

1 (j) *Any history of parental abuse or neglect of the child or a sibling of the child.*

2 As previously briefed before this Court and noted above, Devin does not care for the
3 children as they should be cared for. Devin seldom bathes the children, almost never brushes
4 their teeth, and does not hesitate to transport them without carseats. Moreover, Devin has two (2)
5 substantiations from CPS regarding child abuse, specifically a substantiation in 2006 for
6 Domestic Violence against two (2) of his sons and a substantiation in 2009 for physical
7 abuse/bruising to his son Jacob.
8

9 (k) *Whether either parent or any other person seeking custody has engaged in an act of*
10 *domestic violence against the child, a parent of the child or any other person residing*
11 *with the child.*

12 There have been numerous incidents of domestic battery between the parties, including
13 Devin attempting to choke and rape Amanda and throwing a hammer at her, injuring her foot and
14 forcing her to seek medical care. In addition to the physical abuse, there is continued mental and
15 verbal abuse by Devin, even throughout the instant litigation. Until Devin can get his anger and
16 rage towards Amanda under control, he is a ticking time-bomb. Amanda is prepared to introduce
17 recordings of Devin's domestic violence against her at the time of trial in this matter, which
18 evidence has already been presented to Dr. Paglini during the custodial evaluation.

19 (l) *Whether either parent or any other person seeking custody has committed any act of*
20 *abduction against the child or any other child.*

21 This factor is not relevant.

22 The above analysis of the relevant statutory factors shows that it is in the minor children's
23 best interest for Amanda to be awarded primary physical custody. The parties have extremely
24 high conflict, are unable to work together to meet the needs of the children, and Devin is unable
25 to even meet the children's most basic needs during his custodial time.

26 As this Court is aware, NRS 125C.00(c) provides that an award of joint physical custody
27 is presumed to be in the best interest of a minor child if "there has been a determination by the
28

1 court after an evidentiary hearing and finding by clear and convincing evidence that a parent has
2 engaged in one or more acts of domestic violence against the child, a parent of the child or any
3 other person residing with the child.” As noted above and repeatedly in Dr. Paglini’s report, there
4 has been extensive, repeated domestic violence by Devin against Amanda, both in and out of the
5 presence of the minor children. Dr. Paglini ultimately recommended that Amanda have sole legal
6 and primary physical custody of the minor children.
7

8 Devin has shown an inability or refusal to get the children to school on time, ensure that
9 they participate in distance learning, ensure that they complete their school work, and to transport
10 them to extracurricular activities. Further, as he does not adequately care for the minor children’s
11 hygiene, it is not in the best interest of the minor children that he have extended custodial time.

12 Given the extensive domestic violence history, Dr. Paglini’s specific cited concerns
13 related to Devin’s abusive traits, Devin’s inability to adequately care for the minor children,
14 Devin’s continued harassment of Amanda, and Devin’s refusal to coparent, it is clear that it is in
15 the best interest of the minor children that Amanda should be awarded primary physical custody.
16 As such, Amanda respectfully requests that Devin’s visitation be every other weekend, from
17 Saturday at 9:00 a.m. until Sunday at 6:00 p.m.
18

19 III.

20 **MODIFICATION OF CHILD SUPPORT**

21 Amanda’s request to modify child support is based on an award of primary physical
22 custody. Devin was allegedly unemployed from April, 2020, until October, 2020.

23 The statements for Devin’s Bank of America CashPay Government Card, through which
24 he received his unemployment benefits for this period, indicate income in the total amount of
25 \$23,468.00 for the period April 8, 2020, to November 7, 2020, a total period of seven (7) months.
26 As such, Devin’s average gross monthly income for this period was \$3,352.57, creating a child
27
28

1 support obligation of \$737.56 per month, for the months of May, June, July, August, and
2 September, 2020.

3 While Devin's most recent Financial Disclosure Form alleges he is unemployed, paystubs
4 he produced through discovery indicate that he has been employed since at least October 28,
5 2020, and currently has an average gross monthly income of \$7,976.45. In the month of October,
6 2020, his paystubs indicate earnings in the amount of \$2,808.96, in addition to his unemployment
7 income, for total monthly income for October of \$6,161.53, and a child support obligation of
8 \$1,337.77.
9

10 Starting in November, 2020, Devin's monthly child support obligation should be
11 \$1,537.41, based on his average gross monthly income of \$7,976.45.

12 At the hearing held on May 13, 2020, the Court temporarily modified Devin's custodial
13 schedule to the following: Week 1, from Saturday at Noon until Monday at 7:00 p.m.; and Week
14 1, from Friday morning until Monday morning². Based on this custodial schedule, Amanda has
15 had *defacto* primary physical custody since May 13, 2020, and Devin's child support obligation
16 should be set accordingly. Devin should be ordered to pay child support in the amount of \$737.56
17 per month for the months of May, June, July, August, and September; \$1,377.77 for the month of
18 October, 2020; and \$1,537.41 per month each month beginning November 1, 2020, for total child
19 support in the amount of \$9,677.80, from May, 2020, through January, 2021. Devin did make
20 one (1) child support payment during this period in the amount of \$350.00.
21

22 As such, Devin's child support arrears for the period May, 2020, through January, 2021,
23 should be set at \$9,327.80, and should be paid at the rate of \$500.00 per month until paid in full.
24 Devin's ongoing child support obligation as of February 1, 2021, should be set at \$1,537.41 per
25 month.
26

27 ² The parties' Decree of Divorce defines this custodial period as beginning at 8:00 a.m. on Friday and concluding at
28 8:00 a.m. on Monday; the parties agreed to change these exchange times to 7:00 a.m. on these respective days to
accommodate Amanda's work schedule and the children's distance learning schedule.

1 IV.

2 **CONTEMPT**

3 Devin is in direct violation of the following orders and should be held in contempt for the
4 same:

- 5 1. Order from August 14, 2018, regarding Mutual Behavior Order; overnight visitation with
6 Devin's son, Jacob; and communication via Our Family Wizard only.
7
8 2. Order from October 16, 2018, regarding transportation to extracurricular activities.
9
3. Decree of Divorce filed April 6, 2020.

10 1. **August 14, 2018, Order**

11 The Order from the August 14, 2018, hearing, states as follows, in pertinent part:

- 12 1. The parties shall follow and abide by Department F's MUTUAL BEHAVIOR
13 ORDER. *See* Order filed September 19, 2018, pg. 3, ll. 1-2.
14
15 2. All communication between the parties shall be conducted through Our Family
16 Wizard except for EMERGENCIES regarding the party's minor children.
17 Family Wizard shall be the ONLY source of communicating between parties."
18 *See* Order filed September 19, 2018, pg. 4, ll. 22-28.
19
20 3. There shall be NO OVERNIGHTS for Plaintiff's minor child (Jacob) during
21 Plaintiff's parental timeshare with the minor children Abby and Shawn. *See*
22 Order filed September 19, 2018, pg. 5, ll. 1-4.

23 A. *Mutual Behavior Order*

24 Devin has also continuously and repeatedly violated the Mutual Behavior Order,
25 specifically the following provisions:

- 26 2. You shall avoid unnecessary contact with the other party's family, friends, associates,
27 neighbors, co-workers, "significant other," etc., and you shall not initiate conflicts with
28 them.

\\

1 4. You shall not contact any person associated with the other party...for purposes of
2 discussing court proceedings or making negative/disparaging allegations about the other
3 party.

4 9. You shall not provide, either directly or through third parties, copies of any unsolicited
5 documents (personal letters, court pleadings, etc.) to anyone associated with a party
6 (family members, neighbors, employers, etc.) for the intended purpose of casting the other
7 party in a negative light.

8 On or about March 9, 2019, Amanda sent a message to Devin via Our Family Wizard
9 stating that she did not want her cousin, Laurlyn, to babysit the minor children anymore due to
10 safety concerns related to domestic violence committed against Laurlyn by her husband. Devin
11 then forwarded Amanda's Our Family Wizard to Laurlyn, in direct violation of the Mutual
12 Behavior Order.

13 The Mutual Behavior Order also provides that neither party shall "engage in any abusive
14 contact (foul language, name calling, etc.) with the other party of child(ren), including telephone
15 calls, letters, email, etc." Devin also continuously sends volatile, abusive communications on Our
16 Family Wizard and via text message. Between September 10, 2019, and April 3, 2020, on (12)
17 different occasions, Devin either sent Amanda a message in direct violation of the Mutual
18 Behavior Order or engaged in abusive communication at custodial exchanges. The messages and
19 videos of exchanges will be provided at trial.

20 *B. Communications Outside of Our Family Wizard*

21 Regarding communication between the parties outside of Our Family Wizard, between
22 September 14, 2019, and April 1, 2020, Devin sent Amanda three (3) text messages in violation
23 of this Order, specifically as follows³:

24 a. September 14, 2019: "I miss you. I miss your voice. I miss your smile. I miss
25 your smell. I miss your hug. I miss your jokes. I miss how you made me
26 feel."
27

28 ³ Amanda will provide copies of these text messages at trial.

1 b. September 15, 2019: “I get lonely. It goes away.”

2 c. April 1, 2020: “You suck at life. Ugly a**.”

3 C. *Overnights with Jacob*

4 Regarding Devin’s child Jacob, the parties agreed to this provision because, during the
5 parties’ marriage, Jacob exhibited concerning behavior that caused the parties to agree that he
6 would not spend the night at their house, be unattended with the minor children, or ever be in a
7 room with a closed door. That behavior included harming and killing animals, writing about
8 raping women, and writing about killing Amanda and Devin.
9

10 Despite this concerning behavior and the existing Order, Devin continues to have Jacob in
11 his home overnight during his custodial time, with Amanda having specific knowledge of the
12 following:

13 a. Jacob stayed at Devin’s home the entirety of the summer of 2019.

14 b. On February 10, 2020, Shawn told Amanda that he was alone with Jacob
15 overnight, and that Jacob pinched Shawn and tried to bite him. When Shawn
16 tried to find Devin to help him, he was nowhere to be found.
17

18 While Devin will allege that Jacob has not had overnight visitation during his custodial
19 time with the minor children, his own Opposition to Motion for Order to Show Cause filed
20 August 19, 2019, belies this position, as it specifically states on page 5, “This year Dad received
21 visitation with Jacob for the first two weeks of June. Thus, **Jacob stayed at Dad’s house for**
22 **those two weeks.**” Emphasis added.

23 2. **October 16, 2018, Order**

24 The Order from the October 16, 2018, hearing and confirmed in the parties’ Decree of
25 Divorce, requires both parties are required to transport the minor children to their extracurricular
26 activities. Devin has refused to transport Abby to the following extracurricular activities on the
27
28

1 following dates: Girl Scout meeting on May 21, 2019; cheerleading practice on September 21,
2 2019; Girl Scout event on September 24, 2019; Girl Scout meeting on November 15, 2019; and
3 cheerleading event on January 26, 2020.

4 **3. Decree of Divorce**

5 The following financial orders are included in the parties' Decree of Divorce, filed April
6 6, 2020:

7
8 1. Devin is to pay child support in the amount of \$350.00 per months. *See*
9 Decree, pg. 5, lines. 14-17.

10 2. Devin is to pay to Amanda \$7,500.00 at the rate of \$208.33 per month until
11 paid in full, beginning March 1, 2020. *See* Decree, pg. 11, lines. 21-26.

12 *A. Child Support*

13 Devin failed to pay child support for the months of March and April, 2020, in the total
14 amount of \$700.00. Devin should be held on two (2) counts of contempt, and ordered to pay
15 child support arrears in the amount of \$700.00, plus interest and penalties.

16 *B. Payment of \$7,500.00*

17
18 Devin has failed to make any payments toward the \$7,500.00 owed to Amanda by way of
19 the Decree of Divorce. Specifically, for the period March, 2020, through January, 2021, Devin
20 has missed eleven (11) payments and should be held on eleven (11) counts of contempt.

21 **V.**

22 **ATTORNEY FEES**

23 The issues being addressed have arisen due to Devin history of domestic violence; refusal
24 to co-parent; failure to properly care for the children; dishonesty with the Court; and continued
25 refusal to follow Orders of this Court. Amanda requires this Court's assistance to ensure the
26 safety of the minor children and compel Devin's compliance with this Court's Orders. Despite
27
28

1 the Custody Evaluation performed by a joint expert recommending primary physical custody to
2 Amanda, Devin continues to refuse to be reasonable and act in the best interest of the minor
3 children, forcing the parties into extensive litigation. As such, Amanda should be granted her
4 attorney's fees for having to pursue this matter to trial, and should be granted reimbursement of
5 the fees paid to Dr. Paglini for the Custody Evaluation.

6
7 **VI.**

8 **LIST OF WITNESSES**

9 Defendant's witnesses are as follows:

- 10 1. Amanda Reed, Defendant
11 c/o Hanratty Law Group
12 1815 Village Center Circle, Suite 140
13 Las Vegas, Nevada 89134
14 Phone: (702) 821-1379
- 15 2. Devin Reed, Plaintiff
16 c/o Michancy Cramer, Esq.
17 197 East California Ave., Ste. 250
18 Las Vegas, Nevada 89104
19 Phone: (702) 462-5888
- 20 3. Crystal Spielberg
21 7232 Eaglegate Street
22 Las Vegas, Nevada 89131
23 Phone: (702) 301-4853
- 24 4. Denise Tampke
25 920 Soaring Moon Dr.
26 Henderson, Nevada 891015
27 Phone: (702) 525-6115
- 28 5. Ladonna Mills
1084 Sweetgrass Ct.
Henderson, Nevada 89002
Phone: (702) 799-4501
7. Deborah Young Yock
Kitty Ward Elementary School
5555 Horse Drive
Las Vegas, Nevada 89131
Phone: (702) 799-4501

1
2 8. Dana Fishman
3 Kitty Ward Elementary School
4 5555 Horse Drive
5 Las Vegas, Nevada 89131
6 Phone: (702) 799-4501

7
8 9. Kerry Quinney
9 Kitty Ward Elementary School
10 5555 Horse Drive
11 Las Vegas, Nevada 89131
12 Phone: (702) 799-4501

13
14 10. Dr. Lisa Shaffer, PhysD
15 1489 W. Warm Springs Rd.
16 Henderson, Nevada 89014
17 Phone: (702) 352-3844

18 Parties' joint expert witness is as follows:

19 11. John Paglini, Psy.D.
20 9163 West Flamingo Road, Suite 120
21 Las Vegas, Nevada 89147
22 Phone: (702) 869-9188

23
24 **VII.**

25 **LIST OF EXHIBITS**

26 Any and all documents produced during the course of discovery.

27 **VIII.**

28 **UNUSUAL LEGAL OR FACUTAL ISSUES PRESENTED**

None.

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IX.

LENGTH OF TRIAL

Approximately one (1) day.

DATED this 18th day of February, 2021.

HANRATTY LAW GROUP

By: Carrie Primas
Carrie J. Primas, Esq.
Nevada Bar No. 12071
1815 Village Center Circle, Suite 140
Las Vegas, Nevada 89134
PH: (702) 821-1379
FAX: (702) 870-1846
Attorneys for Defendant, Amanda Reed

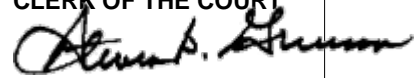
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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of Hanratty Law Group, and on the 18th day of February, 2021, I served a true and correct copy of *Defendant's Pre-Trial Memorandum* by using the Wiz-Net E-Service addressed to the following email registered on the E-Service List for case as follows:

Alex Ghibaud, Esq.
Michancy Cramer, Esq.
alex@glawvegas.com
michancy@glawvegas.com
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Attorney for Plaintiff

By: Kari Collins
Employee of Hanratty Law Group



PMEM

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Attorney for Devin Reed

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

DEVIN REED,

Plaintiff,

vs.

AMANDA REED,

Defendant.

Case Number: D-18-568055-D

Department: F

PLAINTIFF'S PRE-TRIAL MEMORANDUM

COMES NOW, Plaintiff, DEVIN REED, by and through his Attorney of Record, Michancy M. Cramer, Esq., of *Alex Ghibaud, PC*, and hereby submits *Defendant's Pre-Trial Memorandum* in preparation of the parties' Evidentiary Hearing scheduled for February 25, 2021 at 9:00 a.m.

DATED this 18th day of February, 2021.

//s//Michancy M. Cramer

Michancy M. Cramer, Esq.
Attorney for Devin Reed

1 I.
2 **STATEMENT OF ESSENTIAL FACTS**

- 3 1. Name of Plaintiff: Devin Reed
4
5 2. Name of Defendant: Amanda Reed
6
7 3. Name of Minor Children: Abigail Reed, born April 6, 2013
8 Shawn Reed, born July 3, 2012
9
10 3. Date of Decree: April 6, 2020
11
12 4. Resolved Issues: None
13
14 5. Unresolved Issues:
15
16 • Physical Custody
17
18 • Legal Custody
19
20 • School Placement
21
22 • Child Support
23
24 • Attorney Fees and Costs

19 II.
20 **ISSUES FOR TRIAL**

21
22 **CHILD CUSTODY**

23 **NRS 125C.001 State policy.** The Legislature declares that it is the
24 policy of this State:

- 25 1. To ensure that minor children have frequent associations and a
26 continuing relationship with both parents after the parents have ended their
27 relationship, become separated or dissolved their marriage;
28 2. To encourage such parents to share the rights and responsibilities of
child rearing; and
3. To establish that such parents have an equivalent duty to provide
their minor children with necessary maintenance, health care, education and

1 financial support. As used in this subsection, “equivalent” must not be construed to
2 mean that both parents are responsible for providing the same amount of financial
3 support to their children.

4 **NRS 125C.0025 Joint physical custody.**

5 1. When a court is making a determination regarding the physical
6 custody of a child, there is a preference that joint physical custody would be in the
7 best interest of a minor child if:

8 (a) The parents have agreed to an award of joint physical custody or so
9 agree in open court at a hearing for the purpose of determining the physical custody
10 of the minor child; or

11 (b) A parent has demonstrated, or has attempted to demonstrate but has
12 had his or her efforts frustrated by the other parent, an intent to establish a
13 meaningful relationship with the minor child.

14 2. For assistance in determining whether an award of joint physical
15 custody is appropriate, the court may direct that an investigation be conducted.

16 **NRS 125C.0035 Best interests of child: Joint physical custody;
17 preferences; presumptions when court determines parent or person seeking
18 custody is perpetrator of domestic violence or has committed act of abduction
19 against child or any other child.**

20 1. In any action for determining physical custody of a minor child, the
21 sole consideration of the court is the best interest of the child. If it appears to the
22 court that joint physical custody would be in the best interest of the child, the court
23 may grant physical custody to the parties jointly.

24 2. Preference must not be given to either parent for the sole reason that
25 the parent is the mother or the father of the child.

26 3. The court shall award physical custody in the following order of
27 preference unless in a particular case the best interest of the child requires
28 otherwise:

(a) To both parents jointly pursuant to NRS 125C.0025 or to either
parent pursuant to NRS 125C.003. If the court does not enter an order awarding
joint physical custody of a child after either parent has applied for joint physical
custody, the court shall state in its decision the reason for its denial of the parent’s
application.

(b) To a person or persons in whose home the child has been living and
where the child has had a wholesome and stable environment.

(c) To any person related within the fifth degree of consanguinity to the
child whom the court finds suitable and able to provide proper care and guidance
for the child, regardless of whether the relative resides within this State.

1 (d) To any other person or persons whom the court finds suitable and
2 able to provide proper care and guidance for the child.

3 4. In determining the best interest of the child, the court shall consider
4 and set forth its specific findings concerning, among other things:

5 (a) The wishes of the child if the child is of sufficient age and capacity
6 to form an intelligent preference as to his or her physical custody.

7 (b) Any nomination of a guardian for the child by a parent.

8 (c) Which parent is more likely to allow the child to have frequent
9 associations and a continuing relationship with the noncustodial parent.

10 (d) The level of conflict between the parents.

11 (e) The ability of the parents to cooperate to meet the needs of the child.

12 (f) The mental and physical health of the parents.

13 (g) The physical, developmental and emotional needs of the child.

14 (h) The nature of the relationship of the child with each parent.

15 (i) The ability of the child to maintain a relationship with any sibling.

16 (j) Any history of parental abuse or neglect of the child or a sibling of
17 the child.

18 (k) Whether either parent or any other person seeking physical custody
19 has engaged in an act of domestic violence against the child, a parent of the child
20 or any other person residing with the child.

21 (l) Whether either parent or any other person seeking physical custody
22 has committed any act of abduction against the child or any other child.

23 The parties agreed to joint legal and joint physical custody on or about April
24 6, 2020. Mere days later Amanda filed the present action. Amanda's allegations
25 amount to little more than hearsay and dishonesty. Amanda is a classic pathogenic
26 parent. She takes the children to the doctor constantly looking for evidence to use
27 against Devin. She has called the police and CPS on Devin so many times (all
28 unsubstantiated) that he is on friendly terms with the patrol officers in his
neighborhood.

Shockingly, the person who has must harmed these children is Amanda
herself. She dated Jeff Eatherly who was recently sentenced to prison for

1 molesting Abigail. Amanda willingly invited that man into their home and allowed
2 him to have access to the children. It seems Amanda is so obsessed with harassing
3 and attacking Devin, she is not paying attention to what is going on under her own
4 nose.
5

6 Amanda has a history of being prescribed strong narcotic drugs and
7 associating with people of unsavory character like Jeff Eatherly. Even now, after
8 her child was harmed, she is back to dating a man with a questionable background
9 from her neighborhood.
10
11

12 Amanda is also obsessed with seeking medical evidence against Devin. She
13 has made ridiculous and false allegations that he somehow harms the children. She
14 takes them to the doctor repeatedly, over and over, anytime they even have a minor
15 scratch.
16

17 Amanda claims that Devin pulled a gun out around the children and her, but
18 that is not true and there is no evidence to substantiate that. What there is evidence
19 of is when Amanda's father pulled a gun on Devin. The police were called.
20

21 Amanda took the gun inside her house and hid it. Then when the cops came the
22 gun her dad had was different than the one that Devin saw when her dad aimed it at
23 him. That and Amanda's father's hostility and inappropriate behavior is why he
24 was banned from coming to their custody exchanges.
25
26

27 Amanda turns custody exchanges into a spectacle nearly every week. She
28

1 grabs the children, flinging them around, upsetting them, and chasing them through
2 the parking lot. She then claims they don't like Devin.

3
4 The reality of this case is that the parties settled and agreed on joint physical
5 and joint legal custody. Days later Amanda filed to modify custody. At the time
6 she claimed it was based on Dr. Paglini's report; however, she has since piled on
7 numerous complaints. Essentially, she is trying to relitigate this entire case
8 AFTER they were already divorced and the matter was settled.

9
10
11 Devin is a good father and the children love him. When they get away from
12 Amanda at the exchanges, they have a great time with their dad. They are relaxed
13 and happy. When she is present, her hostility ruins any interaction with Devin.

14
15 Amanda's motion never did meet the standard set forth in *Rooney* and she
16 cannot demonstrate that anything has changed to justify this action. She is
17 grasping at straws and trying to get a second bite at the apple here. The Court
18 should not justify this kind of vexatious behavior.

20 CHILD SUPPORT

21
22 Child support should be set pursuant to the parties' joint legal and joint
23 physical custody agreement and NAC 125.140.

24
25 **NAC 425.140 Schedule for determining base child support obligation**
26 **based on number of children and monthly gross income of obligor. (NRS**
27 **425.620)** Except as otherwise provided in **NAC 425.145**, the base child support
28 obligation of an obligor must be determined according to the following schedule:

2. For two children, the sum of:

(a) For the first \$6,000 of an obligor's monthly gross income, 22 percent of such income;

- 1 (b) For any portion of an obligor's monthly gross income that is greater than
2 \$6,000 and equal to or less than \$10,000, 11 percent of such a portion; and
3 (c) For any portion of an obligor's monthly gross income that is greater than
4 \$10,000, 6 percent of such a portion.

5 **SCHOOL PLACEMENT**

6 Amanda is a teacher and the children attend school where she teaches. She
7 has used her position to isolate Devin from his children's education. Now that the
8 children are on remote learning, she logs into their classes and harasses Devin
9 nonstop. For example, when they couldn't find their charger and logged in a few
10 minutes late, Amanda started texting and harassing him. Devin then had to
11 respond to her rather than help them with their schooling.
12

13
14 When the children attend in person classes, Amanda has done everything in
15 her power to exclude Devin from their education. Once he came to pick them up
16 from school and she allowed Abigail to hide in her classroom. Her father and she
17 were inside with Abigail and they locked the door. Devin had to get a staff
18 member to unlock the door. Amanda will also take the children from Devin at
19 drop off at school and change their clothes. She refuses to return any clothes that
20 Devin buys, sends them to him in clothes that are old and too small, and then she
21 complains he is not clothing them right. For example, in 2019 Devin bought them
22 four jackets and never got a single jacket back.
23

24
25 Devin is requesting that the children be placed in school in his neighborhood
26 to prevent Amanda from isolating him from their education.
27
28

ATTORNEY FEES AND COSTS

The timeline of this case says all the Court needs to see. Amanda filed this action two days after the decree was filed and one day after the notice of entry. She is never going to stop until the Court puts a stop to her nonsense. An award of fees and costs would send the right message and deter her vexatious nonsense in the future.

Pursuant to NRS 18.010 and *Brunzell v. Golden Gate National Bank*, Devin requests leave of this Court to file a memorandum of fees and costs should he be the prevailing party.

III. FINANCIAL DISCLOSURE FORM

Devin will file an updated FDF before trial.

IV. ATTORNEY'S FEES

Devin is requesting an award of attorney's fees and costs.

V. LIST OF WITNESSES

- Devin Reed - Plaintiff
- Amanda Reed – Defendant
- Any witnesses called by the Defendant

VI. LIST OF EXHIBITS

Exhibit	Description	Bates No.
1	Photo of Defendant with Jeff Eatherly and Jason Debose	PL000001
2	Photo of screenshot of Jeff Eatherly playing legos with Abby, texts between Defendant and friend	PL000002
3	Photo Jeff Eatherly and Defendant at Ava's birthday party	PL000003
4	Photo Chrystal Tampke with Jason Debose	PL000004
5	Photo Jason Debose facebook page showing Chrystal Tampke friend	PL000005
6	Photo 6-29-2019 Jeff Eatherly with Defendant and her family	PL000006
7	Photo 6-29-2019 Jeff Eatherly with Defendant and her family	PL000007
8	Screen shots April 2018 video	PL000008-12

Exhibit	Description	Bates No.
9	District Court register of actions Jeffery Eatherly	PL000013
10	Jason Debose Henderson Justice Court record	PL000014
11	2017 Defendant prescription history	PL000015
	2018-2019 Defendant prescription history	PL000016-

12		18
13	Evidence of Defendant's calls to LVMPD	PL000019
14	6-22-2020 Summerlin Hospital record	PL000020
15	6-24-2020 message re: Summerlin Hospital visit	PL000021
16	6-21-2020 video of Abby in pool	PL000022

Exhibit	Description	Bates No.
17	Plastic hammer exemplar	PL000023
18	April 17, 2020 screenshots of Defendant and father staring at Plaintiff during exchange	PL000024-29
19	April 17, 2020 screenshots of Defendant with Abby during exchange	PL000030-35
20	20 hour anger management certificate	PL000036
21	Defendant's email account 2016	PL000037-38
22	Defendant's facebook posts	PL000039-44
23	Defendant's facebook page	PL000045-49
24	1099 TGIG	PL000050
25	1099 unemployment	PL000051
26	March 2018 conversation between defendant and Keith Bonovitch	PL000052-56
27	2019 tax return	PL000057-67

28	March 24 facebook messages with Ivette Gutierrez	PL000068-75
29	UNLV Cooperative Parenting certificate	PL000076-77
30	Triple P parenting certificate	PL000078
31	W-2 Cesar's	PL000079
32	W-2 SW Specialty	PL000080
33	Messages from Defendant to Plaintiff's elderly grandmother	PL000081-91
34	Defendant texts to Plaintiff's ex-girlfriend	PL000092
35	2018 video of Jeff Eatherly in house with Defendant and Abby	N/A
36	April 22, 2018 video of Jeff Eatherly in house with Defendant	N/A
37	April 17, 2020 video of exchange – defendant and father refusing to speak to plaintiff	N/A
38	April 17, 2020 video of exchange – defendant instigating conflict	N/A
39	Plaintiff's prescription history	PL000093-95
40	Plaintiff's unemployment statements	PL000096-99
41	Telemed information	PL000100
42	CVS printout Nov 2019 – Nov 2020	000101-106
43	Oct 2020 – Nov 2020 paystubs	000107-110
44	BofA Unemployment Statements	000111-126
45	Receipts and messages showing Plaintiff gave Defendant the health insurance cards	000127-130

Any exhibits produced by the Defendant.

XII.
UNUSUAL ISSUES TO BE PRESENTED AT TRIAL

(None)

XIII.
LENGTH OF TRIAL

1 Trial should take approximately one day.

2 **DATED** 18th day of February, 2021.

3
4 Respectfully Submitted,

5
6 *//s//Michancy M. Cramer*

7 Michancy M. Cramer, Esq.

8 Nevada Bar No. 11545

9 **ALEX GHIBAUDO, PC**

10 197 E California Ave, Ste 250

11 Las Vegas, Nevada 89104

12 *Attorney for Plaintiff*

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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 *Plaintiff's Pre-Trial Memorandum* on February 18, 2021, 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 (along with a courtesy copy sent via electronic mail);
- [] Pursuant to EDCR 7.26, sent via facsimile by duly executed consent for service by electronic means.

To the following address:

Hanratty Law Group
1815 Village Center Circle
Las Vegas, Nevada 89134
attorneys@hanrattylawgroup.com
Attorney for Defendant

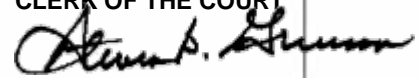
//s//Michancy M. Cramer

Michancy M. Cramer, Esq.
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

ACCEPTANCE OF SERVICE

Case Number: D-18-568055-D



ROC

Alex B. Ghibaud, Esq.

Nevada Bar Number: 10592

Michancy M. Cramer

Nevada Bar Number: 11545

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Attorney for Plaintiff

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

DEVIN REED,

Plaintiff,

vs.

AMANDA REED,

Defendant.


Case Number: D-18-568055-D

Department: Z

RECEIPT OF COPY

I hereby certify that I received a copy of the *Plaintiff's Trial Exhibits*.

DATED this 22nd day of February 2021.



An Employee of Hanratty Law Group
1815 Village Center Circle, Suite 140
Las Vegas, Nevada 89134
Attorney for Defendant

Divorce - Complaint

COURT MINUTES

February 25, 2021

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

February 25, 2021 09:00 AM Non-Jury Trial

HEARD BY: Mercer, Shell COURTROOM: Courtroom 22

COURT CLERK: Bourne, Sheila

PARTIES PRESENT:

Devin Bryson Reed, Counter Defendant, Plaintiff, Present Michancy Moonblossom Cramer, Attorney, Present

Amanda Raelene Reed, Counter Claimant, Defendant, Present Carrie J. Primas, ESQ, Attorney, Present
Jason Naimi, Attorney, Present

Abby Reed, Subject Minor, Not Present Harvey Gruber, Attorney, Not Present

Shawn Reed, Subject Minor, Not Present

JOURNAL ENTRIES

NON-JURY TRIAL: FULL DAY

In the interest of public safety due to the Coronavirus pandemic, all Parties were present via VIDEO CONFERENCE through the BLUEJEANS application. Attorney Jason Naimi, Nevada Bar # 9441, also present on behalf of Defendant via BLUEJEANS

NON-JURY TRIAL BEGAN

HOUSEKEEPING MATTERS

NO WITNESS TESTIMONY OR TRIAL EXHIBITS

TRIAL RECESS, Court went off the record to review Nance v Ferraro.

TRIAL RESUMED, all Parties present.

The Parties STIPULATED to setting a Status Check.

Court stated its FINDINGS and ORDERED the following:

1. 3/16/21 at 11:00 a.m. STATUS CHECK, Parties to regroup and reset the Evidentiary Hearing.
2. Ms. Cramer to prepare the order from today's hearing within seven (7) days, and Mr. Naimi review, sign and return to Ms. Cramer for submission.

CLERK'S NOTE: After the conclusion of the hearing, the Court asked the Court Clerk to include the following language in the Court's Minutes for the February 25, 2021 hearing:

On the record, the Court referenced a statute that provides that Joint Physical Custody is

PRESUMED to be in the best interest of the children if both parents have agreed to Joint Physical Custody. However, the statute that the Court intended to reference is NRS 125C.0025(1)(a), which actually expresses a preference, not a presumption. It provides that

When a court is making a determination regarding the physical custody of a child, there is a PREFERENCE that joint physical custody would be in the best interest of a minor child if:

(a) The parents have agreed to an award of joint physical custody or so agree in open court at a hearing for the purpose of determining the physical custody of the minor child . . .

(Emphasis added.)

The language contained on page 3, lines 14-16 of the Decree of Divorce provides that

The parties acknowledge that there is currently a requesting [sic] pending by Defendant to modify custody. Nothing in this Decree shall act as a waiver of Defendant s right to pursue said request.

The Court FINDS that this language does not serve as Plaintiff s consent to Defendant s right to pursue ongoing custody modification litigation. This language is vague, ambiguous and subject to multiple interpretations. It is illogical that Plaintiff would agree to continue litigating child custody in the same contract that the parties agree to fully and completely resolve all pending custody issues. Moreover, when a contract is ambiguous, it will be construed against the drafter, i.e. Defendant herein. Williams v. Waldman, 108 Nev. 466, 473, 836 P.2d 614, 619 (1992).

The Court FURTHER FINDS that (1) Defendant s inclusion of the language on page 3, lines 14-16 of the Decree, (2) the absence of any factual allegations in Defendant s Motion of events that did not preexist entry of the Decree of Divorce just two days prior, as well as (3) the timing of the filing of Defendant s Motion just two days after entry of the Decree of Divorce, and one day after Notice of Entry of Decree, is suspect and demonstrates that Defendant did not negotiate the terms of the Decree of Divorce in good faith.

The Court FURTHER FINDS that both parties were represented by, and had the benefit of, legal counsel at the time that they stipulated to Joint Physical Custody in the Decree of Divorce, entered on 4.6.2020.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Mar 16, 2021 11:00AM Status Check
Courtroom 22 Mercer, Shell

Divorce - Complaint

COURT MINUTES

March 16, 2021

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

March 16, 2021 11:00 AM Status Check

HEARD BY: Mercer, Shell

COURTROOM: Courtroom 22

COURT CLERK: Williams, Kendall

PARTIES PRESENT:

Devin Bryson Reed, Counter Defendant, Plaintiff, Present Michancy Moonblossom Cramer, Attorney, Present

Amanda Raelene Reed, Counter Claimant, Defendant, Present Carrie J. Primas, ESQ, Attorney, Present

Abby Reed, Subject Minor, Not Present Harvey Gruber, Attorney, Not Present

Shawn Reed, Subject Minor, Not Present

JOURNAL ENTRIES

STATUS CHECK

All parties present via VIDEO CONFERENCE through the Bluejeans application.

Ms. Primas requested the matter be continued as she plans to file a Motion for Reconsideration. Ms. Primas advised the parties were to bifurcate their divorce while trying to obtain a child custody evaluation. Arguments regarding Ms. Primas' intent to file a Motion for Reconsideration. Ms. Cramer objected to the discussion and advised the parties have been unable to reach an agreement. Ms. Cramer requested the temporary orders be set aside.

COURT ORDERED the matter shall be CONTINUED until May 11, 2021 at 10:00 AM.

Ms. Primas shall file a Motion for Reconsideration and the Motion shall be heard on May 11, 2021 at 10:00 AM.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Apr 30, 2021 1:00PM Motion
Courtroom 22 Mercer, Shell

May 11, 2021 10:00AM Status Check
Courtroom 22 Mercer, Shell