

COMPREHENSIVE TRIAL BRIEF PACKAGE

Clifford v. Mineo | Case No. 21FL004542N

Superior Court of California, County of San Diego

Prepared by: Counsel for Petitioner Courtney G. Clifford Mineo Date of Preparation:
November 2022 Status: Privileged and Confidential — Attorney Work Product

DOCUMENT ONE: MASTER EXHIBIT INDEX

Clifford v. Mineo | Case No. 21FL004542N

SECTION A: COURT FILINGS AND ORDERS

A-1 Description: Court Order dated October 31, 2022 Content: Modified visitation schedule; one visit per month in San Diego (Sunday 10:00 a.m. through Wednesday approximately 6:00 p.m.); alternating visits in Scottsdale, Arizona Source: Superior Court of California, San Diego County Relevance: Establishes baseline against which visitation compliance is measured; confirms court-ordered parenting time that Respondent repeatedly failed to exercise

A-2 Description: Income and Expense Declaration, signed August 24, 2022 Content: Respondent's sworn financial disclosure; total claimed monthly expenses of \$6,024; omits furniture (\$10,000), firearms (\$2,400), Nike payment (\$10,000), Grand Cayman income, and mother's financial contributions Source: Court filing, Case No. 21FL004542N Relevance: Foundation for financial misrepresentation claims; multiple omissions and inaccuracies documented under oath

A-3 Description: Motion filed August 24, 2022 Content: Respondent's request for modification of custody/visitation, modification of spousal support, bifurcation of marital status, Gavron warning, and work/job contacts order Source: Court filing, Case No. 21FL004542N Relevance: Establishes Respondent's affirmative litigation posture while simultaneously failing to comply with existing orders

A-4 Description: Exhibit 6 — Schedule of Assets and Debts, signed October 5, 2021 Content: Lists Bank of America Savings Account No. 3847 (closed; approximately \$14,500 transferred out April 29, 2021); Bank of America Savings Account No. 5006 (\$18,033 balance, listed as separate property); Southwest Airlines credit card (approximately \$4,500 balance); furniture at \$10,000; firearms at \$2,400; vinyl record collection listed as

“unknown” value Source: Court filing, Case No. 21FL004542N Relevance: Establishes baseline asset disclosure; inconsistencies with Income and Expense Declaration demonstrate pattern of selective financial reporting

A-5 Description: Exhibit 8 — Reply Declaration of Respondent, signed October 24, 2022 Content: Respondent’s written response to Petitioner’s Declaration; notably does not dispute visitation percentage figures set forth in Exhibit 9 Source: Court filing, Case No. 21FL004542N Relevance: Constitutes a binding admission that Respondent exercised only 11% of court-ordered time with River and 18% with Sofia during the documented period

A-6 Description: Supplemental Declaration of Respondent, signed October 20, 2022 Content: Contains statement: “Petitioner’s true intention is to assassinate my reputation publicly so that I will capitulate to her desire to remove me from our children’s lives” Source: Court filing, Case No. 21FL004542N Relevance: Demonstrates Respondent’s adversarial framing of custody proceedings; relevant to credibility and parenting attitude

A-7 Description: Exhibit 9 — Declaration of Courtney Clifford in Response and Opposition to Request for Order, filed October 20, 2022 Content: Paragraphs 5A through 5J and 6A through 6C document specific date ranges of reduced and missed visitation; Paragraphs 7 and 8 establish visitation compliance percentages (11% with River, 18% with Sofia during one period; 31% with River, 76% with Sofia during a second period) Source: Court filing, Case No. 21FL004542N Relevance: Primary evidentiary document establishing Respondent’s chronic failure to exercise court-ordered parenting time; not disputed in Respondent’s written reply

A-8 Description: Exhibit 16 — Responses to Petitioner’s Requests for Production and Inspection of Documents for Deposition, November 7, 2022 Content: Confirms 2021 personal tax returns not yet filed; confirms Cathedral Catholic employment ended early 2020; confirms Boys and Girls Club employment ended approximately March 2020; confirms Palm Heights payment of \$3,711 on August 22, 2022; confirms gifts from mother; confirms Philip Bilikoff coaching income; objects to production of One With the Ocean financial records Source: Respondent’s discovery responses Relevance: Establishes multiple undisclosed income sources and confirms refusal to produce nonprofit financial records

A-9 Description: Civil Harassment Restraining Order Application against Michael Clifford, approximately June 2021 Content: Filed by Respondent; dropped at hearing in exchange for informal agreement; no restraining order granted Source: Court filing, San Diego County Relevance: Demonstrates Respondent’s pattern of using legal filings as tactical instruments; relevant to credibility

SECTION B: FINANCIAL RECORDS AND DOCUMENTS

B-1 Description: Exhibit 7 — Payment Records from Respondent’s Attorney’s Office (Raj’s Office) Content: Shows all legal fee payments made via American Express card in the name

of Gregory R. Mineo (Respondent's father); Respondent confirmed he has never personally paid attorney's fees and does not own an American Express card Source: Respondent's attorney's office records Relevance: Directly contradicts Respondent's sworn Income and Expense Declaration, which listed attorney's fees as paid from "credit cards and personal funds"; constitutes a material misrepresentation under oath

B-2 Description: Exhibit 13 — Promissory Note, \$50,000 loan from Gregory Mineo (father) Content: Dated May 1, 2021 (three days after separation); no payments made as of deposition date; repayment does not begin until 2026 Source: Produced at deposition Relevance: Loan structured to minimize apparent assets and income; timing raises concern regarding asset concealment; \$37,500 additional payment by father to Cantor Law Group has no corresponding loan document

B-3 Description: Exhibit 14 — Earnings Statement, August 1–31, 2022 Content: Shows 16.333 hours worked and paid at \$72.12 per hour; Respondent testified he actually worked significantly more hours but was only paid for 16.333 hours Source: One With the Ocean payroll records Relevance: Demonstrates discrepancy between actual labor and reported compensation; supports argument that Respondent's true economic benefit from the nonprofit is understated

B-4 Description: Exhibit 15 — Earnings Statement, September 1–30, 2022 Content: Shows 30 hours paid; same explanation as Exhibit 14 Source: One With the Ocean payroll records Relevance: Consistent with pattern of underreporting compensation from nonprofit employment

B-5 Description: Bank Records (produced morning of deposition, November 7, 2022) Content: Covers transactions through end of October 2022; confirms Nike payment of \$10,000; Respondent could not recall the specific month of receipt Source: Respondent's personal bank accounts Relevance: Confirms undisclosed income; timing relative to August 23, 2022 Income and Expense Declaration requires forensic analysis; late production limits opposing counsel's ability to prepare

B-6 Description: Bank of America Account Records — Accounts No. 3847, No. 5006, and No. 1513 Content: Account No. 3847 closed with approximately \$14,500 transferred out on April 29, 2021 (one day after separation); Accounts No. 5006 and No. 1513 opened post-separation and received transferred funds Source: Bank of America; to be subpoenaed Relevance: Potential dissipation of community property assets; transfer timing is highly suspicious

B-7 Description: Zillow Rental Application, December 2021, for 316 A Street, Encinitas, California 92024 Content: Not produced despite document request; Respondent could not recall income represented to landlord Source: Zillow platform; to be subpoenaed from landlord Oliver Baker Relevance: Income representations to landlord likely contradict court filings; failure to produce despite request is itself significant

B-8 Description: Year-to-Date Earnings Summary through October 31, 2022 Content: Total earnings of \$66,370.16; October 2022 gross pay of \$2,289.36; prior two months both under \$2,000 Source: One With the Ocean payroll records Relevance: Establishes actual income

trajectory; inconsistent with claimed financial inability to exercise visitation or pay child support

B-9 Description: Discogs.com Sales Records — Account “Mechanic Alba” Content: Approximately 100 records sold in the two months preceding the deposition; estimated proceeds of approximately \$1,000; sales range from \$6 to \$20 per record; last sale within one week of deposition Source: Discogs.com platform; to be subpoenaed Relevance: Undisclosed income source; Respondent continues purchasing records while claiming financial hardship

B-10 Description: Grand Cayman Work Trip Payment Records Content: First trip payment of \$3,600; most recent trip payment of \$4,000; total of at least \$7,600; Emily Hammond accompanied Respondent on at least one trip Source: Palm Heights Resort; to be subpoenaed Relevance: Undisclosed or underreported income; trips coincide with missed court-ordered visitation dates; Respondent’s denial of being in Grand Cayman in August 2022 contradicts earlier testimony

B-11 Description: Vehicle Lease Credit Application, February 2022 Content: Respondent signed credit application at time of lease for hybrid electric vehicle; lease payment approximately \$500 per month; income represented on application not recalled by Respondent Source: Dealership/financing company; to be subpoenaed Relevance: Income representations on credit application may contradict court financial disclosures

B-12 Description: Nike Payment Documentation Content: \$10,000 payment to Respondent; received after August 23, 2022 Income and Expense Declaration signing per Respondent’s testimony; visible in bank records produced at deposition Source: Nike; to be subpoenaed for exact payment date Relevance: If received before or contemporaneous with Income and Expense Declaration, constitutes material omission from sworn court filing

SECTION C: MEDICAL RECORDS

C-1 Description: Sophia’s Urgent Care Records, approximately January 11, 2022 Content: Visit to urgent care at Scottsdale Links Resort area; initial diagnosis of sprain; prescription for pain medication issued Source: Urgent care facility, Scottsdale, Arizona; to be subpoenaed Relevance: Documents circumstances of injury; history provided to treating physician is relevant; mandatory reporting compliance should be verified; Respondent did not fill pain prescription

C-2 Description: Sophia’s Follow-Up Medical Records, approximately January 14–18, 2022 Content: X-ray confirmed fracture/break of leg; Respondent was in San Diego when fracture was confirmed Source: Follow-up physician, Scottsdale, Arizona; to be subpoenaed Relevance: Nature and severity of fracture; parental involvement in follow-up care; Respondent did not independently contact treating physicians after learning of fracture

C-3 Description: River’s Last Documented Medical Records, approximately April 2021 Content: Last documented medical visit when the family was still together in San Diego; River was approximately 7 months old at that time (DOB September 28, 2020); Respondent

has not taken River to a doctor since Source: Pediatric provider, San Diego; to be subpoenaed Relevance: Demonstrates Respondent's failure to engage in routine medical care for River over an approximately 18-month period

SECTION D: ARIZONA INVESTIGATION RECORDS

D-1 Description: Arizona Department of Child Services Investigation Records, approximately late January 2022 Content: DCS conducted house/hotel visit at Scottsdale Links Resort; investigation related to allegations of digital penetration of Sophia Source: Arizona DCS; to be subpoenaed Relevance: Respondent voluntarily testified about this investigation, waiving any privilege; directly relevant to child safety assessment

D-2 Description: Scottsdale Police Department Investigation Records Content: Investigation referenced by Respondent as closed; related to same allegations as DCS investigation Source: Scottsdale Police Department; to be subpoenaed Relevance: Same as D-1; Respondent's voluntary testimony waived Fifth Amendment protection

D-3 Description: Cantor Law Group Billing Records, Phoenix, Arizona Content: \$37,500 paid by Gregory Mineo on Respondent's behalf for Arizona criminal defense; no loan document exists for this payment; specific attorney was on maternity leave Source: Cantor Law Group; to be subpoenaed Relevance: Establishes Respondent retained criminal defense counsel for serious allegations; \$37,500 payment is an undisclosed financial obligation; no loan documentation means this may be a gift that affects financial picture

D-4 Description: Polygraph Test Results Content: Respondent testified he took and passed a polygraph related to molestation allegations Source: Polygraph examiner; to be identified and subpoenaed Relevance: Admissibility to be evaluated; circumstances of administration and chain of custody are relevant

SECTION E: PHOTOGRAPHIC AND VIDEO EVIDENCE

E-1 Description: Exhibit 1 — Photographs of 316 A Street, Encinitas, California Content: Exterior gate (locking mechanism present but no actual lock; photographed ajar); stairwell gate (locking mechanism present but no actual lock); backyard (pebbles, no children's play equipment; boxed toys behind shed, unopened); stairwell leading to unit Source: Photographs taken for litigation purposes Relevance: Documents safety deficiencies at proposed custodial residence; Respondent concedes toddlers could likely reach interior gate locking mechanism

E-2 Description: Video on Respondent's Phone — Sophia's Leg Injury Content: Recorded at bottom of playground slide on January 11, 2022 at 5:16 p.m.; shows Respondent looking at camera throughout; Respondent claims he saw Sophia's foot catch on slide wall "out of the corner of his eye"; video appears to contradict this claim; Respondent denies ever stating the injury occurred on a pool slide Source: Respondent's personal phone; to be formally produced and authenticated Relevance: Contradicts Respondent's account of how he

observed the injury; relevant to credibility and to the circumstances of a serious injury to a toddler in his care

SECTION F: PUBLISHED ARTICLES AND PROFESSIONAL RECORDS

F-1 Description: Exhibit 10 — Article titled “Moneo Reeling” by Michael Volpe, dated April 27, 2022 Content: Published content drawn from Respondent’s November 2021 deposition; Respondent confirmed he read it; no defamation lawsuit filed Source: Public record Relevance: Independent third-party documentation of Respondent’s public statements; Respondent’s failure to sue for defamation is relevant to the accuracy of the content

F-2 Description: Exhibit 11 — Article titled “Image is Everything: How Brian Moneo Transformed Himself into a Swimming Icon” by Michael Volpe, dated May 16, 2022 Content: Contains plagiarism accusations from swim coaches Gerry Rodriguez and Eny Jones; Respondent denied being a “swimming icon”; no defamation lawsuit filed Source: Public record Relevance: Independent professional credibility concerns; pattern of misrepresentation in professional sphere

F-3 Description: Exhibit 12 — Marketing/Bio Document, approximately 2009–2010, Dallas, Texas Content: States Respondent “swam competitively through college” (Respondent clarified this was intramural); states Respondent had “four years working as a physical therapist at some of Texas’ best hospitals” (Respondent denied ever being licensed as a physical therapist and denied writing the document but admitted seeing it 12–13 years ago without correcting it) Source: Respondent’s prior marketing materials Relevance: Establishes long-standing pattern of misrepresentation regarding professional credentials; directly relevant to overall credibility assessment

F-4 Description: LinkedIn Profile of Emily Hammond Content: Lists Hammond as “Director of Business Development, One With the Ocean”; Respondent acknowledges this is inaccurate; she was a volunteer from approximately February/March 2020 through July/August 2020 Source: LinkedIn platform; to be preserved via screenshot Relevance: Demonstrates misrepresentation of organizational structure to the public; relevant to Respondent’s credibility and the legitimacy of the nonprofit’s operations

F-5 Description: Podcast — “From Fear to Career,” January 22, 2020 Content: Respondent has vague recollection; likely discussed fear of open water and his business Source: Podcast platform; to be obtained and preserved Relevance: Public statements regarding professional background and business may contradict deposition testimony

SECTION G: COMMUNICATIONS AND APPLICATIONS

G-1 Description: Talking Parents Application Records Content: Referenced during deposition but not produced; likely contains communications regarding visitation, Sophia’s injury, and shoe size requests Source: Talking Parents platform; to be subpoenaed

Relevance: May document Respondent's communications (or lack thereof) regarding children's needs and visitation scheduling

G-2 Description: Board Approval Text Message Vote Content: Text message exchange between Angela Lee and Kari Stoeber purportedly authorizing release of pay stubs; date unknown; no written record produced Source: Angela Lee and Kari Stoeber personal devices; to be subpoenaed Relevance: Demonstrates artificial barrier to financial transparency; may reveal actual compensation structure

G-3 Description: Email Regarding Children's Removal from San Diego Content: Respondent states he received an email notifying him that Petitioner had taken the children and left; he came home to an empty house Source: Respondent's email account; to be subpoenaed and preserved Relevance: Establishes date, time, and manner of children's removal from San Diego; relevant to relocation timeline

DOCUMENT TWO: WITNESS MATRIX

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CLASSIFICATION KEY

Category I: Independent witness with no financial or personal stake in the outcome
Category II: Witness with some relationship to a party but possessing independent knowledge
Category III: Party or party-affiliated witness

INDEPENDENT WITNESSES — CATEGORY I

Witness: Oliver Baker Role: Landlord, 316 A Street, Encinitas, California 92024
Relationship to Parties: None; arms-length landlord Topics of Testimony: (1) Income representations made by Respondent on December 2021 rental application (2) Income representations made at October 2022 lease renewal (3) Condition of property, including gate mechanisms and safety features (4) Whether any childproofing modifications were requested or made (5) Whether Respondent disclosed presence of toddlers in the unit
Documents to Obtain: Rental application; lease agreement; lease renewal; any correspondence with Respondent Priority: High — rental application income representations likely contradict court filings

Witness: Michael Volpe Role: Journalist and author of Exhibits 10 and 11 Relationship to Parties: None; independent journalist Topics of Testimony: (1) Sources for factual assertions in published articles (2) Respondent's contact with Volpe regarding salary figure correction (voicemail) (3) Whether Respondent or any party paid Volpe to write articles

(Respondent's allegation) (4) Plagiarism accusations from Rodriguez and Jones and the basis for those accusations Documents to Obtain: Exhibits 10 and 11; any correspondence with Respondent; source materials Priority: Medium — relevant to credibility impeachment and professional misrepresentation pattern

Witness: Gerry Rodriguez Role: Swim coach, Los Angeles Relationship to Parties: None; independent professional Topics of Testimony: (1) Nature and specifics of plagiarism accusation against Respondent (2) What materials were allegedly plagiarized and from whom (3) Whether any formal complaint or legal action was taken Documents to Obtain: Plagiarized materials; any correspondence with Respondent or Volpe Priority: Medium — supports pattern of misrepresentation in professional sphere; relevant to credibility

Witness: Eny Jones Role: Swim coach, location unspecified Relationship to Parties: None; independent professional Topics of Testimony: (1) Same as Gerry Rodriguez above (2) Independent corroboration of plagiarism pattern Documents to Obtain: Same as Rodriguez Priority: Medium — corroborating witness for professional misrepresentation pattern

Witness: Urgent Care Physician, Scottsdale, Arizona (approximately January 11, 2022) Role: Treating physician for Sophia's leg injury Relationship to Parties: None; treating medical professional Topics of Testimony: (1) History of injury as provided by Respondent at time of visit (2) Initial diagnosis and basis for sprain determination (3) Whether mandatory reporting obligations were triggered or considered (4) Respondent's demeanor and level of concern during the visit (5) Whether pain prescription was discussed and issued Documents to Obtain: Medical records; intake forms; treatment notes; mandatory reporting documentation if any Priority: High — directly relevant to Respondent's parental judgment and credibility regarding injury account

Witness: Follow-Up Physician, Scottsdale, Arizona (approximately January 14–18, 2022) Role: Treating physician who confirmed fracture via x-ray Relationship to Parties: None; treating medical professional Topics of Testimony: (1) Nature and severity of fracture as revealed by x-ray (2) Whether fracture presentation was consistent with the described mechanism of injury (3) Parental involvement in follow-up care (4) Whether mandatory reporting was triggered Documents to Obtain: X-ray records; treatment notes; follow-up recommendations Priority: High — nature of fracture and consistency with described mechanism is critical

Witness: Philip Bilikoff Role: Private swim coaching client Relationship to Parties: None; independent client Topics of Testimony: (1) Dates and number of coaching sessions with Respondent (2) Total amount paid (\$1,400 for 15 sessions at \$100 per hour) (3) Whether any formal contract or receipt was provided (4) Dates of sessions relative to court-ordered visitation periods Documents to Obtain: Payment records; any written agreements Priority: Medium — establishes undisclosed income source; may reveal scheduling conflicts with visitation

Witness: Palm Heights Resort Representative (Grand Cayman) Role: Contract employer for Respondent's work trips Relationship to Parties: None; independent business entity Topics of Testimony: (1) Dates of Respondent's work trips (April, August, and November 2022; possible June 2022) (2) Compensation paid (\$3,600 first trip; \$4,000 most recent trip) (3)

Whether accommodations and travel were provided (4) Whether Emily Hammond was present and whether her expenses were covered (5) Nature of services performed Documents to Obtain: Contracts; payment records; travel and accommodation records; correspondence Priority: High — establishes undisclosed income and confirms trips coinciding with missed visitation

Witness: Village Runner Representative (Swim the Avenues Race) Role: Race organizer; paid Respondent for swim coaching services Relationship to Parties: None; independent organization Topics of Testimony: (1) Compensation paid to Respondent for three of four years (estimated \$3,000–\$4,000 per year) (2) Whether 1099 or W-2 was issued (3) Dates of engagement Documents to Obtain: Payment records; any contracts or correspondence Priority: Medium — establishes additional undisclosed income

Witness: Angela Lee Role: Board member, One With the Ocean Relationship to Parties: Category II — connected to Respondent through nonprofit but no personal or financial stake in custody outcome Topics of Testimony: (1) Respondent's actual compensation structure and total economic benefit from the nonprofit (2) Business meals and gas expenses paid by the nonprofit on Respondent's behalf (3) The text message board vote authorizing pay stub disclosure (4) Respondent's actual hours worked versus hours for which he is paid (5) Financial condition of One With the Ocean (6) Connection to Kupanda Kids organization Documents to Obtain: Board meeting records; text message vote; financial records; compensation records Priority: High — key witness on financial opacity; text message vote is a critical document

Witness: Kari Stoeber Role: Board member, One With the Ocean Relationship to Parties: Category II — same as Angela Lee Topics of Testimony: Same as Angela Lee Documents to Obtain: Same as Angela Lee Priority: High — corroborating witness on nonprofit finances

Witness: Anson E. Nguyen Role: Board member, One With the Ocean Relationship to Parties: Category II — same as Angela Lee Topics of Testimony: Same as Angela Lee Documents to Obtain: Same as Angela Lee Priority: Medium — additional corroboration

Witness: Unnamed Female Friend Present During Michael Clifford Incident Role: Eyewitness to confrontation; filmed the incident; phone was seized Relationship to Parties: Described as a "mid-50s woman"; no identified stake in custody outcome Topics of Testimony: (1) What she observed during the confrontation with Michael Clifford (2) What her phone footage captured before seizure (3) Whether her phone was returned and whether footage is recoverable Documents to Obtain: Any recovered footage; police report if filed Priority: Medium — relevant to credibility of Respondent's account of the Clifford confrontation

Witness: Greg Lucic Role: Court reporter/notary present at November 7, 2022 deposition Relationship to Parties: None; neutral officer of record Topics of Testimony: (1) Certification of deposition transcript (2) Circumstances of deposition suspension Documents to Obtain: Certified transcript; reporter's notes Priority: Administrative — necessary for transcript authentication

PARTY-AFFILIATED WITNESSES — CATEGORY III

Witness: Emily Hammond Role: Respondent's girlfriend; present at residence approximately two nights per week; accompanied Respondent to Grand Cayman Relationship to Parties: Personal relationship with Respondent; no financial stake in case outcome Topics of Testimony: (1) Living arrangements at 316 A Street and frequency of overnight stays (2) Children's environment and safety conditions during visits (3) Respondent's parenting conduct during visits (4) Grand Cayman trip details, dates, and who paid for her expenses (5) Her role at One With the Ocean (volunteer versus Director of Business Development) Documents to Obtain: Travel records; any communications with Respondent regarding children Priority: Medium — her testimony may corroborate or contradict Respondent's account of the home environment and travel

Witness: Gregory Mineo (Respondent's Father) Role: Financial supporter; paid \$50,000 loan and \$37,500 in Arizona legal fees Relationship to Parties: Respondent's father; financial stake in loan repayment Topics of Testimony: (1) Terms and circumstances of \$50,000 promissory note dated May 1, 2021 (2) Whether the \$37,500 Cantor Law Group payment was a loan or a gift (3) Whether any other financial support has been provided (4) American Express card payments for Respondent's attorney's fees Documents to Obtain: Promissory note (Exhibit 13); American Express records; any documentation of \$37,500 payment Priority: High — financial support structure is central to income and asset analysis

DOCUMENT THREE: CHRONOLOGY OF KEY EVENTS

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PRE-SEPARATION PERIOD

Approximately 2009–2010 Event: Respondent's marketing/bio document circulated in Dallas, Texas, falsely describing him as having "four years working as a physical therapist at some of Texas' best hospitals" and as having "swam competitively through college" Significance: Establishes earliest documented instance of professional misrepresentation; Respondent saw the document and did not correct it

Approximately 2013 Event: Respondent trained for approximately 18 months to swim the English Channel; did not complete due to first divorce Significance: Background context for professional swimming identity; relevant to credibility of professional credentials

January 22, 2020 Event: Respondent appeared on podcast "From Fear to Career"; discussed fear of open water and his business Significance: Public statements regarding professional background; to be obtained and compared against deposition testimony

Approximately February/March 2020 through July/August 2020 Event: Emily Hammond served as a volunteer for One With the Ocean; her LinkedIn profile listed her as “Director of Business Development” from this period onward Significance: Misrepresentation of organizational structure to the public; Respondent acknowledged the LinkedIn description was inaccurate

Approximately 2019–Early 2020 Event: Respondent coached swimming at Cathedral Catholic High School Significance: Income source; Respondent voluntarily discontinued this position because it “wasn’t something I loved”

Approximately March 2020 Event: Respondent’s employment at Boys and Girls Club ended Significance: Loss of guaranteed income source; relevant to financial trajectory

May 13, 2019 Event: Sofia (Sophia) born Significance: Establishes Sofia’s age at all relevant events; she was approximately 2 years and 8 months old at the time of her leg injury in January 2022 in January 2022, and approximately 3 years and 6 months old at the time of the November 2022 deposition

September 28, 2020 Event: River born Significance: Establishes River’s age at all relevant events; he was approximately 7 months old at the time of the parties’ separation in April 2021; approximately 12 to 13 months old when Petitioner relocated to Scottsdale, Arizona in October 2021; and approximately 2 years and 1 month old at the time of the November 2022 deposition. River was still breastfeeding during the initial visitation period, which Respondent cited as a reason for not exercising overnight parenting time with River

SEPARATION AND INITIAL PROCEEDINGS

April 28, 2021 Event: Parties separated Significance: Commencement of the relevant period for financial and custody analysis

April 29, 2021 Event: Respondent transferred approximately \$14,500 from Bank of America Savings Account No. 3847 (community property) to newly opened personal accounts (No. 5006 and No. 1513) Significance: Transfer occurred one day after separation; potential dissipation of community property; forensic accounting recommended

May 1, 2021 Event: Respondent executed \$50,000 promissory note with father Gregory Mineo; no payments made; repayment does not begin until 2026 Significance: Loan dated three days after separation; structured to minimize apparent assets; timing is highly suspicious

April 28, 2021 through August 12, 2021 Event: Respondent paid no voluntary child support Significance: Approximately 3.5-month period of zero voluntary support at the outset of separation

Approximately April through August 2021 Event: Respondent filed zero ex parte applications to obtain visitation in Redding; instead filed to have children returned to San

Diego Significance: Contradicts Respondent's claim that he desperately wanted time with his children; demonstrates passive approach to parenting time enforcement

Approximately June 2021 Event: Respondent filed civil harassment restraining order application against Michael Clifford (Petitioner's father); dropped at hearing in exchange for informal agreement; no restraining order granted Significance: Demonstrates use of legal filings as tactical instruments; relevant to credibility

November 2, 2021 Event: Respondent deposed as person most knowledgeable for One With the Ocean Significance: Prior sworn testimony; basis for journalist Michael Volpe's subsequent articles

Thanksgiving 2021 Event: Respondent traveled to St. Martin; accommodations paid by third party Significance: Discretionary travel during period of claimed financial hardship; relevant to financial credibility

December 2021 Event: Respondent submitted Zillow rental application for 316 A Street, Encinitas, California 92024; income represented on application not recalled; application not produced despite document request Significance: Income representations to landlord likely contradict court filings

January 2022 Event: Respondent moved into 316 A Street, Encinitas, California 92024 Significance: Residence not set up for overnight visits until the week of the November 2022 deposition despite move-in date of January 2022

January 31, 2022 Event: Court order established overnights to begin Significance: Baseline date for overnight visitation compliance; first overnight did not occur until August 29, 2022 — a seven-month gap

SOPHIA'S INJURY AND ARIZONA INVESTIGATION

January 11, 2022 at 5:16 p.m. Event: Sophia sustained leg injury at Scottsdale Links Resort playground (slide incident); video recorded by Respondent at bottom of slide; Respondent's first call was to Petitioner, not to emergency services; Respondent waited up to 30 minutes for Petitioner to answer before taking action; Sophia was taken to urgent care; initial diagnosis was sprain; pain prescription issued Significance: Respondent's first response to a child in severe pain (8–9 out of 10 pain level) was to call the other parent rather than seek immediate medical attention; Respondent did not fill pain prescription; video contradicts Respondent's claim that he observed the injury peripherally

Approximately January 14–18, 2022 Event: Follow-up x-ray confirmed fracture/break of Sophia's leg; Respondent was in San Diego when fracture was confirmed; Petitioner informed him by phone; Respondent did not independently contact treating physicians Significance: Respondent returned to San Diego after the urgent care visit, forfeiting remaining court-ordered visitation time; did not follow up on his daughter's confirmed fracture

Approximately Late January 2022 Event: Arizona DCS conducted investigation; house/hotel visit at Scottsdale Links Resort; allegations of digital penetration of Sophia
Significance: Serious child safety allegations; Respondent retained Arizona criminal defense counsel; DCS investigation and Scottsdale Police investigation both referenced

February 2022 Event: Respondent leased new hybrid electric vehicle; lease payment approximately \$500 per month; income represented on credit application not recalled
Significance: New vehicle lease during period of claimed financial hardship and non-payment of child support

April 27, 2022 Event: Michael Volpe published

DOCUMENT FOUR: CREDIBILITY AND IMPEACHMENT BINDER

Clifford v. Mineo | Case No. 21FL004542N

Superior Court of California, County of San Diego

Prepared by: Counsel for Petitioner Courtney G. Clifford Mineo Date of Preparation: November 2022 Status: Privileged and Confidential — Attorney Work Product

PREFATORY NOTE

This binder is organized to assist trial counsel in systematically impeaching the credibility of Respondent Bryan Richard Mineo. The impeachment points documented herein are drawn from Respondent's sworn deposition testimony of November 7, 2022, his prior deposition testimony of November 2, 2021, his sworn court filings, and the documentary record produced in discovery. Each entry identifies the specific false or misleading statement, the contradicting evidence, and the exhibit or source to be used at trial.

The cumulative weight of these inconsistencies is as significant as any individual point. Counsel is encouraged to present these not merely as isolated errors but as a coherent pattern demonstrating that Respondent's relationship with the truth is selective, strategic, and self-serving. Where Respondent's misrepresentations touch on financial matters, they bear directly on child support, spousal support, and the court's ability to make informed orders. Where they touch on parenting, they bear directly on the best interests of River and Sofia.

PART ONE: FINANCIAL MISREPRESENTATIONS

Category 1-A: Undisclosed and Minimized Income Sources

Impeachment Point 1-A-1: Failure to Disclose Palm Heights Contract Income on Income and Expense Declaration

Statement Made by Respondent: Respondent's Income and Expense Declaration, signed under penalty of perjury on August 24, 2022 (Exhibit A-2), omits any reference to income received from Palm Heights resort in Grand Cayman.

Contradicting Evidence: In his deposition testimony of November 7, 2022, Respondent admitted to two paid contract engagements with Palm Heights: one in early August 2022 and one from approximately November 1 through 6, 2022. He further admitted to an April 2022 trip to Palm Heights during which the resort paid for his flights, hotel accommodations, and food. Respondent's own discovery responses (Exhibit A-8) confirm a Palm Heights payment of \$3,711 on August 22, 2022.

The Income and Expense Declaration was signed on August 24, 2022, two days after the confirmed \$3,711 payment was received. The omission of this income from a sworn financial disclosure filed two days after receipt is not an oversight. It is a deliberate misrepresentation.

Exhibits and Sources: - Exhibit A-2: Income and Expense Declaration, August 24, 2022 - Exhibit A-8: Responses to Requests for Production, November 7, 2022 (confirming \$3,711 Palm Heights payment, August 22, 2022) - Deposition Transcript, November 7, 2022, approximately 4:38 through 7:08

Significance: Respondent signed a sworn declaration two days after receiving a \$3,711 payment and did not disclose it. This is not a failure of memory. This is a deliberate omission from a document filed under penalty of perjury for the purpose of minimizing his apparent income in a proceeding where child support and spousal support are at issue.

Impeachment Point 1-A-2: Failure to Disclose Grand Cayman Income as a Recurring Source

Statement Made by Respondent: When asked about his employment and income sources, Respondent initially identified only One With the Ocean, the YMCA, and private swim coaching under the name Swim Mechanic. He did not volunteer the Palm Heights relationship until specifically asked about contract work. Even then, he characterized it as a one-time appearance.

Contradicting Evidence: Respondent's own testimony reveals three separate engagements with Palm Heights in 2022 alone: April (development trip, accommodations paid), August (paid contract), and late October through early November (paid contract). This is not a one-time contract. It is an ongoing professional relationship with an international resort client. The failure to disclose this relationship on the Income and Expense Declaration, and the failure to volunteer it when asked about income sources, reflects a pattern of strategic omission.

Exhibits and Sources: - Exhibit A-2: Income and Expense Declaration, August 24, 2022 - Exhibit A-8: Discovery Responses, November 7, 2022 - Deposition Transcript, November 7, 2022, approximately 4:38 through 7:08

Impeachment Point 1-A-3: Failure to Disclose Philip Bilikoff Coaching Income

Statement Made by Respondent: Respondent's Income and Expense Declaration does not reference income received from Philip Bilikoff for coaching services.

Contradicting Evidence: Respondent's own discovery responses (Exhibit A-8) confirm that he received coaching income from Philip Bilikoff. This income was not disclosed on the sworn Income and Expense Declaration filed August 24, 2022.

Exhibits and Sources: - Exhibit A-2: Income and Expense Declaration, August 24, 2022 - Exhibit A-8: Discovery Responses, November 7, 2022

Impeachment Point 1-A-4: Failure to Disclose Mother's Financial Contributions

Statement Made by Respondent: Respondent's Income and Expense Declaration does not disclose regular financial contributions from his mother as a source of funds available to him.

Contradicting Evidence: Respondent's own discovery responses (Exhibit A-8) confirm that he receives gifts from his mother. Under California law, regular financial contributions from a family member that enable a party to meet living expenses are relevant to the court's assessment of that party's actual financial circumstances and ability to pay support. The omission of this source from a sworn financial disclosure is misleading.

Exhibits and Sources: - Exhibit A-2: Income and Expense Declaration, August 24, 2022 - Exhibit A-8: Discovery Responses, November 7, 2022

Impeachment Point 1-A-5: Omission of Furniture Value from Income and Expense Declaration

Statement Made by Respondent: Respondent's Income and Expense Declaration (Exhibit A-2) omits furniture as an asset.

Contradicting Evidence: Respondent's own Schedule of Assets and Debts, signed October 5, 2021 (Exhibit A-4), lists furniture at a value of \$10,000. The furniture did not disappear between October 2021 and August 2022. Its omission from the later sworn declaration is inconsistent with the earlier sworn disclosure.

Exhibits and Sources: - Exhibit A-2: Income and Expense Declaration, August 24, 2022 - Exhibit A-4: Schedule of Assets and Debts, October 5, 2021

Impeachment Point 1-A-6: Omission of Firearms from Income and Expense Declaration

Statement Made by Respondent: Respondent's Income and Expense Declaration (Exhibit A-2) omits firearms as an asset.

Contradicting Evidence: Respondent's Schedule of Assets and Debts (Exhibit A-4) lists firearms at a value of \$2,400. As with the furniture, no explanation has been offered for the disappearance of this asset from the later sworn disclosure.

Exhibits and Sources: - Exhibit A-2: Income and Expense Declaration, August 24, 2022 - Exhibit A-4: Schedule of Assets and Debts, October 5, 2021

Note for Trial Counsel: The presence of undisclosed firearms in a household where minor children visit is independently relevant to child safety and should be addressed in that section of this binder as well. See Part Four, below.

Impeachment Point 1-A-7: Omission of Nike Payment from Income and Expense Declaration

Statement Made by Respondent: Respondent's Income and Expense Declaration does not disclose a \$10,000 payment from Nike.

Contradicting Evidence: The existing brief context establishes that a \$10,000 Nike payment was omitted from the Income and Expense Declaration. This is a substantial sum that, if received in proximity to the filing date, would be directly material to the court's assessment of Respondent's financial circumstances.

Exhibits and Sources: - Exhibit A-2: Income and Expense Declaration, August 24, 2022 - To be supplemented with documentary evidence of Nike payment upon production

Impeachment Point 1-A-8: Refusal to Produce One With the Ocean Financial Records

Statement Made by Respondent: Respondent claims to be employed solely as president of One With the Ocean, with no other employees, and that this is his primary employment.

Contradicting Evidence: Respondent's discovery responses (Exhibit A-8) reflect that he objected to production of One With the Ocean financial records. A party who claims an organization as his primary source of income and professional identity, but who refuses to produce that organization's financial records in a proceeding where his income is directly at issue, invites the inference that those records would be unfavorable to him.

Exhibits and Sources: - Exhibit A-8: Discovery Responses, November 7, 2022 - Deposition Transcript, November 7, 2022, approximately 2:30 through 2:55

Category 1-B: Asset Concealment and Transfer

Impeachment Point 1-B-1: Bank of America Account No. 3847 — Transfer of Approximately \$14,500

Statement Made by Respondent: Respondent's Schedule of Assets and Debts (Exhibit A-4) lists Bank of America Savings Account No. 3847 as closed, with approximately \$14,500 transferred out on April 29, 2021.

Contradicting Evidence: The transfer occurred on April 29, 2021, in close temporal proximity to the initiation of dissolution proceedings. The destination of these funds has not been adequately accounted for. The transfer of \$14,500 from a disclosed account shortly before or during dissolution proceedings, without documentation of where those funds went, is a red flag for asset concealment that warrants examination at trial.

Exhibits and Sources: - Exhibit A-4: Schedule of Assets and Debts, October 5, 2021 - To be supplemented with bank records upon production

Impeachment Point 1-B-2: Vinyl Record Collection Listed as "Unknown" Value

Statement Made by Respondent: Respondent's Schedule of Assets and Debts (Exhibit A-4) lists his vinyl record collection as having an "unknown" value.

Contradicting Evidence: A vinyl record collection is a tangible asset with an ascertainable market value. Listing it as "unknown" rather than obtaining even a rough estimate is inconsistent with the obligation to make a good-faith disclosure of assets. This is particularly notable given that Respondent was able to assign specific dollar values to other personal property such as furniture (\$10,000) and firearms (\$2,400).

Exhibits and Sources: - Exhibit A-4: Schedule of Assets and Debts, October 5, 2021

Category 1-C: Tax Filing Non-Compliance

Impeachment Point 1-C-1: 2021 Personal Tax Returns Not Filed as of November 2022

Statement Made by Respondent: Respondent has not filed his 2021 personal income tax returns as of the date of his deposition, November 7, 2022.

Contradicting Evidence: Respondent's own discovery responses (Exhibit A-8) confirm that his 2021 personal tax returns had not been filed. The filing deadline for 2021 returns was April 15, 2022, with an extension deadline of October 17, 2022. As of the deposition date, both deadlines had passed. The failure to file tax returns is relevant to the court's ability to assess Respondent's actual income and is consistent with the broader pattern of financial opacity documented throughout this binder.

Exhibits and Sources: - Exhibit A-8: Discovery Responses, November 7, 2022

PART TWO: EMPLOYMENT AND PROFESSIONAL CREDENTIAL MISREPRESENTATIONS

Category 2-A: Misrepresentation of Employment History

Impeachment Point 2-A-1: Cathedral Catholic Employment — Termination Date and Circumstances

Statement Made by Respondent: Respondent's discovery responses (Exhibit A-8) confirm that his employment at Cathedral Catholic ended in early 2020.

Contradicting Evidence: The circumstances of the termination of Respondent's employment at Cathedral Catholic have not been fully disclosed. The fact that this employment ended, combined with the subsequent end of his Boys and Girls Club employment approximately March 2020, raises questions about the circumstances surrounding both terminations that should be explored at trial. Respondent's failure to address these terminations in his financial disclosures, and his characterization of his employment history in court filings, should be examined in light of this timeline.

Exhibits and Sources: - Exhibit A-8: Discovery Responses, November 7, 2022

Impeachment Point 2-A-2: Boys and Girls Club Employment — Termination Approximately March 2020

Statement Made by Respondent: Respondent's discovery responses confirm that his employment at the Boys and Girls Club ended approximately March 2020.

Contradicting Evidence: Two institutional employment positions ending within months of each other in early 2020, followed by a transition to self-employment and nonprofit leadership, is a pattern that warrants examination. The circumstances of these terminations are relevant to Respondent's professional credibility and to the court's assessment of whether his current income situation reflects genuine limitation or strategic positioning.

Exhibits and Sources: - Exhibit A-8: Discovery Responses, November 7, 2022

Impeachment Point 2-A-3: Inconsistency Regarding One With the Ocean Staffing

Statement Made by Respondent: In his deposition of November 7, 2022, Respondent testified that there are no other employees at One With the Ocean and that he is the only paid employee. He specifically denied having a director of business development.

Contradicting Evidence: Deposing counsel asked specifically whether Respondent had a director of business development at One With the Ocean, suggesting that counsel possessed information indicating such a position existed. Respondent's flat denial should be tested against any documentary evidence, website representations, or communications that reference a director of business development or any other staff member at the organization.

Exhibits and Sources: - Deposition Transcript, November 7, 2022, approximately 2:41 through 2:53 - To be supplemented with One With the Ocean organizational records, website archives, and communications upon production

Impeachment Point 2-A-4: Evasiveness Regarding Swim Coaching Income Disclosure

Statement Made by Respondent: When asked about his employment, Respondent initially described himself as working for One With the Ocean, doing freelance work under his own name, and working for the YMCA approximately 60 hours per month. He did not initially mention private swim coaching under the name Swim Mechanic.

Contradicting Evidence: When pressed, Respondent acknowledged that Swim Mechanic is a name he uses for private swim coaching and that he gives 8 to 16 one-hour sessions per month. He also acknowledged giving swim instruction in Los Angeles County, which he had not previously disclosed in the deposition. The pattern of requiring specific prompting to disclose each income source, rather than volunteering a complete picture, is consistent with the broader pattern of financial opacity documented throughout this binder.

Exhibits and Sources: - Deposition Transcript, November 7, 2022, approximately 2:55 through 8:53 - Exhibit A-2: Income and Expense Declaration, August 24, 2022

PART THREE: PARENTING MISREPRESENTATIONS AND FAILURES

Category 3-A: Visitation Non-Compliance

Impeachment Point 3-A-1: Failure to Exercise Court-Ordered Parenting Time — River

Statement Made by Respondent: Respondent filed a motion on August 24, 2022 (Exhibit A-3) seeking modification of custody and visitation, presenting himself as an engaged parent seeking greater involvement with his children.

Contradicting Evidence: Petitioner's Declaration (Exhibit A-7) documents that Respondent exercised only 11 percent of court-ordered parenting time with River during one documented period, and only 31 percent during a second documented period. Respondent's own Reply Declaration (Exhibit A-5), signed October 24, 2022, does not dispute these percentages. Under California Evidence Code section 1278 and general

principles of party admissions, Respondent's failure to deny these figures in his written reply constitutes an admission.

A parent who exercises 11 percent of his court-ordered time with a child, and then files a motion seeking more time, presents a fundamental credibility problem. The motion itself, filed while Respondent was chronically absent from his children's lives, is evidence of litigation strategy rather than genuine parental concern.

Exhibits and Sources: - Exhibit A-3: Motion filed August 24, 2022 - Exhibit A-5: Reply Declaration of Respondent, October 24, 2022 - Exhibit A-7: Declaration of Courtney Clifford, October 20, 2022, paragraphs 5A through 5J and 7

Impeachment Point 3-A-2: Failure to Exercise Court-Ordered Parenting Time — Sofia

Statement Made by Respondent: Same as above. Respondent's motion presents him as an engaged parent seeking greater involvement.

Contradicting Evidence: Petitioner's Declaration (Exhibit A-7) documents that Respondent exercised only 18 percent of court-ordered parenting time with Sofia during one documented period, and 76 percent during a second period. Again, Respondent's Reply Declaration (Exhibit A-5) does not dispute these figures.

The disparity between the two periods — 18 percent rising to 76 percent — is itself significant. It suggests that Respondent's level of engagement with his children is variable and responsive to litigation pressure rather than reflecting a consistent parental commitment.

Exhibits and Sources: - Exhibit A-3: Motion filed August 24, 2022 - Exhibit A-5: Reply Declaration of Respondent, October 24, 2022 - Exhibit A-7: Declaration of Courtney Clifford, October 20, 2022, paragraphs 5A through 5J and 8

Impeachment Point 3-A-3: Filing for More Time While Failing to Use Existing Time

Statement Made by Respondent: Respondent's August 24, 2022 motion (Exhibit A-3) requests modification of custody and visitation, implicitly representing that he desires and would use additional parenting time.

Contradicting Evidence: The court order in effect at the time of the motion (Exhibit A-1) provided Respondent with substantial parenting time. The documented visitation percentages establish that Respondent was not using the time he already had. A party who fails to exercise existing court-ordered parenting time, and who simultaneously seeks more time through litigation, presents a credibility problem that goes to the heart of his stated motivations. The court should consider whether the motion was filed in the children's interests or as a litigation tactic to reduce support obligations.

Exhibits and Sources: - Exhibit A-1: Court Order, October 31, 2022 - Exhibit A-3: Motion filed August 24, 2022 - Exhibit A-7: Declaration of Courtney Clifford, October 20, 2022

Category 3-B: Adversarial Framing of Custody Proceedings

Impeachment Point 3-B-1: Characterization of Petitioner's Conduct as "Assassination" of Reputation

Statement Made by Respondent: In his Supplemental Declaration of October 20, 2022 (Exhibit A-6), Respondent stated: "Petitioner's true intention is to assassinate my reputation publicly so that I will capitulate to her desire to remove me from our children's lives."

Contradicting Evidence: This statement is relevant to credibility and parenting judgment on multiple levels. First, it demonstrates that Respondent frames this litigation in terms of his own reputation rather than the welfare of his children. Second, it attributes bad faith to Petitioner without evidentiary support, which is a pattern consistent with Respondent's broader approach of deflecting accountability. Third, the use of inflammatory language in a sworn court filing reflects poor judgment that is relevant to the court's assessment of Respondent's temperament and fitness as a co-parent.

Exhibits and Sources: - Exhibit A-6: Supplemental Declaration of Respondent, October 20, 2022

Category 3-C: Use of Legal Process as a Tactical Instrument

Impeachment Point 3-C-1: Civil Harassment Restraining Order Against Michael Clifford — Filed and Dropped

Statement Made by Respondent: Respondent filed a civil harassment restraining order application against Michael Clifford in approximately June 2021 (Exhibit A-9).

Contradicting Evidence: The restraining order application was dropped at the hearing in exchange for an informal agreement. No restraining order was granted. The filing and subsequent abandonment of a civil harassment restraining order application is consistent with a pattern of using legal filings as tactical instruments rather than as genuine remedies for genuine harm. This pattern, viewed alongside the August 2022 motion seeking custody modification while Respondent was exercising minimal parenting time, supports the inference that Respondent uses litigation strategically rather than in good faith.

Exhibits and Sources: - Exhibit A-9: Civil Harassment Restraining Order Application, approximately June 2021

PART FOUR: CHILD SAFETY CONCERNS

Category 4-A: Undisclosed Firearms in the Household

Impeachment Point 4-A-1: Firearms Disclosed in 2021 but Omitted from 2022 Financial Declaration

Statement Made by Respondent: Respondent's Income and Expense Declaration of August 24, 2022 (Exhibit A-2) does not disclose firearms as assets.

Contradicting Evidence: Respondent's Schedule of Assets and Debts of October 5, 2021 (Exhibit A-4) lists firearms valued at \$2,400. The omission of these firearms from the later sworn declaration raises two distinct concerns. First, as addressed in Part One above, it is a financial misrepresentation. Second, and independently, the presence of firearms in a household where minor children exercise parenting time is a child safety issue that the court must address regardless of the financial disclosure implications.

If the firearms remain in Respondent's possession and are present in his home during parenting time visits, the court should inquire into storage practices, accessibility to children, and whether appropriate safety measures are in place. Respondent's failure to disclose these assets in his most recent sworn filing suggests either that he disposed of them without accounting for the proceeds, or that he deliberately omitted them. Neither explanation is satisfactory.

Exhibits and Sources: - Exhibit A-2: Income and Expense Declaration, August 24, 2022 - Exhibit A-4: Schedule of Assets and Debts, October 5, 2021

Category 4-B: International Travel During Parenting Time Periods

Impeachment Point 4-B-1: Travel to Grand Cayman During Periods When Parenting Time Was Already Underutilized

Statement Made by Respondent: Respondent testified to traveling to Grand Cayman in April 2022, August 2022, and late October through early November 2022 for Palm Heights engagements.

Contradicting Evidence: These travel dates should be cross-referenced against the parenting time calendar documented in Exhibit A-7. If any of these international trips occurred during periods when Respondent was scheduled to exercise parenting time with River or Sofia, they would constitute additional evidence of Respondent prioritizing personal and professional activities over his obligations to his children. The April 2022 trip, in particular, which Respondent described as a development trip for which he was not paid but for which Palm Heights covered all expenses, warrants scrutiny as to whether it was disclosed to Petitioner and whether it affected scheduled parenting time.

Exhibits and Sources: - Deposition Transcript, November 7, 2022, approximately 4:38 through 7:08 - Exhibit A-7: Declaration of Courtney Clifford, October 20, 2022 - To be supplemented with travel records and parenting time calendar

PART FIVE: PATTERNS OF EVASION AND DECEPTION

Category 5-A: Systematic Evasiveness Under Oath

Impeachment Point 5-A-1: Pattern of Claiming Inability to Recall

Statement Made by Respondent: Throughout his November 7, 2022 deposition, Respondent repeatedly claimed inability to recall specific dates, events, and details. Examples include: “I don’t recall, but I have in the past, yes” (regarding swim instruction in Los Angeles County); “I don’t remember the dates” (regarding Palm Heights August engagement); “I can’t remember the dates of everything very well” (regarding Los Angeles swim instruction); and “I can’t remember everything. I don’t recall” (regarding whether he had told any lies since his prior deposition).

Contradicting Evidence: Respondent’s claimed memory failures are selective. He was able to recall with specificity the dates of his Palm Heights November engagement (November 1 through 6), his monthly YMCA hours (approximately 60 hours per month), his private coaching session frequency (8 to 16 sessions per month), and his current rent (\$3,600 per month). The pattern of recalling information favorable to him while claiming inability to recall information that might be unfavorable is a recognized indicator of evasive testimony rather than genuine memory limitation.

When asked directly whether he had a recall issue or memory problem, Respondent denied it. He also denied having had it checked out. A witness who denies a memory problem but repeatedly claims inability to recall inconvenient facts is not credible on those claims of non-recollection.

Exhibits and Sources: - Deposition Transcript, November 7, 2022, approximately 2:14 through 2:28 (lies since prior deposition) - Deposition Transcript, November 7, 2022, approximately 8:29 through 9:11 (Los Angeles swim instruction and memory) - Deposition Transcript, November 7, 2022, approximately 5:13 through 5:17 (Palm Heights August dates)

Impeachment Point 5-A-2: Equivocal Response to Question About Prior Lies

Statement Made by Respondent: When asked whether he had told any lies since his prior deposition of November 2, 2021, Respondent answered: “Not that I can recall.” When pressed on what that meant, he said: “I don’t remember.” When asked why not, he said: “I can’t remember everything.”

Contradicting Evidence: This exchange is significant for two reasons. First, the question was simple: have you told any lies? A truthful person who had not lied would answer no. Respondent's equivocal answer — "not that I can recall" — leaves open the possibility that he had lied but could not remember doing so. Second, when pressed, Respondent retreated to a claim of general inability to remember, which is inconsistent with his demonstrated ability to recall specific facts throughout the same deposition. This exchange should be used at trial to establish the baseline of Respondent's credibility before the court.

Exhibits and Sources: - Deposition Transcript, November 7, 2022, approximately 2:14 through 2:28

Impeachment Point 5-A-3: Incremental Disclosure of Income Sources Requiring Specific Prompting

Statement Made by Respondent: When asked about his employment, Respondent disclosed his income sources incrementally, each time requiring specific prompting from deposing counsel. He initially omitted the YMCA, then omitted Swim Mechanic private coaching, then omitted Palm Heights, then omitted Los Angeles swim instruction.

Contradicting Evidence: A witness who is forthcoming about his income would provide a complete answer when asked about his employment. Respondent's pattern of disclosing each income source only when specifically asked, and then only to the extent directly asked, is consistent with a deliberate strategy of minimizing disclosed income rather than a good-faith effort to answer completely. This pattern mirrors the omissions in his sworn Income and Expense Declaration and supports the inference that both the deposition testimony and the sworn filing reflect a consistent strategy of financial concealment.

Exhibits and Sources: - Deposition Transcript, November 7, 2022, approximately 2:30 through 8:53 - Exhibit A-2: Income and Expense Declaration, August 24, 2022

Category 5-B: Litigation Conduct Reflecting Credibility Issues

Impeachment Point 5-B-1: Simultaneous Pursuit of Litigation Advantages While Failing to Meet Existing Obligations

Statement Made by Respondent: Respondent's August 24, 2022 motion (Exhibit A-3) seeks modification of custody and visitation, modification of spousal support, bifurcation of marital status, a Gavron warning, and a work and job contacts order — a comprehensive litigation offensive.

Contradicting Evidence: At the time this motion was filed, Respondent was exercising a fraction of his existing court-ordered parenting time, had not filed his 2021 tax returns, had omitted multiple income sources from his sworn financial disclosure, and had received a \$3,711 payment from Palm Heights two days before signing the Income and Expense

Declaration that did not disclose it. The contrast between Respondent's aggressive litigation posture and his failure to meet his existing obligations — both financial and parental — is itself evidence of the strategic rather than good-faith nature of his litigation conduct.

Exhibits and Sources: - Exhibit A-3: Motion filed August 24, 2022 - Exhibit A-2: Income and Expense Declaration, August 24, 2022 - Exhibit A-7: Declaration of Courtney Clifford, October 20, 2022 - Exhibit A-8: Discovery Responses, November 7, 2022

PART SIX: SUMMARY OF PATTERNS

The impeachment points documented in this binder are not isolated incidents. They reflect three consistent patterns that the court should consider in assessing Respondent's credibility as a whole.

The first pattern is financial opacity. Respondent has consistently disclosed the minimum financial information required and has omitted, minimized, or obscured income sources, assets, and financial relationships in every sworn financial document he has filed. The omissions are not random. They uniformly favor Respondent's litigation position on support. The consistency of this pattern across multiple documents and multiple time periods supports the inference that the omissions are deliberate.

The second pattern is selective engagement with parental obligations. Respondent exercised a small fraction of his court-ordered parenting time during the documented periods, traveled internationally on multiple occasions, and simultaneously filed litigation seeking more parenting time and reduced support. His engagement with his children appears to be responsive to litigation pressure rather than reflecting a consistent parental commitment. His characterization of Petitioner's conduct in inflammatory terms in sworn filings further reflects a litigation orientation rather than a child-centered one.

The third pattern is evasiveness under oath. Respondent's deposition testimony reflects a consistent strategy of disclosing information only when directly asked, claiming inability to recall inconvenient facts while demonstrating clear recall of favorable ones, and providing equivocal answers to direct questions. His opening answer to the question of whether he had told any lies — "not that I can recall" — set the tone for a deposition characterized by strategic vagueness rather than candor.

These three patterns, taken together, establish that Respondent's credibility is fundamentally compromised. The court should approach his testimony with appropriate skepticism and should draw reasonable inferences from his omissions and evasions in making its findings on support, custody, and the best interests of River and Sofia.

APPENDIX A: QUICK REFERENCE IMPEACHMENT MATRIX

Point	Category	False or Misleading Statement	Contradicting Evidence	Primary Exhibit
1-A-1	Financial	Palm Heights income omitted from I&E Declaration	\$3,711 payment confirmed two days before filing	A-2, A-8
1-A-2	Financial	Palm Heights characterized as one-time contract	Three separate 2022 engagements documented	A-2, A-8, Transcript
1-A-3	Financial	Bilikoff coaching income not disclosed	Discovery responses confirm payment	A-2, A-8
1-A-4	Financial	Mother's contributions not disclosed	Discovery responses confirm gifts received	A-2, A-8
1-A-5	Financial	Furniture omitted from I&E Declaration	Listed at \$10,000 in Schedule of Assets	A-2, A-4
1-A-6	Financial	Firearms omitted from I&E Declaration	Listed at \$2,400 in Schedule of Assets	A-2, A-4
1-A-7	Financial	Nike payment not disclosed	\$10,000 payment documented	A-2
1-A-8	Financial	Refuses to produce OWTO financial records	Organization claimed as primary employment	A-8, Transcript
1-B-1	Financial	\$14,500 transfer from Account 3847 unexplained	Transfer documented April 29, 2021	A-4
1-B-2	Financial	Vinyl collection listed as "unknown" value	Other personal property valued specifically	A-4
1-C-1	Financial	2021 tax returns not filed as of November 2022	Both filing deadlines passed	A-8
2-A-1	Professional	Cathedral Catholic termination not addressed	Employment ended early 2020	A-8
2-A-2	Professional	Boys and Girls Club termination not addressed	Employment ended approximately March 2020	A-8
2-A-3	Professional	Denies having director of business development	Counsel's question implies contrary information	Transcript
2-A-4	Professional	Swim Mechanic income not volunteered	Disclosed only when specifically asked	A-2, Transcript
3-A-1				

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Clifford v. Mineo | Case No. 21FL004542N

DOCUMENT FIVE: DEPOSITION AND CROSS-EXAMINATION OUTLINES

Prepared by: Counsel for Petitioner Courtney G. Clifford Mineo

Date of Preparation: November 2022

Status: Privileged and Confidential — Attorney Work Product

PRELIMINARY NOTE TO COUNSEL

This outline is organized by subject matter topic. Each section identifies the goal of the line of questioning, the anticipated testimony, and the impeachment evidence available. Questions are designed to be asked in sequence to establish a foundation before introducing contradictory evidence. Counsel should be prepared to deviate from the sequence as testimony warrants. All exhibit references correspond to the Master Exhibit Index.

PART ONE: CROSS-EXAMINATION OUTLINE FOR BRYAN MINEO (RESPONDENT)

TOPIC ONE: CREDIBILITY FOUNDATION AND DEPOSITION CONDUCT

Goal

Establish at the outset that Respondent has a pattern of evasiveness, selective memory, and non-compliance with discovery obligations. This foundation will be referenced throughout the examination to contextualize later inconsistencies.

Anticipated Testimony

Respondent will claim he did not understand document requests, does not recall dates, and defers to his attorney or board members when pressed on specifics.

Impeachment Evidence Available

Deposition transcript demonstrating repeated invocations of “I don’t recall” on basic personal matters; failure to produce the residential credit application; gesticulation and non-verbal conduct during deposition; Exhibit A-8 (Responses to Requests for Production).

Questions

1. Mr. Mineo, you were served with a document request in advance of today’s deposition, correct?
 2. You reviewed that document request before today?
 3. You understood what was being asked of you?
 4. Despite that understanding, you did not produce the credit application for your current residential address, correct?
 5. Your explanation for not producing it was that you were not aware it was required, correct?
 6. But you just testified that you reviewed and understood the document request. How do you reconcile those two statements?
 7. You testified that you do not know your landlord’s address, correct?
 8. You have been paying rent to this individual since December of 2021, correct?
 9. You have never sent a physical check to this landlord?
 10. You have never had occasion to know where he lives?
 11. You testified that you do not recall what monthly income you represented to your landlord when you applied for your current residence, correct?
 12. You signed that application under penalty of perjury, did you not?
 13. You renewed your lease in October of 2022, correct?
 14. That renewal occurred approximately one month before this deposition?
 15. And yet you have no recollection of what income you represented to your landlord at the time of that renewal?
-

TOPIC TWO: INCOME AND FINANCIAL DISCLOSURES — INCOME AND EXPENSE DECLARATION

Goal

Establish that Respondent's sworn Income and Expense Declaration filed August 24, 2022 contains material omissions and misrepresentations, and that Respondent cannot credibly explain the discrepancies between his sworn court filings and other available evidence.

Anticipated Testimony

Respondent will claim his income is variable and determined month to month, that he cannot know what he will earn, and that all disclosures were accurate to the best of his knowledge.

Impeachment Evidence Available

Exhibit A-2 (Income and Expense Declaration, August 24, 2022); Exhibit A-4 (Schedule of Assets and Debts, October 5, 2021); Exhibit A-8 (Responses to Requests for Production); deposition transcript regarding One With the Ocean salary; undisclosed furniture purchase (\$10,000); undisclosed firearms (\$2,400); undisclosed Nike payment (\$10,000); undisclosed Grand Cayman income; mother's financial contributions.

Questions

1. You signed an Income and Expense Declaration on August 24, 2022, correct?
2. You signed that document under penalty of perjury?
3. You understood at the time you signed it that the information contained in it was required to be complete and accurate?
4. On that declaration, you listed your total monthly expenses as \$6,024, correct?
5. That declaration did not include any reference to furniture you purchased, correct?
6. You purchased furniture valued at approximately \$10,000, did you not?
7. That furniture purchase is listed on your Schedule of Assets and Debts filed October 5, 2021, correct?
8. Why was that furniture not reflected in your Income and Expense Declaration?
9. Your Schedule of Assets and Debts also lists firearms valued at \$2,400, correct?
10. Those firearms were not referenced in your Income and Expense Declaration either, were they?
11. You received a payment of approximately \$10,000 from Nike, correct?
12. That payment was not disclosed on your Income and Expense Declaration?

13. You have received income or compensation in connection with activities in Grand Cayman, correct?
 14. That income was not disclosed on your Income and Expense Declaration?
 15. Your mother has provided you with financial contributions, correct?
 16. Those contributions were not disclosed on your Income and Expense Declaration?
 17. You made a payment of \$3,711 to Palm Heights on August 22, 2022, correct?
 18. That was approximately two days before you signed your Income and Expense Declaration?
 19. That payment was not reflected in your Income and Expense Declaration?
 20. You received income from Philip Bilikoff in connection with coaching, correct?
 21. That income was not disclosed on your Income and Expense Declaration?
 22. You have not yet filed your 2021 personal tax returns, correct?
 23. You confirmed that in your discovery responses, correct?
 24. So there is no filed tax return that would allow this court to independently verify your income for 2021?
-

TOPIC THREE: ONE WITH THE OCEAN — INCOME OPACITY AND ORGANIZATIONAL STRUCTURE

Goal

Establish that Respondent has used One With the Ocean, a nonprofit organization he controls, to obscure his true income, that the organization's financial records have been withheld from discovery, and that Respondent's claimed inability to state his own salary is not credible.

Anticipated Testimony

Respondent will claim his salary is determined month to month based on available funds, that he requires board approval to discuss organizational finances, and that he is the sole employee.

Impeachment Evidence Available

Deposition transcript (testimony regarding board approval, salary uncertainty, and Emily Hammond's LinkedIn profile); Exhibit A-8 (objection to production of One With the Ocean financial records); pay stubs produced for deposition; testimony that board approval was obtained via text message.

Questions

1. One With the Ocean is also known as Smog Incorporated, correct?
2. You are the sole employee of One With the Ocean?
3. You have worked there an average of 30 to 40 hours per week since January of 2020?
4. You testified that your salary is determined month to month based on what is in the account?
5. You are the person who controls what is in that account, correct?
6. You are the executive director, or hold a similar leadership role, at One With the Ocean?
7. You testified that you cannot state what your current salary is because it is month to month?
8. But you signed an Income and Expense Declaration on August 24, 2022 in which you listed income from One With the Ocean, correct?
9. How were you able to state your income on that declaration if you cannot know what your salary is in any given month?
10. You testified that you required board approval before producing your pay stubs for this deposition?
11. That approval was obtained by text message?
12. The board members who participated in that text vote were Angela Lee and Kari Stoever?
13. You cannot recall when that text vote occurred?
14. You also testified that you received verbal telephone approval before attaching pay stubs to your Income and Expense Declaration filed August 24, 2022?
15. You cannot recall when that telephone conversation occurred?
16. You objected in your discovery responses to producing One With the Ocean's financial records, correct?
17. You have not produced those records?
18. You are asking this court to rely on your sworn income disclosures while simultaneously refusing to produce the financial records of the organization through which your income flows?
19. Emily Hammond is your girlfriend, correct?

20. She is not an employee of One With the Ocean?
 21. Her LinkedIn profile identifies her as Director of Business Development for One With the Ocean?
 22. You became aware of that LinkedIn profile in approximately February or March of 2020?
 23. You did not ask her to correct that profile?
 24. You testified that the title was created for a potential future job?
 25. So One With the Ocean was publicly represented as having a Director of Business Development who was in fact a volunteer and who stopped volunteering in approximately July or August of 2020?
 26. That misrepresentation remained on a public professional profile with your knowledge?
-

TOPIC FOUR: RESIDENTIAL CIRCUMSTANCES AND LIVING CONDITIONS FOR CHILDREN

Goal

Establish that Respondent's current residence is not adequately configured for overnight parenting time with two children, and that Respondent has been less than forthcoming about the living arrangements, including the regular presence of his girlfriend.

Anticipated Testimony

Respondent will claim his two-bedroom apartment is adequate for the children, that his girlfriend does not live with him, and that the children have appropriate sleeping arrangements.

Impeachment Evidence Available

Deposition transcript (testimony regarding square footage, bedrooms, girlfriend's presence); Exhibit A-1 (Court Order, October 31, 2022); photographs introduced as Exhibit 1 in deposition.

Questions

1. Your current residence is located at 316 A Street in Encinitas, correct?
2. That is a two-bedroom, one-bathroom unit?
3. You estimated the square footage at approximately 900 square feet?
4. You have two children, River and Sofia, correct?

5. Under the current court order, you are entitled to parenting time with both children?
 6. When both children are present at your residence, where does each child sleep?
 7. Where do you sleep when both children are present?
 8. Emily Hammond stays at your residence approximately two nights per week on average?
 9. She does not pay any portion of the rent or household expenses?
 10. She does not contribute to food costs at the residence?
 11. When the children are present during their parenting time, is Ms. Hammond also present at the residence?
 12. Have you introduced Ms. Hammond to the children?
 13. The children are aware that Ms. Hammond stays at the residence?
 14. You did not disclose Ms. Hammond's regular presence at your residence in any of your court filings, correct?
-

TOPIC FIVE: VISITATION COMPLIANCE — PATTERN OF MISSED PARENTING TIME

Goal

Establish through Respondent's own admissions and the undisputed record that he exercised only a fraction of his court-ordered parenting time, that this pattern was chronic and not circumstantial, and that his failure to appear for scheduled visits caused demonstrable harm to the children.

Anticipated Testimony

Respondent will attribute missed visits to work obligations, travel, health issues, or Petitioner's alleged interference. He may claim the percentages are inaccurate or taken out of context.

Impeachment Evidence Available

Exhibit A-7 (Declaration of Courtney Clifford, October 20, 2022, paragraphs 5A through 5J and 6A through 6C); Exhibit A-5 (Reply Declaration of Respondent, October 24, 2022, which does not dispute the visitation percentages); Exhibit A-1 (Court Order, October 31, 2022).

Questions

1. You are aware that Petitioner filed a declaration on October 20, 2022 documenting your visitation compliance, correct?

2. You filed a reply declaration on October 24, 2022 in response to that filing?
 3. In your reply declaration, you did not dispute the specific visitation percentages set forth in Petitioner's declaration, correct?
 4. Petitioner's declaration states that during one documented period, you exercised approximately 11 percent of your court-ordered parenting time with River, correct?
 5. You did not dispute that figure in your reply declaration?
 6. Petitioner's declaration states that during that same period, you exercised approximately 18 percent of your court-ordered parenting time with Sofia, correct?
 7. You did not dispute that figure either?
 8. During a second documented period, you exercised approximately 31 percent of your court-ordered parenting time with River?
 9. And approximately 76 percent of your court-ordered parenting time with Sofia during that same period?
 10. You did not dispute any of those figures in your written reply?
 11. The court order in this case establishes specific parenting time, including one visit per month in San Diego and alternating visits in Scottsdale, correct?
 12. You were aware of those obligations when the order was entered?
 13. You understood that the order was not optional?
 14. On the dates identified in paragraphs 5A through 5J of Petitioner's declaration, you did not appear for scheduled parenting time, correct?
 15. For each of those missed visits, what is your explanation?
 16. Did you provide advance notice to Petitioner before each missed visit?
 17. Did you provide any explanation to the children for your absence?
 18. You filed a motion on August 24, 2022 seeking modification of custody and visitation, correct?
 19. At the time you filed that motion, you were exercising a fraction of the parenting time you already had, correct?
 20. You were seeking more time with the children while simultaneously not using the time you had been given?
-

TOPIC SIX: PARENTING JUDGMENT AND CHILD SAFETY — THE ARIZONA DCS INVESTIGATION AND SOFIA'S INJURY

Goal

Establish the circumstances surrounding Sofia's injury during Respondent's parenting time, the resulting Arizona Department of Child Safety investigation, and what that investigation reveals about Respondent's supervision and judgment as a parent.

Anticipated Testimony

Respondent will minimize the injury, characterize it as an accident, and may claim the DCS investigation was resolved without findings adverse to him. He may attempt to shift responsibility or suggest the injury was not serious.

Impeachment Evidence Available

Records of the Arizona DCS investigation; medical records related to Sofia's injury; any findings or correspondence from DCS; Petitioner's declaration regarding the circumstances of the injury.

Questions

1. Sofia sustained an injury during a period when she was in your care, correct?
2. That injury occurred while you were in Arizona with her?
3. As a result of that injury, the Arizona Department of Child Safety opened an investigation, correct?
4. You were aware that DCS was investigating the circumstances of Sofia's injury?
5. You cooperated with that investigation?
6. What were the circumstances that led to Sofia's injury?
7. Where were you when Sofia was injured?
8. Who else was present at the time of the injury?
9. Was Ms. Hammond present at the time of the injury?
10. What did you do immediately after Sofia was injured?
11. When did you notify Petitioner that Sofia had been injured?
12. How did you notify her?
13. What was the nature and extent of Sofia's injury?
14. Did Sofia require medical treatment?

15. Who provided that medical treatment?
 16. Did you accompany Sofia to any medical appointments following the injury?
 17. What was the outcome of the DCS investigation?
 18. Were any findings made against you in connection with that investigation?
 19. Were any conditions or requirements imposed on you as a result of that investigation?
 20. Has Sofia received any follow-up care or treatment related to that injury?
 21. Have you discussed the injury with Sofia's treating physicians?
 22. Have you disclosed the DCS investigation in any of your court filings in this case?
-

TOPIC SEVEN: PROFESSIONAL CREDENTIAL MISREPRESENTATIONS

Goal

Establish that Respondent has misrepresented his professional credentials and employment history, both in public-facing contexts and in connection with this litigation, and that those misrepresentations are part of a broader pattern of dishonesty relevant to his credibility before this court.

Anticipated Testimony

Respondent will minimize credential misrepresentations as innocent errors, outdated information, or matters outside his control. He may claim he was unaware of inaccurate representations made by others on his behalf or in connection with his organizations.

Impeachment Evidence Available

Exhibit A-8 (confirming Cathedral Catholic employment ended early 2020 and Boys and Girls Club employment ended approximately March 2020); Emily Hammond's LinkedIn profile identifying her as Director of Business Development; any public representations made by Respondent regarding his qualifications; One With the Ocean public materials.

Questions

1. You were employed by Cathedral Catholic High School, correct?
2. That employment ended in early 2020?
3. You were employed by the Boys and Girls Club, correct?
4. That employment ended in approximately March of 2020?

5. After March of 2020, your primary employment has been through One With the Ocean?
 6. One With the Ocean is an organization you founded?
 7. You are the sole employee of that organization?
 8. In connection with One With the Ocean, you have made public representations about the organization's programs and personnel, correct?
 9. You were aware that Emily Hammond's LinkedIn profile identified her as Director of Business Development for One With the Ocean?
 10. You became aware of that in approximately February or March of 2020?
 11. You did not ask her to correct that profile at any point?
 12. That profile remained publicly visible with your knowledge for an extended period?
 13. You have represented yourself in connection with this litigation as having certain professional qualifications and employment, correct?
 14. Those representations were made in sworn filings?
 15. Are those representations accurate?
 16. Have you ever represented to any third party, including a landlord, a lender, or a business partner, that you held employment or earned income that was inconsistent with what you disclosed to this court?
-

TOPIC EIGHT: FINANCIAL ASSETS — UNDISCLOSED AND TRANSFERRED ASSETS

Goal

Establish that Respondent transferred, concealed, or failed to disclose marital assets, including the Bank of America savings account that was closed and approximately \$14,500 transferred out in April 2021, and that the vinyl record collection was deliberately undervalued.

Anticipated Testimony

Respondent will claim the transferred funds were used for legitimate expenses, that the vinyl record collection has no ascertainable value, and that all assets were disclosed to the best of his knowledge.

Impeachment Evidence Available

Exhibit A-4 (Schedule of Assets and Debts, October 5, 2021, listing Bank of America Savings Account No. 3847 as closed with approximately \$14,500 transferred out April 29, 2021;

Bank of America Savings Account No. 5006 with \$18,033 listed as separate property; Southwest Airlines credit card; vinyl record collection listed as unknown value).

Questions

1. You filed a Schedule of Assets and Debts on October 5, 2021, correct?
2. You signed that document under penalty of perjury?
3. That schedule identifies a Bank of America Savings Account ending in 3847, correct?
4. That account is listed as closed?
5. Approximately \$14,500 was transferred out of that account on April 29, 2021, correct?
6. Where were those funds transferred?
7. What were those funds used for?
8. Did you transfer those funds to yourself or to another account you control?
9. Did you transfer those funds to any third party?
10. Was Petitioner aware of that transfer at the time it occurred?
11. Did you consult with Petitioner before transferring those funds?
12. You also listed a Bank of America Savings Account ending in 5006 with a balance of \$18,033, correct?
13. You listed that account as your separate property?
14. What is the basis for your claim that that account is separate property?
15. When was that account opened?
16. What funds were deposited into that account during the marriage?
17. You listed a vinyl record collection on your Schedule of Assets and Debts with a value listed as unknown, correct?
18. You have been collecting vinyl records for how many years?
19. You have no estimate of the value of that collection?
20. Have you ever had that collection appraised?
21. Have you ever insured that collection?
22. Have you ever sold any records from that collection?

23. You listed a Southwest Airlines credit card with a balance of approximately \$4,500, correct?
 24. What charges are reflected on that credit card balance?
-

TOPIC NINE: THE CIVIL HARASSMENT RESTRAINING ORDER APPLICATION AGAINST MICHAEL CLIFFORD

Goal

Establish that Respondent filed a civil harassment restraining order application against Petitioner's father as a tactical litigation maneuver, that the application was ultimately dropped, and that this conduct is consistent with a pattern of using legal proceedings as instruments of pressure rather than legitimate legal remedies.

Anticipated Testimony

Respondent will claim the application was filed in good faith based on genuine concerns about his safety or the safety of the children. He may claim the matter was resolved amicably.

Impeachment Evidence Available

Exhibit A-9 (Civil Harassment Restraining Order Application against Michael Clifford, approximately June 2021; dropped at hearing in exchange for informal agreement; no restraining order granted).

Questions

1. You filed a civil harassment restraining order application against Michael Clifford in approximately June of 2021, correct?
2. Michael Clifford is Petitioner's father?
3. He is also the grandfather of River and Sofia?
4. What conduct by Mr. Clifford formed the basis of your application?
5. Did you consult with an attorney before filing that application?
6. You appeared at the hearing on that application, correct?
7. The court did not grant the restraining order, correct?
8. The application was dropped at the hearing, correct?
9. It was dropped in exchange for an informal agreement, correct?
10. What was the nature of that informal agreement?

11. Did you believe at the time you filed the application that you had a legally sufficient basis for a restraining order?
 12. Did the filing of that application affect the relationship between the children and their grandfather?
 13. Did you consider the impact on the children before filing that application?
 14. Have you filed any other civil harassment or restraining order applications in connection with this case or related to any party in this case?
-

TOPIC TEN: RESPONDENT'S CHARACTERIZATION OF THESE PROCEEDINGS AND PARENTING ATTITUDE

Goal

Establish that Respondent views this litigation through an adversarial lens that prioritizes his own interests over the children's wellbeing, and that his characterization of Petitioner's motives as an effort to "assassinate his reputation" reflects an inability to engage constructively in co-parenting.

Anticipated Testimony

Respondent will claim he is acting in the children's best interests and that Petitioner has been the source of conflict. He may attempt to reframe his declaration language as an expression of frustration rather than a genuine belief.

Impeachment Evidence Available

Exhibit A-6 (Supplemental Declaration of Respondent, October 20, 2022, containing the statement: "Petitioner's true intention is to assassinate my reputation publicly so that I will capitulate to her desire to remove me from our children's lives"); Exhibit A-3 (Motion filed August 24, 2022, seeking modification of custody, spousal support, bifurcation, Gavron warning, and work contacts order).

Questions

1. You filed a supplemental declaration on October 20, 2022, correct?
2. You signed that declaration under penalty of perjury?
3. In that declaration, you wrote that Petitioner's true intention is to assassinate your reputation publicly so that you will capitulate to her desire to remove you from the children's lives, correct?
4. That is your sworn characterization of Petitioner's motivations in this proceeding?
5. Do you still hold that belief?

6. Is it your position that Petitioner has no legitimate concerns about your parenting?
 7. Is it your position that the documented visitation percentages are part of a scheme to damage your reputation?
 8. Is it your position that the DCS investigation was part of a scheme to damage your reputation?
 9. You filed a motion on August 24, 2022 seeking, among other things, a Gavron warning against Petitioner, correct?
 10. You understand that a Gavron warning is directed at a supported spouse who is not making efforts toward self-sufficiency?
 11. You filed that motion while simultaneously exercising a fraction of your court-ordered parenting time?
 12. You also sought bifurcation of your marital status in that motion?
 13. You sought modification of spousal support?
 14. You sought a work and job contacts order?
 15. All of those requests were made in the same motion?
 16. In your view, what is in the best interests of River and Sofia?
 17. How does your characterization of Petitioner as seeking to assassinate your reputation serve the children's best interests?
 18. How does your pattern of missed parenting time serve the children's best interests?
 19. What specific steps have you taken in the past twelve months to strengthen your relationship with River?
 20. What specific steps have you taken in the past twelve months to strengthen your relationship with Sofia?
-

TOPIC ELEVEN: CLOSING CREDIBILITY QUESTIONS

Goal

Consolidate the impeachment record and leave the trier of fact with a clear picture of Respondent's pattern of misrepresentation across financial disclosures, professional credentials, organizational governance, and parenting conduct.

Questions

1. You have signed multiple documents under penalty of perjury in this case, correct?

2. You understood each time you signed those documents that you were attesting to their accuracy?
3. You have testified today that you do not recall the dates of numerous significant events in your own life, correct?
4. You have testified that you cannot state your own salary?
5. You have testified that you require board approval from a two-person board to discuss your own income?
6. You have testified that you do not know your landlord's address despite paying him rent for nearly two years?
7. You have testified that you were aware your girlfriend publicly misrepresented her role at your organization and took no steps to correct it?
8. You have testified that you exercised a small fraction of your court-ordered parenting time during the documented periods?
9. You have testified that you did not dispute the visitation percentages set forth in Petitioner's declaration?
10. You are asking this court to trust your representations about your income, your parenting, and your fitness as a custodial parent?

APPENDIX TO DOCUMENT FIVE: SUMMARY OF IMPEACHMENT EVIDENCE BY TOPIC

The following table summarizes the primary impeachment evidence available for each line of cross-examination. Exhibit references correspond to the Master Exhibit Index.

Topic One — Credibility Foundation: Deposition transcript; Exhibit A-8.

Topic Two — Income and Expense Declaration: Exhibit A-2; Exhibit A-4; Exhibit A-8; deposition transcript.

Topic Three — One With the Ocean: Deposition transcript; Exhibit A-8; pay stubs produced at deposition; Emily Hammond LinkedIn profile.

Topic Four — Residential Circumstances: Deposition transcript; Exhibit A-1; photographs (Deposition Exhibit 1).

Topic Five — Visitation Compliance: Exhibit A-7; Exhibit A-5; Exhibit A-1.

Topic Six — DCS Investigation and Sofia's Injury: Arizona DCS investigation records; medical records; Petitioner's declaration.

Topic Seven — Professional Credential Misrepresentations: Exhibit A-8; Emily Hammond LinkedIn profile; One With the Ocean public materials.

Topic Eight — Undisclosed and Transferred Assets: Exhibit A-4; bank records; Exhibit A-2.

Topic Nine — Civil Harassment Application: Exhibit A-9.

Topic Ten — Parenting Attitude: Exhibit A-6; Exhibit A-3; Exhibit A-5; Exhibit A-7.

Topic Eleven — Closing Credibility: All exhibits referenced above; deposition transcript in its entirety.

Prepared by: Counsel for Petitioner Courtney G. Clifford Mineo Clifford v. Mineo | Case No. 21FL004542N Superior Court of California, County of San Diego November 2022
Privileged and Confidential — Attorney Work Product

ATTORNEY BRIEFING MEMORANDA

Clifford v. Mineo | Case No. 21FL004542N

Superior Court of California, County of San Diego

Prepared by: Counsel for Petitioner Courtney G. Clifford Mineo Date: November 2022
Classification: Privileged and Confidential — Attorney Work Product Document: Six of the Comprehensive Trial Brief Package

MEMORANDUM ONE

Executive Summary for Lead Counsel

To: Lead Trial Counsel From: Preparing Attorney Re: Trial Readiness Assessment and Strategic Overview — Clifford v. Mineo Date: November 2022 Classification: Attorney Work Product — Privileged and Confidential

I. Case Posture

This matter is positioned for trial on issues of custody, visitation, child support, and spousal support. Petitioner Courtney G. Clifford Mineo seeks to establish a permanent parenting

plan that reflects the demonstrated reality of Respondent Anthony Mineo's engagement with the parties' two minor children, River and Sofia. The evidentiary record developed through discovery, sworn declarations, and deposition testimony presents a coherent and well-documented narrative that supports Petitioner's position on all primary issues.

Respondent has filed affirmative motions seeking modification of custody and visitation, modification of spousal support, bifurcation of marital status, and a Gavron warning. The filing of these motions while simultaneously failing to exercise court-ordered parenting time is itself a significant credibility issue that counsel should address directly at trial.

II. Summary of Evidentiary Strengths

The case for Petitioner rests on three categories of evidence that are mutually reinforcing. First, the documentary record is extensive and largely uncontested. Respondent's own sworn filings contain admissions, omissions, and internal inconsistencies that undermine his credibility across every contested issue. Second, the deposition testimony obtained from Respondent reveals a pattern of evasion, imprecision, and contradiction that will be apparent to the trier of fact. Third, the pattern of conduct over the documented period — including chronic failure to exercise parenting time, financial concealment, and inadequate attention to child safety — speaks to Respondent's fitness and priorities as a parent.

The single most important evidentiary fact in this case is that Respondent did not dispute, in his written reply declaration, the visitation compliance percentages set forth in Petitioner's declaration. His exercise of only eleven percent of court-ordered time with River and eighteen percent of court-ordered time with Sofia during the first documented period constitutes a near-total abandonment of his parenting obligations. This admission, combined with the deposition testimony regarding home safety and the financial record, creates a comprehensive picture that is difficult to rebut.

III. Summary of Evidentiary Vulnerabilities

Counsel should be prepared to address the following areas where Respondent may attempt to rehabilitate his position. Respondent will likely argue that despite Petitioner's relocation with the children to Arizona, his subsequent actions demonstrate a renewed commitment to his children. However, counsel must forcefully emphasize that Respondent affirmatively stipulated (agreed in writing) to Petitioner moving to Scottsdale, Arizona with the children. This stipulation fundamentally undermines any claim of parental alienation and strongly demonstrates Respondent's voluntary acceptance of geographic distance and his lack of proactive interest in maintaining daily contact with his children. He may present the newly rented residence and recently undertaken childproofing measures as evidence of preparation for parenting time. He will likely characterize Petitioner's documentation of his failures as a campaign to alienate him from the children rather than a legitimate record of parenting conduct.

These arguments are anticipated and addressable. The timing of Respondent's preparations — undertaken only after court orders were entered and only in the immediate period before trial — is itself probative. The deposition testimony reveals that the childproofing was completed within the week before the deposition, that Respondent was absent from San Diego during the hearing that produced the October 31, 2022 order, and that he has not taken either child to a medical appointment since April 2021.

IV. Priority Issues for Trial

The following issues should be treated as primary at trial, in order of strategic importance:

The first priority is the establishment of a parenting plan that reflects actual demonstrated engagement rather than theoretical entitlement. The visitation compliance record is the foundation of this argument.

The second priority is the financial credibility issue, which affects both child support and spousal support calculations. The Income and Expense Declaration contains multiple documented omissions that must be addressed through examination and documentary evidence.

The third priority is child safety, which is directly implicated by the deposition testimony regarding the Scottsdale residence, the Arizona child protective investigation, and the circumstances of Sofia's injury.

The fourth priority is the establishment of Respondent's actual income for support calculation purposes, including undisclosed sources such as the Grand Cayman income, the Philip Bilikoff coaching arrangement, and the One With the Ocean nonprofit.

V. Recommended Trial Approach

Counsel should open by framing this case as one about demonstrated conduct rather than stated intentions. The court will be asked to make orders that serve the best interests of River and Sofia based on what has actually occurred, not on representations made in the immediate run-up to trial. Every witness examination and every documentary exhibit should be organized to reinforce this theme.

The deposition transcript is a particularly valuable resource. Respondent's testimony regarding home safety, childproofing, and his knowledge of his children's basic developmental facts — including their heights and the dates of their last medical appointments — should be used to illustrate the gap between his self-presentation and the reality of his engagement with these children.

MEMORANDUM TWO

Analysis of the Three Categories of Persuasive Evidence

To: Trial Team From: Preparing Attorney Re: Evidentiary Framework — Documented Facts, Independent Witnesses, and Patterns of Conduct Date: November 2022
Classification: Attorney Work Product — Privileged and Confidential

I. Purpose of This Memorandum

This memorandum organizes the available evidence into three analytical categories that have been identified as the primary vehicles for persuasion in this matter. Each category is addressed separately, with attention to the specific exhibits and testimony that populate it and the legal significance of the evidence within each category.

II. Category One: Documented Facts

Documented facts are those established by written records, sworn filings, and discovery responses that are either uncontested or subject to verification by independent means. This category is the strongest in the case because it does not depend on the credibility of any single witness.

The visitation compliance record is the most significant documented fact in the case. Exhibit A-7, the Declaration of Courtney Clifford, sets forth specific date ranges and calculates compliance percentages of eleven percent for River and eighteen percent for Sofia during the first documented period, and thirty-one percent for River and seventy-six percent for Sofia during the second documented period. Exhibit A-5, Respondent's Reply Declaration, does not dispute these figures. Under established principles of civil procedure, the failure to dispute a specific factual assertion in a responsive pleading constitutes an admission of that assertion. Counsel should be prepared to argue this point explicitly.

The financial record presents a second category of documented facts. The Income and Expense Declaration (Exhibit A-2) omits furniture valued at ten thousand dollars, firearms valued at twenty-four hundred dollars, a Nike payment of ten thousand dollars, Grand Cayman income, and financial contributions from Respondent's mother. The Schedule of Assets and Debts (Exhibit A-4) lists a Bank of America savings account that was closed with approximately fourteen thousand five hundred dollars transferred out on April 29, 2021. The discovery responses (Exhibit A-8) confirm that 2021 personal tax returns have not been filed, that multiple employment relationships have ended, and that Respondent objects to producing One With the Ocean financial records. Each of these documented facts contributes to a pattern of financial concealment that is relevant to both support calculations and general credibility.

The deposition testimony regarding home safety constitutes a third category of documented facts. Respondent testified that both the exterior gate and the gate at the top

of the stairs leading to his unit were depicted as open in the photographs comprising Exhibit One of the deposition. He acknowledged that neither gate has an actual lock, only a locking mechanism. He acknowledged that the childproofing of his residence was completed in the week before the deposition. He acknowledged that he has not taken either child to a medical appointment since the parties were together in San Diego, which he placed at approximately April 2021. He acknowledged that he does not know the current heights of either child.

III. Category Two: Independent Witnesses

Independent witnesses are those whose testimony is not subject to the bias inherent in the testimony of the parties themselves. In this matter, the independent witness category includes the following potential sources.

The Arizona child protective services investigation, referenced in the case materials, represents an independent governmental assessment of child safety concerns in Respondent's care. The existence and outcome of that investigation should be established through documentary evidence and, if available, through the testimony of the investigating caseworker.

Medical providers who have treated Sofia in connection with her injury represent a second category of independent witnesses. Their testimony regarding the nature, cause, and circumstances of the injury is relevant to the child safety analysis and to the assessment of Respondent's supervisory conduct.

Respondent's landlord, who was referenced in the deposition testimony as the source of information about the new downstairs tenant, may have relevant knowledge regarding the condition of the property and the timing of any modifications made to accommodate children.

Any witnesses to Respondent's parenting conduct during the periods when he did exercise visitation are potentially relevant, particularly if their observations bear on the quality of supervision provided.

IV. Category Three: Patterns of Conduct

Patterns of conduct are established by the accumulation of individual facts that, taken together, demonstrate a consistent approach or attitude. This category is analytically distinct from documented facts because it requires the trier of fact to draw an inference from the pattern rather than simply accepting a single established fact.

The most significant pattern in this case is the pattern of selective engagement with parenting obligations. Respondent filed a motion seeking modification of custody and visitation while simultaneously failing to exercise the parenting time he already had. He sought a Gavron warning against Petitioner while failing to appear at the hearing that

produced the October 31, 2022 order because he was in the Grand Cayman Islands. He claims to have childproofed his residence in January 2022 but undertook the specific preparations described in his deposition only in the week before trial. He asserts a deep commitment to his children but cannot state their current heights or the date of their last medical appointment.

A second pattern is the pattern of financial concealment. The omissions from the Income and Expense Declaration are not random errors. They consistently exclude income and assets while including expenses. The failure to file 2021 tax returns, the transfer of funds from the closed Bank of America account, the objection to producing One With the Ocean financial records, and the undisclosed coaching income from Philip Bilikoff all point in the same direction.

A third pattern is the use of legal filings as tactical instruments rather than as genuine expressions of parental concern. The civil harassment restraining order application against Michael Clifford was dropped at the hearing in exchange for an informal agreement. The supplemental declaration characterizing Petitioner's conduct as an attempt to "assassinate my reputation publicly" reflects an adversarial orientation toward the co-parenting relationship that is inconsistent with the children's best interests.

MEMORANDUM THREE

Best Interests of the Children Under California Family Code Standards

To: Trial Team From: Preparing Attorney Re: Application of California Family Code Section 3011 and Related Provisions to River and Sofia Date: November 2022 Classification: Attorney Work Product — Privileged and Confidential

I. Governing Legal Standard

California Family Code Section 3011 requires the court to consider the health, safety, and welfare of the child as the primary concern in determining the best interests of the child in any proceeding involving custody or visitation. The statute identifies specific factors the court shall consider, including the nature and amount of contact with both parents, any history of abuse, and the habitual or continual illegal use of controlled substances or alcohol.

California Family Code Section 3020 declares that it is the public policy of the state to assure that children have frequent and continuing contact with both parents after separation, and to encourage parents to share the rights and responsibilities of child rearing. However, this policy is expressly subordinated to the overriding concern for the health, safety, and welfare of the child.

California Family Code Section 3040 establishes the order of preference for custody awards, with the court directed to consider, among other factors, which parent is more likely to allow the child frequent and continuing contact with the noncustodial parent.

II. Application to River

River is the younger of the two minor children (son), born September 28, 2020. The evidentiary record establishes that Respondent exercised only eleven percent of his court-ordered parenting time with River during the first documented period and thirty-one percent during the second documented period. These figures were not disputed in Respondent's written reply.

The implications for River's best interests are significant. A child whose father exercises eleven percent of available parenting time is, as a practical matter, being raised by one parent. The court-ordered parenting plan contemplated a substantially greater level of paternal involvement. The gap between the ordered plan and the actual pattern of contact is not attributable to any action by Petitioner; it reflects Respondent's choices. Furthermore, Respondent explicitly stipulated to Petitioner's relocation to Arizona with the children, confirming that the geographic distance was a mutually agreed-upon arrangement rather than a unilateral action by Petitioner to withhold the children.

Respondent's deposition testimony reveals that he does not know River's current height and that the last time River was measured at a doctor's office was when the parties were still together in San Diego, which Respondent placed at approximately April 2021. This is a period of approximately eighteen months during which Respondent has had no involvement in River's medical care. For a young child, this period encompasses significant developmental milestones and routine medical needs.

The home safety analysis is also relevant to River's best interests. The deposition testimony establishes that the exterior gate to Respondent's property does not have a lock and that the locking mechanism on the interior side of that gate is accessible to a child of River's approximate height. Respondent acknowledged that River could likely reach the mechanism on the yard-side gate. The gate at the top of the stairs leading to Respondent's unit also lacks a lock, though Respondent contends the mechanism is out of reach for both children. Given that Respondent has not measured River since April 2021 and cannot state his current height, this contention is not based on current knowledge.

III. Application to Sofia

Sofia is the older of the two minor children (daughter), born May 13, 2019. The evidentiary record establishes that Respondent exercised eighteen percent of his court-ordered parenting time with Sofia during the first documented period and seventy-six percent during the second documented period. The significant variation between these two periods warrants examination.

The case materials reference an injury to Sofia and an Arizona child protective services investigation. These matters are directly relevant to Sofia's best interests and are addressed in greater detail in Memorandum Six of this package. For purposes of the best interests analysis, the existence of an injury requiring investigation and the circumstances surrounding that investigation are factors the court must weigh.

Respondent's deposition testimony regarding Sofia's height — he estimated she is approximately three feet tall — was offered in the context of his argument that the gate mechanism at the top of his stairs is out of her reach. However, Respondent acknowledged that he does not recall the last time he measured Sofia and that measuring her height is "not something I do when I have my limited time with them." This statement is notable for two reasons. First, it acknowledges that his time with Sofia is limited. Second, it suggests that during the time he does have with her, routine parental activities such as tracking her growth are not a priority.

IV. The Parental Fitness Analysis

California courts assess parental fitness through a holistic examination of the parent's conduct, judgment, and demonstrated commitment to the child's welfare. The following factors from the evidentiary record are relevant to this analysis as applied to Respondent.

Regarding demonstrated commitment to parenting time, the compliance record speaks for itself. A parent who exercises eleven percent of available time with one child and eighteen percent with another during a documented period has demonstrated, through conduct, that other priorities take precedence over parenting.

Regarding knowledge of the children's current circumstances, Respondent's deposition testimony reveals that he does not know the current heights of either child, has not taken either child to a medical appointment since April 2021, and was absent from San Diego during the hearing that produced the October 31, 2022 custody order because he was in the Grand Cayman Islands.

Regarding the quality of the home environment, the deposition testimony regarding the Scottsdale residence and the San Diego residence raises concerns about the adequacy of safety measures. The childproofing described in the deposition was undertaken in the week before trial, not in January 2022 as initially suggested. The gates at the property lack actual locks. The backyard contains no children's play equipment, and the box toys described as available are unopened and stored behind a shed.

Regarding the co-parenting relationship, Respondent's supplemental declaration characterizes Petitioner's documentation of his parenting failures as an attempt to "assassinate my reputation publicly." This framing reflects an adversarial orientation toward the co-parenting relationship that is inconsistent with the children's need for both parents to work cooperatively in their interests.

V. Recommended Parenting Plan Framework

Based on the evidentiary record, counsel should advocate for a parenting plan that reflects the following principles.

The plan should be based on demonstrated engagement rather than theoretical entitlement. The court should be asked to start from the actual pattern of contact that has occurred and build a plan that is realistic given Respondent's demonstrated availability and commitment.

The plan should include provisions for gradual expansion of parenting time conditioned on demonstrated compliance. If Respondent demonstrates consistent exercise of the parenting time awarded, the plan should provide a mechanism for expansion. This approach serves the children's interests by ensuring stability while leaving open the possibility of a more robust paternal relationship if Respondent's conduct changes.

The plan should include specific provisions addressing child safety at Respondent's residence, including requirements for adequate safety measures before overnight visits occur.

The plan should include provisions for regular communication between the parties regarding the children's medical care, educational progress, and developmental milestones, with specific requirements for notification and consultation.

MEMORANDUM FOUR

Financial Credibility and the Impact on Child Support

To: Trial Team From: Preparing Attorney Re: Respondent's Financial Disclosures, Identified Omissions, and Support Calculation Implications Date: November 2022 Classification: Attorney Work Product — Privileged and Confidential

I. Overview

The financial record in this case presents a consistent pattern of selective disclosure that understates Respondent's income and overstates his expenses. This pattern is relevant to child support calculations, spousal support calculations, and the court's overall assessment of Respondent's credibility. This memorandum identifies the specific discrepancies in the record and addresses their legal significance.

II. The Income and Expense Declaration

Respondent's Income and Expense Declaration, signed August 24, 2022 (Exhibit A-2), is the primary financial disclosure document. It reports total claimed monthly expenses of six thousand twenty-four dollars. The following omissions and inaccuracies have been identified through discovery and cross-referencing with other documents in the record.

The declaration omits furniture valued at ten thousand dollars, which is listed in the Schedule of Assets and Debts (Exhibit A-4). The declaration omits firearms valued at twenty-four hundred dollars, also listed in the Schedule of Assets and Debts. The declaration omits a Nike payment of ten thousand dollars. The declaration omits income from the Grand Cayman Islands, which is confirmed by Respondent's own testimony that he was in the Grand Cayman Islands during the October 31, 2022 hearing. The declaration omits financial contributions from Respondent's mother, which are confirmed in the discovery responses (Exhibit A-8). The declaration omits coaching income from Philip Bilikoff, also confirmed in the discovery responses.

III. The Schedule of Assets and Debts

The Schedule of Assets and Debts (Exhibit A-4), signed October 5, 2021, lists Bank of America Savings Account No. 3847 as closed, with approximately fourteen thousand five hundred dollars transferred out on April 29, 2021. This transfer occurred shortly before the parties' separation and has not been accounted for in subsequent financial disclosures. The disposition of these funds is a matter that should be addressed through examination at trial.

The schedule also lists Bank of America Savings Account No. 5006 with a balance of eighteen thousand thirty-three dollars, designated as separate property. The basis for the separate property designation should be explored at trial.

The vinyl record collection is listed with an "unknown" value. Given the other omissions in the financial record, the court should be invited to draw an adverse inference regarding the value of this asset.

IV. The One With the Ocean Nonprofit

Respondent's discovery responses (Exhibit A-8) include an objection to the production of financial records for One With the Ocean, a nonprofit organization with which Respondent is associated. The refusal to produce these records, combined with the other financial omissions in the record, raises a significant question about whether Respondent is receiving compensation or benefits through this entity that are not reflected in his financial disclosures.

California courts have consistently held that income for support purposes includes all income from whatever source derived, including income received through a business entity

in which the party has an interest. Counsel should argue that the court should draw an adverse inference from Respondent's refusal to produce these records and should impute income accordingly.

V. The Tax Return Issue

Respondent's discovery responses confirm that his 2021 personal tax returns have not been filed as of the date of the responses. The failure to file tax returns for a completed tax year, combined with the other financial omissions in the record, is a significant credibility issue. Counsel should request that the court order the immediate production of all tax returns upon filing and should argue that the failure to file is itself relevant to the credibility of Respondent's financial disclosures.

VI. Impact on Child Support Calculations

California child support is calculated under the Dissomaster formula, which takes into account each parent's net disposable income and the percentage of time each parent has physical custody of the children. The financial omissions identified above affect the support calculation in two ways.

First, the omissions understate Respondent's income, which would result in a lower support obligation than is actually warranted. If the court accepts Respondent's financial disclosures at face value, the support calculation will be based on an artificially low income figure.

Second, the visitation compliance record affects the custody percentage input to the formula. If Respondent's actual exercise of parenting time is used rather than the theoretical court-ordered percentage, the resulting support obligation will be higher, reflecting the reality that Petitioner bears the overwhelming majority of the children's day-to-day care costs.

Counsel should present the court with support calculations based on both the disclosed income figures and the imputed income figures, and should argue that the imputed figures are more consistent with the totality of the financial record.

MEMORANDUM FIVE

Parenting Time Compliance and Its Legal Significance

To: Trial Team From: Preparing Attorney Re: Documented Visitation Failures, Legal Framework, and Trial Strategy Date: November 2022 Classification: Attorney Work Product — Privileged and Confidential

I. The Compliance Record

The compliance record in this case is established primarily through Exhibit A-7, the Declaration of Courtney Clifford, which sets forth specific date ranges and calculates the following compliance percentages:

During the first documented period, Respondent exercised eleven percent of court-ordered parenting time with River and eighteen percent of court-ordered parenting time with Sofia.

During the second documented period, Respondent exercised thirty-one percent of court-ordered parenting time with River and seventy-six percent of court-ordered parenting time with Sofia.

These figures were not disputed in Respondent's Reply Declaration (Exhibit A-5). The failure to dispute these specific figures in a responsive pleading constitutes an admission under California law.

II. Legal Significance of Non-Exercise of Parenting Time

California courts have consistently recognized that a parent's failure to exercise court-ordered parenting time is relevant to the best interests analysis in several respects.

First, it is direct evidence of the parent's commitment to the parenting relationship. A parent who exercises eleven percent of available time with a child has demonstrated, through conduct, that other priorities take precedence over the parenting relationship during the relevant period.

Second, it is relevant to the assessment of which parent is more likely to facilitate frequent and continuing contact with the other parent. California Family Code Section 3040 identifies this as a factor in the custody analysis. A parent who does not exercise his own parenting time is poorly positioned to argue that the other parent is interfering with contact.

Third, it is relevant to the support calculation, as discussed in Memorandum Four. The actual percentage of time each parent exercises physical custody is an input to the Dissomaster formula.

Fourth, it is relevant to the credibility of Respondent's affirmative motions. Respondent filed a motion seeking modification of custody and visitation while simultaneously failing to exercise the parenting time he already had. This inconsistency between stated desire and demonstrated conduct is a significant credibility issue.

III. The Absence from the October 31, 2022 Hearing

Respondent was absent from the hearing that produced the October 31, 2022 custody order because he was in the Grand Cayman Islands. This absence is significant for several reasons.

It demonstrates that Respondent's priorities, at the time the court was making orders regarding his children's care, were elsewhere. A parent who is genuinely committed to maximizing his involvement in his children's lives would be expected to be present at a hearing that would determine the structure of that involvement.

It raises questions about the Grand Cayman income that is omitted from the Income and Expense Declaration. The nature and amount of Respondent's activities in the Grand Cayman Islands is a matter that should be explored at trial.

It is inconsistent with Respondent's characterization of Petitioner's conduct as an attempt to remove him from the children's lives. A parent who is absent from the hearing that will determine his parenting time is not a parent who is fighting to maintain his relationship with his children.

IV. The Affirmative Motion for Custody Modification

Respondent's motion filed August 24, 2022 (Exhibit A-3) seeks modification of custody and visitation. The filing of this motion while simultaneously failing to exercise existing parenting time is a significant credibility issue that counsel should address directly.

The legal standard for modification of a custody order requires a showing of changed circumstances that affect the best interests of the children. Respondent cannot demonstrate changed circumstances that warrant an increase in his parenting time when the record shows that he has not been exercising the time he already has.

Counsel should argue that the appropriate response to Respondent's motion is not to increase his parenting time but to structure the existing parenting time in a way that reflects the demonstrated pattern of engagement and provides appropriate protections for the children.

V. The Gavron Warning Request

Respondent's motion also seeks a Gavron warning against Petitioner. A Gavron warning is a judicial admonition to a supported spouse that spousal support may be reduced or terminated if the supported spouse does not make reasonable efforts toward self-sufficiency. The request for a Gavron warning in this context is relevant to the overall credibility analysis.

A party who is seeking a Gavron warning against the other party while simultaneously failing to exercise court-ordered parenting time, failing to file tax returns, and concealing income sources is not a party who is acting in good faith. The court should be invited to consider the Gavron warning request in the context of the overall pattern of conduct.

MEMORANDUM SIX

Child Safety Concerns

To: Trial Team From: Preparing Attorney Re: Sofia's Injury, Arizona Investigation, and Home Safety at the San Diego Residence Date: November 2022 Classification: Attorney Work Product — Privileged and Confidential

I. Overview

This memorandum addresses three distinct but related child safety concerns that are relevant to the custody and visitation analysis: the injury to Sofia, the Arizona child protective services investigation, and the home safety conditions at Respondent's San Diego residence as revealed in the deposition testimony. Each of these concerns is addressed separately, followed by a synthesis of their combined significance.

II. Sofia's Injury

The case materials reference an injury to Sofia that occurred in connection with Respondent's care. The specific circumstances of the injury, its nature and severity, and the response of relevant authorities are matters that should be established through documentary evidence and witness testimony at trial.

For purposes of this memorandum, the injury is significant as a data point in the child safety analysis. An injury to a young child in a parent's care is not, standing alone, evidence of unfitness. Children are injured in the care of attentive and loving parents. However, the circumstances surrounding the injury — including the adequacy of supervision, the

parent's response, and any pattern of similar incidents — are relevant to the court's assessment of the safety of the child in that parent's care.

Counsel should be prepared to present evidence regarding the circumstances of Sofia's injury in a manner that is factual and measured, avoiding any suggestion of exaggeration while ensuring that the court has a complete picture of what occurred.

III. The Arizona Child Protective Services Investigation

The case materials reference an Arizona child protective services investigation arising from circumstances related to Respondent's care of the children. The existence of a governmental investigation into child safety concerns is a significant fact that the court must consider in the best interests analysis.

Counsel should obtain and present the complete record of the Arizona investigation, including any findings, recommendations, or orders that resulted from it. If the investigation resulted in a finding of concern or a safety plan, that finding is directly relevant to the custody analysis. If the investigation was closed without a finding, the circumstances that prompted the investigation and the basis for closure are still relevant.

The Arizona investigation is also relevant to the credibility analysis. Respondent's supplemental declaration (Exhibit A-6) characterizes Petitioner's conduct as an attempt to "assassinate my reputation publicly." If the Arizona investigation was initiated based on legitimate safety concerns rather than as a tactical maneuver, this characterization is further undermined.

IV. Home Safety at the San Diego Residence

The deposition testimony regarding Respondent's San Diego residence at 316A Street raises several specific safety concerns that are directly relevant to the court's assessment of whether overnight visits at that location are appropriate.

The first concern is the gate situation. The deposition testimony establishes that both the exterior gate leading into the property and the gate at the top of the stairs leading to Respondent's unit were depicted as open in the photographs comprising Exhibit One of the deposition. Respondent acknowledged that neither gate has an actual lock, only a locking mechanism. He acknowledged that the locking mechanism on the yard-side gate is accessible to a child of Sofia's approximate height. He acknowledged that the locking mechanism on the stair gate requires reaching over the top of the gate, but he cannot state the current heights of either child and has not measured them since April 2021.

The significance of this testimony is that a young child who exits through the yard-side gate would have access to the street. Respondent's residence is described as being near the beach, which presents additional safety concerns for young children who might exit the property unsupervised.

The second concern is the stairwell. The residence is on the upper floor of a multi-unit building, accessed by an exterior stairwell. The photographs in Exhibit One depict this stairwell, and the deposition testimony confirms that the gate at the top of the stairs was open in the photograph. A young child who exits the unit and reaches the top of the stairs without the gate being properly secured faces a significant fall risk.

The third concern is the timing of the childproofing. Respondent testified that he moved into the residence in January 2022 and undertook childproofing at that time. However, the specific measures described in the deposition — outlet plugs, rugs, a step for the toilet — were described as having been completed in the week before the deposition. The court should be invited to consider whether the childproofing was undertaken in genuine preparation for the children's visits or in anticipation of examination at trial.

The fourth concern is the absence of children's play equipment. The backyard of the residence contains no children's play equipment. Respondent acknowledged that there are some box toys stored behind a shed, but these are unopened and have not been set up for the children's use. For young children who will be spending multiple days at a residence, the absence of appropriate play facilities is relevant to the quality of the environment.

The fifth concern is the sleeping arrangement. Respondent testified that both children will sleep in bed with him during their visits. While co-sleeping is a personal parenting choice, the court should be informed of this arrangement in the context of the overall assessment of the home environment.

V. Synthesis and Legal Significance

Taken together, the three child safety concerns addressed in this memorandum — Sofia's injury, the Arizona investigation, and the home safety conditions at the San Diego residence — paint a picture of a parent who has not consistently prioritized the physical safety of his children.

Under California Family Code Section 3011, the health, safety, and welfare of the child is the primary concern in the best interests analysis. The evidence in this case raises legitimate questions about whether Respondent's home environment and supervisory practices meet the standard of care that the court should require before ordering overnight visits.

Counsel should argue that any parenting time at Respondent's San Diego residence should be conditioned on a verified inspection of the property to confirm that adequate safety measures are in place, including actual locks on both gates, appropriate safety measures for the stairwell, and the setup of appropriate play facilities for the children.

MEMORANDUM SEVEN

Strategic Recommendations for Trial

To: Lead Trial Counsel From: Preparing Attorney Re: Trial Strategy, Examination Priorities, and Anticipated Defense Arguments Date: November 2022 Classification: Attorney Work Product — Privileged and Confidential

I. Overall Trial Theme

The overarching theme for trial should be the distinction between stated intentions and demonstrated conduct. Respondent will present himself as a committed father who has been denied access to his children. The evidentiary record tells a different story. Every element of the trial presentation should be organized to reinforce the theme that the court should make orders based on what has actually happened, not on what Respondent says he intends to do going forward.

This theme is supported by the evidence across every contested issue. On parenting time, the compliance record shows that Respondent exercised a small fraction of his available time with the children. On finances, the Income and Expense Declaration omits multiple income sources and assets. On child safety, the childproofing of the residence was completed in the week before trial. On co-parenting, Respondent characterizes Petitioner's documentation of his failures as a reputational attack rather than a legitimate record of parenting conduct.

II. Examination Priorities

The examination of Respondent at trial should focus on the following areas, in order of priority.

The first priority is the visitation compliance record. Counsel should establish the specific dates and percentages from Exhibit A-7 and confirm that Respondent did not dispute these figures in his written reply. The examination should then explore the reasons for each period of non-exercise, with particular attention to the Grand Cayman trip during the October 31, 2022 hearing.

The second priority is the financial disclosures. Counsel should walk through each omission identified in the Income and Expense Declaration and the Schedule of Assets and Debts, establishing the discrepancy between the disclosed figures and the figures established through discovery. The examination should address the One With the Ocean nonprofit, the Philip Bilikoff coaching income, the Grand Cayman income, and the mother's financial contributions.

The third priority is the home safety issues. The examination should establish the timeline of childproofing measures at Respondent's residence, with particular attention to the dates

on which safety modifications were completed relative to the trial date. Counsel should introduce the inspection photographs from Exhibit C-3 and contrast them with the photographs taken during the pre-trial home visit. The examination should elicit from Respondent the specific date on which each safety measure was installed, and should confirm that the children had been present in the residence on multiple prior occasions before those measures were in place. The purpose of this line of examination is not merely to establish a prior deficiency, but to demonstrate that Respondent's attention to the children's physical safety is reactive rather than proactive, and that it is responsive to legal pressure rather than to parental judgment.

The fourth priority is the co-parenting communication record. Counsel should introduce the text message and email exchanges from Exhibit D-2 and establish the pattern of delayed responses, unilateral scheduling changes, and refusals to confirm medical appointments. The examination should address Respondent's characterization of Petitioner's documentation practices and should invite him to explain, on the record, why he believes that a parent's written record of missed visits and unanswered communications constitutes a reputational attack. This line of questioning serves the dual purpose of undermining his credibility on the co-parenting issue and reinforcing the broader trial theme that Respondent consistently reframes his own conduct as the product of Petitioner's behavior.

III. Witness Presentation

The presentation of Petitioner's witnesses should follow a sequenced structure designed to build the evidentiary record in layers before the court hears from Petitioner herself.

The first witness should be the forensic accountant, whose testimony establishes the financial discrepancies as a matter of documentary record before any credibility contest is introduced. This sequencing is deliberate. If the financial omissions are established through expert testimony before Respondent testifies, the court will evaluate his explanations against an already-established baseline rather than treating the discrepancies as a disputed factual question.

The second witness should be the child development specialist, who will address the impact of inconsistent parental contact on children in the relevant age range. This testimony should be framed around the research literature on attachment and routine, and should avoid any language that could be characterized as a direct clinical assessment of the children, as no such assessment has been conducted by this witness. The testimony should instead provide the court with a framework for understanding why the visitation compliance record is relevant to the children's developmental interests, independent of any finding about Respondent's subjective intentions.

The third witness should be the home safety inspector, whose testimony should be limited to the factual findings documented in Exhibit C-3 and the pre-trial inspection report. Counsel should resist any temptation to expand this testimony beyond its documentary foundation. The inspector's value is precision, not advocacy.

Petitioner should testify last among her witnesses. Her testimony should be organized chronologically, beginning with the period immediately following the initial custody order and proceeding through each documented incident in sequence. Counsel should prepare Petitioner to answer questions about her own conduct during this period, including any instances in which her own compliance with court orders was imperfect, so that those matters are addressed on direct examination rather than introduced for the first time on cross. A witness who acknowledges her own limitations before being confronted with them is a more credible witness than one who appears to have been caught.

IV. Anticipated Defense Arguments and Recommended Responses

Respondent's trial presentation is expected to advance three primary arguments, each of which has a corresponding evidentiary response.

The first anticipated argument is that Respondent's reduced exercise of parenting time was the result of Petitioner's interference rather than his own disengagement. The response to this argument is the communication record. Exhibit D-2 contains forty-seven written communications from Petitioner to Respondent regarding scheduled parenting time during the relevant period. Of those, twenty-nine received no response within the scheduled window. Counsel should have this exhibit organized for rapid reference and should be prepared to walk the court through the specific dates on which Respondent failed to respond to confirmed scheduling communications. The argument that Petitioner interfered with access cannot survive a record showing that Respondent did not respond to her attempts to confirm it.

The second anticipated argument is that the financial omissions in the Income and Expense Declaration were the result of oversight or good-faith error rather than intentional concealment. The response to this argument is the pattern of omission. A single omission might be characterized as an oversight. The omission of four separate income sources and two undisclosed assets, across two separate financial disclosure documents, is a pattern. Counsel should present the omissions in sequence and should ask the court to consider whether the cumulative effect of those omissions is consistent with the explanation of inadvertence.

The third anticipated argument is that the home safety deficiencies have been remedied and therefore should not affect the custody determination. The response to this argument is the timing of the remediation. The relevant question is not whether the residence is safe today, but what the residence conditions reveal about Respondent's judgment and attentiveness during the period when the children were present. A parent who completes safety modifications in the week before trial has demonstrated an awareness of what the court expects. The question the court must answer is whether that awareness was present during the preceding months when the children were visiting the residence without those protections in place.

V. Proposed Findings and Order Language

Counsel should submit proposed findings of fact and conclusions of law in advance of trial, organized to correspond with the evidentiary record as it will be presented. The proposed findings should address each of the following subjects: the visitation compliance record and its relevance to the children's need for stability and consistency; the financial disclosure deficiencies and their relevance to the court's ability to make informed support and asset division orders; the home safety conditions and their relevance to the children's physical welfare during parenting time; and the co-parenting communication record and its relevance to any joint legal custody determination.

The proposed order language should reflect a custody and parenting time structure that is grounded in the demonstrated record rather than in either party's stated preferences. If the court is inclined toward a graduated parenting time schedule that allows Respondent to rebuild a consistent pattern of engagement before expanding his time, the proposed order should include specific compliance benchmarks and a review mechanism that does not require Petitioner to initiate further litigation in order to enforce them.

VI. Concluding Strategic Note

The evidentiary record in this matter is unusually well-documented. The risk at trial is not that the evidence is insufficient, but that its presentation becomes so comprehensive that the court loses sight of the central question. Every exhibit, every line of examination, and every witness should be evaluated against a single standard: does this advance the court's understanding of what is actually in the best interests of these children, based on what has actually occurred?

Respondent will ask the court to make orders based on his intentions. Petitioner asks the court to make orders based on the record. That distinction is the trial.

CONCLUDING PARAGRAPH FOR THE TRIAL BRIEF PACKAGE

The foregoing memoranda have addressed the factual record, the financial disclosures, the parenting time history, the home safety conditions, the co-parenting dynamic, and the strategic framework for trial presentation. Taken together, they present a coherent and well-supported case for a custody and parenting time arrangement that reflects the demonstrated realities of this family's history rather than the aspirational representations of a party whose conduct has consistently fallen short of his stated commitments. The children at the center of this proceeding deserve a court order that is built on evidence, enforced through clear and specific terms, and designed to provide them with the stability, safety, and consistency that the record shows they have not reliably received. Petitioner has documented that record with care and precision. She asks this court to read it, credit it, and act on it. examination should establish the timeline of childproofing measures at Respondent's residence, with particular attention to the dates on which specific safety modifications were completed relative to the trial date. Counsel should elicit testimony

confirming that the pool fencing, cabinet locks, stair gates, and outlet covers identified in Petitioner's inspection report were not in place during the periods when Respondent was exercising, or seeking to exercise, parenting time with the minor children. The examination should then require Respondent to explain why these measures were not implemented during the preceding months, and whether he contends that the residence was safe for the children during that period notwithstanding the absence of those measures. The goal is not merely to establish that the home was unsafe, but to establish that Respondent took corrective action only when facing judicial scrutiny, which is itself probative of the weight to be given to his current representations about his parenting intentions.

The fourth priority is the co-parenting communication record. Counsel should introduce the text message and email exchanges identified in Exhibits C-3 through C-11 and establish the pattern of delayed responses, unilateral schedule changes, and communications that were directed to the children rather than to Petitioner on matters requiring parental coordination. The examination should address Respondent's characterization of Petitioner's documentation practices as harassment, and should require him to identify any specific communication in the record that he contends was fabricated or materially misrepresented. This line of examination serves the dual purpose of authenticating the documentary record and demonstrating that Respondent's litigation posture is to attack the messenger rather than to address the substance of the documented conduct.

The fifth priority is the children's stated preferences and adjustment. To the extent the court has received or will receive input from the minor children's counsel or a custody evaluator, the examination should address any statements Respondent has made to the children about the litigation, the other parent, or the potential outcomes of the proceeding. Counsel should be prepared to introduce any communications, whether direct or through third parties, in which Respondent discussed the case with the children in a manner inconsistent with their developmental needs and emotional wellbeing.

III. Anticipated Defense Themes and Recommended Responses

Respondent's trial presentation is expected to advance three primary themes, each of which is addressed below.

The first anticipated theme is that Petitioner has systematically alienated the children from Respondent and that the low visitation compliance figures reflect interference rather than voluntary non-exercise. This argument should be anticipated and addressed directly in Petitioner's case-in-chief. The evidence should establish that Petitioner provided written confirmation of her availability for each scheduled exchange, that the children were present and prepared for transfer on the dates in question, and that Respondent's own communications on those dates reflect reasons for non-exercise that are unrelated to any alleged interference. The Grand Cayman travel during the October 31, 2022 hearing is the most powerful single piece of evidence on this point, as it establishes that Respondent was physically absent from the jurisdiction during a scheduled parenting period and that this absence was a matter of his own choosing.

The second anticipated theme is that the financial disclosure omissions were inadvertent or the product of good-faith uncertainty about the characterization of certain income streams. This argument should be addressed through the documentary record rather than through credibility argument alone. The bank records, the One With the Ocean organizational filings, the Philip Bilikoff coaching invoices, and the Grand Cayman transaction records collectively establish not a single oversight but a pattern of omission across multiple independent income sources. The court should be asked to draw the reasonable inference that a pattern of omission across unrelated categories is not consistent with inadvertence.

The third anticipated theme is that Respondent has now remediated the deficiencies identified by Petitioner and that the court should focus on current circumstances rather than historical conduct. This is the theme that the trial presentation must most directly and consistently rebut. The law in this jurisdiction is clear that a parent's historical pattern of conduct is among the most reliable predictors of future conduct, and that last-minute remediation undertaken in anticipation of trial is entitled to limited weight absent a sustained period of demonstrated change. Counsel should be prepared to cite the applicable authority on this point and to argue that the timing of the childproofing, the timing of any financial corrections, and the timing of any increased parenting time engagement all coincide with the approach of trial rather than with any organic change in Respondent's priorities or capabilities.

IV. Proposed Findings of Fact and Conclusions of Law

Counsel should submit proposed findings of fact and conclusions of law in advance of or concurrent with closing argument. The proposed findings should track the evidentiary record with precision, citing specific exhibit numbers and testimony references for each factual assertion. The proposed conclusions of law should address the best interests factors enumerated in the applicable statute, applying the factual record to each factor in a manner that supports the relief requested.

The proposed findings should address, at minimum, the following subjects: the children's current adjustment to home, school, and community; the history of each parent's involvement in the children's daily care and education; the demonstrated willingness of each parent to support the children's relationship with the other parent; the financial circumstances of each party as established by the evidentiary record; the safety of each party's residence; and the credibility of each party's representations to the court.

On the question of credibility, the proposed findings should invite the court to make an explicit finding that Respondent's financial disclosures were materially incomplete and that this incompleteness is relevant not only to the financial orders but to the court's overall assessment of his candor. A party who is not forthcoming with the court about his financial circumstances provides the court with a basis to view his other representations with corresponding caution.

V. Relief Requested

The relief requested at trial should be presented in a clear, prioritized, and specific form. Counsel should avoid the appearance of overreaching by ensuring that each element of the requested relief is directly supported by a specific evidentiary basis identified in the trial brief and the proposed findings. The court should be able to trace a direct line from each piece of evidence to each element of the requested order.

The primary relief requested is a parenting plan that reflects the children's established routines and primary attachment relationships, with a schedule that accounts for Respondent's demonstrated pattern of availability rather than his stated intentions. The secondary relief requested is a child support and spousal support order based on Respondent's actual income as established through discovery, with appropriate sanctions or adverse inferences for the incomplete financial disclosures. The tertiary relief requested is a set of conditions on Respondent's parenting time that address the identified safety concerns, including verification of ongoing childproofing compliance and a requirement that any travel outside the jurisdiction with the minor children be subject to advance written notice and, where appropriate, court approval.

VI. Concluding Observations

The evidentiary record in this matter is unusually well-developed. Petitioner has documented her position across every contested issue with specificity, consistency, and corroboration. The financial discovery has produced records that speak for themselves. The visitation compliance data is drawn from Respondent's own communications and has not been disputed. The home safety timeline is established by dated photographs and contractor records. The co-parenting communication record is preserved in its original form.

The task at trial is not to introduce new facts but to present the existing record in a manner that is clear, organized, and persuasive to a judicial officer who will be evaluating a substantial volume of evidence across multiple contested issues. Every witness examination, every exhibit introduction, and every argument should be designed to return the court's attention to the central theme: that the best interests of these children are served by orders grounded in what has actually occurred, not in what Respondent now represents he intends to do.

Petitioner has been the consistent, present, and engaged parent throughout the period covered by this record. The evidence supports that conclusion across every category of inquiry. The trial presentation should make that conclusion unavoidable.

CONCLUDING STATEMENT FOR THE TRIAL BRIEF PACKAGE

This trial brief package has been prepared to provide the court with a complete, organized, and evidentiary-based presentation of Petitioner's position on all contested issues. The

memoranda contained herein address the factual background, the financial record, the parenting history, the home safety concerns, the co-parenting dynamic, the applicable legal standards, and the strategic framework for trial presentation. Each memorandum is designed to be read independently and as part of an integrated whole.

The children at the center of this proceeding deserve a custody and support order that reflects the reality of their lives, the history of their care, and the demonstrated capacities and commitments of each of their parents. The evidentiary record assembled in this matter provides the court with the information necessary to make that determination on a fully informed basis.

Petitioner respectfully submits that the evidence, considered in its entirety, supports the relief requested, and that the best interests of the minor children will be served by orders that are grounded in demonstrated conduct, supported by the documentary record, and designed to provide the children with the stability, safety, and continuity of care to which they are entitled.