

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

*** * ***

ADAM MICHAEL SOLINGER,

Appellant,

vs.

CHALESE MARIE SOLINGER,

Respondent.

) Case No.: 84832-COA

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**APPELLANT'S APPENDIX
VOLUME 10**

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Appellant's Appendix* was filed electronically with the Clerk of the Court of Appeals of Nevada in the above-entitled matters on Monday, November 21, 2022. Electronic service of the foregoing document shall be made in accordance with the Master Service List, pursuant to NEFCR 9, as follows:

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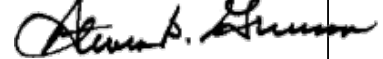
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**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

Adam Michael Solinger,

Plaintiff,

vs.

Chalese Marie Solinger,

Defendant.

Case No. **D-19-582245-D**

Dept No. **I**

Date of Hearing: **June 1, 2020**

Time of Hearing: **9:30 a.m.**

**OPPOSITION TO MOTION FOR AN ORDER TO PERMIT PLAINTIFF TO
RETAIN THE SICK MINOR CHILDREN PURSUANT TO THEIR
PEDIATRICIAN'S DIRECTIVE; FOR ATTORNEY'S FEES AND COSTS AND
RELATED RELIEF**
AND
**COUNTERMOTION FOR MAKE-UP VISITATION TIME; TO ADMONISH
PLAINTIFF TO ABIDE BY JOINT LEGAL CUSTODY STANDARDS; FOR
ATTORNEY'S FEES; AND RELATED RELIEF**

COMES NOW Defendant **Chalese Marie Solinger** ("Chalese") by and
through her attorneys, **Jack W. Fleeman, Esq.** and **Alicia S. Exley, Esq.** of

1 PECOS LAW GROUP, and respectfully submits her *Opposition to Motion for an*
2 *Order to Permit Plaintiff to Retain the Sick Minor Children Et. Al* and respectfully
3 requests that this court enter orders granting her the relief set forth at the end of
4 this filing.
5

6 Defendant's opposition and countermotion is made and based upon all the
7 papers and pleadings on file herein, the attached Points and Authorities, and any
8 other evidence and argument as may be adduced at the hearing of this matter.

9 DATED this 28th day of April, 2020.

10
11 PECOS LAW GROUP

12
13 /s/ Alicia S. Exley, Esq.

14 **Jack W. Fleeman, Esq.**

Nevada Bar No. 10584

15 **Alicia S. Exley, Esq.**

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16 8925 South Pecos Road, Suite 14A

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1 should openly recognize that such misbehavior towards another parent is not in the
2 best interests of the children.

3 **B. STATEMENT OF FACTS**

4 In his motion, Adam misstates and spins facts. Instead of attempting to
5 argue against every misstatement, Chalese outlines the facts as follows:
6

7 1. Due to Adam's consistent and unilateral withholding of the children
8 in contravention of this Court's orders, Chalese has been limited to a total of 24
9 hours of custodial time for the entire month of April 2020.

10 2. Adam's violation of the court's orders began as the month began,
11 when, as the court is aware, Adam withheld the children from Chalese on April 1st,
12 2nd, and 3rd. Adam, using the COVID-19 pandemic as a pretext, justified the
13 withholding as a precautionary measure while his motion for sole legal and
14 physical custody was pending – stating that the children were not safe with
15 Chalese.
16

17 3. On April 6th, so that Adam could have an extra week to provide
18 sufficient evidence to support his claim that Chalese was not fit to have the
19 children during her court ordered time, the Court allowed Adam to keep the
20 children until the continued hearing date of April 13th.¹
21
22
23

24
25 ¹ The court has deferred, to the time of trial, Chalese's request for make-up visitation
26 related to the period of April 1 – 13, 2020.

1 4. On April 13th, having reviewed Adam's additional offers of proof, the
2 Court denied Adam's motion for sole custody and ordered that the visitation
3 schedule go back to the normal schedule.

4 5. Chalese, confused in part because Adam had taken her time with the
5 children during the first two weeks of April, erroneously believed that the normal
6 schedule was to resume with a weekend visit on Friday, April 17th.

7 6. On April 16th, Chalese sent a message to Adam asking if she could
8 pick the children up earlier than her scheduled time the following day.² Adam,
9 never one to miss an opportunity to berate Chalese, responded "Being that you
10 were supposed to pick them up yesterday at 6 you can pick them up anytime."

11 7. Chalese argued that it was her weekend to get the kids and advised
12 Adam that she would return them on Sunday, like she was supposed to. Adam, in
13 return, told Chalese that if she did not have the kids ready for him by 6:00 p.m. the
14 following day he would "be forced to call the police."

15 8. During Chalese's AppClose discussion with Adam, Chalese also
16 communicated with undersigned counsel and was informed that the schedule
17 showed that she should have had the children the prior day, and that it was not her
18 weekend coming up. Chalese then acknowledged to Adam that she was confused
19 and asked Adam if he would allow her to have an extra day (until Saturday at 6:00
20 p.m.) since she had missed her Wednesday pick-up and she had already planned
21 an Easter weekend for the kids (Adam had Easter the prior Sunday).

22
23
24
25 ² See AppClose Messages between the parties dated April 16, 2020 in Defendant's
26 "Exhibit Addendum" ("DEA") at bates stamp nos. ("BS") DEF01243-DEF01247.

1 9. Adam refused Chalese's request for the extra day, even though he
2 would not lose any time with the children, and called Chalese "selfish," stating
3 that she was "trying to play a game," and accused her of intentionally hurting and
4 confusing the children.³

5 10. Chalese continued to try to seek a reasonable solution with Adam,
6 and offered to only have the children until Saturday at 12:00 p.m. Adam's
7 unsympathetic and aggressive response was:
8

9 I see what you are doing. I see that you are setting this
10 up to make me look bad. "You're trying to work with
11 me" but the thing is that YOU are the one who made the
12 choice to NOT pick them up yesterday. YOU are the one
13 who is confusing the kids by playing games. YOU were
14 very selfish when YOU made these choices. Don't try to
spin this on me and say we should compromise for the
best interest of the kids. YOU already showed that YOU
don't have their best interest in mind.

15 This entire thing was a ploy to benefit you. Now you are
16 using the kids as little chess pieces, it's so damn sad to
see.⁴

17 11. Adam's attorney, Mr. Mayo, followed up Adam's message with a
18 letter on April 17, 2020. In that letter, Mr. Mayo also claims that Chalese is
19 playing "chess," and states in pertinent part:
20

21 ³ Adam portrays Chalese's confusion about the schedule as bad parenting, and argues that
22 there is no way Chalese could have been confused. Adam's claims, however, are belied by the
23 fact that he made no attempts to even ask Chalese where she was when she did not show to
24 pick-up the kids the day before at her scheduled time. Adam simply sat there for nearly 24
hours, unconcerned that the children were missing time with their mother. Clearly, it was Adam
who was playing a game – not Chalese.

25 ⁴ Adam's responses are all about him and his accusations that Chalese is playing a game.
26 Nothing is about what is best for the children.

1 Please note that *had Chalese simply reached out to*
2 *Adam, preemptively, and explained the situation—that*
3 *she wanted to do an Easter Celebration on Saturday—*
4 *and asked to "swap" the schedule for this week only,*
5 *Adam would have been more than willing to*
6 *accommodate* Chalese like any good parent would do.
7 However, *Chalese took the path of lies and deceit,*
8 *showing a severe inability to co-parent and using the*
9 *children as pawns in her game of chess.*

10 *Adam therefore is not willing to have Chalese keep the*
11 *kids past her regular time today at 6 p.m.* This will only
12 impact the kids negatively as they are aware of plans for
13 the weekend with Adam and are expecting Adam to pick
14 them up at 6 p.m. tonight.⁵

15 (Emphasis added).

16 12. Mr. Mayo's claim that Adam would have swapped time had Chalese
17 approached him in a different manner is unbelievable. Adam has never, at any
18 point, been willing to accommodate Chalese during these proceedings. Moreover,
19 Adam's stated reasoning demonstrates that his refusal to swap time had nothing to
20 do with the children's best interests. Adam openly states that he was not willing
21 to swap time with Chalese because he beleievs she "took the path of lies and
22 deceit." This statement is delusional and should illustrate to the court, without any
23 doubt, that Adam conducts himself in a manner meant to punish Chalese first, and
24 to act as a reasonable parent second, maybe.

25 13. Mr. Mayo's letter also claims that allowing the swap would
26 "negatively" impact the children because "they are aware of plans for the
weekend." This unsupported claim is dubious. The state is under stay-at-home

⁵ See Letter in DEA at BS DEF001249.

1 orders and Adam has made it absolutely clear that he abides by them. So what
2 plans were the kids, who are only two and four years old, looking forward to over
3 the weekend? And how could those plans not be moved to Monday when the kids
4 have no idea what day of the week it is anyway?⁶

5
6 14. Additionally, if Adam really did have plans for the children, it only
7 makes his statement that he would have swapped time with Chalese if she had
8 “simply reached out” and “explained the situation,” even more transparently false.

9 15. In any case, due to Adam’s refusal to allow Chalese to have even an
10 extra half-day to celebrate Easter and make-up for her mistake regarding the
11 schedule, Chalese’s time with the children was limited to April 16th until on April
12 17th – approximately 24 hours.

13 16. This 24-hour period was the only time Chalese had received in all of
14 April up until that point because again, Adam also withheld the children for two
15 weeks prior to this singular visit.

16
17 17. Chalese’s next visitation period was set to begin at 6:00 p.m. on
18 Friday April 24th.

19 18. On April 22nd, unbeknownst to Chalese, just before dinner time Adam
20 noticed that the minor child Marie was lethargic and appeared ill. According to
21 Adam, he took Marie’s temperature and discovered she had a 104 degree fever.⁷

22
23
24 ⁶ The claim of plans for the kids over the weekend, given that they stay at home, and
everyday is just like the other, was likely just Adam trying to document some reason, even if
vague, as to why his refusal to swap time went beyond his bare animosity towards Chalese.

25 ⁷ See Plaintiff’s Motion at page 3, line 3-5.

1 Adam did not contact Chalese to inform her that Marie was sick or that she had a
2 104 degree fever.

3 19. Sometime prior to 6:30 p.m., Adam called a COVID-19 hotline, and
4 they, per Adam, told him to call Marie's doctor.⁸

5 20. At 6:36 p.m., Adam called the children's pediatrician and left a
6 message.⁹

7 21. At 7:00 p.m., Chalese attempted to call to speak to the children
8 during her designated time. No one answered. She messaged Adam on AppClose.
9 Adam did not respond.¹⁰

10 22. Upon information and belief, Adam spoke to the pediatrician around
11 7:10 p.m.¹¹ Adam did not alert Chalese that he had spoken to the pediatrician, and
12 did not attempt to conference Chalese into the call with the pediatrician.

13 23. At 7:35 p.m., Chalese messaged Adam on AppClose again, asking
14 when she could speak to the children.¹²

15 24. At 7:39 p.m., Adam messaged Chalese and stated, "Sorry. I've been
16 on the phone with the covid hotline and the pediatrician. Marie spiked a fever just
17 before dinner. They are in bed now."

18
19
20
21 ⁸ See *Id.* at page 3, line 7-90

22 ⁹ See April 23, 2020 Letter from Mr. Mayo to Ms. Exley in DEA at BS DEF001253.

23 ¹⁰ See AppClose Messages between the parties dated April 22, 2020 to April 27, 2020 in
24 DEA at BS DEF001256.

25 ¹¹ See April 23, 2020 Letter in DEA at BS DEF001254.

26 ¹² See AppClose Messages in DEA at BS DEF001256.

1 25. At 7:42 p.m., Adam messaged Chalese, stating, “The doctor said
2 given everything going on with Covid Marie needs to isolate here and not leave
3 the house for at least the next 7 days and be fever free for 72 hours.” This was all
4 the information Adam provided Chalese in his message.

5 26. Chalese, who was skeptical of Adam’s claims given his unilateral
6 withholding of the children during the first two weeks of the month and his refusal
7 to allow Chalese a half-day the week prior after accusing Chalese of playing
8 games, told Adam that she would pick the children up during her designated time
9 the in two days.

11 27. On Thursday, April 23rd, Adam messaged Chalese and stated the
12 quarantining Marie “was something her doctor prescribed to make sure everyone
13 is safe.” Chalese asked for the name and number of the doctor Adam spoke to and
14 proof of Marie’s fever. She also asked when her fever started and what other
15 symptoms she was having.¹³

17 28. In response to Chalese’s questions, Adam did the following:

- 18 a. Adam sent two photos of a thermometer, one from the previous night
19 and one from that morning.¹⁴ It is unknown why, if Adam had a
20 photo of the thermometer the previous night, he did not send it to
21 Chalese.

24 ¹³ See *Id.*

25 ¹⁴ See DEA at BS DEF001260.

1 b. Adam told Chalese, "I called sunshine valley and I spoke to dr
2 Teresa. No other symptoms so far."¹⁵

3 c. Adam told Chalese if she did not agree to let Adam keep the children,
4 he would file a motion.¹⁶

5
6 29. On April 23rd at 8:57 a.m. Chalese's counsel received a letter from
7 Adam's counsel stating, in pertinent part, that the pediatrician Dr. Tresa had
8 advised Adam that "Marie needed to quarantine at home for the next 7 days a least
9 and be fever free for 72 hours."¹⁷

10 30. Chalese then called the pediatrician's office twice, mentioning it was
11 urgent. She was told they had 24 hours to get back to Chalese.

12 31. Chalese's counsel requested that Adam provide any medical
13 documentation and that Adam continue to update Chalese on Marie's condition.

14
15 32. At 4:27 p.m., Mr. Mayo emailed and stated that Michael had a fever
16 as well, and emailed a photo of the thermometer.

17 33. At 6:55 p.m., Chalese's counsel, Ms. Exley, sent a letter to Mr. Mayo
18 stating, in part:

19
20 ***In the interest of the children's best interests, Chalese will rely***
21 ***on Adam's representations for now and continue to try to reach the***
22 ***pediatrician*** (who Chalese has called twice, and told them it was
urgent, but told they had 24 hours to get back to her). ... ***This***
agreement is contingent upon confirmation that the doctor is,

23
24 ¹⁵ See DEA at BS DEF001257.

25 ¹⁶ See *Id.*

26 ¹⁷ See Letter in DEA at BS DEF001250.

1 *indeed, recommending that the children stay with Adam for the next*
2 *seven days* ... Chalese is very hurt by the separation from the children
3 and very upset that she will miss another two visits with them but
4 recognizes that their health is priority and will follow their doctor's
5 advice.

6 As part of this agreement, we ask that Adam sends Chalese a
7 video of him taking the temperature of each child at least twice a day
8 so we can monitor how long they are without a fever. Please have
9 Adam provide any medical documentation he has been provided as
10 soon as possible. Additionally, please advise in anyone else in Adam's
11 household is ill and whether they have been tested for COVID-19.

12 *We also ask that between now and the scheduled trial,*
13 *Chalese receive an extra make-up day for each day missed with the*
14 *children during this seven-day period.* ... Finally, please have Adam
15 ensure that Chalese has daily phone contact with the children while
16 they are in his care.¹⁸

17 (Emphasis added).

18 34. Chalese did not receive a call back from the pediatrician on April 23,
19 2020.

20 35. On Friday, April 24th around 10:00 a.m., Chalese finally received a
21 call back from the pediatrician. The office did not allow Chalese to speak to Dr.
22 Teresa. Chalese was eventually told by the doctor's office staff that the doctor
23 told Adam to quarantine Marie until her fever went away, and that if the fever
24 persisted for more than seven days, to bring Marie in to see the doctor.¹⁹

25 36. At 1:44 p.m., Ms. Exley emailed Mr. Mayo outlining what Chalese
26 was told by the doctor's office and stating:

27 ¹⁸ See Letter from Ms. Exley to Mr. Mayo dated April 23, 2020 in DEA at BS DEF001263-
28 DEF001264.

29 ¹⁹ This information was different than what Adam relayed to Chalese.

1 If the doctor was giving Adam advice, we believe that this
2 would qualify as a telephonic visit and, as such, there should be a
3 written record of it. As Adam was somehow able to speak to a
4 pediatrician when Chalese was not, we presume Adam would be able
to obtain the record of this telephonic visit and we need him to
provide that documentation asap.

5 What Adam has told Chalese regarding the doctor's advice is
6 not in congruence with what the pediatrician's office told Chalese was
7 told to Adam. ***We therefore need some sort of written record to***
8 ***confirm what Adam claims the doctor advised him. In the***
9 ***alternative, Adam could get in touch with the doctor and conference***
10 ***Chalese into the call.*** Without confirmation that the doctor actually
11 told Adam to quarantine the children in his home for the next seven
12 days, you client is technically in violation of the court order and is
wrongfully withholding the children. As we stated in our letter,
Chalese will follow the doctor's advice, but the doctor's advice she
was given today is not the same advice Adam told Chalese he was
given.

13 Additionally, ***you have not responded to our request for make-***
14 ***up visitation, information about whether anyone else in Adam's***
15 ***household is ill, confirmation that Chalese will have daily phoen***
16 ***contact, or our request that Adam send Chalese twice daily videos of***
17 ***the children's temperatures.*** If what the doctor told Chalese is true
and that the children only need to quarantine until they are without a
fever, it is important that she know, in real time, their last recorded
fever.²⁰

18 (Emphasis added)

19 37. At 6:34 p.m., Mr. Mayo sent a letter indicating the issue was "not a
20 matter of compromise" and ***blamed Chalese for the children being sick.*** The
21 letter stated, in pertinent part:

22 Adam wants to be clear that the children being sick and needing
23 to stay self-isolated and in quarantine is not a matter of compromise.
24 It is on the direct advice of the children's pediatrician, is spelled out

25 ²⁰ See Email from Ms. Exley to Mr. Mayo dated February 24, 2020 in DEA at BS
26 DEF001265.

1 within the CDC guidelines and it comports with the Governor's
2 Order. So you are aware, the following are the CDC's guidelines as to
3 when a person suspected of potentially having COVID-19 no longer
has to quarantine:

- 4 • At least 3 days (72 hours) have passed since recovery defined as
5 resolution of fever without the use of fever-reducing medications
6 **and**
- 7 • Improvement in respiratory symptoms (e.g., cough, shortness of
8 breath); **and**
- 9 • At least 7 days have passed since symptoms first appeared.

10 What Adam stated was conveyed to him by Dr. Teresa was
11 accurate. Dr. Teresa did state that if there is was a lack of social
12 distancing or proper quarantining that the CDC guidelines are for
13 children to be quarantined ofr at least 7 days after the fevers
14 disappear. Being that Judge Moss stated during the last two hearings
15 that Chalese was not practicing proper social distancing, this is a
16 credible concern. The median incubation period for COVID-19 is 5
17 days. Michael and Marie were with Chalese April 16-17 and then they
both had fevers 5 days later. ... What Adam does not know is what
Chalese told the pediatrician's office. If she told them she was
practicing proper social distancing/quarantining, they may have stated
that the quarantining for 7 days after the fevers disappears is not
necessary. However, Adam and the Court know Chalese was not,
meaning the 7 days of quarantining is necessary.

18 [...] *Adam is appalled that the children are sick and believe it*
19 *is due to your client's actions* ... No one other than the children in
20 Adam's house is sick or has any symptoms and Adam, Jessica and her
daughter rhave been quarantining. ...

21 Adam has no issue updating Chalese via AppClose but it is
22 concerning that Chalese has not asked Adam for an update regarding
23 how the children are doing sicne 8:30 a.m. yesterday morning.²¹ ... *If*
24 *Chalese wants updates, she can ask him.* ... If Chalese wants to
know the childrens temperatures, she can ask (which she rarely has in
the past when the children are sick). However, Adam will not be

25 ²¹ This, of course, is untrue, as Chalese's counsel requested twice daily updates from Adam
26 on both April 23rd and April 24th.

1 producing two videos a day of temperature readings. Chalese can ask
2 Adam how they are doing and he will tell her how they are doing.

3 [...] ***Adam will not agree to any make-up time before trial.***
4 The Court has previously ruled that make-up time would be deferred
5 to the time of trial. Further, Chalese is not losing time due to anything
6 Adam did but rather the advice of the children's doctors.

7 Finally, as to phone contact, Adam has no issue with the same.
8 However, the examples Chalese cites are extremely disingenuous and
9 reveal the true tone of your correspondence on her behalf. As for this
10 past Wednesday night, Chalese had no contact with the children
11 because ***Adam had to wait on a call back from the pediatrician due***
12 ***very likely to your client's actions resulting in the children getting***
13 ***sick.***

14 In summary, ***this issue is not about compromising or***
15 ***negotiating. ... Adam does not "appreciate" that the children very***
16 ***likely became sick on Chalese's time*** and that he has to be concerned
17 that the children may have COVID-19 because Chalese couldn't
18 follow simple guidelines and ***chooses her own interests over the***
19 ***children's best interests.***²²

20 38. Again, in large part due to Adam's unilateral withholding, Chalese
21 had the children for only a total of 24-hours in all of April 2020.

22 39. During the 24-hour April visit, Chalese did not leave the house for
23 anything except the child exchange. Furthermore, no one in Chalese's home was
24 sick at all during the entire month of April, and no one in Chalese's home has
25 been sick since she returned the children to Adam on April 17th.

26 40. On Saturday, April 25th at 11:18 a.m., Chalese messaged Adam and
asked, "Please send videos of you taking the kids temperatures." In response,
Adam said, "Please talk to your attorney."²³

²² See Letter from Mr. Mayo to Ms. Exley dated April 24, 2020 in DEA at BS DEF001271-
DEF001273 (emphasis added).

²³ See Messages in DEA at BS DEF001257.

41. At 2:42 p.m., Chalese tried again, asking Adam to “[p]lease send me proof of their temperatures.” Adam’s response was, “I know you haven’t asked how they’re doing, but so far today they haven’t had a temperature. ...”²⁴

42. Chalese, for a third time, asked for proof of their temperatures. Adam's response this time was, "I'm not waking them up from their naps right now and shoving a thermometer in their face with a camera. I'm just telling you how they're doing because that's what important. *Since you didn't ask yesterday, Marie spiked to 103.4 before her afternoon medicine kicked in and Michael spiked to 105.3 before his morning medicine kicked in and I got him a cool bath. It dropped down to 101.7 after his bath.*"²⁵ (Emphasis added).

43. On Saturday, April 26th, Adam let Chalese know Michael's fever came back but Marie was fever-free.²⁶

44. At 3:46 p.m., Chalese messaged Adam for another update, he said both children are “doing well and fever free at this time.”²⁷

45. On Monday, April 27th, Adam told Chalese that Marie threw up twice that morning but did not have a fever. Chalese asked Adam for proof of their

24 *See Id.*

²⁵ See *Id.* Chalese, through counsel, asked on April 23rd, via letter, that Adam provide video of him taking the children's temperatures and for updates regarding the children. Adam and his attorney rejected this request, and instead Adam's AppClose messages began accusing Chalese of not caring because she didn't specifically ask him through the app about the temperatures. A reasonable parent, with joint legal custody, would always provide such information without repeated requests. But Adam is not reasonable, nor does he view Chaelse as an equal parent.

²⁶ See DEA at BS DEF001258.

27 *See Id.*

1 temperatures. Adam responded, “What temperatures? I just told you neither of
2 them have a fever.”²⁸

3 46. Per the doctor’s orders and the CDC guidelines, the children should
4 be able to be released from isolation seven days after they first showed symptoms
5 and more than 72 hours after their last recorded fever, whichever is later.²⁹
6 Chalese asks that the court order her custodial time shall resume when they are
7 cleared from isolation pursuant to these guidelines, that she be awarded some
8 extra time with the children, that Adam abide by joint legal custody standards, and
9 that she be awarded her attorney’s fees.
10

11 **C. LEGAL ARGUMENT**

12 **1. Chalese Has Already Agreed to Follow Doctor’s Advice.**

13
14 As shown above, Chalese already agreed that she would follow the doctor’s
15 advice. She received conflicting information from Adam and from the doctor. She
16 could not get anything in writing from the doctor regarding Adam’s telephonic
17 consultation, and Adam would not obtain or provide anything in writing either.
18

19 Regardless Chalese agrees to follow the CDC’s guidelines for quarantining
20 for an individual who has not been tested for COVID-19, which state a person
21 would isolate until:
22

23 ²⁸ See DEA at BS DEF001258.

24 ²⁹ <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/care-for-someone.html>;
25 <https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html#st2>;
26 <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>.

1 They have had no fever for at least 72 hours (that is three full days of
2 no fever) without the use of medicine that reduces fevers
3 and
4 Other symptoms have improved (for example, when their cough or
5 shortness of breath have improved)
6 and
7 At least 7 days have passed since their symptoms first appeared.³⁰

8 As for Adam's "lack of proper social distancing" argument, all allegations
9 Adam has made in this regard occurred long before Chalese had the children
10 during the month of April. Moreover, since the last hearing, Chalese has complied
11 with the Court's orders and the Governor's directives.

12 Thus, for Adam to blame Chalese for the children's illnesses is ludicrous.
13 Chalese had the children for less than a single day over the last four weeks and no
14 one in her home has had any illness during the month of April. Chalese has no
15 idea what illness the children have or where it came from because Adam has
16 refused to take the children to a healthcare provider so they can be seen in person
17 or tested.

18 **2. There Is No Basis to Award Adam Sole Custody, As The Court Already**
19 **Denied This Request and No New Evidence Has Been Presented.**

20 Adam re-submits his recently rejected request for sole custody "until the
21 COVID-19 social distancing and quarantine protocols are lifted." In support of
22 this request, Adam makes the unfounded and ridiculous assumption that the
23 children contracted their current illness during the one day they were in Chalese's
24

25 ³⁰ *Id.*

1 care as opposed to the 21 days in April that they were in Adam's care. Again,
2 Adam already requested this relief from the Court and the Court already denied it.
3 There is no reason to reconsider that denial.
4

5 Adam suggests the children are safer with him because he is "practicing
6 strict social distancing protocols." But the Court has no evidence of that claim,
7 and. Chalese cannot afford to have a private investigator follow Adam around like
8 he can her.
9

10 In the case of COVID-19, the incubation period is two to 14 days – a 12-
11 day range.³¹ Here, based on when Adam says Marie got sick, Chalese had the
12 children approximately 8% of the potential incubation time-period, while Adam
13 had the children the remaining 92%. Thus, based on the April timeshare alone, it
14 is a far greater likelihood that the children contracted whatever illness they have
15 when they were in Adam's care.³²
16

17 During the entire month of April, the children have spent approximately 4%
18 of their time with Chalese and 96% of their time with Adam. It is not in their best
19 interests to be unnecessarily separated from their mother based on mere
20 accusations from Adam, with zero evidentiary foundation, that it is Chalese's fault
21 they are sick. The Court already heard Adam's request in this regard and denied it.
22

23 ³¹ <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>.

24 ³² Chalese submits these facts not to allege fault, as Adam does, but simply to show that
25 Adam's decision to blame Chalese for the children's sicknesses is baseless and only further
26 demonstrates his continued animosity and unreasonable behaviors towards her.

1 Furthermore, Adam, because he views himself as superior parent, has been
2 dismissive of Chalese' concerns about the fevers. Adam, through his messages,
3 has admitted that the children have both had temperatures over 105 degrees. This
4 is an extremely high temperature that concerns Chalese. She believes that such a
5 temperature warrants an in-person visit to a pediatric emergency room.³³ Whether
6 she is correct or not, Adam would not even entertain the idea because he does not
7 view Chalese as a parent with any legal custody rights. In fact, it can pretty much
8 be guaranteed that if Chalese did exactly what Adam did, and chose to withhold
9 the children, Adam would have filed a different motion – this time claiming she
10 was violating orders and not taking proper care of the children. With Adam,
11 Chalese cannot “win.” He will always demean her, seek to control all events in
12 her household, and argue to take away her rights, as he had throughout this case.

13 **3. Adam Is Not Entitled to Fees.**

14 Chalese made reasonable requests that she get an extra few days with the
15 children because she has barely seen them all month, and it would be beneficial for
16 them to maintain their relationship with her and her household. She agreed to
17 follow the doctor's advice. After pointing out that the doctor's office told Chalese
18
19
20
21

22
23 ³³ Adam claims that he would have had to have waited in a busy emergency room and that
24 he did not believe that was best for the children. Adam is wrong. Sunrise Pediatric ER, as
25 undersigned counsel is aware, does not have children sitting in their waiting room, especially
26 with a fever of 104 or 105 degrees. They also have a website that shows waiting times, and they
are always less than 5 minutes. Adam no doubt did not even look into this. See
<https://sunrisechildrenshospital.com/about/er-wait-times.dot>

1 something different than what Adam told Chalese, Adam went on attack mode
2 and, essentially, accused Chalese of infecting the children with COVID-19.

3 Adam's vitriol and refusal to ever compromise with Chalese caused him to
4 incur fees, not Chalese. Chalese has not violated the court's orders. She did not try
5 to pick up the children after Adam told her they were sick. She did not blame
6 Adam for the children being sick. She simply asked to be kept updated, for some
7 extra time, and for some documentation. Adam's accusations against Chalese for
8 getting the children who have been in his care 96% of the time sick are not made
9 in good faith and Adam should not be awarded fees.
10
11

12 **II. COUNTERMOTION**

13 **A. CHALESE'S TIME WITH THE CHILDREN SHOULD RESUME** 14 **AFTER THEY HAVE BEEN FEVER-FREE FOR 72 HOURS.**

15 As stated above, the CDC recommends that individuals with COVID-19
16 symptoms who have not been tested for COVID-19 self-isolate until:

17 They have had no fever for at least 72 hours (that is three full days of
18 no fever) without the use of medicine that reduces fevers

19 and

20 Other symptoms have improved (for example, when their cough or
21 shortness of breath have improved)

22 and

23 At least 7 days have passed since their symptoms first appeared.³⁴
24
25
26

34 <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/care-for-someone.html>;
<https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html#st2>;
<https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>.

1 Chalese therefore requests that the court order that Chalese's time with the
2 children resume after they have had no fever for at least 72 hours without the use
3 of medicine, or April 29, 2020 (7 days since their symptoms first appeared),
4 whichever occurs later.

5
6 **B. CHALESE SHOULD BE GIVEN ADDITIONAL TIME WITH THE CHILDREN.**

7
8 Aside from NRS 125C.020, which allows the court to award compensatory
9 visitation for wrongful withholding, NRS 125C.0045 empowers the court to "at
10 any time modify" its custody orders, including during the "pendency of the
11 action," as appears to be in the best interest of the children.

12 Chalese has a meaningful, deep, established relationship with the children,
13 and was in fact primarily a stay-at-home mom prior to the parties' separation. It is
14 in the children's best interests that this relationship be maintained – and it hasn't
15 been. As detailed above, Adam has interfered with the children's relationship
16 with Chalese to the point where they have only been in her care for one day out of
17 the entire month of April.

18
19 Now, with Adam's latest motion pending, and his continued refusal to be
20 reasonable, Chalese does not anticipate seeing the children again until at least
21 April 29, 2020. This will result in Chalese having less than three days with the
22 children in April. This is not in the children's best interests, and they are
23 undoubtedly upset and confused at the significant reduction of their time with
24 their mother. That confusion and harm is compounded by Adam's refusal to agree
25
26

1 to give Chalese any additional time because, as Mr. Mayo argues in his
2 correspondence, the sickness is not Adam's fault.

3 Again, where is the argument about the best interests of the children. It is
4 never found with Adam. His position is always Chalese is bad and she must
5 follow the orders while he can violate them several times in one month. He is
6 never reasonable and never acts as a co-parent. This misbehavior, for the benefit of
7 the children, must be stopped by this Court.

8
9 Chalese, acting as a reasonable parent, made the very painful decision to
10 forego her visitation, pursuant to Adam's representation of the doctor's orders, to
11 protect the children. And as thanks, Adam sends her an onslaught of complaints
12 and displays constant vitriol towards her – even going as far as to accuse Chalese
13 of getting the children sick.

14
15 Chalese has made reasonable requests for a compromise based on her legal
16 custody rights and the children's best interests. But as usual, Adam refuses to
17 bend, and Chalese is terrified that if Adam continues unchecked, she will not see
18 her children again for months.

19
20 It is not in the children's best interests to be separated from their mother for
21 such an extended period of time. Considering the children's young ages, it is
22 imperative that they get some extra time with their mother when they are no
23 longer ill. Their relationship needs to be fostered, and Adam will never do that
24 willingly.

1 Chalese therefore requests one extra day with the children for every day of
2 visitation she has missed and will missed from April 24th until the children are
3 released from isolation, and proposes she simply starts her custodial time with
4 them one day early until the missed time is made up. It is unquestionably
5 detrimental for a four-year-old and two-year-old child to be separated from their
6 mother for such an extended period of time.

8 **C. ADAM SHOULD BE ADMONISHED TO ABIDE BY JOINT LEGAL**
9 **CUSTODY STANDARDS AND PROVIDE CHALESE WITH**
10 **INFORMATION ABOUT AND PHONE CONTACT WITH THE**
11 **CHILDREN.**

12 The parties have joint legal custody of these children. Part of that joint legal
13 custody is that a parent must “notify the other parent as soon as reasonably
14 possible of any illness requiring medical attention or any emergency involving the
15 children.”

16 Adam had plenty of time between taking Marie’s temperature at dinner time
17 and speaking to the pediatrician to tell Chalese Marie was sick. Instead, Adam
18 took Marie’s temperature, called the COVID-19 hotline, called the pediatrician’s
19 office, left a message, waited approximately 30 minutes for a call back, spoke to
20 the pediatrician, then told Chalese – only after she continued to try and contact
21 him – that Marie was sick.

23 Had Adam told Chalese that Marie was sick earlier, Chalese could have
24 been included on the call with the doctor. That would have eliminated the
25 confusion as to the doctor’s orders, as both parents would have heard the doctor’s
26

1 advice in real time. Additionally, if Adam had alerted Chalese to Marie's illness
2 immediately, they could have discussed quarantining Michael with Chalese to
3 avoid Michael catching Marie's illness. Adam did not offer Chalese to take
4 Michael for this purpose, and he also became sick.
5

6 Chalese is also still having issues with her Facetime contact with the
7 children. While she understands that Adam did not allow her to speak to the
8 children on April 22nd because he was waiting for the pediatrician to call back,
9 there is absolutely no reason that Adam could not have alerted Chalese to Marie's
10 very high fever before 7:40 p.m., especially if she spiked the fever at least an hour
11 prior to Adam telling Chalese. Chalese simply asks that the Court reiterate that her
12 phone calls with the children occur every night. With everyone's current work-
13 from-home situation, it should not be difficult for Chalese to have daily phone
14 contact with the children.
15

16 Finally, Chalese asks that Adam be ordered, in the future, to provide
17 Chalese with documentation of any additional doctor's advice he receives.
18 Chalese doubts that a doctor would give telephonic advice without at least making
19 a note of the call. Such documentation would eliminate confusion about what that
20 advice is.
21

22 **D. CHALESE SHOULD BE AWARDED HER ATTORNEY'S FEES.**

23 Chalese made good-faith efforts to compromise on these issues, even
24 agreeing to give up even more time with the children in exchange for some
25
26

1 reasonable accommodations. In response, Adam told her, through counsel, he
2 would not give her any extra time, he would not keep her updated about the
3 children until she asked for an update, he would not provide any documentation
4 from the doctor, and he accused her of infecting the children with COVID-19,
5 despite having no idea if the children actually have COVID-19 and despite
6 Chalese seeing the children for less than 24 hours over the last month.

8 Adam then filed a motion with the court accusing Chalese of not properly
9 social distancing, despite having no evidence that she is not properly social
10 distancing, forcing Chalese to respond. Adam also, bluntly, told Chalese through
11 his counsel's letter that this issue is "not a matter of compromise." As such,
12 Chalese should be awarded fees per NRS 18.010, EDCR 7.60, and NRS
13 125C.250.

15 Awards of attorney's fees are within the sound discretion of the district
16 court. *Fletcher v. Fletcher*, 89 Nev. 540, 516 P.2d 103 (1973); *Levy v. Levy*, 96
17 Nev. 902, 620 P.2d 860 (1980); *Hybarger v. Hybarger*, 103 Nev. 255, 737 P.2d
18 889 (1987).

20 When an attorney in a family law case requests fees, the Court must
21 consider several factors in determining the reasonable value of the services
22 provided. *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 455 P.2d 31
23 (1969). Those factors, referred to as the *Brunzell* factors, are: (1) *The Qualities of*
24 *the Advocate*: to include ability, training, education, experience, professional
25 standing and skill; (2) *The Character of the Work to Be Done*: to include the

1 difficulty importance, time and skill required, the responsibility imposed and the
2 prominence and character of the parties where they affect the importance of the
3 litigation; (3) *The Work Actually Performed by the Lawyer*: to include the actual
4 skill, time and attention given to the work; and (4) *The Result Obtained*: whether
5 the attorney was successful and what benefits were derived. *Id.* The court should
6 give equal weight to each of the *Brunzell* factors. *Miller v. Wilfong*, 121 Nev. 119
7 (2005).
8

9 Further, the Nevada Supreme Court has held that fees and costs may include
10 non-attorney staff time. *LVMPD v. Yeghiazarian*, 129 Nev. 760, 312 P.3d 503
11 (2013).

12 1. With regard to the *Qualities of the Advocate*:

13 a. **Jack W. Fleeman, Esq.:** Mr. fleeman is well-qualified and a member
14 in good standing with the State Bar of Nevada. He has been practicing law
15 for more than 12 years and primarily in the field of family law. Over this
16 span of time, Mr. Fleeman has drafted thousands of papers and pleadings,
17 has participated in hundreds of hearings, and has appeared as lead counsel
18 in over 30 trials. Mr. Fleeman is a Nevada certified family law specialized
19 and has briefed and argued several family law cases before the Nevada
20 Supreme Court, including the recently published caes of *Nguyen v. Boynes*,
21 133 Nev. Adv. Op. 32, 396 P.3d 774 (2017) and *Miller v. Miller*, 134 Nev.
22 Adv. Op. 16 (Mar. 15, 2018).
23

24 b. **Alicia S. Exley, Esq.:** Ms. Exley is well-qualified and a member in
25 good standing of the State Bar of Nevada. Ms. Exley worked for a family
26

1 law attorney for four years prior to graduating from law school, passing the
2 Bar Exam, and being admitted as a Nevada attorney. Ms. Exley has been
3 practicing primarily in the field of family law for the last three years. She
4 serves on the Community Service Committee of the Clark County Bar
5 Association, earning her Committee Circle of Support Awards for 2018 and
6 2019. She was also named a “Best Up & Coming Attorney” by Nevada
7 Business Magazine in 2018. Ms. Exley has spoken about QDROs as part of
8 the Downtown Cultural Series and had an article on economic abuse in
9 divorce litigation published in the *Nevada Lawyer* in 2019.

11 c. **Angela Romero:** Ms. Romero has been working in the private sector
12 as a family law paralegal since 2002, and currently holds a Bachelor of
13 Science in Business Administration. Ms. Romero joined Pecos Law Group
14 in 2017, and with more than 18 years of family law experience, she
15 contributed knowledgeable and competent service on this case.

17 2. With regard to the *Character of the Work to Be Done*, this case
18 involved highly contested issues that took skill particular to family law and ethics.

19 3. With regard to the *Work Actually Performed by the Attorney*,
20 Chalese’s attorneys were well-prepared for the case. Through the course of this
21 litigation, Counsel prepared procedurally proper pleadings and prepared for the
22 hearing with skill, time, and attention.

1 4. With regard to the *Results Obtained*, through application of law to the
2 facts as set forth in her pleadings and will be introduced at the time of the hearing,
3 Chalese believes she will prevail on all issues.

4 Counsel will submit applicable billings for the Court's assessment of its
5 attorney's fees award as the Court directs.
6

7 **III. CONCLUSION**

8 WHEREFORE, based on the foregoing, Defendant **Chalese Marie**
9 **Solinger** respectfully requests that this court enter orders granting her the
10 following relief:
11

12 1. Denying Plaintiff's *Motion for an Order to Permit Plaintiff to Retain*
13 *the Sick Minor Children Pursuant to Their Pediatrician's Directive; for Attorney's*
14 *Fees and Costs and Related Relief;*

15 2. Ordering that Defendant's visitation with the children resume after
16 they can be released from isolation;
17

18 3. Awarding Defendant additional and/or make-up time with the
19 children;

20 4. Admonishing Plaintiff to abide by joint legal custody standards and
21 to allow Defendant daily phone calls with the children;
22

23 5. Awarding Defendant her attorney's fees; and

24 . . .

25 . . .

6. Awarding Defendant such other and further relief as this court may deem just and proper in the premises.

DATED this 28th day of April, 2020.

PECOS LAW GROUP

/s/ Alicia S. Exley, Esq.

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

Alicia S. Exley, Esq.

Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

Henderson, Nevada 89074

Attorneys for Defendant

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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of PECOS LAW
3 GROUP, and that on this 28th day of April, 2020, I served a copy of
4 “OPPOSITION TO MOTION FOR AN ORDER TO PERMIT PLAINTIFF TO RETAIN THE SICK
5 MINOR CHILDREN PURSUANT TO THEIR PEDIATRICIAN’S DIRECTIVE; FOR
6 ATTORNEY’S FEE AND COSTS AND RELATED RELIEF AND COUNTERMOTION FOR
7 MAKE-UP VISITATION TIME; TO ADMONISH PLAINTIFF TO ABIDE BY JOINT LEGAL
8 CUSTODY STANDARDS; FOR ATTORNEY’S FEES; AND RELATED RELIEF” as follows:

9 ☐ By placing same to be deposited for mailing in the United States Mail,
10 in a sealed envelope upon which first class postage was prepaid in Las Vegas,
Nevada: and/or

11 ☒ Pursuant to NEFCR 9, by mandatory electronic service through the
12 Eighth Judicial District Court’s electronic filing system: and/or

13 ☐ Pursuant to EDCR 7.26, to be sent via facsimile; and/or

14 ☐ To be hand-delivered to the attorneys listed below at the address and/or
facsimile number indicated below:

| | |
|---------------|------------------------------|
| Vincent Mayo | VMGroup@TheAbramsLawFirm.com |
| admin email | email@pecoslawgroup.com |
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21
22
23 /s/ Alicia S. Exley, Esq.

24 ALICIA EXLEY,
25 An employee of PECOS LAW GROUP
26

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Adam Michael Solinger,

Plaintiff/Petitioner

v.

Chalese Marie Solinger,

Defendant/Respondent

Case No. D-19-582245-D

Dept. I

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

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

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

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

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

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

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


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

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

Party filing Motion/Opposition: Defendant Date 04-28-2020

Signature of Party or Preparer /s/ Alicia S. Exley, Esq.

002162



EXHS
Jack W. Fleeman, Esq.
Nevada Bar No. 10584
Alicia S. Exley, Esq.
Nevada Bar No. 14192
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Jack@pecoslawgroup.com
Alicia@pecoslawgroup.com
Attorneys for Defendant

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

Adam Michael Solinger,

Plaintiff,

vs.

Chalese Marie Solinger,

Defendant.

Case No. **D-19-582245-D**

Dept No. **I**

Date of Hearing: **June 1, 2020**

Time of Hearing: **9:30 a.m.**

EXHIBITS TO
OPPOSITION TO MOTION FOR AN ORDER TO PERMIT PLAINTIFF TO RETAIN
THE SICK MINOR CHILDREN PURSUANT TO THEIR PEDIATRICIAN'S
DIRECTIVE; FOR ATTORNEY'S FEES AND COSTS AND RELATED RELIEF
AND
COUNTERMOTION FOR MAKE-UP VISITATION TIME; TO ADMONISH
PLAINTIFF TO ABIDE BY JOINT LEGAL CUSTODY STANDARDS; FOR
ATTORNEY'S FEES; AND RELATED RELIEF

| | | |
|------------|--|---------------|
| EXHIBIT A: | AppClose messages between parties dated April 16, 2020 | 001243-001247 |
| EXHIBIT B: | Letter from Mr. Mayo to Ms. Exley dated April | 001249 |

| | | |
|------------|--|---------------|
| | 17, 2020 | |
| EXHIBIT C: | Letter from Mr. Mayo to Ms. Exley dated April 23, 2020 | 001250-001255 |
| EXHIBIT D: | AppClose messages between parties dated April 22, 2020 to April 27, 2020 | 001256-001262 |
| EXHIBIT E: | Letter from Ms. Exley to Mr. Mayo dated April 23, 2020 | 001263-01264 |
| EXHIBIT F: | Email from Ms. Exley to Mr. Mayo dated April 24, 2020 | 001265-001267 |
| EXHIBIT G: | Letter from Mr. Mayo to Ms. Exley dated April 24, 2020 | 001268-001274 |

DATED this 28th day of April, 2020.

PECOS LAW GROUP

/s/ Alicia S. Exley, Esq.

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

Alicia S. Exley, Esq.

Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

Henderson, Nevada 89074

Attorneys for Defendant

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of PECOS LAW GROUP,
3 and that on this 28th day of April, 2020, I served a copy of “EXHIBIT ADDENDUM
4 TO OPPOSITION TO MOTION FOR AN ORDER TO PERMIT PLAINTIFF TO RETAIN THE SICK
5 MINOR CHILDREN PURSUANT TO THEIR PEDIATRICIAN’S DIRECTIVE; FOR ATTORNEY’S
6 FEE AND COSTS AND RELATED RELIEF AND COUNTERMOTION FOR MAKE-UP
7 VISITATION TIME; TO ADMONISH PLAINTIFF TO ABIDE BY JOINT LEGAL CUSTODY
8 STANDARDS; FOR ATTORNEY’S FEES; AND RELATED RELIEF” as follows:
9

10 ☐ By placing same to be deposited for mailing in the United States Mail, in a
11 sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada:
and/or

12 ☒ Pursuant to NEFCR 9, by mandatory electronic service through the Eighth
13 Judicial District Court’s electronic filing system: and/or

14 ☐ Pursuant to EDCR 7.26, to be sent via facsimile; and/or

15 ☐ To be hand-delivered to the attorneys listed below at the address and/or
16 facsimile number indicated below:

| | |
|---------------|------------------------------|
| Vincent Mayo | VMGroup@TheAbramsLawFirm.com |
| admin email | email@pecoslawgroup.com |
| Jack Fleeman | jack@pecoslawgroup.com |
| Amy Robinson | amy@pecoslawgroup.com |
| Angela Romero | angela@pecoslawgroup.com |
| Alicia Exley | alicia@pecoslawgroup.com |
| Bruce Shapiro | bruce@pecoslawgroup.com |

24
25 /s/ Alicia S. Exley, Esq.

26 ALICIA EXLEY,
27 An employee of PECOS LAW GROUP
28

EXHIBIT A

Conversations

4/16/2020

Chalese Anderson on 4/16/2020 1:46PM said:

Can I pick up the kids early

Adam on 4/16/2020 2:30PM said:

Being that you were supposed to pick them up yesterday at 6 you can pick them up at anytime.

Chalese Anderson on 4/16/2020 2:30PM said:

I get them this weekend

Chalese Anderson on 4/16/2020 2:31PM said:

You withheld them from me my weekend, then during the week and now it's my weekend again

Adam on 4/16/2020 2:31PM said:

No, the schedule has been in appclose. Your time started yesterday at 6 and goes to Friday at 6.

Why would you ask Thursday afternoon to pick them up early tomorrow?

Adam on 4/16/2020 2:32PM said:

I kept the kids safe and the court ordered custody to resume as regular. The regular schedule had your time this week Wednesday to Friday. It's been in appclose forever.

Chalese Anderson on 4/16/2020 2:34PM said:

Fine. I'll come get them now and you can get them Sunday like it's supposed to be

Adam on 4/16/2020 2:36PM said:

No. That is not how it works

Adam on 4/16/2020 2:36PM said:

The schedule has been the same for a long time now.

Adam on 4/16/2020 2:37PM said:

All because you can't keep your days straight doesn't mean you get to ruin my weekend with them.

Chalese Anderson on 4/16/2020 2:38PM said:

You had Easter with yhem

Chalese Anderson on 4/16/2020 2:38PM said:

It's my weekend

Adam on 4/16/2020 2:39PM said:

Yes. I had Easter because it was my year. You had Friday through Sunday at that time.

Adam on 4/16/2020 2:39PM said:

Last weekend was your weekend, check the schedule.

Chalese Anderson on 4/16/2020 2:40PM said:

Stop being so hostile and difficult

Adam on 4/16/2020 2:40PM said:

How is this hostile?

Chalese Anderson on 4/16/2020 2:40PM said:

This is my weekend with the kids. All I was asking is if I could pick them up early

Adam on 4/16/2020 2:41PM said:

This is NOT your weekend. This is your Wednesday through Friday. Check the schedule Chalese.

Adam on 4/16/2020 2:41PM sent:

📎 (See attached 📎 on page 5)

Chalese Anderson on 4/16/2020 2:45PM said:

Stop this. I get them this weekend. I haven't had them due to you keeping them

Chalese Anderson on 4/16/2020 2:46PM said:

I will be there to pick them up in the meantime. I am keeping them this weekend

Adam on 4/16/2020 2:48PM said:

If they are not ready at 6 tomorrow I will be forced to call the police. All because you can't follow a simple schedule that is programmed for you doesn't mean you get to change the schedule.

Chalese Anderson on 4/16/2020 2:50PM said:

Call the police. There's nothing they will or can do

Chalese Anderson on 4/16/2020 2:51PM said:

All I want is time with my kids

Adam on 4/16/2020 2:52PM said:

Your time started yesterday at 6. It's literally programmed into the app. It's been the same schedule since June of last year.

Adam on 4/16/2020 2:56PM said:

Stop reacting for 1 second and look at the schedule. What does it say?

Chalese Anderson on 4/16/2020 3:11PM said:

Please try and coparent. You had them last weekend for Easter. It's my weekend and I would like to celebrate it with them like I planned

Adam on 4/16/2020 3:35PM said:

Just so you know, I spoke to Vince and he agreed that this weekend is my weekend.

Chalese Anderson on 4/16/2020 3:35PM said:

You had them Easter weekend. Please let me celebrate with them this weekend like it should be

Adam on 4/16/2020 3:38PM said:

That's not how the schedule works. It's like on their Birthdays, some years it lands on the other persons time, when it does that's just what happens, like Marie's Birthday last year. I didn't get to make up the Birthday time, it's special circumstances for Holidays. Your time started yesterday at 6 and goes to tomorrow at 6.

Chalese Anderson on 4/16/2020 3:39PM said:

Adam please let me celebrate with them this weekend like I had planned

Adam on 4/16/2020 3:40PM said:

That's not how the schedule works. I'm not going to go back and forth over and over.

Chalese Anderson on 4/16/2020 3:41PM said:

It's called coparenting

Chalese Anderson on 4/16/2020 3:41PM said:

You've kept them from me now please. I have planned for a redo Easter this weekend with my children

Chalese Anderson on 4/16/2020 3:43PM said:

You're not out any time, unlike me. I'm not taking any time away from you. All I'm asking is to be able to have Easter weekend with them like you were able to

Chalese Anderson on 4/16/2020 3:49PM said:

The kids deserve to celebrate with me just like you

Chalese Anderson on 4/16/2020 3:50PM said:

Please be reasonable

Chalese Anderson on 4/16/2020 3:52PM said:

Then compromise with me. I'll get them tonight at 6 and you can pick them up Saturday at 6 and then the regular schedule can resume next week

Adam on 4/16/2020 3:53PM said:

It was my year for Easter. You had your year last year for Easter.

Adam on 4/16/2020 3:56PM said:

No. All because you can't follow a schedule doesn't mean I get to lose out on my weekend with them.

I'm glad you finally admitted to what the regular schedule is and that you are not entitled to having them this weekend.

This isn't about coparenting, this isn't about compromising, this is about you trying to play a game, act confused, and at what expense? The kids once again.

Chalese Anderson on 4/16/2020 4:03PM said:

I'm asking for my time with the kids. You took away my time because YOU decided to. I'm asking for your cooperation and consideration of the children. Now please

Chalese Anderson on 4/16/2020 4:03PM said:

I'm not playing a game.

Chalese Anderson on 4/16/2020 4:04PM said:

I haven't seen them in WEEKS! You had them last weekend which would lead me to believe that I get them this weekend. You won't be out any time. I am asking for you to be considerate and cooperate with me like you claim you do in all of the court pleadings

Chalese Anderson on 4/16/2020 4:08PM said:

This is part of coparenting. Compromising and being considerate of the children's best interests, which, even if you don't like it, means being with me

Adam on 4/16/2020 4:08PM said:

The schedule is in the app. The court ordered sole custody for the period of April 6 to the 13th. You were supposed to have them under the ordinary schedule last weekend, the 10th to the 12th, but the Easter schedule meant that I would pick them up Saturday and have them through my normal time. So, even under your view, it's wrong. There is no confusion. It's right there in the app. You know the schedule doesn't work this way. It's been this way since June. There's been many holidays in the meantime. The only periods of "confusion" have been when you've played games.

Chalese, you aren't fooling anyone. You knew when you were supposed to get them, you just admitted to it. You took a chance by not getting the kids yesterday and tried to play ignorance today. You have NEVER asked to pick up the kids early the day before, but you figured you had to just incase your plan would backfire on Friday. Now you are trying to beg and plead "Its my time on the weekend because I didn't have them for Easter." No matter what I would have had them for Easter.

You tried to pull the same thing on Christmas....its sad really, sad on your part but especially sad for the kids. They don't deserve this confusion.

You want to talk about co-parenting? I think its time you take a refresher course because you don't sacrifice your kids for your own selfish needs.

Chalese Anderson on 4/16/2020 4:08PM said:

I'm not pulling anything Adam

Chalese Anderson on 4/16/2020 4:08PM said:

I'm not being selfish

Chalese Anderson on 4/16/2020 4:09PM said:

Please will you work with me here

Chalese Anderson on 4/16/2020 4:12PM said:

Please you're not missing out on any time with them. I'm just asking since there was clearly confusion on my part that you work with me

Chalese Anderson on 4/16/2020 4:18PM said:

Please Adam

Chalese Anderson on 4/16/2020 4:19PM said:

If I picked them up today it would only confuse them why they were with me so little time.

Adam on 4/16/2020 4:20PM said:

You made that decision yesterday when you didn't pick them up. It was in the app. It's been in the app. You made the decision to confuse them.

Chalese Anderson on 4/16/2020 4:21PM said:

I made an honest mistake given everything that has been going on

Chalese Anderson on 4/16/2020 4:21PM said:

You are being completely unreasonable

Chalese Anderson on 4/16/2020 4:22PM said:

This isn't about you or me. It is about the kids. Maq will be upset and confused and I'm asking for your help and cooperation to not let that happen

Adam on 4/16/2020 4:26PM said:

That is something we can agree on. It would be confusing for them.

Chalese Anderson on 4/16/2020 4:26PM said:

It's in their best interest to see me as well as you. You know it will upset and confuse maq. It was my mistake, I admit that but please let's fix this for them

Chalese Anderson on 4/16/2020 4:27PM said:

What if we did 6pm today to 12pm on Saturday?

Adam on 4/16/2020 4:35PM said:

I see what you are doing. I see that you are setting this up to make me look bad. "You're trying to work with me" but the thing is that YOU are the one who made the choice to NOT pick them up yesterday. YOU are the one who is confusing the kids by playing games. YOU were very selfish when YOU made these choices. Don't try to spin this on me and say we should compromise for the best interest of the kids. YOU already showed that YOU don't have their best interest in mind.

This entire thing was a ploy to benefit you. Now you are using the kids as little chess pieces, it's so damn sad to see.

Chalese Anderson on 4/16/2020 4:36PM said:

I made a mistake! I got confused since you had them the last two weeks and with Easter. Please work with me here

AppClose Complete Record of Text Communication
Period: 4/16/2020 12:00AM to 4/16/2020 11:59PM
Requesting Party: Chalese Anderson, signed up on 3/22/2019 11:04PM
Responding Party/Parties: Adam, signed up on 3/25/2019 1:55PM,
Chalese Anderson, signed up on 3/22/2019 4:04PM



Attachment



Img. 3fb8bd71-259b-4a29-afd2-c910bcce3625.PNG to page 2

EXHIBIT B



† Jennifer V. Abrams, Esq.
† Vincent Mayo, Esq.

6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
P. 702.222.4021 F. 702.248.9750
www.TheAbramsLawFirm.com

Friday, April 17, 2020

Alicia S. Exley, Esq.
8925 South Pecos Road, Suite 14A
Henderson, Nevada 89074

Re: Adam M. Solinger v. Chalese M. Solinger
Case Number: D-19-582245-D

Dear Ms. Exley:

I am in receipt of your letter from earlier today.

Let me start by clarifying that there was no confusion on Chalese's part. The schedule was and always has been in AppClose. It is evident that this was all gamesmanship on Chalese's part. As you are aware, at Monday's hearing, the Court stated that the schedule would immediately resume as it was regularly scheduled. This clearly meant Chalese's time would start at 6 p.m. on Wednesday. Further, Chalese did not "miss out" on Easter due to Adam being temporarily granted Sole Legal and Physical custody. Adam has Easter in even years pursuant to the partial parenting agreement.

Chalese planning an "Easter Celebration" for this coming weekend, which was not her weekend, shows bad judgment on her part. Chalese made a choice to not pick up the children on her time, which again is in the parenting app, in hopes to have them for the weekend on Adam's time. This was merely another attempt at lying and manipulation on Chalese's part. Unfortunately, she affects the children every time she makes these poor decisions.

Please note that had Chalese simply reached out to Adam, preemptively, and explained the situation—that she wanted to do an Easter Celebration on Saturday—and asked to "swap" the schedule for this week only, Adam would have been more than willing to accommodate Chalese like any good parent would do. However, Chalese took the path of lies and deceit, showing a severe inability to co-parent and using the children as pawns in her game of chess.

Adam therefore is not willing to have Chalese keep the kids past her regular time today at 6 p.m. This will only impact the kids negatively as they are aware of plans for the weekend with Adam and are expecting Adam to pick them up at 6 p.m. tonight.

Thank you for your time and attention to this matter.

Sincerely,

THE ABRAMS & MAYO LAW FIRM

/s/ Vincent Mayo, Esq.

Vincent Mayo, Esq.

cc: Mr. Adam M. Solinger

† Board Certified Family Law Specialist

† Fellow of the American Academy of Matrimonial Lawyers; Admitted in Nevada, California, and Louisiana

DEF001249
002173

EXHIBIT C



†* Jennifer V. Abrams, Esq.
† Vincent Mayo, Esq.

6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
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Thursday, April 23, 2020

Alicia S. Exley, Esq.
8925 South Pecos Road, Suite 14A
Henderson, Nevada 89074

Re: Adam M. Solinger v. Chalese M. Solinger
Case Number: D-19-582245-D

URGENT ATTENTION IS REQUESTED

Dear Ms. Exley:

I am writing to try and resolve an emergency matter that has arisen. Yesterday and before dinner, Adam had Marie go clean her room. Adam went to help with dinner while Marie was to clean her room and when Adam came back just five minutes later, Marie had fallen asleep. Adam tried to put her down to bed but she woke up and mumbled that she wanted something to eat. At dinner, Marie was warm and acting very tired and lethargic. Adam became concerned and took her temperature. Marie's temperature was at 104 degrees. Adam gave Marie some Motrin and laid her down. He thereafter recorded Marie's temperature, which was at 102.8 degrees.¹ Then, and out of an abundance of caution, Adam called the COVID-19 hotline. They in turn advised that Adam call Marie's doctor.

Adam called the after-hours number for the pediatrician's office and left a message. Dr. Tresa Chakkalakal (Dr. Tresa) returned Adam's call.² When Adam explained the fever and his concerns, Dr. Tresa advised Adam to treat Marie at home like Adam would for any other fever and to monitor her symptoms. Dr. Tresa said that given the uncertainty of Marie's condition and in light of the COVID-19 pandemic, Marie needed to quarantine at home for the next 7 days at least and be fever free for 72 hours. So Chalese knows, Adam did specifically ask about whether Marie could go to Chalese's house where another young boy, Jesse, lives. Dr. Tresa said no because the doctor did not know what Marie has and Marie is likely contagious.

Dr. Tresa further stated that if Marie develops vomiting, earache, painful urination, or respiratory tract symptoms, that Adam would need to arrange to bring her in to be seen right away. Dr. Tresa said that they only have 4 or 5 COVID-19 testing kits left and that they are saving them for those with severe symptoms.

///
///

¹ See the photo of same attached hereto.

² See the photos of call logs attached hereto.

† Board Certified Family Law Specialist

* Fellow of the American Academy of Matrimonial Lawyers; Admitted in Nevada, California, and Louisiana

Upon hanging up with Dr. Tresa, Adam relayed this information to Chalese and explained to her what the doctor said to do. Chalese's only response was, "I'll pick them up like normal on Friday." So you know, Adam gave Marie Motrin again this morning and recorded her temperature thereafter. Even with the Motrin in her, Marie's temperature was at 101.2 degrees.³

Chalese is obviously welcome to call Dr. Tresa and confirm the information she provided Adam last night. We would also ask that you please speak to Chalese and help her understand the seriousness of the situation and that Adam is only following Marie's pediatrician's medical advice. Adam understands Chalese wants to have the children for her time but Marie's needs and the doctor's recommendations, especially in light of the COVID-19 pandemic, take precedence – a position I feel certain Judge Moss would agree with.

Your cooperation and assistance in this matter is greatly appreciated.

Sincerely,

THE ABRAMS & MAYO LAW FIRM

/s/ Vincent Mayo, Esq.

Vincent Mayo, Esq.

cc: Mr. Adam M. Solinger

³ See the photo of same attached hereto.



DEF001252
002177

7:39



< Recents



(702) 363-3000

Las Vegas, NV



message



call



pay

Yesterday

6:36 PM Outgoing Call

5 minutes

Share Contact

Create New Contact

Add to Existing Contact

Add to Emergency Contacts

Share My Location



Favorites



Recents



Contacts



Keypad



Voicemail

17

DEF001253
002178

7:39



< Recents



No Caller ID

unknown

Yesterday

7:10 PM Incoming Call

7 minutes



Favorites



Recents



Contacts



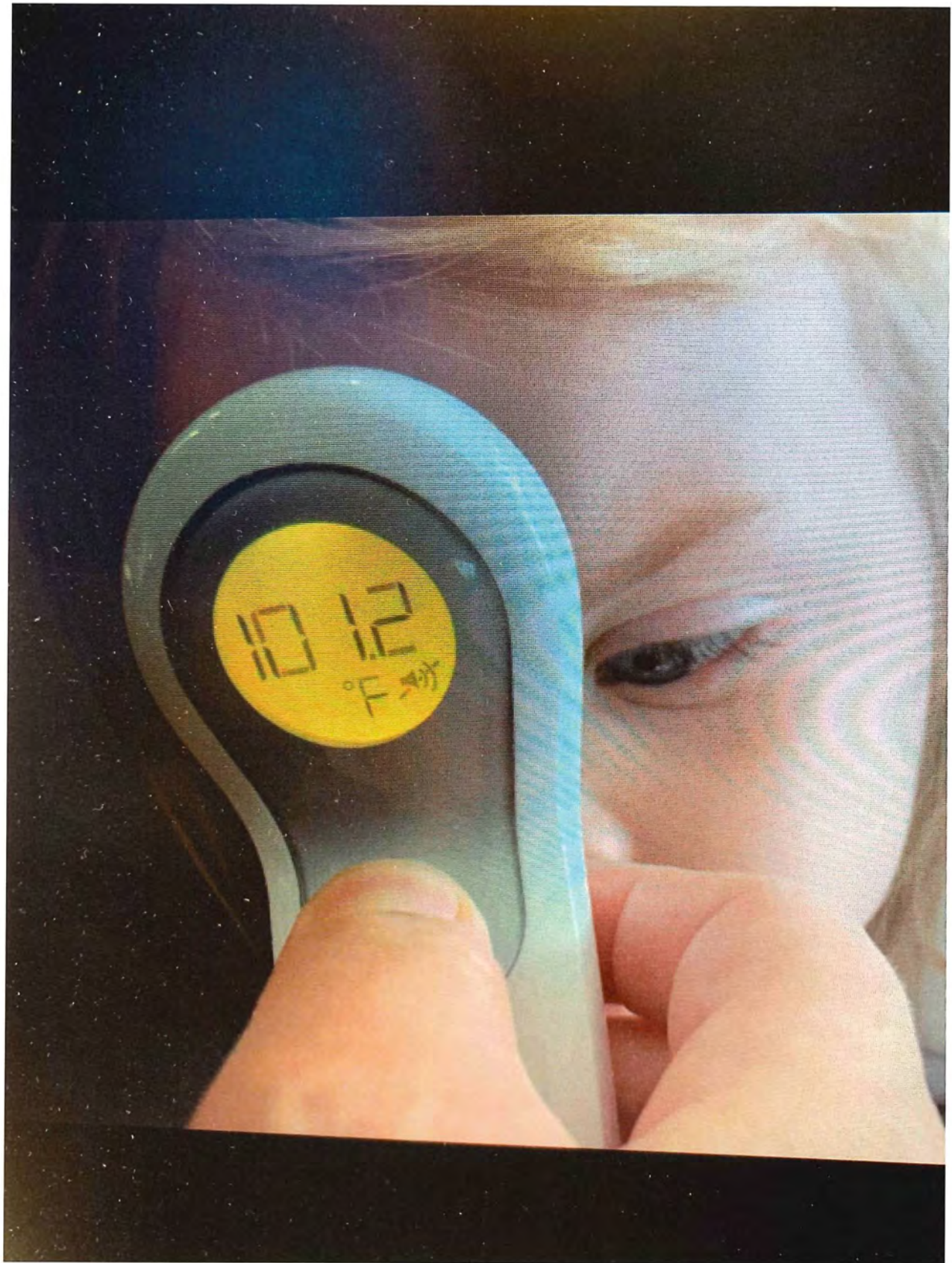
Keypad



Voicemail

17

DEF001254
002179



DEF001255
002180

EXHIBIT D



Conversations

4/22/2020

Adam on 4/22/2020 3:41PM said:

Pursuant to the 30/30

Adam on 4/22/2020 3:41PM sent:

(See attached on page 4)

Chalese Anderson on 4/22/2020 7:00PM said:

When can I talk to my kids

Chalese Anderson on 4/22/2020 7:35PM said:

Hello, I'd like to talk to my kids

Adam on 4/22/2020 7:39PM said:

Sorry. I've been on the phone with the covid hotline and the pediatrician. Marie spiked a fever just before dinner. They are in bed now.

Adam on 4/22/2020 7:42PM said:

The doctor said given everything going on with Covid Marie needs to isolate here and not leave the house for at least the next 7 days and be fever free for 72 hours.

Chalese Anderson on 4/22/2020 7:44PM said:

I will pick her up, like normal, on Friday. Please have them available to talk tomorrow

4/23/2020

Adam on 4/23/2020 7:35AM said:

Chalese, this quarantine at home was something her doctor prescribed to make sure everyone is safe. This isn't about you or me. It's about what's best for Marie to make sure that whatever she has doesn't spread.

Chalese Anderson on 4/23/2020 8:36AM said:

I want proof of her fever and the name and number of the dr you spoke to

Chalese Anderson on 4/23/2020 8:37AM said:

When did her fever start. What other symptoms is she having.

Adam on 4/23/2020 8:39AM sent:

(See attached on page 5)

Adam on 4/23/2020 8:40AM sent:

(See attached on page 6)

Adam on 4/23/2020 8:41AM said:

First picture is from last night. The second picture is this morning 20 minutes after I gave her Motrin.



Chalese Anderson on 4/23/2020 8:41AM said:

When did it start. What other symptoms is she having. What dr did you talk to and what is that number

Adam on 4/23/2020 8:41AM said:

I called sunshine valley and I spoke to dr Teresa. No other symptoms so far.

Adam on 4/23/2020 8:43AM said:

My attorney is working on a motion since you said you were going to pick up anyway. You agree this is necessary, right? Otherwise he'll be filing the motion at 9.

Adam on 4/23/2020 4:23PM said:

Now Michael has a fever.

4/25/2020

Chalese Anderson on 4/25/2020 11:18AM said:

Please send videos of you taking the kids temperatures

Adam on 4/25/2020 11:33AM said:

Please talk to your attorney.

Adam on 4/25/2020 11:58AM said:

To be clear, I'm talking about taking videos of temperatures.

Chalese Anderson on 4/25/2020 2:42PM said:

Please send me proof of their temperatures

Adam on 4/25/2020 2:51PM said:

I know you haven't asked how they're doing, but so far today they haven't had a temperature. They're in good spirits but I'm still encouraging rest until they're in the clear.

Chalese Anderson on 4/25/2020 2:51PM said:

I would like proof of their temperatures

Adam on 4/25/2020 2:55PM said:

I'm not waking them up from their naps right now and shoving a thermometer in their face with a camera. I'm just telling you how they're doing because that's what important. Since you didn't ask yesterday, Marie spiked to 103.4 before her afternoon medicine kicked in and Michael spiked to 105.3 before his morning medicine kicked in and I got him in a cool bath. It dropped down to 101.7 after his bath.

Chalese Anderson on 4/25/2020 2:56PM said:

How could you not take them to the er?! You are being reckless

Chalese Anderson on 4/25/2020 2:56PM said:

Take them to be seen and I will meet you there

Adam on 4/25/2020 3:00PM said:

They currently have no fever why would they go to the ER? I treated the fever yesterday based on the same advice I got from their doctor. Without other symptoms, I would only be giving them Tylenol and Motrin alternating. Why would I take them somewhere where they could be exposed or expose others? It was under control. Had the bath and medicine not worked, we would be having a different conversation.



4/26/2020

Adam on 4/26/2020 7:49AM said:

Michael's fever came back this morning. He's 101.4. Marie is still fever free.

Chalese Anderson on 4/26/2020 3:46PM said:

How are the kids doing

Adam on 4/26/2020 3:54PM said:

They're both doing well and fever free at this time.

Chalese Anderson on 4/26/2020 7:03PM said:

My front camera is cracked. I'm going to do a regular phone call tonight

Adam on 4/26/2020 7:06PM said:

Ok. The kids are in the bath right now, dinner ran long because Michael was eating super slow. I'll have the call when they get out and before bed.

Adam on 4/26/2020 7:16PM said:

The kids really want to try to FaceTime first because they want to see.

Adam on 4/26/2020 8:08PM said:

Please take a selfie pursuant to the court's order.

Adam on 4/26/2020 8:12PM said:

I know the front camera is broken but you can take a selfie with the rear camera.

Chalese Anderson on 4/26/2020 8:55PM said:

I didn't see this till just now. My phone goes into do not disturb mode at 8pm

Chalese Anderson on 4/26/2020 8:56PM sent:

📎 (See attached 📷 on page 7)

4/27/2020

Adam on 4/27/2020 8:12AM said:

Just wanted to give you a heads up that Marie threw up first thing this morning. It was mostly stomach acid and water. She tried to eat a little bit and had a few bites of banana. She said she was going to be sick again and then threw up again. No fever so far for either Michael or Marie.

Chalese Anderson on 4/27/2020 8:51AM said:

Please send proof of temperatures

Adam on 4/27/2020 9:00AM said:

What temperatures? I just told you neither of them have a fever.

Chalese Anderson on 4/27/2020 10:01AM said:

And I would like to see

AppClose Complete Record of Text Communication
Period: 4/22/2020 12:00AM to 4/27/2020 11:59PM
Requesting Party: Chalese Anderson, signed up on 3/22/2019 11:04PM
Responding Party/Parties: Adam, signed up on 3/25/2019 1:55PM,
Chalese Anderson, signed up on 3/22/2019 4:04PM



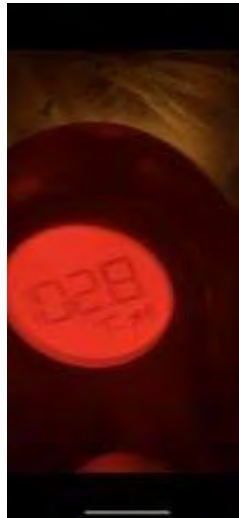
Attachment



Img. bee9f0f2-d716-4ee2-92a2-dd5ca523c063.PNG to page 1



Attachment



Img. 98a77fec-99b6-462d-87b5-55dd335e96ea.PNG to page 1



Attachment



Img. 1ef11d9e-fc06-4461-88a8-5dd5884bbc2d.PNG to page 1



Attachment



Img. 66b8ae2a-ddf7-4c30-9777-394825437817.jpg to page 3

EXHIBIT E

Attorneys

Bruce I Shapiro
Paul A. Lemcke
Shann D. Winesett*
Jack W. Fleeman
Curtis R. Rawlings
Jennifer Poynter-Willis
Carli L. Sansone
Alicia S. Exley

*Also Licensed in California

Kirby Wells
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Legal Assistants

Amy Robinson, C.D.F.A.
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Shirley Martinez
Veronica C. Jarchow

Janine Shapiro, C.P.A., C.D.F.A.
Office Administrator

April 23, 2020

Via E-Service

Vincent Mayo, Esq.

THE ABRAMS & MAYO LAW FIRM
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118

Re: ***Solinger vs. Solinger*** (D-19-582245-D)

Dear Vince:

In the interest of the children's best interests, Chalese will rely on Adam's representations for now and will continue to try to reach the pediatrician (who Chalese has called twice, and told them it was urgent, but told they had 24 hours to get back to her). If Adam has any future phone calls with the pediatrician, we would appreciate it if Adam conferences Chalese into the calls so she can hear the recommendations as well.

This agreement is contingent upon confirmation that the doctor is, indeed, recommending that the children stay with Adam for the next seven days. We hope your client appreciates the fact that this will eliminate Chalese's next two visits and that Chalese will have spent less than 24 hours with her children over the entire month of April. We also trust that your client will recognize this as the compromise it is and not try to argue in court that Chalese was in any way "uninterested" in seeing the children this month. Chalese is very hurt by the separation from the children and very upset that she will miss another two visits with them but recognizes that their health is priority and will follow their doctor's advice.

As part of this agreement, we ask that Adam sends Chalese a video of him taking the temperature of each child at least twice a day so we can monitor how long they are without a fever. Please have Adam provide any medical documentation he has been provided as soon as possible. Additionally, please advise if anyone else in Adam's household is ill and whether they have been tested for COVID-19.

We also ask that between now and the scheduled trial, Chalese receive an extra make-up day for each day missed with the children during this seven-day period. We

propose one extra day be added to the beginning of Chalese's existing weekly visitation schedule until she receives all missed days.

Finally, please have Adam ensure that Chalese has daily phone contact with the children while they are in his care. Chalese had no contact with either child last night, and only with Marie the night before. If Adam is going to be keeping the children for even more time this month, it is imperative that they have daily contact with their mother. Please advise if this a reasonable compromise of this issue.

Sincerely,

/s/ Alicia S. Exley, Esq.

Alicia S. Exley, Esq.

cc : Chalese Solinger

EXHIBIT F

Alicia Exley

From: Alicia Exley
Sent: Friday, April 24, 2020 1:44 PM
To: Vincent Mayo
Cc: Jack Fleeman; Julie Schoen; Angela Romero (angela@pecoslawgroup.com)
Subject: RE: Solinger: Urgent

Vince,

Chalese was told by the pediatrician's office that Adam was advised to quarantine Marie until the fever went away, and to bring her in if the fever persisted more than seven days. She advises me that the office would not let her speak to the doctor and this information was relayed from the doctor to a nurse to a receptionist to Chalese. She was not given any written notes from the doctor.

If the doctor was giving Adam advice, we believe that this would qualify as a telephonic visit and, as such, there should be a written record of it. As Adam was somehow able to speak to a pediatrician when Chalese was not, we presume Adam would be able to obtain the record of this telephonic visit and we need him to provide that documentation asap.

What Adam has told Chalese regarding the doctor's advice is not in congruence with what the pediatrician's office told Chalese was told to Adam. We therefore need some sort of written record to confirm what Adam claims the doctor advised him. In the alternative, Adam could get in touch with the doctor and conference Chalese into the call. Without confirmation that the doctor actually told Adam to quarantine the children in his home for the next seven days, your client is technically in violation of the court order and is wrongfully withholding the children. As we stated in our letter, Chalese will follow the doctor's advice, but the doctor's advice she was given today is not the same advice Adam told Chalese he was given.

Additionally, you have not responded to our request for make-up visitation, information about whether anyone else in Adam's household is ill, confirmation that Chalese will have daily phone contact, or our request that Adam send Chalese twice daily videos of the children's temperatures. If what the doctor told Chalese is true and that the children only need to quarantine until they are without a fever, it is important that she know, in real time, their last recorded fever.

If we do not receive a response to our reasonable requests by 4:00 p.m. we will be forced to file a motion and request the same from the court.

Sincerely,



8925 SOUTH PECOS ROAD, SUITE 14A

HENDERSON, NEVADA 89074

PHONE: (702) 388-1851

FAX: (702) 388-7406

EMAIL: ALICIA@PECOSLAWGROUP.COM

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From: Alicia Exley
Sent: Friday, April 24, 2020 10:58 AM
To: Vincent Mayo <vmayo@tamlf.com>
Cc: Jack Fleeman <jack@pecoslawgroup.com>; Julie Schoen <jschoen@tamlf.com>; Angela Romero (<angela@pecoslawgroup.com>) <angela@pecoslawgroup.com>
Subject: RE: Solinger: Urgent

Vince,

I just wanted to make sure you received this letter we sent last night, and to inquire as to whether your client is agreeable to our requests.

Sincerely,



8925 SOUTH PECOS ROAD, SUITE 14A
HENDERSON, NEVADA 89074
PHONE: (702) 388-1851
FAX: (702) 388-7406
EMAIL: ALICIA@PECOSLAWGROUP.COM

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From: Vincent Mayo <vmayo@tamlf.com>
Sent: Thursday, April 23, 2020 8:57 AM
To: Alicia Exley <alicia@pecoslawgroup.com>
Cc: Jack Fleeman <Jack@pecoslawgroup.com>; Julie Schoen <jschoen@tamlf.com>; Vincent Mayo <vmayo@tamlf.com>
Subject: Solinger: Urgent
Importance: High

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Please review the attached correspondence and let me know.

Sincerely,

Vincent Mayo, Esq.
Board Certified Family Law Specialist
THE ABRAMS & MAYO LAW FIRM
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
Tel: (702) 222-4021
Fax: (702) 248-9750
www.TheAbramsLawFirm.com

EXHIBIT G



†† Jennifer V. Abrams, Esq.
† Vincent Mayo, Esq.
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
P. 702.222.4021 F. 702.248.9750
www.TheAbramsLawFirm.com

Friday, April 24, 2020

Alicia S. Exley, Esq.
8925 South Pecos Road, Suite 14A
Henderson, Nevada 89074

Re: Adam M. Solinger v. Chalese M. Solinger
Case Number: D-19-582245-D

Dear Ms. Exley:

I am in receipt of your April 22, 2020 correspondence. After discussing the matter with my client, we respond accordingly.

It is clear Chalese is maintaining her pattern of dishonesty with you, as she has through this litigation. Or, you are engaging in unethical and dishonest conduct.

Insurance

Unfortunately, Chalese is completely misrepresenting the situation with the health insurance. Chalese never provided Adam with notice as to what information she states she requires. On Monday April 20th, Adam asked Chalese how she wanted to proceed with the issue of health insurance. Chalese's options are to either stay on the plan that has been in effect for the past few years and essentially take over the account, along with the payment, or she can find private insurance on her own given the open enrollment period. Chalese balked at this question, firing back stating that Adam has not "even provided [her] with insurance information..." Adam then asked if Chalese needed a bill for proof of continuing payment or an insurance card. Chalese never responded.

You state in your letter that you read the relevant "AppClose" messages in support of your correspondence but did Chalese give you the entire message thread on this topic? If you had, it would show that Adam was trying to resolve the issue with Chalese, as well as attempting to co-parent.

The health insurance has not changed, as mentioned at the last hearing, due to Chalese refusing to provide Adam a copy of Marie's birth certificate. As a result, Adam was keep the old policy, thereby being forced to pay the \$1,237.94 premium for the month of April.

As for the claim that Chalese does not have any information regarding the insurance, this is another lie. Adam provided Chalese with March's bill for insurance on February 27, 2020, and sent her the April bill yesterday. Chalese also already has an insurance card because as she paid \$87.29 towards the deductible this year and she has paid some out-

† Board Certified Family Law Specialist

* Fellow of the American Academy of Matrimonial Lawyers; Admitted in Nevada, California, and Louisiana

of-pocket expenses as well. Nonetheless, another copy of the cards is attached to this letter.

Adam previously asked Chalese what she wanted to do and has not received a response. To avoid being billed for the month of May, Adam is canceling the plan as it relates to himself and the children with an effective date of the end of the month. Adam has forwarded Chalese information to the insurance company so they could have her take over the policy.

Marie's Fingers and Nails

The nail polish issue is a co-parenting issue as the original letter makes clear. For reference, the issue is not the painting of the nails. It is that Marie picks her nails and fingers once they are painted and it causes her fingertips to bleed. Chalese herself has previously indicated in her AppClose messages that she agrees with not painting Marie's nails. Being that you review the AppCloses messages, you should have seen these.

Despite Chalese's attempts to spin the narrative as one of control, it's not as Chalese herself states Marie's nails should not be painted. The issue is Chalese going back on what the parties already agreed is in Marie's best interests. It was Chalese going back on her agreement that caused Adam to have me bring the issue up with you.

The issue with the haircutting is not that it happens but rather that Chalese cuts the children's hair almost every single time she has them. Adam merely wants to be involved in decisions regarding the grooming of the children because it's not possible to put hair back on the head. I think we can agree that if the roles were reversed and Adam was taking the children to have their hair cut every week, Chalese would be requesting the exact same. This is about reasonableness and Adam has made a simple request to have Marie's hair longer for a photoshoot that he is planning for her. Adam agrees that it is silly and a waste of time and money to have to discuss this issue through counsel but Chalese has given him no other recourse. If anything, this is a control issue on Chalese's part: She knows that Adam is trying to plan something with Marie and she is evidently trying to sabotage it. If Chalese refuses to be accommodating on such a simple co-parenting issue matter, then so be it. This will simply be added to the voluminous list of items Adam has showing that Chalese clearly doesn't know how to co-parent.

April's Spousal Support

Finally, the issue with April's support payment is that your client consistently refuses to contribute to the expenses she incurs and is ordered to pay, such as Chalese's half of the costs for health insurance covering her and the children. Chalese informed Adam that she would pay her half of insurance once she received her spousal support for March. Adam did so but low and behold, Chalese refused to pay Adam her one-half of the health insurance costs. Please reign your client in and inform her that it is imperative that she has financial obligations that need to be paid. What goes unsaid in your letter is that presumably Chalese is collecting unemployment and that she received a stimulus check, Which Adam wasn't as fortunate to receive.

If we are threatening to bring motions and requests for orders to show cause, you may want to have a very frank conversation with your client, especially given that she has two attorneys working her case and that she has a near bottomless pool of money she keeps pulling from after claiming poverty on a consistent basis.

Adam has had to drastically cut his legal expenses and as he has represented consistently, he drafts nearly most of the pleadings and letters and I merely revise them, which is a huge cost savings to him.

Despite your incorrect assertion, Adam's spousal support was not reduced because of health insurance, it was reduced commensurate with the drop-in salary due to Adam's new job.

Also, Adam does not owe Chalese support for March or April. In February, the Court ordered that Adam would deduct Chalese's half of the old monthly health insurance premium for herself and the children. The total is \$1,237.94 per month, meaning that the portion for Chalese and the children is \$928.46, making half \$464.23.

You will recall that the Court prorated Adam's spousal support for March based on him switching jobs in mid-month. This means Adam would pay half of support under the old pay, \$1,125 (\$562.50) and half of his support under his new income, \$800 (\$400). This means that Adam was to pay \$962.50, minus Chalese's half of the insurance (\$464.23), which comes out to \$498.27. However, Adam in fact paid \$562.50 for March, an overpayment of \$64.23.

For April, Adam was to pay \$800 for spousal support. However, Adam had reached out to Chalese in late March asking her for a copy of Marie's birth certificate. By doing so, Adam would have been able to switch over to the new insurance, which would have reduced the children's cost of the health insurance premium starting in April to \$52 (instead of the \$618.97 under the old plan). You will recall Adam told Chalese this via AppClose, with Chalese stating she refused to give him a copy as timely needed. This resulted in the old policy unnecessarily remaining in place for April.

So it's clear, Adam and the children's cost under the new policy would have been a total of \$82 (\$30 for Adam, \$52 for the children). Because Chalese refused to allow Adam and the children to switch to the new policy for April, it resulted in Adam unnecessarily paying a much higher amount. The following addresses this inequity and what is actually owed now:

Adam's Portion

What Adam should have paid for himself for April under the new policy: \$30.

What Adam was forced to pay for himself in April under the old policy: \$309.25.

Hence, Chalese owes Adam \$309.25 for forcing him to pay under the old amount.

Children's Portion

What Adam should have paid for his half of the children for April under the new policy: \$26.01.

What Adam was forced to pay for his half of the children for April under the new policy: \$618.50.

Hence, Chalese owes Adam the difference between the \$618.50 and \$26.01, or \$592.50.

Chalese's Portion

Chalese's portion for April that Adam paid was \$309.25, making Chalese's one-half \$154.74.

These costs for April that Chalese is responsible for total \$1,056.49.

Therefore, the total Chalese owes Adam for March is the \$64.23 overpayment and the \$1,056.49 for April, which comes out to \$1,120.72. Being that Adam owed Chalese support in April of \$800, she actually must pay Adam the difference, which is \$320.72. Adam is agreeable to deducting same from the May payment. Would your client prefer Adam reduce the amount of May support by the remaining balance or would your client like to tender the remaining balance directly to Adam instead?

In sum, please have a conversation with your client as requested in the previous letter. Additionally, Adam had no choice but to cancel the policy as it relates to himself and the children thus making Chalese the only one on the account. If she would like to, she can take advantage of this special enrollment period to find insurance to her liking by the aforementioned time.

Also, and on an unrelated but tedious topic, please provide proof of client's current car insurance coverage since June of last year. We have asked for this several times and still not received it.

The Children's Sicknesses

Adam wants to be clear that the children being sick and needing to stay self-isolated and in quarantine is not a matter of compromise. It is on the direct advice of the children's pediatrician, is spelled out within the CDC guidelines and it comports with the Governor's order. So you are aware, the following are the CDC's guidelines as to when a person suspected of potentially having COVID-19 no longer has to quarantine:

- At least 3 days (72 hours) have passed since recovery defined as resolution of fever without the use of fever-reducing medications **and**
- Improvement in respiratory symptoms (e.g., cough, shortness of breath); **and**,
- At least 7 days have passed since symptoms first appeared.

What Adam stated was conveyed to him by Dr. Teresa was accurate. Dr. Teresa did state that if there is was a lack of social distancing or proper quarantining that the CDC guidelines are for children to be quarantined for at least 7 days after the fevers disappear. Being that Judge Moss stated during the last two hearings that Chalese was not practicing proper social distancing, this is a credible concern. The median incubation period for COVID-19 is 5 days. Michael and Marie were with Chalese April 16-17 and then they both had fevers 5 days later. Let us hope that this is a simple viral infection and not COVID-19.

What Adam does not know is what Chalese told the pediatrician's office. If she told them she was practicing proper social distancing / quarantining, they may have stated that the quarantining for 7 days after the fevers disappears is not necessary. However, Adam and the Court know Chalese was not, meaning the 7 days of quarantining is necessary. As for your client's request that Adam somehow immediately go to the pediatrician's office at 4:00 p.m. on a Friday afternoon when he is tending to two sick children, he cannot.

Adam of course concedes following healthcare orders does not mean that Chalese is uninterested in having the children. However, Adam is appalled that the children are sick and believe it is due to your client's actions: It was Chalese who continually disregarded quarantine directives and it was Chalese who travelled out of state. No one other than the children in Adam's house is sick or has any symptoms and Adam, Jessica and her daughter have been quarantining. Further, even if Adam was able to take the children in to their pediatrician for testing, Dr. Teresa told Adam they only have around 4 to 5 testing kits and they are only providing those to children who come in with severe symptoms.

Adam has no issue updating Chalese via AppClose but it is concerning that Chalese has not asked Adam for an update regarding how the children are doing since 8:30 a.m. yesterday morning. Why is it Chalese wants Adam to constantly update her but she doesn't care enough about her own children to ask Adam their condition in two days? If Chalese wants updates, she can ask him.

In regard to the videos, Adam produced the videos of the temperatures as an act of good faith in the beginning because he knew that Chalese would be skeptical. However, their creation was not intended to add an additional step to the care of the children. Chalese has always stated that she trusts that the kids are in good care while in the care of Adam and has never expressed concern. Also, Adam has always been forthcoming when it comes to the health of the children. To imply that my client would be dishonest and needs to provide proof of temperature taking is insincere. If Chalese wants to know the children's temperatures, she can ask (which she rarely has in the past when the children are sick). However, Adam will not be producing two videos a day of temperature readings. Chalese can ask Adam how they are doing and he will tell her how they are doing.

Adam is not in possession of any medical documents at this time. Adam called the after-hours number and the on-call doctor returned his call and gave him the advice previously provided. Telephonic medical appointments are very common at this point in time and at this point there is no need to expose the kids to the public if they do not have COVID-19 or, hopefully this isn't the case, exposing others if the kids do indeed have COVID-19. The children would only go into see the doctor if they develop other symptoms requiring immediate attention.

Adam will not agree to any make-up time before trial. The Court has previously ruled that make-up time would be deferred to the time of trial. Further, Chalese is not losing time due to anything Adam did but rather the advice of the children's doctor.

Finally, as to phone contact, Adam has no issue with the same. However, the examples Chalese cites are extremely disingenuous and reveal the true tone of your correspondence

on her behalf. As for this past Wednesday night, Chalese had no contact with the children because Adam had to wait on a call back from the pediatrician due very likely to your client's actions resulting in the children getting sick.

In summary, this issue is not about compromising or negotiating. The children are sick and their doctor's advice must be followed, especially in the present environment we live. For Chalese to state that "Adam should appreciate the fact that Chalese is losing time" as if it is Adam's fault or that she has something due to her is nonsensical. Adam does not "appreciate" that the children very likely became sick on Chalese's time and that he has to be concerned that the children may have COVID-19 because Chalese couldn't follow simple guidelines and chooses her own interests over the children's best interests. For Chalese to make such a statement means she does not appreciate the seriousness of the situation.

Your cooperation and assistance in this matter is greatly appreciated.

Sincerely,

THE ABRAMS & MAYO LAW FIRM


/s/ Vincent Mayo, Esq.

Vincent Mayo, Esq.

cc: Mr. Adam M. Solinger

| | | | |
|--|--|--|---|
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| Health Plan (80840) 911-76342-01 | | | |
| Member ID: 150185922-01 | | Group Number: 100035021001 | |
| Member: CHALESE SOLINGER | | | |
| Benefit Code: Medical I18ES100 Rx PI19ES00 | | Payer ID 76342 |  OPTUMRx Rx BIN: 610279 Rx GRP: UNEVADA Rx PCN: 9999 Rx Cost share tiers: I / II / III / IV Rx Cost shares: \$25/\$50/\$100/50% Rx Deductible may apply. |
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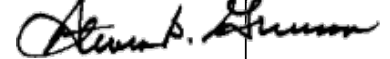
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ORDER

Vincent Mayo, Esq.
Nevada State Bar Number: 8564
THE ABRAMS & MAYO LAW FIRM
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
Tel: (702) 222-4021
Fax: (702) 248-9750
Email: VMGroup@theabramslawfirm.com
Attorney for Plaintiff

Eighth Judicial District Court
Family Division
Clark County, Nevada

| | | |
|-------------------------|---|--------------------------------|
| ADAM MICHAEL SOLINGER, |) | Case No.: D-19-582245-D |
| |) | |
| Plaintiff, |) | Department: I |
| vs. |) | |
| |) | Date of Hearing: Feb. 26, 2020 |
| CHALESE MARIE SOLINGER, |) | Time of Hearing: 3:15 p.m. |
| |) | |
| Defendant. |) | |

ORDER AFTER HEARING OF FEBRUARY 26, 2020

This matter coming on for hearing on the on the 26th day of February 2020, before the Honorable Cheryl B. Moss, upon Plaintiff's *Motion for Reconsideration of the Court's December 9, 2019 Decision; for Proof of Chalese's Auto Insurance for the Last Year; and Related Relief* and Defendant's *Opposition to Motion and Countermotion to Resolve Joint Physical Custody and for Attorney's Fees* with Plaintiff, ADAM MICHAEL SOLINGER (hereinafter referred to as "Adam"), having appeared personally and by and through his attorney of record,

1 VINCENT MAYO, ESQ., of THE ABRAMS & MAYO LAW FIRM, and
2 Defendant, CHALESE MARIE SOLINGER (hereinafter referred to as
3 “Chalese”), having appeared personally and by and through her attorney
4 of record, KRISTINA C. KIRIGIN, ESQ., of VEGAS WEST ATTORNEYS.
5 Court having listened to the representations and arguments of counsel,
6 and good cause appearing:

7 **THIS COURT HEREBY NOTES** that there are cost issues in
8 this case and Adam has taken a new job that has better health benefits
9 for the children but for less pay. Accordingly, Adam shall argue the
10 merits of the case on his own behalf today. [Video time stamp 4:14:00]

11 **THIS COURT HEREBY NOTES** that a child custody evaluation
12 has not been completed.

13 **THIS COURT FURTHER NOTES** that CPS has an open
14 investigation right now into Chalese’s treatment of the children. [Video
15 time stamp 4:24:50]

16 **THIS COURT FURTHER NOTES** that Chalese represented she
17 and Josh reconciled three (3) weeks after the incident involving Josh
18 and Adam on December 7, 2019 hearing. [Video time stamp 4:35:10]

19 **THIS COURT FURTHER NOTES** that Adam presented in
20 Court a video of the incident involving Josh and Adam on December 7,
21 2019. [Video time stamp 5:01:33]

1 **THIS COURT FURTHER NOTES** that Adam represented there
2 have been criminal charges submitted to the District Attorney's office
3 against Josh for the December 2019 event including, one count of
4 attempt auto burglary (a category C felony) and one count of provocation
5 of a fight (a gross misdemeanor). [Video time stamp 4:29:51]

6 **THIS COURT HEREBY FINDS** that Josh's behavior towards
7 Adam was threatening and inappropriate. [Video time stamp 5:08:00]

8 **THIS COURT FURTHER FINDS** that on a temporary basis,
9 Adam is not willfully under employed. Adam will be earning \$85,400
10 per year. It is a 29% drop in income from \$120,000 but Adam will be
11 saving \$14,000 a year for the cost of health insurance. Also, this could be
12 less stress on Adam to meet billable hours and less commitment making
13 it not willful underemployment, as Adam will be able to spend more
14 time with the children. [Video time stamp 5:19:11]

15 Therefore, and for good cause showing,

16 **IT IS HEREBY ORDERED** that the Order to Withdraw as
17 attorney of record for Defendant was filed after the Substitution of
18 Attorney, Vegas West is taking over the case and the Motion to
19 Withdraw is now moot. Accordingly, the March 18th in chambers hearing
20 shall be vacated. [Video time stamp 4:09:10]

21 ///

1 **IT IS FURTHER ORDERED** that the Objection to Plaintiff's
2 *Brunzell* Affidavit is currently set for March 20th at 1:00 p.m. in front of
3 the Discovery Commissioner was erroneously set and is therefore
4 vacated. [Video time stamp 4:09:50]

5 **IT IS FURTHER ORDERED** that the March 30th hearing for the
6 *Motion for an Order to Show Cause and to Hold Defendant in*
7 *Contempt of Court for Violation of the March 19, 2019 Order the June*
8 *17, 2019 Order and the Behavior Order filed March 19, 2019; For*
9 *Attorney's Fees and Costs and Related Relief* shall be reset to one-hour
10 time slot on April 7, 2020 at 9:30 a.m. The Opposition shall be due on
11 March 16, 2020, the reply would be due 7 days later. Adam shall bring a
12 proposed Order to Show Cause to Court for the judge's signature should
13 the Court grant it. [Video time stamp 4:42:45]

14 **IT IS FURTHER ORDERED** that Chalese's request to modify
15 child custody is denied. [Video time stamp 5:09:35]

16 **IT IS FURTHER ORDERED** that effective March 16th, spousal
17 support shall be reduced down 29% proportionally to Adam's decrease
18 in income to \$800 per month. The \$800 figure includes the \$375 child
19 support that Chalese should pay Adam as he is the temporary primary
20 physical custodian. Said amount shall commence in April and be payable
21 each month until trial. [Video time stamp 5:20:45]

1
2 **IT IS FURTHER ORDERED** that Adam shall become current
3 on his prior spousal support payments for January 2020 and February
4 2020 in the amount of \$1,125 per month. [Video time stamp 5:21:40]

5 **IT IS FURTHER ORDERED** that since Adam's new job starts
6 March 16th, the \$800 monthly temporary spousal support shall be
7 prorated for the first half of March. This will consist of ½ of \$1,125 for
8 the first half of March and ½ of \$800 for the second half of March, with
9 the amount owed for March totaling \$962.50. [Video time stamp
10 5:22:30]

11 **IT IS FURTHER ORDERED** that this Court would normally
12 award attorney's fees to Adam for defending the Motion for Joint
13 Physical Custody. Instead, the \$10,000 previously awarded to Chalese
14 shall be deferred until Trial, meaning Adam is not obligated to pay same
15 until the issue is adjudicated at Trial. Adam's request for attorney's fees
16 related to Adam for defending the Motion for Joint Physical Custody is
17 also deferred until Trial. [Video time stamp 5:21:00; 5:40:36]

18 **IT IS FURTHER ORDERED** that this Court will Order the CPS
19 records and hear the diaper rash issue at trial and the Court's JES shall
20 email the records to counsel under a confidential gag order. [Video time
21 stamp 5:21:30]

1 **IT IS FURTHER ORDERED** that no assets shall be liquidated
2 and the Preliminary Injunction remains in effect. [Video time stamp
3 5:24.20]

4 **IT IS FURTHER ORDERED** that Adam shall continue covering
5 Chalese and the children on his health insurance policy pending Trial
6 but as Chalese is one-half responsible for same, Adam may deduct one-
7 half of the dependents' portion (i.e. Chalese's and the children's
8 portions), excluding the employee portion, from his monthly spousal
9 support payment. [Video time stamp 5:24:00]

10 **IT IS FURTHER ORDERED** that Adam may apply for
11 Contempt Ex Parte and the Court will sign the Order if it finds that it
12 meets the requirements of *Awad* and *Cunningham*. [Video time stamp
13 5:27:24]

14 **IT IS FURTHER ORDERED** that the Settlement Conference is
15 set for June 9, 2020 at 1:30 p.m. If Adam's new job has a conflict with
16 that date, he will let the Court know as soon as possible. [Video time
17 stamp 5:32:00]

18 **IT IS FURTHER ORDERED** that it is a risk, but if Chalese
19 insists on the evaluation, this Court will order with each side to pay one-
20 half (initially believed to be \$5,000 each) but it will have Adam pay for
21 his half of the evaluation cost from the monies held by his counsel in the

1 client trust account, without prejudice. [Video time stamp 5:35:10]

2 **IT IS FURTHER ORDERED** that the parties agree to utilize Dr.
3 Paglini for the Child Custody Evaluation with the report due in mid-
4 June. [Video time stamp 5:37:44]

5 **IT IS FURTHER ORDERED** that both parties shall have the
6 right to video record the child exchanges.

7 **IT IS FURTHER ORDERED** that Chalese's request to change
8 the exchanges to the daycare shall be denied. [Video time stamp 5:45:14]

9 **IT IS FURTHER ORDERED** that there shall be no significant
10 others physically present at the exchanges between the parties.
11 Significant others shall stay inside the homes or in the vehicle with no
12 communication with the other party. The parties shall follow the text
13 and seatbelt rule. Josh shall not be allowed to babysit the children or
14 drive them. [Video time stamp 5:50:00; 5:11:38; 5:29:42]

15 **IT IS FURTHER ORDERED** that Trial is set for June 30, 2020
16 for Day 1, commencing at 1:30 p.m. Day 2 is set for July 1, 2020 at 1:30
17 p.m. Day 3 is set for July 2, 2020 at 9:30 a.m. [Video time stamp
18 5:50.05]

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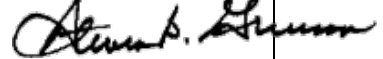
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IT IS FURTHER ORDERED that Attorney Mayo shall draft the
Order and Attorney Kirigin shall sign off. [Video time stamp 5:51:58]
Dated this 13 day of MAY, 2020.


DISTRICT COURT JUDGE ad.

| | |
|---|---|
| Approved as to form and content: | Approved as to form and content: |
| THE ABRAMS & MAYO LAW FIRM | VEGAS WEST ATTORNEYS |
| <u>/s/ Vincent Mayo, Esq.</u> | <u>/s/ Alicia S. Exley, Esq.; Bar No. 14192, for:</u> |
| Vincent Mayo, Esq. (8564) 6252 S. Rainbow Blvd., Suite 100 Las Vegas, Nevada 89118 Tel: (702) 222-4021 Fax: (702) 248-9750 Attorney for Plaintiff | Kristina C. Kirigin, Esq. (10971) 5594 South Fort Apache Road, Suite 120 Las Vegas, Nevada 89148 Tel: (702) 629-7553 Fax: (702) 629-2276 Attorney for Defendant |



1 **NEOJ**

2 Vincent Mayo, Esq.

3 Nevada State Bar Number: 8564

4 **THE ABRAMS & MAYO LAW FIRM**

5 6252 South Rainbow Blvd., Suite 100

6 Las Vegas, Nevada 89118

7 Tel: (702) 222-4021

8 Fax: (702) 248-9750

9 Email: VMGroup@theabramslawfirm.com

10 Attorney for Plaintiff

11 Eighth Judicial District Court

12 Family Division

13 Clark County, Nevada

14 ADAM MICHAEL SOLINGER,

) Case No.: D-19-582245-D

)

15 Plaintiff,

) Department: I

)

16 vs.

)

)

17 CHALESE MARIE SOLINGER,

)

)

18 Defendant.

)

)

19 **NOTICE OF ENTRY OF ORDER AFTER HEARING OF**

20 **FEBRUARY 26, 2020**

21 PLEASE TAKE NOTICE that the Order After Hearing of February
22 26, 2020 was duly entered in the above-referenced matter. A true and
23 correct copy of said
24

///

///

///

1 Order is attached hereto.

2 DATED Thursday, May 14, 2020.

3 Respectfully Submitted,

4 THE ABRAMS & MAYO LAW FIRM

5 /s/ Vincent Mayo, Esq.

6 Vincent Mayo, Esq.

7 Nevada State Bar Number: 8564

8 6252 South Rainbow Blvd., Suite 100

9 Las Vegas, Nevada 89118

10 Attorney for Plaintiff

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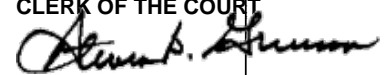
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Notice of Entry of Order After Hearing of February 26, 2020* was filed electronically with the Eighth Judicial District Court in the above-entitled matter, on Thursday, May 14, 2020. Electronic service of the foregoing document shall be made in accordance with the Master Service List, pursuant to NEFCR 9, as follows:

Jack W. Fleeman, Esq.

/s/ Chantel Wade
An Employee of The Abrams & Mayo Law Firm



ORDER

Vincent Mayo, Esq.
Nevada State Bar Number: 8564
THE ABRAMS & MAYO LAW FIRM
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
Tel: (702) 222-4021
Fax: (702) 248-9750
Email: VMGroup@theabramslawfirm.com
Attorney for Plaintiff

Eighth Judicial District Court
Family Division
Clark County, Nevada

| | | |
|-------------------------|---|--------------------------------|
| ADAM MICHAEL SOLINGER, |) | Case No.: D-19-582245-D |
| |) | |
| Plaintiff, |) | Department: I |
| vs. |) | |
| |) | Date of Hearing: Feb. 26, 2020 |
| CHALESE MARIE SOLINGER, |) | Time of Hearing: 3:15 p.m. |
| |) | |
| Defendant. |) | |

ORDER AFTER HEARING OF FEBRUARY 26, 2020

This matter coming on for hearing on the on the 26th day of February 2020, before the Honorable Cheryl B. Moss, upon Plaintiff's *Motion for Reconsideration of the Court's December 9, 2019 Decision; for Proof of Chalese's Auto Insurance for the Last Year; and Related Relief* and Defendant's *Opposition to Motion and Countermotion to Resolve Joint Physical Custody and for Attorney's Fees* with Plaintiff, ADAM MICHAEL SOLINGER (hereinafter referred to as "Adam"), having appeared personally and by and through his attorney of record,

1 VINCENT MAYO, ESQ., of THE ABRAMS & MAYO LAW FIRM, and
2 Defendant, CHALESE MARIE SOLINGER (hereinafter referred to as
3 “Chalese”), having appeared personally and by and through her attorney
4 of record, KRISTINA C. KIRIGIN, ESQ., of VEGAS WEST ATTORNEYS.
5 Court having listened to the representations and arguments of counsel,
6 and good cause appearing:

7 **THIS COURT HEREBY NOTES** that there are cost issues in
8 this case and Adam has taken a new job that has better health benefits
9 for the children but for less pay. Accordingly, Adam shall argue the
10 merits of the case on his own behalf today. [Video time stamp 4:14:00]

11 **THIS COURT HEREBY NOTES** that a child custody evaluation
12 has not been completed.

13 **THIS COURT FURTHER NOTES** that CPS has an open
14 investigation right now into Chalese’s treatment of the children. [Video
15 time stamp 4:24:50]

16 **THIS COURT FURTHER NOTES** that Chalese represented she
17 and Josh reconciled three (3) weeks after the incident involving Josh
18 and Adam on December 7, 2019 hearing. [Video time stamp 4:35:10]

19 **THIS COURT FURTHER NOTES** that Adam presented in
20 Court a video of the incident involving Josh and Adam on December 7,
21 2019. [Video time stamp 5:01:33]

1 **THIS COURT FURTHER NOTES** that Adam represented there
2 have been criminal charges submitted to the District Attorney's office
3 against Josh for the December 2019 event including, one count of
4 attempt auto burglary (a category C felony) and one count of provocation
5 of a fight (a gross misdemeanor). [Video time stamp 4:29:51]

6 **THIS COURT HEREBY FINDS** that Josh's behavior towards
7 Adam was threatening and inappropriate. [Video time stamp 5:08:00]

8 **THIS COURT FURTHER FINDS** that on a temporary basis,
9 Adam is not willfully under employed. Adam will be earning \$85,400
10 per year. It is a 29% drop in income from \$120,000 but Adam will be
11 saving \$14,000 a year for the cost of health insurance. Also, this could be
12 less stress on Adam to meet billable hours and less commitment making
13 it not willful underemployment, as Adam will be able to spend more
14 time with the children. [Video time stamp 5:19:11]

15 Therefore, and for good cause showing,

16 **IT IS HEREBY ORDERED** that the Order to Withdraw as
17 attorney of record for Defendant was filed after the Substitution of
18 Attorney, Vegas West is taking over the case and the Motion to
19 Withdraw is now moot. Accordingly, the March 18th in chambers hearing
20 shall be vacated. [Video time stamp 4:09:10]

21 ///

1 **IT IS FURTHER ORDERED** that the Objection to Plaintiff's
2 *Brunzell* Affidavit is currently set for March 20th at 1:00 p.m. in front of
3 the Discovery Commissioner was erroneously set and is therefore
4 vacated. [Video time stamp 4:09:50]

5 **IT IS FURTHER ORDERED** that the March 30th hearing for the
6 *Motion for an Order to Show Cause and to Hold Defendant in*
7 *Contempt of Court for Violation of the March 19, 2019 Order the June*
8 *17, 2019 Order and the Behavior Order filed March 19, 2019; For*
9 *Attorney's Fees and Costs and Related Relief* shall be reset to one-hour
10 time slot on April 7, 2020 at 9:30 a.m. The Opposition shall be due on
11 March 16, 2020, the reply would be due 7 days later. Adam shall bring a
12 proposed Order to Show Cause to Court for the judge's signature should
13 the Court grant it. [Video time stamp 4:42:45]

14 **IT IS FURTHER ORDERED** that Chalese's request to modify
15 child custody is denied. [Video time stamp 5:09:35]

16 **IT IS FURTHER ORDERED** that effective March 16th, spousal
17 support shall be reduced down 29% proportionally to Adam's decrease
18 in income to \$800 per month. The \$800 figure includes the \$375 child
19 support that Chalese should pay Adam as he is the temporary primary
20 physical custodian. Said amount shall commence in April and be payable
21 each month until trial. [Video time stamp 5:20:45]

1
2 **IT IS FURTHER ORDERED** that Adam shall become current
3 on his prior spousal support payments for January 2020 and February
4 2020 in the amount of \$1,125 per month. [Video time stamp 5:21:40]

5 **IT IS FURTHER ORDERED** that since Adam's new job starts
6 March 16th, the \$800 monthly temporary spousal support shall be
7 prorated for the first half of March. This will consist of ½ of \$1,125 for
8 the first half of March and ½ of \$800 for the second half of March, with
9 the amount owed for March totaling \$962.50. [Video time stamp
10 5:22:30]

11 **IT IS FURTHER ORDERED** that this Court would normally
12 award attorney's fees to Adam for defending the Motion for Joint
13 Physical Custody. Instead, the \$10,000 previously awarded to Chalese
14 shall be deferred until Trial, meaning Adam is not obligated to pay same
15 until the issue is adjudicated at Trial. Adam's request for attorney's fees
16 related to Adam for defending the Motion for Joint Physical Custody is
17 also deferred until Trial. [Video time stamp 5:21:00; 5:40:36]

18 **IT IS FURTHER ORDERED** that this Court will Order the CPS
19 records and hear the diaper rash issue at trial and the Court's JES shall
20 email the records to counsel under a confidential gag order. [Video time
21 stamp 5:21:30]

1 **IT IS FURTHER ORDERED** that no assets shall be liquidated
2 and the Preliminary Injunction remains in effect. [Video time stamp
3 5:24.20]

4 **IT IS FURTHER ORDERED** that Adam shall continue covering
5 Chalese and the children on his health insurance policy pending Trial
6 but as Chalese is one-half responsible for same, Adam may deduct one-
7 half of the dependents' portion (i.e. Chalese's and the children's
8 portions), excluding the employee portion, from his monthly spousal
9 support payment. [Video time stamp 5:24:00]

10 **IT IS FURTHER ORDERED** that Adam may apply for
11 Contempt Ex Parte and the Court will sign the Order if it finds that it
12 meets the requirements of *Awad* and *Cunningham*. [Video time stamp
13 5:27:24]

14 **IT IS FURTHER ORDERED** that the Settlement Conference is
15 set for June 9, 2020 at 1:30 p.m. If Adam's new job has a conflict with
16 that date, he will let the Court know as soon as possible. [Video time
17 stamp 5:32:00]

18 **IT IS FURTHER ORDERED** that it is a risk, but if Chalese
19 insists on the evaluation, this Court will order with each side to pay one-
20 half (initially believed to be \$5,000 each) but it will have Adam pay for
21 his half of the evaluation cost from the monies held by his counsel in the

1 client trust account, without prejudice. [Video time stamp 5:35:10]

2 **IT IS FURTHER ORDERED** that the parties agree to utilize Dr.
3 Paglini for the Child Custody Evaluation with the report due in mid-
4 June. [Video time stamp 5:37:44]

5 **IT IS FURTHER ORDERED** that both parties shall have the
6 right to video record the child exchanges.

7 **IT IS FURTHER ORDERED** that Chalese's request to change
8 the exchanges to the daycare shall be denied. [Video time stamp 5:45:14]

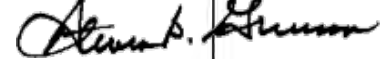
9 **IT IS FURTHER ORDERED** that there shall be no significant
10 others physically present at the exchanges between the parties.
11 Significant others shall stay inside the homes or in the vehicle with no
12 communication with the other party. The parties shall follow the text
13 and seatbelt rule. Josh shall not be allowed to babysit the children or
14 drive them. [Video time stamp 5:50:00; 5:11:38; 5:29:42]

15 **IT IS FURTHER ORDERED** that Trial is set for June 30, 2020
16 for Day 1, commencing at 1:30 p.m. Day 2 is set for July 1, 2020 at 1:30
17 p.m. Day 3 is set for July 2, 2020 at 9:30 a.m. [Video time stamp
18 5:50.05]

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21 ///



ROPP

Vincent Mayo, Esq.
Nevada State Bar Number: 8564
The Abrams & Mayo Law Firm
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
Tel: (702) 222-4021
Fax: (702) 248-9750
Email: VMGroup@theabramslawfirm.com
Attorney for Plaintiff

Eighth Judicial District Court
Family Division
Clark County, Nevada

| | | |
|-------------------------|---|-------------------------------|
| ADAM MICHAEL SOLINGER, |) | Case No.: D-19-582245-D |
| |) | |
| Plaintiff, |) | Department: I |
| vs. |) | |
| |) | |
| CHALESE MARIE SOLINGER, |) | |
| |) | Date of Hearing: June 1, 2020 |
| Defendant. |) | Time of Hearing: 9:30 a.m. |
| |) | |

**REPLY TO IN SUPPORT OF MOTION FOR AN ORDER TO
PERMIT PLAINTIFF TO RETAIN THE SICK MINOR CHILD
PURSUANT TO THEIR PEDIATRICIAN'S ADVISE; FOR
ATTORNEY'S FEES AND COSTS AND RELATED RELIEF;
AND OPPOSITION TO COUNTERMOTION FOR MAKE-UP
VISTATION TIME; TO ADMONISH PLAINTIFF TO ABIDE BY
JOINT LEGAL CUSTODY STANDARDS; FOR ATTORNEY'S
FEES; AND RELATED RELIEF**

NOW INTO COURT comes Plaintiff, ADAM MICHAEL SOLINGER,
by and through his attorney, Vincent Mayo, Esq., of The Abrams & Mayo
Law Firm, and hereby submits his *REPLY IN SUPPORT OF MOTION
FOR AN ORDER TO PERMIT PLAINTIFF TO RETAIN THE SICK
MINOR CHILDREN PURSUANT TO THEIR PEDIATRICIAN'S*

1 *DIRECTIVES; FOR ATTORNEY'S FEES AND COSTS AND RELATED*
2 *RELIEF AND OPPOSITION TO COUNTERMOTION FOR MAKE-UP*
3 *VISIATION TIME; TO ADMONISH PLAINTIFF TO ABIDE BY JOINT*
4 *LEGAL CUSTODY STANDARDS; FOR ATTORNEY'S FEES; AND*
5 *RELATED RELIEF.*

6 This Reply & Opposition is made and based upon the attached
7 Points and Authorities, the Declaration attached hereto, all papers and
8 pleadings on file herein, and any oral argument adduced at the hearing of
9 this matter.

10 Dated Monday, May 18, 2020.

11 Respectfully Submitted,

12 THE ABRAMS & MAYO LAW FIRM

13 Vincent Mayo, Esq.
14 Nevada State Bar Number: 8564
15 6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
Attorney for Plaintiff

16 **MEMORANDUM OF POINTS AND AUTHORITIES**

17 **I. STATEMENT OF FACTS**

18 The need for the instant litigation is confusing to Adam. Adam filed
19 his motion because he was informed that Chalese would not agree to abide
20 by CDC guidelines. Yet, and after he filed, Chalese did not object to
21 following the CDC guidelines. The only potential issue is the operative

1 running of the 7 days post fever, which was April 30th – 7 days after
2 Michael's fever. There are several misstatements and inaccuracies in her
3 opposition, but in the interest of brevity, they are not addressed but they
4 are also not conceded. As a result, the hearing of this motion is largely
5 moot. Adam's request for relief was contingent upon Chalese's actions
6 between the time Adam's motion was filed and when the motion was
7 heard.

8 As for new facts, based upon information and belief, Chalese is still
9 not social distancing as she went to Laughlin Nevada with Josh's family
10 and friends. On Sunday April 26, Chalese claimed that she would be
11 unable to FaceTime because her front camera was "broken" on her phone.
12 Instead, Chalese had a normal phone call with the children.

13 Adam was suspicious so he had the private investigator (PI) head to
14 Chalese's home. The PI arrived at Chalese's home at 8:05 p.m. to find
15 Chalese was not there. The PI then went to Josh's parent's house to see if
16 she was there but Chalese was not. When the PI arrived back at Chalese's
17 house at 9:06 p.m., Chalese was back home. Adam, in furtherance of his
18 suspicions, requested a selfie from Chalese pursuant to Court order at
19 8:12 p.m. Chalese, however, did not respond until 8:55 pm., claiming her
20 phone automatically went into "do not disturb" mode at 8:00 p.m. She
21 then sent a selfie at 8:56 p.m.

1 Additionally, Chalese posted a photo on April 28th of she and Josh
2 recently being in a large body of water.¹ Josh's brother, Cody, also posted
3 on Facebook that he was in Laughlin, Nevada, on or about April 26th,
4 camping at a large body of water.² Hence, Chalese appears to have been
5 with Josh, Cody and his friends on April 26th together. That explains why
6 Chalese called instead of Facetime and why her phone camera magically
7 started to work once she arrived home.

8 As a refresher, the Court saw evidence at the April 13 that Cody went
9 camping in Dumont California at the Dunes and Chalese's trailer was
10 there. Chalese claimed that she did go camping but she did not go camping
11 with them. Suspiciously, Chalese refused to state where she had
12 supposedly gone camping. Further, it made no sense for Chalese to lend
13 Josh's brother the camper when Chalese needed it for camping. This is
14 like a person that owns a boat letting someone else use it and then the
15 boat owner renting a boat for herself. As a result, Chalese has shown yet
16 again that she cannot be trusted to abide by simple quarantine protocols.

17 Turning to the facts in opposition to the counter motion, the Court
18 has already ruled that any make-up/compensatory time would be
19 addressed at trial. Given that Chalese has not submitted an order
20

21 ¹ See the photos from April 26, 2020, attached as **Exhibit 8**.

² *Id.*

1 shortening time with her motion, the issue of make-up time cannot be that
2 important to her. Additionally, this motion is set to be heard on June 1,
3 2020, which is less than a month before trial.

4 Chalese position as posited in her motion is also not in good faith.
5 The Court has already ruled that Chalese has violated innumerable court
6 orders. Adam's well-founded position is that Chalese is a danger to the
7 children.

8 As it relates to joint legal custody, Adam was placed in a very
9 difficult position given the current climate. Adam was extremely worried
10 that Marie had contracted COVID-19 and how to best handle the situation
11 given the people in the household. Adam updated Chalese as soon as he
12 had the relevant information, which was less than an hour after the issue
13 developed. Chalese's argument regarding a discussion of quarantining
14 Michael with her given Marie's fever also makes zero sense because
15 Chalese never suggested it and Michael had been playing with and around
16 Marie all day.

17 As for FaceTime, Chalese's argument is tone deaf and betrays a
18 fundamental misunderstanding of caring for children. Adam needed to
19 talk to the doctor and he did not want to miss it because of the FaceTime
20 call. However, Adam has always offered and maintained that if Chalese
21 did not get to FaceTime with the children at night, she can always call the

1 next morning to have make up time talking to the children, which she has
2 never taken advantage of.

3 It cannot escape mentioning Chalese's nonsensical position as it
4 relates to "medical documentation." Chalese has equal access to the
5 children's' healthcare records and she can get the documents for herself
6 given that Adam could not leave the house at all given the current
7 quarantine status of the children. Adam provided screenshots evidencing
8 his calls and that is the only thing in his possession. Additionally, the
9 argument in this regard is a red herring because the advice given to Adam
10 by the pediatrician is the same as the CDC's guidelines. That being said,
11 Chalese has no issue agreeing to follow the CDC's guidelines. Why then
12 does the medical documentation matter?

13 Finally, Chalese should not be awarded attorney's fees. Adam was
14 forced to file his motion because Chalese said she would not agree to
15 follow the CDC guidelines as it relates to the 7-day quarantine period since
16 the onset of fever guidelines. Chalese's counsel completely takes things
17 out of context to the point that it may be a sanctionable
18 misrepresentation.

19 Adam's position that this was not a matter of compromise was made
20 in reference to Chalese's position that she would only do what was in the
21 children's best interests if she received certain "concessions." Adam

1 wanted to make clear that the children's best interests were not a matter
2 of debate or negotiation. Additionally, Adam did not refuse to give Chalese
3 an update on the children unless she asked; he stated that the agreement
4 to do what was best for the children would not be contingent on him
5 providing updates and instead Chalese had to merely ask how the children
6 were doing. It should be noted that this was something Chalese likely did
7 not start doing until her counsel advised her to start asking.

8 Adam's position regarding Chalese potentially exposing the
9 children to COVID-19 is well founded. It has been established that Chalese
10 does not follow social distancing measures. Additionally, the mean
11 incubation period for COVID-19 is 5.2 days³. Chalese's custody time with
12 the children was from April 15th to April 17th and she did not pick the
13 children up until April 16th. Adam picked the children up April 17th and
14 then 5 days later is when Marie had her fever.

15 In sum, Adam only had to file this motion because Chalese said she
16 would not abide by the CDC guidelines and then she, in essence, files a
17 notice of a non-opposition while completely disregarding the fact that she
18 agreed with Adam's position from the start. The literal reason for this
19 motion is her inconsistent position with regards to whether she would do
20

21 ³ Early Transmission Dynamics in Wuhan, China, of Novel Coronavirus-Infected
Pneumonia – Qun Li et al., New England Journal of Medicine, Jan 29, 2020.

1 what was best for the children.

2 As relevant to this reply, Chalese accuses Adam of trying to
3 “misstate and spin facts,” when Chalese is the one who has been
4 untruthful with the Court. Cutting to the quick, Chalese agreed with
5 Adam’s position initially regarding the children staying with Adam during
6 the duration of their fever. The disagreement sprouted over the relevant
7 medical prescription from the pediatrician, the children’s quarantine time
8 and the children not going with Chalese for her April 29th through May 1st
9 time share because the children needed to quarantine for 7 consecutive
10 days from the onset of their fever⁴.

11 In fact, Chalese agreed initially, but wanted to verify with the
12 pediatrician directly. Chalese, apparently, heard differently from the
13 pediatricians’ office. To be clear, it is unknown what Chalese said to the
14 pediatricians’ office regarding the circumstances in this case and how
15 those facts were conveyed because Chalese spoke to a receptionist who
16 then talked to a nurse who then talked to some unknown doctor and the
17 information went back down the chain like an elementary game of
18 telephone. Regardless, the information given directly to Adam by the
19 pediatrician comports perfectly with the current Centers of Disease

20

21 ⁴ As more fully set forth in the initial motion, there are other considerations that do not currently apply at the time of this writing, thankfully.

1 Control (CDC) guidelines.

2 Finally, Chalese attempts to reopen and relitigate issues already
3 addressed by the Court. That is inappropriate and not necessary for
4 resolution of the singular issue in Adam's motion. Rather, it is intended
5 to muddy the waters and drive up the cost of litigation. As a result, not
6 everything raised in the opposition is responded to, but the lack of a
7 response should not be construed as an admission of fault. Instead, Adam
8 is happy to answer any questions the Court may have.

9 **II. LAW AND ARGUMENT**

10 **A. Adam Should Continue Quarantining the Minor** 11 **Children in Accordance with the Pediatrician's** **Medical Directives**

12 NRS 125C.0045 states in relevant part:

13 **[M]odification or termination of orders.**

14 1. In any action for determining the custody of a minor child,
the court may, except as otherwise provided in this section and NRS
125C.0601 to 125C.0693, inclusive, and chapter 130 of NRS:

15 (a) During the pendency of the action, at the final hearing or
16 at any time thereafter during the minority of the child, make such
an order for the custody, care, education, maintenance and support
of the minor child as appears in his or her best interest;...

17 After becoming sick, and in light of the pandemic, the children's
18 pediatrician directed Adam to quarantine the children pursuant to CDC
19 guidelines. That is what Adam did. Adam also took reasonable efforts to
20 keep Chalese informed by updating her as to the children's fevers and
21 what he is doing to treat same. Adam further provided Chalese daily video

1 contact with the children. Therefore, as the children's best interests are
2 the Court's utmost concern under *Rivero v. Rivero*, 216 P.3d 213 (2009),
3 the custodial schedule should be temporarily deviated from to allow for
4 the pediatrician's directives to remain in place, especially in light of the
5 CDC's COVID-19 protocol.

6 Instead of being supportive, Chalese is again displaying her poor
7 judgment by attempting to manipulate the situation. Chalese demands
8 that Adam do certain things or otherwise she will not agree to the
9 pediatrician's directives. The children's best interests are not something
10 to be bartered or compromised. The fact Chalese does not understand her
11 actions are harmful to the children is very telling.

12 The same applies to Chalese's attempt to falsely claim Adam was
13 "neglectful" in not taking the children to the ER when they only had the
14 fevers for a short time, the pediatrician stated not to take them in unless
15 the fevers persisted for more than seven days or if the fevers could not be
16 controlled. The fevers disappeared by Saturday morning, although
17 Michael had a slight fever upon waking on Sunday morning which soon
18 disappeared. It is clear that Chalese is only fabricating her allegation in
19 retaliation for Adam having exposed Chalese's long list of decisions and
20 behavior that have been harmful to the children.

21 ///

1 This Court should deviate the custody schedule to allow the children
2 to follow their pediatrician's quarantine advice and stay with Adam until
3 Chalese's next normal custody time share, which is May 8th at 6 p.m.

4 However, Adam also requested in his motion that should Chalese or
5 any member of her household again fail to follow social distancing
6 measures, this Court should award sole custody to Adam until the COVID-
7 19 social distancing and quarantine protocols are lifted. This occurred on
8 May 15th. Josh stated during his May 15th deposition that he and Chalese
9 took the children swimming at a friend's house for a pool get together.
10 Obviously, this is in violation of the Governor's Directives and CDC
11 Guidelines since under Phase One (which is still in effect):

- 12 • Face coverings are strongly encouraged when people are around
13 persons with other households;
- 14 • All Nevadans are encouraged to continue staying at home and
15 limit trips outside of their homes as much as practicable to
16 mitigate the spread of COVID-19;
- 17 • Nevadans are to maintain at least six feet of social distancing per
18 person for non-household members at all times; and

19 ///

20 ///

- 1 • Nevadans are to avoid non-essential travel and adhere to self-
2 quarantining and monitor health for 14 days after arriving or
3 returning to Nevada.

4 Chalese has violated all of these since April 26th and worse,
5 unnecessarily exposed the young children. The children cannot be risked
6 yet again given the circumstances. Their best interest is in staying safely
7 with Adam who the parties know is practicing strict social distancing
8 protocols. Further, Chalese and Josh should both immediately test for
9 COVID-19 due to their infractions.

10 **B. Adam Should be Awarded Attorney's Fees and Costs**

11 The literal reason for filing this motion is because Chalese indicated
12 that she would not agree to follow CDC guidelines and then completely
13 reversed course. Additionally and unsurprisingly, Chalese is the one who
14 continuously and intentionally violates this Court's orders, thereby
15 jeopardizing the safety of the children in the process and preventing her
16 and Adam from co-parenting together. It is Chalese's conduct that has
17 driven Adam to file this motion and seek the help of the Court. Adam
18 should therefore be made whole and not be forced to go out of pocket in
19 order to protect his children's welfare. Adam shall submit a Memorandum
20 of Fees and Costs addressing the *Brunzell* factors upon direction from the
21 Court.

1 **III. CONCLUSION**

2 Based upon the foregoing, Adam respectfully requests that this
3 Honorable Court grant the relief requested in this Motion, as well as any
4 further relief the Court deems proper and just.

5 Dated Monday, May 18, 2020.

6 Respectfully Submitted:

7 THE ABRAMS & MAYO LAW FIRM

8
9 Vincent Mayo, Esq.
10 Nevada State Bar Number: 8564
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
Attorney for Plaintiff

11 ///

12 ///

13 ///

14 ///

15 ///

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19 ///

20 ///

21 ///

1 **DECLARATION OF ADAM MICHAEL SOLINGER**

2 I, ADAM MICHAEL SOLINGER, provide this Declaration pursuant
3 to NRS 53.045 and states the following:

4 1. I am the Plaintiff in the above-entitled action, and I am above
5 the age of majority and am competent to testify to the facts contained in
6 this affidavit.

7 2. I make this Declaration in support of the foregoing *REPLY IN*
8 *SUPPORT OF MOTION FOR AN ORDER TO PERMIT PLAINTIFF TO*
9 *RETAIN THE SICK MINOR CHILDREN PURSUANT TO THEIR*
10 *PEDIATRICIAN'S DIRECTIVES; FOR ATTORNEY'S FEES AND COSTS*
11 *AND RELATED RELIEF AND OPPOSITION TO COUNTERMOTION*
12 *FOR MAKE-UP VISTIATION TIME; TO ADMONISH PLAINTIFF TO*
13 *ABIDE BY JOINT LEGAL CUSTODY STANDARDS; FOR ATTORNEY'S*
14 *FEES; AND RELATED RELIEF.*

15 3. I have read said *Reply & Opposition* and hereby certify that
16 the facts set forth in the Points and Authorities attached thereto are true
17 of my own knowledge, except for those matters therein contained stated
18 upon information and belief, and as to those matters, I believe them to be
19 true.

20 ///

21 ///

1 4. I declare under the penalty of perjury pursuant to the laws of
2 the State of Nevada that the foregoing is true and correct.

3 Dated this ____ day of May, 2020.



ADAM MICHAEL SOLINGER

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing *REPLY IN SUPPORT OF MOTION FOR AN ORDER TO PERMIT PLAINTIFF TO RETAIN THE SICK MINOR CHILDREN PURSUANT TO THEIR PEDIATRICIAN'S DIRECTIVES; FOR ATTORNEY'S FEES AND COSTS AND RELATED RELIEF AND OPPOSITION TO COUNTERMOTION FOR MAKE-UP VISTIATION TIME; TO ADMONISH PLAINTIFF TO ABIDE BY JOINT LEGAL CUSTODY STANDARDS; FOR ATTORNEY'S FEES; AND RELATED RELIEF* was filed electronically with the Eighth Judicial District Court in the above-entitled matter, on Tuesday, May 19, 2020. Electronic service of the foregoing document shall be made in accordance with the Master Service List, pursuant to NEFCR 9, as follows:

Jack Fleeman, Esq.
Attorney for Defendant

/s/Chantel Wade
An Employee of The Abrams & Mayo Law Firm

EXHIBIT 8

EXHIBIT 8

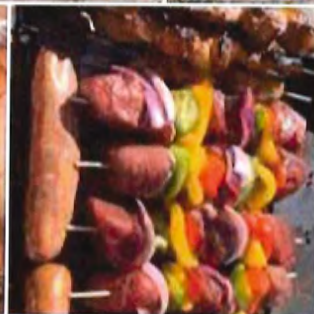
EXHIBIT 8





Cody Lloyd

16 hrs · 🌐



👍❤️ 16

2 Comments

👍 Like

💬 Comment

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 **Cody Lloyd**
16 hrs

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1 **MOT**

2 **Jack W. Fleeman, Esq.**

3 Nevada Bar No. 10584

4 **Alicia S. Exley, Esq.**

5 Nevada Bar No. 14192

6 **PECOS LAW GROUP**

7 8925 South Pecos Road, Suite 14A

8 Henderson, Nevada 89074

9 Tel: (702) 388-1851

10 Fax: (702) 388-7406

11 Jack@pecoslawgroup.com

12 Alicia@pecoslawgroup.com

13 Attorneys for Defendant

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

17 **Adam Michael Solinger,**

18 Plaintiff,

19 vs.

20 **Chalese Marie Solinger,**

21 Defendant.

Case No. **D-19-582245-D**

Dept No. **I**

ORAL ARGUMENT REQUESTED

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

27 **DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY**
28 **PLAINTIFF SHOULD NOT BE HELD IN CONTEMPT, FOR ORDERS**
29 **REGARDING HEALTH INSURANCE AND SPOUSAL SUPPORT, FOR**
30 **ATTORNEY'S FEES, AND RELATED RELIEF**

31 **COMES NOW Defendant Chalese Marie Solinger ("Chalese") by and**
32 **through her attorneys, Jack W. Fleeman, Esq. and Alicia S. Exley, Esq. of**

1 PECOS LAW GROUP, and respectfully requests that this Court enter Orders granting
2 her the following relief:

3 1. Ordering Plaintiff to show cause as to why he should not be held in
4 contempt for failing to enroll Defendant in his new health insurance plan;
5

6 2. Ordering Plaintiff to enroll Defendant in his new health insurance
7 plan and to provide copies of the children's insurance cards to Defendant;

8 3. Ordering Plaintiff to pay spousal support arrears;

9 4. Ordering Plaintiff to file an updated FDF;

10 5. Awarding Defendant further make-up visitation time with the
11 children;
12

13 6. Awarding Defendant her attorney's fees; and

14 7. Awarding Defendant such other and further relief as this court may
15 deem just and proper in the premises.
16

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26

This motion is made and based on all the papers and pleadings on file herein, the Points and Authorities submitted herewith, the affidavit attached hereto, and any further evidence and argument as may be adduced at the hearing of this matter.

DATED this 22nd day of May, 2020.

PECOS LAW GROUP

/s/ Alicia S. Exley, Esq.

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

Alicia S. Exley, Esq.

Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

Henderson, Nevada 89074

Attorneys for Defendant

1 **INITIAL STATEMENT OF ATTEMPTED RESOLUTION**

2 Pursuant to EDCR 5.501, letters were exchanged between counsel
3 regarding these issues. Counsel were unable to resolve the issues and this motion
4 follows.
5

6 **POINTS AND AUTHORITIES**

7 **I. FACTS**

8 **A. BACKGROUND FACTS**

9 1. Plaintiff **Adam Solinger** and Defendant **Chalese Solinger** have been
10 married since May 12, 2012 and have two children, **Michael Adam Solinger**,
11 born June 16, 2015, and **Marie Leona Solinger**, born August 28, 2017.
12

13 2. Adam filed his complaint for divorce in January 2019. A Joint
14 Preliminary Injunction was filed January 11, 2019.

15 3. The parties attended a hearing on March 19, 2019. The order from
16 that hearing states that “Adam shall keep Chalese on his health insurance until the
17 divorce is finalized” but that Chalese would begin looking for private health
18 insurance or insurance through an employer.
19

20 4. Chalese obtained employment as a children’s hair stylist in May 2019
21 after spending most of the marriage a stay-at-home mom. Her employer does not
22 offer any health insurance or benefits.
23

24 5. Early in this litigation, the parties had a private health insurance plan
25 for the parties and their children, at a cost of approximately \$1,200.00 per month.
26

1 Previously Adam's father was paying the premiums, but, per Adam, his father
2 stopped paying those premiums at some point during this litigation.

3 6. On December 9, 2019, the court ordered, based on both parties'
4 recitation of their income and expenses, that Adam would pay Chalese \$1,125.00
5 per month in spousal support.¹
6

7 7. In early 2020, Adam left his \$120,000-per-year job at Las Vegas
8 Defense Group.

9 a. Upon information and belief, Adam took an \$85,000.00 job at the
10 Nevada Attorney's General's Office. This is, coincidentally, where it
11 is believed Adam's girlfriend Jessica also works.
12

13 b. Adam represented to the court at the February 26, 2020 hearing that
14 he was to start at his new job on March 16, 2020.

15 8. Adam represented to the court that he took a \$35,000.00-per-year pay
16 cut, in part, so he could save \$14,000.00 per year in health insurance costs.² Based
17 on Adam's anticipated decrease in income, the court decreased his spousal support
18 obligation to Chalese from \$1,125.00 per month to \$800.00 per month.³
19

20 9. At the hearing, Adam also represented that he would be getting new
21 health insurance through his new job:
22

23 Court: By the way, what is – okay. You get a contribution. \$80.00?
24 You get \$40.00, she contributes to half the cost, starting in March.

25 Adam: You mean for healthcare?

26 ¹ See Order from December 9, 2019 Hearing, filed February 6, 2020.

² See Video Transcript of February 26, 2020 hearing at Time Index ("TI") 5:19:30.

³ See Id. at 5:20:45; 5:21:40

1 Court: Yes.

2 Adam: The \$80.00 is just for myself the kids, I don't know –

3 Court: The kids' portion.

4 Adam: Okay.

5 Court: You may deduct one-half as mom's share, since it's cheaper.

6 Ms. Kirigan: Your honor, we're leaving mom without any health
7 insurance while this case is pending?

8 Court: No, no. You have to leave her on and pay for that. But she'll
9 pay her half and the kids' half as a community thing.

10 Adam: Okay, so the cost difference between myself and the kids'
11 plan versus when I have her, and then half of the cost of just the kids.

12 Court: Right, so just the dependents' portion, mom plus two kids, cut
13 that in half. Back out the employee portion. And you may deduct that
14 from the \$800.00.⁴

15 10. At this hearing, the Court also ordered Adam to pay spousal support
16 arrears, as Adam refused to pay spousal support for January 2020 or February
17 2020.⁵

18 11. On March 31, 2020, in his motion,⁶ Adam stated that Chalese
19 "refuses to provide Adam Marie's Birth Certificate so that he can enroll her in his
20 new, but must less expensive, health insurance plan."⁷

21 12. On April 3, 2020, Adam claimed that he obtained a birth certificate
22 for Marie in the mail but it "came too late to take Marie off the private insurance

23 ⁴ See *Id.* at 5:23:53.

24 ⁵ See *Id.* at 5:22:40.

25 ⁶ See *Motion for a Change of Custody Based on Defendant's Endangerment of the Minor Children; for Marie's Birth Certificate; for Attorney's Fees and Related Relief.*

26 ⁷ As explained in her opposition, Chalese gave Adam a copy of the birth certificate months prior. It is unknown, if Adam new about this new insurance plan in February as he represented to the court, why Adam did not ask Chalese for a birth certificate until late March.

1 and enroll her in Adam's new insurance"⁸ and that he had to pay for the entire
2 month of private insurance, for all four individuals, for April 2020. Adam has
3 provided no documentation as to the new insurance plan, who it is through, when
4 he became eligible for it, etc.

5
6 13. On April 13, 2020, the court held a hearing. As to the birth certificate
7 issue, the court found that it was moot at the time of the hearing and that there was
8 no order for Chalese to turn over a birth certificate.⁹ The court "strongly
9 admonished" Chalese "to follow the quarantine orders and the guidelines."¹⁰

10
11 14. On April 20, 2020, Adam messaged Chalese and told her that she
12 could either stay on the parties' prior \$1,200.00-per-month health insurance plan,
13 at her cost, or find her own insurance.¹¹ Adam has not provided updated insurance
14 cards for the children to Chalese.

15
16 15. On April 29, 2020, Adam, through counsel, stated that since Chalese
17 was at a campsite on April 26, 2020, he was going to continue withholding the
18 children (Adam had already been withholding the children from Chalese since
19 April 22, 2020) until May 8, 2020.¹²

20
21
22 ⁸ See Reply in Support of Motion for a Change of Custody Based on Defendant's
23 Endangerment of the Minor Children; for Marie's Birth Certificate; for Attorney's Fees and
Related Relief and Opposition to Countermotion for an Order to Show Cause, Compensatory
Visitation Time, and Attorney's Fees.

24 ⁹ See Video of April 13, 2020 hearing at Time Index ("TI") 12:12:28.

25 ¹⁰ See Video of April 13, 2020 hearing at TI 11:24:30.

26 ¹¹ See Letter from Mr. Mayo to Ms. Exley dated April 24, 2020 in Defendant's Exhibit
Addendum ("DEA") at bates stamp nos. ("BS") DEF001268; see AppClose messages between
the parties dated April 20, 2020 at BS DEF001279.

¹² See Letter from Mr. Mayo to Ms. Exley dated April 29, 2020 in DEA at BS DEF001275.

1 16. Chalese's counsel sent a letter clarifying that Chalese, Josh, and
2 Josh's children drove to a remote location just outside of town for a walk/hike and
3 was in compliance with the Governor's Emergency Directive. The letter also
4 asked to confirm that Chalese could pick up the children for her scheduled time on
5 April 30, 2020.¹³

7 17. Adam refused to give the children to Chalese on April 30, 2020 or on
8 May 1, 2020 for her scheduled time. Adam provided no explanation as to why he
9 withheld the children on April 30th and May 1st when Chalese was adhering to the
10 Governor's directives and related CDC guidelines.

12 18. As a result of Adam's actions, Chalese saw the children for less than
13 24 hours during the entire month of April.

14 19. On May 7, 2020, Chalese's counsel sent a letter to Adam's counsel
15 requesting a clarifying stipulation, based on the apparent confusion as to what was
16 allowed under the court's orders, "that both parties are allowed to leave their
17 respective homes as long as they are complying with the governor's directives."¹⁴
18 In response, Adam's counsel stated Adam did not want to "spent time and money
19 on a stipulation for something that can easily be addressed by Chalese simply
20 adhering to the Governor's directives and related CDC guidelines."¹⁵

23 ¹³ See Letter from Ms. Exley to Mr. Mayo dated April 30, 2020 in DEA at BS DEF001276.
24 As Mr. Mayo represented the children's last recorded fever was April 26th, which would have
25 made the last day of quarantining, per the CDC guidelines, April 30th, which was during
Chalese's custodial time.

26 ¹⁴ See Letter from Ms. Exley to Mr. Mayo dated May 6, 2020 in DEA at BS DEF001280-
DEF001281.

¹⁵ See Letter from Mr. Mayo to Ms. Exley dated May 7, 2020 in DEA at BS DEF001282.

1 20. Adam contends that Chalese is responsible for one-half of the
2 \$1,200.00 per month premium from the old insurance. As a result, Adam paid
3 only \$562.50 (out of \$800.00) for spousal support in March 2020. Adam paid no
4 spousal support in April 2020, and now claims that Chalese actually owes him
5 \$320.72.¹⁶
6

7 21. As a result of the Governor's COVID-19 orders, Chalese was unable
8 to work at the salon from when the date non-essential businesses closed until May
9 11, 2020 when she was able to return to work. Chalese tried to file for
10 unemployment but never received any unemployment funds.
11

12 22. As a result of Adam refusing to enroll Chalese in his new insurance
13 and her inability to afford to continue on the old insurance, Chalese has been
14 forced to go on Medicaid.
15

16 23. ***In April 2020, in violation of this court's orders, Adam paid no***
17 ***support and withheld the children for all but a total of 24 hours.***
18

19 24. As a result of Adam's misconduct, Chalese, who had no income from
20 March 2020 to May 2020, was forced to live off of one government stimulus
21 check for \$1,200.00 and a total of \$600.00 in spousal support.
22

23 25. Adam claimed at the February 2020 hearing that he would be starting
24 his new employment on March 16, 2020, however he has not filed an updated
25 FDF since that time; nor has he provided documentation showing the cost of
26 insurance for the children.

¹⁶ See April 24, 2020 letter at DEF001270-DEF001271.

II. LEGAL ARGUMENT

A. PLAINTIFF SHOULD BE ORDERED TO SHOW CAUSE.

NRS 22.010(3) defines contempt as “[d]isobedience or resistance to a lawful writ, order, rule or process issued by the court or judge at chambers.” EDCR 5.509 sets out the procedure for a motion seeking an order to show cause and states the movant must file a detailed affidavit in compliance with NRS 22.030(2) and that the motion identify the specific provisions, pages, and lines of the order that was violated. NRS 22.100 provides that the court may impose a fine of not more than \$500.00 and/or imprisonment of not more than 25 days on anyone found guilty of contempt, as well as order that person to pay the other party’s attorney’s fees.

Adam has violated several orders by his failure to enroll Chalese in his new health insurance plan despite the court’s specific instruction that he do so at the February 26, 2020 hearing. Specifically, Adam has violated the following orders:

The *Joint Preliminary Injunction*, at page 1, line 14-26 states:

PURSUANT TO EIGHTH JUDICIAL COURT RULE 5.517, YOU, AND ANY OFFICERS, AGENTS, SERVANTS, EMPLOYEES OR A PERSON IN ACTIVE CONCERT OR PARTICIPATION WITH YOU, ARE HEREBY PROHIBITED AND RESTRAINED FROM:

1. Transferring, encumbering, concealing, selling or otherwise disposing of any of your joint, common or community property of the parties or any property which is the subject of a claim of community interest, except in the usual course of conduct or for the necessities of life or for retention of counsel for the case in which this Injunction is obtained; or cashing, borrowing against, canceling, transferring disposing of, or changing the beneficiaries of:

- a. Any retirement benefits or pension plan held for the benefit (or election for benefit) of the parties or any minor child; or

1 b. Any insurance coverage, including life, health automobile, and
2 disability coverage; without the written consent of the parties or
3 the permission of the court.

4 The *Order after Hearing of March 19, 2019*, at page 13, line 12-14 states:

5 IT IS FURTHER ORDERED that Adam shall keep Chalese on his
6 health insurance until the divorce is finalized. Chalese shall begin
7 looking for private health insurance or insurance through an employer.

8 The *Order after Hearing of February 26, 2020*, at page 6, lines 4-9 states:

9 IT IS FURTHER ORDERED that Adam shall continue covering
10 Chalese and the children on his health insurance policy pending Trial
11 but as Chalese is one-half responsible for same, Adam may deduct
12 one-half of the dependents' portion (i.e. Chalese's and the children's
13 portions), excluding the employee portion, from his monthly spousal
14 support payment.

15 Further, at the February 26, 2020 hearing, the court provided an
16 unambiguous explanation of the intent behind its order as follows:

17 Court: By the way, what is – okay. You get a contribution. \$80.00?
18 You get \$40.00, she contributes to half the cost, starting in March.

19 Adam: You mean for healthcare?

20 Court: Yes.

21 Adam: The \$80.00 is just for myself the kids, I don't know –

22 Court: The kids' portion.

23 Adam: Okay.

24 Court: You may deduct one-half as mom's share, since it's cheaper.

25 Ms. Kirigan: **Your honor, we're leaving mom without any health
26 insurance while this case is pending?**

 Court: **No, no. You have to leave her on and pay for that.** But she'll
 pay her half and the kids' half as a community thing.

 Adam: Okay, so the cost difference between myself and the kids'
 plan versus when I have her, and then half of the cost of just the kids.

1 Court: Right, so just the dependents' portion, mom plus two kids, cut
2 that in half. Back out the employee portion. And you may deduct that
3 from the \$800.00.¹⁷

4 (Emphasis added).

5 In fact, Adam even tried to request that the court order that he *not* have to
6 continue to cover Chalese on his insurance and the Court specifically declined to
7 make such an order:

8 Adam: ...and I will be asking the court to not order that I still cover
9 the Defendant for insurance purposes because I don't know that I even
10 can...

11 Court: Usually we don't...we release you from that once the divorce
12 is final.¹⁸

13 Adam has violated this order by refusing to enroll Chalese in his new health
14 insurance plan despite the court's clear orders on February 26, 2020 that he do so.
15 Adam should be ordered to show cause as to why he should not be held in
16 contempt.

17 **B. THE COURT SHOULD ENFORCE ITS ORDER THAT**
18 **DEFENDANT BE ENROLLED IN PLAINTIFF'S NEW HEALTH**
19 **INSURANCE PLAN AND SHOULD ORDER PLAINTIFF TO**
20 **PROVIDE DEFENDANT WITH UPDATED INSURANCE CARDS.**

21 NRS 125.040 allows the court, during a divorce case, to require either party
22 to pay moneys necessary to provide temporary maintenance for the other party.
23 These awards for support *pendente lite* are not limited to cases where the
24 requesting spouse is "destitute or practically so," but made when the facts,
25 circumstances, and situations of the parties are such that financial assistance is

26 ¹⁷ See February 26, 2020 hearing video at TI 5:23:53.

¹⁸ See *Id.* at TI 4:25:25.

1 fair. *Engebretson v. Engebretson*, 75 Nev. 237, 338 P.2d 75 (1959). “The Nevada
2 legislature created spousal support awards to, *inter alia*, keep recipient spouses off
3 the welfare rolls.” *Gilman v. Gilman*, 114 Nev. 416, 423, 956 P.2d 761, 765
4 (1998) (citing *Fondi v. Fondi*, 106 Nev. 856, 863 n. 5, 802 P.2d 1264, 1268 n. 5
5 (1990)).

7 Adam told Chalese that she could take over the old insurance policy or get
8 her own policy. Chalese’s gross monthly income is less than \$1,500.00 per month.
9 Per Adam, Chalese’s portion under the old insurance policy was \$309.25 monthly.
10 Chalese cannot afford to pay \$309.25 monthly for health insurance. As the court
11 noted at the February 2020 hearing, Chalese’s income was already insufficient to
12 cover her expenses. Adam refusing to enroll Chalese in his new insurance plan
13 may also prevent Chalese from being able to utilize COBRA coverage after the
14 divorce is finalized.

16 Adam represented to the court in February 2020 that he pays approximately
17 \$80.00 for himself and the children under his new insurance plan. There is
18 absolutely no reason why Chalese should not be enrolled in this plan, as it is
19 believed her premium will be a mere fraction of what she would pay under the old
20 insurance policy, or under any private plan Chalese could obtain.

22 As a result of Adam refusing to enroll her in his new health insurance plan,
23 and due to the fact that Chalese cannot afford to pay \$300.00+ per month for a
24 private plan, Chalese was forced to enroll in Medicaid. *The State of Nevada*

1 *should not have to “foot the bill” for Chalese’s healthcare when Adam has a*
2 *duty to support his spouse and the financial means to do so.*

3 Chalese therefore requests that Adam be ordered to enroll Chalese in his
4 new employer-provided health insurance plan. Alternatively, the court could
5 increase Adam’s spousal support obligation in an amount sufficient to allow
6 Chalese to try to obtain comparable private insurance.¹⁹

8 Additionally, Adam has not provided Chalese with copies of the children’s
9 updated insurance cards. Chalese asks that he be ordered to do so.

11 **C. PLAINTIFF SHOULD BE ORDERED TO PAY SPOUSAL
12 SUPPORT ARREARS.**

13 On April 24, 2020, Adam’s counsel sent a letter to Chalese’s counsel after
14 Chalese’s counsel asked that Adam pay his April 2020 spousal support. In that
15 letter, Adam’s counsel claimed that since Adam paid the health insurance
16 premiums for the old insurance plan in March and April 2020, Adam should be
17 able to deduct those costs by reducing the Court ordered alimony to \$562.50 for
18 March, \$0.00 for April, and only \$479.28 for May. In support of these numbers,
19 Adam argues that he had to pay \$1,056.49 in insurance premiums for those two
20 months.²⁰

22 The court did not grant Adam the right to deduct one-half the cost of health
23 insurance for Chalese and the children regardless of the cost. The court granted
24 the right to deduct one-half of the costs only after Adam represented that his out-

26 ¹⁹ This is not the preferred relief, because the cost of such a private plan for Chalese is unknown and is difficult to ascertain at this time.

²⁰ See April 24, 2020 letter in DEA at BS DEF001269-DEF001271.

1 of-pocket premiums were roughly \$80.00 per month. The court specifically
2 stated:

3 Court: By the way, what is – okay. You get a contribution. \$80.00?
4 You get \$40.00, she contributes to half the cost, starting in March.

5 Adam: You mean for healthcare?

6 Court: Yes.

7 Adam: The \$80.00 is just for myself the kids, I don't know –

8 Court: The kids' portion.

9 Adam: Okay.

10 Court: You may deduct one-half as mom's share, since it's
11 cheaper.²¹

12 (Emphasis added). The court also noted that the \$800.00 spousal support
13 award considered the fact that Chalese was short \$300.00 per month for bills and
14 Adam's support would leave her with \$500.00 left over each month. The court
15 did not make its spousal support order anticipating that Adam would deduct his
16 entire obligation for health insurance premiums.²²

17
18 Chalese, a children's hairstylist, was forced to stop working when the
19 Governor issued his stay-at-home order. In that time period, from March 20th to
20 May 11, 2020. Chalese was unable to obtain unemployment benefits, she received
21 only a small fraction of Adam's Court ordered spousal support and one
22 government stimulus check, which averaged out to roughly \$900.00 per month –
23 far short of what she needs to pay her expenses.
24
25

26

21 See February 26, 2020 hearing video at TI 5:23:53.

22 See *Id.* at TI 5:26:00.

1 Further, when Adam raised the issue of the birth certificate with the court in
2 his motion (filed March 31, 2020) and reply (filed April 3, 2020), he argued that
3 he “had to pay over \$1,200 for another month of insurance[.]” At the hearing on
4 April 13, 2020, the court declined to make any orders requiring that Chalese be
5 responsible for this cost, stating the issue was “moot,” and that Chalese did not
6 violate any orders regarding that issue.²³ Thus, Adam should be ordered to pay the
7 remainder of the spousal support he owes for March, the spousal support he owes
8 for April, and his full May spousal support.

9
10 **D. PLAINTIFF SHOULD BE ORDERED TO FILE AN UPDATED FDF.**

11
12 Adam claimed at the February 2020 hearing that he would be starting his
13 new job on March 16, 2020. It has been over a month since Adam was to start his
14 new job, and Adam has not filed an updated FDF. This is important, as the court
15 reduced Adam’s spousal support based on his representations of his reduced
16 income. To date, Adam has provided no proof of this reduced income. Adam
17 should be ordered to file an updated FDF, with at least his most recent paystub.

18
19 **E. DEFENDANT SHOULD BE AWARDED FURTHER MAKE-UP VISITATION TIME.**

20
21 As briefed in the most recent round of motions filed with this court, the
22 children fell ill around April 22, 2020. Adam used their illness to withhold the
23 children from Chalese, explaining that they would have to quarantine in his home
24 per the CDC’s directives. According to Mr. Mayo’s April 29, 2020 letter, and
25 Adam’s stated understanding of the CDC recommendations, the children would
26

²³ See Video of April 13, 2020 hearing at TI 12:12:28.

1 have been cleared to be released from quarantine on April 30, 2020, during
2 Chalese's Court ordered custodial time. However, instead of releasing the
3 children on April 30th, Adam refused to give her the children based on his claim
4 that Chalese had been "with friends and/or family at campsite next to the river"
5 and that she had not been "following social distancing measures and not
6 quarantining – in violation of Judge Moss' orders."²⁴

8 Chalese's counsel informed Mr. Mayo that Chalese went for a walk with
9 Josh and his children by a campsite, did not interact with any non-household
10 members, and did not spend the night anywhere other than home. Chalese's
11 counsel also noted that the Governor's Emergency Directive 10 states:
12

13 This Directive does not prohibit individuals from engaging in outdoor
14 activity, including without limitation, activities such as hiking,
15 walking, or running, so long as the activity complies with all
16 requirements of Emergency Directive 007, participants maintain at
least 6 feet distancing from other individuals, and individuals do not
congregate in groups beyond their household members.

17 Despite this information, and without providing any response to Chalese's
18 rebuttal of Adam's assumption regarding her compliance with the Governor's
19 orders, Adam made another unilateral decision to withhold the children from
20 Chalese.²⁵ This time for an additional two days. Then, when Chalese's counsel
21

22 ²⁴ See April 29, 2020 letter in DEA at BS DEF001275.

23 ²⁵ In his reply filed May 19, 2020, Adam alleges that Chalese failed to "follow social
24 distancing measures" on May 15, 2020 after Josh and Chalese allegedly "took the children
25 swimming at a friend's house for a pool get together." This allegation is grossly misstated.
26 Chalese, Josh, Jesse, Michael, and Marie went swimming at Jesse's great-grandfather's home.
The residents of the home remained inside the home while the parties and the children were in
their yard. Chalese will the court with a video showing that Josh, Chalese, and the children were
the only ones in the yard and in the pool. Stills from this video are in DEA at BS DEF001297-
DEF001299. Chalese and the children were not around any non-household members and were
within the Governor's guidelines. Additionally, to address Adam's allegation as to April 28,

1 requested a stipulation clarifying what “social distancing” means in this case,
2 Adam, through counsel, declined and stated Chalese should just follow the
3 Governor’s directives - which is what she did. Chalese spent less than 24 hours
4 with her children the entire month of April 2020. Chalese therefore requests
5 make-up visitation time, in addition to all of the other time requested previously,
6 for her missed days of April 30, 2020 and May 1, 2020, pursuant to NRS
7 125C.020.
8

9 If this social distancing is still in effect by the time of the court’s order,
10 Chalese would also like the court to clarify its order, since Adam will attempt to
11 use any potential ambiguity to serve his goal of depriving Chalese a relationship
12 with the children. Chalese is currently pregnant, as Adam is aware, and needs to
13 have some light exercise. She would like the ability to do so without Adam
14 accusing her of violating the court’s orders and withholding the children every
15 time she leaves her home. Chalese should be able to leave her home in
16 compliance with the Governor’s directives, including to go for a hike or engage in
17 other outdoor activities.
18
19

20 **F. DEFENDANT SHOULD BE AWARDED HER ATTORNEY’S FEES.**

21 Adam blatantly violated this court’s order, is refusing to pay Chalese
22 spousal support, and has failed to file an updated FDF in support of his reduced
23
24

25 2020, Chalese and Josh went to Lake Mead, which was open. They were not in Laughlin with
26 Josh’s brother. They exercised proper social distancing at the lake, and outdoor activities are
allowed by the Governor’s directives. Chalese will provide a video showing they were social
distancing, stills of which are in DEA at BS DEF001291-DEF001296. Chalese has not violated
the guidelines as Adam has alleged.

1 spousal support. Chalese should be awarded fees per NRS 18.010, EDCR 7.60,
2 NRS 125.040, NRS 22.100 and NRS 125C.250.

3 Awards of attorney's fees are within the sound discretion of the district
4 court. *Fletcher v. Fletcher*, 89 Nev. 540, 516 P.2d 103 (1973); *Levy v. Levy*, 96
5 Nev. 902, 620 P.2d 860 (1980); *Hybarger v. Hybarger*, 103 Nev. 255, 737 P.2d
6 889 (1987).

7
8 When an attorney in a family law case requests fees, the Court must
9 consider several factors in determining the reasonable value of the services
10 provided. *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 455 P.2d 31
11 (1969). Those factors, referred to as the *Brunzell* factors, are: (1) *The Qualities of*
12 *the Advocate*: to include ability, training, education, experience, professional
13 standing and skill; (2) *The Character of the Work to Be Done*: to include the
14 difficulty importance, time and skill required, the responsibility imposed and the
15 prominence and character of the parties where they affect the importance of the
16 litigation; (3) *The Work Actually Performed by the Lawyer*: to include the actual
17 skill, time and attention given to the work; and (4) *The Result Obtained*: whether
18 the attorney was successful and what benefits were derived. *Id.* The court should
19 give equal weight to each of the *Brunzell* factors. *Miller v. Wilfong*, 121 Nev. 119
20 (2005).

21
22 Further, the Nevada Supreme Court has held that fees and costs may
23 include non-attorney staff time. *LVMPD v. Yeghiazarian*, 129 Nev. 760, 312 P.3d
24 503 (2013).

25 1. With regard to the *Qualities of the Advocate*:
26

1 a. **Jack W. Fleeman, Esq.:** Mr. Fleeman is well-qualified and a
2 member in good standing with the State Bar of Nevada. He has been
3 practicing law for more than 12 years and primarily in the field of family
4 law. Over this span of time, Mr. Fleeman has drafted thousands of papers
5 and pleadings, has participated in hundreds of hearings, and has appeared as
6 lead counsel in over 30 trials. Mr. Fleeman is a Nevada certified family law
7 specialized and has briefed and argued several family law cases before the
8 Nevada Supreme Court, including the recently published cases of *Nguyen v.*
9 *Boynes*, 133 Nev. Adv. Op. 32, 396 P.3d 774 (2017) and *Miller v. Miller*,
10 134 Nev. Adv. Op. 16 (Mar. 15, 2018).

12 b. **Alicia S. Exley, Esq.:** Ms. Exley is well-qualified and a member in
13 good standing of the State Bar of Nevada. Ms. Exley worked for a family
14 law attorney for four years prior to graduating from law school, passing the
15 Bar Exam, and being admitted as a Nevada attorney. Ms. Exley has been
16 practicing primarily in the field of family law for the last three years. She
17 serves on the Community Service Committee of the Clark County Bar
18 Association, earning her Committee Circle of Support Awards for 2018 and
19 2019. She was also named a “Best Up & Coming Attorney” by Nevada
20 Business Magazine in 2018. Ms. Exley has spoken about QDROs as part of
21 the Downtown Cultural Series and had an article on economic abuse in
22 divorce litigation published in the *Nevada Lawyer* in 2019.

24 c. **Angela Romero:** Ms. Romero has been working in the private sector
25 as a family law paralegal since 2002, and currently holds a Bachelor of
26 Science in Business Administration. Ms. Romero joined Pecos Law Group

1 in 2017, and with more than 18 years of family law experience, she
2 contributed knowledgeable and competent service on this case.

3 2. With regard to the *Character of the Work to Be Done*, this case involved
4 highly contested issues that took skill particular to family law and ethics.

5 3. With regard to the *Work Actually Performed by the Attorney*, Chalese's
6 attorneys were well-prepared for the case. Through the course of this litigation,
7 Counsel prepared procedurally proper pleadings and prepared for the hearing with
8 skill, time, and attention.
9

10 4. With regard to the *Results Obtained*, through application of law to the facts
11 as set forth in her pleadings and will be introduced at the time of the hearing,
12 Chalese believes she will prevail on all issues.
13

14 Counsel will submit applicable billings for the Court's assessment of its
15 attorney's fees award as the Court directs.

16 **III. CONCLUSION**

17 WHEREFORE, based upon the foregoing, Defendant **Chalese Marie**
18 **Solinger** respectfully requests that this Court enter Orders granting her the
19 following relief:
20

21 1. Ordering Plaintiff to show cause as to why he should not be held in
22 contempt for failing to enroll Defendant in his new health insurance plan;

23 2. Ordering Plaintiff to enroll Defendant in his new health insurance
24 plan;
25

26 3. Ordering Plaintiff to pay spousal support arrears;

4. Ordering Plaintiff to file an updated FDF;

5. Awarding Defendant further make-up visitation time with the children;

6. Awarding Defendant her attorney's fees; and

7. Awarding Defendant such other and further relief as this court may deem just and proper in the premises.

DATED this 22nd day of May, 2020.

PECOS LAW GROUP

/s/ Alicia S. Exley, Esq.

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

Alicia S. Exley, Esq.

Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

Henderson, Nevada 89074

Attorneys for Defendant

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6

1 b. Any insurance coverage, including life, health automobile, and
2 disability coverage;
3 without the written consent of the parties or the permission of
4 the court.

4 4. We attended a hearing on March 19, 2019. The *Order after Hearing*
5 *of March 19, 2019* states, at page 13, line 12-14:

6 IT IS FURTHER ORDERED that Adam shall keep Chalese on his
7 health insurance until the divorce is finalized. Chalese shall begin
8 looking for private health insurance or insurance through an employer.

9 5. I obtained employment as a children's hair stylist in May 2019. My
10 employer does not offer any health insurance or benefits.

11 6. On December 9, 2019, the court ordered Adam to pay me \$1,125.00
12 per month in spousal support.

13 7. We attended a hearing on February 26, 2020, during which the court
14 ordered:

15 Court: By the way, what is – okay. You get a contribution. \$80.00?
16 You get \$40.00, she contributes to half the cost, starting in March.

17 Adam: You mean for healthcare?

18 Court: Yes.

19 Adam: The \$80.00 is just for myself the kids, I don't know –

20 Court: The kids' portion.

21 Adam: Okay.

22 Court: You may deduct one-half as mom's share, since it's cheaper.

23 Ms. Kirigan: Your honor, we're leaving mom without any health
24 insurance while this case is pending?

25 Court: No, no. You have to leave her on and pay for that. But she'll
26 pay her half and the kids' half as a community thing.

1 Adam: Okay, so the cost difference between myself and the kids'
2 plan versus when I have her, and then half of the cost of just the kids.

3 Court: Right, so just the dependents' portion, mom plus two kids, cut
4 that in half. Back out the employee portion. And you may deduct that
from the \$800.00.²⁶

5 8. Adam stated at the February 26, 2020 hearing that he left his
6 \$120,000.00-per-year job to take a job that pays approximately \$85,000.00. Based
7 on Adam's decrease in income, the court reduced my spousal support to \$800.00
8 per month.

9
10 9. The *Order after Hearing of February 26, 2020*, at page 6, lines 4-9 states:

11 IT IS FURTHER ORDERED that Adam shall continue covering
12 Chalese and the children on his health insurance policy pending Trial
13 but as Chalese is one-half responsible for same, Adam may deduct
14 one-half of the dependents' portion (i.e. Chalese's and the children's
portions), excluding the employee portion, from his monthly spousal
support payment.

15 10. Adam subsequently stated in his pleadings that because I did not
16 provide him with Marie's birth certificate when he requested it on March 29,
17 2020, that he was forced to pay for himself, me, Michael and Marie to stay on the
18 old insurance for April 2020.

19
20 11. On April 13, 2020, the court ordered that the birth certificate issue
21 was moot and there was no order for me to turn over a birth certificate. The court
22 also ordered me to follow quarantine orders and the guidelines.

23
24 12. On April 20, 2020, Adam messaged me on AppClose and told me I
25 could either stay on the old \$1,200.00-per-month health insurance plan, at my own
26

²⁶ See *Id.* at 5:23:53.

1 cost for my portion (roughly \$300.00 per month), or that I could find my own
2 insurance plan. Adam has not provided me with updated insurance cards or any
3 information regarding the children's new insurance plan.
4

5 13. On April 29, 2020, Adam accused me of violating the Governor's
6 directives and court orders for going on a walk with Josh and the children in a
7 remote, outdoor location. My counsel clarified that this was in compliance with
8 the Governor's Emergency Directive number 10, but I still did not receive the
9 children on April 30, 2020 or May 1, 2020. I spent less than 24 hours with the
10 children during the entire month of April 2020.
11

12 14. I am therefore requesting that Adam be ordered to show cause as to
13 why he should not be held in contempt for refusing to enroll me in his new health
14 insurance plan.
15

16 15. When the Governor issued his emergency directives closing all non-
17 essential businesses, I could not keep working. I filed for unemployment but did
18 not receive any unemployment payments. I was able to return to work on May 11,
19 2020.
20

21 16. As a result of Adam refusing to enroll me in his new insurance plan
22 and my inability to pay for private insurance, I was forced to go on Medicaid.

23 17. I am therefore requesting that Adam be ordered to enroll me in his
24 new health insurance plan.
25

26 18. Adam contends that the court's February 26, 2020 order that he can
deduct one-half of the insurance premium allows him to deduct one-half of the old

1 insurance premiums for March and April 2020. As a result, he paid only \$562.50
2 in spousal support for March, nothing for April, and contends he only has to pay
3 \$479.28 for May, but has paid nothing so far.

4
5 19. I am therefore requesting that Adam be ordered to pay the remainder
6 of his March spousal support, the entirety of his April spousal support, and
7 whatever he does not pay of his May spousal support by the time of the hearing.

8
9 20. I am also requesting that Adam be ordered to file an updated
10 financial disclosure form with a new paystub to support his representations about
11 his income at the February 26, 2020 hearing.

12
13 21. I am also requesting compensatory visitation time for the time with
14 my children that I was denied on April 30, 2020 and May 1, 2020.


15
16 22. I am currently pregnant and need to be getting light exercise. I feel it
17 is safer and allows for better social distancing to do this in a remote location –
18 such as a hiking trail – rather than my own neighborhood.

19
20 23. If the social distancing guidelines are still in effect by the time of the
21 hearing, I would like the court to clarify that Adam and I need to be in compliance
22 with the Governor's directives but that activities that are allowed by the Governor
23 are not in violation of this court's order.

24
25 24. Finally, I am requesting I be awarded my attorney's fees.
26
...

1 25. I make this declaration under penalty of perjury so that it has the
2 same force and effect as a sworn affidavit pursuant to NRS 53.045. I declare under
3 penalty of perjury that the foregoing is true and correct.
4

5 EXECUTED on May 21, 2020

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Chalese Marie Solinger

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of PECOS LAW
3 GROUP, and that on this 22nd day of May, 2020, I served a copy of
4 “DEFENDANT’S MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY PLAINTIFF
5 SHOULD NOT BE HELD IN CONTEMPT, FOR ORDERS REGARDING HEALTH
6 INSURANCE AND SPOUSAL SUPPORT, FOR ATTORNEY’S FEES, AND RELATED RELIEF”
7 as follows:

8 ☒ Pursuant to NEFCR 9, by mandatory electronic service through the
9 Eighth Judicial District Court’s electronic filing system:

10 To the individual(s) listed below:

| | |
|------------------|------------------------------|
| 11 Vincent Mayo | VMGroup@TheAbramsLawFirm.com |
| 12 admin email | email@pecoslawgroup.com |
| 13 Alicia Exley | alicia@pecoslawgroup.com |
| 14 Jack Fleeman | jack@pecoslawgroup.com |
| 15 Angela Romero | angela@pecoslawgroup.com |

16
17 /s/ Alicia S. Exley, Esq.

18 An employee of PECOS LAW GROUP
19
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DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Adam Michael Solinger

Plaintiff/Petitioner

V. Chalese Marie Solinger

Defendant/Respondent

Case No. D-19-582245-D

Dept. I

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

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

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

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

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

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

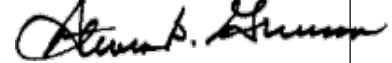
Step 3. Add the filing fees from Step 1 and Step 2.

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

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

Party filing Motion/Opposition: Defendant Date 05/22/2020

Signature of Party or Preparer /s/ Alicia S. Exley, Esq.



EXHS

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

Alicia S. Exley, Esq.

Nevada Bar No. 14192

PECOS LAW GROUP

8925 South Pecos Road, Suite 14A

Henderson, Nevada 89074

Tel: (702) 388-1851

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Jack@pecoslawgroup.com

Alicia@pecoslawgroup.com

Attorneys for Defendant

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

Adam Michael Solinger,

Plaintiff,

vs.

Chalese Marie Solinger,

Defendant.

Case No. **D-19-582245-D**

Dept No. **I**

EXHIBITS TO
DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY
PLAINTIFF SHOULD NOT BE HELD IN CONTEMPT, FOR ORDERS REGARDING
HEALTH INSURANCE AND SPOUSAL SUPPORT, FOR ATTORNEY'S FEES, AND
RELATED RELIEF

| | | |
|------------|--|---------------------|
| EXHIBIT A: | Letter from Mr. Mayo to Ms. Exley dated April 24, 2020 | DEF001268-DEF001274 |
| EXHIBIT B: | AppClose Messages between the parties dated April 20, 2020 | DEF001279 |
| EXHIBIT C: | Letter from Mr. Mayo to Ms. Exley dated April 29, 2020 | DEF001275 |
| EXHIBIT D: | Letter from Ms. Exley to Mr. Mayo dated April | DEF001276- |

| | | |
|------------|---|---------------------|
| | 30, 2020 | DEF001278 |
| EXHIBIT E: | Letter from Ms. Exley to Mr. Mayo dated May 6, 2020 | DEF001280-DEF001281 |
| EXHIBIT F: | Letter from Mr. Mayo to Ms. Exley dated May 7, 2020 | DEF001282 |
| EXHIBIT G: | Photo stills from video of swimming pool dated May 15, 2020 | DEF001297-DEF001299 |
| EXHIBIT H: | Photo stills from video of lake visit dated April 26, 2020 | DEF001291-DEF001296 |

DATED this 22nd day of May, 2020.

PECOS LAW GROUP

/s/ Alicia S. Exley, Esq.

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

Alicia S. Exley, Esq.

Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

Henderson, Nevada 89074

Attorneys for Defendant

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of PECOS LAW GROUP,
3 and that on this 22nd day of May, 2020, I served a copy of “EXHIBITS TO
4 DEFENDANT’S MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY PLAINTIFF SHOULD
5 NOT BE HELD IN CONTEMPT, FOR ORDERS REGARDING HEALTH INSURANCE AND
6 SPOUSAL SUPPORT, FOR ATTORNEY’S FEES, AND RELATED RELIEF” as follows:

7 ☐ By placing same to be deposited for mailing in the United States Mail, in a
8 sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada:
9 and/or

10 ☒ Pursuant to NEFCR 9, by mandatory electronic service through the Eighth
11 Judicial District Court’s electronic filing system: and/or

12 ☐ Pursuant to EDCR 7.26, to be sent via facsimile; and/or

13 ☐ To be hand-delivered to the attorneys listed below at the address and/or
14 facsimile number indicated below:

| | |
|---------------|------------------------------|
| Vincent Mayo | VMGroup@TheAbramsLawFirm.com |
| admin email | email@pecoslawgroup.com |
| Jack Fleeman | jack@pecoslawgroup.com |
| Amy Robinson | amy@pecoslawgroup.com |
| Angela Romero | angela@pecoslawgroup.com |
| Alicia Exley | alicia@pecoslawgroup.com |
| Bruce Shapiro | bruce@pecoslawgroup.com |

22
23 /s/ Alicia S. Exley, Esq.

24 ALICIA EXLEY,
25 An employee of PECOS LAW GROUP
26
27
28

EXHIBIT A



†† Jennifer V. Abrams, Esq.
† Vincent Mayo, Esq.

6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
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Friday, April 24, 2020

Alicia S. Exley, Esq.
8925 South Pecos Road, Suite 14A
Henderson, Nevada 89074

Re: Adam M. Solinger v. Chalese M. Solinger
Case Number: D-19-582245-D

Dear Ms. Exley:

I am in receipt of your April 22, 2020 correspondence. After discussing the matter with my client, we respond accordingly.

It is clear Chalese is maintaining her pattern of dishonesty with you, as she has through this litigation. Or, you are engaging in unethical and dishonest conduct.

Insurance

Unfortunately, Chalese is completely misrepresenting the situation with the health insurance. Chalese never provided Adam with notice as to what information she states she requires. On Monday April 20th, Adam asked Chalese how she wanted to proceed with the issue of health insurance. Chalese's options are to either stay on the plan that has been in effect for the past few years and essentially take over the account, along with the payment, or she can find private insurance on her own given the open enrollment period. Chalese balked at this question, firing back stating that Adam has not "even provided [her] with insurance information..." Adam then asked if Chalese needed a bill for proof of continuing payment or an insurance card. Chalese never responded.

You state in your letter that you read the relevant "AppClose" messages in support of your correspondence but did Chalese give you the entire message thread on this topic? If you had, it would show that Adam was trying to resolve the issue with Chalese, as well as attempting to co-parent.

The health insurance has not changed, as mentioned at the last hearing, due to Chalese refusing to provide Adam a copy of Marie's birth certificate. As a result, Adam was keep the old policy, thereby being forced to pay the \$1,237.94 premium for the month of April.

As for the claim that Chalese does not have any information regarding the insurance, this is another lie. Adam provided Chalese with March's bill for insurance on February 27, 2020, and sent her the April bill yesterday. Chalese also already has an insurance card because as she paid \$87.29 towards the deductible this year and she has paid some out-

† Board Certified Family Law Specialist

* Fellow of the American Academy of Matrimonial Lawyers; Admitted in Nevada, California, and Louisiana

of-pocket expenses as well. Nonetheless, another copy of the cards is attached to this letter.

Adam previously asked Chalese what she wanted to do and has not received a response. To avoid being billed for the month of May, Adam is canceling the plan as it relates to himself and the children with an effective date of the end of the month. Adam has forwarded Chalese information to the insurance company so they could have her take over the policy.

Marie's Fingers and Nails

The nail polish issue is a co-parenting issue as the original letter makes clear. For reference, the issue is not the painting of the nails. It is that Marie picks her nails and fingers once they are painted and it causes her fingertips to bleed. Chalese herself has previously indicated in her AppClose messages that she agrees with not painting Marie's nails. Being that you review the AppCloses messages, you should have seen these.

Despite Chalese's attempts to spin the narrative as one of control, it's not as Chalese herself states Marie's nails should not be painted. The issue is Chalese going back on what the parties already agreed is in Marie's best interests. It was Chalese going back on her agreement that caused Adam to have me bring the issue up with you.

The issue with the haircutting is not that it happens but rather that Chalese cuts the children's hair almost every single time she has them. Adam merely wants to be involved in decisions regarding the grooming of the children because it's not possible to put hair back on the head. I think we can agree that if the roles were reversed and Adam was taking the children to have their hair cut every week, Chalese would be requesting the exact same. This is about reasonableness and Adam has made a simple request to have Marie's hair longer for a photoshoot that he is planning for her. Adam agrees that it is silly and a waste of time and money to have to discuss this issue through counsel but Chalese has given him no other recourse. If anything, this is a control issue on Chalese's part: She knows that Adam is trying to plan something with Marie and she is evidently trying to sabotage it. If Chalese refuses to be accommodating on such a simple co-parenting issue matter, then so be it. This will simply be added to the voluminous list of items Adam has showing that Chalese clearly doesn't know how to co-parent.

April's Spousal Support

Finally, the issue with April's support payment is that your client consistently refuses to contribute to the expenses she incurs and is ordered to pay, such as Chalese's half of the costs for health insurance covering her and the children. Chalese informed Adam that she would pay her half of insurance once she received her spousal support for March. Adam did so but low and behold, Chalese refused to pay Adam her one-half of the health insurance costs. Please reign your client in and inform her that it is imperative that she has financial obligations that need to be paid. What goes unsaid in your letter is that presumably Chalese is collecting unemployment and that she received a stimulus check, Which Adam wasn't as fortunate to receive.

If we are threatening to bring motions and requests for orders to show cause, you may want to have a very frank conversation with your client, especially given that she has two attorneys working her case and that she has a near bottomless pool of money she keeps pulling from after claiming poverty on a consistent basis.

Adam has had to drastically cut his legal expenses and as he has represented consistently, he drafts nearly most of the pleadings and letters and I merely revise them, which is a huge cost savings to him.

Despite your incorrect assertion, Adam's spousal support was not reduced because of health insurance, it was reduced commensurate with the drop-in salary due to Adam's new job.

Also, Adam does not owe Chalese support for March or April. In February, the Court ordered that Adam would deduct Chalese's half of the old monthly health insurance premium for herself and the children. The total is \$1,237.94 per month, meaning that the portion for Chalese and the children is \$928.46, making half \$464.23.

You will recall that the Court prorated Adam's spousal support for March based on him switching jobs in mid-month. This means Adam would pay half of support under the old pay, \$1,125 (\$562.50) and half of his support under his new income, \$800 (\$400). This means that Adam was to pay \$962.50, minus Chalese's half of the insurance (\$464.23), which comes out to \$498.27. However, Adam in fact paid \$562.50 for March, an overpayment of \$64.23.

For April, Adam was to pay \$800 for spousal support. However, Adam had reached out to Chalese in late March asking her for a copy of Marie's birth certificate. By doing so, Adam would have been able to switch over to the new insurance, which would have reduced the children's cost of the health insurance premium starting in April to \$52 (instead of the \$618.97 under the old plan). You will recall Adam told Chalese this via AppClose, with Chalese stating she refused to give him a copy as timely needed. This resulted in the old policy unnecessarily remaining in place for April.

So it's clear, Adam and the children's cost under the new policy would have been a total of \$82 (\$30 for Adam, \$52 for the children). Because Chalese refused to allow Adam and the children to switch to the new policy for April, it resulted in Adam unnecessarily paying a much higher amount. The following addresses this inequity and what is actually owed now:

Adam's Portion

What Adam should have paid for himself for April under the new policy: \$30.

What Adam was forced to pay for himself in April under the old policy: \$309.25.

Hence, Chalese owes Adam \$309.25 for forcing him to pay under the old amount.

Children's Portion

What Adam should have paid for his half of the children for April under the new policy: \$26.01.

What Adam was forced to pay for his half of the children for April under the new policy: \$618.50.

Hence, Chalese owes Adam the difference between the \$618.50 and \$26.01, or \$592.50.

Chalese's Portion

Chalese's portion for April that Adam paid was \$309.25, making Chalese's one-half \$154.74.

These costs for April that Chalese is responsible for total \$1,056.49.

Therefore, the total Chalese owes Adam for March is the \$64.23 overpayment and the \$1,056.49 for April, which comes out to \$1,120.72. Being that Adam owed Chalese support in April of \$800, she actually must pay Adam the difference, which is \$320.72. Adam is agreeable to deducting same from the May payment. Would your client prefer Adam reduce the amount of May support by the remaining balance or would your client like to tender the remaining balance directly to Adam instead?

In sum, please have a conversation with your client as requested in the previous letter. Additionally, Adam had no choice but to cancel the policy as it relates to himself and the children thus making Chalese the only one on the account. If she would like to, she can take advantage of this special enrollment period to find insurance to her liking by the aforementioned time.

Also, and on an unrelated but tedious topic, please provide proof of client's current car insurance coverage since June of last year. We have asked for this several times and still not received it.

The Children's Sicknesses

Adam wants to be clear that the children being sick and needing to stay self-isolated and in quarantine is not a matter of compromise. It is on the direct advice of the children's pediatrician, is spelled out within the CDC guidelines and it comports with the Governor's order. So you are aware, the following are the CDC's guidelines as to when a person suspected of potentially having COVID-19 no longer has to quarantine:

- At least 3 days (72 hours) have passed since recovery defined as resolution of fever without the use of fever-reducing medications **and**
- Improvement in respiratory symptoms (e.g., cough, shortness of breath); **and**,
- At least 7 days have passed since symptoms first appeared.

What Adam stated was conveyed to him by Dr. Teresa was accurate. Dr. Teresa did state that if there is was a lack of social distancing or proper quarantining that the CDC guidelines are for children to be quarantined for at least 7 days after the fevers disappear. Being that Judge Moss stated during the last two hearings that Chalese was not practicing proper social distancing, this is a credible concern. The median incubation period for COVID-19 is 5 days. Michael and Marie were with Chalese April 16-17 and then they both had fevers 5 days later. Let us hope that this is a simple viral infection and not COVID-19.

What Adam does not know is what Chalese told the pediatrician's office. If she told them she was practicing proper social distancing / quarantining, they may have stated that the quarantining for 7 days after the fevers disappears is not necessary. However, Adam and the Court know Chalese was not, meaning the 7 days of quarantining is necessary. As for your client's request that Adam somehow immediately go to the pediatrician's office at 4:00 p.m. on a Friday afternoon when he is tending to two sick children, he cannot.

Adam of course concedes following healthcare orders does not mean that Chalese is uninterested in having the children. However, Adam is appalled that the children are sick and believe it is due to your client's actions: It was Chalese who continually disregarded quarantine directives and it was Chalese who travelled out of state. No one other than the children in Adam's house is sick or has any symptoms and Adam, Jessica and her daughter have been quarantining. Further, even if Adam was able to take the children in to their pediatrician for testing, Dr. Teresa told Adam they only have around 4 to 5 testing kits and they are only providing those to children who come in with severe symptoms.

Adam has no issue updating Chalese via AppClose but it is concerning that Chalese has not asked Adam for an update regarding how the children are doing since 8:30 a.m. yesterday morning. Why is it Chalese wants Adam to constantly update her but she doesn't care enough about her own children to ask Adam their condition in two days? If Chalese wants updates, she can ask him.

In regard to the videos, Adam produced the videos of the temperatures as an act of good faith in the beginning because he knew that Chalese would be skeptical. However, their creation was not intended to add an additional step to the care of the children. Chalese has always stated that she trusts that the kids are in good care while in the care of Adam and has never expressed concern. Also, Adam has always been forthcoming when it comes to the health of the children. To imply that my client would be dishonest and needs to provide proof of temperature taking is insincere. If Chalese wants to know the children's temperatures, she can ask (which she rarely has in the past when the children are sick). However, Adam will not be producing two videos a day of temperature readings. Chalese can ask Adam how they are doing and he will tell her how they are doing.

Adam is not in possession of any medical documents at this time. Adam called the after-hours number and the on-call doctor returned his call and gave him the advice previously provided. Telephonic medical appointments are very common at this point in time and at this point there is no need to expose the kids to the public if they do not have COVID-19 or, hopefully this isn't the case, exposing others if the kids do indeed have COVID-19. The children would only go into see the doctor if they develop other symptoms requiring immediate attention.

Adam will not agree to any make-up time before trial. The Court has previously ruled that make-up time would be deferred to the time of trial. Further, Chalese is not losing time due to anything Adam did but rather the advice of the children's doctor.

Finally, as to phone contact, Adam has no issue with the same. However, the examples Chalese cites are extremely disingenuous and reveal the true tone of your correspondence

Friday, April 24, 2020
Adam M. Solinger v. Chalese M. Solinger
Page 6 of 6

The Abrams & Mayo Law Firm

on her behalf. As for this past Wednesday night, Chalese had no contact with the children because Adam had to wait on a call back from the pediatrician due very likely to your client's actions resulting in the children getting sick.

In summary, this issue is not about compromising or negotiating. The children are sick and their doctor's advice must be followed, especially in the present environment we live. For Chalese to state that "Adam should appreciate the fact that Chalese is losing time" as if it is Adam's fault or that she has something due to her is nonsensical. Adam does not "appreciate" that the children very likely became sick on Chalese's time and that he has to be concerned that the children may have COVID-19 because Chalese couldn't follow simple guidelines and chooses her own interests over the children's best interests. For Chalese to make such a statement means she does not appreciate the seriousness of the situation.

Your cooperation and assistance in this matter is greatly appreciated.

Sincerely,



THE ABRAMS & MAYO LAW FIRM

/s/ Vincent Mayo, Esq.


Vincent Mayo, Esq.

cc: Mr. Adam M. Solinger

4/22/2020

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|---|-----------------|--|--|
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| Health Plan (80840) 911-76342-01 | | | |
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| Member: CHALESE SOLINGER | | | |
| Benefit Code: | | Payer ID |  OPTUMRx |
| Medical | I18ES100 | 76342 | |
| Rx | PI19ES00 | | |
| Coplay: Office /Spec | | Effective Date | Rx BIN: 610279 |
| In Plan \$15 /\$30 | | 01/01/2019 | Rx GRP: UNEVADA |
| | | | Rx PCN: 9999 |
| | | | Rx Cost share tiers: I / II / III / IV |
| | | | Rx Cost shares: \$25/\$50/\$100/50% |
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EXHIBIT B



Conversations

4/20/2020

Adam on 4/20/2020 10:52AM said:

I am able to keep you on the insurance you are on currently. Myself and the children are removed from it. You will be the responsible party for all of your bills and obligations and I will not be associated with it in anyway. If this does not work for you, I will cancel it all together and you can find an insurance plan that works for you given the special circumstances open enrollment period that is currently open until May 15. I need a reply as to how you would like to proceed by the end of the day.

Chalese Anderson on 4/20/2020 10:56AM said:

Lmao unfortunately that's not how this works. Nice try though

Adam on 4/20/2020 11:08AM said:

What are you talking about? I've switched the children and I to the cheaper insurance as previously discussed. I can't include you on it. So you can stay on the old plan or find a new one yourself given the special enrollment period. Please let me know your decision by the end of the day or I will just leave you on the insurance as the only member of the account. I believe it's approximately 250ish a month for just you. I will have the bills and account information switched to your address.

Again, if you don't want this insurance and you choose to venture out on your own, please let me know by the end of the day.

Chalese Anderson on 4/20/2020 11:09AM said:

Legally you have to cover my insurance. Please don't make me get my attorney involved.

Adam on 4/20/2020 11:14AM said:

I have to provide insurance and you're ordered to pay the cost of the insurance.

So, you can stay on the old insurance and have it switched over to you completely, or you can choose to cancel it and find your own insurance.

Chalese Anderson on 4/20/2020 11:15AM said:

Please pay your April support.

Chalese Anderson on 4/20/2020 11:15AM said:

You never even provided me with insurance information like you were supposed to. Please stop with the nonsense

Adam on 4/20/2020 11:18AM said:

Are you talking about a bill or insurance cards?

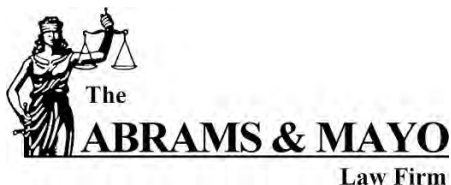
Adam on 4/20/2020 11:22AM said:

???

Adam on 4/20/2020 7:07PM said:

I suppose a congratulations is in order.

EXHIBIT C



†† Jennifer V. Abrams, Esq.
† Vincent Mayo, Esq.

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Wednesday, April 29, 2020

Alicia S. Exley, Esq.
8925 South Pecos Road, Suite 14A
Henderson, Nevada 89074

Re: Adam M. Solinger v. Chalese M. Solinger
Case Number: D-19-582245-D

Dear Ms. Exley:

I have reviewed your Opposition & Countermotion filed April 28, 2020 and noticed the provision on page 22, lines 1 through 4:

Chalese therefore requests that the court order that Chalese's time with the children resume after they had no fever for at least 72 hours without the use of medicine, or April 29, 2020 (7 days since their symptoms first appeared), whichever occurs later.

Please know that while Michael last had a fever on April 26th, Marie last had a fever on Monday morning (100.3 degrees). Adam informed Chalese of this information. Therefore, according to your requested relief, the children shall remain quarantined with Adam at least through Thursday, April 30th.

However, based upon information and belief, Chalese was with friends and/or family at a campsite next the river on Sunday, April 26th. Once again, she was not following social distancing measures and not quarantining – in violation of Judge Moss' orders. The CDC guidelines call for quarantining for 14 days after exposure to COVID-19 to see if symptoms develop. However, we do not know for a fact that Chalese was exposed and the median incubation period for COVID-19 is 5.2 days. Therefore, Chalese has to quarantine for 5.2 days until she can resume custody time with the children on her next scheduled timeshare, which is May 8th, assuming she does not develop symptoms, have a fever, or once again decide to flout social distancing measures.

Sincerely,

THE ABRAMS & MAYO LAW FIRM

/s/ Vincent Mayo, Esq.

Vincent Mayo, Esq.

cc: Mr. Adam M. Solinger

† Board Certified Family Law Specialist

* Fellow of the American Academy of Matrimonial Lawyers; Admitted in Nevada, California, and Louisiana

EXHIBIT D

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Office Administrator

April 30, 2020

Via E-Service

Vincent Mayo, Esq.

THE ABRAMS & MAYO LAW FIRM
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118

Re: ***Solinger vs. Solinger*** (D-19-582245-D)

Dear Vince:

We are in receipt of your April 29, 2020 letter. Chalese advises me that herself, Josh, Jesse and Arielle drove to a remote location to go for a walk/hike. They did not go "camping," she was not with friends or any non-household members, and they did not spend the night.

The Governor's Emergency Directive 10 (the "stay-at-home order") states:

This Directive does not prohibit individuals from engaging in outdoor activity, including without limitation, activities such as hiking, walking, or running, so long as the activity complies with all requirements of Emergency Directive 007, participants maintain at least 6 feet distancing from other individuals, and individuals do not congregate in groups beyond their household members.

Chalese advises that she did not come within six feet of any other individuals and did not congregate with anyone outside of her household members. Judge Moss stated at the hearing that taking a walk was okay. Your client admitted to taking walks around his neighborhood as well. Chalese was worried that walking in her neighborhood would not allow her to appropriately social distance, so she chose to walk in an area that would. This was a choice made to *avoid* unnecessary contact with other individuals. Chalese is complying, and did comply, with the Governor's directive. As such, please advise if Adam will be releasing the children to Chalese today, pursuant to her custodial time, or if he is going to continue to unilaterally withhold them.

Additionally, regarding the health insurance issue, you stated in your April 24, 2020 letter that Chalese could either "stay on the plan that has been in effect for the past few years and essentially take over the account, along with the payment, or she can find private insurance on her own given the open enrollment period."

Not only in this in direct violation of the Court's February 26, 2020 order, but also a violation of the parties' JPI. You will recall at the February 26, 2020 hearing, around time index 5:23:00, Adam informed the court he had a new healthcare plan and Ms. Kirigan asked, "Your Honor, we're leaving mom without any health insurance while this case is pending?" In response, the court unequivocally answered, "No, **you have to leave her on and pay for that.**" The court further ordered that Adam could deduct one-half the charge for the children *and Chalese* from his spousal support, further indicating her order that Adam continue to cover Chalese. This is reflected in your own draft order, on page 9, line 10-11 which states, "IT IS FURTHER ORDERED that Adam shall continue covering Chalese and the children on his health insurance policy pending Trial[.]"

Further, as Adam presumably now has state insurance, it is much better insurance than any private plan Chalese could obtain. If Adam does not enroll Chalese in his new healthcare plan we will file for an order to show cause, as it appears Adam has already admitted to blatantly violating the court's order, as well as the JPI.

As for spousal support, the court stated that Chalese would be responsible for half of the cost under the new insurance plan, and specifically stated, around 5:23:55, "You may deduct one-half as mom's share **since it's cheaper.**" The court's intention as to this order is further reflected in your draft order from February 26, 2020 at page 6, line 8-11, which states, "THE COURT FURTHER NOTES that after taking into account Chalese's bills, she is short \$300 a month. Adam will pay her \$800 per month in spousal support so accordingly, Chalese has \$500 left over each month." Please advise as to when and where the court ordered that Adam could deduct his entire spousal support payment for health insurance. Chalese was never ordered to split the cost of the old insurance, and the court's statements and findings at the February 26, 2020 hearing, as well as Adam's representations that his new insurance was only \$80.00 per month, clearly indicate that the court did not intend to have Chalese split the insurance cost until Adam's new insurance kicked in.

Even if, for the sake of argument, the court did intend for Chalese to pay half of the old insurance due to the "birth certificate" issue, Adam represented to the court in February that he had new insurance, but you state in her letter he did not ask Chalese for Marie's birth certificate until "late March." Why would Chalese be in any way responsible for the March 2020 premium, which would have already been paid by the time Adam requested the birth certificate, when the court clearly contemplated she would only be responsible for one-half of the new insurance premium "since it's cheaper"?

Solinger v. Solinger

April 30, 2020

Page 3

The order for Chalese to pay one-half of the insurance premium was made in contemplation of the policy being cheaper. Even after Adam brought up the birth certificate issue in court, the court never ordered Chalese to reimburse Adam for half of the old insurance premium.

Despite Adam's assumptions, Chalese is not collecting unemployment. Like millions of other Americans, she is still waiting for her claim to go through and has been calling the unemployment hotline repeatedly. She reports that the office opens at 8:00 a.m. and by 8:45 a.m., the queue for the entire day is filled up. Chalese hopes to eventually be able to get some unemployment but has no idea when that will be, or how much. She did get a stimulus check, and that has been her only income since Adam's \$562.50 payment in March. We not only do not believe the court would agree that Chalese owes Adam over \$1,000.00 in health insurance premiums, but we also do not know how your client expects Chalese to pay such a cost with no income.

As a result of Adam's actions, Chalese has been forced to go on Medicaid. Adam is still Chalese's husband and is bringing in at least \$7,000.00 per month. We do not believe Judge Moss will order that Chalese become a "public charge" because Adam does not want to enroll her in his insurance plan. Chalese does not know how long she can stay on Medicaid and, additionally, by not enrolling her in insurance, Adam may also be depriving Chalese of her opportunity for COBRA coverage post-divorce. If Adam does not enroll Chalese in his new insurance plan, we will seek an order to show cause and request enforcement of Judge Moss's order or, in the alternative, that Adam's spousal support be increased enough to allow Chalese to obtain a comparable insurance plan. Since your client, presumably, has very good health insurance through his job with the state, we anticipate that a comparable plan for Chalese will be quite expensive.

Sincerely,

/s/ Alicia S. Exley, Esq.

Alicia S. Exley, Esq.

cc : Chalese Solinger

002291

EXHIBIT E

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Office Administrator

May 6, 2020

Via E-Service

Vincent Mayo, Esq.

THE ABRAMS & MAYO LAW FIRM
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118

Re: ***Solinger vs. Solinger*** (D-19-582245-D)

Dear Vince:

We have not received a response from you regarding our proposed revisions to the February 26, 2020 draft order. Please provide us with a revised order no later than Friday, March 8, 2020, or we will submit our own order to the Judge. We have also not received a draft of the order on the April 13, 2020 hearing; please advise as to the status of that order as well.

Additionally, Chalese advises that she has still had issues with receiving reasonable Facetime contact with the children; for example, on Monday night, Adam messaged Chalese at 6:57 p.m. and told Chalese she could speak with Marie "right before bed." We are advised that on Tuesday, Adam messaged Chalese and told her that the children's new bedtime was 7:00 p.m. and that Chalese could call at 6:30 p.m. for Facetime. This is an acceptable revision to the schedule now, but once Chalese returns to work, we may need to discuss, as she does not know if she will always be home by 6:30 p.m. with her work schedule. Please have Adam ensure that the children are given at least 5 to 10 minutes to speak with Chalese before the call is interrupted by bedtime, dinner time, bath time, story time, etc.

Pursuant to EDCR 5.501 and to avoid a motion for clarification, we are requesting a stipulation that both parties are allowed to leave their respective homes as long as they are complying with the governor's directives. We believe this reflects the court's directives to the parties, but so there is no confusion, we believe that this needs to be specifically stated in a written order.

As I am sure you and your client are aware, Chalese is currently pregnant. Light exercise is generally recommended for a healthy pregnancy, as well as the avoidance of unnecessary stress. Sitting at home, especially with the knowledge a private investigator is parked outside and watching the house, is causing Chalese stress, and she believes light exercise to be safer outside of town. Chalese would like to be able to go for a drive or for a walk outside, both of which are allowable under the Governor's directives, without Adam accusing her of violating the court's orders and continuing to withhold the children.

Solinger v. Solinger

May 6, 2020

Page 2

While Adam has a landscaped gated community in which he can exercise, Chalese does not and believes that walking in more remote outdoor locations is safer and allows for better social distancing than her immediate neighborhood. Further, the fact that Chalese is pregnant should help put Adam's mind at ease that she would not put herself (or the children) in danger of contracting illness, as she obviously needs to be careful to stay healthy. Please advise if your client will stipulate to this by Friday, May 8, 2020 or we will need to file a motion to clarify with the court.

Finally, please confirm your client will be releasing the children to Chalese on Friday at 6:00 p.m. for her scheduled timeshare, as you stated in your April 29, 2020 letter. Neither Chalese nor anyone in her household has developed symptoms or had a fever and she has complied with the Governor's directives. If they are not released to her, we will be forced to file a motion for order to show cause.

Sincerely,

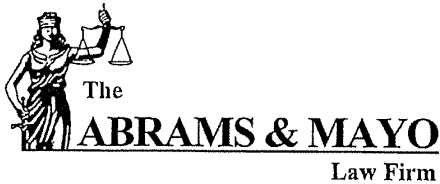
/s/ Alicia S. Exley, Esq.

Alicia S. Exley, Esq.

cc : Chalese Solinger

EXHIBIT F

5/7/2020 5:12 PM



† Jennifer V. Abrams, Esq.
† Vincent Mayo, Esq.
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
P. 702.222.4021 F. 702.248.9750
www.TheAbramsLawFirm.com

Thursday, May 07, 2020

Alicia Exley, Esq.
8925 South Pecos Road, Suite 14A
Henderson, Nevada 89074

Re: Adam M. Solinger v. Chalese M. Solinger
Case Number: D-19-582245-D

Dear Ms. Exley:

I am in receipt of your May 6, 2020 correspondence and after having spoken with my client, respond accordingly.

February 26, 2020 and April 13, 2020 Orders

I sent you earlier today our response to your prior correspondence regarding changes to the February 26th Order, as well as the revised Order. Further, I anticipate having the April 13, 2020 Order to you early next week.

Daily Phone/Video Time with the Children

We appear to be on the same page regarding the 6:30 p.m. time for nightly calls with the children.

Social Distancing and Quarantining

Adam does not see the need to spend time and money on a stipulation for something that can easily be addressed by Chalese simply adhering to the Governor's directives and related CDC guidelines. This information is available online.

Chalese's Time with the Children

Yes, Adam plans to exchange the children with Chalese tomorrow at 6:00 p.m. Adam only asks that Chalese adhere to the Governor's directives and related CDC guidelines while the children are in her care.

As always, should you have any questions or comments, please do not hesitate to call.

Sincerely,

THE ABRAMS & MAYO LAW FIRM

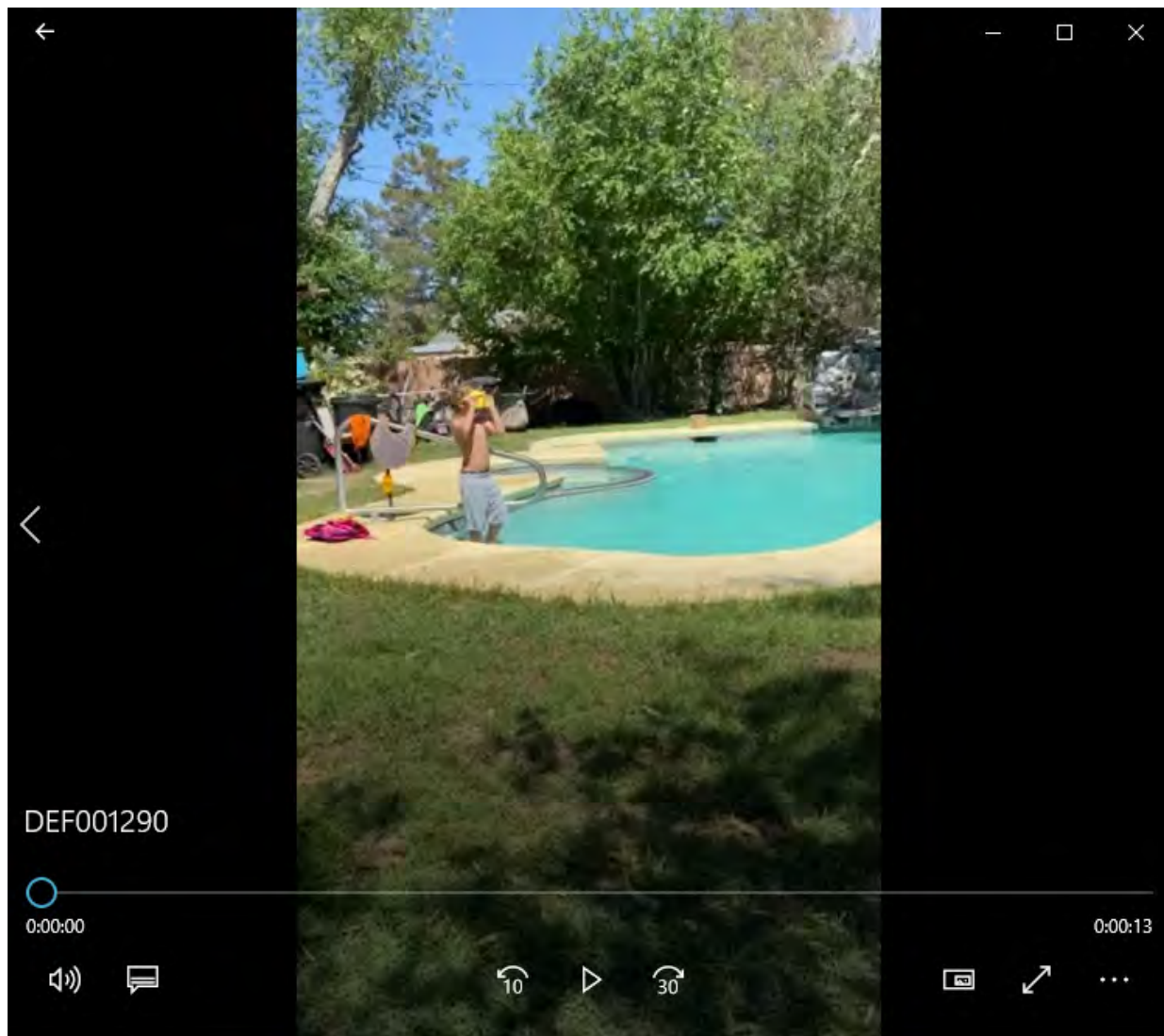
/s/ Vincent Mayo, Esq.

Vincent Mayo, Esq.

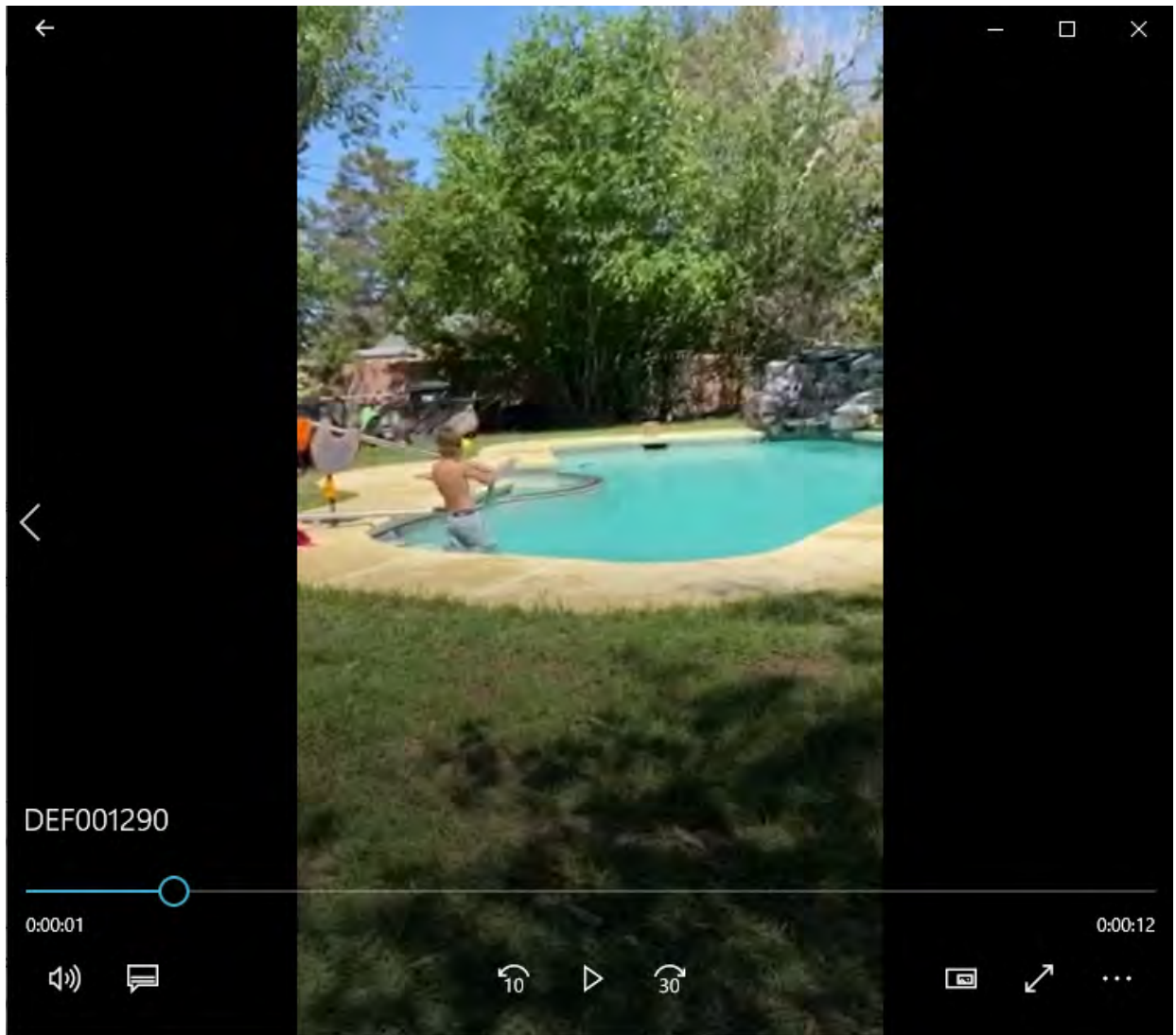
cc: Mr. Adam M. Solinger

† Board Certified Family Law Specialist
* Fellow of the American Academy of Matrimonial Lawyers; Admitted in Nevada, California, and Louisiana

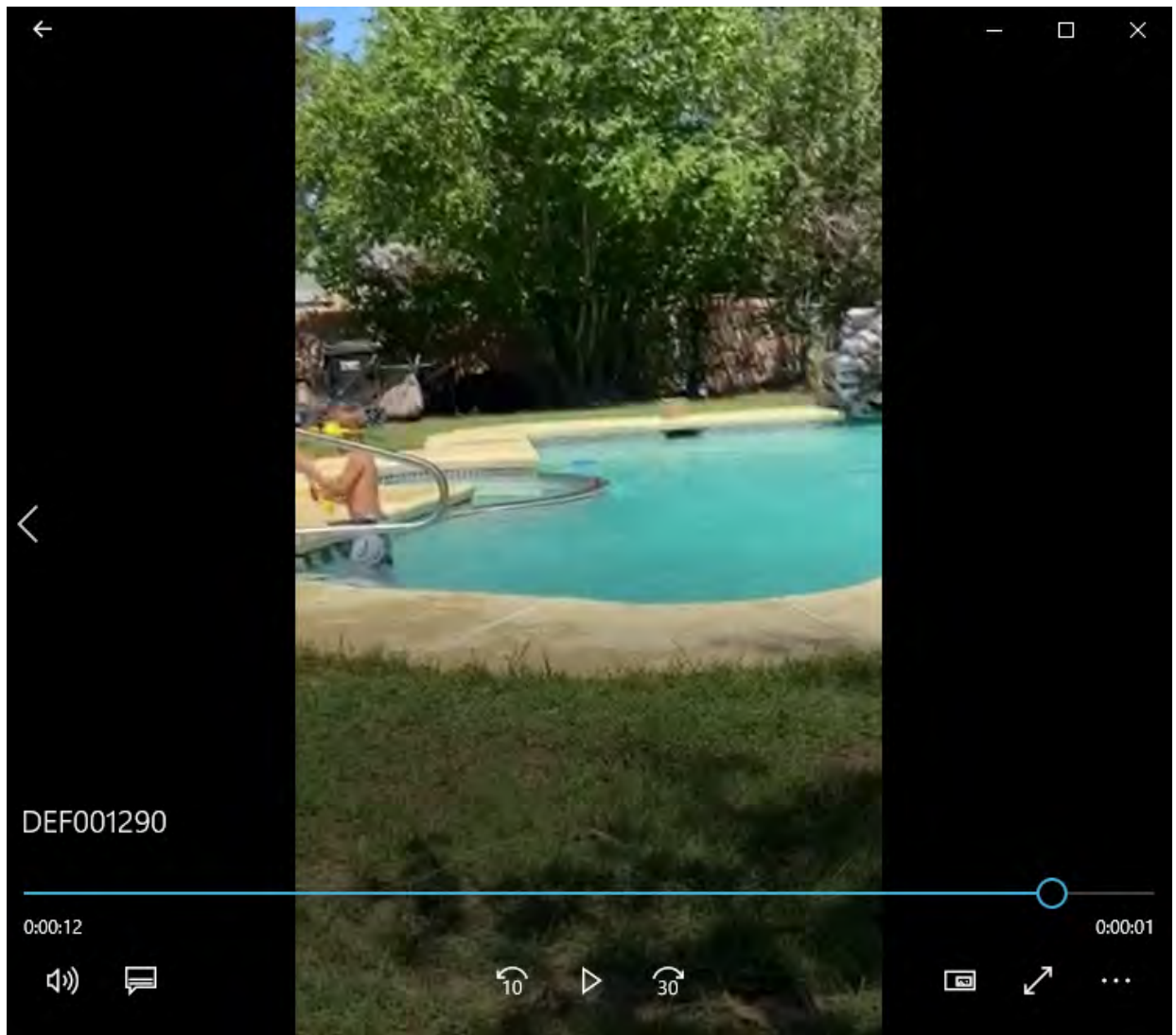
EXHIBIT G



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002299



002300

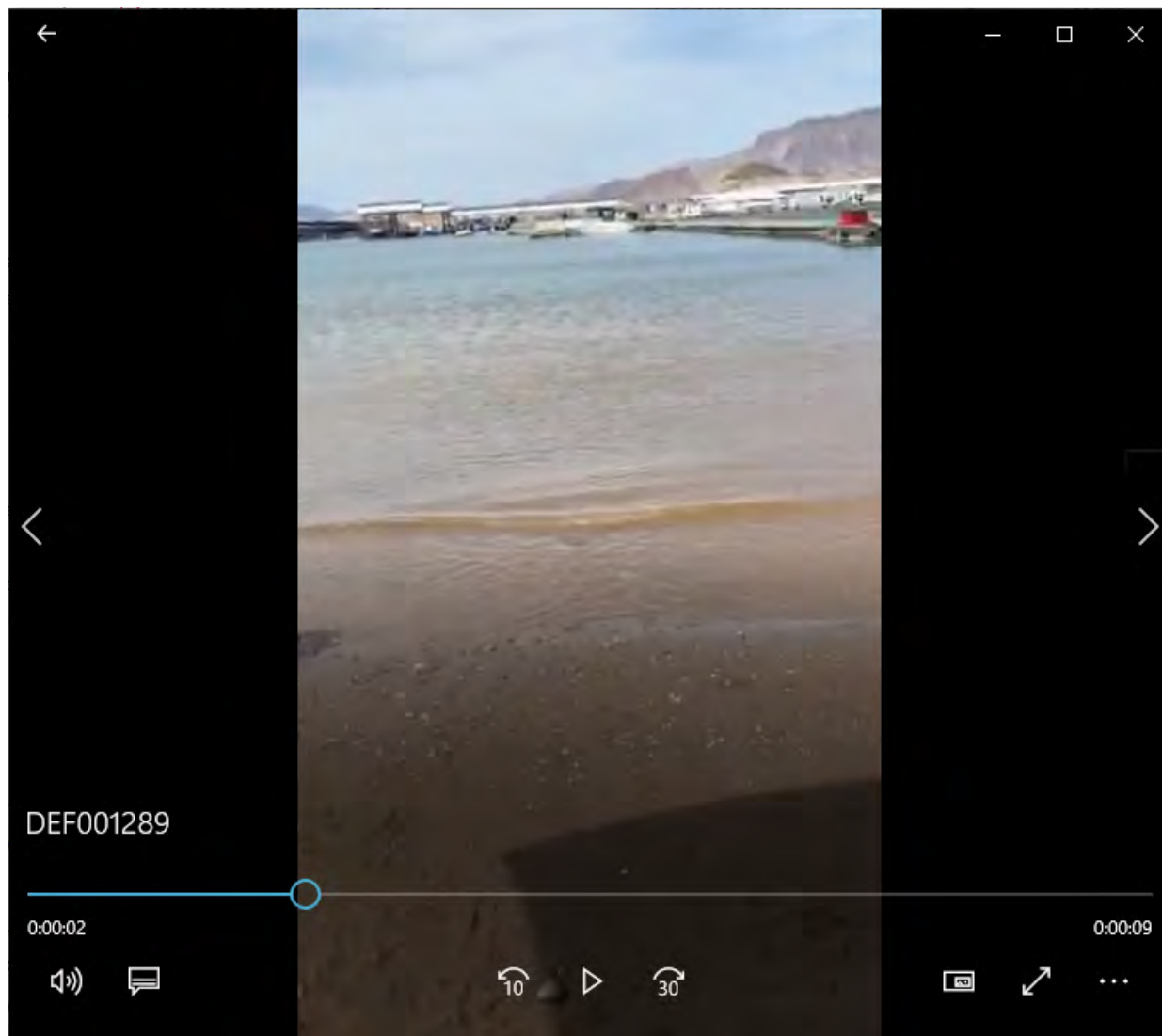
EXHIBIT H



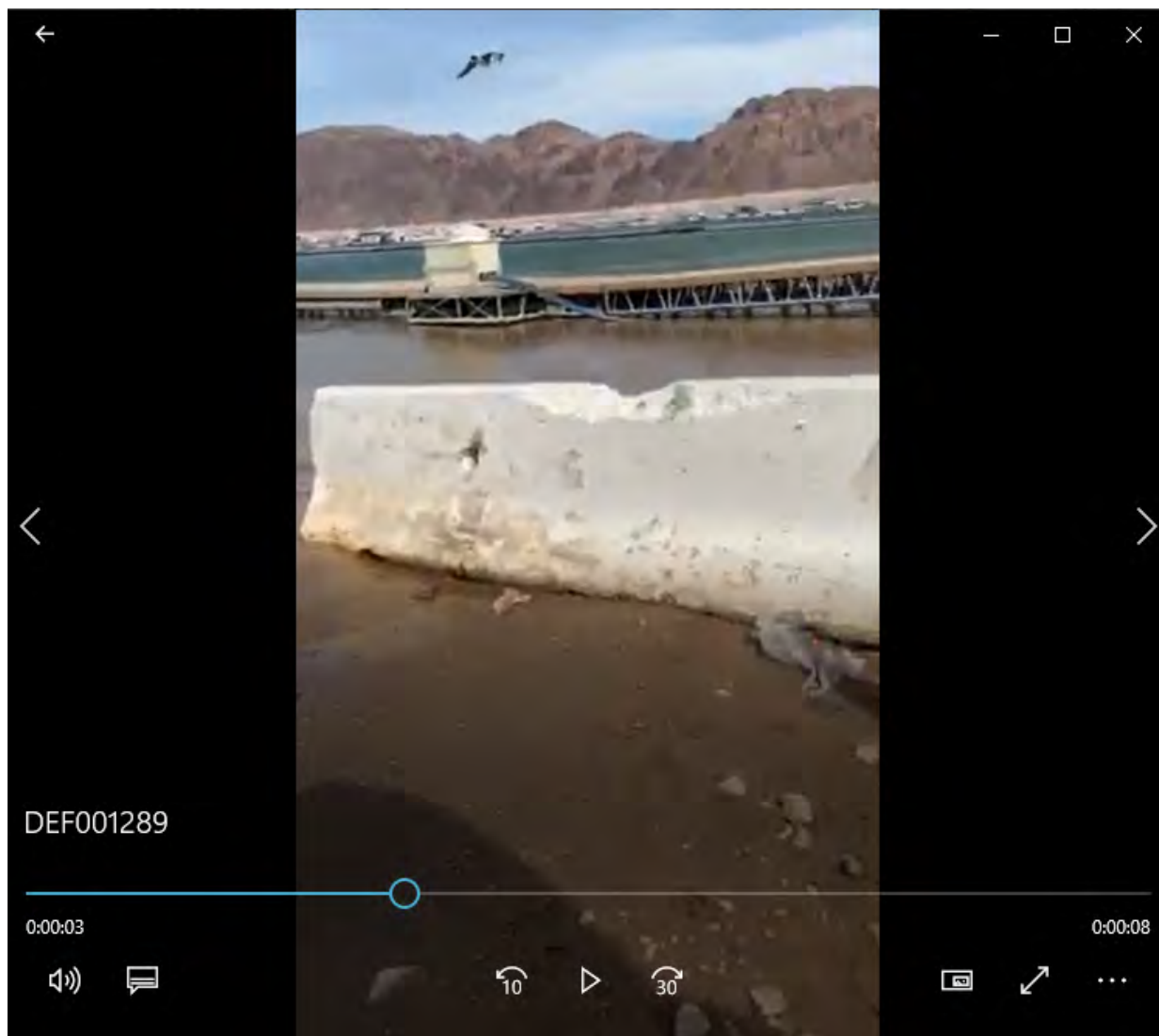
002302



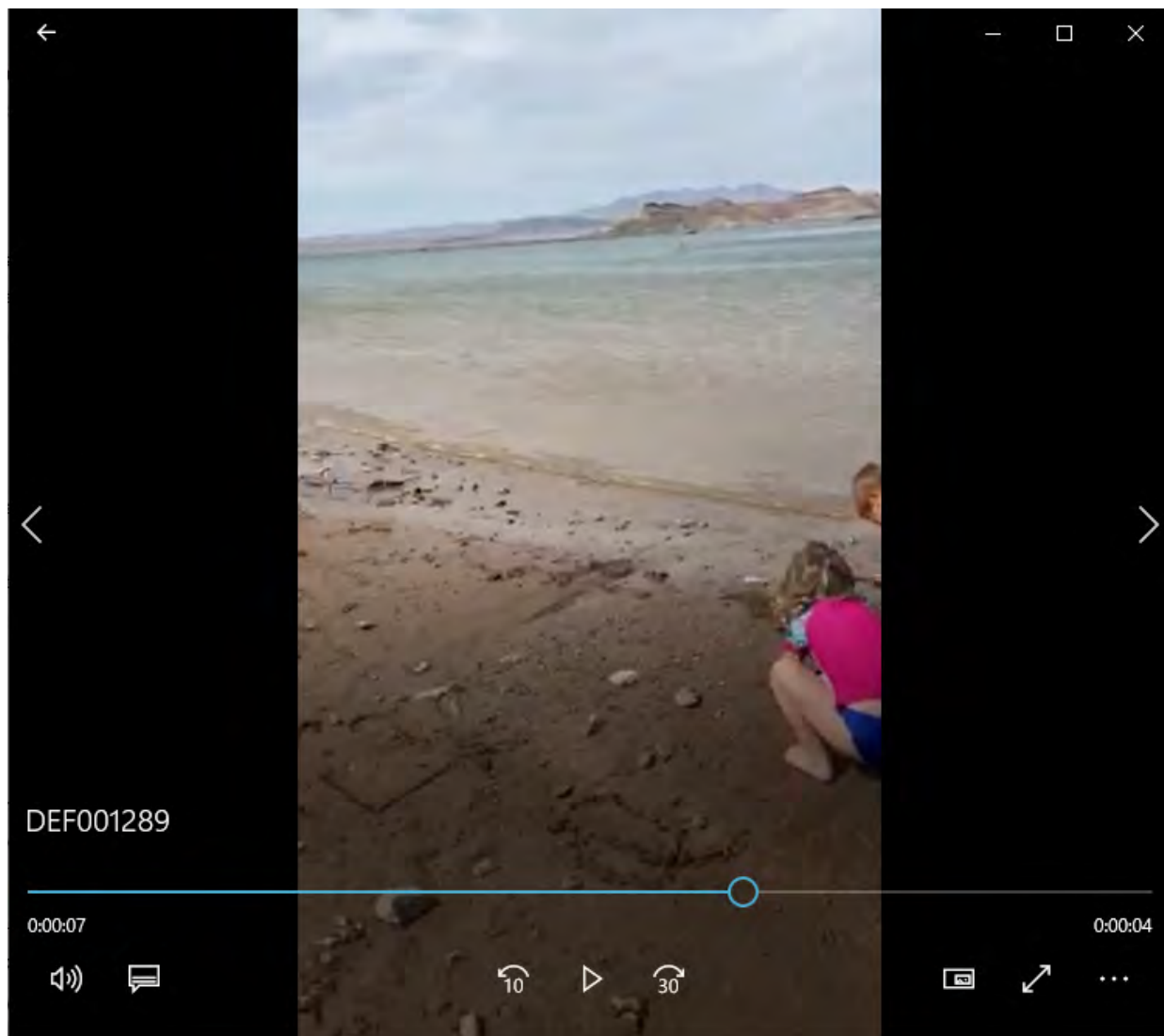
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FDF

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

PECOS LAW GROUP

8925 South Pecos Road, Suite 14A

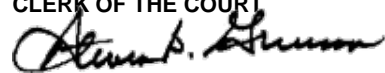
Henderson, Nevada 89074

Telephone: (702) 388-1851

Email: Jack@pecoslawgroup.com

Attorney for Defendant

Electronically Filed
5/22/2020 5:33 PM
Steven D. Grierson
CLERK OF THE COURT



EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA


| | |
|--|---|
| Adam Michael Solinger, Plaintiff, vs. Chalese Marie Solinger Defendant. | Case No. D-19-582245-D Dept. No. I |
|--|---|

GENERAL FINANCIAL DISCLOSURE FORM

A. Personal Information:

1. What is your full name? Chalese Marie Solinger
2. How old are you? 29
3. What is your date of birth? 11/17/1990
4. What is your highest level of education? High School, cosmetology school

B. Employment Information:


1. Are you currently employed/self-employed? ( check one)

☐ No

☒ Yes

If yes, complete the table below. Attach an additional page if needed.

| Date of Hire | Employer Name | Job Title | Work Schedule (days) | Work Schedule (shift times) |
|--------------|----------------|-----------|-------------------------|--------------------------------|
| 5/15/19 | Cookie Cutters | Stylist | 4 to 5 days per week | 10:00 a.m. to 5 or 6:00 p.m. |
| | | | | |

2. Are you disabled? ( check one)

☒ No

☐ Yes

If yes, what is your level of disability?

What agency certified you disabled?

What is the nature of your disability?

- C. Prior Employment:** If you are unemployed or have been working at your current job for less than 2 years, complete the following information.

Prior Employer: Stay at home mom Date of Hire:

Date of Termination:

Reason for Leaving:

Monthly Personal Income Schedule

A. Year-to-date Income.

As of the pay period ending 5/20/2020 my gross year to date pay is \$4,334.52*.

** This consists of income from employment and the \$1,200.00 federal stimulus check.*

B. Determine your Gross Monthly Income.

Hourly Wage

| | | | | | | | | | | |
|-------------|---|---------------------------------|---|---------------|---|-------|---|---------------|---|----------------------|
| \$10.50 | X | 23 | = | \$241.50 | X | 52 | ÷ | \$12,558.00 | = | \$1,046.50 |
| Hourly Wage | | Number of hours worked per week | | Weekly Income | | Weeks | | Annual Income | | Gross Monthly Income |

Annual Salary

| | | | | |
|---------------|---|-----------|---|---------------|
| | ÷ | 12 Months | = | |
| Annual Income | | | | Gross Monthly |

C. Other Sources of Income.

| Source of Income | Frequency | Amount | 12 Month Average |
|--|-----------|-----------|-------------------|
| Annuity or Trust Income: | | | |
| Bonuses: | | | |
| Car, Housing, or Other allowance: | | | |
| Reported Tips on Paystubs: | Monthly | \$222.99 | \$222.99 |
| Additional Cash Tips: | Monthly | \$222.99 | \$222.99 |
| Overtime Pay: | | | |
| Pension/Retirement: | | | |
| Social Security Income (SSI): | | | |
| Social Security Disability (SSD): | | | |
| Spousal Support: | Monthly | \$800.00* | \$800.00 |
| Child Support: | | | |
| Workman's Compensation: | | | |
| Other: | | | |
| Total Average Other Income Received | | | \$1,245.98 |

| | |
|---|-------------------|
| Total Average Gross Monthly Income (add totals from B and C above) | \$2,292.48 |
|---|-------------------|

** Adam has not paid spousal support for April or May 2020.*

D. Monthly Deductions

| | Type of Deduction | Amount |
|---------------------------------------|--|--|
| 1. | Court Ordered Child Support (automatically deducted from paycheck) | |
| 2. | Federal Health Savings Plan | |
| 3. | Federal Income Tax | |
| 4. | Health Insurance | Amount for you: For Opposing Party: For your Child(ren): |
| 5. | Life, Disability, or Other Insurance Premiums | |
| 6. | Medicare | \$13.78 |
| 7. | Retirement, Pension, IRA, or 401(k) | |
| 8. | Savings | |
| 9. | Social Security | \$58.95 |
| 10. | Union Dues | |
| 11. | Other: (Type of Deduction) | |
| Total Monthly Deductions (Lines 1-11) | | \$72.73 |

Business/Self-Employment Income & Expense Schedule**A. Business Income:**




What is your average gross (pre-tax) monthly income/revenue from self-employment or businesses?

B. Business Expenses: Attach an additional page if needed:

| Type of Business Expense | Frequency | Amount | 12 Month Average |
|---|-----------|--------|------------------|
| Advertising | | | |
| Car and truck used for business | | | |
| Commissions, wages or fees | | | |
| Business Entertainment/Travel | | | |
| Insurance | | | |
| Legal and professional | | | |
| Mortgage or Rent | | | |
| Pension and profit-sharing plans | | | |
| Repairs and maintenance | | | |
| Supplies | | | |
| Taxes and licenses (include est. tax payments) | | | |
| Utilities | | | |
| Other: | | | |
| Total Average Business Expenses | | | \$0.00 |

Personal Expense Schedule (Monthly)

A. Fill in the table with the amount of money **you** spend each month on the following expenses and check whether you pay the expense for you, for the other party, or for both of you.

| Expense | Monthly Amount I Pay | For me  | Other Party  | For Both  |
|--|----------------------|---|--|---|
| Auto Insurance | | | | |
| Car Loan/Lease Payment | | | | |
| Cell Phone | \$200.00 | X | | |
| Child Support (not deducted from pay) | | | | |
| Clothing, Shoes, Etc... | \$100.00 | X | | |
| Credit Card Payments (minimum due) | \$25.00 | X | | |
| Dry Cleaning | \$30.00 | X | | |
| Electric | \$75.00 | X | | |
| Food (groceries & restaurants) | \$500.00 | X | | |
| Fuel | \$200.00 | X | | |
| Gas (for home) | \$40.00 | X | | |
| Health Insurance (not deducted from pay check) | | | | |
| HOA | | | | |
| Home Insurance (if not included in mortgage) | | | | |
| Home Phone | | | | |
| Internet/Cable | \$72.00 | X | | |
| Lawn Care | | | | |
| Membership Fees | | | | |
| Mortgage/Rent/Lease | \$1,153.91 | X | | |
| Pest Control | \$50.00 | X | | |
| Pets | \$100.00 | X | | |
| Pool Service | | | | |
| Property Taxes (if not included in mortgage) | | | | |
| Security | \$12.00 | X | | |
| Sewer | | | | |
| Student Loans | | | | |
| Unreimbursed Medical Expense | | | | |
| Water | \$70.00 | X | | |
| Other: Work supplies (combs, clippers, etc.) | \$30.00 | X | | |
| Child expenses from page 5 | \$160.00 | X | | |
| Total Monthly Expenses | \$2,817.91 | | | |

Household Information

- A. Fill in the table below with the name and the date of birth of each child, the person the child is living with, and whether the child is from this relationship. Attach a separate sheet if needed.

| | Child's Name | Child's DOB | With whom is this child living? | Is this child from this relationship? | Has this child been certified as special needs/disabled? |
|-----|------------------|-------------|---------------------------------|---------------------------------------|--|
| 1st | Michael Solinger | 6/16/2015 | Both | Yes | No |
| 2nd | Marie Solinger | 8/28/2017 | Both | Yes | No |
| 3rd | | | | | |
| 4th | | | | | |

- B. Fill in the table below with the amount of money you spend each month on the following expenses for each child.

| Type of Expense | 1st Child | 2nd Child | 3rd Child | 4th Child |
|---|----------------|----------------|---------------|---------------|
| Cellular Phone | | | | |
| Child Care | | | | |
| Clothing | \$50.00 | \$50.00 | | |
| Education | | | | |
| Entertainment | \$30.00 | \$30.00 | | |
| Extracurricular & Sports | | | | |
| Health Insurance (if not deducted from pay) | | | | |
| Summer Camp/Programs | | | | |
| Transportation Costs for Visitation | | | | |
| Unreimbursed Medical Expenses | | | | |
| Vehicle | | | | |
| Other: | | | | |
| Total Monthly Expenses | \$80.00 | \$80.00 | \$0.00 | \$0.00 |

- C. Fill in the table below with the names, ages, and the amount of money contributed by all person living in the home over the age of eighteen. If more than 4 adult household members attach a separate sheet.

| Name | Age | Person's Relationship to You (i.e., sister, friend, cousin, etc...) | Monthly Contribution |
|--------------|-----|---|----------------------|
| Joshua Lloyd | 30 | Significant Other | \$1,500.00 |
| | | | |
| | | | |
| | | | |
| | | | |

Personal Asset and Debt Chart

- A. Complete this chart by listing all of your assets, the value of each, the amount owed on each, and whose name the asset or debt is under. If more than 15 assets, attach a separate sheet.

| Line | Description of Asset and Debt Thereon | Gross Value | | Total Amount Owed | | Net Value | Whose Name is on the Account: You, Your Spouse/Domestic Partner or Both |
|---|---------------------------------------|--------------|---|-------------------|---|-------------|--|
| 1. | Charles Schwab #8846 | \$296.00 | - | \$0.00 | = | \$296.00 | Chalese Solinger |
| 2. | America First #024-1 | \$584.00 | - | \$0.00 | = | \$584.00 | Chalese Solinger |
| 3. | Bank of America #9724 | Unknown | - | \$0.00 | = | Unknown | Adam Solinger |
| 4. | Remaining home sale proceeds | Unknown | - | \$0.00 | = | Unknown | Both |
| 5. | 4657 Curdsen Way | \$235,000.00 | - | \$223,250.00 | = | \$11,750.00 | Chalese Solinger |
| 6. | 2017 Moto Guzzi Café Racer | \$10,000.00 | - | \$0.00 | = | \$10,000.00 | Adam Solinger |
| 7. | Forest River Travel Trailer | \$1,200.00 | - | \$0.00 | = | \$1,200.00 | Both |
| 8. | Art collection | Unknown | - | \$0.00 | = | Unknown | Both |
| 9. | Firearms | Unknown | - | \$0.00 | = | Unknown | Both |
| 10. | Roth 401(k) | Unknown | - | \$0.00 | = | Unknown | Adam Solinger |
| 11. | | | - | | = | \$0.00 | |
| 12. | | | - | | = | \$0.00 | |
| 13. | | | - | | = | \$0.00 | |
| 14. | | | - | | = | \$0.00 | |
| 15. | | | - | | = | \$0.00 | |
| Total Value of Assets (add lines 1-15) | | \$247,080.00 | - | \$223,250.00 | = | \$23,830.00 | |

- B. Complete this chart by listing all of your unsecured debt, the amount owed on each account, and whose name the debt is under. If more than 5 unsecured debts, attach a separate sheet.

| Line | Description of Credit Card or Other Unsecured Debt | Total Amount owed | Whose name is on the Account? You, Your Spouse/Domestic Partner or Both |
|---|--|-------------------|--|
| 1. | Bank of America card #0505 | Unknown | Adam Solinger |
| 2. | CapitalOne card # 8403 | \$1,750.00 | Chalese Solinger |
| 3. | CapitalOne card # 5278 | \$752.00 | Chalese Solinger |
| 4. | Citibank card | \$0.00 | Chalese Solinger |
| 5. | Loan from Katrina Bolick for Attorney's Fees | \$80,000.00 | Chalese Solinger |
| Total Unsecured Debt (add lines 1-5) | | \$82,502.00 | |

Certification

Attorney Information: Complete the following sentence:

1. I HAVE retained an attorney for this case.
2. As of the date of today, the attorney has been paid a total of \$95,552.71 on my behalf.
3. I have a credit with my attorney in the amount of \$9,043.00.
4. I currently owe my attorney a total of \$0.00.
5. I owe my prior attorney a total of \$0.00.

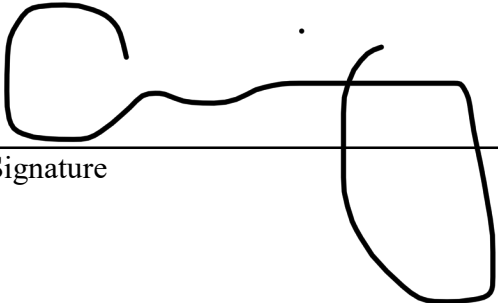
IMPORTANT: Read the following paragraphs carefully and initial each one.

_____ I swear or affirm under penalty of perjury that I have read and followed all instructions in completing this Financial Disclosure Form. I understand that, by my signature, I guarantee the truthfulness of the information on this Form. I also understand that if I knowingly make false statements I may be subject to punishment, including contempt of court.

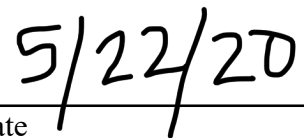
_____ I have attached a copy of my 3 most recent pay stubs to this form.

_____ I have attached a copy of my most recent YTD income statement/P&L statement to this form, if self-employed.

_____ I have not attached a copy of my pay stubs to this form because I am currently unemployed.



Signature



Date

CERTIFICATE OF SERVICE

I hereby declare under the penalty of perjury of the State of Nevada that the following is true and correct:

That on May 22, 2020, service of the General Financial Disclosure Form was made to the following interested parties in the following manner:

☐ Via 1st Class U.S. Mail, postage fully prepaid addressed as follows:

☒ Via Electronic Service, in accordance with the Master Service List, pursuant to NEFCR 9, to:

Vincent Mayo, Esq.

☐ Via Facsimile and/or Email Pursuant to the Consent of Service by Electronic Means on file herein to:

Executed on the 22nd day of May, 2020.

/s/ Alicia S. Exley, Esq.

An Employee of Pecos Law Group

Haircuts for Kids LLC
7345 S. Durango, #110
Las Vegas NV 89113

Chalese Solinger
8500 Highland View Ave
Las Vegas, NV 89145

Direct Deposit

Employee Pay Stub

Check number: DD1480

Pay Period: 05/03/2020 - 05/16/2020

Pay Date: 05/20/2020

Employee

Chalese Solinger, 8500 Highland View Ave, Las Vegas, NV 89145

| Earnings and Hours | Qty | Rate | Current | YTD Amount |
|----------------------------|-------|-------|---------------|-----------------|
| Hourly SR | 25:36 | 10.50 | 268.80 | 2,259.45 |
| Reported Cash Tips | | | 170.05 | 748.91 |
| Hourly RR | | | | 126.16 |
| | 25:36 | | 438.85 | 3,134.52 |
| Taxes | | | Current | YTD Amount |
| Medicare Employee Addl Tax | | | 0.00 | 0.00 |
| Federal Withholding | | | 0.00 | 0.00 |
| Social Security Employee | | | -27.21 | -194.34 |
| Medicare Employee | | | -6.36 | -45.45 |
| | | | -33.57 | -239.79 |
| Net Pay | | | 405.28 | 2,894.73 |

Direct Deposit **Amount**

Checking - *****0241 405.28

Memo

Direct Deposit

Haircuts for Kids LLC
7345 S. Durango, #110
Las Vegas NV 89113

Chalese Solinger
8500 Highland View Ave
Las Vegas, NV 89145

Direct Deposit

Employee Pay Stub

Check number: 001471

Pay Period: 03/04/2020 - 03/17/2020

Pay Date: 03/20/2020

Employee

Chalese Solinger, 8500 Highland View Ave., Las Vegas, NV 89145

| Earnings and Hours | Qty | Rate | Current | YTD Amount |
|----------------------------|------|-------|--------------|-----------------|
| Hourly SR | 4.20 | 10.00 | 43.33 | 1,890.85 |
| Reported Cash Tips | | | 3.00 | 578.86 |
| Hourly RR | | | | 126.16 |
| | 4.20 | | 46.33 | 2,605.67 |
| Taxes | | | Current | YTD Amount |
| Medicare Employee Addl Tax | | | 0.00 | 0.00 |
| Federal Withholding | | | 0.00 | 0.00 |
| Social Security Employee | | | -2.87 | -167.13 |
| Medicare Employee | | | -0.67 | -39.09 |
| | | | -3.54 | -206.22 |
| Net Pay | | | 42.79 | 2,489.45 |

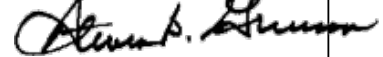
| Direct Deposit | Amount |
|----------------------|--------|
| Checking - *****0241 | 42.79 |

Memo

Direct Deposit

Company Message

If you need any other payroll info, please email me -- baileybiz@gmail.com. Stay safe!



1 **OSC**

2 **Jack W. Fleeman, Esq.**

3 Nevada Bar No. 10584

4 **Alicia S. Exley, Esq.**

5 Nevada Bar No. 14192

6 **PECOS LAW GROUP**

7 8925 South Pecos Road, Suite 14A

8 Henderson, Nevada 89074

9 Tel: (702) 388-1851

10 Fax: (702) 388-7406

11 Jack@pecoslawgroup.com

12 Alicia@pecoslawgroup.com

13 Attorneys for Defendant

14 **DISTRICT COURT**

15 **FAMILY DIVISION**

16 **CLARK COUNTY, NEVADA**

17 **Adam Michael Solinger,**

18 Plaintiff,

19 vs.

20 **Chalese Marie Solinger,**

21 Defendant.

Case No. **D-19-582245-D**

Dept No. **I**

Trial Dates: **June 30, 2020**

July 1, 2020

July 2, 2020

Trial Times: **1:30 p.m.**

1:30 p.m.

9:30 a.m.

ORDER TO SHOW CAUSE

This Court, having reviewed Defendant **Chalese Solinger's** *Counter-motion for an Order to Show Cause, Compensatory Visitation Time, and Attorney's Fees*, and based on the facts set forth in the affidavit in support thereof, and good cause appearing therefore,

1 THE COURT HEREBY ORDERS that Plaintiff, **Adam Solinger**, shall
2 appear in **Department I** in the Family Courts and Services Center, located at 601
3 North Pecos Road, Las Vegas, Nevada 89101, on **June 30, 2020, at 1:30 p.m.,**
4 **July 1, 2020 at 1:30 p.m.,** and **July 2, 2020 at 9:30 a.m.** and show cause, if any
5 he has, why he should not be held in civil and/or criminal contempt of court and
6 sanctioned for his willful violations of this Court's *Order after Hearing of June*
17, 2019, filed August 21, 2019¹ as follows:

- 7 1. By withholding the children and denying Defendant her visitation with the
8 children on April 1, 2020 without prior permission from the Court or
9 Defendant;
- 10 2. By withholding the children and denying Defendant her visitation with the
11 children on April 2, 2020 without prior permission from the Court or
12 Defendant;
- 13 3. By withholding the children and denying Defendant her visitation with the
14 children on April 3, 2020 without prior permission from the Court or
15 Defendant.

16 THE COURT FURTHER ORDERS that in the event Plaintiff, **Adam**
17 **Solinger**, fails to show cause why he should not be held in contempt as set forth in
18 this Order to Show Cause, sanctions and penalties may be imposed by this Court

19 ¹ See *Order after Hearing of June 17, 2019*, filed August 21, 2019, at page 5, lines 1-4:
20 "IT IS FURTHER ORDERED that Mother shall have visitation with the children on an
21 alternating schedule; Wednesdays at 6:00 p.m. until Friday at 6:00 p.m. and the alternating week
Fridays at 6:00 p.m. until Sundays at 6:00 p.m." Per this order, Defendant would have had
visitation with the minor children from Wednesday, April 1, 2020 through Friday, April 3, 2020.

1 without further participation by Plaintiff, **Adam Solinger**. Said sanctions may
2 include, but not be limited to, incarceration, monetary fines, an award of
3 attorney's fees, and any other relief necessary to secure Plaintiff's compliance
4 with the orders of this Court and to ensure no further disobedience to said orders.

5 THE COURT FURTHER ORDERS that a copy of this Order to Show
6 Cause shall be served on Plaintiff, **Adam Solinger**, or, if represented, upon his
7 attorney.

8 DATED this 27 day of MAY, 2020.

9 
DISTRICT COURT JUDGE ^{AF}

10 Respectfully submitted by:

11 PECOS LAW GROUP

12 /s/ Alicia S. Exley, Esq.

Jack W. Fleeman, Esq.

13 Nevada Bar No. 10584

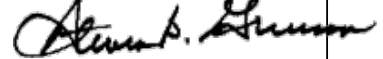
Alicia S. Exley, Esq.

14 Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

15 Henderson, Nevada 89074

Attorneys for Defendant



1 **NEOJ**

2 **Jack W. Fleeman, Esq.**

3 Nevada Bar No. 10584

4 **Alicia S. Exley, Esq.**

5 Nevada Bar No. 14192

6 **PECOS LAW GROUP**

7 8925 South Pecos Road, Suite 14A

8 Henderson, Nevada 89074

9 Telephone: (702) 388-1851

10 Jack@pecoslawgroup.com

11 Alicia@pecoslawgroup.com

12 *Attorneys for Defendant*

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

13 **Adam Michael Solinger,**

14 Plaintiff,

15 vs.

16 **Chalese Marie Solinger,**

17 Defendant.

Case No. **D-19-582245-D**

Dept No. **I**

NOTICE OF ENTRY OF ORDER

18 TO: **Adam Michael Solinger**, Plaintiff; and

19 TO: **Vincent Mayo, Esq.**, attorney for Plaintiff.

20 **YOU WILL PLEASE TAKE NOTICE** that the “**Order to Show Cause**”
21 was entered in the above-captioned case on the **27th** day of **May, 2020**, by filing
22 with the clerk. A true and correct copy of said Order to Show Cause is attached
23 hereto and made a part hereof.

24 **DATED** this 27th day of May, 2020.

25 /s/ Alicia Exley

26 **Alicia S. Exley, Esq.**

Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

Henderson, Nevada 89074

Attorney for Defendant

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that the “**Notice of Entry of Order**” in the above-captioned case were served this date as follows:

- ☒ pursuant to NEFCR 9, 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 upon which first class postage was prepaid in Las Vegas, Nevada;
- ☐ pursuant to EDCR 7.26 to be sent via **facsimile**, by duly executed consent for service by electronic means;
- ☐ by hand-delivery with signed Receipt of Copy.

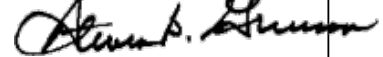
To individual(s) listed below at the address:

| | |
|---------------|------------------------------|
| Vincent Mayo | VMGroup@TheAbramsLawFirm.com |
| admin email | email@pecoslawgroup.com |
| Alicia Exley | alicia@pecoslawgroup.com |
| Jack Fleeman | jack@pecoslawgroup.com |
| Angela Romero | angela@pecoslawgroup.com |

DATED this 27th day of May, 2020.

/s/ Angela Romero

Angela Romero,
An employee of PECOS LAW GROUP



1 **OSC**

2 **Jack W. Fleeman, Esq.**

3 Nevada Bar No. 10584

4 **Alicia S. Exley, Esq.**

5 Nevada Bar No. 14192

6 **PECOS LAW GROUP**

7 8925 South Pecos Road, Suite 14A

8 Henderson, Nevada 89074

9 Tel: (702) 388-1851

10 Fax: (702) 388-7406

11 Jack@pecoslawgroup.com

12 Alicia@pecoslawgroup.com

13 Attorneys for Defendant

14 **DISTRICT COURT**

15 **FAMILY DIVISION**

16 **CLARK COUNTY, NEVADA**

17 **Adam Michael Solinger,**

18 Plaintiff,

19 vs.

20 **Chalese Marie Solinger,**

21 Defendant.

Case No. **D-19-582245-D**

Dept No. **I**

Trial Dates: **June 30, 2020**

July 1, 2020

July 2, 2020

Trial Times: **1:30 p.m.**

1:30 p.m.

9:30 a.m.

22 **ORDER TO SHOW CAUSE**

23 This Court, having reviewed Defendant **Chalese Solinger's** *Counter-motion*
24 *for an Order to Show Cause, Compensatory Visitation Time, and Attorney's Fees,*
25 and based on the facts set forth in the affidavit in support thereof, and good cause
26 appearing therefore,

1 THE COURT HEREBY ORDERS that Plaintiff, **Adam Solinger**, shall
2 appear in **Department I** in the Family Courts and Services Center, located at 601
3 North Pecos Road, Las Vegas, Nevada 89101, on **June 30, 2020, at 1:30 p.m.,**
4 **July 1, 2020 at 1:30 p.m.,** and **July 2, 2020 at 9:30 a.m.** and show cause, if any
5 he has, why he should not be held in civil and/or criminal contempt of court and
6 sanctioned for his willful violations of this Court's *Order after Hearing of June*
17, 2019, filed August 21, 2019¹ as follows:

- 7 1. By withholding the children and denying Defendant her visitation with the
8 children on April 1, 2020 without prior permission from the Court or
9 Defendant;
- 10 2. By withholding the children and denying Defendant her visitation with the
11 children on April 2, 2020 without prior permission from the Court or
12 Defendant;
- 13 3. By withholding the children and denying Defendant her visitation with the
14 children on April 3, 2020 without prior permission from the Court or
15 Defendant.

16 THE COURT FURTHER ORDERS that in the event Plaintiff, **Adam**
17 **Solinger**, fails to show cause why he should not be held in contempt as set forth in
18 this Order to Show Cause, sanctions and penalties may be imposed by this Court

19 ¹ See *Order after Hearing of June 17, 2019*, filed August 21, 2019, at page 5, lines 1-4:
20 "IT IS FURTHER ORDERED that Mother shall have visitation with the children on an
21 alternating schedule; Wednesdays at 6:00 p.m. until Friday at 6:00 p.m. and the alternating week
Fridays at 6:00 p.m. until Sundays at 6:00 p.m." Per this order, Defendant would have had
visitation with the minor children from Wednesday, April 1, 2020 through Friday, April 3, 2020.

1 without further participation by Plaintiff, **Adam Solinger**. Said sanctions may
2 include, but not be limited to, incarceration, monetary fines, an award of
3 attorney's fees, and any other relief necessary to secure Plaintiff's compliance
4 with the orders of this Court and to ensure no further disobedience to said orders.

5 THE COURT FURTHER ORDERS that a copy of this Order to Show
6 Cause shall be served on Plaintiff, **Adam Solinger**, or, if represented, upon his
7 attorney.

8 DATED this 27 day of MAY, 2020.

9 
DISTRICT COURT JUDGE ^{AF}

10 Respectfully submitted by:

11 PECOS LAW GROUP

12 /s/ Alicia S. Exley, Esq.

Jack W. Fleeman, Esq.

13 Nevada Bar No. 10584

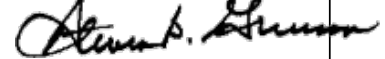
Alicia S. Exley, Esq.

14 Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

15 Henderson, Nevada 89074

Attorneys for Defendant



1 **EPAP**

2 **Jack W. Fleeman, Esq.**

3 Nevada Bar No. 10584

4 **Alicia S. Exley, Esq.**

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6 **PECOS LAW GROUP**

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11 Jack@pecoslawgroup.com

12 Alicia@pecoslawgroup.com

13 Attorneys for Defendant

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

17 **Adam Michael Solinger,**

18 Plaintiff,

19 vs.

20 **Chalese Marie Solinger,**

21 Defendant.

Case No. **D-19-582245-D**

Dept No. **I**

Trial Dates: **June 30, 2020**

July 1, 2020

July 2, 2020

Trial Times: **1:30 p.m.**

1:30 p.m.

9:30 a.m.

22 **EX PARTE APPLICATION FOR AN ORDER TO SHOW CAUSE**

23 COMES NOW Defendant, **Chalese Marie Solinger** by and through her
24 attorneys, **Jack W. Fleeman, Esq.** and **Alicia S. Exley, Esq.**, of the law firm
25 **PECOS LAW GROUP**, and respectfully submits this Ex Parte Application for Order
26 to Show Cause pursuant to EDCR 5.509(b) and the Court's June 1, 2020 order.

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This application is made and based upon the filed motion, attached hereto,
as well as Defendant's declaration below.

DATED this 3rd day of June, 2020.

PECOS LAW GROUP

/s/ Alicia S. Exley, Esq.

Jack W. Fleeman, Esq.
Nevada Bar No. 10584
Alicia S. Exley, Esq.
Nevada Bar No. 14192
8925 South Pecos Road, Suite 14A
Henderson, Nevada 89074
Attorneys for Defendant

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1 without the written consent of the parties or the permission of
2 the court.

3 4. We attended a hearing on March 19, 2019. The *Order after Hearing*
4 *of March 19, 2019* states, at page 13, line 12-14:

5 IT IS FURTHER ORDERED that Adam shall keep Chalese on his
6 health insurance until the divorce is finalized. Chalese shall begin
7 looking for private health insurance or insurance through an employer.

8 5. I obtained employment as a children's hair stylist in May 2019. My
9 employer does not offer any health insurance or benefits.

10 6. On December 9, 2019, the court ordered Adam to pay me \$1,125.00
11 per month in spousal support.

12 7. We attended a hearing on February 26, 2020, during which the court
13 ordered:

14 Court: By the way, what is – okay. You get a contribution. \$80.00?
15 You get \$40.00, she contributes to half the cost, starting in March.

16 Adam: You mean for healthcare?

17 Court: Yes.

18 Adam: The \$80.00 is just for myself the kids, I don't know –

19 Court: The kids' portion.

20 Adam: Okay.

21 Court: You may deduct one-half as mom's share, since it's cheaper.

22 Ms. Kirigan: Your honor, we're leaving mom without any health
23 insurance while this case is pending?

24 Court: No, no. You have to leave her on and pay for that. But she'll
25 pay her half and the kids' half as a community thing.
26

1 Adam: Okay, so the cost difference between myself and the kids'
2 plan versus when I have her, and then half of the cost of just the kids.

3 Court: Right, so just the dependents' portion, mom plus two kids, cut
4 that in half. Back out the employee portion. And you may deduct that
from the \$800.00.¹

5 8. Adam stated at the February 26, 2020 hearing that he left his
6 \$120,000.00-per-year job to take a job that pays approximately \$85,000.00. Based
7 on Adam's decrease in income, the court reduced my spousal support to \$800.00
8 per month.

9
10 9. The *Order after Hearing of February 26, 2020*, at page 6, lines 4-9 states:

11 IT IS FURTHER ORDERED that Adam shall continue covering
12 Chalese and the children on his health insurance policy pending Trial
13 but as Chalese is one-half responsible for same, Adam may deduct
14 one-half of the dependents' portion (i.e. Chalese's and the children's
portions), excluding the employee portion, from his monthly spousal
support payment.

15 10. Adam subsequently stated in his pleadings that because I did not
16 provide him with Marie's birth certificate when he requested it on March 29,
17 2020, that he was forced to pay for himself, me, Michael and Marie to stay on the
18 old insurance for April 2020.

19
20 11. On April 13, 2020, the court ordered that the birth certificate issue
21 was moot and there was no order for me to turn over a birth certificate. The court
22 also ordered me to follow quarantine orders and the guidelines.
23

24
25 ¹ See *Id.* at 5:23:53.
26

1 12. On April 20, 2020, Adam messaged me on AppClose and told me I
2 could either stay on the old \$1,200.00-per-month health insurance plan, at my own
3 cost for my portion (roughly \$300.00 per month), or that I could find my own
4 insurance plan. Adam has not provided me with updated insurance cards or any
5 information regarding the children's new insurance plan.
6

7 13. On April 29, 2020, Adam accused me of violating the Governor's
8 directives and court orders for going on a walk with Josh and the children in a
9 remote, outdoor location. My counsel clarified that this was in compliance with
10 the Governor's Emergency Directive number 10, but I still did not receive the
11 children on April 30, 2020 or May 1, 2020. I spent less than 24 hours with the
12 children during the entire month of April 2020.
13

14 14. I am therefore requesting that Adam be ordered to show cause as to
15 why he should not be held in contempt for refusing to enroll me in his new health
16 insurance plan.
17

18 15. When the Governor issued his emergency directives closing all non-
19 essential businesses, I could not keep working. I filed for unemployment but did
20 not receive any unemployment payments. I was able to return to work on May 11,
21 2020.
22

23 16. As a result of Adam refusing to enroll me in his new insurance plan
24 and my inability to pay for private insurance, I was forced to go on Medicaid.
25
26

1 17. I am therefore requesting that Adam be ordered to enroll me in his
2 new health insurance plan.

3
4 18. Adam contends that the court's February 26, 2020 order that he can
5 deduct one-half of the insurance premium allows him to deduct one-half of the old
6 insurance premiums for March and April 2020. As a result, he paid only \$562.50
7 in spousal support for March, nothing for April, and contends he only has to pay
8 \$479.28 for May, but has paid nothing so far.

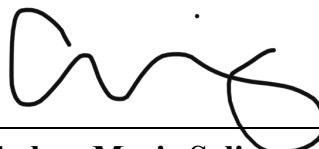
9
10 19. I am therefore requesting that Adam be ordered to pay the remainder
11 of his March spousal support, the entirety of his April spousal support, and
12 whatever he does not pay of his May spousal support.

13 20. I am also requesting compensatory visitation time for the time with
14 my children that I was denied on April 30, 2020 and May 1, 2020.

15
16 21. Finally, I am requesting I be awarded my attorney's fees.

17 22. I make this declaration under penalty of perjury so that it has the
18 same force and effect as a sworn affidavit pursuant to NRS 53.045. I declare under
19 penalty of perjury that the foregoing is true and correct.

20
21 EXECUTED on June 3, 2020

22
23
24 
25 Chalese Marie Solinger
26



1 **MOT**

2 **Jack W. Fleeman, Esq.**

3 Nevada Bar No. 10584

4 **Alicia S. Exley, Esq.**

5 Nevada Bar No. 14192

6 **PECOS LAW GROUP**

7 8925 South Pecos Road, Suite 14A

8 Henderson, Nevada 89074

9 Tel: (702) 388-1851

10 Fax: (702) 388-7406

11 Jack@pecoslawgroup.com

12 Alicia@pecoslawgroup.com

13 Attorneys for Defendant

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

17 **Adam Michael Solinger,**

18 Plaintiff,

19 vs.

20 **Chalese Marie Solinger,**

21 Defendant.

Case No. **D-19-582245-D**

Dept No. **I**

ORAL ARGUMENT REQUESTED

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

27 **DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY**
28 **PLAINTIFF SHOULD NOT BE HELD IN CONTEMPT, FOR ORDERS**
29 **REGARDING HEALTH INSURANCE AND SPOUSAL SUPPORT, FOR**
30 **ATTORNEY'S FEES, AND RELATED RELIEF**

31 **COMES NOW Defendant Chalese Marie Solinger ("Chalese") by and**
32 **through her attorneys, Jack W. Fleeman, Esq. and Alicia S. Exley, Esq. of**

1 PECOS LAW GROUP, and respectfully requests that this Court enter Orders granting
2 her the following relief:

3 1. Ordering Plaintiff to show cause as to why he should not be held in
4 contempt for failing to enroll Defendant in his new health insurance plan;
5

6 2. Ordering Plaintiff to enroll Defendant in his new health insurance
7 plan and to provide copies of the children's insurance cards to Defendant;

8 3. Ordering Plaintiff to pay spousal support arrears;

9 4. Ordering Plaintiff to file an updated FDF;

10 5. Awarding Defendant further make-up visitation time with the
11 children;
12

13 6. Awarding Defendant her attorney's fees; and

14 7. Awarding Defendant such other and further relief as this court may
15 deem just and proper in the premises.
16

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This motion is made and based on all the papers and pleadings on file herein, the Points and Authorities submitted herewith, the affidavit attached hereto, and any further evidence and argument as may be adduced at the hearing of this matter.

DATED this 22nd day of May, 2020.

PECOS LAW GROUP

/s/ Alicia S. Exley, Esq.

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

Alicia S. Exley, Esq.

Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

Henderson, Nevada 89074

Attorneys for Defendant

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1 **INITIAL STATEMENT OF ATTEMPTED RESOLUTION**

2 Pursuant to EDCR 5.501, letters were exchanged between counsel
3 regarding these issues. Counsel were unable to resolve the issues and this motion
4 follows.
5

6 **POINTS AND AUTHORITIES**

7 **I. FACTS**

8 **A. BACKGROUND FACTS**

9 1. Plaintiff **Adam Solinger** and Defendant **Chalese Solinger** have been
10 married since May 12, 2012 and have two children, **Michael Adam Solinger**,
11 born June 16, 2015, and **Marie Leona Solinger**, born August 28, 2017.
12

13 2. Adam filed his complaint for divorce in January 2019. A Joint
14 Preliminary Injunction was filed January 11, 2019.
15

16 3. The parties attended a hearing on March 19, 2019. The order from
17 that hearing states that “Adam shall keep Chalese on his health insurance until the
18 divorce is finalized” but that Chalese would begin looking for private health
19 insurance or insurance through an employer.

20 4. Chalese obtained employment as a children’s hair stylist in May 2019
21 after spending most of the marriage a stay-at-home mom. Her employer does not
22 offer any health insurance or benefits.
23

24 5. Early in this litigation, the parties had a private health insurance plan
25 for the parties and their children, at a cost of approximately \$1,200.00 per month.
26

1 Previously Adam's father was paying the premiums, but, per Adam, his father
2 stopped paying those premiums at some point during this litigation.

3 6. On December 9, 2019, the court ordered, based on both parties'
4 recitation of their income and expenses, that Adam would pay Chalese \$1,125.00
5 per month in spousal support.¹
6

7 7. In early 2020, Adam left his \$120,000-per-year job at Las Vegas
8 Defense Group.

9 a. Upon information and belief, Adam took an \$85,000.00 job at the
10 Nevada Attorney's General's Office. This is, coincidentally, where it
11 is believed Adam's girlfriend Jessica also works.
12

13 b. Adam represented to the court at the February 26, 2020 hearing that
14 he was to start at his new job on March 16, 2020.

15 8. Adam represented to the court that he took a \$35,000.00-per-year pay
16 cut, in part, so he could save \$14,000.00 per year in health insurance costs.² Based
17 on Adam's anticipated decrease in income, the court decreased his spousal support
18 obligation to Chalese from \$1,125.00 per month to \$800.00 per month.³
19

20 9. At the hearing, Adam also represented that he would be getting new
21 health insurance through his new job:
22

23 Court: By the way, what is – okay. You get a contribution. \$80.00?
24 You get \$40.00, she contributes to half the cost, starting in March.

25 Adam: You mean for healthcare?

26 ¹ See Order from December 9, 2019 Hearing, filed February 6, 2020.

² See Video Transcript of February 26, 2020 hearing at Time Index ("TI") 5:19:30.

³ See Id. at 5:20:45; 5:21:40

1 Court: Yes.

2 Adam: The \$80.00 is just for myself the kids, I don't know –

3 Court: The kids' portion.

4 Adam: Okay.

5 Court: You may deduct one-half as mom's share, since it's cheaper.

6 Ms. Kirigan: Your honor, we're leaving mom without any health
7 insurance while this case is pending?

8 Court: No, no. You have to leave her on and pay for that. But she'll
9 pay her half and the kids' half as a community thing.

10 Adam: Okay, so the cost difference between myself and the kids'
11 plan versus when I have her, and then half of the cost of just the kids.

12 Court: Right, so just the dependents' portion, mom plus two kids, cut
13 that in half. Back out the employee portion. And you may deduct that
14 from the \$800.00.⁴

15 10. At this hearing, the Court also ordered Adam to pay spousal support
16 arrears, as Adam refused to pay spousal support for January 2020 or February
17 2020.⁵

18 11. On March 31, 2020, in his motion,⁶ Adam stated that Chalese
19 "refuses to provide Adam Marie's Birth Certificate so that he can enroll her in his
20 new, but must less expensive, health insurance plan."⁷

21 12. On April 3, 2020, Adam claimed that he obtained a birth certificate
22 for Marie in the mail but it "came too late to take Marie off the private insurance

23 ⁴ See *Id.* at 5:23:53.

24 ⁵ See *Id.* at 5:22:40.

25 ⁶ See *Motion for a Change of Custody Based on Defendant's Endangerment of the Minor Children; for Marie's Birth Certificate; for Attorney's Fees and Related Relief.*

26 ⁷ As explained in her opposition, Chalese gave Adam a copy of the birth certificate months prior. It is unknown, if Adam new about this new insurance plan in February as he represented to the court, why Adam did not ask Chalese for a birth certificate until late March.

1 and enroll her in Adam's new insurance"⁸ and that he had to pay for the entire
2 month of private insurance, for all four individuals, for April 2020. Adam has
3 provided no documentation as to the new insurance plan, who it is through, when
4 he became eligible for it, etc.

6 13. On April 13, 2020, the court held a hearing. As to the birth certificate
7 issue, the court found that it was moot at the time of the hearing and that there was
8 no order for Chalese to turn over a birth certificate.⁹ The court "strongly
9 admonished" Chalese "to follow the quarantine orders and the guidelines."¹⁰

11 14. On April 20, 2020, Adam messaged Chalese and told her that she
12 could either stay on the parties' prior \$1,200.00-per-month health insurance plan,
13 at her cost, or find her own insurance.¹¹ Adam has not provided updated insurance
14 cards for the children to Chalese.

15 15. On April 29, 2020, Adam, through counsel, stated that since Chalese
16 was at a campsite on April 26, 2020, he was going to continue withholding the
17 children (Adam had already been withholding the children from Chalese since
18 April 22, 2020) until May 8, 2020.¹²

21
22 ⁸ See Reply in Support of Motion for a Change of Custody Based on Defendant's
23 Endangerment of the Minor Children; for Marie's Birth Certificate; for Attorney's Fees and
Related Relief and Opposition to Countermotion for an Order to Show Cause, Compensatory
Visitation Time, and Attorney's Fees.

24 ⁹ See Video of April 13, 2020 hearing at Time Index ("TI") 12:12:28.

25 ¹⁰ See Video of April 13, 2020 hearing at TI 11:24:30.

26 ¹¹ See Letter from Mr. Mayo to Ms. Exley dated April 24, 2020 in Defendant's Exhibit
Addendum ("DEA") at bates stamp nos. ("BS") DEF001268; see AppClose messages between
the parties dated April 20, 2020 at BS DEF001279.

¹² See Letter from Mr. Mayo to Ms. Exley dated April 29, 2020 in DEA at BS DEF001275.

1 16. Chalese's counsel sent a letter clarifying that Chalese, Josh, and
2 Josh's children drove to a remote location just outside of town for a walk/hike and
3 was in compliance with the Governor's Emergency Directive. The letter also
4 asked to confirm that Chalese could pick up the children for her scheduled time on
5 April 30, 2020.¹³
6

7 17. Adam refused to give the children to Chalese on April 30, 2020 or on
8 May 1, 2020 for her scheduled time. Adam provided no explanation as to why he
9 withheld the children on April 30th and May 1st when Chalese was adhering to the
10 Governor's directives and related CDC guidelines.
11

12 18. As a result of Adam's actions, Chalese saw the children for less than
13 24 hours during the entire month of April.

14 19. On May 7, 2020, Chalese's counsel sent a letter to Adam's counsel
15 requesting a clarifying stipulation, based on the apparent confusion as to what was
16 allowed under the court's orders, "that both parties are allowed to leave their
17 respective homes as long as they are complying with the governor's directives."¹⁴
18 In response, Adam's counsel stated Adam did not want to "spent time and money
19 on a stipulation for something that can easily be addressed by Chalese simply
20 adhering to the Governor's directives and related CDC guidelines."¹⁵
21
22

23
24 ¹³ See Letter from Ms. Exley to Mr. Mayo dated April 30, 2020 in DEA at BS DEF001276.
25 As Mr. Mayo represented the children's last recorded fever was April 26th, which would have
made the last day of quarantining, per the CDC guidelines, April 30th, which was during
Chalese's custodial time.

26 ¹⁴ See Letter from Ms. Exley to Mr. Mayo dated May 6, 2020 in DEA at BS DEF001280-
DEF001281.

¹⁵ See Letter from Mr. Mayo to Ms. Exley dated May 7, 2020 in DEA at BS DEF001282.

1 20. Adam contends that Chalese is responsible for one-half of the
2 \$1,200.00 per month premium from the old insurance. As a result, Adam paid
3 only \$562.50 (out of \$800.00) for spousal support in March 2020. Adam paid no
4 spousal support in April 2020, and now claims that Chalese actually owes him
5 \$320.72.¹⁶
6

7 21. As a result of the Governor's COVID-19 orders, Chalese was unable
8 to work at the salon from when the date non-essential businesses closed until May
9 11, 2020 when she was able to return to work. Chalese tried to file for
10 unemployment but never received any unemployment funds.
11

12 22. As a result of Adam refusing to enroll Chalese in his new insurance
13 and her inability to afford to continue on the old insurance, Chalese has been
14 forced to go on Medicaid.
15

16 23. ***In April 2020, in violation of this court's orders, Adam paid no***
17 ***support and withheld the children for all but a total of 24 hours.***

18 24. As a result of Adam's misconduct, Chalese, who had no income from
19 March 2020 to May 2020, was forced to live off of one government stimulus
20 check for \$1,200.00 and a total of \$600.00 in spousal support.
21

22 25. Adam claimed at the February 2020 hearing that he would be starting
23 his new employment on March 16, 2020, however he has not filed an updated
24 FDF since that time; nor has he provided documentation showing the cost of
25 insurance for the children.
26

¹⁶ See April 24, 2020 letter at DEF001270-DEF001271.

II. LEGAL ARGUMENT

A. PLAINTIFF SHOULD BE ORDERED TO SHOW CAUSE.

NRS 22.010(3) defines contempt as “[d]isobedience or resistance to a lawful writ, order, rule or process issued by the court or judge at chambers.” EDCR 5.509 sets out the procedure for a motion seeking an order to show cause and states the movant must file a detailed affidavit in compliance with NRS 22.030(2) and that the motion identify the specific provisions, pages, and lines of the order that was violated. NRS 22.100 provides that the court may impose a fine of not more than \$500.00 and/or imprisonment of not more than 25 days on anyone found guilty of contempt, as well as order that person to pay the other party’s attorney’s fees.

Adam has violated several orders by his failure to enroll Chalese in his new health insurance plan despite the court’s specific instruction that he do so at the February 26, 2020 hearing. Specifically, Adam has violated the following orders:

The *Joint Preliminary Injunction*, at page 1, line 14-26 states:

PURSUANT TO EIGHTH JUDICIAL COURT RULE 5.517, YOU, AND ANY OFFICERS, AGENTS, SERVANTS, EMPLOYEES OR A PERSON IN ACTIVE CONCERT OR PARTICIPATION WITH YOU, ARE HEREBY PROHIBITED AND RESTRAINED FROM:

1. Transferring, encumbering, concealing, selling or otherwise disposing of any of your joint, common or community property of the parties or any property which is the subject of a claim of community interest, except in the usual course of conduct or for the necessities of life or for retention of counsel for the case in which this Injunction is obtained; or cashing, borrowing against, canceling, transferring disposing of, or changing the beneficiaries of:

- a. Any retirement benefits or pension plan held for the benefit (or election for benefit) of the parties or any minor child; or

1 b. Any insurance coverage, including life, health automobile, and
2 disability coverage; without the written consent of the parties or
3 the permission of the court.

4 The *Order after Hearing of March 19, 2019*, at page 13, line 12-14 states:

5 IT IS FURTHER ORDERED that Adam shall keep Chalese on his
6 health insurance until the divorce is finalized. Chalese shall begin
7 looking for private health insurance or insurance through an employer.

8 The *Order after Hearing of February 26, 2020*, at page 6, lines 4-9 states:

9 IT IS FURTHER ORDERED that Adam shall continue covering
10 Chalese and the children on his health insurance policy pending Trial
11 but as Chalese is one-half responsible for same, Adam may deduct
12 one-half of the dependents' portion (i.e. Chalese's and the children's
13 portions), excluding the employee portion, from his monthly spousal
14 support payment.

15 Further, at the February 26, 2020 hearing, the court provided an
16 unambiguous explanation of the intent behind its order as follows:

17 Court: By the way, what is – okay. You get a contribution. \$80.00?
18 You get \$40.00, she contributes to half the cost, starting in March.

19 Adam: You mean for healthcare?

20 Court: Yes.

21 Adam: The \$80.00 is just for myself the kids, I don't know –

22 Court: The kids' portion.

23 Adam: Okay.

24 Court: You may deduct one-half as mom's share, since it's cheaper.

25 Ms. Kirigan: **Your honor, we're leaving mom without any health
26 insurance while this case is pending?**

 Court: **No, no. You have to leave her on and pay for that.** But she'll
 pay her half and the kids' half as a community thing.

 Adam: Okay, so the cost difference between myself and the kids'
 plan versus when I have her, and then half of the cost of just the kids.

1 Court: Right, so just the dependents' portion, mom plus two kids, cut
2 that in half. Back out the employee portion. And you may deduct that
3 from the \$800.00.¹⁷

4 (Emphasis added).

5 In fact, Adam even tried to request that the court order that he *not* have to
6 continue to cover Chalese on his insurance and the Court specifically declined to
7 make such an order:

8 Adam: ...and I will be asking the court to not order that I still cover
9 the Defendant for insurance purposes because I don't know that I even
10 can...

11 Court: Usually we don't...we release you from that once the divorce
12 is final.¹⁸

13 Adam has violated this order by refusing to enroll Chalese in his new health
14 insurance plan despite the court's clear orders on February 26, 2020 that he do so.
15 Adam should be ordered to show cause as to why he should not be held in
16 contempt.

17 **B. THE COURT SHOULD ENFORCE ITS ORDER THAT**
18 **DEFENDANT BE ENROLLED IN PLAINTIFF'S NEW HEALTH**
19 **INSURANCE PLAN AND SHOULD ORDER PLAINTIFF TO**
20 **PROVIDE DEFENDANT WITH UPDATED INSURANCE CARDS.**

21 NRS 125.040 allows the court, during a divorce case, to require either party
22 to pay moneys necessary to provide temporary maintenance for the other party.
23 These awards for support *pendente lite* are not limited to cases where the
24 requesting spouse is "destitute or practically so," but made when the facts,
25 circumstances, and situations of the parties are such that financial assistance is

26 ¹⁷ See February 26, 2020 hearing video at TI 5:23:53.

¹⁸ See *Id.* at TI 4:25:25.

1 fair. *Engebretson v. Engebretson*, 75 Nev. 237, 338 P.2d 75 (1959). “The Nevada
2 legislature created spousal support awards to, *inter alia*, keep recipient spouses off
3 the welfare rolls.” *Gilman v. Gilman*, 114 Nev. 416, 423, 956 P.2d 761, 765
4 (1998) (citing *Fondi v. Fondi*, 106 Nev. 856, 863 n. 5, 802 P.2d 1264, 1268 n. 5
5 (1990)).

7 Adam told Chalese that she could take over the old insurance policy or get
8 her own policy. Chalese’s gross monthly income is less than \$1,500.00 per month.
9 Per Adam, Chalese’s portion under the old insurance policy was \$309.25 monthly.
10 Chalese cannot afford to pay \$309.25 monthly for health insurance. As the court
11 noted at the February 2020 hearing, Chalese’s income was already insufficient to
12 cover her expenses. Adam refusing to enroll Chalese in his new insurance plan
13 may also prevent Chalese from being able to utilize COBRA coverage after the
14 divorce is finalized.

16 Adam represented to the court in February 2020 that he pays approximately
17 \$80.00 for himself and the children under his new insurance plan. There is
18 absolutely no reason why Chalese should not be enrolled in this plan, as it is
19 believed her premium will be a mere fraction of what she would pay under the old
20 insurance policy, or under any private plan Chalese could obtain.

22 As a result of Adam refusing to enroll her in his new health insurance plan,
23 and due to the fact that Chalese cannot afford to pay \$300.00+ per month for a
24 private plan, Chalese was forced to enroll in Medicaid. *The State of Nevada*

1 *should not have to “foot the bill” for Chalese’s healthcare when Adam has a*
2 *duty to support his spouse and the financial means to do so.*

3 Chalese therefore requests that Adam be ordered to enroll Chalese in his
4 new employer-provided health insurance plan. Alternatively, the court could
5 increase Adam’s spousal support obligation in an amount sufficient to allow
6 Chalese to try to obtain comparable private insurance.¹⁹

8 Additionally, Adam has not provided Chalese with copies of the children’s
9 updated insurance cards. Chalese asks that he be ordered to do so.

10 **C. PLAINTIFF SHOULD BE ORDERED TO PAY SPOUSAL**
11 **SUPPORT ARREARS.**

12 On April 24, 2020, Adam’s counsel sent a letter to Chalese’s counsel after
13 Chalese’s counsel asked that Adam pay his April 2020 spousal support. In that
14 letter, Adam’s counsel claimed that since Adam paid the health insurance
15 premiums for the old insurance plan in March and April 2020, Adam should be
16 able to deduct those costs by reducing the Court ordered alimony to \$562.50 for
17 March, \$0.00 for April, and only \$479.28 for May. In support of these numbers,
18 Adam argues that he had to pay \$1,056.49 in insurance premiums for those two
19 months.²⁰

22 The court did not grant Adam the right to deduct one-half the cost of health
23 insurance for Chalese and the children regardless of the cost. The court granted
24 the right to deduct one-half of the costs only after Adam represented that his out-

25
26 ¹⁹ This is not the preferred relief, because the cost of such a private plan for Chalese is unknown and is difficult to ascertain at this time.

²⁰ See April 24, 2020 letter in DEA at BS DEF001269-DEF001271.

1 of-pocket premiums were roughly \$80.00 per month. The court specifically
2 stated:

3 Court: By the way, what is – okay. You get a contribution. \$80.00?
4 You get \$40.00, she contributes to half the cost, starting in March.

5 Adam: You mean for healthcare?

6 Court: Yes.

7 Adam: The \$80.00 is just for myself the kids, I don't know –

8 Court: The kids' portion.

9 Adam: Okay.

10 Court: You may deduct one-half as mom's share, since it's
11 cheaper.²¹

12 (Emphasis added). The court also noted that the \$800.00 spousal support
13 award considered the fact that Chalese was short \$300.00 per month for bills and
14 Adam's support would leave her with \$500.00 left over each month. The court
15 did not make its spousal support order anticipating that Adam would deduct his
16 entire obligation for health insurance premiums.²²

17
18 Chalese, a children's hairstylist, was forced to stop working when the
19 Governor issued his stay-at-home order. In that time period, from March 20th to
20 May 11, 2020. Chalese was unable to obtain unemployment benefits, she received
21 only a small fraction of Adam's Court ordered spousal support and one
22 government stimulus check, which averaged out to roughly \$900.00 per month –
23 far short of what she needs to pay her expenses.
24
25

26

²¹ See February 26, 2020 hearing video at TI 5:23:53.

²² See *Id.* at TI 5:26:00.

1 Further, when Adam raised the issue of the birth certificate with the court in
2 his motion (filed March 31, 2020) and reply (filed April 3, 2020), he argued that
3 he “had to pay over \$1,200 for another month of insurance[.]” At the hearing on
4 April 13, 2020, the court declined to make any orders requiring that Chalese be
5 responsible for this cost, stating the issue was “moot,” and that Chalese did not
6 violate any orders regarding that issue.²³ Thus, Adam should be ordered to pay the
7 remainder of the spousal support he owes for March, the spousal support he owes
8 for April, and his full May spousal support.

9
10 **D. PLAINTIFF SHOULD BE ORDERED TO FILE AN UPDATED FDF.**

11
12 Adam claimed at the February 2020 hearing that he would be starting his
13 new job on March 16, 2020. It has been over a month since Adam was to start his
14 new job, and Adam has not filed an updated FDF. This is important, as the court
15 reduced Adam’s spousal support based on his representations of his reduced
16 income. To date, Adam has provided no proof of this reduced income. Adam
17 should be ordered to file an updated FDF, with at least his most recent paystub.

18
19 **E. DEFENDANT SHOULD BE AWARDED FURTHER MAKE-UP VISITATION TIME.**

20
21 As briefed in the most recent round of motions filed with this court, the
22 children fell ill around April 22, 2020. Adam used their illness to withhold the
23 children from Chalese, explaining that they would have to quarantine in his home
24 per the CDC’s directives. According to Mr. Mayo’s April 29, 2020 letter, and
25 Adam’s stated understanding of the CDC recommendations, the children would
26

²³ See Video of April 13, 2020 hearing at TI 12:12:28.

1 have been cleared to be released from quarantine on April 30, 2020, during
2 Chalese's Court ordered custodial time. However, instead of releasing the
3 children on April 30th, Adam refused to give her the children based on his claim
4 that Chalese had been "with friends and/or family at campsite next to the river"
5 and that she had not been "following social distancing measures and not
6 quarantining – in violation of Judge Moss' orders."²⁴

8 Chalese's counsel informed Mr. Mayo that Chalese went for a walk with
9 Josh and his children by a campsite, did not interact with any non-household
10 members, and did not spend the night anywhere other than home. Chalese's
11 counsel also noted that the Governor's Emergency Directive 10 states:
12

13 This Directive does not prohibit individuals from engaging in outdoor
14 activity, including without limitation, activities such as hiking,
15 walking, or running, so long as the activity complies with all
16 requirements of Emergency Directive 007, participants maintain at
least 6 feet distancing from other individuals, and individuals do not
congregate in groups beyond their household members.

17 Despite this information, and without providing any response to Chalese's
18 rebuttal of Adam's assumption regarding her compliance with the Governor's
19 orders, Adam made another unilateral decision to withhold the children from
20 Chalese.²⁵ This time for an additional two days. Then, when Chalese's counsel
21

22 ²⁴ See April 29, 2020 letter in DEA at BS DEF001275.

23 ²⁵ In his reply filed May 19, 2020, Adam alleges that Chalese failed to "follow social
24 distancing measures" on May 15, 2020 after Josh and Chalese allegedly "took the children
25 swimming at a friend's house for a pool get together." This allegation is grossly misstated.
26 Chalese, Josh, Jesse, Michael, and Marie went swimming at Jesse's great-grandfather's home.
The residents of the home remained inside the home while the parties and the children were in
their yard. Chalese will the court with a video showing that Josh, Chalese, and the children were
the only ones in the yard and in the pool. Stills from this video are in DEA at BS DEF001297-
DEF001299. Chalese and the children were not around any non-household members and were
within the Governor's guidelines. Additionally, to address Adam's allegation as to April 28,

1 requested a stipulation clarifying what “social distancing” means in this case,
2 Adam, through counsel, declined and stated Chalese should just follow the
3 Governor’s directives - which is what she did. Chalese spent less than 24 hours
4 with her children the entire month of April 2020. Chalese therefore requests
5 make-up visitation time, in addition to all of the other time requested previously,
6 for her missed days of April 30, 2020 and May 1, 2020, pursuant to NRS
7 125C.020.
8

9 If this social distancing is still in effect by the time of the court’s order,
10 Chalese would also like the court to clarify its order, since Adam will attempt to
11 use any potential ambiguity to serve his goal of depriving Chalese a relationship
12 with the children. Chalese is currently pregnant, as Adam is aware, and needs to
13 have some light exercise. She would like the ability to do so without Adam
14 accusing her of violating the court’s orders and withholding the children every
15 time she leaves her home. Chalese should be able to leave her home in
16 compliance with the Governor’s directives, including to go for a hike or engage in
17 other outdoor activities.
18
19

20 **F. DEFENDANT SHOULD BE AWARDED HER ATTORNEY’S FEES.**

21 Adam blatantly violated this court’s order, is refusing to pay Chalese
22 spousal support, and has failed to file an updated FDF in support of his reduced
23
24

25 2020, Chalese and Josh went to Lake Mead, which was open. They were not in Laughlin with
26 Josh’s brother. They exercised proper social distancing at the lake, and outdoor activities are
allowed by the Governor’s directives. Chalese will provide a video showing they were social
distancing, stills of which are in DEA at BS DEF001291-DEF001296. Chalese has not violated
the guidelines as Adam has alleged.

1 spousal support. Chalese should be awarded fees per NRS 18.010, EDCR 7.60,
2 NRS 125.040, NRS 22.100 and NRS 125C.250.

3 Awards of attorney's fees are within the sound discretion of the district
4 court. *Fletcher v. Fletcher*, 89 Nev. 540, 516 P.2d 103 (1973); *Levy v. Levy*, 96
5 Nev. 902, 620 P.2d 860 (1980); *Hybarger v. Hybarger*, 103 Nev. 255, 737 P.2d
6 889 (1987).

7
8 When an attorney in a family law case requests fees, the Court must
9 consider several factors in determining the reasonable value of the services
10 provided. *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 455 P.2d 31
11 (1969). Those factors, referred to as the *Brunzell* factors, are: (1) *The Qualities of*
12 *the Advocate*: to include ability, training, education, experience, professional
13 standing and skill; (2) *The Character of the Work to Be Done*: to include the
14 difficulty importance, time and skill required, the responsibility imposed and the
15 prominence and character of the parties where they affect the importance of the
16 litigation; (3) *The Work Actually Performed by the Lawyer*: to include the actual
17 skill, time and attention given to the work; and (4) *The Result Obtained*: whether
18 the attorney was successful and what benefits were derived. *Id.* The court should
19 give equal weight to each of the *Brunzell* factors. *Miller v. Wilfong*, 121 Nev. 119
20 (2005).

21
22 Further, the Nevada Supreme Court has held that fees and costs may
23 include non-attorney staff time. *LVMPD v. Yeghiazarian*, 129 Nev. 760, 312 P.3d
24 503 (2013).

25 1. With regard to the *Qualities of the Advocate*:
26

1 a. **Jack W. Fleeman, Esq.:** Mr. Fleeman is well-qualified and a
2 member in good standing with the State Bar of Nevada. He has been
3 practicing law for more than 12 years and primarily in the field of family
4 law. Over this span of time, Mr. Fleeman has drafted thousands of papers
5 and pleadings, has participated in hundreds of hearings, and has appeared as
6 lead counsel in over 30 trials. Mr. Fleeman is a Nevada certified family law
7 specialized and has briefed and argued several family law cases before the
8 Nevada Supreme Court, including the recently published cases of *Nguyen v.*
9 *Boynes*, 133 Nev. Adv. Op. 32, 396 P.3d 774 (2017) and *Miller v. Miller*,
10 134 Nev. Adv. Op. 16 (Mar. 15, 2018).

12 b. **Alicia S. Exley, Esq.:** Ms. Exley is well-qualified and a member in
13 good standing of the State Bar of Nevada. Ms. Exley worked for a family
14 law attorney for four years prior to graduating from law school, passing the
15 Bar Exam, and being admitted as a Nevada attorney. Ms. Exley has been
16 practicing primarily in the field of family law for the last three years. She
17 serves on the Community Service Committee of the Clark County Bar
18 Association, earning her Committee Circle of Support Awards for 2018 and
19 2019. She was also named a “Best Up & Coming Attorney” by Nevada
20 Business Magazine in 2018. Ms. Exley has spoken about QDROs as part of
21 the Downtown Cultural Series and had an article on economic abuse in
22 divorce litigation published in the *Nevada Lawyer* in 2019.

24 c. **Angela Romero:** Ms. Romero has been working in the private sector
25 as a family law paralegal since 2002, and currently holds a Bachelor of
26 Science in Business Administration. Ms. Romero joined Pecos Law Group

1 in 2017, and with more than 18 years of family law experience, she
2 contributed knowledgeable and competent service on this case.

3 2. With regard to the *Character of the Work to Be Done*, this case involved
4 highly contested issues that took skill particular to family law and ethics.

5 3. With regard to the *Work Actually Performed by the Attorney*, Chalese's
6 attorneys were well-prepared for the case. Through the course of this litigation,
7 Counsel prepared procedurally proper pleadings and prepared for the hearing with
8 skill, time, and attention.

9 4. With regard to the *Results Obtained*, through application of law to the facts
10 as set forth in her pleadings and will be introduced at the time of the hearing,
11 Chalese believes she will prevail on all issues.

12 Counsel will submit applicable billings for the Court's assessment of its
13 attorney's fees award as the Court directs.

14 **III. CONCLUSION**

15 WHEREFORE, based upon the foregoing, Defendant **Chalese Marie**
16 **Solinger** respectfully requests that this Court enter Orders granting her the
17 following relief:

18 1. Ordering Plaintiff to show cause as to why he should not be held in
19 contempt for failing to enroll Defendant in his new health insurance plan;

20 2. Ordering Plaintiff to enroll Defendant in his new health insurance
21 plan;

22 3. Ordering Plaintiff to pay spousal support arrears;

23 4. Ordering Plaintiff to file an updated FDF;

5. Awarding Defendant further make-up visitation time with the children;

6. Awarding Defendant her attorney's fees; and

7. Awarding Defendant such other and further relief as this court may deem just and proper in the premises.

DATED this 22nd day of May, 2020.

PECOS LAW GROUP

/s/ Alicia S. Exley, Esq.

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

Alicia S. Exley, Esq.

Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

Henderson, Nevada 89074

Attorneys for Defendant

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1 b. Any insurance coverage, including life, health automobile, and
2 disability coverage;
3 without the written consent of the parties or the permission of
4 the court.

4 4. We attended a hearing on March 19, 2019. The *Order after Hearing*
5 *of March 19, 2019* states, at page 13, line 12-14:

6 IT IS FURTHER ORDERED that Adam shall keep Chalese on his
7 health insurance until the divorce is finalized. Chalese shall begin
8 looking for private health insurance or insurance through an employer.

9 5. I obtained employment as a children's hair stylist in May 2019. My
10 employer does not offer any health insurance or benefits.

11 6. On December 9, 2019, the court ordered Adam to pay me \$1,125.00
12 per month in spousal support.

13 7. We attended a hearing on February 26, 2020, during which the court
14 ordered:

15 Court: By the way, what is – okay. You get a contribution. \$80.00?
16 You get \$40.00, she contributes to half the cost, starting in March.

17 Adam: You mean for healthcare?

18 Court: Yes.

19 Adam: The \$80.00 is just for myself the kids, I don't know –

20 Court: The kids' portion.

21 Adam: Okay.

22 Court: You may deduct one-half as mom's share, since it's cheaper.

23 Ms. Kirigan: Your honor, we're leaving mom without any health
24 insurance while this case is pending?

25 Court: No, no. You have to leave her on and pay for that. But she'll
26 pay her half and the kids' half as a community thing.

1 Adam: Okay, so the cost difference between myself and the kids'
2 plan versus when I have her, and then half of the cost of just the kids.

3 Court: Right, so just the dependents' portion, mom plus two kids, cut
4 that in half. Back out the employee portion. And you may deduct that
from the \$800.00.²⁶

5 8. Adam stated at the February 26, 2020 hearing that he left his
6 \$120,000.00-per-year job to take a job that pays approximately \$85,000.00. Based
7 on Adam's decrease in income, the court reduced my spousal support to \$800.00
8 per month.

9
10 9. The *Order after Hearing of February 26, 2020*, at page 6, lines 4-9 states:

11 IT IS FURTHER ORDERED that Adam shall continue covering
12 Chalese and the children on his health insurance policy pending Trial
13 but as Chalese is one-half responsible for same, Adam may deduct
14 one-half of the dependents' portion (i.e. Chalese's and the children's
portions), excluding the employee portion, from his monthly spousal
support payment.

15 10. Adam subsequently stated in his pleadings that because I did not
16 provide him with Marie's birth certificate when he requested it on March 29,
17 2020, that he was forced to pay for himself, me, Michael and Marie to stay on the
18 old insurance for April 2020.

19
20 11. On April 13, 2020, the court ordered that the birth certificate issue
21 was moot and there was no order for me to turn over a birth certificate. The court
22 also ordered me to follow quarantine orders and the guidelines.

23
24 12. On April 20, 2020, Adam messaged me on AppClose and told me I
25 could either stay on the old \$1,200.00-per-month health insurance plan, at my own
26

²⁶ See *Id.* at 5:23:53.

1 cost for my portion (roughly \$300.00 per month), or that I could find my own
2 insurance plan. Adam has not provided me with updated insurance cards or any
3 information regarding the children's new insurance plan.
4

5 13. On April 29, 2020, Adam accused me of violating the Governor's
6 directives and court orders for going on a walk with Josh and the children in a
7 remote, outdoor location. My counsel clarified that this was in compliance with
8 the Governor's Emergency Directive number 10, but I still did not receive the
9 children on April 30, 2020 or May 1, 2020. I spent less than 24 hours with the
10 children during the entire month of April 2020.
11

12 14. I am therefore requesting that Adam be ordered to show cause as to
13 why he should not be held in contempt for refusing to enroll me in his new health
14 insurance plan.
15

16 15. When the Governor issued his emergency directives closing all non-
17 essential businesses, I could not keep working. I filed for unemployment but did
18 not receive any unemployment payments. I was able to return to work on May 11,
19 2020.
20

21 16. As a result of Adam refusing to enroll me in his new insurance plan
22 and my inability to pay for private insurance, I was forced to go on Medicaid.

23 17. I am therefore requesting that Adam be ordered to enroll me in his
24 new health insurance plan.
25

26 18. Adam contends that the court's February 26, 2020 order that he can
deduct one-half of the insurance premium allows him to deduct one-half of the old

1 insurance premiums for March and April 2020. As a result, he paid only \$562.50
2 in spousal support for March, nothing for April, and contends he only has to pay
3 \$479.28 for May, but has paid nothing so far.

4
5 19. I am therefore requesting that Adam be ordered to pay the remainder
6 of his March spousal support, the entirety of his April spousal support, and
7 whatever he does not pay of his May spousal support by the time of the hearing.

8
9 20. I am also requesting that Adam be ordered to file an updated
10 financial disclosure form with a new paystub to support his representations about
11 his income at the February 26, 2020 hearing.

12
13 21. I am also requesting compensatory visitation time for the time with
14 my children that I was denied on April 30, 2020 and May 1, 2020.

15
16 22. I am currently pregnant and need to be getting light exercise. I feel it
17 is safer and allows for better social distancing to do this in a remote location –
18 such as a hiking trail – rather than my own neighborhood.

19
20 23. If the social distancing guidelines are still in effect by the time of the
21 hearing, I would like the court to clarify that Adam and I need to be in compliance
22 with the Governor's directives but that activities that are allowed by the Governor
23 are not in violation of this court's order.

24
25 24. Finally, I am requesting I be awarded my attorney's fees.
26 . . .

25. I make this declaration under penalty of perjury so that it has the same force and effect as a sworn affidavit pursuant to NRS 53.045. I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on May 21, 2020

Chalese Marie Solinger

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of PECOS LAW
3 GROUP, and that on this 22nd day of May, 2020, I served a copy of
4 “DEFENDANT’S MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY PLAINTIFF
5 SHOULD NOT BE HELD IN CONTEMPT, FOR ORDERS REGARDING HEALTH
6 INSURANCE AND SPOUSAL SUPPORT, FOR ATTORNEY’S FEES, AND RELATED RELIEF”
7 as follows:

8 ☒ Pursuant to NEFCR 9, by mandatory electronic service through the
9 Eighth Judicial District Court’s electronic filing system:

10 To the individual(s) listed below:

| | |
|------------------|------------------------------|
| 11 Vincent Mayo | VMGroup@TheAbramsLawFirm.com |
| 12 admin email | email@pecoslawgroup.com |
| 13 Alicia Exley | alicia@pecoslawgroup.com |
| 14 Jack Fleeman | jack@pecoslawgroup.com |
| 15 Angela Romero | angela@pecoslawgroup.com |

16
17 /s/ Alicia S. Exley, Esq.

18 An employee of PECOS LAW GROUP
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MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Adam Michael Solinger

Plaintiff/Petitioner

V.
Chalese Marie Solinger

Defendant/Respondent

Case No. D-19-582245-D

Dept. I

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

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

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

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

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

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

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

| | |
|---|---|
| The total filing fee for the motion/opposition I am filing with this form is: | |
| <input checked="" type="checkbox"/> \$0 | <input type="checkbox"/> \$25 <input type="checkbox"/> \$57 <input type="checkbox"/> \$82 <input type="checkbox"/> \$129 <input type="checkbox"/> \$154 |

Party filing Motion/Opposition: Defendant _____ Date 05/22/2020 _____

Signature of Party or Preparer /s/ Alicia S. Exley, Esq. _____



1 **SCHD**

2 **Jack W. Fleeman, Esq.**

3 Nevada Bar No. 10584

4 **Alicia S. Exley, Esq.**

5 Nevada Bar No. 14192

6 **PECOS LAW GROUP**

7 8925 South Pecos Road, Suite 14A

8 Henderson, Nevada 89074

9 Tel: (702) 388-1851

10 Fax: (702) 388-7406

11 Jack@pecoslawgroup.com

12 Alicia@pecoslawgroup.com

13 Attorneys for Defendant

14 **DISTRICT COURT**

15 **FAMILY DIVISION**

16 **CLARK COUNTY, NEVADA**

17 **Adam Michael Solinger,**

18 Plaintiff,

19 vs.

20 **Chalese Marie Solinger,**

21 Defendant.

Case No. **D-19-582245-D**

Dept No. **I**

Trial Dates: **June 30, 2020**

July 1, 2020

July 2, 2020

Trial Times: **1:30 p.m.**

1:30 p.m.

9:30 a.m.

22 **SCHEDULE OF ARREARS**

23 Defendant, **Chalese Solinger**, declares under penalty of perjury under the
24 law of the State of Nevada that the following is true and correct:

25 1. I am owed and entitled to receive certain temporary support payments
26 from Plaintiff, **Adam Solinger**, pursuant to the *Order after Hearing of February*
27 *26, 2020*, which states, at page 4, line 16-21:

1 IT IS FURTHER ORDERED that effective March 16th, spousal
2 support shall be reduced down 29% proportionally to Adam's
3 decrease in income to \$800 per month. The \$800 figure includes the
\$375 child support that Chalese should pay Adam as he is the
temporary primary physical custodial. Said amount shall commence in
April and be payable each month until trial.

4 2. The order also provides:

5 IT IS FURTHER ORDERED that since Adam's new job started
6 March 16th, the \$800 monthly temporary spousal support shall be
7 prorated for the first half of March. This will consist of ½ of the
\$1,125 for the first half of March and ½ of the \$800 for the second
half of March, with the amount owed for March totaling \$962.50.

8 3. The court also ordered at that hearing that Adam could deduct one-
9 half of my and the children's portion from the health insurance policy. Based upon
10 the Court's statement at the February 26, 2020 hearing, that Adam "may deduct
11 one-half as mom's share, since it's cheaper,"¹ I believe that the court intended for
12 Adam to deduct one-half of his *new* health insurance premium, which he
13 represented to the court to be around \$80.00 per month.

14 4. Adam has since refused to make full support payments, arguing that I
15 am one-half responsible for the old insurance plan's \$1,200.00-per-month
16 premium, that he paid said premium in March and April 2020, and that he would
deduct it out of my spousal support.

17 a. Adam's father traditionally paid the premium of this health insurance
18 plan for several years. Adam has never listed the cost on his financial
19

20
21 ¹ See Video of February 26, 2020 hearing at Time Index 5:23:53.

disclosure form but represented in late 2019 that his father had stopped paying it at some point.

5. As a result, Adam paid only \$562.50 in support in March 2020, no support in April 2020, and only \$479.28 in May 2020.

6. I therefore contend that the following schedule accurately sets out the dates and amounts of periodic payments due pursuant to a lawful court order and the dates and amounts of all payments received:

| Date Due | Amount Due | Amount Paid | Balance Due |
|------------|------------|-------------|-------------|
| March 2020 | \$962.50 | \$562.50 | \$400.00 |
| April 2020 | \$800.00 | \$0.00 | \$800.00 |
| May 2020 | \$800.00 | \$479.28 | \$320.72 |
| TOTAL: | \$2,562.50 | \$1,041.78 | \$1,520.72 |

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

DATED this 3 day of June, 2020.



CHALESE SOLINGER

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☐ By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada: and/or

☐ Pursuant to EDCR 7.26, to be sent via facsimile and/or email; and/or

| | |
|---------------|------------------------------|
| Vincent Mayo | VMGroup@TheAbramsLawFirm.com |
| admin email | email@pecoslawgroup.com |
| Alicia Exley | alicia@pecoslawgroup.com |
| Jack Fleeman | jack@pecoslawgroup.com |
| Angela Romero | angela@pecoslawgroup.com |

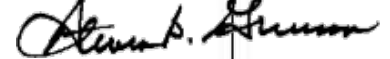
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1 **MOT**

Vincent Mayo, Esq.
2 Nevada State Bar Number: 8564
THE ABRAMS & MAYO LAW FIRM
3 6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
4 Tel: (702) 222-4021
Fax: (702) 248-9750
5 Email: VMGroup@theabramslawfirm.com
Attorney for Plaintiff

6 Eighth Judicial District Court
Family Division
7 Clark County, Nevada

8 ADAM MICHAEL SOLINGER,) Case No.: D-19-582245-D
9 Plaintiff,) Department: I
vs.)
10 CHALESE MARIE SOLINGER,)
11 Defendant.) ORAL ARGUMENT REQUESTED
X YES NO

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

15 **MOTION TO ADDRESS UPCOMING TRIAL DATE AND**
16 **FINDINGS IN REGARD TO CHALESE'S REFUSAL TO TIMELY**
17 **FACILITATE THE COMPLETION OF THE CHILD CUSTODY**
EVALUATION

18 **NOW INTO COURT** comes Plaintiff, ADAM MICHAEL
19 SOLINGER, by and through his attorney, Vincent Mayo, Esq., of The
20 Abrams & Mayo Law Firm, and hereby submits his *MOTION TO*
21 *ADDRESS UPCOMING TRIAL DATE AND FINDINGS IN REGARD TO*

1 *CHALESE'S REFUSAL TO TIMELY FACILITATE THE COMPLETION*
2 *OF THE CHILD CUSTODY EVALUATION.*

3 This Motion is made and based upon the attached Points and
4 Authorities, the Declaration of Plaintiff attached hereto, and all papers
5 and pleadings on file herein.

6 Dated Friday, June 19, 2020.

7 Respectfully Submitted,

8 THE ABRAMS & MAYO LAW FIRM

9 /s/ Vincent Mayo

Vincent Mayo, Esq.

10 Nevada State Bar Number: 8564

6252 South Rainbow Blvd., Suite 100

11 Las Vegas, Nevada 89118

Attorney for Plaintiff

12 **MEMORANDUM OF POINTS AND AUTHORITIES**

13 **I. STATEMENT OF FACTS**

14 Plaintiff, ADAM SOLINGER ("Adam") and Defendant, CHALESE
15 SOLINGER, were married on May 12, 2012 in Las Vegas, Nevada. There
16 are two (2) minor children of the marriage, to wit: Michael Adam
17 Solinger ("Michael"), born June 16, 2015 (5 years of age); and Marie
18 Leona Solinger ("Marie"), born August 28, 2017 (2 years of age). Adam is
19 31 years old and Chalese is 29 years old.

20 This Court held a hearing on Defendant's motion for compensatory
21 time in early June 2020, after Admin Order 20-17 became effective, and

1 spent the majority of the hearing discussing the upcoming trial date and
2 the intent to keep the trial date. Everyone – the parties, their attorneys,
3 and court staff – indicated the intent that trial would proceed on the
4 originally scheduled date.

5 As relevant to this motion, Pecos Law Group contacted Adam's
6 attorney, Vincent Mayo, Esq., on Tuesday June 16th¹ to request a
7 stipulated trial continuance based upon the child custody evaluation not
8 yet being completed. Then, on Wednesday June 17th, Adam's counsel
9 received a call from the Court's JEA informing counsel for both parties
10 of the intent to continue the trial based upon the current pandemic. It is
11 of note that, Administrative Order 20-17 states that: "Bench trials in all
12 case types should go forward when possible."²

13 The only change since that time is the fact that Dr. Paglini's report
14 has not yet been completed. Dr. Paglini sent a letter to the Court after
15 the Court stated it was continuing the trial due to the pandemic asking
16 for more time to complete his evaluation.³ Adam does not want to put
17 words into Dr. Paglini's mouth and he will let Dr. Paglini speak for
18 himself, but a review of Dr. Paglini's letter makes it clear Chalese has
19 been purposefully dilatory in completing her portions of the evaluation.

20 ¹ Of note, this was Michael's 5th birthday.

² Admin. Order 20-17 at 16.

21 ³ See Dr. Paglini's June 18, 2020 letter, attached as **Exhibit 1**.

1 Just like her actions when CPS investigated her,⁴ she has been sticking
2 her head in the sand and not communicating with Dr. Paglini and his
3 office, as if to “dodge” these requirements and imperative steps.

4 As the Court will recall, the evaluation was something Chalese
5 literally begged the Court for back in February 2020 after the Court
6 made a preliminary decision that the evaluation was not necessary.

7 **II. LAW AND ARGUMENT**

8 While the Court may grant a continuance for good cause, there has
9 been no demonstration that anything has changed since the Court and
10 counsel agreed trial should go forward as scheduled on June 30th, June
11 31st and July 1st. The current administrative order states that bench trials
12 in all cases should proceed. The Parties and the Court have already made
13 a plan to conduct the trial in this case. Nothing has changed since that
14 time to warrant continuing this matter for a fourth time on an
15 administrative basis.

16 While Chalese believes the evaluation is necessary before trial can
17 proceed, trial has been continued three (3) times before at her request.
18 Now, after Chalese gets a chance to have the evaluation, she has
19 purposefully dragged her feet and not participated in a diligent fashion.

20 ⁴ The report indicates that despite CPS closing the case regarding Marie’s
21 unexplained bruising, Chalese hung up on the CPS investigator and then refused to
answer the door when CPS came for an unannounced home visit. Inexplicably, CPS
still closed the case without her participation.

1 Chalese cannot therefore benefit from her own misconduct and ask for
2 yet another continuance in this case.

3 Even if the trial should go forward without the evaluation, the
4 Court should make a finding as to Chalese's dilatory behavior in regard
5 to the evaluation (which goes towards the ultimate issue of fees and
6 sanctions). If anything, the Court should draw an adverse inference on
7 the basis that Chalese has not been participating in the evaluation
8 despite not working, until very recently, and only has the children 48
9 hours per week. She should have nothing but time to participate.

10 **III. CONCLUSION**

11 Based upon the foregoing, Adam respectfully requests that this
12 Honorable Court set a hearing to make an official finding that trial will
13 proceed as originally scheduled.

14 Dated Friday, June 19, 2020.

15 Respectfully Submitted:

16 THE ABRAMS & MAYO LAW FIRM

17 /s/ Vincent Mayo

18 Vincent Mayo, Esq.

19 Nevada State Bar Number: 8564

20 6252 South Rainbow Blvd., Suite 100

21 Las Vegas, Nevada 89118

Attorney for Plaintiff

1 **DECLARATION OF ADAM MICHAEL SOLINGER**

2 I, ADAM MICHAEL SOLINGER, provide this Declaration
3 pursuant to NRS 53.045 and states the following:

4 1. I am the Plaintiff in the above-entitled action, and I am
5 above the age of majority and am competent to testify to the facts
6 contained in this Declaration.

7 2. I make this Declaration in support of the foregoing *MOTION*
8 *TO ADDRESS UPCOMING TRIAL DATE AND FINDINGS IN REGARD*
9 *TO CHALESE'S REFUSAL TO TIMELY FACILITATE THE*
10 *COMPLETION OF THE CHILD CUSTODY EVALUATION.*

11 3. I have read said *Motion* and hereby certify that the facts set
12 forth in the Points and Authorities attached thereto are true of my own
13 knowledge, except for those matters therein contained stated upon
14 information and belief, and as to those matters, I believe them to be true.

15 4. I declare under the penalty of perjury pursuant to the laws of
16 the State of Nevada that the foregoing is true and correct.

17 Dated this 19 day of June 2020.

18
19 /s/ Adam M. Solinger
ADAM MICHAEL SOLINGER

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing *MOTION TO ADDRESS
UPCOMING TRIAL DATE AND FINDINGS IN REGARD TO CHALESE'S
REFUSAL TO TIMELY FACILITATE THE COMPLETION OF THE
CHILD CUSTODY EVALUATION* was filed electronically with the Eighth
Judicial District Court in the above-entitled matter, on Friday, June 19,
2020. Electronic service of the foregoing document shall be made in
accordance with the Master Service List, pursuant to NEFCR 9, as follows:

Jack Fleeman, Esq.
Attorney for Defendant

/s/ Chantel Wade
An Employee of The Abrams & Mayo Law Firm

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ADAM MICHAEL SOLINGER,
Plaintiff/Petitioner

v.
CHALESE MARIE SOLINGER,
Defendant/Respondent

Case No. D-19-582245-D

Dept. I

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

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

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

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

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

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

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

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

☒\$0 ☐\$25 ☐\$57 ☐\$82 ☐\$129 ☐\$154

Party filing Motion/Opposition: Plaintiff/Petitioner

Date 06/19/2020

Signature of Party or Preparer

Stephanie Sae

002374

EXHIBIT 1

EXHIBIT 1

EXHIBIT 1

John Paglini, Psy.D.

Licensed Psychologist
9163 West Flamingo, Suite 120
Las Vegas, Nevada 89147

Phone: (702) 869-9188

Fax: (702) 869-9203

June 18, 2020

Honorable Judge Moss
Department I
Eighth Judicial District Court
Family Division
601 N. Pecos Street
Las Vegas, NV 89101
Deptilc@clarkcountycourts.us

RE: Solinger v. Solinger Case# D-19-582245-D

Dear Judge Moss,

This is to provide an update on the Solinger vs. Solinger case. I will need a five week extension on this case. Mr. Adam Solinger has been exceptionally cooperative throughout the process. Additionally, Ms. Chalese Solinger has been cooperative. However, I have had difficulties contacting Ms. Solinger within the last couple of weeks. Enclosed are some emails between my office and Ms. Chalese Solinger.

On June 8, 2020, my office emailed Ms. Solinger to schedule times for an interview. My secretary also tried to leave a phone message with Ms. Solinger on the same day, but her phone is not set up for voicemail and our call was terminated. My secretary tried to contact Ms. Solinger via phone on June 15, 2020 and once again a message could not be left because the phone call was terminated. An email was sent to Ms. Solinger the same day at 2:09pm. Ms. Solinger was advised that a previous email was sent on June 8th regarding scheduling her next interview, conducting a collateral interview of her partner, and also a home visit. Ms. Solinger responded at 2:44pm on June 16, 2020. She stated work has been crazy since the reopening and she did not receive a prior email and asked for our availability. On June 16, 2020, my secretary sent a reply to Ms. Solinger providing interview dates. Dr. Paglini tried to call Ms. Solinger in the afternoon of June 17, 2020, and the call was terminated.

As of Thursday, June 18, 2020, at 2:30pm we still have not heard back from Ms. Solinger. This letter is to advise the courts I am requesting a five week extension to complete the evaluation.

Respectfully submitted,



John Paglini, Psy.D.

JPmc: 06/18/2020

CC via email:

Attorney Mayo: vmayo@theabramslawfirm.com

Attorney Exley: alicia@pecoslawgroup.com



Paglini Office <paglini.office@gmail.com>

Appointment

Paglini Office <paglini.office@gmail.com>

Mon, Jun 8, 2020 at 12:46 PM

To: Chalese Solinger <curlyfriez09@gmail.com>

Good afternoon,

Dr. Paglini would like to schedule his next session with you. If you're happy to come into the office that is fine, or I can schedule for a video call via Doxy. It is entirely up to you.

Dr. Paglini's availability is as follows:

June 18th - at 12:00pm

June 19th at 12pm

June 22nd at 1pm

June 24th at 9am or at 1pm

Please let me know if one of these dates and times works for you.

Many thanks

Michelle

002377



Paglini Office <paglini.office@gmail.com>

Scheduling next appointment

Paglini Office <paglini.office@gmail.com>

Mon, Jun 15, 2020 at 2:09 PM

To: Chalese Solinger <curlyfriez09@gmail.com>

Good afternoon,

I tried to call this morning but was unable to leave a voicemail. I'm unsure if you received my previous email sent on June 8th, but I was hoping to with you regarding scheduling some appointments. Dr. Paglini would like to interview you, conduct a collateral interview of your partner, and also conduct a home visit.

If you could please contact our office as soon as possible so we can start to schedule the above it would be greatly appreciated.

Kind regards
Michelle

002378



Paglini Office <paglini.office@gmail.com>

Scheduling next appointment

curlyfriez09@gmail.com <curlyfriez09@gmail.com>
To: Paglini Office <paglini.office@gmail.com>

Tue, Jun 16, 2020 at 2:44 PM

So sorry, work has has been crazy since reopening. I didn't receive an email prior this one. What is his availability?

-Chalese Solinger

> On Jun 15, 2020, at 2:10 PM, Paglini Office <paglini.office@gmail.com> wrote:

>

>

[Quoted text hidden]



Paglini Office <paglini.office@gmail.com>

Scheduling next appointment

Paglini Office <paglini.office@gmail.com>

Tue, Jun 16, 2020 at 3:01 PM

To: Chalese Solinger <curlyfriez09@gmail.com>

That's okay, I completely understand. Just was not sure that you were receiving my calls and emails so thought I would keep trying.

I have availability on Friday June 19th at 9am
Monday June 22nd at 1pm
Tuesday June 23rd at 12pm
Wednesday June 24th at 9am
Thursday June 24th at 9am

For a home visit Dr. Paglini prefers to conduct these on a day you would have the children, as such please let me know what your visitation schedule is and I can try to work around this.

Thanks
Michelle

[Quoted text hidden]

002380