



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

Tara Kellogg,

Appellant,

v.

Alex Ghibaudo,

Respondent.

Docket No.: 84778

**AMENDED RESPONDENT'S  
RESPONSE TO  
APPELLANT'S MOTION  
FOR LEAVE TO AMEND  
DOCKETING STATEMENT  
AND COUNTERMOTION  
FOR SANCTIONS AGAINST  
MR. SCHWAB**

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Elizabeth A. Brown  
Clerk of Supreme Court

**COMES NOW**, Alex Ghibaudo, Respondent in proper person, and files his response to appellant's motion for leave to amend docketing statement as follows:

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION**

Appellant, having realized that she has no grounds for appeal under NRAP 3A(b)(1), because the challenged order is not a final order, now requests that this Court provide her "leave" to amend her docketing statement in "[t]he interests of justice, judicial economy, and the facilitation of a clean briefing." No other reason is provided to file an amended docketing statement.

Alex opposes the motion and asks this Court to sanction appellant's counsel for failure to comply with NRAP 14(c), which states that "[t]he statement must be completed fully and accurately" and that failure to do so is grounds for either "sanctions [or] dismissal of the appeal", or any other action this Court "deems



appropriate.” Mr. Schwab should be sanctioned for failing to cite the correct rule to justify his request: NRAP 2.

## **II. SUMMARY OF FACTS**

On June 7, 2022 this Court ordered appellant to file her docketing statement within 21 days. On June 23, 2022, when the docketing statement was due, appellant requested additional time by telephonic extension. The new date set was July 7, 2022. Appellant, therefore, had 30 days to complete her docketing statement.

In that docketing statement, appellant lists as NRAP 3A(b)(1) the basis for this Court’s jurisdiction to hear this appeal, asserting that the challenged order is a final order. On July 9, 2022 Alex filed his motion to dismiss, asserting that the challenged order was not a final order. After requesting another extension of time to respond, appellant filed her opposition arguing that the challenged order was in fact a final order but also arguing that the order was a special order entered after final judgment pursuant to NRAP 3A(b)(8) after Alex demonstrated that the challenged order is, in fact, not a final order. On August 1, 2022 appellant filed her response arguing that the challenged order is both a final order and a special order pursuant to NRAP 3A(b)(8).

Appellant then addresses the confidentiality agreement that is a component of the challenged order. Appellant’s counsel takes the opportunity to again



disparage Alex by stating he admitted he was a drug addict when he never admitted that and never was or is. Mr. Schwab then disrespects Alex and conducts himself in a disrespectful manner before this Court when he flippantly states “[r]espondent apparently has no issues with his privacy and property interests being violated when he is speaking to a media outlet, but doth protest when he is not in charge of the speaking or the leaking.”

Appellant then states that, in essence, there is no cause of action for violation of the protective order Alex referenced in his motion to dismiss because that order referenced the disclosure of discovery materials that the parties stipulated would remain confidential. Indeed, Mr. Schwab declares Alex’s motion as “absurd”.

Mr. Schwab attempts to mislead this Court in addition to disparaging Mr. Ghibaudo. What Mr. Schwab fails to disclose to this Court is that his client, appellant, stipulated to the non-disclosure of any information disclosed in discovery or otherwise either during or after the litigation. (See Respondent’s Exhibits (RE) 002, lines 1-8; RE 011, paragraph 23). After the litigation, appellant promptly took the videos of the evidentiary hearing held September 17, 2020 and disseminated that video to Steve Sanson, who posted it on his Youtube page that has over 14,000 subscribers. (See RE 069, lines 24-25; RE 070, lines 1-6).

What Mr. Schwab further fails to inform the Court, even though he is co-counsel in the district court matter that is the subject of this appeal, is that appellant



freely admitted to disseminating those videos to Mr. Sanson under oath during a deposition. (See RE 069, lines 24-25; RE 070, lines 1-6). The videos appellant disseminated contain testimony concerning Alex's business affairs, his profit and loss statements, the operation of his business, his income, and the testimony of appellant's expert concerning Alex's business, and more, all of which were obtained from the disclosures and discovery conducted during the litigation. Appellant disseminated videos of evidentiary hearings containing these documents. (RE 251).

Mr. Schwab's flippant attitude toward Alex, his consist efforts to cast him in a bad light with allegations that have no bearing on this matter (for example, that Alex admitted to being a drug addict). Mr. Schwab simply seeks to make public more scandalous and false assertions on behalf of his client that have caused his client three (3) separate lawsuits for defamation and related privacy torts. (See A-21-839156-C (which is currently set for jury trial for defamation per se); A-22-848697-C (which appellant already lost); and A-22-856034-C (for disseminating nude images of Alex to a third party)).

That being said, Mr. Schwab, aside from advancing his client's never ending malicious and scandalous behavior for money, has now filed a motion that is frivolous and that reiterates claims already made in his opposition to Alex's motion to dismiss.



### III. LEGAL ANALYSIS

- a. Appellant has not show good cause to extend time to file another docketing statement to correct errors Mr. Schwab committed after considering what authority this Court has to adjudicate this appeal over the course of 30 days.

NRAP 14(d) requires a showing of good cause for an extension of time to file a docketing statement. It is unclear under what rule Mr. Schwab moves this Court for the relief requested because he lists none. It is assumed that he is moving this Court pursuant to the rule cited above. The correct rule would be, rather, NRAP 2, which provides that:

On the court's own or a party's motion, the court may—to expedite its decision or for other good cause—suspend any provision of these Rules in a particular case and order proceedings as the court directs, except as otherwise provided in Rule 26(b).

True to form, however, Mr. Schwab misses the mark and disregards this Court's rules. Indeed, as another example of Mr. Schwab's disregard of the Nevada Rules of Appellate Procedure, Mr. Schwab consistently fails to double space his pleadings. See NRAP 27(d)(1)(D) requiring text in motions to be double spaced.

Either way, Mr. Schwab must show “good cause” to obtain the relief requested. Good cause is typically defined as “a reason for taking an action or failing to take an action that is reasonable and justified when viewed in the context of surrounding circumstances.” See *State v. Averbek*, 791 N.W.2d 559, 561 (Minn. App. 2010); see also *Black's Law Dictionary* 251 (9th ed.2009) (defining



“good cause” as “a legally sufficient reason” or “the burden placed on a litigant to show why a request should be granted or an action excused.”).

Mr. Schwab provides no reason at all, either legal or otherwise, why, after 30 days to ponder what authority this Court has to consider this appeal, he now needs to amend the docketing statement to provide a new basis for invoking this Court’s authority, other than making a conclusory statement that “justice, judicial economy, and the facilitation of a clean briefing” justifies his request. Mr. Schwab, therefore, provides no good cause, either legal or factual, to excuse his incompetence.<sup>1</sup> As such, appellant’s motion, made through Mr. Schwab, should be denied.

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<sup>1</sup> It should be noted, as it pertains to Mr. Schwab’s competence, that he asserts as an issue in this appeal: 1) whether the district court erred in finding that Wife had disseminated hearing videos before and after the entry of a confidentiality agreement and protective order filed on 3-26-2020. Mr. Schwab then certifies to this Court that no transcripts are needed to resolve this appeal. Without those transcripts, however, there is no way that this Court could determine whether the district court so erred. Moreover, as co-counsel in the district court case, Mr. Schwab knows that appellant, under oath in a deposition, admitted that she in fact disseminated videos of the court proceedings after March 26, 2020. (See RE 069, lines 24-25; RE 070, lines 1-6). Mr. Schwab, therefore, either misleads this Court or fails to pay attention to his own case. Either way, whether through Mr. Schwab’s incompetence or his duplicity, Mr. Schwab should be sanctioned in what manner this Court deems fit. Similarly, Mr. Schwab is well aware that Alex objected to the dissemination of hearing videos on January 4, 2022, to Jonathon Nelson, Esq., Mr. Schwab’s co-counsel in the district court, again demonstrating either his incompetence or duplicity. (RE 248-250). It appears, however, that Mr. Schwab is simply incompetent – his certification that no transcripts are required is admission that those issues raised have no merit and he realized it after the fact.



- b. The challenged order is not a special order pursuant to NRAP 3A(1)(8) because it does not arise out of the final judgment in this matter and because it is an order regarding enforcement of the prior order.

Though this should not be necessary, had Mr. Schwab taken care to consider this Court's authority after 30 days to do so, Alex reiterates in its entirety the argument made in his reply to appellant's response as follows:

Appellant assert that the district court's order is appealable as a special order entered after final judgment, after the fact (the fact that appellant realized the challenged order is not final). NRAP 3A(b)(8) allows an appeal from "[a] special order entered after final judgment." To qualify as an appealable special order entered after final judgment, the order "must be an order affecting the rights of some party to the action, growing out of the judgment previously entered." *Murray v. A Cab Taxi Serv.*, No. 81641, at \*2 (Nev. Nov. 9, 2020); citing *Gumm v. Mainor*, 118 Nev. 912, 920, 59 P.3d 1220, 1225 (2002). As the Court of Appeals (COA) stated in its order: "Crucially, however, 'no statute or court rule appears to allow for an appeal from an order that relates to the mere enforcement of a prior judgment.'" <sup>2</sup> *id.*; citing *Superpumper, Inc. v. Leonard Tr. for Morabito*, Docket Nos. 79355 & 80214 (Order Dismissing Appeal and Regarding Motions, March 6, 2020). The COA went on to say: "In a number of similar contexts, this court has

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<sup>2</sup> This is yet more support for Alex's assertion that the challenged order is not a final order as it is merely an order concerning enforcement of prior orders.



consistently reiterated that postjudgment orders that do not affect the rights incorporated in the judgment are not appealable as special orders after final judgment.” *id.* (Internal quotations omitted).

The final order in this case, the FFCL entered on November 10, 2021, concerned Alex’s motion to modify spousal support and appellant’s countermotion for arrears. The order now challenged does not stem from the FFCL previously entered. The orders challenged in this appeal were entered on November 1, 2019 (order sealing file) and March 26, 2020 (*Stipulated* Confidentiality Agreement and Protective Order) which was again entered and noticed on March 22, 2022. Those orders were never timely challenged. See NRAP 4(a)(1).

### COUNTERMOTION

- c. Mr. Schwab should be sanctioned and/or this appeal dismissed for Mr. Schwab’s scandalous, frivolous, and misleading claims in the course of this appeal and in this motion.

This Court expects all appeals to be "pursued in a manner meeting high standards of diligence, professionalism, and competence." *Cuzdey v. State*, 103 Nev. 575, 578, 747 P.2d 233, 235 (1987). The Nevada Rules of Appellate Procedure have been implemented to promote cost-effective, timely access to the courts – and this Court has held that it is "imperative" that all appellees and their counsel follow these rules and timely comply with the Court’s directives. *Weddell v. Stewart*, 127 Nev. Adv. Op. No. 58, 261 P.3d 1080, 1084 (2011). When





procedural rules are not followed, the rules clearly provide for dismissal of an appeal. See NRAP 3(a)(2); NRAP 9(a)(7); NRAP 14(c); NRAP 16(g); NRAP 31(d)(1).

Here, Mr. Schwab has consistently failed to follow procedural rules and has acted unprofessionally in the facts that he sets forth as relevant to resolve the issues raised in the various motions. Mr. Schwab has failed to accurately identify this Court's authority to consider this appeal, causing this Court and Alex to waste time addressing Mr. Schwab's legal reasoning and pleadings requesting "leave" to amend the docketing statement.

Mr. Schwab makes that request without any showing whatsoever of good cause or any cause at all to excuse his oversight, and he has set forth as issues matters he cannot prevail on because he certified that no transcripts are necessary. Mr. Schwab, at best, misleads this Court when he alleges as an issue that the district court erred in finding that appellant did not disseminate videos of proceedings knowing full well that she admitted the same under oath in a deposition.

Mr. Schwab also acts unprofessionally in his pleadings and the facts he avers are relevant to the issues at hand. For example, Mr. Schwab consistently alleges



Alex has done drugs in the past and that he has admitted that, which is false.<sup>3</sup>

Moreover, his “facts” are not relevant – i.e., whether appellant disclosed and disseminated Alex’s personal and, in particular, financial and business affairs willfully and maliciously, in violation of the confidentiality agreement prohibiting her from doing so.

#### IV. CONCLUSION

For these reasons, at minimum, Mr. Schwab should be sanctioned as this Court sees fit and, ideally, this Court should dismiss this appeal to dissuade Mr. Schwab from such further conduct. Furthermore, the motion should be denied because it is frivolous, as set forth above in more detail.

DATED this 3<sup>rd</sup> day of August, 2022.

/s/ Alex Ghibaud

ALEX GHIBAUDO

*Respondent in Proper Person*

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<sup>3</sup> Mr. Schwab is actually cited in that article because, at the time, the parties were law partners. He should know very well that there were no issues with drugs, though he brazenly makes those claims now. In fact, when the partnership fell apart, Mr. Schwab submitted a grievance to the State Bar of Nevada making that very allegation, and it was dismissed. However, the State Bar recommended that Mr. Schwab be suspended for not reporting a DUI he had pleaded guilty to in that time period. See docket no. 70148. This Court reversed that decision. *id.* It is this history that is driving Mr. Schwab’s animus and unprofessional conduct. Mr. Schwab should consider removing himself from this case. The Court is encouraged to read the article. <https://www.reviewjournal.com/local/local-las-vegas/las-vegas-lawyer-seeking-redemption-comes-clean-about-troubled-past/>



**Certificate of Service**

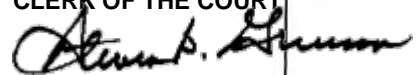
Pursuant to NRAP 25, on August 3<sup>rd</sup>, 2022 RESPONDENT’S RESPONSE TO APPELLANT’S LEAVE TO AMEND DOCKETING STATEMENT AND COUNTERMOTION TO SANCTION MR. SCHWAB was served upon each of the parties to appeal 84778 via electronic service through the Supreme Court of Nevada’s electronic filing system.

*/s/ Alex Ghibardo*

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Respondent in Proper Person

# RESPONDENTS EXHIBITS



1 **SAO**

2 **RADFORD J. SMITH, CHARTERED**

3 **RADFORD J. SMITH, ESQ.**

4 Nevada State Bar No. 002791

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

12 **TARA KELLOGG-GHIBAUDO,**

13 **Plaintiff,**

14 **vs.**

15 **ALEX GHIBAUDO,**

16 **Defendant.**

**CASE NO.: D-15-522043-D**

**DEPT NO.: H**

**FAMILY DIVISION**

18 **STIPULATED CONFIDENTIALITY AGREEMENT AND PROTECTIVE ORDER**

19  
20 COME NOW the Parties, Plaintiff, TARA KELLOGG- GHIBAUDO ("Tara"),  
21 being represented by R. Christopher Reade, Esq., Law Offices of Cory Reade Dows &  
22 Shafer, and Defendant, ALEX GHIBAUDO ("Alex"), being represented by Radford  
23 Smith, Esq., and Helen Towlernton, Esq., of Radford J. Smith, Chartered, and hereby  
24 stipulate and agree as follows:  
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1 WHEREAS, this action involves or may involve the disclosure of documents,  
2 material, and information potentially entitled to protection under N.R.C.P. Rule 16.2, and  
3 Rule 26(c), and;  
4

5 WHEREAS, to facilitate the disclosure of information and to protect the confidential  
6 nature of such information is in the interests of both parties;  
7

8 NOW THEREFORE, it is agreed as follows:  
9

10 1. Definitions:

11 (a) "Confidential Material" shall mean all nonpublic or proprietary documents,  
12 material, and information potentially entitled to protection under N.R.C.P. Rule 16.2, and/or  
13 Rule 26(c) and shall apply to all documents and information received by a party in response  
14 to formal interrogatories, requests for production of documents, subpoena and/or as part of  
15 Mandatory Disclosures, including all such documents and information received and/or  
16 issued in this matter prior to the entry of this agreement.  
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19 By way of example, but not limitation, Confidential Material includes the  
20 information, records and data concerning a party's financial information, health care and  
21 records; business or affairs of Alex B. Ghibaud, Esq., and/or Alex B. Ghibaud, P.C.,  
22 including information concerning acquisition or business development opportunities, the  
23 identities of the current, former or prospective clients, suppliers and customers of that entity,  
24 development, transition and transformation plans, methodologies and methods of doing  
25 business, strategic, marketing and expansion plans, financial and business plans or analysis,  
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1 financial data or statements, records from financial institutions, tax returns, bank statements,  
2 credit card statements, accounting records, communications by or to an Affiliate,  
3 agreements, contracts, corporate records, minutes of meetings, pricing information,  
4 employee lists and telephone numbers, locations of suppliers, customers or sales  
5 representatives, new and existing customer or supplier programs and services, customer or  
6 supplier terms, customer service and integration processes, requirements and costs of  
7 providing products, service, support or equipment.

11 (b) "Requesting Party" shall mean any party to this Agreement conducting a  
12 deposition pursuant to N.R.C.P. 30-31, propounding interrogatories pursuant to N.R.C.P.  
13 33, requesting the production of documents pursuant to N.R.C.P. 34, N.R.C.P. 69, or  
14 issuing a subpoena *duces tecum* served upon any person or entity in this proceeding, and/or  
15 otherwise seeking discovery herein and/or pursuant to post-judgment collection  
16 proceedings occurring contemporaneously hereto.

19 (c) "Producing Party" shall mean any person or entity on whom a discovery request  
20 has been propounded in this action.

22 2. Designation of Information Produced as "Confidential Material". In  
23 responding to a request for information herein, any party may designate any document,  
24 material, or information produced by it as "Confidential Material". In the case of  
25 documents, such designation shall be made by stamping the phrase "Confidential" or  
26 "Confidential Material" on all pages of any document so designated, in a conspicuous place.  
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1 In the case of deposition testimony, such designation shall be made by identifying on the  
2 record those portions of the transcript designated as Confidential Material. Portions of a  
3 deposition designated as Confidential Material shall be separately transcribed and  
4 designated as Confidential Material. Machine readable media and other non-documentary  
5 material shall be designated as Confidential Material by some suitable and conspicuous  
6 means, given the form of the particular embodiment. Lastly, information may be designated  
7 as "Confidential" with written notice to the Receiving Party by the Producing Party.  
8

11 A party may review Confidential Material in the office of his or her respective  
12 counsel. All documentation produced subsequent to the date of this agreement may be  
13 reviewed by a party in the office of his or her respective counsel, however he and she shall  
14 not receive copies thereof in any format, hard copy or electronic. To the extent a party has  
15 received copies of Confidential Material produced previous to the date of this agreement,  
16 each party expressly understands, warrants and agrees that such information, documents  
17 and material must be kept confidential in accordance with the terms of this agreement and  
18 may not be disclosed in any manner or to any person or entity other than expressly  
19 authorized in Paragraph 4, below.  
20

24 A party producing documents may make the designation permitted hereby either at  
25 the time the document is produced or at the time it is copied for delivery to the requesting  
26 party. Failure to make the designation at the time a document is made available for  
27 inspection does not constitute a waiver of the right to designate a document as Confidential  
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1 material. The designation of material as Confidential Material, in the manner described  
2 hereunder, shall constitute a certification by the attorney making such designation that he  
3 or she in good faith believes the material to be potential entitled to protection under N.R.C.P.  
4 16.2.  
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7 3. Treatment of Confidential Material. All documents, material, and information  
8 designated as Confidential Material under paragraph 2 shall be treated in accordance with  
9 the provisions of this Order unless such designation has been released by the party making  
10 it or by order of the court.  
11

12 4. Disclosure of Confidential Material in General. Except as provided in this  
13 Stipulated Protective Order, Confidential Material and the contents of Confidential Material  
14 shall not be shown to, given to, discussed with or otherwise disclosed to any person other  
15 than the following:  
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17 (a) the parties to this case (except as specifically provided in Paragraph 2,  
18 above);  
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20 (b) counsel or record for the parties and persons employed by them in  
21 connection with this lawsuit;

22 (c) the authors, addressees or originators of confidential material;  
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24 (d) any bona fide expert witness engaged by counsel of record in the action  
25 to testify as an expert or engaged as a bona fide consulting expert in this action; and

26 (e) the Court, provided that any confidential material submitted to or filed  
27 with the Court, including but not necessarily limited to deposition transcripts,  
28 pleadings, briefs and exhibits (except trial exhibits), shall be filed as a suppressed  
document, available only to parties and counsel of record subject to release or

1 inspection only by the Court or consent of the party claiming confidentiality as to the  
2 particular material pursuant to paragraph 9.

3 5. Statement Regarding Confidentiality. Prior to disclosure of any Confidential  
4 Material to a party to this case or any bona fide expert witness or consultant, such individual  
5 shall sign a Statement Regarding Confidentiality in the form attached hereto as Exhibit A,  
6 stating the signatory's full name, address, and present employer, and acknowledging his or  
7 her understanding of the terms of this Stipulated Protective Order and his or her agreement  
8 to be bound by its terms. Each such signed statement shall be retained by the attorney  
9 disclosing any Confidential Material pursuant to this paragraph 5 and shall be made  
10 available for inspection and copying upon request by counsel for the Producing Party or by  
11 Order of the Court.  
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16 6. Any party shall have the right to apply to the Court, upon reasonable notice to  
17 the Producing Party, for an Order permitting further disclosure or declassification of  
18 Confidential Material upon a showing that such an Order is necessary to an adequate  
19 preparation of said party's case or that the designation of "Confidential Material" was  
20 unjustified  
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23 7. Any person who receives or is afforded access to any Confidential Material  
24 pursuant to the provisions of this Stipulated Protective Order shall neither use nor disclose  
25 said Confidential Material for any purpose other than the purposes of preparation for and  
26 conduct of this proceeding, and then solely as contemplated herein. Furthermore, such  
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1 persons shall take all reasonable precautions to maintain the confidentiality of such  
2 Material.

3  
4 8. Counsel are charged with the responsibility of advising the parties hereto, their  
5 associates, legal support personnel, and experts or consultants who are participating in the  
6 prosecution or defense of this proceeding to whom disclosure of Confidential Material may  
7 be made pursuant to this Order, of the terms of this Order and their obligations thereunder.  
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9  
10 9. Confidential Material may be used by any party at trial or on any appeal of this  
11 matter without regard to the terms of this Order; provided, however, that all parties reserve  
12 their respective rights to request the Court to take appropriate measures to preserve the  
13 confidentiality of such material, and provided further that the parties hereto reserve their  
14 right to question, challenge, and/or object to the admissibility of such Confidential Material  
15 in accordance with the Nevada Rules of Evidence and/or the Nevada Rules of Civil  
16 Procedure.  
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19 10. The restrictions and obligations set forth herein shall not apply to any  
20 information that the Parties agree should not be designated Confidential Material, or that  
21 the parties agree, or the Court rules, has become public knowledge other than as a result of  
22 disclosure by the receiving party, its employees, or its agents in violation of this Order; or  
23 has come or shall come into the receiving party's legitimate knowledge independently of  
24 and/or prior to the production by the producing party.  
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1           11. Nothing herein shall in any respect constitute a waiver of any attorney-client  
2 or work product privilege of any party, nor does any provision herein affect the right of any  
3 party to contest any assertion or finding of confidentiality or privilege, and/or to appeal any  
4 adverse determination of the court regarding said confidentiality or privilege.  
5

6           12. Nothing herein shall impose any different or greater duties or obligations upon  
7 any party respecting documents, materials, or information obtained from other sources or  
8 by means other than discovery solely because those documents, materials, or information  
9 may have been designated as Confidential Material when produced in discovery herein;  
10 provided however that the embodiment of the material that has been designated hereunder  
11 shall itself be treated as Confidential Material.  
12

13           13. Nothing contained herein is intended to broaden the scope of information that  
14 would be entitled to protection under N.R.C.P. 26(c).  
15

16           14. Nothing herein shall be construed to prevent disclosure of Confidential  
17 Material if such disclosure is required by subpoena, court order or any other legal obligation.  
18 Should a party be required by law, including 37 CFR 1.56, or by order of the Court to  
19 disclose Confidential Material, written notice shall be provided to the Producing Party prior  
20 to any such disclosure. The producing party shall have seven (7) days from the date of the  
21 notice to object to any disclosure of the Confidential Material and apply for a protective  
22 order. If the Producing Party makes a timely objection, the receiving party shall not produce  
23 the Confidential Material absent a court order. However, the burden shall be on the  
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1 objecting, Producing Party to seek protection relating to the commanded disclosure in a  
2 timely manner. If the Producing Party fails to take such action within seven (7) days, it shall  
3 be deemed to have waived its objection to the commanded disclosure.  
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5 15. All objections to the admissibility of any documents produced, whether or not  
6 such documents are ultimately determined to be confidential for purposes of this Order, are  
7 preserved and may be made when any such document is tendered at a hearing or trial.  
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9 16. This Stipulated Protective Order shall be deemed severable, and if any  
10 provision of this Stipulated Protective Order is rendered or deemed void, unenforceable, or  
11 otherwise ineffective by operation of law, the other provisions of this Stipulated Protective  
12 Order shall not be affected and shall remain in full force and effect, and the Parties shall  
13 negotiate in good faith to replace such illegal, void or unenforceable provision with a  
14 provision that corresponds as closely as possible to the intentions of the parties as expressed  
15 by such illegal, void or unenforceable provision.  
16

17 17. The parties acknowledge that any violation or threatened violation of this  
18 Stipulated Protective Order would cause irreparable injury to the other party, and to any  
19 other person or entity to which the particular Confidential Information belongs or relates,  
20 to which such violation or threatened violation relates, and that money alone would not be  
21 sufficient to redress such injury. The parties agree that any actual or threatened violation  
22 of this Stipulated Protective Order may be enjoined by any court of competent jurisdiction  
23 in an action seeking equitable relief or in an action to seek injunctive relief by either party  
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1 as well as by any person or entity to which the particular Confidential Information belongs  
2 or relates.  
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4 18. This Stipulated Protective Order contains the final and complete contract of  
5 the Parties to the Stipulated Protective Order, and supersedes all prior oral or written  
6 promises, undertakings, understandings, or negotiations concerning the subject matter of  
7 this Stipulated Protective Order. This Stipulated Protective Order shall inure to the benefit  
8 of and be binding upon the Parties and their successors and assigns.  
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11 19. This Stipulated Protective Order may be executed simultaneously in two or  
12 more parts, each of which shall be deemed an original, but all of which together will  
13 constitute one and the same instrument.  
14

15 20. Neither the failure of any Party at any time to enforce any of the provisions of  
16 this Stipulated Protective Order nor the granting at any time of any other indulgence shall  
17 be construed as a waiver of that provision or of the right of either Party afterwards to enforce  
18 that or any other provision.  
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21 21. Should any Party to this Stipulated Protective Order or any person or entity  
22 bring an action to enforce or interpret this Stipulated Protective Order, the prevailing party  
23 in such action shall awarded reasonable attorney's fees and costs incurred in the action from  
24 the non-prevailing party. Nothing in this Confidentiality Stipulated Protective Order shall  
25 prevent the court from entering additional sanctions, fines or orders of contempt in addition  
26 to the attorney's fees and costs permitted under this paragraph.  
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1           22. This Stipulated Protective Order may not be amended, nor any obligation  
2 waived, except by a writing signed by both the parties or an order of the Court.  
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4           23. The confidentiality of material produced in this action and designated as  
5 confidential hereunder is to be preserved both during and after the final disposition of this  
6 action. Confidential Material produced in this action shall be located and maintained only  
7 in offices of counsel of record for the parties or offices of experts as defined in paragraph  
8 4(d) above. Seven (7) years after termination or settlement of this action, including all  
9 appeals, all persons in possession of Confidential Material shall return or destroy to the  
10 Producing Party all such Confidential Material produced in this action by the Producing  
11 Party, including any copies, upon thirty (30) days after written notice. Counsel in  
12 possession of this Material shall certify to the Producing Party in writing that it has fulfilled  
13 the obligations imposed by this Paragraph.  
14  
15  
16  
17

18  
19 Dated this 25 day of March, 2020.  
20

21  
22 Tara Kellogg-Ghibaud  
23 TARA KELLOGG-GHIBAUDO  
24 Plaintiff

/s/ Alex Ghibaud \*

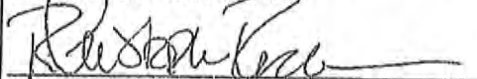
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ALEX GHIBAUDO  
Defendant

25 / / /  
26 / / /  
27 / / /  
28 / / /  
/ / /

\* Per Admin Order 20-10  
Authorization email attached

1 LAW OFFICES OF CORY READE  
2 DOWS & SHAFER

3 

4 R. CHRISTOPHER READE, ESQ.  
5 Nevada State Bar No. 006791  
6 1333 North Buffalo Drive, Ste 210  
7 Las Vegas, Nevada 89128  
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RADFORD J. SMITH, CHARTERED



/s/ Helen Towlerton

RADFORD J. SMITH, ESQ.  
Nevada State Bar No. 002791  
HELEN P. TOWLERTON, ESQ.  
Nevada Bar No. 006085  
2470 St. Rose Parkway, Suite 206  
Henderson, Nevada 89074  
*Attorneys for Defendant*

10 ORDER

11  
12 BASED UPON THE FOREGOING STIPULATION OF THE PARTIES,

13 IT IS HEREBY ORDERED that the parties' Stipulated Confidentiality Agreement  
14 and Protective Order is hereby adopted as an Order of the Court.  
15

16 IT IS SO ORDERED this 26 day of March, 2020.

17   
18  
19 DISTRICT COURT JUDGE

20 *Respectfully Submitted:*

21 RADFORD J. SMITH, CHARTERED

22 

23  
24 RADFORD J. SMITH, ESQ.  
25 Nevada Bar No. 002791  
26 HELEN TOWLERTON, ESQ.  
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**From:** Alex Ghibaudo <alex@glawvegas.com>

**Sent:** Tuesday, March 24, 2020 11:50 PM

**To:** Helen Towlerton <htowlerton@radfordsmith.com>

**Subject:** RE: Ghibaudo - Response needed - Please confirm receipt of this email

Responses are highlighted below. Also, you have my authority to affix my electronic signature to the confidentiality agreement. If you have questions, give me a call.

Alex G.

EIGHTH JUDICIAL DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

TARA KELLOGG,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. D-15-522043-D
	)	DEPT. NO: H
ALEX GHIBAUDO,	)	
	)	
Defendant.	)	
	)	
_____	)	

VIDEOTAPED DEPOSITION OF TARA KELLOGG

Las Vegas, Nevada

January 27, 2022  
9:22 a.m.

REPORTED BY:  
CYNTHIA HUDAK, RPR  
NVCCR #987



1 VIDEOTAPED DEPOSITION OF TARA KELLOGG, was taken  
2 by Defendant on January 27, 2022, at 9:22 a.m. at the  
3 law offices of Alex Ghibaudo, PC, 197 East California  
4 Avenue, Suite 250, Las Vegas, Nevada, before Cynthia  
5 A. Hudak, RPR, Nevada Certified Reporter No. 987.

6

7

8 APPEARANCES:

9 On Behalf of the Plaintiff

10 JK NELSON LAW  
Jonathan Nelson, Esq.  
11 7220 South Cimmerson Road, Suite 205  
Las Vegas, Nevada 89113  
12 (702) 727-9900  
jonathan@jknelsonlaw.com

13

On Behalf of the Defendant

14

ALEX GHIBAUDO, PC  
15 Alex B. Ghibaudo, Esq.  
197 East California Avenue, Suite 250  
16 Las Vegas, Nevada 89104  
(702) 462-5888  
17 alex@glawvegas.com

18

In Attendance: Jack Vosburg, Legal Video Specialist

19

20

21

22

23

24

25



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1 THE VIDEOGRAPHER: Good morning. We are now  
2 on the record in the matter of Tara Kellogg vs. Alex  
3 Ghibauda -- I'm sorry. Today's date is January 28,  
4 2022, [sic] and the time is approximately 9:22 a.m.

5 This is the video-recorded deposition of  
6 Tara Kellogg. We're located at 197 East California  
7 Avenue in Las Vegas, Nevada. My name is Jack Vosburg,  
8 a certified legal video specialist in association with  
9 Worldwide Litigation Services.

10 For the record, will counsel please  
11 introduce themselves and who they represent.

12 MR. GHIBAUDO: Alex Ghibauda in proper  
13 person.

14 MR. NELSON: Attorney Jonathan Nelson,  
15 Nevada Bar 12836, on behalf of Ms. Tara Kellogg who's  
16 present.

17 Just for the record, to clarify, I thought I  
18 heard Mr. Vosburg say that the date was January 28th.  
19 It is, in fact, the 27th. And If I misheard, I  
20 apologize.

21 THE VIDEOGRAPHER: No, no. I said -- I  
22 thought I said the 27th.

23 MR. NELSON: Okay.

24 THE VIDEOGRAPHER: For the record, if I did  
25 say the 28th, it was -- I did mean the 27th.



1                   Okay. Will the court reporter please swear  
2   in the witness?

3                   TARA KELLOGG,  
4   a witness herein, having been first duly sworn by the  
5   Certified Reporter to speak the truth and nothing but  
6   the truth, was examined and testified as follows:

7                   THE VIDEOGRAPHER: You may now begin.

8                   MR. GHIBAUDO: All right.

9                   MR. NELSON: Mr. Ghibaudo, sorry to  
10   interrupt. Before we go, I just want to put on the  
11   record pursuant to the discovery commissioner's order  
12   yesterday and findings, I am seated next to  
13   Ms. Kellogg. I am in camera's view, and Mr. Ghibaudo  
14   can't see me, he can raise that issue.

15                  Additionally, I do have my laptop.  
16   Mr. Ghibaudo was kind enough to provide his company's  
17   WiFi, but I am sitting about a foot behind and angled  
18   away from Ms. Kellogg. Mr. Ghibaudo, if you care to,  
19   you can ask her, but I believe she is unable to see my  
20   computer, and it's on mute, so there's no sound that  
21   will transpire to her either.

22                  MR. GHIBAUDO: You're going to have to speak  
23   up, Mr. Nelson. You can take your mask off, if you  
24   want, but it's still a bit muffled.

25                  MR. NELSON: Maybe I can put this up higher.



1                   How is that? Is that better?

2                   THE VIDEOGRAPHER: Well, that one feeds my  
3     recording.

4                   MR. NELSON: So let me set the record  
5     straight. Yesterday, I discussed that I work on my  
6     PC. I do have that out, but I am about a foot seated  
7     back behind Ms. Kellogg and angled away from her. I  
8     believe Ms. Kellogg is unable to see my computer. You  
9     can ask her as such, Mr. Ghibaudo.

10                  Additionally, there's an adjacent room,  
11     where she has -- it's away from the room she's being  
12     deposed in -- where her electronic equipment was  
13     placed in her purse -- not electronic equipment. It's  
14     her phone. So she has nothing on her person.

15                  And I'm seated back and angled away from  
16     her. I just want to make sure Mr. Ghibaudo has no  
17     objections to that, or if there's anything I can do to  
18     better accommodate that.

19                  MR. GHIBAUDO: No. I'm fine with that, and  
20     I gave Mr. -- I don't know what his name is, but Hoyt  
21     the permission to sit in the conference room. I don't  
22     know who the other person is. If you can identify him  
23     for me, Mr. Nelson.

24                  THE DEPONENT: His name is Kevin Pence, I  
25     believe. He's a retired police officer.



1 MR. GHIBAUDO: What was his name again?

2 THE DEPONENT: I believe -- I'm not quite  
3 sure on the correct terminology and/or spelling of his  
4 last name. First name is a Kevin.

5 MR. GHIBAUDO: All right. And what's the  
6 purpose of him being here?

7 THE DEPONENT: Security.

8 MR. GHIBAUDO: Security. Okay.

9 EXAMINATION

10 BY MR. GHIBAUDO:

11 Q. All right. Well, let's start.

12 So this is your deposition, Ms. Kellogg.  
13 Just so you know, to begin with, that I'm going to  
14 ask -- I'm going to ask you questions. Your attorney  
15 may or may not object to the questions that I ask.  
16 Whether he objects or not, you got to answer them.

17 In addition -- yeah, you just have to -- you  
18 have to answer the question no matter what, unless he  
19 asserts privilege, some kind of privilege or not.

20 So with that, do you have any questions?

21 A. No.

22 Q. All right. So the first question is: What  
23 is the purpose of these proceedings for you?

24 A. You are --

25 Q. You need to speak up, please.





1           Let me just say again. Try not to talk over  
2 each other, because the court reporter has to take  
3 down the information. So wait until the question is  
4 finished before you answer. If I have a follow-up, I  
5 will follow up. Wait until I'm done, and then you can  
6 answer, and so on. Do you understand that?

7           **A. Yes.**

8           Q. All right. So again, what is the purpose of  
9 these proceedings for you? What are you trying to do?

10          **A. What am I trying to do?**

11          Q. Yeah.

12          **A. I'm answering -- I'm going to be answering**  
13 **your questions, because you're going to be having a**  
14 **hearing for contempt of court.**

15          Q. Okay. That's not the question I asked. So  
16 let me try to clarify.

17                So the purpose of these proceedings is to  
18 collect the court-ordered payments, which at this  
19 point are \$2,500 a month, correct?

20          **A. No. I believe that you have back support,**  
21 **which is the contempt proceeding, which is, from what**  
22 **Judge Ritchie says, in excess of \$150,000.**

23          Q. Okay. But those are arrears, correct?

24          **A. Yes, they are arrears.**

25          Q. All right. But from September 17, 2020, the



1 order to pay monthly is \$2,500 at this point, correct?

2 **A. Correct.**

3 Q. All right. What is your -- what is your --

4 **A. May I continue?**

5 THE REPORTER: I'm sorry. You can't speak  
6 at the same time.

7 THE DEPONENT: Okay. May I continue?

8 Q. (By Mr. Ghibaudo) Yeah, go ahead.

9 **A. That is on appeal.**

10 Q. That's correct. Do you know the basis of  
11 the appeal?

12 **A. Yeah. I am -- the appeal is I -- I disagree**  
13 **with the -- with the change in my -- in the divorce**  
14 **decree, which decreases my alimony amount to \$2,500,**  
15 **which is not what my divorce decree says.**

16 Q. Okay. Were you -- do you recall testifying  
17 at that trial September 21st or September 17, 2020?

18 **A. Yes.**

19 Q. Do you recall the judge asking you or asking  
20 the parties if they agree that that amount that's  
21 provided in the divorce decree should be -- or if the  
22 parties object to it being modified? Do you remember  
23 that?

24 **A. I don't know if he said "modified." He said**  
25 **sum certain amount.**



1 Q. And what was your answer to that?

2 A. That I didn't want a sum certain amount.

3 Q. Well, okay. You don't recall stating that  
4 you wanted a flat rate?

5 A. I don't know. I don't recall.

6 Q. Okay. And do you recall asking for that  
7 flat rate to be \$6,500 a month?

8 A. Yes.

9 Q. So you do -- so you did ask for a flat  
10 right, correct?

11 A. Well, I believe it was my attorney. I don't  
12 know exactly the terminology that was used, and I  
13 don't believe it was me that requested that.

14 Q. But you were testifying at trial, right? It  
15 wasn't your attorney, correct?

16 A. Yes, I had testified at the trial.

17 Q. Okay. And your attorney was not feeding you  
18 answers at the time of the testimony, correct?

19 A. Correct.

20 Q. All right. So you answered that you wanted  
21 a flat fee of \$6,500, correct?

22 MR. NELSON: Objection. Asked and answered.

23 Q. (By Mr. Ghibaudo) Okay. Answer the  
24 question.

25 A. I don't -- I do not recall.



1 Q. All right. So -- but fair to say you want  
2 me to pay you support, correct?

3 A. Correct.

4 Q. Okay. Would it be fair to say that in order  
5 to pay support, I would have to earn an income; is  
6 that correct?

7 A. That is correct.

8 Q. All right. And as an attorney, do you think  
9 that in order to earn an income -- in order to get  
10 clients that would pay me, that those clients would  
11 have to have some faith or confidence in me? Would  
12 that be fair to say?

13 A. Mr. Ghibaudo, my intent is not to help or  
14 hinder your ability to make a living. I would just  
15 like you to pay what your court-ordered support is.

16 Q. Okay. But that's not the question I asked.  
17 The question I asked is: As an attorney, do you think  
18 it's important that clients or potential clients have  
19 some confidence in the attorney that they hire; yes or  
20 no?

21 A. Absolutely.

22 Q. Okay. Then what is the purpose of posting  
23 publically on Facebook that I am a liar, that I am a  
24 cheat, that I am a fraud, that I'm a junkie? What  
25 purpose would that serve you?



1 MR. NELSON: Objection. Foundation.

2 Mr. Ghibaudo, you haven't established that  
3 anything has been posted by Ms. Kellogg.

4 MR. GHIBAUDO: This isn't trial, Mr. Nelson.  
5 As I stated before, you can make your objection. Your  
6 client needs to answer.

7 Q. (By Mr. Ghibaudo) So please answer the  
8 question, Ms. Kellogg.

9 A. You're going to have to ask that again. I'm  
10 not quite sure what you're referring to.

11 Q. Okay. Do you have a public Facebook page;  
12 yes or no?

13 A. I have a Facebook page. It's not  
14 necessarily public.

15 Q. It's not necessarily public. What does that  
16 mean? Is it or is it not public?

17 A. Sometimes I post things public, sometimes I  
18 don't.

19 Q. Okay. Have you posted anything about me in  
20 the past?

21 A. I have.

22 Q. Have you posted comments indicating that I'm  
23 a liar?

24 A. I posted in direct response to your Facebook  
25 page named James Jones that was intended to disparage



1 me, degrade me, with a picture of me distorted, and so  
2 I'm not going to let you bully me.

3 And so if I comment back to that third or  
4 fourth Facebook page that you created to, again,  
5 disparage me, then, yes, I'm going to comment back.

6 Q. Okay. Again, that wasn't the question. The  
7 question was: Did you post on your public Facebook  
8 page that I am a liar; yes or no?

9 A. I believe so.

10 Q. Okay. Did you post on your public Facebook  
11 page that I'm a junkie?

12 A. I believe so.

13 Q. Did you post on your Facebook page that I'm  
14 a cheat?

15 A. Yes.

16 Q. Okay. Did you post the following: "Hey,  
17 James Jones, aka Alex Ghibaudo, the sociopath who  
18 still refuses doctor recommended clinical therapy,  
19 maybe you should accurately set the record straight  
20 for both of your Facebook friends. I put your ass out  
21 on the street, because you're a piss-poor excuse for a  
22 father, in addition to being a liar, cheat, thief, and  
23 junkie." Do you recall posting that on your Facebook  
24 page?

25 A. It's my First Amendment right. I have the



1     **right to freedom of speech.**

2           Q.     That's -- that's not what I asked you. I  
3     understand that you have a First Amendment right to  
4     say what you want, but I'm asking you if you posted  
5     that; yes or no?

6           A.     I do not recall if that's exactly what was  
7     posted. I don't. Do you have something that I can  
8     look at?

9           Q.     Actually, I do. Do you recall receiving a  
10    complaint for defamation on or about December 10th --  
11    or August 10, 2021?

12          A.     I don't know. You filed numerous different  
13    lawsuits against me, so I don't know which one  
14    you're referring to.

15          Q.     That's not the question again.  
16                 Do you recall receiving a complaint that you  
17    have answered through your attorney for defamation;  
18    yes or no?

19               MR. NELSON: Objection. Your original  
20    question stated a date, and now you're removing the  
21    date. So how do you want Ms. Ghibaudo [sic] to  
22    answer, based on your question with the date or just  
23    whether she received the complaint?

24               MR. GHIBAUDO: All right. What's -- say  
25    that again. I don't understand what you're saying.





1 MR. NELSON: Your initial question -- and  
2 the court reporter can read it back -- referenced a  
3 date that she received the complaint. You just  
4 re-asked the question and removed the date.

5 So to clarify, are you just wanting to know  
6 if Ms. Ghibaudo [sic] received a complaint or on a  
7 specific date?

8 MR. GHIBAUDO: Just if she received a  
9 complaint for defamation.

10 THE DEPONENT: On what date?

11 MR. NELSON: Just whether you received it or  
12 not.

13 Q. (By Mr. Ghibaudo) I'm asking the questions,  
14 Ms. Kellogg. I just asked you a question.

15 Do you recall receiving a complaint for  
16 defamation?

17 A. I believe so.

18 Q. Okay. Did you read that complaint? Did you  
19 go through it with your attorney?

20 A. I believe so.

21 Q. Did you look at the exhibits attached to  
22 that complaint?

23 A. Yes.

24 Q. All right. Is -- are those statements from  
25 your Facebook account; yes or no?



1           **A.       I don't -- I don't know. It's not in front**  
2           **of me. I cannot answer for certain --**

3           Q.       Okay. Well, let's go through all the  
4           statements that I have written down concerning that.

5                    So let me ask you this: You've already  
6           stated that you did, in fact, post comments on  
7           Facebook. Would it be fair to say that those comments  
8           were made sometime in 2021, last year?

9           **A.       I don't know what comments you're referring**  
10          **to.**

11          Q.       What's that?

12          **A.       I don't know what comments you're referring**  
13          **to.**

14          Q.       The comment that I just read to you; for  
15          example, "Hey, James Jones, aka Alex Ghibaudo, the  
16          sociopath that still refuses doctor-recommended  
17          clinical therapy, maybe you should accurately set the  
18          record straight for both of your Facebook friends. I  
19          put your ass out on the street, because you're a  
20          piss-poor excuse for a father in addition to being a  
21          liar, cheat, thief, and junkie."

22                    Was that posted in 2021; yes or no?

23          **A.       I believe it was a direct response from a**  
24          **Facebook page that you created, James Jones, and I**  
25          **responded to it.**



1 Q. That's not the question. So I'll ask again.  
2 Do you recall if you posted that comment in  
3 2021; yes or no?

4 A. **That's my answer.**

5 Q. You're not answering the question. You're  
6 saying -- what you're saying is that you made a  
7 response to something that you believe that I -- that  
8 I made. I'm asking you if that's specifically what  
9 you said.

10 A. **I don't know if that's specifically what I**  
11 **said.**

12 Q. Okay. Do you believe that I'm a junkie?

13 A. **I do.**

14 Q. Okay. What's the basis for that belief?

15 A. **Because I found drugs in your rental pool**  
16 **house after we separated, and I also have a picture of**  
17 **you and some African-American doing drugs at the firm**  
18 **that you shared with Joseph Iarussi.**

19 Q. Okay. And did you ever produce that in any  
20 litigation associated with this case from 2017 to now?

21 A. **I produced it to my attorneys.**

22 Q. Was that admitted into evidence?

23 A. **I don't know.**

24 Q. Okay. Do you recall me offering your prior  
25 attorneys, Marshal Willick, to take a drug test?



1           **A.       Do I what?**

2           Q.       Do you recall if your prior attorney was  
3       made the offer from me that I could take a drug test?  
4       Do you recall that?

5           **A.       Yes.**

6           Q.       Okay. So when was it that you allege that  
7       you found drugs in my -- in my apartment?

8           **A.       I believe it was 2015 or 2016.**

9           Q.       How did you have access to my apartment?

10          **A.       You gave me a key.**

11          Q.       When was that?

12          **A.       I was helping to care for you, because you**  
13       **were not -- you were drinking a lot, and you were not**  
14       **stable.**

15          Q.       Okay. So that was how many years ago that  
16       you allege?

17          **A.       Four.**

18          Q.       How long?

19          **A.       Four.**

20          Q.       So you're saying 2016. That's actually six  
21       years ago, correct?

22          **A.       '16 -- I don't know when it was. I'm**  
23       **guessing. It was when we were separated. I believe**  
24       **it was before we were divorced. We were divorced**  
25       **February -- or February of 2017. I know it was before**



1     **that.**

2           Q.     Okay. So do you have any basis to believe  
3     that I am a junkie in 2021?

4           A.     Like I said, those are the two indications  
5     that I have as well as the drugs were found in the  
6     home that you live in with your girlfriend.

7           Q.     What -- wait. So you're saying that you  
8     found -- you found drugs in my girlfriend's home?

9           A.     No. I'm saying that your girlfriend's  
10    daughter said she stumbled upon a crack pipe in that  
11    home with her mother.

12          Q.     Okay. When did you -- what is the name of  
13    that person?

14          A.     Melia.

15          Q.     Okay. And when did you talk to Melia?

16          A.     I did not speak to her. I read the text  
17    messages that were submitted as evidence.

18          Q.     And how did you do that?

19          A.     I requested the document.

20          Q.     Why did you request that?

21          A.     Because I wanted to -- I wanted to know  
22    what -- because you were -- you were handling, I  
23    guess, the divorce. You were handling the -- a  
24    custody case for her. You were handling numerous  
25    things, and you were unwilling to pay me what you were



1     **supposed to via court order.**

2           Q.     What connection --

3           A.     But you were able to do free legal services  
4     **for others.**

5           Q.     So in other words, I didn't -- I wasn't paid  
6     for those services, correct?

7           A.     No.

8           Q.     Okay. So what connection is there between  
9     that case, in your opinion, and anything that involves  
10    the case between us?

11          A.     Well, like I -- you asked me a question, so  
12    that gives me an indication. If a 16-year-old  
13    stumbles upon a crack pipe, it gave me an indication  
14    that there's drugs in the home.

15          Q.     Do you know what the results -- since you  
16    were following that case, do you know what the results  
17    of the case were?

18          A.     Yes, I do. Well, I don't know the results,  
19    but I know that your girlfriend admitted to purchasing  
20    drugs from a man named Joe on at least one occasion,  
21    and that there was domestic violence between you and  
22    your girlfriend on at least two occasions.

23          Q.     And you're saying that you got that from  
24    pleadings in the case. And what is the name of this  
25    person that you're referring to, for the record?



1           **A.       Elski Shipp (phonetic).**

2           Q.       Okay. And when was it that you read those  
3 pleadings?

4           **A.       I don't recall.**

5           Q.       Approximate dates? Approximate year?

6           **A.       Maybe 2018.**

7           Q.       Okay.

8           **A.       2019.**

9           Q.       And so fair to say you were following that  
10 case, correct?

11          **A.       I wasn't following it. I was just**  
12 **interested as to why you could provide legal -- free**  
13 **legal services and not pay your court-ordered support**  
14 **or your child support.**

15          Q.       Do you know that that case resulted in a  
16 settlement?

17          **A.       No, I don't.**

18          Q.       Do you know if that case was -- actually  
19 went to trial?

20          **A.       No, I don't.**

21          Q.       So you're basing the belief that I'm a  
22 junkie on allegations made in a motion? Is that what  
23 you're saying?

24          **A.       No, by the text messages.**

25          Q.       What text messages are you referring to?





1           **A.       The ones between you and Melia Jones.**

2           Q.       Okay. And what did those text messages say?

3           **A.       She said that -- from Melia to you, that she**  
4           **stumbled upon a crack pipe in that home.**

5           Q.       Okay. And -- and you believe her?

6           **A.       Yes. I too have seen drugs in your home**  
7           **before you moved in with your girlfriend.**

8           Q.       So was it a crack pipe that you allege you  
9           saw in my home?

10          **A.       No.**

11          Q.       Okay. Do you ever -- have you ever known me  
12          to use --

13                   (Crosstalk.)

14          **A.       A large baggy of drugs in your home.**

15          Q.       I'm sorry. Again, wait till the question is  
16          finished and then answer. Don't talk over me. The  
17          court reporter needs to be able to make a clear  
18          record, and if you talk over me, she's not going to be  
19          able to do that.

20                   So let me ask you again: Have you ever seen  
21          me -- you were married to me for how long?

22          **A.       I believe it was -- at the time of**  
23          **separation, 15 years; at the time of divorce, 17.**

24          Q.       And between the time that we were married --  
25          and fair to say we were married in 2001?



1           **A.       Pardon?**

2           Q.       Is it fair to say that we were married in  
3   2001?

4           **A.       Correct.**

5           Q.       And you're saying that the decree of divorce  
6   was entered on or about February 2017?

7           **A.       Correct.**

8           Q.       And is it fair to say there was a settlement  
9   conference in, say, May of 2016?

10          **A.       It's May 18th.**

11          Q.       Okay. So between 2001 and May of 2016, did  
12   you ever observe me using crack?

13          **A.       I never physically saw you using, I guess,**  
14   **crack cocaine or whatever, but you definitely showed**  
15   **signs of abnormal behavior. I don't know if that was**  
16   **alcohol or what, but...**

17          Q.       Okay. Did you use cocaine in the time we  
18   were married?

19          **A.       No.**

20          Q.       Did you go to rehab on or about 2011?

21               MR. NELSON: Objection. Relevance.

22          Q.       (By Mr. Ghibaudo) Answer the question.

23          **A.       What you're referring to is called We Care**  
24   **Foundation. It is not a rehabilitation facility. A**  
25   **rehabilitation for drugs and alcohol requires medical**



1 professionals. There are no medical professionals at  
2 We Care Foundation; therefore, it is not a drug and  
3 alcohol rehabilitation center.

4 Q. Okay. Did you stay at We Care Foundation  
5 for 30 days; yes or no?

6 A. Yes.

7 MR. NELSON: Objection. Relevance.

8 Q. (By Mr. Ghibaudo) Answer the question.

9 A. Yes.

10 Q. And why were you at We Care Foundation for  
11 30 days?

12 MR. NELSON: Objection. Relevance.

13 A. I wanted to remove myself from a toxic  
14 situation, being you.

15 Q. (By Mr. Ghibaudo) So your statement is that  
16 you did not -- and remember, you're under oath, and so  
17 any lies are punishable by perjury, which is a felony.  
18 So you're saying that you did not attend We Care  
19 Foundation for addiction to alcohol. Is that what  
20 your statement is today?

21 MR. NELSON: Objection. Asked and answered.

22 MR. GHIBAUDO: It was not.

23 Q. (By Mr. Ghibaudo) Answer the question.

24 A. I'm sorry. What was the question?

25 Q. Did you or did you not attend We Care



1 Foundation because you were addicted to alcohol?

2 **A. No. It was not because I was addicted to**  
3 **alcohol.**

4 Q. Did you have an alcohol problem in that time  
5 period?

6 **A. I thought I may at the time. I do not**  
7 **believe so now.**

8 Q. So you think you were -- you were -- you  
9 were mistaken in your belief at the time that you had  
10 an alcohol addiction?

11 **A. I believe -- please ask the question one**  
12 **more time.**

13 Q. So you're -- so what you're saying today is  
14 that you did not attend We Care Foundation because you  
15 had an addiction to -- I'm sorry. Let me retract  
16 that.

17 So you're saying that at no time you had a  
18 problem abusing alcohol?

19 MR. NELSON: Objection. Relevance.

20 **A. No. I do not believe today that I had --**  
21 **had an addiction to alcohol.**

22 Q. (By Mr. Ghibaudo) Okay. Did you ever  
23 attend Alcoholics Anonymous?

24 MR. NELSON: Objection. Relevance.

25 **A. At We Care Foundation, they offer AA,**



1     **Alcoholics Anonymous meetings, and you have the**  
2     **opportunity to go.**

3           Q.     (By Mr. Ghibaudo) Did you attend Alcoholics  
4     Anonymous after you completed We Care Foundation?

5           MR. NELSON: Objection. Again, relevance.

6           **A.     Sometimes.**

7           Q.     (By Mr. Ghibaudo) How often is sometimes?

8           **A.     Are you referring back to 2011?**

9           Q.     I am.

10          **A.     Okay. That's quite a long time ago. I**  
11     **don't recall.**

12          Q.     You don't recall attending Alcoholics  
13     Anonymous?

14          **A.     No.**

15          Q.     You understand that this is something that I  
16     can demonstrate demonstrably that you attended  
17     Alcoholics Anonymous. You understand that, right?

18          **A.     Yes.**

19          Q.     And you understand that I can -- I can  
20     subpoena We Care Foundation and provide and get the  
21     records from that to see why you were at We Care  
22     Foundation, correct?

23                   (Crosstalk.)

24           MR. NELSON: Mr. Ghibaudo -- Mr. Ghibaudo,  
25     you can ask my client questions, but you don't have to



1 threaten with litigation tactics you may have. You've  
2 asked her questions. She's answered those questions  
3 to the best of her knowledge.

4 Q. (By Mr. Ghibaudo) All right. Answer the  
5 question.

6 **A. I don't know the question.**

7 Q. All right. Pay attention. Like I said,  
8 when your -- when your attorney objects, that doesn't  
9 mean that you didn't get to answer the question that I  
10 ask you. He's making objections so that if I present  
11 this evidence at trial, that he could preserve any  
12 objections to your answers. So you need to answer the  
13 question that I'm asking.

14 **A. I don't know the question. Will you please**  
15 **repeat it?**

16 Q. Okay. So again, you're stating --

17 MR. GHIBAUDO: And I'm not threatening your  
18 client, Mr. Nelson. I'm telling her, because she is  
19 under oath, that she needs to be cognizant of the fact  
20 that these allegations or the statements that she's  
21 making can be proven demonstrably. And I'm warning  
22 her that if she answers and perjures herself, that is  
23 a crime, actually a felony.

24 Q. (By Mr. Ghibaudo) So I'm going to ask you  
25 again, to be clear.



1 Did you or did you not have an alcohol  
2 addiction for which you attended We Care Foundation?

3 MR. NELSON: Objection. Asked and answered.  
4 Go ahead and answer the question.

5 Q. (By Mr. Ghibaudo) Answer the question.

6 A. I do not believe so at this time.

7 Q. You do not believe so at this time. What  
8 does that mean?

9 A. It means that I do not believe that I had a  
10 problem with alcohol. I believe I had a problem with  
11 you and the marriage.

12 Q. Okay. And so you're saying, then, that  
13 We Care Foundation is what, a treatment center for  
14 victims of domestic violence? Is that your  
15 allegation?

16 A. No. I'm saying it's a sober living  
17 facility, which I could remove myself from the toxic  
18 relationship and to go into normal surroundings, which  
19 I did.

20 Q. Did we live together in that period time, on  
21 or about 2011?

22 A. Yes.

23 Q. Oh, we did?

24 A. I believe so.

25 Q. You don't remember living in a separate





1 house that your mother rented for you?

2 MR. NELSON: Objection. Is that a question?

3 MR. GHIBAUDO: Yeah, it is.

4 Q. (By Mr. Ghibaudo) Do you recall that you  
5 lived at a home that your mother rented from [sic]  
6 you; yes or no?

7 A. I don't know what year.

8 Q. 2011.

9 A. No. I believe that you and I lived together  
10 in 2011.

11 Q. Okay. So what -- what do you mean by "toxic  
12 relationship"? Please describe that. Explain that.

13 MR. NELSON: Objection. Relevance.

14 A. Toxic -- you were drinking nonstop, you were  
15 acting irrational, there was domestic violence, there  
16 were arrests, there were police at the house  
17 constantly. It was -- it was -- it was insanity, and  
18 I just wanted normalcy again.

19 Q. (By Mr. Ghibaudo) Do you recall testifying  
20 at my reinstatement hearing on or about 2012, I  
21 believe?

22 MR. NELSON: Objection. Relevance.

23 A. I do.

24 Q. (By Mr. Ghibaudo) Okay. And when you were  
25 asked if there was domestic violence in our



1 relationship, do you recall what your answer was?

2 MR. NELSON: Objection. Relevance.

3 A. I do.

4 MR. GHIBAUDO: Mr. Nelson, just to  
5 streamline this, let's just say that you have a  
6 standing objection to the relevance of any question  
7 that I ask. Is that fair?

8 MR. NELSON: That's fine. If it's all  
9 questions, that's fine. We'll preserve that objection  
10 to any questions asked.

11 MR. GHIBAUDO: All right. That way, we  
12 don't continue to get interrupted with those  
13 objections, which are not even proper in a deposition.

14 But that's fine. We can agree, and we're  
15 stipulating right now, that you have a standing  
16 objection to all of my questions as to relevance; is  
17 that correct?

18 MR. NELSON: That is correct, Mr. Ghibaudo.

19 MR. GHIBAUDO: Okay. So we're not going to  
20 hear anymore objections for relevance, correct?

21 MR. NELSON: Correct.

22 Q. (By Mr. Ghibaudo) Okay. Now, again, do you  
23 recall what your answer was when you were asked if  
24 there was domestic violence during the marriage?

25 A. I believe so.



1 Q. And what was your answer?

2 A. I -- I don't -- I cannot recall exactly what  
3 I said. However, I do know that for five years during  
4 your suspension, you had conditioned me into believing  
5 that all of the domestic violence that occurred was my  
6 fault and my doing, and I was the one that put you in  
7 a situation of being a suspended attorney.

8 Q. Okay. So you're not answering the question  
9 again.

10 Do you recall what your answer was when you  
11 specifically asked if I committed acts of domestic  
12 violence against you?

13 A. I don't recall exactly what I said.

14 Q. Is it fair to say that you said that you  
15 were so drunk during that period of time that you  
16 don't remember what happened?

17 A. I don't know.

18 Q. Okay. If you -- if you look at the  
19 transcripts of those proceedings -- and there are  
20 transcripts, you were under oath -- would that refresh  
21 your recollection?

22 A. I suppose so.

23 Q. Okay. So you want to maintain that you  
24 don't remember what you said at that time?

25 MR. NELSON: Objection. Asked and answered.



1 MR. GHIBAUDO: Okay. Let's agree that  
2 you're going to continuously object to asked and  
3 answered.

4 You know, Mr. Nelson, that whether I ask her  
5 that 20 times or 30, she's got to answer, and -- you  
6 know, if it's -- if you think that it's abusive  
7 litigation or abusive discovery practices, you can  
8 deal with that later.

9 Is that fair to say, Mr. Nelson?

10 MR. NELSON: No, it's not. If it's been  
11 asked and answered, I'm going to raise that objection,  
12 because if it continuously becomes asked and answered,  
13 then, you know, we'll call the discovery commission  
14 and see if this is an abuse and if we need to  
15 terminate this.

16 MR. GHIBAUDO: Well, it appears that your  
17 client is very knowledgeable or remembers everything  
18 that is adverse to me, but when I ask her a question  
19 concerning her recollection of events and what she  
20 said, she said she can't remember.

21 You know, it's very frustrating, and it's  
22 wasting everybody's time when she knows very well what  
23 she said.

24 MR. NELSON: Again, Mr. Ghibaudo, if you ask  
25 her questions, she's under oath, as you've stated many



1 times, if she says she doesn't recall, then  
2 unfortunately, that's the answer that she has.

3 Q. (By Mr. Ghibaudo) Okay. So let's back up.  
4 You did testify during the reinstatement  
5 hearing, correct?

6 A. Yes. I believe it was the testimony.

7 Q. Okay. And I was reinstated as a result,  
8 correct?

9 A. Pardon?

10 Q. And I was reinstated to the practice of law  
11 as a result, correct?

12 A. As a result of me testifying?

13 Q. Yeah.

14 A. I believe so.

15 Q. Okay. Yeah. You recall one of the people  
16 that was -- that was sitting there in judgment saying  
17 that but for you, I wouldn't have been reinstated. Do  
18 you recall that?

19 A. I'm sorry. Can you repeat that?

20 Q. You recall one of the people that was  
21 sitting in judgment -- I believe it was the head of  
22 the committee that was considering my reinstatement --  
23 approaching you and saying that but for your  
24 testimony, I wouldn't have been reinstated; is that  
25 correct?



1           **A.       I -- I think you're -- I don't know exactly,**  
2   **but I think -- are you referring to the person who**  
3   **said that you need to wash my feet every day?**

4           Q.       That's right, yeah.

5           **A.       Okay.**

6           Q.       Is that true?

7           **A.       Then I don't -- I can't remember his name.**

8           Q.       Okay. But that's what he said, correct?

9           **A.       I believe so, something about washing feet.**

10          Q.       All right. So is it fair to say that given  
11 that statement, that the testimony you gave was  
12 positive about me, correct?

13          **A.       I guess so.**

14          Q.       Okay. Do you recall that you alleged at one  
15 point that I strangled you; yes or no?

16          **A.       Yes.**

17          Q.       Did you appear at the preliminary hearing  
18 for that?

19          **A.       I do not know.**

20          Q.       You don't know? Was I convicted of that  
21 charge?

22          **A.       I do not know.**

23          Q.       Okay. So let's move forward just a little  
24 bit.

25                    So from 2017 to now, you actually have no



1 personal knowledge of whether I used drugs or not,  
2 correct? In other words, you never saw with your own  
3 eyes whether I used drugs or not, correct?

4 **A. No, that's not correct.**

5 Q. From 2000 -- okay. So from 2017 until now,  
6 when did you actually witness with your own eyes that  
7 I used any -- any drug at all? From February 2007  
8 [sic] to this day?

9 **A. I actually have Facebook messages; whereas,**  
10 **you wanted to purchase my prescribed medication, which**  
11 **is a narcotic, for \$200, and I have those messages.**

12 Q. Did you ever produce those messages in  
13 any --

14 (Crosstalk.)

15 Q. -- in any litigation that we had?

16 **A. Pardon?**

17 Q. Did you ever produce those messages to -- in  
18 any litigation that we've had since then?

19 **A. I produced them to my attorney.**

20 Q. Were they used at trial?

21 **A. I don't know.**

22 Q. Did you -- did you report that use to the  
23 police?

24 **A. Did I what?**

25 Q. Did you ever report that I used drugs to the





1 police? Because it's an illegal activity, did you  
2 ever report that to the police?

3 **A. Did I ever make a police report that you**  
4 **used drugs? No.**

5 Q. Okay. Did you ever report that to the state  
6 bar?

7 **A. I don't know.**

8 Q. Okay. But you'll -- you'll agree that I'm a  
9 practicing attorney today, correct?

10 **A. Yes.**

11 Q. Is it fair to say that if the state bar was  
12 under the impression that I was a drug addict or that  
13 I used drugs, whether I requested drugs from you, that  
14 I would have been suspended; is that a fair statement?

15 MR. NELSON: Objection. Calls for legal  
16 speculation.

17 Q. (By Mr. Ghibaudo) Answer the question.

18 **A. I don't know.**

19 Q. Okay. How many times did you actually  
20 report me to the state bar since 2017?

21 **A. One time.**

22 Q. One time?

23 **A. Yes.**

24 Q. Okay. And in that time you were trying to  
25 collect money from me, correct?



1           **A.       I don't know what you mean, trying to**  
2       **collect? I mean, you have an obligation to pay.**

3           Q.       Okay. So if I got suspended from the  
4       practice of law, how would that help me pay you the  
5       money that you -- you want to get paid?

6                   MR. NELSON: Objection. Calls for  
7       speculation.

8           Q.       (By Mr. Ghibaudo) Answer the question.

9           **A.       Mr. Ghibaudo, my intent is not to help or**  
10       **harm you in any way.**

11          Q.       That's not the question that I asked you.  
12       Again, if I was suspended from the practice of law and  
13       I'm ordered to pay you at that time essentially half  
14       of my income and I got suspended, how would that help  
15       me make a payment to you for \$2,500 or even half of my  
16       income? Does that help?

17          **A.       I don't know. But if I have a grievance,**  
18       **I'm going to file a grievance.**

19          Q.       That's not the question. Again, would it  
20       help me pay you if I lost my license?

21          **A.       I don't know.**

22          Q.       \$2,500 a month I was ordered to pay,  
23       correct?

24          **A.       No, not in 2017.**

25          Q.       It was more, right?



1           **A.       Correct.**

2           Q.       Okay.  So how would I pay --  
3                   (Crosstalk.)

4           Q.       -- the money that you want to get paid if I  
5       had no ability to practice law?

6                   MR. NELSON:  Objection.

7           Q.       (By Mr. Ghibaudo)  What do you think I  
8       could -- how do you think I could have done that?

9           **A.       I guess you would get a different job.**

10          Q.       Okay.  And is it fair to say that that job  
11       would probably pay less than what I would get paid as  
12       an attorney; yes or no?

13                  MR. NELSON:  Objection.  Calls for  
14       speculation.

15          **A.       I don't know.**

16          Q.       (By Mr. Ghibaudo)  Okay.  Do you think that  
17       calling me a junkie, a liar, a cheat, and a thief  
18       would help me get clients as an attorney; yes or no?

19                  MR. NELSON:  Objection.  Calls for  
20       speculation.

21                  MR. GHIBAUDO:  Okay.  Mr. Nelson, again,  
22       let's just agree that you're going to have a standing  
23       objection to speculation as well.

24                  MR. NELSON:  At this time I don't, because I  
25       don't want these repeated, the speculative questions,



1 concerning your business, and Ms. Kellogg has no  
2 knowledge of your business.

3 THE REPORTER: I'm sorry, Mr. Nelson. I  
4 can't understand you.

5 MR. NELSON: That's okay. I'll repeat.

6 At this point, I don't agree to have a  
7 standing objection to speculation, Mr. Ghibaudo. I'll  
8 raise those as necessary. I think these repeated  
9 requests about your business practices that  
10 Ms. Kellogg does not have any dealings with since the  
11 divorce, if not sooner than that, are speculative in  
12 nature.

13 Q. (By Mr. Ghibaudo) Okay. So we had a trial  
14 in September 17, 2021, correct -- or 2020, correct?

15 A. Yes.

16 Q. And that started, I believe, in August of --  
17 no -- in April of 2019, correct?

18 A. May.

19 Q. Okay. And you received my financial records  
20 in that time, correct?

21 A. My forensic accountant did.

22 Q. Okay. Did you review those documents?

23 A. Not in its entirety.

24 Q. Okay. But is it fair to say that between  
25 2017 and the time of trial that I earned a gross



1 income of roughly over a million dollars; is that  
2 correct? Would that be a fair statement?

3 **A. For the -- I don't know for what time**  
4 **period.**

5 Q. 2017 to 2020.

6 **A. Well, you did not produce any tax returns**  
7 **for 2020.**

8 Q. That's actually not true. And you're --  
9 again, you had -- just like you testified before, you  
10 had an expert testify at trial, right?

11 **A. Yes.**

12 Q. So that's -- that expert reviewed my tax  
13 returns, which were produced to your attorney, yes?

14 **A. They were produced 2016, '17, '18, and '19,**  
15 **not '20.**

16 Q. All right. And would you agree that in that  
17 time period, I earned a substantial income, correct?

18 **A. I -- if I recall correctly, yes.**

19 Q. Okay. And let's say, for example, in the  
20 year 2019, I grossed over \$400,000. Would that be  
21 fair to say?

22 **A. I don't know.**

23 Q. You don't know. What do you think I -- I  
24 grossed in that period of time?

25 MR. NELSON: Objection. Calls for



1 speculation.

2 MR. GHIBAUDO: It's not speculation if she  
3 saw the tax returns of an expert actually testifying  
4 where she was actually present.

5 Q. (By Mr. Ghibaudo) Are you saying that you  
6 weren't paying attention during the trial?

7 A. I'm saying I don't recall what it is -- your  
8 earnings for 2019.

9 Q. But they were substantial, correct?

10 A. I don't know.

11 Q. All right. Well, substantial enough that  
12 the arrears calculation was something around \$160,000,  
13 correct?

14 A. From -- from my forensic accountant?

15 Q. Yeah.

16 A. I don't believe they did that based on the  
17 year. I think that it was -- from what I can recall  
18 from the forensic accountant, there was a page that  
19 said that you were not forthcoming in producing  
20 documents, and that there were months -- several  
21 months that were omitted, because you did not produce  
22 documents.

23 But I believe, if I recall correctly, that  
24 the forensic accountant said that you owed me  
25 approximately -- and I'm guessing -- \$300,000, maybe



1     **more. I don't know.**

2           Q.     And he based that on a review of my  
3     financial records; is that fair to say?

4           **A.     Yes.**

5           Q.     All right. Do you know me to have any other  
6     skills other than lawyering? Do you know if I had any  
7     other job other than being a lawyer since you've known  
8     me?

9           **A.     A job or skills? Which one?**

10          Q.     A job, other than being a lawyer.

11          **A.     A law clerk.**

12          Q.     Okay. That's all I've done, right?

13          **A.     Yep. Yes. Sorry.**

14          Q.     So in other words, I never worked as a  
15     financial advisor, right?

16          **A.     Yes. You never worked during school. You**  
17     **never worked when -- after you graduated -- oh, I'm**  
18     **sorry. That's incorrect. I apologize.**

19                    You did work for your brother in California  
20     **as a financial advisor.**

21          Q.     Oh, is that right? And how much did I earn  
22     in that time?

23          **A.     I have no idea.**

24          Q.     Okay. So based on all that, what do you  
25     think I could do if I lost my law license? Do you



1 think that I -- do you legitimately think that I could  
2 earn enough money that I would owe you \$300,000,  
3 according to your own testimony, in arrears? Do you  
4 think I could do that?

5 **A. I don't know.**

6 Q. Okay. But I have no other skills other than  
7 being a lawyer?

8 **A. I just said that you worked for your brother**  
9 **as a manufacturing -- as a I believe financial advisor**  
10 **or something along those lines.**

11 Q. What is my degree in? What is my college  
12 degree? What did I graduate in?

13 **A. Political science.**

14 Q. Okay. And what did I do subsequent to that?

15 **A. What did you do?**

16 Q. Yeah. Did I go onto law school?

17 **A. After you graduated from UNLV, you -- you**  
18 **spent several months prepping for the LSAT, which cost**  
19 **several thousands, and -- and you sent out several**  
20 **applications for schools.**

21 Q. Okay. So fair to say that I obtained a law  
22 degree from the University of California Hastings  
23 College of Law, correct? Yes or no? That's simply a  
24 yes or no question.

25 **A. Yes.**





1 Q. Okay. So I did not receive, for example, a  
2 degree in accounting?

3 A. That's true.

4 Q. I did not receive an MBA, correct?

5 A. That's correct.

6 Q. I didn't get a medical degree, correct?

7 A. That's correct.

8 Q. Okay. I didn't get a degree as a CPA, for  
9 example, correct?

10 A. Correct.

11 Q. So I had no other degree as a professional,  
12 aside from my law degree, correct?

13 A. Correct.

14 Q. Okay. So where do you think I would earn  
15 the kind of money that would, according to your own  
16 testimony, result in me owing you \$300,000?

17 A. Mr. Ghibaudo, if you have a problem in your  
18 profession, don't blame me. I don't know why you are  
19 saying that I am the reason why you have problems in  
20 your profession. It seems like you're alleging that I  
21 am the sole reason why you have problems in your  
22 profession.

23 Q. Well, let's talk about that. So anytime I  
24 have a problem in my profession; for example, recently  
25 there was a grievance filed by Karen Connolly, did you



1 circulate that -- did you publish that on your  
2 Facebook account; yes or no?

3 **A. Yes. I -- I posted it on my Facebook**  
4 **account.**

5 Q. Okay. And did you -- have you obtained  
6 videos of the proceedings in our case; yes or no?

7 **A. In our case?**

8 MR. NELSON: Objection -- objection. Form.

9 Q. (By Mr. Ghibaudo) In the divorce case, did  
10 you obtain videos of proceedings of hearings?

11 **A. Yes.**

12 Q. Okay. Did you disseminate those -- those  
13 videos to third parties?

14 **A. I believe it is a public interest.**

15 Q. That's not the question. Did you  
16 disseminate those; yes or no?

17 **A. I did.**

18 Q. Okay. And how do you think that that helps  
19 me earn an income with -- in my profession?

20 **A. Again, I'm not here to help or hinder you.**

21 Q. But --

22 (Crosstalk.)

23 **A. Wait. Your actions.**

24 Q. -- you depend on me to provide an income to  
25 you, right? You don't work, correct?



1           **A.       Pardon?**

2           Q.       You don't work right now, right?

3           **A.       I do not work right now.**

4           Q.       And when's the last time you worked?

5           **A.       I believe it was in the year 2000, when you**  
6           **repeatedly frequented my establishment where I worked**  
7           **and paid me lots of money.**

8           Q.       So you were a stripper at the Olympic  
9           Gardens, correct?

10          **A.       I was a dancer at the Olympic Gardens, where**  
11          **you paid me a lot of money.**

12          Q.       Okay. And that was the last time you  
13          worked, correct?

14          **A.       Correct.**

15          Q.       And what year was that?

16          **A.       2000.**

17          Q.       Okay. So you depend on the money that I  
18          earn to live; is that correct? Because you're not  
19          working right now.

20          **A.       Mr. Ghibaudo, you have not paid me in over**  
21          **three years.**

22          Q.       Okay. But you're trying to get me to pay  
23          you, because you allege and have alleged in the past  
24          that you depend on me, correct?

25          **A.       I would love for you to pay your**



1     **court-ordered support obligation.**

2             Q.     Okay.

3             A.     **I don't think that it's anybody else's**  
4     **obligation to pay other than you.**

5             Q.     All right. And so you say that you're not  
6     here to help or hinder me, but wouldn't it be helpful  
7     to you that I be able to earn an income; yes or no?

8             A.     **It would be helpful if you paid your**  
9     **court-ordered support.**

10            Q.     That's not the question I asked. Would it  
11     be helpful to you if I could earn an income; yes or  
12     no?

13            A.     **Absolutely, yes.**

14            Q.     Okay. Then why is it --

15            A.     **I hope you earn millions and millions of**  
16     **dollars.**

17            Q.     Okay. Then why is it that you are  
18     continuously disseminating videos of proceedings where  
19     it is alleged that I'm not paying you child support or  
20     where it is alleged that I'm not paying you alimony?  
21     How does that help me -- just explain, in great  
22     detail, how does that help me get clients to make  
23     money to pay you? Explain that.

24                   MR. NELSON: Objection. Calls for  
25     speculation.



1 Q. (By Mr. Ghibaudo) Answer the question.

2 A. Again, I am not here to help or hinder you.  
3 If a record -- a video recording of a court proceeding  
4 that had not been altered in any form or fashion and  
5 is of public interest, I don't see anything wrong with  
6 that.

7 Q. That's not -- you're not answering the  
8 question, so I'm going to ask it again.

9 How does it help me get clients and keep  
10 them when you're disseminating videos that are adverse  
11 to me? How does that help me earn income?

12 A. It's a public interest.

13 Q. That's not the question. I'm asking you --  
14 I'm going to ask you again.

15 How much does it help me -- if you're  
16 undermining my ability to get clients, how does it  
17 help me earn an income so I can pay you? Explain  
18 that.

19 A. Like I said, I am not here to help or hinder  
20 you.

21 Q. That is not the question.

22 A. If there is a posting of a video, and I  
23 don't know if it's a posting from me or anybody else.

24 Q. But you already said that you did -- you've  
25 obtained those videos, correct?



1           **A.       What videos? You said those videos.**

2           Q.       Videos of proceedings in this case.

3                   (Crosstalk.)

4           **A.       Pardon?**

5           Q.       The videos of proceedings of our divorce  
6 case. You've obtained them.

7           **A.       I have obtained some videos in the D case.**

8           Q.       Okay. And in that D case, is that D case  
9 sealed?

10          **A.       Not the videos.**

11          Q.       You don't recall that order saying that  
12 proceedings are sealed, that those proceedings are not  
13 to be disseminated?

14          **A.       Not videos.**

15          Q.       What do you think proceedings are?

16          **A.       I think that's papers. I think it's**  
17 **pleadings. I think it's anything that says the word**  
18 **"confidential" on it.**

19          Q.       What pleadings say "confidential" on them?

20          **A.       I have no idea. I didn't see any.**

21          Q.       So it's your assertion that the word  
22 "proceedings" does not include hearings?

23                   MR. NELSON: Objection. Calls for a legal  
24 conclusion.

25                   MR. GHIBAUDO: It calls for her to explain



1 what the definition of "proceedings" is. It's not a  
2 legal --

3 **A. I don't know what the definition of**  
4 **proceedings are. What I do know is that videos are**  
5 **not included in a sealed case.**

6 Q. (By Mr. Ghibaudo) Okay. Who told you that?

7 **A. I read the statute.**

8 Q. What statute is that?

9 **A. Well, I wasn't allowed to bring any**  
10 **paperwork, and I don't have it memorized. But I can**  
11 **get it to you.**

12 Q. Nobody helped you -- nobody helped you with  
13 the understanding of the statute; in other words, you  
14 never discussed that with your attorney?

15 **A. Yes. That's client-attorney privilege.**

16 Q. That's not the question. I'm asking the  
17 question: Did anybody assist you in interpreting that  
18 statute?

19 MR. NELSON: Objection. I'm going to incite  
20 attorney-client privilege. I'm going to instruct  
21 Ms. Kellogg not to answer that question.

22 MR. GHIBAUDO: That's not attorney-client --  
23 I'm not asking her to divulge any work product or  
24 anything that has to do with advice or anything else.  
25 I'm asking her a simple question, if she talked to



1 somebody, including her attorneys, about that statute.

2 I'm not asking for the content of what that  
3 discussion was. So it's not covered by the  
4 attorney-client privilege.

5 Q. (By Mr. Ghibaudo) Answer the question,  
6 Ms. Kellogg.

7 A. I may have asked about terminology of words  
8 that I didn't understand, if I can recall correctly.  
9 I'm not sure.

10 Q. And who did you ask?

11 A. Well, I asked my friend in Minnesota, who is  
12 a district court judge. I've asked my -- I asked my  
13 dad. I believe I may have asked Chris Reed, my  
14 previous attorney. You know, anything that -- if I  
15 didn't understand something and I looked it up and I  
16 still didn't understand it, I would seek  
17 understanding.

18 Q. Did you ask Steve Sanson?

19 A. No.

20 Q. Do you know who Steve Sanson is?

21 A. He runs a group -- he's the president of a  
22 group called Veterans in Politics.

23 Q. Okay. Let me back up just a second.

24 You indicated that you asked a judge in  
25 Minnesota. What's that judge's name?





1           **A.       Tony Atwal.**

2           Q.       Okay.  What is his name?

3           **A.       Tony Atwal.**

4           Q.       Tony what?

5           **A.       Atwal.**

6           Q.       And you're saying that he's a judge?

7           **A.       Yes.**

8           Q.       Wasn't he suspended for alcohol abuse?

9           **A.       No.**

10          Q.       Is he -- is he licensed to practice in  
11 Nevada?

12          **A.       No.  He's my friend.**

13          Q.       Okay.  But you're telling me that an  
14 attorney from Minnesota is assisting you and/or giving  
15 you legal advice about a Nevada statute.  Is that what  
16 you're asserting?

17          **A.       No, I'm not.**

18          Q.       So you lied just now?

19          **A.       I said that if I didn't understand a word,**  
20 **sometimes I would seek a friend or whomever is**  
21 **available for the definition.**

22          Q.       Okay.  How did you meet Steve Sanson?

23          **A.       I believe -- I met him after you were**  
24 **publicly reprimanded for sharing fees with**  
25 **non-attorneys.**



1 Q. Steve Sanson, in other words, right? That's  
2 what Steve Sanson alleged, correct?

3 A. No. That's what the bar complaint said.

4 Q. Well, the allegation was from Steve Sanson.  
5 Are you saying that you -- so what you're saying --  
6 let me back up here.

7 You read the reprimand, correct?

8 A. Correct.

9 Q. And the reprimand stated that I shared fees  
10 with Steve Sanson, correct?

11 A. I believe it said that you shared fees  
12 with -- if I can recall correctly, I believe that you  
13 have a public reprimand for either attempting and/or  
14 sharing fees with non-attorneys.

15 Q. Okay. And so did you reach out to Steve  
16 Sanson, or did he reach out to you?

17 A. I don't know.

18 Q. You don't know?

19 A. No.

20 Q. How did you guys -- how did you guys contact  
21 each other in the first instance? By telephone, by  
22 email, in person? How was that done?

23 A. I -- I cannot say 100 percent. Maybe it was  
24 by Facebook. I don't know.

25 Q. Okay. And you disseminated that -- that



1 letter of reprimand on your Facebook page, correct?

2 **A. I don't know.**

3 Q. But you said you obtained it, right?

4 **A. I didn't obtain it. I read it.**

5 Q. Okay. So Steve Sanson -- is it fair to say  
6 that you follow Steve Sanson's Facebook page, correct?

7 **A. I don't follow his Facebook page. His posts**  
8 **come on my Facebook feed.**

9 Q. Okay. And do you share those posts from  
10 time to time?

11 **A. I don't recall the last time that I shared**  
12 **anything.**

13 Q. You don't -- okay. That's not the question.  
14 Have you ever --

15 **A. Have I ever?**

16 Q. Yes.

17 **A. Have I ever shared -- have I ever put a post**  
18 **that Steve put on his page on my page? I don't**  
19 **understand the question.**

20 Q. Yes. Did you share it on your page?

21 In other words, what he posts on his page,  
22 did they ever appear on your Facebook page; yes or no?

23 **A. I don't know if that's how it went. I**  
24 **don't -- I don't believe that I posted on my Facebook**  
25 **page anything that he has shared on his Facebook page.**



1     **I don't recall.**

2           Q.     How often are you -- do you get on Facebook?  
3     How often do you look in or log into your Facebook  
4     account?

5           **A.     It varies.**

6           Q.     Okay. By week, week to week, how often do  
7     you think you log into it?

8           **A.     Sometimes twice or three times a week,**  
9     **sometimes zero. Sometimes -- it depends if I have**  
10    **time, if -- it varies.**

11          Q.     How often do you speak to Steve Sanson, week  
12    to week on average?

13                   (Crosstalk.)

14          Q.     Say, in a month, in a 30-day period, how  
15    often do you -- do you speak to Steve Sanson?

16          **A.     I'm sorry. Can you repeat that?**

17          Q.     How often in the last year -- let's say from  
18    the time that I was publicly reprimanded on or about  
19    October of 2020 to now, how often do you think you  
20    spoke to Steve Sanson?

21          **A.     So in the past two years, you want me to**  
22    **estimate how many times I spoke to Steve Sanson by**  
23    **what? By email, by --**

24          Q.     By any means. By any means, how often?  
25    Approximate it.



1           **A.       Five.**

2           Q.       Have you ever met with him in person?

3           **A.       Yes.**

4           Q.       Okay. And what did you guys discuss the  
5 time that you met in person?

6           **A.       The vaccine shot.**

7           Q.       You didn't discuss me?

8                   MR. NELSON: Objection. Asked and answered.

9           **A.       I don't -- you may have come up in**  
10 **conversation. I don't know what it was about --**

11          Q.       (By Mr. Ghibaudo) Okay.

12          **A.       -- if you did.**

13          Q.       You say that you've been on Mr. Sanson's  
14 Facebook page, right? You've reviewed it, correct?

15          **A.       No. I never go on his Facebook page. If**  
16 **there is a feed that comes along on -- on my Facebook**  
17 **and it's of interest, I'll read it. But, no, I never**  
18 **directly go to his Facebook page.**

19          Q.       When Mr. Sanson's comments come on your feed  
20 and they concern me, are they positive, ever?

21          **A.       I don't know. I don't know, because**  
22 **you're -- you're assuming that I'm on Facebook 24/7**  
23 **and that I see stuff that I may or may not see.**

24          Q.       Well, let's back up. You testified --  
25 again, just to clarify -- that you have obtained



1 videos of our hearings, correct?

2 **A. Yes.**

3 Q. And you have disseminated those videos to  
4 Steve Sanson, correct?

5 **A. Yes. I've already said that.**

6 Q. Okay. And what is the purpose of that?

7 **A. Public interest.**

8 Q. Okay. And how does that help you in trying  
9 to collect money from me?

10 **A. Like I said, Mr. Ghibaudo, I'm not here to**  
11 **help or hinder you. I just believe it is of public**  
12 **interest, because -- he has a group called Veterans in**  
13 **Politics. He's the one that -- that used to, before**  
14 **the pandemic, would go into courts and make, you**  
15 **know -- you know, share with the public what happens**  
16 **in courts, what happens with specific judges. There's**  
17 **a number of things that his work does.**

18 Q. Okay. And would it be fair to say that all  
19 of the videos that he posts, either on YouTube --  
20 wait. Let me back up.

21 Have you seen the videos that he posts on  
22 YouTube concerning me?

23 **A. Have I seen them?**

24 Q. Are you aware that he posts videos about me  
25 on Facebook? Or on -- I'm sorry -- on YouTube.



1           **A.       Yes, yes.**

2           Q.       On YouTube?

3           **A.       Yes, yes.**

4           Q.       Okay. Have you ever seen any of those  
5 videos?

6           **A.       Yes. I was actually in the videos.**

7           Q.       Okay. And what are those videos --

8           **A.       They're not all about you. It's also about**  
9 **me and the whole court proceedings and the judge and**  
10 **everything else.**

11          Q.       Is it fair to say that when he posts those  
12 videos, the title always begins with, Disgraced  
13 Attorney, Alex Ghibaudo?

14          **A.       I have no idea.**

15          Q.       You have just testified that you've seen the  
16 videos.

17          **A.       Okay. I don't know what it says.**

18          Q.       Now, you're saying you have no idea what  
19 they say?

20          **A.       No.**

21          Q.       So you've not ever read the title of the  
22 videos that he posts? Is that your assertion?

23          **A.       Okay. You said every single time they've**  
24 **said -- what did you say?**

25          Q.       Okay. Let me rephrase it. Has he ever, to



1 your knowledge, posted a video that you disseminated  
2 to him that starts with the title, Disgraced Attorney,  
3 Alex Ghibaudo?

4 A. I don't know if it's a video that I showed  
5 Mr. Sanson that says "deplorable."

6 Q. Disgraced.

7 A. Disgraced. Sorry.

8 Q. But you're the one that provides him those  
9 videos, correct?

10 A. No. It's not -- no. You are asserting that  
11 I have provided Mr. Sanson with dozens of videos, and  
12 that's just not true.

13 Q. Okay. So how many have you disseminated to  
14 him?

15 A. Not many. And it's not that I disseminated.  
16 I showed him. I showed him a video that I felt was a  
17 public interest. And he has a group called Veterans  
18 in Politics. He's the president of it.

19 Q. If the case is sealed, and you're saying  
20 that you obtained those videos, but all you've done is  
21 show it to him, how is it that he has the link to  
22 them? How is it that he's posting it? Can you  
23 explain that?

24 MR. NELSON: Objection. Calls for --

25 Q. (By Mr. Ghibaudo) Because he doesn't have





1 access to that.

2 MR. NELSON: Objection. Calls for  
3 speculation.

4 MR. GHIBAUDO: It doesn't. Your client  
5 already testified -- if you want the court reporter to  
6 read it back -- that she obtained those videos and  
7 actually disseminated them, and now she's saying that  
8 she just showed it to him.

9 Q. (By Mr. Ghibaudo) Which one is it? Did you  
10 disseminate it to him --

11 A. Isn't "disseminated" and "showed" the same  
12 thing?

13 Q. -- or did you show it to him?

14 THE REPORTER: I'm sorry. I didn't get that  
15 answer. You're speaking at the same time.

16 A. Isn't "disseminated" and "showed" the same  
17 thing?

18 Q. (By Mr. Ghibaudo) No. How many credits do  
19 you have in college?

20 A. I don't know.

21 Q. You don't know. Did you testify at the time  
22 of trial that you were nine credits short of  
23 graduation?

24 A. No, I didn't.

25 Q. You did not?



1           **A.       No.**

2           Q.       Okay. You understand that that testimony is  
3 a written transcript?

4           **A.       I think you should really look at it.**

5           Q.       Yeah, okay. Let me ask you: How close are  
6 you to graduating from UNLV? How many credits are  
7 you -- are you --

8           **A.       As I said at the trial, I have seven classes**  
9 **remaining, not seven credits.**

10          Q.       Okay.

11          **A.       I said "classes."**

12          Q.       Okay. That's -- that's about a half a  
13 semester, correct?

14          **A.       No, it's not.**

15          Q.       How many semesters would that be, seven  
16 classes?

17          **A.       Probably three.**

18          Q.       So you have a substantial amount of  
19 education, correct?

20          **A.       No.**

21          Q.       You don't. You have a -- you have an  
22 associate's degree, correct?

23          **A.       Yes. I don't include that as substantial**  
24 **education.**

25          Q.       And then how many years did you go to UNLV



1 after you got that associate's degree?

2           **A.       I went as long as I could go until you**  
3 **stopped paying me the court-ordered support money so**  
4 **that I could continue my education.**

5           Q.       So you're asserting --

6           MR. GHIBAUDO: I can't -- by the way, I  
7 can't see her anymore.

8           MR. NELSON: I don't know what happened to  
9 the --

10          MR. GHIBAUDO: We lost the video.

11          THE REPORTER: Could we possibly take a  
12 break for ten minutes or so?

13          MR. GHIBAUDO: Yeah, that's fine. We can do  
14 that.

15          THE VIDEOGRAPHER: We're now going off the  
16 record. The time is approximately 10:30 a.m.

17          (Recess from 10:30 a.m. to 11:22 a.m. )

18          THE VIDEOGRAPHER: We are now back on the  
19 record. The time is approximately 11:22 a.m.

20          Q.       (By Mr. Ghibaudo) All right. Just to your  
21 left, Ms. Kellogg, is a -- are two documents. One is  
22 a complaint for damages for defamation, and the other  
23 is your answer and counterclaim.

24                 On the complaint, can you please turn to  
25 Page 8?



1 MR. NELSON: Mr. Ghibaudo, I just want to  
2 make on the record, two things.

3 First, to reiterate, we have a standing  
4 objection to relevance on all of your questions, and I  
5 just want to make sure we're still on that same page.

6 I also want to state for the record that  
7 your associate, Chancy Cramer, asked Ms. Kellogg's  
8 company security to leave the office, even though  
9 there's no issue at hand. He did comply.

10 That's what I wanted to put on the record.

11 MR. GHIBAUDO: All right. And I'll put on  
12 the record that yesterday, when we had our hearing  
13 with the discovery commissioner, it was the  
14 understanding that it would be you and Ms. Kellogg and  
15 nobody else showing up. And Ms. Kellogg showed up  
16 with her boyfriend and security detail, and I had no  
17 idea that that was going to happen.

18 As a courtesy, I let her boyfriend show up,  
19 but I had no idea that there was a security in my  
20 office that was once a cop. And I object to that. So  
21 that's why I threw them out of my office.

22 MR. NELSON: Fair enough. Are you in  
23 agreement that my objection -- my outstanding  
24 objection to relevance is still standing?

25 MR. GHIBAUDO: That's fine. That's fine. I



1     assume you're objecting to everything I'm asking, and  
2     that's fine.

3           Q.     (By Mr. Ghibaudo) All right. So look at  
4     the complaint. Turn to Page 8. Are you there?

5           A.     Yes.

6           Q.     Look at Paragraph 31.

7           A.     Yes.

8           Q.     Can you read -- can you -- first, go ahead  
9     and read that out loud.

10          A.     The post?

11          Q.     Yeah.

12          A.     Okay. "This is what typically happens to an  
13     average run-of-the-mill criminal who tries desperately  
14     to mask his morally bankrupt behavior behind a  
15     fraudulent law degree and law license, which I paid  
16     for, no less. Always remember what a wise man once  
17     told me, Karma has no expiration date. This adage  
18     holds especially true when you dedicate your life to  
19     pure evil and are devoid of the basic common sense  
20     that God bestowed on a garden variety head of lettuce.  
21     You see, with the lack of moral compass in life, you  
22     ultimately lose everything you thought you once had,  
23     especially when it comes to perceived honor, dignity,  
24     integrity, loyalty, and once upon a time an actual  
25     family, rather than a cesspit of fellow junkies. In



1 conclusion, the lesson, everyone reading this post, do  
2 not lose track of core value."

3 Q. And did you write that post?

4 A. I don't know.

5 Q. Okay. Turn to the answer to the first  
6 amended complaint that you filed. That's the other  
7 document.

8 A. What page?

9 Q. Page 3.

10 A. Okay.

11 Q. Look at Number 31 and read that, please.

12 A. "As to Paragraph 31, Defendant admits such  
13 allegation."

14 Q. So did you post that or not?

15 A. I guess so. I don't know.

16 Q. You don't know now? You answered that in  
17 the affirmative, and you're saying you don't know at  
18 this point?

19 A. I don't know. I don't see -- it would be  
20 nice to see the Facebook post.

21 Q. Okay. Well, let's see if it's -- well, you  
22 admitted it. Can you agree that you admitted it?

23 You're looking at the answer, your answer  
24 and counterclaim. And referring to Paragraph 31, you  
25 admit that you posted that. Is that true and correct?



1           **A.       Well, this is what it says, but like I said,**  
2           **it would be nice to see the Facebook post.**

3           Q.       Okay. Again, you're not answering the  
4           question.

5                   Did you post that on your public Facebook  
6           page; yes or no?

7           **A.       I don't know. But if I said that I did,**  
8           **then I guess I did.**

9           Q.       Okay. Do you think that that helps or  
10          hinders my ability to practice law?

11                  MR. NELSON: Objection. Calls for  
12          speculation.

13          **A.       Like I have previously said, I'm not here to**  
14          **help or hinder you at all regarding your business**  
15          **practices. This was a direct response to what you did**  
16          **yourself, which was develop a third or fourth Facebook**  
17          **page disparaging me, my likeness, photos of me**  
18          **distorted, and posts that are blatantly lie -- blatant**  
19          **lies.**

20          Q.       (By Mr. Ghibaudo) So what evidence do you  
21          have that I made those posts?

22          **A.       You admitted it in an email.**

23          Q.       What -- do you have that email? Did you  
24          ever produce that?

25          **A.       No. I'm not allowed to bring anything in**



1     **with me.**

2           Q.     Did you produce that prior to coming here?

3           A.     **I believe so.**

4           Q.     You had an ability to produce that email in  
5     this litigation?

6           A.     **Yes, I believe so.**

7           Q.     You're aware that I'm making -- my defense  
8     is that you're coming into court with unclean hands,  
9     and you're acting in bad faith. Did you disclose that  
10    email?

11          A.     **I believe so.**

12                 MR. GHIBAUDO: Okay. For the record,  
13    Mr. Nelson, you'll agree that you've made no  
14    disclosures to date?

15                 MR. NELSON: I'm not the one being deposed,  
16    so you can make that reference in court. That's the  
17    appropriate venue for that.

18                 MR. GHIBAUDO: Okay.

19           Q.     (By Mr. Ghibaudo) Does that -- in your  
20    opinion, do you think that demonstrates malice towards  
21    me or at least anger?

22          A.     **I don't know what it demonstrates towards**  
23    **you.**

24           Q.     But you wrote the post. So I'm asking you  
25    directly, what does it demonstrate? Anger, malice, or





1 goodwill? Which of the three?

2 **A. No. It's not which of the three. It's a**  
3 **direct response to what you did, and I'm not going to**  
4 **be bullied anymore by you and your tactics to**  
5 **disparage and degrade me repeatedly --**

6 Q. You're not answering the question, so I'll  
7 ask it again.

8 **A. -- that you've been doing since 2017.**

9 Q. I'm going to ask you again. You're not  
10 answering the question.

11 Does this post demonstrate goodwill towards  
12 me; yes or no?

13 **A. I don't know.**

14 Q. It's a yes-or-no question.

15 **A. I don't know.**

16 Q. You wrote it. How can you say you don't  
17 know?

18 **A. Because I don't know.**

19 Q. I'm asking you a direct question, and you  
20 are skirting the question. You need to answer it.

21 **A. I don't know.**

22 Q. Does it demonstrate goodwill; yes or no?

23 **A. I don't know.**

24 Q. Does it demonstrate bad faith; yes or no?

25 **A. I don't believe so.**



1 Q. You don't?

2 A. No.

3 Q. All right. Let's go through it.

4 Do you think that saying that I am masking  
5 my morally bankrupt behavior is a statement that shows  
6 goodwill?

7 A. I think it's a direct response to --

8 Q. You're not answering the question.

9 A. -- what you posted.

10 Q. It's a yes-or-no question, ma'am.

11 A. I think it's a direct --

12 Q. Does that statement demonstrate goodwill;  
13 yes or no?

14 A. I think it's a direct response to what  
15 you -- you developed a whole page on Facebook, and I'm  
16 going to defend myself.

17 Q. Okay. And in your defense, did you make a  
18 statement that was made in good faith that was -- that  
19 demonstrates that I'm a good person, that demonstrates  
20 that I'm somebody to be trusted? Does that -- was  
21 that what that post shows; yes or no?

22 A. I don't -- you want me to -- to say that  
23 you're a good person? No, I don't think you're a good  
24 person.

25 Q. I want to know what your purpose of writing



1 that is. So you don't --

2 **A. No, I don't believe that you're a good**  
3 **person.**

4 Q. Okay. So the posts that you're making are  
5 to disparage me, correct?

6 **A. No. I'm stating --**

7 Q. So -- but I'm not a good person?

8 **A. You're saying that I'm saying that -- that**  
9 **you're not a good person, and that's what you just**  
10 **said. No, I don't believe that you are a good person.**

11 Q. So then it could be fair to say that this  
12 post was made maliciously?

13 **A. No.**

14 Q. No? But I'm not a good person, and you  
15 posted that I'm morally bankrupt?

16 **A. You just asked me, and I answered.**

17 Q. Okay. What does it mean to be morally  
18 bankrupt?

19 **A. Morally bankrupt. You have nothing moral in**  
20 **your -- in your being, in your soul, in your -- you've**  
21 **lost everything.**

22 Q. Okay.

23 **A. You've lost everything that has meaning,**  
24 **including your daughter.**

25 Q. Is that -- is that a malicious statement, in



1 your opinion?

2 **A. I don't believe so. I believe it's the**  
3 **truth.**

4 Q. Oh, okay. That's not an opinion. You're  
5 making a statement of fact. Is that what you're  
6 saying?

7 **A. Yes.**

8 Q. Okay. And you're saying I have a fraudulent  
9 law degree and law license. So you're calling me a  
10 fraud, and you're saying -- is it fair to say that  
11 that is statement of fact that you're making?

12 **A. You're using the word "fraudulent" in a**  
13 **completely and utter different way than what is**  
14 **clearly written here.**

15 Q. I'm reading what's written here, and I'll  
16 read it to you again. "Morally bankrupt behavior  
17 behind a fraudulent law degree and law license."

18 You don't think that that is implying that  
19 I'm a fraud and that I'm not a lawyer? Is that what  
20 you're asserting here?

21 **A. Yes.**

22 Q. You don't think that's -- so the plain  
23 meaning of that sentence and that statement, you don't  
24 think that it means that I'm a fraud?

25 **A. I believe that fraudulent means deceptive.**



1 Q. Okay. And that's -- and you assert that  
2 that's statement of fact. I'm deceptive.

3 A. That's my belief.

4 Q. Okay. And what do you mean by "Karma has no  
5 expiration date"?

6 A. It means what comes around, goes around,  
7 whatever -- you know, bad ill-will that you intend to  
8 put out on me will come back to you.

9 Q. And you -- so you're asserting that you're  
10 the agent of that -- of that vengeance. You're the  
11 one that's going to bring the karma. Is that what  
12 you're saying?

13 MR. NELSON: Objection. Foundation.

14 MR. GHIBAUDO: This is not trial,  
15 Mr. Nelson. Let's -- let's go ahead and stipulate  
16 that you're going to object to foundation as well  
17 constantly.

18 MR. NELSON: I'm not -- I have not been  
19 objecting constantly, but when there's no foundation  
20 and you're jumping into an accusatory question, then I  
21 can. I think it's pertinent on you to establish a  
22 foundation.

23 MR. GHIBAUDO: I'm reading a post that your  
24 client just admitted she wrote. What more foundation  
25 do you need?



1 MR. NELSON: She can ask [sic] the question  
2 if she understands it, and I raised my objection.

3 Q. (By Mr. Ghibaudo) Okay. Who is going to be  
4 the agent of my demise? You?

5 You just said that you're not going to be  
6 bullied, and you're going to fire back, correct? Is  
7 that a true statement?

8 A. No. I'm not going to allow you to bully me  
9 and to -- to disparage my character any longer. And  
10 if I have to write on my Facebook page in -- to -- in  
11 regarding your Heckle Lacoa (phonetic) page that was  
12 about me, regarding your James Jones page that was  
13 about me to disparage me, and your Tara Rae Kellogg  
14 page to disparage me, I'm going -- I'm not going to be  
15 bullied anymore. That's what I'm saying.

16 Q. You're going to respond in kind is what  
17 you're saying, right?

18 A. What?

19 MR. NELSON: Objection. Argumentive.

20 MR. GHIBAUDO: No, that's a question. She's  
21 saying she's not going to be bullied.

22 Look, I'm not going to argue with you.  
23 Let's just -- again, make an objection. Your client  
24 needs to answer. She can't always say I don't  
25 remember, I don't recall. She needs to answer the



1 questions directly. At this time --

2 MR. NELSON: If she doesn't --

3 MR. GHIBAUDO: We are wasting time. She's  
4 being evasive. And if we've got to go back to the  
5 discovery commissioner to deal with this, that is what  
6 we're going to do.

7 MR. NELSON: Okay.

8 MR. GHIBAUDO: She's got to answer the  
9 question directly. It can't be the case that she  
10 remembers nothing or she understands nothing, okay?  
11 So answer --

12 THE DEPONENT: I'm not going to allow you to  
13 put words in my mouth.

14 Q. (By Mr. Ghibaudo) These are your words,  
15 ma'am. You admitted --

16 **A. No. You're trying to put words in my mouth.**

17 Q. Okay. Let's -- let's read it again.

18 "Always remember what a wise man once told  
19 me, karma has no expiration date."

20 **A. Yes.**

21 Q. What does that mean?

22 **A. What comes around, goes around.**

23 Q. Okay. And who's going to -- how's it going  
24 to go around?

25 **A. It's a saying. It's something that people**



1 say. Karma means that the -- the wind, the -- how  
2 things happen to people that -- that tend to cause  
3 harm, intentional harm with malice, with deep-seeded  
4 evil and -- and anger and anguish.

5 Q. Okay. So let's move onto the next --

6 A. And vengeance.

7 Q. Let's move onto the next sentence.

8 "This adage holds especially true when you  
9 dedicate your life to pure evil and" -- all right.  
10 Let's start with that.

11 You dedicate yourself to pure evil. Is that  
12 in your -- is a statement of fact that I'm pure evil?

13 MR. NELSON: Objection. Calls for a legal  
14 conclusion.

15 MR. GHIBAUDO: That's not a legal  
16 conclusion. I'm asking her if that's a fact, if she  
17 believes that that's a fact, whether I'm evil or not.

18 MR. NELSON: Whether she believes that's a  
19 fact or that's not a fact is a big difference.

20 MR. GHIBAUDO: There's no big difference.

21 Q. (By Mr. Ghibaudo) Listen, answer the  
22 question, Ms. Kellogg. Do you believe that I am pure  
23 evil; yes or no?

24 A. I don't know what you are, Alex, anymore. I  
25 don't know. I don't know.





1 Q. Okay. Well, why did you write that then, if  
2 you don't know?

3 A. Because it doesn't say, you, Mr. Ghibaudo,  
4 or Alex. It says in general.

5 Q. So you're asserting that this post is not  
6 about me? You just said that it was.

7 A. It also says that, "The adage holds  
8 especially true when you dedicate your life to pure  
9 evil and are devoid of basic common sense that God  
10 bestowed upon a garden variety head of lettuce."

11 Q. Okay. So I'm asking you directly, is it  
12 your -- is it a statement of fact that I am pure evil;  
13 yes or no?

14 A. It's a general post. I don't know how to  
15 answer that.

16 Q. I'm asking you -- I'm giving you a head's up  
17 on how to answer that. It's a yes-or-no question.  
18 Either you don't think I'm evil or you do. So answer  
19 it. Am I evil; yes or no?

20 A. I think that you have a tendency to be  
21 malicious and -- and to intend to cause great harm to  
22 others that don't deserve it.

23 Q. And so that is a statement of fact, correct?

24 A. That's a statement of fact.

25 Q. Okay. Thank you. So then the next line you



1 say that I lack a moral compass in life. Is that a  
2 statement of fact?

3 A. I did not say that. I said, "You see, when  
4 you lack a moral compass in life, you ultimately lose  
5 everything you thought you once had." This is a  
6 general statement. This is me saying general terms  
7 about people in general.

8 Q. But you already testified --

9 A. If you lack a moral compass, you will tend  
10 to lose things in life.

11 Q. Okay. But you already testified that this  
12 post is reference to me, correct?

13 A. I don't know. You haven't shown me the  
14 post.

15 Q. You're looking at it right now, and you  
16 admitted in your answer that you --

17 A. No, I didn't. I said I would assume so.

18 Q. Okay. Let's turn back to your answer.  
19 Let's turn back to your answer. Let's go to Page --  
20 again.

21 A. Wait a minute.

22 Q. Page 3, Paragraph 31. Read that. This is  
23 in your answer, Page 3, Paragraph 31. Do you want me  
24 to read it to you?

25 A. Mr. Ghibaudo, you seem to have all exhibits



1     **except for the one that you are referring to.**

2           Q.     I wrote into the complaint what you stated,  
3     and you admitted that you stated that. Are you now  
4     saying that you did not? Is that --

5           A.     Well, I don't -- I don't know if I did,  
6     because I'm not seeing an exhibit at all.

7           Q.     There's no exhibit --

8           A.     You have plenty of exhibits and not one of  
9     them is the one that you are referencing.

10          Q.     There is no exhibit that I need to attach to  
11     a complaint. I wrote what you said, and you admitted  
12     to saying it; yes or no?

13          A.     How do I know that?

14          Q.     What do you mean how do you know that?

15          A.     How do I know --

16          Q.     And you admitted to that.

17          A.     -- that you wrote word for word in quotes  
18     what I wrote? I don't see it.

19          Q.     You admitted it. It's right here. Let me  
20     read it to you again.

21                 "As an example of one of many, Plaintiff  
22     posted on her Facebook page the following post: 'This  
23     is what typically what happens to an average  
24     run-of-the-mill criminal who tries desperately to mask  
25     his moral bankrupt behavior behind a fraudulent law



1 degree and law license, which I paid for, no less" --  
2 even though you already stated you had never had a  
3 job -- "Always remember what a wise man once told me,  
4 Karma has no expiration date. This adage holds  
5 especially true when you dedicate your life to pure  
6 evil and are devoid of the basic common sense that God  
7 bestowed upon a garden variety head of lettuce. You  
8 see, when you lack a moral compass in life, you will  
9 ultimately lose everything you thought you once had,  
10 especially when it comes to perceived honor, dignity,  
11 integrity, loyalty, and once upon a time, an actual  
12 family, rather than a cesspit of fellow junkies. In  
13 conclusion, the lesson everyone reading this post, do  
14 not lose track of core values.'"

15 Now, I'll go back first to the very first  
16 sentence in Paragraph 31: "As an example, one of  
17 many, Plaintiff posted on her Facebook the following."

18 And then we'll turn to your answer,  
19 Number 31, "As to Paragraph 31, the Defendant admits  
20 such allegation."

21 Now, are you saying now that you did not  
22 post that on Facebook, and the post specifically  
23 states that this was posted on Facebook by you. Are  
24 you saying now that that's not --

25 **A. I don't know. I don't know, because I do**



1     **not see the Facebook post.**

2           Q.     Okay. So you lied in your answer, in other  
3     words?

4           A.     **I'm saying I don't know. I don't recall.**

5           Q.     Then why didn't you say as to this -- as to  
6     this paragraph, "I have not sufficient knowledge"?  
7     Why did you --

8           A.     **It sounds -- it sounds similar when I say**  
9     **karma has no expiration date. But you are quoting --**  
10    **well, you don't even actually have it in quotes.**

11          Q.     I said, "As an example" --

12          A.     **So wait a minute. Is this even -- is this**  
13    **even -- is this a summary?**

14          Q.     You admitted to it. What more do you want  
15    me to say?

16          A.     **Okay.**

17          Q.     So you won't answer. You continue to --  
18                   (Crosstalk.)

19          A.     **So this is a summary of what you said that I**  
20    **posted on my Facebook page.**

21          Q.     And you admitted to it; yes or no?

22          A.     **I don't -- I don't know what I admitted to.**  
23    **I don't know.**

24          Q.     Well, let me look again.  
25                   (Crosstalk.)



1           **A.       I'm didn't recall --**

2           THE REPORTER:   I'm sorry.   I'm sorry.  
3   You're both talking at the same time.

4           THE DEPONENT:   I apologize.

5           Q.       (By Mr. Ghibaudo)   So either you lied in  
6   Paragraph 31 of your answer, or you did not.   If  
7   you're now saying that you don't know if you posted  
8   that, but you admitted it in your answer, isn't it  
9   fair to say that you lied in a --

10          **A.       I'm saying that I don't -- I don't know.**

11          Q.       You filed -- did you file this in the  
12   district court as an answer to my complaint; yes or  
13   no?

14          **A.       I don't know, did I?**

15          Q.       Okay.   Well, let's turn to the first page,  
16   the very first page of your answer in counterclaim.

17          **A.       Um-hum.**

18          Q.       Do you see the top right corner?   What does  
19   that say?   Very top right corner.

20                   Do you want me to read it to you?

21          **A.       What -- okay.**

22          Q.       I'll read it to you.   "Electronically filed,  
23   10/20/2021 at 1:12 p.m."   It's got the clerk of the  
24   court's signature on it.   Do you see that?

25          **A.       Yes.**



1 Q. Okay. So you filed this document, and now  
2 you're saying that the answer in the document is not  
3 correct; is that true?

4 A. I'm saying that my belief was that that was  
5 written on my Facebook page, but now I am thinking  
6 better, because you didn't even quote it, and I don't  
7 see an exhibit, that maybe it was not.

8 Q. So you're now going to amend your answer?  
9 Is that what you're saying?

10 A. I don't know. I don't know if it was -- I  
11 don't know. I would like to see an exhibit. I would  
12 like to see a Facebook post.

13 Q. Okay. Let's move onto the next statement.  
14 Well, let's go back the moral compass one.  
15 Do you believe that I have a moral compass; yes or no?

16 A. No.

17 Q. Okay. So it's a statement of fact in  
18 your -- you're stating as a matter of fact that I have  
19 no moral compass; is that correct?

20 A. Yes.

21 Q. Okay. And you're stating as a matter of  
22 fact that I have no honor, dignity, integrity, or  
23 loyalty. Is that statement of fact; yes or no?

24 A. That is my belief, me. I -- that's what I  
25 think.



1 Q. Okay. So you're making a statement of fact,  
2 right?

3 A. **It's my impression. It's what I think.**

4 Q. Okay. I'm going to ask you again, because  
5 it's either a yes-or-no question, and you're not  
6 answering yes or no.

7 Is it a statement of fact that I have no  
8 honor, no dignity, no integrity, and no loyalty. Is  
9 that a statement of fact?

10 A. **It's my belief.**

11 Q. Yes or no?

12 A. **It's my belief.**

13 Q. You're not answering the question, ma'am.  
14 I'm asking --

15 A. **You're not accepting my answer.**

16 Q. It's a simple yes or no. No?

17 A. **You're not accepting my answer.**

18 Q. This is my deposition. I'm asking you a  
19 question.

20 A. **I'm giving you an answer.**

21 Q. You are not. Because I'm asking you if it's  
22 a yes or no, and you're not saying yes or no.

23 A. **Because it's my belief.**

24 Q. So it's either -- then is it a no?

25 A. **It's my belief.**





1 Q. It's your belief.

2 A. I don't know how else to say it. It's my  
3 belief.

4 Q. So let's move to Paragraph 32. "In another  
5 post made in the same time period, Defendant posted  
6 the following: Hey, everyone, so-called attorney Alex  
7 Ghibaudo is up to juvenile antics again on Facebook.  
8 He's created a few more Facebook accounts; i.e., James  
9 Jones, defaming me, kind of like the orgasms I used to  
10 fake when I was married to this putrid and vile  
11 sub-human. Thanks for the additional criminal  
12 evidence, you soon-to-be-disbarred attorney and  
13 jailbird. Fly high for as long as you can, as it's  
14 short-lived, just like your law license."

15 All right. Let's go through this. Let's  
16 first turn, again, to Page 3, okay? So this is  
17 Paragraph 32 on Page 3. As to Paragraph 32,  
18 "Defendant admits such allegation."

19 So you, in fact, made that post on Facebook,  
20 as Paragraph 32 states in my complaint; true or  
21 correct? True or false?

22 A. I believe so.

23 Q. What -- what do you believe so, that -- that  
24 you did post that?

25 A. I believe so.



1 Q. Okay. So I am a vile -- I'm putrid and a  
2 vile sub-human. Is that a statement of fact?

3 A. This is a direct response from your James  
4 Jones Facebook page that you created yourself,  
5 admitted, not only to Ishi Kunin, but also to my  
6 attorney, Chris Reed, to disparage, degrade, and  
7 everything else that you could possibly do --

8 Q. You're admitting --

9 A. -- against me for absolutely no reason  
10 whatsoever.

11 Q. You are again --

12 A. So this is a direct response.

13 Q. You are again evading the question, because  
14 I'm asking you a yes-or-no question, and you're not  
15 answering it. And we're going to end up in front of  
16 the discovery commissioner to force you --

17 A. That's fine. Don't threaten me.

18 Q. It's not a threat. It's a promise.

19 A. Good.

20 Q. So I'm going to ask you again: Do you think  
21 I'm putrid; yes or no?

22 A. Yes.

23 Q. Okay. Do you think I'm a vile sub-human;  
24 yes or no?

25 A. Yes.



1 Q. Okay. Do you think that I'm a  
2 soon-to-be-disbarred attorney; yes or no?

3 A. The order upon consent said that if you did  
4 not pay your outstanding child support, that you would  
5 be suspended. So that was my belief.

6 Q. Okay.

7 A. That you would be suspended had you not paid  
8 your outstanding child support.

9 Q. Have I been suspended; yes or no?

10 A. You have been suspended.

11 Q. I'm right now suspended from the practice of  
12 law?

13 A. No. You asked me if you had been suspended,  
14 and you have been suspended.

15 Q. Let me clarify. Am I now suspended from the  
16 practice of law; yes or no?

17 A. I am assuming no.

18 Q. Okay. So you lied?

19 A. No, I didn't lie.

20 Q. So I'm not -- am I soon to be suspended or  
21 disbarred, or what's the difference?

22 A. I just answered that. I just answered that.

23 Q. Is there a difference between being  
24 suspended and disbarred?

25 A. It says soon to be, because, as the order



1 upon consent said, that had you not paid your  
2 outstanding child support -- because you don't support  
3 your daughter, never have -- that you would have your  
4 law license suspended within 30 days.

5 Q. And that was when?

6 A. Did that not -- was that not said?

7 Q. That was when? When was that order issued?

8 A. I don't have it in front of me, and I don't  
9 know.

10 Q. Is it fair to say that that order was issued  
11 in 2020?

12 A. I don't know.

13 Q. So, of course, you don't remember anything.  
14 So now was it in August of 2020?

15 A. I don't know.

16 Q. Okay. Well, it was. Is that more than  
17 30 days since then? You don't know that either?

18 A. I don't know what you're asking me. What's  
19 the question?

20 Q. Okay. From August of 2020, you said I'll  
21 have my law license suspended if I don't pay child  
22 support, correct?

23 A. I said that that's what the hearing master  
24 said in the order upon consent.

25 Q. So I am -- you just testified that I am not



1     suspended, correct? I am a practicing attorney; is  
2     that correct?

3           **A. I don't know what the bar has in store for**  
4     **you. I don't know what the supreme court has in store**  
5     **for you. I don't know anything, because you seem --**  
6     **you don't pay your court-ordered support, you don't**  
7     **pay child support, you don't pay medical insurance.**  
8     **You don't pay anything.**

9           Q. How old is Nicole at this point?

10          **A. She's 20 years old. How long has it been**  
11     **since you've spoken to her?**

12          Q. Is she a child? You don't get to ask me  
13     questions. If you wanted to ask me questions, your  
14     attorney could have noticed a deposition, but he  
15     didn't.

16          **A. I know. It's been four years.**

17          Q. Okay. So she's not a child anymore,  
18     correct?

19          **A. She's 20 years old --**

20          Q. She's not a child --

21          **A. -- unless you forgot.**

22          Q. She's not a child then, right?

23                 MR. NELSON: Objection. Calls for a legal  
24     conclusion.

25                 MR. GHIBAUDO: How is it a legal conclusion



1 whether this -- a 20-year-old is a child or not,  
2 Mr. Nelson? How is that?

3 MR. NELSON: Technically, Nicole was born to  
4 Ms. Kellogg. She'll always be a child to her, so  
5 you're asking for a legal conclusion.

6 MR. GHIBAUDO: Oh, okay. I see. So it's  
7 her opinion that this is a child. There's no child  
8 support.

9 Q. (By Mr. Ghibaudo) So let me ask you this:  
10 Does the law state -- or is it your understanding that  
11 I'm ordered -- or that I'm obligated to pay child  
12 support past the age of 18? Is that your  
13 understanding?

14 A. Sometimes it's up to 21.

15 Q. When? What rule? What are you talking  
16 about?

17 MR. NELSON: Objection. Calls for a legal  
18 conclusion.

19 Q. (By Mr. Ghibaudo) Okay. So I'm also going  
20 to be a jailbird. Why am I going to be a jailbird?

21 A. Because people who don't pay their  
22 support -- similarly to the last contempt hearing that  
23 was issued against you in 2018, the judge ordered you  
24 to spend weekends in jail if you did not pay the three  
25 months of unpaid support.



1 Q. And did I spend any weekend in jail as to  
2 that?

3 A. No. You paid.

4 Q. Okay.

5 A. And you have been in jail before.

6 Q. So I'm not a jailbird?

7 A. I don't know.

8 Q. You don't know?

9 A. When was the last time you were in jail? I  
10 don't know.

11 Q. You don't get to ask me questions, ma'am.

12 MR. GHIBAUDO: Mr. Nelson, please instruct  
13 your client to answer questions, rather than ask me  
14 questions. Please do that now.

15 MR. NELSON: Ms. Kellogg, you can answer yes  
16 or no. You don't need to provide a narrative, and  
17 that will help expedite this situation --

18 THE DEPONENT: Thank you.

19 MR. NELSON: -- this deposition.

20 THE DEPONENT: Okay.

21 Q. (By Mr. Ghibaudo) Okay. Go to the next  
22 statement.

23 MR. NELSON: Pardon me, Mr. Ghibaudo. I  
24 just want to clarify.

25 To the point that there needs to be



1 something clarified, at the end of this deposition, I  
2 will have a chance, if we so deem it necessary, to ask  
3 additional questions.

4 But I think tempers are getting flared. Yes  
5 or no. If you truly don't know the answer, I don't  
6 know --

7 THE DEPONENT: I try.

8 MR. NELSON: Mr. Ghibaudo is right. If  
9 there's an issue, he can take it to the discovery  
10 commissioner.

11 THE DEPONENT: Thank you.

12 MR. NELSON: But just yes or no.

13 THE DEPONENT: Okay. Thank you.

14 MR. NELSON: Is that sufficient,  
15 Mr. Ghibaudo?

16 MR. GHIBAUDO: Yeah. No, I agree. When  
17 we're done with this deposition, you get to attempt to  
18 rehabilitate your client. She needs to understand  
19 that so that she doesn't continue to argue with me.

20 Q. (By Mr. Ghibaudo) So let's move onto the  
21 next sentence. "Fly high for as long as you can."  
22 What do you mean by that?

23 Are you again referencing your belief that  
24 I'm a drug addict?

25 **A. Where are you at? What page?**





1 Q. Last sentence, Page 8, same post that we've  
2 been talking about for the last ten minutes.  
3 Paragraph 32.

4 A. Okay. Paragraph 32. Okay. So fly high --  
5 no. I believe, if I could recall correctly, that  
6 the -- live the high life as long as you can, because  
7 you don't abide by any laws.

8 Q. And just to clarify, what does it mean to  
9 live the high life to you? Does that mean doing  
10 drugs?

11 A. No. It means you purchase new cars, you  
12 vacation. You spend money anywhere and everywhere  
13 other than where your obligations are.

14 Q. Okay. So let's move onto Paragraph 33. And  
15 again, I'll reference back to Page 3 of your answer,  
16 "As to Paragraph 33, Defendant admits such  
17 allegation."

18 The allegation is that in a comment on  
19 Facebook in the same time period, Defendant posted the  
20 following. So let's agree that you admitted that you  
21 posted the following post, and I'm going to read it to  
22 you.

23 "Hey, James Jones, aka Alex Ghibaudo, the  
24 sociopath who still refuses doctor-recommended  
25 clinical therapy, maybe you should accurately set the



1 record straight for both of your Facebook friends. I  
2 put your ass out on the street, because you're a  
3 piss-poor excuse for a father in addition to being a  
4 liar, cheat, thief, and junkie."

5 So can we admit that you posted that on  
6 Facebook?

7 **A. I believe so.**

8 Q. And you posted that to third parties,  
9 correct?

10 **A. I put it on Facebook.**

11 Q. Publicly, correct?

12 **A. I don't know if it was publicly.**

13 Q. You don't know if it was public. Are your  
14 posts private? Are they hidden?

15 **A. Sometimes.**

16 Q. Okay. Are they -- are they only seen by  
17 you, or are they seen by your friends?

18 **A. Sometimes.**

19 Q. Sometimes what? They're seen by you or your  
20 friends?

21 **A. Yeah.**

22 Q. So you just post them for your own benefit  
23 is what you're saying, and nobody else sees them?

24 **A. Sometimes.**

25 Q. Okay. Let me -- let me -- let me be very



1 specific. Is it fair to say that all the time at  
2 least one person sees that post?

3 **A. I don't know how many people saw this post.**

4 Q. Is it at least one?

5 **A. I don't know. How am I supposed to know**  
6 **what other people read or see?**

7 Q. But I'm not asking what other people read or  
8 see. I'm asking whether or not you post this in a way  
9 that it goes on your feed and that feed then is  
10 potentially read by your friends that are your  
11 Facebook friends; yes or no?

12 **A. If it's public, if it's to my friends, then**  
13 **I would assume so.**

14 Q. Okay. And you -- is it fair to say that you  
15 usually make these posts so your friends -- at least  
16 your friends can see them, correct?

17 **A. Make what posts? You're using plural.**

18 Q. These comments that you make on Facebook  
19 that you admitted to making.

20 **A. Yeah. This is in direct response to, again,**  
21 **the James Jones Facebook --**

22 Q. Not the question I asked you.

23 **A. -- page that you posted --**

24 Q. Answer the question, ma'am.

25 **A. -- that you developed to disparage and**



1     **degrade and everything else that you constantly do on**  
2     **a weekly basis.**

3           Q.     Let me ask you this:  If I posted -- if I,  
4     word for word, made this statement on a complaint, and  
5     you answered in the affirmative that you posted it,  
6     and I saw it, is it fair to say that it was made  
7     public or at least to a third party; yes or no?

8           MR. NELSON:  Objection.  Calls for a legal  
9     conclusion.

10          MR. GHIBAUDO:  It's not a legal conclusion,  
11     Mr. Nelson.  It's a straight -- straight-up question  
12     concerning whether or not a third party potentially  
13     could have seen this or actually has.

14          Q.     (By Mr. Ghibaudo)  And the fact is that if I  
15     saw it, it would stand to reason that other people saw  
16     it.  Is that fair to say, Ms. Kellogg?

17          **A.     I don't know.**

18          Q.     Okay.  Another I don't know.  All right.  
19                 So let's actually go into what --

20          MR. NELSON:  Mr. Ghibaudo, just real  
21     quickly.  I want this -- we want this to run  
22     efficiently.  We don't want to have issues with the  
23     discovery commissioner.  Can I have five minutes to --  
24     can we go off record for five minutes so I can speak  
25     to Ms. Kellogg?  Because I certainly understand your



1 frustration at the non-answers, and I just want to  
2 encourage my client, if we can go off record for five  
3 minutes.

4 MR. GHIBAUDO: Totally appreciate that. Why  
5 don't we take 15 minutes? You can have a discussion,  
6 a good discussion with her, okay?

7 MR. NELSON: Thank you.

8 MR. GHIBAUDO: All right. Thanks.

9 THE VIDEOGRAPHER: We're going off the  
10 record. The time is approximately 11:59 p.m. -- a.m.

11 (Recess from 11:59 a.m. to 12:27 p.m.)

12 THE VIDEOGRAPHER: We're now back on the  
13 record. The time is approximately 12:27 p.m.

14 MR. GHIBAUDO: Okay.

15 MR. NELSON: Mr. Ghibaudo, I just wanted the  
16 record to reflect, we agreed to a 20-minute break.  
17 And during that break, I spoke to Ms. Kellogg, and I  
18 explained to her that a lot of the questions you've  
19 been asking require a yes-or-no question [sic], and  
20 that she needs to answer those without the narrative.

21 She, I believe, understands that. And if  
22 she truly, truly doesn't know, she can respond to  
23 that, but that you're just looking to create a record,  
24 and to the best of her ability, she needs to answer  
25 those questions. And, obviously, if the question



1 calls for an answer beyond a yes or no to try to  
2 answer it fully and without any further argument, and,  
3 again, reminding her I can rehabilitate any issues  
4 that may be brought up.

5 MR. GHIBAUDO: All right. Thank you. And  
6 I'll just add to that that questions that would  
7 require a narrative would be something like why, how,  
8 things of that nature. If I'm asking a yes-or-no  
9 question, it's yes or no, and that's that.

10 So do you agree with that, Mr. Nelson?

11 MR. NELSON: I do. And I think if it's a  
12 narrative -- why, how, those like you mentioned, I  
13 advised her just to answer, and any -- you know, put  
14 aside any argument. Obviously, tensions are high, but  
15 I hope we can go as smoothly as possible.

16 The floor is all yours, sir.

17 MR. GHIBAUDO: Thank you.

18 Q. (By Mr. Ghibaudo) All right. Ms. Kellogg,  
19 what is your email address?

20 A. **tarakellogg1@gmail.com.**

21 Q. Okay. Do you recall sending an email to  
22 your prior attorney, Mr. Reed, and to me on August 25,  
23 2021?

24 A. **That is attorney-client privilege.**

25 Q. Well, the objections are for your attorney,



1 not for you, Ms. Kellogg.

2 And the email was sent to me, was it not?

3 **A. No. I believe that you sent Mr. Reed an**  
4 **email, and you cc'd me and my father.**

5 Q. Okay. So you did send me the email. I was  
6 copied on that email; yes or no?

7 **A. I don't know. Can you please tell me where**  
8 **you are?**

9 Q. All right. I'm going to read you the email,  
10 and you tell me if it was written by you.

11 "Chris, as I indicated yesterday, there is  
12 no need to conduct a conference call with a fumbling,  
13 bumbling brain-damaged idiot who is clearly unhinged  
14 and triggered by constant drug and alcohol abuse on a  
15 daily basis. I will not be subjected any further to  
16 the mindless ramblings of a complete lunatic who is  
17 clearly on his way to inevitable disbarment and public  
18 humiliation by the sheer stupidity of his own asinine  
19 words, vexatious litigation threats, and borderline  
20 personality comments.

21 "Please let the foolish so-called attorney,  
22 who is the subject of matter of my reply herein, know  
23 with precise certainty that his latest unprovoked and  
24 drug-induced antics today will be duly met head on by  
25 the Kellogg family with nothing less than the proper



1 immediate action being taken.

2 "Said action shall commence today, effective  
3 immediately, including but certainly not limited to a  
4 new state bar complaint, the filing of a fresh TPO for  
5 ongoing threats and harassment, a defamation lawsuit  
6 if said so-called and highly questionable attorney  
7 publishes anything libelous about myself or any member  
8 of my family and/or forwarding this ridiculously  
9 reckless diatribe by AG to the most interested and  
10 relevant social and mainstream media outlets that  
11 eagerly anticipate and await knowledge of his every  
12 misstep.

13 "So, yes, Chris, please do not waste another  
14 phone call, breath, or written word dealing or  
15 negotiating with a complete dummy over there, who  
16 clearly only has two brain cells that are constantly  
17 at war with another. Just allow him to ramble onto  
18 himself going forward until his next voluntary or  
19 involuntary stint in the local insane asylum occurs.

20 "Alternatively, perhaps his forthcoming  
21 incarceration and/or early retirement to join the  
22 ranks of the homeless street performers of Fremont  
23 Street may occur first. Who knows? Lol. Call me  
24 later today, Chris. Thanks."

25 And then it says, "The proper authorities





1 back toward him from the Kellogg family to the lunatic  
2 will not take place. The flying is unhinged, as we  
3 all know. I will forward this correspondence to  
4 Briana."

5 Do you recall sending that email to me and  
6 Mr. Reed; yes or no?

7 **A. It sounds familiar. I don't have it in**  
8 **front of me.**

9 Q. Is that a yes, or is that a no?

10 MR. NELSON: Mr. Ghibaudo, do you have that  
11 as an exhibit that she can review to refresh her  
12 memory?

13 MR. GHIBAUDO: I believe it's attached to  
14 the complaint. Let me look.

15 Yeah. So if you look on the complaint, turn  
16 to the exhibits that start after -- let's see. After  
17 Page 10, there is a page that says Plaintiff's  
18 Exhibits, and then it's Exhibit Number 10, or I  
19 mean -- yeah, it's Bates Stamp Number 10.

20 MR. NELSON: And, Mr. Ghibaudo, the email  
21 that you proceeded to read, that is -- in time's sake,  
22 can we stipulate that's the exhibit, that's  
23 Exhibit 10?

24 MR. GHIBAUDO: Yeah.

25 MR. NELSON: So your question is whether



1 she -- whether Ms. Kellogg sent this to --

2 THE DEPONENT: My attorney.

3 MR. NELSON: -- Mr. Reed and to you as well?

4 MR. GHIBAUDO: Yes.

5 THE DEPONENT: But I -- okay.

6 Q. (By Mr. Ghibaudo) And if you look at  
7 Page 9, it starts -- you'll see the email, who it was  
8 sent to. It says, Tara Kellogg, Chris Reed, Alex  
9 Ghibaudo. Is that correct, Ms. Kellogg?

10 A. I'm looking.

11 MR. NELSON: It's the bottom of Page 9,  
12 Mr. Ghibaudo?

13 MR. GHIBAUDO: Yeah.

14 MR. NELSON: Okay. Please turn to that  
15 page.

16 A. Okay. Yes.

17 Q. (By Mr. Ghibaudo) Okay. So you wrote -- is  
18 it true that you wrote this email; yes or no?

19 A. Yes.

20 Q. All right. So let's first start with who is  
21 Briana?

22 A. Briana Erickson works for the Las Vegas  
23 Review-Journal.

24 Q. Okay. And when did you contact Briana?

25 A. She contacted me approximately -- let's see



1     **when it's dated -- so maybe March.**

2           Q.     Of?

3           A.     '21.

4           Q.     Okay. Would it surprise you to know that I  
5 spoke to Briana?

6           A.     No.

7           Q.     Would it surprise you to know that Briana  
8 said you contacted her?

9           A.     Yes.

10          Q.     Okay. And what was the purpose of  
11 discussing with Briana anything? What was -- what was  
12 the content of your conversations with her?

13          A.     She was writing about an attorney by the  
14 name of Bellisario and looked up your suspension  
15 record and wanted to know more details about you.

16          Q.     What does Mr. Bellisario have to do with me?

17          A.     She wrote an article about him.

18          Q.     Okay. Again, what does Mr. Bellisario have  
19 to do with me?

20          A.     I don't -- I don't know what her thought  
21 process is.

22          Q.     And what did you tell Ms. Briana Erickson?

23          A.     I told her several things.

24          Q.     Okay. What did you tell her?

25          A.     That you don't pay your child support, that



1    you have been arrested several times for domestic  
2    violence, that you've been convicted several times for  
3    domestic violence, that you have pled guilty several  
4    times for domestic violence, that you have spent  
5    months in jail for domestic violence, stuff like that.

6           Q.     What else?  You said "stuff like that," so  
7    it sounds like you said more to her, you discussed  
8    more things to her.

9           A.     **That's all I can recall.**

10          Q.     Did you send her any documents pertaining to  
11   our case?

12          A.     **I sent her videos.**

13          Q.     So you sent her no documentation?

14          A.     **I don't believe so.**

15          Q.     Okay.  Would it surprise you to know that  
16   she told me that she has a mountain of pleadings that  
17   you sent her?

18          A.     **Yes.**

19          Q.     Okay.  What is the purpose -- what would you  
20   like Briana to do?

21          A.     **She said that she was interested in writing**  
22   **an article about you.**

23          Q.     And you were cooperative with that?

24          A.     **Yes.**

25          Q.     Did you endorse that?  Did you want her to



1 write an article about me?

2           **A.       If she was going to write it, it has -- I**  
3       **have no bearing on what she chooses to do or chooses**  
4       **not to do.**

5           Q.       But you cooperated with her, in other words;  
6 yes or no?

7           **A.       I did.**

8           Q.       Okay. And why?

9           **A.       She asked me to. She asked me questions.**

10          Q.       Okay. You understand that you didn't have  
11 to talk to her, right?

12          **A.       Yes. I don't have to speak to anybody. I**  
13       **chose to speak to her.**

14          Q.       So the purpose -- is it fair to say that the  
15 purpose of your discussions with her is that you hoped  
16 for her to write an article that was negative about  
17 me, correct? Yes or no?

18          **A.       No. No. You are -- you're putting words**  
19       **into my mouth. You are trying to -- you are trying**  
20       **to --**

21          Q.       It's a yes-or-no question.

22          **A.       You're trying --**

23          Q.       You can stop the case and say no?

24          **A.       Can you repeat the question?**

25          Q.       Okay. Was the purpose -- was it your intent



1 that she write an article about me to further  
2 embarrass me or disparage me to the public; yes or no?

3 **A. No.**

4 Q. Okay. Then what was the purpose? Why did  
5 you cooperate with her --

6 **A. If she was going to --**

7 Q. -- in other words?

8 **A. If she was beginning to write an article,**  
9 **then it would to be an accurate article. Not to**  
10 **disparage you, just an accurate article. And if by**  
11 **chance it did disparage you, then that's on you.**

12 Q. Okay. And how does that help you collect  
13 any money from me if it affects my business?

14 **A. I have no bearing on what you choose to do**  
15 **with you and your business.**

16 Q. Well, I am ordered to pay you \$2,500 a  
17 month, correct? Yes or no?

18 **A. Currently.**

19 Q. Okay. And if this article causes people to  
20 not want to hire me as an attorney, and I don't make  
21 money, could that potentially affect your ability to  
22 collect money from me; yes or no?

23 **A. I don't know.**

24 Q. Okay. Do you care if I make money or not?

25 **A. Whether you make money or not, I don't have**



1     **any control of.**

2           Q.     That's not the question. Do you care if I  
3     make money or not?

4           A.     **I would love for you to make tons and tons**  
5     **of money.**

6           Q.     Then why do you continuously post comments  
7     that are disparaging towards me?

8           A.     **The comments that were posted were a direct**  
9     **result of what you said about me. I refuse to be**  
10    **bullied by you. You can take it however you want.**

11          Q.     That's -- again, that is not the question.

12                 If -- like we said, you said I wish for you  
13    to make tons and tons of money. I think -- let's  
14    start with this: You'll admit that if a potential  
15    client read your post from the ex-wife saying that I'm  
16    a sociopath and I'm pure evil, that you stated as a  
17    statement of fact, how does that help me get that  
18    client and make money so I can pay you? Can you  
19    explain that?

20          A.     **It's my opinion. It's my opinion. It's**  
21    **how --**

22          Q.     That is not the question. How -- is it your  
23    contention that that helps me make money; yes or no?

24          A.     **I don't know. I don't know if it helps you**  
25    **make money, Mr. Ghibaudo.**



1 Q. Okay. Well, then let me ask you. If you  
2 read a post about an attorney -- if you were looking  
3 for an attorney and you read a post or comments about  
4 that attorney that said he was untrustworthy and pure  
5 evil, would you be inclined to hire that attorney; yes  
6 or no?

7 A. I don't know. Maybe, maybe not. Maybe I  
8 wouldn't believe the post, maybe I would. Maybe I  
9 would want to go and consult with the attorney. I  
10 don't know.

11 Q. So is it fair to say that it would -- it  
12 would at least -- at the very least put doubt in your  
13 mind about whether you wanted to talk to that  
14 attorney?

15 A. I don't know.

16 Q. That's not an "I don't know" question. I'm  
17 asking you directly. Would it potentially give you  
18 doubt or pause about even talking or hiring that  
19 attorney if the attorney's ex-wife is saying that he's  
20 pure evil and refuses to pay child support?

21 A. Well, then --

22 Q. Would it put any doubt -- even an iota of  
23 doubt in your mind whether you should hire him; yes or  
24 no? Answer -- that's a simple question.

25 A. I don't know. I don't know. I don't know





1 if I would believe that the statements were true. I  
2 don't know if I would think this is an angry ex-wife.  
3 I don't know. I don't know.

4 Q. Okay. Let's go through this again.

5 No. You know, you need to answer that  
6 question. That's a key question in this litigation,  
7 because it doesn't make an iota of sense, and even  
8 Judge Richie indicated that you are undermining my  
9 ability to earn a living, and he doesn't understand  
10 why it is that you would undermine my ability to earn  
11 a living when you're trying to collect money from me.  
12 Explain that. Explain that.

13 A. I don't recall Judge Richie saying that at  
14 all.

15 Q. Explain -- explain whether -- if you're --  
16 if you're undermining my ability to earn a living, how  
17 does that help you?

18 A. I don't believe that I am undermining your  
19 ability to make a living.

20 Q. You don't think --

21 A. I believe you are the sole factor that  
22 determines whether or not you are able to earn a  
23 living.

24 Q. I owe you --

25 A. Not me, you.



1 Q. I owe you money.

2 A. **Take responsibility for your own actions.**

3 Q. I owe you money; yes or no?

4 A. **Yes, you do.**

5 Q. And you would like to get paid; yes or no?

6 A. **A large sum of money, \$300,000.**

7 Q. And you would like to get paid; yes or no?

8 A. **I would. Why haven't you paid me?**

9 Q. Then why do you -- again, Ms. Kellogg, you  
10 need to not ask me questions. You need to answer my  
11 questions.

12 Why are you undermining my ability to earn a  
13 living?

14 A. **I don't believe I am.**

15 Q. How could it be that you don't think that  
16 you are undermining my ability to earn a living as an  
17 attorney when you're calling me a junkie, a fraud, and  
18 a liar? Is that something --

19 A. **Because this is what I believe is true.**

20 Q. That I'm a junkie, a fraud, and a liar?

21 A. **Yes.**

22 Q. Okay. And you think that somebody reading  
23 that would say, Ah, no big deal, I'm going to go talk  
24 to this guy?

25 A. **It's my opinion. I have the right to my**



1     **opinion.**

2           Q.     I'm not asking you whether it's your opinion  
3     or not. I'm asking you if you think that a person  
4     reading that would give -- would have pause whether  
5     they should talk to that attorney or not?

6           **A.     I cannot predict what somebody else thinks**  
7     **in their head.**

8           Q.     You don't think it's common sense that if  
9     you're calling an attorney a fraud and a liar that  
10    that would be a bad thing. Is that what you're  
11    saying?

12          **A.     I don't know.**

13          Q.     That's a yes-or-no question.

14          **A.     I don't know. I don't know what other**  
15    **people perceive. I don't.**

16          Q.     And I don't know why you would engage in  
17    what you engage in if you want to actually get paid.

18                 Do you understand that if I lose --

19          **A.     Is that a question?**

20          Q.     Do you understand that if I lose -- this is  
21    the question: Do you understand that if I lose my  
22    ability to practice law or if I lose my business, that  
23    you will get a reduced amount of alimony? Do you  
24    understand that?

25                 MR. NELSON: Objection. Calls for a legal



1 conclusion and speculation.

2 Q. (By Mr. Ghibaudo) You've had seven  
3 attorneys, ma'am. And I'm sure they've all explained  
4 to you -- and we just went through a trial on  
5 modification of spousal support.

6 Do you think that if I lost my job and I had  
7 to go work somewhere else based on you and  
8 Mr. Sanson's endeavors that you would lose the ability  
9 to collect the money that you're so desperately trying  
10 to collect? Are you telling me you don't know that?

11 A. I don't know, Mr. Ghibaudo. You haven't  
12 paid me in over three years, so I have no idea. I  
13 mean zero is still zero. I don't know how much less  
14 than zero you can actually pay.

15 Q. So you don't care, because I'm not paying;  
16 is that fair to say?

17 A. I'm saying that I don't know what the  
18 possibilities are. If you have -- if you work  
19 somewhere else or did something else, I don't know.

20 Q. So if you would get paid, are you saying  
21 that you would stop posting negative comments about  
22 me? Is that what you would do?

23 A. I'm not saying that at all.

24 Q. So even if you were paid --

25 A. I saying if I -- if I -- okay. I'm sorry.



1     **What was the question?**

2           Q.     Even if you were paid, you would continue to  
3     post negative comments about me publicly? Is that  
4     what you're saying?

5           A.     **I believe that anything that I have posted**  
6     **negatively towards you is in a direct response to what**  
7     **you have said towards me.**

8           Q.     Okay. But you have no evidence that I  
9     posted anything negative about you.

10          A.     **That is completely 100 percent untrue.**

11          Q.     Is there any page up right now that is in  
12     any way negative about you? And if there is, can you  
13     point --

14          A.     **No. You have removed everything.**

15          Q.     Okay. Have you removed everything?

16          A.     **What am I to remove?**

17          Q.     Have you stopped disseminating videos to  
18     Mr. Sanson?

19          A.     **I believe the last video I showed to**  
20     **Mr. Sanson was the November 23rd hearing video.**

21          Q.     Do you know what "disseminate" means?

22          A.     **Yes.**

23          Q.     Okay. So you're saying that Mr. Sanson  
24     independently obtained those videos from the clerk of  
25     the court?



1           **A.       No. I said the last video I showed**  
2           **Mr. Sanson was the video from a hearing on**  
3           **November 23rd.**

4           Q.       How does Mr. Sanson have the ability to post  
5           those videos publicly on YouTube and on Facebook?

6           **A.       If I showed it to him, he can do whatever he**  
7           **wants or however he wants.**

8           Q.       You're saying that you're showing it to him  
9           and he's recording it, and then he posts it. You're  
10          not giving him a thumb drive or sending him a link  
11          from your -- from your computer. Is that what you're  
12          telling me?

13          **A.       I'm saying that I shared it to him.**

14          Q.       So you shared the actual videos with him?

15          **A.       Yes. Yes.**

16          Q.       Okay. So you are disseminating videos to  
17          the public about --

18          **A.       No, not to the public. I shared it with**  
19          **Mr. Sanson.**

20          Q.       Okay. And Mr. Sanson, then, shares it with  
21          the public?

22          **A.       I don't know what he does with it.**

23          Q.       So you've never discussed with him what's  
24          going to happen with those videos? You just give it  
25          to him.



1                   And what do you think -- what do you think  
2   he's going to do with it?

3           **A.       I don't know. How am I supposed to be in**  
4   **his head?**

5           Q.       Why do you give it to him?

6           **A.       Because I want to show him. I want to share**  
7   **it with him.**

8           Q.       Why?

9           **A.       I want to share that this video was -- he**  
10   **has -- just like what I told you, he is the president**  
11   **of Veterans in Politics and, therefore, he has --**

12          Q.       Large audience, correct?

13          **A.       He what?**

14          Q.       He has a large audience, correct?

15          **A.       I don't know how large. I don't know his**  
16   **audience. I don't know how large it is, how small it**  
17   **is. I don't know anything about it.**

18                   **He's a friend of mine that sometimes I share**  
19   **videos that I think are of public concern.**

20          Q.       Okay. So you're aware that he's posting  
21   those publicly, though, right?

22          **A.       I don't know what he intends to do with**  
23   **anything.**

24          Q.       That's not the question. You are aware that  
25   he's posted those videos either on Facebook or on



1 YouTube; yes or no?

2 **A. I don't know.**

3 Q. You don't know? You've never --

4 (Crosstalk.)

5 **A. I know that he has in the past. I don't**  
6 **know what his intent is.**

7 Q. So -- okay. So let's clarify. So you do  
8 know that he shares those -- that he posts those  
9 videos publicly, correct?

10 **A. Sometimes yes. Of course, I see them.**

11 Q. You just said that you don't. All right.  
12 So then you just lied, correct?

13 **A. You just -- of course, I've seen them on**  
14 **YouTube.**

15 Q. Okay. When I asked you that before, you  
16 said, I don't know. I don't know what he does with  
17 them. Is that correct?

18 **A. Sometimes I don't -- there have been videos**  
19 **that I have shared with him before that I don't see.**

20 Q. So -- so let's just clarify now. Now you're  
21 stating that you do know that he posts those videos  
22 publicly on YouTube and Facebook sometimes; is that  
23 correct? Yes or no?

24 **A. Yes. Yes.**

25 Q. Okay. Thank you.





1           So let's go back to the email. What new bar  
2       complaints are you prepared to file?

3           **A. Well, if you continue to develop new**  
4       **Facebook pages in order to harass, disparage, berate**  
5       **me, put my head on pigs, and say that I have sex with**  
6       **random men in gyms, or just like what your attorney**  
7       **said, is that I frequently go to California to have**  
8       **sex with random men. That was on one of your Facebook**  
9       **pages.**

10          Q. And you're saying you know that those are  
11       mine how?

12          **A. Because you admitted it to my attorney -- my**  
13       **previous attorney, Chris Reed.**

14          Q. And you have a copy of that admission?

15          **A. I absolutely do.**

16               MR. GHIBAUDO: Okay. And, Mr. Nelson, can  
17       you send me those -- those documents, please?

18               MR. NELSON: Certainly.

19               MR. GHIBAUDO: Okay.

20          Q. (By Mr. Ghibaudo) All right. So it says  
21       here that I'm a complete lunatic. Is that a statement  
22       of fact; yes or no?

23          **A. My opinion.**

24          Q. That's not the question. Is it a statement  
25       of fact; yes or no?



1           **A.       It's a statement from me. It's my opinion.**

2           Q.       Again, that is not the question.

3                   Is it a statement of fact; yes or no? Those  
4 are your two options, yes or no.

5           **A.       I don't know if it's a fact --**

6           Q.       Do you understand what "yes or no" means?

7           **A.       I don't know if it's a fact for other**  
8 **people. I know it's a fact that I believe you're a**  
9 **lunatic.**

10          Q.       Okay. So it's a statement of fact.

11          **A.       Oh.**

12          Q.       And you say that I'm on my way to inevitable  
13 disbarment. What is that? Is that a statement of  
14 fact or an opinion?

15          **A.       I don't know what the bar has in store for**  
16 **you.**

17          Q.       Then why are you making that statement?

18          **A.       Because the order upon consent said that you**  
19 **were to have a suspended license if the child support**  
20 **was not paid.**

21          Q.       But I have not been suspended, correct?

22          **A.       No, you haven't. Not to my knowledge,**  
23 **anyway.**

24                   MR. GHIBAUDO: Okay. Let the record reflect  
25 that I am a practicing attorney.



1 Mr. Nelson, could you agree to that?

2 MR. NELSON: To my knowledge, there's  
3 nothing on the bar website that would impede your  
4 ability to practice law here in Nevada.

5 Q. (By Mr. Ghibaudo) Okay. So based on what  
6 your attorney just said, would you characterize that  
7 statement as a lie?

8 A. No. I have not looked at the state bar, and  
9 if he's saying that he has recently looked at the  
10 state bar's website, then I believe him.

11 Q. If you haven't looked at the state bar  
12 website or made any efforts to investigate whether  
13 these are true or false, why would you make that  
14 statement?

15 A. Just like what I said previously, because  
16 the Order Upon Consent said that if you did not pay  
17 the outstanding child support arrears, that you would  
18 be suspended within 30 days.

19 Q. But I haven't been. And this email --

20 A. Okay. But you haven't been.

21 Q. -- was dated August 5, 2021. And what you  
22 stated was that that Order Upon Consent was issued in  
23 August of 2020, said that within 30 days I would be  
24 suspended, right?

25 A. That's what it said, yes.



1 Q. Okay. You posted this a year later. You  
2 sent this email a year later. Thirty days had  
3 elapsed, and I'm not suspended, correct?

4 A. Yes.

5 Q. But you still said that I'm about to be  
6 disbarred, correct?

7 A. You still haven't paid the outstanding child  
8 support.

9 Q. That's not the question, Ms. Kellogg. That  
10 is not the question.

11 A. I don't -- I can't predict what the state  
12 bar is thinking. I can't predict what anybody is  
13 doing behind the scenes. I don't know. I don't know.

14 Q. If you don't know, why do you make those  
15 statements?

16 A. I just told you.

17 Q. No. You're -- let's back up, because you're  
18 not making any sense at all.

19 You already stated that in August of 2020,  
20 the Order Upon Consent, which that's not what it is,  
21 by the way -- the order from a commissioner, a child  
22 support commissioner, said that I should be suspended  
23 within 30 days. That did not happen.

24 A. And you objected it -- and you objected it,  
25 and then it went to Judge Richie, and Judge Richie



1 signed it, and you signed it, and Deputy District  
2 Attorney Adam Hughes signed it.

3 So a reasonable person would expect that.  
4 And also, I don't believe it was August. I believe it  
5 was January.

6 Q. And what happened with that order? What did  
7 the -- what did the -- the DA's office say that they  
8 wanted to do with that case; do you recall?

9 A. I don't know about the DA's office,  
10 but child --

11 Q. Did you recall a letter being sent by  
12 Mr. Hughes, saying that he did not want to prosecute  
13 the case anymore?

14 A. No. Because, actually, I spoke with Child  
15 Support Enforcement yesterday, and they have just  
16 issued an order to show cause.

17 Q. That's actually not true, but okay. If  
18 that's what you want to state on the record and lie  
19 again, that's fine.

20 A. Okay.

21 Q. What fresh TPO are you prepared to file?  
22 And have you filed any new TPOs?

23 A. I believe that a TPO was filed in -- and  
24 sought -- sought and approved on the 11th of January.

25 Q. Of this year?



1           **A.       Yes.**

2           Q.       And --

3           **A.       No.   I'm sorry.   I'm sorry.   Of last year.**

4           Q.       Okay.   And was I ever served with that  
5 document?

6           **A.       Yes.   It was sought and approved.   You**  
7 **threatened to cause great bodily harm to me and my**  
8 **parents.**

9           Q.       Ms. Kellogg, you are absolutely lying on the  
10 record under oath right now.   I was never served those  
11 documents.   There's a video that you posted, that you  
12 gave to Mr. Sanson, that was posted online, where  
13 Commission Mastin specifically said that this man was  
14 not served, and I can do nothing about it.   Do you  
15 recall that hearing?

16          **A.       I am talking about the most recent**  
17 **protective order, and you were served with it.   It was**  
18 **a protective order for 45 days.**

19          Q.       I don't recall.   I've never been served  
20 that.

21          **A.       You don't recall that you threatened to harm**  
22 **and cause bodily harm to me and my parents?   You don't**  
23 **recall that?**

24          Q.       When did I do that?

25          **A.       You don't recall being in a hearing --**



1 Q. Okay. Wait. Let's stop. Let's back up.  
2 Let me -- let's refer -- let's turn to Page 9 of the  
3 exhibits.

4 MR. NELSON: Mr. Ghibaudo, are you referring  
5 to the complaint?

6 MR. GHIBAUDO: The complaint. Yeah, the  
7 complaint.

8 A. Okay.

9 Q. (By Mr. Ghibaudo) Do you see the middle  
10 email from you to me directly? Not to Chris Reed, not  
11 to anybody else. In the middle, the very middle  
12 email?

13 MR. NELSON: Mr. Ghibaudo, just to clarify,  
14 I think she was looking at actual Page 9 of the  
15 complaint. You're referencing Page 9 of the exhibit?

16 MR. GHIBAUDO: Yeah, Bates Stamp Number 9 of  
17 the exhibits.

18 MR. NELSON: Bear with me, Mr. Ghibaudo.  
19 This is the answer. Put that aside. He's  
20 referencing -- let's get to that. It should be  
21 Plaintiff's -- that's 10, so go to 9.

22 So just for the record, she's on Plaintiff's  
23 Exhibit 009, Bates stamp, plaintiff's exhibits. There  
24 looks to be an email chain. I believe that's what  
25 you're referencing, correct?



1 MR. GHIBAUDO: That's right. And it's the  
2 second email in that chain.

3 Q. (By Mr. Ghibaudo) And do you agree that it  
4 says from Tara Kellogg, and the email is  
5 tarakellogg1@gmail.com, which you already said is your  
6 email. And it was to me directly, and there's nobody  
7 else on that email, correct?

8 In other words, nobody else was copied on  
9 that email, correct? That was an email to me from  
10 you?

11 A. Yes, that's correct. Yes, that's correct.

12 Q. Okay. Can you read that email in its  
13 entirety?

14 A. Are you referring to the one that says  
15 August 5, 2021, at 9:56 a.m.?

16 Q. 9:59:47 a.m. Let me read to you, and you  
17 can you tell me if that was from you or not.

18 "Hey there, little bitch. LOL. You have  
19 something to say, come say it to my face, you chicken  
20 shit, POS, goofy-looking, brain-dead buffoon. LOL.  
21 Enjoy your law license for the next couple of months,  
22 you drug addict, loser. LOL. Who loves you hairy  
23 ape? LOL."

24 Did you send that email to me?

25 A. Yes.





1 Q. Can you explain how you could be threatened  
2 or harassed when you are actually threatening me?  
3 Explain that to me, please.

4 A. I wasn't threatening you. I believe I was  
5 mocking you.

6 Q. Okay. "You have something to say, come say  
7 it to my face." What does that mean to you?

8 A. It means that you continuously threatened  
9 and harass and berate me, and I'm not going to be  
10 bullied anymore. And if you've got something to say,  
11 then come say it to me directly.

12 Q. So you're trying to incite a physical  
13 altercation; is that fair to say?

14 A. No.

15 Q. No. So the plain meaning of those words,  
16 you're saying, are completely different?

17 A. If you have something to say --

18 Q. Hey, little bitch --

19 A. -- don't hide behind your computer, say it  
20 to my face. That's what I'm saying.

21 Q. Okay. So all of this is driven by the idea  
22 that you're under the impression that I'm wasting my  
23 time on you and sitting behind a keyboard and posting  
24 stuff about somebody I care nothing about, that I  
25 don't want to have anything to do with.



1 All of this is -- this is a yes-or-no  
2 question -- all of your antics and all of your posts  
3 and comments are based on the idea that you think that  
4 I'm busy posting comments on you; is that true?

5 **A. 100 percent.**

6 Q. Okay. So you're angry; yes or no?

7 **A. I'm irritated. I'm irritated that you can't**  
8 **move on with your life. I'm irritated that I am your**  
9 **main focus always.**

10 Q. You have a great high opinion of yourself  
11 that is -- that is not supported by any facts  
12 whatsoever.

13 Let's turn, again, to Page 8 of the actual  
14 complaint, Paragraph 33.

15 **A. And?**

16 Q. Okay. It says, "In a comment on Facebook in  
17 the same period of time, Defendant posted the  
18 following."

19 And I'll refer, again, to Page 3 of your  
20 answer and counterclaim. Number 33, where it says,  
21 "As to Paragraph 33, Defendant admits such  
22 allegation."

23 So this is the post. "Hey, James Jones,  
24 Alex Ghibaudo, the sociopath who still refuses  
25 doctor-recommended clinical therapy, maybe you should



1 accurately set the record straight for both your  
2 Facebook friends. I put your ass out on the  
3 street" --

4 MR. NELSON: Mr. Ghibaudo.

5 MR. GHIBAUDO: Yeah.

6 MR. NELSON: I want to make sure she's  
7 reading along. She's turning -- my apologies. You  
8 were on what page? You're on Page 8 of the complaint;  
9 is that correct?

10 MR. GHIBAUDO: Page 8 of the complaint,  
11 Paragraph 33.

12 MR. NELSON: Go to Page 8. You're on the  
13 exhibits. So back to Page 8 in the exhibits. Page 8.

14 I apologize, Mr. Ghibaudo. I just want to  
15 make sure she's reading along with you.

16 THE DEPONENT: Well, this doesn't go to 33.

17 MR. NELSON: No, Page 8. Page 8.

18 All right. Paragraph 33, Mr. Ghibaudo?

19 MR. GHIBAUDO: Yeah.

20 MR. NELSON: And that's on Line 20 -- starts  
21 on Line 20 of Page 8 of the complaint.

22 MR. GHIBAUDO: Paragraph 33.

23 MR. NELSON: Go ahead.

24 Q. (By Mr. Ghibaudo) "Hey, James Jones, aka  
25 Alex Ghibaudo" -- you continue to think that I'm James



1 Jones -- "aka, Alex Ghibaudo, a sociopath who still  
2 refuses doctor-recommended clinical therapy, maybe you  
3 should accurately set the record straight for both of  
4 your Facebook friends. I put your ass out on the  
5 street because you're a piss-poor excuse for a father  
6 in addition to being a liar, cheat, thief, and  
7 junkie."

8 And the word "junkie" is all caps, correct?  
9 This is a post that you made; is that true? Yes or  
10 no?

11 **A. That is true.**

12 Q. Okay. So you -- is it true or false that  
13 you believe it's a statement of fact that I'm a  
14 sociopath? Is that true?

15 **A. That is my belief.**

16 Q. So that's a statement of fact that you've  
17 made, correct?

18 **A. Statement of the fact that I believe that  
19 you are a sociopath, yes.**

20 Q. Okay. And what does it mean to you -- what  
21 does sociopath mean to you?

22 **A. That you are -- that you care for yourself  
23 and nobody else, and that you are number one, and that  
24 you are, in turn, the only one that matters in this  
25 world.**



1 Q. So fair to say that you think, then, that  
2 I'm -- basically, what you're describing is a  
3 narcissist, correct?

4 A. That, too.

5 Q. Okay. That too.

6 All right. And that -- those are both  
7 statements of fact that I'm a narcissist and a  
8 sociopath; yes or no?

9 A. I don't know if they're statements of fact.  
10 They're my opinion.

11 Q. Okay. And then you go on to say, "Who still  
12 refuses doctor-recommended clinical therapy."

13 In the last six years, have we ever  
14 discussed at all any therapy that I'm engaged in or  
15 any visits to any doctors that I've gone to?

16 A. In the last six years?

17 Q. Since 2016 --

18 A. Pardon?

19 Q. Since we were actually divorced in February  
20 of 2017, which would be the last five years, have I  
21 discussed with you anything about any therapy or  
22 doctor recommendations that were made to me -- about  
23 me or to me? Have we ever discussed --

24 A. Yes. In 2017, I believe it was February,  
25 you said that you were in Lawyers Helping Lawyers, and



1     **that you were actually in therapy at the Veterans**  
2     **Administration.**

3           Q.     So you're saying they we were actually  
4     talking in February of 2017, that I actually had a  
5     conversation with you when we were in the middle of  
6     divorce proceedings? Is that what you're saying?

7           A.     **Yes.**

8           Q.     Even though I was representing myself --

9           A.     **Yes.**

10          Q.     -- and not an attorney?

11          A.     **It was during the time that -- I believe**  
12     **your girlfriend at the time broke through your window**  
13     **and chased some naked girl that you were having sex**  
14     **with out the back of the pool house that you were**  
15     **renting.**

16          Q.     Okay. If that were true, what does that  
17     have it do with doctor-recommended clinical therapy?

18          A.     **Because that's what you told me. You told**  
19     **me that, (a) you were in Lawyers Helping Lawyers, and,**  
20     **(b) you were in therapy and/or counseling at the**  
21     **Veterans Administration.**

22          Q.     Okay. So this was posted in 2021. Between  
23     then and now, have we spoken at all?

24          A.     **No.**

25          Q.     Okay. So --



1           **A.       Well, I mean, you --**

2           Q.       What is your -- stop. You don't get to --  
3       it's -- I'm not done with my question.

4           **A.       I'm trying to answer your question. Do you**  
5       **want me to answer or not?**

6           Q.       I'm not done with my question.  
7                   What basis do you have to make that  
8       statement if in the last five years, we have not  
9       spoken at all?

10          **A.       I just told you.**

11          Q.       What basis do you have to believe that?  
12                   So you're silent. Let me ask you this  
13       because you're silent about it.

14          **A.       I just told you.**

15          Q.       Is it fair to say that you have no idea what  
16       recommendations have been made by any doctor or  
17       therapist. In fact, you don't even know if I'm seeing  
18       a doctor or therapist, because we have not spoken  
19       since February of 2017, correct?

20          **A.       No. That's not true.**

21          Q.       So we've -- so what you're saying is in  
22       2018, 2019, 2020, 2021, and 2022, we have spoken about  
23       doctors and therapy that I'm engaged in; is that  
24       right?

25          **A.       I did not say that.**



1 Q. Okay. Well, I'm asking you. Then that's  
2 your answer. You don't know, correct?

3 **A. Your question was, have we spoken?**

4 Q. I just asked you a question.

5 You don't know anything about my medical  
6 condition at all since at least 2018, because we have  
7 not spoken; is that correct?

8 **A. We have not spoken about your medical**  
9 **conditions. No, we have not.**

10 Q. Okay. So then, you have no basis to believe  
11 that I am not -- that I'm even in therapy or seeing a  
12 doctor, right?

13 **A. I don't know. I don't know if you are or**  
14 **not.**

15 Q. Okay. So then why would you post that, if  
16 you have no idea whether I'm in therapy or not or even  
17 seeing a doctor or therapist?

18 **A. Are you going to let me answer?**

19 Q. I'm waiting for your answer.

20 **A. Okay. Because previously, in 2017, you said**  
21 **that you were in Lawyers Helping Lawyers and that you**  
22 **were in counseling and/or therapy at the Veterans**  
23 **Administration.**

24 Q. Again, you're evading the question again.  
25 Since then, you have no reason to believe





1 that I'm doing any of that?

2 **A. I've already said that.**

3 Q. Okay. And so the question is: Why are you  
4 saying that I'm not following recommendations if you  
5 have no idea, because we have not spoken about whether  
6 I am even in therapy or even seeing a doctor?

7 Do you understand the question?

8 **A. Because of previous statements by you.**

9 Q. In 2000 -- so according to you, your  
10 allegation is that we discussed Lawyers Helping  
11 Lawyers, which is essentially an AA program, correct?

12 **A. Correct.**

13 Q. February 2017, we discussed that, correct?

14 **A. Correct.**

15 Q. And that's neither a doctor nor therapy. Is  
16 that fair to say?

17 **A. Yes.**

18 Q. Okay. And we have not spoken since then  
19 about either doctors or therapy, correct?

20 **A. No. We also spoke about you seeking therapy  
21 at the Veterans Administration.**

22 Q. Listen, that's not the question. You're not  
23 answering the question again.

24 I'm telling you -- I'm asking you, since  
25 then, where you said we discussed Lawyers Helping



1 Lawyers, which is neither therapy nor a doctor, you  
2 have no idea whether I'm seeing either a doctor or a  
3 therapist, or if I were, following the  
4 recommendations; is that true or correct?

5 Is that true or false?

6 **A. If you're saying from 2018 on, then that**  
7 **would be correct.**

8 Q. Okay. Why are you posting that?

9 **A. 2017, it's a different story.**

10 Q. Then why are you posting this?

11 If you have no idea, why are you making the  
12 suggestion that, (a) I have some kind of mental  
13 problem that I am under the care of a doctor for and  
14 that I'm seeing a therapist, if we have not spoken  
15 since 2018?

16 **A. Well, because --**

17 Q. This post was made in 2021. So what basis  
18 do you have to believe that either I'm seeing a doctor  
19 or a therapist, and I am now following those  
20 recommendations?

21 **A. Because we were married for 15 years, and**  
22 **all through the 15 years, you saw a doctor --**

23 Q. You're, again, not answering the question.  
24 The question is --

25 **A. That's my answer.**



1 Q. -- 2018 to --

2 A. I told you from 2018, I don't know what  
3 you're doing.

4 THE REPORTER: Sorry. I'm sorry. I'm  
5 sorry. I'm sorry. You've got to stop talking at the  
6 same time.

7 Q. (By Mr. Ghibaudo) You need to answer the  
8 question. Listen carefully. Try to understand it,  
9 and answer the question.

10 So do you know if in 2018, I was actually  
11 seeing a doctor or a therapist; yes or no? Do you  
12 know that?

13 A. I do not know that.

14 Q. Okay. Do you know if in 2019, I was  
15 actually seeing a doctor or a therapist?

16 A. In 2019?

17 Q. Yes.

18 A. I do not know.

19 Q. In 2020, do you know if I was seeing a  
20 doctor or a therapist?

21 A. I do not know.

22 Q. In 2021, do you have any idea whether I was  
23 seeing a doctor or a therapist?

24 A. You know what? I need to go back on that,  
25 because I did receive a few voicemails from the



1     **Veterans Administration, saying that you did have an**  
2     **appointment with the therapist, and I believe that was**  
3     **in 2018 and/or 2019.**

4           Q.     You are now perjuring yourself because  
5     you --

6           A.     **I can get the voicemails, because they're**  
7     **still on my phone.**

8                     (Crosstalk.)

9           Q.     You have been taken off of that list since  
10    at least 2017.

11                    And I warn you, Ms. Kellogg, that you are  
12    under oath, and perjury is a felony.

13          A.     **I have them saved on my phone.**

14          Q.     Then produce them.

15          A.     **Okay. Do I need to do it now?**

16                   MR. NELSON: No.

17          Q.     (BY Mr. Ghibaudo) So in other words, you  
18    have no clue whether or not I'm actually either seeing  
19    a doctor or a therapist or following those  
20    recommendations, if I'm seeing a doctor or therapist,  
21    correct? You don't know?

22          A.     **Like I said --**

23          Q.     You don't know?

24          A.     **Like I said --**

25          Q.     You don't know?



1 MR. NELSON: Objection. Compound question,  
2 Mr. Ghibaudo. You're asking if she knows and if  
3 you're following doctors, so that's compound. Can you  
4 ask separate questions?

5 MR. GHIBAUDO: Okay.

6 Q. (By Mr. Ghibaudo) Do you know if I'm  
7 currently seeing a psychiatrist?

8 A. I've already answered that. I do not know.

9 Q. Okay. Do you know, if I am seeing a  
10 psychiatrist, if I'm following the recommendations?

11 A. I do not know. Most likely not.

12 Q. So in 2021, this -- is it fair to say that  
13 this post suggests that I am seeing a doctor, and I'm  
14 not following the recommendations, without you knowing  
15 if that's the case, correct?

16 A. Did you say Page 8?

17 Q. Page 8, Paragraph 33. We read it over and  
18 over again. You need to pay attention.

19 A. Well, I apologize. Remember, I'm slow.  
20 Remember, I have a low IQ. Sorry. It takes me  
21 longer.

22 Q. I didn't say that. You said it.

23 A. That's exactly what you said.

24 Yes. I said that you still refuse  
25 doctor-recommendation clinical therapy. Yes, you



1     **refused it several times. It doesn't mean that you're**  
2     **not supposed to go.**

3           Q.     So -- but you just said that you have no  
4     idea from 2018, '19, '20, '21, or '22 whether I'm even  
5     seeing a doctor, or if I am, whether I'm following the  
6     recommendations of that doctor. You just testified to  
7     that, right?

8           A.     **Yes, that's correct.**

9           Q.     Okay. Thank you. So you actually have no  
10    idea what you're talking about, so --

11          A.     **I have no idea if you're seeing a doctor;**  
12    **however, I have a history with you.**

13          Q.     Let's move on, ma'am. Let's move on.  
14                 Then you say I'm a piss-poor excuse for a  
15    father.

16          A.     **Yes.**

17          Q.     Okay. What's your basis for believing that?

18          A.     **Well, you haven't spoken to your daughter in**  
19    **four years, you don't support her, you have nothing to**  
20    **do with her. Need I go on?**

21          Q.     How old is that child?

22          A.     **She's 20.**

23          Q.     That you claim to be a child?

24          A.     **She's 20.**

25          Q.     Okay. What agency do I have over that



1 child? Does she live with you, or does she live with  
2 your [sic] grandparents?

3 **A. She's always lived with me.**

4 Q. Oh, is that right?

5 **A. Yeah, that's right.**

6 Q. Did she live with you when CPS took her out  
7 of your custody?

8 **A. No. When CPS deemed you a wife beater.**  
9 **Remember that?**

10 Q. Oh, so -- okay. Let's go back to that,  
11 because this is a record that I can actually pull  
12 and --

13 **A. Let's do it.**

14 Q. -- and demonstrate your lack of credibility.

15 Isn't it the case that CPS took Nicole into  
16 protective custody, because you and your mother were  
17 fighting while Nicole was in your custody, because you  
18 drank two bottles of wine and downed a whole bottle of  
19 Xanax.

20 **A. That's absolutely not true.**

21 Q. So at that time -- so you want me to pull  
22 those record and --

23 **A. Pull them. Pull them.**

24 Q. Very well. I will do that. Thank you.

25 **A. Thank you.**



1 Q. All right. So the next one is "in addition  
2 to being a liar, cheat, thief and junkie."

3 Okay. So again, we established that you --  
4 and you previously testify that you believe that's a  
5 statement of fact that I am a liar, correct?

6 **A. Correct.**

7 Q. And you believe that it's a statement of  
8 fact that I'm a cheat, correct?

9 **A. Correct.**

10 Q. Okay. And what does it mean to be a cheat?

11 **A. It means that you're a thief, that you're**  
12 **a -- that you deceive people, that you -- that you**  
13 **steal.**

14 Q. Okay. And is that a good quality for a  
15 lawyer to have?

16 **A. I would suspect not.**

17 Q. So would it be fair to say if somebody ran  
18 into that comment, they would have doubt as to whether  
19 they should hire me or not?

20 **A. I would -- I would assume so. However, this**  
21 **is my opinion, and I have a right to my opinion.**

22 Q. Okay. So what -- what have I stolen?  
23 Describe -- you say thief in the legal sense, that I  
24 have stolen things that don't belong to me? Is that  
25 what you're saying?





1           **A.       Well, for example, when you were suspended,**  
2           **you stole client money.**

3           Q.       That's actually not true.   You're lying.  
4           There was no absolute --

5           **A.       Didn't you have to pay back money to the**  
6           **state bar?**

7           Q.       That doesn't mean that I stole money.   That  
8           means that I was suspended, and there were clients  
9           that I had that I paid back.   That's not stealing  
10          money, Ms. Kellogg.

11          **A.       You didn't pay it back.   I paid it back, or**  
12          **my mother paid it back.**

13          Q.       You're lying.

14          **A.       You never paid it back.**

15          Q.       You said you haven't worked since 2001.

16          **A.       It was my student loan money.**

17          MR. NELSON:   Mr. Ghibaudo --

18          Q.       (By Mr. Ghibaudo)   What have you paid --  
19          where do you get money to pay anything back --

20          **A.       It's my student loan money.**

21          Q.       -- if you refuse to work?

22          MR. NELSON:   Mr. Ghibaudo --

23          Q.       (By Mr. Ghibaudo)   What have you done since  
24          2001 that has anything to do with work --

25          MR. NELSON:   Mr. Ghibaudo --



1 Q. (By Mr. Ghibaudo) -- Ms. Kellogg?

2 MR. NELSON: I understand your right to  
3 questions. I'm asking both parties to calm down.  
4 Obviously, you're pro per, Mr. Ghibaudo. It's very --  
5 I understand you're very frustrated from the answers  
6 by Ms. Kellogg.

7 I'm telling my client answer yes/no.  
8 Argumentative. It's just going to rile both of you  
9 guys up. Just answer yes/no, if you don't know.

10 And again, as I've stated, we'll have the  
11 chance to revisit and rehabilitate. If he makes a  
12 statement that's not correct, you can say no.

13 THE DEPONENT: I tried.

14 MR. NELSON: If he asks a question that's  
15 yes or no -- and again, I apologize for interrupting,  
16 Mr. Ghibaudo, but I want this to be a successful,  
17 fruitful deposition for us both.

18 So, yes or no, period.

19 Q. (By Mr. Ghibaudo) What is your definition  
20 of a junkie, Ms. Kellogg? Is it -- is that basically  
21 what you were in 2008 to 2011?

22 A. No. It's what you are currently.

23 Q. Okay. So it's a statement of fact that I'm  
24 currently a junkie?

25 A. Well, I have the pictures.



1 Q. Okay. So you have a picture of me  
2 currently, and that means today, as of today --

3 A. No.

4 Q. -- that I'm a junkie. Well, that's what you  
5 just said. Is that true or false?

6 A. As I have previously stated hours ago, I  
7 have photos of -- I have photos of a baggy filled with  
8 a white substance. In addition to that, I also have a  
9 photo of you doing lines in your law office at Joseph  
10 Iarussi's firm.

11 MR. GHIBAUDO: Produce those, please,  
12 Mr. Nelson.

13 Q. (By Mr. Ghibaudo) What year was that you're  
14 alleging that that happened?

15 A. 2017, 2018.

16 Q. 2017 and '18, I was doing lines in  
17 Mr. Iarussi's office. Do you realize that I wasn't in  
18 Iarussi's office in 2017?

19 A. I don't know the exact date. I'm giving you  
20 an approximate --

21 (Crosstalk.)

22 A. I have a screenshot that will prove exactly  
23 the date.

24 Q. In 2018, where was my law office; do you  
25 know?



1           **A.       I have no idea.**

2           Q.       Okay. For the record --

3           **A.       You move around every six months.**

4           Q.       -- it was at 703 South Eighth Street. You  
5 just testified that you have pictures of me doing  
6 lines at 320 East Charleston Street. Is that true or  
7 false?

8           **A.       That is absolutely true.**

9           Q.       Okay. So you're lying, because I was not at  
10 that office. Is that true or false?

11          **A.       I don't know what year it was. I'm telling**  
12 **you what I possess. I don't have my phone in front of**  
13 **me, so I can't see.**

14          Q.       Did you report that to the bar?

15          **A.       No, I didn't. I wanted --**

16          Q.       Did you call the police?

17          **A.       No.**

18          Q.       Okay.

19          **A.       Or maybe I did report it to the state bar.**

20          Q.       And what happened -- what happened with  
21 that?

22          **A.       I don't know. You tell me.**

23          Q.       Am I a lawyer right now?

24          **A.       I don't know.**

25          Q.       You don't know?



1           **A.       No. I don't have a state bar --**

2                   (Crosstalk.)

3           Q.       So you're saying that I'm practicing law  
4 without a license right now? Is that what you're  
5 stating?

6           **A.       I don't know what the state bar's status for**  
7 **you is, Mr. Ghibaudo. I don't know.**

8           Q.       Have you seen me in court --

9           **A.       No, I haven't.**

10          Q.       -- recording my bar number?

11          **A.       No, I haven't. I haven't seen you in court.**

12          Q.       Okay. So were we in court last month on  
13 your attorney's motion --

14          **A.       That was last month.**

15          Q.       So you're thinking that right now, I'm  
16 suspended, and I'm practicing law?

17          **A.       No, I'm not saying that. I'm saying I don't**  
18 **know. From my attorney, who said that right now, you**  
19 **are current status on this state bar, then I believe**  
20 **him.**

21          Q.       So you had no idea whether I'm -- whether I  
22 have a valid license or not, but you're making that  
23 claim publicly on your Facebook page; is that true?  
24 Yes or no?

25          **A.       I don't know what claim you're referring to.**



1     **Please direct me to what that is.**

2             Q.     Okay.

3             **A.     Page and line number?**

4             Q.     Let's go back to -- let's go back to where  
5     you state that I'm a disbarred attorney or -- you're  
6     saying that you never said that I'm a disbarred --  
7                     (Crosstalk.)

8             **A.     Wait a minute.   Whoa, whoa, whoa, whoa,**  
9     **whoa.   I did not --**

10            Q.     You cannot ask me any questions,  
11     Ms. Kellogg.   You're going to stop and listen, and  
12     you're going to answer my questions.

13            **A.     I never said that you were a disbarred**  
14     **attorney.**

15            Q.     You don't get to talk and ask me questions.  
16     If I ask you a question, you answer, and that's how it  
17     works.

18                     Okay.   Let's turn to --

19                     THE DEPONENT:   I'm done.   I'm not going to  
20     let him speak to me like this.

21            Q.     (BY Mr. Ghibaudo)   Let's turn to Plaintiff's  
22     Exhibit Number 3.

23            **A.     Okay.**

24            Q.     I'm sorry, no.   Let's turn to Number 4.

25                     MR. GHIBAUDO:   This is Bates Stamp 4, the



1 exhibits in my complaint, Mr. Nelson.

2 MR. NELSON: Let me verify. Ms. Kellogg has  
3 that page open. Go ahead.

4 Q. (By Mr. Ghibaudo) Okay. Do you see that  
5 snippet at the bottom of your comment?

6 A. Correct.

7 Q. Where -- what is that snippet from?

8 A. It is from a -- a therapy session for Nicole  
9 required by the state because of your domestic  
10 violence. And it says, as I quote, "The extreme" --

11 Q. I'm not --

12 A. -- amount of stress and --

13 (Crosstalk.)

14 Q. I have not asked you a question yet. I have  
15 not asked you a question yet, okay?

16 A. Okay.

17 Q. So you're alleging that it was -- that it  
18 was me that the state bar -- or not the state bar, but  
19 that CPS went after, and that it was me that was  
20 forced into a case plan.

21 Isn't it true -- and this is a yes or no --  
22 that on or about 2010 to 2013, you were required to  
23 complete a case plan through CPS? Is that true or  
24 false?

25 A. You were required --



1 Q. That's not the question I'm asking you.

2 **A. You were required.**

3 Q. I'm asking you yes or no. Were you -- were  
4 you -- were you -- was a petition for abuse and  
5 neglect ever brought against you; yes or no?

6 **A. I don't believe so.**

7 Q. Okay. So --

8 **A. I know that one was required for you.**

9 Q. The question, Ms. Kellogg -- you need to  
10 stop.

11 So even if -- even if this was a report that  
12 was done pursuant to a case plan that you allege that  
13 I was on --

14 **A. And you were.**

15 Q. Stop. I'm asking you a question. You need  
16 to listen.

17 So you posted publicly a report from a  
18 juvenile, from a small child -- Nicole was what age at  
19 that time, ten?

20 **A. I don't know.**

21 Q. And you posted a private report about your  
22 daughter on Facebook. Is that true, or is it false?

23 **A. It was in a private report.**

24 Q. You're saying that -- that reports about  
25 juveniles, about ten-year-old children, are public?





1           **A.       It was a counseling session.**

2           Q.       So that's a public record is what you're  
3 saying?

4           **A.       No.**

5           MR. NELSON:  Objection.  Calls for a legal  
6 conclusion.

7           **A.       Absolutely not.**

8           Q.       (By Mr. Ghibaudo)  It's not, right?  But you  
9 posted it anyway, correct?

10          **A.       What?**

11          Q.       You posted it anyway, correct?

12          **A.       In anyway from what?**

13          Q.       Even though it's not a public record and  
14 it's pertaining to a child, you posted that on a  
15 public Facebook page; yes or no?

16          MR. NELSON:  Objection.  It's a compound  
17 question, Mr. Ghibaudo.  You can ask her if she posted  
18 it.  You can ask her if it's a legal document.  But  
19 you're essentially asking her --

20          MR. GHIBAUDO:  She posted it.  Look, I'm  
21 looking at it right now.  She's already said that it's  
22 been posted, right?

23          Q.       (By Mr. Ghibaudo)  That is a report from  
24 Nicole -- about Nicole's therapy; yes or no?

25          **A.       Yes, it's a counseling session.**



1 Q. Okay. And that when she was on her -- she  
2 was about ten years old at the time, correct? Yes or  
3 no?

4 A. This has nothing about Nicole in it. It has  
5 everything about you in it.

6 Q. So you're saying that this is a private  
7 medical record about me and not a record that was  
8 generated through a CPS case about Nicole? Is that  
9 what you're alleging right now? You're under oath,  
10 Ms. Kellogg.

11 A. Okay. What's your question?

12 Q. My question is: Did you post a private  
13 report about either me or Nicole that pertains to  
14 medical records publicly, whether it's me or Nicole?

15 A. No, this has nothing to do with a medical  
16 record.

17 Q. It's not. It's not a report about --

18 A. It's a therapy session.

19 Q. Okay. And so that's not protected by HIPAA?

20 A. I don't know.

21 Q. That's something that should be made public?

22 A. I don't know.

23 Q. You don't know, or you don't care?

24 A. I don't know.

25 Q. Or you're so filled with rage that you don't



1 care? Which one is it?

2 MR. NELSON: Objection. Asked and answered.

3 Q. (By Mr. Ghibaudo) Okay. Let's turn to  
4 Bates Stamp 5 in my exhibits.

5 A. Go on.

6 Q. Okay. What is that -- that document that  
7 you're posting there, those 16 pages? What is that?

8 A. Well, this is the Order Upon Consent.

9 Q. And you posted that publicly?

10 A. I didn't -- it doesn't say that I posted  
11 anything.

12 Q. Okay. Well, I'm asking you: Is this from  
13 you or not?

14 A. I don't know. It doesn't say my name. It  
15 doesn't say anything.

16 Q. So you're saying you did not. It's a  
17 yes-or-no question. So it's a no, right?

18 A. I'm saying I don't know.

19 Q. Your claim is that you did not post this?

20 A. I don't know. It doesn't have my name on  
21 it.

22 Q. Well, let me ask you this: Did you post  
23 that consent, whatever it is that you want to call it,  
24 the Order, the Consent Upon Decree, whatever -- that  
25 looks like a letter from your attorney, actually.



1           Are you saying that you never posted that  
2   on -- you never posted anything publicly concerning  
3   our case or anything that your attorney wrote  
4   concerning our case; is that what --

5           **A.     I have -- I have posted things in the**  
6   **R case, yes.**

7           Q.     Okay. And that case is sealed, correct?

8           **A.     No, it's not.**

9           Q.     There's no order sealing -- didn't you just  
10   testify several hours ago that -- when I asked you  
11   about the videos, that the only thing that's sealed is  
12   pleadings and documents; is that --

13                   (Crosstalk.)

14           **A.     The R case. Pay attention.**

15           Q.     Listen, Ms. Kellogg. You need to calm down.  
16   This is my deposition. You don't get to scream and  
17   shout and act like you're some victim or act like  
18   you're in control of the situation. You are not. I'm  
19   asking you questions, and you need to answer them.

20           **A.     This is you being a bully again.**

21                   MR. GHIBAUDO: Mr. Nelson, instruct your  
22   client on how to behave.

23                   Do we need to take another ten-minute break,  
24   Mr. Nelson --

25                   MR. NELSON: Let's take another ten.



1 MR. GHIBAUDO: -- so you can discuss with  
2 your client how to behave?

3 MR. NELSON: Let's take another ten.

4 THE DEPONENT: No. You need to learn how to  
5 behave.

6 MR. NELSON: Let's take another ten.

7 MR. GHIBAUDO: Thank you.

8 THE VIDEOGRAPHER: We're now going off the  
9 record. The time is approximately 1:27 p.m.

10 (Recess from 1:27 p.m. to 2:09 p.m.)

11 THE VIDEOGRAPHER: We are now back on the  
12 record. The time is approximately 2:09 p.m.

13 MR. GHIBAUDO: All right. First of all,  
14 Mr. Nelson, how much time do you think you're going to  
15 need for rebuttal or rehabilitation?

16 MR. NELSON: You know, given that  
17 Ms. Kellogg is my client, I think I'll save a  
18 rebuttal -- probably 10, 15 minutes at most, somewhere  
19 in there.

20 MR. GHIBAUDO: Okay.

21 Q. (By Mr. Ghibaudo) All right. Ms. Kellogg,  
22 you were just handed two documents. One is the  
23 minutes from the settlement conference from May 18,  
24 2016, and another is a new post that I assume is  
25 directed at me; however, it's stated in a way that it



1 seems like somebody else wrote it.

2 So let me just ask you: Do you see the  
3 document that you were given that says, "Hey, Stalker,  
4 leave her alone. She's done with you. Stalking my  
5 feed for access just proves how creepy and  
6 narcissistic you are." Do you see that?

7 **A. Yes.**

8 Q. Did you post that?

9 **A. Yes.**

10 Q. Are you referring to me?

11 **A. Yes.**

12 Q. And again, you called me a narcissist?

13 **A. Yes.**

14 Q. Is that a statement of fact?

15 **A. It's what my opinion is.**

16 Q. And what's that opinion based on?

17 **A. Because of your actions.**

18 Q. What actions?

19 **A. You are selfish. You are self-absorbed.**

20 **You care about nobody else except for yourself. You**  
21 **believe that you are the ultimate ruler of the**  
22 **universe, so forth and so on.**

23 Q. And those are statement of facts, according  
24 to you, right?

25 **A. According to me, yes.**



1 Q. Okay. And you believe I'm a stalker?

2 **A. Yes.**

3 Q. And that's a statement of fact?

4 **A. Yes.**

5 Q. Okay. Now, turning to the settlement  
6 conference, it's kind of hard to read, but look at  
7 4-A, which is about -- if you can find --

8 MR. GHIBAUDO: Can you help her find that,  
9 Mr. Nelson?

10 **A. Defendant will pay Plaintiff, yes.**

11 Q. (By Mr. Ghibaudo) The sum of 2,500 per  
12 month in alimony, blah, blah, blah, blah, blah.  
13 Continue until such time she becomes employed, then  
14 the amount of alimony may be recalculated.

15 Do you recall the settlement conference?

16 **A. I do.**

17 Q. Do you recall discussing you having to get a  
18 job in order to defray the cost of alimony?

19 **A. Absolutely not. Never happened.**

20 Q. Then why would that be indicated in the  
21 settlement conference?

22 **A. It did not say that.**

23 Q. Why would it -- why would it even been  
24 mentioned, if it was never discussed?

25 **A. It's not. What are you talking about? I**



1     **don't know what you're saying.**

2           Q.     So is it your contention that you don't ever  
3     need to work?

4           A.     As -- what the divorce decree says, upon  
5     time of which I work more than 32 hours a week, then  
6     it will be recalculated. The divorce proceeding that  
7     you were there for and, you know, we both signed, we  
8     both agreed to it, so it is what it is.

9           Q.     I did not sign it, actually.

10          A.     Okay.

11          Q.     If you recall, I did not sign it.

12                 So let me ask you this: How many times have  
13     you applied for work since 2017?

14          A.     I think we already went through that. The  
15     last employment I had --

16          Q.     That's not question. I'm not --

17                 (Crosstalk.)

18          Q.     You need to listen to the question, okay?

19                 How many times -- let's start with 2017.

20     How many times did you apply for work in 2017?

21          A.     Zero.

22          Q.     How many times did you apply for work in  
23     2018?

24          A.     Zero.

25          Q.     How many times did you apply for work in





1 2019?

2 **A. I believe once at We Care.**

3 Q. And how about -- and for how many days did  
4 you want to work at We Care?

5 **A. Whatever they had available.**

6 Q. Is that one day a week?

7 **A. I don't know. They didn't tell me.**

8 (Crosstalk.)

9 Q. So you're saying that you applied for work,  
10 and they didn't tell you how many hours or how much  
11 you're going to get paid?

12 **A. I just told you, I don't know. The pandemic**  
13 **hit.**

14 Q. I'm asking you, when you applied -- I'm  
15 assuming that you spoke to the person, whoever's in  
16 charge of hiring, and you're saying that you never  
17 discussed how many days you would work and how much  
18 your pay rate would be. Is that what you're saying?  
19 Is that your allegation?

20 **A. I am saying that the days were not**  
21 **determined, and I was not informed of the pay.**

22 Q. Okay. So in 2020, did you apply for work?

23 **A. No.**

24 Q. In 2021, have you applied for work?

25 **A. No.**



1 Q. Since 2022 to date, have you applied for  
2 work?

3 A. No.

4 Q. Why?

5 A. Because my doctor says that I'm currently  
6 disabled and unable to fulfill gainful employment.

7 Q. And what is your disability?

8 A. It's a -- as you well know, it's a cognitive  
9 disability. It is an anxiety disorder as well as  
10 PTSD, which has increased over the past couple years.  
11 And you have those documents.

12 Q. I have -- are you referring to the two-page  
13 letter from Mr. Rosenblum, I believe?

14 A. Yes. And it's not Mr. It's Miss.

15 Q. Whatever. Have you applied for disability  
16 with the government?

17 A. I have.

18 Q. And have you been accepted?

19 A. It's still in the determination.

20 Q. Okay. So you're saying that ADHD and  
21 anxiety prohibits you from working?

22 A. Well, I'm saying exactly what the -- the  
23 letter says.

24 Q. So what you're saying, actually, is that you  
25 would prefer for me and your parents to pay for your



1 lifestyle, rather than actually try to get a job. Is  
2 that a true and correct statement?

3 **A. I would prefer for you to pay your**  
4 **court-ordered support obligation.**

5 Q. And if not, you'd prefer your elderly  
6 parents to pay for your lifestyle, rather than a job?

7 **A. No. I would prefer for you to pay your**  
8 **court-ordered support obligation.**

9 Q. Okay. And your anxiety is so great that you  
10 can't sit and answer phones or do anything at all. Is  
11 that what you're saying?

12 **A. That's what you're saying.**

13 Q. I'm asking you.

14 **A. That's what -- my physician provided a**  
15 **letter. I'm going off of the letter that my physician**  
16 **provided, and I believe that you do have that letter.**

17 Q. A physician or a psychotherapist?

18 **A. I think they're both the same.**

19 Q. They are not. A physician is a doctor, is  
20 an MD. A therapist has, at best, a degree -- a Ph.D.  
21 in --

22 **A. Not a therapist. She's a psychiatrist.**

23 Q. Okay. So your psychiatrist is saying -- and  
24 why didn't you disclose these documents, by the way,  
25 during the litigation that ran from 2019 to the end of



1 2020?

2 **A. Because you posted everything on Nevada**  
3 **Court Watchers. My medical record, you provided --**

4 Q. When did I do that?

5 (Crosstalk.)

6 Q. When was it exactly -- if I didn't -- wait.  
7 Stop.

8 So you're saying you did not provide that,  
9 but you're now saying I posted your medical records.  
10 How does that make sense?

11 **A. Listen.**

12 Q. No, you listen.

13 **A. Please, let me answer. I'm trying to answer**  
14 **you, please.**

15 Q. Stop. Again, you don't get to talk to me  
16 like that. You answer the questions, okay?

17 You just made a contradictory statement.  
18 You said that you did not provide medical records,  
19 because I posted your medical records on Nevada Court  
20 Watchers. Which one is it? Did you provide the  
21 records?

22 **A. I'm trying to answer you.**

23 MR. GHIBAUDO: Mr. Nelson.

24 **A. You, first of all, got into a conflict on**  
25 **Nevada Court Watchers.**



1 MR. GHIBAUDO: If we're just going to  
2 continue to scream and shout at each other, or is your  
3 client going to answer questions?

4 MR. NELSON: I believe my client is trying  
5 to state an answer, if you can just allow her a moment  
6 to explain. You said that she made a statement --  
7 contradictory statement. I don't believe she did. If  
8 you can allow her to explain, I would be so --

9 MR. GHIBAUDO: Okay.

10 THE DEPONENT: Thank you.

11 Q. (By Mr. Ghibaudo) You're -- so let's start  
12 here. You're alleging that I said one word about you  
13 on the Nevada Court Watchers?

14 A. I am alleging that you stated on Nevada  
15 Court Watchers in an exchange with Attorney Sigal  
16 Chattah that you said that my dad provided court  
17 documents that said that I am mentally disabled. Is  
18 that not correct?

19 Q. Are you asking me a question, ma'am?

20 A. Because I do have the documents.

21 Q. Are you yet again asking me a question?

22 A. Well, I have a document.

23 Q. What don't you understand about not asking  
24 me questions? Can I ask you that? That's a valid  
25 question.



1                   What -- is that part of your cognitive  
2   disability? What don't you understand about not  
3   asking me questions? Can I ask you that? What part  
4   of that don't you understand?

5                   Maybe I can clarify it for you. You do not  
6   get to ask me questions. Is that clear enough to you;  
7   yes or no? That's a question I'm asking you.

8           **A.     I can't -- I can't hear you. What?**

9           Q.     I'm asking you: Is it clear enough to you  
10   that you do not get to question me? Is that clear;  
11   yes or no?

12          **A.     Yes, that's very clear, Mr. Ghibaudo.**

13          Q.     Thank you.

14          **A.     I apologize for --**

15          Q.     Well, that's just very kind of you.

16          **A.     I know it is.**

17          Q.     So you never provided medical records  
18   substantiating what you're claiming now concerning  
19   your disability, true?

20          **A.     That is true.**

21          Q.     Okay. And you're asserting that that's the  
22   case because you were afraid that I would post it  
23   online; is that true? Not that I did, but --

24          **A.     In addition to other factors. In addition**  
25   **to other factors.**



1 Q. Like what?

2 A. Because my disability had nothing to do with  
3 our settlement agreement. My disability was never  
4 mentioned in our settlement agreement.

5 Q. Wasn't it the case that --

6 A. And you don't want me to finish, so I'm not  
7 going to.

8 Q. Wasn't it the case that the discovery  
9 commissioner during that litigation ordered you to  
10 provide those medical records?

11 A. The discovery -- what are you talking about?

12 Q. During the 2019 to 2020 litigation, there  
13 was a hearing before the discovery commissioner,  
14 because you refused to provide your medical records,  
15 because you continue to claim you can't work based on  
16 your disability. That is relevant. And you refused  
17 to provide them despite the fact that you were ordered  
18 to do so; yes or no?

19 A. I do -- I do not recall that whatever --  
20 100 percent. I do not recall that.

21 Q. All right. When did you apply for  
22 disability with the government?

23 A. It was a few a months ago.

24 Q. So you applied for disability a few months  
25 ago. What is the status of that case?



1           **A.       I don't know.**

2           Q.       Who is your attorney for that? Who is  
3 assisting you in that?

4           **A.       I can't remember the firm right now.**

5           Q.       You hired a lawyer, and you don't remember  
6 the name of your lawyer? Is that what you're  
7 asserting today?

8           **A.       That's what I'm asserting right now.**

9           Q.       Okay.

10          **A.       Richard Harris. Richard Harris.**

11          Q.       Okay. And when were you diagnosed with  
12 generalized anxiety and ADHD?

13          **A.       It was in 2013. You're well-aware of it.**

14          Q.       Again, that comment is not necessary.  
15 Again, you're making -- you're just -- you're making  
16 comments that are escalating this issue that are not  
17 necessary.

18                 All right. I'm asking you the questions.  
19 If I'm well-aware of it, that doesn't matter. I want  
20 to hear it from you to make a record. Is that clear?

21          **A.       Very clear, Mr. Ghibaudo.**

22          Q.       Thank you. Yes, thank you very much.

23                 So if you knew that you had generalized  
24 anxiety and ADHD in 2013, why did you wait until a few  
25 months ago to apply for disability?





1           **A.       Because I have a doctor's letter that says**  
2           **that I am unemployable.**

3           Q.       Weren't you under the care of a doctor since  
4           2013? In fact, haven't you been under the care of a  
5           doctor since before 2013?

6           **A.       Yes. I've been under the care of a doctor**  
7           **since 2013, yes.**

8           Q.       Okay. So eight years ago, you were -- you  
9           were deemed what -- at that time did they tell you you  
10          were disabled?

11          **A.       No.**

12          Q.       You just suddenly became disabled?

13          **A.       Over the past couple years, as the letter**  
14          **states, due to ongoing litigation and ongoing marital**  
15          **stressors.**

16          Q.       We're not married.

17          **A.       Well, I'm just telling you what the letter**  
18          **said.**

19          Q.       Okay. And how long is this process going to  
20          take, approximately?

21          **A.       I have no idea.**

22          Q.       You didn't -- your lawyer didn't give you a  
23          time frame about what and how long this may take?

24          **A.       No.**

25          Q.       How many times have you spoken to your



1 lawyer about this issue?

2 **A. I've never spoken to the lawyer. They have**  
3 **paralegals that are handling it.**

4 Q. So you hired a law firm, which you don't  
5 know who your lawyer is, you're just dealing with the  
6 paralegal?

7 **A. I just said it was Richard Harris Law Firm**  
8 **and --**

9 (Crosstalk.)

10 Q. But you never met a lawyer at that law firm?

11 **A. Pardon?**

12 Q. But you never met a lawyer from that law  
13 firm?

14 **A. No.**

15 Q. So the paralegal told you that you're --  
16 you're eligible for disability benefits?

17 **A. She didn't say anything. She -- in the**  
18 **process of -- of getting the information from my**  
19 **physicians to provide documentation.**

20 Q. Okay. And does your doctor in his letter  
21 state you're unable to work, or does he just state  
22 that you're disabled?

23 You can work if you're disabled, correct?

24 **A. I'm just telling you what the letter says.**  
25 **That's all I'm saying, is what the letter says.**



1 Q. So --

2 A. I can't -- I cannot think of what the doctor  
3 is thinking in her mind. All I'm stating is what the  
4 letter says.

5 Q. How long have you been treating with that  
6 doctor that provided the letter that was attached to  
7 your motion for a protective order?

8 A. That was what? Attached to what?

9 Q. The motion for a protective order that you  
10 presumably read and signed off on, the letter that you  
11 provided to your attorney that he attached as an  
12 exhibit to the motion for a protective order that you  
13 just referenced.

14 A. Oh, for the discovery commissioner.

15 Q. Yes.

16 A. I believe it was March 2019.

17 Q. So you've been under that doctor's care for  
18 the last four years, and she just determined that you  
19 are disabled? Is that what you're asserting?

20 A. I don't believe it's four years.

21 Q. You said 2018. It's 2022.

22 A. I said 2019.

23 Q. No, you didn't. But okay.

24 So for the last three years, you've been  
25 under the care of that doctor, but she only recently



1 determined that you're disabled, right? Is that what  
2 you're inferring?

3 **A. That's what the letter says.**

4 Q. Okay. And did that doctor's opinion -- was  
5 that doctor's opinion that your disability is to such  
6 a level that you cannot sit at a desk and answer  
7 phones, for example?

8 **A. I'm just repeating what the letter says.**

9 Q. What does the -- I'm asking you, does the  
10 letter say that your disability is so great that you  
11 can't get a job?

12 **A. It says that I'm unable to work at this**  
13 **time.**

14 Q. At this time. Does it state that you can  
15 work at a later time after you get therapy and you do  
16 substantial therapy --

17 **A. No, it doesn't state anything.**

18 Q. -- to deal with whatever issue you have?

19 **A. No, it doesn't state anything like that.**

20 Q. Okay. Well, let's pull it up and see.

21 **A. Okay.**

22 Q. Well, let's not. Let's just --

23 MR. GHIBAUDO: Mr. Nelson, you filed the  
24 motion. I think you understand what the letter says.  
25 We'll deal with her statement at trial and impeach her



1 with it.

2 Q. (By Mr. Ghibaudo) So you have no intention  
3 of working for the rest of your life? Is that the  
4 case? You want to collect disability? Is that a true  
5 statement?

6 A. No.

7 Q. So you intend to go back to work at some  
8 point?

9 A. No. I intend to finish school, and then --  
10 (Crosstalk.)

11 Q. All right. Let's talk about that, by the  
12 way.

13 You have, according to your own testimony,  
14 seven classes that are -- that you need to take,  
15 correct?

16 A. Correct.

17 Q. And how much do those seven classes cost  
18 you? What costs you, if you paid for them and you  
19 took them?

20 A. I don't know.

21 Q. Well --

22 A. I don't have any financial aid.

23 Q. What school are you going to?

24 A. What?

25 Q. What school are you attending or were



1 attending? UNLV or -- which one was it?

2 **A. UNLV.**

3 Q. Okay. So how much do they charge per  
4 credit?

5 **A. I do not know what the current price is.**

6 Q. What do you know about your life? Do you  
7 know anything?

8 MR. NELSON: Objection. Argumentative.

9 Q. (By Mr. Ghibaudo) Okay. How much have you  
10 spent on attorneys in the last six years?

11 **A. I haven't spent any money, because I don't**  
12 **have any money.**

13 Q. Okay. In 2017, did I pay you money?

14 **A. I believe you paid some money.**

15 Q. \$30,000?

16 **A. No.**

17 Q. Okay. So you're lying again?

18 **A. No, I'm not.**

19 MR. NELSON: Objection.

20 Q. (By Mr. Ghibaudo) In 2018, were you paid  
21 money by me? In 2018, did you collect money from me?

22 **A. 2019?**

23 Q. '18.

24 **A. I believe seven months.**

25 Q. Okay. In that time have you been -- who is



1 paying for the -- who was paying for your college  
2 credits? You said you were getting school loans; is  
3 that true?

4 **A. No, that's not what I said.**

5 Q. Okay. So how were you paying for it?

6 **A. In 2018 --**

7 Q. Your college classes?

8 **A. I was not in school in 2019.**

9 Q. So you quit school in 2019 with seven  
10 classes left?

11 **A. The second semester, when you stopped paying**  
12 **me.**

13 Q. Okay. But you were able to pay, what, seven  
14 attorneys?

15 **A. I wasn't able to pay any attorneys.**

16 Q. Okay. Who paid for your attorneys?

17 **A. My parents -- my parents loaned me the**  
18 **money.**

19 Q. Okay. And how much did they loan you?

20 **A. I don't have that figure right in front of**  
21 **me.**

22 Q. Is it fair to say that you paid Marshal  
23 Willick at least \$60,000?

24 **A. Like I said, I don't have that figure in**  
25 **front of me.**



1 Q. Okay. You know that that's a public record.  
2 It was filed. You understand that, right?  
3 Presumably, you read it, because you wanted to  
4 challenge it.

5 Is it fair to say that you owe Marshal  
6 Willick in excess, let's say, of \$10,000, or you paid  
7 him at least that, since that's what his initial  
8 retainer is. Is that true?

9 **A. Of course, it's true.**

10 Q. Okay. And then, let's see, after Marshal  
11 Willick, you had Dennis Leavitt, correct?

12 **A. Well, you're forgetting Sigal --**

13 Q. Oh, I'm sorry. Okay, yeah. So you had  
14 Sigal Chattah at some point as well?

15 **A. Yes.**

16 Q. Okay. So let's run down. You had Marshal  
17 Willick, right?

18 **A. Uh-huh.**

19 Q. Since 2000 -- we're talking now since 2016.

20 **A. Uh-huh.**

21 Q. First, it was Sigal Chattah, correct? Then  
22 it was Marshal Willick; is that right?

23 **A. Correct.**

24 Q. Then it was Dennis Leavitt, correct?

25 **A. Held me in contempt for nonpayment, yes.**





1 Q. Okay. I didn't ask you that. You need to  
2 listen to the question --

3 A. I apologize.

4 Q. -- and answer the question without  
5 commentary. Your attorney will have a chance to  
6 rehabilitate you or ask you questions after, as you've  
7 been repeatedly told.

8 Okay. So after Dennis Leavitt, you had who?  
9 Peter Bellon for a minute, before he withdrew?

10 A. He was never my attorney of record.

11 Q. But you paid him, right, initially at some  
12 point, because I had conversations with him. You did  
13 hire him. Is that true or incorrect?

14 A. I don't know if it was a hire -- I don't  
15 know what happened with Mr. Bellon. I don't know.

16 Q. And then you had Sigal Chattah again,  
17 correct?

18 A. Correct.

19 Q. And then you fired her and got Chris Reed,  
20 correct?

21 A. I did not fire her.

22 Q. She fired you?

23 A. No, she didn't fire me. I decided that  
24 Chris Reed was capable of handling both, instead of me  
25 paying for two attorneys, because he was the one that



1     **I initially hired to -- for the garnishment.**

2           Q.     Okay. So then after Chris did fire you,  
3     actually, because he couldn't control you, you hired  
4     Mr. Nelson?

5           **A.     That's incorrect.**

6           Q.     Okay. And then you hired Mr. Nelson,  
7     correct?

8           **A.     Yes.**

9           Q.     And you gave Mr. Nelson at least \$15,000,  
10    correct?

11          **A.     That's correct.**

12          Q.     Okay. So that's a lot of attorneys and a  
13    lot of money?

14          **A.     Yeah.**

15          Q.     All right.

16          **A.     You're absolutely correct.**

17          Q.     Why couldn't you use any of that money to  
18    finish your seven classes?

19          **A.     Because it's not my money.**

20          Q.     It's not your money. But you were able to  
21    get enough loans to hire enough attorneys to litigate  
22    this for six years, but you couldn't get money to pay  
23    for seven classes at UNLV? Is that what you're  
24    saying?

25          **A.     It's not my money.**



1 Q. So your -- who dictates how you spend your  
2 money?

3 A. **It's not my money.**

4 Q. But you get the money, correct?

5 A. **No, I don't.**

6 Q. Who gets it?

7 A. **My parents. My parents have the money.**  
8 **They loan me the money.**

9 Q. So you get the money. You have money,  
10 because they loan it to you.

11 A. **No. No, that's not true.**

12 Q. So at some point, if you have a loan, that  
13 loan is given to you; yes or no?

14 A. **No.**

15 Q. So you don't have a loan?

16 A. **The money is paid directly to the attorney.**

17 Q. Okay. So why couldn't you ask for a loan to  
18 finish your school?

19 A. **Because my parents are also paying for your**  
20 **daughter's college tuition.**

21 Q. So your parents can pay upwards of \$200,000  
22 for attorneys, but they can't pay for seven classes?  
23 Is that what you're -- you're testifying to today?

24 A. **Yes. In addition to living expenses, of**  
25 **course, they also are forced to pay for, because you**



1     **didn't pay your court-ordered support obligation.**

2           Q.     And you're asserting that \$2,500 a month  
3     will pay for your -- the entirety of your bills?

4           A.     **No.**

5           Q.     How much do you pay for --

6           A.     **I have back support that you owe me.**

7           Q.     Okay. How much do you pay for the mortgage  
8     on your home, on your condo?

9           A.     **Okay. It's not my mortgage.**

10          Q.     So you didn't pay anything for that?

11          A.     **I pay rent.**

12          Q.     Okay. How much do you pay in rent?

13          A.     **1,250.**

14          Q.     Okay. Do you have a car note?

15          A.     **No.**

16          Q.     So your car's paid off?

17          A.     **Yes.**

18          Q.     All right. And presumably --

19          A.     **Part of the marital debt that you never paid**  
20     **for.**

21          Q.     Yeah, that I will never pay for, because  
22     that's what was ordered.

23                   So I'm not understanding. It doesn't make  
24     any sense. How is it that you can acquire seven  
25     attorneys in at least excess of \$200,000, but you



1 can't afford to pay for seven classes to finish  
2 school? Explain that.

3 **A. That's just how it is. Sorry.**

4 Q. That's just how it is --

5 **A. Yes.**

6 Q. -- because you don't want to get a job,  
7 right?

8 **A. No. I was doing just fine until you stopped**  
9 **paying your court-ordered support.**

10 Q. So you were paying your classes with my --

11 **A. And you did so purposely so I couldn't**  
12 **finish.**

13 Q. Hang on. I'm not -- you don't get a chance  
14 to talk. I'm asking you a question.

15 So you're saying that you were paying for  
16 your college tuition by my -- with my court-ordered  
17 support? Is that what you're saying?

18 **A. Yes.**

19 Q. But you previously said that you had school  
20 loans, so which one is it?

21 **A. No, I didn't say that.**

22 Q. You never had school loans?

23 **A. No. I exhausted my school loans by paying**  
24 **your reinstatement fee.**

25 Q. Okay. You paid it. I didn't have any --



1     okay.   Yeah, right.

2           **A.       Yeah, right.**

3           Q.       So it makes sense to you to have your  
4     elderly parents shell out over \$200,000 to collect  
5     \$2,500 a month, rather than pay for seven classes and  
6     get a job.   That make sense to you?

7           **A.       I can't determine what my parents pay and**  
8     **what they don't pay.   I apologize.**

9           Q.       Is it you that asked them for the money to  
10    pay for the attorneys, or they just shell it out  
11    themselves?   Are they the ones driving this  
12    litigation, or is it you?

13          **A.       Whatever is required, that's what they do.**

14          Q.       Is it not required for you to get your  
15    education and get a job?   They don't think that?

16          **A.       No.   What's required is for you to pay your**  
17    **monthly support.**

18          Q.       That's not what I asked you.

19          **A.       I don't know.**

20          Q.       That's not what I asked you.

21          **A.       I don't know what my parents think.   I don't**  
22    **know what they feel.   I don't know what they have**  
23    **moneywise.   It's not -- it's not up to me.**

24          Q.       How old are you?

25          **A.       You're making me make assumptions when I**



1     **have nothing to -- to assume.**

2           Q.     So how old are you?

3           A.     **I am 48.**

4           Q.     Okay. And your parents dictate to you, a  
5     48-year-old woman, what to do with your life? Is that  
6     what you're asserting?

7           A.     **No.**

8           Q.     Well, you're just telling me that you don't  
9     get a choice as to what -- how the money is spent.

10          A.     **They're paying, yes. I don't get to choose,**  
11     **and I don't get to dictate how they spend their money.**

12          Q.     So you think it's not a good idea to go to  
13     your parents, who have enough money to spend \$200,000  
14     on lawyers, and ask, Hey, can you just loan me the  
15     money to pay for seven classes to finish school.  
16     That's what you're saying?

17          A.     **I'm saying it's not up to me.**

18          Q.     Okay. It's up to your parents. So your  
19     parents don't want you to finish school. That's what  
20     you're saying?

21          A.     **I'm saying it's not up to me.**

22          Q.     That's not what I asked you. I'm asking  
23     you: Is it your contention --

24          A.     **I don't know what my parents want to do.**

25          Q.     I'm not done with my question, ma'am.



1                   So is it your assertion that your parents  
2 would prefer to litigate this forever, rather than  
3 have you finish school and get a job? That's what  
4 your parents want?

5           **A.       I don't know what they want.**

6           Q.       They just want you to litigate this forever?

7           **A.       Like I said, I don't know what they want.**

8           Q.       Well, that's what you've been doing, right?  
9 For the last six years, instead of getting a job,  
10 you've been going back and forth to court; isn't that  
11 true?

12          **A.       I've been trying to get enforcement for you**  
13 **to pay your court-ordered support.**

14          Q.       Wouldn't it just be easier to finish school  
15 and get a job, like everybody else?

16          **A.       No. I think --**

17               MR. NELSON: Objection. At this point, this  
18 has been asked and answered. And, you know,  
19 obviously, I get the point you're trying to make,  
20 Mr. Ghibaudo. She should get a job, and while we  
21 respectfully disagree with those assertions, I think  
22 you've asked the same question about --

23               MR. GHIBAUDO: I'm trying to get her to  
24 answer a question that she's evasive. That's what  
25 she's been doing all day, is be evasive. We would





1 have been done with this hours ago if she would just  
2 answer straight, but she doesn't.

3 No matter how many times you discussed with  
4 her to be straightforward and just answer a question,  
5 she wants to be evasive. So that's why we're here  
6 wasting time.

7 Q. (By Mr. Ghibaudo) So I'm going to ask you  
8 one last time. Is it -- would it not be a better --  
9 better use of money that you're getting lent -- you're  
10 saying that your parents are loaning you money -- that  
11 it wouldn't be a better use of that money to just get  
12 a college degree and get a job?

13 A. Like I said, I don't get to determine what  
14 my parents do with their money.

15 Q. Don't get to determine -- blah, blah, blah,  
16 blah, blah. All right. Thank you.

17 So you're saying that you're disabled, and  
18 the disability was determined several months ago. How  
19 many months ago exactly is that?

20 A. I don't know what the date on the letter  
21 says. I don't have it in front of me.

22 Q. You say you don't even know when you're  
23 doctor said you're so disabled, you can't work? You  
24 can't even answer that question?

25 A. It's on the letter. The date is on the



1     **letter.**

2           Q.     I'm asking you, because you're the one that  
3     had the meeting with your doctor, and your doctor at  
4     some point determined, and presumably told you,  
5     Ms. Kellogg, you are so damaged that you cannot work.  
6     When did that happen is what I'm asking you?

7           A.     **I don't know.**

8           Q.     Okay. Well, let's run through it. When is  
9     the last time you had an appointment with your doctor?

10          A.     **A couple weeks ago.**

11          Q.     And then before that?

12          A.     **A couple weeks before that.**

13          Q.     So how many weeks -- how many -- how many  
14     times a month do you see your doctor?

15          A.     **Sometimes twice, sometimes once.**

16          Q.     Okay. And you can't remember at this point,  
17     even though you see your doctor often, when it was  
18     that you two discussed whether or not you can work, or  
19     was that letter just generated for litigation  
20     purposes?

21          A.     **It doesn't say when I can work. It says --**

22          Q.     Because you're disabled.

23          A.     **-- that I'm unable to work.**

24          Q.     That's what I'm asking you. When was it  
25     that your doctor decided that you -- your anxiety



1 disorder and your ADHD, which you're heavily medicated  
2 for, is so severe that you can no longer work? When  
3 did that conversation take place?

4 **A. I don't recall.**

5 Q. Was it within the last two months?

6 **A. I don't recall.**

7 Q. Was it within the last three months?

8 **A. I don't know when the letter was dated,**  
9 **Mr. Ghibaudo.**

10 Q. I'm not asking you about the letter. I'm  
11 asking you about what conversation and when the  
12 conversation occurred with your doctor, where it was  
13 determined where she said, You know what, Ms. Kellogg,  
14 you are so severely damaged that you can no longer  
15 work. When did that conversation take place?

16 **A. I don't know.**

17 Q. How is it that you don't know just basic  
18 conversations that you have with your medical  
19 providers?

20 **A. I have a cognitive disability.**

21 Q. What does that mean?

22 **A. It means that it's difficult for me to**  
23 **remember.**

24 Q. So you don't -- so do you have ADHD, or do  
25 you have a -- I don't know what to call it -- sort of



1     retardation, where you can't remembering anything?

2                   MR. NELSON:  Objection.  Argumentative.

3           Q.     (By Mr. Ghibaudo)  Which one is it?

4                   MR. GHIBAUDO:  I'm sorry, Mr. Nelson.  But  
5     I'm trying to get to the bottom of why she can't  
6     remember a single thing.  I mean, that's a good -- I'm  
7     trying to figure it out.  And she's not --

8                   THE DEPONENT:  You can disparage me all you  
9     want.

10                  MR. GHIBAUDO:  I'm not asking you a question  
11     right now, ma'am.  You need to stop talking.

12                  MR. NELSON:  Is the question why she can't  
13     remember things?  Is that what you're trying to ask  
14     without the disparaging remark?

15                  MR. GHIBAUDO:  Why is it that she can't  
16     remember a single solitary thing?

17           **A.     I've answered you -- I've answered your**  
18     **questions.**

19           Q.     (By Mr. Ghibaudo)  You have a cognitive  
20     disability --

21           **A.     You can call it whatever you want.**

22           Q.     -- and so you can't remember anything.  But  
23     you can remember how much I owe you, right?  You can  
24     remember that.  You can remember how much I haven't  
25     paid.  That's easy to remember.



1           **A.       Yeah. It's been a great deal of money.**

2           Q.       Yeah. That is -- the recall for that is --

3           **A.       So why don't you pay it?**

4           Q.       -- right, instant? But you can't remember a  
5 conversation you had with your doctor.

6           **A.       Is that a question?**

7           Q.       It's a comment.

8                    So now, you say that -- let's assume,  
9 because I think your prior testimony -- and we can ask  
10 the court reporter to look back -- when I initially  
11 asked you this, that you said it was a couple of  
12 months ago, assuming two months, based on your  
13 testimony. Now you're saying you don't know.

14                   And that's how depositions work. You catch  
15 people lying. You've already said that it was a  
16 couple of months ago. Now you're saying you don't  
17 remember.

18                   So it's 2022 now. We're assuming maybe at  
19 the end of 2021 is when she told you that you can no  
20 longer work, and you're disabled, right?

21           **A.       I don't know.**

22           Q.       Okay. But you were -- you were smart  
23 enough -- or you didn't have a cognitive disability to  
24 such an extent that you were able to get an  
25 associate's degree, right?



1           **A.       My disability has greatly increased over the**  
2 **past couple years. I don't have the exact date. My**  
3 **apologies.**

4           Q.       So you got an associate's degree -- when was  
5 that, or can you recall?

6           **A.       2017.**

7           Q.       And how long did you attend UNLV after that?

8           **A.       For two years.**

9           Q.       So until 2019. And then it wasn't until two  
10 years later, end of 2021, where you determined that  
11 you were disabled. Why couldn't you get a degree  
12 between 2019 and 2021?

13           **A.       I didn't determine I was disabled. My**  
14 **doctor did.**

15           Q.       Okay. So you didn't know that you were  
16 disabled between 2019 and 2021?

17           **A.       I don't get to determine that. My doctor**  
18 **does.**

19           Q.       Do you feel like you're so anxiety ridden  
20 and you're so mentally disorganized that you can't get  
21 a basic job and earn a living?

22           **A.       It's not my determination.**

23           Q.       It's not what I asked you. Do you feel like  
24 your mind is so disorganized and that you're so  
25 anxiety ridden that you can't get a basic job?



1           **A.       Yes.**

2           Q.       Okay. But you applied for a job at We Care,  
3 right?

4           **A.       Yes.**

5           Q.       So you can get a job. You just don't want  
6 to?

7           **A.       It's a babysitter job.**

8           Q.       Okay. So why can't you babysit?

9           **A.       Because since then, it's continued to**  
10 **increase.**

11          Q.       So you can't sit down and just watch a  
12 child?

13          **A.       No, I can't.**

14          Q.       Okay. So who took care of your child that  
15 you said you took care of all this time? Was it your  
16 grandparents?

17          **A.       Took care of what?**

18          Q.       Nicole.

19          **A.       Oh, the woman? The 20-year-old woman?**

20          Q.       The 20-year-old woman that you claim to take  
21 care of to this date. Can you do that?

22          **A.       Yeah, I do.**

23          Q.       Okay. So you're capable of caring for your  
24 grown adult child, and you were capable of caring for  
25 her when she was a minor, but you can't get a job.



1                   Is there something funny about getting a  
2   job? Do you think it's funny?

3           **A.       I've answered -- I've answered your**  
4   **questions. I don't know what more you want me to say.**

5           Q.       Do you think that you're so above everybody  
6   that you're not supposed to get a job? You should  
7   live off of me. Is that what you're asserting?

8           **A.       I think that you should pay your**  
9   **court-ordered support.**

10          Q.       Okay. I think you should get a job. How  
11   about that?

12          **A.       Okay. Well --**

13                 MR. NELSON: Objection. Argumentative. Is  
14   that a question, or are you just making comments?

15                 THE DEPONENT: He just wants to disparage  
16   me, as usual, even with --

17                 MR. GHIBAUDO: That's rich.

18                 That's all I got for now. Go ahead,  
19   Mr. Nelson. Ask her whatever you want. Hopefully,  
20   she'll remember when you ask her questions.

21                                 EXAMINATION

22   BY MR. NELSON:

23          Q.       Ms. Kellogg, there was question going  
24   around. Is it your position that you have cognitive  
25   disabilities that prevent you from finding a job?





1           **A.       This is what my doctor has said in the**  
2           **letter, so yes.**

3           Q.       Okay. And in your opinion, has your  
4           condition worsened since 2017?

5           **A.       It has worsened within the past --**

6           MR. GHIBAUDO: Object to that --

7           **A.       -- two to three years.**

8           MR. GHIBAUDO: -- in the sense that she's  
9           not an expert to make a determination of her medical  
10          condition.

11          MR. NELSON: But I asked her opinion.

12          Q.       (By Mr. Nelson) So continue to answer.

13          **A.       It has greatly increased in the past two to**  
14          **three years.**

15          Q.       So is it fair to say what you may have been  
16          able to do back in 2015 concerning employment and  
17          schooling may not necessarily be capable -- you may  
18          not be capable of in today in 2022?

19          **A.       Unfortunately, yes.**

20          Q.       When you applied to We Care, did you find a  
21          lot of jobs asking to babysit 16-year-old children?

22          **A.       No.**

23          Q.       Is that part of the reason why you were  
24          unable to obtain employment through We Care?

25          **A.       Well, yes.**



1 Q. Today, when you were being deposed by  
2 Mr. Ghibaudo, was there any reason that your cognitive  
3 disability would have impaired your ability to answer  
4 honestly and forthright?

5 A. Sometimes his questions were confusing,  
6 sometimes his questions were compounded, and sometimes  
7 his questions were hostile, so forth.

8 Q. Concerning the employment of attorneys, just  
9 to clarify, Mr. Ghibaudo asked if you had paid your  
10 attorneys over 200,000. You, yourself, did not pay  
11 your attorneys any of the \$200,000; is that correct?

12 A. That is correct. As you know, the check  
13 that was paid to you was from my parents.

14 Q. So the 200,000 that you paid to my office  
15 and your other prior attorneys was paid from your  
16 parents; is that correct?

17 A. That's correct. And they made it very clear  
18 that these are loans.

19 Q. And is it true that you have to rely upon  
20 them, your parents, to help sustain your current  
21 lifestyle and living conditions?

22 A. Yes.

23 Q. And that is why you're seeking to have  
24 Mr. Ghibaudo pay his court-ordered -- court-ordered  
25 support; is that correct?



1           **A.       Correct.**

2           MR. NELSON: I don't have any other  
3 questions.

4           MR. GHIBAUDO: I got one last question, if  
5 you don't mind, Mr. Nelson.

6           MR. NELSON: Sure.

7                               EXAMINATION

8 BY MR. GHIBAUDO:

9           Q.       Do you care if I lose my law license?

10          **A.       I don't -- I don't wish anybody to lose**  
11 **their professional license. That determination is not**  
12 **mine. I don't want you to lose your license. That's**  
13 **my opinion.**

14          Q.       Then why are you trying so hard to make that  
15 happen?

16          **A.       I'm not.**

17          Q.       Then why are you posting comments and making  
18 bar complaints that would -- first, the comments that  
19 would harm me and my ability to earn a living and bar  
20 complaints that could potentially cause me to be  
21 suspended or lose my license?

22                Why do you do that if you say that you have  
23 no intent to do me harm?

24          **A.       It's an absolute lie what you're saying, bar**  
25 **complaints. I filed a bar complaint in 2017, and**



1     **that's it -- and/or 2018. I can't recall. One.**

2           Q.     You filed three.

3           **A.     I filed one.**

4           Q.     Okay. So isn't it true that you're  
5     litigating this in bad faith, and really, what you  
6     have in mind is me losing my license? Isn't that the  
7     fact?

8           **A.     No.**

9           Q.     So then do you see in front of you a check  
10    that I paid you?

11          **A.     No.**

12          Q.     You don't see a check in front of you?

13          **A.     No.**

14          Q.     Okay. Look down on the table.

15          **A.     This is made out to Jonathan.**

16          Q.     And you. And you.

17          **A.     Okay.**

18          Q.     And you, correct?

19          **A.     It apparently looks like it, yes.**

20          Q.     Okay. So if I continue to pay you on a  
21    monthly basis, are you going to stop disparaging me,  
22    or are you going to continue to do that?

23          **A.     I don't believe I'm disparaging you. I**  
24    **believe that I have posted and/or shared with people**  
25    **my own experience of public concern regarding our**



1     **judicial system.**

2           Q.     That I'm involved in --

3           **A.     That I'm also involved in.**

4           Q.     -- that pertains to me -- that it pertains  
5     to me specifically, correct?

6           **A.     It pertains to me specifically as well.**

7           Q.     And me, who pays you, or is ordered to pay  
8     you, correct?

9           **A.     I don't --**

10                   (Crosstalk.)

11          Q.     So I mean, at the end of the day, you are,  
12     in fact, trying to undermine my ability to earn a  
13     living?

14          **A.     Is that a question?**

15          Q.     Yeah.

16          **A.     Okay.   Would you repeat it?**

17          Q.     That's a yes or no.   Are you actively trying  
18     to undermine my ability to earn a living?

19          **A.     No.**

20          Q.     Then what are you trying to do, aside from  
21     inform the public about the judicial system?

22                   And wait.   Let me ask you this:   Couldn't  
23     you inform the public about the judicial system  
24     without throwing me under the bus?   Is that a  
25     possibility?



1           **A.       I don't see how I'm throwing you under the**  
2 **bus.**

3           Q.       Calling me a liar, calling me a cheat,  
4 calling me a junkie, which you admit --

5           **A.       That's my opinion. That's my opinion.**

6           Q.       You don't think that's throwing anybody  
7 under the bus? You don't think that harms my ability  
8 to earn a living, which, in turn, would harm your  
9 ability to get paid?

10          **A.       It's my opinion.**

11          Q.       Is that part of your cognitive disability  
12 that you don't understand that harming the person --  
13 that biting the hand that feeds you is not a good  
14 idea? Is that part of your cognitive disability?

15          **A.       I guess so.**

16          Q.       Okay. Let me explain to you, then, that it  
17 would be a bad idea to bite the hand that feeds you.  
18 If you want to get fed, you don't bite the hand that  
19 feeds you.

20                   So I'm going to ask you again. If I pay you  
21 what I've been ordered to pay, are you going to stop  
22 sending videos to Steve Sanson, who is a grifter, and  
23 are you going to stop posting that I'm a liar, that  
24 I'm a cheat, that I'm a junkie, and further -- and so  
25 on? Is that what you're -- or you going to continue



1 to do that?

2 **A. Are you going to -- Mr. Ghibaudo, I have no**  
3 **intention I'm doing anything derogatory towards you.**  
4 **I have a life.**

5 Q. But you are doing it.

6 **A. I have a life. I have -- what you do and**  
7 **your life is no concern to me.**

8 Q. Then why do you continually post about me?

9 **A. Why do you continually make Facebook pages**  
10 **against me?**

11 Q. If you have no interest -- I'm not doing  
12 anything. You got to get over that.

13 **A. What?**

14 Q. I am not doing anything to you, nothing. I  
15 don't care about you. I don't care what you do. I  
16 don't care to let anybody know who you are. I could  
17 care less.

18 So the question is: If I continue to pay  
19 you, are you going to stop sending videos of  
20 proceedings to Steve Sanson, and are you going to stop  
21 disparaging me online? Is that something that you  
22 plan on doing if you get paid or --

23 **A. It has nothing to do with anything that I**  
24 **do.**

25 Q. Or is it the case that if I pay you



1 regularly, you are still going to go disparage me,  
2 post videos about our hearings, try to embarrass me,  
3 call me a junkie. Which one is it? It's a specific  
4 question. This is a legitimate question.

5 **A. I don't find it legitimate. I don't even**  
6 **know what the question is.**

7 Q. The question is -- because I'm trying to get  
8 at whether you're acting in good faith or bad faith.  
9 That's what I'm getting at.

10 If I'm paying you and you have no reason to  
11 go online --

12 **A. So you think that this payment is to shut me**  
13 **up? Is that what you're saying?**

14 Q. No.

15 (Crosstalk.)

16 Q. I think that what you're doing is trying to  
17 pressure me and bully me into paying you --

18 **A. Okay. You can't shut me up. No.**

19 Q. No. So you're not going to shut up. You  
20 will continue to disparage me.

21 **A. No. You're not going to take away my First**  
22 **Amendment right.**

23 Q. Oh, you know about the First Amendment?

24 **A. Yeah, I do.**

25 Q. So -- so that's the case. So if I continue





1 to -- it's not about payment. It's not about not  
2 getting paid. It's literally about bad-mouthing me  
3 and disparaging me.

4 **A. You're not going to bully me --**

5 Q. I'm asking you a question.

6 **A. -- and you're not going to control me.**

7 Q. I'm asking you a question.

8 **A. You're not going to bully me, and you're not**  
9 **going to control me.**

10 Q. All right. This is a specific question that  
11 goes to whether you're acting in bad faith, and you're  
12 not answering the question.

13 If I pay you and you have no more reason to  
14 complain, are you going to continue to call me a  
15 junkie, are you going to call me a liar, and are you  
16 going to continue to send videos to Steve Sanson; yes  
17 or no?

18 **A. I have no answer. You're not going to**  
19 **control me.**

20 Q. I'm not trying to control you. I'm asking  
21 you a question --

22 **A. Yes, you are.**

23 Q. -- and you won't answer it. So let me ask  
24 you again. If you get paid and you have no reason to  
25 complain, are you going to continue to send videos to



1 Steve Sanson, and are you going to continue to call me  
2 a liar, a cheat, a junkie, and a fraud online?

3 **A. You're not going to control me.**

4 Q. Okay. I got to ask you the same question  
5 again.

6 **A. Keep on doing it.**

7 MR. GHIBAUDO: Mr. Nelson, can you please --

8 THE DEPONENT: Then keep on doing it.

9 MR. GHIBAUDO: -- instruct her to answer?

10 MR. NELSON: Mr. Ghibaudo, repeat the  
11 question.

12 MR. GHIBAUDO: The question is this -- and  
13 I'm getting at whether she's acting in good faith or  
14 bad faith, Mr. Nelson -- that if I pay her her  
15 court-ordered amount, what she's been -- what I've  
16 ordered to pay, is she going to continue to badmouth  
17 me online, call me a liar, a cheater, a fraud, and so  
18 forth, and continue to send videos to Steve Sanson?

19 So in other words, if my position is that if  
20 I pay her her court-ordered amount --

21 (Crosstalk.)

22 MR. GHIBAUDO: -- and she continues to do  
23 that, that would be bad faith. That would be her  
24 intent to undermine my ability to work, because then  
25 she would have no reason to complain.



1 Q. (By Mr. Ghibauda) That's the question.  
2 It's a simple question.

3 Even if you get paid, if even if I do  
4 everything that's been ordered, are you going to  
5 continue to disparage me; yes or no?

6 **A. You're not going to bully me.**

7 Q. That's not an answer.

8 (Crosstalk.)

9 Q. You're not answering.

10 **A. You are not going to --**

11 Q. You're not answering. You're not answering  
12 the question.

13 MR. NELSON: Mr. Ghibauda, can I clarify?  
14 Is that the ongoing support or if you pay the \$300,000  
15 in arrears?

16 Q. (By Mr. Ghibauda) If I -- let's say I pay  
17 everything, 300,000 in arrears -- and it's not  
18 300,000, by the way -- and the \$2,500 a month, is  
19 that -- even if that gets all paid all at once, will  
20 the continued claims of a liar and a cheater and a  
21 narcissist and a fraud and somebody that's about to  
22 get disbarred and sending videos to Steve Sanson, will  
23 that continue?

24 Simple question. And that's a yes-or-no  
25 question. It's not I'm bullying and this -- yes or



1 no? Will that continue if all court orders are  
2 satisfied? Yes or no.

3 **A. This depends on you. This depends on you.**

4 Q. That's not an answer. That is not the  
5 answer.

6 Again, I asked you a yes or no --

7 MR. GHIBAUDO: Was that a clear question,  
8 Mr. Nelson? Do you understand what I'm asking?

9 MR. NELSON: I want to make sure, and I'm  
10 trying to help get an answer so we can conclude this.

11 Mr. Ghibaudo, I believe you're asking if,  
12 today -- hypothetically, everything was paid, all  
13 court orders were, you know, fulfilled, your question  
14 is would she continue to post any adverse comments  
15 about you or share videos to Mr. Sanson, I believe?

16 MR. GHIBAUDO: Yes.

17 MR. NELSON: If you were fully compliant  
18 with all court orders, all past obligations, would she  
19 continue to post anything about you that could be  
20 detrimental or --

21 MR. GHIBAUDO: It could deemed defamatory.  
22 Because, as you well know, her admissions today and  
23 the admissions that you made in the answers are, in  
24 fact -- she's admitted to defamation. At this  
25 point --



1 THE DEPONENT: Again, see, this --  
2 (Crosstalk.)

3 MR. GHIBAUDO: I have a motion for summary  
4 judgment. But, yes, that's exactly it, Mr. Nelson.  
5 If you want to ask her --

6 THE DEPONENT: This is how he --

7 MR. GHIBAUDO: You need to stop talking.

8 MR. NELSON: Mr. Ghibaudo, can I add to the  
9 question to maybe clarify at all?

10 If there are no ongoing lawsuits, all  
11 lawsuits were dismissed, and Mr. Ghibaudo was fully  
12 complying with all court-ordered arrearages and  
13 ongoing support, would you continue to post anything  
14 that could be deemed defamatory or share videos with  
15 Mr. Sanson from court proceedings?

16 Is that fair, Mr. Ghibaudo?

17 THE DEPONENT: There would be no court --

18 MR. GHIBAUDO: That's fair. Absolutely  
19 fair.

20 THE DEPONENT: There would be no court  
21 proceedings. Of course.

22 MR. NELSON: Okay.

23 Q. (By Mr. Ghibaudo) Of course what?

24 A. **There would be no court proceedings to share**  
25 **with anybody.**



1 Q. Okay. What about the posting that you -- so  
2 you're missing one part, another part of the question.

3 Would you continue to get online and say  
4 that I am a fraud, that I'm a liar, that I'm a  
5 narcissist, and post those things publicly, even  
6 though everything was compliant?

7 **A. That's completely different.**

8 MR. NELSON: Let's just stipulate anything  
9 defamatory what she posts about you whatsoever. How  
10 about that?

11 MR. GHIBAUDO: I mean, that's -- you know,  
12 defamatory has got to be defined, right?

13 MR. NELSON: Fair enough.

14 THE DEPONENT: What about what he posts  
15 about me and the Facebook pages and everything else?

16 Q. (By Mr. Ghibaudo) Okay. Let's say that  
17 because you think so -- you're stuck on this idea that  
18 I'm even on Facebook, which I think is childish,  
19 and --

20 **A. You're on it.**

21 Q. And I -- and I sign an NDA, a nondisclosure,  
22 agreement, and we agree to not say a word about each  
23 other, and I'm fully compliant, will you stop posting  
24 stuff like you've been posting, that I'm a liar, a  
25 cheater, that I am a fraud, and so forth? And will



1 you stop sending videos of past proceedings, and will  
2 you do what you need to or should do to get the videos  
3 that have been posted taken off of the Internet?

4 **A. I have no control of any videos that are**  
5 **on the Internet.**

6 Q. You absolutely do. If we entered into a  
7 stipulation and order --

8 **A. I have no control of it.**

9 Q. -- and sent it Google, they will take it  
10 down. But you don't want to do that? You don't want  
11 to do that?

12 **A. I have no control of it.**

13 (Crosstalk.)

14 Q. You have control over it.

15 **A. I have no control of these things.**

16 Q. If you had control over it, would you do it?

17 MR. NELSON: Mr. Ghibaudo, you froze at the  
18 last second there. "If you had control" -- you froze  
19 up. Sorry.

20 MR. GHIBAUDO: If she had control --

21 Q. (By Mr. Ghibaudo) The question is: If you  
22 had control over the videos that have already been  
23 posted; in other words, if you could do something  
24 about taking them off the -- offline, would you do it  
25 if I was fully compliant?



1           A.       So long as you no longer disparage me, have  
2       agents contact me, leave horrific voicemails, contact  
3       my daughter --

4           Q.       I'm not doing that.

5           A.       -- disparage me with Facebook posts,  
6       everything else, and be compliant and just forget I  
7       exist --

8           Q.       I'm --

9           A.       -- then, yes. Then the answer is yes. Then  
10      the answer is yes.

11          Q.       Okay. The answer is yes. Okay.

12                 MR. GHIBAUDO: Maybe, Mr. Nelson, we have  
13      room to negotiate.

14                 MR. NELSON: Okay.

15                 MR. GHIBAUDO: Do you agree?

16                 MR. NELSON: Potentially, yes. I mean,  
17      obviously, there's a large arrearage that needs to be  
18      addressed. But, you know, we look forward to any  
19      offer. I know you've spoken to my associate. If  
20      there's an offer, you know, please, send it over. We  
21      can address that.

22                 MR. GHIBAUDO: All right. I have nothing  
23      more.

24                 MR. NELSON: I think that concludes my  
25      questions.





1           And I created a list. If there -- if you  
2   want to do a follow-up email to confirm the items, in  
3   case I missed something that you're looking to get  
4   disclosed, Mr. Ghibaudo, please do so.

5           And we'll work diligently to get you any of  
6   those items that you think we need to dis- -- or you'd  
7   like us to disclose.

8           MR. GHIBAUDO: I'll ask you this while I  
9   have you on, if you want to do it.

10          Let's go off the record real quick, please.

11          THE VIDEOGRAPHER: Okay. We're now going  
12   off the record. The time is approximately 3:02 p.m.

13          (Discussion held off the video record.)

14          THE REPORTER: Before you sign off, is  
15   anybody going to order this transcript?

16          MR. GHIBAUDO: Yeah, I want it expedited,  
17   actually. Yeah, I want it -- how long would it take  
18   you if it's in the ordinary course?

19          THE REPORTER: Ten days.

20          MR. GHIBAUDO: Okay. Let's do just that.  
21   That's fine.

22          Do you want a copy of it, Jon?

23          MR. NELSON: Yeah. I don't want a copy of  
24   the video, just the transcript, I think. Normal  
25   course, eTran.



1 THE REPORTER: Mr. Nelson, is she going to  
2 read and sign it?

3 MR. NELSON: We'll have it in ten days?  
4 Yeah, I'll have her read and sign it.

5 THE REPORTER: Okay.

6 (Deposition concluded at 3:04 p.m.)

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1 I, TARA KELLOGG, do hereby certify that I  
2 have read the foregoing deposition and found the same  
3 to be true and correct except as follows (noting the  
4 page and line number of the change or addition as  
5 desired and the reason why.)

6

7 Page Line Correction

8

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TARA KELLOGG



1 BE IT KNOWN that the foregoing proceedings  
2 were taken before me; that the witness before  
3 testifying was duly sworn to the whole truth; that the  
4 foregoing pages are a full, true, and accurate record  
5 of the proceedings, all done to the best of my skill  
6 and ability; that the proceedings were taken down by  
7 me in stenographic shorthand and thereafter reduced to  
8 print under my direction.

9 I CERTIFY that I am in no way related to any  
10 of the parties hereto, nor am I in any way interested  
11 in the outcome thereof.

12

13

14

15 (X) Review and signature was requested.

16 ( ) Review and signature was waived.

17 ( ) Review and signature was not requested.

18

19

20



21

Cynthia A. Hudak, RPR  
Nevada Certified Reporter, #987

22

23

24

25



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**From:** [Yasmin Khayyami](#)  
**To:** [Alex Ghibaud](#)  
**Cc:** [Jonathan Nelson](#)  
**Subject:** RE: Tara Kellogg v. Alex Ghibaud \*\* FOR SETTLEMENT PURPOSES PURSUANT TO NRS 48.105 AND MADE PURSUANT TO EDCR 5.501\*\*  
**Date:** Wednesday, January 5, 2022 4:26:14 PM

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Hello,

Our client is informed of your position regarding this matter.

Best,  
Yasmin Khayyami

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**From:** Alex Ghibaud <alex@glawvegas.com>  
**Sent:** Tuesday, January 4, 2022 12:09 PM  
**To:** Yasmin Khayyami <yasmin.khayyami@jknelsonlaw.com>  
**Cc:** Jonathan Nelson <Jonathan@jknelsonlaw.com>  
**Subject:** FW: Tara Kellogg v. Alex Ghibaud \*\* FOR SETTLEMENT PURPOSES PURSUANT TO NRS 48.105 AND MADE PURSUANT TO EDCR 5.501\*\*



MADE PURSUANT TO EDCR 5.501

Hi Yasmin,

As promised, see below for an example of your client's bad faith. I am preparing a letter pursuant to your request yesterday. I am also preparing disclosures, of which this back and forth will be a part of.

In the meantime, I've had an opportunity to review the order sealing records filed in this case. Judge Ritchie ordered the matter sealed "to the extent allowed by NRS 125.110". That provision reads as follows:



**NRS 125.110 What pleadings and papers open to public inspection; written request of party for sealing.**

1. In any action for divorce, the following papers and pleadings in the action shall be open to public inspection in the clerk's office:

(a) In case the complaint is not answered by the defendant, the summons, with the affidavit or proof of service; the complaint with memorandum endorsed thereon that the default of the defendant in not answering was entered, and the judgment; and in case where service is made by publication, the affidavit for publication of summons and the order directing the publication of summons.

(b) In all other cases, the pleadings, the finding of the court, any order made on motion as provided in Nevada Rules of Civil Procedure, and the judgment.

2. All other papers, records, proceedings and evidence, including exhibits and transcript of the testimony, shall, upon the written request of either

party to the action, filed with the clerk, be sealed and shall not be open to inspection except to the parties or their attorneys, or when required as

evidence in another action or proceeding.

Your client is working with Steve Sanson, a local activist who rails against the family courts and its "corruption" and targets lawyers and judges as part of his campaign. He's also a malingerer who pretends he has PTSD but does not – he was a supply clerk in the Marines and how one can have PTSD from moving boxes from one truck to another is beyond me. Anyway, I digress. Your client is taking videos of our proceedings and handing them to Steve Sanson who then post them publicly on his "War on Clark County Courts" Facebook page and on his Youtube channel (see [https://www.youtube.com/results?search\\_query=veterans+in+politics+alex+ghibaudo](https://www.youtube.com/results?search_query=veterans+in+politics+alex+ghibaudo) where every video starts with the label "Disgraced attorney Alex Ghibaudo...").

Pursuant to NRS 125.110 the only "papers and pleadings" open to the public are the complaint, summons, affidavit or proof of service, a default, and the judgment. Also, the pleadings, the finding of the court, and any order made on motion as provided by NRCP, and, again, the judgment. "All other papers, records, proceedings and evidence, including exhibits and transcript of the testimony, shall, upon the written request of either party to the action, filed with the clerk, be sealed and shall not be open to inspection."

The videos of all proceedings are barred by NRS 125.110(2) as a written request to seal such records was in fact made and filed with the court clerk, and noticed on all parties. Your client never challenged that order. She is now publishing those proceedings. As such, she is in contempt of court and, arguably, adding ammunition to the defamation matter as all of the proceedings are taken out of context or described in a way that can be construed as defamatory. For example, in a post on December 7, 2021, your client stated, on her Facebook page, that “an innocent child” (Nicole) is being harmed by my behavior. Nicole is no child and does not depend on your client. Nicole will be 21 in May of this year.

As such, consider this a formal request that your client cease and desist from further posting videos of our proceedings and from further dissemination of those proceedings, to anyone, including Steve Sanson. If those videos are not taken down from all social media platforms, or any other medium, whether online or otherwise, I will move to hold her in contempt forthwith. In addition, this is again a defense to any request for an order to show cause as she undermines my ability to earn a living while at the same time demanding I pay her, which shows her intelligence, or lack thereof.

Your client has until tomorrow at noon to comply with this demand (that she, Sanson, and anyone else she disseminated those proceedings to take down those videos forthwith) or she will be met with an order to show cause why she should not be held in contempt for every day those videos remain on the internet or anywhere else.

Please respond by close of business today with your client’s response so that I may take appropriate action.

Regards,

**/s/ Alex Ghibaud**

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