

EXHIBIT 1

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CASE NO: FV08-03338 [REDACTED] VS ALEXANDER FALCONI

Date, Judge, Officers
of Court Present

APPEARANCES/HEARING

October 10, 2008
The HONORABLE
CAROL A. COOKE
DM3
S. STAMBOUGH
Clerk
Reporter-Audio
Setting JAVS
Minutes Completed
10-24-08
By S. Stambough

HEARING-EXTENSION/CONTEST HEARING

Applicant present, represented by Katherine Berning, Esq. Adverse Party present, in pro per. Both parties were sworn. The Court asked Counsel the status of the custody case. Counsel stated that they are proceeding as scheduled at this time in the custody case. The Applicant testified in support of her TPO requesting that it be extended due to continued fear of the Adverse Party. She testified that there was domestic violence in the home. She stated that she waited 4 months after the violence before she applied for a TPO because she thought they could work things out. She stated that the Adverse Party showed up at her work and that is what prompted her to file for a TPO. She stated that he showed up at her work at midnight and she was afraid that he would follow her home. She stated that during a phone conversation with the Adverse Party, he threatened to take her out. She stated that in March of this year, the Adverse Party pushed her and threw her down the stairs after an argument about him leaving. She stated that she thought about suicide at that time because of the seriousness of the issues between them, and was hospitalized at West Hills for one week because of it. She stated that she is still under the care of Dr. Levenson, and goes to counseling every week. The Adverse Party asked the Applicant if he ever went to her job other than the time she stated in her application to serve her custody papers. The Applicant stated that he had not, but that he had attempted to follow her home before and she was afraid he would do it again. The Adverse Party asked the Applicant if she tried to grab him and his clothes one time when they were fighting about him leaving. She stated that she did that. The Adverse Party asked the Applicant if he ever physically punched her, or kicked or slapped her. She stated that he never punched her but he has kicked and slapped her. She reiterated that he threw her down the stairs and that she is afraid of him. The Adverse Party testified that the only reason the Applicant filed for a protection order is because he filed a petition for custody of their minor child. He denies ever telling her he would take her out, and he never struck her. He said the only time he laid his hands on her was when he was trying to prevent her from blocking him from leaving. Counsel Berning asked the Adverse Party if he drained the joint account. He stated that he never did that. After consideration of the testimony, the Court granted the extension for 3 months and entered the following order.

SEE NEXT PAGE FOR ORDER

DC-9900004455-124
FV08-03338
MONICA FARRAR VS ALEXANDER F 2 Pages
District Court 10/10/2008 02:45 PM
Washoe County MTN
CST080801

TO THE ADVERSE PARTY;

YOU ARE PROHIBITED, either directly or through an agent, from threatening, physically injuring or harassing the above-named Applicant and/or minor child(ren), and from selling, damaging, destroying, giving away, or otherwise disposing of, or tampering with, any property owned by the Applicant, or in which Applicant has an interest;

YOU ARE PROHIBITED from any contact whatsoever with the Applicant, including but not limited to, in person, by telephone, through the mail, through electronic mail (e-mail), or through another person;

1. X **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from Applicant's residence located in WASHOE COUNTY, NEVADA, CONFIDENTIAL, at or any other place that Applicant may reside. YOU shall not interfere with Applicant's possession and use of residence, including utilities, phones, leases and other related residential services;

2. X The Court, having jurisdiction under and meeting the requirements of Chapter 125A of the Nevada Revised Statutes (UCCJA), grants to Applicant temporary custody of the following minor child(ren) of the parties: FALCONI
YOU ARE PROHIBITED from interfering with Applicant's custody of the minor child(ren) named in this paragraph. It is in the best interest of the child(ren) that no negative, insulting, or disparaging comments be made by one party against the other party in the presence of the minor child(ren);

3. X **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the minor child(ren)'s school, or day care, located in WASHOE COUNTY, NEVADA ☒ **CONFIDENTIAL**, at , or any other school or day care that the child(ren) may be attending;

4. X **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from Applicant's place of employment located in WASHOE COUNTY, NEVADA, ☐

RENO, or any other place that Applicant may be employed. **YOU ARE PROHIBITED** from any contact whatsoever with Applicant's place of employment, in person, by telephone, by mail, or any other means of communication;

5. X Notwithstanding other provisions of this ORDER, the following provisions and exceptions are made a part of this ORDER:

A. The Adverse Party may have telephone contact with the parties' minor child between the hours of 9:00 am until 2:00 pm. The calls are to be of reasonable length. The Adverse Party is not to discuss adult issues with the minor child, and is not to disparage the Applicant during these phone calls.

B. The Adverse Party may have email and text messaging contact with the Applicant for for the sole purpose of emergencies regarding the care and welfare of the minor child.

C. Pending order in the parties' custody case, FV08-03200, the Adverse Party's visitation shall be arranged through and supervised by Robert T. Smith until October 24, 2008. Thereafter, for the duration of this order or until further order in the custody case, the Adverse Party shall have visitation every Thursday and Friday, from 8:00 am until 5:00 pm. The Applicant is to transport the minor child to the Adverse Party's home at 8:00 am, and the child's babysitter will pick up the minor child at the Adverse Party's home at 5:00 pm.

D. The Applicant is enrolled in and encouraged to attend one domestic violence education class.