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8 *Plaintiff in Propria Persona*

9 **EIGHTH JUDICIAL DISTRICT**

10 **CLARK COUNTY, NEVADA**

	)	<b>Case No. : A-21-829038-C</b>
<b>T. MATTHEW PHILLIPS</b>	)	
	)	FIRST AMENDED COMPLAINT
<i>Plaintiff,</i>	)	for DAMAGES and INJUNCTION—
	)	
<b>vs.</b>	)	1. DEFAMATION (LIBEL PER SE);
	)	2. FALSE LIGHT <i>in the</i> PUBLIC EYE
<b>(1) JENNIFER V. ABRAMS</b>	)	(INVASION <i>of</i> PRIVACY);
<b>(2) THE ABRAMS</b>	)	3. INTENTIONAL INFLICTION
<b>LAW FIRM, L.L.C.</b>	)	<i>of</i> EMOTIONAL DISTRESS.
<b>(3) MARK DICIERO</b>	)	
<b>(4) DAVE SCHOEN</b>	)	
<b>and DOES I – X</b>	)	
	)	
<i>Defendant(s).</i>	)	<i>Hon. Timothy C. Williams</i>
	)	Dept No.: "16"

25 Comes now the Plaintiff with this *First Amended Complaint*,  
26 as per N.R.C.P. Rule 15(a).  
27  
28

œ JURISDICTION, PARTIES & VENUE œ

1  
2 (1) Jurisdiction: The Eighth Judicial District Court has jurisdiction to hear this case.  
3 The amount in controversy exceeds the jurisdictional minimum of this court.

4 (2) Plaintiff: Plaintiff, T. MATTHEW PHILLIPS, lives in Clark County; Plaintiff is a  
5 California attorney, in good standing, for 28 consecutive years, (Calif. Bar No. 165833).

6 (3) Defendant: JENNIFER V. ABRAMS, is a licensed Nevada attorney, (Bar No.: 7575).  
7 Notably, ABRAMS is: (i) the managing partner for THE ABRAMS LAW FIRM, L.L.C., and  
8 (ii) the supervising attorney for Defendants DAVE SCHOEN and MARK DICIERO.

9 (4) Defendant: THE ABRAMS LAW FIRM, L.L.C., (“LAW FIRM”), is a Nevada limited  
10 liability company. Entity No.: LLC2315-2002. Nevada Business ID: NV20021025175.  
11 Principal address: 6252 S. Rainbow Blvd., Ste. 100, Las Vegas, Nev., 89118.

12 (5) Defendants: DAVE SCHOEN, (aka “DAVID SCHOEN”), and MARK DICIERO, reside  
13 in Clark County. THE ABRAMS LAW FIRM, L.L.C. employs SCHOEN and MARK DICIERO.

14 (6) Venue: Clark County jurisdiction is proper because the facts alleged took place  
15 in Clark County, Nev. All parties are situated in Clark County, Nev.

16 (7) DOE Defendants: The names of the DOE Defendants are not presently known.  
17 When Plaintiff learns their true names, he will seek leave to amend.

18 (8) Demand for Trial by Jury: Plaintiff demands trial by jury as per the Seventh  
19 Amendment and Nevada Constitution, Article 1, Sec. 3.

20 (9) Libel Per Se: Defendants falsely declare that ***Plaintiff threatened to shoot-up***  
21 ***and/or blow-up his son’s school***. But this is a malicious lie! If Plaintiff threatened to  
22 shoot-up a school, there’d be an arrest record and a prosecution. Defendants’s statements  
23 are libelous *per se*. Defendants’ statements are objectively verifiable, *i.e.*, they can be  
24 proven false—with the police report—a public record, [*see* Exhibit No. “1”].

25 (10) Damages Presumed: Where there is libel *per se*, the law presumes damages;  
26 *first*, Defendants’ false statements impugn Plaintiff in his profession, (lawyering) and,  
27 *second*, Defendants’ false statements impute criminality unto Plaintiff. Plaintiff also  
28 seeks punitive damages and injunction, *i.e.*, retraction and de-publication.



☞ STATEMENT of FACTS ☞

**I. DEFENDANTS' FACEBOOK PAGE—**

(17) PHILLIPS VS. ABRAMS et. al.: SCHOEN and DICIERO are liable for defamation. JENNIFER V. ABRAMS is vicariously liable—as Defendants' supervising attorney, and THE ABRAMS LAW FIRM, L.L.C., is vicariously liable—as Defendants' employer.

(18) Vicarious Liability: THE ABRAMS LAW FIRM, L.L.C. is liable for its employees' defamations. The defamations occur during normal business hours—and the defamations benefit the employer. In addition, JENNIFER V. ABRAMS is liable for abandoning her duty to supervise her paralegals, for whom she is responsible, [NRPC, Rule 5.3(b)].

ABRAMS has a duty to supervise her employees' online escapades, publicly discussing family law litigation; and, assuming she faithfully discharges this obligation—she has actual knowledge of what her employees say online—including their defamations—which means that ABRAMS either: (i) *authorizes* the defamations, or (ii) *ratifies* them.

(19) Family Court System: THE ABRAMS LAW FIRM, L.L.C., promotes and fosters the “family court system,” which Plaintiff criticizes as *sick* and *venal*. ABRAMS uses her employees, SCHOEN and DICIERO, to do the LAW FIRM'S “dirty work,” *i.e.*, denigrating, demeaning, and defaming bereaved parents, (such as Plaintiff), who speak-out against JENNIFER V. ABRAMS and the “family court system.”

(20) Defendant's Facebook Page: Defendants SCHOEN and DICIERO maintain a Facebook page called *Nevada Court Watchers*, (“NCW”). The NCW Facebook page is found at: <https://www.facebook.com/groups/896496010707369/>

(21) “Group” Page: The Facebook page, *Nevada Court Watchers*, (“NCW”), is a “group” page. The general public can see the NCW Facebook page. To post comments, membership is required. The NCW group has 545 members, (Feb. 7, 2021).

(22) Defendants' Purpose: The name, *Nevada Court Watchers*, suggests its purpose is to keep a watchful eye on the courts; but in reality, it's a vehicle for ABRAMS' employees, SCHOEN and DICIERO, to denigrate, degrade, and defame bereaved parents, (such as Plaintiff), who speak-out against JENNIFER V. ABRAMS and the “family court system.”

1 (23) Defendants' Facebook Page: Defendant SCHOEN and DICIERO are admins at the  
2 NCW Facebook page. SCHOEN and DICIERO control the page's content. Defendants,  
3 SCHOEN and DICIERO are jointly and severally liable for the page's content, (including  
4 content from NCW group members).

5 (24) NCW Facebook Page—Ultimate Control: SCHOEN and DICIERO manage the  
6 day-to-day administration of the NCW Facebook page, but the page's editorial content  
7 is obviously controlled by Defendants' employer, THE ABRAMS LAW FIRM, L.L.C., and  
8 the firm's managing partner, JENNIFER V. ABRAMS—the “puppet master.”

9 (25) Nevada Court Watchers—“Shill” Group: Curiously, all NCW group members  
10 share the same opinions. NCW is a “shill” group! It's a platform for professional  
11 Facebookers—on a payroll—working from a script—pretending to be everyday people—  
12 but in reality—on a mission to sway public opinion towards their hidden agenda—*i.e.*,  
13 to silence bereaved parents, (such as Plaintiff), who speak-out against JENNIFER V.  
14 ABRAMS and the “family court system.”

15 (26) NCW Facebook Page—Trolls: The *Nevada Court Watchers* (“NCW”) group  
16 features many professional Facebookers or “trolls”—*i.e.*, persons who receive  
17 consideration in exchange for visiting a given Facebook page and mindlessly concurring  
18 with the scripted narrative. Many companies hire Facebook “trolls”—to create an  
19 appearance that a page has a “following.” Defendant, THE ABRAMS LAW FIRM, L.L.C.,  
20 hires “trolls” to make the NCW Facebook page appear to be “happening.” But in reality,  
21 it's just a bully pulpit for ABRAMS, whose employees—SCHOEN and DICIERO—direct  
22 venom, vitriol, and viciousness at bereaved parents (such as Plaintiff) who speak-out  
23 against JENNIFER V. ABRAMS and the “family court system.”

24 (27) NCW Facebook Page—Fake Accounts: JENNIFER V. ABRAMS is a NCW group  
25 member; in addition, Plaintiff believes ABRAMS is also a member under a “fake” name,  
26 (“*Debra Oliver*”). Many NCW group members use “fake” accounts to conceal their true  
27 identities. Shocking but true!—some NCW members are rumored to be undercover  
28 judges, JEAs, and lawyers using “fake” accounts—leading double lives on social media.

1 (28) Legal Professionals—In Hiding: Legal professionals are “in hiding” because of—  
2 (i) the rules of professional conduct, *or* (ii) the judicial canons of ethics. If their identities  
3 were known, it would reveal blatant “conflicts of interests” (for the incognito lawyers),  
4 and glaring “appearances of improprieties” (for the incognito judges and JEAs).

5 (29) NCW Facebook Page—Legal Professionals: The NCW Facebook page features  
6 many “fake” accounts maintained by persons who are obviously legal professionals,  
7 including the luminaries: “*Matthew Butcher*,” “*Debra Oliver*,” and “*Nancy Elizabeth*”;  
8 (all of them, “fake” names). These legal professionals presumably have close and  
9 substantial ties to JENNIFER V. ABRAMS and the “family court system.”

10 (30) Sock-Puppet Accounts: The legal professionals behind the “fake” accounts have  
11 an agenda—to silence bereaved parents, (such as Plaintiff), who speak-out. Defendants  
12 know the true identities behind these “fake” accounts, (a.k.a. “sock-puppet” accounts).  
13 The NCW page names JENNIFER V. ABRAMS as a group member; in addition, she is  
14 rumored to maintain a “sock-puppet” account at the NCW page—for purposes of  
15 heckling parents anonymously; (Plaintiff suspects she is, one, “*Debra Oliver*”).

16 (31) NCW—Controlled Opposition: Defendants’ Facebook page, *Nevada Court*  
17 *Watchers*, (“NCW”), is a classic “controlled opposition.” As the Russian Revolutionary,  
18 Vladimir Lenin, put it: “*The best way to control the opposition is to lead it yourself.*”  
19 In other words, *Nevada Court Watchers* is a “fake” protest movement. NCW pretends  
20 to stand in opposition to “the family court system”—when, in reality, NCW is controlled  
21 by the targets of the supposed opposition—*i.e.*, “the family court system.”  
22

## 23 **II. JENNIFER V. ABRAMS SUES RETIRED U.S. MARINE—**

24 (32) The “Sealing” Controversy: On January 9, 2017, ABRAMS filed a defamation  
25 lawsuit against a retired U.S. Marine, one, Steve Sanson, [Clark County A-17-749318-C].  
26 Sanson had criticized ABRAMS’ policy of “sealing” all her family law cases; Sanson says  
27 that ABRAMS’ sealing policy, in part, is meant to conceal her own misdeeds, but ABRAMS  
28 argues that she seals cases to protect vulnerable families during trying times.

1 (33) Marshal Willick vs. Steve Sanson: And then, a few weeks later, on January 27,  
2 2017, Jennifer ABRAMS’ fiancé, attorney Marshal Willick, (Bar No.: 2515), filed a  
3 second defamation lawsuit against Steve Sanson, [*see* Clark County Case No. A-17-  
4 750171-C]. Both defamation lawsuits would prove frivolous. Notably, Willick  
5 represented ABRAMS in her defamation case against Sanson, and vice versa, *i.e.*,  
6 ABRAMS represented Willick in his defamation case against Sanson. (It goes without  
7 saying; this arrangement was pretext for hopeful attorney’s fees.)

8 (34) Steve Sanson—Community Leader: Steve Sanson, a retired marine, is a  
9 community leader who gives a voice to bereaved parents, (such as Plaintiff), who are  
10 victimized by the “family court system.” Steve Sanson is President of the organization,  
11 *Veterans in Politics International*, (“VIPI”).

12 (35) Veterans In Politics International: Attorneys, JENNIFER V. ABRAMS harbors  
13 intense dislike for Steve Sanson and *Veterans In Politics International*. Why?—because  
14 Sanson exposes the seedy underbelly of the “family court system,” which necessarily  
15 implicates JENNIFER V. ABRAMS and THE ABRAMS LAW FIRM, L.L.C., (who promote  
16 and foster all the ugliness and cruelty that family court has to offer...).

17 (36) Sanson Exposes ABRAMS: It all began when Sanson publicly criticized ABRAMS’  
18 policy of sealing cases—not for the sake of the client’s privacy—but rather, for her own  
19 sake, to conceal her own misdeeds. ABRAMS promptly sued for defamation!

20 (37) ABRAMS Sues for Defamation: JENNIFER V. ABRAMS was irate because Sanson  
21 exposed her courtroom antics. ABRAMS retaliated against Sanson with a lawsuit—  
22 calculated to chill Sanson’s speech-related activities. ABRAMS—essentially, the bully—  
23 had no illusion that she would prevail on her defamation claim. ABRAMS’ strategy was  
24 simple: Willick, (her boyfriend), would represent her and she would represent Willick—  
25 while Steve Sanson would be forced to spend a tidy sum of money on a defense lawyer,  
26 (if he could find one at all). ABRAMS counted on Sanson being unable to defend himself.  
27 But ABRAMS forgot one important factoid—U.S. Marines are “*First to Fight!*” Sanson  
28 filed an anti-SLAPP motion to dismiss the action!

1 (38) Bogus Lawsuits: The defamation lawsuits by ABRAMS and her fiancé, Marshal  
2 Willick, were ultimately deemed “*Strategic Lawsuits Against Public Participation*,”  
3 (“SLAPP” lawsuits), *i.e.*, frivolous lawsuits calculated to retaliate against those who  
4 exercise First Amendment liberties.

5 (39) The ABRAMS Plot—Foiled: The Nevada Supreme Court concluded that ABRAMS’  
6 defamation lawsuit was a wrongful attempt to chill Sanson’s free of speech on issues of  
7 public concern (lawyers behaving badly). Sanson’s anti-SLAPP motion was GRANTED,  
8 and ABRAMS’ appeal was then DENIED. ABRAMS was madder than ever!

9 (40) Social Media War: As a result of her humiliating defeat, attorney JENNIFER V.  
10 ABRAMS and her employees, SCHOEN and DICIERO, declared war on Steve Sanson!  
11 Defendants brought a campaign of venomous, vitriolic and vicious hatred—against  
12 Steve Sanson and anyone associated with him, (including Plaintiff).

13 (41) Opinions for Hire: JENNIFER V. ABRAMS is ultimately responsible, [*see* NRPC  
14 Rule 5.3], for the conduct of her employees—SCHOEN and DICIERO—who operate on  
15 social media with the specific intent to injure the reputations of parents who speak-out  
16 against JENNIFER V. ABRAMS and the oppressive “family court system.”

17 (42) Defamations for Hire: SCHOEN and DICIERO are ABRAM’S mouthpiece—*i.e.*,  
18 they publish her malicious lies—while she stays safely out of the crossfire—believing  
19 she is insulated from liability. But she’s not! Once discovery begins, the evidence will  
20 reveal that the online defamations of SCHOEN and DICIERO come at the *authorization* or  
21 *ratification* of JENNIFER V. ABRAMS and THE ABRAMS LAW FIRM, L.L.C., who directly  
22 benefit from the defamations—which have a chilling effect on those who would criticize  
23 JENNIFER V. ABRAMS, her LAW FIRM, and the oppressive “family court system.”

24 (43) Isn’t it Ironic? Back in 2019, Plaintiff consulted with THE ABRAMS LAW FIRM  
25 for representation in his divorce. Plaintiff believed that privileges and confidentialities  
26 attached to his consultation; but just one year later, ABRAMS’ employees are defaming  
27 him and posting his sealed divorce case online!—and, because his divorce case is sealed,  
28 Plaintiff cannot adequately respond to ABRAMS’ defamations.



1           **III. A CAMPAIGN OF RETALIATION—**

2 (44) Plaintiff’s Scholarly Articles: Notably, Plaintiff wrote several scholarly articles,  
3 widely published, extolling Steve Sanson’s wondrous First Amendment legal victory  
4 over JENNIFER V. ABRAMS; (apparently, these articles roused ABRAMS’ ire...).

5 (45) JENNIFER V. ABRAMS Retaliates: After Steve Sanson’s anti-SLAPP triumph,  
6 JENNIFER V. ABRAMS and the NCW Facebook page stepped-up their hatred for Sanson  
7 and associates—chiefly Plaintiff.

8 (46) Nevada Court Watchers—Political Action Committee: On January 6, 2020,  
9 Defendants SCHOEN and DICIERO applied to Nevada Secretary of State—to organize a  
10 Political Action Committee, (“PAC”)—*Nevada Court Watchers PAC*, (“NCW-PAC”).  
11 Defendants created NCW-PAC as a vehicle to demean, denounce, and defame Sanson,  
12 his associates, and anyone who speaks-out against the oppressive “family court system,”  
13 including Plaintiff.

14 (47) Defendants’ Website: Defendants’ website explains the PAC’s purpose—  
15 “Our purpose is to stop the influence of these bad actors in judicial elections.”  
16 Defendants’ website then goes on to identify Steve Sanson as the biggest  
17 problem with judicial elections—  
18 “The biggest bad actor in judicial elections? Steve Sanson.”  
19 [*Nevada Court Watchers* website; (<https://www.ncwpac.org/>)]

20 (48) The “Steve Sanson Warning” – Defendants’ website warns the general public  
21 about Sanson: “AVOID STEVE SANSON AND VETERANS IN POLITICS INTERNATIONAL.”

- 22 a) “DO NOT SEEK A VETERANS IN POLITICS INTL ENDORSEMENT”  
23 b) “DO NOT ATTEND ANY VETERANS IN POLITICS INTERNATIONAL  
24 EVENT”  
25 c) “DO NOT GIVE ANY MONEY TO STEVE SANSON OR VETERANS IN  
26 POLITICS INTL”  
27 d) “DO NOT GO ON STEVE SANSON’S RADIO PROGRAM”

28 [*Nevada Court Watchers* website; (<https://www.ncwpac.org/>)]

1 (49) Plaintiff Meets Steve Sanson: The fact that Plaintiff aligns with Steve Sanson,  
2 coupled with the fact that he speaks-out against the “family court system”—makes him  
3 a natural enemy of JENNIFER V. ABRAMS, and a target for her employees, SCHOEN and  
4 DICIERO, (essentially, “hit men,” who perform character assassinations).

5 (50) Plaintiff Becomes a Target: Plaintiff engages in activities that Defendants forbid.  
6 For example, Plaintiff attends Sanson’s fundraisers, Plaintiff appears on Sanson’s internet  
7 talk-show, and Plaintiff writes popular op-ed pieces criticizing JENNIFER V. ABRAMS  
8 and the oppressive “family court system.” Plaintiff thus incurred the wrath of  
9 Defendants, JENNIFER V. ABRAMS and her employees, SCHOEN and DICIERO.

10 (51) Plaintiff’s Family Court Lawsuits: In 2019, Plaintiff filed a federal civil rights  
11 lawsuit against three family court judges, [*Phillips vs. Phillips, et.al.*, (2:19-cv-00425-  
12 APG-BNW)]. In 2020, Plaintiff filed a federal civil rights lawsuit against his sitting  
13 family court judge, [*Phillips vs. Ochoa*, (2:20-cv-00272-JAD-VCF)]. On Dec. 29, 2020,  
14 Plaintiff filed another federal civil rights lawsuit against the presiding family court judge,  
15 [*Phillips vs. Duckworth*, (2:20-cv-02345-RFP-NJK)]. Based on the lawsuits—against  
16 five (5) family court judges—Plaintiff is an enemy of the “family court system.”

17 (52) The Disparagement Begins: In February 2020, presumably at the direction of  
18 JENNIFER V. ABRAMS, Defendants SCHOEN and DICIERO began disparaging Plaintiff  
19 at the NCW Facebook page. Plaintiff would soon become their number one target.

20 (53) Defendants Turn-Up the Heat: SCHOEN and DICIERO, and other NCW members,  
21 would trash-talk Plaintiff, call him names, say he’s stupid and ugly, *etc.* Defendants  
22 would allege that Plaintiff never wins any lawsuits, he practices law with no license, *etc.*  
23 Defendants would encourage NCW members to complain about Plaintiff to the State Bar.

24 (54) State-of-Mind: Most of Defendants’ statements from this period are opinions  
25 protected by the First Amendment. But still, ABRAMS was unsuccessful in her efforts  
26 to silence Plaintiff; so, she vowed to hate with renewed fervor—and with more frequent  
27 attacks on Plaintiff! The sheer volume of hateful statements about Plaintiff, all tolled,  
28 reveal Defendants’ true “state-of-mind”—and a pattern and practice of systemic libel.

1           **IV. ENTER ATTORNEY ALEX B. GHIBAUDO—**

2 (55) Defendants Enlist Attorney Ghibaud: To turn-up the heat, Defendants enlisted  
3 NCW member, attorney Alex B. Ghibaud, Esq. (Bar No.: 10592), who would attempt  
4 to silence Plaintiff with overt threats of litigation and veiled threats of physical violence.  
5 But the truth is, attorney Alex B. Ghibaud is a psychotic.

6 (56) Ghibaud Shares Address with NCW: According to Nevada Secretary of State,  
7 *Nevada Court Watchers PAC* is at: *703 South 8th Street, Las Vegas, Nev., 89101*; and,  
8 according to the State Bar of Nevada, attorney, Alex B. Ghibaud is at the same address:  
9 *703 South 8th Street, Las Vegas, Nev., 89101*.

10 (57) Attorney Alex B. Ghibaud—Self-Styled Defamation Expert: At the NCW  
11 Facebook page, attorney Ghibaud would dispense legal advice to group members—on  
12 how to legally “defame” others without actually committing “defamation.” According to  
13 Ghibaud, the more outrageous one’s defamatory statement, the more likely the trier of  
14 fact will view it as *opinion*, and thus, *not* actionable. But this just reveals Defendants’  
15 “state-of-mind”—which shows the *specific intent* to “be” defamatory!

16 (58) Ghibaud’s 5-Year Suspension: According to Nevada Sate Bar, Ghibaud was  
17 suspended from the practice of law for 5 years, (2009–2014). Ghibaud was disciplined  
18 for multiple offenses including “unprofessional and demeaning conduct towards other  
19 attorneys”—which is exactly why JENNIFER V. ABRAMS chose Ghibaud to pursue  
20 Plaintiff, *i.e.*, demeaning other attorneys is Ghibaud’s specialty!

21 (59) Attorney Ghibaud—Mental Illness: When reinstated in 2014, Ghibaud was  
22 required to undergo “psychological and psychiatric treatment.” He was further required  
23 to take “prescribed medication.” Plaintiff has personal knowledge that Alex B. Ghibaud  
24 has anti-social tendencies; (Plaintiff thus has no wish to sue him).

25 (60) Ghibaud’s Criminal History: According to ABA Bar Journal, Ghibaud has an  
26 actual history of physical violence (with ex-wife) and restraining orders. Ghibaud was  
27 arrested on several occasions for doing violence upon his ex-wife and for violating the  
28 terms of restraining orders that she (the ex-wife) had obtained, *etc.*

1 (61) Ghibaudo Goes on a Rampage: In May 2020, at the NCW Facebook page,  
2 Attorney Ghibaudo declared war on Plaintiff. Ghibaudo went on a rampage—posting  
3 about Plaintiff, calling him names, publishing defamations, challenging him to litigate,  
4 *etc.* Attorney Ghibaudo was ultra-motivated; he created several new Facebook pages—  
5 devoted solely to heckling Plaintiff.

6 (62) Ghibaudo Posts Plaintiff’s Documents: Seeking to embarrass Plaintiff, Ghibaudo  
7 posted documents from Plaintiff’s sealed family law case, (an invasion of privacy).  
8 Ghibaudo is emblematic of the low-class legal professionals infesting Las Vegas.

9 (63) The Stalking Begins: At first, Ghibaudo would insult Plaintiff, taunt him, and  
10 then challenge Plaintiff to sue for defamation. But Plaintiff avoided Ghibaudo (because  
11 he’s a psychotic). And then, Ghibaudo changed his game plan; instead of talking  
12 “*about*” Plaintiff, Ghibaudo would begin talking “*at*” Plaintiff.

13 (64) Ghibaudo Tries Desperately to Contact Plaintiff: Attorney Ghibaudo sent many  
14 messages to Plaintiff (with many four-letter words, *etc.*). Notably, Ghibaudo used  
15 several different Facebook “aliases” to contact Plaintiff; however, Plaintiff “blocked”  
16 Ghibaudo and his “aliases.” But this proved too much for Ghibaudo—who was unable  
17 to handle the stress of rejection. Ghibaudo resorted turned to firearms...

18 (65) Ghibaudo Threatens Plaintiff with a Firearm: Eventually, he went too far;  
19 *Ghibaudo threatened Plaintiff with a gun!* Enough was enough. On May 24, 2020,  
20 Plaintiff filed for a restraining order as against attorney Ghibaudo—for (i) stalking,  
21 (ii) aggravated stalking, and (iii) harassment.

22 (66) Plaintiff Obtains a Restraining Order Against Ghibaudo: On July 23, 2020,  
23 Plaintiff obtained a restraining order against Ghibaudo, [*T. Matthew Phillips, Esq. vs.*  
24 *Alex B. Ghibaudo, Esq.*, Case No.: 20-PO-0637]. The Justice Court granted an *Extended*  
25 *Order for Protection against Stalking, Aggravated Stalking, or Harassment* (NRS  
26 200.591), [*see Phillips v. Ghibaudo, supra*]. Alex B. Ghibaudo then disappeared from  
27 Facebook. Since the court date, (July 23, 2020), Plaintiff has not heard from Ghibaudo.  
28 (Plaintiff has legit causes of action against Ghibaudo, but Plaintiff chooses to refrain.)

1 (67) Ghibaudo Reprimanded: On a related note, Ghibaudo once employed Defendant  
2 MARK DICIERO. On Sept. 4, 2020, the Nevada State Bar issued a *Reprimand* against  
3 Ghibaudo for violating Rule of Professional Conduct 5.3—*i.e.*, failure to supervise his  
4 legal assistant—none other than MARK DICIERO!—who betrayed a family court client—  
5 by posting inappropriate content about that client on Facebook! Remarkably, to this very  
6 day, DICIERO is *still* trash-talking that *same client* at the NCW page! (Make no mistake,  
7 DICIERO invites a State Bar reprimand for attorney, JENNIFER V. ABRAMS!)

8 (68) DECIERO Gets a New Job: After Ghibaudo disappeared, MARK DICIERO was  
9 left unemployed. And so, ABRAMS hired MARK DICIERO! Why?—because ABRAMS  
10 has actual knowledge that MARK DICIERO will trash-talk parents online!—and ABRAMS  
11 looks for these “skills” when hiring paralegals! ABRAMS hired DICIERO because he’s  
12 “got what it takes,” *i.e.*, no scruples—totally willing to heckle bereaved parents online!

#### 13 14 V. A FAMILY AFFAIR—

15 (69) Julie Schoen: Julie Schoen, wife of DAVE SCHOEN, is also employed by THE  
16 ABRAMS LAW FIRM, L.L.C. On May 2, 2020, at the NCW Facebook page, Julie Schoen  
17 re-posted libelous statements about Plaintiff; notably, the 9<sup>th</sup> Circuit assigns liability to  
18 re-publishers, [*Flowers v. Carville*, 310 F.3d 1118 (2009)]. Julie Schoen posted—

19 “Hi! My name is T. Matthew Phillips! I’m a wife beater and a child abuser who  
20 loves Steve Sanson and Steve loves ME!! Me and Steve got a lot in common.  
21 We both like to beat the shit out of women and I like to torture children!  
22 I’m a dirt bag little old man with no life who spends all my time in my basement,  
23 trying to jerk off (but my dick doesn’t work). I love terrorizing little kids too.  
24 In fact, ***I threatened to shoot up my kids*** [sic] ***school*** not too long ago, causing it  
25 to lock down! I pretend to be a lawyer, but my law school was an unaccredited  
26 correspondence school that I didn’t have to compete to get into and I’ve never  
27 really handled any actual clients. I pretend to be an activist but I’m really just a  
28 terrorist. I’m King Midas in reverse...everything I touch turns into shit!!!”

1 (70) Defendant DICIERO Complains to Calif. State Bar: On or about July 13, 2020,  
2 Defendant DICIERO indicates he complained about Plaintiff to the Calif. State Bar.  
3 On July 13, 2020, Defendant DICIERO posted at the NCW page—

4 “The California Bar wasn’t too interested in the fact that Tiny Dancer,  
5 [Defendant’s nickname for Plaintiff], abused his ex to the point of  
6 crapping the bed; but they seem to be very interested in the fact that  
7 Tiny *threatened to shoot up his kid’s school*. I think [another NCW  
8 Group member’s] complaint will be of interest as well.”

9 [Defendant MARK DICIERO’S post at NCW Facebook page; (emphasis added)]

10 (71) Plaintiff’s Federal Lawsuit Against His Family Court Judge: Plaintiff is now  
11 suing his family court judge—who blocked Plaintiff on Facebook. The lawsuit is active,  
12 [*Phillips vs. Ochoa*, (2:20-cv-00272-JAD-VCF)], and it raises important free speech  
13 issues. It will create precedent for elected gov’t officials who interact with the public  
14 on social media. However, it’s Defendants’ job to make Plaintiff look raggedy! And so,  
15 Defendants tell lies about Plaintiff’s free speech lawsuit—pretending it was dismissed!  
16 These lies are probative of “state-of-mind”—which shows the *specific intent* to tarnish  
17 Plaintiff’s professional reputation (civil rights lawyer).

18 (72) Defendant DICIERO Misreports Plaintiff’s Lawsuit: In commenting on Plaintiff’s  
19 free speech lawsuit against his family court judge, Defendant DICIERO falsely reports  
20 that, “the action was denied with prejudice.” But this is false. What really happened  
21 was that the court dismissed the “prayer for damages”—*not* the entire action. DICIERO  
22 should know better!—and for all the following reasons—

23 *first*, DICIERO works in a law office, (paralegal);

24 *second*, DICIERO owns and operates a *pro se* legal service, (“Pro Se Pros”);

25 *third*, DICIERO pontificates on the law at his NCW Facebook page.

26 Surely, he knows the difference between “denying damages” and “denying an action.”  
27 DICIERO intentionally misreports Plaintiff’s federal lawsuit, which is probative of  
28 DICIERO’S “state-of-mind,” which reeks of “actual malice.”

1 (73) Plaintiff’s Free Speech Case Remains Active: On August 22, 2020, Defendant  
2 DICIERO posted an actual excerpt from Plaintiff’s federal case; and again, this excerpt  
3 clearly indicates that the court dismissed the “prayer for damages”—*not* the action.  
4 However, it’s DICIERO’S job to defame Plaintiff—to portray him as an incompetent  
5 lawyer—and so, DICIERO falsely states that the Plaintiff’s “action” was “DENIED,”  
6 and then DICIERO commits straight-up libel—

7 “True to form, along with all the other VIPI repugnants, Tiny Dancer’s  
8 action [Defendants’ nickname for Plaintiff], against Judge Ochoa DENIED  
9 with prejudice. ***Back to threatening to shoot up schools*** and tormenting  
10 wifey in the bedroom for ‘lil Todd.’”

11 [Defendant MARK DICIERO’S post at NCW Facebook page; (emphasis added)]

12 (74) Reckless Disregard for the Truth: At the NCW page, Defendants falsely portray  
13 Plaintiff as crazy, violent with women, abusive to children, ***threatening school shootings***  
14 ***and/or school bombings***, a terrible lawyer, mentally retarded, a loser, a homosexual, *etc.*  
15 Defendants publish these false statements with “actual malice,” (knowledge of the  
16 falsehood or reckless disregard for the truth). Most significantly, the sheer volume of  
17 derogatory comments reveals Defendants’ “state-of-mind”—a *specific intent* to damage  
18 Plaintiff’s reputation—by exposing him to hatred, shame, contempt, scorn, and ridicule.

19 (75) Defendants Are Obsessed with Plaintiff: Defendants spend a significant amount  
20 of time and effort online talking about Plaintiff, making slapstick cartoons, short videos,  
21 long videos, *etc.* And again, the Court may glean Defendants’ state-of-mind by their  
22 voluminous commentaries—which show *specific intent* to defame Plaintiff.

23 (76) Libel Per Se: On Sept. 23, 2020, Defendant DAVE SCHOEN published, on  
24 Facebook, a photo featuring Plaintiff, beside Steve Sanson and others, taken in the studio,  
25 after an appearance on Sanson’s talk-show. In the photograph, there appears conspicuous  
26 text—superimposed on top of Plaintiff’s image—which reads:

27 “**THREATENED HIS KID’S SCHOOL W/ A BOMB.**”

28 [Defendant DAVE SCHOEN’S post at NCW Facebook page; (emphasis added)]

1 SCHOEN’S statement is libelous *per se*. The statement is objectively verifiable—it can  
2 be proven false, [see Exhibit “1”]. The law presumes general damages because the  
3 statement impugns Plaintiff in his profession, (lawyering), and it imputes criminality.

4 (77) More Libel Per Se: On Sept. 28, 2020, SCHOEN published a post on Facebook  
5 mocking Plaintiff, who contends his son was wrongfully taken and that the court gave  
6 no reason why. SCHOEN publicly responds to Plaintiff, joking about explosives—

7 “No reason? Not even one explosive reason?”

8 Defendant DICIERO then chimes-in and comments on his co-worker’s post—

9 “Seriously, the two words you hear from that camp all the time is,

10 “no reason.” There is ALWAYS a reason. Tiny, [Defendant’s nickname

11 for Plaintiff], my guess is that abusing wifey to the point of crapping the

12 bed and *threatening to shoot up (or blow up) your child's school* may

13 have something to do with “the reason” why you aren’t allowed to see

14 your child. Just a hunch.”

15 [Defendants SCHOEN & DICIERO posts at NCW Facebook page; (emphasis added)]

16 DICIERO’S statement is libelous *per se*. The statement is objectively verifiable— it can  
17 be proven false, [see Exhibit “1”]. The law presumes general damages because the  
18 statement impugns Plaintiff in his profession, (lawyering), and it imputes criminality.

## 20 VI. EXTREME & OUTRAGEOUS CONDUCT—

21 (78) JENNIFER V. ABRAMS—Privacy Advocate?: Plaintiff argues that ABRAMS is a  
22 hypocrite! On the one hand, she is an outspoken advocate for sealing divorce cases—  
23 to protect families during emotionally trying times—and yet, when parents protest  
24 “the system,” ABRAMS’ employees lampoon their sealed divorce cases online!

25 (79) Extreme & Outrageous Conduct: It’s a loathsome thing—to post another person’s  
26 divorce paperwork online. It takes a malignant heart to stoop so low. But here, it’s even  
27 worse because the ones doing the posting are legal professionals—*who should know*  
28 *better*—because they practice family law! (This is extreme and outrageous!)



1           **VII. CONTINUOUS AND ONGOING LIBELS—**

2 (80) Ever More Libelous Statements: On or about Nov. 5, 2020, Defendant DICIERO,  
3 at the NCW page, made the following comment about Plaintiff—

4           “He’s been dubbed a Unabomber because **he threatened to blow up his kid’s**  
5 **school** and now wonders why Ochoa [the judge] thinks it’s not in the child’s  
6 best interest to be around him. Typical VIPI victim mentality spewed by a  
7 mentally ill litigant.”

8 [Defendant MARK DICIERO’S post at NCW Facebook page; (emphasis added)]

9 (81) And Still More Libelous Statements: On or about Dec. 4, 2020, Defendant  
10 DICIERO made a post concerning Plaintiff. The post, in relevant part, reads—

11           “TMP (a man who lost custody of his child after acts of domestic violence  
12 upon his wife and **terroristic threats upon his child’s school**) ... ”

13 [Defendant MARK DICIERO’S post at NCW Facebook page; (emphasis added)]

14 (82) Plaintiff’s Proposed Assembly Bill: Plaintiff is the author of NRS § 294A.450—  
15 titled “*Remove or Retain*”—a proposed Nevada assembly bill to curb family court  
16 corruption. Naturally, JENNIFER V. ABRAMS opposes this bill, which means that  
17 SCHOEN and DICIERO also oppose the bill. Under the proposed bill, where family court  
18 incumbents seek reelection and run unopposed, the People shall have the ultimate power  
19 to “*remove*” or “*retain*” the incumbent. But DICIERO, never discusses the merits of the  
20 proposed bill—he just jokes about bomb threats—to reveal his true “state-of-mind”—

21           “Yo, Tiny: There would be no reason for 294A.450, [Plaintiff’s proposed bill],  
22 if you had simply paid attention to 202.840, [statute proscribing bomb threats].  
23 But, you keep writing those new laws and liking your own posts, tho.

24           NRS 202.840 **Bomb threats prohibited; penalties.** *A person who through the*  
25 *use of the mail, written note, telephone, telegraph, radio broadcast or other means*  
26 *of communication, willfully makes any threat, or maliciously conveys false*  
27 *information knowing it to be false, concerning an attempt or alleged attempt being*  
28 *made, or to be made, to kill, injure or intimidate any person or unlawfully to*

1           *damage or destroy any building, vehicle, aircraft or other real or personal*  
2           *property by means of any explosive, bomb, spring trap or mechanism known or*  
3           *commonly thought to be dangerous to human life, limb or safety is guilty of a*  
4           *category B felony and shall be punished by imprisonment in the state prison for a*  
5           *minimum term of not less than 1 year and a maximum term of not more than 6*  
6           *years, and may be further punished by a fine of not more than \$5,000.”*

7           [Defendant MARK DICIERO’S post at NCW Facebook page; (emphases added)]

8 (83) The Defamation Continues: Even at the time of this writing, the defamation  
9 continues. On Jan. 30, 2021, DICIERO posted at the NCW page—*i.e.*, that Plaintiff  
10 supposedly *threatened to “shoot-up”* and/or *“blow-up” his son’s school*.

11 (84) District Court Judges: Some members of *Nevada Court Watchers* are legal  
12 professionals whom the page bombards with false rhetoric calculated to make them  
13 believe Plaintiff is a criminal. This defeats the 14<sup>th</sup> Amendment right to a fair judiciary.  
14 Some NCW members are judges “in-hiding”; but some judges are “in plain sight,” such  
15 as Mary Perry, who recently won Dept. “P” judgeship. (Mary Perry hates Plaintiff  
16 because he exposed how she rigged the election with her buddy, attorney Fred C. Page,  
17 who ran against Perry, but lost on purpose to ensure her victory.)

18 (85) Legal Summary: Plaintiff here provides the following legal summary—

- 19           • SCHOEN and DICIERO are liable for defamation *per se*;
- 20           • THE ABRAMS LAW FIRM, L.L.C. is liable for its employees’ defamations;
- 21           • JENNIFER V. ABRAMS is liable for failure to supervise employees, (Rule 5.3);
- 22           • Nevada law presumes general damages for libel *per se* because the false  
23           assertions impugn Plaintiff in his profession (lawyering), and the false  
24           assertions impute criminality unto Plaintiff.

25 (86) Conclusion: In order to win, Plaintiff need prove only negligence. Once he  
26 proves the truth, via the police report, [*see* Exhibit “1”], Plaintiff automatically prevails.  
27 Legally speaking, Defendants have no leg to stand-on.

28 ////

1           **EPILOGUE—“CEASE ‘N DESIST”**

2 (87) Cease ‘n Desist Email: At their Facebook page, Defendants publish salacious  
3 tidbits from Plaintiff’s sealed divorce case. Plaintiff argues there is no utilitarian value  
4 in posting divorce cases online; (it invades his privacy and holds him in a false light).  
5 But Defendants routinely post divorce cases online!—and they do this to vex, annoy and  
6 harass—which demonstrates “actual malice.”

7 (88) 8:25 a.m.—Feb. 6, 2021: Plaintiff sends to ABRAMS a “*Cease ‘n Desist*” email.  
8 Plaintiff tells ABRAMS “*You are to cease and desist posting pleadings from sealed family*  
9 *law cases. You have actual knowledge that your employees are posting pleadings from*  
10 *sealed family law cases.*”

11 (89) 10:40 a.m.—Feb. 6, 2021: SCHOEN posts NRS 125.110 at the NCW Facebook  
12 page—explaining that “*none of the orders from TNT’s case, [Plaintiff’s nickname],*  
13 *that Mark [DICIERO] has been posting are sealed.*” SCHOEN then writes:  
14 #CeaseAndDesistDeezNuts, (in other words, SCHOEN refuses to “cease and desist”).

15 (90) 10:41 a.m.—Feb. 6, 2021: ABRAMS responds to Plaintiff’s email. She feigns  
16 ignorance. ABRAMS writes, “*Please provide the case name and please identify the*  
17 *pleadings that were posted so I can look into this further.*”

18 (91) 10:44 a.m.—Feb. 6, 2021: DICIERO posts more snippets from Plaintiff’s divorce  
19 case at the NCW Facebook page. DICIERO rhetorically asks why Plaintiff, “*needs to hide*  
20 *behind a cease and desist.*”

21 (92) Authorizes / Ratifies: Obviously, SCHOEN’S and DICIERO’S use of the term  
22 “cease and desist” is *not* coincidental; rather, it proves they had just spoken to ABRAMS,  
23 which demonstrates that ABRAMS “authorizes” or “ratifies” her employees’ Facebook  
24 posts—which makes the case for punitive damages, [*see* NRS § 42.007(1)(b)].

25 (93) 10:53 a.m.—Feb. 6, 2021: The fake account, “*Debra Oliver,*” (ABRAMS?), then  
26 posts even more snippets of Plaintiff’s divorce case. She explains that she found the  
27 documents “*online thru the court system.*” Also in the debate is SCHOEN’S dutiful wife,  
28 Julie Schoen, another ABRAM’S employee on-call on a Saturday morning...

1  
2 (94) Defamation (Libel Per Se): Cause-of-Action No. 1, for defamation (*libel per se*),  
3 is brought against: (i) Defendant, JENNIFER V. ABRAMS, (ii) Defendant, THE ABRAMS  
4 LAW FIRM, L.L.C., (iii) Defendant MARK DICIERO, and (iv) Defendant DAVE SCHOEN.  
5 Plaintiff incorporates all numbered paragraphs.

6 (95) Vicarious Liability: SCHOEN’S and DICIERO’S false and defamatory statements  
7 expose Plaintiff to hatred, shame, contempt, scorn, and ridicule—and Defendant,  
8 JENNIFER V. BRAMS is vicariously liable—because she is SCHOEN’S and DICIERO’S  
9 “supervising attorney”; and Defendant, THE ABRAMS LAW FIRM, L.L.C., is also  
10 vicariously liable—because it is SCHOEN’S and DICIERO’S “employer.”

11 (96) Elements of a Defamation Claim: Plaintiff must prove the following elements—

- 12 (a) a false and defamatory statement of and concerning the plaintiff;  
13 (b) an unprivileged publication to a third party;  
14 (c) fault amounting, at least, to negligence on the part of the publisher; and  
15 (d) general damages and/or special damages.

16 [See, e.g., *People for the Ethical Treatment of Animals v. Bobby Berosini, Ltd.*,  
17 895 P.2d 1269, 1272 (1995)]

18 (97) Defendants’ False Statements: Plaintiff brings Cause-of-Action No. 1 based on  
19 Defendants’ false assertions that Plaintiff ***threatened to shoot-up his son’s school*** and  
20 ***blow-up his kid’s school with a bomb***. Plaintiff can prove the following—

- 21 (i) Plaintiff is a “private” person, (*i.e.*, not a “public figure”); therefore,  
22 he need prove only ordinary negligence. And, even if the Court deems  
23 Plaintiff a “limited-purpose public figure,” his burden remains the same,  
24 (ordinary negligence), because the nature of the defamatory statement,  
25 ***“shooting-up a school,”*** has nothing to do with “*why*” Plaintiff is deemed  
26 a “limited-purpose public figure.” Plaintiff is famous (if at all) for being  
27 an ardent supporter of family court reform—*not* for shooing-up schools,  
28 [see *Gertz v. Robert Welch Inc.*, 418 U.S. 323 (1974)].

- 1 (ii) Defendants’ statements are objectively verifiable—*i.e.*, they can be proven  
2 false—with the police report, [Exhibit No. “1”], which is public record;
- 3 (iii) Defendants’ false statements are declarative “*facts*” that cannot,  
4 in any circumstance, be construed as “*opinion*”;
- 5 (iv) Defendants publish their false statements in a public forum, (Facebook);
- 6 (v) Defendants’ false statements injure Plaintiff in his profession,  
7 (civil rights lawyer), which presumes damages upon proof that  
8 the statements are false, (*i.e.*, *libel per se*);
- 9 (vi) Defendant’s false statements impute criminality unto Plaintiff,  
10 which presumes damages upon proof that the statements are false,  
11 (*i.e.*, *libel per se*).
- 12 (vii) Defendants’ false statements about Plaintiff caused him to suffer  
13 damages in excess of the jurisdictional minimum of this court;
- 14 (viii) Defendants’ false statements about Plaintiff show “actual malice,”  
15 (*i.e.*, knowledge of the falsehood or reckless disregard for the truth),  
16 which warrants punitive damages;
- 17 (ix) In addition to “actual malice,” Defendants’ false statements also show  
18 “fraud” (intent to deceive), as well as “oppression” (intent to cause injury),  
19 which warrants punitive damages;
- 20 (x) Punitive damages are fitting because Plaintiff is unable to effectively refute  
21 the defamations; after all, Plaintiff and his ex-wife are bridled by a court  
22 order that limits their ability to publicly comment on the divorce.

23 (98) The Fair Report Privilege—Inapplicable: *The Fair Report Privilege* protects  
24 statements referring to judicial proceedings—but only where such statements are  
25 “fair, accurate, and impartial,” [*Sahara Gaming v. Culinary Workers Union*, 984 P.2d  
26 164 (1999)]. Yes, Nevada citizens have a right to *kibitz* about what transpires in legal  
27 proceedings, but here, Defendants’ statements are *not* “fair, accurate, and impartial.”  
28 On the contrary! Defendants tell malicious lies! *That’s their job!*

1 (99) General Damages Presumed: Defendants’ statements are defamatory *per se*.  
2 Defendants falsely assert that Plaintiff committed crimes involving extreme, morally  
3 turpitudinous behavior—threatening to kill schoolchildren! General damages are thus  
4 presumed because the law presumes injury to Plaintiff’s reputation. Plaintiff seeks  
5 general damages in a dollar amount T.B.D. at trial.

6 (100) Punitive Damages—Actual Malice: Plaintiff seeks punitive damages for  
7 “actual malice,” (knowledge of the falsehood or reckless disregard for the truth), based  
8 on “state-of-mind.” The Court may glean “state-of-mind” from Defendants’ statements  
9 about Plaintiff—which are both *voluminous* and *rancorous*—indeed, *so voluminous*  
10 and *so rancorous* that they cannot be attributable to “innocent error.” Punitive damages  
11 are appropriate because Defendants are professional defamers. Defendants sully folks’  
12 reputations in exchange for a paycheck. Punitive damages are therefore justified.

13 (101) Punitive Damages—Fraud & Oppression: In addition to “actual malice,” Plaintiff  
14 can also show “fraud” (intent to deceive) and “oppression” (intent to cause injury).  
15 Plaintiff is entitled to punitive damages because ABRAMS *authorizes* or *ratifies* the false  
16 statements of her employees, [*see* NRS 42.007(1)(b)].

17 (102) Exemplary Damages: At the NCW Facebook page, Defendants post documents  
18 from Plaintiff’s sealed divorce case. (But why?—so Plaintiff’s son might see them?)  
19 The point is, when Defendants post salacious falsehoods from Plaintiff’s divorce case,  
20 Plaintiff cannot defend himself—because public policy forbids Plaintiff from arguing  
21 his divorce case in a public forum! Defendants must be so restrained! Plaintiff seeks  
22 exemplary damages against ABRAMS—for her abject failure to supervise her underlings,  
23 [*see* NRPC, Rule 5.3]. ABRAMS must be made an example-of.

24 (103) Injunctive Relief: *First*, Plaintiff seeks an order requiring Defendants to make a  
25 complete and utter retraction of their libels—*i.e.*, that Plaintiff ***supposedly threatened to***  
26 ***shoot-up*** and/or ***blow-up his son’s school with a bomb***. *Second*, Plaintiff seeks an order  
27 requiring Defendants to de-publish their libels—*i.e.*, that Plaintiff ***supposedly threatened***  
28 ***to shoot-up*** and/or ***blow-up his son’s school with a bomb***.

☞ CAUSE of ACTION No. TWO ☞

1  
2 (104) False Light in the Public Eye (Invasion of Privacy): Cause-of-Action No. 2, for  
3 false light (invasion of privacy), is brought against: (i) Defendant, JENNIFER V. ABRAMS,  
4 (ii) Defendant, THE ABRAMS LAW FIRM, L.L.C., (iii) Defendant MARK DICIERO, and  
5 (iv) Defendant DAVE SCHOEN. Plaintiff incorporates all numbered paragraphs.

6 (105) False Light vs. Defamation: Defamation actions protect a plaintiff's *reputation or*  
7 *character*, while false light actions protect a plaintiff's *emotions or feelings*. Defamation  
8 actions challenge the *actual veracity* of defendant's statements, while false light actions  
9 challenge the *general impression* that defendant's statements create.

10 (106) False Light (Invasion of Privacy): "The false light privacy action differs from a  
11 defamation action in that the injury in privacy actions is mental distress from having been  
12 exposed to public view, while the injury in defamation actions is damage to reputation."  
13 [*P.E.T.A. v. Berosini, Ltd.*, 111 Nev. 615, 895 P.2d 1269, 1274 n. 4 (1995)]

14 (107) Elements of False Light Claims: To succeed on a claim for false light in the  
15 public eye, plaintiffs must prove the following elements—

- 16 (a) that the defendant publicized misleading facts about the plaintiff;  
17 (b) that the defendant's misleading publicity created false impressions of and  
18 concerning plaintiff;  
19 (c) that the misleading publicity would be highly offensive or embarrassing  
20 to reasonable persons of ordinary sensibilities;  
21 (d) that the defendant publicized the misleading facts with actual malice,  
22 (knowledge of the falsehood or reckless disregard for the truth).

23 (108) Defendants Create False Impressions: Defendants publicize misleading facts about  
24 Plaintiff—alleging that he ***threatened to shoot-up his kid's school*** or ***blow-up his kid's***  
25 ***school with a bomb***. These are facts false, [*see* Exhibit No. "1"]. Defendants' tall tales  
26 morphed from shooting-up schools—to blowing-up schools! Defendants' words create  
27 *false impressions, i.e.*, that Plaintiff threatened school children, and (saddest of all) that  
28 these (supposed) threats are the reason why Plaintiff lost custody of his son.

1 (109) Vicarious Liability: SCHOEN’S and DICIERO’S unwarranted and misleading trial  
2 publicity portrays Plaintiff in a false light—and ABRAMS is vicariously liable—because  
3 ABRAMS is the “supervising attorney”; in addition, LAW FIRM is also vicariously liable—  
4 because LAW FIRM is the “employer.”

5 (110) Highly Offensive or Embarrassing: Defendants’ unwarranted and misleading trial  
6 publicity about Plaintiff, *i.e.*, that he ***threatened to shoot-up*** or ***blow-up his kid’s school***,  
7 would be highly offensive or embarrassing to anybody—especially where the negative  
8 publicity brings prejudice to an ongoing custody dispute (with pending hearings!).

9 (111) Monetary Damages: Defendants’ unwarranted and misleading trial publicity  
10 about Plaintiff caused him to suffer damages in excess of the jurisdictional minimum of  
11 this court. Plaintiff seeks damages in an amount T.B.D. at trial.

12 (112) Actual Malice: Plaintiff seeks punitive damages for “actual malice,” (knowledge  
13 of the falsehood or reckless disregard for the truth), based on Defendants’ “state-of-  
14 mind,” which the court may glean from their statements about Plaintiff—which are both  
15 *voluminous* and *rancorous*—indeed, *so voluminous* and *so rancorous* that they cannot be  
16 attributable to “innocent error.” When Defendants make false statements about Plaintiff,  
17 they know their statements are false!—which shows “actual malice.”

18 (113) Punitive Damages: Plaintiff seeks punitive damages because Defendants’  
19 unwarranted and misleading trial publicity about Plaintiff shows *actual malice*,  
20 (knowledge of the falsehood or reckless disregard for the truth). In addition, Defendants’  
21 misleading publicity also shows “fraud” (intent to deceive), as well as “oppression”  
22 (intent to cause injury), which warrants punitive damages.

23 (114) Injunctive Relief: *First*, Plaintiff seeks an order requiring Defendants to make a  
24 complete and utter retraction of their unwarranted and misleading trial publicity—*i.e.*,  
25 that Plaintiff ***supposedly threatened to shoot-up*** and/or ***blow-up his son’s school with a***  
26 ***bomb***. *Second*, Plaintiff seeks an order requiring Defendants to de-publish their false and  
27 misleading trial publicity—*i.e.*, that Plaintiff ***supposedly threatened to shoot-up*** and/or  
28 ***blow-up his son’s school with a bomb***.





1 (121) Vicarious Liability: SCHOEN’S and DICIERO’S negative trial publicity creates  
2 emotional distress, and ABRAMS is vicariously liable—because she is the “supervising  
3 attorney”—and LAW FIRM is also vicariously liable—because it is the “employer.”

4 (122) Intent to Cause Emotional Distress: Defendants intend to cause emotional  
5 distress—in order to silence Plaintiff. Whenever aggrieved parents complain about the  
6 horrors of the “family court system,” Defendants bully and intimidate those parents—  
7 using professional facebookers to silence the parents and protect “the family court  
8 system.” Make no mistake; Defendants have the specific intent to inflict pain and  
9 suffering upon beareaved parents. *That’s their job!*

10 (123) Monetary Damages: Defendants’ immoral doxxing campaign directly caused  
11 Plaintiff to incur extreme emotional distress and severe mental anguish for which he  
12 seeks monetary compensation in a dollar amount T.B.D. at trial.

13 (124) Punitive Damages: Plaintiff seeks punitive damages. Defendants’ negative  
14 publicity about Plaintiff show *actual malice*, (knowledge of the falsehood or reckless  
15 disregard for the truth), which warrants punitive damages. In addition to *actual malice*,  
16 Defendants’ negative publicity also shows “fraud” (intent to deceive), as well as  
17 “oppression” (intent to cause injury), which warrants punitive damages.

18 (125) Injunctive Relief: *First*, Plaintiff seeks an order requiring Defendants to make a  
19 retraction of their negative trial publicity —*i.e.*, that Plaintiff ***supposedly threatened to***  
20 ***shoot-up*** and/or ***blow-up his son’s school with a bomb***. *Second*, Plaintiff seeks an order  
21 requiring Defendants to de-publish their negative trial publicity—*i.e.*, that Plaintiff  
22 ***supposedly threatened to shoot-up*** and/or ***blow-up his son’s school with a bomb***.

23 (126) Just the Facts: (A) Plaintiff never threatened to shoot-up any school, and (B)  
24 nobody alleges that Plaintiff threatened to shoot-up any school. So why did Plaintiff’s  
25 school phone 911 on Sept. 26, 2018? According to the school’s lawyer: “*With the*  
26 *anniversary of October 1<sup>st</sup> looming, we had (and continue to have) reasonable, credible*  
27 *fears of Mr. Phillips.*” Remarkably, the school feared Plaintiff because, (get this),  
28 October 1<sup>st</sup> would mark the one-year anniversary of the Mandalay Bay conspiracy.





# Exhibit No. “1”

Las Vegas Metro Police Report

(Sept. 26, 2018)

LVMPD - COMMUNICATION CENTER  
EVENT SEARCH

EVT : LLV180926002211	TYPE: 439	PRI : 2
LOC : CORAL ACADEMY	BLDG:	APT :
ADDR: 7951 W DEER SPRINGS WAY	XST : 6801 ROSINWOOD ST	CITY : LV
CADD:	CNAM: PRINC SERDAR YUKSEKA	CPHONE: [REDACTED]
MAP : 0151756	S/B : X4	SRA : B207
P/U : 2X56TV	OFF1: 17023	OFF2 : 6536
DATE: 2018/09/26	INIT: 13:20:12	AREA : NW
911 : NO	CLSE: 15:43:49	DISP : K

  

13:20:12	EU	INITIATED BY FRM- TO-LV7868	87	LV7868
13:20:12	CM	Original Location : CORAL ACADEMY	87	LV7868
13:20:12	CM	PR REQ EXTRA PATROL... REF THREATS MADE BY PARENT: TODD MATHEWS	87	LV7868
13:20:12	CM	PHILIPS/ WMA/ LATE 40'S/ MED BLD/ LITE BLND SHORT HAIR.... DRIVES	87	LV7868
13:20:12	CM	GREEN FORD EXPLORER UNK PLATES ... PARENT HAS BEEN CALLING ALL 6	87	LV7868
13:20:12	CM	CAMPUSES MAKING THREATS TO SHOOT SCHOOL... POSS USING 446 ( UNK ) ..	87	LV7868
13:20:12	CM	Primary Event: MAIN Opened: 18/09/26 13:20	87	LV7868
13:20:12	CM	SON ATTENDS SCHOOL IN 7TH GRADE & GETS OUT AT 1416 HRS	87	LV7868
13:20:58	CM	87/ STUDENTS MOM FILED FOR TPO AGAINST MALE WHO IS MAKING THREATS / IS	87	LV7868
13:20:58	CM	NOT SUPPOSED TO NEAR SCHOOL .. 1319	87	LV7868
13:22:48	CM	650 ADVD OF DETAILS LL 1322HRS	16	LV7275
13:23:01	USAS 2X56TV	7951 W DEER SPRINGS WAY 439	16	LV7275
13:23:01	EU 2X56TV	PU FRM- TO-LV/2X56TV	16	LV7275
13:23:18	USER 2X56TV	7951 W DEER SPRINGS WAY 439	00	LV17023
13:24:38	CM	87/ PR REQ OFFICER CONTACT // 1322	87	LV7868
13:30:38	CM	87/ SUBJS FULL NAME IS TODD MATTHEW PHILLIPS ... WIFE IS AMBER PHILLIPS	87	LV7868
13:30:38	CM	[REDACTED] 74 ... SCHOOL HAS COPY OF TPO .. WAS FILED ON 09/18/18 1328	87	LV7868
13:31:26	CM	87/ TPO #18191733T... OFFICE IS PUTTING SCHOOL ON CODE YELLOW	87	LV7868
13:31:26	CM	**SOFT LOCK DOWN *** 1329	87	LV7868
13:32:23	USAR 2X56TV	7951 W DEER SPRINGS WAY 439	00	LV17023
13:32:27	USAR 2X56TV	7951 W DEER SPRINGS WAY 439	00	LV17023
13:32:48	CM	87/SUPS ADV'D // 1331	87	LV7868
13:33:38	USAS 650	7951 W DEER SPRINGS WAY 439	16	LV7275
13:34:44	USER 650	7951 W DEER SPRINGS WAY 439	00	LV9013
13:48:42	USAR 650	7951 W DEER SPRINGS WAY 439	00	LV9013
14:04:17	CM	650-OFFICERS SPOKE WITH SCHOOL AND <u>NO ACTUAL THREATS WERE MADE TO THE</u>	00	LV9013
14:04:17	CM	SCHOOL STAFF DIRECTLY. THREATS WERE RECEIVED BY THE FEMALE HALF OF THE	00	LV9013
14:04:17	CM	TPO AND SHE ADVISED THE SCHOOL. MALE CALLED MULTIPLE SCHOOLS. TO TRY TO	00	LV9013
14:04:17	CM	CONFIRM HIS SON WAS IN SCHOOL.	00	LV9013
14:06:05	CM	THE SCHOOL DID NOT GIVE ANY INFORMATION TO THE FATHER. SCHOOL CALLED THE	00	LV9013
14:06:05	CM	MOTHER TO HAVE HER COME PICK UP THE CHILD EARLY TO AVOID ANY POTENTIAL	00	LV9013
14:06:05	CM	CONFLICTS.	00	LV9013
14:06:36	USCL 650	439	16	LV7275
14:08:35	USAR 650	7951 W DEER SPRINGS WAY 439	16	LV7275
14:08:38	USAR 650	7951 W DEER SPRINGS WAY 439	00	LV9013
14:12:05	CM	2X56TV IS NEAR THE FRONT ENTRANCE TO THE SCHOOL AND 650 IS NEAR THE REAR	00	LV9013
14:12:05	CM	AND EAST CORNER ENTRANCES.	00	LV9013
14:22:56	USAS 2X2	7951 W DEER SPRINGS WAY 439	16	LV7275
14:23:04	USER 2X2	7951 W DEER SPRINGS WAY 439	00	LV17066
14:23:11	CM	2X56TV WILL BE OUT WITH MALE 1/2 1423HRS	16	LV7275
14:23:31	CM	2X56TV WILL BE NEG FOR MALE 1/2 1423HRS	16	LV7275

LVMPD - COMMUNICATION CENTER  
EVENT SEARCH

14:26:12	CM	2X56TV C4 OUT WITH JUVS MOM 1426HRS		16	LV7275
14:29:30	CM	2X56TV MALE DOB [REDACTED]/61 DRVS A GRN 95 FORD EXPLR. PLT REGIST'D TO FEM		16	LV7275
14:29:30	CM	BUT MALE MAY BE DRVG UNREG 1429HRS		16	LV7275
14:35:12	USAR 2X2	7951 W DEER SPRINGS WAY	439	00	LV17066
14:36:12	CM	2X2/ ARRIVED W/S 1436HRS		16	LV7016
14:39:02	CM	TPO NOT SERVED **CAUTION SMALL HAND GUN , 413A *** PHILLIPS, TODD [REDACTED]61		16	LV7016
14:39:02	CM	[REDACTED]		16	LV7016
14:39:13	CM	2X56TV/ C4 1439HRS		16	LV7016
14:39:46	CM	CT SERGEANT CALLED AND MESSAGE LEFT. 372WC NOTIFIED AS WELL.		00	LV9013
14:42:01	EU	PN FRM- TO-NV-566LVL		16	LV7016
14:47:49	CM	2X56TV OTHER UNITS CAN DISREG 1447HRS		16	LV7275
15:05:33	USTO 2X56TV	NWAC	439	00	LV17023
15:14:12	USTO 2X2	NWAC	439	00	LV17066
15:19:46	CM	<u>NEGATIVE THREATS MADE TO THE SCHOOL. THREATS WERE MADE FROM PHILLIPS,</u>		00	LV17023
15:19:46	CM	<u>TODD DOB [REDACTED]/61 DIRECTLY TO PHILLIPS, AMBER DOB [REDACTED]/74. TPO AGAINST</u>		00	LV17023
15:19:46	CM	<u>TODD HAS NOT YET BEEN SERVED. AMBER PICKED UP SON PHILLIPS, DONOVAN DOB</u>		00	LV17023
15:19:46	CM	<u>[REDACTED]/05 FROM SCHOOL. BOTH AMBER AND DONOVAN WERE C4.</u>		00	LV17023
15:21:07	CM	PHONE NUMBER FOR TODD: 702-399-0925 AND 323-314-6996.		00	LV17023
15:23:56	CM	PD SGT. MARZEC NOTIFIED. <u>NO PD FOLLOW-UP</u> REQUIRED DUE TO TPO NOT YET		00	LV17023
15:23:56	CM	BEING SERVED AND <u>DUE TO NEGATIVE THREATS TOWARDS SCHOOL.</u>		00	LV17023
15:25:04	CM	PHONE NUMBER FOR AMBER: [REDACTED]		00	LV17023
15:26:52	USAO 2X56TV	NWAC	439	16	LV10197
15:27:43	USAO 2X2	NWAC	439	00	LV17066
15:29:31	USCL 2X2		439	00	LV17066
15:33:42	USCL 650		439	00	LV9013
15:43:49	USCL 2X56TV		439	00	LV17023
15:43:49	CM	Route Closed: MAIN K			
15:43:49	CM	Incident Closed: 18/09/26 15:43			
15:43:49	EU 2X56TV D	FRM- TO-K MAIN		00	LV17023

~ The End ~