

IN THE SUPREME COURT OF THE STATE OF NEVADA

AMANDA REED,

Appellant,

vs.

DEVIN REED,

Respondent.

Electronically Filed  
Jan 10 2022 11:44 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court  
CASE NO. 83514  
District Court Case No:  
D-14-499144-D

**APPELLANT'S APPENDIX - VOL VII**

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ATTORNEY FOR APPELLANT

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1	Plaintiff's Motion to Deem Defendant a Vexatious Litigant; for an Order that Defendant's Father Stay Away From Plaintiff Pursuant to the Behavior Order; for Return of Personal Property; for Attorney's Fees and Costs and Other Related Matters	2.14.2019	II	APPX0249 - APPX0254
6	Plaintiff's Opposition and Countermotion	8.12.2020	V	APPX0987 - APPX0993
8	Plaintiff's Opposition and Countermotion for Revised Custodial Timeshare, School Placement, to Resolve Parent-Child Matters, and for Attorney Fees and Costs	4.1.2021	V	APPX1191 - APPX1210
11	Plaintiff's Pre-Trial Memorandum	6.10.2019	II	APPX0430 - APPX0432
13	Plaintiff's Pre-Trial Memorandum	2.18.2021	V	APPX1156 - APPX1169
14	Plaintiff's Supplemental Exhibit In Support of Motion	2.14.2019	II	APPX0255 - APPX0257
16	Plaintiff's Supplemental Plea for Relief	7.2.2020	IV	APPX0924 - APPX0949
18	Receipt of Copy	6.21.2018	I	APPX0056
19	Receipt of Copy	5.13.2019	II	APPX0419
20	Receipt of Copy	8.22.2019	III	APPX0567
21	Receipt of Copy	2.22.2021	V	APPX1171
22	Re-Notice of Motion	9.28.2020	V	APPX1109
23	Reply to Opposition and Countermotion	3.19.2019	II	APPX0406 - APPX0409
24	...			
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1	Reply to Plaintiff's	8.22.2019	III	APPX0572 -
2	Opposition to Motion for			APPX0580
3	an Order to Show Cause			
4	Why Plaintiff Should			
5	Not Be Held In Contempt			
6	of Court; for Leave to			
7	Amend Counterclaim; for			
8	a Modification of Custody;			
9	to Continue Trial; and			
10	for Attorney Fees and			
11	Costs; and Opposition to			
12	Plaintiff's Countermotion			
13	for Attorney's Fees and			
14	Costs, and for Related			
15	Relief			
16	Reply to Plaintiff's	4.23.2021	VI	APPX1231 -
17	Opposition to Motion for			APPX1245
18	Reconsideration of the			
19	Court's Order from the			
20	February 25, 2021 Hearing;			
21	and Opposition to Plaintiff's			
22	Countermotion for Revised			
23	Custodial Timeshare,			
24	School Placement, to Resolve			
25	Parent-Child Matters, and			
26	for Attorney Fees and			
27	Costs			
28	Reply to Plaintiff's	5.7.2020	IV	APPX0815 -
29	Opposition to Motion to			APPX0832
30	Adopt Dr. Paglini's			
31	Recommendation; for an			
32	Order to Show Cause Why			
33	Plaintiff Should Not Be			
34	Held In Contempt of Court;			
35	to Modify Custody; and for			
36	Attorney Fees and Costs;			
37	and Opposition to Plaintiff's			
38	Countermotion for			
39	Protective Order On Behalf			
40	of the Parties' Minor Children;			
41	for an Order Sealing Case			
42	File; for an Order Requiring			
43	Defendant to Obtain Court			
44	Approval Prior to Filing			
45	Future Motions; to Declare			
46	Defendant a Vexatious			
47	Litigant; for Sanctions, Fees,			
48	and Costs; and for Related			
49	Relief			
50				

1	Request for Child Protection Services Appearance and Records	1.22.2019	I	APPX0228
2				
3	Request for Issuance of Joint Preliminary Injunction	3.20.2018	I	APPX0006
4	Stipulation and Order for Custody Evaluation	9.19.2019	III	APPX0590 - APPX0591
5				
6	Stipulation and Order for Release of CPS Records	1.23.2020	III	APPX0605 - APPX0607
7	Stipulation and Order Regarding Child Support Arrears and Child Support	6.17.2021	VI	APPX1269 - APPX1271
8				
9	Stipulation and Order to Continue Hearing	12.10.2019	III	APPX0601 - APPX0602
10				
11	Stipulation and Order to Continue June 26, 2018 Hearing	6.28.2018	I	APPX0105 - APPX0106
12				
13	Stipulation and Order to Continue Order to Show Cause Hearing	7.30.2020	IV	APPX0967 - APPX0969
14				
15	Stipulation and Order to Continue Trial	10.01.2020	V	APPX1116 - APPX1118
16	Supplement to Defendant's Motion for an Order to Show Cause Why Plaintiff Should Not Be Held In Contempt of Court; for Leave to Amend Counterclaim; for a Modification of Custody; to Continue Trial; and for Attorney Fees and Costs	8.22.2019	III	APPX0582 - APPX0587
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21	Supplement to Defendant's Motion to Enforce; for an Order to Show Cause Why Plaintiff Should Not Be Held in Contempt of Court; for Clarification; and for Attorney Fees and Costs	1.11.2019	I	APPX0199 - APPX0222
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1	Supplement to Defendant's	3.18.2019	II	APPX0400 -
2	Opposition to Plaintiff's			APPX0405
3	Motion to Dem Defendant A			
4	Vexatious Litigant; for an			
5	Order that Defendant's Father			
6	Stay Away from Plaintiff			
7	Pursuant to the Behavior			
8	Order; for Return of Personal			
9	Property; for Attorney's			
10	Fees and Costs and Other			
11	Related Matters; and			
12	Countermotion for Joint Legal			
13	and Primary Physical Custody			
14	of the Minor Children,			
15	Child Custody Evaluation,			
16	Child Support, Exclusive			
17	Possession, and for Attorney			
18	Fees and Costs			
19	Supplemental Certificate of	4.13.2020	IV	APPX0769
20	Service			
21	Transcript Re: All Pending	12.15.2021	VI	APPX1343 -
22	Motions			APPX1365
23	Transcript Re: All Pending	12.15.2021	VI	APPX1366 -
24	Motions			APPX1397
25	Transcript Re: All Pending	12.15.2021	VI	APPX1398 -
26	Motions			APPX1436
27	Transcript Re: All Pending	12.15.2021	VII	APPX1510-
28	Motions			APPX1548
29	Transcript Re: Non-Jury	12.15.2021	VII	APPX1437-
30	Trial			APPX1509
31	...			
32	...			
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**AFFIRMATION**

(Pursuant to NRS 239B.030)

The undersigned does hereby affirm that the preceding documents  
filed in the above-referenced matter does not contain the social security number  
of any person.

DATED this 10 day of January, 2022.

**KAINEN LAW GROUP, PLLC**

By: /s Racheal H. Mastel  
**RACHEAL H. MASTEL, ESQ.**  
Nevada Bar No. 11646  
Attorneys for Appellant

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 10 day of January, 2022, I caused to be served the *Appellant's Appendix - Vol VII* to all interested parties as follows:

\_\_\_ BY MAIL: Pursuant to NRCP 5(b), I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, postage fully prepaid thereon, addressed as follows:

\_\_\_ BY CERTIFIED MAIL: I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, certified mail, return receipt requested, postage fully paid thereon, addressed as follows:

\_\_\_ BY FACSIMILE: Pursuant to EDCR 7.26, I caused a true copy thereof to be transmitted, via facsimile, to the following number(s):

X BY ELECTRONIC MAIL: Pursuant to EDCR 7.26 and NEFCR Rule 9, I caused a true copy thereof to be served via electronic mail, via Wiznet, to the following e-mail address(es):

Michancy Cramer  
Alex Ghibaud

\_\_\_\_\_  
/s Racheal H. Mastel  
An Employee of  
KAINEN LAW GROUP, PLLC

FILED

DEC 15 2021

*Alison A. Harrison*  
CLERK OF COURT

ORIGINAL

FILE COPY

EIGHTH JUDICIAL DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

1 TRANS

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9 DEVIN BRYSON REED, )

10 Plaintiff, )

11 vs. )

12 AMANDA RAELENE REED, )

13 Defendant. )

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BEFORE THE HONORABLE SHELL MERCER  
DISTRICT COURT JUDGE

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TRANSCRIPT RE: ALL PENDING MOTIONS

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FRIDAY, APRIL 30, 2021

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APPEARANCES:

(Participants appear virtually)

The Plaintiff:	DEVIN BRYSON REED
For the Plaintiff:	MICHANCY CRAMER, ESQ.
	197 E. California Ave, #250
	Las Vegas, Nevada 89104
	(702) 483-8544
 The Defendant:	 AMANDA RAELENE REED
For the Defendant:	CARRIE PRIMAS, ESQ.
	10000 W. Charleston Blvd.
	#110
	Las Vegas, Nevada 89135
	(702) 901-4800



1 LAS VEGAS, NEVADA

FRIDAY, APRIL 30, 2021

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

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

5 (THE PROCEEDINGS BEGAN AT 1:07:12)

6  
7 THE COURT: Good afternoon. We are on the record in  
8 the matter of Reed versus Reed, case D-18-568055-D. Please  
9 state your appearances for the record?

10 MS. CRAMER: Good afternoon, Your Honor. Michancy  
11 Cramer, 11545, for the Plaintiff, who's joining us via  
12 BlueJeans.

13 THE COURT: Good afternoon.

14 MS. PRIMAS: Good afternoon, Your Honor. Carrie  
15 Primas, bar number 12071, on behalf of Defendant, who is also  
16 present via Meetings.

17 THE COURT: Okay. Good afternoon, and welcome,  
18 everybody. All right. So we are here for Mom's motion, Dad's  
19 opposition and countermotion. I have read everything. Is  
20 there anything that anybody would like to add?

21 MS. CRAMER: Your Honor, I did want to address some  
22 of the issues in the Defendant's reply. She claims that we  
23 did not brief -- brief the Arcella factors properly, and that  
24 we did not identify the school to compare. That is incorrect.

1 If -- and we had incorporated our supplement brief that was  
2 filed on July 2nd of 2020, and we had incorporated that in our  
3 -- in our opposition and countertermotion through EDCR 10(C).

4 It was supposed to have been ruled on at the time of  
5 trial, but because we have not had a trial on this matter, we  
6 just incorporated that into our countertermotion, and we did  
7 fully brief the Arcella factors, including identifying the  
8 school, which is Allen Elementary School. And that is the  
9 school that the children would be zoned for in Dad's  
10 neighborhood.

11 THE COURT: Okay. Thank you, Ms. Cramer. But I  
12 tried to find -- that was one of my questions that I wrote  
13 down to ask you. What is EDCR 10(C)? I don't -- I don't find  
14 an EDCR 10(C).

15 MS. CRAMER: Let me pull it up. One second, Your  
16 Honor.

17 THE COURT: I didn't think it was cited --

18 MS. CRAMER: Oh. Oh. You know what, Your Honor? I  
19 think I did the citation wrong. I -- I think it's NRCP. Let  
20 me -- let me pull it up. I apologize to the Court if that's  
21 my mistake, Your Honor. And, yes, Your Honor, I was  
22 incorrect. It's -- it's NRCP, it's not EDCR. So it's NRCP  
23 10(C).

24 THE COURT: Okay. Okay. Well, that was -- that was

1 throwing me off, so I'm glad we got that clarified. Thank  
2 you. All right. Also, I -- I wanted to ask you, Ms. Cramer,  
3 what's the status of the order from the February 25th hearing?

4 MS. CRAMER: I do not know, Your Honor. I'm sorry.  
5 I'm out of town, and I didn't -- I do not know. So I will  
6 email my assistant when we get done here, and I will get that  
7 submitted by next week.

8 THE COURT: Thank you. Ms. Primas, have you  
9 received it from Ms. Cramer's office yet?

10 MS. PRIMAS: I -- I don't believe so, Your Honor.  
11 (Indiscernible) but I don't see anything outstanding in this  
12 case, so I don't think we've gotten it.

13 THE COURT: Okay. Thank you. All right. So was  
14 there anything else that you wanted to discuss, because I am  
15 prepared to rule, but --

16 MS. CRAMER: No, Your Honor. I trust you've read  
17 the -- the pleadings. I'm hopeful that you've reviewed the  
18 history of the case, including the -- all of the prior  
19 hearings where Judge Gentile made her statements that are  
20 cited in our motion. So we're prepared to hear your ruling,  
21 Your Honor.

22 THE COURT: Okay. Thank you. So with respect to  
23 the motion for reconsideration, I'm so -- I'm sorry,  
24 Ms. Primas, I'm still not seeing it. I -- I'm -- I'm real --

1 I'm not seeing it. I -- you're certainly welcome to take this  
2 up on appeal. I -- I can see from the language that you cited  
3 in your brief that it does appear that Judge Gentile was aware  
4 that the decree was being entered, and that there was still  
5 going to be the outstanding -- I mean, the outstanding claim  
6 to modify.

7           It -- it -- but I -- I just -- I have a -- I have a  
8 hard time reconciling that with the -- with the -- with the  
9 Nevada law that says that a judgment, a decree of divorce is a  
10 final judgment in a case. And I -- I don't -- I don't even  
11 think that that little, I don't know, attempt, you know, at a  
12 savings clause that was contained in the decree of divorce, I  
13 don't even think that that -- that saves it, because it's a  
14 final decree.

15           And I do think that this case is distinguished from  
16 -- I think I said it on the record when we were here, whenever  
17 it was that I -- the date of the evidentiary hearing when I  
18 dropped the bomb on you all that I didn't think that I could  
19 go forward. I -- I think I can understand why Judge Gentile  
20 ordered an evidentiary hearing, I think because she was the  
21 judge that was reversed in the Nance case; I think that maybe  
22 that caused her to hesitate in -- in the ruling that she --  
23 that -- stand by. Can we go off the record for a moment?

24           (COURT RECESSED AT 1:13:01 AND RESUMED AT 1:14:39)

1           THE COURT: We're back on the record in the matter  
2 of Reed v. Reed. Anyways, as I was saying, I think that that  
3 was why Judge Gentile ruled the way she did. But I still -- I  
4 still maintain the same findings that I set forth in the  
5 hearing from -- from the prior -- from February 25th. I  
6 believe it was -- I believe it was February 25th, 2021. So,  
7 Ms. Cramer, when you -- in anticipation that this case may go  
8 up on appeal, would you please make sure that you incorporate  
9 the findings that I made in -- on the record that date, and --

10           MS. CRAMER: I will do that, Your Honor.

11           THE COURT: Okay. Thank you. Now, as to Mr. Reed's  
12 countermotion, Mr. Reed asks that -- to modify the current  
13 time share to a week on, week off time share. Hang on just a  
14 moment. Currently, the parties time share is they alternate  
15 weeks one and two. Week one, Plaintiff has the children from  
16 Tuesday at school drop off or 8:00, at the babysitter if  
17 there's no school, until Thursday at school pickup or 3:00  
18 p.m. if there's no school, and then week two, Plaintiff had  
19 the children from Friday at school drop off or 8:00 a.m. at  
20 the sitter.

21           I -- I'm -- I'm going to let you all argue why I  
22 should not change this to week on, week off, because I'm  
23 hearing a lot of problems are going on with the exchanges, and  
24 it seems to me that because of the high conflict in this case,

1 it would be in the best interests of the parties to just have  
2 a week on, week off, so they don't even have to see one  
3 another, and they can have what's referred to as tunnel  
4 exchanges, where there's no contact between one another. They  
5 can just exchange at the -- at the school, one of them drops  
6 off in the morning, the other one picks up and keeps them for  
7 the week, until the following week.

8 I know, because it's -- I just -- I just worry about  
9 these poor baby -- these poor babies that are -- I know  
10 they're not babies, they're five and seven, but these poor  
11 little children that are just stuck in the middle of all of  
12 this conflict and hatred. It's just -- it cannot be good for  
13 them, and so, Ms. Primas, I'm going to -- if you want to go  
14 off the record and talk to your client for a few minutes,  
15 because I know I just dropped that bomb, and you weren't --

16 MS. PRIMAS: Well, I don't --

17 THE COURT: -- expecting it, but --

18 MS. PRIMAS: -- I -- I don't need to, Your Honor. I  
19 can -- I can speak to that right now.

20 THE COURT: Okay. Let me go ahead and make my other  
21 rulings, and then we'll -- we'll address that. So the other  
22 thing is order the children be placed in a school in Dad's  
23 school zone, the Court's going to deny that request. There's  
24 -- there's no basis -- there's no basis to do that at this