

IN THE SUPREME COURT OF THE STATE OF NEVADA

GRADY BYRD,

Appellant,

vs.

CATERINA ANGELA BYRD,

Respondent.

Supreme Court Case No. 80548
Electronically Filed
Aug 13 2020 04:20 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**RESPONDENT'S APPENDIX
TO ANSWERING BRIEF
VOLUME I**

Submitted By:

/s/ Jeanne F. Lambertsen

ANITA A. WEBSTER, ESQ.
Nevada Bar No. 1211
JEANNE F. LAMBERTSEN, ESQ.
Nevada Bar No. 9460
6882 Edna Avenue
Las Vegas, Nevada 89146
Attorneys for Respondent
Caterina Angela Byrd

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CHRONOLOGICAL LISTING

<u>EX.</u>	<u>DATE</u>	<u>DOCUMENT</u>	<u>BATES NUMBER</u>
1.	08/27/18	Motion to Change Venue, Plaintiff, filed 08/27/18.	RA000001 - RA000003
2.	10/18/18	Financial Disclosure Form, Plaintiff, filed 10/18/18.	RA000004 - RA000011
3.	11/27/18	Transcript re: Motion, November 27, 2018.	RA000012 - RA000032
4.	12/13/18	Ex parte Motion for Continuance, Defendant, filed 12/13/18.	RA000033 - RA000035
5.	12/18/18	Order Granting Continuance, Defendant, filed 12/18/18.	RA000036
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7.	12/27/18	Notice of Entry of Order for the Order Shortening Time on Plaintiff's Motion filed 12/27/18.	RA000059 - RA000062
8.	12/28/18	Reply to Opposition and/or Counter motion, Defendant, filed 12/28/18.	RA000063 - RA000087
9.	01/02/19	Financial Disclosure Form, Defendant, with five income statements attachments, filed 01/02/19.	RA000088 - RA000100
10.	01/15/19	Plaintiff's Reply to Defendant's Reply to	RA000101 -

		Plaintiff's Opposition to Defendant's ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, for an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Countermotion for Attorney Fees and Costs, filed 01/15/19.	RA000126
11.	01/15/19	First Supplement to Exhibit Appendix, Plaintiff, in support of her Reply filed 01/15/19.	RA000127 - RA000183
12.	1/18/19	Defendant's Reply to Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to defendant's Ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Counter motion for Attorney fees and Costs, filed 1/18/19.	RA000184 - RA000197
13.	04/23/19	Exhibit Appendix to Plaintiff's Opposition to Defendant's Motion for Reconsideration and Countermotion, Plaintiff, filed 04/23/19.	RA000198 - RA000237
14.	04/23/19	Plaintiff's Ex Parte Application for An Order for Defendant to Appear In Person, filed 04/23/19.	RA000238 - RA000244
15.	04/23/19	Exhibit Appendix to Plaintiff's Ex Parte Application For an Order For Defendant To Appear In Person, Plaintiff, filed 04/23/19.	RA000245 - RA000264
16.	05/17/19	Exhibit Appendix to Plaintiff's Reply to Defendant's Opposition and Countermotion, filed 05/17/19.	RA000265 - RA000322
17.	06/17/19	Plaintiff's Emergency Motion for an Order	RA000323 -

		to Show Cause Why the Defendant should Not Be Held In contempt of Court and for Attorney Fees and Costs, filed 06/17/19.	RA000337
18.	09/10/19	Plaintiff's Motion to Compel Defendant's Responses to Discovery and Request for Sanctions and Attorney Fees, filed 09/10/19.	RA000338 - RA000360
19.	09/17/19	Defendant's Motion for a Protective Order pursuant to NRCP 26(C) and for Attorney Fees, filed 09/17/19.	RA000361 - RA000372
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25.	10/21/19	Exhibit 7, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order to Show Cause, Grady to Appear On October 21, 2019, filed on 07/29/19.	RA000444 - RA000447
26.	10/21/19	Exhibit 8, Plaintiff's, admitted at Evidentiary Hearing, Caterina's Financial	RA000448 - RA000455

		Disclosure Form, Amended, filed on 07/15/19.	
27.	10/21/19	Exhibit 9, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, Amended, filed 01/18/19.	RA000456 - RA000468
28.	10/21/19	Exhibit 10, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, filed on 06/18/19.	RA000469 - RA000478
29.	10/21/19	Exhibit 13, Plaintiff's, admitted at Evidentiary Hearing: Emails Bates 522-523. E-mail from Defendant to Plaintiff promising the Plaintiff that she will receive the same benefits whether he is married or not, including Survivor Benefit Plan, dated February 20, 2014 and Emails between Defendant and Plaintiff, Defendant writing it is time for a divorce and promising Plaintiff \$3000 a month email dated, February 20 & 21, 2014.	RA000479 - RA000481
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38.	10/21/19	Exhibit 23, Plaintiff's, admitted at Evidentiary Hearing: Email from Plaintiff to Defendant, regarding Plaintiff's health insurance denial, dated July 29, 2016, to August 13, 2016.	RA000499 - RA000502
39.	10/21/19	Exhibit 25, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff regarding Car insurance and cancer surgery, dated July 16, 2018.	RA000503
40.	10/21/19	Exhibit 27, Plaintiff's, admitted at Evidentiary Hearing: Defendant's retirement from Army, beneficiaries, Survivor Benefit Plan, Form DD 2656, dated March 10, 1999.	RA000504 - RA000505
41.	10/21/19	Exhibit 28 Plaintiff's, admitted at Evidentiary Hearing: Grady's retirement account. DFAS Retiree Account Statement, dated December 3, 2017.	RA000506
42.	10/21/19	Exhibit 30, Plaintiff's, admitted at Evidentiary Hearing: Tax Return for Plaintiff year 2015 (Individual).	RA000507 - RA000508
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53.	10/21/19	Exhibit A, Defendant's, admitted at Evidentiary Hearing: Dept. Of Army (CRSC) decision letter dated 6/20/11. Bates.	RA000536 - RA000538
54.	10/21/19	Exhibit B, Defendant's, admitted at Evidentiary Hearing, CRSC payment history from August 2014 - July 2015 (VA Waiver 3017.60, Retire net pay 128.40).	RA000539
55.	10/21/19	Exhibit C, Defendant's, admitted at Evidentiary Hearing, CRSC pay statement	RA000540

		dated 4/22/19.	
56.	10/21/19	Exhibit D, Defendant's, admitted at Evidentiary Hearing, VA letter for disability benefits dated 10/16/12 (disability benefit effective 12/01/2011).	RA000541
57.	10/21/19	Exhibit E, Defendant's, admitted at Evidentiary Hearing, Grady's VA payment history from April 1, 2019 - May 31, 2019.	RA000542
58.	10/21/19	Exhibit F, Defendant's, admitted at Evidentiary Hearing, Office of Personnel Management (OPM) letter re: disability application dated 11/12/2010.	RA000543 - RA000545
59.	10/21/19	Exhibit G, Defendant's, admitted at Evidentiary Hearing . OPM letter dated 04/29/2018 re: FERS disability annuity adjustment.	RA000546
60.	10/21/19	Exhibit H, Defendant's, admitted at Evidentiary Hearing OPM Notice of Annuity adjustment re: 07/02/18 payment.	RA000547
61.	10/21/19	Exhibit I, Defendant's, admitted at Evidentiary Hearing, OPM Annuity statement dated March 13, 2019.	RA000548
62.	10/21/19	Exhibit J, Defendant's, admitted at Evidentiary Hearing: Defendant's Social Security Decision dated September 12, 2012.	RA000549 - RA000554
63.	10/21/19	Exhibit K, Defendant's, admitted at Evidentiary Hearing: Defendant's 2014 Social Security Benefit 2014 (Form SSA-1099).	RA000555
64.	10/21/19	Exhibit L, Defendant's, admitted at Evidentiary Hearing, Defendant's Social Security Benefit 2018.	RA000556

65.	11/25/19	Plaintiff's Memorandum of Fees and Costs, from July 19, 2019 through the date of the Evidentiary hearing on October 21, 2019, filed 11/25/19.	RA000557 - RA000593
66.	12/05/19	Notice of Entry of Order on Discovery Commissioner's Report and Recommendations, filed 12/05/19.	RA000594 - RA000602
67.	03/18/20	Plaintiff's Ex Parte Application for an Income Withholding Order, filed 03/18/20.	RA000603 - RA000615
68.	04/03/20	Opposition to Plaintiff's Ex -Parte Application for Income Withholding Order, Defendant, filed 04/03/20.	RA000616 - RA000625
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Certificate of Service

Pursuant to NRAP 25(c)(1)(E), I hereby certify, under penalty of perjury, that I am an employee of Webster & Associates and that on the 13th day of August, 2020, I caused to be served the foregoing document by way of NEFCR 9 Notice of Electronic Filing to the following:

Daniel W. Anderson
Mills & Anderson
Counsel for Appellant, Grady Edward Byrd


An employee of WEBSTER & ASSOCIATES

Case No. 14-10DC-0219
Dept No. 1

FILED
2010 AUG 27 PM 2:30

WEBSTER & ASSOCIATES
ANITA A. WEBSTER, ESQ.
Nevada Bar No. 1221
JEANNE F. LAMBERTSEN, ESQ.
Nevada Bar No. 9460
6882 Edna Ave.

SUE SEVON
COURT CLERK
[Signature]

Las Vegas, Nevada 89146
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e-mail: anitawebster@embarqmail.com
e-mail: jlambertsen@embarqmail.com
Attorney for Caterina Angela Byrd

The undersigned hereby affirms this
document does not contain a social security number

IN THE TENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF CHURCHILL

GRADY EDWARD BYRD and
CATERINA ANGELA BYRD,

Petitioners.

) **MOTION TO CHANGE VENUE**
)
)
)
)

**NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS
MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE
UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN TEN (10) DAYS
OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN
RESPONSE WITH THE CLERK OF THE COURT WITHIN TEN (10) DAYS OF
YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED
RELIEF BEING GRANTED BY THE COURT.**

CATERINA ANGELA BYRD, by and through ANITA A. WEBSTER, ESQ.,
and JEANNE F. LAMBERTSEN, ESQ., of WEBSTER & ASSOCIATES, moves
this Court for a change of venue in the above-entitled case.

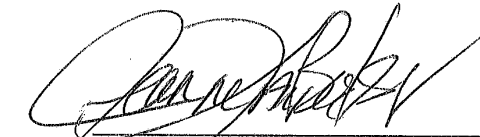
POINTS AND AUTHORITIES

1. This Court entered a final Order in this matter on June 5, 2014.
2. CATERINA ANGELA BYRD is requesting this matter be transferred to the Eighth Judicial District in Clark County, Nevada. Pursuant to NRS 13.040, the change of venue is proper because neither party resided in or currently resides in Churchill County, Nevada. Pursuant to NRS 13.050, Caterina Angela Byrd has lived in Clark County, Nevada since the year 2008 and the ends of justice would be promoted by the change.

CATERINA ANGELA BYRD respectfully asks the court to change the venue in this case from Churchill County, Nevada county to Clark County, Nevada, and that all further proceedings be held in the Eighth Judicial District Court.

DATED this 15th day of August, 2018.

WEBSTER & ASSOCIATES



ANITA A. WEBSTER, ESQ.
Nevada Bar No. 1221
JEANNE F. LAMBERTSEN, ESQ.
Nevada Bar No. 9460
6882 Edna Ave.
Las Vegas, Nevada 89146
Attorneys for Caterina Angela Byrd

DECLARATION IN SUPPORT

I declare under penalty of perjury:

1. That I have personal knowledge of the facts contained in this Motion and in this Declaration and I am competent to testify to the same.
2. That the statements in this Motion and Declaration are true and correct to the best of my knowledge.

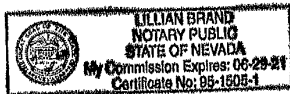
Pursuant to NRS 53.045, I declare under penalty of perjury under the law of the State of Nevada that the foregoing is correct.

DATED this 20 day of August, 2018.


CATERINA ANGELA BYRD

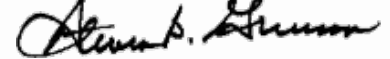
SUBSCRIBED and SWORN to
before me this 20th day of August 15, 2018.


NOTARY PUBLIC



FDF
Anita A. Webster, Esq. #1221
Jeanne Lambertsen, Esq. #9460
Webster & Associates
6882 Edna Avenue
Las Vegas, NV 89146
Tel No.: (702) 562-2300
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Attorney for Plaintiff, unbundled

Electronically Filed
10/18/2018 3:15 PM
Steven D. Grierson
CLERK OF THE COURT



EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

Caterina Angela Byrd, vs. Grady Edward Byrd,	Plaintiff, Defendant.	Case No.: D-18-577701-Z Dept. No.: G
--	------------------------------	---

GENERAL FINANCIAL DISCLOSURE FORM

A. Personal Information:

1. What is your full name? Caterina Angela Byrd
2. How old are you? 55
3. What is your date of Birth? 7/24/63
4. What is your highest level of education? High school

B. Employment Information:

1. Are you currently employed/self-employed? (✓ check one)

- ☒ No
☐ Yes, If yes, complete the table below. Attached an additional page if needed.

Date of Hire	Employer Name	Job Title	Work Schedule (days)	Work Schedule (shift times)

2. Are you Disabled? (✓ check one)

- ☒ No
☐ Yes
If yes, what is your level of disability? _____
What agency certified your disability? _____
What is the nature of your disability? _____

C. Prior Employment: If you are unemployed or have been working at your current job for less than 2 years, complete the following information.

Prior Employer: Self-employed business Date of Hire: 2002 Date of Termination: 2006
Reason for Leaving: The base closed down, leaving no potential customers

Monthly Personal Income Schedule

A. Year-to-date Income.

As of the pay period ending: _____ my gross year to date pay is: _____

B. Determine your Gross Monthly Income.

Hourly Wage

\$	*		=	\$0.00	*	52	=	\$0.00	/	12	=	\$0.00
Hourly Wage		Number of Hours worked per week		Weekly Income		Weeks		Annual Income		Months		Gross Monthly Income

Annual Salary

\$	/	12	=	\$0.00
Annual Income		Months		Gross Monthly Income

C. Other sources of Income.

Source of Income	Frequency (Monthly, Weekly or Other)	Amount	12 Month Average
Annuity of Trust Income			\$ 0.00
Bonuses			\$ 0.00
Car, Housing, or Other Allowance			\$ 0.00
Commissions or Tips			\$ 0.00
Net Rental Income			\$ 0.00
Overtime Pay			\$ 0.00
Pension/Retirement	12	\$ 1,500.00	\$ 18,000.00
Social Security Income (SSI)			\$ 0.00
Social Security Disability (SSD)			\$ 0.00
Spousal Support	12	\$ 1,500.00	\$ 18,000.00
Child Support			\$ 0.00
Workman's Compensation			\$ 0.00
Other:			\$ 0.00
Total Average Other Income Received Per Month			\$ 3,000.00
Total Average Gross Monthly Income + Other Income		\$0.00	\$ 3,000.00

D. Monthly Deductions:

Type of Deduction			Amount
Court Ordered Child Support (automatically deducted from paycheck)			
Federal Health Savings Plan			
Federal Income Tax			
Health Insurance	Amount for you		\$ 0.00
	For Opposing Party		
	For your Child(ren)		
Life, Disability, or Other Insurance Premiums			
Medicare			
Retirement, Pension, IRA, or 401(K)			
Savings			
Social Security			
Union Dues			
Other:			
Total Monthly Deductions			\$ 0.00

Business/Self-Employment Income & Expense Schedule

A. Business Income:

What is your average gross (pre-tax) monthly income/revenue from self-employment or businesses? _____

B. Business Expenses: Attach an additional page if needed.

Type of Business Expense	Frequency (Monthly, Weekly or other)	Amount	12 Month Average
Advertising			\$ 0.00
Car and truck used for business			\$ 0.00
Commissions, wages of fees			\$ 0.00
Business Entertainment/Travel			\$ 0.00
Insurance			\$ 0.00
Legal and Professional			\$ 0.00
Mortgage or Rent			\$ 0.00
Pension and profit-sharing plans			\$ 0.00
Repairs and Maintenance			\$ 0.00
Supplies			\$ 0.00
Taxes and Licenses (include est. tax payments)			\$ 0.00
Utilities			\$ 0.00
Other: (See Attached Sheet)			??
Total Expenses for the Year	\$0.00	Monthly Average	\$ 0.00

Personal Expense Schedule (Monthly)

- A. Fill in the table with the amount of money you spend each month on the following expenses and check whether you pay the expense for you, for the other party, or for both of you.

Expense	Monthly Amount I Pay	For Me G	Other Party G	For Both G
Alimony/Spousal Support				
Auto Insurance	\$ 75.00	✓		
Car Loan/Lease Payment				
Cell Phone				
Child Expense (from detail child expense)	\$ 0.00			
Child Support (not deducted from pay)				
Clothing, Shoes, Etc	\$ 125.00	✓		
Credit Card Payments (minimum due)	\$ 200.00	✓		
Dry Cleaning				
Electric	\$ 150.00	✓		
Food (groceries & restaurants)	\$ 300.00	✓		
Fuel	\$ 50.00	✓		
Gas (for home)	\$ 25.00	✓		
Health Insurance (not deducted from pay)	\$ 72.00	✓		
HOA	\$ 270.00	✓		
Home Insurance (if not included in mortgage)				
Long Term Care Insurance	\$ 128.01	✓		
Internet/Cable	\$ 174.49	✓		
Lawn Care	\$ 50.00	✓		
Membership Fees				
Mortgage/Rent/Lease	\$ 1,914.64	✓		
Pest Control	\$ 25.00	✓		
Pets				
Pool Service				
Property Taxes (if not included in mortgage)				
Security	\$ 55.99	✓		
Student Loans				
Un-reimbursed Medical Expense	\$ 50.00	✓		
Water	\$ 80.00	✓		
Other: (Use attached table of Expenses)	??			
Total Monthly Expenses	\$ 3,745.13			

Household Information

- A.** Fill in the table below with the name and date of birth of each child, the person the child is living with, and whether the child is from this relationship. Attached a separate sheet if needed.

	Child's Name	Child's DOB	Whom is this child living with?	Is this child from this relationship?	Has this child been certified as special needs/disabled?
1 st					
2 nd					
3 rd					
4 th					

- B.** Fill in the table below with the amount of money you spend each month on the following expenses for each child.

Type of Expense	1 st Child	2 nd Child	3 rd Child	4 th Child
Cellular Phone				
Child Care				
Clothing				
Education				
Entertainment				
Extracurricular & Sports				
Health Insurance (if not deducted from pay)				
Summer Camp/Programs				
Transportation Costs for Visitation				
Unreimbursed Medical Expenses				
Vehicle				
Other:				
Total Monthly Expenses	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

- C.** Fill in the table below with the names, ages, and the amount of money contributed by all persons living in the home over the age of eighteen. If more than 4 adult household members attached a separate sheet.

Name	Age	Person's Relationship to You (i.e. sister, friend, cousin, etc...)	Monthly Contribution
Roy Crewz	63	Friend	\$ 900.00

Personal Asset and Debt Chart

- A. Complete this chart by listing all of your assets, the value of each, the amount owed on each, and whose name the asset or debt is under. If more than 14 assets or debts, attach a separate sheet.

Line	Description of Asset and Debt Thereon	Gross Value		Total Amount Owed		Net Value	Whose Name is on the Account? You, Your Spouse/Domestic Partner or Both
1.			-		=	\$ 0.00	
2.			-		=	\$ 0.00	
3.			-		=	\$ 0.00	
4.			-		=	\$ 0.00	
5.			-		=	\$ 0.00	
6.			-		=	\$ 0.00	
7.			-		=	\$ 0.00	
8.			-		=	\$ 0.00	
9.			-		=	\$ 0.00	
10.			-		=	\$ 0.00	
11.			-		=	\$ 0.00	
12.			-		=	\$ 0.00	
13.			-		=	\$ 0.00	
14.			-		=	\$ 0.00	
	Total from Attached Table	??	-	??	=	ERR	
	Total Value of Assets	\$ 0.00	-	\$ 0.00	=	\$ 0.00	

- B. Complete this chart by listing all of your unsecured debt, the amount owed on each account, and whose name the debt is under. If more than 5 unsecured debts, attach a separate sheet.

Line	Description of Credit Card or Other Unsecured Debt	Total Amount owed	Whose Name is on the Account? You, Your Spouse/Domestic Partner or Both
1.			
2.			
3.			
4.			
5.			
6.			
	Total Unsecured Debt	\$ 0.00	

CERTIFICATION

Attorney Information: Complete the following sentences:

1. I have retained an attorney for this case.
2. As of the date of today, the attorney has been paid a total of \$5,000 on my behalf.
3. I have a credit with my attorney in the amount of \$381.77.
4. I currently owe my attorney a total of \$ _____.
5. I paid for the QDRO preparation \$800

IMPORTANT: Read the following paragraphs carefully and initial each one.

 X I swear or affirm under penalty of perjury that I have read and followed all instructions in completing this Financial Disclosure Form. I understand that, by my signature, I guarantee the truthfulness of the information on this Form. I also understand that if I knowingly make false statements I may be subject to punishment, including contempt of court.

 I have attached a copy of my 3 most recent pay stubs to this form.

 I have attached a copy of my most recent YTD income statement/P&L statement to this form, if self-employed.

 X I have not attached a copy of my pay stubs to this form because I am currently unemployed.

Cathal Byrd
Signature

18 Oct, 2018
Date

CERTIFICATE OF SERVICE

I hereby declare under the penalty of perjury of the State of Nevada that the following is true and correct:

That on the 18th day of October, 2018, service of the General Financial Disclosure Form was made to the following interested parties in the following manner:

☐ Via 1st Class U.S. Mail, postage fully prepaid and via email addressed as follows:

GSM Grady E. Byrd USA Ret
Purok 2 Cangmating
Sibulan Negros Oriental
Dumaguete Philippines 6201.

cbsmail2006@yahoo.com


An employee of Webster & Associates

1 TRANS

2 COPY

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CLERK OF COURT

3
4
5 EIGHTH JUDICIAL DISTRICT COURT
6 FAMILY DIVISION
7 CLARK COUNTY, NEVADA
8

9 IN THE MATTER OF THE)
10 JOINT PETITION FOR) CASE NO. D-18-577701-Z
11 DIVORCE OF:) DEPT. G
12 CATERINA BYRD)
AND GRADY E. BYRD) APPEAL NO. 80548
_____)

13 BEFORE THE HONORABLE CYNTHIA DIANNE STEEL
14 DISTRICT COURT JUDGE

15 TRANSCRIPT RE: MOTION

16 TUESDAY, NOVEMBER 27, 2018

17 APPEARANCES:

18 The Plaintiff: CATERINA BYRD
For the Plaintiff: JEANNE LAMBERTSEN, ESQ.
6882 Edna Ave.
19 Las Vegas, Nevada 89146
(702) 562-2300

20 The Defendant: NOT PRESENT
21
22
23
24

1 LAS VEGAS, NEVADA

TUESDAY, NOVEMBER 27, 2018

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

3 (THE PROCEEDINGS BEGAN AT 11:48:22)

4
5 THE CLERK: We're on.

6 THE COURT: Okay. Thank you. We're here on case
7 number 577701. It's a joint divorce action. Can I have
8 Counsel's appearance for the record, please?

9 MS. LAMBERTSEN: Yes. Good morning -- good morning,
10 Your Honor. Jeanne Lambertsen, bar number 9460, here on
11 behalf of Ms. Caterina Byrd, the Plaintiff.

12 THE COURT: Thank you.

13 THE PLAINTIFF: Who is present, Your Honor.

14 THE COURT: Thank you. You can have a seat, Ms.
15 Byrd.

16 THE PLAINTIFF: Thank you.

17 THE COURT: Ms. Lambertsen, I don't have any
18 response from the husband. I know I set this out because the
19 first time we didn't get a service filed in the register of
20 action. Not that you didn't do it, but it just didn't have
21 the act -- the service. So this is a renote, right?

22 MS. LAMBERTSEN: No, this is our first appearance
23 before you --

24 THE COURT: Okay.

1 MS. LAMBERTSEN: -- Your Honor. We filed this
2 motion in --
3 THE COURT: Oh, okay.
4 MS. LAMBERTSEN: -- October.
5 THE COURT: They're already divor -- oh, this got
6 moved from another jurisdiction.
7 MS. LAMBERTSEN: Correct. Correct.
8 THE COURT: Okay.
9 MS. LAMBERTSEN: Correct.
10 THE COURT: Got it.
11 MS. LAMBERTSEN: For -- for reasons unbeknownst to
12 -- to anyone, even though the parties resided here in Las
13 Vegas, Nevada he had filed in Churchill County. And I
14 tried --
15 THE COURT: People do that.
16 MS. LAMBERTSEN: -- tried very hard to stipulate to
17 moving it and there was no cooperation. Your Honor --
18 THE COURT: But there --
19 MS. LAMBERTSEN: -- we're --
20 THE COURT: -- is a divorce.
21 MS. LAMBERTSEN: They are divorced.
22 THE COURT: Okay.
23 MS. LAMBERTSEN: This is a post divorce action for
24 the Court's assistance. We are here primarily because of an

1 event that took place in August of 2018. Ms. Caterina (sic)
2 had -- it's a 31 year marriage. In 2008, he was in the
3 Philippines. He's an -- was in the military in the army. He
4 retired from that, then went to go work for the Department of
5 Defense as a civilian and he was in the Philippines. The last
6 time she's seen him was 2008.

7 She was here in Nevada. This was her last place of
8 residing. And in 2013, they bought a house together all
9 through email correspondence and mail. And then lo and behold
10 one year later in 2014 he sends her divorce papers and says, I
11 want a divorce, you got to sign them. She was quite
12 devastated but cooperated. He -- they married when she was
13 19. He had moved the parties 16 times during the 31 year
14 marriage. He always did the finances, the healthcare, the ID
15 cards.

16 THE COURT: He's in the military, so that's not
17 unusual.

18 MS. LAMBERTSEN: Right.

19 THE COURT: Okay.

20 MS. LAMBERTSEN: That's right. So he --

21 THE COURT: That's what military wives do.

22 MS. LAMBERTSEN: That's right. He was the boss.
23 She complied. So when he sent in -- instructions, you know,
24 here's the divorce documents, sign them, it -- it actually al

1 -- also came with a threat. This is what you're going to get.
2 You know, if you retain a lawyer, good luck finding me. This
3 is it. This is all I'm offering. And she complied. She --
4 she signed them. Things had been okay for years 2014, '15,
5 '16, and then August of this year he tells her in email that
6 he's in town for medical care, that he's at the VA ho --
7 hospital getting medical care.

8 Arriving to her home is mail addressed to him at her
9 home --

10 THE PLAINTIFF: Driver's license

11 MS. LAMBERTSEN: Driver's license which was the most
12 alarming thing because he doesn't reside in her home and --
13 and that seemed to be somewhat fraudulent to have a Nevada
14 driver's license coming.

15 So she was reaching out to him, are you okay, what's
16 going on. She started looking at the divorce decree and has
17 no documents verifying any of the items that he says go to
18 her.

19 In the decree, she's supposed to get 50 percent of
20 his army pay as long as he lives and there's survivor
21 benefits. And then there's these insurances. And she said
22 Grady, please send me these documents. I'm worried. You're
23 now in the hospital. I've got nothing should you pass away.
24 Silence. I reached out to him. I -- I got a qualified

1 domestic relations order prepared for the U.S. Army --
2 THE COURT: Do you know if he's in the -- in the
3 hospital or not?
4 MS. LAMBERTSEN: No, he's not in the --
5 THE COURT: Okay.
6 MS. LAMBERTSEN: To the best of my knowledge, he's
7 not there now, but --
8 THE COURT: Okay.
9 MS. LAMBERTSEN: -- he's planning to come back from
10 the Philippines --
11 THE PLAINTIFF: Next week.
12 MS. LAMBERTSEN: -- I think next week or something.
13 So -- so he refused to sign this QDRO. Meanwhile, in
14 September he cuts off all her money. She's surviving on
15 \$3,000 a month from him. In September, he stops paying her.
16 Her expenses are 3700 a month. She gets a roommate to help
17 cover expenses. She's now having to borrow.
18 So my main -- one of my huge goals today, Your
19 Honor, is if -- if orders -- temporary orders can go in that
20 he has to maintain the status quo. He can't unilaterally stop
21 this \$3,000 he's paying her. The decree specifically says
22 1500 which was going to a home. And then she believes the
23 other 1500 was part of this pension world that he describes in
24 the decree. But we don't know a dollar amount; what 50

1 percent of his pension actually is. That -- that is what led
2 us to do a QDRO. She's -- can't rely on the money coming
3 through him. It should be coming straight through the
4 military. And so that's what we're guessing the other 15 is
5 which has created the total.

6 In the re -- you know, digging around trying to find
7 documents, when he left the army, he did go to the Department
8 of Defense and worked as a civilian. And there's --

9 THE COURT: You know I --

10 MS. LAMBERTSEN: -- both --

11 THE COURT: I'm striking those exhibits, but go
12 ahead.

13 MS. LAMBERTSEN: I -- I understand. That's why I'm
14 taking the long --

15 THE COURT: That's okay.

16 MS. LAMBERTSEN: -- route --

17 THE COURT: That's fine.

18 MS. LAMBERTSEN: -- explaining everything --

19 THE COURT: That's okay.

20 MS. LAMBERTSEN: -- because I know exhibits --

21 THE COURT: Yeah.

22 MS. LAMBERTSEN: -- indexes are not --

23 THE COURT: But -- but you --

24 MS. LAMBERTSEN: -- permitted.

1 THE COURT: You've referred to them. Go ahead.

2 MS. LAMBERTSEN: Yes. So -- so she has no
3 information on this Department of Defense office of personal
4 management, you know, what is a pension going on with that.
5 I've only got one here for the military, the army. I don't
6 even know about this other thing. Or his FERS. It's the
7 Federal --

8 THE COURT: Right.

9 MS. LAMBERTSEN: -- Employees -- well, that was done
10 in the marriage too. She's got nothing on that. So my plea
11 to him through emails and mails, please let's not go to court.
12 Just send me the documents. Let's figure out what we're
13 doing, what's going on, and there is nothing.

14 THE COURT: He's never responded to any of your
15 emails?

16 MS. LAMBERTSEN: Correct. He sends --

17 THE COURT: Do you know --

18 MS. LAMBERTSEN: -- her --

19 THE COURT: -- if they are --

20 MS. LAMBERTSEN: He sent her mail --

21 THE COURT: -- his emails? Did -- I mean, do you
22 know for a fact he's receiving them?

23 MS. LAMBERTSEN: Well, we -- we saw a document that
24 he filed with the court on November 6th (sic).

1 THE COURT: 16th?
2 MS. LAMBERTSEN: And -- beg your pardon?
3 THE COURT: 16th?
4 MS. LAMBERTSEN: Yes. Yeah. Yeah.
5 THE COURT: Okay.
6 MS. LAMBERTSEN: Sorry if -- there was a --
7 THE COURT: It's all right.
8 MS. LAMBERTSEN: -- typo here. And his -- his
9 delays are harming her. You know, I -- he's had the motion
10 since October. He's certainly capable in the documents he
11 has, you know, mailed to her, she's -- she -- and closed the
12 checking account that -- that he's supposed to be depositing
13 the \$3,000 into. In September, he closed it without
14 explanation, nothing.
15 So I'm hopeful that -- that your order -- or -- you
16 know, an order can happen today that he's got to continue the
17 status quo. He cannot just cease to pay her this \$3,000 a
18 month. She's really quite destitute, Your Honor. And -- and
19 December's around the corner. Well, now it will be \$12,000
20 that she will be behind because no 3,000 September, October,
21 November, or December. And if he's getting social security
22 pension from the army, something form the Department of
23 Defense, something from FERS, he could be getting \$12,000 a
24 month. We have -- we have no idea. So we're hopeful for

1 that.

2 And getting his -- I don't know if the Court's able
3 to, but, you know, we have this qualified domestic relations
4 order that he's refusing to sign. I -- I would -- I don't
5 know if I have to do a separate motion before you. We have
6 explained that he's -- we've got to get her her funds. It's
7 -- it's written in the decree that she gets it. And this is
8 the vehicle to do it. And we're asking that the Court can
9 sign this and she can go on and -- and get that processed
10 through -- through the army. It's the Department of Financial
11 Services. So that's one request for -- to get this QDRO
12 signed, that he continue his payments, and the -- the list
13 goes on.

14 He puts in the decree that she's entitled to the
15 survivor benefits. And he uses this word entitled. He gives
16 no means or mechanisms as to how it's to happen. So in August
17 when -- when he's -- she's getting these driver's license and
18 she's reaching out to him. And she's fearful he's going to
19 pass. I mean, we have to talk about, you know, the end may be
20 near and what's going to happen with her benefits.

21 So she contacts the Defense, Finance, and Accounting
22 Service and they say so sorry, we didn't get your decree of
23 divorce when one year after 2014. You don't get survivor
24 benefits.

1 And there's -- there seems to be no recourse. The
2 benefits may be estimated at \$1800 a month. We're asking that
3 he takes out a life insurance plan. She -- he puts in the
4 decree of divorce that she's supposed to get health coverage.
5 No provisions were made. She goes up to try to use her
6 healthcare. They say oh, sorry, you're divorced, you aren't
7 insured. And she starts getting bills from doctors she's seen
8 between 2014 to 2016, \$9,000 in bills. She needs help with
9 that as well.

10 So he acknowledged that she's supposed to receive
11 these things and left her high and dry, so --

12 THE COURT: According to his petition, he's supposed
13 to be returning here no later than the first week in December?

14 MS. LAMBERTSEN: Uh-huh.

15 THE COURT: And did not ask for an order shortening
16 time to extend the date or anything. He just -- get something
17 filed in here on 11/16. And I don't see the -- the 3,000. So
18 what I'm thinking is let's move this to when he comes back in
19 December so that he can be here. He says he's going to -- I
20 -- I read his little affidavit as -- as if it were a request
21 to continue it. And it says that he's going to hire counsel.
22 That might be the more prudent way to go. It could be that
23 she's talking apples and he's talking oranges and they really
24 are talking about grapes, both of them. So as far as getting

1 all this stuff nailed down as to who has the rights to what.
2 He mentions in his list of assets the FERS account.
3 And I know that there is some restriction on attaching
4 anything to the disability money, whatever is designated as
5 disa -- disability, in our statutes here in Nevada. So we
6 will have to make sure that that's all been addressed.
7 MS. LAMBERTSEN: But can there be -- if -- if -- can
8 there be some order that he provides something by a return
9 date, you know, the statements that he's getting from DFAS and
10 the statement he's getting from the Veterans? Because this
11 delay is --
12 THE COURT: Right.
13 MS. LAMBERTSEN: -- harming her.
14 THE COURT: What do I have --
15 MS. LAMBERTSEN: I mean, she's --
16 THE COURT: -- in December where they can come back?
17 MS. LAMBERTSEN: She's --
18 THE COURT: It -- he's going to be here, I think
19 December 4 for a follow up appointment --
20 MS. LAMBERTSEN: -- she's unav -- she filed a notice
21 --
22 THE COURT: -- and another medical condition follow
23 up on the 19th. So somewhere between the -- after the 4th,
24 because that's the day of his appointment and before the 19th.

1 MS. LAMBERTSEN: What about 16 or 17? She has a
2 notice of unavailability.
3 THE COURT: I'm trying to find out.
4 MS. LAMBERTSEN: Okay.
5 (COURT AND CLERK CONFER BRIEFLY)
6 THE COURT: Is that the day you're available?
7 MS. LAMBERTSEN: Yes, Your Honor.
8 THE COURT: Counsel?
9 MS. LAMBERTSEN: She's available.
10 THE COURT: Okay. December 18. I'd rather over
11 book a CMC in the afternoon because those are short. Yeah.
12 Let's do it at 3:30.
13 MS. LAMBERTSEN: Okay. And Your Honor, you know --
14 THE COURT: Try to get as much in before I go.
15 MS. LAMBERTSEN: I know. And I appreciate that. I
16 -- I really do and then --
17 THE COURT: All right.
18 MS. LAMBERTSEN: -- I'm -- you know, she -- she came
19 fully prepared to present an argu -- I'd -- I'd like to at
20 least reserve attorney fees for having to be here today
21 because he could have. He had notice of this in October.
22 THE COURT: I'll reserve those.
23 MS. LAMBERTSEN: I mean, he --
24 THE COURT: He should have --

1 MS. LAMBERTSEN: -- you know --
2 THE COURT: -- done something.
3 MS. LAMBERTSEN: -- he should have, you know -- he
4 --
5 THE COURT: It's --
6 MS. LAMBERTSEN: It -- the delay is harming her.
7 And -- and we're here prepared.
8 THE COURT: Attorney fees for today's hearing.
9 MS. LAMBERTSEN: Yes, Your Honor.
10 THE COURT: All right.
11 MS. LAMBERTSEN: Thank you.
12 THE COURT: That's appropriate.
13 MS. LAMBERTSEN: Okay. Okay. So is there any -- is
14 the whole -- whole thing being -- anything about maintaining
15 any status quo in the funds?
16 THE COURT: If I do it, he's not going to be here
17 until then. He's not going to -- it's two weeks away or --
18 or --
19 MS. LAMBERTSEN: Okay.
20 THE COURT: -- maybe two-and-a-half weeks --
21 MS. LAMBERTSEN: Okay.
22 THE COURT: -- away.
23 MS. LAMBERTSEN: Okay.
24 THE COURT: I think that would just be --

1 MS. LAMBERTSEN: Can we --
2 THE COURT: -- overkill.
3 MS. LAMBERTSEN: -- ask that -- that in this order
4 that he provides some of these documents that we --
5 THE COURT: Yes, you may.
6 MS. LAMBERTSEN: -- so desperately need? And --
7 (COURT AND CLERK CONFER BRIEFLY)
8 THE COURT: Okay. Go ahead. That's good. There's
9 no cover signature. Go ahead, ma'am.
10 MS. LAMBERTSEN: So I'm -- I'm asking if -- for the
11 hearing on the 18th if he can please -- if it'd be ordered
12 that he bring his DFAS statement showing how much money he's
13 getting each month --
14 THE COURT: Right.
15 MS. LAMBERTSEN: -- and the VA statement from the
16 Department of Defense, you know, how much money he's getting.
17 We need to have those statements, that he --
18 THE COURT: The FERS system?
19 MS. LAMBERTSEN: Yes. And then the FERS statement.
20 You know, he's -- he's outlined -- by his own admission, he's
21 described like at least four different things --
22 THE COURT: Right.
23 MS. LAMBERTSEN: -- that he's getting. If those
24 items can be in the order for him to bring with him --

1 THE COURT: Well --
2 MS. LAMBERTSEN: -- on the 18th.
3 THE COURT: -- according to the document he filed,
4 it says his assets are disability pensions awarded for
5 injuries occurred. So he list the Department of Veteran
6 Affairs, the Department of the Army, the Social Security
7 Administration, because he probably gets social security and
8 Federal Employment Retirement System. So he needs to bring
9 all documents that support his version of what his income is.
10 MS. LAMBERTSEN: And -- and a fifth thing, Your
11 Honor. This QDRO is going -- is related to the Department of
12 Finance and Accounting Services. I believe there's another
13 statement coming from there, another income source which is
14 part of --
15 THE COURT: That might --
16 MS. LAMBERTSEN: -- this --
17 THE COURT: -- be what pays the -- that might be the
18 payor. The gov -- he belongs to the army and the Department
19 of Finance --
20 MS. LAMBERTSEN: Right.
21 THE COURT: -- makes the payments. So I'm not too
22 concerned that that's --
23 MS. LAMBERTSEN: Okay.
24 THE COURT: -- two different income streams. But

1 you can --

2 MS. LAMBERTSEN: Okay.

3 THE COURT: -- certainly research it, if you would

4 like.

5 MS. LAMBERTSEN: Okay. All right. All right.

6 Because that's what, you know, this QDRO would be going to

7 them.

8 THE COURT: Okay.

9 MS. LAMBERTSEN: And okay.

10 (COUNSEL AND CLIENT CONFER BRIEFLY)

11 MS. LAMBERTSEN: His -- there's other documents that

12 he has in the decree of divorce, Your Honor, if -- if he can

13 bring those with him. It says his Uni -- United States

14 retired military healthcare. That's a document she's needing.

15 The long term healthcare. This is on page 2 --

16 THE COURT: Correct.

17 MS. LAMBERTSEN: -- lines 25 to 26.

18 THE PLAINTIFF: Healthcare -- healthcare, if he

19 dies. I was supposed to get --

20 MS. LAMBERTSEN: Yeah, long term health insurance.

21 That's it.

22 THE COURT: Right. Here's the thing. That's going

23 to be -- I can't tell the federal government what to do. So

24 if the federal government has already said that it's too late

1 or whatever, I read it kind of in your pleadings. If it's not
2 too late, we got no problems. If it --
3 MS. LAMBERTSEN: Right.
4 THE COURT: -- is too late, I can't order them to do
5 it.
6 MS. LAMBERTSEN: Right.
7 THE COURT: So it would have to be ascertained what
8 it should have been --
9 MS. LAMBERTSEN: Right.
10 THE COURT: -- for the reimbursement.
11 MS. LAMBERTSEN: Right.
12 THE COURT: And that's -- that's --
13 MS. LAMBERTSEN: Right.
14 THE COURT: -- how that would be.
15 MS. LAMBERTSEN: Well, that's with the army survivor
16 benefits. But he's got all these other miscellaneous things
17 listed here in the -- in the decree of divorce that are not
18 the survivor benefits. These are actual life insurance plans,
19 a Veteran Group Life Insurance.
20 THE COURT: Okay.
21 MS. LAMBERTSEN: A -- you know, and these things
22 happen after his death. She's got none of those. So if he
23 could be ordered to bring --
24 THE COURT: Sure.

1 MS. LAMBERTSEN: -- what's on page --
2 THE COURT: That's fine.
3 MS. LAMBERTSEN: -- 2 these line -- okay. Okay.
4 Yeah. Okay.
5 THE COURT: And, hopefully, he'll have counsel that
6 will reach out and talk to you at least --
7 MS. LAMBERTSEN: I would love that.
8 THE COURT: -- in the hallway before you get into my
9 courtroom.
10 MS. LAMBERTSEN: Right.
11 THE COURT: Okay.
12 MS. LAMBERTSEN: Because this is like I said --
13 THE PLAINTIFF: But that's like him.
14 MS. LAMBERTSEN: This is --
15 THE PLAINTIFF: He --
16 MS. LAMBERTSEN: He --
17 THE PLAINTIFF: He cuts me off.
18 THE COURT: Yeah.
19 MS. LAMBERTSEN: He -- yeah, he closed the account.
20 THE PLAINTIFF: He cut you off.
21 MS. LAMBERTSEN: He's --
22 THE COURT: All right.
23 MS. LAMBERTSEN: -- not speaking to her. He's --
24 he's hidden her (sic) address from her since 2008. I mean,

1 it's -- okay.

2 THE COURT: I'll grant those things; you prepare the
3 order. I'll see you guys on the --

4 THE PLAINTIFF: 18th.

5 THE COURT: -- 18th at 3:30.

6 MS. LAMBERTSEN: Great. Thank you, Your Honor.

7 THE PLAINTIFF: Perfect.

8 MS. LAMBERTSEN: I appreciate your --

9 THE COURT: We'll see --

10 MS. LAMBERTSEN: -- help.

11 THE COURT: -- how much we can get resolved.

12 MS. LAMBERTSEN: Yes. Thank you.

13 THE PLAINTIFF: Yeah. Thank you.

14 THE COURT: You're welcome.

15 MS. LAMBERTSEN: And I --

16 THE COURT: I hope --

17 MS. LAMBERTSEN: -- hope your cold goes away. Mine
18 took a long --

19 THE COURT: Yeah, I --

20 MS. LAMBERTSEN: -- time.

21 THE COURT: -- visited relatives in Georgia yest --
22 I got back yesterday then I -- so I --

23 MS. LAMBERTSEN: Had a good time, but it was at a
24 cost.

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THE PLAINTIFF: Did she get the shot?
(PROCEEDINGS CONCLUDED AT 12:07:08)

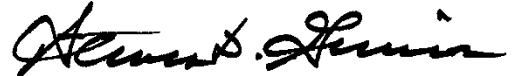
* * * * *

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

Electronically Filed
12/13/2018


CLERK OF THE COURT

EXMT

Name: GRADY EDWARD BYRD

Address: 5330 E. CRAIG RD.

LAS VEGAS NV 89115

Telephone: 7029184712

Email Address: CBSMAIL2006@YAHOO.COM

In Proper Person

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CATERINA ANGELA BYRD

Plaintiff,

vs.

GRADY EDWARD BYRD

Defendant.

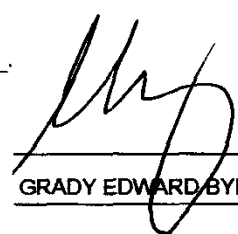
CASE NO.: D-18-577701-Z

DEPT: G

EX PARTE MOTION FOR CONTINUANCE

(Your name) GRADY EDWARD BYRD, the (☒ check one) ☐ Plaintiff
/ ☒ Defendant in Proper Person, moves this Honorable Court for an Order granting a
continuance. This motion is brought in good faith and is based on the attached Points and
Authorities, Declaration of Movant, the papers and pleadings on file herein, and such further
evidence and argument that may be requested.

DATED 7 DECEMBER, 2018

Submitted By: (your signature) 

(print your name) GRADY EDWARD BYRD

DEC 10 2018
paper

POINTS AND AUTHORITIES

A party may request a continuance of a hearing through an ex parte motion. EDCR 5.514(c). This ex parte motion seeks to continue a hearing on the court's calendar.

FACTS AND ARGUMENT

1. **Current Court Date.** There is a court date set for *(date of hearing)* 18 DECEMBER 2018
at *(time of hearing)* 3:30 ☐ am / ☒ pm.

2. **Prior Requests.** (☒ check one)

☒ This is my first request to change the court date.

☐ This is my *(insert number, i.e., "2nd" "3rd" etc.)* _____ request to change the court date.

3. **Attempt to Resolve.** The other party will not agree to continue the hearing date because
(explain why the other party will not agree to change the court date):

The plaintiff wants me to provide money, information, and documents that I either do not agree with or I do not have.

4. **Reason for Continuance.** I would like to change the court date because *(explain why you want to change the court date):*

1. Attorney John R. Gordon has agreed to take my case. However due to the short time to respond his fees are more than I can afford. An extension will allow me to save enough money to obtain legal representation.

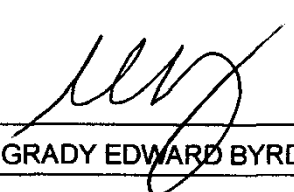
2. I cannot produce the court ordered documents in the time allotted. I am contacting the appropriate agencies and I await their response.

3. Plaintiff has had more than 4 years to prepare for this case. I am being given days to respond. I am going to defend myself against every accusation in plaintiff's motion. I have no doubt I will prevail because I have kept records that will prove my defense. I live in the Philippines where I was at recovering from surgery I had in September 2018. I have spent thousands of dollars returning to and residing in Las Vegas to defend myself against these accusations. I need a short period of time to save my money so I can obtain legal representation, obtain documents and evidence, continue to heal from surgery, and prepare for court.

5. **New Date Requested.** If granted, I ask the court to reschedule the court date for *(give a month/week/date that you suggest for the new court date)* February 2019.

I respectfully ask the Court to continue the court date as requested above, and any other relief the Court finds appropriate.

DATED 7 December, 2018.

Submitted By: *(your signature)* 

(print your name) GRADY EDWARD BYRD

DECLARATION IN SUPPORT OF MOTION

I declare, under penalty of perjury:

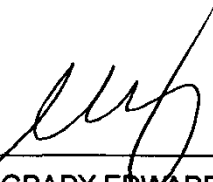
a. I have read the foregoing motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.

b. Additional facts to support my requests include: *(write anything else that the judge should know to make a decision about your case, or write "N/A" if there is nothing else to add)*
N/A

c. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED 7 DECEMBER, 2018.

Submitted By: *(your signature)* 

(print your name) GRADY EDWARD BYRD

Heather S. Linn
CLERK OF THE COURT

ORDR

Name: GRADY EDWARD BYRD

Address: 5330 E. CRAIG RD.

LAS VEGAS, NV 89115

Telephone: 702 918 4712

Email Address: CBSMAIL2006@YAHOO.COM

In Proper Person

DISTRICT COURT
CLARK COUNTY, NEVADA

CATERINA ANGELA BYRD

Plaintiff,

vs.

GRADY EDWARD BYRD

Defendant.

CASE NO.: D-18-577701-Z

DEPT: G

ORDER GRANTING CONTINUANCE

The Court having considered the ex parte motion for a continuance and good cause appearing,

IT IS HEREBY ORDERED that the hearing presently scheduled for (current court date) 18 DECEMBER 2018 at (time) 3:30 ☐ am / ☒ pm SHALL BE CONTINUED to (judge will fill in new court date) February 5th at (time) 9:30 ☒ am / ☐ pm.

The moving party shall serve a copy of this order on the opposing party / opposing counsel and file a Notice of Entry of Order.

DATED this 14 day of Dec, 2018.

Diane Spaul

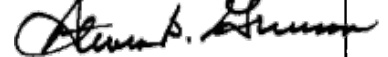
DISTRICT COURT JUDGE

Respectfully Submitted:

(Your signature)

(Your name)

Grady Edward Byrd
GRADY EDWARD BYRD



1 **OPPC**
2 **WEBSTER & ASSOCIATES**
3 ANITA A. WEBSTER, ESQ.
4 Nevada Bar No. 1221
5 JEANNE F. LAMBERTSEN, ESQ.
6 Nevada Bar No. 9460
7 6882 Edna Ave.
8 Las Vegas, Nevada 89146
9 Tel No: (702) 562-2300
10 Fax No: (702) 562-2303
11 e-mail: anitawebster@embarqmail.com
12 e-mail: jlambertsen@embarqmail.com
13 Attorney for Plaintiff, Unbundled

9 DISTRICT COURT

10 CLARK COUNTY, NEVADA

12 CATERINA ANGELA BYRD)	CASE NO.: D-18-577701-Z
)	DEPT NO.: G
13 Plaintiff,)	
)	
14 v.)	
)	Oral Argument Requested: Yes
15 GRADY EDWARD BYRD)	
)	
16 Defendant.)	

17
18 **Plaintiff's Opposition to Defendant's Ex Parte Motion For A Continuance**
19 **of Plaintiff's Motion to Enforce the Decree of Divorce, For An Order to**
20 **Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs,**
21 **and for Attorney's Fees and Costs**
22 **and**
23 **Countermotion For Attorney Fees and Costs**

24 COMES NOW Plaintiff, CATERINA ANGELA BYRD, by and through her
25 attorneys, ANITA A. WEBSTER, ESQ., and JEANNE F. LAMBERTSEN, ESQ.,
26 of the law offices of WEBSTER & ASSOCIATES, in an Unbundled Capacity,
27 does hereby file her *Opposition to the Defendant's Ex Parte Motion For A*
28 *Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For An Order*
to Show Cause, To Divide a Newly Discovered Asset, To Execute QDROs, and

W:\FamilyByrd, Caterina\Pleadings\Draft\OPP & CNTR MTN 12-19-18 wpd

1 *for Attorney's Fees and Costs and Countermotion For Attorney Fees and Costs.*

2 This Opposition and Countermotion is made and based upon the pleadings
3 and papers on file herein, the following Points and Authorities and upon such oral
4 argument as the Court may allow at the time of the hearing.
5

6 Dated: December 19th, 2018.

7 **WEBSTER & ASSOCIATES**

8
9
10 By: 

11 ANITA A. WEBSTER, ESQ.

12 Nevada Bar No. 1221

13 JEANNE LAMBERTSEN, ESQ.

14 Nevada Bar No. 9460

15 6882 Edna Ave.

16 Las Vegas, Nevada 89146

17 Attorneys for Plaintiff, Unbundled

18 **POINTS AND AUTHORITIES**

19 **Introduction**

20 After 31 years of marriage, on June 5, 2014, the Decree of Divorce was
21 filed by the Defendant, Grady Byrd (hereinafter "Grady") in Churchill County,
22 Nevada, despite neither party ever living in Churchill County and their last marital
23 residence was Clark County, Nevada.

24 About July 16, 2018 Plaintiff, Caterina Byrd (hereinafter "Caterina"),
25 received an e-mail from Grady notifying her that he was coming to Las Vegas to
26 get medical care at the VA hospital. He told Caterina to add him to her
27 automobile insurance policy so that he could avoid paying \$28.00 per day for
28 rental car insurance. Caterina had two reactions to this email. First, she contacted

1 her automobile insurance agent about Grady's request. On July 24, 2018, she
2 e-mailed Grady that he cannot be added to her insurance because he is not a
3 member of her household. She also asked for his address because he was
4 receiving mail addressed to him at her home. Caterina's second reaction to
5 Grady's e-mail was that she grew concerned that Grady's health may be in
6 jeopardy, and that she did not have any documents related to his retirement plan
7 benefits, survivor benefits or life insurance. Her concern grew worse when Grady
8 informed her on July 24, 2018 that he did not have an address and to just hold
9 his mail until he arrived in Las Vegas. He did not pick up his mail.
10

11
12 On August 7, 2018, the undersigned counsel e-mailed Grady asking for
13 documents. Grady did not respond. Fearing that she may lose the assets
14 awarded to her in the Decree of Divorce, Caterina sought the court's assistance.
15

16 Grady wrongly claims that Caterina had "more than 4 years to prepare for
17 this case." See Grady's Ex Parte Motion, filed December 13, 2018, pg. 2. She
18 first discovered the problems with the Decree of Divorce about August 2018. This
19 was only 2 months before she filed her Motion seeking the court's assistance.
20

21 When Grady failed to agree to stipulate to change the venue to Clark
22 County, Caterina had no choice but to pay fees, file documents, and notify Grady
23 of her request to change the venue to Clark County, Nevada. Her request was
24 granted and an order was issued. Caterina then had to pay filing fees to Clark
25 County Nevada.

26 When Grady continued to refuse to cooperate and provide documents
27 supporting the assets that were awarded to Caterina in the Decree of Divorce, on
28

1 October 16, 2018, Caterina filed her Notice of Motion and Motion to Enforce the
2 Decree of Divorce, for An Order to Show Cause, to Divide a Newly Discovered
3 Asset, to Execute QDROs, and for Attorney's Fees and Costs. The hearing was
4 set for November 27, 2018. Grady was duly served, but never filed a response.
5 Grady wrongfully claims that "I am being given days to respond." See Grady's Ex
6 Parte Motion, filed December 13, 2018, pg. 2. He retaliated against Caterina. On
7 September 1, 2018, Grady cut off the \$1,500 assistance he pays her for the
8 house mortgage and cut off another \$1,500 he pays Caterina, which she believes
9 is part of her interest in his military pension. As a result of the loss of her only
10 income, Caterina is suffering financial hardship. Grady wrongfully claims "I have
11 no doubt I will prevail because I have kept records that will prove my defense."
12 Id. This is false. For example, Grady has no records proving that he paid Caterina
13 \$3,000 per month from September 1, 2018, to the present date. Caterina, on the
14 other hand, filed a Schedule of Arrears on October 29, 2018, and an updated
15 Schedule of Arrears on December 17, 2018. Grady's records will also support
16 Caterina's claims that Grady closed the bank account that he was using to
17 deposit the \$3,000 per month for Caterina.
18
19
20

21 **On November 16, 2018, Grady filed his first Request for Continuance.**
22 He still did not file his response to Caterina's Motion. At the November 27, 2018,
23 hearing, Caterina objected to Grady's request for a continuance. She is suffering
24 financially. Over Caterina's objection, Grady's request for a continuance was
25 granted. He was ordered to provide documents that he listed in his November 16,
26 2018, response and listed on page 2 of the Decree of Divorce, lines 21 - 28. The
27
28

1 hearing was continued until December 18, 2018. On December 3, 2018, the
2 undersigned counsel e-mailed Grady the list of documents that he needs to
3 provide for the December 18, 2018 hearing. On December 7, 2018, Grady asked
4 for an agreement to another continuance. Grady was informed that Caterina is
5 unable to continue the hearing for multiple reasons, including the fact that Grady
6 has had ample notice of Caterina's Motion filed on October 16, 2018, that Grady
7 will be in town anyway on December 18, 2018 as referenced in the document that
8 he filed on November 16, 2018, and that Caterina is suffering financial hardship;
9 borrowing money from friends and family to pay the house mortgage and living
10 expenses because he has not paid her the \$3,000.00 per month since September
11 1, 2018.
12

13
14 Grady claims that "I spent thousands of dollars returning to and residing in
15 Las Vegas to defend against these accusations" See Grady's Ex Parte Motion,
16 filed December 13, 2018, pg. 2. This claim is false. The document that he filed
17 on November 16, 2018 informs the court that he is traveling to Las Vegas "no
18 later than the first week of December 2018" for "follow up appointment 4
19 December 2018 and another medical condition follow up appointment on 19
20 December 2018". The Court specifically chose December 18, 2018 for the return
21 hearing to coincide with Grady's *already existing* trip to Las Vegas. His return to
22 Las Vegas was not motivated or precipitated by this instant proceeding, rather,
23 it was to get his free medical care in the U.S. that he would otherwise pay for in
24 the Philippines. Additionally, Grady has availed himself of the Family Court Self
25 Help Center for which there are no legal fees charged. Further, Grady filed a
26
27
28

1 monthly income. Instead, he uses delay tactics, designed to hurt Caterina by
2 delaying her day in court, by writing letters to the sources of his income asking
3 for his statements. Caterina is suffering financially and needs the Court's
4 assistance.

5
6 **Problems with the Assets Grady gave Caterina in the Divorce Decree**

7 In 2014, Grady e-mailed Caterina the divorce documents, instructed her
8 to sign them and if she did not sign them, he wouldn't give her a dime. If she got
9 a lawyer, he would disappear and said "good luck finding me." He resided in the
10 Philippines. Believing that she had no choice but to comply with Grady, she
11 signed the divorce documents.

12
13 Grady paid Caterina \$3,000 each month until September 1, 2018. On this
14 day, he ceased paying her and closed the bank account that the funds were
15 deposited into. Grady did this in retaliation for Caterina asking Grady to please
16 provide copies of documents supporting each of the assets that he awarded to
17 her in the Decree of Divorce. She asked him for copies of these documents about
18 after July 2018. This was when he notified her that he was coming to town to get
19 medical care at the Veterans Administration Hospital in Las Vegas. Caterina
20 realized that should something happen to Grady, she had no paperwork
21 describing each of the assets that he gave her in the decree.

22
23
24 The Decree of Divorce includes the following (on page 2, lines 21- 28 and
25 page 3, lines 1-2). Problems arouse with each and every asset Grady listed for
26 Caterina and he must compensate her for each loss:

- 27 1. "Caterina A. Byrd is entitled to 50% of Grady E. Byrd's United States
28

1 Army Retired Pay as long as he lives." On September 1, 2018, Grady stopped
2 paying Caterina \$1,500.00 (which was never explained to her and she believes
3 is for her interest in his U.S. Army pension, but not sure) and Grady refused to
4 sign the QDRO allowing Caterina to receive her funds directly from Defense
5 Accounting and Finance Service. Since September 1, 2018, Caterina has
6 borrowed money from friends and family to pay her mortgage. She believes that
7 Grady is trying to cause Caterina to lose her house.

8
9 2. "Caterina A. Byrd is entitled to United States Army Survivor Benefit Plan
10 payments after Grady E. Byrd's death". Grady never sent a copy of the Decree
11 of Divorce to the Defense Accounting and Finance Service. On August 20, 2018,
12 Grady sent Caterina an internet page about the Defense Finance and Accounting
13 Service (DFAS) and about former spouse survivor benefit coverage. Caterina
14 sent the decree of divorce to DFAS and her spouse survivor benefits were
15 rejected since more than a year had passed since the filing of the Decree of
16 Divorce. Grady needs to compensate Caterina through a life insurance plan.

17
18 3. *Caterina A. Byrd is entitled to Office of Personnel Management death*
19 *benefits, United States Retired Military Health Care, Long Term Health Insurance,*
20 *VYSTAR Credit Union Accidental Death Insurance, and Veteran's Group Life*
21 *Insurance after Grady E. Byrd's death.* Each of the entitlements is described
22 below and the outcome:
23

24
25 A. Office of Personnel Management death benefits. The OPM will not
26 communicate with Caterina. As a result, she turned to Grady for copies of the
27 documents verifying that she is receiving the OPM death benefits. Grady refused
28

1 to provide Caterina the document(s). Instead, he sent her copies of a form he
2 signed to request the documents. Caterina sent the copied request form to the
3 OPM. It was rejected. The instructions state to send the original signature form.
4 Grady gave Caterina copies. To correct the problem, instead of sending the
5 original signature form to the OPM himself, he once again sent the form to
6 Caterina, who had to send it to the OPM. This was another delay tactic, a means
7 of harassing Caterina, and adding stress and unnecessary expenses to her
8 already destroyed financial condition. Grady has not informed Caterina of the
9 status of the request form. Grady has not provided Caterina copies of the
10 documents verifying that she is receiving the OPM death benefits.
11

12
13 B. United States Retired Military Health Care: About July 2016,
14 Caterina went to the military base to renew her health card. She learned that she
15 was no longer eligible, and had to obtain health insurance on her own at her own
16 cost. Currently, it is \$71.80 per month and is subject to annual change.
17 Meanwhile, Caterina started getting health care bills. She received \$9,254.50 in
18 bills for hospitalization, ambulance and doctor care that the U. S. Military refused
19 to cover. She paid \$2,750.50 and has not been able to pay the rest.
20

21 C. Long Term Health Insurance: The parties paid on this policy,
22 Federal Long Term Care Insurance Program, for years. Grady acquired the policy
23 when Caterina was 38 years old and she is relying on it. However, Grady is
24 refusing to pay the monthly payment. The payment went up to \$200 per month.
25 Caterina cannot afford the \$200 monthly payment so Caterina reduced her
26 benefit/services so that she could lower the premium to \$128.01 per month.
27
28

1 However, Caterina cannot even afford the \$128.01 per month. Grady should
2 reimburse Caterina \$128.01 per month so that she can continue the Federal Long
3 Term Care Insurance Program.

4 D. VYSTAR Credit Union Accidental Death Insurance: She learned
5 that the VYSTAR credit Union Accidental Death Insurance lapsed for non
6 payment and was terminated. Grady should provide a comparable insurance.

7 E. Veteran's Group Life Insurance: Federal Employees' Group Life
8 Insurance (FEGLI) coverage. Caterina asked Grady to provide her a copy of the
9 policy, confirm that he is making payments on the policy (if required) and confirm
10 that the policy has Caterina's mailing address and telephone number. Instead of
11 providing this information, Grady sent beneficiary forms to the undersigned
12 counsel who then forwarded them to the Office of Personnel Management. No
13 response has been received, so this issue is not resolved.

14 4. Grady E. Byrd will continue to pay Caterina A. Byrd \$1,500 dollars extra
15 a month to assist with her home mortgage. If her financial situation changes or
16 if the home is sold, or paid off, this payment may cease. This is not an alimony
17 payment and is not required. Grady suddenly ceased making this \$1,500 payment
18 to Caterina on September 1, 2018. She has filed Schedule of Arrears listing the
19 amount owed. Caterina has had to borrow money from friends and family to pay
20 the mortgage and fears that Grady is trying to cause her to lose the house. The
21 home is not sold, is not paid off and Caterina's financial situation has been made
22 worse by the loss of these funds. Caterina definitely needs this money.

23 **Caterina is suffering emotionally, physically and financially because of**
24
25
26
27
28

1 **Grady**

2 Caterina has trouble sleeping at night and is physically fatigued and anxious
3 because of Grady's refusal to comply with the decree of divorce and refusal to
4 provide her proof of each asset awarded to her in the decree of divorce. Further,
5 Grady is destroying Caterina's financial condition by not providing the \$3,000.00
6 per month that she relies on to live. Additionally, she has to pay for health
7 insurance, pay for unreimbursed health expenses, and pay for long term health
8 care insurance that were not anticipated.
9

10 Grady, on the other hand, receives low cost or free medical care at the
11 Veterans Hospital, bought a new car, opened new credit cards and he remarried.
12 About July 2018, mail started coming to Caterina's house addressed to Grady:
13 DMV with a Nevada Drivers License, a Findlay Chevrolet "congratulations" on
14 your new 2018 Chevrolet Cruze, a letter from First Internet Bank, Visa card, and
15 his new wife's U.S. Military Health Care insurance. Caterina, who was married to
16 Grady for 31 years, does not receive the health care insurance as promised in the
17 Decree, yet his new wife does. Caterina must be compensated for these assets
18 awarded, but not provided.
19
20

21 **Assets Grady Omitted from the Divorce Decree**

22 Grady refuses to respond to Caterina's inquiries about the possibility that
23 a U. S. Department of Defense pension or retirement plan exists. This asset
24 needs to be explored and divided. Grady lists such an asset, Federal Employees
25 Retirement, on the document that he filed on November 16, 2018.
26

27 **Grady has had ample time to respond to Caterina's Motion filed October 16,**
28

1 **2018.**

2 Grady was served Caterina's Motion on October 17, 2018 via U.S. Mail and
3 E-mail. The deadline for his response was Monday, November 5, 2018. He failed
4 to file any response by November 5, 2018.

5
6 Grady claims that he needs time to save enough money to obtain legal
7 representation See pg. 2 of his Ex Parte Motion. His claim is not genuine. He has
8 not filed a Financial Disclosure Form describing his financial status, he lists
9 multiple sources of income on his November 16, 2018 letter to the court, his
10 estimated gross income may be more than \$12,000 per month, Grady has had
11 the benefit of the \$3,000.00 per month since September 1, 2018 that he's
12 deprived Caterina of, Grady receives low cost or free medical care at the
13 Veterans Hospital and other health care providers, Grady bought a new car, and
14 opened new credit cards. About July 2018, mail started coming to Caterina's
15 house addressed to Grady: DMV with a Nevada Drivers License, a Findlay
16 Chevrolet "congratulations" on your new 2018 Chevrolet Cruze, a letter from First
17 Internet Bank, Visa card and mail for his new wife's U.S. Military Health Care
18 insurance arrived too. Caterina has not had the benefit of the assets awarded to
19 her in the decree of divorce such as the health insurance, long term health
20 insurance or the \$3,000 per month Grady was sending her.

21
22
23 **COUNTERMOTION**

24
25 Caterina is struggling to make the house payment and pay other bills. She
26 is in financial and emotional distress. Grady is bullying, controlling, and harassing
27 Caterina and in contempt of court for suddenly ceasing to comply with the court
28

orders since September 1, 2018. He owes Caterina more than \$6,000.00 in support and \$6,000.00 in pension funds. His refusal to pay has forced Caterina to borrow money from friends, take on a roommate, and borrow from family to pay her bills. Grady is putting Caterina at risk of losing her house. She desperately needs the Court's assistance. Grady's second request to continue the Motion hearing should not be granted, or alternatively, the time shortened on the February 5, 2019, hearing. An Ex Parte Application for a Order Shortening Time will be provided. Further, Caterina should be awarded attorney fees and costs.

Caterina is Entitled to An Award Attorney's Fees

Caterina and her counsel have tried repeatedly to resolve the issues referenced herein without the assistance of the court, but to no avail. Grady's secrecy, delays, and failure to cooperate has caused Caterina to incur attorney's fees. Further, Grady is in Contempt of Court for failing to pay Caterina the \$1,500.00 each month in assistance since September 1, 2018, as ordered in the Divorce Decree. He also will not sign the QDRO so that Caterina can receive her portion of the U.S. Army pension, yet Grady is refusing to pay the \$1,500.00 that he had been giving Caterina for what she believes is her interest in his Army pension. Grady is also refusing to communicate directly with the Federal Office of Personnel Management for proof that Caterina is indeed the beneficiary of his death benefits. He is causing delays, harassment and increased attorney fees by making Caterina send the documents to the Federal Office of Personnel Management.

NRS 125.040:

1. In any suit for divorce the court may, in its discretion, upon application

1 by either party and notice to the other party, require either party to pay
2 moneys necessary to assist the other party in accomplishing one or more
3 of the following:

- 4 (a) To provide temporary maintenance for the other party;
5 (b) To provide temporary support for children of the parties; or
6 (c) To enable the other party to carry on or defend such suit.

7 2. The court may make any order affecting property of the parties, or either
8 of them, which it may deem necessary or desirable to accomplish the
9 purposes of this section. Such orders shall be made by the court only after
10 taking into consideration the financial situation of each of the parties.

11 NRS 18.010(2):

- 12 (a) When the prevailing party has not recovered more than \$20,000; or
13 (b) Without regard to the recovery sought, when the court finds that the
14 claim, counterclaim, cross-claim or third-party complaint or defense of the
15 opposing party was brought or maintained without reasonable ground or to
16 harass the prevailing party. The court shall liberally construe the provisions
17 of this paragraph in favor of awarding attorney's fees in all appropriate
18 situations. It is the intent of the Legislature that the court award attorney's
19 fees pursuant to this paragraph and impose sanctions pursuant to Rule 11
20 of the Nevada Rules of Civil Procedure in all appropriate situations to
21 punish for and deter frivolous or vexatious claims and defenses because
22 such claims and defenses overburden limited judicial resources, hinder the
23 timely resolution of meritorious claims and increase the costs of engaging
24 in business and providing professional services to the public.

25 NRS 7.085 Payment of additional costs, expenses and attorney's fees by
26 attorney who files, maintains or defends certain civil actions or extends civil
27 actions in certain circumstances.

28 1. If a court finds that an attorney has:

- (a) Filed, maintained or defended a civil action or proceeding in any court
in this State and such action or defense is not well-grounded in fact or is not
warranted by existing law or by an argument for changing the existing law
that is made in good faith; or
(b) Unreasonably and vexatiously extended a civil action or proceeding
before any court in this State, the court shall require the attorney personally
to pay the additional costs, expenses and attorney's fees reasonably
incurred because of such conduct.

2. The court shall liberally construe the provisions of this section in favor
of awarding costs, expenses and attorney's fees in all appropriate
situations. It is the intent of the Legislature that the court award costs,
expenses and attorney's fees pursuant to this section and impose sanctions
pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all
appropriate situations to punish for and deter frivolous or vexatious claims
and defenses because such claims and defenses overburden limited

1 judicial resources, hinder the timely resolution of meritorious claims and
2 increase the costs of engaging in business and providing professional
3 services to the public.

4 NRS 22.100 Penalty for contempt.

5 1. Upon the answer and evidence taken, the court
6 or judge or jury, as the case may be, shall determine
7 whether the person proceeded against is guilty of the
8 contempt charged.

9 2. Except as otherwise provided in NRS 22.110, if
10 a person is found guilty of contempt, a fine may be
11 imposed on the person not exceeding \$500 or the person
12 may be imprisoned not exceeding 25 days, or both.

13 3. In addition to the penalties provided in
14 subsection 2, if a person is found guilty of contempt
15 pursuant to subsection 3 of NRS 22.010, the court may
16 require the person to pay to the party seeking to enforce
17 the writ, order, rule or process the reasonable expenses,
18 including, without limitation, attorney's fees, incurred by
19 the party as a result of the contempt.

20 Sargeant v. Sargeant, 88 Nev. 223, 227, 495 P.2d 618, 621 (1972). Equal
21 footing so don't have to liquidate savings. The Nevada Supreme Court held that
22 the district court did not abuse its discretion in awarding approximately
23 \$50,000.00 in attorney fees to the wife in a divorce proceeding. The Court noted
24 that without the district court's assistance, the wife would have been required to
25 liquidate her savings and jeopardize her financial future in order to meet her
26 adversary in court on an equal basis.

27 In Griffith v. Gonzales-Alpizar, 132 Nev. Adv. Op. 38 (May 26, 2016) the
28 Appellate Court held that: Pursuant to NRS 125.040 the court can award
attorney's fees from the start of the action through the appeal.

Wright v. Osburn, 114 Nev. 1367, 970 P.2d 1071 (1998). Disparity in

1 income is a factor to be considered in awarding attorney fees.

2 Hornwood v. Smith Food King, attorney fees to prevailing party if succeed
3 on a significant number of issues. This court has held that "[a] plaintiff may be
4 considered the prevailing party for attorney's fee purposes if it succeeds on any
5 significant issue in litigation which achieves some of the benefit is sought in
6 bringing the suit." Hornwood v. Smith's Food King, 105 Nev. 188, 192, 772 P.2d
7 1284 (1989) (quoting Women's Federal S & L Ass'n. v. Nevada Nat. Bank, 623
8 F.Supp. 469, 470 (D.Nev.1985).

9
10 Awards of attorney fees are within the sound discretion of the Court. See
11 Love v. Love, 959 P.2d 523, 114 Nev. 572 (1998), Fletcher v. Fletcher, 89 Nev.
12 540, 542-43, 516 P.2d. 103,104 (1973), Leeming v. Leeming, 87 Nev. 530, 532,
13 490 P.2d 342, 343 (1971), and Halbrook v. Halbrook, 114, Nev. 1455, 971 P.2d
14 1262 (1998) .

15
16 Pursuant to Brunzell v. Golden Gate Nat'l Bank, 85 Nev. 345 (1969), the
17 Court should take into consideration the following factors when determining an
18 award of attorney's fees. (1) The qualities of the advocate(s): Ms. Webster has
19 been practicing law for 32 years and Ms. Lambertsen has been practicing law for
20 13 years; the law firm's practice is dedicated to family law. (2) The character and
21 difficulty of the work performed: The intricacy, importance, time and skill required
22 to prepare this Opposition and Countermotion is moderate. (3) The work actually
23 performed by the attorneys and legal assistants: Approximately 5 hours were
24 spent by counsel and legal assistants in fees (4) The result obtained is unknown
25 but the Opposition and Countermotion demonstrates Grady's lack of cooperation
26
27
28

1 and continuing control of Caterina.

2 **CONCLUSION**


3 Caterina is seeking the following relief:

- 4 1. That Caterina's relief requested in her Motion filed on October 16, 2018, be
5 granted, which includes the following:
- 6 a. Grady be found in Contempt for Failing to pay Caterina \$1,500 in
7 assistance since September 1, 2018; that Grady be subject to
8 sanctions of \$500 per event, and attorney's fees;
 - 9 b. That Grady be ordered to pay Caterina the assistance arrears;
 - 10 c. That Grady immediately execute the U.S. Army QDRO (QMCO) so
11 that Caterina can receive the benefits directly from the U.S. Army
12 (DFAS) and not from Grady;
 - 13 d. That Grady immediately provide proof of the dollar amount of his U.S.
14 Army Retirement plan payments to determine the dollar amount that
15 Caterina should have been receiving;
 - 16 e. That Grady immediately obtain and pay for a life insurance plan in the
17 dollar amount of Caterina's lost U.S. Army retirement survivor benefit
18 plan, and that if he fails to do so, that he be found in contempt;
 - 19 f. That Grady provide proof that Caterina will receive the Office of
20 Personnel Management death benefits;
 - 21 g. Grady should reimburse Caterina \$9,254.50 for unpaid health care
22 bills;
 - 23 h. Grady should reimburse Caterina the cost of her health insurance
24
- 25
26
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28

- 1 premium which is \$71.80 per month. This dollar amount should be
2 adjusted annually for any insurance cost changes;
3 i. Grady should reimburse Caterina \$128.01 for the monthly cost of her
4 Federal Long Term Care Insurance Program;
5
6 2. That Caterina be awarded her Attorney's fees and costs; and
7 3. For any other relief that is just and equitable under the premises.
8

9 Dated: December 19th, 2018

WEBSTER & ASSOCIATES

10
11
12
13 
14 JEANNE F. LAMBERTSEN, ESQ.
15 Attorney for Plaintiff
16 Unbundled Capacity
17
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DECLARATION OF CATERINA BYRD

1
2 1. I, Caterina Byrd am the Plaintiff in the above-entitled action.

3 2. I have read the foregoing Opposition and Countermotion, and the factual
4 averments contained therein are true and correct to the best of my knowledge,
5 except as to those matters based on information and belief, and as to those
6 matters, I believe them to be true. Those factual averments contained in the
7 preceding are incorporated herein as if set forth in full.
8

9 3. That I had been receiving payments of \$3,000.00 from the Defendant,
10 Grady Byrd since the filing of the Decree of Divorce on June 5, 2014, and that
11 these payments ceased September 1, 2018.
12

13 4. That on September 4, 2018, I learned that the checking account that
14 Grady Byrd had deposited my monthly payment into was closed. It was a joint
15 checking account that had been established for 31 years.
16

17 5. That on September 4, 2018, Grady deposited \$1,000.00 into the joint
18 savings account and then withdrew the \$1,000.00, and about another \$8.00 that
19 was remaining in the account, then closed the checking account. I never received
20 the \$1,000.00 that Grady deposited into the account. He removed it.
21

22 6. That my e-mail to him on September 4, 2018, asking why he closed the
23 joint checking account and if he was going to pay the money for the month was
24 not answered.

25 7. That I have not received any money from Grady since August 2018. I am
26 struggling to pay my bills and living expenses. I have had to borrow money from
27 my friends, family and took in a roommate to help pay expenses. I fear that I may
28

1 lose my house because paying the mortgage is difficult.

2 8. That I do not know if a retirement plan or retirement benefit exists from
3 Grady's work with the Department of Defense. Only about August 2018, did I
4 begin to suspect that something might exist. I have never received any
5 information about a Department of Defense pension, retirement or other plan. The
6 only thing I knew about was a life insurance plan if Grady died and that I am
7 supposed to be the beneficiary. However, I am worried about this life insurance
8 plan because the form that Grady filled out was rejected and he hasn't responded
9 with the correct, original signature form.
10

11 9. Based upon the foregoing, I respectfully request that this Court grant the
12 relief requested by me in this Opposition and Countermotion.
13

14 I declare under penalty of perjury in the State of Nevada that the foregoing
15 is true and correct.

16 Executed this 19 day of December, 2018.

17  12/19/2018
18 Caterina Byrd
19
20
21
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24
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26
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28

Certificate of Service

Pursuant to NRCP 5(b), I certify that I am employed in the Law Offices of WEBSTER & ASSOCIATES, and that on this 19th day of December, 2018, I caused the above and foregoing to be served as follows:

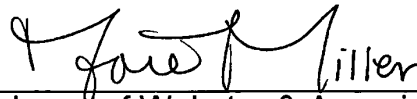
[X] pursuant to EDCR 8.05(a), EDCR 8.05(f) NRCP (b)(2)(D) and Administrative Order 14-2 Captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court." by mandatory electronic service through the Eighth Judicial District Court's electronic filing system; and

[X] by placing the same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

To the Defendant listed below at the address, email address, and/or facsimile number indicated:

Grady E. Byrd
5330 E. Craig Rd.
Las Vegas, NV 89115

E-mail: cbsmail2006@yahoo.com



An employee of Webster & Associates

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

CATERINA ANGELA BYRD ■

Plaintiff/Petitioner

v.

GRADY EDWARD BYRD

Defendant/Respondent

Case No. D-18-577701-Z

Dept. G

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

☐ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.

-OR-

☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:

☐ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.

☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.

☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.

☒ Other Excluded Motion (must specify) No Final Order.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:

☐ The Motion/Opposition is being filed in a case that was not initiated by joint petition.

☒ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.

-OR-

☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.

-OR-

☐ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

Step 3. Add the filing fees from Step 1 and Step 2.

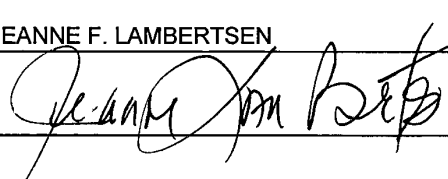
The total filing fee for the motion/opposition I am filing with this form is:

☒\$0 ☐\$25 ☐\$57 ☐\$82 ☐\$129 ☐\$154

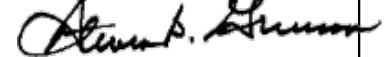
Party filing Motion/Opposition: JEANNE F. LAMBERTSEN

Date 12/19/18

Signature of Party or Preparer



RA000058



1 **NEO**
2 **WEBSTER & ASSOCIATES**
3 ANITA A. WEBSTER, ESQ.
4 Nevada Bar No. 1221
5 JEANNE F. LAMBERTSEN, ESQ.
6 Nevada Bar No. 9460
7 6882 Edna Ave.
8 Las Vegas, Nevada 89146
9 Tel No: (702) 562-2300
10 Fax No: (702) 562-2303
11 e-mail: anitawebster@embarqmail.com
12 e-mail: jlambertsen@embarqmail.com
13 Unbundled Attorney for Plaintiff

14 DISTRICT COURT

15 CLARK COUNTY, NEVADA

16 CATERINA ANGELA BYRD)

17 Plaintiff,)

18 v.)

19 GRADY EDWARD BYRD)

20 Defendant.)

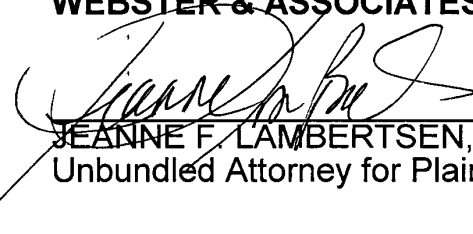
CASE NO.: D-18-577701-Z
DEPT NO.: G

**NOTICE OF ENTRY OF ORDER
SHORTENING TIME**

21 PLEASE TAKE NOTICE that an Order Shortening Time was entered in the
22 above-entitled action on the 27th day of December 2018, a copy of which is
23 attached.
24

25 Dated this 27th day of December 2018.

26 **WEBSTER & ASSOCIATES**

27 
28 JEANNE F. LAMBERTSEN, ESQ.
Unbundled Attorney for Plaintiff

Law Offices of
WEBSTER & ASSOCIATES
6882 Edna Avenue • Las Vegas, Nevada 89146
Telephone (702) 562-2300 • Facsimile (702) 562-2303

Certificate of Service

Pursuant to NRCP 5(b), I certify that I am employed in the Law Offices of WEBSTER & ASSOCIATES, and that on this 27th day of December, 2018, I caused the above and foregoing document to be served as follows:

- ☒ [X] pursuant to EDCR 8.05(a), EDCR 8.05(f) NRCP (b)(2)(D) and Administrative Order 14-2 Captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court." by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;
- ☒ [X] by placing the same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☐ [] pursuant to EDCR 7.26 to be sent via facsimile, by duly executed consent for service by electronic means;
- ☐ [] by hand-delivery with signed Receipt of Copy.

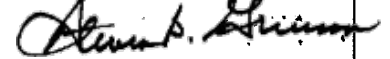
To the attorney(s)/person(s) listed below at the address, email address, and/or facsimile number indicated below:

Grady E. Byrd
5330 E. Craig Rd.
Las Vegas, NV 89115

E-mail: cbsmail2006@yahoo.com



An employee of Webster & Associates



1 **OST**
2 **WEBSTER & ASSOCIATES**
3 ANITA A. WEBSTER, ESQ.
4 Nevada Bar No. 1221
5 JEANNE F. LAMBERTSEN, ESQ.
6 Nevada Bar No. 9460
7 6882 Edna Ave.
8 Las Vegas, Nevada 89146
9 Tel No: (702) 562.2300
10 Fax No: (702) 562-2303
11 e-mail: anitawebster@embarqmail.com
12 e-mail: jlambertsen@embarqmail.com
13 Attorney for Plaintiff, Unbundled

14 **DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 CATERINA ANGELA BYRD)

CASE NO.: D-18-577701-Z

17 Plaintiff,)

DEPT NO.: G

18 v.)

19 GRADY EDWARD BYRD)

20 Defendant)

21 **Order Shortening Time**

22 Upon the application of Plaintiff, CATERINA ANGELA BYRD, by and
23 through her attorneys, ANITA A. WEBSTER, ESQ., and JEANNE F.
24 LAMBERTSEN, ESQ., of the law offices of WEBSTER & ASSOCIATES, in an
25 Unbundled Capacity, and good cause appearing therefore,

26 **IT IS HEREBY ORDERED** that Plaintiff's Notice of Motion and Motion to
27 Enforce the Decree of Divorce, For An Order to Show Cause, To Divide a Newly
28 Discovered Asset, To Execute QDROs, and for Attorney's Fees and Costs filed
on October 16, 2018 currently scheduled to be heard on February 5, 2019, at

W:\Family\Byrd, Caterina\Pleadings\Drafts\OST.wpd


9:30 a.m., is reset for hearing on the 23 day of Jan, 2019 at the hour
of 10:30 a.m./p.m, in Department G, of the Family Courthouse located at 601
N. Pecos, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED that the hearing date of February 5, 2019, at
10:30 a.m., is hereby vacated.

DATED this 10 day of Dec 2018.


DISTRICT COURT JUDGE

SUBMITTED BY:
WEBSTER & ASSOCIATES

 12/19/18
ANITA A. WEBSTER, ESQ.
Nevada Bar No.: 1221
JEANNE LAMBERTSEN, ESQ.
Nevada Bar No.: 9460
6882 Edna Ave.
Las Vegas, Nevada 89146
Attorney for Plaintiff, Unbundled

Law Offices of
WEBSTER & ASSOCIATES
6882 Edna Avenue • Las Vegas, Nevada 89146
Telephone (702) 562-2300 • Facsimile (702) 562-2303

IN THE SUPREME COURT OF THE STATE OF NEVADA

GRADY BYRD,

Appellant,

vs.

CATERINA ANGELA BYRD,

Respondent.

Supreme Court Case No. 80548

**RESPONDENT'S APPENDIX
TO ANSWERING BRIEF
VOLUME II**

Submitted By:

/s/ Jeanne F. Lambertsen

ANITA A. WEBSTER, ESQ.

Nevada Bar No. 1211

JEANNE F. LAMBERTSEN, ESQ.

Nevada Bar No. 9460

6882 Edna Avenue

Las Vegas, Nevada 89146

Attorneys for Respondent

Caterina Angela Byrd

INDEX

CHRONOLOGICAL LISTING

<u>EX.</u>	<u>DATE</u>	<u>DOCUMENT</u>	<u>BATES NUMBER</u>
1.	08/27/18	Motion to Change Venue, Plaintiff, filed 08/27/18.	RA000001 - RA000003
2.	10/18/18	Financial Disclosure Form, Plaintiff, filed 10/18/18.	RA000004 - RA000011
3.	11/27/18	Transcript re: Motion, November 27, 2018.	RA000012 - RA000032
4.	12/13/18	Ex parte Motion for Continuance, Defendant, filed 12/13/18.	RA000033 - RA000035
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9.	01/02/19	Financial Disclosure Form, Defendant, with five income statements attachments, filed 01/02/19.	RA000088 - RA000100
10.	01/15/19	Plaintiff's Reply to Defendant's Reply to	RA000101 -

		Plaintiff's Opposition to Defendant's ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, for an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Countermotion for Attorney Fees and Costs, filed 01/15/19.	RA000126
11.	01/15/19	First Supplement to Exhibit Appendix, Plaintiff, in support of her Reply filed 01/15/19.	RA000127 - RA000183
12.	1/18/19	Defendant's Reply to Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to defendant's Ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Counter motion for Attorney fees and Costs, filed 1/18/19.	RA000184 - RA000197
13.	04/23/19	Exhibit Appendix to Plaintiff's Opposition to Defendant's Motion for Reconsideration and Countermotion, Plaintiff, filed 04/23/19.	RA000198 - RA000237
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15.	04/23/19	Exhibit Appendix to Plaintiff's Ex Parte Application For an Order For Defendant To Appear In Person, Plaintiff, filed 04/23/19.	RA000245 - RA000264
16.	05/17/19	Exhibit Appendix to Plaintiff's Reply to Defendant's Opposition and Countermotion, filed 05/17/19.	RA000265 - RA000322
17.	06/17/19	Plaintiff's Emergency Motion for an Order	RA000323 -

		to Show Cause Why the Defendant should Not Be Held In contempt of Court and for Attorney Fees and Costs, filed 06/17/19.	RA000337
18.	09/10/19	Plaintiff's Motion to Compel Defendant's Responses to Discovery and Request for Sanctions and Attorney Fees, filed 09/10/19.	RA000338 - RA000360
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25.	10/21/19	Exhibit 7, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order to Show Cause, Grady to Appear On October 21, 2019, filed on 07/29/19.	RA000444 - RA000447
26.	10/21/19	Exhibit 8, Plaintiff's, admitted at Evidentiary Hearing, Caterina's Financial	RA000448 - RA000455

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27.	10/21/19	Exhibit 9, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, Amended, filed 01/18/19.	RA000456 - RA000468
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29.	10/21/19	Exhibit 13, Plaintiff's, admitted at Evidentiary Hearing: Emails Bates 522-523. E-mail from Defendant to Plaintiff promising the Plaintiff that she will receive the same benefits whether he is married or not, including Survivor Benefit Plan, dated February 20, 2014 and Emails between Defendant and Plaintiff, Defendant writing it is time for a divorce and promising Plaintiff \$3000 a month email dated, February 20 & 21, 2014.	RA000479 - RA000481
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37.	10/21/19	Exhibit 22, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff stating that Plaintiff is not entitled to any more money in the decree of divorce, retire pay is 3017, dated April 8, 2014. Bates13, and "this is your last warning," and Plaintiff asking for \$3000/mo., dated April 10, 2014.	RA000496 - RA000498

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41.	10/21/19	Exhibit 28 Plaintiff's, admitted at Evidentiary Hearing: Grady's retirement account. DFAS Retiree Account Statement, dated December 3, 2017.	RA000506
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43.	10/21/19	Exhibit 31, Plaintiff's, admitted at Evidentiary Hearing:, Tax Return for Plaintiff year 2016 (Individual).	RA000509 - RA000510
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ALPHABETICAL LISTING

<u>EX.</u>	<u>DATE</u>	<u>DOCUMENT</u>	<u>BATES NUMBER</u>
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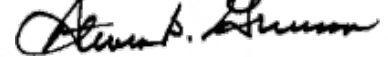
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Certificate of Service

Pursuant to NRAP 25(c)(1)(E), I hereby certify, under penalty of perjury, that I am an employee of Webster & Associates and that on the 13th day of August, 2020, I caused to be served the foregoing document by way of NEFCR 9 Notice of Electronic Filing to the following:

Daniel W. Anderson
Mills & Anderson
Counsel for Appellant, Grady Edward Byrd


An employee of WEBSTER & ASSOCIATES



RPLY

Name: GRADY EDWARD BYRD

Address: 5330 E. CRAIG RD.
LAS VEGAS NV 89115

Telephone: 7029184712

Email Address: CBSMAIL2006@YAHOO.COM

Self-Represented

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CATERINA ANGELA BYRD

Plaintiff,

VS.

GRADY EDWARD BYRD

Defendant.

CASE NO.: D-18-577701-Z

DEPT: G

DATE OF HEARING: 01/23/2018

TIME OF HEARING: 10:30 am

Oral Argument Requested: ☒ Yes ☐ No

REPLY TO OPPOSITION AND/OR COUNTERMOTION

(Your name) GRADY EDWARD BYRD, in Proper Person, files this Reply to the Opposition and Countermotion filed by the opposing party.

REPLY TO OPPOSITION AND COUNTERMOTION

A. Memorandum of Points and Authorities

I do not agree with the opposing party's Opposition and Countermotion. The legal basis to support my argument is: *(explain any relevant laws and cases that support your argument)*

This Reply is made and based upon the pleadings and papers on file herein, the following Points and Authorities and upon such oral argument as the Court may allow at the time of the hearing

Dated: December 28, 2018.

REFERENCE: NRS 125.150; NRS 125.165

1 **B. Statement of Facts.**

2
3 I do not agree with Caterina Angela Byrd's (herein after "plaintiff") Opposition and
4 Countermotion. Additional facts that support my arguments are:
5

6 **INTRODUCTION**

7
8 As declared by plaintiff in Notice of Motion, Plaintiff and Defendant have only
9 communicated by email since their separation in early 2008. This is by my design for
10 two reasons. 1. Reference email dated June 14, 2014, my mental health is destroyed
11 when I have contact with plaintiff and 2. I have learned to keep a good record of our
12 interactions. So with that, every allegation, accusation, character defamatory remark,
13 etc. directed at me that is presented in this document from April 2008 until the present
14 must have written evidence proving it or it should be considered false, unverifiable,
15 hyperbole, misrepresentation, distortion, misdirection, disingenuous, or anything but the
16 true depiction of the facts or circumstances.
17

18 I, as the defendant, will provide written evidence on all matters of interest that I bring
19 before the court.
20

21 **REPLY TO POINTS AND AUTHORITIES**

22
23 **REFERENCE INTRODUCTION:**

24

25 1. Page 2. Lines 18-21. MISDIRECTION. No purpose for this statement other than to
26 create the appearance of some type of subterfuge. Divorce was legally filed in the State
27 of Nevada and ordered by the 10th Judicial District Court.

28

29 2. Page 3. Lines 15-19. FALSE STATEMENT. Email from plaintiff (Caterina Angela
30 Byrd) to defendant (Grady Edward Byrd) dated APRIL 18, 2014 lists all federal disability
31 benefits that defendant currently possesses to include the following statement:

32

33 "....and in four years full pension from OPM..."

34

35 **A full accounting of this deceit is provided at No. 51.**

36

37 3. Page 3. Lines 20-25. MISDIRECTION. Plaintiff started this case in an adversarial
38 manner. That plaintiff intended on taking me to court is amateurishly obvious. After I
39 received initial demands from plaintiff and representatives I blocked email
40 communications until I received registered documents.

41

42 4. Page 3. Lines 26-27. FALSE STATEMENT. I provided all of these documents to
43 plaintiff in August 2018. This is acknowledged in Notice of Motion pgs 6-7.

44

45 5. Page 4. Lines 3-4. FALSE STATEMENT. I filed an opposition and request for
46 continuance that was accepted by the court on 16 November 2018.

47

48 6. Page 4. Lines 7. HYPERBOLE. I exercised my rights under Nevada Law to fully
49 comply with an approved Divorce Decree. I do not consider this retaliation.

50

51 7. Page 4. Lines 8-9. MISREPRESENTATION. There is no court ordered mandate for
52 Grady Edward Byrd to pay any funds to plaintiff. Decree page. 3. Line 2. specifically
53 states " This is not an alimony payment and is not required." Decree page 3. No. 12.
54 reinforces this fact when the Court ordered "Husband (DEFENDANT) and Wife
55 (PLAINTIFF) agree that neither party shall be required to pay spousal support to the
56 other party. "Decree also specifies " The wife (PLAINTIFF) shall pay the following
57 debts: USAA\$347,345.00" (HOUSE MORTGAGE)

58

59 Emails dated April 17 and 18, 2014 prove that plaintiff was an active participant in
60 producing the decree. Email dated April 15, 2014 proves that that the defendant was
61 the aggrieved party in this settlement.

62

63 8. Page 4. Lines 9-10. MISDIRECTION. I provided plaintiff a copy of latest Retiree
64 Account Statement in August 2018. Plaintiff included this document as an exhibit in the
65 Notice of Motion. I circled the appropriate amounts of pay so that there could be no
66 misunderstanding. I really do not know how to explain more clearly. If plaintiff had
67 been amicable to negotiations, this document could have been easily explained.

68

69 9. Page 4. Line 22. FALSE STATEMENT. Reference Motion accepted by the Court
70 on 11/16/2018, numbers 2; 5; 7, and 10 clearly show response and opposition to Notice
71 of Motion. Number 8. is a direct response to the allegations in the Notice of Motion.

72
73 The information contained in this reply motion is presented throughout plaintiff's
74 Opposition in numerous instances so the motion submitted on 11/16/2018 is definitely
75 an opposition response.

76
77 10. Page 5. Lines 14-15. MISREPRESENTATION. I had no plans to return to Las
78 Vegas until my 19 December 2018 appointment. Everything was accelerated when I
79 was notified on November 8, 2018 of the 27 November 2018 hearing. Last minute
80 flights, hotel, and living expenses, cost me money I didn't expect to pay. NOTE: On 23
81 December 2018 I paid another one thousand dollars for hotel costs that I did not plan on
82 paying. I scheduled the December 4, 2018 appointment after I was informed of the
83 hearing on 27 November 2018. I reside in the Philippines. I will return there as soon as
84 I can. I will change my address when I leave the U.S.

85
86 REFERENCE OPPOSITION:

87
88 11. Factual Background. MISDIRECTION. I find very little of this information factual. If
89 plaintiff would cease adding unverifiable and just plain false information into the record I
90 believe the case could be resolved much sooner.

92 12. Page 6. Lines 13. MISREPRESENTATION. Plaintiff was much more than "a
93 housewife." She also worked outside the house on salary for approximately 19 years of
94 the approximately 25 years that she lived with defendant. This work included fast food
95 worker, day care worker, multiple department stores salesperson, four different gift
96 shops and six years as a highly successful salon owner. I supported her as a house
97 husband during these times.

98
99 13. Page 6. Line 21. MISDIRECTION. Requesting additional time to prepare for the
100 legal barrage brought by the plaintiff is provided by the State of Nevada and is not
101 considered a "delay". I have made no misrepresentations to the court. I will provide
102 written evidence on all matters of interest that I bring before the court. On the other
103 hand, plaintiff has provided mostly false or unverifiable information to the court and this
104 statement will be verified by the lack of written evidence provided by plaintiff to back up
105 allegations and assertions against me.

106
107 14. Page 6. Lines 24-25. MISDIRECTION. Plaintiff acknowledged that I requested
108 updated dated copies of these documents on December 7, 2018. I will provide the
109 latest copies I possess which may or may not be the most recent versions.

110
111 15. Page 6. Line 26. MISINTERPRETATION. Plaintiff signed joint mortgage
112 application July 2013. This application provided the dollar amount of all assets of
113 defendant. As I have already stated in my first response to plaintiff's Notice of Motion,

114 the sources of my assets, which I listed, and plaintiff has acknowledged so, have not
115 changed.

116

117 16. Page 7. Line. 1. FALSE STATEMENT. Another outrageous statement that is
118 designed to distract from the evidence of record.

119

120 17. Page 7. Lines 8-12. FALSE STATEMENT/HYPERBOLE. I never made such
121 statements. The plaintiff cannot produce any evidence to support these outrageous
122 statements. The factual version of this statement can be found in email dated April 9,
123 2014 where I stated:

124

125 "I'm sending you the papers. You sign or **I will hire a lawyer**
126 **and take you to court."**

127

128 18. Page 7. Line 15. FALSE STATEMENT. No evidence to support this outrageously
129 false statement. Hyperbole designed to distract from the facts of the case.

130

131 19. Page 7-8. Lines 27-1. FALSE STATEMENT. I have never failed to comply with
132 this order. My Army retired pay changed in September 2018 and I commenced
133 depositing the new authorized amount in plaintiff's Savings account.

134

135 20. Page 8. Lines 3-4. MISREPRESENTATION. Prior to September 2018 no QDRO
136 was possible due to no entitlement to Army retired pay.

137

138 21. Page 8. Line 8. HYPERBOLE. Outrageously false assertion that is not grounded
139 in reality. I gave plaintiff 100% of my Thrift Savings Plan (approximately \$90,000.00
140 before taxes) for house down payment. I paid the mortgage from purchase date until
141 the commencement of this legal action out of my own funds. Why would I want her to
142 lose a house I paid for?

143

144 22. Page 8. No. 2. MISREPRESENTATION. Divorce Decree does not direct Grady
145 Edward Byrd to be responsible for any actions related to Survivor Benefit Plan after the
146 final order. In actuality Department of Defense procedures are clear on this point.
147 Divorced spouse can submit required documents on her own behalf. I had no
148 knowledge that plaintiff did not follow the rules. This is evidenced by the fact that I
149 continued paying the SBP premium until plaintiff notified Defense Finance and
150 Accounting Service of her error. This had nothing to do with me. I have tried to fix
151 plaintiff's error but to no avail.

152

153 23. Page 8. No. 3. A. FALSE STATEMENT AND MISREPRESENTATION. I sent the
154 original document and one copy plus simple instructions for mailing. Instead of
155 following instructions plaintiff made a file copy and sent off copies instead of original
156 signed document. After the OPM notified me of plaintiff's mistake I completed form
157 again and resent to plaintiff for mailing. I sent to plaintiff for mailing so that she knew I
158 had complied with her orders. I have not received confirmation from OPM that the form
159 was processed. I will provide to plaintiff when I receive.

160

161 24. Page 9. Lines 7-9. **HYPERBOLE.** Another outrageously false assertion based
162 upon plaintiff's misinterpretation of facts. I sent the document to plaintiff to provide
163 evidence that I had complied with her orders, demands, and threats. That is now
164 expressed as an act of harassment, delaying, destroying, etc., etc. Truly outrageous
165 character defamation.

166

167 25. Page 9. B. **MISREPRESENTATION.** Health care was available to plaintiff if she
168 would have followed DOD Instructions. To insinuate that it is somehow my fault that
169 plaintiff didn't follow instructions is directly contradictory to the Decree which did not
170 order me to take any action for plaintiff after the final Order.

171

172 26. Page 9. C. **MISREPRESENTATION.** Plaintiff has paid this premium since our
173 separation. There is no order for me to pay this premium. In compliance with Decree
174 stating Plaintiff is entitled to LTC Insurance I take no action on this policy. Policy will
175 remain in effect as long as premium is paid. This has nothing to do with me.

176

177 27. Page 10. D. **MISREPRESENTATION.** Plaintiff has paid this premium since our
178 separation. There is no order for me to pay this premium. Plaintiff was entitled to
179 AD&D Insurance as long as premium was paid. Plaintiff missed several payments in
180 2015 and ignored the warning letters sent to her home address. The policy was
181 cancelled. This has nothing to do with me.

182

28. Page 10. E. MISREPRESENTATION. I sent the Certificate proving Plaintiff as beneficiary of VGLI. I will provide the latest copy I have. Nothing else I can do.

29. Page 10. 4. Line 19-20. MISREPRESENTATION/HYPERBOLE. In the Notice of Motion, plaintiff described this payment as "truly spousal support". Since this assertion has been removed and not mentioned in this filing, it appears as if we now are all in agreement that no alimony or spousal support is ordered. I am not required to make this payment. The rest of this statement is unsubstantiated hyperbole.

30. Page 11. Lines 6-7. HYPERBOLE/MISREPRESENTATION. Defendant is in complete compliance with Decree. Evidence of federal disability benefits awarded has been provided.

NOTE: This statement does not continue the false narrative that defendant owes plaintiff any alimony or spousal support.

31. Page 11. Lines 22-23. FALSE STATEMENT. See No 2. and No. 15. of this Reply. These facts will not change regardless of the formatting, arrangement, associated hyperbole, or number of times this same information is presented.

32. Page 12. Lines 2-5. FALSE STATEMENT. I first received and signed for registered notification of this case on November 8, 2018 at my home in the Philippines. I submitted an opposition motion on November 18, 2018. Due to time differences the

206 Court accepted my filing on November 16, 2018. Though I responded in time, a hearing
207 went forth on November 27, 2018 with no response to my motion.

208

209 While I was recovering from surgery and still in poor health, I was only provided nine
210 days total to arrange flights from the Philippines, hotels, consult and hire an attorney,
211 and prepare for a Judicial District Court hearing. The earliest I could arrange travel and
212 living matters in my medical condition and return to the United States was November
213 29, 2018. I still cannot afford to hire an Attorney.

214

215 The hearing went forth without my presence. The false information that is rampant in
216 this case continued at that hearing where it was entered into the official record
217 reference NOTICE OF ENTRY OF ORDER dated December 17, 2018 and ORDER
218 FROM THE NOVEMBER 27, 2018 HEARING dated December 13, 2018 that:

219

220 Page 1. Lines 23-24. MISREPRESENTATION OF SITUATION. I was still in
221 Philippines at this time and no notice of that fact was recorded.

222

223 Page 2. Lines 2-3. FALSE STATEMENT. I responded to the Motion and also
224 requested a continuance to respond further to the motion. I submitted this Motion on
225 November 18, 2018 and was accepted by the Court on 16 November 2018. The Court
226 hearing went forward without my opposition and requests being heard.

227

228 My Motion was sent to plaintiff on November 18, 2018. Plaintiff has referenced this
229 Motion on multiple occasions in multiple filings. The fact is that I had responded and the
230 information contained in my Motion was withheld from the court by plaintiff.

231

232 33. Page 12. Line 7. FALSE STATEMENT. Another statement from plaintiff that has
233 no basis in fact and no evidence can be presented to support the statement.

234

235 34. Page 12. Line 8. MISREPRESENTATION. This implies that I have failed some
236 legal obligation. As plaintiff noted on page 5. Line 26-27. I am responding to all these
237 legal documents and accusations against me with the help of the 8th Judicial District
238 Court Family Court Self Help Center. Based on my reading of all documents to this
239 point I was not required to submit a Financial Disclosure Form until I submit this Reply.

240

241 35. Page 12. Line 10. FALSE STATEMENT. See No. 15.

242

243 36. Page 12. Lines 20-21. MISREPRESENTATION OF FACTS. Plaintiff is completely
244 responsible for these assets. Nowhere, other than by plaintiff, is it implied, suggested,
245 or ORDERED that defendant is responsible for maintaining these assets.

246

247 37. Page 12. Line 26. HYPERBOLE. Outrageous character defamation that would
248 result in a libel suit in any other setting. These remarks are only presented to distract
249 from the facts of the case which is that the defendant is in complete compliance with

250 Ordered Divorce Decree and that plaintiff has provided demonstrably false information
251 to the Court. All evidence presented by the defendant proves this statement is a fact.

252

253 38. Page 13. Line 1-2. FALSE STATEMENT. As noted by all parties throughout this
254 reply, defendant is in complete compliance with Decree.

255

256 39. Page 13. Lines 3-5. UNSUBSTANTIATED INFORMATION. Information presented
257 to distract from the facts of the case.

258

259 40. Page 13. Lines 6-9. As plaintiff has noted in this filing, defendant is forced to use
260 Self Help and try to learn Nevada Divorce Law and the Rules of the Court.

261 I cannot afford the thousands and thousands of dollars that Las Vegas attorneys require
262 for their services. I will have to rely on the Court's Self Help Center until I have enough
263 money to hire an Attorney.

264

265 If nothing else provides evidence that I should have as much time as possible to
266 respond to plaintiff's Attorneys this information should.

267

268 Reference defendant's CONCLUSION, I disagree that attorney fees should be awarded
269 to plaintiff.

270

271 41. Page 13. Lines 12-13. MISREPRESENTATION. Plaintiff did nothing to avoid a
272 court case. Plaintiff's approach was adversarial and made no attempt to negotiate a

273 settlement. Upon securing legal counsel, plaintiff began producing emails to the
274 defendant solely for the purposes of creating the appearance of existing evidence. Note
275 that none of the listed emails from plaintiff to defendant were between 2008 and June
276 2018.

277

278 Plaintiff then issued an ultimatum that defendant comply with their orders or the legal
279 system and Courts would be used against the defendant. I did commence complying
280 with plaintiff's orders. I was never offered the chance to discuss the issues or explain
281 the circumstances or meaning of documents to plaintiff.

282

283 If plaintiff really wanted to avoid court, its begs the question, Why was a change of
284 venue directed in the first contact between plaintiff and defendant? If negotiation and
285 mediation were on the table this option would not be necessary at first contact.

286

287 Though plaintiff may have been technically in compliance with Court Rules they
288 definitely were not acting in the spirit of the Rule.

289

290 42. Page 13. Lines 13-15. MISREPRESENTATION. Plaintiff has been provided all
291 information they have asked for up to the point of the cancelled December 18, 2018
292 hearing. Their inability to accurately interpret the information is the problem.

293

294 43. Page 13. Lines 15-17. MISREPRESENTATION. Decree states " This is not
295 alimony and is not required". Plaintiff's repeating their false analysis of this statement is
296 not going to change these Court Orders.

297
298 44. Page 14. Lines 17. MISREPRESENTATION. This is an issue that could have
299 been explained if plaintiff had attempted negotiation or mediation. The obvious rush to
300 involve the Court prevented any meaningful discussions. At this time a QDRO is
301 available and I will sign as necessary.

302
303 45. Page 13. Line 23. FALSE STATEMENT AND HYPERBOLE. Following Nevada
304 Law and the Rules of the Court are not a form of delay, are not harassment, and may
305 result in increased legal fees if the plaintiff is not accurately interpreting all the
306 information provided.

307
308 46. Pages 13-16. MISREPRESENTATION/HYPERBOLE/FALSE STATEMENT. I
309 reject this request for legal fees. Plaintiff has sourced four Nevada Statutes and ten
310 case law decisions in support of the award of legal fees. Fortunately, these are only
311 legal references in the Opposition so my research can be focused towards the basis for
312 awarding legal fees. This is a prime reason I need more time to learn the law. This
313 case would not have been necessary if plaintiff had been willing to cooperate and
314 negotiate in good faith.

316 47. Pages 16-17. Lines 27-1. HYPERBOLE. This Opposition and Counter-motion
317 demonstrates plaintiff's mischaracterization of the Divorce Decree Order;
318 misinterpretation of the Retire Account Statement, VGLI Certificate, FEGLI forms;
319 plaintiff's adversarial approach and unwillingness to cooperate; the formulation of
320 documents to create the appearance of evidence; the continued advancement of false
321 narratives, and the continued presentation of patently false statements to the Court.

322
323 The problem is that plaintiff has misinterpreted basic government and insurance
324 documents; failed to accurately analyze the information presented; completely
325 misunderstood the Divorce Decree Order; continuously presented outrageous libelous
326 accusations designed to distract from facts; and failed to work within the spirit of Court
327 Rules.

328
329 **Certainly no award of attorney fees are warranted in these circumstances.**

330
331 48. Page 17. Line 2. 1.:

332
333 a. Defendant has strictly adhered to all requirements of the Decree. There is no
334 contempt when all requirements are followed.

335
336 b. There is no order for spousal support and no funds to divide under Army Retirement
337 pay so there cannot be any arrears. Since Army Retirement pay was reinstated on
338 October 1, 2018, 50% of the total has been deposited in plaintiff's savings account.

339

340 REFERENCE: NRS 125.165:

341

342 (ALSO DISCLOSED IN OPPOSITION MOTION 18 NOVEMBER 2018)

343

344 I am a disabled combat veteran. All of my financial assets are federal disability benefits
345 awarded for service-connected injuries pursuant to 38 U.S.C. §§ 1101 to 1151:

346

347 - Department Of Veterans Affairs Service-Connected Injury Pension;

348

349 - U.S. Army Combat Related Special Compensation;

350

351 - Social Security Disability Insurance;

352

353 - Department of Defense Federal Employee Disability Pension,

354

355 and all are subject to the provisions of NRS 125.165:

356

357 **Federal disability benefits awarded to veteran for service-connected disability:**

358 **Attachment, levy, seizure, assignment and division prohibited.** Unless the action is contrary to a
359 premarital agreement between the parties which is enforceable pursuant to chapter 123A of NRS, in
360 making a disposition of the community property of the parties and any property held in joint tenancy
361 by the parties, and in making an award of alimony, the court shall not:

1. Attach, levy or seize by or under any legal or equitable process either before or after receipt by a veteran, any federal disability benefits awarded to a veteran for a service-connected disability pursuant to 38 U.S.C. §§ 1101 to 1151, inclusive.

2. Make an assignment or otherwise divide any federal disability benefits awarded to a veteran for a service-connected disability pursuant to 38 U.S.C. §§ 1101 to 1151, inclusive.

c. I agree to this if plaintiff pays all associated costs and it is still considered necessary after the hearing.

d. Asked for and provided for at least two times this year. An updated RAS will be provided.

e. I reject this claim. Decree does not assign responsibility to defendant to manage plaintiff's affairs. Decree does not order defendant to provide external life insurance benefits to plaintiff.

f. Asked for and answered. Will do so again at hearing.

g. I reject this claim. Decree does not order defendant to pay plaintiff's medical costs.

h. I reject this claim. Decree does not assign responsibility to defendant to manage plaintiff's affairs. Decree does not order defendant to provide external health care benefits to plaintiff.

386 i. I reject this claim. Decree does not assign responsibility to defendant to pay LTC
387 Insurance. Plaintiff has paid this premium since the parties separated in 2008.

388

389 49. Page 18. Line 2. No. 2. I dispute this request. The defendant is in compliance with
390 all requirements of Decree. If plaintiff had worked within the spirit of the Rule of
391 negotiation and not just created documents for an evidence trail this case most probably
392 could have been settled out of court with only minimal costs and attorney fees and a lot
393 less hurt feelings on my part. The introduction of false information into this case
394 requires that plaintiff be responsible for her own costs and fees.

395

396 50. Page 18. Line 2. No. 3. All just and equitable relief should be directed towards the
397 defendant as he has provided evidence for all pertinent matters that he presented to the
398 Court.

399

400 51. Page 20. No. 8. FALSE STATEMENT.

401

402 - Plaintiff's Declaration in part states, 8. "That I do not know if a retirement plan
403 or retirement benefit exists from Grady's work with the Department of Defense. Only
404 about August 2018, did I begin to suspect that something might exist. I have never
405 received any information about a Department of Defense pension, retirement or other
406 plan.

407

408 **FOR REFERENCE: STATEMENTS PRESENTED TO THE COURT IN THE NOTICE**

409 **OF MOTION:**

410

411 PAGE 12. LINE 18. "GRADY MAY HAVE A UNDISCLOSED RETIREMENT
412 PLAN OR OTHER BENEFIT FROM WORKING FOR THE U.S. DEPARTMENT
413 OF DEFENSE"

414

415 PAGE 13. LINE 12. "Caterina discovered the potential for a undivided retirement
416 plan about August 2018,.... "

417

418 PAGE 13. LINE 21. "Caterina began to wonder if Grady has a pension or other
419 retainment benefit from his work with the Department of Defense."

420

421 PAGE 14. LINE 4. "Catherina's instant motion is within the statutory
422 requirement of 3 years after the "discovery"")

423

424 - Email from plaintiff (Caterina Angela Byrd) to defendant (Grady Edward Byrd)
425 dated APRIL 18, 2014 listed all federal disability benefits that he currently possesses to
426 include the following statement:

427

428 "you have army ret pay , combat pay, va pay, ss disability pay ,, **and in four years**
429 **full pension from OPM** , and social security ."

(THIS INFORMATION FILED WITH DEFENDANT'S OPPOSITION STATEMENT TO
COURT NOVEMBER 16, 2018)

- The USAA Bank Certified Cash Buyer Program prepared for plaintiff and
defendant on July 9, 2013 listed all of these assets as requiring "acceptable
documentation" evidence.

- Uniform Residential Mortgage Application signed and submitted by plaintiff and
defendant shows all federal disability benefits of the defendant were listed by the
plaintiff in her email. The total amount of these disability payments was \$8128.17.

**These documents provide evidence that plaintiff knew of the OPM pension more
than four years ago. Plaintiff waited until four years passed to submit Motion to
address defendant's federal disability benefits. This is obviously not a
coincidence and plaintiff's "DECLARATION OF CATERINA BYRD" must be
considered false information submitted to the court.**

In addition the provisions of NRS 125.150. 3. must be considered:

NRS 125.150. 3. A party may file a postjudgment motion in any action for divorce, annulment or
separate maintenance to obtain adjudication of any community property or liability omitted from the decree
or judgment as the result of fraud or mistake. A motion pursuant to this subsection must be filed within 3
years after the discovery by the aggrieved party of the facts constituting the fraud or mistake.

454

455 The Nevada Tenth Judicial District Court Divorce Decree was ordered June 5,
456 2014. Plaintiff's Opposition Motion and Counter Motion was filed December 19,
457 2018. The time period from Ordered Decree to Motion filed is four years, six
458 months, and fourteen days.

459

460 (Notice of Motion was filed October 15, 2018. The time period from Decree to
461 Motion filed is four years, four months, and four days.)

462

463 **This time period exceeds the allowed three years to file a motion in**
464 **accordance with NRS. 125.150 absence evidence of fraud or mistake.**

465

466 **The plaintiff has not alleged FRAUD.** No example of fraud is submitted for the
467 Court's review. There is no mention in the Opposition (or Motion) of Deception,
468 Double-dealing, Subterfuge, Trickery, Cheating, or any other allegation that
469 describes or suggests fraud.

470

471 **The plaintiff has not alleged MISTAKE.** No example of a mistake submitted for
472 the Court's review. There is no mention in the Opposition (or Motion) of
473 misinterpretation, misconstrued, misunderstanding, error, blunder, slip, lapse, or
474 any other allegation that describes or suggests a mistake.

475

476

477 **CONCLUSION**

478
479 I request the following relief:
480

481 1. Based upon the overwhelming evidence of fraudulent statements submitted to the
482 Court by plaintiff, I request that all plaintiff's Motions, Oppositions, Ex-Parte
483 Applications, Schedule of Arrears, Attorney Fees, and any form of relief requested by
484 plaintiff be denied.
485

486 2. Based upon the fact that information was withheld from the Court and a fraudulent
487 entry was entered into the Court record, I request that all plaintiff's Motions,
488 Oppositions, Ex-Parte Applications, Schedule of Arrears, Attorney Fees, and any form
489 of relief requested by plaintiff be denied.
490

491 3. Plaintiff has not met the requirements of NRS. 125.150. 3. I request that all plaintiff's
492 Motions, Oppositions, Ex-Parte Applications, Schedule of Arrears, Attorney Fees, and
493 any form of relief requested by plaintiff be denied.
494

495 4. Plaintiff has not provided any evidence that contradicts the Ordered Decree which
496 specifically states that defendant has no obligation to provide alimony or spousal
497 support. I request that all plaintiff's Motions, Oppositions, Ex-Parte Applications,
498 Schedule of Arrears, Attorney Fees, and any form of relief requested by plaintiff be
499 denied.

500

501 5. Plaintiff has not provided any evidence that the Divorce Decree assigned defendant
502 any responsibility for managing plaintiff's affairs after the Order. I request that all
503 plaintiff's Motions, Oppositions, Ex-Parte Applications, Schedule of Arrears, Attorney
504 Fees, and any form of relief requested by plaintiff be denied.

505

506 6. I request that the hearing on January 23, 2019 be cancelled and the court deny
507 plaintiff's Motions, Oppositions, Ex-Parte Applications, Schedule of Arrears, Attorney
508 Fees, and any form of relief requested by plaintiff.

509

510 7. If this case must continue, defendant should be awarded attorney fees so that he
511 may obtain legal representation to defend himself against the demonstrably false,
512 misleading, and libelous accusations made against him. Also, if the court so recognizes
513 defendant's reply, he requests reimbursement from plaintiff for all expenses related to
514 defending himself against these spurious claims and libelous allegations.

515

516 8. Defendant requests any other relief that is just and equitable under the premises.

517 I respectfully ask the Court to deny the opposing party's countermotion and grant me
518 the relief requested in my motion, including an award of attorney's fees if I am able to
519 retain an attorney for this matter, and any other relief the Court finds appropriate.

520 DATED DECEMBER 28, 2018.

521

Submitted By: 

522

GRADY EDWARD BYRD

DECLARATION IN SUPPORT OF REPLY TO OPPOSITION / COUNTERMOTION

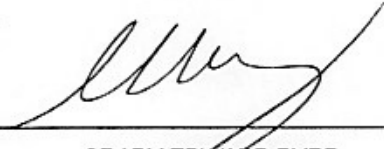
I declare, under penalty of perjury:

1. I have read the foregoing reply to opposition / counter motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.
2. Additional facts to support my requests include: *(write anything else that the judge should know to make a decision about your case, or write "N/A" if there is nothing else to add)*
N/A

3. Any Exhibit(s) in support of this filing will be filed separately in an Exhibit Appendix.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED DECEMBER 28, 2018.

Submitted By: *(your signature)* 

(print your name) _____

GRADY EDWARD BYRD

IN THE SUPREME COURT OF THE STATE OF NEVADA

GRADY BYRD,

Appellant,

vs.

CATERINA ANGELA BYRD,

Respondent.

Supreme Court Case No. 80548

**RESPONDENT'S APPENDIX
TO ANSWERING BRIEF
VOLUME III**

Submitted By:

/s/ Jeanne F. Lambertsen

ANITA A. WEBSTER, ESQ.

Nevada Bar No. 1211

JEANNE F. LAMBERTSEN, ESQ.

Nevada Bar No. 9460

6882 Edna Avenue

Las Vegas, Nevada 89146

Attorneys for Respondent

Caterina Angela Byrd

INDEX

CHRONOLOGICAL LISTING

<u>EX.</u>	<u>DATE</u>	<u>DOCUMENT</u>	<u>BATES NUMBER</u>
1.	08/27/18	Motion to Change Venue, Plaintiff, filed 08/27/18.	RA000001 - RA000003
2.	10/18/18	Financial Disclosure Form, Plaintiff, filed 10/18/18.	RA000004 - RA000011
3.	11/27/18	Transcript re: Motion, November 27, 2018.	RA000012 - RA000032
4.	12/13/18	Ex parte Motion for Continuance, Defendant, filed 12/13/18.	RA000033 - RA000035
5.	12/18/18	Order Granting Continuance, Defendant, filed 12/18/18.	RA000036
6.	12/19/18	Plaintiff's Opposition to Defendant's ex parte Motion for A Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For An Order to Show Cause, to divide a Newly Discovered Asset, to Execute QDROs and for Attorney fees and Costs and Counter motion for Attorney Fees and Costs, filed 12/19/18.	RA000037 - RA000058
7.	12/27/18	Notice of Entry of Order for the Order Shortening Time on Plaintiff's Motion filed 12/27/18.	RA000059 - RA000062
8.	12/28/18	Reply to Opposition and/or Counter motion, Defendant, filed 12/28/18.	RA000063 - RA000087
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10.	01/15/19	Plaintiff's Reply to Defendant's Reply to	RA000101 -

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11.	01/15/19	First Supplement to Exhibit Appendix, Plaintiff, in support of her Reply filed 01/15/19.	RA000127 - RA000183
12.	1/18/19	Defendant's Reply to Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to defendant's Ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Counter motion for Attorney fees and Costs, filed 1/18/19.	RA000184 - RA000197
13.	04/23/19	Exhibit Appendix to Plaintiff's Opposition to Defendant's Motion for Reconsideration and Countermotion, Plaintiff, filed 04/23/19.	RA000198 - RA000237
14.	04/23/19	Plaintiff's Ex Parte Application for An Order for Defendant to Appear In Person, filed 04/23/19.	RA000238 - RA000244
15.	04/23/19	Exhibit Appendix to Plaintiff's Ex Parte Application For an Order For Defendant To Appear In Person, Plaintiff, filed 04/23/19.	RA000245 - RA000264
16.	05/17/19	Exhibit Appendix to Plaintiff's Reply to Defendant's Opposition and Countermotion, filed 05/17/19.	RA000265 - RA000322
17.	06/17/19	Plaintiff's Emergency Motion for an Order	RA000323 -

		to Show Cause Why the Defendant should Not Be Held In contempt of Court and for Attorney Fees and Costs, filed 06/17/19.	RA000337
18.	09/10/19	Plaintiff's Motion to Compel Defendant's Responses to Discovery and Request for Sanctions and Attorney Fees, filed 09/10/19.	RA000338 - RA000360
19.	09/17/19	Defendant's Motion for a Protective Order pursuant to NRCp 26(C) and for Attorney Fees, filed 09/17/19.	RA000361 - RA000372
20.	09/30/19	Exhibit Appendix to Plaintiff's Motion for Reconsideration, Summary Judgment, Joinder and to continue the Evidentiary Hearing. (Contains Defendant's responses to Plaintiff's Request for Admissions), filed 09/30/19.	RA000373 - RA000417
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25.	10/21/19	Exhibit 7, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order to Show Cause, Grady to Appear On October 21, 2019, filed on 07/29/19.	RA000444 - RA000447
26.	10/21/19	Exhibit 8, Plaintiff's, admitted at Evidentiary Hearing, Caterina's Financial	RA000448 - RA000455

		Disclosure Form, Amended, filed on 07/15/19.	
27.	10/21/19	Exhibit 9, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, Amended, filed 01/18/19.	RA000456 - RA000468
28.	10/21/19	Exhibit 10, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, filed on 06/18/19.	RA000469 - RA000478
29.	10/21/19	Exhibit 13, Plaintiff's, admitted at Evidentiary Hearing: Emails Bates 522-523. E-mail from Defendant to Plaintiff promising the Plaintiff that she will receive the same benefits whether he is married or not, including Survivor Benefit Plan, dated February 20, 2014 and Emails between Defendant and Plaintiff, Defendant writing it is time for a divorce and promising Plaintiff \$3000 a month email dated, February 20 & 21, 2014.	RA000479 - RA000481
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37.	10/21/19	Exhibit 22, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff stating that Plaintiff is not entitled to any more money in the decree of divorce, retire pay is 3017, dated April 8, 2014. Bates13, and "this is your last warning," and Plaintiff asking for \$3000/mo., dated April 10, 2014.	RA000496 - RA000498

38.	10/21/19	Exhibit 23, Plaintiff's, admitted at Evidentiary Hearing: Email from Plaintiff to Defendant, regarding Plaintiff's health insurance denial, dated July 29, 2016, to August 13, 2016.	RA000499 - RA000502
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40.	10/21/19	Exhibit 27, Plaintiff's, admitted at Evidentiary Hearing: Defendant's retirement from Army, beneficiaries, Survivor Benefit Plan, Form DD 2656, dated March 10, 1999.	RA000504 - RA000505
41.	10/21/19	Exhibit 28 Plaintiff's, admitted at Evidentiary Hearing: Grady's retirement account. DFAS Retiree Account Statement, dated December 3, 2017.	RA000506
42.	10/21/19	Exhibit 30, Plaintiff's, admitted at Evidentiary Hearing: Tax Return for Plaintiff year 2015 (Individual).	RA000507 - RA000508
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53.	10/21/19	Exhibit A, Defendant's, admitted at Evidentiary Hearing: Dept. Of Army (CRSC) decision letter dated 6/20/11. Bates.	RA000536 - RA000538
54.	10/21/19	Exhibit B, Defendant's, admitted at Evidentiary Hearing, CRSC payment history from August 2014 - July 2015 (VA Waiver 3017.60, Retire net pay 128.40).	RA000539
55.	10/21/19	Exhibit C, Defendant's, admitted at Evidentiary Hearing, CRSC pay statement	RA000540

		dated 4/22/19.	
56.	10/21/19	Exhibit D, Defendant's, admitted at Evidentiary Hearing, VA letter for disability benefits dated 10/16/12 (disability benefit effective 12/01/2011).	RA000541
57.	10/21/19	Exhibit E, Defendant's, admitted at Evidentiary Hearing, Grady's VA payment history from April 1, 2019 - May 31, 2019.	RA000542
58.	10/21/19	Exhibit F, Defendant's, admitted at Evidentiary Hearing, Office of Personnel Management (OPM) letter re: disability application dated 11/12/2010.	RA000543 - RA000545
59.	10/21/19	Exhibit G, Defendant's, admitted at Evidentiary Hearing . OPM letter dated 04/29/2018 re: FERS disability annuity adjustment.	RA000546
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61.	10/21/19	Exhibit I, Defendant's, admitted at Evidentiary Hearing, OPM Annuity statement dated March 13, 2019.	RA000548
62.	10/21/19	Exhibit J, Defendant's, admitted at Evidentiary Hearing: Defendant's Social Security Decision dated September 12, 2012.	RA000549 - RA000554
63.	10/21/19	Exhibit K, Defendant's, admitted at Evidentiary Hearing: Defendant's 2014 Social Security Benefit 2014 (Form SSA-1099).	RA000555
64.	10/21/19	Exhibit L, Defendant's, admitted at Evidentiary Hearing, Defendant's Social Security Benefit 2018.	RA000556

65.	11/25/19	Plaintiff's Memorandum of Fees and Costs, from July 19, 2019 through the date of the Evidentiary hearing on October 21, 2019, filed 11/25/19.	RA000557 - RA000593
66.	12/05/19	Notice of Entry of Order on Discovery Commissioner's Report and Recommendations, filed 12/05/19.	RA000594 - RA000602
67.	03/18/20	Plaintiff's Ex Parte Application for an Income Withholding Order, filed 03/18/20.	RA000603 - RA000615
68.	04/03/20	Opposition to Plaintiff's Ex -Parte Application for Income Withholding Order, Defendant, filed 04/03/20.	RA000616 - RA000625
69.	04/10/20	Plaintiff's Reply to Defendant's Opposition to Plaintiff's Ex Parte Application for an Income Withholding Order, filed 04/10/20.	RA000626 - RA000655

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ALPHABETICAL LISTING

<u>EX.</u>	<u>DATE</u>	<u>DOCUMENT</u>	<u>BATES NUMBER</u>
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12.	1/18/19	Defendant's Reply to Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to defendant's Ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Counter motion for Attorney fees and Costs, filed 1/18/19.	RA000184 - RA000197

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21.	10/11/19	Notice of Change in Requested Relief in	RA000418 -

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6.	12/19/18	Plaintiff's Opposition to Defendant's ex parte Motion for A Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For	RA000037 - RA000058

		An Order to Show Cause, to divide a Newly Discovered Asset, to Execute QDROs and for Attorney fees and Costs and Counter motion for Attorney Fees and Costs, filed 12/19/18.	
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69.	04/10/20	Plaintiff's Reply to Defendant's Opposition to Plaintiff's Ex Parte Application for an Income Withholding Order, filed 04/10/20.	RA000626 - RA000655
8.	12/28/18	Reply to Opposition and/or Counter motion, Defendant, filed 12/28/18.	RA000063 - RA000087
3.	11/27/18	Transcript re: Motion, November 27, 2018.	RA000012 - RA000032

Certificate of Service

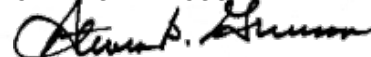
Pursuant to NRAP 25(c)(1)(E), I hereby certify, under penalty of perjury, that I am an employee of Webster & Associates and that on the 13th day of August, 2020, I caused to be served the foregoing document by way of NEFCR 9 Notice of Electronic Filing to the following:

Daniel W. Anderson
Mills & Anderson
Counsel for Appellant, Grady Edward Byrd


An employee of WEBSTER & ASSOCIATES

Name: GRADY EDWARD BYRD
Address: 5330 E. CRAIG RD.
LAS VEGAS, NV 89115
Phone: 7029184712
Email: CBSMAIL2006@YAHOO.COM
Attorney for _____
Nevada State Bar No. _____

Electronically Filed
1/2/2019 3:00 PM
Steven D. Grierson
CLERK OF THE COURT



8TH Judicial District Court
CLARK COUNTY, Nevada

<u>CATERINA ANGELA BYRD</u> Plaintiff, vs. <u>GRADY EDWARD BYRD</u> Defendant.	Case No. <u>D-18-577701-Z</u> Dept. <u>G</u>
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GENERAL FINANCIAL DISCLOSURE FORM

A. Personal Information:

1. What is your full name? (*first, middle, last*) GRADY EDWARD BYRD
2. How old are you? 62 3. What is your date of birth? MAY 7, 1956
4. What is your highest level of education? MASTERS DEGREE

B. Employment Information:

1. Are you currently employed/ self-employed? (☒ check one)
☒ No
☐ Yes If yes, complete the table below. Attached an additional page if needed.

Date of Hire	Employer Name	Job Title	Work Schedule (days)	Work Schedule (shift times)

2. Are you disabled? (☒ check one)

☐ No
☒ Yes

If yes, what is your level of disability? 90% UNEMPLOYABLE
What agency certified you disabled? DEPARTMENT OF VETERANS AFFAIRS
What is the nature of your disability? PHYSICAL

C. Prior Employment: If you are unemployed or have been working at your current job for less than 2 years, complete the following information.

Prior Employer: N/A Date of Hire: _____ Date of Termination: _____
Reason for Leaving: _____

Monthly Personal Income Schedule

A. Year-to-date Income.

As of the pay period ending DECEMBER 2011 my gross year to date pay is 115944.00.

B. Determine your Gross Monthly Income.

Hourly Wage

	×		=	\$0.00	×	52	=	\$0.00	÷	12	=	\$0.00
Hourly Wage		Number of hours worked per week		Weekly Income		Weeks		Annual Income		Months		Gross Monthly Income

Annual Salary

	÷	12	=	\$0.00
Annual Income		Months		Gross Monthly Income

C. Other Sources of Income.

Source of Income	Frequency	Amount	12 Month Average
Annuity or Trust Income			
Bonuses			
Car, Housing, or Other allowance:			
Commissions or Tips:			
Net Rental Income:			
Overtime Pay			
Pension/Retirement: OPM/U.S. ARMY	MONTHLY	1315/136	1315/46(3MONTHS)
Social Security Income (SSI):			
Social Security Disability (SSD):	MONTHLY	2176	2176
Spousal Support			
Child Support			
Workman's Compensation			
VA / CRSC	MONTHLY/MONTHLY	2897/3228	2897/3228
Other:			
Total Average Other Income Received			9662

Total Average Gross Monthly Income (add totals from B and C above)	9662
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Monthly Personal Income Schedule

A. Year-to-date Income.

As of the pay period ending DECEMBER 2011 my gross year to date pay is 115944.00.

B. Determine your Gross Monthly Income.

Hourly Wage

	×		=	\$0.00	×	52	=	\$0.00	÷	12	=	\$0.00
Hourly Wage		Number of hours worked per week		Weekly Income		Weeks		Annual Income		Months		Gross Monthly Income

Annual Salary

	÷	12	=	\$0.00
Annual Income		Months		Gross Monthly Income

C. Other Sources of Income.

Source of Income	Frequency	Amount	12 Month Average
Annuity or Trust Income			
Bonuses			
Car, Housing, or Other allowance:			
Commissions or Tips:			
Net Rental Income:			
Overtime Pay			
Pension/Retirement: OPM/U.S. ARMY	MONTHLY	1315/136	1315/46(3MONTHS)
Social Security Income (SSI):			
Social Security Disability (SSD):	MONTHLY	2176	2176
Spousal Support			
Child Support			
Workman's Compensation			
VA / CRSC	MONTHLY/MONTHLY	2897/3228	2897/3228
Other:			
Total Average Other Income Received			9662

Total Average Gross Monthly Income (add totals from B and C above)	9662
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D. Monthly Deductions

	Type of Deduction	Amount
1.	Court Ordered Child Support (automatically deducted from paycheck)	
2.	Federal Health Savings Plan	
3.	Federal Income Tax	193
4.	Health Insurance Amount for you: _____ For Opposing Party: _____ For your Child(ren): _____	
5.	Life, Disability, or Other Insurance Premiums OPM ANNUNITY	31
6.	Medicare	184
7.	Retirement, Pension, IRA, or 401(k)	
8.	Savings	
9.	Social Security	
10.	Union Dues	
11.	Other: (Type of Deduction) IRS/ANNUNITY DEBT/50%ARMY RET	200/656/67
Total Monthly Deductions (Lines 1-11)		1331

Business/Self-Employment Income & Expense Schedule

A. Business Income:

What is your average gross (pre-tax) monthly income/revenue from self-employment or businesses?
\$ _____

B. Business Expenses: Attach an additional page if needed.

Type of Business Expense	Frequency	Amount	12 Month Average
Advertising			
Car and truck used for business			
Commissions, wages or fees			
Business Entertainment/Travel			
Insurance			
Legal and professional			
Mortgage or Rent			
Pension and profit-sharing plans			
Repairs and maintenance			
Supplies			
Taxes and licenses (include est. tax payments)			
Utilities			
Other:			
Total Average Business Expenses			0.00

Personal Expense Schedule (Monthly)

A. Fill in the table with the amount of money **you** spend each month on the following expenses and check whether you pay the expense for you, for the other party, or for both of you.

Expense	Monthly Amount I Pay	For Me	Other Party	For Both
Alimony/Spousal Support	0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Auto Insurance	32/26/66	<input checked="" type="checkbox"/>		
Car Loan/Lease Payment	396/456/363	<input checked="" type="checkbox"/>		
Cell Phone	133	<input checked="" type="checkbox"/>		
Child Support (not deducted from pay)	0			
Clothing, Shoes, Etc...	0			
Credit Card Payments (minimum due)	234/372/531	<input checked="" type="checkbox"/>		
Dry Cleaning	0			
Electric	100	<input checked="" type="checkbox"/>		
Food (groceries & restaurants)	215/900	<input checked="" type="checkbox"/>		
Fuel	173	<input checked="" type="checkbox"/>		
Gas (for home)	0			
Health Insurance (not deducted from pay)	0	<input checked="" type="checkbox"/>		
HOA	0			
Home Insurance (if not included in mortgage)	0			
Home Phone	0	<input checked="" type="checkbox"/>		
Internet/Cable	36/69	<input checked="" type="checkbox"/>		
Lawn Care	0			
Membership Fees	0			
Mortgage/Rent/Lease	100	<input checked="" type="checkbox"/>		
Pest Control	0			
Pets	24	<input checked="" type="checkbox"/>		
Pool Service	0			
Property Taxes (if not included in mortgage)	20	<input checked="" type="checkbox"/>		
Security	0			
Sewer	0			
Student Loans	0			
Unreimbursed Medical Expense	0			
Water	17	<input checked="" type="checkbox"/>		
Other: HOTEL/SALARIES/LOANS	1080/251/888	<input checked="" type="checkbox"/>		
Total Monthly Expenses	6482			

HOUSEHOLD INFORMATION

- A. Fill in the table below with the name and date of birth of each child, the person the child is living with, and whether the child is from this relationship. Attached a separate sheet if needed.

	Child's Name	Child's DOB	Whom is this child living with?	Is this child from this relationship?	Has this child been certified as special needs/disabled?
1 st	ASHLEY MAE NOBLE	FEB 23 2010	DEFENDENT	NO	NO
2 nd					
3 rd					
4 th					

- B. Fill in the table below with the amount of money you spend each month on the following expenses for each child.

Type of Expense	1 st Child	2 nd Child	3 rd Child	4 th Child
Cellular Phone	0			
Child Care	0			
Clothing	0			
Education	79			
Entertainment	0			
Extracurricular & Sports	0			
Health Insurance (if not deducted from pay)	0			
Summer Camp/Programs	31			
Transportation Costs for Visitation	0			
Unreimbursed Medical Expenses	0			
Vehicle	0			
ADOPTION FEES	113			
Other:				
Total Monthly Expenses	223	0.00	0.00	0.00

- C. Fill in the table below with the names, ages, and the amount of money contributed by all persons living in the home over the age of eighteen. If more than 4 adult household members attached a separate sheet.

Name	Age	Person's Relationship to You (i.e. sister, friend, cousin, etc...)	Monthly Contribution
NONE			

Personal Asset and Debt Chart

A. Complete this chart by listing all of your assets, the value of each, the amount owed on each, and whose name the asset or debt is under. If more than 15 assets, attach a separate sheet.

Line	Description of Asset and Debt Thereon	Gross Value		Total Amount Owed		Net Value	Whose Name is on the Account? You, Your Spouse/Domestic Partner or Both
1.	FORD AUTOMOBILE	\$ 12000	-	\$ 10948	=	\$ 1052	BOTH CURRENT SPOUSE
2.	HUNDYAI AUTOMOBILE	\$ 14000	-	\$ 7607	=	\$ 6953	BOTH //
3.	CHEVROLET AUTOMOBILE	\$ 13880	-	\$ 20973	=	\$ -7093	GRADY BYRD
4.		\$	-	\$	=	\$ 0.00	
5.		\$	-	\$	=	\$ 0.00	
6.		\$	-	\$	=	\$ 0.00	
7.		\$	-	\$	=	\$ 0.00	
8.		\$	-	\$	=	\$ 0.00	
9.		\$	-	\$	=	\$ 0.00	
10.		\$	-	\$	=	\$ 0.00	
11.		\$	-	\$	=	\$ 0.00	
12.		\$	-	\$	=	\$ 0.00	
13.		\$	-	\$	=	\$ 0.00	
14.		\$	-	\$	=	\$ 0.00	
15.		\$	-	\$	=	\$ 0.00	
Total Value of Assets (add lines 1-15)		\$ 0.00	-	\$ 0.00	=	\$ 912	

B. Complete this chart by listing all of your unsecured debt, the amount owed on each account, and whose name the debt is under. If more than 5 unsecured debts, attach a separate sheet.

Line #	Description of Credit Card or Other Unsecured Debt	Total Amount owed	Whose Name is on the Account? You, Your Spouse/Domestic Partner or Both
1.	USAA PERSONAL LOAN	\$ 11664	GRADY BYRD
2.	USAA PERSONAL LOAN	\$ 13330	GRADY BYRD
3.	USAA CREDIT CARD	\$ 17418	GRADY BYRD
4.	FIRST INTERNET BANK CREDIT CARD	\$ 15999	GRADY BYRD
5.	MILITARY EXCHANGE CREDIT CARD	\$ 7386	GRADY BYRD
6.		\$	
Total Unsecured Debt (add lines 1-6)		\$ 65797	

CERTIFICATION

Attorney Information: *Complete the following sentences:*

1. I (*have/have not*) HAVE NOT retained an attorney for this case.
2. As of the date of today, the attorney has been paid a total of \$ _____ on my behalf.
3. I have a credit with my attorney in the amount of \$ _____.
4. I currently owe my attorney a total of \$ _____.
5. I owe my prior attorney a total of \$ _____.

IMPORTANT: Read the following paragraphs carefully and initial each one.

 I swear or affirm under penalty of perjury that I have read and followed all instructions in completing this Financial Disclosure Form. I understand that, by my signature, I guarantee the truthfulness of the information on this Form. I also understand that if I knowingly make false statements I may be subject to punishment, including contempt of court.

NA 11/11/11 I have attached a copy of my 3 most recent pay stubs to this form.

WJ I have attached a copy of my most recent YTD income statement/P&L statement to this form, if self-employed.

NA I have not attached a copy of my pay stubs to this form because I am currently unemployed.

Signature _____

2 JANUARY 2019

Date _____

IN THE SUPREME COURT OF THE STATE OF NEVADA

GRADY BYRD,

Appellant,

vs.

CATERINA ANGELA BYRD,

Respondent.

Supreme Court Case No. 80548

**RESPONDENT'S APPENDIX
TO ANSWERING BRIEF
VOLUME IV**

Submitted By:

/s/ Jeanne F. Lambertsen

ANITA A. WEBSTER, ESQ.

Nevada Bar No. 1211

JEANNE F. LAMBERTSEN, ESQ.

Nevada Bar No. 9460

6882 Edna Avenue

Las Vegas, Nevada 89146

Attorneys for Respondent

Caterina Angela Byrd

INDEX

CHRONOLOGICAL LISTING

<u>EX.</u>	<u>DATE</u>	<u>DOCUMENT</u>	<u>BATES NUMBER</u>
1.	08/27/18	Motion to Change Venue, Plaintiff, filed 08/27/18.	RA000001 - RA000003
2.	10/18/18	Financial Disclosure Form, Plaintiff, filed 10/18/18.	RA000004 - RA000011
3.	11/27/18	Transcript re: Motion, November 27, 2018.	RA000012 - RA000032
4.	12/13/18	Ex parte Motion for Continuance, Defendant, filed 12/13/18.	RA000033 - RA000035
5.	12/18/18	Order Granting Continuance, Defendant, filed 12/18/18.	RA000036
6.	12/19/18	Plaintiff's Opposition to Defendant's ex parte Motion for A Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For An Order to Show Cause, to divide a Newly Discovered Asset, to Execute QDROs and for Attorney fees and Costs and Counter motion for Attorney Fees and Costs, filed 12/19/18.	RA000037 - RA000058
7.	12/27/18	Notice of Entry of Order for the Order Shortening Time on Plaintiff's Motion filed 12/27/18.	RA000059 - RA000062
8.	12/28/18	Reply to Opposition and/or Counter motion, Defendant, filed 12/28/18.	RA000063 - RA000087
9.	01/02/19	Financial Disclosure Form, Defendant, with five income statements attachments, filed 01/02/19.	RA000088 - RA000100
10.	01/15/19	Plaintiff's Reply to Defendant's Reply to	RA000101 -

		Plaintiff's Opposition to Defendant's ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, for an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Countermotion for Attorney Fees and Costs, filed 01/15/19.	RA000126
11.	01/15/19	First Supplement to Exhibit Appendix, Plaintiff, in support of her Reply filed 01/15/19.	RA000127 - RA000183
12.	1/18/19	Defendant's Reply to Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to defendant's Ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Counter motion for Attorney fees and Costs, filed 1/18/19.	RA000184 - RA000197
13.	04/23/19	Exhibit Appendix to Plaintiff's Opposition to Defendant's Motion for Reconsideration and Countermotion, Plaintiff, filed 04/23/19.	RA000198 - RA000237
14.	04/23/19	Plaintiff's Ex Parte Application for An Order for Defendant to Appear In Person, filed 04/23/19.	RA000238 - RA000244
15.	04/23/19	Exhibit Appendix to Plaintiff's Ex Parte Application For an Order For Defendant To Appear In Person, Plaintiff, filed 04/23/19.	RA000245 - RA000264
16.	05/17/19	Exhibit Appendix to Plaintiff's Reply to Defendant's Opposition and Countermotion, filed 05/17/19.	RA000265 - RA000322
17.	06/17/19	Plaintiff's Emergency Motion for an Order	RA000323 -

		to Show Cause Why the Defendant should Not Be Held In contempt of Court and for Attorney Fees and Costs, filed 06/17/19.	RA000337
18.	09/10/19	Plaintiff's Motion to Compel Defendant's Responses to Discovery and Request for Sanctions and Attorney Fees, filed 09/10/19.	RA000338 - RA000360
19.	09/17/19	Defendant's Motion for a Protective Order pursuant to NRCp 26(C) and for Attorney Fees, filed 09/17/19.	RA000361 - RA000372
20.	09/30/19	Exhibit Appendix to Plaintiff's Motion for Reconsideration, Summary Judgment, Joinder and to continue the Evidentiary Hearing. (Contains Defendant's responses to Plaintiff's Request for Admissions), filed 09/30/19.	RA000373 - RA000417
21.	10/11/19	Notice of Change in Requested Relief in Plaintiff's Motion For Reconsideration, et al, filed on 09/30/19, filed 10/11/19.	RA000418 - RA000421
22.	10/17/19	Minutes re: Calendar Call held on 10/17/19.	RA000422 - RA000423
23.	10/21/19	Exhibit 1 Plaintiff's, admitted at Evidentiary Hearing, Joint Petition for Summary Decree of Divorce.	RA000424 - RA000437
24.	10/21/19	Exhibit 4, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order from the May 2, 2019 hearing, filed on 05/28/19.	RA000438 - RA000443
25.	10/21/19	Exhibit 7, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order to Show Cause, Grady to Appear On October 21, 2019, filed on 07/29/19.	RA000444 - RA000447
26.	10/21/19	Exhibit 8, Plaintiff's, admitted at Evidentiary Hearing, Caterina's Financial	RA000448 - RA000455

		Disclosure Form, Amended, filed on 07/15/19.	
27.	10/21/19	Exhibit 9, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, Amended, filed 01/18/19.	RA000456 - RA000468
28.	10/21/19	Exhibit 10, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, filed on 06/18/19.	RA000469 - RA000478
29.	10/21/19	Exhibit 13, Plaintiff's, admitted at Evidentiary Hearing: Emails Bates 522-523. E-mail from Defendant to Plaintiff promising the Plaintiff that she will receive the same benefits whether he is married or not, including Survivor Benefit Plan, dated February 20, 2014 and Emails between Defendant and Plaintiff, Defendant writing it is time for a divorce and promising Plaintiff \$3000 a month email dated, February 20 & 21, 2014.	RA000479 - RA000481
30.	10/21/19	Exhibit 14, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff promising Plaintiff \$3,000 a month as long as he lives, et. al, dated March 23, 2014.	RA000482
31.	10/21/19	Exhibit 15, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff, threatening to stop communicating with her, dated March 26, 2014.	RA000483
32.	10/21/19	Exhibit 16, Plaintiff's, admitted at Evidentiary Hearing: Emails between Plaintiff and Defendant, re: retired pay is \$3,017 a month, gives her \$3,000 a month. Live poor until he dies, her monthly expenses, dated February 2014 - April 2014.	RA000484 - RA000488

33.	10/21/19	Exhibit 17, Plaintiff's, admitted at Evidentiary Hearing: Emails from Defendant to Plaintiff regarding "just sign the [divorce] papers..." dated March 27, 2014.	RA000489 - RA000490
34.	10/21/19	Exhibit 18, Plaintiff's, admitted at Evidentiary Hearing: Emails from Defendant "the money will go into your account the first of ever month until I die." "I'm sending you the papers. You sign or I will hire a lawyer and take you to court. You see what you get then." "This is the statement that will go on the divorce papers", dated April 9, 2014 and April 15, 2014.	RA000491 - RA000492
35.	10/21/19	Exhibit 20, Plaintiff's, admitted at Evidentiary Hearing: Email, Bates 9. Email from Plaintiff to Defendant stating that she has no idea what OPM is, and Defendant mad that she wants to see lawyer, dated March 27, 2014.	RA000493
36.	10/21/19	Exhibit 21, Plaintiff's, admitted at Evidentiary Hearing: Emails from Plaintiff to Defendant telling the Defendant that she is feeling very nervous and scared, dated April 8, 2014. Defendant "I will have the following statements entered on the divorce statement".	RA000494 - RA000495
37.	10/21/19	Exhibit 22, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff stating that Plaintiff is not entitled to any more money in the decree of divorce, retire pay is 3017, dated April 8, 2014. Bates13, and "this is your last warning," and Plaintiff asking for \$3000/mo., dated April 10, 2014.	RA000496 - RA000498

38.	10/21/19	Exhibit 23, Plaintiff's, admitted at Evidentiary Hearing: Email from Plaintiff to Defendant, regarding Plaintiff's health insurance denial, dated July 29, 2016, to August 13, 2016.	RA000499 - RA000502
39.	10/21/19	Exhibit 25, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff regarding Car insurance and cancer surgery, dated July 16, 2018.	RA000503
40.	10/21/19	Exhibit 27, Plaintiff's, admitted at Evidentiary Hearing: Defendant's retirement from Army, beneficiaries, Survivor Benefit Plan, Form DD 2656, dated March 10, 1999.	RA000504 - RA000505
41.	10/21/19	Exhibit 28 Plaintiff's, admitted at Evidentiary Hearing: Grady's retirement account. DFAS Retiree Account Statement, dated December 3, 2017.	RA000506
42.	10/21/19	Exhibit 30, Plaintiff's, admitted at Evidentiary Hearing: Tax Return for Plaintiff year 2015 (Individual).	RA000507 - RA000508
43.	10/21/19	Exhibit 31, Plaintiff's, admitted at Evidentiary Hearing:, Tax Return for Plaintiff year 2016 (Individual).	RA000509 - RA000510
44.	10/21/19	Exhibit 32, Plaintiff's, admitted at Evidentiary Hearing: Tax Return for Plaintiff with form W-2G attached year 2017 (Individual).	RA000511 - RA000513
45.	10/21/19	Exhibit 33, Plaintiff's, admitted at Evidentiary Hearing, Tax Return for Plaintiff year 2018 (Individual).	RA000514 - RA000516
46.	10/21/19	Exhibit 34, Plaintiff's, admitted at Evidentiary Hearing: Plaintiff's residence, USAA Mortgage Loan Statement, dated	RA000517

		July 1, 2019.	
47.	10/21/19	Exhibit 35, Plaintiff's, admitted at Evidentiary Hearing, Long term care statement. Long Term Care Partners letter to Plaintiff dated November 1, 2017.	RA000518 - RA000521
48.	10/21/19	Exhibit 36, Plaintiff's, Evidentiary Hearing, Plaintiff's Canyon Gate Master Association (HOA) billing statements, dated October 20, 2017, October 18, 2018 and May 13, 2019.	RA000522 - RA000524
49.	10/21/19	Exhibit 38, Plaintiff's, admitted at Evidentiary Hearing: Ms. Byrd doctor visit. Summary of visit date April 16, 2012.	RA000525 - RA000526
50.	10/21/19	Exhibit 42, Plaintiff's, admitted at Evidentiary Hearing: Ms. Byrd social security statement. Social Security Statement for Plaintiff, dated June 11, 2019.	RA000527 - RA000532
51.	10/21/19	Exhibit 63, Plaintiff's, admitted at Evidentiary Hearing: Letter to Defendant's counsel, regarding SBP, dated September 24, 2019.	RA000533 - RA000534
52.	10/21/19	Exhibit 64, Plaintiff's, admitted at Evidentiary Hearing, Letter from Defendant's counsel, dated September 25, 2019, responding to Plaintiff's letter dated 9/24/19.	RA000535
53.	10/21/19	Exhibit A, Defendant's, admitted at Evidentiary Hearing: Dept. Of Army (CRSC) decision letter dated 6/20/11. Bates.	RA000536 - RA000538
54.	10/21/19	Exhibit B, Defendant's, admitted at Evidentiary Hearing, CRSC payment history from August 2014 - July 2015 (VA Waiver 3017.60, Retire net pay 128.40).	RA000539
55.	10/21/19	Exhibit C, Defendant's, admitted at Evidentiary Hearing, CRSC pay statement	RA000540

		dated 4/22/19.	
56.	10/21/19	Exhibit D, Defendant's, admitted at Evidentiary Hearing, VA letter for disability benefits dated 10/16/12 (disability benefit effective 12/01/2011).	RA000541
57.	10/21/19	Exhibit E, Defendant's, admitted at Evidentiary Hearing, Grady's VA payment history from April 1, 2019 - May 31, 2019.	RA000542
58.	10/21/19	Exhibit F, Defendant's, admitted at Evidentiary Hearing, Office of Personnel Management (OPM) letter re: disability application dated 11/12/2010.	RA000543 - RA000545
59.	10/21/19	Exhibit G, Defendant's, admitted at Evidentiary Hearing . OPM letter dated 04/29/2018 re: FERS disability annuity adjustment.	RA000546
60.	10/21/19	Exhibit H, Defendant's, admitted at Evidentiary Hearing OPM Notice of Annuity adjustment re: 07/02/18 payment.	RA000547
61.	10/21/19	Exhibit I, Defendant's, admitted at Evidentiary Hearing, OPM Annuity statement dated March 13, 2019.	RA000548
62.	10/21/19	Exhibit J, Defendant's, admitted at Evidentiary Hearing: Defendant's Social Security Decision dated September 12, 2012.	RA000549 - RA000554
63.	10/21/19	Exhibit K, Defendant's, admitted at Evidentiary Hearing: Defendant's 2014 Social Security Benefit 2014 (Form SSA-1099).	RA000555
64.	10/21/19	Exhibit L, Defendant's, admitted at Evidentiary Hearing, Defendant's Social Security Benefit 2018.	RA000556

65.	11/25/19	Plaintiff's Memorandum of Fees and Costs, from July 19, 2019 through the date of the Evidentiary hearing on October 21, 2019, filed 11/25/19.	RA000557 - RA000593
66.	12/05/19	Notice of Entry of Order on Discovery Commissioner's Report and Recommendations, filed 12/05/19.	RA000594 - RA000602
67.	03/18/20	Plaintiff's Ex Parte Application for an Income Withholding Order, filed 03/18/20.	RA000603 - RA000615
68.	04/03/20	Opposition to Plaintiff's Ex -Parte Application for Income Withholding Order, Defendant, filed 04/03/20.	RA000616 - RA000625
69.	04/10/20	Plaintiff's Reply to Defendant's Opposition to Plaintiff's Ex Parte Application for an Income Withholding Order, filed 04/10/20.	RA000626 - RA000655

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ALPHABETICAL LISTING

<u>EX.</u>	<u>DATE</u>	<u>DOCUMENT</u>	<u>BATES NUMBER</u>
19.	09/17/19	Defendant's Motion for a Protective Order pursuant to NRCP 26(C) and for Attorney Fees, filed 09/17/19.	RA000361 - RA000372
12.	1/18/19	Defendant's Reply to Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to defendant's Ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Counter motion for Attorney fees and Costs, filed 1/18/19.	RA000184 - RA000197

4.	12/13/18	Ex parte Motion for Continuance, Defendant, filed 12/13/18.	RA000033 - RA000035
53.	10/21/19	Exhibit A, Defendant's, admitted at Evidentiary Hearing: Dept. Of Army (CRSC) decision letter dated 6/20/11. Bates.	RA000536 - RA000538
15.	04/23/19	Exhibit Appendix to Plaintiff's Ex Parte Application For an Order For Defendant To Appear In Person, Plaintiff, filed 04/23/19.	RA000245 - RA000264
16.	05/17/19	Exhibit Appendix to Plaintiff's Reply to Defendant's Opposition and Countermotion, filed 05/17/19.	RA000265 - RA000322
20.	09/30/19	Exhibit Appendix to Plaintiff's Motion for Reconsideration, Summary Judgment, Joinder and to continue the Evidentiary Hearing. (Contains Defendant's responses to Plaintiff's Request for Admissions), filed 09/30/19.	RA000373 - RA000417
13.	04/23/19	Exhibit Appendix to Plaintiff's Opposition to Defendant's Motion for Reconsideration and Countermotion, Plaintiff, filed 04/23/19.	RA000198 - RA000237
54.	10/21/19	Exhibit B, Defendant's, admitted at Evidentiary Hearing, CRSC payment history from August 2014 - July 2015 (VA Waiver 3017.60, Retire net pay 128.40).	RA000539
55.	10/21/19	Exhibit C, Defendant's, admitted at Evidentiary Hearing, CRSC pay statement dated 4/22/19.	RA000540
56.	10/21/19	Exhibit D, Defendant's, admitted at Evidentiary Hearing, VA letter for disability benefits dated 10/16/12 (disability benefit effective 12/01/2011).	RA000541
57.	10/21/19	Exhibit E, Defendant's, admitted at Evidentiary Hearing, Grady's VA payment history from April 1, 2019 - May 31, 2019.	RA000542

58.	10/21/19	Exhibit F, Defendant's, admitted at Evidentiary Hearing, Office of Personnel Management (OPM) letter re: disability application dated 11/12/2010.	RA000543 - RA000545
59.	10/21/19	Exhibit G, Defendant's, admitted at Evidentiary Hearing . OPM letter dated 04/29/2018 re: FERS disability annuity adjustment.	RA000546
60.	10/21/19	Exhibit H, Defendant's, admitted at Evidentiary Hearing OMP Notice of Annuity adjustment re: 07/02/18 payment.	RA000547
61.	10/21/19	Exhibit I, Defendant's, admitted at Evidentiary Hearing, OPM Annuity statement dated March 13, 2019.	RA000548
62.	10/21/19	Exhibit J, Defendant's, admitted at Evidentiary Hearing: Defendant's Social Security Decision dated September 12, 2012.	RA000549 - RA000554
63.	10/21/19	Exhibit K, Defendant's, admitted at Evidentiary Hearing: Defendant's 2014 Social Security Benefit 2014 (Form SSA-1099).	RA000555
64.	10/21/19	Exhibit L, Defendant's, admitted at Evidentiary Hearing, Defendant's Social Security Benefit 2018.	RA000556
23.	10/21/19	Exhibit 1, Plaintiff's, admitted at Evidentiary Hearing, Joint Petition for Summary Decree of Divorce.	RA000424 - RA000437
24.	10/21/19	Exhibit 4, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order from the May 2, 2019 hearing, filed on 05/28/19.	RA000438 - RA000443
25.	10/21/19	Exhibit 7, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order to Show Cause, Grady to Appear On October 21, 2019, filed on 07/29/19.	RA000444 - RA000447

26.	10/21/19	Exhibit 8, Plaintiff's, admitted at Evidentiary Hearing, Caterina's Financial Disclosure Form, Amended, filed on 07/15/19.	RA000448 - RA000455
27.	10/21/19	Exhibit 9, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, Amended, filed 01/18/19.	RA000456 - RA000468
28.	10/21/19	Exhibit 10, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, filed on 06/18/19.	RA000469 - RA000478
29.	10/21/19	Exhibit 13, Plaintiff's, admitted at Evidentiary Hearing: Emails Bates 522-523. E-mail from Defendant to Plaintiff promising the Plaintiff that she will receive the same benefits whether he is married or not, including Survivor Benefit Plan, dated February 20, 2014 and Emails between Defendant and Plaintiff, Defendant writing it is time for a divorce and promising Plaintiff \$3000 a month email dated, February 20 & 21, 2014.	RA000479 - RA000481
30.	10/21/19	Exhibit 14, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff promising Plaintiff \$3,000 a month as long as he lives, et. al, dated March 23, 2014.	RA000482
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21.	10/11/19	Notice of Change in Requested Relief in	RA000418 -

		Plaintiff's Motion For Reconsideration, et al, filed on 09/30/19, filed 10/11/19	RA000421
7.	12/27/18	Notice of Entry of Order for the Order Shortening Time on Plaintiff's Motion filed 12/27/18.	RA000059 - RA000062
66.	12/05/19	Notice of Entry of Order on Discovery Commissioner's Report and Recommendations, filed 12/05/19.	RA000594 - RA000602
68.	04/03/20	Opposition to Plaintiff's Ex -Parte Application for Income Withholding Order, Defendant, filed 04/03/20.	RA000616 - RA000625
5.	12/18/18	Order Granting Continuance, Defendant, filed 12/18/18.	RA000036
17.	06/17/19	Plaintiff's Emergency Motion for an Order to Show Cause Why the Defendant should Not Be Held In contempt of Court and for Attorney Fees and Costs, filed 06/17/19.	RA000323 - RA000337
14.	04/23/19	Plaintiff's Ex Parte Application for An Order for Defendant to Appear In Person, filed 04/23/19.	RA000238 - RA000244
67.	03/18/20	Plaintiff's Ex Parte Application for an Income Withholding Order, filed 03/18/20.	RA000603 - RA000615
65.	11/25/19	Plaintiff's Memorandum of Fees and Costs, from July 19, 2019 through the date of the Evidentiary hearing on October 21, 2019, filed 11/25/19.	RA000557 - RA000593
18.	09/10/19	Plaintiff's Motion to Compel Defendant's Responses to Discovery and Request for Sanctions and Attorney Fees, filed 09/10/19.	RA000338 - RA000360
6.	12/19/18	Plaintiff's Opposition to Defendant's ex parte Motion for A Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For	RA000037 - RA000058

		An Order to Show Cause, to divide a Newly Discovered Asset, to Execute QDROs and for Attorney fees and Costs and Counter motion for Attorney Fees and Costs, filed 12/19/18.	
10.	01/15/19	Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to Defendant's ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, for an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Countermotion for Attorney Fees and Costs, filed 01/15/19.	RA000101 - RA000126
69.	04/10/20	Plaintiff's Reply to Defendant's Opposition to Plaintiff's Ex Parte Application for an Income Withholding Order, filed 04/10/20.	RA000626 - RA000655
8.	12/28/18	Reply to Opposition and/or Counter motion, Defendant, filed 12/28/18.	RA000063 - RA000087
3.	11/27/18	Transcript re: Motion, November 27, 2018.	RA000012 - RA000032

Certificate of Service

Pursuant to NRAP 25(c)(1)(E), I hereby certify, under penalty of perjury, that I am an employee of Webster & Associates and that on the 13th day of August, 2020, I caused to be served the foregoing document by way of NEFCR 9 Notice of Electronic Filing to the following:

Daniel W. Anderson
Mills & Anderson
Counsel for Appellant, Grady Edward Byrd


An employee of WEBSTER & ASSOCIATES



RAS

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DEC 17, 2018

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RETIREE ACCOUNT STATEMENT					
STATEMENT EFFECTIVE DATE DEC 17, 2018		NEW PAY DUE AS OF FEB 01, 2019		SSN *****0049	
PLEASE REMEMBER TO NOTIFY DFAS IF YOUR ADDRESS CHANGES CSM GRADY E BYRD USA RET PUROK 2 CANGMATING SIBULAN NEGROS ORIENTAL DUMAQUETE PHILIPPINES				DFAS-CL POINTS OF CONTACT	
				Defense Finance and Accounting Service US Military Retirement Pay 8899 E 56TH Street Indianapolis, IN 46249-1200 COMMERCIAL (216) 522-5955 TOLL FREE 1-800-321-1080 TOLL FREE FAX 1-800-469-6559 myPay https://myPay.dfas.mil	
PAY ITEM DESCRIPTION					
ITEM	OLD	NEW	ITEM	OLD	NEW
GROSS PAY	3,363.00	3,363.00	NET PAY	135.42	135.42
VA WAIVER	3,227.58	3,227.58			
TAXABLE INCOME	135.42	135.42			
PAYMENT ADDRESS			YEAR TO DATE SUMMARY (FOR INFORMATION ONLY)		
DIRECT DEPOSIT ROUTING NUMBER - 101108319 ACCT NUMBER ENDING IN - 9025			TAXABLE INCOME: 532.41 FEDERAL INCOME TAX WITHHELD: .00		
TAXES					
FEDERAL WITHHOLDING STATUS:		MARRIED 02			
TOTAL EXEMPTIONS:					
SURVIVOR BENEFIT PLAN (SBP) COVERAGE					

RA000096

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CRSC Pay Statement

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Dec 15, 2018

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CRSC Pay Statement

STATEMENT EFFECTIVE DATE DEC 15, 2018	PAYMENT DATE DEC 31, 2018	SSN ***-**-0049
RETIREE'S NAME AND ADDRESS		HOW TO CONTACT US
PLEASE REMEMBER TO NOTIFY DFAS IF YOUR ADDRESS CHANGES GRADY E BYRD PUROK 2 CANGMATING SIBULAN NEGROS ORIENTAL DUMAQUETE PHILIPPINES PAYMENT ADDRESS DIRECT DEPOSIT		Defense Finance and Accounting Service US Military Retirement Pay 8899 E 56TH Street Indianapolis, IN 46249-1200 COMMERCIAL (216) 522-5955 TOLL FREE 1-800-321-1080 TOLL FREE FAX 1-800-469-6559 myPay https://myPay.dfas.mil
PAYMENT INFORMATION		ENTITLEMENT INFORMATION
CRSC Amount	3,227.58	Retired Pay Before Deductions
CRSC Debt Deduction	0.00	Retired Pay Offset by DVA Compensation
CRSC Garnishment Deduction	10.00	CRSC Debt Balance
CRSC Net Pay	3,217.58	Branch of Military Service
		Garnishment Being Withheld
		ARMY
		YES
THE DVA OR YOUR BRANCH OF SERVICE PROVIDED THE FOLLOWING		
CRSC Special Monthly Compensation Code	00	
Unemployable	YES	
DVA Disability %	90	
Combat Related Disability %	60	
Purple Heart %	00	
CRSC Start Date	JAN 01, 2004	
Special Monthly Compensation Start Date		
REMARKS		
Please refer to DFAS.mil for information about CRSC and this statement.		



- The Printer Friendly Version of Your CRSC statement is available by clicking the "Printer Friendly" button at the top of this page. It requires Adobe Acrobat Reader. ~~Can~~ Acrobat Reader is already added to web browsers. If you don't have Adobe Reader and applicable security policies allow you to install it, it can be downloaded at <http://www.adobe.com/products/acrobat/readermain.html>.
- If Acrobat Reader is not available to you or you prefer HTML, you can print the HTML version of your CRSC Pay statement. For best results, you should reset your margins on your Browser's Print Page Setup. The Top and Bottom margins should be set at ".75" inches, and the Right and Left margins should be set at ".25" inches.
- For Internet Explorer if you see a URL, page number, etc. on your printed copy, use Page Setup to clear out the

RA000097

Payment History

▼ Payments

undefined

Display: 3 Months

Date	Amount	Type	Method
11/29/2018	\$2,896.67	Compensation & Pension - Recurring	Direct Deposit
10/31/2018	\$2,896.67	Compensation & Pension - Recurring	Direct Deposit
09/30/2018	\$2,896.67	Compensation & Pension - Recurring	Direct Deposit

About Payments

Disclaimer: Detailed information about some benefits payments may not be available online. For example, payments made in amounts less than \$1 for direct deposit or \$5 for mailed checks will not be displayed in your online payment history. Gross payments and modifications will display only for recurring and irregular compensation payments. If you have questions about payments made by VA, please call the VA Help Desk at 1-800-827-1000.

Payment Dates: VA pays benefits on the first day of each month for the previous month. But if the first day of the month falls on a weekend or holiday, payment is made on the last business day of the previous month. Example: If May 1 is a Saturday, then benefits would be paid on Friday, April 30.

► Returned Payments

undefined

~~DEPT OF VETERANS AFFAIRS~~
DEPT OF DEFENSE RETIREMENT DISABILITY

MENU

- Dashboard
- Profile
- Direct Deposit
- Chk/Sav Allotment
- Form 1099R
- Org Allotments
- Federal Tax
- Life Insurance
- Annuity Statement
- State Tax
- View / Print ID Card
- Overpayment
- Summary Of Payment
- Transaction History
- On Demand Docs

ANNUITY STATEMENT



This statement is for your payment dated 1/2/2019.

Annual Notice and Instructions

Payment Dated: 1/2/2019

ANNUITY FOR PAYMENT DATED: 1/2/2019

Employee Info

Claim Number:

A84544440

Name:

GRADY E BYRD

Address:

PUROK 2 CANGMATING
SIBULAN
NEGROS ORIENTAL 6201
PHILIPPINES

Deductions/Additions

Description	Amount
Gross Amount of Annuity	\$1,315.00
Basic Life Insurance Premiums	-\$30.88
Collection of Annuity Overpayment	-\$193.15
Collection of Annuity Overpayment	-\$463.13
Net Amount of Annuity	\$627.84

Comments

YOUR NEW GROSS MONTHLY ANNUITY REFLECTS A 2.0%

COST-OF-LIVING ADJUSTMENT. BY LAW, THE INCREASE IS

ROUNDED DOWN TO THE NEXT WHOLE DOLLAR.

THE MONTHLY SURVIVOR ANNUITY CURRENTLY PAYABLE IN THE

EVENT OF YOUR DEATH IS \$729 PAYABLE TO CATERIN A.

Your New Benefit Amount

SOCIAL SECURITY

BENEFICIARY'S NAME: GRADY E BYRD

Your Social Security benefits will increase by 2.0% in 2018 because of a rise in the cost of living.

How Much Will I Get And When?

- Your monthly amount (before deductions) is **\$2,176.00**
- The amount we deduct for Medicare medical insurance is **\$134.00**
(If you did not have Medicare as of November 17, 2017, or if someone else pays your premium, we show \$0.00.)
- The amount we deduct for your Medicare prescription drug plan is **\$0.00**
(We will notify you if the amount changes in 2018. If you did not elect withholding as of November 1, 2017, we show \$0.00.)
- The amount we deduct for U.S. Federal taxes is **\$0.00**
- The amount we deduct for voluntary U.S. Federal tax withholding is **\$0.00**
(If you did not elect voluntary tax withholding as of November 17, 2017, we show \$0.00.)
- After we take any other deductions, you will receive **\$2,042.00**
on or about January 3, 2018.

If you disagree with any of these amounts, you must write to us within 60 days from the date you receive this letter. We would be happy to review the amounts.

If you receive a paper check and want to switch to an electronic payment, please visit the Department of the Treasury's Go Direct website at **www.godirect.org** online.

What If I Have Questions?

- Visit our website at **www.socialsecurity.gov**.
- Contact any United States embassy or consulate office when outside the United States. To find one that services the country where you live, visit **www.socialsecurity.gov/foreign/foreign.htm**.
- If inside the United States, call us toll-free at **1-800-772-1213** (TTY **1-800-325-0778**) or visit your nearest office.

IN THE SUPREME COURT OF THE STATE OF NEVADA

GRADY BYRD,

Appellant,

vs.

CATERINA ANGELA BYRD,

Respondent.

Supreme Court Case No. 80548

**RESPONDENT'S APPENDIX
TO ANSWERING BRIEF
VOLUME V**

Submitted By:

/s/ Jeanne F. Lambertsen

ANITA A. WEBSTER, ESQ.

Nevada Bar No. 1211

JEANNE F. LAMBERTSEN, ESQ.

Nevada Bar No. 9460

6882 Edna Avenue

Las Vegas, Nevada 89146

Attorneys for Respondent

Caterina Angela Byrd

INDEX

CHRONOLOGICAL LISTING

<u>EX.</u>	<u>DATE</u>	<u>DOCUMENT</u>	<u>BATES NUMBER</u>
1.	08/27/18	Motion to Change Venue, Plaintiff, filed 08/27/18.	RA000001 - RA000003
2.	10/18/18	Financial Disclosure Form, Plaintiff, filed 10/18/18.	RA000004 - RA000011
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		Plaintiff's Opposition to Defendant's ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, for an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Countermotion for Attorney Fees and Costs, filed 01/15/19.	RA000126
11.	01/15/19	First Supplement to Exhibit Appendix, Plaintiff, in support of her Reply filed 01/15/19.	RA000127 - RA000183
12.	1/18/19	Defendant's Reply to Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to defendant's Ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Counter motion for Attorney fees and Costs, filed 1/18/19.	RA000184 - RA000197
13.	04/23/19	Exhibit Appendix to Plaintiff's Opposition to Defendant's Motion for Reconsideration and Countermotion, Plaintiff, filed 04/23/19.	RA000198 - RA000237
14.	04/23/19	Plaintiff's Ex Parte Application for An Order for Defendant to Appear In Person, filed 04/23/19.	RA000238 - RA000244
15.	04/23/19	Exhibit Appendix to Plaintiff's Ex Parte Application For an Order For Defendant To Appear In Person, Plaintiff, filed 04/23/19.	RA000245 - RA000264
16.	05/17/19	Exhibit Appendix to Plaintiff's Reply to Defendant's Opposition and Countermotion, filed 05/17/19.	RA000265 - RA000322
17.	06/17/19	Plaintiff's Emergency Motion for an Order	RA000323 -

		to Show Cause Why the Defendant should Not Be Held In contempt of Court and for Attorney Fees and Costs, filed 06/17/19.	RA000337
18.	09/10/19	Plaintiff's Motion to Compel Defendant's Responses to Discovery and Request for Sanctions and Attorney Fees, filed 09/10/19.	RA000338 - RA000360
19.	09/17/19	Defendant's Motion for a Protective Order pursuant to NRCp 26(C) and for Attorney Fees, filed 09/17/19.	RA000361 - RA000372
20.	09/30/19	Exhibit Appendix to Plaintiff's Motion for Reconsideration, Summary Judgment, Joinder and to continue the Evidentiary Hearing. (Contains Defendant's responses to Plaintiff's Request for Admissions), filed 09/30/19.	RA000373 - RA000417
21.	10/11/19	Notice of Change in Requested Relief in Plaintiff's Motion For Reconsideration, et al, filed on 09/30/19, filed 10/11/19.	RA000418 - RA000421
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24.	10/21/19	Exhibit 4, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order from the May 2, 2019 hearing, filed on 05/28/19.	RA000438 - RA000443
25.	10/21/19	Exhibit 7, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order to Show Cause, Grady to Appear On October 21, 2019, filed on 07/29/19.	RA000444 - RA000447
26.	10/21/19	Exhibit 8, Plaintiff's, admitted at Evidentiary Hearing, Caterina's Financial	RA000448 - RA000455

		Disclosure Form, Amended, filed on 07/15/19.	
27.	10/21/19	Exhibit 9, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, Amended, filed 01/18/19.	RA000456 - RA000468
28.	10/21/19	Exhibit 10, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, filed on 06/18/19.	RA000469 - RA000478
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54.	10/21/19	Exhibit B, Defendant's, admitted at Evidentiary Hearing, CRSC payment history from August 2014 - July 2015 (VA Waiver 3017.60, Retire net pay 128.40).	RA000539
55.	10/21/19	Exhibit C, Defendant's, admitted at Evidentiary Hearing, CRSC pay statement	RA000540

		dated 4/22/19.	
56.	10/21/19	Exhibit D, Defendant's, admitted at Evidentiary Hearing, VA letter for disability benefits dated 10/16/12 (disability benefit effective 12/01/2011).	RA000541
57.	10/21/19	Exhibit E, Defendant's, admitted at Evidentiary Hearing, Grady's VA payment history from April 1, 2019 - May 31, 2019.	RA000542
58.	10/21/19	Exhibit F, Defendant's, admitted at Evidentiary Hearing, Office of Personnel Management (OPM) letter re: disability application dated 11/12/2010.	RA000543 - RA000545
59.	10/21/19	Exhibit G, Defendant's, admitted at Evidentiary Hearing . OPM letter dated 04/29/2018 re: FERS disability annuity adjustment.	RA000546
60.	10/21/19	Exhibit H, Defendant's, admitted at Evidentiary Hearing OPM Notice of Annuity adjustment re: 07/02/18 payment.	RA000547
61.	10/21/19	Exhibit I, Defendant's, admitted at Evidentiary Hearing, OPM Annuity statement dated March 13, 2019.	RA000548
62.	10/21/19	Exhibit J, Defendant's, admitted at Evidentiary Hearing: Defendant's Social Security Decision dated September 12, 2012.	RA000549 - RA000554
63.	10/21/19	Exhibit K, Defendant's, admitted at Evidentiary Hearing: Defendant's 2014 Social Security Benefit 2014 (Form SSA-1099).	RA000555
64.	10/21/19	Exhibit L, Defendant's, admitted at Evidentiary Hearing, Defendant's Social Security Benefit 2018.	RA000556

65.	11/25/19	Plaintiff's Memorandum of Fees and Costs, from July 19, 2019 through the date of the Evidentiary hearing on October 21, 2019, filed 11/25/19.	RA000557 - RA000593
66.	12/05/19	Notice of Entry of Order on Discovery Commissioner's Report and Recommendations, filed 12/05/19.	RA000594 - RA000602
67.	03/18/20	Plaintiff's Ex Parte Application for an Income Withholding Order, filed 03/18/20.	RA000603 - RA000615
68.	04/03/20	Opposition to Plaintiff's Ex -Parte Application for Income Withholding Order, Defendant, filed 04/03/20.	RA000616 - RA000625
69.	04/10/20	Plaintiff's Reply to Defendant's Opposition to Plaintiff's Ex Parte Application for an Income Withholding Order, filed 04/10/20.	RA000626 - RA000655

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ALPHABETICAL LISTING

<u>EX.</u>	<u>DATE</u>	<u>DOCUMENT</u>	<u>BATES NUMBER</u>
19.	09/17/19	Defendant's Motion for a Protective Order pursuant to NRCP 26(C) and for Attorney Fees, filed 09/17/19.	RA000361 - RA000372
12.	1/18/19	Defendant's Reply to Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to defendant's Ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Counter motion for Attorney fees and Costs, filed 1/18/19.	RA000184 - RA000197

4.	12/13/18	Ex parte Motion for Continuance, Defendant, filed 12/13/18.	RA000033 - RA000035
53.	10/21/19	Exhibit A, Defendant's, admitted at Evidentiary Hearing: Dept. Of Army (CRSC) decision letter dated 6/20/11. Bates.	RA000536 - RA000538
15.	04/23/19	Exhibit Appendix to Plaintiff's Ex Parte Application For an Order For Defendant To Appear In Person, Plaintiff, filed 04/23/19.	RA000245 - RA000264
16.	05/17/19	Exhibit Appendix to Plaintiff's Reply to Defendant's Opposition and Countermotion, filed 05/17/19.	RA000265 - RA000322
20.	09/30/19	Exhibit Appendix to Plaintiff's Motion for Reconsideration, Summary Judgment, Joinder and to continue the Evidentiary Hearing. (Contains Defendant's responses to Plaintiff's Request for Admissions), filed 09/30/19.	RA000373 - RA000417
13.	04/23/19	Exhibit Appendix to Plaintiff's Opposition to Defendant's Motion for Reconsideration and Countermotion, Plaintiff, filed 04/23/19.	RA000198 - RA000237
54.	10/21/19	Exhibit B, Defendant's, admitted at Evidentiary Hearing, CRSC payment history from August 2014 - July 2015 (VA Waiver 3017.60, Retire net pay 128.40).	RA000539
55.	10/21/19	Exhibit C, Defendant's, admitted at Evidentiary Hearing, CRSC pay statement dated 4/22/19.	RA000540
56.	10/21/19	Exhibit D, Defendant's, admitted at Evidentiary Hearing, VA letter for disability benefits dated 10/16/12 (disability benefit effective 12/01/2011).	RA000541
57.	10/21/19	Exhibit E, Defendant's, admitted at Evidentiary Hearing, Grady's VA payment history from April 1, 2019 - May 31, 2019.	RA000542

58.	10/21/19	Exhibit F, Defendant's, admitted at Evidentiary Hearing, Office of Personnel Management (OPM) letter re: disability application dated 11/12/2010.	RA000543 - RA000545
59.	10/21/19	Exhibit G, Defendant's, admitted at Evidentiary Hearing . OPM letter dated 04/29/2018 re: FERS disability annuity adjustment.	RA000546
60.	10/21/19	Exhibit H, Defendant's, admitted at Evidentiary Hearing OMP Notice of Annuity adjustment re: 07/02/18 payment.	RA000547
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62.	10/21/19	Exhibit J, Defendant's, admitted at Evidentiary Hearing: Defendant's Social Security Decision dated September 12, 2012.	RA000549 - RA000554
63.	10/21/19	Exhibit K, Defendant's, admitted at Evidentiary Hearing: Defendant's 2014 Social Security Benefit 2014 (Form SSA-1099).	RA000555
64.	10/21/19	Exhibit L, Defendant's, admitted at Evidentiary Hearing, Defendant's Social Security Benefit 2018.	RA000556
23.	10/21/19	Exhibit 1, Plaintiff's, admitted at Evidentiary Hearing, Joint Petition for Summary Decree of Divorce.	RA000424 - RA000437
24.	10/21/19	Exhibit 4, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order from the May 2, 2019 hearing, filed on 05/28/19.	RA000438 - RA000443
25.	10/21/19	Exhibit 7, Plaintiff's, admitted at Evidentiary Hearing, Notice of Entry of Order to Show Cause, Grady to Appear On October 21, 2019, filed on 07/29/19.	RA000444 - RA000447

26.	10/21/19	Exhibit 8, Plaintiff's, admitted at Evidentiary Hearing, Caterina's Financial Disclosure Form, Amended, filed on 07/15/19.	RA000448 - RA000455
27.	10/21/19	Exhibit 9, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, Amended, filed 01/18/19.	RA000456 - RA000468
28.	10/21/19	Exhibit 10, Plaintiff's, admitted at Evidentiary Hearing, Grady's Financial Disclosure Form, filed on 06/18/19.	RA000469 - RA000478
29.	10/21/19	Exhibit 13, Plaintiff's, admitted at Evidentiary Hearing: Emails Bates 522-523. E-mail from Defendant to Plaintiff promising the Plaintiff that she will receive the same benefits whether he is married or not, including Survivor Benefit Plan, dated February 20, 2014 and Emails between Defendant and Plaintiff, Defendant writing it is time for a divorce and promising Plaintiff \$3000 a month email dated, February 20 & 21, 2014.	RA000479 - RA000481
30.	10/21/19	Exhibit 14, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff promising Plaintiff \$3,000 a month as long as he lives, et. al, dated March 23, 2014.	RA000482
31.	10/21/19	Exhibit 15, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff, threatening to stop communicating with her, dated March 26, 2014.	RA000483
32.	10/21/19	Exhibit 16, Plaintiff's, admitted at Evidentiary Hearing: Emails between Plaintiff and Defendant, re: retired pay is \$3,017 a month, gives her \$3,000 a month. Live poor until he dies, her monthly expenses, dated February 2014 - April 2014.	RA000484 - RA000488

33.	10/21/19	Exhibit 17, Plaintiff's, admitted at Evidentiary Hearing: Emails from Defendant to Plaintiff regarding "just sign the [divorce] papers..." dated March 27, 2014.	RA000489 - RA000490
34.	10/21/19	Exhibit 18, Plaintiff's, admitted at Evidentiary Hearing: Emails from Defendant "the money will go into your account the first of ever month until I die." "I'm sending you the papers. You sign or I will hire a lawyer and take you to court. You see what you get then." "This is the statement that will go on the divorce papers", dated April 9, 2014 and April 15, 2014.	RA000491 - RA000492
35.	10/21/19	Exhibit 20, Plaintiff's, admitted at Evidentiary Hearing: Email, Bates 9. Email from Plaintiff to Defendant stating that she has no idea what OPM is, and Defendant mad that she wants to see lawyer, dated March 27, 2014.	RA000493
36.	10/21/19	Exhibit 21, Plaintiff's, admitted at Evidentiary Hearing: Emails from Plaintiff to Defendant telling the Defendant that she is feeling very nervous and scared, dated April 8, 2014. Defendant "I will have the following statements entered on the divorce statement".	RA000494 - RA000495
37.	10/21/19	Exhibit 22, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff stating that Plaintiff is not entitled to any more money in the decree of divorce, retire pay is 3017, dated April 8, 2014. Bates13, and "this is your last warning," and Plaintiff asking for \$3000/mo., dated April 10, 2014.	RA000496 - RA000498
38.	10/21/19	Exhibit 23, Plaintiff's, admitted at Evidentiary Hearing: Email from Plaintiff to Defendant, regarding Plaintiff's health insurance denial, dated July 29, 2016, to	RA000499 - RA000502

		August 13, 2016.	
39.	10/21/19	Exhibit 25, Plaintiff's, admitted at Evidentiary Hearing: Email from Defendant to Plaintiff regarding Car insurance and cancer surgery, dated July 16, 2018.	RA000503
40.	10/21/19	Exhibit 27, Plaintiff's, admitted at Evidentiary Hearing: Defendant's retirement from Army, beneficiaries, Survivor Benefit Plan, Form DD 2656, dated March 10, 1999.	RA000504 - RA000505
41.	10/21/19	Exhibit 28 Plaintiff's, admitted at Evidentiary Hearing: Grady's retirement account. DFAS Retiree Account Statement, dated December 3, 2017.	RA000506
42.	10/21/19	Exhibit 30, Plaintiff's, admitted at Evidentiary Hearing: Tax Return for Plaintiff year 2015 (Individual).	RA000507 - RA000508
43.	10/21/19	Exhibit 31, Plaintiff's, admitted at Evidentiary Hearing: Tax Return for Plaintiff year 2016 (Individual).	RA000509 - RA000510
44.	10/21/19	Exhibit 32, Plaintiff's, admitted at Evidentiary Hearing: Tax Return for Plaintiff with form W-2G attached year 2017 (Individual).	RA000511 - RA000513
45.	10/21/19	Exhibit 33, Plaintiff's, admitted at Evidentiary Hearing, Tax Return for Plaintiff year 2018 (Individual).	RA000514 - RA000516
46.	10/21/19	Exhibit 34, Plaintiff's, admitted at Evidentiary Hearing: Plaintiff's residence, USAA Mortgage Loan Statement, dated July 1, 2019.	RA000517
47.	10/21/19	Exhibit 35, Plaintiff's, admitted at Evidentiary Hearing, Long term care statement. Long Term Care Partners letter to	RA000518 - RA000521

		Plaintiff dated November 1, 2017.	
48.	10/21/19	Exhibit 36, Plaintiff's, Evidentiary Hearing, Plaintiff's Canyon Gate Master Association (HOA) billing statements, dated October 20, 2017, October 18, 2018 and May 13, 2019.	RA000522 - RA000524
49.	10/21/19	Exhibit 38, Plaintiff's, admitted at Evidentiary Hearing: Ms. Byrd doctor visit. Summary of visit date April 16, 2012.	RA000525 - RA000526
50.	10/21/19	Exhibit 42, Plaintiff's, admitted at Evidentiary Hearing: Ms. Byrd social security statement. Social Security Statement for Plaintiff, dated June 11, 2019.	RA000527 - RA000532
51.	10/21/19	Exhibit 63, Plaintiff's, admitted at Evidentiary Hearing: Letter to Defendant's counsel, regarding SBP, dated September 24, 2019.	RA000533 - RA000534
52.	10/21/19	Exhibit 64, Plaintiff's, admitted at Evidentiary Hearing, Letter from Defendant's counsel, dated September 25, 2019, responding to Plaintiff's letter dated 9/24/19.	RA000535
9.	01/02/19	Financial Disclosure Form, Defendant, with five income statements attachments, filed 01/02/19.	RA000088 - RA000100
2.	10/18/18	Financial Disclosure Form, Plaintiff, filed 10/18/18.	RA000004 - RA000011
11.	01/15/19	First Supplement to Exhibit Appendix, Plaintiff, in support of her Reply filed 01/15/19.	RA000127 - RA000183
22.	10/17/19	Minutes re: Calendar Call held on 10/17/19.	RA000422 - RA000423
1.	08/27/18	Motion to Change Venue, Plaintiff, filed 08/27/18.	RA000001 - RA000003
21.	10/11/19	Notice of Change in Requested Relief in	RA000418 -

		Plaintiff's Motion For Reconsideration, et al, filed on 09/30/19, filed 10/11/19	RA000421
7.	12/27/18	Notice of Entry of Order for the Order Shortening Time on Plaintiff's Motion filed 12/27/18.	RA000059 - RA000062
66.	12/05/19	Notice of Entry of Order on Discovery Commissioner's Report and Recommendations, filed 12/05/19.	RA000594 - RA000602
68.	04/03/20	Opposition to Plaintiff's Ex -Parte Application for Income Withholding Order, Defendant, filed 04/03/20.	RA000616 - RA000625
5.	12/18/18	Order Granting Continuance, Defendant, filed 12/18/18.	RA000036
17.	06/17/19	Plaintiff's Emergency Motion for an Order to Show Cause Why the Defendant should Not Be Held In contempt of Court and for Attorney Fees and Costs, filed 06/17/19.	RA000323 - RA000337
14.	04/23/19	Plaintiff's Ex Parte Application for An Order for Defendant to Appear In Person, filed 04/23/19.	RA000238 - RA000244
67.	03/18/20	Plaintiff's Ex Parte Application for an Income Withholding Order, filed 03/18/20.	RA000603 - RA000615
65.	11/25/19	Plaintiff's Memorandum of Fees and Costs, from July 19, 2019 through the date of the Evidentiary hearing on October 21, 2019, filed 11/25/19.	RA000557 - RA000593
18.	09/10/19	Plaintiff's Motion to Compel Defendant's Responses to Discovery and Request for Sanctions and Attorney Fees, filed 09/10/19.	RA000338 - RA000360
6.	12/19/18	Plaintiff's Opposition to Defendant's ex parte Motion for A Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For	RA000037 - RA000058

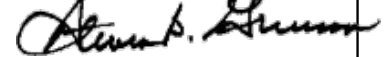
		An Order to Show Cause, to divide a Newly Discovered Asset, to Execute QDROs and for Attorney fees and Costs and Counter motion for Attorney Fees and Costs, filed 12/19/18.	
10.	01/15/19	Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to Defendant's ex parte Motion for a Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, for an Order to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and Countermotion for Attorney Fees and Costs, filed 01/15/19.	RA000101 - RA000126
69.	04/10/20	Plaintiff's Reply to Defendant's Opposition to Plaintiff's Ex Parte Application for an Income Withholding Order, filed 04/10/20.	RA000626 - RA000655
8.	12/28/18	Reply to Opposition and/or Counter motion, Defendant, filed 12/28/18.	RA000063 - RA000087
3.	11/27/18	Transcript re: Motion, November 27, 2018.	RA000012 - RA000032

Certificate of Service

Pursuant to NRAP 25(c)(1)(E), I hereby certify, under penalty of perjury, that I am an employee of Webster & Associates and that on the 13th day of August, 2020, I caused to be served the foregoing document by way of NEFCR 9 Notice of Electronic Filing to the following:

Daniel W. Anderson
Mills & Anderson
Counsel for Appellant, Grady Edward Byrd


An employee of WEBSTER & ASSOCIATES



1 **RPLY**
2 **WEBSTER & ASSOCIATES**
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13 Attorney for Plaintiff, Unbundled

9 DISTRICT COURT

10 CLARK COUNTY, NEVADA

12 CATERINA ANGELA BYRD)	CASE NO.: D-18-577701-Z
)	DEPT NO.: G
13 Plaintiff,)	
)	
14 v.)	
)	Oral Argument Requested: Yes
15 GRADY EDWARD BYRD)	
)	
16 Defendant.)	

17
18 **Plaintiff's Reply to Defendant's Reply to Plaintiff's Opposition to**
19 **Defendant's Ex Parte Motion For A Continuance of Plaintiff's Motion to**
20 **Enforce the Decree of Divorce, For An Order to Show Cause, to Divide a**
21 **Newly Discovered Asset, to Execute QDROs, and for Attorney's Fees and**
22 **Costs and Countermotion For Attorney Fees and Costs**

23 COMES NOW Plaintiff, CATERINA ANGELA BYRD, by and through her
24 attorneys, ANITA A. WEBSTER, ESQ., and JEANNE F. LAMBERTSEN, ESQ.,
25 of the law offices of WEBSTER & ASSOCIATES, in an Unbundled Capacity, and
26 does hereby file her *Reply to Defendant's Reply to Plaintiff's Opposition to*
27 *Defendant's Ex Parte Motion For A Continuance of Plaintiff's Motion to Enforce*
28 *the Decree of Divorce, For An Order to Show Cause, to Divide a Newly*

W:\Family\Byrd, Caterina\Pleadings\Drafts\REPLY 1-09-19 wpd

1 *Discovered Asset, to Execute QDROs, and for Attorney's Fees and Costs and*
2 *Counter-motion For Attorney Fees and Costs.*

3 This Reply is made and based upon the pleadings and papers on file
4 herein, the following Points and Authorities and upon such oral argument as the
5 Court may allow at the time of the hearing.
6

7 Dated: January 15th, 2019.

8 **WEBSTER & ASSOCIATES**

9
10
11 By: 

12 ANITA A. WEBSTER, ESQ.
13 Nevada Bar No. 1221
14 JEANNE LAMBERTSEN, ESQ.
15 Nevada Bar No. 9460
16 6882 Edna Ave.
17 Las Vegas, Nevada 89146
18 Attorneys for Plaintiff, Unbundled

19 **REPLY**

20 **POINTS AND AUTHORITIES**

21 The parties were married for 31 years, divorcing on June 5, 2014, by way
22 of a Joint Petition prepared and filed by the Defendant, Grady Byrd (hereinafter
23 "Grady"). The last time the parties resided together was in 2008, in Las Vegas
24 Nevada. Grady has been living in the Philippines. About October 2013, the
25 parties bought a house in Las Vegas and a mere 6 months later, Grady tells
26 Caterina that he wants a divorce. They divorced about 8 months after purchasing
27 the house. The house was awarded to Caterina. She estimates that the equity
28 in the house was minimal at the time of divorce. Grady mis-characterizes the

1 purchase of the home, saying that he gave her his money for the purchase. This
2 is untrue since the parties purchased the home as a married couple prior to
3 divorce and there was no division of assets at this time.¹ Further, Grady claims
4 that by signing a mortgage application, that Caterina knew the dollar amount of
5 all assets. The dollar amounts contained in the mortgage application were
6 fabricated by Grady to ensure that the loan would go through. In fact, Grady
7 instructed Caterina to not talk to the loan company, to not tell the loan company
8 that she can't speak to them, to ignore the loan company and that he will have to
9 "make up some information on money" to get the loan approved.² Clearly,
10 whatever is contained in the loan application cannot be evidence of Caterina's
11 understanding of the dollar amount of the marital assets.
12

13
14 Grady admits that he threatened Caterina into signing the divorce
15 documents, telling her that he was sending her the divorce documents and that
16 she either signs them or else he will hire a lawyer and take her to court.³ Grady
17 threatened, controlled and harassed Caterina into signing the divorce documents
18 multiple times by telling Caterina:
19

20 **"...This is your last warning, take the deal I'm offering**
21 **or you can ask a lawyer to try and get me to put what you**
22 **want in writing. I guarantee you your lawyer will tell you**
23 **Last Chance."** and
24

25 **.."Just sign the papers and you get all I said you would**
26

26 ¹See Grady's Reply, page 8, line 138 - 142.

27 ²Exhibit 10, Email from Grady to Caterina 04/02/13 making up information on money.

28 ³See Grady's Reply, page 7, line 125 - 126.

1 get forever..."⁴

2
3 "The first time I hear from your lawyer this is the action I will take:

4 1. **I will stop communicating with you at all.**

5 2. I will not communicate with your lawyer at all.

6 3. I will hire my own lawyer.

7 4. **I will cease providing you any payments at all.** You can take
8 money from the TSP account money that you did not use for the
9 down payment.

10 5. I will ask for a 50 50 split of all our assets.

11 6. When divorce complete I will only pay 50% of army retirement.

12 You think you are going to get more from me than I am already giving
13 you. **Good luck.**

14 I am glad you are trying to stick it to me. It reminds me of why I left
15 you. You make it easy for me to treat you the same way you treat
16 me."⁵

17 "You are not entitled to anymore money..."⁶

18 [emphasis added].

19 Caterina even tells Grady that she is feeling very nervous, and that all of this
20 information is scaring her⁷. Believing that she had no choice, she complied and
21 signed the divorce decree.

22 Problems with Grady's award of assets to Caterina developed in 2016,
23 when the medical insurance that Grady promised her was denied. She asked
24 Grady to explain why the health care insurance she was promised in the Decree

25
26 ⁴Exhibit 11, Emails from Grady to Caterina dated 04/10/14 and 03/27/14 "this is your
27 last warning"... and "just sign the papers.."

28 ⁵Exhibit 12, Email from Grady to Caterina, around 03/26/14 "I will stop..."

⁶Exhibit 13, Email from Grady to Caterina, 04/08/14 "you are not entitled..."

⁷Exhibit 14, Emails from Caterina to Grady 04/08/14 & 02/20/14 feeling very nervous
and scared.

1 was now denied and he contacted TriCare insurance. He then told her that what
2 he promised in the Decree was not true and she was out of luck. No insurance
3 through the military.⁸ She was devastated. Grady needs to pay her health
4 insurance which cost \$102.97 per month.⁹ Then, about July 2018, when Grady
5 announced that he was receiving medical treatment at the VA hospital in Las
6 Vegas, Caterina became further distraught. Her \$1,500.00 spousal assistance
7 with the mortgage and the \$1,500.00 for her interest in Grady's U.S. Army
8 pension was deposited by Grady monthly. If something happened to him, how
9 was she to receive her money? She also discovered that she did not have the life
10 insurance documents and death benefit documents listed in the decree that were
11 awarded to her. When she asked Grady for copies of these documents, he
12 retaliated and ceased sending her any money. This instant action followed.

13 **Grady Is In Contempt of Court for Unilaterally Terminating The Court**
14 **Ordered Obligation to Pay Caterina \$1500 for Assistance**

15
16 Grady wrongfully believes he has the right to unilaterally terminate the court
17 ordered obligation to pay Caterina \$1,500.00 per month for assistance with her
18 mortgage. Without any order from the court, he abruptly stopped paying her
19 \$1,500.00 per month in August 2018. Grady claims that this is not "support," that
20 he can terminate it.¹⁰ However, the purpose it is serving clearly demonstrates that
21
22
23

24
25 ⁸Exhibit 15, Emails between the parties, 07/29/16 to 08/13/16 regarding Caterina's
26 health insurance denial.

27 ⁹Exhibit 16, Caterina's January 2019 health insurance premium.

28 ¹⁰Grady's Reply, page 10, line 189. "I am not required to make this payment".

1 the \$1,500.00 is spousal support and Grady should not have terminated it.

2 The Nevada Supreme Court held in Lake, that “support” is a word of broad
3 signification. It includes everything, necessities and luxuries, which the wife in like
4 circumstances is entitled to have and enjoy. In determining the amount necessary
5 for such support, all of the circumstances surrounding the parties, including the
6 financial condition of the husband and the requirements of the wife, should be
7 considered. Lake v. Bender, 18 Nev. 361, 4 Pac. 711, 7 Pac. 74 (1884). Paying
8 the mortgage on a home is a necessity. Grady’s \$1,500.00 payment to Caterina
9 for her mortgage payment is “support.”
10

11 The Nevada Supreme Court held in Shydler, that the two primary purposes
12 of spousal support are to narrow any large gaps between the post-divorce
13 earning capacities of the spouses and to allow the recipient spouse to live as
14 nearly as possible to the station in life enjoyed before the divorce. Shydler v.
15 Shydler, 114 Nev. 192, 954 P.2d 37 (1998).
16

17 In Shydler, a divorce action where the marriage lasted for 17 years, the
18 husband’s post divorce earning capacity was more than \$100,000 per year and
19 the wife’s post divorce earning capacity was between \$25,000 to \$59,000 per
20 year and the wife enjoyed a certain station of life during the 17-year marriage, the
21 court held that the wife was entitled to alimony because the two primary purposes
22 of alimony, at least in marriages of significant length are to narrow any large gaps
23 between the post-divorce earning capacities of the parties and to allow the
24 spouse who receives the alimony to live as nearly as possible to the station in life
25 enjoyed before the divorce. Shydler v. Shydler, 114 Nev. 192, 954 P.2d 37
26
27
28

1 (1998).

2 Caterina and Grady were married for nearly twice the length of time as the
3 parties' in Shydler, hence, they had a marriage of significant length. Like the
4 husband in Shydler, Grady earns more than \$100,000 per year. Grady's gross
5 annual earnings are \$118,633.08. Caterina's earning capacity was only \$17,084
6 in 1989 (and she has not worked since 2006) which is far less than the wife in
7 Shydler. Like the wife in Shydler, Caterina enjoyed a certain station of life during
8 the parties 31 year marriage, and should receive the alimony to live as nearly as
9 possible to the station in life enjoyed before the divorce. Grady should be ordered
10 to continue the \$1,500 per month spousal assistance.
11

12
13 Caterina has a vested right in the \$1,500 that has accrued since Grady
14 stopped paying in August 2018. The Nevada Supreme Court held in Day that:

15[p]ayments once accrued for alimony or child
16 support become vested rights and cannot thereafter be
17 modified or voided. Day v. Day, 82 Nev. 317, 417 P.2d
18 914 (1966), cited, Norris v. Norris, 93 Nev. 65 at 67, 560
19 P.2d 149 (1977), Hildahl v. Hildahl, 95 Nev. 657, at 660,
601 P.2d 58 (1979), Khaldy v. Khaldy, 111 843 P.2d 807
(1992).

20 Grady owes Caterina \$7,500.00 for the months of September 2018 to
21 January 2019. Her right to these monies is vested and Grady cannot stop paying
22 her just because he wanted to retaliate against Caterina for asking questions
23 about the assets awarded to her in the Decree. Grady was notified that he needs
24 to pay Caterina in Caterina's Motion filed in October 2018, yet he continues to
25 refuse to pay Caterina. Grady is in contempt of court. Caterina is suffering
26 financial hardship; borrowing money from friends and family to pay the house
27
28

1 mortgage and living expenses because he has not paid her. Caterina should
2 receive attorney fees, \$500 per incident (per month) sanctions against Grady
3 pursuant to NRS 22.010 et al.

4 **Grady Should Continue to Pay Caterina \$1,500 per month for spousal**
5 **assistance**

6
7 Grady should not be allowed to eliminate the \$1,500.00 support assistance
8 he pays Caterina. In fact, Caterina should receive an increase in spousal
9 assistance due to her increased expenses for her health insurance premium of
10 \$102.97 per month and \$128.01 for the monthly cost of her Federal Long Term
11 Care Insurance Program.

12
13 In Edwards, the Nevada Supreme Court held that where a motion by the
14 husband to modify the divorce decree of divorce by eliminating alimony and
15 decreasing the child support payment, where earnings of the husband had
16 decreased substantially and the husband had remarried and had a child of that
17 marriage, that it was not an abuse of discretion for the trial court to deny the
18 motion because the husband had failed to reduce his voluntary expenses.
19
20 Edwards v. Edwards, 82 Nev. 392, 419 P.2d 637 (1966), cited, Lamb v. Lamb, 83
21 Nev. 425, at 492, 433 P.2d 265 (1967). Evidence showed he owned three
22 automobiles where only one was necessary, and monthly payments on two of the
23 automobiles equaled the amount requested as reduction of alimony and support
24 payments. Id.

25
26 As in Edwards, Grady's Financial Disclosure Form reveals that he has three
27 automobiles where only one appears to be necessary. The car loan payments
28

1 and automobile insurance costs on just two vehicles is over \$900.00.¹¹
2 Maintenance, tires, registration and similar expenses may put the monthly cost
3 at \$1500.00 for these two vehicles. This equals the amount that he unilaterally
4 ceased paying Caterina. Grady failed to list his new wife, Pinky Nobel, on his
5 Financial Disclosure Form, and what contribution she makes to the household
6 income is not listed.
7

8 Grady wrongfully describes Caterina as a "highly successful salon owner"
9 and tries to characterize her as a great income earner.¹² Caterina worked for 12
10 of the parties' 31 years of marriage. The most she ever earned was \$17,084.00
11 in the year 1989.¹³ The salon was a hobby from about 2002 to 2006, something
12 to get Caterina out of the house and meet friends. The money that she earned
13 barely covered the bills. Grady hated Caterina for having the salon job because
14 he thought it looked bad for a successful, high ranking, Department of Defense
15 GS-14 in charge of 3 military bases to have a wife work. He though it was
16 "beneath them" to have her work. Grady in comparison, earns \$118,633.08
17 annually.
18

19
20 **Grady Must Continue To Pay Caterina \$1500 For Her Interest In His U.S.**

21 **Army Pension**

22 During marriage, Grady retired from the U.S. Army in 1999 as a Command
23 Sargent Major. In the Decree, Grady gave Caterina 50% of his U.S. Army
24

25
26 ¹¹See Grady's FDF filed 01/02/19, page 4.

27 ¹²Grady's Reply, pg. 6, line 92-96.

28 ¹³ Exhibit 17, Caterina's Social Security Statement 2009.

1 pension. Grady never prepared a QDRO and he chose to pay her directly from
2 his bank account, transferring \$1,500 each month to Caterina for her interest in
3 his U.S. Army pension (he deposited one check each month for \$3,000.00;
4 \$1,500.00 for her interest in the U.S. Army pension and \$1,500.00 for assistance
5 with her home mortgage).
6

7 Grady now believes that since his U.S. Army Pension is now reduced by the
8 dollar amount that he receives from the Veteran's Administration in disability, that
9 his obligation to Caterina vanishes. This is not correct.
10

11 The Nevada Supreme Court held in Shelton that:

12 Many courts have determined that a recipient of military
13 disability payments may not deprive a former spouse of
14 marital property. The courts proceed under various
15 theories, but the underlying theme is that it is unfair for a
16 veteran spouse to unilaterally deprive a former spouse of
17 a community property interest simply by making an
18 election to take disability pay in lieu of retirement pay.
19 Although states cannot divide disability payments as
20 community property, states are not preempted from
21 enforcing orders that are res judicata or from enforcing
22 contracts or from reconsidering divorce decrees, even
23 when disability pay is involved. Shelton v. Shelton, 78
24 P.3d 507, 119 Nev. 492 (Nev., 2003).

25 We conclude that, although courts are prohibited by
26 federal law from determining veterans' disability pay to be
27 community property, **state law of contracts is not**
28 **preempted by federal law. Thus, respondent must**
satisfy his contractual obligations to his former
spouse, and the district court erred in denying former
spouse's motion solely on the basis that federal law
does not permit disability pay to be divided as
community property. Shelton v. Shelton, 78 P.3d 507,
119 Nev. 492 (Nev., 2003).

[emphasis added].

Similar to the wife in Shelton, Caterina was awarded 50% of her husband's

1 military pay, and the husband made the payments directly to the wife. Also similar
2 to the husband in Shelton, Grady unilaterally deprived Caterina of her interest in
3 his U.S. Army retirement benefits by taking the pay as a tax-exempt disability
4 payment. Further, like the husband in Shelton, Grady ceased his payments to
5 Caterina. He could have paid her out of his other assets. Therefore, since Grady
6 promised to give Caterina 50% of his U.S. Army pension, since this promise was
7 memorialized in the decree of divorce, and his conduct subsequent to the entry
8 of the Decree of Divorce reinforces this promise in that Grady ratified the terms
9 of the agreement by performing his obligation under the decree for a period of
10 four years, Grady must continue to pay Caterina \$1,500 as and for her interest
11 in his U.S. Army pension. So far, Grady owes Caterina \$1,500.00 for the months
12 of September 2018 through January 2018 which is 5 months x \$1,500 =
13 \$7,500.00. Caterina is suffering financial hardship and Grady should be
14 admonished and Caterina awarded attorney fees for his harassing and controlling
15 behavior.
16
17
18

19 Pursuant to NRS 125.150 (4), the court may set apart a portion of the
20 husband's separate property for the wife's support as is deemed just and
21 equitable. If Grady's payment to Caterina of \$1,500.00 can no longer come of his
22 U.S. Army pension because he converted his U.S. Army pension pay to disability
23 pay, then Grady should pay Caterina an additional \$1,500.00 spousal support
24 from his other assets.
25

26 **Omitted Assets Must be Explored and Divided**

27 Grady claims that Caterina was fully aware and knew all of the marital
28

1 assets prior to signing the Divorce Decree. He references an email dated April
2 18, 2014, from Caterina to Grady believing that this proves that she knew all the
3 assets because her e-mail mentions "OPM."¹⁴ His claim is untrue. Caterina did
4 not know of all the marital assets. Caterina even tells Grady that she has no idea
5 what OPM is.¹⁵ The parties had not resided together for 6 years prior to divorce,
6 Grady handled all the parties' financial matters, and Grady threatened Caterina
7 into signing the joint petition for divorce. Contrary to Grady's assertion, the April
8 18, 2014, e-mail does not show all the assets that the parties possessed. For
9 example, there is absolutely no mention of Grady's newly discovered Federal
10 Employees Retirement System pension. Looking at the income statements
11 attached to Grady's Financial Disclosure Form, it appears that he receives five
12 (5) sources of income. At least two, the "OPM" and the "CRSC" are not listed in
13 the decree of divorce. These need to be explained and explored. For example,
14 the Office of Personnel Management (OPM) in itself is not an asset. Information
15 on what, exactly the OPM is paying for needs to be provided by Grady.

16 **Grady did not attempt to resolve this matter in good faith prior to Caterina**
17 **Filing her Motion**

18 Grady did not provide Caterina his residential address or a telephone
19 number. Grady admits that he deliberately chose to only communicate with her
20

21 ¹⁴Exhibit 18, Email from Caterina to Grady 04/18/14. See also Grady's Reply, page
22 20.

23 ¹⁵Exhibit 19, Email from Caterina to Grady 03/27/14 "I have no idea what OPM is". ...

1 via email from 2008 to the present date.¹⁶ Grady even admits that he blocked the
2 e-mails from Caterina and the undersigned counsel, the only form of
3 communication that Caterina had with him, as she was trying to obtain the
4 documents supporting the assets she was awarded in the divorce.¹⁷

5
6 Grady falsely claims that his “mental health is destroyed”, when he has
7 contact with Caterina.¹⁸ If this is true, then why did Grady constantly contact
8 Caterina with a list of items that he wanted her to purchase, package and ship to
9 the home of a “friend”¹⁹ in the Philippines²⁰? Grady even asked Caterina for the
10 name of the cheese that he ate at Caterina’s cousin’s wedding²¹

11
12 Grady led Caterina to believe that he was destitute, living in a tent²², limited
13 access to food, having only two towels and asking to borrow \$28.00 dollars.²³

14 Grady’s Financial Disclosure Form filed January 2, 2019, reveals that his
15 gross monthly income is **\$9,886.09**. Grady has been misleading, manipulating

16
17 ¹⁶Grady’s Reply, pg. 2, line 9.

18 ¹⁷ Grady’s Reply, pg. 3, line 39.

19 ¹⁸Grady’s Reply, pg. 2, line 10.

20 ¹⁹Unbeknownst to Caterina, this “friend” was his new wife, Pinky Noble.

21 ²⁰Exhibit 20, Shippers Export Declaration and Packing List dated 09/12/17 of items
22 Grady asked Caterina to obtain, pack and ship to him in the Philippines and e-mail
23 correspondence between the parties 01/29/15 to 09/16/17 regarding shipments to Grady,
24 02/21/14 email from Grady about living in a tent and 07/25/18 e-mail to borrow \$28.
25

26 ²¹Email dated 04/16/15 from Grady to Caterina asking about cheese.

27 ²²Email from Grady, dated 02/21/14, living in a tent.

28 ²³Email from Grady, dated 03/08/15

1 and controlling Caterina. The \$3,000.00 that he was sending Caterina still left a
2 huge disparity in income.

3 **Grady Exerts Control over Caterina as Recently As December 5, 2018**

4 Another example of Grady's control of Caterina was seen on December 5,
5 2018. Unbeknownst to Caterina, Grady instructed the mortgage company to
6 change the mailing address for the mortgage statements to his residence on
7 Craig Road, Las Vegas, Nevada.²⁴ Grady never talked to Caterina about this
8 change. The house belongs to Caterina and she is responsible for the mortgage
9 payments. Why would he sabotage her efforts to pay without penalties each
10 month by changing the mailing address from her home to his? Grady should be
11 admonished for changing the mailing address.

12 **The Decree of Divorce includes the following (on page 2, lines 21- 28 and**
13 **page 3, lines 1-2). Problems arouse with each and every asset Grady listed**
14 **for Caterina and he must compensate her for each loss:**

15 1. "Caterina A. Byrd is entitled to 50% of Grady E. Byrd's United States
16 Army Retired Pay as long as he lives." This problem is described herein above.

17 2. "Caterina A. Byrd is entitled to United States Army Survivor Benefit
18 Plan payments after Grady E. Byrd's death." Grady never sent a copy of the
19 Decree of Divorce to the Defense Accounting and Finance Service. On August
20 20, 2018, Grady sent Caterina an internet page about the Defense Finance and
21 Accounting Service (DFAS) and about former spouse survivor benefit coverage.
22 Caterina sent the decree of divorce to DFAS and her spouse survivor benefits
23
24
25
26
27

28 ²⁴Exhibit 21, Mortgage statement, 12/06/18, with Grady's address.

1 were rejected since more than a year had passed since the filing of the Decree
2 of Divorce. Grady claims that he was not required to send the decree of divorce
3 to the DFAS. However, he never provided any information to Caterina to do so
4 either. He kept her in the dark. Grady needs to compensate Caterina through a
5 life insurance plan or some other form of funds.
6

7 3. Caterina A. Byrd is entitled to Office of Personnel Management death
8 benefits, United States Retired Military Health Care, Long Term Health Insurance,
9 VYSTAR Credit Union Accidental Death Insurance, and Veteran's Group Life
10 Insurance after Grady E. Byrd's death. Each of the entitlements is described
11 below and the outcome:
12

13 **A. Office of Personnel Management death benefits.** The OPM will
14 not communicate with Caterina. As a result, she turned to Grady for copies of the
15 documents verifying that she is receiving the OPM death benefits. Grady refused
16 to provide Caterina the document(s). Instead, he sent her copies of a form he
17 signed to request the documents. Caterina sent the copied request form to the
18 OPM. It was rejected. The instructions state to send the original signature form.
19 Grady gave Caterina copies. To correct the problem, instead of sending the
20 original signature form to the OPM himself, he once again sent the form to
21 Caterina, who had to send it to the OPM. This was another delay tactic, a means
22 of harassing Caterina, and adding stress and unnecessary expenses to her
23 already destroyed financial condition. Grady has not informed Caterina of the
24 status of the request form. Grady has not provided Caterina copies of the
25 documents verifying that she is receiving the OPM death benefits.
26
27
28

1 Further, there may be omitted assets with this account. From Grady's FDF,
2 it appears that he is receiving \$1,315.00 each month from this benefit. Caterina
3 should have been given her community share. This asset needs to be explored
4 and divided.
5

6 **B. United States Retired Military Health Care:** About July 2016,
7 Caterina went to the military base to renew her health card. She learned that she
8 was no longer eligible, and had to obtain health insurance on her own at her own
9 cost. Currently, it is \$102.97 per month, and is subject to annual change.
10 Meanwhile, Caterina started getting health care bills. She received \$9,254.50 in
11 bills for hospitalization, ambulance and doctor care that the U. S. Military refused
12 to cover. She paid \$2,750.50 and has not been able to pay the rest. Caterina's
13 spousal support should be increased by \$102.97 per month since Grady led her
14 to believe that she received military health care for life.
15

16 **C. Long Term Health Insurance:** The parties paid on this policy,
17 Federal Long Term Care Insurance Program, for years. Grady acquired the policy
18 when Caterina was 38 years old and she is relying on it. However, Grady is
19 refusing to pay the monthly payment. The payment went up to \$200 per month.
20 Caterina cannot afford the \$200 monthly payment so Caterina reduced her
21 benefit/services so that she could lower the premium to \$128.01 per month.
22 However, Caterina cannot even afford the \$128.01 per month. Caterina's spousal
23 support should be increased by \$128.01 per month so that she can continue the
24 Federal Long Term Care Insurance Program.
25

26 **D. VYSTAR Credit Union Accidental Death Insurance:** She
27
28

1 learned that the VYSTAR credit Union Accidental Death Insurance lapsed for non
2 payment and was terminated. Grady should provide a comparable insurance.
3 Grady believes he shouldn't have to cover this loss. However, Grady was the
4 primary on the account, Caterina was told by Vystar that only the policy holder,
5 Grady, can get information on the insurance. Caterina believed that the parties
6 had been paying this insurance account for years. About December 11, 2017,
7 Grady informed Caterina that he called Vystar and that they have no policy in his
8 name. As a result, Caterina did not receive an asset promised to her in the
9 decree of divorce. Grady needs to compensate her for this loss.²⁵

10
11
12 **E. Veteran's Group Life Insurance: Federal Employees' Group**
13 **Life Insurance (FEGLI) coverage.** Caterina asked Grady to provide her a copy
14 of the policy, confirm that he is making payments on the policy (if required) and
15 confirm that the policy has Caterina's mailing address and telephone number.
16 Instead of providing this information, Grady sent beneficiary forms to the
17 undersigned counsel who then forwarded them to the Office of Personnel
18 Management. No response has been received, so this issue is not resolved.

19
20 **4. Grady E. Byrd will continue to pay Caterina A. Byrd \$1,500 dollars**
21 **extra a month to assist with her home mortgage.** Grady's unilateral
22 termination of Caterina's assistance on September 1, 2018 with her mortgage
23 payment is described herein above.

24
25 **Caterina is Entitled to An Award of Attorney's Fees**

26 Caterina and her counsel have tried repeatedly to resolve the issues
27

28

²⁵ Exhibit 22, e-mail exchange between the parties regarding Vystar Life Insurance.

1 referenced herein without the assistance of the court, but to no avail. Grady's
2 secrecy, delays, and failure to cooperate has caused Caterina to incur attorneys'
3 fees. He admits to blocking her e-mails and admits to refusing e-mails from her
4 counsel.
5

6 Further, Grady is in Contempt of Court for failing to pay Caterina the
7 \$1,500.00 each month in assistance with the last payment August 2018, as
8 ordered in the Divorce Decree. Grady is refusing to pay the \$1,500.00 that he
9 had been giving Caterina for what she believes is her interest in his Army
10 pension. Grady is also refusing to communicate directly with the Federal Office
11 of Personnel Management for proof that Caterina is indeed the beneficiary of his
12 death benefits. Because he is the policy holder, they will not speak to Caterina.
13 He is causing delays, harassment and increased attorney fees by making
14 Caterina send the documents to the Federal Office of Personnel Management.
15

16 NRS 125.040:

17 1. In any suit for divorce the court may, in its discretion, upon application
18 by either party and notice to the other party, require either party to pay
19 moneys necessary to assist the other party in accomplishing one or more
20 of the following:

- 21 (a) To provide temporary maintenance for the other party;
22 (b) To provide temporary support for children of the parties; or
23 (c) To enable the other party to carry on or defend such suit.

24 2. The court may make any order affecting property of the parties, or either
25 of them, which it may deem necessary or desirable to accomplish the
26 purposes of this section. Such orders shall be made by the court only after
27 taking into consideration the financial situation of each of the parties.
28

24 NRS 18.010(2):

- 25 (a) When the prevailing party has not recovered more than \$20,000; or
26 (b) Without regard to the recovery sought, when the court finds that the
27 claim, counterclaim, cross-claim or third-party complaint or defense of the
28 opposing party was brought or maintained without reasonable ground or to
harass the prevailing party. The court shall liberally construe the provisions

1 of this paragraph in favor of awarding attorney's fees in all appropriate
2 situations. It is the intent of the Legislature that the court award attorney's
3 fees pursuant to this paragraph and impose sanctions pursuant to Rule 11
4 of the Nevada Rules of Civil Procedure in all appropriate situations to
5 punish for and deter frivolous or vexatious claims and defenses because
6 such claims and defenses overburden limited judicial resources, hinder the
7 timely resolution of meritorious claims and increase the costs of engaging
8 in business and providing professional services to the public.

6 NRS 7.085 Payment of additional costs, expenses and attorney's fees by
7 attorney who files, maintains or defends certain civil actions or extends civil
8 actions in certain circumstances.

8 1. If a court finds that an attorney has:

9 (a) Filed, maintained or defended a civil action or proceeding in any court
10 in this State and such action or defense is not well-grounded in fact or is
11 not warranted by existing law or by an argument for changing the existing
12 law that is made in good faith; or

11 (b) Unreasonably and vexatiously extended a civil action or proceeding
12 before any court in this State, the court shall require the attorney personally
13 to pay the additional costs, expenses and attorney's fees reasonably
14 incurred because of such conduct.

14 2. The court shall liberally construe the provisions of this section in favor
15 of awarding costs, expenses and attorney's fees in all appropriate
16 situations. It is the intent of the Legislature that the court award costs,
17 expenses and attorney's fees pursuant to this section and impose sanctions
18 pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all
19 appropriate situations to punish for and deter frivolous or vexatious claims
20 and defenses because such claims and defenses overburden limited
21 judicial resources, hinder the timely resolution of meritorious claims and
22 increase the costs of engaging in business and providing professional
23 services to the public.

20 NRS 22.100 Penalty for contempt.

21 1. Upon the answer and evidence taken, the court
22 or judge or jury, as the case may be, shall determine
23 whether the person proceeded against is guilty of the
24 contempt charged.

24 2. Except as otherwise provided in NRS 22.110, if
25 a person is found guilty of contempt, a fine may be
26 imposed on the person not exceeding \$500 or the person
27 may be imprisoned not exceeding 25 days, or both.

27 3. In addition to the penalties provided in
28 subsection 2, if a person is found guilty of contempt

1 pursuant to subsection 3 of NRS 22.010, the court may
2 require the person to pay to the party seeking to enforce
3 the writ, order, rule or process the reasonable expenses,
4 including, without limitation, attorney's fees, incurred by
5 the party as a result of the contempt.

6 Sargeant v. Sargeant, 88 Nev. 223, 227, 495 P.2d 618, 621 (1972). Equal
7 footing so don't have to liquidate savings. The Nevada Supreme Court held that
8 the district court did not abuse its discretion in awarding approximately
9 \$50,000.00 in attorney fees to the wife in a divorce proceeding. The Court noted
10 that without the district court's assistance, the wife would have been required to
11 liquidate her savings and jeopardize her financial future in order to meet her
12 adversary in court on an equal basis.

13 In Griffith v. Gonzales-Alpizar, 132 Nev. Adv. Op. 38 (May 26, 2016) the
14 Appellate Court held that: Pursuant to NRS 125.040 the court can award
15 attorney's fees from the start of the action through the appeal.

16 Wright v. Osburn, 114 Nev. 1367, 970 P.2d 1071 (1998). Disparity in
17 income is a factor to be considered in awarding attorney fees.

18 Hornwood v. Smith Food King, attorney fees to prevailing party if succeed
19 on a significant number of issues. This court has held that "[a] plaintiff may be
20 considered the prevailing party for attorney's fee purposes if it succeeds on any
21 significant issue in litigation which achieves some of the benefit is sought in
22 bringing the suit." Hornwood v. Smith's Food King, 105 Nev. 188, 192, 772 P.2d
23 1284 (1989) (quoting Women's Federal S & L Ass'n. v. Nevada Nat. Bank, 623
24 F.Supp. 469, 470 (D.Nev.1985).

25 Awards of attorney fees are within the sound discretion of the Court. See
26
27
28

1 Love v. Love, 959 P.2d 523, 114 Nev. 572 (1998), Fletcher v. Fletcher, 89 Nev.
2 540, 542-43, 516 P.2d. 103,104 (1973), Leeming v. Leeming, 87 Nev. 530, 532,
3 490 P.2d 342, 343 (1971), and Halbrook v. Halbrook, 114, Nev. 1455, 971 P.2d
4 1262 (1998) .

5
6 Pursuant to Brunzell v. Golden Gate Nat'l Bank, 85 Nev. 345 (1969), the
7 Court should take into consideration the following factors when determining an
8 award of attorney's fees. (1) The qualities of the advocate(s): Ms. Webster has
9 been practicing law for 32 years and Ms. Lambertsen has been practicing law for
10 13 years; the law firm's practice is dedicated to family law. (2) The character and
11 difficulty of the work performed: The intricacy, importance, time and skill required
12 to prepare this Reply and Exhibit Index is moderate. (3) The work actually
13 performed by the attorneys and legal assistants: Approximately 6.8 hours were
14 spent by counsel and legal assistants in fees (4) The result obtained is unknown
15 but the Reply demonstrates Grady's, contempt, lack of cooperation and
16 continuing control of Caterina.
17

18 CONCLUSION

19
20 Caterina is seeking the following relief:

- 21 1. That Caterina's relief requested in her Motion filed on October 16, 2018, be
22 granted, which includes the following, with slight modifications:
23
24 a. Grady be found in Contempt for Failing to pay Caterina \$1,500 in
25 spousal assistance with the mortgage since September 1, 2018 (last
26 payment was August 2018); that Grady be subject to sanctions of
27 \$500 per event (5 months of missed payments), and attorney's fees;
28

- 1 b. That Grady be ordered to pay Caterina the spousal assistance
- 2 arrears, 5 months x \$1500/month = \$7500;
- 3 c. That Grady be ordered to pay Caterina the U. S. Army Pension
- 4 \$1,500/month arrears x 5 months = \$7500;
- 5
- 6 d. That Grady be ordered to continue the \$1,500.00 U.S. Army pension
- 7 payments to Caterina or in the alternative, increase his spousal
- 8 assistance by \$1,500.00 since he is now taking the U.S. Army
- 9 pension as disability pay;
- 10 e. That Grady immediately obtain and pay for a life insurance plan in the
- 11 dollar amount of Caterina's lost U.S. Army retirement Survivor Benefit
- 12 Plan, and that if he fails to do so, that he be found in contempt;
- 13 f. That Grady provide proof that Caterina will receive the Office of
- 14 Personnel Management death benefits;
- 15 g. Grady should reimburse Caterina \$9,254.50 for unpaid health care
- 16 bills;
- 17 h. Grady should reimburse Caterina the cost of her health insurance
- 18 premium which is \$102.97 per month. This dollar amount should be
- 19 adjusted annually for any insurance cost changes;
- 20 i. Grady should reimburse Caterina \$128.01 for the monthly cost of her
- 21 Federal Long Term Care Insurance Program;
- 22 j. That Grady be ordered to provide statements on the omitted asset,
- 23 the Federal Employees Retirement Plan, and any other omitted
- 24 asset, and that these assets be divided and that CATERINA receive
- 25
- 26
- 27
- 28

her community interest;

2. That Caterina be awarded her Attorney's fees and costs; and
3. For any other relief that is just and equitable under the premises.

Dated: January 15th, 2019

WEBSTER & ASSOCIATES



JEANNE F. LAMBERTSEN, ESQ.
Attorney for Plaintiff
Unbundled Capacity

DECLARATION OF CATERINA BYRD

1
2 1. I, Caterina Byrd am the Plaintiff in the above-entitled action.

3
4 2. I have read the foregoing Reply, and the factual averments contained
5 therein are true and correct to the best of my knowledge, except as to those
6 matters based on information and belief, and as to those matters, I believe them
7 to be true. Those factual averments contained in the preceding are incorporated
8 herein as if set forth in full.

9
10 3. That I had been receiving payments of \$3,000.00 from the Defendant,
11 Grady Byrd since the filing of the Decree of Divorce on June 5, 2014, that around
12 the time of divorce, Grady promised me that I would receive the \$3,000.00 per
13 month in his e-mails to me, and that these payments ceased September 1, 2018.
14 My last payment was August 2018. Of the \$3,000.00; the dollar amount of \$1,500
15 is for my spousal assistance with the home mortgage. My home mortgage is
16 \$1,933.07. Grady also pays me \$1,500.00 for my interest in Grady's U.S. Army
17 pension.
18

19 4. That on September 4, 2018, I learned that the checking account that
20 Grady Byrd had deposited my monthly payment into was closed. It was a joint
21 checking account that had been established for 31 years.

22 5. That on September 4, 2018, Grady deposited \$1,000.00 into the joint
23 savings account and then withdrew the \$1,000.00, and about another \$8.00 that
24 was remaining in the account, then closed the checking account. I never
25 received the \$1,000.00 that Grady deposited into the account. He removed it.
26

27 6. That my e-mail to him on September 4, 2018, asking why he closed the
28

1 joint checking account and if he was going to pay the money for the month, was
2 not answered.

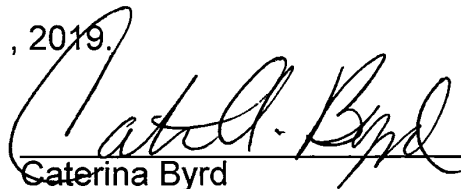
3 7. That I have not received any money from Grady since August 2018. I am
4 struggling to pay my bills and living expenses. I have had to borrow money from
5 my friends, family and took in a roommate to help pay expenses. I fear that I may
6 lose my house because paying the mortgage is difficult.

7 8. That I do not know if a retirement plan or retirement benefit exists from
8 Grady's work with the Department of Defense. Only about July 2018, did I begin
9 to suspect that something might exist. I have never received any information
10 about a Department of Defense pension, a Federal Employees Retirement
11 System (FERS) retirement or other plan. The only thing I knew about was a life
12 insurance plan if Grady died and that I am supposed to be the beneficiary.
13 However, I am worried about this life insurance plan because the form that Grady
14 filled out was rejected and he hasn't responded with the correct, original signature
15 form.
16

17 9. Based upon the foregoing, I respectfully request that this Court grant the
18 relief requested by me in this Reply to the Opposition and Countermotion.
19

20 I declare under penalty of perjury in the State of Nevada that the foregoing
21 is true and correct.
22

23 Executed this 15 day of January , 2019.

24 
25
26 Caterina Byrd

Certificate of Service

Pursuant to NRCP 5(b), I certify that I am employed in the Law Offices of WEBSTER & ASSOCIATES, and that on this 15th day of January, 2019, I caused the above and foregoing to be served as follows:

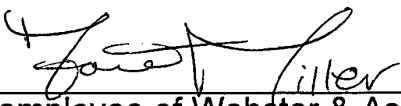
[X] pursuant to EDCR 8.05(a), EDCR 8.05(f) NRCP (b)(2)(D) and Administrative Order 14-2 Captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court." by mandatory electronic service through the Eighth Judicial District Court's electronic filing system; and

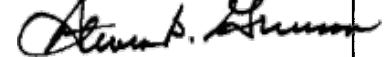
[X] by placing the same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

To the Defendant listed below at the address, email address, and/or facsimile number indicated:

Grady E. Byrd
5330 E. Craig Rd.
Las Vegas, NV 89115

E-mail: cbsmail2006@yahoo.com


An employee of Webster & Associates



1 **EXHS**
2 **WEBSTER & ASSOCIATES**
3 ANITA A. WEBSTER, ESQ.
Nevada Bar No. 1221
4 JEANNE F. LAMBERTSEN, ESQ.
Nevada Bar No. 9460
5 6882 Edna Ave.
Las Vegas, Nevada 89146
6 Tel No: (702) 562-2300
Fax No: (702) 562-2303
7 e-mail: anitawebster@embarqmail.com
e-mail: jlambertsen@embarqmail.com
Unbundled Attorney for Plaintiff

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 CATERINA ANGELA BYRD
11 Plaintiff,

12 v.

13 GRADY EDWARD BYRD

14 Defendant

) CASE NO.: D-18-577701-Z
) DEPT NO.: G

) **FIRST SUPPLEMENT TO**
) **EXHIBIT APPENDIX**

15 COMES NOW, Caterina Angela Byrd, by and through her attorneys of record,
16 Anita A. Webster, Esq., and Jeanne F. Lambertsen, Esq., of Webster &
17 Associates, and hereby supplements the following exhibits in support of her Reply
18 to Defendant's Reply to Plaintiff's Opposition to Defendant's Ex Parte Motion For
19 A Continuance of Plaintiff's Motion to Enforce the Decree of Divorce, For An Order
20 to Show Cause, to Divide a Newly Discovered Asset, to Execute QDROs, and for
21 Attorney's Fees and Costs and Countermotion For Attorney Fees and Costs.
22 Pursuant to EDCR 5.205(g) Exhibits may be deemed offers of proof but shall not
23 be considered substantive evidence until admitted.
24

W:\Family\Byrd, Caterina\Pleadings\Drafts\Exhibit Index 1st Supp.wpd

1 **ALL NEW SUBMISSIONS ARE IN BOLD**

2 **Table of Contents:**

- 3 1. Health Plan of Nevada statement, dated September 10, 2018.
- 4 2. Long Term Care Partners.
- 5 3. E-Mail from counsel to Defendant, dated August 7, 2018.
- 6 4. Letter to Defendant, dated August 13, 2018.
- 7 5. Rejected FEGLI Beneficiary forms sent to OPM, dated August 31, 2018.
- 8 6. E-Mail with attached blank forms, sent from counsel to Defendant, dated
- 9 September 11, 2018 and October 9, 2018.
- 10 7. E- Mail from Plaintiff to Defendant, dated September 4, 2018.
- 11 8. DFAS Retiree Account Statement dated December 30, 2017.
- 12 9. FERS Information.
- 13 **10. Email from Defendant to Plaintiff, making up information on money to**
- 14 **get the home loan approved, dated April 2, 2013.**
- 15 **11. Emails from Defendant to Plaintiff, dated April 10, 2014 and March 27,**
- 16 **2014 regarding "this is your last warning"..... and "just sign the [divorce]**
- 17 **papers.." .**
- 18 **12. Email from Defendant to Plaintiff, dated around March 26, 2014 stating**
- 19 **that if she retains an attorney, that he will stop communicating with her.**
- 20 **13. Email from Defendant to Plaintiff, dated April 9, 2014 stating that Plaintiff**
- 21 **is not entitled to any more money in the decree of divorce.**
- 22 **14. Emails from Plaintiff to Defendant, dated April 8, 2014, and February 20,**
- 23 **2014 telling the Defendant that she is feeling very nervous and scared.**
- 24 **15. Email from Plaintiff to Defendant, regarding Plaintiff's health insurance**

denial, dated July 9, 2016, to August 13, 2016.

16. Plaintiff's January 2019, health insurance premium.

17. Plaintiff's Social Security Statement, dated April 16, 2009.

18. Email from Plaintiff to Defendant, dated April 18, 2014 regarding assets.

19. Email from Plaintiff to Defendant, dated March 27, 2014 stating that she has no idea what OPM is.

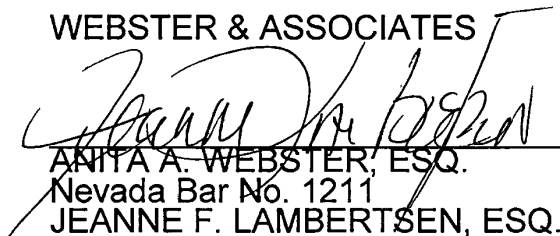
20. Shippers Export Declaration and Packing List of items Defendant asked Plaintiff to obtain, dated September 12, 2017, pack and ship to him in the Philippines and e-mail correspondence between the parties, dated January 29, 2015, to September 16, 2017, regarding shipments to Defendant, email from Defendant about living in a tent, dated February 21, 2014, and e-mail to borrow \$28, dated July 25, 2018.

21. Mortgage statement with Defendant's address, dated December 6, 2018.

22. Emails between the parties dated December 11, 2017 - December 15, 2017 regarding Vystar insurance policy.

DATED this 15th day of January, 2019.

WEBSTER & ASSOCIATES



ANITA A. WEBSTER, ESQ.

Nevada Bar No. 1211

JEANNE F. LAMBERTSEN, ESQ.

Nevada Bar No. 9460

6882 Edna Ave.

Las Vegas, Nevada 89146

Unbundled Attorney for Caterina Angela Byrd

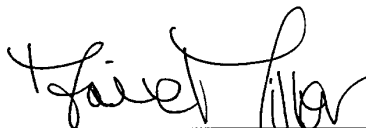
Certificate of Service

Pursuant to NRCP 5(b), I certify that I am employed in the Law Offices of WEBSTER ASSOCIATES, and that on this 15th day of January, 2019, I caused the above and foregoing document to be served as follows:

- [X] pursuant to EDCR 8.05(a), EDCR 8.05(f) NRCP (b)(2)(D) and Administrative Order 14-2 Captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court." by mandatory electronic service through the Eighth Judicial District Court's electronic filing system; and
- [X] by placing the same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

To the Defendant listed below at the address, email address, and/or facsimile number indicated:

Grady E. Byrd
5330 E. Craig Rd.
Las Vegas, NV 89115
E-mail: cbsmail2006@yahoo.com



An employee of Webster & Associates

EXHIBIT “10”

Sent from my iPad

Begin forwarded message:

From: GRADY BYRD <cbsmail2006@yahoo.com>
Date: April 2, 2013 at 7:30:08 PM PDT
To: Caterina Byrd <caterina_byrd@yahoo.com>
Subject: MORTAGE

DO NOT talk to USAA for any reason about this approval process.

DO NOT tell USAA you are not going to talk to them.

If they try to contact you just **ignore them**. Do not answer them. Just tell me.

The last time I did this we were telling them different information and it hurt us.

I will have to **MAKE UP SOME INFORMATION ON MONEY** to get you the money that you need.

Do not tell your real estate agent anything except you are trying to get 400k.

EXHIBIT “11”

Sent from my iPad

Begin forwarded message:

From: GRADY BYRD <cbsmail2006@yahoo.com>
Date: April 10, 2014 at 2:47:23 PM PDT
To: Caterina Byrd <caterina_byrd@yahoo.com>
Subject: Re: BENEFITS
Reply-To: GRADY BYRD <cbsmail2006@yahoo.com>

The only thing I will put in writing is what you are entitled to by law.

I will give you the extra money as long as I live.

I do not care about usaa or any of your other issues.

I cannot deal with all of your crap. I cannot take it anymore. I've tried to be kind to you but you are forcing me to be someone that I do not want to be. You have the nerve to talk to me about grass and curtains. I should just give you what I am required by law and then lets see if you are worried about grass and curtains.

~~This is your last warning~~, take the deal I'm offering or you can ask a lawyer to try and get me to put what you want in writing.

I gurantee you your lawyer will tell you that you should have taken what I was offering.

Last chance.

Home Mail News Sports Finance Weather Games Groups Answers Screens Flickr Mobile More

Search Mail Search Web

 Caterina



 Compose

 Delete  Move  Spam  More  Collapse

Inbox (4)

Drafts

Sent

Spam (66)

Trash (7)

> Folders

> Recent

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DIVORCE INFORMATION (11)

GRADY BYRD

To Me

well why are you going to lawyer?

you think you going to get more from me?

i am talking about my credit card.

< just sign the papers and you get all i said you would get forever.

tsp is about 1600 a month right now. it will go up as i get older.

you also get the beneficiary for my opm retirement when i die which will be approximately 1000 a month but it will also go up when i reach 65.

when i die u get 200k. you pay off your house and you have all your money to spend.

i do not know why you think i am trying to do you wrong. this is all i have.

> Show message history

Reply, Reply All or Forward | More

Me

To GRADY BYRD

i was going there to make it easier on you you said you wanted a divorce , and no i was NOT thinking how much i can get out of you i assumed what you told me you are going to do is true. i have no idea what OPM is? why don't you want what you say you wil give me in writhing? You can also get mad and stop everything down the road . and what happens if you get sick and can not put the money in the bank , every month i would worry if you are able health wise to do the transfer... I did not realeazied that would upset you so much

> Show message history

Reply, Reply All or Forward | More



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EXHIBIT “12”

Inbox
Drafts
Sent
Spam (58)
Trash (5)
> Folders
> Recent

Sponsored



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Top Credit Cards for Excellent
Credit

DIVORCE INFORMATION (8)

13. MORE than 3000 dollars a month
14. Furcoat

This is what you want me to get:

1. Payoff 25,000 loan from USAA
2. Payoff 13,000 credit card
3. Payoff 45,000 OPM debt
4. Payoff approximately 25,000 IRS debt (final amount still pending)
5. No property, no nothing.

The first time I hear from your lawyer this is the action I will take:

1. I will ~~stop~~ communicating with you at all.
2. I will not communicate with your lawyer at all.
3. I will hire my own lawyer.
4. I will cease providing you any payments at all. You can take money from the TSP account money that you did not use for the down payment.
5. I will ask for a 50 50 split of all our assets.
6. When divorce complete I will only pay 50% of army retirement.

You think you are going to get more from me than I am already giving you. Good luck.

I am glad you are trying to stick it to me. It reminds me of why I left you. You make it easy for me to treat you the same way you treat me.

From: Caterina Byrd <caterina_byrd@yahoo.com>
To: GRADY BYRD <cbsmail2006@yahoo.com>
Sent: Wednesday, March 26, 2014 8:52 AM
Subject: Re: DIVORCE INFORMATION

I have contacted a lawver and i have an appt this week . i will give them ur

Over the past five years, the average paid flood insurance claim was nearly \$4,000.

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Get flood smart. Get insured.

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NATIONAL FLOOD INSURANCE PROGRAM

EXHIBIT “13”

why is it going to make u poor? you have equal amount of money with all the other disability pay, i never asked for any of that , you are already giving me three thousand a month, and that is fine , and you know all my bills so its not like am going to have a lot . How is that going to hurt you, i know you want to move foward with your life i get it. but i need to have some kind of stability also, i want to have a home and secure monthly money so i can try to come to some happiness some day, i want the house to be mine, so i can leave to my son some day, i have tried to get a job, like i told you before it's not that easy, when i needed money , when you did not have i did not asked , i just sold all my jewelry , i did not bothered you all these years while you wore getting all your pays in other , Why don't you want for me to be taking care of in legal way, just asking? how is that going to affect you, You want to be able to put 3k month in my bank for the rest of your life, what is your plans on how i would get the money, is it coming directly from the army? just confused , thats all

On , Caterina Byrd <caterina_byrd@yahoo.com> wrote:

am the one is going to look poor, i will never be able to get a loan , you already been giving me 3k month.

On Wednesday, April 9, 2014 5:15 PM, Caterina Byrd <caterina_byrd@yahoo.com> wrote:

It,s not that am not satisfied , but i don't understand how you would be poor by putting in writing , you get all the other benefits from va disability and the combat pay that equals the army ret pay , their should be enough there for the both of us , you wqnt me to take your word that you will do the right thing by me, i have no idea what you may do in next few years you may get re-married and deciede not to pay me the full amount, How about the SBP was it not suppose to be the full amount of army ret pay?

What about the house ..how are you going to sign it over to me?

On Tuesday, April 8, 2014 6:33 PM, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

I say 50% because retired pay usually goes up every year. When my retired pay go up you get more money.

My retired pay is 3017 a month after they deduct the payment for SBP. You are entitled to half of that which is 1508. You are not entitled to anymore money.

I give you 3000 a month because I think it is the right thing to do. If I was only going to give you 1500 I would not be giving you 3000 all these years.

I will always give the money to you but I do it because I want to not because anybody can make me do it. If I put everything in writing that you want I will never be able to get a loan in my own name. I will never be able to get ahead of my present life. I will have to live poor until I die.

I cannot work anymore. You can work but you refuse to work. If you want more money you must go get a job.

I will send you the papers. If you do not sign I will only pay you what I owe you and I will hire a lawyer to file the papers in court.

EXHIBIT “14”

>
>
>
>
>

> From: Caterina Byrd <caterina_byrd@yahoo.com>
> To: GRADY BYRD <cbsmail2006@yahoo.com>
>
> Sent: Tuesday, April 8, 2014 10:21 PM
> Subject: Re: BENEFITS
>
>
>
> I'm
> feeling very nervous , why are you stating that way, i
> don't get it. i know that army ret pay is not that high
> due to the combat pay , i feel that the way you word it
> it leaves me with 1500 if you choose to do that to me
> someday. Between all you're intiments you are getting
> , army ret pay, combat pay and Va pay, and disability pay,
> I know you have been taking care of me , you always been
> a good man . i want you to be honest with me ,
> On Monday, April 7, 2014 6:31 PM, GRADY BYRD
> <cbsmail2006@yahoo.com>
> wrote:
>
> I will have the
> following statements entered on the divorce statement:
>
>
> 1. Caterina
> A. Byrd is entitled to 50% of Grady E. Byrd's United
> States Army Retired Pay as long as he lives.
> 2. Caterina A. Byrd is entitled to United
> States Army Survivor Benefit Plan payments after Grady E.
> Byrd's death.
> 3. Caterina A. Byrd is
> entitled to all other benefits to include Office of
> Personnel Management death benefits, United States Military
> Health Care, Long Term Health Insurance, and Veteran's
> Group Life Insurance after Grady E. Byrd's
> death.

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Q All v Caterina Byrd, search your mailbox Search Mail Search Web Home Caterina

Compose Archive Move Delete Spam More

Add Gmail Outlook AOL and more

Inbox (4) GRADY BYRD <cbsmail2006@yahoo.com> 02/20/14 at 7:21 PM

Drafts (2) To: Caterina Byrd

Sent

Archive

Spam

Trash

Smart Views

- Unread
- Starred
- People
- Social
- Shopping
- Travel
- Finance

Folders

- Angies List
- Ann Lewis
- Caterina Byrd
- Cbsmail
- Ebay
- Edward
- Grady Byrd
- Grady Byrd 09
- Health Care
- John Fox
- Joshua
- Paypal
- Pesce
- Polar Air
- Protection ONE
- Quickclaimusa
- Sensi
- Solarguard

You get the same benefits whether we are married are not SBP, SS, and insurance

There is no difference.

If someone wants to attach my income the first thing they are going to do is come after your house if it is still in my name.

From: Caterina Byrd <caterina_byrd@yahoo.com>
To: GRADY BYRD <cbsmail2006@yahoo.com>
Sent: Friday, February 21, 2014 10:07 AM
Subject: Re: Info

Can't you put everything in my name, that way they can not touch what i have and i won't affect me with out getting a divorce, if we are not married i will loose lots of benefits, like SBP and i thought you were getting social security benefits and you're VA money and ret pension. I will never get married again and i don't want to be worried about money and if something were to happen to you, at least i would get all the benefits of married spouse would get

On , Caterina Byrd <caterina_byrd@yahoo.com> wrote:
All of this info is scaring me, how much are u in debt and how all this will affecting me, and the retirement? if something happens to you, i cannot live on 3k a month?

On Thursday, February 20, 2014 5:33 PM, GRADY BYRD <cbsmail2006@yahoo.com> wrote:
My finances are a mess. I just took out a 25k loan from USAA but it doesn't even touch the surface of what I owe.

I will be declaring bankruptcy soon. I will pay you and the 25k back so that your house is not affected.

The IRS has audited me and turned down all of my appeals. I am going to owe them a small fortune that I do not know how I am going to pay. I have a tax defense company helping me but they do not see a way out.

It is now time for a divorce. I do not want to affect your life by the things that are fixing to happen to me

I will find an online company that does divorces for cheap.

You will keep your house, cars, property, and credit rating. I will also continue to give you at least 3k every month. I will pay your taxes so you do not have that extra bill.

I will only sign over for 50% of my retirement which is the legal obligation so that I do not get into trouble again when I finally get straightened out.

GRADY BYRD
cbsmail2006@yahoo.co...
Search emails

The Best All Electric Cars
Search now

The Latest Sedan Models
Search now

14

EXHIBIT “15”

Sent from my iPad

Begin forwarded message:

From: GRADY BYRD <cbsmail2006@yahoo.com>
Date: August 1, 2016 at 3:27:50 AM PDT
To: Caterina Byrd <caterina_byrd@yahoo.com>
Subject: Re: Military retirees ID card
Reply-To: GRADY BYRD <cbsmail2006@yahoo.com>

I do not know who to check with or what to check. Ask someone that you are talking for their email address and I will contact them and see what they want.

From: Caterina Byrd <caterina_byrd@yahoo.com>
To: cbsmail2006@yahoo.com
Sent: Friday, July 29, 2016 3:29 AM
Subject: Military retirees ID card

Tried to get my ID card yesterday, but even though I had power attorney letter and the divorce decree.... They told me they could not issue me an ID because in their computer shows married, so for that reason they told me I needed marriage license and ur retirement paperwork to see if am eligible for the id , lots of stuff I don't know, can you please check it out and let me know . Thanks

Sent from my iPad

Begin forwarded message:

From: Caterina Byrd <caterina_byrd@yahoo.com>
Date: August 11, 2016 at 12:39:27 PM PDT
To: Caterina Byrd <caterina_byrd@yahoo.com>
Subject: Re: Military retirees ID card
Reply-To: Caterina Byrd <caterina_byrd@yahoo.com>

How can that be possible ? I have no healthcare

On Wed, 8/10/16, Caterina Byrd <caterina_byrd@yahoo.com> wrote:

Subject: Re: Military retirees ID card
To: "GRADY BYRD" <cbsmail2006@yahoo.com>
Date: Wednesday, August 10, 2016, 2:53 PM

Hey , I don't know what to do

On the phone with tricare and they told me I have no longer benefits as June 2014 and they told me to contact DEERS - which I did and they also told me I no longer in the systems for benefits as well .. They referred me to Army Resource Command System 1-888-276-9472 and they also advised me I no longer qualify for medical And I may be billed from all past medical bills acquired after June 2014 - and that worries me because I have been going to doctors, I was under expression my medical was for life ? I need your help on getting this solved . Thank you

On Mon, 8/1/16, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

Subject: Re: Military retirees ID card
To: "Caterina Byrd" <caterina_byrd@yahoo.com>
Date: Monday, August 1, 2016, 10:27 AM

I do not know who to check with or what to check. Ask someone that you are talking for their email address and I will contact them

Sent from my iPad

Begin forwarded message:

From: GRADY BYRD <cbsmail2006@yahoo.com>
Date: August 12, 2016 at 5:21:39 PM PDT
To: Caterina Byrd <caterina_byrd@yahoo.com>
Subject: Re: Military retirees ID card

I do not know the rules. I will start checking and try to figure it out.

From: Caterina Byrd <caterina_byrd@yahoo.com>;
To: GRADY BYRD <cbsmail2006@yahoo.com>;
Subject: Re: Military retirees ID card
Sent: Wed, Aug 10, 2016 2:53:58 PM

Hey , I don't know what to do On the phone with tricare and they told me I have no longer benefits as June 2014 and they told me to contact DEERS - which I did and they also told me I no longer in the systems for benefits as well .. They referred me to Army Resource Command System 1-888-276-9472 and they also advised me I no longer qualify for medical And I may be billed from all past medical bills acquired after June 2014 - and that worries me because I have been going to doctors , I was under expression my medical was for life ? I need your help on getting this solved . Thank you

On Mon, 8/1/16, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

Subject: Re: Military retirees ID card
To: "Caterina Byrd" <caterina_byrd@yahoo.com>
Date: Monday, August 1, 2016, 10:27 AM

I do not know who to check with or what to check. Ask someone that you are talking for their email address and I will contact them and see what they want.

From: Caterina Byrd <caterina_byrd@yahoo.com>
To: cbsmail2006@yahoo.com

Sent from my iPad

Begin forwarded message:

From: GRADY BYRD <cbsmail2006@yahoo.com>
Date: August 12, 2016 at 9:44:58 PM PDT
To: Caterina Byrd <caterina_byrd@yahoo.com>
Subject: Re: Military retirees ID card

You are what is called 20/20/15 former spouse. I was in army more than 20 years, we were married more than 20 years, and our marriage overlapped my service by 15 years. I checked and you are not entitled to any benefits after one year of the divorce. Nothing to be done that is the law.

If you are employed you need to enroll in company health care plan.

From: Caterina Byrd <caterina_byrd@yahoo.com>;
To: GRADY BYRD <cbsmail2006@yahoo.com>;
Subject: Re: Military retirees ID card
Sent: Sat, Aug 13, 2016 1:15:42 AM

Okay, Thank you

On Sat, 8/13/16, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

Subject: Re: Military retirees ID card
To: "Caterina Byrd" <caterina_byrd@yahoo.com>
Date: Saturday, August 13, 2016, 12:21 AM

I do not know the rules.
I will start checking and try to figure it out.

EXHIBIT “16”

INVOICE DATE	12/10/2018
INVOICE #	183450025059
MEMBER ID	170154465-00
DUE DATE	01/01/2019
COVERAGE PERIOD:	JANUARY
TOTAL AMOUNT DUE	\$102.97

Your Plan: MyHPN Silver 6/Medicaid Transition Plan - 94
 Who is Covered: Subscriber Only

At-A-Glance	
Previous Balance	\$71.80
Payment(s) Received	
12/1/18	(\$71.80)
Balance Past Due	\$0.00
Monthly Premium	\$102.97
Retroactive Adjustments	\$0.00
Total Amount Due by	\$102.97
01/01/2019	

Monthly Premium Details	
Medical	\$684.97
Advance Premium Tax Credit*	(\$582.00)
Monthly Premium	\$102.97
*The Advance Premium Tax Credit is the amount received to assist with your health insurance premium.	
To learn more about your invoice see reverse side	

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 myHPNOnline.com



Pay by phone
 Call 1-877-417-2062



Pay by mail
 Send remittance

-----If you mail in your payment, please detach and include the form below.-----


HEALTH PLAN OF NEVADA
 A UnitedHealthcare Company
 P.O. Box 18407
 Las Vegas, NV 89114-8407

Please write your Group ID and Member ID on your check.

Invoice #:

183450025059

Group ID:

20001226

Member ID:

170154465-00

CATERINA BYRD
 2120 LOOKOUT POINT CIRCLE
 LAS VEGAS, NV 89117

Mail and make checks payable to:
 Health Plan of Nevada
 P.O. Box 749546
 Los Angeles, CA 90074-9546

Pay by January 01, 2019

Total Amount Due
\$102.97

EXHIBIT “17”

RA000151

Your Estimated Benefits

*Retirement	You have earned enough credits to qualify for benefits. At your current earnings rate, if you stop working and start receiving benefits...		
	At age 62, your payment would be about	\$ 186	a month
	If you continue working until...		
	your full retirement age (67 years), your payment would be about	\$ 265	a month
	age 70, your payment would be about	\$ 329	a month
*Disability	To get benefits if you become disabled right now, you need 24 credits of work, and 20 of these credits had to be earned in the last 10 years. Your record shows you do not have enough credits in the right time period.		
*Family	If you get retirement or disability benefits, your spouse and children also may qualify for benefits.		
*Survivors	You have earned enough credits for your family to receive survivors benefits. If you die this year, certain members of your family may qualify for the following benefits:		
	Your child	\$ 366	a month
	Your spouse who is caring for your child	\$ 366	a month
	Your spouse who reaches full retirement age	\$ 488	a month
	Total family benefits cannot be more than	\$ 733	a month
	Your spouse or minor child may be eligible for a special one-time death benefit of \$255.		
Medicare	You have earned enough credits to qualify for Medicare at age 65. Even if you do not retire at age 65, be sure to contact Social Security three months before your 65th birthday to enroll in Medicare.		

*Your estimated benefits are based on current law. Congress has made changes to the law in the past and can do so at any time. The law governing benefit amounts may change because, by 2041, the payroll taxes collected will be enough to pay only about 78 percent of scheduled benefits.

We based your benefit estimates on these facts:

Your date of birth (please verify your name on page 1 and this date of birth) July 24, 1963

Your estimated taxable earnings per year after 2008 None

Your Social Security number (only the last four digits are shown to help prevent identity theft) XXX-XX-5274

How Your Benefits Are Estimated

To qualify for benefits, you earn “credits” through your work — up to four each year. This year, for example, you earn one credit for each \$1,090 of wages or self-employment income. When you’ve earned \$4,360, you’ve earned your four credits for the year. Most people need 40 credits, earned over their working lifetime, to receive retirement benefits. For disability and survivors benefits, young people need fewer credits to be eligible.

We checked your records to see whether you have earned enough credits to qualify for benefits. If you haven’t earned enough yet to qualify for any type of benefit, we can’t give you a benefit estimate now. If you continue to work, we’ll give you an estimate when you do qualify.

What we assumed — If you have enough work credits, we estimated your benefit amounts using your average earnings over your working lifetime. For 2009 and later (up to retirement age), we assumed you’ll continue to work and make about the same as you did in 2007 or 2008. We also included credits we assumed you earned last year and this year.

Generally, estimates for older workers are more accurate than those for younger workers because they’re based on a longer earnings history with fewer uncertainties such as earnings fluctuations and future law changes.

We can’t provide your actual benefit amount until you apply for benefits. **And that amount may differ from the estimates stated above because:**

- (1) Your earnings may increase or decrease in the future.
- (2) After you start receiving benefits, they will be adjusted for cost-of-living increases.
- (3) Your estimated benefits are based on current law.

The law governing benefit amounts may change.

(4) Your benefit amount may be affected by **military service, railroad employment or pensions earned through work on which you did not pay Social Security tax.** Following are two specific instances. You can also visit www.socialsecurity.gov/mystatement to see whether your Social Security benefit amount will be affected.

Windfall Elimination Provision (WEP) — In the future, if you receive a pension from employment in which you do not pay Social Security taxes, such as some federal, state or local government work, some nonprofit organizations or foreign employment, and you also qualify for your own Social Security retirement or disability benefit, your Social Security benefit may be reduced, but not eliminated, by WEP. The amount of the reduction, if any, depends on your earnings and number of years in jobs in which you paid Social Security taxes, and the year you are age 62 or become disabled. For more information, please see *Windfall Elimination Provision* (Publication No. 05-10045) at www.socialsecurity.gov/WEP.

Government Pension Offset (GPO) — If you receive a pension based on federal, state or local government work in which you did not pay Social Security taxes and you qualify, now or in the future, for Social Security benefits as a current or former spouse, widow or widower, you are likely to be affected by GPO. If GPO applies, your Social Security benefit will be reduced by an amount equal to two-thirds of your government pension, and could be reduced to zero. Even if your benefit is reduced to zero, you will be eligible for Medicare at age 65 on your spouse’s record. To learn more, please see *Government Pension Offset* (Publication No. 05-10007) at www.socialsecurity.gov/GPO.

Your Earnings Record

Years You Worked	Your Taxed Social Security Earnings	Your Taxed Medicare Earnings
1986	\$ 4,678	\$ 4,678
1987	1,093	1,093
1988	8,053	8,053
1989	17,084	17,084
1990	7,573	7,573
1991	5,140	5,140
1992	5,491	5,491
1993	1,475	1,475
1994	480	480
1995	19	19
1996	0	0
1997	3,345	3,345
1998	6,146	6,146
1999	6,581	6,581
2000	0	0
2001	0	0
2002	0	0
2003	0	0
2004	0	0
2005	0	0
2006	0	0
2007	0	0
2008	Not yet recorded	

You and your family may be eligible for valuable benefits:

When you die, your family may be eligible to receive survivors benefits.

Social Security may help you if you become disabled—even at a young age.

A young person who has worked and paid Social Security taxes in as few as two years can be eligible for disability benefits.

Social Security credits you earn move with you from job to job throughout your career.

Total Social Security and Medicare taxes paid over your working career through the last year reported on the chart above:

Estimated taxes paid for Social Security:		Estimated taxes paid for Medicare:	
You paid:	\$4,095	You paid:	\$966
Your employers paid:	\$4,095	Your employers paid:	\$966

Note: You currently pay 6.2 percent of your salary, up to \$106,800, in Social Security taxes and 1.45 percent in Medicare taxes on your entire salary. Your employer also pays 6.2 percent in Social Security taxes and 1.45 percent in Medicare taxes for you. If you are self-employed, you pay the combined employee and employer amount of 12.4 percent in Social Security taxes and 2.9 percent in Medicare taxes on your net earnings.

Help Us Keep Your Earnings Record Accurate

You, your employer and Social Security share responsibility for the accuracy of your earnings record. Since you began working, we recorded your reported earnings under your name and Social Security number. We have updated your record each time your employer (or you, if you’re self-employed) reported your earnings.

Remember, it’s your earnings, not the amount of taxes you paid or the number of credits you’ve earned, that determine your benefit amount. When we figure that amount, we base it on your average earnings over your lifetime. If our records are wrong, you may not receive all the benefits to which you’re entitled.

Review this chart carefully using your own records to make sure our information is correct and that we’ve recorded each year you worked. You’re the only person who can look at the earnings chart and know whether it is complete and correct.

Some or all of your earnings from **last year** may not be shown on your *Statement*. It could be that we still

were processing last year’s earnings reports when your *Statement* was prepared. Your complete earnings for last year will be shown on next year’s *Statement*. **Note:** If you worked for more than one employer during any year, or if you had both earnings and self-employment income, we combined your earnings for the year.

There’s a limit on the amount of earnings on which you pay Social Security taxes each year. The limit increases yearly. Earnings above the limit will not appear on your earnings chart as Social Security earnings. (For Medicare taxes, the maximum earnings amount began rising in 1991. Since 1994, all of your earnings are taxed for Medicare.)

Call us right away at 1-800-772-1213 (7 a.m.–7 p.m. your local time) if any earnings for years **before last year** are shown incorrectly. Please have your W-2 or tax return for those years available. (If you live outside the U.S., follow the directions at the bottom of page 4.)

EXHIBIT “18”

Jeanne Lambertsen

From: Caterina Byrd [caterina_byrd@yahoo.com]
Sent: Monday, November 19, 2018 12:08 PM
To: jlambertsen@embarqmail.com
Subject: Fwd: DRAFT DIVORCE DECREE

Sent from my iPad

Begin forwarded message:

From: Caterina Byrd <caterina_byrd@yahoo.com>
Date: April 18, 2014 at 6:47:39 AM PDT
To: GRADY BYRD <cbsmail2006@yahoo.com>
Subject: Re: DRAFT DIVORCE DECREE
Reply-To: Caterina Byrd <caterina_byrd@yahoo.com>

I don't want to talk about money.

On Friday, April 18, 2014 6:27 AM, Caterina Byrd <caterina_byrd@yahoo.com> wrote:

I don't need to be upset about it, it will be struggling for long time with money, you can buy your own property , you will have more money than me , you have army ret pay , combat pay, va pay, ss disability pay ,, and in four years full pension from OPM , and social security . i say you will be doing okay

On Friday, April 18, 2014 6:10 AM, Caterina Byrd <caterina_byrd@yahoo.com> wrote:

This is my house right? let me dicede what i want to do with it. i don't want anything or anyone attached to it besise me. I will choose what to do with it ,

On Friday, April 18, 2014 6:03 AM, Caterina Byrd <caterina_byrd@yahoo.com> wrote:

i want to leave the house to joshua, if you outlive both of us , you can have it

On Thursday, April 17, 2014 8:19 PM, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

I have reviewed this document and it contains all the information that I think is supposed to be there.

I need you to review also in particular I need you to confirm the correct dates are being used, names are spelled correctly, and addresses are correct.

Just let me know and I will sign and fedex packet to you with instructions.

EXHIBIT “19”

[Byrd RE: Pay](#)
[Re ROLLING](#)
[Addendum](#)
[Fwd statem](#)
[Fwd Loan](#)
[Property](#)
[Re DIVORC](#)

Compose

Add Gmail, Outlook, AOL and more

Inbox (9)

Drafts (2)

Sent

Archive

Spam (25)

Trash

Smart Views

Important

Unread

Starred

People

Social

Shopping

Travel

Finance

Folders

Angies List

Ann Lewis

Caterina Byrd

Cbsmail

Ebay

Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

Re: DIVORCE INFORMATION

GRADY BYRD <cbsmail2006@yahoo.com>

To: Caterina Byrd

03/27/14 at 2:31 PM

I get mad because I give you money to live on and you going to take the money I give you to hire a lawyer.

I have already put all this in writing but you never send back the info I needed to complete the packet so I could send the whole thing to you.

You need to give me the info for the witness addvatit then I will complete the packet and send it to you.

I will then send the packet to the online firm and only pay 400. for everything.

I will do the direct deposit for your account I just n thought it was important. I have never been late on a payment in six years.

OPM is office of personnel management. I owe them around 45 to 48 k. When that is paid off i will get a full retirement pension of around 2k a month. That is more than 4 years from now when i am 62. When I die you will get my annuity just like sbp which will be around 50% the total retirement. That is already in writing on the divorce packet.

From: Caterina Byrd <caterina_byrd@yahoo.com>

To: GRADY BYRD <cbsmail2006@yahoo.com>

Sent: Thursday, March 27, 2014 11:21 PM

Subject: Re: DIVORCE INFORMATION

i was going there to make it easier on you you said you wanted a divorce , and no i NOT thinking how much i can get out of you i assumed what you told me you are going to do is true. i have no idea what OPM is? why don't you want what you say you will give writhing? You can also get mad and stop everything down the road . and what happens you get sick and can not put the money in the bank , every month i would worry if you are able health wise to do the transfer... I did not realize that would upset you so much

On Wednesday, March 26, 2014 8:14 PM, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

~~Well why are you going to lawyer?~~

you think you going to get more from me?

i am talking about my credit card.

just sign the papers and you get all i said you would get forever.

tsp is about 1600 a month right now. it will go up as i get older.

you also get the beneficiary for my opm retirement when i die which will be approximately 100 month but it will also go up when i reach 65.

when i die u get 200k. you pay off your house and you have all your money to spend.

Child Allergy Symptoms

Search now



EXHIBIT “20”



SHIPPER'S EXPORT DECLARATION AND PACKING LIST

Bill of Lading No. 11077703Date 9-12-2017Sender: CATERINA BYRDAddress: 2120 LOOKOUT POINT CIR, LAS VEGAS NV 89117Phone Number: 904) 294-7374Consignee: PINKY NOBLE / GRADY BYRDAddress: PURDK 2, GANGMATINGCity/Province: SIBULAN, NEGRO ORIENTALPhone Number: PHILIPPINE 6201

DETAILED PACKING LIST

QTY.	DESCRIPTION OF ITEM/S	QTY.	DESCRIPTION OF ITEM/S
12	clothes/used	2	Rice
2	shoes - used	2	PASTA
10	Memora billia	2	TOWELS
5	FRAMES		
1	Pillows		
1	Sheets		
2	Blankets		
7	TOWELS		
12	BEANS		

Shipper certification: By tendering goods and personal effects for shipment via LBC ("Company"), I agree to the terms and conditions stated in the Bill of Lading and packing list, which are incorporated herein by reference. By signing this form, I certify that I am the sender/shipper of the items and the owner of the goods hereunder or is the authorized agent of the owner of the goods; that the goods described in the packing list are the actual contents of the package for shipment; and that there are no prohibited items included in this shipment or any items with commercial quantities for resale purposes.

I certify that under my control, this shipment has been adequately safeguarded to ensure that unauthorized explosive, destructive devices or hazardous materials have not been added. I consent to a search of this shipment. I am aware that this original signature, along with other shipping documents will be retained on file for a minimum of 30 calendar days.

I hereby specifically certify that I have not included any narcotics, weapons, ammunitions, weapons parts and any other weapons related material in this shipment.

Shipper Signature: [Signature]Date: 9-12-2017LBC Representative: [Signature]

(Print name)

(Signature)

LBC is registered with the Federal Maritime Commissioner NY OCC 8609N
and is accredited with the Philippine Shippers' Bureau Accreditation No. 1464-10.
LBC is a registered IAC with the Transportation Security Administration.

ORIGINAL/WHITE COPY - ACCOUNTING DUPLICATE/YELLOW COPY - CUSTOMER TRIPLICATE/PINK COPY - WAREHOUSE QUADRUPPLICATE/GOLD COPY - BOX/DESTINATION

RA000158

Terms and Conditions: No agent or employee of "Company" or the shipper may alter these terms and conditions.

1. THE BILL OF LADING. The "Company" Bill of Lading is non-negotiable and the Shipper acknowledges that it has been prepared by the Shipper or by the "Company" on behalf of the shipper. By signing the Company Bill of Lading, it hereby accepts the "Company's" terms and conditions for itself and as agent on behalf of any other person having interest in the shipment.

2. SHIPPER'S OBLIGATION AND ACKNOWLEDGEMENTS. The Shipper will comply with all applicable laws and government regulations of any country to, from through or over which the goods may be carried. The Shipper acknowledges that no prohibited items are included in the shipment and warrants that each article in the shipment is properly described on the packing list and has not been declared by the "Company" to be unacceptable for transport, and that shipment is properly addressed and packed to ensure safe transportation with ordinary care in handling. The Shipper agrees that the shipment is subject to customs inspection upon arrival at port of destination and hereby acknowledges that the "Company" may abandon and/or release any items consigned by the Shipper to the "Company" which the "Company" has declared to be unacceptable or which the Shipper has undervalued or misdeclared for Customs' purposes whether intentionally or otherwise, without incurring any liability whatsoever to the Shipper. The Shipper will save and defend indemnity and hold the "Company" harmless from all claims, damages, fines and expenses arising therein. The Shipper is liable for any expenses incurred by the "Company" on behalf of the Shipper arising from non-declaration or misdeclaration. The Shipper agrees that the "Company" is entitled to hold the shipment until said reimbursement is fully satisfied.

3. LIMITATION OF LIABILITY. The liability of the "Company" for any loss or damage to the shipment (which term shall include all goods and effects to the "Company" under the Bill of Lading and/or Packing List) is limited to a maximum of \$100.00 per box unless additional insurance is purchased.

4. LIABILITIES NOT ASSUMED. The "Company" will endeavor to exercise its best efforts to provide expeditious delivery in accordance with regular delivery schedules. However the "Company" will not be liable for, nor will any adjustment, refund or credit of any kind be given as a result of misinformation or the failure to provide information. The "Company" will not, in any circumstance, be liable for loss, damage, delay in pickup, transportation or delivery of any shipment, regardless of the cause of delay. Furthermore, the "Company" shall not be liable for any loss, damage, delay, misdelivery, and non-delivery due to, (a) The Act of God, force majeure occurrence or any cause reasonably beyond the control of the "Company", (b) The act, default or omission of the Shipper, the Consignee or any other party who claims an interest in the shipment (including violation of any term and conditions hereof), or any person other than the "Company" or of any Customs or other Government officials, or other entity or person to whom a shipment is tendered by the "Company", regardless of whether the Shipper requested or had knowledge of such third party delivery arrangement, (c) The nature of the shipment including any defect, characteristic or inherent vice thereof; (d) The shipment of breakable, perishable or electronic items as well as temperature instruments, photographic images or recordings and prohibited items (e) Value of items not declared in the Bill of Lading or Packing List. In no event shall the "Company", including, without limitation, agents, contractors, employees and affiliates, be liable for any special, incidental or consequential damages, including, without limitation, loss of profits or income, whether or not the "Company" had knowledge that such damages might be incurred. High valued items such as watches and computers are shipped at owner's risk.

5. CLAIMS. The shipper must submit a written notice of claim due to damage or shortage within 30 days after delivery of the shipment to consignee. For claims due to non-delivery or misdelivery, the shipper must submit a written notice of claim within 90 days from date of shipment. No claims may be made against the company outside of the time limit. All claims must be addressed to LBC, 26517 Danti Court, Hayward, CA 94545.

6. APPLICABILITY. These terms and conditions shall apply to and insure to the benefit of the "Company" and its authorized agents and affiliated companies, and their officers, directors and employees.



SHIPPER'S EXPORT DECLARATION

26517 Danti Court, Hayward, CA 94545
Toll Free: 1(800) 338-5424



1120727723

XL

SHIPPER'S NAME CATERINA BYRD	
ADDRESS 2120 LOOKOUT POINT CIR	
CITY LAS VEGAS	STATE NV
ZIP 89117	CELL PHONE (904) 294-7374
DRIVER'S LICENSE / I.D.# NV 1603236558	
CONSIGNEE'S NAME PINKY NOBLE / GRADY BYRD	
STREET DUROK 2, CANGMATING	BARANGAY SIBULAN, NEGRO ORIENTAL
TOWN / CITY PHILIPPINE 62001	PHONE 62001
APPLICABLE FOR AIR CARGO SERVICE NV 1603236558 D/P	
TYPE OF PHOTO ID REVIEWED:	
MATCHING PHOTO ON ID? INDICATE <input type="checkbox"/> YES <input type="checkbox"/> NO	
NAME OF EMPLOYEE OR AUTHORIZED REPRESENTATIVE WHO VERIFIED ID INFORMATION:	

BILL OF LADING NO. 1120727723		BRANCH NUMBER
BOOKING NO.	COURIER NO.	
PICK-UP DATE 9-13-13	PICK-UP TIME	
<input checked="" type="checkbox"/> SEA CARGO	<input type="checkbox"/> AIR CARGO	
MEASUREMENT 118	MEASUREMENT	
CUBIC FEET	ACTUAL WEIGHT	VOLUME WEIGHT
HANDLING INSTRUCTIONS	ESTIMATED TIME OF ARRIVAL	
DECLARED VALUE \$100	SHIPPER'S INITIAL OB	

FREIGHT RATES AND CHARGES

FREIGHT	97
INSURANCE	
TAXES	
OTHERS	
PICK-UP FEE (Where applicable)	
SUBTOTAL	
DISCOUNT / PR#	
TOTAL	
* DECLINED ADDITIONAL INSURANCE	
SHIPPER'S SIGNATURE [Signature]	

MODE OF PAYMENT

<input checked="" type="checkbox"/> CASH	<input type="checkbox"/> CHECK	CHECK NUMBER	<input type="checkbox"/> CREDIT CARD
CARD NUMBER	EXP. DATE		
CARDHOLDER'S NAME			
CARDHOLDER'S SIGNATURE			

TO TRACK YOUR PACKAGE, PLEASE VISIT
WWW.LBCEXPRESS.COM
OR CALL 1(800) 338-5424

Shipper certification: By tendering goods and personal effects for shipment via LBC ("Company"), I agree to the terms and conditions stated in the Bill of Lading and packing list, which are incorporated herein by reference. By signing this form, I certify that I am the sender/shipper of the items and the owner of the goods hereunder or is the authorized agent of the owner of the goods; that the goods described in the packing list are the actual contents of the package for shipment; and that there are no prohibited items included in this shipment or any items with commercial quantities for resale purposes.

I certify that under my control, this shipment has been adequately safeguarded to ensure that unauthorized explosive, destructive devices or hazardous materials have not been added. I consent to a search of this shipment. I am aware that this original signature, along with other shipping documents will be retained on file for a minimum of 30 calendar days.

I hereby specifically certify that I have not included any narcotics, weapons, ammunitions, weapons parts and any other weapons related material in this shipment.

Shipper Signature: **[Signature]** Date: **9-13-13**
LBC Representative: **[Signature]** (Print name) **Pink** (Signature) **9-13-13**

LBC is registered with the Federal Maritime Commissioner NVOCC 8609N and is accredited with the Philippine Shippers' Bureau Accreditation No. 1464-10. LBC is a registered IAC with the Transportation Security Administration.

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RA000160



THE REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

INFORMATION SHEET

For Consolidated shipments of "Balikbayan Boxes" Revised BOC Form No. BB-IS-001

To be filled out by MCEI

INSTRUCTIONS: You must check one type of availment only. You may only avail of the Balikbayan Box Privilege, if you are a Qualified Filipino While Abroad

TYPE OF AVAILMENT

- ☒ Balikbayan Box Privilege ☐ 1st Time
☐ De Minimis Value ☐ 2nd Time
☐ None ☐ 3rd Time

MBL/MAWB Number: 7802

Tracking Number: 1120727723

TYPE OF SENDER

- ☐ Qualified Filipinos While Abroad (QFWA) ☐ Non-Qualified Filipinos While Abroad (NQFWA)
☐ OFW ☐ Individual ☐ Partnership
☐ Resident Filipino ☐ Sole Prop (DTI) ☐ Corporation
☒ Non-Resident Filipino

A. SENDER INFORMATION

Complete Name* (Family name, First Name, Middle Name, Suffix)

CATERINA BYRD

Business Name (Only for Sole Prop, Partnership, Corporation)

Contact Number/s:

904-294-7374

Email Address, if any:

Philippine Passport Number: (For QFWAs Only)*

Date Issued (mm/dd/yyyy): (For QFWAs Only)*

Expiry Date (mm/dd/yyyy): (For QFWAs Only)*

Place Issued: (For QFWAs Only)*

Complete Current Address Abroad: *

2120 LOOKOUT POINT CIR LAS VEGAS NV 89117

Complete Address in the Philippines: *

Total Value of all Contents of each Balikbayan Box for this shipment (in Philippine Peso): *

\$ 300.00

B. CONSIGNEE/RECIPIENT

Complete Name* (Family name, First Name, Middle Name, Suffix)

GRADY BYRD

Contact Number/s:

PINKY NOBLE

Email Address, if any:

Complete Philippine Address:

PUROK 2, CANGMATING SIBULAN, NEGRO ORIENTAL PHILIPPINES

Relationship to Sender (by affinity or consanguinity): (Check one (1) box only)

- ☒ Spouse ☐ Child ☐ Parent ☐ Sibling ☐ Sibling of Parent ☐ 1st Cousin ☐ Niece/Nephew ☐ Grandparent
☐ Sibling of Grandparent ☐ Grand Niece/Nephew ☐ Grandchild ☐ Great Grandchild ☐ Great Grandparent

6201

C. PACKING LIST (itemized description of goods)*

(Please declare separately new and old goods. Use additional sheets if necessary and each additional sheet should also be signed by the Sender) Box ___ of ___

Quantity	Unit of Measure	Description of Goods	Please mark ✓		Actual or Estimated Value (Philippine Peso)
			New	Used	
<u>12</u>		<u>Clothes</u>		✓	<u>15000</u>
<u>2</u>		<u>Shoes</u>		✓	
<u>10</u>		<u>Memorabilia</u>		✓	
<u>1</u>		<u>Pillows</u>		✓	
<u>2</u>		<u>Towels</u>		✓	
<u>1</u>		<u>Sheets</u>		✓	
<u>2</u>		<u>Blanket</u>		✓	
<u>5</u>		<u>Frames</u>			
<u>12</u>		<u>Beans</u>	✓		
<u>4</u>		<u>Rice/Pasta</u>	✓		
TOTAL VALUE					Php <u>\$ 300.00</u>

WARNING: Offenses that may result to the forfeiture of the goods, including imposition of penalties and criminal prosecution of the offender:

1. Sending of PROHIBITED or RESTRICTED GOODS,
2. Sending of REGULATED GOODS in excess of the allowable limits without the necessary import permit,
3. Making of any false or misleading statements to a Custom Officer

Declaration

I declare, under the penalties of falsification, that this information Sheet has been made in good faith and to the best of my knowledge and belief, is true and correct pursuant to the provisions of the Customs Modernization and Tariff Act of the Philippines and its implementing rules and regulations.

Sender Signature over Printed Name

Date Accomplished: 09/12/2017
(mm / dd / yyyy)

RA000161

[Compose](#)
[Archive](#)
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[Delete](#)
[Spam](#)
[More](#)

[Fwd: Box](#)
[Fwd: statement](#)
[Fwd: AD&D INSURAN](#)
[Re: Box](#)
[Re: Info](#)

[Add Gmail, Outlook, AOL and more](#)

[Inbox \(4\)](#)
[Drafts \(2\)](#)
[Sent](#)
[Archive](#)
[Spam](#)
[Trash](#)

Smart Views

- Unread
- Starred
- People
- Social
- Shopping
- Travel
- Finance

Folders

- Angies List
- Ann Lewis
- Caterina Byrd
- Cbsmail
- Ebay
- Edward
- Grady Byrd
- Grady Byrd 09
- Health Care
- John Fox
- Joshua
- Paypal
- Pesce
- Polar Air
- Protection ONE
- Quickclaimusa
- Sensi
- Solarguard

Re: Info

GRADY BYRD <cbsmail2006@yahoo.com>
 02/21/14 at 4:22 AM

To: Caterina Byrd

Just so you know I used to live in a tent. I am better now and i am not going to go back to living in a tent.

From: Caterina Byrd <caterina_byrd@yahoo.com>
 To: GRADY BYRD <cbsmail2006@yahoo.com>
 Sent: Friday, February 21, 2014 12:31 PM
 Subject: Re: Info

just so you know 3k a month , i have enouf to pay bill and nothing much to live on, i needed to get dental work that i put off , and not to mentionned all the money i spent on the moving that the ace world wide charged me , then i paid \$1,300 to get my stuff from florida , i will not have enough to do much of anything, i will worried if anything would go wrong with the house or car how i would be able to pay for it I know you have been telling me to get a job, i don't be around people and act as if am happy , the fact is i have been in treatment for mental illness , for major depression , i have been on heavy meds and seen a shrink twice a month i hate my life my doctors are hoping with the purchase of my house and getting all my belongins would help me feel better , i cannot handle mentally to much, i have been in treatment for several years now.

On Thursday, February 20, 2014 7:21 PM, GRADY BYRD <cbsmail2006@yahoo.com> wrote
 You get the same benefits whether we are married are not. SBP, SS, and insurance.

There is no difference.

If someone wants to attach my income the first thing they are going to do is come after your house if it is still in my name.

From: Caterina Byrd <caterina_byrd@yahoo.com>
 To: GRADY BYRD <cbsmail2006@yahoo.com>
 Sent: Friday, February 21, 2014 10:07 AM
 Subject: Re: Info


Can't you put everything in my name , that way they can not touch what i have and i won't affect me with out getting a divorce, if we are not married i will loose lots of benefits , like SBP and i thought you were getting social security benefits and you're VA money and ret pension , I will never get married again and i don't want to be worried about money and if something wore to happen to you , at least i would get all the benefits of married spouse would get

On , Caterina Byrd <caterina_byrd@yahoo.com> wrote:
 All of this info is scarring me, how much are u in debt and how all this will affecting me , and the retirement ? if something happens to you , i cannot live on 3k a month ?

On Thursday, February 20, 2014 5:33 PM, GRADY BYRD <cbsmail2006@yahoo.com> wrote
 My finances are a mess. I just took out a 25k loan from USAA but it doesn't even touch the surface of what I owe.

I will be declaring bankruptcy soon. I will pay you and the 25k back so that your house is not affected.

The IRS has audited me and turned down all of my appeals. I am going to owe them a small fortune that I do not know how I am going to pay I have

Important Security Information


Re: Property

[Compose](#)

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Drafts (2)

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Ann Lewis

Caterina Byrd

Cbsmail

Ebay

Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

Re: Property

People★

GRADY BYRD <cbsmail2006@yahoo.com>

01/30/15 at 9:42 PM

To: Caterina Byrd

call them they bring box and pickup after it is packed. call them and double check for me

r the tools still in toolbox?

From: Caterina Byrd <caterina_byrd@yahoo.com>

To: GRADY BYRD <cbsmail2006@yahoo.com>

Sent: Saturday, January 31, 2015 1:09 PM

Subject: Re: Property

i don't know how i'm going to carry such a heavy box to mail place

From: GRADY BYRD <cbsmail2006@yahoo.com>

To: Caterina Byrd <caterina_byrd@yahoo.com>

Sent: Friday, January 30, 2015 1:22 PM

Subject: Re: Property

Yep the silver box. The tools are still there?

If the tools still there can you send with box that u ship to me?

I want that old watch and my photo albums and stuff from thr army.

I will get addresses and put money for shipping in ur account.

From: Caterina Byrd <caterina_byrd@yahoo.com>;

To: GRADY BYRD <cbsmail2006@yahoo.com>;

Subject: Re: Property

Sent: Fri, Jan 30, 2015 4:25:51 AM

i still have the old tool box with the tools ,the silver box right? as far jewelry i sold yours and mine three years ago i did not have too much money , but i did keep you're gold bulova watch , you took the rolex with you when you left

From: GRADY BYRD <cbsmail2006@yahoo.com>

To: Caterina Byrd <caterina_byrd@yahoo.com>

Sent: Thursday, January 29, 2015 7:57 PM

Subject: Property

Do you still have my old tool boxes with the tools inside?

Do you still have my old jewelry, watch, rings?

New customers only: 24 month
 Live! TV agreement - subject
 to activation. See: [cbsmail2006](#)
 Please! #2 issued by MetaSearch
 Member PLE

Details



< >

Re: Property

Compose

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Angies List

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Caterina Byrd

Cbsmail

Ebay

Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

Re: Property

People

GRADY BYRD <cbsmail2006@yahoo.com>

02/03/15 at 8:05 PM

To: Caterina Byrd

do u ever go in walmart?

From: Caterina Byrd <caterina_byrd@yahoo.com>

To: GRADY BYRD <cbsmail2006@yahoo.com>

Sent: Sunday, February 1, 2015 12:30 AM

Subject: Re: Property

okay i will call them , and yes tools are in box

From: GRADY BYRD <cbsmail2006@yahoo.com>

To: Caterina Byrd <caterina_byrd@yahoo.com>

Sent: Friday, January 30, 2015 9:38 PM

Subject: Re: Property

call them they bring box and pickup after it is packed. call them and double check for me

r the tools still in toolbox?

From: Caterina Byrd <caterina_byrd@yahoo.com>

To: GRADY BYRD <cbsmail2006@yahoo.com>

Sent: Saturday, January 31, 2015 1:09 PM

Subject: Re: Property

i don't know how i'm going to carry such a heavy box to mail place

From: GRADY BYRD <cbsmail2006@yahoo.com>

To: Caterina Byrd <caterina_byrd@yahoo.com>

Sent: Friday, January 30, 2015 1:22 PM

Subject: Re: Property

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If the tools still there can you send with box that u ship to me?

I want that old watch and my photo albums and stuff from thr army.

I will get addresses and put money for shipping in ur account.

From: Caterina Byrd <caterina_byrd@yahoo.com>

To: GRADY BYRD <cbsmail2006@yahoo.com>

Subject: Re: Property

Sent: Fri, Jan 30, 2015 4:25:51 AM

i still have the old tool box with the tools ,the silver box right? as far jewelry i sold yours and mine three years ago i did not have too much money , but i did keep you're gold bulova watch , you took the rolex with you when you left

From: GRADY BYRD <cbsmail2006@yahoo.com>

To: Caterina Byrd <caterina_byrd@yahoo.com>

Compose
 Archive
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 More

Add Gmail, Outlook, AOL and more
 Re: Property
 People★

Inbox (6)
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 Ebay
 Edward
 Grady Byrd
 Grady Byrd 09
 Health Care
 John Fox
 Joshua
 Paypal
 Pesce
 Polar Air
 Protection ONE
 Quickclaimusa
 Sensi
 Solarguard

Re: Property
 GRADY BYRD <cbsmail2006@yahoo.com>
 To: Caterina Byrd
 02/15/15 at 7:44 PM
 Can you send to
 PINKY NOBLE
 PUROK 2, CANGMATING
 SIBULAN, NEGROS ORIENTAL
 PHILIPPINE 6201
 Use the name Cristina Garcia on the sender name so that hopefully they won't check for customs.
 Make sure you state used clothes, family pictures, etc on inventory list.
 I put money in your account.
 I send some stuff from walmart to your house so wait for a few days.

From: Caterina Byrd <caterina_byrd@yahoo.com>
To: GRADY BYRD <cbsmail2006@yahoo.com>
Sent: Friday, February 13, 2015 1 42 AM
Subject: Re: Property
 yes , they will pick up the box

From: Caterina Byrd <caterina_byrd@yahoo.com>
To: GRADY BYRD <cbsmail2006@yahoo.com>
Sent: Saturday, January 31, 2015 8:30 AM
Subject: Re: Property
 okay i will call them , and yes tools are in box

From: GRADY BYRD <cbsmail2006@yahoo.com>
To: Caterina Byrd <caterina_byrd@yahoo.com>
Sent: Friday, January 30, 2015 9 38 PM
Subject: Re: Property
 call them they bring box and pickup after it is packed. call them and double check for me
 r the tools still in toolbox?

From: Caterina Byrd <caterina_byrd@yahoo.com>
To: GRADY BYRD <cbsmail2006@yahoo.com>
Sent: Saturday, January 31, 2015 1 09 PM
Subject: Re: Property
 i don't know how i'm going to carry such a heavy box to mail place

From: GRADY BYRD <cbsmail2006@yahoo.com>
To: Caterina Byrd <caterina_byrd@yahoo.com>
Sent: Friday, January 30, 2015 1 22 PM

LEGAL

Bundle and save.

Allstate.
Quote Now

Fw: Property

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Ann Lewis

Caterina Byrd

Cbsmail

Ebay

Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

Fw: Property

People★

GRADY BYRD <cbsmail2006@yahoo.com>

02/18/15 at 7:20 AM

To: Caterina Byrd

The stuff from Walmart should arrive by the 26th.

I ordered the wrong shoes from crocs. Can u just return them. It will save me some money. U do not have to pay anything

From: GRADY BYRD <cbsmail2006@yahoo.com>;
To: GRADY BYRD <cbsmail2006@yahoo.com>;
Subject: Re: Property
Sent: Wed, Feb 18, 2015 6:46:29 AM

The stuff from Walmart should arrive by 26

From: GRADY BYRD <cbsmail2006@yahoo.com>;
To: Caterina Byrd <caterina_byrd@yahoo.com>;
Subject: Re: Property
Sent: Mon, Feb 16, 2015 3:44:29 AM

Can you send to

PINKY NOBLE
 PUROK 2, CANGMATING
 SIBULAN, NEGROS ORIENTAL
 PHILIPPINE 6201

Use the name Cristina Garcia on the sender name so that hopefully they won't check for customs.

Make sure you state used clothes, family pictures, etc on inventory list

I put money in your account.

I send some stuff from walmart to your house so wait for a few days.

From: Caterina Byrd <caterina_byrd@yahoo.com>
To: GRADY BYRD <cbsmail2006@yahoo.com>
Sent: Friday, February 13, 2015 1 42 AM
Subject: Re: Property

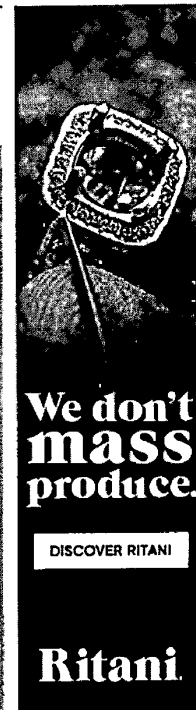
yes , they will pick up the box

From: Caterina Byrd <caterina_byrd@yahoo.com>
To: GRADY BYRD <cbsmail2006@yahoo.com>
Sent: Saturday, January 31, 2015 8 30 AM
Subject: Re: Property

okay i will call them , and yes tools are in box

From: GRADY BYRD <cbsmail2006@yahoo.com>
To: Caterina Byrd <caterina_byrd@yahoo.com>
Sent: Friday, January 30, 2015 9 38 PM
Subject: Re: Property

call them they bring box and pickup after it is packed. call them and double check for me r the tools still in toolbox?



Boxes

Compose

Archive

Move

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Spam

More

Boxes

GRADY BYRD <cbsmail2006@yahoo.com>

To: Caterina Byrd

Did sheets arrive yet?

03/07/15 at 9:13 AM

People

Add Gmail, Outlook, AOL and more

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Drafts (2)

Sent

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Trash

Smart Views

Important

Unread

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Angies List

Ann Lewis

Caterina Byrd

Cbsmail

Ebay

Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

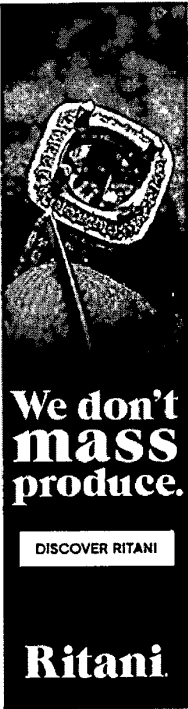
Polar Air

Protection ONE

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Sensi

Solarguard



Re: SEND BOXES

Compose

Add Gmail, Outlook, AOL
and more

Inbox (6)

Drafts (2)

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Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

Re: SEND BOXES

People★

GRADY BYRD <cbsmail2006@yahoo.com>

03/10/15 at 6:33 AM

To: Caterina Byrd

Ok

From: Caterina Byrd <caterina_byrd@yahoo.com>;
To: GRADY BYRD <cbsmail2006@yahoo.com>;
Subject: Re: SEND BOXES
Sent: Tue, Mar 10, 2015 6:36:48 AM

I can not put sent from christina garcia i tried that before , they check ID 's ,
drivers license

From: GRADY BYRD <cbsmail2006@yahoo.com>
To: Caterina Byrd <caterina_byrd@yahoo.com>
Sent: Monday, March 9, 2015 4:02 PM
Subject: SEND BOXES

Send now.

Address: Pinky Noble
Purok 2, Cangmating
Sibulan, Negros Oriental
Philippines 6201

From: Cristina Garcia

Inventory: Hammocks, Used Hand Pliers, Photo albums, used clothing, sheets,
towels, used storage box

Packing: put material around tool box so nothing makes noise

Contents: Send anything you don't want.

From: Caterina Byrd <caterina_byrd@yahoo.com>;
To: GRADY BYRD <cbsmail2006@yahoo.com>;
Subject: Re: Address
Sent: Mon, Mar 9, 2015 4:20:06 PM

okay thank you , i will wait till you tell me to send them

On Sun, 3/8/15, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

Subject: Address
To: "Caterina Byrd" <caterina_byrd@yahoo.com>
Date: Sunday, March 8, 2015, 10:53 PM

From:

GRADY BYRD

<cbsmail2006@yahoo.com>



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exams through
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Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

GRADY BYRD <cbsmail2006@yahoo.com>

To: Caterina Byrd

Yes. Thanks

From: Caterina Byrd <caterina_byrd@yahoo.com>;

To: GRADY BYRD <cbsmail2006@yahoo.com>;

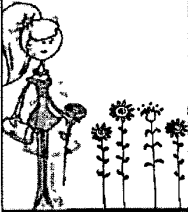
Subject: tracking numbers


Sent: Fri, Mar 13, 2015 8:58:58 PM

1091265410 and #10912655402 , they say it will take 3 months? did u know that?

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Q All

Caterina Byrd, search your mailbox

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Caterina

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Ebay

Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

SEND OLD WATCH

GRADY BYRD <cbsmail2006@yahoo.com>

To: Caterina Byrd

A friends brother is visiting here on 21 March and he will bring my old watch for me

I need you to send on Monday using overnight mail or fedex

Send overnight mail to the following address.

ALLEN BAKER

3117 PRIMROSE AVE

SANTA ROSA, CA 95407-7720

I will give you money back next payday

Thanks.

From: Caterina Byrd <caterina_byrd@yahoo.com>

To: GRADY BYRD <cbsmail2006@yahoo.com>

Sent: Saturday, March 14, 2015 4:58 AM

Subject: tracking numbers

1091265410 and #10912655402 , they say it will take 3 months? did u know that?

People

Accident
Forgiveness
from Allstate.

Re: Boxes 2 Send

Compose

Archive

Move

Delete

Spam

More

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Outlook, AOL

and more

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Drafts (2)

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Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

Re: Boxes 2 Send

GRADY BYRD <cbsmail2006@yahoo.com>

03/08/15 at 10:49 PM

To: Caterina Byrd

I will take anything you want send I have very little of anything. I only have two towels but I don't want to waste money on anything that is not critical to living

Send two boxes if u can

From: Caterina Byrd <caterina_byrd@yahoo.com>;

To: GRADY BYRD <cbsmail2006@yahoo.com>;

Subject: Re: Boxes 2 Send

Sent: Mon, Mar 9, 2015 1:32:46 AM

give me the address again

On Sun, 3/8/15, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

Subject: Boxes 2 Send

To: "Caterina Byrd" <caterina_byrd@yahoo.com>

Date: Sunday, March 8, 2015, 5:30 AM

Nothing else is coming. You can send boxes now.

On the inventory DO NOT USE WORDS LIKE TOOLS OR AUTO PARTS OR SLINGSHOT

these words will get the boxes stolen or worse opened by customs

People

Shirleen H. Class of 2003

Save time and money

Prior credits can help you earn a degree faster.

Apply now

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- Grady Byrd 09
- Health Care
- John Fox
- Joshua
- Paypal
- Pesce
- Polar Air
- Protection ONE
- Quickclaimusa
- Sensi
- Solarguard

GRADY BYRD <cbsmail2006@yahoo.com>
To: Caterina Byrd
04/08/15 at 5:06 AM
Did u send me crocs are return them?

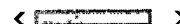
People*

LEGAL

Bundle and save.

Car + Home + Motorcycle

Allstate.
Quote Now



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Q All v Caterina Byrd, search your mailbox Search Mail Search Web Home Caterina

Re: Hammock

Compose Archive Move Delete Spam More

Add Gmail, Outlook, AOL and more

Inbox (6) Re: Hammock People

Drafts (2)

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- Angies List
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- Caterina Byrd
- Cbsmail
- Ebay
- Edward
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- Grady Byrd 09
- Health Care
- John Fox
- Joshua
- Paypal
- Pesce
- Polar Air
- Protection ONE
- Quickclaimusa
- Sensi
- Solarguard

From: Caterina Byrd <caterina_byrd@yahoo.com>, To: GRADY BYRD <cbsmail2006@yahoo.com>; Subject: Re: Hammock Sent: Sat, May 9, 2015 4:10:30 PM

the hammock was too big for the box , i told you that before , it can not be broken down because of the metal piece so you told me to get rid of it and as far as crocs i returned them in the original bag and the returned label . I will look and see if i still have any paper work on that ,

On Sat, 5/9/15, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

Subject: Hammock
To: "Caterina Byrd" <caterina_byrd@yahoo.com>
Date: Saturday, May 9, 2015, 4:24 AM

I got boxes today. Thanks for towels. Haven't felt that quality in a long time. And the pillow hehe

The big hammock missing. Do you have?

I haven't got my refund for crocs yet. Can you call them and check.

Thanks.

Accident
Forgiveness
from Allstate.

Learn More

Byrd RE: Payment Re: ROLLING STONE Addendum - 201 Fwd: statement Fwd: Box

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Cbsmail

Ebay

Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

Fwd: Box

People

Caterina Byrd <caterina_byrd@yahoo.com>

12/30/18 at 8:40 PM

To: caterina_byrd@yahoo.com

Sent from my iPad

Begin forwarded message:

From: GRADY BYRD <cbsmail2006@yahoo.com>
Date: July 8, 2017 at 7:03:57 PM PDT
To: Caterina Byrd <caterina_byrd@yahoo.com>
Subject: Re: Box
Reply-To: GRADY BYRD <cbsmail2006@yahoo.com>

I thought u told me u paid for 2 boxes. No big deal. I forgot about anything i said before.

On Sat, 7/8/17, Caterina Byrd <caterina_byrd@yahoo.com> wrote:

Subject: Re: Box
To: "GRADY BYRD" <cbsmail2006@yahoo.com>
Date: Saturday, July 8, 2017, 10:51 AM

What box ? Last box you paid for i mailed you the rice and beans liked you asked. As far as yours clothes and everything else i donated to Salvation Army like you said three years ago, the house is small and did have any room for it and you told me years back that you didn't want it

On Fri, 7/7/17, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

Subject: Box
To: "Caterina Byrd" <caterina_byrd@yahoo.com>
Date: Friday, July 7, 2017, 7:16 PM

Do u still have that box that was paid for?

Do u still have all my polo shirts?

I can sell those shirts here for 5 dollars each.

If it dont cost anything send me all the clothes u can stuff in a box.



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Q All v Caterina Byrd, search your mailbox Search Mail Search Web Home Caterina

Re: Box

Compose Archive Move Delete Spam More

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Grady Byrd
Grady Byrd 09
Health Care
John Fox
Joshua
Paypal
Pesce
Polar Air
Protection ONE
Quickclaimusa
Sensi
Solarguard

Re: Box

GRADY BYRD <cbsmail2006@yahoo.com> 09/16/17 at 5 49 PM
To: Caterina Byrd

Thanks

On Sun, 9/17/17, Caterina Byrd <caterina_byrd@yahoo.com> wrote:

Subject: Re: Box
To: "GRADY BYRD" <cbsmail2006@yahoo.com>
Date: Sunday, September 17, 2017, 12:58 AM

The box is on its way

On Sat, 9/16/17, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

Subject: Re: Box
To: "Caterina Byrd" <caterina_byrd@yahoo.com>
Date: Saturday, September 16, 2017, 12:07 AM

There is no message here.

On Thu, 9/14/17, Caterina Byrd <caterina_byrd@yahoo.com> wrote:

Subject: Re: Box
To: "GRADY BYRD" <cbsmail2006@yahoo.com>
Date: Thursday, September 14, 2017, 7:46 AM

On Fri, 8/18/17, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

Subject: Re: Box
To: "Caterina Byrd" <caterina_byrd@yahoo.com>
Date: Friday, August 18, 2017, 3:38 PM

I shipped a part for a guy to your house. the box is on its way
That's all I sent.

When u get that you can send box.

PINKY NOBLE
PUROK 2, CANGMATING
SIBULAN, NEGROS ORIENTAL
PHILIPPINES 6201

Thanks

On Mon, 8/14/17, Caterina Byrd <caterina_byrd@yahoo.com>

Get a FREE LG Fortune 2 when you switch to Cicket. Shop Now

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Q All v , Caterina Byrd, search your mailbox

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Caterina



Byrd RE: Payment Re: ROLLING STONE Addendum - 201 Fwd: statement Loan

Compose

Loan

Add Gmail, Outlook, AOL and more

Inbox (9)

Drafts (2)

Sent

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Spam

Trash

Smart Views

Important

Unread

Starred

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Finance

Folders

Angies List

Ann Lewis

Caterina Byrd

Cbsmail

Ebay

Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

GRADY BYRD <cbsmail2006@yahoo.com>

To: Caterina Byrd

07/25/18 at 11:25 PM

You have 28 dollars in ur account. If u dont need i could use. I will pay back on 1st.

Ask your doctor if Saxenda® may help you lose weight and keep it off.



Saxenda® is an FDA-approved, prescription injectable medicine that, when used with a low-calorie meal plan and increased physical activity, may help some adults with excess weight who also have weight-related medical problems, such as high blood pressure, high cholesterol, or type 2 diabetes, or obesity, to lose weight and keep it off. *Body mass index (BMI) ≥ 27. *BMI ≥ 30.

Saxenda®
liraglutide injection 3 mg

Scroll to see Important Safety Information, Indications and Usage

What is Saxenda®?
Saxenda® (liraglutide) Injection 3 mg is an injectable prescription medicine that may help some adults with excess weight (BMI ≥ 27) who also have weight-related medical problems or obesity (BMI ≥ 30) lose weight and keep the

Please click here for Prescribing Information.



EXHIBIT “21”

Copy



8950 Cypress Waters Blvd., Suite B
Coppell, TX 75019

Serviced by Nationstar Mortgage LLC,
a subsidiary for USAA

GRADY EDWARD BYRD
CATERINA A BYRD
5330 E CRAIG RD
LAS VEGAS, NV 89115

MORTGAGE LOAN STATEMENT

CONTACT INFORMATION

Member Service: 855-430-9488
Monday through Friday from 7 a.m. to 7 p.m. (CT) and Saturday from 7
a.m. to 3 p.m. (CT)
www.usaa.com

Statement Date: 12/06/2018
Loan Number: 1802858512
Payment Due Date: 01/01/2019
Amount Due: \$1,933.07
If payment is received on or after 01/01/2019, \$64.58 late fee will be charged

Property Address:
2120 LOOKOUT PT CIR
LAS VEGAS, NV 89117

Go Paperless.
Email us to your account to activate.

Account Information

Interest Bearing Principal Balance	\$314,632.61
Interest Rate	3.750%
Escrow Balance	\$624.36

The Principal Balance does not represent the payoff amount of your account and is not to be used for payoff purposes.

Explanation of Amounts Due

Principal	\$637.67
Interest	\$983.23
Escrow Amount (for Taxes & Insurance)	\$312.17
Optional Products and Services	\$0.00
Regular Monthly Payment	\$1,933.07
Total Fees and Charges	\$0.00
Overdue Payment(s)	\$0.00
Partial Payment (Unapplied)	\$0.00
Total Amount Due	\$1,933.07

Past Payment Breakdown

	Payment Rec'd since 11/07/2018	Paid Year to Date
Principal	\$635.69	\$7,498.89
Interest	\$985.21	\$11,951.91
Escrow (Taxes & Insurance)	\$312.17	\$3,782.95
Optional Insurance	\$0.00	\$0.00
Fees and Charges	\$0.00	\$0.00
Lender Paid Expenses	\$0.00	\$0.00
Partial Payment (Unapplied)	\$0.00	\$0.00
Total	\$1,933.07	\$23,233.75

THE FOLLOWING DISCLOSURE IS MADE PURSUANT TO THE REQUIREMENTS OF THE FAIR DEBT COLLECTION PRACTICES ACT OR OTHER LAW OR REGULATION: NATIONSTAR IS SERVICING YOUR MORTGAGE LOAN ON BEHALF OF USAA AND IS CONSIDERED A DEBT COLLECTOR. THIS DOCUMENT IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. NOTE: IF YOUR OBLIGATION HAS BEEN DISCHARGED IN BANKRUPTCY, IS SUBJECT TO THE AUTOMATIC STAY OR IS PROVIDED FOR IN A CONFIRMED PLAN, THIS COMMUNICATION IS FOR REGULATORY COMPLIANCE AND/OR INFORMATIONAL PURPOSES ONLY, AND DOES NOT CONSTITUTE AN ATTEMPT TO COLLECT A DEBT OR TO IMPOSE PERSONAL LIABILITY FOR SUCH OBLIGATION.

IF YOU ARE A SUCCESSOR IN INTEREST (RECEIVED THE PROPERTY FROM A RELATIVE THROUGH DEATH, DEVISE OR DIVORCE, AND YOU ARE NOT A BORROWER ON THE LOAN), THAT HAS NOT ASSUMED OR OTHERWISE BECOME OBLIGATED ON THE DEBT, THIS COMMUNICATION IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT AN ATTEMPT TO COLLECT A DEBT FROM YOU PERSONALLY.

Transaction Activity (11/07/2018 to 12/06/2018)

Date	Description	Total	Principal	Interest	Escrow	Other
12/05/2018	Payment	\$1,933.07	\$635.69	\$985.21	\$312.17	

Important Messages

(See Reverse side for Additional Critical Notices)

Your payment is made through our automatic payment plan. This statement is for informational purposes only.

If you do not wish to receive paper statements, simply log into your account at www.usaa.com and alter your selection to paperless. Paperless offers convenient monthly email reminders, no lost mail, and archived online access to view or download to your personal computer.

This Area Intentionally Left Blank

This statement is for informational purpose only.
Our records reflect your loan is on our automatic draft process.

RA000179

EXHIBIT “22”

Insurance

Compose Archive Move Delete Spam More

Add Gmail, Outlook, AOL and more

Insurance

People

Inbox (7)

GRADY BYRD <cbsmail2006@yahoo.com>

12/11/17 at 7:44 AM

Drafts (2)

To: Caterina Byrd

Sent

I called VYSTAR about insurance.

Archive

Spam

They gave me a company called trustate or something like that.

Trash

I called insurance company

Smart Views

Important

They have no policy in my name.

Unread

I checked account statements for a payment so that I could find where the payments are going.

Starred

People

I could find no payments in our account.

Social

SEND ME ANY INFORMATION YOU HAVE.

Shopping

Travel

NAME OF INSURANCE COMPANY/. Policy number/. Payment date.

Finance

Give me anything and I will try to sort it out.

Folders

Angies List

Ann Lewis

Caterina Byrd

Cbsmail

Ebay

Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

It pays to be an accident-free driver.



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Q All v ' Caterina Byrd, search your mailbox Search Mail Search Web Home Caterina

Re: Insurance policy

Compose

Archive

Move

Delete

Spam

More

Legal

Add Gmail, Outlook, AOL and more

Re: Insurance policy

People

Inbox (7)

GRADY BYRD <cbsmail2006@yahoo.com>

12/14/17 at 4:54 PM

Drafts (2)

To: Caterina Byrd

Sent

I did look. I didn't find any payments. Do you know a month I can look for?

Archive

Spam

Trash

Smart Views

Important

Unread

Starred

People

Social

Shopping

Travel

Finance

Folders

Angies List

Ann Lewis

Caterina Byrd

Cbsmail

Ebay

Edward

Grady Byrd

Grady Byrd 09

Health Care

John Fox

Joshua

Paypal

Pesce

Polar Air

Protection ONE

Quickclaimusa

Sensi

Solarguard

From: Caterina Byrd <caterina_byrd@yahoo.com>
To: GRADY BYRD <cbsmail2006@yahoo.com>
Sent: Friday, December 15, 2017 8:47 AM
Subject: Re: Insurance policy

It was automatically withdrawn from the account \$45

Sent from Yahoo Mail for iPhone

On Thursday, December 14, 2017, 4:36 PM, GRADY BYRD <cbsmail2006@yahoo.com> wrote:

Well this certainly helps. I thought the coverage is with VYSTAR. I been driving them crazy looking for a policy.

Do you have a receipt of any kind for your last payment?

On Fri, 12/15/17, Caterina Byrd <caterina_byrd@yahoo.com> wrote:

Subject: Insurance policy
To: "cbsmail2006@yahoo.com" <cbsmail2006@yahoo.com>
Date: Friday, December 15, 2017, 7:06 AM

Here is what I could find. If this doesn't work, let me know exactly what is needed and I will dig deeper. Since you do on-line banking, maybe that would be a good place to start. Thank you for looking into this for me.

Get
real-time
driver
feedback
with
Drivewise®.

[Learn More](#)



Compose
 Archive
 Move
 Delete
 Spam
 More

Add Gmail, Outlook, AOL and more
 People ★

Inbox (7)
 Drafts (2)
 Sent
 Archive
 Spam
 Trash

Smart Views
 Important
 Unread
 Starred
 People
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Folders
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 Ann Lewis
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 Cbsmail
 Ebay
 Edward
 Grady Byrd
 Grady Byrd 09
 Health Care
 John Fox
 Joshua
 Paypal
 Pesce
 Polar Air
 Protection ONE
 Quickclaimusa
 Sensi
 Solarguard

Re: Insurance policy

GRADY BYRD <cbsmail2006@yahoo.com>
 To: Caterina Byrd
 12/14/17 at 5:42 PM

I will call them. I just like to have all information available.

From: Caterina Byrd <caterina_byrd@yahoo.com>
 To: GRADY BYRD <cbsmail2006@yahoo.com>
 Sent: Friday, December 15, 2017 9:02 AM
 Subject: Re: Insurance policy

I have no idea because I never got any statements to begin with because I wasn't the primary on the VyStar account since you were getting the statement through email I could not get paper statements so every month I checked the account and as far as know from taking to Vy star it stop in June 2016 since we been paying for this for years you should be out to see something go back several years surely you can it. Now you have the photograph that I sent ... why not why not try calling insurance company directly

Sent from Yahoo Mail for iPhone

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