
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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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

1 TRANS

FILED

JAN 25 2022

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3 ORIGINAL

Alison A. Higgins
CLERK OF COURT

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5 EIGHTH JUDICIAL DISTRICT COURT
6 FAMILY DIVISION
7 CLARK COUNTY, NEVADA
8

9 ADAM MICHAEL SOLINGER,)
10 Plaintiff,) CASE NO. D-19-582245-D
11 vs.) DEPT. P
12 CHALESE MARIE SOLINGER,) APPEAL NO. 81787
13 Defendant.)
14

15
16 BEFORE THE HONORABLE MARY PERRY
17 DISTRICT COURT JUDGE

18 TRANSCRIPT RE: NON-JURY TRIAL

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20 MONDAY, MAY 10, 2021
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APPEARANCES:

The Plaintiff:	ADAM MICHAEL SOLINGER
For the Plaintiff:	ADAM MICHAEL SOLINGER, ESQ.
	VINCENT MAYO, ESQ.
	6252 S. Rainbow Blvd., #100
	Las Vegas, Nevada 89118
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The Defendant:	CHALESE MARIE SOLINGER
For the Defendant:	JACK FLEEMAN, ESQ.
	ALICIA EXLEY, ESQ.
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	(702) 388-1851

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I N D E X O F W I T N E S S E S

<u>PLAINTIFF'S</u> <u>WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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JOHN PAGLINI	12	92	--	--
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DEFENDANT'S
WITNESSES:

(None presented)

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I N D E X O F E X H I B I T S

<u>PLAINTIFF'S</u> <u>EXHIBITS:</u>	<u>ADMITTED</u>
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(None presented)

DEFENDANT'S
EXHIBITS:

(None presented)

1 LAS VEGAS, NEVADA

MONDAY, MAY 10, 2021

2 P R O C E E D I N G S

3 (The following transcript contains multiple indiscernibles
4 due to poor recording quality)

5 (THE PROCEEDINGS BEGAN AT 1:41:20)

6
7 THE COURT: Okay. We're on the record in case
8 number D-19-582245-D, Solinger versus Solinger. May I please
9 have appearances, beginning with Mr. Mayo?

10 MR. MAYO: Good afternoon, Your Honor. Vince Mayo,
11 bar number 8564, appearing in an unbundled capacity as Co-
12 Counsel for Mr. Adam Solinger, the Plaintiff.

13 THE COURT: Thank you.

14 MR. FLEEMAN: Good afternoon, Your Honor. Jack
15 Fleeman, bar number 10584, on behalf of the Defendant, Chalese
16 Solinger.

17 MS. EXLEY: And Alicia Exley, bar number 14192, on
18 behalf of the Defendant.

19 THE COURT: Thank you. Fantastic. Go ahead and
20 please have a seat. We have some housekeeping items?

21 MR. FLEEMAN: Just -- Your Honor, we anticipated
22 starting this morning, and the stipulation was that we would
23 have the two experts back to back.

24 THE COURT: Correct.

1 MR. FLEEMAN: I still think that's the best way to
2 proceed. But now that we're, I mean, coming on 2:00 pretty
3 soon in the afternoon, we talked to our expert, and he has an
4 appointment at 4:00 p.m. So I don't know how long it's going
5 to take to get through Dr. Paglini, but I do have a concern
6 that they're not going to be able to go back to back. It's --
7 certainly not in the same day. I don't know that we're even
8 going to finish with Dr. Paglini, depending on when the Court
9 generally ends the trial day.

10 THE COURT: Okay. Usually, we need to get them out
11 definitely no later than 5:00 p.m.

12 MR. FLEEMAN: Okay.

13 THE COURT: If I'm -- if I'm ready to make a
14 decision, then we do it really fast. The -- the -- the one
15 thing that may make things a little bit easier -- I don't care
16 about the good stuff. I know both of y'all have good stuff
17 that you do. I don't care about that. So let's just -- let's
18 focus on the bad stuff.

19 You know, the stuff that's going to sway me one side
20 or the other. How's that sound? I know you're a wonderful
21 mama, you're a wonderful daddy. So what's going to change my
22 mind? Does that sound fair? Does it cut it down some?

23 MR. FLEEMAN: I mean, I think it cuts it down some,
24 but there's a lot of accusations in the case.

1 THE COURT: So a lot of bad --

2 MR. FLEEMAN: And most of the accusations are --

3 THE COURT: If -- if you don't -- if you don't have
4 anything to prove it, I don't want to hear it, because I --
5 you've got to prove to me by clear and convincing that
6 something has happened. And if you don't have the proof, I
7 don't want to hear it. Because until you have something
8 that's going to give me the evidence to where it's clear and
9 convincing, then it doesn't matter.

10 MR. FLEEMAN: I -- I guess part of my concern is I
11 don't think there's any way we're going to get done today.

12 THE COURT: Okay.

13 MR. FLEEMAN: In --

14 THE COURT: Well, I, you know --

15 MR. FLEEMAN: -- in three hours, with two experts,
16 and --

17 THE COURT: Yeah, that's going to be hard. We're --
18 well, right now, let's focus on getting through at least one
19 of the experts, and try to get to the other one. Like I said,
20 you know, we can skip a lot of stuff. I already know Paglini.
21 He's -- he's -- he's a certified specialist, and he knows what
22 he's talking about. I mean, he's been a -- been certified an
23 expert for years with the Court. I'm not too sure about
24 yours, but I'm -- I know you've got -- given everyone his

1 credentials, so I'm going to assume it's an --
2 MR. MAYO: It's -- it's their expert.
3 THE COURT: Yeah. That's what I'm saying.
4 MR. MAYO: Oh, sorry. You're looking at me, and
5 you're like, your expert --
6 THE COURT: Yeah. But I'm pretty sure he gave you
7 the -- the -- all the -- all the stuff for him being an
8 expert.
9 MR. MAYO: Oh, the CV --
10 THE PLAINTIFF: He did, Your Honor.
11 MR. MAYO: Yeah. Sorry.
12 THE COURT: So there --
13 THE PLAINTIFF: Go ahead.
14 THE COURT: -- shouldn't be -- so we shouldn't have
15 to waste time, you know, setting up and telling him how -- you
16 know, what they do. All right. So do you want to waive
17 opening?
18 MR. FLEEMAN: I'll waive opening, Your Honor.
19 THE PLAINTIFF: Yes, Your Honor. We would.
20 THE COURT: Okay.
21 THE PLAINTIFF: And there were a couple other
22 stipulations just briefly to put on the record.
23 THE COURT: Okay.
24 THE PLAINTIFF: In the guise of saving time, and

1 correct me if I'm wrong --

2 THE COURT: Re -- move your mask so I can hear you
3 better.

4 THE PLAINTIFF: In the guise of saving time, when it
5 comes to certain exhibits like the pictures, the videos, the
6 text message, and the AppClose messages, I don't think either
7 party was going to object on foundational grounds.

8 THE COURT: Okay.

9 THE PLAINTIFF: We're still free to object on other
10 evidentiary grounds --

11 THE COURT: Yeah.

12 THE PLAINTIFF: -- but as far as laying the
13 foundation, I'm showing you what's been proposed as exhibit
14 blah blah blah, how do you recognize this, all of that stuff.
15 I believe the parties have stipulated that we won't object on
16 that basis. It'll be things like relevance, prejudice, or
17 hearsay.

18 THE COURT: Okay.

19 THE PLAINTIFF: Is that --

20 THE COURT: Well, this may help a lot. I get, you
21 know, a -- a -- most -- most of that stuff goes to weight. So
22 as -- as long as the foundational stuff is there and you're
23 not going to do it, then pretty much everything's going to
24 come in, and I'll give whatever --

1 MR. FLEEMAN: We --

2 THE COURT: -- weight that needs to be given.

3 MR. FLEEMAN: We had agreed to everything, except
4 there was one video that he had provided that he said he was
5 not present for, and that he would need to lay a foundation
6 with the witness Jessica Sellers (ph), who we subpoenaed, but
7 I haven't seen her here today, so I don't know -- I assume
8 she's coming. He listed her, and -- and we listed her, and we
9 subpoenaed her. So that one video would still need a
10 foundation --

11 THE COURT: Okay.

12 MR. FLEEMAN: -- for --

13 THE COURT: All right. Then the rest of the stuff,
14 we can just move right through the stuff.

15 THE PLAINTIFF: Correct. Court's brief indulgence?

16 THE COURT: Okay.

17 (Counsel confer briefly)

18 THE PLAINTIFF: And, Your Honor, the last
19 stipulation is that this was an issue early on in the case.
20 It is no longer an issue, and it has not been an issue, and
21 that's part of the reason for the stipulation, so we don't
22 have to have an expert up here for no reason. There were some
23 electronic items that were examined by Expert Data Forensics,
24 and they did an evaluation that was concluded November 8th of

1 2019. And as part of that evaluation, they determined that
2 there was no child pornography --

3 THE COURT: Okay.

4 THE PLAINTIFF: -- or illicit content on any of
5 those devices.

6 THE COURT: I had already assumed there wasn't
7 anything, or criminal charges would have already been brought.

8 THE PLAINTIFF: Of course. I just --

9 THE COURT: You know --

10 THE PLAINTIFF: -- I wanted to make that crystal
11 clear for the record --

12 THE COURT: Yes.

13 THE PLAINTIFF: -- the stipulation, so.

14 THE COURT: I -- I -- I -- I pretty much assumed
15 that, since you're still standing here free.

16 THE PLAINTIFF: I appreciate it, Your Honor. So we
17 waive openings and all of that. Is Your Honor's preference
18 that I have my mask off to question?

19 THE COURT: It is easier for everyone to understand.
20 I don't know why. But it is easier. I guess I'm -- semi a
21 lip reader --

22 THE PLAINTIFF: You see the lips, and --

23 THE COURT: Yeah. So as long as nobody else minds.
24 I'm behind the plexiglass, so I'm protected. If anyone has an

1 objection, you'll have to continue wearing it.

2 MR. MAYO: We're both vaccinated, but I'll keep mine
3 on when he's going, and if I have an issue, I'll take mine off
4 --

5 THE COURT: Okay.

6 MR. MAYO: -- but I should be good.

7 THE COURT: All right.

8 THE PLAINTIFF: I can scoot over this way more so
9 also I'm a little bit further from the defense table.

10 THE COURT: I -- I don't think it ma -- now,
11 questioning an expert, it's best if you come up here. We turn
12 the TV around a little bit. That way, everyone's got a better
13 chance at being able to see him.

14 THE PLAINTIFF: Of course. Your Honor, may I
15 proceed and --

16 THE COURT: Please.

17 THE PLAINTIFF: -- approach the well? Thank you.

18 THE COURT: Ms. Exley, if you want to move over also
19 here more in the center so you can see, that's fine.

20 MS. EXLEY: Oh, as long as I can hear everything,
21 I'm good.

22 THE COURT: Okay.

23 THE PLAINTIFF: Good afternoon, Dr. Paglini.

24 THE COURT: He's not on yet.

1 THE PLAINTIFF: Okay.

2 THE COURT: All right. Good afternoon, Dr. Paglini.

3 You have been called as a witness.

4 MR. PAGLINI: Okay. Thank you.

5 THE PLAINTIFF: And, Your Honor, has he already been

6 sworn in?

7 THE COURT: No, not yet. Please raise your right

8 hand. Well, we'll give her instructions.

9 THE CLERK: Go ahead and raise your right hand,

10 please?

11 MR. PAGLINI: Can you hear me?

12 THE COURT: Yes.

13 MR. PAGLINI: Okay. Thank you.

14 THE CLERK: You do solemnly swear the testimony

15 you're about to give in this action shall be the truth, the

16 whole truth, and nothing but the truth, so help you, God?

17 THE WITNESS: I do.

18 THE PLAINTIFF: May I proceed, Your Honor?

19 THE COURT: Proceed, sir.

20 JOHN PAGLINI

21 called as a witness on behalf of the Plaintiff, and being

22 first duly sworn, testified as follows on:

23 DIRECT EXAMINATION

24 BY THE PLAINTIFF:

1 Q Dr. Paglini, where do you currently work?

2 A I'm self employed in Las Vegas, Nevada.

3 Q And how long have you been self employed?

4 A I've been self employed since 1991.

5 Q And what exactly do you do as part of your self
6 employment? What -- what services do you offer?

7 A I'm a licenced psychologist, and -- and I've been a
8 licensed psychologist since December of 1991. Prior to that,
9 I was United States Air Force as a captain psychologist. I
10 was in -- I treated active duty personnel and dependents. I
11 also was in Desert Storm.

12 When I came back, I was honorably discharged about
13 six month later, and went into private practice. I worked at
14 psych hospitals for several years, also with an outpatient
15 practice. By the mid '90s, I began to work in forensics, and
16 worked on death penalty cases, psych evals for the criminal
17 court, sex offender assessments, child abuse neglect cases. I
18 also worked for the family court doing child custody
19 evaluations, psychological evaluations, child interviews.
20 That's continued. I also do pretrial competency evaluations.
21 I also, in the last three years, have been involved in
22 commitment court. So I -- 95 percent of my practice is
23 forensic related.

24 Q And, Doctor, are you a member of any professional

1 association?

2 A American Psychological Association, AFCC, which is
3 American Family Conciliation Court. They focus on child
4 custody evaluations, so it's an organization I've belonged to
5 numerous years.

6 Q And when you say you do child custody evaluations,
7 is there any special qualifications that you have to -- to do
8 those?

9 A Well, yes. Any time you specialize in a field, you
10 should be staying current on CDUs. And about 12 years ago, I
11 worked with judges at family court there to make sure that --
12 and attorneys, also, to make sure that the mental health
13 professionals, that we have some kind of standard. And what
14 the family court adopted, and I don't know if it -- if it's
15 continued this year, but it -- it did -- was there about two
16 years ago, is that each mental health professional who does
17 child custody cases has to get about 40 CEUs (indiscernible)
18 and be supervised for two years. And then from that point on,
19 they should attain 12 hours of CEUs every year, to be able to
20 help the judges understand cases related to family court.

21 Q And, Doctor, I just want to be clear. CEUs is short
22 for continuing education units?

23 A Yes, correct.

24 Q And how many CEUs in child custody do you typically

1 do in a year?

2 A At least 12, sometimes more. It depends on if I'm
3 going to two conferences in a year, or sometimes one
4 conference in a year. Last year, it was only about 12 hours
5 because of COVID.

6 Q How many child custody evaluations did you do in
7 2020?

8 A It's hard to say. I would say at least about 10. I
9 think I've done well over 200 or 250 (indiscernible).

10 THE PLAINTIFF: And, Your Honor, I -- I know you
11 want to get to the meat of it, and all that. So at this time,
12 I would move for recognition of Dr. Paglini as an expert in
13 the field of child custody evaluations. I -- I can make --

14 THE COURT: Before we had even started, I'd --

15 THE PLAINTIFF: -- a bigger foundation --

16 THE COURT: -- already done that.

17 THE PLAINTIFF: I -- I just wanted to be --

18 THE COURT: Yeah.

19 THE PLAINTIFF: -- belt and suspenders.

20 BY THE PLAINTIFF:

21 Q Dr. Paglini, have you done a custody evaluation in
22 this case?

23 A Yes, sir.

24 Q And who referred this custody evaluation to you?

1 A If I'm not mistaken, I think it was Judge Moss.

2 Q And what kind of procedures do you typically utilize
3 when you do a child custody evaluation?

4 A I receive the court order, and then I do a
5 procedural meeting with both litigants separately. I hear
6 what their concerns are. I educate them on the process of the
7 next few months of interviews, psych testing, collaterals,
8 home visits. I review discovery on the case, and then I begin
9 the procedures. They also are -- are aware of limits of
10 confidentiality and financial considerations.

11 Q Typically how many meetings do you have with each
12 party to a custody evaluation?

13 A You know, it -- it varies. It depends on how long
14 the time is. Normally, it -- yeah, it could vary from
15 anywhere from five to 10 hours per person. (Indiscernible)
16 this case, there was a tremendous amount of discovery, and
17 then there was collaterals, and home visits. And we had the
18 complication with Covid-19, also, and the psych testing. So,
19 you know, normally six plus hours.

20 Q And -- and you said that there was a tremendous
21 amount of discovery. I -- in your report, I think it's --
22 let's see, one, two, three -- approximately five pages of
23 single spaced discovery. Does that comport with your
24 recollection?

1 A That could be about right. It was several pages,
2 and it was hard to follow, yeah.

3 Q Understood. When you talk about informed consent,
4 can you elaborate on that concept a little bit?

5 A Sure. I advise the litigants that this is a cus --
6 a judge ordered evaluation, that there's no confidentiality,
7 that the information, the report will go to the judge,
8 reviewed by the judge, both attorneys, and the litigants.

9 Q And what's kind of the purpose of a child custody
10 evaluation. Why do we do them?

11 A Well, normally it's ordered by a judge, or at times,
12 it might be requested initially by an attorney, because there
13 are certain issues. Like if there's domestic violence or
14 child abuse, or if there's already poor co-parenting. The
15 advantage is, is a judge has a -- you have an independent
16 person looking at the dynamics. That gives information to the
17 judge so the judge can make a healthier decision.

18 Q And, Dr. Paglini, as part of the custody evaluation,
19 do you administer any psychological testing?

20 A That is correct.

21 Q And what psychological tests are those, typically?

22 A I administer the MMPI-2-RF, and a personality
23 assessment inventory on the litigants. What you're looking
24 for is are there -- is there any general psychological issues

1 that you want to rule out. And then I also administer -- I
2 give the parents the BASC, which is the Behavioral Assessment
3 System for Children, second edition. It's -- it's
4 standardized, and it gives me an idea of how the parent is
5 viewing the child, if there's any significant concerns that
6 the parents has of -- of the child or children.

7 Q Understood. And you mentioned earlier that you're a
8 member of the APA, right?

9 A Correct.

10 Q And the APA has -- strike that, let me rephrase so
11 I'm not leading like a defense attorney. Does the APA have
12 guidelines developed to assist psychologists conducting child
13 custody evaluations?

14 A They do. More or less, you follow the AFCC
15 guidelines, because that's -- they specialize in child custody
16 matters. And -- and so they have a speciality guideline
17 manual that you could follow in terms of, you know, how the
18 evaluation should be conducted.

19 Q And as part of the -- the guidelines of the AFCC,
20 you're obviously looking at the child's best interests?

21 A Correct.

22 Q Are you also looking at their -- their well being?

23 A Yes.

24 Q What about parenting capacity?

1 A Well, yes, of course you would look at that. That's
2 part of the whole thing.

3 Q And any developmental needs that each child has in
4 particular are a kind of major factor?

5 A Well, yes. You would -- you would look into
6 (indiscernible) a child could be healthy, a child could have
7 autism, or an intellectual disability, or a learning
8 disability. So each case is unique, presents spec -- unique
9 factors to consider. So you're looking at how is the child
10 functioning, how are the parents functioning, are the parents
11 issues more acute or longstanding?

12 Q And -- and so I just want to make sure, because, you
13 know, I -- I went to law school and not medical school. When
14 you're -- when you're talking about those needs, what you're
15 saying is you're to find what the developmental needs are of
16 each child, and what kind of things that a parent can provide,
17 and you're looking for like a -- a line of best fit, or like a
18 way that the needs of the child can best be met?

19 A Well, yeah. Yeah. I mean, there's -- you have to
20 consider age, you know, and it -- within this situation, you
21 know, Marie is two, and Michael was -- well, he's almost six
22 now, and Marie three now. But you have to consider age, and,
23 you know, how attentive a parent is, and their history of
24 parenting, and it -- is the parent invested or not invested.

1 Q Understood. I'd like to focus on the psychological
2 testing of the Defendant. As far as the MMPI, do you recall
3 the results of the -- and -- and, Doctor, just to be clear, if
4 you need to refer to your report for any reason, let me know
5 that you can't remember something with specificity, and -- and
6 then I'll refresh your recollection. But I -- I think the
7 Court's preference is to testify from memory if at all
8 possible. So with that caveat in mind, do you recall the
9 results of the MMPI that you administered?

10 A It's best if I pick up the results, and then look at
11 each test specifically, because I'm not going to be able to
12 remember if she had a high depression scale, or a anxiety
13 scale, or what scale. So the best I can do is -- is pick up
14 the test and then review it with you.

15 Q All right.

16 THE PLAINTIFF: Any --

17 THE COURT: Mr. Fleeman, do you have any objections?
18 I don't.

19 MR. FLEEMAN: I have no objection.

20 THE COURT: I have no objections.

21 BY THE PLAINTIFF:

22 Q And, Dr. Paglini, please proceed. Can you kind of
23 summarize the results of the MMPI as it related to the
24 Defendant, please?

1 A This is reference to Chalese, correct?

2 Q Correct. I think it's page 19 of your report, if
3 that's helpful.

4 A Okay. So on the MMPI-2-RF, that's -- this is a
5 Minnesota Multiphasic Personality Inventory, this is a -- an
6 objective test. It's standardized, and we have validity
7 reliability sub scales. So she's -- the responses are valid
8 and reliable. She did endorse obviously psychological issues.
9 The best way I can describe this is she endorsed somatic
10 complaints, and she does have -- you know, she's had prior
11 knee surgeries, and I think she's -- she discussed some of her
12 medical issues.

13 She also had a very high ideas of persecution scale.
14 And that's a T score of 89. Now, some -- some -- when you
15 look at that initially, if I'm looking at that cold, I would
16 say, okay, does this person have a delusional disorder? But
17 you have to look at it and recognize what context is. And
18 sometimes, with custody cases, a person can have an elevated
19 score, and it just means they're very suspicious and kind of
20 on guard. And in -- we -- sometimes in custody cases, we get
21 an elevated (indiscernible) score.

22 So Chalese did not seem she was delusional to me,
23 but it -- it references that, you know, she feels suspicious,
24 you know, at time is feeling kind of paranoid in her

1 environment. And considering that, you know, she was being
2 followed, that elevation could be somewhat normal, too.

3 Her depression subscale was assessed within normal
4 limits, and she had an elevation for what we call aberrant
5 experiences, which is kind of like a -- a thought disorder,
6 and -- and once again, I'm not saying she has a thought
7 disorder. It just means that perhaps, you know, she -- at
8 times, she's having difficulties concentrating, or if she's
9 kind of being overwhelmed, and it affects her thinking. I did
10 not see her as psychotic, so, you know, that elevation, then
11 even with the 6-8 kind of elevation, I didn't -- once again, I
12 didn't see her as being psychotic.

13 On the internalizing subscale, she was very high for
14 anxiety and also self doubt. She has gastrointestinal
15 problems, and, you know, she has -- you know, she had -- she's
16 endorsed some, you know, just -- just some concentration
17 issues. Externalization subscales, which is juvenile conduct
18 problems, substance abuse and aggression, that was within
19 normal limits.

20 Interpersonal, she's probably a little more on the
21 outgoing side. And on the revised scales, she elevated for
22 psychosis. But once again, when I interviewed with her, you
23 know, I was with her several times, she never appeared
24 psychotic to me. So, you know, all that can say is that

1 sometimes I know she's overwhelmed, she, you know, there could
2 be some mild judgment issues. But I -- I wouldn't go -- I
3 wouldn't go any further than that.

4 Personality Assessment Inventory, she scored --

5 Q And, Doc, I -- I just want to stop you right there
6 and talk strictly about the MMPI for a minute, if that's okay?

7 A Go on.

8 Q The MMPI's not something necessarily that you grade,
9 correct? It's something that a form is filled out and then
10 sent away for -- for grading on a standardized scale?

11 A Yeah. It's -- it's assessed through Pearson, and we
12 -- my secretary punches in the -- the true/false responses,
13 and then that gives us a -- a profile inter -- not
14 interpretation, but the scale scores and everything. And then
15 -- then I look at them. And the T score is 50, which is
16 average, and a T score of 70 is two standard deviations above
17 the mean, which would be about the 98th percentile. And so,
18 you know, there is at times, not with the -- the MMPI-2-RF, I
19 -- I don't get the interpretive, I get the extended scoring
20 report.

21 The PAI has an interpretive. And -- and once again,
22 when you're looking at an interpretive, you have to look at
23 context. You have to focus in on, you know, I mean, how does
24 this fit with the person? To illustrate with the paranoid

1 elevation, is the person having a delusional disorder where
2 they, you know, think they're -- everyone is out to conspire
3 against them, or are they feeling their ex is kind of out --
4 going -- you know, is against them, and -- and creating
5 problems in their life. So those are two entirely different
6 things, situation specific versus a mental illness.

7 Q And -- and as far as that thought dysfunction
8 subscale, I -- I believe you addressed this, but I just want
9 to make sure. There was a T score of 81 on the thought
10 dysfunction subscale?

11 A That's true. Yeah.

12 Q And as far as what that means, I -- I just have the
13 interpretive here from your report, but it -- it's saying that
14 individuals with thought dysfunction may exhibit paranoia,
15 auditory hallucinations, or unrealistic thinking, and that's
16 kind of what you were talking about earlier, that in a -- a
17 stress situation, it could lead to impaired judgment?

18 A Well, it -- she -- she -- she was -- she was
19 elevated for that. But I'm not going to give her a -- I don't
20 see her as being psychotic. And so I didn't put that in my
21 report, that she's psychotic. Sometimes people have this
22 elevation, and then you have to ask yourself, does it fit with
23 what I'm seeing? So in this case, you know, maybe in times of
24 stress, you know, she could get overwhelmed. But -- but, you

1 know, I -- I'm not seeing her as psychotic or having a thought
2 disorder.

3 Q Understood. And the RC-6 score above 80 denotes
4 that there needs to be a rule out of paranoid delusional
5 thinking, and that's what you were talking about the mix of
6 the objective test with kind of your therapeutic discretion in
7 interpreting the context of those results, is that what we're
8 kind of getting at here, or is that something different?

9 A Yes. That's -- that's correct. Okay. So, you
10 know, sometimes peop -- that -- that could be -- that is
11 significant. That was a very significant score. But I'm not,
12 you know, I -- I didn't see her as being delusional in any
13 capacity. Delusion's defined as fixed false beliefs. And I
14 didn't see, you know, Ms. Solinger exhibiting that.

15 Q Understood. As far as that PAI, Personality
16 Assessment Inventory, could you also please go over the
17 results of that, as well, now?

18 A So she was open and disclosing. She had an
19 elevation on the -- it's called the ARD subscale, which
20 indicates that she endorsed some trauma stress. The paranoia
21 subscale was I would say mildly elevated, not for hyper
22 vigilance or resentment, but more for feeling persecuted in
23 her environment. She also endorsed some anx -- physiological
24 aspects of anxiety, and her stress level was within normal

1 limits. She's a pretty passive lady, and she does exhibit
2 adequate -- you know, pretty good emotional warmth, which is
3 -- which is fine. Let's see what else I can tell you about
4 her. Can be somewhat conforming in her relationships, and at
5 times can be over-sensitive to others. Yeah.

6 Q Understood. And I'm just going to jump to the
7 psychological testing that -- that you did on myself, and I
8 recognize it's awkward to be examined on that by the -- the
9 person who took the testing and all that, but just to the same
10 extent that you went over the Defendant's results, could you
11 also go over the results of the MMPI you administered to
12 myself?

13 A Yeah. And this is a new -- this is new for me.
14 I've never gone over someone's psych testing who's also doing
15 a direct testimony of me. So on the MMPI-2-RF, reliability
16 subscales are within normal limits. The (indiscernible)
17 revised and KR revised were also within normal limits, with a
18 T score of 62 and 66, respectively. One standard deviation
19 above the mean, but not at a significant level. So this test,
20 as opposed to the other test, I probably have a better read on
21 you, and -- and your scores (indiscernible) normal limits of
22 (indiscernible) everything. Okay?

23 And, yeah, everything -- nothing was -- nothing was
24 elevated to a significant level. So, you know, and this test,

1 you know, I would -- I would look at it and say, okay, you
2 know, I can -- I can trust kind of where this is at. It
3 wasn't invalidated (indiscernible) validity scales were not
4 significantly high at all. They were within normal limits.
5 Would you like to move on to the PAI?

6 Q Yes, please.

7 A Personality Assessment Inventory did have an
8 elevated what we call positive impression management subscale,
9 with a T score of 68, which is significantly elevated,
10 indicating that the test may not be valid, and it may indicate
11 that the person was defensive or guarded. And -- and so in
12 that case, when you look at the subscales, they may be what we
13 call deflated or submerged, and you may not trust them as
14 much. Okay? So I have one test that I -- I would have a
15 higher confidence level of, which is the MMPI-2-RF, and the
16 other one where I'm saying, well, the guy was defensive.

17 And so then I have to look at -- and that's not
18 necessarily uncommon in custody matters. It's probably more
19 common assessments in -- in family court than it is perhaps in
20 other areas. So that's something you have to consider. So
21 when you're looking at someone, you have to look at not only
22 the psychological testing, but you want to look at your
23 interviews of them, as well, you know, what information you
24 gleaned from collateral interviews.

1 Q And based on the totality of the psychological
2 testing, and the collateral interviews and your interviews
3 with myself, do you have any I guess concerns from a -- a
4 mental health standpoint about myself?

5 A I don't think you have any emotional disorders. I
6 don't see any substance abuse issues. Maybe, and this is the
7 uncomfortable part, because you're the guy talking to me, but,
8 you know, maybe there's some -- I'm -- I'm going to use this
9 word loosely, maybe -- not narcissistic personality disorder,
10 but narcissistic traits.

11 And a lot of people have some narcissistic traits.
12 You know? You're an over -- you're -- you're successful. You
13 know, you have a law degree. You're moving forward in your
14 life. You're trying to raise your kids well. And so, you
15 know, maybe some mild narcissistic features at times, but
16 that's it. And that's mild.

17 Q Understood. And I'll -- I'll move on from the
18 uncomfortable portion of things, and I'd like to talk now
19 about your interviews with the Defendant, if that's all right?

20 A Sure, go on.

21 Q I -- I guess -- I don't want you to summarize your
22 -- your report. It's obviously extensive, it's -- it's many
23 pages. I believe everyone here in the courtroom has already
24 read it. But if you could just remark on some of the things

1 that stuck out to you that you believe are important from a
2 custody perspective, of your interviews with the Defendant,
3 that's kind of what -- what I'd like you to do, is kind of
4 outline those big highwater marks, or -- or key impressions,
5 if you would?

6 A Okay. Of -- of Chalese, or of -- of my current
7 conclusions of everything?

8 Q Of -- of Chalese, correct.

9 A Okay. So Chalese is a very nice lady.
10 (Indiscernible) during the evaluation, and -- and obviously,
11 in the course of the evaluation, she delivered a baby on a
12 premature basis. Chalese was under stress. You know, from
13 her perspective, she felt -- you know, she was being followed,
14 which -- which was true. You know, she felt that you were
15 kind of controlling, and made things difficult.

16 She presented with -- you know, clearly, she has
17 some psychological history. She has some history of
18 depression that preceded -- preceded the birth of Michael, and
19 then some postpartum depression. She also endorsed anxiety,
20 and she additionally endorsed some post traumatic trauma
21 related to her childhood, and also the birth of Michael.

22 She -- you know, she wanted joint custody. At
23 times, you know, things vary, but at times I thought -- I
24 mean, I -- I'm exploring dynamics. And so it's -- at times, I

1 thought, you know, she was cooperative, and other times maybe
2 she could have been somewhat guarded. She interacted -- I
3 mean, for the most part, pretty well, but sometimes I got
4 vague responses that I -- I had to constantly ask further
5 questions on. Which is -- which is not unusual. What else
6 you want to know about her in terms of (indiscernible) go into
7 the issues?

8 Q Sure, sure. Was there a time when she was not
9 cooperative with your attempts to interview her? Like --
10 strike that. Let me rephrase. Was there like a month or
11 maybe a month-and-a-half period where you tried to get her for
12 an interview, and you were unable to do so?

13 A I -- I -- I think there was a time she may have
14 canceled a home visit, and then there was -- maybe Josh's (ph)
15 interview was -- was put off. I -- I don't -- I'm -- I can't
16 recall if it was resistance or anything like that. I don't
17 think that was -- was -- you know, she also was pregnant, and
18 she had a lot of -- a lot of things going on. So I don't
19 recall if she was resistant or not. I didn't get that
20 impression.

21 Q Understood. And that kind of dovetails to the --
22 the home visit. Obviously, you conducted a home visit in this
23 case?

24 A Yes.

1 Q And it was not a surprise home visit, it was
2 something that you were invited over for in advance?

3 A That is correct. She knew I was coming, what time I
4 was going to be there, correct.

5 Q And can you kind of lead us through your home visit?

6 A Yes. Normally, what I like to do in a home visit is
7 have everyone there. So in your case, it was you and your
8 girlfriend and -- and children. And this way, I can observe
9 everyone, in -- in their natural surroundings. But Josh
10 wasn't there, he was -- I guess he had to pick up his dad, and
11 so he was gone. And Chalese is pregnant, and she's with her
12 two children.

13 And normally what I do is when I come in, I
14 introduce myself to the children, kind of explain what my
15 presence is about, and then I -- I have the family take me
16 through the house. You know, I want to see the children's
17 rooms, I -- I take photos of everything, because I'm not going
18 to remember, you know, kind of like what I saw 30 minutes ago.
19 And -- and then after I take photos, I want to do a family
20 observation.

21 And a family observation is I want to see the parent
22 with the children, how they're interacting, what they're
23 doing. Now, what I normally -- well, I always tell people
24 this. I say, you know, pick an activity. You know, whether

1 it's playing Uno -- you know, I've had mothers bake cookies,
2 you know, I've had dads, you know, with the children preparing
3 dinner. I've -- I've had parents working on homework. Things
4 like that. So something that was active, and then I could
5 observe.

6 In your case, you know, you were with, you know,
7 Jessica (ph), and -- and, you know, you're working on
8 Michael's sounds and everything else, and Jessica was doing
9 something with Marie. And it was a pretty, you know, active,
10 robust time. Chalese just kind of, you know, tried to put the
11 TV on, but the -- the remote didn't have batteries. And --
12 and she just kind of sat there, and, you know, Michael played
13 on his iPad, and -- and I think her daughter just drank
14 something, and, you know, she'd occasionally talk to her
15 children, but, you know, she talked to me. But it -- it
16 wasn't as active as I think, you know, of something that I'd
17 want her to (indiscernible).

18 Okay, she was pregnant, but nevertheless, she could
19 have prepared an activity. The house was -- at times, some
20 places were -- were -- were decent. The part that -- that --
21 that threw me off a little was the backyard. All right? They
22 have four dogs, and there were piles -- a massive pile of dog
23 feces, and -- and the fake grass, and that there was piles of
24 dog feces strewn throughout the backyard, even by the --

1 what's it called again, I can't remember the name of it. But,
2 you know, there was kids toys and everything. But there's
3 just feces all over the place.

4 So the kids can't play in the backyard. And -- and,
5 you know, my -- one of my questions is, is that -- you knew
6 I'm coming, so why don't you pick up the feces? You know? I
7 don't -- I don't expect Chalese to do it, because she's
8 pregnant, and, you know, I mean, she'll have difficulties
9 bending over. But I -- you know, I would expect her boyfriend
10 to do that.

11 Plus then the fire alarm was chirping, and this was
12 something that had I observed in my doxy.me interviews when
13 she's in the house, that occasionally, you know, it might be
14 every 20 seconds, or maybe every minute, you would hear a --
15 a chirp. And that went on for months. And once again, I
16 don't expect Chalese to do that, if maybe she has to get on a
17 ladder or something. But I expect her boyfriend to do that.

18 And the kids's rooms were, you know, fair. I mean,
19 they could have been cleaner, but they -- they were okay.
20 And, you know, I recognize she's pregnant, but, you know, this
21 isn't a -- there's -- nevertheless, it -- it could have been a
22 step up.

23 And my -- my major concern was probably the dog
24 feces, especially with the kids around. And I -- you know,

1 people have dogs, and, you know, maybe they -- they clean up
2 every few days or something like this. But this was there for
3 a long time. If you have four dogs, and each dog defecates
4 twice a day, that's eight piles times seven is 56. But there
5 was way more than 56 piles there. And then if you have that
6 many dogs, and you have children there, I think you probably
7 need to be making a move on a more frequent basis.

8 Q So Doctor, it struck -- kind of struck you as
9 strange that somebody had gone to the trouble of gathering it
10 in a central pile, but not necessarily throwing it away?

11 A Well, it was -- it was not just a central pile.
12 There was a central pile. So it was obviously someone was
13 doing something, and you can see there's a photo of it, but
14 it's not a great photo. And then there was stuff all over the
15 place. So it wasn't just one central pile, there was feces
16 strewn throughout the backyard. And so there's -- you know,
17 the kids couldn't play back there. And -- and, you know, if
18 they did, they weren't that far away from feces.

19 Q And, Doctor, I just want to pause for one minute.

20 THE PLAINTIFF: Your Honor, I know your marshal came
21 out and asked for a copy of the eval. I have not printed up
22 the pictures because I haven't had the ability to print color
23 from my home printer. Does Your Honor have access to that
24 photo?

1 THE COURT: I --
2 THE PLAINTIFF: Is it -- did it come with the file
3 on the left side, or --
4 THE COURT: I had never received a copy of the
5 report anywhere.
6 THE PLAINTIFF: And --
7 THE COURT: So I don't know if it just didn't get
8 transferred over to me because it was not left-side filed into
9 the filing. So I did not have any copy. I thought I had, and
10 I didn't.
11 THE COURT: And, Mr. Fleeman, do you have any
12 objection to us approaching, and I can show the photo of the
13 dog feces on my laptop?
14 MR. FLEEMAN: I have no objection.
15 THE PLAINTIFF: Just -- Your Honor, may I approach?
16 I can show the photo --
17 THE COURT: Yes.
18 THE PLAINTIFF: -- so that you can see the context
19 there. And just --
20 THE COURT: Okay. Thank you.
21 BY THE PLAINTIFF:
22 Q And, Doctor, I believe at one point you took a
23 picture of a thermometer in a stairwell window?
24 A Yes.

1 Q What was the significance of that?

2 A I didn't know why it was there. You know, why is
3 there a thermometer in a stairwell, you know, kind of area by
4 -- yes. I had -- I had no clue why -- why it was there. And
5 I -- you know? So I just -- I just took a photo of it.

6 Q I -- I believe you also were discussing in the home
7 interview section that a dresser had just been recently
8 purchased, and that there was still like, clothes being stored
9 in a Tupperware container?

10 A If -- if I'm not mistaken, I think -- if it was in
11 my report, I think they had just purchased it the day before
12 for Marie, if I'm not mistaken, if that's in my report.

13 Q It is in your report. I can -- I can proffer that.
14 I -- I guess more correctly stated, is there a significance to
15 that to you, or is that just kind of res gestae, complete
16 story type narrative?

17 A Well, you know, I -- I probably should have followed
18 up, asking questions, like, well, did she have a dresser
19 before that? You know, because some people buy new dressers.
20 So I -- I didn't follow up with questions in terms of, you
21 know, was this her first dresser, or, you know, we're using
22 plastic bins? But, you know, some people, you know, they're
23 -- she's moving, or she moved into (indiscernible) months ago,
24 and everyone's doing the best they can. I think we move

1 forward in life.

2 Q If I were to proffer to you that she moved into that
3 house approximately a year before your visit, almost exactly a
4 year give or take a week or two, would that kind of change
5 your assessment? I mean, you already said you should have
6 followed up, or you -- you maybe could have followed up, but
7 --

8 A Yeah, I -- I -- I think I would have followed up,
9 because I don't know if, you know, what the circumstances
10 were. She could have had an older dresser that she didn't
11 like, and she replaced. So I -- I don't know what that means.
12 I was just making note of it.

13 Q Understood. As far as a return to awkwardness, as
14 far as the home visit you conducted of my residence, could you
15 say a few words about that?

16 A Yeah. I mean, it was a beautiful home. It was
17 clean, it was well organized, the children's bedrooms were
18 beautiful. I'll -- I'll say that the children were happy in
19 both homes, so I'll make that equal. I didn't -- it wasn't
20 like anyone was uncomfortable, but it was -- it was a gorgeous
21 home.

22 I -- I think my -- I was remiss on -- I don't
23 recall, but I -- I think it was pointed out in a different
24 report, I was remiss on that perhaps there should have been,

1 you know, like a -- a gate or -- or not gate, but a fence
2 around the pool or something like that. But the children were
3 very comfortable. They were clean. They were happy, engaged,
4 and it was -- it was a rather -- a very nice home.

5 Q And -- and when you say remiss, and -- and pointed
6 out, would it be fair to say that what was remiss was not
7 taking inventory of any pool safety measures, as opposed to a
8 specific there should have been a gate?

9 A I was in the backyard. I saw the pool. And, you
10 know, I should have inquired about if -- if there was -- if
11 there -- if there should be a fence around the pool. And I --
12 it's -- I looked at the -- the photo, and I didn't see a
13 fence. And I think it was pointed out in the other report, so
14 I don't recall.

15 Q Understood. If I were to, from a hypothetical
16 situation, because we can't redo everything, but if I were --
17 and we're kind of calling you out of the order that I'd
18 prefer. But if I were to proffer to you that there's double
19 child safety locks on all of the doors, that there is a lock
20 obviously on each door, that there doors themselves are heavy,
21 that there's an alarm that floats in the pool with a speaker
22 that blares if something enters the pool itself, and that both
23 children have been taught to swim to the point where Michael
24 can swim on his own, and Marie can rescue swim, but probably

1 swim better than that and get to the edge, would that satisfy
2 you from a pool safety standpoint?

3 MR. FLEEMAN: Objection. It goes beyond the scope
4 of the report, and --

5 THE COURT: Sustained.

6 BY THE PLAINTIFF:

7 Q As far as the issues in this case, as they relate to
8 child custody, what is it to you were the big issues that you
9 kind of focused on in determining the best interests of the
10 children?

11 A You know, here is the context. When I came in,
12 Ms. Solinger was already on (indiscernible) she already had --
13 well, you had primary physical custody. So that was the
14 starting point. All right? So the way I started looking at
15 this case, you know, for me, it's kind of -- I kind of start
16 in my head on a -- a -- a joint -- joint, you know, kind of
17 shared basis. You know, that's how I kind of look at cases.

18 So now we're starting on a where -- where
19 Ms. Solinger has, you know, she's -- she doesn't have her
20 children too much. Okay? And -- and that occurred because
21 the judge -- Judge Moss was concerned that she violated court
22 orders, that her boyfriend drove I think it was perhaps more
23 than one time with the -- with the kids in the car, when she
24 was told not to allow that to happen. So we start out with

1 that (indiscernible) because then what takes place next, which
2 -- which is of concern, is I'm expecting her to show me that
3 everything's fine. I'm expecting her to kind of exhibit why
4 she should have joint physical custody, shared custody.

5 So what happens after that, well, that was in I
6 think -- I think March of 2019, and I think in -- well, I
7 think in June, the judge gives -- gives you temporary physical
8 custody. But in August, we have this scenario where it's
9 alleged with the PI, and I -- I read his deposition, but
10 apparently it was the other PI, where she was traveling 100
11 miles per hour with the kids in the car. So that's an
12 endangerment issue. And -- and so we have that then
13 happening.

14 Now, the next dynamic we have is that in December of
15 2019, when you went to pick up your children, and there was a
16 dispute on, you know, you said that you gave her more advanced
17 notice, and she refused to give you the children, and then
18 Josh got involved. And, you know, Josh came up to your car,
19 which was parked at least a block away, and you were in the
20 car, and he wanted you to get out, and -- and there was a
21 threat, you know, kind of one time, and -- and you were on the
22 phone I think with the police, and then maybe he was on the
23 phone, whatever. And -- and then he leaves, and he comes
24 back, and -- and the video of it, it just gets it at the end,

1 but he's driving the truck up to your car, and then he kind
2 of, you know, stops abruptly, about maybe -- I don't know if
3 it's one or two or three feet away from the car.

4 But clearly, to me, that was a -- and -- and that
5 was also down the wrong side of the street. Okay? So -- so
6 this guy is doing this, and -- and what's the purpose? So I'm
7 expecting Chalese to show me that, you know, that she is
8 rising to the occasion that -- that she gets what the Judge
9 said, and she's going to do everything correctly to go back to
10 shared custody. So I have that part.

11 And then I have the part with the cleanliness of the
12 home. When the video -- there's a video of you like, February
13 of 2019, going into the home, and it's a disaster. It's a
14 total disaster. And -- and -- and, you know, Chalese says --
15 you know, I think it was Chalese as well as Josh that, you
16 know, you staged that or something like that. I -- you'd have
17 to put like, seven, eight hours in to stage something like
18 that. Because that was a -- that was a mess.

19 And -- and so you -- you have that dynamic of -- in
20 terms of the cleanliness of the house, which falls into, you
21 know, clearly, I mean, when I do the visit, the house, you
22 know, most -- it was adequate except for the outside, I had
23 concerns about. And so I'm looking at this dynamic, also.

24 And then I'm -- thinking about, you know, the THC

1 usage, and -- and -- and what's going on with -- with that,
2 and all these dynamics. We have a lot of CPS calls, and --
3 but that's not -- you know, there's -- it's -- it's a high
4 conflict situation. And as I started sitting down with this
5 more, you know, at first I'm thinking, okay, you know, I guess
6 -- you know, I'm thinking of maybe she's going to have shared
7 custody.

8 But then I'm thinking, well, how do I defend this?
9 How do I defend if she's driving 100 miles per hour with
10 children in the car, because she's endangering the kids. You
11 know, how do I -- how do I, you know, say that's shared
12 custody? You know, how do I say if she has a boyfriend that,
13 you know, becomes emotionally dysregulated and -- and doing
14 these kind of things? How do -- how do I go to that shared
15 format level?

16 And so then, you know, and to a lesser extent, I
17 would say there was the -- you know, there -- there's clearly
18 issues and co-parenting litigants, and I had some concerns
19 about, you know, she should have been more involved with the
20 speech therapy part, and -- and I had some concerns with that
21 dynamic. And so, you know, when I sat down with it, I -- I
22 was thinking, well, if -- if I move it to shared custody, how
23 do I defend this?

24 You know, because how do I -- how do I explain, you

1 know, if it's true that she drove at that excessive speed, and
2 even if you read the deposition of the -- the PI, he said, you
3 know, there's a few times that, you know, it was 45 miles per
4 hour on these roads, and she's driving 70. now, I don't know
5 in -- in that deposition if she -- she had the kids in the
6 car. I'm not sure on that. So I can't -- but nevertheless, I
7 think it's still a little reckless.

8 So that was -- that was really my -- my major
9 concern. But I did make -- there was a -- something that I
10 should have put in my report, and this is important. That is
11 that with my concerns that I had, normally, in my report under
12 recommendations, I put something in there that says, you know,
13 like if -- you know, this is what the person can do to kind of
14 get it to shared. And I noticed when I read my report for the
15 first time, probably a week ago, that I didn't put that in.

16 And -- and that's kind of a -- and so I think if I
17 made a correction, I would probably add that component in and
18 say, you know, this is -- here are my concerns, and this is
19 what I think needs to take place, you know, to reduce -- to
20 reduce issues of concern, or risk factors.

21 Q Understood.

22 A (Indiscernible).

23 Q Doctor, do -- do you have a recommendation like that
24 now, or is it just something that you wish you would have

1 done?

2 A Well, clearly, I wish I would have done it, and --
3 and yes, I do. You know, so I think with the -- you know, I
4 -- I don't know what the Judge is going to decide. This is a
5 judicial decision, and these are just recommendations I have.
6 I clearly all the time want to see parents --

7 MR. FLEEMAN: Objection (indiscernible) --

8 BY THE PLAINTIFF:

9 Q Doctor --

10 A -- being very involved --

11 Q Doctor, there -- there's a pending objection.

12 MR. FLEEMAN: I would object at this point. It was
13 a yes or -- do you have them, and he answered that. But any
14 recommendations that weren't included in the report, I don't
15 see how he can offer them today, not having had any evaluation
16 done since like a year ago. If the Court wants to hear his
17 recommendations --

18 THE COURT: I'd like to hear his recommendations,
19 please.

20 MR. FLEEMAN: Understood.

21 THE WITNESS: Thank you, Your Honor. And -- and I
22 agree, that's a good point. Okay. So this is based on my
23 September, 2020, assessment, and -- and I'm sure things have
24 changed in nine months. So when I'm doing custody

1 evaluations, and if I have, let's just say, a -- a parent that
2 needs to change, I want to see the parent involved in the
3 children's lives.

4 And -- and so in situations like that, if there's
5 the endangerment dynamics, then I think perhaps there needs to
6 be some type of parenting classes. All right? And -- and
7 that's one thing. And then for Josh, if we have this dynamic,
8 and it's up to the Court, if the Court sees it this way. The
9 Court may not see it this way with alternative evidence.

10 But with -- with Josh, clearly, there may need to be
11 some kind of anger management course. All right? Perhaps a
12 updated house visit in the future when there's a transition to
13 more time, just to make sure that the courts feel even more
14 comfortable. I -- I would also like to see -- and I'm not
15 saying Mr. Solinger is without issues on these dynamics.
16 Okay?

17 But, you know, I would like to see more involvement
18 with the -- the parenting, especially like, on the dynamics
19 with, you know, just -- just -- I -- I get -- I mean, you
20 know, she has a baby now, and I know that's difficult. And I
21 -- and I have sympathy towards that. But, you know, the --
22 the -- sometimes excuse of, well, it's too far, let's find
23 something in the middle, the most important thing is what's in
24 the best interests of the child. Okay?

1 So I -- I'd like to see, you know, kind of improved
2 co-parenting, and -- and, you know, kind of healthy decisions
3 with -- with co-parenting. And perhaps, if there are some
4 unresolved issues on Ms. Solinger's part -- and once again, I
5 don't see it's like she has all the issues, and he doesn't
6 have anything. Then, you know, if -- if there has to be some
7 brief individual therapy just so she's able to kind of move
8 forward in a healthy way, I think that would be great.

9 So that's the part I was remiss in that I think I
10 should have put in my report, and -- and I think that opposing
11 counsel -- and -- and the -- the objection is good, but I'm
12 just offering that because in -- in my head, normally, I -- I
13 like to see people remediate and move forward.

14 THE COURT: Can you repeat what you were saying
15 about Josh, please?

16 THE WITNESS: Yes, ma'am. Okay. So what I had
17 thought -- I -- used the -- the phrase kind of emotional
18 maturity, you know, because this is -- you know, I mean, I --
19 I have concerns about this possible substance issues, of
20 everyone relying on marijuana to cope with life, especially
21 around children. Okay? But -- but the dynamics between, you
22 know, him and Mr. Solinger, and kind of -- so let's -- let's
23 just use the phrase punking in December of 2019, and the poor
24 judgment on that, you know, perhaps he needs to kind of, you

1 know, kind of learn how to regulate his emotions. And
2 sometimes he can do that through anger management classes.

3 THE COURT: Okay.

4 THE WITNESS: And they could be brief, maybe 10
5 sessions. It doesn't have to be six months, but I want people
6 to get it and be able to move forward.

7 THE COURT: Thank you, sir.

8 THE PLAINTIFF: May I proceed, Your Honor?

9 THE COURT: Yes. Go ahead and proceed, please.

10 BY THE PLAINTIFF:

11 Q And -- and to be clear, that recommendation,
12 Dr. Paglini, is based upon your impression at the September of
13 2020, without the benefit of any information of what's
14 occurred between September of 2020 and today?

15 A Confirmed. I don't know what's occurred.

16 Q Right. And it's -- to be clear, you're just
17 offering that based on what you believe you would have
18 written, had you included it in the original report?

19 A That's -- that's correct.

20 Q As far as THC usage, I know we kind of touched on
21 that in the -- the suggestions and -- and an opinion on
22 things. In your interviews with the Defendant, she told you
23 that she last used marijuana in the summer of 2019?

24 A I'd have to look at my report, if you'd give me a

1 minute to take a look at that, because I don't -- I don't
2 recall.

3 Q Of course. And if it helps you at all, I'd direct
4 you to page 11, under the substance abuse history category,
5 probably about five or six lines down, with the sentence
6 starting towards the right-hand side of that paragraph, if
7 that's useful.

8 A Yeah. She said -- yeah, she smoked marijuana two
9 times a week when she did not have the children, I think after
10 the separation. Last time she smoked marijuana was summer of
11 2019, correct.

12 Q And so obviously, that was a concern for you, as
13 well, because you read the court orders that there was to be
14 no marijuana usage after March of 2019?

15 A Yes.

16 Q Because it demonstrates an inability to follow the
17 Court's orders?

18 A Correct.

19 Q We kind of touched on speech therapy. What was it
20 about speech therapy in particular that kind of struck out --
21 stuck out to you? Because I know you said you wished she
22 would be more involved in all that, but I -- I think -- can
23 you give us some back story on how you arrived at that?

24 A Sure. Okay. So what -- what kicked this off was I

1 think in January of 2019, she took Michael out of speech
2 therapy I think with Margo (ph). And what she told me was is
3 that, you know, you said it was too expensive. And that was
4 the catalyst for -- for taking him out. And then I read the
5 letter, which I think indicates that he has made good
6 progress, and, you know, Mom's taking him out, and -- and so
7 the impression was is that she told you that, you know, she
8 was, you know, kind of taking them out, and it was recommended
9 from the therapist.

10 And so months later, in August, around eight months
11 later, you know, she wants to put him in Child Find, and then
12 you had an issue with this, and there was a back and forth
13 emails. And your point was, it was like, yeah -- yeah, you
14 know, it -- it may have been expensive but I never told you to
15 take him out. And -- and now this is all new, now, you know,
16 you kind of felt that you -- you guys had -- you know, Michael
17 had missed out on maybe seven or eight months of speech
18 therapy. And so then at that point, you got him back in touch
19 with Margo.

20 There was a problem I think with the pediatrician,
21 that she didn't tell you about something, and, you know, there
22 was poor communication at times. And then, you know, she's
23 saying that she doesn't have -- she's not informed, but she
24 was informed by you. The emails and the text messages

1 indicate that, you know, you were sending her these packets of
2 things to work on. And she said, well, I work on them, but
3 not like this. I just kind of talk about it, and -- and then,
4 you know, invited her to I think it was the -- the assessment
5 through Child Find.

6 And then there were these other assessments, and
7 explanations of things, and, you know, she said that she
8 wasn't informed, but it -- she was informed. And so my
9 thought pattern was she should have been on top of it. She
10 should have been involved. She should have -- this is -- you
11 know, this is your -- your -- your -- a child that you share.
12 And -- and there's a speech therapy issue, and I expect
13 parents to be involved and be appropriate.

14 Q And there was also some worksheets. Could you opine
15 on that a little bit?

16 A Yeah. You sent a lot of worksheets on an, you know,
17 I would say a consistent basis. And I -- I -- I think her
18 impression was, I don't work on these with him directly, but I
19 talk to him, and we sound things out, and we kind of do it
20 naturally, and not kind of using the worksheet. And -- and
21 you were upset with that, because you wanted to -- I think to
22 be a little more formalized training, or, you know, sitting
23 down and focusing on things, as opposed to just have a natural
24 (indiscernible) you know, just kind of like saying a few words

1 while you're doing things.

2 Q Well, and correct me if I'm wrong, I think your
3 conclusion on that specifically was that it was the sounds
4 that were needed to be worked on, kind of the prescribed
5 sounds, were not being worked on, as opposed to just everyday
6 words. And I think that that stuck out to you, and correct me
7 if I'm wrong, and this wasn't your conclusion, because she had
8 previously taken Michael to speech therapy, so she knew how
9 speech therapy kind of worked. You get set sounds to work on,
10 and you work on them. So it was troubling to you that she
11 wasn't working on the specific sounds his therapist wanted him
12 to work on?

13 A She apparently was doing a decent enough job, which
14 Margo indicated I think in her exit letter. So that was all
15 positive. The concern I had was, you know, the kind of --
16 that part wasn't a concern to me. She -- I mean, yeah, maybe
17 she should have been sitting down more with the child. But it
18 was -- it was kind of the non-involvement, and the Child Find,
19 and -- and then, you know, what -- what was going on after
20 that.

21 And then at one point, you were trying to schedule
22 this I think with Margo on Tuesdays and Thursdays, with speech
23 therapy, and said on Thursdays, you can take him. And -- and
24 she wasn't really getting back to you on it, you know, and she

1 wasn't giving you an answer. And -- and the big thing for her
2 was the distance.

3 And, you know, this is a -- a temporary scenario.
4 It wasn't like, permanent for, you know -- you know, six
5 months. It was -- it was something that was going to be short
6 term. And eventually, you selected Tuesdays because she
7 wasn't getting back with you on it in a -- in a timely
8 fashion.

9 Q And did that same scenario -- scenario, whatever
10 your pleasure, did that repeat itself once Michael switched to
11 Speak Easy Speech Therapy?

12 A My -- my impression was is that she wasn't really
13 involved in -- at that point, and she said she wasn't getting
14 the information from you.

15 Q And -- and if she still is not involved since you
16 concluded your evaluation, would that be concerning to you?

17 A I -- well, I mean, I -- I'd want to know why -- why
18 she's not involved. So I -- I want parents to step up, and
19 that's -- and for shared custody, that's what you should be
20 doing.

21 Q Do narcissistic traits necessarily affect a person's
22 ability to effectively parent their children?

23 A It could. Depends on the dynamics, just like if a
24 person had a paranoid, you know, paranoid personality traits.

1 It depends. Look, you know, a lot of people -- and it -- it
2 could. It -- it may or may not, it depends. Best way I could
3 phrase it.

4 Q Understood. I'll be more blunt then. Do you
5 believe that your impression of some kind of mild narcissistic
6 personality traits that you believe may be present in myself
7 affect my ability to parent Michael and Marie?

8 A I would say features and no, I don't think that's
9 going to affect your -- your parenting. Look, you know, you
10 have to be considerate of the other side, and -- and you --
11 there's extreme distrust going on. And somehow, that has to
12 be -- you as well as Chalese have to move forward and operate
13 in the best interests of the child.

14 Q Let's talk about the Josh dynamic a little bit. You
15 -- you believe there's a maturity problem. I think you called
16 it like, punking?

17 A I didn't call him punky.

18 Q Sorry. No, but that -- that the behavior was
19 punking in this sense of like, I'm going to get you.

20 A It was -- I think it that scenario, you know, here's
21 -- here's -- here's the situation. Here's -- here's a young
22 guy who's unemployed at the time. His wife -- well, not his
23 wife, Chalese says in her depo that, you know, that he went --
24 I think there one is he's not smoking as much, but then, you

1 know, he -- sometimes it seems like he's smoking every day
2 when he gets off work, sometimes twice a day. So I have a
3 concern about that.

4 I have a concern about the -- that interaction he
5 had with you, and then also, you know, kind of what he did,
6 notifying your employment, whatever, and even his mother's
7 involvement. These are all kind of immature responses. And I
8 understand that he's frustrated because they're being
9 followed, and -- and I get that part.

10 But I also expect, you know -- and, you know, he
11 should have the judgment, too, that if -- if he's not supposed
12 to drive, you know, he should be standing up to Chalese and
13 saying, no, I'm not going to -- you know, this is only going
14 to make our situation worse. So there's a lot of, I think,
15 you know, kind of emotional immaturity, and that's probably
16 the best way I'm phrasing it.

17 And -- and I -- you know, I had some concerns about
18 him. I -- I hope everyone can move forward in -- in a healthy
19 way. But I -- I just had some concerns about him.

20 Q And -- and as far as the involvement of his mother,
21 can you talk about that, and how that played into your
22 evaluation?

23 A Yeah. I mean, I -- I -- I think it was -- I don't
24 know if I'd listened to it, or I read about what occurred.

1 And there was no reason for her to contact your employment,
2 and -- and say those things. I think she called you a
3 sociopath or something. And, you know, I mean, it's -- it's
4 -- it's kind of like they're expressing their viewpoint to
5 her, and of course, I'm sure, you know, his mother, Josh's
6 mother loves him, and Chalese, and -- and -- and obviously, is
7 taking that as gospel, and -- and then responding to that.

8 But, you know, that's -- we don't want to throw gas
9 on the fire. Let's -- let's play this appropriately, and
10 let's play this in a healthy manner, especially, you know, if
11 -- if you're already -- if you're already behind the eight
12 ball, so to speak, where you lost your custodial time, that's
13 the time, in my eyes, that you should be playing everything
14 well to show the Judge, you know, that yes, you know, we could
15 -- we're -- we're -- we can do shared custody, and we're going
16 to be -- we're going to be very healthy for the children.

17 Q And, Doctor, I just want to be crystal clear on the
18 whole speech therapy and messages thing. Chalese claimed to
19 you that I never informed her about anything involving speech
20 therapy, right?

21 A Yes. I think it would have been more the latter
22 parts, correct.

23 Q And that when you reviewed the messages, you clearly
24 saw that I had informed her about speech therapy throughout?

1 A Yeah.

2 Q In reference to the THC, you kind of hit on this,
3 but, you know, you reviewed the Defendant's deposition?

4 A Correct. Go on.

5 Q And as part of that, you saw a comment from her that
6 Josh smokes weed every day?

7 A She was asked about it, and I think she may have
8 mentioned it's been lower, but eventually, there was a comment
9 that, you know, when he gets off work, that he's -- he's
10 smoking marijuana. It appeared it was like on a daily basis.
11 Sometimes it's once a day, sometimes it's twice a day.

12 Q And as far as alcohol usage, do -- do you have a
13 concern about that with Josh, as well?

14 A You know, I didn't do a full assessment on him. I
15 was doing a collateral interview. So I'm not going to give
16 him a -- a diagnosis of alcohol use disorder. I know he was
17 seen drinking a beer with the kids, you know, by the PI one
18 time. You know, it's just something that, you know, I -- I
19 don't want to opine on that.

20 You know, I just think that -- I mean, people drink
21 alcohol. People drink beer. And -- and -- or something else.
22 But you have to be careful around children. I mean, I -- I
23 enjoy a good glass of wine. But, you know, my main concern
24 would be the marijuana because, you know, you -- you can be

1 smoking and all of a sudden there's an emergency and you have
2 to get in the car with the children, and you're high. And --
3 and -- and that becomes a risk factor.

4 THE PLAINTIFF: Your Honor, is it okay if I stand up
5 to keep questioning? My back's just --

6 THE COURT: Yes.

7 BY THE PLAINTIFF:

8 Q And -- and without talking about an alcohol use
9 disorder, I -- I guess what I'm more referring to part of the
10 deposition, whereas I -- I believe the Defendant told, you
11 know, admitted that Josh drinks a beer or two, or three
12 possibly, after dinner. So you're kind of talking about like,
13 co-morbid intoxicants. Is that concerning to you?

14 A You know, I -- I didn't do an assessment on him.
15 This is just what, you know, Chalese said, so if one, two,
16 three beers after dinner, okay, how many beers you drink if
17 you're off, and, you know, it's throughout the day, I don't
18 know. I can't tell you if Josh has an alcohol problem or not.

19 Q That's fair. Kind of in the same vein of substances
20 and all that, I -- I believe as part of your report, Chalese
21 told you about Xanax usage and Ambien usage; is that right?

22 A Yes.

23 Q As far as Ambien usage, do you recall what she had
24 to say about that?

1 A I do not recall.

2 Q What about her Xanax usage?

3 A I think if I mis -- I could recall (indiscernible)

4 Xanax, I don't think it was (indiscernible) long history of

5 abuse. So I don't think that was an issue, but I don't have a

6 -- I don't -- I don't recall in great detail that.

7 Q Well, as far as some of the motion work in this case

8 you reviewed, one of the explanations for Josh driving was

9 that Chalese had taken an Ambien, and didn't feel safe to

10 drive.

11 MR. FLEEMAN: Objection. That mischaracterizes the

12 record.

13 THE WITNESS: Yes, that -- that might have been --

14 BY THE PLAINTIFF:

15 Q Hold on --

16 A -- what led --

17 Q -- Doctor. There's a pending objection.

18 THE PLAINTIFF: I -- I don't think it

19 mischaracterizes it.

20 THE COURT: I -- he -- it wasn't Ambien. It was

21 Xanax.

22 THE PLAINTIFF: There was the Ambien as far as the

23 explanation for the June, 2019, when you look at the record.

24 And it is a little ambiguous, I'll concede, but I believe in

1 their pretrial memorandum, they addressed this and said that
2 it -- she had taken an -- she noticed a PI following her, had
3 felt anxious, pulled over, took the Xanax, and that was the
4 explanation for Josh driving. The reason that I think it's
5 ambiguous is that that was also the position she took when Lou
6 Schneider was her attorney, leading up to that hearing in
7 front of Judge Moss in 2019.

8 But at the hearing itself, the position she took,
9 through Lou Schneider, granted, was that she didn't feel as
10 safe driving a big truck. So I -- I don't know what the truth
11 is for that, and I'm just presenting it to the doctor as a
12 hypothetical in the sense that if this is something that she's
13 said about Xanax and not feeling safe driving, I -- I'm trying
14 to get at that it would play into the doctor's recommendation
15 in the sense that if Josh is smoking marijuana and he's too
16 high to drive, and she's not safe to drive on Xanax, who can
17 safely take these kids somewhere if an emergency happens? Are
18 they calling an ambulance every night because she's taking a
19 -- a Xanax for anxiety, and he's too high?

20 So that's just what I'm trying to get at is --

21 THE COURT: I'm not sure he's totally qualified --

22 THE PLAINTIFF: -- is in reference to that.

23 THE COURT: -- to be able to answer that question,
24 so I'm going to sustain the objection.

1 THE PLAINTIFF: Understood.

2 BY THE PLAINTIFF:

3 Q And, Doctor, as far as Ambien's concerned, I'd
4 direct you to page 11 of your report, second full paragraph,
5 starting about four lines from the bottom, with the word
6 Solinger reported.

7 A You say second paragraph? I'm sorry. Okay.

8 Q Correct. And what was it that the Defendant told
9 you about Ambien and its usage, or her usage of it?

10 A In 2013 or '14, she had brief auditory
11 hallucinations in reaction to the medication. Yeah.

12 Q So the Ambien caused an auditory hallucination such
13 that, you know --

14 A I guess according to her, correct.

15 Q Is that concerning to you?

16 MR. FLEEMAN: Objection, it -- again, it
17 mischaracterizes the record. He's talking about Ambien in one
18 hand, and she's always said it was Xanax that -- when she
19 didn't drive. I don't know why we're --

20 THE PLAINTIFF: I'm -- I --

21 MR. FLEEMAN: -- conflating the two --

22 THE PLAINTIFF: -- I've moved on to a different
23 topic. I went back to Ambien, because I defined what it was
24 in his report for him --

1 THE COURT: Where is it in the report again?

2 THE PLAINTIFF: -- while he's talking -- the Ambien

3 -- Court's brief indulgence. I want to say it was page 11,

4 but I already moved on to the Xanax for my next -- page 11,

5 second paragraph from the top, about four lines from the

6 bottom, starting with the line with the words Solinger

7 reported.

8 THE COURT: Okay. And -- and you're also talking

9 about 2013, 2014?

10 MR. FLEEMAN: Right.

11 THE PLAINTIFF: Correct. And --

12 THE COURT: Okay. So we're talking five years prior

13 to --

14 THE PLAINTIFF: I'm talking about --

15 THE COURT: -- prior to this?

16 THE PLAINTIFF: -- a complete -- correct. A

17 completely different incident. Okay?

18 THE COURT: Okay.

19 THE PLAINTIFF: And I can proffer an explanation as

20 to what --

21 THE COURT: All right. Then I will -- I will allow

22 it right now, but I'm not sure if I'll consider what he says.

23 THE PLAINTIFF: Understood. I'm -- I'm more coming

24 at it from the standpoint of this is what was reported, and

1 I'm asking him as a custody evaluator --

2 THE COURT: Well, unless you can connect it with
3 some sort of side effects like LSD, where the hallucinations
4 and stuff can take place 20 years down the road, it's -- I'm
5 not going to show it -- much weight on it.

6 THE PLAINTIFF: No. I -- I understand that. This
7 is more teeing something up in the case of their rebuttal
8 expert, because of something that he said. And I believe it's
9 the Court's preference to one and done witnesses, so --

10 THE COURT: Yeah.

11 THE PLAINTIFF: -- that rather than recalling
12 Dr. Paglini --

13 THE COURT: Okay.

14 THE PLAINTIFF: -- afterwards --

15 THE COURT: I'm -- I'm -- I'm going to -- I'm going
16 to allow it, but like I said, you know, if that connection
17 isn't made, then --

18 THE PLAINTIFF: Understood.

19 THE COURT: Okay.

20 BY THE PLAINTIFF:

21 Q And, Dr. Paglini, I -- I -- the pending question was
22 whether or not a report of an auditory hallucination while on
23 Ambien is concerning to you from a child custody perspective.

24 A Considering that it was in 2013 or 2014, I would say

1 it's -- it's not important to me.

2 Q Understood. And then directing you to page 8 of
3 your report, under the heading, relevant issues, could you
4 review that paragraph for me?

5 A Which paragraph? The first or second --

6 Q That first paragraph, under relevant issues. It --
7 more specifically stated it would be the third line, starting
8 with the sentence, Ms. Solinger reported that she has a
9 history of anxiety.

10 A Yeah. And she is on Xanax.

11 Q Okay. And could you please continue?

12 A Yeah. So she -- Ms. Solinger reported in June of
13 2019, her husband had had her followed by a PI. She became
14 anxious, pulled over, and took a Xanax. She tried to calm
15 herself down, and then she allowed her boyfriend to drive her
16 car. Her boyfriend was court ordered not to drive the
17 children, as he has outstanding DMV infractions. Ms. Solinger
18 reported Judge Moss then granted her husband temporary
19 physical custody. Ms. Solinger has visits with her children
20 two days a week.

21 Q Understood. Thank you. As far as cleanliness is
22 concerned, we kind of touched on that with the home visit and
23 all that, but you were remarking on general kind of
24 cleanliness being a concern, as one of the bases for your

1 evaluation?

2 A The -- the problem I had with the home visit was
3 probably all the dog feces in the back. The house itself was
4 adequate, so I'm not going to really make a deal about that.
5 I was just more concerned about the excessive dog feces in
6 back.

7 Q And -- and the fire alarm still chirping, possibly
8 indicating an issue with it?

9 A It would have been nice if that would have been
10 changed, yes.

11 Q Turning to your assessment of -- because for lack of
12 a better term, the way that you kind of evaluated each home in
13 your report is you set up like a home unit, correct?

14 A It's a home section, correct.

15 Q Well, I -- I guess what I mean is, is that you
16 evaluated myself and Jessica as a parenting unit, and then you
17 evaluated Josh and Chalese as a parenting unit?

18 A I couldn't evaluate really Josh, because he wasn't
19 there.

20 Q And that's concerning to you --

21 A I -- I couldn't see him with the children because he
22 was -- he was not there.

23 Q You kind of mention resiliency factors as part of
24 your ultimate determination. What are resiliency factors?

1 A Yeah, protective resilience factors are, you know,
2 what does a parent to have to offer that -- that can be
3 positive, that are stable? So it -- it could be like, a
4 person's stably employed, or, you know, they have a -- they
5 have no substance abuse history, or no criminal history,
6 they're -- they're law abiding, that they're involved with
7 their children. That would be a stable factor, a protective
8 resiliency factor. That people view them in a positive way.
9 That would be a protective resiliency factor.

10 Q And those resiliency factors are kind of the -- the
11 things that allow you to handle the day to day stresses of
12 life, is that like a fair way to phrase them?

13 A In -- in some respects. It -- it shows the -- at
14 times, you know, the positive aspects of the person. So if
15 you have a -- a parent that's, you know, really involved and
16 very emotionally nurturing, and attuned to their children,
17 then that's considered to me a protective resiliency factor.

18 So a risk factor would be as -- you know, if you
19 have a parent who is abusing meth, and they're still abusing
20 meth, and, you know, when they abuse meth, maybe they're
21 violent. That could be a potent -- that -- that could be a
22 risk factor. Maybe a person, if -- if they've served a lot of
23 time in prison, that could be a risk factor because of
24 antisocial personality dynamics. However, you know, if that's

1 mitigated by the fact that, you know, they're -- they've been
2 doing well for five years, and, you know, they're pro-social,
3 then I might put it under issues of concern.

4 Q And, Doc, now's probably as good a time as any, do
5 you -- do you and I personally know each other?

6 A Only -- I had talked to you, I'm guessing -- I -- I
7 don't know. It's in my report. I talked to you once, and
8 (indiscernible) I guess (indiscernible) with you for about
9 five minutes. And then that's it. And I don't -- I haven't
10 socialized with you, I don't know you, I've never had another
11 referral from you. And that's it.

12 Q And to be clear, we don't run in the same social
13 circles?

14 A No.

15 Q We're -- we're not hanging out, doing any kind of
16 activities together?

17 A We don't do any activities together. The only time
18 I met you the first time, was the first time I'd seen you in
19 person, was through this child custody evaluation. Since the
20 child custody evaluation, I have not seen you in person until
21 right now. I talked to you on the phone like two or three
22 times, because you wanted to make sure I would testify. But
23 outside of that, there has been no socialization in any way,
24 any shape, or form.

1 Q And to be clear, your recommendation is based on the
2 best interest of Michael and Marie, rather than any kind of
3 bias towards me, or -- or benevolence towards me?

4 A I don't know what -- I don't mean this in a -- a --
5 this may sound lousy, but I don't know why I'd have any
6 benevolence towards you. My job was just to write a fair
7 report so the Judge can make a healthy decision. If you were
8 beating your children, that would be in the report, and then
9 you probably wouldn't have your kids.

10 Q No, I -- I understand. I just obviously you're
11 familiar with Dr. Donahue's report?

12 A Yes.

13 Q And so I just wanted to address the aspect of
14 whether or not there was any reason other than the facts of
15 the case that warranted your recommendation and your ultimate
16 conclusions.

17 A Yeah. The -- the facts of the case are what's
18 important here. The endangerment part is what I had some
19 concerns about. If the Judge sees it the other way, that's
20 fine. Okay? I -- I'm just compressing -- I'm just telling
21 the judge what I -- I was looking at, and what my concerns
22 are. It's -- it's up to the Judge, but it's on the facts of
23 the case and -- and nothing else.

24 Q Did you do a child interview in this case?

1 A It was a brief interview of a -- of Michael, that is
2 five, and yes. It was brief.

3 Q And why did you do that?

4 A Well, you requested it. Okay? Because you had
5 concerns about the -- your son being given I think elderberry
6 syrup, and that the hypothesis that I think your girlfriend
7 heard was he was receiving this in Chalese's care because he
8 was having breathing problems, and to go to sleep. And -- and
9 so you had brought this concern up, and then I said, well, I'm
10 going to talk to Chalese first, to hear what she has to say.
11 And then I brought him in, and I asked him some questions
12 about Mom and Dad, and, you know, what he likes about each
13 house, if there's anything he doesn't like, and -- and then I
14 brought the topic up. And then he told me what he said.

15 Q And to be clear, what did he say?

16 A May I refer to my report?

17 Q Of course. And if it assists you, I'd say page 32,
18 the very bottom paragraph.

19 A So what I did was I asked him if his father gave
20 them medicine at night, not if his mother gives him medicine,
21 because I wanted to see what he would say. And then he
22 spontaneously said, no, but my mom does. And Michael reported
23 his mother gives him medicine in case he does not sleep. He
24 said it's for breathing.

1 I asked him if his mother gives him medicine one
2 time or all the time, and he said all the time. He stated it
3 tastes like grape. He stated he receives it to help him
4 breathe, and only at nighttime. I asked him if he can -- if
5 he sleeps and breathes at his father's house, he reported yes.
6 And then I asked him why he needs to -- to have medicine at
7 his mother's house. He then reported he doesn't know.

8 And then I asked him if -- you know, if he takes the
9 medicine, does he go into his mother's room, or does he stay
10 in his bedroom. He says he stays in his bedroom with Jessie
11 (ph). And then I -- you know, I had asked him some questions
12 about, you know, he told me he gets along with -- with Josh,
13 and he likes Mother -- both is mother and father's house.
14 Both houses are comfortable, but at his sister's -- his dad's
15 house, his sister is mean.

16 I asked him if he felt loved by his father and
17 mother, he reported all -- quotation marks, all parents love
18 me, end of quotation marks. And Michael also loves both
19 parents. So that was positive.

20 Q Okay. Regarding the --

21 A And you have to remember he's -- he's five years
22 old, and -- and if -- if I had a child that, you know, maybe
23 was 10 or 12, there would have been a -- a much longer
24 interview.

1 Q Understood. Regarding the -- the 100 mile an hour
2 driving incident, for lack of a better flag post to direct
3 your attention to, what was it in particular that was
4 concerning about that to you, besides the obvious?

5 A Well, it's endangerment. You're -- you're speeding,
6 and -- and there's a potential for error. There's a potential
7 for something to go wrong. And it's -- what was the purpose
8 of going 100 miles per hour? And -- and that had me
9 concerned, because there are children in the car.

10 I think the PAI also indicated that on regular
11 roads, at times, Ms. Solinger goes 70 miles per hour in a 45
12 minute -- 45 mile per hour zone. And I don't know if the kids
13 were in the car then, so I can't opine. But the 100 miles per
14 hour with the children in the car, it's of concern.

15 Q And do you recall how many children were in the car
16 on -- on -- I guess instead of the 100 mile an hour, I'll call
17 it the August 27th incident.

18 A My -- my impression was a boy and a girl.

19 Q Understood. Do you recall anything about where she
20 was going or where she ended up, based on the information you
21 reviewed?

22 A Not at the moment, no.

23 THE PLAINTIFF: Court's brief indulgence.

24 THE COURT: Okay.

1 BY THE PLAINTIFF:

2 Q You obviously did collateral interviews in this
3 case?

4 A Yes.

5 Q And was there anything of significance or note
6 within the collateral interviews that you wanted to opine
7 about further?

8 A Not really. I mean, your collaterals spoke highly
9 of you, and her collaterals spoke highly of her. I think her
10 mother, you know, stated that you -- you were not involved,
11 your mother stated that, you know, obviously you were in law
12 school, and then -- and then at home you (indiscernible).
13 And, you know, then I interviewed also Mr. Lloyd (ph) and --
14 and then your girlfriend. And -- and I just presented
15 information.

16 Q As far as Chalese's mom, Katrina (ph), I'd kind of
17 like to direct your attention to that collateral interview,
18 which if you need to refer to anything, it starts on page 37
19 of your report.

20 A What's your question?

21 Q My question specifically is that you interviewed her
22 initially on July 7th, correct?

23 A Yes.

24 Q And relatively speaking, it -- it was a tame

1 interview at that point was your impression?

2 A Was a what?

3 Q A tame interview. You know, she -- she had good and
4 bad things to say, but relatively speaking, it was somewhat
5 innocuous. And those are my words, not -- not yours. I -- I
6 don't think I use the same nomenclature as you, but --

7 A I'm just reviewing it. Well, she brought up the --
8 the allegations of the pornography at the end, and she said
9 you were not a present parent, and that you refused to let her
10 see her grandchildren when you were -- when she was out there.
11 But then she called me back.

12 Q And when she called you back, would you say that she
13 was significantly more maybe venomous is the right word, or
14 that she increased the scope of her negative assessment of me;
15 I guess is maybe a more neutral way to phrase that?

16 A Well, I -- I think she -- she wanted to add on to
17 things. She was talking about you had consumed cocaine
18 several years ago, and you brought cocaine with you to
19 Colorado, and that you and allegedly -- your colleague did
20 cocaine together. And she was advised this through Chalese.
21 She doesn't know if you consume cocaine at this moment, and
22 that Chalese was followed, it's a high conflict divorce, and
23 that you drained the bank account and took the trucks --
24 truck.

1 And attorney Louis Schneider's office was broken
2 into, and Chalese's home was broken into, which increased
3 Chalese's anxiety, and believed that you did it. And that you
4 work -- this is the interesting part, that you worked --
5 previously worked for public defender's office, which you
6 didn't, I think it was an intern.

7 Q Correct.

8 A And that comment -- that you commented on several
9 occasions that sometimes the public defender's office may do
10 some unsavory things, and if you ever needed something done,
11 his clients have his back, because he gets them out of jail.
12 Quotation marks, I believe his mentality is that he is
13 untouchable, end of quotation marks.

14 Q And is your assessment of that followup interview
15 that it's somewhat extraordinary in -- in the literal sense of
16 the word, that it's just hard to believe, in your opinion?

17 A Well, I think you were an intern for the public
18 defender's office. I doubt if you have connections with
19 criminals, that they would do things for you. But obviously,
20 I don't know that per se. But I think that's a -- perhaps a
21 concern or a fear by her. And then you're being accused of
22 breaking into Lou Schneider's office and Chalese's home. So
23 obviously, this is a mother who loves her daughter and is
24 protecting her daughter.

1 Q And -- and just to come at it more bluntly, in your
2 experience with child custody evaluations, when you're doing
3 collateral interviews, it -- it gives you good background, but
4 necessarily, they're hard to rely on, because everyone has
5 their side that they're on, right?

6 MR. FLEEMAN: Objection. It's leading and I don't
7 know the relevance of this at this point.

8 THE PLAINTIFF: The relevance at this point would be
9 to get his opinion about whether or not collateral interviews
10 really play a role in the sense of a custody evaluation, to
11 the extent that they tend to be biased. And so I'm having him
12 opine as an expert about what kind of reliance he puts on
13 them. So if the problem is the way that I've phrased it, I
14 can rephrase. But that's ultimately the point I'm trying to
15 get at is, how much stock does he put into these collateral
16 interviews in the sense of the mudslinging.

17 THE COURT: Probably about as much as I would, but
18 I'm going to go ahead and allow the question.

19 BY THE PLAINTIFF:

20 Q So I -- I will rephrase in that sense, Doctor. How
21 much stock do you put in collateral interviews when it comes
22 to mudslinging like this?

23 A You know, I -- I have to -- how can I say this? I
24 mean, I know that when I talk to a mother or father, normally

1 what I hear is, you know, my child is a wonderful parent. If
2 they don't tell me that, and they tell me a lot of negative
3 things about their child, then that's -- that's kind of
4 interesting dynamics, and I want to know what context is.

5 You know, Chalese's mom loves her daughter. She
6 probably thinks her daughter is getting the short end of the
7 stick, and -- and she wanted to bring out some things that
8 perhaps I should be aware of. You know, I -- I think you had
9 mentioned you did cocaine a few times, years and years ago, I
10 think.

11 And -- and I -- I sometimes -- I mean, people say
12 all different things to me, and -- and it doesn't mean it's
13 the truth. You know, it's kind of like watching Fox News or
14 CNN. You know, they're talking about the same topic, and you
15 have different view points. And so I just make note of it,
16 and sometimes, I have to follow up with things, and other
17 times, I don't. But I'm still going to put it in there.
18 Because my job isn't to -- to -- to delete that. It's -- my
19 job is to still put it in there, because that's what's fair.

20 Q Understood. I'd kind of like to talk about the --
21 the child pornography issue. That's something that Chalese
22 reported to you?

23 A You know, she didn't push it. And that was -- that
24 was the interesting dynamic. You know, I -- I -- I kind of

1 looked at it this way, that if -- if -- if that was an issue,
2 and I've done assessments that deal with sex abuse or
3 pornography in family court before.

4 And normally, you know, you'll have a parent that
5 says, you know, I want primary custody because that person
6 looks at child pornography, or has sexually abused my child.
7 And Chalese is, you know, saying I -- I just want shared
8 custody. And it wasn't something that she was constantly
9 bringing up. I sometimes would have to bring it up to her,
10 because she wasn't pressing the issue.

11 Q But at the time of your interviews with her, she was
12 saying that it was a still, live, actual issue that was of
13 some concern to her?

14 A I think that was the last session. Because I -- I
15 wasn't getting a sense of -- you know, she kind of said, you
16 know, Schneider, her prior attorney, you know, had -- you
17 know, said there was -- there was all these images. I don't
18 know if it was 6,000 images, and they were going to contact
19 the FBI, and then, you know, she said fine, and -- and then
20 there was an issue with chain of custody.

21 And -- and then her new attorney at the time,
22 attorney Bruce Shapiro, was not going down that road, and, you
23 know, was not pursuing that, and it seemed like she was okay
24 with it. And -- and -- but I -- you know, I just -- I just

1 wanted to ask her, I said, you know, how -- do you still have
2 concerns about this?

3 And she kind of made a comment I think in my report
4 that there -- there were some concerns. But once again, she
5 wasn't -- she -- she wasn't pushing it. And -- and I guess my
6 point was on this is that, you know, if -- if this was a
7 legitimate issue, okay, why -- why would you have primary?
8 You know, how did -- how did Judge Moss give you temporary
9 primary custody?

10 And -- and -- and I know investigations take a long
11 time on something like this, but it was -- and that's why I --
12 I -- I probably should have explained it better in my report,
13 but it wasn't something that -- that she was pushing at all.
14 I was the one asking the questions.

15 Q Understood. And that's page 61 of your report, I
16 think, where you kind of get into pushing her on the issue?

17 A What paragraph?

18 Q The -- it's all kind of throughout that first big
19 paragraph --

20 A Okay.

21 Q -- and I -- I -- I think maybe it might save time if
22 I just read it for everyone?

23 A Yeah. And then the -- then the other thing that
24 really kind of concerned me was there was -- I think a text

1 message in June of '19, whereby, you know, she wanted to drop
2 the child anime issue, whatever, if you drop the drug issue.
3 So why would you ever do that? So like if I had -- if I had
4 concerns about a -- let's say a partner and child pornography,
5 why would I allegedly want to drop that issue if they wouldn't
6 pursue me because of substance use? That makes no sense at
7 all, because you're -- if there's really an issue, you're not
8 protecting the child.

9 Q So --

10 A And so when I asked for an explanation from her, it
11 was vague. It was -- I couldn't understand, you know, what,
12 you know, like why did you do this, you know, what does this
13 mean? I didn't get a good response.

14 Q And so if I were to proffer to you that the parties
15 have stipulated that an investigation on those electronic
16 devices was done, and that it was completed November 9th -- or
17 sorry, November 8th of 2019, which was obviously well before
18 you were hired, and that there was nothing in that vein, would
19 that be concerning to you from a credibility standpoint?

20 A A credibility standpoint from -- from -- from her?

21 Q Correct. The -- the things that she tells you, and
22 the things that she says. Obviously, people want to portray
23 themselves positively to a custody evaluator, right? And so
24 if you're looking at her credibility, and she's telling you

1 this is still an issue when it was not an issue almost six
2 months before you were even hired on the case, isn't that
3 concerning to you as far as her credibility and what she --
4 A Well, she --
5 Q -- reports?
6 MR. FLEEMAN: Objection --
7 THE WITNESS: -- once again, I want to -- I want to
8 discuss this -- I'm sorry to talk over --
9 MR. FLEEMAN: Objection.
10 THE WITNESS: She wasn't -- she wasn't pushing --
11 THE COURT: Hang on. There's an objection.
12 THE WITNESS: I'm sorry.
13 MR. FLEEMAN: It mischaracterizes the testimony that
14 she brought it up to him. He's repeatedly said she wasn't
15 bringing it up to me, I was pushing her on it. He's asking a
16 question --
17 THE COURT: That's correct. That's true. I'm going
18 to sustain the objection because Dr. Paglini was the one who
19 was pushing it.
20 BY THE PLAINTIFF:
21 Q I just want to be clear on this point, Dr. Paglini,
22 maybe I can get back around this. If you look at page 16 of
23 your report --
24 A 16?

1 Q 16, 1-6. And specifically, I'd be looking at that
2 third paragraph, all -- although that might be generous,
3 calling it the third, given that middle one that's --

4 A Yeah.

5 Q -- kind of short there, starting with Ms. Solinger
6 reported they found a tracking device weeks later. She
7 received a phone call from Attorney Schneider indicating that
8 he had found thousands of pictures of underage children,
9 alleged child porn, that paragraph there? And -- and you
10 don't need to read it. What I want to clarify is that you
11 wrote that paragraph based on information that she reported to
12 you.

13 A Yes. But here's -- here's my point. Here's what
14 I'm trying to -- see, I'm doing kind of like a history, trying
15 to understand --

16 Q Right. And -- and --

17 A -- the sequence --

18 Q Doctor, I -- I don't mean to cut you off. I just --
19 I'm trying to lay a very specific foundation here to see if we
20 can get to your point, so that we don't get an objection.

21 A Go on.

22 Q So that -- that paragraph there was written based on
23 information she reported to you first, correct?

24 A Yes.

1 Q And you wrote that paragraph after you interviewed
2 her at some point, but we can both agree that you were not
3 retained on this case until sometime after February of 2020?

4 A Correct.

5 Q So when you're looking at it, and getting back to
6 the ultimate point and the question, if the parties stipulated
7 that that was a dead issue as of November 8th, 2019, but
8 you're not even hired on this case until after February, 2020,
9 then she's the one reporting an issue to you that she knows is
10 a non-issue, and in that vein, I wanted to know about what
11 that means to you. I won't confine you to credibility, but
12 what does that mean in the confines of your report?

13 A Okay. So let me just address something. On page
14 16, it says, Ms. Solinger reported this became a non-issue as
15 it was raised that there was no chain of custody for the
16 evidence. Okay? So what happened is, is I'm getting the
17 history from her. So she's telling me some of the dynamics
18 that occurred. All right?

19 And -- and so -- and then of course, you know, I
20 have to, as a psych -- as a psychologist, I want to know more
21 about this. And -- and -- and so, you know, she brought it
22 up, and then -- but then she wasn't pressing it. She brought
23 it up, and -- and I -- I think it was appropriate for her to
24 bring it up.

1 She didn't -- and I didn't think that she at that
2 point had an agenda, and -- and then I was the one who brought
3 it up from that point on. So her bringing it up in the course
4 of me gathering information on some historical dynamics
5 between you and her to me was appropriate.

6 Q And to be clear --

7 A And then --

8 Q Sorry, Doctor.

9 A -- from --

10 Q Just to be clear, she said it was a non-issue due to
11 chain of custody, not because the evaluation or the exam of
12 all the devices found that there was nothing there, correct?

13 A That was my impression.

14 Q Okay. One last thing on your report, before I go to
15 Dr. Donahue's report, you talked earlier, when you talked
16 about the personality testing, that you would be concerned
17 potentially, based on her results, that she could have some --
18 she being the Defendant, could have some poor judgment in
19 times of stress. I don't want to misstate you --

20 A (Indiscernible) --

21 Q -- so correct me if I'm wrong, and -- and phrase it
22 the right way.

23 A I -- I -- I get it. What I was trying to do was
24 explain the, you know, when we're looking at those

1 allegations, of course that would be of some concern. Okay?
2 But, you know, and look, she has a history of depression.
3 Okay? Some depression, some anxiety, and, you know, she
4 claims, you know, I'm not saying that she doesn't, but she
5 endorses post traumatic stress.

6 So, you know, sometimes when you have anxiety, you
7 have (indiscernible) you know, you ruminate with your
8 thinking. And sometimes, you know, people can have
9 idiosyncratic thoughts. So I'm not saying -- I don't want to
10 -- I -- I don't want to say here that, you know, because of
11 these allegations, she can't parent because she'll get
12 overwhelmed and she'll make the wrong decisions. I'm not
13 saying that. I was just trying to explain away some of those
14 elevations.

15 Q Understood. But just for example, the -- the August
16 27th, 2019, if she were to be late for a parenting class and
17 is stressed out about potentially missing a parenting class,
18 that could lead to the poor decision making of driving 100
19 miles an hour to make up time?

20 A Yeah. It was -- it was co-parenting class. Yeah,
21 that's right. You know, I -- I asked her about it, and she
22 said she didn't do it. So I don't know what her thinking is.
23 So, I mean, it's -- if -- if she said, Doc, I made a mistake,
24 I was -- I was in the rush, it was -- it was -- it was poor

1 judgment on my part, I would never do that again, that's --
2 that's one thing. She -- she denied that she did it.

3 Q We mentioned this earlier, but just to kind of make
4 a cleaner record, you -- you reviewed Dr. Donahue's report?

5 A I did.

6 Q Do you agree with his conclusion that there were
7 things you should have followed up on?

8 A You know, I mean, it's -- I understood where he was
9 coming from. I -- I guess my first concern would be, you
10 know, does he do child custody evaluations? Does he -- you
11 know, how many has he done in the last five years? Does he
12 keep up on, you know, the literature? Is he -- is he
13 qualified to review the report? That would be my first
14 concern.

15 You know, one of his concerns was, and I understand
16 this, but he said, hey, you know, Mom had primary custody.
17 And that's true. Yeah, she did, because that was the defined
18 role in the marriage. You know, you went to school, and then
19 you went to work, and you -- you worked long hours. And --
20 and she was home with the children.

21 And yes, you know, and then, you know -- you know,
22 Ms. Solinger I guess was, you know, helping people at -- at
23 one point, and -- and that was really, really great. But, you
24 know, duly noted. However, it doesn't mean you are going to

1 get shared custody, because dynamics shift. And -- and the
2 dynamics were is that when I entered this case, she didn't
3 have shared custody. She wasn't the primary caretaker.

4 And -- and she was under some scrutiny by the Judge
5 because of her -- some of her actions. And so although duly
6 noted, you know, nevertheless, they were different
7 circumstances. And now she's with a different person that
8 presents different dynamics. So, you know, I mean -- and --
9 and -- and a post traumatic stress disorder dynamics, like,
10 you know, you said that I guess if you were bullying her, and
11 invasive, well, you know, he talked to her, but he didn't talk
12 to you.

13 So he's their expert, I'm the Court's expert. And
14 so, you know, his -- his -- his viewpoint is what she's
15 telling him, and, you know, and so, you know, I -- I -- that
16 was a dynamic. And then -- what were some other ones? I
17 can't recall. I -- I had a few -- a few things that he said
18 that I had concerns about.

19 But for the most part, you know, my -- my -- my
20 initial concern is, is he qualified to opine on child custody
21 matters regarding, you know, is -- does he do custody cases?
22 How many has he done? How much work has he done in family
23 court in the last five, eight years?

24 Q And, Doctor, when you're talking about being

1 qualified, in -- in your mind as somebody who is qualified to
2 do custody evaluations, and you've gone through that training,
3 what are the minimum qualifications to do a custody
4 evaluation?

5 A Well, I would say that you're -- first of all,
6 you're a licensed psychologist, or even a -- you could have a
7 master's degree. You could even be a psychiatrist. But then
8 you have a -- a sub-specialty, meaning that, you know, you're
9 taking CEUs in child custody matters, whether that be domestic
10 violence, and you understand, you know, child development, per
11 se, and -- and dynamics pertaining to family court. It could
12 be parental alienation, the resistant child, interviewing
13 children. There could be relocation cases.

14 And so you have to have an understanding of -- of
15 these dynamics, and -- and I would look at a person, you know,
16 kind of like -- you know, if you have under two years
17 experience, you probably should be supervised. You know, just
18 to have somebody look at your work, and make sure you're --
19 you're kind of conceptualizing appropriately, and making sure
20 you're kind of weighing things appropriately. And then, you
21 know, the more cases you do, I think your confidence grows.

22 Q And, Doctor, based on your review, are you aware of
23 whether or not Dr. Donahue did any independent like,
24 psychometric or psychological testing, or personality exams?

1 A Not based on his assessment from March 4th, 2021. I
2 don't see any -- he interviewed her, and then I don't think
3 there's any psych testing or anything else.

4 Q Do you think his interview of her was appropriate?

5 A You know, I -- I mean, look, it's -- it's -- it's --
6 he's -- he's only getting her viewpoint. Okay? So if he
7 talked to you, if you would allow yourself to be talked to, he
8 might -- you know, you might give him a -- a different
9 perspective on things. He critiqued my report. I hear where
10 he's coming from. I may not agree with everything, you know,
11 but that's -- that's okay. That's what rebuttal experts do.

12 Q If you were acting as a rebuttal expert in a
13 hypothetical sense, would you allow information from only one
14 side? New information from only one side?

15 A I can see the value in that, in terms of
16 understanding Ms. Solinger's perspective. But you have to
17 then acknowledge that you're just getting her perspective, and
18 you're -- and -- and a limitation of the evaluation would be
19 that you don't have the other side's perspective.

20 Q And --

21 A I mean, look, his -- his sole purpose was to re --
22 you know, kind of look at my report and say where the weakness
23 is, and, you know, what's -- what's -- is this a good report?
24 That -- that's what his sole purpose was. So, you know, he --

1 he was hired by one side. He wasn't hired by the Judge. He
2 was hired by a side. And that happens. That's -- it happens.

3 Q And when you reviewed his report and you saw that --
4 strike that. Obviously, you reviewed his report, and you
5 looked at the short -- alleged shortcomings that he takes with
6 your report, correct?

7 A Yes.

8 Q And if you had to say -- sorry, strike that. How
9 many of those shortcomings have to do with myself, versus how
10 many shortcomings did he find you had with the Defendant?

11 A I think the focal point was on the shortcomings with
12 my assessment of the Defendant, not necessarily the assessment
13 of you.

14 Q Understood. When you --

15 A Although he (indiscernible) did bring up I think
16 something that -- I'd have to see what page it's on -- oh, the
17 rape allegations, and -- and then the porn part he was
18 bringing up. And -- and he wanted to know why I didn't really
19 address that. And -- and -- and although, you know, when I
20 heard it, I became concerned.

21 And -- and then you have to kind of look at the
22 dynamic of you weren't arrested for it, and, you know, you --
23 you address the issue. And -- and then, you know, you passed
24 the bar. You know, because it's -- it's -- it's probably an

1 integrity issue. And so for me, it was like, do I hold -- how
2 can I -- how am I going to -- I -- I don't have evidence on
3 this. How am I going to hold this against him? Okay? And --
4 and the dynamic of -- of -- of what's being brought up.

5 Q And to be clear, it was part of your assessment that
6 I passed two different state bars?

7 A I just thought you'd passed one, which is Nevada.
8 Okay? So I don't know if there's a second one.

9 Q I -- I can't really testify right now, but -- as --

10 A Okay.

11 Q -- far as --

12 THE COURT: California don't count.

13 MR. FLEEMAN: It's Colorado.

14 THE COURT: I'm sorry --

15 THE PLAINTIFF: It's Colorado.

16 THE COURT: -- I'm just -- I'm just picking on
17 California.

18 THE PLAINTIFF: Which -- which for -- for the
19 record, I've never gotten to use that bar number in person,
20 but --

21 BY THE PLAINTIFF:

22 Q But when you look at his ultimate, Dr. Paglini,
23 would you say it's a fair assessment of your interpretation of
24 his conclusion, that he doesn't necessarily disagree with your

1 ultimate recommendation and outcome, and he comes at it more
2 from the perspective of I think that there might be some
3 concerns with the evaluation, and maybe there's a bias issue,
4 but he's definitely not recommending something different from
5 you, right?

6 A Well, I don't think he can recommend anything, since
7 he didn't -- he didn't to an evaluation. But he said he found
8 some of my report to be unclear (indiscernible) appropriately
9 considered a conclusion and recommendation, and consistently
10 it was skewed against Mrs. Solinger. But my -- my perspective
11 -- but -- but he puts down here in his report, let me find it,
12 on page 5, quotation marks, Ms. Solinger and Mr. Lloyd not
13 being attentive to court orders, end of quotation marks, he
14 says, this is obviously a serious concern, if true, and ought
15 to be addressed and remediate this -- remedy this.

16 And then, quotation marks, additionally, if it's
17 true that Ms. Solinger sped at 100 miles per hour with the
18 children in her care, this would be a concern, end of
19 quotation marks, he says that this is a legitimate concern,
20 but the sentence is phrased as a hypothetical. Ms. Solinger
21 denies this, and Dr. Paglini provides no direct evaluation of
22 whether this is actually true or not.

23 You know, where I come down and this is perhaps is
24 where I could have been more clear, and that is if it is true,

1 okay, and I -- and I have concerns about this, this may keep
2 it then at a primary custody level. If it's not true then,
3 then you're obviously moving towards a shared level. And I
4 probably could have been better off discussing that. Okay?

5 If -- if -- you know, if Mr. Lloyd didn't do what he
6 did in December -- early December, 2019, then I wouldn't --
7 I'd have less concerns about Mr. Lloyd. Okay? So the whole
8 point is I do have concerns about potential endangerment and
9 -- and -- and -- and I could have qualified and said if the
10 Courts don't -- if -- if the Courts think that this -- this
11 wasn't a big deal, then -- then you know, I'm -- I'm going to
12 be leaning a little more towards shared custody.

13 Q And that dovetails perfectly to my last question,
14 which is ultimately, what is your recommendation in this case?
15 And let me rephrase. What was your recommendation, because
16 you haven't had a chance to update your evaluation, as of when
17 you published and disseminated your evaluation?

18 A Yeah. On September 3rd, 2020, my recommendation,
19 and I really kind of -- when I -- you know, I was really
20 giving this a lot of thought, was you having primary, because
21 of my concerns that I outlined. But I should have had a -- in
22 my recommendations, something indicating that this is what she
23 can do to elevate, to -- to -- to get back on a shared level.
24 And that was -- I was remiss on that. And when I read my

1 report, I said, you know, why didn't I do that?

2 Q Understood.

3 THE PLAINTIFF: And, Your Honor, with that, I'd pass
4 the witness.

5 THE COURT: We have to play musical chairs now, sir.

6 CROSS EXAMINATION

7 BY MR. FLEEMAN:

8 Q Hello, Dr. Paglini. My name is Jack Fleeman. I
9 don't believe we've ever met.

10 A How you doing, sir?

11 Q Good. How are you?

12 A Good, thank you.

13 Q Okay. Just to start off, when were you retained to
14 be the custody evaluator in this case?

15 A Let's see here. I believe it was in the -- I don't
16 have the court order in front of me. Judge Moss requested the
17 evaluation.

18 Q Okay. Do you recall an order from February 6th,
19 2020, in which Judge Moss set forth the reasons that a custody
20 evaluation was necessary?

21 A I reviewed that this morning, but I can't recall
22 everything, yeah.

23 Q Okay. Prior to the retention, when were you first
24 contacted to be a potential evaluator in this case?

1 A I have -- I don't have -- my first person I saw was
2 Ms. Solinger, April 1st, 2020. And then I saw Mr. Solinger on
3 April 2nd.

4 Q Right. So that -- that's the first --

5 A And I'm sure I had phone contact with them probably
6 a week or two weeks before that.

7 Q But did either side reach out to see whether you
8 were available even before that?

9 A I don't recall.

10 Q Okay. When you do custody evaluations, is it -- is
11 it common practice that people will reach out to see if you're
12 going to be available before they stipulate to use you?

13 A Sometimes that occurs, and sometimes it doesn't
14 occur.

15 Q At the time you were contacted to be a potential
16 evaluator, do you know how many doctors in Clark County,
17 Nevada, were accepting work as child custody evaluators for
18 family law?

19 THE PLAINTIFF: Objection, speculation.

20 THE WITNESS: I would probably say about --

21 MR. MAYO: Hold -- hold on, sir. There's an
22 objection.

23 THE PLAINTIFF: It's asking him to speculate as to
24 what doctors were available and all that --

1 MR. FLEEMAN: It's a yes or no question as to
2 whether he knows.

3 THE COURT: Okay. I'm going to allow it.
4 BY MR. FLEEMAN:

5 Q You can -- you can answer.

6 A I would think probably a few.

7 Q Do you know which party in this case requested the
8 custody evaluation?

9 A I think it was Ms. Chalese Solinger.

10 Q Okay. And so in your custody evaluation report on
11 the first page, in the second sentence, there's a statement
12 that says, please note, and it's underlined. Do you recall
13 putting that in your report?

14 A I do.

15 Q And the note reads, in the latter fall of 2019,
16 Mr. Solinger referred a criminal case to me. Do you see that?

17 A Yes, sir.

18 Q Do you recall writing that?

19 A Yes.

20 Q So when you took the case as the parties' evaluator,
21 you were already aware at that point that Mr. Solinger had
22 recently referred business to you; is that correct?

23 A You know what? Not initially. Because I didn't
24 remember him.

1 Q Okay. Prior to this written report, which was
2 issued in September of 2020, you had not advised Chalese or
3 any of her counsel that Mr. Solinger had referred that case to
4 you, correct?

5 A I don't think I did, and I -- I'm not sure. I
6 thought I -- I would have discussed it with her. But I'm not
7 sure.

8 Q Okay. Do you think it's important that Mr. Solinger
9 had referred a case to you?

10 A Not at all, because in this situation, I never knew
11 him before. And I talked to him for only five minutes on the
12 phone, and I never interacted with him again. And I didn't --
13 I couldn't tell you what he looked like, I couldn't tell you
14 -- there was -- there was never a referral again from him. I
15 don't think there was ever a referral previous to that.

16 And so I asked myself, okay, you know, can I take
17 this case? And I don't even remember the guy. And -- and I
18 think -- I think -- I don't know when I came across that, that
19 that became a concern. But I said to myself, well, you know,
20 I've -- I haven't -- I have no interactions with this guy.

21 Q Okay. So when -- I just asked you if -- if you
22 thought it was important. You said not at all, correct? Then
23 -- then I would ask you, why is that note front and center of
24 your report if it's not at all important?

1 A Because I wanted to disclose it. I thought it was
2 important to disclose it --
3 Q Why --
4 A -- because I wanted to be -- I wanted it to be out
5 there.
6 Q But you don't know that you ever disclosed it prior
7 to issuing the report, correct?
8 A You know, I thought I would have disclosed at the
9 beginning, and I'd have to look at my notes. But I don't
10 recall.
11 Q Would you have disclosed that in writing, or how
12 would you have disclosed it?
13 A I -- I probably would have disclosed it verbally.
14 But I don't recall discussing it.
15 Q Are you still taking child custody evaluations
16 related to family court?
17 A No. I stopped about two months ago. I've been
18 doing it for 25 years.
19 Q Is this one of your last cases then?
20 A No, I've had several cases since.
21 Q When you were initially retained for this case,
22 trial was scheduled for June of 2020; is that correct?
23 A Sounds right.
24 Q And your report was scheduled to be due by mid-June,

1 2020. Do you recall that?

2 A Yes.

3 Q Okay. Did -- you said this morning that you

4 reviewed an order in this case?

5 A Yes.

6 Q Did you review all the orders in the case?

7 A I think I read a lot of them, yes.

8 Q Okay. Do you recall the court order that stated why

9 the custody evaluation was necessary?

10 A Not at the moment.

11 Q Okay.

12 A I think -- if -- actually, let me correct that. I

13 think -- I think Chalese wanted -- I think Mr. Solinger had

14 concerns about her mental health. That was one of the

15 dynamics that was being discussed. And the court case was

16 requested I think on that front, as well as the fact that

17 there was contentious co-parenting going on.

18 Q Okay. Do you have any recollection of the order

19 stating that the custody evaluation was necessary in part to

20 look into a parent's -- to any parent's withholding of the

21 children?

22 A At the moment, I don't recall that.

23 Q Do you recall in the order the cus -- that stated

24 the custody evaluation was necessary, stated in part, that it

1 was necessary to look into whether there was any gate keeping
2 going on from either parent?

3 A Now that you bring that up, I think the withholding
4 part was discussed. But I don't think the -- I don't know if
5 the word gate keeping was used. I'm not sure. It's -- I
6 reviewed it this morning, and then I -- I would have reviewed
7 it over a year ago.

8 Q Okay.

9 MR. FLEEMAN: And for clarification for the Court's
10 purposes, it's part of the record. I'm referring to the
11 February 6, 2020, order in this case.

12 BY MR. FLEEMAN:

13 Q Okay. So when you went to Chalese's home on August
14 1st of 2020, was she obviously pregnant?

15 A Very much so.

16 Q Were you aware at that time if Chalese had any
17 history of difficulty in her pregnancies?

18 A Yes.

19 Q Were you aware at that time if Chalese's active
20 pregnancy was difficult, as well?

21 A Yes.

22 Q Was she on bed rest at that point?

23 A Yes. She had stopped working.

24 Q Now, you interviewed Chalese less than a week after

1 that, on August 7th, 2020. Do you recall that?

2 A Yes.

3 Q That's on page -- page 2 of your report, if you --
4 at that point, when you did the interview, Chalese was in the
5 hospital and had just had a C-section when that interview took
6 place, correct?

7 A Yes.

8 Q Did you tell Chalese during that brief interview
9 that your wife would be very upset if she knew you were
10 interviewing a woman who was in the hospital and had just had
11 a C-section?

12 A I might have said that over the phone. It sounds
13 something -- something like me, yeah.

14 Q Okay. And you interviewed Chalese again on August
15 12th, 2020, correct?

16 A But hang on, I want you to say (indiscernible) just
17 make sure we're clear on this. On August 7th, I decided not
18 to interview her, right?

19 Q But you spoke to her.

20 A I spoke -- I spoke to her because she was the one
21 who wanted to maintain the interview.

22 Q Uh-huh.

23 A Okay? I was thinking of canceling it.

24 Q Okay.

1 A Okay.

2 Q But you -- you had -- prior to that, you had sent a
3 letter to the Court informing them that Chalese hadn't been
4 cooperative with setting up those meetings, correct?

5 A I don't recall that part. There was a slow down.
6 If -- if -- if the letter is there, I didn't review it for --
7 for this interview. But there was a slow down. Okay? Maybe
8 that's what Mr. Solinger was referring to earlier. Okay? But
9 the -- the whole point is, is that, you know, when I talked to
10 her on August 7th, and she had the C-section, she seemed --
11 her thoughts were not that organized.

12 And my thought pattern was, I'm not going to
13 interview her because she seems like she's on medication, and
14 -- and I don't want to put her through this. So I was the one
15 -- that she was -- she wanted to do the interview. And I told
16 her, no, let's -- let's just reschedule when you're feeling
17 better, let's reschedule when you're out of the hospital and
18 you're more coherent.

19 So I was the one to -- to terminate the interview.
20 I just talked to her briefly, for a few moments. So it's not
21 like I -- I gathered really any information. She -- she was
22 on medication. I asked her how the baby is, and -- and then I
23 said, you know, I'm not going to interview you, because you're
24 -- you know, this is -- let's wait until you're out of the

1 house -- the hospital.

2 Q You had reviewed pretty much all the pleadings up
3 and to this point? August 12th, 2020?

4 A Did I review all the pleadings? I can't recall if I
5 reviewed all of them. I reviewed a lot of them at that point.

6 Q Do you --

7 THE PLAINTIFF: Your Honor, briefly, can we take
8 care of one housekeeping matter, just because the day goes on.

9 THE COURT: What's --

10 THE PLAINTIFF: The -- it -- it's just that
11 Michael's getting out of school, and Defense Counsel has
12 subpoenaed Jessica, my significant other, so I would need to
13 make arrangements if she needs to leave and report, or I can
14 represent I just think --

15 THE COURT: I don't think we're going to have time
16 to get to her.

17 THE PLAINTIFF: I understand. But I just don't want
18 any argument that I, because technically counsel, although pro
19 per, advised her not to report. So I would just ask that --

20 THE COURT: Yeah.

21 THE PLAINTIFF: -- to the extent that I can
22 represent she will be here on June 14th, that the Defense
23 release her from her subpoena for today, just so that we're
24 not --

1 THE COURT: Yeah. I -- I -- I don't have any
2 problems with that. We're not going to make it to her today.
3 MR. FLEEMAN: No, as long as the representation is
4 that she'll be here --
5 THE PLAINTIFF: She -- she will be here, because --
6 THE COURT: Yeah.
7 THE PLAINTIFF: -- I need her for my case anyway.
8 MR. FLEEMAN: Do we need to subpoena her again?
9 THE PLAINTIFF: No. I -- I will represent that I'm
10 bringing her for my case, because as Mr. Fleeman alerted --
11 alluded to earlier, I can only lay the foundation for certain
12 necessary videos through her --
13 THE COURT: Okay.
14 THE PLAINTIFF: -- so I'm representing as not only
15 the Plaintiff but as the -- a -- a counsel for two different
16 state bars, that I will make sure that she's here.
17 THE COURT: Okay. Thank you.
18 MR. MAYO: And we're releasing the PI, too?
19 THE PLAINTIFF: Yeah. Yeah, yeah. I already
20 released him --
21 MR. MAYO: But he's still -- I think he's still
22 outside.
23 THE PLAINTIFF: I told him -- I'm sorry. I -- I
24 don't mean to be rude, texting.

1 THE COURT: That's okay.

2 THE PLAINTIFF: It's old attorney habit.

3 MR. MAYO: Yeah, we just want to get him to go in
4 case -- yeah, you told him to go.

5 THE PLAINTIFF: (Indiscernible).

6 THE COURT: All right. Because I -- did -- did we
7 release Dr. Donahue for today?

8 MR. FLEEMAN: We didn't, but he had informed us that
9 he would not be available after 4:00, so --

10 THE COURT: Okay. All right. Because we're 15
11 minutes to 4:00. So all right.

12 MR. FLEEMAN: Okay.

13 THE COURT: So when we finish here, we'll close up
14 for the day. Do I need to search for another half a day?

15 MR. FLEEMAN: We have June 14th, but I don't think
16 we're going to finish that -- with that.

17 MR. MAYO: We've still got property to do, too.

18 THE PLAINTIFF: Yeah. I --

19 THE COURT: We have --

20 THE PLAINTIFF: If the Court has some time kind of
21 consecutively, just so that we get some continuity, maybe?

22 THE COURT: All right. Well, it kind of gives her a
23 chance to start looking. We're way out, though.

24 THE PLAINTIFF: I -- I understand.

1 MR. FLEEMAN: Well, as a housekeeping matter,
2 because we are way out, and we're in the middle of trial, my
3 intent would be to file a motion regarding summer visitation.
4 Or expanding something for summer.

5 THE COURT: We're going to do something oral,
6 because school is out here real fast.

7 MR. FLEEMAN: Right. So I didn't know if the Court
8 would entertain an oral motion.

9 THE COURT: I will. I will -- on -- under this
10 circumstances, and -- and mainly because you're an attorney,
11 and I know you're fast on your feet, then we'll do -- we'll do
12 that. So we need to kind of, you know, try to finish this
13 pretty fast, so we have time to do that. Because I got two
14 people here that have to leave. I don't mind the overtime,
15 they do, though. Or their boss does, anyway.

16 MR. FLEEMAN: Do you get -- do you get overtime?

17 THE COURT: Huh?

18 MR. FLEEMAN: Do you get overtime?

19 THE COURT: No.

20 MR. FLEEMAN: All right. Okay. Are we ready?

21 THE PLAINTIFF: Yeah. Sorry for the -- I just saw a
22 moment to get the scheduling thing --

23 THE COURT: That's okay.

24 THE PLAINTIFF: -- out of the way, and --

1 THE COURT: I understand.

2 THE PLAINTIFF: -- Dr. Paglini could use the
3 restroom and do what he needs to do. So I -- I apologize to
4 Mr. Paglini for interrupting his flow. I -- I didn't mean to.
5 I just saw a chance and I took it.

6 THE COURT: Sorry about that, sir.

7 BY MR. FLEEMAN:

8 Q Are -- are you ready, Dr. Paglini?

9 A Yeah. You know, I just looked at my notes about
10 trying to contact Chalese, and in June, I had some
11 difficulties getting in contact with her.

12 Q And do you recall at this time sending a letter to
13 the Court directly, stating that you had had some difficulty
14 contacting her?

15 A I may have. I don't have that letter in front of
16 me.

17 Q Would that letter be in your file, or?

18 A It would be in my file. I can get it in a few
19 minutes. I can ask my secretary to look for it.

20 Q Okay. Well, I would proffer to you that you sent in
21 a letter, and stated that you'd had some difficulties
22 contacting Ms. Solinger within the last couple weeks, and you
23 enclosed emails between you and Ms. Solinger. And that was
24 June 18th of 2020.

1 A I found it.

2 Q Okay.

3 A Let me read it. Yes. Yeah, that's -- that's

4 accurate.

5 Q Okay. Do -- do you think that that email could --

6 could have given rise to Chalese not wanting to cancel the

7 future discussion that you had with her on August 7th?

8 A You know, maybe so. But I was the guy who canceled

9 that. Because, you know, I -- and -- and it doesn't make a

10 difference if -- you know, to me, that was -- nothing was

11 wrong with -- with me canceling that. And I was, you know,

12 the -- the lady had a baby. And I'm very sensitive to that.

13 Q Right. Are -- are you aware if Mr. Solinger has

14 made an issue of this letter that you sent to the Court, and

15 Chalese not cooperating with you?

16 A I'm not aware of it. It would not surprise me. But

17 if that was the case, I -- I could understand it. But once

18 again, you know, she's pregnant. Okay? She -- I think at

19 that point, she was still working. That was reflected in my

20 letter. And I didn't think anything really bad about that.

21 It happened. It happens. It's happened to me a lot.

22 Q Okay. And so you had interviewed her on August

23 12th, 2020; is that correct?

24 A Yes.

1 Q And how many days had she been out of the hospital
2 at that point; do you know?

3 A Well, I interviewed her on August 7th, and I decided
4 not to interview her, because she was still in the hospital.
5 She may have gotten out a few days later, and -- and I want to
6 be -- and make sure you understand this. I wasn't pressing
7 for the August 12th interview. If she needed more time before
8 the interview, that would have been completely fine with me.

9 Q Okay. Was she on pain killers at the time of the
10 August 12th, 2020, interview?

11 A I'd have to reflect in my notes, because she was on
12 pain killers -- oh, no. She took the pain killers the night
13 before of the August 12th, 2020, interview.

14 Q And -- and do you know that --

15 A Because I wanted to make sure -- and I -- and I -- I
16 wrote in my report that her thoughts were goal oriented, and
17 she was answering the questions well.

18 Q All right. Prior to that August 12th, 2020,
19 interview, didn't you tell Chalese you need to not take your
20 pain killers so that I can interview you?

21 A I don't think I said that. Or if I -- I don't -- I
22 don't recall saying that. Okay? If -- if I said something
23 like that, it would have been, you know, look, here's --
24 here's the point. If she needed three weeks before she was

1 willing to interview me, that would have been fine with me.
2 She had a baby. She had a C-section. This isn't a rush job
3 at this point. So I just wanted to make sure that she is
4 level headed.

5 And so the whole point of it is, I'm not telling
6 her, don't take your pain medicine. I'm -- what I'm looking
7 for is making sure that she's cognizant, and she's present,
8 and she can answer questions well. Now, if she chooses -- if
9 she says, hey, Doc, I need more time before I could answer
10 your questions, perfect. Why don't you call my office when
11 things are better for you? This isn't a -- you know, it --
12 it's not like I'm pressing her to get something done.

13 All right? There's already been a delay. You know,
14 she just had a baby, and the baby was, you know, premature.
15 I'm sensitive to that fact. So I don't -- I'm not -- I'm not
16 here to like, I have to get this information. Okay? It's --
17 she was the one that -- that wanted to do this. And I said,
18 you take your time. Okay? And -- and that's just the way it
19 is. And then she goes, oh, no, we can do it on this -- you
20 know, we can do it here. Your call. If you have to cancel
21 it, cancel. I'm good.

22 Q Okay. So you said that you were not pressing, and
23 she could have said, I need more time. Given your testimony
24 earlier that she's passive in relationships, is -- is that --

1 I mean, her -- is that something you would expect her to do,
2 is to tell you I -- I need more time?

3 A Sir, let's put it this way. All I can try to do is
4 be a sensitive guy. Okay? I can tell her, look, if -- this
5 is -- this is up to you. This is not up to me. Okay? If you
6 need three weeks at this point, because all I could do is
7 write the Judge and say you know what? She had a baby. We
8 need more time. That's -- there's no problem with that. All
9 right? So I am totally good with whatever she needed, and
10 when she needed it.

11 Q Okay. In that June 18th, 2020, letter, you -- you
12 advised the Court that you needed five additional weeks,
13 correct?

14 A Yes.

15 Q Okay. So at the time you interviewed her in August,
16 that five additional weeks had -- had probably passed at that
17 point, right?

18 A I'm not sure what the date was allowed, but it's not
19 uncommon to get additional time.

20 Q Okay. Do you know if Chalese was receiving any
21 pressure within this case to go forward with the evaluation
22 sooner rather than later?

23 A Where -- what pressure would she get?

24 Q Well, do you know if Adam was accusing her at that

1 point of -- of delaying?

2 A I can't -- I can't help what Adam would say, and
3 would not say. All I can tell you is I'm sensitive towards
4 her because of her situation, and she could have had as much
5 time as she needed.

6 Q I --

7 A And that's all I can do as -- as a psychologist --

8 Q Right.

9 A -- is be sensitive to her circumstances.

10 Q Right. I was just asking if you -- you were aware
11 of any of those facts. .

12 A I -- I'm not aware of it.

13 Q Okay.

14 A Okay? She didn't tell me -- she didn't tell me,
15 hey, Adam's pressuring me.

16 Q Did you ask?

17 A Why would I ask if I didn't think it was occurring?

18 Q Okay. Well, you know the -- you -- you talk about
19 the dynamics of -- of these parties, based on their
20 psychological evaluation. You talked about Chalese saying she
21 was followed, and felt she was persecuted. She'd given you
22 specifics with regard to what Adam -- she alleges Adam had
23 done in the case, withholding children and things like that,
24 right?

1 A She mentioned that, you know, at times he's withheld
2 children, or she -- he would stack it where she wouldn't see
3 the children for several weeks. She also mentioned that at
4 times when she would make her phone calls, that the -- the
5 calls were short, but the kids were very young. And -- yeah,
6 she did mention that.

7 Q Okay. And so Chalese in her interview with you told
8 you that she had always been the primary caretaker of the
9 children prior to the divorce being filed?

10 A Correct.

11 Q All right. And she told you in the interviews that
12 Adam had exhibited low involvement prior to that, correct?

13 A Yes.

14 Q Did you attribute any significance to that?

15 A Well, yes, I did. He was in law school. Law school
16 is -- is very, very demanding. And -- and then he is also,
17 you know, starting a new practice. His mother obviously
18 stated that when he was there, he was involved. And
19 obviously, Adam has a different version of reality than she
20 does.

21 Q So his statements conflicted with his own mother's
22 statements as to that?

23 A No, his statements were -- were consistent --

24 Q And his statement --

1 A -- I'm saying that it was consistent with his
2 mother's statements, and not consistent with probably
3 Ms. Solinger's mother's perspective.

4 Q Okay.

5 A I think she -- she agreed with Chalese that he was
6 under involved.

7 Q Now, Adam gave you a number of reasons why he wanted
8 primary physical custody when you interviewed him, correct?

9 A I'm sure he did, yes. Yes, he did, yes.

10 Q Okay. And at one point, he stated that Chalese had
11 deceived him regarding Michael's speech therapy. Do you
12 recall that?

13 A Yes.

14 Q Okay. Did -- did he ever explain what he meant by
15 she had deceived him?

16 A Yes.

17 Q What did -- what did he say?

18 A Basically what happened was, is she said that the
19 impression was is that Michael was doing well, and there was
20 no need to continue in speech therapy. And so therefore,
21 Michael was no longer in speech therapy in January of 2019.
22 And then in April -- or not April, but August of '19, Chalese
23 requested that they put Michael in Child Find because it's a
24 -- they don't have to pay for it. And -- and at that point,

1 on text messages, Michael was -- not Michael, I'm sorry --
2 Adam was upset because their son could have been in therapy
3 all this time, and he was deceived because she made it sound
4 like the therapist was the one initiated it, and in fact, it
5 was Chalese that initiated it.

6 Q You stated in your report, I think you mentioned it
7 today, you're still not sure why Ms. Solinger was not as
8 involved as she should have been with the speech therapy. Is
9 that what you stated?

10 A Yeah. I think she should have been more involved.

11 Q Okay. But you also stated that she was the one who
12 was primarily involved, prior to the divorce action, in the
13 speech therapy, correct?

14 A According to the letter that was written by Margo,
15 you know, she -- she did acknowledge the mom was -- was up to
16 that point, you know, January of '19, was -- seemed like she
17 was implying that the mom was involved.

18 Q Okay. Is it possible in a custody case like this
19 that a parent will disengage from communicating with the other
20 for any reasons?

21 A Yeah. Yes. Yes, sir.

22 Q What are some of the reasons why someone might
23 choose to disengage in a divorce case?

24 A One could be that they -- that there's poor co-

1 parenting, that the litigants don't trust each other.

2 Q And -- and you stated earlier that these parties
3 have a -- a big distrust issue, correct?

4 A Yes.

5 Q Okay. Now, given your testimony earlier about
6 Chalese's personality being more passive, and Adam possibly
7 having mild narcissistic tendencies, given those two
8 personalities, is -- is Chalese the party who's more likely to
9 disengage in communications during times of stress, like a
10 divorce?

11 A That could be -- that could be a hypothesis, yes.

12 Q Now, Adam also claimed that Marie, the daughter,
13 frequently returned to him with a diaper rash. Do you recall
14 that?

15 A I do.

16 Q Okay. Did you clarify that issue with Chalese?

17 A I did.

18 Q Okay. Did Adam mention that Marie got chronic yeast
19 infections, as Chalese had told you?

20 A I know Chalese said that. I think Adam had
21 discussed that that was something that was happening. His
22 concern was that the kids were coming home dirty. Sometimes
23 their hands were filthy, and they weren't being showered
24 daily. They were being showered every other day, per -- per

1 Chalese.

2 Q Okay.

3 A So he had concerns about hygiene issues.

4 Q But I'm -- I'm asking about specifically the diaper
5 rash at this time. Did -- did he mention that he had ever
6 taken Marie to the doctor to -- to look at the diaper rash?

7 A I think my impression is that they -- they've --
8 they've both taken the child to the doctor at separate times.

9 Q Okay. Are you aware if there was any CPS
10 investigation into the diaper rash?

11 A There were CPS investigations, and if -- I'm just
12 trying to think. There was -- there was one with Marie I
13 think having a bruise. There's -- there's probably three or
14 four CPS investigations.

15 Q Were any of them substantiated, to your
16 recollection?

17 A Everything was unsubstantiated, or information only.

18 Q Okay. So he claimed -- Adam claimed that Chalese
19 was observed by a private investigator doing over 100 miles --
20 or at least 100 miles per hour on the freeway. You've
21 mentioned that. Did Adam explain to you how the private
22 investigator knew that Chalese was driving -- allegedly
23 driving that fast?

24 A No. But I read that in the -- the report, the

1 private investigator's report.

2 Q Okay. And did you read it in his deposition, as
3 well?

4 A The -- the --

5 THE PLAINTIFF: Objection.

6 THE WITNESS: -- the private investigator?

7 THE PLAINTIFF: I think that misstates the testimony
8 ever so slightly, because Dr. Paglini was clear earlier, he
9 only read one of the PI's depositions, and that that was not
10 the one that observed this incident. That was the one that
11 had observed going -- I think Dr. Paglini opined -- or said 75
12 in a 45 --

13 THE COURT: 70 in a 45.

14 THE PLAINTIFF: -- for example -- right. So I -- I
15 don't know that --

16 THE COURT: Yeah.

17 BY MR. FLEEMAN:

18 Q Do you recall reviewing the private investigator's
19 deposition?

20 A Which -- well, the one I reviewed, I think his name
21 is Richard Esperaza (ph) or something --

22 Q Robert Escalera (ph) or something like that.

23 A That sounds (indiscernible) -- yeah.

24 Q Did he address the 100 mile per hour issue in that

1 deposition?

2 A It was brought up. That's correct. He said he did
3 not observe it. It was his colleague --

4 Q Right.

5 A -- observed it. And the -- the colleague discussed
6 it with him.

7 Q Right. And -- and so do you recall how that
8 colleague had -- had measured the 100 mile per hours?

9 A Well, I don't -- we -- they didn't talk -- I -- I
10 didn't see a deposition of the colleague. So I think he -- he
11 stated that at times, they do it by, you know, how fast
12 they're going, and then, you know, they can sometimes estimate
13 things.

14 Q Okay. So you -- you weren't able to discern whether
15 it was true, whether she had ever gone 100 miles per hour,
16 correct?

17 A I think he said that they can go up to 100 miles per
18 hour, and then they should be backing off.

19 Q Okay. So my question to you is --

20 A And I --

21 Q -- were you able to discern whether it was true?

22 A Well, I -- I assumed, based on his -- the private
23 investigator's statement, who said that she was going 100
24 miles an hour, that the speed was excessive. Do I know if it

1 was 102, or 106, or 99, or 95 (indiscernible).

2 Q But Chalese denied it, correct?

3 A Correct.

4 Q Okay. And then the 70 mile per hour allegations in
5 the 45 zones; do you recall that, as well?

6 A Yes, sir.

7 Q Okay. Did you observe any videos or private
8 investigator videos of any of that -- those allegations?

9 A No, sir.

10 Q Okay. Chalese reported to you that she worked as a
11 babysitter in high school. Do you recall that?

12 A Yes, sir.

13 Q All right. She also reported she worked as a nanny
14 for one-and-a-half years when she was in her twenties, do you
15 recall that?

16 A I think I recall (indiscernible) correct.

17 Q Okay. And her most recent job was working cutting
18 children's hair specifically; do you recall that?

19 A Yes, sir.

20 Q Did you consider her longstanding vocational choices
21 to work with children in your conclusions?

22 A Well, I guess those are all nice jobs. But once
23 again, my concern was the potential endangerment, and then
24 also, you know, her boyfriend's dynamics. And so those are

1 all great things, and -- and they would have mattered even
2 more if we didn't have the endangerment dynamic.

3 Q Okay. So potential endangerment, as part of that,
4 you're talking about the potential 100 mile per hour with the
5 children in the car, or the 70 in the 45?

6 A Well, I mean, I don't know if she had -- and I said
7 this, and I was kind of clear. I don't know if when she was
8 driving 70 in a 45, if she had the children in the car,
9 because I don't think that was clear in the deposition.

10 Q Okay. But the -- the speed issue when the children
11 were in the car was one of the -- was the endangerment issue,
12 correct?

13 A For me, yes.

14 Q Okay. All right. So even though you -- you
15 couldn't say for sure whether that happened, you included it
16 as a concern in your report, right?

17 A And -- and that would have been -- and -- and
18 probably what I should have wrote in my report is if the Judge
19 -- if this isn't true, and -- or if the Judge doesn't put
20 merit on it, then -- then that would probably lean more
21 towards, you know, shared custody.

22 Q Okay. But you -- when you list concerns for a
23 parent, do you include things that may or may not be true, but
24 are concerns to you?

1 A Well, they could -- yeah, they could be -- they
2 could be concerns of something that happened --
3 Q Okay.
4 A -- and then -- and sometimes it needs to be going
5 further, looking into it.
6 Q Okay. You noted that Chalese --
7 A So I had -- I had -- I'm sorry, sir. On page 55, it
8 said, potential endangerment if she drive -- if she drove over
9 100 miles per hour with children in the car.
10 Q Okay.
11 A Page 55.
12 Q And then what page are your are your concerns
13 listed? Did you --
14 A Page 55.
15 Q That's -- that's it? Let's see. Okay. So that's a
16 concern on page 55. Those are concerns for her. Where are
17 your concerns for Adam?
18 A I didn't -- I didn't really have any concerns for
19 Adam.
20 Q Okay.
21 A I think in retrospect, I think Ms. Solinger said
22 that he -- he could be controlling. I followed the emails.
23 He was giving her information. There was some dynamics in
24 terms of -- I mean, I -- he -- he was co -- he looked like he

1 was co-parenting. I know that she felt intimidated, but --
2 but he had concerns about Josh, with his driving history, and
3 then I think with the how dirty the house was. And then he
4 acted upon those concerns, which then escalated the dynamics
5 between the litigants, created more of a divide. But I
6 thought those were -- I thought those were appropriate, based
7 on what was going on.

8 Q Okay. So again, did you list any concerns for Adam?

9 A I did not. I did not list any concerns for him.

10 Q Okay. You noted that Chalese was diagnosed with
11 PTSD secondary to abuse during her childhood, correct?

12 A I heard she was diagnosed with PTSD secondary to
13 abuse in her childhood. She told me that.

14 Q Did you not believe her?

15 A I didn't say I didn't believe it. I just told you
16 that's what she told me.

17 Q Did you do any evaluation or look into that further?

18 A Well, when I asked her about what are your symptoms
19 of post traumatic stress disorder, she just said depression
20 and anxiety. And then I asked her again, what are your
21 symptoms, and she just said, you know, that she gets sad, and
22 sometimes she gets anxious.

23 So she wasn't able to say, I have intrusive
24 recollections of the event, that I'm hyper vigilant, that I am

1 -- I have nightmares about my stepfather abusing, you know, my
2 mother. So I ask questions pertaining to that, and she did
3 not -- she did not provide any information.

4 Q So she never told you she had nightmares?

5 A Never told me that.

6 Q Did you ask her who diagnosed her with PTSD?

7 A She told me she was diagnosed with PTSD during her
8 adolescence, when she was in therapy for six months at the age
9 of 14.

10 Q Did you ask her who her therapist was?

11 A I did not.

12 Q Would that have helped you determine whether she was
13 legitimately diagnosed with PTSD?

14 A Well, I mean, it was 15 -- I can't recall how old
15 she is now. 30 -- in her early thirties, so let's just say
16 that's 17 years ago.

17 Q Okay.

18 A Person probably wouldn't have the records --

19 Q Okay.

20 A -- okay? And, now, I mean, I assume she's telling
21 me the truth, if that's what she's -- she's saying, if she has
22 PTSD. Some people don't have PTSD. Some people think they
23 have PTSD and they don't, but I -- I'm not saying that's the
24 case with Ms. Solinger.

1 Q All right. You noted that she also reported she had
2 PTSD due to Michael's birth, which was traumatic. Do you
3 recall that?

4 A That is correct.

5 Q Did she explain to you what was traumatic about the
6 birthing process, or the pregnancy?

7 A It was -- it was an enduring birth, if I'm not
8 mistaken. It went on for almost 30 hours, and then she
9 mentioned something about Adam not being as available to her
10 at that time.

11 Q Did she mention Adam getting in a road rage incident
12 on the way to -- to the hospital during the birth of one of
13 the kids?

14 A She did. He did. I think he punched something,
15 yeah.

16 Q Did -- did that factor into any of your conclusions
17 in the report?

18 A No, it did not.

19 Q Okay. Now, Chalese advised that she began dating
20 Adam when she was a -- when he was a freshman in college, and
21 she was still in high school. Do you recall that?

22 A Yes. She would -- she would have been a senior in
23 high school. She had one year left, so she -- I think they
24 started dating right before her senior year in high school, so

1 she would have been approximately 17.

2 Q Okay. Now, Chalese reported, again, that she had
3 difficulty with the pregnancy with Michael. Did she tell you
4 that Adam was often upset with her because he would have to
5 take her to doctor's appointments during that pregnancy?

6 A That's what she said, yes.

7 Q Did you ask Adam about that?

8 A I don't recall.

9 Q Well, did you ever discuss with her whether her
10 pregnancy was a planned pregnancy, or unplanned?

11 A No. But according to Adam, for her, she wanted to
12 get pregnant, and she was very focused on getting pregnant.

13 Q So you -- so Adam disclosed that to you, but you --
14 you didn't talk to her about whether it was planned or not?

15 A Well, I -- I didn't think it was -- it was really
16 important. She, you know, my impression was she wanted
17 children, and, you know, Michael was born. She was a stay at
18 home mother, and then -- and then Marie was born. And -- and
19 she was taking care of Marie, and then less than a year later,
20 they broke up.

21 Q Okay. Did she report to you that Adam actually left
22 the hospital when she was in labor with one of the children?

23 A She claimed that -- I think he -- he left the
24 hospital, went on a bike ride, and then came back.

1 Q You said she claimed that. Did you ask Adam about
2 it?

3 A I did not.

4 Q Now, Chalese also reported to you that she was sent
5 off by Adam with the children from time to time, during the
6 marriage?

7 A I think Chalese is -- I don't think she said he was
8 -- she was sent off. She said that she visited her family.

9 Q Okay. Did she --

10 A Sometimes she got overwhelmed, and -- and family was
11 supportive. And Adam's perspective was that, you know,
12 sometimes she would just visit her family. She would leave
13 for maybe a week, maybe two weeks at a time. And to me, some
14 of that would be normal, because, you know, you have a close
15 bond with your mother or your sister, and then you go there
16 with the kids, and you visit. You get -- and you get more
17 support. That's -- that's all healthy.

18 Q Did she report to you that Marie had some heart
19 issues after her birth?

20 A She did.

21 Q Okay.

22 A I think it might have been a heart murmur.

23 Q Right. Did she tell you that she took Marie to
24 numerous medical appointments for that issue?

1 A Yes.

2 Q Did she say whether Adam had gone to any of those
3 appointments?

4 A She did not. I would assume that he probably didn't
5 go to many if he was in either law school at that time, or
6 probably just started working at Las Vegas Defense Group.

7 Q So is it -- is it a valid excuse that you're busy at
8 work or in school to not be as active in your children's
9 lives?

10 A You know, it depends on how things are regulated and
11 broken up. Okay? As a full time psychologist who probably
12 worked six, six and a half days a week, and my wife worked two
13 days a week, she took out kids probably to about 90 percent of
14 their appointments, and I filled in about 10, maybe 15 percent
15 of the time. I was active in going to their activities, and I
16 would have to change my schedule to do so.

17 But she had the freedom, okay, because I worked full
18 time, to be able to take my children to -- our children,
19 excuse me, to -- to medical appointments. And the same thing
20 is when you're just starting out as an attorney, sometimes
21 there's -- you -- you can't expect to go to all these
22 appointments. It's nice if they do, but, you know, sometimes
23 you -- you balance things.

24 Q Chalese reported to you that Adam broke into her

1 house in January of 2019, right?

2 A She said that Adam said that if this -- if we're
3 referring to -- are we referring to the dryer incident, or the
4 medicine incident?

5 Q I'm referring to him going into the house after they
6 separated. I don't -- I -- I think there were both incidents.

7 A Yes. Adam's -- Adam's point was -- that with the
8 medicine, that Chalese was out of town, and that he requested
9 -- she didn't give him the medicine, and he requested the
10 medicine. And she said just wait, maybe give it to the child
11 the -- the following day. And then Adam said, I'm going to go
12 get the medicine.

13 And then he filmed himself in the car, going into
14 the house, getting the medicine. He briefly scanned the
15 house, and then he came out of the house. And it was probably
16 about two and a half minutes --

17 Q You said --

18 A -- in that instance.

19 Q You said he briefly scanned the house. He even
20 walked into the garage after he got the medicine, right?

21 A He did.

22 Q Yeah.

23 A He did, and then he walked out, correct.

24 Q Okay. And the divorce case was active at that

1 point, do you know?

2 A Say that again, sir?

3 Q Was the divorce case active at that point?

4 A I'm -- I'm trying -- I don't recall when he -- when
5 he got an attorney, or when they first went to court. For
6 some reason, I'm thinking they may have first went to court
7 March of '19, but I could be off on that.

8 Q Right. But the filing happened in January of 2019?

9 A Yeah, I don't -- it -- it's possible, but I don't
10 recall the exact date. His point was it was his house,
11 although, and he's getting the medicine. And I can understand
12 why she felt aggrieved by that.

13 Q Did she say that he went into the house any other
14 times after they had separated?

15 A There -- there was another time, I think somewhere
16 in that same vicinity. There was an incident, the washing
17 machine and dryer, he wanted to confirm it before he made the
18 purchase. And I think he took photos of the home at that time
19 --

20 Q She --

21 A -- as well as the previous times.

22 Q She didn't report to you that there were often times
23 when she would see him on the Ring camera go in after she
24 left?

1 A No. She told me those two times. She did say that
2 at times, he might have been outside.

3 Q And did she say she saw him on camera outside?

4 A I don't recall that part, no.

5 Q Could -- could those types of actions lead to
6 heightened anxiety in someone?

7 A I -- I agree, yes.

8 Q Could they lead to heightened frustration with the
9 other person?

10 A Yes.

11 Q Okay. Would stress be amplified in someone who
12 already has anxiety issues?

13 A Yes.

14 Q Would stress be amplified if someone had PTSD?

15 A Yes.

16 Q Could -- could the actions of -- of going to the
17 house and those other actions of maybe being on camera, if the
18 person who's committing them knows that the other person has
19 anxiety or PTSD, could that be a form of provocation?

20 A Well, what you're saying is, is that is Adam doing
21 this intentionally to create an imbalance in Chalese
22 psychologically, and I can't opine to that, because I didn't
23 -- I didn't necessarily see that happening. But what -- what
24 -- what you're -- I think what you're saying is maybe Chalese

1 is seeing it that way.

2 Q Could Adam have reason to know that she might have
3 high -- heightened anxiety from his actions?

4 A Well, of course --

5 THE PLAINTIFF: Objection. That's -- that's --
6 that's --

7 THE WITNESS: -- of course Adam's going to know, but
8 I think --

9 THE COURT: Hold on. Hold on, Doctor --

10 THE PLAINTIFF: Sorry, Dr. Paglini --

11 THE COURT: -- Dr. Paglini --

12 THE PLAINTIFF: -- objection. He's asking him to
13 speculate to my mind state, and his previous hanging question,
14 I -- I believe -- or his answer was that, you know, he -- he
15 doesn't know anything like that, because he didn't examine me
16 in that context. So he's asking him necessarily to speculate
17 as to what's --

18 THE COURT: I think he's --

19 THE PLAINTIFF: -- in my head.

20 THE COURT: -- I think he's asking if it's possible,
21 and I'm going to allow it.

22 THE PLAINTIFF: Understood.

23 BY MR. FLEEMAN:

24 Q Go ahead and answer, Dr. Paglini.

1 A Can you repeat the question?

2 Q If I can -- if I can remember it at this point. But
3 could -- could Adam -- would -- should Adam -- or could Adam
4 have known that Chalese would be -- have increased anxiety if
5 he were to commit that type of action of going into the house,
6 after they had separated?

7 A So -- so Adam would have known that she had
8 depression and anxiety --

9 Q Right.

10 A -- okay? All right. So what you're saying is
11 you're suggesting, okay, that there was malice in his decision
12 making --

13 Q No --

14 A -- that by going in there -- I'm just saying that
15 this is -- that's the hypothesis, is that -- and then by him
16 going in there, he increases her anxiety and her psychological
17 instability by make -- and making her emotionally vulnerable
18 by doing these things.

19 An alternative hypothesis is, is that he wants the
20 medicine for his child, okay, and there are some concerns at
21 this point from his perspective that she is not really
22 revealing what's going on with Mr. Lloyd, and then he goes
23 into the house, and he sees that it's trashed. And that
24 raises his concerns. And around that time, he looks into

1 Mr. Lloyd's history, okay, and sees that as -- you know, all
2 these dynamics going on.

3 And so we have a heightened, so to speak, perhaps
4 anxiety among the litigants. Now, is it quite possible that
5 one litigant has malice in their responses to make the other
6 person psychologically unstable? Anything's possible. But an
7 alternative hypothesis is some of the things I just said.

8 Q Okay. So based on what you just said, it sounds
9 like you think that Adam was outside the home and went into
10 the home when Josh Lloyd was already involved with Chalese.
11 Is that the time line of that?

12 A The time line is that Josh came about around this
13 time. I'm not going to have exactly if Adam went into the
14 house before Josh had moved in, or they were dating, or that
15 could have been two weeks later. I know at one point, he
16 hired a private investigator because he thought Josh was
17 there, and she was saying he was not there. I may not have
18 the sequencing events to perfection in this, okay, because
19 they're all muddled around the same time.

20 Q Okay. Chalese disclosed that she previously used
21 Xanax, correct?

22 A Yes.

23 Q Would -- would Xanax be an unusual medication to be
24 subscribed -- or sorry -- prescribed to someone going through

1 a contentious divorce matter?

2 A I don't think it's unusual.

3 Q Chalese --

4 A I want to be clear on -- I want to be clear on one
5 thing. Okay? Her mental health dynamics, okay, I could -- I
6 could understand, and that's not an issue for me. Okay?
7 That's not an issue for me. My -- my concern (indiscernible)
8 see this equally, okay, was the -- the dynamic with the
9 endangerment, and then Mr. Lloyd's dynamics. And if the Judge
10 doesn't think those are important, okay, then you start
11 getting more in terms -- in terms of the shared custody.
12 Okay?

13 So Chalese having trauma stress or anxiety or
14 depression, I sympathize with that. Okay? And I'm not
15 holding that -- it's not held against her at all. Not at all.
16 It's not -- it's not in my equation. Okay? The -- the
17 concern that I had were those endangerment dynamics. And if
18 the Judge doesn't think that they're important, or, you know,
19 maybe it was a long time ago, and she doesn't see it as equal
20 weighting, I get -- I understand that.

21 And -- and -- but it was important for me that -- I
22 struggled with, you know, she's already violated some court
23 orders. She didn't get it, and then she's still not getting
24 it. And that's where I'm coming from on this dynamic.

1 Q Okay. So let's --
2 A Yes. Go on.
3 Q Yeah, we don't have that much time. So --
4 A Go on, sir. Sorry.
5 Q -- you'll probably have to come back, I guess,
6 because it's almost 4:30, and -- and they got to be out of
7 here by 5:00. But, you know, I want to touch on something
8 that you said, you know.
9 MR. FLEEMAN: Court's indulgence.
10 THE COURT: Okay.
11 MR. FLEEMAN: I have lots of pages so I just want to
12 try and skip -- skip to something that --
13 BY MR. FLEEMAN:
14 Q So you -- you mentioned that she had already
15 violated a court order, correct?
16 A Yeah. The judge -- Judge Moss in the orders, okay,
17 told them that he can't drive. All right? And if I'm not
18 mistaken in the order, in June of '19, there's something
19 indicating that there were multiple violations. All right?
20 Q I -- I don't think that's accurate, but I think the
21 record can speak for itself.
22 A (Indiscernible) take a look at it again, I thought
23 that's what I read. Okay? But let's just assume there was
24 one. It was significant enough for the Judge to change

1 temporary custody. Okay?

2 Q Do -- okay.

3 A So that was the -- and then -- and then -- and then

4 two months later, she's driving excessively, and that raises

5 the concerns a little more.

6 Q Well, there's a claim --

7 A Okay? And so --

8 Q -- she drove excessively.

9 A -- that's -- yeah.

10 Q Okay. So you're taking that -- it seems like when

11 you're -- in your testimony, you're taking that kind of as --

12 at face value, she did it, right? That's not an allegation,

13 it's -- it's -- it's a concern because it's been reported.

14 A So let's -- I -- I think my -- if -- if I had to go

15 back and change my report, I would have put provisos in there,

16 saying, if the Courts believe that she did this, then to me

17 this would be significant, okay, and the Courts may want to

18 entertain going this way. If the Courts don't believe that

19 this existed, okay, then, you know, then based on other

20 dynamics, everything would be weakening.

21 Q Right. So do you know if Judge Moss made a best

22 interest finding when she reduced Chalese's time, and gave

23 Adam primary physical custody temporarily?

24 A That's -- it was temporarily based. And my guess

1 would be there would be an evidentiary hearing at a later date
2 to address those dynamics. Does that make sense? You look
3 like you're confused by my statement.

4 Q Well, I'm confused because I think the law requires
5 that even temporary orders have to be based on best interests.
6 Is that your understanding of the law, or --

7 MR. MAYO: Objection, Your Honor.

8 BY MR. FLEEMAN:

9 Q -- is it something different?

10 MR. MAYO: That's a legal conclusion.

11 THE PLAINTIFF: Yeah. He's -- he's asking for
12 something outside --

13 THE COURT: It's -- I'm --

14 THE PLAINTIFF: -- of his --

15 THE COURT: I'm going to sustain that.

16 BY MR. FLEEMAN:

17 Q You did a report that's supposed to be based on best
18 interests, correct?

19 A Yes.

20 Q Do you understand -- so you must understand what the
21 law requires under best interests, correct?

22 A Yes.

23 Q Okay. So I -- I --

24 A There's a lot of criterias -- there's a lot of

1 criterias for that. So at the time, if the Judge is shifting
2 custody, okay, on a temporary basis, she's likely doing that
3 for the best interests of the children, because a -- a
4 litigant did not adhere to the court order. Okay? The
5 litigant allowed her boyfriend, who has a driving -- you know,
6 a negative driving history, to drive the children when she
7 was, what, taking a Xanax or whatever, and -- and in -- in
8 essence, she violated a court order because the Judge wanted
9 to make sure that that wasn't taking place, because they had
10 concerns about his driving.

11 Q Okay. So if she had taken a Xanax and didn't feel
12 comfortable to drive, and she had someone else drive, but that
13 person's not allowed to drive under the order, I mean, what
14 would be in the best interests of the kids?

15 A You need to talk to Judge Moss about that.

16 Q Well --

17 A Because she was the one that made the order. Okay?
18 You don't -- I don't know why you're asking me this question,
19 because the Judge is the one that shifted custody, not me.

20 Q Right. But in --

21 A So --

22 Q -- your testimony, you relied heavily on the fact
23 that this is what the Judge did, I'm starting from him having
24 primary already. Do you think that was appropriate, to start

1 your evaluation from --
2 A Now, listen --
3 Q -- (indiscernible)?
4 A I am not saying that just because the Judge gave
5 Adam temporary --
6 Q Uh-huh.
7 A -- primary physical custodian -- custody, that
8 that's the way it's going to be.
9 Q You --
10 A Okay? My point -- listen, let me explain it to you.
11 My point is, that's where we're starting. Okay? So what I'm
12 expecting her to do at this point is -- is show adequate
13 behavior and do things right. Okay? Prove the -- you know,
14 the Judge wrong so to speak. All right? So to illustrate,
15 I'm going to give you another illustration of this. Okay?
16 So let's say I have an impaired parent that has that
17 kind of problem. Okay? And maybe -- maybe it's a -- the
18 Judge is concerned that the -- the parent has a --
19 psychological issues, and then that parent goes out and gets
20 -- is on medicine, and is in therapy, and is interacting very
21 well with her children -- his or her children, and then also,
22 despite the fact that let's say hypothetically, the other
23 parent might be kind of less than maybe a great person. She's
24 responding adaptively. Okay? Then she's showing me that

1 she's responding adaptively. And -- and I can trust her
2 judgment. All right?

3 And so in a situation -- now we're going back to
4 this case with Solinger, she was placed on primary -- or not
5 primary, but she had her visitation reduced. Okay? Now, I'm
6 -- I'd love for her to have -- have shared custody. Okay? I
7 want her -- I'd like to have -- see her now get shared custody
8 if everything is resolved, and she's moving forward, and --
9 and everything. I'd like to see that happen. Okay? I'm not
10 glued to primary custody.

11 It's just that it was difficult for me to opine or
12 suggest shared custody when I have some of these things that
13 are in my path. Okay? And that was -- that was my main
14 concern. So if you take those things out of my path, then I
15 feel better. And so that's where I'm at.

16 Do I want her to have shared custody? Absolutely.
17 Okay? If -- if I'm hearing, and I can't opine on it, but if
18 -- if I hear that from the time that I did my report,
19 September, 2020, to mid-May, 2021, she has done a great job
20 doing everything, okay, then that would be potentially
21 mitigation for the Judge. So I'm -- I'm all for your client
22 having shared custody. Okay? I just want to make sure we get
23 over those hurdles.

24 Q Okay. Do -- do you know if Adam ever violated court

1 orders in this case?

2 A I don't recall if he has. If he has, please educate
3 me on it.

4 Q Were -- were you told by Chalese that withheld the
5 children in April of 2020?

6 A I was.

7 Q Were you aware that Chalese saw the children for
8 about only 24 hours in 20 -- April, 2020?

9 A Yeah. And that was -- I was disturbed by that, and
10 then I think I read in the court orders that she had some make
11 up days.

12 Q She was -- she was ordered --

13 A In May.

14 Q -- four make up days.

15 A In May of 2020.

16 Q Right. So four make up days, and two were deferred
17 to the time of trial. So she only got two make up days. I
18 guess my question is --

19 A Okay.

20 Q -- are you aware if Adam withheld the children
21 before there was ever a court order saying that he -- he was
22 allowing to withhold them?

23 A I was aware of it. I can't recall how he -- what he
24 stated to justify his position.

1 Q Right. Did --

2 A I was aware that she was frustrated with those
3 dynamics.

4 Q Chalese didn't explain to you what had happened in
5 April of 2020?

6 A You know, it -- I'd have to look at my relationship
7 history section --

8 Q Okay.

9 A -- (indiscernible) what happened.

10 Q Are you aware --

11 A I don't recall --

12 Q Okay.

13 A -- of the top of my head.

14 Q The first time you met with her, on April 1st of
15 2020, are you aware that the children were already being
16 withheld at that point?

17 A I don't think so.

18 Q Okay. Are you aware that Adam withheld the children
19 on the basis of COVID and worries about Chalese?

20 A Yes. I am. I think his perspective was that she
21 had gone to some -- I don't know if it was a -- an outing,
22 when they were -- or if they'd gone out of state with the
23 children. It was something that he had concerns
24 (indiscernible) COVID seriously (indiscernible) COVID, April

1 of 2020.

2 March 10th, around there, everything went down and
3 everything was all over the place, in terms of what people
4 should do, and people are trying to understand, you know, kind
5 of everybody (indiscernible) take a much more conservative
6 approach at that point than it is now.

7 Q Okay. So at the time you were conducting this
8 evaluation and talking to Chalese, she was in a high risk
9 pregnancy, correct?

10 A Not in April. But at the end, probably more in
11 June, correct.

12 Q Right. When you -- when you were talking to her in
13 July, August, that time frame?

14 A During the process, yes, sir.

15 Q Okay. And then in -- in April, she wasn't seeing
16 her -- her children but for 24 hours total, right?

17 A Okay. Go on. I'm following you.

18 Q Okay. And you looked into whether or not Adam was
19 withholding the children during that time, or not?

20 A I did talk to Adam about his -- I'd have to look
21 back in April, 2020, in terms of what his responses were. I
22 know he had concerns about COVID; I think there was concerns
23 about -- well, there were just a lot of concerns. There's --
24 there's poor -- there's poor communication between them, and

1 he had significant concerns about COVID.

2 Q Okay. Should a parent unilaterally decide to
3 withhold the children, or should they get a court order first?

4 A Well, it -- it's been done a lot, and I don't
5 necessarily agree with it. And then it depends on what the
6 dynamics of withholding the children are.

7 Q Okay. But you don't recall --

8 A (Indiscernible). I don't recall. I'll have to --
9 I'll have to look and see what he said about that.

10 Q Okay. Is withholding a -- a parent withholding time
11 in violation of the court order a concern for you?

12 A Yes.

13 Q Okay.

14 A Yes, it would be.

15 Q Why is that not listed as an issue of concern for
16 Adam in your report?

17 A Well, I -- that's -- that's a good question. And I
18 didn't think -- at the time, I had two versions of what the
19 reality was and when they went to court, and then she got some
20 make up time on it. But it did go -- it -- it -- it should
21 have been a concern in terms of potential co-parenting.

22 MR. FLEEMAN: I don't know where the Court wants to
23 stop, if this is a good spot?

24 THE COURT: I think we probably need to stop at this

1 point, because I need to try to feel him out a little bit.
2 MR. FLEEMAN: Okay.
3 THE COURT: Okay. Dr. Paglini, I have a question, a
4 couple of questions.
5 MR. FLEEMAN: Just for clarification, I'm not done,
6 but just for the day.
7 THE COURT: I know. I know. He's not done with his
8 cross examination and everything, but we do need to see dates
9 on if you would be available. Would you be available on the
10 afternoon of the 20th at 1:30?
11 THE WITNESS: 20th of what month?
12 THE COURT: This month, May.
13 THE WITNESS: No.
14 THE COURT: Okay. What about --
15 THE WITNESS: I am -- I am out of country.
16 THE COURT: You are out of country. Okay. What
17 about the 28th?
18 MR. FLEEMAN: Do you want my dates, Your Honor?
19 THE WITNESS: I --
20 THE PLAINTIFF: They're not important.
21 THE COURT: I think I'm -- I am -- I'm good to go on
22 that date.
23 THE COURT: Okay. All right. Because that's the
24 only --

1 MR. FLEEMAN: Well --
2 THE COURT: -- date I've got before November.
3 MR. FLEEMAN: Well, I mean, I had advised the Court
4 before, I'm out of the jurisdiction from May 20 -- oh, let me
5 see. I'm on the wrong month. May 24th through the 31st. So
6 it's that exact week. I'm back June 1st.
7 THE COURT: Okay. I don't have anything until
8 November.
9 THE PLAINTIFF: Could Your Honor possibly inquire
10 with some of the other cases, because we -- we are running up
11 with --
12 THE COURT: I have.
13 THE PLAINTIFF: -- the Rule 151 issue, as far as
14 wanting to get done --
15 THE COURT: Yeah.
16 THE PLAINTIFF: -- in six months.
17 THE COURT: I've got cases that -- that's just as
18 old that's coming up, also.
19 THE PLAINTIFF: I understand. Understand.
20 THE COURT: But, you know, we're not the -- I'm not
21 the one who has pushed this and pushed this and pushed this
22 off. So okay. All right. So we can't do the 28th.
23 (Counsel and Plaintiff confer briefly)
24 THE PLAINTIFF: We -- we still have June 14th, Your

1 Honor?

2 THE COURT: We do have June 14th. Would you be able
3 to do this and the financials in that period of time?

4 MR. FLEEMAN: No.

5 THE PLAINTIFF: And we -- we can get a -- a running
6 start --

7 THE COURT: Well, hold on, hold on, hold on, hold
8 on, hold on, hold on. We can go kind of backwards a little
9 bit. We're doing this, and I know I wanted custody prior to,
10 but if I'm not going to make a full decision, we can always do
11 the financials on the 20th -- you're here on the 20th? Are
12 you available on the 20th?

13 THE PLAINTIFF: I -- I -- the 20th of what day -- of
14 May?

15 THE COURT: Of May.

16 MR. FLEEMAN: I -- I have an evidentiary hearing in
17 Department C.

18 MR. MAYO: I do, as well.

19 MR. FLEEMAN: At 2:00 -- from 2:00 p.m. At 2:00
20 p.m.

21 THE COURT: How long do you think the -- hold on.
22 We're on June 14th, right?

23 MR. FLEEMAN: May 20th.

24 THE COURT: No, no, no.

1 MR. FLEEMAN: Yeah. Yeah, yeah. May -- June 14th
2 we have a date already set in this case.
3 THE COURT: May -- June 14th. It's June 14th, not
4 May 14th.
5 MR. FLEEMAN: Right.
6 THE COURT: I keep trying to look in May. Okay.
7 I've -- all right. I -- I was hoping I would have a full day
8 available for you, but I don't. I've got two of them
9 scheduled in the afternoon. Okay.
10 MR. FLEEMAN: I mean, I would pref --
11 THE COURT: Sir, are you -- are you available on the
12 14th of June?
13 THE WITNESS: And that's a question to me, and I
14 would say that --
15 THE COURT: Yes, sir.
16 THE WITNESS: -- let me just take a look at that,
17 ma'am.
18 THE COURT: It would be 9:30 in the morning.
19 THE WITNESS: I will make myself available.
20 THE COURT: Is everybody else -- well, I know y'all
21 are, because you're already scheduled. Okay. Then we will
22 continue your portion of it on June 14th, and figure out what
23 we're going to do about the financials if we don't finish it
24 all at that time.

1 THE WITNESS: All right. Thank you, Your Honor.

2 THE COURT: Thank you, sir. And it's nice to
3 finally kind of meet you here.

4 THE WITNESS: Thank you, ma'am. You take care.

5 THE COURT: You, too, sir.

6 MR. FLEEMAN: We -- we only have like, maybe 15
7 minutes left --

8 THE COURT: Maximum.

9 MR. FLEEMAN: Yeah. I -- I'd make that oral motion
10 to --

11 THE COURT: Yeah.

12 MR. FLEEMAN: -- modify for summer time visitation.

13 (Court and Clerk confer briefly)

14 THE COURT: All right. Summer visitation so far,
15 and I'm -- I'm wanting to see what would take place.

16 THE PLAINTIFF: And, Your Honor, I -- I don't think
17 there's any good reason to deviate from the scheduling as it
18 is now. From an institutional history perspective -- and I
19 understand Your Honor's looking at me like I have six heads
20 right now. I'm going to really try to be brief here, and talk
21 really fast like I do in criminal court. So in essence, Judge
22 Moss ordered this June, 2019. At no point prior to me
23 pointing out that the Defendant had not moved for a reunion
24 back to joint custody, did she ask for it.

1 Of course, once I did that, in early 2020, give or
2 take around February, 2020, not to be specific with dates, she
3 did move, as part of a countermotion to return to that, and
4 Judge Moss said absolutely not, and actually awarded
5 attorney's fees for having to defend that portion of the
6 motion. That was not when --

7 THE COURT: Let me ask you something real quick, and
8 I don't --

9 THE PLAINTIFF: Yes, Your Honor.

10 THE COURT: -- do I look like Judge Moss?

11 THE PLAINTIFF: No. Your Honor --

12 THE COURT: Do I look like somebody who would
13 actually listen to what another judge says? I mean, how many
14 times have you heard me say I'm not Judge Pomrenze?

15 THE PLAINTIFF: I -- I understand that.

16 THE COURT: Okay, you may not have. That -- no --
17 they may have.

18 THE PLAINTIFF: I understand that, Your Honor. I'm
19 just trying to get the history here --

20 THE COURT: Correct.

21 THE PLAINTIFF: -- to say that there's not been a
22 change in circumstances (indiscernible).

23 THE COURT: Okay. I -- okay. As I stated earlier,
24 sitting here, looking at the record, and now listening to

1 doctor -- what -- what Dr. Paglini has said, I don't see any
2 reason why we should not change the schedule for the summer.
3 Summer. Not to school. Okay? And how -- don't --
4 THE PLAINTIFF: I'm not --
5 THE COURT: -- don't interrupt me now.
6 THE PLAINTIFF: I'm not. I'm putting my hands in my
7 pockets --
8 THE COURT: Okay.
9 THE PLAINTIFF: -- so I stop.
10 THE COURT: The -- one of the big problems that I
11 have with school, during the school year, is you're not the
12 one who moved clear across this county almost, for the
13 children. Okay? Away from the children. And I'm waiting to
14 hear an explanation on why that happened, but that's going to
15 take place at a later time. If nobody else asks the question,
16 I will be asking the question.
17 MR. FLEEMAN: We'll answer that question.
18 THE COURT: But -- well, no, but during --
19 MR. FLEEMAN: At trial.
20 THE COURT: -- the summer -- during the summer
21 months, I don't see any problem with -- with it right now.
22 And there's a method to my madness, okay? I don't see any
23 reason why it shouldn't be week on, week off, once school is
24 out, with the child exchange taking place here at the

1 courthouse on Sundays.

2 THE PLAINTIFF: Your Honor, here's the reasons why.
3 Number one, the diaper rash issue, genital rash, because Marie
4 is potty trained --

5 THE COURT: Is your soon to be three year old still
6 in diapers?

7 THE PLAINTIFF: No, she's potty trained, but that's
8 --

9 THE COURT: Then okay.

10 THE PLAINTIFF: -- that's the issue. She still
11 comes home with that same rash because she understands the
12 concept of wiping, but she doesn't do it thoroughly enough and
13 there's not the assistance necessary. So even just yesterday,
14 when she came back --

15 THE COURT: Uh-huh.

16 THE PLAINTIFF: -- she was red and rashy down there,
17 and it hurts her. So -- and that's after 48 hours. Because
18 the Defendant picked her up Friday at 6:00 p.m., and I picked
19 her up at the VA Hospital, our mutually agreed upon meeting
20 spot, at 4:00 p.m. So that's a less than 48 hour period, and
21 you're running into that issue, number one. Number two --

22 THE COURT: Okay. I want you to do me a favor --

23 THE PLAINTIFF: Yes, Your Honor.

24 THE COURT: -- and that's because as a child, I had

1 this problem. Take her to make sure her kidneys are
2 functioning right.

3 THE PLAINTIFF: I -- I will, Your Honor.

4 THE COURT: Okay.

5 THE PLAINTIFF: And what I'll note is that the
6 diaper rash issue does not happen when she's with me.

7 THE COURT: Uh-huh.

8 THE PLAINTIFF: And it's because we still help her
9 use the restroom, and that's not happening. So that's issue
10 number one. Issue number two, obviously Michael is in speech
11 therapy. He does it through the school district on Mondays --

12 THE COURT: Uh-huh.

13 THE PLAINTIFF: -- which will stop. But he also
14 does private speech therapies --

15 THE COURT: Okay.

16 THE PLAINTIFF: -- on Tuesday.

17 THE COURT: And why can't Mom take him?

18 THE PLAINTIFF: Because she's never taken him. If
19 -- if she wanted --

20 THE COURT: Why can -- no, no. Don't say because
21 she's never done it. Okay? If I'm telling her to do it at
22 this point, because this is something, and she don't do it,
23 then that's going to go a long way about what I'm going to do
24 in the future. But right now, I believe in giving her enough

1 rope to hang herself. Okay?

2 If she -- if she has diaper rash and she keeps
3 coming back, I want you to take her to a doctor and have it
4 checked out to find out the reason why, and I want medical
5 document -- documentation. Because like I said earlier, I
6 don't want to hear it coming from your lips. If you don't
7 have documentation or proof, then I don't want to hear it.

8 THE PLAINTIFF: I -- I do have --

9 THE COURT: Clear and convincing evidence.

10 THE PLAINTIFF: I have pictures, Your Honor, that
11 we'll present --

12 THE COURT: I don't want to look at the -- I want a
13 doctor telling me that this is diaper rash, or this -- this is
14 that. All right?

15 THE PLAINTIFF: Understood.

16 THE COURT: Pictures -- I do not -- I do not need to
17 be looking at private parts unless there's bruising and stuff
18 like that. If it's a medical problem, then a doctor needs to
19 tell me what the cause is.

20 THE PLAINTIFF: I -- I understand. As far as other
21 issues concerning -- there -- there's still a drug testing
22 issue. Judge Moss -- and I know you're not Judge Moss, it's
23 just the standing order, did order that.

24 THE COURT: Okay.

1 THE PLAINTIFF: I stopped drug testing in September
2 of 2019 and -- and noticing the drug tests because at that
3 point --

4 THE COURT: They were going down --

5 THE PLAINTIFF: -- based on the PI's -- it -- well,
6 it -- it became clear --

7 THE COURT: Uh-huh.

8 THE PLAINTIFF: -- that she was potentially
9 submitting fraudulent drug test, going to the smoke shop,
10 buying artificial urine --

11 THE COURT: Well, right now, here's what I'm going
12 to do. And we want to get out of here right now, because
13 you've got 15 minutes to make it down to ATI, but you're both
14 going to go.

15 THE PLAINTIFF: Understood.

16 THE COURT: So I'm going to allow the visitation
17 week on, week off, starting one week after school is out.
18 You'll have the first week. This is only temporary, because I
19 want -- I want to see what is going on. We're going to be
20 back not too long after that, on June 14th. So -- but this --
21 this is just a couple weeks where we're doing this.

22 THE PLAINTIFF: I -- and, Your Honor, may I just
23 make one last point?

24 THE COURT: Yes.

1 THE PLAINTIFF: Would Your Honor be inclined to do
2 2-2-3 for the summer time --

3 THE COURT: No.

4 THE PLAINTIFF: -- because it's --

5 THE COURT: I don't -- I don't -- I -- y'all do not
6 co-parent worth a damn. Excuse my language. Okay? The
7 minimal amount of contact that the two of you have is going to
8 be the best. All right? That's why during the school months,
9 you're not going to have but minimal -- only -- only holiday
10 visitation time is going to be the time when you're going to
11 have contact with her, because all the change school -- all
12 the exchanges are going to be from -- through the school.

13 So we've got our --

14 MR. FLEEMAN: In terms of the costs of the drug
15 testing, Your Honor --

16 THE COURT: You're going to pay your own costs.
17 Because I'm doing --

18 MR. FLEEMAN: She's not working. I don't know that
19 she has the ability --

20 THE COURT: Well, somehow or another, she's making
21 her mortgage payment. So I don't want to hear she's not
22 working. She can at least give a sample and go back and go
23 back and pay for it.

24 MR. FLEEMAN: And that's not something she brought

1 up. I brought it up because --

2 THE COURT: Well, I know that. I -- I -- I -- I
3 recognize that. But I also recognize the fact that she's got
4 over \$2,000 of utilities and all these other bills that she's
5 claiming is her expenses, and only \$500 coming in. So -- and
6 I need a new financial disclosure form from you.

7 THE PLAINTIFF: Of course, Your Honor.

8 THE COURT: But y'all need to get going. You've got
9 10 minutes to make it there.

10 THE PLAINTIFF: And we're sure that she'll be
11 allowed to test without paying up front?

12 THE COURT: Correct. Correct. They're going to
13 allow her to test without paying up front.

14 MR. FLEEMAN: Because I'm sure she can get money
15 from her mom and stuff. So I'd --

16 THE COURT: Yeah. She -- she -- she can do that.
17 But we -- but we've got minimal time to go.

18 THE PLAINTIFF: Your -- Your Honor, did you want the
19 trial binders that I made for you?

20 THE COURT: You can -- you can either leave them
21 here, but right now, you've got 10 minutes to make it down
22 there. They close at 5:00.

23 THE PLAINTIFF: Judge, I have to make two trips --

24 THE COURT: Do you want us to leave that here?

1 MR. MAYO: Leave (indiscernible); I'll take the
2 rest.
3 THE PLAINTIFF: You know what? I'm just going to
4 leave.
5 THE COURT: Yeah. You know what? We -- you can
6 leave all these binders here if you're not going to need to go
7 through them between now and then. Go. We --
8 MR. FLEEMAN: When's the exchange day, Your Honor?
9 THE COURT: -- will put them up. The exchange is
10 going to be Sundays beginning one week after the school is
11 out.
12 MR. FLEEMAN: Sunday at what time, 6:00?
13 THE COURT: Sunday at 5:00 p.m.
14 MR. FLEEMAN: 5:00 p.m.? Okay. Write that down.
15 THE COURT: And it's only going to be for just a
16 couple of months -- or a couple of weeks.
17 MR. FLEEMAN: Understood.
18 THE PLAINTIFF: So the schedule stays --
19 UNIDENTIFIED VOICE: (Indiscernible) --
20 THE COURT: Whilst the children are in school --
21 while your son is in school, it's going to stay like it is
22 right now. When school is out --
23 THE PLAINTIFF: Understood.
24 MR. FLEEMAN: When does school get out?

1 THE PLAINTIFF: The 26th --
2 THE COURT: Yeah.
3 THE PLAINTIFF: -- is the last day --
4 THE COURT: It's at the end of the month. So -- so
5 it's like there's only going to be a couple weeks.
6 MR. FLEEMAN: It's the Sunday immediately following
7 school getting out, or?
8 THE COURT: One week after school gets out.
9 (Counsel confer briefly)
10 THE COURT: Well, hold on, hold on. Let's do it
11 immediately after school is out because I want to give it a
12 couple of weeks.
13 MR. FLEEMAN: All right. So the first Sunday after
14 school --
15 THE COURT: Yeah.
16 THE PLAINTIFF: And do they close at 5:00 or 6:00?
17 I always thought they --
18 THE COURT: They close at 5:00.
19 THE PLAINTIFF: Okay.
20 THE COURT: Go. We can leave the books here if he's
21 not going to need it.
22 (PROCEEDINGS CONCLUDED AT 4:52:13)
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ATTEST: I do hereby certify that I have truly and
correctly transcribed the digital proceedings in the
above-entitled case to the best of my ability.

/s/ Nita Painter
Nita Painter

ORIGINAL

FILED

JAN 25 2022

EIGHTH JUDICIAL DISTRICT COURT

Deanna A. Johnson
CLERK OF COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

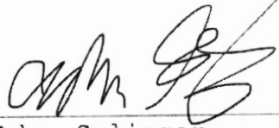
ADAM MICHAEL SOLINGER,) CASE NO. D-19-582245-D
Plaintiff,) DEPT. P
vs.)
CHALESE MARIE SOLINGER,) NV SUPREME CT. APPEAL NO. 81787
Defendant.) SEALED

RECEIPT OF COPY

RECEIPT OF COPY of Transcripts and Certification of the
following proceeding in the above-captioned case:

May 10, 2021

Were filed January 25, 2022 for Adam Solinger is hereby
acknowledged this 25th day of January, 2022.

BY 
Adam Solinger
7290 Sea Anchor Ct.
Las Vegas, NV. 89131

EIGHTH JUDICIAL DISTRICT COURT - TRANSCRIPT VIDEO SERVICES
601 N. Pecos Road, Las Vegas, Nevada 89101 (702) 455-4977

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ORIGINAL

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

FILED

JAN 25 2022

Alanna A. Johnson
CLERK OF COURT

ADAM MICHAEL SOLINGER,) CASE NO. D-19-582245-D
Plaintiff,) DEPT. P
)
vs.)
)
CHALESE MARIE SOLINGER,) NV SUPREME CT. APPEAL NO. 81787
Defendant.) SEALED

CERTIFICATION OF TRANSCRIPTS NOTIFICATION OF COMPLETION

The Office of Transcript Video Services received a request for transcript and one copy, for the purposes of appeal from Adam Solinger on November 15, 2021 for the following proceedings in the above-captioned case:

May 10, 2021

I do hereby certify that copies of the transcript requested in the above-captioned case were submitted to be filed with the Eighth Judicial District Court on January 25, 2022, and ordering party was notified January 25, 2022.

DATED this 25th day of January 2022.

Maria Balagtas
Maria Balagtas, Law Office Assistant II
Transcription Video Services

EIGHTH JUDICIAL DISTRICT COURT - TRANSCRIPT VIDEO SERVICES
601 N. Pecos Road, Las Vegas, Nevada 89101 (702) 455-4977

003576

ORIGINAL

EIGHTH JUDICIAL DISTRICT COURT

FILED

FAMILY DIVISION

JAN 25 2022

CLARK COUNTY, NEVADA

Alanna A. Hoffman
CLERK OF COURT

ADAM MICHAEL SOLINGER,
Plaintiff,

CASE NO. D-19-582245-D
DEPT. P

vs.

CHALESE MARIE SOLINGER,
Defendant.

NV SUPREME CT. APPEAL NO. 81787
SEALED

FINAL BILLING FOR TRANSCRIPTS

The office of Transcript Video Services filed transcripts for Adam Solinger on January 25, 2022 for the following proceedings in the above-captioned case:

May 10, 2021

Original transcript and one copy were requested.

The transcript total is 159 pages, for a final cost of \$631.39. A deposit in the amount of \$585.00 was received on December 22, 2021. The balance of \$46.39 was paid on January 24, 2022 directly to Verbatim Reporting and Transcription.

DATED this 25th day of January, 2022.

Maria Balagtas
Maria Balagtas, Law Office Assistant II
Transcription Video Services

Balance of Paid in Full Check # _____ CC# 21-2435 CASH _____ CLERK _____

Received by: *[Signature]* this 25th day of January, 2022.

ITEMS LEFT BEYOND NINETY DAYS ARE SUBJECT TO DISPOSAL WITHOUT REFUND.
COUNTY RETENTION POLICY APPROVED BY INTERNAL AUDIT.

EIGHTH JUDICIAL DISTRICT COURT - TRANSCRIPT VIDEO SERVICES
601 N. Pecos Road, Las Vegas, Nevada 89101 (702) 455-4977

003577

1 **ORDR**

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
7)
Plaintiff,) Department: P
8 vs.)
9 CHALESE MARIE SOLINGER,) Date of Hearing: 01/21/22
Time of Hearing: 9:30 a.m.
10 Defendant.)

11 **ORDER FROM JANUARY 21, 2022 TRIAL**

12 THIS MATTER came before this Court on the 21st day of January,
13 2022, for day 2 of Trial, and the Plaintiff, **Adam Michael Solinger**
14 (“Adam”), was personally present, representing himself with his co-
15 counsel, Charles Goodwin, Esq.; and Defendant, **Chalese Marie**
16 **Solinger** (“Chalese”) was personally present and represented by her
17 attorney, Michancy M. Cramer, Esq., of Alex B. Ghibaud, P.C.;

18 The parties heard from the Court regarding past orders that
19 interfered with the Defendant’s right to engage in legal activities in the
20 State of Nevada. The Defendant made representations to the Court
21 regarding the Plaintiff’s use of vacation time to withhold nearly the

1 entire month of December, 2021 from her by noticing his vacation time
2 during her weekly custodial time; and the Court heard oral argument
3 from both sides.

4 NOW, THEREFORE, the Court being fully advised in the premises
5 and good cause appearing makes the following orders:

6 IT IS HEREBY ORDERED that the parties shall temporarily share
7 Joint Legal and Joint Physical Custody of the minor children, to wit:
8 Michael Adam Solinger, born June 16, 2015 and Marie Leona Solinger,
9 born August 28, 2017. Custodial exchanges shall take place every
10 Wednesday evening at 7:00pm if there is no school. If there is school,
11 exchanges shall be done through school and pickup will be at the end of
12 the school day. If there is no school, the exchange location shall remain
13 at the VA hospital.

14 THE COURT FURTHER ORDERS that the parties shall be able to
15 have a third party pick up/drop off the minor children at the child
16 exchanges. The Defendant's boyfriend, Joshua Lloyd, may be with the
17 Defendant's third party, but he shall not drive the minor children.

18 THE COURT FURTHER ORDERS that aside from the temporary
19 driving restriction above, there are no further restrictions regarding
20 Joshua being around and caring for the children.

1 THE COURT FURTHER ORDERS that vacation time shall NOT be
2 stacked or divided up to deprive one parent of regular custodial time;
3 that the Parties shall only take vacation while the children are not in
4 school and may only do so in seven day blocks during the Summer, and
5 cannot infringe on the other parent's holiday time.

6 THE COURT FURTHER ORDERS that the previous order
7 regarding Right of First Refusal is rescinded and that neither party has
8 the Right of First Refusal.

9 THE COURT FURTHER ORDERS that the parties shall not
10 withhold the minor ~~child.~~ children.

11 THE COURT FURTHER ORDERS that trial (Day 3) shall resume
12 on March 1, 2022 at 9:00 A.M. and on March 2, 2022, at 9:00 A.M.

Dated this 8th day of February, 2022


DISTRICT COURT JUDGE

17 Respectfully Submitted,

18 /s/ Adam M. Solinger
19 Adam M. Solinger
20 Plaintiff
21

ABA 497 6CF9 F891
Mary Perry
District Court Judge

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Adam Michael Solinger, Plaintiff | CASE NO: D-19-582245-D
7 vs. | DEPT. NO. Department P
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 was served via the court's electronic eFile system to all
14 recipients registered for e-Service on the above entitled case as listed below:

15 Service Date: 2/8/2022

16 Jack Fleeman	jack@pecoslawgroup.com
17 Angela Romero	angela@pecoslawgroup.com
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19 Alicia Exley	alicia@pecoslawgroup.com
20 Adam Solinger	adam@702defense.com
21 Louis Schneider	lcsllawllc@gmail.com
22 Alex Ghibaudo	alex@glawvegas.com
23 Michancy Cramer	michancy@glawvegas.com
24 Adam Solinger	attorneyadamsolinger@gmail.com
25 Alex Ghibaudo	alex@glawvegas.com

MISC

Name: Michaeny M. Gramer, Esq.
Address: 197 E California Ave 250
Las Vegas NV 89104
Phone: 702-483-8544
Email: Michaeny@glawvegas.com
Attorney for defendant
Nevada State Bar No. 11545

FILED IN OPEN COURT

March 3, 2022

STEVEN D. GRIERSON
CLERK OF THE COURT

BY Kyle Medina
DEPUTY

gm
Judicial District Court
Clark County, Nevada

<u>Adam Solinger</u> Plaintiff,	Case No. <u># D-19-582245-1</u>
vs. <u>Chalese Solinger</u> Defendant.	Dept. <u>P</u>

GENERAL FINANCIAL DISCLOSURE FORM

A. Personal Information:

1. What is your full name? (first, middle, last) Chalese Marie Solinger
2. How old are you? _____
3. What is your date of birth? 11-17-1990
4. What is your highest level of education? HS & Cosmetology School

B. Employment Information:

1. Are you currently employed/ self-employed? (☒ check one)

☒ No

☒ Yes

If yes, complete the table below. Attached an additional page if needed.

Date of Hire	Employer Name	Job Title	Work Schedule (days)	Work Schedule (shift times)
<u>May/19</u>	<u>Cookie Cutters</u>	<u>manager/stylist</u>	<u>M-F</u>	<u>10-6</u>

2. Are you disabled? (☒ check one)

☒ No

☐ Yes

If yes, what is your level of disability? _____

What agency certified you disabled? _____

What is the nature of your disability? _____

C. Prior Employment: If you are unemployed or have been working at your current job for less than 2 years, complete the following information.

Prior Employer: _____ Date of Hire: _____ Date of Termination: _____
Reason for Leaving: _____

Monthly Personal Income Schedule

A. Year-to-date Income.

As of the pay period ending 2-20-22 my gross year to date pay is 4390.77

B. Determine your Gross Monthly Income.

Hourly Wage

<u>11.50</u>	×	<u>40</u>	=	<u>460</u>	×	52	=	<u>23,920</u>	÷	12	=	<u>1,993.33</u>
Hourly Wage		Number of hours worked per week		Weekly Income		Weeks		Annual Income		Months		Gross Monthly Income

Annual Salary

	÷	12	=	
Annual Income		Months		Gross Monthly Income

C. Other Sources of Income.

Source of Income	Frequency	Amount	12 Month Average
Annuity or Trust Income			
Bonuses			
Car, Housing, or Other allowance:			
Commissions or Tips:			
Net Rental Income:			
Overtime Pay			
Pension/Retirement:			
Social Security Income (SSI):			
Social Security Disability (SSD):			
Spousal Support			
Child Support			
Workman's Compensation			
Other:			
Total Average Other Income Received			

Total Average Gross Monthly Income (add totals from B and C above)	
--	--

D. Monthly Deductions

	Type of Deduction	Amount
1.	Court Ordered Child Support (automatically deducted from paycheck)	
2.	Federal Health Savings Plan	
3.	Federal Income Tax	52.35
4.	Health Insurance Amount for you: _____ For Opposing Party: _____ For your Child(ren): _____	
5.	Life, Disability, or Other Insurance Premiums	
6.	Medicare	12.42
7.	Retirement, Pension, IRA, or 401(k)	
8.	Savings	
9.	Social Security	53.11
10.	Union Dues	
11.	Other: (Type of Deduction)	
Total Monthly Deductions (Lines 1-11)		117.88

Business/Self-Employment Income & Expense Schedule**A. Business Income:**

What is your average gross (pre-tax) monthly income/revenue from self-employment or businesses?

\$ N/A

B. Business Expenses: Attach an additional page if needed.

Type of Business Expense	Frequency	Amount	12 Month Average
Advertising			
Car and truck used for business			
Commissions, wages or fees			
Business Entertainment/Travel			
Insurance			
Legal and professional			
Mortgage or Rent			
Pension and profit-sharing plans			
Repairs and maintenance			
Supplies			
Taxes and licenses (include est. tax payments)			
Utilities			
Other:			
Total Average Business Expenses			

Personal Expense Schedule (Monthly)

- A. Fill in the table with the amount of money **you** spend each month on the following expenses and check whether you pay the expense for you, for the other party, or for both of you.

Expense	Monthly Amount I Pay	For Me <input type="checkbox"/>	Other Party <input type="checkbox"/>	For Both <input type="checkbox"/>
Alimony/Spousal Support				
Auto Insurance				
Car Loan/Lease Payment				
Cell Phone	190			
Child Support (not deducted from pay)				
Clothing, Shoes, Etc...				
Credit Card Payments (minimum due)	260			
Dry Cleaning				
Electric	130			
Food (groceries & restaurants)	200			
Fuel	150			
Gas (for home)	80			
Health Insurance (not deducted from pay)				
HOA				
Home Insurance (if not included in mortgage)				
Home Phone				
Internet/Cable	75			
Lawn Care				
Membership Fees				
Mortgage/Rent/Lease	1,185			
Pest Control				
Pets	75			
Pool Service				
Property Taxes (if not included in mortgage)				
Security				
Sewer				
Student Loans				
Unreimbursed Medical Expense				
Water	40			
Other:				
Total Monthly Expenses	2,385			

Household Information

- A. Fill in the table below with the name and date of birth of each child, the person the child is living with, and whether the child is from this relationship. Attached a separate sheet if needed.

	Child's Name	Child's DOB	Whom is this child living with?	Is this child from this relationship?	Has this child been certified as special needs/disabled?
1 st	Michael Solinger	6/16/15	Both	Yes	NO
2 nd	Maria Solinger	8/28/17	Both	Yes	NO
3 rd	Cheyenne Lloyd	8/5/20	Mom	No	NO
4 th					

- B. Fill in the table below with the amount of money you spend each month on the following expenses for each child.

Type of Expense	1 st Child	2 nd Child	3 rd Child	4 th Child
Cellular Phone				
Child Care			100	
Clothing	80	80	80	
Education				
Entertainment				
Extracurricular & Sports				
Health Insurance (if not deducted from pay)				
Summer Camp/Programs				
Transportation Costs for Visitation				
Unreimbursed Medical Expenses				
Vehicle				
Other:				
Total Monthly Expenses	80	80	180	340

- C. Fill in the table below with the names, ages, and the amount of money contributed by all persons living in the home over the age of eighteen. If more than 4 adult household members attached a separate sheet.

Name	Age	Person's Relationship to You (i.e. sister, friend, cousin, etc...)	Monthly Contribution
Joshua Lloyd	30	S/O	

Personal Asset and Debt Chart

- A. Complete this chart by listing all of your assets, the value of each, the amount owed on each, and whose name the asset or debt is under. If more than 15 assets, attach a separate sheet.

Line	Description of Asset and Debt Thereon	Gross Value		Total Amount Owed		Net Value	Whose Name is on the Account: You, Your Spouse/Domestic Partner or Both
		341,500					
1.	House	\$245,000.00	-	\$216,000.00	=	\$29,000.00	Me
2.	Charles Schwab #8846	Varies	-		=	Varies	Me
3.	America First #024-1	Varies	-		=	Varies	Me
4.	Bank of America #9724	Unknown	-		=	Unknown	Adam
5.	Remaining home sale proceeds	Unknown	-		=	Unknown	Both
6.	2017 Moto Guzzi Café Racer	\$10,000.00	-		=	\$10,000.00	Adam
7.	Forest River Travel Trailer	\$1,200.00	-		=	\$1,200.00	Both
8.	Art collection	Unknown	-		=	Unknown	Both
9.	Firearms	Unknown	-		=	Unknown	Both
10.	Roth 401(k)	Unknown	-		=	Unknown	Adam
11.			-		=	\$0.00	
12.			-		=	\$0.00	
13.			-		=	\$0.00	
14.			-		=	\$0.00	
15.			-		=	\$0.00	
	Total Value of Assets (add lines 1-15)		-		=	\$0.00	

- B. Complete this chart by listing all of your unsecured debt, the amount owed on each account, and whose name the debt is under. If more than 5 unsecured debts, attach a separate sheet.

Line	Description of Credit Card or Other Unsecured Debt	Total Amount owed	Whose name is on the Account? You, Your Spouse/Domestic Partner or Both
1.	CapitalOne Venture card	6,639.71	Me
2.	CapitalOne Cashback card	2,070.23	Me
3.	Loan from Catrina Bolick for fees	\$80,000.00	Me
4.			
5.			
6.			
	Total Unsecured Debt (add lines 1-6)	\$84,375.00 88,709.70	

CERTIFICATION

Attorney Information: Complete the following sentences:

1. I (have/have not) Have retained an attorney for this case.
2. As of the date of today, the attorney has been paid a total of \$ 300K on my behalf.
3. I have a credit with my attorney in the amount of \$ 0.
4. I currently owe my attorney a total of \$ 0.
5. I owe my prior attorney a total of \$ 0.

IMPORTANT: Read the following paragraphs carefully and initial each one.

_____ I swear or affirm under penalty of perjury that I have read and followed all instructions in completing this Financial Disclosure Form. I understand that, by my signature, I guarantee the truthfulness of the information on this Form. I also understand that if I knowingly make false statements I may be subject to punishment, including contempt of court.

_____ I have attached a copy of my 3 most recent pay stubs to this form.

_____ I have attached a copy of my most recent YTD income statement/P&L statement to this form, if self-employed.

_____ I have not attached a copy of my pay stubs to this form because I am currently unemployed.


Signature

3/3/22
Date

CERTIFICATE OF SERVICE

I hereby declare under the penalty of perjury of the State of Nevada that the following is true and correct:

That on (date) 3-3-22, service of the General Financial Disclosure Form was made to the following interested parties in the following manner:

☐ Via 1st Class U.S. Mail, postage fully prepaid addressed as follows:

☒ Via Electronic Service, in accordance with the Master Service List, pursuant to NEFCR 9, to:

Plaintiff

☐ Via Facsimile and/or Email Pursuant to the Consent of Service by Electronic Means on file

herein to: _____

Executed on the 3 day of March, 2022.


Signature

Done CheckStub_2022-02-...



COOKIE CUTTERS

1412-5683
ORG1:100 Payroll
ORG2:5 SR
EE ID: 108 DD

CHALESE ANDERSON
4657 CURDSEN WAY
LAS VEGAS NV 89110

NON-NEGOTIABLE

Payroll by Paychex, Inc.

PERSONAL AND CHECK INFORMATION
Chalese Anderson
4657 Curdsen Way
Las Vegas, NV 89110
Soc Sec #: xxx-xx-xxxx **Employee ID:** 108

Home Department: 5 SR / 100 Payroll

Pay Period: 02/14/22 to 02/20/22
Check Date: 02/25/22 **Check #:** 220

NET PAY ALLOCATIONS

DESCRIPTION	THIS PERIOD (\$)	YTD (\$)
Check Amount	0.00	0.00
Chkg 241	680.64	4390.77
NET PAY	680.64	4390.77

EARNINGS	BASIS OF PAY	DESCRIPTION	HRS/UNITS	RATE	THIS PERIOD (\$)	YTD HOURS	YTD (\$)
		Hourly	43.62	11.5000	501.63	258.39	2971.50
		Service Commission					35.00
		Tips Charged			282.70		1948.45
		Total Hours	43.62			258.39	
		Gross Earnings			784.33		4954.95
		Total Hrs Worked					
		Mileage Reimburs					19.08
		REIMB & OTHER PAYMENTS					19.08

WITHHOLDIN	DESCRIPTION	FILING STATUS	THIS PERIOD (\$)	YTD (\$)
GS	Social Security		48.63	307.21
	Medicare		11.38	71.85
	Fed Income Tax	H	43.68	204.20
	TOTAL		103.69	583.26

NET PAY

THIS PERIOD (\$)
680.64

YTD (\$)
4390.77

Payroll by Paychex, Inc.

0087 1412-568.3 Cookie Cutters • 7345 S Durango 110 • Las Vegas NV 89113 • (206) 390-2086

003590

Done CheckStub_2022-02-...



COOKIE CUTTERS
7345 S Durango 110
Las Vegas NV 89113

1412-5683
ORG1:100 Payroll
ORG2:5 SR
EE ID: 108 DD

Payroll by Paychex, Inc.

CHALESE ANDERSON
4657 CURDSEN WAY
LAS VEGAS NV 89110

NON-NEGOTIABLE

NON-NEGOTIABLE

PERSONAL AND CHECK INFORMATION			EARNINGS	BASIS OF DESCRIPTION	HRS/UNITS	RATE THIS PERIOD (\$)	YTD HOURS	YTD (\$)
Chalese Anderson			PAY	Hourly	33.98	11.5000	390.77	2469.87
4657 Curdsen Way				Service Commission				35.00
Las Vegas, NV 89110				Tips Charged			259.00	1665.75
Soc Sec #: xxx-xx-xxxx Employee ID: 108				Total Hours	33.98		214.77	
Home Department: 5 SR / 100 Payroll				Gross Earnings		649.77		4170.62
Pay Period: 02/07/22 to 02/13/22				Total Hrs Worked				
Check Date: 02/18/22 Check #: 205				Mileage Reimburs				19.08
NET PAY ALLOCATIONS				REIMB & OTHER PAYMENTS				19.08
DESCRIPTION	THIS PERIOD (\$)	YTD (\$)	WITHHOLDEN	DESCRIPTION	FILING STATUS	THIS PERIOD (\$)		YTD (\$)
Check Amount	0.00	0.00	GS	Social Security		40.29		258.58
Chkg 241	572.43	3710.13		Medicare		9.42		60.47
NET PAY	572.43	3710.13		Fed Income Tax	H	27.63		160.52
				TOTAL		77.34		479.57
NET PAY						THIS PERIOD (\$)		YTD (\$)
						572.43		3710.13

Payroll by Paychex, Inc.

0087 1412-5683 Cookie Cutters • 7345 S Durango 110 • Las Vegas NV 89113 • (206) 390-2086

003591

Done CheckStub_2022-02-11



COOKIE CUTTERS

1 of 1

1412-5683
ORG1:100 Payroll
ORG2:5 SR
EE ID: 108 DD

CHALESE ANDERSON
4657 CURDSEN WAY
LAS VEGAS NV 89110

NON-NEGOTIABLE

NON-NEGOTIABLE

PERSONAL AND CHECK INFORMATION			EARNINGS	BASIS OF DESCRIPTION	HRS/UNITS	RATE THIS PERIOD (\$)	YTD HOURS	YTD (\$)
Chalese Anderson 4657 Curdsen Way Las Vegas, NV 89110 Soc Sec #: xxx-xx-xxxx Employee ID: 108 Home Department: 5 SR / 100 Payroll Pay Period: 01/31/22 to 02/06/22 Check Date: 02/11/22 Check #: 190 NET PAY ALLOCATIONS			PAY					
DESCRIPTION	THIS PERIOD (\$)	YTD (\$)						
Check Amount	0.00	0.00	Hourly		43.05	11.5000	495.08	2079.10
Chkg 241	757.83	3137.70	Service Commission					35.00
NET PAY	757.83	3137.70	Tips Charged				361.55	1406.75
			Total Hours		43.05		180.79	
			Gross Earnings				856.63	3520.85
			Total Hrs Worked					
			Mileage Reimburs				19.08	19.08
			REIMB & OTHER PAYMENTS				19.08	19.08
			WITHHOLDEN	DESCRIPTION	FILING STATUS	THIS PERIOD (\$)		YTD (\$)
			GS	Social Security		53.11		218.29
				Medicare		12.42		51.05
				Fed Income Tax H		52.35		132.89
				TOTAL		117.88		402.23
NET PAY			THIS PERIOD (\$)		YTD (\$)			
			757.83		3137.70			

Payroll by Paychex, Inc.

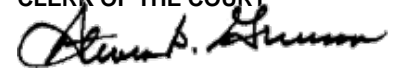
00X7 1412-5683 Cookie Cutters • 7345 S Durango 110 • Las Vegas NV 89113 • (206) 390-2086

003592

FDF

Adam M. Solinger
7290 Sea Anchor Ct
Las Vegas, Nevada 89131
Phone: (775) &20-9065
Email: attorneyadamsolinger@gmail.com
Plaintiff

Electronically Filed
3/4/2022 5:15 PM
Steven D. Grierson
CLERK OF THE COURT



Eighth Judicial District Court
Family Division
Clark County, Nevada

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

GENERAL FINANCIAL DISCLOSURE FORM**A. Personal Information:**

1. What is your full name? (*first, middle, last*) ADAM MICHAEL SOLINGER
2. How old are you? 33
3. What is your date of birth? 07/01/1988
4. What is your highest level of education? Law School

B. Employment Information:

1. Are you currently employed/ self-employed? (☒ check one)
☐ No
☒ Yes If yes, complete the table below. Attached an additional page if needed.

Date of Hire	Employer Name	Job Title	Work Schedule (days)	Work Schedule (shift times)
March 2020	Confidential	Attorney	Flexible	Flexible

2. Are you disabled? (☒ check one)
☒ No
☐ Yes If yes, what is your level of disability? _____
What agency certified you disabled? _____
What is the nature of your disability? _____

C. Prior Employment: If you are unemployed or have been working at your current job for less than 2 years, complete the following information.

Prior Employer: Las Vegas Defense Group Date of Hire: June 2015 Date of Termination: March 15, 2020
Reason for Leaving: Took a new position with better benefits and less demanding hours

Monthly Personal Income Schedule

A. Year-to-date Income.

As of the pay period ending February 20, 2022, my gross year to date pay is \$18,092.00.

B. Determine your Gross Monthly Income.

Hourly Wage

	×		=		×	52 Weeks	=		÷	12 Months	=	
Hourly Wage		Number of hours worked per week		Weekly Income				Annual Income				Gross Monthly Income

Annual Salary

	÷	12 Months	=	
Annual Income				Gross Monthly Income

C. Other Sources of Income.

Source of Income	Frequency	Amount	12 Month Average
Annuity or Trust Income			
Bonuses			
Car, Housing, or Other allowance:			
Commissions or Tips:			
Net Rental Income:			
Overtime Pay			
Pension/Retirement:			
Social Security Income (SSI):			
Social Security Disability (SSD):			
Spousal Support			
Child Support			
Workman's Compensation			
Other:			
Total Average Other Income Received			

Total Average Gross Monthly Income (add totals from B and C above)	\$7,839.86
---	-------------------

D. Monthly Deductions

	Type of Deduction	Amount
1.	Court Ordered Child Support (automatically deducted from paycheck)	
2.	Federal Health Savings Plan	
3.	Federal Income Tax	\$702.08
4.	Health Insurance Amount for you: _____ For Opposing Party: _____ For your Child(ren): _____	\$118.18
5.	Life, Disability, or Other Insurance Premiums	
6.	Medicare	\$103.22
7.	Retirement, Pension, IRA, or 401(k)	
8.	Savings	
9.	Social Security	
10.	Union Dues	
11.	Other: (Type of Deduction) _____	
Total Monthly Deductions (Lines 1-11)		\$923.48

Business/Self-Employment Income & Expense Schedule**A. Business Income:**

What is your average gross (pre-tax) monthly income/revenue from self-employment or businesses?
\$ _____

B. Business Expenses: Attach an additional page if needed.

Type of Business Expense	Frequency	Amount	12 Month Average
Advertising			
Car and truck used for business			
Commissions, wages or fees			
Business Entertainment/Travel			
Insurance			
Legal and professional			
Mortgage or Rent			
Pension and profit-sharing plans			
Repairs and maintenance			
Supplies			
Taxes and licenses (include est. tax payments)			
Utilities			
Other:			
Total Average Business Expenses			

Personal Expense Schedule (Monthly)

A. Fill in the table with the amount of money **you** spend each month on the following expenses and check whether you pay the expense for you, for the other party, or for both of you.

Expense	Monthly Amount I Pay	For Me <input type="checkbox"/>	Other Party <input type="checkbox"/>	For Both <input type="checkbox"/>
Alimony/Spousal Support				
Auto Insurance				
Car Loan/Lease Payment				
Cell Phone				
Child Support/Familial Support				
Clothing, Shoes, Etc...	150.00	X		
Credit Card Payments (minimum due)	Varies	X		
Dry Cleaning	20.00	X		
Electric	400.00	X		
Food (groceries & restaurants)	500.00	X		
Fuel	200.00	X		
Gas (for home)	124.82	X		
Health Insurance (not deducted from pay)				
HOA	175.10	X		
Home Insurance (if not included in mortgage)	75.00	X		
Home Phone				
Internet/Cable	139.07	X		
Lawn Care	200			
Membership Fees	78	X		
Mortgage/Rent/Lease	2,000	X		
Pest Control	27.75	X		
Pets	87.70	X		
Pool Service				
Property Taxes (if not included in mortgage)				
Security				
Sewer				
Student Loans				
Unreimbursed Medical Expense				
Water				
Other:				
Child expenses from page 5	2,441.00*			
Total Monthly Expenses	6,618.44			

Household Information

- A. Fill in the table below with the name and date of birth of each child, the person the child is living with, and whether the child is from this relationship. Attached a separate sheet if needed.

	Child's Name	Child's DOB	Whom is this child living with?	Is this child from this relationship?	Has this child been certified as special needs/disabled?
1 st	Michael Solinger	06/16/15	Both	Yes	No
2 nd	Marie Solinger	08/28/17	Both	Yes	No
3 rd					
4 th					

- B. Fill in the table below with the amount of money you spend each month on the following expenses for each child.

***Childcare is not being paid while the children are not going to school through the pandemic but will resume potentially for Marie, 2nd child as set forth below.**

Type of Expense	1 st Child	2 nd Child	3 rd Child	4 th Child
Cellular Phone				
Child Care*	1200*	961.00*		
Clothing	100.00	100.00		
Education				
Entertainment	20.00	20.00		
Extracurricular & Sports		40		
Health Insurance (if not deducted from pay)				
Summer Camp/Programs				
Transportation Costs for Visitation				
Unreimbursed Medical Expenses				
Vehicle				
Other:				
Total Monthly Expenses	1320*	1,121*		

- C. Fill in the table below with the names, ages, and the amount of money contributed by all persons living in the home over the age of eighteen. If more than 4 adult household members attached a separate sheet.

Name	Age	Person's Relationship to You (i.e. sister, friend, cousin, etc...)	Monthly Contribution
Jessica Sellers	39	Significant Other	

Personal Asset and Debt Chart

A. Complete this chart by listing all of your assets, the value of each, the amount owed on each, and whose name the asset or debt is under. If more than 15 assets, attach a separate sheet.

Line	Description of Asset and Debt Thereon	Gross Value		Total Amount Owed		Net Value	Whose Name is on the Account? You, Your Spouse/Domestic Partner or Both
1.	Remaining Proceeds from Marital Residence	\$ 92,599.99	-	\$ 0	=	\$ 92,599.99	Adam
2.	Bank of America, checking	\$ 1,370.53	-	\$ 0	=	\$ 1,370.53	Adam
3.	Roth 401k	\$ ~51,014.24	-	\$ 0	=	\$ ~51,014.21	Adam
4.	Charles Schwab	\$ Unknown	-	\$ Unknown	=	\$ Unknown	Chalese
5.	Jewelry	\$ 10,000+	-	\$	=	\$ 10,000+	Chalese
6.		\$	-	\$	=	\$	
7.		\$	-	\$	=	\$	
8.		\$	-	\$	=	\$	
9.		\$	-	\$	=	\$	
10.		\$	-	\$	=	\$	
11.		\$	-	\$	=	\$	
Total Value of Assets (add lines 1-15)		\$ 144,984.76	-	\$	=	\$ 144,984.76	

B. Complete this chart by listing all of your unsecured debt, the amount owed on each account, and whose name the debt is under. If more than 5 unsecured debts, attach a separate sheet.

Line #	Description of Credit Card or Other Unsecured Debt	Total Amount owed	Whose Name is on the Account? You, Your Spouse/Domestic Partner or Both
1.	Bank of America credit card	\$ 1,013.19	Adam
2.	Capital One credit card	\$ Unknown	Chalese
3.		\$	
4.		\$	
5.		\$	
6.		\$	
Total Unsecured Debt (add lines 1-6)		\$ 1,013.19	

Attorney Information: *Complete the following sentences:*

1. I have not currently retained an attorney for this case.
2. As of the date of today, the attorney had been paid a total of approximately \$ 190,000 on my behalf.
3. I have a credit with my attorney in the amount of \$ 0.
4. I currently owe my attorney a total of \$ 0.
5. I owe my prior attorney a total of \$ N/A.

6. CERTIFICATION

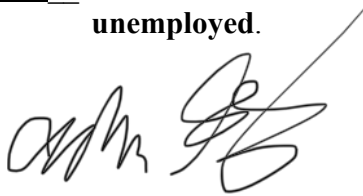
IMPORTANT: Read the following paragraphs carefully and initial each one.

AB I swear or affirm under penalty of perjury that I have read and followed all instructions in completing this Financial Disclosure Form. I understand that, by my signature, I guarantee the truthfulness of the information on this Form. I also understand that if I knowingly make false statements I may be subject to punishment, including contempt of court.

AB I have attached a copy of my 3 most recent pay stubs to this form.

N/A I have attached a copy of my most recent YTD income statement/P&L statement to this form, if self-employed.

N/A I have not attached a copy of my pay stubs to this form because I am currently unemployed.



Signature

3/3/22

Date

CERTIFICATE OF SERVICE

I hereby declare under the penalty of perjury of the State of Nevada that the following is true and correct:

That on March 4, 2022 service of the General Financial Disclosure Form was made to the following interested parties in the following manner:

☐ Via 1st Class U.S. Mail, postage fully prepaid addressed as follows:

☒ Via Electronic Service, in accordance with the Master Service List, pursuant to NEFCR 9, to:
Michancy Cramer, Esq.

☐ Via Facsimile and/or Email Pursuant to the Consent of Service by Electronic Means on file herein
to: _____

Executed on the 4th day of March, 2022.



Signature



STATE OF NEVADA
OFFICE OF THE CONTROLLER
CARSON CITY NV 89701

PAYROLL INFORMATION

ADAM SOLINGER (70559)

Agency:	XX	Organization:	XX
Pay Period:	CPP18		
Begin Date:	02/07/22	End Date:	02/20/22
Issue Date:	03/04/22	Check Number:	9985756
Deposit in the account of:	XXXXXXXXXXXX9724	Net Pay:	\$3,156.66

GROSS PAY

<u>Pay Category</u>	<u>Hours</u>	<u>Amount</u>
PREG	80:00	\$3,618.40
Total Gross		\$3,618.40

DEDUCTIONS

<u>Deduction Category</u>	<u>Amount</u>
FIT	\$351.04
HTHDP	\$59.09
MEDEE	\$51.61
Total Deduction	\$461.74

YEAR TO DATE AMOUNTS

<u>Category</u>	<u>Amount</u>
GROSS	\$18,092.00
FIT	\$1,755.20
MEDICARE	\$258.05
PRETAX	\$295.45

LEAVE ACCOUNTING THROUGH 02/20/22

<u>Leave Category</u>	<u>Earned</u>	<u>Used</u>	<u>Balance</u>
ANNL	4.36	40.00	118.55
SICK	4.36	0.00	230.55

HEALTH INSURANCE

EMPL	HEALTH INS	C-HEALTH INS
DEP	HLTH DED PRE	C-HEALTH INS

WITHHOLDING DATA

WITHHOLDING STATUS	S
EXEMPTION	2
ADDED AMT	\$0.00

003601



STATE OF NEVADA
OFFICE OF THE CONTROLLER
CARSON CITY NV 89701

PAYROLL INFORMATION

ADAM SOLINGER (70559)

Agency:	XXXX	Organization:	XXXX
Pay Period:	CPP17		
Begin Date:	01/24/22	End Date:	02/06/22
Issue Date:	02/18/22	Check Number:	9968833
Deposit in the account of:	XXXXXXXXXXXX9724	Net Pay:	\$3,156.66

GROSS PAY

<u>Pay Category</u>	<u>Hours</u>	<u>Amount</u>
PREG	80:00	\$3,618.40
Total Gross		\$3,618.40

DEDUCTIONS

<u>Deduction Category</u>	<u>Amount</u>
FIT	\$351.04
HADJP	\$59.09
MEDEE	\$51.61
Total Deduction	\$461.74

YEAR TO DATE AMOUNTS

<u>Category</u>	<u>Amount</u>
GROSS	\$14,473.60
FIT	\$1,404.16
MEDICARE	\$206.44
PRETAX	\$236.36

LEAVE ACCOUNTING THROUGH 02/06/22

<u>Leave Category</u>	<u>Earned</u>	<u>Used</u>	<u>Balance</u>
ANNL	4.36	16.00	154.19
SICK	4.36	0.00	226.19

HEALTH INSURANCE

EMPL	HEALTH INS	C-HEALTH INS
DEP	HLTH DED PRE	C-HEALTH INS

WITHHOLDING DATA

WITHHOLDING STATUS	S
EXEMPTION	2
ADDED AMT	\$0.00

003602



STATE OF NEVADA
OFFICE OF THE CONTROLLER
CARSON CITY NV 89701

PAYROLL INFORMATION

ADAM SOLINGER (70559)

Agency:	XXXX	Organization:	XXXX
Pay Period:	CPP16		
Begin Date:	01/10/22	End Date:	01/23/22
Issue Date:	02/04/22	Check Number:	9951843
Deposit in the account of:	XXXXXXXXXXXX9724	Net Pay:	\$3,156.66

GROSS PAY

<u>Pay Category</u>	<u>Hours</u>	<u>Amount</u>
PREG	80:00	\$3,618.40
Total Gross		\$3,618.40

DEDUCTIONS

<u>Deduction Category</u>	<u>Amount</u>
FIT	\$351.04
HTHDP	\$59.09
MEDEE	\$51.61
Total Deduction	\$461.74

YEAR TO DATE AMOUNTS

<u>Category</u>	<u>Amount</u>
GROSS	\$10,855.20
FIT	\$1,053.12
MEDICARE	\$154.83
PRETAX	\$177.27

LEAVE ACCOUNTING THROUGH 01/23/22

<u>Leave Category</u>	<u>Earned</u>	<u>Used</u>	<u>Balance</u>
ANNL	4.36	8.00	165.43
SICK	4.36	0.00	221.43

HEALTH INSURANCE

EMPL	HEALTH INS	C-HEALTH INS
DEP	HLTH DED PRE	C-HEALTH INS

WITHHOLDING DATA

WITHHOLDING STATUS	S
EXEMPTION	2
ADDED AMT	\$0.00

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

March 07, 2022

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

March 07, 2022 8:00 AM Minute Order

HEARD BY: Perry, Mary**COURTROOM:** Courtroom 23**COURT CLERK:** Kyle Medina**PARTIES:**

Adam Solinger, Plaintiff, Counter Defendant, not present	Adam Solinger, Attorney, not present
Chalese Solinger, Defendant, Counter Claimant, not present	Alex Ghibaudo, Attorney, not present
Marie Solinger, Subject Minor, not present	
Michael Solinger, Subject Minor, not present	

JOURNAL ENTRIES

- MINUTE ORDER- NO HEARING HELD

D-19-582245-D

Adam Michael Solinger vs. Chalese Marie Solinger

Due to the Plaintiff s video exhibits being unauthenticated, they will not be deemed admitted. The modification dates on the videos were well past the proposed date and time of the events within the video. Therefore it cannot be established that they were unaltered.

Therefore, it is ORDERED all video exhibits will not be admitted.

A copy of this minute order shall be served on the parties and their attorneys.

PRINT DATE:	03/07/2022	Page 1 of 2	Minutes Date:	March 07, 2022
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

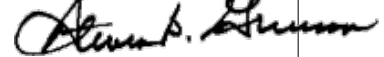
003604

INTERIM CONDITIONS:

FUTURE HEARINGS:

April 14, 2022 11:30 AM Decision
Courtroom 23
Perry, Mary
Medina, Kyle

PRINT DATE:	03/07/2022	Page 2 of 2	Minutes Date:	March 07, 2022
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1 **MOT**

2 Alex B. Ghibaud, Esq.

3 Nevada Bar Number: 10592

4 Michancy M. Cramer

5 Nevada Bar Number: 11545

6 **ALEX GHIBAUDO, PC**

7 197 E California Ave Suite 250

8 Las Vegas, Nevada 89104

9 T: (702) 462-5888

10 F: (702) 924-6553

11 E: alex@glawvegas.com

12 *Attorney for Defendant*

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

16 ADAM MICHAEL SOLINGER,

17 Plaintiff,

18 vs.

19 CHALESE MARIE SOLINGER,

20 Defendant.

Case Number: D-19-582245-D

Department P

Oral Argument Requested: Yes

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

27 **DEFENDANT'S MOTION TO PLACE ON CALENDAR AND TAKE**
28 **TESTIMONY**

29 **COMES NOW**, Defendant, CHALESE SOLINGER, ("Chalese"), by and
30 through her Attorney of Record, Michancy M. Cramer, Esq., of *Alex Ghibaud, PC*,

and hereby files this *Motion to Place on Calendar and Take Testimony*.

This *Motion* is based upon the attached Memorandum of Points and Authorities, any supporting exhibits provided in *Defendant's Exhibit Appendix* filed contemporaneously with this Motion, if any, the attached *Declaration of Chalese Solinger*, any and all pleadings and papers on file herein, and any further evidence or argument presented to the Court at the hearing of this matter.

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

1. Place this matter on calendar for the purposes of taking testimony; and
2. Award Chalese any other relief this Court deems just and appropriate.

DATED this 16th day of March, 2022.

Respectfully Submitted,

//s//Michancy M. Cramer

Michancy M. Cramer, Esq.
Nevada Bar No. 11545
Attorney for Defendant

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PLEASE TAKE NOTICE that a hearing on *Motion to Place on Calendar and Take Testimony* will be held before the Eighth Judicial District Court, Family Division, Dept. P, located at 601 N. Pecos Road, Las Vegas, Nevada 89101.

DATED this 16th day of March, 2022.

//s//Michancy M. Cramer

Michancy M. Cramer, Esq.
Nevada Bar No. 11545
ALEX GHIBAUDO, PC
197 E California Ave, Ste 250
Las Vegas, Nevada 89104
T: 702-462-5888
F: 702-924-6553
E: alex@glawvegas.com
Attorney for Defendant

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3
4 The parties have been engaged in a highly litigious divorce since 2019. The
5 Plaintiff, Adam Solinger (“Adam”) has filed numerous and repetitive motions in
6 this matter, repeatedly taking the Defendant, Chalese Solinger (“Chalese”) to Court
7 on varied and sundry allegations.
8

9 There are two (2) children of their marriage, to wit: MICHAEL SOLINGER,
10 born June 16, 2015, and MARIE SOLINGER, born August 28, 2017.
11

12 Currently the parties have rested and the matter remains open for closing
13 briefs and the Court’s Findings of Fact and Conclusions of Law.

14 Chalese recently had an incident in her home and her significant other,
15 Joshua Lloyd (“Josh”), is no longer residing with her. Chalese has taken a TPO
16 against Joshua to prevent him from returning to the home at this point in time.
17
18

19 **II. SUMMARY OF FACTS**

20 On or about Sunday, March 13, 2022, Chalese and Josh had a small
21 gathering at their home with their children and family members. There was a
22 disagreement between Josh and his sibling with accusations made that Josh was
23 attempting to obtain illegal drugs. Chalese was concerned, but had not received or
24 seen any evidence and so she wanted to wait until the party was done and guests
25 had left to investigate what was going on.
26
27
28

1 The next day, Monday, March 14, 2022, as Chalese prepared to take the
2 children to the babysitter and to go to work, Josh become irrational and upset. He
3 broke a television and threatened to stop Chalese from leaving the home. Chalese
4 called the police and Josh was arrested for domestic violence.
5

6 On Tuesday, March 15, 2022, Chalese obtained a TPO against Josh to
7 prevent him from returning to their home. She is not sure what is going on with
8 Josh with regard to the accusations his sister made and that has to be determined,
9 but she is not willing to allow him back into their home with this situation as it is.
10

11 As of the date of this writing, Josh remains in the Clark County Detention
12 Center. Chalese does not intend to allow him to return to their home under these
13 circumstances. Chalese does not have proof of anything except Josh's behavior on
14 Monday morning; however, the allegations are serious and Josh's subsequent
15 behavior was alarming to the point that Chalese is not willing to allow him to
16 return to their home.
17

18 *This motion follows...*
19

20 ...
21

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28

1 **III. LEGAL ANALYSIS**

2 **A. Testimony Should Be Taken Regarding This Issue**

3
4 As the Court is aware, Adam is a highly litigious individual who has taken
5 Chalese back to Court over and over and over again regarding every single facet of
6 her life. In the past his attacks and antagonism have caused stress and unhappiness
7 on Chalese and Josh's relationship; however, this situation is different and Chalese
8 has taken actions to hold Josh accountable. The concern is that unless this matter
9 is fully testified to in Court, Adam will use this as an excuse to bring Chalese back
10 to Court and to move to modify custody.
11

12
13 Chalese would rather the Court be able to hear from her exactly the steps she
14 has taken to protect herself and her children, as well as the facts of what took
15 place, before the Findings of Fact and Conclusions of Law are issued. That would
16 allow Adam the opportunity to be heard on this issue as well.
17

18
19 Although this is an unusual issue and testimony has been closed, in the
20 interest of judicial economy and full disclosure, Chalese requests that the Court
21 allow further testimony to be taken on this issue. No doubt, Adam would be filing
22 to modify based on this situation if it is not heard now.
23

24 **III.**
25 **CONCLUSION**

26 **WHEREFORE**, based upon the foregoing, and for the reasons set forth
27 herein, Chalese respectfully requests that the Court:
28

1. Place this matter on calendar for the purposes of taking testimony; and
2. Award Chalese any other relief this Court deems just and appropriate.

DATED this 16th day of March, 2022.

//s// Michancy M. Cramer

Michancy M. Cramer, Esq.
Attorney for Defendant

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

Adam Solinger

Plaintiff/Petitioner

vs.

Chelese Solinger

Defendant/Respondent

Case Number: **D-19-582245-D**Department: **P**

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

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

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

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

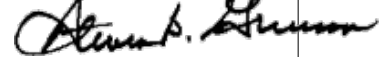
Step 2. Select the \$0, \$129, or \$57 filing fee in the box below:

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

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

The total filing fee for the Motion/Opposition I am filing with this form is					
<input checked="" type="checkbox"/>	\$0	<input type="checkbox"/>	\$25	<input type="checkbox"/>	\$57
<input type="checkbox"/>	\$82	<input type="checkbox"/>	\$129	<input type="checkbox"/>	\$154

Party filing Motion/Opposition: **Defendant**Date: **3-16-2022**Signature of Party or Preparer: //s//Michancy M. Cramer



1 **MOT**

2 Alex B. Ghibaud, Esq.

3 Nevada Bar Number: 10592

4 Michancy M. Cramer

5 Nevada Bar Number: 11545

6 **ALEX GHIBAUDO, PC**

7 197 E California Ave Suite 250

8 Las Vegas, Nevada 89104

9 T: (702) 462-5888

10 F: (702) 924-6553

11 E: alex@glawvegas.com

12 *Attorney for Defendant*

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

16 ADAM MICHAEL SOLINGER,

17 Plaintiff,

18 vs.

19 CHALESE MARIE SOLINGER,

20 Defendant.

Case Number: D-19-582245-D

Department P

Oral Argument Requested: Yes

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

27 **DEFENDANT'S MOTION FOR AN ORDER SHORTENING TIME (OST)**

28 **COMES NOW**, Defendant, CHALESE SOLINGER ("Chalese"), by and
through her Attorney of Record, Michancy M. Cramer, Esq., of *Alex Ghibaud,*
PC, and hereby files this *Motion for an Order Shortening Time*.

This *Motion* is based upon the attached Memorandum of Points and Authorities, the attached *Declaration of Michancy M. Cramer, Esq.* any and all pleadings and papers on file herein, and any further evidence or argument presented to the Court at the hearing of this matter.

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

1. Shorten the time for the hearing on her *Motion to Place on Calendar and Take Testimony*.

DATED this 16th day of March, 2022.

//s//Michancy M. Cramer

Michancy M. Cramer, Esq.
Attorney for Defendant

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**
3 **FACTS**

4 The matter is currently still open, although both parties have rested. The
5 remaining matter before the Court is the closing briefs and for the Court to issue its
6 Findings of Fact and Conclusions of Law. However, Chalese and her significant
7 other, Joshua Lloyd, have had a change of circumstances. Josh is no longer living
8 with Chalese and she has obtained a TPO against him.
9

10
11 In light of the Plaintiff's vexatious nature, Chalese wanted to advise the
12 Court of this development and has requested that the Court take testimony
13 regarding the situation prior to issuing any final order.
14

15 **II.**
16 **ARGUMENT**

17 **A. An Order Shortening Time Should Be Granted**

18 Given that the Plaintiff has filed so excessively in this case and has already
19 stated in open court that he will be filing an appeal in this matter, out of an
20 abundance of caution and in the interest of judicial economy, Chalese believes that
21 this matter should be heard BEFORE the closing briefs and before the Court issues
22 its Findings of Fact and Conclusions of Law.
23

24 **Rule 2.26. Shortening time.** Ex parte motions to shorten time may not be
25 granted except upon an unsworn declaration under penalty of perjury or affidavit
26 of counsel or a self-represented litigant describing the circumstances claimed to
27 constitute good cause and justify shortening of time. If a motion to shorten time is
28 granted, it must be served upon all parties promptly. An order that shortens the
notice of a hearing to less than 14 days may not be served by mail. In no event
may the notice of the hearing of a motion be shortened to less than 1 day.

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III.
CONCLUSION

WHEREFORE, based upon the foregoing, and for the reasons set forth herein, Chalese respectfully requests that the Court:

1. Shorten the time for the hearing on her *Motion to Place on Calendar and Take Testimony*.

DATED this 16th day of March, 2022.

//s//Michancy M. Cramer

Michancy M. Cramer, Esq.
Attorney for Defendant

DECLARATION OF MICHANCY M. CRAMER

I, Michancy M. Cramer, being first duly sworn, deposes and declares:

1. I represent the Defendant in the above-entitled action.
2. I am competent to testify to the facts contained in this declaration and do declare under the penalty of perjury.
3. I filed Defendant's *Motion to Place on Calendar and Take Testimony*.
4. Defendant's motion is not set for hearing until April. Closing briefs and the Court's final order are due before April.
5. Given the Plaintiff's litigious behavior in this case as well as his stated intent to file an appeal, my client and I believe it is best that this matter be heard and the Court hear testimony on the incident prior to a final order being issued.
6. I have read the foregoing motion and the facts as stated are true of my own knowledge except for those facts stated upon information and belief and as to those facts, I believe them to be true.
7. This Declaration is submitted in good faith.
8. Further Declarant sayeth naught.

DATED this 16th day of March, 2022.

//s//Michancy M. Cramer

Michancy M. Cramer

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MOFI

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

Adam Solinger

Plaintiff/Petitioner

vs.

Chelese Solinger

Defendant/Respondent

Case Number: **D-19-582245-D**

Department: **P**

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

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

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

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

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

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

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

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

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

Party filing Motion/Opposition: **Defendant**

Date: **3-16-2022**

Signature of Party or Preparer: //s//Michancy M. Cramer

1 **OST**

2 Alex B. Ghibauda, Esq.

3 Nevada Bar Number: 10592

4 Michancy M. Cramer

5 Nevada Bar Number: 11545

6 **ALEX GHIBAUDO, PC**

7 197 E California Ave Suite 250

8 Las Vegas, Nevada 89104

9 T: (702) 462-5888

F: (702) 924-6553

E: alex@glawvegas.com

Attorney for Defendant

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

13 ADAM MICHAEL SOLINGER,

14 Plaintiff,

15 vs.

16 CHALESE MARIE SOLINGER,

17 Defendant.

Case Number: D-19-582245-D

Department P

20 **ORDER**

21
22 Upon application of the Defendant and the Court having reviewed the *Ex*
23 *Parte Motion for an Order Shortening Time* and good cause appearing therefore:
24

25 **IT IS HEREBY ORDERED** that the time set for the hearing of the *Motion*
26 *to Place on Calendar and Take Testimony* currently before the Court on the 21st day
27 of April, 2022, at the hour of 10:00pm in Department P of the Family Division of
28

1 ~~the Eighth Judicial District Court, Las Vegas, Nevada is hereby shortened to the~~ _____
2 day of _____, 20__ at the hour of ___ am/pm. APRIL 14, 2022 at 11:30 am
3 to be heard via BlueJeans video conference (Meeting ID:
4 239 403 987 -- Participant Passcode: 8074)

5 Dated this 16th day of March, 2022

6 
7 _____

8 Respectfully Submitted:

9
10 *//s//Michancy M. Cramer*

DCA C0E 6EBC 84F2
Mary Perry
District Court Judge

11 _____
12 Michancy M. Cramer, Esq.
13 Nevada Bar No. 11545
14 **ALEX GHIBAUDO, PC**
15 197 E California Ave, Ste 250
16 Las Vegas, Nevada 89104
17 T: (702) 462-5888
18 F: (702) 924-6553
19 E: alex@glawvegas.com
20 *Attorney for Defendant*
21
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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 P
8 Chalese Marie Solinger,
9 Defendant.

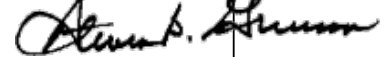
10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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: 3/16/2022

15 Jack Fleeman	jack@pecoslawgroup.com
16 admin email	email@pecoslawgroup.com
17 Alicia Exley	alicia@pecoslawgroup.com
18 Adam Solinger	adam@702defense.com
19 Louis Schneider	lcsllawllc@gmail.com
20 Alex Ghibaudo	alex@glawvegas.com
21 Michancy Cramer	michancy@glawvegas.com
22 Adam Solinger	attorneyadamsolinger@gmail.com
23 Alex Ghibaudo	alex@glawvegas.com

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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: P
)	
vs.)	
)	
CHALESE MARIE SOLINGER,)	
)	
Defendant.)	

**EX PARTE APPLICATION FOR AN ORDER SHORTENING
TIME ON DEFENDANT'S MOTION TO PLACE ON CALENDAR
AND TAKE TESTIMONY**

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 Defendant's MOTION TO PLACE ON
CALENDAR AND TAKE TESTIMONY

///

///

///

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 Thursday, March 17, 2022.

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. Chalese has already sought an order shortening time on her
8 motion which has been granted and a hearing on the motion is set for
9 April 14, 2022 at 11:30 am.

10 3. Since the OST was granted, additional facts have come to
11 light.

12 4. While Josh remains in custody, his release from the Clark
13 County Detention Center is currently pending. He is to be released on
14 medium level electronic monitoring with conditions that include staying
15 away from the victim and staying out of trouble.

16 5. I called CCDC on March 16, 2022 and spoke to a clerk at
17 approximately 4:31 pm who informed me that Josh was just waiting on
18 House Arrest to process him in order to be released.

19 6. Thus, time is of the essence to determine what steps Chalese
20 has taken in order to protect the children. While she has a no contact
21 order from Las Vegas Justice Court department 15, she represented in

1 her motion that she was also granted a temporary protective order.

2 While those pieces of paper ostensibly offer some level of peace of mind,
3 they remain just pieces of paper and Josh was already charged for
4 violating an extended protective order and entered a plea to a reduced
5 charge which demonstrates that he does not care what a piece of paper
6 says.

7 7. Additionally, I mentioned to Chalese that she should inform
8 the school regarding what happened and to get them a copy of the
9 protective order. She responded that she was “already ahead of [me].” I
10 asked her when she let the school know and whether she gave the school
11 a copy of the protective order. Chalese viewed the message but did not
12 respond. I called the school to confirm and I was told that the school
13 had no idea and that they certainly did not have a copy of the protective
14 order. I then followed up and asked why the school had no information
15 from her and told her she should not lie about the kids’ safety. I also
16 asked her to get the school a copy of the protective order as I do not have
17 one.

18 8. An order shortening time is necessary because Josh could be
19 released any day and the safety of the children and their best interest is
20 paramount. There are a variety of issues that can be handled before his
21 release that could get very messy once Josh is released. Additionally, the

1 only position I can take on the motion Chalese filed, without more
2 information, is that it is highly inappropriate to use the situation as an
3 opportunity to sling mud and that I should not have had to find out
4 about the situation from a motion.

5 9. I declare under penalty of perjury that the foregoing is true
6 and correct.

7 Dated this Thursday, March 17, 2022.

8
9 /s/ Adam M. Solinger
ADAM MICHAEL SOLINGER

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EXHIBIT A

1 **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: P
vs.)	
)	
CHALESE MARIE SOLINGER,)	
)	
Defendant.)	

**ORDER SHORTENING TIME ON DEFENDANT'S MOTION TO
PLACE ON CALENDAR AND TAKE TESTIMONY**

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Upon application of Plaintiff and good cause appearing therefore: **IT IS HEREBY ORDERED** that the time for hearing on **DEFENDANT'S MOTION TO PLACE ON CALENDAR AND TAKE TESTIMONY** is hereby shortened and shall be heard on the ____ day of _____, 2021 at the hour of _____ in Department P (Courtroom #13)/(via Video Conference (Bluejeans)) of the Family Court, located at 601 N. Pecos Rd., Las Vegas, NV 89101.

DATED this _____ day of _____, 2022.

DISTRICT COURT JUDGE

Respectfully Submitted by:
Plaintiff

/s/ Adam M. Solinger
Adam Solinger