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

TARA KELLOGG,  
Appellant,

v.

ALEX GHIBAUDO,  
Respondent.

Case No. 84778

**RESPONDENT'S APPENDIX VOLUME I**

**DATED** November 14, 2022.

Respectfully Submitted,

*/s/ Alex Ghibaud*

Alex B. Ghibaud, Esq.  
*Pro Se Respondent*

**CERTIFICATE OF MAILING**

I certify that on the November 15, 2022, I served a copy of this  
RESPONDENT’S APPENDIX VOLUME I upon Appellant through the Court’s  
electronic service system to the following:

Evan Schwab, Esq.  
[evan@schwablawnv.com](mailto:evan@schwablawnv.com)

Dated this 15<sup>th</sup> Day of November, 2022.

*/s/ Alex Ghibaud*

\_\_\_\_\_  
Alex B. Ghibaud

**KELLOGG v. GHIBAUDO**

**DOCKET NO. 84778**

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**MOT**

Alex B. Ghibaud, Esq.  
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Las Vegas, Nevada 89101  
T: (702) 978-7090  
E: alex@glawvegas.com  
*Defendant in Proper Person*

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

TARA KELLOGG,  
  
Plaintiff,

vs.

ALEX GHIBAUDO,  
  
Defendant.

Case Number: D-15-522043-D  
Department: H

**MOTION FOR AN ORDER TO SHOW  
CAUSE WHY PLAINTIFF SHOULD  
NOT BE HELD IN CONTEMPT OF  
COURT FOR VIOLATING THIS  
COURT'S ORDER SEALING FILE AND  
MOTION; FOR SANCTIONS  
PURSUANT TO EDCR 7.60(b)(4) FOR  
PLAINTIFF'S WILLFUL AND  
DELIBERATE VIOLATION OF EDCR  
2.10; AND FOR A CLARIFICATION OF  
THIS COURT'S ORDER SEALING FILE**

**Hearing requested: YES**

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

**COMES NOW**, Defendant, Alex Ghibaud, in proper person, and hereby files this *Motion for contempt and sanctions*, as titled above. This *Motion* is based upon the attached Memorandum of Points and Authorities, the attached *Declaration of Alex Ghibaud* (hereinafter "Alex" or "Defendant") any and all pleadings and papers on file herein, any further evidence or argument presented to the Court at the hearing of this matter, and the exhibits to this motion filed in conjunction with it.



As set forth herein, Alex respectfully requests that the Court:

1. Order Plaintiff to show cause why she should not be held in contempt for willfully, deliberately, and maliciously disseminating videos of proceedings in this matter and sanctioned in an amount equal to the damage Plaintiff has done to Alex's ability to practice law and to the damage done to his business;
2. Sanction Plaintiff pursuant to EDCR 7.60(b)(4) for her willful, deliberate, and malicious violation of EDCR 5.210;
3. That this Court clarify its order sealing the file in this case in order to persuade the social media companies at issue to remove the offending videos; and
4. Award Alex any further relief this Honorable Court deems just and equitable.

**DATED** this 7<sup>th</sup> day of February, 2022.

*//s//Alex Ghibauda*

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**ALEX GHIBAUDO**

*Defendant in Proper Person*



## NOTICE OF MOTION

TO: TARA KELLOGG, Plaintiff;  
TO: J.K. NELSON, ESQ., Attorney for Plaintiff;  
TO: ALL OTHER INTERESTED PARTIES

**PLEASE TAKE NOTICE** that a hearing on *Motion for Contempt and Sanctions, et al.*, will be held before the Eighth Judicial District Court, at the Family Court Division, Department H, located at 601 N. Pecos Road, Las Vegas, Nevada 89101.

Pursuant to recent changes to the Nevada Supreme Court Electronic Filing Rules, the Clerk's Office will electronically file a *Notice of Hearing* upon receipt of this Motion. In accordance with NEFCR 9(d), if you are not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, undersigned will serve the Clerk's *Notice of Hearing* to you by traditional means.

**DATED** this 7<sup>th</sup> day of February, 2022.

Respectfully Submitted,

*//s//Alex Ghibaudo*

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*Defendant in Proper Person*



## **MEMORANDUM OF POINTS AND AUTHORITIES**

### **I. INTRODUCTION**

On October 31, 2019, this Court ordered this case file to be sealed and not accessible to the public, to the extent allowable under NRS 125.110. However, after the evidentiary hearing in this matter, conducted September 17, 2020, Plaintiff began disseminating videos of hearings in this matter to friends, family, other third parties on Plaintiff's personal Facebook page, which is public, and to Steve Sanson, who runs Veteran's In Politics International (VIPI). Plaintiff admitted to this in her responses to written discovery and in her deposition.

VIPI is an organization that dedicates itself to criticizing the courts and lawyers, especially judges and lawyers that operate in the Eighth Judicial District Court, Family Division, and accusing both as corrupt. VIPI runs several Facebook accounts and a Youtube channel. VIPI's Youtube channel has over 14,000 subscribers.

As will be demonstrated in more detail below, VIPI's Youtube channel, which has approximately 14,200 subscribers, has 13 videos of hearings in this sealed matter. Those videos have garnered over 38,078 number of views. In addition to the Youtube channel, those videos are posted by a Facebook denizen that goes by Jes Caruss on Facebook and on VIPI's public channel on Rumble. Those accounts have garnered an additional 391 number of views of those videos (which will be discussed, again, in more detail, below). In addition to that, Plaintiff has posted those videos on her own Facebook page.

Alex has repeatedly requested, through Plaintiff's various attorneys, that those videos be removed and that she cease and desist from further disseminating those videos. Most recently, on January 4, 2022, Plaintiff demanded, in writing, that Plaintiff remove those videos on her Facebook page and that she assist in requesting that Youtube and all other social media platforms remove those videos. Plaintiff refused. Those videos remain posted on Youtube, Facebook, and Rumble.

During this current round of litigation, written discovery has been propounded and answered, a deposition of Plaintiff conducted, and an answer and counterclaim filed in Defendant's Defamation Per Se complaint filed against Plaintiff (A-21-839156-C). The responses to discovery, the deposition, and Plaintiff's answer demonstrate that Plaintiff's



1 conduct has been knowing, malicious, and deliberate.

2 The damage done to Alex's business has been enormous. Defendant now asks that  
3 Plaintiff be sanctioned pursuant to EDCR 7.60(b)(4) in an amount commiserate to Plaintiff's  
4 willful and malicious efforts, which have been successful, at undermining Alex's ability to  
5 practice law and the demonstrable harm she has done to Alex's business, Alex B. Ghibaud, P.C.  
6 In the alternative, Alex asks that Defendant be held in contempt of court for her willful and  
7 deliberate violation of this Court's orders and sanction her in an amount that will compensate the  
8 damage done to Alex's ability to practice law and his business.

9 **II. SUMMARY OF FACTS**

10 On October 31, 2019, this Court ordered the file in this matter sealed. (See Defendant's  
11 Exhibits (DE) 001-002). That order stated that "IT IS HEREBY ORDERED THAT the file in the  
12 above matter be sealed pursuant to NRS 125.110(2)." This Court added, in its own writing, the  
13 following language: "*The file is only sealed to the extent allowed by NRS 125.110.*" The full text  
14 of NRS 125.110 is as follows:

15 **NRS 125.110 What pleadings and papers open to public inspection; written**  
16 **request of party for sealing.**

17 *1. In any action for divorce, the following papers and pleadings in the action shall*  
18 *be open to public inspection in the clerk's office:*

19 *(a) In case the complaint is not answered by the defendant, the summons,*  
20 *with the affidavit or proof of service; the complaint with memorandum*  
21 *endorsed thereon that the default of the defendant in not answering was*  
22 *entered, and the judgment; and in case where service is made by*  
23 *publication, the affidavit for publication of summons and the order*  
24 *directing the publication of summons.*

25 *(b) In all other cases, the pleadings, the finding of the court, any order*  
26 *made on motion as provided in Nevada Rules of Civil Procedure, and the*  
27 *judgment.*

28 *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*





1        *action, filed with the clerk, be sealed and shall not be open to inspection except to*  
2        *the parties or their attorneys, or when required as evidence in another action or*  
3        *proceeding.*

4        (Emphasis added).

5        As to sealing records, EDCR 5.210(e) further provides the following:

6                **Rule 5.210. Trial and hearings may be private pursuant to NRS**  
7                **125.080.**

8        *(e) The court shall retain supervisory power over its own records and files,*  
9        *including the electronic and video records of proceedings. Unless otherwise*  
10        *ordered, the record of a private hearing, or record of a hearing in a sealed case,*  
11        *shall be treated as confidential and not open to public inspection. Parties, their*  
12        *attorneys, and such staff and experts as those attorneys deem necessary are*  
13        *permitted to retain, view, and copy the record of a private hearing for their own*  
14        *use in the representation. Except as otherwise provided by rule, statute, or court*  
15        *order, no party or agent shall distribute, copy, or facilitate the distribution or*  
16        *copying of the record of a private hearing or hearing in a sealed case (including*  
17        *electronic and video records of such a hearing). Any person or entity that*  
18        *distributes or copies the record of a private hearing shall cease doing so and*  
19        *remove it from public access upon being put on notice that it is the record of a*  
20        *private hearing.*

21        (Emphasis added).

22        Since then, and specifically starting almost immediately after the evidentiary hearing in  
23        this matter which was conducted on September 17, 2020, the following videos have been posted  
24        publicly on Youtube, Facebook, and Rumble by VIPI and its President, Steve Sanson, and a  
25        Facebook denizen known as Jes Caruss:

<u><b>URL LINK</b></u>	<u><b>No. of VIEWS</b></u>	<u><b>DATE OF HEARING</b></u>	<u><b>DATE POSTED</b></u>
<a href="https://www.youtube.com/watch?v=Mb9qQ3rqlfQ">https://www.youtube.com/watch?v=Mb9qQ3rqlfQ</a>	3687	August 26, 2021	September 9, 2021



<a href="https://www.youtube.com/watch?v=BKTrP3I3QgU">https://www.youtube.com/watch?v=BKTrP3I3QgU</a>	2858	June 6, 2019	November 1, 2021
<a href="https://www.youtube.com/watch?v=uiIYddxYQO0">https://www.youtube.com/watch?v=uiIYddxYQO0</a>	1961	November 13, 2017	December 7, 2021
<a href="https://www.youtube.com/watch?v=klgdJc_OMk4">https://www.youtube.com/watch?v=klgdJc_OMk4</a>	2686	July 17, 2020	July 28, 2021
<a href="https://www.youtube.com/watch?v=8Lb5FpuDbQw">https://www.youtube.com/watch?v=8Lb5FpuDbQw</a>	3275	August 12, 2020	July 28, 2021
<a href="https://www.youtube.com/watch?v=g2XflQrKQis">https://www.youtube.com/watch?v=g2XflQrKQis</a>	4629	December 12, 2017	August 16, 2021
<a href="https://www.youtube.com/watch?v=5mTYONXjWHo">https://www.youtube.com/watch?v=5mTYONXjWHo</a>	2486	November 23, 2021	December 10, 2021
<a href="https://www.youtube.com/watch?v=p0HIUsP2iD8">https://www.youtube.com/watch?v=p0HIUsP2iD8</a>	2215	August 19, 2021	September 7, 2021
<a href="https://www.youtube.com/watch?v=laQ1ijoFYpk">https://www.youtube.com/watch?v=laQ1ijoFYpk</a>	4077	June 2, 2021	September 6, 2021
<a href="https://www.youtube.com/watch?v=RwqkKilBmDI">https://www.youtube.com/watch?v=RwqkKilBmDI</a>	2706	August 19, 2021	September 7, 2021
<a href="https://www.youtube.com/watch?v=0kuFm6spy8Q">https://www.youtube.com/watch?v=0kuFm6spy8Q</a>	2722	August 19, 2021	September 9, 2021
<a href="https://www.youtube.com/watch?v=a-l4TnRuid8">https://www.youtube.com/watch?v=a-l4TnRuid8</a>	3703	February 3, 2021	February 3, 2021



<a href="https://www.youtube.com/watch?v=GxvIMugOFbM">https://www.youtube.com/watch?v=GxvIMugOFbM</a>	1073	August 19, 2021	September 9, 2021
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Further, there are 78 views on VIPI's Rumble account found at:

<https://rumble.com/user/Devildog1285?q=alex%20ghibaudo>. There are an additional 313 views posted by a denizen of Facebook known as Jes Caruss located at:

[https://www.youtube.com/playlist?list=PLYKrMUSZsvxLuEUZqm\\_iqt8yhOXMYvAl-](https://www.youtube.com/playlist?list=PLYKrMUSZsvxLuEUZqm_iqt8yhOXMYvAl-)

On January 4<sup>th</sup>, 2022, and pursuant to EDCR 5.210(e), Alex emailed a detailed cease and desist email communication to Plaintiff's attorneys. (DE 003-005). Plaintiff's attorneys responded as follows: "Our client is informed of your position regarding this matter." In a conversation with one of Plaintiff's attorneys, Yasmin Khayyami, Esq., Alex was informed that Plaintiff had no intention of removing any of those videos from any social media platform.

Subsequently, on January 7<sup>th</sup>, 2022, Alex propounded written discovery. On February 2<sup>nd</sup>, 2022, Plaintiff submitted her answers to those interrogatories and requests for admissions. In an interrogatory, Plaintiff is asked: "Have you ever disseminated any videos of proceedings related to case no. D-15-522043-D, whether filed or not, to anyone, including Steve Sanson." (DE 041, lines 20-21). After lodging 2 objections,<sup>1</sup> Plaintiff's answer was an unambiguous and unqualified Yes. (See DE 042, lines 2-3).

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<sup>1</sup> If an objection is lodged but, in the same response, an answer is made, with some variant of "without waiving these objections", the objection is waived. For example, in *Estridge v. Target Corp.*, the Court stated that "[d]efendant has asserted various objections and then proceeded to answer the interrogatories and responded to the requests for production 'subject to and without waiving' its objections." No. 11-61490-CIV, 2012 U.S. Dist. LEXIS 21593, 2012 WL 527051 (S.D. Fla. Feb. 16, 2012). The court further stated that "[a]lthough this practice has become commonplace, ... **whenever an answer accompanies an objection, the objection is deemed waived and the answer, if responsive, stands.**" *Id.* (citing a slew of other 11th Circuit district court orders). (Emphasis added). The Court went on to observe that such objections "preserve nothing and serve only to waste the time and resources of both the Parties and the Court. Further, such practice leaves the requesting Party uncertain as to whether the question has actually been fully answered or whether only a portion of the question has been answered." *Id.* (quoting *Consumer Elecs. Ass'n v. Compras and Buys Magazine, Inc.*, No. 08-21085-Civ, 2008 U.S. Dist. LEXIS 80465, 2008 WL 4327253 (S.D. Fla. Sept. 18, 2008)).

Similarly, in *Herrera v. AllianceOne Receivable Mgmt.*, the defendant's responses to a request for production "included a conditional response in its objection, which leaves Plaintiffs and the Court guessing as to whether all responsive documents will be produced. Conditional responses and/or the purported reservation of rights by a responding party are improper and ultimately have the effect of waiving the objections to the discovery requests." No. 14-cv-1844, 2016 U.S. Dist. LEXIS 40474 (S.D. Cal. Mar. 28, 2016). "Providing conditional responses to discovery requests



1           There is no doubt that Plaintiff is a friend and associate of Steve Sanson, who owns the  
2 Youtube Channel referenced above, in which 13 videos of proceedings in this case have been  
3 posted, which has at least 14,200 subscribers and in which the videos garnered 38,078 views.  
4 (See, generally, <https://www.youtube.com/c/stevevsanson>). For example, in those same  
5 interrogatories, Plaintiff admits that she met Mr. Sanson on or about October 2020 (when Alex  
6 was issued a public reprimand for splitting fees with the very same Steve Sanson, which was a  
7 blatant lie, for the record). (See DE 041, lines 6-9; 116, lines 6-9). Plaintiff also admits that she is  
8 friends with Mr. Sanson. (See DE 041, lines 10-19). Indeed, Plaintiff posted a picture of she and  
9 Mr. Sanson together on August 12, 2021 at what appears to be a restaurant on her Facebook  
10 page. (See DE 320). It should be noted that Plaintiff identified the name on that Facebook post,  
11 Tara R. Kellogg, as her own. (See DE 038, lines 9-10 and DE 040, line 6-7).

12           Lastly, Plaintiff has admitted that she actually disseminated videos of proceedings in the  
13 above referenced case. (See DE 117. Lines 13-24; DE 118, lines 1-6). That colloquy went as  
14 follows:

15           *Q: Well, let's back up. You testified – again, just to clarify—that you have*  
16           *obtained videos of our hearings correct?*

17           *A: Yes.*

18           *Q: And you have disseminated those videos to Steve Sanson, correct?*

19           *A: Yes. I've already said that.*

20           *Q: Okay. And what is the purpose of that?*

21           *A: Public interest.*

22           *Q: Okay. And how does that help you in trying to collect money from*

23           is improper, the objections are deemed waived, and the response to the discovery request stands.”  
24 Id.

25           Furthermore, in *Sprint Communs. Co., L.P. v. Comcast Cable Communs., LLC*, Sprint's responses  
26 to three requests for production “concluded with the statement, ‘[s]ubject to and without waiver of  
27 the foregoing objections ... Sprint will produce non-privileged responsive documents within its  
28 custody and control.’” This response left the court “wondering whether Sprint planned to withhold  
certain documents based on its objections.” Spring could have appropriately replied “by objecting  
to a specified part of the request (i.e., only the part seeking privileged information) and producing  
documents requested in the rest of the request.” No. 11-2684, 2014 U.S. Dist. LEXIS 53971, 2014  
WL 1569963 (D. Kan. Apr. 18, 2014). Plaintiff's objections, therefore, are waived and her answer  
should stand.



1                    *[Alex]?*

2                    *A: Like I said, Mr. Ghibaud, I'm not here to help or hinder you. I just*  
3                    *believe it is of public interest, because, he has a group called Veterans in*  
4                    *Politics. He's the one that – that used to, before the pandemic, would go*  
5                    *into courts and make, you know – you know, share with the public what*  
6                    *happens in courts, what happens with specific judges. Theres a number of*  
7                    *things that his work does.*

8       Indeed, Plaintiff admits repeatedly that she disseminates videos of proceedings in this case  
9       because she believes they are of “public interest” and so she believes there is nothing wrong with  
10      disseminating those videos. (See DE 108, lines 4-18 – see particularly lines 13-18). Plaintiff has  
11      gone so far as to have Mr. Sanson text Alex with links to videos he posts and mock him. (See DE  
12      325).

13              Though Plaintiff claims she is trying to act in the “public interest”, in fact her motives are  
14      to harm Alex, to embarrass him, and to disparage him publicly. For example, recently a  
15      grievance was made to the State Bar of Nevada by an attorney named Karen Connolly, Esq. That  
16      attorney, upon submitting the grievance, disseminated it on social media. Of course, Plaintiff  
17      posted that grievance on her Facebook page. For example, the following colloquy demonstrates  
18      that she in fact disseminated that grievance:

19              Q: Well let's talk about that. So any time I have a problem in my profession, for  
20              example, recently there was a grievance filed by Karen Connolly, did you circulate  
21              that – did you publish that on your Facebook account? Yes or No?

22              A: Yes. I – I posted it on my Facebook account.

23      (See DE 105, lines 10-16; See also DE 319 and 322). Plaintiff has also posted a screenshot of  
24      Alex's disciplinary history on her Facebook page, presumably to embarrass him. (See DE 312).

25              Not only does Plaintiff disseminate the videos referenced above to Steve Sanson and  
26      “Veterans in Politics”, she has sent them to “friends” and “family”. (See DE 050, lines 2-3). In  
27      addition, Plaintiff has admitted that she posts those videos on her personal Facebook page “on  
28      occasion” because, according to her, it is her “protected, inalienable first amendment freedom of  
    speech righ to do so...” and everything she posted is “either true or [her] opinion.” (See DE 051,



1 lines 18-22; See also DE 308-311; DE 313-318; DE 321; DE 323). On some occasions, to  
2 demonstrate her malicious intent, Plaintiff tags Alex's 20 year old daughter in her posts, to  
3 further embarrass him and to disparage him to his own daughter. (See DE 318).

4 Indeed, Plaintiff's conduct is so egregious and so relentless that Alex has been compelled  
5 file a complaint for defamation per se asking for money damages for separate posts that have  
6 nothing to do with what Alex is requesting here. Alex's complaint is based on three separate  
7 posts she made on Facebook, which are worth mentioning here to demonstrate Plaintiff's ill will,  
8 bad faith, and malicious intent. For example, in paragraph 31 of Alex's complaint, he alleges that  
9 Plaintiff made the following public post on her Facebook page:

10 As an example, one of many, Plaintiff posted on her Facebook page the following  
11 post:

12 This is what typically happens to an average, run of the mill criminal who tries  
13 desperately to mask his morally bankrupt behavior behind a fraudulent law degree  
14 and law license (which I paid for no less). Always remember what a wise man once  
15 told me, "Karma has no expiration date." This adage holds especially true when  
16 you dedicate your life to pure evil and are devoid of the basic common sense that  
17 God bestowed upon a garden variety head of lettuce. You see, when you lack a  
18 moral compass in life, you will ultimately lose everything you thought you once  
19 had, especially when it comes to perceived honor, dignity, integrity, loyalty, and  
20 once upon a time, an actual family (rather than a cesspit of fellow junkies). In  
21 conclusion, the lesson EVERYONE reading this post: Do not lose track of core  
22 values.

23 (See DE 275, lines 7-15). In her answer and counterclaim, Plaintiff admits she posted this message  
24 on her public Facebook page. (See DE 293, lines 14-15). The complaint also alleged that Plaintiff  
25 made the following, public, statement on her personal Facebook page:

26 Hey everyone, so called "attorney" Alex Ghibaudo is up to his juvenile antics again  
27 on Facebook. He's created a few more fake Facebook profile (i.e., James Jones)  
28 defaming me, kinda like the orgasms I used to fake when I was married to this  
putrid and vile subhuman. Thanks for the additional criminal evidence, you soon to  
be disbarred attorney and jailbird. Fly HIGH for as long as you can, as it's short  
lived just like your law license.

(See DE 275, lines 15-20). Again, in her answer, Plaintiff admits she made that post. (See DE  
293, lines 15-16). In yet another post, Alex's complaint alleged that Plaintiff made the following



1 post on her public Facebook page:

2 Hey “James Jones”, aka Alex Ghibauda, the sociopath who still refuses Doctor  
3 recommended clinical therapy, maybe you should accurately set the record straight  
4 for both of your Facebook “friends”. I put your ass out on the street because you’re  
a piss poor excuse for a father. In addition to being a liar, cheat, thief, and JUNKIE!

5 (See DE 275, lines 20-24 and DE 276, lines 1-2). Again, in her answer to that complaint,  
6 Plaintiff admits to posting that on her personal, and public, Facebook page. (See DE 293, lines  
7 16-17). The exhibits to Alex’s complaint demonstrate more examples of Plaintiff’s ill will,  
8 malice, and bad faith. (See DE 279-290).

9 Of note is an email Plaintiff sent to Alex directly. (See DE 288). There, Plaintiff calls  
10 Alex an “idiot”, “unhinged”, “triggered by constant drug and alcohol abuse on a daily basis”, a  
11 “lunatic, who is clearly on his way to inevitable disbarment and public humiliation by the sheer  
12 stupidity of his own asinine words”, and a “foolish so-called “attorney”” who acts out of  
13 “unprovoked and drug induced antics”. Plaintiff further states that “perhaps his forthcoming  
14 incarceration and/or early retirement to join the ranks of the homeless street performers of  
15 Fremont street may occur first. Who knows?” Id. Later, Plaintiff attempts to provoke a  
16 confrontation, stating “You have something to say? Come say it to my face, you chicken shit  
17 POS goofy looking, brain dead buffoon lol Enjoy your law license for the Next couple months,  
18 you drug addict loser lol. Who loves ya, hairy ape ? Lol”. (See DE 287). This is from a person  
19 that consistently files for protective orders alleging she is terrified of Alex, further demonstrating  
20 her bad faith and brazen abuse of process.

21 In her deposition, Plaintiff was questioned about these statements. When asked whether  
22 Alex has a moral compass, Plaintiff answered no. (DE 143, lines 9-11). When asked if it is a  
23 statement of fact that Alex lacks a moral compass, Plaintiff answers yes. (DE 143, lines 12-15).  
24 When asked if it is a statement of fact that Alex has no honor, dignity, integrity or loyalty she  
25



1 answers that that is “her belief.” (DE 144, lines 2-7). When asked if Alex is a putrid, vile  
2 subhuman, Plaintiff answered yes. (DE 146, lines 20-22). It should be noted that in her  
3 deposition Plaintiff also admits that she disseminated videos of hearings in this matter to Brianna  
4 Erickson, a report for the Las Vegas Review Journal. (See DE 162, lines 17-23; DE 164, line 10).  
5 When asked if Plaintiff though that Alex was a “junky, a fraud, and a liar”, Plaintiff answered  
6 yes. (See DE 170, lines 19-21). When asked if it is a statement of fact that Alex is pure evil,  
7 Plaintiff answers yes. (DE 137, lines 5-14). When Plaintiff is asked if Alex is a fraud and not a  
8 lawyer, she answers yes. (DE 132, lines 3-9).

10 Plaintiff has no intention of desisting from continuing to disparage Alex. Indeed, when  
11 asked “If I pay you and you have no more reason to complain, are you going to continue to call  
12 me a junky, are you going to call me a liar, and are you going to continue to send videos to Steve  
13 Sanson? Yes or no?” (DE 256, lines 23-25 (next page) and DE 257, lines 1-2) Plaintiff answers  
14 “I have no answer. You’re not going to control me.” (DE 257, lines 3-4). Plaintiff repeats that  
15 answer after being asked the same question several times. (See DE 257, lines 8-13). When her  
16 lawyer tries to clarify for her the same question, Plaintiff still refuses to commit to not further  
17 disparaging or defaming Alex. (See DE 258, line 24-25 (25 is at top of next page) and DE 259,  
18 lines 1-11). Plaintiff also implies that she will not assist or endeavor to remove the videos she  
19 already disseminated when she states that “I have no control of any videos that are on the  
20 internet.” (De 262, lines 3-13).

23 Bottom line, Plaintiff is acting in bad faith. She has no interest in collecting money. Her  
24 interest is in destroying my ability to earn a living, which she claims she depends upon, her  
25 intent is to further disparage me, and her intent is to destroy or devalue my business and cause  
26 me to lose my license. Her endeavors are working. Alex’s paralegal, who is a 1099 employee  
27 and often refers clients to Alex, has provided a declaration that states, specifically:  
28





1 I, Karen Macaulay, am a paralegal for Alex Ghibaudo under 1099 employment. I  
2 also run a large support group for family law litigants and frequently refer people  
3 seeking attorneys. On multiple occasions, I have referred people to Alex Ghibaudo  
4 based on the quality of work he creates and his excellent ability to advocate for his  
5 clients. Unfortunately, on many occasions, the people I refer have declined to reach  
6 out to Alex due to the negative social media posts concerning his personal case. I  
7 have been asked if I saw the videos and am aware of his case. Many potential clients  
8 were either aware of the posts before reaching out to me or became aware of them  
9 when they googled Alex's name after referring them to him. The videos negatively  
10 affect [the paralegals] ability to refer people to Alex and have caused potential  
11 clients to hire other attorneys.

12 (See DE 307). It is a fact, therefore, that Plaintiff's endeavors, her determination to make the  
13 parties private dispute public, her constant disparagement of Alex's character and her constantly  
14 stating, as a matter of fact, that Alex is a fraud, a liar, a cheat, and a drug addict, have negatively  
15 impacted Alex's ability to earn a living and have been a major factor in devaluing Alex as a  
16 person and a lawyer, his brand, and his law firm. As such, Alex is requesting that Plaintiff be  
17 sanctioned for every video she has disseminated and for every view generated by Plaintiff's  
18 dissemination of those videos, which to date total 38,078 views.

19 Alex is requesting a sanction of \$10,000.00 for each and every instance in which Plaintiff  
20 disseminated videos of hearings from the above referenced case directly to Steve Sanson and  
21 Veteran's In Politics and an additional \$10.00 for each view generated and directly caused by  
22 Plaintiff's dissemination of those videos, for a total monetary sanction of \$510,780.00. That is  
23 the approximate value that Plaintiff's own expert previously determined was the value of Alex's  
24 firm in September of 2020, just before Plaintiff began disseminating videos from the sealed file  
25 and defaming Alex online, on a regular basis.

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### III. LEGAL ANALYSIS

- a. Plaintiff should be order to show cause why she should not be held in contempt for brazenly, deliberately, and maliciously violating this Court's order sealing the file and prolifically disseminating videos of the proceedings in this matter.

This Court has the inherent authority to enforce its orders. In this regard, NRS 1.210(3) provides the Court with the power to compel obedience to its lawful judgments, orders and process, and to the lawful orders of its judge out of court in an action or proceeding pending therein. When contempt is committed outside the immediate view and presence of the court, NRS 22.030 governs, and provides in part:

If a contempt is not committed in the immediate view and presence of the court or judge at chambers, an affidavit must be presented to the court or judge of the facts constituting the contempt, or a statement of the facts by the masters or arbitrators.

Meanwhile, NRS 22.100 establishes the penalty of contempt and provides:

Upon the answer and evidence taken, the court or judge or jury, as the case may be, shall determine whether the person proceeded against is guilty of the contempt charged; and if it be found that he is guilty of the contempt, a fine may be imposed on him not exceeding \$500, or he may be imprisoned not exceeding 25 days, or both, but no imprisonment shall exceed 25 days except as provided in NRS 22.110.

Here, there is a clear Court order that is not ambiguous. On October 31, 2019, this Court ordered the file in this matter sealed. (See Defendant's Exhibits (DE) 001-002). That order stated that "IT IS HEREBY ORDERED THAT the file in the above matter be sealed pursuant to NRS 125.110(2)." Id. This Court added, in its own writing, the following language: "The file is only sealed to the extent allowed by NRS 125.110." Id. There was a notice of entry of that order. On November 1<sup>st</sup>, 2019, the order sealing file was noticed to Plaintiff's then attorney, Sigal Chattah, Esq. The order was never challenged, to this day.

Furthermore, Plaintiff made clear that she was aware that there was an order sealing the file. In her deposition, the following colloquy occurred:

*Q: Okay. And in that D case, is that D case sealed?*

*A: Not the videos.*

This indicates that Plaintiff was well aware of the order.



1 Indeed, she stated, in her deposition, that “[w]hat I do know is that videos are not included  
2 in a sealed case.” (See DE 110, lines 17-19). Plaintiff then states she came to that conclusion by  
3 reading the statute (DE 110, lines 18-19), that she spoke to her attorney about the matter (DE 111,  
4 lines 1-3; and DE 111, lines 22-24), a district court Judge in Minnesota (DE 112, lines 1-2), and  
5 her previous attorney, Chris Reed (DE 112, lines 3-4). Ultimately, she decided to disseminate the  
6 videos because, she claims, it was in the public’s interest to do so. (See DE 108, lines 4-18 – see  
7 particularly lines 13-18). Therefore, Plaintiff’s violation of this Court’s order was willful and  
8 deliberate.

9 Furthermore, that she thought it was in the public’s interest to inform them that Alex has  
10 not paid alimony or child support, contrary to her own pecuniary interests, indicates that Plaintiff  
11 acted out of malice. Indeed, her canned answer to why she would try and undermine Alex’s ability  
12 to earn a living was that she was not trying to either help or hinder me in earning a living and if it  
13 was in the public interest to post the videos she would. (See DE 108, lines 4-24). Plaintiff’s conduct  
14 is actually harming, and continues to harm, Alex’s ability to earn an income, as Karen Macaulay  
15 testified under penalty of perjury. Plaintiff, therefore, needs to be held in contempt and fined for  
16 her prior conduct and continue to be fined until such time as those videos are removed from the  
17 internet.

18 To date, the following videos are posted online:

<u>URL LINK</u>	<u>No. of VIEWS</u>	<u>DATE OF HEARING</u>	<u>DATE POSTED</u>
<a href="https://www.youtube.com/watch?v=Mb9qQ3rqlfQ">https://www.youtube.com/watch?v=Mb9qQ3rqlfQ</a>	3687	August 26, 2021	September 9, 2021
<a href="https://www.youtube.com/watch?v=BKTrP3I3QgU">https://www.youtube.com/watch?v=BKTrP3I3QgU</a>	2858	June 6, 2019	November 1, 2021
<a href="https://www.youtube.com/watch?v=uiIYddxYQO0">https://www.youtube.com/watch?v=uiIYddxYQO0</a>	1961	November 13, 2017	December 7, 2021
<a href="https://www.youtube.com/watch?v=klgdJc_OMk4">https://www.youtube.com/watch?v=klgdJc_OMk4</a>	2686	July 17, 2020	July 28, 2021



<a href="https://www.youtube.com/watch?v=8Lb5FpuDbQw">https://www.youtube.com/watch?v=8Lb5FpuDbQw</a>	3275	August 12, 2020	July 28, 2021
<a href="https://www.youtube.com/watch?v=g2XflQrKQis">https://www.youtube.com/watch?v=g2XflQrKQis</a>	4629	December 12, 2017	August 16, 2021
<a href="https://www.youtube.com/watch?v=5mTYONXjWHo">https://www.youtube.com/watch?v=5mTYONXjWHo</a>	2486	November 23, 2021	December 10, 2021
<a href="https://www.youtube.com/watch?v=p0HIUsP2iD8">https://www.youtube.com/watch?v=p0HIUsP2iD8</a>	2215	August 19, 2021	September 7, 2021
<a href="https://www.youtube.com/watch?v=laQ1ijoFYpk">https://www.youtube.com/watch?v=laQ1ijoFYpk</a>	4077	June 2, 2021	September 6, 2021
<a href="https://www.youtube.com/watch?v=RwqkKilBmDI">https://www.youtube.com/watch?v=RwqkKilBmDI</a>	2706	August 19, 2021	September 7, 2021
<a href="https://www.youtube.com/watch?v=0kuFm6spy8Q">https://www.youtube.com/watch?v=0kuFm6spy8Q</a>	2722	August 19, 2021	September 9, 2021
<a href="https://www.youtube.com/watch?v=a-l4TnRuid8">https://www.youtube.com/watch?v=a-l4TnRuid8</a>	3703	February 3, 2021	February 3, 2021
<a href="https://www.youtube.com/watch?v=GxvlMugOFbM">https://www.youtube.com/watch?v=GxvlMugOFbM</a>	1073	August 19, 2021	September 9, 2021



Further, there are 78 views on VIPI's Rumble account found at:  
<https://rumble.com/user/Devildog1285?q=alex%20ghibaudo>. There are an additional 313 views posted by a denizen of Facebook known as Jes Caruss located at:

[https://www.youtube.com/playlist?list=PLYKrMUSZsvxLuEUZqm\\_iqt8yhOXYvAl-](https://www.youtube.com/playlist?list=PLYKrMUSZsvxLuEUZqm_iqt8yhOXYvAl-)

Also, Plaintiff has multiple videos of proceedings in this matter posted on her personal Facebook page. (See DE 308-311; 313-318; 321; and 323). These videos, posted on Plaintiff's personal Facebook page and all other social media platforms, need to be removed.

However, the damage is already done and Plaintiff should be fined for her wanton and deliberate conduct in the amount of \$500.00 (only because the statute caps any monetary sanction at that amount) for each video Plaintiff initially disseminated and \$10.00 for each video actually viewed. For the initial 13 videos, Plaintiff should pay \$6,500.00. For the 38,078 views of those videos, Plaintiff should pay \$380,780.00. Plaintiff should be fined \$500.00 a day for every day those videos remain online and the burden should be on her to make sure they are removed from all social media and online platforms.

b. Plaintiff should be sanctioned pursuant to EDCR 7.60(b)(4) for violating EDCR 5.210.

EDCR 5.210(e) provides the following:

**Rule 5.210. Trial and hearings may be private pursuant to NRS 125.080.**

**(e) The court shall retain supervisory power over its own records and files, including the electronic and video records of proceedings. Unless otherwise ordered, the record of a private hearing, or record of a hearing in a sealed case, shall be treated as confidential and not open to public inspection. Parties, their attorneys, and such staff and experts as those attorneys deem necessary are permitted to retain, view, and copy the record of a private hearing for their own use in the representation. Except as otherwise provided by rule, statute, or court order, no party or agent shall distribute, copy, or facilitate the distribution or copying of the record of a private hearing or hearing in a sealed case (including electronic and video records of such a hearing). Any person or entity that distributes or copies the record of a private**



1                    *hearing shall cease doing so and remove it from public access upon being put*  
2                    *on notice that it is the record of a private hearing.*

3                    (Emphasis added).

4                    Here, on January 4<sup>th</sup>, 2022, and pursuant to EDCR 5.210(e), written notice was provided  
5                    that those videos need to be removed. Plaintiff refused. The statute is clear and leaves no room for  
6                    discretion: Any person or entity that distributes or copies the record of a private hearing shall cease  
7                    doing so and remove it from public access upon being put on notice that it is the record of a private  
8                    hearing. Again, that notice was provided and ignored.

9                    Under EDCR 7.60(b)(4):

10                   The court may, after notice and an opportunity to be heard, impose upon an attorney  
11                   or a party any and all sanctions which may, under the facts of the case, be  
12                   reasonable, including the imposition of fines, costs or attorney's fees when an  
13                   attorney or a party without just cause...Fails or refuses to comply with these rules.

14                   Here, again, Plaintiff was given notice to remove any and all videos. Plaintiff refused but  
15                   failed to provide any reason to do so. Rather, Plaintiff's attorney simply stated "Our client is  
16                   informed of your position regarding this matter." In actual discussions, Plaintiff and her attorneys  
17                   actually represented that the rule cited does not apply. Thus, they failed to provide just cause for  
18                   their refusal to comply with EDCR 5.210, exposing both Plaintiff and her attorneys to sanctions.

19                   As discussed above, and due to the permanent harm Plaintiff has caused Alex and his  
20                   business, and the constant attacks on his character, Alex is requesting a sanction of \$10,000.00  
21                   for each and every instance in which Plaintiff disseminated videos of hearings from the above  
22                   referenced case directly to Steve Sanson and Veteran's In Politics and an additional \$10.00 for  
23                   each view generated and directly caused by Plaintiff's dissemination of those videos, for a total  
24                   monetary sanction of \$510,780.00. That is the approximate value that Plaintiff's own expert  
25                   previously determined was the value of Alex's firm in September of 2020, just before Plaintiff  
26                   began disseminating videos from the sealed file and defaming Alex online, on a regular basis.  
27  
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1 c. A note concerning Plaintiff's failure to pay the amount ordered after the parties  
2 September 2020 hearing.

3 On February 3<sup>rd</sup>, 2021, this Court held a hearing on Plaintiff's motion for contempt. The  
4 Court minutes from that hearing state the following:

5 Court noted on 12/14/2020, Defendant filed a Notice of Appeal, and Plaintiff filed  
6 a Notice of Appeal on 12/17/2020. Court stated the only jurisdiction this Court has  
7 is collateral jurisdiction. Further, the Court cannot adjudicate fees claims since the  
8 issue is not collateral. **Also, the Court is not going to litigate this case while on**  
9 **appeal.** Court stated it is not having a civil contempt hearing at this time. Attorney  
10 Reade stated they disagree with the Court's decision. Court stated civil contempt is  
11 a tool of the Court. COURT ORDERED, the following: Based on the APPEAL, the  
12 Court determines the ADJUDICATING COSTS and FEES requests are NOT  
13 COLLATERAL to FINANCIAL JUDGMENTS. Plaintiff's REQUESTS in her  
14 MOTION shall be DENIED WITHOUT PREJUDICE.

15 It was Alex's understanding, after that hearing, and given the Court's comments, that  
16 execution of the judgment issued on November 11, 2010 was stayed because both parties noticed  
17 an appeal of the Court's decision. Specifically, Alex was under the impression that the Court  
18 indicated that because the appeal directly challenged the order awarding alimony that it could not,  
19 and would not, address that issue in any way.

20 On June 2<sup>nd</sup>, 2021, another motion for contempt for non-payment of support was heard.  
21 The minutes reflect the Court's orders concerning that motion. There, this: "COURT NOTED  
22 there were notices of appeal filed by Defendant 12/14 and 12/17. Court stated it only has collateral  
23 jurisdiction while that is pending." Based on that, again, Alex was under the impression that  
24 because the appeal challenged the order awarding periodic payments directly, that the matter was  
25 stayed pending resolution of the issue by the Nevada Supreme Court.

26 When, on November 23<sup>rd</sup>, 2021 this Court reversed its position and indicated it expected  
27 payment, Alex paid his Court ordered support. To date, Alex has paid \$7,500.00 toward support,  
28 reflecting payments for the months of December 2021, January 2022, and February 2022. Thus,  
Alex comes before this Court seeking relief with clean hands and requests that this Court enforce  
its orders.



- 1 d. Alex requests that this Court clarify its order sealing the file in this matter so that  
2 he may attempt to persuade the social media platforms indicated to remove the  
3 videos complained of from there platforms.

4 The district court "has inherent power to construe its judgments and decrees for the  
5 purpose of removing any ambiguity." *Kishner v. Kishner*, 93 Nev. 220, 225-26, 562 P.2d 493,  
6 496 (1977). In this case, Alex attempted to compel Youtube to remove the offending videos by  
7 providing it the order sealing the file. Youtube rejected that request without comment. Alex  
8 therefore requests leave to amend the order to add language that, after proper research and  
9 consideration, may persuade Youtube to remove the videos at issue. This is by no means an  
10 admission that the order is ambiguous. It is not. Neither NRS 125.110 nor EDCR 5.210 has ever  
11 been challenged in the Nevada Supreme Court and the language, particularly EDCR 5.210 is  
12 clear as day. Also, the word "proceedings" clearly encompasses hearings, whether recorded by  
13 audio/visual means or not – the plain language of the statute could yield only that one  
14 interpretation.

15 Youtube and Facebook, apparently, could not understand the statute, presumably,  
16 because they provided no explanation for their decision. As such, Alex asks leave of the Court to  
17 attempt to clarify the order within the bounds of NRS 125.110 in an effort to utilize that order to  
18 remove the videos from the social media platforms discussed above. It is important to note that  
19 Alex attempted to negotiate a stipulation and order doing just that with Plaintiff but again she  
20 refused because it is her intent to keep those videos up forever to embarrass Alex and reduce his  
21 ability to earn a living, out of pure spite.

#### 22 **IV. CONCLUSION**

23 For the foregoing reasons, Alex asks this Court to sanction Plaintiff under either NRS  
24 22.100 in the amount of \$380,780.00 in addition to fining Plaintiff \$500.00 a day for every day  
25 those videos remain online or sanction Plaintiff AND her attorney \$510,780.00 under EDCR  
26 7.60(b)(4) for refusing to remove the videos that are demonstrably harming Alex's ability to earn  
27 a living and destroying the brand he has attempted to build since the firm opened in June of 2016,  
28 which Plaintiff has engaged in out of pure spite (and which her current attorney appears to be  
conspiring with her to do so now as well, given their advice concerning NRS 125.110(2) and  
EDCR 5.210).







**DECLARATION OF ALEX GHIBAUDO, ESQ.**

I, Alex Ghibaud, Esq., do hereby swear under penalty of perjury that the following is true and correct:

1. On October 31, 2019, this Court ordered the file in this matter sealed. (See Defendant's Exhibits (DE) 001-002). That order stated that "IT IS HEREBY ORDERED THAT the file in the above matter be sealed pursuant to NRS 125.110(2)." This Court added, in its own writing, the following language: "*The file is only sealed to the extent allowed by NRS 125.110.*"
2. That Plaintiff has violated that order by disseminating at least 13 videos of hearings from these proceedings in violation of the Court's order sealing file.
3. Those thirteen videos are as follows:

<b><u>URL LINK</u></b>	<b><u>No. of VIEWS</u></b>	<b><u>DATE OF HEARING</u></b>	<b><u>DATE POSTED</u></b>
<a href="https://www.youtube.com/watch?v=Mb9qQ3rqlfQ">https://www.youtube.com/watch?v=Mb9qQ3rqlfQ</a>	3687	August 26, 2021	September 9, 2021
<a href="https://www.youtube.com/watch?v=BKTrP3I3QgU">https://www.youtube.com/watch?v=BKTrP3I3QgU</a>	2858	June 6, 2019	November 1, 2021
<a href="https://www.youtube.com/watch?v=uiIYddxYQO0">https://www.youtube.com/watch?v=uiIYddxYQO0</a>	1961	November 13, 2017	December 7, 2021
<a href="https://www.youtube.com/watch?v=klgdJc_OMk4">https://www.youtube.com/watch?v=klgdJc_OMk4</a>	2686	July 17, 2020	July 28, 2021
<a href="https://www.youtube.com/watch?v=8Lb5FpuDbQw">https://www.youtube.com/watch?v=8Lb5FpuDbQw</a>	3275	August 12, 2020	July 28, 2021
<a href="https://www.youtube.com/watch?v=g2XflQrKQis">https://www.youtube.com/watch?v=g2XflQrKQis</a>	4629	December 12, 2017	August 16, 2021
<a href="https://www.youtube.com/watch?v=5mTYONXjWHo">https://www.youtube.com/watch?v=5mTYONXjWHo</a>	2486	November 23, 2021	December 10, 2021
<a href="https://www.youtube.com/watch?v=p0HIUsP2iD8">https://www.youtube.com/watch?v=p0HIUsP2iD8</a>	2215	August 19, 2021	September 7, 2021
<a href="https://www.youtube.com/watch?v=laQ1ijoFYpK">https://www.youtube.com/watch?v=laQ1ijoFYpK</a>	4077	June 2, 2021	September 6, 2021
<a href="https://www.youtube.com/watch?v=RwqkKilBmDI">https://www.youtube.com/watch?v=RwqkKilBmDI</a>	2706	August 19, 2021	September 7, 2021
<a href="https://www.youtube.com/watch?v=0kuFm6spy8Q">https://www.youtube.com/watch?v=0kuFm6spy8Q</a>	2722	August 19, 2021	September 9, 2021
<a href="https://www.youtube.com/watch?v=a-l4TnRuid8">https://www.youtube.com/watch?v=a-l4TnRuid8</a>	3703	February 3,	February 3,



		2021	2021
<a href="https://www.youtube.com/watch?v=GxvIMugOFbM">https://www.youtube.com/watch?v=GxvIMugOFbM</a>	1073	August 19, 2021	September 9, 2021

4. Further, there are 78 views on VIPI's Rumble account found at:  
<https://rumble.com/user/Devildog1285?q=alex%20ghibauda>. There are an additional 313 views posted by a denizen of Facebook known as Jes Caruss located at:  
[https://www.youtube.com/playlist?list=PLYKrMUSZsvxLuEUZqm\\_iqt8yhOXMYvAl-](https://www.youtube.com/playlist?list=PLYKrMUSZsvxLuEUZqm_iqt8yhOXMYvAl-)
5. That the videos disseminated by Plaintiff, by her own admission (See DE 117. Lines 13-24; DE 118, lines 1-6), have been viewed 38,078 times on Veterans In Politics Youtube and Rumble page and that they have been viewed an additional 78 times on Facebook through Jes Caruss.
6. That Alex gave notice to Plaintiff pursuant to EDCR 5.210(e) to cease and desist from further posting videos and to remove those already posted but was ignored.
7. To date, the videos referenced above and those indicated are on Plaintiff's personal Facebook page remain and are visible to the general public. A simple Google search of Alex's name will reveal all said videos.
8. That as a result, Alex's business, character, and standing among the legal and general community has suffered and made it exceedingly difficult to so much as get potential clients to meet with him. (See DE 307: Declaration of Karen Macauly).
9. As a result, Alex seeks monetary sanctions against Plaintiff pursuant to NRS 22.100 in the amount of \$380,780.00 in addition to fining Plaintiff \$500.00 a day for every day those videos remain online. Alternatively, Alex asks that this Court sanction Plaintiff AND her attorney \$510,780.00 under EDCR 7.60(b)(4) for refusing to remove the videos that are demonstrably harming Alex's ability to earn a living and destroying the brand he has attempted to build since the firm opened in June of 2016, which Plaintiff has engaged in out of pure spite (and which her current attorney appears to be conspiring with her to do so now as well, given their advice concerning NRS 125.110(2) and EDCR 5.210(e).



1 10. I make this affidavit in good faith

2 **I declare under penalty of perjury under the laws of the State of Nevada (NRS 53.045 and**  
3 **28 USC sec. 1746), that the foregoing is true and correct**

4 Dated this 7<sup>th</sup> day of February, 2022.

5 *//s// Alex Ghibaud*

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7 ALEX GHIBAUDO  
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## CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I declare under penalty of perjury, under the law of the State of Nevada, that I served a true and correct copy of *Motion for an Order to Show Cause et al.*, on February 7<sup>th</sup>, 2022, as follows:

- ☒ Pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCP 5(b)(2)(D), and Administrative Order 14-2 captioned “*In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court*,” by mandatory electronic service through the Eighth Judicial District Court’s electronic filing system;
- ☐ By depositing a copy of same in a sealed envelope in the United States Mail, postage pre-paid, in Las Vegas, Nevada;
- ☐ Pursuant to EDCR 7.26, sent via facsimile by duly executed consent for service by electronic means.

To the following address:

Jonathan K. Nelson, Esq.  
Nevada Bar No. 12836  
10120 South Eastern Avenue, Suite 200  
Henderson, Nevada 89052  
Telephone: (702) 727-9900  
Jonathan@jknelsonlaw.com  
*Attorney for Plaintiff*

***//s//Alex Ghibaud***

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Alex B. Ghibaud  
*Defendant in Proper Person*

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

**TARA KELLOGG**

Plaintiff/Petitioner

vs.

**ALEX GHIBAUDO**

Defendant/Respondent

Case Number: **D-15-522043-D**Department: **H**

**MOTION/OPPOSITION  
FEE INFORMATION SHEET**

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

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

<input checked="" type="checkbox"/>	<b>\$25</b>	The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-		
<input type="checkbox"/>	<b>\$0</b>	The Motion/Opposition being filed is not subject to the \$25 reopen fee because:
		<input type="checkbox"/> The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
		<input type="checkbox"/> The Motion/Opposition is being filed solely to adjust the amount of child support established in a final Order.
		<input type="checkbox"/> The Motion/Opposition is for reconsideration or for a new trial and is being filed with 10 days after a final judgment or Decree was entered. The final Order was entered on: _____.
		<input type="checkbox"/> Other Excluded Motion

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

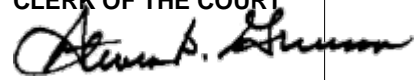
<input checked="" type="checkbox"/>	<b>\$0</b>	The Motion/Opposition being filed is not subject to the \$129 or \$57 fee because:
		<input checked="" type="checkbox"/> The Motion/Opposition is being filed in a case not initiated by Joint Petition.
		<input type="checkbox"/> The party filing the Motion/Opposition previously paid a fee of \$129 or \$57
-OR-		
<input type="checkbox"/>	<b>\$129</b>	The Motion/Opposition being filed with this form is subject to the \$129 fee because it is a Motion to modify, adjust, or enforce a final Order.
-OR-		
<input type="checkbox"/>	<b>\$57</b>	The Motion/Opposition being filed is subject to the \$57 fee because it is an Opposition to a Motion to modify, adjust, or enforce a final Order or it is a Motion and the opposing party has already paid a fee of \$129.

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

The total filing fee for the Motion/Opposition I am filing with this form is

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

Party filing Motion/Opposition: **Defendant**Date: **2-6-22**Signature of Party or Preparer: //s//Alex Ghibauda



1 **EXHS**

2 Alex B. Ghibauda, Esq.  
3 197 E California Ave, Ste 250  
4 Las Vegas, Nevada 89104  
5 T: (702) 462-5888  
6 F: (702) 924-6553  
7 E: alex@glawvegas.com  
8 *Defendant in Proper Person*

9 **EIGHTH JUDICIAL DISTRICT COURT, FAMILY DIVISION**  
10 **CLARK COUNTY, NEVADA**

11 TARA KELLOGG,

12 Plaintiff,

13 vs.

14 ALEX GHIBAUDO,

15 Defendant.

Case Number: D-15-522043-D

Department: H

**EXHIBITS TO DEFENDANT'S MOTION**  
**FOR CONTEMPT AND, OR**  
**ALTERNATIVELY, MOTION FOR**  
**MONETARY SANCTIONS PURSUANT**  
**TO EDCR 7.60(b)(4) AND MOTION**  
**TO CLARIFY ORDER SEALING FILE**

16 COMES NOW Defendant Alex Ghibauda and submits his exhibits to the above referenced  
17 motion.

18 DATED this 7<sup>th</sup> day of February, 2022.

19 By: */s/ Alex B. Ghibauda, Esq.*

20 *Defendant in Proper Person*

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as follows:

- [ ] Pursuant to EDCR 7.26, sent via facsimile by duly executed consent for service by electronic means.

Jonathan K. Nelson, Esq.  
Nevada Bar No. 12836  
10120 South Eastern Avenue, Suite 200  
Henderson, Nevada 89052  
Telephone: (702) 727-9900  
Jonathan@jknelsonlaw.com  
*Attorney for Plaintiff*

**Alex Ghibaud, Esq.**  
*Attorney for Plaintiff*

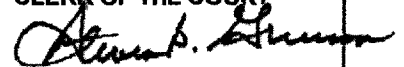


**KELLOGG v. GHIBAUDO**

D-15-522043-D

**EXHIBIT INDEX**

DESCRIPTION	BATES NO.
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Cease and Desist Letter Pursuant to EDCR 5.210	005-007
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Plaintiff's Answer to First Amended Complaint for Damages for Defamation Per Se in case no. A-21-839156-C	293-308
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**ORDR**

RADFORD J. SMITH, CHARTERED  
RADFORD J. SMITH, ESQ.  
Nevada State Bar No. 002791  
GARIMA VARSHNEY, ESQ.  
Nevada Bar No. 011878  
2470 St. Rose Parkway, Suite 206  
Henderson, Nevada 89074  
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rsmith@radfordsmith.com  
*Attorneys for Defendant*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

TARA KELLOGG-GHIBAUDO,

Plaintiff,

vs.

ALEX GHIBAUDO,

Defendant.

CASE NO.: D-15-522043-D

DEPT NO.: H

**FAMILY DIVISION**

**ORDER SEALING FILE**

Pursuant to the Defendant's Ex Parte Request for Order Sealing File, and good cause appearing therefore,

IT IS HEREBY ORDERED that the file in the above matter be sealed pursuant to NRS

125-110(2). *The file is only sealed to the extent allowed by NRS 125.110*

*(This space intentionally left blank.)*

✓ OCT 24 2019

1 NRS 125.110(2) states


2  
3 All other papers, records, proceedings and evidence, including exhibits  
4 and transcript of the testimony, shall, upon the written request of either  
5 party to the action, filed with the clerk, be sealed and shall not be open  
6 to inspection except to the parties or their attorneys, or when required as  
7 evidence in another action or proceeding.

8 DATED this 24 day of October, 2019.

9  
10   
11 DISTRICT COURT JUDGE  
12 T ART RITCHIE, JR. 

13  
14  
15  
16 *Respectfully Submitted:*

17 RADFORD J. SMITH, CHARTERED

18   
19  
20 RADFORD J. SMITH, ESQ.  
21 Nevada Bar No. 002791  
22 GARIMA VARSHNEY, ESQ.  
23 Nevada State Bar No. 011878  
24 2470 St. Rose Parkway, Suite 206  
25 Henderson, Nevada 89074  
26 *Attorneys for Defendant*  
27  
28

**From:** [Yasmin Khayyami](#)  
**To:** [Alex Ghibaudo](#)  
**Cc:** [Jonathan Nelson](#)  
**Subject:** RE: Tara Kellogg v. Alex Ghibaudo \*\* FOR SETTLEMENT PURPOSES PURSUANT TO NRS 48.105 AND MADE PURSUANT TO EDCR 5.501\*\*  
**Date:** Wednesday, January 5, 2022 4:26:14 PM

---

Hello,

Our client is informed of your position regarding this matter.

Best,  
Yasmin Khayyami

---

**From:** Alex Ghibaudo <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 Ghibaudo \*\* 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**

Alex B. Ghibaud, Esq.

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197 E. California Ave., Suite 250  
Las Vegas, Nevada 89101  
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\*\*\*\*

CONFIDENTIALITY NOTICE: This electronic transmission (including any files attached hereto) contains information that is legally privileged, confidential, and exempt from disclosure. It is intended for use only by the individual or entity named above. If you are not the intended recipient or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any

**RESP**

Jonathan K. Nelson ESQ.  
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**EIGHTH JUDICIAL DISTRICT COURT, FAMILY DIVISION  
CLARK COUNTY, NEVADA**

TARA KELLOGG,

Case No.: D-15-522043-D

Plaintiff,

Dept. No.: H

vs.

ALEX GHIBAUDO,

**PLAINTIFF'S RESPONSE TO  
DEFENDANT'S FIRST SET  
OF REQUESTS FOR  
ADMISSIONS**

Defendant.

TO: ALEX GHIBAUDO, Defendant

Plaintiff Tara Kellogg (hereinafter "Tara"), by and through her counsel of record, Jonathan K. Nelson, Esq. of J.K. NELSON LAW, LLC, hereby provides the following Responses to Defendant's First Set of Requests for Admissions.

**REQUEST FOR ADMISSION NO. 1:**

ADMIT that in an email dated August 5, 2021, you implied that the Defendant is using and/or abusing methamphetamines by stating "I loved your "meth face" during the Evidentiary Hearing.

**RESPONSE TO REQUEST NO. 1**

Objection 1.1: Relevance. This request seeks irrelevant information and is not reasonably calculated to lead to discovery of admissible evidence.

Objection 1.2: Vague. This request does not define who this email was to.

Objection 1.3: Plaintiff objects to the extent the request seeks private or privileged information that is protected from discovery. Plaintiff reserves

1 the right to raise additional objections in response to this request as  
2 discovery proceeds. NRCP 26.

3 Answer 1.1: Plaintiff admits.

4 **REQUEST FOR ADMISSION NO. 2:**

5 ADMIT that in an email dated August 5, 2021, you stated, in reference to  
6 Defendant, that “Your drug and alcohol abuse is legendary and has exponentially  
7 increased at such a warped speed that your once marginal writing at best has now  
8 become unintelligible ramblings of a complete illiterate.”

9 **RESPONSE TO REQUEST NO. 2:**

10 Objection 2.1: Relevance. This request seeks irrelevant information and is  
11 not reasonably calculated to lead to discovery of admissible evidence.

12 Objection 2.2: Vague. This request does not define who this email was to.

13 Objection 2.3: Plaintiff objects to the extent the request seeks private or  
14 privileged information that is protected from discovery. Plaintiff reserves  
15 the right to raise additional objections in response to this request as  
16 discovery proceeds. NRCP 26.

17 Answer 2.1: Subject to the foregoing general and specific objections,  
18 Plaintiff admits.

19 **REQUEST FOR ADMISSION NO. 3:**

20 ADMIT that you implied that the Defendant in this matter is not a practicing  
21 attorney when you stated, in an email dated August 5, 2021, that Defendant is not a  
22 law school, stating: “Was this before or after you allegedly attended law school...”

23 **RESPONSE TO REQUEST NO. 3:**

24 Objection 3.1: Relevance. This request seeks irrelevant information and is  
25 not reasonably calculated to lead to discovery of admissible evidence.

26 Objection 3.2: Vague. This request does not define who this email was to.

27 Objection 3.3: Plaintiff objects to the extent the request seeks private or  
28 privileged information that is protected from discovery. Plaintiff reserves  
the right to raise additional objections in response to this request as  
discovery proceeds. NRCP 26.



1 Answer 3.1: Subject to the foregoing general and specific objections,  
2 Plaintiff admits.

3 **REQUEST FOR ADMISSION NO. 4:**

4 ADMIT that on August 5, 2021 you threatened the Defendant when you stated,  
5 in an email: "Hey there little bitch lol. You have something to say? Come say it to my  
6 face, you chicken shit POS goofy looking, brain dead buffoon lol Enjoy your law  
7 license for the Next couple of months, you drug addict loser lol. Who loves you  
8 hairy ape? Lol."

8 **RESPONSE TO REQUEST NO. 4:**

9 Objection 4.1: Relevance. This request seeks irrelevant information and is not  
10 reasonably calculated to lead to discovery of admissible evidence.

11 Objection 4.2: Vague. This request does not define who this email was to.

12 Objection 4.3: Plaintiff objects to the extent the request seeks private or  
13 privileged information that is protected from discovery. Plaintiff reserves the  
14 right to raise additional objections in response to this request as discovery  
15 proceeds. NRCP 26.

16 Objection 4.4: This request is unduly burdensome in that it makes a compound  
17 request as it is asking for intent and whether Plaintiff sent the above via email.

18 Answer 4.1: Subject to the foregoing general and specific objections, Plaintiff  
19 denies.

20 **REQUEST FOR ADMISSION NO. 5:**

21 ADMIT that you told Heather Beckish that your intent is to not graduate from a  
22 College or University for the purposes of maintaining or increasing the amount of  
23 alimony the Defendant in this matter has been ordered to pay.

23 **RESPONSE TO REQUEST NO. 5:**

24 Objection 5.1: Relevance. The issue here is whether Defendant is willfully  
25 neglecting to pay his court ordered obligation.

26 Objection 5.2: The request is oppressive and burdensome in violation of NRCP  
27 26(b)(2) and is meant to harass, obscure, or equivocate in violation of NRCP  
28 26(g)(2)(B).

1 Answer 5.1: Subject to the foregoing general and specific objections, Plaintiff  
2 denies.

3 **REQUEST FOR ADMISSION NO. 6:**

4 ADMIT that on August 5, 2021 you wrote the following email: “Chris, As I  
5 indicated yesterday, there is no need to conduct a conference call with a  
6 fumbling, bumbling brain damaged idiot who is clearly unhinged and triggered by  
7 constant drug and alcohol abuse on a daily basis.

8 I will not be subjected any further to the mindless ramblings of a complete lunatic,  
9 who is clearly on his way to inevitable disbarment and public humiliation by the  
10 sheer stupidity of his own asinine words, vexatious litigation threats and  
11 borderline personality comments.

12 Please let the foolish so-called “attorney”, who is the subject matter of my reply  
13 herein, know with precise certainty that his latest unprovoked and drug induced  
14 antics today will be duly met head on by the Kellogg family with nothing less than  
15 proper, immediate action being taken.

16 Said action shall commence today, effective immediately, including but certainly  
17 not limited to a new Nevada State Bar Complaint, the filing of a fresh TPO for  
18 ongoing threats and harassment, a defamation lawsuit if said so-called and highly  
19 questionable “attorney” publishes anything libelous about myself or any member  
20 of my family, and/or forwarding this ridiculously reckless diatribe by “A.G” to the  
21 most interested and relevant social and mainstream media outlets that eagerly  
22 anticipate and await knowledge of his very next misstep.

23 So, yes Chris, please do not waste another, phone call, breath or written word  
24 dealing or negotiating with a complete “dummy” over there, who clearly only has  
25 two brain cells that are constantly at war with another.

26 Just allow him to ramble on to himself going forward until his next voluntary or  
27 involuntary stint in the local insane asylum occurs.

28 Alternatively, perhaps his forthcoming incarceration and/or early retirement to join  
the ranks of the homeless street performers of Fremont street may occur first. Who  
knows? lol. Call me later today, Chris. Thanks.

1 Tara.

2 the proper authorities back toward him from the Kellogg family to the lunatic will  
3 not take place. The flying is unhinged as we all know. I will forward this  
4 correspondence to Briana

5 **RESPONSE TO REQUEST NO. 6:**

6 Objection 6.1: Relevance. This request seeks irrelevant information and is not  
7 reasonably calculated to lead to discovery of admissible evidence. This email  
8 addresses litigation strategy and has nothing to do with the current case at issue.

9 Objection 6.2: Attorney-client privilege. Plaintiff objects to the extent the  
10 request seeks private or privileged information that is protected from discovery.  
11 Plaintiff reserves the right to raise additional objections in response to this  
12 request as discovery proceeds. NRCP 26. Clearly, this is addressed to Chris  
13 Reade, one of Plaintiff's previous attorneys.

14 Answer 6.1: Subject to the foregoing general and specific objections, Plaintiff is  
15 without sufficient knowledge and therefore denies.

16 **REQUEST FOR ADMISSION NO. 7:**

17 ADMIT that you have disseminated videos of proceedings in Case No. D-15-  
18 522043-D to Steve Sanson

19 **RESPONSE TO REQUEST NO. 7:**

20 Objection 7.1: Relevance. This request seeks irrelevant information and is not  
21 reasonably calculated to lead to discovery of admissible evidence. At issue is  
22 Defendant's willful refusal to pay his court ordered support.

23 Objection 7.2: It is well within Plaintiff's Constitutional First Amendment  
24 Right to disseminate videos as they are public record.

25 Objection 7.3: Compound. Objects to this request as unduly burdensome  
26 insofar as it makes a compound request.

27 Answer 7.1: Subject to the foregoing general and specific objections, Plaintiff is  
28 without sufficient knowledge and therefore denies.

**REQUEST FOR ADMISSION NO. 8:**

ADMIT that you have disseminated videos of proceedings in Case No. D-15-

522043-D to other third parties not party to said case.

**RESPONSE TO REQUEST NO. 8:**

Objection 8.1: Relevance. This request seeks irrelevant information and is not reasonably calculated to lead to discovery of admissible evidence. At issue is Defendant's willful refusal to pay his court ordered support.

Objection 8.2: It is well within Plaintiff's Constitutional First Amendment Right to disseminate videos as they are public record.

Objection 8.3: Compound. Objects to this request as unduly burdensome insofar as it makes a compound request.

Objection 8.4: Unduly burdensome. This request is unduly burdensome.

Answer 8.1: Subject to the foregoing general and specific objections, Plaintiff is without sufficient knowledge and therefore denies.

**REQUEST FOR ADMISSION NO. 9:**

ADMIT that your Facebook profile is named Tara R. Kellogg.

**RESPONSE TO REQUEST NO. 9:**

Objection 9.1: Relevance. This request seeks irrelevant information and is not reasonably calculated to lead to discovery of admissible evidence. At issue is Defendant's willful refusal to pay his court ordered support.

Answer 9.1: Subject to the foregoing general and specific objections, Plaintiff admits.

**REQUEST FOR ADMISSION NO. 10:**

ADMIT that you have tagged Steve Sanson in Facebook posts concerning Defendant in this matter in 2021.

**RESPONSE TO REQUEST NO. 10:**

Objection 10.1: Relevance. This request seeks irrelevant information and is not reasonably calculated to lead to discovery of admissible evidence. At issue is Defendant's willful refusal to pay his court ordered support.

Objection 10.2: It is well within Plaintiff's Constitutional First Amendment Right to disseminate videos as they are public record.

Objection 10.3: Compound. Objects to this request as unduly burdensome

1 insofar as it makes a compound request.

2 Objection 10.4: Unduly burdensome. This request is unduly burdensome.

3 Answer 10.1: Subject to the foregoing general and specific objections, Plaintiff  
4 is without sufficient knowledge and therefore denies.

5 **REQUEST FOR ADMISSION NO. 11:**

6 ADMIT that the following was posted on your public Facebook page in 2021:  
7 “Hey “James Jones”, aka Alex Ghibauda, the sociopath who still refuses Doctor  
8 recommended clinical therapy, maybe you should accurately set the record straight  
9 for both of your Facebook “friends”. I put your ass out on the street because you’re  
10 a piss poor excuse for a father. In addition to being a liar, cheat, thief, and  
11 JUNKIE!”

12 **RESPONSE TO REQUEST NO. 11:**

13 Objection 11.1: Relevance. This request seeks irrelevant information and is not  
14 reasonably calculated to lead to discovery of admissible evidence. At issue is  
15 Defendant’s willful refusal to pay his court ordered support.

16 Objection 11.2: It is well within Plaintiff’s Constitutional First Amendment  
17 Right to post true statements or opinions on social media.

18 Objection 11.3: Compound. Objects to this request as unduly burdensome  
19 insofar as it makes a compound request.

20 Objection 11.4: Unduly burdensome. The request is oppressive and burdensome  
21 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
22 violation of NRCP 26(g)(2)(B)

23 Answer 11.1: Subject to the foregoing general and specific objections, Plaintiff  
24 is without sufficient knowledge and therefore denies.

25 **REQUEST FOR ADMISSION NO. 12:**

26 ADMIT that in the Facebook post referenced above, in request No. 11, you also  
27 provided a screenshot of a report concerning your daughter, Nicole Ghibauda, that  
28 was generated from your Neglect and Abuse case wherein Nicole Ghibauda was  
taken from your custody by Child Protective Services due to your addiction to  
drugs and alcohol.

**RESPONSE TO REQUEST NO. 12:**

Objection 12.1: Relevance. This request seeks irrelevant information and is not reasonably calculated to lead to discovery of admissible evidence. At issue is Defendant's willful refusal to pay his court ordered support.

Objection 12.2: It is well within Plaintiff's Constitutional First Amendment Right to post true statements or opinions on social media.

Objection 12.3: Compound. Objects to this request as unduly burdensome insofar as it makes a compound request.

Objection 12.4: Unduly burdensome. The request is oppressive and burdensome in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in violation of NRCP 26(g)(2)(B)

Answer 12.1: Subject to the foregoing general and specific objections, Plaintiff is without sufficient knowledge and therefore denies.

**REQUEST FOR ADMISSION NO. 13:**

ADMIT that that Child Protective Services case was initiated because you were involved in a domestic disturbance that became physical in nature with your mother, Donna Kellogg, while Nicole was visiting with you, when she found you had consumed an entire prescription bottle of Xanax, almost 90 2 mg pills in one sitting, while having drunk an entire bottle of wine

**RESPONSE TO REQUEST NO. 13:**

Objection 13.1: Relevance. This request seeks irrelevant information and is not reasonably calculated to lead to discovery of admissible evidence. At issue is Defendant's willful refusal to pay his court ordered support. This has nothing to do with the matter and only seeks to harass Plaintiff.

Objection 13.2: The request is oppressive and burdensome in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in violation of NRCP 26(g)(2)(B).

Objection 13.3: Compound. Objects to this request as unduly burdensome insofar as it makes a compound request.

Answer 13.1: Subject to the foregoing general and specific objections, Plaintiff

1 is without sufficient knowledge and therefore denies.

2 **REQUEST FOR ADMISSION NO. 14:**

3 Admit that in 2021 you posted the following on your Facebook page and tagged  
4 Steve Sanson: “Hey everyone, so called “attorney” Alex Ghibauda is up to his  
5 juvenile antics again on Facebook. He’s created a few more fake Facebook profiles  
6 (i.e., James Jones) defaming me, kinda like the orgasms I used to fake when I was  
7 married to this putrid and vile subhuman. Thanks for the additional criminal evidence,  
8 you soon to be disbarred attorney and jailbird. Fly HIGH for as long as you can, as it’s  
9 short lived just like your law license.”

9 **RESPONSE TO REQUEST NO. 14:**

10 Objection 14.1: Relevance. This request seeks irrelevant information and is not  
11 reasonably calculated to lead to discovery of admissible evidence. At issue is  
12 Defendant’s willful refusal to pay his court ordered support.

13 Objection 14.2: Defendant is attempting to use discovery in this matter for a  
14 separate and unrelated defamation cause of action he initiated against Plaintiff.  
15 This is an ultimate issue in that case. This is improper use of discovery.

16 Objection 14.3: It is well within Plaintiff’s Constitutional First Amendment  
17 Right to post true statements or opinions on social media.

18 Objection 14.4: Compound. Objects to this request as unduly burdensome  
19 insofar as it makes a compound request.

20 Objection 14.5: Unduly burdensome. The request is oppressive and burdensome  
21 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
22 violation of NRCP 26(g)(2)(B)

23 Answer 14.1: Subject to the foregoing general and specific objections, Plaintiff  
24 is without sufficient knowledge and therefore denies.

24 **REQUEST FOR ADMISSION NO. 15**

25 ADMIT that you posted the following on your Facebook page Tara R. Kellogg:  
26 “This is what typically happens to an average, run of the mill criminal who tries  
27 desperately to mask his morally bankrupt behavior behind a fraudulent law degree and  
28 law license (which I paid for no less). Always remember what a wise man once told

1 me, "Karma has no expiration date." This adage holds especially true when you  
2 dedicate your life to pure evil and are devoid of the basic common sense that God  
3 bestowed upon a garden variety head of lettuce. You see, when you lack a moral  
4 compass in life, you will ultimately lose everything you thought you once had,  
5 especially when it comes to perceived honor, dignity, integrity, loyalty, and once upon  
6 a time, an actual family (rather than a cesspit of fellow junkies). In conclusion, the  
7 lesson that can be learned here today for EVERYONE reading this post: Do not lose  
8 track of core values in life (that separate us from the animals), and certainly do not  
9 end up becoming an unfortunate caricature of a tragic existence that you never had to  
10 create, and of your own volition. Demand better of yourself, and then consistently do  
11 better. Just do "the next right thing" daily in life, instead of choosing to do wrong.  
12 Keep it simple, stupid (the K.I.S.S. Philosophy). Finally, Learn to stay in your lane  
13 and not become your own worst enemy, period. Do not allow yourself to EVER  
14 become the unwitting doppelganger of this fraudulent, subhuman buffoon herein, who  
15 lost everything while striving for nothing. This is a tragic tale we should all avoid  
16 based upon good conscience alone. If not, be prepared to die alone with not a single  
17 person truly caring about you or your fate."

#### 17 **RESPONSE TO REQUEST NO. 15:**

18 Objection 15.1: Relevance. This request seeks irrelevant information and is not  
19 reasonably calculated to lead to discovery of admissible evidence. At issue is  
20 Defendant's willful refusal to pay his court ordered support.

21 Objection 15.2: Defendant is attempting to use discovery in this matter for a  
22 separate and unrelated defamation cause he initiated against Plaintiff. This is  
23 improper use of discovery.

24 Objection 15.3: It is well within Plaintiff's Constitutional First Amendment  
25 Right to post true statements or opinions on social media.

26 Objection 15.4: Compound. Objects to this request as unduly burdensome  
27 insofar as it makes a compound request.

28 Objection 15.5: Unduly burdensome. The request is oppressive and burdensome  
in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in



1 violation of NRCP 26(g)(2)(B)

2 Answer 15.1: Subject to the foregoing general and specific objections, Plaintiff  
3 is without sufficient knowledge and therefore denies.

4 **REQUEST FOR ADMISSION NO. 16:**

5 ADMIT that in the same post referenced above, in request No. 15, you posted a  
6 grievance to the State Bar made by Karen Connolly, Esq.

7 **RESPONSE TO REQUEST NO. 16:**

8 Objection 16.1: Relevance. This request seeks irrelevant information and is not  
9 reasonably calculated to lead to discovery of admissible evidence. At issue is  
10 Defendant's willful refusal to pay his court ordered support.

11 Objection 16.2: Defendant is attempting to use discovery in this matter for a  
12 separate and unrelated defamation cause he initiated against Plaintiff. This is  
13 improper use of discovery.

14 Objection 16.3: It is well within Plaintiff's Constitutional First Amendment  
15 Right to post true statements or opinions on social media.

16 Objection 16.4: Compound. Objects to this request as unduly burdensome  
17 insofar as it makes a compound request.

18 Objection 16.5: Unduly burdensome. The request is oppressive and burdensome  
19 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
20 violation of NRCP 26(g)(2)(B)

21 Objection 16.6: Plaintiff objects to the extent the request seeks private or  
22 privileged information that is protected from discovery. Plaintiff reserves the  
23 right to raise additional objections in response to this request as discovery  
24 proceeds. NRCP 26.

25 Answer 16.1: Subject to the foregoing general and specific objections, Plaintiff  
26 is without sufficient knowledge and therefore denies.

27 **REQUEST FOR ADMISSION NO. 17:**

28 ADMIT that you received the grievance referenced in request No. 16 from  
Steve Sanson.

**RESPONSE TO REQUEST NO. 17:**

1 Objection 17.1: Relevance. This request seeks irrelevant information and is not  
2 reasonably calculated to lead to discovery of admissible evidence. At issue is  
3 Defendant's willful refusal to pay his court ordered support.

4 Objection 17.2: Unduly burdensome. The request is oppressive and burdensome  
5 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
6 violation of NRCP 26(g)(2)(B)

7 Objection 17.3: Plaintiff objects to the extent the request seeks private or  
8 privileged information that is protected from discovery. Plaintiff reserves the  
9 right to raise additional objections in response to this request as discovery  
10 proceeds. NRCP 26.

11 Answer 17.1: Subject to the foregoing general and specific objections, Plaintiff  
12 is without sufficient knowledge and therefore denies.

13 **REQUEST FOR ADMISSION NO. 18:**

14 ADMIT that you sent a hearing master's report and recommendation to Steve  
15 Sanson on or about August 19, 2020 that ordered the suspension of the Defendant's  
16 license to practice law.

17 **RESPONSE TO REQUEST NO. 18:**

18 Objection 18.1: Relevance. This request seeks irrelevant information and is not  
19 reasonably calculated to lead to discovery of admissible evidence. At issue is  
20 Defendant's willful refusal to pay his court ordered support.

21 Objection 18.2: Unduly burdensome. The request is oppressive and burdensome  
22 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
23 violation of NRCP 26(g)(2)(B)

24 Objection 18.3: Plaintiff objects to the extent the request seeks private or  
25 privileged information that is protected from discovery. Plaintiff reserves the  
26 right to raise additional objections in response to this request as discovery  
27 proceeds. NRCP 26.

28 Answer 18.1: Subject to the foregoing general and specific objections, Plaintiff  
is without sufficient knowledge and therefore denies.

**REQUEST FOR ADMISSION NO. 19:**

1 ADMIT that the Defendant's license to practice law was in fact not suspended  
2 throughout the time you were suggesting it was in your Facebook posts.

3 **RESPONSE TO REQUEST NO. 19:**

4 Objection 19.1: Relevance. This request seeks irrelevant information and is not  
5 reasonably calculated to lead to discovery of admissible evidence. At issue is  
6 Defendant's willful refusal to pay his court ordered support.

7 Objection 19.2: Unduly burdensome. The request is oppressive and burdensome  
8 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
9 violation of NRCP 26(g)(2)(B)

10 Objection 19.3: Plaintiff objects to the extent the request seeks private or  
11 privileged information that is protected from discovery. Plaintiff reserves the  
12 right to raise additional objections in response to this request as discovery  
13 proceeds. NRCP 26.

14 Objection 19.4: Vague. Defendant provides no context as to the timeline of  
15 either

16 Objection 19.5: Compound. Objects to this request as unduly burdensome  
17 insofar as it makes a compound request. Specifically, it assumes that Plaintiff  
18 knew the exact timeline for Defendant's suspension, and also inquires about her  
19 Facebook posts.

20 Answer 19.1: Subject to the foregoing general and specific objections, Plaintiff  
21 is without sufficient knowledge and therefore denies.

22 **REQUEST FOR ADMISSION NO. 20:**

23 ADMIT that you knew the Defendant's license to practice law was not  
24 suspended when you posted any and all of the above Facebook posts referenced  
25 above.

26 **RESPONSE TO REQUEST NO. 20:**

27 Objection 20.1: Relevance. This request seeks irrelevant information and is not  
28 reasonably calculated to lead to discovery of admissible evidence. At issue is  
29 Defendant's willful refusal to pay his court ordered support.

30 Objection 20.2: Unduly burdensome. The request is oppressive and burdensome

1 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
2 violation of NRCP 26(g)(2)(B).

3 Objection 20.3: Plaintiff objects to the extent the request seeks private or  
4 privileged information that is protected from discovery. Plaintiff reserves the  
5 right to raise additional objections in response to this request as discovery  
6 proceeds. NRCP 26.

7 Objection 20.4: Defendant is attempting to use discovery requests in this matter  
8 for a separate and unrelated defamation cause of action he initiated against  
9 Plaintiff. This is improper use of discovery.

10 Objection 20.5: Compound. Objects to this request as unduly burdensome  
11 insofar as it makes a compound request.

12 Answer 20.1: Subject to the foregoing general and specific objections, Plaintiff  
13 is without sufficient knowledge and therefore denies.

14 **REQUEST FOR ADMISSION NO. 21:**

15 ADMIT that the posts referenced above and published on your Facebook page  
16 Tara R. Kellogg were written about the Defendant in this matter.

17 **RESPONSE TO REQUEST NO. 21:**

18 Objection 21.1: Relevance. This request seeks irrelevant information and is not  
19 reasonably calculated to lead to discovery of admissible evidence. At issue is  
20 Defendant's willful refusal to pay his court ordered support.

21 Objection 21.2: Defendant is attempting to use discovery requests in this matter  
22 for a separate and unrelated defamation cause of action he initiated against  
23 Plaintiff. This is improper use of discovery.

24 Objection 21.3: Plaintiff objects to the extent the request seeks private or  
25 privileged information that is protected from discovery. Plaintiff reserves the  
26 right to raise additional objections in response to this request as discovery  
27 proceeds. NRCP 26.

28 Objection 21.4: Unduly burdensome. The request is oppressive and burdensome  
in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
violation of NRCP 26(g)(2)(B).

1 Objection 21.5: Compound. Objects to this request as unduly burdensome  
2 insofar as it makes a compound request.

3 Answer 21.1: Subject to the foregoing general and specific objections, Plaintiff  
4 is without sufficient knowledge and therefore denies.

5 **REQUEST FOR ADMISSION NO. 22:**

6 ADMIT that the Facebook posts written above were made public.

7 **RESPONSE TO REQUEST NO. 22:**

8 Objection 22.1: Relevance. This request seeks irrelevant information and is not  
9 reasonably calculated to lead to discovery of admissible evidence. At issue is  
10 Defendant's willful refusal to pay his court ordered support.

11 Objection 22.2: Defendant is attempting to use discovery requests in this matter  
12 for a separate and unrelated defamation cause of action he initiated against  
13 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
14 of discovery.

15 Objection 22.3: Plaintiff objects to the extent the request seeks private or  
16 privileged information that is protected from discovery. Plaintiff reserves the  
17 right to raise additional objections in response to this request as discovery  
18 proceeds. NRCP 26.

19 Objection 22.4: Unduly burdensome. The request is oppressive and burdensome  
20 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
21 violation of NRCP 26(g)(2)(B).

22 Objection 22.5: Compound. Objects to this request as unduly burdensome  
23 insofar as it makes a compound request.

24 Answer 22.1: Subject to the foregoing general and specific objections, Plaintiff  
25 is without sufficient knowledge and therefore denies.

26 **REQUEST FOR ADMISSION NO. 23:**

27 ADMIT that those Facebook posts were directed at least one third party.

28 **RESPONSE TO REQUEST NO. 23:**

Objection 23.1: Relevance. This request seeks irrelevant information and is not  
reasonably calculated to lead to discovery of admissible evidence. At issue is

1 Defendant's willful refusal to pay his court ordered support.

2 Objection 23.2: Defendant is attempting to use discovery requests in this matter  
3 for a separate and unrelated defamation cause of action he initiated against  
4 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
5 of discovery.

6 Objection 23.3: Plaintiff objects to the extent the request seeks private or  
7 privileged information that is protected from discovery. Plaintiff reserves the  
8 right to raise additional objections in response to this request as discovery  
9 proceeds. NRCP 26.

10 Objection 23.4: Unduly burdensome. The request is oppressive and burdensome  
11 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
12 violation of NRCP 26(g)(2)(B).

13 Objection 23.5: Compound. Objects to this request as unduly burdensome  
14 insofar as it makes a compound request.

15 Answer 23.1: Subject to the foregoing general and specific objections, Plaintiff  
16 is without sufficient knowledge and therefore denies.

17 **REQUEST FOR ADMISSION NO. 24:**

18 ADMIT that your intent in writing those Facebook posts about the Defendant in  
19 this matter referenced above were designed to hold the Defendant in ill repute in  
20 the community.

21 **RESPONSE TO REQUEST NO. 24:**

22 Objection 24.1: Relevance. This request seeks irrelevant information and is not  
23 reasonably calculated to lead to discovery of admissible evidence. At issue is  
24 Defendant's willful refusal to pay his court ordered support.

25 Objection 24.2: Defendant is attempting to use discovery requests in this matter  
26 for a separate and unrelated defamation cause of action he initiated against  
27 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
28 of discovery.

Objection 24.3: Plaintiff objects to the extent the request seeks private or  
privileged information that is protected from discovery. Plaintiff reserves the

1 right to raise additional objections in response to this request as discovery  
2 proceeds. NRCP 26.

3 Objection 24.4: Unduly burdensome. The request is oppressive and burdensome  
4 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
5 violation of NRCP 26(g)(2)(B).

6 Objection 24.5: Compound. Objects to this request as unduly burdensome  
7 insofar as it makes a compound request.

8 Answer 24.1: Subject to the foregoing general and specific objections, Plaintiff  
9 denies.

10 **REQUEST FOR ADMISSION NO. 25:**

11 ADMIT that you wrote a Facebook post on December 7, 2021 that I am or was  
12 “harming an innocent child”.

13 **RESPONSE TO REQUEST NO. 25:**

14 Objection 25.1: Relevance. This request seeks irrelevant information and is not  
15 reasonably calculated to lead to discovery of admissible evidence. At issue is  
16 Defendant’s willful refusal to pay his court ordered support.

17 Objection 25.2: Defendant is attempting to use discovery requests in this matter  
18 for a separate and unrelated defamation cause of action he initiated against  
19 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
20 of discovery.

21 Objection 25.3: Plaintiff objects to the extent the request seeks private or  
22 privileged information that is protected from discovery. Plaintiff reserves the  
23 right to raise additional objections in response to this request as discovery  
24 proceeds. NRCP 26.

25 Objection 25.4: Unduly burdensome. The request is oppressive and burdensome  
26 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
27 violation of NRCP 26(g)(2)(B).

28 Objection 25.5: Compound. Objects to this request as unduly burdensome  
insofar as it makes a compound request.

Answer 25.1: Subject to the foregoing general and specific objections, Plaintiff

1 is without sufficient knowledge and therefore denies.

2 **REQUEST FOR ADMISSION NO. 26:**

3 ADMIT that your daughter and the Defendant's daughter, Nicole Ghibaud, is  
4 a 20-year-old woman.

5 **RESPONSE TO REQUEST NO. 26:**

6 Admit.

7 **REQUEST FOR ADMISSION NO. 27:**

8 ADMIT that those Facebook posts referenced above were designed to imply the  
9 Defendant is a fraud.

10 **RESPONSE TO REQUEST NO. 27:**

11 Objection 27.1: Relevance. This request seeks irrelevant information and is not  
12 reasonably calculated to lead to discovery of admissible evidence. At issue is  
13 Defendant's willful refusal to pay his court ordered support.

14 Objection 27.2: Defendant is attempting to use discovery requests in this matter  
15 for a separate and unrelated defamation cause of action he initiated against  
16 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
17 of discovery.

18 Objection 27.3: Plaintiff objects to the extent the request seeks private or  
19 privileged information that is protected from discovery. Plaintiff reserves the  
20 right to raise additional objections in response to this request as discovery  
21 proceeds. NRCP 26.

22 Objection 27.4: Unduly burdensome. The request is oppressive and burdensome  
23 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
24 violation of NRCP 26(g)(2)(B).

25 Objection 27.5: Compound. Objects to this request as unduly burdensome  
26 insofar as it makes a compound request.

27 Answer 27.1: Subject to the foregoing general and specific objections, Plaintiff  
28 denies.

**REQUEST FOR ADMISSION NO. 28:**

ADMIT that those Facebook posts referenced above were designed to imply



1 that the Defendant used and/or abuses illicit drugs.

2 **RESPONSE TO REQUEST NO. 28:**

3 Objection 28.1: Relevance. This request seeks irrelevant information and is not  
4 reasonably calculated to lead to discovery of admissible evidence. At issue is  
5 Defendant's willful refusal to pay his court ordered support.

6 Objection 28.2: Defendant is attempting to use discovery requests in this matter  
7 for a separate and unrelated defamation cause of action he initiated against  
8 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
9 of discovery.

10 Objection 28.3: Plaintiff objects to the extent the request seeks private or  
11 privileged information that is protected from discovery. Plaintiff reserves the  
12 right to raise additional objections in response to this request as discovery  
13 proceeds. NRCP 26.

14 Objection 28.4: Unduly burdensome. The request is oppressive and burdensome  
15 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
16 violation of NRCP 26(g)(2)(B).

17 Objection 28.5: Compound. Objects to this request as unduly burdensome  
18 insofar as it makes a compound request.

19 Answer 28.1: Subject to the foregoing general and specific objections, Plaintiff  
20 denies.

21 **REQUEST FOR ADMISSION NO. 29:**

22 ADMIT that those Facebook posts referenced above were designed to imply  
23 that the Defendant is mentally unwell or unstable.

24 **RESPONSE TO REQUEST NO. 29:**

25 Objection 29.1: Relevance. This request seeks irrelevant information and is not  
26 reasonably calculated to lead to discovery of admissible evidence. At issue is  
27 Defendant's willful refusal to pay his court ordered support.

28 Objection 29.2: Defendant is attempting to use discovery requests in this matter  
for a separate and unrelated defamation cause of action he initiated against  
Plaintiff. This is an ultimate issue in the defamation case. This is improper use

1 of discovery.

2 Objection 29.3: Plaintiff objects to the extent the request seeks private or  
3 privileged information that is protected from discovery. Plaintiff reserves the  
4 right to raise additional objections in response to this request as discovery  
5 proceeds. NRCP 26.

6 Objection 29.4: Unduly burdensome. The request is oppressive and burdensome  
7 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
8 violation of NRCP 26(g)(2)(B).

9 Objection 29.5: Compound. Objects to this request as unduly burdensome  
10 insofar as it makes a compound request.

11 Answer 29.1: Subject to the foregoing general and specific objections, Plaintiff  
12 denies.

### 12 **REQUEST FOR ADMISSION NO. 30:**

13 ADMIT that those Facebook posts referenced above were designed to imply  
14 that the Defendant is untrustworthy.

### 15 **RESPONSE TO REQUEST NO. 30:**

16 Objection 30.1: Relevance. This request seeks irrelevant information and is not  
17 reasonably calculated to lead to discovery of admissible evidence. At issue is  
18 Defendant's willful refusal to pay his court ordered support.

19 Objection 30.2: Defendant is attempting to use discovery requests in this matter  
20 for a separate and unrelated defamation cause of action he initiated against  
21 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
22 of discovery.

23 Objection 30.3: Plaintiff objects to the extent the request seeks private or  
24 privileged information that is protected from discovery. Plaintiff reserves the  
25 right to raise additional objections in response to this request as discovery  
26 proceeds. NRCP 26.

27 Objection 30.4: Unduly burdensome. The request is oppressive and burdensome  
28 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
violation of NRCP 26(g)(2)(B).

1 Objection 30.5: Compound. Objects to this request as unduly burdensome  
2 insofar as it makes a compound request.

3 Answer 30.1: Subject to the foregoing general and specific objections, Plaintiff  
4 denies.

5 **REQUEST FOR ADMISSION NO. 31:**

6 ADMIT that those Facebook posts referenced above were designed to imply  
7 that the Defendant is a liar.

8 **RESPONSE TO REQUEST NO. 31:**

9 Objection 31.1: Relevance. This request seeks irrelevant information and is not  
10 reasonably calculated to lead to discovery of admissible evidence. At issue is  
11 Defendant's willful refusal to pay his court ordered support.

12 Objection 31.2: Defendant is attempting to use discovery requests in this matter  
13 for a separate and unrelated defamation cause of action he initiated against  
14 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
15 of discovery.

16 Objection 31.3: Plaintiff objects to the extent the request seeks private or  
17 privileged information that is protected from discovery. Plaintiff reserves the  
18 right to raise additional objections in response to this request as discovery  
19 proceeds. NRCP 26.

20 Objection 31.4: Unduly burdensome. The request is oppressive and burdensome  
21 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
22 violation of NRCP 26(g)(2)(B).

23 Objection 31.5: Compound. Objects to this request as unduly burdensome  
24 insofar as it makes a compound request.

25 Answer 31.1: Subject to the foregoing general and specific objections, Plaintiff  
26 denies.

27 **REQUEST FOR ADMISSION NO. 32:**

28 ADMIT that an attorney that is a liar would not be considered a reputable  
attorney.

**RESPONSE TO REQUEST NO. 32:**

1 Objection 32.1: Relevance. This request seeks irrelevant information and is not  
2 reasonably calculated to lead to discovery of admissible evidence. At issue is  
3 Defendant's willful refusal to pay his court ordered support.

4 Objection 32.2: Defendant is attempting to use discovery requests in this matter  
5 for a separate and unrelated defamation cause of action he initiated against  
6 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
7 of discovery.

8 Objection 32.3: Plaintiff objects to the extent the request seeks private or  
9 privileged information that is protected from discovery. Plaintiff reserves the  
10 right to raise additional objections in response to this request as discovery  
11 proceeds. NRCP 26.

12 Objection 32.4: Unduly burdensome. The request is oppressive and burdensome  
13 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
14 violation of NRCP 26(g)(2)(B).

15 Objection 32.5: Speculation. This request requires that Plaintiff speculate.

16 Objection 32.6: Vague. "Liar" is ambiguous in this context and so is "reputable  
17 attorney."

18 Answer 32.1: Subject to the foregoing general and specific objections, Plaintiff  
19 is without sufficient knowledge and therefore denies.

20 **REQUEST FOR ADMISSION NO. 33:**

21 ADMIT that an attorney that is a fraud would not be considered a reputable  
22 attorney.

23 **RESPONSE TO REQUEST NO. 33:**

24 Objection 33.1: Relevance. This request seeks irrelevant information and is not  
25 reasonably calculated to lead to discovery of admissible evidence. At issue is  
26 Defendant's willful refusal to pay his court ordered support.

27 Objection 33.2: Defendant is attempting to use discovery requests in this matter  
28 for a separate and unrelated defamation cause of action he initiated against  
Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
of discovery.

1 Objection 33.3: Plaintiff objects to the extent the request seeks private or  
2 privileged information that is protected from discovery. Plaintiff reserves the  
3 right to raise additional objections in response to this request as discovery  
4 proceeds. NRCP 26.

5 Objection 33.4: Unduly burdensome. The request is oppressive and burdensome  
6 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
7 violation of NRCP 26(g)(2)(B).

8 Objection 33.5: Speculation. This request requires that Plaintiff speculate.

9 Objection 33.6: Vague. "Reputable attorney" is ambiguous and it is not defined.

10 Answer 33.1: Subject to the foregoing general and specific objections, Plaintiff  
admits.

11 **REQUEST FOR ADMISSION NO. 34:**

12 ADMIT that an attorney that is mentally unstable would not be considered a  
13 reputable attorney.

14 **RESPONSE TO REQUEST NO. 34:**

15 Objection 34.1: Relevance. This request seeks irrelevant information and is not  
16 reasonably calculated to lead to discovery of admissible evidence. At issue is  
17 Defendant's willful refusal to pay his court ordered support.

18 Objection 34.2: Defendant is attempting to use discovery requests in this matter  
19 for a separate and unrelated defamation cause of action he initiated against  
20 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
21 of discovery.

22 Objection 34.3: Plaintiff objects to the extent the request seeks private or  
23 privileged information that is protected from discovery. Plaintiff reserves the  
24 right to raise additional objections in response to this request as discovery  
proceeds. NRCP 26.

25 Objection 34.4: Unduly burdensome. The request is oppressive and burdensome  
26 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
27 violation of NRCP 26(g)(2)(B).

28 Objection 34.5: Speculation. This request requires that Plaintiff speculate.

1 Objection 34.6: Vague. “Mentally unstable” is undefined and so is “reputable  
2 attorney.”

3 Answer 34.1: Subject to the foregoing general and specific objections, Plaintiff  
4 is without sufficient knowledge and therefore denies.

5 **REQUEST FOR ADMISSION NO. 35:**

6 ADMIT that an attorney that used or abused illicit drugs would not be  
7 considered a reputable attorney.

8 **RESPONSE TO REQUEST NO. 35:**

9 Objection 35.1: Relevance. This request seeks irrelevant information and is not  
10 reasonably calculated to lead to discovery of admissible evidence. At issue is  
11 Defendant’s willful refusal to pay his court ordered support.

12 Objection 35.2: Defendant is attempting to use discovery requests in this matter  
13 for a separate and unrelated defamation cause of action he initiated against  
14 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
15 of discovery.

16 Objection 35.3: Plaintiff objects to the extent the request seeks private or  
17 privileged information that is protected from discovery. Plaintiff reserves the  
18 right to raise additional objections in response to this request as discovery  
19 proceeds. NRCP 26.

20 Objection 35.4: Unduly burdensome. The request is oppressive and burdensome  
21 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
22 violation of NRCP 26(g)(2)(B).

23 Objection 35.5: Speculation. This request requires that Plaintiff speculate.

24 Objection 35.6: Vague. Someone who “used or abused illicit drugs” is  
25 ambiguous to the duration, type, or extent of such use. What defendant  
26 considers a “reputable attorney” is unclear.

27 Answer 35.1: Subject to the foregoing general and specific objections, Plaintiff  
28 is without sufficient knowledge and therefore denies.

**REQUEST FOR ADMISSION NO. 36:**

ADMIT that an attorney that is untrustworthy would not be considered a

1 reputable attorney.

2 **RESPONSE TO REQUEST NO. 36:**

3 Objection 36.1: Relevance. This request seeks irrelevant information and is not  
4 reasonably calculated to lead to discovery of admissible evidence. At issue is  
5 Defendant's willful refusal to pay his court ordered support.

6 Objection 36.2: Defendant is attempting to use discovery requests in this matter  
7 for a separate and unrelated defamation cause of action he initiated against  
8 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
9 of discovery.

10 Objection 36.3: Unduly burdensome. The request is oppressive and burdensome  
11 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
12 violation of NRCP 26(g)(2)(B).

13 Objection 36.4: Speculation. This request requires that Plaintiff speculate.

14 Objection 36.5: Vague. "untrustworthy" is undefined and so is "reputable  
15 attorney."

16 Answer 36.1: Subject to the foregoing general and specific objections, Plaintiff  
17 admits.

18 **REQUEST FOR ADMISSION NO. 37:**

19 ADMIT that those Facebook posts referenced above were designed to impute  
20 the Defendant's ability to practice law.

21 **RESPONSE TO REQUEST NO. 37:**

22 Objection 37.1: Relevance. This request seeks irrelevant information and is not  
23 reasonably calculated to lead to discovery of admissible evidence. At issue is  
24 Defendant's willful refusal to pay his court ordered support.

25 Objection 37.2: Defendant is attempting to use discovery requests in this matter  
26 for a separate and unrelated defamation cause of action he initiated against  
27 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
28 of discovery.

Objection 37.3: Unduly burdensome. The request is oppressive and burdensome  
in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in

1 violation of NRCp 26(g)(2)(B).

2 Objection 37.4: Speculation. This request requires that Plaintiff speculate.

3 Answer 37.1: Subject to the foregoing general and specific objections, Plaintiff  
4 denies.

5 **REQUEST FOR ADMISSION NO. 38:**

6 ADMIT that the purpose in publishing those Facebook posts to a, or multiple,  
7 third parties was to suggest that the Defendant is not a reputable attorney.

8 **RESPONSE TO REQUEST NO. 38:**

9 Objection 38.1: Relevance. This request seeks irrelevant information and is not  
10 reasonably calculated to lead to discovery of admissible evidence. At issue is  
11 Defendant's willful refusal to pay his court ordered support.

12 Objection 38.2: Defendant is attempting to use discovery requests in this matter  
13 for a separate and unrelated defamation cause of action he initiated against  
14 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
15 of discovery.

16 Objection 38.3: Unduly burdensome. The request is oppressive and burdensome  
17 in violation of NRCp 26(b)(2) and is meant to harass, obscure, or equivocate in  
18 violation of NRCp 26(g)(2)(B).

19 Objection 38.4: Speculation. This request requires that Plaintiff speculate.

20 Answer 38.1: Subject to the foregoing general and specific objections, Plaintiff  
21 denies.

22 **REQUEST FOR ADMISSION NO. 39:**

23 ADMIT that you are attempting to undermine the Defendant's ability to  
24 practice law by publishing the above listed Facebook posts on your Facebook page,  
25 Tara R. Kellogg.

26 **RESPONSE TO REQUEST NO. 39:**

27 Objection 39.1: Relevance. This request seeks irrelevant information and is not  
28 reasonably calculated to lead to discovery of admissible evidence. At issue is  
29 Defendant's willful refusal to pay his court ordered support.

30 Objection 39.2: Defendant is attempting to use discovery requests in this matter



1 for a separate and unrelated defamation cause of action he initiated against  
2 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
3 of discovery.

4 Objection 39.3: Unduly burdensome. The request is oppressive and burdensome  
5 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
6 violation of NRCP 26(g)(2)(B).

7 Answer 39.1: Subject to the foregoing general and specific objections, Plaintiff  
8 denies.

9 **REQUEST FOR ADMISSION NO. 40:**

10 ADMIT that if your purpose is to undermine the Defendant's ability to practice  
11 law, these proceedings have been commenced and are being maintained in bad faith.

12 **RESPONSE TO REQUEST NO. 40:**

13 Objection 40.1: Relevance. This request seeks irrelevant information and is not  
14 reasonably calculated to lead to discovery of admissible evidence. At issue is  
15 Defendant's willful refusal to pay his court ordered support.

16 Objection 40.2: Defendant is attempting to use discovery requests in this matter  
17 for a separate and unrelated defamation cause of action he initiated against  
18 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
19 of discovery.

20 Objection 40.3: Unduly burdensome. The request is oppressive and burdensome  
21 in violation of NRCP 26(b)(2) and is meant to harass, obscure, or equivocate in  
22 violation of NRCP 26(g)(2)(B).

23 Answer 40.1: Subject to the foregoing general and specific objections, Plaintiff  
24 denies.

25 DATED this 2<sup>nd</sup> day of February 2022.

26 **J.K. Nelson Law, LLC**

27 /s/ Jonathan K. Nelson  
28 Jonathan K. Nelson, Esq.  
Nevada Bar No. 12386

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<b>STATUS</b>	● Signed

## Document History



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**02 / 03 / 2022**

01:15:53 UTC

Sent for signature to Tara Kellogg (tarakellogg1@gmail.com)  
from documents@jknelsonlaw.com  
IP: 184.186.100.35



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**02 / 03 / 2022**

01:16:28 UTC

Viewed by Tara Kellogg (tarakellogg1@gmail.com)  
IP: 24.253.15.66



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**02 / 03 / 2022**

01:17:48 UTC

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**02 / 03 / 2022**

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The document has been completed.

**RESP**

Jonathan K. Nelson ESQ.  
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**EIGHTH JUDICIAL DISTRICT COURT, FAMILY DIVISION  
CLARK COUNTY, NEVADA**

TARA KELLOGG,

Case No.: D-15-522043-D

Plaintiff,

Dept. No.: H

vs.

ALEX GHIBAUDO,

**PLAINTIFF'S RESPONSE TO  
DEFENDANT'S FIRST SET  
OF INTERROGATORIES**

Defendant.

TO: ALEX GHIBAUDO, Defendant

Plaintiff Tara Kellogg (hereinafter "Tara" or "Plaintiff"), by and through her counsel of record, Jonathan K. Nelson, Esq., of J.K. NELSON LAW, LLC, hereby provides the following Responses to Defendant's First Set of Interrogatories.

**GENERAL OBJECTIONS**

Plaintiff generally objects to these Interrogatories on the basis that the definitions, explanatory notes, and instructions are in some instances so complex, numerous and burdensome that they create an unreasonable and undue burden upon Plaintiff. In addition, the definitions, explanatory notes and instructions in some instances cause the Interrogatories to reach on objectionable breadth, ambiguity, complexity and vagueness, and call for information, which is irrelevant, not calculated to lead to the discovery of admissible evidence, protected by the attorney-client privilege or attorney work product doctrine, and beyond the permissible scope of

1 discovery.

2 Plaintiff further objects to any request that seeks information about Plaintiff or  
3 the sole purpose of attempting to harass, obscure, equivocate or to cause unnecessary  
4 delay or needless increase in the cost of litigation.

5 No response, nor subsequent response, constitutes a waiver of any other  
6 objection pursuant to these Interrogatories or to other similar requests that may be  
7 propounded at a later time.

8 All of the responses contained herein are based only upon such information and  
9 documents that are currently available. It is anticipated that further discovery,  
10 independent investigation and legal research and analysis will, or may, acquire  
11 additional facts and add meaning to unknown facts, as well as establish new factual  
12 and legal contentions and conclusions, all of which may lead to substantial additions,  
13 changes and variations from the answers and contentions set forth herein.

14 The following responses are given without prejudice to Plaintiff of her right to  
15 produce evidence of any subsequently discovered documents that Plaintiff may recall  
16 later.

17 Plaintiff hereby reserves the right to change any and all responses herein as  
18 additional information or documentation is obtained. The responses herein are made  
19 in an effort to supply as much information and documentation as are presently known  
20 but should in no way be to the prejudice of Plaintiff in relation to further discovery,  
21 research or analysis.

22 Subject to the general objections stated above, Plaintiff responds to each  
23 Interrogatory

24 **INTERROGATORY NO. 1:**

25 Identify any profiles and/or accounts you currently possess, or have possessed,  
26 currently active or not, on Facebook. What is your login and password for each  
27 account identified?

28 **RESPONSE NO.1:**

Objection 1.1: Relevance. This request seeks irrelevant information and is  
not reasonably calculated to lead to discovery of admissible evidence. At

1 issue is Defendant's willful refusal to pay his court ordered support.

2 Objection 1.2: Defendant is attempting to use discovery requests in this matter  
3 for a separate and unrelated defamation cause of action he initiated against  
4 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
5 of discovery.

6 Objection 1.3: Plaintiff objects to the extent the request seeks private or  
7 privileged information that is protected from discovery. Plaintiff reserves  
8 the right to raise additional objections in response to this request as  
9 discovery proceeds. NRCP 26.

10 Answer 1.1: "Tara R. Kellogg" is my current Facebook account. "Tara Rae"  
11 was an account that I have possessed in the past, but it is now inactive.

12 Those are the only accounts I personally created and/or have used. I would  
13 like to note there are other accounts that I believe Mr. Ghibaud, his agents,  
14 or others, at his direction, have made impersonating me. The ones I know  
15 include, but may not be limited to, Tara Rae Kellogg, Hoyt Torrey, James  
16 Jones, Hekela Koa. I did not create these accounts.

17 **INTERROGATORY NO. 2:**

18 Identify any profiles and/or accounts you currently possess, or have possessed,  
19 currently active or not, on Instagram. What is your login and password for each  
20 account identified?

21 **RESPONSE NO.2:**

22 Objection 2.1: Relevance. This request seeks irrelevant information and is  
23 not reasonably calculated to lead to discovery of admissible evidence. At  
24 issue is Defendant's willful refusal to pay his court ordered support.

25 Objection 2.2: Defendant is attempting to use discovery requests in this matter  
26 for a separate and unrelated defamation cause of action he initiated against  
27 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
28 of discovery.

Objection 2.3: Plaintiff objects to the extent the request seeks private or  
privileged information that is protected from discovery. Plaintiff reserves

1 the right to raise additional objections in response to this request as  
2 discovery proceeds. NRCP 26.

3 Answer 2.1: Tara Kellogg.

4 **INTERROGATORY NO. 3:**

5 Identify any profiles and/or accounts you currently possess, or have possessed,  
6 currently active or not, on Twitter. What is your login and password for each account  
7 identified?

8 **RESPONSE NO.3:**

9 Objection 3.1: Relevance. This request seeks irrelevant information and is not  
10 reasonably calculated to lead to discovery of admissible evidence. At issue is  
11 Defendant's willful refusal to pay his court ordered support.

12 Objection 3.2: Defendant is attempting to use discovery requests in this matter  
13 for a separate and unrelated defamation cause of action he initiated against  
14 Plaintiff. This is an ultimate issue in the defamation case. This is improper use of  
15 discovery.

16 Objection 3.3: Plaintiff objects to the extent the request seeks private or  
17 privileged information that is protected from discovery. Plaintiff reserves the  
18 right to raise additional objections in response to this request as discovery  
19 proceeds. NRCP 26.

20 Answer 3.1: Tara Kellogg.

21 **INTERROGATORY NO. 4:**

22 Identify any profiles and/or accounts you currently possess, or have possessed,  
23 currently active or not, on Facebook Messenger. What is your login and password for  
24 each account identified?

25 **RESPONSE NO. 4:**

26 Objection 4.1: Relevance. This request seeks irrelevant information and is  
27 not reasonably calculated to lead to discovery of admissible evidence. At  
28 issue is Defendant's willful refusal to pay his court ordered support.

Objection 4.2: Defendant is attempting to use discovery requests in this matter  
for a separate and unrelated defamation cause of action he initiated against



1 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
2 of discovery.

3 Objection 4.3: Plaintiff objects to the extent the request seeks private or  
4 privileged information that is protected from discovery. Plaintiff reserves  
5 the right to raise additional objections in response to this request as  
6 discovery proceeds. NRCP 26.

7 Answer 4.1: Tara R. Kellogg is the account that I have had with access to  
8 Facebook Messenger.

9 **INTERROGATORY NO. 5:**

10 Identify any profiles and/or accounts you currently possess, or have possessed,  
11 currently active or not, on Snapchat. What is your login and password for each  
12 account identified?

13 **RESPONSE NO. 5:**

14 Objection 5.1: Relevance. This request seeks irrelevant information and is  
15 not reasonably calculated to lead to discovery of admissible evidence. At  
16 issue is Defendant's willful refusal to pay his court ordered support.

17 Objection 5.2: Defendant is attempting to use discovery requests in this  
18 matter for a separate and unrelated defamation cause of action he initiated  
19 against Plaintiff. This is an ultimate issue in the defamation case. This is  
20 improper use of discovery.

21 Objection 5.3: Plaintiff objects to the extent the request seeks private or  
22 privileged information that is protected from discovery. Plaintiff reserves  
23 the right to raise additional objections in response to this request as  
24 discovery proceeds. NRCP 26.

25 Answer 5.1: I do not have, or have ever had, an account on Snapchat.

26 **INTERROGATORY NO. 6:**

27 When and under what circumstances did you meet Steve Sanson, President of  
28 Veteran's In Politics International?

**RESPONSE NO. 6:**

Objection 6.1: Relevance. This request seeks irrelevant information and is not

1 reasonably calculated to lead to discovery of admissible evidence. At issue is  
2 Defendant's willful refusal to pay his court ordered support.

3 Objection 6.2: Defendant is attempting to use discovery requests in this matter  
4 for a separate and unrelated defamation cause of action he initiated against  
5 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
6 of discovery.

7 Answer 6.1: I believe I met Mr. Sanson around the time that Mr. Ghibauda was  
8 publicly reprimanded by the Nevada State Bar Association for offering "fee  
9 splitting" commission payments to Mr. Sanson and other non-attorneys.

10 **INTERROGATORY NO. 7:**

11 What is the nature of your relationship with Steve Sanson?

12 **RESPONSE NO. 7:**

13 Objection 7.1: Relevance. This request seeks irrelevant information and is not  
14 reasonably calculated to lead to discovery of admissible evidence. At issue is  
15 Defendant's willful refusal to pay his court ordered support.

16 Objection 7.2: Defendant is attempting to use discovery requests in this matter  
17 for a separate and unrelated defamation cause of action he initiated against  
18 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
19 of discovery.

20 Answer 7.1: We are friends.

21 **INTERROGATORY NO. 8:**

22 Have you ever disseminated any videos of proceedings related to case no.  
23 D-15-522043-D, whether filed or not, to anyone, including Steve Sanson?

24 **RESPONSE NO. 8:**

25 Objection 8.1: Relevance. This request seeks irrelevant information and is not  
26 reasonably calculated to lead to discovery of admissible evidence. At issue is  
27 Defendant's willful refusal to pay his court ordered support.

28 Objection 8.2: Defendant is attempting to use discovery requests in this matter  
for a separate and unrelated defamation cause of action he initiated against  
Plaintiff. This is an ultimate issue in the defamation case. This is improper use

1 of discovery. Plaintiff retains any and all defenses to Defendant's defamation  
2 claims against her.

3 Answer 8.1: Yes.

4 **INTERROGATORY NO. 9:**

5 If your answer to No. 8 above is yes, please explain in detail what the purpose of  
6 disseminating that material is.

7 **RESPONSE NO.9:**

8 Objection 9.1: Relevance. This request seeks irrelevant information and is not  
9 reasonably calculated to lead to discovery of admissible evidence. At issue is  
10 Defendant's willful refusal to pay his court ordered support.

11 Objection 9.2: Defendant is attempting to use discovery requests in this matter  
12 for a separate and unrelated defamation cause of action he initiated against  
13 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
14 of discovery. Plaintiff retains any and all defenses to Defendant's defamation  
15 claims against her.

16 Answer 9.1 Pursuant to the United States Constitution, it is my inalienable First  
17 Amendment right to do so. I have shared the material because I have a right to  
18 and I believe it is public knowledge and a matter of public concern. The videos  
19 of the court proceedings are truthful representations of what happened, they are  
20 of public interest and concern, and they are public record, as anyone is allowed  
21 to walk into a court room and observe proceedings.

22 **INTERROGATORY NO. 10:**

23 What is your purpose in publishing the following post on YOUR Facebook  
24 account, whether you wrote it or not, or whether you caused it to be published on your  
25 Facebook account/page or not: "Hey "James Jones", aka Alex Ghibaud, the  
26 sociopath who still refuses Doctor recommended clinical therapy, maybe you should  
27 accurately set the record straight for both of your Facebook "friends". I put your ass  
28 out on the street because you're a piss poor excuse for a father. In addition

1 to being a liar, cheat, thief, and JUNKIE!”?

2 **RESPONSE NO. 10:**

3 Objection 10.1: Relevance. This request seeks irrelevant information and is not  
4 reasonably calculated to lead to discovery of admissible evidence. At issue is  
5 Defendant’s willful refusal to pay his court ordered support.

6 Objection 10.2: Defendant is attempting to use discovery requests in this matter  
7 for a separate and unrelated defamation cause of action he initiated against  
8 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
9 of discovery. Plaintiff retains any and all defenses to Defendant’s defamation  
10 claims against her.

11 Answer 10.1: Mr. Ghibauda created several fake Facebook accounts either  
12 pretending to be me or posting defamatory material about me. This post was  
13 made in direct response to the initial fake page created by Mr. Ghibauda  
14 pretending to be a fictional person going by the name, “James Jones.”

15 Everything I stated was either true, or my opinion.

16 **INTERROGATORY NO. 11:**

17 Do you believe that publicly calling Defendant a “junkie”, a “liar”, a  
18 “cheat”, a “thief”, a “piss poor excuse for a father”, and/or implying he is  
19 mentally unstable helps him earn money as a lawyer?

20 **RESPONSE NO.11:**

21 Objection 11.1: Relevance. This request seeks irrelevant information and is not  
22 reasonably calculated to lead to discovery of admissible evidence. At issue is  
23 Defendant’s willful refusal to pay his court ordered support.

24 Objection 11.2: Defendant is attempting to use discovery requests in this matter  
25 for a separate and unrelated defamation cause of action he initiated against  
26 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
27 of discovery. Plaintiff retains any and all defenses to Defendant’s defamation  
28 claims against her.

Answer 11.1: I believe that I am entitled to my own opinion. Everything that I  
have said about Mr. Ghibauda is either truth or my own opinion. I do not

1 believe that my opinion of Mr. Ghibauda helps or hurts his ability to make  
2 money as a lawyer.

3 **INTERROGATORY NO. 12:**

4 If your answer to NO. 11 above is yes, please explain in detail how you believe  
5 that calling Defendant, a practicing attorney, a “junkie”, a “liar”, a “cheat”, a “thief”, a  
6 “piss poor excuse for a father”, and/or implying he is mentally unstable, publicly,  
7 helps him earn money in his profession?

8 **RESPONSE NO.12:**

9 Objection 12.1: Relevance. This request seeks irrelevant information and is not  
10 reasonably calculated to lead to discovery of admissible evidence. At issue is  
11 Defendant’s willful refusal to pay his court ordered support.

12 Objection 12.2: Defendant is attempting to use discovery requests in this matter  
13 for a separate and unrelated defamation cause of action he initiated against  
14 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
15 of discovery. Plaintiff retains any and all defenses to Defendant’s defamation  
16 claims against her.

17 Objection 12.3: This request forces Plaintiff to speculate.

18 Answer 12.1: It is not my job to “help” or hinder Mr. Ghibauda earn  
19 money. Mr. Ghibauda has not claimed that he cannot pay his court ordered  
20 obligation at any point. I am simply in court for justice, and to finally be  
21 paid what the Court has already ordered in my matter. Also, I have a First  
22 Amendment Right of Freedom of Speech, and especially if my words are  
23 truthful and of public interest/concern period.

24 **INTERROGATORY NO. 13:**

25 If your answer to NO. 11 above is no, please explain why you would publish  
26 such a post if your intent is to collect money from Defendant pursuant to a court  
27 order?

28 **RESPONSE NO.13:**

Objection 13.1: Relevance. This request seeks irrelevant information and is not

1 reasonably calculated to lead to discovery of admissible evidence. At issue is  
2 Defendant's willful refusal to pay his court ordered support.

3 Objection 13.2: Defendant is attempting to use discovery requests in this matter  
4 for a separate and unrelated defamation cause of action he initiated against  
5 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
6 of discovery. Plaintiff retains any and all defenses to Defendant's defamation  
7 claims against her.

8 Answer 13.1: Again, I have a First Amendment right to post my opinion, things  
9 that are true, and matters of public interest or concern.

10 **INTERROGATORY NO. 14:**

11 Is it fair to say that it would be helpful to be able to earn a living as a lawyer  
12 in order to pay you \$2,500.00 a month in spousal support?

13 **RESPONSE NO. 14:**

14 Objection 14.1: Relevance. This request seeks irrelevant information and is not  
15 reasonably calculated to lead to discovery of admissible evidence. At issue is  
16 Defendant's willful refusal to pay his court ordered support.

17 Objection 14.2: Defendant is attempting to use discovery requests in this matter  
18 for a separate and unrelated defamation cause of action he initiated against  
19 Plaintiff. This is an ultimate issue in the defamation case. This is improper use  
20 of discovery. Plaintiff retains any and all defenses to Defendant's defamation  
21 claims against her.

22 Objection 12.4: This request forces Plaintiff to speculate.

23 Answer 12.4: Mr. Ghibaudo has never claimed that he is unable to pay the  
24 Court ordered support obligation in this matter. Hypothetically, earning a living  
25 as a lawyer may help someone earn a living, but Mr. Ghibaudo never claimed  
26 he is unable to pay.

27 **INTERROGATORY NO. 15:**

28 If your answer to No. 14 above is yes, explain why you publicly post comments  
on Facebook that would negatively impute Defendant's ability to practice law?

**RESPONSE NO. 15:**

Not applicable.

**INTERROGATORY NO. 16:**

Isn't it true that you believe Defendant should not be a practicing attorney?

**RESPONSE NO. 16:**

Objection 16.1: Relevance. This request seeks irrelevant information and is not reasonably calculated to lead to discovery of admissible evidence. At issue is Defendant's willful refusal to pay his court ordered support.

Objection 16.2: Defendant is attempting to use discovery requests in this matter for a separate and unrelated defamation cause of action he initiated against Plaintiff. This is an ultimate issue in the defamation case. This is improper use of discovery. Plaintiff retains any and all defenses to Defendant's defamation claims against her.

Answer 16.1: No. I am not a member of the State Bar of Nevada nor the Nevada Supreme Court, so I do not have authority to make that determination.

**INTERROGATORY NO. 17:**

Isn't it true that you would prefer to have Defendant suspended or disbarred from the practice of law?

**RESPONSE NO. 17:**

Objection 17.1: Relevance. This request seeks irrelevant information and is not reasonably calculated to lead to discovery of admissible evidence. At issue is Defendant's willful refusal to pay his court ordered support, not Plaintiff's opinion whether Defendant should be a lawyer or not.

Objection 17.2: Defendant is attempting to use discovery requests in this matter for a separate and unrelated defamation cause of action he initiated against Plaintiff. This is an ultimate issue in the defamation case. This is improper use of discovery. Plaintiff retains any and all defenses to Defendant's defamation claims against her.

Objection 17.3: This request forces Plaintiff to speculate.

Answer 17.1: No, I do not want Defendant to be disbarred or suspended. I would like to see Defendant be held accountable for willfully refusing to

1 comply with court orders. He is an officer of the court and should be held to  
2 a higher standard. I would like to see Defendant show accountability to his  
3 daughter.

4 **INTERROGATORY NO. 18:**

5 Isn't it true that it is you intend to make it difficult if not impossible for  
6 Defendant to be able to earn money as a lawyer?

7 **RESPONSE NO. 18:**

8 Objection 18.1: Relevance. This request seeks irrelevant information and is  
9 not reasonably calculated to lead to discovery of admissible evidence. At  
10 issue is Defendant's willful refusal to pay his court ordered support.

11 Objection 18.2: Defendant is attempting to use discovery requests in this  
12 matter for a separate and unrelated defamation cause of action he initiated  
13 against Plaintiff. This is an ultimate issue in the defamation case. This is  
14 improper use of discovery. Plaintiff retains any and all defenses to  
15 Defendant's defamation claims against her.

16 Objection 18.3: This request forces Plaintiff to speculate.

17 Answer 18.1: I have no such motivation. I am not an evil or vindictive  
18 person. All I want is what the Court already held that I am entitled to.

19 **INTERROGATORY NO. 19:**

20 If the answer to No. 18 above is no, explain why you publicly post comments about  
21 Defendant on Facebook, or any other social media platform, implying and/or directly  
22 stating that Defendant uses or abuses illicit drugs?

23 **RESPONSE NO. 19:**

24 Objection 19.1: Relevance. This request seeks irrelevant information and is  
25 not reasonably calculated to lead to discovery of admissible evidence. At  
26 issue is Defendant's willful refusal to pay his court ordered support.

27 Objection 19.2: Defendant is attempting to use discovery requests in this  
28 matter for a separate and unrelated defamation cause of action he initiated  
against Plaintiff. This is an ultimate issue in the defamation case. This is  
improper use of discovery. Plaintiff retains any and all defenses to



1 Defendant's defamation claims against her.

2 Objection 19.3: This request forces Plaintiff to speculate.

3 Answer 19.1: Again, I have rights under the First Amendment to Freedom  
4 of Speech. Everything I post is either true, my opinion, and/or a matter of  
5 public concern.

6 **INTERROGATORY NO. 20:**

7 If the answer to No. 18 above is no, explain why you publicly post comments  
8 about Defendant on Facebook, or any other social media platform, implying and/or  
9 directly stating that Defendant is a "liar" and/or a "cheat"?

10 **RESPONSE NO. 20:**

11 Objection 20.1: Relevance. This request seeks irrelevant information and is  
12 not reasonably calculated to lead to discovery of admissible evidence. At  
13 issue is Defendant's willful refusal to pay his court ordered support.

14 Objection 20.2: Defendant is attempting to use discovery requests in this  
15 matter for a separate and unrelated defamation cause of action he initiated  
16 against Plaintiff. This is an ultimate issue in the defamation case. This is  
17 improper use of discovery. Plaintiff retains any and all defenses to  
18 Defendant's defamation claims against her.

19 Objection 20.3: This request forces Plaintiff to speculate.

20 Answer 20.1: I have rights under the First Amendment to Freedom of  
21 Speech. Everything I post is either true or my opinion.

22 **INTERROGATORY NO. 21:**

23 If the answer to No. 18 above is no, explain why you publicly post comments  
24 about Defendant on Facebook, or any other social media platform, implying and/or  
25 directly stating that Defendant is a "fraud".

26 **RESPONSE NO. 21:**

27 Objection 21.1: Relevance. This request seeks irrelevant information and is  
28 not reasonably calculated to lead to discovery of admissible evidence. At  
issue is Defendant's willful refusal to pay his court ordered support.

Objection 21.2: Defendant is attempting to use discovery requests in this

1 matter for a separate and unrelated defamation cause of action he initiated  
2 against Plaintiff. This is an ultimate issue in the defamation case. This is  
3 improper use of discovery. Plaintiff retains any and all defenses to  
4 Defendant's defamation claims against her.

5 Objection 21.3: This request forces Plaintiff to speculate.

6 Answer 21.1: I have rights under the First Amendment to Freedom of  
7 Speech. Everything I post is either true or my opinion.

8 **INTERROGATORY NO. 22:**

9 Isn't it true that you personally obtained and disseminated videos of hearings  
10 and proceedings in your post-judgment divorce matter, case no. D-15-522043-D?

11 **RESPONSE NO. 22:**

12 Objection 22.1: Relevance. This request seeks irrelevant information and is  
13 not reasonably calculated to lead to discovery of admissible evidence. At  
14 issue is Defendant's willful refusal to pay his court ordered support.

15 Objection 22.2: Defendant is attempting to use discovery requests in this  
16 matter for a separate and unrelated defamation cause of action he initiated  
17 against Plaintiff. This is an ultimate issue in the defamation case. This is  
18 improper use of discovery. Plaintiff retains any and all defenses to  
19 Defendant's defamation claims against her.

20 Answer 21.1: Yes. It is my First Amendment Freedom of Speech right, and  
21 I am permitted to do so pursuant to statute, as well as by virtue of the  
22 Supreme Court Rules. The videos are a true, unaltered, and accurate  
23 depiction of what occurred during proceedings, which are a matter of public  
24 concern and public record.

25 **INTERROGATORY NO. 23:**

26 Isn't it true that you obtain videos of hearings and proceedings from your legal  
27 counsel and that you then disseminate those videos of hearings and proceedings to  
28 third parties?

**RESPONSE NO. 23:**

Objection 23.1: Relevance. This request seeks irrelevant information and is

1 not reasonably calculated to lead to discovery of admissible evidence. At  
2 issue is Defendant's willful refusal to pay his court ordered support.

3 Objection 23.2: Defendant is attempting to use discovery requests in this  
4 matter for a separate and unrelated defamation cause of action he initiated  
5 against Plaintiff. This is an ultimate issue in the defamation case. This is  
6 improper use of discovery. Plaintiff retains any and all defenses to  
7 Defendant's defamation claims against her.

8 Objection 23.3: Plaintiff objects to the extent the request seeks private or  
9 privileged information that is protected from discovery. Plaintiff reserves  
10 the right to raise additional objections in response to this request as  
11 discovery proceeds. NRCP 26.

12 Answer 23.1: No.

13 **INTERROGATORY NO. 24:**

14 If your answer to either No. 22 or No. 23 above is yes, please list all persons to  
15 whom you have disseminated a copy of the videos or proceedings obtained by you  
16 personally or provided to you by your lawyer.

17 **RESPONSE NO. 24:**

18 Objection 24.1: Relevance. This request seeks irrelevant information and is  
19 not reasonably calculated to lead to discovery of admissible evidence. At  
20 issue is Defendant's willful refusal to pay his court ordered support.

21 Objection 24.2: Defendant is attempting to use discovery requests in this  
22 matter for a separate and unrelated defamation cause of action he initiated  
23 against Plaintiff. This is an ultimate issue in the defamation case. This is  
24 improper use of discovery. Plaintiff retains any and all defenses to  
25 Defendant's defamation claims against her.

26 Objection 24.3: Plaintiff objects to the extent the request seeks private or  
27 privileged information that is protected from discovery. Plaintiff reserves  
28 the right to raise additional objections in response to this request as  
discovery proceeds. NRCP 26.

Objection 24.4: Unduly burdensome. The request is oppressive and

1 burdensome in violation of NRCP 26(b)(2) and is meant to harass, obscure,  
2 or equivocate in violation of NRCP 26(g)(2)(B).

3 Answer 24.1: Veterans in Politics, family and/or friends.

4 **INTERROGATORY NO. 25:**

5 Isn't it true that you have, and/or continue to, share videos of hearings and  
6 proceedings in your post-judgment divorce matter on your personal Facebook  
7 page/account which have been posted publicly by others on Facebook?

8 **RESPONSE NO. 25:**

9 Objection 25.1: Relevance. This request seeks irrelevant information and is  
10 not reasonably calculated to lead to discovery of admissible evidence. At  
11 issue is Defendant's willful refusal to pay his court ordered support.

12 Objection 25.2: Defendant is attempting to use discovery requests in this  
13 matter for a separate and unrelated defamation cause of action he initiated  
14 against Plaintiff. This is an ultimate issue in the defamation case. This is  
15 improper use of discovery. Plaintiff retains any and all defenses to  
16 Defendant's defamation claims against her.

17 Objection 25.3: Unduly burdensome. The request is oppressive and  
18 burdensome in violation of NRCP 26(b)(2) and is meant to harass, obscure,  
19 or equivocate in violation of NRCP 26(g)(2)(B).

20 Answer 25.1: I have on occasion personally posted and/or shared such on  
21 my own Facebook page, which again, is my protected, inalienable first  
22 amendment freedom of speech right to do so. Everything I have posted is  
23 either true or my opinion.

24 **INTERROGATORY NO. 26:**

25 If the answer to No. 25 above is yes, what is your purpose in doing so?

26 **RESPONSE NO. 26:**

27 Objection 26.1: Relevance. This request seeks irrelevant information and is  
28 not reasonably calculated to lead to discovery of admissible evidence. At  
issue is Defendant's willful refusal to pay his court ordered support.

Objection 26.2: Defendant is attempting to use discovery requests in this

1 matter for a separate and unrelated defamation cause of action he initiated  
2 against Plaintiff. This is an ultimate issue in the defamation case. This is  
3 improper use of discovery. Plaintiff retains any and all defenses to  
4 Defendant's defamation claims against her.

5 Objection 26.3: Plaintiff objects to the extent the request seeks private or  
6 privileged information that is protected from discovery. Plaintiff reserves  
7 the right to raise additional objections in response to this request as  
8 discovery proceeds. NRCP 26.

9 Objection 26.4: Unduly burdensome. The request is oppressive and  
10 burdensome in violation of NRCP 26(b)(2) and is meant to harass, obscure,  
11 or equivocate in violation of NRCP 26(g)(2)(B).

12 Answer 26.1: Because I have the right to. It is my divorce case and I have  
13 the right, under the First Amendment to Freedom of Speech, to share about  
14 it. Everything I post is either true or my opinion.

**INTERROGATORY NO. 27:**

15 If your answer to No. 25 above is yes, do you believe that publicly posting  
16 those videos of proceedings helps Defendant earn money?

**RESPONSE NO. 27:**

17 Objection 27.1: Relevance. This request seeks irrelevant information and is  
18 not reasonably calculated to lead to discovery of admissible evidence. At  
19 issue is Defendant's willful refusal to pay his court ordered support.

20 Objection 27.2: Defendant is attempting to use discovery requests in this  
21 matter for a separate and unrelated defamation cause of action he initiated  
22 against Plaintiff. This is an ultimate issue in the defamation case. This is  
23 improper use of discovery. Plaintiff retains any and all defenses to  
24 Defendant's defamation claims against her.

25 Objection 27.3: Unduly burdensome. The request is oppressive and  
26 burdensome in violation of NRCP 26(b)(2) and is meant to harass, obscure,  
27 or equivocate in violation of NRCP 26(g)(2)(B).

28 Objection 27.4: This requires speculation.

1 Answer 27.1: I do not know if posting videos helps Defendant earn money.  
2 I am neither here to help or hinder Defendant's ability to earn money. That is  
3 strictly on the Defendant's ability alone to do such.

4 **INTERROGATORY NO. 28:**

5 Why do you refuse to obtain gainful employment?

6 **RESPONSE NO. 28:**

7 Objection 28.1: Relevance. This request seeks irrelevant information and is  
8 not reasonably calculated to lead to discovery of admissible evidence. At  
9 issue is Defendant's willful refusal to pay his court ordered support.

10 Objection 28.3: Plaintiff objects to the extent the request seeks private or  
11 privileged information that is protected from discovery. Plaintiff reserves  
12 the right to raise additional objections in response to this request as  
13 discovery proceeds. NRCP 26.

14 Objection 28.4: Unduly burdensome. The request is oppressive and  
15 burdensome in violation of NRCP 26(b)(2) and is meant to harass, obscure,  
16 or equivocate in violation of NRCP 26(g)(2)(B).

17 Answer 28.1: I have a disability which prevents me from working at this  
18 time.

19 **INTERROGATORY NO. 29:**

20 When is the last time you actually held a job where you worked at least 32  
21 hours a week?

22 **RESPONSE NO. 29:**

23 Objection 29.1: Relevance. This request seeks irrelevant information and is  
24 not reasonably calculated to lead to discovery of admissible evidence. At  
25 issue is Defendant's willful refusal to pay his court ordered support.

26 Answer 29.1: I believe it was around the year 2000, back when you were a  
27 regular customer of mine at Olympic Gardens.

28 **INTERROGATORY NO. 30:**

What is the exact nature of the disability you continuously claim to have?  
Mental? Physical? Both? What is your exact diagnosis and prognosis?

1 **RESPONSE NO. 30:**

2       Objection 30.1: Relevance. This request seeks irrelevant information and is  
3 not reasonably calculated to lead to discovery of admissible evidence. At  
4 issue is Defendant's willful refusal to pay his court ordered support.

5       Objection 30.2: Plaintiff objects to the extent the request seeks private or  
6 privileged information that is protected from discovery. Plaintiff reserves  
7 the right to raise additional objections in response to this request as  
8 discovery proceeds. NRCP 26.

9       Answer 30.1: Both. Please see my psychiatrist's letters that are entered into  
10 evidence. Full details are given therein.

11 **INTERROGATORY NO. 31:**

12       Please list all medications you take to treat your disability, the dosage, the  
13 frequency you take said medication, and your prescribing physician.

14 **RESPONSE NO. 31:**

15       Objection 31.1: Relevance. This request seeks irrelevant information and is  
16 not reasonably calculated to lead to discovery of admissible evidence. At  
17 issue is Defendant's willful refusal to pay his court ordered support.

18       Objection 31.2: Plaintiff objects to the extent the request seeks private or  
19 privileged information that is protected from discovery. Plaintiff reserves  
20 the right to raise additional objections in response to this request as  
21 discovery proceeds. NRCP 26.

22       Answer 31.1: Please refer to my psychiatrist's report, which details  
23 everything you are inquiring about.

24 **INTERROGATORY NO. 32:**

25       Does your "disability" prohibit you from obtaining gainful employment? If so,  
26 how? Please be detailed in your response.

27 **RESPONSE NO. 32:**

28       Objection 32.1: Relevance. This request seeks irrelevant information and is  
not reasonably calculated to lead to discovery of admissible evidence. At  
issue is Defendant's willful refusal to pay his court ordered support.

1 Objection 32.2: Plaintiff objects to the extent the request seeks private or  
2 privileged information that is protected from discovery. Plaintiff reserves  
3 the right to raise additional objections in response to this request as  
4 discovery proceeds. NRCP 26.

5 Answer 32.1: Yes. Please refer to my psychiatrist's report for details.

6 **INTERROGATORY NO. 33:**

7 Please explain how you could not afford to finish College (you testified you had  
8 very few credits left to graduate) for lack of financial means, but you could afford to  
9 hire and pay for two (2) lawyers in the last year alone?

10 **RESPONSE NO. 33:**

11 Objection 33.1: Relevance. This request seeks irrelevant information and is  
12 not reasonably calculated to lead to discovery of admissible evidence. At  
13 issue is Defendant's willful refusal to pay his court ordered support.

14 Objection 33.2: Plaintiff objects to the extent the request seeks private or  
15 privileged information that is protected from discovery. Plaintiff reserves  
16 the right to raise additional objections in response to this request as  
17 discovery proceeds. NRCP 26.

18 Objection 33.3: Unduly burdensome. The request is oppressive and  
19 burdensome in violation of NRCP 26(b)(2) and is meant to harass, obscure, or  
20 equivocate in violation of NRCP 26(g)(2)(B).

21 Answer 33.1: I cannot afford to finish my schooling because Mr. Ghibaudo  
22 has failed to pay his court ordered support. I also cannot afford to hire and  
23 pay for attorneys on my own. I have had to get loans to do so.

24 **INTERROGATORY NO. 34:**

25 If your answer to No. 33 above is that you had to "borrow" money from your  
26 parents to pay for your lawyers, why couldn't you "borrow" money from your parents  
27 to pay what remains of your College credits?

28 **RESPONSE NO. 34:**

Objection 34.1: Relevance. This request seeks irrelevant information and is  
not reasonably calculated to lead to discovery of admissible evidence. At



1 issue is Defendant's willful refusal to pay his court ordered support.

2 Objection 34.2: Plaintiff objects to the extent the request seeks private or  
3 privileged information that is protected from discovery. Plaintiff reserves  
4 the right to raise additional objections in response to this request as  
5 discovery proceeds. NRCP 26.

6 Objection 34.3: Unduly burdensome. The request is oppressive and  
7 burdensome in violation of NRCP 26(b)(2) and is meant to harass, obscure, or  
8 equivocate in violation of NRCP 26(g)(2)(B).

9 Answer 34.1: I should not be forced with having to ask my parents for any  
10 money. Especially when I have not received a payment in support for over 3  
11 years to date. These are not my parents' financial obligations or responsibilities,  
12 they are Mr. Ghibaudo's court-ordered obligations.

13 **INTERROGATORY NO. 35:**

14 How does it make sense, under any circumstances, to spend tens of thousands  
15 of dollars litigating, or attempting to compel, payment for \$2,500.00 a month, over the  
16 last six (6) years, rather than simply obtaining your College degree and get a job?

17 **RESPONSE NO. 35:**

18 Objection 35.1: Relevance. This request seeks irrelevant information and is  
19 not reasonably calculated to lead to discovery of admissible evidence. At  
20 issue is Defendant's willful refusal to pay his court ordered support.

21 Objection 35.2: Plaintiff objects to the extent the request seeks private or  
22 privileged information that is protected from discovery. Plaintiff reserves  
23 the right to raise additional objections in response to this request as  
24 discovery proceeds. NRCP 26.

25 Objection 35.3: Unduly burdensome. The request is oppressive and  
26 burdensome in violation of NRCP 26(b)(2) and is meant to harass, obscure, or  
27 equivocate in violation of NRCP 26(g)(2)(B).

28 Objection 35.4: This request requires speculation.

Answer 34.1: Had Mr. Ghibaudo been complying with his court ordered  
obligations, I would have had the ability to pay for my tuition and classes, and

1 would have had my degree now. It definitely makes sense to go after what the  
2 Court already held that I am owed. Mr. Ghibauda and I were married for a long  
3 time. During that time, I supported him and took care of our daughter while he  
4 went to law school. The Court felt that I was entitled to support payments for  
5 my contribution to our marriage, and so did Mr. Ghibauda himself. The Court  
6 also found that I was also entitled to child support payments. Initially, I was  
7 entitled to 50% of Mr. Ghibauda's gross monthly income per month in support  
8 payments. Further, at the minimum, I was to receive \$2,500 a month in support  
9 payments. It was not until later that the Court ordered that Mr. Ghibauda was to  
10 pay me a flat rate of \$2,500 per month. That being said, if Mr. Ghibauda paid  
11 the minimum of \$2,500 the entire duration that he owed me support  
12 (approximately 6 years), he would owe me approximately \$180,000 just in  
13 support payments. That is why it makes sense. I am just trying to get what the  
14 Court already ordered that I am entitled to.

14 **INTERROGATORY NO. 36:**

15 How many grievances have you initiated concerning Defendant with the State  
16 Bar of Nevada since January 1, 2017?

17 **RESPONSE NO. 36:**

18 Objection 36.1: Relevance. This request seeks irrelevant information and is  
19 not reasonably calculated to lead to discovery of admissible evidence. At  
20 issue is Defendant's willful refusal to pay his court ordered support.

21 Objection 36.2: Plaintiff objects to the extent the request seeks private or  
22 privileged information that is protected from discovery. Plaintiff reserves  
23 the right to raise additional objections in response to this request as  
24 discovery proceeds. NRCP 26.

24 Answer 36.1: One.

25 **INTERROGATORY NO. 37:**

26 Concerning No. 36 above, what was the purpose of submitting said  
27 grievance(s)?

28 **RESPONSE NO. 37:**

1 Objection 37.1: Relevance. This request seeks irrelevant information and is  
2 not reasonably calculated to lead to discovery of admissible evidence. At  
3 issue is Defendant's willful refusal to pay his court ordered support.

4 Objection 37.2: Plaintiff objects to the extent the request seeks private or  
5 privileged information that is protected from discovery. Plaintiff reserves  
6 the right to raise additional objections in response to this request as  
7 discovery proceeds. NRCP 26.

8 Answer 37.1: I filed this grievance as I believed that because Mr. Ghibaudo is  
9 a licensed attorney in the state of Nevada, the State Bar could help me collect. I  
10 know that attorneys are held to a higher standard. As Mr. Ghibaudo was not  
11 paying his court ordered support, I thought that the State Bar would be able to  
12 intervene and hold him accountable.

12 **INTERROGATORY NO. 38:**

13 Are you aware that those grievances could have led to the suspension or loss of  
14 Defendant's law license?

15 **RESPONSE NO. 38:**

16 Objection 37.1: Relevance. This request seeks irrelevant information and is  
17 not reasonably calculated to lead to discovery of admissible evidence. At  
18 issue is Defendant's willful refusal to pay his court ordered support.

19 Objection 37.2: This request requires Plaintiff to speculate whether a bar  
20 complaint could have led to suspension or loss of Defendant's law license.

21 Answer 37.1: Possibly, but that is the fault of no one other than Mr.  
22 Ghibaudo for not complying with a court order. I am not at fault for  
23 reporting improper conduct to the State Bar. Mr. Ghibaudo, as an officer of  
24 the court, is held to a higher standard and has an obligation to comply with  
25 orders from the court.

25 **INTERROGATORY NO. 39:**

26 If you are aware that submitting grievances to the State Bar of Nevada  
27 concerning Defendant could have led to his suspension or disbarment, causing him to  
28 lose the ability to pay your spousal support, why would you submit those grievances if

1 it would not help you collect the money you claim to need so desperately?

2 **RESPONSE NO. 39:**

3 Objection 39.1: Relevance. This request seeks irrelevant information and is  
4 not reasonably calculated to lead to discovery of admissible evidence. At  
5 issue is Defendant's willful refusal to pay his court ordered support.

6 Objection 39.2: Plaintiff objects to the extent the request seeks private or  
7 privileged information that is protected from discovery. Plaintiff reserves  
8 the right to raise additional objections in response to this request as  
9 discovery proceeds. NRCP 26.

10 Objection 39.3: This request is unduly burdensome as it is a compound  
11 request.

12 Answer 39.1: Again, if Mr. Ghibaudo's own improper conduct may or may  
13 not have led to his suspension or disbarment, then that is totally on him for  
14 engaging in such, not me for reporting it. I did not force him to act  
15 unethically or improperly, this was his own doing, and his alone.

16 / /

17 / /

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1 **INTERROGATORY NO. 40:**

2 If you denied any of the requests for admissions served upon you separately,  
3 please explain whether the request is simply denied or if the answer requires  
4 qualification. If it requires qualification, please qualify the request for admission in  
5 detail.

6 **RESPONSE NO. 40:**

7 Objection 40.1: This request is unduly burdensome as it is a compound  
8 request. It essentially asks Plaintiff to answer for up to 40 responses.

9 Answer 40.1: I denied because the statement was untrue.

10 DATED this 2<sup>nd</sup> day of February 2022.

11 **J.K. Nelson Law, LLC**

12  
13 /s/ Jonathan K. Nelson  
14 JONATHAN K. NELSON, ESQ.  
15 Nevada Bar No. 12836  
16 *Attorneys for Defendants*  
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b). I certify that I am an employee of JK NELSON LAW  
3 Office and that on the 2<sup>nd</sup> day of February 2022, I caused the foregoing document, 1.)  
4  
5 **Plaintiff's Response to Defendant's First Set of Interrogatories**, to be served as  
6 required by NRCP 5(b) and NRS 128.060(3) by:

- 7 ☒ Pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCP 5(b)(2)(D) and  
8 Administrative Order 14-2 captioned "In the Administrative Matter of  
9 Mandatory Electronic Service in the Eighth Judicial District," by mandatory  
10 electronic service through the Eighth Judicial District Court's electronic  
11 filing system;
- 12 ☐ By placing the same to be deposited for mailing in the United States Mail,  
13 in a sealed envelope with appropriate first class postage attached.
- 14 ☐ Pursuant to EDCR 7.26, to be sent via fax, by duly executed consent for  
15 service by electronic means; and/or
- 16 ☐ By hand delivery with signed Receipt of Copy;

17 to the attorney or party listed below at the address, email address and/or fax number  
18 indicated below:

19 Alex Ghibaud, Esq.  
20 197 E. California Ave. Suite 250  
21 Las Vegas, Nevada 89104  
22 alex@glawvegas.com

23 DATED this 2<sup>nd</sup> day of February 2022.

24 /s/ Ronald Harper  
25 *An Employee of JK NELSON LAW*

<b>TITLE</b>	Discovery Responses
<b>FILE NAME</b>	2022.02.02-...issions.pdf and 2 others
<b>DOCUMENT ID</b>	d600260c8baa32ef4b861271f2cd3130534e5dee
<b>AUDIT TRAIL DATE FORMAT</b>	MM / DD / YYYY
<b>STATUS</b>	● Signed

## Document History



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1

2 KELLOGG VS. GHIBAUDO

3 DATE: January 27, 2022

4

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7 unedited and uncertified and may contain untranslated  
8 words, a note made by the reporter, a misspelled  
9 proper name, and/or word combinations that do not make  
10 sense.

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12 certified transcript which we will deliver to you in  
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14 Due to the need entries prior to certification,  
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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, and the time is approximately 9:22 a.m.  
5 This is the video-recorded deposition of Tara Kellogg.  
6 We're located at 197 East California Avenue in Las  
7 Vegas, Nevada. My name is Jack Vosburg, a certified  
8 legal video specialist in association with Worldwide  
9 Litigation Services.  
10 For the record, will counsel please introduce  
11 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. Kellogg who's  
16 present.

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

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

22           MR. NELSON: Okay.

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

25 Okay. Will the court reporter please swear

3

1 in the witness.

2 TARA KELLOGG,

3 a witness herein, having been first duly sworn by the

4 Certified Reporter to speak the truth and nothing but

5 the truth, was examined and testified as follows:

6 THE VIDEOGRAPHER: You may now begin.

7 MR. GHIBAUDO: All right.

8 MR. NELSON: Mr. Ghibauda, sorry to

9 interrupt, before we go, I just want to put on the

10 record pursuant is the discovery commissioner we were

11 order yesterday with the findings, I am sitting next

12 to Ms. Kellogg. (Inaudible) Mr. Ghibauda can't see

13 the things at issue.

14 Additionally, I do have any laptop.

15 Mr. Ghibauda is kind enough to provide his company

16 WiFi, but I am sitting about a foot behind the

17 (inaudible) of Ms. Kellogg. Mr. Ghibauda referred to

18 and asked for to make sure she's unable to see my

19 computer. And it's on mute, so there's no sound on

20 the transpired (inaudible).

21 MR. GHIBAUDO: You're going to have to speak

22 up, Mr. Nelson. You can take your mask off if you

23 want, but it's still a bit muffled.

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

25 How is that? Is that better?

4

1 THE VIDEOGRAPHER: Well, one that feeds my  
2 (inaudible.)

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

9 Additionally, there's an adjacent room where  
10 she has -- I believe the room she has been -- where  
11 her electronic equipment has been placed in her purse.  
12 Her electronic equipment is her phone. So she has  
13 nothing on her person.

14 And I assume you want just want her away  
15 from it. I just want to make sure Mr. Ghibaud has no  
16 objections to that or if he has a better (inaudible).

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

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

24 MR. GHIBAUDO: What was his name again?

25 THE DEPONENT: I believe -- I'm not quite

5

1 sure on the correct terminology and/or spelling of his

2 last name. First name is a Kevin.

3 MR. GHIBAUDO: All right. And what's the

4 purpose of him being here?

5 THE DEPONENT: Security.

6 MR. GHIBAUDO: Security. Okay.

7 EXAMINATION

8 BY MR. GHIBAUDO:

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

10 So this is your deposition, Ms. Kellogg.

11 Just so you know to be begin with that I'm going to

12 ask -- I'm going to ask you questions. Your attorney

13 may or may not object to the questions that I ask.

14 Whether he objects or not, you got to answer them.

15 In addition -- yeah, you just have to -- you

16 have to answer the question no more what, unless he

17 asserts privilege, some kind of privilege or not.

18 So with that, do you have any questions?

19 A. No.

20 Q. All right. So the first respect question

21 is, what is the purpose of these proceedings for you?

22 A. You are --

23 Q. You need to speak up, please.

24 Let me just say again. Try not to talk over

25 each other, because the court reporter has to take

6

1 down the information, so wait until the question is  
2 finished, you'll answer. If I have a follow-up, I  
3 will follow up. Wait until I'm done, and then you can  
4 answer, and so on. Do you understand that?

5 A. Yes.

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

8 A. What am I trying to do?

9 Q. Yeah.

10 A. I'm answering -- I'm going to be answering  
11 your questions, because you're going to be having  
12 hearing for contempt of court.

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

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

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

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

22 A. Yes. They are arrears.

23 Q. All right. But from September 17, 2020, the  
24 order to pay monthly is \$2,500 at this point, correct?

25 A. Correct.

7

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

2 A. May I continue?

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

5 THE DEPONENT: Okay. May I continue?

6 Q. (By Mr. Ghibaud) Yeah, go ahead.

7 A. That is on appeal.

8 Q. That's correct. Do you know the basis of  
9 the appeal?

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

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

16 A. Yes.

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

22 A. I don't know that he said modified. He said  
23 some certain amount.

24 Q. And what was your answer to that?

25 A. That I didn't want the some certain amount.

8

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

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

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

6 A. Yes.

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

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

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

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

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

17 A. Correct.

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

20 MR. NELSON: Objection. Asked and answered.

21 Q. (By Mr. Ghibaudo) Okay. Answer the  
22 question?

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

24 Q. All right. So -- but fair to say you want



25 me to pay you support, correct?

9

1 A. Correct.

2 Q. Okay. Would it be fair to say that in order

3 to pay support I would have to earn an income; is that

4 correct?

5 A. That is correct.

6 Q. All right. And as an attorney, do you think

7 that in order to earn an income -- in order to get

8 clients that would pay me, that those clients would

9 have to have some faith or confidence in me? Would

10 that be fair to say?

11 A. Mr. Ghibaud, my intent is not to help or

12 hinder your ability to make a living. I would just

13 like you to pay what your court-ordered support is.

14 Q. Okay. But that's not the question I asked.

15 The question I asked is an attorney, do you think it's

16 important that clients or potential clients have some

17 confidence in the attorney that they hire? Yes or no?

18 A. Absolutely.

19 Q. Okay. Then what is the purpose of posting

20 publically on the Facebook that I am a liar, that I am

21 a cheat, that I am a fraud, that I'm a junky? What

22 purpose would that serve you?

23 MR. NELSON: Objection. Foundation.

24 Mr. Ghibaud, you haven't established that

25 these were posted by Ms. Kellogg.

10

1 MR. GHIBAUDO: This isn't trial, Mr. Nelson.

2 As I stated before, you can make your objection. Your  
3 client needs to answer.

4 Q. (By Mr. Ghibaudo) So please answer the  
5 question, Ms. Kellogg.

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

8 Q. Okay. Do you have a public Facebook page.  
9 Yes or no?

10 A. I have a Facebook page. It's not  
11 necessarily public.

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

14 A. Sometimes I post things public, sometimes I  
15 don't.

16 Q. Okay. Have you posted anything about me in  
17 the past?

18 A. I have.

19 Q. Have you posted comments indicating that I'm  
20 a liar?

21 A. I posted, in direct response to your  
22 Facebook page named James Jones, that was intended to  
23 disparage me, degrade me, with a picture of me  
24 distorted, and so I'm not going to let you bully me.

25 And so if I comment back to that third or

11

1 fourth Facebook page that you created to, again,  
2 disparage me, then yes, I'm going to comment that.

3 Q. Okay. Again, that wasn't the question. The  
4 question was, did you post on your public Facebook  
5 page that I am a liar. Yes or no?

6 A. I believe so.

7 Q. Okay. Did you post on your public Facebook  
8 page that I'm a junky?

9 A. I believe so.

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

12 A. Yes.

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

22 A. It's my First Amendment right, I have the  
23 right to freedom of speech.

24 Q. That's -- that's not what I asked you. I

25 understand that you have a First Amendment right to

12

1 say what you want, but I'm asking you if you posted

2 that. Yes or no?

3 A. I do not recall if that's exactly what was

4 posted. I don't. Do you have something that I can

5 look at?

6 Q. Actually, I do. Do you recall receiving a

7 Complaint for defamation on or about December 10 -- or

8 August 10, 2021?

9 A. I don't know. You filed numerous different

10 lawsuits against me, so I don't know which one

11 you're --

12 Q. That's the not question again.

13 Do you recall receiving a Complaint that you

14 have answered through your attorney for defamation?

15 Yes or no?

16 MR. NELSON: Objection. Your original

17 question stated a date and now you're removing the

18 date, so how do you want Ms. Ghibauda to answer based

19 on your question with the date or just whether she

20 received the Complaint?

21 MR. GHIBAUDO: All right. What's -- say

22 that again. I don't understand what you're saying?

23 Your initial question -- and the court reporter can

24 read it back -- referenced date that she received the

25 Complaint. You just re-asked the question and removed

13

1 the date.

2 To clarify, are you just wanting to know if  
3 Ms. Ghibaudo received a Complaint or the specific  
4 date?

5 MR. GHIBAUDO: Just if is he received a  
6 Complaint for defamation.

7 THE DEPONENT: On what date?

8 MR. NELSON: Just whether you received it.

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

11 Do you recall receiving a Complaint for  
12 defamation?

13 A. I believe so.

14 Q. Okay. Did you read that Complaint? Did you  
15 go through it with your attorney?

16 A. I believe so.

17 Q. Did you look at the exhibits attached to  
18 that Complaint?

19 A. Yes.

20 Q. All right. Is -- are those statements from  
21 your Facebook account? Yes or no?

22 A. I don't -- I don't know. It's not in front  
23 of me. I cannot answer with certainty.

24 Q. Okay. Well, let's go through all the

25 statements that I have written down concerning that.

14

1           So let me ask you this. You've already  
2   stated that you did, in fact, post comments on  
3   Facebook. Would it be fair to say that those comments  
4   were made sometime in 2021, last year?

5       A.   I don't know what comments you're referring  
6   to.

7       Q.   What's that?

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

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

18           Was that posted in 2021? Yes or no?

19      A.   I believe it was a direct response from a  
20   Facebook page that you created, James Jones, and I  
21   responded to it.

22      Q.   That's not the question. So ask again.

23           Do you recall if you posted that comment in  
24   2021? Yes or no?

25 A. That's my answer.

15

1 Q. You're not answering the question. You're  
2 saying -- what you're saying is that you made a  
3 response to something is that you believe that I --  
4 that I made. I'm asking you if that specifically is  
5 what you said?

6 A. I don't know if that's specifically what I  
7 said.

8 Q. Okay. Do you believe that I'm a junky?

9 A. I do.

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

11 A. Because I found drugs in your rental pool  
12 house after we separated, and I also have a picture of  
13 you and some African American doing drugs at the firm  
14 that you shared with Joseph Iarussi.

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

17 A. I produced to my attorney.

18 Q. Was that admitted into evidence?

19 A. I don't know.

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

22 A. Do I what?

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

**Respondent's Appendix 0108**

25 Do you recall that?

16

1 A. Yes.

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

4 A. I believe it was 2015 or 2016.

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

6 A. You gave me a key.

7 Q. When was that?

8 A. I was helping to care for you because you  
9 were not -- you were drinking a lot, and you were not  
10 stable.

11 Q. Okay. So that was how many years ago that  
12 you allege?

13 A. Four.

14 Q. How long?

15 A. Four.

16 Q. So you're saying 2016, that's actually six  
17 of years ago, correct?

18 A. '16 -- I don't know when it was. I'm  
19 guessing. It was when we were separated. I believe  
20 it was before we were divorced. We were divorced  
21 February -- or February of 2017. I know it was before  
22 that.

23 Q. Okay. So do you have any basis to believe  
24 that I am a junky in 2021?



25 A. Like I said, those are the two indications

17

1 that I have, as well as the drugs were found in the  
2 home that you live in with your girlfriend.

3 Q. What -- wait. So you're saying that you  
4 found -- you found drugs in my girl friend's home?

5 A. No. I'm saying that your girlfriend's  
6 daughter said she stumbled upon a crack pipe in that  
7 home with my mother.

8 Q. Okay. When did you -- what is the name of  
9 that person?

10 A. Melia.

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

12 A. I did not speak to her. I read the text  
13 messages that were admitted as evidence.

14 Q. And how did you do that?

15 A. I requested the document.

16 Q. Why did you request that?

17 A. Because I wanted to -- I wanted to know  
18 what -- because you were -- you were handling, I  
19 guess, the divorce. You were handling the -- a  
20 custody case for her. You were handling numerous  
21 things, and you were unwilling to pay me what you were  
22 supposed to with court order.

23 Q. What connection --

24 A. But you were able to do free legal services

25 for others.

18

1 Q. So in other words, I didn't -- I wasn't paid

2 for those services, correct?

3 A. No.

4 Q. Okay. So what connection is there between

5 that case, in your opinion, and anything that involves

6 the case between us?

7 A. Well, like I -- you asked me a question, so

8 that gives me an indication, if a 16-year-old stumbled

9 upon a crack pipe, it gave me an indication that

10 there's drugs in the home.

11 Q. Do you know what the results -- since you

12 were following that case, do you know what the results

13 of the case were?

14 A. Yes, I do. Well, I don't know the results,

15 but I know that the your girlfriend admitted to

16 purchasing drugs from a man named Joe on at least one

17 occasion, and that there was domestic violence between

18 you and your girlfriend on at least two occasions.

19 Q. And you're saying that you got that from

20 pleadings in the case. And what is the name of this

21 person that you're referring to, for the record?

22 A. Elski Shipp (phonetic).

23 Q. Okay. And when was it that you read those

24 pleadings?

**Respondent's Appendix 0111**

25 A. I don't recall.

19

1 Q. Approximate dates? Approximate year?

2 A. Maybe 2018.

3 Q. Okay.

4 A. 2019.

5 Q. And so fair to say you were following that  
6 case, correct?

7 A. I wasn't following it. I was just  
8 interested as to why you could provide legal -- free  
9 legal services and not pay your court-ordered support  
10 or your child support.

11 Q. Do you know that that case resulted in a  
12 settlement?

13 A. No, I don't.

14 Q. Do you know if that case was -- actually  
15 went to trial?

16 A. No, I don't.

17 Q. So you're basing the belief that I'm a junky  
18 on allegations made in a motion? Is that what you're  
19 saying?

20 A. No, by the text messages.

21 Q. What text messages are you referring to?

22 A. The ones between you and Melia Jones.

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

24 A. She said that -- from Melia to you -- that

**Respondent's Appendix 0112**

25 she stumbled upon a crack pipe in that home.

20

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

2 A. Yes. I too have seen drugs in your home  
3 before you moved in with your girlfriend.

4 Q. So was it crack pipe that you allege you saw  
5 in my home?

6 A. No.

7 Q. Okay. Do you ever -- have you ever known me  
8 to use --

9 (Cross-talk)

10 A. -- of drugs in your home.

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

16 So let me ask you again, have you ever seen  
17 me -- you were married to me for how long?

18 A. I believe it was -- at the time of  
19 separation 15 years, at the time of the divorce, 17.

20 Q. And between the time that we were married --  
21 fair to say we were married in 2001?

22 A. Pardon?

23 Q. Is it fair to say that we were married in  
24 2001?

25 A. Correct.

21

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

3 A. Correct.

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

6 A. It's May 18th.

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

9 A. I never physically saw you using, I guess,  
10 crack cocaine or whatever, but you definitely showed  
11 signs of abnormal behavior. I don't know if that was  
12 alcohol or what, but...

13 Q. Okay. Did you use cocaine in the time we  
14 were married?

15 A. No.

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

17 MR. NELSON: Objection. Relevance.

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

19 A. What you're referring to is called We Care  
20 Foundation. It is not a rehabilitation facility. A  
21 rehabilitation for drugs and alcohol requires medical  
22 professionals. There are no medical professionals at  
23 We Care Foundation, therefore, it is not a drug and  
24 alcohol a rehabilitation center.

25 Q. Okay. Did you stay at We Care Foundation

22

1 for 30 days? Yes or no?

2 A. Yes.

3 MR. NELSON: Objection. Relevance.

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

5 A. Yes.

6 Q. And why were you at We Care Foundation for  
7 30 days?

8 MR. NELSON: Objection to relevance.

9 A. I wanted to remove myself from a toxic  
10 situation, being you.

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

17 MR. NELSON: Objection. Asked and answer  
18 you had.

19 MR. GHIBAUDO: It was not.

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

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

22 Q. Did you or did you not attend We Care  
23 Foundation because you were addicted to alcohol?

24 A. No. It was not because I was addicted to

1 Q. Did you have an alcohol problem in that time  
2 period?

3 A. I thought I may at the time. I do not  
4 believe so now.

5 Q. So you think you were -- you were -- you  
6 were mistaken in your belief at the time that you had  
7 an alcohol addiction?

8 A. I believe -- please ask the question one  
9 more time.

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

14 So you're saying that at no time you had a  
15 problem abusing alcohol?

16 MR. NELSON: Objection. Relevance.

17 A. No. I do not believe today that I had --  
18 had an addiction to alcohol.

19 Q. (By Mr. Ghibaudo) Okay. Did you ever  
20 attend Alcoholics Anonymous?

21 MR. NELSON: Objection. Relevance.

22 A. At We Care Foundation, they offer AA,  
23 Alcoholics Anonymous meetings, and you have the  
24 opportunity to go.

25 Q. (By Mr. Ghibaudo) Did you attend Alcoholics

24

1 Anonymous after you completed We Care Foundation?

2 MR. NELSON: Objection. Again, relevance.

3 A. Sometimes.

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

5 A. Are you referring back to 2011?

6 Q. I am.

7 A. Okay. That's quite a long time ago. I

8 don't recall.

9 Q. You don't recall attending Alcoholics

10 Anonymous?

11 A. No.

12 Q. You understand that this is something that I

13 can demonstrate demonstrably that you attended

14 Alcoholics Anonymous. You understand that, right?

15 A. Yes.

16 Q. And you understand that I can -- I can

17 subpoena We Care Foundation and provide and get the

18 records from that to see why you were at We Care

19 Foundation, correct?

20 (Cross-talk)

21 MR. NELSON: Mr. Ghibaudo -- Mr. Ghibaudo,

22 you can ask my client questions, but you don't have to

23 threaten with litigation tactics you may have. You

24 asked her questions, she's answered those questions to

**Respondent's Appendix 0117**



25 the best of her knowledge.

25

1 Q. (By Mr. Ghibaud) All right. Answer the  
2 question.

3 A. I don't know the question.

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

11 A. I don't know the question. Will you please  
12 repeat it?

13 Q. Okay. So you're stating --

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

21 Q. (By Mr. Ghibaud) So I'm going to ask you  
22 again, be clear.

23 Did you or did you not have an alcohol  
24 addiction for which you attend add We Care Foundation?

25 MR. NELSON: Objection. Asked and answered.

26

1 Go ahead and answer the question.

2 Q. (By Mr. Ghibaud) Answer the question.

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

4 Q. You do not believe so at this time. What

5 does that mean?

6 A. It means that I do not believe that I had a

7 problem with alcohol. I believe I had a problem with

8 you and the marriage.

9 Q. Okay. And so you're saying, then, that

10 We Care Foundation is what, a treatment center for

11 victims of domestic violence? Is that your

12 allegation?

13 A. No. I'm saying it's a sober living

14 facility, which I could remove myself from the toxic

15 relationship and to go into a normal surroundings,

16 which I did.

17 Q. Did we live together in that period time, on

18 or about 2011?

19 A. Yes.

20 Q. Oh, we did? You don't remember living in

21 separate house that your mother rented for you?

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

23 MR. GHIBAUDO: Yeah, it is.

24 Q. (By Mr. Ghibaud) Do you recall that you

25 lived at a home that your mother rented from [sic]

27

1 you? Yes or no?

2 A. I don't know what year.

3 Q. 2011.

4 A. No. I believe that you and I lived together  
5 in 2011.

6 Q. Okay. So what -- what do you mean by toxic  
7 relationship. Please describe that, explain that.

8 MR. NELSON: Objection. Relevance.

9 A. Toxic -- you were drinking nonstop, you were  
10 acting irrational, there was domestic violence, there  
11 were arrests, there were police at the house  
12 constantly. It was -- it was -- it was insanity, and  
13 I just wanted normalcy again.

14 Q. Do you recall testifying at my reinstatement  
15 hearing on or about 2012, I believe?

16 MR. NELSON: Objection. Relevance.

17 A. I do.

18 Q. (By Mr. Ghibaud) Okay. And when you were  
19 asked if there was domestic violence in our  
20 relationship, do you recall what your answer was?

21 MR. NELSON: Objection. Relevance.

22 A. I do.

23 MR. GHIBAUDO: Mr. Nelson, just to  
24 streamline this, let's just say that you have a

1 that I ask. Is that fair?

2 MR. NELSON: That's fine, because all  
3 questions -- that's fine. We'll \*\*\* object to the  
4 questions asked.

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

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

12 MR. NELSON: That is correct, Mr. Ghibaud.

13 MR. GHIBAUDO: Okay. So we're not going to  
14 hear any more objections for relevance, correct?

15 MR. NELSON: Correct.

16 Q. (By Mr. Ghibaud.) Okay. Now, again, do you  
17 recall what your answer was when you were asked if  
18 there was domestic violence during the marriage?

19 A. I believe so.

20 Q. And what was your answer?

21 A. I -- I don't -- I cannot recall exactly what  
22 I said. However, I do know that for five years during  
23 your suspension, you had conditioned me into believing  
24 that all of the domestic violence that occurred was my

25 fault and my doing, and I was the one that put you in

29

1 a situation of being a suspended attorney.

2 Q. Okay. So you're not answering the question  
3 again.

4 Do you recall what your answer was when you  
5 specifically asked if I committed acts of domestic  
6 violence against you?

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

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

11 A. I don't know.

12 Q. Okay. If you -- if you look at the  
13 transcripts of those proceedings -- and there are  
14 transcripts, you were under oath -- would that refresh  
15 your recollection?

16 A. I suppose so.

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

19 MR. NELSON: Objection. Asked and answered.

20 MR. GHIBAUDO: Okay. Let's agree that  
21 you're going to continuously object to asked and  
22 answered.

23 You know, Mr. Nelson, that whether I ask her  
24 that 20 times or 30, she's got to answer, and -- you

25 know, if it's -- if you think that it's abusive

30

1 litigation or abusive discovery practices, you can

2 deal with that later. Is that fair to say,

3 Mr. Nelson?

4 MR. NELSON: No, it's not. If it's been

5 asked and answered, I'm going to raise that objection,

6 because it continuously becomes asked and answered,

7 then you know \*\*\*\*and this is a.

8 MR. GHIBAUDO: Well, it appears that your

9 client is very knowledgeable or remembers everything

10 that is adverse to me, but when I ask her a question

11 concerning her recollection of events and what she

12 said, she said she can't remember.

13 You know, it's very frustrating, and it's

14 wasting everybody's time when she knows very well what

15 she said.

16 MR. NELSON: Again, Mr. Ghibaud, if you ask

17 questions, she's under oath, as you've stated many

18 times, if she says she doesn't recall, then

19 unfortunately that's --

20 Q. (By Mr. Ghibaud) Okay. So let's back up.

21 You did testify during the reinstatement

22 hearing, correct?

23 A. Yes.

24 Q. Okay. And I was reinstated as a result,

1 A. Pardon?

2 Q. And I was reinstated to the practice of law

3 as a result, correct?

4 A. As a result of me testifying?

5 Q. Yeah.

6 A. I believe so.

7 Q. Okay. Yeah, you recall one of the people

8 that was -- that was sitting there in judgment saying

9 that, but for you, you wouldn't have been reinstated.

10 Do you recall that?

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

12 Q. You recall one of the people that was

13 sitting in judgment, I believe it was the head of the

14 committee that was considering my reinstatement,

15 approaching you and saying, but for your testimony, I

16 wouldn't have been reinstated; is that correct?

17 A. I think -- I don't know exactly, but I

18 think -- are you referring to the person who said that

19 you need to wash my feet every day?

20 Q. That's right, yeah.

21 A. Okay.

22 Q. Is that true?

23 A. I don't -- I can't remember his name.

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

25 A. I believe so, something about washing feet.

32

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

4 A. I guess so.

5 Q. Okay. Do you recall that you alleged at one  
6 point that I strangled you? Yes or no?

7 A. Yes.

8 Q. Did you appear at the preliminary appearing  
9 for that?

10 A. I do not know.

11 Q. You don't know. Was I convicted of that  
12 charge?

13 A. I do not know.

14 Q. Okay. So let's move forward just a little  
15 bit.

16 So from 2017 to now, you actually have no  
17 personal knowledge of whether I used drugs or not,  
18 correct? In other words, you never saw with your own  
19 eyes whether I used drugs or not, correct?

20 A. No, that's not correct.

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



25 A. I actually have Facebook messages, whereas

33

1 you wanted to purchase my prescribed medication, which

2 is a narcotic, for \$200, and I have those messages.

3 Q. Did you ever produce those messages in any.

4 (Cross-talk)

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

6 A. Pardon?

7 Q. Did you ever produce those messages to -- in

8 any litigation that we've had since then?

9 A. I produced them to my attorney.

10 Q. Were they used at trial?

11 A. I don't know.

12 Q. Did you -- did you report that use to the

13 police?

14 A. Did I what?

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

16 police? Because it's an illegal activity. Did you

17 ever report that to the police?

18 A. Did I ever make a police report that you

19 used drugs? No.

20 Q. Okay. Did you ever report that to the state

21 bar?

22 A. I don't know.

23 Q. Okay. But you'll -- you'll agree that I'm a

24 practicing attorney today, correct?

**Respondent's Appendix 0126**

25 A. Yes.

34

1 Q. Is it fair to say that if the state bar was  
2 under the impression that I was a drug addict or that  
3 you used drug, whether I requested drugs from you,  
4 that I would have been suspended; is that a fair  
5 statement?

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

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

9 A. I don't know.

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

12 A. One time.

13 Q. One time?

14 A. Yes.

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

17 A. I don't know what you mean, trying to  
18 collect? I mean you have an obligation to pay.

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

22 MR. NELSON: Objection. Calls for  
23 speculation.

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

25 A. Mr. Ghibaud, my intent so not to help or

35

1 harm you in any way.

2 Q. That's not the question that I asked you.

3 Again, if I was suspended from the practice of law and

4 I'm ordered to pay you, at that time, essentially half

5 of my income and I got suspended, how would that help

6 me make a payment to you for \$2,500 or even half of my

7 income? Does that help?

8 A. I don't know. But if I have grievance, I'm

9 going to file a grievance.

10 Q. That's not the question. Again, would it

11 help me pay you if I lost my license?

12 A. I don't know.

13 Q. \$2,500 a month I was ordered to pay,

14 correct?

15 A. No, not in 2017.

16 Q. It was more, right?

17 A. Correct.

18 Q. Okay. So how would I pay --

19 (Cross-talk.)

20 Q. -- the money that you want to get paid if I

21 had no ability to practice law? What do you think I

22 could -- how do you think I could have done that?

23 A. I guess you would get a different job.

24 Q. Okay. And is it fair to say that that job

25 would probably pay less than what I would get paid as

36

1 an attorney? Yes or no?

2 MR. NELSON: Objection. Calls for

3 speculation.

4 A. I don't know.

5 Q. (By Mr. Ghibaud) Okay. Do you think that

6 calling me a junky, a liar, a cheat, and a thief would

7 help me get clients as an attorney? Yes or no?

8 MR. NELSON: Objection. Calls for

9 speculation.

10 MR. GHIBAUDO: Okay. Mr. Nelson, again,

11 let's just agree that you're going to have a standing

12 objection to speculation as well.

13 MR. NELSON: \*\*\* I guess I don't want repeat

14 the speculative questions concerning your business

15 because has no knowledge of your business.

16 THE REPORTER: I'm sorry, Mr. Nelson, I

17 can't understand you.

18 MR. NELSON: That's okay. I'll --

19 At this point, I don't agree we have a

20 standing objection to speculation, Mr. Ghibaud. I'll

21 raise those as necessary. I mean, questions about

22 your business practices at this time is not dealing

23 with since the divorce is not, \*\*\*\*\* speculation.

24 Q. (By Mr. Ghibaud) Okay. So we had a trial

25 in September 17, 2021, correct -- or 2020, correct?

37

1 A. Yes.

2 Q. And that started, I believe, in August of --

3 no, in April of 2019, correct?

4 A. May.

5 Q. Okay. And you received my financial records

6 in that time, correct?

7 A. My forensic accountant did.

8 Q. Okay. Did you review those documents?

9 A. Not in its entirety.

10 Q. Okay. But is it fair to say that between

11 2017 and the time of trial that I earned a gross

12 income of roughly over a million dollars; is that

13 correct? Would that be a fair statement?

14 A. For the -- I don't know for what time

15 period?

16 Q. 2017 to 2020.

17 A. Well, you did not produce any tax returns

18 for 2020.

19 Q. That's actually not true. And you're --

20 again, you had -- just like you testified before, you

21 had an expert testify at trial, right?

22 A. Yes.

23 Q. So that's -- that expert reviewed my tax

24 returns which were produced here to your attorney,

1 A. They were produced 2016, '17, '18 and '19.

2 Not '20.

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

5 A. I -- if I recall correctly, yes.

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

9 A. I don't know.

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

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

14 MR. GHIBAUDO: It's not speculation if she  
15 saw the tax returns of an expert actually testified  
16 where she was actually present.

17 Q. (By Mr. Ghibaud) Are you saying that you  
18 weren't paying attention during the trial?

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

21 Q. But they were substantial, correct?

22 A. I don't know.

23 Q. All right. Well, substantial enough that  
24 the arrears calculation was something around \$160,000,

1 A. From -- from my forensic accountant?

2 Q. Yeah.

3 A. I don't believe they did that based on the  
4 year. I think that it was -- from what I can recall  
5 from the forensic accountant, there was a page that  
6 said that you were not forthcoming in producing  
7 documents, and that there were months -- several  
8 months that were omitted because you did not produce  
9 documents.

10 But I believe, if I recall correctly, that  
11 the forensic accountant said that you owed me  
12 approximately -- and I'm guessing -- \$300,000. Maybe  
13 more. I don't know.

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

16 A. Yes.

17 Q. All right. Do you know me to have any other  
18 skills other than lawyering? Do you know if I had any  
19 other job other than being a lawyer since you've known  
20 me?

21 A. A job or skills? Which one?

22 Q. A job. Other than being a lawyer.

23 A. A law firm.

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

25 A. Yep. Yep.

40

1 Q. So in other words, I never worked as  
2 financial advisor, right?

3 A. Yes. You never worked during school, you  
4 never worked when -- after you graduated -- oh, I'm  
5 sorry. That's incorrect. I apologize.

6 You did work for your brother in California  
7 as a financial advisor.

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

10 A. I have no idea.

11 Q. Okay. So based on all that, what do you  
12 think I could do if I lost my law license? Do you  
13 think that I -- do you legitimately think that I could  
14 earning enough money that I would owe you \$300,000,  
15 according to your own testimony in arrears? Do you  
16 think I could do that?

17 A. I don't know.

18 Q. Okay. But I have no other skills other than  
19 being a lawyer?

20 A. I just said that you were work for your  
21 brother as a manufacturing as a -- I believe a  
22 financial advisor or something along those lines.

23 Q. What is my degree in? What is my colleague  
24 degree? What did I graduate in?



25 A. Political science.

41

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

2 A. What did you do?

3 Q. Yeah, did I go on to law school?

4 A. After you graduated from UNLV, you -- you  
5 spent several months prepping for the LSAT, which cost  
6 several thousands, and -- and you sent out several  
7 applications for schools.

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

12 A. Yes.

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

15 A. That's true.

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

17 A. That's correct.

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

19 A. That's correct.

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

22 A. Correct.

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

25 A. Correct.

42

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

4 A. Mr. Ghibaudo, if you have a problem in your  
5 profession, don't blame me. I don't know why you are  
6 saying that I am the reason why you have problems in  
7 your profession. It seems like you're alleging that I  
8 am the sole reason why you have problems in your  
9 profession.

10 Q. Well, let's talk about that. So any time I  
11 have a problem in my profession, for example, recently  
12 there was a grievance filed by Karen Connolly, did you  
13 circulate that -- did you publish that on your  
14 Facebook account? Yes or no?

15 A. Yes. I -- I posted it on my Facebook  
16 account.

17 Q. Okay. And did you -- have you obtained  
18 videos of the proceedings in our case? Yes or no?

19 A. In the our case?

20 MR. NELSON: Objection -- objection.

21 Q. (By Mr. Ghibaudo) In the divorce case. Did  
22 you obtain videos of proceedings of hearings?

23 A. Yes.

24 Q. Okay. Did you disseminate those -- those

25 videos to third parties?

43

1 A. I believe it is a public interest.

2 Q. That's not the question. Did you

3 disseminate those? Yes or no?

4 A. I did.

5 Q. Okay. And how do you think that that helps

6 me earn an income with -- in my profession?

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

8 Q. But --

9 (Cross-talk.)

10 Q. -- you depend on me to provide an income to

11 you, right? You don't work, correct?

12 A. Pardon?

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

14 A. I do not work right now.

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

16 A. I believe it was in the year 2000 when you

17 repeatedly frequented my establishment where I worked

18 and made me lots of money.

19 Q. So you were a stripper at the Olympic

20 Gardens, correct?

21 A. I was a dancer at the Olympic Gardens where

22 you paid me a lot of money.

23 Q. Okay. And that was the last time you

24 worked, correct?

**Respondent's Appendix 0136**

25 A. Yeah.

44

1 Q. And what year was that?

2 A. 2000.

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

6 A. Mr. Ghibaud, you have not paid me in over  
7 three years.

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

11 A. I would love for you to pay your  
12 court-ordered support obligation.

13 Q. Okay.

14 A. I don't think that it's anybody else's  
15 obligation to pay other than you.

16 Q. All right. And so you say that you're not  
17 here to help other hinder me, but wouldn't it be  
18 helpful to you that I be able to earn an income? Yes  
19 or no?

20 A. It would be helpful if you paid your  
21 court-ordered support.

22 Q. That's not the question I asked. Would it  
23 be helpful to you if I could earn an income? Yes or  
24 no?

25 A. Absolutely, yes.

45

1 Q. Okay. Then why is it --

2 A. I hope you earn millions and millions of  
3 dollars.

4 Q. Okay. Then why is it that you are  
5 continuously disseminating videos of proceedings where  
6 it is alleged that I'm not paying you child support or  
7 where it is alleged that I'm not paying you alimony,  
8 how does that help me -- just explain, in great  
9 detail -- how does that help me get clients to make  
10 money to pay you? Explain that.

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

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

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

19 Q. That's not -- you're not answer the  
20 question, so I'm going to ask it again.

21 How does it help me get clients and keep  
22 them when you're disseminating videos that are adverse  
23 to me? How does that help me earn income?

24 A. It's a public interest.

25 Q. That's not the question. I'm asking you --

46

1 I'm going to ask you again.

2 How much does it help me, if you're  
3 undermining my ability to get clients, how does it  
4 help me earn an income so I can pay you? Explain  
5 that.

6 A. Like I said, I am not here to help or hinder  
7 you.

8 Q. That is not the question --

9 A. If there is a posting of a video -- and I  
10 don't know if it's the posting is by me or anybody  
11 else.

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

14 A. What videos?

15 Q. Videos of proceedings in this case.

16 (Cross-talk.)

17 A. Pardon?

18 Q. The videos of proceedings of our divorce  
19 case. You've obtained them.

20 A. I have obtained some videos in the D case.

21 Q. Okay. And in that D case, is that D case  
22 sealed?

23 A. Not the videos.

24 Q. You don't recall that order saying that

25 proceedings are sealed, that those proceedings are not

47

1 to be disseminated?

2 A. Not videos.

3 Q. What do you think proceedings are?

4 A. I think that's papers, I think it's

5 pleadings, I think it's anything that says the word

6 "confidential" on it.

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

8 A. I have no idea. I didn't see any.

9 Q. So it's your assertion that the word

10 "proceedings" does not include hearings?

11 MR. NELSON: Objection.

12 (Cross-talk.)

13 MR. NELSON: Calls for a legal conclusion.

14 MR. GHIBAUDO: It calls for her to explain

15 what the definition of proceedings is. It's not a

16 legal --

17 A. I don't know what the definition of

18 proceedings are. What I do know is that videos are

19 not included in a sealed case.

20 Q. (By Mr. Ghibaud) Okay. Who told you that?

21 A. I read the statute.

22 Q. What statute is that?

23 A. Well, I wasn't allowed to bring any

24 paperwork and I don't have it memorized, but I can get

25 it to you.

48

1 Q. Nobody helped you -- nobody helped you with  
2 the understanding of the statute? In other words, you  
3 never discussed that with your attorney?

4 A. Yes. That's client-attorney privilege.

5 Q. That's not the question. I asking the  
6 question.

7 Did anybody assist you in interpreting that  
8 statute?

9 MR. NELSON: Objection. I'm going to incite  
10 attorney-client privilege. I'm going to instruct  
11 Ms. Kellogg not to answer that question.

12 MR. GHIBAUDO: That's not attorney-client --  
13 I'm not asking her to divulge any work product or  
14 anything that has to do with advice or anything else.  
15 I'm asking her a simple question.

16 If she talked to somebody, including her  
17 attorneys, about that statute. I'm not asking for the  
18 content of what that discussion was. So it's not  
19 covered by the attorney-client privilege.

20 Q. (By Mr. Ghibaudo) Answer the question,  
21 Ms. Kellogg.

22 A. I may have asked about terminology of words  
23 that I didn't understand, so if I can recall  
24 correctly, I'm not sure.



25 Q. And who did you ask?

49

1 A. Well, I asked my friend in Minnesota who is  
2 a district court judge. I've asked my -- I asked my  
3 dad. I believe I may have asked Chris Reed, my  
4 previous attorney. You know, anything that -- if I  
5 didn't understand something, I looked it up and I  
6 still didn't understand it, I would seek  
7 understanding.

8 Q. Did you ask Steve Sanson?

9 A. No.

10 Q. Do you know who Steve Sanson is?

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

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

14 You indicated that you asked a judge in  
15 Minnesota. What's that judge's name?

16 A. Tony Atwal.

17 Q. Okay. What is his name?

18 A. Tony Atwal.

19 Q. Tony what?

20 A. Atwal.

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

22 A. Yes.

23 Q. Wasn't he responded for alcohol abuse?

24 A. No.

25 Q. Is he -- is he licensed to practice in

50

1 Nevada?

2 A. No. He's my friend.

3 Q. Okay. But you're telling me that an  
4 attorney from Minnesota is assisting you and/or giving  
5 you legal advice about a Nevada statute. Is that what  
6 you're asserting?

7 A. No, I'm not.

8 Q. So you lied just now?

9 A. I said that, if I didn't understand a word,  
10 sometimes I would seek a friend or whomever is  
11 available, the definition.

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

13 A. I believe -- I met him after you were  
14 publicly reprimanded for sharing fees with  
15 non-attorneys.

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

18 A. No, that's what the bar committee said.

19 Q. Well, the allegation was from Steve Sanson.  
20 You say that you -- so what you're saying -- let me  
21 back up here. You read the reprimand, correct?

22 A. Correct.

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

25       A.   I believe it said that you shared fees

51

1   with -- if I can recall correctly, I believe that you  
2   have a public reprimand for either attempting and/or  
3   sharing fees with non-attorneys.

4       Q.   Okay. And so did you reach out to Steve  
5   Sanson or did he reach out to you?

6       A.   I don't know.

7       Q.   You don't know?

8       A.   No.

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

12      A.   I cannot say 100 percent. Maybe it was by  
13  Facebook. I don't know.

14      Q.   Okay. And you disseminated that -- that  
15  letter of reprimand on your Facebook page, correct?

16      A.   I don't know.

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

18      A.   I didn't obtain it. I read it.

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

21      A.   I don't follow his Facebook page. His posts  
22  come on my Facebook feed.

23      Q.   Okay. And do you share those posts from  
24  time to time?

25 A. I don't recall the last time that I shared

52

1 anything.

2 Q. You don't -- okay. That's not the question.

3 Have you ever --

4 A. Ever?

5 Q. Yes.

6 A. Have I ever shared -- have I ever put a post

7 that Steve put on his page on my page? I don't

8 understand the question.

9 Q. Yes. Did you share it on your page? In

10 other words, what he posts on your page, did they ever

11 appear on your Facebook page? Yes or no?

12 A. I don't know that's how it went. I don't --

13 I don't believe that I posted on my Facebook page

14 anything that he has shared on his Facebook page. I

15 don't recall.

16 Q. How often are you -- do you get on Facebook?

17 How often to you look in or login to your Facebook

18 account?

19 A. It varies.

20 Q. Okay. By week? Week to week, how often do

21 you think you log into it?

22 A. Sometimes twice or three times a week,

23 sometimes zero, sometimes -- it depends if I have

24 time, if -- it varies.

**Respondent's Appendix 0145**

25 Q. How often do you speak to Steve Sanson, week

53

1 to week on average?

2 (Cross-talk.)

3 Q. Say in a month, in a 30-day period, how

4 often do you -- do you speak to Steve Sanson?

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

6 Q. How often in the last year -- let's say from

7 the time that I was publicly reprimanded on or about

8 October of 2020 to now, how often do you think you

9 spoke to Steve Sanson?

10 A. So in the past two years, you want me to

11 estimate how many times I spoke to Steve Sanson by

12 what? By email, by --

13 Q. By any means. By any means. How often?

14 Proximate it.

15 A. Five.

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

17 A. Yes.

18 Q. Okay. And what did you guys discuss the

19 time that you met in person?

20 A. The vaccine shot.

21 Q. You didn't discuss me?

22 MR. NELSON: Objection. Asked and answered.

23 A. I don't -- you may have come up in

24 conversation. I don't know what it was about.

**Respondent's Appendix 0146**

25 Q. (By Mr. Ghibaud) Okay.

54

1 A. If you did.

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

4 A. No. I never go on his Facebook page. If  
5 there a feed that comes along on on my Facebook and  
6 it's of interest, I'll read it. But no, I never  
7 directly go to his Facebook page.

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

10 A. I don't know. I don't know because  
11 you're -- you're assuming that I'm on Facebook 24/7  
12 and that I see stuff that I may or may not see.

13 Q. Well, let's back up. You testified --  
14 again, just to clarify -- that you have obtained  
15 videos of our hearings, correct?

16 A. Yes.

17 Q. And you have disseminated those videos to  
18 Steve Sanson, correct?

19 A. Yes. I've already said that.

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

21 A. Public interest.

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

24 A. Like I said, Mr. Ghibaud, I'm not here to

25 help or hinder you. I just believe it is of public

55

1 interest, because -- he has a group called Veterans in  
2 Politics. He's the one that -- that used to, before  
3 the pandemic, would go into courts and make, you  
4 know -- you know, share with the public what happens  
5 in courts, what happens with specific judges. There's  
6 a number of things that his work does.

7 Q. Okay. And would it be fair to say that all  
8 of the videos that he posts, either on YouTube --  
9 wait, let me back up.

10 Have you seen the videos that he posts on  
11 YouTube concerning me?

12 A. Have I seen them?

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

15 A. Yes, yes.

16 Q. On YouTube?

17 A. Yes, yes.

18 Q. Okay. Have you ever seen any of those  
19 videos?

20 A. Yes. I was actually in the videos.

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

22 A. They're not all about you. It's also about  
23 me and the whole court proceedings and the judge and  
24 everything else.

25 Q. Is it fair to say that when he posts those

56

1 videos, the title always begins with, Disgraced

2 Attorney, Alex Ghibaudo?

3 A. I have no idea.

4 Q. You have just testified that you've seen the

5 videos.

6 (Cross-talk.)

7 Q. Now, you're saying you have no idea what

8 they say?

9 A. No.

10 Q. So you've not ever read the title of the

11 videos that he posts? Is that your assertion?

12 A. Okay. You said every single time they've

13 said -- what did you say?

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

15 your knowledge, posted a video that you disseminated

16 to him that starts with the title, Disgraced Attorney

17 Alex Ghibaudo?

18 A. I don't know if it's a video that I showed

19 Mr. Sanson that says "deplorable."

20 Q. Disgraced.

21 A. Disgraced. Sorry.

22 Q. But you're the one that provides him those

23 videos, correct?

24 A. No. It's not -- no. You are asserting that



25 I have provided Mr. Sanson with dozens of videos, and

57

1 that's just not true.

2 Q. Okay. So how many have you disseminated to  
3 him?

4 A. Not many. And it's not that I disseminated.  
5 I showed him. I showed him a video that I felt was a  
6 public interest. And he has a group called Veterans  
7 in Politics. He's the president of it.

8 Q. If the case is sealed, and you're saying  
9 that you've obtained those videos, but all you've done  
10 is showed it to him, how is it that he has the link to  
11 them? How is it that he's posting it? Can you  
12 explain that?

13 MR. NELSON: Objection --

14 Q. (By Mr. Ghibaudo) Because he doesn't have  
15 access to that.

16 MR. NELSON: Objection. Calls for  
17 speculation.

18 MR. GHIBAUDO: Doesn't. Your client already  
19 testified -- if you want the court reporter to read it  
20 back -- that she obtained those videos and actually  
21 disseminated them, and now she's saying that she just  
22 showed it to him.

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

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

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

4 A. Isn't "disseminated" and "showed" the same  
5 thing?

6 Q. (By Mr. Ghibaud) No. How many credits do  
7 you have in college?

8 A. I don't know.

9 Q. You don't know. Did you testify at the time  
10 of trial that you were nine credits short of  
11 graduation?

12 A. No, I didn't.

13 Q. You did not?

14 A. No.

15 Q. Okay. You understand that that testimony a  
16 written transcript?

17 A. I think you should really look at it.

18 Q. Yeah, okay. Let me ask you. How close are  
19 you to graduating from UNLV? How many credits are  
20 you -- are you --

21 A. As I said at the trial I have seven classes  
22 remaining, not seven credits.

23 Q. Okay.

24 A. I said classes.

25 Q. Okay. That's -- that's about a half a

59

1 semester, correct?

2 A. No, it's not.

3 Q. How many semesters would that be, seven  
4 classes?

5 A. Probably three.

6 Q. So you have a substantial amount of  
7 education, correct?

8 A. No.

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

11 A. Yes. I don't consider that a substantial  
12 education.

13 Q. And then how many years did you go to UNLV  
14 after you got that associate's degree?

15 A. I went as long as I could go until you  
16 stopped paying me the court-ordered support money so  
17 that I could continue my education.

18 Q. So you're asserting --

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

21 MR. NELSON: I don't know what happened to  
22 the --

23 MR. GHIBAUDO: We lost the video.

24 THE REPORTER: Could we possibly take a

25 break for ten minutes or so?

60

1 MR. GHIBAUDO: Yeah, that's fine. We can do  
2 that.

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

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

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

8 Q. (By Mr. Ghibaud) All right. Just to your  
9 left, Ms. Kellogg, is a -- are two documents. One is  
10 a complaint for damages for defamation, the other is  
11 your answer and counterclaim.

12 On the complaint, can you please turn to  
13 Page 8?

14 MR. NELSON: Mr. Ghibaud, I just want to  
15 make on the record, two things.

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

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

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

24 MR. GHIBAUDO: All right. And I'll put on

25 the record that yesterday, when we had our hearing

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1 with the discovery commissioner, it was the  
2 understanding that it would be you and Ms. Kellogg and  
3 nobody else showing up. And Ms. Kellogg showed up  
4 with her boyfriend and security detail, and I had no  
5 idea that that was going to happen.

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

10 MR. NELSON: Fair enough. Are you in  
11 agreement that my objection -- my outstanding  
12 objection to relevance --

13 MR. GHIBAUDO: That's fine. That's fine. I  
14 assume you're objecting to everything I'm asking, and  
15 that's fine.

16 Q. (By Mr. Ghibaudo) All right. So look at  
17 the complaint, turn to Page 8. Are you there?

18 A. Yes.

19 Q. Look at Paragraph 31.

20 A. Yes.

21 Q. Can you read -- can you -- first, go ahead  
22 and read that out loud.

23 A. The post?

24 Q. Yeah.

25       A.   Okay. "This is what typically happens to an

62

1   average run-of-the-mill criminal who tries desperately  
2   to mask his morally bankrupt behavior behind a  
3   fraudulent law degree and law license. Which I paid  
4   for, no less. Always remember what a wise man once  
5   told me, Karma has no expiration date. This adage  
6   holds especially true when you dedicate your life to  
7   pure evil and are devoid the basic of common sense  
8   that God bestowed on a garden variety head of lettuce.  
9   You see, with the lack of moral compass in life you  
10  ultimately everything you thought you once had,  
11  especially when it comes to perceived honor, dignity,  
12  integrity, loyalty, and once upon a time an actual  
13  family, rather than a cesspit of fellow junkies. In  
14  conclusion, the lesson everyone reading this post, do  
15  not lose track of core value."

16       Q.   And did you write that post?

17       A.   I don't know.

18       Q.   Okay. Turn to the answer to the first  
19  amended complaint that you filed. That's the other  
20  document.

21       A.   What page?

22       Q.   Page 3.

23       A.   Okay.

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

25 A. "As to Paragraph 31, Defendant admits such

63

1 allegation."

2 Q. So did you post that or not?

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

4 Q. You don't know now? You answered that in

5 the affirmative, and you're saying you don't know at

6 this point?

7 A. I don't know. I don't see -- it would be

8 nice to see the Facebook up.

9 Q. Okay. Well, let's see if it's -- well, you

10 admitted it. Can you agree that you admitted it?

11 You're looking at the answer, your answer

12 and counterclaim. And referring to Paragraph 31, you

13 admit that you posted that; is that true and correct?

14 A. Well, this is what it says, but like I said,

15 it would be nice to see the Facebook up.

16 Q. Okay. Again, you're not answering the

17 question.

18 Did you post that on your public Facebook

19 page? Yes or no?

20 A. I don't know. But if I said that I did,

21 then I guess I did.

22 Q. Okay. Do you think that that helps or

23 hinders my ability to practice law?

24 MR. NELSON: Objection. Calls for

1 A. Like I have previously said, I'm not here to  
2 help or hinder you at all regarding your business  
3 practices. This was a direct response to what you did  
4 yourself, which was develop a third or fourth Facebook  
5 page disparaging me, my likeness, photos of me,  
6 distorted, and posts that are blatantly lie -- blatant  
7 lies.

8 Q. So what evidence do you have that I made  
9 those posts?

10 A. You admitted it in an email.

11 Q. What -- do you have that email? Did you  
12 ever produce that?

13 A. No. I'm not allowed to bring anything in  
14 with me.

15 Q. Did you produce that prior to coming here?  
16 You had an ability to produce that email in this  
17 litigation --

18 (Cross-talk.)

19 Q. You're aware that I'm making -- my defense  
20 is you're coming into court with unclean hands and  
21 you're acting in bad faith. Did you disclose that  
22 email?

23 A. I believe so.

24 MR. GHIBAUDO: Okay. For the record,



25 Mr. Nelson, you'll agree that you've made no

65

1 disclosures to date?

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

5 MR. GHIBAUDO: Okay.

6 Q. (By Mr. Ghibaudo) Does that, in your  
7 opinion, do you think that demonstrates malice towards  
8 me or at least anger?

9 A. I don't know what it demonstrates towards  
10 you.

11 Q. But you wrote the post. So I'm asking you  
12 directly, what does it demonstrate? Anger, malice or  
13 goodwill? Which of the three?

14 A. No. It's not which of the three. It's a  
15 direct response to what you did, and I'm not going to  
16 be bullied anymore by you and your tactics to  
17 disparage and degrade me repeatedly.

18 Q. You're not answering the question, so I'll  
19 asking it.

20 (Cross-talk.)

21 A. -- 17.

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

24 Does this post demonstrate goodwill towards

25 me? Yes or no?

66

1 A. I don't know.

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

3 A. I don't know.

4 Q. You wrote it. How can you say you don't

5 know?

6 (Cross-talk.)

7 Q. I'm asking you a direct question and you are

8 skirting the question. You need to answer it.

9 A. I don't know.

10 Q. Does it demonstrate goodwill? Yes or no?

11 A. I don't know.

12 Q. Does it demonstrate bad faith? Yes or no?

13 A. I don't believe so.

14 Q. You don't. All right. Let's go through it.

15 Do you think that saying that I am masking

16 my morally bankrupt behavior is a statement that shows

17 goodwill?

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

19 Q. You're not answering the question.

20 (Cross-talk.)

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

22 A. I think it's --

23 (Cross-talk.)

24 Q. Does that statement demonstrate goodwill?

**Respondent's Appendix 0159**

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

4 Q. Okay. And in your defense, did you make a  
5 statement that was made in good faith that was -- that  
6 demonstrates that I'm a good person, that demonstrates  
7 that I'm somebody to be trusted? Does that -- was  
8 that what that post shows? Yes or no?

9 A. I don't -- you want me to -- to say that  
10 you're a good person?

11 (Cross-talk.)

12 Q. I want to know your purpose of writing that  
13 is. So you don't --

14 A. No, I don't believe that you're a good  
15 person.

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

18 A. No.

19 (Cross-talk.)

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

21 A. You're saying that I'm saying that -- that  
22 you're not a good person, and that's what you just  
23 said. No, I don't believe that you are a good person.

24 Q. So then it could be fair to say that this

25 post was made maliciously?

68

1 A. No.

2 Q. No? But I'm not a good person and you  
3 posted that I'm morally bankrupt?

4 A. You just asked me and I answered.

5 Q. Okay. What does it mean to be morally  
6 bankrupt?

7 A. Morally bankrupt. You have nothing more in  
8 your -- in your being, in your soul, in your -- you've  
9 lost everything.

10 Q. Okay.

11 A. You've lost everything that has meaning,  
12 including your daughter.

13 Q. Is that -- is that a malicious statement, in  
14 your opinion?

15 A. I don't believe so. I believe it's the  
16 truth.

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

20 A. Yes.

21 Q. Okay. And you're saying I have a fraudulent  
22 law degree and law license. So you're calling me a  
23 fraud and you're saying -- is it fair to say that that  
24 is statement of fact that you're making?

25 A. You're using the word "fraudulent" in a

69

1 completely and utter different way than what is

2 clearly written here.

3 Q. I'm reading what's written here, and I'll

4 read it to you again. "Morally bankrupt behavior

5 behind a fraudulent law degree and law license."

6 You don't think that that is implying that

7 I'm a fraud and that I'm not a lawyer? Is that what

8 you're asserting here?

9 A. Yes.

10 Q. You don't think that's -- so the plain

11 meaning of that sentence and that statement, you don't

12 think that it means that I'm a fraud?

13 A. I believe that fraudulent means deceptive.

14 Q. Okay. And that's -- and you assert that

15 that's statement of fact. I'm deceptive.

16 A. That's my belief.

17 Q. Okay. And what do you mean by "karma has no

18 expiration date"?

19 A. It means what comes around, goes around,

20 whatever -- you know, bad ill-will that you intend to

21 put out on me will come back to you.

22 Q. And you -- so you're asserting that you're

23 the agent of that -- of that vengeance. You're the

24 one that's going to bring the karma. Is that what

**Respondent's Appendix 0162**

25 you're saying?

70

1 MR. NELSON: Objection. Foundation.

2 MR. GHIBAUDO: This is not trial,

3 Mr. Nelson. Let's -- let's go ahead and stipulate

4 that you're going to object to foundation as well

5 constantly.

6 MR. NELSON: I'm not -- I have not been

7 objecting constantly, but when there's no foundation

8 and you're jumping into a conclusatory [sic] question,

9 then I can I think it's prudent on you to establish a

10 foundation.

11 MR. GHIBAUDO: I'm reading a post that your

12 client just admitted she wrote. What more foundation

13 do you need?

14 MR. NELSON: She can ask [sic] the question

15 if she understands it, and I raised my objection.

16 Q. (By Mr. Ghibaud) Okay. Who is going to be

17 the agent of my demise? You? You just said that

18 you're not going to be bullied and you're going to

19 fire back, correct? Is that a true statement?

20 A. I'm not going to allow you to bully me and

21 to -- to disparage my character any longer. And if I

22 have to wait on my Facebook page in -- to -- in

23 regarding your Heckle Lacoa (phonetic) page was about

24 me, regarding your James Jones page that was about me

25 to disparage me, and your Tara Rae Kellogg page to

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1 disparage me, I'm going -- I'm not going to be bullied

2 anymore. That's what I'm saying.

3 Q. You're going to respond in kind is what

4 you're saying, right?

5 A. What?

6 MR. NELSON: Objection. Argumentative.

7 MR. GHIBAUDO: No, that's a question. She's

8 saying she's not going to be bullied.

9 Look, I'm not going to argue with you, let's

10 just -- again, make an objection. Your client needs

11 to answer. She can't always say, I don't remember, I

12 don't recall. She needs to answer the questions

13 directly. At this time --

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

15 MR. GHIBAUDO: -- we are wasting time.

16 She's being evasive. And if we've got to be back to

17 the discovery commissioner to deal with this, that is

18 what we're going to do.

19 MR. NELSON: Okay.

20 MR. GHIBAUDO: She's got to answer the

21 question directly. It can't be the case that she

22 remembers nothing or she understands nothing. Okay?

23 So answer --

24 THE DEPONENT: I'm not going to allow you to

25 put words in my mouth.

72

1 Q. (By Mr. Ghibaud) These you are your words,

2 ma'am. You admitted --

3 A. No, you're trying to put words in my mouth.

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

5 "Always remember what a wise man once told

6 me, karma has no expiration date."

7 A. Yes.

8 Q. What does that mean?

9 A. What comes around, goes around.

10 Q. Okay. And who's going to -- how's it going

11 to go around?

12 A. It's a saying. It's something that people

13 say. Karma means that the -- the wind, the -- how

14 things happen to people that -- that tend to cause

15 harm, intentional harm with malice, with deep-seeded

16 evil and -- and anger and anguish.

17 Q. Okay. So let's move on to the next --

18 A. With vengeance.

19 Q. Let's move on to the next sentence.

20 "This adage holds especially true when you

21 dedicate your life to pure evil and" -- all right.

22 Let's start with that.

23 You dedicate yourself to pure evil. Is that

24 in your -- is a statement of fact that I'm pure evil?



1 conclusion.

2 MR. GHIBAUDO: That's not a legal

3 conclusion. I'm asking her if that's a fact. If she

4 believes that that's a fact, whether I'm evil or not.

5 MR. NELSON: Whether she believes that's a

6 fact or that's a fact is a big difference.

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

8 Q. (By Mr. Ghibaud) Listen, answer the

9 question, Ms. Kellogg. Do you believe that I am pure

10 evil? Yes or no?

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

12 don't know. I don't know.

13 Q. Okay. Well, why did you write that then, if

14 you don't know?

15 A. Because it doesn't say, you, Mr. Ghibaud,

16 or Alex. It says in general.

17 Q. So you're asserting that this post is not

18 about me? You just said that it was.

19 A. It also says that the adage holds especially

20 true when you dedicate your life to pure evil and are

21 devoid of basic common sense that God bestowed upon a

22 garden variety head of lettuce.

23 Q. Okay. So I'm asking you directly, is it

24 your -- is it a statement of fact that I am pure evil?

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

3 Q. I'm asking you -- I'm --  
4 (Cross-talk.)

5 Q. -- giving you a head's up on how to answer  
6 that. It's a yes-or-no question. Either you don't  
7 think I'm evil or you do. So answer it. Am I evil?  
8 Yes or no?

9 A. I think that you have a tenancy to be  
10 malicious and -- and to intend to cause great harm to  
11 others that don't deserve it.

12 Q. And so that is a statement of the fact,  
13 correct?

14 A. That's a statement of fact.

15 Q. Okay. Thank you. So then the next line you  
16 say that I lack a moral compass in life. Is that a  
17 statement of fact?

18 A. I did not say that. I said, "You see, when  
19 you lack a moral compass in life, you ultimately lose  
20 everything you thought you once had." This is a  
21 general statement. This is me saying general terms  
22 about people in general.

23 Q. But you already testified --

24 A. If you lack a moral compass, you will tend

25 to lose things in life.

75

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

3 A. I don't know. You haven't shown me the  
4 post.

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

7 A. No, I didn't. I said --

8 (Cross-talk.)

9 Q. Okay. Let's turn back to your answer.  
10 Let's turn back to your answer. Let's go to Page --  
11 again.

12 A. Wait a minute.

13 Q. Page 3, Paragraph 31. Read that. This is  
14 in your answer, Page 3, Paragraph 31. Do you want me  
15 to read it to you?

16 A. Mr. Ghibaud, you seem to have all exhibits  
17 except for the one that you are referring to.

18 Q. I wrote into the complaint what you stated,  
19 and you admitted that you stated that. Are you now  
20 saying that you did not? Is that --

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

23 Q. There's no exhibit --

24 A. You have plenty of exhibits --

1 A. -- not one of them is the one that you are  
2 referencing.

3 Q. There is no exhibit that I need to attach to  
4 a complaint. I wrote what you said and you admitted  
5 to saying it. Yes or no?

6 A. How I don't know that?

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

8 (Cross-talk.)

9 A. How do I know --

10 Q. And you admitted to that.

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

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

15 As an example of one of many, Plaintiff  
16 posted on her Facebook page the following post. "This  
17 is what typically what happens to an average  
18 run-of-the-mill criminal who tries desperately to mask  
19 his moral bankrupt behavior behind a fraudulent law  
20 degree and law license, which I paid for no less" --  
21 even though you already stated you had never had a  
22 job -- "Always remember what a wise man once told me,  
23 Karma has no expiration date. This adage especially  
24 true when you dedicate your life to pure evil and are

1 upon a garden variety head of lettuce. You see, when  
2 you lack a moral compass in life, you will ultimately  
3 lose everything you thought you once had, especially  
4 when it comes to perceived honor, dignity, integrity,  
5 loyalty and once upon a time an actual family, rather  
6 than a cesspit of fellow junkies. In conclusion, the  
7 lesson everyone reading this post, do not lose track  
8 of core values."

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

12 And then we'll turn to your answer,  
13 Number 31, "As to Paragraph 31, the Defendant admits  
14 such allegation."

15 Now, are you saying now that you did not  
16 post that on Facebook and the post specifically states  
17 that this was posted on Facebook by you? Are you  
18 saying now that that's not --

19 A. I don't know. I don't know because I do not  
20 see the Facebook up.

21 Q. Okay. So you lied in your answer, in other  
22 words?

23 A. I'm saying I don't know. I don't recall.

24 Q. Then why did you say, as to this -- as to

25 this paragraph, "I have not sufficient knowledge"?

78

1 Why did you --

2 A. It sounds -- it sounds similar when I say

3 karma has no expiration date. But you are quoting --

4 well, you don't even actually have it in quotes.

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

6 A. So wait a minute. Is this even -- is this

7 even -- is this a summary?

8 Q. You admitted to it. What more do you want

9 me to say?

10 A. Okay.

11 Q. So you won't answer. You continue to --

12 (Cross-talk.)

13 A. So this is summary of what you said that I

14 posted on my Facebook page.

15 Q. And you admitted to it. Yes or no?

16 A. I don't -- I don't know what I admitted to.

17 I don't know.

18 Q. Well, let me look again.

19 (Cross-talk.)

20 A. I'm didn't recall --

21 THE REPORTER: I'm sorry. I'm sorry.

22 You're both talking at the same time.

23 THE DEPONENT: I apologize.

24 Q. (By Mr. Ghibaudo) So either you lied in

25 Paragraph 31 of your answer, or you did not. If

79

1 you're now saying that you don't know if you posted

2 that, but you admitted it in your answer, isn't it

3 fair to say that you lied in a --

4 A. I'm saying I don't -- I don't know.

5 Q. You filed -- did you file this in the

6 district court as an answer to my complaint? Yes or

7 no?

8 A. I don't know. But --

9 Q. Okay. Well, let's turn to the first page.

10 The very first page of your answer in counterclaim.

11 A. Um-hum.

12 Q. Do you see the top right corner? What does

13 that say? Very top right corner. Do you want me to

14 read to to you?

15 A. What -- okay.

16 Q. I'll read it to you. "Electronically filed,

17 10/20/2021 at 1:12 p.m." It's got the clerk of the

18 court's signature on it. Do you see that?

19 A. Yes.

20 Q. Okay. So you filed this document and now

21 you're saying that the answer in the document is not

22 correct; is that true?

23 A. I'm saying that my belief was that that was

24 written on my Facebook page, but now I am thinking

**Respondent's Appendix 0172**

25 better, because you didn't even quote it and I don't

80

1 see an exhibit, that maybe it was not.

2 Q. So you're now going to amend your answer?

3 Is that what you're saying?

4 A. I don't know. I don't know if it was -- I

5 don't know. I would like to see an exhibit. I would

6 like to see a Facebook post.

7 Q. Okay. Let's move on to the next statement.

8 Well. Let's go back the moral compass one.

9 Do you believe that I have a moral compass? Yes or

10 no?

11 A. No.

12 Q. Okay. So it's a statement of fact in

13 your -- you're stating as a matter of fact that I have

14 no moral compass; is that correct?

15 A. Yes.

16 Q. Okay. And you're stating as a matter of

17 fact that I have no honor, dignity, integrity or

18 loyalty. Is that statement of fact? Yes or no?

19 A. That is my belief. Me. I -- that's what I

20 think.

21 Q. Okay. So you're making a statement of fact,

22 right?

23 A. It's my impression. It's what I think.

24 Q. Okay. I'm going to ask you again, because



25 it's either a yes-or-no question, and you're not

81

1 answering yes or no.

2 Is it a statement of fact that I have no

3 honor, no dignity, no integrity, and no loyalty. Is

4 that a statement of fact?

5 (Cross-talk.)

6 Q. Yes or no?

7 A. It's my belief.

8 Q. You're not answering the question, ma'am.

9 I'm asking --

10 A. You're not accepting my answer.

11 Q. It's a simple yes or no. No.

12 A. You're not accepting my answer.

13 Q. This is my deposition. I'm asking you a

14 question.

15 A. I'm giving you an answer.

16 Q. You are not. Because I'm asking you if it's

17 a yes or no and you're not saying yes or no.

18 A. Because it's my belief.

19 Q. So it's either -- then is it a no?

20 A. It's my belief.

21 Q. It's your belief --

22 A. I don't know how else to say it. It's my

23 belief.

24 Q. So let's move to Paragraph 32. "In another

25 post made in the same time period, Defendant posted

82

1 the following: Hey, everyone, so-called attorney Alex  
2 Ghibauda is up to juvenile antics again on Facebook.  
3 He's created a few more Facebook accounts; i.e., James  
4 Jones, defaming me. Kind of like the orgasms I used  
5 to fake when I was married to this putrid and vile  
6 sub-human. Thanks for the additional criminal  
7 evidence, you soon to be disbarred attorney and  
8 jailbird. Fly high for as long ago you can, as it's  
9 short-lived, just like your law license."

10 All right. Let's go through this. Let's  
11 first turn, again, to Page 3. Okay. So this is  
12 Paragraph 32 on Page 3, as to Paragraph 32, "Defendant  
13 admits such allegation."

14 So you, in fact, made that post on Facebook,  
15 as Paragraph 32 states in my complaint, true or  
16 correct? True or false?

17 A. I believe so.

18 Q. What -- what do you believe so? That --  
19 that you did post that?

20 A. I believe so.

21 Q. Okay. So I am a vile -- I'm putrid and a  
22 vile sub-human. Is that a statement of fact?

23 A. This is a direct response from your James  
24 Jones Facebook page that you created yourself,

25 admitted, not only to Ishi Kunin, but also to my

83

1 attorney, Chris Reed, disparage degrade, and

2 everything else that you could possibly do --

3 Q. You're admitting --

4 A. -- against me for absolutely reason

5 whatsoever.

6 Q. You are again --

7 A. So this is a direct response.

8 Q. You are again evading the question, because

9 I'm asking you a yes-or-no question, and you're not

10 answering it. And we're going to end up in front of

11 the discovery commissioner to force you --

12 A. That's fine.

13 (Cross-talk.)

14 A. Don't threat then me.

15 Q. It's not a threat. It's a promise.

16 A. Good.

17 Q. So I'm going to ask you again, do you think

18 time putrid? Yes or no?

19 A. Yes.

20 Q. Okay. Do you think I'm a vile sub-human?

21 Yes or no?

22 A. Yes.

23 Q. Okay. Do you think that I'm a soon to be

24 disbarred attorney? Yes or no?

**Respondent's Appendix 0176**

25 A. The order upon consent said that if you did

84

1 not pay your outstanding child support, that you would

2 be suspended. So that was my belief.

3 Q. Okay.

4 A. That you would be suspended had you not paid

5 your outstanding child support.

6 Q. Have I been suspended? Yes or no?

7 A. You have been suspended.

8 Q. I'm right now suspended from the practice of

9 law?

10 A. No. You asked me if you had been suspended

11 and --

12 (Cross-talk.)

13 Q. Let me clarify. Am I now suspended from the

14 practice of law? Yes or no?

15 A. I am assuming no.

16 Q. Okay. So you lied?

17 A. No, I didn't lie.

18 Q. So I'm not -- am I soon to be suspended or

19 disbarred? Or what's the difference?

20 A. I just answered that. I just answered that.

21 Q. Is there a difference between being

22 suspended and disbarred?

23 A. It says soon to be, because, as the order

24 upon consent said, that had you not paid your

25 outstanding child support -- because you don't support

85

1 your daughter, never have -- that you would have your

2 law license suspended within 30 days.

3 Q. And that was when?

4 A. Did that not -- was that not said?

5 Q. That was when? When was that order issued?

6 A. I don't have it in front of me, and I don't

7 know.

8 Q. Is it fair to say that that order was issued

9 in 2020?

10 A. I don't know.

11 Q. So, of course, you don't remember anything.

12 So now was it in August of 2020?

13 A. I don't know.

14 Q. Okay. Well, it was. Is that more than

15 30 days since then? You don't know that either?

16 A. I don't know what you're asking me. What's

17 the question?

18 Q. Okay. From August of 2020, you said I'll

19 have my law license suspended if I don't pay child

20 support, correct?

21 A. I said that that's what the hearing master

22 said in the order upon consent.

23 Q. So I am -- you just testified that I am not

24 suspended, correct? I am a practicing attorney; is

25 that correct?

86

1 A. I don't know what the bar has in store for  
2 you. I don't know what the supreme court has in store  
3 for you. I don't know anything because you seem --  
4 you don't pay your court-ordered support, you don't  
5 pay child support, you don't pay medical insurance,  
6 you don't pay anything.

7 Q. How old is Nicole at this point?

8 A. She's 20 years old. How long has it been  
9 since you spoken to her?

10 Q. Is she a child? You don't get to ask me  
11 questions. If you wanted to ask me questions, your  
12 attorney could have noticed a deposition, but he  
13 didn't.

14 A. I know. It's been four years.

15 Q. Okay. So she's not a child anymore,  
16 correct?

17 A. She's 20 years old.

18 Q. She's not a child --

19 A. Unless you forgot.

20 Q. She's not a child then, right?

21 MR. NELSON: Objection. Calls for a legal  
22 conclusion.

23 MR. GHIBAUDO: How is it a legal conclusion  
24 whether this -- a 20-year-old is a child or not,

1 MR. NELSON: Technically, Nicole was born to  
2 Ms. Kellogg. She'll always be a child to her, so  
3 you're asking --

4 MR. GHIBAUDO: Oh, okay. I see. So it's  
5 her opinion that this is a child. There's no child  
6 support.

7 Q. (By Mr. Ghibaudo) So let me ask you this:  
8 Does the law state -- or is it your understanding that  
9 I'm ordered -- or that I'm obligated to pay child  
10 support past the age of 18? Is that your  
11 understanding?

12 A. Sometimes it's up to 21.

13 Q. When? What rule? What are you talking  
14 about?

15 MR. NELSON: Objection. Calls for a legal  
16 conclusion.

17 Q. (By Mr. Ghibaudo) Okay. So I'm also going  
18 to be a jailbird. Why I am I going to be a jailbird?

19 A. Because people who don't pay their support  
20 -- similarly to the last contempt hearing that was  
21 issued against you in 2018, the judge ordered you to  
22 spend weekends in jail if you did not pay the three  
23 months of unpaid support.

24 Q. And did I spend any weekend in jail as to

25 that?

88

1 A. No, you paid.

2 Q. Okay.

3 A. And you have been in jail before.

4 Q. So I'm not a jailbird?

5 A. I don't know.

6 Q. You don't know?

7 A. When was the last time you were in jail? I

8 don't know.

9 Q. You didn't get to answer me questions,

10 ma'am.

11 MR. GHIBAUDO: Mr. Nelson, please instruct

12 your client to answer questions, rather than ask me

13 questions. Please do that now.

14 MR. NELSON: Ms. Kellogg, you can answer yes

15 or no. You don't need to provide a narrative and

16 that's help expedite this situation --

17 THE DEPONENT: Thank you.

18 MR. NELSON: -- this deposition.

19 THE DEPONENT: Okay.

20 Q. (By Mr. Ghibaud) Okay. Go the next

21 statement.

22 MR. NELSON: Pardon me, Mr. Ghibaud, I just

23 want to clarify.

24 To the point that there needs to be

**Respondent's Appendix 0181**



25 something clarified, at the end of this deposition, I

89

1 will have a chance, if I need it necessary, to ask

2 additional questions.

3 But I think tempers are getting flared. Yes

4 or no. If you truly don't know the answer, I don't

5 know --

6 THE DEPONENT: I try.

7 MR. NELSON: Mr. Ghibauda is right. If

8 there's an issue, he can take it to the discovery

9 commissioner.

10 THE DEPONENT: Thank you.

11 MR. NELSON: But just yes or no.

12 THE DEPONENT: Okay, thank you.

13 MR. NELSON: Is that sufficient,

14 Mr. Ghibauda?

15 MR. GHIBAUDO: Yeah. No, I agree. When

16 we're done with this deposition, you get to attempt to

17 rehabilitate your client. She needs to understand

18 that so she doesn't continue to argue with me.

19 Q. (By Mr. Ghibauda) So let's move on to the

20 next sentence. "Fly high for as long as you can."

21 What do you mean by that? Are you again referencing

22 your belief that I'm a drug addict?

23 A. Where are you at? What page?

24 Q. Last sentence, Page 8, same post that we've

25 been talking about for the last ten minutes.

90

1 Paragraph 32.

2 A. Okay. Paragraph 32. Okay. So fly high --

3 no, I believe, if I could recall correctly, that

4 the -- live the high life as long as you can, because

5 you don't abide by any laws.

6 Q. And just to clarify, what does it mean to

7 live the high life, to you? Does that mean doing

8 drugs?

9 A. No. It means you purchase new cars, you

10 vacation, you spend money anywhere and everywhere

11 other than where you're obligations are.

12 Q. Okay. So let's move on to Paragraph 33.

13 And again, I'll reference back to Page 3 of your

14 answer. "As to Paragraph 33, Defendant admits such

15 allege."

16 The allegation is that in a comment on

17 Facebook in the same time period, Defendant posted the

18 following. So let's agree that you admitted that you

19 posted the following post, and I'm going to read it to

20 you.

21 "Hey, James Jones, aka Alex Ghibauda, the

22 sociopath who still refuses doctor-recommended

23 clinical therapy, maybe you should accurately set the

24 record straight for both of your Facebook friends, I

25 put your ass out on the street because you're a

91

1 piss-poor excuse for a father in addition to being a

2 liar, cheat, thief and junky."

3 So can we admit that you posted that on

4 Facebook?

5 A. I believe so.

6 Q. And you posted that to third parties,

7 correct?

8 A. I put it on Facebook.

9 Q. Publicly, correct?

10 A. I don't know if it was public.

11 Q. You don't know if it was public. Are your

12 posts private? Are they hidden?

13 A. Sometimes.

14 Q. Okay. Are they -- are they only seen by

15 you, or are they seen by your friends?

16 A. Sometimes.

17 Q. Sometimes what? They're seen by you or your

18 friends?

19 A. Yeah.

20 Q. So you just post them for your own benefit

21 is what you're saying and nobody else sees them?

22 A. Sometimes.

23 Q. Okay. Let me -- let me -- let me be very

24 specific. Is it fair to say that all the time at

**Respondent's Appendix 0184**

25 least one person sees that post?

92

1 A. I don't know how many people saw this post.

2 Q. Is it at least one?

3 A. I don't know. How am I supposed to know  
4 what other people read or see?

5 Q. But I'm not asking what other people read or  
6 see. I'm asking whether or not you post this in a way  
7 that it goes on your feed and that feed then is  
8 potentially read by your friends that are your  
9 Facebook friends? Yes or no?

10 A. If it's public, if it's to my friends, then  
11 I would assume so.

12 Q. Okay. And you -- is it fair to say that you  
13 usually make these posts so your friends -- at least  
14 your friends can see them, correct?

15 A. Make what posts? You're using plural.

16 Q. These comments that you make on Facebook  
17 that you admitted to making.

18 A. Yeah, this is in direct response to, again,  
19 the James Jones Facebook --

20 Q. Not the question I asked you?

21 A. -- page that you posted --

22 Q. Answer the question, ma'am.

23 A. -- that you developed to disparage and  
24 degrade and everything else that you constantly do on

25 a weekly basis.

93

1 Q. Let me ask you this: If I posted -- if I,  
2 word for word, made this statement on a complaint and  
3 you answered in the affirmative that you posted it,  
4 and I saw it, is it fair to say that it was made  
5 public or at least to a third party? Yes or no?

6 MR. NELSON: Objection. Calls for a legal  
7 conclusion.

8 MR. GHIBAUDO: It's not a legal conclusion,  
9 Mr. Nelson. It's a straight -- straight-up question  
10 concerning whether or not a third party potentially  
11 could have seen this or actually has.

12 Q. (By Mr. Ghibaud) And the fact is that, if  
13 I saw it, it would stand to reason that other people  
14 saw it. Is that fair to say, Ms. Kellogg?

15 A. I don't know.

16 Q. Okay. Another I don't know. All right.

17 So let's actually go into what --

18 MR. NELSON: Mr. Ghibaud, just real  
19 quickly. I want this -- we want this to run  
20 efficiently. We don't want to have issues with the  
21 discovery commissioner. Can I have five minutes to --  
22 can we go off record for five minutes so I can speak  
23 to Ms. Kellogg. Because I certainly understand your  
24 frustration at the non-answers, and I just want to

25 encourage my client, if we can go off record for five

94

1 minutes.

2 MR. GHIBAUDO: Totally appreciate that. Why  
3 don't we have 15 minutes. You can have a discussion,  
4 a good discussion with her, okay?

5 MR. NELSON: Thank you.

6 MR. GHIBAUDO: All right. Thanks.

7 THE VIDEOGRAPHER: We're going off the  
8 record. The time is approximately 11:59 p.m. -- a.m.

9 (Recess from 11:59 a.m. to 12:27 p.m.)

10 THE VIDEOGRAPHER: We're now back on the  
11 record. The time is approximately 12:27 p.m.

12 MR. GHIBAUDO: Okay.

13 MR. NELSON: Mr. Ghibaud, I just wanted the  
14 record to reflect, we agreed to a 20-minute break.  
15 And during that break, I spoke to Ms. Kellogg, and I  
16 explained to her that a lot of questions you've been  
17 asking require a yes-or-no question [sic], and that  
18 she needs to answer those without the narrative.

19 She, I believe, understands that. And if  
20 she truly, truly doesn't know, she can respond to  
21 that. But that you're just looking to create a  
22 record, and to the best of her ability she needs to  
23 answer those questions. And, obviously, if the answer  
24 calls for an answer beyond a yes or no, to try to

25 answer it fully and without any argument and, again,

95

1 reminding her I can rehabilitate any issues that may  
2 be brought up.

3 MR. GHIBAUDO: All right. Thank you. And  
4 I'll just add to that -- that questions that would  
5 require a narrative would be something like why, how,  
6 things of that nature. If I'm asking a yes-or-no  
7 question, it's yes or no, and that's that.

8 So do you agree with that, Mr. Nelson?

9 MR. NELSON: I do. And I think if it's a  
10 narrative -- why, how, those like you mentioned, I  
11 advised her just to answer, and any -- you know, put  
12 aside any argument. Obviously, tensions are high, but  
13 I hope we can go as smoothly ly as possible.

14 The floor is all yours, sir.

15 MR. GHIBAUDO: Thank you.

16 Q. (By Mr. Ghibaudo) All right. Ms. Kellogg,  
17 what is your email address?

18 A. Tarakellogg1@gmail.com.

19 Q. Okay. Do you recall sending an email to  
20 your prior attorney, Mr. Reed, and to me on August 25,  
21 2021?

22 A. That is attorney-client privilege.

23 Q. Well, the objections are for your attorney,  
24 not for you, Ms. Kellogg.

25           And the email was sent to me, was it not?

96

1       A.   No. I believe that you sent Mr. Reed an  
2 email, and you cc'd me and my father.

3       Q.   Okay. So you did send me the email. I was  
4 copied on that email? Yes or no?

5       A.   I don't know. Can you please tell me where  
6 you are?

7       Q.   All right. I'm going to read you the email,  
8 and you tell me if it was written by you.

9           "Chris, as I indicated yesterday, there is  
10 no need to conduct a conference call with a fumbling,  
11 fumbling brain-damaged idiot who is clearly unhinged  
12 and triggered by constant drug and alcohol abuse on a  
13 daily basis. I will not be subjected any further to  
14 the mindless ramblings of a complete lunatic who is  
15 clearly on his way to inevitable disbarment and public  
16 humiliation. By the sheet stupidity of his own  
17 asinine words, vexatious litigation threats, and  
18 borderline personality comments.

19          "Please let the foolish so-called attorney  
20 who is the subject of matter of my reply herein, know  
21 with precise certainty that his latest unprovoked  
22 antics today will be duly met head on by the Kellogg  
23 family with nothing less than the proper immediate  
24 action being taken.



25 "Said action shall commence today, effective

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1 immediately, including but certainly not limited to  
2 new state bar complaint, the filing of a fresh TPO for  
3 ongoing threats and harassment, a defamation lawsuit  
4 if said so-called and highly questionable attorney  
5 publishes anything libelous about myself or any member  
6 of my family and/or forwarding this ridiculously  
7 reckless diatribe by AG to the most interested and  
8 relevant social and mainstream media outlets that  
9 eagerly anticipate and await the knowledge of his  
10 every misstep.

11 "So yes, Chris, please do not waste another  
12 phone call, breath or written word dealing or  
13 negotiating with a complete dummy over there who  
14 clearly only has two brain cells that are constantly  
15 at war with another. Just allow him to ramble on to  
16 himself going forward until his voluntary or  
17 involuntary stint in the local insane asylum occurs.

18 Alternatively, perhaps his forthcoming  
19 incarceration and/or early retirement to join the  
20 ranks of the homeless street performs of Fremont  
21 Street may occur first. Who knows? Lol. Call me  
22 later today, Chris, thanks."

23 And then it says, "The proper authorities  
24 back toward him from the Kellogg family to the lunatic

25 will not take place. The flying is unhinged, as we

98

1 all know. I will forward this correspondence to

2 Briana."

3 Do you recall send that email to me and

4 Mr. Reed? Yes or no?

5 A. It sounds familiar. I don't have it in

6 front of me.

7 Q. Is that a yes or is that a no?

8 MR. NELSON: Mr. Ghibauda, do you have that

9 as an exhibit that she can review to refresh her

10 memory?

11 MR. GHIBAUDO: I believe it's attached to

12 the complaint. Let me look.

13 Yeah, so if you look on the complaint, turn

14 to the exhibits that start after -- let's see. After

15 Page 10, there is page that says Plaintiff's Exhibits,

16 and then it's Exhibit Number 10. Or I mean -- yeah,

17 it's Bates stamp Number 10.

18 MR. NELSON: And Mr. Ghibauda, the email

19 that you proceeded to read that is -- in time's sake,

20 can we stip that's the exhibit, that's Exhibit 10?

21 MR. GHIBAUDO: Yeah.

22 MR. NELSON: And your question is whether

23 she -- whether Ms. Kellogg sent this to --

24 THE DEPONENT: My attorney.

25 MR. NELSON: -- Mr. Reed and to you as well?

99

1 MR. GHIBAUDO: Yes.

2 THE DEPONENT: But I -- okay.

3 Q. (By Mr. Ghibaud) And if you look at  
4 Page 9, it starts -- you'll see the email, who it was  
5 sent to. It says Tara Kellogg, Chris Reed, Alex  
6 Ghibaud. Is that correct, Ms. Kellogg?

7 A. I'm looking.

8 MR. NELSON: It's the bottom of Page 9,  
9 Mr. Ghibaud?

10 MR. GHIBAUDO: Yeah.

11 MR. NELSON: Okay. Please turn to that  
12 page.

13 A. Okay. Yes.

14 Q. (By Mr. Ghibaud) Okay. So you wrote -- is  
15 it true that you wrote this email? Yes or no?

16 A. Yes.

17 Q. All right. So let's first start with who is  
18 Briana?

19 A. Briana Erickson works for the Las Vegas  
20 Review-Journal.

21 Q. Okay. And when did you contact Briana?

22 A. She contacted me approximately -- let's see  
23 when it's dated -- so maybe March.

24 Q. Of?

25 A. '21.

100

1 Q. Okay. Would it surprise you to know that I  
2 spoke to Briana?

3 A. No.

4 Q. Would it surprise you to know that Briana  
5 said you contacted her?

6 A. Yes.

7 Q. Okay. And what was the purpose of  
8 discussing with Briana anything? What was -- what was  
9 the content of your conversations with her?

10 A. She was writing about an attorney by the  
11 name of Bellisario and looked up your suspension  
12 record and wanted to know more details about you.

13 Q. What is Mr. Bellisario have to do with me?

14 A. She wrote an article about him.

15 Q. Okay. Again, what does Mr. Bellisario have  
16 to do with me?

17 A. I don't -- I don't know what her thought  
18 process is.

19 Q. And what did you tell Ms. Briana Erickson?

20 A. I told her several things.

21 Q. Okay. What did you tell her?

22 A. That you don't pay your child support, that  
23 you have been arrested several times for domestic  
24 violence, that you've been convicted several times for

25 domestic violence, that you have pled guilty several

101

1 times for domestic violence, that you have spent  
2 months in jail for domestic violence. Stuff like  
3 that.

4 Q. What else? You said "stuff like that," so  
5 it sounds like you said more to her, you discussed  
6 more things to her.

7 A. That's all I can recall.

8 Q. Did you send her any documents pertaining to  
9 our case?

10 A. I sent her videos.

11 Q. So you sent her no documentation?

12 A. I don't believe so.

13 Q. Okay. Would it surprise you to know that  
14 she told me that she has a mountain of pleadings that  
15 you sent her?

16 A. Yes.

17 Q. Okay. What is the purpose -- what would you  
18 like Briana to do?

19 A. She said that she was interested in writing  
20 an article about you.

21 Q. And you were cooperative with that?

22 A. Yes.

23 Q. Did you endorse that? Did you want her to  
24 write an article about me?

25 A. If she was going to write it, it has -- I

102

1 have no bearing on what she chooses to do or chooses

2 not to do.

3 Q. But you cooperated with her in other words?

4 Yes or no?

5 A. I did.

6 Q. Okay. And why?

7 A. She asked me to. She asked me questions.

8 Q. Okay. You understand that you didn't have

9 to talk to her, right?

10 A. Yes. I don't have to speak to anybody. I

11 chose to speak to her.

12 Q. So the purpose -- is it fair to say that the

13 purpose of your discussions with her is that you hoped

14 for her to write an article that was negative about

15 me, correct? Yes or no?

16 A. No. No. You are -- you're putting words

17 into my mouth. You are trying to -- you are trying

18 to --

19 Q. It's a yes or no question.

20 A. You're trying --

21 Q. You can stop the case and say no?

22 A. Can you repeat the question?

23 Q. Okay. Was the purpose -- was it your intent

24 that she write an article about me to further

25 embarrass me or disparage me to the public? Yes or

103

1 no?

2 A. No.

3 Q. Okay. Then what was the purpose? Why did  
4 you cooperate with her --

5 A. If she was going to --

6 Q. -- in other words?

7 A. If she was being to write an article, then  
8 it would to be an accurate article. Not to disparage  
9 you, just an accurate article. And by chance it did  
10 disparage you, then that's on you.

11 Q. Okay. And how does that help you collect  
12 any money from me if it affects my business?

13 A. I have no bearing on what you choose to do  
14 with you and your business.

15 Q. Well, I am ordered to pay you \$2,500 a  
16 month, correct? Yes or no?

17 A. Currently.

18 Q. Okay. And if this article causes people to  
19 not want to hire me as an attorney and I don't make  
20 money, could that potentially affect your ability to  
21 collect money from me? Yes or no?

22 A. I don't know.

23 Q. Okay. Do you care if I make money or not?

24 A. Whether you make money or not, I don't have

**Respondent's Appendix 0196**

25 any control of.

104

1 Q. That's not the question. Do you care if I

2 make money or not?

3 A. I would love for you to make tons and tons

4 of money.

5 Q. Then why do you continuously post comments

6 that are disparaging towards me?

7 A. The comments that were posted were a direct

8 result of what you said about me. I refuse to be

9 bullied by you. You can take it however you want.

10 Q. That's -- again, that is not the question.

11 If -- like we said, you said I wish for you

12 to make tons and tons of money. I think -- let's

13 start with this: You'll admit that if a potential

14 client read your post from the ex-wife saying that I'm

15 a sociopath and I'm pure evil, that you stated as a

16 statement of fact, how does that help me get that

17 client and make money so I can pay you? Can you

18 explain that?

19 A. It's my opinion. It's my opinion it's

20 how --

21 Q. That is not the question. How -- is it your

22 contention that that helps me make money? Yes or no?

23 A. I don't know. I don't know if it helps you

24 make money, Mr. Ghibaudo.



25 Q. Okay. Well, then let me ask you. If you

105

1 read a post about an attorney -- if you were looking  
2 for an attorney and you read a post or comments about  
3 that attorney that said he was untrustworthy and pure  
4 evil, would you be inclined to hire that attorney?  
5 Yes or no?

6 A. I don't know. Maybe. Maybe not. Maybe I  
7 wouldn't believe the post, maybe I would. Maybe I  
8 would want to go and consult with the attorney. I  
9 don't know.

10 Q. So is it fair to say that it would -- it  
11 would at least -- at the very least put doubt in your  
12 mind about whether you wanted to talk to that  
13 attorney?

14 A. I don't know.

15 Q. That's not an I don't know question. I'm  
16 asking you directly. Would it potentially give you  
17 doubt or pause about even talking or hiring that  
18 attorney if the attorney's ex-wife is saying that he's  
19 pure evil and refusing to pay child support?

20 A. Well, then --

21 Q. Would it put any doubt -- even an iota of  
22 doubt in your mind whether you should hire? Yes or  
23 no? Answer -- that's a simple question.

24 A. I don't know. I don't know. I don't know

25 if I would believe that the statements were true. I

106

1 don't know if I would think this is an angry ex-wife.

2 I don't know. I don't know.

3 Q. Okay. Let's go through this again.

4 No, you know, you need to answer that

5 question. That's a key question in this litigation,

6 because it doesn't make an iota of sense, and even

7 Judge Richie indicated that you are undermining my

8 ability to earn a living, and he doesn't understand

9 why it is that you would undermine my ability to earn

10 a living when you're trying to collect money from me.

11 Explain that. Explain that.

12 A. I don't recall Judge Richie saying that at

13 all.

14 Q. Explain -- explain whether -- if you're --

15 if you're undermining my ability to earn a living, how

16 does that help you?

17 A. I don't believe that I am undermining your

18 ability to make a living.

19 Q. You don't think --

20 A. I think you are the sole factor that

21 determines whether or not you are able to earn a

22 living.

23 Q. I owe you --

24 A. Not me. You.

25 Q. I owe you money.

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1 A. Take responsibility for your own actions.

2 Q. I own you money. Yes or no?

3 A. Yes, you do.

4 Q. And you would like to get paid. Yes or no?

5 A. A large sum of money, \$300,000.

6 Q. And you would like to get paid. Yes or no?

7 A. I would. Why haven't you paid me?

8 Q. Then why do you -- again, Ms. Kellogg, you  
9 need to not ask me questions. You need to answer my  
10 questions.

11 Why are you undermining my ability to earn a  
12 living?

13 A. I don't believe I am.

14 Q. How could it be that you don't think that  
15 you are undermining my ability to earn a living as an  
16 attorney when you're calling me a junky, a fraud and a  
17 liar? Is that something --

18 (Cross-talk.)

19 A. Because this is what I believe is true.

20 Q. That I'm a junky, 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.   My opinion. I have the right to my opinion.

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1       Q.   I'm not asking you whether it's your opinion  
2   or not. I'm asking you if you think that a person  
3   reading that would give -- would have pause whether  
4   they should talk to that attorney or not?

5       A.   I cannot predict what somebody else thinks  
6   in their head.

7       Q.   You don't think it's common sense that if  
8   you're calling an attorney a fraud and a liar that  
9   that would be a bad thing. Is that what you're  
10   saying?

11      A.   I don't know.

12      Q.   That's a yes-or-no question.

13      A.   I don't know. I don't know what other  
14   people perceive. I don't.

15      Q.   And I don't know why you would engage in  
16   what you engage in if you want to actually get paid.

17           Do you understand that if I lose --

18      A.   Is that a question?

19      Q.   Do you understand that if I lose -- this is  
20   the question -- do you understand that if I lose my  
21   ability to practice law or if I lose my business, that  
22   you will get a reduced amount of alimony? Do you  
23   understand that?

24           MR. NELSON: Objection. Calls for a legal

1 Q. (By Mr. Ghibaudo) You've had seven  
2 attorneys, ma'am. And I'm sure they've all explained  
3 to you -- and we just went through a trial on  
4 medication of spousal support.

5 Do you think that if I lost my job and I had  
6 to go work somewhere else based on you and  
7 Mr. Sanson's endeavors that you would lose the ability  
8 to collect the money that you're so desperately trying  
9 to collect? Are you telling me you don't know that?

10 A. I don't know, Mr. Ghibaudo. You haven't  
11 paid me in over three years, so I have no idea. I  
12 mean zero is still zero. I don't know how much less  
13 than zero you can actually pay.

14 Q. So you don't care because I'm not paying; is  
15 that fair to say?

16 A. I'm saying that I don't know what the  
17 possibilities are. If you have -- if you work  
18 somewhere else or did something else, I don't know.

19 Q. So if you would get paid, are you saying  
20 that you would stop posting negative comments about  
21 me? Is that what you would do?

22 A. I'm not saying that at all.

23 Q. So even if you were paid --

24 A. I saying if I -- if I -- okay. I'm sorry.

25 What was the question?

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1 Q. Even if you were paid, you would continue to  
2 post negative comments about me publicly; is that what  
3 you're saying?

4 A. I believe that anything that I have posted  
5 negatively towards you is in a direct response to what  
6 you have said towards me.

7 Q. Okay. But you have no evidence that I  
8 posted anything negative about you.

9 A. That is not --

10 (Cross-talk.)

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

1 A. No. I said the last video I showed

2 Mr. Sanson was the video from 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 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

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 suppose took in his

4 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 -- this video

10 was -- he has -- just like what I told you. He is the

11 president of Veterans in Politics and, therefore, he

12 has --

13 Q. Large audience, correct?

14 A. He what?

15 Q. He has a large audience, correct?

16 A. I don't know how large. I don't know his

17 audience. I don't know how large it, how small it is.

18 I don't know anything about it.

19 He's a friend of mine that sometimes I share

20 videos that I think are of public concern.

21 Q. Okay. So you're aware that he's posting

22 those publicly, though, right?

23 A. I don't know what he intends to do with

24 anything.



25 Q. That's not question. You are aware that

113

1 he's posted those videos either on Facebook or on

2 YouTube. Yes or no?

3 A. I don't know.

4 Q. You don't know? You've never.

5 (Cross-talk.)

6 A. I know that he has in the past. I don't

7 know what his intent is.

8 Q. So -- okay. So let's clarify. So you do

9 know that he shares those -- that he posts those

10 videos publicly, correct?

11 A. Sometimes yes. Of course, I was see them.

12 Q. You just said that you don't. All right.

13 So then you just lied, correct?

14 A. You just -- of course, I've seen them on

15 YouTube.

16 Q. Okay. When I asked you that before you

17 said, I don't know. I don't know what he does with

18 them. Is that correct?

19 A. Sometimes I don't -- there have been videos

20 that I have shared with him before that I don't see.

21 Q. So -- so let's just clarify now. Now you're

22 stating that you do know that he posts those videos

23 publicly on YouTube and Facebook, sometimes; is that

24 correct? Yes or no?

25 A. Yes. Yes.

114

1 Q. Okay. Thank you.

2 So let's go back to the email. What new bar  
3 complaints are you prepared to file?

4 A. Well, if you continue to develop new  
5 Facebook pages in order to harass, disparage, berate  
6 me, put my head on pigs and say that I have sex with  
7 random men in gyms. Or just like what your attorney  
8 said, is that I frequently go to California to have  
9 sex with random men. That was on one of your Facebook  
10 pages.

11 Q. And you're saying you know that those are  
12 mine how?

13 A. Because you admitted to my attorney -- my  
14 previous attorney, Chris Reed.

15 Q. And you have a copy of that admission?

16 A. I absolutely do.

17 MR. GHIBAUDO: Okay. And, Mr. Nelson, can  
18 you send me those -- those document, please?

19 MR. NELSON: Certainly.

20 MR. GHIBAUDO: Okay.

21 Q. (By Mr. Ghibaud) All right. So it says  
22 here that I'm a complete lunatic. Is that a statement  
23 of fact? Yes or no?

24 A. My opinion.

**Respondent's Appendix 0207**

25 Q. That's not the question. Is it a statement

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1 of fact? Yes or no?

2 A. It's a statement from me. It's my opinion.

3 Q. Again, that is not the question.

4 Is it a statement of fact? Yes or no?

5 Those are your two option. Yes or no?

6 A. I don't know --

7 (Cross-talk.)

8 Q. Do you understand what "yes or no" means?

9 A. I don't know that I said for other people.

10 I know it's a fact that I believe you're a lunatic.

11 Q. Okay. So it's a statement of fact.

12 A. Oh.

13 Q. And you say that I'm on my way to inevitable

14 disbarment. What is that? Is that a statement of

15 fact or an opinion?

16 A. I don't know what the bar has in store for

17 you.

18 Q. Then why are you making that statement?

19 A. Because the order upon consent said that you

20 were to have suspended license if the child support

21 was not paid.

22 Q. But I have not been suspended, correct?

23 A. No, you haven't. Not to my knowledge,

24 anyway.

1 that I am a practicing attorney.

2 Mr. Nelson, could you agree to that?

3 MR. NELSON: To my knowledge, there's  
4 nothing on the bar website that would impede your  
5 ability to practice law here in Nevada.

6 Q. (By Mr. Ghibaudo) Okay. So based on what  
7 your attorney just said, would you characterize that  
8 statement as a lie?

9 A. No. I have not looked at the state bar, and  
10 if he's saying that he has recently looked at the  
11 state bar's website, then I believe him.

12 Q. If you haven't looked at the state bar  
13 website or made any efforts to investigate whether  
14 these true or false, why would you make that  
15 statement?

16 A. Just like what I said previously, because  
17 the Order Upon Consent said that if you did not pay  
18 the outstanding child support arrears, that would be  
19 suspended within 30 days.

20 Q. But I haven't been. And this email --

21 A. Okay. But you haven't been.

22 Q. -- was dated August 5, 2021. And what you  
23 stated was that that Order Upon Consent was issued in  
24 August of 2020 said that within 30 days I would be

25 suspended, right?

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1 A. That's what it said, yes.

2 Q. Okay. You posted this a year later. You

3 sent this email a year later. Thirty days had

4 elapsed, and I'm not suspended, correct?

5 A. Yes.

6 Q. But you still said that I'm out to be

7 disbarred, correct?

8 A. You still haven't paid the outstanding child

9 support.

10 Q. That's not the question, Ms. Kellogg. That

11 is not the question.

12 A. I don't -- I can't predict what the state

13 bar is thinking. I can't predict what anybody is

14 doing behind the scenes. I don't know. I don't know.

15 Q. If you don't know, why do you make those

16 statements?

17 A. I just told you.

18 Q. No. You're let's back up, because you're

19 not making any sense at all.

20 You already stated that in August of 2020,

21 the Order Upon Consent, which -- that's not what it

22 is, by the way -- the order from a commissioner, a

23 child support commissioner, said that I should be

24 suspended within 30 days. That did not happen.

**Respondent's Appendix 0210**

25 A. And you objected it -- and you objected it.

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1 And then it went to Judge Richie and Judge Richie  
2 signed it, and you signed it, and Deputy District  
3 Attorney Adam Hughes signed it.

4 So a person would expect that. And also, I  
5 don't believe it was August, I believe it 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 January.

25 Q. Of this year?

119

1 A. Yes.

2 Q. And --

3 A. 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 --

120

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. Ghibauda, are you refer to

5 the complaint?

6 MR. GHIBAUDO: The complaint. Yeah, the

7 complaint.

8 A. Okay.

9 Q. (By Mr. Ghibauda) 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. Ghibauda, 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. Ghibauda.

19 This is the \*\*\* he identified. He's referencing -- it

20 should Plaintiff's -- that's 10, so go to 9.

21 So just for the record, she's on Plaintiff's

22 Exhibit 009, Bates stamp, Plaintiff's exhibit. There

23 appears to be an email chain. I believe that's what

24 you're referencing, correct?



1 second email in that chain.

2 Q. (By Mr. Ghibaud) And do you agree that it  
3 says from Tara Kellogg, and the email is  
4 tarakellogg1@gmail.com, which you already said is your  
5 email. And it was to me directly, and there's nobody  
6 else on that email, correct? In other words, nobody  
7 else was copied on that email, correct? That was an  
8 email to me from you.

9 A. Yes, that's correct. Yes, that's correct.

10 Q. Okay. Can you read that email in its  
11 entirety?

12 A. Are you referring to the one that says  
13 August 5, 2021, at 9:56 a.m.?

14 Q. 9:59:47 a.m. Let me read to you, and you  
15 can you tell me if that was from you or not.

16 "Hey there, little bitch. LOL. You have  
17 something to say, come say it to my face, you chicken  
18 shit, POS, goofy-looking, brain-dead buffoon. LOL.  
19 Enjoy your law license for the next couple of months,  
20 you drug audit loser. LOL. Who loves you hairy ape?  
21 LOL."

22 Did you send that email to you me?

23 A. Yes.

24 Q. Can you explain how you could be threatened

25 or harassed when you are actually threatening me?

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1 Explain that to me, please.

2 A. I wasn't threatening you. I believe I was  
3 mocking you.

4 Q. Okay. "You have something to say, come say  
5 it to my face." What does that mean to you?

6 A. It means that you continuously threatened  
7 and harass and berate me, and I'm not going to be  
8 bullied anymore. And if you've got something to say,  
9 then come say it to me directly.

10 Q. So you're trying to incite a physical  
11 altercation; is that fair to say?

12 A. No.

13 Q. No. So the plain meaning of those words,  
14 you're saying, are completely different?

15 A. If you have something to say --

16 Q. Hey, little bitch --

17 A. -- don't hide behind your computer, say it  
18 to my face. That's what I'm saying.

19 Q. Okay. So all of this is driven by the idea  
20 that you're under the impression that I'm wasting my  
21 time on you and sitting behind a keyboard and posting  
22 stuff about somebody I care nothing about, that I  
23 don't want to have anything to do with.

24 All of this is -- this is a yes-or-no

25 question -- all of your antics and all of your posts

123

1 and comments are based on the idea that you think that

2 I'm busy posting comments on you; is that true?

3 A. 100 percent.

4 Q. Okay. So you're angry? Yes or no?

5 A. I'm irritated. I'm irritated that you can't

6 move on what your life. I'm irritated that I am your

7 main focus always.

8 Q. You have a great high opinion of yourself

9 that is -- that is not supported by any facts

10 whatsoever.

11 Let's turn, again, to Page 8 of the actual

12 complaint. Paragraph 33.

13 A. And?

14 Q. Okay. It says, "In a comment on Facebook in

15 the same period of time, Defendant posted the

16 following."

17 And I'll refer, again, to Page 3 of your

18 answer and counterclaim. Number 33, where it says,

19 "As to Paragraph 33, Defendant admits such

20 allegation."

21 So this is the post. "Hey James Jones, Alex

22 Ghibardo, the sociopath who still refuses

23 doctor-recommended clinical therapy, maybe you should

24 accurately set the record straight for both your

**Respondent's Appendix 0216**

25 Facebook friends, I put your ass out on the street --

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1 MR. NELSON: Mr. Ghibauda.

2 MR. GHIBAUDO: Yeah.

3 MR. NELSON: I want to make sure she's  
4 reading the along. She's turning -- my apologies.

5 You were on what page? Your Page 8 of the complaint;  
6 is that correct?

7 MR. GHIBAUDO: Page 8 of the complaint,  
8 Paragraph 33.

9 MR. NELSON: Go to Page 8. You're on the  
10 exhibits. So back to Page 8 in the exhibits. Page 8.

11 I apologize, Mr. Ghibauda, I just want to  
12 make sure she's reading along with you.

13 THE DEPONENT: Well, this doesn't go to 33.

14 MR. NELSON: No, Page 8. Page 8.

15 All right. Paragraph 33, Mr. Ghibauda?

16 MR. GHIBAUDO: Yeah.

17 MR. NELSON: And that's on Line 20 -- starts  
18 on Line 20 of Page 8 of the complaint.

19 MR. GHIBAUDO: Paragraph 33.

20 MR. NELSON: Go ahead.

21 Q. (By Mr. Ghibauda) "Hey James Jones, aka  
22 Alex Ghibauda" -- you continue to think that I'm James  
23 Jones -- "aka, Alex Ghibauda, a sociopath who still  
24 refuses doctor-recommended clinical therapy, maybe you

25 should accurately set the record state for both of

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1 your Facebook friends. I put your ass out on the  
2 street because you're a piss-poor excuse for a father  
3 in addition to being a liar, cheat, thief, and junky."

4 And the word "junky" is all caps, correct?

5 This is a post that you made; is that true? Yes or  
6 no?

7 A. That is true.

8 Q. Okay. So you -- is it true or false that  
9 you believe it's a statement of fact that I'm a  
10 sociopath? Is that true?

11 A. That is my belief.

12 Q. So that's a statement of the fact that  
13 you've made, correct?

14 A. Statement of the fact that I believe that  
15 you are a sociopath, yes.

16 Q. Okay. And what does it mean to you -- what  
17 does sociopath mean to you?

18 A. That you are -- that you care for yourself  
19 and nobody else, and that you are number one, and that  
20 you are, in turn, the only one that matters in this  
21 world.

22 Q. So fair to say that you think, then, that  
23 I'm -- basically, what you're describing is  
24 narcissist, correct?

25 A. That too.

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1 Q. Okay. That too.

2 All right. And that -- those are both  
3 statements of fact that I'm a narcissist and a  
4 sociopath? Yes or no?

5 A. I don't know if they're statements of fact.  
6 They're my opinion.

7 Q. Okay. And then you go on to say, "Who still  
8 refuses doctor-recommended clinical therapy."

9 In the last six years, have you we ever  
10 discussed at all any therapy that I'm engaged in or  
11 any visits to any doctors that I've gone to?

12 A. In the last six years?

13 (Cross-talk.)

14 Q. Since 2016 --

15 A. Pardon?

16 Q. Since we were actually divorced February of  
17 2017, which would be the last five years, have I  
18 discussed with you anything about any therapy or  
19 doctor recommendations that were made to me -- about  
20 me or to me? Have you ever discussed --

21 A. Yes. In 2017, I believe it was February,  
22 you said that you were in Lawyers Helping Lawyers, and  
23 that you were actually in therapy at the Veterans  
24 Administration.

25 Q. So you're saying they we were actually

127

1 talking in February of 2017? That I actually had a  
2 conversation with you when we were in the middle of  
3 divorce proceedings? Is that what you're saying?

4 A. Yes.

5 Q. Often though I was representing myself --

6 A. Yes.

7 Q. -- and not an attorney?

8 A. It was during the time that -- I believe  
9 your girlfriend at the time broke through your window  
10 and chased some naked girl that you were having sex  
11 with out the back of the pool house that you were  
12 renting.

13 Q. Okay. If that were true, what does that  
14 have it do with doctor-recommended clinical therapy?

15 A. Because that what's you told me. You told  
16 me that (a) you were in Lawyers Helping Lawyers and  
17 (b) you were in therapy and/or counseling at the  
18 Veterans Administration.

19 Q. Okay. So this was posted in 2021. Between  
20 then and now, have we spoken at all?

21 A. No.

22 Q. Okay. So --

23 A. Well, I mean --

24 Q. What is your -- stop. You didn't get to --

**Respondent's Appendix 0220**

25 it's -- I'm not done with my question --

128

1 A. I'm trying --

2 (Cross talk)

3 Q. -- I'm not done with my question.

4 What basis do you have to make that  
5 statement if in the last five years we have not spoken  
6 at all?

7 A. I just told you.

8 Q. What basis do you have to believe that?

9 So you're silent. Let me ask you this  
10 because you're silent about it.

11 (Cross-talk.)

12 Q. Is it fair to say that you have no idea what  
13 recommendations have been made by any doctor,  
14 therapist -- in fact, you don't even know if I'm  
15 seeing a doctor or therapist because we have not  
16 spoken since February of 2017, correct?

17 A. No. That's not true.

18 Q. So we've -- so what you're saying in 2018,  
19 2019, 2020, 2021, and 2022, we have spoken about  
20 doctors and therapy that I'm engaged in; is that  
21 right?

22 A. I did not say that.

23 Q. Okay. Well, I'm asking you. Then that's  
24 your answer. You don't know, correct?



25 A. Your question was, have we spoken?

129

1 Q. I just asked you a question.

2 You don't know anything about my medical  
3 condition at all since at least 2018 because we have  
4 not spoken; is that correct?

5 A. We have not spoken about your medical  
6 conditions, no, we have not.

7 Q. Okay. So then, you have no basis to believe  
8 that I am not -- that I'm even in therapy or seeing a  
9 doctor, right?

10 A. I don't know. I don't know if you are or  
11 not.

12 Q. Okay. So then why would you post that? If  
13 you have no idea whether I'm in therapy or not or even  
14 seeing a doctor or therapist?

15 A. Are you going to let me answer?

16 Q. I'm waiting for your answer.

17 A. Okay. Because previously, in 2017, you said  
18 that you were in Lawyers Helping Lawyers and that you  
19 were in counseling and/or therapy at the Veterans  
20 Administration.

21 Q. Again, you're evading the question again.

22 Since then, you have no reason to believe  
23 that I'm doing any of that?

24 A. I've already said that.

**Respondent's Appendix 0222**

25 Q. Okay. And so the question is, why are you

130

1 saying that I'm not following recommendations if you  
2 have no idea, because we have not spoken about whether  
3 I am even in therapy or even seeing a doctor? Do you  
4 understand the question?

5 A. The statement by you.

6 Q. In 2000 -- so according to you, your  
7 allegation is that we discussed Lawyers Helping  
8 Lawyers, which is essentially an AA program, correct?

9 A. Correct.

10 Q. February 2017. We discussed that. Correct?

11 A. Correct.

12 Q. And that's neither a doctor nor therapy; is  
13 that fair to say?

14 A. Yes.

15 Q. Okay. And we have not spoken since then  
16 about either doctors or therapy, correct?

17 A. We also spoke about --

18 (Cross-talk.)

19 Q. Listen, that's not the question. You're not  
20 answering the question again.

21 I'm telling you -- I'm asking you, since  
22 then, where you said we discussed Lawyers Helping  
23 Lawyers, which is neither therapy nor a doctor, you  
24 have no idea whether I'm seeing either a doctor or a

25 therapist or, if I were, following the

131

1 recommendations; is that true or correct? Is that

2 true or false?

3 A. If you're saying from 2018 on, then that

4 would be correct.

5 Q. Okay. Why are you posting that?

6 A. 2017, it's a different story.

7 Q. Then why are you posting this?

8 If you have no idea, why are you making the

9 suggestion that (a) I have some kind of mental problem

10 that I am under the care of a doctor for and that I'm

11 seeing a therapist if we have not spoken since 2018?

12 A. Because --

13 Q. This post was made in 2021. So what basis

14 do you have to believe that either I'm seeing a doctor

15 or a therapist and I am now following those

16 recommendations?

17 A. Because we were married for 15 years, and

18 all through the 15 years, you saw --

19 (Cross talk)

20 Q. You're, again, not answering the question.

21 The question is --

22 (Cross talk)

23 Q. -- 2018 to --

24 A. I told you --

25 THE REPORTER: Sorry. I'm sorry, I'm sorry,

132

1 I'm sorry. You've got to stop talking at the same  
2 time.

3 Q. (By Mr. Ghibaud) You need to answer the  
4 question. Listen carefully. Try to understand it,  
5 and answer the question.

6 So do you know if, in 2018, I was actually  
7 seeing a doctor or a therapist? Yes or no? Do you  
8 know that?

9 A. I do not know that.

10 Q. Okay. Do you know if, in 2019, I was  
11 actually seeing a doctor or a therapist?

12 A. In 2019?

13 Q. Yes.

14 A. I do not know.

15 Q. In 2020, do you know if I was seeing a  
16 doctor or a therapist?

17 A. I do not know.

18 Q. In 2021, do you have any idea whether I was  
19 seeing a doctor or a therapist?

20 A. You know what? I need to go back on that,  
21 because I did receive a few voicemails from the  
22 Veterans Administration saying that you did have an  
23 appointment with the therapist, and I believe that in  
24 2018 and/or 2019.

25 Q. You are now perjuring yourself because

133

1 you --

2 A. I can get the voicemails --

3 (Cross-talk.)

4 Q. You have been taking off of that list since

5 at least 2017.

6 And I warn you, Ms. Kellogg, that you are

7 under oath. And perjury is a felony.

8 A. I they them saved on --

9 Q. Then produce them.

10 A. Okay.

11 (Cross-talk.)

12 Q. So in other words, you have no clue whether

13 or not I'm actually either seeing a doctor or a

14 therapist or following those recommendations, if I'm

15 seeing a doctor or therapist, correct? You don't

16 know?

17 A. Like I said --

18 Q. You don't know?

19 A. Like I said --

20 Q. You don't know?

21 MR. NELSON: Objection. Compound question,

22 Mr. Ghibaudo. You're asking if she knows and if

23 you're following doctors. That's compound. Can you

24 ask separate questions?

25 MR. GHIBAUDO: Okay.

134

1 Q. (By Mr. Ghibaud) Do you know if I'm

2 currently seeing a psychiatrist?

3 A. I've already answered that. I do not know.

4 Q. Okay. Do you know, if I am seeing a

5 psychiatrist, if I'm following the recommendations?

6 A. I do not know.

7 (Cross talk)

8 Q. So in 2021, this -- is it fair to say that

9 this post suggests that I am seeing a doctor and I'm

10 not following the recommendations, without you knowing

11 if that's the case, correct?

12 A. Did you say Page 8?

13 Q. Page 8, Paragraph 33. We read it over and

14 over again. You need to pay attention.

15 A. Well, I apologize. Remember, I'm slow.

16 (Cross talk).

17 A. Remember, I have a low IQ. Sorry. It takes

18 me longer.

19 Q. I didn't say that. You said it.

20 A. That's exactly what you said.

21 Yes, I said that you still refuse

22 doctor-recommendation clinical therapy. Yes, you

23 refused it several times. Doesn't mean that you're

24 not supposed to go.

25 Q. So but you just said that you have no idea

135

1 from 2018, '19, '20, '21 or '22, whether I'm even  
2 seeing a doctor or, if I am, whether I'm following the  
3 recommendations of that doctor. You just testified to  
4 that, right?

5 A. Yes, that's correct.

6 Q. Okay. Thank you. So you actually have no  
7 idea what you're talking about. So --

8 A. I have no idea if you're seeing a doctor.

9 However, I'm --

10 (Cross talk)

11 Q. Let's move on, ma'am. Let's move on.

12 Then you say I'm a piss-poor excuse for a  
13 father.

14 A. Yes.

15 Q. Okay. What's your basis for believing that?

16 A. Well, you haven't spoken to your daughter in  
17 four years, you don't support her, you have nothing to  
18 do with her. Need I go on?

19 Q. How old is that child?

20 A. She's 20.

21 Q. You claim to be a child?

22 A. She's 20.

23 Q. Okay. What agency do I have over that  
24 child? Does she live with you or does she live with

25 your [sic] grandparents?

136

1 A. She's always lived with me.

2 Q. Oh, is that right?

3 A. Yeah, that's right.

4 Q. Did she live with you when CPS took her out  
5 of your custody?

6 A. No. When CPS deemed you a wife beater.

7 Q. Oh, so -- okay. Let's go back to that,  
8 because this is record that I can actually pull and --

9 A. Let's do it.

10 Q. -- and demonstrate your lack of credibility.

11 Isn't it the case that CPS took Nicole into  
12 protective custody because you and your mother were  
13 fighting while Nicole was in your custody, because you  
14 drank two bottles of wine and downed a whole bottle of  
15 Xanax.

16 (Cross talk)

17 Q. So at that time -- so you want me to pull  
18 those record and --

19 A. Pull them. Pull them.

20 Q. Very well. I will do that. Thank you.

21 A. Thank you.

22 Q. All right. So the next one is "in addition  
23 to being a liar, cheat, thief and junky."

24 Okay. So, again, we established that -- and



25 you previously testify that you believe that's a

137

1 statement of fact that I am a liar, correct?

2 A. Correct.

3 Q. And you believe that it's a statement of  
4 fact that I'm a cheat, correct?

5 A. Correct.

6 Q. Okay. And what does it mean to be a cheat?

7 A. It means that you're a thief, that you're  
8 a -- that you deceive people, that you -- that you  
9 steal.

10 Q. Okay. And is that a good quality for a  
11 lawyer to have?

12 A. I would suspect not.

13 Q. So would it be fair to say if somebody ran  
14 into that comment they would doubt as to whether they  
15 should hire me or not?

16 A. I would -- I would assume so. However, this  
17 is not opinion, and I have a right to my opinion.

18 Q. Okay. So what -- what have I stolen?  
19 Describe -- you say thief in the legal sense? That I  
20 have stolen things that don't belong to me? Is that  
21 what you're saying?

22 A. For example, when you were suspended, you  
23 stole client money.

24 Q. That's actually not true. You're lying.

25 There was no absolute --

138

1 A. Didn't you have to pay back money

2 to different --

3 Q. That doesn't mean that I stole money. That

4 means that I was suspended and there were clients that

5 I had that I paid back. That's not stealing money,

6 Ms. Kellogg.

7 A. You didn't pay it back. I paid it back or

8 my mother paid it back --

9 Q. You're lying.

10 A. You never paid it --

11 Q. You said you haven't worked since 2001.

12 A. It was my student loan money.

13 Q. What have you paid -- where do you get money

14 to pay anything back --

15 A. It's my student loan money.

16 Q. -- if you refuse to work?

17 MR. NELSON: Mr. Ghibaud.

18 Q. (By Mr. Ghibaud.) What have you done since

19 2001 that has anything to do with work --

20 MR. NELSON: Mr. Ghibaud.

21 Q. (By Mr. Ghibaud.) -- Ms. Kellogg?

22 MR. NELSON: I understand you're very

23 flustered. I'm asking both parties to calm down.

24 Obviously you're \*\*\*pre hurt, Mr. Ghibaud. It's

**Respondent's Appendix 0231**

25 very -- I understand you're very frustrated by the

139

1 answers my Ms. Kellogg.

2 I'm telling my client, answer yes/no.

3 Argumentative. It's just going to rile both of you

4 guys up. Just answer yes/no, you don't know.

5 And again, as I've stated, we'll have a

6 chance to revisit and rehabilitate. If he makes a

7 statement that's not correct, you can say no.

8 THE DEPONENT: I tried.

9 MR. NELSON: If he asks a question that's

10 yes or no -- and again, I apologize for interrupting,

11 Mr. Ghibaudo, but I want this to be a successful

12 fruitful deposition for us both.

13 So, yes or no, period.

14 Q. (By Mr. Ghibaudo) What is your definition

15 of a junky, Ms. Kellogg? Is it -- is that basically

16 what you were in 2008 to 2011?

17 A. No. It's what you currently.

18 Q. Okay. So it's a statement of fact that I'm

19 currently a junky?

20 A. Well, I have pictures.

21 Q. Okay. So you have a picture of me

22 currently -- and that means today as of today --

23 A. No.

24 Q. -- that I'm a junky. Well, that's what you

25 just said. Is that true or false?

140

1 A. As I have previously stated hours ago, I  
2 have photos of -- I have photos of a baggy filled with  
3 a white substance. In addition to that, I also have a  
4 photo of you doing lines in your law office at Joseph  
5 Iarussi's firm.

6 MR. GHIBAUDO: Produce those, please,  
7 Mr. Nelson.

8 Q. (By Mr. Ghibaud) What year was that you're  
9 alleging that that happened?

10 A. 2017, 2018.

11 Q. 2017 and '18, I was doing lines in  
12 Mr. Iarussi's office. Do you realize that I wasn't in  
13 Iarussi's office in 2017?

14 A. I don't know the exact date. I'm giving you  
15 an approximate --

16 (Cross-talk.)

17 A. I have a screenshot that will prove exactly  
18 the date.

19 Q. In 2018, where was my law office? Do you  
20 know?

21 A. I have no idea.

22 Q. Okay. For the record --

23 A. You move around.

24 (Cross-talk.)

25 Q. -- it was at 703 South 8th Street. You just

141

1 testified that you have pictures of me doing lines at

2 320 East Charleston Street. Is that true or false?

3 A. That is absolutely true.

4 Q. Okay. So you're lying, because I was not at

5 that office. Is that true or false?

6 A. I don't know what year it was. I'm telling

7 you what I possess. I don't have my phone in front of

8 me, so I can't see.

9 Q. Did you report that to the bar?

10 A. No, I didn't.

11 (Cross-talk.)

12 Q. Did you call the police?

13 A. No.

14 Q. Okay.

15 A. Or maybe I did report it to the state bar.

16 Q. And what happened -- what happened with

17 that?

18 A. I don't know. You tell me.

19 Q. Am I lawyer right now?

20 A. I don't know.

21 Q. You don't know?

22 A. No. I don't have a state bar --

23 (Cross-talk.)

24 Q. So you're saying that I'm practicing law

25 without a license right now? Is that what you're

142

1 stating?

2 A. I don't know what the state bar's status for

3 you is, Mr. Ghibaud. I don't know.

4 Q. Have you seen me in court report my bar

5 number?

6 A. No, I haven't. I haven't seen you in court.

7 Q. Okay. So were in court last month on your

8 attorney's motion --

9 A. That was last month.

10 Q. So you're thinking that right now I'm

11 suspended and I'm practicing law?

12 A. No, I'm not saying that. I'm saying I don't

13 know. From my attorney who said that right now you

14 are current status on this state bar, then I believe

15 him.

16 Q. So you had no idea whether I'm -- whether I

17 have a valid license or not, but you're making that

18 claim publicly on your Facebook page; is that true?

19 Yes or no?

20 A. I don't know what claim you're referring to.

21 Please direct me to what that is.

22 Q. Okay.

23 A. Page and line number.

24 Q. Let's go back to -- let's go back to where

25 you state that I'm a disbarred attorney or -- you're

143

1 saying that you never said that I'm a disbarred --

2 (Cross-talk.)

3 A. Wait a minute. Whoa, whoa, whoa, whoa,

4 whoa. I did not --

5 Q. You cannot ask me any questions,

6 Ms. Kellogg. You're going to stop and listen, and

7 you're going to answer my questions.

8 A. I never --

9 (Cross-talk.)

10 Q. You don't get to talk and ask me questions.

11 If I ask you a question, you answer, and that's how it

12 works.

13 Okay. Let's turn to -- let's turn to

14 Plaintiff's Exhibit Number 3.

15 A. Okay.

16 Q. I'm sorry, no. Let's turn to Number 4.

17 MR. NELSON: This is Bates stamp 4, the

18 exhibits in my complaint, Mr. Nelson.

19 MR. NELSON: Let me verify. Ms. Kellogg has

20 that page open. Go ahead.

21 Q. (By Mr. Ghibaudo) Okay. Do you see that

22 snippet at the bottom of your comment?

23 A. Correct.

24 Q. Where -- what is that snippet from?

25 A. It is from a -- a therapy session for Nicole

144

1 required by the state because of your domestic

2 violence. And it says, as I quote, "The extreme" --

3 Q. I'm not --

4 (Cross-talk.)

5 Q. I have not asked you a question yet. I have

6 not asked you a question yet. Okay?

7 A. Okay.

8 Q. So you're alleging that it was -- that it

9 was me that the state bar -- or not the state bar, but

10 that CPS went after, and that it was me that was

11 forced into a case plan.

12 Isn't a true -- and this is a yes or no --

13 that on or about 2010 to 2013 you were required to

14 complete a case plan through CPS? Is that true or

15 false?

16 A. You were required --

17 Q. That's not the question I'm asking you.

18 A. You were required.

19 Q. I'm asking you yes or no. Were you -- were

20 you -- were you -- was a petition for abuse and

21 neglect ever brought against you? Yes or no?

22 A. I don't believe so.

23 Q. Okay. So --

24 A. I know that one was prior.



1 Q. The question, Ms. Kellogg -- you need to  
2 stop.

3 So even if -- even if this was a report that  
4 was done pursuant to a case plan that you allege that  
5 I was on --

6 A. And you were.

7 Q. Stop. I'm not asking you a question. You  
8 need to listen.

9 So you posted publicly a report from a  
10 juvenile, from a small child -- Nicole was what age at  
11 that time, ten?

12 (Cross-talk.)

13 Q. And you posted a private report about your  
14 daughter on Facebook; is that true or is it false?

15 A. It was in a private report.

16 Q. You're saying that -- that reports about  
17 juveniles, about ten-year-old children, are public?

18 A. It was a counseling session.

19 Q. So that's a public record is what you're  
20 saying?

21 A. No.

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

24 A. Absolutely not.

25 Q. It's not, right? But you posted it anyway,

146

1 correct?

2 A. What?

3 Q. You posted it anyway, correct?

4 (Cross-talk.)

5 Q. Even though it's not a public record and

6 it's pertaining to a child, you posted that on a

7 public Facebook page. Yes or no?

8 MR. NELSON: It's a compound question,

9 Mr. Ghibaudo. You can ask her if she posted it. You

10 can ask her if it's a legal document. But you're

11 essentially asking her --

12 MR. GHIBAUDO: She posted it. Look, I'm

13 looking at it right now. She's already said that it's

14 been posted, right?

15 Q. (By Mr. Ghibaudo) That is a report from

16 Nicole -- about Nichole's therapy. Yes or no?

17 A. Yes, it's a counseling session.

18 Q. Okay. And was when she was -- she about ten

19 years old at the time, correct? Yes or no?

20 A. This has nothing about Nicole in it. It has

21 everything about you in it.

22 Q. So you're saying that this is a private

23 medical record about me and not a record that was

24 generated through a CPS case about Nicole? Is that

25 what you're alleging right now? Your under oath,

147

1 Ms. Kellogg.

2 A. Okay. What's your question?

3 Q. My question is, did you post a private  
4 report about either me or Nicole that pertains to  
5 medical records publicly, whether it's me or Nicole?

6 A. This has nothing to do with a medical  
7 record.

8 Q. It's not a report about --

9 A. It's a therapy session.

10 Q. Okay. And so that's protected by HIPAA?

11 A. I don't know.

12 Q. That's something that should be made public?

13 A. I don't know.

14 Q. You don't know or you don't care?

15 A. I don't know.

16 Q. Or you're so filled with rage that you don't  
17 care, which one is it?

18 MR. NELSON: Objection. Asked and answered.

19 Q. (By Mr. Ghibaudo) Okay. Let's turn to  
20 Bates Stamp 5 in my exhibits.

21 A. Go on.

22 Q. Okay. What is that -- that document that  
23 you're posting there, those 16 pages? What is that?

24 A. Well, this is the Order Upon Consent.

25 Q. And you posted that publicly?

148

1 A. I didn't -- doesn't say that I posted

2 anything.

3 Q. Okay. Well, I'm asking you, is this from

4 you or not?

5 A. I don't know. It doesn't say my name. It

6 doesn't say anything.

7 Q. So you're saying you did not. It's a

8 yes-or-no question. So it's a no, right?

9 A. I'm saying --

10 (Cross-talk.)

11 Q. Your claim is that you did not post this?

12 A. I don't know. I don't know.

13 (Cross-talk.)

14 Q. Well, let me ask you this, did you post that

15 consent, whatever it is that you want to call it, the

16 Order, the Consent Upon Decree, whatever -- that looks

17 like a letter from your attorney, actually.

18 Are you saying that you never posted that

19 on -- you never posted anything publicly concerning

20 our case or anything that your attorney wrote

21 concerning our case; is that what --

22 A. I have -- I have posted things in the R

23 case, yes.

24 Q. Okay. And that case is sealed, correct?

25 A. No, it's not.

149

1 Q. There's no order sealing -- didn't you just  
2 testify several hours ago that -- when I asked you  
3 about the videos, that the only thing that's sealed is  
4 pleadings and documents; is that --

5 (Cross-talk.)

6 A. The R case. Pay attention.

7 Q. Listen, Ms. Kellogg. You need to calm down.  
8 This is my deposition. You don't get to scream and  
9 shout and act like you're some victim or act like  
10 you're in control of the situation. You are not. I'm  
11 asking you questions, and you need to answer them.

12 A. This is you being --

13 (Cross-talk.)

14 MR. GHIBAUDO: Mr. Nelson, instruct your  
15 client on how to behave.

16 Do we need to take another ten-minute break,  
17 Mr. Nelson, so you can discuss with your client how to  
18 behave?

19 MR. NELSON: Let's take another ten.

20 THE DEPONENT: No. You need to learn how to  
21 behave.

22 MR. GHIBAUDO: Thank you.

23 THE VIDEOGRAPHER: We're now going off the  
24 record. The time is approximately 1:27 p.m.

1 THE VIDEOGRAPHER: We are now back on the  
2 record. The time is approximately 2:09 p.m.

3 MR. GHIBAUDO: All right. First of all,  
4 Mr. Nelson, how much time do you think you're going to  
5 need for rebuttal or rehabilitation?

6 MR. NELSON: You know, given that  
7 Ms. Kellogg is my client, I think I'll save a  
8 rebuttal -- probably 10, 15 minutes at most, somewhere  
9 in there.

10 MR. GHIBAUDO: Okay.

11 Q. (By Mr. Ghibaudo) All right. Ms. Kellogg,  
12 you were just handed two documents. One is the  
13 minutes from settlement conference from May 18, 2016.  
14 And another is a new post that I assume is directed at  
15 me. However, it's stated in a way that it seems like  
16 somebody else wrote it.

17 So let me just ask you. Do you see the  
18 document that you were given that says, "Hey, stalker,  
19 leave her alone. She done with you. Sucking my feet  
20 for \*\*\*just proves you creepy and narcicisstic you  
21 are." Do you see that?

22 A. Yes.

23 Q. Did you post that?

24 A. Yes.

25 Q. Are you referring to me?

151

1 A. Yes.

2 Q. And again, you called me a narcissist?

3 A. Yes.

4 Q. Is that a statement of fact?

5 A. It's what my opinion is.

6 Q. And what's that opinion based on?

7 A. Because of your actions.

8 Q. What actions?

9 A. You are selfish, your are self-absorbed, you

10 care about nobody else except for yourself, you

11 believe that you are the ultimate ruler of the

12 universe, so forth and so on.

13 Q. And those are statement of facts, according

14 to you, right?

15 A. According to me, yes.

16 Q. Okay. And you believe I'm a stalker?

17 A. Yes.

18 Q. And that's a statement of fact?

19 A. Yes.

20 Q. Okay. Now, turning to the settlement

21 conference, it's kind of hard to read, but look at

22 4-A, which is about -- if you can find --

23 MR. GHIBAUDO: Can you help her find that,

24 Mr. Nelson?

25 A. Defendant will pay Plaintiff, yes.

152

1 Q. (By Mr. Ghibaud) The sum of 2,500 per  
2 month in alimony, blah, blah, blah, blah, blah.  
3 Continue until such time she becomes employed, then  
4 the amount of alimony may be recalculated.

5 Do you recall the settlement conference?

6 A. I do.

7 Q. Do you recall discussing you having to get a  
8 job in order to defray the cost of alimony?

9 A. Absolutely not. Never happened.

10 Q. Then why would that be indicated in the  
11 settlement conference?

12 A. It did not say that.

13 Q. Why would it -- why would it even been  
14 mentioned if it was never discussed?

15 A. It's not. What are you talking about? I  
16 don't know what you're saying.

17 Q. So is it your contention that you don't ever  
18 need to work?

19 A. As -- what the divorce decree says, upon  
20 time of which I work more than 32 hours a week, then  
21 it will be recalculated. The divorce proceeding that  
22 you there for and -- you know, we both signed, we both  
23 agreed to it --

24 Q. I did not sign it, actually. If you recall,



25 I did not sign it.

153

1 So let me ask you this. How many times have  
2 you applied for work since 2017?

3 A. I think we already went through that. The  
4 last --

5 Q. That's not question. I'm not --

6 (Cross-talk.)

7 Q. You need to listen to the question, okay?

8 How many times -- let's start with 2017.

9 How many times did you apply for work in 2017?

10 A. Zero.

11 Q. How many times did you apply for work in  
12 2018?

13 A. Zero.

14 Q. How many times did you apply for work in  
15 2019?

16 A. I believe once at We Care.

17 Q. And how about -- and for how many days did  
18 you work at We Care?

19 A. Whatever they had available.

20 Q. Is that one day a week?

21 A. I don't know. They didn't tell me.

22 (Cross-talk.)

23 Q. So you're saying that you applied for work,

24 and they didn't tell you how hours or how much you're

25 going to get paid?

154

1 A. I just told you I don't know. The pandemic  
2 hit.

3 Q. I'm asking you, when you applied -- I'm  
4 assuming that you spoke to the person, whoever's in  
5 charge of hiring, and you're saying that you never  
6 discussed how many days you would work and how much  
7 your pay rate would be. Is that what you're saying?  
8 Is that your allegation?

9 A. I am saying that the days were not  
10 determined, and I was not informed of the pay.

11 Q. Okay. So in 2020, did you apply for work?

12 A. No.

13 Q. In 2021, have you applied for work?

14 A. No.

15 Q. Since 2022 to date, have you applied for  
16 work?

17 A. No.

18 Q. Why?

19 A. Because my doctor says that I'm currently  
20 disabled and unable to fulfill gainful employment.

21 Q. And what is your disability?

22 A. It's a -- as you well know, it's a cognitive  
23 disability. It is an anxiety disorder as well as  
24 PTSD, which has increased over the past couple years.

**Respondent's Appendix 0247**

25 And you have those documents.

155

1 Q. I have -- are you referring to the two-page  
2 letter from Mr. Rosenblum, I believe?

3 A. Yes. And it's not Mr. It's Miss.

4 Q. Whatever. Have you applied for disability  
5 with the government?

6 A. I have.

7 Q. And have you been accepted?

8 A. It's still in the determination.

9 Q. Okay. So you're saying that ADHD and  
10 anxiety prohibits you from working?

11 A. Well, I'm saying exactly what the -- the  
12 letter says.

13 Q. So what you're saying, actually, is that you  
14 would prefer for me and your parents to pay for your  
15 lifestyle rather than actually try to get a job. Is  
16 that a true and correct statement?

17 A. I would prefer for you to pay your  
18 court-ordered support obligation.

19 Q. And if not, you'd prefer your elderly  
20 parents to pay for your lifestyle rather than a job?

21 A. No. I would prefer for you to pay your  
22 court-ordered support obligation.

23 Q. Okay. And your anxiety is so great that you  
24 can't sit and answer phones or do anything at all; is

25 that what you're saying?

156

1 A. That's what you're saying.

2 Q. I'm asking you.

3 A. That's what -- my physician provided a  
4 letter. I'm going off of the letter that my physician  
5 provided. And I believe that you do have that letter.

6 Q. A physician or a psychotherapist?

7 A. I think they're both the same.

8 Q. They are not. A physician is a doctor, is  
9 an MD. A therapist has, at best, a degree -- a Ph.D.  
10 in --

11 A. Not a therapist. She's a psychiatrist.

12 Q. Okay. So your psychiatrist is saying -- and  
13 why didn't you disclose these documents, by the way,  
14 during the litigation that ran from 2019 to the end of  
15 2020?

16 A. Because you posted everything on Nevada  
17 Court Watchers. My medical record, you provided --

18 Q. When did I do that?

19 (Cross-talk.)

20 Q. When was it exactly -- if I didn't -- wait.  
21 Stop.

22 So you're saying you did not provide that  
23 but you're now saying I posted your medical records.  
24 How does that make sense?

25 A. Listen.

157

1 Q. No, you listen.

2 (Cross-talk.)

3 Q. Stop. Again, you don't get to talk to me

4 like that. You answer the questions, okay?

5 You just made a contradictory statement.

6 You said that you did not provide medical records

7 because I post your medical records on Nevada Court

8 Watchers. Which one is it? Did you provide the

9 records?

10 A. I'm trying to answer you.

11 MR. GHIBAUDO: Mr. Nelson.

12 A. I first of all got into a conflict --

13 (Cross-talk.)

14 MR. GHIBAUDO: If you're just going to

15 continue to scream and shout at each other or is your

16 client going to answer questions?

17 MR. NELSON: I believe my client is trying

18 to state an answer. If you can just allow her a

19 moment to explain. You said that she made a

20 statement -- contradictory statement. I don't believe

21 she did. If you can allow her to explain, I would be

22 so --

23 MR. GHIBAUDO: Okay.

24 THE DEPONENT: Thank you.