Electronically Filed
11/30/2021
CLERK OF THE COURT

DOUGLAS BROFMAN
IN PROPER PERSON
168 HICKORY HEIGHTS AVENUE
LAS VEGAS, NEVADA, 89148
TELEPHONE: (216)-410-3507
FAX: (702) 964-1446
EMAIL: DouglasBrofmanPersonal@yahoo.com
DOUGLAS BROFMAN, IN PROPER PERSON

Electronically Filed
Dec 06 2021 02:16 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

DISTRICT COURT – FAMILY DIVISION

CLARK COUNTY, NEVADA

GINA FIORE, Plaintiff, vs. DOUGLAS BROFMAN, Defendant	CASE NO. D-19-600841-C DEPT NO. U

NOTICE OF APPEAL FROM ORDERS FROM HEARING ON OCTOBER 13, 2021

NOTICE IS HEREBY GIVEN that Douglas Brofman, Defendant above named, hereby appeals to the Supreme Court of Nevada from the Order(s) issued at the Hearing on October 13, 2021, in the above-entitled matter, namely:

////

////

Order Permitting Plaintiff Gina Fiore to Apply for a United States Passport for the Minor Child Nicolas Neil Brofman (D.O.B. 9/22/15) Without the Signature of Defendant Douglas Brofman, filed November 1, 2021, Notice of Entry of Order filed November 2, 2021;

////

////

Order Granting Motion to Set the Award of Attorney's Fees, filed November 1, 2021, Notice of Entry of Order, filed November 2, 2021;

////

RECEIVED
NOV 30 2021
CLERK OF THE COURT

Docket 83865 Document 2021-34704

////

Order After Hearing on October 13, 2021, filed November 1, 2021, Notice of Entry of Order filed November 2, 2021.

Dated this 30th day of November, 2021

DOUGLAS BROFMAN, IN PROPER PERSON

DOUGLAS BROFMAN
168 Hickory Heights Avenue
Las Vegas, Nevada 89148
DouglasBrofmanPersonal@yahoo.com

CERTIFICATE OF SERVICE

I, Douglas Brofman, declare under penalty of perjury under the law of the State of Nevada that the following is true and correct:

I served the foregoing Notice of Appeal, on the 30th day of November, 2021, via U.S. Certified Mail to:

Chesnoff & Schonfeld
Richard Schonfeld, Esq.
520 South Fourth Street
Las Vegas, Nevada 89101

DATED this 30th day of November, 2021

DOUGLAS BROFMAN
168 Hickory Heights Ave
Las Vegas, Nevada, 89148
DouglasBrofmanPersonal@yahoo.com

Electronically Filed
12/1/2021 1:18 PM
Steven D. Grierson
CLERK OF THE COURT

ASTA

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF CLARK

GINA FIORE,

Plaintiff(s)

vs.

DOUGLAS BROFMAN,

Defendant(s),

Case No: D-19-600841-C

Dept No: U

CASE APPEAL STATEMENT

1. Appellant(s): Douglas Brofman

2. Judge: Dawn R. Throne

3. Appellant(s): Douglas Brofman

Counsel:

Douglas Brofman
168 Hickory Heights Ave.
Las Vegas, NV 89148

4. Respondent (s): Gina Fiore

Counsel:

Richard A. Schonfeld, Esq.
520 S. Fourth St.
Las Vegas, NV 89101

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

Appellant Filed Application to Proceed in Forma Pauperis: No
Date Application(s) filed: N/A

9. Date Commenced in District Court: December 12, 2019

10. Brief Description of the Nature of the Action: DOMESTIC - Child Custody

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 82368, 83807

12. Case involves Child Custody and/or Visitation: Custody
Appeal involves Child Custody and/or Visitation: Custody

13. Possibility of Settlement: Unknown

Dated This 1 day of December 2021.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Douglas Brofman

Electronically Filed
11/30/2021
CLERK OF THE COURT

DOUGLAS BROFMAN
IN PROPER PERSON
168 HICKORY HEIGHTS AVENUE
LAS VEGAS, NEVADA, 89148
TELEPHONE: (216)-410-3507
FAX: (702) 964-1446
EMAIL: DouglasBrofmanPersonal@yahoo.com
DOUGLAS BROFMAN, IN PROPER PERSON

DISTRICT COURT – FAMILY DIVISION

CLARK COUNTY, NEVADA

GINA FIORE, Plaintiff, vs. DOUGLAS BROFMAN, Defendant	CASE NO. D-19-600841-C DEPT NO. U

CASE APPEAL STATEMENT OF APPEAL FROM ORDERS FROM HEARING ON OCTOBER 13, 2021

COMES NOW, Defendant, DOUGLAS BROFMAN, in Proper Person, and hereby files this Case Appeal Statement:

1. **Name of Appellant filing this case appeal statement:**

   The name of the Appellant is DOUGLAS BROFMAN.

2. **Identify the judge issuing the decision, judgment, or order appealed from:**

   The judge issuing the decision, judgment, or order appealed from is the Honorable DAWN THRONE.

3. **Identify each appellant and the name and address of counsel for each appellant:**

   The name and address of the Appellant is DOUGLAS BROFMAN, 168 Hickory Heights Avenue, Las Vegas, NV 89148.

4. **Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial**

RECEIVED
NOV 30 2021
CLERK OF THE COURT

counsel):

The name of the Respondent is GINA FIORE. Respondent is represented by RICHARD A. SCHONFELD, ESQ., 520 South Fourth Street, Las Vegas, NV 89101.

5. **Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):**

   There are no attorneys named above who are not licensed to practice law in Nevada.

6. **Indicate whether appellant was represented by appointed or retained counsel in the district court:**

   Appellant was represented by unbundled counsel, Willick Law Group, in the district court.

7. **Indicate whether appellant is represented by appointed or retained counsel on appeal:**

   Appellant is not represented by counsel on appeal.

8. **Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:**

   Appellant has not applied for leave to file in forma pauperis.

9. **Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):**

   The Complaint in this Case was filed on December 12, 2019. The Counterclaim was filed on December 31, 2019. Notice(s) of Entry of Order for the instant appeal was filed on November 2, 2021.

10. **Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:**

    This is a child custody case. Appellant appeals from a SPECIAL ORDER ENTERED

AFTER FINAL JUDGMENT, which (inter alia) awards Respondent attorney's fees by garnishing child support, reviews a Parenting Coordinator Decision, denies a motion to modify legal custody of the minor child, and makes miscellaneous findings about the Case record.

11. **Indicate whether the case has previously been the subject of an appeal to or original writ proceedings in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:**

This Case has a currently docketed appeal from a final judgment, docketed as SUPREME COURT NO. 83807, on November 18, 2021, short-captioned "Brofman vs. Fiore (Child Custody)".

Previously in this Case, Plaintiff filed a Writ Petition on January 22, 2021, docketed as No. 82368, captioned "Gina Fiore (Petitioner) vs. The Eighth Judicial District Court of the State of Nevada, in and for the County of Clark; and the Honorable Charles J. Hoskin, District Judge (Respondents), and Douglas Brofman, (Real Party in Interest)", which was denied by Order filed February 16, 2021.

12. **Indicate whether this appeal involves child custody or visitation:**

This Appeal DOES involve child custody and/or visitation.

13. **If this is a civil case, indicate whether this appeal involves the possibility of settlement:**

This Appeal may involve the possibility of settlement (Appellant is not currently represented by counsel on appeal).

Dated this 30th day of November, 2021

DOUGLAS BROFMAN, IN PROPER PERSON



DOUGLAS BROFMAN
168 Hickory Heights Avenue
Las Vegas, Nevada 89148
DouglasBrofmanPersonal@yahoo.com

CERTIFICATE OF SERVICE

I, Douglas Brofman, declare under penalty of perjury under the law of the State of Nevada that the following is true and correct:

I served the foregoing Case Appeal Statement, on the 30th day of November –, 2021, via U.S. Certified Mail to:

Chesnoff & Schonfeld
Richard A. Schonfeld, Esq.
520 South Fourth Street
Las Vegas, Nevada 89101

DATED this 30th day of November, 2021

DOUGLAS BROFMAN
168 Hickory Heights Ave
Las Vegas, Nevada, 89148
DouglasBrofmanPersonal@yahoo.com
(216) 410-3507

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. D-19-600841-C

Gina Fiore, Plaintiff.	§	Location:	**Department U**
vs.	§	Judicial Officer:	**Throne, Dawn R.**
Douglas Brofman, Defendant.	§	Filed on:	**12/12/2019**
	§	Case Number History:	

CASE INFORMATION

Statistical Closures
11/01/2021 Judgment Reached (Bench Trial)

Case Type: **Child Custody Complaint**

Case Status: **11/01/2021 Closed**

DATE	CASE ASSIGNMENT

Current Case Assignment

Case Number	D-19-600841-C
Court	Department U
Date Assigned	02/02/2021
Judicial Officer	Throne, Dawn R.

PARTY INFORMATION

Plaintiff	**Fiore, Gina**	**Schonfeld, Richard A.** *Retained* 7023845563(W)
Defendant	**Brofman, Douglas**	**Pro Se** 216-410-3507(H)
Subject Minor	**Brofman, Nicolas Neil**	

DATE	EVENTS & ORDERS OF THE COURT

EVENTS

12/01/2021 Case Appeal Statement
Filed By: Counter Claimant Brofman, Douglas
Case Appeal Statement

11/30/2021 Case Appeal Statement
Filed By: Counter Claimant Brofman, Douglas
[226] Case Appeal Statement os Appeal From Orders From Hearing on October 13, 2021

11/30/2021 Notice of Appeal
[225] Notice of Appeal From Orders From Hearing on October 13th, 2021

11/21/2021 Amended
Filed By: Counter Defendant Fiore, Gina
[224] Amended Notice of Entry of Order

11/17/2021 Case Appeal Statement
Filed By: Counter Claimant Brofman, Douglas
[223] Case Appeal Statement

11/15/2021 Case Appeal Statement
Filed By: Counter Claimant Brofman, Douglas
[222]

11/15/2021 Notice of Appeal
Filed By: Counter Claimant Brofman, Douglas

[221] Notice of Appeal

11/02/2021 Notice of Entry of Order
Filed By: Counter Defendant Fiore, Gina
[220] Notice of Entry of Order Granting Motion to Set the Award of Attorney's Fees

11/02/2021 Notice of Entry of Order
Filed By: Counter Defendant Fiore, Gina
[219] Notice of Entry of Order Permitting Plaintiff Gina Fiore to Apply for a United States Passport for the Minor Child Nicolas Neil Brofman Without the Signature of Defendant

11/02/2021 Notice of Entry of Order
Filed By: Counter Defendant Fiore, Gina
[218] Notice of Entry of Order After Hearing on October 13, 2021

11/01/2021 Order
[217] Order After Hearing on October 13, 2021

11/01/2021 Order
[216] Order Granting Motion to Set the Award of Attorney's Fees

11/01/2021 Order
[215] Order Permitting Plaintiff Gina Fiore to Apply for a United States Passport for the minor Child Nicolas Neil Brofman Without the Signature of Defendant Douglas Brofman

10/20/2021 Notice of Entry of Order
Filed By: Counter Defendant Fiore, Gina
[214] Notice of Entry of Order

10/20/2021 Order
[213] Order Denying Defendant's Motion for An Order to Show Cause to Hold Plaintiff Gina Fiore in Direct and Constructive Contempt

10/11/2021 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[212] Exhibit Appendix to Opposition to Plaintiff's Emergency Motion for Defendant to Provide Eye Drops for the Child and Request for Attorney's Fees and Costs and Countermotion for Defendant's Fees and Costs; Medical Decision-Making Ability to Defendant; Miscellaneous Relief

10/11/2021 Opposition and Countermotion
Filed By: Counter Claimant Brofman, Douglas
[211] Opposition to Plaintiff's Emergency Motion for Defendant to Provide Eye Drops for the Child and Request for Attorney's Fees and Costs and Countermotion for Defendant's Fees and Costs; Medical Decision-Making Ability to Defendant; Miscellaneous Relief

10/07/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[210] Exhibit Appendix A Through U to Plaintiff's List of Items to be Addressed at October 13, 2021 Hearing

10/07/2021 Miscellaneous Filing
Party: Counter Defendant Fiore, Gina
[209] Plaintiff's List of Items to be Addressed at October 13, 2021 Hearing

10/05/2021 Order Shortening Time
[208] Order Shortening Time

10/05/2021 Ex Parte Motion
Filed by: Counter Defendant Fiore, Gina
[207] Ex Parte Motion for An Oder Shortening Time on Hearing for Plaintiff's Emergency Motion for Defendant to Provide Eye Drops for the Child and Request Attorney's Fees and Costs

10/04/2021 Notice of Hearing
[206] Notice of Hearing

10/01/2021 Exhibits

Filed By: Counter Defendant Fiore, Gina
[205] Appendix Exhibit A Through Q to Emergency Motion for Defendant to Provide Eye Drops for the Child and Request for Attorney's Fees and Costs

10/01/2021 Motion
Filed By: Counter Defendant Fiore, Gina
[204] Emergency Motion for Defendant to Provide Eye Drops for the Child and Request for Attorney's Fees and Costs

09/28/2021 Response
Filed By: Counter Claimant Brofman, Douglas
[203] Response to Plaintiff's Counsel's Declaration in Support of Counsel's Request to Set the Award of Attorney's Fees

09/22/2021 Reply to Opposition
Filed by: Counter Defendant Fiore, Gina
[202] Reply to Opposition to Motion for An Order to Show Cause Why Douglas Brofman Should Not be Held in Contempt for Violating the Order Appointing the Parenting Coordinator and For Violating Joint Legal Custody Provisions and The Decision Regarding School Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff With the Records of Said Application - Opposition to Counter-Motion for Fees and Costs

09/20/2021 Declaration
Filed By: Counter Defendant Fiore, Gina
[201] Declaration in Support of Counsel's Request to Set the Award of Attorney's Fees Related to the Opposition to the Motion for An Order to Show Cause to Hold Plaintiff Gina Fiore in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; an Injunction to Place Disputed Funds in Trust and Related Relief

09/20/2021 Notice of Entry
[200] Notice of Entry of Holiday and Vacation Schedule

09/20/2021 Notice of Entry of Order
Filed By: Counter Defendant Fiore, Gina
[199] Notice of Entry of Order - Holiday and Vacation Schedule

09/20/2021 Order
[198] Holiday and Vacation Schedule

09/19/2021 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[197] Exhibit Appendix to Opposition to Plaintiff's Motion for an Order to Show Cause Why Douglas Brofman Should Not Be Held in Contempt for Violating Joint Legal Custody Provisions and the Decision Regarding School by Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff with the Record of Said Application and Written Notice to Not Renew Parenting Coordinator's Term and Countermotion for Fees and Costs

09/19/2021 Opposition to Motion
Filed by: Counter Claimant Brofman, Douglas
[196] Opposition to Plaintiff's Motion for an Order to Show Cause Why Douglas Brofman Should Not Be Held in Contempt for Violating Joint Legal Custody Provisions and the Decision Regarding School by Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff with the Record of Said Application and Written Notice to Not Renew Parenting Coordinator's Term and Countermotion for Fees and Costs

09/14/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[195] Exhibit Appendix A Through M to Opposition to Defendant's Motion Disputing Parenting Coordinator's Decision of August 16, 2021 and Related Relief - Request for Attorney's Fees and Costs

09/14/2021 Opposition to Motion
Filed by: Counter Defendant Fiore, Gina
[194] Opposition to Defendant's Motion Disputing Parenting Coordinator's Decision of August 16, 2021 and Related Relief - Request for Attorney's Fees and Costs

09/14/2021

	Exhibits Filed By: Counter Claimant Brofman, Douglas *[193] Exhibit Appendix to Defendant's Motion for an Order to Show Cause; To Hold Plaintiff in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; An Injunction to Place Disputed Funds in Trust; and Related Relief (second supplement)*
09/14/2021	Reply to Opposition Filed by: Counter Claimant Brofman, Douglas *[192] Reply to Plaintiff's Opposition and Defendant's Supplement to Defendant's Motion for An Order to Show Cause; To Hold Plaintiff, Gina Fiore, in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; an Injunction to Place Disputed Funds in Trust; and Related Relief*
09/10/2021	Notice of Entry *[191] Notice of Entry of Order for Camera Access to Court Proceedings*
09/10/2021	Order *[190] Order for Camera Access to Court Proceedings*
09/10/2021	Media Request and Order *[189] Media Request and Order for Camera Access to Court Proceedings*
09/07/2021	Notice of Entry *[188] Notice of Entry of Findings of Fact, Conclusions of Law and Decree of Custody*
09/07/2021	Findings of Fact, Conclusions of Law and Judgment *[187] Findings of Fact, Conclusions of law and Decree of Custody*
09/03/2021	Notice of Hearing *[186] Notice of Hearing*
09/03/2021	Exhibits Filed By: Counter Defendant Fiore, Gina *[185] Exhibit Appendix A Through T to Motion for An Order to Show Cause*
09/03/2021	Motion for Order to Show Cause Filed By: Counter Defendant Fiore, Gina *[184] Motion for Order to Show Cause Why Douglas Brofman Should Not be Held in Contempt of Violating the Order Appointing the Parenting Coordinator and For Violating Joint Legal Custody Provisions and The Decision Regarding School by Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff With the Records of Said Application*
08/31/2021	Notice of Hearing *[183] Notice of Hearing*
08/31/2021	Certificate of Service Filed by: Counter Claimant Brofman, Douglas *[182] Certificate of Service of Motion Disputing Parenting Coordinator's Decision of August 16, 2021, and Related Relief and its Exhibit Appendix*
08/31/2021	Exhibits Filed By: Counter Claimant Brofman, Douglas *[181] Exhibit Appendix to Motion Disputing Parenting Coordinator's Decision of August 16, 2021, and Related Relief*
08/31/2021	Notice of Seminar Completion EDCR 5.302 Filed by: Counter Defendant Fiore, Gina *[180] Plaintiff's Notice of UNLV Seminar Completion EDCR 5.07 Family*
08/31/2021	Motion Filed By: Counter Claimant Brofman, Douglas *[179] Motion Disputing Parenting Coordinator's Decision of August 16, 2021, and Related Relief*
08/26/2021	Exhibits Filed By: Counter Claimant Brofman, Douglas *[178] Exhibit Appendix to Defendant's Motion for an Order to Show Cause; To Hold Plaintiff in Direct and*

Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; An Injunction to Place Disputed Funds in Trust; and Related Relief (FIRST SUPPLEMENT)

08/24/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[177] Exhibit Appendix to Opposition to Defendant's Motion for An Order to Show Cause; To Hold Plaintiff Gina Fiore in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; An Injunction to Place Disputed Funds in Trust; and Related Relief

08/24/2021 Opposition to Motion
Filed by: Counter Defendant Fiore, Gina
[176] Opposition to Defendant's Motion for An Order to Show Cause: To Hold Plaintiff Gina Fiore in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs and Sanctions; An Injunction to Place Disputed Funds in Trust; and Related Relief

08/17/2021 Notice of Rescheduling of Hearing
[175] Notice of Rescheduling of Hearing

08/16/2021 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[174] Exhibit Appendix to Defendant's Motion for An Order to Show Cause; To Hold Plaintiff, Gina Fiore, in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; An Injunction to Place Disputed Funds in Trust; and Related Relief

08/16/2021 Notice of Hearing
[173] Notice of Hearing

08/16/2021 Motion
Filed By: Counter Claimant Brofman, Douglas
[172] Motion for An Order to Show Cause; To Hold Plaintiff, Gina Fiore, in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; an Injunction to Place Disputed Funds in Trust; and Related Relief

08/09/2021 Miscellaneous Filing
Party: Counter Defendant Fiore, Gina
[171] Letter to The Honorable Judge Throne

07/13/2021 Reply to Opposition
Filed by: Counter Defendant Fiore, Gina
[170] Reply to Opposition to Emergency Motion for Clarification and Enforcement of Vacation Time and Opposition to Countermotion

07/07/2021 Notice of Hearing
[169] Notice Of Hearing

07/06/2021 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[168] Exhibit Appendix to Opposition to Plaintiff's Emergency Motion for Clarification and Enforcement of Vacation Time and Defendant's Counter-Motion for Two Days of Make-up Time from Father's Day

07/06/2021 Opposition and Countermotion
Filed By: Counter Claimant Brofman, Douglas
[167] Defendant's Opposition to Plaintiff's Emergency Motion for Clarification and Enforcement of Vacation Time and Defendant's Counter-Motion for Two Days of Make-up Time from Father's Day Weekend

06/30/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[166] Exhibit Appendix A Through D to Plaintiff's Emergency Motion for Clarification and Enforcement of Vacation Time

06/30/2021 Motion for Clarification
Filed by: Counter Defendant Fiore, Gina
[165] Emergency Motion for Clarification and Enforcement of Vacation Time

06/15/2021 Exhibits

Filed By: Counter Defendant Fiore, Gina
[164] Corrected Exhibit Appendix 1 Through 23 to Plaintiff's Responsive Memorandum Regarding School Selection for Nicolas

06/15/2021 Memorandum
Filed By: Counter Defendant Fiore, Gina
[163] Corrected Plaintiff's Responsive Memorandum Regarding School Selection for Nicolas

06/15/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[162] Corrected Exhibit Appendix 1 Through 23 to Plaintiff's Responsive Memorandum Regarding School Selection for Nicolas

06/15/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[161] Exhibit Appendix 1 Through 21 to Plaintiff's Responsive Memorandum Regarding School Selection for Nicolas

06/15/2021 Memorandum
Filed By: Counter Defendant Fiore, Gina
[160] Plaintiff's Responsive Memorandum Regarding School Selection for Nicolas

06/08/2021 Memorandum
Filed By: Counter Claimant Brofman, Douglas
[159] Memorandum Brief and Exhibits of Factors to Determine School Choice

06/04/2021 Notice of Withdrawal
Filed by: Counter Claimant Brofman, Douglas
[158] Notice of Withdrawal as Attorney of Record and Confirmation as Continued Attorney of Record for Submission of the Custody Decree

05/20/2021 Ex Parte Motion
Filed by: Counter Defendant Fiore, Gina
[157] Ex-Parte Motion for An Order to Show Cause; to Enforce Provisions of The Mutual Behavior Order, for Appointment of Parenting Coordinator, for Sanctions, Attorney's Fees and Costs; and Related Relief

05/20/2021 Ex Parte Application for Order
Party: Counter Claimant Brofman, Douglas
[156] Ex Parte Application on Order to Show Cause for Gina Fiore's Contempt

05/18/2021 Objection
Filed By: Counter Defendant Fiore, Gina
[155] Objection to Authenticity and Genuineness of Documents Produced by Defendant

05/14/2021 Exhibits
[Corrected] Plaintiff's Exhibit List

05/14/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[154] Defendant's Exhibit List

05/12/2021 Pre-trial Memorandum
Filed By: Counter Claimant Brofman, Douglas
[153] Defendant's Pre-Trial Memorandum

05/12/2021 Affidavit of Service
Filed By: Counter Defendant Fiore, Gina
[152] Affidavit of Service

05/12/2021 Affidavit of Service
Filed By: Counter Defendant Fiore, Gina
[151] Affidavit of Service

05/11/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina

[150] Defendant's Exhibit List

05/10/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[149] Exhibit Appendix A and B to Plaintiff's Pretrial Memorandum

05/10/2021 Pre-trial Memorandum
Filed By: Counter Defendant Fiore, Gina
[148] Plaintiff's Pretrial Memorandum

05/07/2021 Notice of Entry of Stipulation and Order
Filed by: Counter Claimant Brofman, Douglas
[147] Notice of Entry of Order of Stipulation and Order for Release of Unredacted Body Camera Footage from Las Vegas Metropolitan Police Department

05/06/2021 Stipulation and Order
[146] Stipulation and Order for Release of Unredacted Body Camera Footage from Las Vegas Metropolitan Police Department

05/06/2021 Objection
Filed By: Counter Defendant Fiore, Gina
[145] Objection to Authenticity and Genuineness of Documents Produced by Defendant

05/06/2021 Objection
Filed By: Counter Claimant Brofman, Douglas
[144] Defendant, Douglas Brofman's, Authenticity Objection to Plaintiff, Gina Fiore's, Fourth, Fifth, and Sixth Supplemental 16.2 Witness Disclosure Statement and Identification of Witnesses and Documents for Purposes of Evidentiary Hearing on Defendant's Countermotion for Permission to Relocate as well as Other Proceedings that are Currently Scheduled for May 21, 2021

05/05/2021 Acceptance of Service
Filed by: Counter Defendant Fiore, Gina
[143] Acceptance of Service

05/03/2021 Subpoena
Filed By: Counter Defendant Fiore, Gina
[142] Subpoena - Courtney Young - Mediator

04/28/2021 Objection
Filed By: Counter Defendant Fiore, Gina
[141] Plaintiff Gina Fiore's Objection to The Deposition Notice and Subpoena of Jason Vallante

04/28/2021 Subpoena
Filed By: Counter Defendant Fiore, Gina
[140] Subpoena - Bianca Palacios

04/22/2021 Stricken Document
*[139] ***STRICKEN PER MINUTE ORDER 5/17/2021****

04/22/2021 Notice of Hearing
[138] Notice of Hearing

04/16/2021 Stricken Document
Filed by: Counter Claimant Brofman, Douglas
*[137] ***DOCUMENT STRICKEN PER MINUTE ORDER 4/16/21****

04/15/2021 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[136] Supplemental Exhibit to Ex Parte Application for an Amended Order for an Independent Medical Examination

04/13/2021 Notice of Hearing
[135] Notice of Scheduling of Hearing

04/13/2021 Objection

Filed By: Attorney Schonfeld, Richard A.; Counter Defendant Fiore, Gina
[134] Objection to Authenticity and Genuineness of Documents Produced by Defendant

04/12/2021 Notice
Filed By: Counter Claimant Brofman, Douglas
[133] Withdrawal of Defendant's Objection to Notice of Deposition

04/12/2021 Objection
Filed By: Counter Claimant Brofman, Douglas
[132] Objection to Re-Notice of Deposition of Douglas Brofman

04/09/2021 Affidavit
Filed By: Counter Defendant Fiore, Gina
[131] Advanced Psychiatric Associates Officer and Or/ Custodian of Record

04/08/2021 Opposition to Motion
Filed by: Attorney Schonfeld, Richard A.; Counter Defendant Fiore, Gina
[130] Plaintiff's Opposition to Defendant's Ex-Parte Motion to Expand the Scope of the IME

04/08/2021 Ex Parte Application for Order
Party: Counter Claimant Brofman, Douglas
[129] Ex Parte Application for an Amended Order for an Independent Medical Examination

04/08/2021 Supplement
Filed by: Counter Defendant Fiore, Gina
[128] Supplement/Correction to Ex-Parte Motion for An Independent Medical Examination and Supplement/Correction to Counter-Motion for Independent Medical Examination

04/07/2021 Notice of Entry of Order
Filed By: Counter Defendant Fiore, Gina
[127] Notice of Entry of Order

04/07/2021 Order
[126] Ex-Parte Order for Independent Medical Examination

04/07/2021 Ex Parte Motion
Filed by: Counter Defendant Fiore, Gina
[125] Ex-Parte Motion for An Independent Medical Examination

04/07/2021 Notice of Hearing
[124] Notice of Hearing

04/05/2021 Notice of Entry of Order
Filed By: Counter Claimant Brofman, Douglas
[123] Notice of Entry of Order for Independent Medical Examination of Plaintiff

04/05/2021 Order
[122] Order for Independent Medical Examination of Plaintiff

04/05/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[121] Exhibit Appendix A Through D to Opposition to Defendant's Ex-Parte Motion for An Independent Medical Examination/Counter-Motion for Defendant to Undergo An Independent Medical [Mental Health] Evaluation and To Continue Trial in The Event That Defendant's Motion is Granted

04/05/2021 Opposition and Countermotion
Filed By: Counter Defendant Fiore, Gina
[120] Opposition to Defendant's Ex-Parte Motion for An Independent Medical Examination/Counter-Motion for Defendant to Undergo An Independent Medical [Mental Health] Evaluation and To Continue Trial in The Event That Defendant's Motion is Granted

04/05/2021 Amended Notice
Filed by: Counter Defendant Fiore, Gina
[119] Amended Notice of Taking the Remote and Video Deposition of Douglas Brofman

04/05/2021 Subpoena
Filed By: Counter Defendant Fiore, Gina
[118] Subpoena

04/05/2021 Subpoena
Filed By: Counter Defendant Fiore, Gina
[117] Subpoena

04/02/2021 Ex Parte Application for Order
Party: Counter Claimant Brofman, Douglas
[116] Ex Parte Application for an Order for an Independent Medical Examination of Plaintiff, or in the Alternative an Order Shortening Time

04/02/2021 Re-Notice of Motion
Filed by: Unbundled Attorney Willick, Marshal Shawn; Counter Claimant Brofman, Douglas
[115] Defendant's Re-Notice of Motion for an Independent Medical Examination

04/02/2021 Objection
Filed By: Counter Defendant Fiore, Gina
[114] Objection to Notice of Psychological Independent Medical Examination of Plaintiff, Gina Fiore

04/02/2021 Objection
Filed By: Counter Defendant Fiore, Gina
[113] Objection to Authenticity and Genuineness of Documents Produced by Defendant

04/01/2021 Notice
[112] Notice of Psychological Independent Medical Examination of Plaintiff

03/30/2021 Notice of Entry of Order
Filed By: Counter Claimant Brofman, Douglas
[111] Notice of Entry of Order from March 11, 2021

03/29/2021 Order
[110] Order from March 11, 2021 Hearing

03/17/2021 Amended Notice
Filed by: Counter Defendant Fiore, Gina
[109] Amended Notice of Taking the Remote Deposition of Douglas Brofman

03/16/2021 Notice of Taking Deposition
Filed by: Counter Defendant Fiore, Gina
[108] Notice of Taking the Remote Deposition of Douglas Brofman

03/15/2021 Notice of Appearance
Party: Counter Claimant Brofman, Douglas
[107] Amended Notice of Appearance

03/12/2021 Order Setting Civil Non-Jury Trial
[106] Case and Evidentiary Hearing/Non-Jury Trial Management Order

03/10/2021 Notice of Appearance
Party: Counter Claimant Brofman, Douglas
[105] Notice of Unbundled Appearance

03/08/2021 Supplemental
Filed By: Counter Claimant Brofman, Douglas
[104] Defendant's Affidavit in Support of Supplement to Defendant's Motion for an Order to Show Cause

03/08/2021 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[103] Exhibit Appendix to Defendant's Supplement to Motion for an Order to Show Cause

03/08/2021 Supplement
Filed by: Counter Claimant Brofman, Douglas

[102] Defendant's Supplement to Motion for an Order to Show Cause

02/26/2021 Financial Disclosure Form
Filed by: Counter Claimant Brofman, Douglas
[101] Defendant's General Financial Disclosure Form

02/25/2021 Reply to Opposition
Filed by: Counter Defendant Fiore, Gina
[100] Reply to Opposition to Motion for Summary Judgment on Relocation Request/Custody and Visitation and Objection to Inadmissible Evidence

02/20/2021 Supplement
Filed by: Counter Claimant Brofman, Douglas
[99] Supplement to Defendant's Opposition to Plaintiff's Motion for Summary Judgment and as a Supplement to Defendant's Motion for an Independent Medical Examination and as Supplement to All Pleadings (Affidavit of Roberta Brofman and Affidavit of Neil Brofman)

02/20/2021 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[98] Appendix of Exhibits to Defendant's Opposition to Plaintiff's Motion for Summary Judgment

02/19/2021 Opposition to Motion
Filed by: Counter Claimant Brofman, Douglas
[97] Defendant's Opposition to Plaintiff's Motion for Summary Judgment on Relocation Request/Custody and Visitation

02/17/2021 Reply to Opposition
Filed by: Counter Claimant Brofman, Douglas
[96] Reply to Opposition to Motion for Independent Medical Examination, Continuance of Trial Date, Enlargement of Discovery, Release of Police Body-worn Camera Footage

02/08/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[95] Exhibit Appendix 1 Through 6 to Opposition to Defendant's Motion For an Independent Medical Examination; and Order Requesting Plaintiff Sign a HIPPA Release for Psychiatric and Psychological Records

02/08/2021 Opposition to Motion
Filed by: Counter Defendant Fiore, Gina
[94] Opposition to Defendant's Motion For an Independent Medical Examination; and Order Requesting Plaintiff Sign a HIPPA Release for Psychiatric and Psychological Records

02/04/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[93] Exhibit Appendix 1 Through 3 to Plaintiff's Pretrial Memorandum

02/04/2021 Memorandum
Filed By: Counter Defendant Fiore, Gina
[92] Plaintiff's Pretrial Memorandum

02/04/2021 Certificate of Service
Filed by: Counter Defendant Fiore, Gina
[91] Certificate of Electronic Service

02/04/2021 Notice of Hearing
[90] Notice of Hearing

02/04/2021 Family Court Motion Opposition Fee Information Sheet
Filed by: Counter Defendant Fiore, Gina
[89] Motion/Opposition Fee Information Sheet

02/04/2021 Exhibits
Filed By: Counter Defendant Fiore, Gina
[88] Exhibit Appendix 1 Through 9 to Plaintiff's Pretrial Motion for Summary Judgment

02/04/2021 Motion for Summary Judgment

Filed by: Attorney Schonfeld, Richard A.; Counter Defendant Fiore, Gina
[87] Plaintiff's Motion for Summary Judgment on Relocation Request/Custody and Visitation [Oral Argument Requested]

02/02/2021 Notice of Department Reassignment
[86] Notice of reassignment

02/02/2021 Notice of Hearing
[85] Notice of Hearing

02/01/2021 Ex Parte
Filed By: Counter Claimant Brofman, Douglas
[84] Ex parte Motion for an Order Shortening Time

01/31/2021 Family Court Motion Opposition Fee Information Sheet
Filed by: Counter Claimant Brofman, Douglas
[83] MOFI accompanying Motion Requesting Continuance, Discovery Enlargement, et cetera

01/31/2021 Motion
Filed By: Counter Claimant Brofman, Douglas
[82] Defendant's Motion to Request Continuance, Enlarge Discovery, et cetera

01/31/2021 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[81] Appendix and Exhibits to Motion Requesting Continuance, Discovery Enlargement, et cetera

01/29/2021 Financial Disclosure Form
Filed by: Counter Defendant Fiore, Gina
[80] General Financial Disclosure Form

01/29/2021 Response
Filed By: Counter Defendant Fiore, Gina
[79] Plaintiff Gina Fiore's Responses to Defendant Douglas Brofman's Objection to Plaintiff's Written Disclosures of January 14, 2021

01/28/2021 Objection
Filed By: Counter Claimant Brofman, Douglas
[78] Objection to Plaintiff's Supplemental Rule 16.2 Disclosures

01/21/2021 Notice of Entry of Order
[77] Notice of Entry of Order Remanding Case Back to Department U

01/21/2021 Order
[76] Order Remanding Case Back to Department U

01/20/2021 Notice of Department Reassignment
[75] Notice of Department Reassignment

01/19/2021 Peremptory Challenge
Filed By: Counter Defendant Fiore, Gina
[74] Peremptory Challenge of Judge Dawn R. Throne

01/14/2021 Supplemental
Filed By: Counter Defendant Fiore, Gina
[73] Plaintiff's Supplemental Rule 16.2 Witness Disclosure Statement and Identification of Witnesses and Documents for Purposes of Evidentiary Hearing on Defendant's Counter-Motion

01/13/2021 Notice of Entry of Order
Filed By: Counter Defendant Fiore, Gina
[72] Notice of Entry of Order

01/13/2021 Order
[71] Stipulated Order for Appointment of Parenting Coordinator

01/13/2021 Notice of Department Reassignment

[70]

01/12/2021 Notice of Rescheduling of Hearing
[69] Notice of Rescheduling of Hearing

01/07/2021 Notice of Department Reassignment
[68]

01/06/2021 Peremptory Challenge
Filed By: Counter Defendant Fiore, Gina
[67] Peremptory Challenge of Judge Amy M. Masten

01/05/2021 Supplemental Witness List
Filed by: Counter Defendant Fiore, Gina
[66] Plaintiff's Updated Witness Disclosure Statement for Purposes of Evidentiary Hearing on Defendant's Counter-Motion for Permission to Relocate [Redacted]

01/04/2021 Ex Parte Motion
Filed by: Counter Claimant Brofman, Douglas
[65] Ex parte Motion to Continue Trial Date

01/04/2021 Administrative Reassignment to Department M
Judicial Reassignment - From Judge Denise Gentile To Judge Amy M. Mastin

12/28/2020 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[64] (continued) Exhibits to Reply to Motion to Establish Holiday Schedule

12/28/2020 Reply to Opposition
Filed by: Counter Claimant Brofman, Douglas
[63] Reply to Opposition to Motion to Establish Holiday Schedule

12/21/2020 Exhibits
Filed By: Counter Defendant Fiore, Gina
[62] Exhibit Appendix to Opposition to Defendant's Motion for An Order to Establish Temporary Holiday Schedule for Christmas and/or New New Year's Eve and Day

12/21/2020 Opposition to Motion
Filed by: Counter Defendant Fiore, Gina
[61] Opposition to Defendant's Motion for An Order to Establish a Temporary Holiday Schedule for Christmas and/or New Year's Eve and Day 2020/2021; to Procure Dental Care for The Minor Child; for Attorney's Fees and Costs; and Related Relief

12/16/2020 Notice of Deposition
Filed by: Counter Defendant Fiore, Gina
[60] Notice of Taking the Remote Deposition of Douglas Brofman

12/15/2020 Certificate of Service
Filed by: Counter Claimant Brofman, Douglas
[59] Certificate of Service of Motion to Establish Holiday Schedule and Exhibits

12/15/2020 Notice of Hearing
[58] Notice of hearing

12/14/2020 Ex Parte
Filed By: Counter Claimant Brofman, Douglas
[57] Ex Parte Motion to Shorten Time on Motion to Establish Temporary Holiday Schedule

12/14/2020 Family Court Motion Opposition Fee Information Sheet
Filed by: Counter Claimant Brofman, Douglas
[56] MOFI accompanying Motion for Request for Order to Establish Holiday Schedule 2020

12/14/2020 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[55] Appendix and Exhibits to Motion Requesting an Order to Establish Holiday Schedule 2020

12/14/2020 Motion
Filed By: Counter Claimant Brofman, Douglas
[54] Motion to Request Order to Establish Holiday Schedule 2020/2021

12/01/2020 Notice of Entry of Order
Filed By: Counter Claimant Brofman, Douglas
[53] Notice of Entry of Order Granting Motion to Withdraw

11/27/2020 Order to Withdraw as Attorney of Record
[52] Order Granting Motion to Withdraw

11/10/2020 Notice of Seminar Completion EDCR 5.302
Filed by: Counter Claimant Brofman, Douglas
[51] Defendant's Notice of UNLV Seminar Completion EDCR 5.07 Family

10/27/2020 Notice of Entry of Order
Filed By: Counter Claimant Brofman, Douglas
[50] Notice of Entry of Order from Hearing on October 6, 2020

10/26/2020 Order
[49] Order from Hearing on October 6, 2020

10/19/2020 Notice of Hearing
[48] Notice of Hearing

10/15/2020 Motion
Filed By: Counter Claimant Brofman, Douglas
[47] Defendant's Counsel's Motion to Withdraw as Attorney of Record

10/07/2020 Order Setting Civil Non-Jury Trial
[46] Order Setting Civil Non-Jury Trial

10/05/2020 Certificate
Filed By: Counter Defendant Fiore, Gina
[45] Certificate of Completion Co-Parenting Care Program

09/30/2020 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[44] Appendix of Exhibits to Defendant s Reply to Plaintiff s Opposition to Father s Motion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order; for Sanctions, Attorney s Fees and Costs; and Related Relief and Defendant s Countermotion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order, for Appointment of a Parenting Coordinator, for Sanctions, Attorney s Fees, and Costs and Related Relief

09/30/2020 Reply to Opposition
Filed by: Counter Claimant Brofman, Douglas
[43] Defendant s Reply to Plaintiff s Opposition to Father s Motion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order; for Sanctions, Attorney s Fees and Costs; and Related Relief and Defendant s Countermotion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order, for Appointment of a Parenting Coordinator, for Sanctions, Attorney s Fees, and Costs and Related Relief

09/14/2020 List of Witnesses
Filed By: Counter Defendant Fiore, Gina
[42] Plaintiff's Witness Disclosure Statement for Purposes of Evidentiary Hearing on Defendant's Counter-Motion for Permission to Relocate

08/25/2020 Exhibits
Filed By: Counter Defendant Fiore, Gina
[41] Exhibit Appendix 1 Through 12 to Opposition to Defendant's Motion for An Order to Show Cause; to Enforce Provisions of The Mutual Behavior Order; For Sanctions, Attorney's Fees and Costs; and Related Relief - Counter-Motion for An Order to Show Cause; to Enforce Provisions of The Mutual Behavior Order, for Appointment of Parenting Coordinator, for Sanctions, Attorney's Fees and Costs; and Related Relief

08/25/2020 Opposition and Countermotion
Filed By: Attorney Schonfeld, Richard A.; Counter Defendant Fiore, Gina

[40] Plaintiff's Opposition to Defendant's Motion for An Order to Show Cause; to Enforce Provisions of The Mutual Behavior Order; for Sanctions, Attorney's Fees and Costs; and Related Relief - Counter-Motion for An Order to Show Cause; to Enforce Provisions of The Mutual Behavior Order, for Appointment of a Parenting Coordinator, for Sanctions, Attorney's Fees and Costs; and Related Relief

08/19/2020 Ex Parte
Filed By: Counter Claimant Brofman, Douglas
[39] Defendant's Ex Parte Motion for Order to Show Cause

08/18/2020 Notice of Hearing
[38] Notice of Hearing

08/14/2020 Family Court Motion Opposition Fee Information Sheet
Filed by: Counter Claimant Brofman, Douglas
[37] MOFI

08/14/2020 Exhibits
Filed By: Counter Claimant Brofman, Douglas
[36] Appendix of Exhibits to Defendant's Motion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order; for Sanctions, Attorney's Fees and Costs; and Related Relief

08/14/2020 Motion
Filed By: Counter Claimant Brofman, Douglas
[35] Defendant's Motion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order; for Sanctions, Attorney's Fees and Costs; and Related Relief

07/22/2020 Notice of Entry of Stipulation and Order
Filed by: Counter Defendant Fiore, Gina
[34] Notice of Entry of Order

07/22/2020 Stipulation and Order
[33] Stipulation and Order Resolving Schooling & Activities for 2020-2021 Yr

06/22/2020 Notice of Entry of Order
Filed By: Counter Claimant Brofman, Douglas
[32] Notice of Entry of Order from Hearing on June 3, 2020

06/19/2020 Order
[31] Order from Hearing on June 3, 2020

06/04/2020 Behavior Order
[30] Mutual Behavior Order

06/03/2020 Order
[29] Order for OurFamily Wizard

06/02/2020 Notice
Filed By: Counter Defendant Fiore, Gina
[28] Notice to Appear Telephonic Appearance on June 3, 2020

06/02/2020 Notice
Filed By: Counter Claimant Brofman, Douglas
[27] Notice of Intent to Appear Telephonically - Defendant

04/20/2020 Notice of Entry of Stipulation and Order
Filed by: Counter Claimant Brofman, Douglas
[26] Notice of Entry of Stipulation and Order

04/15/2020 Stipulation and Order
[25] Stipulation and Order to Continue Hearing on May 6, 2020

03/13/2020 Notice of Entry of Stipulation and Order
Filed by: Counter Claimant Brofman, Douglas
[24] Notice of Entry of Stipulation and Order to Continue Hearing on April 7, 2020

03/13/2020	Stipulation and Order Filed By: Counter Claimant Brofman, Douglas *[23] Stipulation and Order to Continue Hearing on April 7, 2020*
02/19/2020	Exhibits Filed By: Counter Defendant Fiore, Gina *[22] Exhibit Appendix A through I to Supplement to Opposition to Defendant's Counter-Motion for Primary Physical Custody of Minor Child; Child Support; Permission to Relocate With the Child From the State of Nevada; Mutual Behavioral Order; Attorney's Fees and Related Relief*
02/19/2020	Supplement Filed by: Counter Defendant Fiore, Gina *[21] Supplement to Opposition to Defendant's Counter-Motion for Primary Physical Custody of Minor Child; Child Support; Permission to Relocate WIth the Child From the State of Nevada; Mutual Behavioral Order; Attorney';s Fees and Related Relief*
02/19/2020	Ex Parte Application Filed by: Counter Defendant Fiore, Gina *[20] Plaintiff's Ex Parte Application to Seal File*
02/18/2020	Notice of Entry of Stipulation and Order Filed by: Counter Claimant Brofman, Douglas *[19] Notice of Entry of Stipulation and Order to Continue Hearing on March 18, 2020*
02/18/2020	Stipulation and Order Filed By: Counter Claimant Brofman, Douglas *[18] Stipulation and Order to Continue Hearing on March 18, 2020*
02/10/2020	NRCP 16.2 Case Management Conference Order *[17] Order Setting Case Management Conferene and Directing Compliance with NRCP 16.205*
01/28/2020	Order for Family Mediation Center Services *[16] Order for Family Mediation Center Services*
01/23/2020	Substitution of Attorney Filed By: Counter Defendant Fiore, Gina *[15] Substitution of Attorney*
01/22/2020	Reply to Opposition Filed by: Counter Defendant Fiore, Gina *[14] Reply To Defendant's Opposition To Plaintiff's Motion For Joint Legal and Joint Physical Custody of the Minor Child; For Child Support To Be Calculated; And Related Relief and Opposition To Defendant's Countermotion For Primary Physical Custody of Minor Child; Child Support; Permission To Relocate With the Child From the State of Nevada; Mutual Behavioral Order; Attorney's Fees and Related Relief. ;*
01/14/2020	Financial Disclosure Form Filed by: Counter Claimant Brofman, Douglas *[13] Financial Disclosure Form - Doug*
01/14/2020	Family Court Motion Opposition Fee Information Sheet Filed by: Counter Claimant Brofman, Douglas *[12] MOFI*
01/14/2020	Opposition and Countermotion Filed By: Counter Claimant Brofman, Douglas *[11] Defendant's Opposition to Plaintiff's Motion for Joint Legal and Joint Physical Custody of Minor Child; for Child Support to be Calculated; and Related Relief and Defendant's Countermotion for Primary Physical Custody of Minor Child; Child Support; Permission to Relocate With the Child From the State of Nevada; Mutual Behavioral Order; Attorney's Fees; and Related Relief*
01/07/2020	Reply to Counterclaim Filed By: Counter Defendant Fiore, Gina *[10] Reply To Counterclaim*
12/31/2019	Answer and Counterclaim - Child Custody

Filed by: Counter Claimant Brofman, Douglas
[9] Answer to Complaint and Counterclaim for Custody

12/24/2019 Affidavit of Service
[8] Affidavit of Service

12/16/2019 Notice of Hearing
[7] Notice of Hearing

12/13/2019 Financial Disclosure Form
Filed by: Counter Defendant Fiore, Gina
[6] Financial Disclosure Form

12/13/2019 Motion
Filed By: Counter Defendant Fiore, Gina
[5] Motion For Joint Legal and Joint Physical Custody of the Minor Child; For Child Support To Be Calculated; and Related Relief

12/13/2019 Joint Preliminary Injunction
[4] Joint Preliminary Injunction

12/12/2019 Summons Electronically Issued - Service Pending
Filed by: Counter Defendant Fiore, Gina
[3] Summons

12/12/2019 Request for Issuance of Joint Preliminary Injunction
Filed By: Counter Defendant Fiore, Gina
[2] Request For Issuance of Joint Preliminary Injunction

12/12/2019 Complaint for Custody
Filed by: Counter Defendant Fiore, Gina
[1] Complaint For Custody

HEARINGS

10/13/2021 **All Pending Motions** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
MOTION DISPUTING PARENTING COORDINATOR'S DECISION OF AUGUST 16, 2021, AND RELATED RELIEFIN THE INTEREST OF PUBLIC SAFETY DUE TO THE CORONAVIRUS PANDEMIC, ALL PARTIES WERE PRESENT VIA VIDEO CONFERENCE THROUGH THE BLUEJEANS APPLICATION MOTION DISPUTING PARENTING COORDINATOR'S DECISION OF AUGUST 16, 2021, AND RELATED RELIEF EMERGENCY MOTION FOR DEFENDANT TO PROVIDE EYE DROPS FOR THE CHILD AND REQUEST FOR ATTORNEY'S FEES AND COSTS OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION FOR DEFENDANT TO PROVIDE EYE DROPS FOR THE CHILD AND REQUEST FOR ATTORNEY'S FEES AND COSTS AND COUNTERMOTION FOR DEFENDANT'S FEES AND COSTS; MEDICAL DECISION-MAKING ABILITY TO DEFENDANT; MISCELLANEOUS RELIEF OPPOSITION TO PLAINTIFF'S MOTION FOR AN ORDER TO SHOW CAUSE WHY DOUGLAS BROFMAN SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING JOINT LEGAL CUSTODY PROVISIONS AND THE DECISION REGARDING SCHOOL BY SECRETLY APPLYING FOR NICOLAS TO ATTEND FOOTHILLS ELEMENTARY SCHOOL AND FAILING TO PROVIDE PLAINTIFF WITH THE RECORD OF SAID APPLICATION AND WRITTEN NOTICE TO NOT RENEW PARENTING COORDINATOR'S TERM AND COUNTERMOTION FOR FEES AND COSTS REPLY TO OPPOSITION TO MOTION FOR AN ORDER TO SHOW CAUSE WHY DOUGLAS BROFMAN SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING THE ORDER APPOINTING THE PARENTING COORDINATOR AND FOR VIOLATING JOINT LEGAL CUSTODY PROVISIONS AND THE DECISION REGARDING SCHOOL SECRETLY APPLYING FOR NICOLAS TO ATTEND FOOTHILLS ELEMENTARY SCHOOL AND FAILING TO PROVIDE PLAINTIFF WITH THE RECORDS OF SAID APPLICATION - OPPOSITION TO COUNTER-MOTION FOR FEES AND COSTS RE: COURT'S DECISION ON ATTORNEY'S FEES AND COSTS STATUS CHECK RE: COURT'S DECISION ON ATTORNEY'S FEES AND COSTS

MINUTES
Matter Heard;
Journal Entry Details:

MOTION DISPUTING PARENTING COORDINATOR'S DECISION OF AUGUST 16, 2021, AND RELATED RELIEF IN THE INTEREST OF PUBLIC SAFETY DUE TO THE CORONAVIRUS PANDEMIC, ALL PARTIES WERE PRESENT VIA VIDEO CONFERENCE THROUGH THE BLUEJEANS APPLICATION MOTION DISPUTING PARENTING COORDINATOR'S DECISION OF AUGUST 16, 2021, AND RELATED RELIEF EMERGENCY MOTION FOR DEFENDANT TO PROVIDE EYE DROPS FOR THE CHILD AND REQUEST

FOR ATTORNEY'S FEES AND COSTS OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION FOR DEFENDANT TO PROVIDE EYE DROPS FOR THE CHILD AND REQUEST FOR ATTORNEY'S FEES AND COSTS AND COUNTERMOTION FOR DEFENDANT'S FEES AND COSTS; MEDICAL DECISION-MAKING ABILITY TO DEFENDANT; MISCELLANEOUS RELIEF OPPOSITION TO PLAINTIFF'S MOTION FOR AN ORDER TO SHOW CAUSE WHY DOUGLAS BROFMAN SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING JOINT LEGAL CUSTODY PROVISIONS AND THE DECISION REGARDING SCHOOL BY SECRETLY APPLYING FOR NICOLAS TO ATTEND FOOTHILLS ELEMENTARY SCHOOL AND FAILING TO PROVIDE PLAINTIFF WITH THE RECORD OF SAID APPLICATION AND WRITTEN NOTICE TO NOT RENEW PARENTING COORDINATOR'S TERM AND COUNTERMOTION FOR FEES AND COSTS REPLY TO OPPOSITION TO MOTION FOR AN ORDER TO SHOW CAUSE WHY DOUGLAS BROFMAN SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING THE ORDER APPOINTING THE PARENTING COORDINATOR AND FOR VIOLATING JOINT LEGAL CUSTODY PROVISIONS AND THE DECISION REGARDING SCHOOL SECRETLY APPLYING FOR NICOLAS TO ATTEND FOOTHILLS ELEMENTARY SCHOOL AND FAILING TO PROVIDE PLAINTIFF WITH THE RECORDS OF SAID APPLICATION - OPPOSITION TO COUNTER-MOTION FOR FEES AND COSTS RE: COURT'S DECISION ON ATTORNEY'S FEES AND COSTS STATUS CHECK RE: COURT'S DECISION ON ATTORNEY'S FEES AND COSTS. Court addressed the documentation provided by Defendant regarding judicial election contribution limits. Discussion regarding flu vaccine and co-parenting between parties. Discussion regarding whether or not Mr.Schonfeld should be awarded attorney's fees and other related issues. Defendant further argues attorney's fees, child custody issues, previous court orders, oral arguments, and other related issues. Mr. Schonfeld further discussed campaign contributions, chess club, and other related issues. Mr. Schonfeld represented Plaintiff would be maintaining custody of the passport, and if Defendant needs the passport, he needs to request it. Further discussion. Court stated its FINDINGS and COURT ORDERED the following, 1. The OBJECTION to the Parenting Coordinator's decision regarding REALLOCATION OF FEES shall be DENIED and reduced to judgment against Defendant. 2. The current Parenting Coordinator shall be RELIEVED. If either Party owes any OUTSTANDING FEES, the ORDER shall STAND that Parties are responsible for the FEES 50/50. 3. Plaintiff's request for a new PARENTING COORDINATOR shall be DENIED. 4. Plaintiff's shall provide an ORDER that she has SOLE AUTHORITY to obtain a PASSPORT for the child. 6. Court shall award $750.00 in FEES to Plaintiff from Defendant. 7. Mr. Schonfeld shall prepare an ORDER and JUDGEMENT for $2500.00 incorporating the BRUNZELL factors, including the statements regarding his experience and normal billing rate, and shall be reduced to judgment against Defendant. 8. FACETIME opportunity shall be on MONDAYS, Wednesday, and SUNDAYS. The non-custodial parent has the right to CALL between 7:00 p.m. and 7:30 p.m. However, the custodial parent shall have the child available during that half-hour window, and there shall be NO FLEXIBILITY or request to accommodate a change. 9. Plaintiff shall apply the $5725.00 that Defendant owes to the CHILD SUPPORT each month until it is satisfied beginning November 2021. 10. The request to add HALLOWEEN to the holiday schedule shall be DENIED. 11. Plaintiff shall not send the appropriate clothes if Defendant does not have the appropriate clothes for the child. 12. The request for the CHESS CLUB shall be GRANTED. Defendant shall pay 100 PERCENT of the COSTS up-front, and that shall be uploaded on OUR FAMILY WIZARD as a shared expense, but Defendant shall be responsible for paying initially for that. 13. The request for THERAPY shall be GRANTED. The Parties shall use a provider covered by one (1) or both HEALTH INSURANCES. Court shall not GRANT the request as to any reports to the Court; it shall be for therapeutic purposes only for the child. Plaintiff shall pick THREE (3) providers that are covered by Plaintiff's insurance and send THREE (3) NAMES to OUR FAMILY WIZARD within SEVEN (7) DAYS. Defendant shall have SEVEN (7) DAYS to investigate and pick one (1) of those three (3): If Defendant does not do so by the deadline, Plaintiff shall choose the one (1) she wants. 14. Communication Protocol request shall be GRANTED. Communication Protocol recommended by the Parenting Coordinator effective 4/8/21 shall be ADOPTED and put in the Court order everything EXCEPT for Parenting Coordinator is to be copied on the e-mails is replaced by OUR FAMILY WIZARD. 15. The request for ADDITIONAL REALLOCATION shall be DENIED. 16. Plaintiff's request for Defendant to take the UNLV CO-PARENTING CLASS shall be DENIED. 17. In December, the Parties shall make an appointment with the Ophthalmologist, provide all the records, and allow the Ophthalmologist to diagnose the issue and see what they recommend. 18. Defendant's request for SOLE LEGAL over MEDICAL shall be DENIED. 19. Neither Party shall be allowed to CONTROL what is going on in the other parent's HOME unless it rises to the level of ABUSE and NEGLECT. 20. Defendant's request for an EVIDENTIARY HEARING shall be DENIED. 21. The Parties shall provide TIMELY notice for the TRIP, and as long as there is no good faith basis to object to the proposed trip, the other parent would need to sign the letter for the minor child's trip. Plaintiff shall sign the letter and provide the passport to Plaintiff. Mr. Schonfeld to prepare the order for today's hearing and e-mail Defendant.;

10/13/2021 **Opposition & Countermotion** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Opposition to Plaintiff's Emergency Motion for Defendant to Provide Eye Drops for the Child and Request for Attorney's Fees and Costs and Countermotion for Defendant's Fees and Costs; Medical Decision-Making Ability to Defendant; Miscellaneous Relief

10/13/2021 **Motion** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Emergency Motion for Defendant to Provide Eye Drops for the Child and Request for Attorney's Fees and Costs

10/13/2021 **Status Check** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Re: Court's Decision on Attorney's Fees and Costs

10/13/2021 **Hearing** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Reply to Opposition to Motion for An Order to Show Cause Why Douglas Brofman Should Not be Held in Contempt for Violating the Order Appointing the Parenting Coordinator and For Violating Joint Legal Custody Provisions and The Decision Regarding School Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff With the Records of Said Application - Opposition to Counter-Motion for Fees and Costs

10/13/2021 **Opposition & Countermotion** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Opposition to Plaintiff's Motion for an Order to Show Cause Why Douglas Brofman Should Not Be Held in Contempt for Violating Joint Legal Custody Provisions and the Decision Regarding School by Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff with the Record of Said Application and Written Notice to Not Renew Parenting Coordinator's Term and Countermotion for Fees and Costs

10/13/2021 **Opposition** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Opposition to Defendant's Motion Disputing Parenting Coordinator's Decision of August 16, 2021 and Related Relief - Request for Attorney's Fees and Costs

10/13/2021 **Motion** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Motion for Order to Show Cause Why Douglas Brofman Should Not be Held in Contempt of Violating the Order Appointing the Parenting Coordinator and For Violating Joint Legal Custody Provisions and The Decision Regarding School by Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff With the Records of Said Application

10/13/2021 **Motion** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Motion Disputing Parenting Coordinator's Decision of August 16, 2021, and Related Relief

09/20/2021 **All Pending Motions** (10:30 AM) (Judicial Officer: Throne, Dawn R.)
Motion For Order To Show Cause Why Douglas Brofman Should Not Be Held In Contempt Of Violating The Order Appointing The Parenting Coordinator And For Violating Joint Legal Custody Provisions And The Decision Regarding School By Secretly Applying For Nicolas To Attend Foothills Elementary School And Failing To Provide Plaintiff With The Records Of Said Application Motion Disputing Parenting Coordinator's Decision Of August 16, 2021, And Related Relief Opposition To Defendant's Motion Disputing Parenting Coordinator's Decision Of August 16, 2021 And Related Relief - Request For Attorney's Fees And Costs Pltf's Emergency Motion For Clarification And Enforcement Of Vacation Time (Atty Schonfeld/Plaintiff In Person) Defendant's Opposition To Plaintiff's Emergency Motion For Clarification And Enforcement Of Vacation Time And Defendant's Counter-Motion For Two Days Of Make-Up Time From Father's Day Weekend Motion For An Order To Show Cause; To Hold Plaintiff, Gina Fiore, In Direct And Constructive Contempt For Perjury And Falsifying Evidence; For Fees And Costs As Sanctions; An Injunction To Place Disputed Funds In Trust; And Related Opposition To Defendant's Motion For An Order To Show Cause: To Hold Plaintiff Gina Fiore In Direct And Constructive Contempt For Perjury And Falsifying Evidence; For Fees And Costs And Sanctions; An Injunction To Place Disputed Funds In Trust; And Related Relief Reply To Plaintiff's Opposition And Defendant's Supplement To Defendant's Motion For An Order To Show Cause; To Hold Plaintiff, Gina Fiore, In Direct And Constructive Contempt For Perjury And Falsifying Evidence; For Fees And Costs As Sanctions; An Injunction To Place Disputed Funds In Trust; And Related Relief

MINUTES

Matter Heard;
Journal Entry Details:

MOTION FOR ORDER TO SHOW CAUSE WHY DOUGLAS BROFMAN SHOULD NOT BE HELD IN CONTEMPT OF VIOLATING THE ORDER APPOINTING THE PARENTING COORDINATOR AND FOR VIOLATING JOINT LEGAL CUSTODY PROVISIONS AND THE DECISION REGARDING SCHOOL BY SECRETLY APPLYING FOR NICOLAS TO ATTEND FOOTHILLS ELEMENTARY SCHOOL AND FAILING TO PROVIDE PLAINTIFF WITH THE RECORDS OF SAID APPLICATION MOTION DISPUTING PARENTING COORDINATOR'S DECISION OF AUGUST 16, 2021, AND RELATED RELIEF OPPOSITION TO DEFENDANT'S MOTION DISPUTING PARENTING COORDINATOR'S DECISION OF AUGUST 16, 2021 AND RELATED RELIEF - REQUEST FOR ATTORNEY'S FEES AND COSTS PLTF'S EMERGENCY MOTION FOR CLARIFICATION AND ENFORCEMENT OF VACATION TIME (ATTY SCHONFELD/PLAINTIFF IN PERSON) DEFENDANT'S OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION FOR CLARIFICATION AND ENFORCEMENT OF VACATION TIME AND DEFENDANT'S COUNTER-MOTION FOR TWO DAYS OF MAKE-UP TIME FROM FATHER'S DAY WEEKEND MOTION FOR AN ORDER TO SHOW CAUSE; TO HOLD PLAINTIFF, GINA FIORE, IN DIRECT AND CONSTRUCTIVE CONTEMPT FOR PERJURY AND FALSIFYING EVIDENCE; FOR FEES AND COSTS AS SANCTIONS; AN INJUNCTION TO PLACE DISPUTED FUNDS IN TRUST; AND RELATED OPPOSITION TO DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE: TO HOLD PLAINTIFF GINA FIORE IN DIRECT AND CONSTRUCTIVE CONTEMPT FOR PERJURY AND FALSIFYING EVIDENCE; FOR FEES AND COSTS AND SANCTIONS; AN INJUNCTION TO PLACE DISPUTED FUNDS IN TRUST; AND RELATED RELIEF REPLY TO PLAINTIFF'S OPPOSITION AND DEFENDANT'S SUPPLEMENT TO DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE; TO HOLD PLAINTIFF, GINA FIORE, IN DIRECT AND CONSTRUCTIVE CONTEMPT FOR PERJURY AND

FALSIFYING EVIDENCE; FOR FEES AND COSTS AS SANCTIONS; AN INJUNCTION TO PLACE DISPUTED FUNDS IN TRUST; AND RELATED RELIEF COURT NOTED that Defendant met with the Court's law clerk and reviewed the psychological reports from Dr. Holland. Court addressed the pleadings on file with counsel and the parties. Court recited the vacation times on the record for clarification to counsel and the parties. Court addressed the Defendant's Motion for the Order to Show Cause and provided the legal standard for each request. Discussion regarding fraudulent text messages and child custody. Mr. Schonfeld represented that Court did not address Plaintiff's perjury and would like that address because Defendant has served Mr. Schonfeld with an unfiled RULE 11 Motion for Sanctions; if he does file, it would be Res Judicata. Further discussion. Court stated its FINDINGS and COURT ORDERED the following, 1. The MOTION hearing scheduled 10/6/21 at 9:30 a.m. shall be RESCHEDULED to 10/13/21 at 9:30 a.m. 2. Court shall strike the SUPPLEMENT EXHIBITS filed by Defendant on 8/26/21 ITEM NUMBER 178. 3. Plaintiff's MOTION for CLARIFICATION SUMMER VACATION shall be GRANTED. 4. EVEN NUMBER of YEARS, Defendant's SUMMER VACATION shall begin at 3:30 p.m. on the 1 ST Friday in June and conclude at 3:30 p.m. on the 4TH Friday in June. Plaintiff's SUMMER VACATION in EVEN NUMBER OF YEARS shall begin at 3:30 p.m. on the 4TH Friday in June through 3:30 p.m. on the Friday THREE (3) WEEKS later. In ODD NUMBER OF YEARS, Defendant's SUMMER VACATION shall begin at 3:30 p.m. on the THIRD Friday in June and conclude at 3:30 p.m. on Friday THREE (3) WEEKS later. Plaintiff's SUMMER VACATION in ODD NUMBER of YEARS will begin at 3:30 p.m. on Friday that Defendant's VACATION ENDS and conclude on the Friday 3;30 p.m. THREE (3) WEEKS later. 5. The Parties' next TWO SUMMERS shall be in 2022; Defendant shall have SUMMER VACATION from 3:30 p.m. on June 3, 2022, to 3:30 p.m. on June 24, 2022, and Plaintiff shall have VACATION from 3:30 p.m. on June 24 to 3:30 p.m. on July 15. In 2023, Defendant shall have SUMMER VACATION from 3:30 p.m. on June 16 to 3:30 p.m. on July 7TH, and Plaintiff's SUMMER VACATION shall be from 3:30 p.m. on July 7TH through 3:30 p.m. on July 28. 6. Plaintiff shall be ENTITLED to THREE (3) DAYS of makeup for SUMMER VISITATION, which her VACATION in 2022 shall conclude at 3:30 p.m. on July 18. 7. Defendant's MOTION FOR AN ORDER TO SHOW CAUSE shall be DENIED. 8. Defendant's request for a new trial shall be DENIED. 9. Defendant's request to SET ASIDE the FINDINGS of FACT INCLUSION OF LAW and DECREE of CUSTODY under NRCP 60 shall be DENIED. 10. Court DENIED both parties requested ORDERS on the SCHOOL for the minor child. 11. Defendant's request for an INJUNCTION shall be DENIED. 12. Defendant's request for ANY ATTORNEY'S FEES shall be DENIED. 13 COUNTERMOTON for COSTS and FEES shall be GRANTED to Plaintiff. 15. Plaintiff shall be entitled to an award of ATTORNEY'S FEES and COSTS from Defendant Pursuant to EDCR 7.60(b) and NRS 18.010. Plaintiff shall have until September 27, 2021, to file BRUNZELL AFFIDAVIT and MEMORANDUM of FEES and COSTS with billing statements attached and serve that on Defendant. Defendant shall have until October 4, 2021, to file any written OPPOSITION to the amount requested by Plaintiff. The Court shall render a decision either at the 10/13/21 hearing or sooner. 16/ Each Party shall have the right to submit FIVE (5) page SUPPLEMENTAL BRIEF before the 10/13/21 hearing on any other parenting issues they want the Court to address. The Court reserves the right to do that or not whatever the Court finds that is in the best interest of the child. Mr. Schonfeld to prepare the order for today's hearing. ;

09/20/2021 **Hearing** (10:30 AM) (Judicial Officer: Throne, Dawn R.)
Reply to Plaintiff's Opposition and Defendant's Supplement to Defendant's Motion for An Order to Show Cause; To Hold Plaintiff, Gina Fiore, in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; an Injunction to Place Disputed Funds in Trust; and Related Relief
Matter Heard;

09/20/2021 **Opposition** (10:30 AM) (Judicial Officer: Throne, Dawn R.)
Opposition to Defendant's Motion for An Order to Show Cause: To Hold Plaintiff Gina Fiore in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs and Sanctions; An Injunction to Place Disputed Funds in Trust; and Related Relief
Matter Heard;

09/20/2021 **Motion** (10:30 AM) (Judicial Officer: Throne, Dawn R.)
Motion for An Order to Show Cause; To Hold Plaintiff, Gina Fiore, in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; an Injunction to Place Disputed Funds in Trust; and Related
Denied;

09/20/2021 **Opposition & Countermotion** (10:30 AM) (Judicial Officer: Throne, Dawn R.)
Defendant's Opposition to Plaintiff's Emergency Motion for Clarification and Enforcement of Vacation Time and Defendant's Counter-Motion for Two Days of Make-up Time from Father's Day Weekend
Denied;

09/20/2021 **Motion** (10:30 AM) (Judicial Officer: Throne, Dawn R.)
Pltf's Emergency Motion For Clarification And Enforcement Of Vacation Time (Atty Schonfeld/Plaintiff In Person)
Granted;

07/01/2021 **Minute Order** (9:00 AM) (Judicial Officer: Throne, Dawn R.)
Minute Order - No Hearing Held;
Journal Entry Details:

(MINUTE ORDER/NO HEARING HELD) The NRCP 1 and EDCR 1.10 state that the procedures in district court shall be administered to secure efficient, just, and inexpensive determinations in every action and proceeding. This case was last before the Court on May 25, 2021 for the conclusion of the non-jury trial regarding custody and Defendant s request to relocate to Ohio with the minor child. The Court announced findings of fact, conclusions of law and orders regarding Defendant s relocation request, custody and child support at that time. However, the Court deferred on announcing its Arcella findings and the order regarding the school that the minor child will be attending for first grade starting in August 2021. Since his primary goal was to relocate with the minor child to Ohio, Defendant presented no evidence at the non-jury trial regarding what school in Clark County, Nevada he thought would best serve Nicolas educational and other needs. Defendant had also made no specific plans regarding where he will live and work in Clark County, Nevada if he was not allowed to relocate with Nicolas to Ohio. Defendant testified that he was only renting the home that he once owned from the purchaser and that he has no lease agreement that he is obligated to fulfill. Given that lack of information from Defendant and the fact that Plaintiff had just moved to a new home in Inspirada near the school she proposes best meets Nicolas educational and other needs, the Court felt that Defendant should be given a brief amount of time to finalize his living situation in Clark County and provide a brief to the Court with his proposal for the elementary school he believes will best meet Nicolas educational and other needs based upon the factors set forth in Arcella. Plaintiff was also given the opportunity to respond to Defendant s brief regarding Nicolas school. Defendant filed his brief on June 8, 2021 and Plaintiff filed her responsive brief on June 15, 2021. Unfortunately, Defendant did not do what the Court instructed in terms of proposing one school that he believed to be in Nicolas best interest IF he did not believe Plaintiff s proposed school, Robert and Sandy Ellis Elementary School (Ellis) is in Nicolas best interest after he conducted research regarding that school. Defendant testified at the non-jury trial that he had not done any research regarding Ellis or any other school in Clark County, Nevada at that point. Instead of selecting one school for the Court to consider, he has provided the Court will several different options in opposition to the school Plaintiff proposes: homeschool, Good Samaritan Christian Academy (GSCA), which is a private school, or the school his current home is zoned for, which is Don and Dee Synder Elementary School (Synder). He also goes on to suggest that the decision regarding where Nicolas should attend first grade should be delayed to allow him to gather more information or for the parties to further mediate about the issue. The Court finds that it is not in the best interest of Nicolas to delay a decision regarding where he will attend first grade. That decision should have been made much earlier this year and we are now only five weeks from the start of the 2021 2022 school year. Also, if the parents had the ability to resolve this issue for themselves, even with the assistance of the Parenting Coordinator, that decision would have already been made by now. If the parents do improve in their ability to work together to make decisions for their son in the future, including what school he attends, they will of course be able to do that. That hope does not help make the immediate decision that needs to be made in this case regarding where Nicolas will attend first grade. The Court can eliminate two of Defendant s proposed schools as not possible and not in the best interest of Nicolas. First of all, with regard to the suggestion that these two parents would be able to communicate and cooperate at the level necessary for them to successfully homeschool Nicolas, the evidence shows that this is simply not possible for these two parents at this time. Homeschooling Nicolas would be detrimental to his wellbeing because it would result in regular and constant conflict between the parents on a near daily basis. These parents do not have the ability to work together to even select a homeschool curriculum for Nicolas, let alone effectively implement it together in both homes. With regard to Defendant s suggestion that Nicolas attend GSCA, the Court need not consider that school when Nicolas has not been accepted to GSCA for the 2021 2022 schoolyear. Moreover, GSCA is a private school that has a significant tuition cost. Given Defendant s willful refusal to work at any job for the last 2 years, the Court does not believe that he would have the financial ability to pay the cost of Nicolas attending a private school. Given that Court finds that Defendant s suggestion of delay is not in Nicolas best interest and that homeschooling and private school are not possible options, that leaves the Court to decide between the public school that Defendant is currently zoned for, Synder, and the public school that Plaintiff is currently zoned for, Ellis. Having considered the evidence presented by the parties at the non-jury trial, the post-trial briefs and exhibits the parents filed, the Court finds, concludes and orders as follows regarding the issue of what elementary school Nicolas will attend for kindergarten starting in August 2021: 1. Nicolas will turn six years old in September 2021 and is ready to start first grade. Due to Covid, the parties attempted to use a homeschooling program during the last schoolyear for Nicolas for kindergarten. That was not very successful for the reasons the Court stated above for rejecting homeschooling for first grade. As such, Nicolas will be starting at a new school in August 2021. When parents who share joint legal custody cannot agree on the school their child will attend, the Court must make a determination regarding which proposed school is in the best interest of the minor child. The Nevada Supreme Court provided a non-exhaustive list of the best interest factors that apply to the issue of school choice in the Arcella decision. 2. The first factor is the wishes of the child to the extent the child is of sufficient age and capacity to form an intelligent preference. In this case, the Court finds that Nicolas is not of sufficient age and capacity to form an intelligent preference regarding what school he will attend for first grade. Therefore, this factor does not assist the Court in determining what school is in the best interest of Nicolas Neil Brofman. 3. With regard to Nicolas educational needs and each school s ability to meet them, both parents agree that he is a very bright child with many interests and talents. He needs an academic environment that will challenge him. He also needs an academic environment that will allow both of his parents to be actively involved in spite of their demonstrated inability to co-parent. This is another reason the Court rejects the idea that homeschool in Nicolas best interest. Nicolas is also an only child in both homes and benefits from social settings where he is able to make friends and enjoy time with them. Being in a brick and mortar school will better fulfill that need. Nicolas will also benefit from having a stable school environment. The Court finds that Plaintiff is better able at this time

to provide him with that school stability. The Court is concerned with the lack of stability in Defendant s employment, income and housing whereas Plaintiff has maintained stable employment and was able to pre-pay a whole year of rent for her new home so that she is sure Nicolas will not have any disruption in his home or school during the coming schoolyear. With regard to the two public school options currently available to Nicolas, Ellis is ranked better academically than Synder. In deciding where to move her home, Plaintiff gave great consideration to the quality of life Nicolas would have in the neighborhood, including the quality of the public school. Taking all of Nicolas educational and other needs into consideration, this factor favors selecting Ellis for him. 4. With regard to the curriculum, method of teaching and quality of instruction at each school, they are both public schools in the Clark County School District, so they are very similar schools in many ways. Even so, the objective academic measures show that Ellis performs better than Synder. Therefore, this factor also favors Ellis. 5. With regard to Nicolas past academic performance and predicted future performance, there is little evidence to review given that he has only attended kindergarten so far and did that through online homeschooling during a worldwide pandemic. The evidence does indicate that Nicolas is bright and a capable student and is likely to do fine in any academic environment. One thing that Nicolas has no matter which school he attends is parents who have the ability to be very involved in his education and to challenge him with supplemental learning opportunities. This factor slightly favors selecting Ellis. 6. The child s medical needs are not applicable to the selection of his school and Nicolas will be entering a new academic environment regardless of which school is selected so these two factors do not assist the Court in selecting which school is in Nicolas best interest. 7. The evidence indicates that Nicolas has the average ability to adapt to new environments so this factor also does not assist the Court in making this determination. 8. The length of the commute to each school is an important consideration in this case. If the Court selects Synder, Plaintiff will have a lengthy commute to get Nicolas to and from school on her custodial time. If the Court selects Ellis, it will be Defendant who will have the same lengthy commute to get Nicolas to and from school. Given the current options, there is no way around one of the parents having a lengthy commute to and from Nicolas school. In this case though, Plaintiff has made a firm one-year commitment to live in her current home, which was a decision she made after research and thought about the overall best environment for Nicolas to grow up in. On the other hand, Defendant is at a crossroads in terms of his housing and employment. As he admitted, his lease on his current residence will expire soon and he has not yet signed a new lease for the residence. Thus, he has the freedom to move closer to the better school for Nicolas. As he is currently not employed, he also does not have a specific work commute to consider and accommodate, so he can focus his employment search on jobs that will work with the commute to Nicolas school. As far as considering Nicolas extracurricular activities, there are locations for all of his activities in Henderson too and when the parents sign him up for extracurricular activities this fall, they can select locations that work for both of them in terms of commute and cost. While the commute is an important consideration, the Court believes that Defendant has the ability to change his circumstances in the immediate future and that the length of his commute should he chose to stay in his current rental home is not so much as to outweigh the other benefits to Nicolas from attending Ellis. 9. Lastly, the Court finds that, unlike the considerations for homeschooling or enrolling Nicolas in a private religious school, enrolling him in either of the public school options he currently has will not alienate him from either parent. Therefore, the Court finds this factor neutral in this case. Given these findings, the Court orders that Nicolas will attend Ellis for the 2021 2022 schoolyear. Since this is the school that Plaintiff is zoned for, she should immediately take the steps to enroll Nicolas for the coming school year because she is the parent who has to provide proof of her residency. However, when she completes the enrollment, all of Defendant s information must be completed as the other custodial parent and Plaintiff shall promptly provide Defendant with copies of all of the enrollment documents and other documents she receives when she enrolls Nicolas. These can be sent to Defendant on Our Family Wizard. A copy of this minute order shall be provided to both parties. Counsel for Plaintiff shall incorporate these findings and orders into the Findings of Fact, Conclusions of Law and Decree of Custody that is in the process of being finalized by the parties counsel. CLERK S NOTE: On 07/01/2021 a copy of the Court s Minute Order was provided to the parties/Counsel via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (gk) COURT SO ORDERED. ;

06/29/2021 *CANCELED* **Review** (2:00 AM) (Judicial Officer: Throne, Dawn R.)
Vacated - per Law Clerk
Decision re: child's school

05/21/2021 **All Pending Motions** (9:00 AM) (Judicial Officer: Throne, Dawn R.)
Matter Heard;
Journal Entry Details:
STACK (1) FULL DAY (IN PERSON NJT) PURPOSES OF EVIDENTIARY HEARING ON DEFENDANT'S COUNTERMOTION FOR PERMISSION TO RELOCATE AS WELL AS OTHER PROCEEDINGS THAT ARE CURRENTLY SCHEDULED FOR MAY 21, 2021 Both Parties, Attorney Richard Schonfeld and Attorney Lorien Cole all present IN PERSON, Attorney Marshall Willick present via video connection through the BlueJeans application. Court reviewed the history of the case. Upon Court's inquiry, counsels confirmed they have STIPULATED to the following exhibits: Defendant's Exhibits A, M, O, V, FF, KK and Plaintiff's Exhibits 3, 9, 18, 23, 25, 26. Attorney Schonfeld represented, Parties do not agree on health insurance. Counsels waived Opening Statements. Court heard sworn testimony from witnesses. Exhibits presented. (See worksheets). Matter Recessed. Matter Resumed. Court Clerk Gabriella Konicek (gk) covered from 4:52 p.m. until the end of the hearing. Deposition FILED IN OPEN COURT. Court noted it will continue the matter for next week if the parties are

available, to which all confirmed they are. Court further noted Attorney Cole has (17) minutes left in addition to all the time needed for witnesses and closing arguments. COURT ORDERED the following: 1. The MATTER shall be CONTINUED to 05/25/2021 at 3:00 p.m.;

05/21/2021 **Objection** (9:00 AM) (Judicial Officer: Throne, Dawn R.)
Purposes of Evidentiary Hearing on Defendant's Countermotion for Permission to Relocate as well as Other Proceedings that are Currently Scheduled for May 21, 2021

05/21/2021 *CANCELED* **Motion** (9:00 AM) (Judicial Officer: Throne, Dawn R.)
Vacated
Defendants Motion to Remove Parenting Coordinator and Nunc Pro Tunc Clarification Request

05/21/2021 **Evidentiary Hearing** (9:00 AM) (Judicial Officer: Throne, Dawn R.)
05/21/2021, 05/25/2021
Evidentiary Hearing (In Person) (Continued from 5/21/2021)

MINUTES

Matter Continued;
Decision Made;
Journal Entry Details:

EVIDENTIARY HEARING CONTINUED FROM 5/21/21 (IN PERSON) Marshal Willick, Esq., #2515, appeared by Bluejeans video in an unbundled capacity also for Plaintiff. Witnesses and Exhibits per worksheets. Both parties SWORN AND TESTIFIED. Closing arguments by counsel. COURT ORDERED: The COURT STATED FINDINGS and FINDS that Defendant's proposed move was intended to deprive mom of her parenting plan. Dad's request to relocate to Ohio with the child is DENIED. The parties shall have JOINT LEGAL CUSTODY and JOINT PHYSICAL CUSTODY. The parties shall continue to use OUR FAMILY WIZARD. The MUTUAL BEHAVIOR ORDER shall continue in effect and shall be incorporated into the final Decree of Custody. The parties shall continue to use the parenting coordinator until they believe there is no longer a benefit and both parties shall participate in good faith and equally pay the costs subject to the terms of the Order regarding grievances and the parenting coordinator making recommendations that her expense should be shared unequally if the parents are taking unreasonable positions. The Court does have concerns with Defendant's unreasonableness in terms of negotiating agreements on certain issues and then not wanting to sign it because he didn't want to be bound by an Order and that was not good faith negotiations. There was no reason that the final agreement should not have been signed. With regard to the HOLIDAYS and VACATIONS, and the Court making these Orders is assuming that dad will remain here where the child is and the Court shall continue to assume that until such time that there is not proof of that. So, the parties shall each have the right to three weeks of vacation time each summer with the child that can be taken all at once. Dad shall have priority for the dates in odd years and mom shall have priority for the dates in even years. With regard to Spring Break, that shall be defined as from the time the child is released from school until he returns to school and dad shall have odd years and mom shall have even years. With regard to Thanksgiving, that shall also be defined as from the time the child is released from school until the time he returns to school and mom shall have odd years and dad shall have even years. In regard to Christmas break and in light of the fact that both parties may wish to travel there shall be two periods. The first period shall be from the time the child is released from school until 4:00 P.M. on December 26th and the second from 4:00 P.M. on December 26th until the child returns to school. Mom shall have the first period in even years and dad shall have the first period in odd years. In regard to Mother's Day and Father's Day, that shall be the entire weekend from the time the child is released from school until he returns to school on Monday morning. Birthdays shall be defined as from 10:00 A.M. to 7:00 P.M. each parent shall have the child fo their own birthday, and with regard to the child's birthday mom shall have the child on his birthday in odd years and dad shall have the child on his birthday in even years. The normal schedule shall remain the same as it is now with the Court reserving the right, if these parties continue with this high level of conflict, and as the child gets older it is probably in the child's best interest to change to a week on week off schedule. So, dad's custodial time shall be from Monday when school is released or at 3:30 P.M. if school is not in session until Wednesday at close of school or 3:30 P.M. if school is not in session. Mom's custodial time shall be from the release of school or 3:30 P.M. on Wednesday to Friday from the release of school or 3:30 P.M. if school is not in session. The parties shall alternate weekends which shall be defined as the release from school on Friday or at 3:30 P.M. if school is not in session to release from school on Monday or 3:30 P.M. if school is not in session. The exchanges shall be done at school whenever possible. The parties shall use the text and seatbelt rule. There should not be a repeat of what happened in March 2020 or any of the things that happened in March of 2019 that grandma testified to. The receiving parent shall pick up the child and the parent shall remain seat belted in their vehicle and the child shall come out and get in the receiving parent's car and the other parent shall look out the window and make sure the child gets into the car. Both parents shall continue to provide HEALTH INSURANCE coverage for the child each at their own expense. The information regarding that insurance coverage will be provided to the other parent at all times. The parties are permitted to physically exchange the HEALTH INSURANCE cards for the child. Any unreimbursed medical, dental, optical, orthodontic or other health related expense incurred for the benefit of the minor child/children is to be divided equally between the parties. Either party incurring an out of pocket medical expense for the child/children shall provide a copy of the paid invoice/receipt to the other party within thirty days of incurring such expense, if not tendered within the thirty day period, the Court may consider it as a waiver of reimbursement. The other party will then have thirty days from receipt within which to dispute

the expense in writing or reimburse the incurring party for one-half of the out of pocket expense, if not disputed or paid within the thirty day period, the party may be subject to a finding of contempt and appropriate sanctions. With regard to CHILD SUPPORT, the COURT FINDS that mom's GMI is $8,194.50. The COURT FINDS that dad is wilfully unemployed or underemployed and the Court shall impute income to him based on his FDF and his monthly expenses because he has been making his monthly expenses including a $600.00 per month car payment over $1,700.00 per month rent or mortgage for the last two years without fail. The COURT FINDS dad's GMI is $4,770.96. Therefore, mom shall pay CHILD SUPPORT to dad of $372.00 per month effective June 1, 2021. There shall be NO ARREARS. With regard to the allegations of CONTEMPT, Defendant has alleged that Plaintiff violated the Order for UNLV and the COURT FINDS that does not rise to the level of contempt given the pandemic and other factors but the Court is Ordering that to be completed. With regard to the allegation that mom violated the Order for OUR FAMILY WIZARD, the COURT FINDS that Order was not as clear as it could be with regard to documents and the Court shall clarify that: there is no for the parties to exchange documents physically. The parties shall use OUR FAMILY WIZARD to exchange all documents regarding medical appointments or any other documents regarding the child that needs to be shared with the other parent. With regard to the allegation that mom violated the Order for FMC, the FMC letter does not state that. The letter from FMC states that both parents failed to participate in good faith. With regard to the allegation that mom violated the Order regarding not providing names for the Parenting Coordinator. The COURT FINDS that mom did comply with that. With regard to the allegations that mom violated the BEHAVIOR ORDER, the COURT FINDS that there were two violations of that Order that rise to the level of holding her in CONTEMPT. One is an OUR FAMILY WIZARD on 7/23/20 and the other is an OUR FAMILY WIZARD from 12/31/20. The specific violations are from paragraph one: the parties will not engage in any abusive contact, foul language, name calling, etc., with the other party or children including telephone calls, letters, e-mails, etc. And the second violation from OUR FAMILY WIZARD that rises to the level of CONTEMPT is from paragraph three of the Behavior Order which was in regard to parental grandmother's FACETIME with Nicolas. Paragraph three states that: you shall maintain respect for the other parties friends, relatives, and significant other. With regard to mom's allegations that dad violated the Behavior Order, the COURT FINDS that some of dad's messages are not polite but they don't rise to the level of CONTEMPT. With regard to SANCTIONS for CONTEMPT, mom is SANCTIONED $500.00 for each of the two violations for a total of $1,000.00 that shall be paid to Defendant within 30 days. With regard to ATTORNEY FEES the COURT FINDS that both parties have over litigated this simple case but neither party is entitled to an award of attorneys fees from the other party. They both brought their requests to the Court in good faith regarding what they thought was in the best interest of their son. In regard to the school issue, mom has presented the Court with a proposal but dad hasn't. The Court shall need a brief regarding that dad's school would be better for Nicholas than mom's proposed school under the Arcella factors. Defendant shall file a brief and Plaintiff may respond. Mom shall claim the child as a Dependant on her INCOME TAX for 2020 and in all even tax years and dad shall claim the child in all odd tax years. The parties agree to keep the embryos in storage and they shall have equal rights to them but both shall need to consent to anything with them other than store them. The parties shall pay those fees going forward. Mom shall complete the UNLV parenting course by the end of the year. The parties shall equally divide Federal benefits and cash awards that are provided in for the child. Matter SET on CHAMBERS CALENDAR for 6/29/21. (Decision re: the child's school) Attorney Schonfeld shall prepare the Decree of Custody. ;

Matter Continued;
Decision Made;

05/17/2021 **Minute Order** (10:00 AM) (Judicial Officer: Throne, Dawn R.)

Minute Order - No Hearing Held;
Journal Entry Details:
The NRCP 1 and EDCR 1.10 state that the procedures in district court shall be administered to secure efficient, just, and inexpensive determinations in every action and proceeding. On April 22, 2021, Defendant filed an Amended Ex Parte Application for an Order to Show Cause Why Julieta Flores Should Not be Held in Contempt for Her Failure to Comply with the Terms of the Order from the December 3, 2020 Hearing. THE COURT NOTES that the Amended Ex Parte Application includes the case number D-18-574577-D on the document, which is the correct case number for those parties. However, THE COURT FINDS that the Amended Ex Parte Application was erroneously filed into D-19-600841-C. IT IS ORDERED that the Amended Ex Parte Application for an Order to Show Cause Why Julieta Flores Should Not be Held in Contempt for Her Failure to Comply with the Terms of the Order from the December 3, 2020 Hearing, filed April 22, 2021 shall be STRICKEN from D-19-600841-C. A copy of this minute order shall be provided to both parties. SO ORDERED. Clerk's Note: Parties emailed a copy of the Minute Order. Domestic Sealing Request notified of the request to strike. (5/17/21 SS);

05/13/2021 **Calendar Call** (2:00 PM) (Judicial Officer: Throne, Dawn R.)

Matter Heard;
Journal Entry Details:
CALENDAR CALL. BlueJeans/video hearing. Discussion regarding report pending from Stephanie Holland, (Psy.D) that shall be forwarded to the attorneys and non-jury trial related matters. Ms. Cole stated that Motion (set 6-8-21) was stricken entirely. Counsel shall have a pretrial conference in order to ensure that trial is completed with the allotted time. Following discussion, COURT ORDERED, as follows: Plaintiff's counsel shall resubmit the exhibits (mislabeled as letters) that shall be labeled as numbers. Motion set 6-8-21 VACATED.

Evidentiary hearing (stack #1 ~ full day) set 5-21-21 at 9:00 a.m. STANDS. Appearances may be in person and/or remotely.;

05/12/2021 *CANCELED* **Opposition** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Vacated - per Judge
Plaintiff's Opposition to Defendant's Ex-Parte Motion to Expand the Scope of the IME

05/12/2021 *CANCELED* **Opposition & Countermotion** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Vacated - per Judge
Opposition to Defendant's Ex-Parte Motion for an independent Medical Examination Countermotion for Defendant to Undergo an Independent Medical (Mental Health) Evaluation and to Continue Trial in the Enent that Defendant's Motion is Granted

05/12/2021 *CANCELED* **Motion** (9:30 AM) (Judicial Officer: Throne, Dawn R.)
Vacated - per Judge
Defendant's Re-Notice of Motion for an Independent Medical Examination

04/16/2021 **Hearing** (8:30 AM) (Judicial Officer: Throne, Dawn R.)
Re: Amended Order for Independent Medical Examination & Scope of IME
Matter Heard;
Journal Entry Details:
HEARING: RE: AMENDED ORDER FOR INDEPENDENT MEDICAL EXAMINATION & SCOPE OF IME Both Parties, Attorney Richard Schonfeld and Attorney Lorien Cole, all present via video connection through the BlueJeans application. Court noted the scope of the Willick Law Group's presentation on the case. Discussion was held regarding Attorney Cole's unbundled capacity, representation, and Defendant filing papers in the case independently. Attorney Cole stated she will speak with the Defendant and have the issues straightened out by Monday. Attorney Cole stated there are issues with the Parenting Coordinator billing the Parties $11,000 for one month of assistance being excessive. Court reviewed the papers and pleadings on file. Court noted, the timeline of the requested scope is not realistic for the trial set for next month, May 2021. Attorney Cole highlighted the history and represented, Dr. Holland was retained by both Parties to evaluate the each other and she is suggesting more flexibility for the scope of the evaluations to include a joint evaluation with custodial components to better assess the issues. Attorney Schonfeld represented, Plaintiff was diagnosed 2 1/2 years ago with Bipolar disorder and she has been receiving treatment and Defendant wanted a psychological evaluation completed. Attorney Schonfeld further represented, Defendant's request for an expanded scope is not part of the psychological evaluation package. Attorney Schonfeld stated deadlines have passed and the necessary cutoffs for the requested expanded scope are untimely. Attorney Schonfeld argued that Rule 35 examination was granted and Defendant's request for a Rule 16.22 evaluation should be denied. Discussion was held regarding HIPAA release exchange of personal, non-related medical information. COURT stated its FINDINGS and ORDERED the following: Defendant's MOTION filed on 4/16/2021 shall be STRICKEN. Defendant's REQUEST to EXPAND the SCOPE of the Parties EVALUATION shall be DENIED. HEARING set for 5/12/2021 shall be VACATED. CALENDAR CALL set for 5/13/2021 at 2:00 P.M. shall STAND. NON-JURY TRIAL date of 5/21/2021 at 9:00 A.M. on a FULL DAY setting shall STAND. ;

03/11/2021 **All Pending Motions** (2:00 PM) (Judicial Officer: Throne, Dawn R.)

MINUTES
Matter Heard;
Journal Entry Details:

DEFENDANT S MOTION TO REQUEST ORDER TO ESTABLISH HOLIDAY SCHEDULE 2020/2021 OPPOSITION TO DEFENDANT'S MOTION FOR AN ORDER TO ESTABLISH A TEMPORARY HOLIDAY SCHEDULE FOR CHRISTMAS AND/OR NEW YEAR'S EVE AND DAY 2020/2021; TO PROCURE DENTAL CARE FOR THE MINOR CHILD; FOR ATTORNEY'S FEES AND COSTS; AND RELATED RELIEF DEFENDANT'S MOTION TO REQUEST CONTINUANCE, ENLARGE DISCOVERY, ET CETERA PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR AN INDEPENDENT MEDICAL EXAMINATION; AND ORDER REQUESTING PLAINTIFF SIGN A HIPAA RELEASE FOR PSYCHIATRIC AND PSYCHOLOGICAL RECORDS; FOR BOTH PARTIES TO SIGN A RELEASE FOR UNREDACTED POLICE BODY-WORN CAMERA FOOTAGE FOR DOMESTIC VIOLENCE CALL ON MARCH 22, 2020; FOR AN ORDER ENLARGING DISCOVERY DEADLINES, AND AN ORDER TO CONTINUE DISCOVERY NON-JURY TRIAL REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR AN INDEPENDENT MEDICAL EXAMINATION; AN ORDER REQUESTING PLAINTIFF. SIGN A HIPAA RELEASE FOR PSYCHIATRIC AND PSYCHOLOGICAL RECORDS; FOR BOTH PARTIES TO SIGN A RELEASE FOR UNREDACTED POLICE BODY-WORN CAMERA FOOTAGE FOR DOMESTIC VIOLENCE CALL ON MARCH 22, 2020, FOR AN ORDER ENLARGING DISCOVERY DEADLINES AND AN ORDER TO CONTINUE THE CIVIL NON-JURY TRIAL PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON RELOCATION REQUEST/CUSTODY AND VISITATION [ORAL ARGUMENT REQUESTED] DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON RELOCATION REQUEST/CUSTODY AND VISITATION REPLY TO OPPOSITION TO MOTION FOR SUMMARY JUDGMENT ON RELOCATION REQUEST/ CUSTODY AND VISITATION AND OBJECTION TO

INADMISSIBLE EVIDENCE Attorney Marshall Willick, Bar No. 2515, and Attorney Lorien Cole, Bar No. 11912, present as Co-Counsel for Defendant in an UNBUNDLED CAPACITY. Court, both parties and Counsel participated via BLUEJEANS. Upon the matter being called, the COURT NOTED papers and pleadings on file. Upon review, the Court advised the parties will have time to go before the Discovery Commissioner regarding all the Discovery issues. Court further noted that a trial will need to be set to address the other issues. Court reviewed its calendar and offered three different dates to the parties with the earliest, and only one before school starts, being in May. Attorney Cole requested trial be set out to at least July to give time to pursue and litigate the discovery issues. Attorney Schonfeld opposed delaying the trial, stating there would need to have been excusable neglect and there hasn't been. In addition, Mr. Schonfeld represented his schedule would not accommodate a July trial and he requested the Court to set it at the earliest date available. Discussion regarding what timing is in the best interest of the child. Court advised if the child starts school it is unlikely it would grant a request for relocation in the middle of a school year. Further discussion regarding issues that need to addressed in preparation for trial such as getting medical records regarding mom s mental health and scheduling of depositions. Discussion and arguments regarding the whole case not being in compliance with the rules. COVID played a part but not entirely. Further discussion on Defendant not working. COURT stated its FINDINGS and ORDERED the following: 1. Defendant s Motion to continue trial and extend discovery is MOOT because of the department reassignments. 2. Plaintiff s request for Summary Judgment is DENIED because custody cases need to be heard on merit. 3. Order to Show Cause claims shall be DEFERRED to TRIAL. 5. Both parties shall sign HIPAA Releases for the past five (5) years for mental health discovery, including the names of the parties providers. 6. Defendant can subpoena the body camera footage from the police department. 7. Both parties are to present themselves to the American Toxicology Institute (ATI) for a FULL DRUG SCREEN by 5:00 p.m. today. ATI referral issued and electronically provided to each side. Each side will be responsible for the cost of their own test, subject to reimbursement. 8. CHILD SUPPORT matter shall remain STATUS QUO. Matter will be considered at trial. 9. If Defendant receives stimulus money for child, he is to give the Plaintiff half. Any claim for past funds received shall be reserved for trial. 10. Discovery closes May 07, 2021. 11. CALENDAR CALL is set for May 13, 2021 at 2:00 p.m. 12. EVIDENTIARY HEARING is set on 05/21/2021 at 9:00 a.m. (Full day; stack 1). The trial will be held to one full day and it will be timed. Each side shall have three (3) hours and they will be timed. Attorney Cole shall prepare the Order from today s hearing; Attorney Schonfeld shall review and countersign. ;

SCHEDULED HEARINGS

Evidentiary Hearing (05/21/2021 at 9:00 AM) (Judicial Officer: Throne, Dawn R.)
05/21/2021, 05/25/2021
Evidentiary Hearing (In Person) (Continued from 5/21/2021)

Calendar Call (05/13/2021 at 2:00 PM) (Judicial Officer: Throne, Dawn R.)

03/11/2021 **Hearing** (2:00 PM) (Judicial Officer: Throne, Dawn R.)
Reply to Opposition to Motion for Summary Judgment on Relocation Request/ Custody and Visitation and Objection to Inadmisible Evidence
Hearing Set;

03/11/2021 **Opposition** (2:00 PM) (Judicial Officer: Throne, Dawn R.)
Defendant's Opposition to Plaintiff's Motion for Summary Judgment on Relocation Request/Custody and Visitation
Hearing Set;

03/11/2021 **Hearing** (2:00 PM) (Judicial Officer: Throne, Dawn R.)
Reply to Pltf's Opposition to Deft's Motion for an Independent Medical Examination; An Order Requesting Pltf. Sign a HIPAA Release for Psychiatric and Psychological Records; For Both Parties to Sign a Release for Unredacted Police Body-Worn Camera Footage for Domestic Violence Call on March 22, 2020, For an Order Enlarging Discovery Deadlines and an Order to Continue the Civil Non-Jury Trial
Matter Heard;

03/11/2021 **Opposition** (2:00 PM) (Judicial Officer: Throne, Dawn R.)
Plaintiff's Opposition to Defendant's Motion for an Independent Medical Examination; And Order Requesting Plaintiff Sign a HIPPA Release for Psychiatric and Psychological Records; For Both Parties to Sign a Release for Unredacted Police Body-Worn Camera Footage for Domestic Violence Call on March 22, 2020; For an Order Enlarging Discovery Deadlines, and an Order to Continue Discovery Non-Jury Trial
Denied in Part;

03/11/2021 **Motion** (2:00 PM) (Judicial Officer: Throne, Dawn R.)
Plaintiff's Motion for Summary Judgment on Relocation Request/Custody and Visitation [Oral Argument Requested]
Hearing Set;

03/11/2021 **Motion** (2:00 PM) (Judicial Officer: Throne, Dawn R.)
Defendant's Motion to Request Continuance, Enlarge Discovery, et cetera
Hearing Set;

03/11/2021 **Opposition** (2:00 PM) (Judicial Officer: Throne, Dawn R.)
Opposition to Deft's Motion for an Order to Establish a Temporary Holiday Schedule for Christmas and/or New Year's Eve and Day 2020/2021; to Procure Dental Care for the Minor Child; for Attorney's Fees and Costs; and Related Relief
Peremptory Challenge filed on 1/19/2021
Matter Continued;

03/11/2021 **Motion** (2:00 PM) (Judicial Officer: Throne, Dawn R.)
Motion to Request Order to Establish Holiday Schedule 2020/2021
Peremptory Challenge filed on 1/19/2021
Matter Continued;

03/03/2021 *CANCELED* **Order to Show Cause** (9:00 AM) (Judicial Officer: Gentile, Denise L)
Vacated
Re: Violations of Mutual Behavior Order

03/03/2021 *CANCELED* **Non-Jury Trial** (9:00 AM) (Judicial Officer: Gentile, Denise L)
Vacated
Re: Custody/relocation (Full day)

01/13/2021 **Minute Order** (11:00 AM) (Judicial Officer: Rocheleau, Stacy M.)
Minute Order - No Hearing Held;
Journal Entry Details:
MINUTE ORDER- NO HEARING HELD Judge Rocheleau hereby recuses herself from this Case Number D-19-600841-C based on the following reasons. The Defendant obtained legal advice from an associate attorney in the same law firm with Judge Rocheleau, prior to taking the District Court Bench. Therefore, there will be, or there will be an appearance of bias, if she were to remain assigned to this case. The Court's recusal is based on the Nevada Cost of Judicial Conduct Canon 2.11(A)(1). The above-entitled action shall be randomly reassigned to a new Judge. CLERK'S NOTE: This Minute Order was Amended to reflect the last line herein. (TS 1/13/21) ;

12/04/2020 *CANCELED* **Motion** (0:05 AM) (Judicial Officer: Gentile, Denise L)
Vacated - per Order
Deft's Counsel's Motion to Withdraw as Attorney of Record

10/06/2020 **All Pending Motions** (1:30 PM) (Judicial Officer: Gentile, Denise L)
Matter Heard;
Journal Entry Details:
DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE, TO ENFORCE PROVISIONS OF THE MUTUAL BEHAVIOR ORDER, FOR SANCTIONS, ATTORNEY FEES AND RELATED RELIEF... PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE; TO ENFORCE PROVISIONS OF THE MUTUAL BEHAVIOR ORDER; FOR SANCTIONS, ATTORNEY FEE AND RELATED RELIEF AND COUNTERMOTION FOR AN ORDER TO SHOW CAUSE; TO ENFORCE PROVISIONS OF THE MUTUAL BEHAVIOR ORDER, FOR APPOINTMENT OF A PARENTING COORDINATOR, FOR SANCTIONS, ATTORNEY FEES AND COSTS AND RELATED RELIEF... DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE; TO ENFORCE PROVISIONS OF THE MUTUAL BEHAVIOR ORDER; FOR SANCTIONS, ATTORNEY FEE AND RELATED RELIEF AND OPPOSITION TO FOR AN ORDER TO SHOW CAUSE; TO ENFORCE PROVISIONS OF THE MUTUAL BEHAVIOR ORDER, FOR APPOINTMENT OF A PARENTING COORDINATOR, FOR SANCTIONS, ATTORNEY FEES AND COSTS AND RELATED RELIEF... PRE-TRIAL CONFERENCE Upon inquiry, Counsel represented the parties attended mediation and a settlement conference where some minor issues were resolved, negotiations are ongoing and they are requesting additional time for discovery. Court NOTES, the issues for trial include custody, relocation and the mutual Orders to Show Cause. Discussion regarding the loan/debt and the Breach of Contra ct claim being heard in this case or separate action with jury trial. Statements by Attorney Kynaston regarding Plaintiff's violations of the Mutual Behavioral Order, request for an Order to Show Cause and for Plaintiff to complete a Co-Parenting Class. Argument and statements by Attorney Schonfeld regarding Defendant's violations of the Mutual Behavior Order as well, including disparaging comments and request for appointment of a Parenting Coordinator. Following argument, Court ORDERED as follows: 1. Within Attorney Schonfeld will provide Opposing Counsel with three (3) names of Parenting Coordinators, for selection by Defendant within ten (10) days. Counsel is to discuss and prepare a proposed Stipulation and Order with agreed to language as to what the Parenting Coordinator's responsibilities will be and who will be responsible for what cost(s). 2. Parties are required to provide the full name(s) of any non-family member third-party caregivers to the other parent that they utilize during their custodial time. 3. Each sides request for an Order to Show Cause is GRANTED and will be heard at the time of trial. The Court will hear only the violations as it relates to engaging in foul language and name-calling but not the threats to violate the order. 4. NON-JURY TRIAL set for 2/18/21 at 9:00 a.m. (full day). 5. Discovery will close thirty (30) days prior to trial. 6. Court to issue a TRIAL MANAGEMENT ORDER and provide each side a copy of same. Attorney Kynaston to prepare an Order from today's hearing; Attorney Schonfeld to review and countersign.;

10/06/2020 **Hearing** (1:30 PM) (Judicial Officer: Gentile, Denise L)
Defendant's Reply to Plaintiff's Opposition to Defendant's Motion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order; For Sanctions, Attorney's Fees and Costs; and Related Relief and Defendant's Countermotion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order, for Appointment of a Parenting Coordinator, for Sanctions, Attorney's Fees and Costs; and Related Relief
Hearing Set;

10/06/2020 **Opposition & Countermotion** (1:30 PM) (Judicial Officer: Gentile, Denise L)
Plaintiff's Opposition to Defendant's Motion for An Order to Show Cause; to Enforce Provisions of The Mutual Behavior Order; for Sanctions, Attorney's Fees and Costs; and Related Relief - Counter-Motion for An Order to Show Cause; to Enforce Provisions of The Mutual Behavior Order, for Appointment of a Parenting Coordinator, for Sanctions, Attorney's Fees and Costs; and Related Relief
Per 8/31/20 Minute Order
Order to Show Cause - To Issue;

10/06/2020 **Motion** (1:30 PM) (Judicial Officer: Gentile, Denise L)
Defendant's Motion for an Order to Show Cause; to Enforce Provisions of the Mutual BehaviorOrder; for Sanctions, Attorney's Fees and Costs; and Related Relief
Per 8/31/20 Minute Order
Order to Show Cause - To Issue;

10/06/2020 **Pre Trial Conference** (1:30 PM) (Judicial Officer: Gentile, Denise L)
Non Jury Trial;

08/31/2020 **Minute Order** (8:00 AM) (Judicial Officer: Gentile, Denise L)
Minute Order - No Hearing Held;
Journal Entry Details:
NRCP 1 and EDCR 1.10 state the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. COURT FINDS on August 14, 2020, Defendant filed a Motion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order; for Sanctions, for Attorney s Fees and Costs; and Related Relief, which is set for September 30, 2020, at 9:30 a.m. COURT FINDS on August 25, 2020, Plaintiff filed and Opposition thereto and Counter-Motion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order, for Appointment of a Parenting Coordinator, for Sanctions, Attorney s Fees and Costs; and Related Relief, which is set for September 30, 2020, at 9:30 a.m. COURT FINDS that at the hearing on June 3, 2020, a Pre Trial Conference was set for October 6, 2020, a 1:30 p.m. COURT FINDS that in the interest of judicial economy the aforementioned hearings should be CONSOLIDATED. Therefore, COURT ORDERS the Plaintiff s Motion and the Defendant s Opposition and Countermotion set on September 30, 2020, at 9:30 a.m., shall be CONSOLIDATED and RESCHEDULED to October 6, 2020, at 1:30 p.m., in conjunction with the Pre Trial Conference. CLERK S NOTE: On 8/31/20 a copy of the Court s Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (mm);

07/22/2020 **Non-Jury Trial** (1:30 PM) (Judicial Officer: Gentile, Denise L)
Re: School
Off Calendar;
Journal Entry Details:
NON-JURY TRIAL Prior to the time set for trial, Court received a Stipulation and Order resolving the school issue; therefore, COURT ORDERED matter OFF CALENDAR.;

06/03/2020 **All Pending Motions** (2:30 PM) (Judicial Officer: Gentile, Denise L)
Matter Heard;
Journal Entry Details:
MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF THE MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF... DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF AND DEFENDANT'S COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY OF MINOR CHILD; CHILD SUPPORT; PERMISSION TO RELOCATE WITH THE CHILD FROM THE STATE OF NEVADA;MUTUAL BEHAVIOR ORDER;ATTORNEY'S FEES AND RELATED RELIEF... REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF AND OPPOSITION TO DEFENDANT'S COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY OF MINOR CHILD; CHILD SUPPORT; PERMISSION TO RELOCATE WITH THE CHILD FROM THE STATE OF NEVADA;MUTUAL BEHAVIOR ORDER;ATTORNEY'S FEES AND RELATED RELIEF... RETURN HEARING: FMC MEDIATION... CASE MANAGEMENT CONFERENCE All parties participated VIA TELEPHONICALLY. Court reviewed matters on calendar. Court NOTES, it was represented that the parties participated in private mediation with Radford Smith, but were unsuccessful at reaching a resolution. Statements by Attorney Shconfeld regarding Defendant's allegations that Plaintiff is not fit, statements regarding Plaintiff's

professional gambling career and Plaintiff's objection to Defendant's request to relocate. Discussion regarding Plaintiff's proposed timeshare, issues regarding school next year. Statements by the Court regarding Defendant's burden as to relocation and the Court's requirement to have an Evidentiary Hearing as to same. Argument and statements by Attorney Kynaston regarding the parties maintaining the current shared timeshare, the school issue and the child being held out one more year before the start of kindergarten. Court NOTES, parties agree to joint custody if both parents reside within the State. Court further NOTES, Counsel requests a period of four (4) months for discovery. Following discussion, COURT ORDERED as follows: 1. Parties awarded TEMPORARY JOINT LEGAL and JOINT PHYSICAL CUSTODY of the minor child. 2. Parties agree to modify CUSTODIAL TIMESHARE as follows: Beginning Monday (6/8/20) Defendant will have the child Monday at 3:30 p.m. to Wednesday at 3:30 p.m. Plaintiff will have the child from Wednesday at 3:30 p.m. to Friday at 3:30 p.m. Parties will alternate the weekends from Friday at 3:30 p.m. to Monday at 3:30 p.m. Court NOTES, Defendant's first weekend will begin on 6/12/20. 3. Pursuant to STIPULATION, Defendant will have the child on Father's Day from 10:00 a.m. until 7:00 p.m. 4. Based upon the similar income of the parties, there will be NO CHILD SUPPORT set at this time. 5. A MUTUAL BEHAVIOR ORDER will be issued to the parties. Court will process the Order and electronically provide it to each side. 6. Parties shall utilize OUR FAMILY WIZARD to communicate regarding all issues involving the minor children, absent an emergency or a time sensitive issue. Order FILED into the record ad electronically provided to each side. 7. Parties are to complete the UNLV Cooperative Parenting Class. The parties are to start the program within the next three (3) months. The completed certificates are to be filed with the Court. 8. The request for a CHILD CUSTODY EVALUATION is DEFERRED. 9. From here forward, any unreimbursed medical, dental, optical, orthodontic or other health related expenses incurred for the benefit of the minor child, INCLUDING MONTHLY PREMIUMS are to be divided equally between the parties. Either party incurring an out of pocket medical expense for the child/children shall provide a copy of the paid invoice/receipt to the other party within thirty days of incurring such expense, if not tendered within the thirty day period, the Court may consider it as a waiver of reimbursement. The other party will then have thirty days from receipt within which to dispute the expense in writing or reimburse the incurring party for one-half of the out of pocket expense, if not disputed or paid within the thirty day period, the party may be subject to a finding of contempt and appropriate sanctions. 10. Any prior disputed amounts of unreimbursed medical insurance premiums and prior debts of the parties will be DEFERRED to trial. 11. Pursuant to STIPULATION, the child will attend FRIAS ELEMENTARY SCHOOL; however, the issue of WHEN the child will begin school will be set for a short NON-JURY TRIAL on 7/22/20 at 1:30 p.m. (2 Hours). 12. PRE-TRIAL CONFERENCE set for 10/6/20 at 1:30 p.m. Discovery will CLOSE this date. Attorney Kynaston to prepare the Order from today's hearing with Attorney Schonfeld to review and countersign.;

06/03/2020 **Case Management Conference** (2:30 PM) (Judicial Officer: Gentile, Denise L)

Hearing Set;

06/03/2020 **Hearing** (2:30 PM) (Judicial Officer: Gentile, Denise L)
Reply To Defendant's Opposition To Plaintiff's Motion For Joint Legal and Joint Physical Custody of the Minor Child; For Child Support To Be Calculated; And Related Relief and Opposition To Defendant's Countermotion For Primary Physical Custody of Minor Child; Child Support; Permission To Relocate With the Child From the State of Nevada; Mutual Behavioral Order; Attorney's Fees and Related Relief.

Hearing Set;

06/03/2020 **Opposition & Countermotion** (2:30 PM) (Judicial Officer: Gentile, Denise L)
Defendant's Opposition to Plaintiff's Motion for Joint Legal and Joint Physical Custody of Minor Child; for Child Support to be Calculated; and Related Relief and Defendant's Countermotion for Primary Physical Custody of Minor Child; Child Support; Permission to Relocate With the Child From the State of Nevada; Mutual Behavioral Order; Attorney's Fees; and Related Relief

Hearing Set;

06/03/2020 **Motion** (2:30 PM) (Judicial Officer: Gentile, Denise L)
Motion For Joint Legal and Joint Physical Custody of the Minor Child; For Child Support To Be Calculated; and Related Relief

Hearing Set;

06/03/2020 **Return Hearing** (2:30 PM) (Judicial Officer: Gentile, Denise L)
FMC Mediation

Hearing Set;

01/28/2020 **All Pending Motions** (10:00 AM) (Judicial Officer: Gentile, Denise L)
Minute Order - No Hearing Held;
Journal Entry Details:

MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF THE MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF... DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF AND DEFENDANT'S COUNTERMOTION FOR PRIMARY

	PHYSICAL CUSTODY OF MINOR CHILD; CHILD SUPPORT; PERMISSION TO RELATE WITH CHILD FROM THE STATE OF NEVADA; MUTUAL BEHAVIORAL ORDER; ATTORNEY'S FEES AND RELATED RELIEF... REPLY TO DEFENDANT'S TO PLAINTIFF'S MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF AND OPPOSITION TO DEFENDANT'S COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY OF MINOR CHILD; CHILD SUPPORT; PERMISSION TO RELATE WITH CHILD FROM THE STATE OF NEVADA; MUTUAL BEHAVIORAL ORDER; ATTORNEY'S FEES AND RELATED RELIEF NRCP 1 and EDCR 1.10 state the procedures in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. EDCR 5.303 requires the parties to any contested child custody, access or visitation dispute to attend mandatory mediation through the Family Mediation Center (FMC). COURT FINDS Plaintiff filed a Motion for Joint Legal and Joint Physical Custody of the Minor Child, for Child Support, and for Related Relief on December 13, 2019. COURT FINDS Defendant filed an Opposition and Countermotion on January 14, 2020 and a Reply was filed on January 22, 2020. COURT FINDS the matter is currently set to be heard on January 28, 2020 at 10:00 a.m. COURT FINDS EDCR 5.303 has not been complied with. Therefore, COURT HEREBY ORDERS the parties shall attend mediation through FMC. COURT ORDERS a FMC Return Hearing shall be SET for March 18, 2020 at 9:30 a.m. COURT FURTHER ORDERS the Motion hearing currently set on January 28, 2020 shall be CONTINUED to the date of the FMC Return Hearing. The Parties should take notice of NRS 125C.0015 which gives parents joint legal and physical custody until otherwise ordered by the Court. Further, in making its custody determination, the Court shall consider which parent is more likely to foster the child s relationship with the other parent. CLERK S NOTE: On 1/28/20 a copy of the Court s Minute Order and Order for Family Mediation Center Services was placed in each Attorney s folder located in the Clerk s Office. (mm);
01/28/2020	**Hearing** (10:00 AM) (Judicial Officer: Gentile, Denise L) *Reply To Defendant's Opposition To Plaintiff's Motion For Joint Legal and Joint Physical Custody of the Minor Child; For Child Support To Be Calculated; And Related Relief and Opposition To Defendant's Countermotion For Primary Physical Custody of Minor Child; Child Support; Permission To Relocate With the Child From the State of Nevada; Mutual Behavioral Order; Attorney's Fees and Related Relief. ;* Matter Continued;
01/28/2020	**Opposition & Countermotion** (10:00 AM) (Judicial Officer: Gentile, Denise L) *Defendant's Opposition to Plaintiff's Motion for Joint Legal and Joint Physical Custody of Minor Child; for Child Support to be Calculated; and Related Relief and Defendant's Countermotion for Primary Physical Custody of Minor Child; Child Support; Permission to Relocate With the Child From the State of Nevada; Mutual Behavioral Order; Attorney's Fees; and Related Relief* Matter Continued;
01/28/2020	**Motion** (10:00 AM) (Judicial Officer: Gentile, Denise L) *Motion For Joint Legal and Joint Physical Custody of the Minor Child; For Child Support To Be Calculated; and Related Relief* Matter Continued;
12/12/2019	**Summons** Brofman, Douglas Served: 12/17/2019

DATE	FINANCIAL INFORMATION	
	Counter Claimant Brofman, Douglas	
	Total Charges	270.00
	Total Payments and Credits	265.00
	Balance Due as of 12/1/2021	**5.00**
	Counter Defendant Fiore, Gina	
	Total Charges	1,384.00
	Total Payments and Credits	1,384.00
	Balance Due as of 12/1/2021	**0.00**
	Counter Claimant Brofman, Douglas	
	Registry/Trust Account-- FM Registry Balance as of 12/1/2021	**500.00**
	Counter Claimant Brofman, Douglas	
	Registry/Trust Account-- FM Registry Balance as of 12/1/2021	**500.00**

Electronically Filed
11/01/2021 9:49 AM
CLERK OF THE COURT

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Tel: (702) 384-5563
rschonfeld@cslawoffice.net

EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION, CLARK COUNTY, NEVADA

* * * * * *

GINA FIORE,	
Plaintiff,	**CASE NO. D-19-600841-C**
	DEPT. U
vs.	
DOUGLAS BROFMAN,	
Defendant.	

ORDER PERMITTING PLAINTIFF GINA FIORE TO APPLY FOR A UNITED STATES PASSPORT FOR THE MINOR CHILD NICOLAS NEIL BROFMAN (D.O.B. 9/22/15) WITHOUT THE SIGNATURE OF DEFENDANT DOUGLAS BROFMAN

HAVING COME BEFORE THIS COURT on October 13, 2021, for Plaintiff Gina Fiore's Request to apply for a Passport for the minor child Nicolas Neil Brofman (D.O.B. 9/22/15), the Court having considered the argument of counsel and the Defendant, and good cause appearing, the Court hereby Orders:

1. Plaintiff Gina Fiore is expressly permitted and authorized to apply for and receive a United States of America Passport for the parties minor child Nicolas Neil Brofman (D.O.B. 9/22/15) WITHOUT having Defendant Douglas Brofman sign the application or approve of

///

said application.

IT IS SO ORDERED.

Dated this _____ day of _____, 2021.

Dated this 1st day of November, 2021

HONORABLE DAWN R. THRONE

AC9 E59 E7D7 97A5
Dawn R. Throne
District Court Judge

tm

Respectfully Submitted:

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Telephone: (702) 384-5563
Attorney for Plaintiff

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Gina Fiore, Plaintiff. vs. Douglas Brofman, Defendant.	CASE NO: D-19-600841-C DEPT. NO. Department U

AUTOMATED CERTIFICATE OF SERVICE

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

Service Date: 11/1/2021

Lorien Cole	lorien@willicklawgroup.com
Reception Reception	email@willicklawgroup.com
Mallory Yeargan	Mallory@willicklawgroup.com
Richard Schonfeld	rschonfeld@cslawoffice.net
Rosemary reyes	rreyes@cslawoffice.net
DOUGLAS BROFMAN	douglasbrofmanpersonal@yahoo.com
Brittany Falconi	media@ournevadajudges.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/2/2021

Lorien Cole	3591 E. Bonanza Road, Suite 200 Las Vegas, NV, 89110

Marshal Willick

3591 E. Bonanza Rd. Suite 200
Las Vegas, NV, 89110

Electronically Filed
11/2/2021 9:24 AM
Steven D. Grierson
CLERK OF THE COURT

NTC
RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Tel: (702) 384-5563
Attorney for Defendant, *GINA FIORE*
rschonfeld@cslawoffice.net

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

GINA FIORE **Plaintiff,** **vs.** **DOUGLAS BROFMAN** **Defendant.**	**CASE NO. D-19-600841-C** **DEPT. NO. F** **NOTICE OF ENTRY OF ORDER**

TO: ALL INTERESTED PARTIES;

YOU WILL PLEASE TAKE NOTICE that the attached Order Permitting Plaintiff Gina Fiore to Apply for a United States Passport for the Minor Child Nicolas Neil Brofman [D.O.B. 09/22/15] Without the Signature of Defendant Douglas Brofman was entered by this Court on November 1, 2021. *See Exhibit 'A'.*

DATED this 2nd day of November, 2021.

Respectfully submitted:

/s/ Richard A. Schonfeld
RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
520 South Fourth Street
Las Vegas, Nevada 89101
Tel (702) 384-5563
Attorney for Plaintiff, *Gina Fiore*

CERTIFICATE OF ELECTRONIC SERVICE

On November 2, 2021, I served the foregoing Notice of Entry of Order Permitting Plaintiff to Apply for a United States Passport for the Minor Child Nicolas Neil Brofman [DOB 09/22/15] Without the Signature of Defendant Douglas Brofman, by electronic service via **WIZNET** to:

douglasbrofmanpersonal@yahoo.com

/s/ Rosemary Reyes
Rosemary Reyes
An Employee of Chesnoff & Schonfeld

ELECTRONICALLY SERVED
11/1/2021 9:49 AM

Electronically Filed
11/01/2021 9:49 AM
CLERK OF THE COURT

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Tel: (702) 384-5563
rschonfeld@cslawoffice.net

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

GINA FIORE,	)	
	)	
Plaintiff,	)	**CASE NO. D-19-600841-C**
	)	**DEPT. U**
vs.	)	
	)	
DOUGLAS BROFMAN,	)	
	)	
Defendant.	)	
	)	

ORDER PERMITTING PLAINTIFF GINA FIORE TO APPLY FOR A UNITED STATES PASSPORT FOR THE MINOR CHILD NICOLAS NEIL BROFMAN (D.O.B. 9/22/15) WITHOUT THE SIGNATURE OF DEFENDANT DOUGLAS BROFMAN

HAVING COME BEFORE THIS COURT on October 13, 2021, for Plaintiff Gina Fiore's Request to apply for a Passport for the minor child Nicolas Neil Brofman (D.O.B. 9/22/15), the Court having considered the argument of counsel and the Defendant, and good cause appearing, the Court hereby Orders:

1. Plaintiff Gina Fiore is expressly permitted and authorized to apply for and receive a United States of America Passport for the parties minor child Nicolas Neil Brofman (D.O.B. 9/22/15) WITHOUT having Defendant Douglas Brofman sign the application or approve of

///

EXHIBIT
tabbies
A

said application.

IT IS SO ORDERED.

Dated this _____ day of _____, 2021.

Dated this 1st day of November, 2021

HONORABLE DAWN R. THRONE

AC9 E59 E7D7 97A5
Dawn R. Throne
District Court Judge

tm

Respectfully Submitted:

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Telephone: (702) 384-5563
Attorney for Plaintiff

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Gina Fiore, Plaintiff.	CASE NO: D-19-600841-C
vs.	DEPT. NO. Department U
Douglas Brofman, Defendant.	

AUTOMATED CERTIFICATE OF SERVICE

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

Service Date: 11/1/2021

Lorien Cole	lorien@willicklawgroup.com
Reception Reception	email@willicklawgroup.com
Mallory Yeargan	Mallory@willicklawgroup.com
Richard Schonfeld	rschonfeld@cslawoffice.net
Rosemary reyes	rreyes@cslawoffice.net
DOUGLAS BROFMAN	douglasbrofmanpersonal@yahoo.com
Brittany Falconi	media@ournevadajudges.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/2/2021

Lorien Cole	3591 E. Bonanza Road, Suite 200 Las Vegas, NV, 89110

Marshal Willick

3591 E. Bonanza Rd. Suite 200
Las Vegas, NV, 89110

Electronically Filed
11/01/2021 12:46 PM
CLERK OF THE COURT

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Tel: (702) 384-5563
rschonfeld@cslawoffice.net

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

GINA FIORE,	
Plaintiff,	**CASE NO. D-19-600841-C**
	DEPT. U
vs.	
DOUGLAS BROFMAN,	
Defendant.	

ORDER GRANTING MOTION TO SET THE AWARD OF ATTORNEY'S FEES

THIS COURT having previously Ordered that Defendant pay Plaintiff an award of Attorney's fees related to the Opposition to the Motion for an Order to Show Cause to Hold Plaintiff Gina Fiore in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; an Injunction to Place Disputed Funds in Trust and Related Relief, and having reviewed Counsel Schonfeld's Declaration in Support of his Request for Attorney's Fees, while considering the factors outlined in *Brunzell v. Golden Gate National Bank,* 85 Nev. 345 (1969) and the holdings in *Miller v. Wilfong*, 121 Nev. 619 (2005) and *O'Connell v. Wynn Las Vegas, LLC*, 134 Nev. 550 (2018), hereby finds and Orders as follows:

The Court has reviewed the papers and pleadings on file herein, and finds that the requested fee award of $2,500 is reasonable. The Court further finds, after reviewing the factors in *Brunzell v. Golden Gate National Bank*, 85 Nev. 345 (1969), notwithstanding that counsel Schonfeld has previously been awarded fees at the rate of $625, the request made herein amounts to an hourly rate of approximately $278 which is a reasonable rate given counsel Schonfeld's professional background and experience. The Court notes however, that counsel Schonfeld will not be bound by the hourly rate of $278 for future *Brunzell* fee requests and that hourly rate will only apply to this Order.

Counsel Schonfeld is an experienced litigator that has been admitted to practice law in the State of Nevada since 1998. He is also admitted to practice in the following jurisdictions:

- California and U.S. Court of Appeals for the Ninth Circuit, 2001
- U.S. District Court, Central District of California, 2002
- U.S. Supreme Court and U.S. District Court, Southern District of California, 2003
- U.S. District Court, Northern District of Illinois, 2005
- U.S. District Court, Western District of Tennessee, 2008
- U.S. District Court, District of Nebraska, 2014
- U.S. District Court, Northern District of New York, 2015

He has also been admitted to practice *pro hac vice* in the following jurisdictions:

- United States District Court, Western District of Washington (Seattle) 2011
- United States District Court, District of Arizona (Phoenix), 2003, 2005, 2010
- United States District Court, Southern District of Texas, 2010
- United States District Court, Eastern District of Kentucky (Lexington), 2008
- United Stated District Court, Western District of Pennsylvania, 2008
- United States District Court, Western District of Tennessee, 2008
- United States District Court, District of Hawaii, 2007

- United States District Court, District of Massachusetts (Boston), 2007
- United Stated District Court, District of Columbia (Washington, D.C.), 2007
- United States District Court, Western District of New York (Rochester), 2005
- United States District Court, Southern New York, 2019

He has also received the following recognitions:

- Million Dollar Advocate Forum
- Martindale-Hubbell Register of Preeminent Lawyers
- The American Trial Lawyers Association, Top 100 Lawyers, 2008, 2009, 2010, 2011, 2012
- National Trial Lawyers, Top 100 Trial Lawyers, 2014, 2015, 2016, 2017
- National Trial Lawyers, Top 40 Under 40, 2014, 2015
- The National Advocates Top 100 Lawyers 2017
- National Criminal Defense College, Trial Practice Institute, 2000
- National Association of Criminal Defense Lawyers, 1999
- Vegas Top Lawyers 2020 - Civil Rights

The issues presented involved allegations of contempt, perjury, and fraud on the court. As a result the issues were significant and the response required detail. As such, the character and difficulty of the work performed was significant.

The work actually performed by Counsel Schonfeld was significant and Plaintiff prevailed in Opposing the Motion.

Accordingly, it is ORDERED that Plaintiff is awarded attorney's fees in the amount of $2,500.

NOW, THEREFORE, IT IS HEREBY ORDERED, that Defendant pay to Plaintiff the amount of $2,500 as an award of attorney's fees.

The Court awards these fees pursuant to the authority of EDCR 7.60(b) and NRS 18.010. The Court further finds, that pursuant to the authority of *Miller v. Wilfong*, 121 Nev. 619 (2005) and *O'Connell v. Wynn Las Vegas, LLC*, 134 Nev. 550 (2018) the Defendant's objections to the requested fee award are not supported and are therefore overruled.

The sum is hereby reduced to judgment against Defendant and in favor of Plaintiff.

IT IS SO ORDERED.

Dated this _____ day of _____, 2021.

Dated this 1st day of November, 2021

HONORABLE DAWN R. THRONE
2DB 031 2B46 5661
Dawn R. Throne
District Court Judge

tm

Respectfully Submitted:

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Telephone: (702) 384-5563
Attorney for Plaintiff

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Gina Fiore, Plaintiff. vs. Douglas Brofman, Defendant.	CASE NO: D-19-600841-C DEPT. NO. Department U

AUTOMATED CERTIFICATE OF SERVICE

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

Service Date: 11/1/2021

Lorien Cole	lorien@willicklawgroup.com
Reception Reception	email@willicklawgroup.com
Mallory Yeargan	Mallory@willicklawgroup.com
Richard Schonfeld	rschonfeld@cslawoffice.net
Rosemary reyes	rreyes@cslawoffice.net
DOUGLAS BROFMAN	douglasbrofmanpersonal@yahoo.com
Brittany Falconi	media@ournevadajudges.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/2/2021

Lorien Cole	3591 E. Bonanza Road, Suite 200 Las Vegas, NV, 89110

Marshal Willick

3591 E. Bonanza Rd. Suite 200
Las Vegas, NV, 89110

Electronically Filed
11/2/2021 9:24 AM
Steven D. Grierson
CLERK OF THE COURT

NTC
RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Tel: (702) 384-5563
Attorney for Defendant, *GINA FIORE*
rschonfeld@cslawoffice.net

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

GINA FIORE **Plaintiff,** **vs.** **DOUGLAS BROFMAN** **Defendant.**	**CASE NO. D-19-600841-C** **DEPT. NO. F** **NOTICE OF ENTRY OF ORDER GRANTING MOTION TO SET THE AWARD OF ATTORNEY'S FEES**

TO: ALL INTERESTED PARTIES;

YOU WILL PLEASE TAKE NOTICE that the attached Order Granting Motion to Set the Award of Attorney's Fees was entered by this Court on November 1, 2021. *See Exhibit 'A'.*

DATED this 2nd day of November, 2021.

Respectfully submitted:

/s/ Richard A. Schonfeld
RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
520 South Fourth Street
Las Vegas, Nevada 89101
Tel (702) 384-5563
Attorney for Plaintiff, *Gina Fiore*

CERTIFICATE OF ELECTRONIC SERVICE

On November 2, 2021, I served the foregoing Notice of Entry of Order Granting Motion to Set the Award of Attorney's Fees by electronic service via **WIZNET** to:

douglasbrofmanpersonal@yahoo.com

/s/ Rosemary Reyes
Rosemary Reyes
An Employee of Chesnoff & Schonfeld

ELECTRONICALLY SERVED
11/1/2021 12:46 PM

Electronically Filed
11/01/2021 12:46 PM
CLERK OF THE COURT

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Tel: (702) 384-5563
rschonfeld@cslawoffice.net

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

GINA FIORE,	
Plaintiff,	**CASE NO. D-19-600841-C**
	DEPT. U
vs.	
DOUGLAS BROFMAN,	
Defendant.	

ORDER GRANTING MOTION TO SET THE AWARD OF ATTORNEY'S FEES

THIS COURT having previously Ordered that Defendant pay Plaintiff an award of Attorney's fees related to the Opposition to the Motion for an Order to Show Cause to Hold Plaintiff Gina Fiore in Direct and Constructive Contempt for Perjury and Falsifying Evidence; for Fees and Costs as Sanctions; an Injunction to Place Disputed Funds in Trust and Related Relief, and having reviewed Counsel Schonfeld's Declaration in Support of his Request for Attorney's Fees, while considering the factors outlined in *Brunzell v. Golden Gate National Bank,* 85 Nev. 345 (1969) and the holdings in *Miller v. Wilfong*, 121 Nev. 619 (2005) and *O'Connell v. Wynn Las Vegas, LLC*, 134 Nev. 550 (2018), hereby finds and Orders as follows:

EXHIBIT
tabbies
A

The Court has reviewed the papers and pleadings on file herein, and finds that the requested fee award of $2,500 is reasonable. The Court further finds, after reviewing the factors in *Brunzell v. Golden Gate National Bank*, 85 Nev. 345 (1969), notwithstanding that counsel Schonfeld has previously been awarded fees at the rate of $625, the request made herein amounts to an hourly rate of approximately $278 which is a reasonable rate given counsel Schonfeld's professional background and experience. The Court notes however, that counsel Schonfeld will not be bound by the hourly rate of $278 for future *Brunzell* fee requests and that hourly rate will only apply to this Order.

Counsel Schonfeld is an experienced litigator that has been admitted to practice law in the State of Nevada since 1998. He is also admitted to practice in the following jurisdictions:

- California and U.S. Court of Appeals for the Ninth Circuit, 2001
- U.S. District Court, Central District of California, 2002
- U.S. Supreme Court and U.S. District Court, Southern District of California, 2003
- U.S. District Court, Northern District of Illinois, 2005
- U.S. District Court, Western District of Tennessee, 2008
- U.S. District Court, District of Nebraska, 2014
- U.S. District Court, Northern District of New York, 2015

He has also been admitted to practice *pro hac vice* in the following jurisdictions:

- United States District Court, Western District of Washington (Seattle) 2011
- United States District Court, District of Arizona (Phoenix), 2003, 2005, 2010
- United States District Court, Southern District of Texas, 2010
- United States District Court, Eastern District of Kentucky (Lexington), 2008
- United Stated District Court, Western District of Pennsylvania, 2008
- United States District Court, Western District of Tennessee, 2008
- United States District Court, District of Hawaii, 2007

- United States District Court, District of Massachusetts (Boston), 2007
- United Stated District Court, District of Columbia (Washington, D.C.), 2007
- United States District Court, Western District of New York (Rochester), 2005
- United States District Court, Southern New York, 2019

He has also received the following recognitions:

- Million Dollar Advocate Forum
- Martindale-Hubbell Register of Preeminent Lawyers
- The American Trial Lawyers Association, Top 100 Lawyers, 2008, 2009, 2010, 2011, 2012
- National Trial Lawyers, Top 100 Trial Lawyers, 2014, 2015, 2016, 2017
- National Trial Lawyers, Top 40 Under 40, 2014, 2015
- The National Advocates Top 100 Lawyers 2017
- National Criminal Defense College, Trial Practice Institute, 2000
- National Association of Criminal Defense Lawyers, 1999
- Vegas Top Lawyers 2020 - Civil Rights

The issues presented involved allegations of contempt, perjury, and fraud on the court. As a result the issues were significant and the response required detail. As such, the character and difficulty of the work performed was significant.

The work actually performed by Counsel Schonfeld was significant and Plaintiff prevailed in Opposing the Motion.

Accordingly, it is ORDERED that Plaintiff is awarded attorney's fees in the amount of $2,500.

NOW, THEREFORE, IT IS HEREBY ORDERED, that Defendant pay to Plaintiff the amount of $2,500 as an award of attorney's fees.

The Court awards these fees pursuant to the authority of EDCR 7.60(b) and NRS 18.010. The Court further finds, that pursuant to the authority of *Miller v. Wilfong*, 121 Nev. 619 (2005) and *O'Connell v. Wynn Las Vegas, LLC*, 134 Nev. 550 (2018) the Defendant's objections to the requested fee award are not supported and are therefore overruled.

The sum is hereby reduced to judgment against Defendant and in favor of Plaintiff.

IT IS SO ORDERED.

Dated this _____ day of _____, 2021.

Dated this 1st day of November, 2021

HONORABLE DAWN R. THRONE
2DB 031 2B46 5661
Dawn R. Throne
District Court Judge

tm

Respectfully Submitted:

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Telephone: (702) 384-5563
Attorney for Plaintiff

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Gina Fiore, Plaintiff.	CASE NO: D-19-600841-C
vs.	DEPT. NO. Department U
Douglas Brofman, Defendant.	

AUTOMATED CERTIFICATE OF SERVICE

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

Service Date: 11/1/2021

Lorien Cole	lorien@willicklawgroup.com
Reception Reception	email@willicklawgroup.com
Mallory Yeargan	Mallory@willicklawgroup.com
Richard Schonfeld	rschonfeld@cslawoffice.net
Rosemary reyes	rreyes@cslawoffice.net
DOUGLAS BROFMAN	douglasbrofmanpersonal@yahoo.com
Brittany Falconi	media@ournevadajudges.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/2/2021

Lorien Cole	3591 E. Bonanza Road, Suite 200 Las Vegas, NV, 89110

Marshal Willick

3591 E. Bonanza Rd. Suite 200
Las Vegas, NV, 89110

Electronically Filed
11/01/2021 4:11 PM
CLERK OF THE COURT

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Tel: (702) 384-5563
rschonfeld@cslawoffice.net

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

GINA FIORE,	
Plaintiff,	**CASE NO. D-19-600841-C**
	DEPT. U
vs.	
DOUGLAS BROFMAN,	
Defendant.	

ORDER AFTER HEARING ON OCTOBER 13, 2021

THIS MATTER came before the Court on October 13, 2021, for the following Motions/Counter-motions:

1. Defendant's Motion Disputing Parenting Coordinator's Decision of August 16, 2021 and Related Relief;
2. Plaintiff's Opposition to Defendant's Motion Disputing Parenting Coordinator's Decision of August 16, 2021 and Related Relief with Plaintiff's Request for Attorney's Fees and Costs;
3. Plaintiff's Motion for an Order to Show Cause Why Douglas Brofman Should Not Be Held in Contempt for Violating the Order Appointing the Parenting Coordinator and for Violating Joint Legal Custody Provisions and the Decision Regarding School by Secretly Applying for Nicolas to

Statistically closed: USJR-FAM-Judgment Reached (Bench Trial) (Close Case) (UJR)

Attend Foothills Elementary School and Failing to Provide Plaintiff with the Records of Said Application and Request for Attorney's Fees and Costs to be Heard at the Show Cause Hearing;

4. Defendant's Opposition to Plaintiff's Motion for an Order to Show Cause Why Douglas Brofman Should Not Be Held in Contempt for Violating the Order Appointing the Parenting Coordinator and for Violating Joint Legal Custody Provisions and the Decision Regarding School by Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff with the Records of Said Application and Request for Attorney's Fees and Costs to be Heard at the Show Cause Hearing; and Defendant's Written Notice to Not Renew Parenting Coordinator's Term and Countermotion for Fees and Costs;

5. Plaintiff's Emergency Motion for Defendant to Provide Eye Drops for the Child and Request for Attorney's Fees and Costs;

6. Defendant's Opposition Plaintiff's Emergency Motion for Defendant to Provide Eye Drops for the Child and Request for Attorney's Fees and Costs and Countermotion for Defendant's Fees and Costs; Medical Decision-Making Authority to Defendant; Miscellaneous Relief;

7. Plaintiff's List of Items to be Addressed at October 13, 2021, Hearing.

The Plaintiff was represented by Richard A. Schonfeld, Esq., of the law offices of Chesnoff & Schonfeld, and the Defendant appeared in Proper Person. The Court having reviewed the papers and pleadings on file herein, and considering argument of counsel and the Defendant, hereby finds and Orders as follows:

The Court first addressed the documentation provided by Defendant regarding judicial election contribution limits. The Court notes that according

to Defendant's records counsel Schonfeld made a $500 campaign contribution to the Court at a time prior to this Department being assigned to the case. The contribution is not significant enough to raise a reasonable question as to the Court's impartiality. *Ivey v. District Court*, 129 Nev. 154 (2013).

The Court heard discussion regarding the parenting coordinator, which involved several issues including reallocation of fees, fees owed to the parenting coordinator, potential of appointing a new parenting coordinator.

The Court heard discussion regarding Plaintiff's assertion that Defendant should be held in contempt of court for trying to enroll their minor child in Foothill's Montessori and for refusing to sign off on Plaintiff securing a passport for the Minor child.

The Court heard discussion regarding Plaintiff's counsel having submitted a *Brunzell* declaration for the prior award of attorney's fees.

The Court heard discussion regarding facetime by the parents with the minor child.

The Court heard discussion regarding clothing for the minor child, cooperation by the parties in schooling needs for the minor child, and chess club for the minor child (including expenses associated therewith).

The Court heard discussion regarding the minor child entering therapy.

The Court heard discussion regarding communication protocol between the parties.

The Court heard discussion regarding vaccinations for the minor child, eye drops for the minor child, and a passport for the minor child.

The Court has considered the papers and pleadings on file herein as well as the above stated discussions. The Court hereby finds and Orders as follows:

1. The Parenting Coordinator appropriately reallocated fees in favor of Plaintiff and against the Defendant. The Defendant is lucky that the Parenting Coordinator did not reallocate more than the $2,475. The amount of $2,475 is reduced to Judgment against the Defendant and in favor of the Plaintiff. The current Parenting Coordinator is relieved of her duties with the thanks of the court for trying to work on a very difficult case. The Court denies Plaintiff's request for additional reallocation;

2. With regard to any outstanding fees owed by either party, the order stands that each party is responsible for half of the Parenting Coordinator's fees, with the exception of what was reallocated. If there are any outstanding fees owed by either party then that party needs to arrange payment and get that accomplished. If that is not accomplished, the parenting coordinator has the right to come to the court and ask for judgment on her fees;

3. The court denies Plaintiff's request for a new parenting coordinator to be appointed. Parenting coordinators are supposed to help in high-conflict cases. However, in this case it is just another layer of ability for the parties to fight with each other and cost the other party money. The Court has looked at the overall issues in this case that keep coming back to the Court and they are all about power and control. Plaintiff asked something that may seem perfectly normal to her, but dad may be passive-aggressive, not respond and do exactly the opposite. It might come to the level of the Court having to award sole legal custody and/or primary physical custody to one of the parents if this continues;

4. With regard to the Plaintiff's Motion for an Order to Show Cause against the defendant for trying to enroll their son in Foothill's Montessori and for refusal to sign off on the passport application, the Court first finds that the Plaintiff's affidavit does not meet the requirements of *Awad*. The bigger

problem though is, technically, there is no order saying that a parent cannot apply for as many schools as they want to spend the money to do, as the private schools cost money to apply. It is a change in schooling that would have to be agreed by the parents or ordered by the court after an evidentiary hearing. So if Defendant wants to spend his money applying to and getting other options and presenting other options to Plaintiff, the court does not find that contemptuous. But the defendant should be aware, it does not help build trust with your co-parent to do these things behind her back. The Court also finds that, in this case, it was not reasonable for Defendant to have done it when the Court had just made a decision regarding schooling. It appears that Defendant is simply trying to create conflict;

5. With regard to the passport, that was within the Parenting Coordinator's decision. However, since Defendant has raised an objection under federal law, the Court will implement a solution so that Plaintiff can obtain the passport. Accordingly, the Plaintiff may submit a separate order to the Court providing that she has sole authority to obtain that passport for the child without the need for Defendant's signature. Plaintiff shall maintain possession of the passport. As long as a parent gives timely notice of a trip out of the Country, and there is no good faith basis to object to the proposed trip, the other parent is required to sign a letter authorizing the out of Country travel. A reasonable objection would be if the proposed travel is to a location that is on the "do not travel" list for the State Department as a location that is unsafe for Americans to travel to. Because of the passport issue having been resolved already by the Parenting Coordinator, and the fact that this should have been taken care of, the Court awards Plaintiff $750 in attorney's fees (in addition to other attorney fee awards) to be paid by Defendant in favor of Plaintiff. This fee award is granted

pursuant to EDCR 7.60 (as a sanction) and pursuant to NRS 18.010. The Court has previously reviewed counsel Schonfeld's *Brunzell* affidavit and deems this award to be reasonable after having considered those factors and the time necessary to bring this issue to the Court's attention;

6. With regard to the award of attorney's fees that was left unresolved after the last hearing, the Court has reviewed the *Brunzell* affidavit and the opposition filed by Defendant. The Court finds that the $2,500 that Plaintiff requested for that amount of work is very reasonable. Counsel Schonfeld is to prepare an Order and Judgment for the $2,500 incorporating the *Brunzell* factors. That will be reduced to Judgment against the Defendant and in favor of the Plaintiff;

7. In summary, with the awards, Defendant owes the plaintiff $2,475 on the Parenting Coordinator reallocation, $2,500 for the fees and costs on the prior motions and hearing, and $750 in fees and costs for the passport issue. That totals $5,725. As a result of Defendant being willfully unemployed or underemployed as of the last information he provided in a financial disclosure form, starting November of 2021, Plaintiff can apply the child support monthly amount to the outstanding fees owed by Defendant each month until it is satisfied;

8. As to Facetime, it is very unfortunate for the minor child that every single issue that can be fought about is fought about. The Court finds that it has to be very succinct and detailed on this issue and orders that FaceTime opportunity will be Mondays, Wednesdays, and Sundays. The non-custodial parent has the right to call to talk to the minor child between 7:00pm and 7:30pm, in the time zone where the minor child is located. If the child is with Defendant, for example, in Ohio, it is going to be the timeframe there and Plaintiff would have

the option to call him on those evenings. The custodial parent shall make the minor child available during that half-hour window with no distractions. The custodial parent needs to make sure he is available, ready, and has no distractions. There will be no flexibility or request to accommodate a change. If the non-custodial parent misses it, then it is skipped and he/she will have to wait until next time;

9. With regard to Plaintiff's request to add Halloween to the holiday schedule, the Court denies that request;

10. With regard to Plaintiff's request that each parent supply sufficient clothing for the child at their household, the Court understands the Plaintiff's points on these issues, but this is a level of micromanagement that the Court is not going to engage in on this case. The Court notes that Plaintiff can send the minor child to Defendant's house without extra clothing. If Defendant does not have appropriate size clothes and clothes that are appropriate for the weather, then that is going to be something that Defendant will have to explain to the minor child. Similarly, if Defendant wants to play that game and not provide for the things that Nicolas needs, not get him to school on time, and not get him to school with the things he needs, eventually, that is going to rise to the level of it being a chronic problem that will warrant Plaintiff filing a motion to change custody. Both parties have basic duties as parents. If Defendant is not going to get the child to school on time, send the child to school with his homework and send the child to school with other items that he needs, given that Defendant does not even have a job, that is going to be deemed a chronic problem;

11. With regard to reimbursement of shared costs, that is not an issue the Court can address without a separate motion and an *Awad* affidavit. Then it still can be set for evidentiary hearing. However, the Court warns both of parties that

if the shared expenses are uploaded to Our Family Wizard, the party must either object or pay them on time. If that is not what happens and somebody files a motion, the Court will have to grant the prevailing party attorney's fees;

12. As it relates to expenses for Nicolas's chess club, the Court is granting the request of Plaintiff. The chess club sounds like a good fun thing for Nicolas and his enrollment in the chess club is to be maintained. Since the parties agreed to chess club, the Court orders that Defendant pay 100% of that cost up-front. Defendant will then upload the cost to Our Family Wizard as a shared expense, but he is going to be responsible for initially paying those costs;

13. With regard to therapy for Nicolas, the Court finds that it would help him to have somebody independent and trained who would be able to be a safe place for him to talk about the stresses he is under. The Court therefore grants Plaintiff's request that Nicolas attend therapy. The parties are going to use a provider covered by one or both health insurances. The Court is not granting the request for reports to go to the Court as this is for therapeutic purposes only. Plaintiff shall pick three providers that are covered by the insurance and send the list to Defendant on Our Family Wizard within seven days. Defendant will then have seven days to investigate and pick one of those three. If Defendant does not pick one of the three by the deadline then Plaintiff can choose the therapist and get started.

14. As far as the communication protocol, the Court adopts the protocol of the Parenting Coordinator, with the exception of the Parenting Coordinator being copied on communications. Additionally, the communications will be through Our Family Wizard and not by email. Accordingly, the following is the communication protocol being ordered by the Court:

PURPOSE:

Reduce contact between co-parents, encourage Plaintiff and Defendant to remain child focused, and make responding easier.

PROTOCOL SUMMARY:

a. Weekly co-parenting matters are to be addressed by the parties through OFW;

b. Parties select the same day and time each week to send their OFW communication;

c. Even when there is nothing to share or ask, the parties are to send an OFW communication to their co-parent out of respect;

d. Any questions in the weekly OFW communication are to be answered by the co-parent within 24 hours;

e. After the weekly OFW communication, ALL communication stops for the week with the exception of urgent situations, emergency situations, or time sensitive matters related to the child's schooling or extracurricular activities;

f. Urgent situations are communicated in a manner appropriate to the situation and in keeping with the Mutual Behavioral Order of June 3, 2020. Urgent situations might be late to an exchange and reason why or a change in activity;

g. Emergency situations are communicated in a manner appropriate to the situation and in keeping with the Mutual Behavioral Order of June 3, 2020;

h. If either parent sends a non-urgent/time-sensitive message in violation of the protocol it will not be responded to until the following weekly email.

OFW Format:

OFW communications must include a greeting and be divided into two sections. The first section is For Your Information and may be used in addition to the highlight form. Information would include, any updates or observations, share information you wish to share and your co-parent is not expected to respond to this section. It is simply for their information.

Section two is Response Required and is limited to four (4) questions per OFW communication. ALL questions must be numbered this is where questions about activities or other child related things will go.

OFW communications may not be accusatory.

Off Limit Topics:

OFF LIMIT TOPICS (these topics are off limits for OFW communications):

- Money Owed, with the exception of reimbursement that is permitted under the terms of the Decree or other Orders of this Court;
- Allegations of ANY kind;
- Any legal action (in process) or threats;
- Personal questions about your co-parent's life;
- Negative comments the child has shared about the other parent.

15. The Court denies Plaintiff's request that Defendant attend the UNLV parenting class an additional time;

16. As to vaccinations, the minor child has received the standard vaccinations and the dispute relates to vaccinations such as the flu shot and the Covid-19 vaccine. The Court urges the parties to follow the recommendation of the minor child's pediatrician. If the parties have a disagreement regarding vaccinations, then they can bring it to the Court and the Court will consider all evidence including the recommendations made by the experts/medical professional(s);

17. As to the administration of eye drops for the minor child. The Court Orders that the parties schedule an appointment with the Ophthalmologist that saw Nicolas in or around December of 2020, Selim T. Koseoglu, M.D. The appointment should be scheduled for December of 2021. The parties can provide all medical records to the Doctor, and Nicolas should be dilated. If both parties cannot, or do not want to, appear at the appointment then one can appear remotely for the visit so that both parents can participate. If the Ophthalmologist recommends that Nicolas be administered eye drops, then the Court will Order the same.

Accordingly, the Court hereby Orders that the above findings and Orders are now Orders of this Court. The Court further Orders that:

1. The OBJECTION to the Parenting Coordinator's decision regarding REALLOCATION OF FEES shall be DENIED and reduced to judgment against Defendant.
2. The current Parenting Coordinator shall be RELIEVED. If either Party owes any OUTSTANDING FEES, the ORDER shall STAND that Parties are responsible for the FEES 50/50.
3. Plaintiff's request for a new PARENTING COORDINATOR shall be DENIED.
4. Plaintiff's shall provide an ORDER that she has SOLE AUTHORITY to obtain a PASSPORT for the child. Plaintiff shall be the one to maintain the passport unless Defendant needs it for international travel.
5. Court shall award $750.00 in FEES to Plaintiff from Defendant.
6. Mr. Schonfeld shall prepare an ORDER and JUDGEMENT for $2500.00 incorporating the BRUNZELL factors, including the statements regarding his

experience and normal billing rate, and shall be reduced to judgment against Defendant.

7. FACETIME opportunity shall be on MONDAYS, Wednesday, and SUNDAYS. The non-custodial parent has the right to CALL between 7:00 p.m. and 7:30 p.m. However, the custodial parent shall have the child available during that half-hour window, and there shall be NO FLEXIBILITY or request to accommodate a change.

8. Plaintiff shall apply the $5725.00 that Defendant owes to the CHILD SUPPORT each month until it is satisfied beginning November 2021.

9. The request to add HALLOWEEN to the holiday schedule shall be DENIED.

10. Plaintiff shall not send the appropriate clothes if Defendant does not have the appropriate clothes for the child.

11. The request for the CHESS CLUB shall be GRANTED. The parties shall maintain Nicolas's enrollment in the chess club. Defendant shall pay 100 PERCENT of the COSTS up-front, and that shall be uploaded on OUR FAMILY WIZARD as a shared expense, but Defendant shall be responsible for paying initially for that.

12. The request for THERAPY shall be GRANTED. The Parties shall use a provider covered by one 1) or both HEALTH INSURANCES. Court shall not GRANT the request as to any reports to the Court; it shall be for therapeutic purposes only for the child. Plaintiff shall pick THREE (3) providers that are covered by Plaintiff's insurance and send THREE (3) NAMES to OUR FAMILY WIZARD within SEVEN (7) DAYS. Defendant shall have SEVEN (7) DAYS to investigate and pick one (1) of those three (3): If Defendant does not do so by the deadline, Plaintiff shall choose the one (1) she wants.

13. Communication Protocol request shall be GRANTED. Communication Protocol recommended by the Parenting Coordinator effective 4/8/21 shall be ADOPTED and put in the Court order everything EXCEPT for Parenting Coordinator is to be copied on the e-mails is replaced by OUR FAMILY WIZARD.

14. The request for ADDITIONAL REALLOCATION shall be DENIED.

15. Plaintiff's request for Defendant to take the UNLV CO-PARENTING CLASS shall be DENIED.

16. In December, the Parties shall make an appointment with the Ophthalmologist, provide all the records, and allow the Ophthalmologist to diagnose the issue and see what they recommend.

17. Defendant's request for SOLE LEGAL over MEDICAL shall be DENIED.

18. Neither Party shall be allowed to CONTROL what is going on in the other parent's HOME unless it rises to the level of ABUSE and NEGLECT.

19. Defendant's request for an EVIDENTIARY HEARING regarding the Parenting Coordinator's decision shall be DENIED.

20. For International travel the Parties shall provide TIMELY notice for the TRIP, and as long as there is no good faith basis to object to the proposed trip, the other parent is required to sign a letter authorizing the out of Country travel;

///

20. The Court warns both parties that if the shared expenses are uploaded to Our Family Wizard, the other party must either object or pay them on time. If that is not what happens and somebody files a Motion, the Court will have to grant the prevailing party attorney's fees;

IT IS SO ORDERED.

Dated this _____ day of _____, 2021.

Dated this 1st day of November, 2021

HONORABLE DAWN R. THRONE

4CA DE6 A092 73D4 tm
Dawn R. Throne
District Court Judge

Respectfully Submitted:

/s/ Richard A. Schonfeld
RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Telephone: (702) 384-5563
Attorney for Plaintiff

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Gina Fiore, Plaintiff. vs. Douglas Brofman, Defendant.	CASE NO: D-19-600841-C DEPT. NO. Department U

AUTOMATED CERTIFICATE OF SERVICE

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

Service Date: 11/1/2021

Lorien Cole	lorien@willicklawgroup.com
Reception Reception	email@willicklawgroup.com
Mallory Yeargan	Mallory@willicklawgroup.com
Richard Schonfeld	rschonfeld@cslawoffice.net
Rosemary reyes	rreyes@cslawoffice.net
DOUGLAS BROFMAN	douglasbrofmanpersonal@yahoo.com
Brittany Falconi	media@ournevadajudges.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/2/2021

Lorien Cole	3591 E. Bonanza Road, Suite 200 Las Vegas, NV, 89110

Marshal Willick

3591 E. Bonanza Rd. Suite 200
Las Vegas, NV, 89110

Electronically Filed
11/2/2021 9:24 AM
Steven D. Grierson
CLERK OF THE COURT

NTC
RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Tel: (702) 384-5563
Attorney for Defendant, *GINA FIORE*
rschonfeld@cslawoffice.net

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

GINA FIORE **Plaintiff,** **vs.** **DOUGLAS BROFMAN** **Defendant.**	**CASE NO. D-19-600841-C** **DEPT. NO. F** **NOTICE OF ENTRY OF ORDER AFTER HEARING ON OCTOBER 13, 2021**

TO: ALL INTERESTED PARTIES;

YOU WILL PLEASE TAKE NOTICE that the attached Order After Hearing on October 13, 2021was entered by this Court on November 1, 2021. *See Exhibit 'A'.*

DATED this 2nd day of November, 2021.

Respectfully submitted:

/s/ Richard A. Schonfeld
RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
520 South Fourth Street
Las Vegas, Nevada 89101
Tel (702) 384-5563
Attorney for Plaintiff, *Gina Fiore*

CERTIFICATE OF ELECTRONIC SERVICE

On November 2, 2021, I served the foregoing Notice of Entry of Order After Hearing on October 13, 2021, by electronic service via **WIZNET** to:

douglasbrofmanpersonal@yahoo.com

/s/ Rosemary Reyes
Rosemary Reyes
An Employee of Chesnoff & Schonfeld

ELECTRONICALLY SERVED
11/1/2021 4:11 PM

Electronically Filed
11/01/2021 4:11 PM
CLERK OF THE COURT

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Tel: (702) 384-5563
rschonfeld@cslawoffice.net

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

GINA FIORE,	
Plaintiff,	**CASE NO. D-19-600841-C**
	DEPT. U
vs.	
DOUGLAS BROFMAN,	
Defendant.	

ORDER AFTER HEARING ON OCTOBER 13, 2021

THIS MATTER came before the Court on October 13, 2021, for the following Motions/Counter-motions:

1. Defendant's Motion Disputing Parenting Coordinator's Decision of August 16, 2021 and Related Relief;
2. Plaintiff's Opposition to Defendant's Motion Disputing Parenting Coordinator's Decision of August 16, 2021 and Related Relief with Plaintiff's Request for Attorney's Fees and Costs;
3. Plaintiff's Motion for an Order to Show Cause Why Douglas Brofman Should Not Be Held in Contempt for Violating the Order Appointing the Parenting Coordinator and for Violating Joint Legal Custody Provisions and the Decision Regarding School by Secretly Applying for Nicolas to

EXHIBIT
tabbies
A

Attend Foothills Elementary School and Failing to Provide Plaintiff with the Records of Said Application and Request for Attorney's Fees and Costs to be Heard at the Show Cause Hearing;

4. Defendant's Opposition to Plaintiff's Motion for an Order to Show Cause Why Douglas Brofman Should Not Be Held in Contempt for Violating the Order Appointing the Parenting Coordinator and for Violating Joint Legal Custody Provisions and the Decision Regarding School by Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff with the Records of Said Application and Request for Attorney's Fees and Costs to be Heard at the Show Cause Hearing; and Defendant's Written Notice to Not Renew Parenting Coordinator's Term and Countermotion for Fees and Costs;

5. Plaintiff's Emergency Motion for Defendant to Provide Eye Drops for the Child and Request for Attorney's Fees and Costs;

6. Defendant's Opposition Plaintiff's Emergency Motion for Defendant to Provide Eye Drops for the Child and Request for Attorney's Fees and Costs and Countermotion for Defendant's Fees and Costs; Medical Decision-Making Authority to Defendant; Miscellaneous Relief;

7. Plaintiff's List of Items to be Addressed at October 13, 2021, Hearing.

The Plaintiff was represented by Richard A. Schonfeld, Esq., of the law offices of Chesnoff & Schonfeld, and the Defendant appeared in Proper Person. The Court having reviewed the papers and pleadings on file herein, and considering argument of counsel and the Defendant, hereby finds and Orders as follows:

The Court first addressed the documentation provided by Defendant regarding judicial election contribution limits. The Court notes that according

to Defendant's records counsel Schonfeld made a $500 campaign contribution to the Court at a time prior to this Department being assigned to the case. The contribution is not significant enough to raise a reasonable question as to the Court's impartiality. *Ivey v. District Court*, 129 Nev. 154 (2013).

The Court heard discussion regarding the parenting coordinator, which involved several issues including reallocation of fees, fees owed to the parenting coordinator, potential of appointing a new parenting coordinator.

The Court heard discussion regarding Plaintiff's assertion that Defendant should be held in contempt of court for trying to enroll their minor child in Foothill's Montessori and for refusing to sign off on Plaintiff securing a passport for the Minor child.

The Court heard discussion regarding Plaintiff's counsel having submitted a *Brunzell* declaration for the prior award of attorney's fees.

The Court heard discussion regarding facetime by the parents with the minor child.

The Court heard discussion regarding clothing for the minor child, cooperation by the parties in schooling needs for the minor child, and chess club for the minor child (including expenses associated therewith).

The Court heard discussion regarding the minor child entering therapy.

The Court heard discussion regarding communication protocol between the parties.

The Court heard discussion regarding vaccinations for the minor child, eye drops for the minor child, and a passport for the minor child.

The Court has considered the papers and pleadings on file herein as well as the above stated discussions. The Court hereby finds and Orders as follows:

1. The Parenting Coordinator appropriately reallocated fees in favor of Plaintiff and against the Defendant. The Defendant is lucky that the Parenting Coordinator did not reallocate more than the $2,475. The amount of $2,475 is reduced to Judgment against the Defendant and in favor of the Plaintiff. The current Parenting Coordinator is relieved of her duties with the thanks of the court for trying to work on a very difficult case. The Court denies Plaintiff's request for additional reallocation;

2. With regard to any outstanding fees owed by either party, the order stands that each party is responsible for half of the Parenting Coordinator's fees, with the exception of what was reallocated. If there are any outstanding fees owed by either party then that party needs to arrange payment and get that accomplished. If that is not accomplished, the parenting coordinator has the right to come to the court and ask for judgment on her fees;

3. The court denies Plaintiff's request for a new parenting coordinator to be appointed. Parenting coordinators are supposed to help in high-conflict cases. However, in this case it is just another layer of ability for the parties to fight with each other and cost the other party money. The Court has looked at the overall issues in this case that keep coming back to the Court and they are all about power and control. Plaintiff asked something that may seem perfectly normal to her, but dad may be passive-aggressive, not respond and do exactly the opposite. It might come to the level of the Court having to award sole legal custody and/or primary physical custody to one of the parents if this continues;

4. With regard to the Plaintiff's Motion for an Order to Show Cause against the defendant for trying to enroll their son in Foothill's Montessori and for refusal to sign off on the passport application, the Court first finds that the Plaintiff's affidavit does not meet the requirements of *Awad*. The bigger

problem though is, technically, there is no order saying that a parent cannot apply for as many schools as they want to spend the money to do, as the private schools cost money to apply. It is a change in schooling that would have to be agreed by the parents or ordered by the court after an evidentiary hearing. So if Defendant wants to spend his money applying to and getting other options and presenting other options to Plaintiff, the court does not find that contemptuous. But the defendant should be aware, it does not help build trust with your co-parent to do these things behind her back. The Court also finds that, in this case, it was not reasonable for Defendant to have done it when the Court had just made a decision regarding schooling. It appears that Defendant is simply trying to create conflict;

5. With regard to the passport, that was within the Parenting Coordinator's decision. However, since Defendant has raised an objection under federal law, the Court will implement a solution so that Plaintiff can obtain the passport. Accordingly, the Plaintiff may submit a separate order to the Court providing that she has sole authority to obtain that passport for the child without the need for Defendant's signature. Plaintiff shall maintain possession of the passport. As long as a parent gives timely notice of a trip out of the Country, and there is no good faith basis to object to the proposed trip, the other parent is required to sign a letter authorizing the out of Country travel. A reasonable objection would be if the proposed travel is to a location that is on the "do not travel" list for the State Department as a location that is unsafe for Americans to travel to. Because of the passport issue having been resolved already by the Parenting Coordinator, and the fact that this should have been taken care of, the Court awards Plaintiff $750 in attorney's fees (in addition to other attorney fee awards) to be paid by Defendant in favor of Plaintiff. This fee award is granted

pursuant to EDCR 7.60 (as a sanction) and pursuant to NRS 18.010. The Court has previously reviewed counsel Schonfeld's *Brunzell* affidavit and deems this award to be reasonable after having considered those factors and the time necessary to bring this issue to the Court's attention;

6. With regard to the award of attorney's fees that was left unresolved after the last hearing, the Court has reviewed the *Brunzell* affidavit and the opposition filed by Defendant. The Court finds that the $2,500 that Plaintiff requested for that amount of work is very reasonable. Counsel Schonfeld is to prepare an Order and Judgment for the $2,500 incorporating the *Brunzell* factors. That will be reduced to Judgment against the Defendant and in favor of the Plaintiff;

7. In summary, with the awards, Defendant owes the plaintiff $2,475 on the Parenting Coordinator reallocation, $2,500 for the fees and costs on the prior motions and hearing, and $750 in fees and costs for the passport issue. That totals $5,725. As a result of Defendant being willfully unemployed or underemployed as of the last information he provided in a financial disclosure form, starting November of 2021, Plaintiff can apply the child support monthly amount to the outstanding fees owed by Defendant each month until it is satisfied;

8. As to Facetime, it is very unfortunate for the minor child that every single issue that can be fought about is fought about. The Court finds that it has to be very succinct and detailed on this issue and orders that FaceTime opportunity will be Mondays, Wednesdays, and Sundays. The non-custodial parent has the right to call to talk to the minor child between 7:00pm and 7:30pm, in the time zone where the minor child is located. If the child is with Defendant, for example, in Ohio, it is going to be the timeframe there and Plaintiff would have

the option to call him on those evenings. The custodial parent shall make the minor child available during that half-hour window with no distractions. The custodial parent needs to make sure he is available, ready, and has no distractions. There will be no flexibility or request to accommodate a change. If the non-custodial parent misses it, then it is skipped and he/she will have to wait until next time;

9. With regard to Plaintiff's request to add Halloween to the holiday schedule, the Court denies that request;

10. With regard to Plaintiff's request that each parent supply sufficient clothing for the child at their household, the Court understands the Plaintiff's points on these issues, but this is a level of micromanagement that the Court is not going to engage in on this case. The Court notes that Plaintiff can send the minor child to Defendant's house without extra clothing. If Defendant does not have appropriate size clothes and clothes that are appropriate for the weather, then that is going to be something that Defendant will have to explain to the minor child. Similarly, if Defendant wants to play that game and not provide for the things that Nicolas needs, not get him to school on time, and not get him to school with the things he needs, eventually, that is going to rise to the level of it being a chronic problem that will warrant Plaintiff filing a motion to change custody. Both parties have basic duties as parents. If Defendant is not going to get the child to school on time, send the child to school with his homework and send the child to school with other items that he needs, given that Defendant does not even have a job, that is going to be deemed a chronic problem;

11. With regard to reimbursement of shared costs, that is not an issue the Court can address without a separate motion and an *Awad* affidavit. Then it still can be set for evidentiary hearing. However, the Court warns both of parties that

if the shared expenses are uploaded to Our Family Wizard, the party must either object or pay them on time. If that is not what happens and somebody files a motion, the Court will have to grant the prevailing party attorney's fees;

12. As it relates to expenses for Nicolas's chess club, the Court is granting the request of Plaintiff. The chess club sounds like a good fun thing for Nicolas and his enrollment in the chess club is to be maintained. Since the parties agreed to chess club, the Court orders that Defendant pay 100% of that cost up-front. Defendant will then upload the cost to Our Family Wizard as a shared expense, but he is going to be responsible for initially paying those costs;

13. With regard to therapy for Nicolas, the Court finds that it would help him to have somebody independent and trained who would be able to be a safe place for him to talk about the stresses he is under. The Court therefore grants Plaintiff's request that Nicolas attend therapy. The parties are going to use a provider covered by one or both health insurances. The Court is not granting the request for reports to go to the Court as this is for therapeutic purposes only. Plaintiff shall pick three providers that are covered by the insurance and send the list to Defendant on Our Family Wizard within seven days. Defendant will then have seven days to investigate and pick one of those three. If Defendant does not pick one of the three by the deadline then Plaintiff can choose the therapist and get started.

14. As far as the communication protocol, the Court adopts the protocol of the Parenting Coordinator, with the exception of the Parenting Coordinator being copied on communications. Additionally, the communications will be through Our Family Wizard and not by email. Accordingly, the following is the communication protocol being ordered by the Court:

PURPOSE:

Reduce contact between co-parents, encourage Plaintiff and Defendant to remain child focused, and make responding easier.

PROTOCOL SUMMARY:

a. Weekly co-parenting matters are to be addressed by the parties through OFW;

b. Parties select the same day and time each week to send their OFW communication;

c. Even when there is nothing to share or ask, the parties are to send an OFW communication to their co-parent out of respect;

d. Any questions in the weekly OFW communication are to be answered by the co-parent within 24 hours;

e. After the weekly OFW communication, ALL communication stops for the week with the exception of urgent situations, emergency situations, or time sensitive matters related to the child's schooling or extracurricular activities;

f. Urgent situations are communicated in a manner appropriate to the situation and in keeping with the Mutual Behavioral Order of June 3, 2020. Urgent situations might be late to an exchange and reason why or a change in activity;

g. Emergency situations are communicated in a manner appropriate to the situation and in keeping with the Mutual Behavioral Order of June 3, 2020;

h. If either parent sends a non-urgent/time-sensitive message in violation of the protocol it will not be responded to until the following weekly email.

OFW Format:

OFW communications must include a greeting and be divided into two sections. The first section is For Your Information and may be used in addition to the highlight form. Information would include, any updates or observations, share information you wish to share and your co-parent is not expected to respond to this section. It is simply for their information.

Section two is Response Required and is limited to four (4) questions per OFW communication. ALL questions must be numbered this is where questions about activities or other child related things will go.

OFW communications may not be accusatory.

Off Limit Topics:

OFF LIMIT TOPICS (these topics are off limits for OFW communications):

- Money Owed, with the exception of reimbursement that is permitted under the terms of the Decree or other Orders of this Court;
- Allegations of ANY kind;
- Any legal action (in process) or threats;
- Personal questions about your co-parent's life;
- Negative comments the child has shared about the other parent.

15. The Court denies Plaintiff's request that Defendant attend the UNLV parenting class an additional time;

16. As to vaccinations, the minor child has received the standard vaccinations and the dispute relates to vaccinations such as the flu shot and the Covid-19 vaccine. The Court urges the parties to follow the recommendation of the minor child's pediatrician. If the parties have a disagreement regarding vaccinations, then they can bring it to the Court and the Court will consider all evidence including the recommendations made by the experts/medical professional(s);

17. As to the administration of eye drops for the minor child. The Court Orders that the parties schedule an appointment with the Ophthalmologist that saw Nicolas in or around December of 2020, Selim T. Koseoglu, M.D. The appointment should be scheduled for December of 2021. The parties can provide all medical records to the Doctor, and Nicolas should be dilated. If both parties cannot, or do not want to, appear at the appointment then one can appear remotely for the visit so that both parents can participate. If the Ophthalmologist recommends that Nicolas be administered eye drops, then the Court will Order the same.

Accordingly, the Court hereby Orders that the above findings and Orders are now Orders of this Court. The Court further Orders that:

1. The OBJECTION to the Parenting Coordinator's decision regarding REALLOCATION OF FEES shall be DENIED and reduced to judgment against Defendant.

2. The current Parenting Coordinator shall be RELIEVED. If either Party owes any OUTSTANDING FEES, the ORDER shall STAND that Parties are responsible for the FEES 50/50.

3. Plaintiff's request for a new PARENTING COORDINATOR shall be DENIED.

4. Plaintiff's shall provide an ORDER that she has SOLE AUTHORITY to obtain a PASSPORT for the child. Plaintiff shall be the one to maintain the passport unless Defendant needs it for international travel.

5. Court shall award $750.00 in FEES to Plaintiff from Defendant.

6. Mr. Schonfeld shall prepare an ORDER and JUDGEMENT for $2500.00 incorporating the BRUNZELL factors, including the statements regarding his

experience and normal billing rate, and shall be reduced to judgment against Defendant.

7. FACETIME opportunity shall be on MONDAYS, Wednesday, and SUNDAYS. The non-custodial parent has the right to CALL between 7:00 p.m. and 7:30 p.m. However, the custodial parent shall have the child available during that half-hour window, and there shall be NO FLEXIBILITY or request to accommodate a change.

8. Plaintiff shall apply the $5725.00 that Defendant owes to the CHILD SUPPORT each month until it is satisfied beginning November 2021.

9. The request to add HALLOWEEN to the holiday schedule shall be DENIED.

10. Plaintiff shall not send the appropriate clothes if Defendant does not have the appropriate clothes for the child.

11. The request for the CHESS CLUB shall be GRANTED. The parties shall maintain Nicolas's enrollment in the chess club. Defendant shall pay 100 PERCENT of the COSTS up-front, and that shall be uploaded on OUR FAMILY WIZARD as a shared expense, but Defendant shall be responsible for paying initially for that.

12. The request for THERAPY shall be GRANTED. The Parties shall use a provider covered by one 1) or both HEALTH INSURANCES. Court shall not GRANT the request as to any reports to the Court; it shall be for therapeutic purposes only for the child. Plaintiff shall pick THREE (3) providers that are covered by Plaintiff's insurance and send THREE (3) NAMES to OUR FAMILY WIZARD within SEVEN (7) DAYS. Defendant shall have SEVEN (7) DAYS to investigate and pick one (1) of those three (3): If Defendant does not do so by the deadline, Plaintiff shall choose the one (1) she wants.

13. Communication Protocol request shall be GRANTED. Communication Protocol recommended by the Parenting Coordinator effective 4/8/21 shall be ADOPTED and put in the Court order everything EXCEPT for Parenting Coordinator is to be copied on the e-mails is replaced by OUR FAMILY WIZARD.

14. The request for ADDITIONAL REALLOCATION shall be DENIED.

15. Plaintiff's request for Defendant to take the UNLV CO-PARENTING CLASS shall be DENIED.

16. In December, the Parties shall make an appointment with the Ophthalmologist, provide all the records, and allow the Ophthalmologist to diagnose the issue and see what they recommend.

17. Defendant's request for SOLE LEGAL over MEDICAL shall be DENIED.

18. Neither Party shall be allowed to CONTROL what is going on in the other parent's HOME unless it rises to the level of ABUSE and NEGLECT.

19. Defendant's request for an EVIDENTIARY HEARING regarding the Parenting Coordinator's decision shall be DENIED.

20. For International travel the Parties shall provide TIMELY notice for the TRIP, and as long as there is no good faith basis to object to the proposed trip, the other parent is required to sign a letter authorizing the out of Country travel;

///

20. The Court warns both parties that if the shared expenses are uploaded to Our Family Wizard, the other party must either object or pay them on time. If that is not what happens and somebody files a Motion, the Court will have to grant the prevailing party attorney's fees;

IT IS SO ORDERED.

Dated this _____ day of _____, 2021.

Dated this 1st day of November, 2021

HONORABLE DAWN R. THRONE

4CA DE6 A092 73D4 tm
Dawn R. Throne
District Court Judge

Respectfully Submitted:

/s/ Richard A. Schonfeld
RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Telephone: (702) 384-5563
Attorney for Plaintiff

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Gina Fiore, Plaintiff.	CASE NO: D-19-600841-C
vs.	DEPT. NO. Department U
Douglas Brofman, Defendant.	

AUTOMATED CERTIFICATE OF SERVICE

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

Service Date: 11/1/2021

Lorien Cole	lorien@willicklawgroup.com
Reception Reception	email@willicklawgroup.com
Mallory Yeargan	Mallory@willicklawgroup.com
Richard Schonfeld	rschonfeld@cslawoffice.net
Rosemary reyes	rreyes@cslawoffice.net
DOUGLAS BROFMAN	douglasbrofmanpersonal@yahoo.com
Brittany Falconi	media@ournevadajudges.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/2/2021

Lorien Cole	3591 E. Bonanza Road, Suite 200 Las Vegas, NV, 89110

Marshal Willick

3591 E. Bonanza Rd. Suite 200
Las Vegas, NV, 89110

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** January 28, 2020

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

January 28, 2020 **10:00 AM** **All Pending Motions**

HEARD BY: Gentile, Denise L **COURTROOM:** Courtroom 03

COURT CLERK: Melissa McCulloch

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, not present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, not present	Richard Schonfeld, Attorney, not present
Lorien Cole, Unbundled Attorney, not present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF THE MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF... DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF AND DEFENDANT'S COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY OF MINOR CHILD; CHILD SUPPORT; PERMISSION TO RELATE WITH CHILD FROM THE STATE OF NEVADA; MUTUAL BEHAVIORAL ORDER; ATTORNEY'S FEES AND RELATED RELIEF... REPLY TO DEFENDANT'S TO PLAINTIFF'S MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF AND OPPOSITION TO DEFENDANT'S COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY OF MINOR CHILD; CHILD SUPPORT; PERMISSION TO RELATE WITH CHILD FROM THE STATE OF NEVADA; MUTUAL BEHAVIORAL ORDER; ATTORNEY'S FEES AND RELATED RELIEF

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

NRCP 1 and EDCR 1.10 state the procedures in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. EDCR 5.303 requires the parties to any contested child custody, access or visitation dispute to attend mandatory mediation through the Family Mediation Center (FMC).

COURT FINDS Plaintiff filed a Motion for Joint Legal and Joint Physical Custody of the Minor Child, for Child Support, and for Related Relief on December 13, 2019. COURT FINDS Defendant filed an Opposition and Countermotion on January 14, 2020 and a Reply was filed on January 22, 2020. COURT FINDS the matter is currently set to be heard on January 28, 2020 at 10:00 a.m.

COURT FINDS EDCR 5.303 has not been complied with. Therefore, COURT HEREBY ORDERS the parties shall attend mediation through FMC. COURT ORDERS a FMC Return Hearing shall be SET for March 18, 2020 at 9:30 a.m. COURT FURTHER ORDERS the Motion hearing currently set on January 28, 2020 shall be CONTINUED to the date of the FMC Return Hearing.

The Parties should take notice of NRS 125C.0015 which gives parents joint legal and physical custody until otherwise ordered by the Court. Further, in making its custody determination, the Court shall consider which parent is more likely to foster the child s relationship with the other parent.

CLERK S NOTE: On 1/28/20 a copy of the Court s Minute Order and Order for Family Mediation Center Services was placed in each Attorney s folder located in the Clerk s Office. (mm)

INTERIM CONDITIONS:

FUTURE HEARINGS:

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** June 03, 2020

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

June 03, 2020 **2:30 PM** **All Pending Motions**

HEARD BY: Gentile, Denise L **COURTROOM:** Courtroom 03

COURT CLERK: Melissa McCulloch

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, present	Richard Schonfeld, Attorney, present
Lorien Cole, Unbundled Attorney, not present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF THE MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF... DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF AND DEFENDANT'S COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY OF MINOR CHILD; CHILD SUPPORT; PERMISSION TO RELOCATE WITH THE CHILD FROM THE STATE OF NEVADA;MUTUAL BEHAVIOR ORDER;ATTORNEY'S FEES AND RELATED RELIEF... REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF MINOR CHILD; FOR CHILD SUPPORT TO BE CALCULATED; AND RELATED RELIEF AND OPPOSITION TO DEFENDANT'S COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY OF MINOR CHILD; CHILD SUPPORT; PERMISSION TO RELOCATE WITH THE CHILD FROM THE STATE OF NEVADA;MUTUAL BEHAVIOR ORDER;ATTORNEY'S FEES AND RELATED RELIEF... RETURN HEARING: FMC MEDIATION... CASE MANAGEMENT

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

CONFERENCE

All parties participated VIA TELEPHONICALLY.

Court reviewed matters on calendar. Court NOTES, it was represented that the parties participated in private mediation with Radford Smith, but were unsuccessful at reaching a resolution. Statements by Attorney Shconfeld regarding Defendant's allegations that Plaintiff is not fit, statements regarding Plaintiff's professional gambling career and Plaintiff's objection to Defendant's request to relocate. Discussion regarding Plaintiff's proposed timeshare, issues regarding school next year. Statements by the Court regarding Defendant's burden as to relocation and the Court's requirement to have an Evidentiary Hearing as to same. Argument and statements by Attorney Kynaston regarding the parties maintaining the current shared timeshare, the school issue and the child being held out one more year before the start of kindergarten. Court NOTES, parties agree to joint custody if both parents reside within the State. Court further NOTES, Counsel requests a period of four (4) months for discovery.

Following discussion, COURT ORDERED as follows:

1. Parties awarded TEMPORARY JOINT LEGAL and JOINT PHYSICAL CUSTODY of the minor child.

2. Parties agree to modify CUSTODIAL TIMESHARE as follows: Beginning Monday (6/8/20) Defendant will have the child Monday at 3:30 p.m. to Wednesday at 3:30 p.m. Plaintiff will have the child from Wednesday at 3:30 p.m. to Friday at 3:30 p.m. Parties will alternate the weekends from Friday at 3:30 p.m. to Monday at 3:30 p.m. Court NOTES, Defendant's first weekend will begin on 6/12/20.

3. Pursuant to STIPULATION, Defendant will have the child on Father's Day from 10:00 a.m. until 7:00 p.m.

4. Based upon the similar income of the parties, there will be NO CHILD SUPPORT set at this time.

5. A MUTUAL BEHAVIOR ORDER will be issued to the parties. Court will process the Order and electronically provide it to each side.

6. Parties shall utilize OUR FAMILY WIZARD to communicate regarding all issues involving the minor children, absent an emergency or a time sensitive issue. Order FILED into the record ad electronically provided to each side.

7. Parties are to complete the UNLV Cooperative Parenting Class. The parties are to start the program within the next three (3) months. The completed certificates are to be filed with the Court.

8. The request for a CHILD CUSTODY EVALUATION is DEFERRED.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

9. From here forward, any unreimbursed medical, dental, optical, orthodontic or other health related expenses incurred for the benefit of the minor child, INCLUDING MONTHLY PREMIUMS are to be divided equally between the parties. Either party incurring an out of pocket medical expense for the child/children shall provide a copy of the paid invoice/receipt to the other party within thirty days of incurring such expense, if not tendered within the thirty day period, the Court may consider it as a waiver of reimbursement. The other party will then have thirty days from receipt within which to dispute the expense in writing or reimburse the incurring party for one-half of the out of pocket expense, if not disputed or paid within the thirty day period, the party may be subject to a finding of contempt and appropriate sanctions.

10. Any prior disputed amounts of unreimbursed medical insurance premiums and prior debts of the parties will be DEFERRED to trial.

11. Pursuant to STIPULATION, the child will attend FRIAS ELEMENTARY SCHOOL; however, the issue of WHEN the child will begin school will be set for a short NON-JURY TRIAL on 7/22/20 at 1:30 p.m. (2 Hours).

12. PRE-TRIAL CONFERENCE set for 10/6/20 at 1:30 p.m. Discovery will CLOSE this date.

Attorney Kynaston to prepare the Order from today's hearing with Attorney Schonfeld to review and countersign.

INTERIM CONDITIONS:

FUTURE HEARINGS: Oct 06, 2020 1:30PM Pre Trial Conference
Courtroom 03 Gentile, Denise L

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** July 22, 2020

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

July 22, 2020 **1:30 PM** **Non-Jury Trial**

HEARD BY: Gentile, Denise L **COURTROOM:** Courtroom 03

COURT CLERK: Melissa McCulloch

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, not present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, not present	Richard Schonfeld, Attorney, not present
Lorien Cole, Unbundled Attorney, not present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- NON-JURY TRIAL

Prior to the time set for trial, Court received a Stipulation and Order resolving the school issue; therefore, COURT ORDERED matter OFF CALENDAR.

INTERIM CONDITIONS:

FUTURE HEARINGS: Oct 06, 2020 1:30PM Pre Trial Conference
Courtroom 03 Gentile, Denise L

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** August 31, 2020

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

August 31, 2020 **8:00 AM** **Minute Order**

HEARD BY: Gentile, Denise L **COURTROOM:** Chambers

COURT CLERK: Melissa McCulloch

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, not present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, not present	Richard Schonfeld, Attorney, not present
Lorien Cole, Unbundled Attorney, not present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

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

COURT FINDS on August 14, 2020, Defendant filed a Motion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order; for Sanctions, for Attorney s Fees and Costs; and Related Relief, which is set for September 30, 2020, at 9:30 a.m. COURT FINDS on August 25, 2020, Plaintiff filed and Opposition thereto and Counter-Motion for an Order to Show Cause; to Enforce Provisions of the Mutual Behavior Order, for Appointment of a Parenting Coordinator, for Sanctions, Attorney s Fees and Costs; and Related Relief, which is set for September 30, 2020, at 9:30 a.m. COURT FINDS that at the hearing on June 3, 2020, a Pre Trial Conference was set for October 6, 2020, a 1:30 p.m. COURT FINDS that in the interest of judicial economy the aforementioned hearings should be CONSOLIDATED.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Therefore, COURT ORDERS the Plaintiff s Motion and the Defendant s Opposition and Countermotion set on September 30, 2020, at 9:30 a.m., shall be CONSOLIDATED and RESCHEDULED to October 6, 2020, at 1:30 p.m., in conjunction with the Pre Trial Conference.

CLERK S NOTE: On 8/31/20 a copy of the Court s Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (mm)

INTERIM CONDITIONS:

FUTURE HEARINGS:

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** October 06, 2020

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

October 06, 2020 1:30 PM All Pending Motions

HEARD BY: Gentile, Denise L **COURTROOM:** Courtroom 03

COURT CLERK: Melissa McCulloch

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, present	Richard Schonfeld, Attorney, not present
Lorien Cole, Unbundled Attorney, not present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE, TO ENFORCE PROVISIONS OF THE MUTUAL BEHAVIOR ORDER, FOR SANCTIONS, ATTORNEY FEES AND RELATED RELIEF... PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE; TO ENFORCE PROVISIONS OF THE MUTUAL BEHAVIOR ORDER; FOR SANCTIONS, ATTORNEY FEE AND RELATED RELIEF AND COUNTERMOTION FOR AN ORDER TO SHOW CAUSE; TO ENFORCE PROVISIONS OF THE MUTUAL BEHAVIOR ORDER, FOR APPOINTMENT OF A PARENTING COORDINATOR, FOR SANCTIONS, ATTORNEY FEES AND COSTS AND RELATED RELIEF... DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE; TO ENFORCE PROVISIONS OF THE MUTUAL BEHAVIOR ORDER; FOR SANCTIONS, ATTORNEY FEE AND RELATED RELIEF AND OPPOSITION TO FOR AN ORDER TO SHOW CAUSE; TO ENFORCE PROVISIONS OF THE MUTUAL BEHAVIOR ORDER, FOR APPOINTMENT OF A PARENTING COORDINATOR, FOR SANCTIONS, ATTORNEY FEES AND COSTS AND RELATED RELIEF... PRE-TRIAL

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

CONFERENCE

Upon inquiry, Counsel represented the parties attended mediation and a settlement conference where some minor issues were resolved, negotiations are ongoing and they are requesting additional time for discovery. Court NOTES, the issues for trial include custody, relocation and the mutual Orders to Show Cause. Discussion regarding the loan/debt and the Breach of Contra ct claim being heard in this case or separate action with jury trial. Statements by Attorney Kynaston regarding Plaintiff's violations of the Mutual Behavioral Order, request for an Order to Show Cause and for Plaintiff to complete a Co-Parenting Class. Argument and statements by Attorney Schonfeld regarding Defendant's violations of the Mutual Behavior Order as well, including disparaging comments and request for appointment of a Parenting Coordinator.

Following argument, Court ORDERED as follows:

1. Within Attorney Schonfeld will provide Opposing Counsel with three (3) names of Parenting Coordinators, for selection by Defendant within ten (10) days. Counsel is to discuss and prepare a proposed Stipulation and Order with agreed to language as to what the Parenting Coordinator's responsibilities will be and who will be responsible for what cost(s).

2. Parties are required to provide the full name(s) of any non-family member third-party caregivers to the other parent that they utilize during their custodial time.

3. Each sides request for an Order to Show Cause is GRANTED and will be heard at the time of trial. The Court will hear only the violations as it relates to engaging in foul language and name-calling but not the threats to violate the order.

4. NON-JURY TRIAL set for 2/18/21 at 9:00 a.m. (full day).

5. Discovery will close thirty (30) days prior to trial.

6. Court to issue a TRIAL MANAGEMENT ORDER and provide each side a copy of same.

Attorney Kynaston to prepare an Order from today's hearing; Attorney Schonfeld to review and countersign.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** January 13, 2021

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

January 13, 2021 **11:00 AM** **Minute Order**

HEARD BY: Rocheleau, Stacy M. **COURTROOM:** Chambers

COURT CLERK: Tiffany Schmidt

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, not present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, not present	Richard Schonfeld, Attorney, not present
Lorien Cole, Unbundled Attorney, not present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- MINUTE ORDER- NO HEARING HELD

Judge Rocheleau hereby recuses herself from this Case Number D-19-600841-C based on the following reasons. The Defendant obtained legal advice from an associate attorney in the same law firm with Judge Rocheleau, prior to taking the District Court Bench. Therefore, there will be, or there will be an appearance of bias, if she were to remain assigned to this case.

The Court's recusal is based on the Nevada Cost of Judicial Conduct Canon 2.11(A)(1).

The above-entitled action shall be randomly reassigned to a new Judge.

CLERK'S NOTE: This Minute Order was Amended to reflect the last line herein. (TS 1/13/21)

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** March 11, 2021

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

March 11, 2021 **2:00 PM** **All Pending Motions**

HEARD BY: Throne, Dawn R. **COURTROOM:** RJC Courtroom 14A

COURT CLERK: Maureen Torkelson

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, present	Richard Schonfeld, Attorney, present
Lorien Cole, Unbundled Attorney, present	
Marshal Willick, Unbundled Attorney, present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- DEFENDANT S MOTION TO REQUEST ORDER TO ESTABLISH HOLIDAY SCHEDULE 2020/2021 OPPOSITION TO DEFENDANT'S MOTION FOR AN ORDER TO ESTABLISH A TEMPORARY HOLIDAY SCHEDULE FOR CHRISTMAS AND/OR NEW YEAR'S EVE AND DAY 2020/2021; TO PROCURE DENTAL CARE FOR THE MINOR CHILD; FOR ATTORNEY'S FEES AND COSTS; AND RELATED RELIEF DEFENDANT'S MOTION TO REQUEST CONTINUANCE, ENLARGE DISCOVERY, ET CETERA PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR AN INDEPENDENT MEDICAL EXAMINATION; AND ORDER REQUESTING PLAINTIFF SIGN A HIPAA RELEASE FOR PSYCHIATRIC AND PSYCHOLOGICAL RECORDS; FOR BOTH PARTIES TO SIGN A RELEASE FOR UNREDACTED POLICE BODY-WORN CAMERA FOOTAGE FOR DOMESTIC VIOLENCE CALL ON MARCH 22, 2020; FOR AN ORDER ENLARGING DISCOVERY DEADLINES, AND AN ORDER TO CONTINUE DISCOVERY NON-JURY TRIAL REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR AN INDEPENDENT MEDICAL EXAMINATION; AN ORDER REQUESTING PLAINTIFF. SIGN A HIPAA RELEASE FOR PSYCHIATRIC AND PSYCHOLOGICAL RECORDS; FOR BOTH PARTIES TO SIGN A

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

RELEASE FOR UNREDACTED POLICE BODY-WORN CAMERA FOOTAGE FOR DOMESTIC VIOLENCE CALL ON MARCH 22, 2020, FOR AN ORDER ENLARGING DISCOVERY DEADLINES AND AN ORDER TO CONTINUE THE CIVIL NON-JURY TRIAL PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON RELOCATION REQUEST/CUSTODY AND VISITATION [ORAL ARGUMENT REQUESTED] DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON RELOCATION REQUEST/CUSTODY AND VISITATION REPLY TO OPPOSITION TO MOTION FOR SUMMARY JUDGMENT ON RELOCATION REQUEST/ CUSTODY AND VISITATION AND OBJECTION TO INADMISSIBLE EVIDENCE

Attorney Marshall Willick, Bar No. 2515, and Attorney Lorien Cole, Bar No. 11912, present as Co-Counsel for Defendant in an UNBUNDLED CAPACITY.

Court, both parties and Counsel participated via BLUEJEANS.

Upon the matter being called, the COURT NOTED papers and pleadings on file. Upon review, the Court advised the parties will have time to go before the Discovery Commissioner regarding all the Discovery issues. Court further noted that a trial will need to be set to address the other issues. Court reviewed its calendar and offered three different dates to the parties with the earliest, and only one before school starts, being in May. Attorney Cole requested trial be set out to at least July to give time to pursue and litigate the discovery issues. Attorney Schonfeld opposed delaying the trial, stating there would need to have been excusable neglect and there hasn't been. In addition, Mr. Schonfeld represented his schedule would not accommodate a July trial and he requested the Court to set it at the earliest date available.

Discussion regarding what timing is in the best interest of the child. Court advised if the child starts school it is unlikely it would grant a request for relocation in the middle of a school year. Further discussion regarding issues that need to addressed in preparation for trial such as getting medical records regarding mom s mental health and scheduling of depositions.

Discussion and arguments regarding the whole case not being in compliance with the rules. COVID played a part but not entirely. Further discussion on Defendant not working.

COURT stated its FINDINGS and ORDERED the following:

1. Defendant s Motion to continue trial and extend discovery is MOOT because of the department reassignments.

2. Plaintiff s request for Summary Judgment is DENIED because custody cases need to be heard on merit.

3. Order to Show Cause claims shall be DEFERRED to TRIAL.

5. Both parties shall sign HIPAA Releases for the past five (5) years for mental health discovery,

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

including the names of the parties providers.

6. Defendant can subpoena the body camera footage from the police department.

7. Both parties are to present themselves to the American Toxicology Institute (ATI) for a FULL DRUG SCREEN by 5:00 p.m. today. ATI referral issued and electronically provided to each side. Each side will be responsible for the cost of their own test, subject to reimbursement.

8. CHILD SUPPORT matter shall remain STATUS QUO. Matter will be considered at trial.

9. If Defendant receives stimulus money for child, he is to give the Plaintiff half. Any claim for past funds received shall be reserved for trial.

10. Discovery closes May 07, 2021.

11. CALENDAR CALL is set for May 13, 2021 at 2:00 p.m.

12. EVIDENTIARY HEARING is set on 05/21/2021 at 9:00 a.m. (Full day; stack 1). The trial will be held to one full day and it will be timed. Each side shall have three (3) hours and they will be timed.

Attorney Cole shall prepare the Order from today s hearing; Attorney Schonfeld shall review and countersign.

INTERIM CONDITIONS:

FUTURE HEARINGS: May 13, 2021 2:00PM Calendar Call
RJC Courtroom 05D Throne, Dawn R.

May 21, 2021 9:00AM Evidentiary Hearing
Evidentiary Hearing (In Person) (Continued from 5/21/2021)
RJC Courtroom 14C Throne, Dawn R.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** April 16, 2021

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

April 16, 2021 **8:30 AM** **Hearing**

HEARD BY: Throne, Dawn R. **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Brandee Kapanui

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, present	Richard Schonfeld, Attorney, present
Lorien Cole, Unbundled Attorney, present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- HEARING: RE: AMENDED ORDER FOR INDEPENDENT MEDICAL EXAMINATION & SCOPE OF IME

Both Parties, Attorney Richard Schonfeld and Attorney Lorien Cole, all present via video connection through the BlueJeans application.

Court noted the scope of the Willick Law Group's presentation on the case. Discussion was held regarding Attorney Cole's unbundled capacity, representation, and Defendant filing papers in the case independently. Attorney Cole stated she will speak with the Defendant and have the issues straightened out by Monday.

Attorney Cole stated there are issues with the Parenting Coordinator billing the Parties $11,000 for one month of assistance being excessive.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Court reviewed the papers and pleadings on file. Court noted, the timeline of the requested scope is not realistic for the trial set for next month, May 2021.

Attorney Cole highlighted the history and represented, Dr. Holland was retained by both Parties to evaluate the each other and she is suggesting more flexibility for the scope of the evaluations to include a joint evaluation with custodial components to better assess the issues.

Attorney Schonfeld represented, Plaintiff was diagnosed 2 1/2 years ago with Bipolar disorder and she has been receiving treatment and Defendant wanted a psychological evaluation completed. Attorney Schonfeld further represented, Defendant's request for an expanded scope is not part of the psychological evaluation package. Attorney Schonfeld stated deadlines have passed and the necessary cutoffs for the requested expanded scope are untimely. Attorney Schonfeld argued that Rule 35 examination was granted and Defendant's request for a Rule 16.22 evaluation should be denied.

Discussion was held regarding HIPAA release exchange of personal, non-related medical information.

COURT stated its FINDINGS and ORDERED the following:

Defendant's MOTION filed on 4/16/2021 shall be STRICKEN.

Defendant's REQUEST to EXPAND the SCOPE of the Parties EVALUATION shall be DENIED.

HEARING set for 5/12/2021 shall be VACATED.

CALENDAR CALL set for 5/13/2021 at 2:00 P.M. shall STAND.

NON-JURY TRIAL date of 5/21/2021 at 9:00 A.M. on a FULL DAY setting shall STAND.

INTERIM CONDITIONS:

FUTURE HEARINGS: May 13, 2021 2:00PM Calendar Call
RJC Courtroom 05D Throne, Dawn R.

May 21, 2021 9:00AM Evidentiary Hearing
Evidentiary Hearing (In Person) (Continued from 5/21/2021)
RJC Courtroom 14C Throne, Dawn R.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** May 13, 2021

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

May 13, 2021 **2:00 PM** **Calendar Call**

HEARD BY: Throne, Dawn R. **COURTROOM:** RJC Courtroom 14A

COURT CLERK: Silvia Avena

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, present	Richard Schonfeld, Attorney, present
Lorien Cole, Unbundled Attorney, present	
Marshal Willick, Unbundled Attorney, present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- CALENDAR CALL.

BlueJeans/video hearing.

Discussion regarding report pending from Stephanie Holland, (Psy.D) that shall be forwarded to the attorneys and non-jury trial related matters.

Ms. Cole stated that Motion (set 6-8-21) was stricken entirely.

Counsel shall have a pretrial conference in order to ensure that trial is completed with the allotted time.

Following discussion, COURT ORDERED, as follows:

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Plaintiff's counsel shall resubmit the exhibits (mislabeled as letters) that shall be labeled as numbers.

Motion set 6-8-21 VACATED.

Evidentiary hearing (stack #1 ~ full day) set 5-21-21 at 9:00 a.m. STANDS. Appearances may be in person and/or remotely.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** May 17, 2021

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

May 17, 2021 **10:00 AM** **Minute Order**

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

COURT CLERK: Sierra Stepp

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, not present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, not present	Richard Schonfeld, Attorney, not present
Lorien Cole, Unbundled Attorney, not present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

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

On April 22, 2021, Defendant filed an Amended Ex Parte Application for an Order to Show Cause Why Julieta Flores Should Not be Held in Contempt for Her Failure to Comply with the Terms of the Order from the December 3, 2020 Hearing.

THE COURT NOTES that the Amended Ex Parte Application includes the case number D-18-574577-D on the document, which is the correct case number for those parties.

However, THE COURT FINDS that the Amended Ex Parte Application was erroneously filed into D-19-600841-C.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

IT IS ORDERED that the Amended Ex Parte Application for an Order to Show Cause Why Julieta Flores Should Not be Held in Contempt for Her Failure to Comply with the Terms of the Order from the December 3, 2020 Hearing, filed April 22, 2021 shall be STRICKEN from D-19-600841-C.

A copy of this minute order shall be provided to both parties.

SO ORDERED.

Clerk's Note: Parties emailed a copy of the Minute Order. Domestic Sealing Request notified of the request to strike. (5/17/21 SS)

INTERIM CONDITIONS:

FUTURE HEARINGS: May 21, 2021 9:00AM Objection
Purposes of Evidentiary Hearing on Defendant's Countermotion for Permission to Relocate as well as Other Proceedings that are Currently Scheduled for May 21, 2021
RJC Courtroom 14C Throne, Dawn R.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** May 21, 2021

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

May 21, 2021 **9:00 AM** **All Pending Motions**

HEARD BY: Throne, Dawn R. **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Brandee Kapanui

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, present	Richard Schonfeld, Attorney, present
Lorien Cole, Unbundled Attorney, present	
Marshal Willick, Unbundled Attorney, present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- STACK (1) FULL DAY (IN PERSON NJT) PURPOSES OF EVIDENTIARY HEARING ON DEFENDANT'S COUNTERMOTION FOR PERMISSION TO RELOCATE AS WELL AS OTHER PROCEEDINGS THAT ARE CURRENTLY SCHEDULED FOR MAY 21, 2021

Both Parties, Attorney Richard Schonfeld and Attorney Lorien Cole all present IN PERSON, Attorney Marshall Willick present via video connection through the BlueJeans application.

Court reviewed the history of the case.

Upon Court's inquiry, counsels confirmed they have STIPULATED to the following exhibits:

Defendant's Exhibits A, M, O, V, FF, KK and Plaintiff's Exhibits 3, 9, 18, 23, 25, 26.

Attorney Schonfeld represented, Parties do not agree on health insurance.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Counsels waived Opening Statements.

Court heard sworn testimony from witnesses. Exhibits presented. (See worksheets).

Matter Recessed.

Matter Resumed.

Court Clerk Gabriella Konicek (gk) covered from 4:52 p.m. until the end of the hearing.

Deposition FILED IN OPEN COURT.

Court noted it will continue the matter for next week if the parties are available, to which all confirmed they are.

Court further noted Attorney Cole has (17) minutes left in addition to all the time needed for witnesses and closing arguments.

COURT ORDERED the following:

1. The MATTER shall be CONTINUED to 05/25/2021 at 3:00 p.m.

INTERIM CONDITIONS:

FUTURE HEARINGS: May 25, 2021 3:00PM Evidentiary Hearing
Evidentiary Hearing (In Person) (Continued from 5/21/2021)
RJC Courtroom 14B Throne, Dawn R.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** May 25, 2021

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

May 25, 2021 **3:00 PM** **Evidentiary Hearing**

HEARD BY: Throne, Dawn R. **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Helen Green

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, present	Richard Schonfeld, Attorney, present
Lorien Cole, Unbundled Attorney, present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- EVIDENTIARY HEARING CONTINUED FROM 5/21/21 (IN PERSON)

Marshal Willick, Esq., #2515, appeared by Bluejeans video in an unbundled capacity also for Plaintiff.

Witnesses and Exhibits per worksheets.

Both parties SWORN AND TESTIFIED.

Closing arguments by counsel.

COURT ORDERED:

The COURT STATED FINDINGS and FINDS that Defendant's proposed move was intended to

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

deprive mom of her parenting plan. Dad's request to relocate to Ohio with the child is DENIED.

The parties shall have JOINT LEGAL CUSTODY and JOINT PHYSICAL CUSTODY.

The parties shall continue to use OUR FAMILY WIZARD.

The MUTUAL BEHAVIOR ORDER shall continue in effect and shall be incorporated into the final Decree of Custody.

The parties shall continue to use the parenting coordinator until they believe there is no longer a benefit and both parties shall participate in good faith and equally pay the costs subject to the terms of the Order regarding grievances and the parenting coordinator making recommendations that her expense should be shared unequally if the parents are taking unreasonable positions. The Court does have concerns with Defendant's unreasonableness in terms of negotiating agreements on certain issues and then not wanting to sign it because he didn't want to be bound by an Order and that was not good faith negotiations. There was no reason that the final agreement should not have been signed.

With regard to the HOLIDAYS and VACATIONS, and the Court making these Orders is assuming that dad will remain here where the child is and the Court shall continue to assume that until such time that there is not proof of that. So, the parties shall each have the right to three weeks of vacation time each summer with the child that can be taken all at once. Dad shall have priority for the dates in odd years and mom shall have priority for the dates in even years.

With regard to Spring Break, that shall be defined as from the time the child is released from school until he returns to school and dad shall have odd years and mom shall have even years.

With regard to Thanksgiving, that shall also be defined as from the time the child is released from school until the time he returns to school and mom shall have odd years and dad shall have even years.

In regard to Christmas break and in light of the fact that both parties may wish to travel there shall be two periods. The first period shall be from the time the child is released from school until 4:00 P.M. on December 26th and the second from 4:00 P.M. on December 26th until the child returns to school. Mom shall have the first period in even years and dad shall have the first period in odd years.

In regard to Mother's Day and Father's Day, that shall be the entire weekend from the time the child is released from school until he returns to school on Monday morning.

Birthdays shall be defined as from 10:00 A.M. to 7:00 P.M. each parent shall have the child for their own birthday, and with regard to the child's birthday mom shall have the child on his birthday in odd years and dad shall have the child on his birthday in even years.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

The normal schedule shall remain the same as it is now with the Court reserving the right, if these parties continue with this high level of conflict, and as the child gets older it is probably in the child's best interest to change to a week on week off schedule. So, dad's custodial time shall be from Monday when school is released or at 3:30 P.M. if school is not in session until Wednesday at close of school or 3:30 P.M. if school is not in session. Mom's custodial time shall be from the release of school or 3:30 P.M. on Wednesday to Friday from the release of school or 3:30 P.M. if school is not in session. The parties shall alternate weekends which shall be defined as the release from school on Friday or at 3:30 P.M. if school is not in session to release from school on Monday or 3:30 P.M. if school is not in session. The exchanges shall be done at school whenever possible. The parties shall use the text and seatbelt rule. There should not be a repeat of what happened in March 2020 or any of the things that happened in March of 2019 that grandma testified to. The receiving parent shall pick up the child and the parent shall remain seat belted in their vehicle and the child shall come out and get in the receiving parent's car and the other parent shall look out the window and make sure the child gets into the car.

Both parents shall continue to provide HEALTH INSURANCE coverage for the child each at their own expense. The information regarding that insurance coverage will be provided to the other parent at all times. The parties are permitted to physically exchange the HEALTH INSURANCE cards for the child.

Any unreimbursed medical, dental, optical, orthodontic or other health related expense incurred for the benefit of the minor child/children is to be divided equally between the parties. Either party incurring an out of pocket medical expense for the child/children shall provide a copy of the paid invoice/receipt to the other party within thirty days of incurring such expense, if not tendered within the thirty day period, the Court may consider it as a waiver of reimbursement. The other party will then have thirty days from receipt within which to dispute the expense in writing or reimburse the incurring party for one-half of the out of pocket expense, if not disputed or paid within the thirty day period, the party may be subject to a finding of contempt and appropriate sanctions.

With regard to CHILD SUPPORT, the COURT FINDS that mom's GMI is $8,194.50. The COURT FINDS that dad is wilfully unemployed or underemployed and the Court shall impute income to him based on his FDF and his monthly expenses because he has been making his monthly expenses including a $600.00 per month car payment over $1,700.00 per month rent or mortgage for the last two years without fail. The COURT FINDS dad's GMI is $4,770.96. Therefore, mom shall pay CHILD SUPPORT to dad of $372.00 per month effective June 1, 2021. There shall be NO ARREARS.

With regard to the allegations of CONTEMPT, Defendant has alleged that Plaintiff violated the Order for UNLV and the COURT FINDS that does not rise to the level of contempt given the pandemic and other factors but the Court is Ordering that to be completed. With regard to the allegation that mom violated the Order for OUR FAMILY WIZARD, the COURT FINDS that Order was not as clear as it could be with regard to documents and the Court shall clarify that: there is no for the parties to exchange documents physically. The parties shall use OUR FAMILY WIZARD to exchange all documents regarding medical appointments or any other documents regarding the child that needs

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

to be shared with the other parent. With regard to the allegation that mom violated the Order for FMC, the FMC letter does not state that. The letter from FMC states that both parents failed to participate in good faith. With regard to the allegation that mom violated the Order regarding not providing names for the Parenting Coordinator. The COURT FINDS that mom did comply with that.

With regard to the allegations that mom violated the BEHAVIOR ORDER, the COURT FINDS that there were two violations of that Order that rise to the level of holding her in CONTEMPT. One is an OUR FAMILY WIZARD on 7/23/20 and the other is an OUR FAMILY WIZARD from 12/31/20. The specific violations are from paragraph one: the parties will not engage in any abusive contact, foul language, name calling, etc., with the other party or children including telephone calls, letters, e-mails, etc. And the second violation from OUR FAMILY WIZARD that rises to the level of CONTEMPT is from paragraph three of the Behavior Order which was in regard to parental grandmother's FACETIME with Nicolas. Paragraph three states that: you shall maintain respect for the other parties friends, relatives, and significant other.

With regard to mom's allegations that dad violated the Behavior Order, the COURT FINDS that some of dad's messages are not polite but they don't rise to the level of CONTEMPT.

With regard to SANCTIONS for CONTEMPT, mom is SANCTIONED $500.00 for each of the two violations for a total of $1,000.00 that shall be paid to Defendant within 30 days.

With regard to ATTORNEY FEES the COURT FINDS that both parties have over litigated this simple case but neither party is entitled to an award of attorneys fees from the other party. They both brought their requests to the Court in good faith regarding what they thought was in the best interest of their son.

In regard to the school issue, mom has presented the Court with a proposal but dad hasn't. The Court shall need a brief regarding that dad's school would be better for Nicholas than mom's proposed school under the Arcella factors. Defendant shall file a brief and Plaintiff may respond.

Mom shall claim the child as a Dependant on her INCOME TAX for 2020 and in all even tax years and dad shall claim the child in all odd tax years.

The parties agree to keep the embryos in storage and they shall have equal rights to them but both shall need to consent to anything with them other than store them. The parties shall pay those fees going forward.

Mom shall complete the UNLV parenting course by the end of the year.

The parties shall equally divide Federal benefits and cash awards that are provided in for the child.

Matter SET on CHAMBERS CALENDAR for 6/29/21. (Decision re: the child's school)

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Attorney Schonfeld shall prepare the Decree of Custody.

INTERIM CONDITIONS:

FUTURE HEARINGS: May 25, 2021 3:00PM Evidentiary Hearing
Evidentiary Hearing (In Person) (Continued from 5/21/2021)
RJC Courtroom 14B Throne, Dawn R.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** July 01, 2021

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

July 01, 2021 **9:00 AM** **Minute Order**

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

COURT CLERK: Gabriella Konicek

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, not present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, not present	Richard Schonfeld, Attorney, not present
Lorien Cole, Unbundled Attorney, not present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- (MINUTE ORDER/NO HEARING HELD)

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

This case was last before the Court on May 25, 2021 for the conclusion of the non-jury trial regarding custody and Defendant s request to relocate to Ohio with the minor child. The Court announced findings of fact, conclusions of law and orders regarding Defendant s relocation request, custody and child support at that time. However, the Court deferred on announcing its Arcella findings and the order regarding the school that the minor child will be attending for first grade starting in August 2021. Since his primary goal was to relocate with the minor child to Ohio, Defendant presented no evidence at the non-jury trial regarding what school in Clark County, Nevada he thought would best serve Nicolas educational and other needs. Defendant had also made no specific plans regarding

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

where he will live and work in Clark County, Nevada if he was not allowed to relocate with Nicolas to Ohio. Defendant testified that he was only renting the home that he once owned from the purchaser and that he has no lease agreement that he is obligated to fulfill.

Given that lack of information from Defendant and the fact that Plaintiff had just moved to a new home in Inspirada near the school she proposes best meets Nicolas educational and other needs, the Court felt that Defendant should be given a brief amount of time to finalize his living situation in Clark County and provide a brief to the Court with his proposal for the elementary school he believes will best meet Nicolas educational and other needs based upon the factors set forth in Arcella. Plaintiff was also given the opportunity to respond to Defendant s brief regarding Nicolas school. Defendant filed his brief on June 8, 2021 and Plaintiff filed her responsive brief on June 15, 2021.

Unfortunately, Defendant did not do what the Court instructed in terms of proposing one school that he believed to be in Nicolas best interest IF he did not believe Plaintiff s proposed school, Robert and Sandy Ellis Elementary School (Ellis) is in Nicolas best interest after he conducted research regarding that school. Defendant testified at the non-jury trial that he had not done any research regarding Ellis or any other school in Clark County, Nevada at that point. Instead of selecting one school for the Court to consider, he has provided the Court will several different options in opposition to the school Plaintiff proposes: homeschool, Good Samaritan Christian Academy (GSCA), which is a private school, or the school his current home is zoned for, which is Don and Dee Synder Elementary School (Synder). He also goes on to suggest that the decision regarding where Nicolas should attend first grade should be delayed to allow him to gather more information or for the parties to further mediate about the issue. The Court finds that it is not in the best interest of Nicolas to delay a decision regarding where he will attend first grade. That decision should have been made much earlier this year and we are now only five weeks from the start of the 2021 2022 school year. Also, if the parents had the ability to resolve this issue for themselves, even with the assistance of the Parenting Coordinator, that decision would have already been made by now. If the parents do improve in their ability to work together to make decisions for their son in the future, including what school he attends, they will of course be able to do that. That hope does not help make the immediate decision that needs to be made in this case regarding where Nicolas will attend first grade.

The Court can eliminate two of Defendant s proposed schools as not possible and not in the best interest of Nicolas. First of all, with regard to the suggestion that these two parents would be able to communicate and cooperate at the level necessary for them to successfully homeschool Nicolas, the evidence shows that this is simply not possible for these two parents at this time. Homeschooling Nicolas would be detrimental to his wellbeing because it would result in regular and constant conflict between the parents on a near daily basis. These parents do not have the ability to work together to even select a homeschool curriculum for Nicolas, let alone effectively implement it together in both homes. With regard to Defendant s suggestion that Nicolas attend GSCA, the Court need not consider that school when Nicolas has not been accepted to GSCA for the 2021 2022 schoolyear. Moreover, GSCA is a private school that has a significant tuition cost. Given Defendant s willful refusal to work at any job for the last 2 years, the Court does not believe that he would have the financial ability to pay the cost of Nicolas attending a private school. Given that Court finds that

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Defendant s suggestion of delay is not in Nicolas best interest and that homeschooling and private school are not possible options, that leaves the Court to decide between the public school that Defendant is currently zoned for, Synder, and the public school that Plaintiff is currently zoned for, Ellis.

Having considered the evidence presented by the parties at the non-jury trial, the post-trial briefs and exhibits the parents filed, the Court finds, concludes and orders as follows regarding the issue of what elementary school Nicolas will attend for kindergarten starting in August 2021:

1. Nicolas will turn six years old in September 2021 and is ready to start first grade. Due to Covid, the parties attempted to use a homeschooling program during the last schoolyear for Nicolas for kindergarten. That was not very successful for the reasons the Court stated above for rejecting homeschooling for first grade. As such, Nicolas will be starting at a new school in August 2021. When parents who share joint legal custody cannot agree on the school their child will attend, the Court must make a determination regarding which proposed school is in the best interest of the minor child. The Nevada Supreme Court provided a non-exhaustive list of the best interest factors that apply to the issue of school choice in the Arcella decision.
2. The first factor is the wishes of the child to the extent the child is of sufficient age and capacity to form an intelligent preference. In this case, the Court finds that Nicolas is not of sufficient age and capacity to form an intelligent preference regarding what school he will attend for first grade. Therefore, this factor does not assist the Court in determining what school is in the best interest of Nicolas Neil Brofman.
3. With regard to Nicolas educational needs and each school s ability to meet them, both parents agree that he is a very bright child with many interests and talents. He needs an academic environment that will challenge him. He also needs an academic environment that will allow both of his parents to be actively involved in spite of their demonstrated inability to co-parent. This is another reason the Court rejects the idea that homeschool in Nicolas best interest. Nicolas is also an only child in both homes and benefits from social settings where he is able to make friends and enjoy time with them. Being in a brick and mortar school will better fulfill that need. Nicolas will also benefit from having a stable school environment. The Court finds that Plaintiff is better able at this time to provide him with that school stability. The Court is concerned with the lack of stability in Defendant s employment, income and housing whereas Plaintiff has maintained stable employment and was able to pre-pay a whole year of rent for her new home so that she is sure Nicolas will not have any disruption in his home or school during the coming schoolyear. With regard to the two public school options currently available to Nicolas, Ellis is ranked better academically than Synder. In deciding where to move her home, Plaintiff gave great consideration to the quality of life Nicolas would have in the neighborhood, including the quality of the public school. Taking all of Nicolas educational and other needs into consideration, this factor favors selecting Ellis for him.
4. With regard to the curriculum, method of teaching and quality of instruction at each school, they are both public schools in the Clark County School District, so they are very similar schools in many ways. Even so, the objective academic measures show that Ellis performs better than Synder. Therefore, this factor also favors Ellis.
5. With regard to Nicolas past academic performance and predicted future performance, there is

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

little evidence to review given that he has only attended kindergarten so far and did that through online homeschooling during a worldwide pandemic. The evidence does indicate that Nicolas is bright and a capable student and is likely to do fine in any academic environment. One thing that Nicolas has no matter which school he attends is parents who have the ability to be very involved in his education and to challenge him with supplemental learning opportunities. This factor slightly favors selecting Ellis.
6. The child s medical needs are not applicable to the selection of his school and Nicolas will be entering a new academic environment regardless of which school is selected so these two factors do not assist the Court in selecting which school is in Nicolas best interest.
7. The evidence indicates that Nicolas has the average ability to adapt to new environments so this factor also does not assist the Court in making this determination.
8. The length of the commute to each school is an important consideration in this case. If the Court selects Synder, Plaintiff will have a lengthy commute to get Nicolas to and from school on her custodial time. If the Court selects Ellis, it will be Defendant who will have the same lengthy commute to get Nicolas to and from school. Given the current options, there is no way around one of the parents having a lengthy commute to and from Nicolas school. In this case though, Plaintiff has made a firm one-year commitment to live in her current home, which was a decision she made after research and thought about the overall best environment for Nicolas to grow up in. On the other hand, Defendant is at a crossroads in terms of his housing and employment. As he admitted, his lease on his current residence will expire soon and he has not yet signed a new lease for the residence. Thus, he has the freedom to move closer to the better school for Nicolas. As he is currently not employed, he also does not have a specific work commute to consider and accommodate, so he can focus his employment search on jobs that will work with the commute to Nicolas school. As far as considering Nicolas extracurricular activities, there are locations for all of his activities in Henderson too and when the parents sign him up for extracurricular activities this fall, they can select locations that work for both of them in terms of commute and cost. While the commute is an important consideration, the Court believes that Defendant has the ability to change his circumstances in the immediate future and that the length of his commute should he chose to stay in his current rental home is not so much as to outweigh the other benefits to Nicolas from attending Ellis.
9. Lastly, the Court finds that, unlike the considerations for homeschooling or enrolling Nicolas in a private religious school, enrolling him in either of the public school options he currently has will not alienate him from either parent. Therefore, the Court finds this factor neutral in this case.

Given these findings, the Court orders that Nicolas will attend Ellis for the 2021 2022 schoolyear. Since this is the school that Plaintiff is zoned for, she should immediately take the steps to enroll Nicolas for the coming school year because she is the parent who has to provide proof of her residency. However, when she completes the enrollment, all of Defendant s information must be completed as the other custodial parent and Plaintiff shall promptly provide Defendant with copies of all of the enrollment documents and other documents she receives when she enrolls Nicolas. These can be sent to Defendant on Our Family Wizard.

A copy of this minute order shall be provided to both parties. Counsel for Plaintiff shall incorporate

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

these findings and orders into the Findings of Fact, Conclusions of Law and Decree of Custody that is in the process of being finalized by the parties counsel.

CLERK S NOTE: On 07/01/2021 a copy of the Court s Minute Order was provided to the parties/Counsel via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (gk)

COURT SO ORDERED.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** September 20, 2021

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

September 20, 2021 **10:30 AM** **All Pending Motions**

HEARD BY: Throne, Dawn R. **COURTROOM:** RJC Courtroom 05D

COURT CLERK: Tonya Mulvenon

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, present	Richard Schonfeld, Attorney, present
Lorien Cole, Unbundled Attorney, not present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- MOTION FOR ORDER TO SHOW CAUSE WHY DOUGLAS BROFMAN SHOULD NOT BE HELD IN CONTEMPT OF VIOLATING THE ORDER APPOINTING THE PARENTING COORDINATOR AND FOR VIOLATING JOINT LEGAL CUSTODY PROVISIONS AND THE DECISION REGARDING SCHOOL BY SECRETLY APPLYING FOR NICOLAS TO ATTEND FOOTHILLS ELEMENTARY SCHOOL AND FAILING TO PROVIDE PLAINTIFF WITH THE RECORDS OF SAID APPLICATION MOTION DISPUTING PARENTING COORDINATOR'S DECISION OF AUGUST 16, 2021, AND RELATED RELIEF OPPOSITION TO DEFENDANT'S MOTION DISPUTING PARENTING COORDINATOR'S DECISION OF AUGUST 16, 2021 AND RELATED RELIEF - REQUEST FOR ATTORNEY'S FEES AND COSTS PLTF'S EMERGENCY MOTION FOR CLARIFICATION AND ENFORCEMENT OF VACATION TIME (ATTY SCHONFELD/PLAINTIFF IN PERSON) DEFENDANT'S OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION FOR CLARIFICATION AND ENFORCEMENT OF VACATION TIME AND DEFENDANT'S COUNTER-

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

MOTION FOR TWO DAYS OF MAKE-UP TIME FROM FATHER'S DAY WEEKEND MOTION FOR AN ORDER TO SHOW CAUSE; TO HOLD PLAINTIFF, GINA FIORE, IN DIRECT AND CONSTRUCTIVE CONTEMPT FOR PERJURY AND FALSIFYING EVIDENCE; FOR FEES AND COSTS AS SANCTIONS; AN INJUNCTION TO PLACE DISPUTED FUNDS IN TRUST; AND RELATED OPPOSITION TO DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE: TO HOLD PLAINTIFF GINA FIORE IN DIRECT AND CONSTRUCTIVE CONTEMPT FOR PERJURY AND FALSIFYING EVIDENCE; FOR FEES AND COSTS AND SANCTIONS; AN INJUNCTION TO PLACE DISPUTED FUNDS IN TRUST; AND RELATED RELIEF REPLY TO PLAINTIFF'S OPPOSITION AND DEFENDANT'S SUPPLEMENT TO DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE; TO HOLD PLAINTIFF, GINA FIORE, IN DIRECT AND CONSTRUCTIVE CONTEMPT FOR PERJURY AND FALSIFYING EVIDENCE; FOR FEES AND COSTS AS SANCTIONS; AN INJUNCTION TO PLACE DISPUTED FUNDS IN TRUST; AND RELATED RELIEF

COURT NOTED that Defendant met with the Court's law clerk and reviewed the psychological reports from Dr. Holland.

Court addressed the pleadings on file with counsel and the parties.

Court recited the vacation times on the record for clarification to counsel and the parties.

Court addressed the Defendant's Motion for the Order to Show Cause and provided the legal standard for each request.

Discussion regarding fraudulent text messages and child custody.

Mr. Schonfeld represented that Court did not address Plaintiff's perjury and would like that address because Defendant has served Mr. Schonfeld with an unfiled RULE 11 Motion for Sanctions; if he does file, it would be Res Judicata. Further discussion.

Court stated its FINDINGS and COURT ORDERED the following,

1. The MOTION hearing scheduled 10/6/21 at 9:30 a.m. shall be RESCHEDULED to 10/13/21 at 9:30 a.m.

2. Court shall strike the SUPPLEMENT EXHIBITS filed by Defendant on 8/26/21 ITEM NUMBER 178.

3. Plaintiff's MOTION for CLARIFICATION SUMMER VACATION shall be GRANTED.

4. EVEN NUMBER of YEARS, Defendant's SUMMER VACATION shall begin at 3:30 p.m. on the 1 ST Friday in June and conclude at 3:30 p.m. on the 4TH Friday in June. Plaintiff's SUMMER VACATION in EVEN NUMBER OF YEARS shall begin at 3:30 p.m. on the 4TH Friday in June through 3:30 p.m.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

on the Friday THREE (3) WEEKS later. In ODD NUMBER OF YEARS, Defendant's SUMMER VACATION shall begin at 3:30 p.m. on the THIRD Friday in June and conclude at 3:30 p.m. on Friday THREE (3) WEEKS later. Plaintiff's SUMMER VACATION in ODD NUMBER of YEARS will begin at 3:30 p.m. on Friday that Defendant's VACATION ENDS and conclude on the Friday 3;30 p.m. THREE (3) WEEKS later.

5. The Parties' next TWO SUMMERS shall be in 2022; Defendant shall have SUMMER VACATION from 3:30 p.m. on June 3, 2022, to 3:30 p.m. on June 24, 2022, and Plaintiff shall have VACATION from 3:30 p.m. on June 24 to 3:30 p.m. on July 15. In 2023, Defendant shall have SUMMER VACATION from 3:30 p.m. on June 16 to 3:30 p.m. on July 7TH, and Plaintiff's SUMMER VACATION shall be from 3:30 p.m. on July 7TH through 3:30 p.m. on July 28.

6. Plaintiff shall be ENTITLED to THREE (3) DAYS of makeup for SUMMER VISITATION, which her VACATION in 2022 shall conclude at 3:30 p.m. on July 18.

7. Defendant's MOTION FOR AN ORDER TO SHOW CAUSE shall be DENIED.

8. Defendant's request for a new trial shall be DENIED.

9. Defendant's request to SET ASIDE the FINDINGS of FACT INCLUSION OF LAW and DECREE of CUSTODY under NRCP 60 shall be DENIED.

10. Court DENIED both parties requested ORDERS on the SCHOOL for the minor child.

11. Defendant's request for an INJUNCTION shall be DENIED.

12. Defendant's request for ANY ATTORNEY'S FEES shall be DENIED.

13 COUNTERMOTON for COSTS and FEES shall be GRANTED to Plaintiff.

15. Plaintiff shall be entitled to an award of ATTORNEY'S FEES and COSTS from Defendant Pursuant to EDCR 7.60(b) and NRS 18.010. Plaintiff shall have until September 27, 2021, to file BRUNZELL AFFIDAVIT and MEMORANDUM of FEES and COSTS with billing statements attached and serve that on Defendant. Defendant shall have until October 4, 2021, to file any written OPPOSITION to the amount requested by Plaintiff. The Court shall render a decision either at the 10/13/21 hearing or sooner.

16/ Each Party shall have the right to submit FIVE (5) page SUPPLEMENTAL BRIEF before the 10/13/21 hearing on any other parenting issues they want the Court to address. The Court reserves the right to do that or not whatever the Court finds that is in the best interest of the child.

Mr. Schonfeld to prepare the order for today's hearing.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Oct 13, 2021 9:30AM Motion
Motion Disputing Parenting Coordinator's Decision of August 16, 2021, and Related Relief
RJC Courtroom 05D Throne, Dawn R.

Oct 13, 2021 9:30AM Opposition
Opposition to Defendant's Motion Disputing Parenting Coordinator's Decision of August 16, 2021 and Related Relief - Request for Attorney's Fees and Costs
RJC Courtroom 05D Throne, Dawn R.

Oct 13, 2021 9:30AM Opposition & Countermotion
Opposition to Plaintiff's Motion for an Order to Show Cause Why Douglas Brofman Should Not Be Held in Contempt for Violating Joint Legal Custody Provisions and the Decision Regarding School by Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff with the Record of Said Application and Written Notice to Not Renew Parenting Coordinator's Term and Countermotion for Fees and Costs
RJC Courtroom 05D Throne, Dawn R.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint **COURT MINUTES** October 13, 2021

D-19-600841-C Gina Fiore, Plaintiff.
vs.
Douglas Brofman, Defendant.

October 13, 2021 9:30 AM All Pending Motions

HEARD BY: Throne, Dawn R. **COURTROOM:** RJC Courtroom 05D

COURT CLERK: Tonya Mulvenon

PARTIES:

Douglas Brofman, Defendant, Counter Claimant, present	Pro Se
Gina Fiore, Plaintiff, Counter Defendant, present	Richard Schonfeld, Attorney, present
Lorien Cole, Unbundled Attorney, not present	
Marshal Willick, Unbundled Attorney, not present	
Nicolas Brofman, Subject Minor, not present	

JOURNAL ENTRIES

- MOTION DISPUTING PARENTING COORDINATOR'S DECISION OF AUGUST 16, 2021, AND RELATED RELIEF IN THE INTEREST OF PUBLIC SAFETY DUE TO THE CORONAVIRUS PANDEMIC, ALL PARTIES WERE PRESENT VIA VIDEO CONFERENCE THROUGH THE BLUEJEANS APPLICATION MOTION DISPUTING PARENTING COORDINATOR'S DECISION OF AUGUST 16, 2021, AND RELATED RELIEF EMERGENCY MOTION FOR DEFENDANT TO PROVIDE EYE DROPS FOR THE CHILD AND REQUEST FOR ATTORNEY'S FEES AND COSTS OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION FOR DEFENDANT TO PROVIDE EYE DROPS FOR THE CHILD AND REQUEST FOR ATTORNEY'S FEES AND COSTS AND COUNTERMOTION FOR DEFENDANT'S FEES AND COSTS; MEDICAL DECISION-MAKING ABILITY TO DEFENDANT; MISCELLANEOUS RELIEF OPPOSITION TO PLAINTIFF'S MOTION FOR AN ORDER TO SHOW CAUSE WHY DOUGLAS BROFMAN SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING JOINT LEGAL CUSTODY PROVISIONS AND THE DECISION REGARDING SCHOOL BY SECRETLY APPLYING FOR NICOLAS TO ATTEND FOOTHILLS

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

ELEMENTARY SCHOOL AND FAILING TO PROVIDE PLAINTIFF WITH THE RECORD OF SAID APPLICATION AND WRITTEN NOTICE TO NOT RENEW PARENTING COORDINATOR'S TERM AND COUNTERMOTION FOR FEES AND COSTS REPLY TO OPPOSITION TO MOTION FOR AN ORDER TO SHOW CAUSE WHY DOUGLAS BROFMAN SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING THE ORDER APPOINTING THE PARENTING COORDINATOR AND FOR VIOLATING JOINT LEGAL CUSTODY PROVISIONS AND THE DECISION REGARDING SCHOOL SECRETLY APPLYING FOR NICOLAS TO ATTEND FOOTHILLS ELEMENTARY SCHOOL AND FAILING TO PROVIDE PLAINTIFF WITH THE RECORDS OF SAID APPLICATION - OPPOSITION TO COUNTER-MOTION FOR FEES AND COSTS RE: COURT'S DECISION ON ATTORNEY'S FEES AND COSTS STATUS CHECK RE: COURT'S DECISION ON ATTORNEY'S FEES AND COSTS.

Court addressed the documentation provided by Defendant regarding judicial election contribution limits.

Discussion regarding flu vaccine and co-parenting between parties.

Discussion regarding whether or not Mr.Schonfeld should be awarded attorney's fees and other related issues.

Defendant further argues attorney's fees, child custody issues, previous court orders, oral arguments, and other related issues.

Mr. Schonfeld further discussed campaign contributions, chess club, and other related issues.

Mr. Schonfeld represented Plaintiff would be maintaining custody of the passport, and if Defendant needs the passport, he needs to request it. Further discussion.

Court stated its FINDINGS and COURT ORDERED the following,

1. The OBJECTION to the Parenting Coordinator's decision regarding REALLOCATION OF FEES shall be DENIED and reduced to judgment against Defendant.

2. The current Parenting Coordinator shall be RELIEVED. If either Party owes any OUTSTANDING FEES, the ORDER shall STAND that Parties are responsible for the FEES 50/50.

3. Plaintiff's request for a new PARENTING COORDINATOR shall be DENIED.

4. Plaintiff's shall provide an ORDER that she has SOLE AUTHORITY to obtain a PASSPORT for the child.

6. Court shall award $750.00 in FEES to Plaintiff from Defendant.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

7. Mr. Schonfeld shall prepare an ORDER and JUDGEMENT for $2500.00 incorporating the BRUNZELL factors, including the statements regarding his experience and normal billing rate, and shall be reduced to judgment against Defendant.

8. FACETIME opportunity shall be on MONDAYS, Wednesday, and SUNDAYS. The non-custodial parent has the right to CALL between 7:00 p.m. and 7:30 p.m. However, the custodial parent shall have the child available during that half-hour window, and there shall be NO FLEXIBILITY or request to accommodate a change.

9. Plaintiff shall apply the $5725.00 that Defendant owes to the CHILD SUPPORT each month until it is satisfied beginning November 2021.

10. The request to add HALLOWEEN to the holiday schedule shall be DENIED.

11. Plaintiff shall not send the appropriate clothes if Defendant does not have the appropriate clothes for the child.

12. The request for the CHESS CLUB shall be GRANTED. Defendant shall pay 100 PERCENT of the COSTS up-front, and that shall be uploaded on OUR FAMILY WIZARD as a shared expense, but Defendant shall be responsible for paying initially for that.

13. The request for THERAPY shall be GRANTED. The Parties shall use a provider covered by one (1) or both HEALTH INSURANCES. Court shall not GRANT the request as to any reports to the Court; it shall be for therapeutic purposes only for the child. Plaintiff shall pick THREE (3) providers that are covered by Plaintiff's insurance and send THREE (3) NAMES to OUR FAMILY WIZARD within SEVEN (7) DAYS. Defendant shall have SEVEN (7) DAYS to investigate and pick one (1) of those three (3): If Defendant does not do so by the deadline, Plaintiff shall choose the one (1) she wants.

14. Communication Protocol request shall be GRANTED. Communication Protocol recommended by the Parenting Coordinator effective 4/8/21 shall be ADOPTED and put in the Court order everything EXCEPT for Parenting Coordinator is to be copied on the e-mails is replaced by OUR FAMILY WIZARD.

15. The request for ADDITIONAL REALLOCATION shall be DENIED.

16. Plaintiff's request for Defendant to take the UNLV CO-PARENTING CLASS shall be DENIED.

17. In December, the Parties shall make an appointment with the Ophthalmologist, provide all the records, and allow the Ophthalmologist to diagnose the issue and see what they recommend.

18. Defendant's request for SOLE LEGAL over MEDICAL shall be DENIED.

19. Neither Party shall be allowed to CONTROL what is going on in the other parent's HOME unless

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

it rises to the level of ABUSE and NEGLECT.

20. Defendant's request for an EVIDENTIARY HEARING shall be DENIED.

21. The Parties shall provide TIMELY notice for the TRIP, and as long as there is no good faith basis to object to the proposed trip, the other parent would need to sign the letter for the minor child's trip. Plaintiff shall sign the letter and provide the passport to Plaintiff.

Mr. Schonfeld to prepare the order for today's hearing and e-mail Defendant.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Oct 13, 2021 9:30AM Motion
Motion Disputing Parenting Coordinator's Decision of August 16, 2021, and Related Relief
RJC Courtroom 05D Throne, Dawn R.

Oct 13, 2021 9:30AM Opposition
Opposition to Defendant's Motion Disputing Parenting Coordinator's Decision of August 16, 2021 and Related Relief - Request for Attorney's Fees and Costs
RJC Courtroom 05D Throne, Dawn R.

Oct 13, 2021 9:30AM Opposition & Countermotion
Opposition to Plaintiff's Motion for an Order to Show Cause Why Douglas Brofman Should Not Be Held in Contempt for Violating Joint Legal Custody Provisions and the Decision Regarding School by Secretly Applying for Nicolas to Attend Foothills Elementary School and Failing to Provide Plaintiff with the Record of Said Application and Written Notice to Not Renew Parenting Coordinator's Term and Countermotion for Fees and Costs
RJC Courtroom 05D Throne, Dawn R.

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
Tel: (702) 384-5563
rschonfeld@cslawoffice.net

clerks

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

GINA FIORE, **Plaintiff,** **vs.** **DOUGLAS BROFMAN,** **Defendant.**	**CASE NO. D-19-600841-C** **DEPT. U** **Trial Date: May 21, 2021** **Trial Time: 9:00am**

[CORRECTED] PLAINTIFF'S EXHIBIT LIST

COMES NOW, Plaintiff, **GINA FIORE,** by and through her attorney of record, **RICHARD A. SCHONFELD, ESQ.**, and submits her Exhibit List as follows:

No.	Exhibit	Offered	Objection	Admitted
1	Email from Gina Fiore 10/08/2018	NOT OFFERED		RETURNED
2	Emails re: School application	5/21/21		5/21/21

		offered	objection	admit	
3	Daily Reports from Kiddie Academy Educational Child Care	5/21/21	STIP	5/21/21	LA
4	Emails between Gina Fiore and Douglas Brofman re: Parenting Plan	NOT OFFERED		RETURNED	
5	Emails between Gina Fiore and Douglas Brofman 12/22/2019 re: Holidays	↓		↓	
6	Emails between Gina Fiore and Douglas Brofman 04/17/2020 re: weekend swap				
7	Emails between Gina Fiore and Douglas Brofman 07/27/2020 re: FaceTiming				
8	Emails between Gina Fiore and Douglas Brofman 04/18/2020: re: weekend swap				
9	LVMPD Police Report	5/21/21	STIP	5/21/21	LA
10	Texts and OFW Messages 08/10/2018 between Gina Fiore and Douglas Brofman	NOT OFFERED		RETURNED	
11	FaceTime Screenshots	5/21/21	X	5/21/21	LA
12	OFW 08/11/2020	NOT OFFERED		RETURNED	

13	Messages between Gina Fiore and Douglas Brofman with Photos	NOT OFFERED		RETURNED	
14	Email between Gina Fiore and Douglas Brofman 08/12/2019	↓		↓	
14-A	Email between Gina Fiore and Douglas Brofman 08/31/2019				
14-B	Email between Gina Fiore and Douglas Brofman 09/12/2019				
14-C	Email between Gina Fiore and Douglas Brofman 11/25/2019				
14-D	Email between Gina Fiore and Douglas Brofman 01/25/2020				
15	Letter from Douglas Brofman's Counsel 11/15/2019	↓		↓	
16	Life Rights Contract	5/21/21	X	5/21/21	UA
17	Certificate of Completion	5/21/21	X	5/21/21	UA
18	Email between Gina Fiore and Douglas Brofman 09/12/2019	5/21/21	STIP	5/21/21	UA
19	Ophthalmology Records	NOT OFFERED		RETURNED	

20	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-A	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-B	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-C	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-D	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-E	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-F	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-G	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-H	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-I	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA

20-J	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-K	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-L	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-M	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-N	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-O	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-P	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-Q	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-R	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-S	Text messages between Gina Fiore and Douglas Brofman	NOT OFFERED		RETURNED	

20-T	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-U	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-V	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-W	Email between Gina Fiore and Douglas Brofman 08/12/2019	NOT OFFERED		RETURNED	
20-X	Text messages between Gina Fiore and Douglas Brofman	5/21/21	X	5/21/21	WA
20-Y	OFW message between Gina Fiore and Douglas Brofman 03/31/2020	NOT OFFERED		RETURNED	
20-Z	Email between Gina Fiore and Douglas Brofman 12/3/2019	5/21/21		5/21/21	WA
21	Messages between Gina Fiore and Douglas Brofman	5/21/21		5/21/21	WA
22	Tweets from Douglas Brofman	5/21/21	X		WA
23	Order for Appointment of Parenting Coordinator	5/21/21	STIP	5/21/21	WA

24	Messages between Gina Fiore, Douglas Brofman, and Cortney Young	NOT OFFERED		RETURNED
25	Custodian of Records Advanced Psychiatric Associates	5/21/21	STIP	5/21/21
26	Mental Health Records of Douglas Brofman	5/21/21	STIP	5/21/21
27	Douglas Brofman Linked in	NOT OFFERED		RETURNED
28	Trespass of Douglas Brofman	↓		↓
29	Texts between Gina Fiore and Theresa Fiore	↓		↓
30	Texts between Gina Fiore and Roberta Brofman	↓		↓
31	Texts between Douglas Brofman and Roberta Brofman	5/21/21	X	
32	Messages between Douglas Brofman, Roberta Brofman, and Gina Fiore	NOT OFFERED		RETURNED
32-B	Messages between Douglas Brofman, Roberta Brofman, and Gina Fiore	↓		↓

32-C	OFW Message between Douglas Brofman and Gina Fiore 02/28/2020	NOT OFFERED		RETURNED
33	Text Messages with Shana Davis	↓		↓
34	Messages re: Adopting a Family	5/21/21	X	
35	Gina Fiore and family's social media posts	5/21/21	X	5/21/21
36	Documents re: Joint Nanny Search	NOT OFFERED		RETURNED
37	Transcript of Audio from March 22,2020	↓		↓
38	Transcript of Video-Conferenced Deposition of Douglas Brofman on April 19, 2021	↓		↓
39	Transcript of Videotaped Deposition of Neil Brofman on April 27, 2021	↓		↓
40	Transcript of Videotaped Deposition of Roberta Brofman on April 27, 2021	↓		↓
41	Gina Fiore General Financial Disclosure Form	5/21/21		5/21/21

42	Letter from Anurag Gupta, MD re: Gina Fiore	5/21/21		5/21/21 WT
43	Proposed Custody Schedule 05/06/2021	NOT OFFERED		RETURNED

Plaintiff reserves the right to amend this list.

Plaintiff reserves the right to use any documents previously filed with the court.

Plaintiff reserves the right to use any documents produced by Defendant in this matter.

DATED: May 14, 2021.

By: _____

RICHARD A. SCHONFELD, ESQ.
Nevada Bar # 6815
CHESNOFF & SCHONFELD
520 S. Fourth Street, 2nd Floor
Las Vegas, Nevada 89101
Tel: (702) 384-5563
Attorney for Plaintiff, Gina Fiore

Gina Fiore v. Douglas Brofman

DEFENDANT'S EXHIBIT BOOK INDEX

Case No.: **D-19-600841-C**

		OFFERED DATE		OBJECT		ADMITTED DATE
	VOLUME I					
A.	Independent Medical Evaluation, Psychological Evaluation, for Gina Fiore & Douglas Brofman. [*CONFIDENTIAL*] **Bates Nos. 101044-101069; 101070-101094**	5/21/21		STIP		5/21/21
B.	Affidavit of Roberta Brofman with attachments. **Bates Nos. BROF0001-BROF0027**	NOT OFFERED		RETURNED		
C.	Affidavit of Neil Brofman with attachments. **Bates Nos. BROF0028-BROF0038**					
D.	Email Discussions Regarding Agreeing to Continuance of Trial. **Bates Nos. BROF0039-BROF0041**					
E.	Email between Counsel and OFW, and Text Messages re: Facetime Visits **Bates Nos. BROF0042-BROF0056, BROF0066-BROF0069**					
F.	OFW re Holidays (**BROF0057; BROF0070-71; BROF0097-98; BROF107-108**) OFW re DV Incident (**BROF0091-BROF0092**); OFW re Emergency Contacts (**BROF0099; BROF0109-110**) OFW re exchanging medical documents on OFW (**BROF 111**) OFW re Doug's Mother being a "porcelain doll" (**BROF 123**) OFW re Gina's treatment of Doug (**BROF 124-125**); OFW re Parenting Coordinator Selection (**BROF0105-106**)	5/21/21		X		5/21/21
G	Group Text Messages between Gina and Roberta & Neil Brofman. **BROF0072-BROF0075;**	NOT OFFERED		RETURNED		
H	Communications between Doug and Gina **BROF0100-101; BROF 104**	5/21/21				5/21/21
I	Communications from Gina's Counsel and Gina re well-check on October 27 **BROF0114-115**	NOT OFFERED		RETURNED		
J	Recording of Doug and Gina after March 23, 2020 DV incident and Transcript of same **Bates Nos. BROF0156-BROF0160; New Recording 36**	5/21/21		X		

		OFFERED Date		Object		ADMITTED Date
K.	Gina's tweets **Bates Nos. BROF0166; BROF100573-BROF100576; BROF100584-BROF100585**	NOT OFFERED		RETURNED		
L.	Rankings for Education and Healthcare and Related Comparison between Ohio and Nevada . **Bates Nos. BROF0186-BROF0220; BROF0221-BROF0276**	↓				↓
M.	Subpoena Records from Michael DePriest, MD. *[CONFIDENTIAL]* **Bates Nos. BROF000618-BROF000627**	5/21/21		STIP		5/21/21
N.	Medical Records from Southern Nevada Pain Center for Gina Fiore. *[CONFIDENTIAL]* **Bates Nos. BROF000628-BROF000681**	NOT OFFERED		RETURNED		
O.	Subpoena Records from Advanced Psychiatric Associates. *[CONFIDENTIAL]* **Bates Nos. BROF000682-BROF000715**	5/21/21		STIP		5/21/21
P.	Subpoena Records from Anthem Hills Medical Center. *[CONFIDENTIAL]* **Bates Nos. BROF000716-BROF000775**	NOT OFFERED		RETURNED		
Q.	Subpoena Records from Fertility Center of Las Vegas. *[CONFIDENTIAL]* **Bates Nos. BROF000889-BROF000891**	↓				↓
R.	Text messages between the parties. **Bates Nos. BROF000892-BROF001126; BROF100451-BROF100461; BROF100464-BROF100476; BROF100502-BROF100571; BROF; BROF100577-BROF100583**	5/21/21		X		
S.	Some Communications and Evidence Related to the Debt Gina owes Doug **BROF100444-BROF100450; BROF100469-BROF100472; BROF100477-BROF100492; BROF100552; BROF100568-BROF100569; BROF001299-BROF001310**	NOT OFFERED		RETURNED		
T	Text messages between Gina and Shana Davis **BROF100462-BROF100463**	↓				↓
U.	Subpoena Records from Las Vegas Metropolitan Police Department and Transcripts of Body Camera Footage. **Bates Nos. BROF100006-BROF100007; BROF100012-BROF100015; BROF100019-BROF100021; BROF100999-BROF101032; NPR2021-0011605_417_#1; NPR2021-0011605_417_#2;**	↓				↓

	VOLUME II	offered Date		object		Admitted Date
V.	Subpoena Records from Casinos Aliante Hotel & Casino. **(BROF100089-BROF100090; BROF100096-BROF100102)**; Subpoena Records from The Orleans Hotel & Casino & Gold Coast Hotel & Casino. **(BROF100157; BROF100160)**; Letter from Boyd Gaming re: Eastside Cannery. **(BROF100196)** Subpoena Response from Golden Entertainment, Inc. **(Bates Nos. LVSC000009-LVSC000011; LVSC000016; LVSC000018-LVSC000020; LVSC000025; LVSC000041; LVSC000043-LVSC000044; LVSC000060-LVSC000061; LVSC000065-LVSC000069; LVSC000077; LVSC000115; LVSC000165)**	5/21/21		STIP		5/21/21
W.	Register of Actions for State of Nevada v. Gina Fiore, Case No. 13F06443X. **Bates Nos. BROF000419-BROF000421**	NOT OFFERED		RETURNED		
X.	Register of Actions for Bank of America, N.A. v. Gina R. Fiore, Case No. 20C016776. **Bates Nos. BROF000422**	↓				↓
Y.	Text messages between Douglas Brofman and Theresa Fiore. **Bates Nos. BROF100423-BROF100440; Bates Nos. BROF001184-BROF001193**	5/21/21				5/21/21
Z.	Text messages between Robert Brofman and Theresa Fiore. Bates Nos. **BROF100587-BROF000596; BROF100600-BROF100601-BROF100604-BROF100617**	NOT OFFERED		RETURNED		
AA.	PokerTube Article about Gina Fiore (via alias) **Bates Nos. BROF001127-BROF001135**	↓				↓
BB.	Curriculum Vitae for Roberta Brofman **Bates Nos. BROF001194-BROF001198**					
CC.	Curriculum Vitae for Rebecca Harper and Recommendation Letter **Bates Nos. BROF001199-BROF001200; BROF001202**					
DD.	Recommendation letter from Fr. James L. Caddy **Bates Nos. BROF001203**					
EE.	Doug Brofman Tax Returns 2012-2019 **Bates Nos. BROF001204-BROF001211**	↓				↓
FF.	Parenting Coordinator Materials. **Bates Nos. BROF001316-BROF001323; BROF001340-BROF001344; BROF001347-BROF001364; BROF001374-BROF001517**	5/21/21		STIP		5/21/21

		offered date		object		admitted Date
GG.	Draft Parenting Agreement. **Bates Nos. BROF001518-BROF001525**	NOT OFFERED	RETURNED			
HH.	Emails between Doug and Gina re Health Insurance and Holidays **Bates Nos. BROF001535-BROF001537; BROF001552-BROF001554**	↓				↓
II.	Texts from Rachel Bellinsky. **Bates Nos. BROF100621-BROF100622**	↓				↓
JJ.	Text between Theresa Fiore and Roberta Brofman **Bates Nos. BROF100623-BROF100626**	↓				↓
KK.	Relevant Court Pleadings **Bates Nos. BROF100633-BROF100648**	5/21/21		STIP		5/21/21
LL.	Deposition Transcript of Gina Fiore **Bates Nos. BROF101095-BROF101465**	NOT OFFERED	RETURNED			
MM.	Deposition Transcript of Theresa Fiore **Bates Nos. BROF100966-BROF100998**	↓				↓
NN.	Video/Recordings [5/26/19; 10/19/20; 10/6/18 (3)] **Bates Nos. BROF100619**	↓				↓
OO.	P:\wp19\BROFMAN,D\TRIAL\00498785.WPD/my Plaintiff's Chase Bank Statements Bates Nos. CS001083 - CS001188	5/21/21				5/21/21

Certification of Copy

State of Nevada
County of Clark } **SS:**

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL FROM ORDERS FROM HEARING ON OCTOBER 13, 2021; CASE APPEAL STATEMENT; CASE APPEAL STATEMENT OF APPEAL FROM ORDERS FROM HEARING ON OCTOBER 13, 2021; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER PERMITTING PLAINTIFF GINA FIORE TO APPLY FOR A UNITED STATES PASSPORT FOR THE MINOR CHILD NICOLAS NEIL BROFMAN (D.O.B. 9/22/15) WITHOUT THE SIGNATURE OF DEFENDANT DOUGLAS BROFMAN; NOTICE OF ENTRY OF ORDER; ORDER GRANTING MOTION TO SET THE AWARD OF ATTORNEY'S FEES; NOTICE OF ENTRY OF ORDER GRANTING MOTION TO SET THE AWARD OF ATTORNEY'S FEES; ORDER AFTER HEARING ON OCTOBER 13, 2021; NOTICE OF ENTRY OF ORDER AFTER HEARING ON OCTOBER 13, 2021; DISTRICT COURT MINUTES; EXHIBITS LIST

GINA FIORE,

Plaintiff(s),

vs.

DOUGLAS BROFMAN,

Defendant(s),

Case No: D-19-600841-C

Dept No: U

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto Set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada This 1 day of December 2021.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk

WELLS FARGO BANK

0104

1121 LAS VEGAS BLVD S LAS VEGAS , NV 89104

DATE 11/20/2021

94-7074/3212

PAY TO THE ORDER OF Supreme Court of Nevada $ 250.00

two hundred and fifty 00/100 DOLLARS

DOUGLAS B BROFMAN
168 HICKORY HEIGHTS AVE
LAS VEGAS NV 89148-2600

Nevada SC filing fee

⑆321270741⑆ 138121388⑈0104