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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 II

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 II upon Appellant through the Court’s
electronic service system to the following:

Evan Schwab, Esq.
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Dated this 15th Day of November, 2022.

/s/ Alex Ghibaud

Alex B. Ghibaud

KELLOGG v. GHIBAUDO

DOCKET NO. 84778

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Notice of Entry of Findings of Fact, Conclusions of Law, and Order and FFCL attached filed April 14, 2022	0683-0692

25 Q. (By Mr. Ghibaudo) You're -- so let's start

158

1 here. You're alleging that I said one word about you

2 on the Nevada Court Watchers?

3 A. I am alleging that you stated on Nevada

4 Court Watchers in an exchange with Attorney Sigal

5 Chattah that you said that my dad provided court

6 documents that said that I am mentally disabled. Is

7 that not correct?

8 Q. Are you asking me a question, ma'am?

9 (Cross-talk.)

10 Q. Are you yet again asking me a question?

11 (Cross-talk.)

12 Q. What don't you understand about not asking

13 me questions? Can I ask you that? That's a valid

14 question.

15 What -- is that part of your cognitive

16 disability? What don't you understand about not

17 asking me questions? Can I ask you that? Part of

18 that don't you understand?

19 Maybe I can clarify it for you. You do not

20 get to ask me questions. Is that clear enough to you?

21 Yes or no? That's a question, I'm asking you.

22 A. I can't -- I can't hear you. What?

23 Q. I'm asking you, is it clear enough to you

24 that you do not get to question me? Is that clear?

Respondent's Appendix 0251

1 A. That's very clear, Mr. Ghibaudo.

2 Q. Thank you.

3 A. I apologize for --

4 Q. Well, that's just very kind of you.

5 A. I know it is.

6 Q. So you any provided medical records

7 substantiating what you're claiming now concerning

8 your disability, true?

9 A. That is true.

10 Q. Okay. And you're asserting that that's the

11 case because you were afraid that I would post it

12 online; is that true? Not that I did, but --

13 (Cross-talk.)

14 A. In addition to other factors. In addition

15 to other factors.

16 Q. Like what?

17 A. Because my disability had nothing to do with

18 our settlement agreement. My disability was never

19 mentioned in our settlement agreement.

20 Q. Wasn't it the case that --

21 A. And you don't want me to finish, so I'm not

22 going to.

23 Q. Wasn't it the case that the discovery

24 commissioner during that litigation ordered you to

25 provide those medical records?

160

1 A. A discovery -- what are you talking about?

2 Q. During the 2019 to 2020 litigation, there
3 was a hearing before the discovery commissioner
4 because you refused to provide your medical records,
5 because you continue to claim you can't work, based on
6 disability, that is relevant. And you refuse to
7 provide them despite the fact that you were ordered to
8 do so. Yes or no?

9 A. I do -- I do not recall that whatever --
10 100 percent. I do not recall that.

11 Q. All right. When did you apply for
12 disability with the government?

13 A. It was a few a months ago.

14 Q. So you applied for disability a few months
15 ago. What is the status of that case?

16 A. I don't know.

17 Q. Who is your attorney for that? Who the
18 assisting you in that?

19 A. Umm, I can't remember the firm right now.

20 Q. You you hired a lawyer and you don't
21 remember the name of your lawyer? Is that what you're
22 asserting today?

23 A. That's what I'm asserting right now.

24 Q. Okay.

25 A. Richard Harris. Richard Harris.

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1 Q. Okay. And when you were diagnosed with
2 generalized anxiety and ADHD?

3 A. It was in 2013. You're well aware of it.

4 Q. Again, that comment is not necessary.

5 Again, you're making -- you're just -- you're making
6 comments that are escalating this issue that are not
7 necessary.

8 All right. I'm asking you the questions.

9 If I'm well aware of it, that doesn't matter. I want
10 to hear it from you to make a record. Is that clear?

11 A. Very clear, Mr. Ghibaud.

12 Q. Thank you. Yes, thank you very much.

13 So if you knew that you had generalized
14 anxiety and ADHD in 2013, why did you wait until a few
15 months ago to apply for disability?

16 A. Because I have a doctor's letter that says
17 that I am unemployable.

18 Q. Weren't you under the care of a doctor since
19 2013? In fact, haven't you been under the care of a
20 doctor since before 2013?

21 A. Yes. I've been under the care of a doctor
22 since 2013, yes.

23 Q. Okay. So eight years ago you were -- you
24 were deemed what -- at that time did they tell you you

25 were disabled?

162

1 A. No.

2 Q. You just suddenly became disabled?

3 A. Over the past couple years, as the letter
4 states, due to ongoing litigation and ongoing marital
5 stressors.

6 Q. We're not married.

7 A. Well, I'm just telling you what the letter
8 said.

9 Q. Okay. And how long is this process going it
10 talking, approximately?

11 A. I have no idea.

12 Q. You didn't -- your lawyer didn't give you
13 time frame about what and how long this may take?

14 A. No.

15 Q. How many times have you spoken to your
16 lawyer about this issue?

17 A. I've never spoken to the lawyer. They have
18 paralegals that are handling it.

19 Q. So you hired a law firm, which you don't
20 know who your lawyer is, you're just dealing with the
21 paralegal?

22 A. I just said it was Richard Harris Law Firm
23 and --

24 (Cross-talk.)

25 Q. But you never met a lawyer at that law firm?

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1 A. Pardon?

2 Q. But you never met a lawyer from that law
3 firm?

4 A. No.

5 Q. So the paralegal told you that you're --
6 you're eligible for disability benefits?

7 A. She didn't say anything. She -- in the
8 process of -- of getting the information from my
9 physicians to provide documentation.

10 Q. Okay. And does your doctor in his letter
11 state you're unable to work? Or does he just state
12 that you're disabled?

13 You can work if you're disabled, correct?

14 A. I'm just telling you what the letter says.
15 That's all I'm saying, is what the letter says.

16 Q. So --

17 A. I can't -- I cannot think of what the doctor
18 is thinking in her mind. All I'm stating is what the
19 letter says.

20 Q. How long have you been treating with that
21 doctor that provided the letter that was attached to
22 your motion for a protective order?

23 A. That was what? Attached to what?

24 Q. The motion for a protective order that you

25 presumably read and signed off on. The letter that

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1 you provided to your attorney that he attached as an
2 exhibit for a motion for a protective that you just
3 referenced?

4 A. Oh, for the discovery commissioner.

5 Q. Yes.

6 A. I believe it was March 2019.

7 Q. So you've been under that doctor's care for
8 the last four years, and she just determined that you
9 are disabled? Is that what you're asserting?

10 A. I don't believe it's four years.

11 Q. You said 2018. It's 2022?

12 A. I said 2019.

13 Q. No, you didn't, but okay.

14 So for the last three years, you've been
15 under the care of that doctor, but she only recently
16 determined that you're disabled, right? Is that what
17 you're --

18 A. That's what the letter says.

19 Q. Okay. And did that doctor's opinion -- was
20 that doctor's opinion that your disability is to such
21 a level that you cannot sit at a desk and answer
22 phones, for example?

23 A. I'm just repeating what the letter says.

24 Q. What does the -- I'm asking you, does the

25 letter say that your disability is so great that you

165

1 can't get a job?

2 A. It says that I'm unable to work at this

3 time.

4 Q. At this time. Does it state that you can

5 work at a later time after you get therapy and you do

6 substantial therapy --

7 (Cross-talk.)

8 Q. -- to deal with whatever issue you have?

9 A. No. It doesn't state anything like that.

10 Q. Okay. Well, let's pull it up and see.

11 A. Okay.

12 Q. Well, let's not. Let's just --

13 MR. GHIBAUDO: Mr. Nelson, you filed the

14 motion. I think you understand what the letter says.

15 We'll deal with her statement at trial and impeach her

16 with it.

17 Q. (By Mr. Ghibaud) So you have no intention

18 of working for the rest of your life; is that the

19 case? You want to collect disability; is that a true

20 statement?

21 A. No.

22 Q. So you intend to go back to work at some

23 point?

24 A. No. I intend to finish school.

1 Q. All right. Let's talk about that, by the
2 way.

3 You have, according to your own testimony,
4 seven classes that are -- that you need to take,
5 correct?

6 A. Correct.

7 Q. And how much do those seven classes cost
8 you? What cost you, if you paid for them and you took
9 them?

10 A. I don't know.

11 Q. Well --

12 A. I don't have any --

13 (Cross-talk.)

14 Q. What school are you going to?

15 A. What?

16 Q. What school are you attending or were
17 attending? UNLV or -- which one was it?

18 A. UNLV.

19 Q. Okay. So how much do they charge per
20 credit?

21 A. I do not know what the current price is.

22 Q. What do you know about your life? Do you
23 know anything?

24 MR. NELSON: Objection. Argumentative.

25 Q. (By Mr. Ghibaudo) Okay. How much have you

167

1 spent on attorneys in the last six years?

2 A. I haven't spent any money because I don't
3 have any money.

4 Q. Okay. In 2017, did I pay you money?

5 A. I believe you paid some money.

6 Q. \$30,000?

7 A. No.

8 Q. Okay. So you're lying again?

9 A. No, I'm not.

10 (Cross-talk.)

11 Q. In 2018, were you paid money by me? In
12 2018, did you collect money from me?

13 A. 2019?

14 Q. '18.

15 A. I believe seven months.

16 Q. Okay. In that time have you been -- who is
17 paying for the -- who was paying for your college
18 credits? You said you were getting school loans; is
19 that true?

20 A. No, that's not what I said.

21 Q. Okay. So how were you paying for it?

22 A. In 2018 --

23 Q. Your college classes?

24 A. I was not in school in 2019.

25 Q. So you quit school in 2019 with seven

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1 classes left?

2 A. The second semester, when you stopped paying
3 me.

4 Q. Okay. But you were able to pay, what, seven
5 attorneys?

6 A. I was wasn't able to pay any attorneys.

7 Q. Okay. Who paid for your attorneys?

8 A. My parents -- my parents loaned me the
9 money.

10 Q. Okay. And how much did they loan you?

11 A. I don't have that figure right in front of
12 me.

13 Q. Fair to say that you paid Marshal Willick at
14 least \$60,000?

15 A. Like I said, I don't have that figure in
16 front of me.

17 Q. Okay. You know that that's a public record.
18 It was filed. You understand that, right? Presumably
19 you read it, because you wanted to challenge it.

20 Is it fair to say that you owe Marshal
21 Willick in excess, let's say, of \$10,000? Or you paid
22 him at least that, since that's what his initial
23 retainer is. Is that true?

24 A. Of course it's true.

25 Q. Okay. And then, let's see, after Marshal

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1 Willick, you had Dennis Leavitt, correct?

2 A. Well, you're forgetting Sigal --

3 Q. Oh, I'm sorry. Okay, yeah. So you had

4 Sigal Chattah at some point at well.

5 A. Yes.

6 Q. So let's run down. You would Marshal

7 Willick, right?

8 A. Uh-huh.

9 Q. Since 2000 -- we're talking now since 2016.

10 A. Uh-huh.

11 Q. First it was Sigal Chattah, correct? Then

12 it was Marshal Willick; is that right?

13 A. Correct.

14 Q. Then it was Dennis Leavitt, correct?

15 A. Held me in contempt for nonpayment, yes.

16 Q. Okay. I didn't ask you that. You need to

17 listen to the question --

18 (Cross-talk.)

19 Q. -- and answer the question without

20 commentary. Your attorney will have a chance to

21 rehabilitate you or ask you questions after, as you've

22 been repeatedly told.

23 Okay. So after Dennis Leavitt, you had who?

24 Peter Bellon for a minute, before he withdrew?

Respondent's Appendix 0262

25 A. He was never my attorney of record.

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1 Q. But you paid him, right, initially at some
2 point. Because I had conversations with him. You did
3 hire him. Is that true or incorrect?

4 A. I don't know if it was a hire -- I don't
5 know what happened with Mr. Bellon. I don't know.

6 Q. And then you had Sigal Chattah again,
7 correct?

8 A. Correct.

9 Q. And then you fired her and got Chris Reed,
10 correct?

11 A. I did not fire her.

12 Q. She fired you?

13 A. No, she didn't fire me. I decided that
14 Chris Reed was capable of handling both instead of me
15 paying for two attorneys, because he was the one that
16 I initially hired to -- for the garnishment.

17 Q. Okay. So then after Chris did fire you,
18 actually, because he couldn't control you, you hired
19 Mr. Nelson?

20 A. That's incorrect.

21 Q. Okay. And then you hired Mr. Nelson,
22 correct?

23 A. Yes.

24 Q. And you gave Mr. Nelson at least \$15,000,

1 A. That's correct.

2 Q. Okay. So that's a lot of attorneys and a

3 lot of money?

4 A. Yeah.

5 Q. All right.

6 A. Absolutely correct.

7 Q. Why couldn't you use any of that money to

8 finish your seven classes?

9 A. Because it's not my money.

10 Q. It's not your money. But you were able to

11 get enough loans to hire enough attorneys to litigate

12 this for six years, but you couldn't get money to pay

13 for seven classes at UNLV? Is that what you're

14 saying?

15 A. Not my money.

16 Q. So your -- who dictates how you spend your

17 money?

18 A. It's not my money.

19 Q. You get the money, correct?

20 A. No, I don't.

21 Q. Who gets it?

22 A. My parents. My parents have the money.

23 They loan me the money.

24 Q. So you get the money. You have money

25 because they loan it to you. So at some point, if you

172

1 have a loan, that loan is given to you? Yes or no?

2 A. No.

3 Q. So you don't have a loan?

4 A. The money is paid directly to the attorney.

5 Q. Okay. So why couldn't you ask for a loan to
6 finish your school?

7 A. Because my parents are also paying for your
8 daughter's college tuition.

9 Q. So your parents can pay upwards of \$200,000
10 for attorneys, but they can't pay for seven classes?
11 Is that what you're -- you're testifying to today?

12 A. Yes. In addition to living expenses, of
13 course, they also are forced to pay for because you
14 didn't pay your court-ordered support obligation.

15 Q. And you're asserting that \$2,500 a month
16 will pay for your -- the entirety of your bills?

17 A. No.

18 Q. How much do you pay for?

19 A. I have back support you owe me.

20 Q. Okay. How much do you pay for the mortgage
21 on your home? On your condo?

22 A. Okay. It's not my mortgage.

23 Q. So you didn't pay anything for that?

24 A. I pay rent.

25 Q. Okay. How much do you pay in rent?

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1 A. 1250.

2 Q. Okay. Do you have a car note?

3 A. No.

4 Q. So your car's paid off?

5 A. Yes.

6 Q. All right. And presumably --

7 A. Part of the marital debt that you never paid

8 for.

9 Q. Yeah, that I will never pay for because

10 that's what was ordered.

11 So I'm not understanding. It doesn't making

12 any sense. How is it that you can acquire seven

13 attorneys in at least excess of \$200,000, but you

14 can't afford to pay for seven classes to finish

15 school? Explain that.

16 A. That's just how it is.

17 Q. That's just how it is --

18 A. Yes.

19 Q. -- because you don't want to get a job,

20 right?

21 A. No. I was doing just fine until you stopped

22 paying your court-ordered support.

23 Q. So you were paying your classes with my --

24 (Cross-talk.)

25 Q. Hang on. I'm not -- you don't get a chance

174

1 to talk. I'm asking you question.

2 So you're saying that you were paying for
3 your college tuition by my -- with my court-ordered
4 support? Is that what you're saying?

5 A. Yes.

6 Q. But you previously said that you had school
7 loans, so which one is it?

8 A. No, I didn't.

9 Q. You never had school loans?

10 A. No. I exhausted my school loans by paying
11 your reinstatement fee.

12 Q. Okay. You paid it. I didn't have any --
13 okay, yeah, right.

14 A. Yeah, right.

15 Q. So it makes sense to you to have your
16 elderly parents shell out over \$200,000 to collect
17 \$2,500 a month rather than pay for seven classes and
18 get a job; that make sense to you?

19 A. I can't determine what my parents pay and
20 what they don't pay. I apologize.

21 Q. Is it you that asked them for the money to
22 pay for the attorneys or they just shell it out
23 themselves? Are they the ones driving that litigation
24 or is it you?

25 A. Whatever is required, that's what they do.

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1 Q. Is it not required for you to get your
2 education and get a job? They don't think that?

3 A. No. What's required is for you to pay your
4 monthly support.

5 Q. That's not what I asked you.

6 (Cross-talk.)

7 A. I don't know.

8 Q. That's not what I asked you.

9 A. I don't know what my parents think. I don't
10 know what they feel. I don't know what they have
11 money-wise. It's not -- it's not up to me.

12 Q. How old are you?

13 A. Making me make assumptions when I have
14 nothing to --

15 Q. So how old are you?

16 A. I am 48.

17 Q. Okay. And your parents dictate to you, a
18 48-year-old woman, what to do with your life? Is that
19 what you're asserting?

20 A. No.

21 Q. Well, you're just telling me that you don't
22 get a choice as to what -- how the money spent.

23 A. They're paying, yes. I don't get to choose,
24 and I don't get to dictate how they spend their money.

25 Q. So you think it's not a good idea to go to

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1 your parents, who have enough money to spend \$200,000

2 on lawyers, and ask, hey, can you just loan me the

3 money to pay for seven classes to finish school.

4 That's what you're saying?

5 A. I'm saying it's not up to me.

6 Q. Okay. It's up to your parents. So your

7 parents don't want you to finish school; that's what

8 you're saying?

9 A. I'm saying it's not up to me.

10 Q. That's not what I asked you. I'm asking

11 you, is it your contention --

12 A. I don't know what my parents want to do.

13 (Cross-talk.)

14 Q. I'm not done with my question, ma'am.

15 So is it your assertion that your parents

16 would prefer to litigate this forever rather than have

17 you finish school and get a job; that's what your

18 parents want?

19 A. I don't know what they want.

20 Q. They just want you to litigate this forever?

21 A. Like I said, I don't know what they want.

22 Q. Well, that's what you've been doing, right?

23 For the last six years, instead of get a job, you've

24 been going back and forth to court; isn't that true?

25 A. I've been trying to get enforcement for you

177

1 pay your court-ordered --

2 Q. Wouldn't it just be easier to finish school

3 and get a job like everybody else?

4 A. No. I think --

5 MR. NELSON: Objection. At this point, this

6 has been asked and answered. And, you know,

7 obviously, I get the point you're trying to make

8 Mr. Ghibaudo. She should get a job, and while we

9 respectfully disagree with those assertions, I think

10 you've asked the same question about --

11 MR. GHIBAUDO: I'm trying to get her to

12 answer a question that -- she's evasive. That's what

13 she's been doing all day is be evasive. We would have

14 been done with this hours ago if she would just answer

15 straight, but she doesn't.

16 No matter how many times you discussed with

17 her to be straightforward and just answer a question,

18 she wants to be evasive. So that's why we're here

19 wasting time.

20 Q. (By Mr. Ghibaudo) So I'm going to ask you

21 one last time. Is it -- would it not be a better --

22 better use of money that you're getting lent -- you're

23 saying that your parents are loaning you money -- that

24 it wouldn't be a better use of that money to just get

25 a college degree and get a job?

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1 A. Like I said, I don't get to determine what
2 my parents do with their money.

3 Q. Don't get to determine -- blah, blah, blah,
4 blah, blah. All right. Thank you.

5 So you're saying that you're disabled and
6 the disability was determined several months ago. How
7 many months ago exactly is that?

8 A. I don't know what the date on the letter
9 says. I don't have it in front of me.

10 Q. So you don't even know when you're doctor
11 said you're so disabled you can't work? You can't
12 even answer that question?

13 A. It's on the letter. The date is on the
14 letter.

15 Q. I'm asking you, because you're the one that
16 had the meeting with your doctor, and your doctor at
17 some point determined, and presumably told you,
18 Ms. Kellogg, you are so damaged that you cannot work.
19 When did that happen is what I'm asking you?

20 A. I don't know.

21 Q. Okay. Well, let's run through it. When is
22 the last time you had an appointment with your
23 doctor?

24 A. A couple weeks ago.

25 Q. And then before that?

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1 A. A couple weeks before that.

2 Q. So how many weeks -- how many -- how many
3 times a month do you see your doctor?

4 A. Sometimes twice, sometimes once.

5 Q. Okay. And you can't remember at this point,
6 even though you see your doctor often, when it was
7 that you two discussed whether or not you can work?
8 Or was that letter just generated for litigation
9 purposes?

10 A. It doesn't say when I can work. It says --

11 Q. Because you're disabled.

12 A. -- that I'm unable to work.

13 Q. That's what I'm asking you. When was it
14 that your doctor decided you -- your anxiety disorder
15 and your ADHD, which you're heavily medicated for, is
16 so severe that you can no longer work? When did that
17 conversation take place?

18 A. I don't recall.

19 Q. Was it within the last two months?

20 A. I don't recall.

21 Q. Was it within the last three months?

22 A. I don't know when the letter was dated,
23 Mr. Ghibaudo.

24 Q. I'm not asking you about the letter. I'm

25 asking you about what conversation and when the

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1 conversation occurred with your doctor where it was
2 determined where she said, You know what, Ms. Kellogg,
3 you are so severely damaged that you can no longer
4 work. When did that conversation take place?

5 A. I don't know.

6 Q. How is it is that you don't know just basic
7 conversations that you have with your medical
8 providers?

9 A. I have a cognitive disability.

10 Q. What does that mean?

11 A. It means that it's difficult for me to
12 remember.

13 Q. So you don't -- so do you have ADHD or do
14 you have a -- I don't know what to call it -- sort of
15 retardation where you can't remembering anything?

16 MR. NELSON: Objection. Argumentative.

17 Q. (By Mr. Ghibaudo) Which one is it?

18 MR. GHIBAUDO: I'm sorry, Mr. Nelson. But
19 I'm trying to get to the bottom of why she can't
20 remember a single thing. I mean, that's a good -- I'm
21 trying to figure it out. And she's not --

22 (Cross-talk.).

23 MR. GHIBAUDO: I'm not asking you a question
24 right now, ma'am. You need to stop talking.

25 MR. NELSON: Is the question why she can't

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1 remember things? Is that what you're trying to ask

2 without the disabled --

3 MR. GHIBAUDO: Why is it she can't remember

4 a single solitary thing?

5 A. I've answer you -- I've answered your

6 questions.

7 Q. (By Mr. Ghibaudo) You have a cognitive

8 disability --

9 A. You can call it --

10 (Cross-talk.)

11 Q. -- and so you can't remember anything. But

12 you can remember how much I owe you, right? You can

13 remember that. You can remember how much I haven't

14 paid. That's easy to remember.

15 A. Yeah, it's been --

16 (Cross-talk.)

17 Q. Yeah, that is -- the recall for that is --

18 A. So why don't you pay it?

19 Q. -- right, instant. But you can't remember a

20 conversation you had with your doctor.

21 A. Is that a question?

22 Q. It's a comment.

23 So now, you say that -- let's assume,

24 because I think your prior testimony -- and we can ask

Respondent's Appendix 0274

25 the court reporter to look back -- when I initially

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1 asked you this, that you said it was a couple of
2 months ago, assuming two months, based on your
3 testimony. Now you're saying you don't know.

4 And that's how depositions work. You catch
5 people lying. You've already said that it was a
6 couple of months ago. Now you're saying you don't
7 remember.

8 So it's 2022 now. We're assuming maybe at
9 the end of 2021 is when she told you that you can no
10 longer work and you're disabled, right?

11 A. I don't know.

12 Q. Okay. But you were -- you were smart
13 enough -- or you didn't have a cognitive disability to
14 such an extent that you were able to get an
15 associate's degree, right?

16 A. My disability has greatly increased over the
17 past couple years. I don't have the exact date. My
18 apologies.

19 Q. So you got an associate's degree -- when was
20 that? Or can you recall?

21 A. 2017.

22 Q. And how long did you attend UNLV after that?

23 A. For two years.

24 Q. So until 2019. And then it wasn't until two

25 years later, end of 2021, where you determined that

183

1 you were disabled. Why couldn't you get a degree

2 between 2019 and 2021?

3 A. I didn't determine I was disabled. My

4 doctor did.

5 Q. Okay. So you didn't know that you were

6 disabled between 2019 and 2021?

7 A. I don't get to determined that. My doctor

8 it.

9 Q. Do you feel like you're so anxiety ridden

10 and you're so mentally disorganized that you can't get

11 a basic job and earn a living?

12 A. It's not my determination.

13 Q. It's not what I asked you. Do you feel like

14 your mind is so disorganized and that you're so

15 anxiety ridden that you can't get a basic job?

16 A. Yes.

17 Q. Okay. But you applied for a job at We Care,

18 right?

19 A. Yes.

20 Q. So you can get a job. You just don't want

21 to?

22 A. It's a baby-sitter job.

23 Q. Okay. So why can't you baby-sit?

24 A. Because since then it's continued to

25 increase.

184

1 Q. So you can't sit down and just watch a
2 child?

3 A. No, I can't.

4 Q. Okay. So who took care of your child that
5 you said you took care of all this time? Was it your
6 grandparents?

7 A. Took care of what?

8 Q. Nicole.

9 A. Oh, the woman? The 20-year-old woman?

10 Q. The 20-year-old woman that you claim to take
11 care of to this date. Can you do that?

12 A. Yeah, I do.

13 Q. Okay. So you're capable of caring for your
14 grown adult child, and you were capable of caring for
15 her when she was a minor, but you can't get a job. Is
16 there something funny about getting a job? Do you
17 think it's funny?

18 A. I've answered -- I've answered your
19 questions. I don't know what more you want me to say.

20 Q. Do you think that you're so above everybody
21 that you're not supposed to get a job? You should
22 live off of me. Is that what you're asserting?

23 A. I think you should pay your court-ordered
24 support.

25 Q. Okay. I think you should get a job. How

185

1 about that?

2 A. Okay, well --

3 MR. NELSON: Objection. Argumentative. Is
4 that a question or are you just making comments?

5 THE DEPONENT: He just wants to disparage
6 me, as usual even with --

7 MR. GHIBAUDO: That's ***rich.

8 That's all I got for now. Go ahead,
9 Mr. Nelson, ask her whatever you want. Hopefully,
10 she'll remember when you ask her questions.

11 EXAMINATION

12 BY MR. NELSON:

13 Q. There was question going around, is it your
14 position that you have cognitive disabilities that
15 prevent you from finding a job?

16 A. This is what my doctor has said this the
17 letter, so, yes.

18 Q. Okay. And in your opinion has your
19 condition worsened since 2017?

20 A. It has worsened within --

21 MR. GHIBAUDO: Object to that, in the sense
22 that she's not an expert to make a determination of
23 her medical condition.

24 MR. NELSON: But I asked her opinion.

25 Q. (By Mr. Nelson) So continue to answer.

186

1 A. It has greatly increased in the past two to
2 three years.

3 Q. So is it fair to say what you may have been
4 able to do back in 2015 concerning employment and
5 schooling may not necessarily be capable -- you may
6 not be capable in today in 2022?

7 A. Unfortunately, yes.

8 Q. When you applied to We Care, did you find a
9 lot of jobs asking to baby-sit 16-year-old children?

10 A. No.

11 Q. Is that part of the reason why you were
12 unable to obtain employment through We Care?

13 A. Well, yes.

14 Q. Today when you were being deposed by
15 Mr. Ghibaudo, was there any reason that your cognitive
16 disability would have impaired your ability to answer
17 honestly and forthright?

18 A. Sometimes his questions were confusing,
19 sometimes his questions were compounded, and sometimes
20 his questions were hostile. So forth.

21 Q. Concerning the employment of attorney, just
22 to clarify, Mr. Ghibaudo asked if you had paid your
23 attorneys over 200,000. You, yourself, did not pay
24 your attorneys any of -- \$200,000; is that correct?

25 A. That is correct. As you know, the check

187

1 that was paid to you was from my parents.

2 Q. So the 200,000 that you paid to my office
3 and your other prior attorneys, was paid from your
4 parents; is that correct?

5 A. That's correct. And they made it very clear
6 that these are loans.

7 Q. And is it true that you have to rely upon
8 them, your parents, to help sustain your current
9 lifestyle and living conditions?

10 A. Yes.

11 Q. And that is why you're seeking to have
12 Mr. Ghibaudo pay his court-ordered -- court-ordered
13 support; is that correct?

14 A. Correct.

15 MR. NELSON: I don't I have any other
16 questions.

17 MR. GHIBAUDO: I got one last question, if
18 you don't mind, Mr. Nelson.

19 MR. NELSON: Okay.

20 EXAMINATION

21 BY MR GHIBAUDO:

22 Q. Do you care if I lose my law license?

23 A. I don't -- I don't wish anybody to lose
24 their professional license. That determination is not

25 mine. I don't want you to lose your license. That's

188

1 my opinion.

2 Q. Then why are you trying to hard to make that
3 happen?

4 A. I'm not.

5 Q. Then why are you posting comments and making
6 bar complaints that would -- first, the comments that
7 would harm me and my ability to earn a living and bar
8 complaints that could potentially cause me to be
9 suspended or lose my license?

10 Why do you do that if you say that you have
11 no intent to do me harm?

12 A. It's an absolute lie what you're saying.
13 Bar complaints. I filed a bar complaint in 2017, and
14 that's it -- and/or 2018. I can't recall. One.

15 Q. You filed three.

16 A. I filed one.

17 Q. Okay. So isn't it true that you're
18 litigating this in bad faith and really what you have
19 in mind is me losing my license? Isn't that the fact?

20 A. No.

21 Q. So then do you see in front of you a check
22 that I paid you?

23 A. No.

24 Q. You don't see a check in front of you?

Respondent's Appendix 0281

25 A. No.

189

1 Q. Okay. Look down on the table.

2 A. This is made out to Jonathan.

3 Q. And you. And you.

4 A. Okay.

5 Q. And you, correct?

6 A. It apparently looks like it, yes.

7 Q. Okay. So if I continue to pay you on a
8 monthly basis, are you going to stop disparaging me,
9 or are you going to continue to do that?

10 A. I don't believe I'm disparaging you. I
11 believe that I have posted and/or shared with people
12 my own experience of public concern regarding our
13 judicial system.

14 Q. That I'm involved in --
15 (Cross-talk.)

16 Q. -- that pertains to me -- that it pertains
17 to me specifically, correct?

18 A. It pertains to me specifically as well.

19 Q. And me, who pays you, or is ordered to pay
20 you, correct?

21 (Cross-talk.)

22 Q. So -- I mean, at the end of the day you are,
23 in fact, trying to undermine my ability to earn a
24 living?

25 A. Is that a question?

190

1 Q. Yeah.

2 A. Okay.

3 (Cross-talk.)

4 Q. That's a yes or no. Are you actively trying
5 to undermine my ability to earn a living?

6 A. No.

7 Q. Then what are you trying to do, aside from
8 inform the public about the judicial system?

9 And wait. Let me ask you this. Couldn't
10 you inform the public about the judicial symptom
11 without throwing me under the bus? Is that a
12 possibility?

13 A. I don't see how I'm throwing you under the
14 bus.

15 Q. Calling me a liar, calling me a cheat,
16 calling me a junky, which you admit --

17 A. That's my opinion.

18 (Cross-talk.)

19 Q. You don't think that's throwing anybody
20 under the bus? You don't think that harms my ability
21 to earn a living, which in turn would harm your
22 ability to get paid?

23 A. It's my opinion.

24 Q. Is that part of your cognitive disability

25 that you don't understand that harming the person --

191

1 that biting the hand that feeds you is not a good

2 idea? Is that part of your cognitive disability?

3 A. I guess so.

4 Q. Okay. Let me explain to you, then, that it

5 would be a bad idea to bite the hand that feeds you.

6 If you want to get fed, you don't bite the hand that

7 feeds you.

8 So I'm going to ask you again, if I pay you

9 what I've been ordered to pay, are you going to stop

10 sending videos to Steve Sanson, who is a grifter, and

11 are you going to stop posting that I'm a liar, that

12 I'm a cheat, that I'm a junky, and further -- and so

13 on? Is that what you're -- or you going to continue

14 to do that?

15 A. Are you going to -- Mr. Ghibaud, I have no

16 intention -- I'm doing anything derogatory towards

17 you. I have a life.

18 Q. But you are doing it.

19 A. I have a life. I have -- what you do and

20 your life is no concern to me.

21 Q. Then why do you continually post about me?

22 (Cross-talk.)

23 Q. If you have no interest -- I'm not doing

24 anything. You got to get over that. I am not doing

Respondent's Appendix 0284

25 anything to you. Nothing. I don't care about you, I

192

1 don't care what you do, I don't care to let anybody

2 know who you are. I could care less.

3 So the question is, if I continue to pay

4 you, are you going to stop sending videos of

5 proceedings to Steve Sanson, and are you going to stop

6 disparaging me online? Is that something that you

7 plan on doing if you get paid or --

8 A. It has nothing to do with anything --

9 (Cross-talk.)

10 Q. Or is the case that if pay you regularly,

11 you are still going to go disparage me, post videos

12 about our hearings, try to embarrass me, call me a

13 junky, which one is it? It's a specific question.

14 This is a legitimate question.

15 A. I don't find it legitimate. I don't even

16 know what the question is.

17 Q. The question is -- because I'm trying to get

18 at whether you're acting in good faith or bad faith,

19 that's I'm getting at.

20 If I'm paying you and you have no reason to

21 go online --

22 A. So you think that -- that this payment is to

23 shut me up? Is that what are saying?

24 Q. No --

1 Q. -- I think that what you're doing is trying

2 to pressure me and bully me paying you --

3 A. Okay. You can't shut me up. No.

4 Q. No. So you're not going to shut up. You

5 will continue to disparage me --

6 A. No. You're not going to take away my First

7 Amendment right.

8 Q. Oh, you know about the First Amendment?

9 A. Yeah, I do.

10 Q. So -- so that's the case. So if I continue

11 to -- it's not about payment, it's not about not

12 getting paid, it's literally about bad-mouthing me and

13 disparaging me.

14 A. You're not going to bully me --

15 Q. I'm asking you a question.

16 A. -- and you're not going to control me.

17 Q. I'm asking you a question.

18 A. You're not going to bully me, and you're not

19 going to control me.

20 Q. All right. This is specific question that

21 goes to whether you're acting in bad faith, and you're

22 not answering the request.

23 If I pay you and you have no more reason to

24 complain, are you going to continue to call me a

25 junky, are you going to call me a liar, and are you

194

1 going continue to send videos to Steve Sanson? Yes or

2 no?

3 A. I have no answer. You're not going to

4 control me.

5 Q. I'm not trying to control you. I'm asking

6 you a question --

7 A. Yes, you are.

8 Q. -- and you won't answer it. So let me ask

9 you again. If you get paid and you have no reason to

10 complain, are you going to continue to send videos to

11 Steve Sanson, and are you going to continue to call me

12 a liar a cheat, a junky, and a fraud online?

13 A. You're not going to control me.

14 Q. Okay. I got to ask you the same question.

15 MR. GHIBAUDO: Mr. Nelson, can you please --

16 THE DEPONENT: Then keep on doing it.

17 MR. GHIBAUDO: -- instruct her to answer.

18 MR. NELSON: Mr. Ghibaud, repeat the

19 question.

20 MR. GHIBAUDO: The question is this -- and

21 I'm getting at whether she's acting in good faith or

22 bad faith, Mr. Nelson -- that if I pay her her

23 court-ordered amount, what she's been -- what I've

24 ordered to pay, is she going to continue to badmouth

Respondent's Appendix 0287

25 me online? Call my a liar, a cheater, a fraud, and so

195

1 forth, and continue to send videos to Steve Sanson?

2 So in other words, if my position is that if

3 I pay her her court-ordered amount --

4 (Cross-talk.).

5 MR. GHIBAUDO: -- and she continues to do

6 that, that would be bad faith. That would be her

7 intent to undermine my ability to work. Because then

8 she would no reason to complain.

9 Q. (By Mr. Ghibaudo) That's the question.

10 It's a simple question.

11 Even if you get paid if even, if I do

12 everything that's been ordered, are you going to

13 continue to disparage me? Yes or no?

14 A. You're not going to bully me --

15 Q. That's not an answer.

16 (Cross-talk.)

17 Q. You're not answering --

18 A. You are not going to --

19 Q. You're not answering. You're not answering

20 the question.

21 MR. NELSON: Mr. Ghibaudo, can I clarify?

22 Is that the ongoing support or if you pay the

23 \$3,000,000 in arrears.

24 MR. GHIBAUDO: If I -- let's say I pay

25 everything, 300,000 in arrears -- and it's not

196

1 300,000, by the way -- and the \$2,500 a month, is
2 that -- even if that gets all paid all at once, will
3 the continued claims of a liar and a cheater and a
4 narcissist, and a fraud, and somebody that's about to
5 get disbarred, and sending videos to Steve Sanson,
6 will that continue?

7 Simple question. And that a yes-or-no
8 question. It's not bullying and this -- yes or no?
9 Will that continue if all court orders are satisfied?
10 Yes or no.

11 A. This depends on you. This depends on you.
12 (Cross-talk.)

13 Q. That's not an answer. That is not the
14 answer.

15 Again, I asked you a yes or no --

16 MR. GHIBAUDO: Was that clear question,
17 Mr. Nelson? Do you understand what I'm asking?

18 MR. NELSON: I want to make sure, and I'm
19 trying to help get an answer so we can conclude this.

20 Mr. Ghibaudo, I believe you're asking if,
21 today -- hypothetically, everything was paid, all
22 court orders were, you know, fulfilled, your question
23 is would she continue to post any adverse comments
24 about you or share videos to Mr. Sanson, I believe?

25 MR. GHIBAUDO: Yes.

197

1 MR. NELSON: If you were fully compliant
2 with all court orders all past obligations, would she
3 continue to post anything about that could be
4 detrimental or --

5 MR. GHIBAUDO: It could deemed defamatory.
6 Because, as you well know, her admissions today and
7 the admissions that you made in the answers are, in
8 fact -- she's admitted to defamation. At this
9 point --

10 THE DEPONENT: Again, see, this --

11 (Cross-talk.)

12 MR. GHIBAUDO: -- I have a motion for
13 summary judgment. But yes, that's exactly it,
14 Mr. Nelson, if you want to ask her --

15 (Cross-talk.)

16 MR. GHIBAUDO: You need to stop talking.

17 MR. NELSON: Mr. Ghibaud, can I add to the
18 question to maybe clarify at all?

19 If there are no ongoing lawsuits, all
20 lawsuits were dismissed and Mr. Ghibaud was fully
21 complying with all court-ordered arrearages and
22 ongoing support, would you continue to post anything
23 that would be deemed defamatory or share videos with
24 Mr. Sanson? Is that fair?

25 THE DEPONENT: There would be no court --

198

1 MR. GHIBAUDO: That's fair. Absolutely

2 fair.

3 THE DEPONENT: There would be no court

4 proceedings. Of course.

5 MR. NELSON: Okay.

6 Q. (By Mr. Ghibaud) Of course what?

7 A. There would be no court proceedings to --

8 Q. Okay. What about the posting that you -- so

9 you're missing one part, another part of the question.

10 Would you continue to get online and say

11 that I am a fraud, that I'm a liar, that I'm a

12 narcissist, and post those things publicly? Even

13 though even was compliant?

14 A. That's completely different.

15 MR. NELSON: Let's just stipulate anything

16 defamatory when she posts about you whatsoever. How

17 about that?

18 MR. GHIBAUDO: I mean mean, that's -- you

19 know, defamatory has got to be defined, right?

20 MR. NELSON: Fair enough.

21 THE DEPONENT: He posts about me? And the

22 Facebook pages and everything else.

23 Q. (By Mr. Ghibaud) Okay. Let's say that

24 because you think so -- you're stuck on this idea that

25 I'm even on Facebook, which I think is childish,

199

1 and --

2 A. You're on it.

3 Q. And -- and I sign an NDA, a nondisclosure,
4 agreement, and we agree to not say a word about each
5 other and I'm fully compliant, will you stop posting
6 stuff like you've been posting? That I'm a liar, a
7 cheater, that I am a fraud, and so forth? And will
8 you stop sending videos of past proceedings, and will
9 you do what you need to -- or should do to get the
10 videos that have been posted taken off of the
11 Internet?

12 A. I have no control of any videos that are
13 on the Internet.

14 Q. You absolutely do. If we entered into
15 stipulation and order --

16 A. I have not control of it.

17 Q. -- and sent it Google, they will take it
18 down. But you don't want to do that? You don't want
19 to do that?

20 A. I have no control of it.

21 (Cross-talk.)

22 Q. You have control over it.

23 A. I have no control of these things.

24 Q. If you had control over it, would you do it?

Respondent's Appendix 0292

1 last second there -- if you had control, you froze up.

2 MR. GHIBAUDO: If she had control --

3 Q. (By Mr. Ghibauda) The question is, if you
4 had control over the videos that have already been
5 posted -- in other words, if you could do something
6 about taking them off the -- offline, would you do it
7 if I was fully compliant?

8 A. So long as you no longer disparage me, have
9 agents contact me, leave horrific voicemails, contact
10 my daughter --

11 Q. I'm not doing that.

12 A. -- disparage me with Facebook posts,
13 everything else, and be compliant and just forget I
14 exist --

15 Q. I'm --

16 A. Then yes. Then the answer is yes. Then the
17 answer is yes.

18 Q. Okay. The answer is yes, okay.

19 MR. GHIBAUDO: Maybe, Mr. Nelson, we have
20 room to negotiate?

21 MR. NELSON: Okay.

22 MR. GHIBAUDO: Do you agree?

23 MR. NELSON: Potentially, yes. I mean,
24 obviously, there's a large arrearage that needs to be

25 addressed. But, you know, we look forward to any

201

1 offer. I know you've spoken to my associate. If

2 there's an offer, you know, send it over, we can

3 address that.

4 MR. GHIBAUDO: All right. I have nothing

5 more.

6 MR. NELSON: I think that concludes my

7 questions.

8 And I created a list if there -- you want to

9 do a follow-up email to confirm the items that ***

10 you're looking to get disclosed, Mr. Ghibaud, please

11 do so.

12 And we'll work diligently to get you any of

13 those items that you think you need -- or you --

14 MR. GHIBAUDO: I'll ask you this while I

15 have you on -- I don't know if you want to do it.

16 Let's go off the record real quick, please.

17 THE VIDEOGRAPHER: Okay. We're now going

18 off the record. The time is approximately 3:02 p.m.

19 (Discussion held off the video record.)

20 THE REPORTER: Before you sign off, is

21 anybody going to order this transcript?

22 MR. GHIBAUDO: Yeah, I want it expedited,

23 actually. Yeah, I want it -- how long would you take

24 you if it's in the ordinary course?

25 THE REPORTER: Ten days.

202

1 MR. GHIBAUDO: Okay. Let's do just that,
2 that's fine.

3 Do you want a copy of it, Jon?

4 MR. NELSON: Yeah, I don't want a copy of
5 the video, just the transcript, I think. Normal
6 course, eTran.

7 THE REPORTER: Mr. Nelson, is she going to
8 read and sign it?

9 MR. NELSON: We'll have it in ten days?

10 Yeah, I'll have her read and sign it.

11 THE REPORTER: Okay.

12

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From: [Production | Worldwide Lit](#)
To: alex@alexglaw.com
Cc: [Office Staff](#)
Subject: Rough - Tara Kellogg vs. Alex Ghibaudo
Date: Thursday, February 3, 2022 9:00:38 AM
Attachments: [50082 ROUGH DRAFT.txt](#)

Please find attached the rough draft of the deposition of Tara Kellogg, taken 1/27/22, in regards to Tara Kellogg vs. Alex Ghibaudo.

If you have any questions, please let me know.

Thank you!

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EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALEX GHIBAUDO, an individual,

Plaintiffs,

vs.

TARA KELLOGG, an individual; DOES I
THROUGH X; and ROE CORPORATIONS I
THROUGH X,

Defendants.

Case No.: A-21-839156-C

Dist. Ct. Dept. No.: VIII

**FIRST AMENDED COMPLAINT
FOR DAMAGES FOR:**

1. Defamation per se

JURY TRIAL DEMANDED

COMES NOW Plaintiff Alex Ghibaudo, in proper person, and submits the
foregoing complaint against Defendant Tara Kellogg, an individual and alleges as follows:

I. INTRODUCTION

1. Plaintiff Alex Ghibaudo ("Plaintiff") seeks equitable relief and damages from Defendants, Tara Kellogg and Michael Hoyt Torrey ("Defendants"). Plaintiff is a duly licensed Nevada Attorney holding offices in Las Vegas, Nevada at 197 E. California Ave., Suite 250, Las Vegas, Nevada 89104. Defendant Tara Kellogg is Plaintiff's ex-wife. Defendants current libelous campaign of harassment and annoyance is embarked upon to extract money from Plaintiff in a family court



1 matter that is currently on appeal. Plaintiff seeks a money judgment against
2 defendant for waging a war of defamation against Plaintiff and destroying his
3 ability to practice law in the State of Nevada. As a direct and foreseeable
4 consequence, Plaintiff has sustained damages in the amount of \$500,000.00, the
5 amount Plaintiff's own expert determined Plaintiff's law firm, Alex B. Ghibaudo,
6 P.C. was worth

7 **II. PARTIES**

- 8 2. Plaintiff Alex Ghibaudo is and at all relevant times mentioned herein, was a resident
9 of Clark County, Nevada.
- 10 3. Defendant Tara Kellogg is and at all relevant times mentioned herein, was a
11 resident of Clark County, Nevada.
- 12 4. The true names or capacities whether individual, corporate, association or
13 otherwise, of Defendants DOES I through X and ROE CORPORATIONS I through
14 X, are unknown to Plaintiff, who therefore sues said Defendants by such fictitious
15 names. Plaintiff is informed and believes and therefore alleges that each of the said
16 Defendants designated herein as DOES and ROE CORPORATIONS are
17 responsible in some manner for the events and happenings referred to and caused
18 damages proximately to Plaintiff as herein alleged, and that Plaintiff will amend
19 this Complaint pursuant to NRCP 15 to insert the true names and capacities of
20 DOES I through X and ROE CORPORATIONS I through X, when the same have
21 been ascertained and to join such Defendants in this action.
- 22 5. At all times mentioned herein, each of the Defendants were the agents, employees
23 and/or joint-venturers of each other, and in doing the things alleged herein below,
24 were acting within the course and scope of such agency, employment and/or joint
25 venture and with the knowledge, permission and consent of all said other
26 Defendants.



III. JURISDICTION AND VENUE

6. This court has personal jurisdiction over Defendant Kellogg because she has continuous and systematic contacts with the State of Nevada, has her principle place of residence in Clark County, Nevada, conducts business in Nevada and because the conduct alleged in this Complaint occurred in this judicial district.
7. Venue is proper in this Court pursuant to Nevada Revised Statute §13.040 because the Defendant resides here and the claims arose in this jurisdiction.

IV. FACTUAL ALLEGATIONS

8. Plaintiff is a local licensed attorney in good standing in the State of Nevada who holds an office at 197 E. California St., Suite 250, Las Vegas, Nevada 89104.
9. Defendant is an unemployed, 47 year old woman whose last job was as an “exotic dancer” and escort at the now defunct Olympic Gardens “Gentlemen’s” club. Defendant does nothing with her life, as she has nothing to do, except, of course, spend all her time alone at home trying to figure out new and exciting ways to bother, harass, and stalk her ex-husband, who she clearly cannot stop thinking about.
10. On or about August of 2016 Defendant instituted a post-judgment action demanding that the divorce decree she negotiated and that she accepted, be modified. Defendant lost that case.
11. In June of 2017, four (4) months after the decree of divorce was filed, Defendant again instituted an action for contempt against Plaintiff, alleging non-payment of family support, even though, at the time, she was being paid \$4,000.00 a month, though she was only entitled to a minimum of \$2,500.00 per month for family support.
12. On or about April of 2019, Plaintiff filed his motion to modify the family support provisions of the decree of divorce. Defendant filed a counterclaim, again alleging she was not paid enough.



13. On or about September of 2020 Plaintiff's motion was granted in part. However, Plaintiff appealed that decision, arguing that Plaintiff owed Defendant nothing.
14. After the appeal was perfected, Defendant filed another motion to hold Plaintiff in contempt for non-payment of support. Judge Arthur Ritchie denied that motion and stayed the matter pending appeal.
15. Despite that, Defendant filed yet another motion, which was denied, again arguing that Plaintiff should be held in contempt of court for non-paying of support.
16. At the same time that Defendant was carrying on her action in the district court, she filed and carried on a similar action in the child support court, for alleged arrears.
17. For years, Kellogg has carried on a campaign of harassment, defamation, and bullying online. In addition, she has filed multiple bar complaints against Alex that have gone nowhere but caused him to lose time and money responding to them, and then she posts them online – as she is pursuing a money judgment against Alex. See Plaintiff's exhibits (PE 001-012).
18. Kellogg makes it a habit of calling Alex a drug addict. See PE010; PE 009; PE 006; PE 003; PE 002. In PE 004 Kellogg adds a snippet from a mental health evaluation for our daughter, Nicole, who was only 10 years old at the time. The reason for the evaluation was because the child was taken from Kellogg due to rampant drug and alcohol abuse by Kellogg who was addicted to alcohol and cocaine at the time. In it, Kellogg highlights a portion of the report that Alex should continue therapy. Another constant theme of Kelloggs is that Alex is a "fraud" or "fraudulent lawyer", "criminal", "sociopath". See PE 001-012.
19. In reality, Plaintiff is a member of the bar in good standing.
20. Defendant is now posting videos of the sealed matter on Youtube and disseminating those videos to people that have no interest or business in the litigation.



- 1 21. In that time, Defendant has also contacted current and former litigants and opposing
2 parties to bad mouth Plaintiff and allege, as she always does, that Plaintiff is a drug
3 addict and mentally ill person not fit to practice law.
- 4 22. Defendant's conduct, as she sought payment from Plaintiff, so baffled the presiding
5 judge in their case that the judge asked Defendant's lawyers how it could possibly
6 make sense to demand payment on the one hand and undermine Plaintiff's ability
7 to pay on the other.
- 8 23. On August 5, 2021, as Plaintiff and R. Christopher Reade, Esq. were attempting a
9 good faith negotiation to end the current round of controversy initiated by
10 Defendant and her endless complaints, she interjected with the following email:
- 11
- 12 Chris,
- 13 As I indicated yesterday, there is no need to conduct a conference call with
14 a fumbling, bumbling brain damaged idiot who is clearly unhinged and
15 triggered by constant drug and alcohol abuse on a daily basis.
- 16 I will not be subjected any further to the mindless ramblings of a complete
17 lunatic, who is clearly on his way to inevitable disbarment and public
18 humiliation by the sheer stupidity of his own asinine words, vexatious
19 litigation threats and borderline personality comments.
- 20 Please let the foolish so-called "attorney", who is the subject matter of my
21 reply herein, know with precise certainty that his latest unprovoked and
22 drug induced antics today will be duly met head on by the Kellogg family
23 with nothing less than proper, immediate action being taken.
- 24 Said action shall commence today, effective immediately, including but
25 certainly not limited to a new Nevada State Bar Complaint, the filing of a
26 fresh TPO for ongoing threats and harassment, a defamation lawsuit if said
27 so-called and highly questionable "attorney" publishes anything libelous
28 about myself or any member of my family, and/or forwarding this
ridiculously reckless diatribe by "A.G" to the most interested and relevant
social and mainstream media outlets that eagerly anticipate and await
knowledge of his very next misstep.



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

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

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

9 Tara.

10 the proper authorities back toward him from the Kellogg family to the
11 lunatic will not take place. The flying is unhinged as we all know. I will
12 forward this correspondence to Briana. (See PE 010).

- 13 24. Defendant, who files for a temporary protective order against Plaintiff, who literally
14 never speaks to her, for any reason, on a yearly basis, then sent the following email,
15 again as Mr. Reade and Plaintiff attempted to negotiate in good faith:

16 Hey there little bitch lol

17 You have something to say? Come say it to my face, you chicken shit POS
18 goofy looking, brain dead buffoon lol Enjoy your law license for the Next
19 couple of months, you drug addict loser lol. Who loves ya, hairy ape 🦍?
20 Lol. Id.

- 21 25. Laughably, this comes from a woman who claims to be a victim of Plaintiff's
22 violence who is terrified of him. Plaintiff then sent the following missive:
23 Don't have follicular envy you bald buffoon. I loved your “meth
24 face”during the Evidentiary Hearing. Your drug and alcohol abuse is
25 legendary and has exponentially increased at such a warped speed that your
26 once marginal writing at best has now become the unintelligible ramblings
27 of a complete illiterate. Was this before or after you allegedly attended law
28 school and spent your entire inheritance on drugged out hookers like a
moron? Wow dude, what a winner! You're destined to die alone you selfish
imbecilic prick.

FYI, don't get it twisted, Nicole is the one who wants nothing to do with
you since the age three.

- 26 26. Defendant's egregious, bad faith, conduct has actually caused Plaintiff to lose
27 several clients that saw Defendant's post and that Defendant actually contacted.



27. It is clear from the above facts, which are only a small sampling of Defendant's
abhorrent conduct, that she has ulterior motives and bad faith in the use of process
since it is impossible to make sense of the fact that she seeks payment for money
in court, while undermining Plaintiff's ability to pay outside of court. More to the
point, the conduct is clearly defamatory and has injured Plaintiff's ability to practice
law.

V. FIRST CAUSE OF ACTION
(DEFAMATION PER SE)

28. Plaintiff repeats and re-alleges each and every allegation set forth in every
previous paragraph as though fully set forth herein and further alleges the
following.

29. Defamation is a publication of a false statement of fact.¹ In Nevada, the elements
of a defamation claim are: (1) a false and defamatory statement by a defendant
concerning the plaintiff; (2) an unprivileged publication of this statement to a
third person; (3) fault of the Defendant, amounting to at least negligence; and (4)
actual or presumed damages.² 20. Certain classes of defamatory statements are
considered so likely to cause serious injury to reputation and pecuniary loss that
these statements are actionable without proof of damages.³ The four types of
slander historically designated as defamatory per se are false statements made
involving: (1) the imputation of a crime; (2) the imputation of having a loathsome
disease; (3) imputing the person's lack of fitness for trade, business, or profession;

¹ Pegasus v. Reno Newspapers, Inc., 118 Nev. 706, 57 P.3d 82, 87 (Nev., 2002); citing Posadas v. City of Reno, 109 Nev. 448, 851 P.2d 438, 442 (1993)

² Id.

³ K-Mart Corp. v. Washington, 866 P.2d 274, 282, 109 Nev. 1180 (Nev., 1993). See also Gertz v. Robert Welch, Inc., 418 U.S. 323, 349, 94 S.Ct. 2997, 3011-3012, 41 L.Ed.2d 789 (1974) ("the doctrine of presumed damages in the common law of defamation per se "is an oddity of tort law, for it allows recovery of purportedly compensatory damages without evidence of actual loss." The doctrine has been defended on the grounds that those forms of defamation that are actionable per se are virtually certain to cause serious injury to reputation, and that this kind of injury is extremely difficult to prove.



and (4) imputing serious sexual misconduct.⁴ No proof of any actual harm to reputation or any other damage is required for the recovery of damages for these four kinds of slander.⁵

30. Between December 2020 and January 2021, Defendant posted on social media, but primarily Facebook the statements attached to this Complaint as Plaintiff's exhibits (PE 005-031).

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

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

32. In another post, made in the same time period, Defendants posted the following: Hey everyone, so called "attorney" Alex Ghibauda is up to his juvenile antics again on Facebook. He's created a few more fake Facebook profile (i.e., James Jones) 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.

33. In a comment on Facebook in the same time period, Defendants posted the following:

Hey "James Jones", aka Alex Ghibauda, the sociopath who still refuses Doctor recommended clinical therapy, maybe you should accurately set the record straight for both of your Facebook "friends". I put your ass out on the street

⁴ See *Carey v. Phipus*, 435 U.S. 247, 262 n. 18, 98 S.Ct. 1042, 1052 n. 18, 55 L.Ed.2d 252 (1978); *Branda v. Sanford*, 97 Nev. 643, 646, 637 P.2d 1223, 1225 (1981). F. Harper & F. James, *Law of Torts* §§ 5.9-5.13 (1956); *Restatement (Second) of Torts* §§ 558, 559, 569-574 (1977); W. Prosser, *Law of Torts* § 112 (4th ed. 1971).

⁵ W. Page Keeton et al., *Prosser & Keeton on the Law of Torts* § 112, at 788 (5th ed. 1984).



1 because you're a piss poor excuse for a father. In addition to being a liar, cheat,
2 thief, and JUNKIE!

3 34. Attached to that comment was an excerpt of a report made by a therapist
4 concerning Nicole Ghibaud, who was a minor at the time. The report was made
5 because Kellogg, under the influence of a bottle of wine and 25 Xanax, got in a
6 fight with her mother in an apartment she had when the parties were separated,
7 had the police called on her, and had Nicole removed and placed in child
8 protective custody. Kellogg was then compelled to complete a case plan to get her
9 daughter back. Here, she uses the recommendations made by Nicole's therapist to
10 try to embarrass. Plaintiff and suggest that he is in need of therapy that he does
11 not engage in. That report was made on or about 2012, at the height of Kellogg's
12 drug and alcohol addiction.

13 35. So, Defendants allege that Plaintiff, a practicing attorney with an office and
14 responsibility for a large case load that he is:

- 15 a. a. A liar
- 16 b. A thief
- 17 c. A junkie/drug addict
- 18 d. A cheat e. A sociopath
- 19 e. A fraud
- 20 f. About to lose his law license, be suspended, or be disbarred

21 36. Additionally, Defendant's allege that Plaintiff has no law license, that he is
22 defrauding the public, and that Kellogg paid for his law license.

23 37. Plaintiff is not a liar, he is not a thief, he is not on any illicit or illegal drugs, he is
24 not a sociopath, and he is certainly not a fraud – indeed, again, he is a duly
25 licensed attorney practicing law in Nevada. Additionally, Kellogg never paid for
26 anything in the entire course of the marriage. As stated above, Kellogg was a
27 stripper working at the Olympic Gardens. When she became pregnant with the
28 parties' child, in 2001, she decided to never work again and spent the next 20



years alternately getting high or getting drunk. So, her claim is a baseless lie. Thus, Defendant's claims fulfill the elements outlined above concerning defamation per se.

38. Here, Defendants' post is made in a matter-of-fact manner. It is designed to persuade the reader that the subject of the post is untrustworthy or so vile that the reader should never engage his services. Plaintiff's post have worked as intended - Plaintiff has lost at least one client due to Defendants' posts and several others have raised concern as a result of Defendants' post.

39. Because all of Defendants' statements impute a lack of fitness to practice law, Plaintiff's trade and only source of income, and impute crimes, damages are presumed.

40. Plaintiff's damages are \$500,000.00 and were proximately caused by Defendant.

41. WHEREFORE, Plaintiff demands judgment against Defendant for general, special, and punitive damages in the amount of \$500,000.00.

WHEREFORE, the Plaintiffs pray for judgment against the Defendants as follows:

1. For an award of general damages in excess of \$500,000.00;
2. For an award of special damages in excess of \$500,000.00;
3. For the imposition of punitive damages upon Defendant;
4. For reasonable attorney's fees and cost of suit incurred; and
5. For such further relief as the Court may deem just and proper under the circumstances.

Respectfully submitted this 5th day of October, 2021.


/s/ Alex Ghibaud

ALEX B. GHIBAUDO, Nevada Bar No. 10592
197 E. California Ave., Suite 250
Las Vegas, Nevada 89104
Telephone: (702) 978-7090
Facsimile: (702) 924-6553
Email: alex@glawvegas.com
Plaintiff in Proper Person

PLAINTIFF'S EXHIBITS



Tara R. Kellogg

2d · 



This is what typically happens to an average, run of the mill criminal who tries desperately to mask his morally bankrupt behavior behind a fraudulent law degree and law license (which I paid for no less).

Always remember what a wise man once told me, "Karma has no expiration date." This adage holds especially true when you dedicate your life to pure evil and are devoid of the basic common sense that God bestowed upon a garden variety head of lettuce.

You see, when you lack a moral compass in life, you will ultimately lose everything you thought you once had, especially when it comes to perceived honor, dignity, integrity, loyalty, and once upon a time, an actual family (rather than a cesspit of fellow junkies).

In conclusion, the lesson that can be learned here today for **EVERYONE** reading this post: Do not lose track of core values in

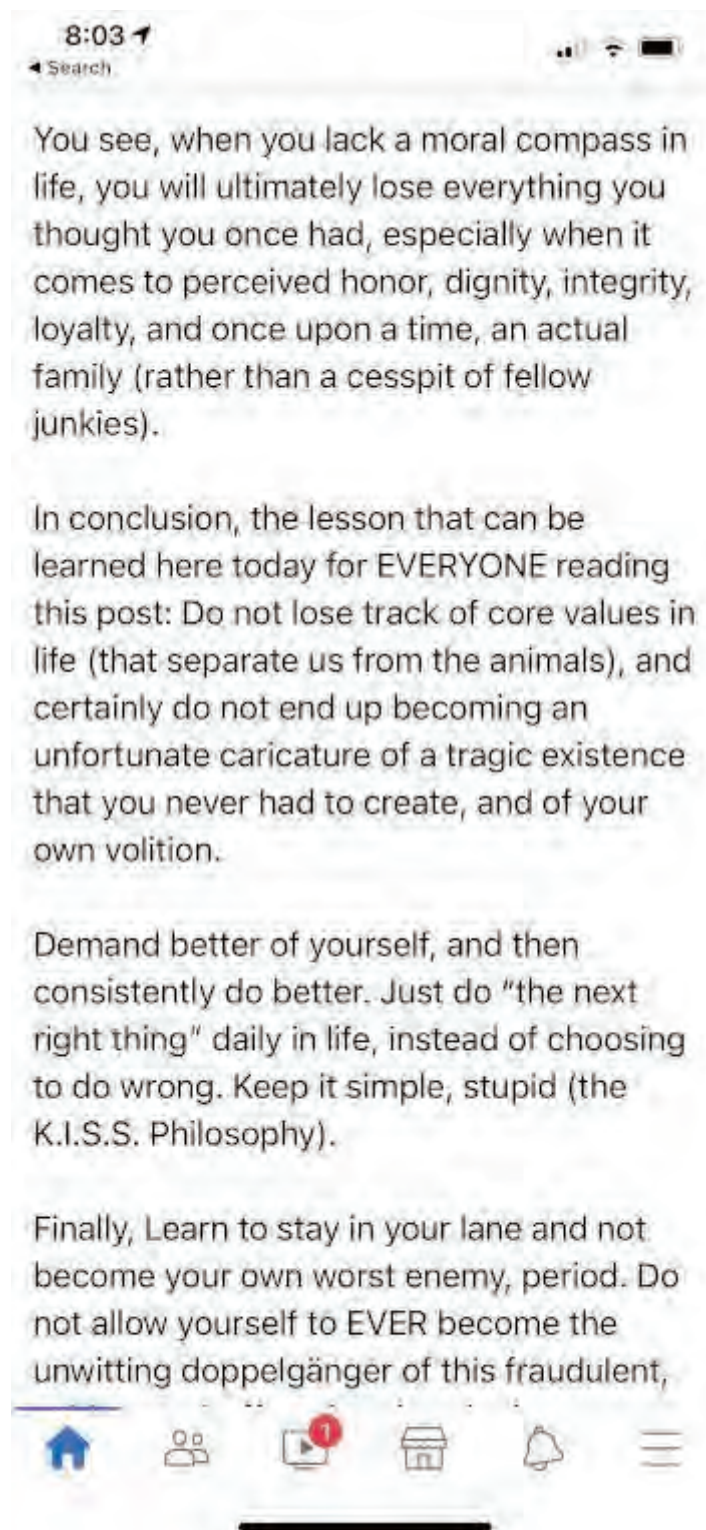


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10:29



Search



Tara R. Kellogg is with **Steve Sanson**.



1h • 🌐

Hey everyone, so called "attorney" Alex Ghibaudo is up to his juvenile antics again on Facebook. He's created a few more fake Facebook profiles (I.e. James Jones) 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 😂



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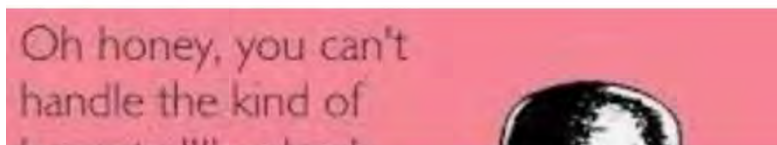
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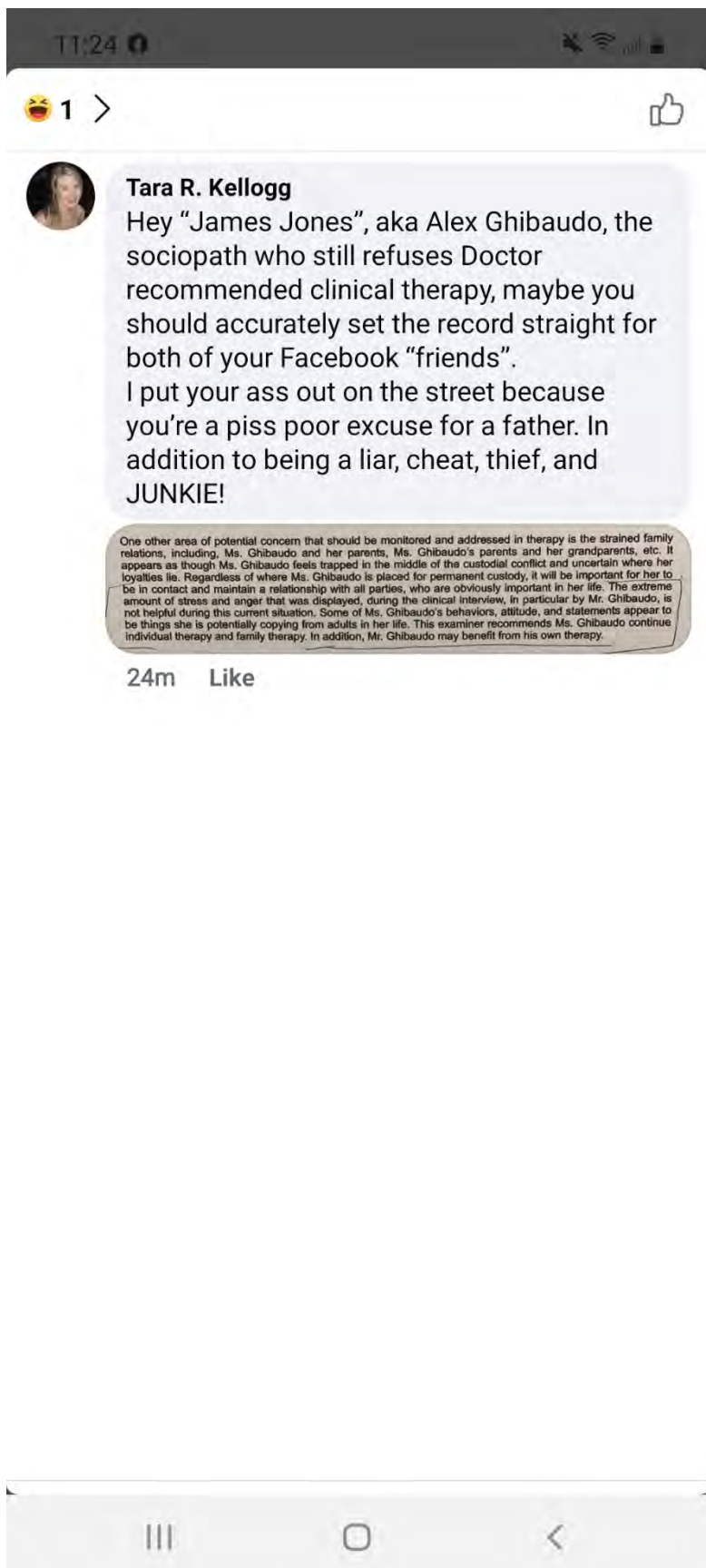


Tara R. Kellogg



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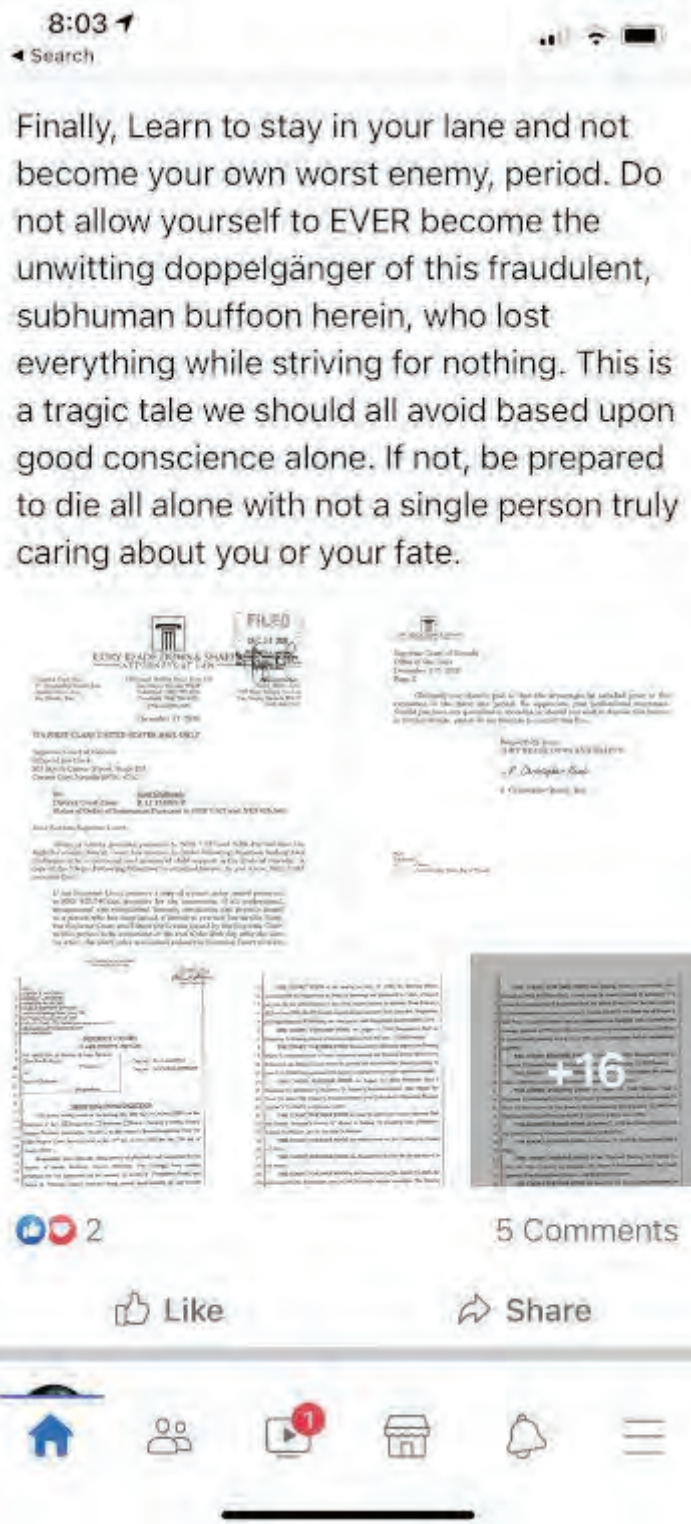
Tara R. Kellogg

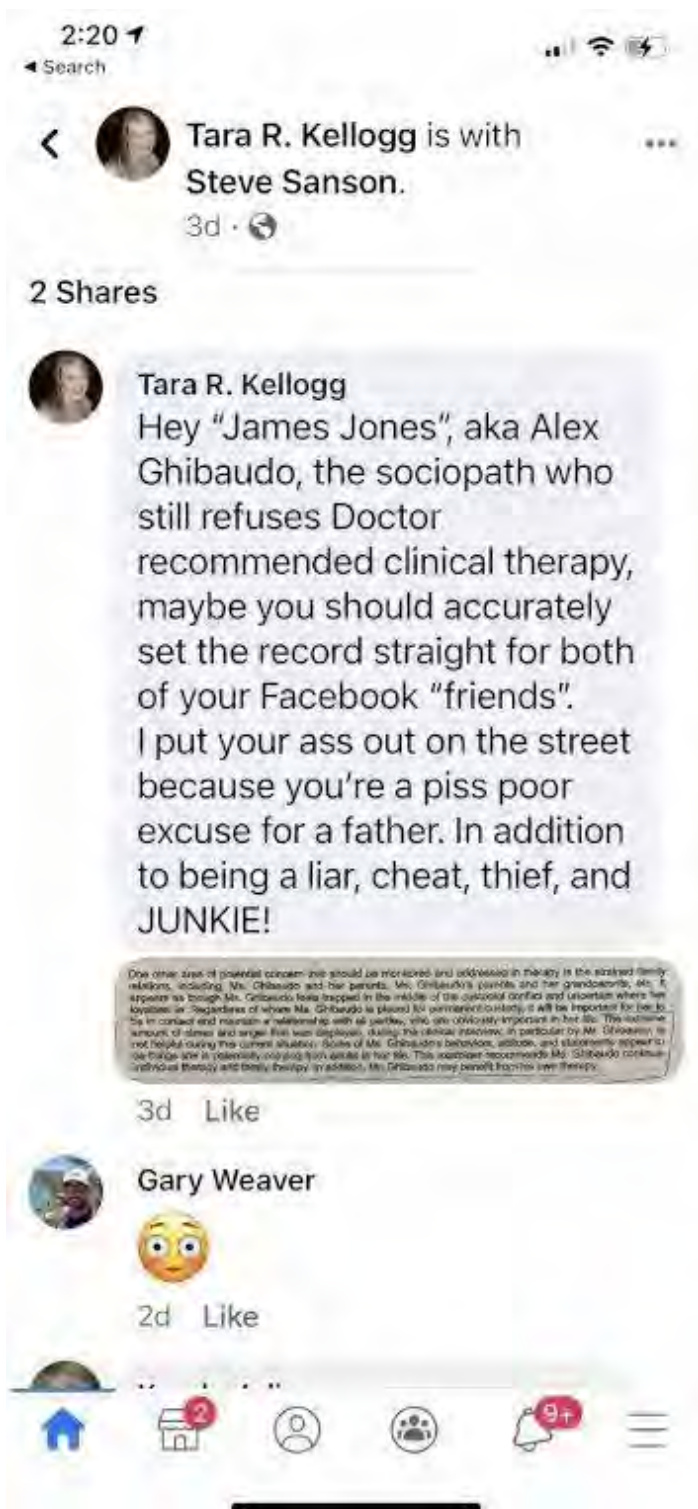
Hey "James Jones", aka Alex Ghibaudo, the sociopath who still refuses Doctor recommended clinical therapy, maybe you should accurately set the record straight for both of your Facebook "friends".

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!

One other area of potential concern that should be monitored and addressed in therapy is the strained family relations, including, Ms. Ghibaudo and her parents, Ms. Ghibaudo's parents and her grandparents, etc. It appears as though Ms. Ghibaudo feels trapped in the middle of the custodial conflict and uncertain where her loyalties lie. Regardless of where Ms. Ghibaudo is placed for permanent custody, it will be important for her to be in contact and maintain a relationship with all parties, who are obviously important in her life. The extreme amount of stress and anger that was displayed, during the clinical interview, in particular by Mr. Ghibaudo, is not helpful during this current situation. Some of Ms. Ghibaudo's behaviors, attitude, and statements appear to be things she is potentially copying from adults in her life. This examiner recommends Ms. Ghibaudo continue individual therapy and family therapy. In addition, Mr. Ghibaudo may benefit from his own therapy.

24m Like









From: [Tara Kellogg](#)
To: [Alex Ghibaudo](#)
Subject: Re: Tara Kellogg v. Alex Ghibaudo ** FOR SETTLEMENT PURPOSES PURSUANT TO NRS 48.105**
Date: Thursday, August 5, 2021 10:27:36 AM

Don't have follicular envy you bald buffoon. I loved your "meth face" during the Evidentiary Hearing. Your drug and alcohol abuse is legendary and has exponentially increased at such a warped speed that your once marginal writing at best has now become the unintelligible ramblings of a complete illiterate. Was this before or after you allegedly attended law school and spent your entire inheritance on drugged out hookers like a moron? Wow dude, what a winner! You're destined to die alone you selfish imbecilic prick.
FYI, don't get it twisted, Nicole is the one who wants nothing to do with you since the age three.

On Thu, Aug 5, 2021 at 10:03 AM Alex Ghibaudo <alex@glawvegas.com> wrote:
"Two brain cells clearly at war..." you don't even have an original thought in that monstrous, wig adorned head of yours, do you hoyt?

Alex Ghibaudo, ESQ.

From: Tara Kellogg <tarakellogg1@gmail.com>
Sent: Thursday, August 5, 2021 9:59:47 AM
To: Alex Ghibaudo <alex@glawvegas.com>

Subject: Re: Tara Kellogg v. Alex Ghibaudo ** FOR SETTLEMENT PURPOSES PURSUANT TO NRS 48.105**

Hey there little bitch lol
You have something to say? Come say it to my face, you chicken shit POS goofy looking, brain dead buffoon lol Enjoy your law license for the Next couple of months, you drug addict loser lol. Who loves ya, hairy ape ? Lol

On Thu, Aug 5, 2021 at 9:56 AM Alex Ghibaudo <alex@glawvegas.com> wrote:
Bahahahahaha...the ramblings of disbarred attorney (thief) Michael Hoyt Torrey. Congrats Joe, your daughter is a real winner! Bahahahahaha...too funny.

Alex Ghibaudo, ESQ.

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Tara Kellogg <tarakellogg1@gmail.com>
Sent: Thursday, August 5, 2021 9:52:17 AM
To: Chris Reade <creade@crdslaw.com>
Cc: Alex Ghibaudo <alex@glawvegas.com>

Subject: Re: Tara Kellogg v. Alex Ghibaudo ** FOR SETTLEMENT PURPOSES PURSUANT TO NRS 48.105**

Chris,

As I indicated yesterday, there is no need to conduct a conference call with a fumbling, bumbling brain damaged idiot who is clearly unhinged and triggered by constant drug and alcohol abuse on a daily basis.

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

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

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

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

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

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.

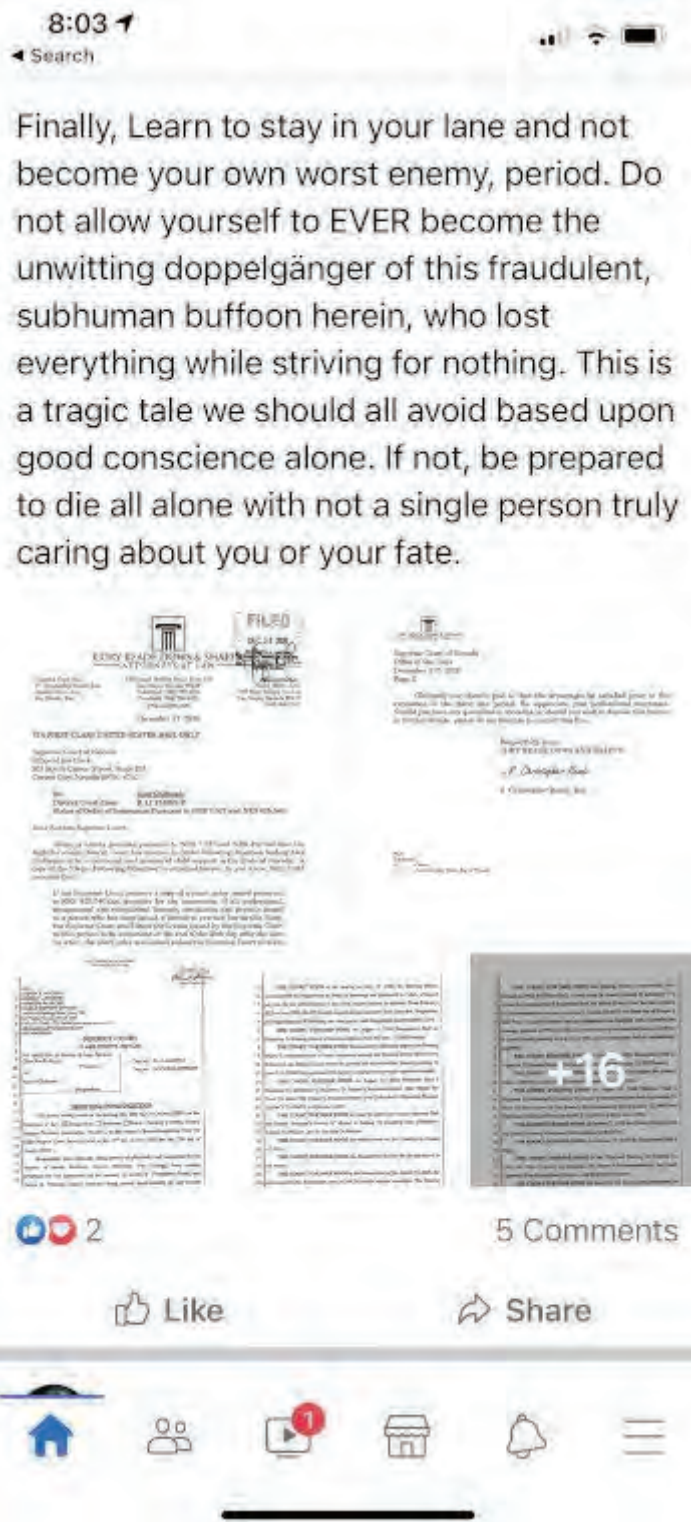
Tara.

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

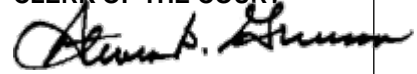
On Thu, Aug 5, 2021 at 8:57 AM Chris Reade <create@crdslaw.com> wrote:

Alex:

Ms. Kellogg did not make an extortion attempt. There is (or should be) no dispute that presently there is at a minimum (1) \$2500 for ongoing support; (2) the 2017 Judgment for arrears. We can put aside the 2020 Judgment which is on appeal. So her proposal







AACC
JONATHAN K. NELSON, ESQ.
Nevada Bar No. 12836
J.K. NELSON LAW, LLC
41 N. Hwy 160, Suite 8
Pahrump, NV 89060
T: (775) 727-9900
F: (775) 743-5573
courts@jknelsonlaw.com
Attorneys for Defendant

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

ALEX GHIBAUDO, an individual,

Plaintiff,

vs.

TARA KELLOGG, an individual, DOES I through
X; and ROE Corporations I through X,

Defendants.

CASE NO.: A-21-839156-C

DEPT NO.: 8

**ANSWER TO FIRST AMENDED COMPLAINT FOR DAMAGES FOR DEFAMATION
PER SE AND COUNTERCLAIM**

COMES NOW, Defendant, TARA KELLOGG (hereinafter "TARA" or
"Defendant/Counterclaimant") by and through her counsel of record, Jonathan K. Nelson, Esq. of J.K.
Nelson Law, LLC, and hereby files this Answer to First Amended Complaint for Abuse of Process as
follows:

1. As to paragraph 1, Defendant admits that Plaintiff seeks damages from Tara Kellogg. As to
the other numerous allegations set forth in paragraph 1, Defendant denies such allegations
2. As to paragraph 2, Defendant admits such allegations
3. As to paragraph 3, Defendant admits such allegations
4. As to paragraph 4, Defendant is without sufficient knowledge or information so as to form a
belief as to the truth of Plaintiff's allegations therefore denies the same.
5. As to paragraph 5, Defendant is without sufficient knowledge or information so as to form a
belief as to the truth of Plaintiff's allegations and therefore denies the same
6. As to paragraph 6, Defendant admits such allegations

7. As to paragraph 7, Defendant admit such allegations
8. As to paragraph 8, Defendant is without sufficient knowledge or information so as to form a belief as to the truth of Plaintiff's allegations and therefore denies same
9. As to paragraph 9, Defendant admits that she is a 47-year old woman. As to the remainder of the numerous allegations set forth in paragraph 9, Defendant denies such allegations
10. As to paragraph 10, Defendant denies such allegations
11. As to paragraph 11, Defendant admits that she caused to have filed an action for contempt on or around June of 2017. As to the remainder of the numerous allegations, denies such allegations
12. As to paragraph 12, Defendant denies such allegations
13. As to paragraph 13, Defendant denies such allegations
14. As to paragraph 14, Defendant denies such allegations
15. As to paragraph 15, Defendant denies such allegations
16. As to paragraph 16, Defendant denies such allegations
17. As to paragraph 17, Defendant denies such allegations
18. As to paragraph 18, Defendant denies such allegations
19. As to paragraph 19, Defendant is without sufficient knowledge or information so as to form a belief as to the truth of Plaintiff's allegations and therefore denies the same
20. As to paragraph 20, Defendant denies such allegations
21. As to paragraph 21, Defendant denies such allegations
22. As to paragraph 22, Defendant denies such allegations
23. As to paragraph 23, Defendant admits sending the email reference therein said paragraph. As to the remainder of the numerous allegations set forth in paragraph 23, Defendant denies such allegations
24. As to paragraph 24, Defendant admits sending the email referenced therein said paragraph. As to the remainder of the numerous allegations set forth in paragraph 24, Defendant denies such allegations
25. As to paragraph 25, Defendant admits sending the email referenced therein said paragraph.

As to the remainder of the numerous allegations set forth in paragraph 25, Defendant denies such allegations

26. As to paragraph 26, Defendant denies such allegations

27. As to paragraph 27, Defendant denies such allegations

FIRST CAUSE OF ACTION

(Defamation Per Se)

28. Defendant repeats and re-alleges her answers set forth in the previous paragraphs

29. As to paragraph 29, this paragraph sets forth legal conclusions and questions of law to which no response is required. To the extent that a response is required, Defendant denies such allegations set forth

30. As to paragraph 30, Plaintiff's Complaint filed on October 6, 2021 noted exhibits PE 005-031, but only included Plaintiff's Exhibit 1-12. Based upon Plaintiff's failure to provide the exhibits he referenced, Defendant is unable to form an understanding of the allegation in paragraph 30 and therefore denies such allegations

31. As to paragraph 31, Defendant admits such allegations

32. As to paragraph 32, Defendant admits such allegations

33. As to paragraph 33, Defendant admits such allegations

34. As to paragraph 34, Defendant denies such allegations

35. As to paragraph 35, Defendant denies such allegations

36. As to paragraph 36, Defendant denies such allegations

37. As to paragraph 37, Defendant denies such allegations

38. As to paragraph 38, Defendant denies such allegations

39. As to paragraph 39, Defendant denies such allegations

40. As to paragraph 40, Defendant denies such allegations

41. As to paragraph 41, Defendant denies such allegation

To the extent that any allegation has not been admitted or denied, Defendant hereby denies such allegations. As to any allegations not specifically admitted, Defendant hereby denies such allegations.

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Seventh Affirmative Defense- Truth

As a seventh and separate affirmative defense to Plaintiff’s Complaint and each and every purported cause of action alleged and contained therein, Defendant argues that to the extent statements were made by her, such statements were truthful statements.

Eighth Affirmative Defense- Statute of Limitations

As an eighth and separate affirmative defense to Plaintiff’s Complaint and each and every purported cause of action alleged and contained therein, Defendant argues that Plaintiff failed to plead his complaint and cause of action within the period set forth in NRS 41

Ninth Affirmative Defense

As a ninth and separate affirmative defense to Plaintiff’s Complaint and each and every purported cause of action alleged and contained therein, Defendant allege that pursuant to Nevada Code of Civil Procedure, as amended, all possible affirmative defenses may not have been alleged herein insofar as sufficient facts were not available after reasonable inquiry upon the filing of Defendant’s Answers to Plaintiff’s First Amended Complaint, and therefore, Defendant reserve the right to amend their Answer to allege additional affirmative defenses if subsequent investigation so warrants.

COUNTERCLAIM

Counterclaimant, TARA KELLOGG (hereinafter “Counterclaimant”), hereby files this Answer To First Amended Complaint For Damages For Defamation Per Se And Counterclaim against Counter Defendant, ALEX GHIBAUDO (hereinafter “Counter Defendant” or “Alex”) as follows:

JURISDICTIONAL ALLEGATIONS

- 1. Counterclaimant, TARA KELLOGG, is an individual and a resident of Clark County, Nevada.
- 2. Counter defendant, Alex Ghibaudo, is an individual and a resident of Clark County, Nevada
- 3. All events and allegations pertinent to this instant action took place in the Clark County, Nevada

1 4. This Court is the proper court for trial and is the proper place for this suit to be as the
2 Defendant and the property involved are all presently located in the County of Clark,
3 State of Nevada.

4 **FACTS COMMON TO CAUSES OF ACTION**

- 5
- 6 5. Alex and Tara had been married and were divorced by way of a Decree of Divorce
7 (“Decree of Divorce”) entered on or around February 1, 2017 before the Clark County
8 District Court, Family Division, in case D-15-522043-D (hereinafter “Family Case”)
- 9 6. Tara alleges that Alex has failed to abide by all of the terms of the Decree of Divorce
- 10 7. As a result of Tara’s belief and opinion that Alex has failed to abide by terms of the
11 Decree of Divorce, she has filed motions and other pleadings in the Family Case
- 12 8. Alex has also fought original findings from the Decree of Divorce.
- 13 9. Alex has also fought subsequent orders of the judge presiding over the Family Case
- 14 10. Alex has engaged in extensive litigation in the Family Case.
- 15 11. Following their divorce, there was a dispute between the parties concerning the payment
16 of child support
- 17 12. As a result of the parties’ disputes over the payment or nonpayment of child support, Tara
18 opened a child support case with the Clark County Child Support Enforcement Division.
19 (hereinafter “Child Support Case”)
- 20 13. Both parties have appeared before the hearing master for the Child Support Case
- 21 14. Tara is owed child support arrearages from Alex in the Child Support Case
- 22 15. Alex has refused to pay Tara the monies she is owed in the Child Support Case
- 23 16. Tara is owed spousal support arrearages from Alex in the Family Case
- 24 17. Alex has refused to pay Tara the monies she is owed in the Family Case
- 25 18. Tara is owed attorney’s fees and costs from Alex in the Family Case
- 26 19. Alex has refused to pay Tara the monies she is owed as for attorney’s fees and costs in the
27 Family Case.
- 28

FIRST CAUSE OF ACTION –ABUSE OF PROCESS

20. Tara re-alleges her allegations set forth in paragraphs 1 through 19.

21. August 09, 2021, Alex filed his complaint in this matter and three hours later his process server attempted service at Tara's home.

22. On August 10, 2021, the process server left a copy with the guard at the gate of her community.

23. Alex knew that in this matter this was not effective service as Alex was previously aware that Tara had retained Jonathan K. Nelson, Esq. as counsel in a closely related matter, and armed with that knowledge he chose not to even inquire with Mr. Nelson about acceptance of service.

24. Instead of perfecting service of this case Alex chose to subvert fair practice and request a default from the Court.

25. On August 31, 2021, this court entered a default against Tara

26. On September 1, Tara filed a Motion to Set Aside Default and Motion to Dismiss.

27. On October 05, 2021, this Court granted Tara's Motion to Set Aside Default and Motion to Dismiss.

28. Instead of accepting the decision of this court Alex has chosen to file an amended complaint in order to use up more of Tara's financial resources and time, in attempt to weaken her ability to litigate the related family case (D-15-522043-D).

29. Alex has used his status as practicing attorney to attempt to intimidate Tara throughout the proceedings of their divorce and custody case by abusing the legal process to prolong his obligation to pay her the child and spousal support as he has been ordered to.

30. On or about August 04, 2021, Alex sent an email to Tara's former counsel stating in part "Just keep getting that retainer refreshed because this wont end anytime soon" implying that he would make the case last as long as he possibly could.

See defendant's exhibit A

- 1 31. Alex has brought this action solely in an attempt to make Tara spend more money and
2 divert time to defend this action, and minimize her ability to prosecute the family law case
3 in which Alex owes more than \$140,000 to Tara in arrearages.
4 32. On October 14, 2021, at 12:29 p.m. Tara filed a Schedule of Arrearages in case number
5 D-15-522043-D.
6 33. Alex is represented by counsel in case number D-15-522043-D
7 34. On October 14, 2021, at 12:42 p.m. Michancy Cramer, Esq. counsel for Alex replied to an
8 email sent by his client to Attorney Jonathan K. Nelson, Esq. In this reply attorney Cramer
9 spoke directly to Mr. Nelson, with Alex's original message attached. See defendant's
10 exhibit B.
11 35. On October 14, 2021, at 12:38 p.m. less than 10 minutes after Tara's Schedule of
12 Arrearages had been filed, Alex sent a threatening email to Tara's counsel which stated in
13 part "You should focus your attention on the defamation claim recently filed and your
14 answering brief, due in 6 days, rather than continue to waste my time with frivolous
15 motions already attempted and denied." See defendant's exhibit B.
16 36. Tara has been damaged as a result of the actions of Alex in an amount in excess of \$140,000.

17 **SECOND CAUSE FOR ACTION- MALICIOUS PROSECUTION**

- 18 37. Plaintiff Alleges and Re-affirms all the allegations set forth in paragraphs 1 through 36 of
19 this action.
20 38. Alex is a licensed and practicing attorney in the state of Nevada.
21 39. Alex is the owner and sole proprietor of Law Office of Alex B. Ghibaud, PC (G Law)
22 40. Alex has used his office staff as well as his time to file this action and other unnecessary
23 pleadings in his related family court case.
24 41. Alex was aware at the time of filing this suit that he was unlikely to prevail.
25 42. Tara has been damaged as a result of the actions of Alex in an amount in excess of \$140,000.
26 43. Tara has had to obtain counsel to defend this action and therefore should be entitled to
27 attorney's fees and costs.
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WHEREFORE, Counterclaimant requests that the following relief be granted:

1. That the Court deny the relief requested in Plaintiff's Complain and he take nothing,
2. That the Court grant the relief requested in this Counterclaim; and
3. For other such relief as the Court finds to be just and proper.

Dated this 15th day of October 2021.

Respectfully Submitted by:
J.K. NELSON LAW, LLC

/s/ Jonathan K. Nelson, Esq.
JONATHAN K. NELSON, ESQ.
Nevada Bar No. 12836
Attorneys for Defendant

VERIFICATION

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, Tara Kellogg, under penalties of perjury, being first duly sworn, deposes and says:

That I am the Defendant and Counterclaimant in the above-entitled action; that I have read the foregoing *Answer To First Amended Complaint For Damages For Defamation Per Se And Counterclaim* and know the contents thereof; that the same is true of my own knowledge, except for those matters therein contained stated upon information and belief, and as to those matters, I believe them to be true.

I declare under the penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

DATED this October 19, 2021.


TARA KELLOGG

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b). I certify that I am an employee of JK NELSON LAW Office and that on the 15th day of October 2021, I caused the foregoing document, Answer To First Amended Complaint For Damages For Defamation Per Se And Counterclaim, to be served 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," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;

☐ By placing the same to be deposited for mailing in the United States Mail, in a sealed envelope with appropriate first class postage attached.

☐ Pursuant to EDCR 7.26, to be sent via fax, by duly executed consent for service by electronic means; and/or

☐ By hand delivery with signed Receipt of Copy;

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

Alex B. Ghibaud, P.C.
197.E. California St., Suite 250
Las Vegas, NV 89104
alex@glawvegas.com

DATED this 15th day of October 2021.

/s/ Ronald Harper
An Employee of JK NELSON LAW

Exhibit A

CIRCULAR 230 NOTICE: To comply with U.S. Treasury Department and IRS regulations, we are required to advise you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this transmittal, is not intended or written to be used, and cannot be used, by any person for the purpose of (i) avoiding penalties under the U.S. Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this e-mail or attachment.

From: Alex Ghibaudo <alex@glawvegas.com>

Sent: Wednesday, August 4, 2021 7:02 PM

To: nevjo@aol.com; Chris Reade <creade@crdslaw.com>

Subject: Re: Tara Kellogg v. Alex Ghibaudo ** FOR SETTLEMENT PURPOSES PURSUANT TO NRS 48.105**

By the way, tomorrow every single unflattering picture of her is going up and i will tell the story publicly of her myriad addictions and psych problems, and Joes unabashed racism. Its all coming out now. Fuck this, I will not be extorted by an old pos junkie.

Alex G.

Sent from my T-Mobile 5G Device

Get Outlook for Android

From: Alex Ghibaudo <alex@glawvegas.com>

Sent: Wednesday, August 4, 2021 6:59:11 PM

To: nevjo@aol.com <nevjo@aol.com>; Chris Reade <creade@crdslaw.com>

Subject: Fwd: Tara Kellogg v. Alex Ghibaudo ** FOR SETTLEMENT PURPOSES PURSUANT TO NRS 48.105**

Just keep getting that retainer refreshed because this wont end anytime soon so long as your old pos daughter keeps playing her stupid fucking games old man. Just wait till i tell the world what a racist piece of shit you and your family is.

Remember when youd tell me to take my wetback ass back to Argentina? Wonder what your employer and the public will think of that?

Alex G.

Sent from my T-Mobile 5G Device

Get Outlook for Android

From: Alex Ghibaudo <alex@glawvegas.com>

Sent: Wednesday, August 4, 2021 6:36:56 PM

To: Chris Reade <creade@crdslaw.com>

Cc: Michancy Cramer <michancy@glawvegas.com>

Subject: Re: Tara Kellogg v. Alex Ghibaudo ** FOR SETTLEMENT PURPOSES PURSUANT TO NRS 48.105**

Exhibit B

Ronald Harper

From: Michancy Cramer <michancy@glawvegas.com>
Sent: Thursday, October 14, 2021 12:42 PM
To: Alex Ghibauda; JKNelsonLaw Courts; sarah.tinney@jknelsonlaw.com; sarah.tinney@jknelsonlaw.com
Subject: RE: Kellogg v. Ghibauda (Case No. D-15-522043-D)

As the attorney of record in this matter, I concur with my client's assessment. Mr. Reade already tried this route several times and Judge Ritchie was clear. I'm done playing games here. If you file another of the same motion, we will be pursuing sanctions.

M

From: Alex Ghibauda <alex@glawvegas.com>
Sent: Thursday, October 14, 2021 12:38 PM
To: Alex Ghibauda <alex@glawvegas.com>; courts@jknelsonlaw.com; sarah.tinney@jknelsonlaw.com; sarah.tinney@jknelsonlaw.com
Cc: Michancy Cramer <michancy@glawvegas.com>
Subject: Kellogg v. Ghibauda (Case No. D-15-522043-D)



Mr. Nelson,

I noticed you filed a schedule of arrearages. I don't know if you are aware but Judge Ritchie stayed any contempt or enforcement action on this matter pending the outcome of the appeal. So, you are on notice that if I have to waste my time responding to another motion for contempt or the like after the Court already indicated, twice, that it would not entertain such motions pending the appeal, I will move for NRCP 11 sanctions against you and attorney's fees and sanctions against you personally pursuant to NRS 7.085. I'll also report you to the bar for incompetence.

You should focus your attention on the defamation claim recently filed and your answering brief, due in 6 days, rather than continue to waste my time with frivolous motions already attempted and denied.

You're on notice.

Regards,

/s/ Alex Ghibaudo

Alex B. Ghibaudo, Esq.

Alex B. Ghibaudo, PC
197 E. California Ave., Suite 250
Las Vegas, Nevada 89101
O: 702.462.5888
C: 702.217.7442
F: 702.924.6553
alex@glawvegas.com
www.glawvegas.com

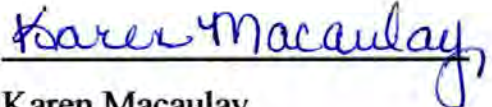
CONFIDENTIALITY NOTICE: This electronic transmission (including any files attached hereto) contains information that is legally privileged, confidential, and exempt from disclosure. It is intended for use only by the individual or entity named above. If you are not the intended recipient or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any disclosure, dissemination, copying, distribution, or the taking of any action in reliance on the contents of this confidential information is strictly prohibited. If you have received this communication in error, please destroy it, remove it from your computer and/or network, and immediately notify me by email. Thank you. Receipt by anyone other than the named recipient(s) is not a waiver of any attorney-client, work product or other applicable privilege, protection or doctrine.

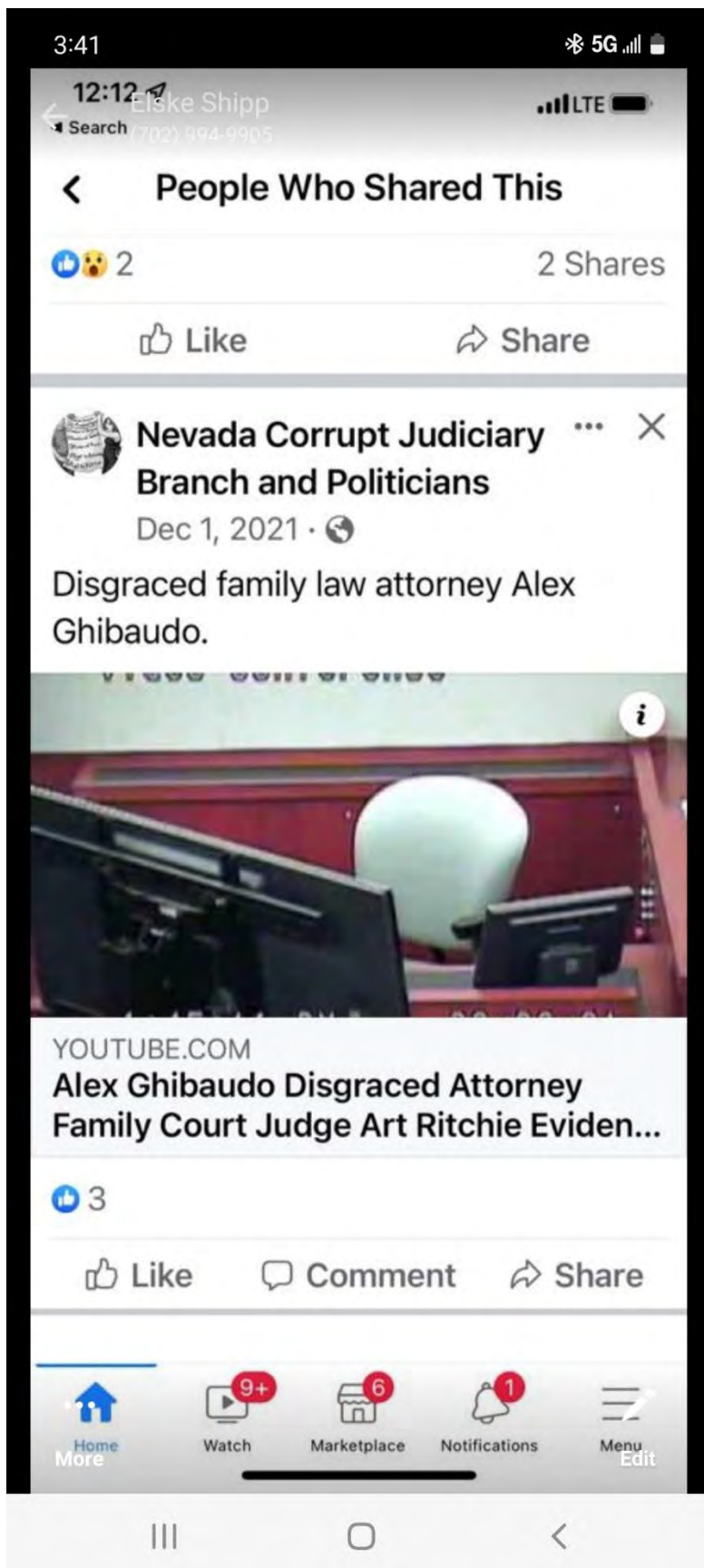
Declaration of Karen Macaulay

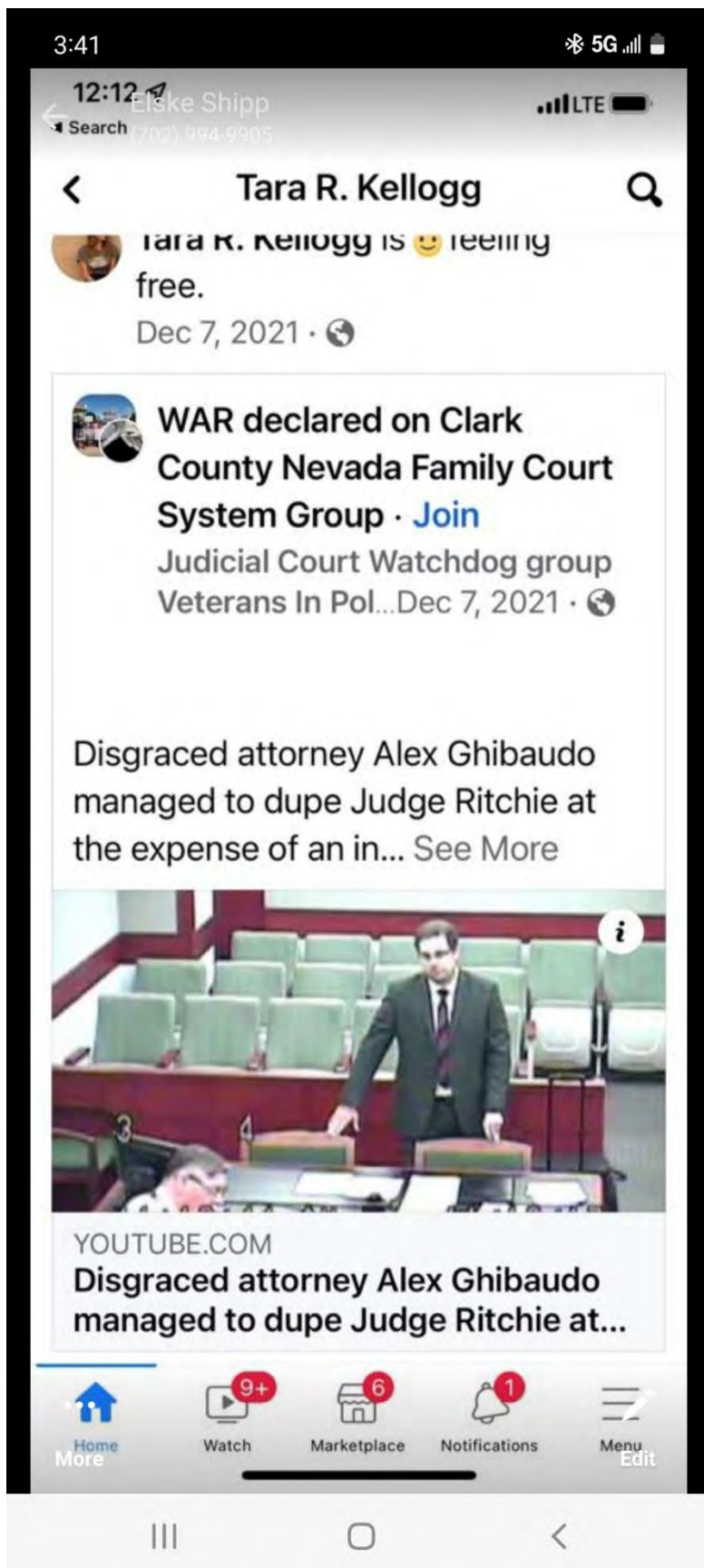
I, Karen Macaulay, am a paralegal for Alex Ghibaudó under 1099 employment. I also run a large support group for family law litigants and frequently refer people seeking attorneys. On multiple occasions, I have referred people to Alex Ghibaudó based on the quality of work he creates and his excellent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

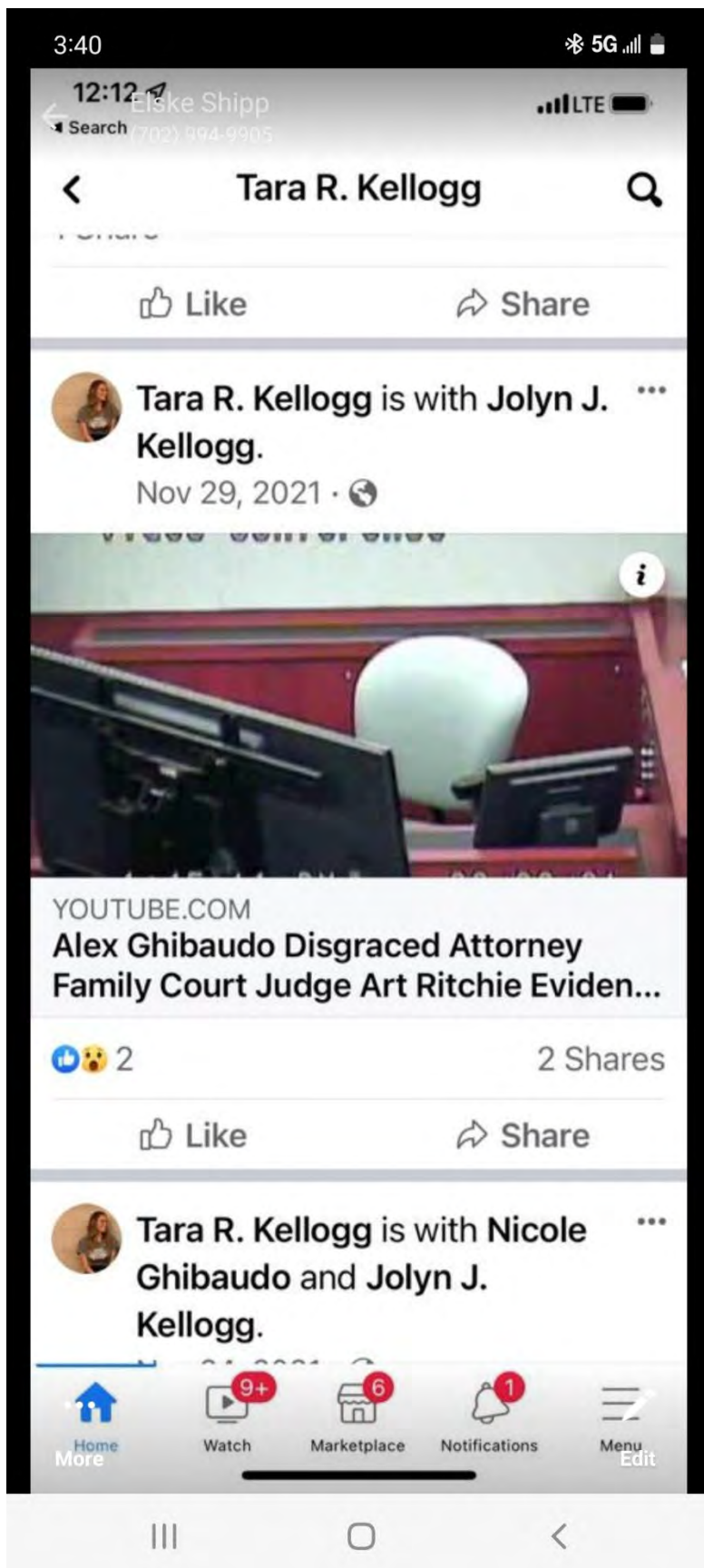
I declare under penalty of perjury under the laws of the State of Nevada (NRS 53.045 and 28 USC § 1746), that the forgoing is true and correct.

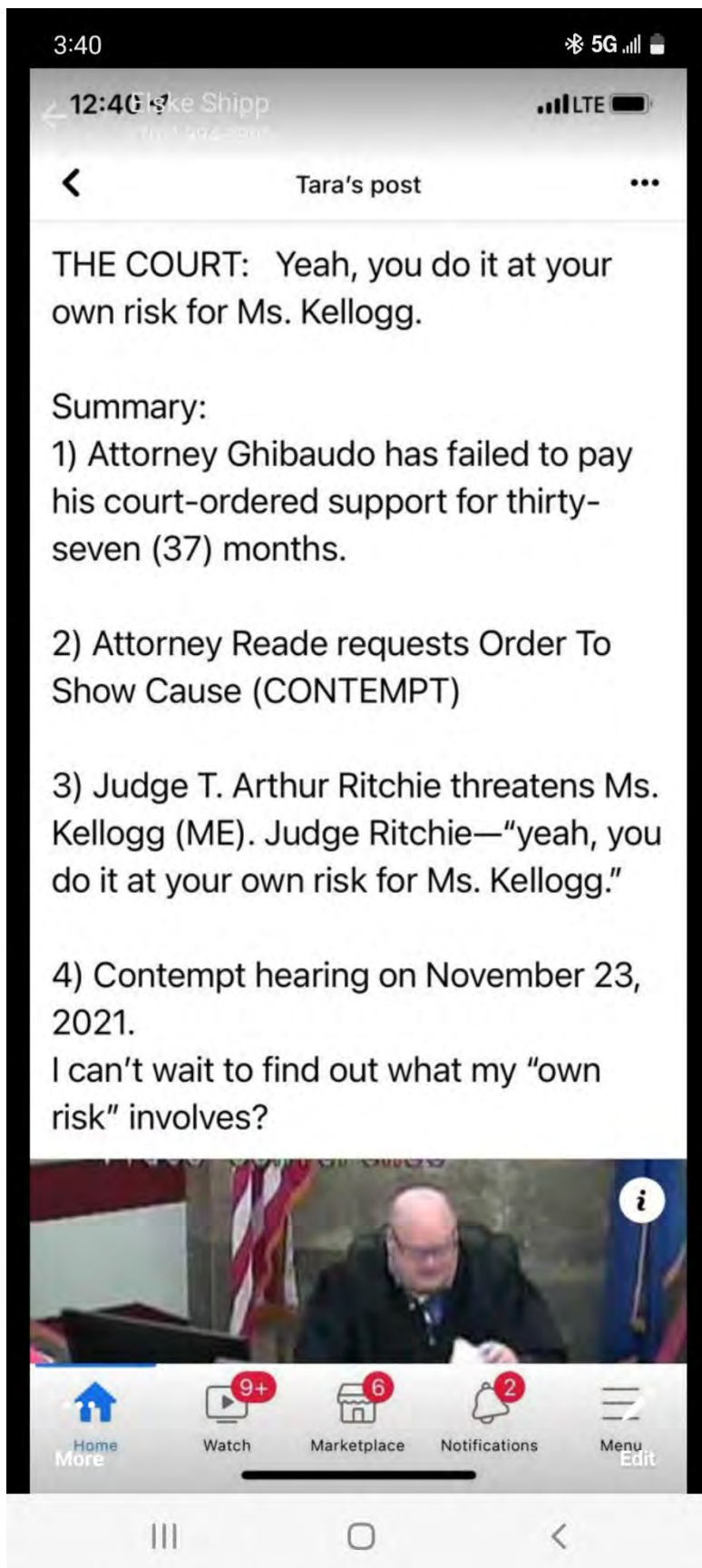
DATED this 5th Day of February 2022.

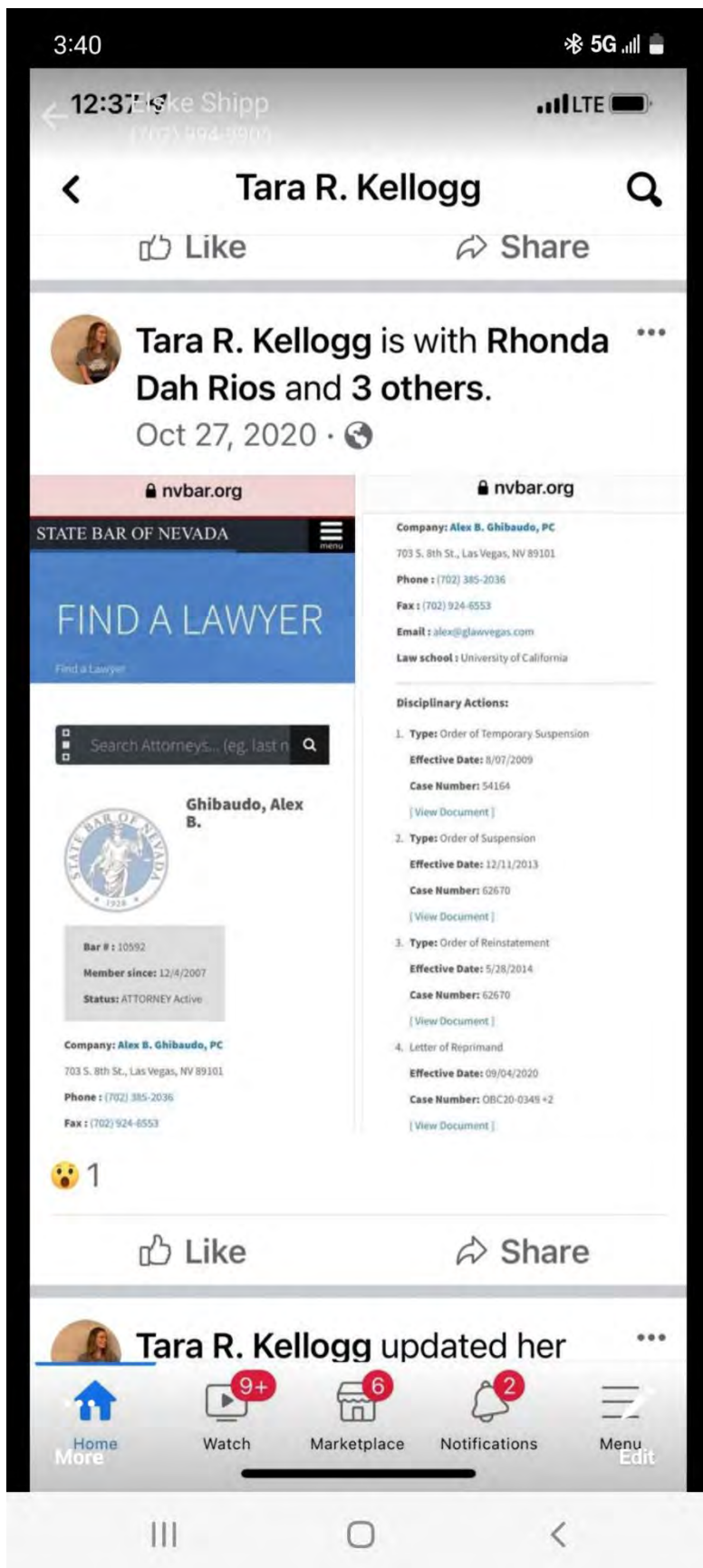

Karen Macaulay



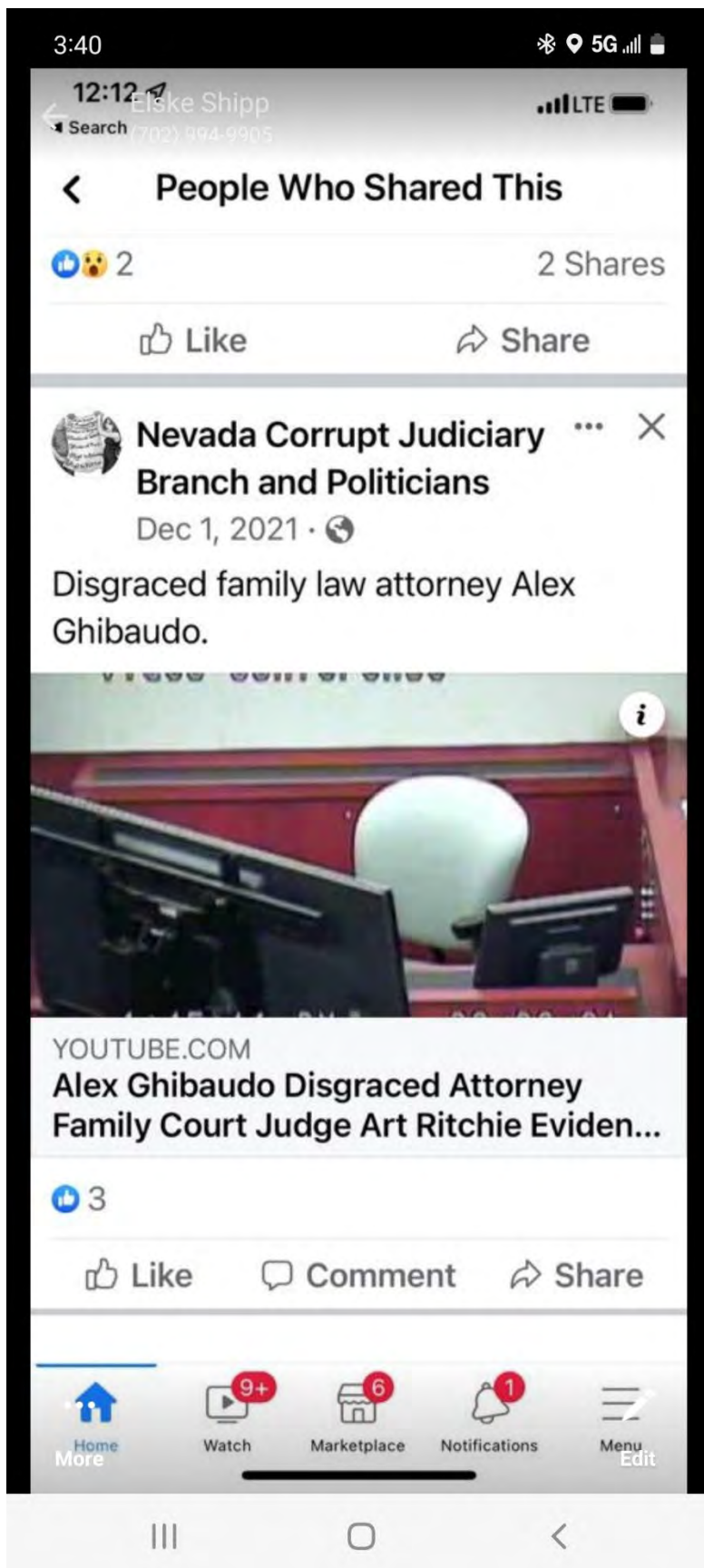


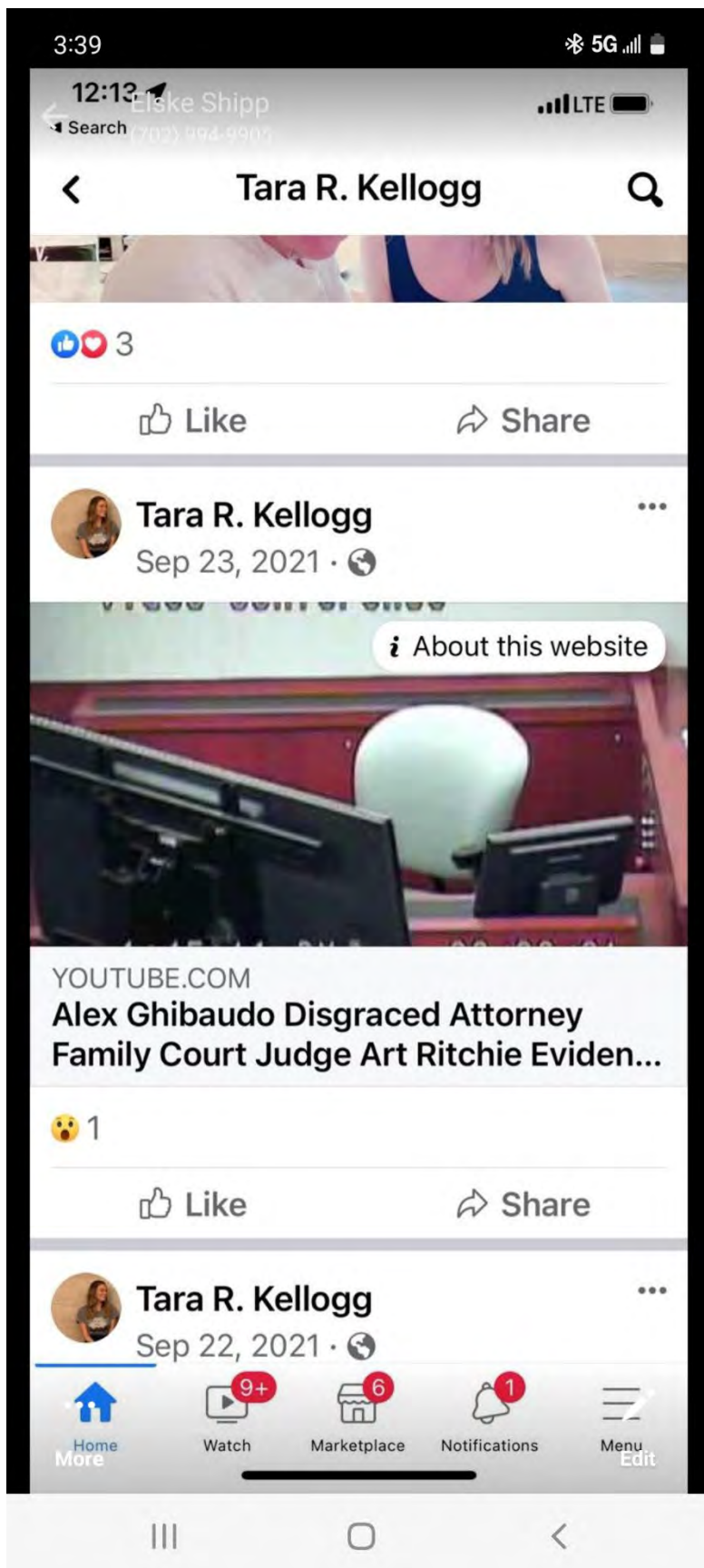


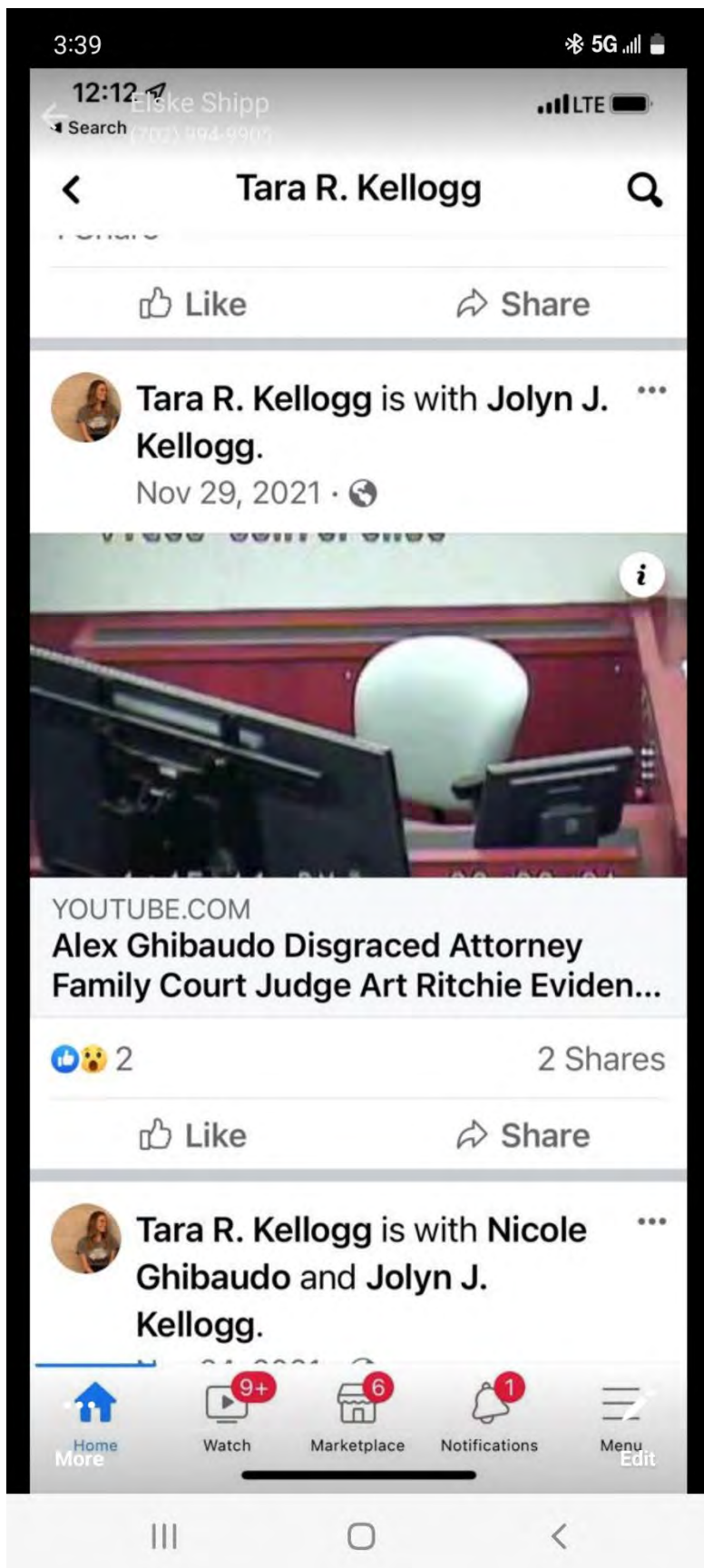


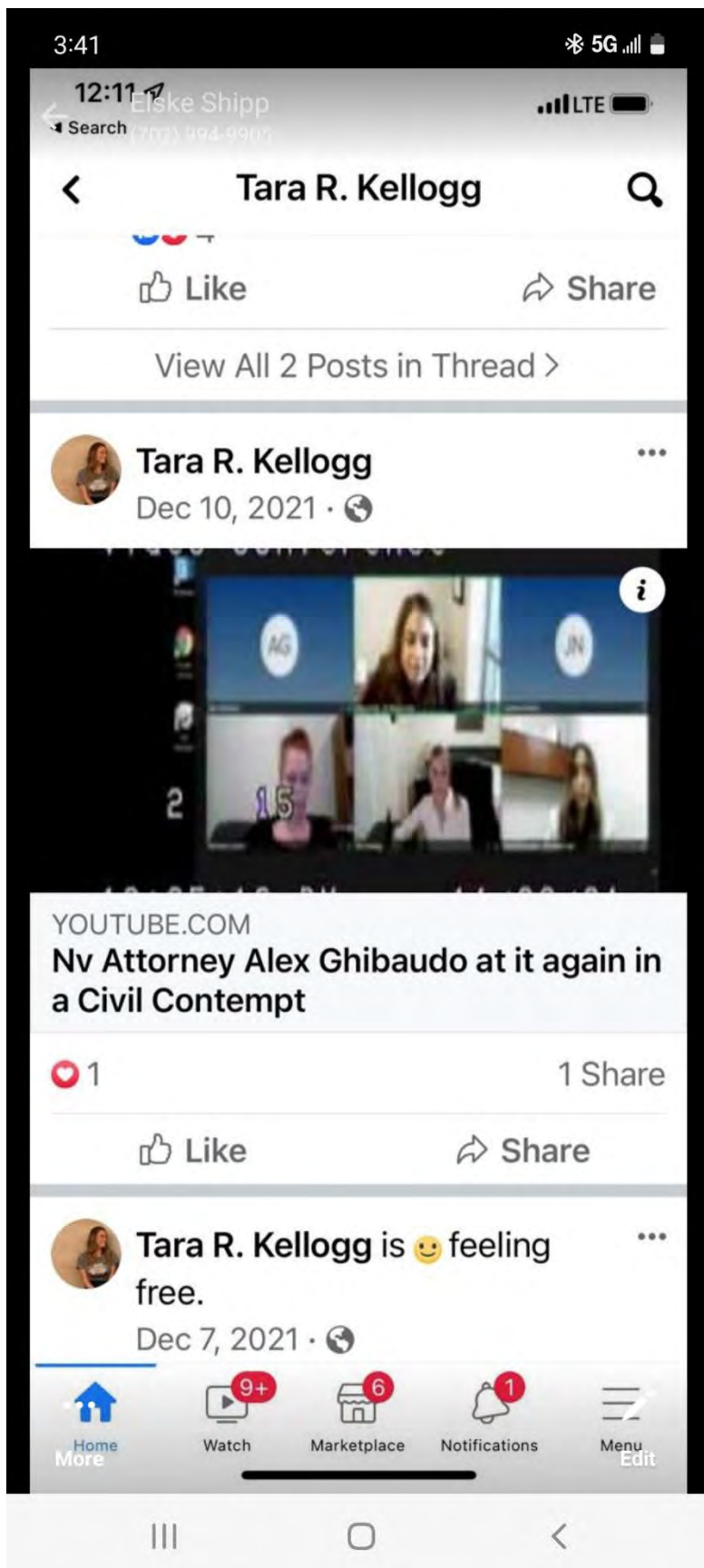


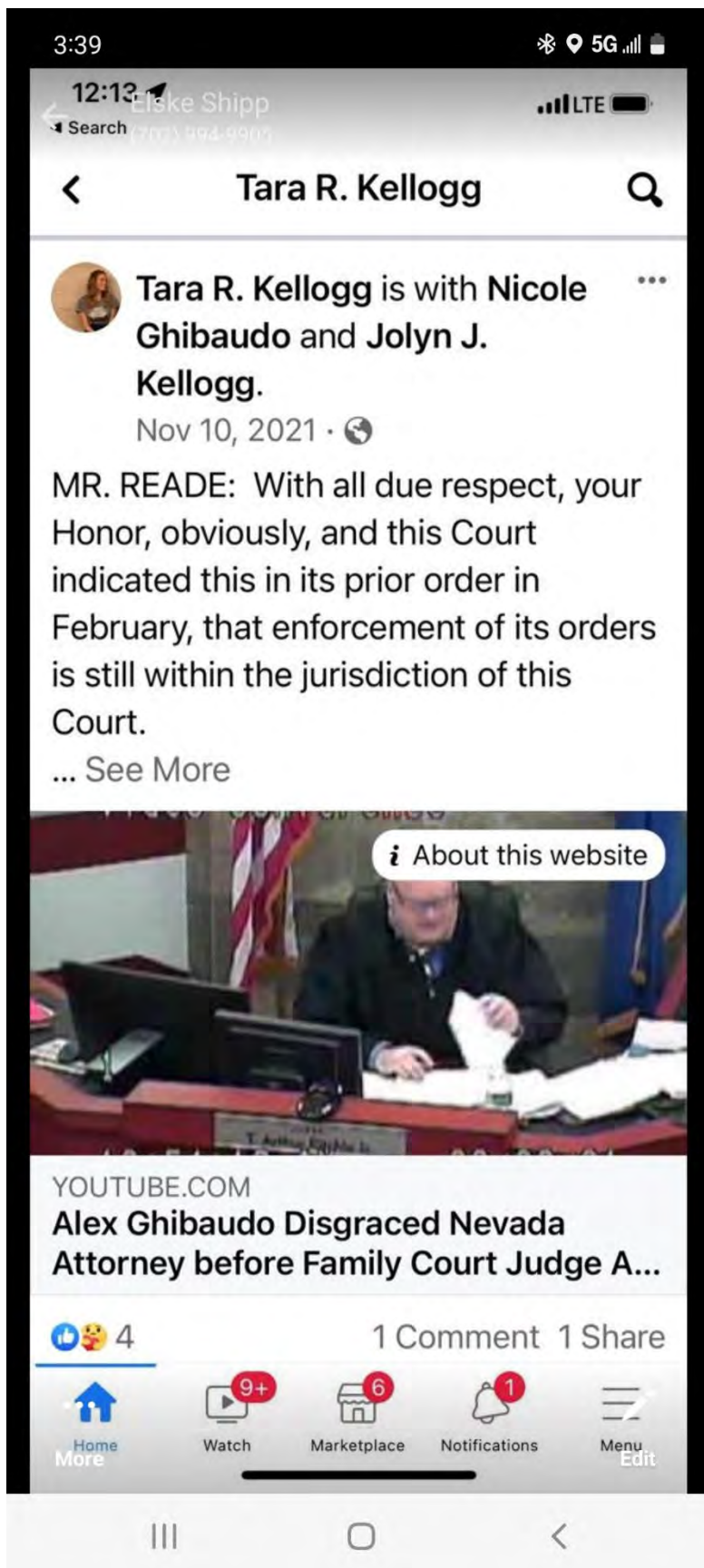


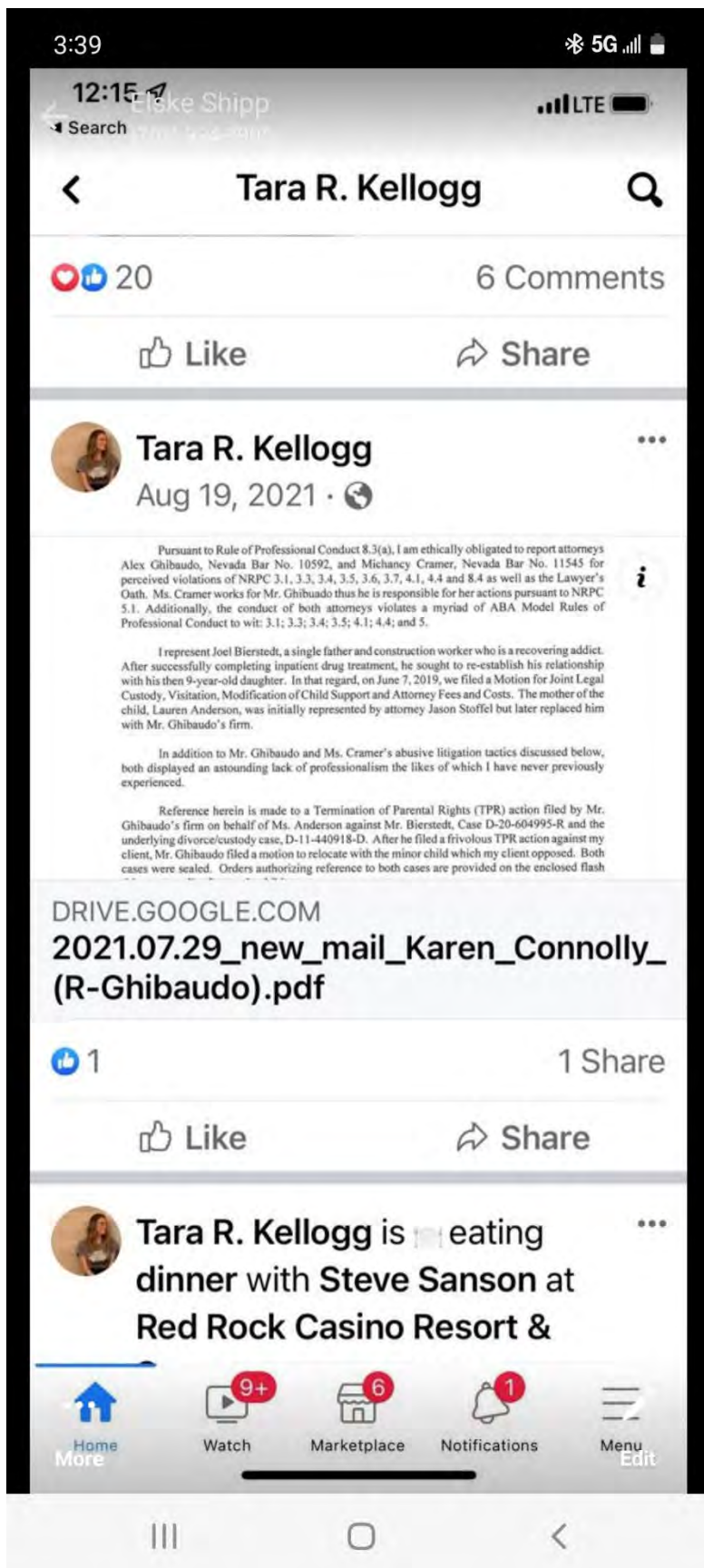


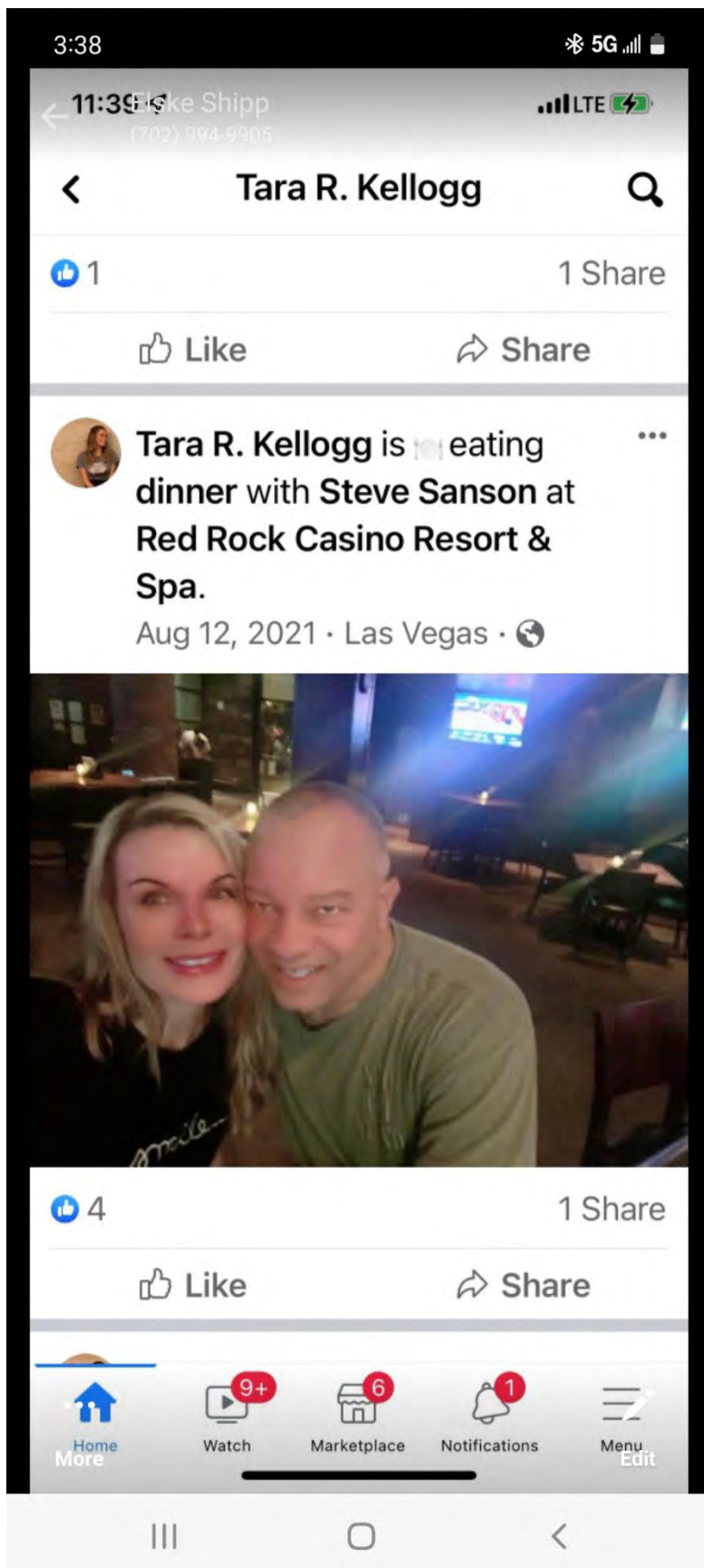












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Corrupt attorney Michancy Cramer! She has no respect for the Judicial System.



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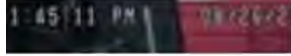
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Nevada Corrupt Judiciary Branch and Politicians



Dec 1, 2021 · 🌐

Why has State Of Nevada Bar continue to let these lying, fraudulent attorneys misguide and lie in court! Alex Ghibaudo and Michancy Cramer are criminals to say the least! Something needs to be done to stop these attorneys from hurting more families.

Pursuant to Rule of Professional Conduct 8.3(a), I am ethically obligated to report attorneys Alex Ghibaudo, Nevada Bar No. 10592, and Michancy Cramer, Nevada Bar No. 11545 for perceived violations of NRPC 3.1, 3.3, 3.4, 3.5, 3.6, 3.7, 4.1, 4.4 and 8.4 as well as the Lawyer's Oath. Ms. Cramer works for Mr. Ghibaudo thus he is responsible for her actions pursuant to NRPC 5.1. Additionally, the conduct of both attorneys violates a myriad of ABA Model Rules of Professional Conduct to wit: 3.1; 3.3; 3.4; 3.5; 4.1; 4.4; and 5.



I represent Joel Bierstedt, a single father and construction worker who is a recovering addict. After successfully completing inpatient drug treatment, he sought to re-establish his relationship with his then 9-year-old daughter. In that regard, on June 7, 2019, we filed a Motion for Joint Legal Custody, Visitation, Modification of Child Support and Attorney Fees and Costs. The mother of the child, Lauren Anderson, was initially represented by attorney Jason Stoffel but later replaced him with Mr. Ghibaudo's firm.

In addition to Mr. Ghibaudo and Ms. Cramer's abusive litigation tactics discussed below, both displayed an astounding lack of professionalism the likes of which I have never previously experienced.

Reference herein is made to a Termination of Parental Rights (TPR) action filed by Mr. Ghibaudo's firm on behalf of Ms. Anderson against Mr. Bierstedt, Case D-20-604995-R and the underlying divorce/custody case, D-11-440918-D. After he filed a frivolous TPR action against my client, Mr. Ghibaudo filed a motion to relocate with the minor child which my client opposed. Both cases were sealed. Orders authorizing reference to both cases are provided on the enclosed flash

DRIVE.GOOGLE.COM

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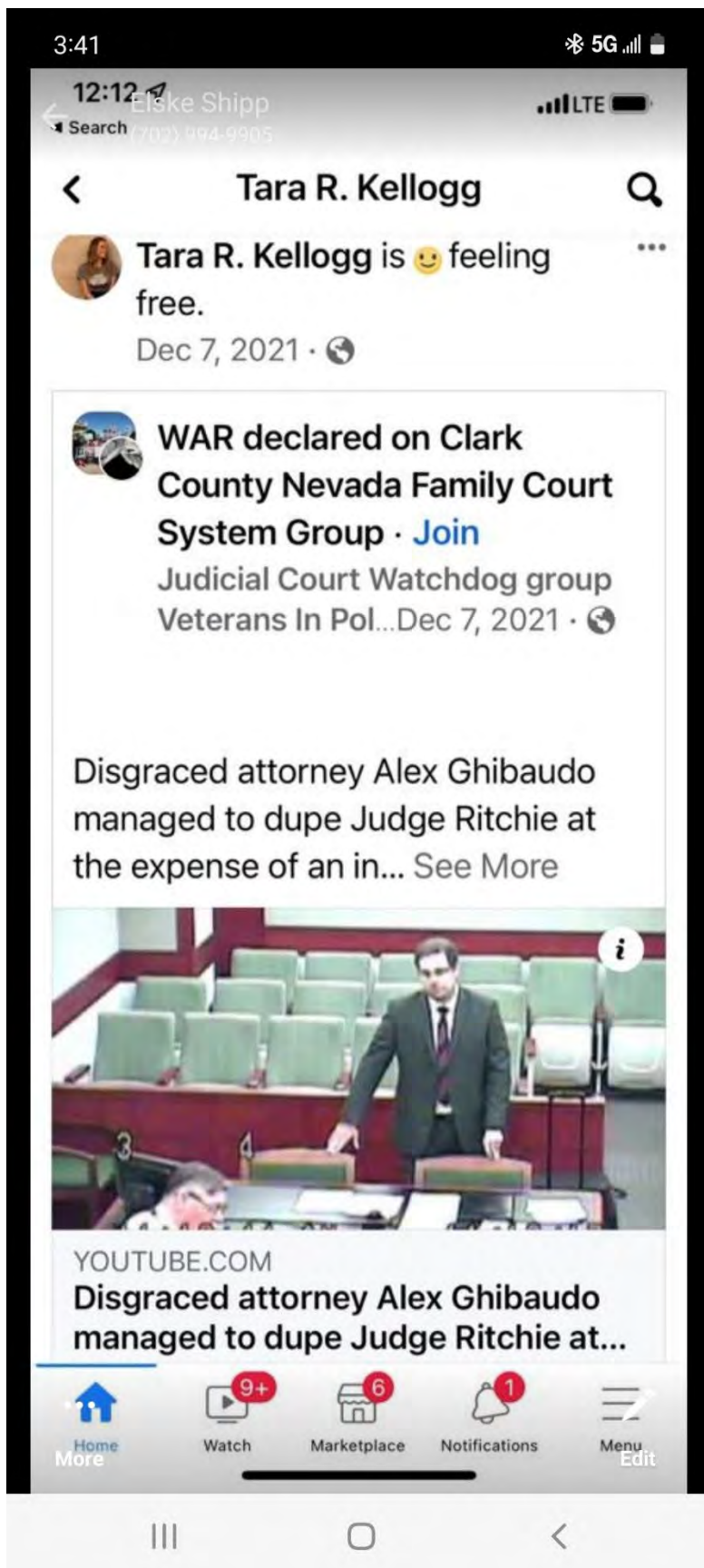


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Karen Macaulay
(702) 241-1943

11:20

84%



Steve Sanson

4h ·

Why hasn't the Nevada State Bar rid themselves of this attorney?

4

2 comments



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1 NOH
2 Steven B. Wolfson, District Attorney
3 Nevada Bar No. 001565
4 Family Support Division
5 1900 East Flamingo Road, Suite 100
6 Las Vegas, Nevada 89119-5168
7 (702) 671-9200 - TTY and/or other relay services: 711
8 769870200A
9
10 DISTRICT COURT
11 CLARK COUNTY, NEVADA
12
13 NV DIHS DIV OF WELFARE & SUPP)
14 SERVICES, (TARA RAE KELLOGG))
15) Case no. R-11-161999-R
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17) Petitioner,)
18) Dept. no. CHILD SUPPORT
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23 ALEX B GHIBAUDO)
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Steve Sanson
(702) 213-0181



JUL 28, 2021 AT 6:49 PM

Why don't you just pay your support
you know Tara never loses

<https://m.youtube.com/watch?v=VtgMJWsQd-0>

https://m.youtube.com/watch?v=klgdJc_OMk4

<https://m.youtube.com/watch?v=8Lb5FpuDbQw>



SMS



EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

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

VIDEOTAPED DEPOSITION OF TARA KELLOGG

Las Vegas, Nevada

January 27, 2022
9:22 a.m.

REPORTED BY:
CYNTHIA HUDAK, RPR
NVCCR #987



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

6

7

8 APPEARANCES:

9 On Behalf of the Plaintiff

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13

On Behalf of the Defendant

14

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15 Alex B. Ghibaudo, Esq.
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16 Las Vegas, Nevada 89104
(702) 462-5888
17 alex@glawvegas.com

18

In Attendance: Jack Vosburg, Legal Video Specialist

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(No exhibits marked.)	



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

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

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

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

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

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

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

23 MR. NELSON: Okay.

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



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

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

7 THE VIDEOGRAPHER: You may now begin.

8 MR. GHIBAUDO: All right.

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

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

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

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



1 How is that? Is that better?

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

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

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

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

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

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



1 MR. GHIBAUDO: What was his name again?

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

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

7 THE DEPONENT: Security.

8 MR. GHIBAUDO: Security. Okay.

9 EXAMINATION

10 BY MR. GHIBAUDO:

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

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

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

20 So with that, do you have any questions?

21 **A. No.**

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

24 **A. You are --**

25 Q. You need to speak up, please.



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

7 **A. Yes.**

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

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

11 Q. Yeah.

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

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

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

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

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

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

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



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

2 **A. Correct.**

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

4 **A. May I continue?**

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

7 THE DEPONENT: Okay. May I continue?

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

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

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

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

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

18 **A. Yes.**

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

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



1 Q. And what was your answer to that?

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

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

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

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

8 A. Yes.

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

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

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

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

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

19 A. Correct.

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

22 MR. NELSON: Objection. Asked and answered.

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

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



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

3 A. Correct.

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

7 A. That is correct.

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

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

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

21 A. Absolutely.

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



1 MR. NELSON: Objection. Foundation.

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

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

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

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

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

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

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

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

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

21 A. I have.

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

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



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

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

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

9 A. I believe so.

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

12 A. I believe so.

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

15 A. Yes.

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

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



1 **right to freedom of speech.**

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

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

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

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

15 Q. That's not the question again.

16 Do you recall receiving a complaint that you
17 have answered through your attorney for defamation;
18 yes or no?

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

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



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

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

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

10 THE DEPONENT: On what date?

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

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

15 Do you recall receiving a complaint for
16 defamation?

17 A. I believe so.

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

20 A. I believe so.

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

23 A. Yes.

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



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

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

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

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

11 Q. What's that?

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

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

22 Was that posted in 2021; yes or no?

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



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

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

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

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

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

13 A. **I do.**

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

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

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

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

22 Q. Was that admitted into evidence?

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

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



1 **A. Do I what?**

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

5 **A. Yes.**

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

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

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

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

11 Q. When was that?

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

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

17 **A. Four.**

18 Q. How long?

19 **A. Four.**

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

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



1 **that.**

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

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

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

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

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

14 A. Melia.

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

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

18 Q. And how did you do that?

19 A. I requested the document.

20 Q. Why did you request that?

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



1 **supposed to via court order.**

2 Q. What connection --

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

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

7 A. No.

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

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

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

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

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



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

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

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

5 Q. Approximate dates? Approximate year?

6 **A. Maybe 2018.**

7 Q. Okay.

8 **A. 2019.**

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

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

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

17 **A. No, I don't.**

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

20 **A. No, I don't.**

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

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

25 Q. What text messages are you referring to?



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

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

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

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

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

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

10 **A. No.**

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

13 (Crosstalk.)

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

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

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

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

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



1 **A. Pardon?**

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

4 **A. Correct.**

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

7 **A. Correct.**

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

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

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

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

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

19 **A. No.**

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

21 MR. NELSON: Objection. Relevance.

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

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



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

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

6 A. Yes.

7 MR. NELSON: Objection. Relevance.

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

9 A. Yes.

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

12 MR. NELSON: Objection. Relevance.

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

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

21 MR. NELSON: Objection. Asked and answered.

22 MR. GHIBAUDO: It was not.

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

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

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



1 Foundation because you were addicted to alcohol?

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

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

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

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

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

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

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

19 MR. NELSON: Objection. Relevance.

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

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

24 MR. NELSON: Objection. Relevance.

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



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

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

5 MR. NELSON: Objection. Again, relevance.

6 **A. Sometimes.**

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

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

9 Q. I am.

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

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

14 **A. No.**

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

18 **A. Yes.**

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

23 (Crosstalk.)

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

22 A. Yes.

23 Q. Oh, we did?

24 A. I believe so.

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



1 house that your mother rented for you?

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

3 MR. GHIBAUDO: Yeah, it is.

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

7 A. I don't know what year.

8 Q. 2011.

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

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

13 MR. NELSON: Objection. Relevance.

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

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

22 MR. NELSON: Objection. Relevance.

23 A. I do.

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



1 relationship, do you recall what your answer was?

2 MR. NELSON: Objection. Relevance.

3 **A. I do.**

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

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

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

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

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

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

21 MR. NELSON: Correct.

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

25 **A. I believe so.**



1 Q. And what was your answer?

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

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

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

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

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

17 A. I don't know.

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

22 A. I suppose so.

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

25 MR. NELSON: Objection. Asked and answered.



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

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

9 Is that fair to say, Mr. Nelson?

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

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

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

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



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

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

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

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

9 A. Pardon?

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

12 A. As a result of me testifying?

13 Q. Yeah.

14 A. I believe so.

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

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

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



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

4 Q. That's right, yeah.

5 **A. Okay.**

6 Q. Is that true?

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

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

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

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

13 **A. I guess so.**

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

16 **A. Yes.**

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

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

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

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

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

25 So from 2017 to now, you actually have no



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

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

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

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

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

14 (Crosstalk.)

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

16 **A. Pardon?**

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

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

20 Q. Were they used at trial?

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

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

24 **A. Did I what?**

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



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

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

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

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

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

10 **A. Yes.**

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

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

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

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

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

21 **A. One time.**

22 Q. One time?

23 **A. Yes.**

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



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

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

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

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

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

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

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

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

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

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

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

25 Q. It was more, right?



1 **A. Correct.**

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

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

6 MR. NELSON: Objection.

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

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

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

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

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

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

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

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

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



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

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

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

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

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

15 A. Yes.

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

18 A. May.

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

21 A. My forensic accountant did.

22 Q. Okay. Did you review those documents?

23 A. Not in its entirety.

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



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

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

5 Q. 2017 to 2020.

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

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

11 **A. Yes.**

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

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

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

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

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

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

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

25 MR. NELSON: Objection. Calls for



1 speculation.

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

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

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

9 Q. But they were substantial, correct?

10 A. I don't know.

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

14 A. From -- from my forensic accountant?

15 Q. Yeah.

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

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



1 **more. I don't know.**

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

4 **A. Yes.**

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

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

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

11 **A. A law clerk.**

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

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

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

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

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

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

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

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



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

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

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

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

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

13 **A. Political science.**

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

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

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

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

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

25 **A. Yes.**



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

3 A. That's true.

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

5 A. That's correct.

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

7 A. That's correct.

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

10 A. Correct.

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

13 A. Correct.

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

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

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



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

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

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

7 **A. In our case?**

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

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

11 **A. Yes.**

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

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

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

17 **A. I did.**

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

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

21 Q. But --

22 (Crosstalk.)

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

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



1 **A. Pardon?**

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

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

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

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

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

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

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

14 **A. Correct.**

15 Q. And what year was that?

16 **A. 2000.**

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

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

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

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



1 **court-ordered support obligation.**

2 Q. Okay.

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

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

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

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

13 A. **Absolutely, yes.**

14 Q. Okay. Then why is it --

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

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

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



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

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

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

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

12 A. It's a public interest.

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

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

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

21 Q. That is not the question.

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

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



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

2 Q. Videos of proceedings in this case.

3 (Crosstalk.)

4 **A. Pardon?**

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

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

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

10 **A. Not the videos.**

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

14 **A. Not videos.**

15 Q. What do you think proceedings are?

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

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

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

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

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

25 MR. GHIBAUDO: It calls for her to explain



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

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

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

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

8 Q. What statute is that?

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

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

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

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

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

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



1 somebody, including her attorneys, about that statute.

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

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

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

10 Q. And who did you ask?

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

18 Q. Did you ask Steve Sanson?

19 A. No.

20 Q. Do you know who Steve Sanson is?

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

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

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



1 **A. Tony Atwal.**

2 Q. Okay. What is his name?

3 **A. Tony Atwal.**

4 Q. Tony what?

5 **A. Atwal.**

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

7 **A. Yes.**

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

9 **A. No.**

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

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

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

17 **A. No, I'm not.**

18 Q. So you lied just now?

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

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

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



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

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

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

7 You read the reprimand, correct?

8 A. Correct.

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

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

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

17 A. I don't know.

18 Q. You don't know?

19 A. No.

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

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

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



1 letter of reprimand on your Facebook page, correct?

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

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

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

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

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

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

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

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

15 **A. Have I ever?**

16 Q. Yes.

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

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

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

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



1 **I don't recall.**

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

5 **A. It varies.**

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

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

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

13 (Crosstalk.)

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

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

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

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

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



1 **A. Five.**

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

3 **A. Yes.**

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

6 **A. The vaccine shot.**

7 Q. You didn't discuss me?

8 MR. NELSON: Objection. Asked and answered.

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

11 Q. (By Mr. Ghibaudo) Okay.

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

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

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

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

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

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



1 videos of our hearings, correct?

2 **A. Yes.**

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

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

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

7 **A. Public interest.**

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

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

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

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

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

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



1 **A. Yes, yes.**

2 Q. On YouTube?

3 **A. Yes, yes.**

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

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

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

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

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

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

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

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

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

20 **A. No.**

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

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

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



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

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

6 Q. Disgraced.

7 A. Disgraced. Sorry.

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

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

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

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

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

24 MR. NELSON: Objection. Calls for --

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



1 access to that.

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

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

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

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

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

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

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

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

20 A. I don't know.

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

24 A. No, I didn't.

25 Q. You did not?



1 **A. No.**

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

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

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

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

10 Q. Okay.

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

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

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

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

17 **A. Probably three.**

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

20 **A. No.**

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

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

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



1 after you got that associate's degree?

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

5 Q. So you're asserting --

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

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

10 MR. GHIBAUDO: We lost the video.

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

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

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

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

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

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

24 On the complaint, can you please turn to

25 Page 8?



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

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

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

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

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

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

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

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



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

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

5 A. Yes.

6 Q. Look at Paragraph 31.

7 A. Yes.

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

10 A. The post?

11 Q. Yeah.

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



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

3 Q. And did you write that post?

4 A. I don't know.

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

8 A. What page?

9 Q. Page 3.

10 A. Okay.

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

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

14 Q. So did you post that or not?

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



1 **with me.**

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

3 A. **I believe so.**

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

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

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

11 A. **I believe so.**

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

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

18 MR. GHIBAUDO: Okay.

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

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

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



1 goodwill? Which of the three?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1 Q. You don't?

2 A. No.

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

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

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

8 Q. You're not answering the question.

9 A. -- what you posted.

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

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

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

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

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

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

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



1 that is. So you don't --

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

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

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

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

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

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

13 **A. No.**

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

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

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

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

22 Q. Okay.

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

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



1 your opinion?

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

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

7 **A. Yes.**

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

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

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

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

21 **A. Yes.**

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

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



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

3 A. That's my belief.

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

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

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

13 MR. NELSON: Objection. Foundation.

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

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

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



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

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

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

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

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

18 A. What?

19 MR. NELSON: Objection. Argumentive.

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

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



1 questions directly. At this time --

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

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

7 MR. NELSON: Okay.

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

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

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

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

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

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

20 **A. Yes.**

21 Q. What does that mean?

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

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

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



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

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

6 A. And vengeance.

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

24 A. That's a statement of fact.

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



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

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

8 Q. But you already testified --

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

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

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

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

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

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

21 A. Wait a minute.

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

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



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

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

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

7 Q. There's no exhibit --

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

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

13 A. How do I know that?

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

15 A. How do I know --

16 Q. And you admitted to that.

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

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

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



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

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

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

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

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



1 **not see the Facebook post.**

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

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

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

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

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

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

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

16 A. **Okay.**

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

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

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

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

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



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

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

4 THE DEPONENT: I apologize.

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

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

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

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

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

17 **A. Um-hum.**

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

20 Do you want me to read it to you?

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

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

25 **A. Yes.**



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

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

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

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

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

16 A. No.

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

20 A. Yes.

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

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



1 Q. Okay. So you're making a statement of fact,
2 right?

3 A. **It's my impression. It's what I think.**

4 Q. Okay. I'm going to ask you again, because
5 it's either a yes-or-no question, and you're not
6 answering yes or no.

7 Is it a statement of fact that I have no
8 honor, no dignity, no integrity, and no loyalty. Is
9 that a statement of fact?

10 A. **It's my belief.**

11 Q. Yes or no?

12 A. **It's my belief.**

13 Q. You're not answering the question, ma'am.
14 I'm asking --

15 A. **You're not accepting my answer.**

16 Q. It's a simple yes or no. No?

17 A. **You're not accepting my answer.**

18 Q. This is my deposition. I'm asking you a
19 question.

20 A. **I'm giving you an answer.**

21 Q. You are not. Because I'm asking you if it's
22 a yes or no, and you're not saying yes or no.

23 A. **Because it's my belief.**

24 Q. So it's either -- then is it a no?

25 A. **It's my belief.**



1 Q. It's your belief.

2 A. I don't know how else to say it. It's my
3 belief.

4 Q. So let's move to Paragraph 32. "In another
5 post made in the same time period, Defendant posted
6 the following: Hey, everyone, so-called attorney Alex
7 Ghibaudo is up to juvenile antics again on Facebook.
8 He's created a few more Facebook accounts; i.e., James
9 Jones, defaming me, kind of like the orgasms I used to
10 fake when I was married to this putrid and vile
11 sub-human. Thanks for the additional criminal
12 evidence, you soon-to-be-disbarred attorney and
13 jailbird. Fly high for as long as you can, as it's
14 short-lived, just like your law license."

15 All right. Let's go through this. Let's
16 first turn, again, to Page 3, okay? So this is
17 Paragraph 32 on Page 3. As to Paragraph 32,
18 "Defendant admits such allegation."

19 So you, in fact, made that post on Facebook,
20 as Paragraph 32 states in my complaint; true or
21 correct? True or false?

22 A. I believe so.

23 Q. What -- what do you believe so, that -- that
24 you did post that?

25 A. I believe so.



1 Q. Okay. So I am a vile -- I'm putrid and a
2 vile sub-human. Is that a statement of fact?

3 A. This is a direct response from your James
4 Jones Facebook page that you created yourself,
5 admitted, not only to Ishi Kunin, but also to my
6 attorney, Chris Reed, to disparage, degrade, and
7 everything else that you could possibly do --

8 Q. You're admitting --

9 A. -- against me for absolutely no reason
10 whatsoever.

11 Q. You are again --

12 A. So this is a direct response.

13 Q. You are again evading the question, because
14 I'm asking you a yes-or-no question, and you're not
15 answering it. And we're going to end up in front of
16 the discovery commissioner to force you --

17 A. That's fine. Don't threaten me.

18 Q. It's not a threat. It's a promise.

19 A. Good.

20 Q. So I'm going to ask you again: Do you think
21 I'm putrid; yes or no?

22 A. Yes.

23 Q. Okay. Do you think I'm a vile sub-human;
24 yes or no?

25 A. Yes.



1 Q. Okay. Do you think that I'm a
2 soon-to-be-disbarred attorney; yes or no?

3 A. The order upon consent said that if you did
4 not pay your outstanding child support, that you would
5 be suspended. So that was my belief.

6 Q. Okay.

7 A. That you would be suspended had you not paid
8 your outstanding child support.

9 Q. Have I been suspended; yes or no?

10 A. You have been suspended.

11 Q. I'm right now suspended from the practice of
12 law?

13 A. No. You asked me if you had been suspended,
14 and you have been suspended.

15 Q. Let me clarify. Am I now suspended from the
16 practice of law; yes or no?

17 A. I am assuming no.

18 Q. Okay. So you lied?

19 A. No, I didn't lie.

20 Q. So I'm not -- am I soon to be suspended or
21 disbarred, or what's the difference?

22 A. I just answered that. I just answered that.

23 Q. Is there a difference between being
24 suspended and disbarred?

25 A. It says soon to be, because, as the order



1 upon consent said, that had you not paid your
2 outstanding child support -- because you don't support
3 your daughter, never have -- that you would have your
4 law license suspended within 30 days.

5 Q. And that was when?

6 A. Did that not -- was that not said?

7 Q. That was when? When was that order issued?

8 A. I don't have it in front of me, and I don't
9 know.

10 Q. Is it fair to say that that order was issued
11 in 2020?

12 A. I don't know.

13 Q. So, of course, you don't remember anything.
14 So now was it in August of 2020?

15 A. I don't know.

16 Q. Okay. Well, it was. Is that more than
17 30 days since then? You don't know that either?

18 A. I don't know what you're asking me. What's
19 the question?

20 Q. Okay. From August of 2020, you said I'll
21 have my law license suspended if I don't pay child
22 support, correct?

23 A. I said that that's what the hearing master
24 said in the order upon consent.

25 Q. So I am -- you just testified that I am not



1 suspended, correct? I am a practicing attorney; is
2 that correct?

3 **A. I don't know what the bar has in store for**
4 **you. I don't know what the supreme court has in store**
5 **for you. I don't know anything, because you seem --**
6 **you don't pay your court-ordered support, you don't**
7 **pay child support, you don't pay medical insurance.**
8 **You don't pay anything.**

9 Q. How old is Nicole at this point?

10 **A. She's 20 years old. How long has it been**
11 **since you've spoken to her?**

12 Q. Is she a child? You don't get to ask me
13 questions. If you wanted to ask me questions, your
14 attorney could have noticed a deposition, but he
15 didn't.

16 **A. I know. It's been four years.**

17 Q. Okay. So she's not a child anymore,
18 correct?

19 **A. She's 20 years old --**

20 Q. She's not a child --

21 **A. -- unless you forgot.**

22 Q. She's not a child then, right?

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

25 MR. GHIBAUDO: How is it a legal conclusion



1 whether this -- a 20-year-old is a child or not,
2 Mr. Nelson? How is that?

3 MR. NELSON: Technically, Nicole was born to
4 Ms. Kellogg. She'll always be a child to her, so
5 you're asking for a legal conclusion.

6 MR. GHIBAUDO: Oh, okay. I see. So it's
7 her opinion that this is a child. There's no child
8 support.

9 Q. (By Mr. Ghibaudo) So let me ask you this:
10 Does the law state -- or is it your understanding that
11 I'm ordered -- or that I'm obligated to pay child
12 support past the age of 18? Is that your
13 understanding?

14 A. Sometimes it's up to 21.

15 Q. When? What rule? What are you talking
16 about?

17 MR. NELSON: Objection. Calls for a legal
18 conclusion.

19 Q. (By Mr. Ghibaudo) Okay. So I'm also going
20 to be a jailbird. Why am I going to be a jailbird?

21 A. Because people who don't pay their
22 support -- similarly to the last contempt hearing that
23 was issued against you in 2018, the judge ordered you
24 to spend weekends in jail if you did not pay the three
25 months of unpaid support.



1 Q. And did I spend any weekend in jail as to
2 that?

3 A. No. You paid.

4 Q. Okay.

5 A. And you have been in jail before.

6 Q. So I'm not a jailbird?

7 A. I don't know.

8 Q. You don't know?

9 A. When was the last time you were in jail? I
10 don't know.

11 Q. You don't get to ask me questions, ma'am.

12 MR. GHIBAUDO: Mr. Nelson, please instruct
13 your client to answer questions, rather than ask me
14 questions. Please do that now.

15 MR. NELSON: Ms. Kellogg, you can answer yes
16 or no. You don't need to provide a narrative, and
17 that will help expedite this situation --

18 THE DEPONENT: Thank you.

19 MR. NELSON: -- this deposition.

20 THE DEPONENT: Okay.

21 Q. (By Mr. Ghibaudo) Okay. Go to the next
22 statement.

23 MR. NELSON: Pardon me, Mr. Ghibaudo. I
24 just want to clarify.

25 To the point that there needs to be



1 something clarified, at the end of this deposition, I
2 will have a chance, if we so deem it necessary, to ask
3 additional questions.

4 But I think tempers are getting flared. Yes
5 or no. If you truly don't know the answer, I don't
6 know --

7 THE DEPONENT: I try.

8 MR. NELSON: Mr. Ghibaudo is right. If
9 there's an issue, he can take it to the discovery
10 commissioner.

11 THE DEPONENT: Thank you.

12 MR. NELSON: But just yes or no.

13 THE DEPONENT: Okay. Thank you.

14 MR. NELSON: Is that sufficient,
15 Mr. Ghibaudo?

16 MR. GHIBAUDO: Yeah. No, I agree. When
17 we're done with this deposition, you get to attempt to
18 rehabilitate your client. She needs to understand
19 that so that she doesn't continue to argue with me.

20 Q. (By Mr. Ghibaudo) So let's move onto the
21 next sentence. "Fly high for as long as you can."
22 What do you mean by that?

23 Are you again referencing your belief that
24 I'm a drug addict?

25 **A. Where are you at? What page?**



1 Q. Last sentence, Page 8, same post that we've
2 been talking about for the last ten minutes.
3 Paragraph 32.

4 A. Okay. Paragraph 32. Okay. So fly high --
5 no. I believe, if I could recall correctly, that
6 the -- live the high life as long as you can, because
7 you don't abide by any laws.

8 Q. And just to clarify, what does it mean to
9 live the high life to you? Does that mean doing
10 drugs?

11 A. No. It means you purchase new cars, you
12 vacation. You spend money anywhere and everywhere
13 other than where your obligations are.

14 Q. Okay. So let's move onto Paragraph 33. And
15 again, I'll reference back to Page 3 of your answer,
16 "As to Paragraph 33, Defendant admits such
17 allegation."

18 The allegation is that in a comment on
19 Facebook in the same time period, Defendant posted the
20 following. So let's agree that you admitted that you
21 posted the following post, and I'm going to read it to
22 you.

23 "Hey, James Jones, aka Alex Ghibaudo, the
24 sociopath who still refuses doctor-recommended
25 clinical therapy, maybe you should accurately set the



1 record straight for both of your Facebook friends. I
2 put your ass out on the street, because you're a
3 piss-poor excuse for a father in addition to being a
4 liar, cheat, thief, and junkie."

5 So can we admit that you posted that on
6 Facebook?

7 **A. I believe so.**

8 Q. And you posted that to third parties,
9 correct?

10 **A. I put it on Facebook.**

11 Q. Publicly, correct?

12 **A. I don't know if it was publicly.**

13 Q. You don't know if it was public. Are your
14 posts private? Are they hidden?

15 **A. Sometimes.**

16 Q. Okay. Are they -- are they only seen by
17 you, or are they seen by your friends?

18 **A. Sometimes.**

19 Q. Sometimes what? They're seen by you or your
20 friends?

21 **A. Yeah.**

22 Q. So you just post them for your own benefit
23 is what you're saying, and nobody else sees them?

24 **A. Sometimes.**

25 Q. Okay. Let me -- let me -- let me be very



1 specific. Is it fair to say that all the time at
2 least one person sees that post?

3 **A. I don't know how many people saw this post.**

4 Q. Is it at least one?

5 **A. I don't know. How am I supposed to know**
6 **what other people read or see?**

7 Q. But I'm not asking what other people read or
8 see. I'm asking whether or not you post this in a way
9 that it goes on your feed and that feed then is
10 potentially read by your friends that are your
11 Facebook friends; yes or no?

12 **A. If it's public, if it's to my friends, then**
13 **I would assume so.**

14 Q. Okay. And you -- is it fair to say that you
15 usually make these posts so your friends -- at least
16 your friends can see them, correct?

17 **A. Make what posts? You're using plural.**

18 Q. These comments that you make on Facebook
19 that you admitted to making.

20 **A. Yeah. This is in direct response to, again,**
21 **the James Jones Facebook --**

22 Q. Not the question I asked you.

23 **A. -- page that you posted --**

24 Q. Answer the question, ma'am.

25 **A. -- that you developed to disparage and**



1 **degrade and everything else that you constantly do on**
2 **a weekly basis.**

3 Q. Let me ask you this: If I posted -- if I,
4 word for word, made this statement on a complaint, and
5 you answered in the affirmative that you posted it,
6 and I saw it, is it fair to say that it was made
7 public or at least to a third party; yes or no?

8 MR. NELSON: Objection. Calls for a legal
9 conclusion.

10 MR. GHIBAUDO: It's not a legal conclusion,
11 Mr. Nelson. It's a straight -- straight-up question
12 concerning whether or not a third party potentially
13 could have seen this or actually has.

14 Q. (By Mr. Ghibaudo) And the fact is that if I
15 saw it, it would stand to reason that other people saw
16 it. Is that fair to say, Ms. Kellogg?

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

18 Q. Okay. Another I don't know. All right.
19 So let's actually go into what --

20 MR. NELSON: Mr. Ghibaudo, just real
21 quickly. I want this -- we want this to run
22 efficiently. We don't want to have issues with the
23 discovery commissioner. Can I have five minutes to --
24 can we go off record for five minutes so I can speak
25 to Ms. Kellogg? Because I certainly understand your



1 frustration at the non-answers, and I just want to
2 encourage my client, if we can go off record for five
3 minutes.

4 MR. GHIBAUDO: Totally appreciate that. Why
5 don't we take 15 minutes? You can have a discussion,
6 a good discussion with her, okay?

7 MR. NELSON: Thank you.

8 MR. GHIBAUDO: All right. Thanks.

9 THE VIDEOGRAPHER: We're going off the
10 record. The time is approximately 11:59 p.m. -- a.m.

11 (Recess from 11:59 a.m. to 12:27 p.m.)

12 THE VIDEOGRAPHER: We're now back on the
13 record. The time is approximately 12:27 p.m.

14 MR. GHIBAUDO: Okay.

15 MR. NELSON: Mr. Ghibaudo, I just wanted the
16 record to reflect, we agreed to a 20-minute break.
17 And during that break, I spoke to Ms. Kellogg, and I
18 explained to her that a lot of the questions you've
19 been asking require a yes-or-no question [sic], and
20 that she needs to answer those without the narrative.

21 She, I believe, understands that. And if
22 she truly, truly doesn't know, she can respond to
23 that, but that you're just looking to create a record,
24 and to the best of her ability, she needs to answer
25 those questions. And, obviously, if the question



1 calls for an answer beyond a yes or no to try to
2 answer it fully and without any further argument, and,
3 again, reminding her I can rehabilitate any issues
4 that may be brought up.

5 MR. GHIBAUDO: All right. Thank you. And
6 I'll just add to that that questions that would
7 require a narrative would be something like why, how,
8 things of that nature. If I'm asking a yes-or-no
9 question, it's yes or no, and that's that.

10 So do you agree with that, Mr. Nelson?

11 MR. NELSON: I do. And I think if it's a
12 narrative -- why, how, those like you mentioned, I
13 advised her just to answer, and any -- you know, put
14 aside any argument. Obviously, tensions are high, but
15 I hope we can go as smoothly as possible.

16 The floor is all yours, sir.

17 MR. GHIBAUDO: Thank you.

18 Q. (By Mr. Ghibaudo) All right. Ms. Kellogg,
19 what is your email address?

20 A. **tarakellogg1@gmail.com.**

21 Q. Okay. Do you recall sending an email to
22 your prior attorney, Mr. Reed, and to me on August 25,
23 2021?

24 A. **That is attorney-client privilege.**

25 Q. Well, the objections are for your attorney,



1 not for you, Ms. Kellogg.

2 And the email was sent to me, was it not?

3 **A. No. I believe that you sent Mr. Reed an**
4 **email, and you cc'd me and my father.**

5 Q. Okay. So you did send me the email. I was
6 copied on that email; yes or no?

7 **A. I don't know. Can you please tell me where**
8 **you are?**

9 Q. All right. I'm going to read you the email,
10 and you tell me if it was written by you.

11 "Chris, as I indicated yesterday, there is
12 no need to conduct a conference call with a fumbling,
13 bumbling brain-damaged idiot who is clearly unhinged
14 and triggered by constant drug and alcohol abuse on a
15 daily basis. I will not be subjected any further to
16 the mindless ramblings of a complete lunatic who is
17 clearly on his way to inevitable disbarment and public
18 humiliation by the sheer stupidity of his own asinine
19 words, vexatious litigation threats, and borderline
20 personality comments.

21 "Please let the foolish so-called attorney,
22 who is the subject of matter of my reply herein, know
23 with precise certainty that his latest unprovoked and
24 drug-induced antics today will be duly met head on by
25 the Kellogg family with nothing less than the proper



1 immediate action being taken.

2 "Said action shall commence today, effective
3 immediately, including but certainly not limited to a
4 new state bar complaint, the filing of a fresh TPO for
5 ongoing threats and harassment, a defamation lawsuit
6 if said so-called and highly questionable attorney
7 publishes anything libelous about myself or any member
8 of my family and/or forwarding this ridiculously
9 reckless diatribe by AG to the most interested and
10 relevant social and mainstream media outlets that
11 eagerly anticipate and await knowledge of his every
12 misstep.

13 "So, yes, Chris, please do not waste another
14 phone call, breath, or written word dealing or
15 negotiating with a complete dummy over there, who
16 clearly only has two brain cells that are constantly
17 at war with another. Just allow him to ramble onto
18 himself going forward until his next voluntary or
19 involuntary stint in the local insane asylum occurs.

20 "Alternatively, perhaps his forthcoming
21 incarceration and/or early retirement to join the
22 ranks of the homeless street performers of Fremont
23 Street may occur first. Who knows? Lol. Call me
24 later today, Chris. Thanks."

25 And then it says, "The proper authorities



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

5 Do you recall sending that email to me and
6 Mr. Reed; yes or no?

7 **A. It sounds familiar. I don't have it in**
8 **front of me.**

9 Q. Is that a yes, or is that a no?

10 MR. NELSON: Mr. Ghibaudo, do you have that
11 as an exhibit that she can review to refresh her
12 memory?

13 MR. GHIBAUDO: I believe it's attached to
14 the complaint. Let me look.

15 Yeah. So if you look on the complaint, turn
16 to the exhibits that start after -- let's see. After
17 Page 10, there is a page that says Plaintiff's
18 Exhibits, and then it's Exhibit Number 10, or I
19 mean -- yeah, it's Bates Stamp Number 10.

20 MR. NELSON: And, Mr. Ghibaudo, the email
21 that you proceeded to read, that is -- in time's sake,
22 can we stipulate that's the exhibit, that's
23 Exhibit 10?

24 MR. GHIBAUDO: Yeah.

25 MR. NELSON: So your question is whether



1 she -- whether Ms. Kellogg sent this to --

2 THE DEPONENT: My attorney.

3 MR. NELSON: -- Mr. Reed and to you as well?

4 MR. GHIBAUDO: Yes.

5 THE DEPONENT: But I -- okay.

6 Q. (By Mr. Ghibaudo) And if you look at
7 Page 9, it starts -- you'll see the email, who it was
8 sent to. It says, Tara Kellogg, Chris Reed, Alex
9 Ghibaudo. Is that correct, Ms. Kellogg?

10 A. I'm looking.

11 MR. NELSON: It's the bottom of Page 9,
12 Mr. Ghibaudo?

13 MR. GHIBAUDO: Yeah.

14 MR. NELSON: Okay. Please turn to that
15 page.

16 A. Okay. Yes.

17 Q. (By Mr. Ghibaudo) Okay. So you wrote -- is
18 it true that you wrote this email; yes or no?

19 A. Yes.

20 Q. All right. So let's first start with who is
21 Briana?

22 A. Briana Erickson works for the Las Vegas
23 Review-Journal.

24 Q. Okay. And when did you contact Briana?

25 A. She contacted me approximately -- let's see



1 **when it's dated -- so maybe March.**

2 Q. Of?

3 A. '21.

4 Q. Okay. Would it surprise you to know that I
5 spoke to Briana?

6 A. No.

7 Q. Would it surprise you to know that Briana
8 said you contacted her?

9 A. Yes.

10 Q. Okay. And what was the purpose of
11 discussing with Briana anything? What was -- what was
12 the content of your conversations with her?

13 A. She was writing about an attorney by the
14 name of Bellisario and looked up your suspension
15 record and wanted to know more details about you.

16 Q. What does Mr. Bellisario have to do with me?

17 A. She wrote an article about him.

18 Q. Okay. Again, what does Mr. Bellisario have
19 to do with me?

20 A. I don't -- I don't know what her thought
21 process is.

22 Q. And what did you tell Ms. Briana Erickson?

23 A. I told her several things.

24 Q. Okay. What did you tell her?

25 A. That you don't pay your child support, that



1 you have been arrested several times for domestic
2 violence, that you've been convicted several times for
3 domestic violence, that you have pled guilty several
4 times for domestic violence, that you have spent
5 months in jail for domestic violence, stuff like that.

6 Q. What else? You said "stuff like that," so
7 it sounds like you said more to her, you discussed
8 more things to her.

9 A. **That's all I can recall.**

10 Q. Did you send her any documents pertaining to
11 our case?

12 A. **I sent her videos.**

13 Q. So you sent her no documentation?

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

15 Q. Okay. Would it surprise you to know that
16 she told me that she has a mountain of pleadings that
17 you sent her?

18 A. **Yes.**

19 Q. Okay. What is the purpose -- what would you
20 like Briana to do?

21 A. **She said that she was interested in writing**
22 **an article about you.**

23 Q. And you were cooperative with that?

24 A. **Yes.**

25 Q. Did you endorse that? Did you want her to



1 write an article about me?

2 **A. If she was going to write it, it has -- I**
3 **have no bearing on what she chooses to do or chooses**
4 **not to do.**

5 Q. But you cooperated with her, in other words;
6 yes or no?

7 **A. I did.**

8 Q. Okay. And why?

9 **A. She asked me to. She asked me questions.**

10 Q. Okay. You understand that you didn't have
11 to talk to her, right?

12 **A. Yes. I don't have to speak to anybody. I**
13 **chose to speak to her.**

14 Q. So the purpose -- is it fair to say that the
15 purpose of your discussions with her is that you hoped
16 for her to write an article that was negative about
17 me, correct? Yes or no?

18 **A. No. No. You are -- you're putting words**
19 **into my mouth. You are trying to -- you are trying**
20 **to --**

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

22 **A. You're trying --**

23 Q. You can stop the case and say no?

24 **A. Can you repeat the question?**

25 Q. Okay. Was the purpose -- was it your intent



1 that she write an article about me to further
2 embarrass me or disparage me to the public; yes or no?

3 **A. No.**

4 Q. Okay. Then what was the purpose? Why did
5 you cooperate with her --

6 **A. If she was going to --**

7 Q. -- in other words?

8 **A. If she was beginning to write an article,**
9 **then it would to be an accurate article. Not to**
10 **disparage you, just an accurate article. And if by**
11 **chance it did disparage you, then that's on you.**

12 Q. Okay. And how does that help you collect
13 any money from me if it affects my business?

14 **A. I have no bearing on what you choose to do**
15 **with you and your business.**

16 Q. Well, I am ordered to pay you \$2,500 a
17 month, correct? Yes or no?

18 **A. Currently.**

19 Q. Okay. And if this article causes people to
20 not want to hire me as an attorney, and I don't make
21 money, could that potentially affect your ability to
22 collect money from me; yes or no?

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

24 Q. Okay. Do you care if I make money or not?

25 **A. Whether you make money or not, I don't have**



1 **any control of.**

2 Q. That's not the question. Do you care if I
3 make money or not?

4 A. **I would love for you to make tons and tons**
5 **of money.**

6 Q. Then why do you continuously post comments
7 that are disparaging towards me?

8 A. **The comments that were posted were a direct**
9 **result of what you said about me. I refuse to be**
10 **bullied by you. You can take it however you want.**

11 Q. That's -- again, that is not the question.
12 If -- like we said, you said I wish for you
13 to make tons and tons of money. I think -- let's
14 start with this: You'll admit that if a potential
15 client read your post from the ex-wife saying that I'm
16 a sociopath and I'm pure evil, that you stated as a
17 statement of fact, how does that help me get that
18 client and make money so I can pay you? Can you
19 explain that?

20 A. **It's my opinion. It's my opinion. It's**
21 **how --**

22 Q. That is not the question. How -- is it your
23 contention that that helps me make money; yes or no?

24 A. **I don't know. I don't know if it helps you**
25 **make money, Mr. Ghibaudo.**



1 Q. Okay. Well, then let me ask you. If you
2 read a post about an attorney -- if you were looking
3 for an attorney and you read a post or comments about
4 that attorney that said he was untrustworthy and pure
5 evil, would you be inclined to hire that attorney; yes
6 or no?

7 A. I don't know. Maybe, maybe not. Maybe I
8 wouldn't believe the post, maybe I would. Maybe I
9 would want to go and consult with the attorney. I
10 don't know.

11 Q. So is it fair to say that it would -- it
12 would at least -- at the very least put doubt in your
13 mind about whether you wanted to talk to that
14 attorney?

15 A. I don't know.

16 Q. That's not an "I don't know" question. I'm
17 asking you directly. Would it potentially give you
18 doubt or pause about even talking or hiring that
19 attorney if the attorney's ex-wife is saying that he's
20 pure evil and refuses to pay child support?

21 A. Well, then --

22 Q. Would it put any doubt -- even an iota of
23 doubt in your mind whether you should hire him; yes or
24 no? Answer -- that's a simple question.

25 A. I don't know. I don't know. I don't know



1 if I would believe that the statements were true. I
2 don't know if I would think this is an angry ex-wife.
3 I don't know. I don't know.

4 Q. Okay. Let's go through this again.

5 No. You know, you need to answer that
6 question. That's a key question in this litigation,
7 because it doesn't make an iota of sense, and even
8 Judge Richie indicated that you are undermining my
9 ability to earn a living, and he doesn't understand
10 why it is that you would undermine my ability to earn
11 a living when you're trying to collect money from me.
12 Explain that. Explain that.

13 A. I don't recall Judge Richie saying that at
14 all.

15 Q. Explain -- explain whether -- if you're --
16 if you're undermining my ability to earn a living, how
17 does that help you?

18 A. I don't believe that I am undermining your
19 ability to make a living.

20 Q. You don't think --

21 A. I believe you are the sole factor that
22 determines whether or not you are able to earn a
23 living.

24 Q. I owe you --

25 A. Not me, you.



1 Q. I owe you money.

2 A. **Take responsibility for your own actions.**

3 Q. I owe you money; yes or no?

4 A. **Yes, you do.**

5 Q. And you would like to get paid; yes or no?

6 A. **A large sum of money, \$300,000.**

7 Q. And you would like to get paid; yes or no?

8 A. **I would. Why haven't you paid me?**

9 Q. Then why do you -- again, Ms. Kellogg, you
10 need to not ask me questions. You need to answer my
11 questions.

12 Why are you undermining my ability to earn a
13 living?

14 A. **I don't believe I am.**

15 Q. How could it be that you don't think that
16 you are undermining my ability to earn a living as an
17 attorney when you're calling me a junkie, a fraud, and
18 a liar? Is that something --

19 A. **Because this is what I believe is true.**

20 Q. That I'm a junkie, a fraud, and a liar?

21 A. **Yes.**

22 Q. Okay. And you think that somebody reading
23 that would say, Ah, no big deal, I'm going to go talk
24 to this guy?

25 A. **It's my opinion. I have the right to my**



1 **opinion.**

2 Q. I'm not asking you whether it's your opinion
3 or not. I'm asking you if you think that a person
4 reading that would give -- would have pause whether
5 they should talk to that attorney or not?

6 **A. I cannot predict what somebody else thinks**
7 **in their head.**

8 Q. You don't think it's common sense that if
9 you're calling an attorney a fraud and a liar that
10 that would be a bad thing. Is that what you're
11 saying?

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

13 Q. That's a yes-or-no question.

14 **A. I don't know. I don't know what other**
15 **people perceive. I don't.**

16 Q. And I don't know why you would engage in
17 what you engage in if you want to actually get paid.

18 Do you understand that if I lose --

19 **A. Is that a question?**

20 Q. Do you understand that if I lose -- this is
21 the question: Do you understand that if I lose my
22 ability to practice law or if I lose my business, that
23 you will get a reduced amount of alimony? Do you
24 understand that?

25 MR. NELSON: Objection. Calls for a legal



1 conclusion and speculation.

2 Q. (By Mr. Ghibaudo) You've had seven
3 attorneys, ma'am. And I'm sure they've all explained
4 to you -- and we just went through a trial on
5 modification of spousal support.

6 Do you think that if I lost my job and I had
7 to go work somewhere else based on you and
8 Mr. Sanson's endeavors that you would lose the ability
9 to collect the money that you're so desperately trying
10 to collect? Are you telling me you don't know that?

11 A. I don't know, Mr. Ghibaudo. You haven't
12 paid me in over three years, so I have no idea. I
13 mean zero is still zero. I don't know how much less
14 than zero you can actually pay.

15 Q. So you don't care, because I'm not paying;
16 is that fair to say?

17 A. I'm saying that I don't know what the
18 possibilities are. If you have -- if you work
19 somewhere else or did something else, I don't know.

20 Q. So if you would get paid, are you saying
21 that you would stop posting negative comments about
22 me? Is that what you would do?

23 A. I'm not saying that at all.

24 Q. So even if you were paid --

25 A. I saying if I -- if I -- okay. I'm sorry.



1 **What was the question?**

2 Q. Even if you were paid, you would continue to
3 post negative comments about me publicly? Is that
4 what you're saying?

5 A. **I believe that anything that I have posted**
6 **negatively towards you is in a direct response to what**
7 **you have said towards me.**

8 Q. Okay. But you have no evidence that I
9 posted anything negative about you.

10 A. **That is completely 100 percent untrue.**

11 Q. Is there any page up right now that is in
12 any way negative about you? And if there is, can you
13 point --

14 A. **No. You have removed everything.**

15 Q. Okay. Have you removed everything?

16 A. **What am I to remove?**

17 Q. Have you stopped disseminating videos to
18 Mr. Sanson?

19 A. **I believe the last video I showed to**
20 **Mr. Sanson was the November 23rd hearing video.**

21 Q. Do you know what "disseminate" means?

22 A. **Yes.**

23 Q. Okay. So you're saying that Mr. Sanson
24 independently obtained those videos from the clerk of
25 the court?



1 **A. No. I said the last video I showed**
2 **Mr. Sanson was the video from a hearing on**
3 **November 23rd.**

4 Q. How does Mr. Sanson have the ability to post
5 those videos publicly on YouTube and on Facebook?

6 **A. If I showed it to him, he can do whatever he**
7 **wants or however he wants.**

8 Q. You're saying that you're showing it to him
9 and he's recording it, and then he posts it. You're
10 not giving him a thumb drive or sending him a link
11 from your -- from your computer. Is that what you're
12 telling me?

13 **A. I'm saying that I shared it to him.**

14 Q. So you shared the actual videos with him?

15 **A. Yes. Yes.**

16 Q. Okay. So you are disseminating videos to
17 the public about --

18 **A. No, not to the public. I shared it with**
19 **Mr. Sanson.**

20 Q. Okay. And Mr. Sanson, then, shares it with
21 the public?

22 **A. I don't know what he does with it.**

23 Q. So you've never discussed with him what's
24 going to happen with those videos? You just give it
25 to him.



1 And what do you think -- what do you think
2 he's going to do with it?

3 **A. I don't know. How am I supposed to be in**
4 **his head?**

5 Q. Why do you give it to him?

6 **A. Because I want to show him. I want to share**
7 **it with him.**

8 Q. Why?

9 **A. I want to share that this video was -- he**
10 **has -- just like what I told you, he is the president**
11 **of Veterans in Politics and, therefore, he has --**

12 Q. Large audience, correct?

13 **A. He what?**

14 Q. He has a large audience, correct?

15 **A. I don't know how large. I don't know his**
16 **audience. I don't know how large it is, how small it**
17 **is. I don't know anything about it.**

18 **He's a friend of mine that sometimes I share**
19 **videos that I think are of public concern.**

20 Q. Okay. So you're aware that he's posting
21 those publicly, though, right?

22 **A. I don't know what he intends to do with**
23 **anything.**

24 Q. That's not the question. You are aware that
25 he's posted those videos either on Facebook or on



1 YouTube; yes or no?

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

3 Q. You don't know? You've never --

4 (Crosstalk.)

5 **A. I know that he has in the past. I don't**
6 **know what his intent is.**

7 Q. So -- okay. So let's clarify. So you do
8 know that he shares those -- that he posts those
9 videos publicly, correct?

10 **A. Sometimes yes. Of course, I see them.**

11 Q. You just said that you don't. All right.
12 So then you just lied, correct?

13 **A. You just -- of course, I've seen them on**
14 **YouTube.**

15 Q. Okay. When I asked you that before, you
16 said, I don't know. I don't know what he does with
17 them. Is that correct?

18 **A. Sometimes I don't -- there have been videos**
19 **that I have shared with him before that I don't see.**

20 Q. So -- so let's just clarify now. Now you're
21 stating that you do know that he posts those videos
22 publicly on YouTube and Facebook sometimes; is that
23 correct? Yes or no?

24 **A. Yes. Yes.**

25 Q. Okay. Thank you.



1 So let's go back to the email. What new bar
2 complaints are you prepared to file?

3 **A. Well, if you continue to develop new**
4 **Facebook pages in order to harass, disparage, berate**
5 **me, put my head on pigs, and say that I have sex with**
6 **random men in gyms, or just like what your attorney**
7 **said, is that I frequently go to California to have**
8 **sex with random men. That was on one of your Facebook**
9 **pages.**

10 Q. And you're saying you know that those are
11 mine how?

12 **A. Because you admitted it to my attorney -- my**
13 **previous attorney, Chris Reed.**

14 Q. And you have a copy of that admission?

15 **A. I absolutely do.**

16 MR. GHIBAUDO: Okay. And, Mr. Nelson, can
17 you send me those -- those documents, please?

18 MR. NELSON: Certainly.

19 MR. GHIBAUDO: Okay.

20 Q. (By Mr. Ghibaudo) All right. So it says
21 here that I'm a complete lunatic. Is that a statement
22 of fact; yes or no?

23 **A. My opinion.**

24 Q. That's not the question. Is it a statement
25 of fact; yes or no?



1 **A. It's a statement from me. It's my opinion.**

2 Q. Again, that is not the question.

3 Is it a statement of fact; yes or no? Those
4 are your two options, yes or no.

5 **A. I don't know if it's a fact --**

6 Q. Do you understand what "yes or no" means?

7 **A. I don't know if it's a fact for other**
8 **people. I know it's a fact that I believe you're a**
9 **lunatic.**

10 Q. Okay. So it's a statement of fact.

11 **A. Oh.**

12 Q. And you say that I'm on my way to inevitable
13 disbarment. What is that? Is that a statement of
14 fact or an opinion?

15 **A. I don't know what the bar has in store for**
16 **you.**

17 Q. Then why are you making that statement?

18 **A. Because the order upon consent said that you**
19 **were to have a suspended license if the child support**
20 **was not paid.**

21 Q. But I have not been suspended, correct?

22 **A. No, you haven't. Not to my knowledge,**
23 **anyway.**

24 MR. GHIBAUDO: Okay. Let the record reflect
25 that I am a practicing attorney.



1 Mr. Nelson, could you agree to that?

2 MR. NELSON: To my knowledge, there's
3 nothing on the bar website that would impede your
4 ability to practice law here in Nevada.

5 Q. (By Mr. Ghibaudo) Okay. So based on what
6 your attorney just said, would you characterize that
7 statement as a lie?

8 A. No. I have not looked at the state bar, and
9 if he's saying that he has recently looked at the
10 state bar's website, then I believe him.

11 Q. If you haven't looked at the state bar
12 website or made any efforts to investigate whether
13 these are true or false, why would you make that
14 statement?

15 A. Just like what I said previously, because
16 the Order Upon Consent said that if you did not pay
17 the outstanding child support arrears, that you would
18 be suspended within 30 days.

19 Q. But I haven't been. And this email --

20 A. Okay. But you haven't been.

21 Q. -- was dated August 5, 2021. And what you
22 stated was that that Order Upon Consent was issued in
23 August of 2020, said that within 30 days I would be
24 suspended, right?

25 A. That's what it said, yes.



1 Q. Okay. You posted this a year later. You
2 sent this email a year later. Thirty days had
3 elapsed, and I'm not suspended, correct?

4 A. Yes.

5 Q. But you still said that I'm about to be
6 disbarred, correct?

7 A. You still haven't paid the outstanding child
8 support.

9 Q. That's not the question, Ms. Kellogg. That
10 is not the question.

11 A. I don't -- I can't predict what the state
12 bar is thinking. I can't predict what anybody is
13 doing behind the scenes. I don't know. I don't know.

14 Q. If you don't know, why do you make those
15 statements?

16 A. I just told you.

17 Q. No. You're -- let's back up, because you're
18 not making any sense at all.

19 You already stated that in August of 2020,
20 the Order Upon Consent, which that's not what it is,
21 by the way -- the order from a commissioner, a child
22 support commissioner, said that I should be suspended
23 within 30 days. That did not happen.

24 A. And you objected it -- and you objected it,
25 and then it went to Judge Richie, and Judge Richie



1 signed it, and you signed it, and Deputy District
2 Attorney Adam Hughes signed it.

3 So a reasonable person would expect that.
4 And also, I don't believe it was August. I believe it
5 was January.

6 Q. And what happened with that order? What did
7 the -- what did the -- the DA's office say that they
8 wanted to do with that case; do you recall?

9 A. I don't know about the DA's office,
10 but child --

11 Q. Did you recall a letter being sent by
12 Mr. Hughes, saying that he did not want to prosecute
13 the case anymore?

14 A. No. Because, actually, I spoke with Child
15 Support Enforcement yesterday, and they have just
16 issued an order to show cause.

17 Q. That's actually not true, but okay. If
18 that's what you want to state on the record and lie
19 again, that's fine.

20 A. Okay.

21 Q. What fresh TPO are you prepared to file?
22 And have you filed any new TPOs?

23 A. I believe that a TPO was filed in -- and
24 sought -- sought and approved on the 11th of January.

25 Q. Of this year?



1 **A. Yes.**

2 Q. And --

3 **A. No. I'm sorry. I'm sorry. Of last year.**

4 Q. Okay. And was I ever served with that
5 document?

6 **A. Yes. It was sought and approved. You**
7 **threatened to cause great bodily harm to me and my**
8 **parents.**

9 Q. Ms. Kellogg, you are absolutely lying on the
10 record under oath right now. I was never served those
11 documents. There's a video that you posted, that you
12 gave to Mr. Sanson, that was posted online, where
13 Commission Mastin specifically said that this man was
14 not served, and I can do nothing about it. Do you
15 recall that hearing?

16 **A. I am talking about the most recent**
17 **protective order, and you were served with it. It was**
18 **a protective order for 45 days.**

19 Q. I don't recall. I've never been served
20 that.

21 **A. You don't recall that you threatened to harm**
22 **and cause bodily harm to me and my parents? You don't**
23 **recall that?**

24 Q. When did I do that?

25 **A. You don't recall being in a hearing --**



1 Q. Okay. Wait. Let's stop. Let's back up.
2 Let me -- let's refer -- let's turn to Page 9 of the
3 exhibits.

4 MR. NELSON: Mr. Ghibauda, are you referring
5 to 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 answer. Put that aside. He's
20 referencing -- let's get to that. It should be
21 Plaintiff's -- that's 10, so go to 9.

22 So just for the record, she's on Plaintiff's
23 Exhibit 009, Bates stamp, plaintiff's exhibits. There
24 looks to be an email chain. I believe that's what
25 you're referencing, correct?



1 MR. GHIBAUDO: That's right. And it's the
2 second email in that chain.

3 Q. (By Mr. Ghibaudo) And do you agree that it
4 says from Tara Kellogg, and the email is
5 tarakellogg1@gmail.com, which you already said is your
6 email. And it was to me directly, and there's nobody
7 else on that email, correct?

8 In other words, nobody else was copied on
9 that email, correct? That was an email to me from
10 you?

11 A. Yes, that's correct. Yes, that's correct.

12 Q. Okay. Can you read that email in its
13 entirety?

14 A. Are you referring to the one that says
15 August 5, 2021, at 9:56 a.m.?

16 Q. 9:59:47 a.m. Let me read to you, and you
17 can you tell me if that was from you or not.

18 "Hey there, little bitch. LOL. You have
19 something to say, come say it to my face, you chicken
20 shit, POS, goofy-looking, brain-dead buffoon. LOL.
21 Enjoy your law license for the next couple of months,
22 you drug addict, loser. LOL. Who loves you hairy
23 ape? LOL."

24 Did you send that email to me?

25 A. Yes.



1 Q. Can you explain how you could be threatened
2 or harassed when you are actually threatening me?
3 Explain that to me, please.

4 A. I wasn't threatening you. I believe I was
5 mocking you.

6 Q. Okay. "You have something to say, come say
7 it to my face." What does that mean to you?

8 A. It means that you continuously threatened
9 and harass and berate me, and I'm not going to be
10 bullied anymore. And if you've got something to say,
11 then come say it to me directly.

12 Q. So you're trying to incite a physical
13 altercation; is that fair to say?

14 A. No.

15 Q. No. So the plain meaning of those words,
16 you're saying, are completely different?

17 A. If you have something to say --

18 Q. Hey, little bitch --

19 A. -- don't hide behind your computer, say it
20 to my face. That's what I'm saying.

21 Q. Okay. So all of this is driven by the idea
22 that you're under the impression that I'm wasting my
23 time on you and sitting behind a keyboard and posting
24 stuff about somebody I care nothing about, that I
25 don't want to have anything to do with.



1 All of this is -- this is a yes-or-no
2 question -- all of your antics and all of your posts
3 and comments are based on the idea that you think that
4 I'm busy posting comments on you; is that true?

5 **A. 100 percent.**

6 Q. Okay. So you're angry; yes or no?

7 **A. I'm irritated. I'm irritated that you can't**
8 **move on with your life. I'm irritated that I am your**
9 **main focus always.**

10 Q. You have a great high opinion of yourself
11 that is -- that is not supported by any facts
12 whatsoever.

13 Let's turn, again, to Page 8 of the actual
14 complaint, Paragraph 33.

15 **A. And?**

16 Q. Okay. It says, "In a comment on Facebook in
17 the same period of time, Defendant posted the
18 following."

19 And I'll refer, again, to Page 3 of your
20 answer and counterclaim. Number 33, where it says,
21 "As to Paragraph 33, Defendant admits such
22 allegation."

23 So this is the post. "Hey, James Jones,
24 Alex Ghibaudo, the sociopath who still refuses
25 doctor-recommended clinical therapy, maybe you should



1 accurately set the record straight for both your
2 Facebook friends. I put your ass out on the
3 street" --

4 MR. NELSON: Mr. Ghibauda.

5 MR. GHIBAUDO: Yeah.

6 MR. NELSON: I want to make sure she's
7 reading along. She's turning -- my apologies. You
8 were on what page? You're on Page 8 of the complaint;
9 is that correct?

10 MR. GHIBAUDO: Page 8 of the complaint,
11 Paragraph 33.

12 MR. NELSON: Go to Page 8. You're on the
13 exhibits. So back to Page 8 in the exhibits. Page 8.

14 I apologize, Mr. Ghibauda. I just want to
15 make sure she's reading along with you.

16 THE DEPONENT: Well, this doesn't go to 33.

17 MR. NELSON: No, Page 8. Page 8.

18 All right. Paragraph 33, Mr. Ghibauda?

19 MR. GHIBAUDO: Yeah.

20 MR. NELSON: And that's on Line 20 -- starts
21 on Line 20 of Page 8 of the complaint.

22 MR. GHIBAUDO: Paragraph 33.

23 MR. NELSON: Go ahead.

24 Q. (By Mr. Ghibauda) "Hey, James Jones, aka
25 Alex Ghibauda" -- you continue to think that I'm James



1 Jones -- "aka, Alex Ghibaudo, a sociopath who still
2 refuses doctor-recommended clinical therapy, maybe you
3 should accurately set the record straight for both of
4 your Facebook friends. I put your ass out on the
5 street because you're a piss-poor excuse for a father
6 in addition to being a liar, cheat, thief, and
7 junkie."

8 And the word "junkie" is all caps, correct?
9 This is a post that you made; is that true? Yes or
10 no?

11 **A. That is true.**

12 Q. Okay. So you -- is it true or false that
13 you believe it's a statement of fact that I'm a
14 sociopath? Is that true?

15 **A. That is my belief.**

16 Q. So that's a statement of fact that you've
17 made, correct?

18 **A. Statement of the fact that I believe that**
19 **you are a sociopath, yes.**

20 Q. Okay. And what does it mean to you -- what
21 does sociopath mean to you?

22 **A. That you are -- that you care for yourself**
23 **and nobody else, and that you are number one, and that**
24 **you are, in turn, the only one that matters in this**
25 **world.**



1 Q. So fair to say that you think, then, that
2 I'm -- basically, what you're describing is a
3 narcissist, correct?

4 A. That, too.

5 Q. Okay. That too.

6 All right. And that -- those are both
7 statements of fact that I'm a narcissist and a
8 sociopath; yes or no?

9 A. I don't know if they're statements of fact.
10 They're my opinion.

11 Q. Okay. And then you go on to say, "Who still
12 refuses doctor-recommended clinical therapy."

13 In the last six years, have we ever
14 discussed at all any therapy that I'm engaged in or
15 any visits to any doctors that I've gone to?

16 A. In the last six years?

17 Q. Since 2016 --

18 A. Pardon?

19 Q. Since we were actually divorced in February
20 of 2017, which would be the last five years, have I
21 discussed with you anything about any therapy or
22 doctor recommendations that were made to me -- about
23 me or to me? Have we ever discussed --

24 A. Yes. In 2017, I believe it was February,
25 you said that you were in Lawyers Helping Lawyers, and



1 **that you were actually in therapy at the Veterans**
2 **Administration.**

3 Q. So you're saying they we were actually
4 talking in February of 2017, that I actually had a
5 conversation with you when we were in the middle of
6 divorce proceedings? Is that what you're saying?

7 A. **Yes.**

8 Q. Even though I was representing myself --

9 A. **Yes.**

10 Q. -- and not an attorney?

11 A. **It was during the time that -- I believe**
12 **your girlfriend at the time broke through your window**
13 **and chased some naked girl that you were having sex**
14 **with out the back of the pool house that you were**
15 **renting.**

16 Q. Okay. If that were true, what does that
17 have it do with doctor-recommended clinical therapy?

18 A. **Because that's what you told me. You told**
19 **me that, (a) you were in Lawyers Helping Lawyers, and,**
20 **(b) you were in therapy and/or counseling at the**
21 **Veterans Administration.**

22 Q. Okay. So this was posted in 2021. Between
23 then and now, have we spoken at all?

24 A. **No.**

25 Q. Okay. So --



1 **A. Well, I mean, you --**

2 Q. What is your -- stop. You don't get to --
3 it's -- I'm not done with my question.

4 **A. I'm trying to answer your question. Do you**
5 **want me to answer or not?**

6 Q. I'm not done with my question.
7 What basis do you have to make that
8 statement if in the last five years, we have not
9 spoken at all?

10 **A. I just told you.**

11 Q. What basis do you have to believe that?
12 So you're silent. Let me ask you this
13 because you're silent about it.

14 **A. I just told you.**

15 Q. Is it fair to say that you have no idea what
16 recommendations have been made by any doctor or
17 therapist. In fact, you don't even know if I'm seeing
18 a doctor or therapist, because we have not spoken
19 since February of 2017, correct?

20 **A. No. That's not true.**

21 Q. So we've -- so what you're saying is in
22 2018, 2019, 2020, 2021, and 2022, we have spoken about
23 doctors and therapy that I'm engaged in; is that
24 right?

25 **A. I did not say that.**



1 Q. Okay. Well, I'm asking you. Then that's
2 your answer. You don't know, correct?

3 **A. Your question was, have we spoken?**

4 Q. I just asked you a question.

5 You don't know anything about my medical
6 condition at all since at least 2018, because we have
7 not spoken; is that correct?

8 **A. We have not spoken about your medical**
9 **conditions. No, we have not.**

10 Q. Okay. So then, you have no basis to believe
11 that I am not -- that I'm even in therapy or seeing a
12 doctor, right?

13 **A. I don't know. I don't know if you are or**
14 **not.**

15 Q. Okay. So then why would you post that, if
16 you have no idea whether I'm in therapy or not or even
17 seeing a doctor or therapist?

18 **A. Are you going to let me answer?**

19 Q. I'm waiting for your answer.

20 **A. Okay. Because previously, in 2017, you said**
21 **that you were in Lawyers Helping Lawyers and that you**
22 **were in counseling and/or therapy at the Veterans**
23 **Administration.**

24 Q. Again, you're evading the question again.
25 Since then, you have no reason to believe



1 that I'm doing any of that?

2 **A. I've already said that.**

3 Q. Okay. And so the question is: Why are you
4 saying that I'm not following recommendations if you
5 have no idea, because we have not spoken about whether
6 I am even in therapy or even seeing a doctor?

7 Do you understand the question?

8 **A. Because of previous statements by you.**

9 Q. In 2000 -- so according to you, your
10 allegation is that we discussed Lawyers Helping
11 Lawyers, which is essentially an AA program, correct?

12 **A. Correct.**

13 Q. February 2017, we discussed that, correct?

14 **A. Correct.**

15 Q. And that's neither a doctor nor therapy. Is
16 that fair to say?

17 **A. Yes.**

18 Q. Okay. And we have not spoken since then
19 about either doctors or therapy, correct?

20 **A. No. We also spoke about you seeking therapy
21 at the Veterans Administration.**

22 Q. Listen, that's not the question. You're not
23 answering the question again.

24 I'm telling you -- I'm asking you, since
25 then, where you said we discussed Lawyers Helping



1 Lawyers, which is neither therapy nor a doctor, you
2 have no idea whether I'm seeing either a doctor or a
3 therapist, or if I were, following the
4 recommendations; is that true or correct?

5 Is that true or false?

6 **A. If you're saying from 2018 on, then that**
7 **would be correct.**

8 Q. Okay. Why are you posting that?

9 **A. 2017, it's a different story.**

10 Q. Then why are you posting this?

11 If you have no idea, why are you making the
12 suggestion that, (a) I have some kind of mental
13 problem that I am under the care of a doctor for and
14 that I'm seeing a therapist, if we have not spoken
15 since 2018?

16 **A. Well, because --**

17 Q. This post was made in 2021. So what basis
18 do you have to believe that either I'm seeing a doctor
19 or a therapist, and I am now following those
20 recommendations?

21 **A. Because we were married for 15 years, and**
22 **all through the 15 years, you saw a doctor --**

23 Q. You're, again, not answering the question.
24 The question is --

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



1 Q. -- 2018 to --

2 A. I told you from 2018, I don't know what
3 you're doing.

4 THE REPORTER: Sorry. I'm sorry. I'm
5 sorry. I'm sorry. You've got to stop talking at the
6 same time.

7 Q. (By Mr. Ghibaudo) You need to answer the
8 question. Listen carefully. Try to understand it,
9 and answer the question.

10 So do you know if in 2018, I was actually
11 seeing a doctor or a therapist; yes or no? Do you
12 know that?

13 A. I do not know that.

14 Q. Okay. Do you know if in 2019, I was
15 actually seeing a doctor or a therapist?

16 A. In 2019?

17 Q. Yes.

18 A. I do not know.

19 Q. In 2020, do you know if I was seeing a
20 doctor or a therapist?

21 A. I do not know.

22 Q. In 2021, do you have any idea whether I was
23 seeing a doctor or a therapist?

24 A. You know what? I need to go back on that,
25 because I did receive a few voicemails from the



1 **Veterans Administration, saying that you did have an**
2 **appointment with the therapist, and I believe that was**
3 **in 2018 and/or 2019.**

4 Q. You are now perjuring yourself because
5 you --

6 A. **I can get the voicemails, because they're**
7 **still on my phone.**

8 (Crosstalk.)

9 Q. You have been taken off of that list since
10 at least 2017.

11 And I warn you, Ms. Kellogg, that you are
12 under oath, and perjury is a felony.

13 A. **I have them saved on my phone.**

14 Q. Then produce them.

15 A. **Okay. Do I need to do it now?**

16 MR. NELSON: No.

17 Q. (BY Mr. Ghibaudo) So in other words, you
18 have no clue whether or not I'm actually either seeing
19 a doctor or a therapist or following those
20 recommendations, if I'm seeing a doctor or therapist,
21 correct? You don't know?

22 A. **Like I said --**

23 Q. You don't know?

24 A. **Like I said --**

25 Q. You don't know?



1 MR. NELSON: Objection. Compound question,
2 Mr. Ghibaudo. You're asking if she knows and if
3 you're following doctors, so that's compound. Can you
4 ask separate questions?

5 MR. GHIBAUDO: Okay.

6 Q. (By Mr. Ghibaudo) Do you know if I'm
7 currently seeing a psychiatrist?

8 **A. I've already answered that. I do not know.**

9 Q. Okay. Do you know, if I am seeing a
10 psychiatrist, if I'm following the recommendations?

11 **A. I do not know. Most likely not.**

12 Q. So in 2021, this -- is it fair to say that
13 this post suggests that I am seeing a doctor, and I'm
14 not following the recommendations, without you knowing
15 if that's the case, correct?

16 **A. Did you say Page 8?**

17 Q. Page 8, Paragraph 33. We read it over and
18 over again. You need to pay attention.

19 **A. Well, I apologize. Remember, I'm slow.**
20 **Remember, I have a low IQ. Sorry. It takes me**
21 **longer.**

22 Q. I didn't say that. You said it.

23 **A. That's exactly what you said.**

24 **Yes. I said that you still refuse**
25 **doctor-recommendation clinical therapy. Yes, you**



1 **refused it several times. It doesn't mean that you're**
2 **not supposed to go.**

3 Q. So -- but you just said that you have no
4 idea from 2018, '19, '20, '21, or '22 whether I'm even
5 seeing a doctor, or if I am, whether I'm following the
6 recommendations of that doctor. You just testified to
7 that, right?

8 **A. Yes, that's correct.**

9 Q. Okay. Thank you. So you actually have no
10 idea what you're talking about, so --

11 **A. I have no idea if you're seeing a doctor;**
12 **however, I have a history with you.**

13 Q. Let's move on, ma'am. Let's move on.
14 Then you say I'm a piss-poor excuse for a
15 father.

16 **A. Yes.**

17 Q. Okay. What's your basis for believing that?

18 **A. Well, you haven't spoken to your daughter in**
19 **four years, you don't support her, you have nothing to**
20 **do with her. Need I go on?**

21 Q. How old is that child?

22 **A. She's 20.**

23 Q. That you claim to be a child?

24 **A. She's 20.**

25 Q. Okay. What agency do I have over that



1 child? Does she live with you, or does she live with
2 your [sic] grandparents?

3 **A. She's always lived with me.**

4 Q. Oh, is that right?

5 **A. Yeah, that's right.**

6 Q. Did she live with you when CPS took her out
7 of your custody?

8 **A. No. When CPS deemed you a wife beater.**
9 **Remember that?**

10 Q. Oh, so -- okay. Let's go back to that,
11 because this is a record that I can actually pull
12 and --

13 **A. Let's do it.**

14 Q. -- and demonstrate your lack of credibility.

15 Isn't it the case that CPS took Nicole into
16 protective custody, because you and your mother were
17 fighting while Nicole was in your custody, because you
18 drank two bottles of wine and downed a whole bottle of
19 Xanax.

20 **A. That's absolutely not true.**

21 Q. So at that time -- so you want me to pull
22 those record and --

23 **A. Pull them. Pull them.**

24 Q. Very well. I will do that. Thank you.

25 **A. Thank you.**



1 Q. All right. So the next one is "in addition
2 to being a liar, cheat, thief and junkie."

3 Okay. So again, we established that you --
4 and you previously testify that you believe that's a
5 statement of fact that I am a liar, correct?

6 **A. Correct.**

7 Q. And you believe that it's a statement of
8 fact that I'm a cheat, correct?

9 **A. Correct.**

10 Q. Okay. And what does it mean to be a cheat?

11 **A. It means that you're a thief, that you're**
12 **a -- that you deceive people, that you -- that you**
13 **steal.**

14 Q. Okay. And is that a good quality for a
15 lawyer to have?

16 **A. I would suspect not.**

17 Q. So would it be fair to say if somebody ran
18 into that comment, they would have doubt as to whether
19 they should hire me or not?

20 **A. I would -- I would assume so. However, this**
21 **is my opinion, and I have a right to my opinion.**

22 Q. Okay. So what -- what have I stolen?
23 Describe -- you say thief in the legal sense, that I
24 have stolen things that don't belong to me? Is that
25 what you're saying?



1 **A. Well, for example, when you were suspended,**
2 **you stole client money.**

3 Q. That's actually not true. You're lying.
4 There was no absolute --

5 **A. Didn't you have to pay back money to the**
6 **state bar?**

7 Q. That doesn't mean that I stole money. That
8 means that I was suspended, and there were clients
9 that I had that I paid back. That's not stealing
10 money, Ms. Kellogg.

11 **A. You didn't pay it back. I paid it back, or**
12 **my mother paid it back.**

13 Q. You're lying.

14 **A. You never paid it back.**

15 Q. You said you haven't worked since 2001.

16 **A. It was my student loan money.**

17 MR. NELSON: Mr. Ghibaudo --

18 Q. (By Mr. Ghibaudo) What have you paid --
19 where do you get money to pay anything back --

20 **A. It's my student loan money.**

21 Q. -- if you refuse to work?

22 MR. NELSON: Mr. Ghibaudo --

23 Q. (By Mr. Ghibaudo) What have you done since
24 2001 that has anything to do with work --

25 MR. NELSON: Mr. Ghibaudo --



1 Q. (By Mr. Ghibaudo) -- Ms. Kellogg?

2 MR. NELSON: I understand your right to
3 questions. I'm asking both parties to calm down.
4 Obviously, you're proper, Mr. Ghibaudo. It's very --
5 I understand you're very frustrated from the answers
6 by Ms. Kellogg.

7 I'm telling my client answer yes/no.
8 Argumentative. It's just going to rile both of you
9 guys up. Just answer yes/no, if you don't know.

10 And again, as I've stated, we'll have the
11 chance to revisit and rehabilitate. If he makes a
12 statement that's not correct, you can say no.

13 THE DEPONENT: I tried.

14 MR. NELSON: If he asks a question that's
15 yes or no -- and again, I apologize for interrupting,
16 Mr. Ghibaudo, but I want this to be a successful,
17 fruitful deposition for us both.

18 So, yes or no, period.

19 Q. (By Mr. Ghibaudo) What is your definition
20 of a junkie, Ms. Kellogg? Is it -- is that basically
21 what you were in 2008 to 2011?

22 A. No. It's what you are currently.

23 Q. Okay. So it's a statement of fact that I'm
24 currently a junkie?

25 A. Well, I have the pictures.



1 Q. Okay. So you have a picture of me
2 currently, and that means today, as of today --

3 A. No.

4 Q. -- that I'm a junkie. Well, that's what you
5 just said. Is that true or false?

6 A. As I have previously stated hours ago, I
7 have photos of -- I have photos of a baggy filled with
8 a white substance. In addition to that, I also have a
9 photo of you doing lines in your law office at Joseph
10 Iarussi's firm.

11 MR. GHIBAUDO: Produce those, please,
12 Mr. Nelson.

13 Q. (By Mr. Ghibaudo) What year was that you're
14 alleging that that happened?

15 A. 2017, 2018.

16 Q. 2017 and '18, I was doing lines in
17 Mr. Iarussi's office. Do you realize that I wasn't in
18 Iarussi's office in 2017?

19 A. I don't know the exact date. I'm giving you
20 an approximate --

21 (Crosstalk.)

22 A. I have a screenshot that will prove exactly
23 the date.

24 Q. In 2018, where was my law office; do you
25 know?



1 **A. I have no idea.**

2 Q. Okay. For the record --

3 **A. You move around every six months.**

4 Q. -- it was at 703 South Eighth Street. You
5 just testified that you have pictures of me doing
6 lines at 320 East Charleston Street. Is that true or
7 false?

8 **A. That is absolutely true.**

9 Q. Okay. So you're lying, because I was not at
10 that office. Is that true or false?

11 **A. I don't know what year it was. I'm telling**
12 **you what I possess. I don't have my phone in front of**
13 **me, so I can't see.**

14 Q. Did you report that to the bar?

15 **A. No, I didn't. I wanted --**

16 Q. Did you call the police?

17 **A. No.**

18 Q. Okay.

19 **A. Or maybe I did report it to the state bar.**

20 Q. And what happened -- what happened with
21 that?

22 **A. I don't know. You tell me.**

23 Q. Am I a lawyer right now?

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

25 Q. You don't know?



1 **A. No. I don't have a state bar --**

2 (Crosstalk.)

3 Q. So you're saying that I'm practicing law
4 without a license right now? Is that what you're
5 stating?

6 **A. I don't know what the state bar's status for**
7 **you is, Mr. Ghibaudo. I don't know.**

8 Q. Have you seen me in court --

9 **A. No, I haven't.**

10 Q. -- recording my bar number?

11 **A. No, I haven't. I haven't seen you in court.**

12 Q. Okay. So were we in court last month on
13 your attorney's motion --

14 **A. That was last month.**

15 Q. So you're thinking that right now, I'm
16 suspended, and I'm practicing law?

17 **A. No, I'm not saying that. I'm saying I don't**
18 **know. From my attorney, who said that right now, you**
19 **are current status on this state bar, then I believe**
20 **him.**

21 Q. So you had no idea whether I'm -- whether I
22 have a valid license or not, but you're making that
23 claim publicly on your Facebook page; is that true?
24 Yes or no?

25 **A. I don't know what claim you're referring to.**



1 **Please direct me to what that is.**

2 Q. Okay.

3 **A. Page and line number?**

4 Q. Let's go back to -- let's go back to where
5 you state that I'm a disbarred attorney or -- you're
6 saying that you never said that I'm a disbarred --
7 (Crosstalk.)

8 **A. Wait a minute. Whoa, whoa, whoa, whoa,**
9 **whoa. I did not --**

10 Q. You cannot ask me any questions,
11 Ms. Kellogg. You're going to stop and listen, and
12 you're going to answer my questions.

13 **A. I never said that you were a disbarred**
14 **attorney.**

15 Q. You don't get to talk and ask me questions.
16 If I ask you a question, you answer, and that's how it
17 works.

18 Okay. Let's turn to --

19 THE DEPONENT: I'm done. I'm not going to
20 let him speak to me like this.

21 Q. (BY Mr. Ghibaudo) Let's turn to Plaintiff's
22 Exhibit Number 3.

23 **A. Okay.**

24 Q. I'm sorry, no. Let's turn to Number 4.

25 MR. GHIBAUDO: This is Bates Stamp 4, the

