Sep 18, 2020 1:05AM Status Check Courtroom 03 Gentile, Denise L

Oct 22, 2020 9:00AM Non-Jury Trial Courtroom 03 Gentile, Denise L

Electronically Filed Jan 10 2022 11:25 p.m. Elizabeth A. Brown Clerk of Supreme Court

DISTRICT COURT CLARK COUNTY, NEVADA

D-18-568055-D Devin Bryson Reed, Plaintiff vs.
Amanda Raelene Reed, Defendant.

August 14, 2020 12:05 AM Motion

HEARD BY: Gentile, Denise L **COURTROOM:** Courtroom 03

COURT CLERK: Melissa McCulloch

PARTIES:

Abby Reed, Subject Minor, not present

Amanda Reed, Defendant, Counter Claimant, Carrie Primas, Attorney, not present

not present

Devin Reed, Plaintiff, Counter Defendant, not Alex Ghibaudo, Attorney, not present

present

Shawn Reed, Subject Minor, not present

JOURNAL ENTRIES

- NRCP 1 and EDCR 1.10 state the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 5.502(i), this matter came on before the Court on the Chambers Calendar, for decision without a hearing. Pursuant to EDCR 5.502, this Court can grant the requested relief if there is no opposition timely filed.

COURT FINDS that there is a Motion to Strike Rogue Filing, set for hearing on this Court's chambers calendar. COURT FINDS that there is an Opposition filed thereto. COURT has read and considered the arguments contained therein.

COURT NOTES that there is a Supplement filed by Plaintiff (the document that is sought to be stricken); which such document is actually a Motion for relief pursuant to additional facts and

PRINT DATE:	08/17/2020	Page 1 of 2	Minutes Date:	August 14, 2020

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

arguments posed by Plaintiff. COURT FINDS that in the interest of judicial economy, the Supplemental filing shall be considered a Motion for purposes of the issues pending in this case; the matter shall be set for hearing on September 18, 2020 (chambers calendar) for the Court's consideration; Defendant shall have 14 days from the date of this Minute Order to file a response. COURT SHALL consider the Motion and issue a decision as to whether there is adequate cause to consider his Motion at the time of the already scheduled evidentiary hearing. If so, the Court shall issue a Minute Order indicating that the requests for relief in the Motion (Supplement) shall be heard at the evidentiary hearing on October 22, 2020.

Based upon the foregoing, the Motion to Strike is hereby DENIED.

CLERK'S NOTE: On 8/17/20 a copy of the Court's Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (mm)

FUTURE HEARINGS: September 18, 2020 1:05 AM Status Check

Gentile, Denise L Courtroom 03 McCulloch, Melissa

October 22, 2020 9:00 AM Non-Jury Trial

Gentile, Denise L Courtroom 03 McCulloch, Melissa

PRINT DATE:	08/17/2020	Page 2 of 2	Minutes Date:	August 14, 2020
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Electronically Filed 08/19/2020 8:50 PM
CLERK OF THE COURT

1	ORDR HANRATTY LAW GROUP		
2	Carrie J. Primas, Esq. State Bar of Nevada No. 12071		
3	1815 Village Center Circle, Suite 140		
4	Las Vegas, Nevada 89134 PH: (702) 821-1379		
5	FAX: (702) 870-1846 EMAIL: attorneys@hanrattylawgroup.com		
	Attorneys for Defendant, Amanda Reed		
6	DISTRIC	T COURT	
7	CLARK COU	NTY, NEVADA	
8	DEVIN REED,	Case No: D-18-568055-D	
9		Dept No: F	
10	Plaintiff,		
11	v.	ORDER AFTER HEARING	
12	AMANDA REED,	Date of Hearing: May 13, 2020 Time of Hearing: 9:30 p.m.	
	Defendant.	Time of fleating. 9.30 p.m.	
13		t toth to one one of the	
14		art on the 13 th day of May, 2020, for a hearing on	
15	Defendant's Motion to Adopt Dr. Paglini's Rec	ommendation; for an Order to Show Cause Why	
16	Plaintiff Should Not Be Held in Contempt of C	ourt; to Modify Custody; and for Attorney Fees	
17	and Costs, and Plaintiff's Opposition and Count	termotion for a Protective Order on Behalf of the	
18	Parties' Children; for an Order Sealing the Part	ies' Case File; for an Order Requiring Defendant	
19	Obtain Court Approval Prior to Filing Futur	e Motions; to Declare Defendant a Vexatious	
20	Litigant; for Sanctions, Fees, Costs; and for O	ther Related Relief. Plaintiff, Devin Reed, being	
21	present and represented by Michancy Cramer, Esq., and Defendant, Amanda Reed, being present		
22	and represented by Carrie J. Primas, Esq., of Hanratty Law Group ¹ , the Court hereby finds and		
23	orders as follows:		
24	THE COURT FINDS that that Defen	dant/Mom filed a Motion to Modify Custody	
25	requesting the following:		
26			
27	Due to Covid-19, all appearances were held telephonical	ly.	

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- For this Court to Adopt Dr. Paglini's recommendations as it pertains to legal custody and recommendations for Dad to take parenting classes and anger management classes
- Issue an OSC against Dad for violation of the Mutual Behavior Order and other
 Others of this Court
- Primary Physical Custody
- Attorney's fees and costs

THE COURT FURTHER FINDS that Plaintiff/Dad filed a Countermotion seeking the following relief:

- Deny Mom's Motion
- Enter a Protective Order on behalf of the children against Mom's boyfriend,
 Jeffrey Eatherly
- Enter an Order sealing the parties' case file pursuant to NRS 125.110
- Declare Mom a vexatious litigant
- Sanction Mom and her counsel pursuant to EDCR 7.60(b)
- Suspend his Child Support obligation temporarily since he was furloughed from MGM
- Admonish Mom regarding her failure to abide by the Honk-and-Seat Belt Rule
- Attorney's fees

THE COURT FURTHER FINDS that Dr. Paglini's concerns are echoed by this Court. While Plaintiff/Dad may have some defenses to his behavior at times, may be goaded by the behavior of Defendant/Mom and her father, may think that it is appropriate to intimidate or scare those around him, including scare his daughter with a gun, this Court finds that this is unacceptable.

THE COURT FURTHER FINDS that this does not excuse the behavior of Defendant/Mom which this Court finds is likely the result of the unhealthy relationship with

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Plaintiff/Dad.

THE COURT FURTHER FINDS that one of the things that should cease immediately is the involvement of Ms. Reed's father. While this Court understands that exchanges are the time the parents have contact, and Ms. Reed wants to document said exchanges to keep the peace, the peace is broken when there is a hostile individual present who is videotaping all interactions.

THE COURT FURTHER FINDS that each parent needs to have the assistance of resources available to them to move forward in parenting these children, or they will forever have difficulty with co-parenting, and the children will be the victims of this unhealthy and tumultuous situation, sadly it will follow them into adulthood and their own interpersonal relationships, where they will have dysfunction, all due to the current situation which could be avoided if these parents acted like dignified and rational human beings that cared about their children and understood how their behavior affects the children.

IT IS HEREBY ORDERED that the Plaintiff/Dad shall take a minimum of twenty (20) sessions of anger management classes which are available online, and provide proof of the same to the Court.

IT IS FURTHER ORDERED that Plaintiff/Dad and Defendant/Mom shall participate in the ABCs of Parenting and Triple P (which consists of 3 separate seminars) through the parenting project with Clark County; the classes are free and registration is available by calling the number on their website, (http://www.clarkcountynv.gov/familyservices/Services/pages/ParentingProject. aspx).

IT IS FURTHER ORDERED that all classes are to be completed within the next 6 months -- this time frame is provided given that there may be limited availability and/or delay due to the stay at home orders, or reduced staffing with the Parenting Project.

IT IS FURTHER AND ORDERED that Defendant/Mom is prohibited from allowing James Eatherly near her children. If this Court hears that Mr. Eatherly is near her children, it is grounds for an immediate modification of custody.

IT IS FURTHER ORDERED that Plaintiff/Dad's request for sealing of the record is permitted, all that is necessary is a submission of a separate Order sealing the record. The Court will sign the Order Sealing the Record, upon submission of same.

IT IS FURTHER ORDERED that Court will hold the request for declaration of vexatious litigant, until the time of trial.

IT IS FURTHER ORDERED that if the Court conducts an evidentiary hearing, and either party is unable to prove what is being alleged and the matter proceeds in bad faith after discovery is conducted, an award of attorney's fees may be granted to the prevailing party.

IT IS FURTHER ORDERED that Plaintiff/Dad's child support shall be suspended at the present, given that he has been furloughed, and shall be suspended as of the date of the filing of his papers.

IT IS FURTHER ORDERED that the actual child support that is supposed to be paid during these months, while Plaintiff/Dad is furloughed, shall be determined at the time of trial. Plaintiff/Dad must update his income information, including if he receives unemployment income, so that the calculations can properly be determined at the time of trial.

IT IS FURTHER ORDERED that based upon the current situation, where the children aren't going to school, and Plaintiff/Dad is not working, the request from counsel to shift Plaintiff/Dad's time to the weekends, the Court FINDS that it is in the children's best interests to modify the schedule as follows:

a. Week 1 shall be modified where Plaintiff/Dad normally has mid-week time with the children; this weekly time shall be shifted to the following weekend from Saturday at noon to Monday at 7 p.m. after Abby's therapy session on that Monday. This will allow Plaintiff/Dad to be involved in assisting Abby with her session, and can participate by attending or assisting Abby to do the session virtually. If there are sessions presently scheduled, then Defendant/Mom must provide those dates and times to Plaintiff/Dad. If not, Defendant/Mom is going to be vested with the responsibility of setting the appointments for those Monday dates and advise Plaintiff/Dad of

the times. There should be no reason why the therapist who had a standing appointment with Abby for years, cannot accommodate a Monday virtual appointment. Plaintiff/Dad will have the responsibility of ensuring Abby has her therapy appointments on his day. If he fails to do so, this will be another reason why Plaintiff/Dad may have his time limited. The Court directs Plaintiff/Dad to be sure to comply with these scheduled sessions.

- b. Week 2 shall remain the same with Plaintiff/Dad having Friday to Monday, as previously ordered.
- c. Given that this minute order is issued on a Wednesday, this schedule shall commence the next week that Plaintiff/Dad is supposed to have the children mid-week. Instead, he will have them on that following weekend from Saturday to Monday, then will have them as usual the next Friday to Monday, then Saturday to Monday, and alternate that schedule thereafter.

IT IS FURTHER ORDERED that this Court understands the allegations about Plaintiff/Dad's failure to take the children to their activities during his time. The Court is unsure what is actually happening at the present, likely none of the activities are occurring, but if they resume during the summer, Defendant/Mom will have the children during the weekdays mostly when the children's activities are scheduled.

IT IS FURTHER ORDERED that this Court agrees with the Defendant's argument, and the Dr.'s recommendation, that the parties herein have such hostility that there is no way for them to agree on the legal custody issues at this time. Hopefully by the time the evidentiary hearing is conducted, there will have been some progress. As such, this Court Orders that on a temporary basis, Defendant/Mom will make the decision as it pertains to medical, dental, psychological, educational, etc.; however, she is required to immediately provide Plaintiff/Dad with all information relating to those decisions on the communication app; Plaintiff/Dad is entitled to all the information pursuant to statute. This may also reduce some of the conflict that currently exists between the parties at the present. Accordingly, the Court temporarily modifies legal custody for decision making purposes, but does not preclude dad from having access to information or access

1	to the medical providers, educators, etc.		
2	IT IS FURTHER ORDERED that Plaintiff	Dad is hereby afforded the opportunity to	
3	supplement his papers, if he believes he has a basis to request any additional relief regarding		
4	custody. He must file his request within the next 30 days.		
5	IT IS FURTHER ORDERED that discover	ry is open for purposes of addressing the	
6	custody issues raised in each party's papers, as well a	s child support related thereto.	
7	IT IS FURTHER ORDERED that Defendant	/Mom may submit her OSC as it pertains to	
8	the alleged violations raised in her Motion for this Co	ourt's signature.	
9	IT IS FURTHER ORDERED that all future of		
10	course. A Pre-trial Conference shall be set in 90 days	on August 12, 2020, at 1:30 p.m.	
11	IT IS FURTHER ORDERED that all other re	quests are deferred to the evidentiary hearing	
12	on this matter.		
13	IT IS SO ORDERED on this day of _	Dated this 19th day of August, 2020	
14	any or	Saint Said	
15	_	June June	
16		District Judge 37A BCD FF5A B1E8	
17	Respectfully submitted on this <u>6th</u> day of <u>August</u> , 2020.	Denise L Gentile Approved apistificing of this lax of , 2020.	
18		ALEX GHIBAUDO, PC	
19	HANRATTY LAW GROUP	ALEX GHIBAUDO, FC	
20	By: Carrel Primas		
21	By: Carrie J. Primas, Esq.	By: Michancy M. Cramer, Esq.	
22	Nevada Bar No. 12071 1815 Village Center Circle, Suite 140	Nevada Bar No. 11545 703 South Eighth Street	
23	Las Vegas, Nevada 89134	Las Vegas, Nevada 89101	
24	Phone: (702) 821-1379 Fax: (702) 870-1846	Phone: (702) 978-7090 Email: alex@abgpc.com	
25	Email: cprimas@hanrattylawgroup.com Attorney for Defendant, Amanda Reed	Attorney for Plaintiff, Devin Reed	
26			
27			

1	CSERV			
2	DISTRICT COURT			
3	CLARK COUNTY, NEVADA			
4				
5	Davis Davis David Blaintiff	CASE NO: D-18-568055-D		
6	Devin Bryson Reed, Plaintiff			
7	VS.	DEPT. NO. Department F		
8	Amanda Raelene Reed, Defendant.			
9	Detendant.			
10	AVMONGATION			
11	AUTOMATEL	OCERTIFICATE OF SERVICE		
12 13	This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:			
14	Service Date: 8/19/2020			
15				
16	KC Collis kcc	ollis@hanrattylawgroup.com		
17	Carrie Primas cpr	rimas@hanrattylawgroup.com		
18	Main HLG att	orneys@hanrattylawgroup.com		
19	Louis Schneider lcs	lawllc@gmail.com		
20	Alex Ghibaudo ale	x@glawvegas.com		
21	Michancy Cramer mi	chancy@glawvegas.com		
22				
23				
24				
25				
26				
27				

8/20/2020 9:06 AM Steven D. Grierson CLERK OF THE COURT **NEOJ** 1 HANRATTY LAW GROUP Carrie J. Primas, Esq. State Bar of Nevada No. 12071 3 1815 Village Center Circle, Suite 140 Las Vegas, Nevada 89134 PH: (702) 821-1379 FAX: (702) 870-1846 5 EMAIL: attorneys@hanrattylawgroup.com Attorneys for Defendant, Amanda Reed 6 7 DISTRICT COURT **CLARK COUNTY, NEVADA** 8 9 DEVIN REED, Case No: D-18-568055-D Dept No: F 10 Plaintiff, 11 v. NOTICE OF ENTRY OF ORDER 12 AMANDA REED, 13 Defendant. 14 Please take notice that an Order After Hearing was duly entered in the above referenced 15 case on the 19th day of August, 2020, a copy of which is attached hereto and by reference fully 16 incorporated herein. 17 Dated this 20th day of August, 2020. 18 19 HANRATTY LAW GROUP 20 21 Carrie J. Primas, Esq. State Bar of Nevada No. 12071 22 1815 Village Center Circle, Suite 140 Las Vegas, Nevada 89134 23 PH: (702) 821-1379 24 FAX: (702) 870-1846 EMAIL: attorneys@hanrattylawgroup.com 25 Attorneys for Defendant, Amanda Reed 26 27

1

Electronically Filed

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of Hanratty Law Group, and on the <u>20th</u> day of August, 2020, I served a true and correct copy of the *Notice of Entry of Order* (with Order attached hereto) by using the Wiz-Net E-Service addressed to the following email registered on the E-Service List for this case as follows:

Alex Ghibaudo, Esq. alex@glawvegas.com michancy@glawvegas.com Attorney for Plaintiff

> By: Kau Olo Employee of Hanratty Law Group

ELECTRONICALLY SERVED 8/19/2020 8:50 PM

Electronically Filed 08/19/2020 8:50 PM CLERK OF THE COURT

		CLERK OF THE COURT	
1	ORDR HANRATTY LAW GROUP		
2	Carrie J. Primas, Esq.		
3	State Bar of Nevada No. 12071 1815 Village Center Circle, Suite 140		
	Las Vegas, Nevada 89134		
4	PH: (702) 821-1379 FAX: (702) 870-1846		
5	EMAIL: attorneys@hanrattylawgroup.com Attorneys for Defendant, Amanda Reed		
6		T COURT	
7	DISTRIC		
8	CLARK COUN	NTY, NEVADA	
	DEVIN REED,	Case No: D-18-568055-D	
9	Plaintiff,	Dept No: F	
10)	ORDER AFTER HEARING	
11	V.)		
12	AMANDA REED,	Date of Hearing: May 13, 2020 Time of Hearing: 9:30 p.m.	
13	Defendant.		
14	This matter having come before this Cou	rt on the 13 th day of May, 2020, for a hearing on	
15	Defendant's Motion to Adopt Dr. Paglini's Reco		
16	Plaintiff Should Not Be Held in Contempt of C		
17	and Costs, and Plaintiff's Opposition and Count	ermotion for a Protective Order on Behalf of the	
18	Parties' Children; for an Order Sealing the Parti	ies' Case File; for an Order Requiring Defendant	
19	Obtain Court Approval Prior to Filing Futur	e Motions; to Declare Defendant a Vexatious	
20	Litigant; for Sanctions, Fees, Costs; and for O	her Related Relief. Plaintiff, Devin Reed, being	
21	present and represented by Michancy Cramer, E	sq., and Defendant, Amanda Reed, being present	
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24	THE COURT FINDS that that Defend	dant/Mom filed a Motion to Modify Custody	
25	requesting the following:		
26			
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28		j. 1	
	11	9	

APPX1007

- For this Court to Adopt Dr. Paglini's recommendations as it pertains to legal custody and recommendations for Dad to take parenting classes and anger management classes
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IT IS FURTHER ORDERED that this Court agrees with the Defendant's argument, and the Dr.'s recommendation, that the parties herein have such hostility that there is no way for them to agree on the legal custody issues at this time. Hopefully by the time the evidentiary hearing is conducted, there will have been some progress. As such, this Court Orders that on a temporary basis, Defendant/Mom will make the decision as it pertains to medical, dental, psychological, educational, etc.; however, she is required to immediately provide Plaintiff/Dad with all information relating to those decisions on the communication app; Plaintiff/Dad is entitled to all the information pursuant to statute. This may also reduce some of the conflict that currently exists between the parties at the present. Accordingly, the Court temporarily modifies legal custody for decision making purposes, but does not preclude dad from having access to information or access

1	to the medical providers, educators, etc.		
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3	supplement his papers, if he believes he has a basis to request any additional relief regarding		
4	custody. He must file his request within the next 30 days.		
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6	custody issues raised in each party's papers, as well as child support related thereto.		
7	IT IS FURTHER ORDERED that Defendant/Mom may submit her OSC as it pertains to		
8	the alleged violations raised in her Motion for this Court's signature.		
9	IT IS FURTHER ORDERED that all future dates shall be set by the Court in the ordinary		
10	course. A Pre-trial Conference shall be set in 90 days on August 12, 2020, at 1:30 p.m.		
11	IT IS FURTHER ORDERED that all other requests are deferred to the evidentiary hearing		
12	on this matter.		
13	IT IS SO ORDERED on this day of, Dated this 19th day of August, 2020		
14	ally of, 2020.		
15	Mense Series		
16	District Judge 37A BCD FF5A B1E8		
17	Respectfully submitted on this Hand a period of Approved a pisting of Approved approved approximate a pisting of Approximate a pistin		
18	HANRATTY LAW GROUP ALEX GHIBAUDO, PC		
19	TIANKATTI LAW GROUT		
20	By: Carrena By:		
21	By: Carrie J. Primas, Esq. By: Michancy M. Cramer, Esq.		
22	Nevada Bar No. 12071 Nevada Bar No. 1545 1815 Village Center Circle, Suite 140 703 South Eighth Street		
23	Las Vegas, Nevada 89134 Las Vegas, Nevada 89101		
24	Phone: (702) 821-1379 Phone: (702) 978-7090 Fax: (702) 870-1846 Email: alex@abgpc.com		
25	Email: cprimas@hanrattylawgroup.com Attorney for Plaintiff, Devin Reed Attorney for Defendant, Amanda Reed		
26			
27			
28	6		

1 **CSERV** 2 DISTRICT COURT 3 CLARK COUNTY, NEVADA 4 5 Devin Bryson Reed, Plaintiff CASE NO: D-18-568055-D 6 VS. DEPT. NO. Department F 7 Amanda Raelene Reed, 8 Defendant. 9 10 **AUTOMATED CERTIFICATE OF SERVICE** 11 This automated certificate of service was generated by the Eighth Judicial District 12 Court. The foregoing Order was served via the court's electronic eFile system to all 13 recipients registered for e-Service on the above entitled case as listed below: 14 Service Date: 8/19/2020 15 **KC** Collis kcollis@hanrattylawgroup.com 16 Carrie Primas cprimas@hanrattylawgroup.com 17 Main HLG attorneys@hanrattylawgroup.com 18 Louis Schneider lcslawllc@gmail.com 19 20 Alex Ghibaudo alex@glawvegas.com 21 Michancy Cramer michancy@glawvegas.com 22 23 24 25 26 27

Electronically Filed 8/27/2020 12:40 PM Steven D. Grierson CLERK OF THE COURT

1 NOTC

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2 Michancy M. Cramer, Esq.

Nevada Bar No. 11545

ALEX B. GHIBAUDO, PC

197 E California Ave, Ste 250

Las Vegas, Nevada 89104

T: (702) 462-5888

E: alex@glawvegas.com

Attorneys for Plaintiff

EIGHTH JUDICIAL DISTRICT COURT FAMILY DIVISION CLARK COUNTY, NEVADA

DEVIN REED,

Plaintiff,

13 | vs.

AMANDA REED,

Defendant.

Case Number: D-18-568055-D

Department: F

NOTICE OF TRIPLE P POSITIVE PARENTING PROGRAM COMPLETION

COMES NOW, Plaintiff DEVIN REED, by and through his attorney of record, MICHANCY M. CRAMER, ESQ., of ALEX GHIBAUDO, P.C., and hereby files this *Notice of Triple P Positive Parenting Program Completion* attached herein as Exhibit 1.

DATED this 27th day of August, 2020.

Respectfully Submitted,

//s//Michancy M. Cramer

Michancy M Cramer, Esq. Attorney for Plaintiff

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APPX1014

Page 1 of 3

Case Number: D-18-568055-D

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I declare under penalty of perjury, under the law of the State of Nevada, that I served a true and correct copy of *Notice of Triple P Positive Parenting Program Completion*, on August 27, 2020, as follows:

- [x] Pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCP 5(b)(2)(D), and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;
- [] By depositing a copy of same in a sealed envelope in the United States Mail, postage pre-paid, in Las Vegas, Nevada;
- [] Pursuant to EDCR 7.26, sent via facsimile by duly executed consent for service by electronic means.

To the following address:

Carrie Primas, Esq. 1815 Village Center Circle – Suite 140 Las Vegas, Nevada 89134 Attorney for Defendant

//s//Michancy M. Cramer

Alex Ghibaudo, P.C. Attorney for Plaintiff

Exhibit 1

Certificate



Triple P Online

Positive Parenting Program

Awarded to

Devin Reed

in recognition of completing Triple P Online.

Professor Matt Sanders

Date: Aug 27, 2020

Badges earned



















Electronically Filed 8/31/2020 3:04 PM Steven D. Grierson **OPPS** 1 HANRATTY LAW GROUP Carrie J. Primas, Esq. ' State Bar of Nevada No. 12071 3 1815 Village Center Circle, Suite 140 Las Vegas, Nevada 89134 4 PH: (702) 821-1379 FAX: (702) 870-1846 EMAIL: attorneys@hanrattylawgroup.com Attorneys for Defendant, Amanda Reed 8 DISTRICT COURT 9 FAMILY DIVISION CLARK COUNTY, NEVADA 10 11 DEVIN REED, Case No: D-18-568055-D Dept No: 12 Plaintiff, 13 **DEFENDANT'S OPPOSITION TO** 14 AMANDA REED, 15 Defendant. ATTORNEY FEES AND COSTS 16 Oral Argument Requested: Yes 17 18 **Issues** 19 Plaintiff's request for an Order modifying custody and granting Α. 20 Plaintiff primary physical custody should be denied; 21 Plaintiff's request for Defendant to get a mental health evaluation to В. 22 determine if she has the ability to safely co-parent the minor children should be denied; 23 24 Plaintiff's request to alternatively modify the custodial timeshare C. should be denied; 25 26 Plaintiff's request to modify the school placement of the minor D. children should be denied; 27 28

Case Number: D-18-568055-D

APPX1018

	I .	
1	E.	Plaintiff's request to reinstate his legal custody of the minor children should be denied;
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3	F.	Plaintiff's request for an Order that Defendant be drug tested should be denied;
4		Disintiff's request for an Order greating the relief requested in his
5	G.	Plaintiff's request for an Order granting the relief requested in his Opposition and Countermotion should denied;
7	Н.	Plaintiff's request for Defendant's Motion to be denied in its entirety
8	11.	should denied;
9	I.	Plaintiff's request for an award of fees and costs should denied;
10	J.	Defendant's request for Plaintiff to pay her attorney fees and costs
11		should be granted; and
12	K.	Such other and further relief as the Court deems just and proper.
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II. Response/Opposition

The Parties, Plaintiff Devin Reed ("Devin") and Defendant Amanda Reed ("Amanda") were married on the 2nd day of October, 2008, and divorced pursuant to a Decree of Divorce filed April 6, 2020. There are two (2) minor children born the issue of the marriage, to wit: Abigail Reed ("Abby"), born April 6, 2013; and Shawn Reed, born July 3, 2015.

For the purpose of brevity and judicial economy, Amanda full incorporates by reference any facts outlined in her previous pleadings, specifically including her Motion to Adopt Dr. Paglini's Recommendation; for an Order to Show Cause Why Plaintiff Should Not Be Held in Contempt of Court; to Modify Custody; and for Attorney Fees and Costs filed on April 8, 2020. Amanda will respond in turn to each of the allegations outlined in Devin's Supplement as appropriate. The majority of the allegations in Devin's Motion are centered around Amanda's alleged relationship with Jeffery Eatherly, her alleged relationship with a man named Jason Debose, and her alleged prescription drug use. As outlined below, the majority of Devin's allegations are not only untruthful, but do not affect the best interest of the children and are nothing more than a red herring to draw the Court's attention away from Devin's history of domestic violence and continued failure to comply with this Court's Orders.

A. Pathogenic Parenting

Devin continues to refer to Amanda as a "pathogenic parent." As this Court is aware, the parties underwent a full Custody Evaluation performed by John Paglini, Psy.D. As the Court is also aware, to determine whether a parent is "pathogenic" is certainly in Dr. Paglini's purview, and if the same were true of Amanda, Dr. Paglini would have noted it in his Evaluation. However, Dr. Paglini very specifically stated that there was "no evidence of antisocial personality traits or sociopathy!," and no risk factors.

B. Jeffery Eatherly

As discussed at the hearing held on May 13, 2020, and will be further shown at trial, Jeff was NOT Amanda's boyfriend at the time he sexually assaulted Abby. Amanda never claimed that she never dated Jeff; she never claimed they were not friends; she specifically said they WERE friends and that he helped her out like a handyman. It is crucial to note that the screen shots attached as Exhibit 8 to Devin's Supplement show Amanda and Jeff in Amanda's laundry room on April 22, 2018, a date on which Amanda had a Temporary Protection Order against Devin. Amanda never installed nor was aware of a video camera in her laundry room, and never removed or was aware of the removal of a video camera from her laundry room.

¹ See Custody Evaluation at page 47.

As soon as Amanda became aware of the harm done to Abby, she immediately called the police, CPS, and Abby's therapist, and has had no contact with Jeff since that day. Further, she has shown up to every one of Jeff's criminal hearings to ensure that Abby's voice is heard, whereas Devin has not been to a single one. Further, on or about February 23, 2020, after Amanda informed him that Jeff had been arrested, Devin sent a message to Amanda on Our Family Wizard specifically stating, "I know you are a great mom and are super protective and you would not have ever have seen this happening... I don't blame you²." Emphasis added. Jeff's sexual assault of Abby has nothing to do with Amanda's failure to protect the minor child, and everything to do with Jeff being a predator, and Devin's attempt to convince this Court that Amanda is lying about her relationship with Jeff is further indication of Devin's inability to coparent and need to control Amanda.

C. Jason Debose

Devin claims that Amanda's "other choices are concerning" because she occasionally socializes with an individual named Jason Debose. Devin alleges that Amanda's interaction with Jason is a danger to the children because Jason has an "extensive criminal history." He does not have an extensive criminal history; while he has been arrested a few times, the most recent arrest was in 2004, sixteen (16)

² A copy of the communication from February 23, 2020, is attached as **Exhibit "A"** in the Exhibits in Support of Defendant's Opposition and is hereby fully incorporated herein by reference.

years ago. Ironically, Devin, who is requesting primary physical custody based on Amanda also exposing the children to Jason, also has a criminal history dating back approximately twenty (20) years. In any event, Jason's criminal history is irrelevant as Amanda does not have any regular interaction with Jason, and does not utilize him as a babysitter.

More importantly, during the parties' relationship, they jointly socialized with Jason. Jason was present at family gatherings, and Devin socialized with him more than Amanda³. Further, after the parties separated, Devin actually requested that Jason accompany Amanda to the custodial exchanges instead of Amanda's father. Amanda agreed, then Devin sent a text message thanking her for having Jason assist with the exchange⁴.

D. Amanda's Prescriptions

Regarding Devin's allegations about Amanda's prescription drug use, the Court should note from the outset that Amanda did not provide Devin authority to obtain her prescription drug records. In any event, the records, Amanda's actions, and Devin's actions during the parties marriage speak for themselves regarding what Amanda was prescribed and whether or not her prescriptions put the children at risk.

³ Copies of the photos are attached as **Exhibit "B"** in the Exhibits in Support of Defendant's

Motion and is hereby fully incorporated herein by reference.

4 Copies of the text messages are attached as **Exhibit "C"** in the Exhibits in Support of Defendant's Motion and is hereby fully incorporated herein by reference.

Amanda injured her back in or around 2013. Her injury was further aggravated by two (2) pregnancies, and in 2017, when she was done breastfeeding both parties' children, she was prescribed pain pills, which she only used occasionally when her back gave out. Prior to the parties' separation, any pills she did not use she gave to Devin. Devin was aware of Amanda's prescriptions from the beginning, and never raised any concerns regarding the care of the children. In fact, Devin worked in California from May, 2017, through January, 2018, leaving Amanda the sole caretaker of the minor children for several months during the period of time she was prescribed the "very powerful pain killers."

Neither Amanda's job as an elementary school teacher nor the care of the children have ever been affected by her occasional use of pain medication, and Devin's Supplement does not make a single allegation that it has. Instead, Devin attempts to provide a medical opinion related to the affect that the prescribed medication may have on Amanda, opining that "she certainly could not drive the children around," and that if she were to stop taking the medication "she would likely require medical intervention in order to quit." Because Amanda is able to drive and has not required medical intervention, Devin then concludes that Amanda must be selling her medication. Apparently, Devin does not consider the possibility of a person having a prescription, filling that prescription, and simply not using the medication.

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