

1 I believe it is important, Your Honor, because it's part of  
2 that record.

3 THE COURT: Correct. But then after that report  
4 she signed a joint physical custody arrangement  
5 know, that's why I think it -- it's really irrelevant, because  
6 she entered -- she had -- she agreed to a final judgment. And  
7 I know you're saying she did it because that's what Judge  
8 Gentile told her to do, but now we're just talking in circles  
9 again, because I just -- I just think a final judgment is a  
10 final judgment, and you don't get to just re-litigate things  
11 after you stipulate to an agreement to resolve them. I -- I  
12 don't -- I don't -- I don't see it.

13 MS. PRIMAS: I understand, Your Honor. I just want  
14 to say one more thing on the issue, which is that the judgment  
15 actually -- the judgment on custody actually became final in  
16 2018, on October 16th, 2018, the parties stipulated to joint  
17 physical custody with the schedule, and as a final custody  
18 arrangement.

19 THE COURT: Right.

20 MS. PRIMAS: No changes were ever made to that, no  
21 comments were made at the settlement conference or in the  
22 decree, the decree simply was signed with the contents of the  
23 prior order from October of 2018, Your Honor.

24 MS. CRAMER: No, and now they're trying to modify

1 their argument to say that the decree isn't the final order,  
2 but go back to 2018. And that's not true. The 2018 order was  
3 a parenting plan, pending the -- it was a temporary parenting  
4 plan, pending the trial. And when she made that agreement in  
5 2019 -- or in 2020, and then that got entered, that is the  
6 final order, and that decree contains the custody arrangement.

7 THE COURT: Yes.

8 MS. CRAMER: So that is the one that she agreed to,  
9 and you can't go back and now that we -- you know, you hear  
10 from this judge and you have a new argument, you can't go back  
11 and say, oh, well, this actually is from 2018. It's not.

12 MS. PRIMAS: That's a mischaracterization --

13 MS. CRAMER: The decree contains -- no. The decree  
14 contains the custody order, and the decree was entered in  
15 April of 2020. And that is a final judgment.

16 THE COURT: All right.

17 MS. PRIMAS: Respectfully, if Your Honor, in  
18 reviewing the case, could review the hearing from October  
19 16th, 2018, where the custody order became permanent, Your  
20 Honor? Thank you.

21 THE COURT: All right.

22 MS. CRAMER: And, Your Honor, I would just say that  
23 that would be highly inappropriate because of McMonigle. The  
24 order has already been made, and now they're somehow trying to

1 come up with a creative way to shoehorn in Dr. Paglini's  
2 report in a creative way to reopen this case, because the  
3 Defendant just cannot let it go.

4 THE COURT: Okay.

5 MS. CRAMER: She just will never let this end.

6 THE COURT: All right. All right. I'm -- I am  
7 going to -- I'm going to look at it procedurally. I do have  
8 it all outlined here. So let me just take a look at it again,  
9 in light of everything that we've discussed here today.

10 I would like to see you guys back in two weeks. Do  
11 you think that you can get me updated financial disclosure  
12 forms and whatever else that we talked about that we were  
13 going to need? Yeah. Go ahead and try to work out that child  
14 support issue in the meantime. And if you are able to, can  
15 you contact my department -- just maybe -- maybe just fax or  
16 email my department a letter, and CC the other Counsel, just  
17 so that, you know, you don't have any ex parte communications,  
18 just to let us know that you have resolved the child support  
19 issue, and you'll be submitting a -- you'll either put it on  
20 the record or you'll submit something to me.

21 MS. PRIMAS: Yes, Your Honor.

22 MS. CRAMER: We'll do that, Your Honor.

23 THE COURT: If you would be so kind, because this --  
24 this is going to take me a ton of time, and I want -- I want

1 to get it right. All right. So let's find you a time to come  
2 back.

3 (COURT AND CLERK CONFER BRIEFLY)

4 MS. PRIMAS: Your Honor, I can't do May 12th, so if  
5 that's helpful.

6 THE COURT: Thank you.

7 (COURT AND CLERK CONFER BRIEFLY)

8 THE COURT: I've got the -- yeah, I've got -- I've  
9 got 8:30 on the 19th, but that would only give us 30 minutes.  
10 But --

11 (COURT AND CLERK CONFER BRIEFLY)

12 THE COURT: Well, that's the best I can do. Let's  
13 do it. The 19th --

14 THE CLERK: The 19th?

15 THE COURT: -- 8:30, and please --

16 THE CLERK: Thirty minutes?

17 THE COURT: Yeah, the whole entire 30 minutes.

18 Actually, I don't know, do you all mind getting started at  
19 8:15? I don't mind. Do you all --

20 MS. CRAMER: I do not mind, Your Honor. I'll make  
21 it happen.

22 THE COURT: Ms. Primas?

23 MS. PRIMAS: That's fine, Your Honor.

24 THE COURT: All right. Let's start at 8:15 on the

1 19th. All right. I think that's it.

2 MS. CRAMER: Your Honor?

3 THE COURT: Yes?

4 MS. CRAMER: Last question. Are we going to  
5 dissolve the temporary order and go back to what's in the  
6 decree, or are you entering any temporary orders regarding  
7 visit -- modifying the custody schedule at all?

8 THE COURT: No, I'm not going to do that today.

9 MS. CRAMER: Okay. Thank you, Your Honor.

10 THE COURT: All right. Thank you very much. I -- I  
11 don't know that I even need an order for today. If I do,  
12 we'll let you know.

13 MS. PRIMAS: Thank you, Your Honor.

14 MS. CRAMER: Okay.

15 THE COURT: Thank you.

16

17 (PROCEEDINGS CONCLUDED AT 03:25:24)

18 \* \* \* \* \*

19 ATTEST: I do hereby certify that I have truly and  
20 correctly transcribed the digital proceedings in the  
21 above-entitled case to the best of my ability.

22

23

24

/s/ Nita Painter

Nita Painter

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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 SHELL MERCER  
DISTRICT COURT JUDGE

TRANSCRIPT RE: ALL PENDING MOTIONS

MONDAY, JUNE 14, 2021

1 APPEARANCES:

2 (Participants appear virtually)

3 The Plaintiff: DEVIN BRYSON REED  
4 For the Plaintiff: MICHANCY CRAMER, ESQ.  
5 197 E. California Ave, #250  
Las Vegas, Nevada 89104  
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6 The Defendant: AMANDA RAELENE REED  
7 For the Defendant: CARRIE PRIMAS, ESQ.  
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#110  
8 Las Vegas, Nevada 89135  
(702) 901-4800  
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1 LAS VEGAS, NEVADA

MONDAY, JUNE 14, 2021

2 PROCEEDINGS

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

5 (THE PROCEEDINGS BEGAN AT 01:40:00)

6  
7 THE COURT: Good afternoon. In the matter of Reed  
8 versus Reed, case number D-18-568055-D. You may turn on your  
9 cameras. Okay. I see everybody. Everybody please turn off  
10 your mics except for Ms. Cramer, who's going to make her  
11 appearance.

12 MS. CRAMER: Good afternoon, Your Honor. Michancy  
13 Cramer, bar number 11545, for the Plaintiff, who's with us via  
14 BlueJeans.

15 THE COURT: Okay. Good afternoon and welcome. And,  
16 Ms. Primas?

17 MS. PRIMAS: Good afternoon, Your Honor. Carrie  
18 Primas, bar number 10271, present on behalf of Defendant,  
19 who's present via BlueJeans. I also have in my office  
20 Mr. Cerceo.

21 THE COURT: Okay. Good --

22 MR. CERCEO: Hello, Your Honor. Bob Cerceo, bar  
23 number 5247.

24 THE COURT: Very good. Welcome, everybody. So



1 we're here for -- well, let's see. I know you're waiting on  
2 my decision. What structure shall we follow today? Who wants  
3 to address the Court?

4 MS. PRIMAS: Your Honor, we -- we really are only  
5 here for your decision, Your Honor. So I think that everybody  
6 would agree that we would just like you to issue your decision  
7 --

8 THE COURT: Okay.

9 MS. PRIMAS: -- and we will all take it from there  
10 after today's hearing.

11 THE COURT: Okay. Very good. So you're talking  
12 about the decision first for the motion for reconsideration,  
13 and Ms. Primas, I --

14 MS. CRAMER: Your Honor, You had already ruled on  
15 the motion for reconsideration. We were coming back for your  
16 rulings on the remainder of the issues that were in our  
17 respective motions that --

18 MS. PRIMAS: Your Honor --

19 MS. CRAMER: -- haven't been addressed, because we  
20 didn't have a trial. So you had already, at the -- not the  
21 last hearing, because the last hearing, we dealt with the  
22 conflict issue. But the hearing before that, you had already  
23 denied the motion for reconsideration.

24 MS. PRIMAS: Respectfully, no decision was issued on

1 the motion for reconsideration. That was a three-hour  
2 hearing, at the conclusion of which Your Honor indicated that  
3 you needed to take it all under advisement. There was a lot  
4 of the record that you wanted to review, and you would be  
5 issuing the decision. There is -- that decision has not been  
6 issued.

7 THE COURT: Okay.

8 MS. CRAMER: Well, I guess I'll have to review the  
9 video. My understanding was, Your Honor, that you had already  
10 denied that motion for reconsideration. So I guess we need to  
11 address that. And then we have the remaining issues between  
12 our two respective motions.

13 THE COURT: Okay. Let's go off the record  
14 temporarily. Let me -- let me -- let me take a look, see  
15 where we're at.

16 MS. PRIMAS: Thank -- thank you, Your Honor.

17 THE COURT: Sam (ph), we'll come back.

18 (COURT RECESSED AT 1:43:05 AND RESUMED AT 1:53:43)

19 THE COURT: Okay. We're back on the record in the  
20 matter of Reed versus Reed. Okay. So I took a look at the  
21 hearing video from the last time we were here on May 19th,  
22 2021. And I ordered that the parties were to update their  
23 financial disclosure forms, and neither party has done that.  
24 Also, I ordered that the parties shall communicate through Our

1 Family Wizard. Has that been happening?

2 MS. PRIMAS: Yes, Your Honor. The parties have  
3 continued to communicate through OFW, and the child support  
4 issue has been resolved, so I think that we probably both just  
5 didn't file the FDFs because we reached a stipulation on child  
6 support.

7 THE COURT: Okay. But the child support issue was  
8 that Plaintiff shall pay \$350 per month to Defendant starting  
9 May 1st, 2021, but the Court minutes also indicate that  
10 because he got his -- because Dad got his job back after  
11 COVID, he was to file an updated financial disclosure form.

12 MS. CRAMER: Yes, Your Honor. We -- we resolved all  
13 of it, including the back stuff. So I -- I -- I will file the  
14 new one, and -- and that is on me, because I made the same  
15 assumption I believe Carrie did, that because we had resolved  
16 it -- but I'll file a new one just so the Court has it on  
17 file. Devin did get that to me, Your Honor. So I -- I -- I  
18 can file that, no problem.

19 THE COURT: Okay. But, Ms. Primas, you're -- you're  
20 comfortable with the resolution that you've reached with  
21 respect to the child support issue then, without -- without  
22 the benefit of the financial disclosure form?

23 MS. PRIMAS: Yes, Your Honor.

24 THE COURT: Okay. All right. So you got the issue

1 of current child support going forward, and back child support  
2 has all been resolved.

3 MS. CRAMER: Yes, Your Honor.

4 MS. PRIMAS: Correct, Your Honor.

5 THE COURT: Okay. But I don't have a stipulation.  
6 So what's the status of the stipulation?

7 MS. PRIMAS: Correct, Your Honor. I --

8 MS. CRAMER: Go ahead, Carrie.

9 MS. PRIMAS: Your Honor, I had -- I had submitted a  
10 written order to Michancy. I know that she was going to  
11 review it with her client. It sounds like that's been  
12 approved, so we could just make that effective under EDCR 7.50  
13 today, if that's okay with Michancy?

14 MS. CRAMER: How about I take a look at it right  
15 after this hearing, and I'll just respond to your email, and  
16 that way we can just do it all on paper.

17 MS. PRIMAS: I'm fine with that, since the record  
18 reflects that we have that agreement right now.

19 THE COURT: Okay. All right. Very good. So child  
20 support going forward and back child support has been resolved  
21 pursuant to the parties representations. However, the Court  
22 does not know what that is. The parties are working on a  
23 stipulation, and will submit that to the Court in short order,  
24 I would imagine, since it's already been prepared. So that

1 takes care of that issue. The next issue on calendar is the  
2 -- let me see, oh, wait, wait, where did I put it? Oh, here  
3 we go. So now you just need a decision for the motion for  
4 reconsideration, and your countermotion, Ms. Cramer.

5 MS. CRAMER: Yes, Your Honor.

6 THE COURT: Okay. Good. Good. Then we're on the  
7 same page. Okay. So on -- on March 17, 2021, Ms. Primas  
8 filed a motion for reconsideration from the Court's order from  
9 the February 25, 2021, hearing. And the Court -- I -- I took  
10 a look at -- I've read everything, I've read the motion, I've  
11 read the opposition and countermotion, I read the reply and  
12 opposition. And I -- I -- and I also took a look at NRS  
13 125.130 subsection one, which states that a judgment of  
14 divorce is a final decree.

15 I really sympathize with -- with Ms. Primas's  
16 position, because I -- I -- it certainly does look like the  
17 judge told you to enter a decree. I'm looking at the motion  
18 on page 3, lines 6 through 9 where she cites to a transcript  
19 from the record stating that I want to -- I'm quoting now, I  
20 want a decree. Once you know what your deal is, put it in a  
21 decree, and we can finalize that, and then we're just  
22 reopening on the custody issue with regards to the value --  
23 eval, reopening only for the purposes of the eval and then  
24 determining do we go forward.



1           But I'm still stuck on the part that the -- Dr.  
2 Paglini's report was delivered on January something of 2020,  
3 and there was as a hearing just a couple of days later in  
4 front of Judge Gentile. And Judge Gentile -- I don't know  
5 what I was going to say with that, other than there was a  
6 hearing right after everybody received Dr. Paglini's report,  
7 and despite the fact that Judge Gentile, it seems, indicated  
8 that she wanted you to enter a decree regarding -- resolving  
9 all of the other issues, and then keep going forward with  
10 custody, I'm -- I'm -- that's just troublesome to me.

11           I really -- I don't -- I -- because it -- it's a  
12 final decree. It resolves all of the issues, and there's not  
13 a mechanism under Nevada law to pretend that we're not  
14 resolving the issues in a final decree, despite that one  
15 little paragraph that was included in there with the savings  
16 clause, what -- what -- which purported to be a savings clause  
17 that would allow Mom to re-litigate this issue.

18           It seems to me the proper procedure should have been  
19 resolving all of the other issues, maybe a settlement  
20 agreement, you know, a marital settlement agreement could have  
21 been drafted and entered, and then that could have been  
22 incorporated into the final decree once the issue of custody  
23 was addressed in corp -- I mean a -- a -- a custody decree  
24 that included the concerns that were expressed by Dr. Paglini,

1 and doc -- excuse me -- Judge Gentile. But that did not  
2 happen here.

3           Let me go through my notes from reading Ms. Primas's  
4 motion. I'm looking on page 1 of the motion, line 15, where  
5 she says the Court also ruled that it would not consider any  
6 evidence of domestic violence that occurred prior to the  
7 decree of divorce, including the custodial evaluation  
8 performed by Dr. Paglini on stipulation of the parties. My  
9 recollection is that is not true. I believe what I said is  
10 that I would not consider any evidence of domestic violence  
11 that occurred prior to the decree of divorce as a basis for  
12 modifying custody -- excuse -- after the decree was entered.  
13 So there's just a slight distinction there.

14           But also, let's see what else did I write in here?  
15 Let's see, on page 6 -- oh, I -- my notes -- I already said  
16 what my notes say. And then here's something that I had a  
17 question about, Mr. Primas. On page 6 of your motion that was  
18 filed March 17, 2021, line I guess 19 through 26. It says,  
19 while his current attorney, we're talking about Ms. Cramer, I  
20 guess, while his current attorney may not be privy to the  
21 unique procedural history of this case, Devin was aware that  
22 the parties finalized the divorce at the time they did at the  
23 direction of the judge, that the only discussion of custody at  
24 the senior judge settlement conference was a confirmation that

1 there were ongoing proceedings that would continue at the  
2 discretion of the Court, and be unaffected by the decree of  
3 divorce. I didn't understand what you meant by be unaffected  
4 by the decree of divorce. Are you able to clarify that for  
5 me, Ms. Primas?

6 MS. PRIMAS: Sure, Your Honor. The point simply was  
7 at that -- at that settlement conference, as you'll remember  
8 as I outlined in my motion, there -- these parties' custody  
9 order was actually made final in October of 2018. They then  
10 continued to follow that custody order for the next year and a  
11 half.

12 At that senior judge settlement conference, the  
13 senior judge said, what about custody? And we said, custody's  
14 already been resolved. There is ongoing custody litigation  
15 related to modifying the custody order that's been in place  
16 since 2018. Nothing about today will change that ongoing  
17 litigation. That -- that's what happened. Does that answer  
18 the question?

19 THE COURT: Yes. And then I just have another note  
20 here. They should have executed a property settlement  
21 agreement rather than a full decree. Because if I had just  
22 gone along with what Judge Gentile said, and held an  
23 evidentiary hearing on the issue of custody, I feel like it  
24 would have just gone up to the Supreme Court and it would have



1 been brought down -- I mean it would have been remanded back  
2 down because there was no basis for holding an evidentiary  
3 hearing on that issue on on a motion that was brought --  
4 brought two days after the decree was entered. So for all the  
5 reasons that I've previously stated, I -- I don't see that --  
6 where I can grant the motion for reconsideration.

7 MS. PRIMAS: Thank you, Your Honor. I understand  
8 your order.

9 THE COURT: And then with respect to the counter  
10 motion, so I am denying Defendant's motion for reconsideration  
11 that was filed March 17, 2021. Dad is asking that the Court  
12 modify the current custodial time share for the best interests  
13 of the children. And I know I've got it in my notes, but this  
14 file has really already gotten very thick. Can you just tell  
15 me again so I don't have to waste your time by me looking it  
16 up. What is the current schedule that the parties are  
17 following?

18 MS. CRAMER: Well, right now, they're on a temporary  
19 schedule that was put in place by Judge Gentile, but the --  
20 the standing order that's in the decree, which if we don't  
21 change it, that's what we're going to go back to after this  
22 hearing, it involves -- I don't know the exact -- the -- but  
23 it involves numerous exchanges each week. So they'll be with  
24 -- one week, it's one schedule, and there's several exchanges,

1 and then the next week, it's a different schedule, and there's  
2 several exchanges. And so our concern was that these  
3 exchanges are very traumatic for the children.

4 THE COURT: Okay. I understand your argument. I  
5 understand your argument. I'm looking for the -- for the  
6 schedule. So --

7 MS. PRIMAS: Your Honor, if I might, the current  
8 schedule that's been in place since May of 2020, Dad has the  
9 children one week --

10 MS. CRAMER: (Indiscernible) --

11 MS. PRIMAS: -- from Friday morning until Monday  
12 morning. And that's basically school drop off. So the order  
13 says 8:00 a.m., but the parties have done Friday morning at  
14 school drop off until Monday morning at school drop off. And  
15 on the second week, Dad has Saturday at noon until Monday  
16 evening at 7:00 p.m. That is supposed to be after Dad takes  
17 the child to therapy, but he's been refusing to do that. So  
18 he returns the children at some point in the evening on  
19 Monday.

20 THE COURT: Okay. So tell me week -- week two  
21 again?

22 MS. PRIMAS: Saturday at noon until Monday evening.

23 THE COURT: And that's the schedule that Judge  
24 Gentile imposed in May --

1 MS. PRIMAS: Correct, Your Honor.

2 THE COURT: -- of 2020.

3 MS. CRAMER: That's the temporary schedule from  
4 2020.

5 THE COURT: Okay. Saturday at noon until Monday  
6 evening at what time?

7 MS. CRAMER: 7:00 p.m.

8 MS. PRIMAS: I don't -- oh.

9 MS. CRAMER: But, Your Honor, this is a temporary  
10 order. The decree is what the other order is, that's the  
11 permanent order.

12 THE COURT: And what is that schedule?

13 MS. CRAMER: I'm looking for it, and I'm sorry.  
14 This file has gotten so big, I can't find the decree in here.

15 THE COURT: Exactly. The -- it's dated April 6th,  
16 2020.

17 MS. CRAMER: Here it is.

18 THE COURT: 2020 -- I don't have it marked here.

19 MS. CRAMER: Okay. Week one, Plaintiff will have  
20 the children from Tuesday at school drop off or 8:00 until  
21 Thursday at school drop -- at school pick up, or 3:00 p.m. On  
22 week two, Dad will have the kids Friday at school drop off or  
23 8:00 a.m., until Monday at school drop off or 8:00 a.m.

24 THE COURT: So in the decree, week two is the same

1 as the temporary week one that you just told me about,  
2 correct?

3 MS. PRIMAS: It looks like that, Your Honor, yes.

4 THE COURT: So then the decree --

5 MS. PRIMAS: Well, technically, Your Honor, the week  
6 ones remained the same, and then Gentile -- Judge Gentile  
7 changed the week two from that Tuesday/Thursday to the Friday  
8 at noon to Monday evening. Excuse me. Saturday at noon to  
9 Monday evening.

10 (Pause)

11 THE COURT: Okay. I'm having a hard time seeing  
12 when these exchanges -- they don't connect. I can't -- I --  
13 it doesn't make sense to me. In the decree, it says Dad will  
14 have the minor children from Tuesday at school drop off, so  
15 approximately 8:00 a.m., or at the babysitter if there's no  
16 school, until Thursday at school pick up, or 3:00 p.m. at the  
17 babysitter if there's no school. So then that would mean that  
18 Mom would then have Thursday, pick up after school until I  
19 don't know when, because it doesn't -- it doesn't say that.

20 MS. PRIMAS: Your -- Your Honor, Mom would then have  
21 -- actually, can my client speak to that. She's lived this  
22 schedule. Can she speak to it, Your Honor?

23 THE COURT: Let me go ahead and have the parties  
24 sworn in.

1 THE DEFENDANT: Amanda Reed.

2 THE CLERK: Raise your right hands, please? You and  
3 each of you do solemnly swear the testimony you are about to  
4 give in this action shall be the truth, the whole truth, and  
5 nothing but the truth so help you God?

6 THE DEFENDANT: Yes.

7 THE CLERK: Thank you.

8 THE COURT: Hang on just a minute, Mom. Yeah, I --  
9 it doesn't -- it doesn't make sense to me. Mom, go ahead and  
10 explain to me.

11 THE DEFENDANT: Okay. On week one, Dad would have  
12 them from Tuesday to Thursday. And that -- no wait, I'm  
13 confused. Okay.

14 THE COURT: Do you have a pencil or (indiscernible)  
15 pen --

16 THE DEFENDANT: I -- I had (indiscernible) Monday  
17 (indiscernible) Dad's week (indiscernible).

18 THE COURT: Wait a minute. Wait a minute. I can't  
19 understand you. Ms. Cramer, can you please turn off your mic,  
20 and Mr. Reed, please turn off your mic, too, if it's not  
21 already off. Ms. Reed, please go ahead. Can you start over?

22 THE DEFENDANT: So Dad would have them Friday from  
23 8:00 a.m. to Monday --

24 THE COURT: Wait a minute. Wait --



1 THE DEFENDANT: -- at --

2 THE COURT: Wait. You're talking about week 2,  
3 correct?

4 THE DEFENDANT: Yes. It's -- it's kind of easier to  
5 explain if you start on week 2.

6 THE COURT: All right. Go ahead.

7 THE DEFENDANT: So Dad has them Friday from 8:00  
8 a.m. to Monday at 8:00 a.m. I had them from Monday at 8:00  
9 a.m. to Tuesday at 8:00 a.m. And then Dad had them from  
10 Tuesday to Thursday, and then I had them from Thursday to the  
11 following week.

12 THE COURT: To the following Friday?

13 THE DEFENDANT: The -- yes.

14 THE COURT: Ms. Primas, so Ms. Cramer is ordering --  
15 is requesting, excuse me, a week on, week off schedule, and  
16 that -- I know you don't want that. I'm not going to -- I'm  
17 not going to grant the request to modify the children's  
18 schooling, changing the school zone. That is denied.

19 But I'm -- I'm -- I'm not understanding why they  
20 shouldn't have a week on, week off schedule, because they have  
21 joint physical custody. I've denied the motion for  
22 reconsideration --

23 MS. PRIMAS: Your Honor, if I might?

24 THE COURT: Yes, go ahead.

1 MS. PRIMAS: Your Honor, Ms. Cramer's requesting a  
2 modification to custody, but she's not alleged any new facts  
3 that have -- that have occurred since the decree. You've  
4 denied our motion to reconsider, understandably, on the basis  
5 of res judicata. But there's not been any allegations other  
6 than a single incident at an exchange that occurred right  
7 after the decree a year ago to support her request.

8 I understand that she's alleging there's too many  
9 exchanges and all of these things, but again, Dad agreed to  
10 the schedule that is in place in the decree. There's no basis  
11 to change that schedule. There has not been any changes.  
12 Ms. Cramer has not alleged any new facts that have occurred  
13 since the decree. There isn't a basis to change the schedule.

14 THE COURT: Well --

15 MS. CRAMER: That's -- that's actually incorrect,  
16 Your Honor. There have been instant -- incidents during the  
17 exchanges, and even at the recent hearings, you heard all  
18 about their allegations about Dad not giving Mom the lunch box  
19 --

20 THE COURT: Yes.

21 MS. CRAMER: -- all these things --

22 THE COURT: Yes. Hold --

23 MS. PRIMAS: Well --

24 MS. CRAMER: -- and that was part of what we pled,

1 and that's continued.

2 THE COURT: Hold on. Hold on, miss -- hold on.  
3 Okay. Hold on, Counsel. Let me hear from the parties.  
4 Ms. Reed, how have the exchanges been going, because I do  
5 remember spending a lot of time talking about pulling up to  
6 one another and the kids just going from one vehicle to the  
7 other vehicle. How's that going? Ms. Reed?

8 THE DEFENDANT: Sorry. I am -- I accidentally  
9 turned off my camera.

10 THE COURT: It's okay.

11 THE DEFENDANT: The exchanges have been going --  
12 like, the -- the kids have been going from vehicle to vehicle.  
13 Dad's still harassing me on Our Family Wizard, and he's still  
14 saying things like, the judge will never review the videos.  
15 She will never look at the Our Family Wizard messages, so just  
16 give up right now, Amanda. But as far as --

17 THE COURT: What date --

18 THE DEFENDANT: -- the exchanges --

19 THE COURT: What date -- what date did he say that?

20 THE DEFENDANT: That was last week, I think. He --

21 THE COURT: So --

22 THE DEFENDANT: -- wrote me a message --

23 THE COURT: Show me. He's saying that didn't  
24 happen.



1 THE DEFENDANT: -- he wrote --

2 THE COURT: Show me. Pull it up. Let's see it.

3 THE DEFENDANT: How do you pull -- Our Family

4 Wizard?

5 THE COURT: Yeah.

6 THE DEFENDANT: Okay.

7 THE COURT: Dad, while she's looking for that, how  
8 are the exchanges going? Go ahead and turn -- turn your --

9 THE PLAINTIFF: Your Honor --

10 THE COURT: -- mic off, Ms. Reed, while you're  
11 looking for that. Go ahead, Mr. Reed.

12 THE PLAINTIFF: Better without her following me  
13 around with a camera, trying to instigate a -- a reaction out  
14 of me.

15 THE COURT: I'm sorry.

16 THE PLAINTIFF: And --

17 THE COURT: What did you say?

18 THE PLAINTIFF: I said --

19 THE COURT: You said that they've been going better  
20 without --

21 THE PLAINTIFF: -- they -- they've been better,  
22 yeah, without her hounding me with a camera to the -- which  
23 she -- she'll walk the kids to my car with her phone out,  
24 recording me, and her sister's there, recording me, and

1 usually --

2 THE COURT: Wait a minute.

3 THE PLAINTIFF: -- her dad was there --

4 THE COURT: Wait a minute, Mr. Reed. Mr. Reed,  
5 since out last hearing, I ordered --

6 THE PLAINTIFF: Yes.

7 THE COURT: -- you all pull up to one another, and  
8 the kids get out of the car, they go from one vehicle to the  
9 other. How has it been going since then?

10 THE PLAINTIFF: (Indiscernible), Your Honor.

11 THE COURT: I'm sorry?

12 THE PLAINTIFF: Well, much better.

13 THE COURT: They are better?

14 THE PLAINTIFF: No, much -- no, much better, yes.

15 THE COURT: Okay.

16 THE PLAINTIFF: Yes, Your Honor.

17 THE COURT: All right. And so she just said that  
18 you've been harassing her as recently as last week. How's  
19 that? And you said no, that you didn't say those things. Do  
20 you know what she's talking about?

21 THE PLAINTIFF: No.

22 THE COURT: No?

23 THE PLAINTIFF: No, Your Honor.

24 THE COURT: Okay. Ms. Reed --

1 THE PLAINTIFF: I did -- I did ask her about her  
2 boyfriend that she has, that -- he has felony charges. I  
3 asked her to not have him around the kids. Because her last  
4 boyfriend molested her daughter.

5 THE DEFENDANT: Your Honor (indiscernible) flip my  
6 camera around.

7 THE COURT: Okay. All right.

8 THE DEFENDANT: (Indiscernible).

9 THE COURT: How do you know that her new boyfriend  
10 has felony -- has a felony, Mr. Reed?

11 THE DEFENDANT: I don't have a new boyfriend.

12 THE PLAINTIFF: (Indiscernible).

13 THE COURT: Wait, wait. Ms. Reed, I'm talking to  
14 Mr. Reed right now.

15 THE DEFENDANT: Before -- the kids keep bringing up  
16 his name, and he -- I guess he -- he's the neighbor. He lives  
17 next door to Amanda. And he has a unique name, and I just  
18 Googled his name on public records, and he has multiple felony  
19 charges.

20 THE COURT: Okay. The two of you --

21 MS. CRAMER: Your Honor, I can --

22 THE COURT: -- the two of you are supposed to  
23 communicate with one another about the kids, not -- not what's  
24 going on in each other's personal lives. Ms. Reed, what did

1 you find out?

2 THE DEFENDANT: Okay. I don't know how to turn my  
3 camera around. This one says, you -- it says, bring that to  
4 the judge's attention on Thursday. If you don't like it, I'll  
5 remind her that you stalked her because you did not like her  
6 decisions. That's when I asked him if he could bring the kids  
7 to the summer enrichment program. Hold on one second. I got  
8 to go back.

9 THE COURT: Mr. Reed --

10 THE DEFENDANT: Sorry. There's --

11 THE COURT: Oh, go ahead, Ms. Reed.

12 THE DEFENDANT: Okay. You -- you're still having  
13 the kids over at this drunk felon (indiscernible) house.  
14 (Indiscernible) poor judgment of character, you pedophile  
15 fucking loser. I don't trust your judgment with men around  
16 the kids. You leave me no choice. That came with like -- I  
17 didn't -- there was -- like nothing warranted it. I -- I  
18 didn't do anything.

19 THE COURT: Okay. Thank you, Ms. Reed. Mr. Reed?

20 THE PLAINTIFF: One of my kids told me that she had  
21 that guy over drinking beer around them.

22 THE COURT: Mr. Reed, that's -- that's inappropriate  
23 under any scenario. Inappropriate. This is part of your  
24 problem.

1 THE PLAINTIFF: Sorry, Your Honor.

2 THE COURT: You know what? You -- I don't think the  
3 two of you actually want help. I think you both really enjoy  
4 the chaos and the drama. So I don't understand why you're  
5 wasting our time. Because that kind of communication,  
6 Mr. Reed, that escalates the conflict. Do you get that? It  
7 escalates the conflict. It doesn't defuse the conflict. So I  
8 -- it -- it -- tells me that you intend to escalate the  
9 conflict, not defuse the conflict.

10 MS. CRAMER: Your Honor, can I be heard real quick?

11 THE COURT: Go ahead, Ms. Cramer.

12 MS. CRAMER: I -- one thing -- I agree with the  
13 Court, that's not appropriate. But I do want the Court to  
14 take into consideration that my client is now on -- he's been  
15 getting divorced since 2018. So he's been dealing with this  
16 -- these attacks from her for four years.

17 THE COURT: Sounds like she's --

18 MS. CRAMER: In (indiscernible) --

19 THE COURT: -- she's probably been dealing with  
20 attacks from him like that.

21 MS. CRAMER: But, Your Honor, I -- give me one  
22 second. Because I want you to consider this Jeff Eatherly  
23 (ph) man who she repeatedly denied was her boyfriend molested  
24 their daughter.



1 THE COURT: Yes, that's terrible.

2 MS. CRAMER: And now -- and I have -- and I have  
3 brought this to Ms. Primas in email, and the gentleman that  
4 she's dating now does have a very unique name, and I can  
5 represent to you now that I did look him up on the local  
6 websites. He does have felony charges involving weapons, and  
7 the children come home with his full name. And whenever I  
8 brought it up to Ms. Primas, I was told she's not dating him,  
9 just like she said she was not dating Jeff Eatherly, and then  
10 his child was harmed.

11 And so while my client's language and what he wrote  
12 to her, believe you me, Judge, I will be having a conversation  
13 with him after this hearing. I agree with the Court it is  
14 totally inappropriate. However, I'm just asking the Court to  
15 consider my client's position here. He has been under  
16 constant attack from her, and she constantly says these kids  
17 are in danger with him, and he doesn't take care of them, and  
18 yet it is her boyfriend who harmed their daughter, and now it  
19 is her next boyfriend who has a history of violent felonies.

20 And so, Judge, I just want you to make sure that  
21 we're not expecting too much from what is just a person. He  
22 is a man, and he is subject to flaws like all the rest of us,  
23 and the language is not acceptable, but let's consider his  
24 position. We've tried to address it with Ms. Primas, and we