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Attorney for Appellant

Electronically Filed  
Jan 27 2022 08:46 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

YOAV EGOSI	)	
Appellant,	)	<b>No.: 83454</b>
vs.	)	
PATRICIA EGOSI, N/K/A	)	District Court Case No.: D-16-540174-
PATRICIA LEE WOODS,	)	D
Respondent.	)	

**JOINT APPENDIX**

**VOLUME 14 OF 19**

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MOFI

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

Patricia Egosi

Plaintiff/Petitioner

v.

Yoav Egosi

Defendant/Respondent

Case No. D-16-840174-D

Dept. Q

**MOTION/OPPOSITION  
FEE INFORMATION SHEET**

**Notice:** Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

**Step 1.** Select either the \$25 or \$0 filing fee in the box below.

- ☐ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
- OR-
- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
- ☐ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
  - ☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
  - ☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on \_\_\_\_\_.
  - ☐ Other Excluded Motion (must specify) \_\_\_\_\_.

**Step 2.** Select the \$0, \$129 or \$57 filing fee in the box below.

- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
- ☐ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
  - ☒ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
- OR-
- ☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
- OR-
- ☐ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

**Step 3.** Add the filing fees from Step 1 and Step 2.

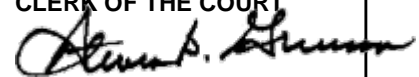
The total filing fee for the motion/opposition I am filing with this form is:

☒ **\$0** ☐ **\$25** ☐ **\$57** ☐ **\$82** ☐ **\$129** ☐ **\$154**

Party filing Motion/Opposition: Plaintiff Patricia Egosi Date 10/05/18

Signature of Party or Preparer /s/ Bailey Donnell





NEOJ

DISTRICT COURT  
CLARK COUNTY, NEVADA

PATRICIA EGOSI,

Plaintiff,

v.

YOAV EGOSI,

Defendant.

CASE NO. D-16-540174-D  
DEPT NO. Q

NOTICE OF ENTRY OF ORDER

TO: ALL PARTIES AND/OR THEIR ATTORNEYS

Please take notice that an Order has been entered in the above-entitled matter,  
a copy of which is attached hereto. I hereby certify that on the above file stamped  
date, I caused a copy of this **Notice of Entry of Order** to be:

☒ E-Served pursuant to NEFCR 9 on, or placed in the folder(s) located in the  
Clerk's Office of, the following attorneys:

John Blackmon, Esq.

Alex Ghibaud, Esq.

/s/ Kimberly Weiss

Kimberly Weiss  
Judicial Executive Assistant  
Department Q

*Steven D. Grierson*

1  
2 ORDER

3  
4 DISTRICT COURT  
5 CLARK COUNTY, NEVADA

6  
7 PATRICIA EGOSI, )

8 Plaintiff, )

9 v. )

10 YOAV EGOSI, )

11 Defendant. )  
12  
13

CASE NO. D-16-540174-D  
DEPT NO. Q

14  
15 ORDER

16 Defendant filed a Motion to Certify the Order Filed September 7, 2018 as Final  
17 Under NRCP 54(b) and Motion to Stay These Proceedings Pending Appeal (Sep. 18,  
18 2018), (hereinafter referred to as Defendant's "Motion"). Defendant's Motion is set  
19 on this Court's October 18, 2018 Chamber Calendar. Plaintiff filed an Opposition to  
20 Defendant's Motion to Certify the Order Filed September 7, 2018 as Final Under  
21 NRCP 54(b) and Motion to Stay These Proceedings Pending Appeal and  
22 Countermotion for Attorney's Fees and Costs (Oct. 5, 2018) (hereinafter referred to  
23 as Plaintiff's "Opposition and Countermotion").  
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26 Based on prior appellate direction, this Court concludes that, since the 2004  
27 amendments to NRCP 54 (effective January 1, 2005), orders that remove claims are  
28 no longer amenable to certification. Although this Court indeed intends that the

**ST APPENDIX**

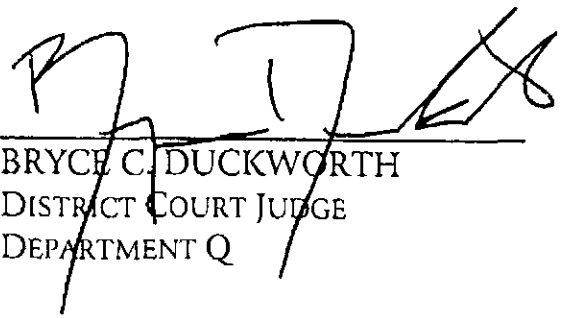
**547**

1  
2 orders governing the issue of the prenuptial agreement to be final orders as to that  
3 particular issue, Defendant's request that this Court "certify" the issue is improper and  
4 should be denied. Moreover, as this issue is on appeal, this Court is divested of  
5 jurisdiction to entertain the remaining financial issues in this matter. In this regard,  
6 the financial issues *are not* ancillary to the issues raised in the appeal. Therefore, this  
7 Court does not have jurisdiction to proceed and Defendant's request has been rendered  
8 moot by his appeal.  
9

10  
11 Based on the foregoing, and good cause appearing therefor,

12 It is hereby ORDERED that Defendant's Motion is DENIED. It is further  
13 ORDERED that Plaintiff's Countermotion is DENIED.  
14

15 DATED this 12<sup>th</sup> day of October, 2018.

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19 BRYCE C. DUCKWORTH  
20 DISTRICT COURT JUDGE  
21 DEPARTMENT Q  
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28

IN THE SUPREME COURT OF THE STATE OF NEVADA

YOAV EGOSI,  
Appellant,  
vs.  
PATRICIA EGOSI, N/K/A PATRICIA LEE  
WOODS,  
Respondent.

Supreme Court No. 76144  
District Court Case No. D540174

FILED

JUL 29 2020

*Elizabeth A. Brown*  
CLERK OF COURT

**CLERK'S CERTIFICATE**

STATE OF NEVADA, ss.

I, Elizabeth A. Brown, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

**JUDGMENT**

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

"ORDER the judgment of the district court AFFIRMED."

Judgment, as quoted above, entered this 24 day of April, 2020.

**JUDGMENT**

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

"Rehearing Denied."

Judgment, as quoted above, entered this 1 day of July, 2020.

D-16-540174-D  
CCJA  
NV Supreme Court Clerks Certificate/Judgm  
4923836



IN WITNESS WHEREOF, I have subscribed  
my name and affixed the seal of the Supreme  
Court at my Office in Carson City, Nevada this  
July 27, 2020.

Elizabeth A. Brown, Supreme Court Clerk

By: Danielle Friend  
Chief Assistant Clerk

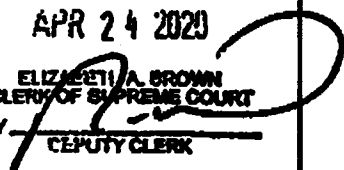
IN THE SUPREME COURT OF THE STATE OF NEVADA

YOAV EGOSI,  
Appellant,  
vs.  
PATRICIA EGOSI, N/K/A PATRICIA  
LEE WOODS,  
Respondent.

No. 76144

**FILED**

APR 24 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

**ORDER OF AFFIRMANCE**

This is an appeal from a district court order denying appellant's motion to relocate with the parties' minor child to Israel. Eighth Judicial District Court, Family Court Division, Clark County; Bryce C. Duckworth, Judge.

Appellant Yoav Egosi argues the district court applied the incorrect legal standard in denying his relocation petition. We disagree. We review the district court's application of law de novo. *Flynn v. Flynn*, 120 Nev. 436, 440, 92 P.3d 1224, 1227 (2004). Here, the district court applied NRS 125C.007 in its determination of whether to grant appellant's relocation petition. While appellant argues NRS 125C.007 is inapplicable because he had "sole" physical custody, we conclude the district court properly applied NRS 125C.007.

Next, appellant argues that even if the district court applied the correct legal standard, the district court abused its discretion in finding that appellant's reasons for relocating were not sensible. We disagree. We review a district court's decision denying a motion to relocate for an abuse of discretion. *Flynn v. Flynn*, 120 Nev. 436, 440, 92 P.3d 1224, 1227 (2004). While we may not agree with a district court's decision, we will not substitute our judgment for that of the district court. See *id.* ("we will

uphold the district court's determination if it is supported by substantial evidence"). Under NRS 125C.007(1)(a), the parent seeking relocation must demonstrate there is "a sensible, good-faith reason for the move, and the move is not intended to deprive the non-relocating parent of his or her parenting time." NRS 125C.007(1)(a). We cannot discern from the record that the district court abused its discretion in making this finding. Moreover, the district court provided sufficient reasoning for the basis of this decision in its order denying relocation. Additionally, to the extent appellant challenges the weight of the evidence, this court does not reweigh witness credibility or the weight of the evidence on appeal. See *Ellis v. Carucci*, 123 Nev. 145, 152, 161 P.3d 239, 244 (2007) (refusing to reweigh credibility determinations on appeal); *Quintero v. McDonald*, 116 Nev. 1181, 1183, 14 P.3d 522, 523 (2000) (refusing to reweigh evidence on appeal). Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

  
Gibbons J.

  
Stiglich J.

  
Silver J.

---

<sup>1</sup>We have considered appellant's additional arguments and conclude they are without merit. Further, we do not address appellant's arguments arising from a district court order validating a prenuptial agreement in part as the appeal from that order has been dismissed. *Egosi v. Egosi*, Docket No. 76144 (Order Dismissing Appeal in Part, March 2, 2020).

cc: Hon. Bryce C. Duckworth, District Judge, Family Court Division  
Carolyn Worrell, Settlement Judge  
Alex B. Ghibaud, PC.  
McFarling Law Group  
Eighth District Court Clerk

IN THE SUPREME COURT OF THE STATE OF NEVADA

YOAV EGOSI,  
Appellant,  
vs.  
PATRICIA EGOSI, N/K/A PATRICIA  
LEE WOODS,  
Respondent.

No. 76144

**FILED**

JUL 01 2020

ELLEN THIA BROWN  
CLERK OF SUPREME COURT  
BY [Signature] DEPUTY CLERK

**ORDER DENYING REHEARING**

Rehearing denied. NRAP 40(c).

It is so ORDERED.

[Signature] J.  
Gibbons

[Signature] J.  
Stiglich

[Signature] J.  
Silver

cc: Hon. Bryce C. Duckworth, District Judge, Family Court Division  
Alex B. Ghibaudo, PC.  
McFarling Law Group  
Eighth District Court Clerk



**IN THE SUPREME COURT OF THE STATE OF NEVADA**

YOAV EGOSI,  
Appellant,  
vs.  
PATRICIA EGOSI, N/K/A PATRICIA LEE  
WOODS,  
Respondent.

**Supreme Court No. 76144**  
**District Court Case No. D540174**

**REMITTITUR**

TO: Steven D. Grierson, Eighth District Court Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified copy of Judgment and Opinion/Order.  
Receipt for Remittitur.

DATE: July 27, 2020

Elizabeth A. Brown, Clerk of Court

By: Danielle Friend  
Chief Assistant Clerk

cc (without enclosures):

Hon. Bryce C. Duckworth, District Judge  
Alex B. Ghibaud, PC.  
McFarling Law Group

**RECEIPT FOR REMITTITUR**

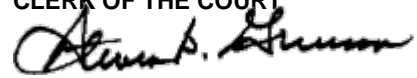
Received of Elizabeth A. Brown, Clerk of the Supreme Court of the State of Nevada, the  
REMITTITUR issued in the above-entitled cause, on JUL 29 2020.

Deputy HEATHER UNGERMANN  
District Court Clerk

RECEIVED  
APPEALS

JUL 28 2020

CLERK OF THE COURT



**WTLT**

Alex B. Ghibaud, Esq.

Bar No. 10592

**ALEX B. GHIBAUDO, PC.**

197 E California Ave Suite 250

Las Vegas, Nevada 89104

T: (702) 462-5888

F: (702) 924-6553

Email: alex@glawvegas.com

*Attorney for Defendant*

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

PATRICIA EGOSI,

Plaintiff,

vs.

YOAV EGOSI,

Defendant.

CASE NO.: D-16-540174-D

DEPT: Q

**DEFENDANT'S THIRD SUPPLEMENTAL LIST OF WITNESSES**

COMES NOW Defendant YOAV EGOSI, by and through his attorney of record,  
ALEX B. GHIBAUDO ESQ., of the law firm ALEX B. GHIBAUDO P.C., and submits  
the foregoing initial list of witnesses that the Defendant intends to call at the Trial on this  
matter.

//

//

//

//

//

1. PATRICIA EGOSI  
Jennifer Isso, Esq.  
2470 Saint Rose Parkway #306f  
Henderson, NV 89074  
(702) 434-4424

Plaintiff is expected to testify in the above-entitled matter as to the facts and circumstances surrounding the subject in litigation.

2. YOAV EGOSI  
C/O Alex B. Ghibauda P.C.  
197 E California Ave Suite 250  
Las Vegas, NV 89104  
(702) 462-5888

Defendant is expected to testify in the above-entitled matter as to the facts and circumstances surrounding the subject in litigation.

3. YARIV EGOSI  
c.o. Alex B. Ghibauda, PC  
197 E. California Ave., Suite 250  
Las Vegas, Nevada 89101  
702.462.5888

Mr. Egosi is the Defendant's father and is expected to testify as to the facts and circumstances surrounding the subject litigation.

4. BRETT SLADE CPA (Expert Witness)  
c.o Alex B. Ghibauda, PC  
Las Vegas, Nevada 8910  
(702) 462-5888

Brett Slade is an expert witness and is expected to testify as to the facts and circumstances surrounding the subject litigation.

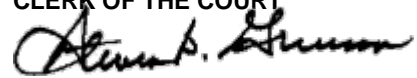
5. Defendant reserves the right to supplement this witness list as necessary.
6. Defendant reserves the right to call any witnesses identified by the Plaintiff  
and reserves the right to object any witness called by the Plaintiff.

7. Defendant reserves the right to call additional witness as rebuttal or impeachment witnesses, as necessary.

DATED this 14<sup>th</sup> day of May 2021.

Respectfully submitted,

/s/ Alex B. Ghibaud  
Alex B. Ghibaud, Esq.  
Nevada Bar No.10592  
197 E California Ave Ste 250  
Las Vegas, NV 89104  
*Attorney for Defendant*



**BREF**  
**ISSO & HUGHES LAW FIRM, LLC**  
JENNIFER ISSO, ESQ.  
Nevada Bar No. 13157  
2470 St. Rose Parkway, #306f  
Henderson, NV 89074  
[ji@issohugheslaw.com](mailto:ji@issohugheslaw.com)  
(702) 434-4424  
*Attorney for Plaintiff*

DISTRICT COURT, FAMILY DIVISION  
CLARK COUNTY, NEVADA

PATRICIA EGOSI,  
  
Plaintiff,

vs.

YOAV EGOSI,  
  
Defendant.

CASE NO: D-16-540174-D  
DEPT NO: Q

**PLAINTIFF'S CLOSING BRIEF**

COMES NOW the Plaintiff, PATRICIA EGOSI, by and through her attorney of record, JENNIFER ISSO, ESQ., and provides her Closing Conference Brief as follows:

**I. STATEMENT OF ESSENTIAL FACTS**

**A. Names of Parties:**

Plaintiff: PATRICIA EGOSI, natural Mother

Defendant: YOAV EGOSI, natural Father

Child: BENJAMIN EGOSI, date of birth January 14, 2014

**B. PROCEDURAL HISTORY**

On May 20, 2021, a Non-Jury Trial on financials was held in this Honorable Court. At that time, a Chamber Setting was set for July 23, 2021. The matter was taken UNDER

ADVISEMENT. The Court is to issue a written ruling. Counsel was instructed to provide a Closing Brief by July 23, 2021.

**C. Unresolved Issues:**

1. Assets and Debts
2. Business Evaluation
3. Temporary Spousal Support
4. Attorney's Fees

**II. UNRESOLVED ISSUES**

**1. Financials**

Patricia had to previously request the Court to issue sanctions against Yoav, who had not complied with the court's orders related to a forensic business evaluation. Therefore, Patricia had not been able to address financial issues relating to the businesses. At the non-jury trial, the Court ordered Defendant shall pay an additional \$3,000.00 (on top of the \$3500 he had previously paid), Plaintiff shall pay \$1,000.00 for the remainder of the anthem forensics report fees by May 31, 2021. The business evaluation was never done. See Motion for Sanctions filed 6/09/21 which shall be incorporated herein. At the end of the day, this was the main asset in the community until Yoav sold it to his father, Yariv, in violation of the JPI. Later they dissolved the business without notification to Patricia or the court and they started a new business, Yeb Communications LLC, under Yariv's name. Considering that YOAV failed to get a business evaluation and sold his business to his father, YARIV, (which once served as a supervisor while the child visited with Patricia), we are requesting that a negative inference is found and that the business is worth at least 5 Million dollars. Furthermore, Patricia attempted to join Yariv as a party but the court did not permit it. It is important to note, that YOAV never even provided the tax returns for JOI BIZ and claimed during the evidentiary hearing that he did not have to provide them pursuant to the court's orders. *See Evidentiary Hearing on Financial Issues Held on May 20, 2021.* In other words, YOAV did not permit any

discovery re: the business' tax returns, loss profit statements or any other business. Yoav only filed two FDF's in this matter, one in 2016 and one in 2019. Yoav failed to file an updated FDF before the evidentiary hearing on financials. His FDF filed in 2016 states that his gross monthly income is \$8,933. Thereafter he sold the community business to his father and then stated that he was an employee working for his father. See deposition transcripts of Yoav admitted into evidence. His FDF thereafter filed on 10/4/2019 states his income is only \$3000 (while his father pockets the other \$5,933 or places it in a separate account for him). Or maybe that money is going to the house that Yoav lives in and Yariv owns, 8301 Street. See the deposition transcript of Yoav and trial on financials where Yoav testified that he lives at the unicorn address and that he lives in a home that is owned by his father. Yoav also claimed that his father deducts rent from his paycheck. We request that Yoav's income is imputed to the amount. Furthermore, on September 24, 2019, the court ordered the suspension of spousal support and ordered that YOAV file an updated FDF with information related with his business. And that the court may issue a separate Order after review of the financial information, if it deems necessary. We are requesting that the temporary spousal support is reinstated from September 24, 2019 until the entry of the findings of facts and conclusions of law.

It is undisputed that the following is Patricia's sole and separate property: the home in brazil, the jewelry acquired before and after marriage, the items in the safe deposit box, the chevy equinox.

That Yoav should keep as his sole and separate debt that debt he has listed on his FDF. Patricia's debt should be paid for by Yoav as titled as his sole and separate debt due to Yoav hiding, concealing and transferring assets. Yoav should keep the Dodge Durango. The 8301

house in trust should be sold and the profits divided equally. The money in Yoav's possession should be divided equally between the parties. That both businesses Joi Biz LLC and Yeb Communications LLC are deemed community property and should be valued at 5 million.

## **2. Attorney's Fees**

### **Patricia should be awarded attorney's fees and costs.**

This case is marred with Yoav's attempts to block his wife's access to financial records. Under NRS 125.040 and the holding in *Sargeant v. Sargeant* 88 Nev 223, 495 P.2d 618 (1972), PATRICIA requests that the court award her the reasonable attorney's fees. She is also requesting fees under EDCR 7.60, NRS 18.010, NRS 18.050 and e

Also, PATRICIA is also entitled to her attorney fees and costs pursuant to NRS 125.150, NRS 18.010, and EDCR 7.60. An award of attorney's fee is also warranted under *Miller v. Wilfong*, 119 P.3d 727 (2005), and the *Brunzell* factors. *Brunzell v. Golden Gate National Bank*, 85 Nev. 345,349, 455 P.2d 31, 33 (1969.) PATRICIA will file a memorandum of fees and costs, if warranted, following. Pursuant to *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), there are four (4) primary considerations set as set forth in *Brunzell*.

Pursuant to *Brunzell, v. Golden Gate National Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), there are four (4) primary considerations set as forth in *Brunzell*:

- 1) The qualities of the advocate: ability, training, education, experience, professional outstanding and skill; 2) The Character of the work to be done: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation; 3) The work actually performed by the lawyer, the skill time, and attention given; 4) The expected outcome.

The undersigned counsel has been practicing for over 4 years. She graduated from Boyd School of Law in 2013. She has a background in handling family law cases including divorce, child custody and asset division. She further has experience handling personal injury,



bankruptcy and criminal defense matters. Prior to her Law career, she worked as an education with a B.S. in Elementary Education with an emphasis in Middle School Math and Science from Oakland University and Wayne State University in Michigan. This is a high conflict divorce and custody case. The undersigned was hired at the end of the case before trial and has performed a wealth of work on this matter, reviewing the previous rulings and orders since 2016 and analyzing the facts and law to form the proper arguments.


### **CONCLUSION**

Based upon the foregoing, Plaintiff is requests the relief related to assets, businesses, temporary spousal support and debts as stated above.

DATED this 25th day of July, 2021

Respectfully submitted by:

/s/ Jennifer Isso  
JENNIFER ISSO, ESQ.  
Nevada Bar No. 13157  
2470 St. Rose Parkway, #306f  
Henderson, NV 89074  
[ji@issohugheslaw.com](mailto:ji@issohugheslaw.com)  
(702) 434-4424  
*Attorney for Plaintiff*



**BREF**

ALEX B. GHIBAUDO, ESQ.  
Nevada Bar No: 10592  
**ALEX B. GHIBAUDO, P.C.**  
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Telephone: (702) 462-5888  
Facsimile: (702) 924-6553  
Email: [alex@glawvegas.com](mailto:alex@glawvegas.com)  
*Attorney for Defendant*

**DISTRICT COURT FAMILY DIVISION**

**CLARK COUNTY, NEVADA**

PATRICIA EGOSI,	)	Case No:	D-16-540174-D
	)	Dept No:	Q
Plaintiff,	)		
	)		
vs.	)	Hearing Date:	7/23/2021
	)	Hearing Time:	Chamber Calendar
YOAV EGOSI,	)		
	)		
Defendant.	)		

**DEFENDANT'S CLOSING ARGUMENTS**

COMES NOW Plaintiff YOAV EGOSI by and through his attorney of record, ALEX B. GHIBAUDO, ESQ., of the law firm of ALEX B. GHIBAUDO, P.C., and submits the foregoing *Defendant's Closing Arguments*.

As set forth herein, Mr. Egosi respectfully requests the Court to enter the following orders:

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1. Find that Plaintiff failed to meet her burden of proof concerning community property and waste;
2. Find that Joibiz LLC is not community property and therefore protected under the prenuptial agreement;
3. For reapportionment of pre-judgment of attorney's fees, costs and expenses in the amount of \$15,000;
4. For a retroactive child support order to be established;
5. Plaintiff to pay child support arrears in the amount of \$17,100;
6. Reapportioned costs and expenses of the child evaluator to be paid by Plaintiff in the amount of \$7,500;
7. Reapportioned costs and expenses of supervised visitations to be paid by Plaintiff in the amount of \$29,400;
8. For Plaintiff's requests for attorney's fees, costs and expenses to be denied;
9. For Plaintiff's maiden name to be restored;

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///

10. For the status quo of sole legal custody to remain with Defendant; and

11. Any other and further relief as the Court deems just and proper.

**DATED** this 23<sup>rd</sup> day of July, 2021.

**ALEX B. GHIBAUDO, P.C.**

//s//Alex B. Ghibaud

ALEX B. GHIBAUDO, ESQ.

Nevada Bar No: 10592

197 E. California Avenue, Ste. 250

Las Vegas, Nevada 89104

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Email: [alex@glawvegas.com](mailto:alex@glawvegas.com)

*Attorney for Defendant*

## CLOSING ARGUMENTS

In support of judicial economy, Defendant's *Opposition to Plaintiff's Motion for Sanctions; and Defendant's Countermotion for Summary Judgment, Sanctions and Attorney's Fees*, and related exhibits, filed herein on July 15, 2021, are incorporated herein as if repeated verbatim. In addition, Defendant makes the following closing arguments below.

### **A. Joibiz LLC is not community property**

Plaintiff has filed voluminous pleadings throughout these proceedings related to purported assets, albeit absent in substance. Discovery has been open in this matter for several years and Plaintiff had every opportunity to obtain discovery regarding Joibiz LLC. Indeed, the Court informed Plaintiff that it would be her burden to demonstrate: (i) there is proof of undisclosed assets; (ii) there was money which was not accounted for; and (iii) that waste was committed. Defendant has failed to meet her initial burden on all fronts. The Court ordered a forensic analysis for the narrow issue of determining whether or not Joibiz LLC was community property. Defendant attempted, in good faith, to schedule a forensic analysis with Anthem Forensics, however, the conduct of Ms. Isso was the impetus of the recent decision by Anthem to decline the appointment.

On June 07, 2021, an independent report was released by Bush & Associates CPA, who reviewed the methods and techniques employed by Bret Slade, and the



1 conclusions were that: (i) without Hawk Communications LLC, JoiBiz LLC would  
2 not be able to operate, and would not be a stand-alone business; (ii) the funds  
3 in/out of JoiBiz LLC did not contain any material community or unrelated party  
4 funds in/out of the business; and (iii) JoiBiz LLC does not have any operational  
5 assets, therefore, it holds no significant or identifiable value on its own.<sup>1</sup> All the  
6 asset value derived from Hawk Communications LLC, which sold for \$199,000 in  
7 2017, therefore any value related to JoiBiz LLC would have been included in the  
8 sales price.<sup>2</sup> The independent evaluation submitted by Bush & Associates CPA  
9 supports the findings of Bret Slade in that Joibiz LLC is a division of Hawk  
10 Communications. This is precisely why Joibiz LLC has filed no tax returns.  
11 Defendant failed to meet her initial burden of demonstrating that Joibiz LLC is  
12 community property and is therefore Defendant's separate property protected  
13 under the prenuptial agreement. There is no triable issue of fact as to the last  
14 remaining issue to be determined by the Court. Accordingly, there is no triable  
15 issue of fact as to whether waste was committed.

16 With respect to Plaintiff's substantially groundless, frivolous or vexatious  
17 claim that the real property located at 8301 Unicorn Street is somehow community  
18 property.

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27 <sup>1</sup> Attached as Exhibit 1, pgs. 1-2.

28 <sup>2</sup> See Exhibit 1, pg. 2.

1 property, the Court noted that it does not have an evidentiary basis without  
2 ownership documents.<sup>3</sup> There is no triable issue of fact concerning real property.

3 ***B. Pre-Judgment Attorney's Fees, Costs and Expenses***  
4

5 On May 17, 2017, the Court ordered Defendant to pay \$15,000 to Plaintiff's  
6 counsel, Emily McFarlane.<sup>4</sup> This was due to Plaintiff's offers of proof. The Court  
7 later found the representations made by Plaintiff to be patently false and indicated  
8 "I recognize [it] creates concern about the Court prejudging the case."<sup>5</sup> Indeed the  
9 Defendant's misrepresentations surrounding her understanding of the prenuptial  
10 agreement persuaded the Court to award Plaintiff the pre-judgment of attorney's  
11 fees, and the Court indicated "But she received...she...did receive that advice. And  
12 so...the suggestion to the Court when I prejudged this case was that at no point in  
13 time had the Plaintiff ever spoken to an attorney."<sup>6</sup> Defendant respectfully  
14 requests a reapportionment of pre-judgment attorney's fees, costs and expenses to  
15 be paid to Defendant by Plaintiff in the amount of \$15,000.

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25 <sup>3</sup> See 5/20/2021 Non-Jury Trial Video Part 8 of 8, 0:13:39 to 0:14:18.

26 <sup>4</sup> See Minutes of May 17, 2017, attached as Exhibit 2, No. 9.

27 <sup>5</sup> See Transcript of 6/14/2017 attached as Exhibit 3, pg. 175, lines 3-4.

28 <sup>6</sup> See Exhibit 3, pg. 184, lines 14-17.

1 **C. Child Support**

2 Notwithstanding Defendant's request for the entry of a support order  
3 throughout the proceedings, no support order has been entered as of yet.  
4

5 Defendant requests retroactive child support to be ordered in favor of Defendant, in  
6 accordance with statute, as of September 26, 2016, the date the complaint was  
7 commenced.  
8

9 **D. Reapportioned Costs and Expenses of the Child Evaluator**

10 On January 18, 2017, the Court entered an Order for Defendant to "front the  
11 costs for the child custody evaluation, subject to reapportionment."<sup>7</sup> The total cost  
12 of said evaluation was \$15,000. Defendant requests an order for Plaintiff to be  
13 required to pay \$7,500, one half of the total cost of the evaluation.  
14  
15

16 **E. Reapportionment of Other Costs and Expenses**

17 On November 01, 2016, the Court ordered Defendant to pay the full cost of  
18 supervised visitations from November 2016 until May 2020 at a cost of \$700 per  
19 month. Defendant paid a total of \$29,400. Although no order was entered to  
20 reapportion these costs, the Court has discretion to enter an equitable  
21 reapportionment in light of the false representations made by Plaintiff.  
22  
23

24 On November 08, 2016, Plaintiff emptied Defendant's bank account, took  
25 \$2,000, and left only \$13 for Defendant to support the minor child. On March 06,  
26

27 \_\_\_\_\_  
28 <sup>7</sup> Notice of Entry of Order attached as Exhibit 4.



1 2017, the Court counted any monies taken from Defendant's account as a credit to  
2 offset spousal support.<sup>8</sup> Defendant did not reduce spousal support for Plaintiff and  
3 requests that Plaintiff be ordered to pay \$2,000 to Defendant.  
4

5 ***F. Attorney's Fees, Costs and Expenses***

6 Defendant has paid approximately \$180,000 in legal fees to various  
7 attorneys including Jim Jimmerson, Esq., Dennis Leavitt, Esq., and Alex  
8 Ghibaud, Esq.<sup>9</sup> As of December 13, 2017, Jim Jimmerson, Esq. obtained a  
9 judgment lien against Defendant in the amount of \$238,001.27 at 1.5% interest per  
10 month for attorney's fees, costs and expenses.<sup>10</sup> Defendant requests an order for  
11 attorney's fees, costs and expenses in the amount of \$180,000 to be paid by  
12 Plaintiff to Defendant; and for Plaintiff to assume the \$238,001.27 debt incurred at  
13 1.5% interest per month, and make direct payment(s) to Jim Jimmerson, Esq. until  
14 the judgment lien is paid in full.  
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19 ***G. Miscellaneous Requests for Orders***

20 Defendant requests an order that the Court not permit Plaintiff to carry his  
21 family name and that her maiden name be restored to PATRICIA ELIS GOMES  
22 COSTA. Defendant's request is based on Plaintiff's prior criminal convictions  
23  
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26 <sup>8</sup> See Minutes of March 06, 2017 attached as Exhibit 5.

27 <sup>9</sup> Attorney's fees invoices attached as Exhibit 6.

28 <sup>10</sup> Judgment lien attached as Exhibit 7, pg. 15, lines 1-3.

1 and, currently Plaintiff is being investigated for felony identity theft by NLVPD  
2 (case no. 2106090009680) and TPO violations by LVMPD (case no.  
3 210700091393).  
4

5 Defendant requests an award of the jewelry relinquished from the pawn shop  
6 in Brazil after Defendant paid \$400 in non-principle fees from January 2007 to  
7  
8 November 2007 (\$4,000), in addition to the \$8,500 to redeem the jewelry for a  
9 total of \$12,500.  
10

11 Defendant respectfully requests a restrictive order that precludes Plaintiff  
12 from filing further pleadings, that are both burdensome and oppressive to  
13 Defendant, without first taking leave of court.  
14

#### 15 IV. CONCLUSION

16 For the foregoing reasons, all of Defendant's requests for orders should be  
17 granted.  
18

19 **DATED** this 23<sup>rd</sup> day of July, 2021.  
20

21 **ALEX B. GHIBAUDO, P.C.**

22 *//s//Alex B. Ghibaud*

23 

---

ALEX B. GHIBAUDO, ESQ.

24 Nevada Bar No: 10592

25 197 E. California Avenue, Ste. 250

26 Las Vegas, Nevada 89104

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28 Facsimile: (702) 924-6553

Email: [alex@glawvegas.com](mailto:alex@glawvegas.com)

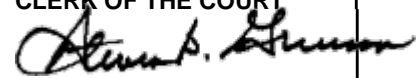
*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 23<sup>rd</sup> day of July, 2021, I served a true and correct copy of the foregoing *Defendant's Closing Arguments*, via the Court designated electronic service and/or U.S. Mail, first class postage prepaid, addressed to the following:

THE ISSO & HUGHES LAW FIRM  
Jennifer Isso, Esq.  
2470 St. Rose Parkway Ste. 306F  
Henderson, Nevada 89074  
[ji@issohugheslaw.com](mailto:ji@issohugheslaw.com)  
*Attorney for Plaintiff*

By: //s// Crystal Reed  
An Employee of ALEX B. GHIBAUDO, P.C.



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3  
4 DISTRICT COURT

5 CLARK COUNTY, NEVADA

6 PATRICIA EGOSI,

7 )  
8 )  
9 Plaintiff, )  
10 )

11 v. )

CASE NO. D-16-540174-D

DEPT NO. Q

12 YOAV EGOSI,

13 )  
14 )  
15 Defendant. )  
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NOTICE OF ENTRY OF FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND DECREE OF DIVORCE

TO: ALL PARTIES AND/OR THEIR ATTORNEYS

Please take notice that a Findings of Fact, Conclusions of Law and Decree of Divorce has been entered in the above-entitled matter, a copy of which is attached hereto. I hereby certify that on the above file stamped date, I caused a copy of this Notice of Entry of Findings of Fact, Conclusions of Law and Decree of Divorce to be:

☒ E-Served pursuant to NEFCR 9 on the following attorneys:

Jennifer Isso, Esq.

Alex Ghibaud, Esq.

/s/ Kimberly Weiss

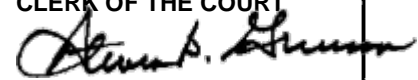
Kimberly Weiss

Judicial Executive Assistant

Department Q

**APPENDIX**

**573**



1 DECD  
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4 DISTRICT COURT

5 CLARK COUNTY, NEVADA  
6

7 PATRICIA EGOSI, )

8 Plaintiff, )

9 v. )

CASE NO. D-16-540174-D

10 YOAV EGOSI, )

11 Defendant. )  
12 )  
13 )

DEPT NO. Q

14 FINDINGS OF FACT, CONCLUSIONS  
15 OF LAW AND DECREE OF DIVORCE

16 This matter came before this Court for trial on May 20, 2021, on Plaintiff's  
17 Complaint for Divorce (Sep. 26, 2016), Defendant's Answer and Counterclaim to  
18 Complaint for Divorce (Oct. 19, 2016), and Plaintiff's Reply to Counterclaim for  
19 Divorce (Oct. 28, 2016). The parties also appeared before this Court on April 13, and  
20 April 14, 2021, for an evidentiary hearing on Plaintiff's Motion for Joint Legal and  
21 Physical Custody, for an Order to Show Cause Re: Contempt, for Child Support, for  
22 Spousal Support, to Schedule Discovery and Trial on Financial Issues, and For  
23 Attorney Fees and Costs (Jul. 13, 2020). The Court authorized the filing by each party  
24 of a closing brief (on or before July 23, 2021), with the matter placed on this Court's  
25 July 23, 2021 Chamber Calendar. This Court has reviewed and considered Plaintiff's  
26  
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28

...

1 Closing Brief (Jul. 22, 2021) and Defendant's Closing Arguments (Jul. 23, 2021).<sup>1</sup> The  
2 financial issues before the Court were narrowed and defined by this Court's Findings  
3 of Fact, Conclusions of Law and Orders (Sep. 4, 2018) relative to the parties'  
4 Prenuptial Agreement. Plaintiff, Patricia Egosi,, appeared personally, and by and  
5 through her attorney, Jennifer Isso, Esq. Defendant, Yoav Egosi, appeared personally  
6 and by and through his attorney, Alex Ghibauda, Esq.  
7

8  
9 In evaluating the issues raised in the parties' pleadings, this Court had the  
10 opportunity to listen to and review the testimony of witnesses and review documentary  
11 evidence admitted into the record. During trial, this Court had the opportunity to  
12 observe issues pertaining to the credibility and demeanor of each witness, including  
13 Plaintiff and Defendant. The issues before this Court include:<sup>2</sup>  
14

- 15 (1) Plaintiff's request to modify child custody;
- 16 (2) child support;
- 17 (3) the characterization, valuation and division of assets and debts; and
- 18 (4) attorneys' fees.

19 ...

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21 <sup>1</sup>This Court also reviewed Plaintiff's Motion for Sanctions, Attorney's Fees and Costs  
22 and Other Related Relief (Jul. 9, 2021); Plaintiff's Motion to Place Matter on Calendar for  
23 Discussions Re: Forensics Business Evaluation (Jul. 22, 2021); Defendant's Opposition to  
24 Plaintiff's Motion for Sanctions; and Defendant's Countermotion for Summary Judgment,  
25 Sanctions and Attorney's Fees (Jul. 15, 2021); and Plaintiff's Reply to Defendant's Opposition  
26 and Plaintiff's Opposition to Defendant's Countermotion (Jul. 22, 2021). Plaintiff's filing of  
27 these three repetitive motions is vexatious and unnecessary. Through the history of this 2016  
28 divorce action, both parties have engaged in vexatious filing practices at times. Although this  
Court is not inclined to schedule additional proceedings at this time to determine whether to  
find Plaintiff to be a vexatious litigant, both parties should be on notice that this Court may  
do so if either party continues to use the Court as a personal playground of frivolous litigation.

<sup>2</sup>Pursuant to this Court's Findings of Fact, Conclusions of Law and Orders (Sep. 4,  
2018), the issue of spousal support or alimony is not before the Court. In this regard, the  
parties waived their rights to pursue permanent alimony in their Prenuptial Agreement.

1 Unless otherwise qualified or expressly stated, the following are this Court's  
2 Findings of Fact and Conclusions of Law: Preliminarily, this Court finds that it has  
3 jurisdiction in the premises, both as to the parties and the subject matter of this  
4 proceeding. Plaintiff and Defendant now are, and have been, actual, bona fide  
5 residents of Clark County, Nevada and have each been actually domiciled therein for  
6 more than six (6) weeks immediately preceding the commencement of this action.  
7

8  
9 I. FACTUAL BACKGROUND AND PROCEDURAL HISTORY

10  
11 A. MATERIAL FACTS

12 Plaintiff and Defendant were married on September 28, 2008, in Atlanta,  
13 Georgia. The parties have one minor child: Benjamin Egosi, born January 14, 2014  
14 (age 7). There are no minor adopted children and Plaintiff is not pregnant. Moreover,  
15 the parties are incompatible in marriage, there is no chance of a reconciliation, and the  
16 parties are entitled to a Decree of Divorce. In this regard, the acrimony between the  
17 parties during the approximate five years that this matter has been pending is palpable.<sup>3</sup>  
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28 <sup>3</sup>The level of conflict has been so egregious at times that a court reporter was forced to  
terminate a deposition because of the chaotic atmosphere created by the parties and their  
counsel during a deposition.

1 B. PROCEDURAL HISTORY<sup>4</sup>

2  
3 1. *Pleadings*

4 This matter was initiated with the filing of Plaintiff's 2016 Complaint for  
5 Divorce (Sep. 26, 2016).<sup>5</sup> The parties now have been married nearly 13 years – *five*  
6 *years of which have been spent in this divorce litigation.* This Court has conducted multiple  
7 evidentiary hearings ranging from child custody (two separate evidentiary hearings),  
8 a relocation request, the validity of a prenuptial agreement, and a property trial.  
9 Delayed by two appeals filed during the pendency of this case, discovery has been open  
10 in this matter for several years. In short, the parties have been afforded sufficient time:  
11 (1) to conduct discovery; (2) to produce all relevant information necessary to finalize  
12 this matter; and (3) to comply with this Court's directives regarding specific  
13 information sought by the Court. During the past five years, more than 29 hearings  
14 have been held in this matter (most of which are summarized below). In addition to  
15 in-court hearings, this Court entertained and ruled on additional motions that were  
16 resolved by the Court on the papers. Of the 29 hearings, 23 were heard by this Court  
17 and six hearings were held before discovery commissioners.

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26 <sup>4</sup>In preparation of this Decree, the Court viewed each law and motion hearing before  
27 this Court in its entirety. Such a comprehensive review was helpful and enlightening.

28 <sup>5</sup>This divorce matter originally was assigned to the Honorable Matthew Harter. By way  
of Peremptory Challenge of Judge (Oct. 11, 2016), the matter was reassigned to this  
Department.



1  
2 2. *In the beginning . . .*

3 The parties first appeared before this Court on November 1, 2016,<sup>6</sup> on Plaintiff's  
4 Motion for Joint Legal Custody, Primary Physical Custody, Child Support, Spousal  
5 Support, Injunction Against Defendant from Opening Credit Account in Plaintiff's  
6 Name and Attorney's Fees and Costs (Sep. 27, 2016), and Defendant's opposition  
7 thereto and Countermotion for Joint Legal Custody, Sole Physical Custody, Child  
8 Support and Other Child Related Expenses; Psychological Evaluation of Plaintiff;  
9 Extension of Temporary Protective Order and Exclusive Possession of Marital  
10 Residence; Confirming the Parties' Prenuptial Agreement; to Enforce Temporary  
11 Restraining Order; for Order to Show Why Plaintiff Should Not be Held in Contempt;  
12 for Attorney's Fees and Costs and Other Related Relief (Oct. 19, 2016).<sup>7</sup> At this initial  
13 hearing, the parties stipulated to exercise *joint legal custody*.<sup>8</sup> The parties also stipulated  
14 to an outsourced evaluation regarding physical custody (including a psychological  
15 assessment of both parties), with Defendant fronting the cost thereof. Both parties  
16 were ordered to submit to a hair and urine screening as a result of mutual allegations  
17 of drug use by the other party. Plaintiff (who previously had been exercising supervised  
18 visitation at Donna's House Central pursuant to orders entered in Case T-16-173882-  
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25 <sup>6</sup>The hearing was 57:05 in duration. Both parties appeared personally at the hearing.  
26 Emily McFarling, Esq., appeared on behalf of Plaintiff and Jason Naimi, Esq., appeared on  
27 behalf of Defendant.

28 <sup>7</sup>The hearing was set on an expedited basis upon entry of an Order Shortening Time  
(Oct. 25, 2016).

<sup>8</sup>The fact that the parties stipulated to anything is remarkable in retrospect.

1 T) was awarded limited supervised visitation and Defendant was ordered to pay  
2 temporary spousal support to Plaintiff (offset by Plaintiff's obligation to pay child  
3 support to Defendant).<sup>9</sup> A return hearing was scheduled for March 6, 2017.

4  
5 The parties next appeared before this Court on November 29, 2016,<sup>10</sup> on  
6 Defendant's Motion for Modification of Physical Custody/Visitation, Attorney's Fees  
7 and Related Relief (Nov. 8, 2016) and Plaintiff's opposition thereto and  
8 Countermotion for Unsupervised Joint Physical Custody (Nov. 17, 2016). At this  
9 hearing, the Court noted concerns about *both* parents ability to safely parent the child,  
10 stating: "I don't trust either party as a parent to this child. I don't." See November 29,  
11

12  
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14 <sup>9</sup>At a subsequent hearing on September 24, 2019, the temporary spousal support  
15 ordered in 2016 was suspended. As noted above, the temporary spousal support was  
16 established after taking into account Plaintiff's temporary child support obligation. The  
17 September 24, 2019 hearing was 6:20 in duration (the shortest hearing in the five year history  
18 of this matter). Both parties appeared personally. Plaintiff was represented by John Blackmon,  
19 Esq., and Defendant was represented by Alex Ghibaud, Esq. The Court also directed both  
20 parties to update their respective Financial Disclosure Forms and deferred ruling on child  
21 support.

22 <sup>10</sup>The hearing was 50:53 in duration. Emily McFarling, Esq., appeared on behalf of  
23 Plaintiff and Gary Zernich, Esq., and James Jimmerson, Esq., appeared on behalf of Defendant.  
24 The November 29, 2016 hearing *also* was set on an expedited basis. In this regard, the Court  
25 issued an Order (Nov. 22, 2019) noting that this "will be the second time in this highly  
26 contentious matter that such emergency relief has been requested on this Court's calendar."  
27 Order 3. This Court also noted the above-referenced concerns about each party's capacity to  
28 care for the child. Moreover, the Court stated: "It behooves the parties to abandon their  
adversarial tactics and somehow determine whether they are able to solve these issues (beyond  
simply pointing the finger at the other party) and come up with a solution short of this Court  
recommending and ordering the immediate placement of the child with the Department of  
Family Services at Child Haven. Accordingly, this Court is inclined to grant the stipulated  
request for an Order Shortening Time with the directive to counsel to discuss solutions to the  
issues pending before this Court. Counsel and parties should recognize that this Court's trust  
of either party's ability to safely care for this child is deteriorating rapidly. This Court looks  
to counsel to provide positive solutions that might somehow convince this Court that counsel  
and this Court should not immediately report these concerns about *both* parties to the  
Department of Family Services Child Protective Services." *Id.*