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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

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

**ROBERTS STOFFEL FAMILY LAW
GROUP**

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1 TRANS

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Alanna A. Hoffman
CLERK OF COURT

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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 THURSDAY, NOVEMBER 19, 2020

19 APPEARANCES:

20 The Plaintiff: ALECIA A. REED
21 For the Plaintiff: ELIZABETH R. BRENNAN, ESQ.
1980 Festival Plaza Dr., #300
Las Vegas, Nevada 89135
(702) 834-8888
22 The Defendant: JEFFREY A. REED
23 For the Defendant: AMANDA M. ROBERTS, ESQ.
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I N D E X O F W I T N E S S E S

<u>PLAINTIFF'S</u> <u>WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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JEFFREY REED	6	--	--	--
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ALECIA DRAPER (recalled)	18	--	--	--
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DEFENDANT'S
WITNESSES:

ALECIA DRAPER	30	--	--	--
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I N D E X O F E X H I B I T S

<u>PLAINTIFF'S</u> <u>EXHIBITS:</u>	<u>ADMITTED</u>
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42 - Data compilation	23
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83 - 2017 tax return	10
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84 - 2018 tax return	10
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86 - Cover sheets	29
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DEFENDANT'S
EXHIBITS:

(None presented)

1 LAS VEGAS, NEVADA

THURSDAY, NOVEMBER 19, 2020

2

P R O C E E D I N G S

3

(All parties appear telephonically)

4

(THE PROCEEDINGS BEGAN AT 8:57:55)

5

6

THE COURT: -- standing. I want to thank everyone
7 for being on time. We're -- we're here on post judgment
8 proceedings, this post judgment child support -- support
9 dispute on the Draper Reed matter. The case number is
10 2005-D338668. We have Counsel and the parties appearing again
11 remotely with a BlueJeans connection. The testimony will be
12 by video again today. Ms. Brennan, first, will you confirm
13 your appearance?

14

MS. BRENNAN: Yes, Your Honor. Elizabeth Brennan,
15 bar number 7286, for the Plaintiff --

16

THE COURT: And Ms. Roberts?

17

MS. BRENNAN: -- who is also present.

18

THE COURT: All right. Ms. Roberts?

19

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

22

THE COURT: Okay. I know we probably covered this,
23 but I should probably just cover it again. Is that -- the
24 setup. We're on the record. I'm here with my staff in the

1 courtroom. You're on a large TV monitor. It looks like, you
2 know, a cable news TV show. I got four boxes. I've got
3 Counsel in -- in a box. It's like Hollywood Squares minus
4 four squares. Okay. So I can see you. You should be able to
5 hear the proceedings. If we lose a connection, which can
6 happen, you just stay on the record, just reconnect so that
7 there's a continuous record of how we are proceeding. In
8 preparation for today because it's been awhile since we
9 started the evidentiary proceeding, the Court reviewed the
10 testimony of Ms. Draper, Dr. Love Farrell, and Emily Reed from
11 August 6th and 7th. I mean, we took about eight or nine hours
12 of testimony during those two days. I expect to conclude the
13 evidence portion of the case this morning. It's required that
14 we do because I have another trial starting at 1:30 in another
15 case.

16 So I -- I know that Ms. Draper testified for
17 two-and-a-half hours on direct and Ms. Roberts you didn't ask
18 her any questions. Is Dad going to testify in Ms. Draper's
19 case, Ms. Brennan?

20 MS. BRENNAN: Yes.

21 THE COURT: Okay. So you're going to call him now?

22 MS. BRENNAN: We can call him now unless you want
23 Aman -- unless Amanda wants to cross examine my client.

24 THE COURT: Well, it -- we're not in her case yet.

1 She reserved until you're done. Okay. So you're -- I want
2 you to rest. You're not resting until you take the testimony
3 of Mr. Reed. So he's next logically. I --
4 MS. BRENNAN: Okay.
5 THE COURT: Yeah, I just want to --
6 MS. BRENNAN: I will --
7 THE COURT: -- confirm that my notes are -- you
8 know, usually I try to take note of that but it's been, you
9 know, three plus months since we -- since we had the hearing.
10 So I just wanted to confirm that you are going to call Mr.
11 Reed in your case, right?
12 MS. BRENNAN: Yes. So I can --
13 THE COURT: All right.
14 MS. BRENNAN: -- call him now.
15 THE COURT: All right.
16 (WITNESS SUMMONED)
17 THE COURT: Then Mr. Reed, I can see you. You
18 obviously are not going to stand up where you are. But my
19 Clerk is going to ask you to raise your right hand and follow
20 her by taking an oath to tell the truth as if you were here in
21 court, okay?
22 MR. REED: Yes, sir.
23 THE CLERK: Please raise your right hand. You do
24 solemnly swear the testimony you're about to give in this

1 action shall be the truth, the whole truth, and nothing but
2 the truth, so help you God?

3 MR. REED: I do.

4 THE CLERK: Thank you.

5 THE COURT: Whenever you're ready, Ms. Brennan.

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

7 JEFFREY REED

8 called as a witness on behalf of the Plaintiff, having been
9 first duly sworn, testified upon his oath as follows on:

10 DIRECT EXAMINATION

11 BY MS. BRENNAN:

12 Q Mr. Reed, where are you currently employed?

13 A Service Corporations International.

14 Q I'm sorry, what's the name of it?

15 A Service Corporation International.

16 Q How long have you been employed by them?

17 A Almost nine years.

18 Q And what is your job function for Service
19 Corporation International currently? What's your job title
20 currently?

21 A It would be sales.

22 Q I'm sorry, what of that, sales?

23 A Sales. Do you want me to go --

24 Q Did you --

1 A -- in -- in detail on the sales part of it or --
2 Q I'm sorry, did you say Vi -- VP of sales?
3 A Just sales, sales man -- sales rep.
4 Q Sales rep. And where -- where do you work
5 physically? You work at a funeral home?
6 A Yes.
7 Q Okay. The Service Corporation International is
8 actually a funeral home business, correct?
9 A Yes.
10 Q What's the name -- name that the funeral home is
11 known by to the public? It's not known by Service
12 Corporation. It's known by another name, isn't it?
13 A Here in Las Vegas it's known as Palm and then also
14 Neptune Society which is the office I work out of now.
15 Q And Palm Mortuary?
16 A Yes, ma'am.
17 Q Okay. And how are you paid currently? Are you paid
18 by the hour or do you have a base pay plus commission?
19 A I recently moved over to Neptune Society which is
20 still part of the same parent company. I am now -- I get a
21 salary, a small salary, and commission after that.
22 Q And you moved to Neptune's -- you have continued to
23 progress up through the system with this company and continued
24 to get raises over the last year, isn't that true?

1 A I -- no because it's based on a hundred percent
2 commission. So whatever I sell is what I made. But they
3 don't -- so it's whatever I sell.

4 Q Okay. And what's your current year-to-date income?

5 A I do not have that in front of me.

6 Q And I would like to know your current year-to-date
7 -- date income from any and all sources.

8 A I don't have that in front of me. It's on my work
9 computer. I don't get a pay stub every week. It's on my work
10 computer. I'm sorry. I believe I -- I sent some stuff to
11 Amanda yesterday.

12 Q So you can't testify -- as you sit here today under
13 oath, you don't have any testimony as to what your current
14 income is?

15 A I don't off the top of my head. No, ma'am.

16 Q Okay. Well, let's go through your -- your -- and
17 I'm -- I'm looking at your 2016 tax return and your W-2s for
18 2016 show that your gross income in 2016 was \$95,256, isn't
19 that correct?

20 A Yes, ma'am.

21 Q Okay.

22 MS. BRENNAN: One minute, Your Honor. Oh.

23 Q Your -- based on Exhibit 83 which is your -- which I
24 offered, filed, and introduced into evidence as your 2017 tax

1 returns, it shows that your gross income for 2017 was 78,564,
2 isn't that correct?

3 A Yes, ma'am.

4 MS. BRENNAN: Your Honor, I offer, file, and
5 introduce into evidence Exhibit 83.

6 THE COURT: Any objection to 83, Ms. Roberts?

7 MS. ROBERTS: Let met just grab it Your Honor and
8 verify it a little. I don't have an 83. I only have to 55.

9 THE COURT: Yeah, there's another book and it's 55
10 to 85. The control numbers are JRs. Did you produce these in
11 discovery?

12 MS. ROBERTS: Oh, I found them --

13 MS. BRENNAN: Yes.

14 MS. ROBERTS: -- Your Honor. I'm sorry, I found it.
15 It's another book. It's just a different color. My fault.
16 Hold on.

17 THE COURT: It's -- it's a three page document -- or
18 actually, it might be four or five.

19 MS. ROBERTS: 83, is that what it is?

20 THE COURT: Uh-huh (affirmative). Is -- is JR your
21 control number or is that their control number?

22 MS. BRENNAN: That's hers.

23 THE COURT: Yeah. So this looks --

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

1 THE COURT: It looks like something --
2 MS. ROBERTS: It's fine.
3 THE COURT: -- you produced --
4 MS. ROBERTS: I just --
5 THE COURT: -- in discovery.
6 MS. ROBERTS: That's fine, Your Honor. Then 83 is
7 accepted.
8 THE COURT: Thank you. 83 is admitted.
9 (PLAINTIFF'S EXHIBIT 83 ADMITTED)
10 BY MS. BRENNAN:
11 Q At this time I refer to Exhibit 84 which is
12 Defendant's 2018 tax returns which shows your gross income for
13 2018 was 80,301, isn't that correct, Mr. Reed?
14 A Yes, ma'am.
15 MS. BRENNAN: I offer, file, and introduce into
16 evidence Exhibit 84.
17 THE COURT: Any objection to --
18 MS. ROBERTS: No objection.
19 THE COURT: -- 84? Thank you. 84 is --
20 MS. ROBERTS: No objection, Your Honor.
21 THE COURT: 84 is admitted.
22 (PLAINTIFF'S EXHIBIT 84 ADMITTED)
23 BY MS. BRENNAN:
24 Q You did not provide any proof of your 2019 income --

1 gross income in this case, did you?

2 A I -- I -- it's been so long I thought I did. I'm
3 not sure. I'd have to ask Amanda. I believe I sent her
4 everything I had that she had requested.

5 Q Well, if you can look at your --

6 MS. BRENNAN: Amanda, which exhibits of yours are
7 his 2019 income? I don't see that you ever produced that.

8 MS. ROBERTS: You'll have to look at the FDFs
9 because that's where it would be. He wouldn't have filed a
10 2018 -- or 2019 tax return until 2020. So that was after the
11 close of discovery, I believe.

12 MS. BRENNAN: Right.

13 Q So as we sit here today, Mr. Reed, can you tell the
14 Judge under oath what your total gross income was for 2019
15 since it wasn't produced in this case?

16 A Not off the top of my head. Somewhere in the 70s.

17 Q You have health insurance where you work, don't you?

18 A Yes, ma'am.

19 Q You have been provided since the -- in this case to
20 HIPAA release -- releases that would allow you to get medical
21 records related to Emily, isn't that correct?

22 A I -- I don't know. I don't know if you --

23 Q Okay.

24 A -- sent me that or not. What would it be -- what

1 were -- where would you have sent it to?

2 Q Well, isn't it true that you had --

3 A Would you have sent it to me directly? Would you
4 have sent it through Amanda? I don't -- I don't have
5 anything.

6 Q Okay. Well, obviously since you're represented by
7 Counsel, everything has to go through your lawyer. So you
8 understand that my clients and I provided to your lawyer while
9 this case has been pending two signed HIPAA releases that
10 would allow you or your lawyer to get any and all medical
11 records that you wanted for Emily, isn't that correct?

12 A Yes.

13 Q Despite having those two HIPAA releases, you did not
14 request any medical records or -- or -- related to Emily,
15 isn't that true?

16 A I have not.

17 Q You have not provided any money for the -- for
18 Emily's needs since what date?

19 A Off the top of my head, I don't know, because there
20 was a point there where there was a mistake made in some
21 filings. So I had some -- some issues with child -- child
22 support that I paid and I can't remember exactly when I paid.
23 That was -- that was about 2017, I believe.

24 Q Okay. Well, it would be fair to say wouldn't it

1 that since sometime in 2017 you have paid zero for the support
2 and living expenses and medical expenses related to Emily,
3 isn't that correct?

4 A Yes, ma'am.

5 Q You have been aware of Emily's -- well, strike that.
6 Back when Emily was in high school, you participated in some
7 of the IEPs and interview sessions and whatnot that the school
8 had regarding the problems that Emily was having, isn't that
9 correct?

10 A I don't believe -- I believe -- I went to any of
11 those because I'm in Nevada and she was in California at the
12 time. But I did go to a couple when I was visiting a couple
13 of sessions I believe with a school psychologist.

14 Q And would it be fair to say that while Emily was in
15 high school the school records that have been produced as
16 exhibits in this case if they indicate in those school records
17 that the school wrote that you were present and notified and
18 aware of what was going on, you don't dispute that writing in
19 those records, do you?

20 A No, ma'am.

21 Q Okay. You're aware that when Emily was in high
22 school she tried to kill herself?

23 A Yes.

24 Q And you're aware that Emily had to be hospitalized

1 while she was in high school because of her suicidal ideations
2 and mental health issues, isn't that correct?

3 A Yes, she was in the hospital.

4 Q And she was 17 at that time, wasn't she?

5 A I believe so.

6 Q Let me go back a minute. After the divorce in this
7 case, you -- your daughter was sexually molested repeatedly on
8 a regular basis by a fellow that was caring for the children
9 while they were in your timeshare of during the divorce, isn't
10 that correct?

11 A Yes.

12 Q And what was that fellow's name that raped your
13 daughter repeatedly as a minor?

14 A Alan Gorey (ph).

15 Q And what -- what happened as a result of that? Did
16 he get -- did he plead guilty to his repeated sexual assaults
17 of your daughter and is he currently in jail?

18 A He is.

19 Q And that all occurred -- the -- the sexual abuse and
20 rape by Alan Gorey of Emily occurred when she was a minor,
21 isn't that true?

22 A Yes.

23 Q You are aware that in addition to her suiciding
24 attempts as a minor that she has had multiple suicide attempts

1 since that first one when she was in high school, isn't that
2 correct?

3 A Yes.

4 Q You have been aware since Emily was a minor when she
5 tried to kill herself in high school when she was 17 that
6 Emily needed help for her issues, isn't that correct?

7 A Yes.

8 Q You don't dispute the diagnosis by Dr. Love in this
9 case, do you?

10 A I'm sorry, you broke up a little bit.

11 Q You don't dispute the diagno -- that your daughter
12 has disability as explained by Dr. Love, do you? You don't
13 dispute Dr. Love's diagnosis, do you?

14 A I -- I don't know Dr. Love. I don't -- I -- yes, I
15 do.

16 Q You do? And what's the basis for --

17 A Yes.

18 Q -- it?

19 A Because I have not been around Emily to know
20 anything other than what that Dr. Love said and I believe that
21 there's other issues also.

22 Q But you don't have any -- you're not trained in
23 mental health issues or psychiatric issues or multiple
24 personalities or any of the thing that Dr. Love has experience

1 in are you?

2 A No. No, ma'am. I'm just basing that off of what I
3 saw from Emily when I had contact with her.

4 Q Okay. You saw -- you understand at -- that Emily
5 has multiple alters or multiple personalities, don't you?

6 A Yes.

7 Q Despite knowing that Emily had need for medical
8 attention all these years, have you ever recommended and taken
9 Emily to any doctor or a therapist since she was 17 years old?

10 A No.

11 MS. BRENNAN: That's all I have, Your Honor. Thank
12 you.

13 (WITNESS EXCUSED)

14 THE COURT: Ms. Roberts, are you going to examine
15 your client now?

16 MS. ROBERTS: No, Your Honor. I'll wait til my
17 direct.

18 THE COURT: Okay. So do you rest, Ms. Brennan?

19 MS. BRENNAN: I -- as long as you have it -- well, I
20 -- I -- no, I have one more exhibit that I -- I want to get in
21 with -- with my client which you asked for me to wait until I
22 questioned her again. And that would be Exhibit 42. So 42 is
23 just a data compilation just like the rest of the data
24 compilations that you already admitted into evidence, Judge.

1 It's a chronological history of Emily's medical treatment and
2 it was used by both Dr. Love and my client so that they have
3 the dates and times of various things. And I'd offer, file,
4 and introduce Exhibit 42 into evidence.

5 THE COURT: Well, let's -- let's break that down.
6 It's not substantive proof that -- that the foundation would
7 be that this is some record that your client made to organize
8 her testimony that we heard --

9 MS. BRENNAN: Right.

10 THE COURT: -- for two-and-a-half hours.

11 MS. BRENNAN: Yes, Your Honor.

12 THE COURT: So did you offer it at the last hearing?

13 MS. BRENNAN: I did. And you told me to bring it up
14 again when I got the chance to re-question my client and I
15 haven't had that opportunity yet.

16 THE COURT: Okay. So I assume we have no --

17 MS. BRENNAN: So I don't --

18 THE COURT: -- no agreement that 42 comes in as
19 demonstrative proof?

20 MS. ROBERTS: No, Your Honor.

21 THE COURT: Okay. The --

22 MS. BRENNAN: Well, then I'd like to recall my
23 client. I'd like -- I'm not resting my case. I'll recall my
24 client to get this exhibit in.

1 (WITNESS SUMMONED)

2 THE COURT: Right. Ms. Draper, you heard
3 everything. Raise -- follow the Clerk and take an oath to
4 tell the truth, okay?

5 MS. DRAPER: Yes.

6 THE CLERK: Please raise your right hand. You do
7 solemnly swear that the testimony you're about to give in this
8 action shall be the truth, the whole truth, and nothing but
9 the truth, so help you God?

10 MS. DRAPER: Yes, I do.

11 THE CLERK: Thank you.

12 THE COURT: So the Court is granting the request of
13 the Plaintiff to recall Ms. Draper for the sole purpose of
14 laying the foundation and offering Proposed Exhibit 42. You
15 can proceed, Ms. Brennan.

16 MS. BRENNAN: Thank you, Your Honor.

17 ALECIA DRAPER
18 recalled as a witness on her own behalf, having been first
19 duly sworn, testified upon her oath as follows on:

20 DIRECT EXAMINATION

21 BY MS. BRENNAN:

22 Q Alecia, I'll show you what's been marked as Exhibit
23 42. Is this something that you had prepared?

24 A Yes, it is.

1 Q And why did you prepare this? What does this show?

2 A This shows the treatment locations, the dates, the
3 diagnosis, just in my own words the history and what took
4 place at the different offices with the different doctors or
5 therapists or treating -- or treatment centers in
6 chronological order.

7 Q Okay. And do you believe that this -- is this a
8 fair and accurate data compilation or summary of the treatment
9 rendered to Emily during this time period?

10 A Yes.

11 Q Okay. And will the -- did -- and -- and --

12 MS. BRENNAN: At this time, I offer, file, and
13 introduce Exhibit 42 as a data compilation to aid in the
14 testimony and the Court's understanding of this case just like
15 the other data compilations were admitted.

16 THE COURT: Well, you're not offering it as
17 substantive proof. You're supposed to lay the foundation as
18 to when she prepared it, what the source documents were, what
19 -- how -- how is this produced? Was it produced in
20 preparation for this hearing? The -- the Court can admit it
21 as a piece of demonstrative proof if the trier of fact needs
22 help in determining or organizing the information that's been
23 organized. Okay. So you've left out --

24 MS. BRENNAN: Okay, Judge.

1 THE COURT: -- important parts of it, okay? You
2 have to establish that it's credible and accurate which you
3 can refer the two-and-a-half hours of direct examination you
4 got from your client. But it is written up -- it -- it's not
5 coming in as substantive proof under any circumstances but
6 there's a lot of detail in here. It looks like she kept a
7 journal or she had a calendar or she went through some sort of
8 source documents to be able to get this kind of detail. You
9 need to lay that foundation if you want this to be admitted
10 over the objection of the Defendant, okay?

11 MS. BRENNAN: Yes, Judge. Thank you. I appreciate
12 that.

13 BY MS. BRENNAN:

14 Q Alecia, when did you prepare this document? Was it
15 in one sitting or did you prepare it over the course of years?
16 When did you prepare it?

17 A Yes. It was prepared at the initial diagnosis
18 starting from -- I have to look at the first date, but I was
19 told by her school psychologist to keep good records and I
20 believe by some other, you know, people just friends or family
21 that mentions me keeping good record. It was compiled over
22 the years. And it started with the first treatment place
23 that, you know, I -- and with her I'd have to look at the
24 record again, the notes, but I compiled it ongoing from -- via

1 the start of her condition so that I could -- could -- keep
2 this paperwork with me as when I was seeing new doctors and
3 new treatment professionals. So as they asked me the
4 questions I could answer and give them a good account of what
5 I was doing with her care.

6 Q Okay. And the -- did -- did you use any source
7 documents to prepare these? Like did you look at medical
8 records or whatever in drafting this? And if so, were those
9 All produced during this case to the other side?

10 A I was using any document that I received from the
11 facility or a therapist or the person who was seeing Emily.
12 And it did include medical records that were produced in this
13 case. If I had that in my possession, I produced it.

14 Q Okay. And in addition to -- is it true that there
15 are some medical providers or some treatment that occurred to
16 Emily that you do not have medical records on but you included
17 what was occurring in this data compilation, Exhibit 42? In
18 other words, there are some -- like you -- you don't have
19 medical records for every single thing but you're documenting
20 what was occurring. For example, she may have seen Elise
21 Collier or Rick Tansey or whatever. You're -- even if there
22 isn't a medical record to go with it you're indicating the
23 date and time that things occurred in real time when that
24 occurred, is that correct?

1 A That is correct.

2 Q Okay. And is this chart true and accurate to the
3 best of your understanding and belief?

4 A Yes, it is.

5 Q And did you refer to this and Dr. Love refer to this
6 in the aid of both of your testimonies at the first and second
7 -- on the evidentiary hearing portion of this case that took
8 place in August?

9 A Yes.

10 MS. BRENNAN: At this time, Judge, I offer, file,
11 and introduce into evidence Exhibit 42.

12 THE COURT: Okay. Ms. Roberts, do you want to state
13 an objection for the record?

14 MS. ROBERTS: Yes, Your Honor. We object because
15 the medical records used to allegedly create this were never
16 produced in discovery in this matter. If the Court wants
17 those specific names, I can give the Court some examples of
18 the medical records never produced. But that includes as Ms.
19 Brennan said the records from Ms. Collier. And, again, I --
20 I'd like to note for the record just for appeal purposes Your
21 Honor that this is a document created by Mom that was given to
22 Dr. Love that Dr. Love relied upon, not the medical records.

23 THE COURT: Yeah. Well, you had a chance. She
24 testified for five hours. You had a chance to ask her

1 anything you wanted to concerning her interaction with this
2 case. Just so the record is clear, the objection is overruled
3 and Exhibit 42 is going to be admitted because of -- it -- it
4 is essentially an ongoing record of events that may have
5 occurred. There are statements in here and information here
6 in which the real evidence or the actual evidence are records
7 that the Court would rely on. The Court is not relying on and
8 making any findings related to the contents of these records
9 as it relates to any substantive issue of diagnosis. It's
10 basically a timeline of events. The foundation for this is
11 that Mom started preparing a record of things that were done a
12 few years ago and that this is offered to show where she went
13 with the child and who may have seen the child.

14 But the Court is not going to review Exhibit 42 and
15 glean any specific information from it except for a timeline
16 of events. I'm not going to be using it to make a -- a
17 finding on any specific matter that might be referencing a
18 medical diagnosis of someone who is not here to answer
19 questions or the records are not admitted into evidence. The
20 Court is going to rely on and make findings concerning the
21 evidence that was admitted, the substantive proof and the
22 witness testimony. And the Court determines that Exhibit 42
23 should come in over -- on the -- that basis over the objection
24 of the Defendant.

1 (PLAINTIFF'S EXHIBIT 42 ADMITTED)

2 THE COURT: Are you finished, Ms. Brennan?

3 MS. BRENNAN: Yeah. Thank you, Your Honor. I just
4 want to make one statement for the record just in case there's
5 an appeal of this. Contrary to what opposing Counsel said,
6 all medical records that we've received in this case have been
7 provided to opposing Counsel and in addition to two HIPAA
8 releases as Mr. Reed admitted he had the ability to get any
9 additional documents and chose not to.

10 THE COURT: Again, it doesn't --

11 MS. BRENNAN: With that Your Honor --

12 THE COURT: -- matter. You're not going to --
13 you're not going to be able to expect when I make my findings
14 and orders that I use 42 for anything as it relates to a
15 specific finding or a conclusion. Okay. Because I'm not.
16 I'm going to be relying on your client's hours of testimony,
17 the testimony of other witnesses and documentary proof that's
18 actually been admitted.

19 MS. BRENNAN: Yes, that's my --

20 THE COURT: Ms. Roberts --

21 MS. BRENNAN: -- that's --

22 THE COURT: -- do you have any specific questions
23 for Ms. Draper concerning Exhibit 42?

24 MS. ROBERTS: I'll ask them on direct, Your Honor.

1 THE COURT: I'm sorry?
2 MS. ROBERTS: I will ask them on my direct.
3 THE COURT: Okay. Good.
4 (WITNESS EXCUSED)
5 THE COURT: Do you rest, Ms. Brennan?
6 MS. BRENNAN: I rest just as long as you have
7 Exhibit 86 in evidence. That was a new Exhibit that came up
8 in -- in the case and I think that would have been faxed to
9 your staff and it was -- Ms. Amanda stipulated to its
10 admission on August 7th.
11 THE COURT: Okay.
12 MS. BRENNAN: But I --
13 THE COURT: I --
14 MS. BRENNAN: -- it had --
15 THE COURT: -- Let me look.
16 MS. BRENNAN: -- to be faxed.
17 THE COURT: I got six books over here just like you
18 guys. I do have a document that's been marked for
19 identification that is Exhibit 86. It says Plaintiff's
20 supplemental disclosures. So it looks like a document that
21 you prepared in discovery. And what is the purpose of it?
22 What's the relevance?
23 MS. BRENNAN: I can't remember, Your Honor, at this
24 point. All I know is that on August 7th opposing Counsel

1 stipulated to its admission but you didn't have it there --
2 THE COURT: Okay.
3 MS. BRENNAN: -- so --
4 THE COURT: Well, it's not -- it's a -- it's a -- a
5 document with controls. Plaintiff's supplemental disclosures.
6 MS. ROBERTS: What's the date on it, Your Honor? If
7 you give me the date, I'll look at it on my computer.
8 THE COURT: It says electronically served April 2nd,
9 2020.
10 MS. ROBERTS: Okay. Let me just --
11 THE COURT: And --
12 MS. ROBERTS: -- have a look.
13 THE COURT: -- it's on -- it's on Ms. Brennan's card
14 and paper. It has a certificate of service to you April 2nd.
15 But I -- that's fine. It doesn't appears to be controversial.
16 We have the document. We can have it admitted. I just want
17 you to confirm since I can't remember Ms. Roberts whether
18 there was any objection that you needed to state for the the
19 record or whether this was just something we needed to track
20 down from the last hearing.
21 MS. ROBERTS: No, it is something we needed to track
22 down, but can you tell me specifically what Bates stamp
23 numbers are going to be in the document Your Honor just for my
24 notes?

1 THE COURT: Well, I don't know since it was produced
2 later whether it has control Bates stamp numbers. It is a
3 Plaintiff's supplemental disclosure document on Ms. Brennan's
4 card and paper. It says in -- Alecia Draper and her capacity
5 as conservator for Emily Reed supplements Plaintiff's prior
6 disclosures related to the pending request for child support
7 for Emily as a disabled child beyond the age of majority. It
8 lists witnesses, six of them, seven. Some of them are just
9 person most knowledgeable. It has documents that are
10 described as medical records. There's about three, four, five
11 pages of documents. They have control numbers, but, you know,
12 there's no -- basically documents one through 267, one through
13 gosh, what is it, 1448 or 1500 and -- 2300 pages of documents.
14 And then maybe more than that. I think that they're
15 sequential up to 2822.

16 So basically this is -- this is going to be admitted
17 in support of some sort of argument then in April supplemental
18 disclosures were made by you Ms. Brennan to the Defendant that
19 included these documents, right?

20 MS. BRENNAN: Yes, Your Honor. Because you will
21 recall she filed some writ with the Supreme Court saying she
22 didn't have things or whatnot. The -- and she did stipulate
23 to this on August 7th, 2020 --

24 THE COURT: Well, that's fine.

1 MS. BRENNAN: -- to its admission.

2 THE COURT: That's fine, but I want her to feel
3 comfortable because it's been three-and-a-half months that
4 there's no issue. I mean, I haven't had this document. This
5 document has managed by the Court Clerk which is not an
6 employee of the court and it's been with the other exhibits
7 and I think it was just tracked down after the last hearing.
8 It's dated with the Clerk's Plaintiff exhibit August 7th,
9 2020. So it --

10 MS. BRENNAN: Right.

11 THE COURT: -- seems like everything is -- I mean,
12 that's an accurate statement. So, I mean, if you -- if you
13 don't recall and you have some concerns about it, state your
14 objection and I'll make a record of it.

15 MS. ROBERTS: I just want to clarify, Your Honor.
16 It's essentially just the cover sheets showing what has
17 allegedly been produced, correct?

18 THE COURT: Yeah. It's a document that -- that was
19 exchanged in discovery but it came up in the context of some
20 the -- some question about what was and wasn't produced.

21 MS. ROBERTS: Yes, Your Honor.

22 THE COURT: All right.

23 MS. ROBERTS: But if that is exact --

24 THE COURT: Now I have a note here -- I have a note

1 here to myself from August 7th that says that before the
2 evidence is closed we need to rule on 86. Dr. Love laid the
3 foundation. And it was at 9:45 a.m. on August 7th. Okay. So
4 whether you object or not, it's coming in. I just need to
5 know what your position is. If you're not objecting to it,
6 then we'll have it admitted. If you're objecting to it, I'll
7 note your objection and I'll overrule it and I'll admit it,
8 okay?

9 MS. ROBERTS: No, we already stipulated to its
10 admission, Your Honor.

11 THE COURT: Great.

12 MS. ROBERTS: I just wanted to.

13 THE COURT: 86 --

14 MS. ROBERTS: -- verify.

15 THE COURT: -- is admitted. Thank you.

16 (PLAINTIFF'S EXHIBIT 86 ADMITTED)

17 THE COURT: Anything else, Ms. Brennan?

18 MS. BRENNAN: No, Your Honor. Thank you.

19 THE COURT: All right. Great. So the Plaintiff has
20 rested. Ms. Roberts, you've deferred. And so how do you want
21 to start your case?

22 MS. ROBERTS: I'm going to start with the Plaintiff,
23 Your Honor.

24 (WITNESS SUMMONED)

1 THE COURT: Okay. Ms. Draper, you just took an oath
2 a few minutes ago. Just answer a few questions. You
3 understand you're still under oath?

4 MS. DRAPER: Yes.

5 THE COURT: All right. Great. So whenever you're
6 ready, Ms. Roberts.

7 MS. ROBERTS: Thank you, Your Honor.

8 MS. BRENNAN: Thank you, Your Honor.

9 ALECIA DRAPER
10 called as a witness on behalf of the Defendant, having been
11 previously sworn, testified upon her oath as follows on:

12 DIRECT EXAMINATION

13 BY MS. ROBERTS:

14 Q Alecia, do you -- or Alecia, do you have that
15 Exhibit 42 in -- in front of you?

16 A Yes, I do.

17 Q So can you go to the Bates Stamp 15, please?

18 A Yes.

19 Q Where -- when were the records produced for Lisa
20 Ennels, E-n-n-e-l-s?

21 A Lisa Ennels is a therapist --

22 Q Okay.

23 A -- that was --

24 Q And were those records produced in this matter?

1 A No, there are no records that I have in my
2 possession.
3 Q Okay. Where were the records for Dawn Bruner (ph)?
4 A Dawn Bruner -- again, this is a -- an appointment
5 that Emily went to and no records were provided to me,
6 medical --
7 Q So --
8 A -- full medical records.
9 Q -- yes or no, were you -- did you provide records
10 for Stephanie Frasier (ph)?
11 A I did not receive records for -- for Stephanie
12 Frasier.
13 Q Did you --
14 A So no.
15 Q -- produce, not did you receive, did you produce
16 records from Stephanie Frasier, yes or no?
17 A No.
18 Q Did you produce records for Robert Boda (ph), yes or
19 no?
20 A What page are you looking at?
21 Q I'm at 16.
22 A That's 16?
23 MS. BRENNAN: I'm going to object to the -- well, I
24 -- I would just ask that you refer her to where -- where she's

1 talking about.

2 THE COURT: All right.

3 MS. BRENNAN: We produced --

4 THE COURT: Exhibit --

5 MS. BRENNAN: -- all these.

6 THE COURT: Exhibit 42 has control numbers. It's a

7 document of several pages. If you can't answer the question

8 because you don't remember, then Counsel can direct you. But

9 she's asked a specific question. There's nothing wrong with

10 the question. If she can answer it, she should answer it and

11 we should move on. Frasier, the answer was no. Boda, I

12 didn't hear an answer. Did you get an answer?

13 MS. ROBERTS: Ennels was no, Boda was no -- or

14 Bruner was no, Frasier was no, Boda, I don't -- she didn't

15 answer, Your Honor.

16 THE COURT: Okay. That's the pen --

17 MS. BRENNAN: No, she --

18 THE COURT: That's the pending question. If you

19 don't know, then let Counsel know so she can put you in the

20 right spot.

21 THE WITNESS: Okay. I -- I don't know. The --

22 these are my notes and I don't know on this one.

23 BY MS. ROBERTS:

24 Q Records from Sarah Tucker (ph).

1 MS. BRENNAN: What page are you on so that we can
2 try to -- she can look at whatever you're looking at, Amanda?

3 MS. ROBERTS: I'm at Bates Stamp 18.

4 A Yes, Sarah Tucker, Center for Discovery records,
5 were produced.

6 Q Where did it say that -- where does it say that
7 she's Center for Discovery of this -- oh, I -- sorry, I see it
8 in the column. What about Barbara Denny (ph)?

9 A And I'm sorry, can I go back to the Robert Boda?
10 That is medical record number 2342274 at UCI Medical
11 Neuropsychological Center. So that record was produced.

12 MS. BRENNAN: Just for the record, Alecia, that was
13 back on Bates number ER16, correct?

14 MS. ROBERTS: Your Honor, I'd ask that you not
15 have --

16 THE COURT: Yeah.

17 MS. ROBERTS: -- Counsel --

18 THE COURT: That --

19 MS. ROBERTS: -- direct her.

20 THE COURT: Yeah, it's not -- it -- it's not
21 appropriate for you to interject that way, Ms. Brennan.

22 MS. BRENNAN: I'm sorry, Your Honor.

23 THE COURT: Go on, Coun --

24 MS. BRENNAN: I just wanted -- if we can find --

1 THE COURT: I know. And -- and this is cross
2 examination of a party opponent. Ms. Roberts has a great
3 leeway to ask the questions the way she wants and insist on
4 the answers to the questions that she asked only without a
5 dialogue from you. If you have an objection, you state
6 objection and you tell me what the objection is. Ms. Roberts,
7 proceed, please.

8 BY MS. ROBERTS:

9 Q Did you produce records for Barbara Denny?

10 A What Bates number is that, please?

11 Q 18.

12 A I was not given any medical records. So no.

13 Q Did you produce records from Roxanne Grimes, yes or
14 no?

15 A No.

16 Q Who is Rick Tansey?

17 A He's the owner and advance provider of a company
18 called Max My Brain.

19 Q Okay. Did you produce the records from his program
20 that Emily allegedly attended? Yes or no?

21 A In 2015, no.

22 Q Did you produce the records for Elise Collier for
23 Pure Light Counseling?

24 A No.

1 Q Did you produce the group therapy records for Elise
2 Collier from 2015?
3 A No.
4 Q Did you produce records from Joanne Fierro from Alta
5 Medical?
6 A What Bates number?
7 Q 21.
8 A No.
9 Q Did you produce the records from Deborah Benning?
10 That's Bates Stamp 22 at Alta Medical.
11 A No.
12 Q From Sidney Wu at Alta Medical?
13 A No.
14 Q Did you produce the records from Connie at Horse 4 U
15 Therapy in this matter, yes or no?
16 A No.
17 Q Did you produce the Alta Medical records from Dr.
18 Rod? Yes or no?
19 A No.
20 Q Did you produce the records for the Dr. Curtis Ru --
21 Ruzoin (ph) I think it's how it's pronounced from 2017 and
22 '18?
23 A I produced his receipts with his medical diagnosis.
24 Q But you never produced the actual medical records,

1 correct? Yes or no?

2 MS. BRENNAN: Objection, lacks foundation. Suggests
3 erroneous inference.

4 THE COURT: Okay. Overruled. You can answer the
5 question now.

6 THE WITNESS: To understanding, the medical records
7 is from a doctor. The therapist did not provide me a medical
8 record.

9 BY MS. ROBERTS:

10 Q Okay. So the answer is no, you did not provide any
11 records from this Dr. Curtis Ruzoin.

12 A I provided what he gave to me.

13 Q Did you provide records from the HorsePlay Therapy?

14 A No.

15 Q Did you produce records, medical records, from the
16 Mariposa abuse group that she -- that she -- therapy group she
17 attended?

18 A No.

19 Q Did you produce records for the Mariposa anxiety
20 group she attended?

21 A No. Sorry.

22 Q Did you produce re -- records for Dr. Bowen?

23 A What page are you on? You are what number?

24 Q Let me find it again. Sorry. 4 -- 24.

1 A I produced a record that he gave me with a
2 diagnosis.

3 Q You did not produce the medical records. You
4 produced a letter from him with a diagnosis but no medical
5 records, yes or no?

6 MS. BRENNAN: Objection, lacks foundation.

7 THE COURT: What -- what --

8 THE WITNESS: I'm not a doctor. I don't know what
9 the medical record is, but I produced what he gave me.

10 THE COURT: That's fine. The -- the question seems
11 easy to answer.

12 THE WITNESS: No.

13 THE COURT: You're -- you're asking her whether she
14 produced anything other than the letter. Isn't that what
15 you're asking --

16 MS. ROBERTS: Correct.

17 THE COURT: -- Counsel?

18 MS. ROBERTS: Yes, Your Honor.

19 THE COURT: Yeah. Okay. Overruled.

20 MS. ROBERTS: She already answered, Your Honor, just
21 for the record.

22 BY MS. ROBERTS:

23 Q Alecia, you said no, correct?

24 A Correct.

1 Q Okay. Let's see. Sorry, hold on. Let me go to the
2 next one. William Castro, did you produce the records for
3 William Castro?

4 A No.

5 Q Did you produce the medical records for Dr. Thomas?

6 A Got her flu shot. No.

7 Q On January 20 -- or January 12th of 2015, you made
8 your first request for child support for anyone beyond the age
9 of majority, is that correct?

10 A I don't recall the date. Do you have an exhibit
11 that I can refer to?

12 Q I don't believe it's an exhibit, but let me look.
13 Hold on one second.

14 MS. ROBERTS: It's not, Your Honor. Can you just
15 take note of the fact so that we can move on from the
16 questions? It's the file date January 12th of '15.

17 THE COURT: Yeah, let me -- I'm almost there. There
18 was a -- there's no filing on January 12th, '15, but let me
19 see.

20 MS. ROBERTS: Sorry, that's the date I had on my
21 notes. Let me look.

22 THE COURT: There is a -- a motion on December 9th,
23 but -- filed, but I don't -- 14, but let me see.

24 MS. ROBERTS: Let me -- I'm sorry, Your Honor. I

1 apologize. Let me find it.

2 THE COURT: I -- I wasn't -- I -- I wasn't the Judge
3 on the case then I don't think.

4 MS. ROBERTS: No, I believe it was Judge Ochoa at
5 the time.

6 THE COURT: There is a -- the order setting
7 evidentiary hearing was filed on January 14th, 2015. So if I
8 back up from that, there was a motion filed by Mom on December
9 9th. And that motion was -- I mean, it's hard to tell because
10 it's fill in the blank.

11 MS. ROBERTS: Can I actually -- may -- may -- let me
12 ask her this.

13 BY MS. ROBERTS:

14 Q Alecia, do you -- or I'm sorry, we have an Alecia in
15 our office. Is it Alecia or Alecia?

16 A Alecia.

17 Q Alecia. Okay. Do you recall being in court on
18 January 12th of 2015?

19 A I don't recall the date, but I know I've been in
20 court.

21 Q Okay. So I'm going represent to you that January
22 12th you were in front of Judge Ochoa. On that date is the
23 first time that you made a request for child support for Emily
24 beyond the age of majority. Does that sound correct?

1 MS. BRENNAN: Objection, lacks foundation.

2 THE COURT: Yeah, I -- let's -- let's not -- let --
3 let's be careful because there was a hearing on January 5th
4 and January 12th. And I'm looking at the journal entry from
5 January 12th, 2015.

6 MS. ROBERTS: January 5th, there wasn't a hearing,
7 Your Honor. It was just a minute order. January --

8 THE COURT: Right.

9 MS. ROBERTS: -- 12th was their hear -- hearing.
10 And there was no formal request. It was an oral request.

11 MS. BRENNAN: You're going to have to pull up the
12 document because I --

13 THE COURT: Well, no.

14 MS. BRENNAN: -- don't --

15 THE COURT: I know --

16 MS. BRENNAN: -- think we should.

17 THE COURT: -- but look, the journal entry -- the --
18 look, this is a foundation for a real question. This is --
19 you're asking her for timing, right?

20 MS. ROBERTS: Correct, Your Honor.

21 THE COURT: And the visita -- I mean, the -- the
22 motion was related to visitation. It wasn't really -- I mean,
23 there's -- it's a long journal entry. Maybe child support
24 came up but it was a visitation and custody request. And Mom

1 was granted sole decision making concerning school and
2 medical. At least that's what the journal entry said.

3 MS. ROBERTS: So on Page 4 of 5 of the journal entry
4 Your Honor it says Court noted for the court the oldest child
5 graduating represented to the Court as being disabled with a
6 request for continuing support beyond graduation will be
7 considered at the time of trial. So it was an oral request
8 made by Ms. Brennan at that time or made by Mom.

9 THE COURT: Well, Brennan wasn't the lawyer I don't
10 think. Let me see.

11 MS. ROBERTS: And I --

12 THE COURT: It -- it says that -- oh, yeah, she was.
13 Yeah. Okay. So the point you're trying to establish is that
14 Judge Ochoa considered the request at a hearing on January
15 12th, 2015. Is that your request?

16 MS. ROBERTS: Yes, Your Honor. An oral request from
17 Ms. Brennan -- or from Mom essentially at that hearing.

18 THE COURT: Oral request for post majority child
19 support.

20 MS. ROBERTS: Correct, Your Honor.

21 THE COURT: And Judge Ochoa said that it will be
22 part of whatever evidentiary proceedings you wound up having.

23 MS. ROBERTS: Correct, Your Honor.

24 THE COURT: Ms. Brennan, does that line up with your

1 recollection since you were there?

2 MS. BRENNAN: That sounds right. I just want for
3 the record if we're going to put things in the record that
4 what you said that at the same date my client was granted sole
5 decision making regarding the school and medical decisions. I
6 think that's pertinent as well. So --

7 THE COURT: Well, up to a --

8 MS. BRENNAN: -- if we're going to --

9 THE COURT: -- up to a certain level, financial
10 level. It -- it's really not -- you know, the other thing is
11 I -- and I -- and, you know, Judge Ochoa wrote a decision. He
12 resolved those issues. The findings and orders -- I mean,
13 that's the law of the case. And I am not sure -- I mean, when
14 I -- if I write a decision on this case, I'm going to be
15 walking through the procedural posture and mentioning
16 important hearings. But the May 22nd, 2018 decision and order
17 summarizes everything from the Judge's perspective as to what
18 the procedural posture is and what the legal orders are. So I
19 don't want to get you bogged down. There was a hearing
20 January 12th, 2015. There was -- the Judge did address a
21 child support claim. And it appears that I guess -- is it
22 possible that that took two to three years before this
23 decision and order?

24 MS. ROBERTS: I'm -- I'm walking through that, Your

1 Honor. That's why I wanted to start with --
2 THE COURT: No, that's fine.
3 MS. ROBERTS: -- those dates.
4 THE COURT: I -- listen, I -- it -- it's fine.
5 MS. ROBERTS: I'm sorry, I just want a clear
6 timeline for what happened and how things progressed to the
7 point that Judge Ochoa made that ruling.
8 THE COURT: Gotcha. Go on.
9 MS. ROBERTS: Okay.
10 BY MS. ROBERTS:
11 Q So we were -- at that time January 12th of 2015
12 Emily was 18, correct, Alecia?
13 A January 12th -- January 12th, 2015 she's -- yes.
14 Q Okay. But she had not graduated from high school
15 yet, correct?
16 A That is correct.
17 Q Okay. Thereafter on March 9th of 2015 your attorney
18 filed something titled notice of withdrawal of request to
19 continue child support for Emily after high school graduation
20 due to disability and request to vacate evidentiary hearing.
21 Do you recall that being filed on your behalf?
22 A I do recall something. I don't know the details,
23 but yes.
24 Q Okay. Why was that filed?

1 A Because I didn't --
2 MS. BRENNAN: Objection, relevance.
3 A -- have the funds.
4 MS. BRENNAN: Objection, relevance. He -- the --
5 Judge Ochoa has already ruled on all of this. I --
6 THE COURT: Again --
7 MS. BRENNAN: -- don't see the --
8 THE COURT: -- I --
9 MS. BRENNAN: -- relevance --
10 THE COURT: Look, look, look, look. We know that --
11 that there's going to be a decision and both of you have
12 presented your case with the idea that if you're not the
13 prevailing party you're going to want to be able to make a
14 record of certain pieces of this case. The Court overrules
15 the objection. You're going to be able to walk through the
16 procedural posture of the case, Ms. Roberts. Go on.
17 MS. ROBERTS: Thank you, Your Honor.
18 BY MS. ROBERTS:
19 Q Oh, Alecia, did you want me to tell you what the
20 title was again or you -- do you recall that being filed?
21 A Yes.
22 Q Okay. And can you tell me why you withdrew your --
23 A I -- yes.
24 Q I'm sorry, can you hear me?

1 A Yes, I can hear you.

2 Q Okay. Why was it that you withdrew that request at
3 that time?

4 A I did not have the funds to move the case forward.

5 Q Okay. And that was done before Emily turned -- or
6 before Emily graduated, correct?

7 A Before she graduated I --

8 Q So she graduated after March 9th of 2015, correct?

9 A Yes.

10 Q Isn't it true that in March of 2015 is when you
11 started receiving the actual social security disability for
12 Emily? You requested it earlier but about that time is when
13 you started actually receiving payment?

14 A You know, you're break -- you're breaking up. I'm
15 catching every other word. Can you repeat that?

16 MS. ROBERTS: Your Honor, am I clear to you or is it
17 a problem with my service?

18 THE COURT: You're -- you're coming across clear,
19 but just restate the question.

20 MS. ROBERTS: Okay.

21 Q About that time, March of 2015, you had previously
22 made a request for disability for Emily, but about March of
23 2015 is when you started receiving it, correct, or shortly
24 there before?

1 A I would have to check my record that you're
2 referring to of when SSI started. Are you referring to SSI
3 payment?

4 Q Yes.

5 A Do you have a document that I can look at? Because
6 I don't know the date.

7 Q Well, what year was it?

8 A What year did she -- can you repeat the question?
9 What's your -- did she get SSI?

10 Q Yes.

11 A I know it started after high school.

12 Q So it would have been after then March of 2015?

13 A I can't give you a definite answer. I don't know
14 the date.

15 Q When did she graduate from high school?

16 A June of 2015.

17 Q In this request essentially as a result of this
18 filing, the Court vacated the evidentiary hearing, correct?
19 There was no evidentiary hearing, yes or no?

20 A The -- ye -- that's correct. There was no hearing.

21 Q Okay. Okay. Then why did you wait from March 9th
22 of 2015 to July 21st of 2017 more than two years to make any
23 request for child support for Emily past the age of majority?

24 A I believe I went to court -- filed a motion to

1 Jeff's mo -- Jeff Reed's motion.
2 Q Right. In 2017, correct?
3 A Correct. I -- I responded to his motion is what --
4 Q And what --
5 A -- brought us back to court.
6 Q What was Jeff requesting?
7 A He was requesting that I pay some amount of money, I
8 believe. I would --
9 Q How many --
10 A -- have to look at the (indiscernible).
11 Q How many children do you have with Mr. Reed?
12 A Three.
13 Q And that's Emily, Adam, and what's the other child's
14 name? I'm sorry, I forgot.
15 A Anthony.
16 Q Okay. When did -- Emily turned 18 when, what year?
17 A In 2014.
18 Q When did Adam turn 18?
19 A No. No. 2 -- she turned -- yeah, 2014. Adam
20 turned 18 -- I mean, he's 19 now. So in 2019.
21 Q And Anthony --
22 A I'm not sure.
23 Q -- Anthony turned 18 when?
24 A In 2017, I believe.

1 Q So when Jeff filed his motion in 2017, that was a
2 motion to discontinue child support for Anthony, yes or no?

3 A Yes.

4 Q Okay. And as a countermotion or in response to
5 that, you then filed a request for child support for Emily
6 beyond the age of majority, correct?

7 A I don't know the details of that motion but it was
8 filed exactly -- I know he was asking I think for money for
9 attorney's fees.

10 Q What did you ask for?

11 MS. BRENNAN: What's the date, Amanda?

12 MS. ROBERTS: July 21st, 2017.

13 A Do you have the document so I can refer to it so I
14 can see what the motion said that I was asking for?

15 Q I did not. It's a pleading. I figured you --

16 (COURT RECESSED AT 9:57 AND RESUMED AT 9:57)

17 Q -- call filing something?

18 A I don't recall.

19 Q Okay. So then why did you wait from 2015 to 2000 --
20 more than 24 months to do anything as it relates to Emily?

21 A I was taking care of Emily. That's -- I wasn't
22 doing nothing related to Emily. I have a history of what I
23 was doing in Exhibit 42.

24 Q But why didn't you come to the court in the two year

1 -- more than two years from the time that you requested to
2 withdraw, why did you wait so long to come back to court?

3 A I didn't file a motion with the court. I was
4 responding to Jeff's motion, I believe. I would have to ask
5 Amanda -- I mean, I would -- I would have to ask Elizabeth.

6 Q Right. But in response in that thing that you're
7 talking about, and you're correct, why did it -- why did you
8 not in that two year per -- more than two year period come to
9 Court and ask for relief?

10 A I -- I don't know other than I wasn't going to go to
11 court until I got the motion from Jeff. I don't know. I was
12 helping take care of Emily and navigating her medical
13 condition and her care.

14 Q So you never intended to bring a motion regarding
15 Emily's disabili -- alleged disability and the need to support
16 her? The only reason you did that is because Jeff requested
17 to terminate child support of Anthony who had reached the age
18 of 18? Is that a yes or no?

19 A I always had intentions of seeking support for
20 Emily's care.

21 Q Okay. So then again, why did you wait more than two
22 years to do that?

23 A I didn't have the money.

24 Q What changed between March 9th of 2015 and July 21st

1 of 2017?

2 A What changed in what? What's your question, please?

3 Q What change that prompted the request?

4 A Jeff filed a motion and I responded to the motion
5 and Elizabeth would have those records to review.

6 Q So the only thing that changed was Jeff filed a
7 motion, yes or no?

8 A Emily's care changed. It was getting significantly
9 worse.

10 Q Let's talk about the time before she graduated from
11 high school Emily obtained her driver's license, correct?

12 A Correct.

13 Q And did she have access to a vehicle?

14 A Yes.

15 Q And did she drive herself places?

16 A At what time frame?

17 Q Before she graduated from high school.

18 A Can you be more specific with what time frame before
19 she graduated from high school?

20 Q Well, when did she not have access to a vehicle?
21 Let's start there.

22 A When did she not have access to a vehicle. She's
23 had access to a vehicle.

24 Q Okay. And who -- who is in control of how much

1 access she has?

2 A To the vehicle?

3 Q Yes.

4 A That would be me.

5 Q Okay. And does she carry a set of keys to the

6 vehicle or does she just have -- or do you have them and you

7 have to give them to her each time?

8 A What time frame are we referring to?

9 Q Right now does she have access to a vehicle?

10 A No.

11 Q Okay.

12 A She does not.

13 Q When is the last -- when is the last time she had

14 access to a vehicle?

15 A Vehicles are parked outside. So the word access

16 means that she can access a vehicle. She --

17 Q Correct.

18 A -- could access the vehicle if she stole the keys.

19 So I'm -- I'm not -- I want to make sure I'm answering

20 truthfully here. But she's no longer allowed to operate a

21 motor vehicle under my -- under my supervision and

22 recommendation. She does have a driver's license but I do not

23 allow Emily to operate a vehicle or have keys to a vehicle.

24 Q Okay. When -- has -- has that always been the case

1 since she turned 16 that you -- that she always had to get
2 permission to use the vehicle or was there a time that she
3 could freely use it?

4 A There was a time she could freely use it.

5 Q What period of time is that?

6 A When she turned 16, I believe she got her license at
7 16, and up through -- I don't know the date, but I would say
8 at least at least six months to eight months she was able to
9 operate the vehicle freely.

10 Q Until six or eight months ago?

11 A No, un -- like from the time that she was 16. She
12 was hospitalized March of 2014. At that point in time I would
13 have supervised her driving -- she would have been restricted
14 with driving at that point.

15 Q Okay. So in March of 2014 is when you started
16 restricting her driving.

17 A No, I don't have the date for you. I don't know
18 exactly -- I don't recall the date that the driving would have
19 been restricted.

20 Q Okay. So Emily -- since she turned 16 -- or since
21 she turned 16 to now does she carry car keys in her purse?
22 Does she carry house keys in her purse or her bag or
23 something?

24 A She carries a backpack. She does not have car keys

1 in her purse.

2 Q Okay. Does she have house keys?

3 A I don't know.

4 Q Do you have digital locks or you have traditional

5 locks?

6 A We come through the garage which has a code, a

7 garage keypad.

8 Q Okay. Does she have access to the code to the

9 keypad?

10 A Yes.

11 Q Okay. In October of 2014, did she have access to a

12 vehicle to go on a vacation off the coast with friends and her

13 brothers?

14 A What was the date, October 2000 --

15 Q October of 2014, she went on a vacation with her

16 brothers and some friends up the coast to visit Jeff.

17 A I don't recall that.

18 Q After she graduated from high school June of 2015,

19 did she go out of the country?

20 A Sorry, you froze there. What was the question?

21 Please repeat it.

22 Q After she graduated from high school in June of

23 2015, did she leave the country?

24 A Yes.

1 Q Okay. Where did she go?

2 A I believe she went to Mex -- on a Mexico trip with a
3 friend and her parents.

4 Q And how long was she gone?

5 A I can't recall the dates but I would guess a week.

6 Q Do you -- the decision that -- that the Judge was
7 just referring to, that piece of paper he held up, I don't
8 know if you can see it or not, that was the decision from May
9 22nd of 2018. Do you recall getting a copy of that?

10 A I don't recall.

11 Q Do you recall that Jeff filed a motion for summary
12 judgment based upon the direction of Judge Ochoa and he ruled
13 against Jeff but said that Emily potentially would be able to
14 request joinder? Do you recall that?

15 A Yes.

16 Q Okay. Why did you wait from that ruling May 22nd of
17 2018 until January 22nd of 2019 to file anything to reopen the
18 matter?

19 A Explain reopen the matter more to me.

20 Q Why didn't you -- why did -- why did you come back
21 to court between May or of -- -- May 22nd of 2018 and January
22 22nd of 2019?

23 A 2008 -- you're referring to 2018 and 2019?

24 Q Correct.

1 A Is that the time frame? I believe Jeff and I went
2 back to court in 2017 and there was, you know, court case
3 pending at that point in time.

4 Q Right, but no -- nothing happened court between May
5 22nd of 2018 and January 22nd of 2019 when you filed to join
6 Emily. Do -- do you recall that?

7 A I don't know. I would need to talk to Elizabeth. I
8 know this case has been going on since 2017.

9 Q Is it true that Emily's IEP did not suggest
10 vocational school for Emily because she was enrolled in
11 general classes?

12 MS. BRENNAN: Objection, vague. It doesn't specify
13 the date. What's the date of the IEP?

14 THE COURT: Well, look. I -- we -- there was
15 testimony that there were IEPs throughout her -- from
16 elementary school up through high school. We -- aren't you --
17 aren't you focusing on the period of time right before she
18 became an adult when she was still in high school, Ms.
19 Roberts?

20 MS. ROBERTS: Yes, Your Honor.

21 THE COURT: All right.

22 MS. ROBERTS: Yes, Your Honor.

23 THE COURT: All right. So ask -- ask the question
24 in that context. She's talking about in the period of time

1 before she became an adult when she was about ready to
2 graduate from high school.

3 MS. BRENNAN: Thank you, Judge.

4 THE WITNESS: Can you repeat the question?

5 BY MS. ROBERTS:

6 Q Sure. Isn't it true that Emily's IEP did not
7 suggest vocational education for her because she was enrolled
8 in general classes?

9 A I don't believe that's true. No.

10 Q Okay. I'm going to direct you to Exhibit 2. Do you
11 have access to the exhibits?

12 A I -- I do not. I don't -- do not have exhibits. I
13 did print some of the exhibits. I don't have all of them
14 printed. No. If you can show me or read it to me what you're
15 referring to.

16 MS. ROBERTS: Okay. So let me ask -- I guess since
17 you -- I don't know how -- how to have her look at things Your
18 Honor if she doesn't have access to the exhibits. I -- I just
19 read to them? Is that what I do?

20 THE COURT: Well, I mean, look.

21 MS. BRENNAN: Well --

22 THE COURT: This is -- this is -- in -- on direct
23 she went over these exhibits. That's how they were admitted.
24 This is the high school California IEP records. It's

1 voluminous.

2 MS. ROBERTS: Correct.

3 THE COURT: She's supposed to have access to them
4 somehow. I -- you know, you get to lead her. So make the
5 point from the record that --

6 MS. ROBERTS: Okay.

7 THE COURT: -- you want to make.

8 Q So in -- on October 22nd, 2014 Emily completed an
9 IEP, correct?

10 MS. BRENNAN: Well, Judge, I'm sorry. I -- I don't
11 understand why Alecia doesn't have -- don't -- why can't you
12 access the exhibits, Alecia? You have all of them just like
13 we did at the last time.

14 THE WITNESS: Yeah, I'm not --

15 MS. BRENNAN: Can you pull -- just because you don't
16 have printed you do have the exhibits. So I think you just
17 need to take the time to get the exhibits because this is --
18 she's going to have more than just this one page to show you.
19 So that -- I -- I think we --

20 THE WITNESS: How do I --

21 MS. BRENNAN: -- you need to pull that up on your
22 computer.

23 THE WITNESS: -- pull up -- like pull up the
24 exhibits and have the screen on BlueJeans at the same time.

1 MS. BRENNAN: Well, we don't need to see you. We
2 need you to see the exhibit I think would be the Judge's --
3 THE COURT: No.
4 MS. BRENNAN: -- preference.
5 THE COURT: I think --
6 MS. BRENNAN: I don't know if --
7 THE COURT: I think -- I think what she's saying is
8 her connection is on the device she has. She can't re -- she
9 can't like switch screens and go into the documents. You have
10 the exhibits electronically, right, available to you?
11 THE WITNESS: Yeah. I --
12 THE COURT: Right. They're just not --
13 MS. BRENNAN: (Indiscernible) --
14 THE COURT: They're -- you would have to -- you
15 would have to leave this connection in order to be able to
16 pull them up, is that what you're saying?
17 THE WITNESS: Yes.
18 THE COURT: Do you have -- are you on a -- a desktop
19 or an iPad or an iPhone?
20 THE WITNESS: I have an iPhone. I mean, I can -- I
21 can get the exhibit on an iPhone. But I -- I'm on my -- my
22 laptop computer.
23 THE COURT: Okay. Do you have -- are you able to
24 access a file with another device so you would be able to look

1 at it while you're still connected on your laptop?

2 THE WITNESS: Yes, on an iPhone.

3 THE COURT: Yeah. Why don't you -- why don't you
4 take a second and see if you can access the file that has the
5 electronic piece of the exhibits. I know you know about these
6 exhibits because you were asked extensively about them --

7 THE WITNESS: Right.

8 THE COURT: -- at the last session. So why don't
9 you see if you can pull that up and then if you can, number
10 two is the California IEP.

11 MS. BRENNAN: Judge -- Judge, I think that's a great
12 idea. I guess the question I have would it be better for her
13 to attend BlueJeans on her iPhone and let her -- because we
14 don't really need to see her I don't think but -- and let her
15 pull up all these documents on her computer? It's going to be
16 a lot easier for her to see these documents on her computer
17 than a small cell phone.

18 THE COURT: Well, if -- it -- I guess really I
19 should ask Ms. Roberts. Ms. Roberts, you can organize your
20 exam however you want. I want her to appear just like
21 everybody else. So it's about 10:15. If she'd like to change
22 devices and say appear by video over her iPhone and use her
23 laptop to access the documents, we can just take a five minute
24 recess and she can make those changes. Ms. Roberts --

1 MS. BRENNAN: Okay.

2 THE COURT: Ms. Roberts --

3 MS. ROBERTS: That's fine, Your Honor --

4 THE COURT: -- are you going to be -- are you going
5 to be walking through a portion of the documentary proof with
6 her?

7 MS. ROBERTS: Yes, Your Honor.

8 THE COURT: Yeah. So I -- I don't really want her
9 looking at an iPhone screen that's two inches wide where she's
10 got difficulty getting to it. So why don't we do this? We
11 take a break in the morning anyway about halfway through.
12 It's about 10:15. You have the connection code. What I'd
13 like you to do, ma'am, it makes some sense if you have the
14 ability to use your iPhone as the connection device and use
15 your laptop to access the documents. You should be able to
16 scroll through them and read them a lot easier on the laptop,
17 don't you think?

18 THE WITNESS: Yeah.

19 MS. BRENNAN: Yes.

20 THE COURT: All right. So we will take a break a
21 little bit early. Keep it to five minutes if you can. Let's
22 log on at 10:20, okay?

23 MS. BRENNAN: Thank you, Judge.

24 MS. ROBERTS: Thank you, Your Honor.

1 (COURT RECESSED AT 10:14 AND RESUMED AT 10:20)

2 THE COURT: -- with the post judgment proceedings in
3 2005-D338668. We took a short break so that Ms. Draper can
4 access documents that have been admitted into evidence or
5 marked for identification. She's adjusted -- I can see her.
6 You know, understand you're still under oath, ma'am.

7 THE WITNESS: Yes.

8 THE COURT: All right. So what we've done is we --
9 we have a good video connection and audio connection and we
10 just changed devices so that you can access the exhibits. Are
11 you in Exhibit 2 already?

12 THE WITNESS: Yes, I am.

13 THE COURT: Outstanding. Ms. Brennan, you're there?
14 I don't see you, but you're there, right?

15 MS. BRENNAN: I don't -- yeah, I had to -- yeah, I
16 -- I -- why am I not hearing? I had the camera facing the
17 wrong way. I'm --

18 THE COURT: No. No.

19 MS. BRENNAN: -- sorry.

20 THE COURT: That's fine. I just wanted to make sure
21 that you were there. We don't want to start without you. Ms.
22 Roberts --

23 MS. BRENNAN: Thank you.

24 THE COURT: -- you're -- you're ready to go, right?

1 MS. ROBERTS: Yes --
2 MS. BRENNAN: Yes.
3 MS. ROBERTS: -- Your Honor.
4 THE COURT: All right.
5 MS. ROBERTS: Your Honor, I -- also I had two
6 additional exhibits emailed over because I don't know if I can
7 put them through the link anymore because that link expires in
8 48 hours. So we're going to ask for it but I don't know if I
9 can do it that way. I'll ask my staff to email it to your
10 staff like we did the last day of trial.
11 THE COURT: Good luck with --
12 MS. ROBERTS: Okay.
13 THE COURT: -- that. All right. Go on. Ask your
14 questions.
15 MS. BRENNAN: Well, can you make sure they email
16 them to me as well, please?
17 THE COURT: Well, I mean, we don't --
18 MS. ROBERTS: It's Bates --
19 THE COURT: -- we don't receive emails of exhibits
20 but I -- I suppose if we're in the middle of trial we'll try
21 to coordinate it. My law Clerk's working remotely. My JEA's
22 got five things she's working on right now, so --
23 MS. BRENNAN: No, not --
24 THE COURT: -- we're not --

1 MS. BRENNAN: -- not your office, Judge. If she's
2 -- if Amanda's office is sending your office new exhibits, I
3 need her to send them to me as well. That's --

4 THE COURT: Well --

5 MS. BRENNAN: -- all I'm saying.

6 THE COURT: -- right. I mean, it -- it wouldn't be
7 new to yo. If they're new to you, they're not --

8 MS. BRENNAN: Right.

9 THE COURT: -- going to -- they're not going to be
10 anything but marked. Okay. So --

11 MS. ROBERTS: They're --

12 MS. BRENNAN: Right.

13 MS. ROBERTS: They're Bates Stamp ER001053 and
14 ER001054.

15 THE COURT: Yeah, well, we track them down, we'll
16 have them marked and I'll let you know. But ask a question
17 about 2 which is the reason why we took a break in the first
18 place.

19 BY MS. ROBERTS:

20 Q Alecia, do you recall the IEP from October 22nd of
21 2014?

22 A I have it in front of me.

23 Q Okay. And that's the -- that would be the IEP when
24 she was a senior in high school?

1 A Correct. I'm on -- what page are you on?

2 Q The IEP dated 10/22 of 2014 would have been her

3 senior year of high school, yes or no?

4 A I'm looking at Page 001353 and the date listed is

5 current evaluations 4/7 of 2011.

6 Q Okay. So my question for you is if there is an IEP

7 in there dated October 22nd of 2014, that was her senior year

8 of high school, yes or no?

9 A I'm not seeing the page you're on that's stating

10 that information.

11 Q I'm not asking you to look at a page. I'm asking

12 you to look -- to think about a date. October 22nd of 2014.

13 That would have been Emily's senior year of high school, yes

14 or no? You just testified --

15 A Right.

16 Q -- she graduated in June, so that would have had to

17 be her senior year, yes or no?

18 A June of -- she graduated June of 2015.

19 Q Okay. So if the IEP was done in October of 2014,

20 that would be done during her senior year of high school,

21 correct?

22 A But I'm not seeing October. Can you show me where

23 that is? What -- what page are we on, please?

24 THE COURT: Look, it's a --

1 Q I'm not asking you to --
2 THE COURT: -- commonsense question. The school
3 year starts in September or August. If she graduated in June
4 of 2015, a document that is dated October 22nd would be during
5 the senior year. What -- why is this a problem? It's not
6 even the question she's asking. It's a foundation for the
7 question. Okay? She hasn't asked you to confirm whether or
8 not some IEP occurred on 10/22 2014. She said if there was
9 something that -- that was dated 10/22 it would be during her
10 senior year. Isn't that right, Ms. Roberts?
11 MS. ROBERTS: Yes, Your Honor.
12 THE COURT: All right. So the answer clearly should
13 be yes, correct?
14 THE WITNESS: Yes.
15 THE COURT: Thank you. Next question.
16 Q Can you turn to Bates -- so then the question is did
17 they -- during an IEP if it was done during that -- well,
18 let's just turn to it. ER001417.
19 A 1407?
20 Q 1417.
21 A Okay. I'm there.
22 Q Do you see where it says vocational middle of the
23 page?
24 A Yes.

1 Q So it states preemployment training postponed due to
2 enrollment in all general classes, is that correct?

3 A Yes.

4 Q Back to the trip to Mexico, had she previously gone
5 outside the country by herself?

6 MS. BRENNAN: Objection, misstates the testimony.
7 Misleading.

8 THE COURT: We had testimony that she took a trip to
9 Mexico. She can ask the question --

10 MS. BRENNAN: Well, she did not go by herself. She
11 did not go by herself.

12 THE COURT: Whatever. Then she can answer that.
13 The -- answer the question. Overruled.

14 THE WITNESS: Please restate the question.
15 BY MS. ROBERTS:

16 Q Had she previously traveled outside the country?

17 A Yes.

18 Q When?

19 A To the best of my recollection, I believe it was her
20 -- the summer of her freshmen -- after finishing her freshmen
21 year in high school.

22 Q Okay. And where did she go?

23 A She went to Japan.

24 Q And how long was she there?

1 A I can't remember the exact -- the time frame. It
2 would have been --

3 Q Was it one --

4 A A week or -- it could have been a week or 10 days or
5 up to two weeks. I can't recall the date -- the time frame of
6 how long the trip was.

7 Q Did you accompany her on that trip?

8 A No.

9 Q What was she in Japan for?

10 A She was part of an exchange student program. The
11 sister cities in Huntington Beach.

12 Q Okay. Did she travel by herself or did she travel
13 with an adult?

14 A She traveled with several adults and a group of
15 other students from Huntington Beach area.

16 Q And where did she stay during the trip?

17 A She stayed at a host family's home --

18 Q Okay.

19 A -- in Japan.

20 Q And when she went to Mexico in 2015 you did not
21 accompany her on that trip, correct?

22 A Correct.

23 Q Okay. When was the last time that Emily was
24 enrolled in college courses?

1 A Emily's not been enrolled in college course.
2 Q Never?
3 A Never.
4 Q What's the name of her current medical provider?
5 I'm sorry, strike that. What's the name of her current health
6 insurance provider?
7 A She has Medi-Cal. And she has a Blue Shield --
8 California Blue Shield policy.
9 Q Okay. And is the Blue Sh -- Blue Cross Blue Shield,
10 is that under somebody or is that her -- a private policy in
11 Emily's name?
12 A It's under -- I -- I don't know entirely. It's
13 under my husband's employer.
14 Q And are all of the children on that policy?
15 A No.
16 Q Okay. What children are on that policy?
17 A Are you asking about Emily's policy?
18 Q No, I'm talking about the one through your husband.
19 A Yes, Emily's on her own policy.
20 Q So the Blue Cross Blue Shield is not through your
21 husband's employer?
22 A It's through my husband's insurance broker.
23 Q Are you on a family plan?
24 A Yes.

1 Q Okay. Who is on the family plan?
2 A Myself, Anthony, Adam, and Jeff Draper.
3 Q And Emily is not part of the family plan?
4 A No.
5 Q When did that change?
6 A I don't recall.
7 Q Did it change this calendar year?
8 A I don't recall.
9 Q When's the last time that you recall her being on
10 the family plan?
11 A 2007 -- 2017 under my plan at my employer.
12 Q Okay.
13 A I --
14 Q Is she --
15 A I believe that --
16 Q I'm sorry, go ahead. I didn't mean to cut you off.
17 A I'm not a hundred percent on that. I would have to
18 look at that information.
19 Q If she's covered by Medi-Cal, why is she not being
20 taken to providers under Medi-Cal?
21 A She does go to providers under Medi-Cal.
22 Q Okay. Which providers is she seeing under Medi-Cal?
23 A She sees her -- a doctor for well check
24 appointments, her flu shot, vaccines, yearly well checks.

1 Q Okay. So why isn't she going to somebody under
2 Medi-Cal for the DID?

3 A I haven't found a provider under Medi-Cal plan that
4 accepts that insurance for their Medi-Cal that is able to
5 treat her.

6 Q What does that mean?

7 A Emily would go to the Medi-Cal primary doctor and
8 she will not communicate verbally on her own. So I am seeking
9 her medical, mental health professionals that are able to work
10 with Emily and her special needs and type of disability and
11 care.

12 Q And it's your testimony you can't provide -- you
13 can't find any providers under insurance through Medi-Cal that
14 cover those services?

15 A I have tried to find medical care under Medi-Cal
16 with the -- that would treat her with her condition. And it's
17 a specialized care. And I have not been able to find anyone
18 under Medi-Cal.

19 Q Okay. What doctors have you tried to treat with --
20 under Medi-Cal for any of her mental health illnesses?

21 A I'd like to go and refer to Exhibit 42.

22 MS. ROBERTS: I'm fine with that Your Honor if
23 you're fine with that.

24 THE COURT: If she wants to refresh her

1 recollection.

2 MS. ROBERTS: I'm fine with it.

3 Q While you're looking, Alecia, can I ask you a
4 question?

5 A Yes.

6 Q When did the Medi-Cal start?

7 A It started at 12/16/2015.

8 Q So then let's just use 42 real quick and I'll start
9 from 12/16 of '15. So I think that is Page -- okay. So it
10 looks like on Page 19 of that 42 was Elise Collier covered by
11 Medi-Cal?

12 A No, she's not.

13 Q Have you asked her for a referral for someone that
14 is covered by Medi-Cal?

15 A Yes, I have.

16 Q And has she provided you one?

17 A No, she has not.

18 Q Joanna Fierro is her nurse practitioner that she saw
19 in 20 -- 2016. Have you asked her for a mental health
20 referral for Medi-Cal?

21 A Which page are you on so I can look at the notes?

22 Q 21.

23 A She was the providing doctor for Medi-Cal. Emily
24 was required to find a primary doctor for her.

1 Q Right. So she is the primary care doctor, but is
2 she treating the mental health illnesses?

3 A She was not treating her, no, her mental health.

4 Q Okay. Who -- so did you ask this provider for a
5 referral for someone that provides services for Emily's
6 mental health issues under Medi-Cal?

7 A I believe I did. Yes.

8 Q Okay. And did she provide you any?

9 A I don't recall.

10 Q We've already -- I believe, but confirm, Dr. -- Dr.
11 Love Farrell is not covered by insurance, correct?

12 A That is correct.

13 Q How did you come to contact Dr. Love Farrell?

14 A It started with going back -- if I can remember
15 correctly. Max My Brain, Rick Tansey, referred Elise Collier.
16 And Elise Collier referred Dr. Love. And before Rick Tansey,
17 I -- she was working with Roxanna Grimes that referred Rick
18 Tansey because he case was very extreme.

19 Q All of those people that you just provided, none of
20 those are -- are covered by Medi-Cal.

21 A That is correct.

22 Q What is the name of any therapist or any mental
23 health provider that she's gone to under Medi-Cal?

24 A I need to find -- and she saw two psychiatrists I

1 believe under the Medi-Cal.

2 Q Okay.

3 A Sidney -- right -- it's on Page 23 in the --

4 Q Page 23 --

5 A -- Exhibit 42, ER, 23. Sidney Wu, MD.

6 Q Okay. So that would be -- that would be a medical

7 doctor, not a therapist or a psychiatrist. So you're alleging

8 she treated with this person for mental health issues?

9 A Correct. And there was --

10 Q Okay.

11 A -- the -- one other --

12 Q Why did she not continue with this doctor?

13 MS. BRENNAN: Can you wait and let her find --

14 A I couldn't --

15 MS. BRENNAN: -- the rest of her answer?

16 A I couldn't find someone that -- that had the

17 expertise to deal with her suicidality. So when I would give

18 the doctor or the therapist her medical conditions and her

19 history and her suicidal ideality and her suicidal attempts

20 they would explain to me that they were not -- they do not

21 have the criteria to treat her.

22 Q Well, this person -- this Sidney Wu provi --

23 prescribed medication for the anxiety. She went one time

24 and --

1 A Yes.

2 Q -- never followed up with her it looks like from
3 these records.

4 A Right. So when she went in to get medication, I
5 mean, there is a -- the history here. Then she saw -- I mean,
6 I just -- I mean, and I don't know if it was this office. I
7 don't want to misspeak but she sat on the floor and started
8 crying. We couldn't read the notes from the doctor on the
9 pad. I believe it said she was -- I -- I don't know. I -- I
10 just know that she was unable to communicate verbally with the
11 medical professionals that we were seeing at the time.

12 Q But you would agree --

13 A To my --

14 Q -- none of those --

15 A To my recollection.

16 Q But you would agree none of those medical records
17 have been provided to us, correct?

18 A This is AltaMed. This was the doctor that I saw and
19 I provided everything in my possession.

20 Q But not the medical records, correct?

21 MS. BRENNAN: Objection, misstates her testimony.

22 THE COURT: Yeah, the --

23 MS. ROBERTS: I'll rephrase, Your Honor.

24 THE WITNESS: I provided everything I had.

1 BY MS. ROBERTS:

2 Q What was in your posse -- I'll rephrase it. What
3 was in your possession?

4 A I don't know. I have provided just informa -- it
5 might have been a -- a slip of paper. I don't know. I don't
6 know what was in my possession. I can't answer that.

7 Q Okay. What's the other therapist that she saw that
8 was covered by insurance?

9 MS. ROBERTS: Oh, Your Honor, I think she's talking
10 -- her mouth -- Alecia, if you're talking to us, we can't hear
11 you. Or I couldn't hear her, Your Honor.

12 THE COURT: I didn't hear anything either.

13 MS. ROBERTS: Her mouth is moving, so -- Alecia --

14 THE COURT: There wasn't --

15 MS. ROBERTS: -- can you hear us?

16 THE COURT: There wasn't a question pending though.

17 MS. ROBERTS: Oh, I did. I asked her the name of
18 the other therapist. She's --

19 THE COURT: All right.

20 MS. ROBERTS: -- trying to find it in the records,
21 Your Honor.

22 THE WITNESS: It was Sunnel -- Su -- Sunnel Gu --
23 Gula (ph), MD.

24 Q Which page is that?

1 A 18.

2 Q But this prior to her having Medi-Cal. So you said

3 that there was one -- one person she saw after that for

4 therapy that was covered by Medi-Cal. This is prior to

5 Medi-Cal. You said Medi-Cal started 12/16 of 15. In this

6 person she saw in --

7 A You're --

8 Q -- 2014.

9 A -- saying 12 -- no, 12/16. This would have been

10 March of 2015. And she was in high school.

11 Q Sunnell -- Sunnell --

12 A And --

13 Q -- Gula in -- in the records that I have says that

14 she saw her May 14 of '14.

15 A Are you looking at Page 19? Oh, sorry, I'm -- I'm

16 on the wrong person here. Yeah. Correct. So 5/14/14.

17 Q So this is before she was on Medi-Cal. Who is

18 the --

19 A That is correct.

20 Q -- other person -- so who is the other person --

21 A So --

22 Q -- that she saw -- that treated her while she was on

23 Medi-Cal?

24 A I said I thought there were two but -- and maybe

1 there was just the one that was treating her with the
2 medication management.

3 Q So that was one time with Sidney Wu and no -- no
4 therapy has been tried with any Medi-Cal provider.

5 A I haven't been able to find someone that will take
6 her and treat her.

7 Q Okay. Have -- have you looked -- have you gotten --
8 have you asked Dr. Love Farrell to help you find someone that
9 is covered by insurance?

10 A Yes.

11 Q Okay. And has she looked at the list?

12 A I don't know.

13 Q So you've asked her but she just hasn't followed up
14 on that issue?

15 A Wait, are -- the question was did I ask Dr. Love to
16 find someone that has insurance through Medi-Cal?

17 Q No, did you give her the medical list and ask her to
18 see if there were any providers that can provide services for
19 Emily that were covered by insurance?

20 A No, that did --

21 Q And how did (indiscernible)?

22 A -- not happen. I have not done that -- I don't have
23 a list for Medi-Cal. I have called I've -- I -- I -- and to
24 my recollection I have called to find therapists or doctors in

1 Medi-Cal that can treat Emily and her condition with her case
2 and her history. And I have not been able to find someone
3 that would see her.

4 Q And Medi-Cal doesn't have a portal that you can go
5 and provide and -- and pull a list of providers?

6 A I don't know.

7 Q Okay.

8 A I --

9 Q How about for the Blue --

10 A I don't know.

11 Q -- Cross Blue -- Blue Shield? Are any of these
12 providers in this Exhibit 42, do any of them take Blue -- Blue
13 Cross Blue Shield?

14 A Lisa Ennis (ph) did take blue -- I believe our
15 insurance, Lisa Ennis.

16 Q What page was she on?

17 A 15.

18 Q Okay. So that was prior to Emily reaching the age
19 of 18, correct?

20 A Yes.

21 Q Okay. And she took insurance. Anybody else that --
22 any other therapist or mental health providers that are listed
23 in this document that took insurance?

24 A All of the med -- hospitalizations did take in that

1 are on this list.

2 Q Now did they take the Medi-Cal or the Blue Cross
3 Blue Shield?

4 A They take -- well, we have to go one-by-one. They
5 don't all take Medi-Cal, but do you want to go one-by-one?

6 Q No, that's fine.

7 A Some of these hospitalizations were given both the
8 Medi-Cal card and her Blue Cross and Blue Shield card at the
9 time of admit -- admittance into the hospital. And they did
10 take the --

11 Q So what about the therapist that she sees, not the
12 hospitalizations, but the therapists that she would see? So
13 for example, let's start on -- so let's see. Sarah Tucker,
14 did she take insurance?

15 A Sarah Tucker was part of Center for Discovery in
16 patient treatment.

17 Q So they took the insurance.

18 A Yes.

19 Q What about Barbara Denny?

20 A They did -- I don't think they took Medi -- they
21 didn't have Medi-Cal at that time.

22 Q What about --

23 A Barbara Denny --

24 Q What about --

1 A -- the -- Barbara Denny did take insurance.
2 Q Okay. Why did --
3 A (Indiscernible) --
4 Q -- you stop seeing her? Why did Emily stop seeing
5 her?
6 A She stopped seeing her because she -- to my
7 recollection Barbara Deny said that she was not making
8 progress with Emily and she needed to -- I would need to find
9 a new therapist because they were stuck.
10 Q There are no --
11 A I -- I don't know --
12 Q -- medical records --
13 A -- the exact terms, but do you -- I mean, I don't
14 remember what exactly but I had to look first a new therapist.
15 Shula (ph) did take insurance, the next therapist.
16 Q You saw her one time?
17 A Shula?
18 Q Yes.
19 A From 5/14/14 to 7/1/14.
20 Q How many -- how many times did she go to treatment?
21 A I don't recall.
22 Q Is it fair to say that the records for those two
23 providers you just listed have not been provided in this
24 action, Ms. Denny and Shula?

1 A I have -- in 2014 I have not -- I have provided
2 everything I have. So no -- so that's correct. No.

3 Q Okay. Did you provide an explanation of benefits to
4 the insurance carriers for the people that are not covered by
5 insurance and ask for reimbursement or submit them for
6 reimbursement?

7 A I have done that. Yes.

8 Q Okay. And did you get reimbursement?

9 A No, I did not.

10 Q Okay. And did you provide any documentation to show
11 why the reimbursement did not occur?

12 A Did I provide any documentation to why the
13 reimbursement did not occur?

14 Q Yes.

15 A No.

16 Q Okay. What was Jeff's involvement deciding what
17 therapies or treatment Emily would receive?

18 A What involvement -- he wasn't involved.

19 Q Okay. What was his involvement in deciding that
20 Emily would get a therapy dog?

21 A Was he supportive by involvement, does that mean
22 supportive or what does that mean exactly, involvement? Did
23 he know about it? Yes. And he was supportive? Yes.

24 Q Okay. Did you ask his opinion about it or did he

1 receive information from Emily regarding it?

2 A I don't believe I asked his opinion and he would
3 have gotten information from Emily.

4 Q Okay. What about for the specific therapy? Did you
5 ever ask him about Emily treating with Dr. Love Farrell or
6 Shula? Just two examples.

7 A I don't believe I asked him.

8 Q Have you ever kept him apprised of what the status
9 of her treatment is?

10 A I believe so.

11 Q How?

12 A Through email and text communication. When she's at
13 different hospitals, I will text him and let him know where
14 she is, what's been happening. It's -- it's very -- you know,
15 we have little commu -- little to no communication but I do
16 believe I have made him aware of certain circumstances with
17 her care.

18 Q Okay. So let's use the most recent -- her most
19 recent hospitalization was attempted suicide after the sexual
20 assault by her stepbrother, correct?

21 A That is correct. Yes.

22 Q Okay. Did you inform Jeff of the situation leading
23 up that hospitalization or did he learn that through someone
24 else?

1 A I believe I text him that she was in the hospital
2 and that she -- I gave him the dates -- the visitation hours
3 to come visit her.

4 Q Okay. Did you tell him why she was in the hospital
5 or what -- what led up to the hospitalization?

6 A I don't believe we got to that discussion.

7 Q Okay. How long has her stepbrother been sexually
8 abusing her?

9 A I know personally of one inc -- incidence that
10 happened on December 31st, 2019 that involved her stepbrother.

11 Q Okay. Is it -- what period of time was he living in
12 the household with Emily?

13 A He's never been living in the -- the household with
14 Emily.

15 Q How is it that that -- that date you just gave, I
16 think it was December 31st of '19, how is it that he was able
17 to engage in sexual abuse of her on that date?

18 A Well, I'm sorry. That date is wrong. It's the --
19 that happened on the 29th. how did that happen? Is that --

20 Q I'm sorry.

21 A -- the question?

22 Q December 29th of 2019.

23 A Right. Is the -- is the date that I am aware of.

24 Q Okay. What's the brother's name -- or the

1 stepbrother's name or half brother, whatever he is?

2 A Noah Draper.

3 Q Okay. And how is it that -- if -- Noah has never

4 lived in the household with Emily during the time that you had

5 been married to Jeff?

6 A That is correct.

7 Q Okay. How is it that he was able to sexually abuse

8 her on December 29th of 2019 if he doesn't live in the

9 household?

10 A They -- Emily and Noah had a scheduled time to get a

11 family photo done that was in the memory of my best friend

12 that passed away and Noah's mom -- mom. So they had setup a

13 time to meet and go to this photo.

14 Q And how often did Noah have these meet ups we'll

15 call it with Emily?

16 A This was the first time.

17 Q This is the first time ever he's been alone with

18 her?

19 A Yes.

20 Q Was Noah charged with a crime?

21 A No.

22 Q Okay. What happened as a result of -- he was

23 arrested, yes or no?

24 A No.

1 Q Okay. What happened as a result of the sexual abuse
2 to Noah?

3 A At this point there is a criminal investigation
4 pending.

5 Q And as Emily's advocate, are you pushing to have
6 Noah prosecuted?

7 A Yes.

8 Q And what is the status of that knowing that you're
9 Emily's advocate?

10 A There -- I have a detective that I'm in contact with
11 and there's an investigation -- criminal investigation pending
12 with the Huntington Beach Police Department. And I have filed
13 a restraining order for Emily. And I was granted a five year
14 permanent restraining order February 4th of 2020.

15 Q Did you inform Jeff of any of this before his visit
16 with Emily at the hospital?

17 A Any of what?

18 Q The sexual abuse before his visit with Emily at the
19 hospital.

20 A I don't -- I don't believe we talked about anything.
21 No.

22 Q Just for the record, will you state it one more
23 time, Alecia? Sorry.

24 A I don't believe we spoke about any circumstances at

1 that time.

2 Q Okay. And where was Noah living since Emily's been
3 living in California that he wasn't living in the household?

4 A Noah has an apartment -- a studio apartment in -- I
5 don't know his address but he has a studio apartment in Buena
6 Park.

7 Q Which is how far from you?

8 A 35 minutes, roughly.

9 Q Were there any periods that Emily and Noah were
10 alone?

11 A In what year?

12 Q From the time that you guys moved to California
13 until December 29th of 2019.

14 A The time of --

15 MS. BRENNAN: Objection.

16 A -- California that's -- I -- I don't recall.

17 BY MS. ROBERTS:

18 Q Who -- you said that -- that you -- you refer -- you
19 received a referral from Elise -- for Elise Collier. Who was
20 that referral from?

21 A I was verbally told by Rick Tansey I believe refer
22 -- mentioned to me that he knew a therapist that was working
23 with sexually abused girls. And he recommended Elise Collier.

24 Q Okay. Dr. Love -- is it fair to say that Dr. Love

1 Farrell's role with Emily is medication management, she's the
2 person that does all the prescriptions for Emily?

3 A She has a 30 minute appointment and does -- I think
4 it's called DV -- like dialect -- like some kind of -- it's
5 not just medication. She does -- I don't -- I don't know what
6 it's called. I -- I mean, she -- she has her notes there. I
7 don't know.

8 Q Is she the one --

9 A But it's --

10 Q -- prescribing all the medication currently?

11 A Yes. For -- for her mental health, her -- her
12 primarily doctor prescribes medication for anything if she was
13 sick or needed an antibiotic or something.

14 Q Thank you for clarifying. As it relates -- when is
15 the last appointment she had with Dr. Love Farrell?

16 A I would say about -- I don't know the date, but
17 roughly three to four weeks ago.

18 Q How much of the GoFundMe account that was setup for
19 Emily did you use to pay for Monarch?

20 A I don't recall because Emily had a couple different
21 service dogs at that point in time.

22 Q And are -- so is -- is that -- does that mean that
23 the GoFundMe money went also for those service dogs?

24 A Yes.

1 Q Okay. And what happened to those service dogs?

2 A One didn't pass the training and then one dog came
3 here to -- to California and became very aggressive. So the
4 company Arizona needed to remove the dog and take the dog back
5 to Arizona.

6 Q Okay. And so how -- what were the fees related to
7 Monarch?

8 A Do you want me to look in an exhibit for what I have
9 for 2020 for Monarch's medical -- what --

10 Q Well, let me ask you this. How much was Monarch?
11 How much -- how much was paid for Monarch himself?

12 A I don't recall the exact dollar amount.

13 Q And how much was --

14 A Without -- without --

15 Q How much was --

16 A -- looking.

17 Q How much was received in the GoFundMe account?

18 A I would need to look at that also as I think it was
19 in 2014 when I set that up. It might have been 2015. I would
20 have to look at that page.

21 Q Were there any monies leftover from the GoFundMe
22 that were used to pay for Monarch and his expenses?

23 A No.

24 Q Okay. When were those exhausted?

1 A I believe with the first dog that came out to
2 California.

3 Q Okay.

4 A But I -- I -- again, I don't know -- I would have to
5 go back and look at some of these invoices and bills and
6 things. I don't know.

7 Q There comes -- there's been points in time where
8 Emily has not lived in your household and she's been at your
9 mom's house in Arizona, is that true?

10 A She always lives at my home and she does visit her
11 grandma in Arizona.

12 Q And what periods of time if she in Arizona with
13 grandma?

14 A The last time she went to Arizona and spent a week,
15 maybe two weeks, I don't recall, was last year 2019. Probably
16 right around her birthday.

17 Q What's the longest period that she's been in
18 grandma's care?

19 A I don't know.

20 Q Okay. Exhibit 64 -- I'm sorry, I have to grab the
21 book. Who's Liz?

22 A Liz Olden (ph) is my mom.

23 Q So for the treatment that happened for this date
24 which was January 9th of -- of 16 -- I'm sorry, no, that's

1 wrong. I guess December 30th of 2017 Emily must have been
2 with grandma, correct?

3 MS. BRENNAN: What page -- I'm sorry, Amanda. I --
4 I -- if you said the page, I'm --

5 MS. ROBERTS: The first page.

6 MS. BRENNAN: What Bates -- okay. Thank you.

7 A I don't recall. My mom -- I don't recall.

8 Q Well, would Monarch be with grandma if Emily is not
9 there?

10 A Yes.

11 Q Okay. How often is Monarch with grandma?

12 A If Emily's in the hospital in a -- in a psychiatric
13 hospital, Monarch has spent time at grandma's.

14 Q Okay. And so on December 30th of 2017 was Emily
15 hospitalized?

16 A I would need to go back and look at Exhibit 42. No,
17 she would have -- she would have been with Monarch there.

18 Q Okay. So then the --

19 A To my knowledge.

20 Q -- next one -- the next one is February 9th of 2017,
21 was Emily there or was she -- Monarch with grandma by herself?

22 A I believe she was there.

23 Q So during that period from October 31 -- I'm sorry,
24 so the next page, January 3rd, was she there?

1 MS. BRENNAN: Can you just say the Bates numbers if
2 you don't mind? I -- I'm going to make sure.

3 THE COURT: Look, they -- they -- this exhibit is a
4 bunch of vet records from Tucson, Arizona where the
5 grandmother lives. Okay. So what she's asking is she's just
6 asking whether or not Emily was down there during these times.
7 Isn't that why this question is being asked?

8 MS. ROBERTS: Yes, Your Honor.

9 THE COURT: Because she can't remember what the
10 longest period of time was that Emily spent down with the
11 grandma?

12 MS. ROBERTS: Yes, Your Honor.

13 THE COURT: My goodness. The -- go on.

14 Q So it's 1042.

15 A I don't -- I don't --

16 MS. BRENNAN: Thank you.

17 A I don't know if she was there, but it -- it -- the
18 -- the bill is dated 2/9/2017. So I don't know if that --
19 this bill was sent to my mom at a different time or whatnot,
20 but it -- I don't know.

21 Q So yes or no Emily was there? I'm sorry, I thought
22 you said they were.

23 A I -- I don't know.

24 Q What about the next one, January 7th of 2017?

1 That's Bates Stamp 1042.

2 A 1042. That's January 3rd, 2017?

3 Q Yes.

4 A Was Emily there? I don't know.

5 Q Okay. Was she there on January 16 of -- of 2017?

6 A What Bates number? January -- I'm looking at

7 1/2/2017. I don't know --

8 Q Well, 10 -- 1042 says that the child -- that the dog

9 has another appointment on January 16 of 2017.

10 A I don't -- I don't know.

11 Q Okay. What about January -- January 2nd of 2017?

12 A I don't know.

13 Q Okay. And the last one is Jul -- the very last

14 page, 1045, says July 9th of 2016.

15 A I don't know if Emily was there.

16 MS. BRENNAN: That's Bates Stamp 20 -- that's --

17 objection, that misstates his record. Where do you see that

18 on there?

19 THE WITNESS: Does it says 7/9/2016?

20 MS. BRENNAN: I'm not -- 2017. July 9, 2017 is what

21 this exhibit says. Bates Number ER1044.

22 MS. ROBERTS: 1045 says July 9th of 2016 which is

23 where I sent her, Your Honor.

24 THE COURT: Okay. Control number --

1 MS. BRENNAN: Okay. I think --

2 THE COURT: Are you -- are you on the right page,
3 ma'am?

4 THE WITNESS: Yes.

5 THE COURT: Okay.

6 THE WITNESS: I don't know if Emily was there.

7 Q So if Emily wasn't hospitalized during these
8 periods, where would she have been? Whose care would she have
9 been in?

10 A She would have been in my care or she would have
11 been visiting with my mom.

12 Q Okay. So then go to Exhibit 61 in the book.

13 A Okay. I'm there.

14 Q So let me get to the right page. Sorry.

15 MS. ROBERTS: I'm sorry, Your Honor. I don't see
16 the date.

17 Q 59. If you go to Bates Stamp 59 -- I'm sorry,
18 Exhibit 59.

19 A So Exhibit 59? Okay.

20 Q Bates Stamp 109. I'm sorry, 1019.

21 A 1019? Okay.

22 Q Okay. So this is the records for the spa where she
23 was getting groomed. If you look at this record, it looks
24 like there's a gap from December 15 of 2016 to April 24th of

1 2017. Where was Emily during that time and why was there a
2 gap?

3 A It -- give me the dates again.

4 Q It says the -- it's -- it's like midway through the
5 page. December 15 of '16 and then all of a sudden April 24th
6 of '17.

7 A Why is there -- I don't know why there's a gap other
8 than, you know, financially sometimes we don't get her groomed
9 like regularly.

10 Q Well, the record -- the records actually conflict
11 with that. So she had her appointment June, July, August,
12 September, October, November, and December of '16. Do you see
13 that? Then there's a gap until April. Do you -- do you see
14 that?

15 A June, July, August. Correct.

16 Q Okay. Then there's a gap and -- from December to
17 April. And then she goes back to April, May, June, July, and
18 September. So there's never a four month gap that I see in
19 any of the medical records. Do you know where Emily was
20 during that period?

21 A She would have been with me or with my mom or in a
22 hospital at that time.

23 Q So is it possible she was with your mom for five
24 months?

1 MS. BRENNAN: Objection, calls for speculation.

2 THE COURT: Oh, my God. You -- overruled. She can
3 answer the question.

4 THE WITNESS: I don't believe that's possible, but I
5 don't recall a time where she's been at my mom's for five
6 months. It -- you know, I -- I do spend time at my mom's as
7 well, so -- and we -- you know, I'm with Emily at my mom's.
8 So I don't -- there's -- that seems like a long time. I don't
9 -- I don't recall that. No.

10 BY MS. ROBERTS:

11 Q Do you agree with the statement that the records
12 from, what's it called, the Bubble Dog Grooming and then the
13 records from grandma's dog treatment place which is Twin
14 Peaks, they seem to correspond with the periods when you don't
15 know where Emily is according to your testimony and the dog
16 seems to be with grandma?

17 A Well, Emily is with me or with my mom and I am with
18 -- at my mom's in Arizona as well with Emily. But I -- is
19 that your question? Or Emily's with the dog. The dog is with
20 myself or my mom if Emily's in a treatment center.

21 Q And just to clarify, during that period was she or
22 was she not in a treatment center?

23 A I'm looking at my spreadsheet and it does not appear
24 that she's in a hospital during the dates of -- you're looking

1 at 12/16 -- she was -- I mean, according to my Exhibit 42 on
2 -- which is dated ER22, on 7/22 she was seen by Dr. Farrell,
3 the -- then she was at Fountain Valley Dental. She had a
4 dentist appointment on 7/26/16. She had two more appointments
5 with Dr. Love. She was seen by Deborah Benning on 10/17/16.
6 She went to the hospital on 12/11/16. That was at Hoag
7 Newport Beach. 12/16 -- 12/19/16 she was seen by Sidney Wu,
8 MD. So -- I mean, you're looking at 4/27/17. I've got an
9 appointment here of 4/11/17 with Elise Collier in California.
10 Q Okay. So December 30th of '17 to April you have no
11 appointments in California. Is that what you're saying?
12 A Okay. December 30th of --
13 Q Of --
14 A -- '17.
15 Q -- '17.
16 A Right.
17 Q Since December 30th the dog was in Arizona.
18 A She had an appointment -- with Fountain Valley in
19 11/30/17. It appears that she would have been with the dog in
20 Arizona.
21 Q So it appears she was there from December until 8 --
22 December of 2017 -- I'm sorry, December of 2016 to April of
23 2017.
24 A No. No. . I mean, I would say that's incorrect

1 because I am with Emily in Arizona. We go back and forth to
2 Arizona and California depending on what Emily needs. So no.
3 I -- I don't know if that's accurate.

4 Q Okay. So Exhibit 15 it says that she's staying with
5 grandma on 12/3 of '19 and -- so let's just verify that.
6 Bates Stamp 1671, Exhibit 15.

7 A Wait. Wait. Exhibit 15, Bates Stamp --

8 Q 1671.

9 A 1671. Okay.

10 Q Do you see that? It says that she's staying with
11 grandma?

12 A Yes.

13 Q If you go then to Exhibit -- to Bates Stamp 1700 in
14 this book. Doesn't this -- Dr. Love Farrell's notes from this
15 time that actually Emily's living full-time with grandma
16 during that time period we just went over.

17 MS. BRENNAN: Which -- which time period? Because
18 you've been going through back and forth from December of 2016
19 to December of 2017. You've been going back and forth. You
20 -- sometimes you're having her looking at documents that are
21 December 17th and then you ask a question about December 2016.
22 Which time period? The question's vague.

23 THE COURT: Dr. Love's documents have come into
24 evidence already, right, Ms. Roberts?

1 MS. ROBERTS: They have, Your Honor.

2 THE COURT: Yeah. So just -- if you want to
3 highlight a specific page, you'll be able to -- I mean, the
4 Court can make a note of it in support of some sort of
5 argument that you make later.

6 MS. ROBERTS: So it's -- it's Bates Stamp 1700, Your
7 Honor. It specifically says in there Alecia that she is going
8 to live with grandma full-time.

9 MS. BRENNAN: What Bate exhibit number?

10 MS. ROBERTS: 15. Exhibit 17 -- or Bates Stamp
11 1700.

12 MS. BRENNAN: Thank you.

13 BY MS. ROBERTS:

14 Q And it specifically says that she will come back to
15 California for visits -- for her appointments with Dr.
16 Farrell, do you see that in the records, Alecia?

17 A Yeah, it says PT is looking into shepherd program in
18 Maryland on the waiting list, seeing if she can get into --
19 with into with insurance. She was going -- she is going to
20 Arizona to live with grandma full-time as she can watch her
21 full-time. PT is more stable with Ari -- with -- when in
22 Arizona with her grandmother. Can come back -- can come back
23 to California for her appointments with Dr. Farrell or do
24 Skype appointments. And my mom was unable and has not decided

1 to care for Emily or have Emily live with her full-time. She
2 has a heart issue. And she is very anxious and she's now on
3 medication to -- for depression. So my mom is not capable of
4 caring for Emily full-time.

5 Q Okay. So in there it says that when she is with
6 grandma in Arizona she's more stable according to Dr. Love
7 Farrell. Why is she more stable when she's in her mom's care
8 than when she's in your care?

9 A Well, my mom's retired. So I believe Emily enjoyed
10 cooking, she plays games with her grandmother, they do
11 puzzles. We've used Arizona as kind of a step down treatment
12 before -- you know, to -- with medication management. It's a
13 safe place there. She feels safe there. And in therapy she
14 has communicated that her brothers have been apart of her
15 trauma. So I believe in my opinion that, you know, while
16 living at home with Anthony and Adam they are triggers to her.

17 Q Okay. What does that mean that their trauma and
18 where are those -- who -- where did that come out and what
19 medi -- what doctor did that come out with?

20 A No, I said the -- I said that's my opinion.

21 (COURT RECESSED AT 11:20 AND RESUMED AT 11:20)

22 A -- is my opinion.

23 Q No, you said --

24 A That's my opinion

1 Q -- that -- you said that they were her -- that you
2 think that her triggers has come out in therapy that they are
3 part of her trauma. What therapist did that come out in?

4 A Then I misspoke. I -- I believe, and it's my
5 opinion, that Emily feels triggered when around her brothers.

6 Q You just said in therapy it came out that her
7 brothers caused her trauma. What therapist did that come out
8 in?

9 A No, I -- I misspoke about therapy. I don't know
10 about in therapy. It's my opinion -- that you asked me the
11 question of why is her grandmother's a safer place or why is
12 she less traumatized or -- what was the question you asked me.
13 Can -- re -- repeat the question, please.

14 Q You testified that it came out in therapy that her
15 brothers were part of her trauma. Those were your exact
16 words. And I asked you what therapist did that come out in?

17 A No, the question that you asked was about why she is
18 triggered or more traumatized within her mot -- mother's care
19 than in her grandmother's care. It's my opinion that her
20 brothers were part of her trauma.

21 Q Where do you draw that opinion?

22 A I draw that opinion from Adam saying he was abused
23 in -- at his father's home by Alan Gorey and the custody case
24 that we had back in 2013 -- 2011 he was tied up -- his hands

1 -- it's in the -- in the court records. His hands were tied
2 together with duct tape. He was put in a straight jacket. He
3 was locked in a room.

4 Q And you think that that has an impact on Emily and
5 her relationship with her brothers which makes her more stable
6 in grandma's care than in your care?

7 A Can you repeat the question?

8 Q And so based upon that, you believe, yes or no, that
9 that makes her more stable in grandma's care versus in your
10 care?

11 A No.

12 Q Then why --

13 A I don't believe that she's -- I believe that her
14 brothers can cause her triggers while she's here at home.

15 Q Why -- then why is she more stable at grandma's.
16 you listed they play -- they cook and they play puzzles or do
17 puzzles together and that makes her more stable at grandma's
18 house?

19 A If that's what is -- Dr. Love is referring to.

20 Q Can you go to Exhibit 19, please?

21 MS. ROBERTS: I think this was admitted Your -- Your
22 Honor, I think.

23 (COURT AND CLERK CONFER BRIEFLY)

24 THE COURT: Yes, Ms. Roberts. My Clerk has

1 confirmed --

2 MS. ROBERTS: Thank you.

3 THE COURT: -- that 19's admitted. Do you want us
4 to look at any particular part of 19?

5 MS. ROBERTS: I'm sorry, I -- one sec, Your Honor.
6 I'm -- I'm pulling it up. Just one second.

7 Q So let's start with Bates Stamp 4 -- 1943. So this
8 is the letter that you asked Dr. Love Farrell to write to the
9 DMV, is that correct?

10 A I need to get there first.

11 Q Oh, sorry.

12 A Give me a minute.

13 Q I thought you were there.

14 A Okay. I'm there.

15 Q This is the letter that you asked Dr. Love Farrell
16 to write for Emily to get her driver's license back with the
17 DMV, is that correct? Yes or no?

18 A It was asked to fill out her driver's medical
19 evaluation paperwork.

20 Q So that she can get her driver's license back, yes
21 or no?

22 A Yes.

23 Q Okay. In this it says that she has not had any
24 episodes while in Dr. Love's care as of June 2nd of 2016. Do

1 you see that?

2 A Yeah, the paperwork for the DMV had -- that she had
3 seizures. And so to my -- she says to my knowledge since
4 being under my care Ms. Reed has not had any such episodes.

5 Q She has been taking medication and is in therapy to
6 address her complex psychological issues is what it says
7 actually.

8 A Correct.

9 Q Okay. And -- and it's not just seizures. It's
10 disassociation. So the dis -- it's part of why --

11 A No.

12 Q -- she --

13 A But that -- no, but she lost her driver's license
14 because the -- it was on the report that she had seizures.

15 Q Right. As a --

16 A I believe.

17 Q -- result of episodes of disassociation and seizure
18 like activity, it's right above that. Do you see that, right
19 above that?

20 MS. BRENNAN: Well, why don't you give the witness a
21 chance to read the document?

22 MS. ROBERTS: Your Honor, I'd ask you to instruct
23 Ms. Brennan --

24 THE COURT: Yeah.

1 MS. ROBERTS: -- not --
2 THE WITNESS: Yes.
3 THE COURT: I -- and look, if she needs more time,
4 she can mention this. By the way, this is a document that we
5 spent extensive time on during Dr. Love's testimony, okay? So
6 if -- if the witness needs additional time, she's capable of
7 letting Ms. Roberts know that.
8 MS. BRENNAN: Thank you, Judge.
9 THE COURT: Go ahead.
10 MS. BRENNAN: Thank you.
11 THE COURT: Go ahead. Ma'am, can you answer Ms.
12 Roberts' --
13 THE WITNESS: Yeah.
14 THE COURT: -- question or do you need more time?
15 THE WITNESS: Yes. It says over the last two years
16 Emily has been taken into my -- in -- in -- taken in -- taken
17 to in patient hospitalizations numerous times for episodes of
18 disassociation and seizure like activity.
19 BY MS. ROBERTS:
20 Q And according to Ms. Farrell, she -- or Dr. Love
21 Farrell, she hasn't had any of those since she's been in her
22 care, correct?
23 A I would have to look at her medical records and
24 notes and review it. But I'm not the doctor.

1 Q So then go to the --
2 A This was --
3 Q -- next --
4 A -- dated -- this was dated on June 2nd, 2016.
5 Q Go to 1974.
6 A 1974. Uh-huh (affirmative).
7 Q Okay. It says on this one that she's having
8 conflict in your household. Do you see that?
9 A It's dated --
10 Q Specifically it says she's had conflict with Mom,
11 feels really tired. Do you see that in -- in --
12 A Yeah, I'm looking at the date of this. It says on
13 June 24th, 2016, correct? This is what we're reading?
14 Q Bates Stamp 1974.
15 A Okay. From 2016. Okay. So we're reading which
16 part?
17 Q She's had conflict with Mom, feels really tired. Do
18 you see that statement?
19 A On 1974?
20 Q Second word of the second sentence.
21 A Yeah. Yeah. Yeah, I see the -- so it says yeah.
22 It -- it's under interval history. The --
23 Q Okay.
24 A -- past two weeks have been hard. Yes?

1 Q Yes.

2 A Under interval history. Uh-huh (affirmative). I --

3 Q Yeah.

4 A -- see the statement.

5 Q Conflict with Mom -- okay. Great. Then go to 1975.

6 It says here that Emily's going to Arizona to stay with

7 grandma due to tensions with Mom in the home. Do you see

8 that?

9 A We're looking at 1975?

10 Q Yeah.

11 A Okay. I'm there.

12 Q Going to Arizona to stay with grandma due to

13 tensions with Mom in the home, the very last sentence of the

14 assessment.

15 A Okay. And is going to Arizona to stay with grandma

16 due to tensions with Mom in the home. Okay. And this was in

17 2016. Okay. I see the statement.

18 Q Okay. Perfect. Go to the next one. It's dated

19 July 22nd of 2016. It says at that point that she's been in

20 Arizona essentially living with grandma and that she attended

21 the session today -- how does it say. It says she's been in

22 Arizona but she did come back to attend this session in -- in

23 person.

24 A What -- where -- are you under interval history on

1 Page 1976?

2 Q I am.

3 A Okay. I'm reading the -- the interval history.
4 What's the question?

5 Q Okay. So she's been in Arizona and she came back
6 for the appointment because the appointment was in person it
7 says. But just like you said she'll come back for some of the
8 appointments. So she did.

9 A I'm reading about -- is this about her driver's
10 test? On 1976, I'm not seeing that. But Emily's never lived
11 in Arizona.

12 Q Okay. It said patient -- 1976, unless we got a
13 different Bates stamp, patient feels she's doing okay. She's
14 been in Arizona. The day she had her DMV interview and felt
15 competent and -- and will have a behind the wheel test in
16 August. Then if you look over in counter, she came back for
17 the appointment because it was in person. Do you see that?

18 A Increased (indiscernible). Came back to Arizona --
19 oh, I don't -- can we read the entire interval history?

20 THE COURT: Just -- just answer the questions.

21 THE WITNESS: I don't --

22 THE COURT: If it's --

23 THE WITNESS: I don't see --

24 THE COURT: -- necessary --

1 THE WITNESS: -- what she's saying --

2 THE COURT: If it's necessary Ms. Brennan will have
3 an opportunity when you're done answering Ms. Roberts'
4 questions to clarify anything or expand on those answers,
5 okay? So it's --

6 THE WITNESS: Right. I'm -- I'm reading the
7 interval history and I don't see where it says she's going
8 back to Arizona.

9 BY MS. ROBERTS:

10 Q So she's been in --

11 A I --.

12 Q -- Arizona.

13 A It says -- yeah. Yeah. I see that, yes. She's
14 been in Arizona. Yes. I see that statement. Yes.

15 Q And the appointment was in person.

16 A The appointment at the DMV is in person. Yes.

17 Q Under encounter it says that the appointment with
18 Dr. Love Farrell was in person.

19 A Under encounter. Yes. In person.

20 Q Okay. It also says in the -- in the interval
21 history she is bright and -- and interacted today in a way
22 that she has never before been in any of our sessions. Do you
23 see that?

24 A Yes.

1 Q Okay. Then if you go to the next page, 17 -- 1977.
2 It says that the assessment is that she's had a big
3 improvement over past visits.
4 A Yes.
5 Q So is that because she had been living with grandma
6 for approximately 30 days and has been out of your household,
7 yes or no?
8 MS. BRENNAN: Objection, lacks --
9 A No.
10 MS. BRENNAN: -- foundation.
11 THE COURT: What's the -- overruled.
12 BY MS. ROBERTS:
13 Q You -- you can answer the question.
14 A The -- the answer in my -- no.
15 Q Okay. And then if you can go to 1982.
16 A Okay. I'm at 1982.
17 Q Okay. It says in this interval history she did a
18 road trip through California for a week returning Sunday night
19 and -- and her anxiety started on Sunday when she returned
20 from the road trip. Do you see that?
21 A Yes, I see it.
22 Q Okay. Who was she on the road trip with?
23 A I don't recall from 2016.
24 Q Okay. Were you with --

1 A This is --

2 Q -- her on this road trip?

3 A I believe I -- I could have been. I don't recall to

4 be honest with you.

5 Q You previously testified that she had not worked,

6 correct?

7 A Wait, can I -- I was on this trip. This was a trip

8 for Emily's birthday. November 16th, 2016. So it was my mom,

9 Emily, and I traveled to for the week on a road trip.

10 Q So she was out of the home with your husband and she

11 was doing much better until she returned to the home with your

12 husband, is that right?

13 A She did a road trip through California for a week

14 returning Saturday night and her anxiety started Sunday.

15 Q After she had returned to the house. Where did the

16 sexual abuse by Noah happened?

17 A In her Huntington Beach home.

18 Q And that's the house that she's returning to in

19 these records, correct?

20 A In 2000 -- in 2016, yes.

21 Q Okay. You testified that she had not worked, is

22 that correct?

23 A That is correct.

24 Q Okay. You're aware that Dr. Love Farrell noted in

1 the medical records that she had worked and done an internship
2 at your husband's business, correct?

3 MS. BRENNAN: Objection, misstates the testimony.
4 Dr. Love specifically said she tried to help out working.

5 THE COURT: The -- if -- if you're going to be
6 asking her about a specific piece of evidence that's been
7 admitted, then just refer to the specific piece of evidence,
8 Counsel.

9 BY MS. ROBERTS:

10 Q So go to Bates Stamp 1988. So it says in here she
11 got a full-time job with her stepdad's workplace, yes or no?

12 A In parenthesis it says internship meaning she was
13 not paid.

14 Q Okay. But full-time.

15 A We were -- we -- we were trying to see if she was
16 going to be able to be in a supportive environment and be
17 around other people.

18 Q So the records -- the medical records say that she
19 was at a -- she got a full-time job or internship at her dad's
20 workplace, it's really supportive. She can bring her dog --
21 or her support dog with her. Yes, correct?

22 A She never worked at Le Grand Marketing as an
23 employee.

24 Q Well, that's clearly not what Emily thought because

1 she reported that she was getting a full-time job at her
2 stepfather's business, yes?

3 MS. BRENNAN: Objection --

4 A I can't speak for Emily.

5 MS. BRENNAN: -- misstates --

6 MS. ROBERTS: Well, the record speak for themselves.
7 That's what -- that's what the patient told her. It says the
8 patient --

9 MS. BRENNAN: That is not --

10 MS. ROBERTS: The pa -- it says the patient arrived
11 for her appointment 10 minutes late.

12 BY MS. ROBERTS:

13 Q How did she get to this appointment?

14 A I would have drove her or my mom would have drove
15 her or Anthony would have drove her.

16 Q She wasn't driving herself at this time?

17 A In 2017. She did do driving at times, but I can't
18 recall the specific date it -- on this appointment if she
19 drove herself to this appointment. I don't know.

20 Q Where would she -- in 2017, where would she drive
21 herself? I mean, where was she permitted to drive?

22 A She was permitted to drive at -- on different times
23 to take her dog to the park. And she was permitted to drive
24 to target at times. And I would say she's driven there -- in

1 2000 -- on this date, March 24th, 2017, I don't know if she
2 was driving.

3 Q Can you go to the next one, 1919 -- 1990?

4 A Okay. I'm there.

5 Q So do you see Emily's direct quote on this, I
6 enjoyed the challenge, the people, but I feel stressed too
7 much about being late. When I come home, I just want to go
8 back to work. Do you see that?

9 A Yes.

10 Q Okay. Okay. So then can you go to Bates Stamp
11 2007? In here, Emily reported to Dr. Love that she's working
12 with her mom, baking for the business, and sending emails and
13 enjoys it. Do you see that?

14 A I see she is able to discuss a few recipes but one
15 of the cookies she makes -- she blanks when she asks how to
16 make it, how it -- how it's made. And she asked about the
17 (indiscernible).

18 Q So let's just stick to Emily's exact -- what Emily
19 has said to her. Emily reports that she's working with your
20 in your coffee business. She's baking and sending emails and
21 she enjoys it. Do you see that?

22 A Yes, I see that.

23 Q Okay. So then go to 2019. Can you note for me who
24 is in this appointment?

1 A Let me get there first.

2 Q Oh, sorry.

3 A Participant and appointment. Parent, grandparent.

4 Q No, it doesn't say parent. It says patient and

5 grandparent.

6 A Oh, pa -- oh, sorry. Sorry. Patient and

7 grandparents.

8 Q Okay. It also says that when she was released from

9 the hospital she went to the grandmother's house. I would

10 assume grandparents refers to your mom in Arizona? Is that --

11 A Correct.

12 Q -- correct or is there a different grandparent she

13 goes to?

14 A No, that is the -- her grandparents in --

15 Q Okay.

16 A -- in Arizona.

17 Q So she left the hospital, went to grandpa and

18 grandmas and it says in the next sentence her grandmother put

19 her back on pre -- is it -- I don't know, pres -- Pristiq.

20 A Right. I see what you're -- I see where you're

21 reading under interval history.

22 Q Yeah. That grandma put her back on her medication

23 and she stopped the other medication from the hospital. Not

24 Mom. Grandma did that because grandma attended this

1 appointment. Do you see that?

2 A Yes.

3 Q Okay. So then go to the next page, 2020. It says
4 she's going to stay with grandparents in Arizona and will be
5 gone for one month. Do you see that?

6 A Yes. The same with -- with her here. It says
7 (indiscernible) mom went out of town so her grandmother is
8 staying with her here. That was in California. Is that what
9 you're referring to?

10 Q On 2020 it does not. It says she will stay with
11 grandparents in Arizona and return in one month. 2020. Third
12 sentence down.

13 A We're -- okay. We're -- you're looking at 2020 --
14 the -- yeah, Exhibit 2020 if I'm reading it here.

15 Q Third sentence down, starts with the word she. She
16 will stay with grandparents in Arizona and return in one
17 month.

18 A Yes, I see that.

19 Q Okay. So does this help refresh your recollection
20 that she's been staying with grandma during any of parts of
21 this time?

22 A In the last six years, yes, she does go to my
23 grandma's. Yes. Or her grandma's to visit.

24 Q And you're not always there it appears from the

1 medical records, correct?

2 A I'm not always in Arizona. Correct.

3 Q And does this refresh your recollection about how
4 long she goes to stay with grandma at times?

5 A I would say one -- yes.

6 Q Okay. So at times she goes months at a time. She's
7 gone up to four months at one time, correct, yes or no?

8 A Not to my understanding that I haven't been there.
9 I don't recall four months at one time. But I have not --

10 Q But you just testified that -- you just testified
11 you're not always there. So is it possible that --

12 A But I am there.

13 Q -- you've (indiscernible)?

14 A I am there sometimes. I'm there --

15 Q Okay.

16 A -- sometimes.

17 Q Right. But it's possible you don't stay there the
18 entire time. So you wouldn't be there four consecutive
19 months. But the records seem to indicate -- indicate that she
20 goes to grandma's and has been there at least four months at a
21 time.

22 A That's -- I would say no to that. That's not --
23 never to my knowledge that she's been there four months. No.

24 Q Well, we just looked at the records from the -- from

1 the veterinarian's and the medical records and they all
2 coincide with dates and she was gone from December of '17
3 until April -- I'm sorry, December of '16 to April of '17.

4 A I -- Emily might have come back in between those
5 dates to California for a month at a time and then gone to my
6 mom's and then come and then I go to my mom's and then we --
7 we go back and forth. But there's not been four months
8 consecutive that she's been in Arizona.

9 Q Okay. What's the longest period --

10 A My --

11 Q -- that she's allegedly been in Arizona then?

12 A I've seen from -- from Dr. Farrell's notes one month
13 would be what I'm reading in -- in her notes that what -- what
14 is being said at the appointment is that she would be there or
15 return. But I'm not certain that that even took place.

16 Q Okay. So then that's the question for you. How
17 long has she been at grandma's without you?

18 A I don't know.

19 Q What do you do for the bakery coffee shop?

20 A I'm part owner.

21 Q Okay. And what is Emily's role -- or what has been
22 her role at the bakery coffee shop?

23 A She doesn't have a role.

24 Q She's never come into the bakery or the coffee shop

1 and done work?

2 A No. Has she come into the shop? Yes, she comes
3 with me when we had a location, a commercial kitchen in Santa
4 Ana for one year. I currently work from home. So she is at
5 home and I am working from home.

6 Q Okay. So when she references the baking and is
7 sending emails, she's not doing that?

8 A She is not.

9 Q She's never done that.

10 A Can you show me the date where she was doing that in
11 the report? I know we -- we just reviewed it. And that's
12 what she told Dr. Love in her notes.

13 Q July 2017.

14 A July of 2017. I purchased the business in June of
15 -- I believe June of 2017. And I know Emily was sitting with
16 me at the table and learn -- learning what I was doing. She
17 was sitting with me at the table as I was doing emails. And I
18 was explaining to her what I do. I do explain to her about
19 baking and my job as I'm doing the job.

20 Q What's the name of the church where she -- oh, I'm
21 sorry. Go ahead. I didn't mean to cut you off.

22 A That what she asked -- I was saying, I explained
23 what I'm doing when she asks.

24 Q What's the name of the church where she was

1 volunteering?

2 A Can you show me where it says that in the -- these
3 exhibits? Just to refresh my memory on when she was
4 volunteering.

5 Q I -- I don't have the Bates stamp number. It's
6 somewhere in the -- in the medical records from Dr. Love
7 Farrell.

8 A I believe it was our church that we were attending,
9 First Christian Church of Huntington Beach.

10 Q Okay. And what was she doing when she was
11 volunteering?

12 A I think she was dusting books, but I don't know
13 entirely what she was doing.

14 Q And how long did she do that?

15 A I don't know.

16 Q Well, is she still doing it?

17 A No.

18 Q What period of time did you attend the church?

19 A The best of my recollection, 2011 to 2018.

20 Q Okay. And did you change churches in 2018?

21 A No.

22 Q Okay. Still attending that church?

23 A No, I'm not.

24 Q Okay. And so when you stopped, did Emily stop?

1 A Yes.

2 Q Okay. And so during that period, 2011 to 2018,
3 somewhere in the records it indicates she was volunteering.
4 Do you know how often she was volunteering?

5 A No.

6 Q Was it more than once?

7 A I don't know.

8 Q Did she drive herself to and from church to do the
9 volunteer work?

10 A I don't know. I don't remember.

11 Q What was Jeff's involvement in giving Emily the
12 debit card or the credit card?

13 A Her bank debit card, is that what you're referring
14 to, or her -- what -- what cards are you referring to?

15 Q She has a debit card, correct, yes or no?

16 A Yes.

17 Q And at one -- does she still have the debit card?

18 A Yes.

19 Q Okay. And at one point she had a credit card that I
20 believe was linked to your account with your husband, yes or
21 no?

22 A No.

23 Q Okay. So she's never had a credit card?

24 A She has a credit card linked to my account.

1 Q Okay. So she has a --
2 A But --
3 Q -- credit card linked to your account only.
4 A Yes.
5 Q And does she still have that?
6 A Yes.
7 Q Okay. And what's the period of time that she's had
8 the debit card?
9 A I would be guessing at the date when she opened the
10 account but I would believe she opened it prior to graduating
11 high school.
12 Q So are we saying early 2015?
13 A It might have been when she turned 18. It might
14 have --
15 Q Is that 20 --
16 A -- been --
17 Q Is that 2015 --
18 A So 20 --
19 Q -- correct?
20 A -- 15.
21 Q Okay. And --
22 A I believe it's 2015, but again I don't know entirely
23 without going to the bank and looking at that specifically.
24 Q Okay. And what -- does she still have the same

1 account and the same debit card?

2 A Yes.

3 Q Okay. What about the credit card? When did you
4 first give her a credit card?

5 A Again, I would have to look at the statements to see
6 when I added her as a user like a second person on the -- the
7 account. I -- I believe it was -- would have been in high
8 school.

9 Q Okay. And does she still have the same -- I would
10 assume that the card's been replaced with an expiration, but I
11 -- does she still have the same -- let's say it's a Chase
12 account. Does she still have the same Chase account credit
13 card?

14 A Yes.

15 Q Okay. Who manages Emily's purchases?

16 A Manages? She decides what items that she would like
17 to purchase and then I'm not aware of every purchase because
18 sometimes the different personalities order things on Wish and
19 they order things on Amazon. And Emily is not aware of the
20 purchases. But once she's made aware of what was purchased
21 because it gets shipped to our home, she lets me know that one
22 of the alters orders something. So Emily -- if it's her --
23 and she's -- knowing what she's doing, she'll ask me if she
24 would like -- if she wants to purchase a gift or she needs

1 shampoo or whatever she's purchasing.

2 Q Does she -- so then based upon that testimony it
3 means that she doesn't have to get preapproval to use the card
4 and she has authority to use it.

5 A She can use the card. I believe it has a limited --
6 a limited amount of money that she can use, but yeah, she can
7 use the card.

8 Q And what is that amount?

9 A I don't know. I -- I -- again, I don't -- my -- my
10 math says -- I think \$5,000 on the account.

11 Q So in her -- in your bank statements that you
12 provided or Emily's bank statement that had been provided, it
13 shows transactions at grocery stores and eating out. Who
14 makes the decisions for those purchases?

15 A She would decide to purchase dinner or she would
16 decide to -- let's go to the grocery store and she's
17 purchasing groceries.

18 Q Okay. And she makes those decisions.

19 A Correct. Sometimes her alters make the decisions
20 because they want, you know, to -- Heidi likes peanut butter
21 and jelly. Emily doesn't like peanut butter and jelly or, you
22 know, Heidi wants bacon, Emily doesn't eat bacon. So, you
23 know, there's a lot of alters that decide what -- what she's
24 going to shop for at the grocery store.

1 Q Let's talk about the alters.

2 A So I wouldn't say --

3 Q So last --

4 A -- just Emily. What's that?

5 Q So then why do you -- why is Emily allowed to have

6 the card if alters are allowed to make charges? I mean, up to

7 \$5,000, they can go buy, you know, \$5,000 worth of something

8 and you're potentially on the hook for it, right?

9 A She -- she is supervised at the grocery store and

10 she's supervised, you know, with the purchases that she makes

11 with that card. As far as we're -- we're out together, she

12 sees -- we're at Target, she wants to buy some pens or art

13 paper. So we're together or she's -- you know, with her

14 brother, he'll call me on the phone and ask to -- if Emily can

15 buy something. So does that answer your question?

16 Q Well, you just said that they buy things -- I think

17 you said Wish and I'm not sure what that is. I -- and Amazon.

18 And, I mean, so then by that token they can spend \$5,000 on

19 wish or Amazon that you would be on the hook for the charges,

20 correct?

21 A I think there's a balance on the account. So there

22 would not be the full account available. But, again, I don't

23 know if she has -- you know, I -- I want to -- I don't

24 remember if I put a \$500 limit, you know, on the card. I have

1 done that to my son. So I don't -- I don't recall though. I
2 would have to look.

3 THE COURT: Ms. Roberts, I -- I need to inter --
4 interrupt you. We have exhausted the time this morning.

5 MS. ROBERTS: I'm sorry, Your Honor.

6 THE COURT: You've only been examining her for a
7 little under two hours. Do you have an estimate as to how
8 long your cross your be with her?

9 MS. ROBERTS: I probably have another
10 hour-and-a-half, Your Honor. I'm so sorry. I actually had it
11 booked for a full day based upon your statements at the last
12 day. I know you said at the beginning you didn't. So I
13 apologize.

14 THE COURT: Well, listen. We've had almost 11 hours
15 of testimony on this financial dispute. And this is not a
16 custody case. So much of the themes are really just trying to
17 confirm some factual issues. They really have nothing to do
18 with -- you know, the issue the Court has to decide. You
19 know, at the risk of completely depressing my court clerks, I
20 literally have 19 evidentiary hearings that I'm going to be
21 conducting between now and the end of the year and in January
22 I have 16 evidentiary hearings that I have scheduled. You
23 know, we have new judges coming on and they'll be a crazy
24 transfer in January 2nd. So if I don't have something

1 resolved before the end of the year, then I -- I sure as hell
2 hope that one of my cases that I have set for January gets
3 reassigned to a judge which will make an opening for the
4 resolution of this case. I mean, this -- this is just not --
5 this is not what I expected as far as how much time would be
6 necessary to make this case. We haven't even heard from dad
7 on your side. So in addition to the hour-and-a-half and two
8 that you described, you know, you're going to ask your client
9 some questions.

10 But, you know, you're going to get a chance to
11 finish. I'm not going to -- I'm not going to deny you an
12 opportunity to be able to go over this stuff. And frankly,
13 you know, you should be able to make these points a lot
14 quicker than you have because, you know, the nuances with it.
15 So it'll sit in the queue and every afternoon and the mornings
16 on Thursdays are spoken for between now and the end of the
17 year. And I will let you know. I mean, I -- we tried to
18 reschedule it several times since August but -- I don't want
19 to go over the times, but in each instance there was good
20 cause not to set it because Counsel or somebody had a problem
21 with the setting. That's what the -- that's a function of
22 trying to juggle busy litigators or trying to manage our court
23 schedule. But we've already had three sessions, a full day,
24 two half days, and you're talking about at least another half

1 day. You know, at some point the hearing's over.
2 So I don't really know that it's relevant at all
3 except on the issue of credibility about whether or not a
4 child is with Mom at grandma's or at grandma's because the
5 statutory obligation if there is one goes to both parties.
6 Okay. Doesn't matter or is it not material whether or not Mom
7 was in Arizona for two of the four weeks she was there, one
8 month out of the four week -- months was there. And so Mom is
9 contributing this by her answers to the questions about
10 information that's already part of the record. And I
11 understand that, you know, if you get an answer that you don't
12 think is consistent with the documentary proof, you know
13 you're not going to let it go. You got to follow up and get
14 that. But it's not material. Is there a financial
15 obligation? Who has it? To what extent? That's what this is
16 about. Okay. And, you know, it's good to remind ourselves of
17 what the real issues are in this case.

18 So Thank you, Counsel. Appreciate it. My Clerk or
19 staff will be contacting you as times become available. You
20 all stay safe and we'll end the session. Thank you.

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

22 MR. REED: Thank you, Your Honor.

23 MS. ROBERTS: Thank you, Judge.

24 (PROCEEDINGS CONCLUDED AT 12:02:20)

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

Adrian Medrano

Adrian N. Medrano

EXHIBIT 42

EXHIBIT 42

EXHIBIT 42

Emily Reed's Medical History from time of first hospitalization on March 18, 2014

DATE FROM	DATE TO	Facility & Record	PHYSICIAN/COUNSELOR & Contact	DIAGNOSIS/HISTORY/Reason	MEDS AT DISCHARGE
		Current medical Card info for Emily C. Reed Blue Shield of California Member ID: XEA908826036 RxBIN: 600428 RxPCN: 01910000 Effective 12/01/2018			Mother: Alecia Draper (Formerly Kremidas) Cell: 714.916.1524 Huntington Beach, CA Father: Jeffrey Reed Cell: 702.241.2486 Las Vegas, NV
		Current medical Card info for Emily C. Reed Media-Cal Cal Optima www.caloptima.org Member ID: 92694533F AltaMed Health services 1-866-880-7805 RxBIN: 600428 RxPCN: 05720000 Effective 12/16/2015 RX services: 1-888-587-8088 Vision Services: 1-800-438-4560* Providers: Eligibility must be verified at the time of service. Failure to obtain authorization may result in non-payment	State of California Benefits Identification Card ID NO. 92694533F35294 Issue Date 10 21 15		
		OLD Medical Card Info for Emily C. Reed (No longer in effect) Health Net (Smartcare Network HMO) Group Name: Le Grand Marketing Subscriber Name: Geoffrey M. Draper Member # FD3 Member Name: Emily C. Reed Group # G8591A Subscriber # R00225711 Rerate Month DEC Plan BA4 with Pharmacy Health Net Customer Contact Center: 1.800.522.0088 Health Net Providers Call: 1.800.641.7761 To report InPt Admissions Call: 1.800.995.7890 Mental health benefits call: MHN at 1.888.935.5966	In order to be covered by Health Net, all medical and hospital services must be rendered or authorized by: Healthcare Partners Medical Group - Harbor 714.929.2300 Lori A Debold 3501 S Harbor Blvd Santa Anna, CA 92704-6919 714.929.2300 Effective Date with PPG 07.01.14 PPG# 2917 Minute Clinic Copay: \$30 Office Copay \$50 E/R Copay \$300 Pharmacist: for assistance call Pharmacy Help Line at 1.800.600.0180 Rx BIN#004336 Rx PCN 'HNET' Rx Caremark For electronic claim submission info, call 1.800.977.3568		
NOTE: Prior to 2014 when Emily went to her school counselor and said she wanted to commit suicide and we found out it was due to Allan Gorry's sexual molestation of her since she was a very young girl, she was a straight A student, on Cross Country and Track for Huntington Beach High School. But as you can see from the following information, she has been in and out of hospitals and counseling for suicidal ideation and her life has not been the same.					
5/14/08	6/11/2015	N/A	N/A	Emily has had Special Education Services from grade school thru high school. We now know it was due to the sexual molestation.	None.
09/01/13	09/01/13	Therapist	Lisa Ennels 2900 Bristol St. A207 Costa Mesa, CA 92626 Phone: 949.374.2321 Email: lisaenn@aol.com	Worked with family, particularly with Adam Reed. Emily went one time and did not want to go again.	None.

Emily Reed's Medical History from time of first hospitalization on March 18, 2014

03/07/14	06/12/15	N/A	<p>Huntington Beach High School Phone: 714.536.2514 Emily has had several episodes of suicidal ideation at school starting on 3/7/14. Her points of contact at school are: Tiffany Do, School Psychologist Michael Olsen, School Psychologist Rae Roisman, Case Manager Erin Dorsey School Nurse Michelle Pendergast, School Psychologist</p>	<p>Emily also was in IEP throughout school. Parents always thought it was a processing/hearing issue but after realizing that she had been sexually molested from the time she was around 8/9 they now realize that her school issues were related to the molestation. Emily suffers from disassociation and has for many years. Prior to admitting the molestation was taking place, she didn't want to think, kept to herself, and was depressed.</p>	<p>Special Note for IEP: Emily was given extra time on assignments, tests and quizzes not to exceed double assigned time, many take tests in special ed. Classroom if desired, may have preferential seating if desired, variable credits, may leave classroom if needed to visit school psychologist or case manager to assist with emotional needs. She also had a monitor FM device at her desk to help with hearing the teacher.</p>
03/10/14	03/10/14	N/A	Dawn L. Bruner, MD	Emily saw physician for depression. Physician	None.
03/11/14	03/17/14	Therapist	<p>Stephanie L. Fraser, MA License# MFC 495333 Marriage & Family Therapist 1207 Main Street Huntington Beach, CA 92648 General #: 714.369.7161 Direct Line #: 714.845.5343 Direct Fax #: 714.835.5443 sfrasermt@gmail.com</p> <p>Counselor at Huntington Beach HS: Tiffany Doe referred Emily to Ms. Fraser</p>	<p>Had suicidal ideations at Huntington Beach HS and was recommended to see a counselor. She saw Emily one time and diagnosed Emily with PTSD. Emily then went to school counselor and said she wanted to commit suicide.</p>	None.
03/18/14	04/07/14	<p>Medical Record #: 2342274 and 2034857751 UCIMC Neuropsychiatric Center (Mental Health)</p>	<p>Admitting MD: Robert Bota, MD 101 The City Drive Orange, CA 92868-3298 714.456.5847</p> <p>Dr. Seegan took the first report from Emily at UCIMC Neuro Center. She contacted CPS and report was given to following: Report of sexual abuse taken by Hanaa Hanna, Senior Social Worker, on 3.26.14 @ 8:00 pm</p>	<p>Sent to UC Irvine Medical Center Emergency Room by Huntington Beach High School due to suicidal ideations (this was the second time this experience happened at school. First time she was sent home with parent Alecia Draper). After evaluation at the emergency room she was admitted into UCIMC Neuropsychiatric Center. After being at the Psych Center for about 5-6 days, Emily admitted to being sexually abused by her father's friend, Allan Gorrey, from the time she was 7 or 8 years old. The physician at the hospital contacted Child Protective Services and notified them. Her father, Jeffrey A. Reed, used the</p>	<p><u>While in the hospital she was on:</u> Clonazepam 1.5 mg 2 x a day Lorazepam 1 mg, every 6 hrs as needed Prozac 40 mg, daily Prazosin Hydrochloride 2 mg, daily at bedtime Neurontin 100 mg, twice daily Neurontin 300 mg, daily at bedtime Neurontin 200 mg, twice daily morning and noon Senna 17.2 mg @ bedtime</p>

Emily Reed's Medical History from time of first hospitalization on March 18, 2014

		CONTINUE	CONTINUE	Gorrey's as baby sitters since the time of his divorce from Emily's mom. Emily and sibling brothers spent the nights of their father's visitation as well as the last 3-4 years rented a room in Allan Gorrey's home where the kids stayed during father's visitation. While mom was living in Vegas, the Gorrey's had children every other Thursday night until Saturday night. When mom moved to California at the beginning of Emily's freshman year in high school, their father's visitation was 2 weekends a month starting on Friday night and the children were returned on Sunday night as well as spring break, every other holiday and seven weeks in the summer. All of these times were spent at the Gorrey's home.	At discharge Melatonin 3 mg, daily at bedtime Clonazepam .5 mg, 2 x a day Prozac 30 mg, daily Neurontin 300 mg 3 x a day Prazosin 2 mg @ bedtime Ativan 1 mg, every six hrs as needed Multivitamin, daily
03/26/14	Present		State of Nevada Victims of Crime Program P.O. Box 94525 Las Vegas, NV 89193-1525 Phone: 702.486.2740 Fax: 888.941.7890 Email: applications@voc-net.com also support@voc-net.com Website: http://voc.nv.gov Emily C. Reed VOCP Claim # 14-10027066-LV	Emily has been approved specifically for Counseling and Mental Health Benefits NOTE: If Emily recovers any money from insurance, civil lawsuit or otherwise, she is required to notify the VOCP, and to repay the money VOCP pays to her or on her claim	None.
03/26/14	04/04/14	N/A	Jacqueline Jimenez	N/A	None.
04/10/14	04/10/14	N/A	Emily saw the following in Las Vegas, NV Case #: 140402-2444 Las Vegas Metropolitan Police Department L. Salavessa-Cho #7073 Detective Sexual Assault Unit Desk: 702.828.3766 Main: 702.828.3421 Fax: 702.828.3073 Email: L7073S@lvmpd.com	Emily saw Detective Salavessa-Cho in Las Vegas, NV to report long term sexual abuse by Allen Richard Gorrey. There is now a criminal case pending against him for 10 Felony charges, case # 14F13227X, date filed 8/27/14. State of Nevada against Allen Richard Gorrey. District Attorney prosecuting is Alexander Chen, DA 702.671.2618	None.
04/10/14	04/10/14	Memorial Care Health System Long Beach Memorial ED	Julie E. McKay, PA 562.933.2000	Emily fell down a full flight of concrete steps while at the court house in Las Vegas. When she returned from Las Vegas, she was complaining of severe headache and her knee was feeling bad. She was given a CT scan of her head for a concussion and x-rays of her knee. She was diagnosed with a concussion and contusions around her knee and was given a soft knee brace.	None.

Emily Reed's Medical History from time of first hospitalization on March 18, 2014

04/07/14	05/12/14	Center for Discovery	Sara Tucker, MSW, ACSW #36722 Primary Therapist, supervised by Lisa Arndt, MFC #47667 Jeffrey Litzinger, MD (prescribed meds) 425 East 31st Street Long Beach, CA 90806 Admissions #: 800.760.3934 Phone: 562.981.0700 Ext. 30 Fax: 562.981.0809 Email: sara.tucker@centerfordiscovery.com	PTSD, Severe Depression due to years of sexual abuse by Allen Gorry. Emily had symptoms consistent with the diagnosis of PTSD, Chronic, with Delayed Onset. Her symptoms are consistent with a significant and severe trauma history.	Melatonin 3 mg, daily at bedtime Clonazepam .5 mg, 2 x a day Prozac 30 mg, daily Neurontin 300 mg 3 x a day Prazosin 2 mg @ bedtime Ativan 1 mg, every six hrs. as needed Multivitamin, daily
05/14/14	07/01/14	N/A	Sunil Gulaya, MD	Records were un readable by doctor.	Gabapentin 300 mg
05/14/14	06/30/14	Therapist	Barbara Denny, Psy.D Doctor of Psychology Licensed Clinical Social Worker Licensed marriage and Family therapist 242 W. Main St., Suite 200H Tustin, CA 92780 714.832.6454 www.BarbaraDennyCounselor.com	Emily saw her 10 times for EMDR Psychotherapy	None.
05/14/14	07/01/14	N/A	Chula	Marriage & Family Therapist	None.
06/05/14	03/06/15	The Relationship Warehouse Therapist	Roxanna Grimes, MA P.O. Box 2912 Newport Beach, CA 92659 Visiting Address: 151 Kalmus Drive, Suite M2 Costa Mesa, CA 92626 949.482.2233 Direct: 909.437.1551	She worked with Emily to recovery from sexual abuse trauma she experienced throughout childhood and adolescence up until she was 17. She has progressed in her ability to utilize tools that assist her with episodic panic, anxiety, and dissociative behavior. Due to the intensity and longevity of the trauma, she anticipated this work as well as the need for counseling, therapy, and reintegration into life and relationships to be gradual and thereby extended for at least the next 12-24 months, depending on concentrated ability to respond to treatment.	None.

Emily Reed's Medical History from time of first hospitalization on March 18, 2014

02/09/15	04/03/15	N/A	State of California Department of Rehabilitation Contact Info: Jacquie El Azzi, QRP, M.S., CRC Sr. Vocational Rehabilitation Cnsl Orange/San Gabriel District Off 222 South Harbor Blvd, #300 Anaheim, CA 92805 Voice: 714.991.0824 Fax: 714.991.0843 Main: 714.991.0800 Email: Jacqueline.El-Azzi@dor.ca.gov	On March 2, 2015 Emily was approved by the Department of Rehabilitation for Vocational Rehabilitation Services because she met the eligibility criteria because she has a physical or mental impairment which constitutes or results in a substantial impediment to employment based on information from her doctor or another valid source. She was given the following Priority Category: Priority Category 1, 2 and 3 On April 3, 2015 they closed the above due to the following: You are unavailable to participate in VR services. Title 9 CCR section 7179.3(a)(3) This occurred due to her suicidal ideation at Huntington Beach HS, she was hospitalized on two different occasions and is now in intense outpatient therapy.	
03/06/15	03/06/15	N/A	ALPHA Crisis Intervention	Called to school to intervene due to suicidal	None.
03/06/15	03/07/15	Los Alamitos Medical Center ED (Mental Health) 3751 Katella Ave Los Alamitos, CA 90720 562.598.1311	Emergency Room. Transferred from Huntington Beach HS due to suicidal ideation. Because Emily did not have the ability to sign the medical release and because she was 18 her mother was not able to go with her to the hospital.	She was transferred to Del Amo Hospital Psych Ward	None.
03/07/15	03/30/15	Medical Record #: 000060276 Del Amo Hospital 23700 Camino del Sol Torrance, CA 90505 800.533.5266	Admitting MD: Hiruy Gessesse, MD	Admitting Diagnosis: Major depressive disorder with psychotic features, post traumatic stress disorder, medical none, stressors severe. Discharge Diagnosis: Major depressive disorder, severe with psychotic features, PTSD, trauma and stressor related disorders.	Discharge Medications: Abilify 5 mg 2 x per day for depression Abilify 15 mg 1 x per day for depression Prozac 40 mg 1 x per day for depression
4/1/2015	4/4/2015	Max My Brain	Rick Tansey Owner & Advanced Provider Max My Brain 901 Dove Street, Suite 145 Newport Beach, CA 92660 Phone: 949.636.2788	Emily had a Brain Optimization Assessment and the results were: Showed she is always in a state of trauma and unable to talk about her feelings	None.
04/13/15	05/22/17	Pure Light Counseling	Elise Collier, MS, MFT Individual, Couples, Family & Group Counseling License #: MFT #78451 Specializes in PTSD, Addiction, Depression & Anxiety, Inner child work, EMDR, Psychodrama, DBT	Ms. Collier is seeing Emily and Emily is starting to make a connection with her. She agrees with the other counselors, physicians, that Emily has suffered from PTSD, severe depression and disassociation disorder.	None.

04/16/15	04/20/15	Medical Record #: 2342274 and Visit #2043855341 UCIMC Neuropsychiatric Center Mental Health 101 The City Drive Orange, CA 92868-3298 714.456.5847	Admitting MD: Pamela Howard, MD To be noted on 4/17/15 Emily had an event in the psych ward: Emily became anxious during the morning, stating that the voices were getting louder and louder. Patient then started to posture with arms flexed at elbows, neck extension, with eyes rolled back and intermittent choking sounds with increased time between breaths. Rapid response called. Vital signs were checked which showed elevated heart rate to approximately 170s, blood pressure up to 160/90s, oxygen saturation was maintained above 90% without episodes of apnea. Emily was transferred to the hospital portion of UCIMC. While there she was given a CT Head or Brain Scan without contrast. Discharge diagnosis: Drug-induced dystonia Code 333.72; Tachycardia; History of schizophrenia, Coe V11.0 Emily had an allergic reaction to the drug haloperidol which was given by the paramedics on transport to the hospital as well as while in the emergency room Emily was transferred back to psych ward on 4/18 and discharged on 4/20/15	Sent to UC Irvine Medical Center Emergency Room by school psychologist at Marina High School, special school program called Pathway, Emily was attending after getting out of Del Amo Hospital. School psychologist said Emily was shaking in the bus on the way to school. She told her school counselor 'it is loud in my head, I don't want to go back, I don't understand, I don't want to go to the hospital.' Then she took off running in the parking lot at the school then dropped down in the middle of the street rolling around on the ground in the fetal position for 35 minutes. Per psychologist report. She continued to scream in the middle of the street for the entire 35 minutes she was rolling on the ground. The school counselor was concerned she was going to hurt herself. Paramedics transported Emily to UCIMC. She was given IM Versed 5 mg during transport. On arrival to UCIMC she required restraints and IM Haldol and Benadryl for agitation. She was placed on 5150 for DTS 4/16/15 @ 1400.	<u>While in the hospital she was on:</u> Prozac 40 mg, daily Benadryl 25 mg, 3 x a day <u>At discharge</u> Prozac 40 mg, daily Benadryl 25 mg, 3 x a day Ativan 1 mg, every six hrs. as needed Multivitamin, daily
06/01/15		N/A	Group Therapy with Elise Collier, MS, MFT Pure Light Counseling Individual, Couples, Family & Group Counseling License #: MFT #78451 Specializes in PTSD, Addiction, Depression & Anxiety, Inner child work, EMDR, Psychodrama, DBT 901 Dove Street, Suite 145 Newport Beach, CA 92660 Phone: 562.335.9552 Email: elisemcollier@gmail.com	N/A	None.
07/06/15	07/09/15	Max My Brain	Rick Tansey Owner & Advanced Provider 901 Dove Street, Suite 145 Newport Beach, CA 92660 Phone: 949.636.2788 Email: rick@maxmybrain.com	Emily had a second session of brain optimization recommended by her therapist Elise Collier	
09/01/15	09/01/15	Hoag Hospital Newport Beach MR # 2274718 Account # 19429472	Provider: Matthew Hunt, MD Assistant: EO 1 Hoag Drive Newport Beach, CA 92663 949-764-8372 Emergency Room	Diagnosis by Dr. Hunt: Depression Emily had a panic attack and her therapist called her mom. Her mom picked Emily up from her therapist office and took her to the Hoag Hospital Newport Beach Emergency Room	None.

11/05/15	11/05/15	Fountain Valley Dental Care	Nora Vinh, DDS 18120 Brookhurst Avenue, Suite 13 Fountain Valley, CA 92708 Phone: (714) 962-1300	Teeth Cleaning & Full Mouth X-Rays	
02/04/16	02/04/16	Alta Med	Provider: Joanne Fierro, NP Alta Med 8041 Newman Ave HB, CA 92647 phone: 888-499-9303 Fax: 323-201-3233	Emily was required to find a primary doctor for her care through medi-Cal and this is who was chosen for her care. A physical was done. BP 123/85 Pulse/min: 94; temp: 98.1F; height: 63.00 inches; weight: 107.60 and BMI: 19.06 A blood panel was ordered and it all came back in the normal range except Bilirubin which was 0.2 above average which is nothing to worry about	None.
02/24/16	02/24/16	Hoag Hospital Newport Beach MR # 2274718 Account # 19664777	Provider: Darrin Fryer, MD Assistant: PT 1 Hoag Drive Newport Beach, CA 92663 949-764-8372 Emergency Room	Emily was taken her by ambulance from her therapist office because she was in a dissociated state and was unresponsive. They wanted to put Emily in a psychiatric center but both Emily and her mom said No Emily does not recall what happened. She was treated for Generalized Anxiety Disorder.	<u>While in the hospital:</u> a shot of Geodon
03/23/16	03/25/16	Amen Clinic	Medical Historian: Teri Stroop Amen Clinic physician: Jennifer Farrell, M.D. Phone: 949.266.3793 Amen Clinic 3150 Bristol St, Suite 400 Costa Mesa, CA 92626 Phone: 949.266.3700 Patient ID: 365847	Emily did three days of brain testing which consisted of written, computer, and brain (SPECT) scans. Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders There is a full report which is too in-depth to put into this document. Request if needed.	None.
04/29/16	04/29/16	Amen Clinic	Jennifer Love Farrell Psychology appointment 3150 Bristol St, Suite 400 Costa Mesa, CA 92626 Phone: 949.266.3700	Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders	For the first 2 weeks take 25 mg of lamotrigine then the following 2 weeks take 50mg. Take fish oil and vitamin B daily
05/27/16	05/27/16	Amen Clinic	Jennifer Love Farrell Psychology appointment 3150 Bristol St, Suite 400 Costa Mesa, CA 92626 Phone: 949.266.3700	Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders	For the first 2 weeks take 100 mg of lamotrigine in the morning. Then the next two weeks take 150mg of lamotrigine at night. Take fish oil and vitamin B daily
06/24/16	06/24/16	Amen Clinic	Jennifer Love Farrell Psychology appointment 3150 Bristol St, Suite 400 Costa Mesa, CA 92626 Phone: 949.266.3700	Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders	For the first two weeks take 100mg of lamotrigine in the morning and 150mg at night. The next two weeks take 150mg of lamotrigine in the morning and 150mg at night Take fish oil and vitamin B daily

Emily Reed's Medical History from time of first hospitalization on March 18, 2014

07/22/16	07/22/16	N/A	<p>Safety officer: S. Woods</p> <p>Lawer: Andrew</p> <p>Officer who took report: W Beverly (badge T1034) Phone: 949.644.3681</p> <p>DMV Appointment: Drivers safely Branch 790 The City Drive, Suit 420 Orange, CA 92868-4941 Phone: 714.703.2511</p>	<p>On February 24, Emily was taken by ambulance to hospital from therapy as show above. Her drivers license was spended from this incident because Beverly wrote a report stating her condition at the scene, which was sent to the DMV. She had 5 day to appear to the DMV but she did not because she had no knowledge of her license being taken from her possession. She was required to have an medical evaluation which was written by Jennifer Love Farrell, an interview by S. woods, take a written, vision and behind the wheel driving test in order to get her license back. It was reinstated on August 4th 2016.</p>	N/A
07/22/16	07/22/16	Amen Clinic	<p>Jennifer Love Farrell</p> <p>Psychology appointment 3150 Bristol St, Suite 400 Costa Mesa, CA 92626 Phone: 949.266.3700</p>	<p>Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders</p>	<p>Take 150 mg of Lamotrigine 2 times per day.</p>
07/26/16	07/26/16	Fountain Valley Dental Care	<p>Nora Vinh, DDS</p> <p>18120 Brookhurst Avenue, Suite 13 Fountain Valley, CA 92708 Phone: (714) 962-1300</p>	<p>Teeth Cleaning</p>	
08/23/16	08/23/16	Amen Clinic	<p>Jennifer Love Farrell</p> <p>Psychology appointment 3150 Bristol St, Suite 400 Costa Mesa, CA 92626 Phone: 949.266.3700</p>	<p>Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders</p>	<p>Take 150 mg of Lamotrigine 2 times per day.</p>
09/22/16	09/22/16	Amen Clinic	<p>Jennifer Love Farrell</p> <p>Psychology appointment 3150 Bristol St, Suite 400 Costa Mesa, CA 92626 Phone: 949.266.3700</p>	<p>Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders</p>	<p>Take 150 mg of Lamotrigine 2 times per day. She also recommended I see a nutritionist</p>
10/17/16	10/17/16	Alta Med	<p>Deborah Blinning, NP</p>	<p>Reason for visit medication evaluation. Request bloodwork, request referral for nutritionist, PMH, HEDIS. Vitals: BP: 113/72 pulse: 90 Temp: 99.2 Height: 63Inches Weight: 109lbs BMI: 19.31</p>	N/A
12/11/16	12/11/16	Hoag Hospital Newport Beach ED Med Rec # 2274718 Account #20066217	<p>Primary Provider: William Park, MD</p> <p>1 Hoag Drive Newport Beach, CA 92663 Emergency Room 949-764-8372</p>	<p>Emily had an episode at home. She was taken to the hospital by ambulance. She claimed to have taken 5 pills of her Lamotrigine 750mg. She was treated for anxiety and a migraine.</p>	<p><u>While in the Hospital</u> For anxiety- Geodon For migraine- Morphine</p>

Emily Reed's Medical History from time of first hospitalization on March 18, 2014

12/19/16	12/19/16	Alta Med	Sidney Wu, MD 8041 Newman Ave HB, CA 92647 phone: 888-499-9303 Fax: 323-201-3233	Reason for visit HPV #2 shot and anxiety. Vitals: BP:103/66 Pulse:89 Resp/min: 16 Temp:98.4 Hight:63in Weight:113.40 BMI:20.09	Propranolol 10mg tablet. Take 2 tablets by oral route 3 times each day prn anxiety End date 6/26/17
04/11/17	04/12/17	N/A	N/A	After a therapy session with Elise Emily decided to leave. She drove the car with no warning to anyone. Or no real plan of what next. She ended up in Las Vegas. With her dad Her mom picked her up the following day	N/A
4/14/2017 Ongoing	4/14/2017 Ongoing	Amen Clinic	Jennifer Love Farrell psychology appointment 3150 Bristol st, Suite 400 Costa Mesa, CA 92626 Phone: 949-266-3700	Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders. Emily saw Dr. Farrell because of an event that happened on 4/11/17.	Take 150 mg of lamotrigine 2 times per day. Also prescribed Abilify 1/2 5 MG tablet for 1 week the one 5mg tablet after a week.
05/22/17	06/07/17	Horse 4 U Therapy	Connie 6422 East Santiago Canyon Road Orange Phone: 714-369-4072	Emily is trying out different forms of therapy for at home treatment. Horse therapy seems to be a great way to build her confidence and bond with horses.	N/A
05/31/17	05/31/17	Alta Med	Shervin Fouladi MD 8041 Newman Ave HB, CA 92647 phone: 888-499-9303 Fax: 323-201-3233	The reason for the visit was to get the third shot for the HPV. She also received A TB test that came back negative on 6/2/17. Vital signs: BP 106/65 pulse: 65 Temp: 98.0 Height: 63in weight:114.60lbs BMI: 20.30	N/A
06/02/17	04/16/18	Therapist	EMDR Certified Trainer and Therapist Dr. Curtis C Rouanzoin Ph.D. License number: PSY7809 16755 Von Karman Ave suite 200 Irvine, CA 92606 Phone:949-242-4555	Diagnosis by Dr. Rouanzoin: F43.10 with dissociative symptoms F44.89 - Other dissociative and conversion disorders Dr. Farrell recommended that Emily get a second opinion on her diagnosis of DID from Elise. He did not think she has DID. Emily is continuing to see Dr. Rouanzoin for future EMDR therapy work.	N/A
06/02/17	06/02/17	Horse Play Therapy	Horse Play Therapy 18381 Golden West Street Huntington Beach CA 92648 Phone:714-842-7777	This Therapy Emily really enjoyed. The commitment to this therapy was to difficult to maintain financially and time wise.	N/A
06/05/17	06/05/17	Mariposa	Mariposa (women's sexual abuse group) 200 E Katella Ave, Orange, CA 92867 (714) 547-6494	This group was unsuccessful. Emily tried it and it was not helpful.	N/A
06/08/17	08/10/17	Mariposa	(Anxiety Group) 200 E Katella Ave, Orange, CA 92867 (714) 547-6494		N/A
09/15/17	09/15/17	Fountain Valley Dental Care	Nora Vinh, DDS 18120 Brookhurst Avenue, Suite 13 Fountain Valley, CA 92708 Phone: (714) 962-1300	Teeth Cleaning	N/A

09/28/17	10/12/17	St. Joseph Hospital Out-Patient Behavioral Health Hospital Numbers for E Reed #: AA0090538322 MM02816787	Attending Physician: Samra, Gurmanjot K Vanessa Harper, LMFT Interim Manager, OutPt Behavioral Health 1100 West Stewart Drive Orange, CA 92868 Phone: 714-771-8085 Fax: 714-7448775	This group was unsuccessful. Emily tried it and it was not helpful. She started out with full days, then half days, then she had a total breakdown and was placed in a Level 1 Inpatient Behavioral Health Services at St. Joseph Health, St. Joseph Hospital	N/A
10/12/17	10/20/17	St. Joseph Hospital Behavioral Health Services Inpatient Level 1 Behavior Health	Donna Armfieldthane, LCSW 1100 West Stewart Drive Orange, CA 92868 Office Phone: 714-771-8000, Ext 13299 Fax: 714-744-8608 Phone Nurses Station: 714-771-8134 Phone Level 1: 714-771-8902	Emily had a breakdown in the outpatient program, she was admitted into inpatient program and remains there as of 10/19/17	Olanzapine, dosage 5mg Paroxetine, dosage 30mg lamotrigine, dosage 150mg x2
11/30/17	11/30/17	Fountain Valley Dental Care	Nora Vinh, DDS 18120 Brookhurst Avenue, Suite 13 Fountain Valley, CA 92708 Phone: (714) 962-1300	X-Rays for Wisdom Teeth coming in. They were OK did not need to be removed.	
01/25/18	01/25/18	Island Dermatology	Dr. Jennifer Channual MD 360 San Miguel Dr. Suite 608 Newport Beach CA # 949-720-1170 FAX # 949-720-1172	Emily saw dermatologist for a skin rash on her chest area. She did not think it was a big deal. She prescribed a steroid topical cream which should resolve in 2 weeks.	
02/03/18	02/27/18	UBH of Denton PT ID: 3114899	Therapist: Donna Earle 2026 West University Drive Denton Texas, 76201 Phone #: 940-320-8100		Pristiq: 100mg Lunesta 3mg (Bedtime) Lamictal: 150mg x2 Ativan: 0.5mg (As needed)
02/28/18	03/25/18	Del Amo Hospital Mental Health Medical Record #: 000060276	23700 Camino del Sol Torrance, CA 90505 800.533.5266		
04/19/18	Current EVERY THURSDAY @10am	Therapist	Therapist: Roger J. Boehm D.C.C & Ph.D. Phone: (321) 269-0404 Georgia Area via Skype		N/A
9/26/18 Ongoing	9/26/2018 Ongoing	Amen Clinic	Jennifer Love Farrell psychology appointment 3150 Bristol st, Suite 400 Costa Mesa, CA 92626 Phone: 949-266-3700	Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders.	Take 200 mg of Lamotrigine (Lamictal) in the morning and 200 at night. Desvenlafaxine (Pristiq) 25 mg one time per day in morning. Also Trazodone 50 mg at night for sleeping. As needed for anxiety Gabapentin (Neurontin)300 mg
05/30/18	05/30/18	Fountain Valley Dental Care	Nora Vinh, DDS 18120 Brookhurst Avenue, Suite# 13 Fountain Valley, CA 92708 Phone: (714) 962-1300	Teeth Cleaning	

11/6/18 Ongoing	11/6/2018 Ongoing	Amen Clinic	Jennifer Love Farrell psychology appointment 3150 Bristol st, Suite 400 Costa Mesa, CA 92626 Phone: 949-266-3700 Phone: 949-266-3700	Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders. Emily discussed with Dr. Farrell an event that happened on 10/26/18 thru 10/29/18 where her DID happened and "Tiffany" (who Alecia named) was present for all those days - Emily was not present.	Take 200 mg of Lamotrigine (Lamictal) in the morning and 200 at night. Desvenlafaxine (Pristiq) 50 mg one time per day in morning. Also Trazodone 50 mg at night for sleeping. As needed for anxiety Gabapentin (Neurontin) 300 mg
11/21/18	11/21/18	Fountain Valley Dental Care	Chris Nguyen, DDS 18120 Brookhurst Avenue, Suite# 13 Fountain Valley, CA 92708 Phone: (714) 962-1300	Cleaned teeth & full mouth x-rays He referred Emily to HB Microscopic Endodontics & Microsurgery due to tooth 27 root is decaying on x-ray	Also recommended special toothpaste for braces stains on her teeth - MI Paste One, cost \$25.00 for 46 grams (35 ML)
12/6/18 Ongoing	12/6/2018 Ongoing	Amen Clinic	Jennifer Love Farrell psychology appointment 3150 Bristol st, Suite 400 Costa Mesa, CA 92626 Phone: 949-266-3700	Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders.	Take 150 mg of Lamotrigine (Lamictal) in the morning and 200 at night. Desvenlafaxine (Pristiq) 50 mg one time per day in morning. Also Trazodone 50 mg at night for sleeping. As needed for anxiety Gabapentin (Neurontin) 300 mg
1/4/2019	1/4/2019	Alta Med	William Castro MD 8041 Newman Ave HB, CA 92647 phone: 888-499-9303 Fax: 323-201-3233	The reason for this visit is an annual physical. BP 113/70 Pulse/min: 96; temp: 98.6F; height: 63.00 inches; weight: 119.93 and BMI: 21.24 A blood panel was ordered as well as sleep study. The Sleep Study was denied	N/A
1/8/2019	1/8/2019	Family medicine	Dr. Natasha Georgina Thomas 19400 Beach Blvd Ste 12, Huntington Beach, CA 92648 (714) 968 - 1222	Annual well check-up with primary doctor. Emily got a flu shot and a tetanus shot while at this appointment. Also Emily was given a swab to take home to test for the HPV virus. Emily was not able get the swab.	N/A
1/9/2019	1/9/2019	Dentist	Dr. Kenneth Andrew Tjon 27221 La Paz Rd Ste G, Laguna Niguel, CA 92677 (949) 831 - 1402	Emily is changing dentist due to the insurance. Emily saw this dentist to get a referral for her bottom tooth.	N/A
1/11/2019	1/11/2019	Family medicine	Dr. Natasha Georgina Thomas 19400 Beach Blvd Ste 12, Huntington Beach, CA 92648 (714) 968 - 1222	Return for in office blood work. Blood work came back AST; high 31 U/L Hemoglobin: high 15.6g/dL Iron high 37mcg/dL	N/A
1/14/2019	1/14/2019	Amen Clinic	Jennifer Love Farrell psychology appointment 3150 Bristol st, Suite 400 Costa Mesa, CA 92626 Phone: 949-266-3700	Diagnosis by Dr. Farrell: F43.12 - Post-traumatic stress disorder, chronic; and F44.89 - Other dissociative and conversion disorders.	NO CHANGES MADE: Take 150 mg of Lamotrigine (Lamictal) in the morning and 200 at night. Desvenlafaxine (Pristiq) 50 mg one time per day in morning. Also Trazodone 50 mg at night for sleeping. As needed for anxiety Gabapentin (Neurontin) 300 mg

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5 **EIGHTH JUDICIAL DISTRICT COURT**
6 **FAMILY DIVISION**
7 **CLARK COUNTY, NEVADA**
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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 TUESDAY, JANUARY 12, 2021

19 **APPEARANCES:**

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

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

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05D338668 REED 01/12/21 TRANSCRIPT (SEALED)
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1 LAS VEGAS, NEVADA

TUESDAY, JANUARY 12, 2021

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

3 (THE PROCEEDINGS BEGAN AT 1:27:12)

4
5 THE COURT: -- for being ready early. Counsel, are
6 you ready to go on the record?

7 MS. BRENNAN: Yes, Judge.

8 MS. ROBERTS: Yes, Your Honor.

9 THE COURT: Okay. Great. We are continuing and
10 will conclude the post judgment proceedings in the Draper Reed
11 case today. This is the fourth session of the evidentiary
12 proceedings that began on August 6th, 2020. We have Counsel
13 and the parties appearing again through a BlueJeans
14 connection. Ms. Brennan, first please confirm appearance.

15 MS. BRENNAN: Elizabeth Brennan, Your Honor, bar
16 number 7286, for the Plaintiff.

17 THE COURT: Okay. Great. And Ms. Roberts?

18 MS. ROBERTS: Amanda Roberts, bar number 9294, on
19 behalf of the Defendant Jeffrey Reed who is appearing through
20 BlueJeans.

21 THE COURT: Okay. As I said, we had evidentiary
22 proceedings on August 6th, August 7th, and November 19th. All
23 told, we've heard a little under 11 hours of testimony. I
24 reviewed the proceedings from the morning of the 19th. Ms.

1 Roberts, you began your examination of Ms. Draper at 9:33 and
2 we recessed a couple minutes before noon. I asked you how
3 much additional time you needed with her and you said that you
4 needed about an hour, hour-and-a-half. Also, your client only
5 testified briefly on -- in Plaintiff's case. And I know you
6 need to ask him questions. I -- I bring that up because we
7 need to conclude this hearing so that the matter can be
8 submitted for decision. And you need to do the best you can
9 to make sure you accomplish what you need to accomplish in the
10 time that we have this afternoon.

11 Please don't cover the same areas. I've spent a lot
12 of time like you guys did going over the testimony. Cover the
13 areas that you need to cover that have not been covered. And
14 if there's nothing further, Ms. Roberts, we'll have Ms. Draper
15 sworn in and you'll resume your exam. Any questions --

16 MS. ROBERTS: Your Honor --

17 THE COURT: -- before we begin?

18 MS. ROBERTS: -- I'm wondering -- I'm sorry, Your
19 Honor. This is Ms. Roberts. I'm wondering, Your Honor. I
20 have brief questions for Emily. And just so that she's not
21 waiting because it makes her nervous, is it possible that I
22 can call her out of turn? We've already done that in this
23 case with Dr. Love and with Ms. Draper. So I'd ask the Court
24 leave to be able to do that today. I have brief questions for

1 her, Your Honor.

2 THE COURT: Okay. She only testified for 35 minutes
3 and it was in the second session August 7th.

4 MS. ROBERTS: Yes, Your Honor.

5 THE COURT: Do we have Dr. Love here?

6 MS. BRENNAN: I don't have -- I didn't -- I didn't
7 make arrangements for Dr. Love because --

8 THE COURT: Well, I mean --

9 MS. BRENNAN: -- I didn't know that --

10 THE COURT: -- she doesn't need to be here.

11 MS. BRENNAN: -- she was (indiscernible).

12 THE COURT: She was just pres -- she was present
13 when she testified before by video. Let me see. I'm not
14 sure, Ms. Roberts, since you had an opportunity to cross
15 examine her in your case I'm going to let her examine her
16 again. But I'll -- I'll think on it. You're going to finish
17 with Ms. Draper. And you're going to call your client. And
18 then I'll have everybody that I need to hear from. And then
19 if you want to call Emily again, then you'll make the case --
20 I'll make a ruling and then you'll have your record. Okay?

21 THE COURT: Ms. Draper, I see you. Please raise
22 your right hand, follow the Clerk, and take an oath to tell
23 the truth.

24 THE CLERK: You do solemnly swear the testimony

1 you're about to give in this action shall be the truth, the
2 whole truth, and nothing but the truth, so help you God?

3 THE WITNESS: Yes.

4 THE CLERK: For the purpose of the record, please
5 state your first and last name.

6 THE WITNESS: Alecia Draper.

7 THE CLERK: Thank you.

8 THE COURT: Your witness, Counsel.

9 ALECIA DRAPER

10 called as a witness on behalf of the Defendant, having been
11 first duly sworn, testified upon her oath as follows on:

12 DIRECT EXAMINATION CONTINUED

13 BY MS. ROBERTS:

14 Q You testified on the first day of trial that your
15 income -- income had increased to \$4100 per month. Is that
16 still an accurate income?

17 A Yes.

18 Q Okay. And what are you doing to earn that income?

19 A I am 51 percent owner of Moonwood Coffee and
20 employed by Moonwood Coffee working approximately 20 hours.
21 And I'm also being paid through in-home social services.

22 Q Let's start with Moonwood Coffee. Who's the other
23 49 percent owner?

24 A Bernadette Neace.

1 Q And the 20 hours, is that per week?

2 A Yes.

3 Q So you're working part-time at the company.

4 A Currently, I took a reduction in pay. So I'm basing

5 -- your first question was how much I'm earning. So my

6 earnings are what I stated, but my hours fluctuate. Does that

7 make sense?

8 Q For -- for \$4100 per month, how many hours are you

9 working per week?

10 A For which company?

11 Q Let me rephrase. What portion of your income, \$4100

12 per month, is from Moonwood Coffee?

13 A Before taxes, I make a thousand dollars per month.

14 Q From Moonwood.

15 A Yes.

16 Q And that's for part-time services.

17 A Correct.

18 Q Okay. And where is the other 3100 derived?

19 A From in-home social services.

20 Q And can you explain that to me?

21 A I applied for in-home social services to be able to

22 work for the state to monitor Emily's care.

23 Q And how long have you been doing that?

24 A February of 2020.

1 Q So about 11 months as we sit here today.

2 A Correct.

3 Q And how many hours are you doing the in-home
4 services per week?

5 A I would have to look at the amounted hours --
6 allotted hours that are approved. I don't have that number in
7 front of me.

8 Q What would take for you to refresh your recollection
9 and how many hours it would be?

10 A Well, I get paid -- I believe there was a change in
11 pay starting in January of 2021 to 14.50 an hour. But prior
12 to this year my pay is 13.50 -- it was 13.50 an hour. And I
13 was employed 40 hours. To my -- the best of my recollection I
14 would have to look at the actual pay stubs that I don't have
15 in front of me.

16 MS. ROBERTS: Sorry, Your Honor. The Court's
17 indulgence. I'm just calculating it out.

18 A I believe my hours are 225 hours per month but I
19 don't -- again, I -- I can -- I can look for that
20 documentation.

21 Q So it looks like it calculates out to be about 229
22 hours per month. Does that sound about right?

23 A Maybe it's 226.50. I don't know the exact. I know
24 it's 220 something hours per month. And the hourly rate is

1 13.50 an hour. There could be overtime pay over 40 hours, I
2 believe, is calculated in there. But, I mean, they don't --
3 yeah, they're -- I think that's how it works. To get to that
4 -- each pay period every two weeks, my check is roughly \$1600.

5 Q So what are you anticipating that it's going to
6 increase to as a result of your pay increase?

7 A Well, if it's a dollar more an hour and I'm getting
8 paid 40 hours more per week on average, 40 -- 8160 per month
9 with the pay increase to 14.50 an hour.

10 Q So it's going to be 3260 and then a thousand from
11 Moonwood. So your income is going to be 4260 per month. Does
12 that sound right?

13 A Yes.

14 Q Okay. What other adults do you have living in your
15 household?

16 A I have my son that is 21.

17 Q Which son is that?

18 A An -- that's Anthony.

19 Q Okay. And how much is Anthony contributing to the
20 household?

21 A Currently, he has paid one month of \$500. But he
22 just went on unemployment. So I'm not anticipating that he's
23 going to be paying -- contributing towards rent. But I'm not
24 sure yet.

1 Q Okay. And what other adults do you have living in
2 the house?

3 A I have my youngest son Adam who is 19.

4 Q Okay. And what is Adam contributing to the house?

5 A He does not contribute to -- to household expenses.
6 He pays his cell phone bill when he does have money. He's a
7 student at Grand Canyon University. So he's home right now
8 for college.

9 Q So when you say he's home in college, he's going
10 digitally right now?

11 A Correct. He's online.

12 Q Okay. Do you have any other adults living in the
13 household?

14 A Emily.

15 Q Okay. Where is Jeffrey living?

16 A Jeffrey Draper?

17 Q Yes.

18 A He's living 20762 Crestview Lane in Huntington
19 Beach.

20 Q Is that in your household?

21 A No.

22 Q Okay. Where are you currently living?

23 A 606 Lake Street in Huntington Beach.

24 Q Have you and Jeffrey separated or -- or are you

1 getting divorced?

2 A That is correct.

3 Q You're separated or you're getting divorced

4 A We are currently separated and getting divorced.

5 Correct.

6 Q Okay. Are you getting any kind of support from

7 Jeffrey?

8 A Currently, no. not -- we -- we will -- we have

9 reached a settlement agreement that has not been -- the monies

10 that -- that we settled on have not been disbursed yet --

11 Q Okay. And what is --

12 A -- entirely.

13 Q -- the settlement -- what are (sic) the settlement

14 agreement?

15 A The amount of money? What -- what is the question?

16 There's a lot of things in the settlement agreement. So what

17 are you asking?

18 Q Are you getting a monthly payment from Jeffrey?

19 A No.

20 Q Are you getting a portion of his business income or

21 business equity?

22 A No.

23 Q Are you getting any financial settlement from

24 Jeffrey?

1 A Yes.

2 Q What is the value of -- what is the total value of
3 the financial settlement?

4 MS. BRENNAN: Objection, relevancy.

5 THE COURT: Overruled. Her financial condition --

6 THE WITNESS: If she's --

7 THE COURT: -- is relevant just like Dad's.

8 THE WITNESS: It would be -- there's a stipulation
9 on \$50,000, but -- so I'm not entirely certain yet, but I
10 believe this settlement will be \$209,000 if it's paid in full,
11 if there's no other deductions.

12 BY MS. ROBERTS:

13 Q And is that liquid, like that's some kind of cash
14 disbursement?

15 A Yes.

16 Q Are you getting any assets? So that would mean are
17 you getting any real property, homes, land, anything like
18 that?

19 A No.

20 Q Are you getting vehicles?

21 A I have one personal vehicle, just my own. But no,
22 not community assets.

23 Q Are you getting retirement?

24 A No.

1 Q Does he have to contribute to your health insurance?
2 A No.
3 Q So the only settlement that you're getting from
4 Jeffrey is approximately 209,000.
5 A Correct.
6 Q When did this separation or this settlement
7 agreement, when -- when was that reached?
8 A I don't have an exact, but December.
9 Q Of 2020?
10 A Of 2020. To the best of my recollection, December
11 Q How long had you -- how long have you and Jeffrey
12 been married?
13 A We were married in 2013. So we legally separated in
14 January of 2020. So six years plus a couple months.
15 Q What did Jeff -- what does Jeffrey do for income?
16 A My --
17 MS. BRENNAN: Obje -- I --
18 A Jeff -- Jeff Draper, correct?
19 Q Yes.
20 A He has his own company.
21 Q And what is that --
22 A He's --
23 Q -- company?
24 A -- self-employed. He's self-employed.

1 Q What company is that?

2 A Le Grand Marketing.

3 Q And did he own that before you guys got married?

4 A Yes.

5 Q As part of your divorce settlement, are you keeping

6 your 51 percent of Moonwood -- sorry, I don't remember the

7 full name, but whatever is Moon -- Moonwood Coffee or whatever

8 that is?

9 A Yes.

10 Q And was there a value associated with Moonwood in

11 the divorce?

12 A No.

13 Q If you're taking a thousand dollars per month from

14 the company, what amount is your partner taking from the

15 company per month?

16 A He's currently not on payroll. He's not employed by

17 the company.

18 Q Okay. Does the company maintain assets?

19 A I believe we have some equipment listed as assets in

20 our trailers, our coffee trailers possibly. I -- I would have

21 to look at our bookkeeping and get an account of records to

22 tell you what the asset list looks like.

23 Q Can you give me an estimate of what the -- what the

24 estimated value of those are?

1 A \$10,000 would be an estimate.

2 Q Are there liens on those trailers and that
3 equipment?

4 A No.

5 Q And how many trailers do you own?

6 A Two.

7 Q If you're only working -- is -- is Moonwood Coffee
8 open more than 20 hours per week?

9 A We're a catering company so we work when we have
10 jobs.

11 Q And does she not work the -- the business partner
12 does not work the jobs?

13 A Correct.

14 Q Besides the 100 -- or I'm sorry, the thousand
15 dollars per month, do you also take any draws from the company
16 and do you receive a -- well, do you take draws from the
17 company?

18 A No.

19 Q Do you receive a K-1 from the company?

20 A Yes.

21 Q What was your K-1 in 2019?

22 A I don't have that in front of me.

23 Q What was the --

24 A Is it -- was it part of an exhibit?

1 Q Not that I'm aware of.

2 A No, I don't have the K-1 in front of me from 2019.

3 Q What was your K-1 in 2020; do you know that?

4 A I have -- no, I don't know what the -- I don't know.

5 Q Did you receive a PPP loan as part of a government
6 bailout program?

7 A Yes.

8 Q How much did you receive for the PPP loan?

9 A It was 17,000 -- I don't know the exact dollar
10 amount, but I want to say close to 17,400.

11 Q Okay. And did you receive an EIDL loan?

12 A Yes.

13 Q And how much did you receive for the EI -- EIDL
14 loan?

15 A Yeah, I don't have the exact dollar amount but a
16 hundred -- maybe a 110,000, one -- 117 maybe.

17 Q Okay. Do you know what the EDIL (sic) was based on?
18 What did you claim when you applied for the ED -- E -- EIDL
19 regarding the income for Moonwood Coffees?

20 A I know that I filled out the application online and
21 I put the pertinent information. We had a -- have supporting
22 documents. So profit and loss statements, tax returns were
23 submitted. I --

24 Q Okay.

1 A I didn't determine that dollar amount. It came back
2 to me and they said this is what I qualified for.

3 Q And for the profit and loss, what was the 2019
4 profit and loss?

5 A I don't know.

6 Q Do you know what the 2 -- 2020 profit and loss was?

7 A I -- I don't know without looking -- or looking at
8 my QuickBooks files.

9 Q Do you have access to those as you sit here today?

10 A I do on my computer. I would need to --

11 Q Do you have your computer --

12 A But again --

13 Q -- with you?

14 A -- I don't know if -- I have a bookkeeper. So she's
15 not up-to-date on doing the reconciliation. We'll have a
16 meeting some time in February to review our books. So I know
17 she's not current.

18 Q So when you filed your taxes in 2019, so for the
19 2019 tax year, on top of the \$1,000 per month that you were
20 making did you also have a K-1 that listed income that you had
21 to account for on your personal taxes?

22 A I -- I -- were you -- can you ask me the question
23 again? I'm sorry.

24 Q Okay. Let me break it down.

1 A You're asking if I --
2 Q So 1,000 --
3 A Go ahead.
4 Q The \$1,000 per month, is that W-2 income?
5 A Yes.
6 Q Okay. So, then on top of that, you should receive a
7 K-1. Do you -- you --
8 A But that's --
9 Q -- said you received --
10 A But that -- the \$1,000 started in 2020 when COVID
11 hit.
12 Q Okay. So then before that you got a K-1, correct?
13 A Yes, I have gotten a K-1 with the tax returns.
14 Q And what is the K-1 for 2019?
15 A I don't have it in front of me, but I'm -- I'm sure
16 I can get that if I had some time.
17 MS. ROBERTS: Elizabeth, did your -- do you know off
18 the top of your head what number her 2019 taxes are, what
19 exhibit?
20 MS. BRENNAN: No -- no idea.
21 MS. ROBERTS: The Court's indulgence, Your Honor.
22 I'm just -- I'm going to try to find it.
23 BY MS. ROBERTS:
24 Q Alecia, did you provide your 2000 -- did you provide

1 your 2019 tax return in this matter?

2 A I would have to look when discovery was closed. I
3 don't know.

4 Q Do you have your K-1 on your computer Olicia (sic)
5 -- Alecia? I'm sorry --

6 A What's that?

7 Q -- my office manager is Olicia. Do you have your
8 K-1 in front of you from -- or on your computer from 2019?

9 A I can pull it up, I think.

10 Q Would that refresh your recollection as to what your
11 K-1 income was for 2019?

12 A Yeah, if I can pull up the document.

13 MS. ROBERTS: Your Honor, I would ask the Court's
14 indulgence to allow her to pull up that specific document to
15 refresh her recollection as to what her K-1 was for 2019.

16 THE COURT: Okay.

17 MS. ROBERTS: Your -- Your Honor, I'm sorry, can she
18 do that?

19 THE COURT: Yeah, I'm asking -- yeah, do it.

20 MS. ROBERTS: Oh, sorry. We couldn't hear you. I
21 couldn't hear you.

22 THE COURT: That's fine.

23 THE WITNESS: Okay. I just need a few minutes to
24 locate it.

1 (PAUSE)

2 THE WITNESS: I have the 20 -- 2019 tax return in
3 front of me. Do you know where it's listed on -- is there a
4 K-1 that's listed on the actual tax return for Moonwood
5 Coffee?

6 Q It doesn't list the amount typically. It'll just be
7 profit and loss. That's why I can't tell without the actual
8 attachments. I'm looking right now. My staff just found the
9 list. Let me see if the tax return was provided. You never
10 provided your tax return, so I can't even look at it to tell
11 you where it would be.

12 A You provided anything you requested. You didn't
13 request that. You provided tax return for 2017 and 2018
14 because I'm -- they were disclosed on July 29th at 2019.
15 Yeah, I -- I mean, I'm not finding it. I see the -- the
16 Moonwood tax return, but I don't know -- I would have to look
17 back and I saw something that's password protected. My
18 accountant might have the 20 -- I -- I filed late. So I don't
19 -- I don't have it. I'm finding --

20 Q What does it say the -- can you tell me what the
21 profit and loss was for Moonwood in 2019 then?

22 A All right. Let me go back to it. Sorry.

23 Q That's okay.

24 A Okay. So what line item -- I mean, I'm looking at

1 the tax return.

2 Q It could be on the second page.

3 A It says ordinary business income loss, 11,432. I'm
4 not sure if that's -- I mean --

5 Q Is it --

6 A -- is that --

7 Q -- in parentheses?

8 A Yeah, it says ordinary business income and then in
9 parenthesis it says loss eleven thousand --

10 Q And --

11 A -- four thirty-two.

12 Q And is the 11,000, is that in parenthesis or that is
13 not in parenthesis?

14 A It's line 21. It's not in parenthesis.

15 THE COURT: All right. Ms. --

16 Q Okay. So the --

17 THE COURT: Ms. Roberts --

18 Q -- income --

19 THE COURT: -- I got to -- I got to interrupt. This
20 -- this -- look, this -- this minutia is nonsense, okay?
21 First of all, why don't you refer to the stuff that's actually
22 part of the record? There is a financial disclosure form that
23 she filed on April 9th, 2019 that Ms. Brennan filed that has
24 the P&L statement for the business for 2019. Okay. And the

1 -- you know, basically what you're trying to do is you're
2 trying to establish in a general sense what her income would
3 be in a non-pandemic year compared to a pandemic year. Right?
4 Well, the P&L for Moonwood Coffee company for January to
5 December 2019 was total income of \$87,39 -- 339.53 with a
6 gross profit of 61 -- well, I can't read whether that's a five
7 or a six -- 61374.79. This was the actual basis based on
8 April 18th, 2019 evaluation, okay? It -- having her look up
9 stuff that's not part of the record is not helpful. And it's
10 -- and it -- you know, we don't have enough time to really try
11 to -- to nail it down as exactly what her K-1 is, okay?

12 I do understand that it may be necessary to get an
13 idea of what her earning potential or income is. We know that
14 a thousand dollars a month from a coffee business that got
15 government loans of over a hundred and thirty thousand dollars
16 is not reasonable compensation. Okay. But, you know, come on
17 man. Don't be having her searching her computer spending
18 five, six minutes to try to get an answer to one question, all
19 right?

20 The -- the -- if you want a P&L for 2019, it's
21 already part of the record. It was attached to a financial
22 disclosure form that Ms. Brennan filed in '19 in April.

23 MS. ROBERTS: So Your Honor, just so that the record
24 is clear, that P&L that you're looking at is not January

1 through December. It's actually through April 8th of 2019 --

2 THE COURT: -- I get that.

3 MS. ROBERTS: -- (indiscernible) --

4 THE COURT: That's -- that's interesting. What does
5 it say on the top of it, Counsel?

6 MS. ROBERTS: It -- it does say that, Your Honor,
7 but it actually says that it's through April 8th --

8 THE COURT: Yeah.

9 MS. ROBERTS: -- of 2019.

10 THE COURT: Right. Right. So -- so you can -- I
11 mean, so on the face of it, there's a problem. On the -- if
12 you do extrapolate it out and that's a third of the year or a
13 quarter of the year, then you can do the math, right? But
14 catering businesses are not currently in business. Okay. So
15 there's been a -- there's been an adjustment there.

16 But the point I think you're trying to make into why
17 I haven't interrupted until now is that at some level if
18 there's an obligation to support Emily past the age of
19 majority it's an obligation of both parents, right?

20 MS. ROBERTS: Yes, Your Honor.

21 THE COURT: Yeah. Okay. I'm there. But come on,
22 man. You examined her for two-and-a-half hours last time. I
23 -- I really am going to push you to try to -- to get it in,
24 okay? Otherwise, I'm going to have the difficult choice of

1 whether to interrupt you and just say you've had enough time.
2 So I -- I just so why don't you -- since you seem to be aware
3 of this document; it was filed by them, it was filed in April
4 representing, what, a third of the year, you know, ask your
5 question to try to establish your evidence that way, okay,
6 instead of asking her --

7 BY MS. ROBERTS:

8 Q Alecia, let's go --

9 THE COURT: -- whether to search her laptop with
10 documents that weren't produced in discovery.

11 Q Alecia, how are you getting paid from Moonwood? Is
12 it currently open?

13 A How -- I get paid through VertiSource, a payroll
14 company.

15 Q Is it currently open? Are you doing any kind of
16 business?

17 A Yes, we are booking events. I was doing an average
18 two to three per month.

19 Q And that's currently during the pandemic.

20 A Currently during the pandemic.

21 Q What were you booking before that?

22 A On average, 12 to 15 per month.

23 Q What's the average that you were grossing from --
24 I'm sorry, netting per event that you were booking?

1 A Our average event is priced out at -- at 500 to \$600
2 per event. Our net, I would say, \$300 per event.

3 Q You have your FDF in front of you?

4 A No. Is that an exhibit?

5 (COURT AND CLERK CONFER BRIEFLY)

6 Q Do you have Defendant's in front of you, Alecia?

7 A Do I have what?

8 Q Defendant's exhibits in front of you, the ones
9 that --

10 A Yes.

11 Q -- are letters.

12 A I have the -- I have the list. Uh-huh
13 (affirmative). Yes.

14 Q Okay. So can you go to 17? I'm sorry, go to H.

15 A Go to H?

16 Q Yes.

17 A Okay. Exhibit H. I'm there.

18 Q Okay. So if you go to Bates Stamp 49, that's the
19 number on the bottom right-hand corner.

20 MS. ROBERTS: I'm sorry, Your Honor. I'm in the
21 wrong one. Her -- her FDF is not part of the -- part of the
22 exhibits I don't believe. I can't --

23 THE COURT: Well --

24 MS. ROBERTS: -- find it --

1 THE COURT: She --

2 MS. ROBERTS: -- in any --

3 THE COURT: Not the one we're looking at. She has
4 -- you have listed Defendant's Exhibits A, B, and C. One from
5 2015 -- or these are Defendant's financials. I don't see --

6 MS. ROBERTS: Yeah, I don't --

7 THE COURT: -- Plaintiff's financial attached as an
8 exhibit. But it's -- I mean, I -- I pulled it up because it
9 was in the case. I -- I'm looking --

10 MS. ROBERTS: Maybe it's --

11 THE COURT: -- at all the financials that are on
12 record, but if she doesn't have it -- I mean, you can get it
13 in --

14 BY MS. ROBERTS:

15 Q So Alecia, let me ask you this. Do you recall
16 filing a financial disclosure form or completing a financial
17 disclosure form that was signed April of 2019? We discussed
18 it at the last trial date.

19 A I do recall signing a financial disclosure --
20 disclosure form and -- and filling one out for this proceeding
21 at some --

22 Q Okay.

23 A -- point. I don't know what year it was.

24 Q Okay. So in that financial disclosure form, you

1 list that the profit and loss you have attached to that is
2 your 2018 profit and loss. Does that sound accurate?

3 A Are you looking at an exhibit that I can refer to to
4 refresh my memory?

5 Q No. Let -- let me ask you this. Is the financial
6 disclosure form that you've completed a true and accurate
7 representation of your income at that time in 2018 -- in 2019?

8 A Everything I would have put on the financial
9 disclosure form to my -- best of my recollection would be
10 accurate and truthful, yes.

11 MS. ROBERTS: So Your Honor, I would ask the Court
12 to take judicial notice of that. I can make an exhibit if the
13 Court --

14 THE COURT: No. No.

15 MS. ROBERTS: -- wants. It's a pleading --

16 THE COURT: No. No. No. It's a 20 page document.
17 It includes paycheck -- check stubs, the attachments that are
18 the other. It was filed and lodged with the Court. Ms.
19 Brennan filed it on April 9th, 2019. The Court's going to
20 print it. It's going to be marked for identification as
21 Defendant's next in order which I think is M. And Ms.
22 Brennan, you stated an objection to having the filed financial
23 from your client admitted into evidence?

24 MS. BRENNAN: No objection --

1 THE COURT: Thank you.

2 MS. BRENNAN: -- Judge.

3 THE COURT: Madam Clerk, I know you weren't the
4 clerk at the other sessions, but is M next in order for her?

5 THE CLERK: Yes, it is.

6 THE COURT: I think Ms. Roberts' next in order is M.

7 MS. ROBERTS: That's --

8 THE COURT: And --

9 MS. ROBERTS: -- correct, Your Honor.

10 THE COURT: -- so it'll be admitted as Exhibit M.

11 (DEFENDANT'S EXHIBIT M ADMITTED)

12 THE COURT: It does contain the balance sheet that I
13 referenced. It contains a letter from the coffee company,
14 it's unsigned, basically saying enclosed is your 2018 K-1.
15 Charitable share of income, deductions, credit, et cetera. It
16 contains the K-1. The K-1 is ordinary business income of 2500
17 and -- I mean, \$2573. That was for '19, It also contains a
18 paycheck stub which shows 80 hours at just under \$10 an hour;
19 80 hour units with the salary at 93750 an hour. So anyway,
20 for what it's worth, the paycheck stub is for the pay period
21 of February 11th to February 24th, 2019. And --

22 MS. ROBERTS: Thank you, Your Honor.

23 THE COURT: -- this looks like it was sent to you on
24 the day it was filed electronically according to the

1 certificate.

2 MS. BRENNAN: Jud -- Judge, while we're on exhibits,
3 I just have a question. I'm sorry to ask this. But are any
4 of -- other than this -- are Defendant's exhibits admitted?
5 Because I don't show them being --

6 THE COURT: Well --

7 MS. BRENNAN: -- admitted.

8 THE COURT: -- we -- we -- I mean, Ms. Roberts had
9 to wait for three days to get into her case. So --

10 MS. BRENNAN: No. No. No.

11 THE COURT: Before we --

12 MS. BRENNAN: Okay. I'm just making --

13 THE COURT: Before we finish --

14 MS. BRENNAN: -- sure. Okay.

15 THE COURT: Before we finish, we'll see. I'm
16 looking at the Clerk's note. I think this is the first one
17 that's been offered and admitted.

18 MS. BRENNAN: Okay. Thank you, Judge. I just --

19 THE COURT: All right.

20 MS. BRENNAN: -- want to make sure my records were
21 consistent with the Court's. Thank you.

22 THE COURT: Yeah. Well, it's -- it's hard for me to
23 keep track too. Don't worry about it. Go on, Ms. Roberts,
24 please.

1 BY MS. ROBERTS:

2 Q Alecia, at the time that you filed this in 2019,
3 were you still doing 12 to 15 events per month?

4 A I -- I would have to look at our -- again, at our
5 profit and loss statement to determine that. Again, I was
6 just estimating. You asked for a best estimate. So without
7 looking at real numbers, I can't be certain.

8 Q You said that Jeff and Adam are in the household --
9 I'm sorry, Anthony and Adam are in the household. Is Emily
10 still in the household?

11 A Yes.

12 Q Can you tell me what impact would it have on Emily's
13 social security benefits if the Court were to award child
14 support or award support?

15 A I couldn't answer that.

16 Q You're --

17 A But --

18 Q -- her court -- court appointed conservator,
19 correct?

20 A Yes.

21 Q Okay. And you don't know the answer to that
22 question?

23 A No, SSI allows individuals with disabilities to
24 obtain income. I don't know. -- they can actually work if

1 they're able to work. I believe that amount is \$2200 a month
2 that they're allowed to work. And, you know, if they're able
3 to work they can make that amount of money. We have -- I
4 don't know. We were -- I'm not sure the answer to that
5 question.

6 Q As your -- as the conservator for Emily, did you do
7 a budget for the Court?

8 A Yes. I have a spreadsheet that lists the itemized
9 amounts of money I'm spending per month for different
10 expenses.

11 Q Is the \$3100 per month -- I'm sorry, the \$4100 per
12 month paying all of your living expenses?

13 A What exhibit are you referring to?

14 Q I'm not referring to an exhibit.

15 A Oh. So what -- what was the question? The --

16 Q Your -- your \$4100 in income per month, is that
17 covering all of your expenses?

18 A My current expenses, \$4100 per month?

19 MS. BRENNAN: Are you object -- I just -- for
20 clarification, you're talking about Alecia's or Alecia's --

21 THE COURT: Look.

22 MS. BRENNAN: -- and Emily's --

23 THE COURT: Counsel.

24 MS. BRENNAN: -- or Emily's --

1 THE COURT: Counsel, 35 minutes ago she testified
2 that she makes \$4100 a month. A thousand from her coffee
3 business and 30 some hundred dollars from California for
4 working at 13.50 an hour. The Counsel's question is that
5 whether her income supports her living expenses, it's simple.
6 It either does or it doesn't.

7 THE WITNESS: Yes, but I'm anticipating to be using
8 the support settlement to offset cost of living expenses as
9 well for -- for, you know, car purchases and maintenance on
10 vehicles. Things like that.

11 BY MS. ROBERTS:

12 Q Okay. And what's your surplus every month from the
13 third -- \$4100 in income?

14 A I couldn't tell you. I just moved. I would say --
15 again, I'm -- I'm guessing. I just moved out. Last month was
16 my first month in our new townhouse. So I don't have a burden
17 setup entirely. I'm paying off -- paid off my car. I paid
18 off my loan. So I'm right now figuring that out, what the
19 surplus will be.

20 Q Does -- I'm -- when you factor in the expenses, are
21 you factoring -- factoring in a contribution from Emily every
22 month to the living expenses of the house?

23 A Yes.

24 Q And how much are those?

1 A \$400 for rent and a hundred dollars for cell phone;
2 towards like cell phone and living expenses here. So gas,
3 electric, cable, phone, like things that we have -- internet.
4 So it's a total of \$500 that I'm calculating that she's
5 contributing towards household expenses.

6 Q Did Emily's social security income and/or the
7 amounts she's receiving in -- I think it's food stamps,
8 increase as a result of you moving out of the hou -- home with
9 Jeffrey?

10 A No.

11 Q Okay. And do you anticipate that those numbers are
12 going to increase?

13 A No.

14 Q The last FDF you filed said that she was getting
15 \$668.24 in SSI. Is she still getting that amount?

16 A I believe it --

17 THE COURT: Hold on.

18 A -- was adjusted --

19 THE COURT: Hold on, Counsel.

20 A -- in January.

21 THE COURT: Counsel -- Counsel, excuse me. I -- I
22 don't want to go down this rabbit hole. The most recent
23 financial disclosure form for Emily, it's marked for
24 identification as Exhibit 85, filed on August 4, 2020. 686.24

1 is the SSI amount. CalFresh is 194. So the -- the question
2 assumes facts not in evidence. So just -- just -- are you
3 speaking from another financial disclosure form that may have
4 been exchanged since this case started?

5 MS. ROBERTS: No, and if I misspoke, Your Honor, I'm
6 sorry that's what I was looking at.

7 THE COURT: All right.

8 MS. ROBERTS: But has it --

9 THE COURT: Filed --

10 MS. ROBERTS: All I want to know --

11 THE COURT: -- August 4th --

12 MS. ROBERTS: -- is if those numbers --

13 THE COURT: -- 2020. The SSI amount is 686.24. The
14 SSI amount is 686.24. CalFresh is 194.

15 BY MS. ROBERTS:

16 Q Have those numbers changed, Alecia?

17 A I believe they might have changed like \$8 or \$8.50.
18 There -- there was an adjustment made but I -- again, I --
19 this would have happened in January. I haven't imputed her
20 expenses into my like tracking spreadsheet yet for the month.
21 So there Wait. An increase. You know, they do increase it
22 based on cost of living and different things. So I want to
23 say it's under \$10. But yes, it would have increased. I
24 don't think the food stamps increased at all, but SSI -- maybe

1 it was \$8 and -- \$8.50, maybe. I would have to look at it.

2 Q Are you getting any other benefits from the state of
3 California as her caregiver?

4 A No.

5 THE COURT: All right. Hold on. Just so we don't
6 get into this argument, she testified that she receives
7 compensation in the amount currently of 14.50 an hour of at
8 least 40 hours a week paid by the state of California to take
9 care of Emily. Did she testify to that? Isn't that what you
10 testified to, Ms. Draper?

11 THE WITNESS: Yes.

12 THE COURT: All right.

13 THE WITNESS: 13.50 --

14 THE COURT: So --

15 THE WITNESS: -- in 2020.

16 THE COURT: So when you're asked a question do you
17 receive any benefits as the caretaker of Emily, how can the
18 answer be no? Please think about the question and answer the
19 question. Other than the -- the 31 to \$3200 that you earn
20 from the state of California, right?

21 THE WITNESS: Other than.

22 THE COURT: Other than. Okay. So your benefits as
23 a caretaker are the 14.50 an hour you get from the in-home
24 social services benefit from the state of California, right?

1 THE WITNESS: Yes.

2 THE COURT: Okay. Next question.

3 MS. ROBERTS: I have no further questions, Your
4 Honor.

5 THE COURT: Okay. All right. Ms. Brennan.

6 MS. BRENNAN: I -- I just have one follow up.

7 CROSS EXAMINATION

8 BY MS. BRENNAN:

9 Q Alecia, Moonwood Café (sic), that's your -- that
10 catering business is located in the state of California,
11 correct?

12 A Yes.

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

14 THE COURT: Okay. Good. That was under budget.
15 Appreciate it. I have Jeffrey Reed as the next. Is -- is --
16 is that -- you're -- you're going to examine him, right, Ms.
17 Roberts?

18 MS. ROBERTS: I am, Your Honor.

19 THE COURT: Okay. Mr. Reed, I think I see you. If
20 you'll just raise your right hand and the Clerk will give you
21 an oath to swear you in.

22 THE CLERK: You do solemnly swear 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 MR. REED: Yes.

2 THE CLERK: For the purpose of the record, please
3 state your first and last name.

4 THE WITNESS: Jeffrey Reed.

5 THE CLERK: Thank you.

6 JEFFREY REED

7 called as a witness on his own behalf, having been first duly
8 sworn, testified upon his oath as follows on:

9 DIRECT EXAMINATION

10 BY MS. ROBERTS:

11 Q Jeff, at the last day we were in court and you
12 testified, they -- Counsel asked you to get your 2019 income
13 or to refresh your recollection regarding it, do you know what
14 your 2019 income was?

15 A Yes, it was 69,299.

16 Q Okay. And are you currently earning a similar
17 income?

18 A No.

19 Q And do you know what your income was for 2020?

20 A Right around 38,000.

21 Q Why was there a change in income from approximately
22 69,000 to 38,000?

23 A Back in 2019 October, I suffered a minor heart
24 attack and it was a result of stress. So I did take a

1 position making less to help manage the stress and moved with
2 my company to a -- a position of a little less stress to try
3 to get that under control. And then, of course, it -- it is
4 sales and it's a hundred percent commission that I'm in right
5 now. And currently with the pandemic it's -- it's really
6 devastated the business here in Las Vegas. A lot of our
7 clients are working with the casinos, things like that, so
8 they're not working at this time. So for them to purchase
9 anything is -- is very difficult. So our business across the
10 lines are down dramatically over this last year.

11 Q Which company are you working for right now in Clark
12 County?

13 A I currently work for SCI which is based out of
14 Houston and the name of the company here is Neptune Society.

15 Q And which mortuary company is that?

16 A Neptune Society.

17 Q Okay. And where --

18 A Which was --

19 Q -- were you at --

20 A -- also called --

21 Q I'm sorry.

22 A Which is also called --

23 Q Go ahead. I didn't mean to cut you off.

24 A That's okay. It's part of Palm Mortuaries. It's

1 also part of SCI and also part of -- they're all related.

2 They're all sister companies.

3 Q At the time that you switched jobs in 2020 prior to
4 the pandemic, what did you estimate that your income was going
5 to be with the company?

6 A Approximately 50 to 60,000. Again, it's a hundred
7 percent commission. So, you know, we had some ideas of what
8 it would be. But I wa -- when I came over, it was in
9 February. We could not anticipate that in March the pandemic
10 would hit and basically close everything down. So for the
11 last four or five months during the summer, business was very,
12 very hard to come by.

13 Q Okay. And has it changed during 2020 at all?

14 A A little bit towards the end of the year. It picked
15 up a little bit but still very, very -- we -- we had to let
16 some people go and really tighten up our budgets as far as
17 that goes. So picking up a little bit, we'll see how things
18 start out; 2021 has started out not too bad.

19 Q Okay. Have you received any commissions in 2021?

20 A Yes, about maybe a thousand dollars.

21 Q Do you have any other adults living in your
22 household?

23 A I do. My girlfriend.

24 Q And how -- do you share expenses with her?

1 A We do. We split everything 50/50.

2 Q And what amount is she contributing to the household
3 each month?

4 A The balance between 1800 and 2,000 a month.

5 Q And so that would mean that your expenses are
6 between 1800 and 2,000 per month; is that correct?

7 A Yes, those are for the household expenses.

8 Q Okay. Do you have health insurance?

9 A Yes.

10 Q Did you look into whether or not Emily could be
11 placed on your health insurance?

12 A Not the latest one, but before it was Nevada and
13 they would not let Emily be on my health insurance because
14 anything in California was considered out of network. If she
15 went to a doctor in California, my insurance was in the state
16 of Nevada so it was considered out of network. So it was much
17 more expensive for her to go to the doctors in California.

18 MS. ROBERTS: Your Honor, I believe I'm done with
19 him but I would ask the Court for just like a five minute
20 break and then I think I'm going to be done with him.

21 THE COURT: Well, why don't you just pass the
22 witness to Ms. Brennan? I know she examined him for a short
23 period of time. And -- and if you need to go beyond the
24 scope, just ask me, okay?

1 MS. ROBERTS: Okay. That's fine --

2 THE COURT: All right.

3 MS. ROBERTS: -- Your Honor.

4 THE COURT: Ms. Brennan, your witness.

5 MS. BRENNAN: Thank you, Judge.

6 CROSS EXAMINATION

7 BY MS. BRENNAN:

8 Q I believe you testified before, but I just want to
9 make sure and then I can move on. Your 2016 income based on
10 your 2016 tax return shows your gross income at 95,256.
11 That's correct, isn't it?

12 A I believe so. Yes, ma'am.

13 Q And the -- in 2016, when you made \$95,000 a year,
14 what was your position?

15 A A salesman.

16 Q You worked for -- you're in the funeral business,
17 correct?

18 A Yes, ma'am.

19 Q And you were a salesperson. And that sale -- back
20 in 2016, what was your position? Like do you have a title?
21 Were you a manager or what?

22 A It would be family service counselor.

23 Q Okay. Did in tw -- did you get -- has that always
24 been your title, family service counselor from 2016 to the

1 present? Or did your title change at some point in time?

2 A Our -- our company has changed it a couple times.
3 At one time they called it family service directors. One time
4 they called it family service counselors. It just depends on
5 what they change it to. But it's the same job. Basically,
6 it's sales.

7 Q Okay. And have you gotten a promotion from 2016 to
8 the present with Palm Mortuary?

9 A No.

10 Q Your -- have you always worked a hundred percent
11 commission or no?

12 A Ye -- not always, but since I started with -- well,
13 when I first came with Palm, it was not a hundred percent
14 commission. When SCI purchased Palm Mortuary back in 2000, I
15 believe, '12 they did convert to a hundred percent commission.
16 So when I was hired at the time there was a base salary plus
17 commission. When SCI took over, they had changed it to a
18 hundred percent commission. So since 2012 I have been on a
19 hundred percent commission.

20 Q Okay. And how many hours a week do you work
21 currently?

22 A Forty-five to 50.

23 Q And you get paid by the hour?

24 A No, ma'am. It's a commission for -- I get paid for

1 my sales.

2 Q So you don't get a -- what if you don't have any
3 commissions? You work -- are you saying that you work 40 to
4 45 hours every week and if you get no commission for that
5 month -- if you don't get any commission that month, you
6 worked for a month with no pay?

7 A Yes, ma'am. What they do is they pay us a -- a draw
8 which is, I believe, minimum wage. They do pay us minimum
9 wage but we do pay it back later on. So it's a draw against
10 that. So if I don't make any sales at all, it would be
11 whatever minimum wage is.

12 Q And I'm a little confused by your statement that you
13 voluntarily switched to a different job in tw -- in the last
14 year. Can you tell me what position -- you changed from one
15 position to a different sales position?

16 A So yes, after my heart attack, I discussed it with
17 my girlfriend and we decided that for health reasons I'd
18 switch to a -- same position just a slower location. So
19 instead of -- of working 60 to 70 hours, I went to a location
20 that was much slower. Obviously, if it's slower you're going
21 to work less hours but you're also going to make less money.
22 But at the time we felt like we could afford to take the pay
23 cuts. We looked at our expenses. We did not anticipate that
24 four years after, you know, Emily fell off my -- me paying

1 child support for Emily that it would be put back on. So yes,
2 we made that decision based on what my income was.

3 Q Okay. When you say you had a heart attack, did you
4 have heart surgery?

5 A I was in the hospital for three days. They did a --
6 it was all related to stress. So I was in the hospital for
7 the first day. When they looked into it, they did the
8 echogram and stress test and said something wasn't looking
9 right. So they did some observations, did an angiogram, those
10 kind of things, and determined that it was basically stress
11 related and I needed to take my stress levels down with blood
12 pressure medicine, things like that.

13 Q So you have not -- so the answer to my question is
14 you have not had any heart surgery; isn't that true?

15 A Correct.

16 Q And based on what you're telling me, I'm getting the
17 impression that you didn't even have a heart attack. You just
18 went into the hospital for issues that you thought were a
19 heart attack, but no one has actually diagnosed you with a
20 heart attack, did they?

21 A They told me a minor heart attack. And they sure
22 charged me for -- for that.

23 Q So you're telling me that you have documents from
24 the hospital with a diagnosis that says heart attack.

1 A I believe so. I'd have to look through my --
2 Q Yes or no?
3 A -- notes. I'd have to look through my records. I
4 don't know exactly what the diagnosis was. I saw a
5 cardiologist after that or a heart monitor. I can get you all
6 those documents if you would like.
7 Q Did you ever -- and -- and you're -- so you
8 voluntarily in -- moved yourself to a -- a location of the
9 mortuary business that is -- doesn't have as much business as
10 the location that you previously worked at, correct?
11 A Yes, ma'am.
12 Q And you voluntarily made that change in October of
13 2019, correct?
14 A It was shortly after that. It was around January, I
15 think, when I made the change.
16 Q January 2020?
17 A Yes.
18 Q Okay. What does your girl -- your girlfriend that
19 lives with you, what is -- what is her name?
20 A Yvette (ph).
21 Q Yvette Rodriguez (ph)?
22 A Yes, ma'am.
23 Q And where does she work?
24 A She works for Palm Mortuary.

1 Q And what does she do for Palm Mortuary?
2 A She is a funeral director.
3 Q And what location does she work at?
4 A She works at the eastern location.
5 Q And you work at what location?
6 A I am at the Neptune Society, the one on Lake Mead
7 and Rampart.
8 Q What is her gross annual income from any and all
9 sources?
10 A She would rather stay out of it. She has not
11 allowed me to discuss that with anybody. I don't know.
12 That's --
13 Q You can go ahead --
14 A Am I allowed --
15 Q -- and answer my question. What -- what is her
16 gross annual income from any and all sources, your live-in
17 girlfriend? What is it?
18 A Around 70,000.
19 Q And Yvette, your long term live-in girlfriend, she
20 doesn't have any minor children that she has to support
21 currently, does she?
22 A No, she doesn't.
23 Q What -- did you take any -- get any assistance
24 related to the pandemic?

1 A I have not.

2 Q What about Yvette?

3 A No.

4 Q Why not? Why haven't either one of you gotten the
5 government assistance?

6 A Why have we not?

7 Q Yeah.

8 A Because we don't qualify for it.

9 Q So --

10 A Her -- her --

11 Q -- your combined --

12 A -- (indiscernible) -- she still works 40 -- 40 to 50
13 hours a week and gets her hourly salary. Nothing has changed
14 for her on her side.

15 Q Emily has -- you've never covered Emily -- or -- on
16 your insurance since sh -- have you ever covered Emily on her
17 insurance from the time she was 18 to the present?

18 A No, ma'am.

19 Q And all these exhibits with these various medical
20 bills, hospital bills, and whatnot related to Emily's
21 treatment, you haven't paid for any of those, have you?

22 A During the past four years?

23 Q Any of --

24 A Since she's been --

1 Q -- the bills --
2 A -- 18?
3 Q -- in this lawsuit. You have not paid any of the
4 bills that we've provided as exhibits in these lawsuits. You
5 haven't paid for any of her -- those bills, have you?
6 A I have not.
7 MS. BRENNAN: That's all the questions I have,
8 Judge. Thank you.
9 THE COURT: Okay. Ms. Roberts?
10 REDIRECT EXAMINATION
11 BY MS. ROBERTS:
12 Q Jeff, could we just clarify? 2016 is the most
13 you've made in every -- any year. So that was more than four
14 years ago, correct?
15 A Yes, ma'am.
16 Q And at that time, in order to make that you were
17 earning -- you were working 60 to 70 hours per week, correct?
18 A Yes.
19 Q Your income decreased in 2017 to approximately
20 78,000; is that correct?
21 A Yes.
22 Q And then in 2018, it was about 80,000; is that
23 correct?
24 A Yes.

1 Q And then 2019 the 69,000.
2 A Yes.
3 Q Do you have the exhibits that we went over in front
4 of you?
5 A Yes.
6 Q You filed financial disclosure forms in this matter;
7 is that correct?
8 A I did. Yes.
9 Q And when this matter was reopened in 2015, you
10 filed them periodically since then; is that correct?
11 A I believe so. Yes, ma'am.
12 Q Okay. Can you go -- can you go to Exhibit A in the
13 book in front of you?
14 A I have numbers. Are you're talking about --
15 Q The one that's letters. There's another one --
16 another book. It's a small one of letters.
17 A Hold on one second. I believe I have that one up
18 here. Give me one second. (PAUSE) Sorry about that. I
19 apologize. Okay.
20 Q Okay. Exhibit A, are you there?
21 A Yes, ma'am.
22 Q And that is a financial disclosure form that was
23 filed by your attorney Audrey Beeson in 2015; is that correct?
24 A Yes.

1 Q And the information contained in that financial
2 disclosure form is true and correct to the best of your
3 knowledge?

4 A Yes, it is.

5 Q And is that your signature on page 7 of the
6 financial disclosure form?

7 A Yes, it is.

8 MS. ROBERTS: Your Honor, I move to admit Exhibit A.

9 THE COURT: Is that the January 2015 --

10 MS. BRENNAN: No objection, Your Honor.

11 THE COURT: Yeah?

12 MS. BRENNAN: No objection. And just -- just to
13 speed things along, I stipulate to the admission of Exhibit A,
14 B, C, H, I, J.

15 THE COURT: Okay. You accept the stipulation?

16 MS. ROBERTS: Yes, Your Honor.

17 THE COURT: Okay. So A, B, C, H, I, J.

18 (DEFENDANT'S EXHIBITS A-C, H-J ADMITTED)

19 THE COURT: That's good. All right. Then you can
20 just argue the numbers. I mean, look. There are orders
21 related to these numbers. It's the financial, especially that
22 one, really has no meaning because we have an order in which
23 they sent support using \$60,000 as his income, sent support
24 again when Adam was the only child based on, you know, ranges

1 of income. So this -- this is all context. It's -- you can
2 argue it all. Probably would be better to argue the order
3 since that's actually the law of the case, not -- not the
4 filings, but all right.

5 MS. ROBERTS: K -- K and L are the HIPAA releases,
6 Counsel. Will you stipulate to the admission of those?

7 MS. BRENNAN: Sure.

8 MS. ROBERTS: Bates Stamp 1 -- ER001053 and -- is K.
9 And L is the HIPAA release ER001054. Elizabeth -- or
10 Elizabeth, did you say yes?

11 MS. BRENNAN: Yes, I did.

12 THE COURT: Okay. So those two -- Madam Clerk, K
13 and L will be admitted by agreement.

14 (DEFENDANT'S EXHIBITS K AND L ADMITTED)

15 MS. ROBERTS: Your Honor, I just ask for a brief
16 recess. I think I may be done, but I just need to confer with
17 my client for a moment.

18 THE COURT: Yeah, that's -- that's fine. We're a
19 little early on break.

20 MS. BRENNAN: And then I may have --

21 THE COURT: You got quest --

22 MS. BRENNAN: -- I may have some follow ups.

23 THE COURT: On what?

24 MS. BRENNAN: I'm just saying I may have --

1 THE COURT: She only asked him --

2 MS. BRENNAN: -- to take some --

3 THE COURT: -- two questions about his financial in
4 January 2015. All right. What -- whatever. The -- the Court
5 will take a five minute recess. You can log back on at 20
6 minutes til. Now, you know, you're -- you're making a
7 decision as to whether you have additional questions for the
8 Defendant.

9 MS. ROBERTS: Correct, Your Honor.

10 THE COURT: After that issue is done and we have all
11 this testimony in the can, we're -- we're finished. And if
12 you still want to call Emily in your case, I want you to be
13 prepared to talk to me about why that's important to your case
14 so that I can deny it or grant it. And I've reviewed her
15 testimony from the 7th of August. And I want you to be able
16 to tell me why that isn't enough for the subject of the case.
17 Okay? So --

18 MS. ROBERTS: Yes, Your Honor.

19 THE COURT: -- we'll see you guys at 20 til.

20 (COURT RECESSED AT 2:35 AND RESUMED AT 2:41)

21 THE COURT: Hm. I see Ms. Brennan. I see Mom. Ms.
22 Roberts, are you there? Huh. All right. Just sit tight.

23 (PAUSE)

24 THE COURT: Okay. I see Mr. Reed. Is Ms. Roberts

1 also back? Mr. Reed, Ms. Draper, Ms. Brennan. I see you, Ms.
2 Roberts. Can you hear me?
3 (PAUSE)
4 THE COURT: I see you, Ms. Roberts. Are you ready
5 to go? Everybody okay? Can't hear you. Are we on?
6 THE CLERK: She -- she's muted -- she's on the
7 video. She --
8 THE COURT: All right. I'm -- I'm trying to resume
9 Reed and Draper hearing, D05338668. Counsel, I can see the
10 clients and I see you in your windows but I can't hear you.
11 Would you please just state your appearance? Are you sure
12 we're connected? They're not -- they're -- they're not seeing
13 us. Okay. Is everyone -- everyone ready to go? As soon as
14 you -- and if you can get them hooked up, that's fine.
15 THE CLERK: Okay.
16 THE COURT: We're going to have to place calls with
17 them. Just -- just let me know when -- if they're on, just
18 leave them on. You --
19 THE CLERK: I apologize. Hello, this is the Court
20 Clerk. Is everyone back? Hello? This is the Court Clerk.
21 Hello, this is the Court Clerk. Is everyone back?
22 (COURT RECESSED AT 2:47 AND RESUMED AT 2:53)
23 THE COURT: All right. We're resuming the hearing.
24 This is D-0Z -- D-05338668. We reconnected. It was our

1 issues, Counsel. We got Ms. Brennan and Ms. Roberts and the
2 parties. What do you got, Ms. Roberts?

3 MS. ROBERTS: I have no additional questions, Your
4 Honor, but I do have a procedural issue; during the break --

5 THE COURT: Speak up --

6 MS. ROBERTS: -- Alecia --

7 THE COURT: -- a little bit, please.

8 MS. ROBERTS: -- actually called --

9 THE COURT: Speak up a little. I can't hear you.

10 MS. ROBERTS: I've turned up all the way. I'm so
11 sorry.

12 THE COURT: Much better.

13 MS. ROBERTS: Okay. Okay. During the break Alecia
14 actually called Emily and I believe Emily is now sitting in
15 the room. So I would ask the Court to ask her to leave while
16 we finish this portion.

17 THE COURT: Yeah, the -- the -- there's -- she's a
18 witness. She's actually an adult. She shouldn't be in these
19 proceedings unless she's called by the court. So Ms. Brennan,
20 you're not with your client, but when we're discussing the
21 case the only parties present should be the -- the parties and
22 Counsel. So that's fine.

23 MS. BRENNAN: Yeah, Judge, when -- when I saw that
24 Alecia called her, I -- I notified Alecia that I -- we did not

1 want Ale -- Emily to be in the room unless and until you
2 requested it. So it's my understanding that Emily is not in
3 the room. Is that correct, Alecia?

4 MS. DRAPER: Correct.

5 THE COURT: All right. Well, I know she lives there
6 and I know that we're connecting electronically. If we were
7 in the courtroom, this would be easier to manage our rule on
8 witnesses. Is that -- except for the parties and Counsel a
9 witness, and Emily is a witness in this case, are excluded
10 unless they're needed. Now, Dr. Love was a different
11 situation because she is an expert. And so she's allowed to
12 be in in other portions of the case. All right. But that's
13 okay. So we know that Emily's available. You're finished
14 with your exam of Mr. Reed.

15 Before we get into argument and submission of the
16 case, you had said at the beginning of the hearing Ms. Roberts
17 that you might want to call Emily again. Now, Emily is an
18 adult but -- and I know you didn't ask her a lot of questions
19 when you examined her on August 7th. Do you still want the
20 Court to consider allowing you to call her?

21 MS. ROBERTS: I -- I do, Your Honor.

22 THE COURT: Tell me why.

23 MS. ROBERTS: If that is --

24 THE COURT: Tell me -- tell me why.

1 MS. ROBERTS: So on -- on August 6th, Your Honor,
2 Dr. Love testified and there was long testimony from Dr. Love
3 on the 6th and the 7th. In that testimony, we talked about
4 the ability to switch back and forth between personalities and
5 the ability to remember what alters have gone through and
6 experienced. And then, Plaintiff actually alleged that they
7 weren't going to call her at all. We intended to call her as
8 a witness. And on -- on the 7th they decided to call her
9 because they wanted Dr. Love Ferrell, I guess, to be present
10 during the testimony. So they called her. There was very
11 little testimony of her.

12 And, during that testimony, it was elicited that Ms.
13 Brennan actually had a conversation with her and Heidi and
14 Lilly and Dorothy and Holly. And I have qui -- additional
15 questions regarding those communication and what happened at
16 trial.

17 THE COURT: Well, you asked her about that. In
18 fact, that was the line of questioning that you started with
19 which is the discussion that Ms. Brennan had either the day
20 before or right before the -- the testimony. That's how
21 obviously Ms. Brennan was able to -- I mean, it was obvious in
22 the direct exam that that had occurred which was problematic
23 but because she -- she, you know, examined the child. She had
24 prepared the examination of the child in that way. So but,

1 you know, look.

2 The -- the child testified for 35 minutes in total.

3 And I call her the child. She's 24. But -- and, you know,
4 the -- the issue of her competency is -- is in question, I
5 suppose. I have a lot of information and evidence that's
6 going to support a finding that, you know, during the course
7 of her life she's been traumatized and she's been treated for
8 mental health illness. She's qualified as disabled.

9 And, you know, I -- I don't -- I don't know that
10 there would be any purpose in -- in recalling her that
11 certainly if she was a child then it would be easy because the
12 Court has more discretion in determining whether the probative
13 value of the testimony outweighs the prejudice to the child.
14 This is an adult. You don't apply that analysis.

15 But you can -- even if I determine that it was
16 relevant evidence, can limit the introduction of relevant
17 evidence under NRS 48.035. If it's a needless presentation of
18 cumulative evidence, if it would cause delay or if the Court
19 determines that it's unnecessary.

20 In this case, the chi -- this witness has already
21 testified, has already answered questions from you and
22 answered questions from Ms. Brennan. And I will -- I mean, I
23 -- I will note, and it's certainly accurate that you didn't
24 examine her for very long when you did examine her. And --

1 but I mean, I also don't see how, you know, there's going to
2 be extensive cross examine of this witness if she presents in
3 personalties that are ages two and four and, you know,
4 whatever.

5 So I -- I don't know -- I don't know what type of
6 questions you want to ask her that you haven't already asked.
7 You asked her, and it's clear from the record already that,
8 you know, there was a discussion between Counsel and the
9 witness about her personalities and who might be examined at
10 the hearing and, you know, that was apparent during the exam.

11 So, I mean, I don't know. I -- I think that I
12 needed to give it some careful consideration if I'm going to
13 deny you an opportunity to call another witness in your case.
14 Ordinarily, you would have a right to recall any witness to
15 cover an area that might come up during the course of the
16 case. And that was two sessions ago.

17 I'm looking at the exam. And you asked her about
18 Monarch, her dog. You asked her why we were here. And you
19 asked her about whether she talked to Ms. Brennan yesterday
20 and how long she talked to her and who was present. And, you
21 know, I -- I don't think -- I don't think that there's any
22 need to go through that again. You can already argue it.

23 In response to your question, Emily said that her
24 alters volunteered to talk yesterday, referring to the

1 conversation that she had with Ms. Brennan. And, I mean, are
2 -- are you really going to be arguing to the Court that this
3 is all a facade and that the Court shouldn't take the
4 testimony of Dr. Love and the evidence related to Emily Reed's
5 medi -- medical and psychiatric treatment over the years and
6 that her testimony was just some big ruse and fake? I mean,
7 is that really what you're arguing to the Court?

8 MS. ROBERTS: I'm going to argue that -- Your Honor
9 that Dr. Love's testimony is not consistent with Emily's
10 testimony based upon specific quotes that I have pulled from
11 that testimony. I can give the Court the exact video
12 citation. In fact, that's why I think Dr. --

13 THE COURT: I know, but to --

14 MS. ROBERTS: -- Love's questioning --

15 THE COURT: -- to what end --

16 MS. ROBERTS: -- at the --

17 THE COURT: -- to what end? To what end? To what
18 end? Are you -- are you saying that Emily is not suffering
19 from multi-personality disorder, is not able -- is not -- is
20 -- is faking presenting as a four-year-old or an
21 eight-year-old or a two-year-old? It -- it -- is that your
22 argument?

23 MS. ROBERTS: That is a portion of my argument, Your
24 Honor.

1 THE COURT: Yeah. Okay. All right. The -- huh.
2 All right. This -- I have no beef today. It's 3:00 o'clock.
3 We've spent 42 minutes on Ms. Draper and we spent less than a
4 half an hour on Mr. Reed. So we haven't wasted time today,
5 but that brings us to a total of about 12 hours of testimony
6 during the course of four sessions. The Court believes that
7 it has discretion in the management of the trial to determine
8 whether or not witnesses would be called or recalled. This
9 witness has testified and you'll have your record that your
10 request to call Emily in this case for the circumstances that
11 we've discussed will be denied and that you'll argue that the
12 evidence and the testimony from Emily that was given on August
13 7th.

14 And, you know -- so did you look at your request for
15 consideration of Plaintiff -- of documentary proof to
16 determine whether any of the stuff that is not already
17 admitted should be offered?

18 MS. ROBERTS: It does not need to be, Your Honor.

19 THE COURT: Okay. And Ms. Brennan, have you looked
20 at your list of exhibits and determine whether there's
21 anything that -- that needs to be offered?

22 MS. BRENNAN: Yes, Judge. There's only one
23 additional exhibit that it looks like didn't get admitted that
24 I would like the Court to admit just for completeness of the

1 record and that is Exhibit 42, which my client has referred to
2 repeatedly throughout this trial and Dr. Love referred to as
3 well. To get some timeline, this is not to be taken as fact.
4 It's just to give the Court -- it's a chronological summary
5 that my client put together over the years and the Court can
6 give it what weight it deems --

7 THE COURT: Yeah, okay.

8 MS. BRENNAN: -- necessary.

9 THE COURT: I already ruled on it on November 19th.
10 The objection was sustained. I am not changing the ruling on
11 that. So --

12 MS. BRENNAN: Okay.

13 THE COURT: -- anything that I haven't ruled on?

14 MS. BRENNAN: No, Your Honor.

15 THE COURT: Okay. Good. Then -- look, this is a
16 really interesting case. I can't say I've had a bunch of them
17 like this, but we have -- have -- we have more than enough
18 evidence for you to be able to make your argument and have it
19 submitted to the Court for decision. I will be writing an
20 order that will try to carry us from the decisions and orders
21 that Judge Ochoa made to taking us through the evidence and
22 determining what, if any, responsibility both parents have to
23 the child after the age of majority and the other
24 miscellaneous claims. So I hope you're ready to offer your

1 argument. Once it's submitted, the Court will get to the
2 business probably later this week of drafting the findings and
3 conclusions and orders and closing the matter.

4 Ms. Brennan, are you ready to offer your -- your
5 closing argument?

6 MS. BRENNAN: If that's how you want it. I -- I
7 thought it might be a little more helpful to do a -- a closing
8 brief to you so we could cite to, you know, the certain
9 testimony and everything. I -- I just was thinking that might
10 make it easier for the Court. I
11 f you prefer not to have that. We -- I can make a short
12 summary of my argument.

13 THE COURT: Yeah. I -- I don't need -- I don't need
14 any -- I mean, we -- we briefed this to death in looking at
15 the preparation of it. You briefed this in the context of the
16 initial motions, the motion for summary judgment, the motions
17 regarding -- or the -- the memos in this case. I was looking
18 at your opening statement that was made on August 6th. And I
19 don't know. What do you think, Ms. Roberts? I mean, do you
20 -- are -- do you want -- or feel that there's a need to have
21 some sort of closing argument in a written form or -- or are
22 you --

23 MS. ROBERTS: Yes, Your Honor. That would be my
24 preference.

1 THE COURT: Well, how much time do you need to do
2 something like that?

3 MS. ROBERTS: Whatever constraints the Court has,
4 Your Honor, I'll follow those.

5 THE COURT: Well, I mean, it's -- it's not a
6 constraint. It's -- I mean, I -- I need to --

7 MS. ROBERTS: Monday of next -- well, I guess Monday
8 is a holiday. Tuesday of next week, one week from today, Your
9 Honor, submitted by, I don't care, 8:00 a.m.?

10 THE COURT: Well, I mean, let's not ruin your
11 weekend. I need to decide the case. It's in backlog status.
12 The -- I don't even want to think about, you know, when I
13 review the orders and see that this dispute has been pending
14 for two years. But we -- we can do that and give you an
15 opportunity to file a brief. It's got to be served. It's not
16 really a brief. It's a closing -- it's a closing argument.
17 Your -- you -- I guess you -- one way you can look at it is
18 you're -- you're making your argument couching your positions
19 in the -- in the form that would most set up a -- a basis to
20 make sure that the Court made appropriate findings and
21 conclusions and that were supported by the evidence for the
22 non-prevailing party.

23 I'm looking -- how about a week from tomorrow or a
24 week from Thursday? If I get it by --

1 MS. BRENNAN: A week for -- so --

2 THE COURT: If I -- if I get it by Wednesday next
3 week or Thursday morning, then I have some time on Friday to
4 work on the order.

5 MS. ROBERTS: I -- if -- if the Court's going to
6 give us that long, Your Honor, then I -- I would request until
7 Thursday morning.

8 THE COURT: Ms. Brennan?

9 MS. BRENNAN: Yes, I can accommodate that, Your
10 Honor. That's fine.

11 THE COURT: Okay. Then -- then we will say that
12 Counsel has requested an opportunity to submit closing briefs
13 in the form of arguments that are in writing. With all the
14 work that I've had to do and I can imagine that you've had to
15 do to sort of rein this in about every time that we get it
16 after August and November and -- and today, I can see that
17 there may be a need to take a look at all of the record that
18 has been made; the testimony, the documents, and offer a -- a
19 written argument to the Court. Monday is a holiday. We're
20 almost to the midweek.

21 If I give you about five business days so that it's
22 filed in the morning or some time on the 21st, I'll consider
23 it as part of the record and I'll start work on the order
24 after those arguments are submitted. If they're not submitted

1 by the 21st, then I may start -- I mean, I'll -- I'll -- you
2 know, I'm not going to wait forever, but just the 21st is the
3 deadline, okay?

4 MS. BRENNAN: That's fine.

5 THE COURT: Any questions --

6 MS. BRENNAN: Thank you, Judge.

7 THE COURT: -- any questions before I let you go?

8 MS. ROBERTS: Do you have a page length or do you
9 have any --

10 THE COURT: Well, what are you --

11 MS. ROBERTS: -- instructions on what we --

12 THE COURT: -- what are you -- I mean, well, this
13 isn't a brief. But what do you -- what do you think is
14 necessary for you? I mean, can you do it in like three or
15 four, five pages?

16 MS. ROBERTS: Do you want us to --

17 MS. BRENNAN: Yeah, my goal is to be short and to
18 the point, Judge. I -- I just thought I -- I would take the
19 time to collect my thoughts and get it to you short and to the
20 point in a concise manner. I don't --

21 THE COURT: Yeah.

22 MS. BRENNAN: -- think I need --

23 THE COURT: I don't -- I don't think --

24 MS. BRENNAN: -- any more than three or four pages.

1 THE COURT: I don't think you need -- I mean, I
2 don't -- look, is this a legal question? Yeah, technically
3 it's a legal question, but I don't think you have to write a
4 treatise about, you know, the (indiscernible) case and -- and
5 -- you know, I mean, you're really arguing the sufficiency of
6 the proof, maybe the timing of the claim. Maybe that -- I
7 mean, I -- I don't know. There's a couple different ways that
8 you can look at this. I think that the decisions by Ochoa and
9 the orders that were entered in this case, you know, I mean,
10 it's a -- it's going to be decided on the merits.

11 But I -- I want you to be able to present your --
12 your argument to the Court. I don't want to sit here and say
13 well, it -- it's no more than 20 pages because then you'll
14 think that you have to write all 20 pages. If you can do it
15 in a few pages, then do it. If you think that it's -- I mean,
16 probably I should say no longer than 10 pages. In a 14 pica
17 -- you know, you don't have to get into the procedural posture
18 of the case and all that. I have to review that and go over
19 all the orders. You go right to the claims for relief.
20 Right.

21 This is a third party claim for relief against the
22 parents. You got one parent who is admitting to the
23 responsibility and the other -- and -- and wants to impose a
24 responsibility on the other parent. You have one parent who

1 says I shouldn't have this responsibility imposed for these
2 reasons. Okay. So if there's no objection, we'll say that it
3 has to be done a week from Thursday, the 21st of January. And
4 it should be 10 pages or less.

5 MS. BRENNAN: And can we have a time so that we kind
6 of submit them simultaneously?

7 THE COURT: Yeah, I can understand that. You want
8 to efile them by noon?

9 MS. BRENNAN: I can --

10 MS. ROBERTS: Thank you, Judge.

11 THE COURT: Yeah. So efile them by noon. They'll
12 electronically go to the other. I mean, if you're really
13 worried about it, I mean, you can like, you know, just say
14 okay, we're dropping it. And you can't revise and rewrite
15 stuff in 10 minutes or so. But that's fine. Noon on -- noon
16 on the 21st. Good job.

17 MS. BRENNAN: Thank you, Judge.

18 THE COURT: Thank you. You guys stay safe --

19 MS. BRENNAN: Have a --

20 THE COURT: -- and --

21 MS. BRENNAN: You too, Judge.

22 THE COURT: -- I'll try to get the decision out as
23 soon after the 21st as I can.

24 MS. BRENNAN: Thank you, Judge.

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MS. ROBERTS: Thank you.

(PROCEEDINGS CONCLUDED AT 3:11:46)

* * * * *

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

Adrian Medrano

Adrian N. Medrano