

Electronically Filed
Dec 10 2021 10:54 a.m.
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 V OF XVII**

**ROBERTS STOFFEL FAMILY LAW
GROUP**

By: /s/ Amanda M. Roberts, Esq.
Amanda M. Roberts, Esq.
State of Nevada Bar No. 9294
4411 South Pecos Road
Las Vegas, Nevada 89121
PH: (702) 474-7007
FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorneys for Appellant

DESCRIPTION OF DOCUMENT	DATE FILED	VOL.	PAGE(S)
Admitted Trial Exhibit-Exhibit "1"- IEP	8/6/2020	VII	ROA1109 - ROA1174
Admitted Trial Exhibit-Exhibit "2"- IEP	8/6/2020	VII	ROA1175-ROA1264
Admitted Trial Exhibit-Exhibit "5"- UC Irvine Health Records	8/6/2020	VIII	ROA1265 - ROA1440
Admitted Trial Exhibit-Exhibit "6"- Center for Discovery Records	8/6/2020	VIII	ROA1441-ROA1492
Admitted Trial Exhibit-Exhibit "9"- Social Security Application	8/6/2020	IX	ROA1493 - ROA1528
Admitted Trial Exhibit-Exhibit "11"- Del Amo Hospital Records	8/6/2020	IX	ROA1529 - ROA1554
Admitted Trial Exhibit-Exhibit "13"- Dr. Love Initial Report	8/6/2020	IX	ROA1555-ROA1579
Admitted Trial Exhibit-Exhibit "14"- Dr. Love Report	8/6/2020	IX	ROA1580 - ROA1598
Admitted Trial Exhibit-Exhibit "15" through "17"- Dr. Love Records	8/6/2020	IX	ROA1599 - ROA1710
Admitted Trial Exhibit-Exhibit "18"- Dr. Love Records		X	ROA1711-ROA1759
Admitted Trial Exhibit-Exhibit "19"-Dr. Love Records (Part 1)	8/6/2020	X	ROA1760 - ROA1919

Admitted Trial Exhibit-Exhibit "19"-Dr. Love Records (Part 2)		XI	ROA1920 - ROA1986
Admitted Trial Exhibit-Exhibit "21"- Letter of Conservatorship	8/6/2020	XI	ROA1987 -ROA 1990
Admitted Trial Exhibit "25" and "26"- UBH Records	8/6/2020	XI	ROA1991 - ROA2050
Admitted Trial Exhibit-Exhibit "27" and "28"- Medical Records	8/6/2020	XI	ROA2051-ROA2103
Admitted Trial Exhibit-Exhibit "33"- Wellshire Hospital Medical Records	8/6/2020	XII	ROA2104 - ROA2175
Admitted Trial Exhibit-Exhibit "35"- Pasadena Villa Medical Records	8/6/2020	XII	ROA2176 - ROA2338
Admitted Trial Exhibit-Exhibit "36"- Pasadena Villa Medical Records	8/6/2020	XIII	ROA2339 - ROA2491
Admitted Trial Exhibit-Exhibit "37"- LeConte Medical Center Medical Records	8/6/2020	XIII	ROA2492 - ROA2544
Admitted Trial Exhibit-Exhibit "38"- LeConte Medical Center Medical Records	8/6/2020	XIV	ROA2545 - ROA2597
Admitted Trial Exhibit-Exhibit "39"- Pasadena Villa Discharge Summary	8/6/2020	XIV	ROA2597 - ROA2602
Admitted Trial Exhibit-Exhibit "40"- LeConte Medical Center Records	8/6/2020	XIV	ROA2603 - ROA2631

Admitted Trial Exhibit- Exhibit "42"- Data Compilation	11/19/2020	XVI	ROA2913 - ROA2925
Admitted Trial Exhibit- Exhibit "58"- Emily's Cell Phone Expenses	8/6/2020	XIV	ROA2632 - ROA2644
Admitted Trial Exhibit- Exhibit "85"- Emily's Financial Disclosure Form	8/6/2020	XIV	ROA2645- ROA2660
Admitted Trial Exhibit- Exhibit "86"- Supplemental Disclosure List	8/7/2020	XV	ROA2776 - ROA2784
Affidavit of Service	3/13/2019	IV	ROA0550
Amended Order Setting Evidentiary Hearing	1/10/2020	IV	ROA0639- ROA0640
Answer In Proper Person	6/29/2005	I	ROA0006
Case Appeal Statement	2/26/2021	XVII	ROA3063 - ROA3067
Certificate of Service	6/30/2017	I	ROA0075- ROA0076
Certificate of Transcripts	12/2/2021	XVII	ROA3068
Complaint for Divorce	6/14/2005	I	ROA0001 - ROA0005
Decision and Order	5/22/2018	III	ROA0501- ROA0516
Decree of Divorce	8/5/2005	I	ROA0007 - ROA0027
Defendant's Closing Brief	1/21/2021	XVII	ROA2994 - ROA3004
Defendant's Financial Disclosure Form	6/30/2017	I	ROA0077- ROA0087
Defendant's Financial Disclosure Form	8/3/2020	V	ROA0799- ROA0815
Defendant's Pre-Trial Memorandum	8/3/2020	V	ROA0770- ROA0792

Discovery Commissioner's Report and Recommendations	4/3/2020	IV	ROA0673-ROA0676
Ex Parte Application for an Order Shortening Time	7/31/2020	V	ROA0763-ROA0769
Ex Parte Application for an Order Shortening Time or an Order to Extend Time	2/2/2018	III	ROA0447-ROA0472
Ex Parte Application of an Order Granting Stay Pending Ruling on Writ	8/3/2020	V	ROA0793-ROA0798
Exhibits in Support of Defendant's Motion for Summary Judgment Regarding Child Support for an Adult Child.	1/2/2018	III	ROA0414-ROA0428
Exhibits in Support of Defendant's Reply and Motion to Reset child Support Based upon Emancipation of Child and for Attorney Fees and Costs; and in Opposition to Plaintiff's Countermotion for Child Support for Disabled Child Et Al.	8/24/2017	III	ROA0331-ROA0380
Financial Disclosure Form-Emily	4/9/2019	IV	ROA0571-ROA0580
Financial Disclosure Form-Emily	8/4/2020	V	ROA0831-ROA0845
Findings of Fact, Conclusions of Law, and Order	1/28/2021	XVII	ROA3016 -ROA 3036
Minute Order	3/31/2020	IV	ROA0654

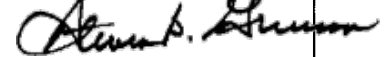
Minute Order	4/24/2020	IV	ROA0691- ROA0692
Motion for Summary Judgement Regarding Child Support for an Adult Child; Affidavit of Defendant	1/2/2018	III	ROA0429- ROA0446
Motion to Reset Child Support Based upon Emancipation of a Child and for Attorney Fees and Costs	6/29/2017	I	ROA0062- ROA0074
Notice of Appeal	2/26/2021	XVII	ROA3060 - ROA3062
Notice of Entry of Decision and Order	5/22/2018	III	ROA0517- ROA0534
Notice of Entry of Decree of Divorce	8/10/2005	I	ROA0028- ROA0050
Notice of Entry of Order	3/25/2015	I	ROA0060- ROA0061
Notice of Entry of Order (August 28, 2017 Hearing)	12/15/2017	III	ROA0404- ROA0413
Notice of Entry of Order (Discovery Commissioner's Report)	4/28/2020	IV	ROA0700- ROA0708
Notice of Entry of Order (Ex Parte Order Granting)	2/6/2018	III	ROA0475- ROA0478
Notice of Entry of Order for Findings of Fact, Conclusions of Law, and Order	1/28/2021	XVII	ROA3037 - ROA3059
Notice of Entry of Order from the April 9, 2019 Hearing	4/30/2019	IV	ROA0588- ROA0592
Notice of Entry of Stipulation and Order	5/2/2019	IV	ROA0596- ROA0601

Notice of Filing of the Petition for Writ of Mandamus or, in the Alternative, Writ of Prohibition	8/4/2020	V	ROA0816-ROA0817
Notice of Joinder	1/22/2019	III	ROA0535
Notice of Motion and Motion to Extend Discovery, Extend Time for Rebuttal Expert Upon Receipt of Relevant Records to Continue Trial, and Related Relief. Affidavit of Amanda M. Roberts, Esq.	7/31/2020	V	ROA0741-ROA0762
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)	4/2/2020	IV	ROA0655-ROA0672
Objection to Plaintiff's Closing Brief and Request to Strike	1/21/2021	XVII	ROA3011 - ROA3013
Opposition to Statement of Position for Defendant on the Request for Child Support for an Adult-Emily Reed	11/8/2019	IV	ROA0633-ROA0636
Order After Hearing (August 28, 2017 Hearing)	12/15/2017	III	ROA0396-ROA0403

Order from the April 9, 2019 Hearing	4/30/2019	IV	ROA0585-ROA0587
Order Granting Ex Parte Application to Reset the Hearing set on February 14, 2018 at 2:00 p.m.	2/6/2018	III	ROA0473-ROA0474
Order on Discovery Commissioner's Report and Recommendations	4/27/2020	IV	ROA0693-ROA0699
Order Setting Evidentiary Hearing	1/14/2015	I	ROA0051-ROA0053
Order Setting Evidentiary Hearing	1/9/2020	IV	ROA0637-ROA0638
Order Setting Pretrial Conference	7/15/2020	IV	ROA0713-ROA0715
Plaintiff's Closing Brief	1/21/2021	XVII	ROA3005 - ROA3010
Plaintiff's Financial Disclosure Form	7/21/2017	I	ROA0088-ROA0095
Plaintiff's Financial Disclosure Form- Alecia	4/9/2019	IV	ROA0551-ROA0570
Plaintiff's First Amended Motion (as Conservator for Emily Reed) for Child Support for a Disabled Child Beyond the Age of Majority	4/10/2019	IV	ROA0581-ROA0584
Plaintiff's Motion (as Conservator for Emily Reed) for Child Support a Disabled Child Beyond the Age of Majority	1/22/2019	IV	ROA0536-ROA0549

Plaintiff's Notice of Withdrawal of Request to Continue Child Support for Emily after High School Graduation due to Child's Disability	3/9/2015	I	ROA0054-ROA0055
Plaintiff's Opposition to Defendant's Ex Parte Application for an Order Granting Stay Pending Ruling on Writ	8/4/2020	V	ROA0818-ROA0830
Plaintiff's Opposition to Defendant's Motion for Summary Judgment	2/8/2018	III	ROA0479-ROA0491
Plaintiff's Opposition to Defendant's Motion to Extend Discovery, Extend time for Rebuttal Expert and Related Relief	4/17/2020	IV	ROA0677-ROA0690
Plaintiff's Opposition to Defendant's Motion to Reset Child Support Based upon Emancipation of a Child Et Al and Countermotion for Child Support for Disabled Child Et Al	7/21/2017	II	ROA0096-ROA0330
Plaintiff's Response to Defendant's Objection to Plaintiff's Closing Brief and Request to Strike	1/21/2021	XVII	ROA3014 - ROA3015
Reply in Support of Motion for Summary Judgment Regarding Child Support for an Adult Child	4/9/2018	III	ROA0492-ROA0500

Reply in Support of Motion to Reset Child Support based upon Emancipation of Child and for Attorney Fees and Costs; and Opposition to Plaintiff's Countermotion for Child Support for Disabled Child Et Al.	8/24/2017	III	ROA0381-ROA0395
Second Amended Order Setting Evidentiary Hearing	5/12/2020	IV	ROA0709-ROA0712
Stipulation and Order	3/18/2015	I	ROA0056-ROA0059
Stipulation and Order	5/2/2019	IV	ROA0593-ROA0595
Transcript from August 6, 2020 (Part 1)		V	ROA0846-ROA0960
Transcript from August 6, 2020 (Part 2)		VI	ROA0961-ROA1108
Transcript from August 7, 2020		XV	ROA2661 - ROA2775
Transcript from February 21, 2020		IV	ROA0641-ROA0653
Transcript from January 12, 2021		XVI	ROA2926 - ROA2993
Transcript from July 23, 2019		IV	ROA0602-ROA0632
Transcript from July 23, 2020		IV	ROA0716-ROA0740
Transcript from November 19, 2020		XVI	ROA2785 - ROA2912



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, TO
CONTINUE TRIAL, AND RELATED
RELIEF. AFFIDAVIT OF AMANDA
M. ROBERTS.**

Date of Hearing:

Time of Hearing:

ORAL ARGUMENT REQUESTED

22
23 TO: Plaintiff, Alecia Draper, individually, by and through her attorney of
24 record, Benjamin La Luzerne, Esq.

25 \\\

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 Honorable T. Arthur Ritchie, Jr., in Department "H" of the
15 Eighth Judicial District Court, Family Division, located at 200 Lewis Avenue, Las
16 Vegas, Nevada, on Chamber's Calendar on the _____ day of _____,
17 2020, at _____ .m., of said day.

18 DATED this 31st day of July, 2020.

19 **ROBERTS STOFFEL FAMILY LAW GROUP**

20 By: Amanda M. Roberts

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 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**
3 **Issues**

- 4 1. Jeffrey's request to extend discovery should be granted.
- 5
- 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 expert to provide report
- 9 should be granted.
- 10 4. Jeffrey's request to continue Trial should be granted.
- 11 5. For any and all other relief the Court deems proper and just.

12 **II.**
13 **Preface**

14 This Motion was previously filed on or about April 2, 2020, and set to be

15 heard by the Discovery Commissioner on May 8, 2020. On April 24, 2020, the

16 Discovery Commissioner issued a Minute Order which reads as follows:

17 MINUTE ORDER WITHOUT HEARING.

18

19 Court noted, the Defendant filed a Motion to Extend Discovery,

20 Extend Time for Rebuttal Expert on April 2, 2020. Pursuant to EDCR

21 2.35 (a)(2) a motion to extend any discovery scheduling order deadline

22 shall be set in accordance with Rule 2.20 and heard before the

23 discovery commissioner. Nevada Court Order 0020 effective March

24 12, 2019, modified EDCR 2.35 (a) with reference to the discovery

25 commissioner and replaced those references with district judge as the

26 district judge will handle stipulations or motions to extend discovery

27 deadlines.

28 Therefore, the Discovery Commissioner does not have jurisdiction

 over this matter.

1 COURT RECOMMENDED:

2 MOTION TO COMPEL and OPPOSITION set before the Discovery
3 Commissioner on 5-8-20 at 1:00 p.m. will be VACATED. **Matter will**
4 **be forwarded to District Judge Arthur Ritchie, Jr. for a**
5 **determination on how to proceed.**

6 A copy of these Minutes will be emailed to counsel for the parties and
7 to the Department H Inbox. **{EMPHASIS ADDED}**

8 The Minute Order was issued during the time that things were influx for the
9 Court and attorneys because of the COVID-19 pandemic. As such, since the
10 Minute Order was issued, there has been ruling by the District Judge; therefore, this
11 Motion is being refiled to reset this matter on the Court's Calendar for the District
12 Judge to issue a decision. Now, although this issue has not been ruled upon, and
13 with the continuing delays and issues with COVID-19 and the Court's
14 Administrative Orders, everything has been delayed.
15

16
17 **III.**
18 **Statement of Facts**

19 The Parties, Alecia Reed ("Alecia") and Jeffrey Reed ("Jeffrey") were
20 divorced pursuant to a Decree of Divorce filed on August 5, 2005. At the time of
21 their divorce, the Parties had three (3) children, to wit: Emily Reed ("Emily"), born
22 on November 16, 1996; Anthony Reed ("Anthony"), born on May 25, 1999; and
23 Adam Reed ("Adam"), born on January 23, 2001. All of the children are adults and
24 have emancipated.
25
26
27
28

1 The issue pending before the Court is a request for child support for Emily,
2 beyond the age of majority, pursuant to *NRS* § 125B.110. The issue which is
3 present regarding the extension of discovery and rebuttal experts relates to whether
4 Emily was handicapped before the age of majority and, if handicapped, has it lasted
5 or is it expected to last “for a continuous period of not less than 12 months.”
6

7 **Therefore, all medical records for Emily from before she reached the age of**
8 **majority, when the alleged handicap started, to present are necessary. It is not**
9 **only whether she was handicapped, but remained handicapped. {EMPHASIS**
10 **ADDED}** In order to establish the claim, Emily proposed to have her treatment
11 provider Jennifer Love Farrell, MD, from Amen Clinics Southern California, be
12 designated as an expert witness and testify on her behalf.
13
14

15 On or about May 9, 2017, a correspondence was provided by Jennifer Love
16 Farrell, MD, from Amen Clinics Southern California. The correspondence included
17 an unsigned letter from Pure Light Counseling, Elise Collier MS-LMFT which was
18 dated May 5, 2017. To date, no records have been provided relative to treatment
19 with this provider; and no medical records have been provided from Jennifer Love
20 Farrell, MD, from Amen Clinics Southern California.
21
22

23 On July 13, 2017, a supplemental correspondence was provided by Jennifer
24 Love Farrell, MD, from Amen Clinics Southern California. In that correspondence
25 she states, “She [Emily] was in such a state that EMS made a report to the CA
26
27

1 DMV and her license was taken away, and she had to undergo extensive clearance
2 from a neurologist and psychiatrist in order for her to regain the ability to drive.”
3
4 To date, no records have been provided relative to this treatment which permitted
5 her to regain her driver’s license.

6 On June 7, 2019, Jeff served a Request for Production of Documents upon
7 Alicia Ann Draper, as Conservator for Emily Reed. Specifically, Request for
8 Production No. 13, Jeff requested that Alicia provided “any and all medical records
9 for Emily Reed, including proof of expenses paid for treatment, with Dr.
10 Rouanzion, EMDR, for the period January 1, 2007 to present.” There were no
11 medical records provided relative to this request; rather, medical billing notes were
12 provided and/or a summary of treatment which is not sufficient in this matter.
13
14 Additionally, Request for Production No. 14 specifically requested “any and all
15 medical records for Emily Reed, including proof of the expense paid for treatment
16 with Dr. Farrell, for the period January 1, 2017 to present. Again, as set forth
17 herein, those medical records were not provided. Request for Production No. 15
18 specifically requested “any and all medical records for Emily Reed, including proof
19 of the expense paid for treatment, with Roger Roehm, PHD, CPSY Therapy, for the
20 period January 1, 2017 to present.” Again, as set forth herein, those medical
21 records were not provided; rather, medical billing notes were provided and/or a
22 summary of treatment which is not sufficient in this matter.
23
24
25
26
27
28

1 On November 21, 2019, was correspondence was provided by Jennifer Love
2 Farrell, MD, from Amen Clinics Southern California, wherein she states, "Emily
3 came under my care in March 2016, and her treatment course with me between
4 March 2016 and July 2017 is summarized in the July 2017 letter." To be clear,
5 medical records still have not been received from Jennifer Love Farrell, MD, from
6 Amen Clinics Southern California. The only thing provided was a summary of
7 treatment which is not sufficient given the circumstances in this matter; Jeff is
8 entitled to see the medical records. Additionally, in this correspondence Jennifer
9 Love Farrell, MD, from Amen Clinics Southern California, she gives a summary of
10 her treatment from August 4, 2017 to August 12, 2019, but no medical records.
11 Jeff is entitled to see the medical records. In her correspondence she makes
12 reference to the following, which have not been produced in this matter:
13

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

1 position, that the Plaintiff is withholding certain evidence in violation of Nevada
2 Rules of Civil Procedure (“*NRCP*”) § 16.2, thereby prohibiting the Defendant from
3 being able to make arguments regarding Emily’s alleged handicap including
4 whether it occurred prior to her reaching the age of majority and continued for one
5 (1) year. This is a very complicated issue and Plaintiff’s treatment provider/alleged
6 expert clearly relied upon medical records which have not been provided, including
7 the medical records from her treatment of Emily. As such, this causes a severe
8 prejudice for the Defendant and warrants an extension of discovery thereby forcing
9 the Plaintiff to provide the medical records so that they can be reviewed by his
10 rebuttal expert.

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

22 *NRCP* § 16.2 provides some guidance regarding witness disclosures and
23 reports; however, *NRCP* § 16.2 is not as specific as *NRCP* § 16.1 Therefore, by
24 analogy the Court should look to *NRCP* § 16.1 (a)(2)(B) which provides that the
25 report must contain, again this is mandatory and not discretionary,
26

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

On October 22, 2019, Plaintiff provided a resume of Jennifer Love Farrell, MD, FASAM. The disclosure failed to identify testimony given by the purported expert and fee compensation. Additionally, Defendant alleges that the report provided was defective. The Defendant was unable to secure an expert or discuss rebuttal testimony until the report was provided. The supplemental report was provided on December 4, 2019, but again failed to provide all of the records relied upon including those of Jennifer Love Farrell, MD, FASAM. Rather, she indicates in the report that she will provide it upon direction from the Court and that the records should be confidential. Therefore, Defendant has been limited in discussing rebuttal testimony without all evidence being provided.

NRCP § 16.2 (e)(3)(B) is much more generic and provides, "The report must contain a complete statement of all opinions to be expressed and the basis and reasons therefor, the data or other information considered by the witness in forming

1 the opinions, any exhibits to be used as a summary of or support for the opinions,
2 and the qualifications of the witness.” The records relied upon are supposed to be
3 provided and they have not been in this matter. In fact, it has been ruled that this is
4 mandatory and not discretionary. *FCH1, LLC, v. Rodriguez*, 335 P.3d 183, 189
5 (2014). The Supreme Court has indicated that failure to provide the entire body of
6 medical records when an expert had the ability to review them to formulate their
7 opinion would render the experts opinion inadmissible. *Id.* As such, in order for
8 the rebuttal expert to complete her assessment, she must be given all the
9 information. To this end, additional time should be given to allow this to occur.

10 Furthermore, *NRCP* § 16.2 (e)(3)(B) provides, “The court, upon good cause
11 shown or by stipulation of the parties, may extend the deadline for exchange of the
12 expert reports or relieve a party of the duty to prepare a written report in an
13 appropriate case.” Here, Defendant acknowledges that the report is late; however,
14 it is delayed due to COVID-19 and the costs associated with same. It makes no
15 sense to retain a rebuttal expert until the Court rules upon the pending Motions filed
16 by Jeff in this matter because of the financial resources required for same.

17
18
19
20
21
22 B. Request to Continue Trial:

23 Eighth Judicial District Court Rule § 7.30 provides that "any party may, for
24 good cause, move the court for an order continuing the day set for trial of any
25 cause." Good cause exists when it can be established that a continuance will make
26

1 a difference in the case. *Lee v. Kemna*, 534 U.S. 362, 122 S. Ct. 877 (2002). In this
2 matter, good cause exists to continue the Trial because there are documents which
3 have not been produced and are necessary for the issues in this matter, COVID-19
4 has caused a delay in hearing the matter and for the rebuttal expert to complete her
5 report in this matter.
6

7 Additionally, not all Court departments are having in-person Trials at this
8 time. In this matter, Jeff believes an in-person Trial is imperative as there will be
9 multiple witnesses and having Counsel being able to question the witnesses face-to-
10 face is imperative. Jeff's Counsel has attempted a Trial via video application while
11 restrictions were in place; however, it was difficult and did not work very well at
12 all. As with many hearings being held electronically during this time, it is often
13 difficult for all Parties to hear each other, people often speak over one another,
14 video connections are often dropped, distribution of exhibit binders is difficult
15 especially in this matter when the Alecia and Emily reside in California), among
16 other hardships. Jeff desires for this Trial to be reset to a date when the Court has
17 resumed to holding Trial in-person, at the Courthouse and with all Parties and
18 witnesses present.
19
20
21
22

23 \ \ \

24 \ \ \

25 \ \ \

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

V.
CONCLUSION

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

1. Granting Jeffrey's request to extend discovery.
2. Granting Jeffrey's request to compel production of medical records.
3. Granting Jeffrey's request to extend time for rebuttal expert to provide report.
4. Granting Jeffrey's request to continue Trial.
5. For any and all other relief the Court deems proper and just.

DATED this 31st day of July, 2020.

ROBERTS STOFFEL FAMILY LAW GROUP

By: Amanda M. Roberts

Amanda M. Roberts, Esq.
State of Nevada Bar No. 9294
4411 South Pecos Road
Las Vegas, Nevada 89121
PH: (702) 474-7007
FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorneys for Defendant, Jeffrey Allen Reed

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

1. I am the Defendant in the above entitled action and am competent to testify to the matters contained herein. Declarant makes this declaration in support of his motion.

3. Declarant incorporates all the facts of the Motion, into this declaration as though fully set forth herein.

Dated this 31st day of July, 2020.

/s/ Jeffrey Reed
Jeffrey Reed

1
2 **AFFIDAVIT OF AMANDA M. ROBERTS, ESQ.**

3 STATE OF NEVADA)
4)
5 COUNTY OF CLARK)

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

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

11
12 3. The Parties, Alecia Reed ("Alecia") and Jeffrey Reed ("Jeffrey") were
13 divorced pursuant to a Decree of Divorce filed on August 5, 2005. At the time of
14 their divorce, the Parties had three (3) children, to wit: Emily Reed ("Emily"), born
15 on November 16, 1996; Anthony Reed ("Anthony"), born on May 25, 1999; and
16 Adam Reed ("Adam"), born on January 23, 2001. All of the children are adults and
17 have emancipated.
18

19
20 4. The issue pending before the Court is a request for child support for
21 Emily, beyond the age of majority, pursuant to *NRS* § 125B.110. The issue which
22 is present regarding the extension of discovery and rebuttal experts relates to
23 whether Emily was handicapped before the age of majority and, if handicapped, has
24 it lasted or is it expected to last "for a continuous period of not less than 12
25 months." Therefore, all medical records for Emily from before she reached the age
26
27

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.
6

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.
14

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.
6
7 Additionally, Request for Production No. 14 specifically requested “any and all
8 medical records for Emily Reed, including proof of the expense paid for treatment
9 with Dr. Farrell, for the period January 1, 2017 to present. Again, as set forth
10 herein, those medical records were not provided. Request for Production No. 15
11 specifically requested “any and all medical records for Emily Reed, including proof
12 of the expense paid for treatment, with Roger Roehm, PHD, CPSY Therapy, for the
13 period January 1, 2017 to present.” Again, as set forth herein, those medical
14 records were not provided; rather, medical billing notes were provided and/or a
15 summary of treatment which is not sufficient in this matter.
16
17
18

19 8. On November 21, 2019, was correspondence was provided by Jennifer
20 Love Farrell, MD, from Amen Clinics Southern California, wherein she states,
21 “Emily came under my care in March 2016, and her treatment course with me
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
26
27
28

1 of treatment which is not sufficient given the circumstances in this matter; Jeff is
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.
5

6 Jeff is entitled to see the medical records. In her correspondence she makes
7 reference to the following, which have not been produced in this matter:
8

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

25 9. Again, many of the records referenced by Jennifer Love Farrell, MD,
26 from Amen Clinics Southern California, have never been provided so that Jeff's
27 rebuttal witness may review those records. This is procedural prejudicial to Jeff's
28 position in this matter and the records must be provided. Therefore, a basis exists
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. Good cause exists to continue the Trial because there are documents
11 which have not been produced and are necessary for the issues in this matter,
12 COVID-19 has caused a delay in hearing the matter and for the rebuttal expert to
13 complete her report in this matter. Further, not all Court departments are having in-
14 person Trials at this time. In this matter, Jeff believes an in-person Trial is
15 imperative as there will be multiple witnesses and having Counsel being able to
16 question the witnesses face-to-face is imperative. Jeff's Counsel has attempted a
17 Trial via video application while restrictions were in place; however, it was difficult
18 and did not work very well at all. As with many hearings being held electronically
19 during this time, it is often difficult for all Parties to hear each other, people often
20 speak over one another, video connections are often dropped, distribution of exhibit
21 binders is difficult especially in this matter when the Alecia and Emily reside in
22
23
24
25
26
27
28

1 California), among other hardships. Jeff desires for this Trial to be reset to a date
2 when the Court has resumed to holding Trial in-person, at the Courthouse and with
3 all Parties and witnesses present.
4

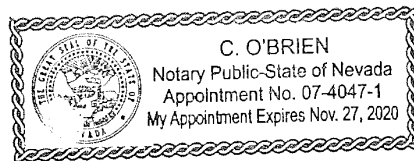
5 FURTHER AFFIANT SAYETH NAUGHT.

6 Dated this 31st day of July, 2020.

7
8 Amanda M. Roberts
9 Amanda M. Roberts, Esq.

10 SUBSCRIBED and SWORN to before
11 me on this 31 day of July, 2020.

12 C. O'Brien
13 NOTARY PUBLIC



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group, and on the 31 day of July, 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, to Continue Trial 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: 
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 checked="" type="checkbox"/> \$0	The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
<input checked="" 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.

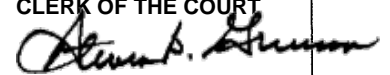
Step 3. Add the filing fees from Step 1 and Step 2.

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 7/31/2020

Signature of Party or Preparer Colleen OBrien

ROA0762



1 **EPAP**

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

**EX PARTE APPLICATION FOR
AN ORDER SHORTENING TIME**

22 COMES NOW the Defendant, Jeffrey Reed, by and through his attorney of
23 record, Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group, hereby
24 moves this Court for an Order Shortening Time on Motion To Extend Discovery,
25 Extend Time For Rebuttal Expert Upon Receipt Of Relevant Records, To Continue
26
27

1 Trial, And Related Relief. This Application is based upon the Affidavit of Amanda
2 M. Roberts, Esq. Moreover, this Application is made and based upon all the
3 papers, pleadings and records on file herein, as well as the Points and Authorities
4 attached hereto.
5

6 DATED this 31st day of July, 2020.

7 **ROBERTS STOFFEL FAMILY LAW GROUP**

8
9 By: Amanda M. Roberts
10 Amanda M. Roberts, Esq.
11 State of Nevada Bar No. 9294
12 4411 S. Pecos Road
13 Las Vegas, Nevada 89121
14 PH: (702) 474-7007
15 FAX: (702) 474-7477
16 EMAIL: efile@lvfamilylaw.com
17 Attorneys for Defendant, Jeffrey Reed

18 **POINTS AND AUTHORITIES**

19 **I.**

20 **Points and Authority**

21 *EDCR* § 5.513 states, the request for an Order Shortening Time may be
22 sought through *ex parte* means. The request must be accompanied by an Affidavit
23 explaining the need for the request for an Order Shortening Time. The request for
24 an Order Shortening Time can only be granted after the Motion has been served
25 absent exigent circumstances (the Motion has been served). The Plaintiff requests
26
27
28

1 for the Court to consider this Ex Parte Application although process service of the
2 initial pleadings and Motion is pending.
3

4 Statement of Facts:

5 The Parties, Alecia Reed ("Alecia") and Jeffrey Reed ("Jeffrey") were
6 divorced pursuant to a Decree of Divorce filed on August 5, 2005. At the time of
7 their divorce, the Parties had three (3) children, to wit: Emily Reed ("Emily"), born
8 on November 16, 1996; Anthony Reed ("Anthony"), born on May 25, 1999; and
9 Adam Reed ("Adam"), born on January 23, 2001. All of the children are adults and
10 have emancipated.
11
12

13 The issue pending before the Court is a request for child support for Emily,
14 beyond the age of majority, pursuant to NRS § 125B.110. The issue which is
15 present regarding the extension of discovery and rebuttal experts relates to whether
16 Emily was handicapped before the age of majority and, if handicapped, has it lasted
17 or is it expected to last "for a continuous period of not less than 12 months."
18 Therefore, all medical records for Emily from before she reached the age of
19 majority, when the alleged handicap started, to present are necessary. It is not only
20 whether she was handicapped, but remained handicapped. In order to establish the
21 claim, Emily proposed to have her treatment provider Jennifer Love Farrell, MD,
22 from Amen Clinics Southern California, be designated as an expert witness and
23 testify on her behalf.
24
25
26
27
28

1 Ms. Roberts attempted to address this matter by way of a Motion that was
2 never ruled upon by the Discovery Commissioner. There has been a delay created
3 by COVID-19 and it would be prejudicial to Jeffrey not to be able to have the
4 relevant information and retain/call his rebuttal expert.
5

6 The Trial was moved due to the Administrative Orders to August 6, 2020 and
7 7, 2020; therefore, good cause exists to grant Jeffrey's request for an Order
8 Shortening Time.
9

10 **II.**
11 **Conclusion**

12 Based upon the foregoing, Jeffrey is requesting that the Court grant his
13 request for an Order Shortening Time on his Motion as requested herein.
14

15 Dated this 31st day of July, 2020.

16 **ROBERTS STOFFEL FAMILY LAW GROUP**

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

1 **AFFIDAVIT OF AMANDA M. ROBERTS, ESQ.**

2 STATE OF NEVADA)

3 ss

4 County of Clark)

5 I, Amanda M. Roberts, Esq., the Defendant's attorney in the above
6 referenced matter and I can attest to the below reference facts as being true and
7 correct to the best my knowledge as represented by my client.

8
9 1. The Parties, Alecia Reed ("Alecia") and Jeffrey Reed ("Jeffrey") were
10 divorced pursuant to a Decree of Divorce filed on August 5, 2005. At the time of
11 their divorce, the Parties had three (3) children, to wit: Emily Reed ("Emily"), born
12 on November 16, 1996; Anthony Reed ("Anthony"), born on May 25, 1999; and
13 Adam Reed ("Adam"), born on January 23, 2001. All of the children are adults and
14 have emancipated.

15
16 2. The issue pending before the Court is a request for child support for
17 Emily, beyond the age of majority, pursuant to NRS § 125B.110. The issue which
18 is present regarding the extension of discovery and rebuttal experts relates to
19 whether Emily was handicapped before the age of majority and, if handicapped, has
20 it lasted or is it expected to last "for a continuous period of not less than 12
21 months." Therefore, all medical records for Emily from before she reached the age
22 of majority, when the alleged handicap started, to present are necessary. It is not
23 only whether she was handicapped, but remained handicapped. In order to
24
25
26
27


1 establish the claim, Emily proposed to have her treatment provider Jennifer Love
2 Farrell, MD, from Amen Clinics Southern California, be designated as an expert
3 witness and testify on her behalf.
4

5 3. Ms. Roberts attempted to address this matter by way of a Motion that
6 was never ruled upon by the Discovery Commissioner. There has been a delay
7 created by COVID-19 and it would be prejudicial to Jeffrey not to be able to have
8 the relevant information and retain/call his rebuttal expert.
9


10 4. The Trial was moved due to the Administrative Orders to August 6,
11 2020 and 7, 2020; therefore, good cause exists to grant Jeffrey's request for an
12 Order Shortening Time.
13

14 5. Good cause exists to grant Jeffrey's request for an Order Shortening
15 Time.
16

17 **FURTHER AFFIANT SAYETH NAUGHT.**

18 
19 Amanda M. Roberts, Esq.

20 Subscribed and Sworn to before me this
21 31 day of July, 2020.

22 
23 Notary Public in and for said County and State
24
25
26
27
28



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

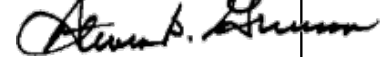
CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group, and on the 31 day of July, 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 Ex Parte Application for an Order Shortening Time, 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: CORNER
Employee of Roberts Stoffel Family Law Group



1 **PMEM**

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

**DEFENDANT'S PRE-TRIAL
MEMORANDUM**

Date of Trial: August 6, 2020

Time of Trial: 9:00 a.m.; and

Date of Trial: August 7, 2020

Time of Trial: 1:30 p.m.

18 COMES NOW the Defendant, Jeffrey Reed, by and through his attorney of
19 record, Amanda M. Roberts, Esq., and hereby provides his Pre-Trial Memorandum
20 as follows:

21 **I.**

22 **STATEMENT OF ESSENTIAL FACTS**

23 **A. NAMES/AGES OF PARTIES & CHILDREN:**

24 Plaintiff: Alecia Reed ("Alecia") 48 years old

25 Defendant: Jeffrey Reed ("Jeff") 51 years old

1
2 Minor Children: None

3 Adult Children: Emily Reed ("Emily"), born November 16, 1996;
4 Anthony Reed ("Anthony"), born May 26, 1999;
5 and
6 Adam Parker Reed ("Adam"), born January 23,
7 2001.

8 **B. DATE/PLACE OF MARRIAGE & PROCEDURAL HISTORY:**

9 The Parties were married on September 14, 1996, and subsequently divorced
10 pursuant to a Decree of Divorce filed August 5, 2005.

11 On December 9, 2014, Alecia filed a Motion with the Court regarding
12 custody of the three (3) children and resetting of child support based upon a change
13 in the custodial arrangement. At that time, one of the children, Emily, had already
14 reached the age of eighteen (18), but she was still in high school. Alecia's Motion
15 did not include a request for child support for Emily beyond graduation from high
16 school, but at the hearing her Counsel argued for same and the matter was set for an
17 Evidentiary Hearing. Jeff alleges the Evidentiary Hearing was set to determine if
18 Emily was disabled prior to reaching the age of eighteen (18).
19

20
21 On January 12, 2015, the Parties appeared before the Court on Alecia's
22 Motion and Jeff's Opposition. At that time, it was agreed that Jeff would pay child
23 support in the amount of \$1,450.00 for three (3) children ($\$60,000.00/12 =$
24 $\$5,000.00 \times .29$ (statutory child support for three (3) children). This was because,
25 although Emily had reached the age of eighteen (18), she remained in high school at
26
27

that time. In addition, the Court set an Evidentiary Hearing to determine whether Emily was disabled prior to reaching the age of eighteen (18) with the Evidentiary Hearing set before Emily graduated from high school because the Court and Alecia's Counsel believed that the issue must be resolved prior to Jeff's obligation for Emily ceasing. Moreover, the Parties entered into a stipulated agreement that on or before February 23, 2015, at 5:00 p.m., Alecia would provide "proof of the minor child being disabled, meeting the standards required[.]" The Order also included language which stated, "The Therapist's Report will be accepted, in lieu of the therapist appearing at the day of trial."

Thereafter, before the Evidentiary Hearing, on March 9, 2015, Alecia filed a “Notice of Withdrawal of Request to Continue Child Support for Emily After High School Graduation Due to Child’s Disability & Request to Vacate Evidentiary Hearing.” It is worth noting that this was voluntarily filed, not a stipulated agreement. As a result of this document being filed, the Evidentiary Hearing was vacated.

On June 26, 2017, Jeff filed a Motion to reset child support based upon the emancipation of the Parties' child. On July 21, 2017, Alecia filed an Opposition to reset the child support and a Countermotion seeking child support for the Parties' emancipated daughter, Emily. At that time, Emily was twenty (20) years old. On August 24, 2017, Jeff filed a Reply and Opposition to Alecia's request for support

1 for Emily after emancipation claiming that he disputed Emily was disabled at the
2 time she reached emancipation based upon *NRS* § 125.110 (4).

3
4 On August 28, 2017, the Court heard the pending Motions. At the time,
5 Judge Ochoa was hearing the matter. Judge Ochoa granted Jeff's request and
6 declined to rule on the requests regarding Emily, but the Court did set a status
7 check hearing on the issue for November 8, 2017.
8

9 On November 8, 2017, Judge Ochoa conducted a return hearing. At that
10 time, Judge Ochoa Ordered a Motion for Summary Judgment to be filed by Jeff,
11 and that Alecia would file an Opposition and Countermotion. In accordance with
12 the Order, on January 2, 2018, Jeff's Counsel filed a Motion for Summary
13 Judgment and requested an Order Shortening Time. On February 8, 2018, Alecia
14 filed an Opposition to the Motion for Summary Judgment. A hearing on the
15 Motion for Summary Judgment went forward on April 9, 2018, and the Court took
16 the matter under submission. On May 22, 2018, Judge Ochoa issued his Decision
17 and Order which denied the request for summary judgment, but which did not set
18 the matter for further proceedings.
19
20
21

22 On January 22, 2019, Alecia filed a "Notice of Joinder" and a "Motion for
23 Child Support for a Disabled Child Beyond the Age of Majority." **This Motion**
24 **was filed eight (8) months after Judge Ochoa issued the Decision and Order**
25
26
27
28

1 **denying summary judgment. {EMPHASIS ADDED}** Although Alecia and/or
2 Emily never filed a Complaint, the Court Ordered the matter would move forward.

3
4 On December 4, 2019, Alecia provided a report from Dr. Love Farrell (“Dr.
5 Love Farrell”). The proposed report relied upon or included review of records that
6 have never been provided to Jeff in this matter, and which were not produced with
7 the proposed report. Dr. Love Farrell is allegedly Emily’s treatment provider and
8 according to the proposed report, Dr. Love Farrell had not had contact with Emily
9 since August 12, 2019. **Again, Jeff alleges that report was not complete and**
10 **improper because the records had not been provided. {EMPHASIS ADDED}**

11
12 On January 10, 2020, the Court issued an Order Setting Evidentiary Hearing for
13 April 16, 2020, and April 17, 2020. Pursuant to that Order, discovery closed in this
14 matter on April 3, 2020.

15
16 On March 16, 2020, the Eighth Judicial District Court issued its first
17 Administrative Order in relation to COVID-19. Administrative Order 20-01
18 indicated that commencing on March 16, 2020, non-essential hearings would to be
19 heard by video or telephonic means, decided on the papers or rescheduled by the
20 District Court Judge.

21
22 On March 20, 2020, Administrative Order 20-09 was issued which indicated
23 all unexpired discovery deadlines shall be stayed for 30 days from the date of the
24
25
26
27
28

1 Order. It further indicated that a stay of all civil cases is being considered on a
2 case-by-case basis.

3 On March 25, 2020, Administrative Order 20-11 was issued, which provided
4 that the stay on discovery previously issued in Administrative Order 20-09, applied
5 to Family Court matters. As it related to Trial, the Administrative Order stated,
6 “Attorneys may have difficulty obtaining witnesses or being prepared for
7
8 evidentiary proceeds in the period immediately following the duration of the
9 administrative orders related to COVID-19. Judges are encouraged to liberally
10 grant continues to allow time for preparation.”
11

12 On April 2, 2020, after attempts to resolve ongoing discovery disputes,
13 Alecia provided supplemental documents. However, the supplemental documents
14 from Alecia were not those records which were relied upon by Dr. Love Farrell.
15 The records relied upon by Dr. Love Farrell were never received. At the same time,
16 Jeff filed a Motion to Extend Discovery, Extend Time for Disclosure of Rebuttal
17 Expert, Compel Production of Medical Records, et. al. On April 17, 2020, Alecia
18 filed an Opposition. That Motion was set before the Discovery Commissioner on
19 May 8, 2020. Prior to the Motion being heard, the Discovery Commissioner issued
20 a Minute Order on April 24, 2020, which vacated the hearing and indicated the
21 matter would be forwarded to Judge Ritchie “for a determination on how to
22 proceed.”
23
24
25
26

1 On April 17, 2020, Administrative Order 20-13 was issued which stated that
2 the prior thirty (30) day extension for deadlines is extended until this Order
3 “expired, is modified or is rescinded by subsequent order.” The Administrative
4 Order went on to provide that related to Family Court that extension related to
5 COVID-19 “constituting “good cause” and “excusable neglect” warranting the
6 extension of time in non-essential civil-domestic case types.” All discovery was
7 tolled from March 18, 2020 until thirty (30) days from the expiration of that
8 Administrative Order.
9

10
11 On May 12, 2020, the Court issued an Order Setting Evidentiary Hearing
12 which set the dates for August 6, 2020, and August 7, 2020. The Court Order
13 indicated no continuance would be granted unless the matter was heard at least
14 three (3) days prior to the Evidentiary Hearing.
15

16
17 On June 1, 2020, Administrative Order 20-17 was issued which provides
18 continuance of any trial or evidentiary hearing will be considered on a case-by-case
19 basis. “Continuances should be granted to allow time for preparation or to obtain
20 witnesses. Judges will need to examine the merits of any application for a
21 continuance, balancing the consequences of delay in the proceedings and the
22 constraints placed on attorneys and litigations to prepare for a trial or evidentiary
23 hearing.” The Administrative Order goes on to indicated discovery continues to toll
24
25
26
27
28

1 until July 1, 2020, which means that responses to discovery were not due until July
2 31, 2020.

3
4 On July 23, 2020, a Pre-Trial Conference was heard regarding the manner in
5 which the Court would move forward- in person or via Blue Jeans. It was agreed
6 that Counsel and clients would appear in person and certain witnesses could appear
7 through Blue Jeans. Thereafter, on or about July 28, 2020, an internal
8 memorandum was issued and the Court contacted Counsel and indicated that the
9 matter would move forward via Blue Jeans unless the Parties wanted to agree to
10 move the Trial date to appear in person. There was delay in getting a response from
11 Alecia's Counsel on whether the Parties were in agreement to move the Trial date
12 so they could appear in person; the delayed response was due to Alecia's Counsel
13 having been out of the jurisdiction. Due to the delay in getting a response from
14 Alecia's Counsel, Jeff was proactive and filed a Motion to Continue, pending him
15 receiving a response from Alecia's Counsel. Ultimately, Alecia's Counsel
16 indicated a preference to move forward via Blue Jeans and Jeff's Counsel indicated
17 a preference for an in-person Trial in this matter. The Court denied Jeff's Motion
18 to Continue the Trial, et. al., indicating it was untimely. Furthermore, as of the date
19 of this filing, the Motion to Extend Discovery, Extend Time for Disclosure of
20 Rebuttal Expert, Compel Production of Medical Records which had been forwarded
21
22
23
24
25
26
27
28

1 from the Discovery Commissioner to Judge Ritchie via the April 20, 2020 Minute
2 Order has not been ruled upon.

3
4 **C. RESOLVED ISSUES:**

5 At this time, there are no resolved issues.

6 **D. STATEMENT OF UNRESOLVED ISSUES:**

- 7
8 1. Whether a request for child support beyond the age of majority can be
9 brought after the person reaches the age of majority;
10 2. Whether Emily was handicapped prior to reaching the age of majority;
11 3. Whether Emily has been able to sustain gainful activity for more than
12 twelve (12) months since reaching the age of majority;
13 4. Whether Emily's sexual abuse by her step-brother is creating issues
14 regarding alleged handicap;
15 5. What are Emily's actual needs and whether those alleged needs are
16 reasonable under the circumstances in this matter; and
17 6. Attorney fees and costs.

18
19 **II.**
20 **BRIEF STATEMENT OF FACTS**

21 The Parties to this action, Alecia and Jeff, have been divorced since August
22 5, 2005, pursuant to a Decree of Divorce. There are no minor children at issue of
23 the Parties marriage; all of the children are over the age of eighteen (18) and have
24 graduated from high school. There are three (3) adult children at issue of the
25 Parties marriage, to wit: Emily Reed, born November 16, 1996 (currently 23½
26 years old); Anthony Reed, born May 26, 1999 (currently 21 years old); and Adam
27 Parker Reed, born January 23, 2001 (currently 19½ years old).
28

1 Since the Parties Divorce here in Nevada, Alecia remarried; she and the three
2 (3) children relocated to California. Alecia's husband also has children, which
3 resided with the children of this action in their home in California.
4

5 Alecia alleges that Emily was handicapped before she reached the age of
6 majority pursuant to *NRS* § 125B.110 (1) and 125B.110 (4). Jeff disputes this
7 allegation; he does not believe that Emily was handicapped before she reached the
8 age of majority or that she had "an inability to engage in any substantial gainful
9 activity by reason of any medically determinable physical or mental impairment
10 which can be expected to result in death or which has lasted or can be expected to
11 last for a continuous period of not less than 12 months."
12

13
14 Furthermore, Jeff believes that Alecia's request is barred from bringing the
15 claim. Specifically, on December 9, 2014, Alecia filed a Motion with the Court
16 wherein, among other things, she requested to reset child support based upon a
17 change in the custodial arrangement. At that time, Emily had reached the age of
18 eighteen (18), but was still in high school. Alecia's Motion did not include a
19 request for child support for Emily beyond graduation from high school, but at the
20 hearing on January 12, 2015, her Counsel argued for same and the matter was set
21 for an Evidentiary Hearing. Jeff alleges the Evidentiary Hearing was set to
22 determine if Emily was disabled prior to reaching the age of eighteen (18). On
23 March 9, 2015, Alecia filed a "Notice of Withdrawal of Request to Continue Child
24
25
26
27
28

1 Support for Emily After High School Graduation Due to Child's Disability &
2 Request to Vacate Evidentiary Hearing." It is worth noting that this was voluntarily
3 filed, not a stipulated agreement. As a result of this document being filed, the
4 Evidentiary Hearing was vacated. **This was done based upon a filing of Alecia;**
5 **Jeff had no say whether or not the Evidentiary Hearing was vacated.**
6 **{EMPHASIS ADDED}**

7
8
9 Immediately after graduating from high school, Emily and her friends
10 participated in a celebratory vacation to Mexico. Upon information and belief,
11 Alecia did not accompany Emily on the vacation to Mexico. Jeff believes another
12 adult went to watch over the entire group. During this time, Emily was able to
13 function without any care from her Mother, or a medical professional, or a
14 designated person specifically provided to support Emily during the trip.
15 Additionally, since reaching the age of emancipation and graduating from high
16 school, Emily has continued to be able to do the following activities:
17

- 18 • Emily graduated from high school with good grades;
- 19 • Emily has attended college classes;¹
- 20 • Emily has a driver's license;
- 21 • Emily drives a car that she has access to at Alecia's house;
- 22
- 23
- 24

25 ¹ Although Jeff does not know for certain that Emily has attended college, Alecia indicates on a
26 GoFundMe fundraising post, that "Emily desires to live independently, return to college, secure
27 a job and eventually start a family of her own."

- Emily was employed outside of the home;
- Emily is able to work in her church's coffeeshop; and
- Emily is left alone for long periods of time without supervision.

There is also a pending claim regarding Emily's monthly financial need. Jeff disputes the alleged need each month based upon the information provided herein. Jeff believes that the public assistance being received by Emily is sufficient to meet her needs pursuant to *NRS* § 125B.110 (2).

III.
WHETHER A CLAIM FOR DISABILITY BEYOND THE
AGE OF MAJORITY MUST BE MADE BEFORE REACHING
THE AGE OF MAJORITY

The issue of child support is governed by Nevada Revised Statutes ("*NRS*") Chapter 125B. As a general rule, Court ordered support obligations cease "when the child reaches 18 years of age if he is no longer enrolled in high school, otherwise, when he reaches 19 years of age." *Edgington*, 80 P.3d at 1286 *citing* *NRS* 125.510(9)(b) (Repealed) *see* *NRS* 125C.0045(9)(b) ("Except where a contract providing otherwise has been executed pursuant to *NRS* 123.080, the obligation for care, education, maintenance and support of any minor child created by any order entered pursuant to this section ceases. . . When the child reaches 18 years of age if the child is no longer enrolled in high school, otherwise, when the child reaches 19 years of age). Absent a contract providing otherwise, the support obligation automatically ceases by the time the child reaches the age of 19, because

1 Nevada “law presumes that once a child reaches majority, the child is capable of
2 self-support.” *Id.*

3
4 Thus, rather than being a rule in itself, NRS 125B.110 is an exception to the
5 general presumption that the child is “capable of self-support” upon reaching the
6 age of majority. *Id.* Furthermore, *NRS* § 125B.120 deals with the discharge of a
7 parent’s obligation for child support. It provides that if a parent complies “with a
8 court order for support or with the terms of a judicially approved settlement” then
9 that obligation for support is discharged. If the obligation was discharged, Jeff
10 would argue that the issue is *res judicata* because the Court lost jurisdiction
11 because the claim was brought after Emily reached the age of majority and Emily’s
12 graduation from high school. “The statute requires that a handicapped child be
13 incapable of engaging in "substantial gainful activity" by reason of the qualifying
14 impairment.” Here, the Nevada Supreme Court uses the word “child” which means
15 before reaching the age of majority and graduating from high school. *Edginton v.*
16 *Edginton*, 119 Nev. 577, 583, 80 P.3d 1282, 1287 (2003). Specifically, *NRS* §
17 125C.0045 (9)(b) provides that “the obligation for care, education, maintenance and
18 support of any minor child created by any order entered pursuant to this section
19 ceases: (b) When the child reaches 18 years of age if the child is no longer enrolled
20 in high school, otherwise, when the child reaches 19 years of age.”
21
22
23
24
25
26
27
28

1 In this matter, Jeff complied with the Court's Order regarding child support
2 for Emily. On January 12, 2015, when the Court set the issue of child support
3 beyond the age of majority for Trial, Jeff was paying his child support obligation
4 for Emily. Emily graduated from high school in June of 2015. However, on June
5 26, 2017, when this matter came back before the Court Emily had already
6 emancipated and there had been no finding that Emily was handicapped and needed
7 support beyond the age of majority. Therefore, Alecia's claim should be barred
8 because the claims were not brought timely.
9

10
11 It would be against public policy to allow a parent to bring a claim after the
12 child has emancipated and graduated from high school. Where does it stop? Can
13 someone bring a request when the person who is alleged to have a disability is
14 thirty (30) or forty (40) years old. Jeff would also argue that Alecia's claims are
15 barred by laches. Alecia or Emily's delay in bringing her request for support
16 would cause undue hardship upon Jeff if the Court were now to issue an order for
17 support for Emily who is now an adult. *Building & Constr. Trades v. Public*
18 *Works*, 108 Nev. 605, 839 P.2d 633, 637 (1992).
19
20
21

22 IV.
23 **WHETHER EMILY WAS HANDICAPPED PRIOR**
24 **TO REACHING THE AGE OF MAJORITY**

25 NRS § 125B.110 (4) indicates that handicapped is defined as an "inability to
26 engage in any substantial gainful activity by reason of any medically determinable
27
28

1 physical or mental impairment which can be expected to result in death or which
2 has lasted or can be expected to last for a continuous period of not less than 12
3 months.” Further, *NRS* § 125B.110 (1) indicates that the handicap “must have
4 occurred before the age of majority for this duty to apply.” The question is here is,
5 whether Emily is physically or mentally impaired? If so, when did Emily’s physical
6 or mental impairment occur?
7

8
9 **V.**

10 **WHETHER EMILY HAS BEEN ABLE TO SUSTAIN GAINFUL**
11 **ACTIVITY FOR MORE THAN TWELVE (12) MONTHS**
12 **SINCE REACHING THE AGE OF MAJORITY**

13 *NRS* § 125B.110 (4) provides that handicap means “ an inability to engage in
14 any substantial gainful activity by reason of any medically determinable physical or
15 mental impairment which can be expected to result in death or which has lasted or
16 can be expected to last for a continuous period of not less than 12 months.” As
17 such, the question is whether Emily has engaged in gainful activity for more than
18 (12) months since reaching the age of majority.
19

20 **VI.**

21 **WHETHER EMILY’S SEXUAL ABUSE BY HER STEP-BROTHER IS**
22 **CREATING ISSUES REGARDING ALLEGED HANDICAP**

23 In this matter, it was recently discovered that Emily was being sexually
24 abused by her step-brother. It is unknown to Jeff when the sexual abuse started and
25 when it concluded. However, Jeff questions whether the sexual abuse by her step-
26 brother has impacted Emily’s ability to maintain “gainful activity.” Jeff knows that
27

1 the step-brother was arrested; however, Alecia has not shared with Jeff the
2 particulars of the criminal arrest or the issues about when the abuse alleged started
3 and concluded. Jeff is aware that Emily has been in the household with the step-
4 brother since before she reached the age of majority.
5

6
7 **VII.**
8 **WHAT ARE EMILY'S ACTUAL NEEDS AND WHETHER**
9 **THOSE ALLEGED NEEDS ARE REASONABLE UNDER THE**
10 **CIRCUMSTANCES IN THIS MATTER**

11 In this matter, based upon records that Alecia produced in this matter, Alecia
12 and Emily are both receiving Social Security Disability benefits. According to the
13 records, Emily is receiving a benefit from Alecia of \$244.33 per month in food and
14 housing which was the amount based upon information provided by Alecia and
15 Emily. *Jeff would note, Alecia claims this is substantially higher in her Financial*
16 *Disclosure Form ("FDF") filed with this Court; however, it was determined that*
17 *this was a reasonable amount by the Social Security Administration. {EMPHASIS*
18 *ADDED}* Additionally, Emily was entitled to \$648.50 per month in total benefits
19 from the Federal Government and the State of California. However, the records are
20 from 2019, and no updated records have been provided regarding current benefits
21 being received.²
22
23
24

25 ² The 2016 records indicate that if Emily goes to treatment/is admitted to a facility or lives outside
26 Alecia's residence, the benefits may terminate. Here, upon information and belief, Jeff alleges
27 that Emily has been admitted to a treatment facility and lived outside of Alecia's residence
28 including living with her Maternal Grandmother.

1 Upon information and belief, Jeff alleges that Emily receives benefits from
2 the State of California regarding health insurance. Jeff further alleges that Alecia
3 has made the decision not to use medical providers covered by Emily's insurance;
4 rather, Alecia has purposely taken Emily to providers outside of the list because she
5 alleges those who provide services under insurance are not sufficient for Emily's
6 needs.
7

8
9 According to Alecia, Emily's need each month is \$4,171.42 per month, and
10 \$3,493.18 per month after receipt of funds from the Social Security Administration.
11 Alecia is requesting Jeff contribute \$1,746.59 per month. Whereas, Jeff's current
12 gross monthly income is only \$1,716.00 per month. Therefore, Jeff is without the
13 financial ability to pay what is being requested by Alecia.
14

15
16 **VIII.**
 ATTORNEY FEES

17 One of the prevailing cases regarding attorney fees is *Brunzell v. Golden*
18 *Gate National Bank*, 85 Nev. 345, 455 P.2d 31 (1969). In *Brunzell* the Nevada
19 Supreme Court set forth the factors, now known as the Brunzell Factors, which the
20 Court considered "well known basic elements to be considered" when awarded
21 attorney fees. According the Brunzell Factors are as follows:
22

- 23
24 1. The quality of advocacy;³
25 2. The character of the work to be done;⁴

26 ³ When considering the quality of the advocacy the Court should look at the attorney's ability,
27 training, education, professional standing, and skill.

1 3. The work actually performed by the lawyer;⁵ and

2 4. The results obtained.

3 **Quality of Advocacy**

4 Jeff's Counsel has been practicing law for over fifteen (15) years and focuses
5 her practice area primarily in the area of family law, and she is in good standing
6 with the State Bar of Nevada, participated in a weekly radio show geared at the
7 Clark County community, focused on issues relative to family law.

8
9 Yearly, Jeff's Counsel attends continuing legal education classes to stay
10 abreast of changes in the area of family law. Through a practice primarily in family
11 law, Jeff's Counsel has drafted countless Motions, argued before the District Court
12 and Hearing Master on issues related to domestic violence/custody/ divorce/
13 adoption/termination of parental rights, brought and defended individuals at Trials
14 and Evidentiary Hearings. Additionally, Jeff's Counsel has taken cases on Appeal
15 to the Supreme Court of Nevada.

16 **Character of Work Done**

17
18
19 Due to the fact that Jeff's Counsel practices primarily in the area of family
20 law, she has regularly dealt with issues involved in violations of terms of Family
21 Court related Orders, child support enforcement, arrears, and wage assignments.
22
23

24 ⁴ When considering the character of the work to be done the Court should look at the difficulty,
25 intricacy, importance, time, skill required, the responsibility imposed, and the character of the
26 Party when they have a relevancy to the litigation.

27 ⁵ When considering the work performed the Court should consider the skill, time, and attention
28 given to the work.

1 **Work Performed**

2 Jeff's Counsel maintains a billing system and will prepare, in advance of the
3 hearing in this matter, a billing statement to address the actual attorney fees
4 extended by Jeff. Jeff is billed at a rate of \$300.00 per hour which is a rate on par
5 with other attorneys practicing primarily in the area of family law.
6

7 As such, Jeff is requesting this Court grant him attorney fees and costs, and
8 as the prevailing Party, equal to the amount incurred by him relating to this issue
9 the post-divorce matters. Jeff's Counsel is prepared to file a Memorandum of
10 Attorney's Fees and Costs outlining all fees and expenses incurred relating to this
11 matter, and requests the Court grant the entire amount to Jeff, and for said sum to
12 be reduced to judgment against Alecia, shall accrue interest and be collectible by
13 any and all legal means necessary until paid in full.
14
15
16

17 **IX.**
18 **LIST OF WITNESSES**

- 19 1. Plaintiff, Alecia Reed;
20 2. Defendant, Jeff Reed;
21 3. Any and all witnesses timely and properly disclosed by Plaintiff; and
22 4. Any and all rebuttal witnesses.

23 **X.**
24 **LIST OF EXHIBITS**

- 25 A. Defendant's Financial Disclosure Form 01/05/2015
26 B. Defendant's Financial Disclosure Form 06/30/2017
27 C. Defendant's Financial Disclosure Form 08/03/2020
28 D. Alecia's Passport
 E. Emily's Passport

1 F. Emily's Driver's License
2 G. Moonwood Coffee Facebook Profile
3 H. Defendant's 2018 Federal Income Tax Return
4 I. Defendant's 2019 W-2
J. Defendant's 2018 Federal Income Tax Return

5 As well as:

6 Any and all documents timely and properly disclosed by Plaintiff; and
7 Any and all rebuttal documents.

8 **XI.**
9 **UNUSUAL LEGAL OR FACTUAL ISSUES PRESENTED**

10 In this matter, a Motion to Extend Discovery, et. al., was filed in this matter.
11 The Motion was based upon the fact that Alecia's expert was given records which
12 were never disclosed in this matter. Specifically, Alecia's expert references the
13 following list of documents or makes reference in her report to said documents as
14 follows:
15

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

- January 14, 2019- Referred for TMS (Transcranial Magnetic Stimulation). These records were not provided.
- August 2019- GA for therapy then transferred to program in TN. These records were not provided.

Although the Motion was filed timely and prior to the close of discovery, the Discovery Commissioner did not rule upon the matter and vacated the hearing. Instead the Discovery Commissioner indicated that the District Court Judge hearing the matter would rule upon same. Despite this occurring, no ruling has ever occurred by the District Court Judge. **To date, the records have never been produced in this matter. {EMPHASIS ADDED}** Moreover, the matters regarding these issues were pending during a time when various Administrative Orders were issued which impacted the ability to conduct discovery and tolled discovery deadlines until July 1, 2020 with deadlines being July 31, 2020.

\\ \

\\ \

\\ \

\\ \

\\ \

\\ \

\\ \

\\ \

\\ \

Therefore, Jeff is being denied his due process rights by the Court failing to rule upon his Motion, and not allowing him to address the outstanding discovery due to Administrative Orders issued by the Eighth Judicial District Court.

DATED this 3rd day of August, 2020.

ROBERTS STOFFEL FAMILY LAW GROUP

By: Ammanda M. Roberts

Amanda M. Roberts, Esq.
State of Nevada Bar No. 9294
4411 South Pecos Road
Las Vegas, Nevada 89121
PH: (702) 474-7007
FAX: (702) 474-7477
Attorneys for Defendant, Jeff Reed

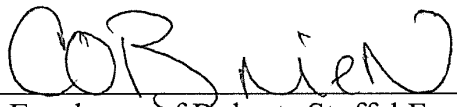
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

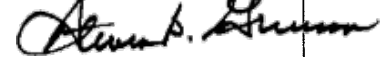
CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group, and on the 3 day of August, 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 **DEFENDANT'S PRE-TRIAL MEMORANDUM**, 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 **EPAP**

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

**EX PARTE APPLICATION FOR
AN ORDER GRANTING STAY
PENDING RULING ON WRIT**

22 COMES NOW the Defendant, Jeffrey Reed, by and through his attorney of
23 record, Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group, hereby
24 moves this Court for an Order Granting Stay Pending Ruling on Writ. This
25 Application is based upon the Affidavit of Amanda M. Roberts, Esq. Moreover,
26
27
28

1 this Application is made and based upon all the papers, pleadings and records on
2 file herein, as well as the Points and Authorities attached hereto.

3 DATED this 3rd day of August, 2020.

4
5 **ROBERTS STOFFEL FAMILY LAW GROUP**

6
7 By: Amanda M. Roberts

8 Amanda M. Roberts, Esq.
9 State of Nevada Bar No. 9294
4411 S. Pecos Road
10 Las Vegas, Nevada 89121
11 PH: (702) 474-7007
12 FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorneys for Defendant, Jeffrey Reed

13 **POINTS AND AUTHORITIES**

14
15 **I.**

16 **Points and Authority**

17 *NRAP* § 8 (a)(1) indicates that prior to requesting a stay from the Nevada
18 Supreme Court, a request must be made to the District Court for stay. In this
19 matter, the Evidentiary Hearing is set on August 6, 2020 and August 7, 2020.
20 Therefore, Jeff is requesting the Court grant his request for Stay pending the review
21 and consideration of his Writ filed on August 3, 2020.

22
23 Jeff would argue that the moving forward with the Evidentiary Hearing as set
24 defeats the purpose of the Writ and he would suffer irreparable harm if the stay in
25 not granted in this matter. Specifically, Jeff would have failed to receive due
26
27

1 process and would receive unequal protection under the law. Specifically, Alecia is
2 receiving unequal protection under the Fourteenth Amendment of the United States
3 Constitution because the Court failed to address defective discovery for Jeff
4 although it resolved it for Alecia despite a timely filed request.
5

6
7 **II.**
Conclusion

8 Based upon the foregoing, Jeffrey is requesting that the Court grant his
9 request for an Order Granting Stay Pending Ruling on Writ n.
10

11 Dated this 3rd day of August, 2020.

12 **ROBERTS STOFFEL FAMILY LAW GROUP**

13
14 By: Amanda M. Roberts

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

1 **AFFIDAVIT OF AMANDA M. ROBERTS, ESQ.**

2 STATE OF NEVADA)
3 ss
4 County of Clark)

5 I, Amanda M. Roberts, Esq., the Defendant's attorney in the above
6 referenced matter and I can attest to the below reference facts as being true and
7 correct to the best my knowledge as represented by my client.
8

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

16 2. The issue pending before the Court is a request for child support for
17 Emily, beyond the age of majority, pursuant to NRS § 125B.110. The issue which
18 is present regarding the extension of discovery and rebuttal experts relates to
19 whether Emily was handicapped before the age of majority and, if handicapped, has
20 it lasted or is it expected to last "for a continuous period of not less than 12
21 months." Therefore, all medical records for Emily from before she reached the age
22 of majority, when the alleged handicap started, to present are necessary. It is not
23 only whether she was handicapped, but remained handicapped. In order to
24
25
26
27

1 establish the claim, Emily proposed to have her treatment provider Jennifer Love
2 Farrell, MD, from Amen Clinics Southern California, be designated as an expert
3 witness and testify on her behalf.
4


5 3. In this matter, the Evidentiary Hearing is set on August 6, 2020 and
6 August 7, 2020. Therefore, Jeff is requesting the Court grant his request for Stay
7 pending the review and consideration of his Writ filed on August 3, 2020.
8

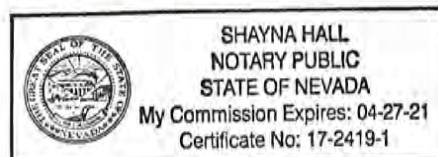
9 4. Jeff would argue that the moving forward with the Evidentiary
10 Hearing as set defeats the purpose of the Writ and he would suffer irreparable harm
11 if the stay is not granted in this matter. Specifically, Jeff would have failed to
12 receive due process and would receive unequal protection under the law.
13 Specifically, Alecia is receiving unequal protection under the Fourteenth
14 Amendment of the United States Constitution because the Court failed to address
15 defective discovery for Jeff although it resolved it for Alecia despite a timely filed
16 request.
17
18

19 **FURTHER AFFIANT SAYETH NAUGHT.**
20

21 
22 Amanda M. Roberts, Esq.

23 Subscribed and Sworn to before me this
24 3rd day of August, 2020.

25 
26 Notary Public in and for said County and State
27



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group, and on the 3rd day of August, 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 **EX PARTE APPLICATION FOR AN ORDER GRANTING STAY PENDING RULING ON WRIT**, as follows:

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

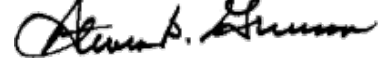
Benjamin La Luzerne, Esq.
Email: Ben.laluzerne@laluzernelaw.com
Attorney for Plaintiff, Alecia Ann Draper, Individually

By: 
Employee of Roberts Stoffel Family Law Group

FDF

Name: Amanda M. Roberts, Esq.
Address: 4411 S. Pecos Rd.
Las Vegas, Nevada 89121
Phone: 702-474-7007
Email: efile@lvfamilylaw.com
Attorney for Defendant
Nevada State Bar No. 9294

Electronically Filed
8/3/2020 10:22 AM
Steven D. Grierson
CLERK OF THE COURT



Eighth Judicial District Court

Clark County, Nevada

<u>ALECIA ANN DRAPER</u> Plaintiff, vs. <u>JEFFREY ALLEN REED</u> Defendant.	Case No. <u>05D338668</u> Dept. <u>S</u>
---	---

GENERAL FINANCIAL DISCLOSURE FORM

A. Personal Information:

1. What is your full name? (*first, middle, last*) Jeffrey Allen Reed
2. How old are you? 51
3. What is your date of birth? 12/23/1968
4. What is your highest level of education? HS

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)
01/2020	SCI	Sales	Varies	Varies

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? _____

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: SCI Date of Hire: 12/26/2012 Date of Termination: 2019
Reason for Leaving: Heart Attack- left for about 9 months due to health issues

Monthly Personal Income Schedule

A. Year-to-date Income.

As of the pay period ending 07/17/2020 my gross year to date pay is \$11,484.39.

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:	YTD- \$11,484.39		\$1,716.00
Net Rental Income:			
Overtime Pay			
Pension/Retirement:			
Social Security Income (SSI):			
Social Security Disability (SSD):			
Spousal Support			
Child Support			
Workman's Compensation			
Other:			
Total Average Other Income Received			\$1,716.00

Total Average Gross Monthly Income (add totals from B and C above)	\$1,716
--	---------

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	85.0
4.	Health Insurance Amount for you: 220 For Opposing Party: _____ For your Child(ren): _____	220.00
5.	Life, Disability, or Other Insurance Premiums	
6.	Medicare	
7.	Retirement, Pension, IRA, or 401(k)	100.00
8.	Savings	
9.	Social Security	232.00
10.	Union Dues	
11.	Other: (Type of Deduction)	
Total Monthly Deductions (Lines 1-11)		637.00

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

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

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

Type of Business Expense	Frequency	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				
Auto Insurance	168			
Car Loan/Lease Payment	272			
Cell Phone	116			
Child Support (not deducted from pay)				
Clothing, Shoes, Etc...	100			
Credit Card Payments (minimum due)	100			
Dry Cleaning	25			
Electric	60			
Food (groceries & restaurants)	500			
Fuel	150			
Gas (for home)	40			
Health Insurance (not deducted from pay)				
HOA				
Home Insurance (if not included in mortgage)				
Home Phone				
Internet/Cable	115			
Lawn Care				
Membership Fees	10			
Mortgage/Rent/Lease	950			
Pest Control				
Pets				
Pool Service				
Property Taxes (if not included in mortgage)				
Security	10			
Sewer				
Student Loans				
Unreimbursed Medical Expense	100			
Water	40			
Other:				
Total Monthly Expenses	2756			

Household Information

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

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

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

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

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

Name	Age	Person's Relationship to You (i.e. sister, friend, cousin, etc...)	Monthly Contribution
Ivette Rodriguez	50	Girlfriend	\$1,260.00

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.		\$	- \$	= \$ 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.		\$	
2.		\$	
3.		\$	
4.		\$	
5.		\$	
6.		\$	
Total Unsecured Debt (add lines 1-6)		\$ 0.00	

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 \$ 21,176 on my behalf.
3. I have a credit with my attorney in the amount of \$ 0.
4. I currently owe my attorney a total of \$ 604.22.
5. I owe my prior attorney a total of \$ _____.

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

jr 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.

jr 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.

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

/s/ Jeffrey Allen Reed
Signature

7/24/20
Date

CERTIFICATE OF SERVICE

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

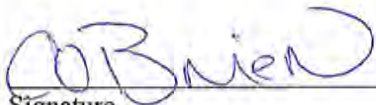
That on (date) August 3, 2020, service of the General Financial Disclosure Form was made to the following interested parties in the following manner:

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

☒ Via Electronic Service, in accordance with the Master Service List, pursuant to NEFCR 9, to:
elizabeth@brennanlawfirm.com and ben.laluzerne@laluzernelaw.com

☐ Via Facsimile and/or Email Pursuant to the Consent of Service by Electronic Means on file herein to: _____

Executed on the 3 day of August, 2020.


Signature

Palm Mortuary, Inc. 1929 Allen Parkway Houston, TX 77019									
Name	Company	Employee ID	Pay Period Begin	Pay Period End	Check Date	Check Number			
Jeffrey Reed	Palm Mortuary, Inc.	1062792	07/04/2020	07/17/2020	07/24/2020				
		Gross Pay	Post Tax Deductions	Employee Taxes	Pre-Tax Deductions	Net Pay			
Current		1,997.60	24.97	186.36	195.54	1,590.73			
YTD		11,484.39	369.37	881.77	1,133.90	9,099.35			
Earnings									
Description	Dates	Hours	Rate	Amount	YTD Hours	YTD Amount	Description	Amount	YTD
CommShortfal	07/04/2020-07/10/2020	0	0	0.00			OASDI	116.68	669.02
CommShortfal	07/11/2020-07/17/2020	0	0	0.00	0	2,929.97	Medicare	27.28	156.46
HMIS Biweekly Commis	07/04/2020-07/17/2020	0	0	1,947.60	0	7,472.77	Federal Withholding	42.40	56.29
HMIS Monthly Commis					0	33.77			
Holiday					40	290.00			
Local Bonus	07/04/2020-07/17/2020	0	0	50.00	0	200.00			
Minimum Wage	07/04/2020-07/17/2020	80	9	0.00		0.00			
Overtime Premium (MW	07/04/2020-07/10/2020	0.5	0	0.00	20.5	57.04			
Sick					-8	-58.00			
Vacation Payout					29.6156	214.72			
WAGE OFFSET					0	344.12			
Earnings				1,997.60		11,484.39	Employee Taxes	186.36	881.77
Post Tax Deductions									
Description		Amount	YTD	Pre-Tax Deductions					
Critical Illness		17.27	103.62	Description		Amount	YTD		
Supplemental Life (Nevada)		7.70	41.06	401(k)		79.91	440.12		
Support (638275000A)			222.84	Dental Pre Tax HMO		2.41	14.46		
Wage Assignment (638275000A)			1.85	Pretax Medical		110.00	660.00		
				Vision Pretax		3.22	19.32		
Post Tax Deductions		24.97	369.37	Pre-Tax Deductions		195.54	1,133.90		
Employer Paid Benefits									
Description		Amount	YTD	Subject or Taxable Wages					
401k Employer Match		79.90	398.66	Description		Amount	YTD		
Active Health Employer Medical		3.80	22.80	OASDI - Taxable Wages		1,881.97	10,790.61		
Dental Employer HMO		5.63	33.78	Medicare - Taxable Wages		1,881.97	10,790.61		
EAP		0.75	6.75	Federal Withholding - Taxable Wages		1,802.06	10,350.49		
Employer Paid Medical		211.00	1,266.00						
Details Not Displayed		2.18	15.78						
Employer Paid Benefits		303.26	1,743.77						
Federal State									
Marital Status	Head of Household			Absence Plans					
Allowances	0	0		Description	Accrued	Reduced	Available		
Additional Withholding	0			Holiday	0	0	32		
				Sick	3.08	0	55.691697		
				Vacation	3.07696	0	178.539553		
Payment Information									
Bank	Account Name	Account Number	USD Amount	Payment Amount					
wells fargo bank na (nev)	wells fargo bank na (nev) *****3152	*****3152		1,590.73	USD				

Palm Mortuary, Inc. 1929 Allen Parkway Houston, TX 77019							
Name	Company	Employee ID	Pay Period Begin	Pay Period End	Check Date	Check Number	
Jeffrey Reed	Palm Mortuary, Inc.	1062792	03/14/2020	03/27/2020	04/03/2020	115962	
	Gross Pay	Post Tax Deductions	Employee Taxes	Pre-Tax Deductions	Net Pay		
Current	846.17	0.00	64.74	33.85	747.58		
YTD	2,142.53	224.69	163.91	66.41	1,687.52		
Earnings						Employee Taxes	
Description	Dates	Hours	Rate	Amount	YTD Hours	YTD Amount	Description Amount YTD
CommShortfal	03/14/2020-03/20/2020	0	0	169.91	0	764.17	OASDI 52.47 132.84
HMIS Biweekly Commiss	03/14/2020-03/27/2020	0	0	370.82	0	916.20	Medicare 12.27 31.07
Holiday	03/14/2020-03/27/2020	40	7.25	290.00	40	290.00	
Minimum Wage	03/14/2020-03/27/2020	34.5	8.25	0.00		0.00	
Overtime Premium (MW02/29/2020-03/06/2020		0	0	4.12			
Overtime Premium (MW03/07/2020-03/13/2020		0	0	11.32			
Sick					3	15.44	
Vacation Payout					-8	-58.00	
					29.6156	214.72	
Earnings				846.17		2,142.53	Employee Taxes 64.74 163.91
Post Tax Deductions				Pre-Tax Deductions			
Description	Amount	YTD		Description	Amount	YTD	
Support (638275000A)		222.84		401(k)	33.85	66.41	
Wage Assignment (638275000A)		1.85					
Post Tax Deductions	0.00	224.69		Pre-Tax Deductions	33.85	66.41	
Employer Paid Benefits				Subject or Taxable Wages			
Description	Amount	YTD		Description	Amount	YTD	
401k Employer Match	33.85	66.40		OASDI - Taxable Wages	846.17	2,142.53	
EAP	0.75	1.50		Medicare - Taxable Wages	846.17	2,142.53	
Leave of Absence Employer	0.90	1.80		Federal Withholding - Taxable Wages	812.32	2,076.12	
Minimum Wage	0.00	0.00					
Employer Paid Benefits	35.50	69.70					
Federal State				Absence Plans			
Marital Status	Head of Household			Description	Accrued	Reduced	Available
Allowances	0	0		Holiday	0	40	32
Additional Withholding	0	0		Sick	2.855419	0	31.156972
				Vacation	2.855419	0	154.020028
Payment Information							
Bank	Account Name	Account Number	USD Amount	Payment Amount			
(Check)				747.58	USD		

Palm Mortuary, Inc. 1929 Allen Parkway Houston, TX 77019							
Name	Company	Employee ID	Pay Period Begin	Pay Period End	Check Date	Check Number	
Jeffrey Reed	Palm Mortuary, Inc.	1062792	03/28/2020	04/10/2020	04/17/2020	116838	
	Gross Pay	Post Tax Deductions	Employee Taxes	Pre-Tax Deductions	Net Pay		
Current	1,629.68	0.00	138.56	65.19	1,425.93		
YTD	3,772.21	224.69	302.47	131.60	3,113.45		
Earnings						Employee Taxes	
Description	Dates	Hours	Rate	Amount	YTD Hours YTD Amount	Description	Amount YTD
CommShortfal	03/28/2020-04/03/2020	0	0	325.88	0 1,090.05	OASDI	101.04 233.88
CommShortfal	04/04/2020-04/10/2020	0	0	0.00	0 2,220.00	Medicare	23.63 54.70
HMS Biweekly Commiss	03/28/2020-04/10/2020	0	0	1,303.80	0 290.00	Federal Withholding	13.89 13.89
Holiday					40 0.00		
Minimum Wage	03/28/2020-04/10/2020	79.5	8.25	0.00	3 15.44		
Overtime Premium (MW/					-8 -58.00		
Sick					29.6156 214.72		
Vacation Payout							
Earnings				1,629.68	3,772.21	Employee Taxes	138.56 302.47
Post Tax Deductions			Pre-Tax Deductions				
Description	Amount	YTD	Description	Amount	YTD		
Support (638275000A)		222.84	401(k)	65.19	131.60		
Wage Assignment (638275000A)		1.85					
Post Tax Deductions	0.00	224.69	Pre-Tax Deductions	65.19	131.60		
Employer Paid Benefits			Subject or Taxable Wages				
Description	Amount	YTD	Description	Amount	YTD		
401k Employer Match	65.19	131.59	OASDI - Taxable Wages	1,629.68	3,772.21		
EAP	0.75	2.25	Medicare - Taxable Wages	1,629.68	3,772.21		
Leave of Absence Employer	0.90	2.70	Federal Withholding - Taxable Wages	1,564.49	3,640.61		
Minimum Wage	0.00	0.00					
Employer Paid Benefits	66.84	136.54					
		Federal	State	Absence Plans			
Marital Status	Head of Household			Description	Accrued	Reduced	Available
Allowances	0	0	0	Holiday	0	0	32
Additional Withholding	0	0	0	Sick	3.057729	0	34.214701
				Vacation	3.057729	0	157.077757
Payment Information							
Bank	Account Name	Account Number	USD Amount	Payment Amount			
(Check)				1,425.93	USD		

Palm Mortuary, Inc. 1929 Allen Parkway Houston, TX 77019							
Name	Company	Employee ID	Pay Period Begin	Pay Period End	Check Date	Check Number	
Jeffrey Reed	Palm Mortuary, Inc.	1062792	04/11/2020	04/24/2020	05/01/2020		
	Gross Pay	Post Tax Deductions	Employee Taxes	Pre-Tax Deductions	Net Pay		
Current	1,000.00	22.40	67.65	155.63	754.32		
YTD	4,772.21	247.09	370.12	287.23	3,867.77		
Earnings						Employee Taxes	
Description	Dates	Hours	Rate	Amount	YTD Hours YTD Amount	Description	Amount YTD
CommShortfal	04/11/2020-04/17/2020	0	0	231.06		OASDI	54.83 288.71
CommShortfal	04/18/2020-04/24/2020	0	0	325.88	0 1,646.99	Medicare	12.82 67.52
HMIS Biweekly Commiss	04/11/2020-04/24/2020	0	0	98.94	0 2,318.94	Federal Withholding	0.00 13.89
Holiday					40 290.00		
Minimum Wage	04/11/2020-04/24/2020	79.5	8.25	0.00			
Overtime Premium (MW/					3 15.44		
Sick					-8 -58.00		
Vacation Payout					29.6156 214.72		
WAGE OFFSET	04/11/2020-04/24/2020	0	0	344.12	0 344.12		
Earnings				1,000.00	4,772.21	Employee Taxes	67.65 370.12
Post Tax Deductions				Pre-Tax Deductions			
Description	Amount	YTD		Description	Amount	YTD	
Critical Illness	17.27	17.27		401(K)	40.00	171.60	
Supplemental Life (Nevada)	5.13	5.13		Dental Pre Tax HMO	2.41	2.41	
Support (638275000A)		222.84		Pretax Medical	110.00	110.00	
Wage Assignment (638275000A)		1.85		Vision Pretax	3.22	3.22	
Post Tax Deductions	22.40	247.09		Pre-Tax Deductions	155.63	287.23	
Employer Paid Benefits				Subject or Taxable Wages			
Description	Amount	YTD		Description	Amount	YTD	
401k Employer Match	40.00	171.59		OASDI - Taxable Wages	884.37	4,656.58	
Active Health Employer Medical	3.80	3.80		Medicare - Taxable Wages	884.37	4,656.58	
Dental Employer HMO	5.63	5.63		Federal Withholding - Taxable Wages	844.37	4,484.98	
EAP	0.75	3.00					
Employer Paid Medical	211.00	211.00					
Details Not Displayed	2.18	4.88					
Employer Paid Benefits	263.36	399.90					
		Federal	State	Absence Plans			
Marital Status	Head of Household			Description	Accrued	Reduced	Available
Allowances	0	0	0	Holiday	0	0	32
Additional Withholding	0			Sick	3.057729	0	37.27243
				Vacation	3.057729	0	160.135486
Payment Information							
Bank	Account Name	Account Number	USD Amount	Payment Amount			
wells fargo bank na (nev)	wells fargo bank na (nev) *****3152	*****3152		754.32	USD		

Palm Mortuary, Inc. 1929 Allen Parkway Houston, TX 77019						
Name	Company	Employee ID	Pay Period Begin	Pay Period End	Check Date	Check Number
Jeffrey Reed	Palm Mortuary, Inc.	1062792	04/25/2020	05/08/2020	05/15/2020	

	Gross Pay	Post Tax Deductions	Employee Taxes	Pre-Tax Deductions	Net Pay
Current	721.88	22.40	46.38	144.51	508.59
YTD	5,494.09	269.49	416.50	431.74	4,376.36

Earnings						Employee Taxes			
Description	Dates	Hours	Rate	Amount	YTD Hours	YTD Amount	Description	Amount	YTD
CommShortfal	04/25/2020-05/01/2020	0	0	152.33			OASDI	37.59	326.30
CommShortfal	05/02/2020-05/08/2020	0	0	291.25	0	2,090.57	Medicare	8.79	76.31
HMIS Biweekly Commissi	04/25/2020-05/08/2020	0	0	219.53	0	2,538.47	Federal Withholding	0.00	13.89
HMIS Monthly Commissi	04/25/2020-05/08/2020	0	0	33.77	0	33.77			
Holiday					40	290.00			
Local Bonus	04/25/2020-05/08/2020	0	0	25.00	0	25.00			
Minimum Wage	04/25/2020-05/08/2020	79.5	8.25	0.00		0.00			
Overtime Premium (MW)	04/25/2020-05/01/2020	8	0	0.00	11	15.44			
Sick					-8	-58.00			
Vacation Payout					29.6156	214.72			
WAGE OFFSET					0	344.12			
Earnings				721.88		5,494.09	Employee Taxes	46.38	416.50

Post Tax Deductions			Pre-Tax Deductions		
Description	Amount	YTD	Description	Amount	YTD
Critical Illness	17.27	34.54	401(k)	28.88	200.48
Supplemental Life (Nevada)	5.13	10.26	Dental Pre Tax HMO	2.41	4.82
Support (638275000A)		222.84	Pretax Medical	110.00	220.00
Wage Assignment (638275000A)		1.85	Vision Pretax	3.22	6.44
Post Tax Deductions	22.40	269.49	Pre-Tax Deductions	144.51	431.74

Employer Paid Benefits			Subject or Taxable Wages		
Description	Amount	YTD	Description	Amount	YTD
401k Employer Match	14.44	186.03	OASDI - Taxable Wages	606.25	5,262.83
Active Health Employer Medical	3.80	7.60	Medicare - Taxable Wages	606.25	5,262.83
Dental Employer HMO	5.63	11.26	Federal Withholding - Taxable Wages	577.37	5,062.35
EAP	0.75	3.75			
Employer Paid Medical	211.00	422.00			
Details Not Displayed	2.18	7.06			
Employer Paid Benefits	237.80	637.70			

	Federal	State	Absence Plans			
Marital Status	Head of Household		Description	Accrued	Reduced	Available
Allowances	0	0	Holiday	0	0	32
Additional Withholding	0		Sick	3.08	0	40.35243
			Vacation	3.07696	0	163.212446

Payment Information				
Bank	Account Name	Account Number	USD Amount	Payment Amount
wells fargo bank na (nev)	wells fargo bank na (nev) *****3152	*****3152		508.59 USD

Palm Mortuary, Inc. 1929 Allen Parkway Houston, TX 77019

Name	Company	Employee ID	Pay Period Begin	Pay Period End	Check Date	Check Number
Jeffrey Reed	Palm Mortuary, Inc.	1062792	05/09/2020	05/22/2020	05/29/2020	

	Gross Pay	Post Tax Deductions	Employee Taxes	Pre-Tax Deductions	Net Pay
Current	1,349.10	0.00	103.20	53.97	1,191.93
YTD	6,843.19	269.49	519.70	485.71	5,568.29

Earnings						Employee Taxes		
Description	Dates	Hours	Rate	Amount	YTD Hours	YTD Amount	Description	Amount
Comm Shortfall	05/09/2020-05/15/2020	0	0	0.00			OASDI	83.64
Comm Shortfall	05/16/2020-05/22/2020	0	0	0.00	0	2,090.57	Medicare	19.56
HMS Biweekly Commis	05/09/2020-05/22/2020	0	0	1,349.10	0	3,887.57	Federal Withholding	0.00
HMS Monthly Commis					0	33.77		
Holiday					40	290.00		
Local Bonus					0	25.00		
Minimum Wage	05/09/2020-05/22/2020	80	8.25	0.00		0.00		
Overtime Premium (MW)	05/16/2020-05/22/2020	0.5	0	0.00	11.5	15.44		
Sick					-8	-58.00		
Vacation Payout					29.6156	214.72		
WAGE OFFSET					0	344.12		
Earnings				1,349.10		6,843.19	Employee Taxes	103.20

Post Tax Deductions			Pre-Tax Deductions		
Description	Amount	YTD	Description	Amount	YTD
Critical Illness		34.54	401(k)	53.97	254.45
Supplemental Life (Nevada)		10.26	Dental Pre Tax HMO		4.82
Support (638275000A)		222.84	Pretax Medical		220.00
Wage Assignment (638275000A)		1.85	Vision Pretax		6.44
Post Tax Deductions	0.00	269.49	Pre-Tax Deductions	53.97	485.71

Employer Paid Benefits			Subject or Taxable Wages		
Description	Amount	YTD	Description	Amount	YTD
401k Employer Match	26.98	213.01	OASDI - Taxable Wages	1,349.10	6,611.93
Active Health Employer Medical		7.60	Medicare - Taxable Wages	1,349.10	6,611.93
Dental Employer HMO		11.26	Federal Withholding - Taxable Wages	1,295.13	6,357.48
EAP		3.75			
Employer Paid Medical		422.00			
Details Not Displayed	0.00	7.06			
Employer Paid Benefits	26.98	664.68			

Federal		State		Absence Plans		
Marital Status	Head of Household			Description	Accrued	Reduced
Allowances	0		0	Holiday	0	0
Additional Withholding	0			Sick	3.08	0
				Vacation	3.07696	0

Payment Information				
Bank	Account Name	Account Number	USD Amount	Payment Amount
wells fargo bank na (nev)	wells fargo bank na (nev) *****3152	*****3152		1,191.93 USD

Palm Mortuary, Inc. 1929 Allen Parkway Houston, TX 77019							
Name	Company	Employee ID	Pay Period Begin	Pay Period End	Check Date	Check Number	
Jeffrey Reed	Palm Mortuary, Inc.	1062792	05/23/2020	06/05/2020	06/12/2020		
	Gross Pay	Post Tax Deductions	Employee Taxes	Pre-Tax Deductions	Net Pay		
Current	1,062.89	24.97	72.47	158.15	807.30		
YTD	7,906.08	294.46	592.17	643.86	6,375.59		
Earnings						Employee Taxes	
Description	Dates	Hours	Rate	Amount	YTD Hours YTD Amount	Description	Amount YTD
CommShortfal	05/23/2020-05/29/2020	0	0	0.00	0 2,298.34	OASDI	58.73 468.67
CommShortfal	05/30/2020-06/05/2020	0	0	207.77	0 4,707.27	Medicare	13.74 109.61
HMIS Biweekly Commissi	05/23/2020-06/05/2020	0	0	819.70	0 33.77	Federal Withholding	0.00 13.89
HMIS Monthly Commissi					40 290.00		
Holiday					0 25.00		
Local Bonus					0 0.00		
Minimum Wage	05/23/2020-06/05/2020	77.5	8.25	0.00	12.5 50.86		
Overtime Premium (MW)	05/30/2020-06/05/2020	1	0	0.00	0 344.12		
WAGE OFFSET							
Overtime Premium (MW)	04/25/2020-05/01/2020	0	0	33.00			
Details Not Displayed				2.42	156.72		
Earnings				1,062.89	7,906.08	Employee Taxes	72.47 592.17
Post Tax Deductions			Pre-Tax Deductions				
Description	Amount	YTD	Description	Amount	YTD		
Critical Illness	17.27	51.81	401(k)	42.52	296.97		
Supplemental Life (Nevada)	7.70	17.96	Dental Pre Tax HMO	2.41	7.23		
Support (638275000A)		222.84	Pretax Medical	110.00	330.00		
Wage Assignment (638275000A)		1.85	Vision Pretax	3.22	9.66		
Post Tax Deductions	24.97	294.46	Pre-Tax Deductions	158.15	643.86		
Employer Paid Benefits			Subject or Taxable Wages				
Description	Amount	YTD	Description	Amount	YTD		
401k Employer Match	42.52	255.53	OASDI - Taxable Wages	947.26	7,559.19		
Active Health Employer Medical	3.80	11.40	Medicare - Taxable Wages	947.26	7,559.19		
Dental Employer HMO	5.63	16.89	Federal Withholding - Taxable Wages	904.74	7,262.22		
EAP	0.75	4.50					
Employer Paid Medical	211.00	633.00					
Details Not Displayed	2.18	9.24					
Employer Paid Benefits	265.88	930.56					
		Federal State	Absence Plans				
Marital Status	Head of Household		Description	Accrued	Reduced	Available	
Allowances	0	0	Holiday	0	0	32	
Additional Withholding	0		Sick	3.019267	0	46.451697	
			Vacation	3.019267	0	169.308673	
Payment Information							
Bank	Account Name	Account Number	USD Amount	Payment Amount			
wells fargo bank na (nev)	wells fargo bank na (nev) *****3152	*****3152		807.30	USD		

Palm Mortuary, Inc. 1929 Allen Parkway Houston, TX 77019							
Name	Company	Employee ID	Pay Period Begin	Pay Period End	Check Date	Check Number	
Jeffrey Reed	Palm Mortuary, Inc.	1062792	06/06/2020	06/19/2020	06/26/2020		
	Gross Pay	Post Tax Deductions	Employee Taxes	Pre-Tax Deductions	Net Pay		
Current	681.93	24.97	43.32	142.91	470.73		
YTD	8,588.01	319.43	635.49	786.77	6,846.32		
Earnings						Employee Taxes	
Description	Dates	Hours	Rate	Amount	YTD Hours YTD Amount	Description	Amount YTD
CommShortfal	06/06/2020-06/12/2020	0	0	271.63	0 2,569.97	OASDI	35.11 503.78
CommShortfal	06/13/2020-06/19/2020	0	0	0.00	0 4,992.57	Medicare	8.21 117.82
HMIS Biweekly Commissi	06/06/2020-06/19/2020	0	0	285.30	0 33.77	Federal Withholding	0.00 13.89
HMIS Monthly Commissi					40 290.00		
Holiday					0 150.00		
Local Bonus	06/06/2020-06/19/2020	0	0	125.00	0 0.00		
Minimum Wage	06/06/2020-06/19/2020	80	8.25	0.00	13 50.86		
Overtime Premium (MW	06/06/2020-06/12/2020	0.5	0	0.00	-8 -58.00		
Sick					29.6156 214.72		
Vacation Payout					0 344.12		
WAGE OFFSET							
Earnings				681.93	8,588.01	Employee Taxes	43.32 635.49
Post Tax Deductions				Pre-Tax Deductions			
Description	Amount	YTD		Description	Amount	YTD	
Critical Illness	17.27	69.08		401(k)	27.28	324.25	
Supplemental Life (Nevada)	7.70	25.66		Dental Pre Tax HMO	2.41	9.64	
Support (638275000A)		222.84		Pretax Medical	110.00	440.00	
Wage Assignment (638275000A)		1.85		Vision Pretax	3.22	12.88	
Post Tax Deductions	24.97	319.43		Pre-Tax Deductions	142.91	786.77	
Employer Paid Benefits			Subject or Taxable Wages				
Description	Amount	YTD	Description	Amount	YTD		
401k Employer Match	27.28	282.81	OASDI - Taxable Wages	566.30	8,125.49		
Active Health Employer Medical	3.80	15.20	Medicare - Taxable Wages	566.30	8,125.49		
Dental Employer HMO	5.63	22.52	Federal Withholding - Taxable Wages	539.02	7,801.24		
EAP	0.75	5.25					
Employer Paid Medical	211.00	844.00					
Details Not Displayed	2.18	11.42					
Employer Paid Benefits	250.64	1,181.20					
		Federal	State	Absence Plans			
Marital Status	Head of Household			Description	Accrued	Reduced	Available
Allowances	0	0	0	Holiday	0	0	32
Additional Withholding	0			Sick	3.08	0	49.531697
				Vacation	3.07696	0	172.385633
Payment Information							
Bank	Account Name	Account Number	USD Amount	Payment Amount			
wells fargo bank na (nev)	wells fargo bank na (nev) *****3152	*****3152		470.73	USD		

Palm Mortuary, Inc. 1929 Allen Parkway Houston, TX 77019									
Name	Company	Employee ID	Pay Period Begin	Pay Period End	Check Date	Check Number			
Jeffrey Reed	Palm Mortuary, Inc.	1062792	06/20/2020	07/03/2020	07/10/2020				
		Gross Pay	Post Tax Deductions	Employee Taxes	Pre-Tax Deductions	Net Pay			
Current		898.78	24.97	59.92	151.59	662.30			
YTD		9,486.79	344.40	695.41	938.36	7,508.62			
Earnings									
Description	Dates	Hours	Rate	Amount	YTD Hours	YTD Amount	Description	Amount	YTD
CommShortfal	06/20/2020-06/26/2020	0	0	360.00			OASDI	48.56	552.34
CommShortfal	06/27/2020-07/03/2020	0	0	0.00	0	2,929.97	Medicare	11.36	129.18
HMS Biweekly Commiss	06/20/2020-07/03/2020	0	0	532.60	0	5,525.17	Federal Withholding	0.00	13.89
HMS Monthly Commissi					0	33.77			
Holiday					40	290.00			
Local Bonus					0	150.00			
Minimum Wage	06/20/2020-07/03/2020	80	9	0.00		0.00			
Overtime Premium (MW)	06/27/2020-07/03/2020	7	0	0.00	20	57.04			
WAGE OFFSET					0	344.12			
Overtime Premium (MW)	05/30/2020-06/05/2020	0	0	4.12					
Details Not Displayed				2.06		156.72			
Earnings				898.78		9,486.79	Employee Taxes	59.92	695.41
Post Tax Deductions									
Description		Amount	YTD	Pre-Tax Deductions					
Critical Illness		17.27	86.35	Description		Amount	YTD		
Supplemental Life (Nevada)		7.70	33.36	401(k)		35.96	360.21		
Support (638275000A)			222.84	Dental Pre Tax HMO		2.41	12.05		
Wage Assignment (638275000A)			1.85	Pretax Medical		110.00	550.00		
				Vision Pretax		3.22	16.10		
Post Tax Deductions		24.97	344.40	Pre-Tax Deductions		151.59	938.36		
Employer Paid Benefits									
Description		Amount	YTD	Subject or Taxable Wages					
401k Employer Match		35.95	318.76	Description		Amount	YTD		
Active Health Employer Medical		3.80	19.00	OASDI - Taxable Wages		783.15	8,908.64		
Dental Employer HMO		5.63	28.15	Medicare - Taxable Wages		783.15	8,908.64		
EAP		0.75	6.00	Federal Withholding - Taxable Wages		747.19	8,548.43		
Employer Paid Medical		211.00	1,055.00						
Details Not Displayed		2.18	13.60						
Employer Paid Benefits		259.31	1,440.51						
Federal									
Marital Status	Head of Household		State	Absence Plans					
Allowances	0	0		Description	Accrued	Reduced	Available		
Additional Withholding	0	0		Holiday	0	0	32		
				Sick	3.08	0	52.611697		
				Vacation	3.07696	0	175.462593		
Payment Information									
Bank	Account Name	Account Number	USD Amount	Payment Amount					
wells fargo bank na (nev)	wells fargo bank na (nev) *****3152	*****3152		662.30	USD				

CLERK OF THE COURT
EVANston, Illinois
Robert P. Quinn

Jeffrey Reed,
Petitioner,
vs.
The Eighth Judicial District Court of the
State of Nevada, in and for the County of
Clark, and the Department “H” District
Court Judge T. Arthur Ritchie, Jr.,
Respondents,
Alecia Reed nka Draper and Aleica
Draper, as Conservator of Emily Reed,
Real Parties in Interest.

**NOTICE OF FILING OF THE PETITION FOR WRIT OF MANDAMUS
OR, IN THE ALTERNATIVE, WRIT OF PROHIBITION**

Amanda M. Roberts, Esq.
**ROBERTS STOFFEL FAMILY
 LAW GROUP**
 Nevada Bar No. 9294
 4411 S. Pecos Road
 Las Vegas, Nevada 89121
 (702) 474-7007
 (702) 474-7477 (facsimile)
 Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify on this 4th day of August, 2020, service of the Notice of Filing of the Petition for Writ of Mandamus or, in the Alternative, Writ of Prohibition was made personal to NRCP 5(b) and electronically submitted using the CM/ECF system form filing and transmittal to the following:

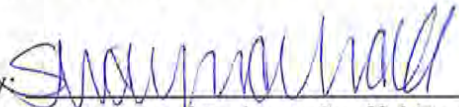
Elizabeth Brennan Esq.
Email: Elizabeth@brennanlawfirm.com
Attorney for Plaintiff, Alecia Draper,
In her Capacity as Conservator for Emily Reed

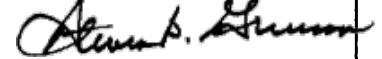
Benjamin La Luzerne, Esq
Email: Ben.laluzerne@laluzernelaw.com
Attorney for Plaintiff, Alecia Ann Draper, Individually

I hereby certify on this 4th day of August, 2020, service of the Notice of Filing of the Petition for Writ of Mandamus or, in the Alternative, Writ of Prohibition was made by placing same in the U.S. Mail, addressed as follows:

Honorable Judge T. Arthur Ritchie, Jr.
200 Lewis Ave., Third Floor
Las Vegas, Nevada, 89155

And a courtesy copy was sent via email to the following:
rford@clarkcountycourt.us and krausch@clarkcountycourts.us

By: 
An Employee of Roberts Stoffel Family
Law Group



1 **OPP**

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

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

8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

9 Alecia Ann Draper,

10 Plaintiff,

11 v.

12 Jeffrey Allen Reed,

13 Defendant.

Case No.: 05D338668

Dept. No.: H

14
15
16 **PLAINTIFF'S OPPOSITION TO DEFENDANT'S EX PARTE APPLICATION FOR AN**
17 **ORDER GRANTING STAY PENDING RULING ON WRIT**

18 Plaintiff Emily Reed ("Emily"), through her Conservator Alecia Draper (the
19 "Conservator"), by and through her attorney, opposes the Ex Parte Application for an Order
20 Granting Stay Pending Ruling on Writ ("Dad's Application") on the following grounds.

21 Emily Reed would be **EXTREMELY PREJUDICED** by any stay of the evidentiary
22 hearing which is set for August 6 and August 7. Emily is a 23-year old disabled girl with expenses
23 averaging almost \$6,000 per month! Emily was repeatedly sexually molested for over 8 (eight)
24 years as a minor after the parties divorced, all of which occurred during the time Emily was in the
25 care, custody, and control of Defendant Jeffrey Reed ("Dad"). Dad's roommate, who sexually
26 molested Emily for over 8 years, is now in jail serving time for his horrendous crimes. Emily's
27 life has been destroyed by the 8 years of repeated sexual molestation!

1 Emily's disability started when she was a minor and has continued into adulthood. Emily
2 was first diagnosed with a disability pursuant to NAC 388.420 when she was in fifth (5th) grade.
3 Thereafter, during the entirety of Emily's schooling, Emily was always in the Special Education
4 Program, with an Individualized Education Program. In fact, both Nevada and California
5 diagnosed Emily as disabled requiring special educational needs as a minor! Unfortunately,
6 Emily's disabilities have progressed over the years. Emily's current diagnosis is Dissociative
7 Identity Disorder, Major Depressive Disorder, Recurrent, Severe without Psychosis; Chronic Post
8 Traumatic Stress Disorder. Emily has attempted suicide a large number of times, including when
9 she was a minor. Emily has been in and out of treatment facilities. Emily has approximately 60
10 different personalities aka alters, making her life very challenging to say the least.

11 **The request for child support for Emily under Nevada's Handicapped Child Statute,**
12 **NRS 125B.110, has been pending since 2017.** While awaiting the upcoming hearing for the last
13 4 years, Dad has failed to pay anything towards Emily's expenses, leaving Alecia Draper ("Mom")
14 to shoulder the burden of almost 100% of Emily's expenses. In addition, Mom has spent a
15 significant amount of money THIS WEEK getting Emily's expert witness and attorney prepared
16 for trial.

17 There is **NO GOOD CAUSE** for a stay or continuance of the trial set to start 2 (two) days
18 from now as shown by the following points:

- 19 • The deadline for Dad to disclose the identity of his rebuttal expert witness was December
20 26, 2019. **To date, Dad has failed to disclose the identity of any rebuttal expert**
21 **witness!**
- 22 • The deadline for Dad to deliver a Rebuttal Expert Report was February 3, 2020. **To date,**
23 **Dad has failed to deliver any rebuttal expert report!**
- 24 • The above deadlines for Dad's Rebuttal Expert Witness passed long before COVID
25 became an issue. Dad's counsel NEVER contacted undersigned counsel prior to the
26 deadline for expert disclosures and expert reports to request an extension. In addition,
27 Dad's counsel did not file a motion requesting an extension of these expert deadlines until
28 **2 (two) months AFTER** the February 3, 2020 expert report deadline. Due solely to Dad's

1 failure to comply with the Court ordered deadlines, this case is proceeding to trial in two
2 days with only one expert witness, namely Dr. Love Farrell, Emily's treating psychiatrist
3 and Plaintiff's expert witness. **Emily would be greatly prejudiced if Dad were allowed**
4 **to continue the trial under these circumstances to obtain a rebuttal expert!**

- 5 • On March 31, 2020 during a phone conference with Judge Ritchie regarding the captioned
6 matter, counsel for Dad orally requested an extension of discovery, which Judge Ritchie
7 appropriately DENIED.
- 8 • **DISCOVERY CLOSED in this case on April 2, 2020.** Discovery had been open for
9 several years now, since 2017! If Dad wanted to retain a rebuttal expert; get additional
10 medical records/ other documents; or take depositions, Dad certainly had more than enough
11 time to do so. Dad's failure to retain an expert and conduct additional discovery has
12 NOTHING to do with COVID. NOTHING!
- 13 • On April 2, 2020, the date discovery closed, Dad filed a motion to extend discovery and
14 requested an extension of the expert deadlines which had already passed two months
15 earlier. See Dad's Notice of Motion and Motion to Extend Discovery Et Al filed on April
16 2, 2020 at 3:52 p.m. ("Dad's 1st Motion"). Emily filed an Opposition on April 17, 2020
17 at 12:09 p.m. ("Emily's Opposition") which is attached hereto as Exhibit 1 and
18 incorporated herein by reference. As shown in *Emily's Opposition*, there is no basis for a
19 continuance of the trial, an extension of the expert deadlines or any other relief requested
20 by Dad. On April 24, 2020, the Discovery Commissioner entered a minute order making
21 it clear that the Judge, not the Discovery Commissioner, would need to decide how to
22 proceed. Thereafter, Dad did NOTHING to get *Dad's 1st Motion* set for hearing before
23 Judge Ritchie. NOTHING! It was incumbent upon Dad and/or his counsel to bring the
24 matter to Judge Ritchie's attention in a timely fashion if Dad and/or his counsel wanted to
25 proceed with his motion. Thereafter on the eve of trial, on July 31, 2020, Dad filed a second
26 motion requesting an extension of the discovery deadline; requesting an extension of the
27 expert deadlines; and requesting a continuance of the trial. See Dad's Notice of Motion
28 and Motion to Extend Discovery Et Al filed on July 31, 2020 at 12:47 p.m. ("Dad's 2nd

Motion”). Judge Ritchie DENIED Dad’s 2nd Motion on August 2, 2020. See Exhibit 2.

- Dad's Writ filed with the Nevada Supreme Court on August 4, 2020 ("Dad's Writ") is based on the fact that the Court never formally ruled on *Dad's 1st Motion*. However, it is clear that *Dad's Writ* is nothing more than a delay tactic! A review of *Dad's 1st Motion* and *Dad's 2nd Motion* reveal that they are requesting the same relief. Since Judge Ritchie DENIED *Dad's 2nd Motion*, *Dad's 1st Motion* is now moot.
- A review of *Dad's Writ* reveals that it is really a THIRD attempt at a continuance, which Judge Ritchie already DENIED! All of the points set forth in *Emily's Opposition to Dad's 1st Motion* remain pertinent. Simply put, there is NO BASIS for the relief requested by Dad. As explained in *Emily's Opposition*, ALL documents that Dr. Love Ferrell reviewed and relied upon in her reports have been produced. Furthermore, Dad has NEVER requested additional documents from Emily or Mom. Dad NEVER filed a discovery dispute conference and/or a motion to compel additional documents from Emily or Mom. In fact, to the contrary, it was Emily that had to file a Motion to Compel against Dad, which Motion was granted! And last but certainly not least, Dad has had two (2) HIPPA Releases signed by Emily, one dated September of 2017 (Bates # 001053) and another one dated July of 2019 (Bates # ER 001054). If Dad wanted additional documents other than those in Emily or Mom or Dr. Love Ferrell's possession (all of which were provided to Dad and/or his counsel long ago), then Dad should have requested them directly from the medical provider using the HIPPA Releases.

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

BRENNAN LAW FIRM, LLC

By: /s/ Elizabeth Brennan
ELIZABETH BRENNAN

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I certify that I am an employee of Brennan Law Firm and that on this 4th day of August, 2020 service of the foregoing:

PLAINTIFF'S OPPOSITION TO DEFENDANT'S EX PARTE APPLICATION FOR AN ORDER GRANTING STAY PENDING RULING ON WRIT

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 **OPP**

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

Oral Argument Requested

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

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

24 This case involves the request for child support for Emily Reed ("Emily"). Emily is the
25 23-year-old adult daughter of the Conservator, Alecia Draper, and the Defendant, Jeffery Reed.
26 Emily has been handicapped since before the age of majority; has remained handicapped, and is
27 entitled to child support in accordance with NRS 125B.110.

28 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
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1. Defendant Failed to Comply With EDCR 5.501.

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

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

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

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

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

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

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

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

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

In Defendant's Motion, Defendant discusses the fact that Defendant served Request for Production of Documents on Plaintiff back in June of 2019. What Defendant fails to point out is that Plaintiff timely responded to that Request for Production in July of 2019. Now, eight (8) 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*
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 2

EXHIBIT 2

EXHIBIT 2

Colleen O'Brien

From: NoReply@clarkcountycourts.us
Sent: Sunday, August 2, 2020 3:31 PM
To: Colleen O'Brien
Subject: Eighth Judicial District Court - Proposed Order Returned

Draper vs. Reed- 05D338668

Your proposed order or document requiring a judge's signature to the court has been returned for the following reason(s): The Motion is untimely. The matter is moving forward as scheduled.

FDF

Name: Elizabeth Brennan / Brennan Law Firm

Address: 1980 Festival Plaza Drive, Suite 300

Las Vegas, Nevada 89135

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

Electronically Filed
8/4/2020 10:22 AM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

Eighth Judicial District Court

Clark County, Nevada

<u>Alecia Ann Draper Individually and as</u> <u>conservator for Emily Reed</u> Plaintiff,	Case No. <u>05D338668</u>
vs. <u>Jeff 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? 23
3. What is your date of birth? 11/16/1996
4. What is your highest level of education? High school 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? 100%

What agency certified you disabled? Clark County School District, West Orange, Seppa

What is the nature of your disability? (SLD), (PSD), MDD w/ psychotic features, Social Anxiety Disorder, UCI, I, 2, vme

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: NA Date of Hire: _____ Date of Termination: _____
Reason for Leaving: _____

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	\$686.24	\$686.24
Social Security Disability (SSD):			
Spousal Support			
Child Support			
Workman's Compensation			
Other: CalFresh EBT	monthly	\$194.00	\$194.00
Total Average Other Income Received			\$880.24

Total Average Gross Monthly Income (add totals from B and C above)	\$880.24
--	----------

* COVID 1 time payment of \$1,200.00

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	
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?
\$ _____

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				
Auto Insurance				
Car Loan/Lease Payment				
Cell Phone	\$48.00			
Child Support (not deducted from pay)				
Clothing, Shoes, Etc...	\$19.99			
Credit Card Payments (minimum due)				
Dry Cleaning				
Electric				
Food (groceries & restaurants)	\$228.56			
Fuel				
Gas (for home)				
Health Insurance (not deducted from pay)	\$376.75			
HOA				
Home Insurance (if not included in mortgage)				
Home Phone				
Internet/Cable				
Lawn Care				
Membership Fees				
Mortgage/Rent/Lease/Utilities/Transportation	\$600.00			
Pest Control				
Pets "Monarch" Service Dog	\$111.18			
Pool Service				
Property Taxes (if not included in mortgage)				
Security	\$34.99			
Sewer				
Student Loans				
Unreimbursed Medical Expense	\$2,728.94			
Water				
Other: Personal Hygiene	\$26.72			
Total Monthly Expenses	0.00			

See Attached
 2020 Expenses For
 Alecia Draper and Emily Reed

4,175.13

Household Information

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

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

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

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

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

Name	Age	Person's Relationship to You (i.e. sister, friend, cousin, etc...)	Monthly Contribution
Gregory Draper	62	Step-Father	\$5,000.00
Alicia Draper	48	Mother	\$1,500.00
Anthony Reed	21	Brother	\$400.00
Adam Reed	19	Brother	\$80.00

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.		\$ -	\$ -	= \$ 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.	Emily C Reed - Capital One	\$ 281.23	Alecia A. Draper Emily Reed
2.	Medical Bill - Transworld Systems	\$ 1,034.00	Emily Reed (has a card)
3.	med. bill Ridge View RV Behavioral, LLC	\$ 368.34	Emily Reed
4.	med. bill Wellstar Health System, Inc	\$ 1,038.22	Emily Reed, Christine
5.		\$	
6.		\$	
Total Unsecured Debt (add lines 1-6)		\$ 2,721.79	

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 \$ 20,000⁰⁰ on my behalf.
3. I have a credit with my attorney in the amount of \$ 0.
4. I currently owe my attorney a total of \$ Unknown.
5. I owe my prior attorney a total of \$ 0.

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.

/s/ Alecia Draper
Signature (in care of Emily Reed)

8/3/2020
Date

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I certify that I am an employee of Brennan Law Firm and that on this 4th day of August, 2020 service of the foregoing:

FINANCIAL DISCLOSURE FORM (Emily Reed)

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

**EMILY REED'S MEDICAL AND COST OF LIVING
EXPENSES FOR JANUARY - JUNE 2020**

6 Months 2020	
NOTE: SEE BACKUP DETAIL FOR SPECIFICS	
MEDICAL * DR. FARRELL (PSYCHIATRIST WHO ADMINISTERS HER MEDS AND DOES THERAPY.	\$11,200.00
Roger Boehm, PH.D. CPSY THERAPY	\$2,270.00
Elise Collier, LMFP	\$8,275.00
OTHER MEDICAL	\$2,892.86
COST OF LIVING	\$4,874.71
**SERVICE DOG EXP	\$5,159.69
CONSERVATORSHIP	\$1,000.00
* & **TOTAL EXPENSES FOR 6 MO	\$35,672.26
TOTAL MONTHLY EXP FOR 6 MO	\$5,945.38
MONTHLY SSI	\$686.24
Monthly Food Stamps	\$194.00
MONTHLY DIFFERENCE FROM SSI INCOME AND FOOD STAMPS MONTHLY EXPENSES	\$5,065.14
*NOTE: Includes \$10,000 FOR Dr Love- Farrell expert testimony	
**NOTE: Because Emily was hospitalized for approximately 3 months Monarch her service dog needed to be retrained. \$3930	

Note: 2020 Therapy + Medical/Dental Columns
 Note: 2020 Utilities/Housing/Transportation, Titanium Alarm, Tithe, Personal/Hygiene, Recreation, Cell Phone, Clothing, Misc/Gifts Columns
 Note: 2020 Therapy Dog Column & Daniel Ross OCK-9 Services
 Note: 2020 Conservatorship Column

\$21,742.26 Amount Minus Dr. Love-Farrell & Dog Training
 \$3,623.71 Monthly Average
 \$2,743.47 Monthly Average minus SSI & Food Stamps
 \$1,371.74 What Alecia and Jeff would owe

Note: Unreimbursed Medical = All Doctors, All medical/Dental and Therapy

2020 EXPENSES FOR EMILY REED PAID BY ALECIA DRAPER AND EMILY'S SSI

WHICH BANK ACCOUNT	Date for Expense	Explanation: Yellow Highlighted area Alecia Paid; otherwise Emily paid out of her SSI Bank Account	Utilities/ Housing/ Transportation	Service & Therapy/ Dog Exp	Emily Reed's Therapy	Annen Clinic Therapy, Dr. Jennifer Love- Farrell	Therapy Center for Christian Counseling & Training Roger Boehm, PhD, CPSY	Elise Collier, LMFT (Therapy for Emily)	Daniel Ross OCK-9 Services (PTSD/DID Training for Emily & Monarch)	Emily's Conservator- ship	Therapist Adam Services	Title	Personal/H Ygiene	Medical/ Dental	Recrea	Cell Phone	Clothing	Misc/Gifts	TOTAL EXPENSES INCLUDING FOOD/HSG	
	January 2020	Alecia Pays see columns															\$48.00			\$424.75
Wells Fargo	1/2/20	Roger Boehm, PHD, CPSY					\$50.00							Mo. Med Insurance					\$0.00	\$0.00
Wells Fargo	1/10/20	24 Hour Fitness													\$41.99				\$50.00	\$50.00
Wells Fargo	1/21/20	Roger Boehm, PHD, CPSY					\$60.00												\$41.99	\$60.00
Emily's Capital One Card #0036	1/2/20	Annen Clinic - Dr. Love				\$200.00														\$200.00
Emily's Capital One Card #0036	1/29/20	Petsmart		\$76.93																\$76.93
Emily's Capital One Card #0036	1/30/20	Annen Clinic - Dr. Love				\$200.00														\$200.00
AmEx	1/27/20	Pay Pal Daniel Ross OCK-9 Services (Therapy Monarch)							\$3,000.00											\$3,000.00
AmEx	1/6/20	Lewis Crouse, Attorney for Conservatorship								\$1,000.00										\$1,000.00
AmEx	1/7/20	Elise Collier, Pure Light Counseling						\$150.00												\$150.00
AmEx	1/23/20	Elise Collier, Pure Light Counseling						\$175.00												\$175.00
AmEx	1/27/20	PayPal Daniel Ross																	\$1.00	\$1.00
AmEx	1/1/20	Hoag Hosp Dolphin Garage																	\$10.00	\$10.00
AmEx	1/2/20	Newport Sea Base (Emily Rowing Class)													\$65.00				\$65.00	\$65.00
		ALECIA'S TOTAL JANUARY 2020 EXPENSES PAID	\$0.00	\$76.93	\$0.00	\$400.00	\$110.00	\$325.00	\$3,000.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$376.75	\$106.99	\$48.00	\$0.00	\$11.00	\$5,454.67	
Emily's Personal US Bank	1/6/20	Previous Med Bill												\$25.00					\$25.00	\$25.00
Emily's Personal US Bank	1/6/20	To Mom for Food/Housing	\$600.00																\$600.00	\$600.00
																			\$0.00	\$0.00
		EMILY'S TOTAL JANUARY 2020 EXPENSES PAID	\$600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00	\$0.00	\$0.00	\$0.00	\$0.00	\$625.00	\$625.00
																			\$0.00	\$0.00
		TOTAL JAN 2020 EXP PAID BY ALECIA & EMILY	\$600.00	\$76.93	\$0.00	\$400.00	\$110.00	\$325.00	\$3,000.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$401.75	\$106.99	\$48.00	\$0.00	\$11.00	\$6,079.67	\$6,079.67

2020 EXPENSES FOR EMILY REED PAID BY ALECIA DRAPER AND EMILY'S SSI

WHICH BANK ACCOUNT	Date for Expense	Explanation: Yellow Highlighted area Alecia Paid; otherwise Emily paid out of her SSI Bank Account	Utilities/ Housing/ Transportation	Service & Therapy/ Dog Exp	Emily Reed's Therapy	Amen Clinic Therapy Dr. Jennifer Love- Farrell	Therapy Center for Christian Training Roger Boehm, PhD, CPSY	Blue Collier, LMFP (Therapy for Emily)	Daniel Ross OCK'S Services (PTSD/DID Training for Emily & Monarch)	Emily's Conservatorship	Titanium Alarm Services	Title	Personal/Hygiene	Medical/Dental	Recrea	Cell Phone	Clothing	Misc/Gifts	TOTAL EXPENSES INCLUDING FOOD/HSG
US Bank	February 2020	Alecia Pays see columns																	
AmEx	2/11/2020	Titanium Alarm (Emily tried to run away at night)														\$48.00			\$424.75
AmEx	2/10/2020	Elise Collier, LMFP						\$225.00			\$34.99								\$34.99
AmEx	2/12/2020	PayPal Daniel Ross training services Monarch							\$930.00										\$225.00
AmEx	2/12/2020	Elise Collier, LMFP						\$150.00											\$930.00
AmEx	2/19/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	2/25/2020	Elise Collier, LMFP						\$225.00											\$150.00
AmEx	2/26/20	Elise Collier, LMFP						\$150.00											\$225.00
AmEx	2/26/20	Elise Collier, LMFP																	\$150.00
Emily's Capital One Card #0036	2/12/2020	Petsmart		\$15.00															\$15.00
Emily's Capital One Card #0036	2/12/2020	Petsmart		\$66.52															\$66.52
Emily's Capital One Card #0036	2/20/2020	Amen Clinic - Dr. Love				\$200.00													\$200.00
Emily's Capital One Card #0036	2/21/2020	Amen Clinic - Dr. Love (Expert Report & Test for Trial)				\$10,000.00													\$10,000.00
Emily's Capital One Card #0036	2/27/2020	Huntington Beach BECA (Dental)												\$62.30					\$62.30
Emily's Capital One Card #0036	2/27/2020	Coldstone (Ice Cream)	\$5.98																\$5.98
Wells Fargo	2/13/2020	Roger Boehm, PhD, CPSY				\$60.00													\$60.00
Wells Fargo	2/16/2020	Roger Boehm, PhD, CPSY				\$60.00													\$60.00
Wells Fargo	2/10/2020	Roger Boehm, PhD, CPSY				\$60.00													\$60.00
Wells Fargo	2/24/2020	Roger Boehm, PhD, CPSY				\$60.00													\$60.00
Wells Fargo	2/27/2020	Roger Boehm, PhD, CPSY				\$60.00													\$60.00
ALECIA'S TOTAL FEB 2020 EXPENSES PAID			\$6.98	\$81.52	\$0.00	\$10,200.00	\$300.00	\$900.00	\$930.00	\$0.00	\$34.99	\$0.00	\$0.00	\$439.05	\$0.00	\$48.00	\$0.00	\$0.00	\$12,940.54
Emily's Personal US Bank	2/6/2020	Target (Ice Cream)	\$5.88																\$5.88
Emily's Personal US Bank	2/6/2020	Post Med Bill												\$25.00				\$19.99	\$25.00
Emily's Personal US Bank	2/10/2020	To Mom Food/Hsg	\$600.00																\$600.00
Emily's Personal US Bank	2/10/2020	Walgreens (Medication)											\$5.16	\$4.95				\$18.99	\$23.94
Emily's Personal US Bank	2/12/2020	Target (Bathroom Cups)																	\$5.16
Emily's Personal US Bank	2/13/2020	Bill Leconte #51928001957		\$57.62										\$14.34					\$71.96
Emily's Personal US Bank	2/13/2020	Quest Bill												\$52.75				\$14.00	\$66.75
Emily's Personal US Bank	2/13/2020	Bill paid partial Ridgeview #2019260	\$8.90											\$10.00				\$4.75	\$14.75
Emily's Personal US Bank	2/28/2020	Chocolate																	\$8.90
EMILY'S TOTAL FEBRUARY 2020 EXPENSES PAID			\$614.78	\$57.62	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5.16	\$107.04	\$0.00	\$0.00	\$0.00	\$57.73	\$842.33
TOTAL FEB 2020 EXP PAID BY ALECIA & EMILY			\$621.76	\$139.14	\$0.00	\$10,200.00	\$300.00	\$900.00	\$930.00	\$0.00	\$34.99	\$0.00	\$5.16	\$546.09	\$0.00	\$48.00	\$0.00	\$57.73	\$13,782.87

WHICH BANK ACCOUNT	Date for Expense	Explanation: Yellow Highlighted area Alecia Paid, otherwise Emily paid out of her SSI Bank Account	Utilities/ Housing/ Transportation	Service & Therapy/ Dog Exp	Emily Reed's Therapy	Amen Clinic Therapy Dr. Jennifer Lowe- Fennell	Therapy Center for Christian Training Roger Boehm PHD, CPSY	Elise Collier, LMFP (Therapy for Emily)	Dental Root Cock-9 Services (PTSD/DD Training for Emily & Monarch)	Emily's Conservator- ship	Therapist Services	Tithe	Personal/Hy Hygiene	Medical/ Dental	Recrea	Cell Phone	Clothing	Misc/Gifts	TOTAL EXPENSES INCLUDING FOOD/HSHG
US BANK	March 2020	Alecia Pays see columns																	\$424.75
AmEx	3/1/2020	Titanium Alarm (Emily tried to run away at night)														\$48.00			\$34.99
AmEx	3/2/20	Elise Collier, LMFP						\$225.00			\$34.99								\$225.00
AmEx	3/4/20	Elise Collier, LMFP						\$300.00											\$300.00
AmEx	3/8/20	Elise Collier, LMFP						\$225.00											\$225.00
AmEx	3/13/20	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	3/16/20	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	3/18/20	Elise Collier, LMFP						\$300.00											\$300.00
AmEx	3/23/20	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	3/23/20	Elise Collier, LMFP						\$300.00											\$300.00
AmEx	3/23/20	Elise Collier, LMFP						\$150.00											\$150.00
Wells Fargo	3/20/20	Roger Boehm, PHD, CPSY				\$60.00													\$60.00
Wells Fargo	3/4/20	Roger Boehm, PHD, CPSY				\$60.00													\$60.00
Wells Fargo	3/8/20	Roger Boehm, PHD, CPSY				\$40.00													\$40.00
Wells Fargo	3/10/20	Roger Boehm, PHD, CPSY				\$60.00													\$60.00
Wells Fargo	3/18/20	Roger Boehm, PHD, CPSY				\$60.00													\$60.00
Wells Fargo	3/23/20	Roger Boehm, PHD, CPSY				\$75.00													\$75.00
Wells Fargo	3/25/20	Roger Boehm, PHD, CPSY				\$60.00													\$60.00
Wells Fargo	3/30/20	Roger Boehm, PHD, CPSY				\$60.00													\$60.00
Emily's Capital One	3/4/20	Bubbles Dog Grooming		\$99.60															\$99.60
Emily's Capital One	3/6/20	Chewy's.com		\$63.53															\$63.53
Emily's Capital One	3/6/20	Von's Grocery	\$13.77																\$13.77
Emily's Capital One	3/7/20	Corona del mar Animal Clinic (shots)		\$415.60															\$415.60
Emily's Capital One	3/11/20	Old Navy														\$51.95			\$51.95
Emily's Capital One	3/17/20	Amen Clinic - Dr. Love		\$200.00															\$200.00
Emily's Capital One	3/22/20	Chewy's.com		\$103.20															\$103.20
Emily's Capital One	3/25/20	Chewy's.com		\$53.85															\$53.85
ALECIA'S TOTAL MARCH 2020 EXPENSES PAID			\$13.77	\$735.78	\$0.00	\$200.00	\$475.00	\$1,950.00	\$0.00	\$0.00	\$34.99	\$0.00	\$0.00	\$376.75	\$0.00	\$48.00	\$51.95	\$0.00	\$3,886.24
Emily's Personal US Bank	3/2/20	Walmart																\$8.90	\$8.90
Emily's Personal US Bank	3/4/20	To Mom	\$600.00																\$600.00
Emily's Personal US Bank	3/4/20	Albersons (razor)											\$4.12						\$4.12
Emily's Personal US Bank	3/5/20	Good will Jeans & Book															\$5.75	\$1.99	\$7.74
Emily's Personal US Bank	3/6/20	Baskin Robbins	\$3.87																\$3.87
Emily's Personal US Bank	3/7/20	Forever 21															\$5.15		\$5.15
Emily's Personal US Bank	3/10/20	Bill Paid partial Ridgeway #2019260												\$10.00					\$10.00
Emily's Personal US Bank	3/10/20	Bill Paid #50287607 (Collection Agency)												\$40.37					\$40.37
Emily's Personal US Bank	3/12/20	Berlington (Pez x2)															\$2.99		\$2.99
Emily's Personal US Bank	3/16/20	Vons (Snack)	\$2.99																\$2.99
Emily's Personal US Bank	3/20/20	Rite Aid (Body wash)											\$15.96						\$15.96
EMILY'S TOTAL MARCH 2020 EXPENSES PAID			\$605.86	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.08	\$80.37	\$0.00	\$0.00	\$40.90	\$13.88	\$707.09
TOTAL MARCH 2020 EXP PAID BY ALECIA & EMILY			\$620.63	\$735.78	\$0.00	\$200.00	\$475.00	\$1,950.00	\$0.00	\$0.00	\$34.99	\$0.00	\$0.00	\$427.12	\$0.00	\$48.00	\$62.85	\$13.88	\$4,586.33

2020 EXPENSES FOR EMILY REED PAID BY ALECIA DRAPER AND EMILY'S SSI

WHICH BANK ACCOUNT	Date for Expense	Explanation: Yellow Highlighted area Alecia Paid; otherwise Emily paid out of her SSI Bank Account	Utilities/ Housing/ Transportation	Service & Therapy/ Dog Exp	Emily Reed's Therapy	Amen clinic Therapist Dr. Jennifer Lowe- Fennell	Therapy Center for Christian Counseling & Training Roger Boehm, PHD, CPSY	Bliss Collier, LMFP (Therapy for Emily)	Daniel Ross OCK-9 Services (PFSO/DID Training for Emily & Monarch)	Emily's Conservation- ship	Thanum Alam Services	Tithe	Person/In- Ytane	Medical/ Dental	Recrea	Cell Phone	Clothing	Misc./Gifts	TOTAL EXPENSES INCLUDING FOOD/HSG
US BANK	April 2020	Alecia Pays see columns																	\$424.75
AmEx	4/1/2020	Titanium Alarm (Emily tried to run away at night)															\$48.00		\$34.99
AmEx	4/1/2020	Elise Collier, LMFP						\$300.00											\$300.00
AmEx	4/6/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/7/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/8/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/13/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/14/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/15/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/20/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/21/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/27/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/27/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/28/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	4/29/2020	Elise Collier, LMFP						\$150.00											\$150.00
Wells Fargo	4/29/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Wells Fargo	4/6/2020	Roger Boehm, PHD, CPSY					\$55.00												\$55.00
Wells Fargo	4/13/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Wells Fargo	4/15/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Wells Fargo	4/20/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Wells Fargo	4/27/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Wells Fargo	4/29/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Emily's Capital One																			\$200.00
Card #0036	4/6/2020	Amen Clinic - Dr. Love																	\$200.00
Emily's Capital One																			\$16.36
Card #0036	4/11/2020	Amazon - Donation of movies for sex trafficking																	\$16.36
Emily's Capital One																			\$4.80
Card #0036	4/30/2020	ALKA Living Water																	\$4.80
Emily's Capital One																			\$0.00
Card #0036																			\$0.00
ALECIA'S TOTAL APRIL 2020 EXPENSES PAID				\$0.00	\$0.00	\$200.00	\$415.00	\$2,100.00	\$0.00	\$0.00	\$34.99	\$16.36	\$0.00	\$376.75	\$0.00	\$48.00	\$0.00	\$0.00	\$3,195.30
Emily's Personal US Bank	4/1/20	Juice it up	\$9.57																\$9.57
Emily's Personal US Bank	4/6/20	To mom	\$600.00																\$600.00
Emily's Personal US Bank	4/7/20	Amazon (Pen Case)																\$6.24	\$6.24
Emily's Personal US Bank	4/7/20	Bill Paid partial Ridgeview #2019260												\$10.00				\$8.15	\$10.00
Emily's Personal US Bank	4/9/20	Amazon (Webcam cover)																\$14.04	\$14.04
Emily's Personal US Bank	4/10/20	CVS pharmacy																\$5.69	\$5.69
Emily's Personal US Bank	4/13/20	99 Cents Store																\$5.38	\$5.38
Emily's Personal US Bank	4/17/20	Sprouts																\$27.70	\$27.70
Emily's Personal US Bank	4/21/20	MW Store (Flip Flops)																\$6.45	\$6.45
Emily's Personal US Bank	4/24/20	Amazon (Puzzle Glue)																\$39.00	\$39.00
Emily's Personal US Bank	4/27/20	To Mom for Monarch		\$39.00															\$0.00
Emily's Personal US Bank			\$600.57	\$395.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$27.70	\$34.12	\$732.22
EMILY'S TOTAL APRIL 2020 EXPENSES PAID			\$600.57	\$395.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$27.70	\$34.12	\$732.22
TOTAL APRIL 2020 EXP PAID BY ALECIA & EMILY			\$614.37	\$39.00	\$0.00	\$200.00	\$415.00	\$2,100.00	\$0.00	\$0.00	\$34.99	\$16.36	\$0.00	\$386.75	\$0.00	\$48.00	\$27.70	\$34.12	\$3,928.12

WHICH BANK ACCOUNT	Date for Expense	Explanation: Yellow Highlighted area Alecia Paid; otherwise Emily paid out of her SSI Bank Account	Utilities/Housing/Transportation	Service & Therapy/Dog Exp	Emily Reed's Therapy	Amen Clinic Therapy Dr. Jennifer Low-Fennell	Therapy Center for Christian Counseling & Training Roger Boehm, PHD, CPSY	Elise Collier, LMFP (for Emily)	Dental Ross Ock's Services Training for Emily & Monarch	Emily's Conservatorship	Therapist Alarm Services	Tithe	Personal/Vis Ignite	Medical/Dental	Recre	Cell Phone	Clothing	Mileage	TOTAL EXPENSES INCLUDING FOOD/HSG
	May 2020	Alecia Pays sea columns																	
US BANK	5/1/2020	Titanium Alarm (Emily tried to run away at night)														\$48.00			\$424.75
AmEx	5/4/2020	Elise Collier, LMFP						\$150.00			\$34.99								\$34.99
AmEx	5/6/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	5/11/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	5/12/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	5/13/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	5/19/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	5/20/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	5/26/2020	Elise Collier, LMFP						\$150.00											\$150.00
AmEx	5/27/2020	Elise Collier, LMFP						\$150.00											\$150.00
Wells Fargo	5/4/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Wells Fargo	5/6/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Wells Fargo	5/11/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Wells Fargo	5/13/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Wells Fargo	5/19/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
Wells Fargo	5/20/2020	Roger Boehm, PHD, CPSY					\$60.00												\$60.00
US Bank Check #727	5/27/2020	Del Amo - needed Med. Records			\$25.35		\$60.00												\$25.35
Emily's Capital One	5/4/2020	Pay Term Health												\$60.07					\$60.07
Card #0036	5/12/2020	Bubbles Dog Grooming		\$98.00															\$98.00
Card #0036	5/27/2020	Pay Pal - masks for dolls (therapy)			\$8.39														\$8.39
Card #0036	5/27/2020	Pay Pal - masks for dolls (therapy)		\$98.00	\$33.64	\$0.00	\$420.00	\$1,500.00	\$0.00	\$0.00	\$34.99	\$0.00	\$0.00	\$436.82	\$0.00	\$48.00	\$0.00	\$0.00	\$2,571.45
Emily's Personal US Bank	5/5/2020	Bill Paid partial Ridgeway #2019760	\$0.00																\$0.00
Emily's Personal US Bank	5/6/2020	ebay (gift for mom)												\$10.00					\$10.00
Emily's Personal US Bank	5/7/2020	Amazon (book)															\$20.45	\$20.45	\$20.45
Emily's Personal US Bank	5/7/2020	Amazon (water bottle for Emily)											\$5.27				\$2.14	\$2.14	\$5.27
Emily's Personal US Bank	5/11/2020	Amazon (Water Bowl Monarch - dog)		\$14.00															\$14.00
Emily's Personal US Bank	5/11/2020	Amazon (pens)																	\$14.00
Emily's Personal US Bank	5/12/2020	To Mom	\$545.00																\$545.00
Emily's Personal US Bank	5/19/2020	Amazon (gift to Anthony)																	\$20.45
Emily's Personal US Bank	5/20/2020	Target Shampoo																	\$20.45
Emily's Personal US Bank	5/20/2020	Body Juice	\$23.78										\$13.00						\$13.00
Emily's Personal US Bank	5/26/2020	Dollar Tree (party Décor)																	\$23.78
Emily's Personal US Bank	5/28/2020	Wish (face Mask)																	\$19.40
Emily's Personal US Bank	5/29/2020	Past medical Bill												\$25.00					\$25.00
Emily's Personal US Bank	5/29/2020	Online ID Tag Monarch)		\$14.99															\$14.99
EMILY'S TOTAL MAY 2020 EXPENSES PAID			\$568.78	\$28.99	\$10.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$34.99	\$0.00	\$0.00	\$35.00	\$0.00	\$0.00	\$0.00	\$0.00	\$725.96
TOTAL MAY 2020 EXP. PAID BY ALECIA & EMILY			\$568.78	\$126.99	\$33.64	\$0.00	\$420.00	\$1,500.00	\$0.00	\$0.00	\$34.99	\$0.00	\$0.00	\$471.82	\$0.00	\$48.00	\$0.00	\$0.00	\$3,297.41

2020 EXPENSES FOR EMILY REED PAID BY ALECIA DRAPER AND EMILY'S SSI

WHICH BANK ACCOUNT	Date for Expense	Explanation: Yellow Highlighted area Alecia Paid otherwise Emily paid out of her SSI Bank Account	Utilities/ Housing/ Transportation	Service & Therapy/ Dog Exp	Emily Reed's Therapy	Amen Clinic Therapy, Dr. Jennifer Love-Farrell	Therapy Center for Christian Counseling & Training Roger Boehm, PHD, CPSY	Elise Collier, LMFP (Therapy for Emily)	Daniel Ross CCK3 Services (PTSD/DD Training for Emily & Monarchs)	Emily's Conservatorship	Thankum Alarm Services	Title	Personal/ly Medical/ Dental	Recre	Cell Phone	Clothing	Misc/Other	TOTAL EXPENSES INCLUDING FOOD/HSG
US BANK	June 2020	Alecia Pays see columns																
AmEx	6/1/2020	Titanium Alarm (Emily tried to run away at night)																\$424.75
AmEx	6/1/2020	Elise Collier, LMFP						\$150.00			\$34.99				\$48.00			\$34.99
AmEx	6/2/2020	Elise Collier, LMFP						\$150.00										\$150.00
AmEx	6/3/2020	Elise Collier, LMFP						\$150.00										\$150.00
AmEx	6/8/2020	Elise Collier, LMFP						\$150.00										\$150.00
AmEx	6/10/2020	Elise Collier, LMFP						\$150.00										\$150.00
AmEx	6/10/2020	Elise Collier, LMFP						\$150.00										\$150.00
AmEx	6/13/2020	Elise Collier, LMFP						\$150.00										\$150.00
AmEx	6/15/2020	Elise Collier, LMFP						\$150.00										\$150.00
AmEx	6/17/2020	Elise Collier, LMFP						\$150.00										\$150.00
Wells Fargo	6/30/2020	Elise Collier, LMFP						\$150.00										\$150.00
Wells Fargo	6/8/2020	Roger Boehm, PHD, CPSY					\$120.00											\$120.00
Wells Fargo	6/10/2020	Roger Boehm, PHD, CPSY					\$60.00											\$60.00
Wells Fargo	6/10/2020	Roger Boehm, PHD, CPSY					\$60.00											\$60.00
Wells Fargo	6/13/2020	Roger Boehm, PHD, CPSY					\$60.00											\$60.00
Wells Fargo	6/17/2020	Roger Boehm, PHD, CPSY					\$60.00											\$60.00
Wells Fargo	6/22/2020	Roger Boehm, PHD, CPSY					\$60.00											\$60.00
Wells Fargo	6/22/2020	Roger Boehm, PHD, CPSY					\$60.00											\$60.00
Wells Fargo	6/23/2020	Roger Boehm, PHD, CPSY					\$60.00											\$60.00
Emily's Capital One	6/12/2020	Amen Clinic - Dr. Love				\$200.00												\$200.00
Card #0036	6/12/2020	J. B's Perys Plaza	\$55.98															\$55.98
Card #0036	6/21/2020	McFarlin Apothecary (Meds in TN)											\$129.16					\$129.16
Card #0036	6/23/2020	Stator Brothers	\$54.11															\$54.11
Card #0036	6/23/2020	Stator Brothers	\$110.09															\$110.09
ALECIA'S TOTAL JUNE 2020 EXPENSES PAID				\$0.00	\$0.00	\$200.00	\$550.00	\$1,500.00	\$0.00	\$0.00	\$34.99	\$0.00	\$0.00	\$0.00	\$48.00	\$0.00	\$0.00	\$2,948.99
Emily's Personal US Bank	6/1/20	To Alecia, Rent, Dr. Love-Farrell from Stimulus Monies	\$600.00															\$600.00
Emily's Personal US Bank	6/1/20	Chewy (Food, brush, wipes)		\$103.46														\$103.46
Emily's Personal US Bank	6/1/20	Amazon (Paint Pens)		\$22.62														\$22.62
Emily's Personal US Bank	6/1/20	CVS (food)	\$34.55															\$34.55
Emily's Personal US Bank	6/1/20	Amazon (Paint)		\$18.83														\$18.83
Emily's Personal US Bank	6/8/20	Past Medical Bill											\$10.00					\$10.00
Emily's Personal US Bank	6/29/20	Bill Paid partial Ridgeview #2019260											\$25.00					\$25.00
Emily's Personal US Bank	6/12/20	Ebay (Book Good Night Moon)		\$3.75														\$3.75
Emily's Personal US Bank	6/12/20	Ebay (Book Hungry Caterpillar)		\$4.58														\$4.58
Emily's Personal US Bank	6/12/20	Ebay (Tissue Cover)											\$5.33					\$5.33
Emily's Personal US Bank	6/12/20	Ebay (Dog toothpaste)		\$8.39														\$8.39
Emily's Personal US Bank	6/17/20	Ebay (face Mask)																\$6.39
Emily's Personal US Bank	6/17/20	Saddleback Church										\$120.00						\$120.00
Emily's Personal US Bank	6/17/20	Dollar Tree																\$6.31
Emily's Personal US Bank	6/18/20	USPS (ship mail)																\$2.70
Emily's Personal US Bank	6/19/20	Goodwill (Book, Toy, Bag)																\$4.97
Emily's Personal US Bank	6/25/20	Target (shirt, Cream, floss)											\$15.00			\$19.99		\$34.99
Emily's Personal US Bank	6/29/20	To mom for Medical																\$35.00
Emily's Personal US Bank	6/29/20	To mom for Medical	\$634.55															\$634.55
EMILY'S TOTAL JUNE 2020 EXPENSES PAID			\$634.55	\$111.85	\$49.78	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$34.99	\$0.00	\$26.72	\$0.00	\$48.00	\$19.99	\$13.98	\$1,046.87
TOTAL JUNE 2020 EXP. PAID BY ALECIA & EMILY			\$744.64	\$111.85	\$49.78	\$200.00	\$550.00	\$1,500.00	\$0.00	\$0.00	\$34.99	\$0.00	\$26.72	\$0.00	\$48.00	\$19.99	\$13.98	\$3,985.96
TOTALS JANUARY THRU JUNE 2020			\$3,770.18	\$1,229.69	\$83.42	\$11,200.00	\$2,270.00	\$8,275.00	\$3,930.00	\$1,000.00	\$174.95	\$136.36	\$77.86	\$2,809.44	\$113.44	\$288.00	\$110.54	\$35,672.26

Yellow Highlighted areas monies were paid by Alecia Draper, otherwise monies came out of E Reed's SSI

1 **TRANS**

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

COPY

FILED

DEC 02 2021

Amanda M. Roberts
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: EVIDENTIARY HEARING

THURSDAY, AUGUST 6, 2020

APPEARANCES:

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

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

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

DIRECT CROSS REDIRECT RECROSS

DEFENDANT'S
WITNESSES:

* * * * *

1	<u>I N D E X O F E X H I B I T S</u>	
2		
3	PLAINTIFF'S	<u>ADMITTED</u>
4	<u>EXHIBITS:</u>	
5	1 - IEP	23
6	2 - IEP	25
7	5 - UC Irvine Health records	31
8	6 - Center for Discovery records	33
9	9 - Social security application	79
10	11 - Del Amo Hospital records	36
11	13 - Dr. Love initial report	162
12	14 - Dr. Love report	161
13	15-19 - Dr. Love records	141
14	21 - Letters of conservatorship	111
15	25, 26 - UBH records	39
16	27, 28 - medical records	41
17	33 - Wellshire Hospital medical records	44
18	35, 36 - Pasadena Villa medical records	48
19	37, 38 - LeConte Medical Center medical records	51
20	39 - Pasadena Villa discharge summary	50
21	40 - LeConte Medical Center medical records	52
22	51 - Emily's bank statements	115
23	52 - Capital One statements	116
24	53 - American Express credit card expenses	118

1	54 - Wells Fargo bank statements	122
2	56, 57 - Capital One statements	125
3	58 - Emily's cell phone expenses	126
4	59 - Pet grooming expenses	97
5	60 - Dog purchase contract	86
6	61 - Monarch bills	88
7	62 - Monarch bills	89
8	63 - Monarch bills	96
9	64 - Twin Peaks vet bills	92
10	65 - Beach City Animal Hospital	92
11	66 - Dog training membership	98
12	67 - Dr. Rounsens payments	102
13	68 - Amen Clinic payments	99
14	69 - Law Office of Elizabeth Yang bill	127
15	70 - Macy's credit card	127
16	71-73 - 2017, 2018, 2019 U.S. Bank statements	130
17	74 - Monarch training	94
18	75 - Pasadena Villa payment	104
19	76 - Dr. Bowman payment	106
20	77 - Dr. Love testimony payment	106
21	78 - Pending bills	109
22	82 - One page expense summary	138
23	85 - Emily's financial disclosure form	111
24		

1 DEFENDANT'S
2 EXHIBITS:
3 (None presented)
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1 LAS VEGAS, NEVADA

THURSDAY, AUGUST 6, 2020

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

3 (The following transcript contains multiple indiscernibles
4 due to poor recording quality))

5 (THE PROCEEDINGS BEGAN AT 8:54:39)

6

7 THE COURT: Are we on?

8 THE CLERK: Yeah.

9 THE COURT: All right. Good morning, folks. We are
10 ready to begin the post judgment proceedings on the Draper and
11 Reed matter. The case number is D05338668. I appreciate you
12 guys being ready and on time. It looks like everyone's logged
13 in.

14 MS. BRENNAN: Good morning, Your Honor.

15 THE COURT: Ms. Brennan, will you state your
16 appearance, please?

17 MS. BRENNAN: Elizabeth Brennan, Your Honor, bar
18 number 7286, attorney for Emily Reed through her conservator
19 Alecia Draper.

20 THE COURT: Okay. Ms. Roberts, please?

21 MS. ROBERTS: Amanda Roberts, bar number 9294, on
22 behalf of the Defendant Jeffrey Reed who is present through
23 BlueJeans.

24 THE COURT: Okay. Now are the parties with Counsel

1 or are they separate in their own locations?

2 MS. BRENNAN: Your Honor, my client -- my -- Alecia
3 Draper and Emily are both in -- in California. And I am
4 separately here in Las Vegas.

5 THE COURT: Okay. When we had our pretrial
6 conference, we talked about how the witnesses would testify
7 and -- and we will have to discuss a protocol for a rule on --
8 on witnesses. The parties to the case are the parents
9 obviously and Emily. You had said that Dr. Farrell was going
10 to testify also, correct?

11 MS. BRENNAN: Yes, Your Honor.

12 THE COURT: And is that witness available today?

13 MS. BRENNAN: This afternoon.

14 THE COURT: Okay. The order of proof is that --

15 MS. BRENNAN: Your Honor --

16 THE COURT: -- we have --

17 MS. BRENNAN: -- can I just -- I'm sorry, Your
18 Honor. Can I just ask a question? I cannot see you. So am I
19 supposed to be able to see you? Because I -- if I am, I
20 can't.

21 THE COURT: Okay. Can you -- what do you see on
22 your screen?

23 MS. BRENNAN: Oh, I see you now. I see you now.
24 Yes. Okay.

1 THE COURT: All right.

2 MS. BRENNAN: So now what I see is you on the big
3 screen. Yes.

4 THE COURT: All right. We have a --

5 MS. BRENNAN: Okay. Thank you, Judge.

6 THE COURT: -- monitor that's positioned in the
7 well. You've been in the courtroom. The monitor has four
8 boxes on it right now. And I see Counsel and I see the
9 parties. So that -- that seems to be a workable situation.

10 As far as the parties are concerned, they probably
11 should mute their microphones until they're going to be
12 testifying. And Counsel, it should be fine for both of you to
13 leave yours open as we have this dialogue as we go through the
14 hearing.

15 MS. BRENNAN: Okay. Thank you, Your Honor.

16 THE COURT: We --

17 MS. BRENNAN: So -- can I just tell you one more
18 thing, Your Honor? So my client Alecia, the mom, is currently
19 on. Alecia, you need to go up to the top and mute your
20 microphone up there. I can see that you don't have it muted.
21 It's -- if you put your mouse up to the top of the screen, it
22 says mute audio. Do you see that up there? Because you're
23 not on mute.

24 MS. DRAPER: When I hit the microphone, then I can't

1 hear you.

2 THE COURT: Oh, yeah. Well, don't do that. You
3 have to be able to hear.

4 MS. BRENNAN: Okay. Well, then don't do that.
5 Okay. So the -- the only other thing I wanted to tell Your
6 Honor is that Emily is going to not be present during the
7 testimony because the psychiatrist does not believe
8 that's in her best interest to hear it all; however, if and
9 when Ms. Roberts wants to call her or the Court wants to call
10 her, then we'll make her available.

11 THE COURT: Yeah, that's up to you. It -- it is a
12 consideration and I was going to ask you that question. I
13 appreciate you offering that. I mean, she's technically a
14 party to this case. And she's not required to be here by any
15 means. But she will need to be available if either one of you
16 or when either one of you want to call her as a witness. And
17 then we'll --

18 MS. BRENNAN: And she is.

19 THE COURT: -- walk through how --

20 MS. BRENNAN: Yes.

21 THE COURT: -- she's there. Okay. So I assume that
22 the order of proof was either going to be Ms. Draper and Ms.
23 Farrell in your case, right?

24 MS. BRENNAN: Yes.

1 THE COURT: All right. And we have set aside today
2 for that. We -- you know, it's six hours of court time. If
3 for some reason we're not finished by the end of the day we
4 have time tomorrow to conclude. And Ms. Roberts, you had said
5 that even though -- I mean, you -- you may call your client
6 and you want to call Emily in your case, right?

7 MS. ROBERTS: Potentially, Your Honor. Yes.

8 THE COURT: All right. Good. If you need a break,
9 we'll probably try to take logical breaks, you know, when the
10 witnesses are finished. The parties need to testify but I
11 don't know how much of this case is really a factual issue
12 from their point of view. And if you need to -- if we need to
13 take a break outside of sort of the normal rhythm of the
14 morning, just let me know and we will -- we'll probably take a
15 break for at least an hour at noon for lunch and we'll resume
16 depending on when we break at the end of the morning.

17 So preliminaries are out of the way. Are there any
18 stipulations concerning the documentary proof that was
19 submitted to the Court?

20 MS. BRENNAN: Amanda, are you willing to stipulate
21 to the admission of all the exhibits and the Judge can give
22 them whatever weight he deems appropriate?

23 MS. ROBERTS: No, Your Honor.

24 THE COURT: Okay. So there's certain exhibits that

1 have been marked for identification. You know, I -- I'm sure
2 you're not going to go all -- over all of them, but you'll
3 have to lay the foundation and offer them and we'll walk
4 through the process of having certain exhibits admitted, okay?

5 MS. BRENNAN: Okay. Can I just ask opposing Counsel
6 do you stipulate to the admission of any of the exhibits? I
7 mean, I'm just -- it's a matter of time saving I have 85
8 exhibits. So is there -- are there any exhibits that you
9 stipulate to such that we never have to waste the Court's time
10 on that and that -- and that you -- we can just argue about
11 the admissibility of certain exhibits?

12 MS. ROBERTS: No, Your Honor.

13 THE COURT: Okay.

14 MS. BRENNAN: Okay.

15 THE COURT: Not a problem. We had a pretrial
16 conference. You were advised to discuss this. You did. And
17 we have no stipulations concerning documentary proof. Ms.
18 Brennan, will you -- will you -- do you want to make an
19 opening statement?

20 MS. BRENNAN: I'll -- I'll make a very brief opening
21 statement, Your Honor. Are you ready for me to proceed?

22 THE COURT: Yes.

23 MS. BRENNAN: Okay. Good morning, Your Honor. I
24 appreciate you taking this very difficult case to trial today

1 under these circumstances. What we have here is a request for
2 child support for Emily Reed. Emily is the -- was born on
3 November 16th of 1996. She is currently 23 years old and
4 resides with her mother in California. This is a request for
5 child support for Emily pursuant to NRS 125B.110. And the
6 Supreme Court case in Edgington is the only Supreme Court case
7 that I'm aware of that interprets that statute. And for the
8 Court's reference, the Edgington case is 119 Nev 577. It was
9 decided by the Supreme Court in 2003. That is the law that we
10 believe applies in this case. We will show you today and
11 tomorrow that Emily meets all the requirements of this statute
12 for both of her parents to have to pay child support for her
13 be -- as of today and going back to 2017 when this motion was
14 originally filed.

15 Just by way of a quick summary, Emily was -- has
16 been in the -- had been in special educational needs since
17 fifth grade. She was declared disabled and in need of special
18 educational needs from fifth grade all the way through her
19 graduation in high school. She graduated from high school in
20 June of 2015.

21 What you're going to hear is that Emily in addition
22 to all of the IEPs, the independent educational programs, and
23 diagnosis through her school records and whatnot, what you're
24 going to hear is that af -- the parents were divorced in

1 August 5th of 2005 when Emily was in second grade. And what
2 you're going to hear testimony is that Emily was sexually
3 molested for the next eight to 10 years of her life while she
4 was a minor while she was in the care, custody, and control of
5 the Defendant Dad by Dad's roommate, Alan Gorey (ph).

6 The -- what you're going to hear is that Emily's
7 revealed that she has been sexually molested for all these
8 years for the first time in February of 2014. That's when
9 Emily was in the eleventh grade. And in March of that year an
10 arrest warrant was issued and the rapist/molester Alan Gorey
11 was arrested. And he eventually was tried and -- well, he's
12 -- he -- he's serving jail time now for the felony molestation
13 charges against Emily.

14 You're going to hear the testimony that Emily was
15 hospitalized multiple times as a minor before she turned 18 as
16 a result of her chronic posttraumatic stress disorder and
17 other significant major depressive disorder and made -- other
18 diagnosis that we're going to go through as we go through the
19 presentation in this case. You're going to hear testimony
20 that Emily has been in and out of psychiatric treatment
21 facilities. She has attempted to kill her -- kill herself,
22 commit suicide numerous times starting before the age of 18
23 and continuing to this day. You are going to hear that Emily
24 has a diagnosis of -- one of her diagnosis is chronic PTSD.

1 It's also dissociative identity disorder. Dissociative
2 identity disorder is the modern term basically for multiple
3 personalities.

4 You're going to hear that -- from Dr. Love who is
5 not only Emily's treating psychiatrist, she has been treating
6 Emily from 2016 to the present. She's also the only expert
7 witness in this case. And she has issued her original report
8 back in 2017 and a supplemental report in 2019 which she will
9 be testifying to. And she's going -- which reveal that her
10 conclusion is that Emily has been disabled since before the
11 age of 18 that it has been a continuous lasted more than 12
12 months and that she is unable to engage in any substantial
13 gainful activity. She cannot perform economic activity
14 resulting in self support. And the reason -- or the nexus for
15 her inability to engage in any substantial gainful activity
16 which started before the age of 18 is due to the medical
17 diagnosis that her chronic PTSD and other diagnosis that Dr.
18 Love is going to explain.

19 Emily currently has approximately 16 -- 6-0, 60
20 different alters or personalities. They range from little
21 girls, you know, it could be a -- a second grader, a seven --
22 seven-year-old. They have all different personalities. They
23 -- when you're talking to Emily, you don't know if you're talk
24 -- you won't know if you're talking to Emily or Heidi or

1 Tiffany or Hannah or one of the multiple personalities that
2 she has.

3 And as a result of her -- her disability and all of
4 the requirements of the statute being met, we are asking that
5 Mom and Dad both split the cost of the expenses necessary from
6 2017 and -- and ongoing into the future pursuant to the
7 statute for the support of Emily which is required by the
8 statute NRS 125.110 because Ash -- Emily is not
9 self-supporting. She does receive social security and she
10 does receive aid for food, all of which we will explain, but
11 it's woefully insufficient for her needs. And what you will
12 hear in testimony is that -- that we are requesting child
13 support in the amount of thir -- \$1400 -- well, yeah. \$1400 a
14 month from each parent.

15 And that you will -- we will introduce Exhibit 81
16 which is a summary chart breakdown data compilation of all of
17 the expenses for Emily for 2017, 2018, and 2019. And you will
18 see there at the bottom of that exhibit that the a -- three
19 year average for Emily's expenses minus her social security --
20 you know, her income from that is -- is one -- the -- the
21 average that each person would be required to pay is
22 \$1,395.45. So I just rounded that to 1400 per parent.

23 And we'll also refer you to Exhibit 85 which is
24 Emily's updated financial disclosure form. And on page -- I

1 would call it the page right after the certificate of service
2 on that which I guess would be page 9 since certificate of
3 service is page 8 of 8. page 9 of that Exhibit 85 shows the
4 summary of Emily's expenses brought for -- through June -- for
5 -- for 2020, January through June of 2020 which also shows
6 that substantially more for -- for this year because of
7 expenses related to the litigation. But you can see once
8 those are backed out is that the average monthly expense for
9 each of them would -- as shown on that exhibit would be
10 \$1,371.74.

11 So I think the thing that makes the most sense if
12 the Court wanted to since the original motion for child -- the
13 motion that we're here on was filed in 2017, then you may just
14 want to order child support, you know, for 2017 based on the
15 num -- the number actually expended in 2017, 2018, and 2019
16 and then, you know, set a different -- you know, the average
17 going forward or something like that. What you're going to --
18 because we don't just want a -- a number, we want to make sure
19 that a hundred percent of her expenses are included if that
20 number is greater than what we're asking for. So in some kind
21 of way we're going to want the Court to fashion that in its
22 judgment.

23 What you're going to see here is that Mom has as you
24 know Judge has stated in these prior proceedings has consented

1 to judgment against her individually for one-half of Emily's
2 monthly expenses. And the only party in this case contesting
3 that is Dad. Dad has paid zero of Emily's expenses since
4 2017. And Mom has had to pay a hundred percent of those. So
5 we're going to have a -- a -- an arrearage that he's going to
6 owe assuming the Court enters judgment in our favor here.

7 And we're -- what you'll see from Defendant's
8 earnings history is that Dad does have the ability to pay.
9 Exhibit 83 shows that in 2017 Dad's gross income was 78,564.
10 So that's what his income was at the time that it was filed.
11 You'll see in Exhibit 84 his 2018 gross income was 80,301.
12 And we'll see what the -- what he contends his current income
13 is -- is. But he has been a long term employee with Palm
14 Mortuary. The funeral business is unfortunately busy right
15 now. And he either currently makes sufficient income or he's
16 voluntarily under employed for the duration -- for -- during
17 the last part of the marriage he was paying child support for
18 three kids. And I believe it was about 1400 a month. And
19 that was based on his income at the time of \$60,000 a year.

20 Emily has two brothers. They're both -- they're
21 both mi -- 19 and 21. So he -- there are no minor children
22 anymore. And he clearly has the ability to pay. And so
23 that's what we'll be requesting today, Your Honor.

24 THE COURT: Okay. Just to confirm, we're going to

1 hear some brief testimony from Mom and we're going to hear
2 from Dad and we're going to hear from your expert and we're
3 going to hear from Emily, right?

4 MS. BRENNAN: You're only going to hear from Emily
5 if the Court desires it or --

6 THE COURT: Okay. So you're not calling her in your
7 case. That's up to Ms. Roberts. Okay.

8 MS. BRENNAN: Yes.

9 THE COURT: Thank you. Ms. Roberts, your opening
10 statement.

11 MS. ROBERTS: I'm reserving Your Honor on the
12 opening statement.

13 THE COURT: I'm -- I'm sorry, I didn't hear you.

14 MS. ROBERTS: I'm reserving on the opening
15 statement.

16 THE COURT: All right. That's fine.

17 MS. BRENNAN: Your Honor, I guess I have one
18 question and I -- I just want to bring this to the Court's
19 attention and find out if you want to deal with it or not. I
20 -- you know, I -- as the Court is well aware, Ms. Roberts
21 filed a writ to the Supreme Court this week --

22 THE COURT: Yeah.

23 MS. BRENNAN: -- trying to get the Supreme Court to
24 rule on --

1 THE COURT: What -- what -- why --
2 MS. BRENNAN: -- a mot --
3 THE COURT: What -- what's your question?
4 MS. BRENNAN: Well, I guess my question is the writ
5 was denied and the issue that -- that Amanda had which the
6 Supreme Court said is not a basis for a writ because she could
7 appeal it after the trial is her issue is that the Court never
8 ruled on the motion to con --
9 THE COURT: Yeah, I --
10 MS. BRENNAN: -- extend --
11 THE COURT: Look. Look.
12 MS. BRENNAN: -- discovery.
13 THE COURT: When I decide this case, I will be going
14 over the procedural posture of the case and every issue that I
15 need to decide. Ms. Roberts is entitled to a ruling on those
16 matters. She'll have to answer if this matter goes on appeal
17 to everything that she did or didn't do in this case and the
18 Court will have to be -- is -- the record is what it is.
19 Okay. And --
20 MS. BRENNAN: Okay.
21 THE COURT: -- the -- there's no need to really go
22 over it now. It's a moot issue. The Court has said that
23 we're going forward on the case. And when the Court makes its
24 decision, it'll be going over the entire procedural posture of

1 this case from before the time the Court got it in 2018 to
2 now. Okay. So --
3 MS. BRENNAN: Okay.
4 THE COURT: -- the -- as a matter of housekeeping,
5 because of what -- because there was a notice of hearing on
6 matters related to proceeding that the issue is moot and the
7 September 9, 2020 hearing is vacated, we're going to be
8 resolving this matter today or if we need tomorrow, tomorrow.
9 Who's your first witness, Ms. Brennan?
10 MS. BRENNAN: Ms. -- Ms. Draper, Alecia --
11 THE COURT: Okay.
12 MS. BRENNAN: -- Draper.
13 (WITNESS SUMMONED)
14 THE COURT: Great. So ma'am, we have a Clerk that's
15 going to administer an oath for you to tell the truth. You
16 don't need to stand. If you'll just raise your right hand so
17 we can see you on the screen that you're taking the oath,
18 okay?
19 MS. DRAPER: Okay.
20 THE CLERK: Please raise your right hand. You do
21 solemnly swear the testimony you're about to give in this
22 action shall be the truth, the whole truth, and nothing but
23 the truth, so help you God?
24 MS. DRAPER: I do.

1 THE CLERK: Thank you.

2 ALECIA DRAPER

3 called as a witness on her own behalf, having been first duly
4 sworn, testified upon her oath as follows on:

5 DIRECT EXAMINATION

6 BY MS. BRENNAN:

7 Q Alecia, can you please state your name for the
8 record?

9 A Alecia Ann Draper.

10 Q And are you -- do you have any children?

11 A Yes.

12 Q And what are their names and ages?

13 A Emily she is 23, Anthony is 21, and Adam, he is 19.

14 Q And all three of those children are with the
15 Defendant Jeffrey Reed?

16 A Yes.

17 Q And you and Mr. Reed were divorced in 2005; is that
18 correct?

19 A Yes.

20 Q Okay. And I -- are you Emil -- have you been
21 appointed as Emily's conservator?

22 A Yes. That is correct.

23 Q And do you consent to the Court entering judgment
24 against you individually for the payment of child support for

1 Emily in this case as -- after the age of 18?

2 A Yes.

3 Q Okay. So where does Emily currently reside?

4 A She resides with me the -- at 20762 Crestview Lane,
5 Huntington Beach, California 92646.

6 Q And she's current -- she's in the home with you
7 today, correct?

8 A Yes.

9 Q But she's not present for this hearing be -- at this
10 time, is that right?

11 A That is --

12 Q In other words, you'll make her available for
13 testimony in the event that the Judge or Ms. Roberts wants her
14 to be called?

15 A Yes.

16 Q Okay. What -- did -- tell -- tell me about Emily's
17 educational experiences. Did -- when did -- did she have to
18 have special education as a child?

19 MS. ROBERTS: I object, Your Honor. It's leading.

20 THE COURT: Overruled.

21 THE WITNESS: Yes.

22 BY MS. BRENNAN:

23 Q What year did that start?

24 A Her IEP started in fifth grade to my best

1 recollection without looking at any documents.

2 Q Okay. I'd like -- I'd like you to -- I -- I'd like
3 to -- you to refer to Exhibit Number 1. What is Exhibit
4 Number 1? I mean, it -- big picture, not page-by-page right
5 now because we're going to work through getting these exhibits
6 admitted. So what is Exhibit 1?

7 A Exhibit 1 is the Clark County School District of Las
8 Vegas, Nevada Student Support Service Division Individual
9 Education Program IEP.

10 MS. BRENNAN: And -- and at this time I offer, file,
11 and --

12 Q And are these doc -- documents that you received
13 from the Clark County School District?

14 A Yes.

15 MS. BRENNAN: And are -- at this time, I offer,
16 file, and introduce Exhibit 1.

17 THE COURT: Do you want to state an objection Ms.
18 Roberts or do you agree?

19 MS. ROBERTS: No, Your Honor. I object as to
20 hearsay.

21 THE COURT: Okay. Overruled. Exhibit 1 is
22 admitted.

23 (PLAINTIFF'S EXHIBIT 1 ADMITTED)

24 BY MS. BRENNAN:

1 Q Okay. I'll show you what's been marked as Exhibit
2 Number 2. What -- tell me big picture what these documents
3 are, Ms. -- Ms. Reed -- Ms. Draper.

4 MS. ROBERTS: Objection, Your Honor. It lacks
5 foundation.

6 THE COURT: Overruled.

7 THE WITNESS: Exhibit 2 is the West Orange County
8 SELPA Individual Education Program.

9 BY MS. BRENNAN:

10 Q Okay. The whole exhibit -- we're going through
11 exhibits now to try to get admission of these exhibits out of
12 the way so that we don't interrupt all the testimony. I think
13 that would make it easiest. So is it fair to say that the
14 Exhibit 2 were the California school records for Emily?

15 A Yes.

16 Q And you received those directly from the state of
17 California, correct?

18 A Yes.

19 MS. BRENNAN: At this time, I offer, file, and
20 introduce the California school records, Exhibit 2.

21 THE COURT: Okay. Do you want to state an
22 objection?

23 MS. ROBERTS: I do, Your Honor. They're hearsay and
24 they are not complete records.

1 THE COURT: Okay. Well, let's -- just -- just so we
2 are -- I -- I understand the context, during the course of the
3 last two years there's been discovery and production of
4 documents, right, Ms. Brennan?

5 MS. BRENNAN: Yes.

6 THE COURT: And that these documents are part of
7 your document production?

8 MS. BRENNAN: They are, Judge.

9 THE COURT: I was looking through in preparation for
10 the hearing for any filing of any written objection to the
11 authenticity of documents like business records from the
12 school district. I didn't see any. Did you see any?

13 MS. BRENNAN: Well, yeah. No -- no -- Ms. Roberts
14 has never objected to the authenticity of any document.

15 THE COURT: All right. This document is not
16 necessarily authored for the detail within but to support your
17 argument and support a finding by the Court that the child had
18 independent programs with California and Nevada, right?

19 MS. BRENNAN: Right.

20 THE COURT: All right. The objection is overruled.
21 Exhibit 2 is admitted.

22 (PLAINTIFF'S EXHIBIT 2 ADMITTED)

23 BY MS. BRENNAN:

24 Q If you would look at Exhibit 3. What is Exhibit 3,

1 Alecia?

2 A Emily Reed's suicide note that was given to her
3 school psychiatrist -- psychologist.

4 Q And was -- and was this part of the school records
5 that you -- this was contained within the school records that
6 you received; is that correct?

7 A I can't recall if it was part of the record. I do
8 know that it was given to me by her school psychologist.

9 Q Okay. And are you familiar with Emily's
10 handwriting?

11 A Yes, I am.

12 Q Is this Emily's handwriting in Exhibit 3?

13 A Yes, it is.

14 MS. BRENNAN: At this time, I offer, file, and
15 introduce Exhibit 3.

16 MS. ROBERTS: I object to the foundation Your Honor
17 and as to lack of time.

18 THE COURT: Yeah, I -- I have some concerns about
19 this document on a bunch of levels whether or not your client
20 is the proper witness for this or whether it's even relevant
21 or material. There's no date on it. So I assume that it was
22 either in the California records or the Nevada records. And
23 the -- I mean, I -- I don't know. I -- I don't think I'm
24 going to be -- I mean, part of the case is for you to lay a --

1 a foundation of evidence so that you can make your argument
2 that these conditions occurred or were related to stuff that
3 happened before the age of majority. But it's not -- the --
4 the details of that is not material. It's really the subject
5 of examination with you, the expert, or otherwise. Are you
6 offering this suicide note to -- to support some sort of
7 finding that she attempted -- or she wrote this note prior to
8 the age of majority?

9 MS. BRENNAN: Yes.

10 THE COURT: Well, the real witness is Emily
11 unfortunately on this -- this piece.

12 MS. BRENNAN: Okay. All right.

13 THE COURT: The -- the Court's going to sustain the
14 objection, but that's -- I -- the -- the -- look, the details
15 of -- I mean, we're walking a fine line as to how much time
16 we're going to spend I guess on the -- the issues that Emily
17 had prior to the age of majority. We have to allow some
18 evidence in because it's going to have to have context in the
19 form of her treatment and, you know, your -- your element that
20 says that she has issues that arose prior to the age of
21 majority. So I'm not going to exclude all evidence about it,
22 but the details about it especially when she testifies are
23 going to be limited by the Court. So the objection --

24 MS. BRENNAN: Okay, Your Honor.

1 THE COURT: -- is sustained at this time, Ms.
2 Roberts, concerning 3.

3 MS. BRENNAN: Okay.

4 BY MS. BRENNAN:

5 Q If you can now turn to Exhibit 5, Alecia. Are
6 these a true and correct copy of the UC Irvine Health records
7 for Emily?

8 A Yes.

9 MS. BRENNAN: At this time, I offer, file, and
10 introduce into evidence Exhibit 5

11 MS. ROBERTS: I object Your Honor not to
12 authenticity but I object that they are not complete records
13 based upon the page numbers contained therein.

14 THE COURT: Well, I've got three or four binders
15 here. I assume that there's a lot of health records in this
16 matter. The --

17 MS. ROBERTS: They are, Your Honor. And part of the
18 argument that we made and part of the motion we filed in -- in
19 April dealt --

20 THE COURT: Yeah, the --

21 MS. ROBERTS: -- with the fact that these are not
22 complete records.

23 THE COURT: Well, they don't have to be complete to
24 be admissible. And the -- I haven't reviewed them. This

1 looks like some sort of in patient hospital record, right?
2 And --
3 MS. BRENNAN: Yes, Judge. These --
4 THE COURT: And --
5 MS. BRENNAN: -- are -- these are critical medical
6 records. We produced -- just -- just so we're clear --
7 THE COURT: Well, I know, but look.
8 MS. BRENNAN: -- we --
9 THE COURT: Look.
10 MS. BRENNAN: -- put to this --
11 THE COURT: Ms. -- Ms. Roberts can object to every
12 one of them and she's entitled to --
13 MS. BRENNAN: Yeah.
14 THE COURT: -- a ruling --
15 MS. BRENNAN: Okay.
16 THE COURT: -- on -- on whether or not the objection
17 is sustained or overruled. I -- I did not -- I have to review
18 the record and understand what it is. And I have to determine
19 whether her objection saying that this particular document
20 with control numbers 57 through 67 should be admitted over the
21 objection. The fact that they may not include every record
22 concerning this hospitalization is not a basis to exclude it
23 and the objection's overruled. And Exhibit 5 is admitted.
24 MS. BRENNAN: And -- and just so we're clear, Your

1 Honor, that's Bates Number PL1 through 175 is Exhibit 5.
2 THE COURT: No.
3 MS. BRENNAN: Yeah, I --
4 THE COURT: PL --
5 MS. BRENNAN: -- skipped over --
6 THE COURT: -- 00257 through PL --
7 MS. BRENNAN: Yeah, I skipped over Exhibit 4.
8 THE COURT: I understand that. And I got the tab
9 here. We print -- we spent hours printing this stuff out
10 under the protocol. And it is PL000257 through 000256.
11 That's what's been marked for identification as Exhibit 5.
12 MS. ROBERTS: Your Honor, that is not the exhibit
13 that I have as 5.
14 THE CLERK: Oh, I'm sorry, Judge.
15 MS. BRENNAN: That's not --
16 THE CLERK: 5's the wrong --
17 MS. BRENNAN: Yeah, that's not Exhibit 5. That's --
18 THE COURT: Well --
19 MS. BRENNAN: If you look --
20 THE COURT: All right. Hold on. Hold on. My Clerk
21 is providing me with another book. I don't know why we have
22 two docu -- two matters marked as 5. But it has been -- this
23 is in a separate book as 5. The control number is 0001. And
24 it goes through 00175.

1 MS. BRENNAN: Yeah. Thank you, Judge.

2 THE COURT: All right. Hold on. Let me look at it.

3 This is not a record of a hospitalization. This is a --

4 MS. BRENNAN: This is -- this is a --

5 THE COURT: -- a record --

6 MS. BRENNAN: -- record of --

7 THE COURT: -- a record from 2014.

8 MS. BRENNAN: This -- yes, Judge. These are records

9 from UC Irvine Health Center for the treatment rendered to

10 Emily as a minor --

11 THE COURT: Well, that's fine.

12 MS. BRENNAN: -- for --

13 THE COURT: I'm -- I'm looking at it and they have

14 objected saying that it should be excluded not because it

15 wasn't produced, not because it's not authentic, but because

16 it's not complete, right? So it looks like a series of

17 different business records from the University of California

18 Irvine Health care and it's to offered that she was

19 hospitalized or at least treated during this 2014 period of

20 time, is that right?

21 MS. BRENNAN: Right, Judge.

22 THE COURT: Okay. The objection's overruled. This

23 Exhibit 5 is admitted.

24 (PLAINTIFF'S EXHIBIT 5 ADMITTED)

1 MS. BRENNAN: Thank you.

2 BY MS. BRENNAN:

3 Q Alecia, if you turn to Exhibit 6 -- or is Exhibit 6
4 which is Bates Number PL176 through 190 the medical records
5 for treatment rendered to Emily as a minor at the Center for
6 Discovery Medical Center?

7 A That is correct.

8 MS. BRENNAN: At this time, I offer, file, and enter
9 Exhibit 6.

10 THE COURT: Ms. Roberts, do you want to state an
11 objection?

12 MS. ROBERTS: I do, Your Honor. I think they lack
13 foundation. I also think that they are hearsay documents.
14 And they've been redacted to the extent that we can't tell
15 what information is provided.

16 THE COURT: Interesting. The only page that I see
17 that has any redaction is pages 78 and 79. And the only thing
18 that's redacted is the address on 78 and the date of birth on
19 79. So what -- what material information is being redacted on
20 these documents?

21 MS. ROBERTS: That's the information that's
22 redacted, those three pages, Your Honor. The only thing is
23 that --

24 THE COURT: Okay. Thank you. Your objection is

1 noted and Exhibit 6 is admitted over the objection of the
2 Defendant.

3 (PLAINTIFF'S EXHIBIT 6 ADMITTED)

4 BY MS. BRENNAN:

5 Q I'll now go to Exhibit 11. Exhibit 11, Bates Number
6 1 -- PL000191 through 00215, are these the Del Amo Hospital
7 record -- medical records for treatment rendered to Emily at
8 that facility?

9 A Yes.

10 MS. BRENNAN: At this time, I offer, file, and
11 introduce Exhibit 11.

12 THE COURT: So the timing of this treatment would
13 have been after she turned 18 but before she graduated from
14 high school?

15 MS. BRENNAN: I believe so.

16 THE COURT: March 2015. They're offered to show
17 that she had -- that she had medical treatment. And in March
18 of 2015. Is that what these are offered for?

19 MS. BRENNAN: Yes, to support her continued
20 disability.

21 THE COURT: So this is an organiz -- this is just a
22 -- a group of records that were obtained by subpoena from this
23 group?

24 MS. BRENNAN: Yes, from Del Amo Hospital, Your

1 Honor.

2 THE COURT: So it --

3 MS. BRENNAN: These are --

4 THE COURT: -- contains, you know, like drug test
5 results or blood work, treatment notes.

6 MS. BRENNAN: So the --

7 THE COURT: And okay. So it's offered for the
8 purpose of showing that she was treated by the Del Amo
9 Hospital in March of 2015?

10 MS. BRENNAN: Yes.

11 THE COURT: You're not -- you're not seeking to have
12 the Court make any findings concerning any specific detail in
13 these records, are you? Diagnoses or --

14 MS. BRENNAN: Well, in all --

15 THE COURT: -- treatment --

16 MS. BRENNAN: -- all of these record -- I guess
17 Judge --

18 THE COURT: I mean, the fact of the --

19 MS. BRENNAN: -- these --

20 THE COURT: -- the fact --

21 MS. BRENNAN: -- all the medical --

22 THE COURT: -- of the matter is you're using your
23 client as a fact witness to go over records that probably are
24 part of the foundation for the opinions of an expert witness

1 that we're going to hear from later, right?

2 MS. BRENNAN: Right. Except for the fact that she's
3 -- my client is going -- becau -- we're talking about a child
4 that is 23 years old. So in order for my client to give you
5 the history of what's happened and the --

6 THE COURT: Yeah.

7 MS. BRENNAN: -- progression --

8 THE COURT: I -- I --

9 MS. BRENNAN: -- of her --

10 THE COURT: -- think --

11 MS. BRENNAN: -- disability --

12 THE COURT: But look, I'm -- I'm giving some
13 consideration to the notion that the Court is not going to be
14 reading these records and gleaning out statements that are
15 obviously statements someone other than Ms. Draper within
16 these records. They're offered for a different purpose.
17 They're offered to show that the child was hospitalized and
18 treated in March of 2015, right?

19 MS. BRENNAN: Right.

20 THE COURT: And, you know, these records or
21 witnesses is not the person to really lay the foundation for
22 these records other than the fact that the child may have been
23 with her during this time and she took her to these places.
24 You know, that's the foundation for this treatment, you know.

1 Emily lived with you, Emily was over 18, Emily had to go to
2 the hospital. She went to the Del Amo Hospital in March.
3 Yes, she did. Here's the records that show that. The
4 objection as to these records hearsay and for whatever other
5 statement that -- or other basis that Ms. Roberts advanced is
6 overruled. Exhibit 11 is admitted.

7 (PLAINTIFF'S EXHIBIT 11 ADMITTED)

8 MS. BRENNAN: Thank you, Judge.

9 BY MS. BRENNAN:

10 Q If you can refer to Exhibit 25.

11 MS. BRENNAN: I'm just trying to get these out of
12 the way right now so we don't have to interrupt all the
13 testimony, Your Honor.

14 Q Exhibit 25 and Exhibit -- well, Exhibit 25 and
15 Exhibit 26, are these UBH records regarding treatment rendered
16 to Emily, Alecia?

17 A Yes. That is correct.

18 MS. BRENNAN: Okay. And at this time offer, file,
19 and introduce Exhibit 25 and 26 to show treatment rendered to
20 Emily at this time period --

21 THE COURT: This UBH --

22 MS. BRENNAN: -- regarding her disability.

23 THE COURT: -- is the University Behavioral Health?

24 MS. BRENNAN: Yes.

1 THE COURT: And Emily was treated there?
2 MS. BRENNAN: Yes.
3 THE COURT: Is this -- is Exhibit 25 records related
4 to one particular period of time?
5 MS. BRENNAN: Yes.
6 THE COURT: February 2018, right?
7 MS. BRENNAN: Yes.
8 THE COURT: So that would have been after she became
9 an adult and was graduated from high school. Okay.
10 MS. BRENNAN: Febru -- yes, Your Honor.
11 THE COURT: And Exhibit 26 is --
12 MS. BRENNAN: Is the medi -- is -- is the bill that
13 goes with it.
14 THE COURT: Okay. And why is -- why is the bill
15 important?
16 MS. BRENNAN: Because we're seeking reimbursement of
17 expenses. That's one of Emily's expenses that we'll go
18 through that has been incurred.
19 THE COURT: Well, the statement shows that insurance
20 is paying this. It's a collateral source paid for it. So
21 17,500 from insurance and that zero is the balance in her --
22 MS. BRENNAN: Oh, okay. Yeah. True.
23 THE COURT: All right. Let's get back on point.
24 Ms. Roberts, do you object to 25?

1 MS. ROBERTS: I -- I do, Your Honor. If she's
2 asking for the Court to make it -- if it's just as to the
3 treatment date, fine, Your Honor. But if she's asking the
4 Court to interpret what this means, this one contains a
5 substantial amount of handwritten information, not all of it
6 legible. So if it's for just date purposes we're fine to have
7 it admitted, Your Honor. But if it's for the content of the
8 actual medical records, that's a different issue.

9 THE COURT: Right. Well --

10 MS. BRENNAN: No.

11 THE COURT: -- I -- I agree with that notion because
12 I think these documents -- I mean, the -- the statements
13 within the documents, she's -- Ms. Draper's not the real
14 witness for that. Okay. But they're going to come in for
15 that -- and they may actually be records that an expert
16 reviewed which means that they -- they can come in as a
17 foundation for an opinion. But either way, Exhibit 25 is
18 admitted to show that Emily was treated and that these records
19 are -- detail of that treatment. The Court respects this
20 notion that the comments written by someone other than Ms.
21 Draper are out of court statements by someone not subject to
22 examination and that the Court should not base any findings
23 concerning the contents of those documents.

24 Exhibit 26 just looks like a bill showing that

1 somebody's insurance paid \$17,500 for that service. And that
2 also supports a finding by the find that in case it is -- I
3 mean, look, this is very tedious. I mean, I -- we usually go
4 through this if there's a question of fact as to whether Emily
5 was actually treated by these folks. Okay. So, you know,
6 you're -- you're killing that with a hammer with this but I --
7 I understand why. 26 and 25 are being admitted over the
8 objection of the Defendant.

9 (PLAINTIFF'S EXHIBITS 25 AND 26 ADMITTED)

10 MS. BRENNAN: Thank you, Your Honor.

11 BY MS. BRENNAN:

12 Q 27 and 28, Ms. Draper, are these medical records for
13 treatment rendered to Emily during the time period stated in
14 here?

15 A Yes.

16 MS. BRENNAN: I offer, file, and introduce into
17 evidence Exhibits 25 and 26 -- 26 --

18 THE COURT: Or 27 --

19 MS. BRENNAN: -- and --

20 THE COURT: -- 28.

21 MS. BRENNAN: -- 27. I'm sorry, Judge.

22 THE COURT: So this would be treatment in 2019.

23 MS. BRENNAN: Yes.

24 THE COURT: And this would be -- one of them -- or

1 20 -- 28 is just a prescription summary --
2 MS. BRENNAN: Discharge.
3 THE COURT: -- right?
4 MS. BRENNAN: Yeah, it's a discharge summary -- I
5 mean, for medication reconciliation.
6 THE COURT: Right.
7 MS. BRENNAN: That's correct.
8 THE COURT: Well, 27 looks like something from July
9 of 2019 and 28 looks like something from March of 2018.
10 MS. BRENNAN: July of 2019, the first page, that's
11 the request for the medical records and that's their response
12 for it.
13 THE COURT: Oh, okay.
14 MS. BRENNAN: If you go --
15 THE COURT: So the --
16 MS. BRENNAN: -- back --
17 THE COURT: -- the treatment was --
18 MS. BRENNAN: If you go back further in there,
19 you'll see the treatment date that was -- we're talking about
20 is in 2015. She was admitted. If you'll look at Bates Number
21 ER1142, she was admitted on March 7th of 2015. So it's
22 regarding this hospitalization in March of 2015.
23 THE COURT: So this ties back to records that had
24 been admitted before. The same time frame.

1 MS. BRENNAN: Yeah, my -- in March of 2015 Your
2 Honor she was still in high school.

3 THE COURT: Right. I -- it was -- I made the
4 comment that she was 18 but it was a few -- a month or two
5 before the graduation. All right.

6 MS. BRENNAN: And my --

7 THE COURT: Ms. Roberts, do you object to object to
8 27 or 28, for the record?

9 MS. ROBERTS: I do, Your Honor. I still have the
10 same objections. Lack of foundation, hearsay. Again, these
11 contain not as much in 27, Your Honor, but they do contain
12 some notes. So if the Court is going to do it for the fact of
13 the matter versus just date wise, then that of course is the
14 objection, Your Honor.

15 THE COURT: All right. The Court --

16 MS. BRENNAN: Well, let me --

17 THE COURT: -- recognizes the objection concerning
18 the -- the detail, but that's not a basis to keep the document
19 out. The document can be admitted for the purpose Ms. Brennan
20 advanced which is to support a finding that the child was
21 treated and that these records show that treatment during that
22 time. The objection's overruled. 27 and 28 are admitted.

23 (PLAINTIFF'S EXHIBIT 27 AND 28 ADMITTED)

24 MS. BRENNAN: Thank you, Judge.

1 BY MS. BRENNAN:

2 Q If we go to Exhibit 33 --

3 MS. ROBERTS: Your Honor, could -- could I be heard
4 just briefly on 28, Your Honor? I'm sorry. 28 is not related
5 to the medical records in 27. Just so the Court's aware of
6 that.

7 THE COURT: 28 is a business record that shows that
8 the Del Amo Hospital summarized the medications on admissions
9 in -- on March 26th, 2018. It -- it may be a separate time
10 frame but it's -- it -- it wasn't represented to be related to
11 2015. The date --

12 MS. ROBERTS: Okay.

13 THE COURT: -- on this --

14 MS. ROBERTS: I'm sorry, Your Honor. I thought
15 that's what you said.

16 THE COURT: I made -- maybe I did. The -- the
17 record comes in to show treatment under -- I mean, I don't
18 know if I'm going to be making all these findings. But 28
19 would support a finding that Emily received some sort of
20 treatment with the hospital and that this business record
21 showing that she was a patient and that this summary of her
22 medications is dated March 26th, 2018. It looks like an
23 authentic record from that hospital.

24 MS. BRENNAN: Your Honor --

1 THE COURT: All right. So -- so 33 you said,
2 Counsel?

3 MS. BRENNAN: Yes.

4 BY MS. BRENNAN:

5 Q Ms. Draper, is 33 a copy of the medical records for
6 Emily at Wellshire Ho -- Hospital (ph) in September of 2019
7 or.

8 A 33?

9 Q Yes.

10 A That is correct. And if I can explain on the Del
11 Amo because I requested and ordered all of her medical records
12 for Del Amo. That record contains multiple hospitalizations
13 at Del Amo. So I believe to my understanding if you look
14 through the entire documents of records it's going to have
15 2015 and 2018 of her history at that hospital.

16 THE COURT: Right. Well, you --

17 MS. BRENNAN: Okay.

18 THE COURT: -- you just need to answer the
19 questions. The Court -- let -- your testimony is evidence
20 concerning the frequency of hospitalizations also as well as
21 records. The records can be a source of a finding just as
22 your testimony can be. The question you were asked is whether
23 or not the records marked for identification as 33 are
24 additional records showing treatment.

1 MS. BRENNAN: Yes.

2 THE COURT: Okay. Go on, Ms. Brennan.

3 MS. BRENNAN: I offer, file, and introduce Exhibit
4 Number 33.

5 THE COURT: Okay. So Ms. Roberts, do I understand
6 that your concern is with the detail, the treatment notes, the
7 -- the other things that are out of court statements but that
8 if the Court is admitting these to show that there was
9 treatment I guess September 30th, 2019, then --

10 MS. ROBERTS: Yes, Your Honor. That's correct.

11 THE COURT: -- you object but the Court would admit
12 it over that objection on -- on that basis.

13 (PLAINTIFF'S EXHIBIT 33 ADMITTED)

14 MS. BRENNAN: Thank you, Judge.

15 BY MS. BRENNAN:

16 Q Emily, if you can go to Exhibit 34. Are these
17 photographs at Ridgeview Hospital on August 29th, 2019?

18 A Yes.

19 Q And you took these pictures, correct?

20 A It could have been my mom's phone or my phone. I
21 don't recall.

22 Q You --

23 A But yes.

24 Q -- were present -- you were present when these

1 pictures were taken by either you or your mom on that date?

2 A Yes.

3 Q Are these true and correct copies of the photographs
4 you took of Emily on that date?

5 A Yes.

6 Q Either you or your mom?

7 A Yes.

8 MS. BRENNAN: At this time, I offer, file, and
9 introduce into evidence Exhibit 34 which depicts Emily's
10 physical condition that my client will testify about on August
11 29th of 2019.

12 THE COURT: Well, okay. The -- the photographs are
13 -- are black and white. I can see a couple of them that might
14 describe some injury, but you have commentary on anyone --
15 every one of these photographs. I mean, there's no -- who
16 made the commentary? And -- and what are they being offered
17 to show?

18 BY MS. BRENNAN:

19 Q Alecia, did you make the comments on this above each
20 photo?

21 A Yes.

22 Q And these are being offered to show Your Honor
23 Emily's physical condition caused by her inability to control
24 herself on that particular date while she was in the hospital?

1 THE COURT: Well, I -- I don't know. I mean, what
2 does that mean? I mean, was -- were the -- is this how she
3 presented at the hospital? Is this something that happened at
4 the hospital? What's the -- what's the context of these
5 photographs?

6 MS. BRENNAN: If -- if you want, we can wait until
7 we get to the testimony on it, Your Honor. I'll just wait for
8 that. We can come back to this one.

9 THE COURT: Well, let me --

10 MS. BRENNAN: Because I think --

11 THE COURT: Before we -- before we do that, Ms.
12 Roberts, do you object to Exhibit 34 coming in at this time?

13 MS. ROBERTS: Yes, Your Honor.

14 THE COURT: All right. Then we'll defer -- you'll
15 offer it later if you want it in.

16 MS. BRENNAN: Yes.

17 THE COURT: Okay?

18 MS. BRENNAN: I -- I will, Judge.

19 BY MS. BRENNAN:

20 Q At this time, I'd like to look at Exhibit 35 and 36.

21 MS. BRENNAN: And -- and Judge, just for the record,
22 this --

23 Q Alecia, is 35 and 36 together a complete copy of the
24 Pasadena Villa medical records for treatment rendered to Emily

1 during these all -- September 8th through -- September 8 --
2 starting in September 8, 2019 time period?

3 A Yes.

4 MS. BRENNAN: At this time, I off -- offer, file,
5 and introduce into evidence Exhibit 35 and 36. Your Honor,
6 just for your knowledge, the only reason these are separated
7 in two exhibits is because it was the uploading of -- you
8 couldn't put it all in one upload to the court. It was too
9 big.

10 THE COURT: Okay. So in September and October of
11 2019, she was treated. And these are the --

12 MS. BRENNAN: Yes.

13 THE COURT: -- business records from the Pasadena
14 Villa Hospital?

15 MS. BRENNAN: Yes.

16 THE COURT: Ms. Roberts, do you object to them
17 coming in?

18 MS. ROBERTS: I do again, Your Honor. These contain
19 all those handwritten notes. It's toward the back. If the
20 Court looks at the back, there's a bunch of handwritten notes.
21 So if it's as to the date only, it's acceptable, Your Honor.
22 But if it's as to the content of the medical record, then I
23 don't think it's appropriate and we -- I would object as to
24 foundation and hearsay.

1 THE COURT: Okay. Exhibit --
2 MS. BRENNAN: Well, just --
3 THE COURT: -- 35 --
4 MS. BRENNAN: -- to be clear --
5 THE COURT: -- and 36 -- Exhibit 35 and 36 are
6 admitted over the objection of the Defendant. They're being
7 accepted by the Court to show this medical treatment in this
8 time frame. These are authentic business records from that.
9 (PLAINTIFF'S EXHIBITS 35 AND 36 ADMITTED)
10 MS. BRENNAN: Thank you, Your Honor.
11 THE COURT: The Court is not going to be making any
12 specific findings concerning the statements or diagnoses or
13 other opinions contained therein.
14 MS. BRENNAN: And I don't know what you mean by
15 that. I mean, I -- my --
16 THE COURT: Your -- your testimony -- your client's
17 testimony and your expert's testimony are going to be the
18 basis for the Court determining you -- this child qualifies
19 under the statute. Okay. I'm not going to be gleaning some
20 statement by a nurse or a doctor who's not subject to
21 examination within these records. That's why you have an
22 expert who can testify and offer opinions and those -- that
23 testimony and opinions can come from personal interaction or
24 review of records. You know that.

1 MS. BRENNAN: Yes. It's --
2 THE COURT: All right.
3 MS. BRENNAN: Thank you, Your Honor.
4 THE COURT: So you're not --
5 MS. BRENNAN: Also --
6 THE COURT: So you cannot say Judge, you should make
7 a finding that this child qualifies under the statute because
8 at page 27 and 86 of Exhibit 36, somebody that I never heard
9 from or Ms. Roberts had never an opportunity to examine said
10 something. Okay. That's what that means.
11 MS. BRENNAN: Yeah, I under -- yeah, I --
12 THE COURT: All right.
13 MS. BRENNAN: -- understand that, Judge. What we're
14 going to do is we're going to -- our expert is going to go
15 through these records and --
16 THE COURT: Well --
17 MS. BRENNAN: -- my --
18 THE COURT: -- the expert -- the expert will -- will
19 offer opinions and then the examination will go to what is the
20 basis for those opinions, okay? We're not going to go through
21 these things like a nitpick or with an expert witness like we
22 are right now. This is -- you're -- you'd be well to move the
23 case forward. So keep going.
24 MS. BRENNAN: Oh, I'm just trying --

1 THE COURT: You're about -- you're about --
2 MS. BRENNAN: -- to introduce --
3 THE COURT: You're about halfway -- you're about
4 halfway through your exhibits. Keep plowing ahead, okay?
5 MS. BRENNAN: Okay. Thank you, Judge.
6 BY MS. BRENNAN:
7 Q Exhibit 39, is that the discharge rec -- record from
8 Pasadena Villa, the discharge summary that -- for Pasadena
9 Villa?
10 A Yes, it is.
11 MS. BRENNAN: I offer, file, and introduce Exhibit
12 39.
13 THE COURT: Okay. Any objection?
14 MS. ROBERTS: Hold on, Your Honor. I'm sorry, I'm
15 trying to flip through this book.
16 THE COURT: It's a short one.
17 MS. ROBERTS: I'm just trying to get through it.
18 I'm sorry if that's a bit commerce. As to the date, no, Your
19 Honor. It's as to what specifically was said, then that's the
20 issue.
21 THE COURT: Yeah, but it's --
22 MS. ROBERTS: I think this is
23 THE COURT: It -- it -- okay. Exhibit 39 is
24 admitted. We'll consider that over the objection of the

1 Defendant as it relates to the content of the document.

2 (PLAINTIFF'S EXHIBIT 39 ADMITTED)

3 BY MS. BRENNAN:

4 Q If we can refer to Exhibit 37. Alecia, are these
5 the medical records for treatment rendered at LeConte Medical
6 Center in Tennessee to Emily in October of 2019?

7 A Yes.

8 MS. BRENNAN: I offer, file, and intro --

9 Q And Exhibit 38, are those the medical records also
10 from LeConte Medical Center in October of 2019?

11 A Yes.

12 MS. BRENNAN: At this time, I offer, file, and
13 introduce into evidence 37 and 38.

14 THE COURT: All right. Ms. Roberts --

15 MS. BRENNAN: The LeConte --

16 THE COURT: -- do you object --

17 MS. BRENNAN: -- Medical --

18 THE COURT: -- to 37 --

19 MS. BRENNAN: -- records.

20 THE COURT: -- and 38?

21 MS. ROBERTS: I do, Your Honor. The same
22 objections. I --

23 THE COURT: Thank you.

24 MS. ROBERTS: -- understand you're going to overrule

1 it.

2 THE COURT: Yes. 37 and 38 are admitted.

3 (PLAINTIFF'S EXHIBITS 37 and 38 ADMITTED)

4 BY MS. BRENNAN:

5 Q Exhibit 40, are these medical records for treatment
6 rendered to Emily during the December of 2019 time period?

7 A Yes.

8 MS. BRENNAN: I offer, file, and introduce into
9 evidence Exhibit 40.

10 THE COURT: Is this just another time when she went
11 to this facility?

12 MS. BRENNAN: Yes, Your Honor. And the reason
13 they're broken up is because we're trying to put them in
14 chronological order for you.

15 THE COURT: All right. This would have been at the
16 end of last year and the January of this year?

17 MS. BRENNAN: Yes.

18 THE COURT: Okay. Any objection to 40?

19 MS. ROBERTS: Yes, Your Honor. Again, these contain
20 handwritten information and medical records, the same as the
21 prior Del -- Del Amo record.

22 THE COURT: All right. Thank you. Exhibit 40 is
23 admitted. Overruled.

24 (PLAINTIFF'S EXHIBIT 40 ADMITTED)

1 MS. BRENNAN: Thank you.

2 (COURT RECESSED AT 9:54 AND RESUMED AT 9:54)

3 MS. BRENNAN: -- Your Honor. All right. I think
4 we'll -- we'll be done with the exhibits for now. And let's
5 start with some substantive testimony, Your Honor.

6 BY MS. BRENNAN:

7 Q Ms. Draper, can you tell me -- we can go to Exhibit
8 1, please. When was the first time that Emily receipted a --
9 received a disability rating? A disability diagnosis I guess
10 is the question. Was it back in May of 2008 with this IEP
11 from Clark County School District --

12 A That is correct.

13 Q -- on -- okay. If you can turn to Exhibit 1, Bates
14 Number ER1288. Tell me were you present at -- at this -- tell
15 me what happened back in -- in this time period in -- in 2008.
16 Was Emily in the fifth grade?

17 A Yes.

18 Q And why did -- tell me what was going on with her
19 and tell me why she had to get into the special education
20 program and get evaluated for an IEP back then. What was
21 going on with her?

22 A She was falling behind in her reading at home. I
23 was noticing that she was not able to comprehend information
24 from books at home. And she was skipping words and not able

1 to pronounce small words that she was able to -- to say the
2 previous year. So I -- I raised my concerns with the school
3 to test her ability at grade level.

4 Q And back at that time and if we look at Bates Number
5 ER1288, is it your understanding that she was diagnosed with
6 special needs and was given her first IEP?

7 A Yes.

8 MS. ROBERTS: Your Honor, I'm going to object. I
9 don't think the school can diagnose her.

10 THE COURT: Well, look. We -- the law is not that
11 every child that has an IEP qualifies for post majority
12 support. It -- it -- I -- I assume that this is just --
13 you're -- you just want to walk through that period of time
14 between 2008 and her emancipation, right? You just want
15 background.

16 MS. BRENNAN: Yes, Judge. I'm going to --

17 THE COURT: All right.

18 MS. BRENNAN: -- quickly --

19 THE COURT: They --

20 MS. BRENNAN: -- walk through these.

21 THE COURT: But when you talk about like disability
22 diagnoses and stuff like that, it has no relevance to the
23 ultimate issue in this case. Okay. Because if she had the
24 IEP in fifth grade and even had it all the way through high

1 school, that doesn't mean that she qualifies under the
2 statute. It --
3 MS. BRENNAN: I understand --
4 THE COURT: It -- it --
5 MS. BRENNAN: -- that, Judge --
6 THE COURT: Yeah.
7 MS. BRENNAN: -- but the point is is that our expert
8 is going to talk about the relevance of all of this. So I --
9 THE COURT: I understand --
10 MS. BRENNAN: -- do understand --
11 THE COURT: -- but we have thousands of kids that
12 have IEPs within the district. You don't have a right for
13 post majority support. It's -- I -- your -- your expert can
14 talk about it and your client can certainly talk about her
15 journey with Emily throughout this school period. But, you
16 know, this notion that she has an IEP and that it has
17 relevance to -- or it's going to be a material factor that the
18 Court considers is -- is sort of misguided. Okay.
19 MS. BRENNAN: Well, Judge, I would respectfully
20 request that you reserve judgment on that because --
21 THE COURT: Well, it depends --
22 MS. BRENNAN: -- when you --
23 THE COURT: -- on the nature of it. We have some
24 kids that have IEPs that are handicapped without any question

1 whatsoever and we have other folks who have IEPs because they
2 have speech issues or reading issues or otherwise and they
3 have no -- they are not qual -- they are not handicapped
4 within the meaning of the statute. So it depends on the facts
5 and circumstances of this case. I just --

6 MS. BRENNAN: I understand --

7 THE COURT: -- when you throw out terms like --

8 MS. BRENNAN: -- Judge and the only --

9 THE COURT: -- disability diagnosis and those kind
10 of things, technically that is a term of art that the district
11 may use to justify an IEP but it doesn't go to the ultimate
12 issue in this case. Just -- just go on. It's okay. Just
13 proceed with --

14 MS. BRENNAN: Okay.

15 THE COURT: -- your exam.

16 MS. BRENNAN: Okay.

17 BY MS. BRENNAN:

18 Q So if we look at -- is it -- if we look at Exhibit
19 1, ER1288, is it your understanding that the eligibility
20 category that caused her to get placed in this IEP was primary
21 hearing impairment, other specific learning disability?

22 A Yes, it is.

23 Q Okay. And this exhibit outlines the special
24 educational adjustments that were granted to her at that time;

1 is that correct?

2 A Yes.

3 Q Okay. Now if we look at Exhibit 1, 1306, is this
4 reflect the IEP done on Emily in sixth grade by the Clark
5 County School District?

6 A Yes, grade six.

7 Q Okay. And looking at Bates Number 31 -- 1306 on
8 that, the eligibility chara -- category given by the Clark
9 County School District was primary hearing impairment other
10 special learning -- specific learning disability; is that
11 correct?

12 A Yes.

13 Q And the rest of the -- this section deals with the
14 special educational adjustments that Clark County made for
15 her; is that correct?

16 MS. ROBERTS: Objection, Your Honor.

17 A Correct.

18 MS. ROBERTS: It's leading.

19 THE COURT: The -- the form of the question is
20 leading, but sustained.

21 BY MS. BRENNAN:

22 Q What does -- what does Bates Number 1306 through
23 1315 -- does this reflect her individualized placement at --
24 at that time in sixth grade?

1 A Can you repeat the question?

2 Q Exhibit 1, Bates Number 1306 through 1315 is a 10
3 page document. Does this -- is it your understanding that
4 this is the IEP for Emily for sixth grade?

5 A Yes.

6 Q You can turn to Exhibit 13 -- ER13716 and Exhibit 1
7 through Exhibit -- 1325. That's an 11 page -- that says 1
8 through 11. Is this what you understand the IEP for her
9 seventh grade?

10 A Yes.

11 Q And Bates Number ER1316, the eligibility category,
12 was primary hearing impairment, other specific learning
13 disability; is that correct?

14 A Yes.

15 MS. ROBERTS: Your Honor, I'm going to object again.
16 These are all hearsay -- or I'm sorry, they're all leading.

17 THE COURT: Well, I'm -- I'm not sure. The -- the
18 form of the last question was leading, but this is background.
19 What is the real question that you're asking the witness? The
20 document's been admitted. The IEP -- the child -- I already
21 have enough evidence to make a finding that the child had an
22 IEP with the district from fifth grade forward.

23 MS. BRENNAN: Okay. Well, I'm just -- I want to get
24 some testimony because you made it clear that you wanted

1 testimony on this. So --

2 THE COURT: Well, why don't you --

3 MS. BRENNAN: -- I need the testimony --

4 THE COURT: -- ask her what she observed as a
5 parent? What -- what type of indicia of -- I mean, it -- it
6 do -- look, I'm not -- just continue on with your case, but
7 you're -- you can't -- you can't ask leading questions about
8 the document over the objection of the Defendant, okay?

9 MS. BRENNAN: Okay.

10 BY MS. BRENNAN:

11 Q Is it your -- did -- did Emily get a -- what was the
12 basis for the IEP? What was the eligibility requirement that
13 was found by Clark County for seventh grade for her IEP?

14 A It was for -- do you have Bates number?

15 Q E -- ER1316.

16 A It was eligibility -- eligibility category hearing
17 impairment and specific learning disability.

18 Q If you can turn to Exhibit 1345 -- I mean, Bates
19 number 1345. Well, no. Let's go to ER1330. In eighth grade,
20 what was the eligibility requirement for -- found for her IEP?
21 Bates Number 1330.

22 A Eligibility was hearing impairment and specific
23 learning disability.

24 Q Okay. If you can return to Bates Number 1345. Is

1 this a -- what -- what occurred -- what is -- what is 1345
2 through 1351? Is that an IEP or is that something different?

3 A It is a multi-disciplinary evaluation team report.

4 Q Okay. And if you -- as a result of this
5 multi-disciplinary report, is it your -- was -- did the multi
6 -- multiple disciplinary team believe that Emily needed to
7 continue with her special education and her IEP?

8 A Yes.

9 Q And when -- when we -- when you moved to California
10 she started high school in ninth grade in Orange County,
11 California; is that correct?

12 A Yes.

13 Q And Exhibit 2 shows the various IEPs and diagno --
14 the -- the eligibility criteria that Cal -- the state of
15 California found for Emily during high school; is that
16 correct?

17 A That is correct.

18 Q Okay. And I'll get Dr. Love to test -- to -- to go
19 through her understanding of all these records. Is it fair --
20 did Emily ever from fifth grade to the time that she got out
21 of high school, did she ever not need an IEP or special
22 education from fifth grade on?

23 A She never -- can you rephrase the question? I'm
24 sorry.

1 Q What -- from fifth grade to the time she completed
2 high school, was she always on an IEP, a special educational
3 program?

4 A Yes.

5 Q Okay. And what -- can you tell the Judge generally
6 for what was going on with Emily because what was -- what was
7 going on from fifth grade through high school you're -- based
8 on your observations with Emily regarding her disability?

9 MS. ROBERTS: Objection, Your Honor.

10 A My observations --

11 MS. ROBERTS: Lack of foundation.

12 THE COURT: You're asking her as to the mother to
13 testify about the specifics of her understanding of her
14 daughter's condition? Is that what you're asking her?

15 MS. BRENNAN: I'm asking her to explain, you know --
16 yeah, I mean what did she --

17 THE COURT: Well, I know, but the --

18 MS. BRENNAN: -- personally observe?

19 THE COURT: I -- I -- look, it -- the -- both
20 parents can testify concerning what their understanding is but
21 it's not -- it's not going to have -- it's not going to --
22 it's not going to have much weight as it relates to a finding.
23 This is a clinical issue. I'll allow her to answer the
24 question. You can answer the question, ma'am.

1 THE WITNESS: Emily's very quiet and shy. I mean,
2 she did -- I noticed that she had a difficult time expressing
3 emotions and feelings. She would explain to me that she felt
4 numb inside. She had no thoughts or emotions.

5 MS. ROBERTS: Objection, Your Honor. That's
6 hearsay.

7 THE COURT: Yeah, that I -- Ms. Brennan didn't
8 specifically ask you what Emily said. She's the real witness
9 for that statement. It's more observations from you. So the
10 objection is --

11 MS. BRENNAN: Okay.

12 THE COURT: -- sustained. Ask another question, Ms.
13 Brennan.

14 BY MS. BRENNAN:

15 Q What behaviors of Emily did you observe before she
16 turned 18 if any created concerns with you regarding the fact
17 that she may have some medical issues with behaviors?

18 A One -- one observation we would go into her IEP team
19 meeting in high school and Emily would sit on the floor in the
20 corner in the room. So I was concerned and the behavior
21 concerned me.

22 Q Okay. What other behaviors? Did Emily ever attempt
23 suicide before she turned 18?

24 MS. ROBERTS: Objection, Your Honor. It's leading.

1 THE COURT: No, overruled.

2 THE WITNESS: Yes.

3 BY MS. BRENNAN:

4 Q Tell the Judge about that.

5 A Emily broke down in high school and said she wanted
6 to commit suicide. Her school counselor --

7 MS. ROBERTS: Objection, Your Honor. That's
8 hearsay.

9 THE COURT: I -- that -- I'm not taking the -- look.
10 Ms. Brennan asked you what happened. Did she do it, what
11 time, when was this, without asking you to make -- relate a
12 statement from Emily. Okay. So put us in a place and time
13 and then describe what happened.

14 THE WITNESS: Can you give me a minute to recall my
15 recollection --

16 THE COURT: It --

17 THE WITNESS: -- of events?

18 THE COURT: I -- yes, but, again, the -- the general
19 question was Emily turned 18 was there an issue? And you said
20 yes.

21 THE WITNESS: The incident was that she wrapped a
22 sweater around her neck and tried to strangle her.

23 BY MS. BRENNAN:

24 Q And what -- what -- is there a document you can

1 refer to -- or do you know what -- can you give the Judge some
2 time period, what month, what year, or do you need to refer
3 some documents to do that?

4 A I would need to refer to some documents in the
5 records.

6 Q Okay. Is there any particular exhibit that will
7 refresh your recollection? If you could refer to whatever
8 exhibit will refresh your recollection to get the Court the
9 date?

10 A It would -- to my recollection, it would be in the
11 UCI medical record.

12 Q Okay. So if we could refer to -- is it -- was that
13 back in 24 -- March of 2014? Can you turn to Exhibit 5 which
14 is the UCI Irvine medical record? Is this the medical record
15 for her -- why -- why did she go to the hospital in Exhibit 5?
16 What was going on with Emily at the time that you personally
17 observed that caused her to go to the hospital on April 14th
18 of 2015 or -- well, yeah, April 14th of 2015? Was this her
19 medical?

20 A Well, the -- to my recollection, the first
21 hospitalization she was in high school. I was called by the
22 school nurse to come pick her up and take her to the hospital.
23 That was in 2014. And she was in a state, a catatonic state
24 on the floor in a ball rocking back and forth. And my husband

1 and I picked her up off the floor and brought her to the
2 emergency room. She was unable to communicate, she wasn't
3 responding.

4 Q Okay. And how did you learn of the fact that she
5 was potentially suicidal? You said the school called you?

6 A Yes.

7 Q And was it your understanding at that time -- did
8 she see a therapist by the name of Stephanie Frasier (ph) back
9 in March of 2014?

10 A Yes.

11 Q And what was the purpose of her seeing Stephanie
12 Frasier March of 2014?

13 A The purpose --

14 Q Was that --

15 A -- was -- sorry? The --

16 Q I'm sorry --

17 A The purpose --

18 Q -- go ahead.

19 A -- was to address her suicidal ideation.

20 Q Okay. Did she have any diagnosis at that time of
21 PTSD to your knowledge?

22 A To my knowledge, the first diagnosis for PTSD was
23 given at -- by Stephanie Frasier. She's in her notes. She
24 thought she had PTSD. And that diagnosis was on her medical

1 record at UCI.

2 Q Okay. And did Emily try to commit suicide another
3 time while she was in high school a second time?

4 A Yes.

5 Q How many times in high school did she try to commit
6 suicide? Was it twice or more?

7 A To my best of my knowledge, one time in high school
8 schedule ran into -- ran out of a classroom into the street to
9 attempt to get hit by a car. I was --

10 Q What --

11 A -- called -- yeah.

12 Q Go ahead.

13 A Don't recall what year that was. I know she was in
14 high school. And she had been expressing she wanted to commit
15 suicide.

16 Q Did she go to the hospital that sec -- that time for
17 that incident?

18 A Yes.

19 Q And what hospital did she go to for that incident?
20 Was that also UC Irvine Medical Center?

21 A I don't recall.

22 Q Okay. But it's your understanding that twice in
23 high school she -- she -- you tried to commit suicide the
24 first time being the one that you describe where she wrapped

1 the sweater around her neck and the school called you and she
2 had to go to the hospital and the second time when the -- the
3 school called you and she ran into the street and tried to get
4 herself hit by a car; is that correct?

5 MS. ROBERTS: Your Honor, I'm going to object as
6 to --

7 A No.

8 MS. ROBERTS: -- leading.

9 A The -- the sui --

10 THE COURT: Hold on. Hold on a second.

11 A The -- the sweater --

12 THE COURT: Ms. -- I didn't hear you, Ms. Roberts.
13 Did you interject?

14 MS. ROBERTS: Sorry, Your Honor, I had it on mute.
15 Yes, I was trying to object as to the fact that these are so
16 leading question specifically.

17 THE COURT: They -- well, I'm not sure that that
18 question is leading. I think that it's asking her for detail
19 concerning something she's already described. The -- the
20 objection's overruled. Ms. Brennan, ask another question,
21 please.

22 MS. BRENNAN: Okay.

23 BY MS. BRENNAN:

24 Q At -- at some point in time -- was Emily ever

1 sexually molested to your knowledge?

2 A Yes.

3 Q And tell me about -- was -- is there somebody in

4 jail right now because of that?

5 A Yes.

6 Q Okay. And what is that man's name?

7 A Allen Richard Gorey (ph).

8 Q Okay. Can you tell the Judge how -- is he -- how

9 many years did Allen Gorey sexually molest Emily?

10 MS. ROBERTS: Objection, Your Honor. That would be

11 hearsay.

12 THE COURT: Well, no. The -- there's got to be

13 foundation for it. I mean, you -- you mentioned in our

14 opening statement that there was either a trial or an

15 adjudication. Mom may have knowledge from that. You just

16 have to establish where she -- where she has the basis, what

17 the foundation is for her knowledge. Okay.

18 BY MS. BRENNAN:

19 Q Well, let's start with this. When did it first come

20 to your attention or when did you first learn that Emily had

21 been sexually molested by Allen Gorey?

22 A At UCI Medical Center.

23 Q And what year was that?

24 A 2014.

1 Q And is that the Exhibit 5 medical records -- was it
2 in the UC Medical Center that she -- how did you learn that
3 she had been sexually molested? Did she tell you? Did she
4 tell a doctor? Did she tell a school teacher? How did it
5 first come to your attention?

6 A She first told her aunt that she --

7 MS. ROBERTS: Your Honor, objection.

8 A -- was --

9 MS. ROBERTS: Hearsay.

10 A -- molested.

11 THE COURT: Overruled.

12 MS. BRENNAN: It -- it --

13 THE COURT: Go on. Finish your answer.

14 THE WITNESS: She spoke to her aunt -- aunt about
15 the sexual molestation and that it was reported to the
16 personnel at the hospital. And then I was told.

17 BY MS. BRENNAN:

18 Q The UCI -- the UC Medical -- UC Irvine Exhibit 5
19 documents?

20 A Yes.

21 Q Okay. And what happened as a result of Emily's
22 disclosure at the hospital about this? Did -- was a criminal
23 case opened?

24 A That is correct.

1 Q And was -- in the context of the criminal case, what
2 -- what -- was he -- did he plead guilty? What happened in
3 the case?

4 A The case was heard and tried -- or not tried, but he
5 took a plea deal for lesser charges. The Judge overturned the
6 plea deal that the DA had given and he's serving five to 15
7 years.

8 Q And is it your understanding from the criminal case
9 that Emily was molested for somewhere from eight to 10
10 years --

11 A Correct.

12 Q -- by Mr. Gorey?

13 A Correct.

14 Q And where did this molestation take place? Over the
15 course of what years? From -- did this happen -- from what --
16 from -- before the divorce, after the divorce?

17 A After the divorce.

18 Q Okay. Who --

19 A Til --

20 Q -- is Mr. Gorey? Who -- Allen Gorey, the guy that
21 molested Emily, was he -- did he live with Dad? Was he
22 Jeffrey Reed's roommate or did the kids stay with Allen Gorey
23 while he was in the -- the children were supposed to be in the
24 care and custody of Dad?

1 A He was --
2 MS. ROBERTS: Objection, Your Honor.
3 A -- a friend --
4 MS. ROBERTS: (Indiscernible).
5 A -- of --
6 MS. ROBERTS: (Indiscernible) --
7 A -- he was friend --
8 MS. ROBERTS: It's leading.
9 THE COURT: Ms. Roberts, did you state an objection?
10 MS. ROBERTS: I -- did, Your Honor.
11 THE COURT: Yeah, the --
12 MS. ROBERTS: She started to answer --
13 THE COURT: -- objection is sustained. Just ask her
14 -- ask her who he was and let -- and lead it at that instead
15 of leading her through her testimony, okay?
16 BY MS. BRENNAN:
17 Q Who is -- who is Allen Gorey?
18 A He is a friend -- close friend, family friend of --
19 of Jeffrey and roommate.
20 Q Okay. What else do you know about Allen Gorey?
21 A He was married and he was the primary caretaker for
22 Emily and her two brothers during --
23 Q And does --
24 A -- visitation his time.

1 Q And is -- when is -- did -- did the kids spend the
2 night at Allen Gorey's house? Or what do you know about that?

3 A That is correct. Jeff had an apartment or a home.
4 I'm not sure at this point. I can't recall if he had a home
5 or an apartment but another residence and the children were
6 dropped off to Allen and his wife to spend overnight visits at
7 their home from the time --

8 MS. ROBERTS: Objection, Your Honor. It lacks
9 foundation.

10 THE COURT: Yeah, the -- there's no foundation for
11 that and I don't know that the detail since this matter has
12 been adjudicated and the Court can make a finding based on the
13 criminal case. She -- she wasn't there. The inf -- the
14 source of the information hasn't been established. And so the
15 lack of foundation objection has merit. The details of how
16 this occurred are not material. I'm not sure that it's even
17 contested Ms. Brennan that this occurred. If it's contested,
18 then the Court's going to give you a lot of leeway into
19 establishing the detail. But I have testimony of a report. I
20 have testimony of treatment. I have testimony of a conviction
21 and incarceration of the perpetrator. Okay? So --

22 MS. BRENNAN: Great. Thanks.

23 THE COURT: -- if you want to lay the foundation and
24 get this point in, then back up and do it. If not, move on.

1 BY MS. BRENNAN:

2 Q When Mr. Gorey -- when it was -- if you can look at

3 Exhibit 5 --

4 MS. BRENNAN: One second, Your Honor. Let me get to

5 the page.

6 Q Is it your understanding that Emily was di -- was

7 diagnosed with PTSD by the UC Irvine Medical Center in April

8 of 2015?

9 MS. ROBERTS: Objection, Your Honor. It's --

10 MS. BRENNAN: I'm sorry.

11 THE COURT: -- asked and answered.

12 THE COURT: Sustained. Sustained. This is not --

13 she is not the real witness for that, okay?

14 MS. BRENNAN: Okay.

15 BY MS. BRENNAN:

16 Q Let -- let me ask you this, Alecia. What diagnosis

17 are you aware of Emily being diagnosed with prior to the age

18 of 18?

19 A It's my knowledge and understanding she is diagnosed

20 with PTSD, major depressive disorder, and social anxiety

21 disorder.

22 Q And what time frame -- is it your understanding that

23 occurred when she was still in high school?

24 A Yes.

1 Q Okay. Did -- tell -- explain to the Judge once
2 Emily disclosed that this -- she had been molested for eight
3 to 10 years by Mr. Gorey, tell me how that impacted her
4 functioning and like following that -- what -- what time
5 period was that just so we're clear on when did you discovered
6 that?

7 A I discovered that around March 2014.

8 Q Okay. And --

9 A During --

10 Q -- explain -- and Emily when that was revealed, she
11 was 17 years old; is that correct?

12 A Yes.

13 Q And tell me about her condition, what behaviors you
14 observed in Emily from the time she disclosed that until the
15 time she graduated from high school.

16 A She had multiple breakdowns. A breakdown would
17 consist of crying, rolling on the floor, not able to
18 communicate, self-injury behaviors. She was having flashbacks
19 and panic attacks. She was banging her body up against the
20 wall, the floor. I know now that's similar behavior to a
21 pseudo seizure. The behavior -- her beha -- she -- she was I
22 would consider unstable.

23 Q Okay. Did -- did she finish school actually in
24 school classroom or did something else have to occur for her

1 to finish school?

2 A She finished her last credits in home schooling.
3 She tried to go down to a -- a more supportive level of care
4 in high school. And she was unsuccessful. She -- that is the
5 incident from school where she ran out of the room and tried
6 to get hit by a car.

7 Q Okay.

8 A And she was in the middle of the street.

9 Q Okay. If you could turn to Exhibit 11. If you
10 could go to Bates Number 213.

11 A Exhibit 11?

12 Q Yes. What was the reason for the admission here?
13 Actually, I think it's on 194. What's -- what's the -- the
14 reason that she was admitted? If you can go to Bates Number
15 194 and refresh your rec -- if you need to -- if you need to
16 refer that to refresh your recollection --

17 A Yeah.

18 Q -- as to --

19 A So this is --

20 Q -- (indiscernible).

21 A -- recalling the -- according to the whole -- the
22 patient, attempted to strangle herself with a sweater. As she
23 was evaluated by the school psychologist and unable to
24 contract for safety. And it speaks to her history of sexual

1 abuse. We had a lot of internal stimuli according to this
2 document.

3 Q Okay. And so she was hospital -- this is the
4 hospital records for her attempt to strangler herself with the
5 sweater back in high school, correct?

6 A Yes.

7 Q And that was in -- as reflected on Bates Number 194.
8 She was admitted to Del Amo Hospital March 7th of 2015 for
9 that suicide attempt; is that correct?

10 A Yes.

11 Q And Emily was still in high school at that time,
12 correct?

13 A Yes, she was.

14 Q Okay. If you could turn to Exhibit 11, Number
15 PL213. What is your recollection of the diagnosis Emily was
16 given when she was discharged from this suicide attempt in
17 high school?

18 A The -- the --

19 Q On Bate -- it was it -- if -- if I look at Bates
20 Number PL213, it says depressive -- major depressive disorder,
21 severe with psychotro -- tropic features. Is that your
22 understanding of the diagnosis at that time?

23 A That's correct. Psychotic features.

24 Q Psychotic features. And she was still in high

1 school at that time, correct?

2 THE COURT: All right. Ms. -- Ms. Brennan --

3 A That is correct.

4 MS. BRENNAN: Ms. Brennan, you are torturing
5 yourself by you -- by trying to get this information in when
6 your client is not the witness who has -- the -- it doesn't --
7 first of all, the Court admitted this exhibit to show the
8 treatment. The Court supports the objection that the
9 statements that are -- the statements by other folks than your
10 client are not going to be considered for the truth of the
11 fact asserted. Okay. She's already testified in general
12 sense as a parent as to why her child was there. But you're
13 -- you're -- I mean, I don't want the record to be confusing.
14 The Court is not going to make any findings about any other
15 treatment diagnosis statements because the person who made
16 those statements is not the witness. You have an expert.
17 That's why you called an expert so that that expert can offer
18 opinions and can answer questions like the one you just asked
19 of your client. Okay. The real witness would be the person
20 who made that note or an expert. Okay.

21 MS. BRENNAN: Right. I'll let --

22 THE COURT: So --

23 MS. BRENNAN: My expert will be testifying to that,
24 Your Honor.

1 THE COURT: Right. So let's not do it twice.
2 Besides, I don't want there to be any misunderstanding that
3 these records were admitted because they were -- they were
4 authentic and because you produced them and because they --
5 they show that the child was treated at these facilities
6 during those times.

7 MS. BRENNAN: Okay.

8 BY MS. BRENNAN:

9 Q As a result of -- did you apply for social -- what
10 -- tell me about -- is Emily currently receiving social
11 security?

12 A Yes, she is.

13 Q And when did she first start receiving social
14 security?

15 A I believe it was on or about in 2015 October. I'm
16 not certain of the date, but I applied --

17 Q Okay.

18 A -- for SSI in high school.

19 Q Okay. If I can have you turn to Exhibit 9.

20 A Okay.

21 Q What is Exhibit 9? Are these the social security
22 records for Emily?

23 A Yes.

24 Q And tell me -- are you familiar with Exhibit 9?

1 A Yes.

2 Q Does Exhibit 9 show your appli -- your request for
3 Emily's social -- her -- the (indiscernible) of social
4 security for Emily?

5 A Yes.

6 Q How much -- can you look at this -- what was the
7 first time that Emily received --

8 MS. BRENNAN: I -- I offer, file, and introduce
9 Exhibit 9.

10 THE COURT: Any objection to 9?

11 MS. ROBERTS: No, Your Honor.

12 THE COURT: 9 is admitted.

13 (PLAINTIFF'S EXHIBIT 9 ADMITTED)

14 BY MS. BRENNAN:

15 Q Okay. And tell the Judge -- you applied for social
16 security when she was still in high school, correct?

17 A Yes.

18 Q And it was --

19 A I believe I -- I believe I -- I applied in high
20 school. I'm not a hundred percent to the date. I don't
21 recall exactly if it was -- she was still in high school or
22 immediately following high school. The information was given
23 to me from school to apply.

24 Q Okay. And -- and what was the -- how much -- did --

1 did social security approve Emily for social security?
2 A Yes, they did.
3 Q And how much -- has she been received social
4 security from 2015 to the present?
5 A Yes, she has.
6 Q And does this Exhibit show the amounts that she
7 received for certain time periods within that?
8 A Yes.
9 Q how much is she currently receiving for 2020?
10 A She receives 686.24 per month.
11 Q And what -- what -- does she receive -- what did she
12 receive in 2015?
13 A 645.07.
14 Q And 20 --
15 A Oh, I'm sorry.
16 Q -- 16 --
17 A I apologize. I take that back. It's 648.50.
18 Q 648.50 is what she received per month in 2015. What
19 about 2016? What did she receive per month?
20 A Yeah, I'm sorry. It was 20 -- it was 645.07 in
21 2015, 2016, 648 --
22 Q Wait. Wait. Wait.
23 A -- 50 --
24 Q Wait. Wait. Wait. You've got to slow down. How

1 much in 2015?

2 A 645.07.

3 Q 2016?

4 A 648.50.

5 Q 2017?

6 A I don't recall unless I had it in front of me. I
7 apologize.

8 Q Do you have any summary charts?

9 A Yeah, I would have to look at her expense sheet --

10 Q Okay.

11 A -- to know that exact number.

12 Q You can look at any document that's necessary to
13 refresh your recollection if you will so that we can get the
14 amounts for 2017, '18, and '19.

15 MS. BRENNAN: Ms. Brennan, come on, man. They --
16 they -- there's no material issue that the Court needs to
17 spend more than a minute on that the amount that she receives
18 is some number between 648 a month and 686 a month, okay? The
19 Court doesn't need to know to the penny what she received in
20 these years. The testimony that she applied for was granted
21 and she received amounts that are adjusted by the federal
22 government within that range. Okay? It's not necessary.

23 MS. BRENNAN: Okay, Judge.

24 THE COURT: And you filed a --

1 MS. BRENNAN: Okay.

2 THE COURT: -- financial, what, a yesterday, day
3 before, saying that the current amount is 686. That's what
4 your client confirmed today.

5 MS. BRENNAN: Yes.

6 BY MS. BRENNAN:

7 Q Does your client -- does Emily receive any other
8 financial assistance from the government from -- at any time
9 other than SSI?

10 A Yes.

11 Q What other government assistance has Emily received
12 in her life?

13 A She's getting a CalFresh EBT card for food.

14 Q And when did that start?

15 A In 2020.

16 Q And what is the amount that she receives for that
17 per month?

18 A 194.

19 Q Did Emily receive a stimulus payment because of
20 COVID?

21 A Yes.

22 Q And what was the amount of that?

23 A \$1200.

24 Q And that's a one time payment --

1 A That is correct.

2 Q -- so far?

3 A Yes.

4 Q Okay. Has Emily earned any -- worked and earned any

5 income outside -- since graduating from high school?

6 A No.

7 Q Has she worked at all since age 18 to the present?

8 A No.

9 Q Why not?

10 MS. ROBERTS: Objection, Your Honor. Calls for

11 speculation.

12 THE COURT: It does. Sustained.

13 BY MS. BRENNAN:

14 Q Were you -- at what point in time were you -- were

15 you ever appointed conservator for Emily?

16 A Yes.

17 Q And what year was that?

18 A Let me refer to the exhibits.

19 Q Do you need to refresh your memory?

20 A Yes. I received the letters of conservatorship on

21 October 2nd, 2018 on or about that time they were filed.

22 Q And that -- and that conservatorship allows you to

23 make decisions regarding Emily's medical care; is that

24 correct?

1 A Yeah, that is for her person and estate.

2 Q Which includes her medical care?

3 A Correct.

4 Q At some point in time -- at any point in time did

5 Emily or you on behalf of Emily try some type of vocational

6 placement with -- through social security --

7 A Yes.

8 Q -- with Emily? Can you tell the Judge about that?

9 A Emily was approved for vocational training as a --

10 as a child with a disability. And so we made the appointment

11 with that department. During the appointment --

12 Q What year --

13 A -- I was --

14 Q -- was this? I'm sorry, what year?

15 A This was in 2000 -- 2015.

16 Q Okay. Go ahead.

17 A Emily and I attended the appointment. I witnessed

18 her unable to answer the questions asked by the vocational

19 training specialist that was with us that day. She began to

20 cry and she put her head on her lap.

21 Q As -- did -- and what was the result of that

22 appointment?

23 A We weren't able to finish the interview for any type

24 of job training that would have been recommended through that

1 program. And later they said that she wasn't eli -- eligible
2 based on her disability I believe to my understanding. I
3 would have to check similar records and my notes.

4 Q Have you attempted to -- have you gotten treatment
5 for Emily over the years for her various issues that Dr. Love
6 is going to talk about?

7 A Yes.

8 Q And are you requesting that you and Jeff both have
9 to be responsible for the support of Emily from the date of
10 the filing of your motion in 2017 forward?

11 A Yes.

12 Q Okay. And did you -- does Emily have a service dog?

13 A Yes, she does.

14 Q And the service dog's name is Monarch?

15 A Yes.

16 Q And is that a PTSD service dog?

17 A Yes.

18 Q And can you tell me when she got Monarch and the
19 reason for Monarch?

20 A It was recommended by her -- one of her therapists,
21 Elise Collier, to -- a service dog might help her stable -- to
22 be more grounded out in public places and offer her more
23 supports for her suicidal ideation.

24 MS. ROBERTS: Your Honor, I'm going to object.

1 this exhibit; is that correct?

2 A Yes.

3 Q Exhibit 61, are those -- is the first page of
4 Exhibit 61 show -- on Bates Number 1023 show Monarch's PTSD
5 iden -- service dog identification tag?

6 A Yes.

7 Q And does the rest of Exhibit 61 reflect that bills
8 that you've incurred for her service dog?

9 A Yes.

10 MS. BRENNAN: I offer, file, and --

11 Q Is this an accurate and complete copy of your vet
12 records with Corona del Mar for this dog? Is this a true and
13 correct copy of the vet records at this in -- at this
14 facility, Alecia?

15 A Yes, but --

16 MS. BRENNAN: I --

17 A -- yes, this is true. Sorry.

18 MS. BRENNAN: I offer, file -- file, and introduce
19 Exhibit 61.

20 THE COURT: Any objection to 61?

21 MS. ROBERTS: Just lack of foundation, Your Honor,
22 and -- and --

23 THE COURT: Well, I mean, look. I -- just because
24 they're admitted doesn't mean it's -- it -- it's a financial

1 obligation. But they're offered to show bills that she paid
2 that are related to the acquisition and maintenance of this
3 dog, right, Ms. Brennan?

4 MS. BRENNAN: Yes, Judge.

5 THE COURT: All right. What's -- what --

6 MS. BRENNAN: That's Emily --

7 THE COURT: She laid the foundation and that she
8 said that these are bills that she paid for the service dog.
9 Isn't that what she said?

10 MS. BRENNAN: Yes, Judge.

11 MS. ROBERTS: She then said but Your Honor and
12 Counsel cut her off. It's been a leading -- again, it comes
13 back to the leading. So she cut her --

14 THE COURT: Yeah.

15 MS. ROBERTS: -- off --

16 THE COURT: I --

17 MS. ROBERTS: -- when she said --

18 THE COURT: Look, the -- I -- I understand. Exhibit
19 61 is admitted over the objection of the Defendant.

20 (PLAINTIFF'S EXHIBIT 61 ADMITTED)

21 BY MS. BRENNAN:

22 Q Exhibit 62, Alecia, are these vet bills that you
23 occurred for the -- Emily's service dog at Triple A Animal
24 Hospital? Exhibit 62.

1 Same objection?

2 MS. ROBERTS: Yeah. The only other thing Your Honor
3 is I -- I believe that Plaintiff just testified that she paid
4 these. These actual credit card statements are for someone
5 other than the Plaintiff.

6 THE COURT: Yeah, what was it, like her husband or
7 something?

8 MS. ROBERTS: No, it's for somebody named --

9 THE COURT: All right. All right.

10 MS. ROBERTS: -- Elizabeth Olden (ph) --

11 THE COURT: So that why don't you -- why don't you
12 cure that foundational defect since the -- these bills are
13 being offered for contribution -- a contribution claim? Why
14 don't you ask Ms. Brennan who actually paid these bills?

15 BY MS. BRENNAN:

16 Q Did -- did -- and who paid these -- who paid Exhibit
17 64 bills? I mean, if we look at Exhibit 64, Bates Number
18 ER1041 on the lefthand side, there is a credit card receipt
19 for Elizabeth Olden. Who is Elizabeth Olden?

20 A My mom and Emily's grandma.

21 Q Okay. And did she pay for that bill?

22 A She would have paid that bill in Arizona if the dog
23 was there and then I would have reimbursed her.

24 Q Okay. Did you in fact reimburse your mom for any

1 payments that she made to Twin Peaks vet center in Arizona?

2 A I don't recall.

3 Q Did -- is the -- the one -- did you pay the bill in
4 10 -- is the one with -- so do you -- you don't recall whether
5 you were reimbursed for these from your mom or not? Did --

6 A No, I -- and she paid the bills. She has paid the
7 bills and assistance to help with Emily's care and treatment.
8 So I know I owe her money and she has a total of that. But
9 I'm not sure if I paid her back this amount of money as
10 listed.

11 Q Okay.

12 A I don't recall.

13 MS. BRENNAN: I offer, file, and introduce into
14 evidence Exhibit 4 for the purpose of showing --

15 THE COURT: All right.

16 MS. BRENNAN: -- medical --

17 THE COURT: Exhibit 64 --

18 MS. BRENNAN: -- bills for the dog.

19 THE COURT: Exhibit 64, the same -- do you object,
20 Ms. Roberts?

21 MS. ROBERTS: Yes, Your Honor. It's --

22 THE COURT: Okay.

23 MS. ROBERTS: -- the same objection.

24 THE COURT: Exhibit 60 -- 64 will come into evidence

1 and we'll argue over whether or not there's any consequence
2 over the objection of Defendant.

3 (PLAINTIFF'S EXHIBIT 64 ADMITTED)

4 THE COURT: All right. Go on, Counsel.

5 BY MS. BRENNAN:

6 Q Exhibit 65, are these bills incurred at Beach City
7 Animal Hospital for Emily's service dog?

8 A Yes.

9 MS. BRENNAN: I offer, file, and introduce Exhibit
10 65.

11 THE COURT: Any objection to 65?

12 MS. ROBERTS: I -- I do, Your Honor, as to
13 foundation. These -- specifically these bills don't list that
14 they're for -- oh, maybe I do and I missed it.

15 THE COURT: Well, that's fine. I mean, look. These
16 are bills that she paid it looks like normal vet visits in
17 2016 and -- your client is objecting to having to pay any of
18 these bills, right? But they -- there's no real objection to
19 the admissibility other than relevance. But I --

20 MS. ROBERTS: Yes, Your Honor.

21 THE COURT: -- I'm overruling that. 65 is admitted.

22 (PLAINTIFF'S EXHIBIT 65 ADMITTED)

23 MS. BRENNAN: Thank you, Judge.

24 BY MS. BRENNAN:

1 Q Exhibit 74 -- what does Exhibit 74 reflect?

2 A This is dog training Monarch received.

3 Q And that's training for service dog for -- to train
4 Monarch to be a service dog; is that correct?

5 A It's continued training for the service dog work
6 that she's trained to do.

7 Q And you incurred these expenses, correct, as set
8 forth in Exhibit 74?

9 A Yes.

10 MS. BRENNAN: Offer, file, and introduce Exhibit 74.

11 MS. ROBERTS: I'm going to object, Your Honor. Part
12 of this contains emails which would be hearsay. Specifically
13 at ER001286 are the emails.

14 MS. BRENNAN: And that's not being offered to prove
15 the truth of the matter therein. So it's not hearsay.

16 THE COURT: Well, I -- I -- it's just part of the --
17 you -- you obtained the records from the place, right?

18 MS. BRENNAN: Yes --

19 THE COURT: And --

20 MS. BRENNAN: -- Judge.

21 THE COURT: -- so this was produced by them because
22 it happened to be in their file.

23 MS. BRENNAN: Right.

24 THE COURT: The Court's going to disregard the

1 communication. It's offered in support of your client's claim
2 that he be responsible somehow for a portion of this dog
3 training.

4 MS. BRENNAN: Yes.

5 THE COURT: All right. The objection is noted. He
6 objects to being responsible for the dog training and he
7 objects to the --

8 THE COURT: -- attachments, but it's a complete
9 record and the foundation's been laid. And so it'll be
10 accepted to show that -- I mean, with Plaintiff's testimony
11 that she paid 525 for dog training services.

12 MS. BRENNAN: Thank you, Judge.

13 (PLAINTIFF'S EXHIBIT 74 ADMITTED)

14 BY MS. BRENNAN:

15 Q Looking at further, Exhibit 63. Are these more dog
16 training services that you incurred for Emily's service dog,
17 Exhibit 63?

18 A Yes.

19 MS. BRENNAN: Offer, file, and introduce into
20 evidence Exhibit 63.

21 THE COURT: So she paid 525 to one group and 1790 to
22 another? Is that what this is supposed to be?

23 BY MS. BRENNAN:

24 Q Is that correct, Alecia?

1 A Yes.

2 THE COURT: So she paid 1200 for the dog and now
3 we're up to like 5 or \$6,000 total for all these miscellaneous
4 expenses?

5 MS. BRENNAN: Yes, Judge.

6 THE COURT: Yeah. All right. Do you object to 63?

7 MS. ROBERTS: Yes, Your Honor. It's the same
8 objection.

9 THE COURT: All right. You objected to this notion
10 that your client should be responsible for this expense. The
11 Court is overruling the objection and that the document will
12 be admitted based on the foundation of Plaintiff's testimony
13 that she paid this expense. And I -- I just want to make sure
14 that Ms. Draper is clear because there's a redaction here
15 about how it was paid that she actually paid this and not her
16 folks, right? Do you recall actually paying this, ma'am?

17 THE WITNESS: If it's a bill I submitted for
18 documents I had in her file because I was requested to submit
19 all documents and bills and statements for Monarch --

20 THE COURT: Well, I -- you can --

21 THE WITNESS: -- but --

22 THE COURT: -- see someone -- someone redacted the
23 payment information on this document, this one page document.
24 So we can't tell whether you paid it or whether someone else

1 paid it like your mom. And I just want to make sure that you
2 understand that I'm accepting this document on your testimony
3 that you paid this, do you know?

4 THE WITNESS: I do. This means that I paid this,
5 this dog obedience training.

6 THE COURT: Okay. Now is your role as conservator,
7 are these the expenses that you submit with your annual
8 reporting through the California court?

9 THE WITNESS: I have not submitted annual reporting
10 bills to the court.

11 THE COURT: Okay.

12 THE WITNESS: I --

13 THE COURT: That's --

14 THE WITNESS: -- get a call --

15 THE COURT: That's fine.

16 THE WITNESS: -- from SSI.

17 THE COURT: All right. So 63 is going to be
18 admitted over the objection of the Defendant.

19 (PLAINTIFF'S EXHIBIT 63 ADMITTED)

20 THE COURT: Go on, Ms. Brennan.

21 MS. BRENNAN: Okay.

22 BY MS. BRENNAN:

23 Q Exhibit 59, do these -- does 59 reflect pet grooming
24 expenses that you paid on behalf of Emily's service dog?

1 A Yes.

2

3 MS. BRENNAN: Okay. Offer, file, and introduce into
4 evidence Exhibit 59.

5 THE COURT: Same objection, Ms. Roberts?

6 MS. ROBERTS: Yes, Your Honor.

7 THE COURT: All right. The objection is in the
8 nature of objecting to her client being responsible for these
9 expenses. The Court is going to admit them for the purpose of
10 showing I guess pet grooming expenses for this dog over a
11 period of a couple of years. So 59's --

12 MS. BRENNAN: Thank you, Your Honor.

13 THE COURT: -- admitted.

14 (PLAINTIFF'S EXHIBIT 59 ADMITTED)

15 THE COURT: We're going in the wrong direction, Ms.
16 Brennan. We're supposed to be going toward 85, not away from
17 85.

18 MS. BRENNAN: Okay.

19 BY MS. BRENNAN:

20 Q Exhibit 66, what -- is this the receipt for payment
21 for Emily's health club at membership? It says Orange County
22 Annual Pass \$55. What is that for?

23 A That is for a regional park where dog training takes
24 place.

1 MS. ROBERTS: I'm sorry, Your Honor. I'm trying to
2 look at it.

3 THE COURT: -- the therapist or the psychiatrist
4 billing statements, right?

5 MS. BRENNAN: Yes.

6 THE COURT: Okay.

7 MS. ROBERTS: I -- I -- yeah, I object as to
8 relevance, Your Honor.

9 MS. BRENNAN: We're seeking reimbursement of this --

10 THE COURT: Well --

11 MS. BRENNAN: -- as part of --

12 THE COURT: -- yeah. I --

13 MS. BRENNAN: -- Emily's --

14 THE COURT: Yeah, okay. That's fine. And she can
15 -- she can object as to relevance. The objection is overruled
16 and Exhibit 68 is admitted.

17 (PLAINTIFF'S EXHIBIT 68 ADMITTED)

18 MS. BRENNAN: Okay.

19 THE COURT: Now I'm looking in this. I see the
20 charges which describe the testing and interviews and other
21 clinical stuff that is being done. And I see payments. But I
22 don't know whether that's payments from a collateral source
23 like insurance or whether that's payments from somebody.
24 So --

1 MS. BRENNAN: Okay. Well, let's ask her.
2 BY MS. BRENNAN:
3 Q Alecia, the -- if you look at Exhibit 68 at the end,
4 it -- it totals 13,050. Are those payments that you made or
5 are those payments made by the insurance company?
6 A Payments I made.
7 Q Okay. Thank you.
8 THE COURT: Well, wait. You got to ask the next
9 question which is --
10 Q Did you get --
11 THE COURT: -- whether or not she --
12 Q -- reimbursed --
13 THE COURT: -- was --
14 Q -- by --
15 THE COURT: -- reimbursed but -- okay?
16 MS. BRENNAN: Yeah.
17 Q Did you get reimbursed for that from the insurance
18 company?
19 A No.
20 Q Okay. I'll show you Exhibit 67. Are these records
21 from Dr. Ro -- Rounsens (ph) reflecting payments made by you to
22 Dr. Rounsens?
23 A Yes.
24 Q Okay. And were all the payments reflected in

1 Exhibit 67 paid by you?

2 A Yes.

3 MS. BRENNAN: And I offer, file, and introduce

4 Exhibit 67.

5 THE COURT: This is the therapist billings?

6 MS. BRENNAN: This is -- yes, this is one of the

7 therapist, judges -- Judge. Psychotherapy for Emily.

8 THE COURT: Any objection?

9 MS. ROBERTS: A lack of foundation, Your Honor.

10 Where -- what time period, what -- where --

11 THE COURT: Well --

12 MS. BRENNAN: -- is this the one --

13 THE COURT: -- you kind of have to glean it. It

14 looks like '17, '18 --

15 MS. BRENNAN: The dates of service Your Honor are on

16 -- listed on each page there. It shows the --

17 THE COURT: Right.

18 MS. BRENNAN: -- date of service --

19 THE COURT: But it's like '17 and '18. This is the

20 therapist that Emily had before Love, right?

21 MS. ROBERTS: No, Your Honor.

22 MS. BRENNAN: Yes. Yeah. Well, Dr. Love is going

23 to explain who saw who and when and what. This is just to get

24 the bills in that my client paid for the treatment.

1 THE COURT: I understand, but -- but by -- if -- at
2 -- on the face of these documents, the last time Mom paid for
3 any services and presumably any therapy would be a
4 year-and-a-half ago in April of 2018 or a little over --

5 MS. BRENNAN: Yes.

6 THE COURT: -- two years ago.

7 MS. BRENNAN: Is -- that is --

8 THE COURT: Or two years --

9 MS. BRENNAN: -- correct.

10 THE COURT: A little over --

11 MS. BRENNAN: These are --

12 THE COURT: -- two years ago. Okay.

13 MS. BRENNAN: These are complete billings records
14 for this therapist.

15 THE COURT: Okay. All right. The objection is
16 noted and overruled. 67 is admitted.

17 (PLAINTIFF'S EXHIBIT 67 ADMITTED)

18 MS. BRENNAN: Thank you, Judge.

19 BY MS. BRENNAN:

20 Q Alecia, you -- did you pay Brennan Law Firm legal
21 fees for -- to represent Emily specifically in this case?

22 A Yes.

23 Q And you paid me a \$20,000 flat fee for attorney's
24 fees to represent Emily in this case; is that correct?

1 A Yes.

2 Q And you -- have -- also agreed in addition to the
3 20,000 that you have to pay me back for all costs incurred on
4 behalf of Emily in this case; is that correct?

5 A Yes.

6 Q And to be clear, the \$20,000 that you paid Brennan
7 Law Firm the flat fee on, that is separate and distinct from
8 the previous payments you made to Brennan Law Firm for me to
9 represent you previously in your individual capacity; is that
10 correct?

11 A Yes.

12 Q So nothing about the \$20,000 flat fee that you paid
13 to me deals with my representation of you personally. A
14 hundred percent of that flat fee is for my representation of
15 Emily; is that correct?

16 A Yes.

17 Q Okay. I would -- go to Exhibit 75. Exhibit 75 is
18 -- 75, is that a payment by you for \$8500 to Pasadena --
19 Pasaden -- for residential psychiatric treatment by Emily in
20 Pasadena Villas?

21 A Yes.

22 Q And what was -- the -- this -- the treatment that
23 she received at Pasadena Villas is reflected in --

24 MS. BRENNAN: I'm sorry, Your Honor. One minute.

1 Pasadena Villa? Was that -- why did you have to make that
2 payment?

3 A Emily has an insurance policy, a PPO, and that's the
4 max -- you have to meet the max out-of-pocket before they kick
5 in and cover a treatment facility. So \$8500 was the max for
6 the year with her -- her additional insurance that we paid
7 for. So she has a PPO insurance plan.

8 Q Were you -- were you reimbursed at all for -- by her
9 insurance for the \$8500?

10 A No.

11 Q Are any of the requests for payment -- or for all
12 the payments that you're requesting this case, has insurance
13 reimbursed you for any of them?

14 A No.

15 Q And -- okay. So I -- I -- okay. Exhibit 76, is
16 this -- let's see, 70 -- 70 -- 76, does that reflect your
17 payments made for counseling by Emily with Roger Bowman (ph),
18 PhD?

19 A Yes, this is -- yes, Roger Bowman.

20 MS. BRENNAN: At this time --

21 MS. ROBERTS: I'm going to --

22 MS. BRENNAN: And I offer, file, and introduce
23 Exhibit 76.

24 MS. ROBERTS: I -- I object, Your Honor. This is

1 letter from Dr. Bowman. It -- it contains other information
2 that is not medical records and it -- other than just the
3 financial information regarding the alleged payment.

4 THE COURT: Yeah, the Court -- this person Bowman is
5 not a witness in this case and in as much as this letter which
6 is a combination of counseling bill and proof of payment with
7 some sort of diagnosis. The Court will admit it over the
8 objection of the Defendant only to show the counseling costs
9 of 6250 which was paid and that the amount due is zero. And
10 the Court will disregard the other portions of the letters as
11 hearsay.

12 (PLAINTIFF'S EXHIBIT 76 ADMITTED)

13 MS. BRENNAN: Thank you, Judge.

14 BY MS. BRENNAN:

15 Q I'll show you Exhibit 77. Does that reflect a
16 payment made by you for -- to an in clinic for Dr. Love's test
17 -- as an expert witness?

18 A Yes.

19 MS. BRENNAN: Offer, file, and introduce Exhibit 77.

20 THE COURT: Any objection to that?

21 MS. ROBERTS: She --

22 THE COURT: Do you object to the cashier's check
23 coming in?

24 MS. ROBERTS: No, Your Honor.

1 THE COURT: All right. Exhibit 77 is admitted.
2 (PLAINTIFF'S EXHIBIT 77 ADMITTED)
3 BY MS. BRENNAN:
4 Q Exhibit 78, does this reflect payments made by you
5 on behalf of Emily to LeConte -- to the Ridgeview institute
6 and LeConte?
7 A This is a statement where -- these are bills that
8 have not been paid currently. And they --
9 Q They're not --
10 A -- were --
11 Q -- paid?
12 A Yeah, it's listed on her financial disclosure form.
13 Q So these are pending bills that you're seeking that
14 you and the Defendant split?
15 A Correct.
16 MS. BRENNAN: Okay. And at this time, I offer,
17 file, and introduce into evidence Exhibit 78.
18 THE COURT: And this is just the one bill for 431?
19 MS. BRENNAN: There's one for 431. The second page
20 is for 1537. The third page is for 438.34. And the next page
21 is for 290.87.
22 THE COURT: Why haven't these been paid?
23 THE WITNESS: We aren't --
24 MS. BRENNAN: Why haven't these --

1 THE WITNESS: -- making --
2 THE COURT: So --
3 THE WITNESS: These are bills that were just
4 received from her hospitalization. So I've been calling and
5 trying to work with them through the insurance and were --
6 these are just getting -- these are the statements that I
7 submitted for this proceeding.
8 THE COURT: Okay.
9 THE WITNESS: At that time. On my financial
10 disclosure form that I filled out for Emily, it shows the
11 bills and the totals due.
12 THE COURT: Are -- is it typically your practice
13 when she gets bills that she needs to pay that you pay them
14 from the seven or \$8,000 she gets a year from social security?
15 MS. BRENNAN: Yes.
16 THE COURT: Okay. How long have you been a
17 conservator in California for her? What Exhibit --
18 THE WITNESS: 2018.
19 THE COURT: -- Ms. Brennan are the documents from
20 the guardianship case?
21 MS. BRENNAN: I'm sorry, Judge. I didn't hear you.
22 THE COURT: What -- what exhibit number is the
23 documents from the guardianship case?
24 MS. BRENNAN: 20 -- 21.

1 THE COURT: Okay.

2 MS. BRENNAN: 21 are the letters of conservatorship.

3 I have it. I can offer, file, and introduce those --

4 THE COURT: That's fine.

5 MS. BRENNAN: -- if you'd like them --

6 THE COURT: 70 --

7 MS. BRENNAN: -- introduced. I -- I need --

8 THE COURT: 78 is admitted.

9 (PLAINTIFF'S EXHIBIT 78 ADMITTED)

10 THE COURT: Ms. Roberts, just so my notes are

11 accurate, did you object to that, 78?

12 MS. ROBERTS: The 78 billing records, Your Honor/

13 THE COURT: The unpaid bills.

14 MS. ROBERTS: Yes, Your Honor.

15 THE COURT: Okay. The objection's noted and

16 overruled. Go on, Ms. Brennan.

17 MS. BRENNAN: Okay.

18 BY MS. BRENNAN:

19 Q Exhibit 85, is that a copy of Emily's most recent

20 financial disclosure form filed on 8/4/2020?

21 A Yes.

22 MS. ROBERTS: I'm sorry, I thought we --

23 MS. BRENNAN: Offer, file and --

24 MS. ROBERTS: -- we went to 21. I'm sorry, Your

1 Honor, where are we now?

2 THE COURT: No. No. No. No. No.

3 MS. ROBERTS: I thought she was in 21.

4 THE COURT: I asked -- I asked whether or not there

5 were -- what -- what number because I want to look at them.

6 It was just out of order. I asked a question about she --

7 she's -- she's wearing two hats. She's a conservator and

8 she's also the mother. And she keeps talking about these

9 financial things that she's either paying on behalf of the

10 ward or the protected minor or protective adult or she's

11 paying -- or that are owed. Okay. And I want to look at the

12 -- I mean, she's -- she's asking for a claim on behalf of

13 Emily for this. So I'm trying to keep this organized. The --

14 the financial that was filed two days ago is where Ms. Brennan

15 is going and that's been marked for identification as Exhibit

16 85, right?

17 MS. BRENNAN: Yes.

18 THE COURT: And that's what you want the witness to

19 look at.

20 MS. BRENNAN: I want the -- I want the -- I'm

21 offering --

22 BY MS. BRENNAN:

23 Q Is that the -- a true and correct copy of the

24 financial disclosure form that you completed and filed on

1 behalf -- we filed on behalf of Emily, the most recent one?

2 A Yes.

3 MS. BRENNAN: I offer, file, and introduce Emily's

4 updated financial disclosure form attached as Exhibit 85.

5 THE COURT: Any --

6 MS. ROBERTS: No --

7 THE COURT: -- objection?

8 MS. ROBERTS: -- objection, Your Honor.

9 THE COURT: Thank you. 85 is admitted.

10 (PLAINTIFF'S EXHIBIT 85 ADMITTED)

11 MS. BRENNAN: Okay.

12 BY MS. BRENNAN:

13 Q Now just for -- for clarity because the Judge was on

14 it, if we can go back to 21. 21 -- 21 is -- just is 21 a true

15 and correct copy of the letters of conservatorship of

16 California, Alecia?

17 A Yes.

18 MS. BRENNAN: And at this time, I offer, file, and

19 introduce into evidence Exhibit 21.

20 THE COURT: Any objection to 21?

21 MS. ROBERTS: No, Your Honor. That's fine.

22 THE COURT: Okay. 21's admitted.

23 (PLAINTIFF'S EXHIBIT 21 ADMITTED)

24 THE COURT: Look, the -- the question that I had for

1 you Ms. Brennan as we look ahead to the end of this case is at
2 -- she has responsibilities under California law as a
3 conservator to account for the income of the child and to
4 report what she's expended. I want to know whether or not
5 there's been any reporting to the California court and if so
6 how they line up with the evidence that you're presenting,
7 okay? So just be -- be prepared to -- to address that issue
8 at the end of the case.

9 MS. BRENNAN: Well, we'll address right -- okay. So
10 you admitted. So -- oh. Let's answer that right now so we
11 don't forget.

12 BY MS. BRENNAN:

13 Q Have you had any reporting to us pursuant to your
14 conservatorship to the California court? Any written reports?

15 A No written reports at this time have been submitted.

16 Q Were -- you were required to submit any written
17 reports and failed to comply with that?

18 A No.

19 Q Okay. So your understanding, are you in compliance
20 with your obligations as a conservator under California law to
21 the best of your knowledge?

22 A Yes.

23 Q A minute ago the Judge asked you regarding Emily's
24 medical bills and whether you pay them with her social

1 security payments and you said yes, correct?

2 A Yes.

3 Q Okay. So is it fair to say that the -- Emily's

4 expenses including her living expenses and medical expenses

5 exceed her social security and any other government assistance

6 that you explained earlier?

7 A Yes.

8 Q And so is it fair to say that you have -- had to

9 come out-of-pocket personally to supplement Emily's life

10 including her medical expenses and her living expenses as

11 shown in these expenses because she doesn't have enough money

12 to be self supporting based on her expenses?

13 A Yes.

14 Q Okay. Go to Exhibit 51. Or it -- Exhibit 51's

15 Emily's bank statements, Emily's U.S. Bank statements?

16 A Yes.

17 Q And do these reflect payments on Emily's bank

18 statement for Emily's support?

19 A Can you ask the question again? I'm sorry.

20 Q What -- what is you -- this U.S. Bank account of

21 Emily's used for, these -- these payments reflected in this

22 exhibit, what are -- what are those for, this -- her -- to

23 support her -- some of her expenses?

24 A Yes, it's the documentation that supports the Excel

1 spreadsheet that was created for her expenses.

2 MS. BRENNAN: Okay. At this time, I offer, file,
3 and introduce Exhibit 51.

4 THE COURT: Any objection, Counsel?

5 MS. ROBERTS: I'm just -- I'm -- I'm unclear about
6 something, Your Honor. Is -- is the claim that this is
7 Emily's bank account where she makes withdrawals.

8 THE COURT: Well, yeah. I -- I -- Ms. Brennan
9 clarified this. I make -- I'm taking this document to mean
10 that Emily has a debit card and this is her purchases, is that
11 accurate?

12 BY MS. BRENNAN:

13 Q Alecia, is that accurate? Explain to us what this
14 is.

15 THE COURT: I mean, Ms. Draper's not going to
16 GameStop and buying and game and stuff like this with a debit
17 card, right?

18 THE WITNESS: Right. Emily has a checking account
19 on her payee for SSI. And the money that she gets from SSI is
20 deposited into her checking account that's tied to my account
21 as her payee and she has a debit card to make purchases --

22 THE COURT: Right. So --

23 THE WITNESS: -- and payee --

24 THE COURT: So during the course of December of 2017

1 which is when this first statement, these are debit card
2 purchases that she made with her U.S. Bank debit card, right?
3 That's what --
4 THE WITNESS: Yes.
5 THE COURT: -- Ms. Roberts (sic) is asking. And --
6 MS. BRENNAN: Yes.
7 THE COURT: -- it's just a miscellaneous
8 transactions. Some of them are at Costa Mesa GameStop, one of
9 them's to buy dog food at a Petsmart. There's an expense here
10 for \$10 at some place in Tucson, Arizona. So -- but you're
11 not making these purchases. Emily's making these purchases,
12 right?
13 THE WITNESS: Correct. Out of her account.
14 Correct.
15 THE COURT: Okay. Any objection to 51, Ms. Roberts?
16 MS. ROBERTS: No, Your Honor.
17 THE COURT: 51's admitted.
18 (PLAINTIFF'S EXHIBIT 51 ADMITTED)
19 MS. BRENNAN: Okay.
20 BY MS. BRENNAN:
21 Q I'll show you Exhibit 52. Exhibit 52 -- what is
22 Exhibit 52? Are these your credit card -- Capital One credit
23 card Mastercard statements?
24 A Yes.