

1 MS. HANRATTY: -- to push Paglini, because Paglini  
2 will.

3 THE COURT: Okay. You're going to need probably a  
4 little farther than that --  
5 MS. HANRATTY: Right.

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Jan 10 2022 11:40 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

6 THE COURT: -- because you don't have an order yet  
7 appointing him. I mean, you can call him --

8 MS. HANRATTY: No, I'll have an order just on that  
9 one issue probably within a week.

10 THE COURT: Okay.

11 MS. HANRATTY: I'm going to have Peter dismiss that  
12 appeal immediately and call the Supreme Court settlement  
13 judge. We're scheduled for -- for Friday on this.

14 THE COURT: Oh, okay. All right.

15 MS. HANRATTY: Yeah.

16 THE CLERK: Ninety?

17 THE COURT: Okay. Do 90. That's fine.

18 MS. HANRATTY: Yeah. If we need to push 30, I'll  
19 call -- we'll --

20 THE COURT: You can just do a stip.

21 MS. HANRATTY: We'll just stip.

22 THE COURT: Yeah. Okay.

23 MS. HANRATTY: And trial's vacated for right now.

24 THE COURT: Yes.

1 MS. HANRATTY: Okay.

2 THE COURT: Because you're going to resolve it on --

3 MS. HANRATTY: We're going to resolve the financials

4 --

5 THE COURT: -- these terms. Well, I mean, look.

6 You already have -- you have the -- the mechanism --

7 MS. HANRATTY: Yeah.

8 THE COURT: -- you just need to know what the

9 numbers are.

10 MS. HANRATTY: Uh-huh.

11 THE COURT: So do I need to make any contact with

12 you on -- on the financials earlier than --

13 MS. HANRATTY: No, because we -- we have to look at

14 the va -- we -- we have to do stupid work, like look at the

15 values of the vehicles. We want to compare the pensions and

16 stuff quickly, do things like that. It won't take us very

17 long, but it may take, I mean, 30, 40 days to get everything

18 done.

19 THE COURT: Okay.

20 MS. HANRATTY: But I -- honestly, I don't -- we've

21 never tried a case together because we've settled --

22 THE COURT: Every one of them. Okay.

23 MS. HANRATTY: -- every financial.

24 THE COURT: All right.

1 MR. SCHNEIDER: That -- that's actually correct,  
2 Your Honor.

3 MS. HANRATTY: Yeah.

4 MR. SCHNEIDER: And I want to thank the Court for  
5 weighing in off the record. It helped immensely --

6 MS. HANRATTY: Yes.

7 MR. SCHNEIDER: -- and I think it helped get our --  
8 well, all of our heads wrapped around it --

9 MS. HANRATTY: Yes.

10 MR. SCHNEIDER: -- to resolve these issues.

11 MS. HANRATTY: Yes. Absolutely.

12 THE COURT: Okay. All right. Well, I think it'll  
13 help them get some closure. But we need to close out the case  
14 and get them divorced.

15 MS. HANRATTY: Yes. Absolutely.

16 MR. SCHNEIDER: Yes, Your Honor.

17 THE COURT: So -- and we can do that with this other  
18 thing happening on the -- you know, in a parallel universe.  
19 So we can --

20 MR. SCHNEIDER: Right.

21 THE COURT: -- do that, and at least get them  
22 divorced, and then get this information from the evaluator,  
23 and go from there. Okay?

24 MS. HANRATTY: I know this is not something I should

1 say or have -- not -- not something I should have to say, but  
2 I think Dad understands he has the kids tonight, not to  
3 discuss any of this.

4 THE COURT: Yeah. Neither party should discuss this  
5 case with their children --

6 MS. HANRATTY: I'm just -- I'm just putting it out  
7 there --

8 THE COURT: -- period, end of story.

9 MS. HANRATTY: -- because everybody's going to be in  
10 high --

11 THE COURT: Everybody's getting along famously --

12 MS. HANRATTY: Yes.

13 THE COURT: -- and we're going to -- we all love  
14 you, and that's the end.

15 MS. HANRATTY: Exactly.

16 THE COURT: That's the way they should be talking.  
17 Okay.

18 MR. SCHNEIDER: And, Your Honor --

19 THE COURT: Very good.

20 MR. SCHNEIDER: -- with any other attorney, I -- I  
21 would make a big deal out of this, but I just want -- Kari  
22 understands that standard admonitions in terms of contact with  
23 Dr. Paglini, that would be joint contact, no ex parte  
24 communications, and everything --

1 THE COURT: Right.  
2 MR. SCHNEIDER: -- gets copied to the other  
3 attorney.  
4 MS. HANRATTY: Absolutely.  
5 THE COURT: Okay.  
6 MR. SCHNEIDER: Thank you.  
7 THE COURT: Uh-huh.  
8 MR. SCHNEIDER: Thank you, Kari.  
9 THE COURT: All right. Very good.  
10 MS. HANRATTY: Yeah. You have never --  
11 THE COURT: All right.  
12 MR. SCHNEIDER: No, I know.  
13 THE COURT: Very good. Okay.  
14 MR. SCHNEIDER: Thank you, Your Honor.  
15 THE COURT: Thank you so much.  
16 MS. HANRATTY: Thank you.  
17 THE COURT: All right. Have a good --  
18 THE CLERK: The return date is November 26th at  
19 11:00.  
20 MR. SCHNEIDER: November 26th?  
21 THE CLERK: Yes, sir.  
22 THE COURT: Correct. Thank you.  
23 MR. SCHNEIDER: Thank you, Judge.  
24 THE COURT: At 11:00.



1 MR. SCHNEIDER: That's really close to Thanksgiving,  
2 right?  
3 THE COURT: It is.  
4 MS. HANRATTY: How close? Is it the same week?  
5 THE COURT: We're going to try and ruin your  
6 Thanksgiving weekend. I'm just kidding.  
7 MS. HANRATTY: Is it the same week, Melissa?  
8 THE COURT: It's the same week, I think.  
9 MS. HANRATTY: If you don't mind, my kids are off.  
10 Can we --  
11 THE CLERK: How about December 3rd?  
12 MS. HANRATTY: Perfect.  
13 THE CLERK: At 11:00.  
14 THE COURT: Yeah. Okay.  
15 MR. SCHNEIDER: At 11:00?  
16 THE COURT: Yep.  
17 THE CLERK: Yes.  
18 MR. SCHNEIDER: Thank you, Madam Clerk.  
19 THE COURT: Thank you.  
20 MS. HANRATTY: Yeah. I'll be back.  
21 MR. SCHNEIDER: Thank you, Officer Tillman (ph).  
22 MS. HANRATTY: Thank you.  
23 THE COURT: Thank you. Have a good day.  
24 MS. HANRATTY: You, too.

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(PROCEEDINGS CONCLUDED AT 4:29:07:03)

\* \* \* \* \*

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.

/s/ Nita Painter  
Nita Painter

FILE COPY

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*Heather A. Hoffman*  
CLERK OF COURT

COPY

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

DEVIN BRYSON REED, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
AMANDA RAELENE REED, )  
 )  
Defendant. )

CASE NO. D-18-568055-D

APPEAL NO. 83354, 79095

DEPT. Z

BEFORE THE HONORABLE DENISE GENTILE  
DISTRICT COURT JUDGE

TRANSCRIPT RE: ALL PENDING MOTIONS

WEDNESDAY, MAY 13, 2020

D-8-568055-D REED 05/13/2020 TRANSCRIPT  
VERBATIM REPORTING & TRANSCRIPTION, LLC (520) 303-7356



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APPEARANCES:

(Participants appear telephonically)

The Plaintiff: DEVIN BRYSON REED  
For the Plaintiff: MICHANCY CRAMER, ESQ.  
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(702) 901-4800

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LAS VEGAS, NEVADA WEDNESDAY, MAY 13, 2020

P R O C E E D I N G S

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

(THE PROCEEDINGS BEGAN AT 10:06:54)

THE COURT: Okay. We're on the record in the Reed matter, which is D-568055. Counsel, state your appearances for the record, please.

MS. CRAMER: Good morning, Your Honor. Michancy Cramer, 11545, for the Plaintiff, who is with me here in my office.

THE COURT: Okay. So you have Mr. Reed with you (indiscernible). Okay. And Defense --

MS. PRIMAS: Carrie --

THE COURT: -- Counsel?

MS. PRIMAS: Carrie Primas, bar number 12071, on behalf of Amanda Reed. She is on the phone.

THE COURT: Okay. Amanda, are you there?

THE DEFENDANT: I am. Thank you.

THE COURT: Okay. So I want to just make sure that

1 the parties don't interject. If I need to hear from you, I'll  
2 ask for you to speak. Otherwise, we'll let Counsel do the  
3 talking for now. And -- and I wanted to just make sure that  
4 you're on mute or keep your phone on mute or on silent so we  
5 don't hear any background noise, if that's okay?

6 THE DEFENDANT: (Indiscernible).

7 THE COURT: All right. So this is the time set for  
8 the Defendant's motion requesting that the Court adopt  
9 Dr. Paglini's recommendations, issue an order to show cause  
10 against Dad for violation of orders of the Court, attorney's  
11 fees and costs. And then the opposition and countermotion  
12 (indiscernible) to deny Mom's motion, enter a protective order  
13 on behalf of the children against Mom's boyfriend, Jeffrey  
14 Eatherly (ph), boyfriend or potential (indiscernible)  
15 boyfriend, enter an order saying (indiscernible) declaring Mom  
16 a vexatious litigant, sanction Mom, suspend a child support  
17 obligation based upon furlough from MGR, admonish Mom  
18 regarding her failure to abide by honk and seatbelt, rule on  
19 attorney's fees.

20 So with that, Ms. Primas, it's your motion, so you  
21 go first.

22 MS. PRIMAS: Okay. Thank you, Your Honor. I'll  
23 just go issue by issue. I mean, I believe we briefed the  
24 court through my motion and reply. (Indiscernible) there were

1 a couple of issues. The first issue, obviously, we're asking  
2 Dr. Paglini's recommendations to be adopted.

3 As Your Honor knows, his -- his custody evaluation  
4 was by stipulation of the parties. The parties stipulated to  
5 an evaluation. The parties stipulated to Dr. Paglini.  
6 Dr. Paglini made certain recommendations. We're simply asking  
7 that those be accepted, and in Mr. Reed's opposition, as we  
8 outlined in our reply, he did not have any opposition to that.  
9 He didn't address the issue. And under -- under the -- the  
10 rules, the Court can deem that an admission.

11 Obviously, the bigger issue here is that this was a  
12 stipulated custody evaluation, and that we would ask that  
13 those recommendations be put in place. They were pretty  
14 clear. The reasons for them were pretty clear. Your Honor  
15 read the report. It's pretty strong, and it explains why  
16 those recommendations should be put in place. That's the  
17 first thing that we're asking for. I don't know if you want  
18 me to go in to further argument on that issue.

19 THE COURT: Not at this juncture. Once we hear from  
20 Ms. Cramer, then maybe you might have to respond. We'll see.

21 MS. PRIMAS: Okay. Obviously, our second request is  
22 an order to show cause. We've outlined in our motion all of  
23 Dad's violations of the numerous orders. Many of them are  
24 violations of the mutual behavior order. This is, I believe,



1 the third order to show cause that we've had to file, and each  
2 time Your Honor has admonished Dad to abide by the orders. He  
3 continues not to abide by the orders.

4 He continues to violate the mutual behavior order.  
5 We've attached numerous (indiscernible) Our Family Wizard  
6 messages indicating his violations. He continues to violate  
7 the order that the parties only communicate within our -- via  
8 Our Family Wizard. He's texting Mom. Again, we've attached  
9 numerous examples of that.

10 And then, in addition -- excuse me -- in addition,  
11 he continues to allow his son Jacob (ph) to spend the night  
12 during his time share with the children, which again, the  
13 parties stipulated to that child not being there during  
14 overnights. Finally, Dad continues to violate the order that  
15 he transport the children to extracurricular activities. The  
16 specific instances again, are outlined in our motion.

17 THE COURT: Right.

18 MS. PRIMAS: And he's violated some financial  
19 orders, as well, out of the decree of divorce, certain  
20 payments he's supposed to make to Mom. Not only child  
21 support, but also payment toward a debt that she's ordered to  
22 pay in the decree, and he's to pay the money to her.

23 THE COURT: Right. Okay.

24 MS. PRIMAS: And then of course, the final issue is

1 our request to modify custody. As Your Honor is aware, last  
2 time we were in court, we went on the record, we had this  
3 extensive conversation, yourself, myself, and Mr. Schneider,  
4 related to Dr. Paglini's report, the numerous instances of  
5 domestic violence outlined in that report, and whether Your  
6 Honor could consider them.

7           Your Honor indicated that you can consider them.  
8 They were never considered before by the Court. Again, we've  
9 outlined that the report -- Dr. Paglini's report is very clear  
10 that domestic violence did occur. There are recordings of it,  
11 and not only are there actual recordings of it, but Mr. Reed  
12 refused to acknowledge that they existed, refused to listen to  
13 those recordings, and Dr. Paglini outlined pretty specifically  
14 in his report his concerns related to these domestic violence  
15 incidences. So we are asking to modify custody based upon  
16 those, as well as the contents of Dr. Paglini's report.

17           THE COURT: And also, you have listed other reasons  
18 in -- in your motion. As I understand, it was saying there's  
19 issues with care, and --

20           MS. PRIMAS: Correct, Your Honor. He continues to  
21 not properly care for the children. The children are coming  
22 -- they're not coming to school now. Prior to the -- the  
23 quarantine, he's -- they're coming to school in dirty clothes,  
24 they're coming to school not having been allowed to use the

1 bathroom in the morning, not being -- having been fed in the  
2 morning. They have slept in their clothes from the night  
3 before, or they're in pajamas. Abby has come to school in  
4 clothes that are too small, and -- and we have videos and  
5 pictures showing these -- the state of the children as they're  
6 coming to school.

7           Now, Mr. Reed, as I understand works -- when he's  
8 working, if he's currently furloughed, he works early in the  
9 morning. So one of his older children brings the children to  
10 school, and doesn't care for the children. Again, doesn't  
11 feed them, doesn't allow them to go to the bathroom. They're  
12 coming dirty.

13           And that has continued to get worse during -- excuse  
14 me, since the time of our settlement in February. And in  
15 addition, another really big reason that we're asking to  
16 modify custody is the minor child, Abby, is traumatized,  
17 frankly, when she has to go with Devin. And there are  
18 numerous videos, she is screaming and crying and refusing to  
19 go with him. And my -- my client has to physically force her  
20 to go with him. I'd like to address -- well, I -- I suppose  
21 I'll just (indiscernible) to that issue after Ms. Cramer makes  
22 her arguments, but the child, like I said, is traumatized by  
23 having to go with him.

24           And there have been long periods of time where Abby



1 has not gone with Devin for her time for -- because he's  
2 unable to get her into his vehicle, despite my client  
3 physically trying to force the child into his vehicle, Devin  
4 is unable to get her to come into his vehicle because she is  
5 afraid of him. There was an incident that Abby reported to  
6 Mom where Devin put a gun next to her while he -- she was in  
7 his care. He has told her, if you're good when I pick you up,  
8 I will -- I will let you eat; things like this. And it just  
9 continues to get worse.

10 And there was an incident, you know, Mr. Reed has  
11 claimed that my client is interfering, but there have been  
12 numerous incidents where he comes to pick up the children from  
13 school, my client is nowhere around, and still Abby refuses.  
14 And there's a -- there's a singular incident that we outlined  
15 wherein he went to pick her up from Safekey. She ran away  
16 from Safekey and hid in the school for an hour before a  
17 teacher finally found her in a hallway, and my client wasn't  
18 even at the school during that incident. So this child just  
19 continues to be traumatized not only by the past abuse, but  
20 there has been allegations of continued abuse during the  
21 pendency of the divorce, and since.

22 THE COURT: Okay. So you were getting ready to  
23 address the allegation from the other side about Mom's  
24 boyfriend, I think.



1 MS. PRIMAS: I was actually going to -- I -- I will.  
2 I was going to address (indiscernible). I -- I can also  
3 address the allegation. There is no question. He -- Mr.  
4 Eatherly is not Mom's boyfriend. He was her boyfriend for a  
5 couple of months two years ago. He -- he remained a family  
6 friend.

7 There is no question that he violated the minor  
8 child. He came into mom's house without her knowledge or  
9 permission. He violated Abby. Abby reported it to Mom. Mom  
10 immediately called the police. She immediately called CPS,  
11 and she immediately called the child's therapist. She then  
12 notified Dad right away. She took all necessary steps.

13 Mr. Eatherly was arrested the same day that the  
14 allegations were made. He has been charged. I don't know at  
15 this moment in time the exact state of his criminal case, but  
16 Mom has appeared at every hearing on behalf of the minor  
17 child. And Mom has no issue with any order that Mr. Eatherly  
18 stay away from the children. I don't think this Court has  
19 jurisdiction to -- to enter the order Dad's asking, but Mom is  
20 not opposed to whatever order exists that he not be around the  
21 children.

22 THE COURT: Well, and I -- I agree with you that I  
23 don't have any jurisdiction over him, but I have jurisdiction  
24 over Mom to ensure that he not ever come around --

1 MS. PRIMAS: Sure. And we can enter --

2 THE COURT: -- Abby --

3 MS. PRIMAS: A hundred percent. Yep. No problem.

4 THE COURT: Yeah, I'm -- I'm pretty sure that that  
5 would be the order from the other court, as well, the criminal  
6 court. If they've charged him, he's probably not -- he's  
7 already been ordered to stay away would be my guess. But --

8 MS. PRIMAS: Correct. I would imagine that, too.  
9 And -- and Mom has spoken with CPS, and CPS ensured her that  
10 she did everything that -- you know, right that she should  
11 have done. She couldn't have known this was going to happen,  
12 and in fact, there are messages from Dad to Mom where Dad  
13 indicates, I know you've done everything you can to protect  
14 our children, you couldn't have seen this coming.

15 THE COURT: How did he get in the house?

16 MS. PRIMAS: He had the garage code, because he had  
17 come by before to help Mom with sort of household, you know,  
18 fixing things or whatever. He would come by there when she  
19 was at work. The kids weren't there. You know, the kids  
20 would be at school, she would be at work. She's a teacher,  
21 remember. So they'd all be at the school. And so he had the  
22 garage code to come.

23 He was sort of her handyman, you know, would help  
24 with things around the house. So he had the garage code. So



1 he came in one -- early one morning, opened up the garage.  
2 Mom was still sleeping. And again, this is what she's told --  
3 she only knows what -- from what the minor child has told her,  
4 as well, because she wasn't, again, aware of it happening.

5 THE COURT: Right.

6 MS. PRIMAS: And as far as she knows, it was a  
7 single incident, and the child told her the day it happened  
8 that it happened.

9 THE COURT: Okay.

10 MS. PRIMAS: And then I'll address the honk and seat  
11 belt thing, too (indiscernible). There is no order for honk  
12 and seat belt here. I'm not sure what Mr. Reed's referring  
13 to. My client is happy to have that order in place, but it's  
14 not really reasonable, given that she has -- has to physically  
15 remove Abby from the vehicle to put her in Dad's vehicle. If  
16 Dad wants a honk and seat belt rule in place, that's fine.  
17 But we're going to have a tough time, because Abby will not  
18 get out of the car and go to him.

19 THE COURT: Okay. Let me ask you this, though.  
20 What is -- what exactly -- I mean, if you're -- if you're  
21 asking for a modification, but what do you think that should  
22 look like?

23 MS. PRIMAS: We're asking for -- for primary  
24 physical custody. We're asking for Dad to, first of all, in

1 Dr. Paglini's recommendations that we're asking be put in  
2 place require Dad to go to parenting classes and anger  
3 management classes. But we -- we would ask for Dad to have  
4 only weekend visitation.

5 Part of the -- the issue that Mom sees is a couple  
6 of things. Number one, he doesn't -- he's not -- he doesn't  
7 get them ready for school. They wake up in the morning,  
8 again, they're not fed, they're not clean, et cetera. Number  
9 two, Mom -- what Mom sees a pattern of is the longer that the  
10 children are with Dad, the worse it is. He doesn't feed -- he  
11 doesn't brush their teeth. He gets angry (indiscernible). So  
12 if he has limited time, from Saturday morning to Sunday  
13 evening, the hope would be that he'd be able to handle that  
14 amount of time with them, and that he is -- his -- his anger  
15 or his frustrations with them would not rise to the level that  
16 they have in the past, and that he's able to care for them for  
17 that amount of time.

18 THE COURT: Okay. Let me hear from Ms. Cramer, and  
19 then we'll go from --

20 THE PLAINTIFF: Your Honor --

21 MS. CRAMER: Thank you, Your Honor. First of all,  
22 Your Honor, I do want to address Dr. Paglini's recommendation.  
23 Dr. Paglini was never advised that Abby was being molested by  
24 Mom's boyfriend. And I know that she has denied that he's her



1 boyfriend and that he's like a handyman, and he snuck in the  
2 garage.

3           However, I can represent to the Court that my client  
4 just showed me a picture of Mom with him at a -- at a sporting  
5 event. She was dating him. And he has multiple pictures of  
6 her. And this is from last summer. I'm looking at it right  
7 now on my computer screen. She's sitting next to him at a  
8 sporting event.

9           So this is not some random guy that she just hired  
10 to, you know, be the handyman. This is someone who she was  
11 with. Dr. Paglini was never advised of that, and that was  
12 never addressed in his report.

13           THE COURT: Well, didn't this just happen, though,  
14 to Abby?

15           MS. PRIMAS: Yes.

16           MS. CRAMER: No, Your Honor. We do not believe it  
17 did. We believe this has been going on the entire time she's  
18 been dating this man. And so -- and I guess that --

19           THE COURT: That him touching Abby --

20           MS. CRAMER: Yes.

21           THE COURT: -- has been going on the whole time --

22           MS. CRAMER: Part of the issue with Dr. Paglini's  
23 report is that it's never addressed. So we don't have any  
24 evaluation of that.

1 THE COURT: Well, no, obviously. Right now the  
2 allegation is that she just came forward -- Abby just came  
3 forward to talk about how this just happened in February. So  
4 Dr. Paglini's report wouldn't have addressed it --

5 MS. CRAMER: Right.

6 THE COURT: -- because Dr. Paglini's report was  
7 completed by then. So --

8 MS. CRAMER: Right.

9 THE COURT: -- yeah.

10 MS. CRAMER: But, Your Honor, if this child has been  
11 molested for the last two years by Mom's boyfriend, and then  
12 she's talking, oh, there's all this trauma with exchanges, and  
13 Abby's so upset, and Abby's having these emotional problems,  
14 well, we deny Mom's allegation that this was a one time event.  
15 We also deny that Mom was not dating this man. She absolutely  
16 was.

17 THE COURT: I think the question was how long and  
18 when, right? And then --

19 MS. PRIMAS: (Indiscernible) friend (indiscernible)  
20 he was just a hired --

21 MS. CRAMER: Ms. Primas, I didn't interrupt you. I  
22 didn't interrupt you, Carrie, and this is very difficult, to  
23 conduct hearings over the phone. I was silent the entire  
24 time, and so I'm --

1 THE COURT: Ms. Cramer, you're right. So hold on,  
2 Ms. Primas. Just make sure you take a note if you want to  
3 respond. I will -- I will let you respond afterward. Go  
4 ahead, Ms. Cramer. Quick -- quick question, though, before --  
5 before you go on. So has this been addressed? I know Abby  
6 has been going to therapy. Has this been addressed with the  
7 therapist, and has she revealed anything other than one  
8 incident? Because I don't know anything about any other time  
9 that this is allegedly happening.

10 MS. CRAMER: Your Honor, that's one of our problems,  
11 and that was what I was going to address about the therapy.  
12 Mom chose the therapist, and Mom has scheduled the therapies  
13 to take place only on her day. And so Dad never gets to go to  
14 the therapy appointments with her, and Dad has been excluded  
15 from them.

16 THE COURT: Why not?

17 MS. CRAMER: So that was one of them -- because Mom  
18 -- they're on Mom's time, and she won't let him.

19 THE COURT: Well, he's allowed to go to any --  
20 anything that has to do with the kids if it's medical --

21 MS. CRAMER: Well --

22 THE COURT: -- or therapy or whatever. It doesn't  
23 matter whose day it is.

24 MS. CRAMER: -- I understand that, Your Honor. But

1 when we're dealing with a pathogenic parent like Mom, and --  
2 these videos she's talked about, Your Honor, I have seen them.  
3 And Mom is not some innocent little lady who's just -- Dad is  
4 doing this, and Dad is doing that, and -- no. They're pretty  
5 horrific videos, and Mom is an active participant in this  
6 nonsense, and she has excluded Dad from the therapy  
7 appointments.

8           And so that was one of the things that I do want to  
9 address with you, Your Honor, is looking at their custody  
10 time, I believe that the therapy appointments should be moved  
11 to Wednesday, because they alternate Wednesdays, and Dad can  
12 take her one week, and Mom can take her the next. Because the  
13 -- that's part of the issue going on here is that Mom is  
14 aligning the child with her, she's aligning the therapist with  
15 her, she's excluding Dad from all of these things.

16           And --

17           THE COURT: Okay. So let me ask you a question,  
18 though. I mean, does it really matter what day it's on, if --  
19 if he goes -- and he can go into the same appointment that Mom  
20 can --

21           MS. CRAMER: Judge --

22           THE COURT: -- I mean, they don't typically take  
23 parents in. But if they want to talk to one of the parents,  
24 or they want to do a session with one of the parents, he



1 should be able to know when she's going, and he shouldn't be  
2 excluded from sitting in the lobby just like Mom, or however  
3 it -- however it occurs. But I -- let me hear from Ms. Primas  
4 on that.

5 MS. CRAMER: Well, Your Honor --

6 MS. PRIMAS: Your Honor --

7 MS. CRAMER: -- if I could be allowed to continue  
8 before we -- because --

9 THE COURT: I just want to hear from her on that.  
10 What's going on? Why is Dad not (indiscernible) or  
11 participating less?

12 MS. CRAMER: Your Honor, that's a --

13 THE COURT: Ms. Primas, please?

14 MS. PRIMAS: The child has had the same therapist  
15 for two years, with the same therapy appointment time for two  
16 years. Dad, in the past, when he has had the child on that  
17 day, has refused to take her. So Mom has said, I will just  
18 take her. Mom -- Dad can be there. There's -- there's never  
19 been a communication between the parties where Dad has said, I  
20 want to come to therapy and Mom says no. It's a non-issue.  
21 He can -- he can be there. That's it. That's it.

22 MS. CRAMER: Your Honor?

23 THE COURT: Yeah, Ms. Cramer?

24 MS. CRAMER: We dispute that -- we -- we dispute

1 that, as well. So -- and I -- like I said, Your Honor, I know  
2 I'm just making representations to you, but I have seen the  
3 videos where Mom and Dad are present at the same time. Mom is  
4 absolutely hostile towards him, and there's no way for him to  
5 be around her without her being aggressive and hostile and  
6 making a huge scene. And so while she has not explicitly  
7 prohibited him from going --

8 THE COURT: Uh-huh.

9 MS. CRAMER: -- she has -- she has constructively  
10 excluded him. with her behavior. She -- it -- it -- the  
11 videos, Your Honor, I -- I really can't stress enough how  
12 jarring the video is. And when she talks about physically  
13 putting this child in his car, that is absolutely false.

14 What she does is she wrestles with the girl, and she  
15 grabs a hold of Abby, and she yells, and she says, it's okay,  
16 it's okay, and she gets her all riled up and hysterical. And  
17 she's like, literally grabbing her around her torso and  
18 flinging her back and then right when Devin gets near Abby,  
19 she lets her go so that Abby will run away.

20 And then her dad is standing on the sidelines,  
21 filming all of this. And no doubt, if Devin chased after  
22 Abby, he would film it, and then they would produce this video  
23 of Dad grabbing Abby and abusing her. But, you know, and then  
24 leave off the part where Mom is like, flinging her and

1 grabbing her and screaming. And Dad refuses to chase her  
2 because he knows what they're doing, and he even says in the  
3 video, why did you let her go? Why did you do this? And it's  
4 -- it's really alarming, Your Honor.

5 THE COURT: Okay.

6 MS. CRAMER: And now, so the other issue with  
7 Dr. Paglini's -- the video -- the recordings, so these are not  
8 videos of domestic violence. And whenever I heard this, Your  
9 Honor, obviously, you know, I know the law. My spidey sense  
10 went off, okay, what's going on with Dad, what's the criminal  
11 history here, when did the cops get called, da-de-da-de-da.  
12 These allegations of domestic violence, Your Honor, I kid you  
13 not, are arguments.

14 And what she has done is she gets him in an  
15 argument. She followed him around the house screaming at him,  
16 and fighting with him, and then as soon as he had reached his  
17 limit of being screamed at, when he turns around and says, you  
18 know, get the F away from me, stop doing this, she hits  
19 record. And so then there's a recording of him saying, you  
20 know, get the F away from me, or stay away from me, leave me  
21 alone, or why are you doing this, whatever. And so it makes  
22 it sound like, you know, it's this one sided him yelling at  
23 her, and she didn't record the time -- you know, the half an  
24 hour where she followed him around the house, you know,



1 screaming and antagonizing him, and insulting him, and cussing  
2 at him, and saying horrible things to him. All of that is  
3 left out of the recordings.

4 And then the other recording that Dr. Paglini had  
5 was a recording where they were arguing about their sex life.  
6 And he didn't want to listen to it. It wasn't DV. There was  
7 never any domestic violence here, Your Honor. It was a  
8 recording of an argument over their sex life. And so the --  
9 those are some major issues with Dr. Paglini's report.

10 Now, as far as the order to show cause violation  
11 goes, Your Honor, with the mutual behavior order, Mom has  
12 unclean hands here. She's called Dad numerous times and it --  
13 this is -- I don't even understand how she has the gall to  
14 bring this request in front of Your Honor when she herself has  
15 done similar things. And I do want to say, Your Honor, one of  
16 the exhibits they produced where he appeared very angry at her  
17 in a text message was right after he found out what her  
18 boyfriend had been doing to his daughter.

19 And I would argue, Your Honor, that while it is  
20 technically a violation and he shouldn't have done it, when a  
21 man finds out that his daughter has been molested by Mom's  
22 boyfriend, you know, I think we have to give him a pass here,  
23 Judge. I -- that is pretty alarming, and he is entitled to be  
24 angry for sure. Now, he hasn't continued doing it. It --

1 it's a one off. It was under extreme emotional strain. And  
2 it -- it's not an ongoing issue.

3 I -- I -- I want to talk about this issue with  
4 Jacob, as well, because when I saw that Jacob wasn't allowed  
5 to be there for overnights --

6 THE COURT: Uh-huh.

7 MS. CRAMER: -- I said, okay, what's going on with  
8 your kid Jacob? There must be something in this kid's  
9 history. We must have some bad news on Jacob.

10 THE COURT: Right.

11 MS. CRAMER: There isn't -- there is nothing, Your  
12 Honor. She married him and didn't like his other children.  
13 She doesn't like Jacob, and she's never got along with him.  
14 And so she demanded that this be put into the decree. And  
15 because -- and I don't know why he agreed with this. I -- I  
16 don't understand it, and I've asked him, and he doesn't -- he  
17 -- he's just trying to get through this divorce and be done  
18 with her.

19 And so he agreed to it out of hand, and he was told  
20 by previous counsel that it would be temporary, and it wasn't  
21 temporary. It ended up being put into the final decree, and  
22 he was advised that it wouldn't be. And there is no reason  
23 for it. Jacob doesn't have a criminal history, he's never  
24 done anything wrong. And I do want to point out, Your Honor,

1 if you look at the best interests factors, the sibling  
2 relationship is one of them. And this woman cannot justify  
3 isolating these children from their brother. This --

4 THE COURT: Well, I understood there were some  
5 behaviors that were concerning --

6 MS. CRAMER: No --

7 THE COURT: -- (indiscernible) reason why -- but Ms.  
8 Primas can respond to that when she replies. All right. You  
9 can continue.

10 MS. CRAMER: There wasn't.

11 THE COURT: Go ahead, Ms. Cramer.

12 MS. CRAMER: Yeah, there wasn't. And then, as far  
13 as the child support and debt, I'm not entirely sure that she  
14 has any real basis for that. She's refused to turn over the  
15 title to his truck. He has been furloughed. He's not making  
16 income. He -- he was all paid up for child support, so  
17 obviously, now that he's no longer employed due to COVID,  
18 that's going to have to be addressed. But he absolutely has  
19 been paid up on child support, and Mom is the one that's in  
20 violation. She won't give him the title to his truck. So  
21 again, unclean hands.

22 Which, Your Honor, that goes to our request to deem  
23 her a vexatious litigant. She filed this two days after their  
24 decree was entered, and she's the one that's violating the