

1 CASE NUMBER: 17PSFL00745
2 CASE NAME: JAMES GIBSON VS. KARRIE GIBSON
3 POMONA, CALIFORNIA FRIDAY, JUNE 21, 2019
4 DEPARTMENT NO. PSB HON. SARAH J. HEIDEL, JUDGE
5 REPORTER: CHANI D. LUDWIG, CSR 13017
6 TIME: A.M. SESSION
7 APPEARANCES: (SEE TITLE PAGE)

8
9 THE COURT: OKAY. LET'S CALL THE GIBSON VERSUS
10 GIBSON MATTER, 17PSFL00745. CAN THE PARTIES MAKE
11 APPEARANCE, PLEASE.

12 MS. CARTER: GOOD MORNING, YOUR HONOR. ARIEL
13 CARTER ON BEHALF OF PETITIONER JAMES GIBSON, WHO IS
14 PRESENT.

15 THE PETITIONER: GOOD MORNING, YOUR HONOR. JAMES
16 GIBSON.

17 THE COURT: CAN YOU STATE YOUR NAME, PLEASE.

18 THE RESPONDENT: MY NAME IS KARRIE GIBSON.

19 THE COURT: THANK YOU. AND BEFORE EITHER PARTY
20 SITS, I'M GOING TO ASK THE JUDICIAL ASSISTANT TO PUT THE
21 PARTIES UNDER OATH.

22 THE RESPONDENT: I DIDN'T HEAR THAT. REMEMBER, I
23 HAVE ISSUES. I DID NOT CATCH ANYTHING YOU SAID.

24 THE COURT: I'M GOING TO ASK THE JUDICIAL
25 ASSISTANT TO PUT THE PARTIES UNDER OATH. RAISE YOUR
26 RIGHT HANDS, PLEASE.

27 THE CLERK: DO YOU AND EACH OF YOU SOLEMNLY STATE
28 THAT THE TESTIMONY YOU MAY GIVE IN THE CAUSE NOW PENDING

1 BEFORE THIS COURT SHALL BE THE TRUTH, THE WHOLE TRUTH,
2 AND NOTHING BUT THE TRUTH, SO HELP YOU GOD?

3 THE PETITIONER: I DO.

4 THE RESPONDENT: I DO. THANK YOU.

5 THE COURT: NOW YOU CAN HAVE A SEAT.

6 THE RESPONDENT: YES, MA'AM, YOUR HONOR.

7 THE COURT: THE MATTER IS SET FOR THREE SEPARATE
8 ISSUES TODAY. THERE'S A TRIAL SETTING, THERE'S A
9 REQUEST FOR ORDER ON THE MOTION FOR RECONSIDERATION, AND
10 THERE'S A REQUEST FOR ORDER REGARDING A MOTION TO
11 COMPEL.

12 SO I WOULD LIKE TO START WITH THE MOTION TO
13 COMPEL.

14 THE RESPONDENT: YOU KNOW WHAT, YOUR HONOR, I NEED
15 TO ASK FOR A CONTINUANCE. MY ATTORNEY SUBBED ON THE
16 19TH. SO I'M NOT REPRESENTED.

17 THE COURT: DID WE SEE THAT SUB OF ATTORNEY?

18 THE RESPONDENT: HE JUST DID IT TWO DAYS AGO. AND
19 IF YOU LET ME SPEAK TO THE NATURE OF WHAT OCCURRED ON
20 MAY 3RD --

21 THE COURT: HOLD NOT. I'M LOOKING IN YOUR FILE
22 RIGHT NOW. I'M LOOKING AT MY FILE. I DON'T SEE A --

23 THE RESPONDENT: HE JUST DID IT. I HAVE THE
24 PAPERWORK AVAILABLE. HE JUST DID IT ON THE 19TH. HE
25 DID IT TWO DAYS AGO, MA'AM.

26 THE COURT: WAS IT FILED? CAN I SEE IT?

27 THE RESPONDENT: LET ME GIVE IT TO YOU. IT JUST
28 HAPPENED.

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(A PAUSE IN THE PROCEEDINGS.)

THE COURT: ALL RIGHT. THIS DOCUMENT INDICATES THAT SIMON BUDHWANI IS GOING TO REPRESENT MS. GIBSON. THIS WAS NOT FILED, ALTHOUGH IT WAS SIGNED ON JUNE 19, 2019.

THIS HAS NOT BEEN FILED IN -- THIS ISN'T FILE-STAMPED.

THE RESPONDENT: WELL, YOU KNOW WHAT, MA'AM, THAT'S ONE OF THE REASONS WHY HE'S NO LONGER MY ATTORNEY. AND I REALLY WOULD APPRECIATE IF YOU WOULD GIVE ME AN OPPORTUNITY TO SPEAK TO THE NATURE OF THE ISSUES. ON MAY 3RD, THERE WAS A CASE FOR RECONSIDERATION. NO WAIT. YOU GAVE ME ATTORNEY'S FEES. I GOT AN ATTORNEY.

THE COURT: I SEE HE'S SUBBING OUT.

THE RESPONDENT: THAT'S -- I'M NOT REPRESENTED ANYMORE. THAT'S WHY I'M ASKING FOR A CONTINUANCE. I HAVE SEVERAL MEDICAL ISSUES.

THE COURT: I SEE.

THE RESPONDENT: I HAVE POST-CONCUSSION. I'M SUFFERING FROM SEVERE MIGRAINES. AND I HAVE A SEVERE BACK INJURY, AND I AM SCHEDULED ON JULY 8TH FOR AN MRI. SO WHAT I'M ASKING FOR IS A CONTINUANCE. BUT, YOUR HONOR, I REALLY WANT TO SPEAK TO THIS BECAUSE I READ TRANSCRIPTS THAT YOU VERBALLY ATTACKED ME AND YOU GUYS WENT ON AND TALKED ABOUT SOME OF THE THINGS WHEN I WASN'T PRESENT. AND I THINK IT'S VERY IMPORTANT THAT I SPEAK TO IT.

1 AND ALSO -- I ALSO AM GOING TO WANT TO GET
2 MY OWN TRANSCRIPT -- WHAT IS THIS PERSON, BECAUSE I READ
3 THE TRANSCRIPT AND THINGS THAT ARE NOT ACCURATE AND
4 THINGS THAT ARE EXCLUDED AND THINGS HAVE BEEN ADDED TO
5 IT.

6 SO I'M ASKING FOR A CONTINUANCE. AND I WANT
7 TO SPEAK TO -- ON THE TRANSCRIPTS, YOU SAID HOW DARE
8 THEY NOT SHOW UP? WHAT HAPPENED WAS I FILED FOR
9 RECONSIDERATION WITHOUT AN ATTORNEY. I GOT AN ATTORNEY.
10 THE ASSOCIATE IS FRIENDS WITH THE ATTORNEY.

11 THE COURT: I'M GOING TO STOP YOU. I DON'T KNOW
12 WHAT YOU'RE TALKING ABOUT.

13 THE RESPONDENT: I'M TRYING TO EXPLAIN.

14 THE COURT: I ACTUALLY DON'T KNOW WHAT YOU'RE
15 TALKING ABOUT.

16 THE RESPONDENT: YOU KNOW WHAT, MA'AM, YOU DON'T
17 LIKE ME BECAUSE I'M A BLACK WOMAN --

18 THE COURT: MS. GIBSON --

19 THE RESPONDENT: PLEASE --

20 THE COURT: MS. GIBSON, IF YOU ARE GOING TO
21 INTERRUPT ME, WE ARE GOING TO HAVE A PROBLEM.

22 THE RESPONDENT: WHAT?

23 THE COURT: IF YOU'RE GOING TO INTERRUPT ME, WE'RE
24 GOING TO HAVE A PROBLEM.

25 THE RESPONDENT: I'M SORRY FOR INTERRUPTING YOU.

26 THE COURT: I WANT TO CORRECT THE RECORD. I HAVE
27 NO PERSONAL FEELING ABOUT ANY OF YOU SITTING AT COUNSEL
28 TABLE. NONE OF YOU. I DON'T KNOW ANY OF YOU AND I

1 DON'T HAVE ANY PERSONAL FEELINGS --

2 THE RESPONDENT: I DISAGREE. IF YOU WOULD ALLOW
3 ME, I HAVE TRANSCRIPTS TO SHOW PROOF THAT EACH TIME I
4 TRY TO SPEAK, I'M INTERRUPTED. AND EVERY CASE HERE, I
5 DIDN'T -- THIS HAPPENED. ALL I'M GOING TO ASK YOU TO
6 DO, MA'AM, IS LET ME SPEAK TO WHAT OCCURRED ON MAY 3RD,
7 PLEASE, IN THE TRANSCRIPT, WHERE YOU VERBALLY ATTACKED
8 ME.

9 THE COURT: THAT'S NOT BEFORE THE COURT TODAY.
10 THAT'S NOT BEFORE THE COURT. AND UNFORTUNATELY I
11 CAN'T --

12 THE RESPONDENT: I WOULDN'T EXPECT YOU -- YOU
13 KNOW, I WELCOME YOU TO SHOW YOUR BIAS. WHAT I'M ASKING
14 FOR, MA'AM, IS A CONTINUANCE BECAUSE I DO NOT HAVE AN
15 ATTORNEY. AND THE REASON WHY I DON'T HAVE AN ATTORNEY,
16 BECAUSE THEY NOTICED THE BIAS ON THE MARCH (SIC) 3RD
17 TRANSCRIPT. SO THEY'RE AFRAID OF YOU.

18 THE COURT: OKAY. WELL, I DON'T HAVE ANY EVIDENCE
19 OF THAT. I DID AWARD YOU ATTORNEY'S FEES SOME TIME AGO.
20 AND THERE --

21 THE RESPONDENT: AND WE HAD A DATE. I HAVE
22 E-MAILS TO SHOW WHERE SHE AGREED TO MOVE THE DATE. THE
23 GOAL WAS -- WHAT I FELT LIKE, MA'AM, WHAT YOU SAID IN
24 THE TRANSCRIPT IS HOW DARE I USE MY ATTORNEY'S FEES FOR
25 THESE THINGS, LIMITED SCOPE. I HAVE AN E-MAIL WHERE I
26 PAID FOR THE ATTORNEY'S FEES. THEY CALLED ME AND SAID
27 WE NEED TO CHANGE IT. I SUSPECT THEY CHANGED IT BECAUSE
28 THEY SPOKE TO THE OPPOSING COUNSEL AND SHE TOLD THEM YOU

1 SAID YOU WERE ONLY GOING TO GIVE ME \$5,000. SO THEY HAD
2 CONCERNS. SO THEY CHANGED THE LEGAL SCOPE.

3 THE PURPOSE OF MOVING IT, BECAUSE THEY WERE
4 GOING TO NEGOTIATE WITH HER. THEY WERE GOING TO USE THE
5 MONEY YOU GAVE ME TO NEGOTIATE AND TRY TO COME TO A
6 RESOLUTION. THEY ASKED TO MOVE IT TO JULY SO WE HAD
7 TIME TO RESOLVE IT.

8 THE COURT: I SEE. WELL, WHAT I DO KNOW IS I
9 ORDERED PETITIONER TO PAY \$5,000 IN ATTORNEY'S FEES --

10 THE RESPONDENT: YES, MA'AM. AND I HIRED ONE.
11 AND THEY ATTEMPTED TO MOVE EVERYTHING SO WE CAN
12 NEGOTIATE. WHEN THEY DID, YOU VERBALLY ATTACKED ME.
13 WHEN THEY CALLED, YOU TOLD THEM THAT SOMEONE NEEDED TO
14 COME IN AND CHANGE. BUT WHEN I CALLED FOR THE -- TO
15 COME IN AND CHANGE, SHE TOLD ME TO E-MAIL HER. AND I DO
16 HAVE E-MAIL EVIDENCE WHEN I E-MAILED YOU AND ASKED YOU
17 CAN WE CHANGE IT.

18 THE COURT: WELL, MS. GIBSON, I THINK YOU'RE
19 SPEAKING TOO QUICKLY FOR THE REPORTER, AND I'M NOT
20 FOLLOWING --

21 THE RESPONDENT: YOU KNOW WHAT, I'M CLEARLY HAVING
22 ISSUES. SO I NEED HELP. THAT'S WHY I'M ASKING FOR A
23 CONTINUANCE.

24 THE COURT: OKAY. I'M GOING TO DENY THAT REQUEST.
25 I UNDERSTAND THAT YOU WANT MORE TIME BUT --

26 THE RESPONDENT: NO. I DON'T HAVE AN ATTORNEY,
27 MA'AM.

28 THE COURT: YOU HAD AN ATTORNEY --

1 THE RESPONDENT: AND THEY LEFT TWO DAYS AGO.

2 THE COURT: WELL, YOU'VE HAD A LOT OF TIME TO GET
3 AN ATTORNEY AND --

4 THE RESPONDENT: BUT THEY JUST -- IT HAPPENED TWO
5 DAYS AGO. WHAT I'M SAYING TO YOU, MA'AM, AND I DON'T
6 EXPECT YOU TO RULE IN MY FAVOR. IT'S MY POSITION THAT
7 HE IS BENEFITING FROM WHITE PRIVILEGE. I'M BEING
8 DISCRIMINATED AGAINST --

9 THE REPORTER: YOUR HONOR, I'M HAVING A HARD TIME
10 KEEPING UP.

11 THE COURT: MA'AM --

12 THE RESPONDENT: LET ME SAY, CHANI --

13 THE COURT: IF YOU'RE GOING TO DIRECTLY ATTACK THE
14 COURT REPORTER, I'M GOING TO HAVE TO STOP THIS HEARING.

15 THE RESPONDENT: I ATTACKED THE COURT REPORTER?

16 THE COURT: YES. YOU CANNOT REFERENCE HER BY
17 NAME. YOU CANNOT SPEAK TO THE COURT REPORTER. SHE'S
18 NOT A PARTY HERE.

19 THE RESPONDENT: THAT'S WHY I NEED REPRESENTATION,
20 MA'AM. MY REPRESENTATIVE SUBBED TWO DAYS AGO. I AM
21 CLEARLY HAVING ISSUES.

22 THE COURT: MS. GIBSON, I'M GOING TO NOTE FOR THE
23 RECORD THAT YOU'VE BEEN VERY DISRUPTIVE IN THIS
24 COURTROOM ALL MORNING LONG AND THAT THE DEPUTIES
25 ACTUALLY HAD TO CONFISCATE YOUR PHONE FOR PURPOSES OF
26 THIS HEARING, BECAUSE YOU WERE TAKING PHOTOS IN THE
27 COURTROOM, ALTHOUGH IT IS DIRECTLY INDICATED THAT YOU'RE
28 NOT PERMITTED TO DO THAT, AND YOU WERE ADVISED YOU'RE

1 NOT PERMITTED TO DO THAT.

2 THE RESPONDENT: WHEN --

3 THE COURT: I'M GOING TO PUT THAT ON THE RECORD.

4 THE RESPONDENT: ABSOLUTELY APPRECIATE THAT. WHEN
5 I FILE MY COMPLAINT, I'M GOING TO SUBPOENA THE DEPUTY AS
6 TO THE NATURE OF WHAT OCCURRED. AND I'LL KEEP MY PHONE.
7 HE ASKED ME TO TAKE THE PHONE. WE HAD A DISCUSSION
8 ABOUT IT. HE SAID -- HE WAS NICE TO ME. HE SAID --
9 BEEN VERY UNDERSTANDABLE --

10 THE REPORTER: YOUR HONOR, I'M HAVING A HARD TIME
11 KEEPING UP.

12 THE COURT: WE'RE NOT GOING TO HAVE A RECORD IF
13 YOU SPEAK THIS QUICKLY, MS. GIBSON.

14 THE RESPONDENT: YOUR HONOR --

15 THE COURT: WHAT WE'RE GOING TO DO IS HEAR THE
16 MOTION TO COMPEL.

17 THE RESPONDENT: BUT I DON'T HAVE AN ATTORNEY.

18 THE COURT: I UNDERSTAND THAT YOU OBJECT. OVER
19 YOUR OBJECTION --

20 THE RESPONDENT: YOU UNDERSTAND THAT MY ATTORNEY
21 LEFT ME TWO DAYS AGO? DO YOU UNDERSTAND THAT MY
22 ATTORNEY LEFT ME TWO DAYS AGO? I'M HOPING I SAID IT
23 SLOWLY. DO YOU UNDERSTAND MY ATTORNEY LEFT ME TWO DAYS
24 AGO? I'M REQUESTING A CONTINUANCE BECAUSE I AM NOT
25 CAPABLE. MY -- I AM SUFFERING FROM POST-CONCUSSION
26 SYNDROME. I SUFFER FROM SEVERE MIGRAINES. AND I HAVE A
27 SEVERE BACK INJURY.

28 THE COURT: OKAY. YOU HAVE ADVISED THE COURT IN

1 THE PAST YOU HAVE AN ISSUE WITH -- RELATING TO A
2 CONCUSSION THAT YOU SUSTAINED IN DECEMBER OF 2018.
3 THERE'S NEVER BEEN ANY MEDICAL RECORDS --

4 THE RESPONDENT: THERE HAS BEEN, MA'AM, AND YOU
5 WOULDN'T ACKNOWLEDGE THAT.

6 THE COURT: -- SUPPLIED TO COURT. AS TO THE OTHER
7 CONDITIONS, THIS IS THE FIRST YOU'VE MENTIONED THEM. WE
8 ARE GOING TO PROCEED ON THE MOTION TO COMPEL TODAY. I'M
9 GOING TO HEAR FROM COUNSEL FOR THE PETITIONER. BUT I DO
10 NOTE YOUR OBJECTION.

11 THE RESPONDENT: IN THE TRANSCRIPT, IT SHOWS WHERE
12 I SUBMITTED ALL MY MEDICAL RECORDS. AND THAT'S MY
13 CONTENTION. YOU ARE IGNORING ME AND SAYING THINGS THAT
14 ARE NOT TRUE. I SUBMITTED MY MEDICAL ORDERS ON MULTIPLE
15 OCCASIONS. IT'S IN THE TRANSCRIPT. AND EACH TIME I DO,
16 YOU DON'T ACKNOWLEDGE THEM. AND, MA'AM, I WELCOME YOU
17 FOR THE BIAS. I WELCOME IT.

18 THE COURT: WE'RE GOING TO HEAR FROM COUNSEL,
19 PLEASE.

20 MS. CARTER: YOUR HONOR, I WOULD SUBMIT ON MY
21 PLEADINGS, JUST WITH THE RESERVATION TO BE ABLE TO
22 RESPOND TO THE RESPONDENT, IF SHE HAS ANYTHING IN
23 ADDITION TO HER INITIAL RESPONSE, IF THE COURT HAS ANY
24 QUESTIONS FOR ME?

25 THE COURT: OKAY. THE MOTION TO COMPEL WAS AS TO
26 REQUEST FOR PRODUCTION OF DOCUMENTS, AS TO --

27 MS. CARTER: FORM INTERROGATORIES.

28 THE COURT: -- FORM INTERROGATORIES. WAS THAT IT?

1 MS. CARTER: AS TO THE VOCATIONAL EVALUATION THE
2 COURT ORDERED MARCH 14, 2019.

3 THE COURT: OKAY. AND THE REQUEST FOR PRODUCTION
4 OF DOCUMENTS AND THE FORM INTERROGATORIES WERE SERVED ON
5 PETITIONER ON FEBRUARY 19, 2019; IS THAT RIGHT?

6 MS. CARTER: YES.

7 THE COURT: AND THEN THE RESPONSES WERE DUE WHEN?

8 MS. CARTER: THE RESPONSES WERE DUE ON MARCH 26,
9 2019.

10 THE COURT: ALL RIGHT. OKAY. MS. GIBSON, WILL
11 YOU PLEASE RESPOND ONLY TO THE ISSUES OF THE RESPONSES
12 TO THE REQUEST FOR PRODUCTION OF DOCUMENTS AND FORM
13 INTERROGATORIES? I'M GOING TO TAKE UP THE ISSUE OF THE
14 VOCATIONAL EXPERT SEPARATELY. CAN YOU RESPOND TO THAT?

15 THE RESPONDENT: I'M VERY CONFUSED AS TO WHY
16 YOU'RE DOING THE COMPEL BEFORE THE RECONSIDERATION WHEN
17 I FILED THE RECONSIDERATION FIRST AND I THINK IT TAKES
18 PRECEDENCE.

19 THE COURT: I'M NOT ADDRESSING THE VOCATIONAL
20 EXPERT, WHICH IS WHAT YOU FILED THE MOTION FOR
21 RECONSIDERATION AS TO.

22 THE RESPONDENT: YES, YOUR HONOR.

23 THE COURT: OKAY.

24 THE RESPONDENT: I'M NOT CLEAR AGAIN. I'M -- I
25 HAVE PROBLEMS UNDERSTANDING, MY TRAIN OF THOUGHT AND THE
26 CONTEXT OF WHAT YOU'RE SAYING, EXACTLY WHAT YOU'RE
27 SAYING. IF YOU DON'T MIND REPEATING IT?

28 THE COURT: I'M ASKING YOU IF YOU HAVE A RESPONSE

1 TO THE MOTION TO COMPEL AS TO THE REQUEST FOR PRODUCTION
2 OF DOCUMENTS AND FORM INTERROGATORIES?

3 THE RESPONDENT: I HAVE A DETAILED RESPONSE. I
4 FILED THE WRITTEN RESPONSE AND I HAVE A RESPONSE THAT I
5 NEED -- THAT I NEED TO REFER TO IN THE RESPONSE. AND
6 ALSO, I FILED A -- I GUESS A FORM FOR EVIDENTIARY
7 HEARING, WHERE I CAN CROSS-EXAMINE THE COUNSEL AND THE
8 WITNESS, BECAUSE IT'S MY POSITION THAT THEY DID NOT --
9 THEY DIDN'T SEND ME ANY TYPE OF DISCOVERY, THAT THEY'RE
10 DOING THIS TO EAT UP THE SMALL AWARD THAT I RECEIVED,
11 THAT I'VE ALWAYS COMPLIED WITH WHATEVER YOU SAID. I'VE
12 SHOWED GOOD FAITH. I'VE DONE NOTHING UNETHICAL. BUT I
13 REPEATEDLY SHOWED YOU MULTIPLE TIMES THAT THEY LIE UNDER
14 OATH, THAT I CONTRADICT THEIR LIES.

15 THE COURT: DID YOU FILE A RESPONSE TO THE REQUEST
16 FOR PRODUCTION OF DOCUMENTS AND FORM INTERROGATORIES?

17 THE RESPONDENT: YES, YOUR HONOR. AND I GUESS YOU
18 DIDN'T REVIEW THEM. I DID A SUBSTANTIAL RESPONSE.

19 THE COURT: I SAW YOUR RESPONSE TO THEIR MOTION TO
20 COMPEL. I REVIEWED THAT. I DID NOT SEE A RESPONSE TO
21 THE INTERROGATORIES AND THE REQUEST FOR PRODUCTION OF
22 DOCUMENTS.

23 THE RESPONDENT: I SENT IT -- THE ATTORNEY TOLD ME
24 TO SEND HER A LETTER. I NEVER GOT THEM. I NEVER GOT
25 THEM. SO MY -- THE DEFENSE IS I NEVER GOT THEM BECAUSE
26 SHE NEVER SENT THEM, THAT I -- THIS IS THEIR PLOY. I
27 EVEN HAVE E-MAILS AND A PHONE -- ON MARCH 18TH, I SPOKE
28 TO HER ASSOCIATE ABOUT HELPING ME FIND AN ATTORNEY. ON

1 MARCH 18, I HAVE AN E-MAIL WHERE I E-MAILED ALICIA SMITH
2 (PHONETIC), HER ASSOCIATE, AND SPOKE TO HER. SHE NEVER
3 SAID ANYTHING ABOUT DISCOVERY, ABOUT THESE THINGS,
4 INTERROGATORIES.

5 SHE SPOKE TO MY COUNSEL ON MULTIPLE
6 OCCASIONS. IT NEVER CAME UP. ONCE I -- EVEN WHEN HE
7 FILED HIS RESTRAINING ORDER, MA'AM, I WASN'T SERVED
8 PROPERLY. THEY PUT IT ON THE DOOR AND I ANSWERED.

9 I SERVE A MIGHTY GOD. I DON'T DO UNETHICAL
10 THINGS. I BELIEVE WHAT YOU PUT OUT, YOU GIVE BACK. I
11 NEVER GOT THEM.

12 ACTUALLY, IF YOU WOULD READ IT, I SENT
13 INTERROGATORIES BECAUSE ANOTHER ATTORNEY TOLD ME TO DO
14 IT AND I SENT IT TO HER. SHE REJECTED THEM. I TOLD MY
15 HUSBAND, I SAID "JAMES, SHE'S CAUSING YOU BILLABLE
16 HOURS. WHY DOES SHE REJECT IT?" YOU SEE IN THE
17 EVIDENCE WHERE SHE REJECTED IT, THEN SHE SENT THEM.

18 YOUR HONOR, I HAVE NO INCOME. I HAVE BEEN A
19 HOUSEWIFE FOR 15 YEARS. I HAVE NO REASON NOT TO ANSWER
20 THE INTERROGATORIES. IT'S GOING TO PROVE THAT I HAVE
21 NOTHING. MY CREDIT SCORE WENT DOWN 120 POINTS. I'M
22 LIVING WELL BELOW THE STANDARD OF LIVING THAT I ACQUIRED
23 WITH MY HUSBAND OF 23 YEARS. WHY WOULDN'T I RESPOND TO
24 THEM? THERE'S NO REASON.

25 THE COURT: THERE'S A PROOF OF SERVICE THAT WAS
26 FILED, ATTACHED TO THE REQUEST FOR PRODUCTION OF
27 DOCUMENTS AND FORM INTERROGATORIES, INDICATING THAT THEY
28 WERE SERVED FEBRUARY 19 --

1 THE RESPONDENT: AND I SENT HER AN E-MAIL SAYING I
2 DIDN'T GET THEM. WHY DIDN'T SHE DO A CONFER? MY
3 UNDERSTANDING IS IT SHOULD BE A MEET-AND-CONFER. WHEN I
4 MAILED HER THE LETTER SAYING I DIDN'T GET THEM, WHY --
5 SHE HAS DONE NOTHING TO TRY TO -- MY POSITION, MA'AM, IS
6 THAT THEY'RE LYING AND THEY'RE BEING DECEITFUL. WHAT
7 I'D LIKE TO DO IS CROSS-EXAMINE THE ATTORNEY AND HIS
8 WITNESS TO SHOW THAT THEY ARE LIARS AND NOT ABOVE COMING
9 IN THIS COURT AND LYING.

10 WHAT YOU'RE SAYING IS THERE'S A PROOF OF
11 SERVICE. I'M SAYING I NEVER GOT IT, AND I WOULD LIKE
12 YOU TO ALLOW ME TO PROVE THEY LIE AND THEY'VE LIED
13 CONTINUOUSLY THROUGHOUT THIS COURT CASE.

14 MS. CARTER: IF I MAY RESPOND BRIEFLY, YOUR HONOR?

15 THE COURT: YOU MAY.

16 MS. CARTER: VERY BRIEFLY. I WOULD INDICATE FOR
17 THE RECORD THAT I ATTEMPTED TO MEET AND CONFER WITH HER
18 LIMITED SCOPE ATTORNEY REGARDING THE DISCOVERY BACK IN
19 APRIL, INITIALLY.

20 SO THE STATEMENT THAT I DID NOT TRY TO MEET
21 AND CONFER IS DISINGENUOUS AND IT'S FALSE.

22 I DID NOT RECEIVE A LETTER FROM THE
23 RESPONDENT REGARDING HER NOT RECEIVING THE DISCOVERY
24 UNTIL JUNE 5 OF 2019, WHEREAS THE REQUEST FOR ORDER THAT
25 WAS FILED ON MAY 8, 2019 -- EXCUSE ME, ON APRIL 23,
26 2019, ALREADY ATTACHED THE FORM INTERROGATORIES AND THE
27 REQUEST. THEREFORE, HER ASKING ME TO RESEND THEM DID
28 NOT MAKE ANY SENSE. SHE ALREADY RECEIVED A COPY THROUGH

1 THE REQUEST FOR ORDER.

2 I ALSO ATTEMPTED TO MEET AND CONFER WITH
3 BOTH RESPONDENT AND HER LIMITED-SCOPE ATTORNEY ON JUNE
4 14. AND I INDICATED THAT I WOULD GIVE HER ADDITIONAL
5 TIME TO RESPOND. AND THE ONLY REQUEST THAT I WAS MAKING
6 WAS SHE PAY FOR THE PREPARATION FOR THIS MOTION.

7 AND I DID NOT RECEIVE ANY RESPONSE. SO ON
8 MULTIPLE OCCASIONS, I'VE TRIED TO MEET AND CONFER. THE
9 RESPONDENT HAS NEVER INDICATED THAT SHE HAS NOT RECEIVED
10 DOCUMENTS FROM MY OFFICE. WE USE THE SAME EXACT NAME
11 AND ADDRESS EVERY SINGLE TIME WE SERVE HER.

12 THE RESPONDENT: HOW WOULD I KNOW THAT?

13 MS. CARTER: THESE ARE THE ONLY DOCUMENTS SHE'S
14 SAYING SHE DID NOT RECEIVE. AND SHE THEN DID RECEIVE
15 THEM THROUGH THE REQUEST FOR ORDER WHEN IT WAS FILED IN
16 APRIL AND SHE STILL HAS NOT MADE ANY ATTEMPT TO RESPOND.

17 THE RESPONDENT: I RESPONDED TO THE LETTER. MAY I
18 SPEAK TO THIS? I HAVE IN EVIDENCE THE E-MAIL BETWEEN
19 CHARLES MAJOR (PHONETIC). WHAT SHE'S SAYING IS SHE
20 SPOKE TO MY ATTORNEY. HE IS NO LONGER MY ATTORNEY. AND
21 THAT IS EXACTLY WHY I'M ASKING FOR A CONTINUANCE,
22 BECAUSE YOU DENIED IT. I HAVE AN E-MAIL DATED ON --
23 WHERE SHE AND HE TALKED ABOUT MOVING EVERYTHING ON THE
24 CALENDAR, THE JUNE 15 TO JULY. IN THE E-MAIL, THERE'S
25 NOTHING ABOUT THE JUNE 21ST HEARING.

26 I DIDN'T FIND OUT ABOUT THE MOTION TO COMPEL
27 UNTIL I CAME BACK FROM MY DAUGHTER'S GRADUATION. AND I
28 ASKED THEM, "DID YOU HEAR ANYTHING ABOUT A MOTION TO

1 COMPEL?"

2 NO ONE KNEW ANYTHING ABOUT IT. NO ONE KNEW.
3 IT'S ENTERED INTO EVIDENCE, THE E-MAIL BETWEEN SHE AND
4 THE ATTORNEY MOVING IT. A REASONABLE PERSON WOULD
5 BELIEVE, IF THIS IS A MATTER AND YOU'RE TWO ATTORNEYS,
6 WHY WOULD YOU DISCUSS EVERY OTHER MATTER EXCEPT FOR THIS
7 ONE? IT DOES NOT MAKE ANY SENSE. I SPOKE TO ALICIA. I
8 HAVE AN E-MAIL. I HAVE PHONE RECORDS ON MARCH 18TH. NO
9 ONE ATTEMPTED TO DISCUSS WITH ME. I HAVE NO REASON TO
10 NOT RESPOND. IT'S MY BENEFIT TO SHOW THAT I HAVE
11 NOTHING.

12 AND I HOPE YOU'RE GOING TO ALLOW ME TO PROVE
13 THEY HAVE TONS OF STUFF THEY SUBMITTED AND THEY LIED.
14 HIS FL-150 HAS LIES ON IT. AND I WOULD LIKE TO
15 CROSS-EXAMINE HIM ABOUT ALL THE LIES THAT HE PUT ON
16 THERE. AND I'M GOING TO SAY TO YOUR HONOR, MY HUSBAND
17 WILL LIE, BUT HE WOULD NOT LIE TO YOU.

18 THE ONLY REASON WHY I'M GOING TO GIVE YOU
19 GRACE, BROTHER, IS BECAUSE HE'S DOING IT ON THE LEAD OF
20 HIS COUNSEL.

21 THE COURT: OKAY. THAT'S NOT RELEVANT.

22 THE RESPONDENT: THAT HE'S LYING?

23 THE COURT: ANY MISREPRESENTATIONS IN THE INCOME
24 AND EXPENSE DECLARATION ARE NOT A PART OF THE MOTION TO
25 COMPEL.

26 THE RESPONDENT: I DID NOT SAY THAT, MA'AM. WHAT
27 I WANT TO DO IS SHOW HE'S A LIAR AND NOT ABOVE LYING TO
28 THE COURT. MY POSITION IS THEY LIED TO THE COURT. THEY

1 CONTINUOUSLY SUBMIT FALSE INFORMATION. AND WHEN I
2 DISPUTE IT WITH WRITTEN INFORMATION TO SHOW THEY'RE
3 LYING, THE COURT REFUSES TO ACKNOWLEDGE IT.

4 MS. CARTER: I WOULD OBJECT AT THIS POINT. I
5 BELIEVE THE RESPONDENT IS MAKING MANY UNFOUNDED
6 STATEMENTS, MANY FALSE STATEMENTS --

7 THE RESPONDENT: PLEASE ALLOW ME TO PROVE IT.

8 MS. CARTER: -- AGAINST MYSELF AND MY --

9 THE COURT: MS. GIBSON, YOU CAN'T INTERRUPT.

10 THE RESPONDENT: BUT I WAS TALKING. SHE
11 INTERRUPTED.

12 THE COURT: MA'AM, YOU INTERRUPT -- YOU WERE
13 INTERRUPTING.

14 THE RESPONDENT: I WAS TALKING. SHE STARTED
15 SPEAKING. BUT, AGAIN, I DON'T EXPECT YOU TO RULE IN MY
16 FAVOR, MA'AM. I KNOW WHAT THIS IS.

17 THE COURT: I UNDERSTAND THAT THAT'S YOUR
18 POSITION. YOU DO NOT NEED TO SAY THAT AGAIN. I
19 UNDERSTAND THAT YOU BELIEVE THAT.

20 THE RESPONDENT: MAY I RESPOND TO WHAT SHE'S
21 SAYING?

22 THE COURT: I WANT TO LET HER FINISH.

23 THE RESPONDENT: BUT YOU DON'T WANT TO HEAR ME
24 FINISH?

25 THE COURT: I WANT TO HEAR BOTH. WE HAVE A LOT OF
26 TIME. WE WILL CONTINUE. I WILL HEAR FROM BOTH OF YOU.

27 GO AHEAD.

28 MS. CARTER: I JUST WANT TO STATE FOR THE RECORD

1 AND I WANT TO OBJECT TO THE STATEMENTS THAT THE
2 RESPONDENT IS MAKING. THEY'RE WITHOUT ANY EVIDENCE
3 WHATSOEVER. SHE'S CONTINUOUSLY MADE FALSE STATEMENTS,
4 BOTH AGAINST MYSELF AND MY CLIENT WITHOUT ANY BASIS.
5 SHE'S BEEN ALLOWED TO CONTINUE TO DO THAT AND SPEAK --
6 AND IN HER PAPERS, SHE'S ALREADY INDICATED MANY OF THESE
7 THINGS. THERE'S ABSOLUTELY NO BASIS. AND I JUST WANT
8 TO ALSO STATE FOR THE RECORD THAT THE ATTORNEY THAT
9 MS. GIBSON HIRED WAS LIMITED SCOPE. THEY INDICATED THAT
10 THEY WERE ONLY REPRESENTING HER WITH REGARDS TO A
11 CONTINUANCE OF AN RFO AND TO FILE A MODIFICATION OF
12 SPOUSAL SUPPORT AND ATTORNEY'S FEES. THEREFORE, SHE
13 NEVER HAD AN ATTORNEY OF RECORD AS TO THE HEARING THAT'S
14 CURRENTLY ON THE COURT'S CALENDAR.

15 SO TO INDICATE THAT SHE NEEDS AN ATTORNEY
16 FOR THAT PURPOSE, SHE'S HAD AMPLE TIME. SHE RECEIVED
17 THE FUNDS TO BE ABLE TO DO IT, AND SHE'S DONE NOTHING.

18 THE COURT: OKAY. AND I AGREE.

19 THE RESPONDENT: MAY I RESPOND TO THAT?

20 THE COURT: FIRST ME, THEN YOU. THE DISPARAGING
21 COMMENTS YOU MADE AGAINST COUNSEL --

22 THE RESPONDENT: ALLOW ME TO PROVE IT.

23 THE COURT: -- AGAINST COUNSEL, AGAINST
24 PETITIONER --

25 THE RESPONDENT: YES, YOUR HONOR.

26 THE COURT: -- AGAINST THE COURT REPORTER, AGAINST
27 ME --

28 THE RESPONDENT: YES, YOUR HONOR.

1 THE COURT: -- AGAINST ME AND AGAINST ALL OF MY
2 STAFF --

3 THE RESPONDENT: YOUR HONOR --

4 THE COURT: THERE'S NO BASIS FOR THOSE. IT DOES
5 APPEAR TO THE COURT THAT YOU ARE ATTEMPTING TO MAKE SOME
6 SORT OF RECORD TO SHOW THAT YOU WEREN'T TREATED FAIRLY
7 HERE. THERE'S ABSOLUTELY NO JUSTIFICATION FOR THAT AT
8 THIS TIME.

9 NO, IT'S MY OPINION THAT YOU HAVE NOT BEEN
10 TREATED UNFAIRLY BUT THAT YOU ARE TRYING TO GOAD
11 EVERYBODY AT THIS HEARING INTO TREATING YOU UNFAIRLY.
12 THAT'S WHAT YOU WANT TO HAVE HAPPEN, SO YOU HAVE SOME
13 SORT OF BASIS FOR SOMETHING. I DON'T KNOW EXACTLY WHAT
14 THAT IS. BUT IT IS AFTER MULTIPLE HEARINGS WITH YOU
15 WHERE I'VE GIVEN YOU AMPLE OPPORTUNITY TO ADDRESS THE
16 COURT AND MAKE YOUR ARGUMENTS, I DO MAKE THE FINDING
17 THAT YOU ARE INTENTIONALLY GOADING THE PARTIES AND THE
18 COURT TO ATTEMPT TO ATTACK YOU AND THEN MAKING A
19 REPRESENTATION THAT YOU'VE BEEN ATTACKED. NO ONE IS
20 ATTACKING YOU. YOU'RE GIVEN AN OPPORTUNITY TO SPEAK.

21 THERE'S NO BASIS FOR YOUR ASSERTIONS THAT
22 ANYBODY HAS LIED. THERE'S NO BASIS FOR YOUR ASSERTION
23 THAT THE COURT REPORTER'S TRANSCRIPTS ARE INACCURATE OR
24 THAT ANYBODY HAS BEEN TRYING TO DO ANYTHING OTHER THAN
25 HAVE A PROPER PROCEEDING HERE.

26 THE RESPONDENT: CAN I RESPOND TO WHAT SHE SAID?

27 THE COURT: GO AHEAD.

28 THE RESPONDENT: SO WHAT SHE SAID WAS THAT THE

1 ATTORNEY TOLD HER THAT HE WAS A LIMITED SCOPE.

2 YOU KNOW WHAT, YOUR HONOR, YOU'RE NOT -- YOU
3 DON'T USUALLY LOOK AT MY EVIDENCE, BUT I'M GOING TO ASK
4 YOU TO LOOK AT THE EVIDENCE. I HIRED THEM MAYBE TWO
5 WEEKS BEFORE MY HEARING. I ASSUMED THEY TALKED TO ARIEL
6 CARTER, THE ATTORNEY. I HIRED THEM. I HAVE AN E-MAIL
7 WHERE THEY CALLED ME AFTER I HIRED THEM AND THEY CHANGED
8 THE NATURE OF HOW -- OUR RELATIONSHIP. AND IT WAS MY
9 UNDERSTANDING BECAUSE OF THE LIMITED FUNDS. THERE WAS
10 ONLY \$5,000. ACCORDING TO MY HUSBAND'S FL-150 THAT HE
11 FILED FEBRUARY 21ST, HE PAID ATTORNEY CARTER \$5,000 IN
12 THE FIRST SIX DAYS AND HE OWES HER 900 -- \$894.

13 IT WAS MY ATTORNEY'S POSITION THAT THEY --
14 IT WAS NOT ENOUGH MONEY, THAT THEY WOULD CONFER WITH
15 HER, SEE IF THEY COULD GET MORE MONEY FROM YOU. SHE
16 TOLD THEM THAT YOU SAID YOU WOULD NOT OWN -- YOU WOULD
17 ONLY GIVE ME \$5,000.

18 SO I'M A LITTLE RATTLED BECAUSE I HAVE
19 ISSUES WITH MY BRAIN, BECAUSE SHE SAID THAT "THEY HIRED
20 ME LIMITED SCOPE." I DON'T EXPECT YOU TO LOOK AT MY
21 EVIDENCE. BUT MY EVIDENCE HERE SHOWS THAT THEY CALLED
22 ME AFTER I HIRED THEM AND THEY CHANGED IT. AND WHAT MY
23 UNDERSTANDING IS THAT THEY CHANGED IT BECAUSE IT WAS NOT
24 ENOUGH TO COVER EVERYTHING. IT -- THEY WERE COVERING
25 THINGS AS IT WENT. THEY WERE TRYING TO DO EVERYTHING AT
26 ONCE, WHEN THEY MOVED EVERYTHING --

27 THE COURT: MS. GIBSON, LET ME STOP YOU THERE. SO
28 THE LIMITED SCOPE REPRESENTATION FILED APRIL 26, 2019 BY

1 MR. BUDWHANI INDICATES THAT HE WAS REPRESENTING YOU FOR
2 THE LIMITED PURPOSE OF CONTINUING THE RECONSIDERATION
3 RFO ON THE MODIFICATION OF SPOUSAL SUPPORT AND THE
4 ATTORNEY'S FEES RFO --

5 THE RESPONDENT: I HAVE IT --

6 THE COURT: THE RECONSIDERATION RFO THAT WAS
7 REFERENCING, I UNDERSTOOD THAT TO BE THE MODIFICATION
8 OF THE REQUEST FOR THE ORDER REGARDING SPOUSAL SUPPORT.

9 THE RESPONDENT: WHAT MY UNDERSTANDING, YOUR
10 HONOR, IS HE IS LIMITED SCOPE FOR WHATEVER WAS BEFORE
11 THE COURT, THAT THEY COULDN'T TAKE ON THE FULL CASE
12 BECAUSE I DID NOT HAVE ENOUGH MONEY.

13 THE COURT: BUT THAT'S -- I UNDERSTAND YOUR POINT.
14 BUT THAT IS NOT THE POINT THAT WE'RE MAKING HERE, WHICH
15 IS THAT BECAUSE HE WAS LIMITED SCOPE HE WAS NEVER
16 ATTORNEY OF RECORD ON THESE MOTIONS. THAT'S THE POINT
17 THEY'RE MAKING. AND THAT'S TRUE.

18 THE RESPONDENT: HE WAS NOT ON -- YOUR HONOR --

19 THE COURT: YOU'RE QUIBBLING WITH THE REASON,
20 WHICH IS YOU DON'T THINK --

21 THE RESPONDENT: HE DIDN'T KNOW ABOUT THIS.
22 THAT'S MY POSITION. REMEMBER SHE E-MAILED TO MOVE
23 EVERYTHING? SHE NEVER MENTIONED THE COMPEL.

24 THE COURT: YOU CUT ME OFF MID-SENTENCE AND I NEED
25 TO FINISH THAT SENTENCE. HE WAS NEVER -- HIS LIMITED
26 SCOPE DIDN'T COVER THE MOTIONS THAT ARE ON CALENDAR FOR
27 TODAY. WHETHER HE KNEW ABOUT THEM OR NOT, HE WAS NOT
28 COUNSEL OF RECORD ON THOSE MOTIONS.

1 THE RESPONDENT: WHAT I'M SAYING TO YOU IS, MA'AM,
2 I HAVE -- IF YOU'RE WILLING TO LOOK AT THE E-MAIL WHERE
3 HE ASKED ME TO SIGN THE ADDENDUM, WHAT HE PUT ON THERE,
4 LIMITED SCOPE OF ALL THREE ISSUES, BECAUSE THOSE ARE ALL
5 THE ONLY ONES THAT HE SAW. IT'S ALL HE SAW.

6 THE COURT: WELL, THE FACT THAT HE MISUNDERSTOOD
7 WHAT WAS BEFORE THE COURT IS NOT --

8 THE RESPONDENT: I UNDERSTAND. I'M NOT
9 REPRESENTED, YOUR HONOR. AND THAT'S MY POSITION. I'M
10 NOT REPRESENTED. I'M HAVING A HARD TIME DEFENDING
11 MYSELF. I -- MY POSITION AND THE CASE OF THE MOTION TO
12 COMPEL, SHE NEVER MAILED THEM. SHE SAID THAT I'M MAKING
13 ASSERTATIONS (SIC) ABOUT THEM NOT BEING ETHICAL OR DOING
14 THINGS FALSELY. I'VE ASKED YOU TO ALLOW ME TO
15 CROSS-EXAMINE THEM TO SHOW THAT THEY HAVE LIED TO YOU
16 REPEATEDLY. THEN YOU INSINUATED I'M GOADING YOU, WHICH
17 I TAKE GREAT OFFENSE TO, BUT I EXPECT IT.

18 THE COURT: OKAY. ALL RIGHT. THEN I THINK WE CAN
19 MOVE ON FROM THE MOTION TO COMPEL. LET'S TAKE UP --

20 THE RESPONDENT: I'M NOT ALLOWED TO CROSS-EXAMINE
21 THEM TO SHOW THEY'RE LYING? AND THEY HAVE A RECORD OF
22 LYING. MY POSITION, MA'AM, AND MY RESPONSE IS THEY'RE
23 LYING. WHAT I WOULD LIKE YOU TO DO IS ALLOW ME TO
24 CROSS-EXAMINE THEM. I SUBMITTED THE FORM ASKING RULE OF
25 EVIDENCE SO I CAN CROSS-EXAMINE THEM. SHE'S SAYING SHE
26 MAILED IT. I RECEIVED EVERY OTHER THING. WHY DIDN'T I
27 RECEIVE IT? WHAT IS COMMON AND USUAL FOR WHEN YOU SEND
28 OUT SOMETHING YOU DON'T RECEIVE? WHAT IS NORMAL AND

1 USUAL? DO YOU CALL? DO YOU E-MAIL? EVEN ALL HER
2 E-MAILS REGARDING THE VOCATIONAL, THERE'S NOTHING ON
3 THERE ABOUT INTERROGATORIES. SHE SENT OUT TWO DIFFERENT
4 E-MAILS AND A LETTER ASKING ABOUT THE VOCATIONAL. WHY
5 DIDN'T SHE TALK ABOUT THE INTERROGATORIES? WHY DIDN'T
6 SHE?

7 BECAUSE IT'S MY POSITION SHE'S LYING. AND
8 IT'S HER -- WHAT HER GOAL IS TO BENEFIT MY HUSBAND'S
9 WHITE PRIVILEGE, FOR ME TO BE A BLACK WOMAN, WHO IS THE
10 MOST DISRESPECTED HUMAN IN AMERICA. AND SHE'S USING IT
11 TO HER ADVANTAGE AND ABUSE OF POWER. THAT'S MY
12 POSITION.

13 WHAT I'M ASKING YOU, AGAIN, IS TO LET ME
14 CROSS-EXAMINE TO SHOW THE COURT THAT THEY HAVE SUBMITTED
15 SEVERAL DOCUMENTS, SEVERAL STATEMENTS, THAT ARE NOT
16 TRUE, THAT HE'S LIED REPEATEDLY. YOU CAN'T SHOW
17 ANYTHING THAT I'VE DONE OR SAID THAT'S NOT TRUE OR
18 HONEST. NOTHING.

19 THE COURT: OKAY. I DON'T FIND A BASIS FOR
20 CROSS-EXAMINATION. THERE'S A PROOF OF SERVICE THAT
21 STATES THAT THE DOCUMENTS WERE SERVED ON YOU.

22 I DON'T SEE ANY PROBLEM WITH THAT PROOF OF
23 SERVICE. IN ADDITION, AS COUNSEL NOTED, THERE WERE --
24 THE FORM INTERROGATORIES AND REQUEST FOR PRODUCTION OF
25 DOCUMENTS WERE ATTACHED TO THE REQUEST FOR ORDER THAT
26 WAS FILED APRIL 23RD --

27 THE RESPONDENT: AND I SENT HER A LETTER --

28 THE COURT: MA'AM, IF YOU SPEAK OVER ME, I CANNOT

1 FINISH WHAT I'M SAYING AND THEN YOU AREN'T RESPONDING TO
2 WHAT I'M TELLING YOU.

3 THE RESPONDENT: BUT YOU'RE NOT HEARING ME.

4 THE COURT: I AM HEARING YOU. WHAT I'M TELLING
5 YOU IS YOU'VE HAD THEM BY THEIR OWN STATEMENT TWICE
6 AND --

7 THE RESPONDENT: I DON'T HAVE THEM.

8 THE COURT: THAT'S YOUR POSITION. THAT'S WHAT
9 YOU'RE SAYING. I UNDERSTAND YOUR POSITION.

10 THE RESPONDENT: I SENT HER A LETTER TELLING HER
11 WILL SHE RESEND THEM.

12 THE COURT: THEY WERE ATTACHED TO THE REQUEST FOR
13 ORDER.

14 THE RESPONDENT: MA'AM, WHEN I SENT THE
15 INTERROGATORY, SHE REJECTED THEM, BECAUSE APPARENTLY I
16 DID THEM WRONG. AGAIN, I'M NOT AN ATTORNEY, YOUR HONOR.
17 I DON'T UNDERSTAND WHAT YOU'RE SAYING BECAUSE I'M NOT AN
18 ATTORNEY. MY UNDERSTANDING, BECAUSE SHE REJECTED MINE,
19 I ASSUMED I HAD TO GET THEM FORMALLY. THERE'S A CERTAIN
20 WAY TO GET THEM. I HAVE AN E-MAIL FROM SIMON THAT TOLD
21 ME TO E-MAIL HER AND SEND HER A LETTER SAYING THAT I DID
22 NOT GET THEM AND THEY WERE TAKEN OFF THE TABLE. WOULD
23 YOU LIKE TO SEE THE E-MAIL FROM MY ATTORNEY? SHE
24 E-MAILED ME.

25 THE COURT: I NEED TO STOP YOU. I DON'T WANT YOU
26 TO REVEAL CONVERSATIONS THAT ARE PRIVILEGED BETWEEN YOU
27 AND YOUR ATTORNEY.

28 THE RESPONDENT: YOU KNOW WHAT, AS A BLACK WOMAN,

1 I HAVE TO BECAUSE I'M CLEARLY BEING RAILROADED HERE.

2 THE COURT: THAT'S -- WE'RE GOING TO MOVE ON TO
3 THE NEXT --

4 THE RESPONDENT: SO YOU'RE SAYING THAT I GOT THEM
5 AND WHEN I ASK YOU TO LET ME PROVE TO YOU AND LET ME
6 CROSS-EXAMINE THEM, YOU'RE DENYING ME?

7 THE COURT: THERE'S NOTHING IN THE RECORD TO
8 INDICATE YOU DID NOT GET THEM.

9 THE RESPONDENT: I'M TELLING YOU I DIDN'T GET
10 THEM. SO HOW WOULD THEY -- HOW WOULD --

11 THE REPORTER: YOUR HONOR --

12 THE COURT: THERE'S A PROOF OF SERVICE THAT THEY
13 WERE MAILED TO THE ADDRESS WHERE ALL THE OTHER
14 DOCUMENTS --

15 THE RESPONDENT: I NEVER GOT THEM. AND IS IT
16 NORMAL AND USUAL WHEN PEOPLE DON'T RECEIVE THINGS, PROOF
17 OF SERVICE, DO YOU NORMALLY ORDER IN FAVOR OR DO YOU --
18 IN A DIVORCE CASE, WHEN THINGS -- ACTUALLY, YOUR HONOR,
19 WHEN I FIRST HEARD ABOUT THEM, THE ATTORNEY THAT TOLD ME
20 ABOUT THEM, I WAS AFRAID SHE WAS NOT GOING TO RETURN
21 THEM. HE SAID WHEN THEY DON'T, YOU JUST CALL THEM.

22 SHE HAS MADE NOTHING, NO GOOD FAITH TRYING
23 TO LET ME -- I DIDN'T GET THEM. I JUST TOLD YOU I
24 TALKED TO HER ASSOCIATE ON MARCH 18TH. THERE'S E-MAILS
25 WHERE THEY TALKED ABOUT EVERY COURT DATE. BUT YOU'RE
26 SAYING TO ME THAT THERE'S NO BASIS FOR ME TO
27 CROSS-EXAMINE THEM AND SHOW TO YOU THEY'VE BEEN LYING TO
28 YOU SINCE DAY ONE?

1 THE COURT: OKAY.

2 MS. CARTER: YOUR HONOR, IF I MAY BRIEFLY JUST
3 MAKE A RECORD?

4 THE COURT: YES.

5 MS. CARTER: MY OFFICE HAS ABSOLUTELY NO
6 OBLIGATION BASED ON CASE LAW, BASED ON STATUTORY LAW, TO
7 CONFER WITH THE RESPONDENT REGARDING HER NONRESPONSE
8 BEFORE WE FILE A MOTION TO COMPEL.

9 THE RESPONDENT: I RESPONDED.

10 MS. CARTER: HOWEVER, I HAVE INDICATED THAT WE
11 ATTEMPTED TO. I JUST ALSO WANTED TO STATE FOR THE
12 RECORD THAT THE REQUEST FOR ORDER THAT WAS FILED
13 REGARDING THE MOTION TO COMPEL AFTER THE ATTEMPT TO MEET
14 AND CONFER WITH HER LIMITED SCOPE ATTORNEY WAS BOTH SENT
15 TO MS. GIBSON AT THE SAME ADDRESS THAT EVERYTHING HAS
16 BEEN SERVED TO IN THIS CASE AND THERE WAS ALSO A
17 COURTESY COPY SENT TO HER LIMITED SCOPE ATTORNEY --

18 THE RESPONDENT: I DON'T UNDERSTAND.

19 MS. CARTER: -- EVEN THOUGH THEY WERE NOT ATTORNEY
20 OF RECORD ON THAT ISSUE, BECAUSE THE GOAL IN THIS CASE
21 WAS TO TRY TO RESOLVE THESE ISSUES.

22 THE RESPONDENT: CAN SHE REPEAT THAT? I DON'T
23 UNDERSTAND. SHE SAID SHE SENT SOMETHING. WHAT DID SHE
24 SEND?

25 THE COURT: NO. WHAT DIDN'T YOU UNDERSTAND? SHE
26 SAID SHE ATTEMPTED TO DISCUSS THIS WITH YOU, YOUR
27 LIMITED-SCOPE ATTORNEY --

28 THE RESPONDENT: SHE CAN DISCUSS WHAT?

1 THE COURT: MA'AM, IF YOU'RE GOING TO INTERRUPT
2 ME, I'M NOT GOING TO REPEAT --

3 THE RESPONDENT: I DON'T KNOW WHAT SAID -- SHE HAD
4 TO DISCUSS WHAT? SHE ATTEMPTED TO DISCUSS WHAT? THE
5 INTERROGATORIES?

6 THE COURT: THE DISCOVERY REQUEST.

7 THE RESPONDENT: OKAY. SO WHAT YOU'RE SAYING TO
8 ME IS WHAT SHE IS ALLUDING TO IS THAT VERBALLY SHE
9 ATTEMPTED TO, BUT THROUGH ALL THE E-MAILS AND EVERY
10 CORRESPONDENCE THERE'S NOTHING ABOUT IT?

11 THE COURT: OKAY. ALL RIGHT. WE'RE GOING TO MOVE
12 ON NOW TO THE MOTION FOR RECONSIDERATION THAT WAS
13 BROUGHT BY PETITIONER.

14 THAT'S YOUR MOTION.

15 THE RESPONDENT: ARE WE DOING THE RECONSIDERATION
16 FOR THE -- OKAY, FOR THE DISCOVERY?

17 THE COURT: REGARDING THE VOCATIONAL EXAMINATION.

18 THE RESPONDENT: OKAY. LET ME FIND THAT
19 INFORMATION. FIRST, I WOULD I LIKE TO ADDRESS THE ISSUE
20 THAT THE PETITIONER CONTINUES TO ASSERT THAT I AM
21 ATTEMPTING TO EVADE A VOCATIONAL EVALUATION. I'M A
22 50-YEAR-OLD WOMAN WHO HAS BEEN -- HASN'T BEEN GAINFULLY
23 EMPLOYED IN OVER 11 YEARS.

24 THERE ARE REPORTS OF COLLEGE GRADUATES
25 STRUGGLING TO FIND WORK. MY HUSBAND E-MAILED MY
26 DAUGHTER AND I AN ARTICLE ABOUT COLLEGE GRADS STRUGGLING
27 TO FIND EMPLOYMENT SHORTLY AFTER WE ATTENDED HER
28 GRADUATION. I HAVE SERIOUS MEDICAL ISSUES. I HAVE BEEN

1 RECOVERING FROM POST-CONCUSSION SYNDROME.

2 MY DOCTOR IS CURRENTLY TREATING ME FOR
3 MIGRAINE HEADACHES. MY ORTHOPEDIC SURGEON WAS PERFORMED
4 -- MY BACK SURGEON IS CURRENTLY TREATING ME FOR SPINAL
5 AND NECK CONDITIONS. I'M SCHEDULED FOR AN MRI ON MY
6 LUMBAR AND CERVICAL SPINE ON JULY 8TH.

7 MS. CARTER MADE REFERENCE TO A DISABILITY.

8 I APPLIED FOR DISABILITY WELL OVER A YEAR
9 AGO. IT TAKES YEARS TO APPROVE FOR DISABILITY. IF
10 ANYONE READS THE COURT HEARING TRANSCRIPTS, IT'S CLEAR
11 THAT I AM STRUGGLING COGNITIVELY.

12 I PUT THAT I HAD MADE \$6,000 A MONTH ON ONE
13 OF THE FORMS WHEN I WASN'T MAKING \$600 A MONTH. A
14 REASONABLE UNBIASED PERSON WOULD CONCLUDE THAT I HAVE
15 SEVERE COGNITIVE CHALLENGES. IN THE PETITIONER'S
16 RESPONSE, SHE CONTINUES TO POINT OUT THAT MY MOTIONS ARE
17 REDUNDANT AND LACK COHESIVENESS, WHICH SUPPORT MY
18 ASSERTIONS THAT I'M STRUGGLING.

19 DEALING WITH THE DIVORCE IS COMPOUNDING MY
20 ISSUES.

21 DURING THE FIRST HEARING, I WAS NOT CLEAR ON
22 WHAT THE COURT REQUESTED FROM THE PETITIONER. I'M
23 REFERRING TO THE VOCATIONAL HEARING. I OBSERVED HER ON
24 HER IPAD FOR SOMETHING BUT AT THE TIME I WASN'T CLEAR.

25 AGAIN, I HAVE A HARD TIME UNDERSTANDING AND
26 HEARING BECAUSE MY EARS HAVE BEEN RINGING SINCE I WAS
27 INVOLVED IN AN ACCIDENT. WHEN I CAME HOME, I RESEARCHED
28 FAMILY CODE SECTION 4330. I REALIZED THAT THE COURT WAS

1 REQUESTING INFORMATION ABOUT THE CREDENTIALS OF THE
2 EVALUATOR.

3 I WAITED SEVERAL WEEKS FOR MS. CARTER TO
4 SEND ME THE FINDING AND ORDER AFTER THE HEARING.

5 I NEVER RECEIVED ANYTHING.

6 I ASSUMED THE PETITIONER NEVER SUBMITTED THE
7 INFORMATION THAT THE COURT REQUESTED.

8 I AM GIVEN -- IF I'M GIVEN A VOCATIONAL
9 EVALUATION, MY REPUTATION -- BY A REPUTABLE EVALUATOR,
10 WHY WOULD I EVADE AN EVALUATION? MY PREVIOUS COUNSEL
11 REQUESTED THAT WE WOULD MOVE THE DATE TO JULY. IT WAS
12 MY UNDERSTANDING THAT THEY WERE MOVING ALL THE ISSUES SO
13 THEY COULD BEGIN NEGOTIATION WITH COUNSEL ABOUT ALL
14 MATTERS.

15 WHEN MY PREVIOUS ATTORNEY READ THE
16 TRANSCRIPT FROM MAY 3RD, READ THE COURT VERBALLY
17 ATTACKING ME, THEY RECOGNIZED THE COURT WAS SHOWING SOME
18 SEVERE BIAS.

19 FAMILY CODE SECTION 4331, IN PROCEEDINGS FOR
20 DISSOLUTION OF MARRIAGE OR LEGAL SEPARATION OF THE
21 PARTIES, THE COURT MAY ORDER A PARTY TO SUBMIT TO AN
22 EXAMINATION BY A VOCATIONAL TRAINING. THE EXAMINATION
23 SHALL INCLUDE AN ASSESSMENTS OF THE PARTY'S ABILITY TO
24 OBTAIN EMPLOYMENT BASED UPON THE PARTY'S AGE, HEALTH,
25 EDUCATION, MARKETABLE SKILLS, EMPLOYMENT HISTORY, AND
26 THE CURRENT AVAILABLE ASSESSMENT OF THE PARTY'S ABILITY
27 TO OBTAIN EMPLOYMENT THAT WOULD ALLOW THE PARTY TO
28 MAINTAIN HERSELF OR HIMSELF AT THE MARITAL STANDARD OF

1 LIVING.

2 THE ORDER MAY BE MADE --

3 THE REPORTER: YOUR HONOR --

4 THE COURT: YOU NEED TO SLOW DOWN. I'M GOING TO
5 NOTE FOR THE RECORD YOU'RE READING A WRITTEN STATEMENT
6 THAT YOU TYPED IN ADVANCE OF THE HEARING AND YOU NEED TO
7 SLOW DOWN IF THE COURT REPORTER IS GOING TO BE ABLE TO
8 MAKE A RECORD.

9 THE RESPONDENT: YES, YOUR HONOR.

10 THE ORDER MAY BE MADE ONLY ON A MOTION FOR
11 GOOD CAUSE AND NOTICE TO THE PARTY TO BE EXAMINED AND TO
12 ALL PARTIES, THE ORDER SHALL SPECIFY THE TIME, PLACE,
13 MANNER, CONDITIONS, SCOPE OF THE EXAMINATION, AND THE
14 PERSON OR PERSONS TO WHOM IT IS MADE.

15 IT IS MY CONCLUSION THAT COUNSEL HAS FAILED
16 TO MEET THE SPECIFIC, SPECIFIED -- SPECIFICALLY THE
17 MANNER, CONDITION, AND SCOPE OF THE EXAMINATION. SO
18 WHAT I'M SAYING TO YOU, MA'AM, JUST LIKE I NEVER GOT THE
19 INTERROGATORIES, I NEVER GOT THE FINDINGS AND HEARINGS
20 (SIC) FROM YOUR ORDER.

21 I HAVE SUBMITTED TO EVIDENCE ALL THE OTHER
22 FINDINGS AND HEARINGS SUBMISSION. I NEVER APPROVED
23 ANYTHING SO -- BECAUSE I NEVER GOT IT. AND I WASN'T
24 CLEAR ON WHAT YOU ASKED FOR.

25 SO I LOOKED AT -- I WENT HOME. YOU ASKED
26 FOR THE CREDENTIALS, I'M ASSUMING.

27 I WAITED FOR THEM TO COME IN THE MAIL. SHE
28 NEVER SENT THEM. THAT'S WHY I DID THE RECONSIDERATION.

1 I WAS WAITING FOR THEM TO COME IN THE MAIL, BECAUSE I
2 KNEW I HAD TEN DAYS TO DO A RECONSIDERATION AFTER I
3 RECEIVED THEM.

4 MY MAJOR ISSUE, YOUR HONOR, IS I'M NOT
5 REPRESENTED. I DIDN'T WANT ANYTHING DONE OR -- I DIDN'T
6 WANT TO COME TO COURT BECAUSE IT IS UNFAIR. I'M BEING
7 DISPARAGED. HE MAKES \$180,000. I MAKE NOTHING. I NEED
8 AN ATTORNEY. SO I DID A RECONSIDERATION BECAUSE I WANT
9 AN ATTORNEY TO LOOK AND TELL ME MY RIGHTS.

10 WHEN THE WHOLE IDEA -- THE LIMITED SCOPE --
11 THE LIMITED SCOPE WAS WHAT WAS ON THE TABLE. THEY WERE
12 NEVER GOING TO GO TO COURT. THEIR INTENTIONS WERE TO
13 NEGOTIATE WITH HER.

14 YOU VERBALLY ATTACKED ME ON MARCH 3RD, AND
15 THEY BECAME AFRAID. THEY SAID "SHE IS BIASED AGAINST
16 YOU AND IT'S CLEAR. WE DON'T UNDERSTAND WHY SHE'S DOING
17 THIS TO YOU."

18 THE COURT: CAN I MAKE ONE QUESTION ABOUT THAT?
19 HAVE YOU -- HAVE YOU SPENT ALL \$5,000? IS THAT GONE?

20 THE RESPONDENT: NO, YOUR HONOR.

21 THE COURT: THE ATTORNEY'S FEES?

22 THE RESPONDENT: NO.

23 THE COURT: YOU STILL HAVE THAT?

24 THE RESPONDENT: I DO.

25 THE COURT: OKAY.

26 THE RESPONDENT: THAT'S WHY I'M -- I ASKED FOR A
27 CONTINUANCE AND YOU REFUSED. COUNSEL HAS FAILED TO MEET
28 THE STANDARD --

1 THE COURT: THAT'S FALSE. OKAY.

2 THE RESPONDENT: YOU DID NOT REFUSE TO CONTINUE?
3 I ASKED TO CONTINUE BECAUSE MY ATTORNEY SUBSTITUTED ON
4 TWO DAYS AGO.

5 THE COURT: BUT THAT ATTORNEY WAS LIMITED SCOPE
6 AND NEVER AT THE HEARING. WE'RE NOT GOING TO GO IN
7 CIRCLES ABOUT THAT AGAIN.

8 THE RESPONDENT: THE LIMITED SCOPE WAS BECAUSE
9 WHAT I'M SAYING TO YOU AND YOU REFUSE TO LISTEN --

10 THE COURT: I HEAR YOU. YOU KNOW WHAT,
11 MS. GIBSON, NOW I'M GOING TO NOTE FOR THE RECORD YOU'RE
12 VERY ARGUMENTATIVE AND RUDE. YOU'VE MADE THAT POINT AND
13 YOU'VE MADE IT PROBABLY FIVE TIMES.

14 THE RESPONDENT: AND YOU'RE PROVING I'M AN ANGRY
15 BLACK WOMAN.

16 THE COURT: I'M DOING NO SUCH THING.

17 THE RESPONDENT: YOU'VE PROVING I'M AN ANGRY BLACK
18 WOMAN. I'M GOING TO CONTINUE, YOUR HONOR.

19 BACK TO THE QUESTION OF THE RECONSIDERATION,
20 THE EVIDENCE I'M PUTTING BEFORE THE COURT IS, ACCORDING
21 TO THE FAMILY CODE 433 (SIC), SHE NEED TO -- THE ORDER
22 MUST BE MADE -- I NEVER RECEIVED THE FINAL HEARING --
23 THE FINDINGS AND HEARING. I NEVER RECEIVED THAT.

24 THE COURT: SO LET ME STOP YOU THERE. IS THERE AN
25 ORDER REGARDING THE VOCATIONAL EXPERT?

26 MS. CARTER: THERE IS, YOUR HONOR.

27 THE COURT: CAN WE SEE THAT? IS THAT FILED?

28 MS. CARTER: IT IS. IT WAS FILED MARCH 14, 2019,

1 THE SAME DAY AS THE HEARING.

2 THE COURT: OKAY.

3 THE RESPONDENT: DID I APPROVE ANYTHING? OKAY.

4 LET ME FIND THIS RULE OF EVIDENCE. WHAT IS IT? 2000 --
5 CALIFORNIA RULE OF COURT, RULE 5.125, PREPARATION,
6 SERVICE, AND SUBMISSION OF ORDER AFTER THE HEARING. THE
7 COURT MAY PREPARE THE ORDER AFTER THE HEARING AND SERVE
8 THE COPIES ON THE PARTY OF -- OR THEIR ATTORNEYS.
9 ALTERNATIVELY, THE COURT MAY ORDER ONE OF THE PARTIES OR
10 ATTORNEYS TO PREPARE THE PROPOSED ORDER AS PROVIDED IN
11 THE RULES. THE COURT MAY ALSO MODIFY THE TIMELINE AND
12 PROCEDURES IN THE RULES WHEN APPROPRIATE TO THE CASE.

13 IN GENERAL, THE TERM "PARTY" OR "PARTIES"
14 INCLUDE BOTH SELF-REPRESENTED PERSONS AND PERSONS
15 REPRESENTED BY AN ATTORNEY OF RECORD. THE PROCEDURE IN
16 THIS RULE REQUIRES A PARTY TO PERFORM ACTION RELATED TO
17 THE PREPARATION, SERVICE, AND SUBMISSION OF AN ORDER
18 AFTER HEARING, INCLUDING THE PARTY'S ATTORNEY OF RECORD.

19 SUBMISSION OF PROPOSED ORDER AFTER HEARING
20 TO THE COURT WITHIN TEN DAYS OF THE COURT HEARING, THE
21 PARTY ORDERED TO PREPARE THE PROPOSAL MUST SERVE THE
22 PROPOSED ORDER TO THE PARTY FOR APPROVAL -- AND I NEVER
23 RECEIVED THEM -- IN THE ORDER -- AND I'M ALSO SAYING IN
24 THE ORDER DOES NOT OUTLINE WHAT THE RULE 4331 STATES.

25 IF THE PARTY DID NOT APPEAR -- IF THE
26 PARTY -- IF THE OTHER PARTY DID NOT APPEAR AT THE
27 HEARING OF THE MATTER -- THAT'S NOT RELEVANT.

28 OTHER PARTY APPROVES OR REJECTS PROPOSED

1 ORDER AFTER THE HEARING. I NEVER RECEIVED IT. I WAITED
2 FOR IT. WITHIN 20 CALENDAR DAYS FROM THE COURT HEARING,
3 THE OTHER PARTY MUST REVIEW THE PROPOSED ORDER TO
4 DETERMINE IF IT IS -- ACCURATELY REFLECTS THE ORDER MADE
5 BY THE COURT AND TAKE ONE OF THE FOLLOWING ACTIONS:

6 APPROVE THE PROPOSED ORDER BY SIGNING AND
7 SERVING IT ON THE PARTY OR ATTORNEY -- WAS DRAFTED FOR
8 PROPOSED ORDER OR STATES ANY OBJECTIONS TO THE PROPOSED
9 ORDER AND PREPARE AN ALTERNATE PROPOSED ORDER. ANY
10 ALTERNATE PROPOSED ORDER PREPARED BY THE OBJECTING PARTY
11 MUST LIST THE FINDING AND ORDERS IN THE SAME SEQUENCE AS
12 THE PROPOSED ORDER. AFTER SERVING ANY OBJECTIONS AND
13 ALTERNATE PROPOSED ORDER TO THE PARTY OR ATTORNEY, BOTH
14 PARTIES MUST FOLLOW THE PROCEDURE --

15 THE COURT: LET ME STOP YOU THERE.

16 THE RESPONDENT: I'M NOT AN ATTORNEY.

17 THE COURT: LET ME STOP YOU THERE. I DO BELIEVE
18 YOU ARE CORRECT THAT THIS PROPOSED ORDER WAS NOT SERVED
19 ON YOU AND YOU WERE NOT GIVEN THE TIME TO OBJECT TO THE
20 ORDER.

21 SO I AM GOING TO ORDER THAT THAT CURRENT
22 ORDER BE VACATED AND THAT THE ORDER -- PROPOSED ORDER BE
23 SERVED ON MS. GIBSON, SHE BE GIVEN THE PROPER TIME TO
24 FILE OBJECTIONS TO THE ORDER, AND THEN WE WILL PROCEED
25 FROM THERE AS WITH RESPECT TO THE VOCATIONAL EXPERT.

26 MS. CARTER: I HAVEN'T HAD THE OPPORTUNITY TO
27 RESPOND, YOUR HONOR, AND I DON'T BELIEVE SHE IS CORRECT.

28 THE COURT: WELL, IT'S NOON NOW. SO WE WILL SEE

1 YOU BACK HERE AT 1:30.

2 MS. CARTER: THANK YOU, YOUR HONOR.

3 THE RESPONDENT: MAY I HAVE MY PHONE BACK, PLEASE?
4 YOU KNOW SIR, I THOUGHT YOU WERE ON MY SIDE. I REALLY
5 DID. YOU TALK ABOUT BETRAYAL.

6 THE BAILIFF: MA'AM --

7 THE RESPONDENT: YOU TOLD ME YOU WOULD TAKE MY
8 PHONE -- YOU DON'T WANT ME TO SPEAK? OF COURSE NOT.
9 I'M VERY CALM, SIR.

10 MS. CARTER: DOES THE COURT STILL NEED A COPY OF
11 THE ORDER?

12 THE RESPONDENT: I NEED A COPY OF THE ORDER.

13 THE COURT: WE'LL HAVE THAT AVAILABLE FOR YOU AT
14 1:30.

15 THE RESPONDENT: I SERVE A MIGHTY GOD, A MIGHTY
16 GOD. GET YOUR MONEY, SISTER. MAKE YOUR MONEY.

17 THE COURT: WE'LL GO OFF THE RECORD NOW.

18

19 (NOON RECESS WAS TAKEN UNTIL 1:30 P.M. OF
20 THE SAME DAY.)

21

22

23

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26

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28

1 CASE NUMBER: 17PSFL00745
2 CASE NAME: JAMES GIBSON VS. KARRIE GIBSON
3 POMONA, CALIFORNIA FRIDAY, JUNE 21, 2019
4 DEPARTMENT NO. PSB HON. SARAH J. HEIDEL, JUDGE
5 REPORTER: CHANI D. LUDWIG, CSR 13017
6 TIME: P.M. SESSION
7 APPEARANCES: (SEE TITLE PAGE)
8

9 THE COURT: BACK ON THE RECORD IN THE MATTER OF
10 GIBSON VERSUS GIBSON, 17PSFL00745.

11 AND AT THE LUNCH RECESS, COUNSEL WAS ABOUT
12 TO BEGIN TO MAKE AN ARGUMENT AS TO WHY THERE WASN'T A
13 TEN-DAY REQUIREMENT REGARDING THE ORDER AFTER HEARING AS
14 TO THE VOCATIONAL EXPERT.

15 MS. CARTER: RIGHT. SO I WOULD START MY RESPONSE
16 WITH REGARD TO THE FACT THAT THE MOTION FOR
17 RECONSIDERATION WAS UNTIMELY. BOTH RESPONDENT AND I HAD
18 WRITTEN NOTICE OF THE ENTRY OF THE ORDER THAT WAS MADE
19 ON MARCH 14, 2019. AS IT RELATES TO THE FINDINGS AND
20 ORDER AFTER HEARING, I WOULD INDICATE THAT THE
21 RESPONDENT ONLY DID A MOTION FOR RECONSIDERATION AS TO
22 THE ISSUES RELATED TO HER LACK OF LEGAL REPRESENTATION,
23 THE COST OF THE EVALUATION, AND THE ALLEGED FAILURE OF
24 MY SIDE TO PROVIDE THE QUALIFICATIONS TO THE COURT,
25 WHICH THE QUALIFICATIONS WERE SUBMITTED TO THE COURT THE
26 SAME DAY THAT THE COURT ASKED THEM TO BE.

27 THE COURT'S TENTATIVE BEFORE LUNCH WAS BASED
28 ON AN ENTIRELY DIFFERENT ARGUMENT THAN WHAT WAS EVEN

1 INCLUDED IN THE MOTION FOR RECONSIDERATION. SO THERE
2 ARE NOTICE ISSUES IN THAT REGARD.

3 HOWEVER, THE PROPOSED ORDER RELATING TO THE
4 APPOINTMENT OF THE 730 AND THE VOCATIONAL EVALUATION WAS
5 ATTACHED TO THE REQUEST FOR ORDER REQUESTING THE
6 VOCATIONAL EVALUATION. SO THE RESPONDENT HAD SUFFICIENT
7 NOTICE OF THE PROPOSED ORDER.

8 THE COURT: OKAY. LET ME STOP YOU THERE. MY
9 QUESTION TO MS. GIBSON IS, LET'S ASSUME THAT YOU DID NOT
10 HAVE ENOUGH TIME TO REVIEW THE ORDER. WHAT'S THE
11 OBJECTION TO THAT ORDER?

12 THE RESPONDENT: YOU KNOW, YOUR HONOR, I NEVER GOT
13 THE ORDER. SHE'S SAYING SHE FILED IT ON MARCH 14TH.

14 THE COURT: MS. GIBSON, I NEED YOU TO RESPOND TO
15 MY QUESTION. WHAT'S THE OBJECTION TO THE ORDER? YOU
16 HAVE IT NOW IN YOUR HAND. WHAT'S YOUR OBJECTION TO THE
17 ORDER?

18 THE RESPONDENT: YOU KNOW, MY OBJECTION TO THE
19 ORDER -- MY OBJECTION -- MA'AM, WHAT I WOULD LIKE TO DO
20 IS RESPOND TO WHAT SHE JUST SAID.

21 THE COURT: NO. I WANT YOU TO ANSWER MY QUESTION.
22 WHAT'S YOUR OBJECTION TO THE ORDER?

23 THE RESPONDENT: I NEVER RECEIVED THE ORDER.

24 THE COURT: YOU'RE HOLDING IT IN YOUR HAND.

25 THE RESPONDENT: MY OBJECTION, YOUR HONOR, IS THAT
26 SHE DID NOT FOLLOW CALIFORNIA RULES OF THE COURT. SHE
27 IS ALLUDING TO THAT SHE SUBMITTED ON MARCH 14TH. WE HAD
28 THE HEARING ON MARCH 14TH. ON MARCH 14TH, YOU HAD -- WE

1 WERE -- LEFT HERE ABOUT TWO O'CLOCK. SO HOW SHE FILED
2 IT, I DON'T KNOW. SO WHAT I'M SAYING TO YOU, MA'AM --

3 THE COURT: I THINK YOU'RE SPEAKING TOO QUICKLY
4 FOR THE COURT REPORTER.

5 THE RESPONDENT: SHE DIDN'T FOLLOW THE CALIFORNIA
6 RULES OF COURT 5.125. THAT'S ONE OF MY OBJECTIONS. THE
7 SECOND --

8 THE COURT: BUT THAT'S NOT AN OBJECTION TO THE
9 ORDER. THAT'S A RULE OF COURT THAT YOU'RE SAYING SHOULD
10 HAVE BEEN FOLLOWED. LET'S ASSUME YOU'RE RIGHT. WHAT IS
11 NOW YOUR OBJECTION? BECAUSE THE RULE IS A CLERICAL
12 FUNCTION THAT MS. CARTER PERFORMED PUTTING INTO WRITING
13 THE COURT'S ORDER. SO WHAT IS YOUR OBJECTION TO THE
14 ORDER AS WRITTEN, THE ONE THAT YOU HAVE RIGHT IN FRONT
15 OF YOU RIGHT NOW?

16 THE RESPONDENT: YOUR HONOR, I NEED
17 REPRESENTATION. ACCORDING TO FAMILY CODE 2030 IN --
18 (UNINTELLIGIBLE).

19 THE REPORTER: YOUR HONOR, I DIDN'T UNDERSTAND.

20 THE COURT: I'M GOING TO CONSTRUE THAT AS NOT
21 HAVING AN OBJECTION.

22 THE RESPONDENT: I DON'T UNDERSTAND THE QUESTION
23 BECAUSE I'M NOT AN ATTORNEY. AND WHEN YOU SAY I HAVE AN
24 OBJECTION TO THE ORDER, YOU'RE ASKING DID I OBJECT TO
25 THE ORDER? I NEVER RECEIVED THE ORDER. HERE'S --

26 THE COURT: STOP.

27 THE RESPONDENT: PLEASE LET ME --

28 THE COURT: NO. PLEASE LET ME FINISH.

1 THE RESPONDENT: I WILL SPEAK SLOWLY.

2 THE COURT: I'M NOT ASKING YOU TO SLOW DOWN. I'M
3 ASKING YOU TO STOP TALKING. I'VE ASKED YOU SEVERAL
4 TIMES WHAT YOUR OBJECTION IS TO THAT ORDER.

5 THE RESPONDENT: WHAT ORDER?

6 THE COURT: THE ORDER THAT YOU HAVE RIGHT IN FRONT
7 OF YOU.

8 THE RESPONDENT: ONE -- OKAY.

9 THE COURT: WHAT'S YOUR OBJECTION? DO YOU HAVE AN
10 OBJECTION?

11 THE RESPONDENT: I HAVE AN OBJECTION.

12 THE COURT: YES?

13 THE RESPONDENT: THE OBJECTION IS --

14 THE COURT: WHAT'S THE OBJECTION?

15 MS. CARTER: IT DOES NOT APPLY -- IT DOESN'T
16 COMPLY WITH THE FAMILY CODE 4331, WHERE IT SAYS -- AND
17 BECAUSE I HAVE MEDICAL ISSUES AND I DON'T HAVE AN
18 ATTORNEY. IT'S GOING TO TAKE ME LONGER. SO GIVE ME THE
19 OPPORTUNITY TO ANSWER. IT LAYS OUT IN 4331 --

20 THE COURT: YOU'RE SPEAKING TOO QUICKLY.

21 THE RESPONDENT: IT DOESN'T EXPLAIN THE SCOPE OF
22 THE EXAMINATION.

23 THE COURT: NOW I UNDERSTAND YOUR OBJECTION.
24 OKAY. THANK YOU.

25 ANYTHING ELSE, COUNSEL?

26 MS. CARTER: YES. SO WHAT I WANTED TO GET TO WAS
27 THAT THE CALIFORNIA RULE OF COURT 5.125 APPLIES TO A
28 PROPOSED FINDINGS AND ORDER AFTER HEARING. THIS WAS NOT

1 A FINDINGS AND ORDER AFTER HEARING.

2 THIS WAS A PROPOSED ORDER THAT THE COURT
3 SIGNED ON THE DAY OF THE HEARING, WHICH WAS
4 SELF-EXECUTING THAT DAY BECAUSE THE COURT MADE THE ORDER
5 FROM THE BENCH FOR THE VOCATIONAL EXAMINATION. WE DID
6 NOT NEED TO MEMORIALIZE IT IN A FINDINGS AND ORDER AFTER
7 HEARING BECAUSE THE PROPOSED ORDER WAS ALREADY ATTACHED
8 TO THE RFO AND THE COURT ADOPTED IT UPON RECEIPT OF THE
9 QUALIFICATIONS --

10 THE RESPONDENT: IT'S CONTINGENT --

11 THE COURT: MS. GIBSON, YOU'RE INTERRUPTING --

12 THE RESPONDENT: IT WAS CONTINGENT UPON OTHER
13 THINGS, MA'AM.

14 MS. CARTER: WHICH IS AGREED. IT IS AGREED IT WAS
15 CONTINGENT UPON THE QUALIFICATIONS THAT WERE TO BE
16 SUBMITTED TO THE COURT THAT DAY. THOSE QUALIFICATIONS
17 WERE SUBMITTED, AND THE COURT IN TURN SIGNED THE
18 PROPOSED ORDER THAT DAY.

19 THE COURT: AND I'VE NOW REVIEWED THE ORDER. I
20 REVIEWED IT AT THE TIME, AND I'VE REVIEWED IT AGAIN
21 TODAY. AND IT DOES COMPLY -- THE PROPOSED ORDER
22 COMPLIES WITH THE COURT'S ORDER ON THE DAY OF THE
23 HEARING, ON MARCH 14TH.

24 THE RESPONDENT: WOULD YOU LET ME SPEAK TO THE
25 MOTION TO COMPEL? THE MOTION TO COMPEL --

26 THE COURT: HOLD ON. WE NEED TO DO THIS IN AN
27 ORDERLY FASHION.

28 THE RESPONDENT: YES, MA'AM -- YOUR HONOR. I WANT

1 TO SPEAK TO THE MOTION TO COMPEL. COMPEL MEANS I'M
2 RESISTANT --

3 THE COURT: MS. GIBSON, I JUST ASKED YOU TO HOLD
4 ON. PLEASE HOLD ON, OKAY?

5 ALL RIGHT. SO THAT ADDRESSES THE MOTION FOR
6 RECONSIDERATION FILED BY RESPONDENT ON APRIL 11TH --

7 THE RESPONDENT: YOU'RE DECLINING, MY
8 RECONSIDERATION?

9 THE COURT: NO.

10 THE RESPONDENT: I DON'T UNDERSTAND.

11 THE COURT: MAYBE YOU DON'T UNDERSTAND BECAUSE YOU
12 WON'T LET ME FINISH MY SENTENCE.

13 THE RESPONDENT: I DON'T UNDERSTAND BECAUSE I HAVE
14 A MEDICAL ISSUE AND I NEED AN ATTORNEY.

15 THE COURT: OKAY. I AM NOW MOVING TO YOUR
16 QUESTION ABOUT THE MOTION TO COMPEL ON THE VOCATIONAL
17 EXAM. I HAVEN'T MADE ANY ORDERS TODAY.

18 THE RESPONDENT: I UNDERSTAND THAT, YOUR HONOR.
19 THE MOTION TO COMPEL -- LET ME BE FIRST, SLOWER.

20 THE COURT: WELL, LET'S START THE OTHER WAY
21 BECAUSE IT'S NOT YOUR MOTION TO COMPEL.

22 THE RESPONDENT: I WANT TO SPEAK.

23 THE COURT: I'M GOING TO HEAR FROM COUNSEL FIRST.

24 THE RESPONDENT: I WANT TO RESPOND TO IT.

25 THE COURT: MS. GIBSON --

26 THE RESPONDENT: I CAN'T RESPOND?

27 THE COURT: NOT UNTIL IT'S YOUR TURN TO SPEAK.

28 IT'S MS. CARTER'S MOTION TO COMPEL. SHE'S GOING TO MAKE

1 HER ARGUMENTS, AND THEN YOU'LL RESPOND.

2 THE RESPONDENT: DIDN'T SHE ALREADY DO THAT?

3 THE COURT: NO. WE DID NOT GO FORWARD ON THE
4 MOTION TO COMPEL AS TO THE VOCATIONAL EXPERT BECAUSE I
5 WANTED TO HEAR WHAT YOU HAD TO SAY ABOUT THE MOTION FOR
6 RECONSIDERATION FIRST.

7 THE RESPONDENT: I DIDN'T UNDERSTAND.

8 THE COURT: I SAID THAT AT THE BEGINNING.

9 THE RESPONDENT: YOU MAY HAVE, MA'AM. THAT'S WHY
10 I'M ASKING YOU, BEGGING YOU TO WAIT UNTIL I GET AN
11 ATTORNEY SO I CAN BE PROPERLY REPRESENTED. IT IS A
12 CLEAR DISPARITY HERE, A CLEAR DISPARITY.

13 THE COURT: ALL RIGHT. MS. CARTER.

14 MS. CARTER: YOUR HONOR, THE MOTION TO COMPEL WITH
15 RELATION TO THE VOCATIONAL EVALUATION IS THAT THE ORDER
16 WAS MADE MARCH 14, 2019, FROM THE BENCH. THERE WAS A
17 MINUTE ORDER INDICATING THAT MS. GIBSON WAS TO UNDERGO
18 THE VOCATIONAL EXAMINATION. I SENT SEVERAL LETTERS TO
19 MS. GIBSON REMINDING HER OF THAT ORDER, BECAUSE SHE WAS
20 SUPPOSED TO SUBMIT WITHIN 7 DAYS OF MARCH 14, 2019.

21 SHE HAS REFUSED TO DO THE SAME. SHE FILED A
22 MOTION FOR RECONSIDERATION UPON THE BASIS FOR WHICH I'VE
23 ALREADY INDICATED TO THE COURT, WHICH ARE, I THINK,
24 WITHOUT BASIS OVERALL.

25 SHE REFUSES TO CONTACT DAVID LANE. SHE
26 REFUSES TO RETURN PHONE CALLS FROM DAVID LANE AND HIS
27 ASSISTANT. THEY'VE CALLED HER SEVERAL TIMES TO SET UP
28 AN APPOINTMENT. SHE DOES NOT CALL THEM BACK. THEY HAVE

1 NO WAY OF GETTING IN CONTACT WITH HER. HE'S ALREADY
2 BEEN PAID. ALL SHE NEEDS TO DO IS SET UP THE
3 APPOINTMENT AND GO.

4 I DO HAVE SOME DATES THAT THEY'VE INDICATED
5 TO ME THEY HAVE AVAILABLE FOR HER AND THE APPOINTMENT,
6 WHICH I WILL PROVIDE TO THE COURT. JULY 22, 2019, JULY
7 25, 2019, AND JULY 26, 2019.

8 WE'RE ALREADY MONTHS AWAY FROM THE INITIAL
9 ORDER. AND WE'RE ALSO ON FOR A TRIAL SETTING CONFERENCE
10 TODAY. AND UNTIL MS. GIBSON UNDERGOES THIS VOCATIONAL
11 EXAMINATION AND A REPORT IS THEN PREPARED, WE CAN'T SET
12 THE MATTER FOR TRIAL OR WE CAN'T GO TO TRIAL.

13 THE COURT: WHAT IS THE REMEDY IF THE COURT GRANTS
14 THE MOTION TO COMPEL AND MS. GIBSON STILL DOES NOT SIT
15 FOR THE EXAM?

16 MS. CARTER: THAT MS. GIBSON CAN'T PRESENT
17 EVIDENCE AS TO THE 4320 FACTORS REGARDING SPOUSAL
18 SUPPORT AT A PERMANENT HEARING.

19 THE RESPONDENT: REPEAT THAT, MA'AM, YOUR HONOR --
20 I MEAN, MS. CARTER.

21 MS. CARTER: I WOULD BE ASKING THAT THE COURT NOT
22 ALLOW MS. GIBSON TO PRESENT EVIDENCE ON SPOUSAL SUPPORT,
23 WHICH WOULD BE THE 4320 FACTORS, AT THE TIME OF TRIAL.

24 THE COURT: ALL RIGHT. OKAY. AND DO YOU WANT TO
25 RESPOND TO THAT?

26 THE RESPONDENT: I DO WANT TO RESPOND TO HER.

27 THE COURT: OKAY.

28 THE RESPONDENT: FIRST OF ALL, AM I UNDERSTANDING

1 -- AGAIN, I'M A LAYMAN. I'M NOT AN ATTORNEY. MOTION TO
2 COMPEL, I WOULD THINK THAT THE PURPOSE IS TO COMPEL
3 SOMEONE TO DO SOMETHING THAT THEY'RE NOT WILLING TO DO,
4 TO ORDER THEM BECAUSE THEY'RE RELUCTANT AND ELUSIVE.

5 THAT'S NOT THE CASE HERE, MA'AM. I HAVE NO
6 PROBLEM WITH TAKING THAT EXAM. AGAIN, I HAVE MEDICAL
7 RECORDS THAT SHOW THAT I HAVE A CONCUSSION. I SUFFER
8 FROM MIGRAINES. MY DOCTOR IS PRESCRIBING -- IS --
9 SHE'S -- I'M BEING SEEN. YOU KNOW, THE WORDS ARE NOT
10 COMING TO ME. AND THIS SPEAKS TO WHAT'S HAPPENING TO
11 ME.

12 I HAVE A SEVERE BACK INJURY. MY DOCTOR IS
13 LOOKING TO GIVE ME SURGERY ON MY NECK AND MY LOWER
14 SPINE.

15 THE COURT: ALL OF THAT WOULD BE --

16 THE RESPONDENT: YOUR HONOR --

17 THE COURT: ALL OF THAT WOULD BE EVIDENCE THAT YOU
18 COULD PUT ON AT TRIAL AS TO WHY IT IS THAT YOU'RE NOT
19 ABLE TO WORK.

20 THE RESPONDENT: YOUR HONOR --

21 THE COURT: BUT THAT'S NOT THE PURPOSE OF THE
22 VOCATIONAL EXAMINATION.

23 THE RESPONDENT: I WOULD ASK YOU TO LET ME FINISH
24 MY THOUGHT, IF YOU DON'T MIND.

25 THE COURT: MS. GIBSON --

26 THE RESPONDENT: I'M NOT ALLOWED TO FINISH MY
27 THOUGHT? I'M IN THE MIDDLE OF A SENTENCE AND YOU'RE
28 INTERRUPTING ME. AND IT'S EXPECTED, YOUR HONOR. I

1 WOULD LIKE TO SPEAK TO HER.

2 THE COURT: MS. GIBSON --

3 THE RESPONDENT: YOU WILL NOT --

4 THE COURT: THIS ISN'T A CONVERSATION. IT'S A
5 HEARING.

6 THE RESPONDENT: I'M ANSWERING THE MOTION TO
7 COMPEL, WHAT SHE'S SAYING, I'D LIKE TO RESPOND.

8 THE COURT: WHAT I'M TELLING YOU IS THAT YOUR
9 RESPONSE ISN'T RELEVANT AND I CAN --

10 THE RESPONDENT: HOW IS IT NOT RELEVANT IF YOU
11 DON'T LET ME FINISH. YOU DON'T KNOW WHAT I'M SAYING.

12 THE COURT: IT'S NOT RELEVANT BECAUSE WHETHER OR
13 NOT YOU HAVE MEDICAL ISSUES DOES NOT PROHIBIT YOU FROM
14 UNDERGOING THE VOCATIONAL EXAMINATION.

15 THE RESPONDENT: YES, IT DOES, MA'AM. IT DOES.
16 AND THAT'S NOT EVEN THE CASE. MY CONCERN IS SANCTIONS
17 FOR THE MOTION TO COMPEL. MY CONCERN IS THAT -- AGAIN,
18 MY POSITION IS THAT THIS -- THE PETITIONER KNOWS THAT
19 THIS IS A BIASED COURTROOM, THAT I'M BEING TREATED
20 DIFFERENTLY BECAUSE I'M A BLACK WOMAN. SHE'S BRINGING
21 THIS UP SO SHE CAN TRY TO REGAIN THE MONEY THAT YOU GAVE
22 ME.

23 I HAVE NEVER SAID I DIDN'T WANT TO TAKE THE
24 EXAM. THE EXAM IS GOING TO SHOW YOU, IT'S GOING TO
25 PROVE THAT I'M NOT CAPABLE OF MUCH, OKAY?

26 MY POSITION IS THAT THIS IS -- THEY'RE JUST
27 DOING THINGS THAT -- TO HARASS ME, TO MAKE IT HARD ON
28 ME. THIS IS NOT -- IF I GO BACK AND I PULL OTHER

1 DIVORCE CASES, WHICH I'M GOING TO, AND I SHOW THAT WHEN
2 THIS THING ARISE, WE COULD WORK IT OUT. WHEN WE ASKED
3 YOU TO MOVE THE MARCH -- THE MAY 3RD, BECAUSE MY
4 ATTORNEYS WERE GOING TO NEGOTIATE WITH HER. THAT'S WHY
5 WE ASKED TO MOVE TO JULY. WE WERE GOING TO NEGOTIATE
6 EVERYTHING.

7 BUT IT DIDN'T HAPPEN BECAUSE, WHEN MY
8 ATTORNEY ATTEMPTED TO MOVE EVERYTHING, YOU ORDERED
9 AGAINST ME AND YOU VERBALLY ATTACKED ME AND MY ATTORNEY.

10 THE COURT: MA'AM --

11 THE RESPONDENT: THIS IS ALL RELEVANT, YOUR HONOR.

12 THE COURT: MA'AM, IT'S NOT RELEVANT. AND I DON'T
13 KNOW WHAT YOU --

14 THE RESPONDENT: YOU DON'T HAVE TO THINK IT'S
15 RELEVANT. MAYBE SOMEONE ELSE WILL THINK DIFFERENTLY.

16 THE COURT: I'VE CERTAINLY GIVEN YOU A LOT OF
17 LEEWAY TO MAKE A RECORD.

18 THE RESPONDENT: MAKE A RECORD OF WHAT?

19 THE COURT: WHATEVER YOU --

20 THE RESPONDENT: YOU SAID THAT -- YOU TOLD ME THAT
21 --

22 THE COURT: MS. GIBSON, I'M GOING TO ASK YOU TO
23 STOP INTERRUPTING ME.

24 THE RESPONDENT: OF COURSE YOU WILL. I KNOW.

25 THE COURT: OKAY. I'M GOING TO ASK YOU TO STOP
26 INTERRUPTING ME.

27 THE RESPONDENT: YES, MA'AM, YOUR HONOR.

28 THE COURT: OKAY. ANYTHING ELSE ON THE MOTION TO

1 COMPEL REGARDING THE VOCATIONAL EXAM? DO I UNDERSTAND
2 YOU TO SAY YOU AGREE TO HAVE THE VOCATIONAL EXAM ON ONE
3 OF THE DATES?

4 THE RESPONDENT: NO, I DO NOT. I DON'T KNOW IF
5 I'M AVAILABLE ON -- I DON'T KNOW HOW I'M GOING TO FEEL
6 ON ONE OF THOSE DATES. YOU JUST DECLINED MY MOTION TO
7 RECONSIDER; IS THAT CORRECT?

8 THE COURT: I HAVEN'T MADE RULINGS YET.

9 THE RESPONDENT: IF YOU HAVEN'T RULED ON THE
10 MOTION TO RECONSIDER, WHY WOULD I GIVE YOU A DATE?

11 THE COURT: I'M TRYING TO UNDERSTAND YOUR
12 POSITION.

13 THE RESPONDENT: MY POSITION IS --

14 THE COURT: BECAUSE YOU JUST SAID YOU HAD NO
15 REASON NOT TO COMPLY WITH IT BECAUSE IT VINDICATED YOUR
16 POSITION. SO I'M ASKING --

17 THE RESPONDENT: I HAVE NO QUALMS WITH COMPLYING
18 TO AN EVALUATION. WHO SHE HAD, THE CREDENTIALS, SHE'S
19 NEVER EVEN SPOKEN TO THE CREDENTIALS --

20 THE REPORTER: I CAN'T KEEP UP, YOUR HONOR.

21 THE RESPONDENT: I WANT TO SPEAK TO HER
22 CREDENTIALS.

23 THE COURT: I SEE.

24 THE RESPONDENT: THE SCOPE OF THE EXAM, IT DOES
25 NOT SAY -- IT SAYS ON 4330 THAT THEY NEED TO IDENTIFY
26 THE SCOPE. I DON'T KNOW WHAT I'M WALKING INTO. AND YOU
27 KNOW WHAT, I HAD A WORKERS' COMP CASE. BEEN HERE, DONE
28 THAT. SO FORGIVE ME FOR BEING A LITTLE ELUSIVE OR

1 SCARED OF WHAT'S GOING TO HAPPEN TO ME AS A BLACK WOMAN
2 IN AMERICA. FORGIVE ME.

3 THE COURT: OKAY, MS. GIBSON. ALL RIGHT.
4 ANYTHING ELSE?

5 MS. CARTER: YOUR HONOR, JUST BRIEFLY. THE
6 REQUEST FOR ORDER OUTLINES EXACTLY WHAT THE SCOPE WAS.
7 THE ORDER ITSELF OUTLINES THE SCOPE AND IN WHICH -- THE
8 AMOUNT OF TIME IN WHICH RESPONDENT HAS TO COMPLY, WHICH
9 WAS SEVEN DAYS. AND THE DATES THAT I HAVE GAVE YOUR
10 HONOR GAVE HER FOUR WEEKS TO COMPLY, BECAUSE THAT'S THE
11 EARLIEST AVAILABILITY THAT DAVID LANE HAS NOW. SO I
12 THINK --

13 THE COURT: THOSE WERE JULY 22, JULY 26 --

14 MS. CARTER: AND 25TH.

15 THE COURT: JULY 22, 25TH, AND 26TH?

16 MS. CARTER: CORRECT. YES.

17 THE RESPONDENT: HOW CAN I -- IS SHE GOING TO BE
18 ABLE TO PROVE THAT THIS WOMAN IS QUALIFIED? YOU'RE
19 GOING TO ACCEPT SOMETHING SHE PRINTS OFF OF THE
20 INTERNET? WHEN I CAME IN HER ON FEBRUARY 2ND, YOU SPENT
21 20 MINUTES MAKING ME PROVE HOW MUCH HE MADE, WHEN HE
22 SUBMITTED HIS W-2. SO YOU'RE ACCEPTING HER CREDENTIALS
23 BASED ON A PRINTOUT OF A WEBSITE? IS THAT WHAT YOU'RE
24 SAYING TO ME? YOU'RE SAYING YOU AGREE THAT THIS WOMAN
25 HAS CREDENTIALS? SHE PRINTED OUT THE WEBSITE SUBMITTED
26 ON THE SAME DAY AND WROTE IT OUT, AND YOU ARE ACCEPTING
27 THIS AS CREDENTIALS FOR THIS WOMAN'S ABILITY TO GIVE ME
28 A VOCATIONAL EVALUATION, IT DOES NOT EVEN OUTLINE THE

1 SCOPE OF THE EVALUATION?

2 THE COURT: OKAY. I THINK I UNDERSTAND YOUR
3 ARGUMENT.

4 THE RESPONDENT: THANK YOU.

5 THE COURT: I'M GOING TO TAKE A BREAK AND ISSUE A
6 WRITTEN ORDER WITH RESPECT TO THE ISSUES RAISED.

7 THE TRIAL SETTING CONFERENCE, WHAT ARE THE
8 ISSUES FOR TRIAL?

9 MS. CARTER: THE ISSUES FOR TRIAL ARE SPOUSAL
10 SUPPORT, PROPERTY DIVISION, WHICH INCLUDES A HOME,
11 RETIREMENT, REIMBURSEMENTS, ATTORNEY'S FEES --

12 THE RESPONDENT: DO I GET TO SPEAK TO THIS?

13 THE COURT: YOU WILL.

14 MS. CARTER: AND PROPERTY DIVISION, WHICH INCLUDES
15 DEBTS AS WELL, AND REIMBURSEMENTS, AND ATTORNEY'S FEES.
16 THAT'S IT.

17 THE COURT: SO COMMUNITY PROPERTY, COMMUNITY
18 DEBTS, SPOUSAL SUPPORT, ATTORNEY'S FEES, AND
19 REIMBURSEMENTS?

20 MS. CARTER: YES.

21 THE COURT: WHICH REIMBURSEMENTS?

22 MS. CARTER: THERE'S REIMBURSEMENTS WITH REGARD TO
23 THE HOME, THE PAYMENT OF THE MORTGAGE, THE PAYMENT OF
24 THE HOME EQUITY LINE OF CREDIT. THERE ARE CREDIT CARDS.
25 THERE ARE SOME ADDITIONAL MAINTENANCE ITEMS WITH REGARD
26 TO THE HOME.

27 THE COURT: MS. GIBSON, WHAT ARE YOUR --

28 THE RESPONDENT: YOUR HONOR --

1 THE COURT: CAN I -- PLEASE LET ME FINISH MY
2 SENTENCE.

3 THE RESPONDENT: I'M SORRY. SO SORRY, YOUR HONOR.

4 THE COURT: MS. GIBSON, WHAT DO YOU BELIEVE THE
5 ISSUES FOR TRIAL ARE?

6 THE RESPONDENT: YOU KNOW, YOUR HONOR, I'M NOT
7 READY FOR TRIAL, BECAUSE I NEED TO --

8 THE COURT: I'M NOT ASKING IF YOU'RE READY FOR
9 TRIAL. I'M ASKING WHAT YOU BELIEVE AT THIS TIME ARE THE
10 ISSUES FOR TRIAL? CAN YOU ANSWER THAT QUESTION?

11 THE RESPONDENT: HIS INCOME, YOUR HONOR. WITH MY
12 LAST ATTORNEY, WE WERE GOING TO SUBPOENA HIS BANK
13 RECORDS AND DO A SEARCH FOR RECORDS. IF YOU REMEMBER,
14 ON FEBRUARY 2ND --

15 THE COURT: SLOW DOWN.

16 THE RESPONDENT: IF YOU REMEMBER, ON FEBRUARY 2ND,
17 THAT MY HUSBAND RECEIVES \$25,000 ANNUALLY. AND I DIDN'T
18 ANTICIPATE SPEAKING TO THAT TODAY. I HAVE BANK RECORDS.
19 EVERY YEAR FOR 20 YEARS HE RECEIVED \$25,000. HE IS
20 HIDING MONEY. I NEED TO -- WHAT THE ATTORNEY WAS GOING
21 TO USE THE FEES FOR WERE TO SUBPOENA HIS BANK RECORDS
22 AND DO A SEARCH FOR ANY -- FOR MONIES. BEFORE WE CAN GO
23 TO TRIAL AND DISCUSS ANYTHING, WE NEED TO FIND HIS
24 MONEY.

25 THE VOCATIONAL EVALUATION IS NOT THAT
26 SERIOUS. I DON'T HAVE ANYTHING. MY CREDIT SCORE WENT
27 DOWN 120 POINTS. I'M ON FOOD STAMPS. IT'S A CLEAR
28 DISPARITY. HE'S HIDING MONEY AND HE HAS BEEN FOR THE

1 PAST FOUR OR FIVE YEARS.

2 THE COURT: I UNDERSTAND YOUR POINT. YOU WANT
3 TO --

4 THE RESPONDENT: BEFORE --

5 THE COURT: YOU BELIEVE HIS INCOME IS AN ISSUE FOR
6 TRIAL. ANYTHING ELSE?

7 THE RESPONDENT: NO, YOUR HONOR. THANK YOU.

8 MS. CARTER: JUST BRIEFLY, YOUR HONOR, JUST FOR
9 PURPOSES OF MAKING A RECORD --

10 THE COURT: IF IT'S AS TO THE ISSUES I JUST ASKED
11 ABOUT FOR TRIAL, I DON'T NEED ANY MORE INFORMATION ABOUT
12 THAT. BUT IF YOU FEEL --

13 MS. CARTER: IT'S WITH REGARD TO ALL OF THOSE TO
14 INCLUDE THE TRIAL SETTING CONFERENCE AND THE AMOUNT OF
15 MOTIONS THAT HAVE BEEN FILED. WE WERE REQUIRED TO DO
16 THIS MOTION TO COMPEL BECAUSE WE HAD NO OTHER REMEDY TO
17 GET THIS ISSUE BACK INTO COURT.

18 BUT MY -- AND BY WAY OF AN OFFER OF PROOF,
19 MY CLIENT HAS INDICATED THAT MS. GIBSON HAS TOLD HIM
20 THAT SHE PLANS TO KEEP THIS MATTER IN COURT AND SHE'LL
21 CONTINUE TO FILE FRIVOLOUS MOTIONS --

22 THE RESPONDENT: THAT'S A LIE.

23 MS. CARTER: -- TO HAVE HIM CONTINUE TO ACCRUE
24 ATTORNEY'S FEES. AND SHE DOESN'T CARE. AND SO HIS GOAL
25 AND THE GOAL WE'VE BEEN TRYING TO GET TO IS TO SET THE
26 MATTER FOR TRIAL TO BRING THIS MATTER TO FINALIZATION.
27 AND UNTIL WE GET THERE, I IMAGINE WE'LL CONTINUE TO HAVE
28 THESE TEMPORARY MOTIONS, HOPEFULLY NOT FILED BY MY SIDE,

1 BECAUSE WE DON'T WANT TO HAVE TO DO IT. WE WERE ORDERED
2 TO MEET AND CONFER, THE PARTIES AND COUNSEL, WHEN
3 COUNSEL WAS ON THE CASE BEFORE TODAY'S HEARING. AND
4 MS. GIBSON HAS FAILED TO DO THAT.

5 THE RESPONDENT: WHEN HAVE YOU --

6 MS. CARTER: I TRIED.

7 THE RESPONDENT: YOUR HONOR, I HAVE ISSUES WITH --
8 SHE'S LYING. SHE'S LYING. OKAY. I HAVE SHOWED YOU
9 THAT SHE'S LYING. I'VE NEVER SAID THAT TO HIM. ALL OF
10 WHAT SHE SAID IS A LIE. AND IF YOU BELIEVE WHAT SHE'S
11 SAYING, IT IS A HUGE PROBLEM FOR ME. WHEN I ATTEMPTED
12 TO ASK YOU TO LET ME CROSS-EXAMINE THEM TO SHOW YOU THAT
13 THEY BOTH ARE LIARS, YOU REFUSED.

14 THE COURT: I DID REFUSE. AND I'M GOING TO
15 ADDRESS THAT ACTUALLY, BECAUSE IT'S A -- THAT'S A PRETTY
16 BOLD REQUEST ON A MOTION TO COMPEL TO CROSS-EXAMINE THE
17 ATTORNEY AND THE PETITIONER AS TO THE VALIDITY OF THE
18 PROOF OF SERVICE.

19 THE REASON I'M GOING TO DENY THAT IS BECAUSE
20 MR. GIBSON DOES NOT STATE THAT HE SERVED YOU WITH THE
21 REQUEST FOR ORDER. HE'S NOT INVOLVED IN THAT. AND TO
22 THE EXTENT THAT YOU BELIEVE HE'S MISREPRESENTED ANYTHING
23 TO THE COURT, IT JUST SIMPLY ISN'T RELEVANT AS TO THE
24 ISSUE OF --

25 THE RESPONDENT: THAT'S NOT WHAT I --

26 THE COURT: LISTEN TO ME, MS. GIBSON. YOU ASKED
27 ME A QUESTION. I'M EXPLAINING SOMETHING TO YOU.

28 THE RESPONDENT: YES, YOUR HONOR.

1 THE COURT: IT HAS NOTHING TO DO WITH WHETHER OR
2 NOT YOU WERE SERVED WITH DISCOVERY. NOW, YOU ALSO WANT
3 TO CROSS-EXAMINE MS. CARTER. AND I'M NOT GOING TO
4 PERMIT PEOPLE TO WILLY-NILLY CROSS-EXAMINE ATTORNEYS
5 WHEN THEY'VE REPRESENTED THEY'VE DONE THINGS, BUT THE
6 FACT OF THE MATTER IS, MS. CARTER DID NOT SERVE THE
7 DISCOVERY ON YOU IN THIS MATTER. IT WAS DONE BY A THIRD
8 PARTY, WHICH IS WHAT'S REQUIRED. AND THE THIRD PARTY
9 HERE WAS SOMEBODY WHO WORKED IN HER OFFICE.

10 THE RESPONDENT: OF COURSE.

11 THE COURT: SOMEBODY THAT YOU DID NOT PUT ON THE
12 WITNESS LIST --

13 THE RESPONDENT: AND I DID NOT RECEIVE IT.

14 THE COURT: YOU DID NOT ASK FOR --

15 THE RESPONDENT: I DIDN'T GET -- THIS IS MY ISSUE.
16 THE WAY YOU'RE FRAMING IT, YOUR HONOR, YOU'RE NOT
17 FRAMING MY ARGUMENT CORRECTLY. MY POSITION IS BOTH OF
18 THEM HAVE LIED AND BEEN DECEITFUL. THIS IS AN ATTEMPT
19 TO EAT UP MY ATTORNEY'S FEES. THEY WANT MY ATTORNEY TO
20 SHOW UP SO THEY CAN EAT UP IT SO I CAN'T TRY TO FIND OUT
21 HOW MUCH MONEY HE HAS. YOU'RE SAYING THAT ME
22 CROSS-EXAMINING HIM IS SHOWING YOU THAT HE IS DISHONEST.
23 I'M SAYING MY POSITION, MY ARGUMENT, IS THAT THE MOTION
24 TO COMPEL IN BOTH INSTANCES IS AN UNETHICAL ATTEMPT TO
25 EAT UP THE MONEY THAT I HAVE AND TO SHOW -- TO BENEFIT
26 ON THE BIAS THAT'S SHOWN IN THIS COURTROOM SINCE JANUARY
27 2ND?

28 THE COURT: UNDERSTOOD. BUT I BELIEVE YOU'RE

1 INCORRECT ABOUT THAT. I'M GOING TO MAKE SOME WRITTEN
2 RULINGS AND THEN WE'LL BE BACK ON THE RECORD IN A
3 MOMENT.

4 MS. CARTER: THANK YOU, YOUR HONOR.

5

6 (PAUSE IN PROCEEDINGS.)

7

8 THE COURT: THANK YOU FOR YOUR PATIENCE. I WANTED
9 TO ENSURE THAT I HAD MY THOUGHTS IN ORDER BEFORE WE
10 CONCLUDED THIS HEARING.

11 SO FOR THE RECORD, PETITIONER IS PRESENT AT
12 COUNSEL TABLE WITH HIS ATTORNEY. AND MS. GIBSON IS ALSO
13 PRESENT AT COUNSEL TABLE.

14 BEFORE THE COURT TODAY WERE SEVERAL REQUESTS
15 FOR ORDERS, THE FIRST BEING THE MOTION FILED BY
16 MS. GIBSON FOR RECONSIDERATION OF THE ORDER REGARDING
17 THE VOCATIONAL EVALUATION.

18 ON MARCH 14, 2019, THE COURT ORDERED
19 RESPONDENT TO UNDERGO A VOCATIONAL EVALUATION WITH
20 MR. DAVID L. LANE OF REGAIN, INC., TO ASSESS
21 RESPONDENT'S ABILITY TO OBTAIN EMPLOYMENT BASED UPON
22 HEALTH, EDUCATION, MARKETABLE SKILLS, EMPLOYMENT
23 HISTORY, AND CURRENT AVAILABILITY OF EMPLOYMENT
24 OPPORTUNITIES.

25 ON APRIL 11, 2019, RESPONDENT FILED A
26 REQUEST FOR ORDER SEEKING RECONSIDERATION OF THE COURT'S
27 ORDER THAT SHE UNDERGO THAT VOCATIONAL EVALUATION.

28 THE COURT HAS REVIEWED MS. GIBSON'S MOTION

1 AND THE ACCOMPANYING DECLARATION, AS WELL AS THE
2 RESPONSE FILED BY PETITIONER ON MAY 30, 2019.

3 IN HER MOVING PAPERS, RESPONDENT ASSERTS
4 THAT THE MOTION FOR RECONSIDERATION SHOULD BE GRANTED
5 BECAUSE SHE WAS NOT REPRESENTED AT THE LAST HEARING, SHE
6 HAS CONCERNS ABOUT HOW THE VOCATIONAL EXAM WILL BE PAID,
7 AND THAT PETITIONER FAILED TO IDENTIFY THE
8 QUALIFICATIONS OF VOCATIONAL EXAMINER.

9 AT THE HEARING, MS. GIBSON ASSERTS THAT THE
10 PETITIONER FAILED TO COMPLY WITH CALIFORNIA RULE OF
11 COURT 5.125 AND FURTHER OBJECTS BECAUSE THE ORDER DOES
12 NOT ADDRESS THE SCOPE OF THE EXAM TO BE PERFORMED.

13 UNDER CALIFORNIA CODE OF CIVIL PROCEDURE
14 1008, WHEN AN APPLICATION FOR AN ORDER HAS BEEN MADE TO
15 A JUDGE OR TO A COURT AND REFUSED IN WHOLE OR IN PART,
16 OR GRANTED, OR GRANTED CONDITIONALLY, OR ON ANY TERMS,
17 ANY PARTY AFFECTED BY THE ORDER MAY WITHIN 10 DAYS AFTER
18 SERVICE UPON THE PARTY OF WRITTEN NOTICE OF ENTRY OF THE
19 ORDER, AND BASED ON NEW OR DIFFERENT FACTS,
20 CIRCUMSTANCES OR LAW, MAKE AN APPLICATION TO THE SAME
21 JUDGE OR COURT THAT MADE THE ORDER TO RECONSIDER THE
22 MATTER AND MODIFY, AMEND, OR REVOKE THE PRIOR ORDER.

23 THE PARTY MAKING THE APPLICATION SHALL STATE
24 BY AFFIDAVIT WHAT APPLICATION WAS MADE BEFORE, WHEN AND
25 TO WHAT JUDGE, WHAT ORDER OR DECISIONS WERE MADE, AND
26 WHAT NEW OR DIFFERENT FACTS, CIRCUMSTANCES, OR LAW ARE
27 CLAIMED TO BE SHOWN.

28 HERE, MS. GIBSON WAS IN COURT ON MARCH 14,

1 2019, ON THE DATE THAT THE COURT ISSUED THE ORDER AND
2 WAS AWARE OF IT AT THE TIME IT WAS MADE. THE TIME TO
3 OBJECT RAN FROM THAT DATE.

4 ACCORDINGLY, HER APRIL 11, 2019 MOTION IS
5 UNTIMELY.

6 HOWEVER, EVEN IF THE MOTION FOR
7 RECONSIDERATION WAS TIMELY, MS. GIBSON HAS FAILED TO
8 RAISE A VALID BASIS FOR THE MOTION FOR RECONSIDERATION.

9 MS. GIBSON ASSERTS THAT COUNSEL FOR
10 PETITIONER FAILED TO COMPLY WITH CALIFORNIA RULES OF
11 COURT 5.125. BUT EVEN IF THAT RULE APPLIES, MS. GIBSON
12 CANNOT IDENTIFY ANY VALID OBJECTION TO THE ORDER.

13 WHEN ASKED AT THE HEARING WHAT OBJECTION TO
14 THE ORDER REGARDING THE VOCATIONAL EXPERT MS. GIBSON
15 HAD, SHE STATED HER OBJECTION WAS THAT THE FAILURE TO
16 COMPLY WITH CALIFORNIA RULE OF COURT 5.125.

17 THAT ALONE IS NOT A VALID BASIS FOR A MOTION
18 FOR RECONSIDERATION.

19 MS. GIBSON ALSO ASSERTS THAT THE ORDER DOES
20 NOT ADDRESS THE SCOPE OF THE EXAM, BUT THE ORDER PLAINLY
21 STATES THAT THE EXAMINATION SHALL INCLUDE AN ASSESSMENT
22 OF THE ABILITY TO OBTAIN EMPLOYMENT BASED ON AGE,
23 HEALTH, EDUCATION, MARKETABLE SKILLS, EMPLOYMENT
24 HISTORY, AND THE CURRENT AVAILABILITY OF EMPLOYMENT
25 OPPORTUNITIES.

26 AS TO MS. GIBSON'S CONCERNS ABOUT THE MANNER
27 OF PAYMENT, THE ORDER STATES HOW PAYMENT WILL BE
28 HANDLED.

1 MATTER, ANY CREDIBILITY ISSUES AS TO COUNSEL AND
2 PETITIONER HAVE NO BEARING ON THE SERVICE OF THE
3 DISCOVERY REQUESTS. HERE, AN EMPLOYEE OF COUNSEL'S LAW
4 FIRM ATTESTED UNDER PENALTY OF PERJURY THAT THE SERVICE
5 WAS MADE. MS. GIBSON MADE NO EFFORT TO SUBPOENA THAT
6 WITNESS, NOR QUESTION HER CREDIBILITY. THE WITNESS WITH
7 INFORMATION REGARDING THE SERVICE OF THE DISCOVERY, THE
8 FACT THAT MS. GIBSON DISPUTES, IS SIMPLY NOT PRESENT.

9 COUNSEL STATED IN HER DECLARATION THAT SHE
10 MADE REASONABLE EFFORTS TO RESOLVE THIS MATTER
11 INFORMALLY BUT THAT MS. GIBSON WOULD NOT COMPLY.

12 THE COURT FINDS THAT SERVICE OF THE REQUEST
13 FOR PRODUCTION OF DOCUMENTS AND FORM INTERROGATORIES WAS
14 PROPER AND THAT MS. GIBSON FAILED TO TIMELY COMPLY.

15 THE COURT FURTHER FINDS THAT MS. GIBSON WAS
16 AWARE OF THE REQUEST FOR PRODUCTION OF DOCUMENTS AND
17 FORM INTERROGATORIES AND THAT HER STATEMENTS TO THE
18 CONTRARY ARE NOT CREDIBLE.

19 THE COURT GRANTS THE MOTION TO COMPEL AS TO
20 THE REQUEST FOR PRODUCTION OF DOCUMENTS AND FORM
21 INTERROGATORIES AND, PURSUANT TO CALIFORNIA CODE OF
22 CIVIL PROCEDURE 2031.300, ORDERS RESPONDENT TO PROVIDE
23 RESPONSES WITHOUT RAISING EVIDENTIARY OR PRIVILEGE
24 OBJECTIONS.

25 PETITIONER HAS ALSO REQUESTED SANCTIONS
26 UNDER CALIFORNIA CODE OF CIVIL PROCEDURE SECTION
27 2023.030.

28 UNDER THAT SECTION, IF A MONETARY SANCTION

1 IS AUTHORIZED BY ANY PROVISION OF THIS TITLE, THE COURT
2 SHALL IMPOSE THAT SANCTION UNLESS IT FINDS THAT THE ONE
3 SUBJECT TO THE SANCTION ACTED WITH SUBSTANTIAL
4 JUSTIFICATION OR THAT OTHER CIRCUMSTANCES MAKE THE
5 IMPOSITION OF THE SANCTION UNJUST.

6 HERE THE COURT FINDS THAT MS. GIBSON ACTED
7 WITH THE SPECIFIC INTENT TO DELAY THE PROCEEDINGS. THE
8 COURT FINDS THAT THE FEES INCURRED IN PREPARING THE
9 MOTION TO COMPEL AS SET FORTH IN THE MOVING PAPERS ARE
10 REASONABLE AND ORDERS MS. GIBSON TO PAY \$1,479 IN FEES
11 AND COSTS TO PETITIONER'S COUNSEL, PAYABLE WITHIN 30
12 DAYS OF THIS ORDER.

13 THE COURT ALSO GRANTS PETITIONER'S REQUEST
14 TO COMPEL COMPLIANCE WITH THE MARCH 14, 2019 ORDER TO
15 SUBMIT TO A VOCATIONAL EXAMINATION. THE COURT ORDERS
16 RESPONDENT TO MAKE ARRANGEMENTS TO MEET WITH THE
17 EXAMINER ON JULY 22, 25, OR 29, 2019, NO LATER THAN
18 TUESDAY, JUNE 25, 2019, BY 5:00 P.M.

19 THE RESPONDENT: CAN I --

20 THE COURT: FAILURE TO SUBMIT TO THE EXAMINATION
21 ON ONE OF THOSE DAYS WILL RESULT IN THE EXCLUSION OF
22 EVIDENCE BY MS. GIBSON REGARDING HER REQUEST FOR SPOUSAL
23 SUPPORT.

24 THROUGHOUT THIS PROCEEDING, MS. GIBSON HAS
25 MADE REPEATED REQUESTS FOR A CONTINUANCE IN ORDER TO
26 OBTAIN LEGAL REPRESENTATION.

27 MS. GIBSON HAS ARGUED THAT SHE WAS
28 PREJUDICED WHEN HER LIMITED SCOPE ATTORNEY WITHDREW FROM

1 THE CASE ON JUNE 19, 2019.

2 AS PLAINLY INDICATED IN THE NOTICE OF
3 LIMITED SCOPE FILED APRIL 26, 2019, MS. GIBSON'S
4 ATTORNEY, SIMON BUDHWANI, NEVER REPRESENTED MS. GIBSON
5 WITH RESPECT TO THE DISCOVERY MOTIONS SET FOR TODAY,
6 WHICH WERE FILED WITH THE COURT PRIOR TO THE NOTICE OF
7 LIMITED SCOPE.

8 ACCORDINGLY, THE COURT FINDS MS. GIBSON HAS
9 NEVER MADE ARRANGEMENTS FOR REPRESENTATION IN THE
10 MATTERS BEFORE THE COURT TODAY, AND EVEN THOUGH SHE WAS
11 WELL AWARE OF THEM AT THE TIME SHE RETAINED THE LIMITED
12 SCOPE ATTORNEY AND HAD BEEN AWARDED \$5,000 IN ATTORNEY'S
13 FEES BY THIS COURT, THE COURT FINDS THAT MS. GIBSON HAS
14 MADE THE REQUEST TO OBTAIN AN ATTORNEY AT THE HEARING
15 TODAY SOLELY FOR THE PURPOSE OF DELAYING THE
16 PROCEEDINGS.

17 I'LL ASK COUNSEL TO PREPARE FINDINGS AND
18 ORDER AFTER HEARING.

19 MS. CARTER: I WILL, YOUR HONOR. THE ONLY THING I
20 WANTED TO CORRECT WAS THE LAST DATE THAT WE WERE GIVEN
21 FOR THE VOCATIONAL WAS THE 26TH AND NOT THE 29TH.

22 THE COURT: JULY 22ND, 25TH, OR 26TH?

23 MS. CARTER: CORRECT.

24 THE COURT: CORRECTION IS SO NOTED.

25 MS. CARTER: THANK YOU. AND IS THERE A SPECIFIC
26 TIME FRAME MS. GIBSON HAS TO PROVIDE HER DISCOVERY
27 RESPONSES?

28 THE COURT: WITHIN 30 DAYS OF TODAY'S --

1 THE RESPONDENT: YOU KNOW WHAT, I DON'T HAVE MONEY
2 TO PAY HIM. I'M PUTTING THAT ON THE RECORD. BUT THANK
3 YOU. I APPRECIATE EVERYTHING YOU'VE DONE. YOU'VE DONE
4 ME A GREAT SERVICE TODAY. THANK YOU.

5

6

(THE PROCEEDINGS WERE CONCLUDED AT 3:45

7

P.M.)

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