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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEFFREY REED,)	Supreme Court Case No: 82575
)	District Court Case No.: 05D338668
Appellant,)	
v.)	
)	
ALECIA DRAPER (IND./CONSERV.),)	
)	
Respondent.)	
)	
)	
)	

**APPELLANT'S APPENDIX
VOLUME IV OF XVII**

**ROBERTS STOFFEL FAMILY LAW
GROUP**

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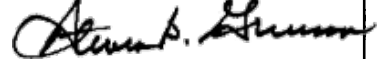
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DISTRICT COURT – FAMILY DIVISION
CLARK COUNTY, NEVADA

Alecia Ann Draper, Individually and
as Conservator for Emily Reed

Plaintiff

vs.

Jeffery Allen Reed,

Defendant

Case No.: 05D338668

Dept No.: S

Date of Hearing: **03/04/2019**

Time of Hearing: **10:00 AM**

ORAL ARGUMENT REQUESTED

**PLAINTIFF'S MOTION (AS CONSERVATOR FOR EMILY REED)
FOR CHILD SUPPORT FOR A DISABLED CHILD BEYOND THE AGE OF MAJORITY**

NOW COMES, Plaintiff, Alecia Ann Draper, in her capacity **AS CONSERVATOR FOR EMILY REED** ("Emily"), and hereby moves for an Order requiring both of Emily's parents, Alecia Draper and Jeffery Reed, to pay child support for Emily due to her ongoing disability, for all the reasons set forth herein, as well as the reasons set forth in the Countermotion for Child Support Et Al filed in the captioned matter on July 21, 2017, which is incorporated herein by reference (which has not yet been ruled on by the Court). Plaintiff attempted to resolve this matter prior to filing this supplemental motion; however, it became clear that the parties were at a roadblock and additional settlement discussions would not have been fruitful.

This motion is brought in good faith and is based on the attached Memorandum of Points and Authorities, the pleadings on file herein, and such further evidence and oral argument of this matter at the hearing.

Respectfully Submitted:

BRENNAN LAW FIRM

/s/ Elizabeth Brennan
ELIZABETH BRENNAN, ESQ.
Attorney for Plaintiff

NOTICE OF MOTION

PLEASE TAKE NOTICE that undersigned will bring the above and forgoing Motion on for hearing before this Court in Department S on the 04 day of March, 2019, at the hour of 10:00 a.m. of said day, or as soon thereafter as counsel may be heard.

BRENNAN LAW FIRM

/s/ Elizabeth Brennan

MEMORANDUM OF POINTS & AUTHORITIES

THE LAW

NRS 125B.110, Nevada's Handicapped Child Support Statute, provides the following:

1. A parent shall support beyond the age of majority his or her child with a handicap until the child is no longer handicapped or until the child becomes self-supporting. The handicap of the child must have occurred before the age of majority for this duty to apply.
2. For the purpose of this section, a child is self-supporting if the child receives public assistance beyond the age of majority and that assistance is sufficient to meet the child's needs.
3. This section does not impair or otherwise affect the eligibility of a person with a handicap to receive benefits from a source other than his or her parents.
4. As used in this section, "handicap" means an inability to engage in any substantial gainful activity by reason of a medially determinable physical or mental impairment which can be expected to result in death, or which has lasted or can be expected to last for a continuous period of not less than 12 months.
(Emphasis supplied).

In Nevada, the definition of "self-supporting" means the ability to work, or receive sufficient disability, in order to *financially* support oneself. *Edington vs. Edington*, 119 Nev. 577, 80 P.3d 1282, 1288 (Nev. 2003). In addition, the statute requires that the impairment itself (which must be capable

Respectfully Submitted:

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/s/ Elizabeth Brennan

ELIZABETH BRENNAN, ESQ.
Attorney for Plaintiff

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BRENNAN LAW FIRM

/s/ Elizabeth Brennan

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THE LAW

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In Nevada, the definition of "self-supporting" means the ability to work, or receive sufficient disability, in order to *financially* support oneself. *Edington vs. Edington*, 119 Nev. 577, 80 P.3d 1282, 1288 (Nev. 2003). In addition, the statute requires that the impairment itself (which must be capable

1 of being medically established by accepted diagnostic techniques) be the cause of the fact that the
2 person is unable to support themselves. *Id at 1289.*

3 As shown herein, Emily meets all of the requirements necessary for this Court to order both
4 parents to pay child support pursuant to NRS 125B.110 as interpreted by the Nevada Supreme Court
5 in *Edington*.

6 **THE FACTS**

7 Plaintiff Alecia Draper (“Alecia”), is the conservator for the parties disabled daughter Emily
8 Reed (“Emily”). Attached hereto is the Sworn Declaration of Alecia, which provides the initial
9 testimony and documents in support of Plaintiff’s request for child support for Emily. See Sworn
10 Declaration, Paragraphs 1 and 2.

11 Emily was born on November 16, 1996. Emily is currently 22 years old. Emily lives with
12 Alecia when she is not hospitalized. See Sworn Declaration, Paragraph 3. Emily is handicapped.
13 Emily suffers from major depressive disorder with psychotic features, post-traumatic stress disorder,
14 and severe stressors. Emily’s handicap began BEFORE she reached the age of majority and has
15 continuously required treatment. *See all exhibits attached hereto.* See Sworn Declaration, Paragraph
16 4.

17 Emily’s medical history is extensive, and her disability has been medically established. **Emily**
18 **has remained disabled since prior to her 18th birthday and is unable to engage in any substantial**
19 **gainful activity and is unable to be financially self-supporting.** *See Exhibit 1, Dr. Farrell Medical*
20 *Record & Expert Report; Exhibit 2, Summary of Emily’s Medical History; Exhibit 3, Summary of*
21 *Emily’s Income & Expenses for 2017 and 2018; Exhibit 4, Detailed List of Emily’s Expenses for 2017*
22 *and 2018.* See Sworn Declaration, Paragraph 5. As a result of Emily’s continuing disability, Alecia
23 filed a Petition for Appointment of Conservator over Emily in Superior Court of California, County
24 of Orange, Case Number: 30-2018-00970067-PR-LP-CJC (the “Conservatorship Case”). In October
25 of 2018, Alecia was appointed as Emily’s conservator. See Sworn Declaration, Paragraph 6.

1 Due to Emily's qualifying disability and her inability to financially support herself, Alecia
2 hereby requests that both parents be ordered to pay support for Emily, retroactive to the filing of
3 Plaintiff's original request, and continuing for the duration of Emily's disability. See Sworn
4 Declaration, Paragraph 7.

5 **Emily was sexually abused by Allen Richard Gorry prior to her eighteenth birthday,**
6 **from age 7 through age 17**, during her visitation time periods with her Dad, Jeffrey Reed ("Dad" or
7 "Defendant"). In January of 2018, Mr. Gorry pled guilty to a felony charge related to these horrendous
8 sexual crimes against Emily and is now in jail serving time for these crimes. See Sworn Declaration,
9 Paragraph 8.

10 **Emily threatened suicide prior to her eighteenth (18th) birthday.** See Sworn Declaration,
11 Paragraph 9. In addition, **Emily was hospitalized a total of 81 days during the time period of**
12 **3/18/14 - 4/16/15 before graduation from high school**, as set forth below:

13	3/18/14 - 4/7/14	UCIMC Neuropsychiatric Center	19 days	<u>Exhibit 10</u>
14	4/7/14 - 5/12/14	Center for Discovery	35 Days	<u>Exhibit 11</u>
15	3/7/2015 - 3/30/2015	Del Amo Hospital	23 Days	<u>Exhibit 15</u>
16	4/16/15 - 4/20/15	UCIMC Neuropsychiatric Center	4 days	<u>Exhibit 16</u>

17 See Sworn Declaration, Paragraph 10.

18 From 2008 through 2014 (5th grade – 12th grade), Emily required special education services in
19 the form of an Individualized Educational Program ("IEP"). See Exhibit 5, 2008 – 2011 IEP's Clark
20 County School District. See also Exhibit 6, 2011 – 2014 IEP's Huntington Beach School District.
21 See Sworn Declaration, Paragraph 11.

22 In September and October of 2013 (while Emily was 16 years old and in the 11th grade),
23 Emily's school conducted two Multidisciplinary Psycho-Educational Assessments to determine if
24 Emily continued to have a disability and a continued need for special education services. The answer
25 was yes! The assessments concluded that Emily had a **Specific Learning Disability and was Hearing**
26

1 **Impaired.** See Exhibit 7, 09/09/13 – 09/16/13 Psycho-Educational Assessment Report. See also
2 Exhibit 8, 10/03/13 Psycho-Educational Assessment Report. See Sworn Declaration, Paragraph 12.

3 In March of 2014 (while Emily was 17 years old and in the 11th grade), Emily disclosed to her
4 school counselors she was thinking about killing herself. As a result, Emily was transported from
5 school to UCIMC Neuropsychiatric Center on March 18, 2014. See Exhibit 9, Suicide Assessment by
6 School Psychologist. See Sworn Declaration, Paragraph 13.

7 From March 18, 2014 – April 7, 2014 (while Emily was 17 years old and in the 11th grade),
8 Emily was hospitalized for three weeks at UCI psychiatric hospital as a result of being sexually
9 molested for years as a young girl, her suicide ideation, and her emotional issues. This was Emily's
10 first hospitalization as a minor. The medical records reveal auditory hallucinations and regressed, self-
11 injurious behavior. Emily disclosed sexual abuse by her father's roommate for years as a young girl
12 where she was forced to watch pornography and engage in oral sex. See Exhibit 10, UCIMC
13 Neuropsychiatric Center Medical Records. See Sworn Declaration, Paragraph 14.

14 From April 7 – May 12, 2014 (while Emily was 17 years old and in the 11th grade), Emily was
15 hospitalized for 35 days at Center for Discovery. This was Emily's second hospitalization as a minor.
16 See Exhibit 11, Center for Discovery Medical Records. See Sworn Declaration, Paragraph 15.

17 In September and October of 2014 (while Emily was 17 years old and in the 12th grade),
18 Emily's school conducted another Multidisciplinary Psycho-Educational Assessment, again to
19 determine if Emily continued to have a disability and a continued need for special education services.
20 The answer again was yes! Now, however, the diagnosis was changed to **Emotional Disturbance.**
21 See Exhibit 12, 09/16/14 – 10/22/14 Psycho-Educational Assessment Report. To this very day, Emily
22 continues to suffer from emotional disturbances diagnosed before her 18th birthday. See Sworn
23 Declaration, Paragraph 16.

24 On February 9, 2015 (while still in high school), Emily applied for Vocational Rehabilitation
25 Services due to her disability. See Exhibit 13, Vocational Rehabilitation File. See Sworn Declaration,
26 Paragraph 17.

1 On March 2, 2015 (while still in high school), Emily was approved by the Department of
2 Rehabilitation for Vocational Rehabilitation Services because she met the eligibility criteria, namely
3 she was found to have a “**physical or mental impairment which constitutes or results in a**
4 **substantial impediment to employment based on information from her doctor or another valid**
5 **source.**” She was given Priority for Services in Category 1, 2 and 3. Unfortunately, Emily was unable
6 to complete the interview process due to her emotional breakdowns, hospitalizations, and the
7 continued worsening of her mental state. As a result, it was determined that Emily was not a candidate
8 for vocational services and her case was closed on April 3, 2015. See Exhibit 13, Vocational
9 Rehabilitation File. See Sworn Declaration, Paragraph 18.

10 In March 2015 (while still in high school), Emily was admitted to Del Amo hospital for suicidal
11 ideation after she tried to strangle herself with the sleeves of a sweater. See Exhibit 15, Del Amo
12 Hospital Medical Records. See Sworn Declaration, Paragraph 19.

13 In April of 2015 (while still in high school), Emily was hospitalized again at UCIMC
14 Neuropsychiatric Center for four (4) days when, according to her school psychologist, she was
15 agitated, rolling around on the asphalt in the fetal position for thirty-five (35) minutes and screaming.
16 See Sworn Declaration, Paragraph 20.

17 In April of 2015 (while still in high school), Emily began treating with Elise Collier at Pure
18 Light Counseling for treatment of her complex PTSD, chronic, severe and severe Dissociative Identity
19 Disorder, NOS. See Exhibit 16, Pure Light Counseling. See Sworn Declaration, Paragraph 21.

20 In April of 2015 (while still in high school), Emily applied for and was awarded Social Security
21 Disability. See Exhibit 17, Social Security Approval Letter. See Sworn Declaration, Paragraph 22.

22 In July of 2015, it was recommended that Emily could benefit from a service dog. See Exhibit
23 18, Pure Light Counseling. See Sworn Declaration, Paragraph 23. Since 2015, Emily has been
24 receiving Social Security Disability Income. Attached as Exhibit 19 is a summary listing of all Social
25 Security Disability Income checks Emily has received to date. See Exhibit 19, Social Security
26 Disability Income Bank Ledger. Emily will continue to receive Social Security Disability Income in

1 2019. See Exhibit 20, Social Security Approval Letter. See Sworn Declaration, Paragraph 24.
2 Unfortunately, Emily cannot work due to her disability and her Social Security Disability Income is
3 NOT sufficient to meet her monthly financial expenses. See Exhibit 3, Summary of Emily's Income
4 and Expenses for 2017 and 2018. See Sworn Declaration, Paragraph 25.

5 Most recently in February of 2018, Emily was admitted to a twenty-one (21) day intense
6 therapy program at Collin A. Ross Institute in Texas. See Sworn Declaration, Paragraph 26.

7 Defendant received information about each of Emily's hospitalizations and has been very
8 much aware of Emily's diagnosis of severe PTSD, Major depressive disorder with Psychotic features,
9 stressor related disorder. See Sworn Declaration, Paragraph 27. Emily continues to suffer from severe
10 posttraumatic stress and depression from years of sexual abuse as a young child. She has seen many
11 different psychiatrists and psychologists but has not gotten better. See Sworn Declaration, Paragraph
12 28. Emily takes medication for her chronic PTSD, depression, and anxiety. See Sworn Declaration,
13 Paragraph 29. Emily is not able to maintain a job. See Sworn Declaration, Paragraph 30. Emily cannot
14 be left alone for long periods of time without supervision. In fact, Alecia went on FMLA to be home
15 with Emily. Alecia also quit her job to be home with Emily. If Alecia cannot be home, she makes
16 sure that either one or both of Emily's brothers are there, or her husband in home. Emily's grandma
17 also comes to visit once a month for a week to help care for Emily. See Sworn Declaration, Paragraph
18 31.

19 **CONCLUSION**

20 For the above reasons, Plaintiff respectfully requests that this Court GRANT her Motion and
21 order BOTH of Emily's parents to pay child support for Emily – a handicapped adult child under
22 Nevada law.

23 Respectfully Submitted:

24 BRENNAN LAW FIRM

25 /s/ Elizabeth Brennan
26 ELIZABETH BRENNAN, ESQ.
Attorney for Plaintiff

**DECLARATION OF ALECIA DRAPER AS CONSERVATOR FOR EMILY REED
IN SUPPORT OF MOTION FOR CHILD SUPPORT FOR CHILD WITH HANDICAP
BEYOND AGE OF MAJORITY**

I, ALECIA DRAPER, swear under penalty of perjury that the following statements are true and correct.

1. I am the Plaintiff, individually and as conservator for my disabled daughter Emily Reed ("Emily"), in the above-named action. I have personal knowledge of all matters stated herein, I am over the age of eighteen (18), and I would be competent to testify thereto if called to do so, except as to matters stated on information and belief, and as to those items, I believe them to be true.
2. I provide this Sworn Declaration in support of Plaintiff's Original and Supplemental Motion for Child Support For Disabled Child Beyond Age of Majority (collectively "Emily's Motion").
3. Emily was born on November 16, 1996. Emily is currently 22 years old. Emily lives with me when she is not hospitalized.
4. Emily is handicapped. Emily suffers from major depressive disorder with psychotic features, post-traumatic stress disorder, and severe stressors. Emily's handicap began BEFORE she reached the age of majority and has continuously required treatment. *See all exhibits attached hereto.*
5. Emily's medical history is extensive and her disability has been medically established. **Emily has remained disabled since prior to her 18th birthday and is unable to engage in any substantial gainful activity and is unable to be financially self-supporting.** *See Exhibit 1, Dr. Farrell Medical Record & Expert Report; Exhibit 2, Summary of Emily's Medical History; Exhibit 3, Summary of*

Emily's Income & Expenses for 2017 and 2018; Exhibit 4, Detailed List of Emily's Expenses for 2017 and 2018.

6. As a result of Emily's continuing disability, I filed a Petition for Appointment of Conservator over Emily in Superior Court of California, County of Orange, Case Number: 30-2018-00970067-PR-LP-CJC (the "Conservatorship Case"). In October of 2018, I was appointed as Emily's conservator.
7. Due to Emily's qualifying disability and her inability to financially support herself, I hereby request that both parents be ordered to pay support for Emily, retroactive to the filing of Plaintiff's original request, and continuing for the duration of Emily's disability.
8. **Emily was sexually abused by Allen Richard Gorry prior to her eighteenth birthday, from age 7 through age 17**, during her visitation time periods with her Dad, Jeffrey Reed ("Dad" or "Defendant"). In January of 2018, Mr. Gorry pled guilty to a felony charge related to these horrendous sexual crimes against Emily and is now in jail serving time for these crimes.
9. **Emily threatened suicide prior to her eighteenth (18th) birthday.**
10. **Emily was hospitalized a total of 81 days during the time period of 3/18/14 - 4/16/15 before graduation from high school**, as set forth below:

3/18/14 - 4/7/14	UCIMC Neuropsychiatric Center	19 days	<u>Exhibit 10</u>
4/7/14 - 5/12/14	Center for Discovery	35 Days	<u>Exhibit 11</u>
3/7/2015 - 3/30/2015	Del Amo Hospital	23 Days	<u>Exhibit 15</u>
4/16/15 - 4/20/15	UCIMC Neuropsychiatric Center	4 days	<u>Exhibit 16</u>
11. From 2008 through 2014 (5th grade – 12th grade), Emily required special education services in the form of an Individualized Educational Program ("IEP"). See Exhibit

5, 2008 – 2011 IEP's Clark County School District. See also Exhibit 6, 2011 – 2014 IEP's Huntington Beach School District.

12. In September and October of 2013 (while Emily was 16 years old and in the 11th grade), Emily's school conducted two Multidisciplinary Psycho-Educational Assessments to determine if Emily continued to have a disability and a continued need for special education services. The answer was yes! The assessments concluded that Emily had a **Specific Learning Disability and was Hearing Impaired**. *See Exhibit 7, 09/09/13 – 09/16/13 Psycho-Educational Assessment Report. See also Exhibit 8, 10/03/13 Psycho-Educational Assessment Report.*
13. In March of 2014 (while Emily was 17 years old and in the 11th grade), Emily disclosed to her school counselors she was thinking about killing herself. As a result, Emily was transported from school to UCIMC Neuropsychiatric Center on March 18, 2014. *See Exhibit 9, Suicide Assessment by School Psychologist.*
14. From March 18, 2014 – April 7, 2014 (while Emily was 17 years old and in the 11th grade), Emily was hospitalized for three weeks at UCI psychiatric hospital as a result of being sexually molested for years as a young girl, her suicide ideation, and her emotional issues. This was Emily's first hospitalization as a minor. The medical records reveal auditory hallucinations and regressed, self-injurious behavior. Emily disclosed sexual abuse by her father's roommate for years as a young girl where she was forced to watch pornography and engage in oral sex. *See Exhibit 10, UCIMC Neuropsychiatric Center Medical Records.*
15. From April 7 – May 12, 2014 (while Emily was 17 years old and in the 11th grade), Emily was hospitalized for 35 days at Center for Discovery. This was Emily's

second hospitalization as a minor. See Exhibit 11, Center for Discovery Medical Records.

16. In September and October of 2014 (while Emily was 17 years old and in the 12th grade), Emily's school conducted another Multidisciplinary Psycho-Educational Assessment, again to determine if Emily continued to have a disability and a continued need for special education services. The answer again was yes! Now, however, the diagnosis was changed to **Emotional Disturbance**. See Exhibit 12, 09/16/14 – 10/22/14 Psycho-Educational Assessment Report. To this very day, Emily continues to suffer from emotional disturbances diagnosed before her 18th birthday.
17. On February 9, 2015 (while still in high school), Emily applied for Vocational Rehabilitation Services due to her disability. See Exhibit 13, Vocational Rehabilitation File.
18. On March 2, 2015 (while still in high school), Emily was approved by the Department of Rehabilitation for Vocational Rehabilitation Services because she met the eligibility criteria, namely she was found to have a **“physical or mental impairment which constitutes or results in a substantial impediment to employment based on information from her doctor or another valid source.”** She was given Priority for Services in Category 1, 2 and 3. Unfortunately, Emily was unable to complete the interview process due to her emotional breakdowns, hospitalizations, and the continued worsening of her mental state. As a result, it was determined that Emily was not a candidate for vocational services and her case was closed on April 3, 2015. See Exhibit 13, Vocational Rehabilitation File.

19. In March 2015 (while still in high school), Emily was admitted to Del Amo hospital for suicidal ideation after she tried to strangle herself with the sleeves of a sweater. *See Exhibit 15, Del Amo Hospital Medical Records.*
20. In April of 2015 (while still in high school), Emily was hospitalized again at UCIMC Neuropsychiatric Center for four (4) days when, according to her school psychologist, she was agitated, rolling around on the asphalt in the fetal position for thirty-five (35) minutes and screaming.
21. In April of 2015 (while still in high school), Emily began treating with Elise Collier at Pure Light Counseling for treatment of her complex PTSD, chronic, severe and severe Dissociative Identity Disorder, NOS. *See Exhibit 16, Pure Light Counseling.*
22. In April of 2015 (while still in high school), Emily applied for and was awarded Social Security Disability. *See Exhibit 17, Social Security Approval Letter.*
23. In July of 2015, it was recommended that Emily could benefit from a service dog. *See Exhibit 18, Pure Light Counseling.*
24. Since 2015, Emily has been receiving Social Security Disability Income. Attached as *Exhibit 19* is a summary listing of all Social Security Disability Income checks Emily has received to date. *See Exhibit 19, Social Security Disability Income Bank Ledger.* Emily will continue to receive Social Security Disability Income in 2019. *See Exhibit 20, Social Security Approval Letter.*
25. Unfortunately, Emily cannot work due to her disability and her Social Security Disability Income is NOT sufficient to meet her monthly financial expenses. *See Exhibit 3, Summary of Emily's Income and Expenses for 2017 and 2018.*
26. Most recently in February of 2018, Emily was admitted to a twenty-one (21) day intense therapy program at Collin A. Ross Institute in Texas.

27. Defendant received information about each of Emily's hospitalizations and has been very much aware of Emily's diagnosis of severe PTSD, Major depressive disorder with Psychotic features, stressor related disorder.
28. Emily continues to suffer from severe posttraumatic stress and depression from years of sexual abuse as a young child. She has seen many different psychiatrists and psychologists but has not gotten better.
29. Emily takes medication for her chronic PTSD, depression, and anxiety.
30. Emily is not able to maintain a job.
31. Emily cannot be left alone for long periods of time without supervision. In fact, I went on FMLA to be home with Emily. I also quit my job to be home with Emily. If I cannot be home, I make sure that either one or both of Emily's brothers are there, or my husband in home. Emily's grandma also comes to visit once a month for a week to help care for Emily.

Pursuant to NRS 53.045, I declare under penalty of perjury that the foregoing is true and correct.

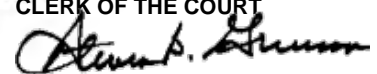
Signed on this 7th of January 2019.

/s/ Alecia Draper
ALECIA DRAPER

AOS

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

Electronically Filed
3/13/2019 10:37 AM
Steven D. Grierson
CLERK OF THE COURT



ALECIA ANN DRAPER

Plaintiff

vs

JEFFERY ALLEN REED

Defendant

CASE NO: 05D338668

HEARING DATE/TIME: 03/04/2019 at 10:00am

DEPT NO: S

AFFIDAVIT OF SERVICE

ANDY PALATTO being duly sworn says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceedings in which this affidavit is made. That affiant received 1 copy(ies) of the PLAINTIFF'S MOTION (AS CONSERVATOR FOR EMILY REED) FOR CHILD SUPPORT FOR A DISABLED CHILD BEYOND THE AGE OF MAJORITY; NOTICE OF JOINDER, on the 14th day of February, 2019 and served the same on the 19th day of February, 2109, at 16:49 by:

delivering and leaving a copy with the servee JEFFERY REED at (address) PALM EASTER MORTUARY, 7600 S. EASTERN AVENUE, LAS VEGAS NV 89123

Pursuant to NRS 53.045

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



EXECUTED this 19 day of Feb, 2109.

**ANDY PALATTO
R-092486**

Junes Legal Service, Inc. - 630 South 10th Street - Suite B - Las Vegas NV 89101 - 702.579.6300 - fax 702.259.6249 - Process License #1068

EP148402 ALECIA DRAPER

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Name: Elizabeth Brennan
Address: 7455 Arroyo Crossing Parkway
Suite 220 Las Vegas, NV 89113
Phone: 702 834-8888
Email: Elizabeth@BrennanLawFirm.com
Attorney for Alecia Ann Draper Individually
Nevada State Bar No. 7286

Albert B. Larson

 Division 5th
Family Judicial District Court
Clark County, Nevada

<p><u>Alecia Ann Draper, Individually and Emily Reed</u> Plaintiff,</p> <p>vs. <u>Jeffrey Allen Reed</u> Defendant.</p>	<p>Case No. <u>05D338668</u></p> <p>Dept. <u>H</u></p>
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GENERAL FINANCIAL DISCLOSURE FORM — ALECIA PRAPER

1. What is your full name? (first, middle, last) Alecia Ann Draper
 2. How old are you? 46 3. What is your date of birth? 04/14/1972
 4. What is your highest level of education? High School

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)
July 2017	Moonwood Coffee Co.	Partner/owner	days may vary	shifts vary 40 hours

2. Are you disabled? (☒ check one)

☒ No

☐ Yes

If yes, what is your level of disability? _____

What agency certified you disabled? _____

What is the nature of your disability? _____

Prior Employer: Gelsons Market Date of Hire: 1/18/2016 Date of Termination: June 20, 2017
Reason for Leaving: Take care of my disabled daughter Emily Reed and manage her daily life routine and medical

Monthly Personal Income Schedule

A. Year-to-date Income.

As of the pay period ending 3/29/2019 my gross year to date pay is \$1,500.00.

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

\$18,000.00	+	12	=	\$1,500.00
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:			
Social Security Income (SSI):			
Social Security Disability (SSD):			
Spousal Support			
Child Support	Monthly	\$800.00	\$800.00
Workman's Compensation			
Other:			
Total Average Other Income Received			\$800.00
Total Average Gross Monthly Income (add totals from B and C above)			\$2,300.00

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	46.50
4.	Health Insurance Amount for you: _____ For Opposing Party: _____ For your Child(ren): _____	0.00
5.	Life, Disability, or Other Insurance Premiums	7.50
6.	Medicare	10.87
7.	Retirement, Pension, IRA, or 401(k)	
8.	Savings	
9.	Social Security	
10.	Union Dues	
11.	Other: (Type of Deduction)	
Total Monthly Deductions (Lines 1-11)		64.87

Business/Self-Employment Income & Expense Schedule**A. Business Income:**

What is your average gross (pre-tax) monthly income/revenue from self-employment or businesses?
 \$ See attached Profit and Loss/2018 TAX

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		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Auto Insurance				
Car Loan/Lease Payment	268.97			
Cell Phone	70.00			
Child Support (not deducted from pay)				
Clothing, Shoes, Etc...	50.00			
Credit Card Payments (minimum due)	120.00			
Dry Cleaning				
Electric				
Food (groceries & restaurants)	100.00			
Fuel	200.00			
Gas (for home)	125.00			
Health Insurance (not deducted from pay)				
HOA				
Home Insurance (if not included in mortgage)				
Home Phone				
Internet/Cable				
Lawn Care				
Membership Fees	40.00			
Mortgage/Rent/Lease				
Pest Control				
Pets				
Pool Service				
Property Taxes (if not included in mortgage)				
Security				
Sewer				
Student Loans				
Unreimbursed Medical Expense				
Water				
Other:				
Total Monthly Expenses	973.97			

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	Emily Reed	11/16/96	Mother	Yes	Disabled
2 nd	Anthony Reed	05/26/99	Mother	Yes	No
3 rd	Adam Reed	01/23/01	Mother	Yes	No
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		70.00		
Child Care				
Clothing		30.00		
Education				
Entertainment		100.00		
Extracurricular & Sports		50.00		
Health Insurance (if not deducted from pay)		174.00	174.00	
Summer Camp/Programs				
Transportation Costs for Visitation				
Unreimbursed Medical Expenses				
Vehicle		200.00	350.00	
Other: See Expense sheet				
Total Monthly Expenses	0.00	624.00	524.00	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
Geoffrey Draper	57	Husband	\$ 5,000.00
Emily Reed	22	Daughter	\$ 678.24
Adam Reed	18	Son	\$ 0.00
Anthony Reed	19	Son	\$ 0.00

(5)

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.	Car Loan-2014 Ford CMax	\$ 11,247.86	- \$ 11,247.86	= \$ 0.00	Myself
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	
15.		\$	- \$	= \$ 0.00	
Total Value of Assets (add lines 1-15)		\$ 11,247.86	- \$ 11,247.86	= \$ 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.	Capital One	\$ 619.93	Alecia Draper -Myself
2.	Wells Fargo Visa	\$ 279.99	Alecia Draper -Myself
3.	Credit Union Personal loan	\$ 4,857.64	Alecia Draper -Myself
4.		\$	
5.		\$	
6.		\$	
Total Unsecured Debt (add lines 1-6)		\$ 5,757.56	

CERTIFICATION

Attorney Information: Complete the following sentences:

1. I (have/have not) Have retained an attorney for this case.
2. As of the date of today, the attorney has been paid a total of \$ 14,000. on my behalf.
3. I have a credit with my attorney in the amount of \$ _____.
4. I currently owe my attorney a total of \$ 6,000.00.
5. I owe my prior attorney a total of \$ _____.

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

AD-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.

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

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

Alicia Dempsey
Signature

04/08/19
Date

Moonwood Coffee Co.

PROFIT AND LOSS

January - December 2019

	TOTAL
Income	
Discounts given	-4,205.94
Sales	
Bakery Sales	1,760.32
Catering & Event Income	36,547.02
Coffee Bar Sales	23,336.38
Packaged Coffee Beans	442.00
Total Sales	62,085.72
Services	9,459.75
Total Income	\$67,339.53
Cost of Goods Sold	
Bakery Supplies and Materials	596.35
Bakery Ingredients	2,331.01
Bakery Packaging	1,040.79
Catering & Party Supplies	541.83
Total Bakery Supplies and Materials	4,509.98
Coffee Supplies and Materials	5.50
Beverage Ingredients	3,498.76
Beverage Packaging	6,130.09
Coffee Bean Shipping	37.97
Total Coffee Supplies and Materials	9,672.32
Packaged Coffee Supplies and Materials	488.65
Coffee Beans	1,293.79
Total Packaged Coffee Supplies and Materials	1,782.44
Total Cost of Goods Sold	\$15,984.74
GROSS PROFIT	\$51,374.79
Expenses	
Advertising & Marketing	2,325.42
Ask My Accountant	511.50
Bank Charges & Fees	45.45
Car & Truck	
Gasoline	1,401.02
Maintenance	55.02
Registration & Fees	58.00
Total Car & Truck	1,514.04
Contractors	5,182.82
Credit Card Processing Fees	291.00
Dues & Subscriptions	20.00
Insurance	1,137.92
Job Supplies	
Cleaning Supplies	33.21
Misc. Supplies	971.14

6

TOTAL	5,335.79
Smallwear	8,940.14
Total Job Supplies	8.60
Labels and printing	2,101.25
Legal & Professional Services	2,101.25
Accounting	2,101.25
Total Legal & Professional Services	2,101.25
Meals & Entertainment	216.28
Office Supplies & Software	433.84
Outside Services	599.00
Payroll	9,355.65
Rent & Lease	8,750.00
Repairs & Maintenance	1,890.69
Sales Tax	87.90
Taxes & Licenses	2,175.22
Trailer Expenses	146.27
Rent	2,550.00
Trailer Insurance	24.88
Total Trailer Expenses	2,721.15
Uniforms	28.50
Utilities	1,452.43
Electric	447.08
Gas	163.98
Internet	143.19
Trash	2,208.68
Total Utilities	\$47,949.05
Total Expenses	\$3,491.74
NET OPERATING INCOME	\$3,491.74
NET INCOME	\$3,491.74

Moonwood Coffee Co.

BALANCE SHEET

As of April 8, 2019

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
US Bank Moonwood Checking (0437)	13,559.32
Total Bank Accounts	\$13,559.32
Accounts Receivable	
Accounts Receivable (A/R)	15,438.88
Total Accounts Receivable	\$15,438.88
Other Current Assets	
Undeposited Funds	1,386.95
Total Other Current Assets	\$1,386.95
Total Current Assets	\$30,385.15
Fixed Assets	
Intangible Assets	
Consulting / Goodwill	11,000.00
Non-Compete Agreement	10,000.00
Trade Marks & Trade Names	4,000.00
Total Intangible Assets	25,000.00
Machinery & Equipment	
Original cost	21,237.80
Total Machinery & Equipment	28,137.80
Total Fixed Assets	\$51,137.80
TOTAL ASSETS	\$81,522.95
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
US Bank Business Credit Card (0108)	500.00
US Bank Credit Card (0090)	8,842.57
Total Credit Cards	\$9,342.57
Other Current Liabilities	
Sales Tax Payable	2,201.92
Total Other Current Liabilities	\$2,201.92
Total Current Liabilities	\$11,544.49
Long-Term Liabilities	
Automobile Loan	18,430.31
Shareholder Notes Payable	
Alecia Draper	-25,500.00
Bernadette Neace	55,000.00
Total Shareholder Notes Payable	29,500.00
Total Long-Term Liabilities	\$47,930.31

	TOTAL
Total Liabilities	\$59,474.80
Equity	
Opening Balance Equity	23,716.41
Retained Earnings	
Shareholder Distributions	
Alecia Draper	-5,100.00
Total Shareholder Distributions	-5,100.00
Net Income	3,431.74
Total Equity	\$22,048.15
TOTAL LIABILITIES AND EQUITY	\$81,522.95

MOONWOOD COFFEE COMPANY LLC
20762 CRESTVIEW LANE
HUNTINGTON BEACH, CA 92646
(714) 916-1524

March 11, 2019

ALECIA DRAPER

RE:
MOONWOOD COFFEE COMPANY LLC

2018 S Corporation Schedule K-1 (Form 1120S)

Dear ALECIA DRAPER:

Enclosed is your 2018 Schedule K-1 (Form 1120S) Shareholder's Share of Income, Deductions, Credits, Etc. from MOONWOOD COFFEE COMPANY LLC. This information reflects the amounts you need in order to complete your income tax return. The amounts shown are your distributive share of tax items from the S Corporation to be reported on your tax return and may not correspond to the actual distributions you have received during the year. This information is included in the S Corporation's 2018 federal income tax return that was filed with the Internal Revenue Service.

If you have any questions concerning this information, please contact us immediately.

Sincerely,

MOONWOOD COFFEE COMPANY LLC

Enclosure(s)

Schedule K-1
(Form 1120S)

Department of the Treasury
Internal Revenue Service

2018

☐ Final K-1

☐ Amended K-1

OMB No. 1545-0123

For calendar year 2018, or tax year
beginning / / ending / /

Shareholder's Share of Income, Deductions, Credits, etc. ▶ See page 2 of form and separate instructions.

Part I Information About the Corporation	
A Corporation's employer identification number	
B Corporation's name, address, city, state, and ZIP code MOONWOOD COFFEE COMPANY LLC	
C IRS Center where corporation filed return e-file	
Part II Information About the Shareholder	
D Shareholder's identifying number	
E Shareholder's name, address, city, state, and ZIP code ALEXIA DRAPER	
F Shareholder's percentage of stock ownership for tax year.....	51 %

FOR
IRS
USE
ONLY

Part III Shareholder's Share of Current Year Income, Deductions, Credits, and Other Items		
1	Ordinary business income (loss)	13 Credits
	2,573.	
2	Net rental real estate income (loss)	
3	Other net rental income (loss)	
4	Interest income	
5a	Ordinary dividends	
5b	Qualified dividends	14 Foreign transactions
6	Royalties	
7	Net short-term capital gain (loss)	
8a	Net long-term capital gain (loss)	
8b	Collectibles (28%) gain (loss)	
8c	Unrecaptured section 1250 gain	
9	Net section 1231 gain (loss)	
10	Other income (loss)	15 Alternative minimum tax (AMT) items
		A -1,503.
11	Section 179 deduction	16 Items affecting shareholder basis
		C 126.
12	Other deductions	D 1,194.
	51.	
		17 Other information
		V 2,573.
		X 5,893.

*See attached statement for additional information.

BAA For Paperwork Reduction Act Notice, see the Instructions for Form 1120S.

Schedule K-1 (Form 1120S) 2018

Shareholder 1

SPSA0412L 11/28/18

13

ROA0563

This list identifies the codes used on Schedule K-1 for all shareholders and provides summarized reporting information for shareholders who file Form 1040. For detailed reporting and filing information, see the separate Shareholder's Instructions for Schedule K-1 and the instructions for your income tax return.

1 Ordinary business income (loss). Determine whether the income (loss) is passive or nonpassive and enter on your return as follows:		Code	Report on
Passive loss	See the Shareholder's Instructions	O Backup withholding	See the Shareholder's Instructions
Passive income	Schedule E, line 28, column (h)	P Other credits	See the Shareholder's Instructions
Nonpassive loss	See the Shareholder's Instructions		
Nonpassive income	Schedule E, line 28, column (k)		
2 Net rental real estate income (loss)	See the Shareholder's Instructions	14 Foreign transactions	
3 Other net rental income (loss)		A Name of country or U.S. possession	Form 1116, Part I
Net income	Schedule E, line 28, column (h)	B Gross income from all sources	
Net loss	See the Shareholder's Instructions	C Gross income sourced at shareholder level	Form 1116, Part I
4 Interest income	Form 1040, line 2b	Foreign gross income sourced at corporate level	
5a Ordinary dividends	Form 1040, line 3b	D Section 951A category	Form 1116, Part I
5b Qualified dividends	Form 1040, line 3a	E Foreign branch category	
6 Royalties	Schedule E, line 4	F Passive category	Form 1116, Part I
7 Net short-term capital gain (loss)	Schedule D, line 5	G General category	
8a Net long-term capital gain (loss)	Schedule D, line 12	H Other	
8b Collectibles (28%) gain (loss)	28% Rate Gain Worksheet, line 4 (Schedule D instructions)	Deductions allocated and apportioned at shareholder level	
8c Unrecaptured section 1250 gain	See the Shareholder's Instructions	I Interest expense	Form 1116, Part I
9 Net section 1231 gain (loss)	See the Shareholder's Instructions	J Other	Form 1116, Part I
10 Other income (loss)		Deductions allocated and apportioned at corporate level to foreign source income	
Code		K Section 951A category	Form 1116, Part I
A Other portfolio income (loss)	See the Shareholder's Instructions	L Foreign branch category	
B Involuntary conversions	See the Shareholder's Instructions	M Passive category	Form 1116, Part I
C Sec. 1256 contracts and straddles	Form 5781, line 1	N General category	
D Mining exploration costs recapture	See Pub. 535	O Other	
E Section 951A income		Other information	
F Section 965(a) inclusion	See the Shareholder's Instructions	P Total foreign taxes paid	Form 1116, Part II
G Subpart F income other than sections 951A and 965 inclusion		Q Total foreign taxes accrued	Form 1116, Part II
H Other income (loss)	See the Shareholder's Instructions	R Reduction in taxes available for credit	Form 1116, line 12
11 Section 179 deduction		S Foreign trading gross receipts	Form 8873
12 Other deductions		T Extraterritorial income exclusion	Form 8873
A Cash contributions (60%)	See the Shareholder's Instructions	U Section 965 information	See the Shareholder's Instructions
B Cash contributions (30%)		V Other foreign transactions	See the Shareholder's Instructions
C Noncash contributions (50%)	See the Shareholder's Instructions	15 Alternative minimum tax (AMT) items	
D Noncash contributions (30%)		A Post-1986 depreciation adjustment	See the Shareholder's Instructions and the instructions for Form 6251
E Capital gain property to a 50% organization (30%)	See the Shareholder's Instructions	B Adjusted gain or loss	
F Capital gain property (20%)		C Depletion (other than oil & gas)	See the Shareholder's Instructions
G Contributions (100%)		D Oil, gas, & geothermal — gross income	
H Investment interest expense	Form 4952, line 1	E Oil, gas, & geothermal — deductions	Form 1040, line 2a
I Deductions — royalty income	Schedule E, line 19	F Other AMT items	
J Section 59(e)(2) expenditures	See the Shareholder's Instructions	16 Items affecting shareholder basis	
K Section 965(c) deduction	See the Shareholder's Instructions	A Tax-exempt interest income	See the Shareholder's Instructions
L Deductions — portfolio (other)	Schedule A, line 16	B Other tax-exempt income	
M Preproductive period expenses	See the Shareholder's Instructions	C Nondeductible expenses	See the Shareholder's Instructions
N Commercial revitalization deduction from rental real estate activities	See Form 8582 instructions	D Distributions	
O Reforestation expense deduction through R	Reserved for future use	E Repayment of loans from shareholders	
S Other deductions	See the Shareholder's Instructions	17 Other information	
13 Credits		A Investment income	Form 4952, line 4a
A Low-income housing credit (section 42(i)(5)) from pre-2008 buildings	See the Shareholder's Instructions	B Investment expenses	Form 4952, line 5
B Low-income housing credit (other) from pre-2008 buildings		C Qualified rehabilitation expenditures (other than rental real estate)	See the Shareholder's Instructions
C Low-income housing credit (section 42(i)(5)) from post-2007 buildings	See the Shareholder's Instructions	D Basis of energy property	See the Shareholder's Instructions
D Low-income housing credit (other) from post-2007 buildings		E Recapture of low-income housing credit (section 42(i)(5))	Form 8611, line 8
E Qualified rehabilitation expenditures (rental real estate)	See the Shareholder's Instructions	F Recapture of low-income housing credit (other)	Form 8611, line 8
F Other rental real estate credits		G Recapture of investment credit	See Form 4255
G Other rental credits	See the Shareholder's Instructions	H Recapture of other credits	See the Shareholder's Instructions
H Undistributed capital gains credit		I Look-back interest — completed long-term contracts	See Form 8597
I Biofuel producer credit	See the Shareholder's Instructions	J Look-back interest — income forecast method	See Form 8866
J Work opportunity credit		K Dispositions of property with section 179 deductions	
K Disabled access credit	See the Shareholder's Instructions	L Recapture of section 179 deduction through U	
L Empowerment zone employment credit		V Section 199A income	See the Shareholder's Instructions
M Credit for increasing research activities	See the Shareholder's Instructions	W Section 199A W-2 wages	
N Credit for employer social security and Medicare taxes		X Section 199A unadjusted basis	
		Y Section 199A REIT dividends	
		Z Section 199A PTP income	
		AA Excess taxable income	
		AB Excess business interest income	
		AC Other information	

Shareholder 1 : ALECIA DRAPER

SPSA0412L 11/28/18

14

ROA0564

TAXABLE YEAR
2018

Shareholder's Share of Income,
Deductions, Credits, etc.

CALIFORNIA SCHEDULE
K-1 (100S)

TYB 01-01-2018 TYE 12-31-2018

ALECIA

DRAPER

MOONWOOD COFFEE COMPANY LLC

- A Shareholder's percentage of stock ownership for the tax year..... %
- B Reportable transaction or tax shelter registration number(s):
- C Check here if this is:..... • (1) ☐ A final Schedule K-1 (2) ☐ An amended Schedule K-1
- D What type of entity is this shareholder?..... • (1) ☒ Individual (2) ☐ Estate/trust (3) ☐ Qualified exempt organization (4) ☐ Single member LLC
- E Is this shareholder a resident of California?..... • ☒ Yes ► ☐ No

Caution: Refer to the shareholder's instructions for Schedule K-1 (100S) before entering information from this schedule on your California tax return.

	(a) Pro-rata share items	(b) Amount from federal Schedule K-1 (Form 1120S)	(c) California adjustment	(d) Total amounts using California law. Combine col. (b) and col. (c) where applicable	(e) California source amounts and credits
BUSINESS INCOME	1 Ordinary business income (loss).....	2,573.	853.	3,426.	►
	2 Net rental real estate income (loss).....			•	►
	3 Other net rental income (loss).....			•	►
	4 Interest income.....			•	►
	5 Dividends. See instructions.....			•	►
	6 Royalties.....			•	►
	7 Net short-term capital gain (loss).....			•	►
	8 Net long-term capital gain (loss).....			•	►
	9 Net IRC Section 1231 gain (loss).....			•	►
OTHER INCOME	10 a Other portfolio income (loss), Attach schedule.....			•	►
	b Other income (loss).....			•	►

SHAREHOLDER 1

CASA0712L 12/21/18

15

Shareholder's name

Shareholder's identifying number

ALECIA DRAPER

Caution: Refer to the shareholder's instructions for Schedule K-1 (100S) before entering information from this schedule on your California tax return.

	(a) Pro-rata share items	(b) Amount from federal Schedule K-1 (Form 1120S)	(c) California adjustment	(d) Total amounts using California law. Combine col. (b) and col. (c) where applicable	(e) California source amounts and credits
D E D U C T I O N S	11 IRC Section 179 deduction. Attach schedules.				
	12a Charitable contributions. SEE ATT	51.		51.	
	b Investment interest expense.			•	▶
	c 1 IRC Section 59(e)(2) expenditures.				
	2 Type of expenditures				
	d Deductions -- portfolio.				
	e Other deductions.				
C R E D I T S	13a Low-income housing credit. See instructions. Attach schedule.			•	▶
	b Credits related to rental real estate activities other than on line 13(a). Attach schedule.			•	▶
	c Credits related to other rental activities. See instructions. Attach sch.			•	▶
	d Other credits. Attach schedule.			•	▶
	14 Total withholding (equals amount on Form 592-B if calendar year).			•	▶
A M T I T E M S	15a Depreciation adjustment on property placed in service after 12/31/86.			⊙ -1,673. ⊙	
	b Adjusted gain or loss.				
	c Depletion (other than oil and gas).				
	d Gross income from oil, gas, and geothermal properties.				
	e Deductions allocable to oil, gas, and geothermal properties.				
	f Other AMT items. Attach schedule.				
S H A R E H O L D E R S	16a Tax-exempt interest income.				
	b Other tax-exempt income.				
	c Nondeductible expenses. SEE ATT	126.	853.	979.	
	d Total property distributions (including cash) other than dividends distribution reported on line 17c.	1,194.		• 1,194.	▶
	e Repayment of loans from shareholders.			•	▶
O T H E R	17a Investment income. See instructions.				
	b Investment expenses. See instructions.				
	c Total taxable dividend distribution paid from accumulated earnings and profits. See instructions.			•	▶
	d Other information. See instructions.	SEE ATTACHED		SEE ATTACHED	
O T H E R	18a Type of income				
	b Name of state				
	c Total gross income from sources outside California. Attach schedule.				
	d Total applicable deductions and losses. Attach schedule.				
	e Total other state taxes. Check one: <input type="checkbox"/> Paid <input type="checkbox"/> Accrued.			•	▶

SHAREHOLDER 1 : ALECIA DRAPER

Side 2 Schedule K-1 (100S) 2018

CASA0712L 12/21/18

Shareholder's name

Shareholder's identifying number

ALECIA DRAPEROTHER
SHAREHOLDER
INFORMATION**Table 1** — Each shareholder's share of nonbusiness income from intangibles. See instructions.

Interest..... \$ _____ Royalties..... \$ _____ Dividends. \$ _____
 IRC Section 1231 Gains/Losses \$ _____ Capital Gains/Losses.. \$ _____ Other..... \$ _____

FOR USE BY SHAREHOLDERS ONLY. SEE INSTRUCTIONS.**Table 2** — Shareholder's pro-rata share of business income and factors. See instructions.**A** Shareholder's share of the S corporation's business income..... \$ _____**B** Shareholder's share of the nonbusiness income from real and tangible property sourced or allocable to California:

Capital Gains/Losses..... \$ _____ Rents/Royalties.... \$ _____
 IRC Section 1231 Gains/Losses..... \$ _____ Other..... \$ _____

C Shareholder's share of the S corporation's property, payroll, and sales:

Factors	Total within and outside California	Total within California
Property: Beginning	\$ _____	\$ _____
Ending	\$ _____	\$ _____
Annual Rent Expense	\$ _____	\$ _____
Payroll	\$ _____	\$ _____
Sales	\$ _____	\$ _____

SHAREHOLDER 1 : ALECIA DRAPER

**Line 12a, column (d)
Charitable Contributions**

Cash Contributions - 50% limitation.....
Total \$ 51.

**Line 16c, column (d)
Nondeductible Expenses**

Disallowed Meals and Entertainment..... \$ 126.
State and Local Taxes Based on Income or Profits..... 853.
Total \$ 979.

Supplemental Information

S Corporation's Aggregate Gross Receipts..... \$ 29,602.

Shareholder 1 : ALECIA DRAPER

SPSL1201L 05/26/18

(19)


VertiSource HR
Payroll # 20196 | Pay Date 03/01/2019 | Pay Period 02/11/2019 to 02/24/2019 – Sorted by Department by Employee Name
Payroll Register
MOONWOOD COFFEE COMPANY, LLC

Draper, Alecia A		Net Amt: 685.13		DD Amt: 685.13		Check Amt: 0.00		Check Dt: 03/01/2019	
Emp ID		Dept: (None)		EE Number:		Check No:		Period: 02/11/2019–02/24/2019	
Pay Type	Hours/Units	Rate	Pay	Taxes	Tax Amounts	Deductions	EE Ded Amts	ER Contribution	
SALARY	80.00	9.3750	750.00	FEDERAL INCOME TAX	0.00				
				FICA – MEDICARE	10.87				
				FICA – OASDI	46.50				
				CA INCOME TAX	0.00				
				CA DISABILITY	7.50				
Total Pay	80.00		750.00	Total Taxes	64.87	Total Deductions			

ROA0569

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Las Vegas, Nevada 89113
Phone: (702) 834-8888

Brennan Law Firm

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CERTIFICATE OF SERVICE

Pursuant to Nevada Rule of Civil of Procedure 5(b), I certify that on the 9th day of
April, 2019, I served the above and foregoing document entitled **General Financial Disclosure**
Form via the Court's e-file and e-serve system to:

Amanda Roberts
Attorneys for Defendant

/s/ Elizabeth Brennan
An Employee of Brennan Law Firm

Steven D. Grierson

FDF

Name: Elizabeth Brennan

Address: Brennan Law Firm, 7455 Arroyo

Crossing Parkway, Ste 220, Las Vegas NV 89113

Phone: 702-834-8888

Email: Elizabeth@Brennanlawfirm.com

Attorney for Alecia Ann Draper Individually AND AS CONSERVATOR FOR EMILY REED

Nevada State Bar No. 7286

Family Div ^{18th} Judicial District Court

Clark County, Nevada

<u>Alecia Ann Draper Individually</u> <u>And As conservator for Emily Reed</u> Plaintiff,	Case No. <u>05D338668</u>
vs. <u>Jeffrey Allen Reed</u> Defendant.	Dept. <u>H</u>

GENERAL FINANCIAL DISCLOSURE FORM — EMILY REED

A. Personal Information:

1. What is your full name? (first, middle, last) Emily Christine Reed
2. How old are you? 22
3. What is your date of birth? 11/16/1996
4. What is your highest level of education? 12

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? Moderate to Severe

What agency certified you disabled? SSI, Dept of Rehab, CALIFORNIA

What is the nature of your disability? DID, PTSD, Severe Anx+other

DID = Disassociate Identity Disorder Mental Disorder

- 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: _____

Rev. 8-1-2014

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	Amount	12 Month Average
Annuity or Trust Income			
Bonuses			
Car, Housing, or Other allowance:			
Commissions or Tips:			
Net Rental Income:			
Overtime Pay			
Pension/Retirement:			
Social Security Income (SSI):	Monthly	\$678.24	\$678.24
Social Security Disability (SSD):			
Spousal Support			
Child Support			
Workman's Compensation			
Other:			
Total Average Other Income Received			\$678.24
Total Average Gross Monthly Income (add totals from B and C above)			\$678.24

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	
4.	Health Insurance Amount for you: _____ For Opposing Party: _____ For your Child(ren): _____	0.00
5.	Life, Disability, or Other Insurance Premiums	
6.	Medicare	
7.	Retirement, Pension, IRA, or 401(k)	
8.	Savings	
9.	Social Security	
10.	Union Dues	
11.	Other: (Type of Deduction)	
Total Monthly Deductions (Lines 1-11)		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?
\$ 0.00

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 <input type="checkbox"/>	Other Party <input type="checkbox"/>	For Both <input type="checkbox"/>
Alimony/Spousal Support				
Auto Insurance				
Car Loan/Lease Payment				
Cell Phone				
Child Support (not deducted from pay)				
Clothing, Shoes, Etc...				
Credit Card Payments (minimum due)				
Dry Cleaning				
Electric				
Food (groceries & restaurants)				
Fuel				
Gas (for home)				
Health Insurance (not deducted from pay)				
HOA				
Home Insurance (if not included in mortgage)				
Home Phone				
Internet/Cable				
Lawn Care				
Membership Fees				
Mortgage/Rent/Lease				
Pest Control				
Pets				
Pool Service				
Property Taxes (if not included in mortgage)				
Security				
Sewer				
Student Loans				
Unreimbursed Medical Expense				
Water				
Other: SEE ATTACHED BUDGET FORM	2,773.75			
Total Monthly Expenses	2,773.75			

4

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, or mother pays for me

EXPENSE	MONTHLY AMOUNT	I PAY	MOM PAYS	
Therapy (Skype out of Georgia) Roger Boehm, PHD, CPSY	\$240		240	(4 sessions per month - \$60 per)
Group Therapy – Psychodrama Therapy with Elise	\$200		200	(4 classes per month - \$50 per)
Past Medical Bill (Balance is \$1,900)	25	25		
Insurance (Geoff Draper's Work)	376.75		376.75	
Depression Treatment through Insurance	\$200		200	(8 classes per month - \$25 per)
Dr. Love – Psychologist/medication	200		200	(1 time per month – 30 min. session)
Cell Phone	40	40		
Service Dog food/treats	77		77	
Service Dog grooming/baths	70		70	
Service Dog care (shots, flea medication & Go Team Therapy expense)	40		40	
PTSD training for service dog and Emily	200		200	
Gym membership (24 Hour Sport)	\$45		45	
Target (personal hygiene, hair care, razors, etc.)	40	40		
Cleaning supplies and laundry soap	20	20		
Food	200	100	100	
Clothing	50	50		
Transportation (Lyft-car insurance)	350		350	
Housing	400	400		
Total Monthly Expenses	2773.75	675	2099	

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	N/A				
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
Geoffrey Draper	61	Step-Father	\$ 5,000.00
Alecia Draper	46	Mother	\$ 1,500.00
Anthony Reed	19	Brother	\$ 0.00
Adam Reed	18	Brother	\$ 0.00

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 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.	N/A	\$	- \$	= \$ 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	
15.		\$	- \$	= \$ 0.00	
Total Value of Assets (add lines 1-15)		\$ 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.	Past Medical Bill	\$ 1,900.00	Emily Reed
2.		\$	
3.		\$	
4.		\$	
5.		\$	
6.		\$	
Total Unsecured Debt (add lines 1-6)		\$ 1,900.00	

CERTIFICATION

Attorney Information: Complete the following sentences:

1. I (have/have not) have thru Alecia Draper retained an attorney for this case.
2. As of the date of today, the attorney has been paid a total of \$ 0 on my behalf.
3. I have a credit with my attorney in the amount of \$ 0.00.
4. I currently owe my attorney a total of \$ 0.00.
5. I owe my prior attorney a total of \$ 0.00.

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

AD X (In care of Emily Reed) 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.

AD X (In care of Emily Reed) I have not attached a copy of my pay stubs to this form because I am currently unemployed.

Alecia Draper
Signature (In care of Emily Reed)

4/8/2019

Date

**EMILY REED'S MEDICAL AND COST OF LIVING EXPENSES FOR 2017
AND FROM JANUARY 2018 THRU DECEMBER 13, 2018**

	2018	2017
NOTE: SEE BACKUP DETAIL FOR SPECIFICS		
MEDICAL * DR. ROUANZOIN, EMDR SPECIALIST/THERAPIST - STOPPED SEEING DR. ROUANZOIN IN JANUARY 2018 DUE TO LACK OF FINANCES EVEN THOUGH HE WAS HELPING EMILY	\$1,250.00	\$9,500.00
MEDICAL * DR. FARRELL (PSYCHIATRIST WHO ADMINISTERS HER MEDS AND DOES THERAPY.	\$2,600.00	\$4,000.00
Roger Boehm, PHD, CPSY THERAPY	\$2,025.00	
OTHER MEDICAL	\$4,978.50	\$6,871.99
COST OF LIVING	\$13,289.43	\$11,101.69
THERAPY DOG EXP	\$1,349.72	\$2,278.42
CONSERVATORSHIP	\$16,644.15	\$0.00
TOTAL EXPENSES	\$42,136.80	\$33,752.10
TOTAL MONTHLY EXP	\$3,511.40	\$2,812.68
MONTHLY SSI	678	665
MONTHLY DIFFERENCE FROM SSI INCOME AND MONTHLY EXPENSES	\$2,833.40	\$2,147.68
MONIES ALECIA DRAPER AND JEFF REED EACH SHOULD PAY ON BEHALF OF EMILY REED'S MONTHLY EXPENSES	\$1,416.70	\$1,073.84

7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
Phone: (702) 834-8888

Brennan Law Firm

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CERTIFICATE OF SERVICE

Pursuant to Nevada Rule of Civil of Procedure 5(b), I certify that on the 9th day of
April, 2019, I served the above and foregoing document entitled **General Financial Disclosure**
Form via the Court's e-file and e-serve system to:

Amanda Roberts
Attorneys for Defendant

/s/ Elizabeth Brennan
An Employee of Brennan Law Firm

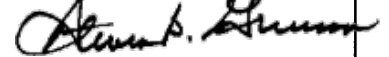
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Phone: (702) 834-8888

Brennan Law Firm

1 AMOT
ELIZABETH BRENNAN
2 Nevada Bar No. 7286
Brennan Law Firm
3 7455 Arroyo Crossing Parkway, Suite 220
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4 Phone: (702) 834-8888 Fax: (702) 507-1466
Elizabeth@BrennanLawFirm.com
5 Attorney for Plaintiff

Electronically Filed
4/10/2019 10:12 AM
Steven D. Grierson
CLERK OF THE COURT



6 DISTRICT COURT – FAMILY DIVISION
CLARK COUNTY, NEVADA

7 Alecia Ann Draper, Individually and
8 **as Conservator for Emily Reed**

9 Plaintiff

10 vs.

11 Jeffery Allen Reed,

12 Defendant

Case No.: 05D338668

Dept No.: H

Date of Hearing:

Time of Hearing:

ORAL ARGUMENT REQUESTED

13 **PLAINTIFF'S FIRST AMENDED MOTION (AS CONSERVATOR FOR EMILY REED)**
14 **FOR CHILD SUPPORT FOR A DISABLED CHILD BEYOND THE AGE OF MAJORITY**

15 NOW COMES, Plaintiff, Alecia Ann Draper, in her capacity **AS CONSERVATOR FOR**
16 **EMILY REED** ("Emily"), and hereby **AMENDS** the Motion for Child Support for A Disabled Child
17 Beyond the Age of Majority as follows:

18 Pursuant to this Court's May 22, 2018 Order (page 15, lines 19 – 20), Plaintiff amends her
19 prior Motion to clarify that she is seeking child support SOLELY from Emily Reed's ("Emily") father,
20 Jeffery Reed. Plaintiff withdraws any request for an order for support against Emily's mother.
21 Plaintiff does not feel that it is in Emily's. best interest to pursue a court order for child support against
22 Emily's mother, Alecia Draper, inasmuch as she has been voluntarily paying 100% support for Emily
23 and will continue to do so, if necessary, without a court order. Furthermore, Plaintiff believes this
24 change should resolve the "conflict of interest" alleged by Defendant, which Plaintiff does NOT
25 believe exists. Plaintiff believes it is in Emily's best interest to remain counsel in this case inasmuch
26

7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
Phone: (702) 834-8888

Brennan Law Firm

1 as Ms. Brennan is familiar with all facts, the procedural history of this case, and the extensive medical
2 records of Emily.

3 The above is the only change to Plaintiff's Motion.

4 Respectfully Submitted:

5 BRENNAN LAW FIRM

6 /s/ Elizabeth Brennan

7 ELIZABETH BRENNAN, ESQ.
8 Attorney for Plaintiff
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Brennan Law Firm

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CERTIFICATE OF SERVICE

Pursuant to Nevada Rule of Civil of Procedure 5(b), I certify that on the 10th day of
April 2018, I served the above and foregoing document entitled:

PLAINTIFF'S FIRST AMENDED MOTION (AS CONSERVATOR FOR EMILY REED)
FOR CHILD SUPPORT FOR A DISABLED CHILD BEYOND THE AGE OF MAJORITY

by the following method:

☒ Pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCP 5(b)(2)(D) and Administrative
Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service
in Eighth Judicial District Court," by mandatory electronic service through the Eighth
Judicial District Court's electronic filing system;

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

Amanda Roberts
Attorney for Defendant

/s/ Elizabeth Brennan
An Employee of Brennan Law Firm

7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
Phone: (702) 834-8888

Brennan Law Firm

MOFI
ELIZABETH BRENNAN
Nevada Bar No. 7286
Brennan Law Firm
7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
Phone: (702) 834-8888 Fax: (702) 507-1466
Elizabeth@BrennanLawFirm.com
Attorney for Plaintiff

DISTRICT COURT – FAMILY DIVISION
CLARK COUNTY, NEVADA

Alecia Ann Draper, individual and
As Conservator for Emily Reed

Plaintiff

vs.

Jeffery Allen Reed,

Defendant

Case No.: 05D338668

Dept No.: H

FAMILY COURT MOTION/OPPOSITION FEE INFORMATION SHEET (NRS 19.0312)

Party Filing Motion/Opposition: ☒ Plaintiff/Petitioner ☐ Defendant/Respondent

Plaintiff's First Amended Motion (As Conservator for Emily Reed) For Child Support For a Disabled Child Beyond the Age of Majority

Pursuant to NRS 125, 125B & 125C, Motions/ Oppositions to Motions filed after entry of final Decree or Judgment are subject to the Re-Open Filing Fee of \$25.00 unless specifically excluded.

Excluded Motions/Oppositions that are NOT subject to filing fee:

☐ Motions filed **before final Divorce/Custody Decree** is entered.

☒ Motions filed **solely to adjust child support amount**. No other request is made.

☐ Motion is **made for reconsideration** or a new trial and is filed within 10 days of the Judge's Order

This Motion/Opposition

Is NOT subject to \$25.00 filing fee.

BRENNAN LAW FIRM

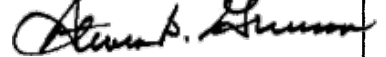
/s/ Elizabeth Brennan

7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
Phone: (702) 834-8888

Brennan Law Firm

1 ORDR
2 ELIZABETH BRENNAN
3 Nevada Bar No. 7286
4 Brennan Law Firm
5 7455 Arroyo Crossing Parkway, Suite 220
6 Las Vegas, Nevada 89113
7 Phone: (702) 834-8888 Fax: (702) 507-1466
8 Elizabeth@BrennanLawFirm.com
9 Attorney for Plaintiff, Alecia Draper
10 Solely as Conservator for Emily Reed
11

Electronically Filed
4/30/2019 6:29 PM
Steven D. Grierson
CLERK OF THE COURT



DISTRICT COURT – FAMILY DIVISION
CLARK COUNTY, NEVADA

Alecia Ann Draper,

Plaintiff

vs.

Jeffery Allen Reed,

Defendant

Case No.: 05D338668

Dept No.: H

ORDER

THIS MATTER having come on for hearing on April 9, 2019 on Plaintiff's *First Amended Motion (As Conservator for Emily Reed) For Child Support For A Disabled Child Beyond The Age of Majority ("Motion")*. Plaintiff, Alecia Draper, appeared individually and as Conservator for Emily Reed, by telecommunications equipment. Plaintiffs' counsel Elizabeth Brennan, Esq. of Brennan Law Firm appeared in person in Court. Defendant, Jeffery Reed, was also present and represented by counsel, Amanda Roberts.

The Court having reviewed the papers and pleadings on file herein, having heard arguments of counsel, and having been fully apprised of the facts and matters herein, the Court makes the following findings and orders:

- 1) The *Decision and Order* entered by Judge Ochoa filed in the captioned matter on May 22, 2018 granted Emily Reed the right to seek support from either or both of her parents based

1 on her ability, or inability, to support herself pursuant to NRS 125B.110. See *Decision and*
2 *Order*, page 15, lines 19 – 21.

3 2) In the *Decision and Order*, Judge Ochoa held that Emily Reed has a statutory cause of
4 action against her parents and must be joined as a party or as a party through her guardian
5 or guardian ad litem for this case to proceed. See *Decision and Order*, page 23, lines 22 –
6 24.

7 3) In the *Decision and Order*, Judge Ochoa further stated that Emily Reed could file a separate
8 action or “the parties may join the guardian for Emily as a party [to this action] without
9 requiring a separate action by Emily. To hold otherwise would cause a court with general
10 jurisdiction authority to consider multiple cases where one would suffice. In the interest
11 of judicial economy, Emily should be joined as a party.” See *Decision and Order*, page
12 14, line 18 - 22.

13 4) On January 22, 2019, a *Notice of Joinder* and *Motion* were filed in the captioned matter
14 by Emily Reed, through her Conservator Alecia Draper. The Court hereby finds that these
15 filings constitute Emily Reed’s request for permissive joinder into this Case, which is
16 hereby granted.

17 5) The Court finds adequate cause for the parties to develop their claims and defenses to
18 Emily Reed’s request for child support pursuant to NRS 125B.110 so discovery is open.

19 IT IS HEREBY ORDERED, ADJUGED AND DECREED that EMILY REED, through her
20 Conservator Alecia Draper, is hereby JOINED as a party to this action

21 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that DISCOVERY
22 IS OPEN.

23 ...

24 ...

25 ...

26

7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
Phone: (702) 834-8888

Brennan Law Firm

1 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that a Case
2 Management Conference is set for **July 24, 2019 at 9:00 a.m.** On this date and time, the Court will
3 set an Evidentiary Hearing for any unresolved issues.

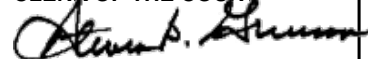
4 DATED this 22 day of April 2019.

5
6 
7 DISTRICT JUDGE
8 T ART RITCHIE, JR. 

9
10
11 Respectfully Submitted:

12 BRENNAN LAW FIRM

13 
14 ELIZABETH BRENNAN, ESQ.



1 **NEO**
2 Elizabeth Brennan
3 Nevada Bar No. 7286
4 **BRENNAN LAW FIRM**
5 1980 Festival Plaza Drive, Suite 300
6 Las Vegas, NV 89135
7 Telephone: (702) 834-8888
8 Facsimile: (702) 507-1466
9 elizabeth@brennanlawfirm.com

10 *Attorney for Plaintiff Emily Reed,*
11 *through her Conservator Alecia Draper*

12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 Alecia Ann Draper,

15 Plaintiff,

16 v.

17 Jeffery Allen Reed,

18 Defendant.

Case No.: 05D338668

Dept. No.: H

19 **NOTICE OF ENTRY OF ORDER**

20 PLEASE TAKE NOTICE that the *Order from the April 9, 2019 Hearing* in the referenced
21 case was duly entered on April 30, 2019, by filing with the Clerk, and the attached is a true and
22 correct copy thereof.

23 BRENNAN LAW FIRM

24 By: /s/ Elizabeth Brennan
25 ELIZABETH BRENNAN

26 *Attorney for Plaintiff Emily Reed,*
27 *through her Conservator Alecia Draper*

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CERTIFICATE OF SERVICE

I certify that I am an employee of Brennan Law Firm and that on this April 30, 2019, service of the foregoing **NOTICE OF ENTRY OF ORDER** was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

Amanda M. Roberts, Esq.
Attorney for Jeffery Allen Reed

Benjamin La Luzerne, Esq.
Attorney for Alecia Reed, Individually

/s/ Elizabeth Brennan
An Employee of BRENNAN LAW FIRM

7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
Phone: (702) 834-8888

Brennan Law Firm

1 ORDR
2 ELIZABETH BRENNAN
3 Nevada Bar No. 7286
4 Brennan Law Firm
5 7455 Arroyo Crossing Parkway, Suite 220
6 Las Vegas, Nevada 89113
7 Phone: (702) 834-8888 Fax: (702) 507-1466
8 Elizabeth@BrennanLawFirm.com
9 Attorney for Plaintiff, Alecia Draper
10 Solely as Conservator for Emily Reed
11

Electronically Filed
4/30/2019 6:29 PM
Steven D. Grierson
CLERK OF THE COURT



DISTRICT COURT – FAMILY DIVISION
CLARK COUNTY, NEVADA

8 Alecia Ann Draper,

9 Plaintiff

10 vs.

11 Jeffery Allen Reed,

12 Defendant

Case No.: 05D338668

Dept No.: H

13 **ORDER**

14 THIS MATTER having come on for hearing on April 9, 2019 on Plaintiff's *First Amended*
15 *Motion (As Conservator for Emily Reed) For Child Support For A Disabled Child Beyond The Age of*
16 *Majority ("Motion")*. Plaintiff, Alecia Draper, appeared individually and as Conservator for Emily
17 Reed, by telecommunications equipment. Plaintiffs' counsel Elizabeth Brennan, Esq. of Brennan Law
18 Firm appeared in person in Court. Defendant, Jeffery Reed, was also present and represented by
19 counsel, Amanda Roberts.

20 The Court having reviewed the papers and pleadings on file herein, having heard arguments of
21 counsel, and having been fully apprised of the facts and matters herein, the Court makes the following
22 findings and orders:

23 1) The *Decision and Order* entered by Judge Ochoa filed in the captioned matter on May 22,
24 2018 granted Emily Reed the right to seek support from either or both of her parents based
25
26

1 on her ability, or inability, to support herself pursuant to NRS 125B.110. See *Decision and*
2 *Order*, page 15, lines 19 – 21.

3 2) In the *Decision and Order*, Judge Ochoa held that Emily Reed has a statutory cause of
4 action against her parents and must be joined as a party or as a party through her guardian
5 or guardian ad litem for this case to proceed. See *Decision and Order*, page 23, lines 22 –
6 24.

7 3) In the *Decision and Order*, Judge Ochoa further stated that Emily Reed could file a separate
8 action or “the parties may join the guardian for Emily as a party [to this action] without
9 requiring a separate action by Emily. To hold otherwise would cause a court with general
10 jurisdiction authority to consider multiple cases where one would suffice. In the interest
11 of judicial economy, Emily should be joined as a party.” See *Decision and Order*, page
12 14, line 18 - 22.

13 4) On January 22, 2019, a *Notice of Joinder* and *Motion* were filed in the captioned matter
14 by Emily Reed, through her Conservator Alecia Draper. The Court hereby finds that these
15 filings constitute Emily Reed’s request for permissive joinder into this Case, which is
16 hereby granted.

17 5) The Court finds adequate cause for the parties to develop their claims and defenses to
18 Emily Reed’s request for child support pursuant to NRS 125B.110 so discovery is open.

19 IT IS HEREBY ORDERED, ADJUGED AND DECREED that EMILY REED, through her
20 Conservator Alecia Draper, is hereby JOINED as a party to this action

21 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that DISCOVERY
22 IS OPEN.

23 ...

24 ...

25 ...

26

7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
Phone: (702) 834-8888

Brennan Law Firm

1 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that a Case
2 Management Conference is set for **July 24, 2019 at 9:00 a.m.** On this date and time, the Court will
3 set an Evidentiary Hearing for any unresolved issues.

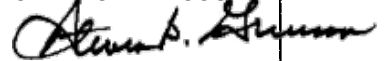
4 DATED this 22 day of April 2019.

5
6 
7 DISTRICT JUDGE
8 T. ART RITCHIE, JR. 

9
10
11 Respectfully Submitted:

12 BRENNAN LAW FIRM

13 
14 ELIZABETH BRENNAN, ESQ.



1 **SAO**
2 Amanda M. Roberts, Esq.
3 State Bar of Nevada No. 9294
4 **ROBERTS STOFFEL FAMILY LAW GROUP**
5 4411 S. Pecos Road
6 Las Vegas, Nevada 89121
7 PH: (702) 474-7007
8 FAX: (702) 474-7477
9 EMAIL: efile@lvfamilylaw.com
10 Attorneys for Defendant, Jeffrey Reed

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 ALECIA ANN DRAPER,) Case No: 05D338668
14) Dept No: H
15 Plaintiff,)

16 v.)

17 JEFFREY ALLEN REED,)
18)
19 Defendant.)

20 **STIPULATION AND ORDER**

21 v.)

22 ALECIA ANN DRAPER as)
23 Conservator of Emily Reed,)
24)
25 Intervenor.)

26 COMES NOW the Plaintiff, Alecia Draper, individually, by and through her
27 attorney of record, Benjamin La Luzerne, Esq., of La Luzerne Law; Elizabeth
28 Brennan, Esq., as attorney of record for Alecia Draper, as Conservator for Emily

1 Reed; and Defendant, Jeffrey Reed, by and through his attorney of record, Amanda
2 M. Roberts, Esq., of Roberts Stoffel Family Law Group, and hereby agree to the
3 following terms and conditions:
4

5 THE PARTIES HEREBY STIPULATE AND AGREE that Defendant,
6 Jeffrey Reed, hereby withdraws his Motion to Disqualify Counsel for Defendant
7 filed April 9, 2019. ~~The hearing shall remain on calendar because it also set for a~~
8 ~~Case Management Conference.~~
9

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*The hearing 5/14/2019
is off calendar*

(JR)

1 NOW THEREFORE,

2 IT IS HEREBY ORDERED that all stipulated agreements outlined herein,
3
4 shall be adopted as an Order of this Court, without restatement herein.

5 IT IS SO ORDERED this 2 day of May, 2019.

6
7 
8 District Court Judge
T ART RITCHIE, JR. (LCP)

9 Submitted this 30 day of
10 April, 2019.

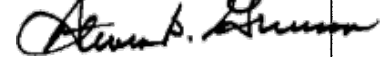
Approved as to content and form this
29 day of April, 2019.

11 **ROBERTS STOFFEL FAMILY**
12 **LAW GROUP**

BRENNAN LAW FIRM

13 By: Amanda M. Roberts
14 Amanda M. Roberts, Esq.
15 State of Nevada Bar No. 9294
16 4411 South Pecos Road
17 Las Vegas, Nevada 89121
18 PH: (702) 474-7007
19 FAX: (702) 474-7477
20 EMAIL: efile@lvfamilylaw.com
21 Attorney for Defendant
22 as Conservator for Emily Reed

By: Elizabeth Brennan
Elizabeth Brennan, Esq.
State Bar of Nevada No. 7286
7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
PH: (702) 834-8888
FAX: (702) 507-1466
Email: elizabeth@brennanlawfirm.com
Attorney for Plaintiff, Alecia Draper,



1 **NTSO**

2 Amanda M. Roberts, Esq.

3 State Bar of Nevada No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road

6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Defendant, Jeffrey Reed

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 ALECIA ANN DRAPER,

14 Plaintiff,

15 v.

16 JEFFREY ALLEN REED,

17 Defendant.

) Case No: 05D338668

) Dept No: H

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18 v.

19 ALECIA ANN DRAPER as
20 Conservator of Emily Reed,

21 Intervenor.

22 ///

23 ///

24 ///

1 PLEASE TAKE NOTICE a Stipulation and Order, was duly entered on the
2 2nd day of May, 2019, a copy of which is attached hereto and fully incorporated
3 herein.
4

5 DATED this 3rd day of May, 2019.

6 **ROBERTS STOFFEL FAMILY LAW GROUP**

7 By: Amanda M. Roberts
8 Amanda M. Roberts, Esq.
9 State of Nevada Bar No. 9294
10 4411 S. Pecos Road
11 Las Vegas, Nevada 89121
12 Attorneys for Defendant, Jeffrey Allen Reed
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group, and on the 3rd day of May, 2019, I served by and through Wiz-Net electronic service, pursuant Clark County District Court Administrative Order 14-2 for service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing Notice of Entry of Stipulation and Order (with Stipulation and Order attached thereto), as follows:

Elizabeth Brennan Esq.
Elizabeth@brennanlawfirm.com
Attorney for Plaintiff, Alecia Draper,
In her Capacity as Conservator for Emily Reed

I further certify that on the above identified date, as service by electronic means is not capable to the following, as they have not been added to the E-Service Master List on Wiz-net pursuant to Administrative Order 14-2, I served by placing a true and correct copy of the above identified document, in the United States Mail at Las Vegas, Nevada, with postage prepaid, and addressed as follows:

Benjamin La Luzerne, Esq
2449 N. Tenaya Way, #36306
Las Vegas, Nevada 89128
Attorney for Plaintiff, Alecia Ann Draper, Individually

By: Shayna Hall
Employee of Roberts Stoffel Family Law Group

1 Reed; and Defendant, Jeffrey Reed, by and through his attorney of record, Amanda
2 M. Roberts, Esq., of Roberts Stoffel Family Law Group, and hereby agree to the
3 following terms and conditions:
4

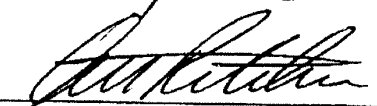
5 THE PARTIES HEREBY STIPULATE AND AGREE that Defendant,
6 Jeffrey Reed, hereby withdraws his Motion to Disqualify Counsel for Defendant
7 filed April 9, 2019. ~~The hearing shall remain on calendar because it also set for a~~
8 ~~Case Management Conference.~~
9

10
11 The hearing 5/14/2019
12 is off calendar
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1 NOW THEREFORE,

2 IT IS HEREBY ORDERED that all stipulated agreements outlined herein,
3
4 shall be adopted as an Order of this Court, without restatement herein.

5 IT IS SO ORDERED this 2 day of May, 2019.

6
7
8 
District Court Judge
T. ART RITCHIE, JR. (LCP)

9 Submitted this 30 day of
10 April, 2019.

Approved as to content and form this
11 29 day of April, 2019.

12 **ROBERTS STOFFEL FAMILY**
13 **LAW GROUP**

BRENNAN LAW FIRM

14 By: Amanda M. Roberts
Amanda M. Roberts, Esq.
15 State of Nevada Bar No. 9294
4411 South Pecos Road
Las Vegas, Nevada 89121
16 PH: (702) 474-7007
FAX: (702) 474-7477
17 EMAIL: efile@lvfamilylaw.com
18 Attorney for Defendant
19 as Conservator for Emily Reed

By: Elizabeth Brennan
Elizabeth Brennan, Esq.
20 State Bar of Nevada No. 7286
7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
21 PH: (702) 834-8888
FAX: (702) 507-1466
22 Email: elizabeth@brennanlawfirm.com
23 Attorney for Plaintiff, Alecia Draper,
24
25
26
27
28

1 **TRANS**

FILED

DEC 02 2021

William A. Hoffman
CLERK OF COURT

2
3 **ORIGINAL**

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

9 ALECIA A. REED,)
10 Plaintiff,) CASE NO. 05D338668
11 vs.) DEPT. H
12 JEFFREY A. REED,) APPEAL NO. 82575
13 Defendant.) **(SEALED)**
14

15 BEFORE THE HONORABLE ARTHUR T. RITCHIE, JR.
16 DISTRICT COURT JUDGE

17 TRANSCRIPT RE: CASE MANAGEMENT CONFERENCE

18 WEDNESDAY, JULY 24, 2019

19 **APPEARANCES:**

20 The Plaintiff: ALECIA A. REED
21 For the Plaintiff: ELIZABETH BRENNAN, ESQ.
1980 Festival Plaza Drive
Suite #300
Las Vegas, Nevada 89135
(702) 834-8888

22 The Defendant: JEFFREY A. REED
23 For the Defendant: AMANDA ROBERTS, ESQ.
4411 S. Pecos Rd.
Las Vegas, Nevada 89121
24 (702) 474-7007

1 LAS VEGAS, NEVADA

WEDNESDAY, JULY 24, 2019

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

3 (THE PROCEEDINGS BEGAN AT 9:33:56)

4

5 THE COURT: On page 1 of the 9:00 calendar, we have
6 05D338668, these post-judgment proceedings. Please confirm
7 appearance for the video record.

8 MS. BRENNAN: Elizabeth Brennan, Your Honor, bar
9 number 7286, attorney for Emily Reed.

10 THE COURT: Okay. Counsel?

11 MS. ROBERT: Amanda Roberts, bar number 9294 on
12 behalf of the Defendant, Jeffrey Reed, who's present in the
13 courtroom, Your Honor.

14 THE COURT: Okay. You got to help me --

15 MR. LALUZERNE: And also Ben LaLuzerne, present for
16 Ms. Alecia Draper in her individual capacity.

17 THE COURT: Well, this is a -- this a 2005 divorce
18 case. The only parties to this case right now are the
19 parties. There's nothing on file since May. What's going on?

20 MS. BRENNAN: Right. We -- we -- we have -- we're
21 in ongoing discovery. We are going to need the Court set an
22 evidentiary hearing.

23 THE COURT: No, you're not. What you need to do is
24 what I told you to do on April 10th, which is to join a

1 necessary party. I said that your motion to join was granted.
2 Nothing has been filed --
3 MS. BRENNAN: Yes, it has.
4 THE COURT: -- in this case. No -- when? When had
5 -- when was it filed? Where is the pleading from the adult
6 child?
7 MS. BRENNAN: There's been -- well, hold on, Your
8 Honor.
9 THE COURT: I looked at the hearing again. It was a
10 horrible hearing where we're having this dialog about
11 semantics dealing with this other thing. I have --
12 MS. BRENNAN: We --
13 THE COURT: -- a -- the last thing on file is a
14 stipulation in order from May 2nd, 2009. We have the order
15 from the hearing --
16 MS. BRENNAN: Right. That's the order.
17 THE COURT: -- April 30th. Where is the -- where is
18 the -- the document?
19 MS. ROBERT: Your Honor --
20 MS. BRENNAN: The order --
21 MS. ROBERT: -- may I --
22 MS. BRENNAN: The order --
23 THE COURT: Yeah. Ms. Roberts, what am I -- what am
24 I missing here?

1 MS. ROBERT: I -- I think there's a disconnect about
2 what happens when you join, Your Honor. That was what we had
3 so much discussion on, on April 10th. I -- I think there's
4 some confusion that they don't understand that they have to
5 actually file a pleading, not a motion.

6 THE COURT: All you got to do is pull out the Nevada
7 Rules of Civil Procedure and read it. Okay?

8 MS. ROBERT: I understand that, Your Honor.

9 THE COURT: All right. Look -- in California, which
10 is the authority that the previous judge cited, one of the
11 predominant ways to deal with this issue is the child's suing
12 both parents.

13 MS. BRENNAN: Yes, Your Honor.

14 THE COURT: That's the vehicle. For whatever
15 reason, that's not what was requested in this case. We had a
16 long discussion about whether it mattered, whether they could
17 do this. But this is fundamentally an action by an adult
18 child who is seeking support from parents, which requires that
19 adult child to be a party to the case and the request was to
20 join as a party to the case.

21 MS. BRENNAN: Right. Judge, if I --

22 THE COURT: The Defendants are the opposite parties
23 to that request are Mom and Dad. There was -- I -- I granted
24 a request to join.

1 MS. BRENNAN: Right. Judge, it --

2 THE COURT: And -- and -- and so the -- the -- the
3 claim has to be stated just like a complaint would in a
4 separate action. It has to be laid out. And I assumed that
5 you represent the adult child, correct, Emily?

6 MS. BRENNAN: Yes.

7 THE COURT: All right. So on behalf of Emily, you
8 need to sue the parties.

9 MS. BRENNAN: Okay. Judge, Can I -- if you would
10 bear with me for a minute, I can maybe get everybody on the
11 same page because I think there's some confusion here, with
12 all due respect. The order that you signed on April 30th,
13 2019 --

14 THE COURT: Got it.

15 MS. BRENNAN: -- is the order from the last hearing,
16 and it is the order wherein you, in fact, joined Emily as a
17 party because I did this order specifically in accordance with
18 your -- that you did, in fact, sign. So if you look at page 2
19 of that order, it says --

20 THE COURT: I'm reading it. It's right in front of
21 me. In fact, it's even -- on page 4, it's in bold that, today
22 is the day that we start with the case management. What
23 should've happened between the time of the entry of this order
24 and the time of this hearing is some sort of pleading after

1 she's been granted as a party to this case, walking through
2 the elements, the jurisdictional elements, the statutory
3 elements, and actually suing Ms. Draper and Mr. Reed, then
4 they answer, okay?

5 The joinder of a party -- and -- and you know, you
6 could talk about the -- the appropriateness of injecting this
7 dispute into a 14-year-old divorce case. But now that we're
8 here and now that you've chosen to go that way, you need to
9 file. The request to join allows you to file claims. The
10 Court has said you may file the claims. What hasn't happened
11 is the claims haven't been filed yet.

12 Okay? You -- they -- the -- the reason why that
13 process is important is because both parents, Ms. Draper and
14 Mr. Reed, get an opportunity to file a pleading. They get to
15 file an objection. They get to object to jurisdiction, to the
16 merits of the case. And so when the Court makes a decision,
17 the party who is adverse has something to reference. Okay?

18 MS. BRENNAN: So --

19 THE COURT: That's why when it's a separate lawsuit,
20 they get a chance to be served. They get a chance to answer.
21 And then there's a judgment. In this case, you made a request
22 to join. We had a long discussion and wrangled about whether
23 that was going to be allowed or not, and the Court was
24 persuaded to allow the joinder. After the joinder, you have

1 to file.

2 MS. BRENNAN: With all due respect, Judge, if that
3 is not my understanding of your ruling. I know that initially
4 when we were here last, that was your initial thinking. But I
5 had convinced you at that last hearing otherwise because most
6 certainly I would've done differently if I had thought you had
7 ruled that way.

8 The order that I submitted to you that you, in fact,
9 signed that's in this record says that Emily is joined on page
10 2, and it specifically says that on January 22nd, 2019, a
11 notice of joinder and a motion were filed in the caption
12 matter by Emily Reed through her conservator, Alecia Draper.

13 The Court hereby finds that these filings constitute
14 Emily Reed's request for permissive joinder into this case,
15 which is hereby granted, and the Court finds that of good
16 cause for the parties to develop their claims and defenses to
17 Emily Reed's request for child support pursuant to NRS
18 125B.110, so discovery is open. So it --

19 THE COURT: What have you -- would have -- what have
20 you done?

21 MS. BRENNAN: So --

22 THE COURT: What's that?

23 MS. BRENNAN: -- we have -- she has propounded
24 discovery. We are --

1 THE COURT: Wait, wait. Don't -- don't go through
2 that. What -- what type of discovery has she done?

3 MS. BRENNAN: We have two sets of interrogatories,
4 two --

5 THE COURT: When were they served?

6 MS. BRENNAN: They were served -- I don't know, but
7 we're getting the responses to them on Monday.

8 THE COURT: Okay.

9 MS. BRENNAN: We have agreement on that. Ms.
10 Roberts and I have agreement that she will have our responses
11 to the two sets of interrogatories and the two requests for
12 production on Monday. Ms. Roberts are also in agreement that
13 we are going to conduct some depositions in the case, which
14 she doesn't want to be set too close to Monday because that's
15 when she's getting the additional documents. So we're --
16 we're working together to set some deposition --

17 THE COURT: So in August?

18 MS. BRENNAN: -- dates. We'll set depositions in
19 August, yes, to the extent that --

20 THE COURT: Okay.

21 MS. BRENNAN: -- these people are available and it's
22 both of our understanding that the motion that I filed was, in
23 fact, accepted by you because you wouldn't open discovery --

24 THE COURT: Okay. Let me --

1 MS. BRENNAN: -- otherwise.

2 THE COURT: Let me ask -- let me ask some
3 fundamental questions here. Ms. Roberts, you inherited a
4 document called opposition -- no, wait a minute. That's under
5 the -- what -- where is the filing --

6 MS. BRENNAN: January 22nd.

7 THE COURT: Not -- not -- I'm not talking to you
8 right now. Okay? I'm not asking about your filing. There
9 was a filing -- let's see. January 22nd, 2019 was the
10 substantive request, the motion that you are saying
11 articulates the claims against the parties.

12 MS. BRENNAN: Yes.

13 THE COURT: Okay. Now, there was a motion that Ms.
14 Roberts filed that was -- that was basically removed by
15 stipulation. That was the disqualification request.

16 MS. ROBERT: Yes, Your Honor.

17 MS. BRENNAN: Yeah.

18 THE COURT: Okay. And then -- I mean, is it
19 possible that there was a motion filed, that we had this
20 hearing and that he has not filed any substantive response to
21 the request for support, and she has filed no substantive
22 response to the request for support?

23 MS. ROBERT: So when we left here, I thought the
24 order was coming and then we were going to get the complaint

1 like we talked about.

2 THE COURT: Yeah.

3 MS. ROBERT: And we were going to do an answer. I
4 understand that there was some confusion on the part of
5 Plaintiff's counsel, and I'm not trying to be disrespectful,
6 but when that didn't come because you opened discovery and we
7 had these return hearings, I sent my discovery requests.

8 THE COURT: Okay. Look, you -- you -- you're -- you
9 guys are both correct to make good use of the time between
10 April and today. That's what I expected you to do. But the
11 fundamental disconnect here is that you asked the Court in
12 this divorce case to establish a financial obligation by one
13 or both of the parents for your client an adult child,
14 correct?

15 MS. BRENNAN: Yes.

16 THE COURT: Okay.

17 MS. BRENNAN: In my -- in my January 22nd, 2019
18 motion, which is what's pending.

19 THE COURT: Okay. We have not had a substantive
20 response to --

21 MS. BRENNAN: Okay. Well, then I --

22 THE COURT: -- that request by Mom or Dad.

23 MS. BRENNAN: Okay.

24 THE COURT: If this had been filed as a separate

1 case, you would've filed a petition. You would've served
2 them. They would've had 20 days to answer or longer if there
3 was a stipulation. And we would know exactly what their
4 positions are. As we sit here today, I'm assuming that Dad
5 and Mom have a position related to whether they pay support to
6 the adult child.

7 MS. BRENNAN: Well, I'm fine with them having
8 however long they need to file an opposition to the motion.

9 THE COURT: Who are -- what are they filing a
10 position to?

11 MS. BRENNAN: The motion filed January --

12 THE COURT: Okay.

13 MS. BRENNAN: -- 22nd that --

14 THE COURT: All right. So --

15 MS. BRENNAN: -- this Court has opened discovery on
16 and that this Court has said we're here today to set an
17 evidentiary hearing on.

18 THE COURT: Stop. You're -- you -- you're not --
19 you're -- how do I set an evidentiary hearing, number one,
20 when you're not done with discovery, but when they are not
21 even on record on the merits of the dispute. Your client has
22 sued her folks. They are entitled to answer so that the Court
23 can look at their answer and determine whether they agree or
24 disagree with the premise of whether there was jurisdiction

1 and an obligation to support and to what extent they agree or
2 disagree to support. Okay?

3 MS. BRENNAN: Well --

4 THE COURT: We can't set an evidentiary hearing when
5 -- I mean, I don't even know if your -- if -- what -- what is
6 your name again?

7 MR. LALUZERNE: Mr. LaLuzerne.

8 THE COURT: Okay. Do you even know that there is a
9 claim pending against your client?

10 MR. LALUZERNE: Not exactly.

11 THE COURT: Have she -- is she on record in this
12 case as to what her position is concerning whether we have
13 jurisdiction standing and -- on the merits of the claim?

14 MR. LALUZERNE: I have not seen those.

15 THE COURT: Yeah, okay. Well, she hadn't filed it.
16 Now, Ms. Roberts, you are attempting to get -- gather
17 information. You're responding to their request for
18 information --

19 MS. BRENNAN: No.

20 THE COURT: -- but you also have not put on record
21 in any kind of filing of what your client's position is on
22 this, have you?

23 MS. ROBERTS: Correct, Your Honor. No.

24 THE COURT: Okay. Well, a matter is at issue when

1 the pleadings or when the papers are filed. When we have due
2 process, meaning a specific notice and an obligation to file a
3 response, and then a response on the record. And I keep going
4 back to this notion of what the hell am I doing in this case
5 when what really we have is, we have an adult child suing her
6 parents for support. Okay?

7 That is the -- that is the -- the essence of this.
8 We have determined that we're not going to open another case.
9 We're going to probably open the parties' 14-year-old divorce
10 case and litigate that here. Okay? Not -- not --
11 notwithstanding Judge Ochoa's, you know, 15-page order citing
12 California authority and how this matter's done. I am fine
13 with litigating here.

14 But what I'm not fine with is skipping over the --
15 the part where the parties are on record with their answer or
16 response saying what their position is concerning this. Okay?
17 So apparently, Ms. Brennan believes that her motion with the
18 granting of the joinder adequately states the jurisdictional
19 basis on the merits of the request to impose a support
20 obligation against both parents, right?

21 MS. ROBERT: I understand that, Your Honor.

22 THE COURT: All right. So what I need you to do --
23 and this is -- I need you to file a substantive response and I
24 feel like you -- you've done this in some respect. It

1 shouldn't be that hard because when this matter came up in
2 previous years, there was substantive responses to this.
3 Okay?

4 MS. ROBERTS: Yes, Your Honor.

5 THE COURT: And I don't know whether Mr. Toady (ph)
6 was representing him or you -- or -- or -- or what. I can't -
7 - I can't know. He filed a motion for summary judgment, like,
8 two years ago.

9 MS. ROBERT: That was me, Your Honor.

10 THE COURT: Oh, okay. All right.

11 MS. BRENNAN: That was denied.

12 THE COURT: Well, a motion for summary judgment is -
13 - it was denied except for the case was closed, and the matter
14 was taken under -- that's what the decision dealt with, right?

15 MS. ROBERTS: Yes, Your Honor.

16 THE COURT: Okay. So the -- let's see here.

17 MS. ROBERT: Can I make a request? Maybe this will
18 be easier, Your Honor. Just so that it's clear for the
19 record, can Ms. Brennan just file the proper complaint or
20 petition or whatever we want to call it, and then I'll just
21 file an answer?

22 THE COURT: Well, that --

23 MS. BRENNAN: Well, I mean, I don't have any problem
24 doing that. It's just very clear from the record, and we can

1 get the transcript of the record that that was not what was
2 ordered with all due respect, Judge. Because if that had been
3 ordered, we would not be in this posture.

4 I know for a fact that that -- that order that I
5 submitted that you signed is a hundred percent consistent with
6 my position that you accepted, as stated in the order that
7 there's your signature, that the motion filed by January 22nd,
8 2019, as well as the notice of joinder that filed on the same
9 date, those are two separate pleadings.

10 You accepted those as Emily Reed's pleadings, and as
11 granting her joinder and her substantive position on the case,
12 which is why you opened discovery and we are -- came back
13 today for a status and to set an evidentiary hearing. I
14 realize that --

15 THE COURT: So -- so is he --

16 MS. BRENNAN: -- making premature to set something.
17 I don't have a problem if you're changing your ruling, but
18 that was your ruling at the time, Judge.

19 THE COURT: Yeah, that's fine. The -- at the time
20 this matter was brought up in front of the previous judge back
21 in 2008, your client actually was represented by the same
22 person who's represented the adult child. And she filed a
23 response suggesting that your client was perfectly fine with
24 making the finding that the child's disabled, which puts her

1 at -- maybe puts her on the same standing as him. Does she
2 still have the position that the child should receive support
3 from her and from him?

4 MR. LALUZERNE: Yes.

5 THE COURT: Okay. Then have you read the response
6 that was filed by Ms. Brennan on -- for your client back in
7 February 8th, 2018?

8 MR. LALUZERNE: Yes.

9 THE COURT: Okay. So your client believes that
10 Emily is disabled and qualified under the statute?

11 MR. LALUZERNE: Correct.

12 THE COURT: She acknowledges that she would have a
13 support obligation just as she would hope that the Court would
14 conclude that Dad has a support obligation for the child past
15 the age of majority.

16 MR. LALUZERNE: Correct.

17 THE COURT: Okay. So the -- she's not raising any
18 kind of defenses, legal or equitable, related to the timing of
19 the request?

20 MR. LALUZERNE: No.

21 THE COURT: I mean, she specifically states in this
22 filing that she's not asserting a statute of limitations
23 claim, no equitable claim of estoppel or laches or any other
24 thing?

1 MR. LALUZERNE: Your -- Your Honor, how -- what --
2 in reality what's going on is my client is supporting Ms.
3 Emily Reed herself as it stands right now.

4 THE COURT: Well, and -- and she -- and the child's
5 with her, right?

6 MR. LALUZERNE: Yes.

7 THE COURT: Yeah. So she is supporting the child in
8 --

9 MR. LALUZERNE: Correct.

10 THE COURT: -- in practical terms?

11 MR. LALUZERNE: Exactly.

12 THE COURT: The fundamental disconnect here is that
13 I think that when people cite the statute, they think that
14 it's a support obligation and the nature of a minor obligation
15 where just one person has to pay support.

16 MR. LALUZERNE: Correct.

17 THE COURT: It's an obligation for both parents to
18 support a child and we quantify that -- you can make arguments
19 as to how you would quantify that, but because there was --
20 there -- there's an inherent conflict in these kind of
21 situations even when they see it the same way. The Court
22 wanted to make sure that your client understood that the Court
23 sees this as an action by a child against both parents and
24 that she have an opportunity to get notice that this claim is

1 being made and the unusual circumstance here is that this
2 dispute really has been pending for a long, long time.

3 And the case assignments from the judge that handled
4 it and did the decision brought it to this Court, like, after
5 all of this water under the bridge. One of the reasons why
6 the Court didn't just deny the request and have it filed the
7 way I would've preferred it be filed is because of the
8 economy. I mean, this case has been pending since early 2018.

9 The parties have invested a lot of time in trying to
10 get to this point, and that's why the Court allowed discovery
11 and why the Court is struggling trying to see how the filings
12 would satisfy this notion of due process. Okay? I think that
13 he knows that there's a support obligation being requested
14 against him. I wanted to make your client know that -- that
15 if the court order support, she's obligated, too. Okay?

16 MR. LALUZERNE: Yes.

17 THE COURT: Now, if that's understood, and if the
18 motion for summary judgment in which she is asserting legal
19 and equitable defenses, which is I don't think I owe the
20 support or the timing of the request is too late or the manner
21 in which the request is made. I mean, we don't have to rule
22 on all those different things. I -- I -- I think that Miss --
23 do you have any --

24 MS. BRENNAN: I mean, we could both brief -- I guess

1 all three could brief the Court on --

2 THE COURT: You guys have --

3 MS. BRENNAN: -- what our position is.

4 THE COURT: You guys have brief it. I'm -- I'm --
5 what should happen is, there should be -- there should've been
6 a claim. There should've been service, and there should've
7 been an answer filed by a nonparty. Okay? It didn't happen.
8 But what we have had is we had a motion. We had a motion for
9 summary judgment asking for declaratory order to deny the
10 claim, and that motion for summary judgment was denied --

11 MS. ROBERT: Yes.

12 THE COURT: -- because of material facts in dispute.
13 It's going to be decided on the merits. Now, it says here
14 that Judge Ochoa said Plaintiff's request for the child
15 support of the adult child cannot proceed without the joinder
16 of Emily. And that probably what prompted you to file the
17 motion. The Court said okay, this decision is -- I mean, I
18 guess the motion is law of the case.

19 It creates sort of the law of this case, how it's
20 going to go. And so that's why the Court didn't deny the
21 motion and say we're going to have a separate case. But what
22 I expected while the -- you guys were doing discovery is that
23 we would at least have some clarification since that hearing
24 that everybody knew what was happening, that he knew he was

1 being sued and he objected still, that you knew that you were
2 being sued, and you were not objecting or something to that
3 effect. Okay?

4 Because when I see this, I see this wrangling that
5 we have about how we got here. And we all want to get to the
6 end, which is where we finally hear evidence about whether
7 she's entitled to this relief and whether there's any legal or
8 equitable defenses, and we get a closure of the matter. We're
9 pretty -- we're -- we're getting there because it sounds like
10 you guys are a month or two away, right?

11 MS. BRENNAN: Judge, if I could just point one thing
12 out. I don't have my court clip with me, but I believe on
13 April 9th, 2019, I filed a notice of no opposition on behalf
14 of Alecia Draper saying that she was not opposed to the
15 motion.

16 THE COURT: I --

17 MS. BRENNAN: It's -- it's -- I see it in the record
18 here. So I think actually --

19 THE COURT: I know, but --

20 MS. BRENNAN: -- there is a pleading in the file on
21 Mom's behalf in her individual capacity saying that she is not
22 opposed to the relief being requested.

23 THE COURT: Every -- every step we take in this case
24 is important to establish those things.

1 MS. BRENNAN: Yeah.
2 THE COURT: Okay?
3 MS. BRENNAN: I just wanted to point --
4 THE COURT: I don't think that --
5 MS. BRENNAN: -- that out.
6 THE COURT: I don't think that she -- look,
7 whatever, there's an inherent conflict any time a party of
8 interest to suing another party of interest and your -- your
9 filing of that on her behalf and her giving you cover
10 basically by saying, my position hasn't changed and I have
11 independent counsel. It's probably a good thing, you know.
12 The --
13 MS. BRENNAN: Well, she can re-file if she chooses
14 with her new attorney. That's up to her. I just wanted to
15 point out that there is a filing in the record on that.
16 That's all.
17 THE COURT: Right. And -- and I think that -- that
18 the Court found that the only person who might be objecting to
19 the joinder at the time you were here was Dad because she
20 didn't stand up and say, I object.
21 Most of the discussion was, you know, reviewing the
22 decision and the order of Judge Ochoa and looking at the
23 history of the case and -- and I -- I still, you know, if
24 there's any objection down the road after the decision is made

1 about issues of whether there was notice of the claim, whether
2 there was an opportunity to state Defenses equitable or legal,
3 then these kind of hearings are the transcripts that are going
4 to be able to insulate these folks from going through, you
5 know, this arc of litigation and then having some appellate
6 court saying, well, you know, this wasn't properly pled.
7 Okay?

8 The -- Ms. Roberts, the way I'm going to handle this
9 -- he's on record that the claim should be dismissed. He
10 addresses a lot of the factual issues, not only the factual
11 basis for determining that she is entitled to support past the
12 age of majority, but it was a while ago. Okay? If you look
13 at your motion for summary judgment as a good statement of
14 your client's position concerning the claim made by the adult
15 child, then fine. Okay?

16 That's what the Court was going to refer to. If you
17 don't, then you'll look at the motion for joinder and you'll
18 file something. Describe it however you want. Okay?

19 MS. ROBERT: I'll take care of that, Your Honor.

20 THE COURT: You can have 30 days to do that. I
21 don't know whether you want to file anything. Maybe you're
22 okay with the joinder that was filed right before the hearing
23 or her response to the motion for summary judgment that was
24 filed back in 2018.

1 If your client's position is really well-stated in
2 those findings and you know, her position is that, you know,
3 Dad and Mom should be responsible for supporting the child
4 past the age of majority, then you don't have to file anything
5 either. But I'm going to put you on notice that you have a
6 right to supplement whatever findings she has dealing with the
7 issue of the child's claims against the parents in 30 days.
8 Okay?

9 MR. LALUZERNE: Thank you, sir.

10 THE COURT: The -- the evidentiary proceeding, let's
11 say that we were done with the written discovery that we
12 started in -- after -- after April and we'd have all the
13 things filing and the Court wasn't uncomfortable about what
14 the status of the filings in court are, then we would be
15 setting an evidentiary proceeding.

16 And typically, what we're doing is we're looking at
17 a month, six weeks and finding half a day or a day when we can
18 set it. Right now, if we were ready today, we could easily
19 set this matter in September, maybe even the end of August.
20 So if we set this matter -- you think 60 days if we give 30 to
21 file whatever and then complete discovery in 60?

22 MS. BRENNAN: I think given the discussion, I -- we
23 have witnesses that are out of state that are going to need --

24 THE COURT: So maybe --

1 MS. BRENNAN: -- to be depose -- I -- I guess --

2 THE COURT: Okay.

3 MS. BRENNAN: -- our question was, my thought was
4 that I would be taking depositions for perpetuation of these
5 witnesses out of state and presenting those depositions to you
6 because --

7 THE COURT: Right.

8 MS. BRENNAN: -- they're not here, and I think Ms.
9 Roberts was agreeable to that if the Court's agreeable to
10 that, but we -- she and I have to set the schedule for that.

11 THE COURT: Well, if we -- if we say that -- that --
12 I don't know really what to say about this. I mean, I'd look
13 at this from a case manager point of view, and I see that a
14 decision, an order was May 22nd of 2018. We are 15 months
15 into that arc. I'm supposed to manage cases to resolution
16 within -- no later than 12 months when a matter is reopened.
17 This case is almost two years in January. Okay?

18 And we have a motion regarding -- from the
19 conservatorship that was filed a couple of months ago. If we
20 continue the case management conference out, say, 90 days to
21 give you full opportunity to do the -- follow up on written
22 discovery and to do the depositions. Now this case will find
23 itself in October and it needs to go. If it's not resolved by
24 agreement. Okay?

1 MS. BRENNAN: I -- I think that -- my understanding
2 is that Ms. Roberts and I are agreeable that we -- within the
3 90 days that we'll be able to get the depositions taken and --

4 THE COURT: All right. What do you think?

5 MS. ROBERTS: I propounded the discovery. They're -
6 - it's overdue by about 30 days. I've received confirmation
7 from both counsel that the discovery is going to be produced.

8 THE COURT: All right. Well, we said April 10th and
9 90 days discovery to today. If we do another 90, that would
10 be six months of discovery. That seems pretty reasonable in a
11 case like this. Are you -- are you contemplating doing
12 anything or are you just kind of dovetailing the -- on the --
13 you're going to participate in the discovery that's being done
14 between Dad and --

15 MR. LALUZERNE: Yes, correct.

16 THE COURT: -- and the child? Okay. Okay. Any day
17 of the week, Monday, Tuesday, or Wednesday that's easier for
18 you to come to court or participate in a case management
19 conference?

20 MS. ROBERT: No, Your Honor. Whatever is fine with
21 me.

22 THE COURT: All right. So gosh, 90 is -- one, two,
23 three --

24 THE CLERK: Almost the end of October.

1 THE COURT: Yeah. Why don't you try to find a date
2 and we'll see if counsel's available.

3 THE CLERK: I have Wednesday October 23rd at 9:00.

4 MS. ROBERT: That's fine for me, Your Honor.

5 THE COURT: All right. So let me just summarize
6 where we are. Once and all, we've determined that we're going
7 to be able to litigate the claim of the child in this case,
8 that the Court has -- has determined that the child can join
9 this case -- this divorce case, that she has put the mother
10 and father on notice of her claims, that they have made
11 filings in 2018 that show that -- what their position is
12 concerning those claims, and that in the abundance of caution,
13 both parties -- meaning Mother and Father -- have an
14 additional 30 days from today to file any supplements or any
15 other response in the nature of a paper.

16 I can't really call it a pleading, but a paper that
17 addresses the underlying claims. It might just be to rehash
18 it in your motion for summary judgment related to legal
19 equitable defenses and it might just be a rehash of your
20 nonopposition of this request. Okay? The discovery will
21 continue ongoing without restriction. You have all the rules
22 available to you.

23 At the point we come back, that'll be six months
24 from the time that we determine that we recognize the claim

1 and the child would be able to seek this relief in this case.
2 And hopefully, if the matter's not resolve, we will be setting
3 an evidentiary proceeding. I want you to answer questions
4 like who are the parties going to be there testifying.

5 If you're taking depositions, are we going to just
6 have that testimony considered by the Court without that
7 person testifying. Have you -- have you an idea a budget as
8 to how much time it would take if it went to a contested
9 hearing. Okay? I assume that we would hear from the adult
10 child and the parties probably, right?

11 MS. BRENNAN: I -- I -- I think that was one of the
12 things that I raised with her. It's not my understanding that
13 my client is capable of testifying. She has --

14 THE COURT: Well, I think that's a -- that's a
15 factual dispute in the case.

16 MS. BRENNAN: Right. Well, she has a mental
17 condition --

18 THE COURT: Oh, no. But you read their motion for
19 summary judgment.

20 MS. BRENNAN: Okay. Well, it's a -- it's a -- I --
21 I mean, I represent the child who her conservator and I am
22 telling you this child has --

23 THE COURT: If this was a guardianship hearing, she
24 would be required to appear.

1 MS. BRENNAN: Well, she may be able to appear. I
2 don't think that it's in her --

3 THE COURT: That's a -- that -- that -- that happens
4 in the heat of the courtroom. We establish a competency
5 through Q&A. Okay? That's what we do. Okay? If there's no
6 stipulation concerning her ability to testify, she's a
7 possible witness.

8 MS. BRENNAN: Okay. Well, then --

9 THE COURT: Okay?

10 MS. BRENNAN: -- I'm going to have to file a motion
11 on that at some point to have a separate hearing on that.

12 THE COURT: Maybe. Maybe.

13 MS. BRENNAN: Okay.

14 THE COURT: Let's not -- let's not -- let's not
15 worry about it. The fact of the matter is --

16 MS. BRENNAN: Well, I do --

17 THE COURT: -- it's an element --

18 MS. BRENNAN: -- worry about it --

19 THE COURT: -- in the case.

20 MS. BRENNAN: -- when I have a client that has 25
21 different personalities or more and I understand from her
22 treating psychiatrist that it would not be in her mental
23 health. This child has tried to kill herself multiple times
24 and has been in patient at multiple hospitals for suicidal --

1 THE COURT: Yeah. So -- so make your record --
2 MS. BRENNAN: -- ideation.
3 THE COURT: -- make your record and file -- file the
4 paperwork. The fact is, is you're the one who has the burden
5 of proof. You decide to put your case on however you want.
6 If you don't have sufficient proof to support your claim, then
7 the Court will deal with it. If you have sufficient proof,
8 the Court will grant it.
9 If you think you can make your case without the
10 child -- the adult child testifying, then you don't have an
11 issue unless one party or the other decides that they're going
12 to compel that person to testify. And if they do, then the
13 Court has to go through an analysis as to whether the witness
14 is competent to testify.
15 If you want a protective order, having a party at
16 interest not testify at a trial, then file your points of
17 authorities and show me how that's even something that I can
18 consider. Okay? This is not a minor child. This is an adult
19 party seeking financial relief against other people. Okay?
20 MS. BRENNAN: I understand, Judge.
21 THE COURT: All right. So --
22 MS. BRENNAN: I don't want somebody to commit
23 suicide because they think --
24 THE COURT: And you think I do? No, I don't.

1 MS. BRENNAN: Well, that's all I'm saying. I'm
2 doing my job, and I just have to put that on the record, so.

3 THE COURT: Yeah. I got it.

4 MS. BRENNAN: If --

5 THE COURT: Do it in writing. And as you get closer
6 to the case, you're going to know whether Ms. Roberts is going
7 to insist that the child testify.

8 MS. BRENNAN: Right.

9 THE COURT: Now, you read the motion for summary
10 judgment. Their take on this is that she may have these
11 mental health issues, but that she is capable. That's the --
12 that's where the rubber meets the road on this case. If the
13 Court concludes that -- that she's qualified under the
14 statute, then we go to the next step is to evaluate the
15 obligations of the parties. If -- if she isn't, then the
16 claim gets denied. It's --

17 MS. BRENNAN: So Judge, because it's kind of a two-
18 step process, did you want the first evidentiary hearing if we
19 get to that --

20 THE COURT: Yeah.

21 MS. BRENNAN: -- just to be on the --

22 THE COURT: Stop it.

23 MS. BRENNAN: -- first step of the --

24 THE COURT: No.

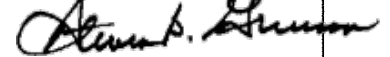
1 MS. BRENNAN: Okay.
2 THE COURT: There's no first step or second step.
3 You get to make your case when I tell you to make the case.
4 And we'll -- we'll decide the matter. Okay? Yeah. Okay.
5 You got everything, Kathy?
6 THE CLERK: Uh-huh (affirmative).
7 THE COURT: You got the new date?
8 THE CLERK: Yeah.
9 THE COURT: All right. Thank you very much.
10 MS. ROBERT: Thank you, Your Honor.

11 (PROCEEDINGS CONCLUDED AT 10:06:15 A.M.)

12 * * * * *

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

16
17 
18 _____
19 Kimberly C. McCright, CET
20
21
22
23
24



1 **OPPS**

2 Amanda M. Roberts, Esq.
3 State of Nevada Bar No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 South Pecos Road
6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Defendant, Jeffrey Allen Reed

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 ALECIA ANN DRAPER,

14 Plaintiff,

15 v.

16 JEFFREY ALLEN REED,

17 Defendant.

Case No: 05D338668

Dept No: H

**OPPOSITION OR STATEMENT
OF POSITION FOR DEFENDANT
ON THE REQUEST FOR CHILD
SUPPORT FOR AN ADULT-
EMILY REED**

18 COMES NOW the Defendant, Jeffrey Reed, by and through his attorney of
19 record, Amanda M. Roberts, Esq., and hereby provides his position regarding the
20 request for child support for the Parties' adult child, Emily Reed. The Defendant,
21 Jeffrey Reed, reserves the right to make additional claims if more information
22 becomes available.

23
24 1. There is a pending claim that Emily Reed (DOB: 11/16/1996) was
25 handicapped before she reached the age of majority pursuant to *NRS* § 125.110 (1)
26

1 and 125.110 (4). The Defendant disputes this allegation. The Defendant does not
2 believe that Emily Reed was handicapped before she reached the age of majority or
3 that she had “an inability to engage in any substantial gainful activity by reason of
4 any medically determinable physical or mental impairment which can be expected
5 to result in death or which has lasted or can be expected to last for a continuous
6 period of not less than 12 months.”
7
8

9 2. There is a claim by the Defendant that the request being made is barred
10 from bring the claim. Specifically, on December 9, 2014, Alecia filed a Motion
11 with the Court wherein, among other things, she requested to reset child support
12 based upon a change in the custodial arrangement. At that time, Emily had reached
13 the age of eighteen (18), but was still in high school. Alecia’s Motion did not
14 include a request for child support for Emily upon graduation from high school, but
15 at the hearing on January 12, 2015, her Counsel argued for same and the matter was
16 set for an Evidentiary Hearing. The Defendant alleges the Evidentiary Hearing was
17 set to determine if Emily was disabled prior to reaching the age of eighteen (18).
18
19
20

21 On March 9, 2015, Alecia filed a “Notice of Withdrawal of Request to
22 Continue Child Support for Emily After High School Graduation Due to Child’s
23 Disability & Request to Vacate Evidentiary Hearing.” It is worth noting that this
24 was voluntarily filed, not a stipulated agreement. As a result of this document
25 being filed, the Evidentiary Hearing was vacated. **This was done based upon a**
26
27
28

1 filing of Alicia; Jeffrey had no say whether or not the Evidentiary Hearing was
2 vacated. {EMPHASIS ADDED}

3
4 3. There is a pending claim regarding Emily Reed's monthly need. The
5 Defendant disputes the alleged need each month based upon the information
6 provided herein.

7
8 4. The Defendant believes that the public assistance being received by
9 Emily is sufficient to meet her needs pursuant to *NRS* § 125B.110 (2).

10 * * *

11 The Defendant reserves the right to supplement his position as more
12 information becomes available.

13
14 DATED this 8th day of November, 2019.

15 **ROBERTS STOFFEL FAMILY LAW GROUP**

16
17 By: Amanda M. Roberts
18 Amanda M. Roberts, Esq.
19 State of Nevada Bar No. 9294
20 4411 South Pecos Road
21 Las Vegas, Nevada 89121
22 PH: (702) 474-7007
23 FAX: (702) 474-7477
24 EMAIL: efile@lvfamilylaw.com
25 Attorneys for Defendant, Jeffrey Allen Reed
26
27
28

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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group, and on the 8th day of November, 2019, I served by and through Wiz-Net electronic service, pursuant Clark County District Court Administrative Order 14-2 for service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing

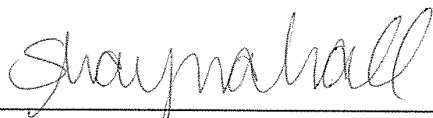
OPPOSITION OR STATEMENT OF POSITION FOR DEFENDANT ON

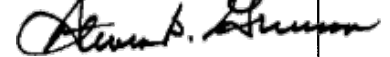
THE REQUEST FOR CHILD SUPPORT FOR AN ADULT- EMILY REED,

as follows:

Elizabeth Brennan Esq.
Email: Elizabeth@brennanlawfirm.com
Attorney for Plaintiff, Alecia Draper,
In her Capacity as Conservator for Emily Reed

Benjamin La Luzerne, Esq
Email: Ben.laluzerne@laluzernelaw.com
Attorney for Plaintiff, Alecia Ann Draper, Individually

By: 
Employee of Roberts Stoffel Family Law Group



1 OSEH
2
3
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5

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

8 *****

9 ALECIA A REED,

10 Plaintiff,

11 vs.

12 JEFFREY A REED,

13 Defendant.

CASE NO.: 05D338668

DEPARTMENT H

RJC-Courtroom 3G

14
15 **ORDER SETTING EVIDENTIARY HEARING**

16 Date of Hearing: April 16, 2020 at 9:00 a.m.

April 17, 2020 at 1:30 p.m.

17 Time of Hearing: see above
18


19 **IT IS HEREBY ORDERED** that the above-entitled case is set for an
20 Evidentiary Hearing in Department H on the 16th day of April, 2020, at the hour of
21 9:00 a.m. for one (1) day and the 17th day of April, 2020, at the hour of 1:30 p.m. for
22 three (3) hours at the Regional Justice Center, 200 Lewis Avenue, Courtroom 3G,
23 Las Vegas, Nevada.
24

25 **IT IS FURTHER ORDERED** that Exhibits are not filed and must be delivered
26 to chambers at least one (1) judicial day prior to the Evidentiary Hearing for marking.
27
28

1 **IT IS FURTHER ORDERED** that Discovery shall be completed no later than
2 April 3, 2020.

3 **IT IS FURTHER ORDERED** that no continuances will be granted to either
4 party unless written application is made to the Court, served upon opposing counsel
5 or proper person litigant, and a hearing held at least three (3) days prior to the
6 Evidentiary Hearing. *If this matter settles, please advise the Court as soon as*
7 *possible.*

8
9 DATED this 9 day of January, 2020.

10
11 
12 T. Arthur Ritchie, Jr.
13 DISTRICT COURT JUDGE
14 DEPARTMENT H


15
16 **CERTIFICATE OF SERVICE**

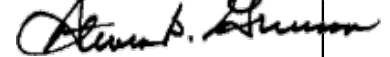
17 On or about the file stamp date, a copy of the foregoing Order Setting
18 Evidentiary Hearing was:

19 ☒ E-served pursuant to NEFCR 9; placed in attorney folder(s) at the RJC; or
20 mailed, via first-class mail, postage fully prepaid to:

21 Elizabeth R. Brennan, Esq. for
22 PLAINTIFF

23 Amanda M. Roberts, Esq. for
24 DEFENDANT

25 
26 Katrina Rausch
27 Judicial Executive Assistant
28 Department H



1 OSEH
2
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4
5

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

8 *****

9 ALECIA A REED,

10 Plaintiff,

11 vs.

12 JEFFREY A REED,

13 Defendant.

CASE NO.: 05D338668

DEPARTMENT H

RJC-Courtroom 3G

14
15 **AMENDED ORDER SETTING EVIDENTIARY HEARING**

16 Date of Hearing: April 16, 2020 at 9:00 a.m.

17 April 17, 2020 at **9:00 a.m.**

18 Time of Hearing: see above


19 **IT IS HEREBY ORDERED** that the above-entitled case is set for an
20 Evidentiary Hearing in Department H on the 16th day of April, 2020, at the hour of
21 9:00 a.m. for one (1) day and the 17th day of April, 2020, at the hour of **9:00 a.m.** for
22 three (3) hours at the Regional Justice Center, 200 Lewis Avenue, Courtroom 3G,
23 Las Vegas, Nevada.
24

25 **IT IS FURTHER ORDERED** that Exhibits are *not* filed and must be delivered
26 to chambers at least one (1) judicial day prior to the Evidentiary Hearing for marking.
27
28

1 **IT IS FURTHER ORDERED** that Discovery shall be completed no later than
2 April 3, 2020.

3 **IT IS FURTHER ORDERED** that no continuances will be granted to either
4 party unless written application is made to the Court, served upon opposing counsel
5 or proper person litigant, and a hearing held at least three (3) days prior to the
6 Evidentiary Hearing. *If this matter settles, please advise the Court as soon as*
7 *possible.*

8
9 DATED this 10 day of January, 2020.

10
11 
12 T. Arthur Ritchie, Jr.
13 DISTRICT COURT JUDGE
14 DEPARTMENT H


15
16 **CERTIFICATE OF SERVICE**

17 On or about the file stamp date, a copy of the foregoing Order Setting
18 Evidentiary Hearing was:

19 ☒ E-served pursuant to NEFCR 9; placed in attorney folder(s) at the RJC; or
20 mailed, via first-class mail, postage fully prepaid to:

21 Elizabeth R. Brennan, Esq. for
22 PLAINTIFF

Amanda M. Roberts, Esq. for
DEFENDANT

23 
24 Katrina Rausch
25 Judicial Executive Assistant
26 Department H
27
28

1 TRANS

FILED

DEC 02 2021

3 ORIGINAL

Thomas A. Shannon
CLERK OF COURT

5 EIGHTH JUDICIAL DISTRICT COURT

6 FAMILY DIVISION

7 CLARK COUNTY, NEVADA

9 ALECIA A. REED,)
10 Plaintiff,) CASE NO. 05D338668
11 vs.) DEPT. H
12 JEFFREY A. REED,) APPEAL NO. 82575
13 Defendant.) (SEALED)

14
15 BEFORE THE HEARING MASTER HOLLY FIC
DISTRICT COURT JUDGE PRO TEM

16 TRANSCRIPT RE: ALL PENDING MOTIONS

17 FRIDAY, FEBRUARY 21, 2020

18 APPEARANCES:

19 The Plaintiff: NOT PRESENT
For the Plaintiff: ELIZABETH R. BRENNAN, ESQ. (Tel)
20
21 The Defendant: NOT PRESENT
For the Defendant: AMANDA M. ROBERTS, ESQ.
22
23
24

1 LAS VEGAS, NEVADA

FRIDAY, FEBRUARY 21, 2020

2 PROCEEDINGS

3 (THE PROCEEDINGS BEGAN AT 1:04:24)

4
5 THE CLERK: Busy.

6 THE COURT: It's busy. How did -- I'm on time.
7 Well, it's four minutes late, but we're on time. Hey, did you
8 know -- have you ever had cases with Shelley Lubritz? I
9 thought she left and she's --

10 MS. ROBERTS: I have a really big one right now with
11 her.

12 THE COURT: Really?

13 MS. ROBERTS: Yeah.

14 THE COURT: I thought -- I didn't know she was still
15 practicing. Because she was with Jimmerson for a long time.

16 MS. ROBERTS: She stopped practicing for awhile and
17 then came back, I think.

18 THE COURT: Yeah. I was like -- yeah, because I was
19 like wow. Yeah, I had a case with her back in the day when I
20 was at John P.R. Lee (ph). That was a huge case. Oh. Huge.
21 It was fine. Her and Jim.

22 MS. ROBERTS: you want me to -- do you want to call
23 somebody else and then retry it or what --

24 THE COURT: Still busy?

1 THE CLERK: It's still busy.
2 THE COURT: And it says you're going to be available
3 at that time. Just wait.
4 MS. ROBERTS: Do you want to call somebody else?
5 THE COURT: A few seconds.
6 MS. ROBERTS: It's fine.
7 THE COURT: All right. We'll call --
8 MS. ROBERTS: Yeah.
9 THE COURT: Yeah, the other one's a pro per. It's
10 real quick.
11 MS. ROBERTS: Okay.
12 THE COURT: So --
13 MS. ROBERTS: I'll -- I'll just step back and then
14 it's fine.
15 THE COURT: I wanted to get you guys --
16 (COURT RECESSED AT 1:05 AND RESUMED AT 1:18)
17 THE CLERK: Hello. Is this Ms. Brennan? Hi, this
18 is Michelle in Hearing Master Fic's courtroom. We're ready to
19 start. Okay. Hold on.
20 THE COURT: Okay. This is case number 05D338668 in
21 the matter of Alecia Reed versus Jeffrey Reed. Ms. Brennan is
22 on the phone. Please state your name and bar number.
23 MS. BRENNAN: Good afternoon, Judge. Elizabeth
24 Brennan, bar number 7286, attorney for the Conservator Alecia

1 Draper on behalf of Emily Reed.

2 THE COURT: Okay. Thank you. And Ms. Roberts?

3 MS. ROBERTS: Amanda Roberts, bar number 9294, on
4 behalf of the Defendant Jeffrey Reed.

5 THE COURT: Okay. So I've reviewed everything. And
6 Ms. Brennan, I just want to comment. I'm -- I'm like a pet
7 peeve about following rules. And with your motion to compel,
8 I know this didn't bother Ms. Roberts, but whenever you put
9 the motion in, you're supposed to list how -- that you need to
10 -- you need to put that paragraph, it's in our EDCR 5 Rules
11 now, that you have to put the -- you know, that you have so
12 many days to file an opposition and whatnot and also our EDCR
13 5 -- EDCR 5 Rules you are supposed to attach exhibits in a
14 separate appendix and Bates number them. Okay.

15 So for the future when you file a motion to compel,
16 you need to look at our EDCR 5 Rules and it requires the
17 caption in the beginning at the -- on the first page and then
18 also you have to do your exhibits separately.

19 MS. BRENNAN: I will certainly -- I will certainly
20 do that. My apologies, Judge.

21 THE COURT: Okay. That's fine. Okay. So I see
22 that on 10/18 Defendant was served interrogatories and
23 requests for production of documents and they were still not
24 received by the January 10th filing of the motion; is that

1 correct?

2 MS. BRENNAN: Yes.

3 THE COURT: Okay. And I do see that EDCR 5.602 was
4 met by the 12/17 telephone call. So Ms. Roberts, would you
5 like -- is there anything further that you want to add?

6 MS. ROBERTS: I actually don't think EDCR 5.602 was
7 complied with pursuant to the rules, Your Honor. I -- I
8 actually think that it requires more than the limited phone
9 call that we had, and there was no time frame, there was no
10 anything. She knew I was traveling. I -- I don't think that
11 it was complied with under the rules and there were no
12 detailed communications with it. And I -- I respect that the
13 Court's going to talk about it, but we did respond to the
14 interrogatories and we've given the request for production of
15 documents.

16 THE COURT: When --

17 MS. ROBERTS: There are --

18 THE COURT: When did you do that?

19 MS. ROBERTS: The request for production went to
20 today. I had to Bates stamp it. I've been in trial. So I
21 did those today. I didn't bring the interrogatories with me.
22 Maybe I did. Hold on.

23 MS. BRENNAN: I've been in a -- a meeting all day.
24 So I haven't seen her re -- responses to request for

1 production of documents.

2 MS. ROBERTS: Interrogatories for February 3rd. So
3 we've done those. There is one issue that I raised in my
4 opposition regarding the -- the extent of what we have to
5 produce and that's the only thing that I need the Court to
6 weigh in on regarding the requests all the way back to 2016
7 when this wasn't even brought before the Court until 2019,
8 January 2019. So that's the only thing I need direction on
9 and then I will supplement that response to this request.

10 THE COURT: Okay. Well, I mean, it -- it -- it's
11 still wasn't timely responded to and if it was a deficiency
12 issue, I would say you would have to have a meaningful call
13 pursuant to EDCR 5.602. But the telephone call being had, she
14 just had to say that they were not responded to. And you guys
15 talked about a 12/31 date. And it -- and them being served in
16 February, that's -- that's very late.

17 So I'm going to grant attorney's fees to Ms. Brennan
18 because they were significantly late. And 12/31 was the date
19 pursuant to the 12/17 telephone call. I appreciate this --
20 Ms. Roberts has gotten them done by the time of this hearing,
21 but the motion was required because they would not have been
22 done but for the filing of the motion. So usually with them
23 being that late, I do -- I do deem objections waived.

24 What -- so okay. So the issue is -- so I'll let

1 Counsel each address -- Ms. Brennan, do you see -- Ms. Roberts
2 is arguing about the -- the relevancy of time. What is your
3 response to that?

4 MS. BRENNAN: Well, my response is -- is the too
5 little too late. Let's just start with that. I mean, I
6 received, I guess, her responses to the request for production
7 of documents like an hour ago or two hours ago. I'm not even
8 at my office. I -- I haven't even had a chance to review
9 them. As far as the time frame, the time frame is relevant.
10 She asked -- you know, my -- she's wrong when she talks about
11 the -- the time frame starts in 2019. This goes back to years
12 ago. This is for the support for a disabled child, adult --
13 that's now an adult.

14 And the time frame is 2016, 2017. We go back that
15 far. And as you can see in my -- in my reply on page 3, you
16 can see that all of her requests to us are -- you know, she's
17 going back to January 1 of 2017 for all of this. So I don't
18 understand how she can -- and we answered ours timely and that
19 was months ago. We have a trial that's starting in a
20 month-and-a-half and I -- I've been waiting for over four
21 months for this. And -- and it's relevant and it's
22 discoverable. And -- and I need this information because
23 she's claiming that he doesn't have the money to pay child
24 support. So that makes it an issue. And we are going back to

1 the 2016, 2017 time period, because that is when Mom filed her
2 original motion for child support and then it was -- later the
3 Court required a con -- a conservator to join in that which is
4 the 2019 date that joins in the one that was previously filed.
5 So, I mean, she thought obviously January 1, 2017 pertain --
6 was clearly everything relevant. And I -- and my -- I only
7 had one request that goes back to 2016 and it -- it is a
8 simple request. It asks for loan applications that he
9 submitted from January 1, 2016 to the present.

10 And the significance of that is if he represented
11 his income to be really high to buy a house and buy a car and
12 get whatever loan he was looking for, obviously, that may
13 differ from his financial disclosure form where he's trying to
14 claim he has low income and can't afford it. So I don't think
15 it's too much for; one, a 16 request to ask for starting
16 January 2016 any loan applications. Because that's the only
17 one where we talk about 2016. Everything else is January 1,
18 2017 which is the date that she said.

19 THE COURT: Okay. All right.

20 MS. ROBERTS: Just so we're clear --

21 THE COURT: Yes.

22 MS. ROBERTS: -- Ms. Draper brought the request. It
23 -- then she withdrew that request, and then it sat for a
24 lengthy period of time until 2019. So there's no way that

1 they can retroactively go back to 2016 under the law and ask
2 for some retroactive amount of child support for an adult.

3 THE COURT: Yeah, but they're looking at a histori
4 -- she's looking for historical look back. So I'm going to
5 allow it. It might -- you can file a motion in limine. It
6 might not be admissible for the purposes of trial, but I'm
7 going to allow it. It's -- it's relevant, it's discoverable.
8 It could go to look -- doing a historical look back and it can
9 go to weighing credibility issues for the veracity of the FDF.
10 So -- but that may not -- it's -- it may not be admissible for
11 -- for purposes of trial, but it's discoverable. So I'm going
12 to allow it.

13 What I'm going to do is, because it was all the --
14 the discovery was just served, I am going to put you guys
15 either two weeks or three weeks, Ms. Brennan, to come back and
16 discuss any deficiency issues. I want you guys to have an
17 EDCR 5.602 phone call or in person conference regarding any
18 deficiencies because deficiencies are not before me. And I
19 would like -- and so -- but I don't want to make you each file
20 motions. I would want it to be addressed and try and get
21 these things resolved so that there's not -- we're not
22 increasing attorney's fees with the filings of motions.

23 But, I want you to have that call. And if you are
24 still not able to resolve those issues after the call, then we

1 can come back here and discuss them. Do you guys want to go
2 two or three weeks out?

3 MS. BRENNAN: Either one's fine with me --

4 MS. ROBERTS: Three --

5 MS. BRENNAN: -- Judge.

6 THE COURT: Okay.

7 MS. ROBERTS: Three weeks is the earliest I can do
8 it, Your Honor. I'm in a settlement conference on the 6th.

9 THE COURT: Okay. Because yeah, we're only here on
10 Fridays. So okay. So three weeks out.

11 THE CLERK: The 13th is blacked out.

12 THE COURT: Oh, yes, because that's Bishop and I'm
13 doing TPO court. I don't want to get you guys to -- okay,
14 you're April though.

15 THE CLERK: March --

16 THE COURT: March --

17 THE CLERK: March 20th would be the next date.

18 THE COURT: March 20th. Okay.

19 MS. ROBERTS: I am in a day three of a trial then.

20 THE COURT: Oh, me too.

21 MS. ROBERTS: Oh, yeah, it's our trial.

22 THE CLERK: 27th?

23 THE COURT: Yeah, that's cutting it close. All
24 right. Well, here's the thing. I'm not reopening discovery.

1 It's just to address any discovery that was propounded and any
2 deficiency issues. So we're going to set you guys for March
3 27th at 1:30. And, hopefully, in the meantime we'll have one
4 or two calls between you guys regarding any of those
5 deficiency issues. But I will leave it open so that you can
6 come back and what you were unable to resolve regarding any
7 deficiencies, I will address. So Ms. Brennan, you're going to
8 prepare the report and recommendation. And you are also going
9 to -- you need to file a memorandum of fees and costs along
10 with your redacted invoice.

11 And -- and in the report and recommendation you'll
12 include language that the Commissioner having reviewed the
13 Brunzell affidavit and the redacted invoice and after
14 considering the Brunzell factors, attorney fees in the amount
15 of blank are awarded. Ms. Roberts --

16 MS. BRENNAN: Okay.

17 THE COURT: -- can -- Ms. Roberts can file an
18 objection to your memo of fees and costs. So get -- get your
19 memo of fees and costs on file and you will set forth anything
20 having to do with trying -- with your efforts to get the
21 interrogatories and request for production of documents
22 answered from Ms. Roberts; also the telephone call and the
23 drafting of the motion. And then Ms. Roberts can object to
24 the same.

1 MS. ROBERTS: What's the deadline, Your Honor?

2 THE COURT: Let's set it out -- do -- Ms. Brennan,

3 can you get the memo of fees and costs filed within the next

4 week?

5 MS. BRENNAN: Yes.

6 THE COURT: Okay. Or two weeks. I guess two weeks

7 and then you'll have one week because we -- we got -- so --

8 MS. BRENNAN: Yeah.

9 THE COURT: -- I'll give you two weeks which is,

10 what, Feb -- March --

11 MS. ROBERTS: 6th.

12 THE COURT: -- March 6th. Okay. So Ms. Brennan,

13 you'll have until March 6th to file your memo of fees and

14 costs. The following week is March --

15 MS. ROBERTS: 13th.

16 THE COURT: -- 13th. Okay. March 13th. Ms.

17 Roberts can file any objections. And then, thereafter, get me

18 Ms. Brennan the report and recommendation and I can fill in

19 and address the attorney's fees, but basically your motion is


20 granted, albeit though, Ms. Roberts has answered it. So it's

21 going to become a deficiency issue, if that. If not, if you

22 guys, you know, can resolve it all, then we can vacate the

23 3/27 date. But I will leave it open because I want to make

24 sure you guys are ready for trial.

1 MS. BRENNAN: Thank you.
2 THE COURT: Okay?
3 MS. BRENNAN: Thank you, Judge.
4 THE COURT: Okay. Anything else to add? Okay.
5 That'll take care of it. Thank you. Thank you, Ms. Brennan.
6 MS. BRENNAN: Thank you. Bye-bye.
7 THE COURT: Bye.
8 MS. BRENNAN: Bye.
9 (PROCEEDINGS CONCLUDED AT 1:31:37)
10 * * * * *
11 ATTEST: I do hereby certify that I have truly and
12 correctly transcribed the digital proceedings in the above-
13 entitled case to the best of my ability.
14
15 
16 _____
17 Adrian N. Medrano
18
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**DISTRICT COURT
CLARK COUNTY, NEVADA****Divorce - Complaint****COURT MINUTES****March 31, 2020**

05D338668 Alecia A Reed, Plaintiff
 vs.
 Jeffrey A Reed, Defendant.

March 31, 2020 03:30 PM Minute Order

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

COURT CLERK: Prock, Kathy

PARTIES PRESENT:

Alecia A Reed, Plaintiff, Not Present Elizabeth R. Brennan, Attorney, Not Present

Jeffrey A Reed, Defendant, Not Present Amanda M Roberts, ESQ, Attorney, Not Present

Emily C Reed, Subject Minor, Not Present

Anthony J Reed, Subject Minor, Not Present

Adam P Reed, Subject Minor, Not Present

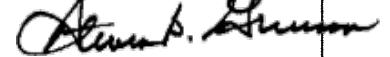
JOURNAL ENTRIES

The court participated in a telephone conference with counsel concerning the evidentiary hearing scheduled for 4/16/2020 and 4/17/2020. The court finds good cause to continue the trial pursuant to AO 20-9 and AO 20-11. The evidentiary hearing is re-set for Thursday and Friday, June 18, 2020, 9:00 a.m. - 5:00 p.m., and on June 19, 2020, 9:00 a.m. to noon.

INTERIM CONDITIONS:**FUTURE HEARINGS:**

Jun 18, 2020 9:00AM Evidentiary Hearing
RJC Courtroom 03G Ritchie, T. Arthur, Jr.

Jun 19, 2020 9:00AM Evidentiary Hearing
RJC Courtroom 03G Ritchie, T. Arthur, Jr.



1 **MOTN**

2 Amanda M. Roberts, Esq.
3 State of Nevada Bar No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 South Pecos Road
6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Defendant, Jeffrey Allen Reed

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 ALECIA ANN DRAPER,

14 Plaintiff,

15 v.

16 JEFFREY ALLEN REED,

17 Defendant.

18 v.

19 ALECIA ANN DRAPER as
20 Conservator of Emily Reed,

21 Intervenor.

Case No: 05D338668

Dept No: H

**NOTICE OF MOTION AND
MOTION TO EXTEND DISCOVERY;
EXTEND TIME FOR REBUTTAL
EXPERT UPON RECEIPT OF
RELEVANT RECORDS; AND
RELATED RELIEF. AFFIDAVIT OF
AMANDA M. ROBERTS.
(DISCOVERY COMMISSIONER)**

Date of Hearing:

Time of Hearing:

ORAL ARGUMENT REQUESTED

22 TO: Plaintiff, Alecia Draper, individually, by and through her attorney of
23 record, Benjamin La Luzerne, Esq.
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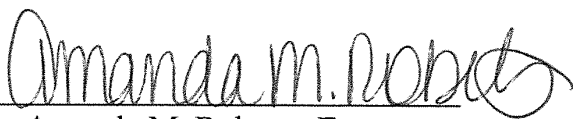
1 TO: Intervenor, Alecia Draper, as Conservator of Emily Reed, by and
2 through her attorney of record, Elizabeth Brennen, Esq.
3

4 **YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS**
5 **MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE**
6 **UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN**
7 **FOURTEEN (14) DAYS OF YOUR RECEIPT OF THIS MOTION.**
8 **FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE**
9 **COURT WITHIN FOURTEEN (14) DAYS OF YOUR RECEIPT OF THIS**
10 **MOTION MAY RESULT IN THE REQUESTED RELIEF BEING**
11 **GRANTED BY THE COURT WITHOUT A HEARING PRIOR TO THE**
12 **SCHEDULED HEARING DATE.**

13 PLEASE TAKE NOTICE that the undersigned will bring the foregoing
14 Motion on before the Discovery Commissioner of the Eighth Judicial District
15 Court, Family Division, located at 601 North Pecos Road, Las Vegas, Nevada, on
16 his chamber's calendar on the _____ day of _____, 2020,
17 at _____ .m., of said day.

18 DATED this 2nd day of April, 2020.

19 **ROBERTS STOFFEL FAMILY LAW GROUP**

20 By: 
21 Amanda M. Roberts, Esq.
22 State of Nevada Bar No. 9294
23 4411 S. Pecos Road
24 Las Vegas, Nevada 89121
25 PH: (702) 474-7007
26 FAX: (702) 474-7477
27 EMAIL: efile@lvfamilylaw.com
28 Attorneys for Defendant, Jeffrey Allen Reed

1
2 **MEMORANDUM OF POINTS AND AUTHORITIES**

3 **I.**
4 **Issues**

- 5 1. Jeffrey's request to extend discovery should be granted.
6 2. Jeffrey's request to compel production of medical records should be
7 granted.
8 3. Jeffrey's request to extend time for rebuttal to provide report should be
9 granted.
10 4. For any and all other relief the Court deems proper and just.

11 **II.**
12 **Statement of Facts**

13 The Parties, Alecia Reed ("Alecia") and Jeffrey Reed ("Jeffrey") were
14 divorced pursuant to a Decree of Divorce filed on August 5, 2005. At the time of
15 their divorce, the Parties had three (3) children, to wit: Emily Reed ("Emily"), born
16 on November 16, 1996; Anthony Reed ("Anthony"), born on May 25, 1999; and
17 Adam Reed ("Adam"), born on January 23, 2001. All of the children are adults and
18 have emancipated.
19

20
21 The issue pending before the Court is a request for child support for Emily,
22 beyond the age of majority, pursuant to *NRS* § 125B.110. The issue which is
23 present regarding the extension of discovery and rebuttal experts relates to whether
24 Emily was handicapped before the age of majority and, if handicapped, has it lasted
25 or is it expected to last "for a continuous period of not less than 12 months."
26
27

1 Therefore, all medical records for Emily from before she reached the age of
2 majority, when the alleged handicap started, to present are necessary. It is not
3 only whether she was handicapped, but remained handicapped. {EMPHASIS
4 ADDED} In order to establish the claim, Emily proposed to have her treatment
5 provider Jennifer Love Farrell, MD, from Amen Clinics Southern California, be
6 designated as an expert witness and testify on her behalf.
7
8

9 On or about May 9, 2017, a correspondence was provided by Jennifer Love
10 Farrell, MD, from Amen Clinics Southern California. The correspondence included
11 an unsigned letter from Pure Light Counseling, Elise Collier MS-LMFT which was
12 dated May 5, 2017. To date, no records have been provided relative to treatment
13 with this provider; and no medical records have been provided from Jennifer Love
14 Farrell, MD, from Amen Clinics Southern California.
15
16

17 On July 13, 2017, a supplemental correspondence was provided by Jennifer
18 Love Farrell, MD, from Amen Clinics Southern California. In that correspondence
19 she states, "She [Emily] was in such a state that EMS made a report to the CA
20 DMV and her license was taken away, and she had to undergo extensive clearance
21 from a neurologist and psychiatrist in order for her to regain the ability to drive."
22 To date, no records have been provided relative to this treatment which permitted
23 her to regain her driver's license.
24
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1 On June 7, 2019, Jeff served a Request for Production of Documents upon
2 Alicia Ann Draper, as Conservator for Emily Reed. Specifically, Request for
3 Production No. 13, Jeff requested that Alicia provided “any and all medical records
4 for Emily Reed, including proof of expenses paid for treatment, with Dr.
5 Rouanzion, EMDR, for the period January 1, 2007 to present.” There were no
6 medical records provided relative to this request; rather, medical billing notes were
7 provided and/or a summary of treatment which is not sufficient in this matter.
8
9 Additionally, Request for Production No. 14 specifically requested “any and all
10 medical records for Emily Reed, including proof of the expense paid for treatment
11 with Dr. Farrell, for the period January 1, 2017 to present. Again, as set forth
12 herein, those medical records were not provided. Request for Production No. 15
13 specifically requested “any and all medical records for Emily Reed, including proof
14 of the expense paid for treatment, with Roger Roehm, PHD, CPSY Therapy, for the
15 period January 1, 2017 to present.” Again, as set forth herein, those medical
16 records were not provided; rather, medical billing notes were provided and/or a
17 summary of treatment which is not sufficient in this matter.
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22 On November 21, 2019, was correspondence was provided by Jennifer Love
23 Farrell, MD, from Amen Clinics Southern California, wherein she states, “Emily
24 came under my care in March 2016, and her treatment course with me between
25 March 2016 and July 2017 is summarized in the July 2017 letter.” To be clear,
26
27
28

1 medical records still have not been received from Jennifer Love Farrell, MD, from
2 Amen Clinics Southern California. The only thing provided was a summary of
3 treatment which is not sufficient given the circumstances in this matter; Jeff is
4 entitled to see the medical records. Additionally, in this correspondence Jennifer
5 Love Farrell, MD, from Amen Clinics Southern California, she gives a summary of
6 her treatment from August 4, 2017 to August 12, 2019, but no medical records.
7
8 Jeff is entitled to see the medical records. In her correspondence she makes
9 reference to the following, which have not been produced in this matter:
10

- 11 • August 4, 2017- Emily is participating in NAMI anxiety
- 12 group and Emily was referred to an intensive outpatient
- 13 program (IOP). These records were not provided.
- 14 • October 13, 2017- 5150 hospitalization at St. Joseph in
- 15 Orange, CA due to have a breakdown after a group at the
- 16 IOP. These records were not provided.
- 17 • February 20, 2018- Missed appointment. Found out about
- 18 hospitalization. Del Amo Hospital February 28 through
- 19 March 26, 2018. These records were not provided.
- 20 • April 20, 2018- Therapy transferred from Dr. Rouanzion
- 21 to Dr. Rogers in GA. These records were not provided.
- 22 • October 2, 2018- Emily is starting a new therapy program
- 23 online for 16 weeks. These records were not provided.
- 24 • January 14, 2019- Referred for TMS (Transcranial
- 25 Magnetic Stimulation). These records were not provided.
- 26 • August 2019- GA for therapy then transferred to program
- 27 in TN. These records were not provided.
- 28

23 Again, many of the records referenced by Jennifer Love Farrell, MD, from
24 Amen Clinics Southern California, have never been provided so that Jeff's rebuttal
25 witness may review those records. This is procedural prejudicial to Jeff's position
26
27

1 in this matter and the records must be provided. Therefore, a basis exists for the
2 Court to extend the time for discovery and to allow additional time to supplement
3 all medical records relied upon or able to be reviewed by Jennifer Love Farrell,
4 MD, from Amen Clinics Southern California, so that Jeff's rebuttal expert may also
5 be able to review said records.
6

7 On March 31, 2020, a telephone conference happened with the Court.
8
9 Discovery issues were discussed, and in an abundance of caution it was agreed that
10 Jeff would file a Motion regarding these matters to preserve the record. The
11 telephone conference was not recorded, but Court Minutes were included.
12

13 The Trial was moved due to the Administrative Orders to June 18, 2020 and
14 June 19, 2020. If the medical records are immediately provided as indicated herein,
15 Jeff's rebuttal expert has indicated her report can be provided by on or about May
16 18, 2020.
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III.
LEGAL ANALYSIS

Eighth Judicial District Court Rule (“EDCR”) § 2.35 permits the extension of discovery deadlines when good cause exists for same. It is the Defendant’s position, that the Plaintiff is withholding certain evidence in violation of Nevada Rules of Civil Procedure (“NRCP”) § 16.2, thereby prohibiting the Defendant from being able to make arguments regarding Emily’s alleged handicap including whether it occurred prior to her reaching the age of majority and continued for one (1) year. This is a very complicated issue and Plaintiff’s treatment provider/alleged expert clearly relied upon medical records which have not been provided, including the medical records from her treatment of Emily. As such, this causes a severe prejudice for the Defendant and warrants an extension of discovery thereby forcing the Plaintiff to provide the medical records so that they can be reviewed by his rebuttal expert.

District Courts have broad discretion in determining whether to admit evidence. *Sheehan & Sheehan v. Nelson Malley & Co.*, 121 Nev. 481, 492, 117 P.3d 219, 226 (2005). The purpose of discovery is to take the "surprise out of trials of cases so that all relevant facts and information pertaining to the action may be ascertained in advance of trial." *Washoe Cnty. Ed. of Sch. Trustees v. Pirhala*, 84 Nev. 1, 5, 435 P.2d 756, 758 (1968). Here, there is more than enough time to allow

1 this matter to move forward and for the Court to permit the Defendant's rebuttal
2 expert to review the records and prepare her rebuttal report.

3
4 *NRCP* § 16.2 provides some guidance regarding witness disclosures and
5 reports; however, *NRCP* § 16.2 is not as specific as *NRCP* § 16.1 Therefore, by
6 analogy the Court should look to *NRCP* § 16.1 (a)(2)(B) which provides that the
7 report must contain, again this is mandatory and not discretionary,
8

- 9 (i) a complete statement of all opinions the witness will
10 express, and the basis and reasons for them;
11 (ii) the facts or data considered by the witness in forming
12 them;
13 (iii) any exhibits that will be used to summarize or
14 support them;
15 (iv) the witness's qualifications, including a list of
16 all publications authored in the previous ten years;
17 (v) a list of all other cases in which, during the previous
18 four years, the witness testified as an expert at trial or
19 by deposition; and
20 (vi) a statement of the compensation to be paid for the
21 study and testimony in the case.

22 On October 22, 2019, Plaintiff provided a resume of Jennifer Love Farrell,
23 MD, FASAM. The disclosure failed to identify testimony given by the purported
24 expert and fee compensation. Additionally, Defendant alleges that the report
25 provided was defective. The Defendant was unable to secure an expert or discuss
26 rebuttal testimony until the report was provided. The supplemental report was
27 provided on December 4, 2019, but again failed to provide all of the records relied
28 upon including those of Jennifer Love Farrell, MD, FASAM. Rather, she indicates

1 in the report that she will provide it upon direction from the Court and that the
2 records should be confidential. Therefore, Defendant has be limited in discussing
3 rebuttal testimony without all evidence being provided.
4

5 *NRCP* § 16.2 (e)(3)(B) is much more generic and provides, “The report must
6 contain a complete statement of all opinions to be expressed and the basis and
7 reasons therefor, the data or other information considered by the witness in forming
8 the opinions, any exhibits to be used as a summary of or support for the opinions,
9 and the qualifications of the witness.” The records relied upon are supposed to be
10 provided and they have not been in this matter. In fact, it has been ruled that this is
11 mandatory and not discretionary. *FCHI, LLC, v. Rodriguez*, 335 P.3d 183, 189
12 (2014). The Supreme Court has indicated that failure to provide the entire body of
13 medical records when an expert had the ability to review them to formulate their
14 opinion would render the experts opinion inadmissible. *Id.* As such, in order for
15 the rebuttal expert to complete her assessment, she must be given all the
16 information. To this end, additional time should be given to allow this to occur.
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21 Furthermore, *NRCP* § 16.2 (e)(3)(B) provides, “The court, upon good cause
22 shown or by stipulation of the parties, may extend the deadline for exchange of the
23 expert reports or relieve a party of the duty to prepare a written report in an
24 appropriate case.” Here, Defendant acknowledges that the report is late; however,
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1 there is no prejudice to the Plaintiff because if the records are provided immediately
2 then the Trial will continue as scheduled.

3
4 **IV.**
5 **CONCLUSION**

6 Therefore, based upon the foregoing, Jeffrey requests this Court to enter an
7 Order wherein:

- 8 1. Jeffrey's request to extend discovery should be granted.
9 2. Jeffrey's request to compel production of medical records should be
10 granted.
11 3. Jeffrey's request to extend time for rebuttal expert to provide report
12 should be granted.
13 4. For any and all other relief the Court deems proper and just.

14
15 DATED this 2nd day of April, 2020.

16 **ROBERTS STOFFEL FAMILY LAW GROUP**

17
18 By: Amanda M. Roberts
19 Amanda M. Roberts, Esq.
20 State of Nevada Bar No. 9294
21 4411 South Pecos Road
22 Las Vegas, Nevada 89121
23 PH: (702) 474-7007
24 FAX: (702) 474-7477
25 EMAIL: efile@lvfamilylaw.com
26 Attorneys for Defendant, Jeffrey Allen Reed
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AFFIDAVIT OF AMANDA M. ROBERTS, ESQ.

STATE OF NEVADA)
)
COUNTY OF CLARK)

1. I, Amanda M. Roberts, Esq., am over the age of eighteen (18) years old and I am competent to testify as to the matters contained within this Affidavit.

2. I am counsel for Defendant, Jeffrey Reed, in the above-entitled matter and, I have personal knowledge of the facts contained herein and can testify to same.

3. The Parties, Alecia Reed (“Alecia”) and Jeffrey Reed (“Jeffrey”) were divorced pursuant to a Decree of Divorce filed on August 5, 2005. At the time of their divorce, the Parties had three (3) children, to wit: Emily Reed (“Emily”), born on November 16, 1996; Anthony Reed (“Anthony”), born on May 25, 1999; and Adam Reed (“Adam”), born on January 23, 2001. All of the children are adults and have emancipated.

4. The issue pending before the Court is a request for child support for Emily, beyond the age of majority, pursuant to *NRS* § 125B.110. The issue which is present regarding the extension of discovery and rebuttal experts relates to whether Emily was handicapped before the age of majority and, if handicapped, has it lasted or is it expected to last “for a continuous period of not less than 12 months.” Therefore, all medical records for Emily from before she reached the age

1 of majority, when the alleged handicap started, to present are necessary. It is not
2 only whether she was handicapped, but remained handicapped. In order to
3 establish the claim, Emily proposed to have her treatment provider Jennifer Love
4 Farrell, MD, from Amen Clinics Southern California, be designated as an expert
5 witness and testify on her behalf.
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7
8 5. On or about May 9, 2017, a correspondence was provided by Jennifer
9 Love Farrell, MD, from Amen Clinics Southern California. The correspondence
10 included an unsigned letter from Pure Light Counseling, Elise Collier MS-LMFT
11 which was dated May 5, 2017. To date, no records have been provided relative to
12 treatment with this provider; and no medical records have been provided from
13 Jennifer Love Farrell, MD, from Amen Clinics Southern California.
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15
16 6. On July 13, 2017, a supplemental correspondence was provided by
17 Jennifer Love Farrell, MD, from Amen Clinics Southern California. In that
18 correspondence she states, "She [Emily] was in such a state that EMS made a report
19 to the CA DMV and her license was taken away, and she had to undergo extensive
20 clearance from a neurologist and psychiatrist in order for her to regain the ability to
21 drive." To date, no records have been provided relative to this treatment which
22 permitted her to regain her driver's license.
23

24
25 7. On June 7, 2019, Jeff served a Request for Production of Documents
26 upon Alicia Ann Draper, as Conservator for Emily Reed. Specifically, Request for
27

1 Production No. 13, Jeff requested that Alicia provided “any and all medical records
2 for Emily Reed, including proof of expenses paid for treatment, with Dr.
3 Rouanzion, EMDR, for the period January 1, 2007 to present.” There were no
4 medical records provided relative to this request; rather, medical billing notes were
5 provided and/or a summary of treatment which is not sufficient in this matter.
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22 between March 2016 and July 2017 is summarized in the July 2017 letter.” To be
23 clear, medical records still have not been received from Jennifer Love Farrell, MD,
24 from Amen Clinics Southern California. The only thing provided was a summary
25
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27

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2 entitled to see the medical records. Additionally, in this correspondence Jennifer
3 Love Farrell, MD, from Amen Clinics Southern California, she gives a summary of
4 her treatment from August 4, 2017 to August 12, 2019, but no medical records.
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6 Jeff is entitled to see the medical records. In her correspondence she makes
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8 reference to the following, which have not been produced in this matter:

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14 IOP. These records were not provided.
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16 hospitalization. Del Amo Hospital February 28 through
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23 Magnetic Stimulation). These records were not provided.
- 24 • August 2019- GA for therapy then transferred to program
25 in TN. These records were not provided.

26 9. Again, many of the records referenced by Jennifer Love Farrell, MD,
27 from Amen Clinics Southern California, have never been provided so that Jeff's
28 rebuttal witness may review those records. This is procedural prejudicial to Jeff's
29 position in this matter and the records must be provided. Therefore, a basis exists
30 for the Court to extend the time for discovery and to allow additional time to

1 supplement all medical records relied upon or able to be reviewed by Jennifer Love
2 Farrell, MD, from Amen Clinics Southern California, so that Jeff's rebuttal expert
3 may also be able to review said records.
4

5 10. On March 31, 2020, a telephone conference happened with the Court.
6 Discovery issues were discussed, and in an abundance of caution it was agreed that
7 Jeff would file a Motion regarding these matters to preserve the record. The
8 telephone conference was not recorded, but Court Minutes were included.
9

10 11. The Trial was moved due to the Administrative Orders to June 18,
11 2020 and June 19, 2020. If the medical records are immediately provided as
12 indicated herein, Jeff's rebuttal expert has indicated her report can be provided by
13 on or about May 18, 2020.
14

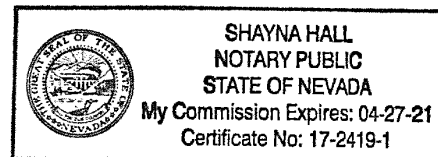
15 FURTHER AFFIANT SAYETH NAUGHT.

16 Dated this 2nd day of April, 2020.
17

18 Amanda M. Roberts
19 Amanda M. Roberts, Esq.

20 SUBSCRIBED and SWORN to before
21 me on this 2nd day of April, 2020.

22 Shayna Hall
23 NOTARY PUBLIC
24



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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group, and on the 2nd day of April, 2020, I served by and through Wiz-Net electronic service, pursuant Clark County District Court Administrative Order 14-2 for service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing Notice of Motion and Motion to Extend Discovery, Extend Time for Rebuttal Expert Upon Receipt of Relevant Records and Related Relief; Affidavit of Amanda M. Roberts, as follows:

Elizabeth Brennan Esq.
Email: Elizabeth@brennanlawfirm.com
Attorney for Plaintiff, Alecia Draper,
In her Capacity as Conservator for Emily Reed

Benjamin La Luzerne, Esq.
Email: Ben.laluzerne@laluzernelaw.com
Attorney for Plaintiff, Alecia Ann Draper, Individually

By: Shayna Hall
Employee of Roberts Stoffel Family Law Group

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ALECIA ANN DRAPER,

Plaintiff/Petitioner

V. JEFFREY ALLEN REED,

Defendant/Respondent

Case No. 05D338668

Dept. H

**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.

<input checked="" type="checkbox"/> \$25	The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-	
<input type="checkbox"/> \$0	The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
<input type="checkbox"/>	The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
<input type="checkbox"/>	The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
<input type="checkbox"/>	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 _____.
<input type="checkbox"/>	Other Excluded Motion (must specify) _____.

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

<input type="checkbox"/> \$0	The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
<input type="checkbox"/>	The Motion/Opposition is being filed in a case that was not initiated by joint petition.
<input type="checkbox"/>	The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
-OR-	
<input type="checkbox"/> \$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-	
<input type="checkbox"/> \$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.

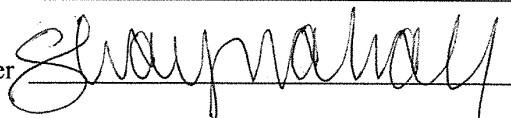
Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:									
<input type="checkbox"/> \$0	<input checked="" type="checkbox"/> \$25	<input type="checkbox"/> \$57	<input type="checkbox"/> \$82	<input type="checkbox"/> \$129	<input type="checkbox"/> \$154				

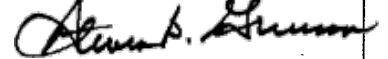
Party filing Motion/Opposition: Roberts Stoffel Family Law Group

Date 04/02/20

Signature of Party or Preparer



ROA0672



DCRR

Elizabeth Brennan
Nevada Bar No. 7286

BRENNAN LAW FIRM

1980 Festival Plaza Drive, Suite 300
Las Vegas, NV 89135
Telephone: (702) 834-8888
Facsimile: (702) 507-1466
elizabeth@brennanlawfirm.com

*Attorney for Plaintiff Emily Reed,
through her Conservator Alecia Draper*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Alecia Ann Draper,

Plaintiff,

v.

Jeffery Allen Reed,

Defendant.

Case No.: 05D338668

Dept. No.: H

DISCOVERY

**DISCOVERY COMMISSIONER'S
REPORT AND RECOMMENDATIONS**

Date of Hearing: 02/21/2020

Time of Hearing: 1:00

APPEARANCES:

Plaintiff: Elizabeth Brennan (telephonically)
Nevada Bar No. 7286
Brennan Law Firm

Defendant: Amanda Roberts
Nevada Bar No. 9294
Roberts Stoffel Family Law Group

I.

FINDINGS

1. This matter came before the Discovery Commissioner pursuant to Plaintiff's Motion to Compel ("Motion"), which was filed on January 10, 2020.
2. The Discovery Commissioner held a hearing concerning the Motion on February 21, 2020.

RECEIVED
MAR 27 2020
CLERK OF THE COURT

- 1 3. On October 18, 2019, Defendant was served with Interrogatories and Request for
2 Production of Documents and no responses were received by the filing of Plaintiff's
3 Motion on January 10, 2020.
4 4. EDCR 5.602 was met by the December 17, 2019 telephone call between counsel.
5 5. Counsel for Defendant provided Answers to the Interrogatories on February 3, 2020
6 and Responses to the Request for Production of Documents on February 21, 2020 (the
7 date of the hearing before the Discovery Commissioner).

8 **II.**

9 **RECOMMENDATIONS**

10 IT IS THEREFORE RECOMMENDED that:

- 11 1. Plaintiff's Motion to Compel is GRANTED, all-be-it that Defendant has now
12 responded.
13 2. The Court deems OBJECTIONS WAIVED.
14 3. Regarding the request going back to 2016, the Court shall ALLOW it as a historical
15 look back.
16 4. Counsel shall have an EDCR 5.602 in-person conference or telephone call regarding
17 deficiencies. If counsel is still unable to resolve the issues, they will be addressed at
18 the Status Check.
19 5. ATTORNEY'S FEES shall be GRANTED to Plaintiff. Plaintiff's counsel shall
20 prepare the Report and Recommendation, file a Memorandum of FEES and COSTS,
21 submit an affidavit with the Brunzell Factors including a redacted invoice which
22 includes the following language: The Commissioner having reviewed the Brunzell
23 Factors, attorneys fees in the amount of \$1000.00 are awarded. Memorandum of Fees and
24 Costs shall be due by 3/6/2020 and the Objections shall be due by 3/13/2020.*
25 6. Status Check re: Report and Recommendations and deficiencies shall be set for
26 3/27/2020 at 1:30 p.m.

27 * Defendant filed an Objection on 3/13/2020 as Plaintiff did not file a Memo
28 of Fees and Costs by 3/6/2020. Plaintiff filed said memo on 3/27/2020 for
\$1130.50. Due to the late filing and as Sanctions of \$500 each for the Interrogatories
and Documents is reasonable; only \$1000 was awarded. (HF)
2 of 6

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The Discovery Commissioner met with counsel for the parties, having discussed the issues noted above and having reviewed any materials proposed in support thereof, hereby submits the above recommendations.

DATED this 30th day of March, 2020.



DISCOVERY COMMISSIONER

Submitted by:
BRENNAN LAW FIRM

/s/ Elizabeth Brennan
ELIZABETH BRENNAN

*Attorney for Plaintiff Emily Reed,
through her Conservator Alecia Draper*

NOTICE

Pursuant to NRCP 16.3(c)(2), you are hereby notified that within fourteen (14) days after being served with a report any party may file and serve written objections to the recommendations. Written authorities may be filed with objections, but are not mandatory. If written authorities are filed, any other party may file and serve responding authorities within seven (7) days after being served with objections.

OBJECTION time will expire on April 17, 2020.

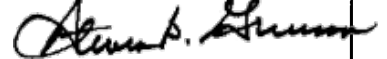
A copy of the foregoing Discovery Commissioner's Report was:

_____ Mailed to Counsel at the following address on the _____ day of _____, 2020.

mb Electronically filed and served on the 3rd day of April, 2020, pursuant to N.E.F.C.R. Rule 9.

The Commissioner's Report is deemed received at the time it is e-served to a party or the party's attorney. Alternatively, the Commissioner's Report is deemed received three (3) days after mailing to a party or the party's attorney or three (3) days after the clerk of the court deposits a copy of the Report in the folder of a party's lawyer in the Clerk's office. E.D.C.R. 2.34(f).

By: *Mary Breche*
COMMISSIONER DESIGNEE



OPP

Elizabeth Brennan
Nevada Bar No. 7286
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Las Vegas, NV 89135
Telephone: (702) 834-8888
Facsimile: (702) 507-1466
elizabeth@brennanlawfirm.com

*Attorney for Plaintiff Emily Reed,
through her Conservator Alecia Draper*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Alecia Ann Draper,

Plaintiff,

v.

Jeffery Allen Reed,

Defendant.

Case No.: 05D338668

Dept. No.: H

Oral Argument Requested

**PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO EXTEND
DISCOVERY, EXTEND TIME FOR REBUTTAL EXPERT AND RELATED RELIEF**

Plaintiff Emily Reed, through her Conservator Alecia Draper (the "Conservator"), by and through her attorney, opposes the Motion to Extend Discovery Et Al filed by Defendant, Jeffery Reed ("Defendant's Motion").

This case involves the request for child support for Emily Reed ("Emily"). Emily is the 23-year-old adult daughter of the Conservator, Alecia Draper, and the Defendant, Jeffery Reed. Emily has been handicapped since before the age of majority; has remained handicapped, and is entitled to child support in accordance with NRS 125B.110.

The request for child support for Emily has been pending since 2017. The case is now set for an evidentiary hearing on June 18, and 19, 2020. During a conference call with Judge Ritchie on March 31, 2020, Judge Ritchie denied Defendant's oral request to extend the discovery cutoff date. This is significant because just 2 days later, Defendant filed the present motion. Defendant's Motion must be DENIED in its ENTIRETY for the following reasons:

1
2 **1. Defendant Failed to Comply With EDCR 5.501.**

3 Prior to the filing of Defendant's Motion, defense counsel made no attempt to amicably
4 resolve the issues in dispute with undersigned counsel.

5 **2. Defendant NEVER Disclosed the Identity of Any Rebuttal Expert.**

6 Plaintiff disclosed the identity of her expert, Dr. Love Farrell, back in 2017. Plaintiff's
7 Initial Expert Report of Dr. Love Farrell was provided to Defendant on August 31, 2017 (Bates#
8 PL 000216 – 000221) and again on July 29, 2019 (Bates# ER 000057 – 000062). Thereafter, on
9 October 22, 2019, Plaintiff provided Defendant with Dr. Love Farrell's CV. (Bates# ER 001442
10 – 001444).

11 On December 4, 2019, Plaintiff provided Defendant with Dr. Love Farrell's Supplemental
12 Report. (Bates# ER 001450 – 001467).

13 Pursuant to NRCp 16.2(e)(3)(A) a party must disclose the identity of their rebuttal expert
14 within 21 days after the disclosure made by the other party. To date, despite Plaintiff having
15 disclosed the identity of Dr. Love Farrell back in 2017, Defendant still has not disclosed the
16 identity of ANY Rebuttal Expert!

17 **3. Defendant NEVER Disclosed or Produced Any Rebuttal Expert REPORT.**

18 Pursuant to NRCp 16.2(e)(3)(B), a party must deliver to their expert report to the opposing
19 party within 60 days of the close of discovery. Discovery closed in this case on April 2, 2020. As
20 a result, Defendant's Rebuttal Expert Report was due on February 3, 2020. To date, Defendant
21 has failed to produce any Rebuttal Expert Report or disclose the identity of any Rebuttal Expert.

22 Prior to the February 3, 2020 deadline for production of Defendant's Rebuttal Expert
23 Report, Defendant never sought an extension of the deadline.

24 **4. Plaintiff Timely Responded to All Written Discovery Back in July of 2019.**

25 In Defendant's Motion, Defendant discusses the fact that Defendant served Request for
26 Production of Documents on Plaintiff back in June of 2019. What Defendant fails to point out is
27 that Plaintiff timely responded to that Request for Production in July of 2019. Now, eight (8)
28 months later, on the eve of trial, Defendant claims for the first time that he doesn't believe

1 Plaintiff's responses were sufficient. Despite that accusation in Defendant's Motion, Defendant
2 never ever claimed at any time during the past 8 months that Plaintiff's discovery responses were
3 deficient in any manner. None!

4 **5. Defendant Has Been Provided ALL Medical Records In Plaintiff's Possession.**

5 Contrary to Defendant's Motion, Plaintiff has provided Defendant with ALL of Emily's
6 medical records that Plaintiff has requested over the years and that Plaintiff deems necessary to
7 prove her case! See Exhibit 1, Plaintiff's Supplemental Disclosure served on 4/2/2020.

8 It is significant to note that Defendant has had Emily's medical records for treatment
9 rendered to her while she was a minor since August 31, 2017. (Bates# PL 000001 – 000267). This
10 included a Summary of Emily's Medical Treatment, with the names of her medical providers.
11 (Bates# PL 000257 – 000267).

12 **6. Defendant Was Provided HIPPA Releases Twice – Back in 2017 and again in 2019.**

13 In addition to the documents produced by Plaintiff from 2017 to the present, Plaintiff
14 provided Defendant with not one, but two HIPPA Releases authorizing Defendant's counsel to get
15 whatever medical records of Emily the she deemed necessary. The first HIPPA Release was
16 provided to Defendant back in September of 2017. (Bates# ER 001053). The second HIPPA
17 Release was provided to Defendant back in July of 2019. (Bates# ER 001054).

18 Both HIPPA Releases specifically authorize Defendant's attorney, Amanda Roberts, Esq.
19 to obtain Emily's medical records. As a result, if Defendant wanted additional medical records
20 other than the thousands of pages already provided by Plaintiff, Defendant has had the ability to
21 get them since 2017.

22 **7. Judge Ritchie Refused to Extend Discovery When Requested on 3/31/2020.**

23 Counsel for the parties had a conference call with Judge Ritchie on March 31, 2020,
24 which was initiated by the Judge, to move the evidentiary hearing from April 16 and 17, 2020 to
25 June 18 and 19, 2020. This trial date was moved was made solely because of the Coronavirus
26 issues and the desire of all involved to try to have the case in person, rather than by video
27 conference if possible. During that call, Defendant mentioned the name of its alleged Rebuttal
28 Expert for the first time ever; stated that Defendant was still trying to get a Rebuttal Expert Report

1 done; and Defendant requested additional time for discovery. Undersigned counsel for Plaintiff
2 objected because Defendant failed to meet their disclosure requirements and Plaintiff would be
3 prejudiced. Judge Ritchie responded by stating that he is NOT moving the discovery cutoff date.

4 WHEREFORE, for the reasons set for herein, it is clear that Defendant's Motion must
5 be DENIED and that the Court should grant whatever relief it deems proper in favor of Plaintiff
6 due to the frivolous nature of Defendant's Motion.

7
8 BRENNAN LAW FIRM, LLC

9 By: /s/ Elizabeth Brennan
10 ELIZABETH BRENNAN

11 *Attorney for Plaintiff Emily Reed,*
12 *through her Conservator Alecia Draper*
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CERTIFICATE OF SERVICE

I certify that I am an employee of Brennan Law Firm and that on this 16th day of April, 2020 service of the foregoing:

**PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO EXTEND
DISCOVERY, EXTEND TIME FOR REBUTTAL EXPERT AND RELATED RELIEF**

mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

Amanda M. Roberts, Esq.
Attorney for Jeffery Allen Reed

/s/ Elizabeth Brennan
An Employee of BRENNAN LAW FIRM

EXHIBIT 1

EXHIBIT 1

EXHIBIT 1

1 Elizabeth Brennan
2 Nevada Bar No. 7286
3 **BRENNAN LAW FIRM**
4 1980 Festival Plaza Drive, Suite 300
5 Las Vegas, NV 89135
6 Telephone: (702) 834-8888
7 Facsimile: (702) 507-1466
8 elizabeth@brennanlawfirm.com

9 *Attorney for Plaintiff Emily Reed,*
10 *through her Conservator Alecia Draper*

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 Alecia Ann Draper,

14 Plaintiff,

15 v.

16 Jeffery Allen Reed,

17 Defendant.

Case No.: 05D338668

Dept. No.: H

18 **PLAINTIFF'S SUPPLEMENTAL DISCLOSURES**

19 Alecia Draper, in her capacity as Conservator for Emily Reed ("Emily"), supplements
20 Plaintiff's prior disclosures related to the pending request for child support for Emily as a
21 disabled child beyond the age of majority as follows:

22 **I. WITNESSES**

- 23 1. Alecia Draper (Individually)
24 c/o Brennan Law Firm

25 Alecia will testify regarding her knowledge of all facts at issue, including but not
26 limited to, Emily's treatment and medical condition at all pertinent time periods.

- 27 2. Dr. Love Ferrell (Expert Witness & Treating Doctor)
28 3150 Bristol Street, Suite 400
Costa Mesa, CA 92626

Dr. Ferrell will testify regarding her treatment of Emily as well as her Expert Opinion
regarding Emily's disability at all pertinent time periods.

3. Emily Reed (Through her conservator Alecia Draper)
c/o Brennan Law Firm

Emily will testify through her Conservator Alecia Draper regarding her
knowledge of all facts at issue, including but not limited to, Emily's treatment and
medical condition at all pertinent time periods.

- 1 4. Liz Olden
2 c/o Brennan Law Firm

3 Ms. Olden is Emily's grandmother. She will testify regarding her knowledge of
4 all facts at issue, including but not limited to, Emily's treatment and medical
5 condition at all pertinent time periods.

- 6 5. Roger Boehm
7 63 Cranbrooke Drive
8 Dallas, Georgia 30157
9 Phone: (321) 269-0404

10 Dr. Boehm is a therapist who will testify regarding his therapy and treatment of
11 Emily; his review of Emily's medical history; Emily's diagnosis and Emily's current
12 state.

- 13 6. Jay Meeks, LMSW
14 Pasadena Villa Residential Psychiatric Treatment Centers
15 625 Virginia Drive
16 Orlando, Florida 32803
17 Phone: (865) 413-1012

18 Dr. Meeks is a therapist who will testify regarding Emily's residential psychiatric
19 treatment in the Pasadena Villa facility in Eastern Tennessee following her 9/3/19
20 recent suicide attempt; Emily's ongoing mental health crisis in which she continues to
21 receive treatment; and Emily's current status and capacity.

- 22 7. Any other doctor or medical provider listed in the attached medical records.
23 8. Any witness listed by any other party.
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II. DOCUMENTS

UC Irvine Medical Records	PL 000001 – 000175	Previously Provided 8/31/2017
Center for Discovery Medical Records	PL 000176 - 000190	Previously Provided 8/31/ 2017
Del Amo Hospital Medical Records	PL 000191 – 000215	Previously Provided 8/31/2017
Dr. Love Farrell Medical Records & Expert Report	PL 000216 – 000221	Previously Provided 8/31/2017
Social Security Records for Emily	PL 000222 – 000256	Previously Provided 8/31/2017
Summary of Emily's Medical Treatment	PL 000257 - 000267	Previously Provided 8/31/2017

1	Breakdown of Emily Reed's Health Insurance (2017 – Present)	ER 000001	Previously Provided 7/29/2019
2	Health Insurance Cards	ER 000002 – 000003	Previously Provided 7/29/2019
3	Letters of Conservatorship	ER 000004 – 000006	Previously Provided 7/29/2019
4	Excerpts from 2016 Revised Edition Handbook for Conservators, Judicial Council of California	ER 000007 – 000010	Previously Provided 7/29/2019
5	Capacity Declaration from Dr. Jennifer Love Farrell	ER 000011 – 000014	Previously Provided 7/29/2019
6	Emily's Medical History List	ER 000015 - 000026	Previously Provided 7/29/2019
7	Emily Expense History List	ER 000027 - 000033	Previously Provided 7/29/2019
8	2017 Emily Expense History	ER 000034 – 000044	Previously Provided 7/29/2019
9	2018 Emily Expense History	ER 000045 – 000051	Previously Provided 7/29/2019
10	2019 Emily Expense History	ER 000052 - 000056	Previously Provided 7/29/2019
11	Dr. Love Farrell Report (See also PL 000216 – 000221)	ER 000057 – 000062	Previously Provided 8/31/2017 and 7/29/2019
12	Emily's US Bank Statements	ER 000063 - 000122	Previously Provided 7/29/2019
13	Capital One Mastercard-5743 (see also ER 000513 – 000520)	ER 000123 – 000220	Previously Provided 7/29/2019
14	American Express-52019	ER 000221 – 000283	Previously Provided 7/29/2019
15	Wells Fargo Signature Visa (see also ER 000521 – 000537)	ER 000284 – 000336	Previously Provided 7/29/2019
16	US Bank Checking – Personal 2017 – Present	ER 000337 - 000512	Previously Provided 7/29/2019
17	Capital One Mastercard-5743 (see also 000123 – 000220)	ER 000513 - 000520	Previously Provided 7/29/2019
18	Wells Fargo Signature Visa (see also ER 000284 – 000336))	ER 000521 – 000537	Previously Provided 7/29/2019
19	US Bank Credit Card 2017 – 2019	ER 000538 – 000559	Previously Provided 7/29/2019
20	US Bank Checking – Business 2017 - 2019	ER 000560 – 000727	Previously Provided 7/29/2019
21	US Bank Savings – Personal 2017 – 2019	ER 000728 – 000761	Previously Provided 7/29/2019
22	Merchant Services Statements 2017 – Present	ER 000762 – 000766	Previously Provided 7/29/2019
23	QuickBooks - Business	ER 000767 – 000770	Previously Provided 7/29/2019
24	Balance Sheet	ER 000771 – 000772	Previously Provided 7/29/2019
25	Profit & Loss Statement – Business	ER 000773 - 000774	Previously Provided 7/29/2019
26	1099 Forms (2017 & 2018)	ER 000775 – 000781	Previously Provided 7/29/2019
27	Gas, Electric & Other Utility Bills	ER 000782 – 000791	Previously Provided 7/29/2019
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1	House Mortgage & tax Payments	ER 000792 - 000806	Previously Provided 7/29/2019
2	Vehicle Insurance	ER 000807 - 000813	Previously Provided 7/29/2019
3	Vehicle Payments	ER 000814 - 000841	Previously Provided 7/29/2019
4	Updated FDF Page	ER 000842	Previously Provided 7/29/2019
5	Proof of 49% Ownership	ER 000843 - 000851	Previously Provided 7/29/2019
6	Alecia Passport	ER 000852	Previously Provided 7/29/2019
7	Emily FDF	ER 000853 - 000860	Previously Provided 7/29/2019
8	Cell Phone Bill	ER 000861 - 000872	Previously Provided 7/29/2019
9	2017 Personal Tax Returns	ER 000873 - 000895	Previously Provided 7/29/2019
10	2018 Business Tax Returns	ER 000896 - 000918	Previously Provided 7/29/2019
11	2017 Business Tax Returns	ER 000919 - 000964	Previously Provided 7/29/2019
12	2018 Business Tax Returns	ER 000965 - 001003	Previously Provided 7/29/2019
13	Emily's Credit Report	ER 001004 - 001012	Previously Provided 7/29/2019
14	Emily's High School Transcript	ER 001013	Previously Provided 7/29/2019
15	Emily's Passport & Driver's License	ER 001014	Previously Provided 7/29/2019
16	Dr. Boehm	ER 001015	Previously Provided 7/29/2019
17	Depression Treatment	ER 001016 - 001017	Previously Provided 7/29/2019
18	Monarch Dog Grooming	ER 001018 - 001021	Previously Provided 7/29/2019
19	Monarch Dog Purchase	ER 001022	Previously Provided 7/29/2019
20	Monarch Vet Bills	ER 001023 - 001035	Previously Provided 7/29/2019
21	AAA Animal Hospital	ER 001036 - 001038	Previously Provided 7/29/2019
22	Sit Means Sit	ER 001039	Previously Provided 7/29/2019
23	Twin Peaks Vet	ER 001040 - 001045	Previously Provided 7/29/2019
24	Beach City Vet	ER 001046 - 001051	Previously Provided 7/29/2019
25	OC Pass William Mason	ER 001052	Previously Provided 7/29/2019
26	HIPPA Release Signed by Emily	ER 001053 - 001054	Previously Provided 7/29/2019
27	Dr. Rouanzion	ER 001055 - 001078	Previously Provided 7/29/2019
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1	UBH Denton Health	ER 001079 – 001132	Previously Provided 7/29/2019
2	UBH Denton Health	ER 001133 - 001136	Previously Provided 7/29/2019
3	Del Almo Medication Discharge	ER 001137	Previously Provided 7/29/2019
4	Del Almo Hospital	ER 001138 - 001186	Previously Provided 7/29/2019
5	Dr. Farrell Proof of Payment	ER 001187 - 001192	Previously Provided 7/29/2019
6	Elizabeth Yang Law Office	ER 001193 – 001240	Previously Provided 7/29/2019
7	Macy's Credit Card	ER 001241 - 001253	Previously Provided 7/29/2019
8	US Bank Personal 2017	ER 001254 – 001265	Previously Provided 7/29/2019
9	US Bank Personal 2018	ER 001266 – 001274	Previously Provided 7/29/2019
10	US Bank Personal 2019	ER 001275 - 001282	Previously Provided 7/29/2019
11	Dog Training	ER 001283 - 001287	Previously Provided 7/29/2019
12	Nevada School Records	ER 001288 – 001352	Previously Provided 7/29/2019
13	California School Records	ER 001353 – 001441	Previously Provided 7/29/2019
14	CV – Dr. Love Farrell	ER 001442 – 001444	Previously Provided 10/22/2019
15	CV – Dr. Roger Boehm	ER 001445 - 001448	Previously Provided 10/22/2019
16	Receipt \$8,500 Pasadena Villas Residential Psychiatric Treatment Centers	ER 001449	Previously Provided 10/22/2019
17			
18	Dr. Love Ferrell Supplemental Report	ER 001450 - 001467	Previously Provided 12/04/2019
19			
20	Metro Police Interview of Emily Reed re Sexual Assault	ER 001468 - 001519	Previously Provided 12/04/2019
21	Alecia Draper Request for FMLA	ER 001520 - 001525	Previously Provided 12/04/2019
22			
23	Emily Reed Photos taken at Ridgeview Hospital on 08-29-2019	ER 001526 - 001527	Previously Provided 12/04/2019
24	Emily Reed SSI Continuing Approval Letter	ER 001528 - 001529	Previously Provided 12/04/2019
25			
26	State of Nevada vs. Allen Gorry	ER 001530 – 001531	Previously Provided 12/04/2019
27			
28	Emily Reed Suicide Note to Tiffany Doe School Psychologist	ER 001532 - 001533	Previously Provided 12/04/2019

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Emily Reed Status Update June 2019 thru October 2019	ER 001534 - 001539	Previously Provided 12/04/2019
Wellstar Cobb Hospital September 20, 2019 (ER visit after overdose)	ER 001540 – 001610	Previously Provided 01/31/2020
Le Conte Medical Center October 1, 2019 (ER Hospital Records)	ER 001611 - 001662	Previously Provided 01/31/2020
Amen Clinic – Discharge Summary, Log Notes, Emails	ER 001663 – 001739	Previously Provided 01/31/2020
Amen Clinic – History and Final Evaluations and Brain Scans	ER 001740 – 001762	Previously Provided 01/31/2020
Amen Clinic – Department of Social Services	ER 001763 – 001771	Previously Provided 01/31/2020
Amen Clinic – Prescription Records	ER 001772 – 001819	Previously Provided 01/31/2020
Amen Clinic – Physician Progress Notes, Lab, and Outside Records	ER 001820 - 002315	Previously Provided 01/31/2020
Alecia Passport	ER 002316 - 002330	04/02/2020
Emily Passport	ER 002331 - 002342	04/02/2020
Roger Boehm Diagnosis and Treatment	ER 002343 – 02345	04/02/2020
Roger Boehm – Billing Statement	ER 002346	04/02/2020
Amen Clinic/Dr. Love Farrell Payment for Trial	ER 002347	04/02/2020
Blue Cross Exp. of Benefits - August 2019	ER 002348 – 002364	04/02/2020
Blue Cross Exp. of Benefits - September 2019	ER 002365	04/02/2020
Blue Cross Medical Authorization	ER 002366 - 002386	04/02/2020
LeConte – Medical Bill 2019	ER 002387 - 002390	04/02/2020
LeConte – Medical Records 2019	ER 002391 - 002442	04/02/2020
Del Amo Hospital Records	ER 002443 - 002470	04/02/2020
Expenses for Emily 2017	ER 002471 - 002481	04/02/2020

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Expenses for Emily 2018	ER 002482 - 002488	04/02/2020
Expenses for Emily 2019	ER 002489 - 002500	04/02/2020
Expense SUMMARY for Emily 2017, 2018 and 2019	ER 002501	04/02/2020
Pasadena Villa Discharge Summary	ER 002502 - 002505	04/02/2020
Pasadena Villa – Case 1	ER 002506 - 002669	04/02/2020
Pasadena Villa – Case 2	ER 002670 - 002822	04/02/2020

BRENNAN LAW FIRM

By: /s/ Elizabeth Brennan
ELIZABETH BRENNAN

*Attorney for Plaintiff Emily Reed,
through her Conservator Alecia Draper*

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CERTIFICATE OF SERVICE

I certify that I am an employee of Brennan Law Firm and that on this April 2, 2020, service of the foregoing:

PLAINTIFF'S SUPPLEMENTAL DISCLOSURES

was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

Amanda M. Roberts, Esq.
Attorney for Jeffery Allen Reed

/s/ Elizabeth Brennan
An Employee of BRENNAN LAW FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****April 24, 2020**

05D338668

Alecia A Reed, Plaintiff

vs.

Jeffrey A Reed, Defendant.

April 24, 2020**2:30 PM****Minute Order****HEARD BY:** Bailey, Soonhee**COURTROOM:** Chambers**COURT CLERK:** Carol Foley**PARTIES:**

Adam Reed, Subject Minor, not present

Alecia Reed, Plaintiff, not present

Elizabeth Brennan, Attorney, not present

Anthony Reed, Subject Minor, not present

Emily Reed, Subject Minor, not present

Jeffrey Reed, Defendant, not present

Amanda Roberts, Attorney, not present

JOURNAL ENTRIES

- MINUTE ORDER WITHOUT HEARING.

Court noted, the Defendant filed a Motion to Extend Discovery, Extend Time for Rebuttal Expert on April 2, 2020. Pursuant to EDCR 2.35 (a)(2) a motion to extend any discovery scheduling order deadline shall be set in accordance with Rule 2.20 and heard before the discovery commissioner. Nevada Court Order 0020 effective March 12, 2019, modified EDCR 2.35 (a) with reference to the discovery commissioner and replaced those references with district judge as the district judge will handle stipulations or motions to extend discovery deadlines.

Therefore, the Discovery Commissioner does not have jurisdiction over this matter. COURT RECOMMENDED:

MOTION TO COMPEL and OPPOSITION set before the Discovery Commissioner on 5-8-20 at 1:00

PRINT DATE:	04/24/2020	Page 1 of 2	Minutes Date:	April 24, 2020
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

ROA0691

p.m. will be VACATED. Matter will be forwarded to District Judge Arthur Ritchie, Jr. for a determination on how to proceed.

A copy of these minutes will be emailed to counsel for the parties and to the Department H Inbox.

Clerk's note: Minute order emailed to counsel and Department H. cf 4/24/20

INTERIM CONDITIONS:

FUTURE HEARINGS:

*Canceled: May 08, 2020 1:00 PM Motion to Compel
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated
Courtroom 17
Bailey, Soonhee*

*Canceled: May 08, 2020 1:00 PM Opposition
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated
Courtroom 17
Bailey, Soonhee*

*Canceled: May 08, 2020 1:00 PM Opposition
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated
Courtroom 17
Bailey, Soonhee*

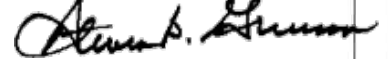
June 18, 2020 9:00 AM Evidentiary Hearing
Ritchie, T. Arthur, Jr.
RJC Courtroom 03G
Prock, Kathy

June 19, 2020 9:00 AM Evidentiary Hearing
Ritchie, T. Arthur, Jr.
RJC Courtroom 03G
Prock, Kathy

PRINT DATE:	04/24/2020	Page 2 of 2	Minutes Date:	April 24, 2020
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

ROA0692



ORDR

Elizabeth Brennan
Nevada Bar No. 7286
BRENNAN LAW FIRM
1980 Festival Plaza Drive, Suite 300
Las Vegas, NV 89135
Telephone: (702) 834-8888
Facsimile: (702) 507-1466
elizabeth@brennanlawfirm.com

*Attorney for Plaintiff Emily Reed,
through her Conservator Alecia Draper*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Alecia Ann Draper,

Plaintiff,

v.

Jeffery Allen Reed,

Defendant.

Case No.: 05D338668

Dept. No.: H

DISCOVERY

ORDER ON DISCOVERY COMMISSIONER'S REPORT AND RECOMMENDATIONS

The Court, having reviewed the above report and recommendations prepared by the
Discovery Commissioner and,

 X

No timely objection having been filed.

 X

After reviewing the objections to the Report and Recommendations and good
cause appearing,

 TAR

AND

IT IS HEREBY ORDERED the Discovery Commissioner's Report and
Recommendations are affirmed and adopted.

IT IS HEREBY ORDERED the Discovery Commissioner's Report and
Recommendations are affirmed and adopted as modified in the following manner.
(attached hereto).

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IT IS HEREBY ORDERED that this matter is remanded to the Discovery Commissioner for reconsideration or further action.

IT IS HEREBY ORDERED the Discovery Commissioner's Report and Recommendations are reversed.

IT IS HEREBY ORDERED that a hearing on the Discovery Commissioner's Report is set for the ____ day of _____, 2020 at ____:____ a.m.

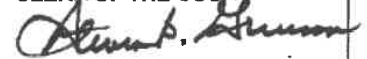
DATED this 24 day of April, 2020.



DISTRICT COURT JUDGE

T ART RITCHIE, JR.

LCD



1 **DCRR**
2 Elizabeth Brennan
3 Nevada Bar No. 7286
4 **BRENNAN LAW FIRM**
5 1980 Festival Plaza Drive, Suite 300
6 Las Vegas, NV 89135
7 Telephone: (702) 834-8888
8 Facsimile: (702) 507-1466
9 elizabeth@brennanlawfirm.com

10 *Attorney for Plaintiff Emily Reed,*
11 *through her Conservator Alecia Draper*

12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 Alecia Ann Draper,

15 Plaintiff,

16 v.

17 Jeffery Allen Reed,

18 Defendant.

Case No.: 05D338668

Dept. No.: H

DISCOVERY

19 **DISCOVERY COMMISSIONER'S**
20 **REPORT AND RECOMMENDATIONS**

21 Date of Hearing: 02/21/2020
22 Time of Hearing: 1:00

23 **APPEARANCES:**

24 Plaintiff: Elizabeth Brennan (telephonically)
25 Nevada Bar No. 7286
26 Brennan Law Firm

27 Defendant: Amanda Roberts
28 Nevada Bar No. 9294
Roberts Stoffel Family Law Group

I.

FINDINGS

1. This matter came before the Discovery Commissioner pursuant to Plaintiff's Motion to Compel ("Motion"), which was filed on January 10, 2020.
2. The Discovery Commissioner held a hearing concerning the Motion on February 21, 2020.

RECEIVED

MAR 27 2020

CLERK

1 **DCRR**

2 Elizabeth Brennan

3 Nevada Bar No. 7286

4 **BRENNAN LAW FIRM**

5 1980 Festival Plaza Drive, Suite 300

6 Las Vegas, NV 89135

7 Telephone: (702) 834-8888

8 Facsimile: (702) 507-1466

9 elizabeth@brennanlawfirm.com

10 *Attorney for Plaintiff Emily Reed,*
11 *through her Conservator Alecia Draper*

12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 Alecia Ann Draper,

15 Plaintiff,

16 v.

17 Jeffery Allen Reed,

18 Defendant.

Case No.: 05D338668

Dept. No.: H

DISCOVERY

19 **DISCOVERY COMMISSIONER'S**
20 **REPORT AND RECOMMENDATIONS**

21 Date of Hearing: 02/21/2020

22 Time of Hearing: 1:00

23 **APPEARANCES:**

24 Plaintiff: Elizabeth Brennan (telephonically)
25 Nevada Bar No. 7286
26 Brennan Law Firm

27 Defendant: Amanda Roberts
28 Nevada Bar No. 9294
Roberts Stoffel Family Law Group

I.

FINDINGS

1. This matter came before the Discovery Commissioner pursuant to Plaintiff's Motion to Compel ("Motion"), which was filed on January 10, 2020.
2. The Discovery Commissioner held a hearing concerning the Motion on February 21, 2020.

RECEIVED
MAR 27 2020
DISCOVERY

- 1 3. On October 18, 2019, Defendant was served with Interrogatories and Request for
2 Production of Documents and no responses were received by the filing of Plaintiff's
3 Motion on January 10, 2020.
4 4. EDCR 5.602 was met by the December 17, 2019 telephone call between counsel.
5 5. Counsel for Defendant provided Answers to the Interrogatories on February 3, 2020
6 and Responses to the Request for Production of Documents on February 21, 2020 (the
7 date of the hearing before the Discovery Commissioner).

8 **II.**

9 **RECOMMENDATIONS**

10 IT IS THEREFORE RECOMMENDED that:

- 11 1. Plaintiff's Motion to Compel is GRANTED, all-be-it that Defendant has now
12 responded.
13 2. The Court deems OBJECTIONS WAIVED.
14 3. Regarding the request going back to 2016, the Court shall ALLOW it as a historical
15 look back.
16 4. Counsel shall have an EDCR 5.602 in-person conference or telephone call regarding
17 deficiencies. If counsel is still unable to resolve the issues, they will be addressed at
18 the Status Check.
19 5. ATTORNEY'S FEES shall be GRANTED to Plaintiff. Plaintiff's counsel shall
20 prepare the Report and Recommendation, file a Memorandum of FEES and COSTS,
21 submit an affidavit with the Brunzell Factors including a redacted invoice which
22 includes the following language: The Commissioner having reviewed the Brunzell
23 Factors, attorneys fees in the amount of \$1000.00 are awarded. Memorandum of Fees and
24 Costs shall be due by 3/6/2020 and the Objections shall be due by 3/13/2020.*
25 6. Status Check re: Report and Recommendations and deficiencies shall be set for
26 3/27/2020 at 1:30 p.m.

27 * Defendant filed an Objection on 3/13/2020 as Plaintiff did not file a Memo
28 of Fees and Costs by 3/6/2020. Plaintiff filed said memo on 3/27/2020 for
\$1130.50. Due to the late filing and as sanctions of \$500 each for the Interrogatories
and Documents is reasonable, only \$1000 was awarded. (HK)
2 of 6

1 The Discovery Commissioner met with counsel for the parties, having discussed the
2 issues noted above and having reviewed any materials proposed in support thereof, hereby
3 submits the above recommendations.

4 DATED this 30th day of March, 2020.

5
6 
7 _____
8 DISCOVERY COMMISSIONER
9

10 Submitted by:

11 BRENNAN LAW FIRM

12
13 /s/ Elizabeth Brennan
14 ELIZABETH BRENNAN

15 *Attorney for Plaintiff Emily Reed,*
16 *through her Conservator Alecia Draper*
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NOTICE

Pursuant to NRCP 16.3(c)(2), you are hereby notified that within fourteen (14) days after being served with a report any party may file and serve written objections to the recommendations. Written authorities may be filed with objections, but are not mandatory. If written authorities are filed, any other party may file and serve responding authorities within seven (7) days after being served with objections.

OBJECTION time will expire on April 17, 2020.

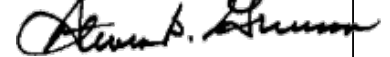
A copy of the foregoing Discovery Commissioner's Report was:

 Mailed to Counsel at the following address on the day of , 2020.

MB Electronically filed and served on the 3rd day of April, 2020, pursuant to N.E.F.C.R. Rule 9.

The Commissioner's Report is deemed received at the time it is e-served to a party or the party's attorney. Alternatively, the Commissioner's Report is deemed received three (3) days after mailing to a party or the party's attorney or three (3) days after the clerk of the court deposits a copy of the Report in the folder of a party's lawyer in the Clerk's office. E.D.C.R. 2.34(f).

By: Mary Breckle
COMMISSIONER DESIGNEE



1 NEOJ
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6 **DISTRICT COURT**
7 **FAMILY DIVISION**
8 **CLARK COUNTY, NEVADA**

9 ***

10 ALECIA A REED,
11 Plaintiff,

12 vs.

13 JEFFREY A REED,
14 Defendant.

CASE NO.: 05D338668
DEPARTMENT H

15
16 **NOTICE OF ENTRY OF ORDER**

17 TO: ALL PARTIES AND/OR THEIR ATTORNEYS
18

19 Please take notice that the Order on Discovery Commissioner's Report and
20 Recommendations from the February 21, 2020 hearing was filed by the court. A
21 copy of the Order is attached hereto, and the following is a true and correct copy
22 thereof.
23

24 I hereby certify that on or about the file stamp date the foregoing Notice of
25 Entry of Order was:
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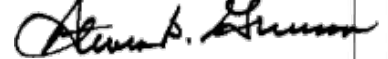
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☒ E-Served pursuant to NEFCR 9; placed in attorney folder(s) at the RJC; or
mailed to proper person litigants, via first-class mail, postage fully prepaid to:

Elizabeth R. Brennan, Esq. for
PLAINTIFF

Amanda M. Roberts, Esq. for
DEFENDANT

Katrina Rausch
Katrina Rausch
Judicial Executive Assistant
Department H



ORDR

Elizabeth Brennan
Nevada Bar No. 7286
BRENNAN LAW FIRM
1980 Festival Plaza Drive, Suite 300
Las Vegas, NV 89135
Telephone: (702) 834-8888
Facsimile: (702) 507-1466
elizabeth@brennanlawfirm.com

*Attorney for Plaintiff Emily Reed,
through her Conservator Alecia Draper*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Alecia Ann Draper,

Plaintiff,

v.

Jeffery Allen Reed,

Defendant.

Case No.: 05D338668

Dept. No.: H

DISCOVERY

ORDER ON DISCOVERY COMMISSIONER'S REPORT AND RECOMMENDATIONS

The Court, having reviewed the above report and recommendations prepared by the
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No timely objection having been filed.

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IT IS HEREBY ORDERED the Discovery Commissioner's Report and
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(attached hereto).

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IT IS HEREBY ORDERED that this matter is remanded to the Discovery Commissioner for reconsideration or further action.

IT IS HEREBY ORDERED the Discovery Commissioner's Report and Recommendations are reversed.

IT IS HEREBY ORDERED that a hearing on the Discovery Commissioner's Report is set for the ____ day of _____, 2020 at ____:____ a.m.

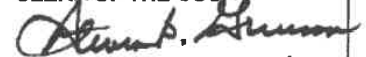
DATED this ²⁴ day of April, 2020.



DISTRICT COURT JUDGE

T ART RITCHIE, JR.

LCD



1 **DCRR**
2 Elizabeth Brennan
3 Nevada Bar No. 7286
4 **BRENNAN LAW FIRM**
5 1980 Festival Plaza Drive, Suite 300
6 Las Vegas, NV 89135
7 Telephone: (702) 834-8888
8 Facsimile: (702) 507-1466
9 elizabeth@brennanlawfirm.com

10 *Attorney for Plaintiff Emily Reed,*
11 *through her Conservator Alecia Draper*

12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 Alecia Ann Draper,

15 Plaintiff,

16 v.

17 Jeffery Allen Reed,

18 Defendant.

Case No.: 05D338668

Dept. No.: H

DISCOVERY

19 **DISCOVERY COMMISSIONER'S**
20 **REPORT AND RECOMMENDATIONS**

21 Date of Hearing: 02/21/2020
22 Time of Hearing: 1:00

23 **APPEARANCES:**

24 Plaintiff: Elizabeth Brennan (telephonically)
25 Nevada Bar No. 7286
26 Brennan Law Firm

27 Defendant: Amanda Roberts
28 Nevada Bar No. 9294
Roberts Stoffel Family Law Group

I.

FINDINGS

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2. The Discovery Commissioner held a hearing concerning the Motion on February 21, 2020.

RECEIVED

MAR 27 2020

CLERK

1 **DCRR**

2 Elizabeth Brennan

3 Nevada Bar No. 7286

4 **BRENNAN LAW FIRM**

5 1980 Festival Plaza Drive, Suite 300

6 Las Vegas, NV 89135

7 Telephone: (702) 834-8888

8 Facsimile: (702) 507-1466

9 elizabeth@brennanlawfirm.com

10 *Attorney for Plaintiff Emily Reed,*
11 *through her Conservator Alecia Draper*

12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 Alecia Ann Draper,

Case No.: 05D338668

15 Plaintiff,

Dept. No.: H

16 v.

17 **DISCOVERY**

18 Jeffery Allen Reed,

19 Defendant.

20 **DISCOVERY COMMISSIONER'S**
21 **REPORT AND RECOMMENDATIONS**

22 Date of Hearing: 02/21/2020

23 Time of Hearing: 1:00

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25 Plaintiff: Elizabeth Brennan (telephonically)
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MAR 27 2020
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and Documents is reasonable, only \$1000 was awarded. (HK)
2 of 6

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4 DATED this 30th day of March, 2020.

5
6 
7 _____
8 DISCOVERY COMMISSIONER

9
10 Submitted by:

11 BRENNAN LAW FIRM

12
13 /s/ Elizabeth Brennan
14 ELIZABETH BRENNAN

15 *Attorney for Plaintiff Emily Reed,*
16 *through her Conservator Alecia Draper*
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NOTICE

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OBJECTION time will expire on April 17, 2020.

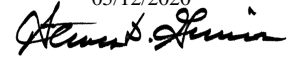
A copy of the foregoing Discovery Commissioner's Report was:

 Mailed to Counsel at the following address on the day of , 2020.

MB Electronically filed and served on the 3rd day of April, 2020, pursuant to N.E.F.C.R. Rule 9.

The Commissioner's Report is deemed received at the time it is e-served to a party or the party's attorney. Alternatively, the Commissioner's Report is deemed received three (3) days after mailing to a party or the party's attorney or three (3) days after the clerk of the court deposits a copy of the Report in the folder of a party's lawyer in the Clerk's office. E.D.C.R. 2.34(f).

By: Mary Breckle
COMMISSIONER DESIGNEE


CLERK OF THE COURT

1 OSEH
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6 **DISTRICT COURT**
7 **FAMILY DIVISION**
8 **CLARK COUNTY, NEVADA**
9

10 ****

11 ALECIA A REED,

12 Plaintiff,

13 vs.

14 JEFFREY A REED,

15 Defendant.

CASE NO.: 05D338668

DEPARTMENT H

RJC-Courtroom 3G

16
17 **SECOND AMENDED ORDER SETTING EVIDENTIARY HEARING**
18

19 Date of Hearing: **August 6, 2020 and August 7, 2020**

20 Time of Hearing: **9:00 a.m. 1:30 p.m.**

21 **IT IS HEREBY ORDERED** that pursuant to AO 20-09 and AO 20-11, civil
22 domestic trials or evidentiary hearings may be conducted by alternate means or
23 may be continued on a case by case basis. The court has reviewed the upcoming
24 evidentiary/trial matter and concludes that it should be continued. Therefore the
25 evidentiary hearing in the above-entitled case currently set for June 18, 2020 and
26 June 19, 2020 has been reset for the 6th day of **August, 2020**, at the hour of **9:00**
27
28

1 **a.m. for one (1) day**, and for the 7th day of **August, 2020**, at the hour of **1:30**
2 **p.m. for three (3) hours** in Department H at the Regional Justice Center, 200
3 Lewis Avenue, Courtroom 3G, Las Vegas, Nevada.
4

5 **IT IS FURTHER ORDERED** that no continuances will be granted to
6 either party unless written application is made to the Court, served upon
7 opposing counsel or proper person litigant, and a hearing held at least three (3)
8 days prior to the Evidentiary Hearing. *If this matter settles, please advise the*
9 *Court as soon as possible.*
10
11

12 Dated this 12th day of May, 2020

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15 5D9 A6E 7C19 6A95
16 T. Arthur Ritchie
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CERTIFICATE OF SERVICE

On or about the file stamp date, a copy of the foregoing Amended Order
Setting Evidentiary Hearing was:

☒ E-served pursuant to NEFCR 9; or mailed, via first-class mail, postage
fully prepaid to:

Elizabeth R. Brennan, Esq. for PLAINTIFF	Amanda M. Roberts, Esq. for DEFENDANT
---	--

Katrina Rausch
Katrina Rausch
Judicial Executive Assistant
Department H

DISTRICT COURT
CLARK COUNTY, NEVADA

Alecia A Reed, Plaintiff

CASE NO: 05D338668

vs.

DEPT. NO. Department H

Jeffrey A Reed, Defendant.

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order Setting Evidentiary Hearing was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Envelope ID: 6044146
Service Date: 5/12/2020

Elizabeth Brennan .

elizabeth@brennanlawfirm.com

Elizabeth Brennan

elizabeth@brennanlawfirm.com

Amanda Roberts

efile@lvfamilylaw.com

Benjamin La Luzerne

ben.laluzerne@laluzernelaw.com

1 ORDR

2
3
4 **DISTRICT COURT**
5 **FAMILY DIVISION**
6 **CLARK COUNTY, NEVADA**

7 *****

8 ALECIA A. REED,

CASE NO: 05D-338668

9 PLAINTIFF,

DEPT H

10
11
12 VS.

13
14 JEFFREY A. REED,

Date of Hearing 7/23/2020

15 DEFENDANT.

Time of Hearing: 9 AM

16
17
18 **ORDER SETTING PRETRIAL CONFERENCE**

19 This matter is set for an evidentiary hearing on August 6, 2020, and on
20 August 7, 2020. The court requires counsel to participate in a Pretrial
21 Conference on July 23, 2020, at 9:00 a.m. Counsel shall confer with each other
22 prior to the Pretrial Conference. At this Pretrial Conference, the court will
23 address the following:
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1. The logistics for the evidentiary hearing, including the manner of receiving documentary proof and sworn testimony.
2. The filing of pretrial briefs, and the electronic submission of proposed exhibits.
3. Confirm stipulations and agreements, if any, to simplify the evidentiary hearing.

IT IS HEREBY ORDERED that this matter shall be heard on July 23, 2020, at 9:00 a.m.

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Alecia A Reed, Plaintiff

CASE NO: 05d338668

7 vs.

DEPT. NO. Department H

8 Jeffrey A Reed, Defendant.

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 7/15/2020

15 Elizabeth Brennan .

elizabeth@brennanlawfirm.com

16 Elizabeth Brennan

elizabeth@brennanlawfirm.com

17 Amanda Roberts

efile@lvfamilylaw.com

18 Benjamin La Luzerne

ben.laluzerne@laluzernelaw.com

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CLERK OF COURT

EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ALECIA A. REED,)
Plaintiff,) CASE NO. 05D338668
vs.) DEPT. H
JEFFREY A. REED,) APPEAL NO. 82575
Defendant.) (SEALED)

BEFORE THE HONORABLE T. ARTHUR RITCHIE, JR.
DISTRICT COURT JUDGE

TRANSCRIPT RE: PRE TRIAL CONFERENCE

THURSDAY, JULY 23, 2020

APPEARANCES:

The Plaintiff: ALECIA A. REED (Tel)
For the Plaintiff: ELIZABETH R. BRENNAN, ESQ. (Tel)
1980 Festival Plaza Dr., #300
Las Vegas, Nevada 89135
(702) 834-8888

The Defendant: JEFFREY A. REED (Tel)
For the Defendant: AMANDA M. ROBERTS, ESQ. (Tel)
4411 S. Pecos Rd.
Las Vegas, Nevada 89121
(702) 474-7007

05D338668 REED 07/23/20 TRANSCRIPT (SEALED)
VERBATIM REPORTING & TRANSCRIPTION, LLC (520) 303-7356

1 LAS VEGAS, NEVADA

THURSDAY, JULY 23, 2020

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

3 (THE PROCEEDINGS BEGAN AT 8:58:30)

4
5 THE COURT: Good morning. These are post judgment
6 proceedings in D-2005-338668. We are in the Regional Justice
7 Center on the record but pursuant to Administrative Orders, we
8 have Ms. Brennan and Ms. Roberts present by phone. And your
9 clients are also on the line. Ms. Brennan, just state your
10 appearance for your client, Please.

11 MS. BRENNAN: Yes, Elizabeth Brennan, Your Honor,
12 bar number 7286, attorney for Emily Reed, con -- conservator
13 Alecia Draper.

14 THE COURT: Great. Ms. Roberts?

15 MS. ROBERTS: Amanda Roberts, bar number 9294, on
16 behalf of Jeffrey Reed who is present via BlueJeans -- or by
17 (indiscernible).

18 THE COURT: That's fine.

19 MS. BRENNAN: And my client is also present via
20 phone.

21 THE COURT: Right. We got them on the line. You
22 should be able to hear us okay. The -- the Court set this
23 pretrial conference to basically walk through the logistics of
24 the post judgment evidentiary hearing that we have in about

1 two weeks. The -- I know that this matter has been pending
2 since January 2019. But it was initially set for evidentiary
3 proceeding on the April 16th and 17th, June 18th and June
4 19th. And now it's going to go August 6th and 7th.

5 Now, the 6th is all day 9:00 to 5:00 with a break
6 for lunch 9:00 to 4:30. And then the 7th is morning 9:00 to
7 12:00. And we initially set it for that Friday morning in
8 each of those settings based on -- Ms. Brennan, you said you
9 had a witness who needed to appear on a Friday, an expert
10 witness. So what I want to do is I want to -- I want to take
11 about the -- the witnesses who you expect to call, when
12 they're going to testify, how they're going to testify. Also
13 the preference through all these Administrative Orders is to
14 have your documentary proof submitted electronically. I -- I
15 want to know whether you've walked through that process, how
16 -- how you email it to the Court, and where you get your
17 window to have those submitted electronically.

18 I'm in the middle of a trial today that I've had
19 this week where they're using books. I don't have a problem
20 with books as long as we have them far enough in advance so
21 that we can kind of disinfect them. But we -- we need to
22 coordinate those efforts.

23 So I assume that the matter is not resolved. I
24 haven't seen anything. I reviewed all the papers in the

1 files. There hasn't been anything filed of any substance
2 since April, other than the order setting the evidentiary
3 proceeding.

4 Ms. Brennan, who are you calling in your case?

5 MS. BRENNAN: I will be calling -- on August 6th
6 I'll be calling Alecia Draper.

7 THE COURT: Okay.

8 MS. BRENNAN: And on August 7th I will be calling
9 via Zoom or BlueJeans -- however you want it, I'll be calling
10 my expert Dr. Ferrell -- Ferrell on the 7th.

11 THE COURT: Okay.

12 MS. BRENNAN: That's all. I just have two
13 witnesses.

14 THE COURT: All right. Great. Well, then maybe
15 it's not even going to be a day-and-a-half; it might be less.
16 But we'll have the time anyway. So Alecia Draper is just
17 going to lay basic factual information. What's your plan on
18 direct, about an hour?

19 MS. BRENNAN: It may be longer than that. Obviously
20 I'm going to try to be as direct and to the point as I can. I
21 know that's how you like it. It may take longer than an hour
22 just simply because I need to go through -- I would say it's
23 going to take longer than an hour.

24 THE COURT: Okay. Well, I know we may not know for

1 sure, but we're going to have some invitation for BlueJeans
2 appearance by all or some of the witnesses. But are you
3 planning on being in court personally yourself?

4 MS. BRENNAN: I can, yeah. I think that might be
5 easier for the Court if I'm in there. And my client can also
6 be present in court if you would like.

7 THE COURT: Well, it is -- it is --

8 MS. BRENNAN: I would like (indiscernible -
9 simultaneous speech).

10 THE COURT: Yeah.

11 MS. BRENNAN: I would like to call my expert via --
12 if at all possible, via BlueJeans.

13 THE COURT: Yeah.

14 MS. BRENNAN: If not, then I'll have her drive in.
15 But she resides in California --

16 THE COURT: Yeah, that's fine.

17 MS. BRENNAN: -- and this would be --

18 THE COURT: I -- I made a note that your expert on
19 Friday morning is going to be BlueJeans. And --

20 MS. BRENNAN: Okay. Good.

21 THE COURT: -- the -- if you're -- look, we're --
22 we're monitoring this day-by-day. I mean, I -- most of the
23 trials I'm doing are by video. It just so happens I'm in a
24 trial this week where the parties are here. I can tell you it

1 -- it's -- you know, it's -- it's -- you know, it's a
2 challenge. Just -- I mean, I do it every day talking two to
3 three hours with a mask on, but it's not the easiest thing in
4 the world. But so I'll count on Plaintiff's Counsel and Ms.
5 Draper to -- to be here. We have to let the custodians know
6 because we have social distancing and cleaning protocols for
7 here. The -- if that changes, it's not a problem. We just
8 have to have a day or two notice for my JEA to get the
9 coordinated notices for remote appearance, okay?

10 MS. BRENNAN: Okay.

11 THE COURT: Obviously, if anybody feels ill or -- or
12 they -- if they're in a social distancing protocol, you got to
13 let us know so that we can accommodate that. Okay. So
14 documentary proof. Are you planning on having physical books
15 or are you going to be sending it to the Family Court evidence
16 website?

17 MS. ROBERTS: I would like to have electronically
18 the exhibits; however, just because I have a lot of medical
19 records, Your Honor, that there are pretty lengthy --

20 THE COURT: All right. So this is what you -- this
21 is what you do.

22 MS. ROBERTS: -- my -- I --

23 THE COURT: Judge Bell's Administrative Order says
24 that you contact the court and tell them that you are making

1 an electronics evidence submission. The Court website for
2 that communication from you is
3 FCEvidence@ClarkCountyCourts.us. Now the information we have,
4 and you call my office to talk to my clerk if you have any
5 issue with this is that they will receive an email from
6 Counsel stating that they intend to submit ev -- electronic
7 evidence. After the evidence submission is -- request is
8 received by email, they're supposed to reply to you with a
9 link to where you can upload the evidence. The link is
10 available only for that 24 hours while that -- while you're
11 doing that.

12 And then once you -- the exhibits are received,
13 they're going to be downloaded into a folder and there'll be a
14 confidential folder that my clerk will have access to on her U
15 drive. And then there will be access for printing or
16 reviewing in -- during the proceedings. Okay?

17 Now, you -- you can't do this last minute. It's --
18 I would say that you probably already know what your exhibits
19 are. If you can do it in advance, maybe next week, that would
20 be great. Okay. Because if there's any problems with that --

21 MS. BRENNAN: I'll do it next week for sure.

22 THE COURT: Yeah.

23 MS. BRENNAN: For sure.

24 THE COURT: All right. Ms. Roberts, have you done

1 any of this before, this submission of electronic exhibits so
2 far?

3 MS. ROBERTS: We have not, Your Honor. They have
4 allowed us to do book and --

5 THE COURT: Yeah. I'm -- I'm fine with the books.
6 You know, it's just -- you know, we're in a new world where
7 we're trying to -- to have options. I -- I will turn to you
8 and ask you all these same questions in a minute. So Ms. --
9 Ms. Brennan, you're going to have Ms. Draper testify and then
10 you're going to have your expert testify. Now, I will tell
11 you the session on Friday is half a day. And so that witness
12 needs to be ready to go 9:00 o'clock and you need to make sure
13 that that witness can get on and off with that testimony in
14 that morning. Okay. So it'll take some planning.

15 MS. BRENNAN: Yeah. I -- and I mean, I will see if
16 she's available on that Thursday -- the phone call, because I
17 know that you had set aside the whole day on Thursday. And if
18 -- if I can just go right into her on Thursday, then that's
19 what I'd like to do --

20 THE COURT: Yeah, I mean, I -- I would --

21 MS. BRENNAN: -- because --

22 THE COURT: -- I would prefer that, but we'll make a
23 BlueJeans invitation for the entire session, okay?

24 MS. BRENNAN: Okay.

1 THE COURT: So if --

2 MS. BRENNAN: Wonderful --

3 THE COURT: -- if --

4 MS. BRENNAN: -- Judge. Thank you.

5 THE COURT: If -- if the expert can be available,
6 that's great. Now, is there anything else -- we've talked
7 about exhibits, we've talked about the witnesses and -- and
8 how they might participate. Is there anything else that you
9 have? Any questions about as far as presentation is
10 concerned?

11 MS. BRENNAN: I -- I don't have any questions then.
12 I mean, did you want some pretrial memorandum? Do we have a
13 deadline to ask?

14 THE COURT: Yeah, I -- I'm going to -- let me visit
15 with Ms. Roberts for a second on this same issue and then
16 we'll talk about whether you feel like you need any additional
17 briefing. I -- I read this file and, again, yesterday. And
18 you guys have been writing memoranda for a year-and-a-half on
19 this stuff. I mean, what -- what more could you add to your
20 filings already? But if you want to summarize in --

21 MS. BRENNAN: Yeah.

22 THE COURT: -- in a short memo, I don't care. All
23 right. So Ms. Roberts, I -- I understand that -- that, you
24 know, you're obviously going to examine the witnesses they

1 call. But who do you plan to call?

2 MS. ROBERTS: Your Honor, we filed that motion with
3 the Discovery Commissioner and in April they said that we
4 would be getting an order from you. I talked to your law
5 clerk about it and she was going to get back to me regarding
6 whether or not what we needed to do if we needed to renotice
7 the motion or what we needed to do.

8 We have been in communication with Dr. Shera Bradley
9 and because of COVID there's been some delay, but she is still
10 who we intend to call if we are permitted under the motions
11 that we filed that they -- essentially, the Discovery
12 Commissioner came to you. And I know that your law clerk sent
13 you back -- didn't actually -- the -- the order I think is
14 what she said. I'm not positive what she said about that,
15 Your Honor, but that's the April 24th one that Hearing
16 Commissioner Bailey sent and just essentially said they were
17 and what you rule on.

18 THE COURT: Oh, well, okay. There's nothing pending
19 in front of the Court. I haven't seen anything pending. I
20 did see the recommendation and I do -- look, I'll just deal
21 with those type of issues as they come. You -- you want -- is
22 -- if this person testifies, assuming that the Court allows it
23 -- or is this person going to testify in person or by
24 BlueJeans?

1 MS. ROBERTS: Well, the reason I filed the motion,
2 Your Honor, is that she has to complete the review. I don't
3 want to waste Mr. Reed's money -- money essentially retaining
4 someone that the Court is going to say we can't use.

5 THE COURT: Okay.

6 MS. ROBERTS: And so that's (indiscernible) --

7 THE COURT: But -- all right. Look, I don't -- I
8 don't want to get -- I don't want to get into an argument when
9 we don't have anything pending here. But the discovery cutoff
10 in this case is months ago. We set this stuff for evidentiary
11 hearing in April and then again in June and now in August. We
12 -- we're -- we're going in a week -- in two weeks from today
13 we're starting this evidentiary proceeding. And so I -- it
14 sounds like you want to argue some sort of motion in limine or
15 some motion related to a discovery dispute. That -- that
16 time's past, okay? The first discovery cutoff was April 3rd.
17 Then the -- the next discovery cutoff has already passed. The
18 time for filing motions in limine have passed.

19 The time -- I -- I -- in each of these instances I
20 will let you make a record. If -- I -- I want -- I mean, I
21 can't -- this case has been pending since January 22nd, 2019
22 and at issue for almost a year. And so I'm not -- I -- I --
23 I'm not adverse to you, you know, saying look, Judge, we want
24 to call this person. And if there's an objection, then we

1 walk through making a record as to whether that person
2 testifies or not. But everyone who's a potential witness in
3 this case is either got to be identified or -- or joined
4 somehow electronically, you know, or are going to appear in
5 person. So if this person is a possible witness, then you
6 should make a note to -- to have him -- an invite for
7 BlueJeans session if they're not going to be physically be
8 here. Okay.

9 Now, is your client going to testify?

10 MS. ROBERTS: Yes, Your Honor.

11 THE COURT: Does --

12 MS. ROBERTS: I would anticipate --

13 THE COURT: Does --

14 MS. ROBERTS: -- (indiscernible) he will testify.

15 THE COURT: Is Mr. Reed going to testify in person
16 or does he want to testify remotely by -- by video?

17 MS. ROBERTS: He would -- he will testify in person
18 and we are in the courtroom at that time. Yes.

19 THE COURT: Okay. All right. Well, we -- we can
20 accommodate you and Ms. Brennan and the parties and a witness
21 and my three staff. We're a thousand square foot courtroom.
22 The real property management social distancing guidelines give
23 us 10 people in here. Okay. So, you know, we're -- we're
24 spread out, but, you know, we're going to -- we -- you know,

1 we'll be fine. But we just can't have a lot of people in
2 here. So Mr. Reed will be in person.

3 You mentioned that we were going to get some
4 testimony from Emily. Is that going to happen?

5 MS. ROBERTS: She's on our witness list, Your Honor.

6 THE COURT: Right. So how is she going to testify?

7 MS. ROBERTS: I -- I asked Counsel yesterday, or
8 when we had our conference on the 20th, pursuant to your
9 order, where she's currently at. And she was looking into
10 that and we haven't followed up on that issue.

11 THE COURT: Is she in a -- a facility that has any
12 kind of special restrictions imposed by the state of
13 California or anything else?

14 MS. BRENNAN: No.

15 MS. ROBERTS: (Indiscernible) --

16 MS. BRENNAN: She's not in a facil --

17 MS. ROBERTS: -- that information -- oh.

18 THE COURT: All right.

19 MS. BRENNAN: She's not -- she's not in a facility.
20 I told Ms. Roberts that she's -- on information and belief
21 that she's at home in California with her mom, Alecia Draper;
22 isn't that correct, Alecia?

23 THE PLAINTIFF: Yes.

24 THE COURT: Okay. Well, is Alecia Draper going to

1 actually come here and leave her daughter to testify alone in
2 California?

3 MS. BRENNAN: Well, I'm not under the impression --
4 I wasn't under the impression that Ale -- Emily was going to
5 be testifying. Her treating psychiatrist said -- psychologist
6 said -- said that it would be not in her best interest to
7 testify. This actually was not discussed on the call with Ms.
8 Roberts a couple of days ago. She asked where Emily was. She
9 did not say that she intended to call her as a witness.

10 THE COURT: Well, I -- I -- that -- that's -- Ms.
11 Brennan, that's nonsense. Okay. Because how would I know
12 that Emily's going to testify? Because almost every hearing
13 we have we've discussed who's going to testify. And Ms.
14 Roberts has told me that she intends to call Emily. Okay? So
15 --

16 MS. BRENNAN: Okay.

17 THE COURT: -- the -- the -- if -- if the -- so, you
18 know, and -- and, you know, the Court -- the Court has not
19 issued any orders. The same comments I just mentioned to Ms.
20 Roberts apply to you. There's no motion in limine that
21 excludes this person as a witness. There -- they -- the --
22 they cannot be excluded as a witness on this record. So if
23 there is an argument as to whether they testify because they
24 don't have capacity to testify or -- or for some other reason,

1 then that we'll -- we'll make a record of it. But we're not
2 going to -- the whole case is -- is centered around whether or
3 not Emily qualifies under Nevada law as being entitled to
4 support after the age of majority. And, you know, her
5 testimony's going to happen if they want it. Okay. So --

6 MS. BRENNAN: Well, then we better have an ambulance
7 lined up because she will be needing to be taken out in an
8 ambulance. So I -- I -- her doctors -- I hear you, Judge, and
9 if that's what is required in Nevada, then I'll have her in
10 person in Nevada and I'll have to figure out how to get an
11 ambulance there because you will have a major medical
12 emergency on the stand in your courtroom, so --

13 THE COURT: I didn't say -- I didn't say --

14 MS. BRENNAN: I (indiscernible) --

15 THE COURT: -- that she has to -- I didn't --

16 MS. BRENNAN: -- that's my understanding of what
17 will occur. This --

18 THE COURT: Yeah.

19 MS. BRENNAN: -- child has multiple (indiscernible)
20 personalities and I -- and will most likely become suicidal and
21 have a major breakdown on the stand. So I hope Nevada has an
22 ambulance because I don't know how to get an ambulance to say
23 they -- and I guess we'll just have to go forward with that if
24 that's the Court's ruling. I -- I mean, what I like to do is

1 --

2 THE COURT: So Ms. Draper's -- so Ms. Draper's going
3 to be bringing Emily to Nevada.

4 MS. BRENNAN: Yes, she will. And -- and --

5 THE COURT: Okay.

6 MS. BRENNAN: -- we may need to have a BlueJeans
7 session with the psychiatrist on Thursday, you know, when I
8 object on the grounds of capacity and have those arguments
9 from the -- her treating doctor.

10 THE COURT: Yeah. I mean the irony is is that --

11 MS. BRENNAN: (Indiscernible).

12 THE COURT: -- is that Emily may -- I mean, Emily's
13 testimony may actually support your case. That's the --
14 that's the irony. Okay.

15 MS. BRENNAN: Well, I understand that, but I don't
16 want to kill her in the process. So --

17 THE COURT: Yeah, well, that's --

18 MS. BRENNAN: -- (indiscernible) --

19 THE COURT: -- that's really great. Lay that on the
20 Court's feet when I know nothing about Emily and you -- you
21 have -- you just better do a better job. Mom and you better
22 do a better job --

23 MS. BRENNAN: We establish --

24 THE COURT: -- of making sure of --

1 MS. BRENNAN: I don't understand --

2 THE COURT: Emily -- Emily will be available. Emily

3 could be available electronically, remotely, or she could be

4 available in person. If Ms. Roberts wants to call her, then

5 we will -- then we will have a record of -- of whether she's

6 competent to testify. We will take her -- I mean, we will

7 organize her testimony in a way that, you know, she won't be

8 sitting around waiting to testify. We'll -- we may take her

9 out of order depending on when she's available. Now, who will

10 be caring for her if Ms. Draper is sitting in court with you?

11 MS. BRENNAN: I will find somebody to care for her.

12 THE COURT: Okay.

13 MS. BRENNAN: My client will take care of that.

14 THE COURT: Okay. So Emily is a potential witness.

15 Ms. Roberts, you say that you want to call her in your case,

16 right?

17 MS. ROBERTS: Yes, Your Honor.

18 THE COURT: All right. So if we get into the

19 hearing and Ms. Draper testifies and we have the doctor

20 available to testify, maybe Emily doesn't need to be

21 physically on site until her testimony is needed. We take a

22 recess and we have somebody bring her to court. Okay.

23 MS. ROBERTS: That's fine, Your Honor.

24 THE COURT: I mean, we have some strict social

1 distancing rules in the courthouse and the hallway and we
2 probably have, you know, less than a thousand people coming
3 into court right now as compared to three or 4,000 a day.
4 And, you know, we don't -- we -- we don't -- the whole purpose
5 of this pretrial conference is so that you guys know that it's
6 not business as usual as it relates to how you get into the
7 courthouse and how witnesses are managed. Okay. But having
8 the expert by BlueJeans is great. Having the parties appear
9 in person, that's perfectly fine.

10 And the -- what we'll do is -- depending on whether
11 we take her out of order the first day which we probably will
12 do. Ms. Roberts, you would make a request to take her in your
13 case in chief out of order. And then Ms. Brennan, you and Ms.
14 Roberts would make your record as to whether or not the Court
15 would allow the testimony and then we would arrange for her to
16 come and testify. Okay?

17 So it's basically Mom, Dad, this expert from
18 California, maybe another expert from Defendant's side, and
19 Emily, right?

20 MS. BRENNAN: Right. And just to be clear, from my
21 -- my standpoint, Dad never disclosed any witness ever in this
22 case and never provided a re -- rebuttal expert report ever in
23 this case. So, obviously, if they attempt to put on an expert
24 witness we will be objecting because one's never been

1 disclosed and we don't have a report.

2 THE COURT: Right, but -- but look, you -- just like
3 -- just like you -- I -- it's important for you to make a
4 record of your concerns about calling Emily as a witness for
5 other reasons. I'm going to let Ms. Roberts make her record
6 as it relates to calling an expert witness. And she can
7 answer those questions on the record. And then Court would
8 make a ruling so that there would be a record of whether that
9 witness is excluded or -- or whether that witness has tes --
10 testify. I mean, if I were to order the witness to testify
11 over your objection, I have to answer each of those points and
12 explain why that would be an exception to those rules. So --

13 MS. BRENNAN: No, I -- I just -- I just want to --
14 for the purposes of this call which is a pretrial conference
15 because Opposing Counsel indicated that she might want to call
16 this person. That person has never been disclosed in any
17 disclosure and no expert report has ever been provided by that
18 witness. And the expert deadlines in that report was February
19 3rd of this year, long before COVID ever became an issue.
20 So --

21 THE COURT: Well, what -- look.

22 MS. BRENNAN: -- I want the --

23 THE COURT: Wait, keep your -- keep your powder dry
24 on that argument because we're going to walk through the

1 orders. There is -- there is a -- you know, there -- there is
2 -- we do need to walk through the order. We need to walk
3 through the orders how they interface with the administrative
4 order. I have the Discovery Commissioner's report and
5 recommendations, the filing on the 27th, and I have the orders
6 from April 30th.

7 I'm going to let Ms. Roberts lay it out and -- and,
8 you know, it is a problem. We're past the discovery cutoff.
9 There's been no orders that extend it. And there's been no
10 orders allowing the witness that hasn't been disclosed. So,
11 you know, we're going to -- we -- we -- I -- I set the
12 pretrial basically to touch base with you because I haven't
13 talked to you in awhile and to confirm that we are going and
14 that the plan is to proceed on the Thursday and on Friday
15 morning, if necessary. And you guys are ready to go. We have
16 the parties. We have an expert. Now, how do you -- how do
17 you spell -- is it F-a-r-r-o-w or F-a-r-o-w?

18 MS. BRENNAN: Yeah, I think F-e-r-r-e-l-l.

19 THE COURT: Oh, Ferrell, not Farrow. Yeah, I can't
20 read my own handwriting. All right. So Dr. Ferrell's going
21 to testify. Try to get Dr. Ferrell available on Thursday
22 sometime, okay?

23 MS. BRENNAN: Yes, Judge.

24 THE COURT: And -- and then we'll talk about El --

1 Emily. And we'll talk about how -- you know, what -- she has
2 to be available in the -- in the event that the Court directs
3 that she testify, okay?

4 MS. BRENNAN: Yes. Yes, Judge.

5 THE COURT: The -- now, I have notes down here. Was
6 she in lockdown at some point in the last couple months?

7 MS. BRENNAN: Yes.

8 THE COURT: Okay. Well, she's not in lockdown now,
9 right?

10 MS. BRENNAN: No.

11 THE COURT: All right. Ms. Roberts --

12 MS. BRENNAN: When you say lockdown -- lockdown --
13 you're talking about is -- is a medical facility as opposed to
14 like a governor's order?

15 THE COURT: Well, I'm -- I'm talking about when I
16 talk to you during these hearings I keep notes on what you say
17 and what I say and I have notes from, you know, a hearing
18 saying that -- I mean, saying -- I just want to make sure that
19 she's available and -- and under the supervision of the
20 guardian, your client. She can be here, right?

21 MS. BRENNAN: Yes. Yes, Your Honor.

22 THE COURT: All right. So all right. Ms. Roberts,
23 do you have any other questions or anything else about
24 logistics? It sounds like you're going to submit books. Are

1 they -- do you think they'll be organized for submission by
2 the end of next week?

3 MS. ROBERTS: Well, this is what we agreed to yester
4 -- or when we had our pretrial conference on the 20th, Your
5 Honor. We agreed that each of us -- between Ms. Brennan and
6 I, pursuant to your order, that we would each file our
7 pretrial memos by July 30th. We agreed that Ms. Brennan would
8 organize her list of exhibits and get them to me by July 27th
9 so that I could go over them to avoid having duplicates. And
10 then I would have mine to her -- my list to her on the 29th.
11 And then, I guess, we would upload them to the Court's
12 electronic evidence log or vault, thereafter, if that's
13 acceptable with the Court.

14 THE COURT: Yeah, I -- that sounds fine. That's --
15 that gives my clerk more than enough time to mark them. Are
16 we talking about thousands of pages or -- or tens of pages?
17 How much documentary proof are we managing?

18 MS. ROBERTS: Because they're medical records, Your
19 Honor, they're substantially large.

20 THE COURT: Okay. So let's try to -- let's try to
21 do it electronically.

22 MS. ROBERTS: Okay.

23 THE COURT: And the -- but if you do books, you
24 know, just sometime after the 29th to 30th we need -- we need

1 to get them down or, you know, by the --

2 MS. ROBERTS: And -- and just so that it's easy for
3 Ms. -- Ms. Brennan, Your Honor, I did agree that if she gives
4 me the list because of COVID I will create my own books. And
5 so if she gives me that list on the 27th, I will be able to do
6 that and then I will again have my list to her on the 29th.

7 THE COURT: Your timeline is fine. It's -- it's
8 actually as good or better than what I would expect because
9 we're having the hearing the following week and we usually
10 organize these things a couple days in advance. The
11 pretrials, if you want to file them, by all means you can file
12 them. And the 30th is fine. So let's --

13 MS. BRENNAN: Yeah, I might -- I might need until
14 the -- the 3rd to file the pretrial just because I'll be out
15 of town before then.

16 THE COURT: Okay. Ms. Roberts, do you want to have
17 until the 3rd?

18 MS. ROBERTS: If -- if she needs to change it, Your
19 Honor, that's fine with me.

20 THE COURT: Well, I mean, you -- it -- it would be
21 for both of you.

22 MS. ROBERTS: That's fine. If she needs til August
23 3rd, that's fine, Your Honor.

24 THE COURT: All right. That's fine. So pretrials

1 by August 3rd. They're going to -- you're going to exchange
2 proposed exhibits, and that that will happen next week, that
3 Plaintiff will provide proposed exhibits a couple days before
4 the Defendant. So July 27th is the target with July 29th as
5 the turnaround. And we will set up a BlueJeans session. You
6 know what I might do? I might have my JEA make new
7 invitations on BlueJeans for all of you guys just in the event
8 that Counsel or the parties -- either something changes or
9 that you -- you change your mind.

10 And then we'll expect that we'll have just Dr.
11 Ferrell testify by BlueJeans. And I have a big TV in the
12 courtroom. What we do is we put it over by the jury box and
13 you're able to interact that way with that witness. And if
14 more than that, participate by BlueJeans and it just splits
15 the screens.

16 Okay. Well, good. Then, you know, we'll see how
17 that hearing goes forward and then we'll see how soon after
18 that we have this matter closed. If there's nothing further,
19 I'll let you go and see you -- see you in two weeks.

20 MS. ROBERTS: Thank you, Your Honor.

21 THE COURT: Thank you. Bye-bye.

22 THE DEFENDANT: Thank you, Your Honor.

23 MS. ROBERTS: Thank you, Jeff. Bye-bye.

24 MS. BRENNAN: Bye-bye.

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(PROCEEDINGS CONCLUDED AT 9:25:21)

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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