the agree -- this
4 particular agreement, we went to my office, we filled out all
5 the questions of this agreement, we reviewed it once more
6 again. And the way that we review it -- we went section by
7 section and you can see that Nedson's name was dropped off on
8 the children. And then the list of assets were added on a
9 schedule AI. And then once we -- we fill that out, we printed
10 it. And then we took it to the third floor, which was a
11 mortgage company, and we got it signed and notarized.

12 Q And the people you had witnessed by the notary are
13 all strangers to you?

14 A Correct.

15 Q There's no affiliation between them and you?

16 A I -- I didn't even see them in the hallways.

17 Q And no affiliation between them and your wife?

18 A To my knowledge.

19 Q And now I want to -- and then having signed that,
20 they completed that task, correct?

21 A Yes, sir.

22 Q And there's still another six weeks that pass
23 between August 13 of 2008 and you're getting married to
24 Patricia on September 26th of 2008?

1 A That is correct.

2 Q And in the interim, you heard her say she didn't
3 know when you moved and she said you moved before you signed
4 the agreement.

5 A I think she's -- go ahead.

6 Q Where were you physically located when you signed
7 the prenuptial agreement, LLL?

8 A We were physically located in Fort Lauderdale, but
9 the move did take some time. So just to -- to what she's
10 referring to, the final move was obviously before we -- we got
11 married, but there was a few months that we actually moved. I
12 always had a condo -- always, meaning since 2003, in Atlanta.
13 So that property was -- was owned by me for a long time.

14 Q That's the Peachtree property?

15 A Peach tree Road. 2881 Peachtree Road.

16 Q So it took some time to move but the --

17 A Yes, sir.

18 Q -- actual physical move leaving Ft. Lauderdale was
19 in September 2008?

20 A Correct, the -- the September 26 is -- is a special
21 day because of course that's the day that we got married but
22 it's also special day because that's when we brought our
23 manager -- office manager that same day. Met us right after
24 we got married after the wedding in downtown Atlanta. We --

1 we went out to lunch and we -- we showed him our clientele but
2 his purpose of coming on that date was not to be in our
3 wedding was to start training the new office -- the new office
4 staff that we had in Atlanta, Georgia.

5 Q All right. And what was that person's name?

6 A Adam Pichardo (ph).

7 Q All right. Showing Exhibit YY proposed, what --
8 what is these questions and answers, please?

9 A Okay. These questions and answers are the questions
10 that I -- are asked at LawDepot when -- when you fill out the
11 prenuptial agreement.

12 Q And do those questions specifically refer to Exhibit
13 LLL in evidence?

14 A Repeat the question, please.

15 Q Is Exhibit YY --

16 A Oh, YY.

17 Q You are answering the questions online --

18 A Yes sir.

19 Q -- relate specifically to Exhibit LLL, the
20 prenuptial agreement signed on August 13 of 2008?

21 A Yes, sir. This -- this relates to the August 13,
22 2008.

23 MR. JIMMERSON: Move for the admission of Exhibit
24 YY.

1 THE COURT: Any objection to the admission of
2 Exhibit YY?

3 MS. MENTZEL: I'm going to object to the admission
4 of Exhibit YY as to authenticity. It has a date of 6/3/17 on
5 it. I'm not seeing how it would be -- and it's also an
6 incomplete document. We have Pa -- starts on page 2 of 3.
7 And it was given to us three business days ago.

8 MR. JIMMERSON: Judge, we learned about this in the
9 last two weeks. This -- I could -- I could have him produce
10 it download it off his LawDepot account right now on the
11 screen. I'm prepared to do it because I brought a laptop and
12 I brought a wire and I brought the thumbnail. We can download
13 it right now, but this is a -- which you can find right now
14 today. They could look at it if they ever wanted to look that
15 these were the answers that both Mrs. Egosi and Mr. Egosi
16 answered to produce Exhibit LL, the final document.

17 THE WITNESS: If you compare -- I'm sorry to
18 interrupt.

19 THE COURT: Well there's no question.

20 MR. JIMMERSON: Have some foundation. Do you have
21 some further foundation?

22 MS. MENTZEL: Again, it's an incomplete document,
23 there's two of three --

24 THE COURT: Well, Mr. Jimmerson's asked him --

1 MS. MENTZEL: And --

2 THE COURT: -- a -- a follow up question. So I'm
3 not admitting it yet pending additional questions.

4 BY MR. JIMMERSON:

5 Q Is there anything incomplete about this document?

6 A I don't know what you mean.

7 Q You heard opposing Counsel claim this is admi -- in
8 -- incomplete even though she has no basis for it. She
9 doesn't tell us why. Is this what you downloaded --

10 A This is what I downloaded in the --

11 Q -- in Kristine Brewer's office?

12 A -- presence of Kristine Brewer. And --

13 Q Does it reflect that there are no minor children?

14 A Yes, sir. If you compare the answers that we
15 answered here -- this -- this is only to demonstrate the
16 answers that they ask the questions that the website is asking
17 you. These questions were stored on our servers. Every time
18 you're going to pull up this prenup, it will bring the new
19 date. And that's why you're referring to the date of -- in
20 2017.

21 But if you compare the answers to the questions on
22 this particular document and you compare that to the -- our
23 agreement on August 13th, you will see that those answers are
24 match one to one. And these are the only questions that they

1 ask you. You cannot change anything else other than the
2 question that are asked.

3 Q All right. And Exhibit ZZ, would you compare now
4 ZZ, the first draft of the prenuptial, June 24 and 25, 2008,
5 with August 13, 2008, the final prenuptial that was signed on
6 that date?

7 A Yes, sir. As stated before, the -- Nedson --
8 Patricia's son, Nedson Acosta is on the June 25th and he's not
9 on the August 13th. We can also see that the list of assets
10 are not on the June 25th and they are on the August 13th.

11 Q And you know from your own personal knowledge that
12 you can identify that the June 25, 2008 first draft prenuptial
13 is authentic, true, and correct?

14 A That is correct.

15 MR. JIMMERSON: Your Honor, I move for the admission
16 of Exhibit ZZ.

17 THE COURT: Any objection to the admission of
18 Exhibit ZZ?

19 MS. MENTZEL: I'm going to again object to the
20 authenticity and I'm going to object to the untimeliness of
21 the document, the authenticity. We have no proof that this
22 came from, where it's alleged to be came from. It could be a
23 document that was completed after the fact. As to the
24 timeliness of the document, we received this document three

1 business days ago when Defendant had apparently this document
2 in his possession the entire time.

3 MR. JIMMERSON: I applaud opposing Counsel's
4 remarks, Your Honor, but you were told under oath that there
5 was never a draft. You were told there's only one document
6 and it's dated August 13th and that was the only document that
7 existed. And now you've heard both parties testify that there
8 was a draft before August 13. And a document was shown to her
9 lawyer on July 18th and that's the document.

10 THE COURT: The objection's noted but overruled.
11 Exhibit ZZ is admitted into the record.

12 (DEFENDANT'S EXHIBIT ZZ ADMITTED)

13 BY MR. JIMMERSON:

14 Q And if you compare it -- if you already haven't, I'm
15 going to ask you to do. Word for word, with the exception of
16 the child issue and the list of assets A1 issue, are both
17 forms, ZZ and LL, the same?

18 A Yes, sir. We -- me and Ms. Brewers (sic) compared
19 it together when we found this document on my Gmail.

20 (COUNSEL CONFER BRIEFLY)

21 BY MR. JIMMERSON:

22 Q I'd like to -- I'd like to show you Exhibit AAA,
23 three A. Can you identify this document?

24 A Yes, sir.

1 Q And what is Exhibit AAA?

2 A Exhibit AAA show my Gmail account. It shows an
3 email that is dated Friday, July 18th, 2008, 7:15 p.m.

4 Q Is that the email that your wife caused to be sent
5 to the lawyer?

6 A That is correct.

7 MR. JIMMERSON: Move for the admission of Exhibit
8 AAA.

9 MS. MENTZEL: No objection, Your Honor.

10 THE COURT: Exhibit AAA is admitted.

11 (DEFENDANT'S EXHIBIT AAA ADMITTED)

12 THE WITNESS: Oh, it also have the receipt on top.

13 BY MR. JIMMERSON:

14 Q And you say it has a receipt, you mean the one we've
15 already identified?

16 A Yes, sir.

17 Q A duplicate of that one page --

18 A Well, it just have different screenshots, so there's
19 two emails here.

20 Q Okay. Thank you. May I have Exhibit ZZ, the June
21 25 document?

22 A Yes, sir. This one?

23 Q All right. Thank you.

24 MR. JIMMERSON: Can I have this marked and admitted

1 as the next -- all right. Thank you.

2 (COURT AND CLERK CONFER BRIEFLY)

3 BY MR. JIMMERSON:

4 Q Tell me about the conversations that you had between
5 March of 2008 and August 13 of 2008 with regard to the
6 prenuptial agreement? And by that I'm really asking focus
7 upon what words you said to Patricia or she said to you
8 relative to protecting your assets or no alimony or the other
9 provisions that we see in both document ZZ and LLL.

10 A It was understood by both parties that --

11 Q I didn't ask what was understood.

12 A Okay.

13 Q Answer the question. What words were exchanged, to
14 the best of your recall, I know it's been a while, between the
15 two of you?

16 A We discuss the reason for the prenup and what the
17 prenup meant. Specifically, that if each party walks away
18 from the marriage, no assets at the time or occurred will be
19 divided between the parties.

20 Q All right. And from your conversations with
21 Patricia, did she -- did she give you words or say words to
22 you that she understood what was being contained in that
23 document?

24 A Yes, sir.

1 Q Now, we have a dispute, you know, from the
2 deposition. She said she never read the document until the
3 last two weeks. Did she read the document on the evening of
4 June 24 and 25, 2008?

5 A She read it with me. Yes, sir.

6 Q What -- when you say she read it with me, what
7 exactly did she read?

8 A We initially looked at the document on this website,
9 LawDepot.com.

10 Q It's on the screen.

11 A Yes, sir. And in order -- and then in order to --
12 to print it, you have to pay the licence.

13 Q So you paid the \$45.

14 A Correct. Yes, sir.

15 Q And that gave you access for a year.

16 A That gave me access to -- to print it for a year.

17 Q Okay. And then you downloaded it on that day?

18 A Correct.

19 Q At 12:11 a.m. on June 25, 2008?

20 A 12:11 is when -- when the licence was purchased and
21 downloaded. Yes, sir.

22 Q Okay. So that's why the midnight hour had passed,
23 correct?

24 A Correct.

1 Q So my next question is then did you read the
2 document after it's now out of your printer?

3 A Yes, sir.

4 Q Who read it? And specifically as it relates to did
5 she -- did she read it then after it was now in your physical
6 hands?

7 A I read it out loud and we discussed the agreement.

8 Q What did you say out loud and what did you discuss?

9 A The -- the different provisions of the agreement.
10 Starting from, you know, this prenuptial agreement made
11 between Yoav Egosi and Patricia Elise Gomez Acosta.

12 Q And what was her response relative to her
13 willingness to sign the document?

14 A She said that she wants me to feel comfortable about
15 marrying me and that she married me for the right reasons and
16 she didn't care about any of my assets and she didn't care
17 about money at the time and that's what she told me.

18 Q And she did want to remain in the United States,
19 right?

20 A Well, one of the consideration was to save us money
21 from traveling was to sign -- to get married so we can start
22 the -- the process. If we didn't have that, I probably would
23 have taken more time before we got married.

24 So part of the reason we rushed into getting married

1 was trustor save the traveling cost for her.

2 Q Okay. But it's really not rushed. You dated for a
3 year and a half?

4 A Well, I -- I dated many women. Normally I date
5 women for more than two years before marriage.

6 Q Okay. And you had 60 days between June 25 and
7 August 13 on mostly two days?

8 A It -- between the time we initially to the time we
9 -- we signed it?

10 Q That's right.

11 A Yes, sir.

12 Q And did the -- did you understand the terms of the
13 agreement?

14 A I -- I understood the terms. Yes, sir. Some of the
15 terms I understand more of now.

16 Q Okay. One word you told me had trouble
17 understanding was the word unconscionable.

18 A Unconscionable, yeah.

19 Q It's just not --

20 A I still --

21 Q -- conscionable.

22 A Yes, sir.

23 Q And what did I tell you is the answer?

24 A It's fair.

1 Q Okay. All right. But with the exception of maybe a
2 word or two like that, you understood the agreement.

3 A We understood the -- the meaning of the agreement.
4 Yes, sir.

5 Q Why did you select that agreement versus the other
6 websites that you looked at, even some that were free where
7 you were willing to pay \$45 for this one?

8 A The -- they have a -- like an A plus rating with the
9 BBB. They have a \$10,000 guarantee. They have a lot of good
10 reviews and they looked like a reputable company.

11 Q Okay. And all the allegations -- or allegations --
12 are the words of the document of the prenuptial agreement
13 correct?

14 A Can you rephrase?

15 Q Well, okay, I'll be happy to. When it says that you
16 and Patricia are signing the document voluntarily, was that
17 true?

18 A Yes, sir.

19 Q Was there any duress imposed by you upon Patricia
20 whatsoever?

21 A No, sir.

22 Q When it says that you both signed the documents
23 knowingly, in other words, you know what you were signing, was
24 that also true?

1 A Yes, sir.

2 Q Was there anything in this document that you felt

3 was in any way incorrect?

4 A No, sir.

5 Q Okay. And you listed all of your assets and your

6 liabilities.

7 A That is correct.

8 Q Okay. Now Patricia didn't list anything in the

9 document, did she?

10 A That is correct.

11 Q Okay. But she had assets.

12 A Correct.

13 Q She had a home.

14 A In Brazil, yes.

15 Q She had investments.

16 A Correct, in Brazil.

17 Q She had bank accounts.

18 A Correct, in Brazil. I mean, later found out in the

19 United States.

20 Q Okay. And -- and in the United States.

21 A I mean, we found out there later.

22 Q And why didn't she attach -- first of all, how many

23 bank accounts does have in Brazil on the date of signing this

24 document in August of 2008?

1 A At the time I didn't know -- I didn't know that she
2 had -- we found -- we found some bank accounts in Brazil later
3 in our discovery.

4 Q That existed in 2007 or 2008.

5 A That is correct.

6 Q Right. That she hadn't disclosed to you.

7 A She hasn't disclosed the bank accounts.

8 Q Okay. Now as a practical matter, you have waived
9 that disclosure.

10 A Correct.

11 Q And you're not asking -- and you're attacking the
12 agreement because she didn't give you that information.

13 A That is correct.

14 Q And you are asking the Court to enforce the
15 documents for the reasons that we've articulated to the Judge.

16 A That is correct.

17 MR. JIMMERSON: Now Exhibit UU, Madam Clerk, please.
18 This one looks like this.

19 MS. MENTZEL: I just want to make sure it's the --

20 Q I'm showing you Exhibit Proposed UU. What is that?

21 A This document shows a CPF which is a social security
22 card in -- in Brazil. It shows a bank card from Itau which is
23 a bank in Brazil and it shows her I.D. in Brazil.

24 Q Okay. And you had learned by of course dating her

1 that she had made quite a bit of money in her prior work
2 before coming to stay with you in 2007, right?

3 A Correct.

4 Q Okay. And you knew her line of work?

5 A Yes, sir.

6 Q All right. Opposing Counsel asked your wife this
7 question. Did he allow you -- we'll all stay with -- away
8 from the word prostitute, but the question was did he allow
9 you to continue to apply your trade. Was it opposing -- did
10 you heard that question?

11 A Yeah, I -- I heard that question and I didn't like
12 that question.

13 Q Okay. What was your response? What was your
14 position as you discussed with your wife relative to -- to use
15 opposing Counsel's words, allowing her, end of quote, to
16 continue her prior profession?

17 A I think there's two problems with that question that
18 opposing Counsel presented. One, I cannot force somebody to
19 not do one thing or another. But more importantly, I think as
20 a boyfriend, you know, before she was my girlfriend, I never
21 judged, I never tell people what they should do for a living
22 as long as they do, you know, things on -- you know, don't
23 hurt anyone or whatever, but once we decided to become
24 boyfriend and girlfriend, a condition of our boy -- being

1 boyfriend and girlfriend was that I didn't want her like she
2 said, use her body anymore. I didn't think it was -- she
3 needed to do that and I didn't think it was healthy for her to
4 do that.

5 Q And you told her that the relation would end if she
6 did, right?

7 A That is correct.

8 Q Now when you read this document, it talks about
9 people wanting to fix their respective rights and liabilities,
10 you want to protect your assets. These -- these are
11 statements within the document that are all true and correct.
12 I've taken it away from you.

13 A Yes, sir. Okay.

14 Q All right. And did you intend that this document to
15 be binding upon yourself and upon Patricia?

16 A Yes, there is a provision in that document that says
17 it's binding once you get married.

18 Q Okay. And did you understand that if she chose not
19 to marry you, it would never come into effectiveness.

20 A Or if I chose not to marry her.

21 Q All right. And are the schedule of Exhibit A1
22 accurate listing of the assets you had in -- within the
23 document?

24 A It's a -- yes, on page -- it -- it's Bates Number --

1 I'm sorry, it's page 7 of 14. Yes, sir.

2 Q Are those true and correct?

3 A Yes, sir. That's correct.

4 Q Did your wife to be -- did your -- did Patricia ever
5 ask the value of any of the assets?

6 A No, she hasn't.

7 Q did she have some understanding of the value of her
8 assets?

9 A Yes, she has.

10 Q And how is that that you can say that answer -- how
11 can you say you know that she has some understandings to the
12 value in your three or four assets there?

13 A Well, we can take each asset separately, but --

14 Q Go ahead and do it.

15 A Okay. As far as the car is concerned, when she
16 first met and my girlfriend, one of the first things she told,
17 I think on the second time she met with us, is that her sister
18 -- well, her girlfriend told her what kind of car this was and
19 she told me that she did not know that it was worth as much as
20 her girlfriend was told -- that told her that it was worth.
21 So she have -- and she was definitely -- knew the value of
22 that Mercedes.

23 As far as our lifestyle is concerned, at the time
24 that -- that I met Patricia, I lived in -- in a rented

1 condominium on the beach in Miami. The value of that condo
2 was 1.2 million dollars. We lived in a luxury condominium
3 with concierge, with, you know, all the amenities that you
4 will think you will have in Miami. We took many trips, many
5 travel trips.

6 Q This is all before August 13 --

7 A Yes, sir.

8 Q -- of 2008?

9 A That was from the time we met. And at the time, she
10 was very proud of the fact that I had a black American Express
11 and carrying an American Express card which she -- which --
12 excuse me. When -- what -- what she bragged to her friends
13 about me having.

14 And of course, other than the lifestyle and -- and
15 living with me, I never -- I'm sorry. I did not hide things
16 from my wife or future wife, I should say. We lived in the
17 same condo. She had access to my personal document, my
18 personal files. And at the office, she had access to all the
19 company files. And Patricia was always what she calls OCD.
20 She likes everything to be neat and organized. It's -- it's
21 the same for the pantry, that everything is by height. The
22 same to our closets and everything is by -- like a type of
23 cloth and the color of the cloth and it's the same for all the
24 papers. I'm not a very organized person and Patricia, you

1 know, is the one that organized my office and my home.

2 Q And was she able to see the daily income?

3 A She would be able to see that in different ways.
4 And one is when she do shipping, she will have the sign up
5 reports. So she will see all new signups and -- that came
6 that day and she can also choose different dates so she can
7 see the signups let's say one week or she can do a signup of
8 one year.

9 She had access to that, but -- but her job was to
10 see the daily report, that's the default report that you will
11 see each day, and know which equipment to ship to customers.

12 Q And what involvement did she have in the
13 negotiations that fell apart with Mr. Gulio (sic)?

14 A With Guligan? The -- the negotiation with Mr.
15 Guligan was a hard time for me in my life and Patricia was
16 there to support me.

17 Q Okay. So let's lay some foundation. What time
18 period are we talking about? On my timeline, I told the Judge
19 it was the fall of 2006 --

20 A '7.

21 Q 2007, early 2008.

22 A That is correct.

23 Q Okay. And tell the Court what happened.

24 A We went to Brazil and I spent a few months in Brazil

1 in Sao Paulo with -- with my wife at -- at the time, you know,
2 she wasn't my wife, and was negotiating a deal with Mr.
3 Guligan to invest in Hawk Communications or Joy Phone.

4 Q And Hawk is spelled H-a-u-c-k.

5 A H-a-w-k.

6 Q H-a --

7 A Like the bird.

8 Q -- w-k. All right. Thank you. Go ahead.

9 A Okay. This negotiation, you know, time was moving
10 forward. We signed an agreement. You know, the -- the
11 agreement calls for specific value of the company based on
12 clients and the -- the agreement had, you know, the cust --
13 I'm sorry, Guligan invested in our company on a monthly basis
14 and Guligan wanted to see -- return on that investment
15 marketing by subscriber's growth. So the -- the value of the
16 company is based on subscribers at the time and subscriber
17 growth per month and that's how the investment went on.

18 Q And so you had to have for example a thousand new
19 customers in a month to show the viability of the business.

20 A That was the hundred thousand dollars initial
21 investment was a -- a test to see if I can keep up with the
22 values that we -- that we discussed.

23 Q And was that money full -- or earned by you?

24 A Yes. I mean, the -- this money that he gave me, we

1 had a cost of acquisition on the contract based on a hundred
2 dollars per use I believe it was. So the -- you know, the --
3 my -- my job was to take that hundred thousand dollars and
4 convert it to at least a thousand new subscribers.

5 Q And you were successful in doing so?

6 A 20 percent more. We had 1200 new subscribers.

7 Q And yet he chose to back away from the investment.

8 A He did, a day before the -- a day before he was
9 supposed to send the -- start sending the rest of the
10 2,000,000.

11 Q Okay. And I wanted to discuss with you more
12 importantly than the details of the deal was, what was your
13 wife's involvement, your wife to be, your fiancée's
14 involvement in the -- in the sense of did she listen to
15 conversations, did you guys go to dinner? I'm trying to
16 demonstrate to the Court that she knew a fair amount about
17 this transaction.

18 A Well, it's much more than this. She was much more
19 involved because it was a tough time for me and she was not
20 just, you know, there as a girlfriend. She was there as the
21 only person that I communicate with about this deal. This
22 deal was done in Brazil. Even though I start learning
23 Portuguese, I still didn't know Portuguese. So, you know, a
24 lot of -- basically, the only person I could talk to was --

1 was my wife or my future wife at the time.

2 Q So did you --

3 A And as deals went -- I'm sorry.

4 Q Go ahead. You're fine.

5 A As -- as the deal moved forward, she -- we
6 celebrated and she knew that the day was going forward and
7 when the deal crashed, you know, I thought it was the end of
8 the world. I actually thought that my wife would leave me,
9 because at one -- at one point I --

10 Q But she wasn't your wife at the time.

11 A Yes. I -- but I told my wife that I was afraid
12 because the deal fell through and our lifestyle will change
13 because I knew that she always told me that she will never a
14 person that is poor. And -- but my wife actually -- my future
15 wife assured me that I have the strength and my brain is worth
16 more than investment from Guligan. She gave me the strength
17 at that time to -- to go back to the United States and move
18 forward.

19 Q Okay. And why do you believe that this enforcement
20 of this document is fair to both you and to your wife?

21 A Because it protects each one equally, number one.
22 Number two, it's something that we decided on before -- before
23 marriage and it's something that we decided out together. So
24 therefore, it's fair.

1 Q All right. Now you have expressed in many papers
2 over different issues, most notably custody, of course. Your
3 belief that your wife is not a truthful person.

4 A That is correct.

5 Q All right. Now immediately after you got married,
6 immediately after September 26th of 2008, did she seek a green
7 card through application to the Immigration Naturalization
8 Bureau?

9 A I -- I couldn't tell if it's immediately, but we
10 started the process fairly soon.

11 Q And did you -- do you -- do you bring to us and we
12 had shown opposing Counsel her application?

13 A Yes, sir.

14 Q And did she deny ever been a prostitute?

15 A That is correct.

16 Q Did she deny ever having committed any type of a
17 crime?

18 A That is correct.

19 Q And you know those to be untruthful answers?

20 A That is correct.

21 MR. JIMMERSON: Thank you, sir. I have no further
22 questions. I pass the witness.

23 THE COURT: Cross examination?

24 MS. McFARLING: And again, I -- I plan to recall

1 this witness, but I'll --

2 THE COURT: Okay.

3 MS. McFARLING: -- proceed with my questioning today
4 limited to what was just now addressed.

5 CROSS EXAMINATION

6 BY MS. McFARLING:

7 Q Sitting up on a ledge is a -- a book. If you can
8 turn to Exhibit 7 in that book.

9 THE COURT: Which exhibit, Counsel?

10 MS. McFARLING: 7.

11 Q Is this the agreement which Mr. Guligan that you
12 were just testifying about?

13 A It looks like it. Yes, ma'am.

14 Q And if you can turn to the second page of the
15 exhibit.

16 A Yes, ma'am.

17 Q Is that your signature?

18 A Yes, ma'am.

19 MS. McFARLING: Okay. I'd like to move to admit
20 Exhibit 7.

21 THE COURT: Any objection to the admission of
22 Exhibit 7?

23 MR. JIMMERSON: Only -- I wanted to make a point.
24 I'd like to quote Ms. Mentzel. The timing of the document, I

1 got this yesterday in -- in this booklet form. None of the
2 exhibits are attached and both parties dropped the ball,
3 probably did a heavy work calendar about the rules to meet
4 five days events. That being said, I have no objection,
5 Judge, but I just --

6 THE COURT: I appreciate that.

7 MR. JIMMERSON: -- need you to --

8 THE COURT: Well, and -- and I have been more
9 flexible in terms of the disclosure than I was the witness
10 designation. So I -- I note that for the record. And Exhibit
11 7 is admitted into the record.

12 (PLAINTIFF'S EXHIBIT 7 ADMITTED)

13 MR. JIMMERSON: If anyone would have a --

14 MS. McFARLING: And I just --

15 MR. JIMMERSON: -- complaint --

16 MS. McFARLING: -- want to say --

17 MR. JIMMERSON: -- it would be us --

18 MS. McFARLING: -- this --

19 MR. JIMMERSON: -- because you obtained in January
20 we didn't see it until --

21 MS. McFARLING: This was disclosed --

22 MR. JIMMERSON: -- after her depo.

23 MS. MENTZEL: March 30th.

24 MS. McFARLING: Of 2017. And -- and in the

1 deposition, I was asked if it had been disclosed and I was not
2 sure at that time because Mr. Jimmerson had represented he had
3 not seen it.

4 MR. JIMMERSON: I haven't.

5 MS. McFARLING: I went back to my office, double
6 checked. It was disclosed on March 30th and I sent a letter
7 to him saying it was disclosed March 30th, here is the Bates
8 number. So it -- it was --

9 THE COURT: All right.

10 MS. McFARLING: -- disclosed quite some ago.

11 THE COURT: Well, Exhibit 7 is admitted.

12 MR. JIMMERSON: Thank you. And maybe that one was
13 the rest of the exhibits came yesterday.

14 BY MS. McFARLING:

15 Q Do you recall us taking your bank accounts on the
16 premarital agreement assets list?

17 A No, ma'am.

18 Q How much did you have in the bank account?

19 A I could not presently recall.

20 Q Do you recall when you prepared the asset listing
21 that's part of the premarital agreement?

22 A It has to be before August 13, 2008.

23 Q There wasn't one attached to the June draft, was
24 there?

1 A No, it wasn't as I stated before.

2 Q What was the value of the business as of August

3 2008?

4 A I have -- I'm not sure of the value of the business.

5 Q Do you believe it was over a million dollars in

6 value?

7 A I am not sure of the value of the business.

8 Q You testified earlier that on the day that you and

9 Patricia got married you met with a new office manager who was

10 going to start training new office staff?

11 A That's an incorrect statement. You said new office

12 manager. Please quote me properly.

13 Q It was not a new office manager?

14 A No, ma'am.

15 Q Okay. It was an existing office manager?

16 A Yes, ma'am.

17 Q Okay. And that existing office manager was going to

18 train new staff?

19 A That is correct.

20 Q And so how many staff did you have in say June 2008?

21 A Like I stated before, be -- between 15 and 20

22 employees.

23 Q And how many did you have in October 2008?

24 A I cannot presently recollect.

1 Q More than 15 to 20?

2 A I cannot presently recollect.

3 Q How many new staff were the existing office manager
4 -- was the existing office manager going to be training after
5 your wedding date?

6 A I do not presently recollect the exact amount, but I
7 would say between three to six.

8 Q You said earlier that Patricia had access to the
9 email address in your name that's the subject of Exhibit --

10 MS. MENTZEL: UU.

11 Q -- UU.

12 A Yes, ma'am.

13 Q Does she still know the password to it?

14 A No, ma'am.

15 Q Do you consider that your email address?

16 A Yes, ma'am.

17 Q Was there anything that was negotiated between you
18 and Patricia between the June draft and the August draft?

19 A What we were going to eat for dinner.

20 Q An -- anything in the premarital agreement
21 negotiated?

22 A It was no reason for negotiation. We both agreed on
23 all terms.

24 Q When you included Nedson as a minor child in the

1 June 2008 draft, did you realize he was already 18?
2 A Patricia included him in the draft.
3 Q Did you realize he was already 18 at that time?
4 A No, ma'am.
5 Q Does Patricia know Nedson was 18?
6 A You're going to have to ask your client that
7 question. Like she said, she's not good at math, so --
8 Q Did you know Goodwin (sic) before June 2008?
9 A Who is Goodwin?
10 MS. MENTZEL: Goodman.
11 Q Goodman, sorry.
12 A Goodman? Yes, ma'am.
13 Q How did you know her?
14 A Through my friend, Alex.
15 Q Did you guys go out and party with her as Patricia
16 testified to?
17 A We went out to dinners, we went out to clubs, we
18 went to their home.
19 Q Did you know this person before you met Patricia?
20 A That person meaning Mrs. Goodman?
21 Q Yes.
22 A Yes, ma'am.
23 Q You testified earlier that you contacted the rabbi
24 for Patricia to start a conversion. That rabbi provided books

1 to Patricia for the conversion in Portuguese, correct?

2 A You're going to have to ask Ms. Egosi.

3 Q You don't know the content of what she was provided
4 for her conversion?

5 A I'm not sure of exactly what was provided, but I did
6 go with her to the rabbi and all communication with the rabbi
7 was in English. Yes, Patricia did not speak Por -- I mean,
8 sorry. The rabbi did not speak Portuguese.

9 Q You testified that Patricia asked for there to be a
10 premarital agreement. Did you want a premarital agreement at
11 that time?

12 A I did not want a marriage at the time, but the
13 prenuptial agreement was part of the marriage proposal.

14 Q So she required you to do a prenup in order --

15 A She --

16 Q -- to marry?

17 A She said that we will sign a prenup to prove that
18 she's marrying me for the right reasons. She brought up the
19 word prenup. She brought up the word marriage.

20 Q Okay. Listen to the question. Did you want to have
21 a prenup at that time?

22 A I was not going to marry her without a prenup, but I
23 did not propose the word prenup. I was not -- did not propose
24 the word marriage and that was not something that I proposed.

1 Q And did you communicate to Patricia that you would
2 not marry her without a prenup?

3 A Patricia initially communicated that to me and I
4 agreed with her that it makes sense, that if we want -- if she
5 wanted to get married, that we will have a prenup.

6 Q So let me get this straight. You offer -- she --
7 she offered to sign a prenup to protect you and you after that
8 decided that you would not marry her without a prenup, is that
9 how it went?

10 A No, it's not how it went. Patricia came with a
11 proposal --

12 Q That's a yes or no question.

13 A Then no.

14 Q The -- the contact at Exhibit 7 --

15 A Uh-huh (affirmative).

16 Q -- Mr. Guligan was going to purchase 40 percent of
17 your company for \$2,000,000, correct?

18 A That is correct.

19 Q Do you believe that your company was worth -- well,
20 it's roughly \$5,000,000, whatever the -- the -- whatever 42 --
21 whatever 2,000,000 is 40 percent of, do you believe that was
22 the value of your company at that time?

23 A The value of the company of the -- after the
24 \$2,000,000 investment will equal 5,000,000 valuation. The

1 comp -- value of the company is based a number of subscribers
2 that we can grown with that money. So it's not the value of
3 the time of signing. It's the value at the end of the
4 investment.

5 Q And how much did Mr. Guligan give to you?

6 A Nobody gave me anything.

7 Q You didn't receive any money as like a down payment?

8 A Oh, I received a down payment. Nobody gave me
9 anything. It's a hundred thousand dollars.

10 Q And you were asked earlier if you had earned --
11 fully earned that hundred thousand and you said yes, correct?

12 A Yes, ma'am.

13 Q Would it surprise you if Mr. Guligan believed that
14 that money had been stolen by you?

15 A It wouldn't surprise me anything you say, ma'am.

16 MS. McFARLING: And we have Exhibit 22 is Mr.
17 Egosi's deposition. You had said earlier that you would
18 stipulate to --

19 MR. JIMMERSON: And I will.

20 MS. McFARLING: -- its admission. So I would like
21 to move at this time for admission of Exhibit 22.

22 MR. JIMMERSON: No objection, Judge.

23 THE COURT: Exhibit 22 is admitted.

24 (PLAINTIFF'S EXHIBIT 22 ADMITTED)

1 MS. McFARLING: Okay. I -- I reserve the right to
2 recall him in my case in chief.

3 THE COURT: Okay. Any redirect?

4 MR. JIMMERSON: No, Judge. Thank you, Judge.

5 THE COURT: Okay. You may step down.

6 THE WITNESS: Yes, sir. Should I leave this here?

7 MR. JIMMERSON: I'll help you. I'll clean it up.

8 THE WITNESS: Okay.

9 MR. JIMMERSON: Okay. Let me give this back to you.
10 Yeah, this is hers and this is yours.

11 THE WITNESS: I know. I know. I know.

12 MR. JIMMERSON: Okay.

13 (WITNESS EXCUSED)

14 MR. JIMMERSON: Judge, as a matter of housekeeping,
15 I would move for the admission of YY which were the questions
16 that were answered by the parties that found its way into the
17 August 13th document. And I think we can check with the
18 clerk, but were not formally admitted.

19 THE COURT: Right.

20 MS. MENTZEL: I'm going to object again to
21 authenticity and it's an incomplete document and I stated it's
22 an incomplete document because at the very bottom of the first
23 page, it says page 2 of 3.

24 THE COURT: Well, here -- here's -- my ruling on

1 that document -- and the doctrine of completeness allows to
2 the extent there isn't an objection, you certainly have the
3 opportunity to supplement the record with a more complete
4 record.

5 I also -- it's my understanding from the testimony
6 that was offered, the document itself is something that was
7 created contemporaneous with basically these proceedings as
8 far as the questions. The date is at 2017 date stamp.

9 I'm inclined to admit the exhibit with the
10 understanding that it's not necessarily a reflection of
11 exactly what the questions were at the time that the
12 prenuptial agreement was drafted.

13 The witness -- there has been testimony that's been
14 offered about those questions offered by -- from both
15 Plaintiff and Defendant and certainly that goes to -- to the
16 type of questions that were asked. It appeared to be fairly
17 similar to what -- what is set forth on that form. So I'm
18 going to admit it with that caveat for the record.

19 (DEFENDANT'S EXHIBIT YY ADMITTED)

20 MR. JIMMERSON: And you have that, right, YY?

21 THE CLERK: Yes, sir. I have all my -- I have all
22 my documents.

23 MR. JIMMERSON: Thanks.

24 THE COURT: All right. We're nearing the 5:00

1 o'clock hour and -- and so I -- I don't know if there's a -- a
2 very short witness that you have or --

3 MR. JIMMERSON: No, I -- I have one witness and
4 rebuttal that would come at the end of the time of this case.

5 THE COURT: So at this point you're prepared to pass
6 to --

7 MR. JIMMERSON: I am, absolutely.

8 THE COURT: Okay. So I think we'll pick up with
9 that tomorrow and -- and Defendant has used approximately a
10 hundred and fifty minutes.

11 MR. JIMMERSON: How many, please?

12 THE COURT: A hundred and fifty.

13 MR. JIMMERSON: A hundred 5-0?

14 THE COURT: Yes, 1-5 --

15 MR. JIMMERSON: Wow.

16 THE COURT: -- 0. And --

17 MR. JIMMERSON: Okay.

18 THE COURT: And --

19 MR. JIMMERSON: Well, you're not going to hear from
20 me tomorrow.

21 THE COURT: The Plaintiff has used approximately 30.

22 MR. JIMMERSON: It's probably the way you like it.

23 THE COURT: No. No.

24 MS. McFARLING: At this point in time with Defendant

1 resting, I'd like from that judgment as a matter of law under
2 NRCP 50B.

3 THE COURT: The oral motion is -- I -- I recognize
4 an oral motion has been made based on the evidence that's been
5 established. The Court denied the oral motion. We'll proceed
6 tomorrow. Okay?

7 MR. JIMMERSON: Thank you, Judge.

8 THE COURT: Thank you.

9 MS. MENTZEL: Does Your Honor --

10 MR. JIMMERSON: We'll see you tomorrow at 1:30.

11 MS. MENTZEL: -- have a full morning or is there --
12 is it all right for exhibit binders to be left in a corner
13 somewhere?

14 THE COURT: I do have a morning. I mean, if you
15 want to stack them to the side, I think we're okay.

16 MS. McFARLING: I mean, we can --

17 THE COURT: And I think we should be fine.

18 MS. McFARLING: -- put them back in there.

19 THE COURT: Well, we may have some room back here as
20 well, but those are other binders that belong to Mr. Jimmerson
21 as well. I'm getting a fortress here of -- of boxes. But
22 yeah, I mean, we -- we -- that -- they should be fine. All
23 right. Thank you.

24 MR. JIMMERSON: Thank you, Judge.

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(PROCEEDINGS CONCLUDED AT 16:58:22)

* * * * *

ATTEST: I do hereby certify that I have truly and
correctly transcribed the digital proceedings in the
above-entitled case to the best of my ability.

Adrian Medrano

Adrian N. Medrano

ORIGINAL

FILED

JUL 14 2017

Ann L. Hill
CLERK OF COURT

TRANS

EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

PATRICIA EGOSI,)	
)	CASE NO. D-16-540174-D
Plaintiff,)	
)	DEPT. Q
vs.)	
)	
YOAV EGOSI,)	
)	
Defendant.)	

BEFORE THE HONORABLE BRYCE C. DUCKWORTH
DISTRICT COURT JUDGE

TRANSCRIPT RE: EVIDENTIARY HEARING

WEDNESDAY, JUNE 14, 2017

1 APPEARANCES:

2 The Plaintiff:
3 For the Plaintiff:

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Las Vegas, Nevada 89146
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5 The Defendant:
6 For the Defendant:

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JAMES JIMMERSON, ESQ.
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I N D E X O F W I T N E S S E S

PLAINTIFF'S
WITNESSES:

DIRECT CROSS REDIRECT RECROSS

YOAV EGOSI	15	19	--	--
NICOLE RAWLEY	21	32	38	--
DAVID PLOTKIN	39	47	--	--
PATRICIA EGOSI	55	90	114	--

DEFENDANT'S
WITNESSES:

SHIEL EDLIN	117	138	--	--
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* * * * *

I N D E X O F E X H I B I T S

PLAINTIFF'S
EXHIBITS:

ADMITTED

8 - Email	68
9 - Email	108
10 - Email	72
11 - Email	74
12 - Email	108

DEFENDANT'S
EXHIBITS:

L, Page 1 - Balance	53
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1	Q - Green card application	100
2	U - Letter	36
3	W - Chat	49
4	UU, Page 1 - bank authorization	94
5	UU, Page 2 - bank records	97
6	GGG - Mr. Edlin bio	137
7	PPP - Emails	112
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1 LAS VEGAS, NEVADA

TUESDAY, JUNE 14, 2017

2 P R O C E E D I N G S

3 (THE PROCEEDINGS BEGAN AT 13:33:09)

4
5 THE CLERK: We're on.

6 THE COURT: We are on the record in the Egosi
7 matter, case D --

8 (COURT RECESSED AT 13:33 AND RESUMED AT 13:33)

9 THE COURT: -- 174-D. Please confirm your
10 appearances.

11 MS. McFARLING: Emily McFarling, bar number 8567,
12 appearing on behalf of the Plaintiff Patricia Egosi who's
13 present to my right. And to my left --

14 MS. MENTZEL: Samantha Mentzel, bar number 13001.

15 THE COURT: Good afternoon.

16 MR. JIMMERSON: I'm surrounded, Judge. Jim
17 Jimmerson, Kristine Brewer, on behalf of the Jimmerson Law
18 Firm. My bar number is 264.

19 MS. BREWER: And I'm 8387.

20 MR. JIMMERSON: And in our middle is our client,
21 Joseph Egosi.

22 THE COURT: Good afternoon.

23 MR. JIMMERSON: I would like to have the privilege
24 of introducing to you our expert witness Shiel Edlin from

1 Atlanta, Georgia. Mr. Edlin, please stand, please. And
2 Judge --
3 MR. EDLIN: Afternoon, sir.
4 THE COURT: Good afternoon.
5 MR. JIMMERSON: Judge Duckworth.
6 THE COURT: Welcome. All right. Welcome to Las
7 Vegas.
8 MR. EDLIN: Thank you.
9 MR. JIMMERSON: And I just want to make it -- I --
10 should have a good record. And I would like to have him of
11 course attend the proceedings and as an expert, he's permitted
12 under Rule 26 and 30, but I just wanted to --
13 THE COURT: Understood.
14 MR. JIMMERSON: -- make that formal request so we
15 have a good record, sir.
16 THE COURT: And -- and that is customary --
17 customary. Is there any objection to --
18 MS. McFARLING: And we are going to be objecting.
19 Well, first of all, we wanted to invoke the Exclusionary Rule
20 and we have --
21 MR. JIMMERSON: We agree.
22 MS. McFARLING: -- Defendant's father sitting in the
23 back.
24 MR. JIMMERSON: No, he knows to leave.

1 MS. McFARLING: Okay.

2 MS. MENTZEL: Okay.

3 MS. McFARLING: Second of all, we -- we are going to
4 be objecting to the expert witness, Your Honor. We received
5 an alleged report on Friday, do an expert witness report on
6 Friday. I -- I don't see any -- it's extremely prejudicial.
7 There's no way to even rebut that when we're --

8 MR. JIMMERSON: Hand me the disclosure.

9 MS. McFARLING: -- looking at trial on Tuesday when
10 we received an alleged report on Friday. And from my
11 understanding, the report is detailed exactly what the law in
12 Georgia is. It's my understanding Your Honor has the ability
13 to comprehend the law in Georgia. Both parties -- both sides
14 have done a thorough analysis of briefing of the law in
15 Georgia and I think this -- this expert opinion is going to be
16 prejudicial.

17 And second of all, I don't see it offering any
18 further than what Your Honor has already been briefed on which
19 is basically the law.

20 THE COURT: Okay. Mr. Jimmerson?

21 MR. JIMMERSON: Thank you, Judge. This witness was
22 disclosed on March 1 or March 2 of 2017, four months ago. His
23 report changed when he learned of the testimony of Mrs. Egosi
24 on May 30th. That's why the report was filed promptly in 11

1 days following the deposition and therefore there's no
2 prejudice to the Plaintiff because of the change in testimony
3 that you've heard and you would know -- and I'm not looking
4 into your own brain today, we'll hear it from you one way or
5 the other, but your internal thinking and thinking process as
6 to whether or not this is a different case than the one you
7 thought you had on May 20th.

8 I -- I think it would definitely demonstrate why
9 this man should be permitted to testify. He was disclosed --
10 his resume. He's known to -- to the Plaintiff's Counsel.
11 He's a mem -- member of the American Academy, he's a member of
12 the American College of Family Trial Lawyers. He is, if not,
13 the pre -- one of the half a dozen most prominent family law
14 lawyers in Atlanta, Georgia, but there's no prejudice to the
15 Plaintiff except for the natural fact that -- that he's giving
16 testimony and a report that's three pages long that details
17 his points.

18 And I discussed with you in my opening statement my
19 recognition. It's not the first time I've called a lawyer as
20 a witness and I'm not going to intrude upon your province and
21 if do, you'll -- you'll either object or you'll -- you'll
22 caution me, but that's no my intent. There's other parts of
23 his testimony that would be helpful to you and when you look
24 at NRS 48 and 49 which is the equivalent of, you know, FRCP

1 5.702, 703, and 704, I believe you'll find his testimony will
2 help and because it's a bench trial, you'll also have the
3 ability to accept it all, reject it all, or accept a portion
4 or reject other, so it's certainly -- it goes to issues.

5 And -- and when you look at the case law with regard
6 to lawyers serving as experts, they're always permitted to
7 testify about facts and ultimate facts and there is of course
8 the dividing line as to and not invading the province of the
9 Court, but that's left to you.

10 But I -- as I announced it at the opening of the
11 statement, I'm sensitive to that and you won't find me trying
12 to evade that. I -- I have great confidence in you and so the
13 -- the -- I'm not going to trifle with the Court, but I do
14 think it's important because it's an area of law that does not
15 based upon the statutes -- and that's why it's important,
16 Georgia law does not have -- not only does it not have the
17 Uniform Premarital Act like we do in Nevada, it doesn't have a
18 statute that speaks to prenuptials. Prenuptial law in Georgia
19 has evolved by cases dramatically changing in 2005 with the
20 Malon (ph) Georgia Supreme Court case. So that's why I think
21 it would be of --

22 THE COURT: Well, let --

23 MR. JIMMERSON: -- aid to the Court.

24 THE COURT: -- let -- let me ask. Is -- is

1 Counsel's objection -- objection more to the timing of the
2 report? It's not to the potential receipt by the Court of
3 expert --

4 MS. MENTZEL: Well --

5 THE COURT: -- testimony?

6 MS. MENTZEL: -- here -- here's also the objection,
7 Your Honor. The -- the person -- the expert witness was not
8 disclosed in March. He was disclosed May 15th of 2017 and
9 Defendant's amended discloses of expert witnesses and docs, we
10 literally -- we -- we've never even had a chance to talk to
11 this man, go over this report. He states conclusions of fact
12 in his report.

13 MR. JIMMERSON: Right.

14 MS. MENTZEL: There's actually a new case law in
15 Colorado that came out.

16 THE COURT: Well -- well, hang on. Before we get
17 into that, because, I mean, we're starting to -- to get into
18 some of the legal nuances and arguments and I -- and I'd
19 rather -- I want to make sure we use our time effectively to
20 -- to get the factual evidence into the record. And -- and I
21 can make determinations at a later time in regards to
22 additional testimony. And -- and obviously, I'll need some
23 clarification on exactly when the notice was provided of the
24 expert witness's designation. I --

1 MR. JIMMERSON: I'm quoting you for what I was told
2 by Ms. Brewer and I know that he was retained in that time
3 period, so.

4 THE COURT: And I -- and I understand as well. I've
5 had the chance to read the briefs that have been submitting by
6 the parties and that's also included the -- the opportunity
7 for the Court to -- to pull cases that have been cited in your
8 respective briefs and I -- I recognize some of those. Your
9 briefs reference a lot of the same cases from Allen to Cher to
10 Alexander and I've had a chance to review those cases as it --

11 MR. JIMMERSON: May I --

12 THE COURT: -- pertains to the application of
13 Georgia law. There may be some assistance to the Court in
14 hearing from someone who practices in Georgia recognizing that
15 we're perhaps more familiar. I'm more familiar with the
16 application of the Nevada statutory scheme. Do you have
17 something, Mr. Jimmerson?

18 MR. JIMMERSON: Yes, I do. March 1 of 2017, the
19 disclosure of Shiel Edlin, Page 3 of the Defendant's
20 disclosures of expert witnesses and documents, right on the
21 space right there.

22 MS. MENTZEL: And I still believe Your Honor --

23 MR. JIMMERSON: Excuse me, but could I have at least
24 an acknowledgment that --

1 THE COURT: Well, listen.

2 MR. JIMMERSON: -- there's a misstatement --

3 MS. MENTZEL: I -- I have seen --

4 MR. JIMMERSON: -- of the record?

5 MS. MENTZEL: I have seen that.

6 THE COURT: Well, listen. The -- the -- my -- my

7 point being, I have no problem -- let -- let's proceed with

8 testimony at -- at this point in time. It's my understanding

9 that the Plaintiff would be calling witnesses at the outset of

10 this. I don't think I need to spend anymore time going over

11 that aspect and certainly our -- our expert witness can remain

12 in the courtroom during these proceedings to listen to the

13 testimony.

14 If it becomes -- there is -- I'm going to defer on

15 ruling on the admission of any exhibit based on the timeliness

16 objection that you've raised, but it -- it doesn't appear to

17 apply to the potential expert appearing to testify as it

18 relates to --

19 MS. MENTZEL: Your Honor, we haven't even had a

20 chance to go through the report and retain our own expert.

21 This is also in the time line where we received about 12,000

22 documents, I believe. So it's the course of getting dumped

23 on. Our expert report getting dumped on I believe 17 binders

24 of documents to that -- to that effect. So it's looking at a

1 point where even if we're looking at allowing expert report in
2 or testimony, I don't believe the timeliness, because you have
3 to file -- or you have to disclose your expert -- expert -- is
4 it 20 days or 60 days? 60 days after the disclosure of the
5 financial disclosure form you have to list your expert
6 witness. I do not believe that had occurred in this place,
7 Your Honor.

8 Second of all, you're required to provide the report
9 for the expert. We don't even know what this man is going to
10 say. I believe it's 60 days prior to the -- I mean, close of
11 discovery, surely, not less than one business day prior to
12 your trial.

13 THE COURT: Well, listen. And -- and I -- I don't
14 want to spend much more time on this. This was set in a very
15 unique fashion as it relates to the pre -- prenuptial
16 agreement because both parties indicated this is a desi -- a
17 desired to have this litigated sooner rather than later. So
18 it was not necessarily set in the normal course of the
19 proceedings of this case. In fact, as I recall yesterday and
20 today originally were scheduled as trial dates on the custody
21 issue. At -- at par -- at both parties' request, I moved the
22 -- the custody aspect of this case and utilized today's date
23 and yesterday's date for purposes of -- of the trial of the
24 prenuptial agreement.

1 THE COURT: Okay.

2 (WITNESS SUMMONED)

3 MR. JIMMERSON: Go get them, tiger.

4 MS. MENTZEL: And -- and Your Honor, I would ask to
5 exclude the -- the expert witness simply due to the fact that
6 they're only hearing testimony that's occurring today. We
7 also haven't heard any -- the witness hasn't heard any
8 testimony that came through yesterday.

9 THE COURT: Understood, but that's not a basis to
10 exclude the --

11 MS. MENTZEL: Okay.

12 THE COURT: -- expert, so the -- the request is
13 denied. Please raise your right hand and stand to be sworn.

14 THE CLERK: You do solemnly swear the testimony
15 you're about to give in this action shall be the truth, the
16 whole truth, and nothing but the truth, so help you God?

17 MR. EGOSI: Yes, sir.

18 THE COURT: You may be seated. Counsel, you may
19 proceed.

20 YOAV EGOSI
21 called as a witness on behalf of the Plaintiff, having been
22 first duly sworn, did testify upon his oath as follows on:

23 DIRECT EXAMINATION

24 BY MS. MENTZEL:

1 That being said, we didn't have a true discovery
2 order, unfortunately, and perhaps in retrospect, but in an
3 effort to try and expedite the processing of this case, I set
4 these days aside for the purpose of taking testimony about the
5 prenup -- pre -- prenuptial agreement.

6 It does appear from what I'm -- what I'm hearing
7 that there was notice of an expert being designated in --

8 MR. JIMMERSON: March 1.

9 THE COURT: -- March 1 of -- of this year. I
10 recognize there still may be a valid objection to the
11 admissibility of a report, but I don't find that there would
12 be a basis to -- to do that testimony if necessary.

13 Again, I've indicated and I repeat that I've had a
14 chance to review the memorandums that have been submitted.
15 Both parties have extensively referenced, cited, and quoted
16 portions of case law from the state of Georgia and I've had a
17 chance to pull some of those cases to lake -- take a look at
18 that as it applies to this case recognizing that that is the
19 -- the choice of law designated in the prenuptial agreement.

20 So let's -- let's go ahead and proceed with evidence
21 at this time and the Plaintiff may call your -- your first
22 witness.

23 MS. MENTZEL: Your Honor, we would like to call Joe
24 Egosi to the stand.

1 Q Patricia began working for Hawk Communications in
2 2007, correct?

3 A That is correct.

4 Q And Patricia's work schedule was approximately 40
5 hours a week, correct?

6 A In what time frame, please?

7 Q Beginning in 2007 when she began working for you.

8 A In 2007, it was.

9 Q Yes. And for how long did she continue working for
10 40 hours per week?

11 A Until we got married more or less.

12 Q And you were married on what day again, sir?

13 A September 26th, 2008.

14 Q So Patricia worked full-time for approximately -- is
15 that 18 months, is that correct?

16 A That is correct.

17 MR. JIMMERSON: Objection, that misstates the
18 record.

19 MS. MENTZEL: I -- I --

20 THE COURT: It's overruled.

21 THE WITNESS: There is one caveat to that. Let me
22 correct that. When we traveled --

23 MS. MENTZEL: There is no question pending --

24 THE WITNESS: Okay.

1 MS. MENTZEL: -- sir.
2 THE WITNESS: When we traveled --
3 MS. MENTZEL: There is no question --
4 THE WITNESS: Okay.
5 MS. MENTZEL: -- pending.
6 THE COURT: Wait -- wait --
7 MS. MENTZEL: I move --
8 THE COURT: -- for another --
9 MS. MENTZEL: -- to strike.
10 THE COURT: -- question.
11 THE WITNESS: Yes, sir.
12 BY MS. MENTZEL:
13 Q And did she work for Hawk Communications after
14 marriage?
15 A On and off.
16 MS. MENTZEL: The Court's indulgence for a moment,
17 Your Honor.
18 Q Okay. So after marriage on and off, you didn't pay
19 her, did you?
20 A She did get some compensation.
21 Q Okay. And prior to marriage, how much did you pay
22 her?
23 A About \$3,000 a month.
24 Q And how did you pay her?

1 A Checks and at some point some money.
2 Q Do you have any proof of that payment?
3 A I'm sure we do. I mean, I'm sure I can get it. I
4 don't have it in front of me.
5 Q Have you ever used any illegal substances?
6 A No.
7 Q Have you ever smoked marijuana?
8 A No.
9 Q Have you ever used ecstasy?
10 A No.
11 Q Have you ever used GHB?
12 A No.
13 Q Have you ever used meth?
14 A No.
15 MR. JIMMERSON: Objection, Judge. I thought this
16 case had to do with the prenuptial agreement.
17 THE COURT: Understood. It -- it's an objection as
18 to relevance. The objection is overruled.
19 BY MS. MENTZEL:
20 Q And prior to marriage, did you ever tell Patricia
21 the value of your business?
22 A It was not something that she asked.
23 Q And after marriage, did you ever tell Patricia the
24 value of your business?

1 A It was not something that she asked.

2 MS. MENTZEL: I have no further questions, Your
3 Honor.

4 THE COURT: Any questions, Counsel?

5 MR. JIMMERSON: Yes, I do.

6 CROSS EXAMINATION

7 BY MR. JIMMERSON:

8 Q Mr. Egosi, did your wife have credit cards prior to
9 marriage?

10 MS. MENTZEL: Objection, beyond the scope.

11 MR. JIMMERSON: Well, if I may. My scope is what
12 drugs did you not ever take, and then I have no other
13 questions, Judge. I mean, that -- that's all.

14 THE COURT: Okay.

15 MR. JIMMERSON: I was just trying to introduce a
16 document into -- into evidence. Thank you.

17 THE COURT: Okay. All right. You may step down.
18 Thank you.

19 THE WITNESS: Thank you, sir.

20 (WITNESS EXCUSED)

21 MS. MENTZEL: Your Honor, I would like to call
22 Nicole Rawley to the stand.

23 (WITNESS SUMMONED)

24 MS. MENTZEL: And for the record, I know we admitted

1 his deposition yesterday, Mr. Egosi's deposition. I would
2 like to publish his deposition.

3 THE COURT: Okay. I know that practice was referred
4 to yesterday, but --

5 MS. MENTZEL: Yes.

6 MR. JIMMERSON: I -- I have no objection.

7 THE COURT: That -- that's fine.

8 MR. JIMMERSON: I -- I want to confirm that wife --
9 that wife's deposition is also admitted --

10 MS. MENTZEL: Absolutely.

11 MR. JIMMERSON: -- Ms. Mentzel.

12 MS. MENTZEL: Yes.

13 MR. JIMMERSON: Is that right?

14 THE COURT: I -- I believe it is. Let me just let
15 you know just for -- for purposes of the record, the exhibits
16 that I'm -- I'm showing that -- that have been admitted
17 include -- that also I believe include the deposition
18 transcripts of both parties --

19 MR. JIMMERSON: Thank you.

20 THE COURT: -- are Exhibits ZZ, Triple A, Triple E,
21 Triple J, Triple L, Triple N, YY and 7 and 22, just so you're
22 aware.

23 MR. JIMMERSON: Okay. Thank you.

24 THE COURT: All right. Please raise your right hand

1 to be sworn.

2 THE CLERK: You do solemnly swear the testimony
3 you're about to give in this action shall be the truth, the
4 whole truth, and nothing but the truth, so help you God?

5 MS. RAWLEY: Yes.

6 THE COURT: You may be seated.

7 THE WITNESS: Thank you.

8 THE COURT: Counsel, you may proceed.

9 NICOLE RAWLEY

10 called as a witness on behalf of the Plaintiff, having been
11 first duly sworn, did testify upon her oath as follows on:

12 DIRECT EXAMINATION

13 BY MS. MENTZEL:

14 Q Please state your name for the record.

15 A Nicole Raizer (ph) Rawley.

16 Q Will you spell your last name for me, Nicole,
17 please?

18 A R-a-w-l-e-y.

19 Q And what is your current address?

20 A 5200 Peachtree Road Northeast, Unit 3109, Atlanta,
21 Georgia, 30341.

22 Q And do you know Plaintiff Patricia Egosi?

23 A Yes, I do.

24 Q And do you know Defendant Joe Egosi?

1 A Yes, I do.

2 Q And how did you meet Patricia?

3 A We met through a mutual friend, Claire Hudson (ph).

4 Q Okay. And in what year did you meet her?

5 A Well, we think 2009. We can't remember. We talked
6 about 2008, maybe the end or 2009 the beginning.

7 Q So it's your -- somewhere between the end of 2008
8 and beginning of 2009?

9 A Yes --

10 Q Okay.

11 A -- ma'am.

12 Q And what state did you meet in?

13 A In Georgia.

14 Q And was Patri -- Patricia married when you met her?

15 A Yes.

16 Q And who was she married to?

17 A She's married to Joe Egosi.

18 Q Okay. And what location did meet Patricia at? I --
19 you went through Georgia. Was there a business? Was there a
20 house?

21 A We met at Tattletale.

22 Q And is Tattletale?

23 A It's a nightclub.

24 Q Okay. And is that a striclub?

1 A Yes.

2 Q Okay. And was it your understanding that Joe and
3 Patricia were living in Georgia at that time?

4 A Yes.

5 Q And how did you meet Joe?

6 A He was there the night I met Patricia.

7 Q So you two met both the very same night.

8 A Yes.

9 Q Okay. Or you three met the same time.

10 A Yes.

11 Q Okay. So you said a friend introduced you. Tell me
12 what happened here.

13 A I met Claire -- oh, sorry. I already knew Claire,
14 but she introduced me to Patricia and we went back and sat
15 with her and Joe and we all talked and traded numbers and
16 became friends.

17 Q Okay. And were working as a stripper at that time?

18 A Yes.

19 Q Okay. And did you dance for them that night?

20 A No.

21 Q Have you ever had sexual relations with Joe?

22 A Yes.

23 Q Have you ever had them with Patricia?

24 A No.

1 Q Was Patricia aware of your sexual relations with
2 Joe?

3 A Yes.

4 Q Okay. And how do you know she was aware?

5 A Because she was there.

6 Q So --

7 MR. JIMMERSON: Your Honor --

8 Q -- you met --

9 MR. JIMMERSON: -- excuse me.

10 Q -- you don't --

11 MR. JIMMERSON: I'm going to object at this time. I
12 don't understand the relevance. It's not a question. All of
13 it is post-August 13, 2008. All of it is after marriage
14 September 26, 2008. I am --

15 THE COURT: What --

16 MR. JIMMERSON: -- completely at a loss to
17 understand what is the --

18 THE COURT: What's --

19 MR. JIMMERSON: -- relevance.

20 THE COURT: -- the offer as to relevance, Counsel?

21 MS. MENTZEL: Your Honor, the offer of relevance is
22 I'm getting to her understanding of Patricia's English
23 language even after the parties have signed the prenuptial
24 agreement, even after the parties have married. This person

1 will testify that she was intimately involved with both
2 parties even after this and can tell what the -- Patricia's
3 understanding what the relations was after that.

4 It's also a witness to rebut --

5 THE COURT: Are these -- are these specific -- I'm
6 not saying what -- what does this witness have to offer. What
7 -- these --

8 MS. MENTZEL: And --

9 THE COURT: -- questions about --

10 MS. MENTZEL: And --

11 THE COURT: -- sexual --

12 MS. MENTZEL: -- I'm laying foundation --

13 THE COURT: -- relations --

14 MS. MENTZEL: -- of how well she actually knows
15 these people.

16 MR. JIMMERSON: Judge, this lawyer knows she's
17 trying to blacken the client and blacken her --

18 THE COURT: I --

19 MR. JIMMERSON: -- own client in the same breadth.
20 We know have tit and now we're looking for tat. I mean,
21 that's what -- this --

22 THE COURT: Well, listen.

23 MR. JIMMERSON: -- is all is about.

24 THE COURT: I -- I --

1 MR. JIMMERSON: It's irrelevant, Judge. I move to
2 strike the testimony.

3 THE COURT: Well, I'm -- I'm going to overrule the
4 objection, but I don't -- I don't want much time spent on
5 this.

6 MS. MENTZEL: Thank you, Your Honor.

7 BY MS. MENTZEL:

8 Q So over the course of -- after you met the parties,
9 how many times per week did you start -- start seeing the
10 parties?

11 A Well, it -- it varied, you know. Some weeks maybe I
12 didn't see them at all, but we became good friends. So some
13 weeks I saw them several times a week.

14 Q And when you met Patricia end of 2008, 2009, you had
15 conversations with her, is that correct?

16 A Sure.

17 Q Okay. And why don't you describe to me how those
18 conversations went?

19 A Well, I'm not sure I really understand what --

20 Q Let me rephrase. Were -- were your conversations
21 with Patricia detailed lengthy conversations?

22 A Oh, no. I mean, you know, she -- she's spoke broken
23 English. She still kind of does sometimes depending on the
24 subject matter.

1 Q Would you say she speaks better English now or then?

2 A Now.

3 Q Now. And would you say it was -- how -- how much
4 better?

5 A A lot.

6 Q And have you ever done any drugs?

7 A Yes, I have.

8 Q Yes? And have you ever done any drugs with Joe?

9 A Yes, I have.

10 Q Will you name a few of the drugs you've seen Joe
11 personally do?

12 MR. JIMMERSON: Judge, a foundation, Your Honor. If
13 we're going to allow this testimony, I move to object on the
14 grounds --

15 THE COURT: Sustained.

16 MR. JIMMERSON: -- it's irrelevant.

17 THE COURT: Sustained.

18 MR. JIMMERSON: Thank you.

19 BY MS. MENTZEL:

20 Q Can you tell me what drugs you've done?

21 MR. JIMMERSON: Objection, Judge. Or you've done?

22 MS. MENTZEL: You've.

23 MR. JIMMERSON: Thank you.

24 MS. MENTZEL: I --

1 MR. JIMMERSON: I still think it's a -- I'm going to
2 object as I think it's still irrelevant, Judge.
3 MS. MENTZEL: Your Honor, we're looking --
4 THE COURT: Overruled.
5 MR. JIMMERSON: She's not a --
6 THE COURT: Overruled.
7 MS. MENTZEL: We're looking at impeachment --
8 THE COURT: Overruled.
9 MS. MENTZEL: -- of a witness.
10 BY MS. MENTZEL:
11 Q Can you tell me what drugs you've done?
12 A I've done cocaine, I've smoked marijuana, I've done
13 ecstasy.
14 Q Have you -- have you ever seen Defendant do any
15 drugs?
16 A Yes, I have.
17 Q Can you tell me what drugs those are?
18 MR. JIMMERSON: Objection, Judge. Same objection.
19 MS. MENTZEL: Well --
20 THE COURT: Foundation. Sustained.
21 MS. MENTZEL: Your Honor, this is direct rebuttal
22 testimony. I don't know how much more we had. We had
23 Defendant sit and testify to the fact that he has never used
24 an illegal substance. We now have somebody directly up who is

1 saying that -- who can show --

2 THE COURT: I -- I bet there still needs to be a
3 foundation laid. I have no foundation as to --

4 MS. MENTZEL: The time frame.

5 THE COURT: -- circumstances, time --

6 MS. MENTZEL: Okay. Okay.

7 MR. JIMMERSON: In addition, it's a collateral
8 matter and the Rules of Evidence of Nevada require that there
9 -- you accept the witness's testimony on collateral matters.
10 This is not an issue before the Court. This is not central to
11 the issues --

12 THE COURT: Understood.

13 MR. JIMMERSON: -- of enforcement of the prenuptial
14 agreement. So the Rules of Evidence would also impeach --
15 render irrelevant the question.

16 BY MS. MENTZEL:

17 Q In the first week between 2008 and 2009, did you do
18 any drugs with Joe Egosi in the first week that you met the
19 parties?

20 MR. JIMMERSON: Same objection, Judge.

21 THE COURT: Overruled.

22 THE WITNESS: Yes, I did.

23 BY MS. MENTZEL:

24 Q Okay. Can you tell me what drugs you did?

1 A Cocaine.

2 Q Okay. And you have been with the parties -- let's

3 say the first year you knew the parties between 2008 and 2009.

4 A Okay.

5 Q Can you tell me how -- what drugs you did with the

6 -- with Joe Egosi in the first year you knew him?

7 MR. JIMMERSON: Same objection, Judge.

8 THE COURT: Overruled.

9 THE WITNESS: Probably the same that I listed. I

10 mean, I -- I can't be certain, because this would be any

11 number of nights. I -- I can't be certain how many nights we

12 saw each other over a year's time.

13 BY MS. MENTZEL:

14 Q Over a -- over the year -- were there usually drugs

15 involved?

16 A Yes.

17 Q So did you see Joe specifically do cocaine in the

18 first week that you met him?

19 MR. JIMMERSON: Objection, Judge.

20 THE COURT: Overruled.

21 THE WITNESS: Yes.

22 BY MS. MENTZEL:

23 Q Did you see -- have -- did you see Joe -- Joe

24 specifically do --

1 MR. JIMMERSON: Objection, Your Honor. The question
2 is --
3 Q -- meth --
4 MR. JIMMERSON: -- leading.
5 Q -- in the first year you first --
6 THE COURT: Overruled.
7 Q -- met him?
8 THE WITNESS: No.
9 BY MS. MENTZEL:
10 Q No. Have you ever seen -- you've known Joe for how
11 many years now?
12 A Well, since 2000 -- late 2008, 2009.
13 Q Okay. And so when is the last time you saw Joe do
14 meth?
15 A The last time I visited them at their house here in
16 Vegas.
17 Q And when was that?
18 A Sometime in late 2014.
19 Q Okay. And where did you see -- we're at his house
20 at Vegas --
21 A Yes.
22 Q -- right? And where at his house in -- in Vegas did
23 you see him do that?
24 A The office.

1 Q The office. And were you privy to where the drugs
2 were kept?

3 A I know some were kept in the closet.

4 Q In -- in what closet?

5 A Well, they had her stuff in the left and most of his
6 things in the right, so it was in the right.

7 Q So you -- you believe that was Joe's closet.

8 A Yeah.

9 Q And you --

10 MR. JIMMERSON: Objection --

11 Q -- saw drugs.

12 MR. JIMMERSON: -- Your Honor. There's no
13 foundation. It calls for speculation.

14 THE COURT: Sustained.

15 MR. JIMMERSON: It's terrible.

16 MS. MENTZEL: I have no further questions, Your
17 Honor.

18 THE COURT: Any cross examination?

19 MR. JIMMERSON: Three questions.

20 CROSS EXAMINATION

21 BY MR. JIMMERSON:

22 Q When was Ben Egosi born?

23 A In 2014.

24 Q And how -- did you see Mr. Egosi in 2014?