

**IN THE COURT OF APPEALS OF THE STATE OF NEVADA**

**\* \* \***

ADAM MICHAEL SOLINGER,

Appellant,

vs.

CHALESE MARIE SOLINGER,

Respondent.

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) Case No.: 84832-COA

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**APPELLANT'S APPENDIX  
VOLUME 19**

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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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1 TRANS

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ORIGINAL

*Deanna A. Hoffman*  
CLERK OF COURT

## EIGHTH JUDICIAL DISTRICT COURT

## FAMILY DIVISION

## CLARK COUNTY, NEVADA

9 ADAM MICHAEL SOLINGER, )

CASE NO. D-19-582245-D

10 Plaintiff, )

APPEAL NO. 84832, 81787,  
84795, 84832

11 vs. )

DEPT. P

12 CHALESE MARIE SOLINGER, )

(SEALED)

13 Defendant. )

14  
15 BEFORE THE HONORABLE MARY PERRY  
DISTRICT COURT JUDGE16 TRANSCRIPT RE: NON-JURY TRIAL

17 FRIDAY, JANUARY 21, 2022

## 18 APPEARANCES:

19 The Plaintiff:  
For the Plaintiff:ADAM MICHAEL SOLINGER  
CHARLES R. GOODWIN, ESQ.  
3100 W. Charleston Blvd., #100  
Las Vegas, Nevada 89102  
(702) 472-959422 The Defendant:  
For the Defendant:CHALESE MARIE SOLINGER  
MICHANCY M. CRAMER, ESQ.  
197 E. California Ave., #250  
Las Vegas, Nevada 89104  
(702) 483-8544

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>	<u>VOIR</u> <u>DIRE</u>
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JOHN PAGLINI, M.D.	--	26	93	--	--
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MICHAEL SOLINGER	129	--	--	--	--
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CURTIS DOYAL	135	--	--	--	--
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DEFENDANT'S  
WITNESSES:

(NONE)

\* \* \* \* \*

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>
--	-----------------

(None presented)

DEFENDANT'S  
EXHIBITS:

(None presented)

1 LAS VEGAS, NEVADA

FRIDAY, JANUARY 21, 2022

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

3 (THE PROCEEDINGS BEGAN AT 9:13:51)

4  
5 THE COURT: Good morning. We're on the record  
6 in case number D-19-582245-D, Solinger versus Solinger.  
7 This is the time set for the second day of trial.  
8 Unfortunately we've gone almost a year without day one  
9 being in place.

10 Mr. Solinger, I do realize that you are in  
11 proper person, but I also recognize that you are an  
12 active attorney.

13 Sir, would you like to make your appearance?

14 MR. GOODWIN: Of course, Your Honor.

15 Charles Goodwin, Bar number 14879, appearing  
16 with Mr. Solinger.

17 THE COURT: Thank you.

18 Ma'am?

19 MS. CRAMER: Good morning, Your Honor.

20 Michancy Cramer, 11545, for the Defendant who's  
21 with us today. My Co-Counsel, Mr. Ghibaudo.

22 THE COURT: Thank you.

23 MR. GHIBAUDO: Good morning, Your Honor.

24 Alex Ghibaudo, 10592.

1 THE COURT: Okay. All right.

2 I know we are not going to get done today. And  
3 I don't think that even one more day is even going to  
4 cover it. I think we going to need at least two more  
5 days besides today. Am I about right on that?

6 MR. SOLINGER: I totally can agree.

7 MR. GHIBAUDO: Well, yeah, Your Honor. Because  
8 that's the whole -- I was here to -- to ask for ask for  
9 an additional day or two just because we -- our rebuttal  
10 expert is not here.

11 THE COURT: Oh, man.

12 MR. GHIBAUDO: Yeah. So I have a whole bunch  
13 of reasons why that's the case.

14 THE COURT: Okay.

15 MR. GHIBAUDO: But since you're already going  
16 to set another day or two, as long as we're allowed to  
17 present that rebuttal expert at the time, I -- I don't  
18 think we're going to.

19 THE COURT: We -- yeah, we have -- you know, we  
20 just got blessed with the cancellation of the Bishop  
21 Family Law Conference. Because guess what I've got open  
22 now? I've got all of Monday on that first week of March,  
23 and Friday. So --

24 MS. CRAMER: Well, Your Honor --

1 THE COURT: -- I'm thinking Tuesday and  
2 Wednesday.

3 MS. CRAMER: -- our rebuttal expert did give me  
4 his cell phone number, and he said that if you give me  
5 the dates, I can text him and he can confirm while we're  
6 in court.

7 THE COURT: Okay.

8 All right. Let's go ahead with -- let's get  
9 this taken care of, because before other things come up  
10 and we start throwing stuff on here, I do want to get  
11 this set. And I am having a hard time, like normal,  
12 getting to March.

13 MR. GHIBAUDO: And, Your Honor, I'm going to  
14 take my leave now, because that's what I was here just to  
15 argue about.

16 THE COURT: No, I want you to stay. Okay, you  
17 can go.

18 MR. GHIBAUDO: Thank you, Your Honor.

19 THE COURT: Okay.

20 MR. GHIBAUDO: You guys have fun.

21 THE COURT: By -- by the way, I will always  
22 give this man a hard time. Always. I can't help it.  
23 He's -- he's just -- his character just makes me do it.  
24 Especially with him having that beard now. And he's one

1 of the few people that I do allow to give me a hard time  
2 back.

3 MR. GHIBAUDO: And I appreciate that, Your  
4 Honor.

5 THE COURT: Okay.

6 MR. GHIBAUDO: I feel the same way. Thank you.

7 THE COURT: Have a good day.

8 MR. GHIBAUDO: You too.

9 THE COURT: Okay. Right now I have March 1st,  
10 2nd and 3rd. What I would like to do is have two days  
11 that's back to back. That way, once we set up on that  
12 day, you can just leave your stuff here. We don't have  
13 to move it. We don't have to close books. We don't have  
14 to put it away. It can sit right where it's at and we  
15 can come back in the next day and start.

16 MS. CRAMER: I would love that, Your Honor. I  
17 did not like carrying all in here.

18 THE COURT: I know.

19 And I see this poor gentleman, I mean, Adam is  
20 just, he's killing himself bringing this stuff back and  
21 forth. And that just -- you know, so -- so the next time  
22 I want it to be a lot easier on everybody.

23 So, Mr. Solinger, are you available?

24 MR. SOLINGER: That was March 3rd and 4th, Your

1 Honor?

2 THE COURT: No. The 1st, 2nd and 3rd are the  
3 three dates that I've got available.

4 MR. SOLINGER: Yes.

5 THE COURT: I would love to do this March 1st  
6 and March 2nd. And then I reserve March the 3rd, if I  
7 haven't been able to render my decision or something,  
8 then we can come in and do it then.

9 MR. SOLINGER: Yes, I -- I am available. I  
10 have a preliminary hearing on the 28th that I don't  
11 believe will take multiple days, but I would just reserve  
12 the caveat that I'm asked to contact chambers and let you  
13 know that.

14 THE COURT: Okay. All right. I can -- I can  
15 understand that.

16 All right.

17 MS. CRAMER: I'm waiting to hear back from the  
18 expert. I -- I sent him -- yes, he is available, Your  
19 Honor.

20 THE COURT: Fantastic. Then I -- you know,  
21 then we are going to do this on March 1st and March 2nd.

22 You are going to sit up here. Don't make me  
23 throw you away. I don't think the Defendant would like  
24 it if I throw her exhibits away.



1           Oh, I'm in one of my moods. We're in trouble  
2 today. Sit down.

3           I can -- do you know how to tell if you're --  
4 if we're in for a wild ride or not? When your judge  
5 comes walking in carrying Mountain Dew like this, we're  
6 in trouble.

7           MR. GOODWIN: I guess that's your Code Red,  
8 Your Honor.

9           THE COURT: Yeah, if I'm just drinking iced  
10 tea, yeah, I'm mellow.

11          Okay. Mr. Solinger, you were talking that  
12 Mr. Paglini was -- or Dr. Paglini was going to be --

13          MR. SOLINGER: Correct. He should be on the  
14 BlueJeans right now. I let him know that we were  
15 starting with him.

16          THE COURT: Okay.

17          THE CLERK: He's not on there.

18          THE COURT: He's not on there yet. He may have  
19 thought 9:30 or so, because, you know, a lot of times it  
20 takes -- you know, the preliminary arguments and stuff.  
21 He's been in front of judges long enough to know that the  
22 preliminary stuff takes a little bit of time.

23          I thought we were done with Mr. Paglini. Or  
24 Dr. Paglini. I'm getting him and Mr. Ponzo (ph) mixed

1 up.

2 MR. SOLINGER: The -- the Defense was in the  
3 middle of their cross examination when we concluded.

4 THE COURT: Okay.

5 MR. SOLINGER: I don't know if Ms. Cramer has  
6 more for him, but then I had some things on redirect.

7 THE COURT: Okay.

8 MR. SOLINGER: So I need to just get it on --

9 THE COURT: And I know I do have some questions  
10 too, I think, for him. I'm just going to find them  
11 again.

12 MR. SOLINGER: Your Honor, is it still your  
13 preference when I'm addressing the Court that my mask is  
14 off so I can be heard more clearly, or?

15 THE COURT: You know, I may get my butt chewed  
16 if we -- if they find out about it, but.

17 MR. SOLINGER: I -- I won't say a word.

18 THE COURT: Huh?

19 MR. SOLINGER: I won't say a word.

20 THE COURT: Yeah. But I think it makes a  
21 clearer record, and easier for -- you know, we just need  
22 to make sure that anyone else that's unmasked is six feet  
23 away from you.

24 MR. SOLINGER: And I know Mr. Goodwin. I'm --

1 I'm okay with him being within six feet of me.

2 MR. GOODWIN: Yes, Your Honor.

3 THE COURT: I'm trying to give Mr. Paglini a  
4 chance to sign on.

5 Ms. Cramer, do you have plenty of time of being  
6 able to go in here and watch what took place in the first  
7 day?

8 MS. CRAMER: I did not get to watch the entire  
9 first video, no. I have gone through all of the filings  
10 in the entire case.

11 THE COURT: I did that again.

12 MS. CRAMER: Yes. And I've read through all of  
13 this. And I've gone through most of the exhibits.

14 THE COURT: Yeah. The -- you really should  
15 have concentrated on that first day.

16 MS. CRAMER: Okay.

17 THE COURT: So that you would have known where  
18 we are at so far.

19 MS. CRAMER: Well, I, yeah, I have some  
20 questions already for him.

21 THE COURT: Yeah. And -- and my orneriness,  
22 because I know you haven't really appeared in front of  
23 me, I do not always say things with finesse. I -- I tend  
24 to be very blunt. And I think my military had something

1 to do with that. And if I say it as blunt as I can,  
2 there's no misunderstanding.

3 MS. CRAMER: That makes two of us, Your Honor.

4 THE COURT: Yeah.

5 The -- I don't like a lot of antics. I do not  
6 like -- you know, I -- I don't even like a lot of the  
7 evidentiary rules. And the reason why, is I think it  
8 slows things up. And we got better things to do with our  
9 time than to sit here and throw out all the dirty laundry  
10 that we can find on these two people.

11 Most things, it may not be relevant, but I'm  
12 smart enough to know it. So we can speed things up by  
13 not necessarily objecting, I mean. And unless a document  
14 is really out there, there's no -- I'm not so concerned  
15 about the foundation. But if it's a hearsay document,  
16 then, you know, that's the arguments I want to hear. Has  
17 it been properly turned over, things like that.

18 So, I would like to start out, is there any  
19 documents in each other's stuff that you do not agree  
20 with?

21 Because I would like to be able to spend the  
22 next couple of months looking through the evidence that's  
23 in all of these binders and kind of get an -- and be able  
24 to really look at it instead of just a real quick

1 snapshot.

2 MR. SOLINGER: And I suppose we can eliminate  
3 some of the exhibits, potentially.

4 The -- the Defendant, through her prior  
5 Counsel, literally hours before their motion to withdraw,  
6 had sent over an offer to settle the financials of the  
7 case, as I alluded to back in November.

8 THE COURT: Uh-huh.

9 MR. SOLINGER: I -- I want to accept that  
10 offer.

11 THE COURT: Okay. Is it --

12 MR. SOLINGER: So we don't have financials.

13 THE COURT: Was that offer still open?

14 MS. CRAMER: No. It -- it wasn't -- yeah, no,  
15 that offer's not open. There are some things in there  
16 that we can resolve.

17 THE COURT: Now -- now, let me ask you  
18 something. Is it something that while we're sitting here  
19 waiting for Dr. Paglini to sign onto, is it something  
20 that y'all could discuss back outside and possibly get it  
21 settled real fast?

22 MR. SOLINGER: Dr. Paglini told me he'd be on  
23 in three minutes at 9:20. So he'll be on within a  
24 minute.

1 THE COURT: He'll be on here any second now.

2 Okay. Yeah.

3 MS. CRAMER: I mean, there are -- there were  
4 some things on here that we will stipulate to. But I --  
5 I don't even know why this.

6 THE COURT: Yeah. Because let me explain how  
7 we're going to -- I've already cut the community off. I  
8 don't remember when. I know it's in my notes.

9 MR. SOLINGER: As of -- as of November, I  
10 believe.

11 THE COURT: Yeah, I think it was as of November  
12 also. I cut the community off. So anything that the  
13 parties did after November, her house stays her sole and  
14 separate property because she used monies from the other  
15 house to purchase it. That was already my stipulation  
16 that we were going to do that.

17 MR. GOODWIN: Correct.

18 THE COURT: That pretty much only leaves the  
19 possibility of community waste on both sides, and your  
20 retirement.

21 MR. SOLINGER: I -- I believe the community  
22 waste was already dealt with through prior Counsel, where  
23 we agreed we're not seeking waste.

24 What was at issue was that when the original

1 marital home was sold, there was a remaining balance of  
2 funds due to a separate interest in a gift of equity that  
3 my father gave to me when I purchased the house from him.  
4 And so I believe prior Counsel had agreed, as part of  
5 their settlement, that that separate interest would  
6 remain mine. The remaining funds from the sale of the  
7 house would be split.

8 THE COURT: It depends on how that money was  
9 given.

10 MS. CRAMER: It was given to them as a gift  
11 to -- it was to the community.

12 THE COURT: Yeah.

13 MS. CRAMER: And I will point out, Your Honor,  
14 Plaintiff did not purchase the home. The community  
15 purchased the home.

16 THE COURT: I know, the community purchased  
17 this home.

18 MR. SOLINGER: Understood. There's a separate  
19 property gift of -- of --

20 THE COURT: But -- but here -- okay. Here --  
21 here is the way it is. If you do not have something in  
22 writing, because we're dealing with property and  
23 something more than \$500, it's called the statute of  
24 frauds --

1 MR. SOLINGER: It's --

2 THE COURT: -- that we all had to sit through,  
3 except you, and suffer through what, the first year of  
4 law school. If something is not done in writing at the  
5 time, signed by both of you, recognizing the fact that  
6 it's a gift to you only, I'm not going to accept it.

7 MR. SOLINGER: As far as -- so there is a  
8 writing wherein the mortgage company required my father  
9 write down an evidence that I'm giving a gift of equity  
10 to my son, Adam Solinger, signed by both myself and my  
11 father.

12 THE COURT: I don't -- I -- I don't remember it  
13 saying my son Adam. I remember it saying the parties.  
14 He's giving it to -- to -- a gift to the parties.

15 MR. SOLINGER: I -- I can --

16 THE COURT: Is there -- is there a -- an  
17 exhibit?

18 MR. SOLINGER: It is not --

19 MS. CRAMER: He has -- what he's doing, Your  
20 Honor, is he's had his dad go write a letter after the  
21 fact.

22 MR. SOLINGER: Oh, that's absolutely false.

23 THE COURT: Well, hold on.

24 MR. SOLINGER: That is --



1 MS. CRAMER: And --

2 THE COURT: Hold on. Hold on.

3 No, because when you're all of a sudden coming  
4 up with a down payment, the finance companies are going  
5 to want to know that.

6 MS. CRAMER: Right. And that's what I'm --  
7 that's what I'm --

8 THE COURT: Yeah.

9 MS. CRAMER: -- pointing to, Your Honor.

10 THE COURT: So I'm -- I want to look at it  
11 before I say yes or no, okay? I want -- because the  
12 finance documents will mention something about it  
13 somewhere.

14 MS. CRAMER: And that's what we're talking  
15 about, Your Honor.

16 THE COURT: Volume 1, Volume 2, or -- where's  
17 my --

18 MR. SOLINGER: Volume --

19 THE COURT: -- Volume 3?

20 MR. SOLINGER: It should be Volume 3, number  
21 219.

22 THE COURT: Or Volume 2. That's -- never mind.  
23 I found where Volume 2 is.

24 Volume 3, right?

1 MR. SOLINGER: Correct.

2 THE COURT: Do me a favor.

3 MS. CRAMER: Which --

4 THE COURT: If you ever have another trial in  
5 front of me, don't use these big things.

6 MS. CRAMER: Which exhibit number is it?

7 MR. SOLINGER: 219 is the mortgage paperwork.

8 THE COURT: Do I look like I lift weights?

9 See, he's -- he knows me very well now, don't  
10 he? Yeah, and he's able to laugh at me.

11 See I want to get as much of this done as  
12 possible. I do want to be able to spend a lot of time  
13 looking through this.

14 Is it okay if I look at that document? Because  
15 it has not been admitted into evidence.

16 MS. CRAMER: I haven't seen it yet, Your Honor,  
17 because this is impossible to turn these pages. I don't  
18 even know approximate I'm looking at the right one.

19 What is the Bates number on it?

20 MR. SOLINGER: I'm getting to that. Just one  
21 second. Because I -- I anticipated some hesitancy with  
22 just the gift of equity letter, so this is the entire  
23 mortgage closing packet.

24 THE COURT: Where is this money being held?

1 MR. SOLINGER: It's being held in --

2 THE COURT: Is it still --

3 MR. SOLINGER: -- Vince Mayo's trust account.

4 THE COURT: Okay. All right. I couldn't  
5 remember if it was Vince's trust account or if Fleeman's  
6 trust account.

7 One of these days. I'm curious to know. Never  
8 mind. Curiosity always killed the cat. You know that,  
9 don't you?

10 MR. SOLINGER: Oh, it absolutely did.

11 THE COURT: I am tearing your books apart.

12 MR. SOLINGER: They are meant to be torn apart.

13 THE COURT: 219 I couldn't again get to.  
14 That's the very last one. I'm trying to do this gingerly  
15 just so I could get over here.

16 Poor (indiscernible). She's sitting over,  
17 like, okay, I'm bored. We're not doing anything except  
18 trying to dig in a book.

19 UNIDENTIFIED VOICE: Are you kidding? I  
20 normally deal with screaming kids from the moment I wake  
21 up to the moment I go to bed, whether it's at home or at  
22 work, so this is great.

23 (Discussion off the record unrelated to case)

24 MR. SOLINGER: And, Your Honor, I believe

1 Dr. Paglini should be on if we wanted to get --

2 THE COURT: All right. Is he up there yet?

3 THE CLERK: No.

4 THE COURT: He's not up there yet.

5 MR. SOLINGER: No?

6 THE COURT: We may have a new BlueJeans. Do  
7 you want to have him call -- what's Marge's (ph) number,  
8 1340?

9 THE CLERK: I can -- I can give him the meeting  
10 ID if he wants to text it.

11 THE COURT: Or we can give him the meeting ID.

12 MR. SOLINGER: He -- he did say he's not  
13 getting in.

14 THE COURT: Okay.

15 MR. SOLINGER: So it must be the meeting ID.

16 THE CLERK: Okay. Let me write it down for  
17 you.

18 THE COURT: Have you found the Bates stamp  
19 number?

20 MR. SOLINGER: I have not yet, Your Honor. I'm  
21 still trying to get through my own mess that I've  
22 created.

23 THE COURT: Oh, yeah, you have purchase of, you  
24 have recording. Usually it's -- okay, it is the very

1 last page.

2 Well, now that's bad when I didn't know where  
3 it is and I turned right to it.

4 MR. GOODWIN: It helps to be lucky.

5 THE COURT: Huh? Well, I'm starting from the  
6 back. I knew he was starting from the front.

7 (Pause)

8 THE COURT: Is your dad intending to -- to  
9 testify?

10 MR. SOLINGER: If he needs to. He's --

11 THE COURT: I would want him to testify.

12 MR. SOLINGER: He's a medical doctor. He's  
13 working right now. He said anytime after 1:30.

14 THE COURT: Okay.

15 MR. SOLINGER: So I don't know if we'll need to  
16 call him out of order because --

17 THE COURT: Okay.

18 MR. SOLINGER: -- 1:30 is kind of his time, and  
19 then he has patients. So I would just --

20 THE COURT: I -- I had no problems -- I -- I  
21 have one question for him. So I, you know --

22 MR. SOLINGER: Understood.

23 THE COURT: He doesn't have to testify to  
24 anything else.

1 MR. SOLINGER: Understood.

2 THE COURT: I have one question for him.

3 MR. SOLINGER: So that's -- thank -- thank you  
4 for finding it, Your Honor. That's the letter that I've  
5 said, and it does mention some --

6 MR. PAGLINI: Hello. (Indiscernible) Family.  
7 Can you see me? Am I -- am I there?

8 MR. SOLINGER: Good morning, Dr. Paglini.

9 THE CLERK: Good morning. This is the  
10 courtroom clerk. We can hear and see you. Just standby.

11 MR. PAGLINI: Okay. So they know --

12 THE CLERK: Thank you.

13 MR. PAGLINI: Okay. So they know I'm available  
14 now, correct?

15 THE COURT: Yes, sir.

16 THE CLERK: Yes. Yes, sir.

17 THE COURT: Good morning.

18 MR. PAGLINI: Thank you for your assistance.

19 THE COURT: And how are you doing?

20 MR. PAGLINI: Bye-bye.

21 MR. GOODWIN: Why is he leaving?

22 THE COURT: Why is he leaving?

23 MR. PAGLINI: No, I'm good.

24 MR. SOLINGER: No, I think he's saying goodbye

1 to his staff in the office.

2 THE COURT: Oh, okay. Because I'm, like, do  
3 what, why is he telling me bye.

4 All right. So that is the document I'll let  
5 you look at. But I do have one question.

6 MR. SOLINGER: I -- I would ask -- could you  
7 ask your clerk to send out the form email with the link?  
8 Because my dad is not the most tech savvy, so I forwarded  
9 him the old one from November. And so if he has just the  
10 "Join Meeting" button, I -- I believe there's a stock  
11 email that your court clerk had sent out previously.

12 THE COURT: There's -- there's probably -- that  
13 will be my JEA that needs to send it to him.

14 The -- now there -- there was a motion. I need  
15 to put it on the record.

16 MR. SOLINGER: Understood.

17 THE COURT: Regarding the COSAPs.

18 And I had determined, once discovery it's  
19 closed, it's closed. I do not reopen it. It's -- it's  
20 supposed to be a snapshot in a certain period of time.  
21 If she would have totally finished with her case, then  
22 all of a sudden she would have been harmed by something.  
23 But unless it was something that was said back and forth  
24 with the children hearing it, I really don't have -- you

1 know, I don't -- I'm itching.

2 I -- I don't -- I don't find any problem with  
3 it. Because all mothers and fathers are going to be  
4 yelling and screaming and calling each other bad names.  
5 And it's just something -- it's just something you don't  
6 do in front of your kids. You're the example of what  
7 your kids are going to put up with in their future life.  
8 So I don't expect y'all to treat each other the way you  
9 would want the -- I expect you to treat you to treat each  
10 other the way you're going to want them to be treated.

11 MR. SOLINGER: Understood.

12 And, Your Honor, the intent behind the messages  
13 was more for impeachment purposes, if necessary. Is the  
14 Court's ruling that we're limiting even testimony to what  
15 has occurred prior to the cutoff of discovery, such that  
16 anything that occurred after the cut off of discovery,  
17 Your Honor doesn't (indiscernible)?

18 THE COURT: Uh-huh. Correct. It's really not  
19 going to matter.

20 MS. CRAMER: Your -- Your Honor?

21 THE COURT: Unless it's domestic violence or  
22 something like that.

23 MS. CRAMER: I -- yeah, I have been -- his  
24 behavior -- the reason why he's asking is --



1 THE COURT: His behavior --

2 MS. CRAMER: No, it's --

3 THE COURT: -- has sucked all along.

4 MS. CRAMER: No, it's something that you told  
5 him not to do, and he did it anyways in the month of  
6 December. My client saw her children four days. He  
7 noticed vacation every one of her custody days except for  
8 the actual holiday and the first week.

9 THE COURT: It's not the first time. We're  
10 going to discuss that.

11 MS. CRAMER: Well --

12 THE COURT: Okay. I have questions for him  
13 regarding -- I think it was last year. Or not -- the --  
14 the year before, because he did the same thing during  
15 holidays.

16 MS. CRAMER: Yes. And --

17 THE COURT: It ain't going to happen again.

18 MR. SOLINGER: No, I -- I understand, Your  
19 Honor. It --

20 MS. CRAMER: Well, he clearly doesn't  
21 understand.

22 THE COURT: We're not going to go there right  
23 now.

24 MS. CRAMER: All right, Your Honor.

1           THE COURT: I'm just saying that that's --  
2 that's the -- the close of discovery was at the time.  
3 We've already got one example of Dad utilizing his  
4 vacation time, and we're going to change that. It's not  
5 going to happen again. Okay?

6           MS. CRAMER: Okay.

7           THE COURT: Trust me on that, please. If it  
8 happens again, then we'll, you know, once it happens  
9 again, we'll get there. Fair?

10          MR. SOLINGER: That -- that is fair, subject  
11 to, I guess being able to respond to it at the  
12 appropriate time. Because I don't want to make jack  
13 about this now.

14          THE COURT: In the -- you know, I'm looking at  
15 the past behavior. I re-read all the motions, so I, you  
16 know, brought it back up. Everything that happened prior  
17 to, I'm going to say June 1st, because I know we started  
18 in May. May 1st of 2021. I don't want to hear anything  
19 of anything that's happened after that unless it's  
20 domestic violence between the two of you in front of your  
21 children. And I doubt that happened. Okay?

22          All right. Let's get started with Dr. Paglini.  
23 He's up there patiently waiting for us.

24          THE CLERK: Do you want to tell him we're going

1 to put him under oath?

2 THE COURT: Yeah, let's re-put him under oath.

3 THE CLERK: Okay.

4 THE COURT: Good morning, Dr. Paglini. How are  
5 you doing?

6 WITNESS PAGLINI: Good morning, Your Honor.

7 THE CLERK: If you can raise your right hand so  
8 I can put you under oath.

9 You do solemnly swear the testimony you are about  
10 to give in this action shall be the truth, the whole truth,  
11 and nothing but the truth, so help you God?

12 THE WITNESS: I do.

13 THE CLERK: Thank you.

14 THE COURT: Okay. Ms. Cramer, it is up to you.

15 MS. CRAMER: Okay.

16 JOHN PAGLINI,  
17 called as a witness on behalf of the Plaintiff, having been  
18 first duly sworn, testified on his oath as follows on:

19 CROSS EXAMINATION

20 BY MS. CRAMER:

21 Q Dr. Paglini, can you hear me okay?

22 A I can. Thank you very much.

23 Q Okay. And so, Dr. Paglini, I didn't get an  
24 opportunity to watch the entire video from the last

1 hearing, so if I repeat some questions, please forgive  
2 me.

3 A Okay.

4 Q All right.

5 So, you -- the Plaintiff paid you for this  
6 work, correct?

7 A I think the initial payment was from both  
8 parties.

9 Q Okay. And in your report, I noticed with  
10 your -- with the psychological testing that you conducted  
11 of the parties, you made some findings with regard to the  
12 Plaintiff's testing, that it was -- almost borderline  
13 invalidated the test, correct?

14 A Let me look at the test, please.  
15 Which test are you referring to?

16 Q It looks like the Personality Assessment  
17 Inventory.

18 A That is correct.

19 And then the other test was the Validity Scales  
20 were within normal limits.

21 Q Okay. You didn't really go on to address that  
22 any further, though. Why not?

23 A Well, let me address it in my PAI testing  
24 perspective. I have to look at the -- my report and --

1 THE COURT: Can I ask which exhibit this report  
2 is again?

3 MR. SOLINGER: I know I -- I unfortunately  
4 provided my copy the last time, and I've just got it  
5 digitally. You know, it would have been a binder book  
6 that I gave Your Honor. Because I have it in a small  
7 one-inch binder as a separate exhibit, because it's  
8 technically sealed, rather than the other --

9 THE COURT: This may be it. Nope.

10 THE WITNESS: It's on page 29.

11 MS. CRAMER: I'm sorry, you didn't number the  
12 pages.

13 THE WITNESS: Yeah, it's on page 29.

14 MR. SOLINGER: Counsel, they're numbered in the  
15 top left corner, possibly where the staple is.

16 MS. CRAMER: So that's where? Okay.

17 BY MS. CRAMER:

18 Q Well, yes, you talked that he exhibited these  
19 traits pursuant to your testing, but then you don't  
20 discuss how this impacts anything else in your report.  
21 Why is that?

22 A Well, you have one test that was elevated, and  
23 the second test that was within normal limits. It was  
24 not elevated. And at times that -- that happens with

1 litigants. I mean, it's nice if both testing, if the  
2 person was open in disclosing. But at times that does  
3 not occur.

4 Q Okay.

5 A And -- and so one test indicates he was  
6 guarded. The second test indicates that -- that he was  
7 only mildly defensive, and is still within normal limits.

8 Q Okay.

9 A It's noted by me.

10 Q So --

11 A But it -- it didn't invalidate the testing.

12 Q Dr. -- Dr. Paglini, I'm having trouble hearing  
13 you.

14 A Okay.

15 Q Can you repeat that?

16 A Sure.

17 Okay. So one test he was guarded and  
18 defensive. In the second test, he was -- it was -- his  
19 validity scales were within normal limits.

20 Q Okay.

21 A And -- and so the question -- so if he came --  
22 if he was guarded -- highly guarded on both tests, to me  
23 that would be significant. So he's guarded on one and  
24 not guarded on another test. He was only slightly

1 guarded. And so the conclusion would be noted, but  
2 it's not -- it does not invalidate the test.

3 Plus, normally, child custody litigants are  
4 generally, their validity scales can be a little higher  
5 because they're trying to present very well.

6 Q Okay. I did not note that you indicated that  
7 Ms. Solinger was guarded. That you only indicated that  
8 Mr. Solinger was guarded, correct?

9 A I'm looking at her testing.

10 Confirmed.

11 Q Okay. So you have a -- an individual in a  
12 child custody action who exhibits levels of guarding --  
13 guardedness in both of your tests. One is mild and one  
14 is significant.

15 You note that he appears motivated to portray  
16 himself as exhibiting no psychological shortcomings. He  
17 is hesitant to admit minor faults. His responses are  
18 suggestive that he's very satisfied with himself. He  
19 sees no little -- he sees little need to change his  
20 behavior. He likes to be in control of relationships.  
21 And he exhibits emotional warrant. Correct?

22 A Where are you looking at? Where is that?

23 Q That's page 29. It's in the same paragraph as  
24 the PAI results. Or it's in the same section.

1 A Let me look for it. Confirmed.

2 Q All right. So --

3 A That was -- that was some of the suggestions by  
4 the PAI with that kind of profile.

5 Q Okay.

6 But then you just drop it. You don't further  
7 discuss it anywhere in your report. You don't talk about  
8 how this could impact custody. You don't talk about how  
9 this could impact his ability to co-parent, his ability  
10 to cooperate with his co-parent. You -- you just throw  
11 it there on the ground and leave it.

12 Why is that?

13 A Well, probably because it was your client that  
14 the judge had a lot of concerns with. That in June of  
15 2019, the judge went from shared custody to primary  
16 custody because your client exhibited numerous concerns,  
17 and the judge had concerns about the safety of the  
18 children because she left the children with her  
19 boyfriend.

20 She also allowed --

21 Q Okay. Dr. Paglini?

22 A -- Mr. Lloyd to drive her car.

23 Q Dr. Paglini, I'm aware of the history of the  
24 case.



1           Are you aware that Mr. Solinger leaves the  
2 children with his girlfriend?

3           A     Well, the judge had --

4           Q     It's a yes or no, Dr. Paglini.

5           A     The judge had certain requirements. The judge  
6 had certain requirements.

7           Q     Dr. --

8           A     And so the whole point is --

9           Q     Excuse me, Dr. Paglini, I --

10          THE COURT: Ms. -- Ms. Cramer, the judge back  
11 then did have certain requirements, and that was not one  
12 of them it.

13          MS. CRAMER: I -- I --

14          THE COURT: Please move on.

15          MS. CRAMER: Okay.

16 BY MS. CRAMER:

17          Q     All right.

18          So, Dr. Paglini, I never did really get an  
19 answer for -- from you about why you did not address how  
20 these results could impact Adam ability to cooperate and  
21 co-parent. So that's --

22          A     Well, I didn't -- may I respond?

23          Q     Yeah. Well, that's -- I would like you to  
24 respond to that, though. I don't need you to recite the

1 history of the case to me. What I would like is for you  
2 to answer my question.

3 A Sure.

4 Okay. So that's one data point in a hundred  
5 data points. We also have that Mr. Solinger demonstrated  
6 that he was a good parent, and he was trying to get the  
7 best care for his children.

8 Yes, he was defensive on the testing, but there  
9 were other significant, relevant data points that  
10 overshadowed it.

11 Q Okay.

12 MS. CRAMER: Your Honor, I'm going to object to  
13 this as non-responsive. He -- he doesn't seem to be  
14 wanting to answer my question.

15 THE COURT: I don't even understand what your  
16 question is.

17 MS. CRAMER: So my question is, he made all of  
18 these observations --

19 THE COURT: Correct.

20 MS. CRAMER: -- with regard to Adam's --

21 THE COURT: Regarding a test.

22 MS. CRAMER: Yes, with regard to a test.  
23 Indicating that his responses are that he likes to be in  
24 control.

1 THE COURT: Correct.

2 MS. CRAMER: He doesn't see a need to modify  
3 his behavior. That he is very guarded.

4 THE COURT: Then why don't you ask questions  
5 about is it going to affect the co-parenting based upon  
6 his wanting to always be in control. Ask the questions  
7 that he can answer.

8 MS. CRAMER: Well --

9 THE COURT: Right now -- right now, you're  
10 being too combative.

11 MS. CRAMER: Okay.

12 THE COURT: You get more with honey than you do  
13 with vinegar.

14 MS. CRAMER: Okay. I'll ask a different  
15 question, then, Your Honor.

16 THE COURT: Please.

17 MS. CRAMER: Thank you.

18 BY MS. CRAMER:

19 Q All right.

20 Dr. Paglini, when Adam indicates that he is  
21 hesitant to admit minor faults, how might that impact his  
22 ability to co-parent?

23 MR. SOLINGER: Objection, Your Honor. I don't  
24 think that there's been any admission on my part. I -- I

1 think that this is a standardized test that the  
2 defensiveness scale says I may be hesitant.

3 THE COURT: She said if you --

4 MR. SOLINGER: Understood.

5 THE COURT: -- are defensive, how would it  
6 affect.

7 MS. CRAMER: Well, and this is Dr. Paglini's  
8 testimony in his report.

9 THE COURT: Yeah.

10 MS. CRAMER: He was the expert.

11 THE COURT: Yeah.

12 MS. CRAMER: He made this testing.

13 THE COURT: I'm going to let --

14 MS. CRAMER: He made this report.

15 THE COURT: I'm going to let Dr. Paglini answer  
16 the question the best that he can.

17 THE WITNESS: Ma'am, can you please repeat your  
18 question so I could answer it appropriately.

19 MS. CRAMER: All right.

20 BY MS. CRAMER:

21 Q So on page 29, you indicate that Adam is  
22 hesitant to admit to minor faults. How might that impact  
23 his ability to cooperate and co-parent?

24 A Well, that's a -- that's a valid point.

1           We have two litigants that there's a highly  
2 contentious relationship. That is a hypothesis generated  
3 by the computer when someone is highly -- well, defensive  
4 in that capacity.

5           I found that Mr. Solinger, when it came to  
6 trying to discuss his son's -- Michael's speech therapy,  
7 he was giving appropriate information to Chalese, and he  
8 was trying to do the best he can. There was a lot of  
9 different road blocks.

10           Can someone -- can that be a problem? Yes.  
11 But I wasn't seeing that as a significantly relevant  
12 issue at the time, and therefore it was not in my report.  
13 I did report that they both have to improve on  
14 co-parenting, and that was in my report. Both of them.

15           Q     Okay.

16           THE COURT: Can I interrupt for a second and  
17 ask a question that -- that's kind of been burning in  
18 my -- my mind for a while here.

19           A hypothetical, sir. If you have a parent who  
20 is attempting to micro-manage the other parent's life, is  
21 that going to interfere with co-parenting?

22           THE WITNESS: Yes.

23           THE COURT: And is that something in which we  
24 need to pay close attention to?

1 THE WITNESS: Well, it -- it can. I mean, this  
2 is a hypothetical. Okay?

3 THE COURT: Yes.

4 THE WITNESS: And yeah, he -- he is -- you  
5 know, I mean, hypothetically if a parent -- if you -- you  
6 know, both parents should have a right to parent that  
7 they see fit. They have to provide adequate care of the  
8 child and not endanger the child. And they should  
9 have -- have their freedom in that capacity to operate  
10 without interference from the other parent.

11 And all it does if one parent is micro-managing  
12 is going to increase the stress in the other parent,  
13 and -- and then it reduces the co-parenting. And there's  
14 likely -- you know, they're not going to be cooperating.  
15 And it's possible that the other parent's not going to  
16 reveal certain things that are going on because they're  
17 going to be scrutinized even more carefully.

18 THE COURT: Go ahead, Ms. Cramer.

19 MS. CRAMER: Thank you, Your Honor.

20 BY MS. CRAMER:

21 Q So, Dr. Paglini, you noted that Adam, in --  
22 in -- on page 29 here, you noted that he sees little need  
23 to change his behavior, correct?

24 A Yeah. That was from the -- what was generated

1 from the hypothesis of someone being highly defensive.

2 And -- and to note, on the other psychological  
3 testing, the Validity Scales were within normal limits.

4 THE WITNESS: Your Honor, can I -- can I ask my  
5 secretary to bring a water in for me, please?

6 THE COURT: Yes, please. Go ahead, sir.

7 THE WITNESS: Thank you. Give me 20 seconds.  
8 Thank you.

9 (Pause)

10 THE WITNESS: I'm back. Thank you.

11 BY MS. CRAMER:

12 Q Okay. So, Dr. Paglini, within -- keeping in  
13 mind that your testing revealed that Adam sees little  
14 need to change his behavior, this testing, or this report  
15 was done on September 3rd of 2020, correct?

16 A Confirmed.

17 Q Okay. So I'm trying to find the right page.

18 (Discussion off the record)

19 MR. SOLINGER: Your Honor, I believe that's one  
20 of my other witnesses that just joined the BlueJeans. I  
21 don't know if we want to put him in a breakout room.

22 THE CLERK: Yeah, I'll do that.

23 MR. SOLINGER: It should be Curtis Doyal.

24 THE COURT: Yeah.

1 MR. SOLINGER: Just --

2 THE COURT: We're going to put him in a  
3 breakout room.

4 MR. SOLINGER: -- I don't think anyone invoked  
5 the exclusionary rule, but just to be safe.

6 THE COURT: All right. Well, we usually need  
7 to invoke the exclusionary rule.

8 THE CLERK: I need to log off really quick  
9 and --

10 THE COURT: Okay. We're going to have to take  
11 a quick break so that we can do some moving things  
12 around.

13 MS. CRAMER: No problem, Your Honor.

14 THE WITNESS: Thank you, Your Honor.

15 THE COURT: All right. We could also put  
16 Dr. Paglini in the breakout room.

17 (COURT RECESSED AT 9:51:52 AND RESUMED AT 9:52:31)

18 THE COURT: Okay. We're back on the record.

19 THE WITNESS: All right. Thank you.

20 BY MS. CRAMER:

21 Q All right. So, Dr. Paglini, your testing  
22 indicated -- I just want to recap here -- your testing  
23 indicated that Adam showed little need to -- or Adam  
24 indicated he had felt little need to change his behavior.



1           A     Yeah, that was a hypothesis generated by the  
2     PAI, correct.

3           Q     Okay. And you said that the validity limits  
4     were still in place for that. You indicated that, didn't  
5     you?

6           A     It was borderline on that. I mean, but the  
7     other one was within normal limits.

8           Q     Okay.

9                 So in your recommendations on page 65, you he  
10    specifically addressed, one concern you have is that if  
11    one person stacks their vacation time and then that  
12    reduces the other parent's visitation of the children --  
13    with the children, the children should not go too long  
14    without one parent.

15                And so that was a concern that you noted,  
16    correct?

17          A     Yes.

18          Q     And this was in September of 2020?

19          A     Yes.

20          Q     So, if Mr. Solinger continued to stack his  
21    vacation to deprive Mrs. Solinger of time with the  
22    children even after September of 2020, even after the  
23    Court had indicated concerns with that behavior, how  
24    would that change your recommendations?

1           A     Well, I'm not here to be able to assess that  
2     because it's post report. But I will say that a  
3     hypothetical, if one parent is still denying a -- a  
4     parent time, I would hope the judge would address that.  
5     And that would go towards co-parenting. And -- and the  
6     judge has to weigh that with all the other dynamics going  
7     on in the case.

8                 Because, in theory, I -- I want, as I stated in  
9     my first testimony, I would love to see Ms. Solinger have  
10    shared custody if everything -- if the Court is  
11    satisfied, and -- and things had progressed. And -- and  
12    ideally, the best of the children will be that the  
13    parents co-parent adaptively.

14           Q     Okay. But you made recommendations back in  
15    2020, in September of 2020, and your recommendations  
16    included that that would be a children.

17                 So what I'm asking you now is, and we'll just  
18    say hypothetically, if Adam continued to stack vacation  
19    time such that Ms. Solinger did not see her children for  
20    weeks at a time, how would that change your  
21    recommendation?

22                 MR. SOLINGER: Objection, Your Honor. I think  
23    it's been asked and --

24                 THE COURT: It's a hypothetical right now.

1 MR. SOLINGER: I -- I understand.

2 THE COURT: I recognize it for what it is, sir.

3 MR. SOLINGER: Thank you.

4 THE COURT: Please go ahead and answer the  
5 question.

6 THE WITNESS: I thought I answered. I -- I  
7 thought I answered it.

8 I -- I -- I said that, you know, the judge has  
9 to consider that with -- and include all the dynamics in  
10 this case, the concerns with Solinger's side. And  
11 that -- that would be an aspect of gate keeping. And we  
12 want both parent -- parents to have access to the  
13 children and be involved in the children's lives.

14 So, if the judge believes that Mr. Solinger is  
15 being inappropriate, she'll have to weigh that in her  
16 final decision. Obviously that -- that would not work  
17 well in his favor.

18 BY MS. CRAMER:

19 Q I'm sorry, what was the last thing you said? I  
20 lost the end of that sentence.

21 A I said it would not work well in his favor.

22 Q Okay.

23 A Especially as a good gatekeeper. Especially if  
24 he has -- if he has primary custody.

1           Because one of the things we're looking at here  
2   is if someone has, let's just say primary custody,  
3   we're -- we're hoping that that person is a good  
4   gatekeeper and is promoting the relationship between the  
5   children and the other parent. And if that's not  
6   occurring, that is of concern. It should be of concern  
7   for the judge.

8           Q     Okay.

9           MS. CRAMER: Your Honor, can I ask a question  
10   of the Court?

11          THE COURT: Yes.

12          MS. CRAMER: Did Mr. Fleeman get a chance to  
13   question Dr. Paglini regarding Chalese's psychological  
14   testing as well? Was that done already?

15          THE COURT: I don't think so.

16          MR. SOLINGER: I questioned Dr. Paglini about  
17   it at length.

18          THE COURT: He -- he did an extensive  
19   questioning of her -- of her psychological report.

20          MS. CRAMER: Well, I know he did. But I was --

21          THE COURT: I don't think there was any cross  
22   examination.

23          MS. CRAMER: Okay.

24          THE COURT: I don't recall any. Because

1 Dr. Paglini did a really go job at, you know, stating Mom  
2 was sane.

3 MS. CRAMER: Okay.

4 THE COURT: If we weren't on the record I'd  
5 pick on Dad and say that Dad was insane, Mom was sane.  
6 But I, you know, I'm not going to say that.

7 Hey, when I can get everybody laughing, I'm  
8 having a good day.

9 MS. CRAMER: Sorry.

10 BY MS. CRAMER:

11 Q So, Dr. Paglini, with regard to Chalese's  
12 psychological testing on page 19, you indicated that  
13 her -- the Reliability Subskills were normal and it was  
14 reliable, correct?

15 A I'm referring to my testing because that's  
16 easier. It would just take me half a second.

17 First of all, I'd like to comment that I rely  
18 on my prior -- prior testimony, because that was fairly  
19 comprehensive.

20 Her Reliability Subskills on the MMPI-2-RF were  
21 within normal limits. Although she did have some  
22 elevations on some dynamics regarding the Infrequency  
23 Scale which denotes some mental health concerns. And her  
24 Validity Scales on the MMPI-2-RF were within normal

1 limits.

2 If you look at the PAI, just to be concise, her  
3 Reliability Subskills and Validity Skills were within  
4 normal limits. She was open in disclosing.

5 Q Okay.

6 So, she -- she did endorse that she was  
7 suffering mental -- or emotional distress at the time,  
8 correct?

9 A Yeah. She has a history of depression and  
10 anxiety. And she also endorsed posttraumatic stress  
11 disorder from some childhood issues, as well as a birth.  
12 And her dynamics were reflective on the testing.

13 Q Okay.

14 And so when someone is going through a  
15 high-conflict divorce that has dragged on for three years  
16 now, would it be expected that you would see someone  
17 showing emotional distress?

18 A Yes.

19 Just to address it further, you have people  
20 that -- this -- being in family court, it's, like, is --  
21 is a significant stressor. And in this case, it's a  
22 chronic stressor. People deal with stress in  
23 different ways.

24 And in her case, you know, obviously she's been

1 affected. But she has a history that pre-dates the court  
2 stress. A history of -- of some despair and anxiety,  
3 and -- and trauma stress. So sometimes that could  
4 influence people's coping skills.

5 Q Okay. So with regard to that history, you are  
6 aware that Chalese was the sole caregiver of the children  
7 during the marriage, correct?

8 A Yes.

9 Q Okay. And while a person is pregnant and  
10 suffering from pregnancy-related PTSD, which you noted,  
11 would that also cause -- be expected to cause someone  
12 emotional distress?

13 A It can.

14 Q Okay. On page 19, you also noted that she  
15 exhibited signs of anxiety, anger fear, self-doubt, and  
16 insecurity, correct?

17 A Let me refer to page 19.

18 What paragraph?

19 Q Well, you have it throughout. Your -- third  
20 from the bottom, you have anxiety, fear, anger,  
21 self-critical. On the last paragraph you say insecurity.  
22 Could feel inferior. Elevations for self-doubt.

23 A Okay. Individuals that -- she has an elevation  
24 for self-doubt which indicates that this individual

1 critical (indiscernible) intro-punitive. It means she's  
2 hard on herself. Feels inferior and insecure. You also  
3 have elevations for anxiety which were forced  
4 inter-deviations from the mean.

5 Q Okay. So could a -- going through a  
6 high-conflict divorce for three years cause those?

7 A Sure.

8 Q Okay.

9 A But you have to remember, she had a history of  
10 that beforehand.

11 Q Right.

12 A So -- so it's -- it's kind of, like, you know,  
13 when you're doing assessments, you want to know what the  
14 person's premorbid psychological history is. That goes  
15 into the -- the -- enduring stress of a custody case.

16 Q Right.

17 A And so she does have some prior psychological  
18 dynamics.

19 Q And despite those dynamics, during the  
20 marriage, she was still able to care for the children on  
21 her own, correct?

22 A Yes.

23 I think at times, though, there were some  
24 concerns by Mr. Solinger. And I think -- I'd have to go



1 back in the psych history -- there may have been a time  
2 she was in therapy.

3 Q Okay.

4 So you say at the time there was concerns by  
5 Mr. Solinger, but those concerns were never noted until  
6 he filed for divorce, correct?

7 A I -- I don't know, because I wasn't there with  
8 them.

9 She had postpartum depression. It says here  
10 Michael was born in June, 2015, she had postpartum  
11 depression. She saw a therapist for one and a half  
12 years. The therapist referred her to a nurse  
13 practitioner. Then she received medication.

14 Q So her history indicates --

15 A At the time of the assessment, she was not in  
16 treatment.

17 Q Okay. So her history indicates that when she  
18 did experience any kind of psychological issue, she  
19 sought treatment, correct?

20 A In that -- in that situation she did, yes.

21 Q Okay. And isn't that what you would expect a  
22 person to do?

23 A Yes. I -- I agree.

24 Q Okay. Now, could it -- in the course of a

1 high-conflict divorce, could being followed for months  
2 and weeks at a time cause someone to have elevated  
3 anxiety?

4 A Could be.

5 Q Now, you noted in the PAI that Chalese was open  
6 and candid as well, correct?

7 A Confirmed.

8 Q Okay. And in the course of your evaluation,  
9 you did not diagnose her with any mental health condition  
10 that would impact her ability to be a caregiver to her  
11 children, did you?

12 A As I stated in my prior testimony, that the  
13 mental health of Chalese was noted, but was -- is not a  
14 current impairment --

15 Q Okay.

16 A -- to her parenting.

17 Q So on your interview of Adam on page 20 --  
18 well, it starts on page 20 -- you indicated that he took  
19 a so-called gap year between law school and college? Or  
20 between college and law school; is that correct?

21 A Must be on -- I think it might be on my page  
22 21.

23 Q Yeah, your report on Mr. Solinger started on  
24 20, and then it's on page 21?

1           A     Okay.

2           Q     So, in light of your testing and your  
3 observation that Adam doesn't want to admit any flaws and  
4 he's very guarded, do you know if this gap year was  
5 voluntary, or was it that he was not accepted into law  
6 school the first time?

7           MR. SOLINGER:  Objection.  Relevance.

8           THE WITNESS:  I think he was --

9           MS. CRAMER:  It goes to credibility, Your  
10 Honor.

11          THE COURT:  Not yet, because he hasn't  
12 testified yet.

13          MS. CRAMER:  No, it goes to credibility of the  
14 testing.

15          THE COURT:  I'll allow it.

16          Go ahead, Mr. Paglini.

17          THE WITNESS:  I --

18          THE COURT:  Or, Doctor.

19          THE WITNESS:  I'm under the impression that he  
20 was on the waiting list.  And I don't know how it deals  
21 with testing, though.  It doesn't -- I don't know how  
22 that connection's made.

23          MR. SOLINGER:  I mean, Your Honor, I -- I can  
24 offer a stipulation if you would like, related to that.

1 THE COURT: That's fine.

2 MS. CRAMER: All right.

3 THE COURT: We all know the anxiety of law  
4 school and getting in and trying.

5 BY MS. CRAMER:

6 Q In your interview with Adam, he reported to you  
7 that he was indifferent about his relationship between  
8 '09 and 2011, in that he said he did not know how to end  
9 it, correct?

10 A What page are you on? I mean, this is a 60  
11 some page report, and it's --

12 Q I'm on page -- I'm on --

13 A -- I don't recall everything that's in it.

14 Q I'm on page 22.

15 A So I must be on page 23.

16 What paragraph are you on, ma'am?

17 Q I'm looking.

18 A Thank you.

19 MR. SOLINGER: I believe the bottom of page 22,  
20 Dr. Paglini.

21 MS. CRAMER: Yeah, it's in the --

22 THE WITNESS: Okay. Yeah, I see it.

23 BY MS. CRAMER:

24 Q It's in the Relationship History.

1           A     Yeah, I see it.

2                     Give me a second, please.

3                     Yeah, it said, Mr. Solinger was asked about  
4 relationship from '09 to '11 prior to moving to Las  
5 Vegas. Reported a hindsight indifference. He stated  
6 he did not know how to leave or end the relationship.  
7 They had different goals. She wanted to have children  
8 early on. He was in his early 20s. He did not know  
9 how to end it.

10          Q     Okay. So they got married in 2012 though,  
11 correct?

12          A     Yeah, May of 2012.

13          Q     So he indicated to you he was indifferent and  
14 he didn't know how to end this relationship, and then the  
15 next year he got married.

16                     So what do you make of that statement in light  
17 of the fact that he got married?

18                     MR. SOLINGER: Objection. Relevance.

19                     THE COURT: I'm going to sustain that one.  
20 It's not relevant. He married her. They're married.  
21 We're here today. Let's, you know, let's just stick to  
22 what's relevant on parenting.

23                     MS. CRAMER: Okay.

24 BY MS. CRAMER:

1 Q Dr. Solinger -- or, excuse me, Dr. Paglini.

2 MS. CRAMER: I'm mixing -- mixing up names  
3 you're calling him Mister. I'm calling him --

4 THE COURT: That's okay. I keep calling him  
5 Mr. Paglini, and I know he's a doctor.

6 MS. CRAMER: All right.

7 THE WITNESS: Thank you.

8 BY MS. CRAMER:

9 Q Dr. Paglini, you, in -- on page 23, the first  
10 paragraph, you discuss the rape allegations against Adam  
11 while he was in college.

12 And my question for you is, here it says that  
13 Adam reported she claimed she was raped by an  
14 ex-boyfriend during her freshman year. So, was the  
15 allegation she was raped by an ex-boyfriend, or was the  
16 allegation that she was raped by Adam?

17 MR. SOLINGER: Objection. Relevance again.

18 THE WITNESS: Well, I think the -- once again I  
19 wasn't there -- but I think she conveyed this in therapy.  
20 And then from that point on, it -- it was -- I guess the  
21 school was notified, or eventually the police. And so at  
22 the time, I think it was they were boyfriend/girlfriend.

23 BY MS. CRAMER:

24 Q So, I guess I don't understand how that is an

1 answer.

2 THE COURT: Was Chalese the one who was  
3 claiming to be raped, or?

4 MR. SOLINGER: No.

5 THE COURT: Or it was --

6 MR. SOLINGER: It was --

7 THE COURT: -- an ex-girlfriend of him who  
8 claimed that she was raped by an ex-boyfriend?

9 MS. CRAMER: Well, that's what's not clear. It  
10 says here that she --

11 THE COURT: If it's not clear in the report,  
12 I'm pretty sure Dr. Paglini's not going to know what's  
13 clear today.

14 MS. CRAMER: Well, I'm trying to ask him in --  
15 in the course of his interview what that means.

16 BY MS. CRAMER:

17 Q So in the course of your interview,  
18 Dr. Paglini, if -- it says she -- your sentence, I'm  
19 going to read it verbatim.

20 She claimed that she was raped by an  
21 ex-boyfriend during her freshman year.

22 A Correct.

23 Q So what I don't understand is, is the  
24 allegation she was raped by an ex-boyfriend, somebody we

1 don't know, or is the allegation that Adam raped her?

2 A The next sentence is, the allegations began at  
3 the beginning of her sophomore year. Everyone was  
4 interviewed. (Indiscernible) that she used the excuse  
5 for the boy being kicked out of college. That was his  
6 viewpoint. Okay?

7 So allegedly -- what my understanding was -- is  
8 that they were in a relationship during her freshman  
9 year. The allegations emerged a year later. Not really  
10 allegations, she just processed it in therapy and then it  
11 took on a life of its own.

12 And then it would have been -- I guess -- I  
13 assume if she was in therapy she said my ex-boyfriend,  
14 and that would have been Adam.

15 Q Okay. So he what I do not see in your report,  
16 is I don't see anywhere in your report that Adam denied  
17 that he raped her. Did he do that?

18 A I'd have to look back at my notes. But I  
19 addressed it with him, and he denied any responsibility.  
20 It was a consensual relationship.

21 THE COURT: Ms. Cramer, please move on.

22 MS. CRAMER: Yes, Your Honor.

23 THE COURT: Some things you don't nitpick.

24 If he had been guilty of raping, I'm pretty



1 sure the police would have arrested him. Then we would  
2 have had other documents to show that this happened.  
3 Because it did state that the police were contacted, and  
4 they would have done an investigation.

5 MS. CRAMER: Yes. But it was also a year  
6 later, so.

7 THE COURT: It's -- there still would have been  
8 an investigation. So please move on.

9 MS. CRAMER: Oh, I'll -- I'll move on, Your  
10 Honor.

11 THE COURT: Thank you.

12 I will say this. If he did that, bad dog, no  
13 biscuit. Okay.

14 I'm in one of my moods today, Dr. Paglini, so  
15 forgive me.

16 THE WITNESS: Yes, Your Honor. I appreciate  
17 your humor, Your Honor, yes.

18 BY MS. CRAMER:

19 Q So on page 24 of your report, the second  
20 paragraph, you said that Adam reported that in 2015, his  
21 marriage was extraordinarily strained, correct?

22 A Correct.

23 Q Okay. But then he also reports that he was  
24 working 60 hours a week, right?

1           A     Yes.

2           Q     Wouldn't working 60 hours a week in a young  
3 marriage cause some strain?

4           A     Yeah, well, you know, you have several dynamics  
5 going on here. You have Adam in a -- a new job. I think  
6 Michael was born in 2015. They have a new family.

7                     Also, Ms. Solinger had (indiscernible) and  
8 struggling with postpartum depression. So, yeah, I mean,  
9 it's -- there are a lot of different dynamics for young  
10 families. And -- and for him, his perspective of it was  
11 extraordinarily strained, I think her viewpoint was a  
12 little different.

13          Q     Okay.

14                     (Pause)

15          Q     So on page 24, also you talk about Adam's  
16 concerns about Michael's health, and that he reported  
17 that he did not -- that he thought Michael had a lot of  
18 sicknesses, but now that he has primary, Michael is okay,  
19 correct?

20          A     Let me review that. It's on page 24. It's the  
21 bottom paragraph.

22          Q     Yes.

23          A     Yeah, his -- his viewpoint is that since he's  
24 had care of them, that they have progressed and he's seen

1 positive development from both children.

2 Q Okay. Well, he indicates he's on the -- 20  
3 percent on his growth chart, right?

4 A Because Michael was very low on the growth  
5 chart. Since their separation, Michael's grown and he's  
6 now at the 20th percent.

7 Q Right. So --

8 A When -- and then when asked if Michael's low  
9 physical growth at five percent was attributed to  
10 Ms. Solinger, he reported he was there too. So, meaning  
11 that he's responsible also.

12 Q Right.

13 So it's normal, children grow -- that's kind of  
14 the essence of children is that they grow, correct, over  
15 time?

16 A Yeah.

17 You know, I -- I don't think -- you know, like,  
18 he may have had some concerns about parenting. But the  
19 point is, is that sometimes children grow at different  
20 rates, okay. And are they being fed appropriately, et  
21 cetera, et cetera. And I think his point was, is that  
22 the kids are -- are -- are kind of doing better.

23 This is not to indicate Ms. Solinger is a bad  
24 parent. I didn't -- I didn't take it that way.

1 Q Okay. And, Dr. Paglini, in light of the  
2 pandemic, did you actually meet with the parties in  
3 person?

4 A Yes.

5 Q Okay. Yeah, you did, because there's pictures  
6 of their houses.

7 So you observed, Chalese is a very petite  
8 person, correct?

9 A Yes.

10 Q All right. And Adam is not really that tall  
11 either, right?

12 A Yeah. He's medium height.

13 Q All right. So you wouldn't really expect two  
14 smaller-sized people to have a giant baby typically,  
15 would you?

16 A Say that again, please?

17 Q I'm sorry, what?

18 A Say it -- please repeat your question.

19 Q Well, you wouldn't expect two small people to  
20 have a giant baby, would you? Like, you wouldn't expect  
21 a 90-pound woman to have a child that's 110 percent on  
22 the growth charts, would you?

23 A I -- you know, I'm not a pediatrician, sorry.  
24 But I think what you're saying is, is that if -- if -- if

1 Chalese is petite and Adam is medium, we're not going to  
2 expect a large child. And I don't know what the stats  
3 are, so.

4 But I hear what you're saying, and I -- and  
5 nothing was held against Chalese for that.

6 Q Okay. Thank you.

7 So on page 24, Adam indicated to you in your  
8 report that Chalese was barely functioning in 2015 to  
9 2016, correct?

10 A Once again, give me a second.

11 What paragraph is this?

12 Q The last paragraph. It's the second sentence.

13 A Correct.

14 Q All right. So anywhere in this interview or in  
15 your report, did Adam indicate to you that he lessened  
16 his workload to help her?

17 A I'm not sure. I think -- I think the dynamic  
18 was he -- this is -- this -- I would assume since it was  
19 June 15th and Michael was just born, that she struggled  
20 with postpartum depression, which she acknowledged, all  
21 right. And everyone's doing the best they can. So  
22 sometimes this happens in families.

23 Q All right. But --

24 A But that was his impression.

1 Q -- so, but nowhere in here does it indicate  
2 that Adam lessened his workload from 60 hours to maybe,  
3 like, 50, so he could help out a little?

4 A I think he -- there was the differing opinions  
5 between the mothers. But I think Adam's mother indicates  
6 that when he was home he was involved and helpful.  
7 And -- but I don't know if he reduced his hours. I think  
8 that's a question to ask him.

9 Q Okay. And Adam's mother did not live in the  
10 household, did she? I don't think. Did she?

11 A I don't think she did either. I'm not sure.  
12 It's -- it's been a while, so I'm not sure.

13 Q Okay. Now, on page 25 you talk about -- it's a  
14 little bit below the halfway point on the page -- you  
15 talk that Adam reported to you that he separated from  
16 Chalese in October of 2018, moved into his own apartment,  
17 and then he started his relationship with Ms. Sellers in  
18 late November or early December of that same year,  
19 correct?

20 A Correct.

21 Q All right. Does -- does the moving onto to a  
22 relationship that quickly when you're not even divorced,  
23 does that raise any concerns cosigned you?

24 A Yeah, you know, it's -- it always does.

1           Because I think that in a separation basis the  
2 parents need time to adjust, and -- and especially Adam  
3 would be now taking on a new role with the children.  
4 And -- and, you know, I think my perspective would be it  
5 would be nice that if a year goes by, the family can  
6 adjust in a post-separation basis with no new faces.

7           And -- and -- and clearly, I guess everyone  
8 seemed to move on rather quickly.

9           Q     Okay.

10          A     And so in -- in -- from my perspective, you  
11 know, perhaps Adam moved on quicker, and then she  
12 developed a relationship. And -- and those are more risk  
13 factors for, I think, co-parenting, because now we're --  
14 we're expecting everybody to be mature and handle things  
15 appropriately, and now you have other variables that  
16 could create issues of trust between the litigants.

17          And plus it's a little confusing for the  
18 children. And it's best if there's some time where  
19 everyone could adjust to a post-separation schedule,  
20 and -- and that the litigants are doing well and then  
21 beginning a new relationship. But I can't control it. I  
22 mean, I've -- I've seen it, I don't know how many times  
23 in my professional career in family court.

24          THE COURT: Are you saying that they're moving

1 on as quick as they did may have affected their ability  
2 to co-parent?

3 THE WITNESS: Well, it presents potentially  
4 negative variables.

5 THE COURT: Okay.

6 THE WITNESS: And -- and that is that, you  
7 know, I think from Chalese's perspective is that, you  
8 know, she was abandoned. And then there's a new person  
9 involved. And -- and now you have to handle that  
10 emotionally.

11 THE COURT: Okay.

12 THE WITNESS: And -- and, you know, she's gone  
13 from this, you know, kind of secure, where the finances  
14 are there, to all of a sudden, you know, there's added  
15 stress on her.

16 And then -- and, you know -- you know,  
17 Mr. Solinger's girlfriend, she's a very nice lady, but,  
18 you know, is probably not going to be interpreted that  
19 way at the beginning. And then we have the dynamics of  
20 Joshua involved.

21 So it presents a co-parenting difficulty. It  
22 increases the stress level, unless you have really two  
23 high-functioning, emotionally comfortable people.

24 THE COURT: Okay.



1           THE WITNESS: And then of course there's impact  
2 on the children, because now Mom and Dad have separated.  
3 But they're super young, and -- and all of a sudden we  
4 have these new, you know, parents involved.

5           THE COURT: Okay. I --

6           THE WITNESS: So there's a lot of different  
7 transitions.

8           THE COURT: All right. I --

9           THE WITNESS: If you look at some of the  
10 research out of relocation cases, you know, people  
11 separating and -- and then kind of moving on quickly  
12 becomes an -- you know, a kind of a risk factor and issue  
13 of concern.

14           Not in all cases, because some people handle it  
15 well. But apparently these two people don't, so. Oh, well.

16           THE COURT: All right.

17           THE WITNESS: Yeah.

18           THE COURT: Thank you, sir.

19           THE WITNESS: You're welcome. Thank you,  
20 ma'am. Your Honor. I apologize.

21           THE COURT: That's okay. I'm ex-military. I  
22 used to it.

23           THE WITNESS: Yeah, that's it. That's how it  
24 is. I -- I could be (indiscernible). Thank you.

1 BY MS. CRAMER:

2 Q So, Dr. Paglini, on page 25 on the second to  
3 last paragraph, Adam indicated to you that he moved in  
4 with Ms. Sellers in March of 2019.

5 What would you make of it if Adam testified  
6 that he had actually moved in with her in January, and  
7 that he had been dishonest with you in stating that he  
8 moved in with her in March?

9 A I'd have to discuss with him why he made that  
10 claim, then.

11 Q Okay. If you look at it as a hypothetical,  
12 when you have someone that's moved on this quickly and  
13 now they're being -- they're in a custody evaluation in a  
14 very high-conflict divorce, hypothetically, what do you  
15 think a -- a litigant would do that for?

16 Why would they tell the evaluator one thing and  
17 then testify to another?

18 A Hypothetically? Maybe a person wants to look  
19 better, appear better to the evaluator.

20 Q So that would be consistent with your testing  
21 on Adam, correct?

22 A It -- that hypothesis that was generated, I  
23 mean, look, I -- I would say that a lot of people lie to  
24 me during custody evaluations or -- or stray from the

1 truth. But it -- yeah, I could see where you're coming  
2 from on that.

3 Q Fair enough.

4 A Yeah.

5 THE COURT: Dr. Paglini?

6 THE WITNESS: Yes, ma'am.

7 THE COURT: What effect would it have on the  
8 children for all of a sudden there being a new mother,  
9 even though Jennifer wasn't a new mother, if she was  
10 introduced to the children within a couple weeks of Dad  
11 moving out of Mom's -- from Mom?

12 THE WITNESS: You know, the children were --  
13 were very young at this point.

14 Let's see here. This -- this occurred when,  
15 in -- in January '19? So we have, Michael was what,  
16 about two and a half or three and a half, and --

17 THE COURT: Yeah. They were both really young.

18 THE WITNESS: -- yeah, Marie was super young,  
19 yeah.

20 So, you know, it's -- it's -- it just -- it  
21 presents another variable. I think it's mostly that, at  
22 times what I'm concerned about is how the parents are  
23 handling it.

24 THE COURT: Okay.

1           THE WITNESS: You know, if the parents handle  
2 it adaptively, then it has less impact on the children.  
3 So it would have more of an impact on a 13-year-old child  
4 than it would probably a three year-old.

5           THE COURT: Okay.

6           THE WITNESS: Because, you know, if -- if the  
7 new caretaker is very positive and -- and nurturing, I  
8 think the child would any with it. But, you know, if  
9 it's a 13 year-old, it's good luck trying to make, you  
10 know, that person happy, even on good days, let alone in  
11 a conflict. So, yeah, they're going to be a lot more  
12 variables.

13           THE COURT: All right. You answered a question  
14 I had for another case, so I appreciate that.

15           THE WITNESS: Yeah. All right.

16 BY MS. CRAMER:

17           Q     So, Dr. Paglini, you are aware that Adam's  
18 father purchased a home for him, correct?

19           A     Confirmed.

20           Q     All right. So what conclusions do you draw  
21 from the fact that he is a practicing attorney and he has  
22 children, and yet his father is purchasing a home for  
23 him?

24           A     Well, the fact that his father purchased a very

1 nice home for him, I would say he's blessed. And I think  
2 it also helps the children, because, you know, he -- he  
3 probably couldn't have afforded that type of home for,  
4 who knows, five or 10 years unless he had great stock  
5 investments.

6 So, he's an attorney, so that means he's a  
7 professional. He's -- he's obviously intelligent enough  
8 to -- to get to this level. He also has to work hard.

9 But now, you know, he's -- and that is -- don't  
10 take this the wrong way, when you're in private practice  
11 it's different when you're working in the government.  
12 Everybody works hard. But it's -- sometimes you're  
13 usually -- you know, I don't want to once again -- it  
14 might be a -- you know, sometimes in private practice  
15 people are working 60, 70, 80 hours a week. And then  
16 you're -- you're away from home.

17 So what he had to do was adjust to having a new  
18 role from -- from Chalese being the primary caretaker to  
19 now all of a sudden, you know, sharing that  
20 responsibility. And then he had Jessica there.

21 Q Okay. And do you make any conclusions about  
22 his maturity given that his dad has purchased a home for  
23 him?

24 A No.

1 I mean, you know what, it's kind of like the  
2 saying, it takes a village. You know, I think Chalese  
3 had help from Joshua's dad to purchase that home.

4 And so, you know, if we're -- if you're  
5 providing a -- an enriching environment, at least  
6 stability, that's wonderful. That's wonderful. I don't  
7 think there's anything negative with that. But I, you  
8 know, that's just my -- my opinion.

9 Q Okay. Dr. Paglini, are you aware that Joshua's  
10 father only cosigned; he did not provide any financial  
11 support?

12 A Then I -- then I retract that. For some  
13 reason, I thought he helped out. But maybe it was just  
14 the co-signing.

15 In which case, if you're co-signing, and it's  
16 possible that you don't have the credit to purchase at  
17 that level, and the co-signer is a person who is -- is  
18 the backup plan, okay.

19 So once again, that's a helping hand. And what  
20 does that do? It helps -- you know, it's better than an  
21 apartment. She's in a home. She has a -- she -- she can  
22 create a home for her children.

23 Q Okay. So on page 25, Adam admitted -- on the  
24 last paragraph Adam admitted to you that he -- we're

1 talking February of 2019, he had already moved out. He's  
2 now living with Ms. Sellers, and he goes back into  
3 Ms. Solinger's home.

4 So he goes into Chalese's home while she's not  
5 there. What do you make of that behavior?

6 A That was after a conversation with Ms. Solinger  
7 to obtain the medicine.

8 Q All right. Did you verify with Chalese that  
9 she gave him permission to enter the house?

10 A I don't think she did give him permission. She  
11 said you'll get it the next day. And so I don't think  
12 permission was granted.

13 Q Okay. So what do you make of it that he would  
14 feel he was entitled to go into her home when she was not  
15 there?

16 A His perspective was he was still on the --  
17 either the lease, or that the home was not sold yet. And  
18 so that was his perception of -- of retrieving the  
19 medicine.

20 Would I find it to be somewhat intrusive? The  
21 answer is yes. I don't think anyone in those situations  
22 would find that comfortable.

23 Q Do you think that that kind of behavior  
24 facilitates co-parenting and cooperation?

1           A       That's a valid point. I could see where that  
2 would increase the stress among the litigants.

3           THE COURT: What if there was a habit of him  
4 doing that, that it happened more than once and one of  
5 them was just because he wanted to go in, because Mom  
6 wasn't answering his call or something?

7           THE WITNESS: Well, I think the second one was  
8 the dryer. The second one was the dryer incident, if I'm  
9 not mistaken. I don't know if there's anything above and  
10 beyond that. And that was perhaps in the same month.

11           You know, I -- I --

12           THE COURT: But there was a motion that I've  
13 read --

14           THE WITNESS: -- I guess if (indiscernible)  
15 --

16           THE COURT: Sir, let me do this.

17           There was a motion that I read in which Dad  
18 filed, and he admitted that he went into Mom's home  
19 because she wasn't answering the phone and he was  
20 concerned, so he looked through the entire house. There  
21 was dirty dishes in the place. And when he got into the  
22 garage, there was a bong and an intense smell of  
23 marijuana. And I'm saying that from memory.

24           THE WITNESS: Yeah, I -- I -- Your Honor, I --



1 and I could be off on this because I've revisited this a  
2 lot of times. It's been a long time since I testified.

3 THE COURT: Correct.

4 THE WITNESS: I believe that the first time he  
5 went in was because of the medication. And he went  
6 through the house. He went -- he went into the  
7 refrigerator, I think. And he was kind of going -- he  
8 was taking photos. He had a -- he had a video camera, so  
9 he's doing all this.

10 And then he went into the garage, and I think  
11 that's where there was some -- maybe some marijuana  
12 paraphernalia in there. And then he exited the house.  
13 So he was talking to the -- in the camera before he went  
14 into the house, throughout the house, and then on -- and  
15 then he exited the house.

16 And I think he might have been in there -- and  
17 once again you have to look at -- I have to look at the  
18 video -- but it could have been, like, 60, 90 seconds.

19 But here's the point. It was twice, right.  
20 So, would -- would any ex-spouse find that to be  
21 intrusive? The answer would be yes.

22 THE COURT: Okay. Thank you.

23 THE WITNESS: Thank you.

24 //

1 BY MS. CRAMER:

2 Q From a psychological perspective, what would  
3 you make of that kind of behavior?

4 A Well, I think -- I think his concern was that  
5 Joshua was -- was in the picture at this point, and that  
6 she was not admitting that Joshua was there around the  
7 children. And he was concerned, I think, around this  
8 timeframe of Joshua's, I guess, driving record and -- and  
9 being involved in the -- the children's lives.

10 And this -- one of his visits -- maybe it was a  
11 first or second visit, I'm not sure -- but that was, you  
12 know, kind of confirming that I thought he believed that  
13 Joshua's son had a bedroom.

14 And, you know, I mean, it's -- it's intrusive,  
15 and there's no doubt about that. And that's something I  
16 think the judge has to consider. But in the end I think  
17 what ended up happening a few months later, you know,  
18 his -- his anxiety was increased, you know, because he  
19 wasn't, from his perspective, getting accurate  
20 information from Ms. Solinger, and also with Mr. Lloyd's  
21 involvement.

22 And in the end, months later, you know, the  
23 judge, you know, had concerns about all those dynamics,  
24 because she advised, you know, Ms. Solinger, that you're

1 (indiscernible). And then there was a violation above  
2 and beyond that, I think, the -- the (indiscernible)  
3 February 2020.

4 THE COURT: Mr. -- or Dr. Paglini, you got a  
5 man that has already moved onto another woman, and now  
6 he's upset because Mom's moved on with another man.

7 No matter what the other circumstances are, do  
8 you find that is a do as I say not as I do type attitude?

9 THE WITNESS: You know, I don't -- I don't know  
10 if -- if -- if Mr. Lloyd -- let's assume that, you know,  
11 Mr. Lloyd was -- you know, had a lot of favorable  
12 personality traits, you know, perhaps we may not get the  
13 same response from Mr. Solinger. But it seems that  
14 Mr. Lloyd -- or, I'm sorry, Mr. Solinger's anxiety  
15 increased once he kind of understood some of his  
16 background and the dynamics.

17 And then between the -- co-parent -- not  
18 co-parenting -- communication was poor between the  
19 litigants, that, you know, that's where he hired a  
20 private investigator.

21 So I don't -- I don't know if it's -- it could  
22 be that simple. But I -- I think from -- from  
23 Mr. Solinger's perspective, that there were too many red  
24 flags for him. And I -- I may not agree with him going

1 into the home, but, you know, I can -- I can agree with  
2 the -- the dynamics where he had some concerns on face  
3 value with Mr. Lloyd.

4 THE COURT: Thank you.

5 THE WITNESS: And then it -- and then it played  
6 out in the end where, you know, Judge Moss, you know, had  
7 those same concerns. And -- and then the court orders  
8 weren't followed, (indiscernible) custody on a temporary  
9 basis.

10 THE COURT: I thought the custody was changed  
11 because she was using marijuana, and then that just added  
12 to it.

13 THE WITNESS: Well, yeah. But I think it was  
14 also that Mr. -- if -- if I remember it, I was actually  
15 reviewing it today, that there were concerns also that he  
16 was alone with the children, and that he was driving with  
17 the children.

18 THE COURT: Yeah. Okay.

19 THE WITNESS: And -- and those were against the  
20 court orders. And those were even by Ms. Solinger's  
21 admissions. She acknowledged, you know, where they  
22 failed.

23 THE COURT: Okay. All right. Thank you, sir.

24 THE WITNESS: Thank you, Your Honor.

1 THE COURT: I'm sorry I threw you off. I had  
2 to ask that question.

3 MS. CRAMER: No, no, I -- I appreciated your  
4 question, Your Honor.

5 I guess I'm -- I'm -- I'm trying to come up  
6 with a way to phrase my next question. Because, like,  
7 you're --

8 THE COURT: If you can't figure it out quickly,  
9 move onto another one, and come back when you do figure  
10 it out.

11 MS. CRAMER: Yes. Well, like Your Honor, I  
12 too, suffer from being blunt at times.

13 THE COURT: Yeah.

14 BY MS. CRAMER:

15 Q I guess, Dr. Paglini, what I'm hearing is a lot  
16 of, you know, talk about Adam's stressors and his  
17 concerns about Chalese's veracity and her -- what is  
18 going on in her life.

19 So, you know, my -- my concern kind of boils  
20 down to, I'm a divorce attorney and I have a lot of  
21 clients, and if I had all these people thinking that if  
22 they don't believe what their ex says, they can just walk  
23 their ex's home, I -- I don't see how that is not just an  
24 absolute outrage.

1 Can you explain that to me?

2 A Sure.

3 THE COURT: Sir, before you answer the  
4 question, I want to kind of interject something here.

5 During the last session, one of the things that  
6 we had already really gotten down to is the fact that he  
7 saw absolutely no reason for the parties to not have  
8 joint physical custody so long as there was orders in  
9 place that would help protect the children. We may want  
10 to be taking the attitude on, okay, what kind of  
11 protections.

12 MS. CRAMER: Okay.

13 THE COURT: It may speed this up a lot.

14 MS. CRAMER: I understand, Your Honor.

15 BY MS. CRAMER:

16 Q I -- I would like an answer --

17 A Attorney Cramer?

18 Q I would like an answer, Dr. Paglini --

19 A Okay.

20 Q -- on how --

21 A Okay. This is --

22 Q -- this is not --

23 A This is going to be a long-winded answer for  
24 you. Okay? I'm going to address it, but please be

1 patient. Okay?

2 So, you have to remember where I came in on,  
3 okay? So, you know, the -- the -- the other attorney for  
4 Ms. Solinger, you know, focused on stress. And I -- I  
5 get it, that Chalese was, you know, taking care of the  
6 children, raising the children. All right?

7 But then after separation, dynamics changed,  
8 okay? They changed to the point where these litigants  
9 had shared custody at one point, and then Judge Moss in  
10 June of '19 -- I'll wait until you're ready.

11 Q I'm listening.

12 A Okay.

13 So Judge Moss in 2019 change custody on a  
14 temporary basis. All right? And -- and so there was a  
15 lot of concerns that the judge had. And this was  
16 supposed to be temporary, and then, you know, hopefully  
17 with the goal of shared custody.

18 So I come into the picture in around April of  
19 2020 during the pandemic. And at this point, he has had  
20 temporary primary custody for nine months. And this may  
21 explain my prior testimony, all right?

22 That he -- I mean, I want to see your client  
23 have shared custody. But when I looked at this case, she  
24 wasn't doing anything to improve her situation, despite

1 the fact that you could have concerns about Adam. But  
2 the real issue here is, what has your client done between  
3 the time I gave my report to the Courts in September 3rd,  
4 2020, to now? How has she shown the judge that she  
5 should have shared custody?

6 And that's really what it comes down to for the  
7 judge. Has she checked the marks off that I talked  
8 about, not just in my report, but in my testimony in May  
9 2021.

10 Yeah, we can talk about page 23 and page 24,  
11 and we're just, like --

12 Q Well, I --

13 A -- let's get to the crux of the matter.

14 The crux of the matter is, is that I said last  
15 time, if you listened to the three hours testimony, yes,  
16 it's okay if she had shared custody, here are my  
17 concerns. And this is why I didn't give her shared  
18 custody, and this is what I want them to do.

19 And so the question, I would say, is what has  
20 she done from May 2021 to current to show the judge that  
21 she should have shared custody. The judge was okay with  
22 it. That's all that counts.

23 So, you know, is she not smoking marijuana, you  
24 know, 18 hours before she's with the kids? Are there any



1 more concerns about marijuana? Are there any significant  
2 co-parenting issues?

3 Let's assume for the sake of argument Mr. Adam  
4 Solinger screws up. I'm not concerned about -- that  
5 would be noted by the judge, and the judge will then  
6 weigh that. But if -- if he screws up and Ms. Solinger's  
7 doing everything right, then that means something.

8 So we can talk about when they separated and  
9 when Jessica came in. But the real issue here is, has  
10 your client progressed from May 2021, to my last  
11 testimony to current? And that's what it really comes  
12 down to. If she's checked the boxes and done everything  
13 well, then it's a real easy decision for the judge as far  
14 as I'm concerned.

15 So I'm -- I'm good with her having shared  
16 custody, just demonstrate she's doing the right thing.  
17 That's all I'm asking for.

18 THE COURT: Okay, we're going to take a  
19 five-minute break so that we can --

20 THE WITNESS: Okay.

21 THE COURT: -- use -- get drinks, use  
22 facilities and stuff like that. Dr. Paglini, that  
23 includes you.

24 THE WITNESS: Thank you, Your Honor.

1 THE COURT: All right. Thank you.

2 (COURT RECESSED AT 10:45:11 AND RESUMED AT 11:55:50)

3 THE COURT: Okay, we are back on the record so  
4 that we can move forward with this.

5 I do want to point out that unless there is  
6 something glaringly that has been going on, I would still  
7 like to hear some of the rules that Dr. Paglini would  
8 believe would help if we going to go to joint physical.  
9 Because if it's rules in which Mr. Solinger can live  
10 with, then we may be able to move this real fast. Okay?

11 MS. CRAMER: I like your optimism, Your Honor.

12 THE COURT: Oh, I'm always an optimist. You  
13 know, because, you know, making the decision to do  
14 something is a lot easier than having it crammed down  
15 your throat.

16 Am I right, Dr. Paglini?

17 THE WITNESS: So is that -- hmm?

18 THE COURT: Huh?

19 THE WITNESS: Okay, yes. Yes. Okay.

20 BY MS. CRAMER:

21 Q All right. So I'm going to run the risk of  
22 dragging this on one more question and then we'll move  
23 onto rules.

24 Dr. Paglini, how many times would it be

1 acceptable for Adam to come into Chalese's house before  
2 it becomes a problem for you?

3 A Well, I can understand in some respects where  
4 he wanted to get the medicine for his child. And that  
5 was -- but, you know, I mean, technically he could take  
6 it up with the Court, all right. So I wouldn't have an  
7 issue with that.

8 But once again, by the time I got involved in  
9 this case, things were sued one different way. And then  
10 my question was, what is she doing in the here and now to  
11 make things better. So, you know, he could have handled  
12 it different ways, no doubt.

13 Q Okay. So, Dr. Paglini, I feel like you are  
14 talking around my question. Because, you know, to be  
15 clear here, these parties had separated. He no longer  
16 resided in that home. He had moved out and had an  
17 apartment. He told you that. You noted it in your  
18 report.

19 So what I am trying to get at is, when does it  
20 become inappropriate for a the separated spouse to  
21 continue to enter the other parent's home without their  
22 permission or their knowledge?

23 At what point do you as the evaluator on, as a  
24 psychologist, as the expert here, at what point do you

1 say, okay, Judge, this is problematic and this is  
2 something you need to consider?

3 A Okay. Well, first of all, well said. All  
4 right?

5 And that occurred about 14 months after my  
6 presence. And from that time when that occurred -- and I  
7 agree with you, okay, it's inappropriate. All right? So  
8 I'm very clear on that. But by the time I got involved,  
9 despite those dynamics, and despite the fact that the  
10 judge even looked at that, she gave Mr. Solinger  
11 primary -- temporary and primary custody, despite those  
12 dynamics.

13 So, at that -- and -- and at that point, I  
14 could look at that and disagree with it. But am I going  
15 to say, oh, my God, there should be a change of custody  
16 because of that? Because a judge already looked at that,  
17 and there were some concerns about your client's  
18 behavior.

19 So, inappropriate. It's on the record. All  
20 right? But considered by the judge. I came in 14 months  
21 later. And there's a lot of negative things going on  
22 both ways. And that's how my custody evaluations are.  
23 It's -- it's not like I'm dealing with people who are  
24 highly, emotionally mature and are doing the right thing.

1 Because if that was the case, they wouldn't be in front  
2 of me.

3 Q Well, we agree on that.

4 A Yeah.

5 Q All right.

6 Okay. So, let's take a -- a big hint from the  
7 judge, and let's talk about some protocols.

8 Dr. Paglini, the state of Nevada has a  
9 preference for joint physical custody. And so what are  
10 some protocols with the specifics of this case that you  
11 think could be implemented to not only assist these two  
12 in co-parenting, but also protect these children from  
13 this kind of nonsense?

14 A All right. So let me put a proviso in.

15 And my proviso is that I have not evaluated the  
16 litigants since September 3rd, 2020. All right? So that  
17 is roughly 17 months. I don't know if the litigants have  
18 improved tremendously. Meaning that I don't know what  
19 they've done to rectify any situations. So I could  
20 really only go on my report.

21 And -- and so -- and the judge will now have  
22 the knowledge of how -- if the litigants have -- have  
23 behaved adaptively since September of 2020, or  
24 mal-adaptively. And I would say that if the litigants

1 are behaving mal-adaptively, okay, under the Court's  
2 scrutiny, what does that mean?

3 All right. So my concerns early on were, you  
4 know, one of the big things was Chalese wasn't -- had  
5 violated the court orders, and -- and they were ongoing,  
6 kind of amid -- they were still -- those were the  
7 dynamics, some of them.

8 There was the even post order. We talked about  
9 the alleged endangerment regarding her driving a hundred  
10 miles per hour with the children in the car, per PI. And  
11 I deferred and I said, well, you know, if that's true,  
12 that's going to be of concern. Okay?

13 Even if you look at the judge's orders in June  
14 2020 -- or 2019 -- excuse me -- when she gave Mr.  
15 Solinger temporary physical custody, she wanted Chalese  
16 to go to co-parenting -- not co-parenting class,  
17 parenting classes. Okay, was that attained? Because  
18 that -- that would be something that would be important.  
19 All right?

20 Had concerns about Mr. Lloyd exhibiting anger  
21 in December of 2019 towards Ms. Solinger. I had no clue  
22 what happened in ha case, because I know that it was  
23 being -- you know, there were some criminal charges. I  
24 don't know if -- if there was a guilty plea agreement or

1 an Alford decision, if Mr. Lloyd had to go through some  
2 anger management classes, but I think that was something  
3 that I recommended last time.

4 Now, I had made recommendations to the Court at  
5 one point in my testimony in May 2021. I don't remember  
6 them all, okay? But that would be -- I think I was  
7 giving the -- you know, the judge, saying this is kind of  
8 the roadmap, okay?

9 So for the judge, has Ms. Solinger demonstrated  
10 adaptive functioning from May 2021 to current? Is she  
11 doing what she needs to do right, okay? If she is,  
12 that's a great step. All right? Did everybody take a  
13 co-parenting class? Because, you know, we -- we always  
14 order co-parenting classes. But it goes deeper than  
15 that. It really does. Because, you know, you could have  
16 the knowledge, but you could get emotionally charged and  
17 respond inappropriately.

18 What's really, really important here is -- is  
19 the parents, whether Mr. Solinger maintains --  
20 Mr. Solinger maintains primary custody, or if there's  
21 shared custody, then everyone's a good gatekeeper. Then  
22 everyone is working for the best interest of the child --  
23 children, and not undermining each other. And -- and  
24 that's -- and that's really, really important.

1           So, I want to -- I think the parenting classes  
2 are important. And, you know, I think I mentioned if --  
3 if necessary, if -- if she needed some grief therapy or  
4 something, Ms. Solinger. Not because she is -- you know,  
5 I -- I just want her to adapt in a healthy way. And  
6 that's where hopefully the co-parenting comes in too.

7           I don't remember all my other recommendations,  
8 but I don't -- I don't know how she's been doing with the  
9 children. Assuming -- I know she has a third child, and  
10 I don't know how stable her relationship is with  
11 Mr. Lloyd. And these are all things I don't know. The  
12 judge knows. Okay?

13           So, you know, if -- if she's doing everything  
14 right, then we have a greater sense of confidence,  
15 despite what Mr. Solinger does. She has to take  
16 responsibility for her behavior. Okay? And if Mr.  
17 Solinger's doing everything right, he's co-parenting,  
18 that's -- that's a positive aspect, if he's co-parenting.  
19 But I don't know.

20           THE WITNESS: Should helpful, Your Honor? Am I  
21 giving you some guideposts?

22           THE COURT: Yes, sir, you are.

23           THE WITNESS: Okay.

24           THE COURT: I appreciate them, too.



1           THE WITNESS: So, more importantly is, is that,  
2 you know, I -- I -- I had legitimate concerns about  
3 Chalese and her side. And if -- if she has rectified  
4 those concerns in the Court's eyes, then that should be  
5 weighted appropriately. And that's what it comes down  
6 to.

7           So it's all up to Chalese. And, you know, and  
8 if -- if Mr. Solinger's doing the right thing, fine. If  
9 he's not doing the right thing, then the judge has to  
10 give that some weight also.

11           But, you know, from my perspective, when --  
12 when I testified in May 2021 for three hours, if I was  
13 Chalese's attorney -- and you don't -- you don't even  
14 need an attorney for this -- but I would say we got to --  
15 we got to do all these things so when we come back to  
16 court, you're -- you're spot on. And you really don't  
17 need an attorney to tell you that. Okay?

18           So, you know, if she's doing everything right,  
19 she's -- if she's not -- if she has no marijuana  
20 violation, because that was a concern, okay? How is she  
21 doing with that. You know, how is she doing caring for  
22 the kids? Are there any CPS investigations if she's  
23 providing good care? Then we got that box checked off.

24           We -- we were concerned about endangerment.

1 That was a big issue. All right? But, you know, by the  
2 time we got to the endangerment, there was already -- the  
3 judge even put in her order in June 2020 that she had  
4 concerns about, you know, the care of the children  
5 because of the infractions. That's where we started. Or  
6 June -- I'm sorry, June of '19.

7 BY MS. CRAMER:

8 Q Right.

9 So, we keep talking about these orders, but I  
10 just want to point out, I was not her attorney. And I  
11 want to point out that I would definitely have taken some  
12 of those up on a writ. Okay? Those orders that were  
13 not --

14 THE COURT: Well, that -- that's --

15 THE WITNESS: That's fine, but --

16 THE COURT: -- that's neither here nor there  
17 today.

18 THE WITNESS: -- it's not what I'm going on.

19 MS. CRAMER: All right, Your Honor.

20 THE COURT: I've already clarified that one.

21 MS. CRAMER: Thank you.

22 BY MS. CRAMER:

23 Q Okay. Dr. Paglini, what are some protocols  
24 that you would recommend to the Court for Adam?

1           A     Well, I think the big thing that I would be  
2 concerned about is making sure both of them, but also  
3 that Adam is co-parenting, and making sure there's open  
4 access. And having him demonstrate to the Court positive  
5 gate keeping.

6                     That's my expectation of any parent who has  
7 primary custody of the children, that they -- there has  
8 to be open gate keeping. He's -- he may have concerns.  
9 I -- you know, I mean, it's -- that's normal. But he  
10 still has to kind of make sure he's nurturing a  
11 relationship between the children and the mother.

12          Q     So, Dr. Paglini, would you say --

13          A     And vice versa.

14          Q     -- in the course of a high-conflict divorce,  
15 that parents always voice concerns about each other?

16          A     Well, you're assuming -- and -- and it could be  
17 an accurate assumption most of the time, that, you  
18 know -- well, first, let's put it this way.

19                     Low-conflict, moderate-conflict, high-conflict,  
20 the parent's always voicing concerns about the other  
21 parent. But we can assume that in high-conflict, it's  
22 more intense.

23          Q     Okay. So --

24          A     I only get cases when -- when people can't work

1 it out. I don't get soft-ball cases. I don't get cases  
2 where, you know -- I mean, there's no reason to -- to  
3 send a case to me if -- if -- if they're getting along.

4 Q Right.

5 So in your experience with all these  
6 high-conflict cases, do these alleged concerns from these  
7 parties, do they always bear fruit?

8 A No.

9 Q Okay. So just because Adam voices a concern,  
10 does not necessarily make that concern true, does it?

11 A And vice versa, correct.

12 Q Okay. And just because he voices some concern,  
13 ask not give him the right to gate keep Chalese --  
14 Chalese's time with the children, does it?

15 A Well, I -- I don't know what we're referring to  
16 beyond September 2020, so. And I don't want to get into  
17 beyond September 2020. But because -- because I haven't  
18 interviewed either of the litigants.

19 So, the whole point is, is that it's the  
20 expectation that Mr. Solinger should engage in  
21 appropriate gate keeping. And if he's not doing that,  
22 then that is something to be weighed by the judge in her  
23 final decision.

24 Q Okay. Well, let's talk hypothetically, then.

1           If one parent can just make an allegation of a  
2 concern and then use that as a justification for extreme  
3 gate keeping against the other parent, then how does that  
4 impact the co-parenting relationship?

5           A     Likely in a negative sense.

6           Q     Okay.

7           MS. CRAMER: Your Honor, I think I'll pass the  
8 witness.

9           THE COURT: Thank you.

10          MR. SOLINGER: Your Honor, is it still your  
11 preference that I question from the box there so that I'm  
12 closer and see the screen?

13          THE COURT: That would probably be --

14          MR. SOLINGER: Because that was your preference  
15 last time.

16          THE COURT: -- better. And I should have had  
17 her do it, and I apologize for not. But they were  
18 passing a lot of notes back and forth, so.

19          MR. SOLINGER: Okay. May I approach?

20          THE COURT: Please.

21          I should have had you do that, and I apologize.

22          MS. CRAMER: That's all right, Your Honor. I  
23 saw it on the video and I didn't even think to ask you  
24 about it, so.

1 THE COURT: And I didn't even -- I didn't even  
2 think about it myself.

3 MS. CRAMER: I usually don't have trouble being  
4 heard, though, so.

5 THE COURT: No, you got a big mouth like me.

6 MS. CRAMER: And they say the Air Force is the  
7 nice service.

8 THE COURT: Yes.

9 MS. CRAMER: We're -- we're proving them wrong.

10 MR. GOODWIN: Wow.

11 MR. SOLINGER: Oh, boy.

12 THE COURT: We're making your day today, aren't  
13 we?

14 MR. SOLINGER: My -- my folks were both Air  
15 Force, so it's --

16 THE COURT: Okay.

17 MR. SOLINGER: -- it's my grandfather -- yeah,  
18 it's funny.

19 May I proceed?

20 THE COURT: Yes, sir.

21 REDIRECT EXAMINATION

22 BY MR. SOLINGER:

23 Q Good morning, Dr. Paglini.

24 A Good morning, sir.

1           Q     I -- I want to talk about this concept of  
2 guarded as part of these personality inventories.

3                     Specifically, this standardized test, and you  
4 talked about a hypothesis, is -- is what you're saying  
5 that the answers to questions kind of spits out a formed  
6 hypothesis, and that it's your job as the clinician to  
7 use your professional discretion in deciding how much  
8 weighty to give that hypothesis?

9           A     Yeah.

10                    So what happens is, is that the PAI is based  
11 on, I think, roughly 344 questions, give or take a few  
12 questions. And there are -- there's a scale called  
13 Positive Impression Management Scale. And I can't recall  
14 how many questions are on that.

15                    But, you know, if -- if you respond in a  
16 certain direction, you might be open and candid. And in  
17 the other direction, it's -- it could be guarded, and  
18 eventually invalidate the test. All right? So if a  
19 person is guarded, that means they -- they answered  
20 questions, not one or two questions, but numerous  
21 questions, in -- in a certain way.

22                    So, to give you an illustration, and -- and  
23 this isn't based on this scale, but let's say there's 25  
24 questions, okay, and if a person has, you know, 7 to 12

1 in a certain way, they -- they would still be within  
2 normal limits. And if you're above a threshold, then it  
3 becomes significant.

4 So your score was, you know, in, you know, the  
5 90 plus -- plus percentile. Probably the 95th, 97th  
6 percentile. Indicating when I compare you to other  
7 people that took the test, that you were guarded and  
8 defensive. All right? And -- and then your other test  
9 was within normal limits, but mildly elevated. But, you  
10 know, not at the level of significance or close to that.

11 And so as a -- as a clinician, now I have to  
12 weigh that. And -- and I have to kind of say, okay, what  
13 does this mean. And -- and then I have to weigh it with  
14 the other, all the other things.

15 So, you know, if -- if it would have -- so  
16 where does the relevance come in? Well, in regards to  
17 this case, Chalese had her own issues. And those were  
18 issues that the Court in -- in June of '19, and then  
19 there were things that -- that kept going.

20 So that guarded test doesn't significantly  
21 weigh things where it changes everything. Hey, I'll note  
22 it that, you know, maybe, you know -- but I -- I ask  
23 probing questions. I had asked you questions about a lot  
24 of different sensitive topics. So I guess that's my



1 answer.

2 Q Thank you.

3 On cross last time, if you can kind of put  
4 yourself to -- to that place and remember it the best you  
5 can, there was a question by former Defense Counsel  
6 regarding non-cooperation by the Defendant as part of the  
7 custody evaluation, and that you had sent a letter to  
8 Judge Moss at that time. Do you recall those questions?

9 A I do.

10 And at the time when that question was asked, I  
11 was -- I didn't have the letter in front of me. I -- I  
12 was a little lost.

13 And so what happened was, is I wrote a letter  
14 to the Courts in June 18, 2020 and I indicated in that  
15 letter that you were cooperative, and that she was  
16 cooperative, but that I had been having difficulties  
17 contacting Ms. Solinger within the last couple of weeks.  
18 That included emails between my office and Ms. Solinger,  
19 and then phone calls.

20 And so once I submitted the report on June 18,  
21 2020, and I submitted it at around 2:30 p.m., by 4:00  
22 p.m. she called my office and scheduled a few days later.  
23 So her first appointment -- and this is where it was -- I  
24 think the testimony didn't reflect it well -- her first

1 appointment was on June 22nd, four days after that  
2 letter. And then later she was in the hospital, and  
3 that's where the attorney was talking about me  
4 interviewing her, and her feeling rushed.

5 But this was, like, you know, five weeks later.  
6 So she had already come in on June 22nd, and we had a  
7 session, a one -- actually, it wasn't -- she didn't come  
8 in. It was a one-hour Doxy. So it was an interview like  
9 this. So it was on -- it was on video.

10 So -- so she responded at that point. And --  
11 and then as I noted in my -- you know, my testimony, I  
12 was very sensitive to the fact that she, you know, all of  
13 a sudden, beyond that, she had complications. And I  
14 couldn't predict that. And I'm not going to rush her.  
15 And I was sensitive to that because that's most -- more  
16 important, is her health and the health of her baby.

17 Q Talking about gate keeping and vacation time in  
18 a hypothetical sense, if somebody could take an  
19 additional two weeks per year of time with their children  
20 and they chose not to utilize that time, how does that  
21 impact your impression of -- of a custody recommendation?

22 A So let me see if I understand the question.

23 So, hypothetically, if Chalese had -- you know,  
24 you have -- you have temporary primary custody, and she

1 has limited time, okay, and she elects not to take her  
2 vacation, all right, how does that reflect on custody?  
3 Well, I guess that's her -- her choice.

4 I wouldn't understand why she wouldn't take the  
5 vacation time, because she already has limited time, but  
6 I would have to ask her what her thought processes were.  
7 Because I don't know. I have no clue. But I would -- I  
8 would anticipate she would take that time, that two  
9 weeks, but I don't know. I would have to discuss it with  
10 her.

11 Q And if somebody was, hypothetically, not taking  
12 their regularly-scheduled time, for example, somebody was  
13 supposed to pick up the children on New Year's Day, and  
14 just no called/no showed and didn't pick up the children,  
15 how would that impact child custody from your standpoint?

16 A It -- and this is hypothetical.

17 Q Correct.

18 A Because I don't know what's true or what's not.

19 Q I'm just -- I'm just asking in that  
20 hypothetical.

21 A Right.

22 So -- so in a case like this, when we have a  
23 parent who has limited time, you would -- you would end  
24 to believe that that parent would maximize their time

1 because that's great for the bonding and being with your  
2 child.

3 And also, you know, it shows to the Courts that  
4 you want to be there. And -- and -- and maybe there's an  
5 extenuating circumstance. Sometimes someone gets sick.  
6 I don't know. But I would question why are the person  
7 did not attend their -- their visitation.

8 Q Regarding the impact on the children of moving  
9 on with the relationship, you saw the children interact  
10 with myself and Jessica and Chalese during the home  
11 visits, correct?

12 A Correct.

13 Q And the impact -- or I should say the -- there  
14 -- there was no noted impact from your perspective of the  
15 fact that we had both moved on?

16 A Yeah. You know, the children were comfortable  
17 in both environments. And they -- they seemed happy  
18 and -- and your girlfriend. And they were -- they were  
19 good. They were happy with Chalese. There was no  
20 discomfort. No significant issues.

21 Q And --

22 THE COURT: Were they happy with Josh?

23 THE WITNESS: Josh was not there at the home  
24 visit.

1 THE COURT: Okay.

2 THE WITNESS: He was supposed to be at the home  
3 visit, but he had -- he allegedly was picking up his  
4 father.

5 THE COURT: Okay.

6 MR. SOLINGER: May I proceed?

7 THE COURT: Yes, please.

8 BY MR. SOLINGER:

9 Q There was some --

10 THE WITNESS: Well, let me -- Your Honor, let  
11 me just respond to that.

12 I did ask Michael about his relationship with  
13 Josh, and Michael cited the relationship was positive --

14 THE COURT: Okay.

15 THE WITNESS: -- at that point in time.

16 THE COURT: All right. Thank you.

17 THE WITNESS: Okay.

18 BY MR. SOLINGER:

19 Q And I believe that that conversation occurred  
20 approximately in June of 2020, give or take? Maybe July  
21 of 2020?

22 A I'd have to -- I'd have to look at my -- my  
23 case schedule in terms of when I interviewed him.

24 Q We -- we can -- we can strike the question.

1 It's not that important.

2 A Okay. It was -- it was sometime in the summer.  
3 It was sometime in the summer.

4 Q I kind of want to talk about this marijuana  
5 usage.

6 You would agree that there's a difference  
7 between somebody that uses a lawful substance and  
8 somebody that abuses it, right?

9 A Yes.

10 Q So, as an example, there's no issue with  
11 somebody having a -- a glass of wine with dinner. But if  
12 they have six glasses a night and they're in a position  
13 where they're unsafe to -- to drive or to respond to an  
14 emergency, you would think that that's a problem from a  
15 parenting standpoint?

16 A Correct.

17 THE COURT: Mr. Solinger, let me advise you, if  
18 you're not going to be able to show that she has used six  
19 times a night marijuana, or six times during a day when  
20 the children are in her care, don't go there.

21 MR. SOLINGER: I -- I understand.

22 THE COURT: I'm not going to limit a person's  
23 ability to do something that is legal until we have  
24 documented proof that it is a problem.

1 MR. SOLINGER: Understood.

2 BY MR. SOLINGER:

3 Q Dr. Paglini, in your clinical and criminal  
4 experience, do you have any familiarity with methods of  
5 toxicology testing and/or an ability to monitor  
6 somebody's marijuana usage?

7 A I have -- I have -- I'm familiar with it. But  
8 when you're saying monitoring marijuana usage, people do  
9 drug testing. And that's -- that becomes helpful to the  
10 Court.

11 And you also have to look at the level of  
12 marijuana in their system, and -- and you have to have an  
13 understanding of -- of when they're high and then when  
14 they come down.

15 Because if I'm not -- if I'm not mistaken, the  
16 law has -- Nevada has a law in the nanograms. Unless  
17 it's rescinded, is quite low. And if it's in your  
18 system, then, you know, you can be -- you can have an  
19 enhancement with charges, and be under the influence.  
20 Which, at that level, it's not even close to being under  
21 the influence.

22 And, you know, so the -- the question is, is  
23 that -- what I would have -- is that if you smoke  
24 marijuana and you -- you have the children, you know,

1 there is going to be a time that you're going to probably  
2 be impaired. And it might be 30 minutes or 40 minutes.

3 But then, you know, if -- if there's an  
4 emergency and you're driving the child to a hospital or  
5 something like that, you don't want an impaired parent.  
6 And I understand it's legal, but it also has to be done  
7 responsibly. And -- and I think it's appropriate to --  
8 to ask parents not to be -- smoke marijuana while they're  
9 caring for children.

10 Q And, Dr. Paglini, would you agree that there's  
11 no method outside of an instantaneous blood draw to  
12 capture when somebody smoked marijuana?

13 A I -- I couldn't answer that question. I mean,  
14 I know there's blood draws, and there's urinalysis,  
15 but -- and then you get certain levels. But, you mean,  
16 that -- that just given time, I mean, it's -- it's  
17 complicated to -- to -- to track someone. It's easier if  
18 we got a SCRAM bracelet for alcohol then it probably is  
19 marijuana.

20 Q Understood. Thank you.

21 On cross last time, there was a -- a lot of  
22 questions regarding Chalese's passivity. Do you recall  
23 that?

24 A Yes.



1           Q     Is it a fair assessment that the scope of those  
2 questions was whether it was legitimate for a person who  
3 is passive to defer to somebody that's assertive?

4           A     Well, that sometimes happens. But it's -- I  
5 don't think Chalese was always passive. I don't think  
6 she's constantly passive in anything she does, because  
7 there are -- you know, I think there were some emails  
8 where, you know, she told you to F off, and she was very  
9 assertive in her beliefs. And -- and she was aggravated  
10 with you.

11                     So, you know, it's not just you're -- you're  
12 passive a hundred percent of the time. She -- she also  
13 can be -- she also can stand up for herself.

14           Q     Do you think it's a passive quality to offer to  
15 drop a child porn allegation in exchange for not being  
16 drug tested?

17           A     Well, I mean, she's -- she's -- if -- and I  
18 remember -- I remember seeing that. I would say it's --  
19 you could -- you could interpret that many, many ways.  
20 One would be, you know, that she doesn't want to be under  
21 the scrutiny regarding cannabis.

22                     And -- and I think, if I'm not mistaken, that  
23 those dynamics with the child porn, whatever -- you know,  
24 those -- those emerged in a custody situation. And --

1 and they were already kind of not going anywhere with her  
2 new attorney. And so, you know, that -- I don't know if  
3 it was -- I can't speak for her, but, you know, you could  
4 assume what you want out of it.

5 Q We've talked a lot about what orders you would  
6 want to see in place for purposes of a return to joint  
7 custody, right?

8 A We've talked some about that, correct.

9 Q And you didn't recall everything that you had  
10 said during the last hearing. Does it sound familiar  
11 that there was some component of work you wanted to see  
12 Josh do before there could be any kind of a return?

13 THE COURT: I don't -- I don't have  
14 jurisdiction over Josh, so that's -- sir, don't answer  
15 that question.

16 MR. SOLINGER: I'll -- I'll strike that. Move  
17 to strike the question and withdraw it.

18 BY MR. SOLINGER:

19 Q To you, the most crucial part of this case is  
20 what has happened since May of last year in regards to, I  
21 guess, the Defendant's response to the changes that you  
22 would like to see occur before there could be a -- a  
23 return to joint custody, right?

24 A I want to see -- I had concerns -- if those

1 concerns had been alleviated by the Defendant, or Chalese  
2 moving forward and doing the right things. If the judge  
3 does not think that the children will be in danger, and  
4 that she'll provide a good environment, and that she's  
5 moved forward in a healthy way, then -- then I think all  
6 that would be positive.

7 Q As far as the safety recommendations, I think  
8 that you split up the kind of things that could occur  
9 easily in the form of therapy for the Defendant, or  
10 co-parenting classes. Are there any other -- strike  
11 that.

12 How would you address the, at this point  
13 allegation, that she drove a hundred miles an hour with  
14 two children in the car?

15 A And that's an allegation, and I know the --  
16 the -- the private eye was the person. I don't know if  
17 he's testified in court. And that was obviously in the  
18 summer of, I think, '19. And that's -- would have been,  
19 what, two years and change away.

20 I guess the question's going to be, is that,  
21 for the judge, has there been any CPS infractions that  
22 are confirmed; has -- she displayed appropriate behavior  
23 with the children; has she exhibited self -- -or  
24 protective capacity with the children. You know, has

1 she -- you know, does she have any speeding tickets. You  
2 know, does she have a speeding ticket at 90 miles an hour  
3 with the kids in the car or something like that.

4 You know, so it's, in terms of endangerment,  
5 you know, did she take a parenting class; has she  
6 demonstrated from the issuance of my report in September  
7 of 2020 to current, has she demonstrated proper parental  
8 care. And if she has, then -- then, you know, we cannot  
9 change what occurred. But, you know, we just -- what has  
10 she done positively from that point now to alleviate my  
11 concerns. And that's what it comes down to.

12 THE COURT: So you're saying if there's been  
13 nothing with CPS, her driving has not been erratic and  
14 causing alarm with the police department, especially with  
15 the children with them, then things look, like, maybe  
16 she's got her life a little bit more under control?

17 THE WITNESS: Well, you might want to do -- you  
18 might want to assign someone to do a home visit, take a  
19 look at the house. Clearly, people could put the house  
20 together. Sometimes they don't. And then that's a  
21 bigger question.

22 THE COURT: Yeah.

23 THE WITNESS: It's, like, you know, when you  
24 know someone's coming over, you -- you want to keep --

1 you want to make sure everything's fine, you know?

2 And --

3 THE COURT: Including the big pile in the  
4 back yard?

5 THE WITNESS: -- I see -- there's a lot  
6 unknowns. I don't know how the kids are with -- with  
7 Josh. I never saw the children with Josh. I -- I'm  
8 hoping that -- that Josh has matured and -- and he's  
9 doing the right thing.

10 And so these are -- you know, you -- you want  
11 to see how she's doing, you know? Is she providing  
12 appropriate care for her children? If she is, then, you  
13 know -- I mean, you have to look at all the concerns that  
14 you had. And -- and if they've been alleviated, then --  
15 then I think you're moving towards that direction.

16 THE COURT: Thank you.

17 THE WITNESS: Thank you.

18 MR. SOLINGER: Court's brief indulgence a  
19 moment.

20 THE COURT: Yeah. Someone's thinking over  
21 here. I see the smoke.

22 MR. SOLINGER: I'm -- I'm trying to.

23 THE WITNESS: Court's indulgence? I want to  
24 plug in my computer.

1 THE COURT: Yes, sir.

2 THE WITNESS: So, like, 12 -- 12 seconds.

3 Thank you.

4 MR. SOLINGER: I'm trying to be efficient with  
5 time and not ask, my impulse as an attorney, every single  
6 question I can, and -- and focus on where the Court wants  
7 to go. I very much --

8 THE COURT: I appreciate that.

9 You know, as I've stated many times before,  
10 we're going to -- we are going to move on. We are going  
11 to co-parent. And we are going to allow these children  
12 to have the benefit of two parents who are their parents  
13 and not step-parents. I'm going to give her that  
14 opportunity. I just need to know the tools to do so.  
15 And Dr. Paglini is helping us on that.

16 Mom may not like the orders that she's going to  
17 have to follow, but they're going to be there.

18 MR. SOLINGER: And I -- given Dr. Paglini's  
19 preference to not hear anything after the publication  
20 made of his report, I don't think I have any further  
21 questions at this time.

22 THE COURT: All right. Thank you.

23 Do you have any follow-up questions?

24 MS. CRAMER: No, I do not, Your Honor.

1 THE COURT: Okay.

2 Mr. Paglini, it is always a pleasure.

3 THE WITNESS: Your Honor, thank you. I  
4 appreciate appearing in your court. And this may be my  
5 last family court appearance, so.

6 THE COURT: Oh, yeah?

7 THE WITNESS: So it's a --

8 THE COURT: I hope not. I hope you'll at least  
9 do some child interviews and stuff like that.

10 THE WITNESS: Yeah, you know, I'll do psych  
11 evals and some child interviews.

12 THE COURT: Good.

13 THE WITNESS: But I think my -- my -- you know,  
14 I'm moving forward in a different direction.

15 Your Honor, thank you very much. I hope  
16 everyone's safe. And I hope everything works out for the  
17 children. Thank you.

18 THE COURT: Thank you, sir.

19 THE WITNESS: Thank you.

20 THE COURT: Okay. We have your investigator  
21 out in the hallway, but I have a mandatory judge's  
22 meeting that starts at noon. It starts at noon. So I  
23 have to be up there with food in front of me or you're  
24 going to have a real cranky wench sitting in front -- up

1 here after a while.

2 MR. SOLINGER: I believe if I -- and I can do a  
3 very focused direct -- I can be done in 10 minutes with  
4 him. Because it's -- it's a one-time thing that I'm  
5 having him testify to related to October of 2019.

6 THE COURT: Was it her speeding with the kids  
7 in the car?

8 MR. SOLINGER: It was Josh driving the car,  
9 driving recklessly through traffic (indiscernible) --

10 THE COURT: As long as he -- if he has not done  
11 that since then, we really don't need to hear it.

12 MR. GOODWIN: And I apologize, just to get some  
13 clarification on the Court's thought process, because I  
14 think there's two things that are happening here.

15 One is, the -- the trial is being stopped at  
16 the point when it began, correct? So there's no more  
17 discovery. There's no more anything coming in.

18 THE COURT: Correct.

19 MR. GOODWIN: But the Court's also at the same  
20 time making an assessment of the behavior of the parents  
21 afterwards, but not considering anything that could  
22 potentially --

23 THE COURT: The --

24 MR. GOODWIN: Is that what's --



1 THE COURT: Okay. Here -- here is the  
2 situation. And I'm going to spell it out.

3 I am of the firm belief that an order that was  
4 entered by the -- I'm -- I can't say my predecessor,  
5 because, you know, it was in a different Department  
6 before -- made an order that was illegal. All right?

7 Unless it is an absolute proven you have got a  
8 huge problem with marijuana, you can't have a blanket you  
9 cannot use marijuana, period.

10 Just like alcohol. Unless it is shown that you  
11 are a stark raving alcoholic who doesn't know how not to  
12 drive, you know, we can't order you could never use  
13 alcohol. We can order you can't use these substances  
14 while the children are in your care. But we can't do a  
15 blanket you're not allowed to use it, because it is a  
16 legal substance.

17 We're -- we're now starting to stomp on your --  
18 your rights as an American citizen to be able to live  
19 your life freely. And I'm a very firm believer in that  
20 United States Constitution and those Bill of Rights. I'm  
21 huge on that. You know? I was willing to give my life  
22 to protect that Constitution. And I'm going to uphold it  
23 while I'm sitting up here, too.

24 Mom, I don't necessarily like the fact that she

1 enjoys marijuana, but considering how tiny she is, she  
2 may need it just to be able to eat like my daughter does.  
3 I -- you know, I don't -- I don't understand that,  
4 because, you know, I like being 120 pounds at 5'8". You  
5 know, but it may have done me some good when I was  
6 younger if I did. So the -- I think Mom was put at a  
7 disadvantage by starting out on something that should  
8 never have been ordered in the first place.

9 Do I agree also with the speeding of the  
10 vehicle with the children in the car, or allowing  
11 somebody who was possibly under the influence while  
12 driving? Instead of following them, why wasn't 911  
13 called? I -- I have a concern when they would rather get  
14 the video of someone doing that instead of the safety of  
15 the children. To me, that's as big of a concern as it  
16 actually taking place.

17 MR. SOLINGER: And -- and I can proffer that  
18 the reason -- and -- and I have both of those videos.

19 MS. CRAMER: That's hearsay, so we don't need a  
20 proffer.

21 THE COURT: Well, we've got the private  
22 investigator out there. You know, I've -- and I've read  
23 all the motions. So all of that would have been hearsay  
24 as well. So I've read everything in here.

1           The -- I don't believe in perpetrating a wrong  
2 that was down on this woman and continuing based upon her  
3 reactions. Because I would have had a negative reaction  
4 also. And I did continue perpetrating that reaction when  
5 I reacted last summer the way that I did -- or at the end  
6 of last somewhere the way I did with that positive drug  
7 test. That was my fault. I should not have done that.

8           But fortunately we're going into the time  
9 period in which I was only going to get you on weekends  
10 anyway, so, you know.

11           He was going to say something.

12           MR. SOLINGER: And for the better part of  
13 valor, I -- I stopped my younger -- no, because I --

14           THE COURT: I think you know me a little more  
15 than he does.

16           MR. GOODWIN: No, no, I'm sorry, I was going to  
17 actually get back, because I just -- just -- just to kind  
18 of focus on it. Because I think there was an issue that  
19 was brought up, but a hypothetical that was stated  
20 relating specifically to the December time.

21           THE COURT: Yeah.

22           MR. GOODWIN: And about that whole entire  
23 vacation, and about how it could potentially --

24           THE COURT: It's -- it happened the year

1 before, too. Or the year before that.

2 MR. GOODWIN: But you -- but the --

3 THE COURT: It's -- it happened either 2019 or  
4 2020, because it was in one of the motions as well.

5 MR. GOODWIN: Right. But one of the Court's  
6 comments at that time was that, you know, this is  
7 something that's going to be addressed about the fact  
8 that it happened.

9 THE COURT: It's going to be addressed, yes.

10 MR. GOODWIN: But at that point things are, and  
11 I think a lot of Paglini's testimony was saying how she  
12 has been since the time of the evaluation is going to  
13 weigh in incredibly into this.

14 THE COURT: Correct.

15 MR. GOODWIN: However, we're being stopped at  
16 essentially a couple of them after.

17 THE COURT: I know. I know.

18 Well, what -- what he's -- what he has said and  
19 what I feel -- you know, CPS has not been involved in  
20 this at this point.

21 MR. SOLINGER: That's -- that's slightly  
22 inaccurate. CPS was called. There was an investigation  
23 done.

24 THE COURT: When?

1 MR. SOLINGER: I -- I've got to pull up the  
2 report for the exact dates. But it was in --

3 THE COURT: Was it since we were in here last?

4 MR. SOLINGER: No.

5 THE COURT: Okay. Then, you know, I mean, that  
6 is something that we're going to go in there.

7 Was it substantiated?

8 MS. CRAMER: No.

9 MR. SOLINGER: It was unsubstantiated, but --

10 THE COURT: Then -- then it's not going to  
11 matter, because they investigated it and it was  
12 unsubstantiated.

13 MR. SOLINGER: It's -- that's -- that's --

14 MS. CRAMER: It's from 2019, Your Honor. I  
15 have it right in front of me. The receive date is  
16 7/17/2019.

17 THE COURT: Okay. Was that when they were  
18 recklessly driving with the children?

19 MR. SOLINGER: No, that's with the bruises on  
20 the face. There's --

21 MS. CRAMER: Yeah, (indiscernible).

22 MR. SOLINGER: -- the -- the issue with that  
23 report is that --

24 THE COURT: Dude --

1 MR. SOLINGER: -- in essence, when you go  
2 through it --

3 THE COURT: -- if you have a child that doesn't  
4 get bruises even on their face when they're growing up,  
5 you're not letting them be kids.

6 MR. SOLINGER: Understood.

7 THE COURT: You're not letting them -- you have  
8 to let kids not necessarily harm themselves to the point  
9 where you got to hospitalize them or broken bones and  
10 stuff like that, but you've got to let the bruises happen  
11 or they're never going to toughen up and be adults.

12 MS. CRAMER: I'm going to -- you know, Your  
13 Honor, I would just offer this too.

14 You know, when CPS is constantly called on  
15 cases -- because I have a case in another Department  
16 where one of the parents calls constantly -- and what it  
17 does is, CPS has all those calls in the record. So if  
18 that child is actually being endangered --

19 THE COURT: They're going to ignore it.

20 MS. CRAMER: -- they look at all these  
21 unsubstantiated ones and they (indiscernible) it.

22 THE COURT: Yeah.

23 MS. CRAMER: And it's actually --

24 THE COURT: I can't say that, because I had one

1 where they did substantiate after 15 negative times.

2 MS. CRAMER: Well, that's rare. Because --

3 THE COURT: Fifteen unsubstantiation(s) and  
4 then they substantiated one.

5 MS. CRAMER: That --

6 THE COURT: And, you know, it needed -- it  
7 needed to be substantiated.

8 MR. SOLINGER: Well, it --

9 MS. CRAMER: Well, it just -- it, you know, it  
10 becomes --

11 THE COURT: Yeah.

12 MS. CRAMER: -- It is does negatively impact  
13 the children --

14 THE COURT: Yeah. The key -- the key with --

15 MS. CRAMER: -- with his constant calls.

16 THE COURT: -- what is going on is I -- you  
17 know, I tend to operate on a lot of common sense. One of  
18 the first things I said when I started law school is  
19 there's no -- that there's no place in the law with  
20 common sense. I disagree with that, because the law is  
21 made with a lot of common sense. And when it starts  
22 becoming where it's not logical, then it's not a good  
23 law.

24 MR. SOLINGER: In the interest of getting you

1 to the meeting, food in hand on time, if I understand  
2 what the Court wants to hear, I can send the investigator  
3 that's here in person home. Because the Court is not as  
4 interested in his testimony --

5 THE COURT: Yeah.

6 MR. GOODWIN: -- related to Josh driving the  
7 kids with Chalese in the car.

8 THE COURT: Yeah.

9 MR. SOLINGER: And that behavior related to  
10 that, because it occurred prior to May of 2021.

11 THE COURT: Yeah.

12 MR. SOLINGER: So I will send him home.

13 The investigator that is on BlueJeans is the  
14 one that observed and followed the Defendant driving a  
15 hundred miles an hour with two children in the car.

16 THE COURT: Yeah.

17 MR. SOLINGER: Does Your Honor want to hear  
18 that? Because I --

19 THE COURT: Not -- not necessarily. Has she  
20 done it since then?

21 MR. SOLINGER: I -- I don't have the money to  
22 pay a private investigator to follow her constantly.

23 MS. CRAMER: Well, we haven't ever actually --

24 THE COURT: Yeah. Well, but, you know -- well,



1 you know, I think it -- you know, she may not have been  
2 going a hundred miles an hour, but I think we've all been  
3 speeding with children.

4 I -- you know, I'm sorry, but, you know, maybe  
5 we should go off the record before I admit some things  
6 I'm not to say.

7 I think we've all sped. You know, sometimes a  
8 little bit more recklessly than what we should. And,  
9 you know, and my -- my questions are going to be -- and  
10 one of the things that I've learn is this woman's not  
11 afraid to answer the questions honestly, even when it  
12 goes against her. And I admire that about her.

13 And as long as she has learned her lesson from  
14 all this, which I think she has, because, I mean, her  
15 act's been cleaned up quite a bit. I have quite a bit of  
16 questions for her, though. Quite a bit of things that  
17 I've seen in here that I've read in the report that I've  
18 seen. If you don't ask the questions, I'm going to. But  
19 I have -- I don't think I've shown a fear of asking  
20 questions.

21 MR. SOLINGER: No, Your -- Your Honor hasn't.

22 I --

23 MR. GOODWIN: Your Honor, shouldn't, then, at  
24 that point, judging if she has or has not learned her

1 lesson to be stopped immediately in the 2019 date or  
2 whenever the trial first started, at that point we can't  
3 really say, because, I mean we don't really have -- we're  
4 not allowed to present any more evidence in terms of  
5 that.

6 THE COURT: No, it's the -- it's the discovery  
7 portion, okay? I'm not going to reopen discovery and let  
8 things take place at a -- you know -- you know,  
9 there's -- there's a reason for discovery.

10 You can ask a question, you know, such as, Mom,  
11 did you call Dad a jackass two weeks ago with the  
12 children there?

13 MR. SOLINGER: With that understanding --

14 THE COURT: Okay.

15 MR. SOLINGER: -- it's -- it's perfectly clear.

16 THE COURT: I mean, excuse my language.

17 MR. SOLINGER: No, no, no, it's -- probably  
18 we're off record, but I still see the red lights.

19 THE COURT: Yeah, I'm on record.

20 MR. SOLINGER: I understand where the Court's  
21 ruling is. I would suggest that we adjourn for lunch at  
22 this point --

23 THE COURT: Okay.

24 MR. SOLINGER: -- so Your Honor can get up

1 there on time.

2 I -- I would like to ask briefly the  
3 investigator on BlueJeans some questions. I understand  
4 the Court's skepticism.

5 THE CLERK: He's not there anymore.

6 THE COURT: He's not there anymore?

7 THE CLERK: Huh-uh.

8 THE COURT: Okay.

9 MR. SOLINGER: I -- I'll -- I'll --

10 THE COURT: We'll let him come back. We --  
11 we'll -- we can start right at 1:30, you know. Because I  
12 plan on walking off if the meeting's not done.

13 MR. SOLINGER: I also -- I guess I can address  
14 at that point --

15 THE COURT: Yeah.

16 MR. SOLINGER: -- Mr. Lloyd's not here. I had  
17 subpoenaed him.

18 MS. CRAMER: I can speak to that.

19 MR. SOLINGER: I don't think she represents  
20 him. But I subpoenaed -- what happened is I spent almost  
21 \$700 to subpoena him for our last trial date.

22 THE COURT: Uh-huh.

23 MR. SOLINGER: And when we didn't have a  
24 continued trial, I expressed concerns about him being

1 here because of how hard he was to serve. The PIs tried.  
2 And the best they could do want substitute service  
3 directly of the Defendant --

4 THE COURT: Well --

5 MR. SOLINGER: -- at their shared residence,  
6 which is effective service, so.

7 THE COURT: We -- well, we can -- you know, I  
8 will address that at the end of today. How's that sound?

9 MS. CRAMER: Well, Your Honor, I can --

10 THE COURT: Here -- here's what's going to  
11 happen. If Mr. Lloyd isn't willing to come in here and  
12 allow me to meet him and get a good feel for him, maybe I  
13 shouldn't give Mom custody.

14 MS. CRAMER: Your Honor, that's not --

15 THE COURT: Listen on what I'm saying, okay?

16 This woman wants to continue living with this  
17 man. She wants to have this loving relationship with  
18 him. If he's ashamed to come in here and see me, then  
19 I'm going to wonder if maybe her choice in men may not be  
20 best for these kids.

21 It's up to her. She can get him in here. I  
22 don't care if he does illegal things, unless it's  
23 something that's going to harm the kids. You know, I  
24 hope I've shown enough here where I try not to interfere

1 in people's lives unless it's going to harm the kids.

2 MS. CRAMER: Your -- Your Honor, may I address  
3 the Court?

4 THE COURT: Yes, ma'am.

5 MS. CRAMER: Yes.

6 Okay. So, he's already admitted he didn't  
7 effectuate personal service. Josh was actually in the  
8 home. Instead, they served her in the driveway. So he  
9 also --

10 THE COURT: You can't do that on a subpoena.  
11 It has to be on -- on the person.

12 MR. SOLINGER: My --

13 MS. CRAMER: And he also did not provide the  
14 witness fee. He was not paid a witness fee.

15 THE COURT: Okay.

16 MS. CRAMER: But, Your Honor, Josh has medical  
17 appointments for his other children today.

18 THE COURT: Okay.

19 MS. CRAMER: And so no one noticed me.

20 THE COURT: Well, how about this.

21 MS. CRAMER: And I would have been happy to  
22 communicate with Counsel. And I would have been happy to  
23 schedule another time.

24 But I will talk to Josh. And I've talked to

1 Chalese about this. We fully expect him to come to  
2 court, Your Honor. We have no expectation that he's not  
3 coming.

4 THE COURT: Well, how -- how -- how about --

5 MS. CRAMER: It couldn't happen today.

6 THE COURT: -- this? If he's not here when we  
7 come back on March 1st, then I'm going to assume he's  
8 doing something that's not going to be good for the kids.

9 Mom, if you have any sway on him, you better  
10 make sure he's here.

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: Okay. Did that help?

13 MR. SOLINGER: It did.

14 And I -- I will have the investigator back.

15 THE COURT: Okay. Have him come back.

16 MR. SOLINGER: And then I'll --

17 THE COURT: Because I do -- you know, where was  
18 she heading to? Or was she -- was he even attempting to  
19 keep up? I may not have tried to keep up. Which is  
20 questions that she's going to answer. I believe in her  
21 opposition to the motion that you had filed, she was on  
22 her way to work and she was running late and she didn't  
23 want to get fired. You know, that may have been another  
24 case. I don't know.

1 MR. SOLINGER: I --

2 THE COURT: I don't remember. You know, this  
3 is questions we're going to ask her. Because there's --  
4 you know, in most instances, there's justifications.

5 There comes a point in time we have on stop  
6 micro-managing this woman and let her be the parent she  
7 should be. You be the parent you want to be in your  
8 home, she'll be the parent she wants to be in her home.

9 MR. SOLINGER: I -- I understand. And I will  
10 seek to clarify that --

11 THE COURT: Okay.

12 MR. SOLINGER: -- point specifically for Your  
13 Honor.

14 THE COURT: And while we're at lunch, why don't  
15 y'all talk together and see if there's something we can  
16 come. Because right now I'm thinking week on/week off.  
17 I thought she lived all the way down in Henderson.

18 MR. SOLINGER: It's about a 30-minute drive.

19 THE COURT: See, that's okay. I was thinking  
20 it was an hour. Thirty minutes is -- is nothing.

21 MR. SOLINGER: Right.

22 THE COURT: That gives Mom a chance to talk to  
23 the kids about how their school day went. Because we  
24 have a second one that's about to start school too.

1 MR. SOLINGER: She's in school currently, Your  
2 Honor.

3 THE COURT: Well, she's in preschool.

4 MR. SOLINGER: Well, it's afternoon through  
5 CCSD.

6 THE COURT: It's preschool, okay? It's  
7 preschool. Clear and simple, I don't start worrying  
8 about school until they're kindergarten.

9 MR. SOLINGER: Understood.

10 THE COURT: All right?

11 So talk to each other. The joint physical is  
12 probably going to happen. I, you know -- I got -- I got  
13 stupid during the last one by, you know, yanking it and  
14 putting back primary to you.

15 Talk to him. Talk to each other. You're going  
16 to have to start co-parenting. Because remember what I  
17 said earlier? Y'all are examples on how your children  
18 are going to expect to be treated by their significant  
19 others in the future. If you don't -- if you don't want  
20 to be treated -- or if you don't want your children to be  
21 treated this way, then don't treat each other this way.  
22 Because you're showing them this is how it's supposed to  
23 be. You're their example of life. Okay?

24 MR. SOLINGER: Understood.



1 THE COURT: Let's go to lunch.

2 MS. CRAMER: Thank you, Your Honor.

3 (COURT RECESSED AT 11:46:33 AND RESUMED AT 1:43:16)

4 THE CLERK: We're on, Judge.

5 THE COURT: Okay. We're back on the record in  
6 D-19-582245-D, Solinger versus Solinger. We've had a  
7 nice lunch and now we can continue with what we're doing  
8 here.

9 Mr. Solinger, go forward. Who's your next  
10 witness?

11 MR. SOLINGER: I would call Dr. Michael  
12 Solinger.

13 THE COURT: All right. Thank you.

14 Let's swear Mr. Solinger in.

15 THE CLERK: Hold on, I just (indiscernible)

16 --

17 THE COURT: Hold on, we got to put him in  
18 another room.

19 THE CLERK: All right, Mr. Solinger, can you  
20 raise your right hand so I can swear you in?

21 THE COURT: It's Dr. Solinger.

22 THE CLERK: Excuse me.

23 You do solemnly swear the testimony you are  
24 about to give in this action shall be the truth, the

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

3 THE WITNESS: I do.

4 THE CLERK: Okay. Thank you.

5 MICHAEL SOLINGER,  
6 called as a witness on behalf of the Plaintiff, having  
7 been first been duly sworn, testified upon his oath as  
8 follows on:

9 DIRECT TESTIMONY

10 THE COURT: Thank you.

11 Dr. Solinger, I need you to do me a big favor.

12 THE WITNESS: Okay.

13 THE COURT: I need you to get the biggest sheet  
14 of paper you have, and -- and the darkest pen you have  
15 and sign your name, please.

16 THE WITNESS: The biggest sheet of paper I have  
17 and the darkest -- where -- where I'm at I don't have  
18 anything like that, but.

19 THE COURT: And I like your smile. That's a  
20 good smile, sir.

21 THE WITNESS: All I have is a white piece of  
22 paper close by.

23 THE COURT: That's okay. Do you have a fax  
24 machine?

1 THE WITNESS: Now, what do you want me to do  
2 with it?

3 THE COURT: Just hang it up on to the camera.  
4 Yeah, hold it up to the camera so I can see if this will  
5 work.

6 All right. That's what I needed to see. Thank  
7 you, sir.

8 THE WITNESS: Okay. Okay.

9 THE COURT: All right.

10 MR. SOLINGER: Did -- did you have any -- would  
11 you like me to proceed or did you -- because --

12 THE COURT: If you have any other questions you  
13 would like to ask him.

14 MR. SOLINGER: I had -- you -- Your Honor had  
15 indicated you had one question. And I'm literally just  
16 using him for the foundation of that document. I -- I  
17 think you were okay with it. If you wanted to --

18 THE COURT: Yeah. I -- I am --

19 MR. SOLINGER: -- ask him.

20 THE COURT: -- I am okay with it. That  
21 signature was very close on the signature that I saw on  
22 that document.

23 So, you know, the -- when you gave that money  
24 for the down payment on the home? What was the purpose

1 you gave the down permit -- down payment?

2 THE WITNESS: It was so that he wouldn't have  
3 to come up with a big down payment on his own.

4 THE COURT: All right. And was it for the both  
5 of the parties?

6 THE WITNESS: No. For Adam.

7 THE COURT: Okay. All right, thank you, sir.  
8 Appreciate it. I'm going to pass over to -- to your son  
9 here.

10 MR. SOLINGER: Well, I think I'm satisfied with  
11 the testimony.

12 THE COURT: You're satisfied?

13 MR. SOLINGER: Uh-huh.

14 THE COURT: Okay. Now, you get a chance -- now  
15 we have a chance for Ms. Cramer to ask questions.

16 MS. CRAMER: I have no questions for this  
17 witness.

18 THE COURT: Okay.

19 All right. Thank you, sir. I appreciate you  
20 taking your afternoon and signing on for me.

21 THE WITNESS: Okay.

22 MR. SOLINGER: You --

23 THE COURT: You -- you can sign off now.

24 THE WITNESS: So we're done?

1 THE COURT: You're done, sir.

2 THE WITNESS: All right. Thank you very much.

3 THE COURT: Thank you.

4 THE WITNESS: All right. Thanks. Goodbye.

5 THE COURT: Bye-bye.

6 MR. SOLINGER: As an off-record comment, he  
7 absolutely hates this. Because he called me to complain,  
8 he was being subpoenaed for a DUI case because he treated  
9 somebody for GERD --

10 THE COURT: Uh-huh.

11 MR. SOLINGER: -- acid reflux. And they were  
12 trying to say that the Breathalyzer was unreliable  
13 because the acid reflux would bring it up constantly. He  
14 goes --

15 THE COURT: Acid don't have nothing to do with  
16 that, does it?

17 MR. GOODWIN: It does, Your Honor.

18 MR. SOLINGER: If -- if you -- if you  
19 regurgitate --

20 THE COURT: It does?

21 MR. SOLINGER: -- from your stomach --

22 MR. GOODWIN: Yeah.

23 MR. SOLINGER: -- it can bring up stomach  
24 alcohol.

1 THE COURT: Oh, that's right.

2 MR. SOLINGER: -- and the Breathalyzer, it  
3 measures such a minute amount, because it's .08 nanograms  
4 per 210 liters, which is a 55-gallon drum.

5 THE COURT: Uh-huh.

6 MR. SOLINGER: And so -- yeah, I used to do a  
7 bunch of DUI defense, but.

8 So you're not actually blowing a 55-gallon  
9 drum, your sample-size chamber is -- is, like, 170 times  
10 smaller than what it extrapolates to.

11 THE COURT: Uh-huh.

12 MR. SOLINGER: So if you have just the smallest  
13 air and mouth alcohol, it will throw off the whole thing  
14 and make you light up more so than normal.

15 THE COURT: Well, that's kind of like when  
16 you're chewing a piece of Dentyne or you've used  
17 mouthwash within 15 minutes or something like that, you  
18 can blow positive also.

19 MR. SOLINGER: That's -- that's why for the  
20 Breathalyzer there's a 15-minute observation period, to  
21 make sure you don't burp, belch, vomit, regurgitate, or  
22 have chewing tobacco or mouthwash.

23 THE COURT: Okay. All right, that makes -- I  
24 like learning stuff.

1           Okay. All right. You may call your next  
2 witness.

3           MR. SOLINGER: Curtis Doyal, Your Honor.

4           THE COURT: Your Ss are almost exactly alike.

5           MR. SOLINGER: It's almost, like, he's my  
6 father and we have similar handwriting. Although he's  
7 left-handed and I'm right-handed, but yeah.

8           THE COURT: Okay. All right.

9           THE CLERK: Okay. Did you want to see him? I  
10 don't see him on there. Well, he's there.

11          THE COURT: Mr. Doyal, are you on there?

12          MR. DOYAL: Yes, I am.

13          THE COURT: Okay. Can you please turn on your  
14 camera, sir?

15          MR. DOYAL: Yeah, working on it.

16          THE COURT: Well, if you're anything like me  
17 it'll take an hour, because it takes me forever to figure  
18 that out.

19          MR. SOLINGER: He's --

20          MR. DOYAL: (Indiscernible).

21          THE COURT: There you are.

22          All right. We're going to swear you in, sir.

23          MR. DOYAL: Okay.

24          THE CLERK: If you could please raise your

1 right hand.

2           You do solemnly swear the testimony you are  
3 about to give in this action shall be the truth, the  
4 whole truth and nothing but the truth, so help you  
5 God?

6           THE WITNESS: I do.

7           THE CLERK: Thank you.

8           MR. SOLINGER: May I proceed?

9           THE COURT: Yes, sir, please, up here.

10                   CURTIS DOYAL,  
11 called as a witness on behalf of the Plaintiff, having  
12 been first been duly sworn, testified upon his oath as  
13 follows on:

14                   DIRECT EXAMINATION

15 BY MR. SOLINGER:

16           Q     Mr. Doyal, how are you currently employed?

17           A     Private investigator.

18           Q     And how long have you been working as a private  
19 investigator?

20           A     About 13 years.

21           Q     Were you previously employed by Elite  
22 Investigations?

23           A     Yes.

24           Q     And as part of that, were you assigned --



1 MS. CRAMER: Your Honor, I have to object. I  
2 know we don't want to do this, but this is clearly  
3 leading the witness.

4 THE COURT: I'm going to kind of allow it. And  
5 that --

6 MR. SOLINGER: I will --

7 THE COURT: -- until we get to the main, you  
8 know, part.

9 MR. SOLINGER: Yeah, I'm just laying the  
10 foundation to get him --

11 THE COURT: Yeah.

12 MR. SOLINGER: -- where we need to go quick.

13 THE COURT: Yeah, the -- the foundation that  
14 says that he's a private investigator, I'm going to allow  
15 that. But when we start getting into real questions, you  
16 can't lead him on those.

17 MR. SOLINGER: Understood.

18 BY MR. SOLINGER:

19 Q Mr. Doyal, were you assigned the handle,  
20 Solinger versus Solinger matter by Elite Investigations?

21 A Yes.

22 Q And were you working on ha case in or around  
23 August of 2019?

24 A Yes.

1 Q Specifically August 27th of 2019, were you  
2 working that case on that day?

3 A Yes.

4 Q And what were you doing?

5 A I was conducting surveillance on the -- the  
6 subject. I believe it was -- I remember her last name  
7 was Solinger. I don't remember the first name. Elise  
8 (ph)?

9 MR. SOLINGER: And if you can tell, can we have  
10 his camera turn to the courtroom for identification,  
11 or -- or would --

12 THE COURT: Ms. Solinger, can you -- can you  
13 just kind of say how are you doing or something like  
14 that?

15 THE DEFENDANT: Hello, sir. How are you?

16 THE WITNESS: Good. How are you?

17 THE COURT: Did -- did it flip over to it her?  
18 Yeah.

19 Were you able to see her?

20 THE WITNESS: Yes.

21 THE COURT: Okay.

22 BY MR. SOLINGER:

23 Q And, Mr. Doyal, did you recognize anyone in the  
24 courtroom when the camera flipped over?

1 A No.

2 Q Understood.

3 A Unfortunately it was very dark when I did  
4 surveillance.

5 Q So you said you were working surveillance on  
6 August 27th of 2019?

7 A Correct.

8 Q Well, what did you observe?

9 A I observed, I believe it was a GMC pickup  
10 truck, or -- arrive at the residence. A female exited  
11 the vehicle. Walked over to towards the residence. And  
12 then a female and a child returned to the vehicle and  
13 departed.

14 Q And what happened then?

15 A She drove onto the highway and drove at  
16 excessive speeds.

17 Q Can you define excessive speeds?

18 A At one point during the surveillance on the  
19 highway, I was going -- I realized I was going 95 miles  
20 an hour and the truck was pulling away very quickly.

21 Q And how do you know you were going 95 miles an  
22 hour?

23 A My speedometer on the vehicle.

24 Q And is that speedometer calibrated or

1 certified, or is it just kind of your normal car  
2 speedometer?

3 A It's how I bought it.

4 Q So it's not a law enforcement model I guess is  
5 my question.

6 A Correct.

7 Q As she's pulling away from you, what happens?

8 A I lost visual for about 30 seconds before I saw  
9 her again. It was closer towards the Speedway, I forgot  
10 exactly which exit it was. But she was in the right-hand  
11 lane, and drove over the median that separated the  
12 off-ramp and the highway to exit.

13 Q And what happened then?

14 A At that point I remember she made a left turn  
15 toward the Speedway, and I lost (indiscernible).

16 Q When you observed her driving, did you call the  
17 police?

18 A I did not.

19 Q Why didn't you do that?

20 A Because I was focusing on the task at hand at  
21 the time.

22 Q Did you -- were you able to maintain  
23 surveillance until the car -- her truck came to a stop?

24 A It was, yes, at the light for the exit.

1           Q     And then once she went past the light, what  
2 happened?

3           A     Once we passed the light, that's when she drove  
4 out of view. I don't remember exactly the location. It  
5 was towards the Speedway.

6           Q     Were you able to relocate her after that?

7           A     No.

8           THE COURT: Are you talking about the Motor  
9 Speedway far north of town?

10          THE WITNESS: Yes.

11          THE COURT: Okay. Thank you.

12          THE WITNESS: Correct.

13          MR. SOLINGER: And I have no further questions.

14          THE COURT: All right. Thank you.

15          MS. CRAMER: Your Honor, I don't have any  
16 questions for this witness.

17          THE COURT: All right, sir, we definitely -- we  
18 appreciate your appearance on this and your waiting  
19 around to talk to us.

20          THE WITNESS: Absolutely.

21          THE COURT: Thank you.

22          THE WITNESS: Thank you.

23          THE COURT: That was short and sweet. Almost  
24 painless.

1 MR. SOLINGER: I proffered and said I was  
2 trying to make this as painless as possible.

3 THE COURT: I know. I know it.

4 MR. SOLINGER: So --

5 THE COURT: Okay. The -- you know the big  
6 problem you had with that one.

7 MR. SOLINGER: I -- I do. I do.

8 THE COURT: Now, there was -- there was  
9 absolutely no identification actually submitted. It  
10 could have been a twin sister of hers. It could have  
11 been a neighbor. It could have been just about anybody  
12 else who was driving that truck.

13 MR. SOLINGER: It could have.

14 I don't want to proffer anything, because I --  
15 I would proffer, and that's normally what I do, but  
16 that's been objected to. So I don't -- I don't want  
17 to -- I will tie that tell thing at another point in time  
18 with another witness.

19 THE COURT: Okay. All right.

20 The -- and I -- and I recognize that. But we  
21 are also at a point, though, it was a couple of years  
22 ago. Okay?

23 You know, people grow up. People change.  
24 It's -- it's -- no longer becomes the problem area. And

1 what were -- you know, if it was you -- no, no. I was  
2 going to say what were you doing up by Motor Speedway,  
3 was it race day or something? But don't answer that.

4 MR. SOLINGER: It -- it -- I'm more than happy  
5 to proffer how this all ties up and why the Court's --

6 THE COURT: No. It's -- you can do it later.

7 MR. SOLINGER: I -- I will.

8 THE COURT: All right.

9 Now, I asked earlier if there was any exhibits  
10 in which I cannot look at from both -- both sides.  
11 Because I would really like to be able to take this --  
12 you know, I promise I won't drop it in the bathtub -- and  
13 look through this stuff to see what's really there.

14 MS. CRAMER: I have no objection.

15 THE COURT: Do you have any objections with  
16 their exhibits?

17 MR. SOLINGER: I have no objections to -- to  
18 them.

19 THE COURT: Okay. All right. I just -- I just  
20 wanted to make sure because, you know, this is a lot of  
21 stuff. And, you know, even going and having a four-day  
22 trial, it's really not enough time for me to pay close  
23 attention to everything that is there. And I really, you  
24 know, I -- I want to look over everything. So?

1 MR. SOLINGER: At the risk of evoking the ire  
2 of the Court, I'm more than happy to provide, given  
3 Dr. Paglini's testimony about what's happened since trial  
4 being the most important, I've got the printed-out  
5 at-close messages that are current to date. I understand  
6 Counsel's objection with those, but I'm just --

7 THE COURT: I'm -- I'm not willing to reopen  
8 discovery on that stuff there.

9 MS. CRAMER: It -- it's not even that, Your  
10 Honor. It -- it's also, looking at these exhibits, I'm  
11 just going to warn you ahead of time, you are never going  
12 to get this time back.

13 THE COURT: I know.

14 MS. CRAMER: And we can talk about wedding cake  
15 designs when you're done looking through here.

16 THE COURT: I'd like that.

17 MS. CRAMER: It's -- it's amazing, Your Honor.  
18 It is amazing.

19 THE COURT: I will -- here's something that I'm  
20 really good at. I'm really good at looking at financial  
21 documents and finding the mistakes. People do not  
22 realize the -- the trail that they leave. And that is  
23 the one thing I'm so good at. I like it. I'm nosy. I  
24 like seeing where people spend their money.



1 I know, I'm weird, aren't I?

2 MR. SOLINGER: Well, it's -- it's a good  
3 quality to have.

4 MR. GOODWIN: I'm a criminal defense attorney,  
5 Your Honor.

6 THE COURT: Huh?

7 MR. GOODWIN: I do criminal defense. All I do  
8 is get into other people's business.

9 THE COURT: Okay. But yeah, that's true.

10 The -- is it worth my while to ask y'all to go  
11 outside and look -- you know, see if you could settle the  
12 financial stuff?

13 MS. CRAMER: I was going to send them a  
14 settlement offer whenever we leave today.

15 THE COURT: Okay.

16 MS. CRAMER: So it'll -- I was going to send it  
17 to them either next week or this weekend.

18 THE COURT: Okay.

19 MS. CRAMER: But I want to -- you know, in my  
20 position being new on this case, Your Honor, even though  
21 I have read --

22 THE COURT: You've read --

23 MS. CRAMER: -- thousands of --

24 THE COURT: -- you really need to go back and

1 look at day one.

2 MS. CRAMER: Yeah, I will. I'll finish  
3 watching it.

4 THE COURT: It's not as long as what it seems,  
5 because the morning we spent trying -- they spent trying  
6 to settle the case so we really didn't get started until  
7 the afternoon.

8 MS. CRAMER: Yeah, I know. I -- I just -- it's  
9 broken up into four pieces and I watched some of them but  
10 not all of them. So I will finish watching it. And it  
11 just -- I want to make sure that I have everything, all  
12 the ducks in a line with my client as well before we  
13 extend the offer. But I -- I have something in mind.

14 THE COURT: Okay.

15 MR. SOLINGER: In that vein of saving time, my  
16 suggestion would be that Your Honor can hold off on  
17 looking at anything financial and the parties will file a  
18 status report 30 days from today --

19 THE COURT: Okay.

20 MR. SOLINGER: -- letting the Court know.

21 THE COURT: All right. That sounds good.

22 MR. SOLINGER: That way you don't waste time.  
23 And -- and it gives us time to figure that aspect of  
24 this --

1 THE COURT: Okay. All right. That would --  
2 and -- and that would probably save a lot of time.

3 Now, I want to reiterate, this is a Sargeant  
4 case. Do you understand what I'm saying on that?

5 MR. SOLINGER: I do understand.

6 THE COURT: Okay. You know, attorney's fees is  
7 on the table. And, you know, I've made it very clear  
8 that without more, and something -- I mean, I cut y'all  
9 out.

10 I mean, I don't want to see a bunch of  
11 documents and stuff like that, but, you know, if you can  
12 elicit testimony or bad stuff, you know, her speeding  
13 again and things like that, you know, that's one thing.  
14 Because, you know, Dr. Paglini did make it clear that,  
15 you know, as long as she cleared everything up.

16 I was satisfied up to that point when I sent  
17 her for the drug test that she, you know, that she had  
18 done a good job. And other than that drug test, which I  
19 probably should not have sent her to, you know, if she  
20 was doing something bad you would have filed a motion and  
21 wanting to change custody.

22 You know how I know that?

23 MS. CRAMER: That's what he's done every month  
24 that this case has been on.

1           THE COURT: Because of what's been done. There  
2 is 300 and something filings here. So you're going to  
3 have a hard time convincing me that there is something  
4 there to change my mind. And I know you want to hang  
5 onto it and you want to try everything you can to change  
6 it, but temporarily we're going to go back to the week  
7 on/week off.

8           MR. SOLINGER: If the Court would indulge a  
9 brief --

10          THE COURT: Nope. Because you don't do  
11 anything brief.

12          MR. SOLINGER: If I limit my time to five  
13 minutes?

14          THE COURT: Okay. I'll -- she gets an  
15 opportunity to rebut, too.

16          MR. SOLINGER: Of course. I'm even going to go  
17 for the dramatics of setting an alarm to stop me.

18           I understand the Court's position as it relates  
19 to marijuana and it being legal under state law. I think  
20 that there's a split of opinion about the legality  
21 federally, and so it is not a constitutionally protected  
22 right. There has been no case that has said you have a  
23 constitutional right to --

24          THE COURT: Let me interject.

1           The right to be a parent is a constitutional  
2 right.

3           MR. SOLINGER: Absolutely.

4           THE COURT: Okay.

5           MR. SOLINGER: The thing is, is if somebody  
6 were a fall-down drunk, or too high or intoxicated to  
7 effectively parent, that's where the problem comes.

8           THE COURT: Uh-huh.

9           MR. SOLINGER: And, see, with SCRAM, Your Honor  
10 has the ability to monitor the alcohol use.

11          THE COURT: Correct.

12          MR. SOLINGER: It's instantaneous. There is no  
13 technology that will allow you to do that for marijuana.

14          What -- what I would submit to the Court is  
15 that the result of 305, I believe, nanograms of the  
16 carboxylic acid is extraordinarily high. And THC is fat  
17 soluble. So people who are smaller or underweight tend  
18 not to hold onto marijuana metabolite as much as those  
19 who are --

20          MS. CRAMER: Your Honor, that is testimony by  
21 Counsel. And he has, like, no foundation for that  
22 knowledge.

23          THE COURT: If -- if he was going to be doing a  
24 motion, it would have gone in the motion and I would have

1 been reading it and stuff like that, so.

2 But it -- but you need to remember something,  
3 we're not in Federal Court, we're in State Court, so that  
4 means our State laws matter. She has a right to smoke  
5 marijuana. I'm going to allow it, and I'm not going to  
6 hold it over her head.

7 You know, I understand what you're saying. I  
8 don't -- I don't like it. I don't like the way it makes  
9 me feel. But I know people out there that acts more  
10 sober than I do and they're stoned out of their gourd.

11 MR. SOLINGER: Mr. Goodwin very much wanted to  
12 jump in, and I'm trying to abide by the terms of the  
13 agreement that allows me to talk for just three more  
14 minutes.

15 One of the --

16 THE COURT: If he's got something good, then  
17 I'll listen.

18 MR. GOODWIN: Your -- Your Honor, let me say  
19 this.

20 THE COURT: I'll extend it a little bit  
21 further.

22 MR. SOLINGER: I would say this.

23 Marijuana and alcohol differ substantially in  
24 the sense that if you drink a couple glasses of wine or

1     whatever, you -- you will not be at the same level of  
2     impairment as you would by smoking a joint of marijuana.

3             So, the issue here, is that when you use it  
4     recreationally around children, and an emergency happens  
5     or anything like that, it creates a situation where you  
6     probably are too impaired to respond to that situation.

7             THE COURT:   Don't you have enough faith in me  
8     to enter the rules that no one in that household can  
9     smoke marijuana if she's got the kids?   No one.

10            You can have John Doe come to your house, and  
11     if he lights up a joint, you will never get joint  
12     physical after that.   And that includes your boyfriend.

13            MR. GOODWIN:   My --

14            MS. CRAMER:   Your Honor, this allegation that a  
15     glass or two of wine will not impair you as much as a  
16     joint, there is no basis for that.   And clearly somebody  
17     has not smoked enough weed, because --

18            MR. GOODWIN:   I'd be happy to provide you all  
19     the scientific evidence.

20            MS. CRAMER:   All right.   Go ahead.

21            THE COURT:   Do I hear -- do I hear an offer of  
22     going out and getting stoned?   We're both -- when  
23     we're -- there's attorneys out there --

24            MS. CRAMER:   Absolutely.

1 THE COURT: -- you're not allowed to be smoking  
2 it?

3 MS. CRAMER: Absolutely.

4 MR. GOODWIN: No, I mean -- I mean, I'm just  
5 saying I'd be happy to show the proof that a joint puts  
6 at a level of impairment --

7 THE COURT: Yeah, I know.

8 The -- the problem, marijuana affects different  
9 people in different ways. It also depends on what strain  
10 are you smoking. There are some strains out there that  
11 does not have the THC levels in the other ones, so you're  
12 not necessarily getting stoned, it's just making you  
13 hungry.

14 MS. CRAMER: And, Your Honor --

15 THE COURT: It's controlling your anxiety.  
16 It's, you know, it's -- it can be for medicinal purposes.

17 You know, I think I read somewhere in the  
18 record, she has a marijuana card for medicinal purposes.  
19 Guess what? I'm not going to tell her she can't take her  
20 Valium or whatever anti-anxiety pills that she has, so  
21 I'm not -- I'm not sue.

22 MS. CRAMER: And, Your Honor, also just as you  
23 pointed out with the marijuana, alcohol affects people  
24 differently too.



1 THE COURT: I know.

2 MS. CRAMER: So someone --

3 THE COURT: It does.

4 MS. CRAMER: -- comes home from work and they  
5 haven't eaten all day, and all they have --

6 THE COURT: And they drink, I know.

7 MS. CRAMER: -- is a cup of coffee in the  
8 morning, and they take a drink, they are going to be  
9 drunk out of their mind. And --

10 THE COURT: I'm going to be drunk out of my  
11 mind even if I have eaten all day, because I don't drink.

12 MS. CRAMER: So -- and, yeah, and so it depends  
13 on your level of -- of tolerance.

14 THE COURT: Yeah.

15 MS. CRAMER: How much food you've eaten. How  
16 much rest you've had.

17 THE COURT: Yeah.

18 MS. CRAMER: So it's just the same with  
19 alcohol.

20 THE COURT: Yeah.

21 MS. CRAMER: But we are not hearing that  
22 argument.

23 THE COURT: The -- the key is, is if the  
24 children are in your care, don't use it, you know.

1 Because then you're not taking a chance on it being laced  
2 with something. I mean, we've got fentanyl fears and all  
3 this other stuff around. Just don't use when the kids  
4 are in your care.

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: You know, if it is so important to  
7 you to smoke your -- smoke marijuana or whatever, you  
8 know, drinking and stuff like that, you know, if you --  
9 if you need that to be a viable human being, you don't  
10 need the kids.

11 MS. CRAMER: And, Your Honor, I would just ask  
12 one thing. And this is one thing that I as a family law  
13 attorney found very disturbing. Was a lot of these  
14 orders in the past were issued, and they were not made  
15 reciprocal.

16 THE COURT: I know. It's both sides.

17 MS. CRAMER: Yes. Thank you.

18 THE COURT: It's both sides.

19 MS. CRAMER: Thank you.

20 THE COURT: No marijuana use, and no drinking  
21 until you get drunk if the children are in your care.  
22 Period. That's anyone in your household. Because  
23 alcohol can lead to significant problems too.

24 MR. SOLINGER: Absolutely. I'm -- I'm clear

1 which orders were not made reciprocal. I think the only  
2 dispute about un-reciprocal orders was related to right  
3 of first refusal.

4 THE COURT: Yeah.

5 MR. SOLINGER: And that was clarified.

6 But I've been under the same prohibition  
7 without issues.

8 THE COURT: You have. You have.

9 MR. SOLINGER: And I could cut my  
10 luscious hair.

11 THE COURT: And -- and most of the orders I've  
12 looked through, he was included in most of them. But the  
13 right of first refusal, I will never agree to the right  
14 of first refusal.

15 MS. CRAMER: Yeah, that's just asking --

16 THE COURT: That's just begging for more  
17 problems. Right of -- if that's one of the orders, no  
18 longer. The right of refusal --

19 MS. CRAMER: And there was --

20 THE COURT: -- right of first refusal is gone.

21 MS. CRAMER: And there were several orders  
22 about who can be around the children, who can drive, who  
23 can do this, who can do that.

24 THE COURT: I'm leaving -- I'm -- I'm -- until

1 I meet Josh, the prohibition on Josh driving around the  
2 children and being left alone with the children still  
3 stands.

4 MS. CRAMER: Okay.

5 MR. SOLINGER: And I will point out that Josh  
6 was actually criminally charged for his behavior during  
7 the custody exchange.

8 THE COURT: Until -- until something comes  
9 up -- I think I remember which one that you're talking  
10 about and everything -- we -- we will -- we will take  
11 that. But it's not -- it's not going to be something  
12 that I'm going to consider, because it's not her and you.  
13 The domestic violence laws is between the two of you, not  
14 any other third party.

15 MR. SOLINGER: I -- I believe one of the  
16 custody factors is whether an act of domestic violence  
17 has been perpetrated within the household. But I'll  
18 leave that for, I guess, final argument.

19 THE COURT: But you don't live in that  
20 household.

21 MR. SOLINGER: Well, the idea behind it being  
22 that the children are exposed to it.

23 THE COURT: You don't live in the household.

24 MR. SOLINGER: Understood.

1 THE COURT: Okay?

2 MS. CRAMER: And also, Your Honor, I would --  
3 and I don't -- I'm sure you don't want to listen to my  
4 CV, but, Your Honor, I have extensive training on  
5 domestic violence. I've studied it in law school. I  
6 took courses specific to domestic violence and the law.

7 THE COURT: It's an interesting subject.

8 MS. CRAMER: It's very. And you -- one of the  
9 first things --

10 THE COURT: Mental abuse is the same as  
11 physical abuse, I know.

12 MS. CRAMER: And one of the things you learn  
13 are, right off the bat, is domestic violence is a  
14 spectrum.

15 THE COURT: Yeah.

16 MS. CRAMER: And so you have a variety of  
17 behaviors.

18 THE COURT: Yeah.

19 MS. CRAMER: And I would argue, Your Honor,  
20 that him entering her home is on that spectrum.

21 THE COURT: I'm not necessarily doing that.  
22 But him -- the attempts to control could be. That's why  
23 I'm saying, you know, there's -- there are parts in this  
24 here where you're walking a thin line on that factor too.

1 MR. SOLINGER: I understand.

2 I guess I would just -- if -- if Counsel wants  
3 to take issue with my expertise in marijuana and DUI, if  
4 she's injecting testimony --

5 THE COURT: Yeah.

6 MR. SOLINGER: -- and becoming a witness in her  
7 own case, that's inappropriate.

8 THE COURT: The good part -- the good part  
9 about family law is, we all undergo a lot of training in  
10 domestic violence. That may be about the only criminal  
11 thing we get a lot of training in. So it's just -- it's  
12 just one of those things where every time we turn around.  
13 I just had a full day of domestic violence when I went to  
14 Judicial College.

15 You know, it's -- it's a nasty subject. You  
16 know, the way you talk to each other. The attitudes,  
17 putting holes in the walls, throwing a phone, slamming a  
18 door can sometimes be deemed domestic violence based upon  
19 the circumstances.

20 MR. SOLINGER: I understand.

21 THE COURT: So, you know, so it's -- you know,  
22 we haven't heard her really talk yet. I've heard you  
23 talk a lot. I haven't really heard her talk. And her  
24 story may come out. And this is a chance you're willing

1 to take.

2 MR. SOLINGER: Absolutely.

3 THE COURT: But there is only one factor by  
4 itself that limits joint legal for primary physical  
5 custody, and that's domestic violence. Think about how  
6 you've treated her and see if you really want all that  
7 testimony on there, and to incur more attorney's fees.  
8 Because if I think domestic violence take place, I'll  
9 have no problems with invoking that. So think about how  
10 you've treated her.

11 MR. SOLINGER: I -- I understand the Court's  
12 concern in that regard.

13 THE COURT: Okay.

14 MR. SOLINGER: I think the other factor is the  
15 ability to adequately care for the children 146 days out  
16 of the year for the presumption.

17 THE COURT: Right now I haven't seen her not  
18 being able to do it other than our interfering with it.

19 And by the way, an order, I'm going to make  
20 sure everybody knows this, any vacation time, seven-day  
21 blocks, summers only.

22 MR. SOLINGER: Okay.

23 THE COURT: Okay? From this point forward it's  
24 going to be that. But we're going to go ahead and we're

1 going to do week on/week off. There's not going to be  
2 any three-day weekends that's taking place. Because  
3 we're going to do the child exchanges on Wednesdays, so  
4 where the three-day weekend falls, which I don't -- I  
5 think there's only one between now and March -- and then  
6 we'll come back March 1st and we will finish this.

7 Don't doubt me. If he's able to prove his  
8 case, you will go right back to him having primary.

9 THE DEFENDANT: Yes, ma'am.

10 THE COURT: And I'm going to give him the  
11 opportunity where, if he wants to, to make sure that  
12 you're doing everything that you're supposed to, and that  
13 includes keeping your back yard clean. I do not want to  
14 hear that there's still big piles of dog feces in your  
15 yard. This place will be clean for the kids to play.

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: All right.

18 MR. SOLINGER: Would Your Honor consider  
19 Mondays after school, and then the exchanges will  
20 never --

21 THE COURT: Because we -- we do have a Monday  
22 holiday coming up. So I -- I would rather do Wednesdays  
23 after school. And if something comes up and there is no  
24 school, then it will be -- what time do you get off work?



1 MR. SOLINGER: I work from home unless I have  
2 to go into the courts.

3 THE COURT: Mom, what time do you get off work?

4 THE DEFENDANT: 6:00 p.m.

5 THE COURT: Then the child exchange would be  
6 7:00.

7 THE DEFENDANT: Okay.

8 THE COURT: Because you work all the way down  
9 in Mountain's Edge?

10 THE DEFENDANT: It's Roads Ranch.

11 THE COURT: Roads Ranch.

12 THE DEFENDANT: No, no, no, no, Silverado  
13 Ranch. I'm sorry employ.

14 THE COURT: Silverado Ranch. Okay. All right.

15 That's where I was coming up with the opposite  
16 corners of town, you know, when I was thinking of the  
17 child exchange and stuff like that.

18 I am going to give Mom the ability to allow  
19 someone else besides her to pick the children up, so long  
20 as it's not Josh. Josh can go with the person, but he  
21 cannot be the one who's driving.

22 THE DEFENDANT: Yes, ma'am.

23 MR. SOLINGER: With the -- the caveat because  
24 of the criminal cases, I'm not sure if the stay-away

1 orders out of those cases for myself and -- and Jessica  
2 may still be in place. So would Your Honor have a  
3 carve-out?

4 THE COURT: This -- this is going to be from  
5 school. Okay?

6 MR. SOLINGER: Got it.

7 THE COURT: Yeah, being able to pick them up  
8 from school, he can be -- he can pick them up from school  
9 because I don't want her to miss any work. She's -- you  
10 know, she's having a tough financial time. But he cannot  
11 be the one who's driving.

12 MR. SOLINGER: Okay. It's -- I guess the  
13 conditional time is throwing me off because if it was  
14 7:00. And so is it after school?

15 THE COURT: That's only if there is no school.

16 MR. SOLINGER: Oh, it's 7:00 if there's no  
17 school, otherwise it's from school.

18 THE COURT: Otherwise it's at school. Because  
19 I don't want y'all to have any contact with each other.  
20 I think y'all get along best when you're not looking at  
21 each other. Okey-doke?

22 MR. SOLINGER: Understood.

23 THE COURT: All right. You know, Mom, this is  
24 your opportunity to it make it or break it.

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: All right. Because you heard --  
3 you heard what Dr. Paglini said.

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Okay. I'm going to let you do this  
6 order.

7 MS. CRAMER: All right, Your Honor.

8 THE COURT: Make sure he signs it.

9 MS. CRAMER: Will do, Your Honor.

10 THE COURT: Thank you. And I'll see y'all  
11 in March.

12 MR. GOODWIN: Thank you, Your Honor.

13 MR. SOLINGER: Thank you, Your Honor.

14 THE COURT: Just for -- we're just a little  
15 over a month away.

16 (PROCEEDINGS CONCLUDED AT 2:12:02 P.M.)

17 \* \* \* \* \*

18  
19 ATTEST: I do hereby certify that I have truly  
20 and correctly transcribed the digital proceedings in the  
21 above-entitled case to the best of my ability.

22

23 /s/ Franesca St. John

24 Franesca St. John