
Respondent.

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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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/s/ David J. Schoen, IV, ACP
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CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
01/04/2019	Complaint For Divorce	1	1 - 6
01/04/2019	Request For Issuance Of Joint Preliminary Injunction	1	7
01/09/2019	Summons	1	8 - 9
01/09/2019	Proof Of Service	1	10
01/11/2019	Joint Preliminary Injunction	1	11 - 12
01/29/2019	Default	1	13
01/31/2019	Affidavit Of Resident Witness	1	14 - 15
02/01/2019	Certificate Of Completion COPE Class	1	16 - 18
02/01/2019	General Financial Disclosure Form	1	19 - 25
02/04/2019	Answer And Counterclaim	1	26 - 34
02/05/2019	Ex Parte Motion To Vacate Or Continue Hearing	1	35 - 39
02/07/2019	Amended Answer And Counterclaim	1	40 - 47
02/07/2019	Defendant's Motion To Set Aside Default; For Exclusive Possession Of The Marital Residence And Order Plaintiff To Assist In Making Mortgage Payments; For Medical Legal Custody Of The Minor Children, For An Order Referring The Parties To Mediation Pursuant To EDCR 5.70, For An Order Awarding Plaintiff Child Support; For An Order Awarding Plaintiff Alimony; And For Attorney Fees And Costs	1	48 - 61
02/07/2019	Amended Motion To Set Aside Default; For Exclusive Possession Of The Marital Residence And Ordering Plaintiff To Assist In Making Mortgage Payments; For Medical Legal Custody Of The Minor Children, For An Order Referring The Parties To Mediation Pursuant To EDCR 5.70, For An Order Awarding Defendant Child Support For An Order Awarding Defendant Alimony; And For Attorney Fees And Costs	1	62 - 75
02/07/2019	Order Setting Case Management Conference And Directing Compliance With NRCP 16.2	1	76 - 85
02/07/2019	Order For Family Mediation Center Services	1	86
02/14/2019	Notice Of Appearance Of Attorney	1	87 - 88
02/14/2019	Petition To Seal Records Pursuant To NRS 125.110(2)	1	89 - 90
02/21/2019	Notice Of 16.2 Early Case Conference	1	91 - 92
02/25/2019	Reply To Counterclaim For Divorce	1	93 - 96

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
02/26/2019	Plaintiff's Opposition To Amended Motion To Set Aside Default; For Exclusive Possession Of The Marital Residence And Ordering Plaintiff To Assist In Making Mortgage Payments; For Medical Legal Custody Of The Minor Children; For An Order Referring The Parties To Mediation Pursuant To EDCR 5.70, For An Order Awarding Plaintiff Child Support; For An Order Awarding Defendant Alimony; And For Attorney's Fees And Costs Primary Physical Custody, Child Support, And Attorney's Fees And Costs And Countermotion For Joint Legal Custody; Primary Physical Custody To Plaintiff And Supervised Visitation To Defendant; To Establish Child Support; To Establish Payment Of Marital Expenses; For An Order Protecting The Parties Community Property; Defendant To Obtain Employment And To Cooperate In A Vocational Assessment	1	97 - 125
02/26/2019	Appendix Of Exhibits To Plaintiff's Opposition To Amended Motion To Set Aside Default; For Exclusive Possession Of The Marital Residence And Ordering Plaintiff To Assist In Making Mortgage Payments; For Medical Legal Custody Of The Minor Children; For An Order Referring The Parties To Mediation Pursuant To EDCR 5.70, For An Order Awarding Plaintiff Child Support; For An Order Awarding Defendant Alimony; And For Attorney's Fees And Costs Primary Physical Custody, Child Support, And Attorney's Fees And Costs And Countermotion For Joint Legal Custody; Primary Physical Custody To Plaintiff And Supervised Visitation To Defendant; To Establish Child Support; To Establish Payment Of Marital Expenses; For An Order Protecting The Parties Community Property; Defendant To Obtain Employment And To Cooperate In A Vocational Assessment	1	126 - 173
02/26/2019	General Financial Disclosure Form	1	174 - 184
03/12/2019	Order To Seal Records Pursuant To NRS 125.110(2)	1	185 - 186
03/13/2019	Notice Of Entry Of Order To Seal Records	1	187 - 191
03/18/2019	Reply To Opposition And Countermotion	1	192 - 195

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
03/18/2019	Appendix Of Supplemental Exhibits To Plaintiff's Opposition To Amended Motion To Set Aside Default; For Exclusive Possession Of The Marital Residence And Ordering Plaintiff To Assist In Making Mortgage Payments; For Medical Legal Custody Of The Minor Children; For An Order Referring The Parties To Mediation Pursuant To EDCR 5.70, For An Order Awarding Plaintiff Child Support; For An Order Awarding Defendant Alimony; And For Attorney's Fees And Costs Primary Physical Custody, Child Support, And Attorney's Fees And Costs And Countermotion For Joint Legal Custody; Primary Physical Custody To Plaintiff And Supervised Visitation To Defendant; To Establish Child Support; To Establish Payment Of Marital Expenses; For An Order Protecting The Parties Community Property; Defendant To Obtain Employment And To Cooperate In A Vocational Assessment	1	196 - 215
03/19/2019	Case And Non-Jury Trial Management Order	1	216 - 219
03/19/2019	Behavior Order	1	220 - 224
03/20/2019	Notice Of Association Of Counsel	1	225 - 226
04/22/2019	Stipulation And Order Modifying Timeshare	1	227 - 229
04/23/2019	Notice Of Entry Of Stipulation And Order Modifying Timeshare	1	230 - 235
05/03/2019	Order After Hearing Of March 19, 2019	1	236 - 250
05/03/2019	Notice Of Entry Of Order After Hearing Of March 19, 2019	2	251 - 268
05/14/2019	Emergency Motion For A Change Of Custody; For Attorney's Fees And Costs And Related Relief	2	269 - 299
05/14/2019	Appendix Of Exhibits In Support Of Plaintiff's Emergency Motion For A Change Of Custody; For Attorney's Fees And Costs And Related Relief	2	300 - 391
05/15/2019	Plaintiff's Initial Expert Witness List	2	392 - 400
05/24/2019	Appendix Of Supplemental Exhibits In Support Of Plaintiff's Emergency Motion For A Change Of Custody; For Attorney's Fees And Costs And Related Relief	2	401 - 404
05/28/2019	Opposition To Plaintiff's Emergency Motion For A Change Of Custody/Spousal Support/Child Support, For Attorney's Fees And Costs And Related Relief. Counter Motion For Change Of Custody For Primary Physical And Sole Legal Custody, Psychological Evaluation Of The Plaintiff	2	405 - 419
06/05/2019	Ex Parte Motion For An Order Shortening Time	2	420 - 429
06/11/2019	Reply In Support Of Emergency Motion For A Change Of Custody; For Attorney's Fees And Costs And Related Relief And Opposition To Countermotion For Change Of Custody For Primary Physical And Sole Legal Custody, Psychological Evaluation Of The Plaintiff	2	430 - 453

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
06/11/2019	Appendix Of Exhibits In Support Of Plaintiff's Reply In Support Of Emergency Motion For A Change Of Custody; For Attorney's Fees And Costs And Related Relief And Opposition To Countermotion For Change Of Custody For Primary Physical And Sole Legal Custody, Psychological Evaluation Of The Plaintiff	2	454 - 471
06/13/2019	Motion For An Order To Show Cause	2	472 - 484
06/29/2019	Opposition To Motion For An Order To Show Cause And Countermotion	2	485 - 500
07/15/2019	General Fiancial Disclosure Form	3	501 - 511
07/23/2019	Minute Order	3	512 - 514
07/25/2019	Motion For Division Of The Proceeds From The Sale Of The Marital Home, And For Attorney's Fees	3	515 - 520
07/26/2019	Notice Of Entry Of July 23, 2019 Minute Order	3	521 - 524
08/21/2019	Order After Hearing Of June 17, 2019	3	525 - 531
08/22/2019	Notice Of Entry Of Order After Hearing Of June 17, 2019	3	532 - 541
08/23/2019	Motion To Withdraw And Adjudicate Attorney's Lien	3	542 - 561
08/23/2019	Notice Of Attorney's Lien	3	562 - 564
08/28/2019	Minute Order - No Hearing Held	3	565 - 567
08/28/2019	Substitution Of Attorneys	3	568 - 570
08/28/2019	Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines (First Request)	3	571 - 583
08/28/2019	Exhibits To Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines (First Request)	3	584 - 598
08/28/2019	Notice Of Entry Of August 28, 2019 Minute Order	3	599 - 603
08/29/2019	Ex Parte Motion For Order Shortening Time To Hear Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines (First Request)	3	604 - 608
08/30/2019	Opposition To Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines (First Request); And Countermotion To Strike The Substitution Of Attorneys	3	609 - 624
09/04/2019	Order Shortening Time	3	625 - 626
09/06/2019	Case And Non-Jury Trial Management Order	3	627 - 630
09/09/2019	Defendant, Chalese Solinger's List Of Witnesses For Trial	3	631 - 636
09/09/2019	Notice Of Intent To File Opposition To Prior Counsel's Motion To Adjudicate Attorney's Lien	3	637 - 639
09/13/2019	Opposition To Louis C. Schneider's Motion To Adjudicate Attorney's Lien	3	640 - 650
09/16/2019	Order Setting Case Management Conference And Directing Compliance With NRCp 16.2	3	651 - 652
09/17/2019	Notice Of Seminar Completion	3	653 - 654

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
09/20/2019	Defendant's Notice Of UNLV Seminar Completion EDCR 5.07	3	655 - 656
09/20/2019	Affidavit Of Resident Witness	3	657 - 658
09/24/2019	General Financial Disclosure Form	3	659 - 669
09/30/2019	Re-Notice Of Hearing For Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines	3	670 - 671
09/30/2019	Defendant's Notice Of Seminar Completion - EDCR 5.302	3	672 - 674
09/30/2019	Ex Parte Motion For Order Shortening Time To Hear Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines	3	675 - 678
10/01/2019	Order Shortening Time	3	679 - 680
10/02/2019	Opposition To Defendant's Renoticed Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines	3	681 - 692
10/02/2019	Defendant's Reply To Opposition To Defendant's Renoticed Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines	3	693 - 702
10/03/2019	Order After Hearing Of August 1, 2019	3	703 - 707
10/04/2019	Notice Of Entry Of Order After Hearing Of August 1, 2019	3	708 - 715
10/09/2019	Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees	3	716 - 731
10/09/2019	Exhibits To Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees	4	732 - 803
10/09/2019	Financial Disclosure Form	4	804 - 814
10/23/2019	Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees And Countermotion For Attorney's Fees And Costs	4	815 - 842
10/24/2019	Appendix Of Exhibits In Support Of Plaintiff's Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees And Countermotion For Attorney's Fees And Costs	4	843 - 850
10/24/2019	Plaintiff's Motion To Compel Discovery Responses And For Attorney's Fees	4	851 - 868
11/04/2019	Reply To Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees And Opposition To Countermotion For Attorney's Fees And Costs	4	869 - 888
11/04/2019	Exhibits To Reply To Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees And Opposition To Countermotion For Attorney's Fees And Costs	4	889 - 930
11/07/2019	Defendant's Opposition To Plaintiff's Motion To Compel Discovery Responses And For Attorney's Fees	4	931 - 939
11/08/2019	Errata To Opposition To Plaintiff's Motion To Compel Discovery Responses And For Attorney's Fees	4	940 - 943
11/12/2019	Response In Support Of Opposition	4	944 - 971

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
11/12/2019	Appendix Of Exhibits In Support Of Plaintiff's Response In Support Of Opposition	5	972 - 1038
11/14/2019	Ex Parte Motion For An Order To Release Electronics To Adam's Agent Or, In The Alternative, For An Order Barring The Release Of Electronics Until Further Court Order	5	1039 - 1053
11/15/2019	Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief	5	1054 - 1072
11/15/2019	Exhibits To Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief	5	1073 - 1109
11/15/2019	Errata To Exhibits To Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief	5	1110 - 1112
11/18/2019	Defendant's Response To Plaintiff's Response In Support Of Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Fees And Costs	5	1113 - 1128
11/18/2019	Exhibits To Defendant's Response To Plaintiff's Response In Support Of Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Fees And Costs	5	1129 - 1163
11/19/2019	Motion For Protective Order	5	1164 - 1176
11/20/2019	Application For Order Shortening Time	5	1177 - 1179
11/21/2019	Order Shortening Time	5	1180 - 1181
11/21/2019	Supplemental Appendix Of Exhibits In Support Of Plaintiff's Response In Support Of Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Fees And Costs	5	1182 - 1192
11/21/2019	Notice Of Entry Of Order Shortening Time	5	1193 - 1197
11/21/2019	Ex Parte Application For An Order Shortening Time On Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief	5	1198 - 1200
11/22/2019	Defendant's Joinder To Joshua Lloyd's Motion For Protective Order And Countermotion For Fees From Plaintiff To Defendant	5	1201 - 1212
11/22/2019	Exhibits To Defendant's Joinder To Joshua Lloyd's Motion For Protective Order And Countermotion For Fees From Plaintiff To Defendant	5	1213 - 1222
11/22/2019	Order After Hearing Of September 6, 2019	6	1223 - 1225
11/22/2019	Notice Of Entry Of Order After Hearing Of September 6, 2019	6	1226 - 1231
11/26/2019	Objection To Discovery Commissioners Report And Recommendations Filed November 12, 2019	6	1232 - 1244
11/26/2019	Appendix Of Exhibits In Support Of Objection To Discovery Commissioners Report And Recommendations Filed November 12, 2019	6	1245 - 1280
11/26/2019	Opposition To Mr. Lloyd's Motion For Protective Order And Countermotion For Attorney's Fees And Costs	6	1281 - 1296
11/26/2019	Appendix Of Exhibits In Support Of Plaintiff's Opposition To Mr. Lloyd's Motion For Protective Order And Countermotion For Attorney's Fees And Costs	6	1297 - 1332

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
11/29/2019	Plaintiff's Reply In Support Of Motion To Compel Discovery Responses And For Attorney's Fees	6	1333 - 1345
12/02/2019	Reply To Plaintiff's Opposition To Mr. Lloyd's Motion For Protective Order And Countermotion For Attorney's Fees And Costs	6	1346 - 1373
12/04/2019	Opposition To Defendant's Motion For A Custody Evaluation, Attorney's Fees And Related Relief And Countermotion For Attorney's Fees And Costs	6	1374 - 1405
12/06/2019	Reply To Opposition To Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief And Opposition To Countermotion For Attorney's Fees And Costs	6	1406 - 1415
12/06/2019	Exhibits To Reply To Opposition To Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief And Opposition To Countermotion For Attorney's Fees And Costs	7	1416 - 1495
12/06/2019	Second Supplemental Appendix Of Exhibits In Support Of Plaintiff's Response In Support Of Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Fees And Costs	7	1496 - 1536
12/06/2019	Supplemental Declaration To Reply To Opposition To Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief And Opposition To Countermotion For Attorney's Fees And Costs	7	1537 - 1539
12/09/2019	Referral Order For Outsourced Evaluation Services	7	1540
12/09/2019	Case And Non Jury Trial Management Order	7	1541 - 1544
12/12/2019	Order After Hearing Of October 3, 2019	7	1545 - 1548
12/12/2019	Notice Of Entry Of Order After Hearing Of October 3, 2019	7	1549 - 1555
12/12/2019	Plaintiff's Notice Of UNLV Seminar Completion EDCR 5.07	7	1556
12/27/2019	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	7	1557 - 1575
12/30/2019	Discovery Commissioners Report And Recommendations From 12/06/19 Hearing	7	1576 - 1580
12/31/2019	Plaintiff's Brunzell Affidavit For Attorney's Fees And Costs	7	1581 - 1629
01/02/2020	Defendant's Objection To Plaintiff's Brunzell Affidavit For Attorney's Fees And Costs	7	1630 - 1636
01/03/2020	Opposition To 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 Countermotion To Restore Joint Physical Custody And For Attorney's Fees	7	1637 - 1660
01/06/2020	Receipt Of Check	7	1661
01/06/2020	Receipt Of Check	7	1662
01/22/2020	Order On Discovery Commissioner's Report And Recommendations	7	1663 - 1664
01/22/2020	Notice Of Entry Of Order	8	1665 - 1668
01/23/2020	Notice Of Withdrawal Of Attorney Of Record	8	1669 - 1671

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
01/23/2020	Plaintiff's Reply In Support Of 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 Opposition To Defendant's Countermotion To Restore Joint Physical Custody And For Attorney's Fees	8	1672 - 1704
01/23/2020	Appendix Of Exhibits In Support Of Plaintiff's Reply In Support Of 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 Opposition To Defendant's Countermotion To Restore Joint Physical Custody And For Attorney's Fees	8	1705 - 1739
01/23/2020	Discovery Cmmissioner's Report And Recommendations From 12/06/19 Hearing	8	1740 - 1744
01/27/2020	Motion To Withdraw As Attorney Of Record For Defendant	8	1745 - 1753
02/04/2020	Ex Parte Motion For An Order Shortening Time	8	1754 - 1757
02/06/2020	No Contact Order	8	1758 - 1760
02/06/2020	Notice Of Entry Of No Contact Order	8	1761 - 1766
02/06/2020	Order From December 9, 2019 Hearing	8	1767 - 1774
02/06/2020	Notice Of Entry Of Order	8	1775 - 1784
02/12/2020	Request For Submission Of Motion To Withdraw As Counsel Of Record	8	1785 - 1786
02/12/2020	Notice Of Non-Opposition To Motion To Withdraw As Attorney Of Record For Defendant	8	1787 - 1788
02/13/2020	Minute Order	8	1789 - 1791
02/19/2020	Order On Discovery Commissioner's Report And Recommendations	8	1792 - 1799
02/20/2020	Notice Of Entry Of Order On Discovery Commissioner's Report And Recommendations	8	1800 - 1809
02/20/2020	Order To Withdraw As Counsel Of Record	8	1810 - 1811
02/20/2020	Substituttion Of Attorney	8	1812 - 1814
02/21/2020	Motion For An Order To Show Cause And To Hold Defendant In Contempt Of Court For Violation Of The March 19, 2019 Order, The June 17, 2019 Order, And The Behavior Order Filed March 19, 2019; For Attorney's Fees And Costs And Related Relief	8	1815 - 1832
02/24/2020	Supplemental Appendix Of Exhibits In Support Of 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	8	1833 - 1849
02/25/2020	Defendant's Objection To Plaintiff's Supplemental Appendix	8	1850 - 1852
02/26/2020	Request For Child Protection Service Appearance And Records	8	1853
02/26/2020	Order Referring To Judicial Settlement Program	8	1854 - 1855
02/28/2020	Receipt Of Check	8	1856

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
03/16/2020	Opposition To Plaintiff's Motion For An Order To Show Cause And To Hold Defendant In Contempt Of Court For Violation Of The March 19, 2019 Order, The June 17, 2019 Order, And The Behavior Order Filed March 19, 2019; For Attorney's Fees And Costs And Related Relief And Counter Motion To Enforce Phone Contact With The Minor Children And For Attorney's Fees	8	1857 - 1878
03/16/2020	Exhibit Appendix To Plaintiff's Motion For An Order To Show Cause And To Hold Defendant In Contempt Of Court For Violation Of The March 19, 2019 Order, The June 17, 2019 Order, And The Behavior Order Filed March 19, 2019; For Attorney's Fees And Costs And Related Relief And Counter Motion To Enforce Phone Contact With The Minor Children And For Attorney's Fees	8	1879 - 1892
03/20/2020	Receipt Of Check	8	1893
03/25/2020	Notice Of Seminar Completion EDCR 5.302	8	1894 - 1896
03/30/2020	Reply In Support Of Motion For An Order To Show Cause And To Hold Defendant In Contempt Of Court For Violation Of The March 19, 2019 Order, The June 17, 2019 Order, And The Behavior Order Filed March 19, 2019; For Attorney's Fees And Costs And Related Relief And Partial Opposition To Countermotion To Enforce Phone Contact With The Minor Children And For Attorney's Fees	9	1897 - 1918
03/30/2020	Supplemental Appendix Of Exhibits In Support Of Plaintiff's Reply In Support Of Motion For An Order To Show Cause And To Hold Defendant In Contempt Of Court For Violation Of The March 19, 2019 Order, The June 17, 2019 Order, And The Behavior Order Filed March 19, 2019; For Attorney's Fees And Costs And Related Relief And Partial Opposition To Countermotion To Enforce Phone Contact With The Minor Children And For Attorney's Fees	9	1919 - 1959
03/31/2020	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 Costs And Related Relief	9	1960 - 1983
03/31/2020	Ex Parte Motion For An Order Shortening Time	9	1984 - 1987
03/31/2020	Stipulation And Order To Provide CPS Records And Drug Test Results To The Child Custody Evaluator	9	1988 - 1990
04/01/2020	Notice Of Entry Of Stipulation And Order To Provide CPS Records And Drug Test Results To The Child Custody Evaluator	9	1991 - 1996
04/01/2020	Order Shortening Time	9	1997 - 1998
04/02/2020	Notice Of Entry Of Order Shortening Time	9	1999 - 2003
04/02/2020	Substitution Of Attorneys	9	2004 - 2006
04/02/2020	Opposition To Plaintiff's 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 Costs And Related Relief And Countermotion For An Order To Show Cause, Compensatory Visitation Time, And Attorney's Fees	9	2007 - 2028

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
04/03/2020	Reply In Support Of 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 Costs And Related Relief And Opposition To Countermotion For An Order To Show Cause, Compensatory Visitation Time, And Attorney's Fees	9	2029 - 2045
04/09/2020	Appendix Of Supplemental Exhibits To Plaintiff's Motion For A Change Of Custody Based On Defendant's Endangerment Of The Minor Children; For Marie's Birth Certificate And Related Relief	9	2046 - 2074
04/22/2020	Order From April 6, 2020 Hearing	9	2075 - 2078
04/22/2020	Notice Of Entry Of Order After Hearing Of April 6, 2020	9	2079 - 2085
04/26/2020	Plaintiff's 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	9	2086 - 2099
04/27/2020	Appendix Of Exhibits In Support Of 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 Related Relief	9	2100 - 2129
04/28/2020	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	10	2130 - 2162
04/28/2020	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	10	2163 - 2203
05/13/2020	Order After Hearing February 26, 2020	10	2204 - 2211
05/14/2020	Notice Of Entry Of Order After Hearing Of February 26, 2020	10	2212 - 2222
05/19/2020	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 Visitation Time; To Admonish Plaintiff To Abide By Joint Legal Custody Standards; For Attorney S Fees; And Related Relief	10	2223 - 2242
05/22/2020	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	10	2243 - 2272
05/22/2020	Exhibits To Defendant's Motion For An Order To Show Cause As To Why Plaintiff Should Not Be Held In Contempt, For Order Regarding Health Insurance And Spousal Support, For Attorney's Fees, And Related Relief	10	2273 - 2307

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
05/22/2020	General Financial Disclosure Form	10	2308 - 2317
05/27/2020	Order To Show Cause	10	2318 - 2320
05/27/2020	Notice Of Entry Of Order	10	2321 - 2325
06/03/2020	Ex Parte Application For An Order To Show Cause	10	2326 - 2362
06/07/2020	Schedule Of Arrearages	10	2363 - 2366
06/19/2020	Plaintiff's Motion To Address Upcoming Trial Date And Findings In Regard To Chalese's Refusal To Timely Facilitate The Completion Of The Child Custody Evaluation	10	2367 - 2380
06/22/2020	Ex Parte Motion For An Order Shortening Time	11	2381 - 2384
06/22/2020	Order Shortening Time	11	2385 - 2386
06/22/2020	Notice Of Entry Of Order Shortening Time	11	2387 - 2391
06/26/2020	Opposition To Motion To Address Upcoming Trial Date And Findings In Regard To Chalese's Refusal To Timely Facilitate The Completion Of The Child Custody Evaluation And Countermotion For Plaintiff To File An Updated Fdf, For Attorney's Fees, And Related Relief	11	2392 - 2417
06/26/2020	Exhibits To Opposition To Motion To Address Upcoming Trial Date And Findings In Regard To Chalese's Refusal To Timely Facilitate The Completion Of The Child Custody Evaluation And Countermotion For Plaintiff To File An Updated Fdf, For Attorney's Fees, And Related Relief	11	2418 - 2434
06/29/2020	Stipulation And Order Regarding Orders To Show Cause	11	2435 - 2437
06/29/2020	Notice Of Entry Of Stipulation And Order Regarding The Orders To Show Cause	11	2438 - 2443
06/30/2020	General Financial Disclosure Form	11	2444 - 2454
07/06/2020	Order From June 1, 2020 Hearing	11	2455 - 2462
07/06/2020	Notice Of Entry Of Order	11	2463 - 2472
07/20/2020	Defendant's Motion To Extend Rebuttal Expert Deadline And For Attorney's Fees	11	2473 - 2484
07/21/2020	Ex Parte Application For An Order Shortening Time On Defendant's Motion To Extend Rebuttal Expert Deadline And For Attorney's Fees	11	2485 - 2487
07/21/2020	Stipulation And Order To Withdraw	11	2488 - 2490
07/21/2020	Notice Of Entry Of The Stipulation And Order To Withdraw	11	2491 - 2496
07/24/2020	Defendant's Motion To Extend Rebuttal Expert Deadline And For Attorney's Fees	11	2497 - 2508
07/29/2020	Defendant's Motion To Continue Trial (Second Request)	11	2509 - 2525
07/31/2020	Ex Parte Application For An Order Shortening Time On Defendant's Motion To Continue Trial (Second Request)	11	2526 - 2529
08/03/2020	Non-Opposition To Defendant's Motion To Continue Trial And Countermotion For Sanctions	11	2530 - 2543
08/05/2020	Reply To Plaintiff's Non-Opposition To Defendant's Motion To Continue Trial And Opposition To Plaintiff's Countermotion For Sanctions	11	2544 - 2552
08/10/2020	Order To Continue Trial	11	2553 - 2556

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
08/10/2020	Notice Of Entry Of Order To Continue Trial	11	2557 - 2562
08/19/2020	Order From The Hearing Held October 9, 2019	11	2563 - 2565
09/02/2020	Notice Of Appeal	11	2566 - 2568
09/02/2020	Case Appeal Statement	11	2569 - 2574
09/10/2020	Order From June 30, 2020 Hearing	11	2575 - 2578
09/10/2020	Notice Of Entry Of Order	11	2579 - 2584
09/21/2020	Notice Of Entry Of Order From October 9, 2019 Hearing	11	2585 - 2589
10/07/2020	Plaintiff's Motion To Clarify Courts June 30th Order After Hearing	11	2590 - 2595
10/07/2020	Defendant's Motion For Clarification And Modification Of Court Release Regarding Custody Evaluation And For Sanctions And Fees Against Plaintiff	11	2596 - 2608
10/07/2020	Exhibits To Motion For Clarification And Modification Of Court Release Regarding Custody Evaluation And For Sanctions And Fees Against Plaintiff	11	2609 - 2628
10/07/2020	Amended Motion For Clarification And Modification Of Court Release Regarding Custody Evaluation And For Sanctions And Fees Against Plaintiff	12	2629 - 2642
10/12/2020	Ex Parte Application For An Order Shortening Time On Defendant's Amended Motion For Clarification And Modification Of Court Release Regarding Custody Evaluation And For Sanctions And Fees Against Plaintiff	12	2643 - 2646
10/20/2020	Opposition To Plaintiff's Motion To Clarify Court's June 30th Order After Hearing	12	2647 - 2657
10/20/2020	Plaintiff's Opposition To Defendant's Motion For Clarification And Modification Of Court Release Regarding Custody Evaluation And For Sanctions And Fees Against Plaintiff	12	2658 - 2676
10/21/2020	Order Shortening Time	12	2677 - 2679
10/21/2020	Notice Of Entry Of Order Shortening Time	12	2680 - 2684
10/29/2020	Minute Order	12	2685 - 2687
11/06/2020	Defendant's Brief Regarding Confidentiality Agreement	12	2688 - 2694
11/09/2020	Reply To Opposition To Plaintiff's Motion To Clarify Court's June 30th Order After Hearing	12	2695 - 2702
11/10/2020	Minute Order	12	2703 - 2704
11/13/2020	Plaintiff's Brief Regarding Confidentiality Agreement	12	2705 - 2710
11/13/2020	Stipulation And Order Regarding Confidentiality Agreement	12	2711 - 2717
11/16/2020	Notice Of Entry Of Stipulation And Order	12	2718 - 2726
12/14/2020	Plaintiff's Motion To Terminate Temporary Spousal Support	12	2727 - 2733
12/28/2020	Opposition To Motion To Terminate Temporary Spousal Support And Countermotion For Attorney's Fees	12	2734 - 2746
01/04/2021	Ex Parte Application For An Order Shortening Time On Plaintiff's Motion To Terminate Temporary Spousal Support.	12	2747 - 2753
01/04/2021	Reply To Opposition To Motion To Terminate Temporary Spousal Support And Opposition To Countermotion	12	2754 - 2765
01/05/2021	Plaintiff's Motion To Reassign	12	2766 - 2732

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
01/05/2021	Ex Parte Application For An Order Shortening Time On Plaintiff's Motion To Reassign	12	2733 - 2779
01/08/2021	Minute Order	12	2780 - 2781
01/12/2021	Notice Of Department Reassignment	12	2782 - 2784
03/09/2021	Order From February 18, 2021 Hearing	13	2785 - 2789
03/09/2021	Notice Of Entry Of Order	13	2790 - 2796
03/12/2021	Plaintiff's List Of Contested Art In His Possession And Art Believed To Be In Defendant's Possession	13	2797 - 2798
03/18/2021	Motion To Modify Temporary Physical Custody Pending Trial	13	2799 - 2808
03/19/2021	Ex Parte Application For An Order Shortening Time On Plaintiff's Motion Modify Temporary Physical Custody Pending Trial	13	2809 - 2815
03/23/2021	Order Shortening Time	13	2816 - 2818
03/28/2021	Defendant's Opposition To Plaintiff's Motion To Modify Temporary Physical Custody Pending Trial And Countermotion For Sanctions And Attorney's Fees	13	2819 - 2832
03/28/2021	Exhibits To Opposition To Plaintiff's Motion To Modify Temporary Physical Custody Pending Trial And Countermotion For Sanctions And Attorney's Fees	13	2833 - 2846
04/22/2021	Defendant's Emergency Motion To Allow Witness To Appear Virtually	13	2847 - 2859
04/22/2021	Exhibits To Emergency Motion To Allow Witness To Appear Virtually	13	2860 - 2871
04/22/2021	Motion In Limine To Recognize Dr. Paglini As Neutral Expert	13	2872 - 2877
04/27/2021	Opposition To Plaintiff's Motion In Limine	13	2878 - 2884
04/29/2021	Plaintiff's Opposition To Defendant's Emergency Motion To Allow Witness To Appear Virtually	13	2885 - 2891
05/03/2021	General Financial Disclosure Form	13	2892 - 2899
05/03/2021	Defendant's Pre-Trial Memorandum	13	2900 - 2919
05/03/2021	Plaintiff's Pre-Trial Memorandum	13	2920 - 2945
05/04/2021	Order From March 30, 2021 Hearing	13	2946 - 2949
05/04/2021	Notice Of Entry Of Order	13	2950 - 2955
05/07/2021	Defendant's EDCR 7.17 Trial Brief	13	2956 - 2999
05/07/2021	Notice Of Association Of Co-Counsel In An Unbundled Capacity	13	3000 - 3001
05/13/2021	Plaintiff's Motion To Disqualify	13	3002 - 3016
05/14/2021	Opposition To Motion To Disqualify And Countermotion For Attorney's Fees And Sanctions	14	3017 - 3047
05/24/2021	Response To Defendant's Motion To Disqualify Judge	14	3048 - 3051
05/27/2021	Minute Order	14	3052 - 3053
06/02/2021	Reply To Opposition To Motion To Disqualify And Opposition To Countermotion For Fees And Sanctions	14	3054 - 3069
06/03/2021	Emergency Motion Regarding Summer Custodial Timeshare	14	3070 - 3092
06/03/2021	Exhibits To Emergency Motion Regarding Summer Custodial Timeshare	14	3093 - 3112

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
06/03/2021	Ex Parte Application For An Order Shortening Time On Hearing For Plaintiff's Motion To Disqualify	14	3113 - 3118
06/04/2021	Order Shortening Time On Hearing For Plaintiff's Motion To Disqualify	14	3119 - 3121
06/04/2021	Notice Of Entry Of Order	14	3122 - 3126
06/09/2021	Minute Order	14	3127 - 3128
06/18/2021	Opposition To Defendant's Emergency Motion Regarding Custodial Timeshare	14	3129 - 3135
06/23/2021	Ex Parte Motion For Leave To File Reply To Opposition To Countermotion	14	3136 - 3140
06/23/2021	Amended Reply To Opposition To Motion To Disqualify And Opposition To Countermotion For Fees And Sanctions	14	3141 - 3157
06/24/2021	Decision And Order	14	3158 - 3165
06/24/2021	Ex Parte Application For An Order Shortening Time On Hearing On Emergency Motion Regarding Summer Custodial Timeshare	14	3166 - 3170
06/25/2021	Reply To Opposition To Emergency Motion Regarding Summer Custodial Timeshare	14	3171 - 3176
06/26/2021	Motion For Sanctions	14	3177 - 3186
06/27/2021	Opposition To Motion For Sanctions And Countermotion For Attorney's Fees And Sanctions	14	3187 - 3207
06/28/2021	Order Shortening Time	14	3208 - 3210
06/28/2021	Notice Of Entry Of Order	14	3211 - 3215
07/04/2021	Order (April 30, 2021 Hearing)	14	3216 - 3219
07/04/2021	Order From May 10, 2021	14	3220 - 3225
07/06/2021	Notice Of Entry Of Order	14	3226 - 3231
07/06/2021	Notice Of Entry Of Order	14	3232 - 3239
07/08/2021	Plaintiff's Financial Disclosure Form	14	3240 - 3250
07/22/2021	Minute Order	14	3251 - 3252
08/04/2021	Emergency Motion To Address Defendant's Intent To Withhold The Minor Children	14	3253 - 3261
08/04/2021	Ex Parte Application For An Order Shortening Time On Plaintiff's Emergency Motion To Address Defendant's Intent To Withhold The Minor Children	15	3262 - 3269
08/05/2021	Minute Order	15	3270 - 3271
08/06/2021	Opposition To Emergency Motion To Address Defendant's Intent To Withhold The Minor Children And Countermotion For Compensatory Time, Fees And Sanctions	15	3272 - 3284
08/06/2021	Errata To Defendant's Opposition To Emergency To Address Defendant's Intent To Withhold The Minor Children And Countermotion For Compensatory Time, Fees And Sanctions	15	3285 - 3287
08/08/2021	Order (July 8, 2021 Hearing)	15	3288 - 3292
08/23/2021	Reply In Support Of Emergency Motion To Address Defendant S Intent To Withhold The Minor Children	15	3293 - 3302
08/26/2021	Minute Order	15	3303 - 3305

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
09/01/2021	General Financial Disclosure Form	15	3306 - 3317
09/16/2021	Association Of Counsel For Plaintiff	15	3318 - 3320
09/21/2021	Emergency Motion For Immediate Withdrawal Of Attorney	15	3321 - 3329
09/22/2021	Ex Parte Application For An Order Shortening Time On Defendant's Emergency Motion For Immediate Withdrawal Of Attorney	15	3330 - 3337
09/22/2021	Non-Opposition To Request For Order Shortening Time; Opposition To Facts Contained Within Request For Order Shortening Time	15	3338 - 3356
09/22/2021	Order Shortening Time	15	3357 - 3359
09/24/2021	Order To Withdraw As Counsel Of Record	15	3360 - 3363
09/27/2021	Notice Of Entry Of Order To Withdraw As Counsel Of Record	15	3364 - 3369
10/20/2021	Order (September 27, 2021)	15	3370 - 3373
12/21/2021	Motion To Expand Discovery To Include Up To Date Appclose Messges And Other Messages Sent By The Defendant	15	3374 - 3381
12/21/2021	Exhibits To Motion To Expand Discovery To Include Up To Date Appclose Messages And Other Messages Sent By The Defendant	15	3382 - 3394
12/27/2021	Notice Of Appearance	15	3395 - 3397
12/27/2021	Request And Order To Release Records	15	3398 - 3400
01/11/2022	Defendant's Opposition	15	3401 - 3406
01/19/2022	Reply In Support Of Motion To Expand Discovery To Include Up To Date Appclose Messages And Other Messages Sent By The Defendant	15	3407 - 3415
01/25/2022	Transcript from May 10, 2021 Evidentiary Hearing (Trial Day 1)	16	3416 - 3574
01/25/2022	Receipt of Copy of Transcript	16	3575
01/25/2022	Certification of Transcripts Notice of Completion	16	3576
01/25/2022	Final Billing of Transctips	16	3577
02/08/2022	Order From January 21, 2022 Trial	16	3578 - 3581
03/03/2022	Defendant's Financial Disclosure Form	16	3582 - 3592
03/04/2022	Plaintiff's Financial Disclosure Form	16	3593 - 3603
03/07/2022	Minute Order	16	3604 - 3605
03/16/2022	Defendant's Motion To Place On Calendar And Take Testimony	16	3606 - 3615
03/16/2022	Motion For Order Shortening Time	16	3616 - 3622
03/16/2022	Order Shortening Time	16	3623 - 3625
03/17/2022	Ex Parte Application For An Order Shortening Time On Defendant's Motion To Place On Calendar And Take Testimony	16	3626 - 3633
03/18/2022	Pecos Law Group's Memorandum Of Fees And Costs Per Court's Instruction On March 4, 2022	17	3634 - 3742
05/09/2022	Order From April 14, 2022 Motion Hearing	17	3743 - 3746
05/12/2022	Memorandum Of Fees And Costs	17	3747 - 3752
05/13/2022	Motion To Reconsider Decision After Defendant's Motion To Place On Calendar And Take Testimony	17	3753 - 3764
05/18/2022	Ex Parte Application For An Order Shortening Time On Plaintiff's Motion To Reconsider Decision After Defendant's Motion To Place On Calendar And Take Testimony	17	3765 - 3771
05/18/2022	Defendant's Closing Brief	17	3772 - 3791

CHRONOLOGICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
05/19/2022	Ex Parte Application For An Order Shortening Time On Plaintiff's Motion To Reconsider Decision After Defendant's Motion To Place On Calendar And Take Testimony	17	3792 - 3798
05/24/2022	Defendant's Opposition	17	3799 - 3813
05/25/2022	Decree Of Divorce	17	3814 - 3869
05/26/2022	Notice Of Entry	18	3870 - 3926
05/27/2022	Emergency Motion To Stay Judgement Pending Appeal	18	3927 - 3946
05/27/2022	Emergency Ex Parte Application For An Order Shortening Time On Plaintiffs Emergency Motion To Stay Judgement Pending Appeal	18	3947 - 3953
05/27/2022	Notice Of Appeal	18	3954 - 3955
05/27/2022	Opposition And Countermotion	18	3956 - 3972
05/31/2022	Order Re: Stay	18	3973 - 3977
05/31/2022	Notice Of Entry	18	3978 - 3983
06/06/2022	Case Appeal Statement	18	3984 - 3987
09/08/2022	Request For Rough Draft Transcript	18	3988 - 3990
09/13/2022	Estimate Of Rough Draft Transcripts	18	3991 - 3992
11/02/2022	Certification of Transcripts Notice of Completion	18	3993
11/02/2022	Transcript from January 21, 2022 Evidentiary Hearing (Trial Day 2)	19	3994 - 4155
11/02/2022	Transcript from March 1, 2022 Evidentiary Hearing (Trial Day 3)	20	4156 - 4402
11/02/2022	Transcript from March 2, 2022 Evidentiary Hearing (Trial Day 4)	21	4403 - 4669
11/02/2022	Transcript from March 3, 2022 Evidentiary Hearing (Trial Day 5)	22	4670 - 4770
11/02/2022	Transcript from April 14, 2022 Hearing (Trial Decision)	22	4771 - 4791

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
01/31/2019	Affidavit Of Resident Witness	1	14 - 15
09/20/2019	Affidavit Of Resident Witness	3	657 - 658
02/07/2019	Amended Answer And Counterclaim	1	40 - 47
10/07/2020	Amended Motion For Clarification And Modification Of Court Release Regarding Custody Evaluation And For Sanctions And Fees Against Plaintiff	12	2629 - 2642
02/07/2019	Amended Motion To Set Aside Default; For Exclusive Possession Of The Marital Residence And Ordering Plaintiff To Assist In Making Mortgage Payments; For Medical Legal Custody Of The Minor Children, For An Order Referring The Parties To Mediation Pursuant To EDCR 5.70, For An Order Awarding Defendant Child Support For An Order Awarding Defendant Alimony; And For Attorney Fees And Costs	1	62 - 75
06/23/2021	Amended Reply To Opposition To Motion To Disqualify And Opposition To Countermotion For Fees And Sanctions	14	3141 - 3157
02/04/2019	Answer And Counterclaim	1	26 - 34
04/27/2020	Appendix Of Exhibits In Support Of 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 Related Relief	9	2100 - 2129
11/26/2019	Appendix Of Exhibits In Support Of Objection To Discovery Commissioners Report And Recommendations Filed November 12, 2019	6	1245 - 1280
05/14/2019	Appendix Of Exhibits In Support Of Plaintiff's Emergency Motion For A Change Of Custody; For Attorney's Fees And Costs And Related Relief	2	300 - 391
10/24/2019	Appendix Of Exhibits In Support Of Plaintiff's Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees And Countermotion For Attorney's Fees And Costs	4	843 - 850
11/26/2019	Appendix Of Exhibits In Support Of Plaintiff's Opposition To Mr. Lloyd's Motion For Protective Order And Countermotion For Attorney's Fees And Costs	6	1297 - 1332
06/11/2019	Appendix Of Exhibits In Support Of Plaintiff's Reply In Support Of Emergency Motion For A Change Of Custody; For Attorney's Fees And Costs And Related Relief And Opposition To Countermotion For Change Of Custody For Primary Physical And Sole Legal Custody, Psychological Evaluation Of The Plaintiff	2	454 - 471
01/23/2020	Appendix Of Exhibits In Support Of Plaintiff's Reply In Support Of 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 Opposition To Defendant's Countermotion To Restore Joint Physical Custody And For Attorney's Fees	8	1705 - 1739
11/12/2019	Appendix Of Exhibits In Support Of Plaintiff's Response In Support Of Opposition	5	972 - 1038

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
02/26/2019	Appendix Of Exhibits To Plaintiff's Opposition To Amended Motion To Set Aside Default; For Exclusive Possession Of The Marital Residence And Ordering Plaintiff To Assist In Making Mortgage Payments; For Medical Legal Custody Of The Minor Children; For An Order Referring The Parties To Mediation Pursuant To EDCR 5.70, For An Order Awarding Plaintiff Child Support; For An Order Awarding Defendant Alimony; And For Attorney's Fees And Costs Primary Physical Custody, Child Support, And Attorney's Fees And Costs And Countermotion For Joint Legal Custody; Primary Physical Custody To Plaintiff And Supervised Visitation To Defendant; To Establish Child Support; To Establish Payment Of Marital Expenses; For An Order Protecting The Parties Community Property; Defendant To Obtain Employment And To Cooperate In A Vocational Assessment	1	126 - 173
05/24/2019	Appendix Of Supplemental Exhibits In Support Of Plaintiff's Emergency Motion For A Change Of Custody; For Attorney's Fees And Costs And Related Relief	2	401 - 404
04/09/2020	Appendix Of Supplemental Exhibits To Plaintiff's Motion For A Change Of Custody Based On Defendant's Endangerment Of The Minor Children; For Marie's Birth Certificate And Related Relief	9	2046 - 2074
03/18/2019	Appendix Of Supplemental Exhibits To Plaintiff's Opposition To Amended Motion To Set Aside Default; For Exclusive Possession Of The Marital Residence And Ordering Plaintiff To Assist In Making Mortgage Payments; For Medical Legal Custody Of The Minor Children; For An Order Referring The Parties To Mediation Pursuant To EDCR 5.70, For An Order Awarding Plaintiff Child Support; For An Order Awarding Defendant Alimony; And For Attorney's Fees And Costs Primary Physical Custody, Child Support, And Attorney's Fees And Costs And Countermotion For Joint Legal Custody; Primary Physical Custody To Plaintiff And Supervised Visitation To Defendant; To Establish Child Support; To Establish Payment Of Marital Expenses; For An Order Protecting The Parties Community Property; Defendant To Obtain Employment And To Cooperate In A Vocational Assessment	1	196 - 215
11/20/2019	Application For Order Shortening Time	5	1177 - 1179
09/16/2021	Association Of Counsel For Plaintiff	15	3318 - 3320
03/19/2019	Behavior Order	1	220 - 224
12/09/2019	Case And Non Jury Trial Management Order	7	1541 - 1544
03/19/2019	Case And Non-Jury Trial Management Order	1	216 - 219
09/06/2019	Case And Non-Jury Trial Management Order	3	627 - 630
09/02/2020	Case Appeal Statement	11	2569 - 2574
06/06/2022	Case Appeal Statement	18	3984 - 3987
02/01/2019	Certificate Of Completion COPE Class	1	16 - 18
01/25/2022	Certification of Transcripts Notice of Completion	16	3576

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
11/02/2022	Certification of Transcripts Notice of Completion	18	3993
01/04/2019	Complaint For Divorce	1	1 - 6
06/24/2021	Decision And Order	14	3158 - 3165
05/25/2022	Decree Of Divorce	17	3814 - 3869
01/29/2019	Default	1	13
09/09/2019	Defendant, Chalese Solinger's List Of Witnesses For Trial	3	631 - 636
11/06/2020	Defendant's Brief Regarding Confidentiality Agreement	12	2688 - 2694
05/18/2022	Defendant's Closing Brief	17	3772 - 3791
05/07/2021	Defendant's EDCR 7.17 Trial Brief	13	2956 - 2999
04/22/2021	Defendant's Emergency Motion To Allow Witness To Appear Virtually	13	2847 - 2859
03/03/2022	Defendant's Financial Disclosure Form	16	3582 - 3592
11/22/2019	Defendant's Joinder To Joshua Lloyd's Motion For Protective Order And Countermotion For Fees From Plaintiff To Defendant	5	1201 - 1212
11/15/2019	Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief	5	1054 - 1072
05/22/2020	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	10	2243 - 2272
10/07/2020	Defendant's Motion For Clarification And Modification Of Court Release Regarding Custody Evaluation And For Sanctions And Fees Against Plaintiff	11	2596 - 2608
10/09/2019	Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees	3	716 - 731
07/29/2020	Defendant's Motion To Continue Trial (Second Request)	11	2509 - 2525
08/28/2019	Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines (First Request)	3	571 - 583
07/20/2020	Defendant's Motion To Extend Rebuttal Expert Deadline And For Attorney's Fees	11	2473 - 2484
07/24/2020	Defendant's Motion To Extend Rebuttal Expert Deadline And For Attorney's Fees	11	2497 - 2508
03/16/2022	Defendant's Motion To Place On Calendar And Take Testimony	16	3606 - 3615
02/07/2019	Defendant's Motion To Set Aside Default; For Exclusive Possession Of The Marital Residence And Order Plaintiff To Assist In Making Mortgage Payments; For Medical Legal Custody Of The Minor Children, For An Order Referring The Parties To Mediation Pursuant To EDCR 5.70, For An Order Awarding Plaintiff Child Support; For An Order Awarding Plaintiff Alimony; And For Attorney Fees And Costs	1	48 - 61
09/30/2019	Defendant's Notice Of Seminar Completion - EDCR 5.302	3	672 - 674
09/20/2019	Defendant's Notice Of UNLV Seminar Completion EDCR 5.07	3	655 - 656

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
01/02/2020	Defendant's Objection To Plaintiff's Brunzell Affidavit For Attorney's Fees And Costs	7	1630 - 1636
02/25/2020	Defendant's Objection To Plaintiff's Supplemental Appendix	8	1850 - 1852
01/11/2022	Defendant's Opposition	15	3401 - 3406
05/24/2022	Defendant's Opposition	17	3799 - 3813
11/07/2019	Defendant's Opposition To Plaintiff's Motion To Compel Discovery Responses And For Attorney's Fees	4	931 - 939
03/28/2021	Defendant's Opposition To Plaintiff's Motion To Modify Temporary Physical Custody Pending Trial And Countermotion For Sanctions And Attorney's Fees	13	2819 - 2832
05/03/2021	Defendant's Pre-Trial Memorandum	13	2900 - 2919
10/02/2019	Defendant's Reply To Opposition To Defendant's Renoticed Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines	3	693 - 702
11/18/2019	Defendant's Response To Plaintiff's Response In Support Of Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Fees And Costs	5	1113 - 1128
01/23/2020	Discovery Cmmissioner's Report And Recommendations From 12/06/19 Hearing	8	1740 - 1744
12/30/2019	Discovery Commissioners Report And Recommendations From 12/06/19 Hearing	7	1576 - 1580
05/27/2022	Emergency Ex Parte Application For An Order Shortening Time On Plaintiffs Emergency Motion To Stay Judgement Pending Appeal	18	3947 - 3953
05/14/2019	Emergency Motion For A Change Of Custody; For Attorney's Fees And Costs And Related Relief	2	269 - 299
09/21/2021	Emergency Motion For Immediate Withdrawal Of Attorney	15	3321 - 3329
06/03/2021	Emergency Motion Regarding Summer Custodial Timeshare	14	3070 - 3092
08/04/2021	Emergency Motion To Address Defendant's Intent To Withhold The Minor Children	14	3253 - 3261
05/27/2022	Emergency Motion To Stay Judgement Pending Appeal	18	3927 - 3946
08/06/2021	Errata To Defendant's Opposition To Emergency To Address Defendant's Intent To Withhold The Minor Children And Countermotion For Compensatory Time, Fees And Sanctions	15	3285 - 3287
11/15/2019	Errata To Exhibits To Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief	5	1110 - 1112
11/08/2019	Errata To Opposition To Plaintiff's Motion To Compel Discovery Responses And For Attorney's Fees	4	940 - 943
09/13/2022	Estimate Of Rough Draft Transcripts	18	3991 - 3992
10/12/2020	Ex Parte Application For An Order Shortening Time On Defendant's Amended Motion For Clarification And Modification Of Court Release Regarding Custody Evaluation And For Sanctions And Fees Against Plaintiff	12	2643 - 2646
09/22/2021	Ex Parte Application For An Order Shortening Time On Defendant's Emergency Motion For Immediate Withdrawal Of Attorney	15	3330 - 3337

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
11/21/2019	Ex Parte Application For An Order Shortening Time On Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief	5	1198 - 1200
07/31/2020	Ex Parte Application For An Order Shortening Time On Defendant's Motion To Continue Trial (Second Request)	11	2526 - 2529
07/21/2020	Ex Parte Application For An Order Shortening Time On Defendant's Motion To Extend Rebuttal Expert Deadline And For Attorney's Fees	11	2485 - 2487
03/17/2022	Ex Parte Application For An Order Shortening Time On Defendant's Motion To Place On Calendar And Take Testimony	16	3626 - 3633
06/03/2021	Ex Parte Application For An Order Shortening Time On Hearing For Plaintiff's Motion To Disqualify	14	3113 - 3118
06/24/2021	Ex Parte Application For An Order Shortening Time On Hearing On Emergency Motion Regarding Summer Custodial Timeshare	14	3166 - 3170
03/19/2021	Ex Parte Application For An Order Shortening Time On Plaintiff's Motion Modify Temporary Physical Custody Pending Trial	13	2809 - 2815
08/04/2021	Ex Parte Application For An Order Shortening Time On Plaintiff's Emergency Motion To Address Defendant's Intent To Withhold The Minor Children	15	3262 - 3269
01/05/2021	Ex Parte Application For An Order Shortening Time On Plaintiff's Motion To Reassign	12	2733 - 2779
05/18/2022	Ex Parte Application For An Order Shortening Time On Plaintiff's Motion To Reconsider Decision After Defendant's Motion To Place On Calendar And Take Testimony	17	3765 - 3771
05/19/2022	Ex Parte Application For An Order Shortening Time On Plaintiff's Motion To Reconsider Decision After Defendant's Motion To Place On Calendar And Take Testimony	17	3792 - 3798
01/04/2021	Ex Parte Application For An Order Shortening Time On Plaintiff's Motion To Terminate Temporary Spousal Support.	12	2747 - 2753
06/03/2020	Ex Parte Application For An Order To Show Cause	10	2326 - 2362
06/05/2019	Ex Parte Motion For An Order Shortening Time	2	420 - 429
02/04/2020	Ex Parte Motion For An Order Shortening Time	8	1754 - 1757
03/31/2020	Ex Parte Motion For An Order Shortening Time	9	1984 - 1987
06/22/2020	Ex Parte Motion For An Order Shortening Time	11	2381 - 2384
11/14/2019	Ex Parte Motion For An Order To Release Electronics To Adam's Agent Or, In The Alternative, For An Order Barring The Release Of Electronics Until Further Court Order	5	1039 - 1053
06/23/2021	Ex Parte Motion For Leave To File Reply To Opposition To Countermotion	14	3136 - 3140
09/30/2019	Ex Parte Motion For Order Shortening Time To Hear Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines	3	675 - 678

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
08/29/2019	Ex Parte Motion For Order Shortening Time To Hear Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines (First Request)	3	604 - 608
02/05/2019	Ex Parte Motion To Vacate Or Continue Hearing	1	35 - 39
03/16/2020	Exhibit Appendix To Plaintiff's Motion For An Order To Show Cause And To Hold Defendant In Contempt Of Court For Violation Of The March 19, 2019 Order, The June 17, 2019 Order, And The Behavior Order Filed March 19, 2019; For Attorney's Fees And Costs And Related Relief And Counter Motion To Enforce Phone Contact With The Minor Children And For Attorney's Fees	8	1879 - 1892
11/22/2019	Exhibits To Defendant's Joinder To Joshua Lloyd's Motion For Protective Order And Countermotion For Fees From Plaintiff To Defendant	5	1213 - 1222
11/15/2019	Exhibits To Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief	5	1073 - 1109
05/22/2020	Exhibits To Defendant's Motion For An Order To Show Cause As To Why Plaintiff Should Not Be Held In Contempt, For Order Regarding Health Insurance And Spousal Support, For Attorney's Fees, And Related Relief	10	2273 - 2307
10/09/2019	Exhibits To Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees	4	732 - 803
08/28/2019	Exhibits To Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines (First Request)	3	584 - 598
11/18/2019	Exhibits To Defendant's Response To Plaintiff's Response In Support Of Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Fees And Costs	5	1129 - 1163
06/03/2021	Exhibits To Emergency Motion Regarding Summer Custodial Timeshare	14	3093 - 3112
04/22/2021	Exhibits To Emergency Motion To Allow Witness To Appear Virtually	13	2860 - 2871
10/07/2020	Exhibits To Motion For Clarification And Modification Of Court Release Regarding Custody Evaluation And For Sanctions And Fees Against Plaintiff	11	2609 - 2628
12/21/2021	Exhibits To Motion To Expand Discovery To Include Up To Date Appclose Messages And Other Messages Sent By The Defendant	15	3382 - 3394
04/28/2020	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	10	2163 - 2203

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
06/26/2020	Exhibits To Opposition To Motion To Address Upcoming Trial Date And Findings In Regard To Chalese's Refusal To Timely Facilitate The Completion Of The Child Custody Evaluation And Countermotion For Plaintiff To File An Updated Fdf, For Attorney's Fees, And Related Relief	11	2418 - 2434
03/28/2021	Exhibits To Opposition To Plaintiff's Motion To Modify Temporary Physical Custody Pending Trial And Countermotion For Sanctions And Attorney's Fees	13	2833 - 2846
12/06/2019	Exhibits To Reply To Opposition To Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief And Opposition To Countermotion For Attorney's Fees And Costs	7	1416 - 1495
11/04/2019	Exhibits To Reply To Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees And Opposition To Countermotion For Attorney's Fees And Costs	4	889 - 930
01/25/2022	Final Billing of Transcripts	16	3577
10/09/2019	Financial Disclosure Form	4	804 - 814
07/15/2019	General Fiancial Disclosure Form	3	501 - 511
02/01/2019	General Financial Disclosure Form	1	19 - 25
02/26/2019	General Financial Disclosure Form	1	174 - 184
09/24/2019	General Financial Disclosure Form	3	659 - 669
05/22/2020	General Financial Disclosure Form	10	2308 - 2317
06/30/2020	General Financial Disclosure Form	11	2444 - 2454
05/03/2021	General Financial Disclosure Form	13	2892 - 2899
09/01/2021	General Financial Disclosure Form	15	3306 - 3317
01/11/2019	Joint Preliminary Injunction	1	11 - 12
05/12/2022	Memorandum Of Fees And Costs	17	3747 - 3752
07/23/2019	Minute Order	3	512 - 514
02/13/2020	Minute Order	8	1789 - 1791
10/29/2020	Minute Order	12	2685 - 2687
11/10/2020	Minute Order	12	2703 - 2704
01/08/2021	Minute Order	12	2780 - 2781
05/27/2021	Minute Order	14	3052 - 3053
06/09/2021	Minute Order	14	3127 - 3128
07/22/2021	Minute Order	14	3251 - 3252
08/05/2021	Minute Order	15	3270 - 3271
08/26/2021	Minute Order	15	3303 - 3305
03/07/2022	Minute Order	16	3604 - 3605
08/28/2019	Minute Order - No Hearing Held	3	565 - 567
03/31/2020	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 Costs And Related Relief	9	1960 - 1983
06/13/2019	Motion For An Order To Show Cause	2	472 - 484

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
02/21/2020	Motion For An Order To Show Cause And To Hold Defendant In Contempt Of Court For Violation Of The March 19, 2019 Order, The June 17, 2019 Order, And The Behavior Order Filed March 19, 2019; For Attorney's Fees And Costs And Related Relief	8	1815 - 1832
07/25/2019	Motion For Division Of The Proceeds From The Sale Of The Marital Home, And For Attorney's Fees	3	515 - 520
03/16/2022	Motion For Order Shortening Time	16	3616 - 3622
11/19/2019	Motion For Protective Order	5	1164 - 1176
12/27/2019	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	7	1557 - 1575
06/26/2021	Motion For Sanctions	14	3177 - 3186
04/22/2021	Motion In Limine To Recognize Dr. Paglini As Neutral Expert	13	2872 - 2877
12/21/2021	Motion To Expand Discovery To Include Up To Date Appclose Messges And Other Messages Sent By The Defendant	15	3374 - 3381
03/18/2021	Motion To Modify Temporary Physical Custody Pending Trial	13	2799 - 2808
05/13/2022	Motion To Reconsider Decision After Defendant's Motion To Place On Calendar And Take Testimony	17	3753 - 3764
08/23/2019	Motion To Withdraw And Adjudicate Attorney's Lien	3	542 - 561
01/27/2020	Motion To Withdraw As Attorney Of Record For Defendant	8	1745 - 1753
02/06/2020	No Contact Order	8	1758 - 1760
08/03/2020	Non-Opposition To Defendant's Motion To Continue Trial And Countermotion For Sanctions	11	2530 - 2543
09/22/2021	Non-Opposition To Request For Order Shortening Time; Opposition To Facts Contained Within Request For Order Shortening Time	15	3338 - 3356
02/21/2019	Notice Of 16.2 Early Case Conference	1	91 - 92
09/02/2020	Notice Of Appeal	11	2566 - 2568
05/27/2022	Notice Of Appeal	18	3954 - 3955
12/27/2021	Notice Of Appearance	15	3395 - 3397
02/14/2019	Notice Of Appearance Of Attorney	1	87 - 88
05/07/2021	Notice Of Association Of Co-Counsel In An Unbundled Capacity	13	3000 - 3001
03/20/2019	Notice Of Association Of Counsel	1	225 - 226
08/23/2019	Notice Of Attorney's Lien	3	562 - 564
01/12/2021	Notice Of Department Reassignment	12	2782 - 2784
05/26/2022	Notice Of Entry	18	3870 - 3926
05/31/2022	Notice Of Entry	18	3978 - 3983
08/28/2019	Notice Of Entry Of August 28, 2019 Minute Order	3	599 - 603
07/26/2019	Notice Of Entry Of July 23, 2019 Minute Order	3	521 - 524
02/06/2020	Notice Of Entry Of No Contact Order	8	1761 - 1766
01/22/2020	Notice Of Entry Of Order	8	1665 - 1668
02/06/2020	Notice Of Entry Of Order	8	1775 - 1784
05/27/2020	Notice Of Entry Of Order	10	2321 - 2325
07/06/2020	Notice Of Entry Of Order	11	2463 - 2472
09/10/2020	Notice Of Entry Of Order	11	2579 - 2584

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
03/09/2021	Notice Of Entry Of Order	13	2790 - 2796
05/04/2021	Notice Of Entry Of Order	13	2950 - 2955
06/04/2021	Notice Of Entry Of Order	14	3122 - 3126
06/28/2021	Notice Of Entry Of Order	14	3211 - 3215
07/06/2021	Notice Of Entry Of Order	14	3226 - 3231
07/06/2021	Notice Of Entry Of Order	14	3232 - 3239
04/22/2020	Notice Of Entry Of Order After Hearing Of April 6, 2020	9	2079 - 2085
10/04/2019	Notice Of Entry Of Order After Hearing Of August 1, 2019	3	708 - 715
05/14/2020	Notice Of Entry Of Order After Hearing Of February 26, 2020	10	2212 - 2222
08/22/2019	Notice Of Entry Of Order After Hearing Of June 17, 2019	3	532 - 541
05/03/2019	Notice Of Entry Of Order After Hearing Of March 19, 2019	2	251 - 268
12/12/2019	Notice Of Entry Of Order After Hearing Of October 3, 2019	7	1549 - 1555
11/22/2019	Notice Of Entry Of Order After Hearing Of September 6, 2019	6	1226 - 1231
09/21/2020	Notice Of Entry Of Order From October 9, 2019 Hearing	11	2585 - 2589
02/20/2020	Notice Of Entry Of Order On Discovery Commissioner's Report And Recommendations	8	1800 - 1809
11/21/2019	Notice Of Entry Of Order Shortening Time	5	1193 - 1197
04/02/2020	Notice Of Entry Of Order Shortening Time	9	1999 - 2003
06/22/2020	Notice Of Entry Of Order Shortening Time	11	2387 - 2391
10/21/2020	Notice Of Entry Of Order Shortening Time	12	2680 - 2684
08/10/2020	Notice Of Entry Of Order To Continue Trial	11	2557 - 2562
03/13/2019	Notice Of Entry Of Order To Seal Records	1	187 - 191
09/27/2021	Notice Of Entry Of Order To Withdraw As Counsel Of Record	15	3364 - 3369
11/16/2020	Notice Of Entry Of Stipulation And Order	12	2718 - 2726
04/23/2019	Notice Of Entry Of Stipulation And Order Modifying Timeshare	1	230 - 235
06/29/2020	Notice Of Entry Of Stipulation And Order Regarding The Orders To Show Cause	11	2438 - 2443
04/01/2020	Notice Of Entry Of Stipulation And Order To Provide CPS Records And Drug Test Results To The Child Custody Evaluator	9	1991 - 1996
07/21/2020	Notice Of Entry Of The Stipulation And Order To Withdraw	11	2491 - 2496
09/09/2019	Notice Of Intent To File Opposition To Prior Counsel's Motion To Adjudicate Attorney's Lien	3	637 - 639
02/12/2020	Notice Of Non-Opposition To Motion To Withdraw As Attorney Of Record For Defendant	8	1787 - 1788
09/17/2019	Notice Of Seminar Completion	3	653 - 654
03/25/2020	Notice Of Seminar Completion EDCR 5.302	8	1894 - 1896
01/23/2020	Notice Of Withdrawal Of Attorney Of Record	8	1669 - 1671
11/26/2019	Objection To Discovery Commissioners Report And Recommendations Filed November 12, 2019	6	1232 - 1244
05/27/2022	Opposition And Countermotion	18	3956 - 3972
06/18/2021	Opposition To Defendant's Emergency Motion Regarding Custodial Timeshare	14	3129 - 3135

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
12/04/2019	Opposition To Defendant's Motion For A Custody Evaluation, Attorney's Fees And Related Relief And Countermotion For Attorney's Fees And Costs	6	1374 - 1405
10/23/2019	Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees And Countermotion For Attorney's Fees And Costs	4	815 - 842
08/30/2019	Opposition To Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines (First Request); And Countermotion To Strike The Substitution Of Attorneys	3	609 - 624
10/02/2019	Opposition To Defendant's Renoticed Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines	3	681 - 692
08/06/2021	Opposition To Emergency Motion To Address Defendant's Intent To Withhold The Minor Children And Countermotion For Compensatory Time, Fees And Sanctions	15	3272 - 3284
09/13/2019	Opposition To Louis C. Schneider's Motion To Adjudicate Attorney's Lien	3	640 - 650
04/28/2020	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	10	2130 - 2162
06/29/2019	Opposition To Motion For An Order To Show Cause And Countermotion	2	485 - 500
06/27/2021	Opposition To Motion For Sanctions And Countermotion For Attorney's Fees And Sanctions	14	3187 - 3207
06/26/2020	Opposition To Motion To Address Upcoming Trial Date And Findings In Regard To Chalese's Refusal To Timely Facilitate The Completion Of The Child Custody Evaluation And Countermotion For Plaintiff To File An Updated Fdf, For Attorney's Fees, And Related Relief	11	2392 - 2417
05/14/2021	Opposition To Motion To Disqualify And Countermotion For Attorney's Fees And Sanctions	14	3017 - 3047
12/28/2020	Opposition To Motion To Terminate Temporary Spousal Support And Countermotion For Attorney's Fees	12	2734 - 2746
11/26/2019	Opposition To Mr. Lloyd's Motion For Protective Order And Countermotion For Attorney's Fees And Costs	6	1281 - 1296
05/28/2019	Opposition To Plaintiff's Emergency Motion For A Change Of Custody/Spousal Support/Child Support, For Attorney's Fees And Costs And Related Relief. Counter Motion For Change Of Custody For Primary Physical And Sole Legal Custody, Psychological Evaluation Of The Plaintiff	2	405 - 419

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
04/02/2020	Opposition To Plaintiff's 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 Costs And Related Relief And Countermotion For An Order To Show Cause, Compensatory Visitation Time, And Attorney's Fees	9	2007 - 2028
03/16/2020	Opposition To Plaintiff's Motion For An Order To Show Cause And To Hold Defendant In Contempt Of Court For Violation Of The March 19, 2019 Order, The June 17, 2019 Order, And The Behavior Order Filed March 19, 2019; For Attorney's Fees And Costs And Related Relief And Counter Motion To Enforce Phone Contact With The Minor Children And For Attorney's Fees	8	1857 - 1878
01/03/2020	Opposition To 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 Countermotion To Restore Joint Physical Custody And For Attorney's Fees	7	1637 - 1660
04/27/2021	Opposition To Plaintiff's Motion In Limine	13	2878 - 2884
10/20/2020	Opposition To Plaintiff's Motion To Clarify Court's June 30th Order After Hearing	12	2647 - 2657
07/04/2021	Order (April 30, 2021 Hearing)	14	3216 - 3219
08/08/2021	Order (July 8, 2021 Hearing)	15	3288 - 3292
10/20/2021	Order (September 27, 2021)	15	3370 - 3373
05/13/2020	Order After Hearing February 26, 2020	10	2204 - 2211
10/03/2019	Order After Hearing Of August 1, 2019	3	703 - 707
08/21/2019	Order After Hearing Of June 17, 2019	3	525 - 531
05/03/2019	Order After Hearing Of March 19, 2019	1	236 - 250
12/12/2019	Order After Hearing Of October 3, 2019	7	1545 - 1548
11/22/2019	Order After Hearing Of September 6, 2019	6	1223 - 1225
02/07/2019	Order For Family Mediation Center Services	1	86
05/09/2022	Order From April 14, 2022 Motion Hearing	17	3743 - 3746
04/22/2020	Order From April 6, 2020 Hearing	9	2075 - 2078
02/06/2020	Order From December 9, 2019 Hearing	8	1767 - 1774
03/09/2021	Order From February 18, 2021 Hearing	13	2785 - 2789
02/08/2022	Order From January 21, 2022 Trial	16	3578 - 3581
07/06/2020	Order From June 1, 2020 Hearing	11	2455 - 2462
09/10/2020	Order From June 30, 2020 Hearing	11	2575 - 2578
05/04/2021	Order From March 30, 2021 Hearing	13	2946 - 2949
07/04/2021	Order From May 10, 2021	14	3220 - 3225
08/19/2020	Order From The Hearing Held October 9, 2019	11	2563 - 2565
01/22/2020	Order On Discovery Commissioner's Report And Recommendations	7	1663 - 1664
02/19/2020	Order On Discovery Commissioner's Report And Recommendations	8	1792 - 1799
05/31/2022	Order Re: Stay	18	3973 - 3977
02/26/2020	Order Referring To Judicial Settlement Program	8	1854 - 1855
02/07/2019	Order Setting Case Management Conference And Directing Compliance With NRCPC 16.2	1	76 - 85

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
09/16/2019	Order Setting Case Management Conference And Directing Compliance With NRCP 16.2	3	651 - 652
09/04/2019	Order Shortening Time	3	625 - 626
10/01/2019	Order Shortening Time	3	679 - 680
11/21/2019	Order Shortening Time	5	1180 - 1181
04/01/2020	Order Shortening Time	9	1997 - 1998
06/22/2020	Order Shortening Time	11	2385 - 2386
10/21/2020	Order Shortening Time	12	2677 - 2679
03/23/2021	Order Shortening Time	13	2816 - 2818
06/28/2021	Order Shortening Time	14	3208 - 3210
09/22/2021	Order Shortening Time	15	3357 - 3359
03/16/2022	Order Shortening Time	16	3623 - 3625
06/04/2021	Order Shortening Time On Hearing For Plaintiff's Motion To Disqualify	14	3119 - 3121
08/10/2020	Order To Continue Trial	11	2553 - 2556
03/12/2019	Order To Seal Records Pursuant To NRS 125.110(2)	1	185 - 186
05/27/2020	Order To Show Cause	10	2318 - 2320
02/20/2020	Order To Withdraw As Counsel Of Record	8	1810 - 1811
09/24/2021	Order To Withdraw As Counsel Of Record	15	3360 - 3363
03/18/2022	Pecos Law Group's Memorandum Of Fees And Costs Per Court's Instruction On March 4, 2022	17	3634 - 3742
02/14/2019	Petition To Seal Records Pursuant To NRS 125.110(2)	1	89 - 90
11/13/2020	Plaintiff's Brief Regarding Confidentiality Agreement	12	2705 - 2710
12/31/2019	Plaintiff's Brunzell Affidavit For Attorney's Fees And Costs	7	1581 - 1629
07/08/2021	Plaintiff's Financial Disclosure Form	14	3240 - 3250
03/04/2022	Plaintiff's Financial Disclosure Form	16	3593 - 3603
05/15/2019	Plaintiff's Initial Expert Witness List	2	392 - 400
03/12/2021	Plaintiff's List Of Contested Art In His Possession And Art Believed To Be In Defendant's Possession	13	2797 - 2798
04/26/2020	Plaintiff's 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	9	2086 - 2099
06/19/2020	Plaintiff's Motion To Address Upcoming Trial Date And Findings In Regard To Chalese's Refusal To Timely Facilitate The Completion Of The Child Custody Evaluation	10	2367 - 2380
10/07/2020	Plaintiff's Motion To Clarify Courts June 30th Order After Hearing	11	2590 - 2595
10/24/2019	Plaintiff's Motion To Compel Discovery Responses And For Attorney's Fees	4	851 - 868
05/13/2021	Plaintiff's Motion To Disqualify	13	3002 - 3016
01/05/2021	Plaintiff's Motion To Reassign	12	2766 - 2732
12/14/2020	Plaintiff's Motion To Terminate Temporary Spousal Support	12	2727 - 2733
12/12/2019	Plaintiff's Notice Of UNLV Seminar Completion EDCR 5.07	7	1556

ALPHABETICAL INDEX

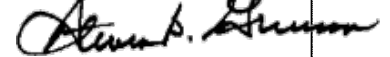
FILED	DOCUMENT	VOL.	PAGES
02/26/2019	Plaintiff's Opposition To Amended Motion To Set Aside Default; For Exclusive Possession Of The Marital Residence And Ordering Plaintiff To Assist In Making Mortgage Payments; For Medical Legal Custody Of The Minor Children; For An Order Referring The Parties To Mediation Pursuant To EDCR 5.70, For An Order Awarding Plaintiff Child Support; For An Order Awarding Defendant Alimony; And For Attorney's Fees And Costs Primary Physical Custody, Child Support, And Attorney's Fees And Costs And Countermotion For Joint Legal Custody; Primary Physical Custody To Plaintiff And Supervised Visitation To Defendant; To Establish Child Support; To Establish Payment Of Marital Expenses; For An Order Protecting The Parties Community Property; Defendant To Obtain Employment And To Cooperate In A Vocational Assessment	1	97 - 125
04/29/2021	Plaintiff's Opposition To Defendant's Emergency Motion To Allow Witness To Appear Virtually	13	2885 - 2891
10/20/2020	Plaintiff's Opposition To Defendant's Motion For Clarification And Modification Of Court Release Regarding Custody Evaluation And For Sanctions And Fees Against Plaintiff	12	2658 - 2676
05/03/2021	Plaintiff's Pre-Trial Memorandum	13	2920 - 2945
11/29/2019	Plaintiff's Reply In Support Of Motion To Compel Discovery Responses And For Attorney's Fees	6	1333 - 1345
01/23/2020	Plaintiff's Reply In Support Of 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 Opposition To Defendant's Countermotion To Restore Joint Physical Custody And For Attorney's Fees	8	1672 - 1704
01/09/2019	Proof Of Service	1	10
09/30/2019	Re-Notice Of Hearing For Defendant's Motion To Continue Trial, And For Issuance Of New Trial Management Order, Or In The Alternative To Extend Discovery Deadlines	3	670 - 671
01/06/2020	Receipt Of Check	7	1661
01/06/2020	Receipt Of Check	7	1662
02/28/2020	Receipt Of Check	8	1856
03/20/2020	Receipt Of Check	8	1893
01/25/2022	Receipt of Copy of Transcript	16	3575
12/09/2019	Referral Order For Outsourced Evaluation Services	7	1540
06/11/2019	Reply In Support Of Emergency Motion For A Change Of Custody; For Attorney's Fees And Costs And Related Relief And Opposition To Countermotion For Change Of Custody For Primary Physical And Sole Legal Custody, Psychological Evaluation Of The Plaintiff	2	430 - 453
08/23/2021	Reply In Support Of Emergency Motion To Address Defendant S Intent To Withhold The Minor Children	15	3293 - 3302

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
04/03/2020	Reply In Support Of 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 Costs And Related Relief And Opposition To Countermotion For An Order To Show Cause, Compensatory Visitation Time, And Attorney's Fees	9	2029 - 2045
05/19/2020	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 Visitation Time; To Admonish Plaintiff To Abide By Joint Legal Custody Standards; For Attorney S Fees; And Related Relief	10	2223 - 2242
03/30/2020	Reply In Support Of Motion For An Order To Show Cause And To Hold Defendant In Contempt Of Court For Violation Of The March 19, 2019 Order, The June 17, 2019 Order, And The Behavior Order Filed March 19, 2019; For Attorney's Fees And Costs And Related Relief And Partial Opposition To Countermotion To Enforce Phone Contact With The Minor Children And For Attorney's Fees	9	1897 - 1918
01/19/2022	Reply In Support Of Motion To Expand Discovery To Include Up To Date Appclose Messages And Other Messages Sent By The Defendant	15	3407 - 3415
02/25/2019	Reply To Counterclaim For Divorce	1	93 - 96
03/18/2019	Reply To Opposition And Countermotion	1	192 - 195
12/06/2019	Reply To Opposition To Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief And Opposition To Countermotion For Attorney's Fees And Costs	6	1406 - 1415
11/04/2019	Reply To Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Attorney's Fees And Opposition To Countermotion For Attorney's Fees And Costs	4	869 - 888
06/25/2021	Reply To Opposition To Emergency Motion Regarding Summer Custodial Timeshare	14	3171 - 3176
06/02/2021	Reply To Opposition To Motion To Disqualify And Opposition To Countermotion For Fees And Sanctions	14	3054 - 3069
01/04/2021	Reply To Opposition To Motion To Terminate Temporary Spousal Support And Opposition To Countermotion	12	2754 - 2765
11/09/2020	Reply To Opposition To Plaintiff's Motion To Clarify Court's June 30th Order After Hearing	12	2695 - 2702
08/05/2020	Reply To Plaintiff's Non-Opposition To Defendant's Motion To Continue Trial And Opposition To Plaintiff's Countermotion For Sanctions	11	2544 - 2552
12/02/2019	Reply To Plaintiff's Opposition To Mr. Lloyd's Motion For Protective Order And Countermotion For Attorney's Fees And Costs	6	1346 - 1373
12/27/2021	Request And Order To Release Records	15	3398 - 3400
02/26/2020	Request For Child Protection Service Appearance And Records	8	1853
01/04/2019	Request For Issuance Of Joint Preliminary Injunction	1	7

ALPHABETICAL INDEX

FILED	DOCUMENT	VOL.	PAGES
09/08/2022	Request For Rough Draft Transcript	18	3988 - 3990
02/12/2020	Request For Submission Of Motion To Withdraw As Counsel Of Record	8	1785 - 1786
11/12/2019	Response In Support Of Opposition	4	944 - 971
05/24/2021	Response To Defendant's Motion To Disqualify Judge	14	3048 - 3051
06/07/2020	Schedule Of Arrearages	10	2363 - 2366
12/06/2019	Second Supplemental Appendix Of Exhibits In Support Of Plaintiff's Response In Support Of Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Fees And Costs	7	1496 - 1536
04/22/2019	Stipulation And Order Modifying Timeshare	1	227 - 229
11/13/2020	Stipulation And Order Regarding Confidentiality Agreement	12	2711 - 2717
06/29/2020	Stipulation And Order Regarding Orders To Show Cause	11	2435 - 2437
03/31/2020	Stipulation And Order To Provide CPS Records And Drug Test Results To The Child Custody Evaluator	9	1988 - 1990
07/21/2020	Stipulation And Order To Withdraw	11	2488 - 2490
08/28/2019	Substitution Of Attorneys	3	568 - 570
04/02/2020	Substitution Of Attorneys	9	2004 - 2006
02/20/2020	Substitution Of Attorney	8	1812 - 1814
01/09/2019	Summons	1	8 - 9
02/24/2020	Supplemental Appendix Of Exhibits In Support Of 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	8	1833 - 1849
03/30/2020	Supplemental Appendix Of Exhibits In Support Of Plaintiff's Reply In Support Of Motion For An Order To Show Cause And To Hold Defendant In Contempt Of Court For Violation Of The March 19, 2019 Order, The June 17, 2019 Order, And The Behavior Order Filed March 19, 2019; For Attorney's Fees And Costs And Related Relief And Partial Opposition To Countermotion To Enforce Phone Contact With The Minor Children And For Attorney's Fees	9	1919 - 1959
11/21/2019	Supplemental Appendix Of Exhibits In Support Of Plaintiff's Response In Support Of Opposition To Defendant's Motion For Temporary Spousal Support And Preliminary Fees And Costs	5	1182 - 1192
12/06/2019	Supplemental Declaration To Reply To Opposition To Defendant's Motion For A Custody Evaluation, Attorney's Fees, And Related Relief And Opposition To Countermotion For Attorney's Fees And Costs	7	1537 - 1539
11/02/2022	Transcript from April 14, 2022 Hearing (Trial Decision)	22	4771 - 4791
11/02/2022	Transcript from January 21, 2022 Evidentiary Hearing (Trial Day 2)	19	3994 - 4155
11/02/2022	Transcript from March 1, 2022 Evidentiary Hearing (Trial Day 3)	20	4156 - 4402
11/02/2022	Transcript from March 2, 2022 Evidentiary Hearing (Trial Day 4)	21	4403 - 4669
11/02/2022	Transcript from March 3, 2022 Evidentiary Hearing (Trial Day 5)	22	4670 - 4770
01/25/2022	Transcript from May 10, 2021 Evidentiary Hearing (Trial Day 1)	16	3416 - 3574



MOT

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PECOS LAW GROUP

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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**

**ORAL ARGUMENT REQUESTED
YES**

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

**AMENDED MOTION FOR CLARIFICATION AND MODIFICATION OF COURT
RELEASE REGARDING CUSTODY EVALUATION
AND FOR SANCTIONS AND FEES AGAINST PLAINTIFF**

1 COMES NOW Defendant, **Chalese Marie Solinger**, by and through her
2 attorneys of record, **Jack W. Fleeman, Esq.** and **Alicia S. Exley, Esq.**, of PECOS
3 LAW GROUP, hereby files this *Amended Motion for Clarification and Modification*
4 *of Court Release Regarding Custody Evaluation and for Sanctions and Fees*
5 *Against Plaintiff.*
6

7 This motion is made and based on all the papers and pleadings on file and
8 the declaration of counsel and argument contained herein
9

10 DATED this 7th day of October, 2020.

11 PECOS LAW GROUP

12 /s/ Jack W. Fleeman

13 **Jack W. Fleeman, Esq.**

14 Nevada Bar No. 10584

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

16 Nevada Bar No. 14192

17 8925 South Pecos Road, Suite 14A

18 Henderson, NV 89074

19 (702) 388-1851 Tel.

20 *Attorneys for Defendant*
21
22
23
24

1 **POINTS AND AUTHORITIES**

2 **I.**

3 **FACTS**

4
5 1. In December 2019, the Court ordered that a child custody evaluation
6 would be conducted in this case. This order was reiterated in February 2020, and
7 Dr. Paglini was chosen to conduct a child custody evaluation.

8 2. At the June 30, 2020 hearing, the court set a deadline to retain and
9 disclose rebuttal experts.

10 3. The Court subsequently signed an *Order to Continue Trial*, which
11 was filed on August 10, 2020, extending the deadline for rebuttal expert witness
12 disclosures and reports to February 26, 2021.

13 4. Dr. Paglini's report was completed in early September 2020.

14 5. Prior to receiving the report, the court required that counsel sign a
15 release which stated that no copies of the report would be made or release and that
16 "no secondary dissemination will take place without express permission of the
17 Court."¹
18

19 6. EDCR 5.304, which governs outsource child custody evaluation
20 reports, states, in pertinent part: "Only the parties, their attorneys, and such staff
21
22

23
24 ¹ Under the language of the release, the prohibited dissemination only applies to counsel.
25 Mr. Solinger is not counsel in this matter, he is a litigant. It is unknown if Mr. Solinger signed
26 the same release or if it was modified so that it fairly applies to him.

1 **and experts** as those attorneys deem necessary are entitled to read or have copies
2 of the written reports” (emphasis added).

3 7. As the release appears to conflict with the rule, in an abundance of
4 caution and after discussion with at least one other Family Law Specialist outside
5 of counsel’s firm, Chalese’s counsel contacted this Court’s law clerk on October
6 5, 2020 via email, copying Mr. Solinger, to request a minute order clarifying that
7 Dr. Paglini’s custody evaluation may be disseminated to consulting/rebuttal
8 experts.
9

10 8. On October 6, 2020, Mr. Solinger responded to the email and advised
11 the court that there were “numerous issues with this request [to clarify] that need
12 to be briefed before a decision is made.” *See Emails* submitted as Exhibit “A.”
13

14 9. Following Mr. Solinger’s email to the court, Mr. Fleeman sent an
15 email to Mr. Solinger stating:

16 Please send us what issues those are via an EDCR 5.501
17 letter so we can address them immediately. I am not
18 aware what issues there could possibly be with disclosing
19 a report to a potential expert. The rule specifically allows
20 it. Again, I look forward to your letter which I imagine
21 should be immediately forthcoming.

22 *See Emails* submitted as Exhibit “B.”

23 10. Mr. Solinger responded to Mr. Fleeman’s request to explain what
24 issues he had regarding a review of the report by experts. Mr. Solinger’s sole

1 issue, according to his email was that he did not want the report to go to numerous
2 potential experts and being widely disseminated.

3 11. Mr. Solinger then went on to complain that the court's scheduling
4 order sets the rebuttal expert disclosure and report deadlines for the same day,
5 which was completely irrelevant to the issue.
6

7 12. Next, Mr. Solinger explained that because he believes Chalese
8 "defamed" him by discussing the prior child pornography issue with Dr. Paglini in
9 the report he objected to having the "false and extremely defamatory report being
10 circulated to anyone outside of who actually has access currently."
11

12 13. Mr. Solinger finally stated that he "won't agree to the release of the
13 report until the above is handled." He then warned that any dissemination by our
14 firm "without a fix...will be considered an adoption and ratification of the same
15 by" our firm and he would seek future damages from our firm. *See* Emails
16 submitted as Exhibit "C."
17

18 14. Mr. Fleeman responded to Mr. Solinger's stating:

19 None of your issues are valid reasons for not allowing us
20 to provide the report to a potential expert. In fact, I am
21 putting you on notice that your arguments are frivolous.
22 There is zero basis to prevent us from seeking a review
23 by an expert. The rule allows it, as will the court.
24

25 If you persist in this frivolous position I will seek
26 sanctions. You have until tomorrow morning to
reconsider.

1 As for the discovery deadline issue, the proper process
2 would be to ask us if we will stipulate to modify the
3 timeline.

4 See Exhibit "C."

5 15. *Mr. Solinger's response further demonstrates his complete inability*
6 *to act reasonably in this case.* Mr. Solinger stated:

7 (A) *"You must have a very strange definition of*
8 *frivolous if you believe my objection is frivolous but you*
9 *think your complaint against Margaret Pickard is not."*²

10 (B) "I'm going to take the appropriate action necessary to
11 protect my reputation and hold anyone, including you
12 and your firm, responsible for disseminating knowing
13 falsehoods."³

14 (C) "If you'd like to propose a modification to the current
15 discovery deadlines, I'm open to your suggestions,⁴ but
16 given that it's been like pulling teeth just to find the
17 starting line for negotiation purposes, I'm not holding my
18 breath."⁵

19 ² It is notable that Mr. Solinger's commentary about not being frivolous is an
20 unambiguously frivolous remark. Unfortunately, it is not uncommon, as Mr. Solinger self-
21 righteously and routinely takes unreasonable actions and positions in this case.

22 ³ Mr. Solinger continues to repeat the ridiculous threat of holding Pecos Law Group and
23 Mr. Fleeman personally liable for supposed comments that Chalese made to a child custody
24 evaluator. This is beyond ridiculous and frivolous.

25 ⁴ This is just another non-sensical statement by Mr. Solinger. It was Mr. Solinger who
26 brought up that he believed the discovery timeline was problematic. See Exhibit "C." Mr.
Fleeman had simply asked Mr. Solinger to suggest a modification so the parties could
potentially stipulate to a modification of the discovery timeline. But Mr. Solinger could not do
that. Instead, he responded that he would be open to suggestions from counsel. Again, it is Mr.
Solinger, not Chalese who apparently wants some modifications, so why is he asking counsel to
make suggestions?

⁵ Mr. Solinger's claim that it is like pulling teeth to "find a starting line for negotiation"
is just another example of his inability to function as his own lawyer with any semblance of
Solinger v. Solinger (D-19-582245-D) 6 Motion

1
2 See Exhibit “C” (emphasis added).

3 16. Mr. Solinger followed up his email to Mr. Fleeman with an email to
4 the court. In that email, he stated that there needs to be a hearing so he can
5 address the alleged “defamatory” comments, which he considers “independently
6 actionable and defamation per se.”

7
8 **II.**

9 **ARGUMENT**

10 **A. THE COURT SHOULD CLARIFY THE RELEASE PURSUANT TO**
11 **THE LOCAL RULE.**

12 EDCR 5.304(a) states, in relevant part:

13 A written child interview report or outsource evaluation
14 report (including exhibits), prepared by the Family
15 Mediation Center, an outsource evaluator, or a CASA
16 shall be delivered to the judge in chambers. Only the
17 parties, their attorneys, and such staff and *experts as*
those attorneys deem necessary are entitled to read or
have copies of the written reports, which are confidential
except as provided by rule, statute, or court order.

18 (Emphasis added).

19
20 reasonableness. Counsel asked Mr. Solinger if he would be amenable to a settlement
21 conference to try to settle issues in the case. Mr. Solinger then asked what issues were open for
22 trial. Counsel responded that “all issues” were open for trial and settlement. Mr. Solinger
23 followed that by repeatedly asking what specific issues were open – and would not take the
24 response that “all” issues are open for discussion for an answer. When Mr. Fleeman then
25 attempted to ask Mr. Solinger what issues he believed were open for discussion, Mr. Solinger
26 finally stated “The only thing that warrants any type of discussion is what settling custody looks
like.” Mr. Fleeman responded by asking for a proposal on the custody issue if that is what Mr.
Solinger believed was the only thing warranting discussion. Mr. Solinger has never responded
to that request, and it is not believed he will ever respond with anything close to reasonable. See
Emails submitted as Exhibit “D.”

1 The rule is unambiguous that “experts as...attorneys deem necessary are
2 entitled to read and have copies of the written reports.” Despite this clear
3 language, it appears the Court’s release technically, and very likely
4 unintentionally, prohibits the dissemination of the report in this case to any experts
5 that undersigned counsel would like to have review the report. Upon noticing this
6 apparent error, Chalese’s counsel attempted to have the court issue a minute order
7 to clarify and correct the release so that it complies with the rule.
8

9 As detailed in the facts above, Mr. Solinger has taken the unreasonable and
10 frivolous position that the report should not be released to any potential experts
11 until it is somehow corrected. Mr. Solinger’s position is that the report contains
12 defamatory statements against him, and that he is permitted to object to its
13 dissemination to potential experts on the grounds that he could somehow be
14 harmed.
15

16 There is no legal basis for Mr. Solinger’s frivolous position. Chalese is
17 entitled to retain any consulting or rebuttal experts she wants in this case.
18 Therefore, the court should clarify its release through the issuance of an order that
19 clarifies that the parties shall follow EDCR 5.304(a) with regard to who, including
20 experts, may be provided copies of the report.
21

22 ///
23
24

1 **B. MR. SOLINGER SHOULD BE SANCTIONED AND ORDERED TO**
2 **PAY CHALESE'S REASONABLE ATTORNEY'S FEES FOR HIS**
3 **FRIVOLOUS POSITIONS.**

4 EDCR 7.60(b) states:

5 (b) *The court may*, after notice and an opportunity to be
6 heard, *impose upon* an attorney or *a party any and all*
7 *sanctions which may, under the facts of the case, be*
8 *reasonable, including the imposition of fines, costs or*
9 *attorney's fees when an attorney or a party without just*
10 *cause:*

11 (1) *Presents to the court a motion or an*
12 *opposition to a motion which is obviously frivolous,*
13 *unnecessary or unwarranted.*

14 (2) Fails to prepare for a presentation.

15 (3) *So multiplies the proceedings in a case as to*
16 *increase costs unreasonably and vexatiously.*

17 (4) Fails or refuses to comply with these rules.

18 (5) Fails or refuses to comply with any order of
19 a judge of the court.

20 It is anticipated that Mr. Solinger will submit an obviously frivolous
21 position via opposition, as he has clearly indicated that he will. And even if that
22 is not the case, and Mr. Solinger somehow does not file an opposition, Mr.
23 Solinger's position thus far has needlessly, unreasonably, and vexatiously
24 multiplied the proceedings and costs in this case – resulting in the need for this
25 motion.

26 Mr. Solinger's vexatious and unreasonable attitude is readily apparent in his
response to Mr. Fleeman putting him on notice that his objection to a clarification
of the release was frivolous. Mr. Fleeman simply tried to point out to Mr.

1 Solinger that the request for clarification followed the mandatory rule. But instead
2 of any reasonable response or behavior, Mr. Solinger made personal remarks
3 against Mr. Fleeman, detailed above, that have absolutely nothing to do with this
4 case. This behavior is unfortunately how Mr. Solinger, who is too close to this
5 case, chooses to operate as a pro per litigant. It must be noted, however, that Mr.
6 Solinger is not just a pro per litigant – he is a licensed attorney who knows better.
7 His commentary and his positions, especially considering his knowledge as an
8 attorney, warrant sanctions. Without sanctions, Mr. Solinger will simply continue
9 to act in an inappropriate and unreasonable manner in this case.
10
11

12 Finally, Chalese requests that this issue of sanctions, fees, and costs be
13 deferred until the time of trial in this case.

14 III.

15 CONCLUSION

16 WHEREFORE, based on the foregoing, Chalese respectfully requests that
17 this Court enter orders granting her the following relief:
18

19 1. An Order clarifying the court's release by way of an order stating that
20 the parties shall follow EDCR 5.304(a) with regard to who, including experts, may
21 be provided copies of the report;

22 2. An Order sanctioning Mr. Solinger for his frivolous positions;

23 3. An Order awarding Chalese attorney's fees for having to respond to
24 Mr. Solinger's frivolous positions; and

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4. For other and further relief as the Court deems proper.

DATED this ____ day of October, 2020.

PECOS LAW GROUP

/s/ Jack W. Fleeman

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 7th day of October, 2020, I served a copy of
4 the foregoing *Amended Motion for Clarification and Modification of Court*
5 *Release Regarding Custody Evaluation and for Sanctions and Fees Against*
6 *Plaintiff* as follows:

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


10 ☒ Pursuant to NEFCR 9, by mandatory electronic service through the
11 Eighth 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:

15 Adam M. Solinger	adam@702defense.com
16 admin email	email@pecoslawgroup.com
17 Alicia Exley	alicia@pecoslawgroup.com
18 Jack Fleeman	jack@pecoslawgroup.com
19 Angela Romero	angela@pecoslawgroup.com

20 A courtesy copy has also been sent to: attorneyadamsolinger@gmail.com.

21 
22 _____
23 An employee of PECOS LAW GROUP

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Adrian 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.

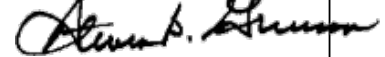
Step 3. Add the filing fees from Step 1 and Step 2.

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: Chalese Solinger Date 10/7/2020

Signature of Party or Preparer Adrian



1 **EPAP**

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

3 Nevada Bar No. 10584

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

5 Nevada Bar No. 14192

6 **PECOS LAW GROUP**

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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**

Date of Hearing: **November 16, 2020**

Time of Hearing: **10:00 a.m.**

22 **EX PARTE APPLICATION FOR AN ORDER SHORTENING TIME ON**
23 **DEFENDANT'S AMENDED MOTION FOR CLARIFICATION AND**
24 **MODIFICATION OF COURT RELEASE REGARDING CUSTODY EVALUATION**
25 **AND FOR SANCTIONS AND FEES AGAINST PLAINTIFF**

26 COMES NOW Defendant, **Chalese Marie Solinger** by and through her
attorneys, **Jack W. Fleeman, Esq.** and **Alicia S. Exley, Esq.**, of the law firm
PECOS LAW GROUP, and respectfully moves that, pursuant to EDCR 5.513, the
Court shorten time in which to hear her AMENDED MOTION FOR CLARIFICATION

1 AND MODIFICATION OF COURT RELEASE REGARDING CUSTODY EVALUATION AND
2 FOR SANCTIONS AND FEES AGAINST PLAINTIFF.

3 This application is made and based on all the papers and pleadings on file
4 herein and the declaration of counsel attached hereto.

5 DATED this 12th day of October 2020.

6 PECOS LAW GROUP

7
8 /s/ Jack W. Fleeman

9 **Jack W. Fleeman, Esq.**

Nevada Bar No. 10584

10 **Alicia S. Exley, Esq.**

Nevada Bar No. 14192

11 8925 South Pecos Road, Suite 14A

12 Henderson, Nevada 89074

13 Attorneys for Defendant

14
15 **DECLARATION OF COUNSEL**

16 JACK W. FLEEMAN, ESQ., being duly sworn, deposes and says:

17 1. I am an attorney of good standing duly licensed in Nevada. I am an
18 attorney of record for Defendant.

19 2. On October 7, 2020, counsel filed Defendant's *Amended Motion for*
20 *Clarification and Modification of Court Release Regarding Custody Evaluation*
21 *and for Sanctions and Fees Against Plaintiff* (hereinafter the "Amended Motion").

22 3. On October 8, 2020, the court issued a notice of hearing on the
23 Amended Motion, setting the hearing for November 16, 2020. That same day
24
25
26

1 counsel's firm filed the Certificate of Service showing that the notice of the
2 hearing had been served upon Plaintiff.

3 4. Defendant's Amended Motion seeks an order from the court that
4 clarifies and/or modifies the court's current directives related to the release of the
5 Child Custody Evaluation Report submitted by Dr. Paglini in September 2020.
6

7 5. Before disseminating the Dr. Paglini report to counsel, the court
8 required counsel to sign a release that stated there could be no "Secondary
9 dissemination" of the Dr. Paglini report absent "express permission of the Court."
10

11 6. The language of the release conflicts with the local rule that explicitly
12 permits counsel to release the report to any "experts as [] attorneys deem
13 necessary."

14 7. Defendant, through her counsel, is simply seeking clarification that
15 the court's prohibition against secondary dissemination does not apply to experts,
16 whether consulting or retained.
17

18 8. Plaintiff, as detailed in the Amended Motion, has taken the
19 unreasonable and frivolous stance that the Dr. Paglini report cannot be released to
20 anyone other than the parties and counsel – despite what the rule clearly states,
21 and what the case clearly requires.
22

23 9. The current deadline for the disclosure of a rebuttal expert, and the
24 rebuttal expert report, is February 26, 2021. As such, Defendant needs to be able
25
26

1 to have experts review the report as soon as possible so that she can fairly and
2 adequately prepare for trial.

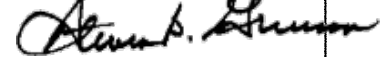
3 10. Rebuttal experts require ample time to review reports and many will
4 not take a case if there is a condensed timeline. Here, the hearing is set for mid-
5 November 2020, just a couple of months before the rebuttal report is due. As
6 such, it is necessary to hear Defendant's Amended Motion on a shortened time so
7 that the report may be reviewed by her expert(s) immediately.
8

9 11. Defendant therefore respectfully requests that the hearing on her
10 motion be shortened and heard as soon as possible.
11

12 **I Declare under penalty of perjury that the foregoing is true and**
13 **correct.**

14 DATED this 12th day of October, 2020
15

16
17 /s/ Jack W. Fleeman
18 **Jack W. Fleeman, Esq.**
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1 **OPPM**

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

3 Nevada Bar No. 10584

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

5 Nevada Bar No. 14192

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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

Hearing Date: November 16, 2020

Hearing Time: 10:30 a.m.

22 **OPPOSITION TO PLAINTIFF'S MOTION TO CLARIFY**
23 **COURT'S JUNE 30TH ORDER AFTER HEARING**

24 COMES NOW Defendant, **Chalese Marie Solinger**, by and through her
25 attorneys of record, **Jack W. Fleeman, Esq.** and **Alicia S. Exley, Esq.**, of PECOS
26 LAW GROUP, hereby files this opposition to Plaintiff's *Motion to Clarify the*
Court's June 30th Order After Hearing.

This opposition is made and based on all the papers and pleadings on file and the declaration of counsel and argument contained herein

DATED this 20th day of October, 2020.

PECOS LAW GROUP

/s/ Jack W. Fleeman

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

Alicia S. Exley, Esq.

Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

Henderson, NV 89074

(702) 388-1851 Tel.

Attorneys for Defendant

1 **POINTS AND AUTHORITIES**

2 **I.**

3 **FACTS**

4
5 1. On June 19, 2020, Plaintiff Adam Solinger filed a *Motion to Address*
6 *Upcoming Trial Date and Findings in Regard to Chalese's Refusal to Timely*
7 *Facilitate the Completion of the Child Custody Evaluation* (hereinafter the "June
8 Motion").

9
10 2. The sole request for relief in Adam's June Motion was for the court
11 to "make an official finding that trial will proceed as originally scheduled." Adam
12 did not once in the June Motion mention elderberry syrup or make any requests
13 that Chalese provide him a picture of the elderberry syrup she gives the children.

14 3. Adam obtained an Order Shortening Time on his June Motion, and
15 the matter was heard on June 30, 2020.

16
17 4. At the hearing, even though it has never been alleged in filings before
18 the court, Adam claimed that Chalese was medicating the children to get them to
19 sleep at night – something his counsel had alleged in a letter the day before the
20 hearing. Undersigned counsel explained to the court that the issue had been
21 addressed between the parties and that Chalese was giving the children elderberry
22 syrup. The court subsequently made the oral pronouncement, at Adam's request,
23
24

1 that Chalese immediately provide Adam proof, via picture, of the elderberry
2 syrup.

3 5. After the issuing the oral pronouncement that Chalese provide the
4 picture, the June 30, 2020 hearing continued. In fact, despite the narrow issue, the
5 hearing that day lasted for two and a half hours.
6

7 6. During the second half of the hearing, the court was advised that
8 Chalese had to leave to go to a doctor's appointment. Chalese was in the middle
9 of a high-risk pregnancy and she was scheduled to see her OB/GYN.¹
10

11 7. Later in that day, after Chalese was done with her doctor's
12 appointment, she sent Adam a picture of the elderberry syrup she gives the
13 children.

14 8. On July 21, 2020, after making the required attempts to obtain a
15 signature on the order after the June 30, 2020 hearing, counsel sent the proposed
16 order to the court without Adam's counsel's signature. In response, Adam – who
17 had dismissed his attorney in the weeks following the June 30, 2020 hearing – sent
18 an email to the court objecting to the submission of the proposed order. Adam's
19 sole objection was that the proposed order did not reflect the court's directive that
20 Chalese provide the elderberry syrup picture "immediately." Adam then
21 submitted a competing order to the court.
22
23

24 ¹ Chalese's baby was born in early August 2020, and was approximately 11 weeks premature.

9. On September 10, 2020, the court signed off on counsel's proposed order from the June 30, 2020 hearing.

10. Adam now seeks clarification as to why his competing order was not signed and argues that it should have been signed because the court said Chalese was to submit the picture “immediately.” Adam provides no legal authorities for his request for clarification, nor does he argue why his order should have been signed.

II.

ARGUMENT

ADAM'S REQUEST FOR CLARIFICATION IS FRIVOLOUS AND WARRANTS SANCTIONS AND FEES

Adam fails to provide any legal authorities or legal argument in support of his request that the court clarify its reasoning for signing the order in this case.² That, in an of itself, should be fatal to his ridiculous request.

Ignoring for the moment the lack of any legal basis for his motion, the court should nevertheless still ask: What benefit would either the parties or the children receive if the order is clarified to say Chalese was required to send Adam a picture “immediately”? Additionally, what does Adam believe the word “immediately” means in this context?

² Adam does not address that “[a]n oral pronouncement of judgment is not valid for any purpose . . . [and thus] only a written judgment has any effect” *Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987) (citations omitted).

1 Presumably, since it is undisputed that Chalese sent the picture of the
2 elderberry syrup later the same day, Adam believes that “immediately” means that
3 she was required to send it as soon as the hearing finished. But what purpose
4 would that clarification serve, if it were granted?
5

6 Clearly, Adam wants to argue at some point that Chalese sending the
7 picture that same day, but not within minutes of the hearing being finished, was a
8 violation of the order. However, the court was aware at the time of the hearing
9 that Chalese could not send the picture immediately after the hearing because the
10 court acknowledged in the middle of the hearing that Chalese was leaving to
11 attend a doctor’s appointment. Thus, a submission of the picture immediately
12 following the hearing was an impossibility. Moreover, Chalese could never be
13 held in contempt for not sending the picture immediately after the hearing because
14 contempt is only available when there is an unambiguous written order.
15

16 Given these facts, it is clear to any reasonable person that Adam’s motion
17 for clarification is frivolous – and is nothing more than a waste of the court’s and
18 Chalese’s time. Then again, maybe that is Adam’s motivation. The instant
19 motion, for Adam, who represents himself, is his way to continue to force Chalese
20 to spend money. That is the definition of frivolous, and it should be sanctioned.
21

22 Adam’s frivolous behavior is not a one-time event. Chalese reminds the
23 court that Adam very recently forced her to file a motion to clarify. In that motion
24

1 to clarify, Chalese is asking that the court clarify that she is permitted to have
2 experts review the Dr. Paglini child custody report in this case. The motion for
3 clarification on the expert issue was necessary solely because Adam threatened to
4 sue Chalese, Pecos Law Firm, and counsel personally, if the report was released to
5 any expert.
6

7 Adam issued his threat even though the release of Dr. Paglini's report to
8 experts is explicitly allowed by law and is clearly appropriate in this custody case.
9

10 Then, as if to highlight his unreasonable behavior, when responding to
11 counsel's statement that Adam's position on the expert report is frivolous, Adam
12 doubled down, implying that counsel's position in a matter completely outside of
13 this case was frivolous. Adam's commentary about counsel was completely
14 irrelevant, and just further proves that Adam cannot maintain rationality or
15 reasonableness when it comes to this case.
16

17 In sum, Adam should be sanctioned and ordered to pay attorney's fees
18 because his unreasonable and frivolous behavior will not stop absent clear
19 consequences. Worse, without a sanction, he will be encouraged to continue to
20 waste the court's time, and Chalese's money, with his irrational behaviors.
21

22 Counsel will submit a *Brunzell* declaration and memo of fees should the
23 court grant the request for fees.
24

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III.

CONCLUSION

WHEREFORE, based on the foregoing, Chalese respectfully requests that this Court enter orders granting her the following relief:

1. An Order denying Adam's requested relief in its entirety;
2. An Order sanctioning Mr. Solinger for his frivolous position;
3. An Order awarding Chalese attorney's fees for having to respond to Mr. Solinger's frivolous position; and
4. For other and further relief as the Court deems proper.

DATED this 20th day of October, 2020.

PECOS LAW GROUP

/s/ Jack W. Fleeman

Jack W. Fleeman, Esq.

Nevada Bar No. 10584

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8925 South Pecos Road, Suite 14A

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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 20th day of October, 2020, I served a copy of
4 the foregoing *OPPOSITION TO PLAINTIFF'S MOTION TO CLARIFY COURT'S*
5 *JUNE 30TH ORDER AFTER HEARING* as follows:

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

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

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

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

14 Adam M. Solinger	adam@702defense.com
15 admin email	email@pecoslawgroup.com
16 Alicia Exley	alicia@pecoslawgroup.com
17 Jack Fleeman	jack@pecoslawgroup.com
18 Angela Romero	angela@pecoslawgroup.com

19 A courtesy copy has also been sent to: attorneyadamsolinger@gmail.com.

20 
21 _____
22 An employee of PECOS LAW GROUP

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Adam Michael Solinger

Plaintiff/Petitioner

v. Chalene 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.

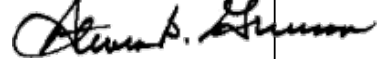
Step 3. Add the filing fees from Step 1 and Step 2.

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: Chalene Solinger Date 10/20/2020

Signature of Party or Preparer [Signature]



OPP

Adam M. Solinger
7290 Sea Anchor Ct
Las Vegas, Nevada 89131
Tel: (775) 720-9065
Email: attorneyadamsolinger@gmail.com
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: 11/16/2020
CHALESE MARIE SOLINGER,	)	Time of Hearing: 10:00 a.m.
)	
Defendant.)	

**OPPOSITION TO DEFENDANT'S MOTION FOR
CLARIFICATION AND MODIFICATION OF COURT RELEASE
REGARDING CUSTODY EVALUATION AND FOR SANCTIONS
AND FEES AGAINST PLAINTIFF**

NOW INTO COURT comes Plaintiff, ADAM MICHAEL
SOLINGER and hereby submits his *OPPOSITION TO DEFENDANT'S
MOTION FOR CLARIFICATION AND MODIFICATION OF COURT
RELEASE REGARDING CUSTODY EVALUATION AND FOR
SANCTIONS AND FEES AGAINST PLAINTIFF.*

///

///

///

1 This Opposition is made and based upon the attached Points and
2 Authorities, the Declaration of Plaintiff attached hereto, all papers and
3 pleadings on file herein, and any oral argument adduced at the hearing
4 of this matter.

5 DATED Tuesday, October 20, 2020.

6 Respectfully Submitted,

7 /s/ Adam M. Solinger

8 Adam M. Solinger
9 Plaintiff

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 In November of 2019, Chalese decided she wanted a custody
4 evaluation despite being less than two months out from a scheduled trial
5 date. Adam opposed this request, but her request was granted in early
6 December of 2019 and trial was necessarily continued. Adam timely
7 moved for the Court to reconsider the decision to order a custody
8 evaluation primarily because Adam argued that it was not necessary in
9 this case. At the hearing on that reconsideration motion in February
10 2020, the Court initially decided to strike the custody evaluation, but
11 reluctantly agreed to keep it after a long and lengthy hearing on the
12 motion to reconsider.

13 **The parties mutually agreed to Dr. Paglini** who was retained
14 and began his evaluation. Leading up to June of 2020, Adam formed the
15 opinion that Chalese was not diligently pursuing the completion of the
16 custody evaluation and asked the Court for a finding that she had acted
17 dilatory in completing the evaluation. That ruling is being deferred to
18 trial as a trial issue. Since the hearing on that motion, **Chalese moved**
19 **to extend time to notice a potential rebuttal expert before Dr.**
20 **Paglini had finished his report.** Of particular importance for this
21 opposition, Chalese represented that she had consulted with **8** different

1 potential rebuttal experts but that she could not find one who would
2 agree to be retained. She then moved to continue trial based upon her
3 pregnancy complications. Adam did not oppose the request to continue
4 trial and trial is currently scheduled to commence at the end of March in
5 2021.

6 After the trial was continued, Dr. Paglini completed his report
7 recommending primary physical custody go to Adam. However, the
8 report was filled with allegations made by Chalese that are demonstrably
9 false. The genesis of this particular opposition is based upon Chalese
10 insisting that Adam's electronics contain, or did contain, some form of
11 CSAM, **despite her own expert's analysis finding no such thing.**

12 The Court has already ordered this report sealed and that only
13 counsel for Chalese and Adam may possess the report. Now, **Chalese**
14 **wants to circulate the report to some unknown number of**
15 **potential rebuttal experts to go expert shopping.** The Court
16 cannot allow this.

17 First, Chalese already got a child custody evaluation, over Adam's
18 repeat objections, from a mutually agreed upon expert. She cannot seek
19 to rebut her own mutually agreed upon expert because she doesn't like
20 his conclusion. This transparent attempt must be seen for exactly what it
21 is: expert shopping. It is completely unnecessary and will greatly

1 increase the cost of the litigation in this case. Second, there's no dispute
2 that **Chalese lied about CSAM** throughout this case. The analysis of
3 Adam's devices by Chalese's own expert shows this. She doubled down
4 on her lie repeatedly to Dr. Paglini, despite there being zero evidence.
5 Now, she wants to circulate this report to some unknown number of
6 potential rebuttal experts without acknowledging that she lied to Dr.
7 Paglini or taking any corrective action. Adam may have to work with
8 these experts in the future and if they are never informed of the nature of
9 her lies, then their opinion of Adam is going to be based upon Chalese's
10 false and defamatory statements.

11 **II. THE PARTIES HAVE ALREADY HAD A CUSTODY**
12 **EVALUATION DONE BY A MUTUALLY AGREED UPON**
13 **EXPERT.**

14 Chalese has insisted for nearly the past year that she wanted a
15 custody evaluation done and Adam has insisted that one was not
16 necessary. Nonetheless after the evaluation was ordered, **the parties**
17 **mutually agreed upon Dr. Paglini** for purposes of conducting the
18 evaluation. While Chalese wanted more time to notice a rebuttal expert
19 before Dr. Paglini completed his report, it was likely that she knew the
20 evaluation would not go in her favor for a variety of reasons. **Thus, her**
21 **desire to have another expert is not predicated upon any**

1 **perceived deficiency in Dr. Paglini's report or evaluation**
2 **process.** Instead, she just doesn't like the results and she wants to
3 **expert shop.** This is abundantly clear in her motion given that she does
4 not mention who her expert is or what her perceived issue is with Dr.
5 Paglini. Additionally, we also know, from Chalese's motion to extend the
6 time to notice a rebuttal expert, that she has consulted with at least 8
7 different potential rebuttal experts.

8 As a result, **Chalese's intent is to shop her case around to**
9 **as many experts as possible until she finds someone that will**
10 **tell her what she wants to hear.** This cannot be permitted in this
11 situation because the parties have already agreed to Dr. Paglini as their
12 mutual expert and Dr. Paglini is specifically acting as a neutral expert.
13 **To permit Chalese to unnecessarily call a rebuttal expert does**
14 **not serve the interests of the case and only serves to drive up**
15 **the costs in this case.**

16 If Chalese is permitted to call a rebuttal expert, then Adam will
17 necessarily be required to expend significant time and money in
18 preparing for trial against a gratuitous and shopped for rebuttal expert.
19 Adam will have to research this expert, depose the expert, and then
20 prepare all of the above for trial. This is not an insignificant increase in
21 the amount of time and money Adam will have to expend preparing for

1 trial and it is only because Chalese is not happy with the results of the
2 mutually agreed upon expert. This cannot be the predicate reason for
3 calling a rebuttal expert in light of the fact that Chalese broadcast her
4 intent to call one before the evaluation was even completed.

5 Additionally, it is unclear how Chalese is financing this rebuttal
6 expert shopping spree. As the Court is well aware, experts are not cheap.
7 While cost would not normally be an issue relevant for consideration,
8 **Chalese has never paid any childcare expenses pursuant to the**
9 **30/30 rule ordered by this Court.** Indeed, Adam's recent
10 communications with Chalese's counsel indicate that she lacks an ability
11 to pay attorney's fees previously ordered by the Court. This, in and of
12 itself, is another reason to deny Chalese's request. If she will not pay her
13 fair share of the children's expenses, then she should not be permitted to
14 go on a rebuttal expert shopping spree.

15 **III. CHALESE CANNOT BE PERMITTED TO DEFAME ADAM**
16 **THROUGH DR. PAGLINI'S REPORT TO AN UNKNOWN**
17 **NUMBER OF REBUTTAL EXPERTS THAT SHE IS SHOPPING**
18 **HER CASE AROUND TO.**

19 Assuming *arguendo* the Court permits Chalese to consult with a
20 rebuttal expert, the report cannot be given to some new unknown expert
21 without being fixed. **Chalese and her counsel attempt to**

1 **downplay and mislead the Court as to the issue Adam has with**
2 **Chalese's comments in Dr. Paglini's report.** Chalese and her
3 counsel choose to selectively and misleadingly¹ quote Adam's emails
4 when it fits their narrative and paraphrase them when it does not fit
5 their narrative. While replete throughout the report, the relevant
6 portions of **Chalese's defamatory statements** for purposes of this
7 opposition take place on the bottom of page 60 of Dr. Paglini's report
8 through the middle of page 61. There is no other way to read that section
9 of the report without seeing it as an allegation by Chalese that CSAM
10 material is still relevant to this case. Dr. Paglini obviously believed this
11 was also Chalese's intent based upon his statement on page 65 that the
12 allegation, if true, would be a significant factor that alters custody.

13 What makes this even more egregious, is that **Chalese knows**
14 **this allegation is false.** She seized every electronic device in the
15 former marital residence and had them delivered to her previously
16 noticed expert witness, Expert Data Forensics. **She knew these**
17 **allegations were false in November when the analysis of the**
18 **devices was complete.** Chalese's current counsel also likely knew that
19 the results were negative when he affirmatively represented to the Court
20

21 ¹ This issue will be explored in greater detail in section IV below.

1 that the investigation was still on going as part of his November 18, 2019
2 filing.

3 Chalese and her counsel now want to take the position that she can
4 defame Adam by making allegations involving CSAM through Dr.
5 Paglini to some unknown number of potential rebuttal experts. Chalese
6 and her counsel seem to struggle with what defamation is and its
7 necessary elements as shown through the continuous use of quotation
8 marks around defamation throughout the motion. Defamation requires
9 four elements: (1) a false and defamatory statement; (2) an unprivileged
10 publication to a third person; (3) fault, amounting to at least negligence;
11 and (4) actual or presumed damages. *See Pope v. Motel 6*, 121 Nev. 307,
12 315 (2005). “Defamation is a publication of a false statement of fact.”
13 *Pegasus v. Reno Newspapers, Inc.*, 118 Nev. 706, 714 (2002). A
14 defamatory communication is defined as follows: “A communication is
15 defamatory if it tends so to harm the reputation of another as to lower
16 him in the estimation of the community or to deter third persons from
17 associating or dealing with him.” *Restatement (Second) of Torts* § 559.

18 As set forth above, **Chalese and her counsel know that none**
19 **of Adam’s devices contained CSAM.** Thus, her statements to Dr.
20 Paglini constitute a false statement of fact and not opinion. The false
21 statement is obviously defamatory because alleging someone possesses

1 CSAM lowers his reputation in the community and would likely deter
2 any of these potential experts from working with Adam in the future. If
3 these experts do not want to work with Adam, because they're never
4 informed that Chalese is lying, then it can harm his job when his
5 employer asks why these experts do not want to work with him.

6 There is more fault than mere negligence because Chalese and her
7 counsel know that these allegations are false. There is no issue of
8 damages as it pertains to this motion because Adam is not currently
9 asking that Chalese be held in contempt for lying to Dr. Paglini and thus
10 lying to the Court. Instead, Adam is seeking to prevent further damage
11 to his reputation.

12 The only element left is publication. Given that this motion is
13 literally seeking to republish her false and defamatory comments, **it's**
14 **obvious that the agenda is to hide behind the element of**
15 **privilege.** As set forth above, the publication must be without privilege.
16 By seeking permission from this Court, Chalese and her counsel are
17 seeking to establish an affirmative defense by hiding behind permission
18 from the Court to republish her false and defamatory statements
19 regarding CSAM.

20 Instead, of proposing a fix to the report wherein Chalese and her
21 counsel agree that the report will be submitted to potential rebuttal

1 experts with a modification to account for her defamatory statement,
2 they double down and insist that they have some inalienable right to
3 submit the report to innumerable number of potential rebuttal experts
4 without acknowledging the false and defamatory statements contained
5 within.

6 Surely, if Adam was seeking to publish defamatory statements
7 involving Chalese, Adam would surely be threatened with a violation of
8 the behavior order and a separate defamation suit. Instead of
9 acknowledging this, Chalese and her counsel argue that Adam's position
10 is frivolous. What they don't explain is how Chalese's quest to accuse
11 Adam of possessing CSAM to everyone under the sun is not actionable.
12 **Chalese has thus far accused Adam of possessing CSAM to**
13 **Carmen - the mother of one of Josh's children - Chalese's**
14 **mother, Josh, and Jessica – Adam's significant other.** These are
15 just the people Adam knows about. How many other people has she been
16 allowed to make these false claims to? We can't be sure, but it stands to
17 reason that the list is very likely higher than set forth above.

18 Adam's reputation as an attorney is paramount to his ability to
19 practice. Allowing Chalese and her counsel to **circulate these**
20 **defamatory statements** unchecked to some unknown number of
21 potential rebuttal experts, who Adam may have to work with in the

1 future, without any curative action for Chalese's false statements cannot
2 be permitted. Not to mention, it's entirely inappropriate to call a rebuttal
3 expert to rebut a mutually agreed upon expert as set forth *supra*. For
4 these reasons, Chalese's request must be denied.

5 **IV. CHALESE'S MOTION FOR SANCTIONS IS**
6 **UNWARRANTED AND INAPPROPRIATE.**

7 Chalese and her attorney seem to believe that Adam should be
8 sanctioned for not wanting to permit them to defame him to the expert
9 witness community while in the process of shopping for an expert. As set
10 forth *supra* this is an entirely unsupported notion. To the extent
11 Chalese's current counsel, **Mr. Fleeman, seems to take a personal**
12 **stake in the issues** presented in this motion, Adam will not sink to his
13 level.

14 However, there are several issues relevant for the Court's
15 consideration on the topic of sanctions and quite frankly ethical
16 behavior.

17 First, Mr. Fleeman block quotes an email from Adam on page 6 of
18 the instant motion. To the extent he block quotes and even goes the step
19 of adding letters to denote paragraph order, the Court should look at the
20 actual email Adam sent. It's clear that Mr. Fleeman has block quoted and
21 editorialized the email in an unethical way. He has omitted portions of

1 the email, without noting it, and he has included portions of the email
2 regarding settlement that the Court cannot consider per NRS
3 48.105(1)(b) (Evidence of conduct or statements made in compromise
4 negotiations is likewise not admissible).

5 This cut and paste while impliedly quoting is entirely **improper**
6 **and misleading** to the Court. Chalese and her counsel cannot hide
7 behind the fact that they have provided the complete email as an exhibit
8 because the presentation of the block quote implies that it is an accurate
9 quote. Only adding a parenthetical that emphasis has been added does
10 not change the fact that he has omitted relevant portions of the email.
11 It's similar to block quoting case law but omitting a paragraph
12 detrimental to the case. Selective block quoting is misleading to the
13 Court and is a stunning **lack of candor to the tribunal**.

14 To the extent that Mr. Fleeman wishes to inappropriately discuss
15 settlement issues, he should be prepared for the admission of his client's
16 many colorful statements made during attempts to settle this case, but
17 especially her statement from December 17, 2019. As set forth above,
18 discussion of settlement are entirely inappropriate. The statute is not
19 ambiguous and is very clear. It is entirely inappropriate and the defense
20 should know better.

21

1 Returning to the issue noted above in section II, Mr. Fleeman
2 represented to this Court in his November 18, 2020 filing that an
3 investigation was still on going as it relates to the electronics in this case.
4 Subsequent discovery has turned over emails from Expert Data
5 Forensics showing that Mr. Fleeman knew that all but one electronic
6 item had been analyzed and come back negative for CSAM. The one
7 remaining hard drive was almost done processing as of November 5,
8 2019 at 3:13 PM per an email from EDF to Mr. Fleeman. For some
9 reason, the follow up email from EDF to Mr. Fleeman informing him
10 that the last remaining item was negative lacks any metadata. Thus,
11 Adam cannot state with certainty that Mr. Fleeman made a knowingly
12 false representation to the court, but it seems like that the processing of
13 that drive did not take more than the 13 days before Mr. Fleeman
14 represented to this Court that the investigation was still ongoing related
15 to the electronics.

16 Finally, Chalese and her counsel know that **sanctions are not**
17 **appropriate.** They huff and puff and proceed to clutch their collective
18 pearls, but when it comes to actually asking for sanctions, their request
19 falls well short of an actual request. The Dr. Jekyll and Mister Hyde
20 portrayal can only be read one way: Chalese demands sanctions to
21 dissuade future alleged bad conduct by Adam, but then asks that any

1 ruling on sanctions be held over for trial. *See Amended Motion to*
2 *Clarify* at 10:1-13. How can something that's deferred until later seek to
3 dissuade someone? It's clear that this is not an actual request for
4 sanctions but a thinly veiled personal dig at Adam. It's also clear based
5 upon the immediate retreat on the issue of sanctions that even Chalese
6 and her counsel do not agree sanctions are appropriate.

7 While Mr. Fleeman may not like Adam pointing out his internally
8 inconsistent logic, the argument remains and is a valid analogy. It's not a
9 personal attack and portraying it as is, simply personal insecurity. This
10 opposition is not the place for an in-depth analysis of the analogy
11 presented by Adam, but Mr. Fleeman's complaint to the Judicial Ethics
12 Commission regarding future Judge Pickard appears to be frivolous on
13 its face whereas Adam's concern for his reputation through the
14 republication of Chalese's false defamatory statements, even to a small
15 audience, is not.

16 Finally, on the topic of ethics and sanctions, **it cannot be**
17 **ignored that Chalese lied to Dr. Paglini and that it is an official**
18 **report and recommendation that is submitted to the Court.**

19 Now, Chalese and her counsel are seeking to publish this report to some
20 unknown number of potential rebuttal experts and go shopping for
21 someone that may be helpful to her cause. It's problematic in and of

1 itself that **there has been no candor regarding this false and**
2 **defamatory statement**², but Chalese now seeks, through this motion,
3 to use the services of her counsel to perpetuate her fraudulent
4 statements to Dr. Paglini. **She is seeking to perpetuate these**
5 **fraudulent statements to potential rebuttal experts and to the**
6 **Court through this motion.** This cannot be permitted. Chalese
7 continually and constantly lies to this Court about everything while
8 being admonished that her statements are credibility issues for trial.
9 **There is no credibility issue because Chalese has no credibility**
10 **and at a certain point deferring everything for trial emboldens**
11 **continued lies and misstatements.** The only genuine thing from
12 Chalese's motion is that action needs to be taken to deter inappropriate
13 and unreasonable conduct from Chalese and her counsel. While Adam is
14 not formally asking for sanctions, it's abundantly clear that he would be
15 justified in doing so. Instead, Adam is asking that the Court admonish
16 Chalese and her counsel to knock it off and conduct themselves in an
17 appropriate manner going forward. The continued permitted
18 transgressions are why things have escalated to the point that they are at
19 now and simple issues cannot be resolved without Court intervention.

20 ² Indeed, an argument can be made that there has been the opposite of candor through the continued
21 reference to the word defamation in quotes to imply that Adam is incorrect and being histrionic in his
effort to defend his reputation.

1 **V. CONCLUSION**

2 **The entire motion is perfectly absurd.** Chalese wanted an
3 evaluation. She got an evaluation from a mutually agreed upon expert.
4 She lied to that expert and made false and defamatory statements. Dr.
5 Paglini did not say what she wanted and now she wants to go shopping
6 for someone that will. This cannot be permitted because she already got
7 exactly what she wanted and she now seeks to expand the cost and scope
8 of the litigation in this case unnecessarily and in the process publish her
9 false and defamatory statements to the psychological expert community.
10 For even voicing a concern over Chalese's unreasonable and, as set forth
11 above, independently actionable behavior, Adam is threatened with
12 sanctions for having a perfectly reasonable position. Chalese and her
13 counsel shouldn't be permitted to go shopping for a rebuttal expert to
14 rebut a mutually agreed upon expert while expanding the cost and scope
15 of this litigation and further defaming Adam in the process.

16 DATED Tuesday, October 20, 2020.

17 Respectfully Submitted,

18
19 /s/ Adam M. Solinger

20 Adam M. Solinger
21 Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Opposition* was filed electronically with the Eighth Judicial District Court in the above-entitled matter, on Tuesday, October 20, 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.
Alicia Exley, Esq.
Attorneys for Defendant

/s/ Adam M. Solinger
Adam M. Solinger

1 **OST**

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**

10/27/2020 at 3:30 PM

via Video Conference (BlueJeans)

22 **ORDER SHORTENING TIME ON DEFENDANT'S AMENDED MOTION FOR**
23 **CLARIFICATION AND MODIFICATION OF COURT RELEASE REGARDING**
24 **CUSTODY EVALUATION AND FOR SANCTIONS AND FEES AGAINST**
25 **PLAINTIFF**

26 Upon application of counsel for the Defendant, Jack W. Fleeman, Esq. and
27 Alicia S. Exley, Esq., of PECOS LAW GROUP, and good cause appearing therefore:
28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

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5
6 Adam Michael Solinger, Plaintiff CASE NO: D-19-582245-D
7 vs. DEPT. NO. Department I
8 Chalese Marie Solinger,
9 Defendant.

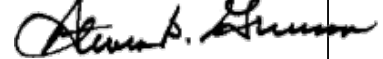
10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 10/21/2020

15 Vincent Mayo	VMGroup@TheAbramsLawFirm.com
16 Jack Fleeman	jack@pecoslawgroup.com
17 Angela Romero	angela@pecoslawgroup.com
18 admin email	email@pecoslawgroup.com
19 Allan Brown	allan@pecoslawgroup.com
20 Alicia Exley	alicia@pecoslawgroup.com
21 Adam Solinger	adam@702defense.com
22 Louis Schneider	lcsllawllc@gmail.com

23
24
25
26
27
28



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 Attorneys for Defendant

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

15 **Adam Michael Solinger,**

16 Plaintiff,

17 vs.

18 **Chalese Marie Solinger,**

19 Defendant.

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

Dept No. **I**

20 **NOTICE OF ENTRY OF ORDER SHORTENING TIME**

21 TO: **Adam Michael Solinger**, Plaintiff in Proper Person:

22 **YOU WILL PLEASE TAKE NOTICE** that the “**Order Shortening**
23 **Time on Defendant’s Amended Motion for Clarification and Modification of**
24 **Court Release Regarding Custody Evaluation and for Sanctions and Fees**
25 **Against Plaintiff**” was entered in the above-captioned case on the **21st** day of
26 **October 2020**, by filing with the clerk. A true and correct copy of said Order is
attached hereto and made a part hereof.

DATED this 21st day of October 2020.

/s/ Alicia S. Exley

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 hereby certify that the “**Notice of Entry of Order**
3 **Shortening Time**” in the above-captioned case was served this date as follows:

- 4 [x] pursuant to NEFCR 9, by mandatory electronic service through the
5 Eighth Judicial District Court’s electronic filing system;
6 [] by placing the same to be deposited for mailing in the United
7 States Mail, in a sealed envelope upon which first class postage was
8 prepaid in Las Vegas, Nevada;
9 [] pursuant to EDCR 7.26 to be sent via facsimile, by duly executed
10 consent for service by electronic means;
11 [] by hand-delivery with signed Receipt of Copy.

12 To individual(s) listed below at the address:

13 Adam M. Solinger	adam@702defense.com
14 admin email	email@pecoslawgroup.com
15 Alicia Exley	alicia@pecoslawgroup.com
16 Jack Fleeman	jack@pecoslawgroup.com
17 Angela Romero	angela@pecoslawgroup.com
18 Allan Brown	allan@pecoslawgroup.com

19
20 A courtesy copy has also been sent to: attorneyadamsolinger@gmail.com.

21 **DATED** this 21st day of October 2020.

22
23 /s/ Angela Romero
24 **Angela Romero**
25 An employee of PECOS LAW GROUP
26

1 **OST**

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**

10/27/2020 at 3:30 PM

via Video Conference (BlueJeans)

22 **ORDER SHORTENING TIME ON DEFENDANT'S AMENDED MOTION FOR**
23 **CLARIFICATION AND MODIFICATION OF COURT RELEASE REGARDING**
24 **CUSTODY EVALUATION AND FOR SANCTIONS AND FEES AGAINST**
25 **PLAINTIFF**

26 Upon application of counsel for the Defendant, Jack W. Fleeman, Esq. and
27 Alicia S. Exley, Esq., of PECOS LAW GROUP, and good cause appearing therefore:
28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Adam Michael Solinger, Plaintiff CASE NO: D-19-582245-D
7 vs. DEPT. NO. Department I
8 Chalese Marie Solinger,
9 Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 10/21/2020

15 Vincent Mayo	VMGroup@TheAbramsLawFirm.com
16 Jack Fleeman	jack@pecoslawgroup.com
17 Angela Romero	angela@pecoslawgroup.com
18 admin email	email@pecoslawgroup.com
19 Allan Brown	allan@pecoslawgroup.com
20 Alicia Exley	alicia@pecoslawgroup.com
21 Adam Solinger	adam@702defense.com
22 Louis Schneider	lcsllawllc@gmail.com

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

October 29, 2020

D-19-582245-D Adam Michael Solinger, Plaintiff
vs.
Chalese Marie Solinger, Defendant.

October 29, 2020 1:30 PM Minute Order

HEARD BY: Moss, Cheryl B.

COURTROOM: Chambers

COURT CLERK: Gabriella Konicek

PARTIES:

Adam Solinger, Plaintiff, Counter Defendant,
not present

Chalese Solinger, Defendant, Counter
Claimant, not present

Jack Fleeman, Attorney, not present

Marie Solinger, Subject Minor, not present

Michael Solinger, Subject Minor, not present

JOURNAL ENTRIES

- (MINUTE ORDER/NO HEARING HELD)

NRCP 1 and EDCR 1.10 state that the procedures in District Court shall be administered to secure efficient, just, and inexpensive determinations in every action and proceeding.

Pursuant to EDCR 2.23(c), the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it.

This matter came before the Court on an Order Shortening Time for the Amended Motion for Clarification and Modification of Court Release Regarding Custody Evaluation and for Sanctions and Fees against Plaintiff filed by Defendant/Mother represented by Pecos Law Group on October 07, 2020.

PRINT DATE:	10/29/2020	Page 1 of 3	Minutes Date:	October 29, 2020
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

002685

On October 20, 2020 Plaintiff/Father in proper person filed an Opposition.

The Court reviewed the Motion and Opposition in the matter.

The COURT FINDS that Mother is entitled to experts and recognizes that the experts would need to review the report prepared by Dr. Paglini.

IT IS ORDERED that any such expert retained by either party must first sign a Confidentiality Agreement and agree not to disclose the contents of said report to third parties.

IT IS FURTHER ORDERED that Attorney Fleeman shall submit a draft of the confidentiality agreement to Father NO LATER THAN November 06, 2020 and Father shall have UNTIL November 13, 2020 to approve or object to the submitted draft and notify Attorney Fleeman either way.

IT IS FURTHER ORDERED that Attorney Fleeman may file with the Court in the form of a brief his proposed Confidentiality Agreement NO LATER THAN November 06, 2020 by 5:00PM. If Father objects, then Father shall file a brief with the Court that identify the parts of the draft that Father objects to NO LATER THAN November 13, 2020 by 5:00 P.M.

In either case, the Court shall issue a minute decision regarding the Confidentiality Agreement to be signed by the experts before Dr. Paglini s report may be released to these experts.

IT IS FURTHER ORDERED that the Stipulated and/or Court approved Confidentiality Agreement must first be signed by the experts before Dr. Paglini s report may be released to the same.

IT IS FURTHER ORDERED that the hearing set on October 27, 2020 at 3:30 P.M is VACATED.

A copy of this minute order shall be served electronically.

SO ORDERED.

CLERK'S NOTE: (A copy of this Minute Order was e-mailed to counsel and Dad. gk)

INTERIM CONDITIONS:

FUTURE HEARINGS:

November 16, 2020 10:30 AM Motion

PRINT DATE:	10/29/2020	Page 2 of 3	Minutes Date:	October 29, 2020
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Moss, Cheryl B.
Courtroom 13
Jimenez, Erica

Canceled: November 16, 2020 10:00 AM Motion

November 16, 2020 10:30 AM Opposition
Moss, Cheryl B.
Courtroom 13
Jimenez, Erica

November 16, 2020 10:30 AM Opposition
Moss, Cheryl B.
Courtroom 13
Jimenez, Erica

March 29, 2021 9:00 AM Evidentiary Hearing
Moss, Cheryl B.
Courtroom 13
Jimenez, Erica

March 30, 2021 9:00 AM Evidentiary Hearing
Moss, Cheryl B.
Courtroom 13

March 31, 2021 9:00 AM Evidentiary Hearing
Moss, Cheryl B.
Courtroom 13

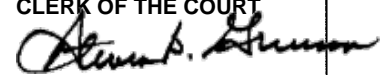
Canceled: April 01, 2021 9:00 AM Evidentiary Hearing

April 01, 2021 9:00 AM Evidentiary Hearing
Moss, Cheryl B.
Courtroom 13
Jimenez, Erica

April 02, 2021 9:00 AM Evidentiary Hearing
Moss, Cheryl B.
Courtroom 13
Jimenez, Erica

April 05, 2021 1:30 PM Evidentiary Hearing
Moss, Cheryl B.
Courtroom 13

PRINT DATE:	10/29/2020	Page 3 of 3	Minutes Date:	October 29, 2020
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1 **BRF**

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**

22 **DEFENDANT'S BRIEF REGARDING CONFIDENTIALITY AGREEMENT**

23 COMES NOW Defendant, **Chalese Marie Solinger**, by and through her
24 attorneys of record, **Jack W. Fleeman, Esq.** and **Alicia S. Exley, Esq.**, of PECOS
25 LAW GROUP, hereby submits her brief pursuant to this Court's October 29, 2020
26 Minute Order.

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BRIEF

1. In February 2020, Dr. Paglini was chosen to conduct a child custody evaluation in this case.

2. The *Order to Continue Trial*, filed August 10, 2020, set the deadline for rebuttal expert witness disclosures and reports as February 26, 2021.

3. Dr. Paglini's child custody evaluation report was completed in early September 2020.

4. Prior to distributing Dr. Paglini's child custody evaluation report, the court required that counsel sign a release stating that no copies of the report would be made or released, and that "no secondary dissemination will take place without express permission of the Court."¹ The release is not an order of the court, nor is it a part of the official record in this case.

5. EDCR 5.304 governs the dissemination of the Dr. Paglini report and expressly permits a party's attorney to release such a report to any expert the attorney deems necessary. Nevertheless, as the court mandated release appears to conflict with the rule, in an abundance of caution and after discussion with at least one other Family Law Specialist outside of counsel's firm, Chalese's counsel contacted this Court's law clerk on October 5, 2020 via email, copying Mr.

¹ Under the language of the release, the prohibited dissemination only applies to counsel. Mr. Solinger is not counsel in this matter, he is a litigant. It is unknown if Mr. Solinger signed the same release or if it was modified so that it fairly applies to him.

1 Solinger, to request a minute order clarifying that Dr. Paglini's custody evaluation
2 may be disseminated to consulting/rebuttal experts.

3 6. Mr. Solinger objected to Chalese's request for minute order and
4 demanded that the issue be briefed. Mr. Solinger then threatened Chalese and her
5 counsel with a defamation lawsuit if they released the report, regardless of the
6 rule.
7

8 7. Chalese then filed a motion to clarify with the court, which Mr.
9 Solinger apparently opposed.²
10

11 8. On October 29, 2020, the Court issued a Minute Order finding that
12 Chalese is entitled to experts and that the experts would need to review Dr.
13 Paglini's report. The court then ordered that any potential rebuttal expert must
14 "first sign a Confidentiality Agreement and agree not to disclose the contents of
15 said report to third parties."
16

17 9. The court also instructed Mr. Fleeman to submit a draft
18 Confidentiality Agreement to Mr. Solinger by November 6, 2020 and to file a
19 brief with the Court regarding the same by November 6, 2020.

20 10. For the record, counsel does not believe that a Confidentiality
21 Agreement is necessary or required by law. Professional evaluators are bound and
22

23 ² Though Mr. Solinger signed a certificate of service on his opposition certifying that the
24 opposition was served electronically, it has still not been served as of the time of this writing.
This is not the first filing that Mr. Solinger, who is an attorney, has failed to serve in this case.
The court should admonish Mr. Solinger that his court filings should be properly served.

1 governed by their own rules and legal regulations regarding confidentiality – and
2 those already serve to protect the parties. Moreover, requiring a Confidentiality
3 Agreement for a custody evaluation report to be reviewed is not a common
4 practice in our family courts – likely, in part, because the rule allows the
5 dissemination of these very reports to any expert the attorneys deem appropriate.
6 Nevertheless, as there is an existing deadline for the rebuttal expert disclosure and
7 report, counsel is following the court’s directives under objection, so as not to
8 waive the issue.
9


10 11. Counsel’s primary concern in objecting to the required
11 Confidentiality Agreement is that any potential rebuttal experts are likely to be far
12 less inclined to agree to review the report if they are required to sign a document
13 that is not part of the normal interaction between counsel and experts in these
14 types of cases. This concern is heightened because counsel has already had
15 considerable difficulty, noted in previous filings, finding potential experts in this
16 case.
17

18 12. With the objection on the record, counsel provides the proposed
19 Confidentiality Agreement, as an attachment hereto, that was sent to Mr. Solinger
20 via email on November 4, 2020.
21
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13. Mr. Solinger has not responded to the proposed Confidentiality Agreement as of the time of this writing, but it is expected he will object to it, as he has opposed or objected to most everything in this case.

DATED this 6th day of November, 2020.

PEÇOS LAW GROUP



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
3 Pursuant to NRCP 5(b), I certify that I am an employee of PECOS LAW
4 GROUP, and that on this 6th day of November, 2020, I served a copy of
5 the foregoing *Defendant's Brief Regarding Confidentiality Agreement* as follows:

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

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

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

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

14 Adam M. Solinger	adam@702defense.com
15 Adam Solinger	attorneyadamsolinger@gmail.com
16 admin email	email@pecoslawgroup.com
17 Alicia Exley	alicia@pecoslawgroup.com
18 Jack Fleeman	jack@pecoslawgroup.com
19 Angela Romero	angela@pecoslawgroup.com

20 

21 _____
22 An employee of PECOS LAW GROUP

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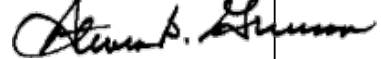
I do hereby agree that I shall not release the Report or any contents of the Report to any third parties outside of my own staff assisting with my review of the Report.

I further agree that the Report shall be read only by myself and any of my own staff assisting with my review of the Report.

I further agree that I shall not, and I shall not permit any of my staff to, copy or take the Report outside of my office, and no secondary dissemination of the Report shall take place without express permission of the Court.

Pursuant to NRS 53.045, I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Date _____



RPLY

Adam M. Solinger
7290 Sea Anchor Ct
Las Vegas, Nevada 89131
Tel: (775) 720-9065
Email: attorneyadamsolinger@gmail.com
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: 11/16/2020
CHALESE MARIE SOLINGER,	)	Time of Hearing: 10:00 a.m.
)	
Defendant.)	

**REPLY TO OPPOSITION TO PLAINTIFF'S MOTION TO
CLARIFY COURT'S JUNE 30th ORDER AFTER HEARING**

NOW INTO COURT comes Plaintiff, ADAM MICHAEL
SOLINGER and hereby submits his *REPLY TO OPPOSITION TO
PLAINTIFF'S MOTION TO CLARIFY COURT'S JUNE 30th ORDER
AFTER HEARING.*

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1 This Reply is made and based upon the attached Points and
2 Authorities, the Declaration of Plaintiff attached hereto, all papers and
3 pleadings on file herein, and any oral argument adduced at the hearing
4 of this matter.

5 DATED Monday, November 09, 2020.

6 Respectfully Submitted,

7 /s/ Adam M. Solinger

8 Adam M. Solinger
9 Plaintiff

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 The Opposition to this motion is entirely unnecessary and spends
3 six pages doing nothing of substance but try to vilify and denigrate
4 Adam.

5 The facts remain unchanged. The Court ordered that a picture be
6 provided **immediately**. Mr. Fleeman submitted an order that required
7 the picture be sent by the end of the day. Adam pointed out this was
8 incorrect based upon what the Court said at the hearing and submitted a
9 competing order. Court staff asked Adam to change one part of his order
10 that had nothing to do with the timing of sending the picture and
11 resubmit the order. The Court then signed the much more lenient order,
12 instead of what was actually ordered at the hearing. Adam merely seeks
13 clarification as to why the Court signed the order that it did.

14 The Opposition does not dispute what the Court said at the hearing
15 and makes an argument that what's said at a hearing doesn't matter.
16 Chalese correctly asserts that "only a written judgment has any effect..."
17 *See Defendant's Opposition* at 3 footnote 2. (citing *Rust v. Clark Cty.*
18 *Sch. Dist.*, 103 Nev. 686, 689 (1987). While that caselaw is absolutely
19 correct, the updated case law on this issue is even more explicit holding
20 that almost any substantive oral pronouncement is ineffective. *See State,*
21 *Div. of Child & Family Servs. v. Eighth Judicial Dist. Court*, 120 Nev.

1 445, 451-455 (2004). However, the rationale behind this rule literally
2 justifies this motion. Before a court enters a written order, it remains
3 free to reconsider the decision and issue a different written judgment.
4 *Id.* There's no dispute that the Court said the picture was to be provided
5 immediately. The written order reflects a much more permissive
6 timeframe that gave Chalese ample time to go to the store and buy
7 elderberry syrup.

8 Indeed, no one can make the argument that immediately and by
9 the end of the day mean the same thing. Thus, the issue is whether the
10 Court made a mistake and signed the wrong order or whether the Court
11 reconsidered its decision and decided on a different time frame. This
12 reconsideration between the oral pronouncement and the actual written
13 order, as pointed out in *Div. of Child & Family Servs.*, is exactly why this
14 motion is warranted.

15 Additionally, *Div. of Child & Family Servs.* leaves open the issue of
16 the nature of the Court's order. For example, NRCP 65(e)(1) states that
17 in actions for divorce or child custody, the court may make prohibitive or
18 mandatory orders, without notice, as may be just. While this is a carve
19 out from the normal injunction rule and thus modifies the requirement
20 that an order be reduced to writing as set forth in the applicable case
21 law, the order of the Court to provide a picture of the elderberry syrup

1 immediately could be construed as a mandatory order per the carve out
2 and thus not required to be in writing. Once again, this necessitates the
3 justification for this motion. This is how the Court should construe its
4 original oral order. Otherwise, this Court would never have the authority
5 to order same day drug testing unless the parties, or the Court, bring
6 prepared form orders ready to be signed and entered
7 contemporaneously with hearings. Clarity on both issues is beneficial for
8 a variety of reasons that are self-evident.

9 Because the opposition does not make it clear, Chalese did not
10 send the picture of the elderberry syrup until 6:00 p.m. that night, when
11 her appointment necessitated her leaving the hearing well before noon
12 that day. It must be remembered that the reason for the elderberry syrup
13 issue was because of Adam's concern that Chalese was drugging the
14 children to sleep at night and she was in fact **not** giving them elderberry
15 syrup. Besides being a contempt issue and a sanctions issues, this is,
16 most importantly, a child safety issue.

17 Turning to the request for "sanctions," Chalese and her counsel
18 throw the word frivolous around in such callous disregard for the
19 meaning of the word. To be clear, Black's Law Dictionary defines
20 frivolous as "1. Lacking in high purpose; trifling, trivial, and silly...2.

21

1 Lacking a legal basis or legal merit; manifestly insufficient as a matter or
2 law...” *Black’s Law Dictionary* (11th ed. 2019).

3 This motion is not something that Chalese needed to respond to or
4 even take a position on, for that matter. It’s clear that her Counsel felt
5 the need to write 6 meaningless pages to further disparage Adam.¹ If
6 anyone is wasting money, then perhaps it is Chalese’s counsel for filing
7 an unnecessary Opposition. Counsel’s own caselaw supports the
8 reasoning behind this motion in a cornucopia of ways as set forth *supra*.

9 Finally, the only thing that is trifling, trivial, and silly is the
10 repeated sententious and histrionic requests for sanctions based upon
11 obviously legitimate motion practice. Counsel may want to consult with
12 other’s outside of his firm before making additional, silly, requests for
13 unwarranted sanctions.

14 DATED Monday, November 09, 2020.

15 Respectfully Submitted,

16
17 /s/ Adam M. Solinger
18 Adam M. Solinger
Plaintiff

19 ¹ For example, it’s unclear why it was necessary to discuss Chalese’s motion to clarify the release of
20 Dr. Paglini’s report in this filing. Not only does Chalese summarize the motion work there in an
21 editorialized fashion that would make tabloid journalists proud, but she does it inaccurately. See
Opposition at 4:23-5:16.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Reply* was filed electronically with the Eighth Judicial District Court in the above-entitled matter, on Monday, November 09, 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.
Alicia Exley, Esq.
Attorneys for Defendant

/s/ Adam M. Solinger
Adam M. Solinger

**DISTRICT COURT
CLARK COUNTY, NEVADA****Divorce - Complaint****COURT MINUTES****November 10, 2020**

D-19-582245-D Adam Michael Solinger, Plaintiff
vs.
Chalese Marie Solinger, Defendant.

November 10, 2020 09:30 AM Minute Order

HEARD BY: Moss, Cheryl B. **COURTROOM:** Chambers

COURT CLERK: Cunningham, Michelle

PARTIES PRESENT:

Adam Michael Solinger, Counter Defendant, Vincent Mayo, Attorney, Not Present
Plaintiff, Not Present

Chalese Marie Solinger, Counter Claimant, Jack W. Fleeman, Attorney, Not Present
Defendant, Not Present

Michael Adam Solinger, Subject Minor, Not Present

Marie Leona Solinger, Subject Minor, Not Present

JOURNAL ENTRIES**MINUTE ORDER - NO HEARING HELD**

NRCP 1 and EDCR 1.10 state that the procedures in district court shall be administered to secure efficient, just, and inexpensive determinations in every action and proceeding.

Pursuant to EDCR 2.23(c), the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it.

On October 07, 2020 Plaintiff/Father in proper person filed a Motion to Clarify the Court's June 30th Order After Hearing regarding Mother's requirement to "immediately" produce a photo of the elderberry syrup she was giving the minor child as a sleep aid.

On October 20, 2020 Defendant/Mother represented by Pecos Law Group filed an Opposition claiming that Mother sent Father the photo at issue after her doctor's appointment, which was scheduled later that same day as the court hearing. The Court was aware that Mother had to attend her OB/GYN appointment that afternoon. Mother claims she sent Father the photo of the elderberry syrup bottle after she attended her doctor's appointment. However, there were no exhibits filed with Mother's opposition such as the photo and/or date and time of the photo.

Father objected to Mother's proposed Order from June 30, 2020 hearing submitted by Mother's counsel to the department's inbox. The Order was subsequently approved and signed by the Court.

On September 10, 2020 Mother filed a Notice of Entry of Order for the Order from June 30, 2020 Hearing. The only difference is the wording "no later than end of the day June 30" and "immediately."

IT IS ORDERED that Father's motion is DENIED for the following reasons. Even if the Court had stated "immediately" on the court video record, the Court was also aware that Mother had to promptly leave for a doctor's appointment. Therefore, it would be reasonable for Mother to attend the appointment and then send Father the photo later in the day on the same day as the June 30, 2020 court hearing.

Presumably, Father's concern is that Mother would have had additional time to purchase a bottle of elderberry syrup and then take a photo of the bottle. Whether the court order states immediately or by the end of the day on June 30th, which was the day of the court hearing, the Court FINDS that this would go to credibility and reasonableness. At the upcoming trial, the Court will assign whatever weight should be given to the parties' testimony regarding this incident. Therefore, the current language of the Order that was filed on September 10, 2020 STANDS. The Court finds no basis to amend the language "by the end of the day on June 30" to "immediately" (after court) based on a standard of reasonableness.

IT IS FURTHER ORDERED that the hearing set on November 16, 2020 at 10:30AM is VACATED.

IT IS FURTHER ORDERED that all future dates STANDS:

March 29, 2021 at 9:00AM (Evidentiary Hearing Day 1)

March 30, 2021 at 9:00AM (Evidentiary Hearing Day 2)

March 31, 2021 at 9:00AM (Evidentiary Hearing Day 3)

April 01, 2021 at 9:00AM (Evidentiary Hearing Day 4)

April 02, 2021 at 9:00AM (Evidentiary Hearing Day 5)

April 05, 2021 at 1:30PM (Closing Arguments)

The Court shall prepare the Order in conformance with this court minute decision and serve electronically.

A copy of this minute order shall be served electronically.

SO ORDERED.

CLERK'S NOTE: A copy of the Court's Minute Order was provided to each Attorney via email. (11/10/2020 - mlc)

INTERIM CONDITIONS:

FUTURE HEARINGS:

Mar 29, 2021 9:00AM Evidentiary Hearing
Courtroom 13 Moss, Cheryl B.

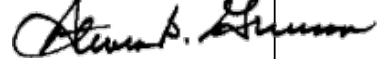
Mar 30, 2021 9:00AM Evidentiary Hearing
Courtroom 13 Moss, Cheryl B.

Mar 31, 2021 9:00AM Evidentiary Hearing
Courtroom 13 Moss, Cheryl B.

Apr 01, 2021 9:00AM Evidentiary Hearing
Courtroom 13 Moss, Cheryl B.

Apr 02, 2021 9:00AM Evidentiary Hearing
Courtroom 13 Moss, Cheryl B.

Apr 05, 2021 1:30PM Evidentiary Hearing
Courtroom 13 Moss, Cheryl B.



1 **BRF**

Adam M. Solinger
2 7290 Sea Anchor Ct
Las Vegas, Nevada 89131
3 Tel: (775) 720-9065
Email: attorneyadamsolinger@gmail.com
4 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,)	
)	
Defendant.)	

11 **PLAINTIFF'S BRIEF REGARDING CONFIDENTIALITY**
12 **AGREEMENT**

13 **NOW INTO COURT** comes Plaintiff, ADAM MICHAEL
14 SOLINGER and hereby submits his brief noting any objections to the
15 Defendant's proposed confidentiality agreement. Plaintiff does not
16 object to the confidentiality agreement¹.

17 ///

18 ///

19 ///

20 _____
21 ¹ The Parties have agreed to a confidentiality agreement that has already been filed or will be filed
with the Court.

Instead, Plaintiff objects to the brief filed by the Defendant as unnecessary, unwarranted, and procedurally improper and hereby asks this Court to strike the brief with the exception of the proposed confidentiality agreement for purposes of the record.

DATED Friday, November 13, 2020.

Respectfully Submitted,

/s/ Adam M. Solinger

Adam M. Solinger
Plaintiff

Plaintiff

1 **BRIEF**

2 The Defendant appears to be attempting to relitigate the issue
3 through her brief filed in response to the Court's October 29, 2020
4 minute order. In that minute order, the Court ordered: "Attorney
5 Fleeman may file with the Court in the form of a brief his proposed
6 Confidentiality Agreement..." The clear order of the Court was to file the
7 proposed agreement, not briefing.

8 Instead of abiding by the Court's order, the Defendant and her
9 Counsel appear to attempt to reargue the issue of the release and/or
10 preserve an objection² to the Court's decided upon procedure.

11 Adam is not going to brief the issue again, but points out for the
12 Court's and Mr. Fleeman's consideration Nevada Rule of Civil Procedure
13 16.22(e) which governs custody evaluations and when a custody report
14 may be released and to whom. Specifically, a custody report may only be
15 released to an attorney on condition that the report be kept confidential
16 and may not be distributed without a court order pursuant to
17 16.22(e)(3). Expanding, the distribution of the report may only occur
18 upon motion and with a showing of good cause. Even then, the
19 distribution must include appropriate restrictions on the report's release
20 and use. NRCP 16.22(e)(3). Finally, while district courts may make local

21

² This is not the proper procedure to objecting to the Court's order.

1 rules, those local rules must be consistent with the rules of civil
2 procedure. NRC 83(a)(1). Thus NRC 16.22 governs the release of a
3 custody evaluation.

4 Despite Mr. Fleeman's repeated assertions throughout the
5 briefing on this issue that EDCR 5.304 governs, it clearly doesn't because
6 it is inconsistent with 16.22. Given Mr. Fleeman's status as a "certified
7 family law specialist," he likely knew this and did not disclose it
8 therefore violating Nevada Rule of Professional Conduct 3.3(a)(2). At a
9 minimum, this Court should set a show cause hearing based upon his
10 failure to disclose relevant, adverse, controlling legal authority despite
11 multiple opportunities to do so.

12 In sum, the Defendant is just flat wrong with her assertion of what
13 the rules are and whether there is anything to object to. As a result, her
14 brief should be struck from the record and only her proposed
15 confidentiality agreement left in its place for purposes of a clear record.
16 Her brief serves no purposes other than to needlessly multiple this
17 litigation and be the epitome of frivolity.

18 DATED Friday, November 13, 2020.

19 Respectfully Submitted,

20 /s/ Adam M. Solinger

21 Adam M. Solinger
Plaintiff

1 **DECLARATION OF ADAM MICHAEL SOLINGER**

2 I, Adam Michael Solinger, do solemnly swear to testify herein to
3 the truth, the whole truth and nothing but the truth.

4 1. I am the Plaintiff in the above-entitled action, and above the
5 age of majority and am competent to testify to the facts contained in this
6 declaration, and make this sworn Declaration in support of the foregoing
7 *BRIEF*

8 2. I have read said *BRIEF* and hereby certify that the facts set
9 forth in the Points and Authorities attached thereto are true of my own
10 knowledge, except for those matters therein contained stated upon
11 information and belief, and as to those matters, I believe them to be true.
12 I incorporate said facts into this Declaration as though fully set forth
13 herein.

14 3. I declare under penalty of perjury under the law of the State
15 of Nevada, pursuant to NRS 53.045, that the forgoing is true and correct.

16 DATED this 13th day of November, 2020.

17
18 /s/ Adam M. Solinger
Adam Michael Solinger

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Reply* was filed electronically with the Eighth Judicial District Court in the above-entitled matter, on Friday, November 13, 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.
Alicia Exley, Esq.
Attorneys for Defendant

/s/ Adam M. Solinger
Adam M. Solinger

1 **SAO**

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

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

14 **Adam Michael Solinger,**

15 Plaintiff,

16 vs.

17 **Chalese Marie Solinger,**

18 Defendant.

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

Dept No. **I**

STIPULATION AND ORDER REGARDING CONFIDENTIALITY AGREEMENT

19 The parties, Plaintiff **Adam Michael Solinger**, in Proper Person, and
20 Defendant, **Chalese Marie Solinger**, by and through her attorneys of record, **Jack**
21 **W. Fleeman, Esq.** and **Alicia S. Exley, Esq.**, of PECOS LAW GROUP, hereby
22 stipulate and agree that the attached "Confidentiality Agreement" shall be utilized
23

24 ...

25 ...

26 ...

1 for any experts to whom Dr. Paglini's Custody Evaluation Report is disseminated
2 by either party.

3 DATED November 13th 2020.

DATED November 13th 2020.

4 PECOS LAW GROUP

5 /s/ Alicia S. Exley, Esq.

/s/ Adam Solinger

6
7 **Jack W. Fleeman, Esq.**
Nevada Bar No. 10584
8 **Alicia S. Exley, Esq.**
Nevada Bar No. 14192
9 8925 South Pecos Road, Suite 14A
Henderson, Nevada 89074
10 Attorneys for Defendant

Adam Solinger
7290 Sea Anchor Ct.
Las Vegas, Nevada 89131
Plaintiff in Proper Person

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

Dated this 13th day of November, 2020

D4B 11D 6FE6 F5CE
Cheryl B. Moss
District Court Judge

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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I do hereby agree that I shall not release the Report or any contents of the Report to any third parties outside of my own staff assisting with my review of the Report.

I further agree that the Report shall be read only by myself and any of my own staff assisting with my review of the Report.

I further agree that I shall not, and I shall not permit any of my staff to, copy or take the Report outside of my office, and no secondary dissemination of the Report shall take place without express permission of the Court.

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I further agree that upon conclusion of this case, I will destroy and/or delete the Report and any working copy that I have made of the Report. For purposes of this section, the case has concluded when I have been notified by the party and/or counsel by whom I have been retained that the case is finished and all collateral proceedings have been terminated.

Pursuant to NRS 53.045, I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Expert Signature

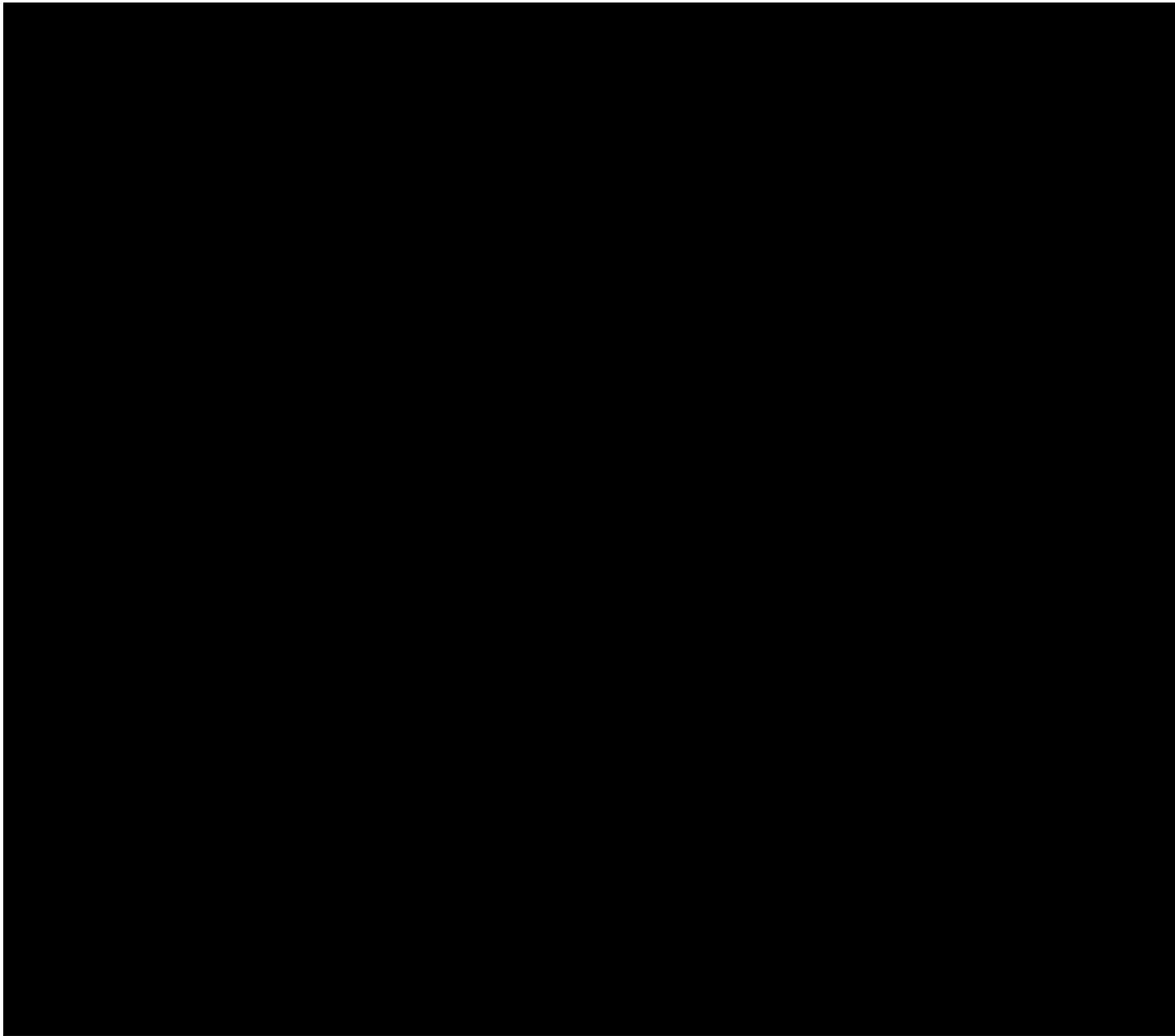
Date

Alicia Exley

From: Adam Solinger <attorneyadamsolinger@gmail.com>
Sent: Friday, November 13, 2020 3:39 PM
To: Alicia Exley
Cc: Jack Fleeman
Subject: Re: Solinger - Proposed Confidentiality Agreement

Follow Up Flag: Follow up
Flag Status: Flagged

Understood. You have my permission to e-sign the stipulation.



1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

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6 Adam Michael Solinger, Plaintiff | CASE NO: D-19-582245-D
7 vs. | DEPT. NO. Department I
8 Chalese Marie Solinger,
9 Defendant.

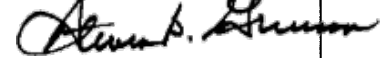
10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 11/13/2020

15 Vincent Mayo	VMGroup@TheAbramsLawFirm.com
16 Jack Fleeman	jack@pecoslawgroup.com
17 Angela Romero	angela@pecoslawgroup.com
18 admin email	email@pecoslawgroup.com
19 Allan Brown	allan@pecoslawgroup.com
20 Alicia Exley	alicia@pecoslawgroup.com
21 Adam Solinger	adam@702defense.com
22 Louis Schneider	lcslawllc@gmail.com
23 Adam Solinger	attorneyadamsolinger@gmail.com

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1 **NTSO**

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

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

16 **Adam Michael Solinger,**

17 Plaintiff,

18 vs.

19 **Chalese Marie Solinger,**

20 Defendant.

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


Dept No. **I**

21 **NOTICE OF ENTRY OF STIPULATION AND ORDER**

22 TO: **Adam Michael Solinger**, Plaintiff in Proper Person:

23 **YOU WILL PLEASE TAKE NOTICE** that “**Stipulation and Order**
24 **Regarding Confidentiality Agreement**” was entered in the above-captioned case
25 on the **13th** day of **November 2020**, by filing with the clerk. A true and correct
26 copy of said Stipulation and Order is attached hereto and made a part hereof.

DATED this 16th day of November 2020.

27 
28 **Alicia S. Exley, Esq.**

Nevada Bar No. 14192

8925 South Pecos Road, Suite 14A

Henderson, Nevada 89074

Attorney for Defendant

1 CERTIFICATE OF SERVICE

2 Pursuant to NRCP 5(b), I hereby certify that the "Notice of Entry of
3 Stipulation and Order" in the above-captioned case was served this date as
4 follows:
5

- 6 ☒ pursuant to NEFCR 9, by mandatory electronic service through the
7 Eighth Judicial District Court's electronic filing system;
8 ☐ by placing the same to be deposited for mailing in the United
9 States Mail, in a sealed envelope upon which first class postage was
10 prepaid in Las Vegas, Nevada;
11 ☐ pursuant to EDCR 7.26 to be sent via **facsimile**, by duly executed
12 consent for service by electronic means;
13 ☐ by hand-delivery with signed Receipt of Copy.

14 To individual(s) listed below at the address:

15 Adam M. Solinger	adam@702defense.com
16 admin email	email@pecoslawgroup.com
17 Alicia Exley	alicia@pecoslawgroup.com
18 Jack Fleeman	jack@pecoslawgroup.com
19 Angela Romero	angela@pecoslawgroup.com
20 Allan Brown	allan@pecoslawgroup.com

21 A courtesy copy has also been sent to: attorneyadamsolinger@gmail.com.

22 DATED this 16th day of ~~September~~^{November} 2020.

23 

24 Allan Brown, Esq.
25 An employee of PECOS LAW GROUP
26

1 **SAO**

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**

22 **STIPULATION AND ORDER REGARDING CONFIDENTIALITY AGREEMENT**

23 The parties, Plaintiff **Adam Michael Solinger**, in Proper Person, and
24 Defendant, **Chalese Marie Solinger**, by and through her attorneys of record, **Jack**
25 **W. Fleeman, Esq.** and **Alicia S. Exley, Esq.**, of PECOS LAW GROUP, hereby
26 stipulate and agree that the attached "Confidentiality Agreement" shall be utilized

...

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...

1 for any experts to whom Dr. Paglini's Custody Evaluation Report is disseminated
2 by either party.

3 DATED November 13th 2020.

DATED November 13th 2020.

4 PECOS LAW GROUP

5 */s/ Alicia S. Exley, Esq.*

/s/ Adam Solinger

6 **Jack W. Fleeman, Esq.**
7 Nevada Bar No. 10584
8 **Alicia S. Exley, Esq.**
9 Nevada Bar No. 14192
8925 South Pecos Road, Suite 14A
Henderson, Nevada 89074
10 Attorneys for Defendant

Adam Solinger
7290 Sea Anchor Ct.
Las Vegas, Nevada 89131
Plaintiff in Proper Person

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

Dated this 13th day of November, 2020

DISTRICT COURT JUDGE AF

D4B 11D 6FE6 F5CE
Cheryl B. Moss
District Court Judge

/s/ Alicia S. Exley, Esq.

Attorneys for Defendant

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[illegible]

1 I further agree that upon conclusion of this case, I will destroy and/or delete
2 the Report and any working copy that I have made of the Report. For purposes of
3 this section, the case has concluded when I have been notified by the party and/or
4 counsel by whom I have been retained that the case is finished and all collateral
5 proceedings have been terminated.
6

7 **Pursuant to NRS 53.045, I declare under penalty of perjury under the**
8 **law of the State of Nevada that the foregoing is true and correct.**
9

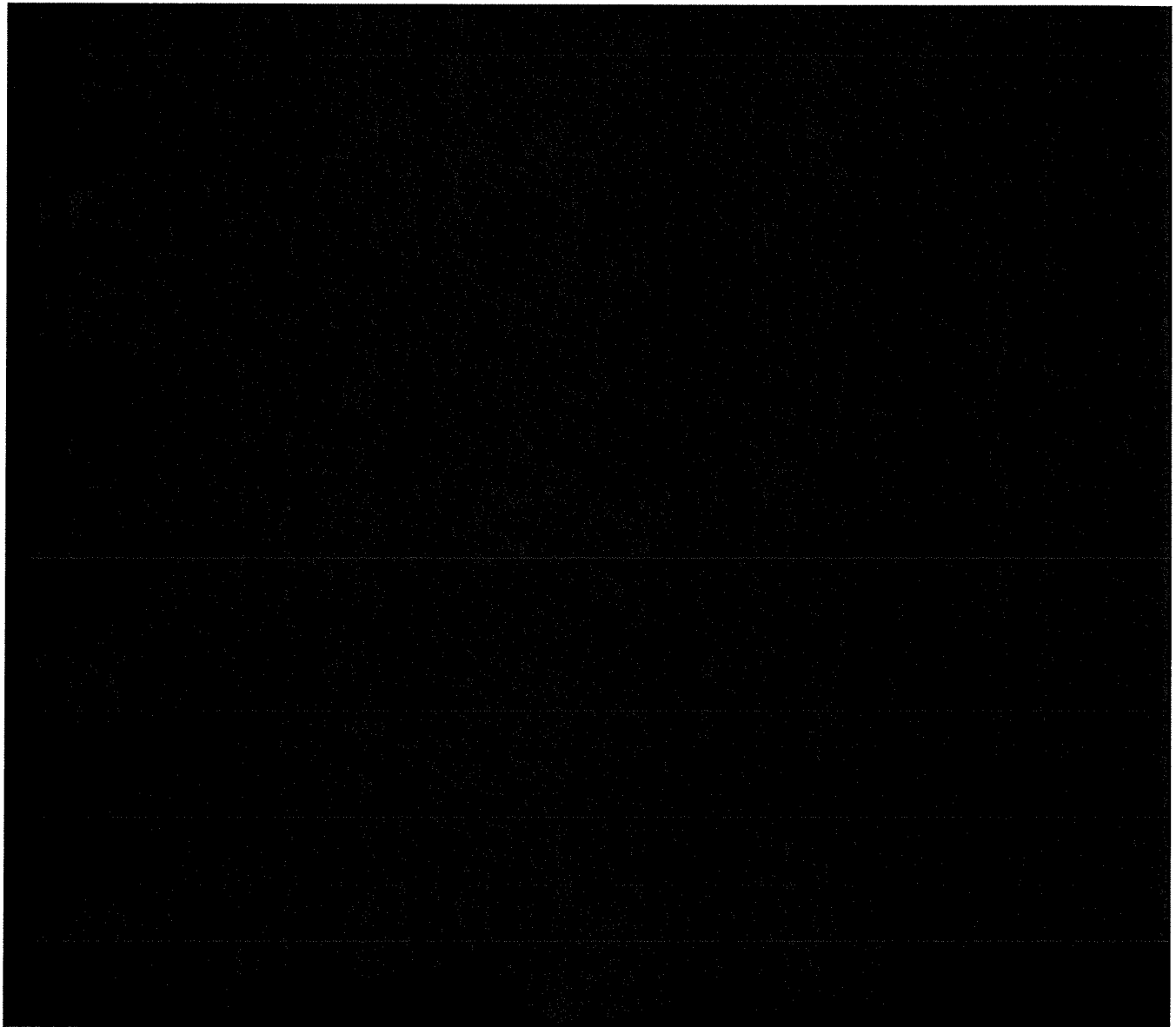
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11 **Expert Signature** _____ **Date** _____
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Alicia Exley

From: Adam Solinger <attorneyadamsolinger@gmail.com>
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To: Alicia Exley
Cc: Jack Fleeman
Subject: Re: Solinger - Proposed Confidentiality Agreement

Follow Up Flag: Follow up
Flag Status: Flagged

Understood. You have my permission to e-sign the stipulation.



1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

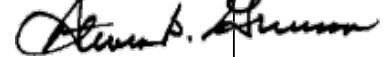
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6 Adam Michael Solinger, Plaintiff | CASE NO: D-19-582245-D
7 vs. | DEPT. NO. Department I
8 Chalese Marie Solinger,
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20 Allan Brown	allan@pecoslawgroup.com
21 Alicia Exley	alicia@pecoslawgroup.com
22 Adam Solinger	adam@702defense.com
23 Louis Schneider	lcsllawllc@gmail.com
24 Adam Solinger	attorneyadamsolinger@gmail.com
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MOT

Adam M. Solinger
7290 Sea Anchor Ct
Las Vegas, Nevada 89131
Tel: (702) 222-4021
Email: attorneyadamsolinger@gmail.com

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,	)	Hearing Requested
)	
Defendant.)	

MOTION TO TERMINATE TEMPORARY SPOUSAL SUPPORT

NOW INTO COURT comes Plaintiff, ADAM MICHAEL SOLINGER, and hereby submits his MOTION TO TERMINATE TEMPORARY SPOUSAL SUPPORT.

This Motion is made and based upon the attached Points and Authorities, the Declaration of Plaintiff attached hereto, and all papers and pleadings on file herein.

Dated Monday, December 14, 2020.

Respectfully Submitted,

/s/ Adam M. Solinger
Adam M. Solinger

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. STATEMENT OF FACTS**

3 Adam left the marital house at the end of October 2018 and formally
4 filed for divorce in January 2019 after attempts to resolve the divorce via
5 joint petition failed. At the March 2019 hearing, the Court entered an
6 order awarding Chalese with familial support going forward. Prior to that
7 time, Chalese had unfettered access to the joint bank account. After the
8 initial trial date was continued from October 2019 to January 2020,
9 Familial support was terminated. Almost immediately, Chalese asked for
10 temporary spousal support resulting in no obligation to pay support in
11 November of 2019. Temporary spousal support was awarded at the
12 December 2019 hearing on the same, but was subject to a motion to
13 reconsider. After the motion to reconsider, the Court reduced the amount
14 of temporary spousal support, but maintained the award.

15 In sum, as relevant to this motion, Chalese has received support
16 continuously since October of 2018. Yet, Chalese has moved on in life
17 holding herself out as the wife to Josh Lloyd and they have recently had a
18 child together. Additionally, Chalese has continually asked for trial to be
19 continued and delayed these proceedings.

20 Temporary spousal support is intended to be temporary and a
21 litigant cannot benefit by delaying proceedings in order to profit.

1 ///

2 **II. LAW AND ARGUMENT**

3 Nevada law allows for a court to order a litigant to “provide
4 temporary maintenance for the other party.” Nev. Rev. Stat.
5 125.040(1)(a). The right to temporary alimony rests largely in the
6 discretion of the court. *See Engebretson v. Engebretson*, 75 Nev. 237
7 (1959).

8 In essence, this motion is very simple and straight forward. Adam
9 has paid temporary spousal support long enough. Adam should not be
10 expected to support Chalese’s household where, upon information and
11 belief, no one is working. Adam should not be expected to support
12 Chalese’s new child that she had with her new pseudo-husband.

13 Chalese continually asks that this trial be continued to the point
14 where Adam has paid temporary support in some form since October
15 2018 – 25 months total. At a certain point, an award of temporary support
16 ceases to be temporary if it continues in perpetuity. The Court should
17 terminate the temporary support obligation because it has ceased being
18 temporary due to continued delays and forces Adam to unfairly pay for
19 and support another household – and another child – that are not his
20 responsibility.

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III. CONCLUSION

Based upon the foregoing, Adam respectfully requests that this Honorable Court terminate the award of temporary spousal support.

Dated Monday, December 14, 2020.

Respectfully Submitted:

/s/ Adam M. Solinger
Adam M. Solinger

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DECLARATION OF ADAM MICHAEL SOLINGER

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

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

2. I make this affidavit in support of the foregoing *MOTION TO TERMINATE TEMPORARY SPOUSAL SUPPORT*.

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

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

Dated this 14th day of December 2020.

/s/ Adam M. Solinger
ADAM MICHAEL SOLINGER

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION TO TERMINATE TEMPORARY SPOUSAL SUPPORT was filed electronically with the Eighth Judicial District Court in the above-entitled manner, on Wednesday December 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 Fleeman, Esq.
Alicia Exley, Esq.
Attorney for Defendant

/s/ Adam M. Solinger
ADAM MICHAEL SOLINGER

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. 1

**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.

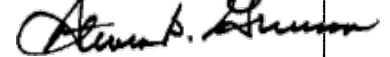
<input checked="" type="checkbox"/>	\$0	The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
<input checked="" type="checkbox"/>		The Motion/Opposition is being filed in a case that was not initiated by joint petition.
<input type="checkbox"/>		The party 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 filed 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0	\$25	\$57	\$82	\$129	\$154		

Party filing Motion/Opposition: Adam M. Solinger Date 10/7/2020

Signature of Party or Preparer /s/ Adam M. Solinger



OPPC
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
Fax: (702) 388-7406
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: **March 8, 2021**

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

OPPOSITION TO MOTION TO TERMINATE TEMPORARY SPOUSAL SUPPORT

AND

COUNTERMOTION FOR ATTORNEY'S FEES

COMES NOW Defendant **Chalese Marie Solinger** ("Chalese") by and through her attorneys, **Jack W. Fleeman, Esq.** and **Alicia S. Exley, Esq.** of PECOS LAW GROUP, and respectfully submits her *Opposition to Motion to Terminate Temporary Spousal Support and Countermotion for Attorney's Fees*,

1 and respectfully requests that this court enter orders granting her the relief set
2 forth at the end of this filing.

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

7 DATED this 28th day of December, 2020.

8 PECOS LAW GROUP

9
10 /s/ Alicia S. Exley

11 **Jack W. Fleeman, Esq.**
12 Nevada Bar No. 10584
13 **Alicia S. Exley, Esq.**
14 Nevada Bar No. 14192
15 8925 South Pecos Road, Suite 14A
16 Henderson, Nevada 89074
17 Attorneys for Defendant
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1 **POINTS AND AUTHORITIES**

2 **I. OPPOSITION TO MOTION**

3 **A. INTRODUCTION**

4 This is the second motion Adam has filed into this case without making any
5 attempt to resolve pursuant to EDCR 5.501. Given the vast disparity in the parties'
6 income, Adam's spousal support obligation throughout this case has been nominal
7 at best. His motion should be denied, and Chalese should be awarded her
8 attorney's fees for having to respond.
9

10 **B. STATEMENT OF FACTS**

11 1. Plaintiff **Adam Solinger** ("Adam") filed for divorce from Defendant
12 **Chalese Solinger** ("Chalese") on January 4, 2019.

13 2. The parties attended their first hearing on March 19, 2019. At the
14 hearing, the parties were awarded joint legal and joint physical custody of the
15 children, and Adam was ordered to pay temporary support of \$1,990.00 per
16 month.
17

18 3. On June 17, 2019, after Adam alleged that Chalese allowed her
19 boyfriend, Josh, to drive the children, the court modified the custody order to
20 Adam having primary physical custody of the children, and reduced Adam's
21 support obligation to \$1,330.00 per month.
22

23 4. After a hearing on Chalese's request to continue trial in October
24 2019, Adam's family support obligation was suspended.
25
26

1 5. On December 9, 2019, the court evaluated temporary support again,
2 and reduced Adam's obligation to \$1,125.00 per month.

3 6. Adam refused to pay support for January or February 2020.

4 7. Adam subsequently changed jobs and took a job that paid
5 significantly less than his previous position.
6

7 8. As a result of Adam's decreased income, on February 26, 2020, the
8 court further lowered Adam's support obligation to \$800.00 per month. The court
9 also ordered Adam to pay the January and February 2020 support he failed to pay.

10 9. Since then, Adam has unilaterally withdrawn amounts from his
11 support obligation, and a schedule of arrears explaining these withdrawals was
12 filed on June 7, 2020.
13

14 10. Chalese discovered she was pregnant in 2020. The pregnancy was not
15 planned.

16 11. After the pandemic hit, Chalese's salon was subject to the shut-down.
17 She was able to return to work around May 20, 2020, but had to stop working after
18 that again due to being put on bedrest due to preterm labor. Chalese gave birth 11
19 weeks early on August 12, 2020. The baby spent several weeks in the NICU
20 before being able to come home. Prior to giving birth, Chalese was put on bedrest
21 due to preterm labor.
22

23 12. Adam, however, continued to work and be paid throughout the
24 pandemic. Based on his paystubs, Adam earns a gross income of \$3,272.00 every
25 two weeks, for a monthly total of \$7,089.33.
26

1 13. Adam's claims as to Chalese's household are untrue. Josh is working
2 right now. Chalese is not working. She believes she is entitled to unemployment
3 but, like thousands of other Nevadans, her payments are delayed. Further, Chalese
4 is not privileged, like Adam, to have the ability to work from home, and with
5 COVID-19 and schools closed, she has no source for child care.
6

7 14. The parties are still legally married, and Adam out-earns Chalese by
8 nearly five to one. The \$800.00 in support Adam pays to Chalese constitutes
9 roughly one-eighth of his gross monthly income.

10 **C. LEGAL ARGUMENT**

11 The court has the authority to award temporary support pursuant to NRS
12 125.040(1). Chalese would note that while Adam claims the support award is
13 meant to be "temporary" in nature, all of this court's orders, thus far have been
14 temporary orders – including Adam's primary physical custody.
15

16 Adam argues that he should not be "expected to support Chalese's
17 household" and claims "no one is working" in Chalese's household. Josh is
18 working. Chalese believes she is entitled to unemployment but has yet to receive
19 payments due to the current massive backlog with Nevada unemployment
20 payments. Additionally, unlike Adam, Chalese is not lucky enough to be able to
21 work from home and lacks affordable childcare options.
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1 Chalese also was not entirely responsible for all trial continuances. Trial
2 was continued of the Court's own volition in the summer of 2020, and Dr. Paglini
3 did not finish his custody evaluation until after the last scheduled trial date.
4

5 The court set this temporary support award before Chalese even knew she
6 was pregnant. Adam argues he should not be forced to "support another
7 household" and "another child," but the support award was not made to support
8 another child, and the court already took Josh's household contribution into
9 consideration when it modified support in February 2020.
10

11 Adam still has a legal obligation to support his spouse. Adam also, it should
12 be noted, has been fortunate enough to rent a 3,800-square-foot home from his
13 father for \$1,500.00 per month, and has the benefit of having a live-in girlfriend
14 who also earns a healthy income.
15

16 Adam has shown no change in circumstances to his own income or earning
17 capacity since the court made the current temporary support order in February
18 2020. With COVID-19 restrictions and after a high-risk pregnancy, Chalese's
19 need for support has increased, not decreased, since February. For the foregoing
20 reasons, Adam's motion should be denied.
21

22 **II. COUNTERMOTION**

23 **A. CHALESE SHOULD BE AWARDED HER ATTORNEY'S FEES.**

24 EDCR 5.501(c) states that "[f]ailure to comply with this rule may result in
25 imposition of sanctions if the court concludes that the issues would have been
26

1 resolved if an attempt at resolution had been made before filing.” EDCR 7.60(b)
2 allows for sanctions when a party “[s]o multiplies the proceedings in a case as to
3 increase costs unreasonably and vexatiously,” “[f]ails or refuses to comply with
4 these rules,” or “[f]ails or refuses to comply with any order of a judge of the
5 court.” Finally, NRS 18.010 allows for attorney’s fees to a prevailing party when a
6 claim “was brought or maintained without reasonable ground or to harass the
7 prevailing party.”
8

9 Adam has shown no change in circumstances pertaining to his income, or a
10 reduction in Chalese’s need. He made no attempt to resolve this issue prior to
11 filing his motion. Adam has protested paying support to Chalese during the entire
12 pendency of this case, and his latest motion is no different.
13

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

19 When an attorney in a family law case requests fees, the Court must
20 consider several factors in determining the reasonable value of the services
21 provided. *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 455 P.2d 31
22 (1969). Those factors, referred to as the *Brunzell* factors, are: (1) *The Qualities of*
23 *the Advocate*: to include ability, training, education, experience, professional
24 standing and skill; (2) *The Character of the Work to Be Done*: to include the
25 difficulty importance, time and skill required, the responsibility imposed and the
26

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

7
8 Further, the Nevada Supreme Court has held that fees and costs may include
9 non-attorney staff time. *LVMPD v. Yeghiazarian*, 129 Nev. 760, 312 P.3d 503
10 (2013).

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

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

22 b. **Alicia S. Exley, Esq.:** Ms. Exley is well-qualified and a member in
23 good standing of the State Bar of Nevada. Ms. Exley worked for a family
24 law attorney for four years prior to graduating from law school, passing the
25
26

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

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

15 d. **Allan Brown:** Allan Brown assisted on this case. Mr. Brown has a
16 Master’s Degree in Business Administration, and has assisted Pecos Law
17 Group’s senior attorneys for over four years.

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

21 3. With regard to the *Work Actually Performed by the Attorney*,
22 Chalese’s attorneys were well-prepared for the case. Through the course of this
23 litigation, Counsel prepared procedurally proper pleadings and prepared for the
24 hearing with skill, time, and attention.
25

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

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

III. CONCLUSION

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

1. Denying Plaintiff's *Motion to Terminate Temporary Spousal Support*;
2. Awarding Defendant her attorney's fees; and
3. Awarding Defendant such other and further relief as this court may deem just and proper in the premises.

DATED this 28th day of December, 2020.

PECOS LAW GROUP

/s/ Alicia S. Exley

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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I have read the opposition and countermotion and hereby certify that the facts set forth therein are true of my own personal knowledge, except for those matters therein contained stated upon information and belief, and as to those matters, I believe them to be true. I incorporate those facts into this Declaration as though fully set forth herein.

DATED this 21 day of December, 2020.

11

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of PECOS LAW GROUP, and that on this 28th day of December, 2020, I served a copy of *Opposition to Motion to Terminate Temporary Spousal Support and Countermotion for Attorney's Fees*, as follows:


☐ 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 NEFCR 9, by mandatory electronic service through the Eighth Judicial District Court's electronic filing system; and/or

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

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

Adam Solinger	attorneyadamsolinger@gmail.com
admin email	email@pecoslawgroup.com
Jack Fleeman	jack@pecoslawgroup.com
Angela Romero	angela@pecoslawgroup.com
Alicia Exley	alicia@pecoslawgroup.com
Allan Brown	allan@pecoslawgroup.com


Allan Brown,
An employee of PECOS LAW GROUP

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Adam Michael Solinger
Plaintiff/Petitioner

v. Chalere Marie Solinger
Defendant/Respondent

Case No. D19-582245-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.

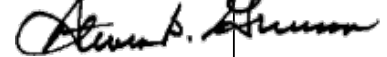
Step 3. Add the filing fees from Step 1 and Step 2.

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: Chalere Solinger Date 12/28/2020

Signature of Party or Preparer Adam



EPAP

Adam M. Solinger
7290 Sea Anchor Ct
Las Vegas, Nevada 89131
Tel: (702) 222-4021
Email: attorneyadamsolinger@gmail.com

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,)	
)	
Defendant.)	

**EX PARTE APPLICATION FOR AN ORDER SHORTENING
TIME ON PLATINIFF'S MOTION TO TERMINATE SPOUSAL
SUPPORT**

NOW INTO COURT comes Plaintiff, ADAM MICHAEL
SOLINGER, and respectfully moves that, pursuant to EDCR 5.513, the
Court shorten time in which to hear Plaintiff's MOTION TO TERMINATE
TEMPORARY SPOUSAL SUPPORT.

///

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///

///

1 This application is made and based on all the papers and pleadings
2 on file herein and the declaration of counsel attached hereto. Attached as
3 an exhibit is the proposed order shortening time.

4 Dated Monday, December 28, 2020.

5 Respectfully Submitted,

6 /s/ Adam M. Solinger
Adam M. Solinger

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 declaration.

7 2. On December 14, 2020, plaintiff filed his Motion to Terminate
8 Temporary Spousal Support which seeks an order from the Court that
9 Plaintiff's obligation to pay temporary spousal support pending trial be
10 terminated.

11 3. On December 15, 2020, the Court Clerk issued a notice of
12 hearing on the Motion, setting the hearing for March 8, 2021 at 9:00 AM.
13 The Court's automated system shows that the same notice of hearing was
14 served upon counsel for the Defendant.

15 4. Trial in this matter is set to begin at the end of March, 2021.

16 5. Clearly, Plaintiff's Motion would be moot by the time it is
17 heard because Plaintiff would have paid the last month of temporary
18 spousal support before trial.

19 ///

20 ///

21

6. Thus, Plaintiff respectfully requests that the hearing on his motion be shortened and heard as soon as possible.

7. I declare under penalty of perjury that the foregoing is true and correct.

Dated this 28th day of December 2020.

/s/ Adam M. Solinger
ADAM MICHAEL SOLINGER

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EXHIBIT A

OST
Adam M. Solinger
7290 Sea Anchor Ct
Las Vegas, Nevada 89131
Tel: (702) 222-4021
Email: attorneyadamsolinger@gmail.com

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,)	
)	
Defendant.)	

**ORDER SHORTENING TIME ON PLAINTIFF'S MOTION TO
TERMINATE TEMPORARY SPOUSAL SUPPORT**

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1 Upon application of Plaintiff and good cause appearing therefore:
2 **IT IS HEREBY ORDERED** that the time for hearing on Plaintiff's
3 MOTION TO TERMINATE TEMPORARY SPOUSAL SUPPORT is
4 hereby shortened and shall be heard on the _____ day of _____,
5 2021 at the hour of _____ in Department I (Courtroom
6 #13)/(via Video Conference (Bluejeans)) of the Family Court, located at
7 601 N. Pecos Rd., Las Vegas, NV 89101.

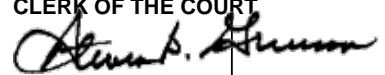
8
9 DATED this _____ day of _____, 2021.

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DISTRICT COURT JUDGE

Respectfully Submitted by:
Plaintiff

/s/ Adam M. Solinger
Adam Solinger



RPLY

Adam M. Solinger
7290 Sea Anchor Ct
Las Vegas, Nevada 89131
Tel: (702) 222-4021
Email: attorneyadamsolinger@gmail.com

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,)	
)	
Defendant.)	

**REPLY TO OPPOSITION TO MOTION TO TERMINATE
TEMPORARY SPOUSAL SUPPORT AND OPPOSITION TO
COUNTERMOTION**

NOW INTO COURT comes Plaintiff, ADAM MICHAEL
SOLINGER, and hereby submits his REPLY AND OPPOSITION.

This Reply and Opposition is made and based upon the attached
Points and Authorities, the Declaration of Plaintiff attached hereto, and
all papers and pleadings on file herein.

Dated Monday, January 04, 2021.

Respectfully Submitted,

/s/ Adam M. Solinger
Adam M. Solinger

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. STATEMENT OF FACTS**

3 Defendant attempts to fault Plaintiff for not arguing a change in
4 circumstances and/or facts that would justify terminating temporary
5 spousal support. For the Defendant's edification, since the Court denied
6 the motion to reconsider temporary spousal support earlier this year, the
7 following facts have come to light. Chalese has continually asked to
8 continue these proceedings. *See Plaintiff's Motion to Terminate*
9 *Temporary Spousal Support* at 2:18. Chalese has had a child with Joshua
10 Lloyd. *Id.* at 17. Neither Chalese, nor Josh are working. *Id.* at 10-11.
11 Additionally, as Adam argued during the previous motion to reconsider,
12 Chalese and Josh lied to the Court about breaking up and but for that lie,
13 the Court likely would not have awarded temporary spousal support in the
14 first place. *See Court's Remarks during December 2019 Hearing on*
15 *Defendant's Motion for Temporary Spousal Support. See also Order*
16 *from December 9, 2019 Hearing at 3:13-19 (THE COURT FURTHER*
17 *FINDS that the Court was going to impute roommate income, but Chalese*
18 *has represented Josh has moved out and they severed their relationship¹).*

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21 ¹ The Order continues: "Adam is questioning that, so Chalese's credibility would be at issue if Josh, in
fact, had not moved out. Chalese's representation at the hearing was that it is a final break up. If

1 In that same vein, the Court did not take Josh and Chalese's fabricated
2 break-up into account when setting the amount of temporary spousal
3 support in March 2020. Instead, the amount was set based upon the
4 percentage of Adam's reduced pay, taking Chalese's child support
5 obligation into account. Thus, Josh's contributions were not considered
6 by the Court.

7 Additionally, Defendant's rendition and spin on the facts is
8 incorrect. For example, Defendant contends that Adam's support
9 obligation after the June 2019 hearing was only \$1,330 per month.
10 However, Defendant completely fails to mention that Adam had been
11 paying the entirety of the mortgage on the former marital home. Thus,
12 Adam's actual support obligation was much closer to \$3,000 a month,
13 until the home was sold.

14 The Defendant then fails to specify the types of support that were
15 ordered. Specifically, Adam was ordered to pay "familial support" by the
16 Court's March 2019 order. That characterization continued until the
17 "familial support" obligation as terminated after the October 2019
18 hearing. Only then, when asking for the Court to order temporary spousal
19 support, was Adam ordered to pay "temporary spousal support." This fact

20 Chalese and Josh get back together, it is going to be a credibility issue for Chalese." (internal
21 references omitted).

1 matters because if the total support obligation of the Defendant and the
2 children was \$1,330, then “reducing” the “temporary spousal support”
3 obligation to \$1,125 could hardly be seen as a nominal amount of spousal
4 support.

5 As for “refusing” to pay temporary support, Defense Counsel
6 misstates facts to the Court, a frequent occurrence that should be the
7 subject of a sanctions hearing. Even giving the Defendant and her counsel
8 the benefit of a doubt that what they meant by, “Adam refused to pay
9 support for January or February 2020,” was that Adam did not pay until
10 March 2020, then their statement of facts is still incomplete. Adam filed
11 a motion to reconsider temporary spousal support shortly after it was
12 ordered. Additionally, the Defendant and her counsel took the position
13 that they did not have to follow other things the Court ordered at the
14 December 2019 hearing until there was a written order. This is similar to
15 the position that the Defendant and her counsel recently took: that they
16 don’t have to follow orders of the Court until they are written and signed.
17 Based upon these circumstances and the advice of former counsel, Adam
18 waited until the hearing to pay the temporary support and did in fact pay
19 all of the temporary support promptly.

20 Adam is not unilaterally deducting amounts from the support
21 obligation; Defense Counsel should review the Court’s previous orders

1 permitting the withdrawal of amounts from the support obligation to pay
2 for the Defendant's obligations to Michael and Marie's care. Additionally,
3 if the Defendant actually paid her obligations for the support of Michael
4 and Marie, any withdrawing would not be necessary. But given that the
5 Defendant has never paid anything for the care and maintenance of the
6 children, the Court's order allowing for health expense deductions makes
7 sense.

8 Finally, the Defendant contends that Josh's household contribution
9 was considered when support was modified in February of 2020. Perhaps
10 Defense Counsel should read the order she signed off on wherein she
11 agreed that support was reduced based upon Adam's change in
12 employment and Chalese being ordered to pay child support in the form
13 of an offset. That order contains no mention of Josh, nor any alleged
14 contributions.

15 **II. LAW AND ARGUMENT**

16 **A. Reply**

17 Chalese and her Counsel use a lot of space to not really say anything,
18 nor contest Adam's original argument. As set forth above, there has been
19 a significant change in circumstances since temporary spousal support
20 was ordered. Chalese lied to this Court about her break up. Chalese and
21 Josh have not reconciled because they never broke up. Additionally, they

1 have had a child together. Chalese continually asks for these proceedings
2 to be continued. Indeed, while she may try to distance her from the
3 continuances by blaming others, it doesn't change the fact that she asked
4 the Court to continue the trial originally set for June, nor that she asked
5 to continue the trial set for August because she failed to complete her
6 obligations to Dr. Paglini, which she conveniently fails to mention. Her
7 request to continue the October 2019 trial was an appropriate basis to
8 terminate the familial support. Therefore, it only seems appropriate that
9 it is also the basis to terminate temporary spousal support.

10 Chalese also leaves several pertinent pieces of information out of her
11 opposition. For example, if Josh is working, then why is he unable to
12 support their baby and Chalese? Chalese also fails to explain why she is
13 not working. She does not say that her salon is currently closed. Indeed,
14 her normal work location is currently open and booking appointments.

15 Thus, her argument as to why she cannot support herself is that she
16 cannot "afford childcare." This is Adam's exact argument. Chalese is
17 arguing Adam has to support her and her new child. Additionally, Joshua
18 testified during his deposition that Chalese and Josh chose their current
19 residence to be close to Joshua's family. So, why can't Josh's family, who
20 Chalese moved all the way across town to live near, watch their baby while
21 Chalese works?

1 As a result, Chalese does not actually disagree with the basis of
2 Adam's request: that Adam is being forced to support Chalese and her
3 family. She just believes Adam should have to so that she can be a stay at
4 home mother, like her mother taught her, while Adam believes that
5 Chalese and Josh should have to take care of their own family. Chalese
6 attempts to portray herself as a poor single mother unable to work and
7 unable to find childcare. The truth is that she could work and support
8 herself if she wanted to, but she does not want to. Instead, she erroneously
9 believes Adam must pay for her family's entire existence.

10 In reality, by the time this is heard and decided, Adam would only
11 be required to pay two additional months of support pending trial. While
12 Chalese may argue that it is all the more reason not to change things,
13 Adam's position is that he has continually provided support for the past
14 two plus years and that based on a total marriage length of 6 years, at the
15 time of separation, that the award of temporary support has amounted to
16 a de facto award of alimony which is entirely inappropriate.

17 Finally, temporary spousal support is intended to allow Chalese to
18 support herself, not herself and her new family. She has not shown how
19 she specifically needs support, as opposed to her new family. As a result,
20 spousal support must be terminated because the statute that it was
21 awarded under only allows support for "temporary maintenance for the

1 other party,” not the other party and her new family. This award ceased
2 being temporary and has not been shown to be necessary for Chalese’s
3 specific maintenance. Instead, as Chalese argues, she “cannot” work
4 because she has a new baby, which was a choice she made. Adam should
5 not have to keep paying for that choice.

6 As set forth above, due to Chalese’s lie to the Court regarding
7 breaking up with Josh, the Court has not had the opportunity to examine
8 Chalese’s and Josh’s finances. Instead, Chalese’s temporary spousal
9 support was originally based upon her solo finances at the December 2019
10 hearing. That was not redressed at the March 2020 hearing because the
11 reduction in temporary spousal support was based upon Chalese being
12 ordered to pay child support and Adam’s change in employment. Josh
13 having never left the house was not part of the calculus the Court used.
14 Thus, the Court must readdress temporary spousal support and should
15 terminate it because Chalese is capable of supporting herself, but she just
16 doesn’t want to. The Defendant is incorrect in her assertion that “Adam
17 still has a legal obligation to support his spouse.” Adam’s only obligation
18 is under the Court’s order that he pay temporary spousal support in order
19 for Chalese to maintain herself; however, Adam has no obligation to
20 support or maintain Josh, Jesse, Arielle, and Cheyenne.

21 ///

1 **B. OPPOSITION**

2 Defense Counsel is once again asking for sanctions. Despite being
3 continually shot down when asking for sanctions, Counsel continues
4 tilting at windmills. As it relates to EDCR 5.501, Counsel should review
5 subsection c which states a court may impose sanctions for not trying to
6 resolve the issue brought before the court via motion “if the court
7 concludes that the issues **WOULD** have been resolved if an attempt at
8 had been made before filing.” EDCR 5.501(c) (emphasis added). Defense
9 counsel has filed an opposition and has offered no concession towards the
10 subject of the motion. Thus, by definition, the issue would not have been
11 resolved. As for “multiplying the proceedings” or any of the other grounds
12 Counsel alleges for sanctions, there is no basis to award sanctions.
13 However, once again, Defense Counsel has multiplied these proceedings
14 by unreasonably asking for sanctions. The Court should sanction Defense
15 Counsel for continually and inappropriately asking for sanctions.

16 Indeed, Counsel’s attempt to lay out the *Brunzell* factors includes
17 typographical errors and does nothing to discuss the factors with any
18 degree of specificity, which is ironic considering that Defendant and her
19 Counsel are appealing the award of attorney’s fees to Chalese’s former
20 counsel based upon an alleged failure of this Court to take the *Brunzell*
21 factors into account with specificity.

1 **III. CONCLUSION**

2 Based upon the foregoing, Adam respectfully requests that this
3 Honorable Court terminate the award of temporary spousal support, deny
4 the request for sanctions, admonish Defense Counsel for asking for
5 inappropriate sanctions, and any other relief the Court deems
6 appropriate.

7 Dated Monday, January 04, 2021.

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9 Respectfully Submitted:

10 /s/ Adam M. Solinger
11 Adam M. Solinger
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1. I am the Plaintiff in the above-entitled action, and I am above the age of majority and am competent to testify to the facts contained in this affidavit.

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

Dated Monday, January 04, 2021.

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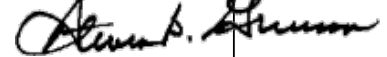
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing REPLY TO OPPOSITION TO
MOTION TO TERMINATE TEMPORARY SPOUSAL SUPPORT AND
OPPOSITION TO COUNTERMOTION was filed electronically with the
Eighth Judicial District Court in the above-entitled manner, on
Wednesday December 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 Fleeman, Esq.
Alicia Exley, Esq.
Attorney for Defendant

/s/ Adam M. Solinger
ADAM MICHAEL SOLINGER



MOT

Adam M. Solinger
7290 Sea Anchor Ct
Las Vegas, Nevada 89131
Tel: (702) 222-4021
Email: attorneyadamsolinger@gmail.com

Eighth Judicial District Court
Family Division
Clark County, Nevada

ADAM MICHAEL SOLINGER,	)	Case No.: D-19-582245-D
)	
Plaintiff,	)	Department: U
)	
vs.)	
)	
CHALESE MARIE SOLINGER,	)	Hearing Requested
)	
Defendant.)	

MOTION TO REASSIGN

NOW INTO COURT comes Plaintiff, ADAM MICHAEL SOLINGER, and hereby submits his MOTION TO REASSIGN this case to a new department. This case was reassigned from now retired Judge Moss to the current department. The newly elected Judge of this department previously represented an essential witness in this matter and has personal knowledge of this case.

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1 This Motion is made and based upon the attached Points and
2 Authorities, the Declaration of Plaintiff attached hereto, and all papers
3 and pleadings on file herein.

4 Dated Tuesday, January 05, 2021.

5 Respectfully Submitted,

6 /s/ Adam M. Solinger

Adam M. Solinger

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. STATEMENT OF FACTS**

3 On January 4, 2021, this case was reassigned from Department I of
4 the Eighth Judicial District Court to the newly created Department U. The
5 Honorable Dawn Throne was elected to Department U. Judge Throne was
6 previously a private practice attorney who practiced family law. In that
7 capacity, Judge Throne represented Joshua Lloyd, a critical witness in
8 this case during the course of discovery. Additionally, Defense Counsel
9 also believes that reassignment is necessary, but does not believe a motion
10 to reassign is necessary as Counsel believes the Court would catch the
11 assignment error in due time. Plaintiff is filing this motion for purposes
12 of attempting to preserve the upcoming trial date that has been set since
13 August of 2020.

14 **II. LAW AND ARGUMENT**

15 As the parties agree that this case needs to be reassigned, Plaintiff
16 respectfully requests that the Court voluntary recuse and have the case
17 reassigned due to the Court's prior involvement in this case.

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III. CONCLUSION

Based upon the foregoing, Adam respectfully requests that this Honorable Court recuse and have the case reassigned.

Dated Tuesday, January 05, 2021.

Respectfully Submitted:

/s/ Adam M. Solinger
Adam M. Solinger

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DECLARATION OF ADAM MICHAEL SOLINGER

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

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

2. I make this affidavit in support of the foregoing *MOTION TO REASSIGN*.

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

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

Dated Tuesday, January 05, 2021.

/s/ Adam M. Solinger
ADAM MICHAEL SOLINGER

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION TO REASSIGN was filed electronically with the Eighth Judicial District Court in the above-entitled manner, on Wednesday December 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 Fleeman, Esq.
Alicia Exley, Esq.
Attorney for Defendant

/s/ Adam M. Solinger
ADAM MICHAEL SOLINGER

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. 1

**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.

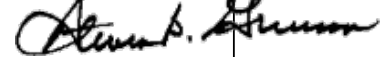
<input checked="" type="checkbox"/>	\$0	The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
<input checked="" type="checkbox"/>		The Motion/Opposition is being filed in a case that was not initiated by joint petition.
<input type="checkbox"/>		The party 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 filed 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0	\$25	\$57	\$82	\$129	\$154		

Party filing Motion/Opposition: Adam M. Solinger Date 10/7/2020

Signature of Party or Preparer /s/ Adam M. Solinger



EPAP

Adam M. Solinger
7290 Sea Anchor Ct
Las Vegas, Nevada 89131
Tel: (702) 222-4021
Email: attorneyadamsolinger@gmail.com

Eighth Judicial District Court
Family Division
Clark County, Nevada

ADAM MICHAEL SOLINGER,	)	Case No.: D-19-582245-D
)	
Plaintiff,	)	Department: U
)	
vs.)	
)	
CHALESE MARIE SOLINGER,)	
)	
Defendant.)	

**EX PARTE APPLICATION FOR AN ORDER SHORTENING
TIME ON PLATINIFF'S MOTION TO REASSIGN**

NOW INTO COURT comes Plaintiff, ADAM MICHAEL
SOLINGER, and respectfully moves that, pursuant to EDCR 5.513, the
Court shorten time in which to hear Plaintiff's MOTION TO REASSIGN

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1 This application is made and based on all the papers and pleadings
2 on file herein and the declaration of counsel attached hereto. Attached as
3 an exhibit is the proposed order shortening time.

4 Dated Tuesday, January 05, 2021.

5 Respectfully Submitted,

6 /s/ Adam M. Solinger

7 Adam M. Solinger
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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 declaration.

7 2. On December 14, 2020, plaintiff filed his Motion to Terminate
8 Temporary Spousal Support which is currently pending before the Court.

9 3. On or about January 4, 2021, this case was reassigned to the
10 newly created Department U in the Eighth Judicial District Court Family
11 Division.

12 4. That because the Court was involved in this case prior to being
13 elected to the bench, Plaintiff is respectfully requesting that the Court
14 recuse itself and have the case reassigned.

15 5. The Defendant has no opposition, but believes a motion is
16 unnecessary.

17 6. Trial in this matter is set to begin at the end of March, 2021.

18 7. In hopes of maintaining the trail date that has been set since
19 August of 2020, Plaintiff is submitting this request to shorten time on
20 the Motion to Reassign filed shortly before the filing of this request for
21 an order shortening time.

6. Thus, Plaintiff respectfully requests that the subject motion be granted on this request to shorten time given the non-opposition by the Defendant.

7. I declare under penalty of perjury that the foregoing is true and correct.

Dated Tuesday, January 05, 2021.

/s/ Adam M. Solinger
ADAM MICHAEL SOLINGER

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EXHIBIT A

Adam M. Solinger
7290 Sea Anchor Ct
Las Vegas, Nevada 89131
Tel: (702) 222-4021
Email: attorneyadamsolinger@gmail.com

Eighth Judicial District Court
Family Division
Clark County, Nevada

ADAM MICHAEL SOLINGER,	)	Case No.: D-19-582245-D
)	
Plaintiff,	)	Department: U
vs.)	
)	
CHALESE MARIE SOLINGER,)	
)	
Defendant.)	

ORDER SHORTENING TIME ON PLAINTIFF'S MOTION TO REASSIGN

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3 Upon application of Plaintiff and good cause appearing therefore:

4 **IT IS HEREBY ORDERED** that the time for hearing on Plaintiff's
5 MOTION TO REASSIGN hereby shortened and shall be heard on the
6 ____ day of ____, 2021 at the hour of ____ in
7 Department U (Courtroom #13)/(via Video Conference (Bluejeans)) of
8 the Family Court, located at 601 N. Pecos Rd., Las Vegas, NV 89101.

9

10 DATED this ____ day of ____, 2021.

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DISTRICT COURT JUDGE

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14 Respectfully Submitted by:
15 Plaintiff

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17

/s/ Adam M. Solinger

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Adam Solinger

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**DISTRICT COURT
CLARK COUNTY, NEVADA****Divorce - Complaint****COURT MINUTES****January 08, 2021**

D-19-582245-D Adam Michael Solinger, Plaintiff
vs.
Chalese Marie Solinger, Defendant.

January 08, 2021 03:00 PM Minute Order

HEARD BY: Throne, Dawn R. **COURTROOM:** Chambers

COURT CLERK: Cunningham, Michelle

PARTIES PRESENT:

Adam Michael Solinger, Counter Defendant, Adam Solinger, Attorney, Not Present
Plaintiff, Not Present

Chalese Marie Solinger, Counter Claimant, Jack W. Fleeman, Attorney, Not Present
Defendant, Not Present

Michael Adam Solinger, Subject Minor, Not Present

Marie Leona Solinger, Subject Minor, Not Present

JOURNAL ENTRIES**MINUTE ORDER - NO HEARING HELD**

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action.

This matter was randomly reassigned to the new Department U on January 4, 2021. On January 5, 2021, Plaintiff, Adam Solinger, filed a Motion to Reassign this case and an Application for Order Shortening Time on that Motion.

The COURT FINDS that Judge Dawn R. Throne previously represented a witness in this case, Joshua Lloyd, regarding his deposition in this matter. Joshua Lloyd is the significant other of the Defendant.

IT IS ORDERED that Judge Dawn R. Throne hereby recuses herself from this matter pursuant to Nevada Code of Judicial Conduct, Rule 2.11(A)(1).

The Clerk of Court shall randomly reassign this matter.

A copy of this minute order SHALL be served electronically.

CLERK'S NOTE: Copies of this Minute Order were emailed to Plaintiff and Attorney Fleeman.
(1/8/2021 - mlc)

INTERIM CONDITIONS:**FUTURE HEARINGS:**

Feb 17, 2021 9:30AM Motion
RJC Courtroom 14C Throne, Dawn R.

Mar 08, 2021 9:00AM Motion
Courtroom 06 Bailey, Sunny

Mar 08, 2021 9:00AM Opposition & Countermotion
Courtroom 06 Bailey, Sunny

Mar 29, 2021 9:00AM Evidentiary Hearing
Courtroom 06 Bailey, Sunny

Mar 30, 2021 9:00AM Evidentiary Hearing
Courtroom 06 Bailey, Sunny

Mar 31, 2021 9:00AM Evidentiary Hearing
Courtroom 06 Bailey, Sunny

Apr 01, 2021 9:00AM Evidentiary Hearing
Courtroom 06 Bailey, Sunny

Apr 02, 2021 9:00AM Evidentiary Hearing
Courtroom 06 Bailey, Sunny

Apr 05, 2021 1:30PM Evidentiary Hearing
Courtroom 06 Bailey, Sunny



DISTRICT COURT
CLARK COUNTY, NEVADA

* * * *

ADAM MICHAEL SOLINGER,
PLAINTIFF
VS.
CHALESE MARIE SOLINGER,
DEFENDANT.

CASE NO.: D-19-582245-D
DEPARTMENT P

NOTICE OF DEPARTMENT REASSIGNMENT

NOTICE IS HEREBY GIVEN that the above-entitled action has been randomly
reassigned to Judge Mary Perry.

☐ This reassignment follows the filing of Peremptory Challenge of Judge .

☒ This reassignment is due to the recusal of Judge DAWN R. THRONE. See minutes
in file.

☐ This reassignment is due to: .

ANY TRIAL DATE IS VACATED AND WILL BE RESET BY THE NEW
DEPARTMENT.

Any motions or hearings presently scheduled in the FORMER department will be
heard by the NEW department as set forth below.

Motion; Opposition & Countermotion; Motion, on February 18, 2021, at 10:00 AM will
be heard in front of Judge Mary Perry at Family Court, 601 N. Pecos, Las Vegas,
Nevada 89101.

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PLEASE INCLUDE THE NEW DEPARTMENT NUMBER ON ALL FUTURE FILINGS.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Melissa Ellis
Deputy Clerk of the Court

CERTIFICATE OF MAILING

I hereby certify that: on this the 12th day of January, 2021

☐ I mailed, via first-class mail, postage fully prepaid, the foregoing Clerk's Notice
Department of Reassignment to:

Adam Solinger
LV Defense Group
Attn: Adam Solinger
2300 West Sahara Avenue - Suite 450
Las Vegas, NV 89102

Jack W. Fleeman
8925 S Pecos RD STE 14A
Henderson, NV 89074

☒ I emailed a copy of the foregoing Clerk's Notice of Department Reassignment.

Adam Solinger
Jack W. Fleeman

/s/ Melissa Ellis
Deputy Clerk of the Court