

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

\* \* \* \* \*

MINH NGUYET LUONG,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA, IN  
AND FOR THE COUNTY OF CLARK, AND  
THE HONORABLE DAWN THRONE,  
DISTRICT COURT JUDGE,

Respondents,

and

JAMES W. VAHEY,

Real Party in Interest.

S.C. No.: Electronically Filed  
Apr 08 2022 09:29 a.m.  
Elizabeth A. Brown  
D.C. Case No.: Clerk of Supreme Court

**PETITIONER'S  
APPENDIX**

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172.	Notice of Appeal	12/8/2021	AA003475 - AA003481

173.	Notice of Entry of Stipulation and Order	12/13/2021	AA003482 - AA003490
174.	Scheduling Order and Order Setting Civil Non-Jury Trial	12/12/2021	AA003491 - AA003493
175.	Stipulation and Order for Guardian Ad Litem	12/13/2021	AA003494 - AA003499
176.	Defendant's Exhibit Appendix in Support of December 16, 2021, Return Hearing	12/15/2021	AA003500 - AA003512
177.	Supplement to Order from November 12, 2021 Hearing	1/31/2022	AA003513 - AA003516
178.	Notice of Entry of Supplement to Order from November 12, 2021 Hearing	2/1/2022	AA003517 - AA003523
179.	Guardian Ad Litem Report	2/2/2022	AA003524 - AA003527
180.	Declaration of James W. Vahey Regarding Case Status	2/5/2022	AA003528 - AA003537
181.	Defendant's Exhibit Appendix in Support of February 8, 2022, Return Hearing	2/7/2022	AA003538 - AA003564
182.	Defendant's Supplement and Response for the February 3, 2022, Return Hearing	2/7/2022	AA003565 - AA003587
183.	Transcript of Hearing Held on February 8, 2022	2/8/2022	AA003588 - AA003609
184.	Notice of Entry of Order from December 16, 2021 Hearing	2/15/2022	AA003610 - AA003619
185.	Order from December 16, 2021 Hearing	2/15/2022	AA003620 - AA003628
186.	Notice of Hearing	3/15/2022	AA003629 - AA003630
<b>VOLUME XIX</b>			

187.	Appendix of Exhibits in Support of Plaintiff's Emergency Motion for Order for Plaintiff to Participate in the Turning Points for Families Program with Minor Children, for Defendant to be Solely Responsible for the Costs Associated with the Program, and for Related Relief	3/15/2022	AA003631 - AA003700
188.	Plaintiff's Emergency Motion for Order for Plaintiff to Participate in the Turning Points for Families Program with Minor Children, for Defendant to be Solely Responsible for the Costs Associated with the Program, and for Related Relief	3/15/2022	AA003701 - AA003715
189.	Notice of Entry of Order Shortening Time	3/17/2022	AA003716 - AA003720
190.	Ex Parte Motion for Order Shortening Time on Plaintiff's Emergency Motion for Order for Plaintiff to Participate in the Turning Points for Families Program with Minor Children, for Defendant to be Solely Responsible for the Costs Associated with the Program, and for Related Relief	3/17/2022	AA003721 - AA003727
191.	Receipt of Copy	3/18/2022	AA003728 - AA003729
192.	Defendant's Exhibit Appendix in Support of Opposition to Plaintiff's Emergency Motion for Order for Plaintiff to Participate in the Turning Points for Families Program with Minor Children, for Defendant to be Solely Responsible for the Costs Associated with the Program, and for Related Relief and Countermotion to Hannah to be Interviewed, for the Immediate Return of Matthew to Minh, and for Attorney's Fees and Costs	3/20/2022	AA003730 - AA003790

193.	Defendant's Opposition to Plaintiff's Emergency Motion for Order for Plaintiff to Participate in the Turning Points for Families Program with Minor Children, for Defendant to be Solely Responsible for the Costs Associated with the Program, and for Related Relief and Countermotion to Hannah to be Interviewed, for the Immediate Return of Matthew to Minh, and for Attorney's Fees and Costs	3/20/2022	AA003791 - AA003824
<b>VOLUME XX</b>			
194.	Defendant's Exhibit Appendix in Support of Opposition to Plaintiff's Emergency Motion for Order for Plaintiff to Participate in the Turning Points for Families Program with Minor Children, for Defendant to be Solely Responsible for the Costs Associated with the Program, and for Related Relief and Countermotion to Hannah to be Interviewed, for the Immediate Return of Matthew to Minh, and for Attorney's Fees and Costs	3/21/2022	AA003825 - AA003885
195.	Defendant's Opposition to Plaintiff's Emergency Motion for Order for Plaintiff to Participate in the Turning Points for Families Program with Minor Children, for Defendant to be Solely Responsible for the Costs Associated with the Program, and for Related Relief and Countermotion to Hannah to be Interviewed, for the Immediate Return of Matthew to Minh, and for Attorney's Fees and Costs	3/21/2022	AA003886 - AA003922
196.	Transcript of Hearing on Monday, March 21, 2022, Before the Honorable Judge Dawn R. Throne	3/21/2022	AA003923 - AA003979

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6 **DISTRICT COURT**  
7 **FAMILY DIVISION**  
8 **CLARK COUNTY, NEVADA**  
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10 JAMES E. VAHEY,

11 Plaintiff,

12 vs.

13 MINH NGUYET LUONG,

14 Defendant.  
15

CASE NO.: D-18-581444-D  
DEPARTMENT H  
RJC-Courtroom 3G

16  
17 **SECOND AMENDED ORDER SETTING EVIDENTIARY HEARING**  
18

19 Date of Hearing: **August 13, 2020**

20 Time of Hearing: **9:00 a.m.**

21 **IT IS HEREBY ORDERED** that pursuant to AO 20-09 and AO 20-11, civil  
22 domestic trials or evidentiary hearings may be conducted by alternate means or  
23 may be continued on a case by case basis. The court has reviewed the upcoming  
24 evidentiary/trial matter and concludes that it should be continued. Therefore the  
25 evidentiary hearing in the above-entitled case currently set for May 28, 2020,  
26 has been reset for the 13<sup>th</sup> day of August, 2020, at the hour of 9:00 a.m. for one  
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1 day in Department H at the Regional Justice Center, 200 Lewis Avenue,  
2 Courtroom 3G, Las Vegas, Nevada.

3  
4 **IT IS FURTHER ORDERED** that no continuances will be granted to  
5 either party unless written application is made to the Court, served upon  
6 opposing counsel or proper person litigant, and a hearing held at least three (3)  
7 days prior to the Evidentiary Hearing. *If this matter settles, please advise the*  
8 *Court as soon as possible.*

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10 Dated this 11th day of May, 2020

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B9B 208 AA52 3190  
T. Arthur Ritchie

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**CERTIFICATE OF SERVICE**

On or about the file stamp date, a copy of the foregoing Amended Order  
Setting Evidentiary Hearing was:

☒ E-served pursuant to NEFCR 9; or mailed, via first-class mail, postage  
fully prepaid to:

Robert P. Dickerson, Esq. for  
PLAINTIFF

Fred Page, Esq. for  
DEFENDANT

Katrina Rausch  
Katrina Rausch  
Judicial Executive Assistant  
Department H

DISTRICT COURT  
CLARK COUNTY, NEVADA

James W. Vahey, Plaintiff

CASE NO: D-18-581444-D

vs.

DEPT. NO. Department H

Minh Nguyet Luong, Defendant.

**AUTOMATED CERTIFICATE OF SERVICE**

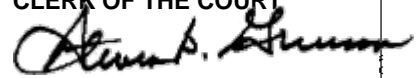
This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order Setting Evidentiary Hearing was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Envelope ID: 6033456  
Service Date: 5/11/2020

Sabrina Dolson	Sabrina@thedklawgroup.com
Robert Dickerson	Bob@thedklawgroup.com
Info info email	info@thedklawgroup.com
Fred Page	fpage@pagelawoffices.com
Edwardo Martinez	edwardo@thedklawgroup.com

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1 NEOJ  
2 THE DICKERSON KARACSONYI LAW GROUP  
3 ROBERT P. DICKERSON, ESQ.  
4 Nevada Bar No. 000945  
5 SABRINA M. DOLSON, ESQ.  
6 Nevada Bar No. 013105  
7 1745 Village Center Circle  
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9 Telephone: (702) 388-8600  
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11 Email: info@thedklawgroup.com

12 Attorneys for Plaintiff

13 DISTRICT COURT  
14 FAMILY DIVISION

15 CLARK COUNTY, NEVADA

16 JAMES W. VAHEY,

17 Plaintiff,

18 v.

19 MINH NGUYET LUONG,

20 Defendant.

21 CASE NO.: D-18-581444-D  
22 DEPT NO.: H

23 NOTICE OF ENTRY OF ORDER  
24 FROM APRIL 22, 2020 HEARING

25 TO: MINH NGUYET LUONG, Defendant; and

26 TO: FRED PAGE, ESQ. of PAGE LAW FIRM, Attorney for Defendant:

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1 PLEASE TAKE NOTICE that an ORDER FROM APRIL 22, 2020  
2 HEARING, a true and correct copy of which is attached hereto, was  
3 entered in the above-entitled matter on the 1<sup>st</sup> day of June, 2020.

4 DATED this 1<sup>st</sup> day of June, 2020.

5 THE DICKERSON KARACSONYI  
6 LAW GROUP

7  
8 By   
9 ROBERT P. DICKERSON, ESQ.  
10 Nevada Bar No. 000945  
11 SABRINA M. DOLSON, ESQ.  
12 Nevada Bar No. 013105  
13 1745 Village Center Circle  
14 Las Vegas, Nevada 89134  
15 Attorneys for Plaintiff  
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- ☒ pursuant to NEFCR 9, NRCP 5(b)(2)(E), and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;
- ☐ pursuant to NRCP 5(b)(2)(C), by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☐ pursuant to NRCP 5(b)(2)(F), to be sent via facsimile, by duly executed consent for service by electronic means; and
- ☐ pursuant to NRCP 5(b)(2)(A), by hand-delivery with signed Receipt of Copy.

FRED PAGE, ESQ.  
PAGE LAW FIRM  
6930 South Cimarron Road, Suite 140  
Las Vegas, Nevada 89113  
fpage@pagelawoffices.com  
Attorney for Defendant

22  
23  
24  
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26  
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*Heather L. Smith*  
CLERK OF THE COURT

1 **ORDER**  
2 **THE DICKERSON KARACSONYI LAW GROUP**  
3 **ROBERT P. DICKERSON, ESQ.**  
4 Nevada Bar No. 000945  
5 **SABRINA M. DOLSON, ESQ.**  
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9 Telephone: (702) 388-8600  
10 Facsimile: (702) 388-0210  
11 Email: info@thedklawgroup.com  
12 Attorneys for Plaintiff

13 **DISTRICT COURT**  
14 **FAMILY DIVISION**  
15 **CLARK COUNTY, NEVADA**

16 **JAMES W. VAHEY,**

17 Plaintiff,

18 v.

19 **MINH NGUYET LUONG,**

20 Defendant.

21 CASE NO. D-18-581444-D  
22 DEPT NO. H

23 **ORDER FROM APRIL 22, 2020 HEARING**

24 This matter having come before the Honorable Judge T. Arthur  
25 Ritchie, Jr., on the 22<sup>nd</sup> day of April, 2020, for a hearing on Plaintiff's  
26 Emergency Motion for Immediate Return of the Children, Dissolution of  
27 TPO, Modification of Child Custody, Appointment of a New Therapist for  
28 the Children, an Order to Show Cause Why Defendant Should Not Be  
Held in Contempt, and to Resolve Other Parent Child Issues ("Jim's  
Emergency Motion"); Defendant's Opposition to Plaintiff's Emergency  
Motion ("Minh's Opposition"); Plaintiff's Reply to Defendant's  
Opposition ("Jim's Reply"); Defendant's Motion to Extend Temporary  
Protective Order T-20-204489-T, to Change Custody on an Interim Basis,  
for an Interview of the Minor Children and to Change Custody ("Minh's  
Motion"); Plaintiff's Opposition to Defendant's Motion ("Jim's

1 Opposition"); Defendant's Reply to Plaintiff's Opposition ("Minh's  
2 Reply"); and Defendant's Emergency Motion to Extend Protection Order,  
3 filed in Case No. T-20-204489-T; Plaintiff, JAMES W. VAHEY ("Jim"),  
4 present telephonically with his attorneys, ROBERT P. DICKERSON,  
5 ESQ., and SABRINA M. DOLSON, ESQ., of THE DICKERSON  
6 KARACSONYI LAW GROUP, and Defendant, MINH NGUYET LUONG  
7 ("Minh"), present telephonically with her attorney, FRED PAGE, ESQ., of  
8 PAGE LAW FIRM. The Court, having reviewed the papers and pleadings  
9 on file herein, having considered the argument of each party's counsel, and  
10 good cause appearing therefore, hereby FINDS and ORDERS as follows:

11 THE COURT HEREBY FINDS that it has subject matter jurisdiction  
12 at any time during the minority of the children to address parent child  
13 issues, including the custody, care, education, maintenance, and support  
14 of the children, even though custody has been resolved in this case,  
15 pursuant to NRS 125C.0045. Video Transcript, 10:14:25.

16 THE COURT FURTHER FINDS that the issue of custody was  
17 reopened by Jim's Emergency Motion and Minh's Motion, in which each  
18 party respectively requested a modification of custody. Video Transcript,  
19 10:14:32.

20 THE COURT FURTHER FINDS that it is within the Court's  
21 discretion whether to reopen or re-litigate the issue of child custody. Video  
22 Transcript, 10:01:23. In determining whether there is adequate cause to  
23 re-litigate the issue of custody, the Court looks at prior custody orders to  
24 determine if there has been a change in circumstances that warrants  
25 modifying or reopening the custody orders. Video Transcript, 10:01:25;  
26 10:14:41.

27 THE COURT FURTHER FINDS that there was an evidentiary  
28 proceeding that spanned three (3) days (i.e., August 8, September 5, and

1 September 11, 2019), and included fifteen (15) hours of testimony from  
2 six (6) witnesses, which supported findings and orders the Court set forth  
3 in its Findings of Fact, Conclusions of Law, Decision and Order entered  
4 September 20, 2019 (“Custody Order”). Video Transcript, 10:15:00. THE  
5 COURT FURTHER FINDS that it analyzed every NRS 125C.0035(4)  
6 best interest consideration in the Custody Order and concluded it was in  
7 the best interest of the children for the parents to share joint physical  
8 custody. Video Transcript, 9:58:05, 10:15:09.

9 THE COURT FURTHER FINDS that, in the Custody Order, Minh’s  
10 request to relocate with the children to California was denied for  
11 insufficient proof, and Minh was advised that, based on those findings and  
12 orders, if she had a settled intent to move to California, then physical  
13 custody would be awarded to Jim, almost in the nature of a default  
14 situation. Video Transcript, 10:06:35; 10:15:20. Thus, the Custody Order  
15 was leveraged based on Minh’s decision to move to California. Video  
16 Transcript, 10:06:50. Minh was given the option to exercise her right to  
17 joint physical custody in Las Vegas, Nevada. Video Transcript, 10:06:58.  
18 Minh chose to move to California and forego joint physical custody of the  
19 parties’ children. Video Transcript, 10:00:36.

20 THE COURT FURTHER FINDS that Minh has alleged a change of  
21 circumstances since the Custody Order was entered that would warrant a  
22 reopening of the issue of custody. Video Transcript, 10:06:35; 10:15:54.  
23 Minh alleges a physical altercation occurred on March 20, 2020. Video  
24 Transcript, 10:16:04. THE COURT FURTHER FINDS that domestic  
25 violence is always relevant as to custody. Video Transcript, 10:16:11. In  
26 fact, if domestic violence is proved by clear and convincing evidence, a  
27 rebuttable presumption arises under NRS 125C.0035(5) and NRS

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1 125C.230 that the person who perpetrated the act of domestic violence is  
2 not fit to have primary physical custody. Video Transcript, 10:16:15.

3 THE COURT FURTHER FINDS that an arrest is not a conviction.  
4 Video Transcript, 10:16:27. It is premature to find that the allegations  
5 made by Minh are true. Video Transcript, 10:16:31. It is a serious matter  
6 to be arrested for domestic battery, but it is not a catalyst for a change of  
7 custody under the circumstances alleged by Minh, in advance of an  
8 adjudication or proof of guilt and when due process has not yet been  
9 achieved. Video Transcript, 10:01:38. THE COURT FURTHER FINDS  
10 that when there has been an adjudication of guilt and due process has been  
11 achieved, then a party may have an argument that the rebuttable  
12 presumptions that would arise under NRS 125C.0035(5) and NRS  
13 125C.230 should be balanced against the negative findings that were made  
14 regarding best interest less than a year ago, namely, that Minh would not  
15 be the parent who would foster and encourage the children's relationship  
16 with the other parent. Video Transcript, 10:02:14. The Court had  
17 concerns, which are set forth in the Custody Order, about Minh's conduct,  
18 motivations, and how she viewed the relationship between Jim and the  
19 children. Video Transcript, 10:02:40.

20 THE COURT FURTHER FINDS that it has weighed the likelihood  
21 of injury and the severity of the injury based on both parties' allegations  
22 that the other pushed or kicked him or her, and concludes there were no  
23 significant injuries alleged by either party. Video Transcript, 10:16:43.  
24 THE COURT FURTHER FINDS that the parties' custody rights are  
25 fundamental constitutional rights and they are entitled to due process  
26 before even visitation is modified. Video Transcript, 10:17:10.

27 THE COURT FURTHER FINDS that it received an ad nauseam  
28 amount of evidence at the evidentiary hearing on child custody regarding

1 how the parents helped the children with their homework, how they wrote  
2 papers, and how the children struggled in school. Video Transcript,  
3 10:03:00. The Court found both parties cared about and supported the  
4 academic progress of their children. Video Transcript, 10:03:10.

5 THE COURT FURTHER FINDS that, based on the foregoing  
6 findings, there is no adequate cause to re-litigate custody except for the  
7 fact that the Court will allow Minh to reconsider her decision not to share  
8 joint physical custody of the children. Video Transcript, 10:17:16. The  
9 Court cannot ignore the law of the case in this matter. Video Transcript,  
10 10:21:25. Minh cannot remove the children. Video Transcript, 10:21:34.  
11 Minh cannot change the children's residence. Video Transcript, 10:21:35.  
12 Minh cannot live in California with the children. Video Transcript,  
13 10:21:37. However, the Court is giving Minh an opportunity between now  
14 and May 28, 2020 to show the Court that the one change of circumstances  
15 that resonates with the Court is that she can share joint physical custody  
16 in Nevada. Video Transcript, 10:21:39. THE COURT FURTHER FINDS  
17 that it is in the best interest of the children to make a temporary  
18 modification to the physical custody schedule based on Minh's  
19 representation she can share custody of the children in Nevada. Video  
20 Transcript, 10:22:12.

21 THE COURT FURTHER FINDS that regarding Jim's request for  
22 makeup custodial time, Minh's withholding of the children from Jim must  
23 be determined to be wrongful in order for Jim to be awarded makeup time.  
24 Video Transcript, 10:27:20. Minh obtained an ex parte Protection Order  
25 Against Domestic Violence ("TPO"), entered in Case No. T-20-204489-T,  
26 which affected the Court's Custody Order. Video Transcript, 10:27:30.  
27 The Court is not concluding today that Minh's denial of Jim's custody  
28 time was wrongful. Video Transcript, 10:27:36. The Court is also

1 concerned it would not be in the children's best interest for the children to  
2 be away from Minh for the same period of time as they have been away  
3 from Jim. Video Transcript, 10:27:47.

4 THE COURT FURTHER FINDS that the parties should begin a  
5 dialogue concerning the parent-child issues. Video Transcript, 10:22:25.  
6 The Court is not going to be entering orders regarding counseling or joint  
7 legal custody issues at this time. Video Transcript, 10:22:29. There has  
8 already been an order stating that the children may benefit from a  
9 counseling resource. Video Transcript, 10:23:32. The parties agree there  
10 needs to be a change in the counseling resource. Video Transcript,  
11 10:23:39. If the parties are unable to resolve the parent-child issues, they  
12 can report whether there is an impasse regarding these issues at the hearing  
13 on May 28, 2020. Video Transcript, 10:22:35.

14 THE COURT HEREBY ORDERS that Jim's request to enforce his  
15 custody rights and for the immediate return of the children to his custody  
16 is granted. Video Transcript, 10:17:47; 10:21:58.

17 THE COURT FURTHER ORDERS that Jim's request to modify  
18 child custody is denied as the Court will not take away Minh's custodial  
19 time. Video Transcript, 10:18:04. In fact, if Minh is able to share joint  
20 physical custody of the children in Nevada, this will be adequate cause to  
21 review the custodial timeshare. Video Transcript, 10:18:09. THE COURT  
22 FURTHER ORDERS that Minh's request to modify custody to award her  
23 primary physical custody is denied as there is not adequate cause to re-  
24 litigate the issue of child custody, except for the fact the Court will allow  
25 Minh to reconsider her decision not to share joint physical custody of the  
26 children. Video Transcript, 10:17:16; 10:18:09.

27 THE COURT FURTHER ORDERS that it is in the children's best  
28 interest to temporarily modify the current physical custodial arrangement

1 pending the proceedings on May 28, 2020. Video Transcript, 10:19:04.  
2 The parties shall share custody on a week on/week off basis from Friday at  
3 9:00 a.m. to Friday at 9:00 a.m. on the condition that Minh is in Nevada  
4 exercising her custodial time. Video Transcript, 10:19:45. THE COURT  
5 FURTHER ORDERS that the children are to be delivered to Jim on April  
6 23, 2020 at 9:00 a.m., which will be in advance of his custodial week that  
7 begins Friday, April 24, 2020. Video Transcript, 10:20:39. Minh will  
8 receive the children on May 1, 2020 at 9:00 a.m. for the start of her week,  
9 and the parties will alternate on a week on/week off basis until the May 28,  
10 2020 hearing. Video Transcript, 10:21:09. THE COURT FURTHER  
11 ORDERS that the custodial exchanges will occur at the guard gate of Jim's  
12 home. Video Transcript, 10:20:16.

13 THE COURT FURTHER ORDERS that although the May 28, 2020  
14 hearing does not concern child custody, but rather concerns the parties'  
15 divorce, at the May 28, 2020 hearing, the parties will inform the Court of  
16 their intent to either continue with the week on/week off custodial  
17 arrangement, enter a different physical custodial agreement, or inform the  
18 Court an evidentiary hearing is necessary to enter a joint physical custody  
19 arrangement as a permanent order. Video Transcript, 10:20:01. The Court  
20 is not relitigating the issue of custody, however, depending on what  
21 happens with the domestic violence charges or depending on what happens  
22 with the fallout from today's hearing, a hearing may be needed or an  
23 agreement by the parties concerning a change in the custodial timeshare.  
24 Video Transcript 10:18:36. The Court is not going to close the matter with  
25 a denial of Minh's opportunity or request to reconsider her decision not to  
26 share custody in Nevada. Video Transcript 10:18:52.

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1 THE COURT FURTHER ORDERS that Jim's request for twenty-  
2 four (24) days of makeup custodial time is denied. Video Transcript,  
3 10:27:20.

4 THE COURT FURTHER ORDERS that Minh's request for a child  
5 interview is denied at this time. Video Transcript, 10:28:14. Minh can  
6 make this request at a later date if it is warranted. Video Transcript,  
7 10:28:27. THE COURT FURTHER ORDERS that Minh's request for the  
8 appointment of a guardian ad litem is denied. Video Transcript, 10:28:49.

9 THE COURT FURTHER ORDERS that the TPO entered in Case  
10 No. T-20-204489-T is dissolved today by bench order. Video Transcript,  
11 10:18:20; 10:22:02. THE COURT FURTHER ORDERS that Minh's  
12 Countermotion to extend the TPO and Emergency Motion to Extend  
13 Protection Order, filed in Case No. T-20-204489-T, are denied. Video  
14 Transcript, 10:22:09. The Court will address the public safety  
15 considerations in the civil order the Court is going to enter. Video  
16 Transcript, 10:18:30.

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1 THE COURT FURTHER ORDERS that the April 30, 2020 hearing  
2 is vacated. Video Transcript, 10:22:04; 10:24:56.

3 DATED this \_\_\_\_ day of \_\_\_\_\_, 2020. Dated this 1st day of June, 2020


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5   
6 DISTRICT COURT JUDGE  
F68 1F4 AC3D B1F1  
T. Arthur Ritchie

7 Respectfully submitted: Approved as to form and content:

8 THE DICKERSON KARACSONYI PAGE LAW FIRM  
9 LAW GROUP

10 /s/ Sabrina M.

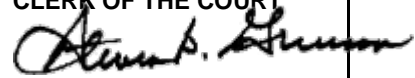
11 ROBERT P. DICKERSON, ESQ.  
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12 SABRINA M. DOLSON, ESQ.  
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14 Attorneys for Plaintiff

  
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Attorney for Defendant

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**MOT**  
THE DICKERSON KARACSONYI LAW GROUP  
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Attorneys for Plaintiff

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

JAMES W. VAHEY,  
Plaintiff,

v.

MINH NGUYET LUONG,  
Defendant.

CASE NO. D-18-581444-D  
DEPT NO. H

Oral Argument Requested: Yes

NOTICE: YOU MAY FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN 14 DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN 14 DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT A HEARING PRIOR TO THE SCHEDULED HEARING DATE.

**PLAINTIFF'S EMERGENCY MOTION TO RESOLVE PARENT-CHILD ISSUES AND FOR ATTORNEYS' FEES AND COSTS**

COMES NOW Plaintiff, JAMES W. VAHEY ("Jim"), by and through his attorneys, ROBERT P. DICKERSON, ESQ., and SABRINA M. DOLSON, ESQ., of THE DICKERSON KARACSONYI LAW GROUP, and submits Plaintiff's Emergency Motion to Resolve Parent-Child Issues and for Attorneys' Fees and Costs ("Emergency Motion"). Specifically, Jim requests this Court enter the following orders:

1           1.     An Order appointing Bree Mullins, PsyD, as the children's new  
2 therapist, requiring the parties to abide by Ms. Mullins recommendations  
3 as to frequency of therapy sessions for the children, requiring the parties  
4 to participate in the therapy sessions if recommended by Ms. Mullins,  
5 requiring the parties to share equally in the cost of the therapy sessions,  
6 and permitting Ms. Mullins testimony at future proceedings should the  
7 Court determine Ms. Mullins testimony would be helpful in resolving any  
8 future issues upon which the parties cannot agree;

9           2.     An Order that each parent shall have ten (10) minutes of video  
10 or telephonic communication with each child every Sunday, Tuesday, and  
11 Thursday in which that parent does not have physical custody of the  
12 children, at 7:00 p.m., with the custodial parent being required to initiate  
13 the communication for the children and ensure each child is available to  
14 speak to the other parent;

15          3.     An Order requiring each party to provide the other party with  
16 a travel itinerary and telephone numbers at which the children can be  
17 reached whenever the children will be away from the custodial parent's  
18 home for a period of two (2) nights or more;

19          4.     An Order requiring Defendant, MINH NGUYET LUONG  
20 ("Minh"), to provide Jim with the address at which she stays with the  
21 children during her custodial timeshare in Las Vegas;

22          5.     A Behavior Order, including, but not limited to, the following  
23 orders:

24               a.     An Order that the parties shall not interfere with each  
25 child's right to transport the child's clothing and personal belongings freely  
26 between the parents' respective homes; and

27               b.     An Order that neither party shall disparage the other  
28 party in the presence of the children, nor shall either party make any

comment of any kind that would demean the other party in the eyes of the children;

6. An Order that Jim be awarded twenty-four (24) days of make up custody time, to be exercised three (3) days at a time, as Minh's withholding of the children from Jim for five (5) weeks was wrongful and based on her false allegations of domestic violence, and the prosecutor decided not to charge Jim with any criminal offense;

7. An Order that Minh reimburse Jim the following amounts pursuant to the Court's orders and the 30/30 rule:

a. \$15,568 for her one-half portion of the children's 2019-2020 Challenger School tuition;

b. \$262.50 for her one-half portion of the children's 2020-2021 Challenger School applicant fees;

c. \$188.84 for her one-half portion of the children's school uniforms cost;

d. \$230.12 for her one-half portion of Matthew's martial arts class;

e. \$87.78 for her one-half portion of the December 19, 2019 therapy session with Dr. Michelle Gravley;

f. \$62.50 for her one-half portion of Hannah Vahey's ophthalmology appointment; and

g. \$42.50 for her one-half portion of Selena Vahey's ophthalmology appointment and prescribed eye drops.

8. An Order requiring Minh to pay one-half the cost of the children's health insurance premium from the date of the parties' separation in January 2019 and going forward, and to reimburse Jim \$7,471.04 for her one-half (½) portion of the children's health insurance premium from January 2019 to June 2020;

1           9.     An Order requiring Minh to obtain her own health insurance  
2 policy beginning July 2020 and to reimburse Jim for 100% of the cost of  
3 Minh's health insurance premium from January 2019 to June 2020, which  
4 amounts to \$10,176.24;

5           10.    An Order requiring Minh to pay the attorneys' fees and costs  
6 incurred by Jim in attempting to resolve the parent-child issues and in  
7 filing this Emergency Motion; and

8           11.    For such other relief as the Court deems just and proper in the  
9 premises.

10          This Emergency Motion is made and based upon the following  
11 Memorandum of Points and Authorities, the Declaration of Jim attached  
12 hereto, the attached exhibits, all papers and pleadings on file herein, as well  
13 as oral argument of counsel as may be permitted at the hearing on this  
14 matter.

15          DATED this 5<sup>th</sup> day of June, 2020.

16                               THE DICKERSON  
17                               KARACSONYI LAW GROUP

18                               By */s/ Sabrina M. Dolson*  
19                               ROBERT P. DICKERSON, ESQ.  
20                               Nevada Bar No. 000945  
21                               SABRINA M. DOLSON, ESQ.  
22                               Nevada Bar No. 013105  
23                               1745 Village Center Circle  
24                               Las Vegas, Nevada 89134  
25                               Attorneys for Plaintiff  
26  
27  
28

## MEMORANDUM OF POINTS AND AUTHORITIES

### **I. INTRODUCTION**

The parties were recently before this Court on April 22, 2020 to address several emergency issues that had arisen as a result of Defendant's, MINH NGUYET LUONG ("Minh"), false accusations of domestic violence. Fortunately, there was justice for Jim as the prosecutor did not file any criminal charges against Jim. Unfortunately for the children, Hannah in particular, the five (5) weeks they spent without seeing their father caused significant psychological, emotional, and mental damage that Jim can only hope is reparable with the proper treatment. As instructed by this Court, Jim has attempted to communicate with Minh regarding providing the children the treatment they need on several occasions, as well as addressing other parent-child issues, but Minh has not responded or cooperated. Accordingly, this Emergency Motion has become necessary, primarily to resolve the issue of obtaining psychological treatment for the children, but also to resolve the parent-child issues Jim has fruitlessly tried to address with Minh.

### **II. FACTUAL STATEMENT**

#### **A. Child Custody Issues**

Jim and Minh were married on July 8, 2006. The parties have three (3) minor children the issue of their marriage: Hannah, born March 19, 2009 (eleven (11) years old), Matthew, born June 26, 2010 (nine (9) years old), and Selena, born April 4, 2014 (six (6) years old). In the Findings of Fact, Conclusions of Law, and Decision and Order ("Decision and Order") entered September 20, 2019, the Court ordered the parties to share joint legal custody and found it would be in the children's best interest for the parties to share joint physical custody. Decision and Order, pg. 15, lines 1-10. Given Minh's representations that she intended to relocate to

1 California with or without the children, the Court gave Minh the  
2 opportunity to decide whether she wanted to share joint physical custody  
3 in Las Vegas. Decision and Order, pg. 15, lines 1-10; *see also* Order from  
4 April 22, 2020 Hearing, pg. 3, lines 9-19. If Minh was steadfast in her  
5 decision to relocate to California without the children and chose to forego  
6 her joint physical custody rights, Jim would be awarded primary physical  
7 custody, almost in the nature of a default. Decision and Order, pg. 15,  
8 lines 1-10; *see also* Order from April 22, 2020 Hearing, pg. 3, lines 9-19.

9 Minh ultimately decided to forego her joint custody rights, and thus  
10 Jim was awarded primary physical custody of the children. Pursuant to the  
11 Decision and Order and Minh's choice to move to California without the  
12 children, Minh was awarded visitation with the children on certain  
13 enumerated holiday weekends and extended school breaks throughout the  
14 year, which she can exercise in California, and one non-holiday weekend  
15 each month, which she must exercise in Nevada. Decision and Order, pg.  
16 29, line 21, to pg. 30, line 13.

17 At the hearing held on April 22, 2020, the Court temporarily  
18 modified the custody order to give Minh the opportunity to reconsider her  
19 decision not to share physical custody of the children. Order from April  
20 22, 2020 Hearing, pg. 5, lines 5-8. Accordingly, the Court ordered the  
21 parties to share physical custody of the children on a week on/week off  
22 basis until May 28, 2020, the next date the parties were to appear before  
23 the Court. *Id.* at pg. 6, line 27, to pg. 7, line 10. The Court subsequently  
24 continued the May 28, 2020 hearing to August 13, 2020, and Jim believes  
25 it is Minh's intent to continue with the temporary week on/week off  
26 custody schedule until August 13, to which he has no objection. Second  
27 Amended Order Setting Evidentiary Hearing.

28 . . .

1 At the April 22, 2020 hearing, Jim requested the Court award him  
2 twenty-four (24) days of makeup custodial time, which resulted from Minh  
3 obtaining a Protection Order Against Domestic Violence (“TPO”) based  
4 on her false allegations of domestic violence and then withholding the  
5 children from Jim for thirty-four (34) days. The Court denied Jim’s  
6 request, finding that “Minh’s withholding of the children from Jim must  
7 be determined to be wrongful in order for Jim to be awarded makeup  
8 time.” Order from April 22, 2020 Hearing, pg. 5, lines 21-26. The fact  
9 that the prosecutor did not pursue criminal charges against Jim  
10 demonstrates Minh wrongfully obtained the TPO by making false  
11 allegations of domestic abuse, which was clearly evident from the audio  
12 and video recordings Jim fortunately took of the March 20, 2020  
13 encounter. Minh not only withheld the children from Jim for over a  
14 month, but also deprived Jim of communication with his children for  
15 approximately eleven (11) days. Given the prosecutor decided not to  
16 pursue charges against Jim based on Minh’s false allegations of domestic  
17 violence after the April 22, 2020 hearing, Jim is requesting the Court  
18 reconsider its denial of Jim’s request for twenty-four (24) days of makeup  
19 custodial time.

20 At the April 22, 2020 hearing, the Court stated it was “concerned it  
21 would not be in the children’s best interest for the children to be away  
22 from Minh for the same period of time as they have been away from Jim.”  
23 Order from April 22, 2020 Hearing, pg. 5, line 28 - pg. 6, line 3. Jim is not  
24 requesting this Court to grant him twenty-four (24) consecutive days of  
25 custodial makeup time. Jim is willing to break up these makeup custodial  
26 days in groups of three (3) days.

27 In addition, at the April 22, 2020 hearing, the Court directed the  
28 parties to “begin a dialogue concerning the parent-child issues” raised in

1 Jim's Emergency Motion for Immediate Return of the Children,  
2 Dissolution of TPO, Modification of Child Custody, Appointment of a  
3 New Therapist for the Children, an Order to Show Cause Why Defendant  
4 Should Not Be Held in Contempt, and to Resolve Other Parent Child  
5 Issues, filed on March 27, 2020 ("March 2020 Emergency Motion"), and  
6 Jim's Reply to Defendant's Opposition to Jim's March 2020 Emergency  
7 Motion, filed April 15, 2020 ("April 2020 Reply"). Order from April 22,  
8 2020 Hearing, pg. 6, lines 4-5. The Court stated it would not be entering  
9 orders regarding counseling or joint legal custody issues at that time. *Id.*  
10 at pg. 6, lines 6-7.

11 In compliance with the Court's direction, Jim's counsel sent  
12 correspondence to Minh's counsel on April 27, 2020, solely seeking to  
13 address the parent-child issues (not including the financial issues). Exhibit  
14 1, April 27, 2020 Letter from Sabrina Dolson to Fred Page. Given the  
15 Court's Order that Minh was to exercise her temporary week on/week off  
16 visitation in Nevada and given Minh's representation at the April 22, 2020  
17 hearing that she was no longer residing at the 9742 West Tompkins  
18 Avenue home when she has custody of the children in Nevada, Jim  
19 requested that Minh provide the address where she will be staying with the  
20 children. Exhibit 1. Jim also requested the parties agree not to speak to  
21 the children regarding this matter or involve the children in their disputes,  
22 and agree that the children's clothing, belongings, and possessions will  
23 transfer freely with the children at the custodial exchanges regardless of  
24 who purchased the items to reduce the stress on the children. Exhibit 1.

25 As detailed in Jim's March 2020 Emergency Motion and April 2020  
26 Reply, there were several issues with the children trying to sneak items out  
27 of Jim's home because Minh requested the children bring certain items to  
28 her, and with Minh refusing to return the children's clothing, including

1 their school uniforms and ski gear. After the April 22, 2020 hearing, Minh  
2 continued to disregard the children's best interest by depriving them of  
3 certain belongings she did not allow the children to bring to Jim's home  
4 solely because she had purchased these items. Minh did not allow the  
5 children to bring their iPads to Jim's home even though she was aware the  
6 children were using the iPads to complete their homework because she  
7 purchased them. Jim attempted to address the issue with Minh twice on  
8 April 23, 2020 and once on April 25, 2020, but she initially completely  
9 ignored him. Exhibit 2, April 23 and 25, 2020 Text Messages Between  
10 Minh and Jim. Minh eventually informed Jim she would not allow the  
11 children to take their iPads to his home because she purchased the iPads.  
12 Jim was then required to purchase electronics for the children so they could  
13 complete their homework as he did not have separate electronics for each  
14 child to use at the same time.

15 In addition, Minh did not return Matthew's book, which Matthew  
16 was required to write a report on by May 6, 2020, when she exchanged the  
17 children on April 23, 2020. Jim looked online to see if he could purchase  
18 another copy of the book for Matthew as he could not go to a physical  
19 store to purchase the book because stores were closed due to the COVID-  
20 19 pandemic. Jim was unable to find a copy of the book that could be  
21 mailed to him during his custodial week. Thus, Jim asked Minh if she  
22 could FedEx Matthew's book to his home. Exhibit 2. Minh told Jim to  
23 purchase an online copy of the book. Exhibit 2. Jim explained to Minh  
24 that due to her refusal to allow the children to take their iPads to Jim's  
25 home, Jim did not have an electronic device that would allow Matthew to  
26 read the Kindle version of the book. Based on Minh's refusal to cooperate  
27 with Jim to get Matthew his book, Jim ended up purchasing a Kindle copy  
28 of Matthew's book, which Matthew had to read on Jim's cell phone.

1 In addition to the foregoing issues, in his April 27, 2020 letter, Jim  
2 also raised the issue of choosing a new psychologist for the children,  
3 particularly Hannah, who has not been the same since she spent five (5)  
4 consecutive weeks with Minh. Exhibit 1. Since Hannah spent the five (5)  
5 consecutive weeks with Minh her behavior has deteriorated dramatically,  
6 and is very concerning. It appears Hannah's issues began manifesting prior  
7 to Jim receiving the children on April 23, 2020 as Minh had taken Hannah  
8 to a doctor appointment with Dr. Sirsy the day before the April 22, 2020  
9 hearing. Exhibit 3, Text Messages Exchanged Between Jim and Minh on  
10 April 29, 2020. Minh reported to Dr. Sirsy that Hannah was not eating  
11 enough and Minh was concerned for her health. Exhibit 3. After Hannah  
12 was returned to Jim on April 23, 2020, Jim also observed Hannah was not  
13 eating enough. Jim explained he believed the parties needed to find a new  
14 psychologist as soon as possible, and provided his reasoning for requesting  
15 the parties agree to Bree Mullins, PsyD, including the fact that she is a  
16 psychologist who has worked with high-conflict families in navigating the  
17 divorce process, improving co-parenting, and guiding children to their full  
18 potential, according to her Psychology Today profile. Exhibit 4. Jim also  
19 explained that Ms. Mullins' office is located only seven (7) minutes from  
20 the children's school, which would be convenient for the parties if the  
21 therapy sessions are scheduled for the children after school as they  
22 typically were with Dr. Gravley. The parties would have sufficient time  
23 after therapy to get the children home to complete homework, have dinner,  
24 shower, and get ready for bed.

25 Minh did not respond to Jim's April 27, 2020 letter or any of the  
26 issues addressed therein. Rather, on May 18, 2020, Minh's counsel sent  
27 Jim's counsel a letter focused entirely on accusing Jim of additional abuse.  
28 Exhibit 5, May 18, 2020 Letter from Fred Page to Sabrina Dolson. Minh

1 accused Jim of being abusive and hostile toward Hannah by removing the  
2 lock to Hannah's bedroom and bathroom, restricting Hannah's cell phone  
3 use to two (2) hours per day, disabling his land line, and recording  
4 Hannah. Minh accused Jim of being abusive and hostile as retaliation for  
5 Hannah making the statement of domestic violence against him. This  
6 claim makes no sense considering Minh contends both Matthew and  
7 Hannah wrote statements corroborating her false allegations of domestic  
8 violence, and Minh made no allegations that Jim retaliated against  
9 Matthew. Notably, Minh's May 18, 2020 letter did not address any of the  
10 issues Jim raised in his April 27, 2020 letter, including providing an  
11 address for where she and the children reside during her custodial  
12 timeshare in Las Vegas.

13 Jim's counsel sent Minh's counsel a responsive letter the following  
14 day, May 19, 2020. Exhibit 6, May 19, 2020 Letter from Sabrina Dolson  
15 to Fred Page. Jim advised Minh that he attempted to discuss several  
16 parent-child issues in his April 27 letter, to which she did not respond,  
17 including Hannah's concerning behavior and the need to immediately  
18 address providing her the help she needs. Exhibit 6. Jim was especially  
19 concerned that rather than address getting Hannah the help she  
20 desperately needs, Minh continued to make unwarranted false allegations  
21 of abuse. Exhibit 6. It appears Minh has no real intention of actually  
22 taking any action to help Hannah, and would rather spend time continuing  
23 to make false allegations of abuse against Jim, even despite the fact her  
24 previous false allegations of domestic abuse were properly dropped.

25 In his May 19 letter, Jim detailed Hannah's behavior since she spent  
26 five (5) weeks with Minh. Exhibit 6. Hannah locks herself in her  
27 bedroom for most of the day. Hannah will rarely speak to Jim civilly and  
28 is very angry with him. When Jim attempts to communicate with Hannah,

1 she yells at him, telling him he lies, everything is his fault, he ruined  
2 everything, he does not exist, he is not her daddy, she hates him, and she  
3 wishes he were dead. Hannah eats very little each day, which is causing  
4 Jim great concern for her health. Hannah is also not completing her school  
5 work. Hannah is not watching her school videos or completing her  
6 homework. Jim also found two (2) photographs of the family prior to the  
7 parties' separation in Hannah's room where she completely blacked out  
8 Jim from the photograph. Exhibit 7, Family Photographs. More recently,  
9 Hannah slid two (2) letters under her door to Jim. One simply states:  
10 "Don't ever talk to me again [sic]." The other states:

11       Do you want me to live like this? Oh wait! Let me rephrase  
12       that since you don't care about me. Do you want to live like  
13       this? With me hating you for the rest of my life? Oh wait,  
14       YOU DON'T CARE ABOUT ME! I have a life, don't ruin it  
15       with yours. I WANT TO LIVE.

14 Exhibit 8, Letters from Hannah.

15       In his May 19 letter, Jim explained that he has not been abusive or  
16 hostile to Hannah. Exhibit 6. Jim has only taken certain precautions to  
17 ensure Hannah is safe given her threats and concerning behavior. Exhibit  
18 6. Jim acknowledged he had removed the locking mechanism from  
19 Hannah's bedroom and bathroom after she made such concerning threats,  
20 and at the recommendation of Dr. Gravley. Despite removing the locking  
21 mechanisms, Jim does not enter Hannah's room without knocking. Jim  
22 also verbally requests Hannah to open the door prior to entering and only  
23 then enters Hannah's room if she refuses to open the door.

24       In addition, Jim explained in his May 19 letter that, at the  
25 recommendation of Dr. Gravley, he had reduced the amount of time  
26 Hannah is permitted to be on her electronics given she stays in her  
27 bedroom for most of the day on her electronics. Jim informed Hannah, as  
28 advised by Dr. Gravley, that she is permitted to be on her cell phone for

1 two (2) hours each day, and can have an additional hour on her cell phone  
2 if she comes out of her bedroom and spends time with the family, as long  
3 as the additional hour with her cell phone is not spent in her bedroom.

4 Minh was aware of this recommendation as Dr. Gravley sent an  
5 email to Jim and Minh after attempting a therapy session via  
6 videoconferencing with Hannah on May 12, 2020 during Jim's custodial  
7 time. Exhibit 9, May 13, 2020 Email from Dr. Gravley to Jim and Minh.  
8 In her email, Dr. Gravley noted she could hear Hannah screaming at Jim  
9 and refusing to get on the video conference. Exhibit 9. Dr. Gravley tried  
10 to speak to Jim about how to engage Hannah, but Hannah continued to  
11 come in and out of her room yelling various things. Exhibit 9. When  
12 Hannah refused to engage in the therapy session, Dr. Gravley determined  
13 it would not be productive to try to force Hannah's participation as it  
14 would feel like punishment to her. Exhibit 9. Dr. Gravley informed the  
15 parties that based on what they had both conveyed to her, she was very  
16 concerned for Hannah. Exhibit 9. Dr. Gravley informed the parties that  
17 Hannah "needs to participate in therapy on a regular basis in order for us  
18 to see any progress as [Hannah] has significantly regressed after the long  
19 period of time that the regular schedule was disrupted." Exhibit 9. Dr.  
20 Gravley noted that "[p]rior to that, [Hannah] wasn't exactly happy, but  
21 she was not in the state of mind she is in at this time." Exhibit 9.

22 Dr. Gravley further advised the parties to encourage and support  
23 Hannah in speaking to her, as it is necessary given Hannah's issues and  
24 behavior, and to schedule Hannah weekly during their respective custodial  
25 timeshares. Exhibit 9. Dr. Gravley specifically stated, "I think maybe if  
26 Minh can schedule and I can talk with her when she is there she may open  
27 up when she is not so upset." Exhibit 9. Dr. Gravley has been  
28 recommending Hannah attend weekly therapy sessions with her since May

1 1, 2020. Dr. Gravley sent an email to Minh and Jim on May 1, 2020,  
2 stating: “Minh, please be in touch with my office to schedule Hannah for  
3 next week as soon as you are able. And if agreed, I am recommending that  
4 she schedule with me weekly until she is able to engage in more stable  
5 interactions and eating habits.” Exhibit 10, May 1, 2020 Email from Dr.  
6 Gravley to Jim and Minh. Minh has refused to schedule any sessions for  
7 Hannah with Dr. Gravley during her custodial timeshare. Dr. Gravley  
8 advised that Hannah’s behaviors are displays of her having as much control  
9 as she can due to likely feeling out of control with the custodial schedule.  
10 Exhibit 9. Dr. Gravley advised that Hannah wants to control her eating,  
11 whether or not she does school work, and whether she leaves her room or  
12 participates within the family. Exhibit 9. Dr. Gravley stated: “All of these  
13 are unhealthy for her and will lead to additional decline if not swiftly  
14 addressed.” Exhibit 9.

15 Therefore, Dr. Gravley made the following recommendations and  
16 requested that they are followed by both households: (1) schedule Hannah  
17 for weekly therapy sessions; (2) require Hannah to eat three (3) meals per  
18 day if possible and provide her several options that she can fix herself if  
19 necessary; (3) require Hannah to complete her school work in a common  
20 area of the house, and limit her time on electronic devices, games, etc. until  
21 the school work is completed; (4) require Hannah to leave her bedroom  
22 each day and interact with her siblings and the family; and (5) set  
23 appropriate time limits on Hannah’s use of electronic devices. Exhibit 9.  
24 Dr. Gravley recommended not more than three (3) to four (4) hours per  
25 day for Hannah’s age, and advised the parties it may be helpful to have  
26 certain phone times per day and to allow Hannah to “earn” additional time  
27 when homework is completed or for engaging with the family for a period  
28 of time. Exhibit 9. Jim has followed Dr. Gravley’s recommendations,

1 which is why he limits Hannah's time on her electronics. Jim has also  
2 scheduled therapy sessions for Hannah for every week the children have  
3 been with him since receiving them on April 23, 2020.

4 When Jim has attempted to limit Hannah's cell phone time, she has  
5 become physically violent with him. Hannah hits, slaps, and kicks Jim,  
6 and digs her fingernails into him. During one instance when Jim tried to  
7 hold Hannah's arm to prevent her from hitting him, Hannah accused Jim  
8 strangling her. In another instance, Hannah accused Jim of trying to break  
9 her arm. Despite Hannah's physical attacks on Jim, Jim does not hit or  
10 abuse Hannah in any way. Jim has only recorded Hannah when she  
11 becomes physically violent because of her false accusations that he is  
12 breaking her arm or strangling her. Unfortunately, Jim has experienced  
13 what happens when false allegations of abuse are made, and does not know  
14 what else he can do to protect himself and the children. Jim is concerned  
15 that Minh's next litigation strategy will entail making false allegations of  
16 abuse to Child Protective Services.

17 The day following the first time Jim limited Hannah's cell phone use  
18 was the first time Hannah's behavior improved. Hannah spent time with  
19 Matthew, Selena, and Jim's brother, Ed, while Jim went to the store.  
20 When Jim returned home from the store, Hannah continued to behave  
21 well. Hannah joined Matthew and Selena in the pool and they all played  
22 for four and a half hours in the pool. Hannah even spoke to Jim and  
23 appeared to be returning to her normal self. After the children played in  
24 the pool, Hannah returned to her bedroom with her cell phone and took  
25 a shower. Hannah's mood drastically changed after her shower, and by  
26 evening, Hannah became withdrawn, stayed in her bedroom, would not  
27 eat, and would not talk to Jim again. When Jim reminded Hannah of her  
28 cell phone limit the following morning, she reacted violently and angrily.

1 During her temper tantrum, Hannah verbally and physically attacked Jim,  
2 turned on all of the faucets and lights in the home, lowered the air  
3 conditioner thermostats to 70 degrees, and damaged things around the  
4 house.

5 Jim has continued to have significant difficulty with Hannah as she  
6 is extremely disturbed and inconsolable. This is not normal behavior nor  
7 is this behavior that should be addressed by limiting Jim's contact with  
8 Hannah as Minh believes (Minh continues to plead with Jim to let her  
9 have primary physical custody of the children). Minh's keeping the  
10 children from Jim for such a long period of time is what precipitated  
11 Hannah's decline in behavior. Jim is concerned that rather than get  
12 Hannah the help she needs, Minh continues to try to use Hannah's  
13 behavior to argue the children are unhappy with Jim and the only solution  
14 is for her to have primary physical custody.

15 In his May 19 letter, Jim requested Minh follow Dr. Gravley's advice  
16 until the parties are able to mutually agree on a psychologist for Hannah.  
17 Although Jim would like Hannah to see a new psychologist, he has  
18 continued to make appointments with Dr. Gravley to get Hannah any help  
19 he can. However, Minh has refused to comply with Dr. Gravley's  
20 recommendations and has not made one appointment for Hannah during  
21 her custodial timeshare as specifically requested by Dr. Gravley. On June  
22 1, 2020, Dr. Gravley sent another email to the parties imploring Minh to  
23 make an appointment for Hannah during Minh's custodial time. Exhibit  
24 11, June 1, 2020 Email from Dr. Gravley to Jim and Minh. Dr. Gravley  
25 stated:

26 I am following up again as Hannah did not participate in a  
27 session once again last week. Minh, I am once more requesting  
28 and recommending that Hannah have a session during her time  
with you with the hopes that she will open up to me and talk  
about her feelings. . . . PLEASE LET ME KNOW AS SOON

1 AS POSSIBLE ABOUT SCHEDULING (OR CALL THE  
2 OFFICE).

3 Exhibit 11. Dr. Gravley also confirmed she believed the limited telephone  
4 time for Hannah was helping. Exhibit 11. Dr. Gravley stated she felt it  
5 was best to allow Hannah to integrate into Jim's home while she is there.

6 Exhibit 11. Dr. Gravley stated Hannah should continue to have regular  
7 contact with Minh, but not at Hannah's disposal all the time. Exhibit 11.  
8 Dr. Gravley informed the parties that "case studies have shown that with  
9 children in two homes it is not healthy to have such unlimited contact  
10 without some boundaries in place." Exhibit 11.

11 This has been an issue Jim has also attempted to address with Minh  
12 as the parties continue to experience issues regarding telephone calls with  
13 the children. Jim feels as if Minh tries to use telephone communications  
14 with the children to interfere with his custodial time. Pursuant to the  
15 Court's Order, the children were returned to Jim at 9:00 a.m. on April 23,  
16 2020 for the beginning of his custodial week. It took approximately 30  
17 minutes to exchange the children so Jim did not return to his home until  
18 approximately 9:30 a.m. To demonstrate Minh's unreasonable requests for  
19 communication with the children, approximately two (2) hours after the  
20 custodial exchange on April 23, Minh requested to speak to the children.  
21 Minh had the children for five (5) weeks without Jim being able to see  
22 them and with Jim having very limited and restricted communications with  
23 the children, and approximately two (2) hours after they were finally  
24 returned to him, Minh could not allow Jim to enjoy even a few hours with  
25 the children before she began making demands to speak to them. On April  
26 23, 2020, the parties exchanged the following text messages:

27 Minh: Please let me talk to the children. [11:39 a.m.]  
28

1 Jim: Any time. Just call[.] Matthew told me you were  
2 going to bring his iPad. Is that true [12:17 p.m.]  
3 Minh: I just FaceTimed you and you didn't pick up  
4 [12:19 p.m.]  
5 Minh: Are you really going to let me talk to the children?  
6 [12:28 p.m.]  
7 Jim: You can talk to them any time. So sorry. My  
8 phone was on silent. You didn't answer my  
9 question. Matthew said you were going to bring  
10 guys [sic] iPad. Our van is at Toyota. Let me  
11 know if you are or aren't so I can tell him. [12:32  
12 p.m.]  
13 Jim: Lena's eye isn't dilated[.] When was the last time  
14 she got her eye drops? [1:14 p.m.]  
15 Minh: Please have selena call me [2:31 p.m.]  
16 Minh: This is my second request: please have Lena call me  
17 [9:15 p.m.]

18 **Exhibit 2.** As is evident from the above transcribed communications,  
19 Minh continued to interrupt Jim's first day in five (5) weeks with the  
20 children by making repeated demands to speak to the children. Also  
21 notable from these texts is the fact that Minh does not respond to any of  
22 Jim's questions regarding the children, demonstrating her continued refusal  
23 to coparent with Jim for the benefit of the children.

24 When Jim asks Minh to speak to the children, she tells him to  
25 contact them directly, either by calling Hannah's cell phone or FaceTiming  
26 Matthew and Selena on their iPads. **Exhibit 12.** The children are too  
27 young for the parties to be contacting them directly, especially if Jim is  
28 required to contact Matthew and Selena through their iPads. It is not  
realistic that Matthew and Selena will even have access to their iPads at  
the times Jim calls. Hannah also does not answer Jim's calls, which is not  
surprising considering her behavior toward him at his home. Jim actually  
has not spoken to Hannah once while she is with Minh since March 20,  
2020. On the few instances in which Jim has been able to speak to the

1 children, they often only speak to him briefly and then put the telephone  
2 or iPad facing the ceiling and all Jim can hear is background noise. Jim  
3 typically tries to stay on the line for as long as he can until it becomes  
4 apparent the children will not be returning to talk to him or until someone  
5 on their end terminates the call.

6 When Minh asks Jim to speak to the children, Jim calls Minh from  
7 his cell phone and, once there is a connection, he hands the phone to the  
8 children. Jim encourages the children to speak to Minh even when they do  
9 not want to. Jim understands the children may not want to speak to him  
10 because they often do not want to speak to Minh during Jim's custodial  
11 timeshare. Selena is too young to find speaking on the phone interesting  
12 and Matthew is more interested in playing rather than talking on the  
13 phone. Jim understands this, which is why he has to encourage the  
14 children to speak to Minh by calling her for them and handing them the  
15 phone once Minh is on the line. Jim has asked Minh to do the same for  
16 him, but Minh refuses.

17 To address the issue regarding telephone calls and relieve some of the  
18 tension and constant arguing regarding each parent's ability to  
19 communicate with the children, Dr. Gravley suggested the parties establish  
20 time frames on specific days of the week in which the parent who does not  
21 have custody can communicate with the children. Accordingly, in his May  
22 19 letter, Jim suggested the parties agree that the parent who does not have  
23 custody should be permitted to talk to each child for ten (10) minutes on  
24 Sundays, Tuesdays, and Thursdays, with the parent who has custody  
25 initiating a FaceTime call, if possible, or a telephone call, if FaceTime is not  
26 available, for the children and ensuring each child is available to speak to  
27 the other parent for ten (10) minutes.

28 . . .

1 The parent who has custody would be responsible for initiating the  
2 call and ensuring the communication occurs. This would not prevent the  
3 children from calling the noncustodial parent on other days if they chose,  
4 but given the children's young age, they typically are not interested in  
5 speaking on the telephone, and it requires significant prompting and  
6 encouragement to get the children to call the noncustodial parent in the  
7 first place. Scheduling telephone calls every other day would at least allow  
8 the parties to ensure communication occurs on a routine and predictable  
9 schedule. Jim would also suggest the parties set a specific time for the  
10 FaceTime or telephone calls, and believes 7:00 p.m would be a reasonable  
11 time.

12 In addition to the foregoing, there is further evidence Minh is trying  
13 to alienate the children from Jim. The children, including Selena who is  
14 only six (6) years old, have made comments to Jim about wanting to use  
15 Minh's surname. Minh set up an email account using her surname,  
16 luongmatthew@icloud.com, for Matthew. Hannah insisted on using  
17 "Luong" as her surname when creating a user name for the computer Jim  
18 purchased for her. Selena mentioned in passing that she wanted to be  
19 "Selena Luong." This is not something young children would even  
20 consider without being prompted, especially Matthew and Selena.

21 Jim attempted to address all of the foregoing issues with Minh in his  
22 April 27, 2020 and May 19, 2020 letters. Minh completely ignored Jim's  
23 April 27, 2020 letter. On May 26, 2020, Minh sent a responsive letter to  
24 Jim's May 19, 2020 letter. **Exhibit 13**, May 26, 2020 Letter from Fred  
25 Page to Sabrina Dolson. In her May 26 letter, Minh stated she "stands  
26 firm in her request for using Jen Mitzel" as the children's therapist, but did  
27 not provide any reasoning for why she prefers to use Ms. Mitzel, who is  
28 not a psychologist and whose office is located much farther from the

1 children's school than Ms. Mullins' office. **Exhibit 13.** Minh spent a vast  
2 majority of her five (5) page letter continuing to accuse Jim of domestic  
3 violence, of lying to the children about moving to California, and of being  
4 solely responsible for Hannah's unhappiness. **Exhibit 13.** Needless to say,  
5 none of Jim's suggestions to resolve the parent-child issues were  
6 acknowledged, and Minh's letter did nothing to move the parties in the  
7 right direction of coparenting to meet the best interests of the children.  
8 **Exhibit 13.** Minh even asks in the letter at one point, "What is wrong  
9 with your client?" **Exhibit 13.** More concerning, despite Hannah's  
10 alarming behavior, Minh states she will no longer be paying for the cost of  
11 therapy with Dr. Gravley and blamed Jim for all of the parties' problems:

12 Jim is the cause of Hannah's unhappiness and [Minh] will not  
13 further subsidize his mistreatment of Hannah. The more Jim  
14 punishes Hannah the more Hannah withdraws. Dr. Luong has  
15 no interest in paying for Jim's mistakes and his destruction of  
16 his relationship with Hannah. Dr. Luong's relationship with  
17 the children is excellent. Everyone will agree no therapy of any  
18 kind is required between the children and their mother. Jim's  
19 relationship with the children is terrible. Everyone will agree  
20 the only one who needs therapy is Jim. It is Jim's responsibility  
21 to improve his relationship with the children.

17 When Hannah is with Dr. Luong that [sic] she has no  
18 problems like Jim describes of any kind whatsoever. With Dr.  
19 Luong, Hannah is happy, cheerful, well-mannered, does not  
20 spend that much time on electronics, comes out of her room,  
21 and she eats well.<sup>1</sup> The only time Hannah becomes distressed  
is when she has to return to Jim. Hannah is a very well-  
mannered child with Dr. Luong and is unmanageable with Jim  
and Jim dares blame Dr. Luong?

22 **Exhibit 13.** Regarding Jim's request that the parties provide a travel  
23 itinerary whenever the children will be away from the custodial parent's  
24 home for two (2) or more nights, Minh stated "sine [she] takes the  
25 children exploring Nevada during her times, she will not be providing a  
26

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27 <sup>1</sup> This representation directly contradicts information Dr. Sirsy provided  
28 to Jim. Dr. Sirsy informed Jim that Minh reported Hannah was not eating enough on  
April 21, 2020 (the day before the April 22, 2020 hearing and after Hannah was in  
Minh's custody for five (5) consecutive weeks).

1 travel itinerary.” Thus, it is abundantly clear from Minh’s May 26, 2020  
2 letter that Jim will not be able to resolve any parent-child issues without  
3 the Court’s intervention.

4 B. Financial Issues

5 The Court ordered that neither party would pay child support.  
6 Decision and Order, pg. 32, lines 1-3. However, the Court entered orders  
7 confirming the parties’ agreement to share equally in the cost of the  
8 children’s private school tuition and related expenses. Decision and Order,  
9 pg. 32, lines 2-4. The Court specifically noted that Jim

10 waives child support from Minh Luong in consideration for an  
11 agreement that the parties share equally the significant private  
12 school tuition and related expenses, all medical and dental  
13 expenses for the children that are not covered by insurance,  
14 expenses for the children’s extracurricular activities that the  
15 parties agree are best for the children, and tutoring or  
16 education expenses that the parties agree are best for the  
17 children.

18 Decision and Order, pg. 23, line 24, to pg. 24, line 4. The Court ordered  
19 the parties shall follow the 30/30 rule for expenses, which requires the  
20 parent who paid for the expense to provide the other parent a copy of the  
21 receipt of payment within thirty (30) days of payment, and the other  
22 parent to reimburse one-half of such expenses within thirty (30) days.  
23 Decision and Order, pg. 32, lines 7-13.

24 Jim detailed in his March 2020 Emergency Motion and April 2020  
25 Reply the numerous instances in which he requested Minh reimburse him  
26 for her one-half portion of the children’s expenses. Minh refused to  
27 reimburse Jim. On May 26, 2020, Jim’s counsel sent Minh’s counsel a  
28 letter specifically addressing these financial issues. Exhibit 14. To date,  
Minh has not responded nor reimbursed Jim for any of the expenses.  
Accordingly, Jim must seek Court intervention. Jim’s May 26, 2020 letter  
requested the following reimbursements:

1           1.     Children's School Tuition and School Related Expenses

2           Jim's assistant, Bo Bautista, initially sent an email to Minh on  
3 October 30, 2019, providing receipts for payments made for the children's  
4 private school tuition, school uniforms, and Matthew's martial arts class.

5 **Exhibit 15.** Minh owes a total of \$15,568 to Jim for her one-half (½)  
6 portion of the children's school tuition for the 2019-2020 school year,  
7 which is \$1,946 per month for the months of August 2019 to March 2020.  
8 Minh's one-half portion of the children's school uniforms is \$188.84 as Jim  
9 paid \$377.67.

10           In addition, on January 22, 2020, Jim emailed Minh requesting she  
11 reimburse him for her one-half portion of the cost of the Challenger School  
12 applicant fees for the 2020-2021 school year, which totaled \$525, and  
13 provided her a copy of the check with which he paid these fees. *See*  
14 **Exhibits 16 and 17.** Minh has not reimbursed Jim for her portion of the  
15 Challenger School applicant fees, which is \$262.50.

16           Based on the foregoing, Minh must be ordered to reimburse Jim  
17 \$15,568 for her portion of the children's school tuition, \$262.50 for her  
18 portion of the Challenger School applicant fee for the upcoming school  
19 year, and \$188.84 for her portion of the children's school uniforms.

20           2.     Children's Extracurricular Activities

21           Within a week of the Court entering its Decision and Order, Minh  
22 informed Jim she no longer approved of the extracurricular activities in  
23 which the children were enrolled in Nevada and would not contribute to  
24 the cost. Minh's position is obviously not in the children's best interest.  
25 Minh had also previously agreed to Matthew's participation in his martial  
26 arts class. Given the Court ordered there would not be a child support  
27 award based on the parties' agreement to equally divide private school  
28 tuition and related expenses, all medical and dental expenses for the

1 children that are not covered by insurance, expenses for the children's  
2 extracurricular activities that the parties agree are best for the children, and  
3 tutoring or education expenses that the parties agree are best for the  
4 children, Minh must reimburse Jim for her one-half portion of Matthew's  
5 martial arts class, to which she previously agreed was in Matthew's best  
6 interest.

7 As stated above, Jim's assistant, Bo Bautista, sent an email to Minh  
8 on October 30, 2019, providing the receipt for the \$460.24 payment made  
9 for Matthew's martial arts class. Exhibit 15. Thus, Minh must be ordered  
10 to reimburse Jim \$230.12 for her one-half portion of Matthew's martial  
11 arts class.

12 3. Children's Health Insurance and Unreimbursed Medical  
13 Expenses and Minh's Health Insurance

14 Lastly, the Court ordered both parties to provide health insurance for  
15 the children if offered through employment. Decision and Order, pg. 31,  
16 lines 14-16. Jim provides the children health insurance for the children  
17 through his practice. Minh does not provide health insurance for the  
18 children. Accordingly, Jim is requesting Minh pay one-half of the health  
19 insurance premium Jim pays for the children. The parties separated in  
20 January 2019 and the Court's Decision and Order was entered in  
21 September 2019. From January 2019 to November 2019, the cost of the  
22 children's health insurance was \$806.91 per month (or \$268.97 per child  
23 per month). Exhibit 18. From December 2019 to the present, the cost  
24 of the children's health insurance is \$866.58 per month (or \$288.86 per  
25 child per month). Exhibit 18. Accordingly, Minh's one-half portion of  
26 the children's health insurance from January to November 2019 is  
27 \$4,438.01 (\$806.91 x 11/2), and from December 2019 to June 2020 is  
28 \$3,033.03 (\$866.58 x 7/2), which together totals \$7,471.04. Thus, the

1 Court should order Minh to reimburse Jim \$7,471.04 for her one-half  
2 portion of the children's health insurance for the period of January 2019  
3 to June 2020, and order Minh to pay one-half the children's health  
4 insurance premium on the first of the month from July 1, 2020 going  
5 forward.

6 In addition, Jim has requested Minh reimburse him for several  
7 medical expenses that were not covered by insurance. On December 19,  
8 2019, Jim emailed Minh requesting she reimburse him for her one-half  
9 portion of the cost of the children's December 19, 2019 therapy session  
10 with Dr. Gravley, and provided proof of the \$175.50 payment. **Exhibit**  
11 **19**. Minh's one-half equals \$87.78. On February 19, 2020, Jim sent Minh  
12 a text message with the receipt for Hannah's ophthalmology appointment,  
13 which cost \$125. **Exhibit 20**. Minh's one-half equals \$62.50. On March  
14 3 and 9, 2020, Jim sent Minh emails requesting she reimburse him for one-  
15 half the cost of Selena's ophthalmology appointment and eye drops.  
16 **Exhibit 21**. Jim paid \$70 for the ophthalmology appointment and \$15 for  
17 eye drops. Thus, Minh's one-half equals \$35.00 and \$7.50, respectively.  
18 The Court should order Minh to reimburse Jim for each of these expenses.

19 Lastly, Jim has been paying for the full cost of Minh's health  
20 insurance since they separated in January 2019. Jim has requested Minh  
21 reimburse him for the cost, but she has refused to do so. The cost of  
22 Minh's health insurance from January 2019 through November 2019 was  
23 \$549.55 per month, which amounts to \$6,045.05 for this period. **Exhibit**  
24 **18**. From December 2019 to the present, Minh's health insurance  
25 increased to \$590.17 per month. **Exhibit 18**. Thus, for the period of  
26 December 2019 to June 2020, Minh's health insurance totaled \$4,131.19.  
27 Jim is requesting the Court order Minh to reimburse Jim for the health  
28 insurance premiums he paid from January 2019 to June 2020, which totals

1 \$10,176.24. Jim also is requesting the Court order Minh to obtain her  
2 own health insurance policy for July 2020 going forward.

### 3 **III. LEGAL ARGUMENT**

#### 4 A. The Court Should Appoint Bree Mullins as the New Therapist for 5 the Children

6 Pursuant to NRS 125C.0045(1)(a), in any action for determining the  
7 custody of a minor child, the Court may “[d]uring the pendency of the  
8 action, at the final hearing or at any time thereafter during the minority of  
9 the child, make such an order for the custody, care, education,  
10 maintenance and support of the minor child as appears in his or her best  
11 interest.” Jim has researched and recommended Bree Mullins and Minh  
12 has recommended Jen Mitzel. Jim believes Ms. Mullins would be a much  
13 more convenient choice as her office is within seven (7) minutes of the  
14 children’s school, which is important as the children will most likely be  
15 attending sessions on weekdays after school and will need sufficient time  
16 to complete their homework and study when they get home. **Exhibit 22**,  
17 Google Maps – Challenger School to Bree Mullin’s Office. Ms. Mitzel’s  
18 office is 24 minutes from the children’s school. **Exhibit 23**, Google Maps  
19 – Challenger School to Jen Mitzel’s Office.

20 Jim also believes Ms. Mullins is more qualified than Ms. Mitzel. Ms.  
21 Mullins is a psychologist whereas Ms. Mitzel is a clinical social  
22 worker/therapist. **Exhibit 24**, Psychology Today, Jen Mitzel. Ms. Mullins  
23 has worked with high-conflict families in navigating the divorce process,  
24 improving co-parenting, and guiding children to achieve their full  
25 potential. **Exhibit 4**, Psychology Today, Bree Mullins. Considering the  
26 present psychological health of the children, especially Hannah who has  
27 been most affected, a child psychologist is a much better choice than a  
28 clinical social worker/therapist and has a greater likelihood of successfully

1 helping the children to recover and foster health relationships with both  
2 parents.

3 Jim respectfully requests this Court appoint Ms. Mullins to provide  
4 the children therapy, and allow Ms. Mullins to testify as a witness if the  
5 Court determines Ms. Mullins' testimony would be helpful in resolving any  
6 future issues upon which the parties cannot agree. The Court should order  
7 the parties to abide by Ms. Mullins' recommendations as to the frequency  
8 of therapy sessions for the children. The Court should also order the  
9 parties to participate in the therapy sessions if recommended by Ms.  
10 Mullins. Lastly, the Court should order the parties to share equally in the  
11 cost of the therapy sessions to the extent they are not covered by health  
12 insurance.

13 B. This Court Should Address Other Parent Child Issues

14 Pursuant to NRS 125C.0045(1)(a), in any action for determining the  
15 custody of a minor child, the Court may "[d]uring the pendency of the  
16 action, at the final hearing or at any time thereafter during the minority of  
17 the child, make such an order for the custody, care, education,  
18 maintenance and support of the minor child as appears in his or her best  
19 interest." Unfortunately, Jim's attempts to resolve the parent-child issues  
20 as this Court directed were unsuccessful as Minh has no interest in  
21 cooperating in any way with Jim.

22 First, the Court should enter an order that each parent shall have a  
23 minimum of ten (10) minutes of video or telephonic communication with  
24 each child every Sunday, Tuesday, and Thursday in which that parent does  
25 not have physical custody of the children, at 7:00 p.m., with the custodial  
26 parent being required to initiate the communication for the children and  
27 ensure each child is available to speak to the other parent. Scheduling  
28 telephone calls every other day would at least allow the parties to ensure

1 communication occurs on a routine and predictable schedule. This  
2 schedule would not prevent the children from calling the noncustodial  
3 parent on other days and speaking to the other parent for a reasonable  
4 amount of time. As Dr. Gravley stated, the children should be permitted  
5 to integrate into the custodial parent's home. Dr. Gravley also  
6 recommended that the children have regular contact with the noncustodial  
7 parent, but not at the children's disposal all the time. Exhibit 11. Dr.  
8 Gravley informed the parties that "case studies have shown that with  
9 children in two homes it is not healthy to have such unlimited contact  
10 without some boundaries in place." Exhibit 11. Thus, Jim believes such  
11 a routine and predictable schedule will be in the children's best interests  
12 and reduce conflict between the parties.

13 Second, the Court should enter an order requiring each party to  
14 provide the other party with a travel itinerary and telephone numbers at  
15 which the children can be reached whenever the children will be away from  
16 the custodial parent's home for a period of two (2) nights or more. Minh  
17 stated "sine [she] takes the children exploring Nevada during her times,  
18 she will not be providing a travel itinerary." Jim's request for a simple  
19 itinerary is not unreasonable, and the Court's Decision and Order already  
20 provides that a parent vacationing with the minor children shall provide  
21 the other parent with a travel itinerary, including telephone numbers,  
22 expected times of arrival and departure, and destinations. Because Minh  
23 does not characterize her "explorations" of Nevada as "vacations," she  
24 refuses to communicate with Jim regarding where she takes the children.  
25 This is poor coparenting on Minh's part, and has necessitated the entering  
26 of an order regarding same.

27 Third, the Court should enter an Order requiring Minh to provide  
28 Jim with the address at which she stays with the children during her

1 custodial timeshare in Las Vegas. In his April 27, 2020 and May 19, 2020  
2 letters, Jim requested that Minh provide him with the address where she  
3 stays with the children in Las Vegas. Minh refused to provide a response  
4 in any of her letters. Minh has informed Jim via text message that she  
5 stays with the children in her van.

6 Fourth, the Court should enter a Behavior Order, including, but not  
7 limited to, the following orders: (1) an order that the parties shall not  
8 interfere with each child's right to transport the child's clothing and  
9 personal belongings freely between the parents' respective homes; and (2)  
10 an order that neither party shall disparage the other party in the presence  
11 of the children, nor shall either party make any comment of any kind that  
12 would demean the other party in the eyes of the children.

13 Fifth, the Court should enter an order that Minh reimburse Jim the  
14 following amounts pursuant to the Court's Decision and Order and the  
15 30/30 rule, subject to penalty of contempt if these expenses are not  
16 reimbursed within 30 days of the Court's order:

17 1. \$15,568 for her one-half portion of the children's 2019-2020  
18 Challenger School tuition;

19 2. \$262.50 for her one-half portion of the children's 2020-2021  
20 Challenger School applicant fees;

21 3. \$188.84 for her one-half portion of the children's school  
22 uniforms cost;

23 4. \$230.12 for her one-half portion of Matthew's martial arts  
24 class;

25 5. \$87.78 for her one-half portion of the December 19, 2019  
26 therapy session with Dr. Michelle Gravley;

27 6. \$62.50 for her one-half portion of Hannah Vahey's  
28 ophthalmology appointment; and

1           7.     \$42.50 for her one-half portion of Selena Vahey's  
2 ophthalmology appointment and prescribed eye drops.

3           Sixth, the Court should enter an order requiring Minh to pay one-  
4 half the cost of the children's health insurance premium from the date of  
5 the parties' separation in January 2019, and to reimburse Jim \$7,471.04  
6 for her one-half (½) portion of the children's health insurance premium  
7 from January 2019 to June 2020. The Court should also order Minh to  
8 reimburse Jim for her one-half portion of the children's health insurance  
9 premium on the first day of each month from July 1, 2020 going forward.

10          Seventh, the Court should enter an order requiring Minh to obtain  
11 her own health insurance policy beginning July 2020 and to reimburse Jim  
12 for 100% of the cost of Minh's health insurance premium from January  
13 2019 to June 2020, which amounts to \$10,176.24.

14          Lastly, the Court should enter an order that Jim be awarded twenty-  
15 four (24) days of make up custodial time, to be exercised three (3) days at  
16 a time, as Minh's withholding of the children from Jim for five (5) weeks  
17 was wrongful and based on her false allegations of domestic violence, which  
18 is evident based on the audio and video recordings Jim took of the March  
19 20, 2020 incident and given the prosecutor decided not to pursue criminal  
20 charges against Jim.

21     C.     The Court Should Award Jim His Attorneys' Fees and Costs for  
22             Having to File this Emergency Motion

23          Jim also respectfully submits that he is entitled to an award of  
24 attorneys' fees pursuant to NRS 18.010 and EDCR 7.60(b). NRS  
25 18.010(2)(b) permits litigants to recover their attorneys' fees where the  
26 Court finds that a claim or defense of an opposing party was brought  
27 without reasonable ground or to harass the prevailing party. EDCR  
28 7.60(b)(1) and (3) permit the Court to sanction a party for presenting or

1 maintaining a motion “which is obviously frivolous, unnecessary or  
2 unwarranted,” or for multiplying “the proceedings in a case as to increase  
3 costs unreasonably and vexatiously.”

4 As detailed above, Jim made multiple attempts prior to filing his  
5 March 2020 Emergency Motion to address the parent-child issues. After  
6 the Court directed the parties to attempt to resolve the parent-child issues  
7 at the April 22, 2020 hearing, Jim immediately sent a letter on April 27,  
8 2020 to address the most important parent-child issues, particularly the  
9 issue of the children’s therapy. Minh did not respond at all to Jim’s letter.  
10 Rather, on May 18, 2020, Minh’s counsel sent Jim’s counsel a letter again  
11 falsely accusing Jim of abuse. Jim responded the following day, again  
12 attempting to resolve the most important issues. Attached to Jim’s May  
13 19, 2020 letter was a Stipulation and Order addressing the parent-child  
14 issues the Court directed the parties to resolve prior to the next hearing.  
15 **Exhibit 6.** Minh again ignored Jim’s attempts to resolve such issues.

16 On May 26, 2020, Minh sent a responsive letter to Jim’s May 19,  
17 2020 letter. In her May 26 letter, Minh stated she “stands firm in her  
18 request for using Jen Mitzel” as the children’s therapist, but did not  
19 provide any reasoning for why she prefers to use Ms. Mitzel, who is not a  
20 psychologist and whose office is located much farther from the children’s  
21 school than Ms. Mullins’ office. Minh spent a vast majority of her five (5)  
22 page letter continuing to accuse Jim of domestic violence, of lying to the  
23 children about moving to California, and of being solely responsible for  
24 Hannah’s unhappiness. Needless to say, none of Jim’s suggestions to  
25 resolve the parent-child issues were acknowledged, and Minh’s letter did  
26 nothing to move the parties in the right direction of coparenting to meet  
27 the best interests of the children. Minh even asks in the letter at one  
28 point, “What is wrong with your client?” More concerning, despite

1 Hannah's alarming behavior, Minh stated she would no longer pay for the  
2 cost of therapy with Dr. Gravley and blamed Jim for all of the parties'  
3 problems. Based on this response, it was abundantly clear Minh had no  
4 interest in resolving any parent-child issues, requiring Jim to file this  
5 Emergency Motion.

6 In addition, Jim's counsel sent Minh's counsel a separate letter  
7 regarding the financial issues on May 26, 2020. Minh never responded to  
8 this letter. Jim has tried time and time again to coparent with Minh and  
9 reduce the need for Court intervention. Minh not only completely  
10 disregarded Jim's attempts to resolve the parent-child issues, but  
11 continuously sent letters perpetuating her false allegations of domestic  
12 abuse and blaming Jim for all of the parties' problems. Accordingly, any  
13 Opposition to this Emergency Motion filed by Minh would be brought  
14 without reasonable ground or to harass Jim. Similarly, any Opposition to  
15 this Emergency Motion filed by Minh would be obviously frivolous,  
16 unnecessary, and unwarranted. By failing to even attempt to resolve the  
17 parent-child issues, as directed by the Court, Minh has multiplied the  
18 proceedings in this case as to increase costs unreasonably and vexatiously,  
19 and forced Jim to file this Emergency Motion. Thus, Jim is entitled to an  
20 award of attorneys' fees and costs pursuant to NRS 18.010 and EDCR  
21 7.60(b).

22 Pursuant to *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349,  
23 455 P.2d 31, 33 (1969), in awarding attorneys' fees and costs, this Court  
24 will need to make specific findings regarding the quality of Jim's advocates,  
25 the character of the work done in this Emergency Motion, the work  
26 actually performed, and the result. It is impossible at this time to provide  
27 the Court with a total amount of time spent towards this Emergency  
28 . . .

1 Motion, as a reply to any opposition filed by Minh and a Court  
2 appearance will be required.

3 To assist the Court in making the other necessary findings, Robert  
4 P. Dickerson charges an hourly fee of \$600 for his services. Sabrina M.  
5 Dolson's hourly fee is \$350. These fees are customary and reasonable in  
6 this locality for similarly situated persons and cases. Mr. Dickerson has  
7 been practicing law for forty-three (43) years, with the last twenty-six (26)  
8 plus years devoted to the practice of family law. He is a former President  
9 of the State Bar of Nevada, and Clark County Bar Association, and is AV  
10 rated both as to skill and ethics. Ms. Dolson has been licensed to practice  
11 law in Nevada since 2013, is a member of the Family Law Section of the  
12 State Bar of Nevada, and has practiced in the area of family law since  
13 becoming licensed. The Dickerson Karacsonyi Law Group is an AV  
14 Preeminent rated law firm, the highest level of professional excellence. All  
15 attorneys at the firm have extensive experience in family law, and a  
16 reputation for competency.

17 **III. CONCLUSION**

18 Based on the foregoing, Jim respectfully requests the Court grant the  
19 relief requested in this Emergency Motion.

20 DATED this 5<sup>th</sup> day of June, 2020.

21 THE DICKERSON  
22 KARACSONYI LAW GROUP

23 By /s/ Sabrina M. Dolson  
24 ROBERT P. DICKERSON, ESQ.  
25 Nevada Bar No. 000945  
26 SABRINA M. DOLSON, ESQ.  
27 Nevada Bar No. 013105  
28 1745 Village Center Circle  
Las Vegas, Nevada 89134  
Attorneys for Plaintiff

1                                    DECLARATION OF JAMES W. VAHEY

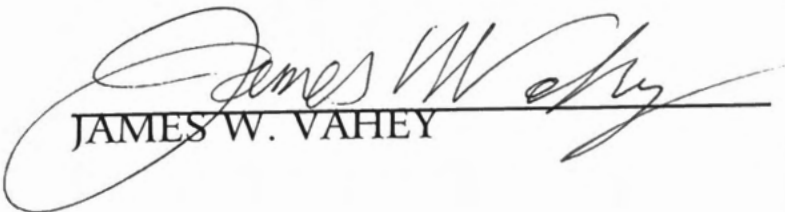
2            I, JAMES W. VAHEY, declare under penalty of perjury under the law  
3 of the State of Nevada that the following statement is true and correct:

4            1.     I am over the age of 18 years. I am the Plaintiff in this action.  
5 I have personal knowledge of the facts contained herein, and I am  
6 competent to testify thereto.

7            2.     I am making this declaration in support of my PLAINTIFF'S  
8 EMERGENCY MOTION TO RESOLVE PARENT- CHILD ISSUES AND  
9 FOR ATTORNEYS' FEES AND COSTS ("Emergency Motion"). I have  
10 read the Emergency Motion prepared by my counsel and swear, to the best  
11 of my knowledge, that the facts as set forth therein are true and accurate,  
12 save and except any fact stated upon information and belief, and as to such  
13 facts I believe them to be true. I hereby reaffirm said facts as if set forth  
14 fully herein to the extent that they are not recited herein. If called upon  
15 by this Court, I will testify as to my personal knowledge of the truth and  
16 accuracy of the statements contained therein.

17            I, JAMES W. VAHEY, declare under penalty of perjury under the  
18 law of the State of Nevada that the foregoing is true and correct.

19                                    Executed on 6-5-2020

20                                      
21                                    JAMES W. VAHEY

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of THE DICKERSON KARACSONYI LAW GROUP, and that on this 5<sup>th</sup> day of June, 2020, I caused the above and foregoing document entitled PLAINTIFF'S EMERGENCY MOTION TO RESOLVE PARENT-CHILD ISSUES AND FOR ATTORNEYS' FEES AND COSTS to be served as follows:

- ☒ pursuant to NEFCR 9, NRCP 5(b)(2)(E) and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;
- ☐ pursuant to NRCP 5(b)(2)(C), by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☐ pursuant to NRCP 5(b)(2)(F), to be sent via facsimile, by duly executed consent for service by electronic means;
- ☐ pursuant to NRCP 5(b)(2)(A), by hand-delivery with signed Receipt of Copy.

To the attorney(s) and/or person(s) listed below at the address, email address, and/or facsimile number indicated below:

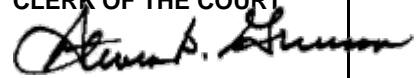
FRED PAGE, ESQ.  
PAGE LAW FIRM  
6930 South Cimarron Road, Suite 140  
Las Vegas, Nevada 89113  
fpage@pagelawoffices.com  
Attorney for Defendant

/s/ Sabrina M. Dolson

An employee of The Dickerson Karacsonyi Law Group

76

76



EXHS  
THE DICKERSON KARACSONYI LAW GROUP  
ROBERT P. DICKERSON, ESQ.  
Nevada Bar No. 000945  
SABRINA M. DOLSON, ESQ.  
Nevada Bar No. 013105  
1745 Village Center Circle  
Las Vegas, Nevada 89134  
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Email: info@thedklawgroup.com  
Attorneys for Plaintiff

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

JAMES W. VAHEY,  
Plaintiff,

v.

MINH NGUYET LUONG,  
Defendant.

CASE NO. D-18-581444-D  
DEPT NO. H

**APPENDIX OF EXHIBITS IN SUPPORT OF PLAINTIFF'S  
EMERGENCY MOTION TO RESOLVE PARENT- CHILD ISSUES  
AND FOR ATTORNEYS' FEES AND COSTS**

COMES NOW Plaintiff, JAMES W. VAHEY ("Jim"), by and through his attorneys, ROBERT P. DICKERSON, ESQ., and SABRINA M. DOLSON, ESQ., of THE DICKERSON KARACSONYI LAW GROUP, and hereby submits his Appendix of Exhibits in Support of Plaintiff's Emergency Motion to Resolve Parent-Child Issues and for Attorneys' Fees and Costs.

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1	<b>Title/Description of Document</b>	<b>Exhibit Number</b>
2	April 27, 2020 Letter from Sabrina M. Dolson, Esq. to Fred Page, Esq.	1
3	Text Messages Exchanged Between Jim and Minh from April 23 to 25, 2020	2
4	Text Messages Exchanged Between Jim and Minh on April 29, 2020	3
5	Psychology Today – Bree Mullins	4
6	May 18, 2020 Letter from Fred Page, Esq. to Sabrina M. Dolson, Esq.	5
7	May 19, 2020 Letter from Sabrina M. Dolson, Esq. to Fred Page, Esq.	6
8	Photographs Found in Hannah's Room	7
9	Letters from Hannah to Jim	8
10	May 13, 2020 Email from Dr. Michelle Gravley to Jim and Minh	9
11	May 1, 2020 Email from Dr. Michelle Gravley to Jim and Minh	10
12	June 1, 2020 Email from Dr. Michelle Gravley to Jim and Minh	11
13	Text Messages Regarding Communication with Children	12
14	May 26, 2020 Letter from Fred Page, Esq. to Sabrina M. Dolson, Esq.	13
15	May 26, 2020 Letter from Sabrina M. Dolson, Esq. to Fred Page, Esq.	14
16	Emails Exchanged Between Jim and Minh Regarding Reimbursement for the Children's Expenses	15
17	January 24, 2020 Email from Jim to Minh Requesting Reimbursement for Challenger School Applicant Fees	16
18	Copy of Check Paying Challenger School Applicant Fees	17
19	Health Insurance Premium Rates	18
20	December 19, 2019 Email from Jim to Minh Regarding Dr. Gravley's Bill	19
21	February 19, 2020 Text Message from Jim to Minh Regarding Hannah's Ophthalmology Appointment	20

1	March 3 and 9, 2020 Emails from Jim to Minh	21
2	Regarding Selena's Ophthalmology Appointment	
3	and Eye Drops	
4	Google Maps Showing Time to Drive from	22
5	Challenger School to Bree Mullins' Office	
6	Google Maps Showing Time to Drive from	23
7	Challenger School to Jen Mitzel's Office	
8	Psychology Today – Jen Mitzel	24

DATED this 5<sup>th</sup> day of June, 2020.

THE DICKERSON  
KARACSONYI LAW GROUP

By /s/ Sabrina M. Dolson  
ROBERT P. DICKERSON, ESQ.  
Nevada Bar No. 000945  
SABRINA M. DOLSON, ESQ.  
Nevada Bar No. 013105  
1745 Village Center Circle  
Las Vegas, Nevada 89134  
Attorneys for Plaintiff

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- [X] pursuant to NEFCR 9, NRCP 5(b)(2)(E) and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;
- [ ] pursuant to NRCP 5(b)(2)(C), by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- [ ] pursuant to NRCP 5(b)(2)(F), to be sent via facsimile, by duly executed consent for service by electronic means;
- [ ] pursuant to NRCP 5(b)(2)(A), by hand-delivery with signed Receipt of Copy.

FRED PAGE, ESQ.  
PAGE LAW FIRM  
6930 South Cimarron Road, Suite 140  
Las Vegas, Nevada 89113  
fpagelaw@pagelawoffices.com  
Attorney for Defendant

23  
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26  
27  
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EXHIBIT 1

EXHIBIT 1

EXHIBIT 1

# THE DICKERSON KARACSONYI LAW GROUP

ROBERT P. DICKERSON  
JOSEF M. KARACSONYI  
NATALIE E. KARACSONYI  
SABRINA M. DOLSON  
JONATHAN S. CHUNG  
MICHAEL Z. STANNARD  
YASNAI C. RODRIGUEZ-ZAMAN

A PROFESSIONAL CORPORATION OF ATTORNEYS AT LAW  
HILLS CENTER NORTH BUSINESS PARK  
1745 VILLAGE CENTER CIRCLE  
LAS VEGAS, NEVADA 89134

AREA CODE (702)  
TELEPHONE 388-8600  
FAX 388-0210

April 27, 2020

Fred Page, Esq.  
Page Law Firm  
6930 South Cimarron Road, Suite 140  
Las Vegas, Nevada 89113  
fpage@pagelawoffices.com

SENT VIA E-MAIL

Re: *James W. Vahey v. Minh Nguyet Luong*

Dear Fred:

This letter is being sent to address the parent child issues Judge Ritchie directed the parties to resolve on their own at the hearing last week. We believe it would be in everyone's best interest if our clients started cooperating to resolve these issues without having to involve the Court.

Judge Ritchie entered temporary custodial orders requiring the parties to share custody on a week on week off basis in Nevada. Jim agrees with Judge Ritchie that joint physical custody is in the children's best interest, and has no objection if Minh chooses to continue with this arrangement permanently. Minh represented that she is no longer residing with the children at her 9742 West Tompkins Avenue home when she has custody of the children. Can you please have Minh provide the address where she will be staying with the children as soon as possible?

Given both parties' concerns for the children's well-being, we believe it would be beneficial for us to discuss with our clients how important it is that they do not speak to the children about this matter or involve them in their disputes. We also believe the children would be much less stressed about disappointing one parent or the other if both parties agree to allow the children's clothing, belongings, and possessions to transfer freely with the children at custodial exchanges regardless of who purchased the items. The parties have purchased these items for the children's use and benefit, and it only hurts the children when these items are not available for their use.

For example, at the custodial exchange on April 23, 2020, the children did not have their iPads, which they use to complete their homework. Minh informed Jim she would not allow the children to bring the iPads to Jim's because she purchased them. Jim was required to purchase electronics for the children to complete their homework at his home as he did not have separate electronics for each child to use at the same time. Matthew also did not have his book, for which he is required to write a book report. Jim asked Minh to FedEx the book to him, but Minh told Jim to purchase another copy. Normally, this would only require a trip to the book store. However, given the closing of many businesses because of the COVID-19 pandemic, this was not an option for Jim. Jim also could not order a paperback copy of the book for it to be delivered to his home in time for Matthew to be able to continue reading the book and begin his book report. Jim ended up purchasing a Kindle version of the book, but because Jim does not have a Kindle, Matthew must read the book on Jim's cell phone. Jim is not trying to criticize Minh or cause more disputes between them; he would simply like the parties to agree that regardless of who purchased certain items for the children, it only benefits the children for these items to transfer freely with them so there is no interruption to their needs and school work.

Lastly, it appears the parties agree the children should attend therapy to address the effects the parties' divorce has had on them. Jim is especially concerned about Hannah. Minh stated she noticed Hannah is eating much less. Jim has observed this as well since the children were returned to him on April 24, 2020. Jim would like Hannah to return to therapy as soon as possible. Jim respectfully requests Minh research Bree Mullins as he believes she is qualified to address the children's needs. Ms. Mullins is a psychologist who has worked with high-conflict families in navigating the divorce process, improving co-parenting, and guiding children to achieve their full potential. Ms. Mullins' office is located only seven (7) minutes from the children's school, which would be convenient for the parties if they continue to share joint physical custody. This will be particularly helpful once the children return to school as their therapy sessions will most likely be scheduled immediately after school. The parties would have sufficient time after therapy to get the children home to complete homework, have dinner, and get ready for bed. Jim has researched Jen Mitzel and believes she may not be qualified to handle the children's needs as she is not a psychologist, but rather a clinical social worker/therapist. Ms. Mitzel's office is also located approximately twenty-four (24) minutes from the children's school. Jim would also like to suggest that both parties participate in therapy with the children, if the therapist they choose agrees this would be beneficial. Please let us know Minh's thoughts on Ms. Mullins and whether she has any other recommendations.

Fred Page, Esq.  
April 27, 2020  
Page 3

We wanted to address the most important issues affecting the welfare of the children as soon as possible, most importantly, providing the children with the therapy they need. We will be sending a separate letter to address the financial issues the parties need to resolve in the next few days.

Thank you for your time and attention to this matter. We hope we are able to resolve many, if not all, of the parent child custody issues between our clients so the parties can focus on what is important here, their children.

Sincerely,

*/s/ Sabrina M. Dolson*

Sabrina M. Dolson

cc: James Vahey

EXHIBIT 2

EXHIBIT 2

EXHIBIT 2

## Conversation with Nguyet Luong

Contains 131 messages

Showing messages sent/received between 20 Mar 2020 and 05 May 2020

---

Sent - March 20, 2020 at 1:19 PM - (iMessage) - Delivered

The Court's custodial order provides you have one weekend of visitation each month here in Nevada. In addition, given the current issues surrounding COVID-19 and the recommendation that people avoid unnecessary travel, I do not approve nor consent to the children's traveling outside of Las Vegas this weekend. Can you please confirm you will be complying with the court's order? We are at the house. We're not going to the office. I'll see you at 4 o'clock per the court's order.

Received - Nguyet Luong - March 20, 2020 at 2:24 PM - (iMessage)

NL

I will comply with court order

Received - Nguyet Luong - March 20, 2020 at 2:24 PM - (iMessage)

NL

As always

Sent - March 20, 2020 at 2:40 PM - (iMessage) - Delivered

Thank you for giving me a straight answer. We can only coparent together if we understand how important it is for us to communicate with each other and appropriately respond to each other with honest answers to legitimate questions concerning the well-being of our children. I was concerned about our children, and I appreciate your giving me a straight answer to my question.

---

4/23/20

---

Received - Nguyet Luong - April 23, 2020 at 11:39 AM - (iMessage)

NL

Please let me talk to the children

Sent - April 23, 2020 at 12:17 PM - (iMessage) - Delivered

Any time. Just call Matthew told me you were going to bring his iPad. Is that true

Received - Nguyet Luong - April 23, 2020 at 12:19 PM - (iMessage)

NL

I just FaceTimed you and you didn't pick up

Received - Nguyet Luong - April 23, 2020 at 12:28 PM - (iMessage)

NL

Are you really going to let me talk to the children?

Sent - April 23, 2020 at 12:32 PM - (iMessage) - Delivered

You can talk to them any time. So sorry. My phone was on silent. You didn't answer my question. Matthew said you were going to bring guys iPad. Our van is at Toyota. Let me know if you are or aren't so I can tell him.

Sent - April 23, 2020 at 1:14 PM - (iMessage) - Delivered

Lena's eye isn't dilated When was the last time she got her eye drops?

Received - Nguyet Luong - April 23, 2020 at 2:31 PM - (iMessage)

NL

Please have selena call me

Received - Nguyet Luong - April 23, 2020 at 9:15 PM - (iMessage)

NL

This is my second request: please have Lena call me

---

4/24/20

Received - Nguyet Luong - April 24, 2020 at 8:33 PM - (iMessage)

NL

This is my third request: please have Lena call me

4/25/20

Received - Nguyet Luong - April 25, 2020 at 8:44 AM - (iMessage)

NL

This is my fourth request: Please have lena and Matthew call me

Sent - April 25, 2020 at 8:47 AM - (iMessage) - Delivered

I didn't see your request yesterday evening until this morning. It's more reliable for you to call my phone then to leave a message. I don't always have the phone on me. It's a shame that you won't let them have their iPads, because that would be such a great way for you to be able to reach them directly. They're still sleeping now. I'll have them call you after they wake up.

Received - Nguyet Luong - April 25, 2020 at 2:59 PM - (iMessage)

NL

Can I call you later?

Sent - April 25, 2020 at 5:14 PM - (iMessage) - Delivered

You have Matthew's island of the blue dolphins book. He's only read six chapters. His book report is due on May 6. I looked to see if I could buy it through Amazon. Unfortunately by the time they deliver it it will be May 4. This won't work. Please FedEx his book here as soon as you can so he can start working on it ASAP. Thank you

Received - Nguyet Luong - April 25, 2020 at 5:44 PM - (iMessage)

NL

You can buy an online book

Sent - April 25, 2020 at 5:45 PM - (iMessage) - Delivered

It will arrive too late

Received - Nguyet Luong - April 25, 2020 at 6:04 PM - (iMessage)

NL

An ebook!

EXHIBIT 3

EXHIBIT 3

EXHIBIT 3



Nguyet &gt;

Wed, Apr 29, 9:37 AM

I spoke to Dr. Sirsy yesterday. He said that you told him on the Tuesday when you took the kids for their appointments that Hannah was depressed, staying in her room, and not eating well. How long has she been acting this way?

Dr. Sirsy told me he recommended more physical activity for Hannah. Would you please encourage Hannah to get out of her room more and do some physical activity?

9:37 AM

I spoke with Dr. Gravley this morning to see if she had any ideas about how to help Hannah. She said she was going to give you a call, and we should have Hannah do a session with her.



iMessage





Nguyet &gt;

a session with her.

Jim, If you sincerely want to help Hannah then please let her be with me. I have said this to you many times. My hands are tied and it is up to you with how you want these kids' lives to be. If you really have been paying attention to them then you can see it in their eyes and their behaviors to see how sad they are. I see it in Hannah's eyes every time she knows she will part from me. It is like life has been sucked out of her. All three kids deal with the withdrawal differently. I want to make it clear to you that they are happy, fun, interactive children when they are with me. It is like a light switch when they know they have to be heading back to Vegas and away



iMessage





Nguyet &gt;

they have to be heading back to Vegas and away from me. Hannah has been getting progressively worse. Hannah has not been eating well since she lives with you without me. When she is with you, she tells me she makes her own food and most often it is just eggs. I check in on her every day throughout the day. Most times, at 2pm and she has not even left her room or had any eaten. Multiple times I have to beg her multiple times to leave the room and get something to eat. Most often she would say that she's not hungry and she doesn't want to eat. I would tell her that she still need to eat and I offer to buy her food that she would like to eat. I speak to her and text her every day and multiple



iMessage





Nguyet &gt;

eat. I speak to her and text her every day and multiple times a day to ask her to leave her room to play with Lena and Matthew. I ask her to eat in the dinning room. I tell her I want her to be happy. When I do get to talk to Lena, I tell her to go and play with Hannah. She is in your care the majority of the time and she can not connect with you. I wrote to you a couple of days ago via email to ask you again please consider the mental and physical health of these children to allow them to be with me. I wrote to you that while these children are with me they do multiple physical activities because I have the time to take them. I wrote to you about what Dr. Sirsy said. I did not get a response from you. I wrote to you a couple of days ago

10:34 AM



iMessage





Nguyet &gt;

to you a couple of days ago regarding Dr. Gravely and therapy sessions, I did not a response from you either. I want nothing but for our children to be the best they can be and as happy as they can be. You asked for my help and I have given you my input. It is up to you to decide the lives of these children. I have spent a lot of money and effort because I know they would have a better life with me. You know I have no intentions of taking them away from you. This has been the family plan. You decided to not come along. Moving them to OC is not a plan for me to distant them from you. You forcing them to be in Vegas and away from me automatically distancing you from them, not physically



iMessage



2:11



Nguyet >

... automatically distancing you  
from them, not physically  
but emotionally. It is not  
something I do. It is what  
you do. You asked me for  
help and I offered my help.

Wed, Apr 29, 7:17 PM

Please allow me to talk to  
lena and Matthew. I have  
been allowed to talk to  
Matthew for 5 minutes and  
Lena 14 minutes for the  
whole week since I dropped  
them off to you.

7:17 PM

I emailed you asking you  
about extending my time  
with the kids until evening of  
Mother's Day. I have not  
heard back.

7:18 PM

Thu, Apr 30, 2:21 PM

Dr. Gravley's office called  
me this morning. Hannah  
has a teletherapy session



iMessage



EXHIBIT 4

EXHIBIT 4

EXHIBIT 4

# Bree Mullin

Psychologist, PsyD

Verified by Psychology Today



(702) 903-2693

Email Me

Ask about video and phone sessions

1820 E Warm Springs Road  
Suite #115  
Las Vegas, Nevada 89119  
(702) 903-2693



Dr. Mullin is currently offering HIPAA/HITECH compatible telehealth services. Please contact us to schedule an appointment.

Every person is an individual and every individual has unique strengths and weaknesses, supports and challenges. Depression, anxiety, and relationship issues can feel debilitating, and are more common than we think, yet they do not have to govern our lives. Specializing in children, adolescents, and families, I support people in using their strengths and support s to overcome adversity and improve life



## Bree Mullin

Psychologist, PsyD

Email Me

(702) 903-2693

Emotional and behavioral health are important aspects of physical health. An integrated health care philosophy, focusing on collaborating with physicians in addressing all aspects of health, is imperative. As the President of the Nevada Psychological Association, I advocate for improved access to all health care for all Nevada's residents.



**Take the first step to help.** Call or [Email](#) Bree Mullin now - **(702) 903-2693**

## Qualifications

**School:** Alliant International University

**Year Graduated:** 2011

**License and State:** PY0677 Nevada

## Finances

**Cost per Session:** \$100 - \$230

**Sliding Scale:** Yes

**Pay By:** ACH Bank transfer, Cash, Check, Discover, Health Savings Account, Mastercard, Visa

## Accepted Insurance Plans

BlueCross and BlueShield

Medicaid

Out of Network

Verify your health insurance coverage when you [arrange your first visit](#).

## Additional Credentials

**Certificate:** Nevada Psychological Association / President

**Certificate Date:** 2016



**Bree Mullin**

Psychologist, PsyD

[Email Me](#)

**(702) 903-2693**

Issues

- Adoption
- Anger Management
- Depression
- Divorce
- Emotional Disturbance
- Grief
- Oppositional Defiance
- Parenting
- Peer Relationships
- Relationship Issues
- Self Esteem
- Sexual Abuse
- Sleep or Insomnia
- Testing and Evaluation
- Trauma and PTSD

Mental Health

- Mood Disorders

Client Focus

Age

- Children (6 to 10)
- Preteens / Tweens (11 to 13)
- Adolescents / Teenagers (14 to 19)
- Adults

Communities

- Aviation Professionals
- Bisexual Allied
- Cancer
- Gay Allied
- HIV / AIDS Allied
- Lesbian Allied
- Transgender Allied



Bree Mullin

Psychologist, PsyD

Email Me

(702) 903-2693

- Forensic Psychology
- Integrative
- Motivational Interviewing
- Play Therapy
- Psychological Testing and Evaluation

Modality

- Individuals
- Family

Video/Skype

- Online/Phone Counseling

Links

My Website

Nearby Areas

This location is easily accessible from:

Cities:

- Las Vegas, NV

Counties:

- Clark

Zips:

- 89121
- 89120
- 89119

Neighborhoods:

- Paradise

Professional Connections

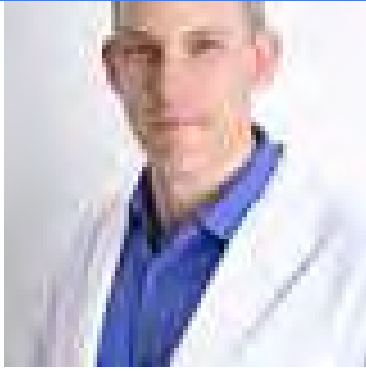


Bree Mullin

Psychologist, PsyD

Email Me

(702) 903-2693



Last Modified: 20 Mar 2020

Searches containing Bree Mullin ▾

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EXHIBIT 5

EXHIBIT 5

EXHIBIT 5

## PAGE LAW FIRM

ATTORNEY AT LAW  
6930 SOUTH CIMARRON ROAD, SUITE 140, LAS VEGAS, NEVADA 89113  
TELEPHONE (702) 469-3278 | FACSIMILE (702) 628-9884

May 18, 2020

Fred Page, Esq.  
email: fpagc@pagelawoffices.com

### VIA E-SERVICE ONLY

Sabrina Dolson, Esq.  
Dickerson Karacsonyi Law Group  
1745 Village Center Circle  
Las Vegas, Nevada 89134

**Re: James W. Vahey v. Minh Nguyen Luong**  
PLF Client: Minh Nguyen Luong  
Case No.: D-18-581444-D  
Subject: Jim's Conduct Toward the Children

Dear Ms. Dolson:

Dr. Luong advises that Jim is violating the terms of joint legal custody again and has been abusive toward Hannah. Dr. Luong indicates that Jim has been very hostile toward Hannah since she was returned to him. Dr. Luong advises that Hannah has informed her that Jim has done the following as part of his retribution against Hannah.

1. Jim took the lock out of Hannah's bathroom
2. Jim took the lock out of Hannah's bedroom.
3. Jim took Hannah's cell phone away from her and only allows her to use the cell phone only two hours per day. There is no reason for this other than he is mad at Hannah and is taking it out on her.
4. Jim also disabled the land line at the house so Hannah can no longer call Dr. Luong from that line.
5. Jim is also following Hannah around and is recording her.

Dr. Luong further advises that on Saturday, Jim allowed Hannah to speak to her on the land line. However, in the middle of the conversation Jim yanked out the phone line from the wall so Hannah could no longer speak to her own mother.

All children need some privacy. Hannah has done nothing to deserve such treatment from Jim. Hannah is going to be going into puberty soon and as such she like all teenage girls is hypersensitive about her privacy. Taking away that feeling of privacy, and safety, is harmful to Hannah emotionally and psychologically. Furthermore, it is not lost on Hannah that Jim is taking retribution against for making the statement she did against him for the domestic violence

Sabrina Dolson, Esq.

May 18, 2020

Page 2

he committed against Dr. Luong. Hannah is the one who is most self-aware of what she did, so Jim is taking his anger out on her accordingly.

It is unacceptable for Jim to take the stance that "you will do what I say when I say it." That parenting stance may work with a 5 year old, but it does not work with a soon to be teenage girl. The children are desperately unhappy. Jim's conduct toward Hannah is Exhibit A why that is the case. If Jim wants the children to hate him and run away again and refuse to get out of the car when it is time for them to go back to him, he should continue doing what he is doing.

Joint legal custody requires that Jim not unreasonably interfere with the children's communications with Dr. Luong. By yanking the phone court out of the wall and taking away Hannah's cell phone, and continuing to record them, Jim is interfering with the children's right of privacy in communications with their mother.

Please advise Jim to cease the above described conduct immediately. This correspondence is written pursuant to EDCR 5.501.

Your time and attention to this matter are appreciated. Should you have any questions or concerns, please do not hesitate to contact us at the number above.

Very truly yours,

PAGE LAW FIRM

A handwritten signature in blue ink, appearing to read "Fred Page", with a stylized flourish extending from the end.

Fred Page, Esq.

FCP

EXHIBIT 6

EXHIBIT 6

EXHIBIT 6

# THE DICKERSON KARACSONYI LAW GROUP

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May 19, 2020

Fred Page, Esq.  
Page Law Firm  
6930 South Cimarron Road, Suite 140  
Las Vegas, Nevada 89113  
fpage@pagelawoffices.com

SENT VIA E-MAIL

Re: *James W. Vahey v. Minh Nguyet Luong*

Dear Fred:

On April 27, 2020, I sent a letter to you regarding the parent child issues Judge Ritchie directed the parties to resolve on their own at the April 22, 2020 hearing. In the letter, I addressed Jim's concerns for Hannah's behavior, which has become significantly worse since she spent five weeks with Minh. Jim requested the parties choose a psychologist to help Hannah, and respectfully suggested Bree Mullins.

Your May 18, 2020 letter is the first communication we have received since our April 27, 2020 letter. Your May 18, 2020 letter does not address any of the issues raised by Jim in his April 27, 2020 letter. Rather than address getting Hannah the help she desperately needs, Minh continues to make unwarranted false allegations of abuse. It appears Minh has no real intention of actually taking any action to help Hannah, and would rather spend time continuing to make false allegations of abuse against Jim, even despite the fact her previous false allegations of domestic abuse were properly dropped.

Minh is well aware that Hannah has been even more psychologically damaged after spending five weeks with her. Jim attempted to address the need to immediately provide Hannah with the help she needs in his April 27, 2020 letter, but he has received no response from Minh. Hannah's behavior since she returned from the five weeks with Minh has been extremely concerning. Hannah locks herself in her bedroom for most of the day. Hannah will very rarely speak to Jim civilly and is very angry with him. When Jim attempts to communicate with Hannah, she yells at him, telling him he lies, everything is his fault, he ruined everything, he does not exist, he is not her daddy, she

hates him, and she wishes he were dead. Hannah eats very little each day, which is causing Jim great concern for her health. Hannah is also not completing her school work. Hannah is not watching her school videos or completing her homework.

Jim has not been abusive or hostile toward Hannah. Jim has only taken certain precautions to ensure Hannah is safe given her threats and concerning behavior. Jim acknowledges he removed the locking mechanism from Hannah's bedroom and bathroom after she made such concerning threats. Despite removing the locking mechanisms, Jim does not enter Hannah's room without knocking. Jim also verbally requests Hannah to open the door prior to entering and only then enters Hannah's room if she refuses to open the door.

In addition, at the recommendation of Dr. Michelle Gravley, Jim has reduced the amount of time Hannah is permitted to be on her electronics given she stays in her bedroom for most of the day on her electronics. Jim has informed Hannah she is permitted to be on her cell phone for two hours each day, and can have an additional hour on her cell phone if she comes out of her bedroom and spends time with the family, as long as the additional hour with her cell phone is not spent in her bedroom. Dr. Gravley advised both parties should be limiting Hannah's time on her cell phone. Jim hopes Minh is heeding Dr. Gravley's advice as he is.

Jim has also spoken to Dr. Sirsy, Hannah's pediatrician, who also recommended Hannah's cell phone time be limited. Dr. Sirsy and Dr. Gravley have both shared their concerns for Hannah's well-being as both have noticed Hannah's affect has been very subdued, both have expressed concern regarding Hannah's eating very little, and both find it worrisome that Hannah stays in her bedroom with the curtains closed. Dr. Sirsy and Dr. Gravley each independently recommended that Hannah's cell phone time be limited to encourage her to engage with the family.

When Jim has attempted to limit Hannah's cell phone time, she has become physically violent with him. Hannah hits, slaps, and kicks Jim, and digs her fingernails into him. When Jim tries to hold her arm to prevent her from hitting him, Hannah accuses Jim of breaking her arm and strangling her. It is apparent Hannah continues to mimic Minh. Despite Hannah's physical attacks on Jim, Jim does not hit or abuse Hannah in any way. Jim has only recorded Hannah when she becomes physically violent because of her false accusations that he is breaking her arm or strangling her. Unfortunately, Jim has experienced what happens when false allegations of abuse are made, and does not know what else he can do to protect himself and his children.

The day following Jim limiting Hannah's cell phone use for the first time, Hannah's behavior actually improved. Hannah spent time with Matthew, Selena, and Jim's brother while Jim went to the store. When Jim returned from the store, Hannah continued to behave well. Hannah joined Matthew and Selena in the pool and they all played for four and a half hours in the pool. Hannah even spoke to Jim and appeared to be returning to her normal self. After the children played in the pool, Hannah returned to her bedroom with her cell phone and took a shower. Hannah's mood drastically changed after her shower, and by evening, Hannah became withdrawn, stayed in her bedroom, would not eat, and would not talk to Jim again. When Jim reminded Hannah of her cell phone limit the following morning, she reacted violently and angrily. During her temper tantrum, Hannah verbally and physically attacked Jim, turned on all of the faucets and lights in the home, lowered the air conditioner thermostats to 70 degrees, and damaged things around the house.

It is clear Hannah is extremely disturbed and inconsolable. This is not normal behavior nor is this behavior that should be addressed by limiting Jim's contact with Hannah as Minh believes. Minh's keeping the children from Jim for such a long period of time is what precipitated Hannah's decline in behavior. Minh should be just as concerned as Jim is in getting Hannah the help she needs, not using this as an opportunity to argue the children are unhappy with Jim.

Although Jim would like Hannah to see a psychologist, he has continued to make appointments with Dr. Gravley to get Hannah any help he can because he has not received a response from Minh regarding choosing a new therapist. Dr. Gravley met with Hannah once during Jim's custodial timeshare and this session went well. Minh did not schedule Hannah for a session on her first week of the week on/week off timeshare. Jim scheduled another session with Dr. Gravley for Hannah during his second custodial week since the Court temporarily modified the custodial timeshare, but Hannah refused to participate. Dr. Gravley noted she could hear Hannah screaming at Jim and refusing to get on the video call. Dr. Gravley initially tried to talk to Jim about engaging Hannah, but when it became apparent Hannah may feel the session was punishment, Dr. Gravley decided it would be best to disengage.

Thereafter, Dr. Gravley sent both parties an email with her recommendations on how to best treat Hannah. Dr. Gravley recommended that Hannah participate in therapy on a regular basis "as she has significantly regressed after the long period of time that the regular schedule was disrupted." Dr. Gravley asked both parties to support Hannah speaking to her, and specifically requested Minh to schedule an appointment during her

Fred Page, Esq.  
May 19, 2020  
Page 4

custodial timeshare as she believed Hannah may open up when she is not so upset. Dr. Gravley recommended Hannah attend weekly therapy sessions by video chat until she can be seen in the office, and requested both parties to follow her recommendations. To date, Minh has not scheduled any sessions for Hannah during her timeshare. Accordingly, Jim is requesting Minh follow Dr. Gravley's advice until the parties are able to mutually agree on a psychologist for Hannah. Jim has scheduled another session for Hannah with Dr. Gravley for Wednesday, May 27, 2020, during his custodial timeshare.

Jim has also become aware of additional attempts by Minh to alienate the children from him. The children, including Selena who is only six years old, have made comments to Jim about wanting to use Minh's surname. This is not something young children would even consider without being prompted. Minh needs to stop this type of behavior. Although she is angry with Jim, she is damaging the children by trying to alienate them from him.

Judge Ritchie has given Minh the opportunity to share joint physical custody and do what is in the children's best interest. It is in the children's best interest that the parties coparent to meet the children's needs, and that the parties support the children's relationship with the other parent. To relieve some of the tension and constant arguing regarding each parent's ability to communicate with the children while it is not their custodial timeshare, Dr. Gravley has suggested that the parties establish time frames on specific days of the week in which the parent who does not have custody can communicate with the children. Dr. Vahey suggests that the parent who does not have custody should be permitted to talk to each child for 10 minutes on Sundays, Tuesdays, and Thursdays, with the parent who has custody initiating a FaceTime call, if possible, or a telephone call, if FaceTime is not available, for the children and ensuring each child is available to speak to the other parent for 10 minutes. The parent who has custody would be responsible for ensuring the communication occurs.

Attached to this letter is a Stipulation and Order addressing the parent-child issues Judge Ritchie directed the parties attempt to resolve prior to the evidentiary hearing. Please review and let us know if Minh is agreeable to same. Given the urgent concerns about Hannah's health and mental well-being, please provide a response by Friday, May 22, 2020 at 5:00 p.m. as to whether Minh is agreeable to the Stipulation and Order, or would like revisions made.

Fred Page, Esq.  
May 19, 2020  
Page 5

In addition to the foregoing, please provide the address where Minh is residing with the children, as previously requested in the April 27, 2020 letter.

Thank you for your time and attention to this matter.

Sincerely,

*/s/ Sabrina M. Dolson*

Sabrina M. Dolson

cc: James Vahey

1 **SAO**  
2 **THE DICKERSON KARACSONYI LAW GROUP**  
3 **ROBERT P. DICKERSON, ESQ.**  
4 Nevada Bar No. 000945  
5 **SABRINA M. DOLSON**  
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8 Las Vegas, Nevada 89134  
9 Telephone: (702) 388-8600  
10 Facsimile: (702) 388-0210  
11 Email: info@TheDKlawgroup.com

12 Attorneys for Plaintiff

13 **DISTRICT COURT**  
14 **FAMILY DIVISION**

15 **CLARK COUNTY, NEVADA**

16 **JAMES W. VAHEY,**

17 Plaintiff,

18 v.

19 **MINH NGUYET LUONG,**

20 Defendant.

21 CASE NO. D-18-581444-D  
22 DEPT NO. H

23 **STIPULATED AND ORDER**  
24 **RESOLVING PARENT CHILD ISSUES**

25 COME NOW Plaintiff, JAMES W. VAHEY ("JIM"), by and through  
26 his attorneys, ROBERT P. DICKERSON, ESQ., and SABRINA M.  
27 DOLSON, ESQ., of THE DICKERSON KARACSONYI LAW GROUP,  
28 and Defendant, MINH NGUYET LUONG ("MINH"), by and through  
her attorney, FRED PAGE, ESQ., of PAGE LAW FIRM, and hereby  
stipulate and agree as follows:

IT IS HEREBY STIPULATED that neither parent shall do anything  
which may estrange the minor children, Hannah Vahey, born March 19,  
2009, Matthew Vahey, born June 26, 2010, and Selena Vahey, born April  
4, 2014, from the other parent or impair the natural development of the  
children's love and respect for the other parent. Both parents understand

1 that parenting requires the acceptance of mutual responsibilities and rights  
2 insofar as the children are concerned. Each parent agrees to communicate  
3 and cooperate with the other parent with respect to all matters relating to  
4 their children. The parents understand and agree that the best interests  
5 of their children will be served by the parents continuing to openly and  
6 freely communicate with each other in a civil manner and to cooperate  
7 with each other in raising their children.

8 IT IS FURTHER STIPULATED that the parents further agree that  
9 it is their intent to be and serve as “co-parents” insofar as the raising of  
10 their children are concerned. In establishing such a co-parenting  
11 arrangement, the parents acknowledge and agree to comply with and abide  
12 by the following key principles of co-parenting:

13 1. Both parents will continue to be fully involved in making  
14 major decisions about their children’s health, education, welfare, and  
15 religion.

16 2. The parents will not place their children between them  
17 and their conflicts. The children are to be raised jointly by the parents  
18 and the parents agree to do so as two business-like partners. As such  
19 business partners, when it comes to the children, they agree to be cordial  
20 with each other and work out their differences in a fair and equitable  
21 manner.

22 3. Both parents view themselves as having a family. Neither  
23 is the custodian nor the visitor. Each has a family home and each is  
24 entitled to make decisions and have a lifestyle of which the children will  
25 be a part when they are in that home. Neither parent shall interfere with  
26 the other parent’s lifestyle and home life, and to the contrary, each parent  
27 agrees to support the other in relation to the children.

28 . . .

1           4.     The parents agree that the children shall never be put  
2 between the two parents in making a joint decision. Decisions shall be  
3 made by the parents together and handed down to the children. The  
4 children shall not be permitted to play one parent against the other.

5           5.     The parents agree that communication between them  
6 regarding their children is essential. The parents will regularly discuss  
7 their children's needs, activities, and conditions. The parents also will  
8 keep each other fully informed about significant events in their children's  
9 lives.

10          6.     The parents will be jointly responsible for raising their  
11 children. Both parents will take part in school conferences, doctor's  
12 appointments, religious education, etc.

13          7.     Both parents acknowledge that they each value and  
14 respect the other parent as a co-parent, regardless of their other  
15 differences. Each parent also agrees that it is essential for the children to  
16 have access to and involvement with both parents.

17          8.     Finally, both parents agree that should differences arise  
18 between them, every attempt will be made to work such differences out in  
19 a fair and equitable manner, before resorting to legal action.

20         IT IS FURTHER STIPULATED that each parent shall provide the  
21 other parent with the address and telephone number at which the minor  
22 children reside, and to notify the other parent at least ten (10) days prior  
23 to any change of address and provide the telephone number of such  
24 address change as soon as it is assigned.

25         IT IS FURTHER STIPULATED that each parent shall provide the  
26 other parent with a travel itinerary and, whenever reasonably possible,  
27 telephone numbers at which the children can be reached whenever the  
28 . . .

1 children will be away from that parent's home for a period of two (2)  
2 nights or more.

3 IT IS FURTHER STIPULATED that each parent shall have  
4 telephonic communication with each child for ten (10) minutes every  
5 Sunday, Tuesday, and Thursday on days in which that parent does not  
6 have physical custody of the children. The parent who has physical  
7 custody of the children shall initiate a FaceTime call, if possible, or a  
8 telephone call, if FaceTime is not available, for the children and ensure  
9 each child is available to speak to the other parent for ten (10) minutes.  
10 Each parent agrees that he or she will not unreasonably interfere with the  
11 children's right to privacy during such telephone conversations. Each  
12 parent agrees to be restrained, and is restrained, from unreasonably  
13 interfering with the children's right to privacy during such telephone  
14 conversations.

15 IT IS FURTHER STIPULATED that neither parent shall interfere  
16 with each child's right to transport the child's clothing and personal  
17 belongings freely between the parents' respective homes.

18 IT IS FURTHER STIPULATED that neither parent shall disparage  
19 the other in the presence of the children, nor shall either parent make any  
20 comment of any kind that would demean the other parent in the eyes of  
21 the children. Additionally, each parent agrees to instruct their respective  
22 family and friends that no disparaging remarks are to be made regarding  
23 the other parent in the presence of the children. The parents shall take all  
24 action necessary to prevent such disparaging remarks from being made in  
25 the presence of the children.

26 IT IS FURTHER STIPULATED that the parents further agree to  
27 communicate directly with each other regarding the needs and well being  
28 . . .

1 of their children and each parent agrees not to use the children to  
2 communicate with the other parent regarding parental issues.

3 IT IS FURTHER STIPULATED that the parties agree the children  
4 require therapy to assist them in coping with their parents' divorce. The  
5 parties mutually consent to the appointment of Bree Mullins, PSY.D., to  
6 provide such therapy to the children. The parties agree to abide by Ms.  
7 Mullins' recommendations as to the frequency with which each child shall  
8 participate in therapy. The parties agree to cooperate in scheduling the  
9 recommended therapy sessions for the children. The parties agree the  
10 parent who has custody of the children when a therapy session is  
11 scheduled will be responsible for transporting the children to the therapy  
12 session. The parties agree to cooperate and participate in the children's  
13 therapy sessions if and when recommended by Ms. Mullins. The parties  
14 agree Ms. Mullins shall be permitted to report to the Court regarding the  
15 children's therapy and testify in future proceedings should the Court  
16 determine Ms. Mullins' testimony would be helpful in resolving any future  
17 issues upon which the parties cannot agree. The parties agree to equally  
18 divide the cost of the children's therapy.

19  
20 JAMES W. VAHEY  
Plaintiff

MINH NGUYET LUONG  
Defendant

21  
22 DATE \_\_\_\_\_

DATE \_\_\_\_\_

23 THE DICKERSON KARACSONYI  
24 LAW GROUP

PAGE LAW FIRM

25 By \_\_\_\_\_  
26 ROBERT P. DICKERSON, ESQ.  
Nevada Bar No. 000945  
1745 Village Center Circle  
27 Las Vegas, Nevada 89134  
28 Attorneys for Plaintiff

By \_\_\_\_\_  
FRED PAGE, ESQ.  
Nevada Bar No. 006080  
6930 South Cimarron Road  
Suite 140  
Las Vegas, Nevada 89113  
Attorney for Defendant

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ORDER

Based upon the foregoing Stipulation of the parties, and good cause being shown therefor:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the terms and conditions of the above Stipulation are adopted and ratified by the Court, and the same is entered as the Order of this Court.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
DISTRICT COURT JUDGE

Submitted by:	Approved as to form and content:
THE DICKERSON KARACSONYI LAW GROUP	PAGE LAW FIRM

By _____	By _____
ROBERT P. DICKERSON, ESQ. Nevada Bar No. 000945 SABRINA M. DOLSON, ESQ. Nevada Bar No. 013105 1745 Village Center Circle Las Vegas, Nevada 89134 Attorneys for Plaintiff	FRED PAGE, ESQ. Nevada Bar No. 006080 6930 South Cimarron Road Suite 140 Las Vegas, Nevada 89113 Attorney for Defendant

EXHIBIT 7

EXHIBIT 7

EXHIBIT 7





EXHIBIT 8

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EXHIBIT 8

Do you want me to live like this? Oh wait! let me rephrase that since you dont care about me, Do YOU want to live like this? With me hating you for the rest of my life? Oh wait, YOU DONT CARE ABOUT ME, I have a life, dont ruin it with yours.

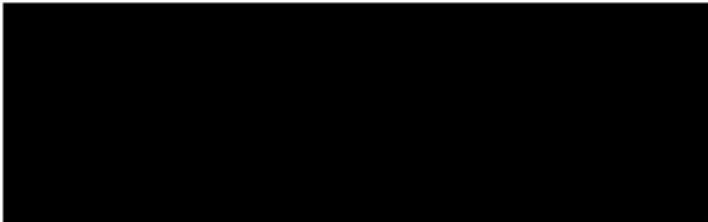
I WANT TO LIVE

Dont ever talk to me again

EXHIBIT 9

EXHIBIT 9

EXHIBIT 9



Sent from my iPhone

Begin forwarded message:

**From:** MICHELLE GRAVLEY <drgravley@cox.net>  
**Date:** May 13, 2020 at 5:28:50 PM PDT  
**To:** James Vahey <hotsail.jim@gmail.com>, Minh Nguyet Luong <luongdds@gmail.com>  
**Subject:** Hannah  
**Reply-To:** MICHELLE GRAVLEY <drgravley@cox.net>

Hello again,

I wanted to update you both after the attempt at a session yesterday with Hannah. She could be heard on my end screaming at Jim and refusing to get on the video call. We also lost connection and then just tried to engage her on a phone call and she would not do that either. She did continue to come in and out of her room yelling various things, clearly upset. I tried to talk to Jim on how to engage her and then eventually decided it was best to actually disengage as she was so escalated that it would not be productive and did not want her to feel like it was a punishment.

Based on what I heard and what you each have shared with me I continue to be very concerned about her. If she will not talk to me about why she is so upset then we cannot work on what is bothering her so much (and she does not seem to be telling Jim either aside from yelling general things about not wanting to be there). At this point, she needs to participate in therapy on a regular basis in order for us to see any progress as she has significantly regressed after the long period of time that the regular schedule was disrupted. Prior to that, she wasn't exactly happy, but she was not in the state of mind she is in at this time.

In that regard, I will look into providers that may come into the home to work with her as I do not do home therapy services. In the meantime, I feel that if each of you tell her that you support her talking with me, that it is necessary and schedule her weekly on your time then perhaps she will come around. I think maybe if Minh can schedule and I can talk with her when she is there she may open up when she is not so upset.

Many of her behaviors are displays of her having as much control as she can due to likely feeling out of control with the custodial schedule. She wants to control her eating, whether or not she does school work and whether she leaves her room or participates within the family. All of these are unhealthy for her and will lead to additional decline if not swiftly

addressed. Therefore I am going to make the following recommendations and request that they are followed by both households:

1. Schedule Hannah for weekly therapy sessions by video chat and once the office is open to be seen in the office.
2. Require her to eat three meals per day if possible and allow her several choices/options that she can fix herself if needed. If she wants to eat alone at this point that should be fine, as long as she is eating something. Jim has shared that he has several of the items she said she wanted and asked her for further input but she is not telling him anything else.
3. For the remainder of school, she should be required to complete her work at a common area of the house so that you both know it is getting done. She should have limits on devices/games etc until the work is completed; or a reasonable portion is done for each day. She may endure consequences from the school that she is unaware of or will not like, if she has failing grades.
4. Hannah needs to be getting out of her room daily. I know that she may interact differently with Minh but she should be required to be out of her room and being active with her siblings and family for a portion of the day. Right now it seems she is too content in a dark room, not getting sunlight and staying in one space; this is not healthy for such a young child. I feel this is also connected to her phone/device use and that needs to be limited as I will suggest next.
5. As I would recommend to any family, a child having unlimited access to a cell phone or device is not healthy. Appropriate time limits need to be set for both households. I would recommend not more than 3-4 hours per day for her age. It may be helpful to have certain phone times per day and allow her to "earn" additional time when homework is completed or engaging with the family for a period of time, exercise, etc. Given this amount of time allotted, contacting each parent throughout the day should be fine within those limits.

Please let me know if you have further questions. I hope to continue to try with Hannah on a weekly basis to move her through this challenging time.

*Michelle A. Gravley, Psy.D.  
Licensed Psychologist PY0381  
2881 Business Park Court, suite 150  
Las Vegas, NV 89128  
(702)508-2112 fax (702)965-4587*

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EXHIBIT 10

EXHIBIT 10

EXHIBIT 10

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: MICHELLE GRAVLEY <drgravley@cox.net>  
Date: May 1, 2020 at 6:34:27 PM PDT  
To: James Vahey <hotsail.jim@gmail.com>, Minh Nguyet Luong  
<luongdds@gmail.com>

**Subject: Hannah**

**Reply-To: MICHELLE GRAVLEY <drgravley@cox.net>**

Hello to you both,

I wanted to send a brief summary of my session with Hannah yesterday. I was pleasantly surprised that she engaged in the video session and talked with me for quite some time. Her affect actually seemed bright as she smiled and told me about her new computer and showed me various things in her room. She even jumped on her trampoline and fell onto the bed in an effort to show me how she is active in her room.

She reported that she wants to be in her room and likes it there. She indicated that she does not wish to go outside for walks, play or bike rides because of all the bugs. She states they get into her eyes every time. She shared that she does her homework in her room, paints (showed me) and plays on her devices. Hannah did share that she has come out to make a cake and do a few other activities but prefers her room.

Hannah shared that she is not eating much as she is not hungry often since being back at her dad's. She attributed this to missing her mom. We discussed her health and that not eating or taking care of her body will actually make her feel more unhappy and lacking energy. She shared that she had made smoothies with fruit a few times and we discussed possibly adding protein powder or other nutrients to them to help. She was open to this (except for greens) but says those things are not in the house at this time. She added that she would also eat "lettuce" along with tomatoes and croutons if available. Again she seems very particular about what she eats and stated that her family in california are all "skinny" because they don't eat as much (and used the fact that they still have thanksgiving leftovers in the freezer as an example). This was concerning and we discussed the difference between being skinny and healthy.

Hannah also indicated that she did not think that her dad should go out for "unnecesssary items" citing an example of being asked to go out to get pizza one day, she felt it was "not safe". I am not sure if she is having heightened anxiety about the virus but she seemed to be very parentified in this area, stating that her father should not being doing so and this caused a conflict between them. This was the only thing she shared that she said has made her feel uncomfortable in the home right now. We discussed how many families are handling this pandemic differently and that many people go get take out food etc and it can be safe; she did not seem to see it that way.

She was asked if anything else occurred that is making her want to stay in her room so much and she did not disclose anything further. When asked about the difficult exchange that happened recently, she said she did not want to talk about it and did not say that it had anything to do with her feelings right now.

It is very concerning that she is isolating so much. In fact, Matthew visited with me for a minute at the end and said she refuses to even play with him and he said "I don't like it". There was some progress of her coming out to do a few activities just in the past day or so, however it seems that perhaps the length of time she was with mom has prompted some regression in her willingness to interact or something else she has not disclosed. Her lack of healthy eating is of course a significant concern as well. I feel this needs to be closely monitored and I would like to engage in weekly sessions with her for awhile to hopefully move towards some progress in these areas. I would like to ask that each of you work with her on including her in food choices and what options she has in the house, if you have not already. She seemed to think that she could not get items she wants due to it being "unnecessary" and that she could only have items that were already in the homes.

Minh, please be in touch with my office to schedule Hannah for next week as soon as you are able. And if agreed, I am recommending that she schedule with me weekly until she is able to engage in more stable interactions and eating habits.

Thank you and stay well, Dr. Gravley

*Michelle A. Gravley, Psy.D.  
Licensed Psychologist PY0381  
2881 Business Park Court, suite 150  
Las Vegas, NV 89128  
(702)508-2112 fax (702)965-4587*

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EXHIBIT 11

EXHIBIT 11

EXHIBIT 11

----- Forwarded message -----

From: MICHELLE GRAVLEY <[drgravley@cox.net](mailto:drgravley@cox.net)>

Date: Mon, Jun 1, 2020 at 5:31 PM

Subject: Re: Hannah

To: James Vahey <[hotsail.jim@gmail.com](mailto:hotsail.jim@gmail.com)>, Minh Nguyet Luong <[luongdds@gmail.com](mailto:luongdds@gmail.com)>

Hello,

I am following up again as Hannah did not participate in a session once again last week. Minh, I am once more requesting and recommending that Hannah have a session during her time with you with the hopes that she will open up to me and talk about her feelings. While there have been some positive changes in her behavior, there are still many concerns. I believe she would engage if she was on her time with you either on video or in my office. I am starting to have some very limited in office hours and have some time this Friday if you can bring her. I also have some times tomorrow and Wednesday if you prefer a video session. PLEASE LET ME KNOW AS SOON AS POSSIBLE ABOUT SCHEDULING (OR CALL THE OFFICE).

I have been unable to find anyone to do in home sessions at this time.

Lastly, I do believe the structured phone time is likely helping and feel it is best for Hannah to allow herself to integrate into Jim's home while she is there. She should continue to have regular contact with Minh but not at her disposal all of the time, case studies have shown that with children in two homes it is not healthy to have such unlimited contact without some boundaries in place.

Thank you and hope you all are staying well.

On May 18, 2020 at 10:31 AM MICHELLE GRAVLEY <[drgravley@cox.net](mailto:drgravley@cox.net)> wrote:

Hello to you both,

It is my understanding that you both continue to have significant concerns about Hannah's behavior and emotional state. While I can only provide some guidance and recommendations, I am not in a position to make changes to your custody, contact rules, exchanges etc. I continue to feel that additional intervention is needed for all of you to move things forward in a healthy way for the children and yourselves. I am exploring options for possible in-home intervention if needed, especially if Hannah will not engage with me via video at this time.

However, I am going to continue to strongly recommend that you pursue having a third party involved to help make necessary decisions such as phone use, phone calls, exchange challenges, school, etc. A Parent Coordinator (PC) is best suited for this purpose. You can also consider, perhaps in addition to a PC, having an immediate (emergency) evaluation of Hannah and the current situation by a Family Court appointed provider. This would likely need to be submitted to the Court by an attorney, especially to happen in a quick and timely manner.

I want to continue to support the children and all the changes they have faced in their young lives. I have tried to respond to each of you as thoroughly and quickly as I can via email and multiple phone calls over the past few weeks. However, I am struggling to continue to do so on a regular basis as this does not allow me to communicate to each of you equally and with a full caseload, I honestly do not always have sufficient time to respond to your requests. Again, this is why I see a very significant need to have another qualified person in place to provide such guidance and who can also make legally binding decisions and hold each parent to agreements that are made. Professionally, it seems that if such a measure is not in place very soon that things will continue to be difficult and more challenges will arise as time goes by.

Respectfully, Dr. Gravley

*Michelle A. Gravley, Psy.D.  
Licensed Psychologist PY0381  
2881 Business Park Court, suite 150  
Las Vegas, NV 89128  
(702)508-2112 fax (702)965-4587*

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*Michelle A. Gravley, Psy.D.  
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EXHIBIT 12

EXHIBIT 12

EXHIBIT 12



Nguyet &gt;

Let me talk to Lena

11:44 AM

Call them directly. If you didn't understand me over the last 20 times :CALL THEM DIRECTLY.

11:45 AM

MOVE ON JIM

11:45 AM

Since you won't cooperate, Give me Lena's address

11:46 AM

I HAVE DONE NOTHING BUT COOPERATE. YOU CAN NOT DO THE SAME FOR ME

11:46 AM

I will never move on with respect to giving up talking to our children

11:46 AM

DON'T TELL ME TO MOVE ON WITH MY CHILDREN THEN

11:47 AM

May I please talk to Lena

11:47 AM



iMessage





Nguyet &gt;

Thu, May 21, 6:05 PM

Hi Nguyet:

I hope you and the kids are having a good week.

Will you please talk to the kids, especially Hannah to try to prepare them for a smooth transfer on Friday morning.

These transfers are very stressful for all of us. It's not healthy for anyone, especially Hannah, for them to be drawn out.

Would you please consider stopping somewhere nearby before you get to the guard gate to say your goodbyes and prepare them for a quick transfer. That way, when both of us are at the guard gate, they will be better prepared and hopefully transfer quickly.

Saying goodbye at the gate hasn't worked out. There's



iMessage





Nguyet &gt;

Saying goodbye at the gate hasn't worked out. There's no end, and it is hard for them to transfer when you're giving long goodbye hugs.

Thank you for considering my thoughts.

Although we have our differences, I know that you, like me, want the best for our kids.

Also, Dr. Gravley and Dr. Sirsy both gave me explicit the instructions to limit Hannah's cell phone time. I intend to follow their advice. Will you please tell Hannah that she needs to give me the phone back when it's time based on doctors' orders, and if she doesn't, it won't be available to her for the rest the time. To save Hannah the trouble so she can have her phone, would

6:05 PM



iMessage



1:58



Nguyet >

can have her phone, would you please tell her based on doctors' orders, when I tell her it's time to give the phone to me she has to give it to me without an argument or she's not going to have a phone and she'll only be able to talk to you from our landline at specific times.

Thank you Nguyet

Please Ask Hannah what she would like from the grocery store  
Thanks

6:37 PM

Please let me talk to the kids. I haven't been able to talk to them since they transferred to you on May 17th.  
Thank you

7:12 PM

Thu, May 21, 9:36 PM



iMessage





Nguyet &gt;

Thu, May 21, 9:36 PM

Nguyet, please let me talk to the kids

9:36 PM

You just woke me up. The kids are asleep. It's almost 10pm!!

9:50 PM

I tried so many times. Why did you not let me talk to them even once since you had custody? Nguyet, this isn't healthy for them

9:52 PM

I told you many times over and over. PLEASE TEXT OR CALL THEM DIRECTLY AS MANY TIMES AND AS LONG AS YOU WANT! I am not stopping you. Please let me sleep

10:00 PM

No, it was 9:36 pm. (No double exclamation marks (!)) are due for that)



iMessage





Nguyet &gt;

No, it was 9:36 pm. (No double exclamation marks (!!)) are due for that).

I've been trying to make contact today since 6:05 pm.

Nguyet, if you want me to call earlier so I can talk to the kids, let me know. I have been being patient thinking you would call me like I do for you when they are with me.

10:01 PM

Did you see the text I sent about Hannah's health?

10:02 PM

I understand that you never want to speak to me again because you've told me that many times.

Despite that, would you please give me a call so we can talk together the two parents of Hannah to help

10:04 PM



iMessage





Nguyet &gt;

can talk together the two  
parents of Hannah to help  
her as much as we can.

Fri, May 22, 4:14 AM

Since when do you want to  
"talk together as two  
parents of Hannah to help  
her"? You treat Hannah and  
I like dirt. I spoke to you  
before regarding my  
concerns about her while  
she is at your house but you  
ignored me. She called me  
crying multiple times while  
at your house. She has been  
saying more and more: "I  
can't live like this any more  
mommy!" She is crying out  
for help and I have voiced  
my concern to you about  
this many times but you are  
as cold to me and and  
Hannah as can be. You  
don't care about how she  
feels but only about your  
and goal. You are torturing



iMessage





Nguyet &gt;

don't care about how she feels but only about your end goal. You are torturing her while she is with you and you try to destroy and limit my relationship with her and blame it on the recommendations of the doctors. No doctors told you to remove locks from her bedroom and bathroom. No doctors told you to limit her communication with her own mother. No doctors told you to disassemble the home phones. No doctors told you to unplug the phone line while she's on the phone with her own mother. This is the exact quote from Dr. Gravly's recommendation: " I would recommend not more than 3-4 hours per day for her age. It may be helpful to have certain phone times per day and allow her to



iMessage





Nguyet &gt;

per day and allow her to "earn" additional time when homework is completed or engaging with the family for a period of time, exercise, etc. Given this amount of time aloted, contacting each parent throughout the day should be fine within those limits. " She recommended 3-4 hours and you have been only allowing her 2 hours a day. There is no communication with me throughout the day. If she and I miss the 2 hour time slot you dictated, she and I are not allowed to communicate via voice, text or FaceTime. There is no recommendations about disassembling of the home phone lines! You treat her like a criminal. Her exact words to me:" This is not living mommy. This is jail." I will not be a part of

4:14 AM



iMessage





Nguyet &gt;

will not be a part of that. When you tell me you want to talk to me as two parents of Hannah, you mean you want to tell me how you want to dictate my and her lives. I can not control how you treat her while she's with you. The worse you treat her the more she will resent you and you will ruin your own relationship with her forever, not just now but as an adult for life. It will not ruin her relationship with me. You are the one who is doing major psychological damage to her. Over 2 months period, She progress from: "I can't live like this any more." To "I just want to die". You are driving her to this point. Don't you have a heart? You are killing her spirit and slowly killing



iMessage





Nguyet &gt;

spirit and slowly killing her. You place blames on every one else but yourself. You now blame me for the kids not wanting to go to you because of my "long goodbye hugs." I will always hug them if they want to hug me especially when they have fears of going to you. I don't give them long good bye hugs. They just don't feel the comfort of going to you and refuse to go to you. I am not cold hearted like you and will not push my children away from me. When you really are concern about the children and care about my input then you can always call me. If your intention is to tell me what you want to do and to dictate the children and my life then don't bother texting me or calling



iMessage



2:01



Nguyet >

bother texting me or calling me.

Fri, May 22, 9:20 AM

You wouldn't answer when I asked you, so I have to text. We need Lena's shoes. Are they in the bag Hannah has

9:20

Bring me Lena's shoes We need them

9:22

Why would you not give Lena her shoes. I asked you for them four times

9:23

Lena doesn't have her glasses. She needs them. Please bring them ASAP

9:45

Nguyet  
Lena needs her glasses Please bring them as soon as possible.  
It's not good for her to go

10:13



iMessage



EXHIBIT 13

EXHIBIT 13

EXHIBIT 13

# PAGE LAW FIRM

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May 26, 2020

Fred Page, Esq.

email: [fpagelawoffices.com](mailto:fpagelawoffices.com)

## **VIA E-SERVICE ONLY**

Sabrina Dolson, Esq.

Dickerson Karacsonyi Law Group

1745 Village Center Circle

Las Vegas, Nevada 89134

**Re: James W. Vahey v. Minh Nguyet Luong**

PLF Client: Minh Nguyet Luong

Case No.: D-18-581444-D

Subject: Correspondence Dated May 19, 2020

Dear Ms. Dolson:

We are in receipt of the correspondence from your office dated May 19, regarding various issues. In the correspondence, it is complained that no response was received to the correspondence from your office dated April 27. To be brief, Dr. Luong stands firm in her request for using Jen Mitzel, she is still deciding on whether she wants to resume joint physical custody here in Nevada at the conclusion of the summer, and Jim can certainly afford to purchase a Kindle. It is ludicrous to claim that someone of makes the kind of income as Jim does complains that he cannot "afford" to purchase a Kindle so Matthew had to read the book on Jim's cellphone.

As to the allegations against Jim, they are true and it is offensive to try and call them false. The domestic violence allegations were not properly dropped, it appears to be negligence on the part of the city attorney.

We spoke to the city attorney for Henderson, he stated that he did "feel" that this was a good case. He indicated that there was a recording in which it was claimed that there was scuffling over property. It was pointed out to him that if the recording was admitted into evidence that Jim would be waiving his right to self-incrimination and that he could be cross-examined.

Therefore, if Jim did not want to subject himself to cross-examination (as he should not) then the recording would not come in because there was no one to lay a foundation. Since the recording would not come in the only pieces of evidence would be the three consistent statements from Dr. Luong, Hannah, and Matthew that Jim attacked and violently battered her. When this fact was pointed out to the city attorney, the response was awkward silence on his

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part. Cases are determined upon facts and not "feelings." It was apparent that the city attorney spent zero time engaging in any meaningful analysis regarding the case all to the detriment of Hannah, Matthew, and Selena.

The statement is made that Hannah is more psychologically damaged after spending five weeks with Dr. Luong. Cease with the incessant blaming of Hannah's issues on Dr. Luong. The children *thrived* when they were in California. They *loved* it there. There is only person who is responsible for Hannah's distress is Jim. It is Jim who reneged on the family's decision to move to California, it Jim who caused Hannah to run away, it is Jim who battered Hannah, it Jim who battered Dr. Luong in front of Hannah, and it is Jim who refuses to honor Hannah's wishes to live with her mother.

Hannah, Matthew, and Selena wish to live with their mother. How much clearer can it be? No amount of counseling is going to change that. It is why they refuse to get out of vehicle when it is time for them to return to Jim. It is why they run to Dr. Luong when it is her time to spend with her. It is why Hannah is in distress. Your client would rather put his own wants above the children wanting to live primarily with their mother, and instead wants to blame Dr. Luong for everything and incredibly wants to complain that he might actually have to purchase an \$80 Kindle, rather than acknowledge the fact he lied to them about moving and that the children are happier with their mother.

Jim complains that Hannah locks herself in her room for most of the day and that Hannah refuses to speak civilly to him and when she does she yells at him telling him that he lies and everything is his fault, he ruined everything, that he is not her daddy, and that she wishes he was dead. Hannah is correct. Jim did lie to Hannah (and everyone else) about moving to California. And, yes, Jim did ruin everything because he lied to her. Jim brought this all down on himself by lying to the family. Jim further compounds his lie because he knows the children would rather be with their mother.

As to Hannah's reaction of being lied to, and not being with whom she wants to be, in the place she wants to be, welcome to the world of having an unhappy teenage girl. Jim lied to everyone in the family and created this problem. Jim has the greatest problem with Hannah because she has clearest memory of him lying to everyone in the family, and Hannah makes absolutely clear to him that she knows he lied to her. Based upon what Jim has doing, it is only going to get worse.

On top of that, when the children were returned to Jim on April 23, Jim engaged in retribution against Hannah for her making the statement she did against him for battering Dr. Luong. When Hannah got back to the house, she discovered that Jim removed the locks her

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May 26, 2020

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bedroom door and bathroom door so she could not have any expectation of any privacy as a teenage girl. Creepily, Jim now has Matthew sleep in the master bedroom and Jim sleeps in Matthew's bedroom next to Hannah . . . so he can keep an eye on her and make her feel that she has no privacy.

Jim claims that he reduced Hannah's access to electronics to two hours per day, based upon a recommendation from Michelle Gravely and Dr. Sirsy. One, as to "recommendations" from Michelle Gravely, everyone agrees that she is useless, why would anyone take recommendations from her? Two, Jim is lying about Michelle Gravely recommending access of only two hours per day to electronics. Ms. Gravely recommended 3-4 hours per day, not two hours per day.

Jim is uninterested in how much time Hannah spends on electronics. Jim is interested in limiting Hannah's ability to communicate with her mother. It is why Jim disassembled the home phones, so Hannah would not be able to communicate with her mother. The electronics are simply Hanna's preferred way to communicate with her mother. When Hannah is speaking to her mother on the landline, Jim yelled at Hannah, "your time is up" and pulled the plug on the phone disconnecting the phone.

Jim cares a lot about hindering Hannah's relationship with her mother. Hannah can see that as well as anybody. It is about power and control, it is abusive conduct. Jim is causing psychological harm to the children, specifically Hannah. What is wrong with your client? He is singling out and retaliating against Hannah for her making a statement against him and because he resents Hannah's close relationship with her mother. Nobody in their right mind does that.

As to Dr. Sirsy, Dr. Luong has spoken him. Dr. Sirsy never stated that Hannah's use of electronics should be reduced. Dr. Sirsy never stated that Hannah's time on the phone with her mother should be limited. Dr. Sirsy recommended that Hannah be involved in activities that Hannah likes.

As to Ms. Gravely, Dr. Luong will no longer be paying for any further therapy costs, Jim is the cause of Hannah's unhappiness and she will not further subsidize his mistreatment of Hannah. The more Jim punishes Hannah the more Hannah withdraws. Dr. Luong has no interest in paying for Jim's mistakes and his destruction of his relationship with Hannah. Dr. Luong's relationship with the children is excellent. Everyone will agree no therapy of any kind is required between the children and their mother. Jim's relationship with the children is terrible. Everyone will agree the only one who needs therapy is Jim. It is Jim's responsibility to improve his relationship with the children.

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When Hannah is with Dr. Luong that she has no problems like Jim describes of any kind whatsoever. With Dr. Luong, Hannah is happy, cheerful, well-mannered, does not spend that much time on electronics, comes out of her room, and she eats well. The only time Hannah becomes distressed is when she has to return to Jim. Hannah is a very well-mannered child with Dr. Luong and is unmanageable with Jim and Jim dares blame Dr. Luong?

Jim complains that Hannah is inconsolable, physically attacks him and destroys property. At no point does Jim get to hang this on anyone but himself. Dr. Luong does not have any problems with Hannah. As stated, Hannah is a model child with her happy, cheerful, well-mannered. There is not a hint of physical aggressiveness from her. The problem is obviously Jim, and Jim alone. What Jim can do to protect himself is to do what is in the children's best interests and turnover primary physical custody to Dr. Luong. If Jim does not want Hannah to be inconsolable, let the children be with her mother. Jim should love the children more than he hates their mother. The children will be happier, and they will love him for giving them the freedom to be with their mother.

It is stated that what precipitated the decline in the children's behavior is Dr. Luong keeping the children for five weeks. Cease with the incessant blaming of Dr. Luong. What precipitated the children's behavior is having to *back* to Jim. They do not want to be there. They want to be with their mother. That is where they love to be. Since Jim, and the Court, will not listen to them, this is the result. It should be noted even as useless as Dr. Gravelly has been, even she gets that Hannah should not be forced into doing things she does not want to do.

Jim now claims that Selena has made comments about not wanting to use the Vahey surname. Cease with the incessant blaming of Dr. Luong. She has made no comments to any of the children in that regard. Please instruct your client to cease trying to create conflict. Dr. Luong advises that Hannah and Matthew have told her that they want to change their name to Luong. Dr. Luong has told them they do not want to do that. Selena is simply mimicking what she hears from Hannah and Matthew. Jim should focus what he has done to destroy the relationship he has with the children rather than seeking to blame.

Dr. Luong is concerned as Jim has fallen asleep while Matthew and Selena are playing in the pool. Dr. Luong reports that Hannah has told her that Jim fell asleep on the bed in what used to be Matthew's room and that she tried to wake him up four different times, but each time he fell back asleep. Under no circumstances should a six year old child be unsupervised in a pool. Jim's conduct is neglect. There will not be a second warning.

As to the proposed Stipulation and Order, there is no agreement for Minh to be limited to 10 minutes in which to speak to the children. Dr. Luong and the children may speak to each

Sabrina Dolson, Esq.  
May 26, 2020  
Page 5

other as long as they wish, just as she gave him unlimited time in which to speak to the children. At best, Dr. Luong will agree to a minimum of 10 minutes for each child, but no maximum.

There is no agreement to use Bree Mullin. Her having a Ph.D. is no evidence of capability. Since Dr. Luong takes the children exploring Nevada during her times, she will not be providing a travel itinerary. Jim is trying to get around the requirement for an itinerary for a vacation that exists. The request for an "itinerary" is simply nothing more than an attempt by Jim to try and have control and stalk the children as to where the children have been. If Jim wants to know where the children go during their time with Dr. Luong he should work on having a better relationship with them.

Your time and attention to this matter are appreciated. Should you have any questions or concerns, please do not hesitate to contact us at the number above.

Very truly yours,

PAGE LAW FIRM



Fred Page, Esq.

FCP

EXHIBIT 14

EXHIBIT 14

EXHIBIT 14

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May 26, 2020

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SENT VIA E-MAIL

Re: *James W. Vahey v. Minh Nguyet Luong*

Dear Fred:

This letter is being sent pursuant to EDCR 5.501 and in compliance with the Court's instruction to attempt to resolve the financial issues Jim raised in his Emergency Motion for Immediate Return of the Children, Dissolution of TPO, Modification of Child Custody, Appointment of a New Therapist for the Children, an Order to Show Cause Why Defendant Should Not Be Held in Contempt, and to Resolve Other Parent Child Issues ("Emergency Motion"), filed March 27, 2020, and in his Reply to Defendant's Opposition to Plaintiff's Emergency Motion ("Reply"), filed April 15, 2020.

The Court ordered that neither party would pay child support. Findings of Fact, Conclusions of Law, Decision and Order ("Decision and Order"), entered September 20, 2019, pg. 32, lines 1-3. However, the Court entered orders confirming the parties' agreement to share equally in the cost of the children's private school tuition and related expenses. Decision and Order, pg. 32, lines 2-4. The Court specifically noted that Jim

waives child support from Minh Luong in consideration for an agreement that the parties share equally the significant private school tuition and related expenses, all medical and dental expenses for the children that are not covered by insurance, expenses for the children's extracurricular activities that the parties agree are best for the children, and tutoring or education expenses that the parties agree are best for the children.

Fred Page, Esq.  
May 26, 2020  
Page 2

Decision and Order, pg. 23, line 24, to pg. 24, line 4. Based on the foregoing, the Court ordered:

The parties agree to share equally private school tuition and related expenses, all medical and dental expenses for the children that are not covered by insurance, expenses for the children's extracurricular activities that the parties agree are best for the children, and tutoring or education expenses that the parties agree are best for the children.

Decision and Order, pg. 32, lines 2-8. The Court ordered the parties shall follow the 30/30 rule for expenses, which requires the parent who paid for the expense to provide the other parent a copy of the receipt of payment within thirty (30) days of payment, and the other parent to reimburse one-half of such expenses within thirty (30) days. Decision and Order, pg. 32, lines 7-13.

1. Children's School Tuition and School Related Expenses

Jim has complied with the Court's 30/30 rule for the children's school tuition and school related expenses, but he has not been reimbursed by Minh. Jim's assistant, Bo Bautista, initially sent an email to Minh on October 30, 2019, providing receipts for payments made for the children's private school tuition, school uniforms, and Matthew's martial arts class. See Exhibit 7 to Jim's Emergency Motion. Minh owes a total of \$15,568 to Jim for her one-half ( $\frac{1}{2}$ ) portion of the children's school tuition for the 2019-2020 school year, which is \$1,946 per month for the months of August 2019 to March 2020. Minh's one-half portion of the children's school uniforms is \$188.84 as Jim paid \$377.67.

In addition, on January 22, 2020, Jim emailed Minh requesting she reimburse him for her one-half portion of the cost of the Challenger School applicant fees for the 2020-2021 school year, which totaled \$525, and provided her a copy of the check with which he paid these fees. See Exhibits 7 and 8 to Jim's Reply. Minh has not reimbursed Jim for her portion of the Challenger School applicant fees, which is \$262.50.

Minh has stated she will not reimburse Jim directly for one-half ( $\frac{1}{2}$ ) the cost of the children's private school tuition; however, this is not her prerogative. After Minh informed Jim she would only pay the school directly, Jim inquired into whether the parties would be able to each have one-half ( $\frac{1}{2}$ ) the cost of the children's tuition

automatically withdrawn from their bank accounts each month, but the school system will only allow an automatic payment from one account.

After learning this, Jim sent Minh an email on January 18, 2020, stating: “You could send a one time on line payment to the school for your half.” Emergency Motion, Exhibit 7. On January 22, 2020, Minh sent an email to Jim, stating: “Like I said multiple times before in my emails, I will make the payments directly to the school. I need documents from the school of the amount and the break down for each items, FROM THE SCHOOL.” See Jim’s Reply, Exhibit 7. Jim replied on January 24, 2020: “Please contact the school for whatever you need and whatever payment arrangements you want to set up. You still need to reimburse me for half of the applicant fees.” See Reply, Exhibits 7 and 8.

To date, Minh has not paid any portion of the children’s school tuition either to Jim or the school. Given the school year is now over, and Jim has paid the entirety of the school tuition, Minh must reimburse him directly. Accordingly, please have Minh reimburse Jim \$15,568 for her portion of the children’s school tuition, \$262.50 for her portion of the Challenger School applicant fee for the upcoming school year, and \$188.84 for her portion of the children’s school uniforms.

## 2. Children’s Extracurricular Activities

Within a week of the Court entering its Decision and Order, Minh informed Jim she no longer approved of the extracurricular activities in which the children were enrolled in Nevada and would not contribute to the cost. Minh’s position is obviously not in the children’s best interest. Minh had also previously agreed to Matthew’s participation in his martial arts class. Given the Court ordered there would not be a child support award based on the parties’ agreement to equally divide private school tuition and related expenses, all medical and dental expenses for the children that are not covered by insurance, expenses for the children’s extracurricular activities that the parties agree are best for the children, and tutoring or education expenses that the parties agree are best for the children, Minh must reimburse Jim for her one-half portion of Matthew’s martial arts class, to which she previously agreed was in Matthew’s best interest.

As stated above, Jim’s assistant, Bo Bautista, sent an email to Minh on October 30, 2019, providing the receipt for the \$460.24 payment made for Matthew’s martial

arts class. *See* Exhibit 7 to Jim's Emergency Motion. Minh's one-half portion of Matthew's martial arts class is \$230.12. Please have Minh reimburse Jim this amount.

3. Children's Health Insurance and Unreimbursed Medical Expenses and Minh's Health Insurance

Lastly, the Court ordered both parties to provide health insurance for the children if offered through employment. Jim provides the children health insurance for the children through his practice. Minh does not provide health insurance for the children. Accordingly, Jim is requesting Minh pay one-half of the health insurance premium Jim pays for the children. The parties separated in January 2019 and the Court's Decision and Order was entered in September 2019. From January 2019 to November 2019, the cost of the children's health insurance was \$806.91 per month (or \$268.97 per child per month). From December 2019 to the present, the cost of the children's health insurance is \$866.58 per month (or \$288.86 per child per month). Accordingly, Minh's one-half portion of the children's health insurance from January to November 2019 is \$4,438.01 ( $\$806.91 \times 11/2$ ), and from December 2019 to June 2020 is \$3,033.03 ( $\$866.58 \times 7/2$ ), which together totals \$7,471.04. Please have Minh reimburse Jim this amount.

For the cost of the children's health insurance from July 2020 going forward, Jim is requesting Minh pay her one-half portion of the children's health insurance by the first of the month.

In addition, Jim has requested Minh reimburse him for several medical expenses that were not covered by insurance. On December 19, 2019, Jim emailed Minh requesting she reimburse him for her one-half portion of the cost of the children's December 19, 2019 therapy session with Dr. Gravley, and provided proof of the \$175.50 payment. *See* Jim's Reply, Exhibit 14. Minh's one-half equals \$87.78. Minh has not reimbursed Jim.

On February 19, 2020, Jim sent Minh a text message with the receipt for Hannah's ophthalmology appointment, which cost \$125. *See* Jim's Reply, Exhibit 15. Minh's one-half equals \$62.50. Minh has not reimbursed Jim.

On March 3, 2020, Jim sent Minh an email requesting she reimburse him for one-half the cost of Selena's ophthalmology appointment and eye drops. *See* Jim's Reply, Exhibit 16. Jim paid \$70 for the ophthalmology appointment and \$15 for eye drops.

Fred Page, Esq.  
May 26, 2020  
Page 5

Thus, Minh's one-half equals \$35.00 and \$7.50, respectively. Minh has not reimbursed Jim.

Lastly, Jim has been paying for the full cost of Minh's health insurance since they separated in January 2019. Jim has requested Minh reimburse him for the cost, but she has refused to do so. The cost of Minh's health insurance from January 2019 through November 2019 was \$549.55 per month, which amounts to \$6,045.05 for this period. From December 2019 to the present, Minh's health insurance increased to \$590.17 per month. Thus, for the period of December 2019 to June 2020, Minh's health insurance totaled \$4,131.19. Jim is requesting Minh reimburse him for the health insurance premiums he paid from January 2019 to June 2020, which totals \$10,176.24. Jim also is requesting Minh obtain her own health insurance policy for July 2020 going forward.

Please have Minh reimburse Jim the above-listed expenses by Friday, May 29, 2020, and inform Jim whether she will contribute to the cost of their children's health insurance. Thank you for your time and attention to this matter.

Sincerely,

*/s/ Sabrina M. Dolson*

Sabrina M. Dolson

cc: James Vahey

EXHIBIT 15

EXHIBIT 15

EXHIBIT 15

[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** James Vahey <hotsail.jim@gmail.com>  
**Date:** January 18, 2020 at 8:18:26 AM PST  
**To:** Minh Nguyet Luong <luongdds@gmail.com>  
**Subject:** Re: Challenger Payments.

You could send a one time on line payment to the school for your half.  
You still need to pay half for the cost of their school from January 2019 through June 2019. Why do you think you should not financially support your children's educations? Unless you've changed, you always cared about education for them in the past.

Sent from my iPhone

On Jan 17, 2020, at 3:11 PM, Minh Nguyet Luong <luongdds@gmail.com> wrote:

I only want to make payment directly to the school. The order for me to pay half starts Oct 2019.

Minh Nguyet Luong, DDS  
Toothfairy Children's Dental  
8000 W. Sahara Ave #180  
Las Vegas, NV 89117  
Cell: 702-353-2319  
Office: 702-222-9700  
Fax: 702-564-0005

On Jan 17, 2020, at 3:08 PM, James Vahey <hotsail.jim@gmail.com> wrote:

Upon your request, I inquired at Challenger about whether it would be possible for you to set up automatic draws for half of the school payments. Unfortunately, this is not possible. If you want, you can set up automatic online payments from your bank account to be mailed to me at my office for your half of the payment. Half would be \$2140/month. Please also reimburse me for half of what I've paid by myself since your last payment in February of 2019. My total payments add up to \$34,513, so your half is \$17,256.50. Please send your checks to my office (8585 S.Eastern Ave, Las Vegas, 89123).

Thank you

On Wed, Mar 25, 2020 at 6:55 PM James Vahey <[hotsail.jim@gmail.com](mailto:hotsail.jim@gmail.com)> wrote:

Sent from my iPhone

Begin forwarded message:

From: Bo Bautista <[BoBautista@handcenterofnv.com](mailto:BoBautista@handcenterofnv.com)>  
Date: October 30, 2019 at 5:49:46 PM PDT  
To: "[luongdds@gmail.com](mailto:luongdds@gmail.com)" <[luongdds@gmail.com](mailto:luongdds@gmail.com)>, "[hotsail.jim@gmail.com](mailto:hotsail.jim@gmail.com)" <[hotsail.jim@gmail.com](mailto:hotsail.jim@gmail.com)>  
Subject: Refund Request

Hello Dr Luong,

Below is the breakdown of amounts due for reimbursement of Medical, Vision, Tuition @ Challenger School, Scholar Uniforms for Challenger School, Karate, for the period of January 2019 thru October 2019. See attached copies of receipts or amounts.

Medical Coverage for Minh Luong = \$5,077.10 (100% coverage)  
Medical Coverage for Hannah, Matthew, Selena = \$4,034.55 (50% of the amount)  
Vision Coverage for Hannah, Matthew, Selena = \$ 49.50 (50% of the amount)  
Tuition @ Challenger School for Hannah, Matthew, Selena = \$14,312.50 (50% of the amount)  
Scholar Uniforms for Challenger School for Hannah, Matthew, Selena = \$ 188.84 (50% of the amount)  
Karate = \$460.24 (50% of the amount)

**Total Refund due to James W. Vahey = \$ 24,122.73**

Thank you,

*Bo Bautista  
Practice Manager*

*Hand Center of Nevada*

*\*\*James W. Vahey MD \*\*George S. Gluck MD\*\*Alan J. Micev MD\*\**

*8585 S. Eastern Ave #100, Las Vegas NV 89123*

*P: 702-798-8585 F: 702-341-01019 C: 702-326-0137*

*[www.handtoshouldersurgery.com](http://www.handtoshouldersurgery.com)*



# Appendix

## Appendix B: Monthly rates by age

12/1/18 - 11/30/19

Current Rates		Renewal Rates		NVS STANDARD 0		NVS004											
Traditional with Deductible		Traditional with Deductible		HSA		Consumer		HSA w/Motion		Balanced		Balanced		Choice Plus Direct			
AL-R7 / RX041		AX-BV / RX729		AX-CF / RX727		AX-CG / RX710		AX-CJ / RX727		AX-B6 / RX710		AX-CB / RX709		AX-CQ / RX709			
Age	Rate	Age	Rate	Age	Rate	Age	Rate	Age	Rate	Age	Rate	Age	Rate	Age	Rate	Age	Rate
x3 <21	\$236.22	<15	\$268.97	<15	\$177.44	<15	\$177.88	<15	\$180.04	<15	\$187.37	<15	\$194.72	<15	\$195.14	<15	\$195.14
		15	\$292.88	15	\$193.21	15	\$193.69	15	\$196.04	15	\$204.03	15	\$212.02	15	\$212.49	15	\$212.49
		16	\$302.02	16	\$199.25	16	\$199.73	16	\$202.16	16	\$210.39	16	\$218.64	16	\$219.12	16	\$219.12
		17	\$311.17	17	\$205.28	17	\$205.78	17	\$208.28	17	\$216.76	17	\$225.26	17	\$225.75	17	\$225.75
		18	\$321.01	18	\$211.77	18	\$212.29	18	\$214.87	18	\$223.62	18	\$232.39	18	\$232.90	18	\$232.90
		19	\$330.86	19	\$218.26	19	\$218.80	19	\$221.45	19	\$230.48	19	\$239.51	19	\$240.04	19	\$240.04
		20	\$341.05	20	\$224.99	20	\$225.54	20	\$228.28	20	\$237.58	20	\$246.89	20	\$247.44	20	\$247.44
	\$372.00	21	\$351.60	21	\$231.95	21	\$232.52	21	\$235.34	21	\$244.93	21	\$254.53	21	\$255.09	21	\$255.09
	\$372.00	22	\$351.60	22	\$231.95	22	\$232.52	22	\$235.34	22	\$244.93	22	\$254.53	22	\$255.09	22	\$255.09
	\$372.00	23	\$351.60	23	\$231.95	23	\$232.52	23	\$235.34	23	\$244.93	23	\$254.53	23	\$255.09	23	\$255.09
24	\$372.00	24	\$351.60	24	\$231.95	24	\$232.52	24	\$235.34	24	\$244.93	24	\$254.53	24	\$255.09	24	\$255.09
25	\$373.49	25	\$353.01	25	\$232.88	25	\$233.45	25	\$236.28	25	\$245.91	25	\$255.55	25	\$256.11	25	\$256.11
26	\$380.93	26	\$360.04	26	\$237.52	26	\$238.10	26	\$240.99	26	\$250.81	26	\$260.64	26	\$261.21	26	\$261.21
27	\$389.86	27	\$368.48	27	\$243.08	27	\$243.68	27	\$246.64	27	\$256.69	27	\$266.75	27	\$267.33	27	\$267.33
28	\$404.36	28	\$382.19	28	\$252.13	28	\$252.75	28	\$255.81	28	\$266.24	28	\$276.67	28	\$277.28	28	\$277.28
29	\$416.27	29	\$393.44	29	\$259.55	29	\$260.19	29	\$263.35	29	\$274.08	29	\$284.82	29	\$285.45	29	\$285.45
30	\$422.22	30	\$399.07	30	\$263.26	30	\$263.91	30	\$267.11	30	\$278.00	30	\$288.89	30	\$289.53	30	\$289.53
31	\$431.15	31	\$407.50	31	\$268.83	31	\$269.49	31	\$272.76	31	\$283.87	31	\$295.00	31	\$295.65	31	\$295.65
32	\$440.08	32	\$415.94	32	\$274.40	32	\$275.07	32	\$278.41	32	\$289.75	32	\$301.11	32	\$301.77	32	\$301.77
33	\$445.66	33	\$421.22	33	\$277.88	33	\$278.56	33	\$281.94	33	\$293.43	33	\$304.93	33	\$305.60	33	\$305.60
34	\$451.61	34	\$426.84	34	\$281.59	34	\$282.28	34	\$285.70	34	\$297.35	34	\$309.00	34	\$309.68	34	\$309.68
35	\$454.58	35	\$429.66	35	\$283.44	35	\$284.14	35	\$287.59	35	\$299.30	35	\$311.04	35	\$311.72	35	\$311.72
36	\$457.56	36	\$432.47	36	\$285.30	36	\$286.00	36	\$289.47	36	\$301.26	36	\$313.07	36	\$313.76	36	\$313.76
37	\$460.54	37	\$435.28	37	\$287.15	37	\$287.86	37	\$291.35	37	\$303.22	37	\$315.11	37	\$315.80	37	\$315.80
38	\$463.51	38	\$438.09	38	\$289.01	38	\$289.72	38	\$293.23	38	\$305.18	38	\$317.14	38	\$317.84	38	\$317.84
39	\$469.46	39	\$443.72	39	\$292.72	39	\$293.44	39	\$297.00	39	\$309.10	39	\$321.22	39	\$321.92	39	\$321.92
40	\$475.42	40	\$449.34	40	\$296.43	40	\$297.16	40	\$300.76	40	\$313.02	40	\$325.29	40	\$326.01	40	\$326.01
41	\$484.34	41	\$457.78	41	\$302.00	41	\$302.74	41	\$306.41	41	\$318.90	41	\$331.40	41	\$332.13	41	\$332.13
42	\$492.90	42	\$465.87	42	\$307.33	42	\$308.09	42	\$311.83	42	\$324.53	42	\$337.25	42	\$337.95	42	\$337.95
43	\$504.80	43	\$477.12	43	\$314.76	43	\$315.53	43	\$319.36	43	\$332.37	43	\$345.40	43	\$346.16	43	\$346.16
44	\$519.68	44	\$491.18	44	\$324.03	44	\$324.83	44	\$328.77	44	\$342.17	44	\$355.58	44	\$356.36	44	\$356.36
45	\$537.17	45	\$507.71	45	\$334.94	45	\$335.76	45	\$339.83	45	\$353.68	45	\$367.54	45	\$368.36	45	\$368.36
46	\$558.00	46	\$527.40	46	\$347.93	46	\$348.78	46	\$353.01	46	\$367.40	46	\$381.80	46	\$382.64	46	\$382.64
47	\$581.44	47	\$549.55	47	\$362.54	47	\$363.43	47	\$367.84	47	\$382.83	47	\$397.83	47	\$398.71	47	\$398.71
48	\$608.22	48	\$574.87	48	\$379.24	48	\$380.17	48	\$384.78	48	\$400.46	48	\$416.16	48	\$417.07	48	\$417.07
49	\$634.63	49	\$599.83	49	\$395.71	49	\$396.68	49	\$401.49	49	\$417.85	49	\$434.23	49	\$435.16	49	\$435.16
50	\$664.39	50	\$627.96	50	\$414.26	50	\$415.28	50	\$420.32	50	\$437.44	50	\$454.59	50	\$455.51	50	\$455.51
51	\$693.78	51	\$655.73	51	\$432.59	51	\$433.65	51	\$438.91	51	\$456.79	51	\$474.70	51	\$475.71	51	\$475.71
52	\$726.14	52	\$686.32	52	\$452.77	52	\$453.88	52	\$459.38	52	\$478.10	52	\$496.84	52	\$497.91	52	\$497.91
53	\$758.88	53	\$717.25	53	\$473.18	53	\$474.34	53	\$480.09	53	\$499.66	53	\$519.24	53	\$520.31	53	\$520.31
54	\$794.22	54	\$750.67	54	\$495.21	54	\$496.43	54	\$502.45	54	\$522.93	54	\$543.42	54	\$544.61	54	\$544.61
55	\$829.56	55	\$784.07	55	\$517.25	55	\$518.52	55	\$524.81	55	\$546.19	55	\$567.60	55	\$568.81	55	\$568.81
56	\$867.88	56	\$820.28	56	\$541.14	56	\$542.47	56	\$549.05	56	\$571.42	56	\$593.82	56	\$595.11	56	\$595.11
57	\$906.56	57	\$856.85	57	\$565.26	57	\$566.65	57	\$573.52	57	\$596.89	57	\$620.29	57	\$621.61	57	\$621.61
58	\$947.86	58	\$895.88	58	\$591.01	58	\$592.46	58	\$599.65	58	\$624.08	58	\$648.54	58	\$649.91	58	\$649.91
59	\$968.32	59	\$915.21	59	\$603.77	59	\$605.25	59	\$612.59	59	\$637.55	59	\$662.54	59	\$664.01	59	\$664.01
60	\$1,009.61	60	\$954.24	60	\$629.51	60	\$631.06	60	\$638.71	60	\$664.74	60	\$690.79	60	\$692.3	60	\$692.3
61	\$1,045.32	61	\$988.00	61	\$651.78	61	\$653.38	61	\$661.31	61	\$688.25	61	\$715.23	61	\$716.81	61	\$716.81
62	\$1,068.76	62	\$1,010.15	62	\$666.39	62	\$668.03	62	\$676.13	62	\$703.68	62	\$731.26	62	\$732.8	62	\$732.8
63	\$1,098.14	63	\$1,037.92	63	\$684.72	63	\$686.40	63	\$694.72	63	\$723.03	63	\$751.37	63	\$753.0	63	\$753.0
64+	\$1,116.00	64+	\$1,054.80	64+	\$695.85	64+	\$697.56	64+	\$706.02	64+	\$734.79	64+	\$763.59	64+	\$765.2	64+	\$765.2

\* For 2018, the current rates include the number of children, but they are not displayed. As we do today, rates only include a charge for the three oldest children.

\* Renewal and alternate rate columns show the new child age brackets. Ages 0 to 14 have one rate band, while ages 15 through 20 have a different rate band corresponding to each year.

## Vision renewal

		Employee	Empl + Spouse	Empl + Child	Empl + Fam	Monthly Premium
Current Vision Insurance	Enrollment	6	2	1	2	
Plan: V0008/Type: VOLUNTARY	Rate	\$9.69	\$18.89	\$19.86	\$27.61	\$171.00
Renewal Vision Insurance	Enrollment	6	2	1	2	
Plan: V0008/Type: VOLUNTARY	Rate	\$9.69	\$18.89	\$19.86	\$27.61	\$171.00

Change from current: 0.0%

## Vision benefit summary

	Services & Materials	Amount		Services & Materials	Amount
In-Network Copay	Exam	\$10		Exam	Up to \$40
	Materials	\$25		Single Lenses	Up to \$40
	Exam	1 x per 12 mos.		Bifocal Lenses	Up to \$60
Frequencies	Lenses	1 x per 12 mos.		Trifocal Lenses	Up to \$80
	Frames	1 x per 24 mos.		Lenticular Lenses	Up to \$80
				Frames	Up to \$45
				Elective Contacts	Up to \$105

\$9.90  
per month  
Out-of-network  
Reimbursement

Vision plans have a two year rate guarantee. The vision rates will be in effect through 11/30/20. Note that the rate guarantee is subject to change based upon changes to the policy and/or plan structure.

## Life AD&D options

	Enrollment	Benefit	Volume	Rate	Total	Monthly Premium
Life Insurance	12	\$25,000	\$300,000	\$0.17 per 1,000	\$51.00	
AD&D Insurance	12	\$25,000	\$300,000	\$0.02 per 1,000	\$6.00	\$57.00

### Life AD&D Quote Assumptions:

- The Basic Life/AD&D and Basic Dependent Life plans have a 24 month guarantee from the initial date of rate issuance. Note that the rate guarantee is subject to change based upon changes to the policy and/or plan structure.
- All coverage terminates at retirement.
- If you choose to offer \$25,000 or more in base life insurance, the Packaged Savings Program may apply. Packaged Savings may not be available in all states or for all group sizes.
- UnitedHealthcare also offers long and short term disability products. For additional information about these products contact your broker for plan design and premium information today!

## Dental options

	Quote 1		Quote 2		Quote 3		Quote 4	
	Plan P7329 <sup>1</sup>		Plan A2543 <sup>1</sup>		Plan P3377 <sup>1</sup>		Plan D0230	
	Type VPPD		Type DPPD		Type VPPD		Type Managed Care	
	Benefit	In/Out	Benefit	In/Out	Benefit	In/Out	Benefit	In
Coinsurance	Preventive	100%/100%	Preventive	100%/100%	Preventive	100%/100%	Preventive	Copay
	Minor Restore	80%/80%	Minor Restore	80%/80%	Minor Restore	80%/80%	Minor Restore	Copay
	Endo/Perio/Oral*	50%/50%	Endo/Perio/Oral*	50%/50%	Endo/Perio/Oral*	80%/80%	Endo/Perio/Oral*	Copay
	Major	50%/50%	Major	50%/50%	Major	50%/50%	Major	Copay
Annual Plan Maximums	In/Out Network	\$1,200/\$1,200	In/Out Network	\$1,000/\$1,000	In/Out Network	\$1,500/\$1,500	In Network	Unlimited
Orthodontia Coverages	Benefit: NA		Benefit: NA		Benefit: NA		Benefit: NA	
	Coinurance	NA/NA	Coinurance	NA/NA	Coinurance	NA/NA	Coinurance	NA/NA
	Lifetime Max	NA/NA	Lifetime Max	NA/NA	Lifetime Max	NA/NA	Max Out of Pocket	\$3,400
Waiting Period for Major Services		12 mos		NO WAIT		12 mos		NO WAIT
Enrollment Rates	Tiers	Monthly Rate	Tiers	Monthly Rate	Tiers	Monthly Rate	Tiers	Monthly Rate
	Empl	\$31.70	Empl	\$35.85	Empl	\$37.85	Empl	\$20.63
	Empl + Spouse	\$63.39	Empl + Spouse	\$71.69	Empl + Spouse	\$75.71	Empl + Spouse	\$39.40
	Empl + Child	\$69.35	Empl + Child	\$78.30	Empl + Child	\$81.55	Empl + Child	\$35.07
	Empl + Family	\$106.07	Empl + Family	\$119.80	Empl + Family	\$125.23	Empl + Family	\$61.90
Deductible	Indiv/Family	\$50/\$150	Indiv/Family	\$50/\$150	Indiv/Family	\$50/\$150	Indiv/Family	NONE/NONE
Monthly Premium		\$709.57		\$801.84		\$841.58		\$431.41

\* Please refer to your benefit summary or certificate of coverage for a more detailed view of the benefit coverage for services within these categories as some plans may have benefits that differ from what we are able to display here.

Managed Care is In-Network only with the exception of NV which includes In-Network and Out-of-Network Copayments.

\* Ask about our Consumer Max Multiplier! This consumer driven benefit allows members to carry forward a portion of their unused annual dental maximum into an account for future use.



# CHALLENGER SCHOOL

9900 Isaac Newton Way  
Las Vegas, NV 89129  
(702) 878-6418

10/30/19 13:11  
CORP-CSS:CSS

## Summary of Charges and Payments

From: 01/01/19 To: 10/30/19  
Date Prepared: 10/30/19

Federal Tax ID Number: 47-1405971

Customer Name: Luong, Minh  
Customer Address: 9742 W. Tomkins Ave  
Las Vegas, NV 89147

### Charges

This includes tuition, excused tuition, all fees, account transfers, bad-debt write offs and discounts.

Child Name	Transaction Type	Amount Billed
	Late and Returned Check Fees	\$25.00
Vahey, Hannah	Tuition 4th Grade Silverado 18-19	\$6,840.00
Vahey, Hannah	Tuition 5th Grade Silverado 19-20	\$4,054.00
Vahey, Hannah	Tuition Ext Classtime P.M. Silverado 19-20	\$194.00
Vahey, Hannah	Application Fees Silverado 19-20	\$175.00
Vahey, Matthew	Tuition 3rd Grade Silverado 18-19	\$6,840.00
Vahey, Matthew	Tuition 4th Grade Silverado 19-20	\$4,054.00
Vahey, Matthew	Tuition Ext Classtime P.M. Silverado 19-20	\$194.00
Vahey, Matthew	Application Fees Silverado 19-20	\$175.00
Vahey, Selena	Tuition All-day 4-year-old 2-day Silverado 18-19	\$2,335.00
Vahey, Selena	Tuition All-day Kindergarten Silverado 19-20	\$3,564.00
Vahey, Selena	Application Fees Silverado 19-20	\$175.00
Total Charges and Fees for the period 1/1/19 to 10/30/19:		\$28,625.00

### Payments

This includes cash and check payments, payroll deductions, refunds and returned checks.

Payment Date	Transaction Type	Check/Receipt Nbr	Amount Paid
Jan 15, 2019	Check E Payment Received	021000022613203	\$3,203.00
Feb 15, 2019	Check E Payment Received	021000025898221	\$3,203.00
Feb 28, 2019	Check Payment Received	2001	\$525.00
Mar 15, 2019	Check E Payment Received	021000028935351	\$3,203.00
Apr 15, 2019	Check E Payment Received	021000021963087	\$3,203.00
May 15, 2019	Check E Payment Received	021000025114625	\$3,203.00
Aug 15, 2019	Check E Payment Received	021000029562671	\$2,700.00
Aug 19, 2019	Check E Payment Reversal	021000029562671	(\$2,700.00)
Aug 20, 2019	Check Payment Received	1541	\$3,892.00
Sep 03, 2019	Check Payment Received	1543	\$3,913.00
Oct 01, 2019	Check Payment Received	2025	\$3,892.00
Oct 08, 2019	Check E Payment Received	021000020548569	\$388.00
Total Payments for the period 1/1/19 to 10/30/19:			\$28,625.00

Fwd: Order #9894 confirmed

James Vahey

Sun 10/27/2019 11:17 PM

To: Bo Bautista <BoBautista@handcenterofnv.com>

----- Forwarded message -----

From: **ScholarWear** <[info@scholarwear.com](mailto:info@scholarwear.com)>

Date: Wed, Oct 2, 2019 at 10:46 PM

Subject: Order #9894 confirmed

To: <[hotsail.jim@gmail.com](mailto:hotsail.jim@gmail.com)>

ScholarWear

ORDER #9894

Thank you for your purchase!

Hi James, we're getting your order ready to be shipped. We will notify you when it has been sent.

---

[View your order](#)

[or Visit our store](#)

---

## Order summary



Girls Polo - Long Sleeve × 1  
Dark Maroon / XS (5/6)

\$30.00

---

Girls Polo - Short Sleeve × 1

\$28.00



White / M (10/12)



**Girls Polo - Long Sleeve × 1**  
Dark Maroon / M (10/12)

**\$30.00**



**Girls Skirts - Regular × 1**  
12 - Box Pleat

**\$48.00**



**Girls Cardigan Sweater × 1**  
M (10/12)

**\$45.00**



**Oxford - Long Sleeve × 1**  
10

**\$30.00**



**Boys Pullover Sweater - Black × 1**  
M (10/12)

**\$41.00**



**Girls Penny Tie × 2**  
Yellow (XSmall Strap)

**\$24.00**



**Girls Penny Oxford Blouse - Long Sleeve × 1**  
10

**\$30.00**



**Girls Penny Oxford Blouse - Long Sleeve × 1**  
5

**\$30.00**

Subtotal	\$336.00
Shipping	\$13.95
State Tax	\$27.72

---

Total	<b>\$377.67 USD</b>
-------	---------------------

---

## Customer information

### Shipping address

James Vahey  
27 Vía Mira Monte  
Henderson NV 89011  
United States

### Billing address

James Vahey  
27 Vía Mira Monte  
Henderson NV 89011  
United States

### Shipping method

11 Items

### Payment method



Payment method — **\$377.67**

---

---

If you have any questions, reply to this email or contact us at [info@scholarwear.com](mailto:info@scholarwear.com)

*Karate*

Nov 01, 2019 Scheduled Payment: \$125.00 (plus \$4.63 administrative fees) (MasterCard xxxxxx1180) [Apply Payment Credit]

PAYMENT HISTORY:

Mar 29, 2019 Payment: \$13.06 (includes \$0.96 administrative fees) (MasterCard xxxxxx1180) (Prorated) [Refund]

Apr 01, 2019 Payment: \$129.63 (includes \$4.63 administrative fees) (MasterCard xxxxxx1180) [Refund]

May 02, 2019 Payment: \$129.63 (includes \$4.63 administrative fees) (MasterCard xxxxxx1180) [Refund]

Jun 01, 2019 Payment: \$129.63 (includes \$4.63 administrative fees) (MasterCard xxxxxx1180) [Refund]

Jul 01, 2019 Payment: \$129.63 (includes \$4.63 administrative fees) (MasterCard xxxxxx1180) [Refund]

Aug 01, 2019 Payment: \$129.63 (includes \$4.63 administrative fees) (MasterCard xxxxxx1180) [Refund]

Sep 01, 2019 Payment: \$129.63 (includes \$4.63 administrative fees) (MasterCard xxxxxx1180) [Refund]

Oct 01, 2019 Payment: \$129.63 (includes \$4.63 administrative fees) (MasterCard xxxxxx1180) [Refund]

EXHIBIT 16

EXHIBIT 16

EXHIBIT 16

----- Forwarded message -----

From: James Vahey <[hotsail.jim@gmail.com](mailto:hotsail.jim@gmail.com)>  
Date: Fri, Jan 24, 2020 at 6:06 PM  
Subject: Re: 20-21 application fees  
To: Minh Nguyet Luong <[luongdds@gmail.com](mailto:luongdds@gmail.com)>

Please contact the school for whatever you need and whatever payment arrangements you want to set up. You still need to reimburse me for half of the applicant fees.

Sent from my iPhone

> On Jan 22, 2020, at 10:11 AM, Minh Nguyet Luong <[luongdds@gmail.com](mailto:luongdds@gmail.com)> wrote:

>

> Like I said multiple times before in my emails, I will make the payments directly to the school. I need documents from the school of the amount and the break down for each items, FROM THE SCHOOL.

>

>

>

> Minh Nguyet Luong, DDS  
> Toothfairy Children's Dental  
> 8000 W. Sahara Ave #180  
> Las Vegas, NV 89117  
> Cell: 702-353-2319  
> Office: 702-222-9700  
> Fax: 702-564-0005

>

>> On Jan 22, 2020, at 8:59 AM, James Vahey <[hotsail.jim@gmail.com](mailto:hotsail.jim@gmail.com)> wrote:

>>

EXHIBIT 17

EXHIBIT 17

EXHIBIT 17

JAMES W. VAHEY, M.D.  
8585 S EASTERN AVE., STE. 100  
LAS VEGAS, NV 89123-2818

75-7003/2919

1154

DATE 1-21-20 PMP

PAY TO  
THE ORDER OF

*Challenger*

\$ 525<sup>00</sup>

*Five Hundred Twenty Five <sup>00</sup>/<sub>100</sub>*

DOLLARS

Heat  
Reactive  
Ink

**MIDCOUNTRY**  
BANK

www.MidCountryBank.com

MEMO

*Application fees 20/21*

*James W. Vahey*

MP

LOOK FOR FRAUD-DETECTING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK.

EXHIBIT 18

EXHIBIT 18

EXHIBIT 18

# Appendix

## Appendix B: Monthly rates by age

Current Rates		Renewal Rates		NVSTANDARD9.0 / NV005													
Traditional with Deductible		Traditional with Deductible		Consumer		HSA		Balanced		Balanced		Choice Plus Direct		Balanced			
AX-BV / RX729		BJ-RX / RX980		BJ-R7 / RX710		BJ-SF / RX396		BJ-R5 / RX710		BJ-R4 / RX981		BJ-SZ / RX710		BJ-R3 / RX981			
Age	Rate	Age	Rate	Age	Rate	Age	Rate	Age	Rate	Age	Rate	Age	Rate	Age	Rate	Age	Rate
<15	\$268.97	<15	\$288.86	<15	\$187.62	<15	\$196.44	<15	\$200.62	<15	\$207.12	<15	\$212.69	<15	\$213.16	<15	\$213.16
15	\$292.88	15	\$314.53	15	\$204.29	15	\$213.90	15	\$218.45	15	\$225.53	15	\$231.60	15	\$232.11	15	\$232.11
16	\$302.02	16	\$324.35	16	\$210.67	16	\$220.57	16	\$225.27	16	\$232.57	16	\$238.83	16	\$239.35	16	\$239.35
17	\$311.17	17	\$334.17	17	\$217.05	17	\$227.25	17	\$232.09	17	\$239.60	17	\$246.06	17	\$246.60	17	\$246.60
18	\$321.01	18	\$344.74	18	\$223.91	18	\$234.44	18	\$239.43	18	\$247.19	18	\$253.84	18	\$254.40	18	\$254.40
19	\$330.86	19	\$355.31	19	\$230.78	19	\$241.63	19	\$246.78	19	\$254.77	19	\$261.63	19	\$262.20	19	\$262.20
20	\$341.05	20	\$366.26	20	\$237.89	20	\$249.08	20	\$254.38	20	\$262.62	20	\$269.69	20	\$270.28	20	\$270.28
21	\$351.60	21	\$377.59	21	\$245.25	21	\$256.78	21	\$262.25	21	\$270.74	21	\$278.03	21	\$278.64	21	\$278.64
22	\$351.60	22	\$377.59	22	\$245.25	22	\$256.78	22	\$262.25	22	\$270.74	22	\$278.03	22	\$278.64	22	\$278.64
23	\$351.60	23	\$377.59	23	\$245.25	23	\$256.78	23	\$262.25	23	\$270.74	23	\$278.03	23	\$278.64	23	\$278.64
24	\$351.60	24	\$377.59	24	\$245.25	24	\$256.78	24	\$262.25	24	\$270.74	24	\$278.03	24	\$278.64	24	\$278.64
25	\$353.01	25	\$379.10	25	\$246.23	25	\$257.81	25	\$263.30	25	\$271.82	25	\$279.14	25	\$279.75	25	\$279.75
26	\$360.04	26	\$386.65	26	\$251.14	26	\$262.94	26	\$268.54	26	\$277.24	26	\$284.70	26	\$285.33	26	\$285.33
27	\$368.48	27	\$395.71	27	\$257.02	27	\$269.11	27	\$274.84	27	\$283.74	27	\$291.38	27	\$292.01	27	\$292.01
28	\$382.19	28	\$410.44	28	\$266.59	28	\$279.12	28	\$285.07	28	\$294.29	28	\$302.22	28	\$302.88	28	\$302.88
29	\$393.44	29	\$422.52	29	\$274.43	29	\$287.34	29	\$293.46	29	\$302.96	29	\$311.12	29	\$311.80	29	\$311.80
30	\$399.07	30	\$428.56	30	\$278.36	30	\$291.45	30	\$297.65	30	\$307.29	30	\$315.56	30	\$316.26	30	\$316.26
31	\$407.50	31	\$437.63	31	\$284.24	31	\$297.61	31	\$303.95	31	\$313.79	31	\$322.24	31	\$322.94	31	\$322.94
32	\$415.94	32	\$446.69	32	\$290.13	32	\$303.77	32	\$310.24	32	\$320.29	32	\$328.91	32	\$329.63	32	\$329.63
33	\$421.22	33	\$452.35	33	\$293.81	33	\$307.62	33	\$314.18	33	\$324.35	33	\$333.08	33	\$333.81	33	\$333.81
34	\$426.84	34	\$458.39	34	\$297.73	34	\$311.73	34	\$318.37	34	\$328.68	34	\$337.53	34	\$338.27	34	\$338.27
35	\$429.66	35	\$461.41	35	\$299.70	35	\$313.79	35	\$320.47	35	\$330.84	35	\$339.75	35	\$340.50	35	\$340.50
36	\$432.47	36	\$464.44	36	\$301.66	36	\$315.84	36	\$322.57	36	\$333.01	36	\$341.98	36	\$342.73	36	\$342.73
37	\$435.28	37	\$467.46	37	\$303.62	37	\$317.89	37	\$324.67	37	\$335.18	37	\$344.20	37	\$344.96	37	\$344.96
38	\$438.09	38	\$470.48	38	\$305.58	38	\$319.95	38	\$326.76	38	\$337.34	38	\$346.43	38	\$347.19	38	\$347.19
39	\$443.72	39	\$476.52	39	\$309.51	39	\$324.05	39	\$330.96	39	\$341.67	39	\$350.87	39	\$351.64	39	\$351.64
40	\$449.34	40	\$482.56	40	\$313.43	40	\$328.16	40	\$335.16	40	\$346.01	40	\$355.32	40	\$356.10	40	\$356.10
41	\$457.78	41	\$491.62	41	\$319.32	41	\$334.33	41	\$341.45	41	\$352.50	41	\$362.00	41	\$362.79	41	\$362.79
42	\$465.87	42	\$500.31	42	\$324.96	42	\$340.23	42	\$347.48	42	\$358.73	42	\$368.39	42	\$369.20	42	\$369.20
43	\$477.12	43	\$512.39	43	\$332.80	43	\$348.45	43	\$355.87	43	\$367.39	43	\$377.29	43	\$378.11	43	\$378.11
44	\$491.19	44	\$527.49	44	\$342.61	44	\$358.72	44	\$366.36	44	\$378.22	44	\$388.41	44	\$389.26	44	\$389.26
45	\$507.71	45	\$545.24	45	\$354.14	45	\$370.79	45	\$378.69	45	\$390.95	45	\$401.48	45	\$402.36	45	\$402.36
46	\$527.40	46	\$566.39	46	\$367.88	46	\$385.17	46	\$393.38	46	\$406.11	46	\$417.05	46	\$417.96	46	\$417.96
47	\$549.55	47	\$590.17	47	\$383.33	47	\$401.35	47	\$409.90	47	\$423.17	47	\$434.56	47	\$435.51	47	\$435.51
48	\$574.87	48	\$617.36	48	\$400.98	48	\$419.84	48	\$428.78	48	\$442.66	48	\$454.58	48	\$455.58	48	\$455.58
49	\$599.83	49	\$644.17	49	\$418.40	49	\$438.07	49	\$447.40	49	\$461.88	49	\$474.32	49	\$475.36	49	\$475.36
50	\$627.96	50	\$674.38	50	\$438.02	50	\$458.61	50	\$468.38	50	\$483.54	50	\$496.56	50	\$497.65	50	\$497.65
51	\$655.73	51	\$704.21	51	\$457.39	51	\$478.89	51	\$489.10	51	\$504.93	51	\$518.53	51	\$519.66	51	\$519.66
52	\$686.32	52	\$737.06	52	\$478.73	52	\$501.23	52	\$511.91	52	\$528.48	52	\$542.71	52	\$543.91	52	\$543.91
53	\$717.26	53	\$770.28	53	\$500.31	53	\$523.83	53	\$534.99	53	\$552.31	53	\$567.18	53	\$568.43	53	\$568.43
54	\$750.67	54	\$806.15	54	\$523.61	54	\$548.23	54	\$559.90	54	\$578.03	54	\$593.59	54	\$594.90	54	\$594.90
55	\$784.07	55	\$842.03	55	\$546.91	55	\$572.62	55	\$584.82	55	\$603.75	55	\$620.01	55	\$621.37	55	\$621.37
56	\$820.28	56	\$880.92	56	\$572.17	56	\$599.07	56	\$611.83	56	\$631.64	56	\$648.64	56	\$650.07	56	\$650.07
57	\$856.85	57	\$920.19	57	\$597.67	57	\$625.77	57	\$639.10	57	\$659.79	57	\$677.56	57	\$679.05	57	\$679.05
58	\$895.88	58	\$962.10	58	\$624.90	58	\$654.28	58	\$668.21	58	\$689.85	58	\$708.42	58	\$709.97	58	\$709.97
59	\$915.21	59	\$982.87	59	\$638.39	59	\$668.40	59	\$682.64	59	\$704.74	59	\$723.71	59	\$725.30	59	\$725.30
60	\$954.24	60	\$1,024.78	60	\$665.61	60	\$696.90	60	\$711.75	60	\$734.79	60	\$754.57	60	\$756.23	60	\$756.23
61	\$988.00	61	\$1,061.03	61	\$689.15	61	\$721.55	61	\$736.92	61	\$760.78	61	\$781.26	61	\$782.98	61	\$782.98
62	\$1,010.15	62	\$1,084.82	62	\$704.60	62	\$737.73	62	\$753.44	62	\$777.84	62	\$798.78	62	\$800.53	62	\$800.53
63	\$1,037.92	63	\$1,114.65	63	\$723.98	63	\$758.01	63	\$774.16	63	\$799.22	63	\$820.74	63	\$822.55	63	\$822.55
64+	\$1,054.80	64+	\$1,132.77	64+	\$735.75	64+	\$770.34	64+	\$786.75	64+	\$812.22	64+	\$834.09	64+	\$835.92	64+	\$835.92

\* For 2018, the current rates include the number of children, but they are not displayed. As we do today, rates only include a charge for the three oldest children.

\* Renewal and alternate rate columns show the new child age brackets. Ages 0 to 14 have one rate band, while ages 15 through 20 have a different rate band corresponding to each year.

EXHIBIT 19

EXHIBIT 19

EXHIBIT 19

----- Forwarded message -----

From: Minh Nguyet Luong <[luongdds@gmail.com](mailto:luongdds@gmail.com)>

Date: Mon, Dec 23, 2019 at 12:59 PM

Subject: Re: Receipt from Michelle Gravley, P.C.

To: Jim Vahey <[hotsail.jim@gmail.com](mailto:hotsail.jim@gmail.com)>

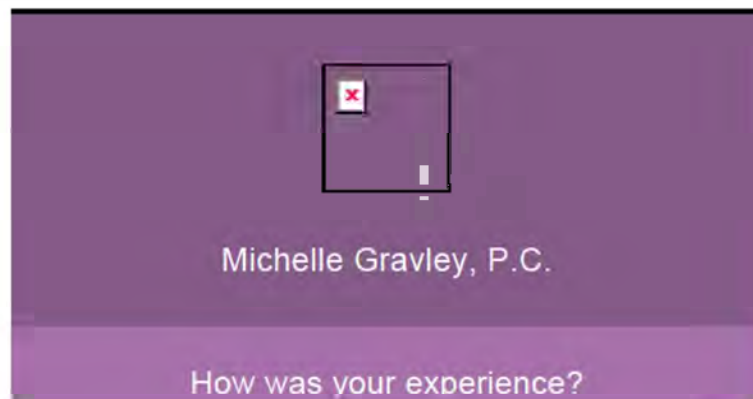
I had sent you emails previously regarding bills from Dr. Gravely. Did you not get it? I will send it again. Please confirm when you received it.

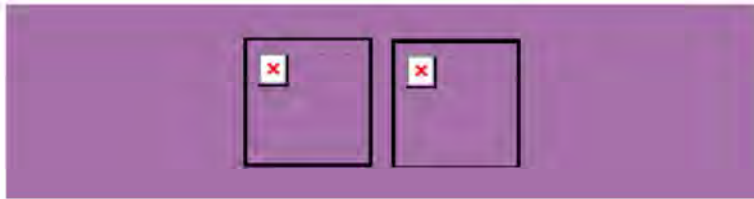
On Dec 19, 2019, at 5:06 PM, James Vahey <[hotsail.jim@gmail.com](mailto:hotsail.jim@gmail.com)> wrote:

Please reimburse half of this bill as well as the ones I sent you for three previous sessions  
Sent from my iPhone

Begin forwarded message:

From: "Michelle Gravley, P.C. via Square" <[receipts@messaging.squareup.com](mailto:receipts@messaging.squareup.com)>  
Date: December 19, 2019 at 4:49:48 PM PST  
To: [HotSail.Jim@gmail.com](mailto:HotSail.Jim@gmail.com)  
Subject: Receipt from Michelle Gravley, P.C.  
Reply-To: "Michelle Gravley, P.C. via Square"  
<[CAESRxlAGjlyX29yemRnbnRkbXE0dG96anJtdJkYXpiemdhemRrbmxxZ2ZzdGFuZGVtZXp0YW56c2hmcXRpbmEiCGRpYWxvZ3VlliBiP6jXV+MFqOjBv+hQmoKpqboJprFsZov3Y7cnY2pTEA==@reply2.squareup.com](mailto:CAESRxlAGjlyX29yemRnbnRkbXE0dG96anJtdJkYXpiemdhemRrbmxxZ2ZzdGFuZGVtZXp0YW56c2hmcXRpbmEiCGRpYWxvZ3VlliBiP6jXV+MFqOjBv+hQmoKpqboJprFsZov3Y7cnY2pTEA==@reply2.squareup.com)>





\$175.50

Custom Amount \$175.50  
Therapy Session with Dr. Gravley  
(12/19/2019)

Total \$175.50



Michelle Gravley, P.C.  
2881 Business Park Court, 150  
Las Vegas, NV 89128  
702-508-2112

Visa 6968 (On File)



Dec 19  
2019 at  
4:49  
PM  
#i0YI  
Auth  
code:  
08069G

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1455 Market Street, Suite 600  
San Francisco, CA 94103

[© Mapbox](#) [© OpenStreetMap](#) [Improve this map](#)

[Square Privacy Policy](#) · [Not your receipt?](#)



Minh Nguyet Luong, DDS  
Toothfairy Children's Dental  
8000 W. Sahara Ave Ste 180  
Las Vegas, NV 89011  
Office: 702-222-9700  
Cell: 702-353-2319  
[luongdds@gmail.com](mailto:luongdds@gmail.com)

EXHIBIT 20

EXHIBIT 20

EXHIBIT 20

blaming. There's nothing for me to do because she doesn't get those red marks when she's with me.

Sent - February 19, 2020 at 8:52 PM - (iMessage) - Delivered

Hannah's ophthalmology appointment went well. Her numbers went up slightly. Grace recommended leaving her glasses the way they are. Please reimburse for \$62.50 (half of \$125)



Sent - February 19, 2020 at 9:05 PM - (iMessage) - Delivered

Late this afternoon, Children's Bone and Spine Surgery left me a message saying they needed to reschedule Selena's appointment from tomorrow to another day. They want a different doctor to see her. I'll try to set it up on a day I think will be convenient for you. I'll keep you posted. P.S. The mineral oil and probiotics didn't make any difference. Like I told you before, Lena's pain is low thoracic and not retroabdominal (behind the abdomen). I'm not sure what your anesthesia doctor friend was thinking, but, at least I gave the idea you and your friend had a try.

Received - Nguyet Luong - February 19, 2020 at 9:22 PM - (iMessage)



Please increase the mineral dosage

Sent - February 19, 2020 at 9:36 PM - (iMessage) - Delivered

Please explain. I'm confused. Does your doctor friend want Her to have more minerals or mineral oil?

Received - Nguyet Luong - February 19, 2020 at 10:01 PM - (iMessage)



Mineral oil

Sent - February 19, 2020 at 10:04 PM - (iMessage) - Delivered

I encouraged Matthew to call you, but you told him you'd call later. He stayed up waiting but you didn't call. He was disappointed. Eventually, I had him go to bed

Received - Nguyet Luong - February 19, 2020 at 10:05 PM - (iMessage)



I didn't talk to Matthew. It was Lena I spoke to. By the time I got home it was late. Matthew didn't talk to me at all

EXHIBIT 21

EXHIBIT 21

EXHIBIT 21

[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** James Vahey <hotsail.jim@gmail.com>  
**Date:** March 3, 2020 at 5:06:57 PM PST  
**To:** Nguyệt <luongdds@gmail.com>  
**Subject:** Selena did very well at her ophthalmology appointment with Grace Shin...

Selena did very well at her ophthalmology appointment with Grace Shin today. Lena improved all way from 20/50 with correction to 20/25 with correction. Dr. Shin was very pleased. The plan is to continue with the drops and patching. The goal is to have her wear a patch for two hours per day. Hey next appointment is at the same time as Matthew's: June 24th at 2:40.  
Please reimburse for half of the \$70 copay for Lena's visit today.

03/20  
c: 20

RECEIPT

Page: 1

IRS # 880484656

IDEAL EYECARE  
6028 S FORT APACHE RD  
SUITE 101  
LAS VEGAS, NV 89148-5612  
Tel: 702-896-2020

VAHEY, JAMES  
27 VIA MIRAMONTE  
HENDERSON, NV 89011

Acct: 10018858-1/UH  
Pat: VAHEY, SELENA  
Tel: 702/592-5925

Ins1: UNITED HEALTHCARE 864510307

te	Code	Description	Chk/Qt	Diag	Pv	Ref	Plc	Amount	Balance
03/20	CC	CREDIT CARD						-70.00	-70.00

Total Payments: 70.00

IDEAL EYECARE

Sub Total: \$70.00

Total: \$70.00

VOLUME VII

AA001660

Sent from my iPhone

[REDACTED]

Sent from my iPhone

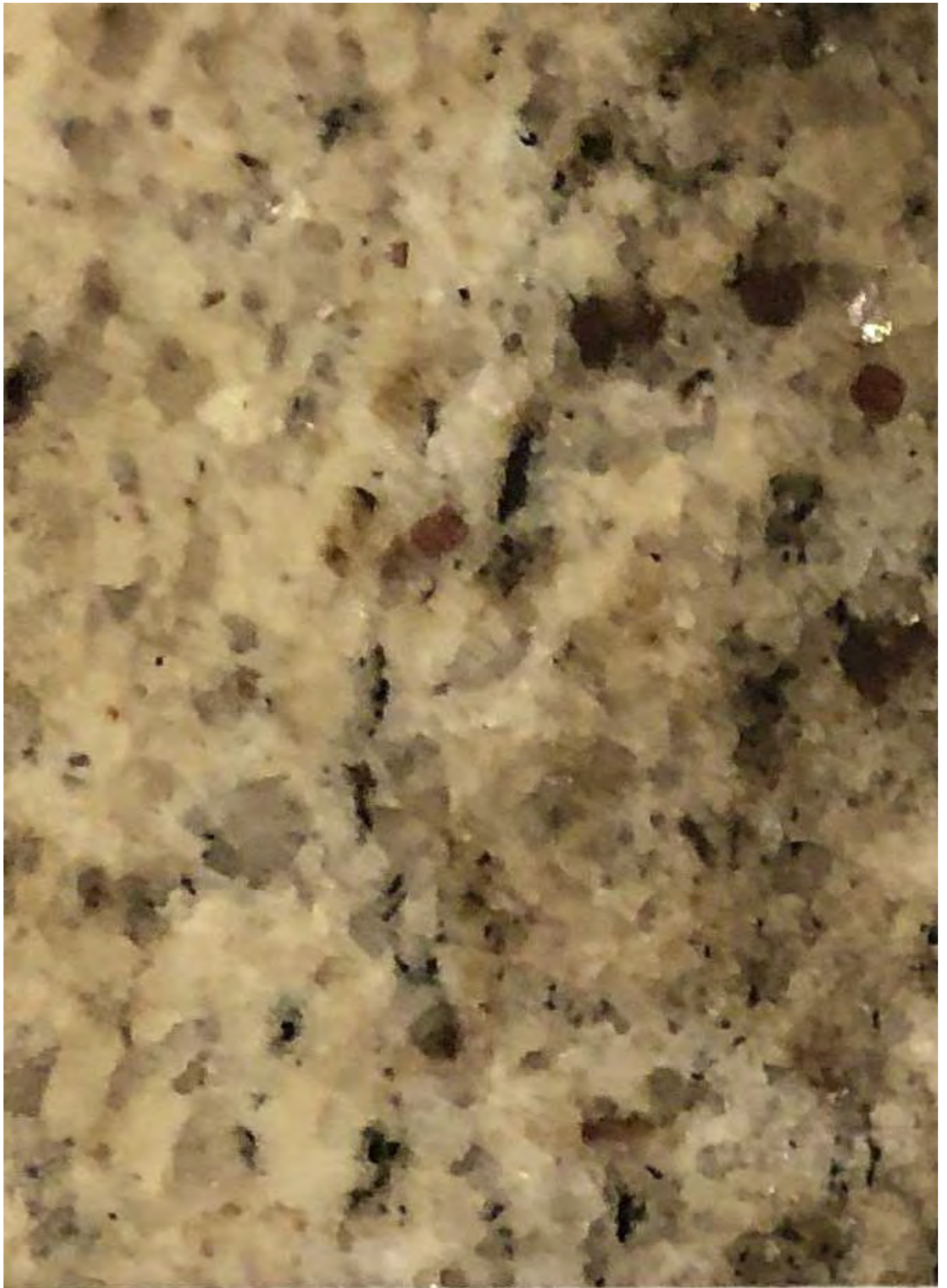
Begin forwarded message:

**From:** James Vahey <hotsail.jim@gmail.com>  
**Date:** March 9, 2020 at 10:55:00 PM PDT  
**To:** Nguyệt <luongdds@gmail.com>  
**Subject:** Copay for Selena's eyedrops

I know I told you about Lena's ophthalmology appointment before, but, I wanted totell you again.

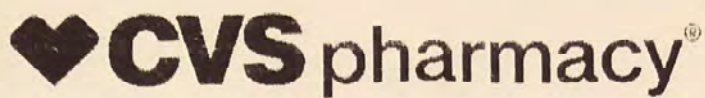
. At Lena's appointment, her vision improved a lot. Thanks to hard work and close attention by you and me about putting the drops in Lena's eye every night as well as having her wear the patch at least two hours per day, her corrected vision is now 20/25.

Please keep up the drops and patches. If you need more drops, please call Grace Shin. Or, if you don't want to, let me know, and I will do it for you.



Please reimburse me for half of the after insurance cost for Lena's Eye drops.  
Thanks.

Sent from my iPhone



1402 EAST LAKE MEAD PARKWAY  
HENDERSON, NV 89015  
702.558.5101

REG#19 TRN#3609 CSHR#1253767 STR#121

Helped by: TATIANA

ExtraCare Card #: \*\*\*\*\*7913

F 1 RX #: \*\*\*\*0970010 15.00N

TOTAL 15.00

CHARGE 15.00

\*\*\*\*\*0004 CH

CAPITAL ONE VISA \*\*\*\*\*0004

APPROVED# 09380G

REF# 196093

TRAN TYPE: SALE

AID: A0000000031010

TC: 002A1BE8D631B296

TERMINAL# 88295293

NO SIGNATURE REQUIRED

CVM: 5E0000

TVR(95): 0080008000

TSI(9B): E800

CHANGE .00



3500 1210 0663 6091 98

State law may prohibit the return  
of prescriptions. Please consult  
your pharmacist.

Returns with receipt, subject to  
CVS Return Policy, thru 05/05/2020  
Refund amount is based on price  
after all coupons and discounts.

MARCH 6, 2020

8:03 PM

F-FLEXIBLE SPENDING ACCT SUMMARY (FSA)

Prescription Eligible Total 15.00

\*\*\*\*\*VOLUME VII\*\*\*\*\*

FSA summary above includes items  
(and tax) that may be eligible

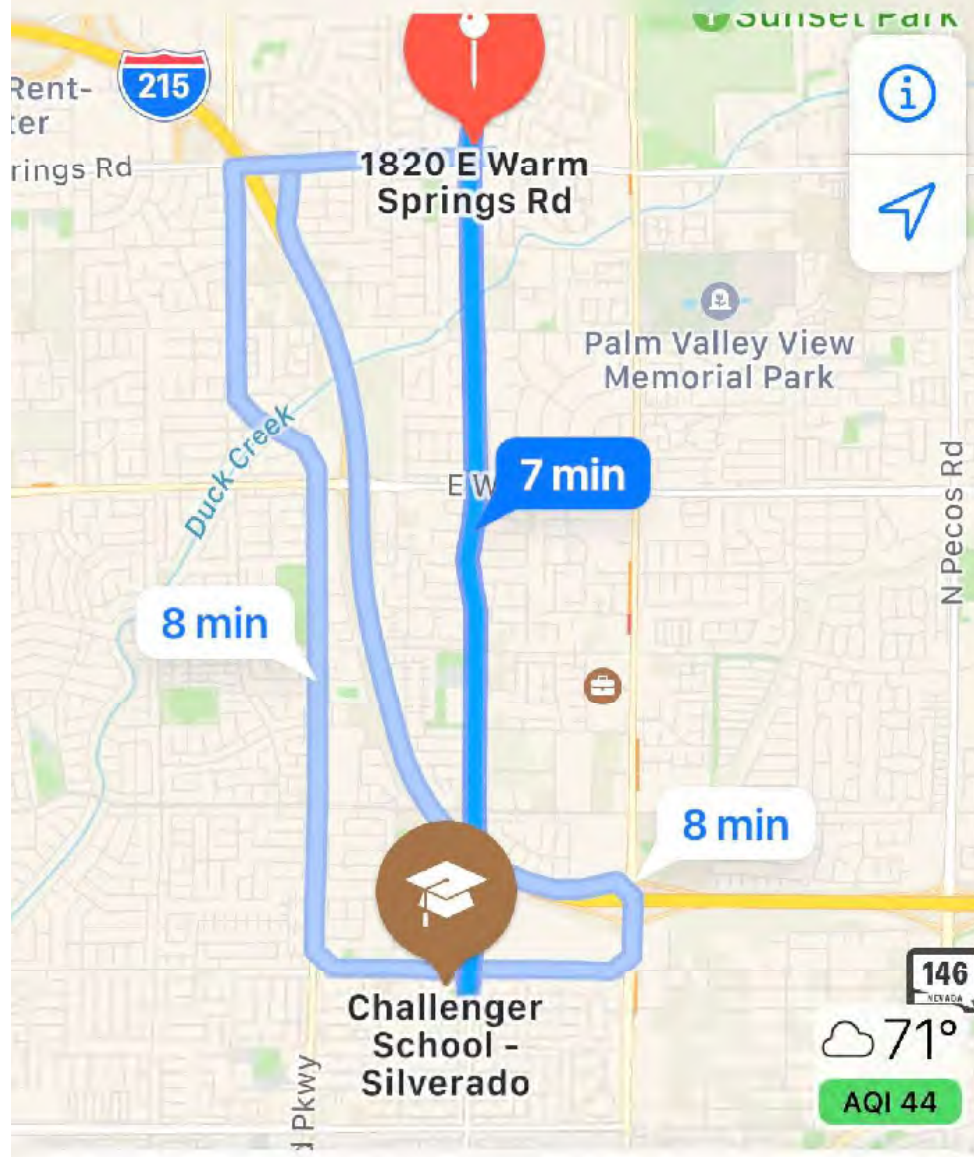
AA001665

EXHIBIT 22

EXHIBIT 22

EXHIBIT 22

2:59



**To 1820 E Warm Springs Rd**

From **Challenger School - Silverado**

**7 min**

2.7 mi · Spencer St  
Fastest route



Drive



Walk



Transit

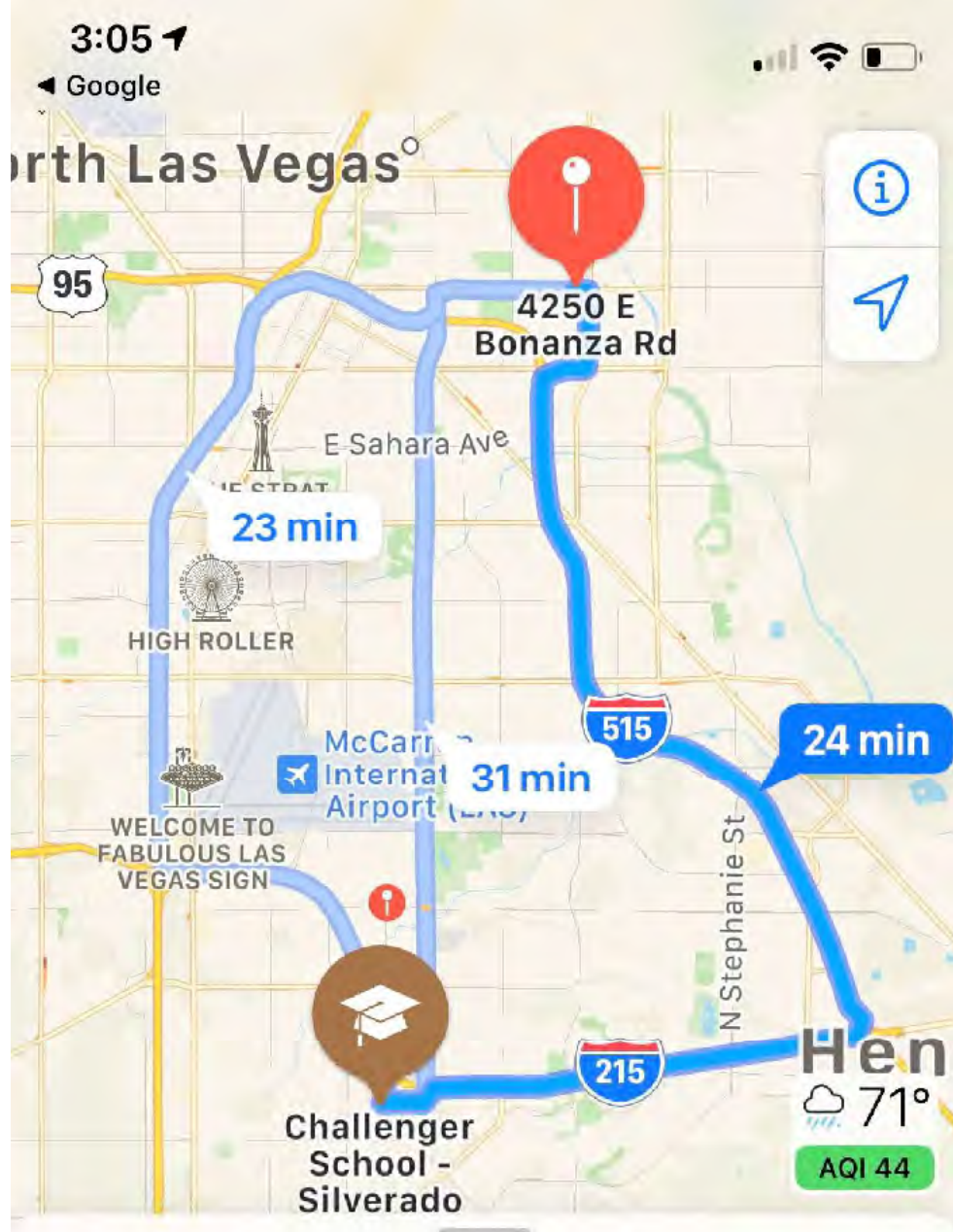


Ride

EXHIBIT 23

EXHIBIT 23

EXHIBIT 23



**To 4250 E Bonanza Rd**  
From Challenger School - Silverado

**24 min**  
19 mi · US-95 N  
Suggested route



EXHIBIT 24

EXHIBIT 24

EXHIBIT 24

## Jen Mitzel


Clinical Social Work/Therapist, LCSW

Verified by Psychology Today



(702) 983-2034

 Email Me

 Ask about video and phone sessions

Therapeutic Solutions Behavioral Health

4250 E Bonanza Rd

Suite 17

Las Vegas, Nevada 89110

[\(702\) 983-2034](#)

We all suffer challenges in life and oftentimes therapy is the answer to those challenges. I am a Licensed Clinical Social Worker specializing in individual and family work. I have been a Social Worker for 20 years and have worked in a variety of settings including both in-patient and out-patient therapy. I enjoy working with all age groups from children to geriatrics.

My therapy modalities are eclectic, some of which include play therapy, sand tray therapy, cognitive behavioral therapy, and neurofeedback. I work with children with behavioral disorders, adults and children



## Jen Mitzel

Clinical Social Work/Therapist, LCSW

Email Me

(702) 983-2034

Qualifications

**School:** University of Nevada, Las Vegas  
**Year Graduated:** 2006  
**License and State:** 6736-C Nevada

Finances

**Cost per Session:** \$100 - \$120  
**Pay By:** American Express, Cash, Discover, Health Savings Account, Mastercard, Visa

Accepted Insurance Plans

- Aetna
- All Medicaid plans
- Ambetter
- Anthem
- Beacon
- Beech Street
- Behavioral Healthcare Options (BHO)
- BlueCross and BlueShield
- Cigna
- Clark County Self-Funded
- GEHA
- Health Plan of Nevada
- Healthscope
- MHNet Behavioral Health
- MINES and Associates
- Medicaid
- Medicare
- MultiPlan
- Optum
- PHCS
- Sierra Health
- SilverSummit
- TRICARE



**Jen Mitzel**  
Clinical Social Work/Therapist, LCSW

Email Me

(702) 983-2034

- Mood Disorders
- Anxiety
- Depression

Issues

- ADHD
- Adoption
- Anger Management
- Behavioral Issues
- Bipolar Disorder
- Borderline Personality
- Child or Adolescent
- Chronic Impulsivity
- Codependency
- Coping Skills
- Developmental Disorders
- Divorce
- Domestic Violence
- Dual Diagnosis
- Eating Disorders
- Emotional Disturbance
- Family Conflict
- Gambling
- Grief
- Infertility
- Obsessive-Compulsive (OCD)
- Oppositional Defiance
- Parenting
- Peer Relationships
- Relationship Issues
- Self Esteem
- Self-Harming
- Sexual Abuse
- Suicidal Ideation
- Teen Violence
- Trauma and PTSD
- Women's Issues



Jen Mitzel

Clinical Social Work/Therapist, LCSW

Email Me

(702) 983-2034

- Gay
- Lesbian

Client Focus

Age

- Children (6 to 10)
- Preteens / Tweens (11 to 13)
- Adolescents / Teenagers (14 to 19)
- Adults
- Elders (65+)

Treatment Approach

Types of Therapy

- Eclectic
- Neurofeedback

Modality

- Individuals
- Family

Video/Skype

- Online/Phone Counseling

Nearby Areas

This location is easily accessible from:

Cities:

- Las Vegas, NV

Counties:

- Clark

Zips:

Neighborhoods:



Jen Mitzel

Clinical Social Work/Therapist, LCSW

Email Me

(702) 983-2034

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United States

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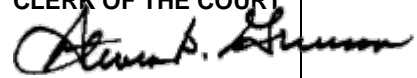
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DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
6/8/2020 8:57 AM  
Steven D. Grierson  
CLERK OF THE COURT



James W. Vahey, Plaintiff

vs.

Minh Nguyet Luong, Defendant.

Case No.: D-18-581444-D

Department H

**NOTICE OF HEARING**

Please be advised that the Plaintiff's Emergency Motion to Resolve Parent-Child Issues and for Attorney's Fees and Cost in the above-entitled matter is set for hearing as follows:

**Date:** July 13, 2020

**Time:** 10:00 AM

**Location:** RJC Courtroom 03G  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Carmelo Coscolluela  
Deputy Clerk of the Court

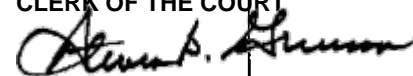
**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Carmelo Coscolluela  
Deputy Clerk of the Court

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78



**EXHS**  
FRED PAGE, ESQ.  
NEVADA STATE BAR NO. 6080  
PAGE LAW FIRM  
6930 SOUTH CIMARRON ROAD, SUITE 140  
LAS VEGAS, NEVADA 89113  
TELEPHONE: (702) 469-3278  
FACSIMILE: (702) 628-9884  
Email: fpage@pagelawoffices.com  
Attorney for Defendant

**DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

JAMES W. VAHEY,

Plaintiff,

vs.

MINH NGUYET LUONG,

Defendant.

Case No.: D-18-581444-D

Dept.: H

**DEFENDANT'S EXHIBIT APPENDIX IN SUPPORT OF OPPOSITION TO  
PLAINTIFF'S EMERGENCY MOTION TO RESOLVE PARENT-CHILD  
ISSUES  
AND  
FOR ATTORNEY'S FEES AND COSTS  
AND  
COUNTERMOTION  
TO APPOINT JEN MITZEL AS THE CHILDREN'S THERAPIST, FOR AN  
INTERVIEW OF THE MINOR CHILDREN OR IN THE ALTERNATIVE  
FOR THE APPOINTMENT OF A GUARDIAN AD LITEM, TO CHANGE  
CUSTODY,  
AND  
FOR ATTORNEY'S FEES AND COSTS**

COMES NOW Defendant, MINH NGUYET LUONG, by and through her  
counsel, Fred Page Esq., of Page Law Firm and hereby submits her Exhibit

1 Appendix in Support of Opposition to Plaintiff, JAMES W. VAHEY'S, Emergency  
2 Motion to Resolve Parent Child Issues and for Attorney's Fees and Costs, and  
3 submits her Countermotion to Appoint Jen Mitzel as the Children's Therapist, for  
4 an Interview of the Minor Children, or in the Alternative for the Appointment of a  
5 Guardian Ad Litem, to Change Custody, and for Attorney's Fees and Costs.  
6  
7

8 **Exhibit A:** Correspondence from Minh's counsel to Jim's counsel dated  
9 May 26, 2020, regarding issues the children are having.  
10

11 **Exhibit B:** Text from Hannah to Minh regarding Jim telling Hannah can  
12 only have her cellphone for one hour a day and that it has to be  
13 used outside of her bedroom.  
14

15 **Exhibit C:** Invoice from Challenger School regarding tuition that is due  
16 from October 2019, through the end of the academic year.  
17

18 **Exhibit D:** Texts between Minh and Jim from the Fall and Winter of 2019  
19 wherein Minh is telling Jim he should be contacting the  
20 children directly.  
21

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1  
2 **Exhibit E:** Printout from Pyschology Today regarding Jen Mitzel.  
3

4 DATED this 29<sup>th</sup> day of June 2020  
5

6 PAGE LAW FIRM  
7

8   
9

10 FRED PAGE, ESQ.  
11

12 Nevada Bar No. 6080  
13

14 6930 South Cimarron Road, Suite 140  
15

16 Las Vegas, Nevada 89113  
17

18 (702) 823-2888  
19

20 Attorney for Defendant  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 29<sup>th</sup> day of June 2020 that the foregoing DEFENDANT'S EXHIBIT APPENDIX IN SUPPORT OF OPPOSITION TO MOTION AND COUNTERMOTION was served pursuant to NECFR 9 via e-service to Robert Dickerson, Esq. attorney for Plaintiff.



An employee of Page Law Firm

# EXHIBIT A

# PAGE LAW FIRM

ATTORNEY AT LAW

6930 SOUTH CIMARRON ROAD, SUITE 140, LAS VEGAS, NEVADA 89113  
TELEPHONE (702) 823-2888 | MOBILE (702) 469-3278 | FACSIMILE (702) 628-9884

May 26, 2020

Fred Page, Esq.

email: fpage@pagelawoffices.com

## **VIA E-SERVICE ONLY**

Sabrina Dolson, Esq.

Dickerson Karacsonyi Law Group

1745 Village Center Circle

Las Vegas, Nevada 89134

**Re: James W. Vahey v. Minh Nguyet Luong**

PLF Client: Minh Nguyet Luong

Case No.: D-18-581444-D

Subject: Correspondence Dated May 19, 2020

Dear Ms. Dolson:

We are in receipt of the correspondence from your office dated May 19, regarding various issues. In the correspondence, it is complained that no response was received to the correspondence from your office dated April 27. To be brief, Dr. Luong stands firm in her request for using Jen Mitzel, she is still deciding on whether she wants to resume joint physical custody here in Nevada at the conclusion of the summer, and Jim can certainly afford to purchase a Kindle. It is ludicrous to claim that someone of makes the kind of income as Jim does complains that he cannot "afford" to purchase a Kindle so Matthew had to read the book on Jim's cellphone.

As to the allegations against Jim, they are true and it is offensive to try and call them false. The domestic violence allegations were not properly dropped, it appears to be negligence on the part of the city attorney.

We spoke to the city attorney for Henderson, he stated that he did "feel" that this was a good case. He indicated that there was a recording in which it was claimed that there was scuffling over property. It was pointed out to him that if the recording was admitted into evidence that Jim would be waiving his right to self-incrimination and that he could be cross-examined.

Therefore, if Jim did not want to subject himself to cross-examination (as he should not) then the recording would not come in because there was no one to lay a foundation. Since the recording would not come in the only pieces of evidence would be the three consistent statements from Dr. Luong, Hannah, and Matthew that Jim attacked and violently battered her. When this fact was pointed out to the city attorney, the response was awkward silence on his

Sabrina Dolson, Esq.  
May 26, 2020  
Page 2

part. Cases are determined upon facts and not "feelings." It was apparent that the city attorney spent zero time engaging in any meaningful analysis regarding the case all to the detriment of Hannah, Matthew, and Selena.

The statement is made that Hannah is more psychologically damaged after spending five weeks with Dr. Luong. Cease with the incessant blaming of Hannah's issues on Dr. Luong. The children *thrived* when they were in California. They *loved* it there. There is only person who is responsible for Hannah's distress is Jim. It is Jim who reneged on the family's decision to move to California, it Jim who caused Hannah to run away, it is Jim who battered Hannah, it Jim who battered Dr. Luong in front of Hannah, and it is Jim who refuses to honor Hannah's wishes to live with her mother.

Hannah, Matthew, and Selena wish to live with their mother. How much clearer can it be? No amount of counseling is going to change that. It is why they refuse to get out of vehicle when it is time for them to return to Jim. It is why they run to Dr. Luong when it is her time to spend with her. It is why Hannah is in distress. Your client would rather put his own wants above the children wanting to live primarily with their mother, and instead wants to blame Dr. Luong for everything and incredibly wants to complain that he might actually have to purchase an \$80 Kindle, rather than acknowledge the fact he lied to them about moving and that the children are happier with their mother.

Jim complains that Hannah locks herself in her room for most of the day and that Hannah refuses to speak civilly to him and when she does she yells at him telling him that he lies and everything is his fault, he ruined everything, that he is not her daddy, and that she wishes he was dead. Hannah is correct. Jim did lie to Hannah (and everyone else) about moving to California. And, yes, Jim did ruin everything because he lied to her. Jim brought this all down on himself by lying to the family. Jim further compounds his lie because he knows the children would rather be with their mother.

As to Hannah's reaction of being lied to, and not being with whom she wants to be, in the place she wants to be, welcome to the world of having an unhappy teenage girl. Jim lied to everyone in the family and created this problem. Jim has the greatest problem with Hannah because she has clearest memory of him lying to everyone in the family, and Hannah makes absolutely clear to him that she knows he lied to her. Based upon what Jim has doing, it is only going to get worse.

On top of that, when the children were returned to Jim on April 23, Jim engaged in retribution against Hannah for her making the statement she did against him for battering Dr. Luong. When Hannah got back to the house, she discovered that Jim removed the locks her

Sabrina Dolson, Esq.  
May 26, 2020  
Page 3

bedroom door and bathroom door so she could not have any expectation of any privacy as a teenage girl. Creepily, Jim now has Matthew sleep in the master bedroom and Jim sleeps in Matthew's bedroom next to Hannah . . . so he can keep an eye on her and make her feel that she has no privacy.

Jim claims that he reduced Hannah's access to electronics to two hours per day, based upon a recommendation from Michelle Gravely and Dr. Sirsy. One, as to "recommendations" from Michelle Gravely, everyone agrees that she is useless, why would anyone take recommendations from her? Two, Jim is lying about Michelle Gravely recommending access of only two hours per day to electronics. Ms. Gravely recommended 3-4 hours per day, not two hours per day.

Jim is uninterested in how much time Hannah spends on electronics. Jim is interested in limiting Hannah's ability to communicate with her mother. It is why Jim disassembled the home phones, so Hannah would not be able to communicate with her mother. The electronics are simply Hannah's preferred way to communicate with her mother. When Hannah is speaking to her mother on the landline, Jim yelled at Hannah, "your time is up" and pulled the plug on the phone disconnecting the phone.

Jim cares a lot about hindering Hannah's relationship with her mother. Hannah can see that as well as anybody. It is about power and control, it is abusive conduct. Jim is causing psychological harm to the children, specifically Hannah. What is wrong with your client? He is singling out and retaliating against Hannah for her making a statement against him and because he resents Hannah's close relationship with her mother. Nobody in their right mind does that.

As to Dr. Sirsy, Dr. Luong has spoken him. Dr. Sirsy never stated that Hannah's use of electronics should be reduced. Dr. Sirsy never stated that Hannah's time on the phone with her mother should be limited. Dr. Sirsy recommended that Hannah be involved in activities that Hannah likes.

As to Ms. Gravely, Dr. Luong will no longer be paying for any further therapy costs. Jim is the cause of Hannah's unhappiness and she will not further subsidize his mistreatment of Hannah. The more Jim punishes Hannah the more Hannah withdraws. Dr. Luong has no interest in paying for Jim's mistakes and his destruction of his relationship with Hannah. Dr. Luong's relationship with the children is excellent. Everyone will agree no therapy of any kind is required between the children and their mother. Jim's relationship with the children is terrible. Everyone will agree the only one who needs therapy is Jim. It is Jim's responsibility to improve his relationship with the children.

Sabrina Dolson, Esq.  
May 26, 2020  
Page 4

When Hannah is with Dr. Luong that she has no problems like Jim describes of any kind whatsoever. With Dr. Luong, Hannah is happy, cheerful, well-mannered, does not spend that much time on electronics, comes out of her room, and she eats well. The only time Hannah becomes distressed is when she has to return to Jim. Hannah is a very well-mannered child with Dr. Luong and is unmanageable with Jim and Jim dares blame Dr. Luong?

Jim complains that Hannah is inconsolable, physically attacks him and destroys property. At no point does Jim get to hang this on anyone but himself. Dr. Luong does not have any problems with Hannah. As stated, Hannah is a model child with her happy, cheerful, well-mannered. There is not a hint of physical aggressiveness from her. The problem is obviously Jim, and Jim alone. What Jim can do to protect himself is to do what is in the children's best interests and turnover primary physical custody to Dr. Luong. If Jim does not want Hannah to be inconsolable, let the children be with her mother. Jim should love the children more than he hates their mother. The children will be happier, and they will love him for giving them the freedom to be with their mother.

It is stated that what precipitated the decline in the children's behavior is Dr. Luong keeping the children for five weeks. Cease with the incessant blaming of Dr. Luong. What precipitated the children's behavior is having to *back* to Jim. They do not want to be there. They want to be with their mother. That is where they love to be. Since Jim, and the Court, will not listen to them, this is the result. It should be noted even as useless as Dr. Gravely has been, even she gets that Hannah should not be forced into doing things she does not want to do.

Jim now claims that Selena has made comments about not wanting to use the Vahey surname. Cease with the incessant blaming of Dr. Luong. She has made no comments to any of the children in that regard. Please instruct your client to cease trying to create conflict. Dr. Luong advises that Hannah and Matthew have told her that they want to change their name to Luong. Dr. Luong has told them they do not want to do that. Selena is simply mimicking what she hears from Hannah and Matthew. Jim should focus what he has done to destroy the relationship he has with the children rather than seeking to blame.

Dr. Luong is concerned as Jim has fallen asleep while Matthew and Selena are playing in the pool. Dr. Luong reports that Hannah has told her that Jim fell asleep on the bed in what used to be Matthew's room and that she tried to wake him up four different times, but each time he fell back asleep. Under no circumstances should a six year old child be unsupervised in a pool. Jim's conduct is neglect. There will not be a second warning.

As to the proposed Stipulation and Order, there is no agreement for Minh to be limited to 10 minutes in which to speak to the children. Dr. Luong and the children may speak to each

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Sabrina Dolson, Esq.  
May 26, 2020  
Page 5

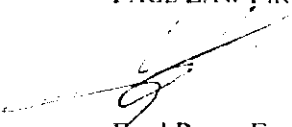
other as long as they wish, just as she gave him unlimited time in which to speak to the children. At best, Dr. Luong will agree to a minimum of 10 minutes for each child, but no maximum.

There is no agreement to use Bree Mullin. Her having a Ph.D. is no evidence of capability. Since Dr. Luong takes the children exploring Nevada during her times, she will not be providing a travel itinerary. Jim is trying to get around the requirement for an itinerary for a vacation that exists. The request for an "itinerary" is simply nothing more than an attempt by Jim to try and have control and stalk the children as to where the children have been. If Jim wants to know where the children go during their time with Dr. Luong he should work on having a better relationship with them.

Your time and attention to this matter are appreciated. Should you have any questions or concerns, please do not hesitate to contact us at the number above.

Very truly yours,

PAGE LAW FIRM



Fred Page, Esq.

FCP

# EXHIBIT B

6:41



Hannah &gt;

Ok

But he said to leave  
the phone outside  
the door and it is

Why does the phone  
has to be outside the  
door?

Because he said so

Today 11:51 AM

Eaten vet?

# EXHIBIT C



**CHALLENGER**  
SCHOOL

06/23/20 11:42  
CORP-CSS:CSS

### Summary of Charges and Payments

9900 Isaac Newton Way  
Las Vegas, NV 89129  
(702) 878-6418

From: 10/01/19 To: 06/20/20

Date Prepared: 06/23/20

Federal Tax ID Number: 47-1405971

Customer Name: Luong, Minh

Customer Address: 9742 W. Tomkins Ave  
Las Vegas, NV 89147

#### Charges

This includes tuition, excused tuition, all fees, account transfers, bad-debt write offs and discounts.

Child Name	Transaction Type	Amount Billed
	Extended Care Fees	\$266.00
Vahey, Hannah	Tuition 5th Grade Silverado 19-20	\$7,635.30
Vahey, Hannah	Tuition Ext Classtime P.M. Silverado 19-20	\$1,084.12
Vahey, Hannah	Application Fees Silverado 20-21	\$175.00
Vahey, Matthew	Tuition 4th Grade Silverado 19-20	\$7,635.30
Vahey, Matthew	Tuition Ext Classtime P.M. Silverado 19-20	\$1,084.12
Vahey, Matthew	Application Fees Silverado 20-21	\$175.00
Vahey, Selena	Tuition All-day Kindergarten Silverado 19-20	\$6,708.70
Vahey, Selena	Application Fees Silverado 20-21	\$175.00

Total Charges and Fees for the period 10/1/19 to 6/20/20: \$24,938.54

#### Payments

This includes cash and check payments, payroll deductions, refunds and returned checks.

*Total tuition and application fees \$22,504.30*

Payment Date	Transaction Type	Check/Receipt Nbr	Amount Paid
Oct 01, 2019	Check Payment Received	2025	\$3,892.00
Oct 08, 2019	Check E Payment Received	021000020548569	\$388.00
Nov 01, 2019	Check Payment Received	2076	\$4,318.00
Dec 16, 2019	Check E Payment Received	021000026360727	\$4,356.00
Jan 15, 2020	Check E Payment Received	021000022761999	\$4,318.00
Jan 22, 2020	Check Payment Received	1154	\$525.00
Feb 18, 2020	Check E Payment Received	021000020212955	\$4,356.00
Mar 16, 2020	Check E Payment Received	021000029450209	\$4,318.00

Total Payments for the period 10/1/19 to 6/20/20: \$26,471.00



**CHALLENGER<sup>®</sup>**  
S C H O O L

June 23, 2020

To Whom It May Concern:

Hannah, Matthew, and Selena Vahey were enrolled at Challenger School, Silverado Campus for the 2019-2020 school year. The total cost of their tuition and registration fees billed from October 2019 through the end of the academic year in June 2020 is \$22,504.30.

Sincerely,

Sarah Shurko  
Headmaster, Silverado Campus

# EXHIBIT D



To: Vahey Jim



Perfect. Let her talk

Do you like the pic



Selena, are you in the driver's seat

10/26/19 4:10 PM

Can I talk to the kids

10/26/19 4:52 PM  
10/26/19 4:53 PM



They are ice skating



Please let them call later tonight

10/26/19 4:55 PM

10/26/19 4:56 PM

Can you look for them?

You did not give me Matthew's ink pants



Sure.

Can I talk to the kids.

I didn't get to talk to any of them yesterday

Please call them directly



Let me talk to Lena

Sure

10/26/19 5:07 PM



Can I talk to the kids

10/26/19 5:08 PM



Please let me talk to the kids. It's been three days without talking to them

You spoke to them yesterday. Again, please call them directly. You don't have to go through me



Please not blame anybody. I never suggested this for you to hang up. You wanted to hang up not I. I don't care to get even with you. There is nothing to get even with. You are harming the children psychologically and you are in denial. Selena was not crying when I called you and handed her the phone. You caused her to cry.

Listening to Selena cry is not speaking to her. When I was unable to speak to her because she was crying, you suggested hanging up. I asked that you call back so I could speak to her when she was in a better mood. You have not.

You may think that you're getting even with me. Although it is very hurtful to me and that probably is your goal, you are seriously psychologically harming your children too.

Please stop lying and blaming. I did not suggest for you to hang up. YOU wanted to hang up not I. I don't care to get even with you. There is nothing to get even with. You are harming the children psychologically and you are in denial. Selena was not crying when I called you and handed her the phone. You caused her to cry.

Matthew is still sleeping. I think he is getting sick. I asked hannah to call you.

Lena is playing happily. If I call you and hand her the phone she will start crying. If that is what you want I will do it.

Let me know if that is what you want and I will do it.

You're a smart person and very persuasive. I'm sure you can figure out a good time and place sometime today and persuade Selena to FaceTime with me.

How they respond to you is dependent on your relationship with them. I can not change that. I can only do so much.



Please let me talk to the kids. It's been three days without talking to them



Please call them directly. I have suggested you to do that multiple times already. You spoke to Lena the day before. I called you and handed them the phone.

I did not speak to any of them yesterday. I don't have a direct number for Matthew. You do have to make the call for Lena. Even when it's Matthew's calling you, he needs encouragement from me to call you. I regularly encourage all of them to call you. I only got to listen to Lena cry. What you're doing is classic alienation



Please stop with the silence. I encourage them daily and multiple times a day. I call your number and give them the phone. I insisted them to stay on the phone to speak with you and you said to go ahead and hang up. You blaming me is not going to help your relationship with them. Please really listen to them. Relationship is not a one way thing. You can't expect them to do whatever you want and not listen to what they want. Doesn't matter how many therapists they are going to, if your intention is for them to do whatever you want then it is not going to work. You also need to learn to listen to them. I value your relationship with them and that was the reason I recommended for them to see the therapist at the beginning. But how successful it is is dependent on you. Blaming me is not going to help you.

Please Let me talk to the kids. It's been four days since I've been able to talk to even one of them

Please call them directly. I have suggested you to do that multiple times already. You spoke to Lena the day before. I called you and handed them the phone.

# EXHIBIT B

# EXHIBIT E



Jim,

Attached is the schedule that I highlighted the dates I will have the children. These are the tentative schedule. Unless I inform you one week in advance we can expect that I will have the children on those dates. Let me know if I am wrong on any of those dates.

Few items I want to go over with you:

Michelle Gravely: The children's therapy sessions are covered under your insurance. Angela told me that Dr. Gravely does take your insurance and that the sessions are covered with your insurance. She also told me that because you called saying that it would be a cash pay at the beginning, that's why we have been paying for it. I suggest for you to request for it to be placed under the insurance. I believe that I am responsible for 1/2 of medical expenses Not covered by insurance. This medical expense is covered by insurance.

Matthew's Taekwondo:

I have been paying for his tuition and tests and weapons. I have requested for you to pay for half of it but I have not seen any reimbursement.

When I signed up for the kids to take extracurricular activities, I was told by you that you would not pay for any of it because you were not involved in it.

Since I am not going to be living in NV, I won't be involved in any of the kids' activities. I am not approving any of it since I don't get to participate with them in it. I will not pay for any of it.

I will inform Master Duran to remove my credit card that he has on file today. Please contact him ASAP and place your credit card on file. You will need to sign Matthew up for tests also.

Since the children will only be with me in OC one week a month, all the extracurricular classes that they have been taking won't do them any good. These are the classes that the children love doing. I highly recommend that you continue signing them up in NV.

Selena loves to take dance lessons. She has been in ballet/tap combo class.

Selena still can not swim one lap. She should be placed in swim classes. If she falls out of the boat she can drown. She should always be watched when she's in your backyard.

Selena has also been asking to take a painting class. She loves to paint.

Hannah and Matthew will have not completed their curriculum in Waterwings. They enjoy their swim lessons.

Both Hannah and Matthew absolutely love tennis. It is a talent they both have. It would be ashamed if they don't get to explore in this passion that they both have.

Matthew also loves to play golf. He is very good at it.

These are the things they get to do when they were with me half of the time. I hope you can provide them these things that I could have with just half of the week.

The children love to spend time with their families. They enjoy spending time with Jason but they have complained that Jason spends a lot of his time on the cell phone. They don't perceive the time with him as something valuable.

Let me know if you have any other questions.

Minh Nguyet Luong, DDS  
Toothfairy Children's Dental  
8000 W. Sahara Ave Ste 180  
Las Vegas, NV 89011  
Office: 702-222-9700  
Cell: 702-353-2319  
[luongdds@gmail.com](mailto:luongdds@gmail.com)

# EXHIBIT F

City, Zip or Name

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## Jen Mitzel

Clinical Social Work/Therapist, LCSW

Verified by Psychology Today



(702) 983-2034

[Email Me](#)

Offers video and phone sessions

Therapeutic Solutions Behavioral Health  
4250 E Bonanza Rd  
Suite 17  
Las Vegas, Nevada 89110  
[\(702\) 983-2034](tel:(702)983-2034)

We all suffer challenges in life and oftentimes therapy is the answer to those challenges. I am a Licensed Clinical Social Worker specializing in individual and family work. I have been a Social Worker for 20 years and have worked in a variety of settings including both in-patient and out-



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look forward to helping people along in their journey of life.

**Take the first step to help.** Call or [Email](#) Jen Mitzel now - **(702) 983-2034**

## Finances

**Cost per Session:** \$100 - \$120

**Pay By:** American Express, Cash, Discover, Health Savings Account, Mastercard, Visa

### Accepted Insurance Plans

- Aetna
- All Medicaid plans
- Ambetter
- Anthem
- Beacon
- Beech Street
- Behavioral Healthcare Options (BHO)
- BlueCross and BlueShield
- Cigna
- Clark County Self-Funded
- GEHA
- Health Plan of Nevada
- Healthscope
- MHNet Behavioral Health
- MINES and Associates
- Medicaid
- Medicare
- MultiPlan
- Optum
- PHCS
- Sierra Health
- SilverSummit



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**School:** University of Nevada, Las Vegas**Year Graduated:** 2006**License and State:** 6736-C Nevada**Specialties**

- **Mood Disorders**
- **Anxiety**
- **Depression**

**Issues**

- ADHD
- Adoption
- Anger Management
- Behavioral Issues
- Bipolar Disorder
- Borderline Personality
- Child or Adolescent
- Chronic Impulsivity
- Codependency
- Coping Skills
- Developmental Disorders
- Divorce
- Domestic Violence
- Dual Diagnosis
- Eating Disorders
- Emotional Disturbance
- Family Conflict
- Gambling
- Grief
- Infertility
- Obsessive-Compulsive (OCD)

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- Sexual Abuse
- Suicidal Ideation

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- Women's Issues

**Mental Health**

- Dissociative Disorders
- Elderly Persons Disorders
- Impulse Control Disorders
- Personality Disorders
- Psychosis
- Thinking Disorders

**Sexuality**

- Bisexual
- Gay
- Lesbian

**Client Focus****Age**

- Children (6 to 10)
- Preteens / Tweens (11 to 13)
- Adolescents / Teenagers (14 to 19)
- Adults
- Elders (65+)

**Treatment Approach****Types of Therapy**

- Eclectic
- Neurofeedback

**Modality****Jen Mitzel**

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This location is easily accessible from:

City, Zip or Name

**Counties:**

- Clark

**Zips:**

- 89148
- 89147
- 89110

**Neighborhoods:**

- East Las Vegas

**Last Modified:** 27 Jun 2020