#### IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \* \* \* \* \* \* \* \*

Electronically Filed Sep 21 2020 04:21 p.m. Elizabeth A. Brown

AHED SAID SENJAB,

S.C. No.:

Glegk of Supreme Court

Petitioners,

VS.

MOHAMAD ALHULAIBI,

Respondent.

D.C. Case No.: D-20-606093-D

### Appellant's Appendix - Volume III

### **Attorney for Appellant:**

Marshal S. Willick, Esq.
Nevada Bar No. 2515
Richard L. Crane, Esq.,
Nevada Bar No. 9536
WILLICK LAW GROUP
3591 East Bonanza Road, Suite 200
Las Vegas, Nevada 89110-2101
(702) 438-4100

Email: email@willicklawgroup.com

#### **Attorneys for Respondent:**

David Markman, Esq. Nevada Bar No. 12440 Markman Law 4484 S. Pecos Rd, Ste. 130 Las Vegas, Nevada 89121 (702) 843-5899

Email: <u>David@MarkmanLawfirm.com</u>

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3.	Request for Issuance of Joint Preliminary Injunction	3/24/2020	AA000006
4.	Summons	3/26/2020	AA000007
5.	Joint Preliminary Injunction	3/26/2020	AA000008 - AA000009
6.	Affidavit of Service	3/26/2020	AA000010
7.	Request for Waiver of Program Attendance	4/14/2020	AA000011 - AA000012
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17. Court Minutes  2nd Supplemental Exhibits in Support of Plaintiff's Opposition to Defendant's Motion to Dismiss for Lack of Jurisdictional Requirements  19. Confidential Exhibit of Plaintiff's Memorandum of Law in Opposition of Defendant's Motion to Dismiss  20. Plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Defendant's Motion to Dismiss  21. Exhibit in Support of Plaintiff's Memorandum of Law in Opposition of Defendant's Motion to Dismiss  22. Defendant's Supplemental Briefing in Support of His Motion to Dismiss  23. Confidential Exhibit in Support of Plaintiff's Memorandum of Law in Opposition of Defendant's Motion to Dismiss  24. Court Minutes  5/20/2020 AA000018  6/8/2020 AA000125 - AA000146 - AA000211  AA000212 - AA000213  AA000213 - AA000218  AA000225  AA000226 - AA000226 - AA000227  Findings of Fact, Conclusions of Law, Decision  6/17/2020 AA000228 -	16.	Opposition to Defendant's Motion to Dismiss for	5/18/2020	
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Defendant's Motion to Dismiss  Exhibit in Support of Plaintiff's Memorandum of Law in Opposition of Defendant's Motion to Dismiss  Defendant's Supplemental Briefing in Support of His Motion to Dismiss  Confidential Exhibit in Support of Plaintiff's Memorandum of Law in Opposition of Defendant's Motion to Dismiss  Confidential Exhibit in Support of Plaintiff's Memorandum of Law in Opposition of Defendant's Motion to Dismiss  Court Minutes  Findings of Fact, Conclusions of Law, Decision  6/17/2020 AA000228 -	19.	of Law in Opposition of Defendant's Motion to	6/8/2020	
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35.	Plaintiff's Opposition to "Mohamad Alhulaibi's Ex parte Petition/Motion for an Order Requiring Production of the Minor Child; For Issuance of a Warrant for the Pick-Up of the Minor Child; for an Order Preventing Abduction of the Minor Child Pursuant to NRS 125D; For a Return Order for the Minor Child to His Home Country of Saudi Arabia" and Plaintiff's Countermotion/Peititon for Abduction Prevention Measures, for Orders Prohibiting Removal of Child From Las vegas, for Court Safeguard of Child's Passport; For Limited Visitation by a Perpetrator of Domestic Violence; Stay of Order for Dismissal of Case; and for Attorney Fees and Costs.	7/1/2020	AA000293 - AA000321
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42.	Mohamad Alhulaibi's Reply in Support of Ex Parte Petition/Motion for an Order Requiring Production of the Minor Child; For Issuance of a Warrant for the Pick-Up of the Minor Child; for an Order Preventing Abduction of the Minor Child Pursuant to NRS 125D; For a Return Order for the Minor Child to His Home Country of Saudi Arabia and Mohamad's Motion to Strike Plaintiff's Supplement of Appellate Counsel Concerning the Pending Cross motions, NRS 125D Application, and Stay to Request on Appeal	7/28/2020	AA000415 - AA000440
43.	Exhibit 1 - Reply in Support of Return Order Declaration of Hani Yousef Al-Saadawi	8/3/2020	AA000441 - AA000449
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57.	Transcript re: All Pending Motions - Wednesday, May 20 <sup>th</sup> , 2020	8/28/2020	AA000510 - AA000534
58.	Final Billing of Transcripts (Fees Waived)	8/28/2020	AA000535
59.	Certification of Transcripts & Notification of Completion	8/28/2020	AA000536

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## DISTRICT COURT CLARK COUNTY, NEVADA

Divorce - Complaint COURT MINUTES August 04, 2020

D-20-606093-D Ahed Said Senjab, Plaintiff

VS.

Mohamad Abulhakim Alhulaibi, Defendant.

August 04, 2020 11:00 AM All Pending Motions

HEARD BY: Ritchie, T. Arthur, Jr. COURTROOM: RJC Courtroom 03G

COURT CLERK: Prock, Kathy

**PARTIES PRESENT:** 

Ahed Said Senjab, Plaintiff, Present April S. Green, Attorney, Present

Marshal Shawn Willick, Attorney, Present

Mohamad Abulhakim Alhulaibi, Defendant, Present David Markman, Attorney, Present

Ryan Mohamad Alhulaibi, Subject Minor, Not Present

#### **JOURNAL ENTRIES**

DEFENDANT'S MOHAMAD ALHULAIBI'S EX PARTE PETITION/MOTION FOR AN ORDER REQUIRING PRODUCTION OF THE MINOR CHILD; FOR THE ISSUANCE OF A WARRANT FOR THE PICK-UP OF THE MINOR CHILD; FOR AN ORDER PREVENTING ABDUCTION OF THE MINOR CHILD PURSUANT TO NRS 125D; FOR A RETURN ORDER FOR THE MINOR CHILD TO HIS HOME COUNTRY OF SAUDI ARABIA...PLAINTIFF'S REPLY IN SUPPORT OF PLAINTIFF'S MOTION FOR AN ORDER TO SHOW CAUSE WHY DEFENDANT SHOULD NOT BE HELD IN CONTEMPT FOR FAILURE TO ABIDE BY THE COURT ORDER REGARDING PLAINTIFF'S TIMESHARE, FOR PENALTIES AND SANCTIONS AGAINST DEFENDANT, FOR AN EMERGENCY PICK UP ORDER, FOR MAKEUP TIME, TO AMEND PLEADINGS, FOR ATTORNEY'S FEES AND COSTS, AND FOR OTHER RELATED RELIEF...MOHAMAD'S OPPOSITION TO PLAINTIFF'S COUNTERMOTION

This matter is a companion case with T-20-203688-T heard simultaneously.

Court interpreter (Arabic), Dalyia Ahmed, present on behalf of the Plaintiff.

Both parties, Court interpreter, Attorney Green, Attorney Markman, and Attorney Willick appeared telephonically, pursuant to the Administrative Orders for public safety.

Court noted this hearing stems from the disposing of the granting of the Motion To Dismiss. Further, Defendant filed timely the Notice Of Appeal.

Court stated the case was dismissed, the matter is on appeal, and the Defendant's Motion and Plaintiff's Countermotion seek relief not collateral to the appeal. Further, filing these Motions in a case that was dismissed, is not appropriate and the relief requested is DENIED for lack of jurisdiction.

If the result of the appeal results in the reverse of the dismissal of the case, then these issues can be heard. Until that happens, this Court is not the appropriate place to file these Motions. The appeal will proceed.

Printed Date: 8/12/2020 Page 1 of 2 Minutes Date: August 04, 2020

Attorney Willick and Attorney Green shall prepare the Order and Attorney Markman will approve as to form and content.

For further information, see Minute Order in case no. T-20-203688-T.

**INTERIM CONDITIONS:** 

**FUTURE HEARINGS:** 

#### **ELECTRONICALLY SERVED** 8/10/2020 11:56 AM

Electronically Filed 08/10/2020 11:56 AM CLERK OF THE COURT

NOTC 1 WILLICK LAW GROUP MARSHAL S. WILLICK, ESQ. 2 Nevada Bar No. 2515 3591 E. Bonanza Road, Suite 200 3 Las Vegas, NV 89110-2101 Phone (702) 438-4100; Fax (702) 438-5311 4 email@willicklawgroup.com 5 LEGAL AID CENTER OF SOUTHERN NEVADA, INC. 6 APRIL S. GREEN, ESQ. Nevada Bar No.: 8340C 7 BARBARA E. BUCKLEY, ESQ. 8 Nevada Bar No. 3918 725 E. Charleston Blvd. 9 Las Vegas, Nevada 89104 Phone (702) 386-1415 10 asgreen@lacsn.org 11 Attorneys for Applicant 12 DISTRICT COURT **FAMILY DIVISION** 13 **CLARK COUNTY, NEVADA** 14 15 CASE NO: T-20-203688-T AHED SAID SENJAB, 16 DEPT. NO: Applicant, 17 VS. 18 MOHAMAD ABULHAKIM ALHULAIBI, 19 Adverse Party. 20 21 ORDER FOR PREVENTION OF ABDUCTION 22 This matter coming before the Court pursuant to NRS 125D, on Mohamad 23

Alhulaibi's Ex Parte Petition/Motion for an Order Requiring Production of the Minor Child; for the Issuance of a Warrant for the Pick-Up of the Minor Child; for an Order Preventing Abduction of the Minor Child Pursuant to NRS 125D; for a Return order for the Minor Child to his Home Country of Saudi Arabia, and upon Plaintiff's Opposition to Mohamad Alhulaibi's Ex Parte Petition/Motion for an Order Requiring

WILLICK LAW GROUP 3591 East Bonanza Road Suite 200

Las Vegas, NV 89110-2101 (702) 438-4100

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AA000473

Case Number: T-20-203688-T

### THE COURT HEREBY FINDS:

That custody of the following child is at issue: RYAN MOHAMAD 1. ALHULAIBI, born February 16, 2019

Production of the Minor Child; for the Issuance of a Warrant for the Pick-Up of the

Minor Child; for an Order Preventing Abduction of the Minor Child Pursuant to NRS

125D; for a Return order for the Minor Child to his Home Country of Saudi Arabia

and Plaintiff's Countermotion/Petition for Abduction Prevention Measures, for Orders

Prohibiting Removal of Child from Las Vegas, for Court Safeguard of Child's

Passport, for Limited Visitation by a Perpetrator of Domestic Violence, Stay of Order

for Dismissal of Case; and for Attorney's Fees and Costs; and subsequent Replies and

Exhibits; Plaintiff, AHED SAID SENJAB, appearing telephonically, and represented

by LEGAL AID CENTER OF SOUTHERN NEVADA, INC., by APRIL GREEN,

ESQ., and Associate Counsel, Marshal Willick, Esq., of the Willick Law Group, Court

Certified Interpreter, Dalyia Ahmed (Arabic Language); and Defendant, MOHAMAD

ABULHAKIM ALHULAIBI, appearing telephonically, and represented by DAVID

MARKMAN, ESQ., of Markman Law, and the Court having reviewed the papers and

pleadings, and good cause appearing, the Court finds as follows:

- a Temporary Order for Protection Against Domestic Violence was issued and 2. remains in effect until February 21, 2021, unless further extended, restraining Adverse Party, MOHAMAD ABULHAKIM ALHULAIBI, from contacts and domestic violence against Applicant, AHED SAID SENJAB.
- Adverse Party, MOHAMAD ALHULAIBI, was awarded modified visitation 3. with the subject minor child each Thursday at 6:00 p.m. until Sunday at 5:00 p.m. with visitation exchanges to take place at Donna's House located at the Family Courthouse at 601 N. Pecos Road, Las Vegas, Nevada, 89101.
- 4. The subject child shall not travel or be taken outside of either the State of Nevada or the United States for any purpose; this Order shall be filed and registered with the United States Department of State's Child Passport Issuance

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Alert Program and any relevant child abduction prevention program to prevent the removal of the subject child from the United States of America. This Order is intended specifically to preclude the child's removal from this Country.

5. It is in the best interest of RYAN MOHAMAD ALHULAIBI, minor child, to be picked up wherever he may be located by law enforcement and placed in the custody of the Plaintiff pending further Order of the Court in the event the Adverse Party, Father of the Child, MOHAMAD ABULHAKIM ALHULAIBI, attempts to remove him from the State of Nevada or from the United States of America.

#### THE COURT HEREBY ORDERS:

- 1. This Order shall be filed and registered with the United States Department of State's Child Passport Issuance Alert Program and any relevant child abduction prevention program to prevent the removal of the subject child from the United States of America in contravention of this Court Order.
- 2. It is in the best interest of RYAN MOHAMAD ALHULAIBI, minor child, to be picked up along with his belongings, clothing, and personal effects wherever he may be located by law enforcement in the event the Adverse Party, Father of the Child, MOHAMAD ABULHAKIM ALHULAIBI, attempts to remove him from the State of Nevada or from the United States of America, and law enforcement shall transport the child to CHILD HAVEN located at 601 North Pecos Blvd., Las Vegas, Nevada, or to the care of Plaintiff, AHED SAID SENJAB.

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1	3. Should those events occur, Plaintiff, AHED SAID SENJAB, shall notify this
2	Court as soon as practicable after the child is returned or transported to Child
3	Haven.
4	DATED this day of August, 2020. Dated this 10th day of August, 2020
5	
6	At Ketchie
7	DISTRICT COURT JUDGE  DATED this 6 <sup>th</sup> day of August, 2020 549 67A BA18 116F
8	Respectfully submitted, T. Arthur Ritchie
9	LEGAL AID CENTER OF District Court Judge SOUTHERN NEVADA, INC.
10	
11	19 per DUC
12	APRIL GREEN, ESQ. Nevada Bar No.: 8340C
13	BARBARA BUCKLEY, ESQ. Nevada Bar No.: 3918
14	725 E. Charleston Blvd. Las Vegas, Nevada 89104 (702) 386-1070 x 1414
15	Attorney for Plaintiff
16	asgreen@lacsn.org
17	
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WILLICK LAW GROUP 3591 East Bonanza Road Suite 200 Las Vegas, NV 89110-2101 (702) 438-4100

1	CSERV	
2	0	ISTRICT COURT
3		K COUNTY, NEVADA
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6	Ahd Sinjab, Applicant	CASE NO: T-20-203688-T
7	VS	DEPT. NO. Department H
8	Mohamad Alhulaibi, Adverse	
9	Party	
10		_
11	AUTOMATED	CERTIFICATE OF SERVICE
12 13		ervice was generated by the Eighth Judicial District d via the court's electronic eFile system to all he above entitled case as listed below:
14	Service Date: 8/10/2020	
15	April Green, Esq. as	green@lacsn.org
16 17	Aileen Yeo A	Yeo@lacsn.org
18	Ahd Sinjab ah	ndsinjab@gmail.com
19	David Markman D	avid@markmanlawfirm.com
20		
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1	FILED
2	AUG 1 3 2020
3	CLERK OF COURT
4	EIGHTH JUDICIAL DISTRICT COURT
5	FAMILY DIVISION
6	CLARK COUNTY, NEVADA
7	AHED SAID SENJAB, ) CASE NO. D-20-606093-D
8	Plaintiff ) DEPT. H
9	vs. ) APPEAL NO. 81515
10	MOHAMAD ALHULAIBI, )  Defendant. )
11	ESTIMATE OF EXPEDITED TRANSCRIPT(S)
12	
13	The office of Transcript Video Services received a request for transcript estimate from April S. Green, Esq. on August 5th, 2020 for the following proceedings in the above-captioned case:
14	
15	AUGUST 4TH, 2020
16	The estimated cost of the expedited transcript is \$124.00. Payment in the amount of \$124.00, payable to Clerk of Court,
17	must be presented to the Transcript Video Services Office prior to work commencing on the transcript. The Clerk accepts cashier's check, money order, MasterCard/Visa or exact cash.
18	
19	Dated this 13th day of August, 2020.

Quentin Mansfield, Transcriber Transcript Video Services Transcript ESTIMATE amount of \_\_\_\_Check#\_ CC CASH CLERK

This is only an  ${\tt ESTIMATE}$ . Upon completion of transcript(s), a balance may be due, or you may receive a refund of your deposit if overpayment is greater than \$15.00. NOTE: STATUTORY FEES ARE SUBJECT TO CHANGE PER LEGISLATIVE SESSION. Items left beyond 90 days are subject to disposal without refund.

24 COUNTY RETENTION POLICY APPROVED BY INTERNAL AUDIT

Received by \_

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Electronically Filed 8/13/2020 12:17 PM Steven D. Grierson CLERK OF THE COURT

1	RTPR APRIL S. GREEN, ESQ.
2	Nevada Bar No.: 8340C
3	BARBARA E. BUCKLEY, ESQ. Nevada Bar No.: 3918
4	LEGAL AID CENTER OF SOUTHERN NEVADA, INC. 725 East Charleston Blvd.
5	Las Vegas, NV 89104 (702) 386-1415 Direct/Fax
6	(702) 386-1070 Ext. 1415 asgreen@lacsn.org
7	Attorneys for Plaintiff
	DISTRICT COURT FAMILY DIVISION
8	CLARK COUNTY, NEVADA
9	AHED SAID SENJAB,
10	Plaintiff, ) Case No.: D-20-606093-D
11	vs. ) Dept. No.: H
12	MOHAMAD ALHULAIBI, )
13	Defendant.
14	REQUEST TRANSCRIPT OF PROCEEDINGS
15	
16	Plaintiff requests preparation of a transcript of the proceedings before the district court,
17	as reflected in the attached Request for Transcript Estimate.
18	I hereby certify that on August 5, 2020, the attached Request for Transcript Estimate
19	was emailed to Transcript Video Services at videorequests@clarkcountycourts.us.
20	On August 13, 2020, an Estimated Cost of Transcript was received from Transcript
21	Video Services, attached hereto as Exhibit 1.
22	
23	As Plaintiff is a client of a program for Legal Aid, all transcripts were requested
24	
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Page 1 of 2

Case Number: D-20-606093-D

AA000479

1	pursuant to Nevada Revised Status, Section 12.015. Statement of Legal Aid Representation
2	attached.
3	Dated this 13 <sup>th</sup> day of August, 2020.
4	
5	LEGAL AID CENTER OF SOUTHERN NEVADA
6	INC.
7	By: April 20
8	APRIL S. GREEN, ESQ. Nevada Bar No.: 8340
9	BARBARA E. BUCKLEY, ESQ. Nevada Bar No.: 3918
10	725 East Charleston Blvd. Las Vegas, NV 89104
11	(702) 386-1415 Direct/Fax (702) 386-1070 Ext. 1415
12	asgreen@lacsn.org Attorneys for Plaintiff
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## **EXHIBIT 1**

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## **ODICINAL**

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3	CLERK OF COURT
4	EIGHTH JUDICIAL DISTRICT COURT
5	FAMILY DIVISION
6	CLARK COUNTY, NEVADA
7	AHED SAID SENJAB, ) CASE NO. D-20-606093-D
8	Plaintiff ) ) DEPT. H lvs.
9	) APPEAL NO. 81515 MOHAMAD ALHULAIBI,
10	Defendant)
11	ESTIMATE OF EXPEDITED TRANSCRIPT(S)
12	The office of Transcript Video Services received a request
13	for transcript estimate from April S. Green, Esq. on August 5th, 2020 for the following proceedings in the above-captioned case:
14	AUGUST 4TH, 2020
15	The estimated cost of the expedited transcript is \$124.00.
17	Payment in the amount of \$124.00, payable to Clerk of Court, must be presented to the Transcript Video Services Office prior to work commencing on the transcript. The Clerk accepts
18	cashier's check, money order, MasterCard/Visa or exact cash.
19	Dated this 13th day of August, 2020.
20	Overtin Marstield, Transcriber
21	Oventin Mansfield, Transcriber Transcript Video Services
22	Transcript ESTIMATE amount ofCheck#CCCASHCLERK
23	This is only an <b>ESTIMATE</b> . Upon completion of transcript(s), a balance may be due, or you may receive a refund of your deposit if overpayment is greater than \$15.00.
24	NOTE: STATUTORY FEES ARE SUBJECT TO CHANGE PER LEGISLATIVE SESSION. Items left beyond 90 days are subject to disposal without refund. COUNTY RETENTION POLICY APPROVED BY INTERNAL AUDIT
25	

Electronically Filed 8/14/2020 12:07 PM Steven D. Grierson CLERK OF THE COURT

1	RTPR APRIL S. GREEN, ESQ.
2	Nevada Bar No.: 8340C BARBARA E. BUCKLEY, ESQ.
3	Nevada Bar No.: 3918 LEGAL AID CENTER OF SOUTHERN NEVADA, INC.
4	725 East Charleston Blvd. Las Vegas, NV 89104
5	(702) 386-1415 Direct/Fax (702) 386-1070 Ext. 1415
6	asgreen@lacsn.org Attorneys for Plaintiff
7	DISTRICT COURT
8	FAMILY DIVISION CLARK COUNTY, NEVADA
9	AHED SAID SENJAB,
10	Plaintiff, ) Case No.: D-20-606093-D
11	)
12	vs. ) Dept. No.: H
13	MOHAMAD ALHULAIBI, )
14	Defendant.
15	REQUEST TRANSCRIPT OF PROCEEDINGS
16	Plaintiff requests preparation of a transcript of the proceedings before the district court,
17	as reflected in the attached Request for Transcript Estimate.
18	I hereby certify that on August 13, 2020, the attached Request for Transcript Estimate
19	was emailed to Transcript Video Services at <u>videorequests@clarkcountycourts.us</u> .
20	On August 14, 2020, an Estimated Cost of Transcript was received from Transcript
21	Video Services, attached hereto as Exhibit 1.
22	
23	As Plaintiff is a client of a program for Legal Aid, all transcripts were requested
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25	
26	////
27	
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Page 1 of 2

1	pursuant to Nevada Revised Status, Section 12.015. Statement of Legal Aid Representation
2	attached.
3	Dated this 14 <sup>th</sup> day of August, 2020.
4	
5	LEGAL AID CENTER OF SOUTHERN NEVADA INC.
6	
7	By: April 20
8	APRIL S. GREEN, ESQ. Nevada Bar No.: 8340
9	<b>BARBARA E. BUCKLEY, ESQ.</b> Nevada Bar No.: 3918
10	725 East Charleston Blvd. Las Vegas, NV 89104
11	(702) 386-1415 Direct/Fax (702) 386-1070 Ext. 1415
12	<u>asgreen@lacsn.org</u> Attorneys for Plaintiff
13	
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## **EXHIBIT 1**

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**FILED** 

AUG 1 4 2020



EIGHTH JUDICIAL DISTRICT COURT		
FAMILY DIVISION		
CLARK COUNTY, NEVADA		
) CASE NO. D-20-606093-D		
) DEPT. H )		
) APPEAL NO. 81515 ))		
OF EXPEDITED TRANSCRIPT(S)		
The office of Transcript Video Services received a request for transcript estimate from April S. Green, Esq. on August 13th, 2020 for the following proceedings in the above-captioned case:		
MAY 20TH, 2020		
The estimated cost of the expedited transcript is \$188.00. Payment in the amount of \$188.00, payable to Clerk of Court, must be presented to the Transcript Video Services Office prior to work commencing on the transcript. The Clerk accepts cashier's check, money order, MasterCard/Visa or exact cash.		
Quentin Mansfeld, Transcriber Transcript Video Services		

Transcript ESTIMATE amount of	Check#	CC CASH	CLERK
Received by	day of		2020.

This is only an  ${\tt ESTIMATE}$ . Upon completion of transcript(s), a balance may be due, or you may receive a refund of your deposit if overpayment is greater than \$15.00.

NOTE: STATUTORY FEES ARE SUBJECT TO CHANGE PER LEGISLATIVE SESSION. Items left beyond 90 days are subject to disposal without refund: COUNTY RETENTION POLICY APPROVED BY INTERNAL AUDIT

Electronically Filed 08/14/2020 5:28 PM CLERK OF THE COURT

1	ORDR APRIL S. GREEN, ESQ.		
2	Nevada Bar No.: 8340C		
3	BARBARA E. BUCKLEY, ESQ. Nevada Bar No.: 3918		
	LEGAL AID CENTER OF SOUTHERN I	NEVADA, INC.	
4	725 East Charleston Blvd.		
5	Las Vegas, NV 89104 (702) 386-1415 Direct/Fax		
	(702) 386-1070 Ext. 1415		
6	asgreen@lacsn.org Attorneys for Plaintiff		
7		ICT COURT	
8		Y DIVISION	
	CLARK CO	UNTY, NEVADA	
9	AHED SAID SENJAB,	)	
10	DI : «:cc	) C N D 20 (0(002 D	
11	Plaintiff,	) Case No.: D-20-606093-D	
	vs.	Dept. No.: H	
12	MOHAMAD ALHULAIBI,	) )	
13	Defendant.		
14		TRANSCRIPT OF PROCEEDING	C
15	ORDER WAIVING COST OF	TRANSCRIFT OF PROCEEDING	<u>8</u>
	Having read Plaintiff's Request for tra	anscript of proceeding, and other good	cause
16	appearing,		
17	IT IS HEREBY ORDERED that pursuant to NRS 12.015(3) the Clerk of Court sha		Court shal
18	allow the preparation of the transcript for the	May 20, 2020 hearing without charge	
19	Dated this day of	, D@@0.this 14th day of August, 202	0
20		1 10.0	
21		fut Ketchie	
21		DISTRICT COURT JUDGE	
22		F1A 953 86F6 9BF5	LCD
23	LEGAL AID CENTER OF SOUTHERN	T. Arthur Ritchie	
24	NEVADA, INC.	District Court Judge	
25	and Da		
26	By:		
	APRIL S. GREEN, ESQ. Nevada Bar No.: 8340C		
27	BARBARA E. BUCKLEY, ESQ.		
28	Nevada Bar No.: 3918 725 East Charleston Blvd. Las Vegas, NV 89104		

1			
2	CSERV		
3	DISTRICT COURT CLARK COUNTY, NEVADA		
4	CEMIC COUNTY, NEVADA		
5			
6	Ahed Said Senjab, Plaintiff	CASE NO: D-20-606093-d	
7	vs.	DEPT. NO. Department H	
8	Mohamad Abulhakim Alhulaibi,		
9	Defendant.		
10			
11	AUTOMATED	CERTIFICATE OF SERVICE	
12 13	This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:		
14	Service Date: 8/14/2020		
15	Reception Reception	email@willicklawgroup.com	
16 17	April Green, Esq.	asgreen@lacsn.org	
18	Justin Johnson	Justin@willicklawgroup.com	
19	Aileen Yeo	AYeo@lacsn.org	
20	Richard Crane	richard@willicklawgroup.com	
21	David Markman	David@MarkmanLawfirm.com	
22			
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Electronically Filed
08/14/2020 5:40 PM
CLERK OF THE COURT

1	ORDR APRIL S. GREEN, ESQ.	
2	Nevada Bar No.: 8340C	
3	BARBARA E. BUCKLEY, ESQ. Nevada Bar No.: 3918	
4	LEGAL AID CENTER OF SOUTHERN N 725 East Charleston Blvd. Las Vegas, NV 89104	NEVADA, INC.
5	(702) 386-1415 Direct/Fax (702) 386-1070 Ext. 1415	
6	asgreen@lacsn.org Attorneys for Plaintiff	
7		ICT COURT
8	FAMIL	Y DIVISION
9		UNTY, NEVADA
10	AHED SAID SENJAB,	)
	Plaintiff,	Case No.: D-20-606093-D
11	vs.	Dept. No.: H
12	MOHAMAD ALHULAIBI,	
13	Defendant.	) )
14	ORDER WAIVING COST OF	TRANSCRIPT OF PROCEEDINGS
15	Having read Plaintiff's Request for tra	anscript of proceeding, and other good cause
16	appearing,	
17	IT IS HEREBY ORDERED that put	rsuant to NRS 12.015(3) the Clerk of Court shal
18	allow the preparation of the transcript for the	August 4, 2020 hearing without charge.
19	Dated this day of	Dated this 14th day of August, 2020
20		at Sethie
21	:	DISTRICT COURT JUDGE
22		EF9 81E 34DD AA61 LCD
23	LEGAL AID CENTER OF SOUTHERN	T. Arthur Ritchie District Court Judge
24	NEVADA, INC.	-
25	By: April 1	
26	APRIL S. GREEN, ESQ.	
27	Nevada Bar No.: 8340C BARBARA E. BUCKLEY, ESQ.	
28	Nevada Bar No.: 3918 725 East Charleston Blvd. Las Vegas, NV 89104	

Page 2 of 2

1	CSERV		
2	DISTRICT COURT		
3 4	CLARK COUNTY, NEVADA		
5			
6	Ahed Said Senjab, Plaintiff	CASE NO: d-20-606093-d	
7	vs.	DEPT. NO. Department H	
8	Mohamad Abulhakim Alhulaibi,		
9	Defendant.		
10			
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18	Justin Johnson	Justin@willicklawgroup.com	
19	Aileen Yeo	AYeo@lacsn.org	
20	Richard Crane	richard@willicklawgroup.com	
21	David Markman	David@MarkmanLawfirm.com	
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EOT

2

**FILED** 

AUG 1 4 2020

### ODICINAL

3	CLERK OF COURT						
4	EIGHTH JUDICIAL DISTRICT COURT						
5	FAMILY DIVISION						
6	CLARK COUNTY, NEVADA						
7	AHED SAID SENJAB, ) CASE NO. D-20-606093-D Plaintiff )						
9	) DEPT. H  VS. )  APPEAL NO. 81515						
10	MOHAMAD ALHULAIBI,  Defendant.						
11	ESTIMATE OF EXPEDITED TRANSCRIPT(S)						
12 13 14	The office of Transcript Video Services received a request for transcript estimate from April S. Green, Esq. on August 13th, 2020 for the following proceedings in the above-captioned case:						
15	MAY 20TH, 2020						
16 17 18	The estimated cost of the expedited transcript is \$188.00.  Payment in the amount of \$188.00, payable to Clerk of Court,  must be presented to the Transcript Video Services Office prior to work commencing on the transcript. The Clerk accepts						
19	Dated this day of August, 2020.						
20							
21	Quentin Mansfield, Transcriber Transcript Video Services						
22	Transcript ESTIMATE amount ofCheck#CCCASHCLERK						
24	This is only an ESTIMATE. Upon completion of transcript(s), a balance may be due, or you may receive a refund of your deposit if overpayment is greater than \$15.00.  NOTE: STATUTORY FEES ARE SUBJECT TO CHANGE PER LEGISLATIVE SESSION.  Items left beyond 90 days are subject to disposal without refund.  COUNTY RETENTION POLICY APPROVED BY INTERNAL AUDIT						
25							

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2	COPY A00 2 1 2020
3	CLERK OF COURT
4	EIGHTH JUDICIAL DISTRICT COURT
5	FAMILY DIVISION
6	CLARK COUNTY, NEVADA
7	
8	AHED SAID SENJAB, ) CASE NO. D-20-606093-D
9	Plaintiff ) DEPT. H
10	vs. APPEAL NO. 81515
11	MOHAMAD ALHULAIBI,
12	Defendant. )
13	/
4	BEFORE THE HONORABLE ARTHUR T. RITCHIE, JR.
5	DISTRICT COURT JUDGE
6	TRANSCRIPT RE: ALL PENDING MOTIONS
7	TUESDAY, AUGUST 4TH, 2020
8	APPEARANCES:
9	The Plaintiff: AHED SAID SENJAB
20	For the Plaintiff:  APRIL S. GREEN, ESQ.  725 E. Charleston Blvd.
21	Las Vegas, NV 89104
22	MARSHAL S. WILLICK
23	3591 E. Bonanza Rd. STE 200 Las Vegas, NV 89110
	The Defendant: MOHAMAD ALHULAIBI
24	For the Defendant: DAVID MARKMAN, ESQ. 4484 S. Pecos Rd. STE 130
25	Las Vegas, NV 89121

D-20-606093-D **81515** SENJAB/ALHULAIBI 08/04/2020 TRANSCRIPT
EIGHTH JUDICIAL DISTRICT COURT - FAMILY DIVISION - TRANSCRIPT VIDEO SERVICES
601 N. Pecos Road, Las Vegas, Nevada 89101 (702) 455-4977

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#### PROCEEDINGS

[THE PROCEEDING BEGAN AT: 11:52:32.]

MS. GREEN: ... turned over pending appeals filed by first by the Defendant, then the Plaintiff's counter motion. Then everything would have been all for not. The - the mother would have been deprived of the parent child relationship and they're asking we make arrangements with Mr. Markman for video with - with the [indiscernible] to take place until we got to this hearing. So we have a pending appeal, we have abduction 11 prevention measures, we have motions filed under 125 D. After 12 the quarantine those motions were filed and we took the position that the Court would make a decision less the child be taken out of the country in the meantime which would destroy the mother child relationship. The child lived with the mother all of his life, bonded to the mother, and we needed this Court to weigh in and that's why we're here today.

THE COURT: Well, I'm sure you don't want me to make a finding of wrongful deprivation of time and to essentially keep the child from your client for two or three months at time, are you? I - I mean that seems obvious, right? It's it's - Judge Norheim - and I know you were not the lawyer from legal aid that argued this - or the hearing master found that even with these allegations, it was appropriate to issue that split week custody, and ordered that the split week custody

schedule be enforced. It's not been modified by that Court or this Court, and with the dismissal.

MS. GREEN: [Indiscernible], Your Honor?

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THE COURT: I - look, it's not - it's not - the Court is not supporting the decision that you made or the mom made to keep the child from him. Now the health issues might - I mean I can't make a finding of wrongful denial without knowing the detail of whether or not - the pandemic had contributed to these exchanges, but this nonsense about - you know - the child has been with mom the entire life and - and so dad shouldn't be entitled to visitation that way. That's not a valid argument that's gonna have any particular.

MS. GREEN: Well, Your Honor, there were motions in front of you to give us - both - both asking the Court to make abduction prevention measures. He's stated with a - firstly, that he intends to get the child and go to Saudi Arabia. We have an appeal pending with the Nevada Supreme Court. We believe that the District Court has a duty and an obligation to - protect the outcome of the appeal - in this case. That is the - the parent child relationship, the mother child relationship. We believe we have a meritory appeal, had the child ben turned over there would be no point in even having this - this hearing. These - these motions were pending before you. We believed that we would get a decision before you. We did - we did not want to do anything that would cause the

1 | child to be taken out of the country.

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THE COURT: Okay, well, I can issue orders that  $\parallel$ specifically address that issue. Hold on, hold on. The - the the interpreter is way behind. Please let her do the job. The - okay, Ms. Green, anything further?

MS. GREEN: Not at this time, Your Honor.

THE COURT: All right. Mr. Markman, the posture of this case is that the civil domestic case has been dismissed and the protective order case is extended until February 14th, 10 || 2021. Don't answer yet, go ahead madame interpreter. The Court Il | reviewed the record as I stated and find that there was more 12 | than sufficient evidence for the hearing officer to grant the 13 | extension of the protective order. After reviewing the papers 14 | that had been filed since that hearing, the Court concludes 15 | that the protective order should not be dissolved. Now, Mr. Markman, you - you made a filing on July 28th, in response to filings that they made. I wanna specifically focus on the request to stay the order in the D case pending the appeal. Did you wanna speak to that?

MR. MARKMAN: I mean I think the U.S. Supreme Court is very clear. What is it, Chafin [sic], whether it's - Monasky. That prompt return - and especially Chafin - that no state issues when you - you know - just 'cause you lose a case doesn't mean a stay should be issued. What's needed is to return the child to their home country, and I understand that

1 you're not affording belief on that at this point, but that's what the Court - that's what Chafin says. It says that if you 3  $\| \mathsf{lose} - \mathsf{if} - \mathsf{if} \mathsf{you} \mathsf{were} \mathsf{granted} \mathsf{a} \mathsf{stay} \mathsf{then} \mathsf{everyone} \mathsf{would}$ just file an appeal because what everyone wants is the kid to remain in the United States, so Chafin, the U.S. Supreme Court 6 | has said no. We can't just issue a stay just because you wanna stay 'cause it wouldn't moot it, 'cause in fact it doesn't 8 moot it. This Court could assume jurisdiction to file an order ∥if he - if he did not follow a subsequent order that requested 10 the return of the - of the child to America, so there's no need to stay the case to some degree 'cause this Court is not going to issue a return order - does not want to hear 13 arguments on the return order. It - I don't know that - it's a huge deal. At this point I'm mostly focused - if - if that's 15 the case, I'm mostly focused on getting Mohamad the ability to 16 see his son again, and - and I think that there's so much...

THE COURT: All right.

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MR. MARKMAN: ... that I'd like to address from paper all - on that regard.

THE COURT: All right, one of you let the interpreter interpret that and then I have - I'm gonna turn - I'll give you a chance to do that. Okay, Mr. Markman, briefly, what other questions or points do you have to make?

MR. MARKMAN: Well, mainly it goes to the email between April and myself, and this is a email from - it's been part of

l | exhibit 15 and the motion to dissolve, and it's Friday, June 26th, at 2:05. So this is before the motion to return was  $3 \parallel \text{filed}$ , and - and April's response to me when I'm asking about - Ryan's health - which is the minor child is - okay, we'll although that I have not heard that neither of them have the 6 virus. It may be they are on lock down - other reasons, and that's 2:05, so at 2:08 on Friday, I respond. Okay, can you please find out? Confirm the reasons they are on lock down as Mohamad is very concerned about the health of Ryan - and is entitled to information about his son's health. And there's no on response - you know - Friday. There's no response on Saturday, Sunday, or Monday, and then I filed a motion for return order at roughly 6 p.m. that following Monday.

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THE COURT: Okay, hold on. You - you gotta let the interpreter - you gotta - you gotta - I got the gist of it. Let the interpreter interpret, please. All right. Mr. Markman, Ms. Green's comments were clear that it was a combination of considerations as to what happened with the visitation. I - I don't want to get into the detail of it. Obviously you believe that there was - that it not should not have been done, right?

MR. MARKMAN: That's correct, and I just wanna make - I just wanna make one last statement about that. They filed this - this opposition and counter motion July 1st, so two days two days after I filed a motion for return order - on page eight, line 13 and 14 - so it'd be - you know - the - the -

1 the Defendant has threatened to abscond with the minor child, however, because of the preventative measures taken by Ahed, 3 she is not allowed to occur, so-4 THE COURT: Yeah - that's fine. I - I read the papers. I  $5 \parallel$ also saw the July 9th hearing, and I know you didn't get to 6 make a long argument then, but I - I - I know - I've read 7 | this, okay? I) need to move on - I need - I - I - we - we're already - it's 12:10, okay? Madame interpreter, interpret that and then I need to ask Mr. Willick a question or two. Okay, 10 Mr. Willick. 11 MR. WILLICK: Yes, Your Honor? 12

THE COURT: If you prevail on appeal, it's get remanded a reversal, the Court picks up the divorce case, right?

MR. WILLICK: Yes, sir.

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THE COURT: Okay, if you don't prevail on appeal then we have this protective order in place until February 14th, 2021, and it has custody provisions, right?

MR. WILLICK: Yes, Your Honor, I believe so.

THE COURT: All right, and the - the only thing - I mean 20 | the things that will happen at that time would be it would dissolve on it's own. It would - there would be a request in advance to that for extraordinary findings to extend it, right?

MR. WILLICK: Yes. Actually, the current law I believe has the extended maximum time for a D-V out to one to two years.

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THE COURT: Well, you - you may not have reviewed the hearings like I did recently, but Norheim made a ruling that there were no extraordinary terms to go passed the year, but that could be revisited by this Court upon...

MR. WILLICK: Yes, Your Honor.

THE COURT: ... request, okay? So there's irreparable harm as it relates to the - because of the decision of the Court to deny the dissolving of the protective order, and to have custody orders with restrictions like travel and - and so I 10 suppose you can ask for stay from the Supreme Court but I don't see it right now. Maybe as we get closer to the deadline of February, 2021. Madame interpreter, will you - will you 13 | interpret, please? So Mr. Willick, the - the Court just wants to have this dialogue with you that says if I do not grant the stay now, that's without prejudice as these events occur 'cause it's probably unlikely the Supreme Court will resolve this by February, right?

MR. WILLICK: I - I have learned from long experience not second guess the timing of how long a Supreme Court decision might take, so I really would rather not go on the record with expressing - the Court series of orders largely encompass the same concepts that were involved in the stay. It's been clear from Mr. Markman's comments that the Defendant remains fixated on the concept of what he calls prompt return and what Ms. Green refers to as an international kidnapping. We believe

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1 that self help remains a very significant concern, so we have the Court in dealing with the T-P-O enters - and the 125 D applications on both sides - and there's sufficient orders to essentially ensure that there is no self help and the child is not spirited away, then the effect of the request for the stay that has been granted despite the denial of the stay itself, and I'm sorry if that sounded circular but I hope it's clear.

THE COURT: All right. Let - let the interpreter interpret and then I'll see whether we can sort of agree. Okay, whether the - whether a departure would be an abduction or not is really about a point of view, Mr. Willick. The-

MR. WILLICK: Okay.

THE COURT: The Court can issue an order in the protective order I believe that says that the child will not travel 15 | outside the United States pursuant to 125 D 150, per - under  $16 \parallel$  the principle that we respect the process of appeal. We respect the fact that we have a protective order that requires a split custody schedule temporarily, right?

MR. WILLICK: Okay.

THE COURT: Okay, so as it relates to the filing that you made as appellate counsel - I forget the date now but it was I think the 17th of July - the request for stay is denied without prejudice for the reasons that we've established.

MR. WILLICK: Thank you, Your Honor.

THE COURT: Madame interpreter. Okay, so - let's talk

 $1 \parallel$ about the orders. We have jurisdiction over the parties and the subject matter. I directed that an order be processed that denies the request to dissolve the protective order. I've directed an order that denies the request for a stay of the D case, so that's gotta be filed in the D case. That's without prejudice.

The Court is gonna be issuing two bench orders in the T case. One is going to be to amend the protective order, to modify the visitation and custody provisions for the shared 10 | physical arrangement to include supervised exchanges of the children since they have not - or the child - since the child has not been exchanged. We'll be using the supervised exchange center and the exchanges will take place on Thursday at six o'clock and Sunday at five P.M. Adverse Party will have the child from Thursday at six until Sunday at five.

MS. GREEN: Thank you, Your Honor.

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THE COURT: Applicant will have the child each week Sunday at five through Thursday at six P.M. There is no restriction on the custody schedule except as to time, and as to the restriction pursuant to 125 D 150, in that the child at this time will not travel outside the United States or Nevada until further of the Court. Ms. Green, I want you to make sure that your client is able to do the orientation or the instruction for Donna's House Central as soon as possible.

MS. GREEN: Yes, Your Honor.

THE COURT: And Mr. Markman, you can do the same.

MR. MARKMAN: Yes, Your Honor.

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THE COURT: All right. So we're - the - the D case is essentially closed. I mean I - I don't - there shouldn't be filings in the D case anymore unless it's I guess some sort of 6 request - Mr. Willick - for a stay on the eve of the expiration of the protective order if you find yourself in that position, okay?

MR. WILLICK: I understand.

THE COURT: You know I hope - I - you know - this is -11  $\parallel$ this is an important matter. It's - it's time sensitive. I 12 hope that the Supreme Court will give it - you know - swift attention and make a ruling one way or another, and the T-P-O is essentially even more important now than it was when it was granted in March - in my mind. Now Mr. Markman, if you have any issues, or Ms. Green, any issues of enforcement or any 17 | relief seeking Court assistance related to the T case, it 18 | should be filed in the T case - and this Court is responsible 19 || for the T case. The hearing master's role in this case is over.

MS. GREEN: I understand, Your Honor. I do have a question.

THE COURT: All right. Let the interpreter interpret that, please. Okay, Ms. Green, your question.

MS. GREEN: I - I just wanted to say with intention if

1 | it's plead to the Court to file the Court order from today's hearing with the authority that flags passports for minor child in light of the situation and the Court order we have today.

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THE COURT: For the child? Does the child have a passport? MS. GREEN: Yes, Your Honor.

THE COURT: Yeah, that's fine. That - that'll be consistent with the order that I wrote out today, and it would - it - it's time sensitive so you can get that to me. Mr. 10 | Markman, if it's overreaching then you can ask to modify it or dissolve it down the road, okay?

MR. MARKMAN: Oh, so I just - are you requesting the minor's passport?

THE COURT: No, no, no, I'm not requesting the passport. 15 What she's talking about is - as part of 125 D, there's a 16 | notice that - an order that can be entered that the State 17 | Department would recognize to flag any travel. I'm not suggesting your client would - would violate the orders, but it just is another safeguard to protect - and I know that your client's point of view is that with the dismissal of the case - you know he - if it were up to him he would dissolve the protective order and he would litigate this in Syria or Saudi Arabia, that's his point of view. I'm not - I'm not really commenting on that one way or another, but that's something that we can't have in the short term, do you understand?

MR. MARKMAN: Understood, Your Honor.

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THE COURT: All right. Madame interpreter will you interpret that, please? Mr. Markman, before we go, any questions from your side?

MR. MARKMAN: Just a quick question. So counsel for Ahed is gonna prepare for the D case, and then my understanding was that yours and [indiscernible] was gonna include the description on the minor's passport and that's gonna come from the bench, is that correct, Your Honor?

THE COURT: Well, a protective order order came from the 11 | bench and the Donna's House Central referral came from the 12 | bench and Ms. Green is gonna submit an order in the T case that has that flag notice - and - and so all of that will be reviewed and processed. Now a protective order form may come 15 out after this hearing - after they get my handwritten order, that's typical, and just - that's a - form of process where the presiding judge approves the hearing master's orders. I -I'm gonna be signing these orders, okay?

Do - the - so yeah, you're gonna get notice of any of the orders and they're gonna run the other two orders by you because they're not exigent. So madame interpreter, will you interpret that, please? Great job, madame interpreter. Thank you very much.

INTERPRETER: You're welcome, Your Honor.

THE COURT: All right, so - I'll receive the orders. Thank

D-20-606093-D **81515** SENJAB/ALHULAIBI 08/04/2020 EIGHTH JUDICIAL DISTRICT COURT - FAMILY DIVISION - TRANSCRIPT VIDEO SERVICES 601 N. Pecos Road, Las Vegas, Nevada 89101 (702) 455-4977

COST

### ORIGINAL

FILED AUG 2 1 2020

CLERK OF COURT

#### EIGHTH JUDICIAL DISTRICT COURT

	FAMILY DIVISION					
	CLARK COUNTY, NEVADA					
	AHED SAID SENJAB, ) CASE NO. D-20-606093-D					
	Plaintiff ) DEPT. H					
	vs. APPEAL NO. 81515					
	MOHAMAD ALHULAIBI,					
	Defendant. )					
	PINAL BILLING OF MOLVEGOTORS (FEED WATER)					
	FINAL BILLING OF TRANSCRIPTS (FEES WAIVED)					
The office of Transcript & Video Services filed transcrip for April S. Green, Esq. for the following proceedings in t above captioned case:						
AUGUST 4TH, 2020						
Original transcript and one copy were requested. The total number of pages is 14 for a final cost of \$53.20.						
١	Fees are waived.					
	DATED this 21st day of August, 2020.					
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EIGHTH JUDICIAL DISTRICT COURT - TRANSCRIPT VIDEO SERVICES 601 N. Pecos Road, Las Vegas, Nevada 89101 (702) 455-4977

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#### EIGHTH JUDICIAL DISTRICT COURT FAMILY DIVISION

### CLARK COUNTY, NEVADA

AHED	SAID	SENJAB,	)	CASE NO. D-20-606093-D
		Plaintiff	)	DEPT. H
vs.			)	APPEAL NO. 81515

MOHAMAD ALHULAIBI,

Defendant.

2020 AUG 21 PM 4: 4.6

CERTIFICATION OF TRANSCRIPTS & NOTIFICATION OF COMPLETION

The Office of Transcript & Video Services received a request for original transcript and one copy from April S. Green, Esq. on August 5th, 2020, for the following proceedings in the above-captioned case:

#### AUGUST 4TH, 2020;

I do hereby certify that copies of the transcript requested in the above-captioned case were submitted to be filed with the Eighth Judicial District Court on August 21st, 2020, and ordering party was notified August 21st, 2020.

DATED this 2/5t day of August, 2020.

Quentin L. Mansfield, Transcriber Transcript & Wideo Services

EIGHTH JUDICIAL DISTRICT COURT - TRANSCRIPT VIDEO SERVICES 601 N. Pecos Road, Las Vegas, Nevada 89101 (702) 455-4977

1	TRANS						
2	AUG 2 8 2020						
3	ORIGINAL CLERK OF COURT						
4	EIGHTH JUDICIAL DISTRICT COURT						
5	FAMILY DIVISION						
6	CLARK COUNTY, NEVADA						
7							
8	AHED SAID SENJAB, ) CASE NO. D-20-606093-D						
9	Plaintiff ) DEPT. H						
10	vs. APPEAL NO. 81515						
11	MOHAMAD ALHULAIBI, )						
12	Defendant. )						
13	)						
14	BEFORE THE HONORABLE T. ARTHUR RITCHIE, JR.						
15	DISTRICT COURT JUDGE						
16	TRANSCRIPT RE: ALL PENDING MOTIONS						
17	WEDNESDAY, MAY 20TH, 2020						
8	<u>APPEARANCES</u> :						
9	The Plaintiff:  AHED SAID SENJAB For the Plaintiff:  APRIL S. GREEN, ESO.						
20	For the Plaintiff: APRIL S. GREEN, ESQ. 725 E. Charleston Blvd. Las Vegas, NV 89104						
21	The Defendant: MOHAMAD ALHULAIBI						
22	For the Defendant: DAVID MARKMAN, ESQ. 4484 S. Pecos Rd. STE 130						
23	Las Vegas, NV 89121						
24	Certified Court Interpreter: OMAR J. RIFAAT						
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#### PROCEEDINGS

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[THE PROCEEDING BEGAN AT: 11:01:59.]

THE COURT: [Through an interpreter throughout] ... prejudgment proceeding. The case number is D-606093. This is a divorce case and initial appearance. We are in the Regional Justice Center, on the record. The parties and counsel for the parties are appearing by phone pursuant to administrative order. We are assisted in this hearing by the Court certified interpreter. Mister interpreter, will you state your appearance for the record.

MR. RIFAAT: Omar J. Rifaat.

THE COURT: Thank you. Ms. Green, will you state your appearance for the plaintiff.

MS. GREEN: [Through an interpreter throughout] April Green, Your Honor. Legal Aid Center, bar number 8-3-4-0, for Ahed Senjab.

THE COURT: Mr. Markman, will you state your appearance for the defendant.

MR. MARKMAN: [Through an interpreter throughout] Good morning, Your Honor. David Markman, from Markman Law on behalf of Mohamad Alhulaibi, bar number 1-2-4-4-0.

THE COURT: I am the judge responsible for the divorce case. I have reviewed the pleadings and the papers that have been on file. I also reviewed the papers in case T-203688.

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   Before I go over those papers, are they any matters that are
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   resolved by agreement?
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        MS. GREEN: No, Your Honor.
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        MR. MARKMAN: No, Your Honor.
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        THE COURT: Okay, go ahead, mister interpreter. Ms. Green,
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   I want to confirm a couple of notes that I have based on these
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   files.
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        MS. GREEN: Mm-hm.
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        THE COURT: You allege that the parties were married in
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   Saudi Arabia in February, 2018.
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        MS. GREEN: Let me look at complaint, Your Honor.
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        THE COURT: Well, hold on. Let - let the interpreter
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   translate.
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        MS. GREEN: Yes, correct.
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        MS. SENJAB: [Through an interpreter throughout.] Yes,
16 Your Honor.
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        THE COURT: Okay, and you allege that they have one child
   born the issue of their relationship, Ryan, age one.
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        MS. GREEN: Yes, Your Honor.
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        MS. SENJAB: Yes, Your Honor. Right.
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        THE COURT: Okay. I did not see a jurisdiction enforcement
   act affidavit, but the motion says that mom moved to the
23
   United States with the child in January of this year.
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        MS. GREEN: Yes, Your Honor.
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        THE COURT: Well, let the interpreter interpret, please.
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MR. RIFAAT: Yes. Yes, Your Honor.

MS. SENJAB: Yes, Your Honor.

THE COURT: Okay. Mr. Markman?

MR. MARKMAN: Yes, Your Honor.

THE COURT: If she moved to the United States with the child on January 13th, of 2020-

MR. MARKMAN: Yes.

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THE COURT: I'm - the interpreter needs to interpret, please. And this - and this case for divorce was filed on March 24th. And the plaintiff alleges - or mom alleges physical - physical presence in Nevada with the intent to make 12 Nevada her home. This Court has jurisdiction to grant her divorce. It has nothing to do with your client's intention or his physical presence or his visa status. On the other hand, Nevada courts are required to have subject matter jurisdiction over custody in order to enter divorce decrees with custody orders. Okay, which is a segway into the discussion about whether or not the motion to dismiss should be focusing on the scope of claims or whether the case itself can be dismissed. Okay, so Mr. Markman I want to ask you a couple questions and then after the interpreter translates then you can respond, okay?

MR. MARKMAN: Okay, [indiscernible].

THE COURT: Do you have any evidence that would refute the 25 ∥physical presence of mom in Nevada from January 13th, 2020?

D-20-606093-D SENJAB/ALHULAIBI 05/20/2020 EIGHTH JUDICIAL DISTRICT COURT - FAMILY DIVISION - TRANSCRIPT VIDEO SERVICES 601 N. Pecos Road, Las Vegas, Nevada 89101 (702) 455-4977

1 Mr. Markman? 2 MR. MARKMAN: I do not have any evidence that she's not in 3 the State of Nevada, no. 4 THE COURT: Okay. Is your client arguing - oh, I'm sorry 5 mister interpreter. I'm so sorry. Go ahead. 6 MR. RIFAAT: Yes, Your Honor? 7 THE COURT: He said no, so you can interpret - you can 8 translate that. Mr. Markman, is your client's position that the home state of the child is not Nevada? 10 MR. MARKMAN: Yes, Your Honor. My - my client is believes that Saudi Arabia is the home state of the child. 11 12 THE COURT: Well, he alleged in the motion that the plaintiff and defendant are residents of Syria. 14 MR. MARKMAN: The child has lived in Saudi Arabia and they 15 are - have been in Saudi Arabia for the six months prior to 16 | them moving to the United States and I believe even longer 17 | than that. THE COURT: So did the Court make a mistake when it wrote 18 a note that the allegation is that - well, it doesn't really 20 matter. If - if the home state is not Nevada, it's - it's 21 either Syria or Saudi Arabia, right? 22 MR. MARKMAN: Correct, Your Honor. 23 THE COURT: Go ahead, mister interpreter. 24 MR. RIFAAT: Yes, Your Honor. 25 THE COURT: Okay.

1 MS. SENJAB: Yes, Your Honor. 2 THE COURT: Okay. Okay, the Court is aware that there's a 3 protective order that's been entered and extended until 4 February of next year. 5 MR. RIFAAT: Should I go, Your Honor? THE COURT: Yes, that's fine. I'm sorry - I'm sorry. 6 7 MR. RIFAAT: No problem, Your Honor. 8 THE COURT: The Court is also aware that that protective order provides for a split week custody schedule with dad having Friday to Monday. And I understand you were not the 11 lawyer Mr. - Markman, but I do not see any objection to the 12 jurisdiction of the Court to enter that visitation order. The 13 - it would be appropriate to issue a custody order in an 14 emergency protective order case. But in order for a judgment 15 to be entered concerning custody, this Court must have custody 16 | jurisdiction. Okay, is there any other case besides the 17 protective order case and this divorce case involving these 18 parties? 19 MS. GREEN: No, Your Honor. Not in any other jurisdiction 20 and there were no other cases - and no other cases in Nevada. 21 THE COURT: Okay. Mr. Markman, are you aware of any other 22 cases? 23 MR. MARKMAN: Not that I'm aware of, Your Honor. 24 THE COURT: Okay, so let me visit with Ms. Green for a

second. Go ahead, mister interpreter.

MR. RIFAAT: Yes, Your Honor.

THE COURT: Okay. Ms. Green, my - my take on this case right now - and - I - I haven't made any kinda orders but your client - if she's been physically here since January 13th,...

MS. GREEN: Mm-hm.

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THE COURT: ... she's entitled to a divorce.

MS. GREEN: Yes.

THE COURT: But you cannot move here from another country, live here for six weeks and establish custody jurisdiction in Nevada this way. Mister interpreter, you can interpret that.

MR. RIFAAT: Yes, Your Honor.

THE COURT: The only justification for a - for a custody order in a case under this - these facts would be as an emergency order, or under the vacuum jurisdiction under the Uniform Enforcement Act. Which would allow only limited orders until a court of - of jurisdiction could make those orders.

Are there any - are there any-

MS. GREEN: [Indiscernible].

THE COURT: Yeah, Ms. Green, why don't you make whatever points you think are important for the court to understand.

MS. GREEN: Okay. Your Honor, all of the - the parties and the child are here in this jurisdiction. There is no action pending in any other country or state, so just in terms of judicial economy and appropriate forum, it is appropriate for Nevada to exercise jurisdiction. The mother had a path to

1 citizenship independent from the father, and you've already said you have jurisdiction over her but I - I believe that it would be an absurd result and in contrary to the law and theories of the U.C.C.J.E.A., and this is a matter where the Court has already exercised jurisdiction over the parties and the child without objection, and the defendant has indicated his is following the orders of this court.

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The child has a doctor, he's [indiscernible], utilize various [indiscernible] services in the state. As I said the parents are here, a divorce action is pending here. We're asking the Court assume jurisdiction on all - under all of the vacuum authorities of the U.C.C.J.E.A., and if it would please the Court, Your Honor, we would be pleased to brief this issue. This is more narrow issue now that - you know you determined what - what happens with the parents in the divorce case. It's not a issue of the U.C.C.J.E.A. and the Court exercising jurisdiction over the child for all of the reasons I've stated before. I believe that the Court should exercise jurisdiction and they did the most appropriate forum. They are all here already in front of this court. There is nobody there, no action filed in Saudi Arabia.

My client, a domestic violence victim, does not to intend to return to Saudi Arabia and she doesn't have to because she has her own independent right to [indiscernible] which she had pursued. So for those reasons, Your Honor, we're

1 asking you to exercise jurisdiction. Nevada is the most appropriate forum for the child. There's no action pending 3 anywhere else and the parents are here and the mother intends 4 to stay here. 5 THE COURT: All right. Mister interpreter, I can't expect you to interpret all of that argument, but it's part of the 6 7 record, okay? 8 MR. RIFAAT: Yes, Your Honor. I got it, I can go ahead and 9 proceed if you-THE COURT: Why don't you give it a shot? 10 11 MR. RIFAAT: Absolutely. THE COURT: Okay - all right, look - stop - stop the 12 13 dialogue between a party and - and the interpreter, okay? I can't have that as part of the record, okay? 'Cause I'm not 14 soliciting information from mom or dad on that, okay? 15 MR. RIFAAT: Yes, Your Honor. 16 THE COURT: All right, that's fine - that's fine. All 17 right, look - the Court has to have initial custody jurisdiction. We don't have initial custody jurisdiction but the court may find that it can have temporary emergency 20 jurisdiction under N.R.S. 125 A .335. Ms. Green, I don't 21 22 have... MS. GREEN: Yes, Your Honor. 23 THE COURT: ... discretion. I either have subject - this

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Court either has subject matter jurisdiction or it doesn't,

and Nevada's not the home state, and before final orders are made concerned of custody, you better be prepared to walk through the theory - the elements of child custody because the emergency jurisdiction of the Court is only so long as - as it is a bridge between the time that that order's made and the time that the Court that actually has jurisdiction issues an order. Now Mr. Markman-

MR. MARKMAN: Yes, Your Honor.

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THE COURT: The Court can issue an emergency order and the jurisdiction for the T-P-O order was emergency jurisdiction - a vacuum. There was no state that had a case and we had physical presence of the parties and the child here. It is a problem for the plaintiff in this case as it relates to subject matter jurisdiction. Now I think Saudi Arabia is a signator on the Hague Convention but that's something you need to - you need to know about, and whether or not that impacts the analysis on how we deal with the jurisdictional dispute between courts. 'Cause that's either - that - that may happen.

The case can't get dismissed for a couple reasons.

Number one, she has a right to get a divorce here, and she probably has a good minimum connection case regardless of your client's visa status to connections with Nevada to litigate property issues if there are property issues. The custody piece of it is the one that's problematic for the Court, and something that I'm not gonna make a final ruling on today. Do

1 you understand? MR. MARKMAN: Yes, Your Honor, and can I - can I - address 3 some of those? [Indiscernible]. 4 THE COURT: Well, I think I just-5 MR. MARKMAN: [Indiscernible]. THE COURT: What I'm concerned about is that I'm talking 7 too much. I can't - I'm not giving the interpreter an 8 opportunity to interpret what I said, so why don't I let mister interpreter, I know that I - I completely forgot that 10 you're need to translate. 11 MR. RIFAAT: Not a problem, Your Honor. 12 THE COURT: Just do what you can to translate the - the -13 the comments of the Court for plaintiff, please. 14 MR. RIFAAT: Yes. Copy, Your Honor. 15 THE COURT: All right, Mr. Markman, the - I want you to be able to make a couple of points on the record too. Before you 16 17 do let the interpreter translate. 18 MR. MARKMAN: Okay. 19 THE COURT: Mr. Markman. MR. MARKMAN: Your Honor - as for domicile, I don't 20 believe - if you look at Toll case, which is a U.S. Supreme 21 I Court case, the plaintiff can't establish domicile which is 22 necessary in Nevada in order to even have a divorce action.

24 | It's because - because recovered aliens can't have the

25 subjective intent to remain in the United States.

THE COURT: Oh, yeah, you can. We got millions of 'em with the subjective intent with not a valid visa, okay? So - they - physical presence with intent is the standard that the Court is applying there, okay?

MR. MARKMAN: If you - and this is - you know - if you look at the Parr [sic] case - if you look at the Parr case, it's - it's pretty similar in the non-immigrant alien sought a divorce and the Ninth Circuit actually voided the divorce because she could not have the proper domicile, or was not properly domiciled in order to get the divorce.

THE COURT: I know but look counsel, look, they - we grant divorces by the hundreds with folks who are undocumented. We treat them with the same due process and rights to dissolve their marriages, okay? I - I understand - I - I'll have to look at that case and before I close this case, I will have to give you a ruling on each one of these legal points. This - this case is - has got many nuances with it, okay? But this notion that somebody has to be a - a citizen in the United States to get divorced - if they're physically here and testified that they have the intention to make Nevada their home for an indefinite period of time, forget the overlap of the Violence Against Women's Act and domestic violence allegations and things like that - you have - there is no bar to a person seeking a divorce who's physically here and can state the intent to be here from getting a divorce here, okay?

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I - I - I - and - and I appreciate - you know the immigration cases and some of these other jurisdictional nuances that I'm gonna have to really get my arms around before I make final orders in this case, but I will look at the case - I mean I'll look at these cases and give you a specific ruling one each one, okay?

MR. MARKMAN: Okay, I - and I appreciate it, Your Honor. That - that - that is - I mean that's just how - I read the cases and I think they - that they - they really touch upon [indiscernible] and - and make it somewhat - in my opinion clear that - that they actually cannot get a divorce here 12 | because they're never supposed to have the - the subjective intent to stay. That's part of the visa condition and - and the cases go further and I'm not - you know - advocating for this, but they go to the sense that if you form that subjective intent it's actually the [indiscernible].

THE COURT: Well, I have to have - I have cases where 18 people come in and their visa's expired, and their immigration lawyers come in and testify saying you're not here illegally, and maybe some months or years down the road someone will notice a hearing and have them come in, okay? But they're still physically here, all right? This comes up in the -23 ||custody context where somebody says I need to get permission 24 | to remove because I'm required to leave the country - okay -25 | by law, but do they leave the country? No, they don't.

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So look, I - I appreciate the argument. This is an important process of this case. I - if I don't have jurisdiction to grant - the order then I need to make sure that - that I don't issue a void order, okay? Now, your - qo on.

MR. MARKMAN: And - and as for the abuse allegations, I don't think they've been substantiated in any means, and you're right, I wasn't a part of the T-P-O hearing, but when the officers came out on February 9th, she admit to the officers it was verbal only. When Mr. - when Mohamad went back the next day to collect some belongings that he needed from 12 | the apartment, then after she had time to - I - I'm not gonna 13 | say concoct a story but after she had time to think about what 14 | she wanted to say to the officers, she then claims physical 15 abuse and - and on the - I think there's some family dynamic -16 | 'cause if you look at the T-P-O, what she's - really asking 17 | for is to be able to stay here and to help immigrate her 18 family here, and - and she specifically requests that in the T-P-O, so my client is under the belief that this might be something she's using in order to not only become a legal resident here, but also to help immigrate her family here.

THE COURT: Now let me - let me-

MR. MARKMAN: And that's why-

THE COURT: All right, let me ask you this Mr. Markman because - you know - you cite the Dale [sic] case, you cite

1 the Swan case, some of these other cases. I'm looking, where in your memoranda have you cited Toll, U.S. Supreme Court case? 3 4 MR. MARKMAN: It's - it's - it's in the reply brief, Your 5 Honor. 6 THE COURT: In the reply that was filed when? 7 MR. MARKMAN: It was filed in the 13th. 8 THE COURT: May 13th? All right, and - because I - I'm aware of those other cases that are cases that we deal with a 10 | lot. The Toll, Moreno? 11 MR. MARKMAN: Toll - Toll versus Moreno, and Santilk [sic] and - and then also the - the most recent one was the Ninth 13 Circuit case. 14 THE COURT: Yeah. 15 MR. MARKMAN: Which was Park v. Barr and that was decided 16 earlier this year. 17 THE COURT: Okay, and you think that there's some - either on - it's on all fours or there's some analogies for that? 19 MR. MARKMAN: I think Park v. Barr is pretty much on completely on point. I think the - the Elkins and Toll case 21 talk about the subjective intent and - you know - establishing 22 domicile. 23 THE COURT: Yeah, well it's interesting because you know 24 most of the time when you look at the cases regarding content

[sic], they're - they're a 150 years or 110 years old. You

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1 know Nevada has a rich history of divorce cases where people
   would come here and - you know - so I'm - I'm interested in
  looking at that, but I'm not gonna dismiss this case at this
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   stage. As far as the protective order matter, that's - the
   standard of proof on a protective order isn't even. It doesn't
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   - I mean it's the lowest civil standard, and the protective
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   order's been extended and that - and the provisions of that
  are fine, that's not the issue. If mom wants to prove domestic
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   violence relevant to custody, she'll have to prove it by the
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  legal standard in the divorce case and that - that hasn't been
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   done, okay?
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        MR. MARKMAN: Yeah.
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        MS. GREEN: May I reply, Your Honor?
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        THE COURT: No, not yet. Okay, so let me see where we are.
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        MS. SENJAB: Excuse me, Judge. Can interpreter tell me
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   what - what they said? What-
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        THE COURT: Yeah. Mister - I'm sorry - mister interpreter,
   will you-
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        MR. RIFAAT: Yes, Your Honor.
   THE COURT: Just - Mr. Markman has offered arguments saying
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   that - questioning whether or not there is jurisdiction, or
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   whether the plaintiff can establish that she is a resident of
   Nevada, okay?
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THE COURT: All right, so Mr. Markman, are there any other

MR. RIFAAT: Yes, Your Honor.

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1 | - other than looking at these Ninth - the Ninth Circuit court case and asking the Court to consider whether or not she can the Court can make a finding of subjective intent to live here. Are there any other points that you want to mention? And don't answer that until after the interpreter gets a chance to interpret that.

MS. SENJAB: Okay.

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THE COURT: Mr. Markman. Mr. Markman, were there any other-

MR. MARKMAN: Yes, Your Honor.

THE COURT: Any other points that you wanted to mention to the Court?

MR. MARKMAN: I talked about it briefly in the reply as well and it's really does she even have the subjective intent to stay in Nevada. If you don't find it on the first issue and it's mentioned in - in the police report that was submitted with the reply. That she was waiting for her brother in law to come from the state of Maryland and - and it basically was my reading or understanding of it is that, she was waiting for 20 her brother in law to come from the state of Maryland so that she - they could pick her and Ryan up - up to go to Maryland. 22 | So I think that also is - does she have even have a subjective 23 | intent to remain in Nevada is - is also potential issue if -24 | the first one - if the - if she can even form the subjective 25 ∥intent to remain in the United States which I think she

really, but just to kinda quote that next level analysis I think that's also a potential issue.

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And - and it's fairly what we're just asking for that Mohamad be - not Mohamad - that Ryan, the minor child, be ordered to be on the plane ticket where they - they have these round trip ticket, and it's set for June 18th. Mohamad's done with school and if he doesn't leave within - you know - 60 days from the expiration of his visa - which was actually May 16th - then he - you know - he's gonna be in violation and he doesn't wanna violate the - he doesn't wanna violate - you know - his visa status and just wants to return home with Mohamad.

THE COURT: Yeah, well I - I have - I - I appreciate that and I - and I also understand that - you know - we have the legal aspect of it and the practical aspect of it, and I - I tell you what I'm - I'll tell you what I'm gonna do. Let the - let the interpreter translate what you said.

MR. RIFAAT: Yes, Your Honor. Yes, Your Honor.

THE COURT: All right, thank you. So - this is what I'm gonna do for today.

MS. GREEN: May I speak, Your Honor?

THE COURT: Why? Yeah, Ms. Green, sure.

MS. GREEN: Because I have a couple of responsive points. Just very briefly, Your Honor.

THE COURT: Yeah.

MS. GREEN: Okay. I just wanna say, Your Honor, that the reply motion papers presented by counsel were way beyond the scope of my [indiscernible].

THE COURT: Yeah, I - I - look, I-

MS. GREEN: So-

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THE COURT: I'm way ahead - I'm way ahead of you there. It is - it is a problem that the - that the authority that he would like the Court to rely on wasn't filed 'til last week, and you haven't had a chance to even know or respond to it, okay? And that - that - the - the point that I wanna make is - is this, okay? And mister interpreter, you can interpret that interchange if you want.

MR. RIFAAT: Yes, Your Honor.

THE COURT: All right. Let me just - let me just say this 15 and then - then we'll - we're gonna segway into - into sort of 16 how we're gonna stage the resolution of this case. This 17 divorce case presents many layers of analysis. The issue of 18 | jurisdiction to grant a divorce, the issue of custody jurisdiction, the issue of personal jurisdiction. Each one of these issues could form the basis for a need to litigate factual disputes. Go ahead, mister interpreter.

MS. RIFAAT: Yes, Your Honor.

THE COURT: The Court has already addressed it's view that the plaintiff may be able to get a divorce. She may even be able to persuade the Court to issue custody orders, and she

may be able to persuade the Court that there's personal jurisdiction over the defendant. Go ahead, mister interpreter.

MR. RIFAAT: Yes, Your Honor.

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THE COURT: Each of these issues involve legal questions and factual questions. Go ahead. The Court is going to allow the plaintiff to supplement the memoranda of law to address each of these issues; jurisdiction to grant the divorce, custody jurisdiction, and personal jurisdiction over the defendant. The defendant will have an opportunity to brief these - each of these issues also if he does not feel - or Mr. Markman does not feel that his reply brief filed last week sufficiently addresses those issues.

The deadline for the briefs to be filed and served will be Monday, June 8th. This matter will be hard on Tuesday, June 16th. At 9 A.M. Mr. Markman, I will read the cases that you cited and I'll read the - any authority that Ms. Green provides prior to that date.

MR. MARKMAN: Thank you, Your Honor.

MS. GREEN: Thank you, Your Honor.

THE COURT: Now the motion is-

MR. MARKMAN: Your Honor, I have a quick-

THE COURT: If - if the motion to dismiss is dependent on factual disputes, then you know that I'm gonna deny the motion to dismiss until we've had the chance to do discovery. If there is a - a legal basis to deny the plaintiff's claims,

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then the Court may consider the motion to dismiss at that I time.

MR. MARKMAN: Understood, Your Honor. And - and is there any way we could move those deadlines up from the practical perspective?

THE COURT: Well I'm - I - how can I - I mean that's only two weeks from now.

MR. MARKMAN: I understand. Is there any way to move it to June, 1st? Does that - does that give enough time? I - I don't know opposing counsel's schedule.

MS. GREEN: I - I - I would like [indiscernible] -

THE COURT: Well - all right, look. You're asking me to find that she cannot get divorced in Nevada because of her visa status. I'm gonna look at these cases, I'm gonna give them a chance since - since these cases weren't even cited 16 until last week to brief it. I gotta give 'em at least 10 days to do it.

MS. GREEN: Thank you, Your Honor. I need it.

THE COURT: So, look. This is a challenge for counsel, it's a challenge for the Court because each one of these issues which is often an uncontested matter in these cases is being challenged. The Court needs to make sure that I can articulate the basis for determining that we can proceed in this case, and certainly since we're not the home state, I have to articulate a basis to issue and enter a judgment with 1 custody orders under this - under the uniform enforcement act 2 adopted in Nevada.

I would say that the focus for the plaintiff is probably to address the analysis that was provided by the defendant in the filing last week, and probably the focus for the defendant is to address the comments of the Court related to - you know - the vacuum or the emergency jurisdiction, okay? Now the - the protective order is - is a valid order. It's a one year order, the parties are following it. That is gonna be what they - what they - I mean I - I'm not worried about them sharing the child on the short term, but if the protective order affected by the civil orders, then we'll - you guys need to know that the Court is gonna have to amend that protective order to deal with any orders that are entered in the D case. So mister interpreter, will you - will you try to cover that? Piece of it.

MR. RIFAAT: Yes, Your Honor.

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THE COURT: Any questions before I let you go?

MS. GREEN: Your Honor, this is Mohamad.

MR. ALHULAIBI: Your Honor, this is Mohamad.

MR. MARKMAN: So Your Honor, we're - we're staying with the - and I apologize for bringing this back up, but we're staying with the June, 8th date for briefing for both sides?

And the reason I ask is just - I'm just trying to figure out for my - my client. His plane ticket is June 18th and I mean -

the 8th is - is 19 days, which is five more days if he even gets to file an opposition. Even if it was a motion for summary judgment, and so I'm just - I'm just trying to see so I can help him figure out what he needs to do. If he needs to move the plane ticket or what he needs to do.

THE COURT: Right. Well, I mean even-

MS. GREEN: Your Honor.

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THE COURT: Even - all right, look - the - I - I think that you need to understand the practicality of this. In that  $10 \parallel \text{if this case goes forward it's not gonna be resolved in June.}$ 11 | I mean even under the administrative orders I'm keeping these 12 calendars so that I can address matters in these cases, but -13 | you know - the - the kind of deadlines for even simple things 14 | like discovery and custody proceedings. We're - we're doing the best we can to keep the court business moving, so you're 16 gonna have to advise him however you see fit. You know - he's - he's - they're in the same boat from the legal point of view as far as - you know - he graduated, his visa expires, and he - and - and you're gonna have to advise him that way. I can't help you there, okay? We're gonna have a hearing on the 16th at 9 A.M., and-

MS. GREEN: Thank you, Your Honor.

THE COURT: Thank you.

MS. ALHULAIBI: Excuse me, Your Honor.

THE COURT: Yeah.

1	MR. ALHULAIBI: Can I speak? This is Mohamad. Your Honor,
2	I just need for now, if she gives me permission. Ms. Senjab,
3	she took - I - I won't use - she took my [indiscernible] and
4	my [indiscernible] bank card. She has it for no way or
5	reasons, and she tried to get some personal information from
6	my bank, and then she used my [indiscernible].
7	THE COURT: Well, you can't - look. Mr I - I appreciate
8	that there's probably a lot of detailed information that
9	you're seeking from the Court, but you're asking the Court to
10	dismiss the case. You can't ask me for relief and then ask the
11	Court to dismiss the case at the same time. That's what the
12	Vail [sic] case stands for, okay? So - so I'm sorry, I - you
13	know that's something you, your lawyer and Ms. Green can try
14	to work out informally between now and the time we here this,
15	okay? All right.
16	MR. ALHULAIBI: All right, thank you [indiscernible].
17	THE COURT: Thank you. All right.
18	THE MARSHAL: That's all for today folks. Thank you.
19	MS. GREEN: Thank you.
20	MR. RIFAAT: Yes, Your Honor. Thank you, thank you.
21	THE COURT: Thank you, mister interpreter. Appreciate it.
22	MR. RIFAAT: Thank you, Your Honor. No problem.
23	[THE PROCEEDING ENDED AT: 11:49:28.]
24	* * * *

D-20-606093-D SENJAB/ALHULAIBI 05/20/2020 TRANSCRIPT
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### **ORIGINAL**

FILED AUG 2 8 2020



CASE NO. D-20-606093-D

APPEAL NO. 81515

### EIGHTH JUDICIAL DISTRICT COURT

#### FAMILY DIVISION

#### CLARK COUNTY, NEVADA

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	Plaintiff	)
vs.		)
MOHAMAD	ALHULAIBI,	)
	Defendant.	)

AHED SAID SENJAB,

#### CERTIFICATION OF TRANSCRIPTS & NOTIFICATION OF COMPLETION

The Office of Transcript & Video Services received a request for original transcript and one copy from April S. Green, Esq. on August 13th, 2020, for the following proceedings in the above-captioned case:

#### MAY 20TH, 2020

I do hereby certify that copies of the transcript requested in the above-captioned case were submitted to be filed with the Eighth Judicial District Court on August 28th, 2020, and ordering party was notified August 28th, 2020.

DATED this 25th day of August, 2020.

Quentin Mansfield, Transcriber

Transcript & Video Services

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