

Electronically Filed  
Dec 10 2021 11:53 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.	)	
	)	
	)	
	)	

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

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**ROBERTS STOFFEL FAMILY LAW  
GROUP**

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*Alanna A. Hoffman*  
CLERK OF COURT

1 TRANS

2  
3 ORIGINAL

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

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

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

17 TRANSCRIPT RE: EVIDENTIARY HEARING

18 FRIDAY, AUGUST 7, 2020

19 APPEARANCES:

20 The Plaintiff: ALECIA A. REED  
21 For the Plaintiff: ELIZABETH R. BRENNAN, ESQ.  
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22 The Defendant: JEFFREY A. REED  
23 For the Defendant: AMANDA M. ROBERTS, ESQ.  
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1	<u>I N D E X   O F   W I T N E S S E S</u>				
2	<u>PLAINTIFF'S</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
3	<u>WITNESSES:</u>				
4	DR. JENNIFER LOVE FARRELL	--	9	24	45
5	EMILY REED	90	106	--	--
6					
7	<u>DEFENDANT'S</u>				
8	<u>WITNESSES:</u>				
9	(None presented)				
10	* * * * *				
11	<u>I N D E X   O F   E X H I B I T S</u>				
12	<u>PLAINTIFF'S</u>				<u>ADMITTED</u>
13	<u>EXHIBITS:</u>				
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15					
16	<u>DEFENDANT'S</u>				
17	<u>EXHIBITS:</u>				
18	(None presented)				
19					
20					
21					
22					
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24					

1 LAS VEGAS, NEVADA

FRIDAY, AUGUST 7, 2020

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

3 (All parties appear telephonically)

4 (THE PROCEEDINGS BEGAN AT 8:58:02)

5

6 THE COURT: Good morning, folks. It looks like we  
7 have everyone present. This is D-05338668. These are post  
8 judgment proceedings in the Draper and Reed case. Before we  
9 begin, Ms. Brennan, will you confirm your appearance, for the  
10 record?

11 MS. BRENNAN: Yes. Good morning, Judge. Elizabeth  
12 Brennan, bar number 7286, Counsel for the Emily -- Emily Reed  
13 through her conservator Alecia Draper. Alecia is present  
14 right now in the courtroom via BlueJeans. And Emily is  
15 available today as well but she is not going to come into the  
16 room until her testimony.

17 THE COURT: Thank you.

18 MS. BRENNAN: And -- and one other thing, Judge is  
19 -- I'm sorry, as a matter of -- oh, maybe you want to get the  
20 other side's -- state their appearance, but I sent a new  
21 Proposed Exhibit 86 that I would like to use with Dr. Love  
22 this morning to Kathy just this morning but I don't know if  
23 Kathy's there today. So I also left a message for Deputy  
24 Ford. So I don't know how to get that to you. I sent it to

1 Ms. Roberts this morning but I don't know how to get it -- and  
2 I sent it to your -- Kathy with your office, but I know that  
3 he said they're not working on Friday so -- or they're not  
4 there or something. So I don't know how to get you Exhibit  
5 86.

6 THE COURT: 86 would be next in order for you?

7 MS. BRENNAN: Yes.

8 THE COURT: All right. Well, we'll --

9 MS. BRENNAN: It's a new exhibit.

10 THE COURT: Well, we'll track -- try to track it  
11 down.

12 MS. BRENNAN: Okay.

13 THE COURT: We don't -- we don't have it.

14 MS. BRENNAN: Thank you, Judge.

15 THE COURT: And you are correct that -- that the  
16 Court Clerk is furloughed today and we have a substitute Court  
17 Clerk. And so --

18 MS. BRENNAN: Okay.

19 THE COURT: -- we haven't received it. I -- I  
20 assumed that you gave it to Ms. Roberts, right?

21 MS. BRENNAN: Yes, I did.

22 THE COURT: What -- what is it?

23 MS. BRENNAN: 86 -- Proposed 86 is a copy of my  
24 Plaintiff's supplemental disclosures that was electronically

1 served on Ms. Roberts on 4/2 of 2020 which is my last  
2 disclosure in this case.

3 THE COURT: All right. Well, we'll --

4 MS. BRENNAN: And --

5 THE COURT: -- we'll track that -- we'll track that  
6 down before you're finished and --

7 MS. BRENNAN: Thank you, Judge.

8 THE COURT: -- and we'll walk through some --

9 MS. BRENNAN: Thank you.

10 THE COURT: -- sort of -- we'll definitely have it  
11 marked and we'll -- we'll talk about whether or not it's  
12 offered and admitted. Ms. Roberts, do you want to state your  
13 appearance for the video record, please?

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

16 THE COURT: Okay. I -- Ms. Brennan, don't worry  
17 about that in that we're not going to finish this morning  
18 anyway. So if we can't track it down during the course of the  
19 morning, we will and we'll have it marked and it'll be dealt  
20 with before we finish, okay?

21 MS. BRENNAN: Thank you, Judge. I --

22 THE COURT: Yesterday --

23 MS. BRENNAN: -- appreciate that.

24 THE COURT: -- afternoon we had Dr. Love testify.

1 And when we finished a little bit before 5:00 Ms. Roberts had  
2 completed her cross examination and we adjourned for the day  
3 for you to do your redirect this morning. Are you ready to  
4 go?

5 MS. BRENNAN: I am, Your Honor.

6 (WITNESS SUMMONED)

7 THE COURT: All right. Dr. Love, I know we gave you  
8 an oath yesterday. We're going to ask you to raise your right  
9 hand and take an oath to tell the truth again.

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

13 DR. LOVE: Yes, I do.

14 THE COURT: All right. So Counsel --

15 MS. ROBERTS: Your Honor --

16 THE COURT: -- we're going to -- we're going to try  
17 to get as much in as we can. If you need to take a break  
18 during the course of the next two -- you know, three -- two  
19 plus three hours, just let me know. But we want to finish  
20 this witness and then we'll talk about who the next witness  
21 would be. And are there any questions or any preliminaries  
22 before we begin?

23 MS. ROBERTS: Your Honor, I passed --

24 MS. BRENNAN: What is --



1 MS. ROBERTS: -- Dr. --

2

3 THE COURT: I'm sorry, Ms. Roberts?

4 MS. ROBERTS: Your Honor, I passed Ms. -- or Dr.  
5 Love yesterday approximately -- I'm getting a lot of feedback  
6 today for some reason. I don't know if the Court's getting  
7 the same thing.

8 THE COURT: Well, when we talk at the same time, it  
9 -- you hear that squawking now -- noise. I'm not hearing an  
10 echo and I'm -- and I think that somebody was just  
11 interjecting at the same time you were talking. Can you hear  
12 me okay?

13 MS. ROBERTS: I can now.

14 THE COURT: All right. Why don't you start over and  
15 just make your -- your point.

16 MS. ROBERTS: Thank you, Your Honor. Yesterday when  
17 we conclude with Dr. Love it was about 4:15. I was trying to  
18 give Ms. Brennan time to do redirect. I did not anticipate  
19 that Dr. Love was going to be called. I do have a few  
20 additional questions from Dr. -- for Dr. Love if the Court  
21 would allow me to ask those.

22 THE COURT: So you would like to reopen your cross.

23 MS. ROBERTS: Yes.

24 THE COURT: Okay. I had 4:35 at the time you

1 finished your -- I mean, I -- I'll ask my Clerk to confirm it.  
2 I keep a docket sheet. But certainly the request to reopen  
3 for a brief line of additional questions is fine. I'll let  
4 you do that. And -- and then Ms. Brennan you'll do your  
5 redirect. My notes' recollection we had a little bit of time  
6 for Ms. Brennan to do redirect and she just asked that we have  
7 her do her redirect in the morning. And it was fine in the  
8 interest of time. It gave us a chance to wrap up before 5:00  
9 o'clock. So --

10 MS. ROBERTS: Just for the record --

11 THE COURT: -- we'll try to track --

12 MS. ROBERTS: -- Your Honor --

13 THE COURT: -- we'll try --

14 MS. ROBERTS: -- I didn't check the video.

15 THE COURT: We'll try to track down that proposed  
16 exhibit in the meantime and we'll let you know Ms. Brennan  
17 whether we get it. And my law clerk will be in any time now  
18 and she can check the emails.

19 MS. BRENNAN: Thank you, Judge. Just for the  
20 record, I object to her reopening her cross examination of --

21 THE COURT: That --

22 MS. BRENNAN: -- Dr. Love --

23 THE COURT: That --

24 MS. BRENNAN: -- for the record.

1 THE COURT: That's fine. This is within the  
2 discretion of the trial Judge and your objection is overruled.  
3 Go ahead, Ms. Roberts. I mean, yes.

4 MS. ROBERTS: Thank you, Your Honor.

5 DR. JENNIFER LOVE FARRELL  
6 called as a witness on behalf of the Plaintiff, having been  
7 first duly sworn, testified upon her oath as follows on:

8 CROSS EXAMINATION CONTINUED

9 BY MS. ROBERTS:

10 Q Dr. Love, your specific treatment for Emily -- Emily  
11 is simply medication management, correct?

12 A Primarily, yes. We had 30 minute appointments. So  
13 I can hear -- and try to hear what's going on in her life but  
14 I'm doing her medication management. Yes.

15 Q And so you do not typically -- you -- I think you  
16 said 30 minutes, but you -- the records don't indicate that  
17 you typically go over 30 minutes except for the initial  
18 assessment you had with her, is that correct?

19 A Several of our appointments have gone longer because  
20 she was unstable. So if you go through my record, you can see  
21 on days where I had to spend an extra 10, 15 minutes with her  
22 because I wasn't stable enough to leave at the end of the  
23 appointment.

24 Q Okay. And then on average I go through and it looks

1 like they're happening at about once a month but sometimes  
2 you're going up to two months, 60 to 90 days without seeing  
3 her from my review of the records, is that accurate?

4 A I don't know about 90 unless she's in an  
5 institution. I -- we typically are monthly. There have been  
6 times that it can afford to come in in a month and we've done  
7 six week follow up or even eight week follow up.

8 Q Who's responsible for administering Emily's  
9 medication that you're prescribing?

10 A Ideally, Emily, but her mom actually has to -- has  
11 had to step in and do that because Emily was -- has been  
12 inconsistent with taking her medication.

13 Q Does Emily drive to the appointments herself or is  
14 she always accompanied with someone?

15 A She has been majority of the time accompanied with  
16 someone. It'll say at the top of my note who's present.  
17 It'll say if she's alone. It'll say patient present. That  
18 doesn't mean someone isn't in the waiting room with her. But  
19 most of the time it says patient and parents or grandma or  
20 mom.

21 Q And when she comes by herself, how does she get to  
22 your office, do you know?

23 MS. BRENNAN: Objection, misstates the testimony.

24 THE COURT: Overruled.

1 BY MS. ROBERTS:

2 Q Do you need me to restate the question, Dr. Farrell

3 -- or --

4 A Yes.

5 Q -- Dr. Love? When she comes alone, do you know how  
6 she gets to your office?

7 A No.

8 Q Do you know if she operates a motor vehicle?

9 A No.

10 Q But you did sign the documentation for her to get  
11 her driver's license back, is that correct?

12 A Yes.

13 Q And as a result of you signing that documentation  
14 did she in fact get her driver's license back?

15 A To the best of my knowledge, yes.

16 Q Your most recent report to the court which is  
17 Exhibit 14 is dated November 21st of 2019; however, according  
18 to that report on Bates Stamp 1455, it cuts off your view of  
19 medical records as of August of 2019. Do you see that in the  
20 report?

21 A Okay. So --

22 Q It was 14, I'm sorry, if you didn't hear me. 14 and  
23 it's Bates Stamp 1455.

24 A Okay. Let me get there. 1455. Yes.

1 Q Why did --  
2 A (Indiscernible) --  
3 Q -- it cut off -- I'm -- I'm sorry?  
4 A That's the last date.  
5 Q Did -- did you not --  
6 A That's --  
7 Q -- have the right -- did you not have the medical  
8 records between August and November of 2019 when you provided  
9 the report?  
10 A I believe at the time I'd have to go through the  
11 record. She was in a long term treatment facility. I -- I  
12 say right there where she remains at the time of this letter's  
13 writing. I believe she was there for about 10 weeks. So  
14 that's why the last time I saw her was August.  
15 Q Well, according to your treatment notes, you  
16 actually saw her on November 18th of 2019. That is Bates  
17 Stamp -- or that is Exhibit 15, Bates Stamp 1673.  
18 A Exhibit which?  
19 Q 15, 1-5, at Bates Stamp 1673.  
20 A You said 1573 in Exhibit 15?  
21 Q I'm sorry, 1673. If I said 15, I -- I misspoke.  
22 I'm sorry.  
23 A I saw her November 18th.  
24 Q Right. So it was before you did the report. And

1 you indicated on that date that you had reviewed all of the  
2 information from the Pasadena Villa which is also known as the  
3 Smoky Mountain Lodge, but yet your report does not contain  
4 that information.

5 A I -- I -- I'm not sure if I had -- I'd have to look  
6 in the record to see the date that I put together the report  
7 versus I would have the date when I sign it because I didn't  
8 do the report all in one setting. It took quite awhile for me  
9 to stay off the work and piece it together. So I'm not sure  
10 why this isn't concluded in there.

11 Q But you can verify right now as you sit here that  
12 you did -- that you had seen her after her treatment at  
13 Pasadena Villa Smoky Mountain Lodge and you had those records  
14 but they were not included in your report.

15 A I was -- it -- it just says that I reviewed the  
16 discharged summary from Pasadena Villa.

17 Q But the very least then you have the discharge  
18 summary, yes or no?

19 A Or it was brought into me to review.

20 Q So -- so yes. At the very least you had that  
21 discharge summary.

22 A Yes.

23 Q Okay. Your prognosis from -- for Emily is different  
24 than her other medical providers, is that correct?

1           A     I would have to know what her other medical  
2 providers think.

3           Q     Okay. Well, do you recall speaking with her  
4 therapist indicating your prognosis was different than -- and  
5 him indicating that his prognosis was different than your  
6 prognosis?

7           A     I remember Dr. Bowen thinking that eventually Em --  
8 Emily -- all of her alters integrated into one person.

9           Q     Okay. And Dr. Bowen actually contradicted your  
10 position regarding her treatment and that's noted in your  
11 records, correct?

12          A     In that time our opinions were different.

13          Q     Okay. And Dr. Bowen sees Emily far more frequently  
14 than you do, correct?

15          A     I would have to look at the number of appointments,  
16 but probably, yes.

17          Q     Okay. Can you tell me what the street name is for  
18 the drug Phencyclidine?

19          A     How do you spell that?

20          Q     P as in Paul, H as in Harry, E as in Edward, N as in  
21 Nancy, C as in cat, Y as in yellow, C as in cat, L as in  
22 Larry, I as in igloo, D as in dog, I as in igloo, N as in  
23 Nancy, E as in Edward.

24          A     Oh, yeah, I would have never gotten that. Can you



1 repeat your question, please?

2 Q Can you tell me what the street name is of that  
3 drug?

4 A Cyclidine, commonly called PCP.

5 Q Could the use of PCP be impacting Emi -- Emily's  
6 diagnoses and treatment?

7 A If she were using it.

8 MS. BRENNAN: Objection, calls for speculation.

9 THE COURT: The -- what's the premise of the  
10 question, Ms. Roberts? Is this a prescription that's -- that  
11 the child is being taken -- is -- I mean, that Emily is  
12 taking?

13 MS. ROBERTS: PCP is not a prescription, Your Honor.  
14 It's an illegal drug.

15 THE COURT: I -- I --

16 MS. ROBERTS: There are medical --

17 THE COURT: -- understand.

18 MS. ROBERTS: -- records that you would --

19 THE COURT: So what's the premise of your question?

20 MS. ROBERTS: There are positive test results in the  
21 record you admitted and I want to ask the doctor about the  
22 positive test results and if it's impacting her diagnosis and  
23 treatment.

24 THE COURT: So you're saying -- you're asking the

1 doctor if -- if the -- if Emily is using an illegal drug, this  
2 illegal drug, does it affect her treatment. Is that what  
3 you're asking her?

4 MS. ROBERTS: Correct. And the --

5 THE COURT: All right.

6 MS. ROBERTS: -- diagnosis.

7 THE COURT: Well, then ask the question that way,  
8 okay?

9 MS. ROBERTS: I thought that's what I did.

10 BY MS. ROBERTS:

11 Q But does the use of PCP impact Emily's diagnosis?

12 A Can you show me in the exhibits where she has a  
13 positive test for PCP?

14 Q Exhibit 38, Bates Stamp 2441. For the record,  
15 Exhibit 38 is the LeConte Medical records.

16 THE COURT: Dr. Love, when you get there, let Ms.  
17 Roberts know, okay?

18 THE WITNESS: Yes. I'm getting there.

19 (PAUSE)

20 THE WITNESS: I'm there.

21 Q Do you -- do you -- is that a toxicology report that  
22 you're currently looking at just so we make sure it's the  
23 right one?

24 A Yes, ma'am. It is.

1 Q Okay. So in that toxicology report they run a drug  
2 abuse screen and she is positive for the street drug known as  
3 PCP.

4 A Yes, I see that.

5 Q I will represent -- I will represent to you that  
6 this is also noted in the records from the Smoky Mountain --  
7 or from Pasadena Villa Smoky Mountain Lodge multiple times and  
8 throughout the LeConte Medical records. Were you -- do you  
9 recall seeing this when you did this report?

10 A I don't know where it is multiple times in the  
11 medical record.

12 Q Do you need me to give you the other -- do you want  
13 to look at it again? Because I have them all pulled.

14 A Yeah, that would be great. Thank you.

15 Q Okay. Sure. So it's in this one that's positive.  
16 If you look back at -- set of exhibits -- it is that -- 2410.  
17 Can you hear me? I moved away from the computer. Sorry. Can  
18 you hear me? I've moved away from the computer. Sorry. Can  
19 you hear me?

20 A 2410. Yes.

21 Q Correct.

22 A Let me just --

23 Q It also talks in there about her being positive for  
24 PCP?

1           A     Okay. I'm on 2410.

2           Q     So under the drug abuse under latest results, it  
3 says it again, essentially the drug -- the street drug PCP is  
4 listed as positive up here, again.

5           A     Yes.

6           Q     Okay. And then if you go to Exhibit 36, part of the  
7 records that they've provided from the Pasadena Villa Smoky  
8 Mountain Lodge included records regarding drug abuse under --  
9 from the LeConte Medical Center. And those would be Bates  
10 Stamp 2819.

11          A     2819 is a copy of the collection from 10/17/2019  
12 which is the one you showed me on the exhibit prior.

13          Q     Right. It was -- it was provided to the Pasadena  
14 Villa -- Village -- or Villa Smoky Mountain Lodge from those  
15 records so that they could address that during their sessions.  
16 So were you aware before you sat here today that she had  
17 tested positive for PCP?

18          A     I don't remember her testing positive.

19          Q     Okay. And what would be -- how does the potential  
20 use of PCP impact her treatment?

21          A     Well, it -- if she were to enter a treatment center  
22 with PCP, that can account for the behavior the day she's  
23 brought in. Once PCP is out of her system, it probably  
24 wouldn't be that much of an impact. I guess the question is

1 whether it's her -- like is this a one time use, is this a  
2 false positive, is this something that was ongoing, is this  
3 something that she picked up when she was on this trip. I  
4 mean, I can't really explain it and I just know -- I mean, I'm  
5 just seeing that it's there. I don't know the --

6 Q Have you --

7 A -- context for which is there.

8 Q Have you been running regular drug screenings of  
9 Emily at your office?

10 A No, I have not.

11 Q Have you run a regular drug screen of her since she  
12 was discharged from the Pasadena Village -- Villa Smoky  
13 Mountain Lodge?

14 A No, I have not.

15 Q I'm sorry, I didn't hear you. I was coughing.

16 A No, I have not.

17 Q Okay. Thank you. I'm sorry. If Emily is using,  
18 would that impact your opinion in this report? When I say  
19 using, I mean, PCP.

20 A I would definitely want to have the whole history of  
21 her drug use.

22 Q Have you ever asked her about the history of her  
23 drug use?

24 A Yes.

1 Q And what did she indicate to you?

2 A I'll have to look back at the initial. To my  
3 knowledge, she's not using any drugs.

4 Q So since the initial inquiry you made, do you  
5 regularly inquire if she's now using any kind of illegal  
6 drugs?

7 A But I haven't asked -- I'd have to look at my charts  
8 to see the last time when I asked her that.

9 Q Do you have those in front of you or do you have the  
10 availability to look at those?

11 A I -- I have the avail -- availability to look at  
12 those. But I -- I think it's important to note that her  
13 medication Lamotrigine can actually cause a false positive for  
14 PCP on a test.

15 MS. BRENNAN: Can you spell that word just so we  
16 have the correct name for that?

17 THE WITNESS: For her medication?

18 MS. BRENNAN: Yeah, the one that can cause a false  
19 positive?

20 THE WITNESS: Lamictal or Lamotrigine,  
21 L-a-m-o-t-r-i-g-i-n-e.

22 Q Was she taking Lamictal at the same time that she  
23 was admitted to the Pasadena Villa Smoky Mountain Lodge?

24 A I've had her on -- on Lamotrigine the entire time

1 I've been treating her.

2 Q But you indicated that she's not consistent. So  
3 when she went in, did you review the records? Was she using  
4 or taking regularly her prescription?

5 A I'd have to look at that last record to see. To my  
6 knowledge, she was.

7 Q And if this was the case that it was going to  
8 provide a false positive, did -- would there be a false  
9 positive in the other test results taken at every facility  
10 she's gone to?

11 A No, not necessarily because the rate of a false  
12 positive test isn't high. So there are case reports of being  
13 false positives with her medication, but that doesn't that  
14 everyone on this medication shows up for PCP in a drug screen.

15 Q So --

16 A If it's saying false positives versus true  
17 positives, it's -- it is very small.

18 Q And when you say very small, how much? What's the  
19 likelihood that it's -- that it's PCP versus her medication?

20 A It -- I don't know. I would have to see if that  
21 number is in the medical literature. I just can tell you that  
22 there is evidence in the medical literature that it is  
23 possible to have a false positive for PCP on a urine drug  
24 screen test with someone who is taking Lamotrigine but not

1 taking any drugs.

2 Q However, it would be an assumption on your part that  
3 that it is a false positive versus that she's actually using  
4 PCP.

5 A Well, what they should have done at that time then  
6 is sent out like a blood test or some kind of confirmatory GC  
7 mass spec or something that would be able to actually tell  
8 the two apart.

9 Q But you had her medical records and you knew that  
10 this was there. You had the records. So why didn't you send  
11 her out for that?

12 A I didn't know that that was there but I -- again,  
13 it's that test that shows the false positive but she's at this  
14 treatment center. So they have to take that sample and send  
15 it out for secondary testing.

16 Q But don't you think as her treatment provider that  
17 it's incumbent upon you to verify that she's not using street  
18 drugs when you're also prescribing her medication.

19 A Yes. And to my knowledge, she is not using any  
20 street drugs.

21 Q However, you had at least what you're presenting as  
22 a potential false positive at -- at this Villa Smoky Mountain  
23 Lodge but you never again followed up with her according to  
24 your statement, correct?



1           A     I have to look at the chart. I may have been so far  
2 in between when she was hospitalized and when I saw her.

3           Q     And you're an expert --

4           A     I don't remember --

5           Q     -- here today --

6           A     -- if we had the discussion.

7           Q     But you're an expert here today. You can't tell me  
8 the percentage of alleged false positives from this report  
9 that you have. You --

10          A     No.

11          Q     -- also can't tell me whether you provided that  
12 information or looked at that information or you have center  
13 -- and in fact, I think you said you didn't send her out for  
14 any drug screening, correct?

15          A     I didn't send her out for any drug screening.

16          Q     Is there a potential your report would have changed  
17 if you had sent her out for drug screening between August of  
18 2019 when you stopped this report and the current date  
19 considering that she's been positive for PCP?

20          A     August 17th through this date?

21          Q     I'm sorry, August --

22          A     Wait.

23          Q     -- of 2019. I'm sorry. August of 2019. Because  
24 that's when your report ends.

1           A     Right. Well, that wouldn't account for all of the  
2 behaviors leading up to August 2019. If that's the first time  
3 it shows up in her medical record, then that would potentially  
4 hinder her treatment from that point on.

5           Q     And have you looked through the medical records to  
6 verify that she has not tested positive for any other illegal  
7 drugs since you started treating her in 2016?

8           A     So I've been through all of the records that I  
9 indicated yesterday, all of the hospitalizations and  
10 everything and found no indication of drug use mentioned in  
11 those records.

12          Q     But you didn't catch this one so it's very  
13 plausible that you could have missed another one, correct?

14          A     If you can show me in any of the medical records  
15 that I've gone through where there's a positive one.

16          Q     It is plausible that you have missed that, correct,  
17 Dr. Love?

18          A     It --

19          Q     Yes or no?

20          A     It's possible. Yes.

21                MS. ROBERTS: No further questions, Your Honor.

22                THE COURT: Ms. Brennan?

23                MS. BRENNAN: Yes. Thank you.

24                               REDIRECT EXAMINATION

1 BY MS. BRENNAN:

2 Q Dr. Love, if we can look at Bates -- just one follow  
3 up on this new PCP issue that she's raising. If you can look  
4 at Exhibit 36. She pointed you to Exhibit 36, 2819.

5 A Yes.

6 Q Toxicology results. And if -- can you turn to that  
7 Exhibit 36, Page 2819 --

8 A I'm right there.

9 Q -- please and 20 -- and 2820? If you look at that  
10 2819 page where it says positive under results, do you see  
11 directly across the reference range and the verified date and  
12 time under the reference range for PCP there? They actually  
13 say negative. Do you see that?

14 A Yes.

15 Q And on the next page, Bates Number 2820 at the top,  
16 the description of the -- yeah, that's it. Okay. Now let's  
17 go with what -- you didn't see anywhere in your records any  
18 indication that PCP is the reason that she has the behavioral  
19 issues that she has?

20 A No.

21 Q That's not --

22 A I've had a lot of patients --

23 Q Go ahead.

24 A I've seen a lot of patients on PCP, but Emily does

1 not -- has not ever seem to need to be someone on PCP. And it  
2 says on this report that you just pointed out to me on Page  
3 2820 that the test they did was a screening test only, may  
4 have false positive or false negative results. Confirmatory  
5 testing may be performed if clinically indicated and ordered  
6 while the specimen is available. Clinical correlation is  
7 required for interpretation of all results. Though if they  
8 didn't think it was clinically indicated and they didn't order  
9 it, then it says right here clinical correlation is required  
10 for interpret of result.

11 Q And the bottom line is you treat a lot of patients  
12 that actually do use PCP, correct?

13 A Not a lot. It's not a very common drug compared to  
14 other ones, but I have seen patients in my office on PCP.

15 Q And based on your years of training and experience,  
16 is it your medical opinion that the -- any -- if she -- that  
17 -- that Emily's behaviors are not being caused by regular and  
18 ongoing use of PCP to your knowledge and belief?

19 A My knowledge and belief, her behaviors are unrelated  
20 to substance use.

21 Q Okay. Now yesterday when Amanda was asking you  
22 questions she -- she brought up two time ranges. And I wanted  
23 to ask you if -- about those questions. So the first question  
24 that she asked yesterday was are you aware of Emily's -- what

1 was happening with Emily from June of 2014 to March of 2015  
2 and I believe you said you weren't aware of that but can you  
3 tell me did you have a chance to review your records last  
4 night or this morning and look at that time frame and refresh  
5 your recollection as -- as to what was happening with Emily  
6 during the June 2014 through March of 2015 time frame?

7 A Yes. Actually, when I did the first letter for the  
8 court, I was using Exhibits 1 through 30. And last night I  
9 went through Exhibit 42 which covers the timeline between  
10 right after the first hospitalization followed by the 35 days  
11 at center for recovery between that and the hospitalization in  
12 12th grade. From -- starting in May to July Emily was seeing  
13 Dr. Galia (ph). She was also at that time did 10 visits with  
14 Dr. Barbara Denny who was a PTSD specialist. And she also  
15 worked with someone -- the last name is Chula (ph), a marriage  
16 family therapist. In June -- between June 2014 and March  
17 2015, she was in therapy with Roxanne Grimes (ph). In  
18 February 2015 through April of that year she's actually  
19 involved with the Department of Rehabilitation for vocational  
20 rehabilitation. She was released from that program because of  
21 the hospitalization and the need to go to intensive outpatient  
22 later. So that accounts for what was going on between the  
23 first hospitalization and the second.

24 Q Okay.

1 MS. ROBERTS: And Your Honor --  
2 Q Now --  
3 MS. ROBERTS: -- can I -- Your Honor, is Dr. Love  
4 indicating that this is an Exhibit 24 from her medical records  
5 -- or I'm sorry, 42 from the exhibits that were provided --  
6 MS. BRENNAN: Yes.  
7 MS. ROBERTS: -- by (indiscernible)?  
8 MS. BRENNAN: Exhibit --  
9 THE WITNESS: This is --  
10 MS. BRENNAN: -- 42 in our exhibit list.  
11 MS. ROBERTS: I would note for the Court that that  
12 has not been admitted. I object to Dr. Love using that as the  
13 basis of her testimony, Your Honor. I move to strike that  
14 testimony. That is not a medical record.  
15 THE COURT: All right. Your motion to strike is  
16 denied. It was -- her testimony is in the context of whether  
17 or not she had an understanding or the question was what was  
18 happening with Emily between June 2014 and '15. The Court  
19 isn't looking at any particular exhibit in any other context  
20 as it relates to that question. So go on, Ms. Brennan.  
21 MS. BRENNAN: Okay.  
22 BY MS. BRENNAN:  
23 Q Now the second time period that Ms. Roberts asked  
24 you about yesterday in the beginning of her questioning was

1 April of 20 -- of 2015 to March of 2016. And can you tell me  
2 what was going -- did you have a chance to review the records  
3 and refresh your recollection as to you're not -- as to where  
4 -- what Emily's -- what was happening with Emily during that  
5 time frame? Can you tell the Judge what was happening with  
6 Emily during that time frame?

7 A Yes. So in April 2015 with a therapist named Rick  
8 Tanzy (ph) and between April 2015 and May of 2017 she actually  
9 was with Elise Coulier (ph), a therapist who referred her to  
10 me. We already talked about in April she was at UC Irvine  
11 Hospital. In June of 2015 she started group therapy. In July  
12 of 2015 she went back to Rick Tanzy. In September 2015 she  
13 was seen at Hoag -- Hoag Hospital for a panic attack. And  
14 then in February 2016 we have the emergency room episode that  
15 led the therapist Elise to send her to me.

16 Q Thank you. And I believe that at -- are there some  
17 other IEP -- P records showing that at some point in time  
18 Emily was actually seeing 2 -- having a private and school  
19 therapist sessions during the week?

20 A Yes. If we go to Exhibit 2 that has the  
21 (indiscernible) IEPs.

22 Q Okay.

23 A And the -- the IEP that starts -- that's dated  
24 October 2014. So that starts on 1393.

1 Q Okay. And -- and tell -- tell me -- can you refresh  
2 or explain to the Judge what the therapy she was having at  
3 that time?

4 A Yes. So the report starts on 1393. On Page 1396.  
5 I'm trying to find the sentence because I didn't know how to  
6 mark it.

7 Q Okay.

8 A But it says that she has seen multiple therapists  
9 over the past three months. Oh, in the very first paragraph  
10 at the top of the page, discharged from UCI Medical Center.

11 Q Which page? I'm sorry, which page?

12 A 1396.

13 Q Okay. And --

14 A So --

15 Q -- what does it say there?

16 A So it -- it says she was at UCI Medical Center on  
17 April 7th, was sent to Center for Discovery and received  
18 intensive in patient treatment until she was discharged May  
19 12th. And it says Emily has seen multiple therapists over the  
20 past three months.

21 Q Okay.

22 A Emily was seeing a therapist obtained by her mother  
23 who addresses her transportation experiences as well as  
24 ongoing family relationships. And she has continued to see



1 her weekly.

2 Q Okay. Thank you. Now in your -- in your testimony  
3 you have mentioned the name Elise Collier. Can you just tell  
4 me -- just give me a short understanding of Elise's  
5 involvement with Emily's treatment?

6 A So Elise was treating Emily before I met Emily. It  
7 seems she started with Emily in April 2015. And she continued  
8 with her for a few months, the first few months that I was  
9 treating Emily. I then actually referred Emily to a therapist  
10 who had -- a PhD therapist who had some more experience with  
11 dissociation.

12 Q And what is --

13 A And it's --

14 Q -- that therapist's name?

15 A That's Dr. Kurt Rounsens (ph).

16 Q Okay.

17 A And he specializes in trauma therapy. He has a lot  
18 of -- of experience working with people who have dissociation.

19 Q Okay. And -- and then Dr. Rounsens refer -- after  
20 she saw Dr. Rounsens she went to the treatment center in Texas?

21 A Yes, she was with Dr. Rounsens for a -- a period of  
22 time. I would have to look through my notes to see exactly  
23 how long. But he felt that she needed more intensive therapy.  
24 So he referred her to the -- the program in Texas.

1 Q And at some point after got out of the intensive  
2 treatment program in Texas, did Emily go back and start doing  
3 some co-therapy with -- to do some co-therapy or additional  
4 therapy with Emily?

5 A Did -- did Emily do -- I'm sorry, can you ask that  
6 again? Did she do --

7 Q I'm sorry, let me ask a better question. After  
8 Emily got out of the treatment facility in Texas, did she  
9 start back seeing Dr. -- I mean, Dr. -- Elise Collier and  
10 explain -- summarize quickly what that involved?

11 A She at some point started doing co-therapy with  
12 Elise Collier and Dr. Bowen who's based in Georgia.

13 Q Okay. And it's your understanding that she is  
14 continuing to have therapy with Elise Collier.

15 A Yes.

16 Q Okay. And quickly if you can explain -- or tell the  
17 Judge who Roger -- Dr. Roger Bowen is.

18 A Dr. Roger Bowen is a PhD therapist Christian  
19 counselor. He specializes in treating people with complex  
20 trauma and dissociative identity disorder.

21 Q And has he been -- so he is the -- the doctor that  
22 is helping Emily with all the various multiple personalities  
23 and alters, is that correct?

24 A Yes.

1 Q And is it your understanding that he does Skype ses  
2 -- sessions with Emily with Emily being in -- wherever she is  
3 and with Dr. Bowen being in Georgia?

4 A They have done primarily Skype sessions. There was  
5 a time where she went out to do a few days of intensive work  
6 with him in person.

7 Q And is it your understanding that Elise Collier does  
8 some co-therapy with Dr. Bowen, in other words, Emily will be  
9 present at Elise Collier's office while Dr. Bowen is on Skype  
10 or whatnot for the -- some of these sessions?

11 A Yes.

12 Q Now your first supplemental report which is  
13 contained in Exhibit 14 is dated November 21st, 2019. So  
14 obviously your report does not contain your opinions as an  
15 expert regarding any medical treatment after the date of your  
16 report because you couldn't know about that treatment at the  
17 time. But yesterday opposing Counsel asked a question and  
18 said are you aware that her last hospitalization records  
19 aren't in this file? And I objected to that question. So at  
20 this point in time, I'd like you to look at Exhibit 40,  
21 please. And let me just say this. As Emily's treating  
22 psychiatrist, you are aware of Emily's treatment after your  
23 November 2019 supplemental report based on your therapy se --  
24 whatever is reflected in your notes. And is that correct?

1           A     Yes.

2           Q     Okay. And because you continue to see Emily and she  
3 continues to be a patient of yours, correct?

4           A     Yes.

5           Q     Okay. Now I'll ask you to look at Exhibit 40. And  
6 is Exhibit 40 -- is this Emily's last hospitalization based --

7           A     Yes.

8           Q     Are these the medical records from Del Amo Hospital  
9 for December 31st, 2019 which of course was after your first  
10 supplemental report? This shows an admission of December 31,  
11 2019. Date of discharge January 27, 2020.

12          A     Yes.

13          Q     And is it your understanding that Exhibit 40, this  
14 Del Amo Hospital record, is her last hospitaliza -- her most  
15 recent hospitalization?

16          A     Yes.

17          Q     Can you go to that exhibit and tell the Judge a  
18 quick overview of why she presented on that date and what the  
19 diagnosis was? And if you're looking at a specific page  
20 number, you can tell us so we can mark that -- we can all get  
21 on the same page with you. Just quickly.

22          A     2448 as the basics of her date of admission, date of  
23 discharge. She was brought in. She tried to put a plastic  
24 bag over her head and she tied a belt around her neck. Her

1 mom found her to go to the hospital. So she was admitted.  
2 Again, another lengthy stay of almost a month and was  
3 diagnosed with major depression, severe recurrent,  
4 posttraumatic stress disorder, and dissociative identity  
5 disorder. Those --

6 Q So --

7 A -- (indiscernible).

8 Q Okay. And -- and can you turn to Bates Number 2451  
9 and explain to the Court for more details of that and what the  
10 records indicate regarding past the -- the history here?

11 A It's --

12 Q Does it --

13 A -- explaining

14 Q Yeah. Go ahead.

15 A It's explaining that she attempted to kill herself  
16 and she suffers from PTSD. She was molested by a family  
17 friend who is taking care of her father in Las Vegas. As a  
18 result, she developed PTSD as well as dissociative identity  
19 disorder. And she was very withdrawn. So the physician had  
20 to speak with her mom. You know, she has historically tried  
21 to run away from treatment facilities and the home and to try  
22 to harm herself. So no symptoms of bipolar disorder or any  
23 eating disorders, psychotic symptoms; however, she felt so  
24 withdrawn that she even appeared to be somewhat internally

1 preoccupied. He says historically she's never been noted to  
2 be psychotic per se other than when she dissociates. There's  
3 a bit of discrepancy in that she has actually been noted to  
4 have some psychosis.

5 Q Okay. So is your -- is the diagnosis that she had  
6 when she was admitted to the hospital consistent with her  
7 current diagnosis?

8 A I list her current diagnosis as severe depression  
9 with psychosis because she began to reveal to me that she  
10 actually is hearing voices. So I added that onto her  
11 depressive diagnosis. She has dissociative identity disorder.  
12 And she has chronic severe PTSD.

13 Q And I believe you indicated yesterday and explained  
14 to the court that the diagnosis of chronic PTSD and major  
15 depressive disorder, she -- yeah, the first diagnosis of that  
16 was when she was 17 years old, correct?

17 A Correct.

18 Q And she's continuously had that diagnosis from the  
19 time she was 17 to the present time, correct?

20 A Correct.

21 Q In fact, her -- the progression of her diagnosis has  
22 gotten worse, not better, from the age of 17 to the present  
23 time.

24 A Correct.

1           Q     At this point I'd like to refer to Exhibit 86,  
2 Proposed 86. And I represent to you that Exhibit 8 --  
3 Proposed 86 is Plaintiff's supplemental disclosure served on  
4 opposing Counsel on 4/2 of 2020. And on the -- there's been  
5 some discussion in this case. Ms. Roberts seems to be trying  
6 to suggest to the Court that everything that you reviewed that  
7 is the background for the opinions in your report, some kind  
8 of way she is trying to erroneously suggest that the records  
9 that you relied on haven't been all produced. So if we can  
10 first before --

11           MS. ROBERTS: Objection, Your Honor.

12           Q     -- we get to my --

13           MS. ROBERTS: Move to strike

14           THE COURT: Hold on. I -- I didn't hear you, Ms.  
15 Roberts.

16           MS. ROBERTS: I -- I move to strike, Your Honor. It  
17 wasn't in the form of a question.

18           THE COURT: Yeah, the -- the commentary of Ms.  
19 Brennan is disregarded by the Court. Your time for argument  
20 is when the evidence is -- after the evidence has been  
21 presented. Pose a question --

22           MS. BRENNAN: Okay.

23           THE COURT: -- to the witness.

24 BY MS. BRENNAN:

1 Q Exhibit 14, if you can refer to Exhibit 14, Dr.  
2 Love, Bates Stamp Number Pages 1458 and 1459.

3 A Okay. Exhibit -- I'm sorry.

4 Q I'm -- I'm looking at your Exhibit 14 which is your  
5 first supplemental report.

6 A Okay.

7 Q If you can go to Bates Stamp Number 1458 and 1459.

8 A Yes.

9 Q Okay. So when you -- this Exhibit 1458 and 1459 is  
10 attached to your -- for supplemental -- expert report in this  
11 case and it's attached there showing Exhibits 1 through 30 as  
12 representative of the exhibits that you reviewed in  
13 preparation for your expert report, is that correct?

14 A Yes.

15 Q Okay. And how -- I -- have you -- I proposed ex --  
16 and that remain -- you looked at all of those exhibits and  
17 then the additional exhibit that you -- additional document  
18 that you've looked at since that report would be whatever has  
19 been presented in this case as well as the Ettington (ph)  
20 case, the Nevada Supreme Court case, correct?

21 A Yes.

22 Q And your review of the Ettington case in preparation  
23 for this trial, does that -- does your opinions and  
24 conclusions reached in your report -- expert report change in



1 any way based on your reading of the Ettington case?

2 MS. ROBERTS: Objection --

3 A No.

4 MS. ROBERTS: -- Your Honor. Calls for a legal  
5 conclusion.

6 THE COURT: Sustained.

7 BY MS. BRENNAN:

8 Q Has your -- had -- has your opinions changed at all  
9 based on your reading on the Ettington case?

10 MS. ROBERTS: Objection, Your Honor. Calls for a  
11 legal conclusion.

12 THE COURT: Sustained. She's already testified on  
13 direct about this issue. We're not going to have her testify  
14 concerning the issue that I need to decide in this case as far  
15 as the ultimate issue. She's -- she's not a lawyer even to be  
16 able to talk about legal standards or sufficiency proof.  
17 She's an expert in the area of mental health and can testify  
18 about her opinions concerning Emily's current state. Okay?  
19 So --

20 MS. BRENNAN: If you can --

21 THE COURT: -- the objection's sustained. I --  
22 you're not --

23 MS. BRENNAN: If you didn't look at --

24 THE COURT: -- going to ask this witness whether or

1 not she read a -- a Nevada Supreme Court case and that this  
2 child qualifies under that case. Okay. That's the Judge's  
3 decision in this case. And you can ask her whether she has  
4 significant impairment, whether she has the ability -- you  
5 know, whether she -- you already done this by the way  
6 yesterday. You walked through each of the specific factors  
7 that are listed in the statute and in the case law and asked  
8 her these questions that she answered them appropriately  
9 yesterday. So the objection is sustained on this question and  
10 the matter which you asked it.

11 BY MS. BRENNAN:

12 Q Exhibit 8 -- 86, my Proposed 86, did you have a  
13 chance to review that this morning, Dr. Love?

14 A Yes.

15 Q And it -- did you actually compare Plaintiff's  
16 initial disclo -- supple -- Plaintiff's supplemental  
17 disclosure which is Proposed Exhibit 86 with your Exhibit 14,  
18 Bates Stamp Number 1458 and 1459 which is the 30 documents  
19 that you reviewed and -- to prepare your report? Did you get  
20 a chance to compare what you reviewed with this disclosure and  
21 confirm that everything listed on the list attached your  
22 report, all documents are -- that you reviewed in the light on  
23 for your report, all medical records from one through 29 are  
24 actually -- were disclosed as listed on this disclosed

1 Proposed 85?

2 MS. ROBERTS: Objection, Your Honor. Calls for a  
3 legal conclusion. The -- the doctor can't testify what has  
4 allegedly been produced. That's something that the Court has  
5 to decide on.

6 THE COURT: I -- that's not what she's asking.  
7 She's asking whether or not the supplemental disclosure ties  
8 in with her description of the documents she reviewed. Isn't  
9 that what you're asking, Ms. Brennan?

10 MS. BRENNAN: Yes, Judge.

11 THE COURT: All right. Overruled.

12 THE WITNESS: The 30 --

13 THE MARSHAL: She can fax it to us.

14 THE COURT: Yeah.

15 (COURT AND CLERK CONFER BRIEFLY)

16 THE COURT: Go on, Counsel.

17 BY MS. BRENNAN:

18 Q Yeah. Go ahead. You know, the number 30 on your  
19 list of documents you reviewed is the Nevada Revised Statute,  
20 correct?

21 A On which exhibit now?

22 Q On -- on Exhibit 14, your report.

23 A Exhibit 14 --

24 Q On Pa --

1           A       Exhibit 30 -- yes, this annotated version of Nevada  
2 Revised Statute 125B.

3           Q       Okay. So Exhibit 1 through 29 on your report which  
4 is Exhibit -- Bates -- Exhibit 14, Bates Stamp Number 1458 and  
5 1459, did you have a chance to look at your list of documents  
6 on your report 1 through 29 and look at Proposed Exhibit 86  
7 and confirm that 1 through 29 on your report are listed on  
8 this Proposed Exhibit 86?

9                   MS. ROBERTS: I'm going to object, Your Honor,  
10 because the document that she is referring to, Exhibit 14,  
11 Bates Stamp 1458, does not have Bates Stamp numbers. So it  
12 cannot correlate with a document that Ms. Brennan produced  
13 that has Bates Stamp numbers now.

14               THE COURT: Well, I don't -- I don't know because I  
15 don't have 86 in front of me. 14's admitted. And the --  
16 basically what you're trying -- the point you're trying to  
17 make is you're laying foundation Ms. Brennan that -- that the  
18 basis for the report, all the exhibits or all the backup  
19 documentation she reviewed was produced, right?

20               MS. BRENNAN: That's correct, Your Honor.

21               THE COURT: Okay. So --

22               MS. BRENNAN: And she's made a huge deal about that  
23 because she filed a writ and that's one of the basis of a writ  
24 that was -- you know, so that's going to be an appeal issue.

1 So --

2 THE COURT: That's fine.

3 MS. BRENNAN: -- I need to --

4 THE COURT: That's fine.

5 MS. BRENNAN: -- establish --

6 THE COURT: Okay. Well, that's fine. So your

7 client's already answered this at least -- at least once. I

8 mean, your -- your witness has already answered this at least

9 once. And eventually we will get Proposed -- I mean, this is

10 -- we -- we're receiving the foundation from Dr. Love for the

11 offering of 86, but it can't be offered or admitted now

12 because we don't have it. So your -- your objection's noted.

13 It's overruled. The witness's answer if I'm writing it down

14 correctly is that Proposed Exhibit 86 lines up with 1458 and

15 1459 of Exhibit 14 as far as the basis for the report. Isn't

16 that right, Dr. Love?

17 THE WITNESS: Yes.

18 THE COURT: All right. Go on, Ms. Brennan.

19 MS. BRENNAN: At this time, I offer filing introduce

20 Exhibit 86. I understand --

21 THE COURT: Did you hear what I --

22 MS. BRENNAN: -- you're going to have to --

23 THE COURT: Did I hear -- did you hear what I just

24 said? We don't have it. Okay. So it'll have -- so I've made

1 a note to myself that this -- we have received and Dr. Love  
2 has laid the foundation for it on August 7th at -- between  
3 9:45 and 10:00 o'clock then when you actually get it to us we  
4 can have our Clerk mark it for identification and you can  
5 offer it. Ms. Roberts would then get an opportunity to make a  
6 record of an objection if she objects and the Court will rule  
7 on it. But we don't have it.

8 MS. ROBERTS: Thank you, Judge.

9 THE COURT: Okay?

10 MS. BRENNAN: I understand --

11 THE COURT: So for --

12 MS. BRENNAN: -- that. I --

13 THE COURT: So just make a note to yourself. You  
14 can't offer it and I'm not ruling on it right now. So move on  
15 with your questions. If you have no questions, then pass the  
16 witness.

17 MS. BRENNAN: That's all I have, Judge.

18 THE COURT: Okay. Ms. Roberts.

19 MS. BRENNAN: Well, no, the --

20 (COURT RECESSED AT 9:58 AND RESUMED AT 9:58)

21 MS. BRENNAN: -- this was my redirect.

22 THE COURT: I understand. We go back and forth  
23 covering all matters that you asked on your redirect or  
24 otherwise until you both say that you're finished. Ms.

1 Roberts.

2 MS. BRENNAN: Okay.

3 RECROSS EXAMINATION

4 BY MS. ROBERTS:

5 Q Dr. -- Dr. Love, at Exhibit 36, Bates Stamp 2419,  
6 you indicated reference range. What does that means as it  
7 relates to those records?

8 MS. BRENNAN: Judge, I didn't ask about Exhibit 36  
9 in my redirect just now. I mean, if we're going to --

10 THE COURT: Yeah.

11 MS. BRENNAN: -- just --

12 THE COURT: So the objection as to exceeding the  
13 scope of the -- of the redirect. Ms. Roberts, I -- I don't  
14 see in my notes any reference to that. What does it tie --  
15 what question does it tie into?

16 MS. ROBERTS: It ties into the PC -- PCP, Your  
17 Honor. She went back to Exhibit 36 and had her look at those  
18 medical records, specifically 2819 and --

19 THE COURT: Okay.

20 MS. ROBERTS: -- Bates Stamp 20 --

21 THE COURT: Okay. Thank you. Overruled. You can  
22 proceed, Ms. Roberts.

23 MS. ROBERTS: Thank you, Your Honor.

24 BY MS. ROBERTS:

1 Q So Dr. Love, again, it's Exhibit 36. You were asked  
2 about Bates Stamp 2819. You indicated that there was -- you  
3 indicated -- I'm sorry?

4 A (Indiscernible).

5 Q I'm going to grab it too.

6 A 2819. I'm here.

7 Q So you testified on redirect from Ms. Brennan about  
8 this reference range. And you brought it up as being  
9 significant. Why is this significant and what is reference  
10 range?

11 A I don't believe I brought it up as significant. All  
12 it means is that the reference range test is -- is -- should  
13 be negative and hers was positive.

14 Q Okay.

15 A So that's all that means.

16 Q Okay. So reference range should -- it means that  
17 that column, everything in the results and the reference range  
18 should match as negative. And they don't in this case.

19 A Correct.

20 Q Okay.

21 A And then the interpretive data is on the next page.

22 Q Okay. So can we go over that? What is that  
23 interpretive data say about those test results?

24 A So it says this is a screening test only and may



1 have false positive or false negative results. Confirmatory  
2 testing may be performed if clinically indicated and ordered  
3 while the specimen is available. Clinical correlation is  
4 required for interpretation of all results.

5 Q So that's what you quoted when you were redirected,  
6 but what do the actual results below have to do with that  
7 false positive -- or alleged false positive?

8 A What this says is if they feel it's clinically  
9 indicated meaning if they feel that this positive has any  
10 clinical significance, then to interpret it, they have to send  
11 that specimen for confirmatory testing.

12 Q So in these records that you allegedly reviewed, if  
13 you go to the beginning of those, those would be 2670. The  
14 next one is they're questioning -- well, tell me what this  
15 page would be.

16 A What -- what page would be, 2670?

17 Q 2671.

18 MS. BRENNAN: What exhibit are you on, Amanda? I'm  
19 sorry, I'm having trouble finding what you're looking at.

20 MS. ROBERTS: 36. It's Exhibit 36, Bates Stamp  
21 Number 2671.

22 THE WITNESS: 2671. I'm there.

23 Q Okay. So in 2671, this is part of the initial  
24 screening that they did at -- I think this is LeConte. Is

1 this LeConte? Hold on. I have to look at the corresponding  
2 notes. Hold on. I'm sorry, I think these are the Pasadena  
3 Villa -- the Smoky Mountain Lodge place in -- for Pasadena  
4 Villa -- Villa in Tennessee. So they actually didn't complete  
5 any of these sections with her, correct?

6 A It looks like that's not filled out.

7 Q Okay. And the next page under all of this  
8 information regarding drug use, hospitalization, none of  
9 that's filled out, correct?

10 A On -- are you on 2672?

11 Q Yes.

12 A At the bottom?

13 Q Correct.

14 A Correct.

15 Q Okay. Then if you flip to the next page which is  
16 2673.

17 A Yes.

18 Q It lists that her hospitalizations were Texas UBH  
19 Colin Ross in 2018 and then nothing until September 9 -- 3rd  
20 of 2019 at Pasadena Villa. Do you say that -- do you see  
21 that?

22 A I see that.

23 Q Okay. So then if you go to the next one, 2675.

24 A Uh-huh (affirmative).

1 Q Oh, well, let me ask you this first, Dr. -- Dr.  
2 Love. Is this section that we're going over this -- starting  
3 at 2 -- 27 through -- sorry, 2670 to 2675, are all these part  
4 of the initial report taken in at the hospital or is this part  
5 of the discharge notes that you reviewed?

6 A No, this is a nursing assessment. So this is not --  
7 it's not part of the -- the physician's discharge summary.  
8 This is a nursing --

9 Q Wait.

10 A -- assessment.

11 Q Can you tell me where that is in here, that  
12 discharge summary? All of this minus the nursing summary, is  
13 that accurate?

14 A Well, that's what it says on Page 2670, that this is  
15 a nursing assessment.

16 Q Okay. So I'm trying to locate in here -- and -- and  
17 I'm not trying title be difficult but I'm trying to locate in  
18 here the actual discharge summary of the one that you said you  
19 reviewed.

20 A I don't know where it is if it's in this exhibit or  
21 if it's in another exhibit. This is from -- let me go back  
22 and look at the dates.

23 Q You guys referred to this as case one at the  
24 Pasadena Villa, the Smoky Mountain Lodge place.

1           A     Oh, so this is in November 2019. There is a  
2 discharge summary that starts on Page 2703.

3           Q     Perfect. Thank you. Is it -- is that 2706?

4           A     2703 or -- it looks like it signed -- yeah, the  
5 bottom of the signature says it's 2706.

6           Q     Okay. Perfect. When you discussed on the record  
7 the incident with the plastic bag, do you recall specifically  
8 addressing that with Emily, the incident with Emily?

9           A     That was in January -- or I think December 2018,  
10 beginning of January 2020.

11          Q     Did you discuss that incident with Emily?

12          A     I would have to look at my notes from January 2020.

13          Q     Do you have those available to look at?

14          A     Would the Court like me to pull up the medical record  
15 that's beyond the date of what was the last gathering of -- of  
16 medical record?

17               THE COURT: Just answer Counsel's questions, Dr.  
18 Love. She'll let you know.

19          Q     Do you have access to those?

20          A     Yes. Would you like me --

21          Q     Are they --

22          A     -- pull them up now?

23          Q     Yes, please.

24               MS. BRENNAN: Well, I'm going to object because this

1 is clearly beyond the scope of my redirect.

2 THE COURT: Yeah, I'm -- I'm a little concerned  
3 about the scope. I'm looking at the notes from Ms. Brennan's  
4 questions and I'm trying to figure out where -- what we're  
5 dealing. Yet you did ask Ms. Brennan whether or not Emily's  
6 prognosis had gotten worse or better since she was 17. And we  
7 did talk about this hospitalization from the end of December  
8 through January. And Dr. Love has already testified that  
9 she's treated Emily up until this week. And so I thought that  
10 the question generally was your report was in November. The  
11 hospitalization occurred in December, January during your  
12 treatment. Did you talk to her about it? Isn't that what  
13 you're asking?

14 MS. ROBERTS: Yes. And she indicated that she would  
15 have to look at her notes to tell us that Your Honor which I  
16 don't have.

17 THE COURT: Right. Well, that's -- right, and we  
18 covered that already. What is the question though? What is  
19 the point that you're trying to address? I mean, why is --

20 MS. ROBERTS: Well --

21 THE COURT: -- within the scope of what Ms. Brennan  
22 was talking about? What point are you trying to flesh out?

23 MS. ROBERTS: Whether or not she specifically  
24 indicated to Dr. Love why she was -- why she engaged in those

1 behaviors in December.

2 THE COURT: Yeah.

3 MS. ROBERTS: What triggered her --

4 THE COURT: Well, look.

5 MS. ROBERTS: -- to engage in those behaviors.

6 THE COURT: Ms. Brennan, in -- in your redirect, you  
7 specifically covered Exhibit 40. You specifically covered the  
8 records of what happened. And specifically talked to her  
9 about the placing of a plastic bag with a belt around the  
10 neck, et cetera. So I'm going to let Counsel ask her some  
11 questions about this hospitalization, at least within a  
12 certain scope. So Dr. Love, you can answer Ms. Roberts'  
13 questions concerning this.

14 THE WITNESS: From my notes -- my office notes?

15 THE COURT: I assume that's what -- if you need to  
16 refresh your recollection, just let Ms. Roberts and Ms.  
17 Brennan know what you're referring to.

18 THE WITNESS: Yeah. So on January 30th I saw her.  
19 She was discharged from the hospital on January 27th of this  
20 year. And I saw her on January 30th. Her -- she had been in  
21 the hospital. My notes say her insurance ran out and she was  
22 discharged without warning on Monday. She was in Del Amo for  
23 around a month, hospitalized for a suicide attempt after being  
24 sexually assaulted by her brother. A few -- which is a -- a

1 stepbrother. A few days later Mom found her with a plastic  
2 bag over her head and a belt around her neck tightly. The Del  
3 Amo Hospital didn't accept Mom's -- Mom's conservatorship.  
4 She had suicidal behavior and hallucinations hospital. The  
5 new meds have, quote, significant side effects. She's feeling  
6 people, bears chasing her down the hall, et cetera. All meds  
7 were changed at the hospital but they reverted to her former  
8 meds and discharged side effects. I listed out all the  
9 medications that she had been given in the hospital. And she  
10 was back on the medications I had had her on previously.  
11 There was one medicine she hadn't taken for the last few  
12 nights and she wasn't wanting to eat or take medication, told  
13 her mom she's, quote, angry with food. But she agreed with me  
14 that she would have some Ensure or smoothies.

15 My assessment that day is that she was unstable.  
16 She was discharged from the hospital due to insurance, not due  
17 to stability; however, she said she will not act on her  
18 suicidal thoughts and they, quote, aren't bad. So I suggested  
19 some treatment changes, medication changes.

20 BY MS. ROBERTS:

21 Q And when you say that she wouldn't act on that, that  
22 relates to the section -- I'm -- I'm assuming just looking  
23 kind of what the records look at, that would be on the bottom  
24 section of your records where you talk about homicidal or

1 suicidal ideation, is that correct?

2 A So that's in a few places. So the mental status  
3 examination says no homicidal ideations, intentions, or plans,  
4 quote, a little suicidal but I can keep myself safe. And then  
5 it says she, quote, isn't sure if she's having voices but  
6 today isn't hearing the typical screaming and yelling that  
7 she's had with her hallucination.

8 Q And did you instruct her at that appointment to  
9 follow up with anybody else besides you?

10 A So she was starting at that point co-therapy with  
11 Dr. Bowen and Elise Collier. The plan, it says Emily will go  
12 to Elise's office. They will do an hour together. And then  
13 Elise will work with the patient for an hour after that.

14 Q The one hour co-therapy and then one hour alone with  
15 Elise.

16 A That was at that time, yes. It's been I think --  
17 that -- the number of hours a week can -- been changed and  
18 moved several times --

19 Q Okay.

20 A -- but that's what I read that day.

21 Q Can you tell me what your next appointment -- what  
22 your next appointment notes say?

23 A Yes. My next appointment is on February 20th. And  
24 she came in. She said -- she stopped the medication. I tried



1 her on the new medication. She was having side effects. She  
2 said it was helping emotionally but not physically. She felt  
3 her muscles were sore and she was hurting in her thighs. She  
4 was having daily headaches. Her mood went down after  
5 stopping. And Emily had a lot of high highs and low lows. We  
6 talked about doing some genetic testing because of all of her  
7 past medication sensitivities. She said she liked how the  
8 co-therapy is working. Things were tense at home because of  
9 what had happened with Emily and the stepbrother who wasn't in  
10 the house but his father was there.

11 So at this point I said the co-therapy is an hour.  
12 Emily is with Elise and then they're online with Dr. Bowen.  
13 Elise was then working with patient for a half an hour after  
14 that and they were doing that twice weekly.

15 Q Okay. What was your next appointment with her?

16 A Next appointment after that is March 17th.

17 Q And what -- sorry, what happened at that  
18 appointment?

19 A So I -- we had done the genetic testing and we  
20 reviewed those results and discussed next steps.

21 Q Is there any -- sorry. Was there anything important  
22 in that genetic testing?

23 A My comment in here is that the results were complex.  
24 I have to pull them up and -- and go through. The -- the

1 genetic testing is looking at someone's ability to metabolize  
2 certain medications maybe better than others. And since Emily  
3 was having so many side effects, we've gone through that. And  
4 so we were trying to figure out what medications we could use  
5 to further stabilization because she was having side effects  
6 from everything that had been tried from that hospitalization  
7 and after that.

8 Q Okay. After the notes on the genetic testing, what  
9 does it say?

10 A It's been a pretty long three weeks. There's been a  
11 lot of highs and lows. Therapy is going well. She was doing  
12 three hours a week of therapy. Alters were starting to merge  
13 but new ones were emerging. Per Mom, quote, Emily is a little  
14 more unpredictable. One of the alters wants to fly so she  
15 would stand on the table. There's another alter that just  
16 screams. A few went to run. One wants to inflict self harm.  
17 So it was very unpredictable. A lot of the alters were  
18 re-traumatized because of what happened with the stepbrother.  
19 And after therapy day she was acting out.

20 They had done an in home assessment to see if she  
21 would qualify for 24 hour care and they said they would know  
22 that in a few weeks. And then they were waiting to see  
23 whether the court case with their stepbrother would go ahead.  
24 And so things were really tense at home. The detective was

1 going to be meeting with the D.A. She wasn't sleeping well.  
2 She's talking in her sleep. She's pretty restless. And her  
3 behavior and stability is fluctuating pretty rapidly at home.

4 Q Is she still continuing in the -- do the notes say  
5 if she still continuing with the co-therapy and with her  
6 individual therapy with Elise Collier?

7 A Yes, twice weekly. So they do -- Emily goes to  
8 Elise's office. They do an hour together. Elise works with  
9 the patient a half hour after that twice weekly.

10 Q And when you're talking about the co-therapy, is it  
11 twice a week with Dr. Bowen too?

12 A Yeah. So the first hour is the three of them.

13 Q Okay.

14 A Because Emily had been self-harming when she was on  
15 video with Dr. Bowen alone. So Elise would sit with her  
16 during that ther -- that session so she couldn't harm herself  
17 outside the view of the camera. And then Elise would kind of  
18 just use that half hour after, you know, just to kind of  
19 stabilize and make sure she's okay and help her process what  
20 had happened in that session.

21 Q When she comes to your office on those -- those  
22 sessions that we've just gone over, the January, February, and  
23 March, do you know whether or not Monarch is with you -- with  
24 her in the sessions?

1           A     Sometimes I do. Sometimes I -- I say that -- that  
2 she's in there and -- and sometimes I don't. I don't remember  
3 not seeing her since she's been around. I mean, Monarch has  
4 been a pretty important part of her life. But I -- I didn't  
5 -- I don't always like write it in there.

6           Q     Okay. After that appointment on March 17th, when  
7 was your next appointment?

8           A     April 9th.

9           Q     Okay. And what happened on that appointment?

10          A     Just for the record, this is April 9, 2020.

11                THE COURT: Right. I assumed that we're just going  
12 chronologically through the last few months, right?

13                THE WITNESS: Yes. Yes.

14                THE COURT: So --

15                THE WITNESS: So on --

16                THE COURT: For which --

17          A     On Mar --

18                THE COURT: Go ahead --

19                THE WITNESS: Sorry.

20                THE COURT: -- Dr. -- Dr. Love.

21          A     On March 7th I had given her a new medication. So  
22 on April 9th we've talked about that. On April 9th, we talked  
23 about that. She tried it for a week. The first few days she  
24 had an extreme headache and vomited a few times. And Mom said

1 she was really agitated and the worst she had seen. She was  
2 continuing at three hours of therapy a week but that  
3 medication just didn't work well for her. Let's see, what  
4 else. So we stopped that medication. Ongoing mood  
5 instability with suicidal earlier today but currently not. So  
6 I made some more medication adjustments. And I said follow up  
7 in two weeks.

8 Q Does she indicate who was in the house right now  
9 with you and you previously indicated that the home was very  
10 stressful because she was in a -- a -- I think you said -- let  
11 me find it.

12 A Because they were living with the stepfather still.

13 Q Yes. They are still --

14 A I --

15 Q -- on the stand.

16 A I -- I don't note that on this note on April.

17 Q Okay. And since that date have you had another  
18 appointment?

19 A Yes, I've had three appointments since that day.

20 Q Okay. Can you tell me the next one chronologically?

21 A Yes. The next one was May 7th.

22 Q And what do those records indicate?

23 A Sorry. This was a -- by video conference because  
24 we're into COVID. Her insurance had denied the medication

1 that I prescribed for her. And so I had to do a prior  
2 authorization. She wasn't suicidal that day. Emily felt that  
3 therapy was going well. She said a lot is being covered right  
4 now but there's a lot to do. But I think it's going well. As  
5 I said, she wasn't suicidal today but she said, quote, it  
6 comes on pretty quickly but I haven't been dwelling on it. It  
7 comes in a wave. Mom reported she is sleeping a lot during  
8 the week because of the therapy. By the weekend she is  
9 irritable and by the end of the week she's agitated. That's  
10 the cycle right now. Three days after therapy she's much more  
11 agitated.

12           So post therapy with Roger and Elise was continuing.  
13 Emily's going to Elise's office. They all do an hour together  
14 on Monday and Wednesday and then patient was now seeing Elise  
15 alone on Tuesday for an hour doing some grounding work and  
16 dialectical behavior therapy.

17           Q     In the sessions that you've had that we just went --  
18 I -- I know there's one more you said so I'll -- I'll ask  
19 about that in a second. But in these sessions that you just  
20 described from January 30th until May does it also -- do your  
21 notes indicate if you've been following up with Dr. Bowen or  
22 Elise regarding this therapy?

23           A     Not in these notes that I've gone through so far.  
24 I'd have to go through and see if there's any notes in

1 between. But I -- I was mostly just relying on Emily and her  
2 mom to report what's going on in therapy.

3 Q And what is the next report after 5 -- May 7th?

4 A The next appointment is June 15. Insurance took a  
5 really long time to approve her new medications. She hadn't  
6 been able to start it. Mom says a stay-at-home order has  
7 changed her personality. If we go out, she switches more and  
8 will sit on the floor, have strange behaviors. And Emily said  
9 I think there's a lot of truth in that. Therapy's going well  
10 but it's also going really fast. It's almost getting worse  
11 for the better. Emily said --

12 Q What does that --

13 A -- if I take them in --

14 Q Oh, sorry.

15 A Emily said, quote, if I take the medication, it  
16 affects different people differently. She's referring to her  
17 alters. I don't feel like I exist. As Emily, I feel like I'm  
18 not Emily but I know I am. I feel disconnected from reality.  
19 I don't know what's real and what's made up, what to do or  
20 say, what to do with myself.

21 Q (Indiscernible) --

22 A Said I have a lot of voices going on in my head,  
23 it's busy up there. My assessment that day was she's having  
24 auditory hallucination, lots of recent decompensating, rapid

1 switching of alters, and she feels the medications affect  
2 different alters differently. Some of them don't like the  
3 meds. She has had strange behavior in public. So her  
4 biological brother doesn't want to take her anywhere and her  
5 mom is worried about the lack of social interaction.

6 Q And does it say if she's remaining in the home or if  
7 she is no longer in the home?

8 A That isn't in the note --

9 Q Okay.

10 A -- of when the -- the living situation changed.

11 Q And then I think you're -- according to my notes  
12 from yesterday, it says that from June 15th to August 4th  
13 there was no appointments. Do you know why? Or does it note  
14 that on August 4th?

15 A I'm looking through all of the notes. It looks like  
16 prescriptions were called in -- it looks like they're just all  
17 like refill authorization and emails. They were trying to  
18 coordinate the -- the court dates with my schedule. Thought  
19 this would be in person. So August 4th we talked about  
20 gradual increase in weight. And Emily went through -- she  
21 weighs herself on the 1st of every month and how she's been  
22 gaining weight recently. One of her alters is really  
23 panicking about the weight gain. We're trying to figure out  
24 what that was from.



1           We were noting that Emily has so many things going  
2 on, the case with her stepbrother, the court case with her  
3 dad, this court case we're in, the pandemic, the intensive  
4 therapy on the unknowns of all the cases. So it's really --  
5 we were talking about how much uncertainty she has in her life  
6 but how much uncertainty there is all around her. She's  
7 continuing with that intensive therapy. And she's very  
8 stressed because of court this week. And I say despite my  
9 recommendation she's going to call to testify by defense and  
10 is really worrying about it.

11           So we talked about court, how it's just going to be  
12 out of our control. And all she has to do is be there and  
13 answer questions and just trying to offer her just some  
14 soothing support. She needed a lot of reassurance that day.  
15 So I -- at that time I said we can follow up in a month but  
16 come in sooner if she has (indiscernible).

17       Q     Do you know how she came to know that there was  
18 court going on?

19       A     About the court case?

20       Q     Yes.

21       A     I -- I don't know how she would know -- not know.

22       Q     You don't know what? I'm sorry.

23       A     Like I don't know how to answer your question. Like  
24 I -- I don't have documented in my records that when and how

1 she was told that there's a court case ongoing.

2 Q Okay. And during the last session did -- did she  
3 discuss with you the criminal case against her stepbrother?

4 A Let me pull that now. You're asking on the August  
5 4th?

6 Q Yes. Because you just mentioned the -- the criminal  
7 case with her step -- stepbrother.

8 A Right. As a list of her stressors. Yes, I think it  
9 was in my note before that that I read to you, no, maybe it  
10 was -- and one of the ones I read to you from this year  
11 mentions that she was stressed because the DA was meeting with  
12 the detective and they were going to decide whether or not to  
13 press charges against the stepbrother. That's in one of the  
14 notes.

15 Q You testified that the information you got about  
16 Emily's medical conditions did not come from medical records.  
17 It came from the IEP. Is that correct before March of 2016?

18 A Before March of 2016 -- I had her school records and  
19 I had the hospital records from the ones we reviewed from UC  
20 Irvine, from Center for Discovery, from the high school. And  
21 -- and the twelfth grade, the Del Amo hospitalization and then  
22 back at UC Irvine again her junior and senior year.

23 Q So bef -- but you didn't review any of the medical  
24 records that substantiated or that they were -- that were

1 referred to in the IEP records.

2 MS. BRENNAN: Objection, beyond the scope my  
3 redirect.

4 THE COURT: I think so. Sustained.

5 MS. ROBERTS: Your Honor, she specifically asked her  
6 about what medical records she looked at what -- and -- and  
7 she referenced the IEP. So I want to verify that she didn't  
8 look at actual medical records. She just looked at the IEP.

9 THE COURT: Well, my recollection is that you  
10 crossed her specifically about what records she reviewed. And  
11 you asked her that specific question about whether the -- the  
12 backup that is listed in the IEP were records that you  
13 reviewed and I thought that you said no.

14 MS. ROBERTS: Okay. Well, as long as the Court's  
15 clear about that because then Ms. Brennan just asked her to go  
16 over it and she said she got the information regarding her  
17 medical records from the IEP, not from the records. So I just  
18 want to --

19 THE COURT: Well --

20 MS. ROBERTS: -- make sure --

21 MS. BRENNAN: I did --

22 THE COURT: No, she said --

23 MS. BRENNAN: I asked her about --

24 THE COURT: -- she said --

1 MS. BRENNAN: -- an IEP.

2 THE COURT: Not -- right. She said Dr. Love  
3 reviewed records for '14 and '15. She went over different  
4 things that she reviewed which included the IEP and -- and the  
5 California Exhibit 2. Okay. So I --

6 MS. ROBERTS: Okay.

7 THE COURT: And --

8 MS. ROBERTS: So then let me clarify.

9 THE COURT: -- and in as much as -- and I think that  
10 this question has been asked and answered. I also -- and so I  
11 -- I'm going to sustain the objection and you can just ask  
12 another question, okay?

13 BY MS. ROBERTS:

14 Q Did you actually remu -- review the medical records  
15 from Roxanna Grimes?

16 A No.

17 MS. BRENNAN: The same objection, beyond the scope  
18 of my redirect. I did not ask Ms. Grimes --

19 THE COURT: This is a general question --

20 MS. BRENNAN: -- in my redirect.

21 THE COURT: -- about what was reviewed in the '14  
22 and '15 range which is where you started in your redirect --  
23 or recro -- redirect. So overruled. Go ahead. The answer --  
24 question's been answered.

1 BY MS. ROBERTS:

2 Q Did you -- did you review that records that you  
3 referenced from Rick Tanzy?

4 A No.

5 Q Did you review the records prior to March of 2016  
6 that you referenced regarding from Elise Collier?

7 A I don't have complete records from Elise Collier. I  
8 just spoke with her.

9 Q So you did not review the medical records that  
10 you're referencing, correct?

11 A Well, they aren't medical records. They're therapy  
12 records.

13 Q Did you review the therapy records?

14 A I've only reviewed the records that are -- that --  
15 that you have.

16 Q So before treatment of her, you still have not  
17 reviewed anything from Grimes, Tanzy, or Collier.

18 MS. BRENNAN: Objection --

19 A I spoke with --

20 MS. BRENNAN: -- misstates the testimony. She said  
21 she spoke to her.

22 THE COURT: The record well, when you say anything,  
23 that's too general. And of cour -- and of course --

24 MS. ROBERTS: Did you not --

1 THE COURT: -- we're already -- we're already  
2 established this. You're going to -- you're going to argue  
3 that there's significance that these -- these providers are  
4 referenced in documents that were admitted. But there are --  
5 but you're asking the witness to confirm whether she actually  
6 looked at the records that were described in --

7 MS. ROBERTS: Correct.

8 THE COURT: -- the IEP. And so --

9 MS. ROBERTS: Correct Your Honor.

10 THE COURT: -- the -- so -- so that's -- that's  
11 where we're left. That's not going to change. So I think the  
12 witness has confirmed that with you, that she reviewed the IEP  
13 which includes references to records from these folks but she  
14 didn't actually look at the records.

15 MS. ROBERTS: That's fine, Your Honor.

16 THE COURT: All right.

17 MS. ROBERTS: I'll -- I'll move on.

18 BY MS. ROBERTS:

19 Q Have you looked at records from Dr. Bowen  
20 specifically or only the one pages -- I'm sorry, let me just  
21 verify it's only one page. Did you only review -- did you  
22 actually review the records from Dr. Bowen or did you only  
23 review the two pages that he provided regarding her treat --  
24 I'm sorry?

1           A     I've -- I've reviewed the information that he  
2 provided and I've spoken with him but I haven't been sent his  
3 therapy notes.

4           Q     And when you say you've reviewed something, you're  
5 talking about the limited document that he provided regarding  
6 cost of -- I'm sorry, maybe I'm wrong. Hold on. So it --  
7 from -- from your exhibit -- or from Exhibit 14 that list that  
8 you provided, can you tell me just so I know exactly where the  
9 Dr. Bowen records are? Is it only -- it says on here on -- on  
10 number 28. Do you see that on Bates Stamp 1459?

11          A     On Exhibit 28, I only -- I don't --

12          Q     I'm sorry, Ex -- Exhibit 14. So there's multiple  
13 exhibits. I'm sorry. Exhibit -- if you go to your Exhibit 14  
14 -- or I'm sorry, Exhibit 14 which is your report. You  
15 provided the -- the Court in your report a list of exhibits.  
16 You -- do you recall that?

17          A     Yes, that is --

18          Q     Okay.

19          A     -- 1457.

20          Q     Okay. So then when you go to 1459, that's the  
21 continuation of the list. And it specifically says that you  
22 have reviewed at Number 28 Roger Bowen diagnosis and therapy  
23 notes from 4/19 of '18. Do you currently have those in your  
24 possession?

1           A       I have to look.

2                   MS. BRENNAN: Just for the record, Amanda, that's Ex

3 -- Exhibit 30. So I took the opportun -- that's where she can

4 go to pull it up since it's --

5                   MS. ROBERTS: I'd like her to look at --

6                   MS. BRENNAN: -- in the books there.

7                   MS. ROBERTS: I'd -- I'd like her to look at what

8 she actually has Your Honor and not what Counsel's

9 representing it to be.

10                  THE COURT: The -- it -- I think Ms. Roberts is

11 asking you whether or not you have those therapy notes, right?

12 Isn't that what you're asking?

13                  MS. ROBERTS: Yes, Your Honor. Because it

14 references therapy notes and she just testified she didn't

15 have the therapy notes.

16                  THE COURT: Well, I don't know if she did or not.

17 But the -- the specific question is about this therapist and

18 the therapy notes since there's a note that describes therapy

19 notes. So is there any way that you can check your records?

20 Because, again, the testimony is is that she has produced all

21 of her records.

22                  THE WITNESS: Yeah, I have produced all the records

23 that have been in here.

24                  MS. BRENNAN: And if -- if I can interject, Judge.



1 That Exhibit 30 is what is referenced in Exhibit 86. That  
2 cross reference between the list of the exhibits and Dr.  
3 Love's supplemental report and the disclosures. You can see  
4 on --

5 THE COURT: I know, but that's fine.

6 MS. BRENNAN: -- well, you can't see it --

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

8 MS. BRENNAN: -- because you can't --

9 THE COURT: Look -- look, the -- the question will  
10 be -- will be allowed and there will be an answer. And it  
11 sounds to me like the witness says that there's nothing that's  
12 in her records that has not been produced. Isn't that what  
13 you're saying, Dr. Love?

14 THE WITNESS: Yes.

15 THE COURT: All right. Next question, Ms. Roberts.

16 MS. ROBERTS: Your Honor, I -- with all due respect,  
17 I'm not trying to be rude, but I need to verify what she  
18 actually received from Dr. Bowen because what has been  
19 produced is not therapy notes.

20 THE COURT: Okay. So you're asking her whether or  
21 not that description that you read on therapy notes is somehow  
22 mistaken. Because the witness has clearly said on this  
23 occasion and on prior occasions that her records have been  
24 produced. Dr. Love, it sounds like Counsel's asking you to

1 confirm that you're not -- you're not in possession of therapy  
2 notes that would be in addition to all the -- the documents  
3 that were produced in this case, right?

4 THE WITNESS: Correct.

5 THE COURT: Okay. Go on, Ms. Roberts.

6 THE WITNESS: I've --

7 BY MS. ROBERTS:

8 Q I'm sorry, what did you say, Dr. Love?

9 A We've produced everything from the record.

10 Q Okay. Then let's look at Exhibit 30.

11 MS. BRENNAN: Trial Exhibit 30, yes. That's not  
12 been admitted yet, Amanda. Do you want to stipulate to admit  
13 it?

14 MS. ROBERTS: I do not. I just want her to look at  
15 it.

16 THE WITNESS: I'm there.

17 Q Okay. Is this what you're referencing in your  
18 report as Exhibit 28?

19 A I have to look at my original exhibit list to see  
20 what's on there.

21 MS. ROBERTS: Your Honor, I ask her to do that.

22 A So is my -- in my Exhibit 14, is that the letter  
23 you're referring to?

24 Q Ex -- Exhibit 14 is your report.

1 A Okay.

2 Q And then --

3 A And --

4 Q -- in that you list Exhibit 28 as a Roger Bowen  
5 diagnosis and therapy notes from April 19 of '18 to present.

6 A Yes. So this was a list that -- so Exhibits 1  
7 through 30 on this particular list were provided to me in a  
8 giant container by Emily's mom. And I've read it cover to  
9 cover. So if something is mislabeled in here, I just went  
10 through and read whatever was in there.

11 Q My question for you is this what you read from Dr.  
12 Bowen or did you re -- review other records received from Dr.  
13 Bowen? Is this the specific document you received from Dr.  
14 Bowen that you say are therapy notes?

15 A I would have to go back to the original one to look  
16 at at this time it was number 28 to see if that's the letter  
17 that was there at the time that I went through it.

18 MS. ROBERTS: So Your Honor, I would ask her to do  
19 that.

20 THE COURT: All right. And, again, you're referring  
21 to Pages 1458, and 1459 of Exhibit 14, right?

22 MS. ROBERTS: Yes, Your Honor.

23 THE COURT: All right. And so Dr. Love, can you --  
24 can you clarify or answer your -- that question that Ms.

1 Roberts is asking you?

2 THE WITNESS: I just need to know which exhibit that

3 is in now. Which of the --

4 MS. BRENNAN: Trial Exhibit --

5 THE WITNESS: -- 80 exhibits has it?

6 MS. BRENNAN: Trial Exhibit Number 30.

7 THE COURT: Well, Trial Exhibit --

8 MS. BRENNAN: It's Trial --

9 THE COURT: -- Number 30 --

10 MS. BRENNAN: -- Exhibit --

11 THE COURT: -- Trial Exhibit Number 30 is in -- in

12 my book is -- is a letter. It's a -- it's a letter from

13 October. It's not -- I mean --

14 MS. BRENNAN: Right.

15 THE COURT: -- I --

16 MS. BRENNAN: And that's --

17 THE COURT: That's not --

18 MS. BRENNAN: -- the letter from Dr. --

19 THE COURT: I understand -- you're not -- Ms.

20 Roberts is saying look, did you receive the backup for this

21 letter. Okay. The -- a -- treatment notes, progress notes.

22 Right? Isn't that right?

23 MS. ROBERTS: Yes.

24 THE COURT: All right.

1 MS. ROBERTS: Yes, Your Honor.

2 THE COURT: And -- and we're not talking about  
3 whether she reviewed a letter that she may have gotten from  
4 this Roger Bowen or whatever. The witness has said we've -- I  
5 produced everything that I referenced in my report. The  
6 exhibits that I referenced in my supplement report. And Ms.  
7 Roberts is saying I don't see progress notes in your  
8 production from this Roger Bowen, right? Isn't that right?

9 MS. ROBERTS: Correct, Your Honor.

10 THE COURT: And so you're asking her whether or not  
11 she has any and she says she's produced everything. And  
12 you're saying where in the record are these progress notes.  
13 And is it possible that when she wrote progress notes on this  
14 portion of Exhibit 14 it was really a summary and not progress  
15 notes? Isn't that what you're asking?

16 MS. ROBERTS: Yes, Your Honor.

17 THE COURT: Okay. So we just -- we just need an  
18 answer and then we'll move on.

19 THE WITNESS: Do you want me to answer? Are you  
20 waiting for me?

21 THE COURT: I mean, I think you did already. But --  
22 but do you understand what --

23 THE WITNESS: Yes.

24 THE COURT: -- they're asking? You're -- you're --

1 THE WITNESS: Yes.

2 THE COURT: -- saying you've produced everything.

3 It's not like you're sitting there with with a file that  
4 includes progress notes that were described in Exhibit 14 --

5 THE WITNESS: Correct. I -- my assumption is that  
6 the list that -- that's read like one through 30, that was put  
7 together by Alecia. And I went through all of that. So I'm  
8 guessing if the letter is the only thing we have, then when it  
9 says letter and therapy notes, if we don't have the therapy  
10 notes, then -- then that's a mislabel.

11 THE COURT: Okay. So --

12 THE WITNESS: So I --

13 THE COURT: So -- so Counsel's question is were  
14 there therapy notes? It's possible there were no therapy  
15 notes but that you simply looked at --

16 THE WITNESS: Correct.

17 THE COURT: -- what the clinical diagnosis was in  
18 this letter.

19 THE WITNESS: Yes, in this letter. Correct.

20 THE COURT: Okay. All right. Go on, Counsel.

21 BY MS. ROBERTS:

22 Q Can you look at Exhibit 30? Let me know when you're  
23 there, Dr. -- Dr. Love.

24 A I'm here.

1 Q Okay. Have you seen this letter before?

2 A I believe I have, yes.

3 Q Okay. So in all of your other disclosures in your  
4 report, if it is a letter versus medical records, you note  
5 that. Specifically if you look at your report, you list on --  
6 on Bates Stamp 1479 a letter from Jay Meeks (ph) who is her  
7 therapist from Pasadena Villa. And now you've listed that  
8 you've gotten information regarding therapy notes. And it  
9 does not state letter. Why?

10 A Wait. So you're asking me about where?

11 Q So your report again, Exhibit 14.

12 A 14. Sorry, but --

13 Q 4 --

14 A -- I have to go back and see it in front of me.

15 Q That's okay. Bates Stamp 1459.

16 A After the letter.

17 Q Okay. So see on --

18 A I do --

19 Q -- 20 -- are you there?

20 A Yes.

21 Q So when it's a letter that you're referring versus  
22 actual medical records, you've noted that in -- in this, that  
23 it's a letter versus medical records. So for example, 9, you  
24 wrote letters of conservatorship. If it is actual medical

1 records, you tell me in here that it's medical records.  
2 A I didn't --  
3 Q But on --  
4 A -- write this list.  
5 Q Oh, okay. Who wrote the list?  
6 A The list is the organization of the documents that  
7 Alecia gave to me in a folder.  
8 Q So she wrote the list?  
9 A I assume she wrote the list. I was given a packet  
10 of all of these Center for Discovery, Del Amo  
11 hospitalizations, and all of that. So this is how she listed  
12 it out and I went through and read all of those things.  
13 Q Did you keep --  
14 A I didn't --  
15 Q -- a copy --  
16 A -- put together this spreadsheet.  
17 Q Did you keep a copy of the documents that she gave  
18 you?  
19 A You know, I -- I can look and see if it's scanned  
20 into the medical records because it's pretty extensive. So I  
21 can look at -- so I wrote this July 27 -- 2017. You go to the  
22 medical record to find July 2017.  
23 Q No, you wrote -- this is the one you wrote November  
24 of -- November 21st of 2019. Exhibit 14. Am I wrong?



1           A     Oh --  
2           Q     Yeah --  
3           A     -- yeah.  
4           Q     -- this is --  
5           A     I'm sorry. It's supplemental report. So November  
6 2019. Thank you. It would be faster to find -- 2008 --  
7                 (PAUSE)  
8           A     It doesn't appear that they're scanned into her  
9 chart because it looks like I started the letter -- started  
10 putting together the letter the end of October, worked on it  
11 throughout November. Plus it was a different letter. But  
12 around the time like November 18th, 21st. The letters in here  
13 but the whole medical record is not.  
14          Q     When you say letter, are you referencing the letter  
15 that you're preparing or are you referencing something else?  
16          A     Yeah, the letter that I prepared. But I think --  
17          Q     I'm sorry?  
18          A     Sorry, I'm -- I'm just trying -- trying --  
19          Q     Oh, okay.  
20          A     So many different --  
21          Q     that's okay. I thought I just caught -- missed  
22 something. I'm sorry.  
23                 MS. BRENNAN: Is there -- is there a question  
24 pending? Because I think she answered does she have them and

1 she said no. so are we waiting for another session -- or  
2 question?

3 MS. ROBERTS: She's still looking is my  
4 understanding, Your Honor.

5 A Okay. So I -- what -- can you repeat your question,  
6 please?

7 Q You were going to look to see if you actually have  
8 the records still that Alecia gave you or if you do not have  
9 those records.

10 A They're not -- they're not scanned in at least  
11 around that time period they're not scanned into her record.

12 Q Is there any way that you can verify that these  
13 records were provided to you from Dr. Bowen?

14 A Exhibit 30?

15 Q Any records from Dr. Bowen?

16 A I've seen Exhibit 30.

17 Q Okay. Was -- was --

18 A I don't --

19 Q -- this what you saw in relation to this or did you  
20 see other records from Dr. Bowen?

21 A To my knowledge, this is all I've seen from Dr.  
22 Bowen.

23 Q Then why would you list it as differently from the  
24 letter from Jay Meeks?

1           A     List it differently where?

2           Q     In your list of exhibits that you prepared for the  
3 Court in your report that you designated as your report.

4           MS. BRENNAN:  Objection, asked and answered.

5     She's --

6           THE COURT:  Yeah.

7           MS. BRENNAN:  -- clearly has stated at least --

8           THE COURT:  Look.

9           MS. BRENNAN:  -- twice that --

10          THE COURT:  That -- that -- look, the -- the  
11 question needs to be restated.  It's argumentative.  You --

12          MS. ROBERTS:  Okay.

13          THE COURT:  Ms. -- Ms. Roberts asked you and gave  
14 you an example of how you described a letter in those two  
15 pages which are the exhibits to Exhibit 14.  She's asking you  
16 whether or not you had explained why this particular -- why it  
17 references progress notes if they were not progress notes that  
18 were produced.  Isn't that the point you're trying to make,  
19 Counsel?

20          MS. ROBERTS:  Yes, Your Honor.

21          THE COURT:  All right.  And so I don't know if  
22 there's an explanation or not.  She's just saying do you have  
23 an explanation as to why it wouldn't be described as a letter  
24 if the letter is the only thing that you believed that you

1 reviewed?

2 THE WITNESS: I asked --

3 MS. BRENNAN: Object -- I object. My objection is

4 asked and answered. This witness --

5 THE COURT: Well, I --

6 MS. BRENNAN: -- has said --

7 THE COURT: I don't know --

8 MS. BRENNAN: -- at least --

9 THE COURT: I --

10 MS. BRENNAN: -- twice --

11 THE COURT: Yeah, it's -- I think it's been answered

12 a bunch of different times in a bunch of different ways. But

13 the --

14 MS. BRENNAN: She said that she did not label it,

15 Judge. It --

16 THE COURT: No, I --

17 MS. BRENNAN: -- came --

18 THE COURT: -- I understand.

19 MS. BRENNAN: -- it came to her like --

20 THE COURT: I -- I understand, but she's -- look,

21 it's her report. She -- she has to questions concerning the

22 report. It looks like an inconsistency in that she produced

23 everything. But what is in the record is not progress notes.

24 And there's a prescription of progress notes. And Counsel --

1 so can you explain it? And she says I can't explain it. I --  
2 I --

3 MS. BRENNAN: No.

4 THE COURT: My record --

5 MS. BRENNAN: She couldn't say she --

6 THE COURT: My record shows that I have reviewed the  
7 letter, that it's -- that it's marked for identification as  
8 Exhibit 30. And I don't have any record that I scanned  
9 progress notes. That's what her answer was. It's been asked  
10 and answered. Please ask another question if you have one.

11 MS. ROBERTS: Sure. Absolutely.

12 BY MS. ROBERTS:

13 Q Dr. Farrell -- or Dr. Love, I'm sorry, I keep saying  
14 Love -- Farrell. Dr. Love, in this report, this report is  
15 dated November 21st of 2019, correct?

16 A Yes.

17 Q Okay. In Exhibit 86 that Counsel's asked you to  
18 look at, she referen -- she specifically references on Page 6  
19 of that. Unfortunately, it's not Bates stamped, but if you  
20 look at the Bate -- the page numbers at the bottom, it says 6  
21 of 8.

22 A 8 -- it is -- okay. And --

23 Q 6 of 8? Oh, it's probably more than 6 because she  
24 put page numbers on them. Hold on. At the bottom it says 6

1 of 8. Do you see that?

2 A Yes, it's on that page.

3 Q Okay. So under the records that say Roger Bow --

4 Bowen diagnosis and treatment, in the very right-hand column

5 can you tell me when those were actually produced to my office

6 based on the statements that you've reviewed this? It's the

7 right-hand column.

8 A This particular one it says 4/2/20.

9 Q Okay. And when was your report again?

10 A It was in November 2019.

11 MS. ROBERTS: Perfect. Thank you. No further

12 questions, Your Honor.

13 THE COURT: Okay. Ms. Brennan.

14 MS. BRENNAN: I don't have anymore questions for

15 this witness.

16 THE COURT: Great. Then she's finished. Dr. Love,

17 thank you for being available yesterday and today. It's a

18 little bit before 11:00. You're excused. And we'll take a

19 short --

20 MS. ROBERTS: Your Honor --

21 THE COURT: -- break.

22 (WITNESS EXCUSED)

23 THE COURT: Counsel.

24 MS. ROBERTS: Your Honor, bef --

1 THE COURT: What --  
2 MS. BRENNAN: Before we --  
3 THE COURT: I'm listening.  
4 MS. BRENNAN: Before we -- before we take a break, I  
5 just have one housekeeping matter. At this -- and -- and I --  
6 I would like to call Emily at -- when we get back from your  
7 short break just simply because Dr. Love is -- wants to stay  
8 on this BlueJeans video while that occurs just in case  
9 there's --  
10 THE COURT: All right.  
11 MS. BRENNAN: -- the need --  
12 THE COURT: Look. The --  
13 MS. BRENNAN: -- for her assistance.  
14 THE COURT: Dr. Love is an expert witness. She's --  
15 she can stay and listen to testimony if -- if she wants. But  
16 you're not calling Dr. -- you're not calling Emily in your  
17 case. Ms. Roberts is --  
18 MS. BRENNAN: I am going -- I am going to call Emily  
19 because she is prepared to testify. The Court has made it  
20 abundantly clear --  
21 THE COURT: All right. That's fine.  
22 MS. BRENNAN: -- that you want --  
23 THE COURT: That's fine.  
24 MS. BRENNAN: -- to hear from Emily --

1 THE COURT: Dr. -- Dr. Love --  
2 MS. BRENNAN: -- and --  
3 THE COURT: -- Dr. Love --  
4 MS. BRENNAN: -- she's prepared.  
5 THE COURT: -- you're welcome to stay on the call.  
6 We're going to take a break since we've been going for two  
7 hours now. We're going to resume it in about five to eight  
8 minutes. And it -- we're still in your case, Ms. Brennan.  
9 And if you want to call Emily, we'll -- we'll have her testify  
10 for a period of time. Okay? So --  
11 MS. BRENNAN: Thank you, Judge. That'll be my next  
12 witness.  
13 THE WITNESS: Ms. Brennan can email that exhibit to  
14 us -- fax, I mean, to --  
15 THE COURT: Yeah, I -- yeah, she can do it later.  
16 Eventually Ms. Brennan you need to get Proposed Exhibit 86 to  
17 the Clerk. And --  
18 MS. BRENNAN: I -- I -- yeah, I email -- I emailed  
19 it to Kathy the same way I emailed her --  
20 THE COURT: Then we'll get it --  
21 MS. BRENNAN: -- the exhibits --  
22 THE COURT: Then she'll get it Monday when she's  
23 back at work. All right. We're off.  
24 MS. BRENNAN: Yes.



1 MS. ROBERTS: Your Honor, just for the record --  
2 THE COURT: Be back at about --  
3 MS. ROBERTS: -- before we go off -- Your Honor,  
4 before we go off, can I stipulate to admission of 86, please?  
5 THE COURT: Yeah, but my Clerk's got to have it  
6 before we can process it --  
7 MS. ROBERTS: Okay.  
8 THE COURT: -- but yes, we'll make a record that 86  
9 is -- is -- we -- that the foundation's been laid, that both  
10 parties want it in, and it'll be admitted.  
11 (PLAINTIFF'S EXHIBIT 86 ADMITTED)  
12 THE COURT: I will need to --  
13 MS. ROBERTS: Okay.  
14 THE COURT: -- confirm --  
15 MS. ROBERTS: Thank you, Your Honor.  
16 THE COURT: -- with you once I get it that it's what  
17 you think it is, okay?  
18 MS. ROBERTS: Do you want me to fax it right now to  
19 the court, Your Honor?  
20 THE COURT: Actually, you can email it to the  
21 Department H inbox and -- and we can get it through that way  
22 if you want.  
23 MS. ROBERTS: I will have my staff do that  
24 immediately, Your Honor.

1 THE COURT: All right. Thank you.  
2 MS. ROBERTS: Thank you.  
3 (COURT RECESSED AT 10:57 AND RESUMED AT 11:05)  
4 THE COURT: We're resuming the post judgment  
5 proceedings on D-05338668. We've got Counsel and the parties  
6 present. We took a short recess in the morning. In the  
7 meantime, we've received Exhibit -- or Proposed Exhibit 86.  
8 It'll be marked for identification and admitted by the Clerk  
9 by -- by agreement. The next witness is Emily Reed. Is she  
10 available?  
11 MS. BRENNAN: She is.  
12 THE COURT: Where is she? She with Mom?  
13 MS. BRENNAN: Yes.  
14 (WITNESS SUMMONED)  
15 THE COURT: How are you, Emily? Can you hear me,  
16 okay?  
17 MS. BRENNAN: If we can make the screen for Emily  
18 bigger so that the Court can see her --  
19 THE COURT: I can see her.  
20 MS. BRENNAN: -- and that it's --  
21 THE COURT: I can see her. I just needed to know  
22 what window she was in. Emily, can you hear me okay?  
23 MS. REED: (Indiscernible).  
24 THE COURT: She's speaking but I don't hear her. Is

1 your microphone on on that end?

2 MS. REED: Yes.

3 MS. BRENNAN: She's really quiet.

4 THE COURT: That's fine. We -- we're -- we're  
5 trying to have this hearing through electronic means.  
6 Ordinarily you would be here sitting next to me and I would be  
7 able to hear you just fine. But so we can hear your  
8 testimony. Just try to project or speak up a little bit. The  
9 folks that are in the hearing, by the way, my name is Art  
10 Ritchie. I'm the Judge in this case. We have lawyers who are  
11 representing your mom and your dad. Your mom and dad are also  
12 participating in this hearing. And Dr. Love is also on the  
13 line also, okay? So they have asked the Court to hear some of  
14 your testimony. That testimony is answering questions from  
15 probably your mom's lawyer and your dad's lawyer. And that  
16 testimony is under oath. So I'm going to ask that you raise  
17 your right hand and promise to tell the truth. My Clerk will  
18 ask -- will ask you to confirm, okay?

19 MS. REED: Okay.

20 THE CLERK: Raise your right hand, please.

21 THE COURT: Emily? Thank you.

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

1 THE COURT: Can you answer audibly?  
2 MS. REED: Yes, I --  
3 THE COURT: Good.  
4 MS. REED: -- agree.  
5 THE COURT: Again, tra -- you're so soft spoken.  
6 Try to project so that everyone can hear. Ms. Brennan, you  
7 called this witness and you would like to direct? So --  
8 MS. BRENNAN: Yes.  
9 THE COURT: -- why don't you introduce yourself and  
10 begin.  
11 EMILY REED  
12 called as a witness on behalf of the Plaintiff, having been  
13 first duly sworn, testified upon her oath as follows on:  
14 DIRECT EXAMINATION  
15 BY MS. BRENNAN:  
16 Q Good morning. This is Elizabeth. Who am I speaking  
17 with right now?  
18 A It's Emily.  
19 Q Hi, Emily. How are you today?  
20 A I'm so anxious.  
21 Q Okay. So I want -- did you bring some things with  
22 you to keep your anxiety down like stuffed animals or Monarch?  
23 A Yeah, I have Monarch and a few stuffed animals and a  
24 rock and a fidget spinner and some water.

1 Q Okay. Which stuffed animals did you bring today to  
2 comfort you?  
3 A I brought Dexter and Red and Shadow and Coco.  
4 Q Okay. Can you show me Red again?  
5 A Sure.  
6 Q So tell the Judge where -- Red is kind of special,  
7 right? Where did -- Red normally doesn't live at your house,  
8 does he? Hello?  
9 A I'm Heidi.  
10 Q How Heidi, how are you?  
11 A I'm okay, but Emily is very nervous and she shake  
12 too much.  
13 Q Okay. So did you -- or did you -- or you want to  
14 try to help her with her testimony?  
15 A Yeah.  
16 Q Okay.  
17 A Yeah.  
18 Q And you always like to go first and last, right?  
19 A Yeah.  
20 Q And you and I spoke last night, didn't we?  
21 A Yeah, you said you are very nice.  
22 Q Yes. And --  
23 A And the Judge was nice too.  
24 Q Right. And can you tell the Judge who Red is? Is

1 that Red in front of -- right there?

2 A Yeah, except she's orange.

3 Q Right. And did you --

4 A And see, she comes to spend the night with us

5 because she lives in Mrs. Elise's office.

6 Q Okay. And did Elise let Red come spend the night

7 with you so that --

8 A Yeah.

9 Q -- to comfort you?

10 A Yeah. And to be friends because they have friends

11 with Dexter because Dexter goes with us to Mrs. Elise's office

12 too.

13 Q Okay. And so Red got to come spend the night with

14 you to --

15 A Yeah.

16 Q -- comfort you for this -- for today and then next

17 week you have to bring Red back to -- to --

18 A Yes.

19 Q -- Elise?

20 A And then she just stays in Mrs. Elise's office and

21 then we get to visit her every three days.

22 Q You get to visit Elise. Okay. And how old are you,

23 Heidi?

24 A I'm seven.

1 Q Okay. And can you tell the Judge what you look  
2 like?  
3 A Yeah. I have blonde hair that's curly and blue  
4 eyes. And today I'm hearing a pink dress with flowers.  
5 Q Oh, very nice. Very nice. Do you -- how long have  
6 you've known Emily?  
7 A A long time.  
8 Q Have you known her since middle school?  
9 A Yeah.  
10 Q And did you help Emily with some of the problems she  
11 having in middle school and high school, Heidi? Did you help  
12 Emily or --  
13 A Yeah.  
14 Q -- tried to?  
15 A I helped her.  
16 Q And do you -- does Emily have other friends like you  
17 that help Emily?  
18 MS. ROBERTS: Your Honor --  
19 A Yes, she has others but sometimes they're not  
20 friends.  
21 Q Okay. And do you know Lilly?  
22 A Yeah, I know Lilly.  
23 Q Who's --  
24 A She's very nice.

1 Q And --  
2 A Yeah, she helps me.  
3 Q And -- and how -- how old is Lilly, do you know?  
4 A Yeah, she's 16.  
5 Q Okay. And how does she help? Do you know how she  
6 tries to help Emily?  
7 A Well, first she helps me because I have to go there  
8 at 8:00 o'clock every night unless it's a special, like last  
9 night was special. And she helps Emily takes showers. And  
10 she helps to keep some of the -- some of the kids safe.  
11 Q And she -- did -- I think last night you said she  
12 helps keep the monsters away.  
13 A Yeah, she sometimes helps with monsters.  
14 Q Do you know Roger and Elise?  
15 A Yeah, I like them, very, very much.  
16 Q What did Roger -- what did you and Emily do with  
17 Roger and Elise?  
18 A We seem them just like this.  
19 Q And let me ask you something, Heidi.  
20 A Yeah?  
21 Q When I started this a minute ago, I started out by  
22 talking to Emily and then all -- all of a sudden next thing I  
23 knew I was talking to you. What happened to Emily? Where did  
24 she go?



1           A     She's not here right now. Went away because --  
2 because she was shaking and she wanted to cry because she was  
3 just so nervous.

4           Q     Let me ask you some --

5           A     Because she was waiting for so long.

6           Q     Okay. Can I -- do you think it will be okay for me  
7 to talk to Lilly for a few minutes? And I know that you like  
8 to always go last and first --

9           A     Yes.

10          Q     -- so I'll talk to again if you would like. But I  
11 would like to talk to Lilly if she's there. Is Lilly  
12 available to meet the Judge? Can you get Lilly for me?

13          A     No, she doesn't want to talk.

14          Q     Okay. Is -- are there any other friends of yours or  
15 Emily's that want to talk to the Judge real quick, just real  
16 quick?

17          A     Yeah. Dorothy could say hello.

18          Q     All right. Can you --

19          A     But I don't see a judge.

20          Q     Oh, you don't see a judge? Well, the thing is he's  
21 down here on the bottom of this court screen.

22          A     Oh, hi. Nice to meet you. But I don't know your  
23 name.

24                THE COURT: My name is Art.

1 THE WITNESS: Okay. Hi, Art.

2 Q Okay. So before we get Dorothy, can you tell me

3 Heidi what other of you and Emily's friends would want to talk

4 to the Judge just real quick today so we can meet them --

5 A Yeah.

6 Q -- (indiscernible)?

7 A He could meet Dorothy and -- he could meet Rose too.

8 She's okay with that. But -- but she doesn't really have a

9 lot to say right now but she said it would be okay. And --

10 Q Okay. And what about -- and I just -- and maybe

11 Holly just for real quick.

12 A Yes.

13 Q Just so --

14 A Of course --

15 Q Okay.

16 A -- I can call Holy.

17 Q All right. So why don't we start with Holly? Can

18 you get Holly for me real quick? And we'll just -- you know,

19 get can get Holly something to chew on if she wants. We're

20 just going to -- I -- I know Holly doesn't really like to

21 talk. How old is Holly?

22 A She's two.

23 Q She's two. And does she like to chew on things?

24 A Yes, all the time. And sometimes Emily's hand.

1 Q Sometimes what?

2 A But -- but she chews Emily's hand, but -- but

3 sometimes we help her in getting like something that she can

4 chew on like this (indicating).

5 Q Okay. Can you get Holly for me, please?

6 A She's a little scared, but yes.

7 Q Okay. And then after I talk to Holly for a few

8 minutes, I'm going to want you to get Rose and then Dorothy

9 for me, okay? Real quick.

10 A In that --

11 Q I'm not --

12 A -- order?

13 Q Yes. Holly, Rose, then Dorothy.

14 A Oh, Dorothy first.

15 Q Dorothy --

16 A And then --

17 Q -- first.

18 A -- Rose.

19 Q All right. Dorothy and then Rose and then Holly.

20 That's fine.

21 A No, Holly can go first.

22 Q Okay. Holly can go first. Whatever order you want.

23 It doesn't matter. Do I still have Heidi or Emily or -- who

24 is this? Is this Holly?

1 MS. DRAPER: This is Holly. I'm here with her.

2 Q Okay.

3 MS. DRAPER: This -- this is Holly. She's two and  
4 she doesn't speak verbal words or write on paper.

5 Q Okay. Okay. If Heidi is still listening to me, I  
6 think the Judge has had enough time to see who Holly is. And  
7 I was wondering if Heidi or Emily can hear me if they could  
8 let me talk to -- introduce either Dorothy or Rose to the  
9 Judge.

10 MS. DRAPER: You got to talk up as loud as you can,  
11 okay? Do you see the Judge is going to be right here on the  
12 bottom right corner? We don't see the judge on the screen.  
13 There.

14 Q Hi, who's this? Hi, is this Hei -- is this Heidi?  
15 Hi, who is this? Is this Dorothy, Heidi, Emily? Who am I  
16 talking to? This is Elizabeth.

17 A My name is Dorothy.

18 Q Hi, Dorothy. How are you today?

19 A I'm okay.

20 Q Dorothy, how old are you?

21 A I am nine.

22 Q Okay. And do you like to dance?

23 A I love to dance.

24 Q Have you known -- how long have you known Emily?

1           A     Know her a little.

2           Q     You don't remember how long you've known Lilly?

3           A     I've known Emily since she was little.

4           Q     So you knew Emily since she was little. Okay. Was

5 Emily still in school when you first got to know Lilly --

6 Emily?

7           A     Yeah.

8           Q     Is there anything else you want to tell the Judge

9 Dorothy before we talk to someone else?

10          A     Little nervous.

11          Q     That's okay. I think we -- we can let the Judge

12 meet Rose now. If Heidi can -- or Emily could get Rose to

13 talk to the Judge and meet the Judge, that would be -- I would

14 like that. Thank you Dorothy for talking to the Judge today.

15          A     But I didn't talk to him. I only --

16          Q     Well, you -- you talked to me but if the Judge is

17 actually listening too, he's -- this big courtroom that you

18 see here with these chairs and desks, the Judge is in that

19 room. For some reason the camera doesn't have the Judge up

20 right now. But the Judge -- if we can get the camera there,

21 he is listening to you. He's -- he's here.

22          A     Okay.

23          Q     Okay.

24                THE COURT: If the camera is not --

1 Q Now --

2 THE COURT: -- not engaged, then the -- then the  
3 camera will not be focused on the bench. So since --

4 MS. BRENNAN: Oh, okay.

5 THE COURT: -- we're listening quietly here, it goes  
6 to a default. So I can --

7 MS. BRENNAN: That's okay.

8 THE COURT: -- I can see -- I can see the witness.  
9 And hopefully there's a box on her screen so she can see us  
10 here. But when we're just listening to the testimony quietly  
11 and when that happens, it goes to a default picture of the  
12 courtroom. So I can hear you and I'm listening carefully to  
13 Ms. Brennan's questions and your answers.

14 THE WITNESS: Okay.

15 Q Did you want to say anything else to the Judge now  
16 that you can see that he's heard you before we talk to someone  
17 else?

18 A No.

19 Q Okay. Well, thank -- thank you. Can -- can we have  
20 Rose talk now? Can Heidi or Emily get Rose to the Judge real  
21 quick?

22 A Yeah, both of them are listening now.

23 Q They're both listening right now? Okay.

24 A Emily and Heidi are both listening.

1 Q Do you know Heidi?  
2 A Yeah, she's one of my good friends.  
3 Q Is -- does Heidi talk a lot?  
4 A Yeah.  
5 Q Does Emily sometimes complain that Heidi talks too  
6 much?  
7 A Yeah.  
8 Q Some of your friends talk a lot and some don't talk  
9 very much, right?  
10 A Yeah.  
11 Q Okay. Well, if we can talk to Rose now, that would  
12 be fantastic. Thank you, Dorothy.  
13 MS. DRAPER: We have Rose.  
14 A Hi.  
15 Q Hi, what is your name? Hello?  
16 A Apple.  
17 MS. DRAPER: She likes to eat apples, so I have an  
18 apple here for her.  
19 Q Okay. Rose, hi, this is Elizabeth. How are you  
20 today?  
21 A Good.  
22 Q Thank you for talking to the Judge today and talking  
23 to me last night. What is your favorite thing to eat?  
24 A Apple.

1 Q Okay. Good. And you have an apple there. Does  
2 that make you feel more comfortable?  
3 A Help teeth.  
4 Q Okay. Do you also go by the name of Tiffany?  
5 A Any. You pick.  
6 Q Okay. So I can either call you Rose or Tiffany?  
7 A Any.  
8 Q Any? Do you know Heidi?  
9 A I know.  
10 Q Do you know Emily?  
11 A Yes.  
12 Q Do you know -- do you know Ro -- Holly?  
13 A Yes.  
14 Q Do you have other friends also?  
15 A Yes.  
16 Q Have -- have you known Emily for a long time?  
17 A A long time.  
18 Q Did -- Rose, are you still there? Can you hear me?  
19 A Yes.  
20 Q Have you known Emily for a long time?  
21 A A long time. I'm hot.  
22 Q You're hot?  
23 A Yes.  
24 Q Do you help Emily?



1 A Yes.

2 Q How do you help Emily?

3 A Not hurt.

4 Q Do you know Roger?

5 A Yes.

6 Q Do you like Roger?

7 A Yes.

8 Q Do you know Elise?

9 A Yes.

10 Q Do Roger and Elise help you and Emily and your

11 friends?

12 A Help, yes.

13 Q When you first met Emily, was she in school? Do you

14 know if Emily was in school when you first met Emily?

15 A Don't know.

16 Q Okay. Thank you. What color hair do you have, Ro

17 -- Rose? Do you have red hair?

18 A Red.

19 Q You have short red hair?

20 A Red.

21 Q Okay. Thank you. Thank you, Rose. Can we talk to

22 Emily again, please?

23 A Yes.

24 Q Or Hei -- or Heidi?

1           A     Cold.

2           Q     Hi, do we have here?

3           A     It's Emily.

4           Q     Hi, Emily. Thank you for coming back to court.

5     Like I said, we just wanted to introduce you to the Judge and

6     I told you it would be safe and you got your stuffed animals

7     there, correct?

8           A     Yeah.

9           Q     Okay. Thank you for doing this. I know it's very

10    hard. But you're doing a great job and we're all very proud

11    of you, okay?

12          A     This is hard.

13          Q     Right. So I'm done with my questions for you,

14    Emily. So I know that Heidi said she wanted to say goodbye.

15    So if we can put Heidi back on so that I can say goodbye to

16    her and then the -- the -- your dad's lawyer is going to be

17    able to ask you and some of your -- your friends questions

18    too, okay? And then you'll be done. All right?

19          A     Okay. Hi. Oh, I dropped Red and Coco.

20          Q     Okay. Who am I -- is this Heidi?

21          A     Yes. You said I can be last.

22          Q     I did. I know you like to be last.

23          A     And --

24          Q     So --

1           A     -- I also --  
2           Q     You also what?  
3           A     Shadow. I dropped Shadow too. Because there's  
4 four.  
5           Q     Okay. So we're -- I'm going to be done with my  
6 questions now. So --  
7           A     Can I say a prayer now?  
8           Q     Sure. Go ahead and say a prayer.  
9           A     Thanks. Dear God, thank you for this day and thank  
10 you for the Judge, that he gets to -- to meet us and know that  
11 we're real. And thank you for the other people on this -- I  
12 don't know what it's called, but thank you. And thank you for  
13 Emily's mom and Emily's dog and Emily's granny and Emily's  
14 brothers for all their help. Amen.  
15          Q     Okay, Heidi. Thank you. If you can put Emily back  
16 on and then we'll have your dad's lawyer ask whatever she  
17 wants to ask. Thank you.  
18          A     Hi, Emily's dad.  
19                THE COURT: All right. Very --  
20          A     Yay. I got to meet him.  
21                THE COURT: Very -- very good. Ms. Roberts, would  
22 you like to introduce yourself to Emily and then ask her some  
23 questions?  
24                MS. ROBERTS: Just very briefly, Your Honor.

1 CROSS EXAMINATION

2 BY MS. ROBERTS:

3 Q Hi, Emily. My name is Amanda. How are you? Can  
4 you see me?

5 A Yeah, I can see you.

6 Q How are you?

7 A Hanging in there.

8 Q You said that you had Monarch with you, I think.  
9 Where is he? Can I see him?

10 A Sure. Monarch, come. Yeah, she's right here.

11 Q Is Monarch a girl or a boy?

12 A It's a girl.

13 Q Does Monarch go with you everywhere you go?

14 A Yes.

15 Q Do you know why we're here today?

16 A Yes.

17 Q Can you tell me why you think we're here?

18 A I think we're here to share a story a little bit and  
19 -- and get the resources that we need to continue our  
20 recovery.

21 Q When you say our, who are you talking about?

22 A I'm talking about me and the rest of me.

23 Q Okay. You stated that you talked to Ms. Brennan  
24 yesterday, is that true?

1           A     Yes.

2           Q     How long did you talk to Ms. Brennan?

3           A     I don't know.

4           Q     Was there anybody else present when you talked to  
5 Ms. Brennan?

6           A     Yes.

7           Q     Who else was present?

8           A     Heidi, Lilly, Dorothy, and Holly and I.

9           Q     Were there any other people that were present? Was  
10 your mom present?

11          A     Yes.

12          Q     Was grand -- I don't -- what do you call your mom's  
13 grandma -- your mom's mother, just grandma?

14          A     I call her granny.

15          Q     Was granny there?

16          A     Yes.

17          Q     Was your stepdad there?

18          A     No.

19          Q     Did they have you on speakerphone?

20          A     Video, is that speakerphone? I don't know.

21          Q     Oh, they had you on video.

22          A     Yes.

23          Q     Just like we are now?

24          A     No.

1 Q Can you describe it to me?

2 A We were on the phone. FaceTime.

3 Q Okay. FaceTime. I understand what FaceTime is.

4 How did Ms. Brennan know who she was going to talk to today?

5 A We had a plan of who was going to talk if they

6 wanted to.

7 Q You and Ms. Brennan have this plan?

8 A No, me and the others.

9 Q Okay. And how did you make this decision?

10 A In therapy.

11 Q Did you tell Ms. Brennan yesterday during your

12 FaceTime that you were going -- who was going to talk?

13 A I don't know.

14 Q Well, Ms. Brennan said that she talked to you and

15 Holly and Rose last night. There were others.

16 A Yes. That's correct.

17 Q Okay. And did Ms. Brennan ask you specifically to

18 have certain people speak today?

19 A Can you repeat the question?

20 Q Did Ms. Brennan specifically ask you -- or listen,

21 did Elizabeth ask you to have Holly show up today?

22 A They volunteered.

23 Q Okay. When did they tell Elizabeth that they were

24 volunteering?

1           A     Yesterday.

2           Q     Whose idea was it for them to volunteer?

3           A     Can you repeat the question?

4           Q     Whose idea -- what -- who -- who made the decision

5 or whose idea was it that they would volunteer to appear

6 today?

7           A     It was mine.

8           Q     And why did you have that idea?

9           A     In case I got stuck or wasn't able to talk. They

10 would be able to help.

11          Q     And did you plan that out with Ms. Brennan and -- or

12 with Elizabeth in advance?

13          A     Plan what out?

14          Q     Who would be talking today.

15          A     I don't know.

16          Q     That's okay. It's okay not to know. You're not in

17 trouble.

18          A     Okay.

19                MS. ROBERTS: The Court's indulgence for just a

20 second, Your Honor.

21                THE COURT: That's fine. You're doing fine, Emily.

22 Just hang in there. We're almost finished.

23                THE WITNESS: Thank you.

24          Q     Emily, I really appreciate you taking the time to

1 talk to me today. I don't really have any other questions for  
2 you right now.

3 THE COURT: Okay. Ms. Brennan, you don't have any  
4 other questions, do you?

5 MS. BRENNAN: No.

6 THE COURT: All right. What I'd like to do is first  
7 of all, Emily, thank you for testifying. I know that you had  
8 to wait all day yesterday and this morning wondering when you  
9 were going to testify. And you're finished for today. I'd  
10 ask that Mom, you excuse Emily and once she's excused I want  
11 to talk with Counsel and the parents and also Dr. Love and in  
12 the few minutes that we have left for today, okay? So thank  
13 you, Emily.

14 THE WITNESS: Hard. I don't want to do this  
15 anymore.

16 MS. DRAPER: You don't have to do it anymore. Here  
17 come here. Come on.

18 THE WITNESS: It's hard.

19 MS. DRAPER: Okay.

20 (WITNESS EXCUSED)

21 THE COURT: Okay. Let me see. Mom, you're back?

22 MS. DRAPER: Yes.

23 THE COURT: All right. And you have excused Emily  
24 from the room?



1 MS. DRAPER: Yes.

2 THE COURT: Okay. I -- Dr. Love, I just want to ask  
3 you -- I'm not going to reopen your exam -- your testimony,  
4 but you were -- you've been present through the testimony,  
5 right?

6 DR. LOVE FARRELL: Yes.

7 THE COURT: And is this -- is this how your sessions  
8 with Emily or your interaction with Emily -- is this typical?

9 DR. LOVE FARRELL: It -- it happens from  
10 time-to-time. They're -- most of the times she's very  
11 withdrawn and doesn't interact. I have met Heidi before and I  
12 -- I will mark in my notes if another alter comes in and  
13 appears. It's just a mark of change. It -- it just pops up.

14 THE COURT: Well, I imagine that --

15 DR. LOVE FARRELL: I think --

16 THE COURT: -- if -- you know, if the child knew  
17 that there was this court case and that she was going to be a  
18 witness, she -- you know, this would be a -- a source of  
19 anxiety for anyone. And certainly -- yeah, for her it's  
20 obvious that it was a source of anxiety for her. When she's  
21 anxious or nervous or whatever, is -- is this how she  
22 presents?

23 DR. LOVE FARRELL: She has, yes.

24 THE COURT: Okay. Have there been times when you're

1 able to interact with Emily for long periods of time in which  
2 she answers your questions and engages in a conversation that  
3 way?

4 DR. LOVE FARRELL: Emily is -- is challenging to  
5 engage. She gives short yes or no answers. She tends to be  
6 pretty withdrawn on the -- the days where she isn't suicidal  
7 at that moment. It's my best interaction with her. But it's  
8 still quite similar to what you've seen today.

9 THE COURT: Do you talk to Emily about how her daily  
10 routine is? I mean, is she typically whenever she does -- and  
11 does activities she's with a parent or with a relative or a  
12 friend?

13 DR. LOVE FARRELL: Yes, I think the exception is  
14 when she does her rowing. She -- it's one of her activities  
15 that her mom got her in to try to help with socialization. So  
16 I don't think her mom's with her on the boat when she rows  
17 with her team.

18 THE COURT: Yeah, well, we -- we have a lot of  
19 evidence that we're going to get in the future and sort of the  
20 in -- during the course of this case. You know, one of the  
21 themes that's been advanced is that, you know, there are times  
22 when, you know, she does things that might be suggested as  
23 autonomous like driving or traveling or -- or, you know,  
24 buying things and, you know, sort of normal activity. So I'm

1 wondering is that something that you understand is a routine  
2 for her in her life or no?

3 DR. LOVE FARRELL: Not a routine.

4 THE COURT: Okay. And so if the Court were to hear  
5 from Emily again, do you think that -- that what we just saw  
6 during the course of the last hour was an outlier or is that  
7 pretty typical of what that interaction is?

8 DR. LOVE FARRELL: Well, I've never seen her in this  
9 type of stressful situation. I've only seen her context of  
10 office which is a pretty safe -- pretty safe place. I have  
11 seen her switch between alters.

12 THE COURT: All those alters seem pretty passive to  
13 me. Does she have alters that are aggressive or are I guess  
14 demonstrative?

15 DR. LOVE FARRELL: If I recall from my notes, she  
16 had an alter who took her clothes off and went into the  
17 swimming pool and it's -- so -- but -- but my understanding is  
18 there's dozens.

19 THE COURT: Okay. All right. Well, that -- that  
20 was, you know, very -- it's hard, but essential I think, you  
21 know, under the circumstances and the scope of the testimony  
22 and the way it was handled. I appreciate Counsel's efforts in  
23 doing that. We're -- we're done for the day. I'm going to be  
24 looking to try to find a window and it's going to be more than

1 a three hour block because the next session has got to be the  
2 end of it. We have -- Ms. Roberts, you have not examined Mom  
3 -- I mean -- and you may want to call your client, right?  
4 Other than --

5 MS. ROBERTS: Yes, Your Honor.

6 THE COURT: -- Mom or Dad --

7 MS. ROBERTS: I potentially --

8 THE COURT: -- are there any other witnesses that  
9 I'm going to hear from?

10 MS. ROBERTS: Potentially I might have rebuttals. I  
11 have not decided as of today.

12 THE COURT: Okay. So we need to make sure that we  
13 have enough time allotted so that that can be accomplished.

14 MS. BRENNAN: Well, with all -- with all due  
15 respect, Judge, she doesn't have any other witness on her  
16 witness list to be a rebuttal. So I'm not exactly sure who --

17 THE COURT: Okay.

18 MS. BRENNAN: -- she's talking about.

19 THE COURT: I -- I know, but look, that -- that's  
20 fine, but examining your client and examining her own client  
21 could take -- easily take -- I mean, heck, we've spent --  
22 we've now had nine hours in which we've had the direct of Mom  
23 and Dr. -- Dr. Love and then Emily for less than an hour. So  
24 I'm just -- I don't want to -- we shouldn't be arguing over

1 that. I'm going to try to find a time and we can finish this  
2 case. If I can find it this month, I will, but I'll be in  
3 touch with Counsel to coordinate that.

4 Now are there any questions or -- or any matters  
5 that we need to deal with before I let you go?

6 MS. ROBERTS: Not that I'm aware of, Your Honor.  
7 No.

8 THE COURT: Okay. All right. Well, we accomplished  
9 a lot in the day-and-a-half that we've spent on this case.  
10 And ya'll stay safe and my office will be coordinating the  
11 resumption of the evidentiary hearing as soon as I have a -- a  
12 spot for you, okay? Thank you.

13 MS. DRAPER: Thank you, Judge.


14 MS. BRENNAN: Thank you.

15 MR. REED: Thank you, Judge.

16 (PROCEEDINGS CONCLUDED AT 11:47:11)

17 \* \* \* \* \*

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

21  
22 

23  
24 \_\_\_\_\_  
Adrian N. Medrano

**EXHIBIT 86**

**EXHIBIT 86**

**EXHIBIT 86**

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

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

13 Alecia Ann Draper,

14 Plaintiff,

15 v.

16 Jeffery Allen Reed,

17 Defendant.

Case No.: 05D338668

Dept. No.: H

18 **PLAINTIFF'S SUPPLEMENTAL DISCLOSURES**

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

22 **I. WITNESSES**

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

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

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

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

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

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

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

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

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

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

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

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

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

24 **II. DOCUMENTS**

25 UC Irvine Medical Records	PL 000001 - 000175	Previously Provided 8/31/2017	Love 1
26 Center for Discovery Medical Records	PL 000176 - 000190	Previously Provided 8/31/2017	Love 2
27 Del Amo Hospital Medical Records	PL 000191 - 000215	Previously Provided 8/31/2017	Love 3
28 Dr. Love Farrell Medical Records & Expert Report	PL 000216 - 000221	Previously Provided 8/31/2017	
	PL 000222 - 000256	Previously Provided 8/31/2017	Love 7
	PL 000257 - 000267	Previously Provided 8/31/2017	



1	Breakdown of Emily Reed's Health Insurance (2017 – Present)	ER 000001	Previously Provided 7/29/2019	
2	Health Insurance Cards	ER 000002 – 000003	Previously Provided 7/29/2019	
3	Letters of Conservatorship	ER 000004 – 000006	Previously Provided 7/29/2019	Love 9
4	Excerpts from 2016 Revised Edition Handbook for Conservators, Judicial Council of California	ER 000007 – 000010	Previously Provided 7/29/2019	
5	Capacity Declaration from Dr. Jennifer Love Farrell	ER 000011 – 000014	Previously Provided 7/29/2019	Love 8
6	Emily's Medical History List	ER 000015 - 000026	Previously Provided 7/29/2019	
7	Emily Expense History List	ER 000027 - 000033	Previously Provided 7/29/2019	
8	2017 Emily Expense History	ER 000034 – 000044	Previously Provided 7/29/2019	
9	2018 Emily Expense History	ER 000045 – 000051	Previously Provided 7/29/2019	
10	2019 Emily Expense History	ER 000052 - 000056	Previously Provided 7/29/2019	
11	Dr. Love Farrell Report (See also PL 000216 – 000221)	ER 000057 – 000062	Previously Provided 8/31/2017 and 7/29/2019	
12	Emily's US Bank Statements	ER 000063 - 000122	Previously Provided 7/29/2019	
13	Capital One Mastercard-5743 (see also ER 000513 – 000520)	ER 000123 – 000220	Previously Provided 7/29/2019	
14	American Express-52019	ER 000221 – 000283	Previously Provided 7/29/2019	
15	Wells Fargo Signature Visa (see also ER 000521 – 000537)	ER 000284 – 000336	Previously Provided 7/29/2019	
16	US Bank Checking – Personal 2017 – Present	ER 000337 - 000512	Previously Provided 7/29/2019	
17	Capital One Mastercard-5743 (see also 000123 – 000220)	ER 000513 - 000520	Previously Provided 7/29/2019	
18	Wells Fargo Signature Visa (see also ER 000284 – 000336))	ER 000521 – 000537	Previously Provided 7/29/2019	
19	US Bank Credit Card 2017 – 2019	ER 000538 – 000559	Previously Provided 7/29/2019	
20	US Bank Checking – Business 2017 - 2019	ER 000560 – 000727	Previously Provided 7/29/2019	
21	US Bank Savings – Personal 2017 – 2019	ER 000728 – 000761	Previously Provided 7/29/2019	
22	Merchant Services Statements 2017 – Present	ER 000762 – 000766	Previously Provided 7/29/2019	
23	QuickBooks - Business	ER 000767 – 000770	Previously Provided 7/29/2019	
24	Balance Sheet	ER 000771 – 000772	Previously Provided 7/29/2019	
25	Profit & Loss Statement – Business	ER 000773 - 000774	Previously Provided 7/29/2019	
26	1099 Forms (2017 & 2018)	ER 000775 – 000781	Previously Provided 7/29/2019	
27	Gas, Electric & Other Utility Bills	ER 000782 – 000791	Previously Provided 7/29/2019	
28				

1	House Mortgage & tax Payments	ER 000792 - 000806	Previously Provided 7/29/2019
2	Vehicle Insurance	ER 000807 - 000813	Previously Provided 7/29/2019
3	Vehicle Payments	ER 000814 - 000841	Previously Provided 7/29/2019
4	Updated FDF Page	ER 000842	Previously Provided 7/29/2019
5	Proof of 49% Ownership	ER 000843 - 000851	Previously Provided 7/29/2019
6	Alecia Passport	ER 000852	Previously Provided 7/29/2019
7	Emily FDF	ER 000853 - 000860	Previously Provided 7/29/2019
8	Cell Phone Bill	ER 000861 - 000872	Previously Provided 7/29/2019
9	2017 Personal Tax Returns	ER 000873 - 000895	Previously Provided 7/29/2019
10	2018 Business Tax Returns	ER 000896 - 000918	Previously Provided 7/29/2019
11	2017 Business Tax Returns	ER 000919 - 000964	Previously Provided 7/29/2019
12	2018 Business Tax Returns	ER 000965 - 001003	Previously Provided 7/29/2019
13	Emily's Credit Report	ER 001004 - 001012	Previously Provided 7/29/2019
14	Emily's High School Transcript	ER 001013	Previously Provided 7/29/2019
15	Emily's Passport & Driver's License	ER 001014	Previously Provided 7/29/2019
16	Dr. Boehm	ER 001015	Previously Provided 7/29/2019
17	Depression Treatment	ER 001016 - 001017	Previously Provided 7/29/2019
18	Monarch Dog Grooming	ER 001018 - 001021	Previously Provided 7/29/2019
19	Monarch Dog Purchase	ER 001022	Previously Provided 7/29/2019
20	Monarch Vet Bills	ER 001023 - 001035	Previously Provided 7/29/2019
21	AAA Animal Hospital	ER 001036 - 001038	Previously Provided 7/29/2019
22	Sit Means Sit	ER 001039	Previously Provided 7/29/2019
23	Twin Peaks Vet	ER 001040 - 001045	Previously Provided 7/29/2019
24	Beach City Vet	ER 001046 - 001051	Previously Provided 7/29/2019
25	OC Pass William Mason	ER 001052	Previously Provided 7/29/2019
26	HIPPA Release Signed by Emily	ER 001053 - 001054	Previously Provided 7/29/2019
27	Dr. Rouanzion	ER 001055 - 001078	Previously Provided 7/29/2019
28			

1	UBH Denton Health	ER 001079 – 001132	Previously Provided 7/29/2019	Love 5
2	UBH Denton Health	ER 001133 - 001136	Previously Provided 7/29/2019	
3	Del Almo Medication Discharge	ER 001137	Previously Provided 7/29/2019	Love 6
4	Del Almo Hospital * Love 4 = 1142 - 1144	ER 001138 - 001186	Previously Provided 7/29/2019	* Love 4 Love 6
5	Dr. Farrell Proof of Payment	ER 001187 - 001192	Previously Provided 7/29/2019	
6	Elizabeth Yang Law Office	ER 001193 – 001240	Previously Provided 7/29/2019	
7	Macy's Credit Card	ER 001241 - 001253	Previously Provided 7/29/2019	
8	US Bank Personal 2017	ER 001254 – 001265	Previously Provided 7/29/2019	
9	US Bank Personal 2018	ER 001266 – 001274	Previously Provided 7/29/2019	
10	US Bank Personal 2019	ER 001275 - 001282	Previously Provided 7/29/2019	
11	Dog Training	ER 001283 - 001287	Previously Provided 7/29/2019	
12	Nevada School Records	ER 001288 – 001352	Previously Provided 7/29/2019	Love 10-15
13	California School Records	ER 001353 – 001441	Previously Provided 7/29/2019	Love 16-21
14	CV – Dr. Love Farrell	ER 001442 – 001444	Previously Provided 10/22/2019	
15	CV – Dr. Roger Boehm	ER 001445 - 001448	Previously Provided 10/22/2019	
16	Receipt \$8,500 Pasadena Villas Residential Psychiatric Treatment Centers	ER 001449	Previously Provided 10/22/2019	
17				
18	Dr. Love Ferrell Supplemental Report	ER 001450 - 001467	Previously Provided 12/04/2019	
19				
20	Metro Police Interview of Emily Reed re Sexual Assault	ER 001468 - 001519	Previously Provided 12/04/2019	Love 26
21	Alecia Draper Request for FMLA	ER 001520 - 001525	Previously Provided 12/04/2019	Love 24
22				
23	Emily Reed Photos taken at Ridgeview Hospital on 08-29-2019	ER 001526 - 001527	Previously Provided 12/04/2019	
24	Emily Reed SSI Continuing Approval Letter	ER 001528 - 001529	Previously Provided 12/04/2019	
25				
26	State of Nevada vs. Allen Gorry	ER 001530 – 001531	Previously Provided 12/04/2019	Love 25
27	Emily Reed Suicide Note to Tiffany Doe School Psychologist	ER 001532 - 001533	Previously Provided 12/04/2019	Love 23
28				



1			
2	Emily Reed Status Update June 2019 thru October 2019	ER 001534 - 001539	Previously Provided 12/04/2019 Love 22
3	Wellstar Cobb Hospital September 20, 2019	ER 001540 - 001610	Previously Provided 01/31/2020
4	(ER visit after overdose)		
5	Le Conte Medical Center October 1, 2019	ER 001611 - 001662	Previously Provided 01/31/2020
6	(ER Hospital Records)		
7	Amen Clinic - Discharge Summary, Log Notes, Emails	ER 001663 - 001739	Previously Provided 01/31/2020
8			
9	Amen Clinic - History and Final Evaluations and Brain Scans	ER 001740 - 001762	Previously Provided 01/31/2020 Love 29
10			
11	Amen Clinic - Department of Social Services	ER 001763 - 001771	Previously Provided 01/31/2020
12	Amen Clinic - Prescription Records	ER 001772 - 001819	Previously Provided 01/31/2020
13			
14	Amen Clinic - Physician Progress Notes, Lab, and Outside Records	ER 001820 - 002315	Previously Provided 01/31/2020
15	Alecia Passport	ER 002316 - 002330	04/02/2020
16	Emily Passport	ER 002331 - 002342	04/02/2020
17	Roger Boehm Diagnosis and Treatment	ER 002343 - 02345	04/02/2020 Love 28
18			
19	Roger Boehm - Billing Statement	ER 002346	04/02/2020
20	Amen Clinic/Dr. Love Farrell Payment for Trial	ER 002347	04/02/2020
21	Blue Cross Exp. of Benefits - August 2019	ER 002348 - 002364	04/02/2020
22			
23	Blue Cross Exp. of Benefits - September 2019	ER 002365	04/02/2020
24	Blue Cross Medical Authorization	ER 002366 - 002386	04/02/2020
25	LeConte - Medical Bill 2019	ER 002387 - 002390	04/02/2020
26	LeConte - Medical Records 2019	ER 002391 - 002442	04/02/2020
27	Del Amo Hospital Records	ER 002443 - 002470	04/02/2020
28	Expenses for Emily 2017	ER 002471 - 002481	04/02/2020

1	Expenses for Emily 2018	ER 002482 - 002488	04/02/2020
2	Expenses for Emily 2019	ER 002489 - 002500	04/02/2020
3	Expense SUMMARY for Emily 2017, 2018 and 2019	ER 002501	04/02/2020
4	Pasadena Villa Discharge Summary	ER 002502 - 002505	04/02/2020
5	Pasadena Villa – Case 1	ER 002506 - 002669	04/02/2020
6	<del>Pasadena Villa – Case 2</del>	<del>ER 002670 - 002822</del>	<del>04/02/2020</del>
7			
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\* LOVE 27

BRENNAN LAW FIRM

By: /s/ Elizabeth Brennan  
ELIZABETH BRENNAN

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

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**CERTIFICATE OF SERVICE**

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

**PLAINTIFF'S SUPPLEMENTAL DISCLOSURES**

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

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

/s/ Elizabeth Brennan  
An Employee of BRENNAN LAW FIRM