

1 time. I mean, the parties -- we already have an order, the
2 kids are going to the school that they're going. There's no
3 indication that there's any problems whatsoever in the school.

4 The only reason that I see for Dad's request is just
5 for his own convenience, although I am familiar with Sean
6 Allen Elementary School, and it is an excellent school. But
7 having said that, I have no question -- I have no reason for
8 concern about the school that the kids are going to. I mean,
9 they're -- they're doing -- I don't know, they're doing --
10 they're doing fine where they are, as far as I'm aware.

11 Then prohibit Mom's father from attending the
12 children's activities during time -- Dad's time share. That's
13 Dad's request. I am aware that there has been some conflict
14 -- quite a bit of conflict between Mr. Reed and his -- the
15 maternal grandfather.

16 However, I don't have jurisdiction over the maternal
17 grandfather. I'm -- I'm not capable of telling him where he
18 can go and where he can't go. However, I -- it is distressing
19 to -- to me -- and I share Judge Gentile's concerns about the
20 -- the behavior that apparently is demonstrated in front of
21 the kids at various times, and I would -- I would just
22 admonish the parties, which I know I'm just wasting time
23 saying, but to act in the best interests of their child -- of
24 their children, and only focus on the children, and not their

1 hatred for one another. It is disturbing.

2 I -- I would hope that Mom would try to have some
3 meaningful discussions with her dad about his conduct in -- in
4 -- in the presence of the children when Dad is also present.
5 I -- I like the idea that -- that grandpa is involved and --
6 and has a strong bond with the children. I think that's a
7 wonderful thing.

8 So I -- I don't want the grandpa to have to not be
9 -- be involved in the children, but it really -- there has to
10 be a reduction in the conflict. Apparently, there has been a
11 reduction, at least that was the -- the gist of what I got
12 from reading the reply, that there -- that there hasn't been a
13 lot of interaction there. So that -- there has been a
14 reduction. That's good.

15 But some of that may be related to COVID and so the
16 -- it is anticipated that there will be more activities in the
17 future and -- wherein Dad is physically present, as well as
18 the maternal grandfather. And so I'm just admonishing the
19 parties to behave themselves. And everybody loves these
20 children, and even though you can't control how the other
21 people are loving these children, you still must respect the
22 fact that they do, and -- and just allow that to happen
23 naturally.

24 As far as the request for -- granting Dad vacation

1 time, I -- I was surprised when I read Dad's counter-motion
2 that that wasn't included in the decree, and then I read Mom's
3 reply as to why that was -- that -- that neither one of them
4 have vacation time. I think that both parties would probably
5 enjoy vacation time with the children, but you all did not --
6 that is not what you bargained for, it's not what you all
7 negotiated. So I'm inclined to grant vacation time if the
8 other party wants it, as well.

9 But if -- but I'm not going to grant the vacation
10 time that Dad's requested unless Mom gets vacation time, as
11 well. And if Mom's not agreeing to have vacation time, well,
12 then -- then I guess I'm not going to order it, because there
13 must be a reason why Mom's not asking for vacation time, which
14 I don't know. So you can talk to your client about that, too,
15 Ms. Primas.

16 And then permit the children to spend time with
17 their siblings. So I read the reply, and I'm -- I'm aware of
18 Mom's concerns about the one child, and I think it's wonderful
19 that she is being very reasonable about have the children be
20 around the other two children, the adult -- well, the older
21 children of Dad. But it sounds reasonable to me, if what Mom
22 is saying is true about the -- the concern about the one child
23 -- I'm going to -- I'm getting everything mixed up. Jacob
24 (ph). So the concern is about Jacob.

1 So if what Mom is saying is true, then it would be
2 disturbing, and it is reasonable to have concerns about --
3 about Abby and Shawn not being around Jacob. But I -- I do
4 think it's very reasonable for mom to understand that Shawn
5 and Abby want to be able to spend time and see Thomas (ph) or
6 Daniel (ph) -- Thomas and Daniel. So that's good. But I'm
7 not going to -- I'm not going to change any of the prior
8 orders in that respect.

9 Order the exchange of the W-2s so that the parties
10 may calculate child support. I -- I will note that I do not
11 have an updated financial disclosure form for Mom. The last
12 one that I have was filed April 16, 2020, and then in his
13 brief, Dad says that he's been unemployed because of Covid,
14 but he's picked up some odd jobs. But his FDF that was Filed
15 February 25th, 2021, indicates that his gross monthly income
16 is 7,377.

17 So I don't really -- I don't really know about that,
18 and I'm not -- I wanted to ask the parties about whether or
19 not it would be appropriate for me to -- I mean, I can't
20 calculate child support today, but I wanted to ask you all
21 whether or not you believe that it would be appropriate for me
22 to do so, because Dad indicates that it was an issue that was
23 going to be heard by the Court at the evidentiary hearing, and
24 then when I called off the evidentiary hearing, it didn't get

1 -- it was just a -- a loose strand out there. So please let
2 me know whether or not you believe that it would be
3 appropriate for me to adjust the child support.

4 As far as I'm aware, the last child support order
5 that we have is Dad paying \$350 a month to Mom. And then
6 there's the reciprocal request for -- well, no, not the
7 reciprocal request, but I have Dad's request for attorney's
8 fees, which I'm not going to grant at this time. All right.

9 So let's go back and pick up these questions that I
10 just had. I want to know how you -- how Mom feels about the
11 week on, week off so that she does not have to encounter Dad.
12 And then -- and that way both -- both parents can get weekend
13 time, both parents are involved in schooling. And then the
14 other -- what was the other question that I had? I had a
15 question about the child support, whether or not it's
16 appropriate for me to do that, oh, and the other one was
17 vacation, whether or not Mom wants two weeks vacation during
18 the summer with the kids, as well. Ms. Primas, please go
19 ahead.

20 MS. PRIMAS: Thank you, Your Honor. I'm going to
21 speak to the vacation issue first because it feeds into the
22 custody issue. Mom has extreme concerns about the welfare,
23 the well being, and the safety of the children when in Dad's
24 presence. The reason there's no vacation provision is because

1 Mom is not comfortable with the children being with Dad for
2 long periods of time. Mom is not asking for reciprocal
3 vacation time. Mom understands that if Dad doesn't get it,
4 she doesn't get it, and that's fine, and that's how it's been
5 because she is more concerned about her children's well being
6 and safety than herself having vacation time.

7 That being said, on the custody issue and the week
8 on, week off. I want to correct the Court on one thing. You
9 cited a schedule that's outlined in the decree. That's not
10 the current schedule, Your Honor, because Judge Gentile, after
11 having reviewed Dr. Paglini's report and our motion filed in
12 April of 2020, temporarily modified the time share so -- such
13 that Dad actually has less time now, so that Dad's current
14 time share is -- it is still a week one, week two schedule,
15 whereon -- and I might have my week one and two mixed up, but
16 wherein one week, he has Friday at 7:00 a.m. until Monday at
17 7:00 a.m. or 8:00 a.m.

18 The parties have -- I believe now the exchange is
19 occurring at the school, at school drop off. So in other
20 words, Friday morning until Monday morning, and on the
21 alternate week, Dad has Saturday night and at noon, I believe
22 -- Amanda, can you -- yes. Okay. Saturday at noon until
23 Monday evening after Abby's therapy appointment. So -- so the
24 first issue is that I understand Your Honor's ruling related

1 to denying our motion for reconsideration, and we -- we will
2 be appealing, Your Honor, you already indicated you understand
3 that.

4 But the fact is that Judge Gentile did review Dr.
5 Paglini's report, which had extreme concerns related to Dad.
6 Judge Gentile also, based on that report, granted Mom sole
7 legal custody. The concern with Dad having long periods of
8 time with the children, like a week on, week off are frankly
9 briefed ad nauseam, Your Honor. But there are concerns
10 related to the children's hygiene. Dad doesn't bathe the
11 children, Dad doesn't brush the children's teeth. There are
12 concerns related to Dad bringing the children to school
13 prepared.

14 On the first day that the children were back in in-
15 person school, and I know Counsel's going to disagree with me,
16 but my client has a picture and a video of the children
17 arriving at school with no backpacks, no lunches, and no
18 masks, from Dad's house. So he doesn't bring them prepared
19 for school. He doesn't do their schoolwork. There are notes
20 from the teachers, there are, you know, they have these sort
21 of like, online communication forums, indications in there
22 that -- that things aren't getting done.

23 So if -- if the children are with Dad for these long
24 periods of time, for this week long period, it's not only the

1 hygiene, it's also the concern related to are they getting to
2 school on time? Are they prepared? Is their work getting
3 done?

4 The additional issue, Your Honor, is the older child
5 in this case, Abby, is in therapy specifically, as noted in
6 Dr. Paglini's report, specifically because of the domestic
7 violence she has witnessed from Dad to Mom. And -- and no, we
8 didn't go through all the trial, but we had the therapist
9 ready to testify to the issue of the reason for Abby's
10 therapy. My client's concern is that Dad has a very short
11 temper. My client was with this man for I believe -- I -- I
12 want to say 10 year -- 13 years, my client's telling me. For
13 13 years, Your Honor, and she is aware that he has a very
14 short fuse.

15 Her concern is that if the children are with him for
16 these long periods of time, that he's not going to have the
17 patience to deal with it. Her concern is for the safety of
18 the children, who again, it has been briefed, the -- the anger
19 issues, the domestic violence issues. I would ask Your Honor,
20 if -- if you are still inclined to grant that request, I would
21 ask that the issue be heard at trial, and that your -- Your
22 Honor take evidence on the issue first, before granting this
23 week on, week off. Because I will say that is also something
24 Dad has been requesting since the beginning, which is not what

1 they agreed to because Mom is not comfortable, and is
2 concerned for the safety and well being of the children if in
3 Dad's care for those long periods of time.

4 On the child support issue, Your Honor, I believe it
5 does need to be heard. Judge -- Judge Gentile basically, like
6 (indiscernible) Dad's child support obligation during the
7 trial because of COVID, because he was having periods of
8 unemployment. So we don't have child support all the way
9 since last May. So we do need to gather, I think, that
10 information, and then all argument at trial on the issue is
11 that Mom has had de facto primary physical custody.

12 But regardless of the designation, we do need to
13 gather information related all the income Dad did earn during
14 that time. Mom's income has not changed, which is why we
15 don't have an updated financial disclosure form. I thought we
16 did file one prior to trial. But regardless, we would
17 certainly update that if Your Honor, you know, wants that.
18 We're happy to provide her tax returns and that information.
19 But I think that issue needs to be parsed out more at trial.

20 And then-- just so one other thing, Your Honor.
21 There are still issues outstanding from our original motion
22 related to Dad's contempt. Not only related to the behavioral
23 order and communications in Our Family Wizard, but there are
24 financial orders from the decree of divorce that Dad is not

1 complying with. So we have a contempt issue there, and
2 there's also ongoing contempt, Your Honor, that I do plan to
3 file a motion on.

4 I was going to wait to see what Your Honor's ruling
5 was today, to determine the appropriate way to address those.
6 So I think we do still need a -- a trial on the child support
7 issue, on the contempt issue. And again, I would ask that any
8 changes to the -- to the time share related to going to a week
9 on, week off, you would allow us a trial on that issue so Your
10 Honor can hear the evidence related to my client's concerns.
11 Thank you.

12 THE COURT: So let me -- let me double check
13 something here. So you are saying that there's an outstanding
14 issue -- where's your order to show cause, Ms. Primas?

15 MS. PRIMAS: Court's indulgence?

16 THE COURT: Because you were telling --

17 MS. PRIMAS: Because all of these issues were ruled
18 on and -- and -- for trial back in May of last year. So I'm
19 going to have to go back to May of 2020, because this is one
20 of the issues in our motion filed on April 6, 2020, and ruled
21 on by Judge Gentile on May 15th, 2020. Court's indulgence,
22 Your Honor.

23 THE DEFENDANT: I believe it was November of '19.

24 MS. PRIMAS: No, that -- that was another one.

1 Okay. Order to show cause here, I see it submitted. Let me
2 get you the filing date, Your Honor. Filed June 4th, 2020.

3 THE COURT: So whether or not there was an act of
4 contempt, Judge Gentile said would be part of the evidentiary
5 hearing, in -- in addition to the motion to modify custody
6 that you filed two days after the decree; is that correct?

7 MS. PRIMAS: Correct, Your Honor, because all of the
8 contempt issues were outlined in that motion, as well.

9 THE COURT: But all those contempt issues were for
10 actions that occurred before the decree of divorce, correct?

11 MS. PRIMAS: Well, two comments on that. First of
12 all, some of these are -- are issues -- contempt wasn't
13 addressed in the decree, Your Honor. These are violations of
14 ongoing orders, such as the mutual behavioral order. But
15 there are violations of financial orders from the decree of
16 divorce. He was ordered in the decree to pay monies that he
17 has not paid.

18 THE COURT: Okay. And so where's your motion
19 regarding those financial issues? Because as -- as far as --
20 as far as --

21 MS. PRIMAS: That was on April 6th, Your Honor.

22 THE COURT: So two days after the entry of the
23 decree --

24 MS. PRIMAS: Well --

1 THE COURT: -- you filed a motion for contempt, that
2 he hasn't complied with financial issues from the decree?
3 That doesn't make sense.

4 MS. PRIMAS: My apologies, Your Honor. Court's
5 indulgence. I believe it's in the opposition -- one moment.
6 There was -- there was significant briefing following that --
7 that hearing, as well. One moment, Your Honor. Your Honor,
8 I'm not -- now that -- now that you're saying that, I'm -- and
9 looking through all the briefs, I'm not finding where we did
10 brief that particular issue.

11 I'm still -- I'm still looking, Your Honor. And if
12 did not file, Judge, that -- that similar issue, we will -- we
13 will be filing a motion. There is continued contempt.
14 (Indiscernible) where they sug -- as it relates again as it
15 relates to violation of a mutual behavior order that's
16 ongoing, where those issues weren't addressed in the decree.

17 I don't believe that finalizing a decree of divorce
18 as it relates to property and debt, with statements about
19 custody (indiscernible) statements related to Mom forgoing her
20 rights related to prior orders, I don't -- I don't believe
21 that those things we've -- would be barred by McMonigle, Your
22 Honor. Because the order -- McMonigle speaks to, obviously,
23 incidents that occurred prior to an order related to the
24 issue. There is no order that says she forgoes her right to

1 -- to seek relief from this, or an order that says a mutual
2 behavioral order is affirmed, or that prior violations are
3 considered, you know, ignored, effectively.

4 THE COURT: Okay. I found an order to show cause
5 that was filed on June -- June 4, 2020. Let's -- regarding
6 violation of mutual behavior order.

7 MS. PRIMAS: And -- and -- and, Your Honor, can I
8 speak -- I just -- I just realized what -- it's a weird time
9 line. My motion did address the parent -- because the decree
10 of divorce was actually -- it was not filed by the Court until
11 April 6th. It was -- the terms were reached on February 11th.
12 It was signed at the beginning of March, and we submitted it
13 to the Court. So I -- I -- so we had two-and-a-half months of
14 non-compliance. So I do believe there are issues I outlined
15 in the motion, because they had -- and -- and looking for the
16 language, that he was supposed to start paying in March.

17 THE COURT: Okay. I'm --

18 MS. PRIMAS: And -- and that is in the decree, Your
19 Honor. I can point you to that language.

20 THE COURT: Thank you for your patience, Ms. Cramer.
21 I'll let you speak. Just hang on.

22 MS. CRAMER: Thank you, Your Honor.

23 THE COURT: Okay. So make sure I understand,
24 Ms. Primas. You're saying that your motion for order to show

1 cause was included in your motion that you filed on April the
2 8th, correct?

3 MS. PRIMAS: Correct.

4 THE COURT: And you're saying that those issues have
5 not been adjudicated, and require an evidentiary hearing?

6 MS. PRIMAS: Correct.

7 THE COURT: Okay. I'm not sure I agree. I need to
8 take a look at it. I think -- well, I better not speak,
9 because I'm not -- I'm not sure. All right. Tell me those
10 dates again, Ms. Primas? You said that the decree of divorce,
11 it -- I don't know, there was an agreement --

12 MS. PRIMAS: At the settlement --

13 THE COURT: -- or something on one date --

14 MS. PRIMAS: Yes.

15 THE COURT: -- and give -- give me that time line
16 again, please, if you would?

17 MS. PRIMAS: Yes, Judge. So we had a senior judge
18 settlement conference on February 11th.

19 THE COURT: 2020?

20 MS. PRIMAS: 2020. Correct.

21 THE COURT: All right. All right.

22 MS. PRIMAS: And then bear with me. I've got the
23 time line here in my motion. Your -- so just one moment,
24 here. The decree was then sent to a -- a (indiscernible)

1 counsel on February 25th. There was then -- there was then
2 some issues (indiscernible) to sign the decree. It finally
3 got signed on March 18. It was submitted to the Court on
4 March 26th. It was then signed by the Court on April 3rd.

5 THE COURT: April -- April 3rd?

6 MS. PRIMAS: April --

7 THE COURT: I thought it was April 6th.

8 MS. PRIMAS: It was signed on April 3rd. It was not
9 sent back to my office and did not get e-filing until April
10 6th.

11 THE COURT: Oh, that was back when we did it that
12 way. You're right.

13 MS. PRIMAS: Yes.

14 THE COURT: Okay. Court -- Court signed it on April
15 3rd, and then it was filed on April 6th. Okay. So now I'd
16 have to read your motion to see that I agree, and I was not
17 prepared for that right now. But hang on. Okay. So we've
18 got that.

19 Okay. I think I'm ready now to hear from
20 Ms. Cramer, and thank you for waiting.

21 MS. CRAMER: Thank you, Your Honor. So I do want to
22 point out, and I know I'm probably just preaching to the choir
23 here, but I did want to point out that my client can't be held
24 in contempt for an order that wasn't entered yet. So I -- I'm

1 not sure where their argument comes from there.

2 So, Your Honor, what we have is a temporary order
3 from Judge Gentile, and one of the reasons why she had changed
4 the time share is -- temporarily is because Mom kept changing
5 the child's therapy appointments to times during her custody,
6 when Dad couldn't attend. And so Judge Gentile wanted to make
7 sure that Dad could attend Abby's therapy appointments. The
8 other thing Judge Gentile made very clear was that her
9 temporary order was without prejudice, and she was not
10 changing the designation to Mom having primary.

11 She still -- it was still joint physical, and every
12 -- and it was temporary. So -- and Your Honor kind of touched
13 on what my argument is going to be here with the week on, week
14 off. These exchanges for the children are a nightmare. And
15 you can see specifically in my supplemental pleading from July
16 20th of last year -- or I'm sorry, July 2nd. You can see in
17 Exhibit 18, these are from April of 2020. They're during
18 exchanges. These are screen shots of videos that my client
19 took.

20 In Exhibit 18, you can see the Defendant's father,
21 the maternal grandfather, is being held back by Amanda, so --
22 because in the video, he makes a move like he's going to come
23 at Devin, and Amanda puts her arm out and stops him. And you
24 can see that in the -- in the screen shots that I took of the

1 video. It's almost -- it's approaching three minutes long,
2 and in the video, Amanda and her father stare at Devin, and
3 they refuse to speak to him, and they refuse to give him the
4 kids, and they just stare at him. And Devin said, you know,
5 what -- what is going on, why won't you talk, why won't you
6 give me my kid? Like, let's get this exchange done, those
7 kinds of things. And they refuse to talk for almost two
8 minutes.

9 And then her dad makes a move like he's going to
10 come beat up Devin, and then she holds her arm out, and
11 doesn't let him go. And then they stand there, and they
12 continue to stare at Devin. And in the screenshots, you can
13 see how long the video is. You can see it's over two minutes
14 that they do this.

15 In Exhibit 19, the same date, July 2nd, 2020, you
16 can see what the exchanges are like for Abby. And this is
17 also from April of 2020. Amanda grabs Abby, she's flinging
18 her around, she's manhandling her, she's clearly whispering
19 something in her hear during the exchange, and she keeps
20 telling Devin to come help her, while her dad is filming.

21 No doubt she wants to get a video of Devin grabbing
22 the kid and putting her forcefully into the vehicle. But
23 that's -- there's no doubt in my mind that that's what she was
24 angling for. And Devin refused to take the bait, and then

1 Abby goes running across the parking lot. The thing is, Your
2 Honor, as soon as these kids get with their dad and away from
3 Amanda, they have a great time. They love their dad, there's
4 no problems.

5 Amanda's claims that Dad doesn't do their schoolwork
6 is false. Her claims that he doesn't brush their teeth and
7 give them baths, Your Honor, I don't even know how she would
8 know that. She has no evidence of that, and it's simply
9 false. She's not in his home. She -- she doesn't come over
10 there. You know, there -- there is no foundation even for
11 that claim. It -- it is false.

12 What I do want to point out, Your Honor, is she
13 wants to continue this drama. And she's made that clear. I
14 mean, you heard Ms. Primas already state, oh, we're going to
15 appeal this, we're going to file more motions. You know, she
16 clearly revels in the drama.

17 And she -- she loves these multiple exchanges a week
18 because she gets to have this drama, and it is harming these
19 children. And she makes all these outrageous claims, you
20 know, they're not being bathed, they're dirty, their clothes
21 don't fit, their schoolwork's not done, you know, and next
22 thing we're going to hear is Jeffrey -- or excuse me -- Devin
23 is Jeffrey Dahmer. You know, it's just -- it's -- he's just
24 this monster.

1 But what she doesn't tell you, Your Honor, is that
2 she calls the cops and she calls CPS on Devin constantly. He
3 -- it has happened over and over and over again, and it --
4 when -- when Abby comes back with like, a scratch, she calls
5 CPS and takes her to the doctor. When Abby comes back and
6 says, oh, you know, I'm itchy, she calls CPS and takes her to
7 the doctor. And not one single time has CPS substantiated a
8 claim that she has made against my client. Not once. In all
9 the times that she has sent the police to my client's house,
10 nothing has ever been found wrong. Nothing is of concern to
11 these officers.

12 And so she can keep saying this all day long, and no
13 doubt she will, Your Honor. No doubt that you are going to
14 hear from Amanda Reed again and again and again about how evil
15 Devin is. But the reality is, is that objective third party
16 agencies, Metro and CPS, have been involved here, and they
17 have never substantiated a single thing against him. There
18 have never been any findings. It is false.

19 A week on, week off would stop this insanity with
20 these multiple exchanges, with Amanda having her dad come out
21 there and threaten Devin, with her grabbing Abby and flinging
22 her around the parking lot. It would put an end to all of it,
23 Your Honor, because then it's just like you said, the tunnel
24 exchange is what these kids need.

1 Now, with regard to the school, Your Honor, I
2 understand Your Honor's ruling, and contrary to the Defendant,
3 we do not plan on filing additional motions and appealing. My
4 client will accept Your Honor's order. However, Your Honor,
5 we do ask that in this -- in today's order that Your Honor
6 admonish the Defendant, that she's not to use her position at
7 the children's school to undermine Dad as a parent, and to
8 undermine him as a joint legal custodian.

9 He -- you know, she obviously, like any other
10 person, is going to have relationships with her colleagues at
11 the school. She's going to have friendships with them.
12 That's understandable. But she cannot use those relationships
13 and her position at that school to undermine Devin as a
14 parent. And so I would ask Your Honor to include that
15 language, to admonish her not to do that.

16 THE COURT: Well, I'm -- I -- that's so vague. I
17 don't -- I don't even know what -- what it is that you mean by
18 that. I -- I don't --

19 MS. CRAMER: Well, your -- Your Honor, she does
20 things like, and we briefed it, she hid Abby in her classroom.
21 The --

22 THE COURT: Well, she denies -- she denies that,
23 says that that was a friend, and so I don't know what happened
24 there. But like, give me another example where she doesn't --

1 she doesn't allow Devin to have information. Anything that
2 she can keep from him, he can't find out, she'll do that.

3 She also does things like she says the first day of
4 school, Devin sent them without any of their things. What
5 I've already told Ms. Primas is that Devin actually bought all
6 of those things, the lunch boxes, the backpacks, the masks.
7 He purchased all of those items, and as soon as the kids went
8 to Ms. Reed -- Amanda's house for their time with their mom,
9 he never saw them again.

10 And he didn't take the kids to school and dump them
11 at school, you know, just in time for the bell. He actually
12 took them to her an hour early, because she had all of their
13 things. She kept the lunch boxes that he purchased, she kept
14 the backpacks that he purchased. She's kept all of the -- the
15 clothing that he's purchased. And so he took them to her an
16 hour early before school, so that she could get them ready,
17 because this is what she always does with the school
18 situation. She takes their things, she doesn't return them,
19 and then she claims that he's not having them ready for
20 school.

21 And she does this all because -- and it's -- it's
22 easy for her, Your Honor, because she works at the school.
23 And so she is able to undermine him as a parent by taking
24 everything. I mean, like how many backpacks is this dad

1 supposed to buy? How many lunch boxes is he supposed to buy?
2 She's going to start an online business selling lunch boxes
3 because she keeps everything that he buys for the children.
4 And she is able to do that because of her position at the
5 school, because she is right there.

6 THE COURT: Well, I -- I -- I'm sorry. I'm still
7 having a hard time understanding why is the backpack and the
8 lunch box, why are they not traveling with the child? When
9 the child goes --

10 MS. CRAMER: That is --

11 THE COURT: -- the child --

12 MS. CRAMER: That is an excellent question, Your
13 Honor. And in 2019, Dad bought four jackets for the kids.
14 He's never seen them again.

15 THE COURT: So Mom --

16 MS. CRAMER: And yet, in her plead -- in her
17 pleadings, she claims that he brings the kids to school in old
18 clothes and ill-fitting clothes. And it's because she takes
19 everything.

20 THE COURT: See, all --

21 MS. CRAMER: And she won't -- she won't send them
22 back and forth with their belongings. And anything he sends,
23 she takes.

24 THE COURT: All -- all -- all of these --

1 MS. CRAMER: That is --

2 THE COURT: -- issues are so, so small, and so

3 trivial, I don't even know why we're arguing about them.

4 MS. CRAMER: I --

5 THE COURT: I mean, the law --

6 MS. CRAMER: I a hundred percent --

7 THE COURT: -- the law is --

8 MS. CRAMER: -- agree with you.

9 THE COURT: The law does not say that the parent who

10 provides better hygiene for the kids gets to keep the kids,

11 and we get to exclude the other parent. It doesn't work that

12 way. Just because Mom doesn't like the way Dad does things,

13 she doesn't get to deprive the kids -- she chose this man to

14 father her children, and now she's changed her mind and does

15 not want him to father her children, and he's begging for the

16 opportunity to do that. I don't -- I don't understand. And

17 I'm sorry --

18 MS. PRIMAS: Can I respond, Judge?

19 THE COURT: I interrupted you, Ms. Cramer. Please

20 go ahead.

21 MS. CRAMER: Thank you, Your Honor. Your Honor, as

22 far as the vacation time goes, it -- my client was told by

23 previous counsel, which I cannot speak for Mr. Schneider, but

24 he was told that the vacation issue would be addressed in the

1 final decree. He never agreed to no vacation.

2 And then if you look at the decree, Your Honor,
3 contrary to what Ms. Primas says, about Mom agrees to have no
4 vacation as long as Dad has none, either, Mom's time share
5 actually, under the decree, would allow her to have out of
6 town trips with the kids. Dad's time share, because of the
7 way it's chopped up, doesn't.

8 And so what Dad is just asking is that he be -- and
9 if you -- Your Honor, if you're entering an order for week on,
10 week off, then that would resolve the issue, because then Dad
11 would have time to take the kids on little vacations. They
12 could go to family reunions, meet Dad's side of the family,
13 that kind of thing. But we would certainly agree that both
14 parents should have vacation time. It is mean, it is petty,
15 and it is not in the children's best interests to never allow
16 them a vacation time with their dad.

17 Now, as far as the siblings are concerned, Your
18 Honor, again, you know, Ms. Reed has made allegations after
19 allegation after allegation against Jacob, like, some kind of
20 sexual deviancy, he's killing the dog, he's abusive, he's
21 doing this, he's doing that. None of it is true, Your Honor.
22 And the only person that says that is Amanda Reed. CPS
23 doesn't say that, the cops don't say that, his school doesn't
24 say that, his dad doesn't say that, his sibling don't say

1 that. It is false.

2 And one of -- the issue is, Your Honor, is that when
3 Amanda married Devin, she did not like the fact that he had
4 children from a previous relationship. She didn't even like
5 the fact that he had a previous relationship. And she has
6 always been hostile towards Jacob. Always. And so she is
7 depriving her children of a relationship with their sibling
8 because she is spiteful and mean. And that is the bottom
9 line.

10 And she says these things like he was sexually
11 aggressive towards her or something. That is just bananas.
12 And it is not true. She is, you know, his -- his sole sin in
13 the world is that he is his father's son, and that is what she
14 is after him for. So we are asking, Your Honor, that you lift
15 that no contact order so that the children can have a
16 relationship with their brother, Jacob.

17 Now, as far as the order to show cause goes, Your
18 Honor, you can see that the Defendant is an extraordinarily
19 vexatious person. One of the reasons why my client even
20 agreed to meet with Dr. Paglini was because Ms. Primas and the
21 Defendant used the threat of an appeal to force him to meet
22 with Dr. Paglini. And so that's how they got that stipulation
23 in in the first place is they said, we will withdraw our
24 appeal if you go meet with Dr. Paglini.

1 And Devin has wanted from day one to just have this
2 over with. You can see he has a previous marriage, he raised
3 his kids with his ex-wife. That is what he's used to. You
4 get divorced, and you move on. Amanda Reed will not move on,
5 Your Honor. And she is going to keep coming back and keep
6 coming back until this Court issues some orders that lock this
7 case down and put an end to her behavior. And -- and, you
8 know, it's going to come to a point where I'm going -- you
9 know, with this threat of oh, these appeals, more motions, I'm
10 going to file a motion to ask the Court to deem her a
11 vexatious litigant. And I mean, that's how bad she is to deal
12 with.

13 Just, you know, as an example, she's dating another
14 felon, and yet again, denies that she's dating a felon, and
15 then her attorney sends me a nasty email saying, we're not --
16 she's not doing this, and oh, by the way, file your motions
17 just fine, and we'll file a motion right back at you. And so
18 that's what we get constantly from her is this constant threat
19 of going back to court, constant threat of going to appeal.
20 That's fine. She can appeal whatever she wants to appeal.

21 But it -- this is preposterous that she's doing this
22 to these children, and a week on, week off with a tunnel
23 exchange is absolutely what these children need, Your Honor.
24 And -- and I -- and, Your Honor, if you have any questions for

1 me, otherwise, I'll -- that's what I have for now.

2 THE COURT: Ms. Cramer, must I hold an evidentiary
3 hearing in order to -- in -- to enter an order for week on,
4 week off schedule?

5 MS. CRAMER: Yes, Your Honor. The Court is
6 permitted, pursuant to statute to enter a temporary order, but
7 to permanently modify visitation, there is case law, and I'm
8 sorry -- I believe it's the Wallace (ph) case that says we do
9 need an evidentiary hearing.

10 THE COURT: But they currently have joint physical
11 custody. So it's my understanding I can modify a schedule
12 without holding an evidentiary hearing, because I'm not
13 modifying custody. I'm -- I would be keeping it as joint
14 physical custody.

15 MS. CRAMER: And, Your Honor, I can certainly sup --
16 file a supplemental brief. I can't speak (indiscernible) off
17 the top of my head, but I believe that the Wallace case stands
18 for if you modify visitation, we need to have a -- a -- any
19 kind of custodial time share, it is enough for it to trigger
20 an evidentiary hearing. I can certainly double check the
21 language, because it has been over a year since I've even
22 looked at that case, Your Honor. I can double check the
23 language, and I can file a short brief if Your Honor would
24 like me to. And I wouldn't make it an advocacy type brief, I

1 would just simply brief the case for the Court.

2 THE COURT: I'm wondering about whether or not I
3 have to hold an evidentiary hearing in order to add a
4 provision for vacation. Because I'm not --

5 MS. CRAMER: That I do not believe so, Your Honor.
6 I don't think -- think that there is any case law on point for
7 that, and I believe under best interests factors, vacation
8 time can be justified.

9 THE COURT: And -- and again, I'm -- I'm -- I mean,
10 I don't understand your request for -- for language
11 admonishing Ms. Reed not to use her position to undermine Dad
12 as a parent -- her -- her position at school to undermine Dad
13 as a parent. I -- Dad has access to school information
14 through the online parent portal, whatever it is that it's
15 called now, and he certainly can contact the school
16 registrar's office, if he wants any -- or, you know, and
17 counselors, and then he can contact the teachers directly, so
18 as -- I mean, I don't see how -- how your request for the
19 language is going to prevent Mom from taking the backpacks and
20 things that Dad's buying.

21 I can -- what I can do, I think, so it'll be very
22 clear, is I can order that the backpack stays with the kids.
23 They travel with the kids from household to household.
24 Apparently Mom doesn't like the backpacks that Dad is buying

1 for the child. I don't know if that's the situation, but I
2 don't know why she's taking backpacks and clothes away, if
3 that is indeed the case. But okay. I will let -- and then as
4 far as child support, you think that I do need to --

5 MS. CRAMER: Well --

6 THE COURT: -- to --

7 MS. CRAMER: Well, Your Honor, that was basically
8 premised on Ms. Primas's allegation that her client has had de
9 facto primary in the past year. Judge Gentile made clear that
10 it was not. But now the Defendant wants to argue that it was,
11 and she wants to argue for back child support for the past
12 year. However, my client, while his new FDF reflects that he
13 does -- he is employed now, which I believe he still is, but
14 he hasn't been employed this whole year. He's been on
15 unemployment, which is why I asked that we exchange W-2s, to
16 show the actual income, because while the Defendant had been
17 steadily employed through the County, my client has had
18 several odd jobs along the way, and unemployment. And he has
19 not been earning money this past year.

20 THE COURT: Well --

21 MS. CRAMER: And so that is -- it was the
22 Defendant's position that she be, you know, given back child
23 support, which has triggered our allegation that in fact, she
24 should be the one paying our client child support, because she

1 was the one with a job. And I will just say as a side note, I
2 know it's not properly before the Court right now, but with
3 regard to the financials, even though Judge Gentile suspended
4 child support last year, Your Honor, my client has continued
5 to make those payments in an effort to pay down what he owes
6 the Defendant in the decree. So painting him like this
7 deadbeat who's not doing what he's supposed to be doing, Your
8 Honor, he lost his job in the middle of a pandemic, and he is
9 making all attempts to satisfy the terms of the decree by
10 paying those monthly payments.

11 THE COURT: Well, I don't have a motion for judgment
12 on child support arrears in front of me. So I --

13 MS. CRAMER: I know.

14 THE COURT: -- I don't know -- I mean, it was -- it
15 was your client that was asking to modify the child support.
16 I don't know --

17 MS. CRAMER: Well, that's because of the Defendant's
18 allegation that she was primary -- de facto primary and
19 entitled to child support.

20 THE COURT: Well, let me see. I've got all of the
21 past orders here. Where was -- which order was it,
22 Ms. Primas, that the judge changed the -- the custody --

23 MS. PRIMAS: The time share?

24 THE COURT: -- the custody schedule?